

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

July 18, 2016

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CALL TO ORDER

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

INVOCATION

Vice Chair Hall.

PLEDGE OF ALLEGIANCE

Commissioner Cook.

ROLL CALL

Present: Commissioners Cook, Smith, Vice Chair Hall, and Chairman Vose.

Absent: Commissioners Coronado and Harvey.

Also present were the Assistant City Attorney (Jocelyn Corbett), Planning Director (Brian Ludicke), Development Services Director (Jeff Hogan), Principal Planner (Chuen Ng), City Engineer (Michelle Cantrell), Sr. Projects Coordinator (Heather Swan), Environmental Compliance Officer (David Jones), Energy Manager - Programs (Patricia Garibay), and Recording Secretary (Joy Reyes). There were 29 people in the audience.

CONSENT CALENDAR

1. APPROVAL OF MINUTES

It was moved by Commissioner Cook and seconded by Commissioner Smith to approve the Minutes from the Regular Meeting of June 20, 2016. Motion for the Regular Meeting carried with the following vote (4-0-0-0-2):

AYES: Cook, Smith, Hall, and Vose.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Coronado and Harvey.

The commissioners concurred to move up Agenda Item No. 7 as requested by Jocelyn Corbett.

7. DISCUSSION OF LAND USE IMPLICATIONS OF RECREATIONAL MARIJUANA

Presenter: Jocelyn Corbett

Jocelyn Corbett updated the Commissioners and staff on the current status of the State Medical Marijuana Law, the City's position, and the upcoming November ballot initiative—Prop 64 known as the Adult Use of Marijuana Act.

- The Medical Marijuana Regulation and Safety Act became effective in 2016
- Various bills requiring an established state wide system for licensing and regulating medical commercial cannabis activities; Cultivation, Dispensaries, Delivery, Transportation, and other activities.
- State agencies will have responsibility to oversee various aspects of commercial cannabis industry: California Department of Consumer Affairs, Department of Public Health, Department of Food and Agriculture.
- Agencies regulations must be in place by January 2018
- The Adult Use of Marijuana Act provides local jurisdictions may adopt ordinances establishing additional requirements and regulations. Requirements established by the State are to be the minimum standards in any jurisdiction.
- City would be responsible for overseeing all aspects of activity until state requirements are established, without knowing potential state standards
- The Adult Use of Marijuana Act contains a provision regarding the City's responsibility to regulate and enforce state law without liability, cost, or expense to the county.
- Current law has conflicting provisions impacting cultivation; Business and Professions code vs. Health and Safety Code.
- The Adult Use of Marijuana Act provides that various state agencies shall begin issuing licenses in January 2018, the same agencies listed in the Medical Marijuana Act.
- The Adult Use of Marijuana Act contains contradictory provisions; including those that would directly impact the City's authority to regulate.
- City of Lancaster currently has an ordinance in place that prohibits dispensaries, deliveries, and cultivation (indoors/outdoors).

Jocelyn Corbett stated she would like to have the Commission begin a discussion about cultivation, land use, outdoor use, zoning and size of cultivation allowed.

A discussion ensued between the commissioners and Jocelyn Corbett regarding water usage, City responsibility to keep marijuana safe, enforcement, licensing and fees, litigation at state and federal level, Title 5 and Title 17 of the municipal code, as well as the cultivation, processing, manufacturing, and retail effects. Commissioners agreed to present their ideas before the next meeting.

CONTINUED PUBLIC HEARING

2. ONE-YEAR EXTENSION

a. Tentative Tract Map No. 67582

Chairman Vose opened the continued public hearing at 6:40 p.m., to hear a request by Stratham Montecito West, Inc., to subdivide 8 single-family lots in the R-7,000 Zone, located on 1.71± gross acres on the northeast corner of 52nd Street West and Avenue J-8.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:40 p.m.

It was moved by Commissioner Smith and seconded by Commissioner Cook to grant a time extension to June 18, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 07-30. Motion carried with the following vote (4-0-0-2):

AYES: Cook, Smith, Hall, and Vose.
 NOES: None.
 ABSTAIN: None.
 RECUSED: None.
 ABSENT: Coronado and Harvey.

NEW PUBLIC HEARINGS

3. ONE-YEAR EXTENSIONS

a. Tentative Tract Map No. 60489

Chairman Vose opened the public hearing at 6:41 p.m., to hear a request by Civil Design and Drafting, Inc., to subdivide 65 single-family lots in the R-7,000 Zone, located on 1.71± gross acres on the northeast corner of 52nd Street West and Avenue J-8.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:41 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Smith to grant a time extension to June 18, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 07-25. Motion carried with the following vote (4-0-0-2):

AYES: Cook, Smith, Hall, and Vose.
 NOES: None.

