

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: January 8, 2013

Reference No.: 2.2c. (4)
Action

From: BIMLA G. RHINEHART
Executive Director

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING
FINAL ENVIRONMENTAL IMPACT REPORT FOR THE DOWNTOWN LANCASTER
SPECIFIC PLAN AND LANCASTER GATEWAY PROJECT (RESOLUTION E-13-04)**

ISSUE:

Should the Commission, as a Responsible Agency, accept the Final Environmental Impact Report (FEIR), Findings of Fact and Statement of Overriding Considerations for the Downtown Lancaster Specific Plan and Lancaster Gateway Project (project) in Los Angeles County and approve the project for future consideration of funding?

RECOMMENDATION:

Staff recommends that the Commission accept the FEIR, Findings of Fact and Statement of Overriding Considerations and approve the project for future consideration of funding.

BACKGROUND:

The City of Lancaster (City) is the CEQA lead agency for the project. The project is located in downtown Lancaster at the intersection of Lancaster Boulevard and 10th Street West. The project will construct curb extensions and enhancements such as landscaping, parkways, medians, and signage at the intersection which serves as the westerly gateway to Downtown Lancaster. The project is one component of the Downtown Lancaster Specific Plan that addresses improvements to the Downtown area. On September 9, 2008 the City Council approved and certified a programmatic FEIR for the Downtown Lancaster Specific Plan.

The programmatic FEIR for the Downtown Lancaster Specific Plan determined that impacts related to air quality, noise, public services & utilities, and traffic would be significant and unavoidable as follows:

- Short term and cumulative air quality impacts would occur due to construction activities resulting in exposure of sensitive receptors to air pollutant emissions and from long term operational impacts associated with build-out of the Downtown Specific Plan area. Additionally development associated with plan build-out would be inconsistent with regional plans including

the Antelope Valley Air Quality Management District (AVAQMD) 2004 Ozone Attainment Plan.

- Short term and cumulative construction noise impacts would occur due to construction activities in the plan area. Additionally on site mobile source noise impacts and cumulative mobile noise impacts would result from plan build out.
- Development associated with build out of the proposed plan would result in an increased demand for library services and water that exceed available services and supplies.
- Development associated with the proposed plan could result in adverse impacts to the function of intersections in the project area and cumulatively considerable traffic and circulation impacts.

Findings of Fact were developed which provide that changes or alternations have been required in, or incorporated into, the Downtown Lancaster Specific Plan that avoid or substantially lessen the significant environmental effect and that impacts have been reduced to the extent feasible; however, after implementation of the mitigation measures contained in the EIR, these impacts remain significant and unavoidable. The City adopted the FEIR, Findings of Fact and a Statement of Overriding Considerations for the plan on September 9, 2008. The City found that the significant, unavoidable adverse impacts are acceptable and are outweighed by social, economic and other benefits of the Downtown Specific Plan. These benefits include, but are not limited to: opportunities for expansion of existing public/civic uses and development of new uses to serve the growing and changing needs of the City, opportunities for a mix of uses and an enhanced streetscape encouraging people to shop, dine, and reside downtown, and opportunities for enhanced pedestrian connections to increase walkability and promote transit use. The City established a Mitigation Monitoring Program to ensure that the mitigation measures specified for the plan are implemented.

Upon further analysis by the City it was determined that the Lancaster Gateway Project has no environmental effects beyond those analyzed in the approved programmatic FEIR. Therefore, no further project level CEQA compliance is required. On November 20, 2012 the City provided written confirmation that the preferred alternative set forth in the final environmental document is consistent with the project programmed by the Commission.

The project is fully funded through construction and is estimated to cost \$2,204,000. The project is funded with STIP (\$728,000) and Local (\$1,476,000) funds. Construction is estimated to begin in fiscal year 2013/14.

Attachment

- Resolution E-13-04
- Findings of Fact & Statement of Overriding Considerations
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 07 – Los Angeles County Resolution E-12-

- 1.1 **WHEREAS**, the City of Lancaster (City) has completed a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
 - Downtown Lancaster Specific Plan and Downtown Lancaster Gateway
- 1.2 **WHEREAS**, the City has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will construct curb extensions and enhancements such as landscaping, parkways, medians, and signage at the intersection of Lancaster Boulevard and 10th Street West; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.5 **WHEREAS**, Findings of Fact made pursuant to CEQA guidelines indicate that specific unavoidable significant impacts related to air quality, noise, public services & utilities, and traffic make it infeasible to avoid or fully mitigate to a less than significant level the effects associated with the project; and
- 1.6 **WHEREAS**, the City adopted a Statement of Overriding Considerations for the project; and
- 1.7 **WHEREAS**, the City adopted a Mitigation Monitoring Program for the project; and
- 1.8 **WHEREAS**, the above significant effects are acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Final Environmental Impact Report, Findings of Fact and Statement of Overriding Considerations and approve the above referenced project to allow for future consideration of funding.



Downtown Lancaster Specific Plan
Program Environmental Impact Report

1. *Changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
2. *The effects identified in the Draft EIR have been determined not to be significant.*

Facts In Support of Findings

The potential impacts associated with solid waste have been eliminated or substantially lessened to a level of less than significant by virtue of the mitigation measures identified in the Draft EIR.

Mitigation Measures:

- PSU-13 Prior to the issuance of grading permits, the project applicants shall develop a Solid Waste Program to encourage recycling. The program shall include provisions to provide bins for recyclable materials (i.e., paper, cardboard, beverage containers, etc.) on site. The project applicants shall be responsible for implementing the program after construction is complete.
- PSU-14 The project applicants shall comply with all applicable City, County, and State regulations and procedures for the use, collection, and disposal of solid and hazardous wastes.

5.4 ENVIRONMENTAL EFFECTS WHICH REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION AND FINDINGS

The City of Lancaster, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 (a)(3) and CEQA Guidelines 15091 (a)(3), that specific economic, legal, social, technological, or other considerations, make infeasible the mitigation measures identified in the Final EIR and, therefore, the project would cause significant unavoidable impacts in the categories of Air Quality (short-term construction, long-term operational, plan consistency, cumulative construction and operational cumulative impacts); Noise (construction noise, on-site noise, cumulative short-term and long-term noise); Public Services and Utilities (water supply and libraries); and Traffic, Circulation and Parking (project with two-lane Lancaster Boulevard and project with four-lane Lancaster Boulevard).

AIR QUALITY

Short-Term Construction Impacts. Short-term construction activities associated with the proposed project would result in air pollutant emission impacts or expose sensitive receptors to substantial pollutant concentrations.

