

AGENDA ITEM: 4.

DATE: 06-15-09

STAFF REPORT

GENERAL PLAN AMENDMENT NO. 09-01 PREZONING NO. 09-01

DATE: June 15, 2009

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: City of Lancaster

LOCATION: 7,190± gross acres bounded to the north by Avenue E, to the south by Avenue H between 20th Street East and Division Street, and Avenue G between Division Street and 25th Street West, to the east by 20th Street East, and to the west by 25th Street West (see Exhibit "A")

REQUEST: 1. Amend the City of Lancaster General Plan land use designation for 1,358± acres from NU (Non-Urban Residential, 0.4 to 2.0 dwelling units per acre) to HI (Heavy Industrial); *with an added request to amend 25 acres from NU to MRI (Multi-Residential, 6.6 to 15.0 dwelling units per acre)* (see Exhibit "B")

2. Prezone 362 acres to LI (Light Industrial), 35 acres to MHP (Mobile Home Park), and 5,435 acres to RR-2.5 (Rural Residential 1 unit per 2.5 acres) and 1,358 to HI (Heavy Industrial); *with an added request to prezone an additional 25 acres (for a total of 60 acres) to MHP (resulting in a reduced pre zoning of 5,410 acres to RR-2.5)* (see Exhibit "C")

Note: The request in italics shows the amended request since notice of the project.

RECOMMENDATION: Adopt Resolution No. 09-15, a resolution of the Planning Commission of the City of Lancaster, California, recommending to the City Council approval of General Plan Amendment No. 09-01 and Prezoning No. 09-01.

BACKGROUND: The subject area is currently within the unincorporated area of Los Angeles County, but within the City of Lancaster's sphere of influence. The last comprehensive revision to the General Plan map was completed and adopted on October 28, 1997. The current comprehensive revision to the General Plan was recommended for adoption by the Planning Commission on May 11, 2009. The proposed General Plan amendment and prezoning is processed separately from the comprehensive General Plan revision.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE:

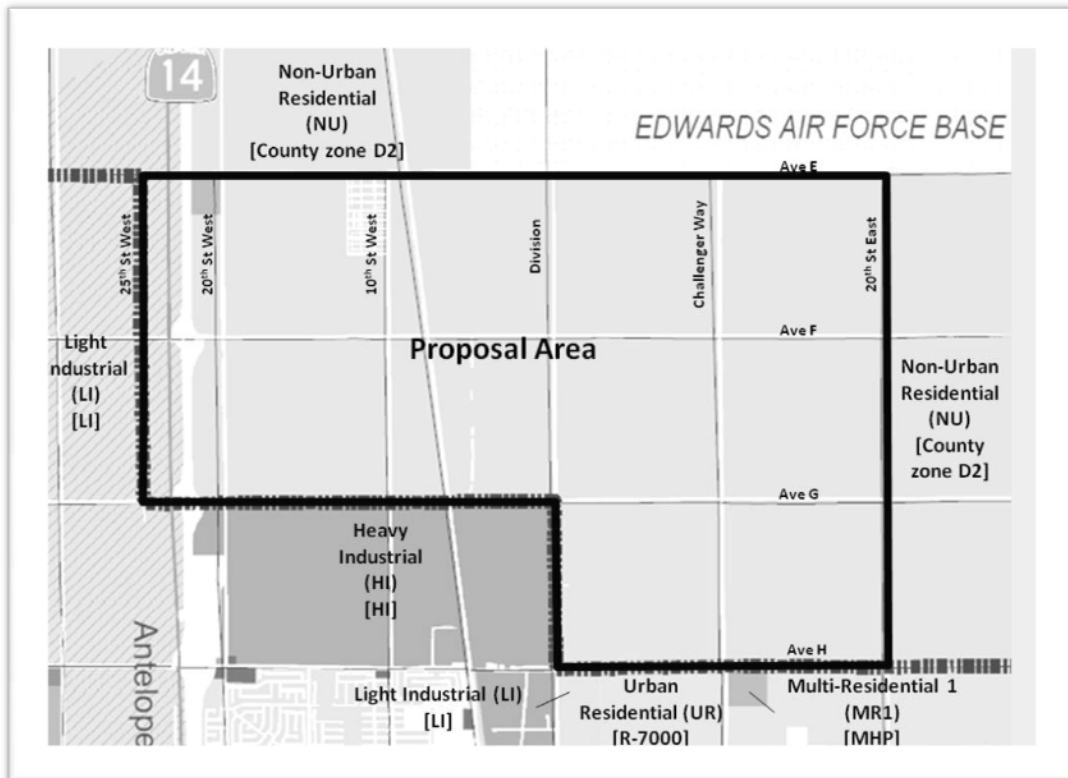
Current Lancaster General Plan designations: 6,793 acres designated NU (Non-Urban Residential); 362 acres designated LI (Light Industrial); and 35 acres designated MR1 (Multi-Residential 1, 6.6 to 15 units per acre)

