

AGENDA ITEM: 2.

DATE: 07-07-09

STAFF REPORT

CONDITIONAL USE PERMIT NO. 06-09 TENTATIVE PARCEL MAP NO. 68150

DATE: July 7, 2009

TO: Lancaster Planning Commission

FROM: Planning Department *BZ*

APPLICANT: Lancaster West 60th, LLC

LOCATION: 40± gross acres located at the northwest corner of 60th Street West and Avenue L

REQUEST:

1. Conditional Use Permit No. 06-09 to construct a 366,376 square-foot commercial shopping center including a 217,652 square-foot Wal-Mart with incidental off-sale of alcoholic beverages
2. Tentative Parcel Map No. 68150 to create 8 parcels on the site ranging in size from 0.68 acres to 19.99 acres in the CPD Zone

RECOMMENDATION: Adopt Resolution No. 09-20 approving Conditional Use Permit No. 06-09, and adopt Resolution No. 09-21 approving Tentative Parcel Map No. 68150. The Planning Commission approval of the conditional use permit and the tentative parcel map are not in effect unless the General Plan Amendment and Zone Change are in effect.

BACKGROUND: There have been no previous cases heard before the Planning Commission or City Council concerning this property.

GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE: The subject property is designated UR (Urban Residential, 2.1 to 6.5 dwelling units per acre), is zoned R-7,000 (Single Family Residential, one dwelling unit on 7,000 square feet) and R-10,000 (Single family Residential, one dwelling unit on 10,000 square feet), and is currently vacant. A request has been filed to redesignate the site to C (Commercial) and rezone it to CPD (Commercial Planned Development). The General Plan designation, zoning, and land use of the surrounding properties are as follows:

PC Staff Report

Conditional Use Permit No. 06-09 & Tentative Parcel Map No. 68150

Resolution No. 09-20 & Resolution No. 09-21

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	<u>GENERAL PLAN</u>	<u>ZONING</u>	<u>LAND USE</u>
NORTH	UR	R-7,000, R-10,000	Vacant, Single Family Residential
SOUTH	S	O	Quartz Hill High School
EAST	UR	R-7,000, R-10,000	Single Family Residential
WEST	UR	R-7,000, R-10,000	Vacant

PUBLIC IMPROVEMENTS: The site is bounded to the south by Avenue L and bounded to the east by 60th Street West, both of which are partially improved with one travel lane in each direction. All utilities are available or can be extended to serve the site

ENVIRONMENTAL REVIEW: A final EIR has been prepared that analyzes the potential impacts of the proposed project. The Planning Commission, prior to taking action on the project, is required to adopt environmental findings. These required findings are contained in Exhibit "A" of Resolution No. 09-21. Ultimately, it will be the responsibility of the Council to certify the final EIR. The approval of the Conditional Use Permit, if granted, is not in effect unless the General Plan and Zone Change are approved and in effect.

LEGAL NOTICE: Notice of Public Hearing was mailed to all property owners within a 500-foot radius of the project, posted in three places, posted on the subject property, and noticed in a newspaper of general circulation per prescribed procedure.

ANALYSIS: The applicant is requesting approval for a conditional use permit to construct a commercial shopping center and a tentative parcel map to subdivide the 40± gross acre site into eight parcels. The site plan indicates a proposal to construct a 366,376 square-foot commercial shopping center, to include buildings, parking, trash enclosures, landscaping, and drive aisle widths.

The commercial shopping center would consist of the following: a 217,652 square-foot Wal-Mart, including the garden center (Major Retail No. 1), a 14,820 square-foot Walgreen's Drug Store (Building No. 4) with drive-thru service, an 89,911 square-foot major/retail building (Building No. 2), a 20,000 square-foot retail pad (Building No. 8), a 7,895 square-foot restaurant pad (Building No. 6B), a 6,400 square-foot restaurant/retail building pad (Building No. 6A), a 5,500 square-foot bank building (Building No. 7) with drive-thru service pad, a 2,448 square-foot drive-thru restaurant pad (Building No. 3), and a 1,750 square-foot drive-thru restaurant pad (Building No. 5). Wal-Mart and Building No. 2 are oriented to face 60th Street West along the westerly boundary of the project site. Building No. 3 is adjacent to Avenue L. Building Nos. 4 through 8 are located adjacent to 60th Street West. Two plaza areas are provided adjacent to the restaurant buildings on 60th Street West, and one plaza area is adjacent to the restaurant building on Avenue L.

Tentative Parcel Map No. 68150 would create eight (8) parcels on the site as follows: Parcel No. 1 would be 19.99 acres, Parcel No. 2 would be 7.87 acres, Parcel No. 3 would be .68 acre, Parcel No. 4 would be 1.55 acres, Parcel No. 5 would be .78 acre, Parcel No. 6 would be 1.79 acres, Parcel

No. 7 would be .88 acre, and Parcel No. 8 would be 2.14 acres. Tentative Parcel Map No. 68150, which is being requested in conjunction with the approval for the commercial shopping center, would create eight parcels on which the project would be constructed. The map would require the provision of a reciprocal access, parking and maintenance agreement between the various parcels, so that the commercial center will function as a unified development. These types of agreements are common within the City's commercial centers.

Access to the project site would be provided from 60th Street West to the east, Avenue L to the south, and from Avenue K-12 to the north. Primary access to the project site would be provided from a 48-foot-wide driveway with an 8-foot-wide landscaped median on 60th Street West. Two additional driveways are proposed on 60th Street West; a 30-foot-wide driveway to the north located south of Building No. 8; and a 30-foot-wide driveway to the south located between Building Nos. 4 and 5. On Avenue L, three driveways are proposed; a 36-foot-wide driveway to the east of Building No. 2; an additional 36-foot-wide driveway at the western boundary of the site to be used primarily for delivery trucks; and a 30-foot-wide driveway between Building Nos. 3 and 4. On Avenue K-12, two driveways are proposed; a 36-foot-wide driveway to the west of Building No. 8; and a 30-foot-wide driveway to the east of Wal-Mart. Internal circulation would be adequately provided between the proposed parcels as shown on the site plan, and reciprocal access, parking and maintenance agreements would be necessary between Parcel Nos. 1-8 for Tentative Parcel Map No. 68150.

Avenue L and 60th Street West are listed as increased capacity intersections, which would warrant additional improvements. Two right-turn lanes would be provided on Avenue L at the two driveway entrances located on the east side and west side of Building No. 2. In addition, a right-turn lane and combination bus turnout with full amenities (benches, shelter, etc) would be provided on the north side of Avenue L, west of the intersection at 60th Street West. Completion of this project would also include raised medians on Avenue L and 60th Street West. The proposed median on Avenue L would provide a left-turn access in westbound Avenue L at the intersection with the driveway entrance into the Quartz Hill High School (QHHS) parking lot. On the south side of Avenue L, the project would require the relocation of the existing westerly driveway entrance street improvements along with the reconfiguration of the QHHS parking lot to align with the proposed driveway entrance to the project site. The proposed median on 60th Street West would limit access to right-turns only precluding left-turn egress from the central main driveway. The proposed median would be designed to provide a left-turn lane into the central main entrance driveway. In addition, the applicant would be required to pay a traffic impact fee as adopted by the City Council to be used for the improvement of off-site streets within unincorporated areas of Los Angeles County (40th Street West to 100th Street West from Avenue J-8 to Avenue L-8) that would be affected by traffic generated by the project. Although the City has adopted an ordinance requiring payment into the improvement fund, Los Angeles County ultimately would be responsible for the installation of the improvements.

