

# MINUTES

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## REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION FEBRUARY 28, 2022

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*Pursuant to Government Code section 54953(e), this meeting was conducted telephonically and audio streamed live via Zoom on Channel 28 and the City's website. All votes were taken by roll call.*

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### **CALL TO ORDER**

Chairman Vose called the Regular Meeting to order at 5:03 p.m.

### **INVOCATION**

Commissioner Moore.

### **ROLL CALL**

Present: Chairman Vose, Vice Chair Harvey, Commissioners Moore, Parris, and Tufts

Absent: Commissioner Cook.

Also present were Community Development Manager (Larissa De La Cruz), Senior Planner (Cynthia Campana), Planner (Monique Garibay), Assistant City Attorney (Jocelyn Corbett), Senior Engineer (Matthew Simons), and Community Development Office Assistant (Heather Breheny).

### **PUBLIC BUSINESS FROM THE FLOOR-AGENDIZED ITEMS**

The commission received correspondence from Attorney Mitchell Tsai and law firm SWAPE (Soil Water Air Protection Enterprise) in regard to item #2. The City received uncontested letters in regard to items #3, #4, and #5 from the prospective applicants.

There was no public comment.

## MINUTES

### 1. Approval of Minutes from the Regular Meeting of January 24, 2022

Vice Chair Harvey made a motion and Commissioner Moore seconded the motion for the approval of the minutes for the Regular Meeting on January 24, 2022.

The motion carried with the following vote of (5-0-0-0-1):

AYES:	Vose, Harvey, Moore, Parris, Tufts
NOES:	None.
ABSTAIN:	None
RECUSED:	None.
ABSENT:	Cook

## CONTINUED PUBLIC HEARINGS

### 2. Housing Element, Safety Element, Environmental Justice Element Update: General Plan Amendment 21-02; Zone Text Amendment 21-01

Planner Cynthia Campana gave an overall update on the status of the project.

Genevieve Sharrow from MIG joined the meeting to present to the city a Process Overview of the project that kicked off in December 2020. Community Engagement consisted of two Community Workshops (held virtually), Focus Groups (there were two groups: one focused on Housing and the second focused on Environmental Justice), as well as two Community Surveys (one focused on Housing and the other with a focus on Environmental Justice). There were 307 Housing Surveys completed and 487 Environmental Justice Surveys completed.

Safety Element focused on specific changes made to State Law relating to Emergency Preparedness and Climate Change. Three new goals were added along with the implementation of new programs. The new goals are as followed: 1. A community with a strong sense of readiness to address emergency situations and activities, 2. An evacuation network that meets current needs and accommodates future growth, and 3. A built environment that incorporates new data and understanding about changing hazard conditions and climate stressors.

Environmental Justice Element was a new mandated item to be added, which included seven new goals to be implemented, there are as followed: 1. Ensure all residents have fair and equal access to affordable housing options, 2. Ensure all residents have healthy and safe living conditions, 3. Ensure residents of all ages have access to a range of safe and accessible opportunities for recreation and physical activity, 4. Expand access to fresh, healthy, and affordable food and resources to reduce food insecurity, 5. Protect human and environmental health by restoring and improving potable water resources and protecting land uses and air quality from future contamination, 6. Support meaningful and inclusive participation in the decision-making process of all community members, particularly those belonging to marginalized groups, and 7. Promote and expand job opportunities, community programs, and services throughout the city with a focus on environmental justice communities.

Housing Element is unique in that a lot of the initiative is driven by state-wide legislative intent. HCD provided feedback on our response towards this endeavor, current document does include their recommendations towards that and our updates with their recommendations in mind. This element included five main goals: 1. Promote a variety of housing types, 2. Meet the needs of low and moderate-income and special needs housing, 3. Preserve existing housing stock, 4. Remove governmental constraints where possible, and 5. Promote fair housing opportunities for all residents.

The Housing Element was sent to HCD for review and per their comments and suggestions, three goals were added: 1. ADUs (Accessory Dwelling Units) - Market ADUs with expedited services, technical assistance, and an ADU specialist. 2. Funding and Partnerships – Seek funding for homeownership, rehab, and repairs and 3. Preserve Affordable Housing – Support tenants’ rights education, outreach to parties that may purchase/preserve affordable housing.