Current Los Angeles County General Plan designations: 6,733 acres of N1 (Non Urban 1, 0.5 unit per acre) and 300 acres of M (Industry)

Current Los Angeles County zoning designations: 40 acres A-1-1 (Light Agriculture); 493 acres A-2-2 (Heavy Agriculture); 4,927 acres D-2-1 (Desert Mountain Restricted); and 1,324 acres D-2-2 (Desert Mountain Restricted)

The General Plan designation and zoning of the surrounding properties are as follows:

Surrounding General Plan Land Use Designations and Zoning



The majority of the proposed area is vacant, undeveloped land. The largest business in the area is the Lancaster Landfill and Recycling Center, owned by Waste Management of California, Inc. Several other small businesses, such as equipment storage yards, are located in areas on the north side of Avenue G, adjacent to the Union Pacific Railroad line that runs parallel to Sierra Highway, and on Division Street north of Avenue G and on Sierra Highway. Approximately 160 parcels with homes and/or storage areas are dispersed generally throughout the proposed area. A 211-unit mobile home park (Leisure Lake) is located on the southwest corner of Avenue E and 20th St. West.

Surrounding areas are mostly vacant. Non-urban residential uses exist to the north and to the east. Edwards Air Force Base borders the subject area to the north (east of 5th Street West). Light industrial uses, including Fox Field and the Antelope Valley Fairgrounds, exist to the west. Heavy industrial uses, including the eSolar demonstration facility, exist to the south (west of Division Street). Urban residential uses and a mobile home park exist to the south (east of Division Street).

PUBLIC IMPROVEMENTS: All major streets in the proposed area are paved with one lane in each direction. SR 14 passes through the proposed area on a north-south axis, and consists of two through lanes in each direction. On and off access ramps for SR 14 are located at Avenue F and G. The Union Pacific Railroad has one track line that runs parallel to and along the east side of Sierra Highway. Railroad crossings are located at Avenue G and Avenue E within the proposed area. Utilities include: overhead electrical and phone lines, generally on the major streets, private water wells and septic systems, and a recycled water main that runs along Division Street and east along Avenue F for approximately ½ mile. Minor storm water culverts exist at various street intersections. No public sewer or potable water service currently exists.

LEGAL NOTICE: Notice of Public Hearing was published in a 1/8-page display advertisement on May 15, 2009, in a newspaper of general circulation (Antelope Valley Press), per prescribed procedure.

ENVIRONMENTAL REVIEW: Review of pertinent environmental documents has disclosed no significant adverse impacts resulting from the proposed project after mitigation measures have been applied. Potential effects are discussed more fully in the attached Initial Study. 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.

Effective January 1, 1991, applicants whose projects have the potential to result in the loss of fish, wildlife, or habitat through urbanization and/or land use conversion are required to pay filing fees as set forth under Section 711.4 of the Fish and Game Code. Pursuant to Section 21089(b) of the Public Resources Code, the approval of a project is not valid, and no development right is vested, until such fees are paid.

ANALYSIS:

The City is requesting a General Plan Amendment to change the City land use designation for 1,358 acres from NU (Non-Urban Residential, 0.4 to 2.0 dwelling units per acre) to HI (Heavy Industrial), and 25 acres from NU to MR1 (Multi-Residential 1, 6.6 to 15 dwelling units per acre) (see Exhibit

“B”). The City is also requesting to prezone 7,190± acres from Los Angeles County zoning D-2 (Desert Mountain), A-1 and A-2 (Light and Heavy Agriculture) to 362 acres to LI (Light Industrial), 60 acres to MHP (Mobile Home Park), and 5,410 acres to RR-2.5 (Rural Residential 1 unit per 2.5 acres) and 1,358 to HI (Heavy Industrial) (see Exhibit “C”).