Findings

1. *Changes or alterations have been required in, or incorporated into, the Project that avoid or substantial lessen the significant environmental effect as identified in the Draft EIR.*

2. *Impacts associated with short-term construction impacts have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.*

Facts in Support of Findings

Fugitive dust is a major concern for areas in the Mojave Desert Air Basin. Implementation of the project would include considerable construction activities, which could potentially result in exceedances of AVAQMD standards. Since the proposed project is currently in the programmatic stage, it is not possible to quantify impacts associated with fugitive dust. Therefore, based on the size of the proposed project and in consultation with the AVAQMD, it is anticipated that impacts regarding fugitive dust would be significant and unavoidable. All future projects within the DLSP area would be required to adhere to the feasible mitigation measures to minimize fugitive dust emissions. Feasible mitigation measures include those listed in Mitigation Measures AQ-1 and AQ-2. Implementation of the mitigation measures would reduce fugitive dust impacts; however, impacts would remain significant and unavoidable.

Exhaust emissions from construction activities include emissions associated with the transport of machinery and supplies to and from the project area, emissions produced on-site as the equipment is used, and emissions from trucks transporting materials to/from the project area. Emitted pollutants would include CO, VOCs, NO_x, SO_x, PM₁₀, and PM_{2.5}. Standard AVAQMD regulations would be adhered to, such as maintaining all construction equipment in proper tune and shutting down equipment when not in use for extended periods of time as specified in Mitigation Measure AQ-3. However, it is anticipated that construction equipment exhaust would cause exceedances of the AVAQMD's pollutant thresholds, resulting in a significant impact.

In addition to gaseous and particulate emissions, the application of asphalt and surface coatings creates ROG emissions, which are ozone precursors. Future development within the project area would be required to adhere to the AVAQMD Rule 1113, Architectural Coatings, which provides stipulations on painting and coating activities; refer to Mitigation Measure AQ-4.

As stated, the DLSP would be built over several years, with a buildout date of 2030. At this point, detailed construction assumptions have not yet been developed. Thus, per the AVAQMD guidance, a qualitative analysis was performed to disclose the anticipated impacts and mitigation measures. With implementation of recommended mitigation measures, a reduction in construction related criteria pollutants would occur. However, due to the unknown nature of future construction activities, the potential exists that ambient air quality standards for O₃, PM₁₀, and PM_{2.5} may be exceeded. The Mojave Desert Air Basin is designated nonattainment for State and Federal standards for O₃, nonattainment for State standards only for PM₁₀, and unclassified for PM_{2.5}. Any increase in these pollutants would create a significant and unavoidable air quality impact. Thus, it is concluded that even with the implementation of the recommended mitigation measures, the proposed project would result in significant and unavoidable construction related air quality impacts.

Mitigation Measures:

- AQ-1 During clearing, grading, earth-moving, or excavation operations, excessive fugitive dust emissions shall be controlled by regular watering or other dust

preventive measures using the following procedures, as specified by the AVAQMD, including but not limited to AVAQMD Rule 401, Visible Emissions, and Rule 403, Fugitive Dust:

- On-site vehicle speed shall be limited to 15 miles per hour;
- All on-site construction roads with vehicle traffic shall be watered periodically;
- Streets adjacent to the project's reach shall be swept as needed to remove silt that may have accumulated from construction activities so as to prevent excessive amounts of dust;
- All material excavated or graded shall be sufficiently watered to prevent excessive amounts of dust. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day;
- All clearing, grading, earth-moving, or excavation activities shall cease during periods of high winds (i.e., greater than 35 miles per hour averaged over one hour) so as to prevent excessive amounts of dust;
- All material transported on-site or off-site shall be either sufficiently watered or securely covered to prevent excessive amounts of dust;
- The area disturbed by clearing, grading, earth-moving, or excavation operations shall be minimized so as to prevent excessive amounts of dust; and
- These control techniques shall be indicated on project grading plans. Compliance with this measure shall be subject to periodic site inspections by the City of Lancaster.

AQ-2 All trucks hauling excavated or graded material on-site shall comply with State Vehicle Code Section 23114, with special attention to Sections 23114(b)(F), (e)(2) and (e)(4), as amended, regarding the prevention of such material spilling onto public streets.

AQ-3 During construction activities, excessive construction equipment and vehicle exhaust emissions shall be controlled by implementing the following procedures, as specified by the Antelope Valley Air Quality Management District:

- Properly and routinely maintain all construction equipment, as recommended by manufacturer manuals, to control exhaust emissions;
- Shut down equipment when not in use for extended periods of time to reduce emissions associated with idling engines;
- Encourage ride sharing and use of transit transportation for construction employee commuting to the project sites;
- Use electric equipment for construction whenever possible in lieu of fossil fuel-fired equipment; and
- Curtail construction during periods of high ambient pollutant concentrations; this may include ceasing construction activity during the peak-hour of vehicular traffic on adjacent roadways.

- AQ-4 The construction contractor shall adhere to Antelope Valley Air Quality Management District Rule 1113 (Architectural Coatings) to limit volatile organic compounds from architectural coatings. This rule specifies architectural coatings storage, clean up and labeling requirements.
- AQ-5 All building demolition activities shall adhere to Antelope Valley Air Quality Management District Rule 1403 (Asbestos Emissions From Demolition/Renovation Activities) and Regulation X (National Emissions Standards for Hazardous Air Pollutants). Additionally, the demolished material shall be transported off-site expeditiously after demolition of the structure.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

Long-Term Operational Impacts. Development associated with the proposed project would result in significant air emissions impacts or expose sensitive receptors to substantial pollutant concentrations.

Findings

- 1. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- 2. Impacts associated with long-term operational impacts have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.*

Facts in Support of Findings

Based on the Traffic Impact Analysis, the proposed project would generate 35,704 net daily trips above existing conditions. Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, VOCs, NO_x, SO_x and PM₁₀ are all pollutants of regional concern; (NO_x and VOCs react with sunlight to form O₃ [photochemical smog], and wind currents readily transport SO_x and PM₁₀). However, CO tends to be a localized pollutant, dispersing rapidly at the source.

Project-generated vehicle emissions have been estimated using the URBEMIS 2007 computer model. This model predicts VOCs, NO_x, CO, SO_x, PM₁₀, and PM_{2.5} emissions from motor vehicle traffic associated with new or modified land uses.

Area source emissions were estimated using a variety of sources including the URBEMIS 2007 model, along with generally accepted emission factors for certain stationary sources. While previous versions of URBEMIS 2007 were designed to estimate emissions only from motor vehicle trips, the current version can estimate emissions from gas heaters, furnaces and

landscape maintenance equipment. The model accounts for specific meteorological conditions and topography that characterize each air basin in California. Electricity and natural gas are utilized by almost every residential development. Except for VOC emissions, area source emissions alone would not exceed established AVAQMD thresholds.

The total project operational emissions are described in terms of area source and mobile source (vehicle) emissions. Transportation control measures and design features can be incorporated into the project to reduce emissions from mobile sources. Mitigation Measure AQ-6 has been recommended to reduce area source emissions and potential sources of ROG emissions. However, operational emissions would still exceed the AVAQMD thresholds in regards to PM₁₀ and VOCs due to the net increase of 35,704 daily trips. Thus, the project would result in significant and unavoidable impacts for long-term operations under Year 2030 conditions.