The commercial shopping center as proposed meets the municipal code standards for parking. The construction of the commercial shopping center would require one parking space for every 200 square feet of retail space for a total of 1,724 parking spaces, and one parking space for every 5,000 square feet of open retail (garden center) space for a total of 5 spaces. The applicant is proposing 1,729 parking spaces, which meets the requirement. In the event additional parking is needed for the

expansion or intensification of a use, a request for a ten percent adjustment can be made to the Planning Director. Adequate circulation exists to the project and between the proposed parcels as shown on the site plan. In addition to the on-site parking and circulation, the loading areas for Wal-Mart, Major/Retail (Building No. 2), Walgreen's (Building No. 4), and Building No. 8 are located on the west side of the building, separated from the main public parking and traffic circulation. The drive aisles provide separate access to and between the buildings. The project would provide decorative raised crosswalks (speed tables) in the shopping center parking lot to reduce vehicular speeds and increase pedestrian safety. Walkways between the buildings and drive aisles would be marked with raised decorative concrete and landscaped planters.

The EIR recommended that the applicant would provide a "fair share contribution" toward the implementation of specific mitigation measures through traffic and traffic signalization impact fees. The project would be conditioned to install two traffic signals: one at the intersection of Avenue K-12 and 60th Street West, and one on Avenue L at the intersection with the proposed driveway entrance into QHHS parking lot. The study indicated the improvements needed along Avenue L and 60th Street West to complete the increased capacity intersection. The applicant would construct street improvements to widen 60th Street West from Avenue K-12 to Avenue K-8 to accommodate an additional northbound through lane and an 8-foot-wide paved shoulder. Lastly, the project affects the intersection of Avenue K and 60th Street West; therefore, the applicant would be conditioned to restripe westbound Avenue K at the intersection with 60th Street West to provide two left-turn lanes.

Adequate landscaping would be provided for the project. The landscape setback adjacent to the abutting street frontage varies between 20 to 51 feet in width adjacent to 60th Street West, Avenue L and Avenue K-12. Additional landscaping would be provided by a series of tree wells and planters throughout the parking area. A 20 to 30-foot-wide landscape planter would be located along the westerly boundary with a six-foot-high screen wall to buffer future residences. Additionally, landscaping and irrigation would be provided for the area between the sidewalk and the basin with a combination masonry block wall and tubular steel or wrought iron fencing along the north side of the privately maintained drainage detention basin.

Due to the proximity of adjacent future residential areas to the west and north of the project site, there are certain aspects of the project that could indirectly affect the residents due to the noise from the delivery and loading areas, and lighting from buildings and parking lots. Staff is recommending specific conditions to reduce the potential effects. As mentioned above, a landscape planter and a screen wall would be placed along the westerly boundary to screen the buildings from the residents. Additional landscaping with evergreen trees and a berm would be installed to screen the truck well area of Wal-Mart from future residents to the north. Also, signage would be prohibited on the north and west elevation of the buildings adjacent to the residential property lines. However, non-illuminated signage would be permitted on the west elevation of Building No. 8. To reduce noise from delivery trucks, placement of 10-foot-high screen walls would screen the loading and trash compacting areas located behind the Wal-Mart and Building No. 2. An 8-foot-high screen wall with a minimum 6-foot-wide landscape planter would screen the loading areas for Building Nos. 4 and 8. The delivery hours would be limited between 6:00 a.m. to 10:00 p.m. Although this condition would not prevent noise, it would be limited during the more active daylight and early evening hours, and

would prevent delivery activities during normal sleeping hours when noise would be more disruptive. This measure would reduce the impacts of the noise from truck traffic; however, occasional noise from trucks backing up could still be audible to residents to the south and to the east of the delivery area. The back-up noise is intermittent and cannot be mitigated because it is an OSHA requirement. In an effort to further reduce noise to future residents from delivery activities, oversized truck traffic would be prohibited from accessing Avenue K-12. Staff feels these conditions, combined with the City's standard practice of requiring all project and building lighting to be directed onto the site and shielded from surrounding areas, would adequately reduce the impacts of the project from lighting and noise.

The applicant has submitted elevations for the Wal-Mart store as part of the conditional use permit application. However, elevations for the future individual buildings for the project are not available at this time. The applicant has indicated to staff that the design of these structures would be compatible with the established architectural design guidelines also submitted with the application. The Planning Director will verify the compatibility of the future individual buildings with the design guidelines through the building plan check process. In the event of a dispute, The Architectural and Design Commission (ADC) would render the final decision. The design guidelines established for the architectural elevations for the center are designed in the Desert Contemporary style. This style gets its inspiration from the architecture and design movement of Mid-century Modernism set against the backdrop of the desert landscape. The buildings feature low-rise compositions with strong vertical and horizontal lines, asymmetrical massing, and extensive use of generous overhangs. The colors enhance the interplay of both the geometric and gently curving forms and varied finish surfaces. Strong entrance elements, along with the generous use of awnings, establish a human scale, providing a protected walk, and a sense of arrival. The elevations are designed with contemporary style elements such as cornices, plate awnings, trellises, covered arcades, pilasters and wainscoting. The shop building elevations combine ledge stone veneer, rich earth colored stucco wall surfaces, deep overhangs and shaded awnings. Individually designed entries are created by the employing towers, separate awnings and dedicated sign walls, thus, accentuating the different tenants within the context of a unified whole. The elevations indicate that the maximum height of the shop buildings proper would be approximately 22 to 28 feet measured from the top of the parapet, and the towers would be from 26 to 35 feet tall measured from the top of the roof. The major tenant would vary in height from 22 to 42 feet because of the wide variety of elements used in the composition.

The applicant is requesting two 20-foot-tall pylon combination center identification and tenant signs, one on Avenue L at the entrance on the east side of Building No. 2, and the other on 60th Street West at the central main entrance. Although the height of the proposed pylon signs exceed the requirements of the municipal code by 8 feet, staff believes that the two 20-foot-tall pylon signs located adjacent to major arterial streets would adequately serve a commercial center of 40 acres.

At this time, a request to sell alcoholic beverages has been made a part of the conditional use permit application. The applicant, on behalf of Wal-Mart, is requesting approval for the incidental off-sale of alcoholic beverages (Alcohol Beverage Control Type 21, Off-Sales General License) at the proposed 196,028 square-foot (excluding the garden center, seasonal garden center, and bagged goods area) retail store shown as Major Retail 1 on the site plan. The floor plan indicates less than

PC Staff Report

Conditional Use Permit No. 06-09 & Tentative Parcel Map No. 68150

Resolution No. 09-20 & Resolution No. 09-21

July 7, 2009

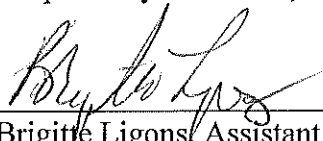
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one percent or 672 square feet of the sales floor area will be utilize for sale and display of alcoholic beverages for consumption off the premises, which is less than the five percent or 7,500 square feet maximum allowed under the ordinance. Although the project is in close proximity to residential uses, incidental off-sale alcoholic beverage establishments are exempt from the distance requirements. Currently, the applicant does not have a negative history with the California State Department of Alcoholic Beverage Control (ABC), and the Los Angeles County Sheriff's Department (Lancaster Station) was not opposed to the issuance of the conditional use permit. The project has been conditioned to comply with Chapter 17.42 (Alcoholic Beverage Establishment). Staff has recommended additional conditions of approval to ensure the compatibility of the use with nearby uses and the other commercial tenants by restricting the container type and size on beer and wine sales. Also, the Planning Director has the discretion to require on-site security in the future, if necessary. In the event alcoholic beverages are to be sold, served, or given away at additional establishments located on the premises, each applicant shall obtain approval in accordance with Chapter 17.42. Therefore, staff does not feel that the operation would cause conflict with neighboring uses.

During the public commenting period, concerns were raised regarding the potential for the parking areas to be used by travelers for overnight parking and camping. Although the City's Municipal Code does restrict this type of activity, a condition would be added to prohibit overnight parking/camping activities from occurring on the commercial site.

Staff believes that this project would establish a commercial shopping center that would provide a variety of goods and services that are not currently available in this area of Lancaster. Staff feels that the proposed conditions of approval will ensure that the commercial shopping center operates in a manner consistent with contemporary retailing strategies of customer convenience. The project is consistent with the provisions of the CPD Zone and in conformance with the General Plan Policy 19.1.5, which states: "Ensure that physical attributes of new developments, such as walls and fences, lighting, building design, and signage are attractive and consistent with the overall urban form and/or design theme of the area." Therefore, staff is recommending that the Commission approve the request subject to the proposed conditions, of the project based on the site having sufficient area to accommodate the proposed development, adequate access and services being available for the use, and the lack of significant adverse effects on the surrounding areas.