The areas with a request for Prezoning to LI and RR-2.5 already have a corresponding City General Plan land use designation in place. The prezoning request is necessary to apply a zoning district to property outside the City limits prior to annexation of that property to the City. The prezoning would establish what the zoning will be upon annexation, and would be effective if and when annexation occurs.

The area proposed for prezoning to MHP is occupied with an existing 211-unit senior mobile home park (Leisure Lakes). The owner of Leisure Lakes has requested that the City include the property adjacent to the south for designation to a mobile home park use, for future expansion. This requires a General Plan amendment for an additional 25 acres to MR1, and a prezoning of the land to MHP. The City proposes to buffer the mobile home park from the industrial uses with land for Prezoning to RR-2.5. The areas proposed for prezoning to LI is west of the SR 14, and is already designated LI in the Lancaster General Plan.

The General Plan amendment and prezoning applications are in conjunction with an annexation proposal that will be taken to an upcoming City Council public hearing. The project area is called a “Green Corridor,” reflecting the synergistic approach to the numerous existing resources available, and the potential to develop and expand “green” industries. The Green Corridor would provide opportunities for waste to energy technologies, solar energy and ethanol production. Recycled water, instead of potable water from the ground, would serve the facilities within the project area. The re-designation and prezoning of 1,358 acres of Rural Residential land to Heavy Industrial would provide the necessary land use for these opportunities.

The proposed amendment of 1,358 acres to Heavy Industrial would be compatible with heavier industrial uses in the area, including the landfill and a proposed ethanol plant. The proposed industrial uses would also be compatible from a noise and operations standpoint with Edwards Air Force Base located to the north, as well as Fox Field airport located to the west. The City land use designation of Heavy Industrial is not a drastic change from the current County zoning of D-2 (Desert Mountain), which allows for a variety of uses, including heavy agricultural and manufacturing uses.

The proposed amendment and prezoning reflect several General Plan goals and objectives. The proposal would help achieve Goal 16, “to promote economic self-sufficiency and a fiscally solvent and financially stable community,” through the facilitation for the creation of new industries and jobs. Likewise, it reflects Objective 16.3, to “maintain development patterns and growth which contribute to, rather than detract from net fiscal gains to the City.” The proposed addition of industrial land furthers Goal 17, “to establish a variety of land uses which serve to develop Lancaster into a balanced and complete community in which people live, work, shop and play.” Furthermore, it would support Policy 17.1.1, to “maintain an adequate inventory of land for residential, commercial, employment and public uses,” and Policy 17.1.4, to “provide for office- and industrial-

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based employment-generating lands which are high accessible and compatible with other uses in the community.”

The proposed General Plan amendment and prezoning would facilitate the provision of future industrial facilities for the City, which would result in the creation of employment opportunities and other fiscal benefits. It supports the goals and objectives of the General Plan as listed above. Therefore, staff is recommending approval of General Plan Amendment No. 09-01 and Prezoning No. 09-01.

Respectfully submitted,

Chuen Ng, Associate Planner

cc: Applicant
Engineer

RESOLUTION NO. 09-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE ADOPTED GENERAL PLAN OF THE CITY AND PREZONING OF APPROXIMATELY 7,190 ACRES, KNOWN AS GENERAL PLAN AMENDMENT NO. 09-01 AND PREZONING NO. 09-01

WHEREAS, pursuant to Section 3.c. of City Council Resolution No. 93-07 an amendment to the adopted General Plan of the City has been initiated by the City of Lancaster, to redesignate 1,358± acres from NU (Non Urban Residential) to HI (Heavy Industrial) and 25 acres from NU to MR1 (Multi-Residential) as shown on Exhibit “B”; and

WHEREAS, the Planning Commission is required to consider the proposed prezoning of 362 acres to LI (Light Industrial), 60 acres to MHP (Mobile Home Park), 5,410 acres to RR-2.5 (Rural Residential 1 unit per 2.5 acres) and 1,358 acres to HI (Heavy Industrial) as shown on Exhibit “C”; and

WHEREAS, notice of intention to consider the General Plan amendment and prezoning of the subject property was given as required in Section 17.24.110 of the Zoning Ordinance and Section 65854 and 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended that the General Plan amendment and prezoning requests be approved; and

WHEREAS, a public hearing on the General Plan amendment and prezoning requests was held on June 15, 2009; and

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

WHEREAS, the proposed General Plan amendment and prezoning were adequately noticed, with postings in three public places in the City of Lancaster, and proper advertising of the public hearing in the Antelope Valley Press newspaper; and

WHEREAS, this Commission hereby recommends to the City Council to make the finding that the Initial Study determined that the proposed project could have a significant effect on the environment; however, there will not be a significant effect in this case with the implementation of mitigation measures as detailed in Exhibit “D”; and

WHEREAS, pursuant to Section 21082.1 of the Public Resources Code, this Commission hereby recommends that the City Council certifies 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 General Plan amendment and rezoning in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act prior to making a recommendation to the City Council; and

WHEREAS, this Commission based on the evidence in the record, hereby adopts the following findings in support of approval of General Plan Amendment No. 09-01:

1. There is a need for the proposed amendment of 1,358 acres to HI (Heavy Industrial) because it would further the availability of industrial designated sites, allowing for development and expansion of “green” industries, generating employment opportunities, and resulting in economic benefits for the City.
2. The proposed amendment of 1,358 acres to Heavy Industrial would be compatible with heavier industrial uses in the area, including the landfill and a proposed ethanol plant.
3. Facilities within the proposed amendment area would be provided recycled water for their processes rather than potable water from the ground or other public utility, adding to the City’s “green” practices through resource conservation.
4. The proposed amendment is consistent with the following goals, objectives, and policies of the General Plan for the reasons stated below:

Goal 16: “To promote economic self-sufficiency and a fiscally solvent and financially stable community.”

Policy 16.1.3: “Ensure that sites are available for a diversity of industrial and commercial users.”

Objective 16.3: “Maintain development patterns and growth which contribute to, rather than detracts from net fiscal gains to the City.”

Goal 17: “To establish a variety of land uses which serve to develop Lancaster into a balanced and complete community in which people live, work, shop and play.”

Policy 17.1.1: “Maintain an adequate inventory of land for residential, commercial, employment and public uses.”

Policy 17.1.4: “Provide for office- and industrial-based employment-generating lands which are highly accessible and compatible with other uses in the community.”

5. The requested land use amendment at the location will not:

- a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, because the proposed designation of Heavy Industrial and Multi-Residential 1 are not drastic changes from the current County zoning of D-2 (Desert Mountain), which allows for a variety of uses, including heavy agricultural and manufacturing uses.
- b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, because future uses in the proposal area will be adequately buffered from existing residential areas, and developed with mitigation measures to ensure the integrity of other surrounding uses.
- c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare, because adequate sewer, water, and drainage facilities will be required as discussed in the staff report.

WHEREAS, this Commission, based on the evidence contained in the record, hereby makes the following findings in support of the approval of Rezoning No. 09-01:

1. The proposed rezoning for the subject property to LI (Light Industrial), MHP (35 acres) (Mobile Home Park) and RR-2.5 (Rural Residential 1 unit per 2.5 acres) is consistent with the existing General Plan land use designations of LI (Light Industrial), MR1 (Multi-Residential 1) and NU (Non Urban Residential); and the proposed rezoning to HI (Heavy Industrial) and MHP (25 acres) is consistent with the proposed General Plan land use designations of HI (Heavy Industrial) and MR1 (Multi-Residential 1).

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby recommends that the City Council approve the Mitigated Negative Declaration prepared for this project with the finding that the proposed General Plan amendment and rezoning will not have a significant effect on the environment after mitigation measures have been applied.
2. This Commission hereby recommends that the City Council adopts all environmental findings, mitigation measures attached hereto as Exhibit "D".
3. This Commission hereby recommends to the City Council approval of General Plan Amendment No. 09-01 to redesignate 1,358 acres of the subject property from NU to HI, and 25 acres from NU to MR1.

4. This Commission hereby recommends to the City Council approval of Rezoning No. 09-01 to prezone, on the subject property, 362 acres to LI, 60 acres to MHP, 5,410 acres to RR-2.5 and 1,358 acres to HI.

