

MINUTES

REGULAR MEETING OF THE LANCASTER PLANNING COMMISSION

January 25, 2016

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CALL TO ORDER

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

INVOCATION

Vice Chair Hall.

PLEDGE OF ALLEGIANCE

Commissioner Harvey.

ROLL CALL

Present: Commissioners Cook, Coronado, Harvey, Terracciano, Vice Chair Hall, and Chairman Vose.

Absent: None.

Also present were the Assistant City Attorney (Jocelyn Corbett), Planning Director (Brian Ludicke), Development Services Director (Jeff Hogan), Public Safety Director (Lee D'Ericco), Principal Planner (Chuen Ng), City Engineer (Michelle Cantrell), Assistant Planner (Tim Rosenstein), and Recording Secretary (Marion Coleman). There were approximately 48 people in the audience.

CONSENT CALENDAR

1. APPROVAL OF MINUTES

It was moved by Vice Chair Hall and seconded by Commissioner Terracciano to approve the Minutes from the Regular Meeting of December 14, 2015. Motion for the Regular Meeting carried with the following vote (5-0-1-0-0):

AYES: Cook, Coronado, Terracciano, Hall, and Vose.

NOES: None.

ABSTAIN: Harvey.

RECUSED: None.

ABSENT: None.

NEW PUBLIC HEARINGS

2. URGENCY ORDINANCE – MEDICAL MARIJUANA

Chairman Vose opened the public hearing at 6:06 p.m., to hear a request from staff for an amendment to Title 17 of the Lancaster Municipal Code (“Zoning”) by adding a new section, 17.04.235 to Chapter 17.04 (“General Provisions”), relating to the prohibition of medical marijuana dispensaries and the cultivation and/or delivery of marijuana (the “Medical Marijuana Urgency Ordinance”), located city-wide.

The staff report was presented by Jocelyn Corbett. She explained that in late 2015 the state legislature passed, and the governor signed, three pieces of legislation collectively called the “Medical Marijuana Regulation and Safety Act”; which provides for the statewide licensing and regulation of commercial cannabis activity, specifically the operation of medical dispensaries, indoor and outdoor cultivation of marijuana, and the delivery of marijuana. Cities still have the authority to adopt ordinances that regulate marijuana businesses, or to prohibit said operations and activities. If a city does not have an ordinance in place that expressly addresses cultivation by March 1, 2016 the state becomes the sole licensing and regulatory authority for that activity. City of Lancaster currently does not have the described ordinance.

Lee D’Ericco addressed the commissioners on the public safety aspect of the issue including crime and possible illegal activity.

Vice Chair Hall stated that he is in favor of the City taking control of ordinances of medical marijuana, with the uncertainty of what the verdict might be when the issue is left to be decided by the state.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:10 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Cook to adopt Resolution No. 16-01 recommending to the City Council an amendment to Title 17 (“Zoning”) of the Lancaster Municipal Code, by adding a new section, 17.04.235 to Chapter 17.04 (“General Provisions”), relating to the prohibition of medical marijuana dispensaries, the indoor/outdoor cultivation, and/or delivery of marijuana (the “Medical Marijuana Urgency Ordinance”). Motion carried with the following vote (6-0-0-0-0):

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

Chairman Vose introduced and welcomed staff’s new Development Services Director Jeff Hogan, and Assistant Planner Tim Rosenstein.

3. ONE-YEAR EXTENSIONS

a. Tentative Tract Map No. 61970

Chairman Vose opened the public hearing at 6:11 p.m., to hear a request by Somis Investments, LLC, to subdivide 9 single-family lots in the R-7,000 Zone, located on 2.43± gross acres on the southeast corner of East Avenue K-6 and Carol Drive.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report, and there were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:20 p.m.

It was moved by Commissioner Harvey and seconded by Vice Chair Hall to grant a one-year extension to January 17, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 06-06. Motion carried with the following vote (6-0-0-0-0):

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

b. Tentative Tract Map No. 62403

Chairman Vose opened the public hearing at 6:21 p.m., to hear a request by Stantec Consulting, Inc., to subdivide 204 single-family lots in the R-10,000 Zone, located on 64.22± gross acres on the southeast corner of Avenue L and future 80th Street West.

The staff report was presented by Chuen Ng, and he informed that the applicant requested a 60-day extension to the Planning Commission March 21st meeting. No uncontested letter was received, but the applicant is not contesting the recommendation. Additional time was agreed upon with the staff.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:23 p.m.

It was moved by Commissioner Cook and seconded by Commissioner Terracciano to grant a 60-day time extension, for a future public hearing at the March 21, 2016, Planning Commission meeting. Motion carried with the following vote (6-0-0-0-0):

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

c. Tentative Tract Map No. 62793

Chairman Vose opened the public hearing at 6:24 p.m., to hear a request by Somis Investments, LLC, to subdivide 153 single-family lots in the R-7,000 Zone, located on 42± gross acres on the southeast corner of future 40th Street West and future Avenue H-8.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant requesting a 60-day time extension to the Planning Commission March 21st meeting.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 6:24 p.m.