Respectfully submitted,



Brigitte Ligons, Assistant Planner

cc: Applicant
Engineer

RESOLUTION NO. 09-20

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, ADOPTING NECESSARY ENVIRONMENTAL FINDINGS, THE STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVING CONDITIONAL USE PERMIT NO. 06-09

WHEREAS, a conditional use permit has been requested by Lancaster West 60th, LLC, to construct nine buildings totaling 366,376 square feet of commercial shopping center in the CPD Zone on 40± gross acres of land on the northwest corner of Avenue L and 60th Street West as shown on the attached site map; and

WHEREAS, an application for the above-described conditional use permit has been filed pursuant to the regulations contained in Article I of Chapter 17.32 of the Lancaster Municipal Code; and

WHEREAS, a conditional use permit has been requested by Lancaster West 60th, LLC on behalf of Wal-Mart, for the incidental off-sale of alcoholic beverages (Alcohol Beverage Control Type 21, Off-Sales General License) at the proposed 196,028 square-foot (excluding the garden center) commercial Major Retail 1 located in the proposed commercial retail center in the CPD Zone on 40± gross acres of land on the northwest corner of Avenue L and 60th Street West, as shown on the attached site map; and

WHEREAS, notice of intention to consider the granting of a Conditional Use Permit has been given as required in Article V of Chapter 17.32 and Chapter 17.42 of the Lancaster Municipal Code and in Section 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 conditional use permit request be approved subject to conditions; and

WHEREAS, a public hearing on the conditional use permit request was held on July 7, 2009; and

WHEREAS, a final environmental impact report has been prepared for the proposed project and will be considered for certification by the City Council, and the information contained within this final EIR was considered by the Commission prior to making a decision on this conditional use permit; and

WHEREAS, this Commission hereby adopts the following findings in support of approval of the conditional use permit application:

1. The proposed 366,376 square feet commercial shopping center will be in conformance with the General Plan land use designation of C (Commercial) for the subject property, and with the following various goals, objectives, policies, and specific actions of the General Plan:

- Specific Action 16.1.3(g): “Encourage development of usable commercial uses so that there are retail stores ready to provide needed local goods and services in newly developing areas.”
 - Objective 19.1: “Promote the long-term image and livability of Lancaster as a unique community with a strong sense of place through the development and application of comprehensive community design guidelines.”
 - Specific Action 19.2.1(a): “Through the development review process, apply Community Design guidelines in a manner that would allow for the creation of visual identity and character in new growth areas and the preservation of such in existing neighborhoods.”
 - Objective 19.3: “Improve the city’s visual identity by utilizing design standards that instill a sense of pride and well-being in the community.”
 - Policy 19.3.1: Promote high quality development by facilitating innovation in architecture/building design, site planning, streetscapes, and signage.”
2. The requested uses at the location proposed will not:
- a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, because on-site lighting will be shielded from residential areas to the west and north of the site, landscape planter and a block wall will be installed on the west property line, the hours for delivery will be limited between 6:00 a.m. to 10:00 p.m., Sunday through Saturday, sufficient on-site parking will be provided, and semi-trucks will be prohibited from ingress/egress on Avenue K-12.
 - b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, because City development standards will be met, proposed landscape planters to the north and west of the site will be planted with berms, shrubs and trees to provide a buffer, and adequate on-site parking and landscaping will be provided. The proposed buildings are of a height compatible with the height limits of the commercial zones, and are designed with adequate setbacks from the adjacent streets.
 - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare, because adequate sewer, water, drainage, and traffic facilities and improvements will be part of the project.
3. The proposed 40± net acres is adequate in size and shape to accommodate the building, landscape setback, 1,724 parking spaces, and loading facilities, landscaping,

buildings, and other development features prescribed in the Zoning Ordinance or as is otherwise required in order to integrate said use with the uses in the surrounding area.

4. The proposed site is adequately served:
 - a. By Avenue L, Avenue K-12, and 60th Street West, which will be of sufficient width and improved as necessary to carry the anticipated 17,076 daily vehicle trips such use would generate; and
 - b. By other public or private service facilities, including sewer, water, fire, and police services are required.
5. The proposed project will have effects on the environment, and these effects are insignificant, adequately mitigated, or acceptable due to overriding considerations as noted in Exhibit "A" of the Planning Commission Resolution No. 09-20.
6. There is a need for the proposed commercial shopping center. The center is currently located in a developed area surrounded by single family residences to north, east, and Quartz Hill High School to the south. The uses within the center will provide for goods and services to serve the immediate area with commercial retail uses, as well as a larger regional need in the western area of the City.

WHEREAS, it is the intent of this Commission that the conditional use permit for the incidental off-sale of alcoholic beverages (Alcohol Beverage Control, Type 21, Off-Sales General License) for Wal-Mart is considered separate and can be revoked apart from the original conditional use permit, if necessary.

WHEREAS, this Commission hereby adopts the following findings in support of approval of this application for alcohol sales:

1. The proposed use of incidental off-sale of alcoholic beverages would be located within the proposed 196,028 square-foot Wal-Mart retail store and will be in conformance with the General Plan land use designation of (C) Commercial.
2. The requested alcohol use at the location proposed will not:
 - a. Adversely affect the nearby residents and facilities primarily devoted to use by children, families, and the general public, after giving consideration to the distance or proximity of the proposed alcoholic beverage establishment because the request is for 672 square feet of the sale and display of alcoholic beverages for consumption off the premises. The incidental off-sale of alcoholic beverages are limited to a maximum of 5 percent or 7,500 square feet (whichever is less) of sales floor area for the sale and

display of alcoholic beverages. The incidental off-sale of alcoholic beverages are exempt from the established distance requirements to residential districts, and the hours of operation would be limited to between 6:00 a.m. and 12:00 a.m., Sunday through Saturday.

- b. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare because the project would operate in conformance with Chapter 17.42 and conditions of approval have been made a part of the project.
3. The proposed 196,028 square-foot Wal-Mart store serves the public convenience and necessity based upon all factors outlined in Chapter 17.42.060.

WHEREAS, this Commission, after considering all evidence presented, further finds that approval of the proposed conditional use permit will promote the orderly growth and development of the City.

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby adopts all findings set forth in attached Exhibit "A", and hereby adopts Mitigation Monitoring Program (Exhibit "B") set forth in the final EIR, subject to final certification by the City Council.
2. This Commission hereby approves Conditional Use Permit No. 06-09 subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 7th day of July 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

RESOLUTION NO. 09-21

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 68150

WHEREAS, a tentative parcel map has been filed by Lancaster West 60th, LLC, for the division of 40± net acres of land into 8 parcels located on the northwest corner of 60th Street West and Avenue L, as shown on the attached site map; and

WHEREAS, staff has conducted necessary investigations to assure the proposed division of land would be consistent with the purposes of the City's Subdivision Ordinance, the State Subdivision Map Act, and the regulations of the CPD Zone; and

WHEREAS, a written report was prepared by staff which included a recommendation for approval of this tentative parcel map subject to conditions; and

WHEREAS, public notice was provided as required by law and a public hearing on the tentative parcel map was held on July 7, 2009; and

WHEREAS, a final environmental impact report has been prepared for the proposed project and will be considered for certification by the City Council, and the information contained within this final EIR was considered by the Commission prior to making a decision on this tentative parcel map; and

WHEREAS, this Commission hereby adopts the following findings in support of approval of this tentative parcel map:

1. The proposed design and improvement of the 8 lot commercial subdivision are consistent with the General Plan land use designation of C (Commercial) for the subject property.
2. The site is physically suitable for the type and intensity of commercial development because adequate roadway capacity and infrastructure exist or can be provided, and the site has no topographical constraints.
3. The design and improvement of the subdivision are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site is not within a sensitive habitat area and all potential impacts are insignificant, can be mitigated as noted in the environmental review section of the staff report, or are acceptable due to overriding considerations as noted in Exhibit "A" of Planning Commission Resolution No. 09-21.
4. The design and improvement of the subdivision are not likely to cause serious public health problems because adequate sewer and water systems will be provided to the project.
5. The design and improvement of the subdivision will not conflict with easements acquired by the public at large, for access through or use of property within the

proposed subdivision because all such easements have been incorporated into the proposed public streets (or will be abandoned) prior to recordation of the final map.

6. The proposed subdivision will not adversely affect housing needs of the region because the City has designated sufficient residential land through its General Plan to meet its identified shared of the regional housing need; therefore, the subdivision and use of this site commercial purposes will not be detrimental to regional housing needs.
7. The proposed subdivision provides, to the extent feasible, for the future passive or natural heating or cooling opportunities in the subdivision because the size and configuration of the parcels would allow for such systems; and

WHEREAS, this Commission, after considering all evidence presented, further finds that approval of the proposed tentative parcel map will promote the orderly growth and development of the City.

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby adopts all findings set forth in attached Exhibit "A", and hereby adopts Mitigation Monitoring Program (Exhibit "B") set forth in the final EIR, subject to final certification by the City Council.
2. This Commission hereby approves Tentative Parcel Map 68150 subject to the conditions attached hereto and incorporated herein.

PASSED, APPROVED and ADOPTED this 7th day of July 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

GPA 06-04, ZC 06-04
CUP 06-09, & TPM 68150

Avenue L



60th Street West

Quartz Hill
High School

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**ATTACHMENT TO PC RESOLUTION NO. 09-20
CONDITIONAL USE PERMIT NO. 06-09, AND
ATTACHMENT TO PC RESOLUTION NO. 09-21
TENTATIVE PARCEL MAP NO. 68150
CONDITIONS LIST
July 7, 2009**

GENERAL ADVISORY

1. The approval date of Conditional Use Permit No. 06-09 and Tentative Parcel Map No. 68150 shall be the effective date of Zone Change No. 06-04.
2. All standard conditions as set forth in Planning Commission Resolution Number 06-16 for Conditional Use Permits shall apply, except for Condition Nos. 5d and 31 (modified below).
3. All standard conditions as set forth in Planning Commission Resolution Number 06-12 for Tentative Parcel Maps shall apply, except for Conditions Nos. 24-30, 34-36 and 57-62.
4. All off-site improvements required of CUP No. 06-09 must be installed to the satisfaction of the Director of Public Works at the time of occupancy of any structure within the subdivision for TPM No. 68150.
5. Landscape plans shall be prepared in accordance with Ordinance No. 907 and submitted to the Public Works Department, along with required plan check fees, for review and approval prior to the installation of landscaping or irrigation systems. Such plan must be approved prior to issuance of permits. Such plan is to be incorporated into development of the site and shall show size, type, and location of all plants, trees, and irrigation facilities (modified Condition No. 5d).
6. If the project is developed in phases, undeveloped portions of the site shall not contribute to blowing debris and dirt or dust. Compliance with this condition will include, where determined necessary by the Planning Director, the placement of temporary curbs or other techniques to minimize the opportunity for vehicles to enter the undeveloped portions of the property (modified Condition No. 31).
7. Prior to occupancy, record reciprocal access, parking and maintenance agreements to encumber all proposed parcels (Parcel Nos. 1-8) of Tentative Parcel Map No. 68150, as approved by the Planning Director and the City Attorney.
8. Per the direction of the Planning Director, the applicant shall abide by all conditions of the Mitigation Monitoring Program (Exhibit "B").
9. Per the direction of the Planning Director, any overnight parking/camping activities on the premises shall be prohibited.

STREETS

10. Per direction of the Director of Public Works, improve and offer for dedication:
 - 60th Street West at 88 feet of an ultimate 120-foot right-of-way
 - Avenue L at 78 feet of an ultimate 100-foot right-of-way
 - Avenue K-12 (west of Street "C") at 42 feet of an ultimate 60-foot right-of-way
 - Avenue K-12 (east of Street "E") at 48 feet of an ultimate 60-foot right-of-way
 - Avenue K-12 (west of Street "E") at 38 feet of an ultimate 56-foot right-of-way
11. Per the direction of the Director of Public Works, improve and dedicate additional right-of-way on southbound 60th Street West and westbound Avenue L for an increased capacity intersection.
12. Per the direction of the Director of Public Works, improve the south side of Avenue L, west of 60th Street West (adjacent to QHHS) to complete the increased capacity intersection.
13. Per the direction of the Director of Public Works, restripe westbound Avenue K at the intersection with 60th Street West to provide two left-turn lanes.
14. Per the direction of the Director of Public Works, construct street improvements to widen 60th Street West from Avenue K-12 to Avenue K-8 to accommodate an additional northbound through lane and an 8-foot-wide paved shoulder.
15. Per the direction of the Director of Public Works, install a traffic signal at the intersection of Avenue K-12 and 60th Street West.
16. Per the direction of the Director of Public Works, install a traffic signal on Avenue L at the intersection with the proposed driveway entrance into QHHS parking lot.
17. Per the direction of the Director of Public Works and Planning Director, construct improvements necessary to relocate the westerly QHHS driveway on Avenue L to align it with the proposed westerly project driveway. Any improvements to the QHHS parking lot that are necessary as a result of the driveway relocation shall be performed as shown on the site plan or as otherwise mutually approved by the applicant and QHHS.
18. Per the direction of the Director of Public Works, install raised landscape medians with stamped concrete in Avenue L and 60th Street West.

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19. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in westbound Avenue L at the intersection with the driveway entrance into the QHHS parking lot. The lane shall be 350 feet in length with a 120-foot transition.
20. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in 60th Street West at the intersection with the central main entrance driveway. The lane shall be 200 feet in length with a 120-foot transition. The median shall also be designed and constructed to restrict left-turn egress from this driveway.
21. Per the direction of the Director of Public Works, install right-turn lanes on Avenue L at the two (2) driveways located on the east side and west side of Building No. 2. The lane and dedication shall be 12 feet in width and 90 feet in length, with a 90-foot transition.
22. Per the direction of the Director of Public Works Director, install a right-turn lane and combination bus turnout with amenities (benches, shelter, trash receptacle, etc.) on the north side of Avenue L, west of the intersection at 60th Street West. The lane and dedication shall be 12 feet in width and 140 feet in length with a transition per Standard Plan PW-4.
23. Per the direction of the Director of Public Works, install a bus stop with amenities (benches, shelter, trash receptacle, etc.) on the west side of 60th Street West, south of Avenue K-12.
24. The applicant shall pay a traffic impact fee as adopted by the City Council to be used for the improvement of off-site streets within unincorporated areas of Los Angeles County that would be affected by traffic generated by the project. (All residential and commercial projects within the following boundary are conditioned to pay the traffic impact fee as adopted by City Council to be used for the improvement of offsite streets within the unincorporated areas of Los Angeles County that would be affected by traffic generated by the project). The boundaries are 40th Street West to 100th Street West from Avenue J-8 to Avenue L-8.
25. Per the direction of the Director of Public Works, all street lighting systems designed after July 1, 2007, shall be designed as City owned and maintained street lighting systems. The Developer's engineer shall prepare all plans necessary to build said street lighting system in accordance with Southern California Edison and City of Lancaster standards.

DRAINAGE

26. Per the direction of the Director of Public Works, the applicant shall install a 60-inch (reinforced concrete pipe) storm drain in Avenue L from 60th Street West to 62nd Street West. Credit against drainage impact fees will apply for the installation of the Master Plan Drainage Facility.