PASSED, APPROVED and ADOPTED this 15th day of June 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster

Exhibit "A" – Location Map

7,190 acres into the City of Lancaster bounded to the north by Avenue E, to the south by Avenue H between 20th St. East and Division and Avenue G between Division and 25th St. West, to the east by 20th St. East and to the west by 25th St. West

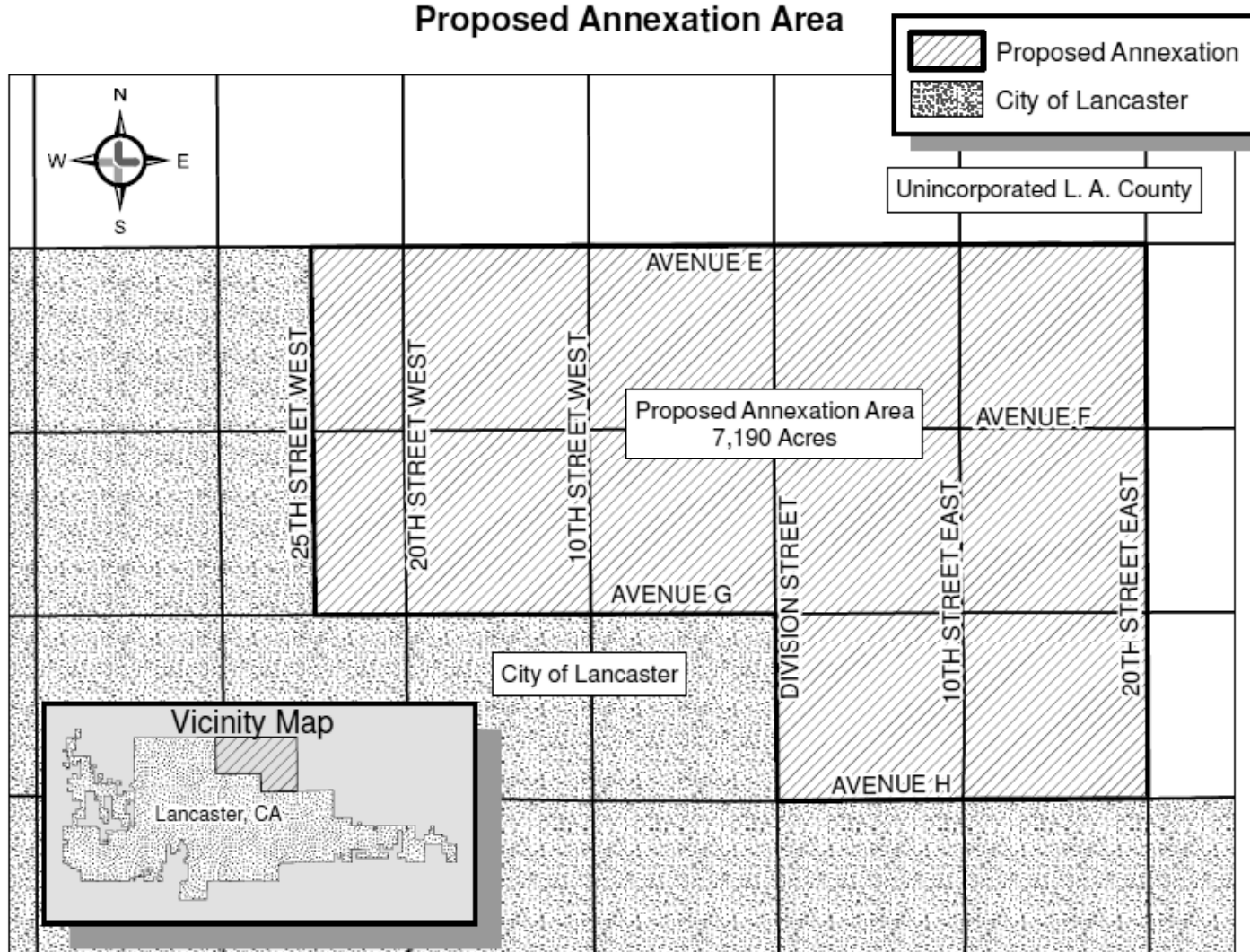


Exhibit "B" – General Plan Amendment No. 09-01

Amend to the City of Lancaster General Plan land use designation for 1,358 acres from Non-Urban Residential (NU, 0.4 to 2.0 dwelling units per acre) to Heavy Industrial (HI) and 25 acres from NU to MR1 (Multi-Residential 1, 6.6 to 15 dwelling units per acre)

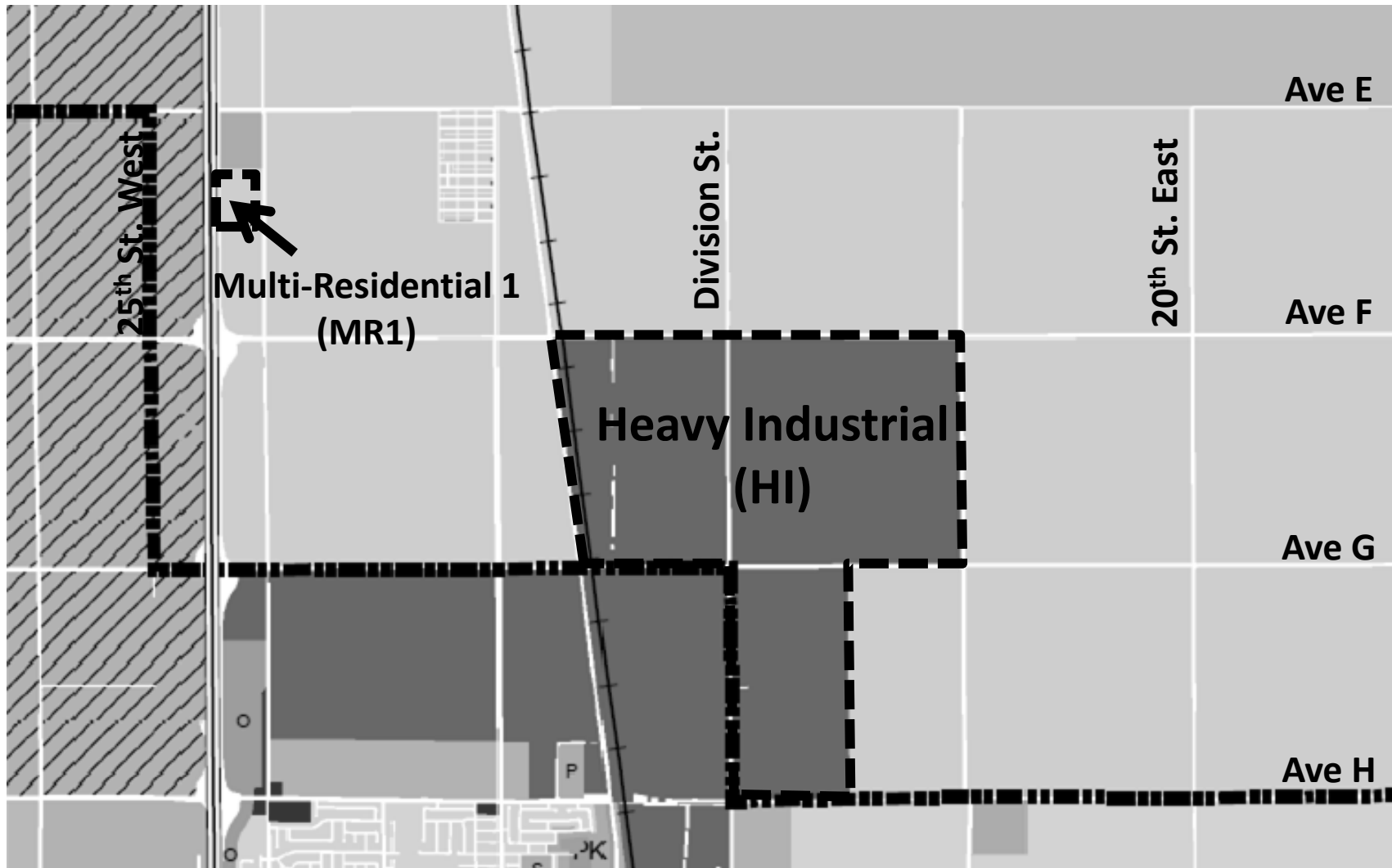