Mitigation Measures:

AQ-6 Proposed development within the Downtown Lancaster Specific Plan area shall include, to the extent feasible, as a part of construction and building management contracts, the following measures:

- Use solar or low-emission water heaters in the residential buildings;
- Each appliance (i.e., washer/dryers, refrigerators, stoves, etc.) provided by the builder must be Energy Star qualified if an Energy Star designation is applicable for that appliance;
- Low flow appliances (i.e., toilets, dishwashers, shower heads, washing machines) shall be installed if provided by the builder/applicant; and
- Require that residential landscapers providing services at the common areas of a project site use electric or battery-powered equipment, or other internal combustion equipment that is either certified by the California Air Resources Board or is three years old or less at the time of use, to the extent that such equipment is reasonably available and competitively priced.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

Conformity With Air Quality Management Plans. Development associated with the proposed project would be inconsistent with regional plans including the AVAQMD 2004 Ozone Attainment Plan.

Findings

1. *Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
2. *Impacts associated with conformity with air quality management plans have been reduced to the extent feasible. However, after implementation of the mitigation*

measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.

Facts in Support of Findings

According to the AVAQMD, California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, a project is non-conforming if it conflicts with or delays implementation of any applicable attainment or maintenance plan. A project is conforming if it complies with all applicable rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plans, and is consistent with the growth forecasts in the applicable plans. Conformity with growth forecasts can be established by demonstrating that the project is consistent with the land use plan that was used to generate the growth forecast.

Although the project would represent an incremental negative impact to air quality in the MDAB, of primary concern is that project-related impacts have been properly anticipated in the regional air quality planning process and reduced whenever feasible. Therefore, it is necessary to assess the project's consistency with the applicable attainment or management plan. The proposed project is covered under the AVAQMD 2004 Ozone Attainment Plan (Attainment Plan). The Attainment Plan bases its assumptions on growth forecasts contained in the City of Lancaster General Plan and is utilized by the AVAQMD in budgeting the MDAB emissions. Therefore, in order to analyze consistency with the Attainment Plan, a comparison study was performed to determine impacts associated with implementation of the DLSP over the existing City of Lancaster General Plan land designations.

The DLSP area is currently designated Commercial, Light Industrial, Public, Urban Residential and Medium Density Residential. Adoption of the DLSP would change the land use designation to Downtown Lancaster Specific Plan (DLSP). The planning process for the DLSP included three distinct phases to allow the design team to build a baseline understanding of Downtown Lancaster and surrounding neighborhoods. Based on the outcome of the planning process for the DLSP, it was determined that the project area could not support the existing General Plan buildout objectives for the area. Thus, the air quality analysis analyzed the anticipated net impacts over existing conditions rather than General Plan buildout, consistent with the analysis contained within Section 5.3, Traffic, Circulation, and Parking. Forecast year 2030 traffic volumes were derived by applying an annual growth rate of two percent per year to existing volumes as directed by City of Lancaster staff, which resulted in a net increase of 35,704 daily trips.

The proposed project would increase the number of residential units by 3,274, increase retail/service uses by 448,969 square feet, and office/civic/public uses by 333,936 square feet. It should be noted that these increases are based upon the net increase between the existing development and the proposed build out of the DLSP. The land use categories present within the DLSP area are: 5.43 acres of Residential uses, 86.47 acres of Commercial uses, 4.19 acres of Public uses and 3.76 acres of Light Industrial uses. Based on these existing land use categories, the maximum development potential of the DLSP area is 155 dwelling units, 3,766,514 square feet of Commercial uses, 182,408 square feet of Public uses and 81,797 square feet of Light Industrial uses. Thus, the project would increase the number of dwelling units and public uses beyond General Plan projections; however, commercial uses would be reduced.

Based on the net increase in daily trips, a quantitative emissions analysis was conducted using the URBEMIS 2007 model. The proposed project would result in a significant and unavoidable impact for VOC and PM₁₀ emissions. Therefore, implementation of the proposed DLSP would result in a significant regional increase of buildout emissions for the City of Lancaster. Therefore, impacts would be considered significant and unavoidable in regards to consistency with the latest Attainment Plan.

Mitigation Measures: No additional mitigation measures have been identified.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

Cumulative Impacts. Development associated with the proposed project and related cumulative projects would result in significant long-term air quality impacts or expose sensitive receptors to substantial pollutant concentrations.

Findings

1. *Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
2. *Impacts associated with cumulative air quality impacts have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.*

Facts in Support of Findings

According to the AVAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact. If a project impact is individually less than significant, the impacts of the surrounding past, present and future projects must be taken into account. The thresholds of significance for cumulative impacts are the same as those for the project related impacts used in this analysis.

With respect to the project's construction-period air quality emissions and cumulative Basin-wide conditions, the AVAQMD has developed strategies to reduce criteria pollutant emissions outlined in the 2004 Ozone Attainment Plan pursuant to Federal Clean Air Act mandates. As such, the proposed project would comply with all feasible mitigation measures. In addition, the proposed project would comply with adopted 2004 Ozone Attainment Plan emissions control measures.

Although compliance with AVAQMD rules and regulations would reduce construction related impacts, the project related construction emissions have been concluded to be significant and unavoidable. Thus, it can be reasonably inferred that the project related construction activities,

in combination with those from other projects in the area, would deteriorate the local air quality and lead to cumulative construction related impact. Therefore, even with the implementation of Mitigation Measures AQ-1 through AQ-5, a significant and unavoidable cumulative construction air quality impact would result.

If a project related air quality impact is individually less than significant, the impacts of reasonably anticipated future activities, probable future projects, and past projects are included based on similar air quality impacts, transport considerations and geographic location. Implementation of the proposed project would result in an increase in emissions, which would contribute to region-wide emissions on a cumulative basis. As indicated in the Long-Term Analysis above, the proposed project would result in an exceedance of the AVAQMD's standards for VOC and PM10. Therefore, per the AVAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines, the proposed project would also result in a cumulative impact to air quality within the region. Impacts associated with cumulative operations would be significant and unavoidable.

Mitigation Measures: Refer to Mitigation Measures AQ-1 through AQ-6. No additional mitigation measures are recommended.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

NOISE

Short-Term Construction Noise Impacts. Grading and construction within the area would result in temporary noise impacts to nearby noise sensitive receivers.

Findings

1. *Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
2. *Impacts associated with short-term construction noise impacts have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.*

Facts In Support of Findings

The final construction scheduling of specific projects within the DLSP area could lead to combined or collective impacts resulting from construction of more than one facility at a time. Another factor considered in assessing whether a noise impact is significant or not is the frequency with which noise levels associated with proposed project construction might exceed the established standards. If exceedance of a noise standard may happen only very rarely and/or briefly, this may not constitute a significant impact. However, this factor of noise frequency is not considered as part of this program-level impact analysis since there is currently

no project specific information about the construction scenarios for individual development proposals to assess the potential frequency of proposed project noise levels. This factor would be considered as part of the separate project-level impact analysis to be conducted, as appropriate, as site-specific development within the DLSP area occurs. Based on more detailed information about proposed project construction activities and schedule, and site-specific information on the proximity of sensitive receptors, the project-level analysis may determine that impacts considered to be potentially significant and unavoidable at this program-level of review are instead significant but can be mitigated or less than significant for the project-level.