ABSTAIN: None.
RECUSED: None.
ABSENT: Coronado and Harvey.

b. Tentative Tract Map No. 60885

Chairman Vose opened the public hearing at 6:42p.m., to hear a request by Royal Investors Group, LLC, to subdivide 49 single-family lots in the R-7,000 Zone, located on 12.5± gross acres on the west side of 60th Street West and approximately 290 feet south of Avenue J-8.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:42 p.m.

It was moved by Commissioner Cook and seconded by Vice Chair Hall to grant a one-year extension to July 18, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 05-38. Motion carried with the following vote (4-0-0-0-2):

AYES: Cook, Smith, Hall, and Vose.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Coronado and Harvey.

c. Tentative Tract Map No. 61574

Chairman Vose opened the public hearing at 6:44 p.m., to hear a request by United Engineering Group, to subdivide 45 single-family lots in the R-10,000 Zone, located on 26.6± gross acres on the southwest corner of Avenue K and 30th Street East.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:44 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Smith to grant a one-year extension to July 17, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 06-56. Motion carried with the following vote (4-0-0-0-2):

AYES: Cook, Smith, Hall, and Vose.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Coronado and Harvey.

d. Tentative Tract Map No. 61734

Chairman Vose opened the public hearing at 6:45 p.m., to hear a request by Royal Investors Group, LLC, to subdivide 19 single-family lots in the R-7,000 Zone, located on 5± gross acres approximately 663 feet north of Avenue J-12 and approximately 658 feet west of 60th Street West.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:45 p.m.

It was moved by Commissioner Smith and seconded by Commissioner Cook to grant a one-year extension to July 18, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 05-42. Motion carried with the following vote (4-0-0-2):

AYES: Cook, Smith, Hall, and Vose.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Coronado and Harvey.

e. Tentative Tract Map No. 62485

Chairman Vose opened the public hearing at 6:46 p.m., to hear a request by Royal Investors Group, LLC, to subdivide 39 single-family lots in the R-7,000 Zone, located on 10.09± gross acres on the southwest corner of 30th Street East and future Nugent Street.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:46 p.m.

It was moved by Commissioner Cook and seconded by Commissioner Smith to grant a one-year extension to July 18, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 06-58. Motion carried with the following vote (4-0-0-2):

AYES: Cook, Smith, Hall, and Vose.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Coronado and Harvey.

f. Tentative Tract Map No. 63031

Chairman Vose opened the public hearing at 6:47 p.m., to hear a request by Westpalm Development Corporation, to subdivide 25 single-family lots in the R-7,000 Zone, located on 10.0± gross acres on the southwest corner of Lancaster Boulevard and future 32nd Street West.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report. There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:47 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Cook to grant a time extension to June 19, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 06-50. Motion carried with the following vote (4-0-0-0-2):

AYES: Cook, Smith, Hall, and Vose.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Coronado and Harvey.

g. Tentative Tract Map No. 63112

Chairman Vose opened the public hearing at 6:48 p.m., to hear a request by Bayshore, LLC, to subdivide 126 single-family lots in the R-7,000 Zone, located on 32.0± gross acres on the southeast corner of 15th Street East and Avenue H-8.

The staff report was presented by Chuen Ng. An uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report.

There was one speaker; John McClelland expressed concerns about the increase of traffic, the area becoming overpopulated and blocked view of the Tehachapi mountains.

Chuen Ng addressed the zoning issues by explaining that in the R-7000 zone, lot sizes are required to be a minimum of 7,000 square feet, and the lot sizes proposed by the applicant are consistent with the zoning and density requirements.

Michelle Cantrell addressed traffic concerns, explaining that conditions for street improvements will be in place to accommodate the added traffic; and that traffic calming measures such as curb extensions, will address speeding.

Public hearing closed at 7:06 p.m.

It was moved by Commissioner Cook and seconded by Vice Chair Hall to grant a time extension to June 19, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 06-51. Motion carried with the following vote (4-0-0-0-2):

AYES: Cook, Smith, Hall, and Vose.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Coronado and Harvey.

h. Tentative Tract Map No. 63201

Chairman Vose opened the public hearing at 7:06 p.m., to hear a request by Antelope Valley Engineering, to subdivide 19 single-family lots in the R-7,000 Zone, located on 4.7± gross acres located on the north side of Avenue J-8 and approximately 660 feet west of 20th Street West.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report. 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 Smith and seconded by Commissioner Cook to grant a one-year extension to July 17, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 06-52. Motion carried with the following vote (4-0-0-2):

AYES: Cook, Smith, Hall, and Vose.
NOES: None.
ABSTAIN: None.
RECUSED: None.
ABSENT: Coronado and Harvey.

i. Tentative Tract Map No. 66620

Chairman Vose opened the public hearing at 7:08 p.m., to hear a request by Antelope Valley Engineering, to subdivide 9 single-family lots in the RR-1 Zone, located on 8.45± gross acres located on the northwest corner of Avenue M and 23rd Street West.