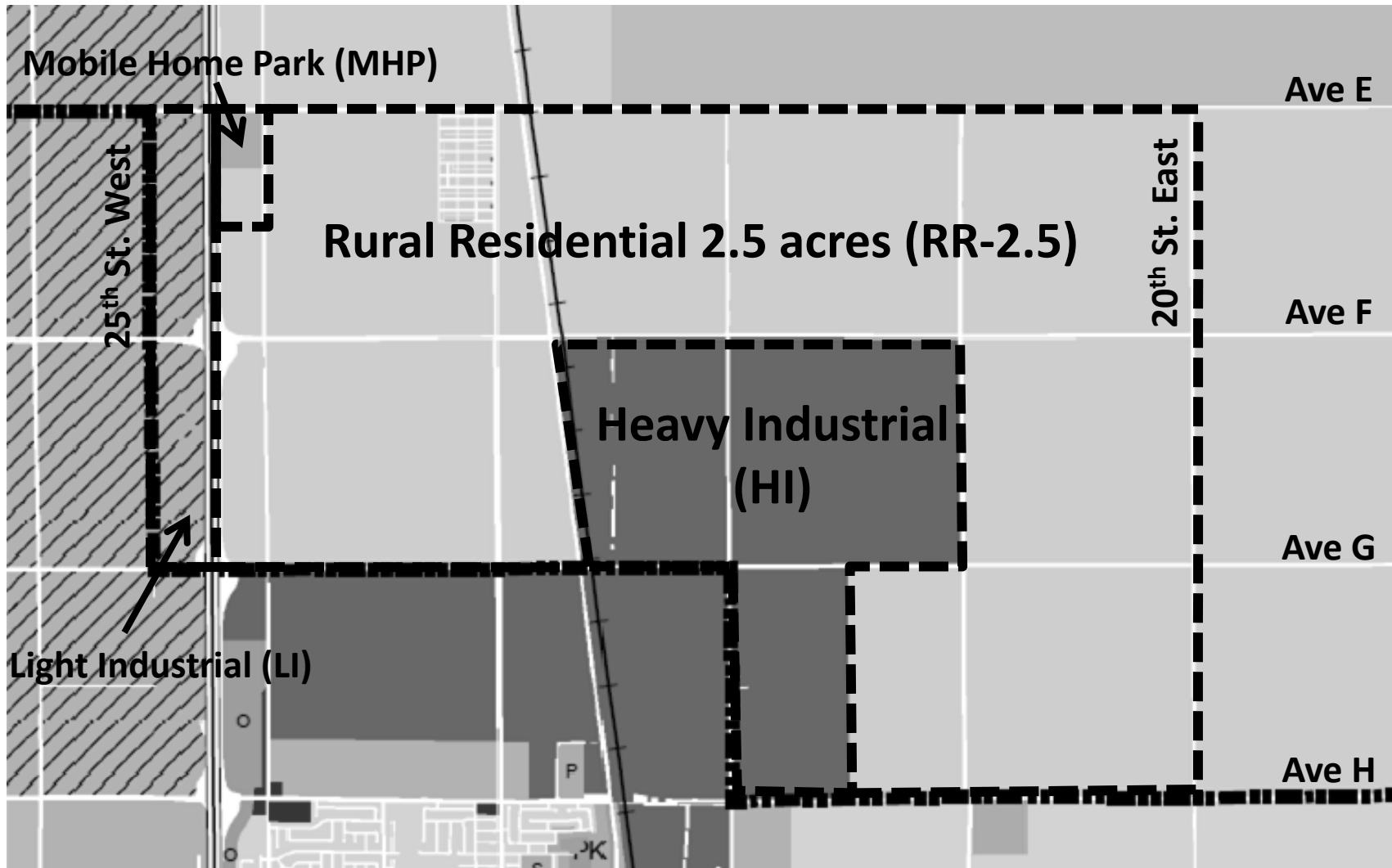


Exhibit "C" – Prezoning No. 09-01

Prezone 310 acres to Light Industrial (LI), 60 acres to Mobile Home Park (MHP), 5,410 acres to Rural Residential 1 unit per 2.5 acres (RR-2.5) and 1,358 acres to Heavy Industrial (HI)



Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
BIOLOGICAL RESOURCES							
1.	A burrowing owl survey shall be conducted within 30 days prior to the start of construction/ground disturbing activities. If burrowing owls or sign thereof are discovered during the survey, the applicant shall contact the California Department of Fish and Game to determine the appropriate mitigation/management requirements for the species.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a biologist advising that the site is free from burrowing owls.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department			
2.	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.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a biologist advising that the site is free of nesting birds.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department			
3.	Focused trapping surveys for Mohave ground squirrel shall be conducted to determine the presence/absence of this species on the project site. These surveys shall be conducted in accordance with standard protocol established by CDFG. If Mohave ground squirrels are determined to be present on the project site, consultation with the CDFG shall be required in order to obtain an Incidental Take Permit under §2081 of the CDFG Code.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a biologist with the results of the trapping or a copy of the incidental take permit.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department			
4.	The project site contains suitable habitat for sensitive plant species. Therefore, a springtime rare plant survey shall be conducted. If sensitive plant species are identified on the project site, the applicant shall contact the CDFG to determine appropriate mitigation requirements.	Prior to vegetation removal, grubbing, grading, stockpile, or construction the City must receive a report from a biologist with the results of the sensitive plant survey.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
5.	The project site contains alkali mariposa lilies. The applicant shall be required to pay a total of \$2,045 per impacted acre to be held in trust by the City of Lancaster for the purchase of mitigation land for the alkali mariposa lily. Payment of these fees is required prior to issuance of any permits (e.g., grading) for the proposed project.	Prior to vegetation removal, grubbing, grading, stockpile, or construction, the applicant shall pay the required fee for the affected acres.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department			
6.	The applicant shall consult with the California Department of Fish and Game to determine whether or not a Section 1602 Streambed Alteration Agreement is required prior to the development of the project site. If a Streambed Alteration Agreement is required, it shall be obtained prior to the issuance of any permits (e.g., grading, etc.).	Prior to vegetation removal, grubbing, grading, stockpile, or construction, the applicant shall consult with CDFG to obtain a Streambed Alteration Agreement, if necessary.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department			
7.	The applicant shall coordinate with the Lahontan Regional Water Quality Control Board to determine whether the applicant is required to obtain a Report of Waste Discharge prior to the development of the project site. If this permit is required, it shall be obtained prior to the issuance of any permits (e.g., grading, etc.).	Prior to vegetation removal, grubbing, grading, stockpile, or construction, the applicant shall consult with the Regional Board to obtain a Report of Waste Discharge, if necessary.	Prior to final approval of grading plan, issuance of a stockpile permit, or any ground disturbing activities.	Planning Department			
GEOLOGY AND SOILS							
8.	A Dust Control Plan, in accordance with Antelope Valley Air Quality Management District (AVAQMD) Rule 403, shall be submitted prior to the start of construction/grading activities.	Prior to the issuance of building permits	Field inspection	Antelope Valley Air Quality Management District (AVAQMD), Building Inspectors			
9.	Per the direction of the Director of Public Works, an extensive soils report shall be required prior to development that addresses any potential fissuring/sinkholes on the project site. Any recommendation identified in the soils report shall	Prior to issuance of grading permits	Submittal and approval of site specific geotechnical report.	Development Engineering Division			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	be incorporated into the proposed project.						
HAZARDS AND HAZARDOUS MATERIALS							
10.	Prior to demolition activities, an asbestos survey shall be conducted to determine the presence or absence of asbestos. The results of the surveys shall be submitted to the City of Lancaster. If asbestos containing materials are identified, abatement of the material shall be completed prior to any demolition activities occurring.	Prior to vegetation removal, grubbing, grading, stockpile, demolition, or construction the City must receive a report from a qualified environmental consultant detailing the asbestos survey results and any abatement.	Prior to final approval of grading plan, issuance of a stockpile permit, issuance of demolition permits, or any ground disturbing activities.	City of Lancaster Planning Department and City Engineering Division responsible for reviewing report.			
11.	Prior to demolition activities, a lead-based paint survey shall be conducted to determine the presence or absence of lead. The results of the survey shall be submitted to the City of Lancaster. If lead-based paint is identified, abatement of the material shall be complete prior to any demolition activities occurring.	Prior to vegetation removal, grubbing, grading, stockpile, demolition or construction the City must receive a report from a qualified environmental consultant detailing the lead-based paint results and any abatement.	Prior to final approval of grading plan, issuance of a stockpile permit, issuance of demolition permits, or any ground disturbing activities.	City of Lancaster Planning Department and City Engineering Division responsible for reviewing report.			