Ground-borne noise and other types of construction-related noise impacts would typically occur during the initial site preparation, which can create the highest levels of noise but is also generally the shortest of all construction phases. High ground-borne noise levels and other miscellaneous noise levels can be created by the operation of heavy-duty trucks, backhoes, bulldozers, excavators, front-end loaders, compactors, scrapers, and other heavy-duty construction equipment. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Other primary sources of acoustical disturbance would be due to random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). A reasonable worst-case assumption is that the three loudest pieces of equipment would operate simultaneously and continuously over at least one hour within a focused area of 15 yards of each other.

The average construction period noise level is expected to range from 83 dBA to 92 dBA at a reference distance of 25 feet. For noise levels throughout the duration of construction activity, these conservative worst-case noise levels would be reduced to account for the percentage of time that the equipment actually operates on the construction site. Based on a standard noise attenuation rate of 6 dBA per doubling of distance for point sources, the worst-case construction-period noise level of 86 dBA at a distance of 50 feet would be approximately 80 dBA at 100 feet, and 74 dBA at 200 feet. Noise source control is the most effective method of controlling construction noise. Source controls, which limit noise, are the easiest to oversee on a construction project. Mitigation at the source reduces the problem everywhere, not just along one single path or for one receiver. The specification of equipment noise limits forces the use of modern equipment having improved engine insulation and mufflers. Refer to Mitigation Measure NOI-1.

As stated above, noise sensitive receptors near the construction site would, at times, experience excessive noise levels from construction activities; however excessive construction-related noise levels generally would occur in the daytime hours only. Lancaster Municipal Code Section 8.24.040 (Loud, Unnecessary and Unusual Noises Prohibited - Construction and Building) prohibits construction or repair work on Sunday or any day between the hours of 8:00 PM and sunrise within 500 feet of an occupied dwelling, apartment, hotel, mobile home, or other place of residence. Additionally, implementation of the recommended mitigation (i.e., engine muffling, placement of construction equipment, and strategic stockpiling and staging of construction vehicles), and compliance with the Lancaster Municipal Code requirements, would serve to further reduce exposure to significant noise levels.

In general, most construction noise would exceed the speech interference criterion when heavy equipment is operated within approximately 500 feet of a sensitive receptor (distance ranges

between 150 and 500 feet depending on the type of equipment operated). The sleep interference criterion would be exceeded at distances closer than approximately 3,000 feet with windows open or 900 feet with the windows closed (with operation of most types of construction equipment; greater setback distances would be required if trucks and impact equipment were to be operated at night). At this stage of program planning, proposed construction hours have not been determined for each project in the DLSP area, and it is possible that construction activities and construction noise associated with any project in this area could extend beyond the typical daytime hours (i.e., could occur during the evening or nighttime hours on weekends as well as weekdays). Therefore, based on the conclusions above, a significant and unavoidable noise impact would occur. However, when construction hours and activities are defined for each project, separate, project-level CEQA review would be conducted to determine potential construction noise impacts for specific facility locations and whether impacts could be mitigated to a less-than-significant level.

Mitigation Measures:

- NOI-1 Prior to Grading Permit issuance, future Applicants shall demonstrate, to the satisfaction of the City of Lancaster Planning Department, that projects located within 500 feet of any noise-sensitive receptors (e.g., residences, schools, childcare centers, churches, hospitals, and nursing homes) shall be required to implement appropriate noise controls to reduce daytime construction noise levels to meet the 70-dBA daytime speech interference criterion to the extent feasible. For nighttime construction, all DLSP projects located within 3,000 feet of any noise-sensitive receptors shall be required to implement appropriate noise controls to maintain noise levels at or below any applicable ordinance nighttime noise limits or the 50-dBA nighttime sleep interference criterion to the extent feasible. Such controls shall include any of the following, as appropriate:
- Best available noise control techniques (including mufflers, intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) shall be used for all equipment and trucks in order to minimize construction noise impacts;
 - If impact equipment (e.g., jack hammers, pavement breakers, and rock drills) is used during project construction, hydraulically or electric-powered equipment shall be used wherever feasible to avoid the noise associated with compressed-air exhaust from pneumatically powered tools. However, where use of pneumatically powered tools is unavoidable, an exhaust muffler on the compressed-air exhaust shall be used (a muffler can lower noise levels from the exhaust by up to about 10 dBA);
 - Operation of equipment requiring use of back-up beepers shall be avoided near sensitive receptors to the extent feasible during nighttime hours (10:00 PM to 7:00 AM);
 - Stationary noise sources shall be located as far from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to ensure local noise ordinance limits are met to the extent feasible. Enclosure opening or

venting shall face away from sensitive receptors. If any stationary equipment (e.g., ventilation fans, generators, dewatering pumps) is operated beyond the time limits specified by the pertinent noise ordinance, this equipment shall conform to the affected jurisdiction's pertinent day and night noise limits to the extent feasible;

- Material stockpiles as well as maintenance/equipment staging and parking areas shall be located as far as feasible from residential and school receptors; and
- A designated project liaison shall be responsible for responding to noise complaints during the construction phases. The name and phone number of the liaison shall be conspicuously posted at construction areas and on all advanced notifications. This person shall take steps to resolve complaints, including periodic noise monitoring, if necessary. Results of noise monitoring shall be presented at regular project meetings with the project contractor, and the liaison shall coordinate with the contractor to modify any construction activities that generated excessive noise levels to the extent feasible.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

On-Site Mobile Source Noise Impacts. The proposed project would result in noise levels in excess of the City of Lancaster noise standards.

Findings

1. *Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
2. *Impacts associated with on-site mobile source noise impacts have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.*

Facts in Support of Findings

The 65 CNEL noise contour lines under Existing and 2030 With Project Conditions would extend beyond the property line along several roadways such as 10th Street West, Lancaster Boulevard, and Sierra Highway. Thus, future residential uses introduced along the aforementioned roadways could be exposed to mobile source noise levels that exceed the City's established maximum acceptable exterior noise level of 65 dBA for residential uses.

As the analysis is being conducted at a programmatic level, no site plans are available to determine specific noise impacts to future residential uses. Mitigation has been recommended requiring subsequent noise studies to demonstrate that noise levels have been properly

accounted for and attenuated in accordance with established City standards. The analysis would verify that residences are adequately shielded and/or located at an adequate distance from mobile noise sources. In addition, proper noise attenuation such as Title 24 (Noise Insulation Standards), sound walls, and proper building orientation would help meet the interior and exterior noise standards. In the absence of detailed site plans and because of the measured extent of the 65 dBA contour, it has been concluded that the impacts would remain significant and unavoidable for mobile noise sources, until such time that development plans are reviewed in accordance with Mitigation Measure NOI-2.