They also asked for the city to remove certain governmental constraints in which they believe create hurdles towards these goals: Housing in Mixed Use Zones – Remove conditional Use Permit requirement for multi-family projects of 16 or more units in Mixed Use zones, Zoning Ordinance Revisions – Establish procedures for ministerial approval of State-required housing types, Project Streamlining – Streamline development through permit tracking and land management software updates as needed, prioritize hiring additional staff to meet State mandates, and Review Development Code standards for large residential care facilities; streamline and treat objectively.

HCD also asked for new programs to be included to assist with areas of high-poverty, formerly homeless, and to address fair housing issues.

Chairman Vose had questions in regard to the portion of the study in which ADUs were requested by the State to implement additional measures. The intent is really to have a point-person to streamline this process, someone outside of planners. This point person would provide education in this regard, move this endeavor forward,

Vice Chairperson asked if this study has kept up with the current housing climate. Ms. Sharrow did inform the City that the lens in which we are viewing this Housing Element is a snap-shot of the time in which this study was first done, however, it was done in a way to be able to bring this document into the current climate.

There were no live public comments.

Vice Chair Harvey made a motion and Commissioner Moore seconded the motion for the approval to adopt Resolution No. 21-15 recommending to the City Council approval of General Plan Amendment 21-02 and Zone Text Amendment 21-01 the 2021-2029 Housing Element update, Safety Element update, implementation of the Environmental Justice Element and adopt a negative declaration.

The motion carried with the following vote of (5-0-0-0-1):

AYES: Vose, Harvey, Moore, Parris, Tufts  
NOES: None.  
ABSTAIN: None  
RECUSED: None.  
ABSENT: Cook

## **NEW PUBLIC HEARINGS**

### **3. Conditional Use Permit No. 21-12**

Planner Cynthia Campana presented the information in which was requested per Commissioners from previous Planning Commission meeting held on January 24, 2022. Cynthia presented the updates to the Commission, to include Distances from Sensitive Uses, Target does meet the requirements.

There is an uncontested letter from the applicant as well as a letter from Mr. Smith.

Applicant Beth Aboulafia mentioned to the city that the change request to the type of alcohol license in which this item presents is currently held in 95% of Target stores in California, to include the two Target locations in Palmdale, CA.

Commissioner Moore asked about the two aisles in which will contain the spirits, he wanted to know if the shelving was enclosed. Ms. Aboulafia informed the city that those shelves are open. Chairman Vose visited the two Target locations in Palmdale and informed the city that these stores currently have their spirits and wines open as well. Chairman Vose visited the Lancaster Target store and makes mention that some end-caps and the entrance of the store did have some wine and beer for sale. Ms. Aboulafia informed us that the plans does include the end-caps on the aisles in which are designated for spirits.

Vice Chair Harvey inquired as to whether there would be monitoring of the items in regard to minors having access or the ability to steal these items. Mr. Hugo SD (Senega) informed us that there were only 9 cases since 2017 in which alcohol was involved in theft. Chairman Vose informed us that the two Targets located in Palmdale had security features on top of the bottles and asked if the Lancaster location intends to use these same devices. Mr. Hugo informed us that the higher-priced items would have these devices as well.

There were no public comments.

Vice Chair made the motion to adopt Resolution No. 22-03 approving Conditional Use Permit No. 21-12 to allow for a change of Alcoholic Beverage Control license type from a Type 20 (off-sale beer and wine) to Type 21 (off-sale general) for Target in the Commercial Planned Development zone, Commissioner Tufts seconded the motion.

The motion carried with the following vote of (5-0-0-0-1):

AYES: Vose, Harvey, Moore, Parris, Tufts  
NOES: None.  
ABSTAIN: None  
RECUSED: None.  
ABSENT: Cook

#### **4. Conditional Use Permit No. 21-11**

Planner Monique Garibay presented this item. The city received an uncontested letter from the applicant.

There was no public comment for this item.