The staff report was presented by Chuen Ng. An uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report.

There was one speaker: Regina Rossall referenced standard conditions No. 71, and inquired about the building of a wall facing her neighborhood on the east side of the street; she and other homeowners would rather see housing than a wall. Chuen Ng responded that she and other residents on the east side of the street would not be facing a wall, but front yards and housing instead.

Public hearing closed at 7:12 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Smith to grant a one-year extension to July 16, 2017, based on the findings contained in the staff report and subject to the

Revised Conditions List, Attachment to Resolution No. 07-32. Motion carried with the following vote (4-0-0-0-2):

AYES: Cook, Smith, Hall, and Vose.
 NOES: None.
 ABSTAIN: None.
 RECUSED: None.
 ABSENT: Coronado and Harvey.

NEW BUSINESS

4. DRAFT CLIMATE ACTION PLAN

Presenters: David Jones and Heather Swan

Chairman Vose opened the new business session at 7:13 p.m.

The Commissioners and Staff reviewed and discussed the Draft Climate Action Plan PowerPoint presentation:

David Jones explained how climate is the average weather in a place; normal patterns of temperature, precipitation, humidity, wind and seasons and the roll it has in shaping ecosystems, human economies and cultures.

Heather Swan spoke about the Draft Climate Action Plan, and how it will serve as a guide for suggested projects that will serve the community and reduce the city and communities carbon footprint at the same time.

Vice Chair Hall commented about the impact California would have if the entire State became a net zero state, and inquired about the decommissioning of the solar fields. Commissioners agreed to give input before the August 12th deadline.

5. PRESENTATION – ZERO NET ENERGY

Presenters: Patricia Garibay

Patricia Garibay presented the Zero Net Energy plan, beginning with the requirement to have zero net energy (ZNE) homes to move the community towards becoming a zero net energy community.

- Zero Net Energy buildings produce as much energy as they consume
- State is moving toward mandatory requirement for ZNE in 2020
- Homes built in 2017 have to be 15% more efficient
- Different State and Government subsidies for both builders and home owners regarding solar.

The Commissioners and Staff discussed the Zero Net Energy PowerPoint presentation.

- Starting by engaging builders and development community; vendors that provide components.
- What other green energy options besides equipment, fixtures, and roof panels?

- Commercial element of ZNE; enough room to offset, third party options
- Housing resale value; Energy efficient landscaping not attractive, solar housing depreciate over time, upkeep on panels for sellers/new buyers
- Efficiency when already efficient as possible; extra costs/burden

There was one speaker, DeAndre Valencia, representing the Building Industry Association of Southern California (BIA) – Los Angeles / Ventura chapter. He addressed the concerns regarding the feasibility of implementing the 2016 California Green Building Standard's voluntary Zero Net Energy (ZNE) tier for newly constructed residential buildings as a mandatory requirement in Lancaster.

Chairman Vose asked Mr. Valencia if he would like to participate as a stakeholder in further groups regarding ZNE, and he accepted the invitation.

6. REPORT ON ALCOHOL WORKING GROUP DISCUSSION

Presenters: Chairman Vose, Brian Ludicke

Chairman Vose spoke about Ordinance 10-13 and the staff and stakeholders engaged in the working group. He informed that the working group is to consider potential revisions to be put to consideration to the Planning Commission and Criminal Justice Commission, and ultimately make potential recommendations to the City Council

Brian Ludicke informed the Commission that they are not asked to present any report, only review findings presented by the working group, and if necessary make a recommendation to the City Council regarding potential revisions.

DIRECTOR'S ANNOUNCEMENT

Brian informed the Commission of the upcoming Parking Ordinance that is to be presented in August. Chairman Vose and Brian discussed his participation in the L.A. Street Blog.

COMMISSION AGENDA

None.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDA ITEMS

Kevin Simpson addressed the Commission regarding the potential for housing tracks to use vacant land for solar instead of on roofs. He also commented on the Marijuana Acts: Lobbying, possible prescription reduction, crime rate issues in area regarding other types of illegal substance use, and potential profit to the community.

ADJOURNMENT

In memory of officers who lost their lives in Dallas, Baton Rouge, and 26 others in the country this year, Chairman Vose declared the meeting adjourned at 8:20 p.m., to the Special Meeting for Agenda Review on Monday, August 8, 2016, at 5:30 p.m., in the Parks, Recreation & Arts Conference Room, Lancaster City Hall.

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

CHUEN NG, Principal Planner
City of Lancaster