Railroad noise levels along the Union Pacific Railroad were determined to be 71.4 CNEL at 200 feet from the railway centerline. Prior to approval of site plans for developments located adjacent to the Union Pacific Railroad, an acoustical analysis shall be required to fully analyze and develop standards to ensure that the exterior and interior noise levels would be attenuated; refer to Mitigation Measures NOI-3. The proposed project would adhere to Policy 4.3.2 of the City of Lancaster General Plan, which states that wherever feasible, the City shall manage the generation of single event noise equivalent levels (SENEL) from motor vehicles, trains, aircraft, commercial, industrial, construction, and other activities such that the SENEL are no greater than 15 dBA above the noise objectives included in the Plan for Public Health and Safety. With implementation of the recommended mitigation measures and sound attenuation, railroad noise impacts would be considered less than significant.

Mitigation Measures:

- NOI-2 Prior to on-site residential development along 10th Street West, Lancaster Boulevard, and Sierra Highway, an acoustical noise analysis shall be prepared to ensure that exterior and interior noise levels are met at all residential, recreational, and other sensitive land uses. Residential buildings or structures shall prepare an acoustical analysis showing that the building has been designed to limit intruding noise to the level prescribed (interior CNEL of 45 dB). Individual developments shall, to the extent feasible, implement site-planning techniques such as the following:
- Increasing the distance between the noise source and the receiver;
 - Using non-noise sensitive structures such as garages to shield noise-sensitive areas;
 - Orienting buildings to shield outdoor spaces from a noise source;
 - Incorporating architectural design strategies, which reduce the exposure of noise-sensitive spaces to stationary noise sources (i.e., placing bedrooms or balconies on the side of the house facing away from noise sources). These design strategies shall be implemented based on recommendations of acoustical analysis for individual developments, as required by the City to comply with City noise standards;
 - Incorporating noise barriers, walls, or other sound attenuation techniques, based on recommendations of acoustical analysis for individual

developments, as required by the City to comply with City noise standards;
and

- Modifying elements of building construction (i.e., walls, roof, ceiling, windows, and other penetrations), as necessary to provide sound attenuation. This may include sealing windows, installing thicker or double-glazed windows, locating doors on the opposite side of a building from the noise source, or installing solid-core doors equipped with appropriate acoustical gaskets.

NOI-3 Prior to approval of site plans for developments located adjacent to the Union Pacific Railroad, an acoustical analysis shall be prepared to fully analyze and develop standards to ensure that the exterior and interior noise levels would be attenuated.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

Cumulative Construction Noise. Development associated with the proposed project and other related cumulative projects would result in cumulatively considerable short-term noise impacts.

Findings

1. *Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
2. *Impacts associated with cumulative construction noise impacts have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.*

Facts in Support of Findings

The project team has no control over the timing or sequencing of related projects, and as such, any quantitative analysis to ascertain the daily construction emissions that assumes multiple, concurrent construction would be speculative. Construction-related noise for the proposed project and each related project would be localized. In addition, it is likely that each of the related projects would have to comply with the local noise ordinance, as well as mitigation measures that may be prescribed pursuant to CEQA provisions that require significant impacts to be reduced to the extent feasible. Thus, as the proposed project related construction noise is significant and unavoidable, the proposed project's construction noise levels in combination with cumulative construction noise levels would result in a significant and unavoidable impact.

Mitigation Measures: No additional mitigation measures are identified.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

Cumulative Mobile Noise. Development associated with the proposed project and other related cumulative projects would result in cumulatively considerable short-term noise impacts.

Findings

1. *Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
2. *Impacts associated with cumulative mobile noise impacts have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.*

Facts in Support of Findings

Existing weekday traffic noise levels were compared to estimated 2030 noise levels, which include the proposed project and related cumulative projects. Changes in traffic noise levels in excess of established thresholds were identified. A potentially significant noise increase would occur along 51 roadway segments. Of these 51 segments, 37 segments would also exceed the City's 65-dBA noise standard. Therefore, the cumulative mobile source noise levels along these segments would result in a significant and unavoidable impact.

Mitigation Measures: No additional mitigation measures are identified.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

PUBLIC SERVICES AND UTILITIES

Libraries. Development associated with the proposed project would result in an increased demand for library services.

Findings

1. *Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
2. *Impacts associated with library services have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.*

Facts in Support of Findings

The Lancaster Regional Library is currently 48,721 gross square feet and has 304,033 items (books and other library materials). The Library's service level guidelines require a minimum of 0.50 gross square feet of library facility space per capita and 3.0 items (books and other library materials) per capita. The proposed project's increase in population resulting from the proposed 3,274 net new dwelling units would create additional demand for library services. This would adversely affect the service capacity of the Lancaster Regional Library to adequately serve the existing and future residents of the area.

Based upon the service level guidelines mentioned above, the library currently does not meet either of these service level guidelines in providing library services to the residents within the service area. In addition, the substantial commercial and civic component of the proposed project could have a potential impact on local library services since people who work, but do not live, in a given service area are likely to use local library services during their time at work or while commuting to and from work.

The County of Los Angeles applies a library facilities mitigation fee on new residential projects in all unincorporated areas served by the County of Los Angeles Public Library. However, the County's library facilities mitigation fee does not apply to residential development projects located in cities nor those that are for commercial use. The Lancaster Regional Library has advised that the proposed project would result in significant impacts to library services and facilities. Therefore, impacts to library services would be considered significant and unavoidable with implementation of the proposed project.

Mitigation Measures: No mitigation measures have been identified.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

Water. Development associated with the proposed project would create demand for water that exceeds available supplies.

Findings

- 1. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
- 2. Impacts associated with water supply have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.*

Facts in Support of Findings

Implementation of the proposed project would result in a demand of approximately 2,001,078 average gpd with a maximum day demand of 4,002,156. This represents an increase in average demand of 1.74 mgd and an increase in maximum day demand of 3.48 mgd.

The District conducted a water supply assessment (WSA) to determine if the District's water system has sufficient projected water supplies to meet the projected demands of the proposed project. The WSA (November 2007) evaluates whether the projected water supply for normal, single-dry and multiple-dry water years would meet the project water demand associated with the proposed project in addition to the District's existing and planned water uses, including any agricultural and manufacturing uses. If water supply is determined to be insufficient, the WSA is required to provide plans and measures that are being undertaken for acquiring and developing additional water supplies.

The additional water demand for the proposed project is consistent with the population and associated water demand projections for the District in the IUWMP. However, the estimated water demand associated with the proposed project was not specifically included in the IUWMP. The District's existing water supplies are not sufficient to meet the demands associated with the proposed project in addition to the District's existing and planned water uses. To meet demands associated with the proposed project during normal and dry years, new water supplies must be acquired and developed in the District's service area. To ensure a reliable water supply during normal and dry years: 1) The proposed recycled water backbone distribution system must be designed and constructed to convey recycled water from the County Sanitation Districts of Los Angeles County into District's service area to supplement the District's potable water supply; 2) Develop a groundwater storage program and increase the capacity of AVEK's treatment plants to ensure a reliable supply of imported and stored water to the District; and 3) Acquire new imported water supplies on behalf of the District through direct transfers or by participating with other SWP contractors in water exchange programs.

Although the District identified the SWP as an opportunity to acquire new imported water, based on the Wanger court decision and DWR's Reliability Report (2007), the availability and reliability of the SWP water supply has been reduced and cannot be guaranteed. Therefore, it cannot be determined whether adequate water supply would be available to serve the proposed project, resulting in a significant and unavoidable impact.

The District currently assesses a fee per billing unit for each new development in the District to fund construction of the recycled water distribution system. The District has also applied for grant funding and is currently preparing environmental compliance documents. The District anticipates acquiring permits to operate the recycled distribution system from the Regional Water Quality Control Board. Construction of Phase 1A of the project will be complete in January 2008. Construction of the backbone recycled water distribution system could be completed by 2011.

To fund the design and construction of a groundwater bank, the District assesses a fee per billing unit for each new development in the District. The District has committed to work to establish a groundwater banking program in the Antelope Valley. The District received Proposals to secure up to an additional 63,500 af/yr of water during dry water years through water banking programs. AVEK has indicated that it anticipates a permanent groundwater bank will be constructed in phases between 2007 and 2025, as the storage and extraction capacity

requirements increase with demand in the District's service area. Environmental compliance and permits are still required.

To provide a reliable water supply during high-demand periods in the event that groundwater is temporarily the only available supply of water, the District will construct additional groundwater wells to increase its overall extraction capacity. To fund the construction of additional wells, the District assesses a fee per billing unit for each new development in the District. The District is currently in the process of designing 10 new wells to serve the District and expects to have the online by June 2008.

Additionally, through conservation efforts of customers, the IUWMP estimates that by 2030, 10 percent of the overall demand in the District would be met through conservation efforts. In general, landscape irrigation can account for up to 70 percent of the water consumed at local residences. In order to reduce the water demand for the proposed project, specific measures would be included to conserve water. Such measures include using xeriscaping, low water-use turf, or a synthetic grass substitute in landscaped areas to minimize or eliminate the irrigation demand. In addition, installing weather-sensitive irrigation timers would ensure all landscaping receives only the specified amount of water that it needs.

Implementation of the DLSP is anticipated to occur over several years. Currently there is not available water supply to serve the proposed DLSP at buildout. Although the District has established several programs to acquire new water supplies to meet demands associated with the proposed project over the next several years, water supply cannot be guaranteed and therefore impacts are considered significant and unavoidable.

Mitigation Measures:

- PSU-6 For each site-specific development, prior to issuance of building permits, the project applicants shall pay all applicable developer fees described in the adopted Rules and Regulations, Part 4, for the Los Angeles County Waterworks District No. 40, (i.e., groundwater supply fee; groundwater bank, additional wells, additional treatment capacity/facilities, recycled water fee, etc.).
- PSU-7 Prior to issuance of building permits, the project applicant shall obtain verification from District 40 confirming that adequate water supply and water systems would be available to adequately serve the project in which building permits are being issued.
- PSU-8 For each site-specific development, the project applicants shall incorporate water conservation measures into the design of the project. Such methods include using xeriscaping, low water-use turf, or a synthetic grass substitute in landscaped areas to minimize or eliminate the irrigation demand, and install weather-sensitive irrigation timers to ensure all landscaping receives only necessary amount of water.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft

EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

Cumulative Impacts. Development associated with the proposed project and other related cumulative projects would result in cumulatively considerable public services and utilities impacts.

Findings

1. *Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
2. *Impacts associated with cumulative library and water impacts have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.*

Facts In Support of Findings

Libraries

Development of the proposed project and related cumulative projects would result in increased demand to library facilities within the City. Library facilities within the project area are currently deficient. Development of the proposed project and related cumulative projects would further contribute to the existing library deficiency. Although the Lancaster Regional Library would assess their ability to serve development projects within the City on a project-by-project basis, the Lancaster Regional Library has advised that the proposed project would result in significant impacts to library services and facilities. Therefore, the proposed project would contribute to cumulative impact in regards to library services, resulting in a significant and unavoidable impact.

Water

At the time of project design, individual projects would be required to prove to the District that the additional flow would not impact the water system and/or provide adequate funds for necessary improvements to the water system. The IUWMP takes into account the future water demands of proposed development projects based on housing, population, and employment growth forecasts for the City. Adequate water supply would not be available in normal and dry years to serve the proposed project and future projects. Therefore, the District would require payment of all applicable developer fees described in the adopted Rules and Regulations, Part 4, for the Los Angeles County Waterworks District No. 40, Antelope Valley (i.e., groundwater supply fee, groundwater bank fee, additional wells, additional treatment capacity/facilities, recycled water fee, etc.) to mitigate impacts. In addition, implementation of conservation methods in design plans would be required to minimize or eliminate irrigation demand. Water availability and developer fees for individual development projects would be determined on a

case-by-case basis. In accordance with SB 610, a water supply assessment would be required for projects exceeding established development thresholds. However, the availability and reliability of the SWP water supply has been reduced and cannot be guaranteed. Therefore, it cannot be determined whether adequate water supply would be available to serve the proposed project and related cumulative projects. Therefore, cumulative impacts to water supply are considered significant and unavoidable.

Mitigation Measures: No additional mitigation measures are required.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

TRAFFIC, CIRCULATION AND PARKING

Project With Four-Lane Lancaster Boulevard. Development associated with the proposed project with four-lane Lancaster Boulevard conditions could result in adverse impacts to the function of intersections in the project area.

Findings

1. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.
2. Impacts associated with the proposed project with four-lane Lancaster Boulevard have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.

Facts In Support of Findings

Forecast year 2030 with project with four-lane Lancaster Boulevard conditions peak hour traffic volumes were derived by adding forecast project-generated trips to forecast year 2030 without project conditions peak hour traffic volumes.

With the addition of project-generated trips, the following nine intersections are forecast to operate at a deficient LOS (LOS E or worse) according to City of Lancaster performance criteria for forecast year 2030 with project with four-lane Lancaster Boulevard conditions:

- Genoa Avenue/Lancaster Boulevard (PM peak hour only);
- Fig Avenue/Lancaster Boulevard (PM peak hour only);
- 20th Street West/Avenue J (PM peak hour only);
- 20th Street West/SR-14 Northbound Off-Ramp (PM peak hour only);
- 20th Street West/Avenue J-8 (PM peak hour only);
- 10th Street West/Avenue J (PM peak hour only);
- Fern Avenue/Avenue J (both AM and PM peak hours);
- Cedar Avenue/Avenue J (both AM and PM peak hours); and
- Division Street/Avenue J (PM peak hour only).

Based on City-established thresholds of significance, the addition of project-generated trips is forecast to result in a significant impact at the same nine study intersections for forecast year 2030 with project with four-lane Lancaster Boulevard conditions.

No significant impacts are forecast to occur with implementation of mitigation measures deemed feasible to eliminate the identified traffic impacts for forecast year 2030 with project with four-lane Lancaster Boulevard conditions with the exception of the following study intersections, which remain significant unavoidable impacts:

- 20th Street West/SR-14 Northbound Off-Ramp;
- 10th Street West/Avenue J; and
- Division Street/Avenue J.

Mitigation Measures:

- TR-1 Genoa Avenue/Lancaster Boulevard – Restrict northbound left-turn movement from Genoa Avenue to westbound Lancaster Boulevard. Implementation of the northbound left-turn restriction at the Genoa Avenue/Lancaster Boulevard

intersection is forecast to divert northbound traffic approaching Lancaster Boulevard on Genoa Avenue to Gadsden Avenue.

- TR-2 Fig Avenue/Lancaster Boulevard – Restrict northbound left-turn movement from Fig Avenue to westbound Lancaster Boulevard. Implementation of the northbound left-turn restriction at the Fig Avenue/Lancaster Boulevard intersection is forecast to divert northbound traffic on Fig Avenue approaching Lancaster Boulevard to Elm Avenue and Fern Avenue.
- TR-3 20th Street West/Avenue J – Provide a northbound 20th Street West right-turn overlap phase. Provision of a northbound 20th Street West right-turn overlap phase would preclude U-turn movement from westbound to eastbound Avenue J.
- TR-4 20th Street West/Avenue J-8 – Improve the southbound 20th Street West approach from one left-turn lane, three through lanes and one right-turn lane to consist of one left-turn lane, three through lanes and one free right-turn lane.
- TR-5 Fern Avenue/Avenue J – Restrict southbound left-turn movement from Fern Avenue to eastbound Avenue J. Implementation of the southbound left-turn restriction at the Fern Avenue/Avenue J intersection is forecast to divert southbound traffic on Fern Avenue approaching Avenue J to Fig Avenue.
- TR-6 Cedar Avenue/Avenue J – Restrict southbound through and left-turn movement from Cedar Avenue. Implementation of the southbound through and left-turn restriction at the Cedar Avenue/Avenue J intersection is forecast to divert southbound traffic on Cedar Avenue approaching Avenue J to Fig Avenue and Sierra Highway. Restrict northbound through and left-turn movement from Cedar Avenue. Implementation of the northbound through and left-turn restriction at the Cedar Avenue/Avenue J intersection is forecast to divert northbound traffic on Cedar Avenue approaching Avenue J to Fig Avenue and Sierra Highway.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

Project With Two-Lane Lancaster Boulevard. Development associated with the proposed project with two-lane Lancaster Boulevard conditions could result in adverse impacts to the function of intersections in the project area.

Findings

1. *Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
2. *Impacts associated with the proposed project with two-lane Lancaster Boulevard have been reduced to the extent feasible. However, after implementation of the mitigation*

measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.

Facts in Support of Findings

The following analyzes the impact of the addition of trips forecast to be generated by the proposed project to forecast year 2030 with project conditions traffic volumes and assuming Lancaster Boulevard is narrowed from its current four-lane cross section to a two-lane cross section between 10th Street West and Sierra Highway.

With the addition of project-generated trips, the following 14 study intersections are forecast to operate at a deficient LOS (LOS E or worse) according to City of Lancaster performance criteria for forecast existing plus project with two-lane Lancaster Boulevard conditions:

- 10th Street West/Lancaster Boulevard (PM peak hour only);
- Genoa Avenue/Lancaster Boulevard (PM peak hour only);
- Gadsden Avenue/Lancaster Boulevard (PM peak hour only);
- Fern Avenue/Lancaster Boulevard (PM peak hour only);
- Fig Avenue/Lancaster Boulevard (PM peak hour only);
- Elm Avenue/Lancaster Boulevard (PM peak hour only);
- Sierra Highway/Lancaster Boulevard (PM peak hour only);
- 20th Street West/Avenue J (PM peak hour only);
- 20th Street West/SR-14 Northbound Off-Ramp (PM peak hour only);
- 20th Street West/Avenue J-8 (PM peak hour only);
- 10th Street West/Avenue J (PM peak hour only);
- Fern Avenue/Avenue J (both AM and PM peak hours);
- Cedar Avenue/Avenue J (both AM and PM peak hours); and
- Division Street/Avenue J (PM peak hour only).

Based on City-established thresholds of significance, the addition of project-generated trips is forecast to result in a significant impact at the same 14 study intersections for forecast year 2030 with project with two-lane Lancaster Boulevard conditions.

No significant impacts are forecast to occur with implementation of mitigation measures deemed feasible to eliminate the identified traffic impacts for forecast year 2030 with project with two-lane Lancaster Boulevard conditions with the exception of the following study intersections, which remain significant unavoidable impacts:

- 10th Street West/Lancaster Boulevard;
- 20th Street West/SR-14 Northbound Off-Ramp;
- 10th Street West/Avenue J; and
- Division Street/Avenue J.

Mitigation Measures:

- TR-7 Lancaster Boulevard – Prior to narrowing Lancaster Boulevard from a four-lane to a two-lane road, as a policy in the Downtown Lancaster Specific Plan area, the City of Lancaster shall change the LOS target at intersections on Lancaster

- Boulevard from LOS D to LOS E. Narrowing Lancaster Boulevard from a four-lane to a two-lane road is intended to prioritize walking, bicycling and other modes of transit in the Downtown Lancaster Specific Plan area. Reducing the target LOS on Lancaster Boulevard in the Downtown Lancaster Specific Plan area is consistent with this objective.
- TR-8 Genoa Avenue/Lancaster Boulevard – Restrict northbound left-turn movement from Genoa Avenue to westbound Lancaster Boulevard. Implementation of the northbound left-turn restriction at the Genoa Avenue/Lancaster Boulevard intersection is forecast to divert northbound traffic approaching Lancaster Boulevard on Genoa Avenue to Gadsden Avenue (Consistent with mitigation measure identified for four-lane Lancaster Boulevard scenario).
- TR-9 Fig Avenue/Lancaster Boulevard – Restrict northbound left-turn movement from Fig Avenue to westbound Lancaster Boulevard. Implementation of the northbound left-turn restriction at the Fig Avenue/Lancaster Boulevard intersection is forecast to divert northbound traffic on Fig Avenue approaching Lancaster Boulevard to Elm Avenue and Fern Avenue (Consistent with mitigation measure identified for four-lane Lancaster Boulevard scenario).
- TR-10 20th Street West/Avenue J – Provide a northbound 20th Street West right-turn overlap phase. Provision of a northbound 20th Street West right-turn overlap phase would preclude U-turn movement from westbound to eastbound Avenue J (Consistent with mitigation measure identified for four-lane Lancaster Boulevard scenario).
- TR-11 20th Street West/Avenue J-8 – Improve the southbound 20th Street West approach from one left-turn lane, three through lanes and one right-turn lane to consist of one left-turn lane, three through lanes and one free right-turn lane (Consistent with mitigation measure identified for four-lane Lancaster Boulevard scenario).
- TR-12 Fern Avenue/Avenue J – Restrict southbound left-turn movement from Fern Avenue to eastbound Avenue J. Implementation of the southbound left-turn restriction at the Fern Avenue/Avenue J intersection is forecast to divert southbound traffic on Fern Avenue approaching Avenue J to Fig Avenue (Consistent with mitigation measure identified for four-lane Lancaster Boulevard scenario).
- TR-13 Cedar Avenue/Avenue J – Restrict southbound through and left-turn movement from Cedar Avenue. Implementation of the southbound through and left-turn restriction at the Cedar Avenue/Avenue J intersection is forecast to divert southbound traffic on Cedar Avenue approaching Avenue J to Fig Avenue and Sierra Highway. Restrict northbound through and left-turn movement from Cedar Avenue. Implementation of the northbound through and left-turn restriction at the Cedar Avenue/Avenue J intersection is forecast to divert northbound traffic on Cedar Avenue approaching Avenue J to Fig Avenue and Sierra Highway