The applicant, Mr. Ballestas, thanked the committee for their time in considering his family's business in which he is passionate about. He does look forward to building back up the economy in Lancaster and be a part of the local businesses in the hopes of building back up the community. Mr. Ballestas wanted to be sure the city was aware that it is not the intent to become a bar, but simply a tasting establishment.

Commissioner Tufts asked where this would be located in regard to She Brewery, Mr. Ballestas mentioned that he was not aware of the She Brewery last year when he first inquired, there was no mention. This brewery would be located next to Harbor Freight. Commissioner Tufts asked about potential run-off of from the brewery/distillery. Mr. Ballestas said that they intend to have general sanitary water run-off. Any remaining beer will be re-used and not disposed of, the intent is for it to be consumed by farm or outdoor animals. Commissioner Tufts asked the applicant if they have their own vineyard, in which Mr. Ballestas informed the City that they are in the process of growing grapes and having their own supply.

Chairman Vose asked if the applicant was aware of the requirements and limitations on what is allowed in regard to ounces of wine or beer that is permitted, per person, per visit, for the purpose of tasting. Mr. Ballestas did say that he is aware of the standards, that this location will be for tasting only, his intent is not to allow a space for drunkenness or high profitability, but for the purchase of a product in which his family is passionate about and will be available in limited supply.

Commissioner Moore made the motion to adopt Resolution No. 22-06 approving Conditional Use Permit No. 21-11 to allow Types 1 (Beer Manufacturer) and 2 (Winegrower) Alcohol Beverage Control License for Two Tracks Brewing Company within an existing building in the Commercial Planned Development (CPD) zone located at 2330 Mall Loop Road, Suite 108 (APN: 3153-015-037), Commissioner Tufts seconded the motion.

The motion carried with the following vote of (5-0-0-0-1):

AYES: Vose, Harvey, Moore, Parris, Tufts  
NOES: None.  
ABSTAIN: None.  
RECUSED: None.  
ABSENT: Cook.

5. **Extension to Tentative Tract No. 71210**

Planner Monique Garibay presented this item. The request is for a three-year time extension of this item, bringing the estimated date of completion to January 27, 2025

Ms. Kris Pinero was available to the City for any questions, as well as the engineer on the project, Mr. Karl.

There were no public comments.

Vice Chair Harvey made the motion to adopt Resolution No. 22-07 extending Tentative Tract Map (TTM) No. 71210 granting a three-year time extension to January 27, 2025, to allow for the subdivision of 169 single-family residential lots in the R-10,000 zone, Commissioner Tufts seconded the motion.

The motion carried with the following vote of (5-0-0-0-1):

AYES: Vose, Harvey, Moore, Parris, Tufts  
NOES: None.  
ABSTAIN: None.  
RECUSED: None.  
ABSENT: Cook

**COMMUNITY DEVELOPMENT MANAGERS ANNOUNCEMENTS**

The city is moving towards in-person meetings again. Some city staff are now working partially remotely, with rotating in-office days. The March Agenda Review (Special Meeting) meeting will still be online/Zoom due to a presentation from consultants who reside elsewhere, to prevent last-minute travel for them. The Regular March Meeting on March 21, 2022 will be in-person.

We will have some updates in the coming months on Housing Tracts that are currently under construction and an overview on the Housing front, per the request of Chairman Vose.

City Planning has started off strong this year, planning has a lot of work in the pipe-line, a lot of long-range efforts. The City will be kicking off a VMT EIR (Vehicle Miles Traveled Environmental Impact Report), in which we are one of the only communities that is doing this, more to come on this.

Commissioner Moore wished to congratulate Vice Chairperson Harvey in her new role within Planning Commission.

**PUBLIC BUSINESS FROM THE FLOOR– NON-AGENDIZED ITEMS**

There were no public comments.

**ADJOURNMENT**

Chairman Vose declared the meeting adjourned at 6:11 p.m. to the Special Meeting on Monday, March 14, 2022, via telephonic meeting pursuant to Government Code Section 54953(e).

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JAMES VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

  
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LARISSA DE LA CRUZ, Recording Secretary  
City of Lancaster