It was moved by Commissioner Harvey and seconded by Commissioner Terracciano to grant a 60-day time extension, for a future public hearing at the March 21, 2016, Planning Commission meeting. Motion carried with the following vote (6-0-0-0-0):

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

d. Vesting Tentative Tract Map No. 60291

Chairman Vose opened the public hearing at 6:25 p.m., to hear a request by Royal Investors Group, LLC, to subdivide 66 single-family lots in the R-10,000 Zone, located on 20.6± gross acres on the south side of Avenue K-4, approximately 325 feet west of 35th Street West.

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

Vice Chair Hall requested staff to explain to audience why the 10-year-old tentative tract maps were being brought before the Commission. Chuen Ng detailed the process of extensions granted by the State, and as approved by the City of Lancaster.

There were seven speakers in opposition to the request:

Speaker Patrick Saatzer, representative of Friends of Prime Desert Woodlands presented a parcel map of the Prime Desert Woodland Preserve and Fieldstone Project area. He commended the city for the creation of the Prime Desert Woodlands Reserve. He believes the commission should deny the extension and begin acquisition of parcels to become a part of Prime Desert Woodlands.

Speaker Sally McCament opposes extension in part because she purchased her home for the view from her backyard. She opined that she would like to see the land become a part of the Prime Desert Woodlands.

Speaker Scott Lee expressed he uses the land to exercise, and would like to see it preserved.

Speaker Sharon Millen would like to see the Desert Woodlands preserved for future generations.

Speaker Don Goeschl believes that it is the City's responsibility to clean and preserve this land.

Speaker David Burrell, retired archeologist, opined that this land is unique and irreplaceable.

Speaker Teresa Kindermann would like the commissioners to deny the extension, as she believes they have expired, and revisit the issue of what this desert woodland means to the community.

Applicant Representative, Kris Pinero, addressed the Commission and stated her intent is to listen to the community and take any advice from the commission and planning staff going forward with improvement plans to the final map. Ms. Pinero responded to various issues raised by speakers from the community. In conclusion, she provided her contact information as kris@royalllc.com, and 818-981-3000, extension 110.

There was lengthy discussion with staff and Commission in reference to the General Plan policies, and in response to the speakers' comments.

Public hearing closed at 7:18 p.m.

It was moved by Vice Chair Hall and seconded by Commissioner Cook to grant a one-year extension to January 16, 2017, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 06-89. Motion carried with the following vote (4-2-0-0-0):

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

e. Vesting Tentative Tract Map No. 60664

Chairman Vose opened the public hearing at 7:21 p.m., to hear a request by Royal Investors Group, LLC, to subdivide 39 single-family lots in the R-7,000 Zone, located on 8± gross acres between Avenue K and Avenue K-4, approximately 200 feet east of Buena Vista Way.

The reading of the staff report was waived since an uncontested hearing letter was received from the applicant stating agreement to the conditions of approval as stated in the staff report.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 7:21 p.m.

It was moved by Commissioner Coronado and seconded by Commissioner Terracciano to grant a one-year extension to January 16, 2017, based on the findings contained in the staff report

and subject to the Revised Conditions List, Attachment to Resolution No. 06-90. Motion carried with the following vote (6-0-0-0-0):

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

f. Vesting Tentative Tract Map No. 61817

Chairman Vose opened the public hearing at 7:23 p.m., to hear a request by Pacific Communities, Inc., to subdivide 151 single-family lots in the R-7,000 Zone, located on 40± gross acres on the northeast corner of future Avenue H-8 and future 15th Street East.

The staff report was presented by Chuen Ng, and he informed that the applicant requested a 60-day extension to the Planning Commission March 21st meeting. Michelle Cantrell stated that city engineering discovered that the applicant also owns tract 61819 east of Vesting Tentative Tract Map No. 61817 that is partially built, but incomplete. Staff would like more time to make sure that there is a complete storm drain system.

There were none in the audience who wished to speak in opposition to the request. Public hearing closed at 7:29 p.m.

It was moved by Commissioner Terracciano and seconded by Vice Chair Hall to grant a 60-day time extension, for a future public hearing at the March 21, 2016, Planning Commission meeting. Motion carried with the following vote (6-0-0-0-0):

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

DIRECTOR'S ANNOUNCEMENT

None.

COMMISSION AGENDA

Vice Chair Hall commented that he read in a Kern County newspaper regarding the windmills in Kern County being torn down, and inquired about the City's control of windmills. Brian Ludicke stated he was not aware of Kern County's conditions for wind turbines, and noted that the City does not allow commercial wind energy farms.

PUBLIC BUSINESS FROM THE FLOOR - NON-AGENDA ITEMS

Speaker Patrick Saatzer stated that under Proposition A, the City acquired a \$5.8 million grant for the Prime Desert Woodland Preserve. Brian Ludicke stated he would relay the speaker's comments to the Parks, Recreation and Arts Department.

ADJOURNMENT

Chairman Vose declared the meeting adjourned at 7:35 p.m., to the Special Meeting for Agenda Review on Monday, February 8, 2016, at 5:30 p.m., in the Parks, Recreation & Arts Conference Room, Lancaster City Hall.

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster