

RESOLUTION NO. 09-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT, ADOPTING NECESSARY ENVIRONMENTAL FINDINGS, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING THE MITIGATION MONITORING PROGRAM, AND APPROVING AN AMENDMENT TO THE ADOPTED GENERAL PLAN OF THE CITY, KNOWN AS GENERAL PLAN AMENDMENT NO. 06-03

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 Frank and Yvonne Lane 1993 Family Trust, Joshua Lane LLC, and The Wood Group to re-designate 10± acres from OP (Office Professional) to C (Commercial); and

WHEREAS, notice of intention to consider the General Plan amendment and zone change 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 be approved; and

WHEREAS, a public notice was provided as required by law and a public hearing on the General Plan amendment and zone change requests was held before the Planning Commission on July 7 , 2009, and recessed to July 8, 2009; and the City Council on July 21, 2009; and

WHEREAS, the Planning Commission has recommended approval of the General Plan amendment; and

WHEREAS, this Council certifies pursuant to Section 15090a)(1) of the California Environmental Quality Act (CEQA) Guidelines, that the final environmental impact report prepared for this proposed project has been completed in compliance with CEQA as described in Exhibit "A" of this resolution; and

WHEREAS, this Council hereby certifies, pursuant to Section 15090(a)(2) of the State CEQA Guidelines, that the final EIR was presented to Council, and that Council reviewed and considered the information contained in the final EIR prior to making a decision on the project; and

WHEREAS, pursuant to Section 15090(a)(3) of the State CEQA Guidelines, this Council certifies that the final environmental impact report reflects the City's independent judgment and analysis; and

WHEREAS, this Council based on the evidence in the record, hereby adopts the following findings in support of approval of General Plan Amendment No. 06-03:

1. There is a need for the proposed land use designation of C (Commercial) because the commercial designation would provide goods and services to the surrounding residential properties and to establish appropriate infill development.
2. The proposed designations of C (Commercial) will be compatible with the existing land use designation of UR surrounding the project site through the use of development standards, lighting standards, landscaping and masonry walls.
3. The proposed amendment is consistent with and implements **Goal 19** of the General Plan, “to create a well planned community with aesthetically pleasing physical environment.”
4. The proposed amendment is consistent with the following goals, objectives, and policies of the General Plan for the reasons stated below:

Policy 16.2.6: "Ensure that a variety of sites are available for a diversity of industrial and commercial users.

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

Policy 16.3.1 “Promote development patterns which will minimize the costs of infrastructure development, public facilities development and municipal service cost delivery.”

Policy 16.3.2. “ Provide sufficient amounts of land zoned for each type of major revenue generating land use to allow for competitive development opportunities among many potential sites with a broad range of site features and land uses.”

Policy 17.1.3; “Provide a hierarchical pattern of attractive commercial developments which serve regional, community, and neighborhood functions with maximum efficiency and accessibility.” This project will be a benefit to the neighborhood as an upgrade of the existing farm. The location of the project on a regional arterial will serve regional needs. The commercial development is designed to provide valuable retail space in an underserved locale which has undergone tremendous growth. The building design will be compatible with the desired character of the area in its design and materials.

5. The proposed amendment would allow for the development of commercial uses where sufficient street access, public services, and utilities are available, or can be made available, and would not impede the provision of a diversity of housing types within the City.

6. There are no goals, objectives, policies, or specific actions of the General Plan that would conflict with the proposed amendment, because the additional 10.0 ± net acres to the existing 30.26± acres of Commercial land would allow for the opportunity for a range of goods and services to be provided for residents in the immediate vicinity.
7. The proposed amendment would not adversely affect the economic health of the City, because any future development on the site would be subject to the requirements of the adopted building impact fees and the Urban Structure Program, and the site is in an area where all necessary services exist or can be readily provided.
8. The proposed site could be adequately served by necessary services and utilities, including police, fire, electricity, water, sewer, gas, and telephone that already exist in the area, provided that necessary connection and impact fees are paid, based on the standards contained within Objective 15.1 of the General Plan and previous responses from affected service agencies.
9. The proposed amendment will not have an adverse effect on traffic and circulation systems as noted in the final environmental impact report and as discussed in Exhibit “A”. Mitigation measures exist to reduce this impact in many cases to less than significant; however, remaining significant effects are considered acceptable due to overriding considerations as noted in of Exhibit “A”.
10. The proposed amendment is in the public interest because it will allow for the creation of a regional-level commercial site serving the western area of the City and; the proposed development allowed under the Commercial designation can be adequately served by streets, utilities, and public services in the area; and, the proposed land use designation would not adversely affect the regional water supply or the City's economic health.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council certifies the Final Environmental Impact Report (SCH# 2007061012) prepared for GPA 06-03 as stated in this Resolution.
2. The City Council adopts all environmental findings and the statement of overriding considerations as contained in Exhibit “A”; and the mitigation measures attached hereto as Exhibit “B”.
3. The City Council hereby approves General Plan Amendment No. 06-03 to re-designate the subject property from OP (Office Professional) to C (Commercial Planned Development).

PASSED, APPROVED and ADOPTED this _____ day of _____, 2009, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Resolution No. 09-76, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)