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27. Per the direction of the Director of Public Works, if at the time the storm drain in Avenue L is installed, and the 60-inch reinforced concrete pipe has not been installed in 60th Street West, the applicant shall design and construct adequate catch basins to capture and convey storm run-off from both the southeast and southwest corners of the intersection of these streets.
28. Per the direction of the Director of Public Works, the existing cross-gutters on Avenue L, west of 60th Street West, shall be removed and the street sections reconstructed.
29. Per the direction of the Director of Public Works, install a retention system to mitigate runoff to eighty-five percent of the pre-developed flow, or as otherwise approved by the Director of Public Works, and to recharge the groundwater. The applicant is strongly encouraged to install pervious pavement to help mitigate runoff and to recharge groundwater.
30. All projects where the total landscape area exceeds 5,000 square feet shall be designed to capture on-property, run-off for a 10-year rain event through the use of earth berms, drainage swales, subsurface storage, or other approved methodology as per Section 8.50.058A.1 of Landscape Ordinance No. 907. The berms and landscaping shall be aesthetically pleasing.
31. Per the direction of the Planning Director, landscaping and irrigation shall be provided for the area between the sidewalk and the basin with a combination masonry block wall and tubular steel or wrought iron fencing along the north side of the privately maintained drainage detention basin.
32. Per the direction of the Public Works Director, the trash enclosures wash out drains shall be connected to the drainage clarifier.

OTHER

33. The applicant shall contact the local Postmaster to determine if the location of a postal drop box is desirable in the center. If such a box is desired, the applicant shall pay the Postmaster any fees required for such placement (i.e., purchase of the box) and shall obtain the approval of the Planning Director as to the box location. If the location is in a parking lot or abutting a parking lot, the Director shall consult with the City Traffic official to ensure that a traffic safety hazard will not be created. In the event a box is not desired by the Postal Service, the applicant shall submit a letter from the Postmaster to that effect as a fulfillment of this condition.
34. Per the direction of the Public Works Director, install raised crosswalks (speed tables) or equivalent in the shopping center parking lot as indicated on the site plan.

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35. Per the direction of the Director of Public Works, design the ADA path of travel with stamped concrete and flat curbs on both sides unless it conflicts with any laws or regulations in effect at the time of permit issuance.
36. Secure bicycle parking area(s) shall be provided on site. Design and location of such facilities are subject to review and approval of the Planning Director.
37. The Planning Director is authorized to review and approve the elevations of future individual buildings proposed within the commercial center to ensure that they are compatible with the architectural design guidelines established for the overall project. Design and location of such facilities are subject to review and approval of the Planning Director, including but not limited to architectural style, color, exterior materials, loading areas, material and type of fences and walls, and location and screening of above-ground utilities. In the event disputes arise between the applicant and the Planning Director regarding elevations, or design of subsequent buildings, the matter may be appealed, and the Architectural and Design Commission (ADC) shall render the final decision.
38. Per the direction of the Planning Director, utility boxes or panels shall be incorporated into the design of the building.
39. Per the direction of the Planning Director, prior to issuance of any permits, the applicant shall obtain approval from the Planning Director for the location of the backflow preventers and screen wall.
40. Per the direction of the Planning Director, the applicant shall provide an electronic device for the site to keep shopping carts from leaving the site; this is required to be shown on the grading plan.
41. Per the direction of the Planning Director, the applicant must provide shopping cart storage in the parking lot area and the areas shall not be placed in any required parking space.
42. Per the direction of the Planning Director, delivery hours, parking lot sweeping hours, and trash pick-up hours shall be limited to occur between 6:00 a.m. and 10:00 p.m. The loading dock hours of operation shall be posted on a sign located at the Major Retail 1, Building No. 2, Building No. 4 and Building No. 8 tenant loading dock.
43. Per the direction of the Director of Public Works and Planning Director, the applicant shall prohibit access to oversized truck traffic on Avenue K-12.
44. There shall be a posted sign on the exterior of the premises prohibiting smoking within 20 feet of the entrances to the premises.

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45. Per the direction of the Planning Director, all lights located on the west and north property lines shall be shielded to eliminate light/glare spillage onto the adjacent residential uses.
46. Per the direction of the Director of Public Works, comply with all disabled access requirements.
47. Per the direction of the Planning Director, no signage shall be permitted on the northern and western elevations along the north and west property lines adjacent to residential uses except for Building No. 8. Non-illuminated signage shall be permitted on the western elevation of Building No. 8 located on Parcel 8.
48. Per the direction of the Planning Director, the applicant shall be permitted to install two 20-foot high monument signs; one sign located on Avenue L at the entrance on the east side of Building No. 2; and one sign located on 60th Street West at the central main entrance. All other wall and monument signage shall be regulated by the signage plan adopted pursuant to Standard Condition No. 4 of Resolution No. 06-16 for Conditional Use Permits.
49. Per the direction of the Public Works Director, install metal/lattice covers on all trash enclosures.
50. Per the direction of the Planning Director, install heavy duty concrete pavement at the apron for the trash enclosures.
51. Per the direction of the Planning Director, install a 6-foot-high masonry screen wall along the west property line with a minimum 10-foot-wide planter.
52. Per the direction of the Planning Director, install one evergreen tree spaced every 30 feet on center along the westerly planter.
53. Per the direction of the Planning Director, install a berm and landscaping with evergreen trees to screen the truck well area of Major Retail 1 from future residents to the north.
54. Per the direction of the Planning Director, install an 8-foot-high masonry screen wall along the west side of the pallet and bale area adjacent to Major Retail 1.
55. Per the direction of the Planning Director, install a 10-foot-high masonry screen wall along the west side of Major Retail 1 at the southerly loading dock.
56. Per the direction of the Planning Director, install a 10-foot-high masonry screen wall along the west side of Major Retail 1 adjacent to the trash compactor.
57. Per the direction of the Planning Director, install a 10-foot-high masonry screen wall along the west side of Major Retail 1 north of the trash compactor at the northerly loading dock.

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58. Per the direction of the Planning Director, install a 10-foot-high masonry screen wall along the south side of Major Retail 1 adjacent to the trash compactor.
59. Per the direction of the Planning Director, install a 10-foot-high masonry screen wall along the west side of Building No. 2 adjacent to the loading area.
60. Per the direction of the Planning Director, install an 8-foot-high masonry screen wall with a minimum 6-foot-wide landscape planter along the west side of Building No. 4 adjacent to the loading area.
61. Per the direction of the Planning Director, install an 8-foot-high masonry screen wall with a minimum 6-foot-wide landscape planter along the west side of Building No. 8 adjacent to the loading area.
62. Per the direction of the Planning Director, no individual exterior storage allowed outside of the building. Outside storage of seasonal goods shall be allowed as per Section 17.12.070.Q of the Zoning Ordinance.
63. Any trash or graffiti on the premises shall be removed within forty-eight (48) hours.
64. On-site security shall be provided if determined necessary by the Planning Director.
65. The applicant shall provide conduit connections to a minimum of (36) thirty-six on-site parking stalls to permit the future installation of charging stations for electric vehicles.
66. The applicant shall coordinate with both the Antelope Valley Union High School District and the Westside School District in developing a student safety plan for the construction phase of the project, including provisions for pedestrian access, vehicular access and circulation during street construction, restriction of access to the construction site, and notification to school officials and parents regarding the overall construction schedule.

ALCOHOL

67. Per the direction of the Planning Director, the Wal-Mart store shall comply with Chapter 17.42 (Alcoholic Beverage Establishments) and Section 17.42.080 (Conditions of Approval for Off-Sale Alcoholic Beverage Establishments) except for Section 17.42.42.080.F to be replaced with, "The sale of alcoholic beverages shall be from 6:00 a.m. to 12:00 a.m., Sunday through Saturday." Any reference to beer and wine shall apply to all alcoholic beverages. In addition, Section 17.42.080.K shall be replaced with, "No sales of separated packages of alcoholic beverages (i.e. individual containers, cans or bottles) shall be allowed.

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68. Per the direction of the Planning Director, in the event alcoholic beverages are to be sold, served or given away at additional establishments located on the premises, each applicant shall obtain approval in accordance with Chapter 17.42 (Alcoholic Beverage Establishments).
69. The amount of floor area approved for alcohol sales at the Wal-Mart store is 672 square feet. The applicant may increase the floor area up to 20 percent or 134 square feet without modification to the conditional use permit.

RESOLUTION NO. 06-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, ADOPTING CERTAIN STANDARDIZED CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMITS

WHEREAS, the Planning staff presented to the Planning Commission a list of thirty-nine (39) conditions which are applied to Conditional Use Permits when they are approved by said Commission; and

WHEREAS, the staff explained to the Commission that since these are standard conditions for almost all use permits, it might be more appropriate to adopt them by resolution for reference purposes as it would save staff time in preparing the reports and Commission time in hearing said reports; and

WHEREAS, it was further explained by staff that adoption of these standard conditions and incorporating by reference would be a more efficient and consistent approach to applying said conditions to the use permits approved by the Commission; and

WHEREAS, after discussion, it was the consensus of the Commission that it would be in the best interest of all concerned that the above-mentioned conditions of approval be adopted by resolution and referred to by resolution number for all Conditional Use Permits;

NOW, THEREFORE THE LANCASTER PLANNING COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND FIND AS FOLLOWS:

The Planning Commission hereby establishes the following conditions of approval as standard conditions to be used by reference in conjunction with all Conditional Use Permit approvals.

1. Unless otherwise indicated herein, the development of the site shall be in substantial conformance with approved site plans on file in the Planning Department.
2. All requirements of the Municipal Code and of the specific zoning of subject property must be complied with unless otherwise set forth in the permit or shown on the approved plot plan.
3. The applicant shall contact the City of Lancaster Fire Warden to determine improvements that may be required to protect the property from the fire hazard and shall provide and install at his expense such improvements as may be deemed necessary by the Fire Warden. Fire protection improvements shall be completed to the satisfaction of the Public Works Director prior to certification of completion and occupancy of the subject buildings.
4. Three (3) copies of a signage plan shall be submitted for approval of the Planning Director at the time of building plan issuance. Such plan shall be comprehensive and

shall include: location, height, square footage, method of attachment, construction materials, and colors of each sign proposed to be placed on the site.

5. The following items/plans shall be submitted to the Public Works Department, which shall route them to the Planning Department for concurrent review and approval prior to issuance of permits:
 - a. Lighting Plan: Such plan shall include decorative, directional, and security lighting. Such lighting shall be directed away or shielded from neighboring properties.
 - b. Building Plan: Such plan shall demonstrate adherence to design elements approved by the Planning Commission including but not limited to: building elevations (all sides), construction materials and colors, and the method of screening rooftop equipment.
 - c. Grading Plan: Such plan shall show height of finished building pads in addition to walls, berming and/or contour mounding if such features are approved by the Planning Commission.
 - d. Landscape Plan: Landscape plans shall be prepared in accordance with Ordinance No. 629 and submitted to the Planning Department, along with required plan check fees, for review and approval prior to the installation of landscaping or irrigation systems. Such plan must be approved prior to issuance of permits. Such plan is to be incorporated into development of the site and shall show size, type, and location of all plants, trees, and irrigation facilities.
 - e. Trash Enclosure Plan: Such plan shall show location, design, construction materials, and color of materials and shall be in accordance with such plans contained within the residential development guidelines.
6. All necessary permits shall be obtained from the Building and Safety Division of the Public Works Department prior to any construction, remodeling, or replacement of buildings or other structures.
7. The applicant is hereby advised that this project is subject to development fees at the time of building permit issuance, including, but not limited to, the following as applicable: 1) L.A. Co. Residential Sewer Connection Fee; 2) Interim School Facilities Financing Fee; 3) Installation or Upgrade of Traffic Signals Fee; 4) Planned Local Drainage Facilities Fee; 5) Dwelling Unit Fee; 6) Traffic Impact Fees; and 7) Urban Structure Fee (Park Development Fee, Administrative Office Fee, Corporate Yard Fee, Operations Impact Fee, etc.)

8. An encroachment permit shall be obtained from the Public Works Department prior to doing any work within the public right-of-way.
9. Per the direction of the Public Works Director, construct ADA "walk arounds" at all driveways to the specifications of the Public Works Director and install ADA curb ramps at all intersection.
10. All construction and/or installation of improvements shall be undertaken to the specifications of the City of Lancaster Municipal Code.
11. Per direction of the Public Works Director, comply with City Municipal Code, Chapter 13.20 Article II, entitled Installation/Relocation for New/Expanded Development of Overhead Utilities.
12. If determined necessary by the Public Works Director, testing of the existing pavement section is to be performed prior to submitting street plans for plan checking. The minimum allowable structural section will be per the City requirement or the soil test recommendation whichever is greater based on the City's Traffic Index for the street. Removal and reconstruction of the street centerline may be necessary to meet the required structural section.
13. Street grades shall meet the specifications of the Public Works Department.
14. Per the direction of the Public Works Director, the asphalt surface course for all arterial streets shall be constructed with rubber modified asphalt. The type of rubber modified asphalt shall be as specified by the City and shall be determined in final design.
15. Per the direction of the Public Works Director, a Dust Control Plan shall be prepared and submitted to the Antelope Valley Air Quality Management District (AVAQMD) in accordance with Rule 403 of the AVAQMD. An approved copy of the Dust Control Plan shall be submitted to Public Works prior to issuance of a grading permit within the City for residential projects of 10 acres or larger and for commercial/industrial projects of 5 acres or larger. In lieu of an approved plan, a letter waiving this requirement shall be submitted.
16. Per the direction of the Public Works Director, the Developer shall install a conduit pull rope, and pull boxes along regional, primary, and secondary arterials to the nearest arterial intersection to be used for future Traffic Signal Communication Interconnect. The interconnect system shall be installed in accordance with the specifications approved by the Traffic Section.

17. The project shall comply with the Best Management Practices (BMPs) of the National Pollutant Discharge Elimination System (NPDES) and all NPDES Permit Requirements.
18. Per the direction of the Public Works Director, install a clarifier or other BMP to treat first flush.
19. Per the direction of the Public Works Director, if the project is located in Flood Zone AO (1), elevate the building one foot above the highest adjacent grade.
20. Mitigate onsite nuisance water and developmental storm water runoff to the satisfaction of the Public Works Director.
21. Box culverts or other structures acceptable to the Public Works Director are required at all intersections with arterial streets to eliminate nuisance water from crossing the streets above ground. (No cross gutters allowed).
22. Prior to occupancy, the property shall be annexed into the Lancaster Lighting District.
23. Prior to occupancy, the property shall be annexed into the Lancaster Drainage Maintenance District.
24. Street lights are required per adopted City ordinance or policy.
25. The applicant is hereby advised that the use of any signs, strings or pennants, banners or streamers, clusters of flags and similar attention-getting devices are prohibited, except where there has been prior approval from the Planning Department.
26. If any provision of this permit is held or declared to be invalid, the permit shall be void, and the privileges granted hereunder shall lapse.
27. It is further declared and made a condition of this permit that if any condition hereof is violated, or if any law, statute, or ordinance is violated, the permit shall be suspended and the privileges granted hereunder shall lapse provided that the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty (30) days.
28. Prior to occupancy of any buildings or structures, the permittee shall request, not less than forty-eight (48) hours in advance, that on-site inspection be made by the Planning Department to verify that development of the property has occurred in consonance with conditions as enumerated in this permit.
29. Landscape materials, once approved, shall be maintained in perpetuity.

30. This Conditional Use Permit must be used within two (2) years from the date of approval, the Conditional Use Permit will expire. The applicant may, not less than sixty (60) days prior to the expiration date, request a one (1) year extension in writing to the Planning Director. Modifications to the plan, including timing of on and off site improvements that do not raise significant new issues or extend the overall time frame beyond the approval period may be approved by the Planning Director.


NOTE: Issuance of building permits, installation of off-site improvements, and grading of the site do not constitute "use" of the conditional use permit. Under the Zoning Ordinance, construction or other development authorized by the conditional use permit must have commenced. Generally, the City requires that the slab of a major building in the project be poured and inspected in order to consider the permit used, although the circumstances of each case may vary depending on the land use involved.

31. If the project is developed in phases, undeveloped portions of the site shall not contribute to blowing debris, dirt or dust.
32. If the project is developed in phases, all the development requirements shall be met for each phase including parking, landscaping, trash enclosures, drainage, etc.
33. The applicant shall be responsible for notifying the Planning Department in writing of any change in ownership, designation of a new engineer, or a change in the status of the developer, within thirty (30) days of said change.
34. The Planning Director shall execute the necessary documents to ensure the recording of this permit with the County Recorder's Office.
35. This conditional use permit will not be effective until ten (10) working days after the date upon which it is granted by the Planning Commission and until the applicant has executed and returned to the Planning Department an authorized acceptance of the conditions of approval applicable to said permit.
36. Expansion or intensification of the use beyond the approval specified herein would require subsequent review and possible application for amendment. The Planning Director is authorized to approve modifications to the site plan provided such modifications do not substantially change the intent of the approved use, avoid issues raised at the public meeting, or raise new issues not previously addressed.
37. Pursuant to Section 65089.6. of the Government Code, the project will be subject to the Congestion Management Plan (CMP) mitigation requirements, including mitigation fees.

- 38. Per the direction of Planning, a Phase I Cultural Resource Study is required for any off-site area which will be disturbed by the development, such as staging areas and turn-arounds not covered by the Cultural Resource Study, or all work shall be conducted on the site by installation of a fence to determine limits of development.
- 39. Prior to the issuance of a grading permit, the applicant agrees to pay a fee to the City of Lancaster in the sum of \$770.00 per gross acre, to be held in the biological mitigation fund as established by the City Council. Additionally, should the applicant be required to pay mitigation fees under the California Department of Fish and Game, these fees can be deducted from the amount collected by the City of Lancaster. Said fee shall be submitted to the Planning Department.


PASSED, APPROVED AND ADOPTED this 21st day of February, 2006, by the following vote:

- AYES: Commissioners Baldus, MacPherson and Salazar; Vice Chairman Mann; Chairman Smith
- NOES: None
- ABSTAIN: None
- ABSENT: None



RONALD D. SMITH, Chairman
Lancaster Planning Commission

ATTEST:



BRIAN S. LUDICKE, Planning Director
City of Lancaster

RESOLUTION NO. 06-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF LANCASTER, CALIFORNIA, ADOPTING CERTAIN
STANDARDIZED CONDITIONS OF APPROVAL FOR
TENTATIVE PARCEL MAPS

WHEREAS, the Planning staff presented to the Planning Commission a list of sixty-five (65) conditions which are applied to Tentative Parcel Maps when they are approved by said Commission; and

WHEREAS, the staff explained to the Commission that since these are standard conditions for almost all parcel maps, it might be more appropriate to adopt them by resolution for reference purposes as it would save staff time in preparing the reports and Commission time in hearing said reports; and

WHEREAS, it was further explained by staff that adoption of these standard conditions and incorporating by reference would be a more efficient and consistent approach to applying said conditions to the parcel maps approved by the Commission; and

WHEREAS, after discussion, it was the consensus of the Commission that it would be in the best interest of all concerned that the above-mentioned conditions of approval be adopted by resolution and referred to by resolution number for all Tentative Parcel Maps;

NOW, THEREFORE THE LANCASTER PLANNING COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND FIND AS FOLLOWS:

The Planning Commission hereby establishes the following conditions of approval as standard conditions to be used by reference in conjunction with all Tentative Parcel Map approvals.

GENERAL/ADVISORY

1. The approval of this tentative map shall expire 24 months from the date of conditional approval. The subdivider may file for an extension of the conditionally approved map prior to the date of expiration for a period of time not to exceed one year. If such extension is requested, it must be filed no later than 60 days prior to expiration.
2. The applicant shall be responsible for notifying the Planning Department in writing of any change in ownership, designation of a new engineer, or a change in the status of the developer, within 30 days of said change.
3. If the map is to be recorded in phases, the subdivider shall submit a phasing plan to the Planning Department for approval thirty (30) days prior to filing the final map of the first phase.

4. The subdivider shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul, an approval of the City concerning this subdivision, which action is brought within the time period provided for in Section 66499.37 of the Subdivision Map Act. The City shall promptly notify the subdivider of any claim, action, or proceeding and shall cooperate fully in the defense; this condition shall not be imposed if the City fails to promptly notify the subdivider or fails to cooperate fully in the defense.
5. Comply with all requirements of the Municipal Code and of the specific zoning of the subject property.
6. All necessary permits shall be obtained from the Building and Safety Division of the Public Works Department prior to any construction, remodeling, or replacement of buildings or other structures.
7. An encroachment permit shall be obtained from the Public Works Department prior to doing any work within the public right-of-way.
8. All construction and/or installation of improvements shall be undertaken to the specifications of the City of Lancaster Municipal Code.
9. All offers of dedication shall be noted by certificate on the face of the final map.
10. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets or highways, access rights, building restriction rights, or other easements until after the final map or Grant of Waiver/Certificate of Compliance is filed with the County Recorder unless such easements are subordinated to the proposed grant or dedication. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
11. Provide letter(s) of slope easement(s) as directed by the Public Works Director.
12. The subdivider, by agreement with the Public Works Director, may guarantee installation of improvements as determined by the Public Works Director through faithful performance bonds, letters of credit or any other acceptable means.
13. For residential subdivisions, the subdivider shall be required to install distribution lines and individual service lines for community antenna television service (CATV) for all new development.

14. Submit a soils report on the properties of soils as detailed in Chapter 18 of the Uniform Building Code and as required by the City's Building and Safety Department and Engineering Department on all building sites in the proposed subdivision.
15. The applicant is advised that details shown on the tentative map are not necessarily approved. Any details which are inconsistent with requirements of ordinances, general conditions of approval, or City policies must be specifically approved.
16. The applicant is hereby advised that this project is subject to development fees at the time of building permit issuance, including, but not limited to, the following as applicable: 1) L.A. Co. Residential Sewer Connection Fee; 2) Interim School Facilities Financing Fees; 3) Installation or Upgrade of Traffic Signals Fee; 4) Planned Local Drainage Facilities Fee; 5) Dwelling Unit Fee; 6) Traffic Impact Fee; and 7) Urban Structure Program Fee (Park Development Fee, Administrative Office Fee, Corporate Yard Fee and Operations Impact Fee).

STREETS

17. Place above ground utilities including, but not limited to, fire hydrants, junction boxes, and street lights outside sidewalk on local and collector streets.
18. Per the direction of the Public Works Director, street improvements include pavement, curb, gutter, sidewalk, street lights, undergrounding of utilities, etc. The applicant is to reconstruct the street to centerline if the existing pavement section does not meet the Public Works Department required structural section. Additional pavement to transition to existing pavement or as needed to provide additional turn lanes opposing new improvements shall also be included in the street plans.
19. Construct local and collector streets in urban residential areas to alternate section specifications.
20. If determined necessary by the Public Works Director, testing of the existing pavement section is to be performed prior to submitting street plans for plan checking. The minimum allowable structural section will be per the City requirement or the soil test recommendation whichever is greater based on the City's Traffic Index for the street. Removal and reconstruction to the street centerline may be necessary to meet the required structural section.
21. Street lights are required per adopted City ordinance or policy.
22. Prior to recordation of the final map, the property shall be annexed into the Lancaster Lighting District.
23. Street grades shall meet the specifications of the Public Works Department.

24. Design local residential subdivision streets, to City standards, to have a minimum design speed of 35 mph for a 64-foot right-of-way, 30 mph design speed for a 60-foot right-of-way and 25 mph design speed for 58-foot or less right-of-way.
25. Design local residential streets to have a minimum curve length of 100 feet. The length of the curve outside of the BCR is used to satisfy the 100-foot minimum length requirement. A minimum 50-foot tangent is required between two curves. No residential street shall have a centerline radius less than 200 feet. The minimum centerline radius on a residential street with an intersecting residential street on the concave side should comply with minimum design speed sight distances per the current City Guidelines.
26. Local street(s) shall be aligned such that the central angles of the right-of-way radius returns do not differ by more than 10 degrees.
27. Align the centerlines of all local streets without creating jogs of less than 150 feet when intersecting a street with a 64 foot right-of-way or less, except that a 1-foot jog may be used where a street changes width from standard 60-foot to standard 58-foot right-of-way.
28. Provide at least 40 feet of frontage at the property line and approximately radial lot lines for all lots fronting on the cul-de-sacs or knuckles.
29. Label private streets as "Private Drives and Fire Lanes" on the final map.
30. In residential subdivision, mailboxes and posts shall be installed per City standards. Secure approval of U.S. Postal Service prior to installation.
31. Per direction of the Public Works Director, comply with City Municipal Code, Chapter 13.20. Article II, entitled Installation/Relocation for New/Expanded Development of Overhead Utilities.
32. Pursuant to Section 65089.6 of the Government Code, the project will be subject to the Congestion Management Plan (CMP) mitigation requirements, including mitigation fees.
33. Per the direction of the Public Works Director, construct ADA "walk arounds" at all driveways to the specifications of the Public Works Director and install ADA curb ramps at all intersections.
34. Per the direction of the Planning Director and Public Works Director, garages shall maintain a 20-foot setback from property line (R-7,000, R-8,500 and R-10,000 only).

35. Per the direction of the Public Works Director, the asphalt surface course for all arterial streets shall be constructed with rubber modified asphalt. The type of rubber modified asphalt shall be as specified by the City and shall be determined in final design.
36. Per the direction of the Public Works Director, the interior streets in residential tracts shall be treated with Reclamite pavement rejuvenation solution prior to completion of the one-year maintenance period.
37. Per the direction of the Public Works Director, a Dust Control Plan shall be prepared and submitted to the Antelope Valley Air Quality Management District (AVAQMD) in accordance with Rule 403 of the AVAQMD. An approved copy of the Dust Control Plan shall be submitted to Public Works prior to issuance of a grading permit within the City for residential projects of 10 acres or larger and for commercial/industrial projects of 5 acres or larger. In lieu of an approved plan, a letter waiving this requirement shall be submitted.
38. Per the direction of the Public Works Director, the Developer shall install a conduit pull rope, and pull boxes along regional, primary and secondary arterials to the nearest arterial intersection to be used for future Traffic Signal Communication Interconnect. The interconnect system shall be installed in accordance with the specifications approved by the Traffic Division.
39. Final Map Design shall be coordinated with the Antelope Valley Transportation Authority (AVTA) for ADA-compliant sidewalks of sufficient width to accommodate ADA-compliant bus benches and shelters.

DRAINAGE

40. Portions of the property are subject to sheet overflow and ponding.
41. Provide for contributory drainage from adjoining properties and return drainage to its natural conditions or secure off-site drainage acceptance letters from affected property owners.
42. A hydrology study shall be submitted and approved prior to the filing of the final map. The hydrology study shall verify, among other things, that the proposed streets and existing downstream streets are able to carry, top of curb to top of curb, the anticipated flow through the subdivision, and/or that potential drainage problems will be mitigated through the installation of drainage structures such as culverts, storm drains, or other improvements.
43. Place note of flood hazard on the final map and dedicate right to restrict buildings or structures in flood hazard area if applicable.

44. Mitigate onsite nuisance water and developmental storm water runoff to the satisfaction of the Public Works Director.
45. Box culverts or other structures acceptable to the Public Works Director are required at all intersections with arterial streets, to eliminate nuisance water from crossing the streets above ground. (No cross gutters allowed).
46. All drainage facilities are to be constructed and approved prior to occupancy of any dwelling within the project per the Public Works Director. If the project is phased, all drainage facilities required for each phase will be constructed and approved prior to occupancy of any dwelling within that phase.
47. Prior to recordation of the final map, the property shall be annexed into the Lancaster Drainage Maintenance District.
48. The project shall comply with the Best Management Practices (BMPs) of the National Pollutant Discharge Elimination System (NPDES) and all NPDES Permit Requirements.
49. Mitigate onsite nuisance water and development storm water runoff to the satisfaction of the Public Works Director.
50. Per the direction of the Public Works Director, if the project is located within Flood Zone AO(1); elevate the building one foot above the highest adjacent grade.
51. Drainage easements located between residential lots shall be a minimum 15 feet in width. The drainage easement shall be designed with a decorative overflow pathway, incorporating a cobble rock design, as determined by the Planning Director and Public Works Director.

WATER AND SEWER

52. All lots shall be served by adequately sized water system facilities, including fire hydrants, of sufficient size to accommodate the total domestic and fire flows required for the land division. Domestic flows required are to be determined by the Public Works Director. Fire flows required are to be determined by the Fire Chief.
53. There shall also be filed with this subdivision a statement from the water purveyor indicating that water service shall be provided to each lot and that the proposed water mains and any other required facilities will be operated by the purveyor and that under normal operating conditions the system will meet requirements for the land division.
54. Approval of this land division is contingent upon the installation and dedication of local main line sewers and separate house laterals to serve each dwelling unit and/or lot of the land division.

55. Per the direction of the Direction of the Public Works Director, provide a sewer study prior to the submittal of the final map.
56. The project proponent shall contact the City Building Official regarding the requirements for the purchase of water credits from the City of Lancaster (for all projects within LA County Waterworks District No. 40).

LANDSCAPING

57. Street trees are required; however this requirement may be waived where sufficient trees have been placed within an abutting landscaped setback. Contact City of Lancaster Public Works Department for street tree location, species and approved method of installation and irrigation.
58. Developer shall install a landscaping and irrigation system in the 6.5-foot right-of-way strip between the front yard and street side yard where alternate street section is used.
59. Prior to occupancy, construct a masonry wall along the perimeter of the subdivision where a rear, side, or street side yard abuts other property, or is adjacent to a street, in accordance with Section 17.28.030.C. of the Municipal Code; color and design to be specifically approved by the Planning Director. If the project is developed in phases, a masonry wall must be provided around the perimeter of each recorded phase in accordance with this condition prior to occupancy of any units in that phase. The requirement for perimeter walls may be waived or modified by the Planning Director in order to prevent the creation of double walls where an adequate wall which would meet the intent of this condition is already in existence, or where there will be continuous work in progress on adjacent phases. All walls required by this condition shall meet the structural requirements of the City of Lancaster as specified by the Public Works Director.
60. Annexation into the Landscape Maintenance District is required.
61. Where landscaping is required or is to be installed by the developer within the front and/or street side yard setback area, a landscape and irrigation plan shall be submitted for review and approved by City Staff. Said landscaping and irrigation plan shall conform to the requirements of Ordinance 629.
62. The project shall abide by Ordinance 821, requirements for residential landscape installation and maintenance.
63. Per the direction of the Public Works Director, the Developer shall install a "purple pipe" irrigation system in all landscape maintenance districts to provide for future connection to a recycled water system.

OTHER

64. Per the direction of Planning, a Phase I Cultural Resource Study is required for any off-site area which will be disturbed by the development, such as staging areas and turn-arounds not covered by the Cultural Resource Study, or all work shall be conducted on the site by installation of a fence to determine limits of development.
65. The applicant shall, prior to or concurrent with the approval of a final map, pay a fee to the City of Lancaster in the sum of \$770.00 per gross acre, to be held in the biological mitigation fund as established by the City Council. Additionally, should the applicant be required to pay mitigation fees under the California Department of Fish and Game, these fees can be deducted from the amount collected by the City of Lancaster.

PASSED, APPROVED and ADOPTED this 17th day of January, 2006, by the following vote:

AYES: Commissioners Baldus and MacPherson; Vice Chairman Mann;
Chairman Smith

NOES: None


ABSTAIN: None

ABSENT: None



RONALD D. SMITH, Chairman
Lancaster Planning Commission

ATTEST:



BRIAN S. LUDICKE, Planning Director
City of Lancaster