(Consistent with mitigation measure identified for four-lane Lancaster Boulevard scenario).

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

Cumulative Impacts. Development associated with the proposed project and other related cumulative projects could result in cumulatively considerable traffic and circulation impacts.

Findings

1. *Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the Draft EIR.*
2. *Impacts associated with the proposed project with two-lane Lancaster Boulevard have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the Draft EIR, the impacts would constitute a significant and unavoidable impact.*

Facts in Support of Findings

The evaluation of project traffic impacts is based on a comparison of without-project traffic conditions and with-project traffic conditions. Forecast year 2030 traffic volumes (without the proposed project) were derived by applying an annual growth rate factor of two percent per year to existing volumes to account for forecast cumulative growth in the project vicinity.

With the addition of project-generated trips, the following nine intersections are forecast to operate at a deficient LOS (LOS E or worse) according to City of Lancaster performance criteria for forecast year 2030 with project with four-lane Lancaster Boulevard conditions:

- Genoa Avenue/Lancaster Boulevard (PM peak hour only);
- Fig Avenue/Lancaster Boulevard (PM peak hour only);
- 20th Street West/Avenue J (PM peak hour only);
- 20th Street West/SR-14 Northbound Off-Ramp (PM peak hour only);
- 20th Street West/Avenue J-8 (PM peak hour only);
- 10th Street West/Avenue J (PM peak hour only);
- Fern Avenue/Avenue J (both AM and PM peak hours);
- Cedar Avenue/Avenue J (both AM and PM peak hours); and
- Division Street/Avenue J (PM peak hour only).

Based on City-established thresholds of significance, the addition of project-generated trips is forecast to result in a significant impact at the same nine study intersections for forecast year 2030 with project with four-lane Lancaster Boulevard conditions.

No significant impacts are forecast to occur with implementation of recommended mitigation measures deemed feasible for forecast year 2030 with project with four-lane Lancaster Boulevard conditions, with the exception of the following study intersections, which remain significant unavoidable impacts:

- 20th Street West/SR-14 Northbound Off-Ramp;
- 10th Street West/Avenue J; and
- Division Street/Avenue J.

Therefore, project implementation would result in significant and unavoidable cumulative traffic impacts.

with the addition of project-generated trips, the following 14 study intersections are forecast to operate at a deficient LOS (LOS E or worse) according to City of Lancaster performance criteria for forecast existing plus project with two-lane Lancaster Boulevard conditions:

- 10th Street West/Lancaster Boulevard (PM peak hour only);
- Genoa Avenue/Lancaster Boulevard (PM peak hour only);
- Gadsden Avenue/Lancaster Boulevard (PM peak hour only);
- Fern Avenue/Lancaster Boulevard (PM peak hour only);
- Fig Avenue/Lancaster Boulevard (PM peak hour only);
- Elm Avenue/Lancaster Boulevard (PM peak hour only);
- Sierra Highway/Lancaster Boulevard (PM peak hour only);
- 20th Street West/Avenue J (PM peak hour only);
- 20th Street West/SR-14 Northbound Off-Ramp (PM peak hour only);
- 20th Street West/Avenue J-8 (PM peak hour only);
- 10th Street West/Avenue J (PM peak hour only);
- Fern Avenue/Avenue J (both AM and PM peak hours);
- Cedar Avenue/Avenue J (both AM and PM peak hours); and
- Division Street/Avenue J (PM peak hour only).

Based on City-established thresholds of significance, the addition of project-generated trips is forecast to result in a significant impact at the same 14 study intersections for forecast year 2030 with project with two-lane Lancaster Boulevard conditions.

No significant impacts are forecast to occur with implementation of recommended mitigation measures deemed feasible for forecast year 2030 with project with two-lane Lancaster Boulevard conditions with the exception of the following study intersections, which remain significant and unavoidable impacts:

- 10th Street West/Lancaster Boulevard;
- 20th Street West/SR-14 Northbound Off-Ramp;
- 10th Street West/Avenue J; and
- Division Street/Avenue J.

Therefore, project implementation would result in significant and unavoidable cumulative traffic impacts.

Mitigation Measures: Refer to mitigation measures TR-1 through TR-13. No additional mitigation measures are recommended.

The overriding social, economic and other considerations set forth in the Statement of Overriding Considerations and in the Findings regarding Alternatives provide additional facts in support of these findings. Any remaining unavoidable significant effects after available Draft EIR mitigation measures are implemented are acceptable when balanced against the facts set forth therein.

5.5 ALTERNATIVES TO THE PROPOSED PROJECT

The Draft EIR addresses the environmental effects of alternatives to the proposed project. A description of these alternatives, a comparison of their environmental impacts to the proposed project, and the City's findings are listed below. These alternatives are compared against the project relative to the identified project impacts, summarized in Section 5.3 and Section 5.4, above, to the project objectives, as stated in Section 3.4, Project Goals and Objectives, of the Draft EIR.

In making the following alternatives findings, the City of Lancaster certifies that it has independently reviewed and considered the information on alternatives provided in the Draft EIR, including the information provided in the comments on the Draft EIR and the responses thereto.

NO PROJECT/EXISTING GENERAL PLAN ALTERNATIVE

The No Project/Existing General Plan Alternative assumes the proposed Downtown Lancaster Specific Plan Project would not be implemented. The existing mixture of civic, cultural, commercial, office and residential uses would remain as they currently exist. Vacant and underutilized sites within the project area would be developed consistent with the existing General Plan land use designations with up to 200 dwelling units and 100,000 s.f. of commercial/retail space. Under the No Project/Existing General Plan Alternative, the project area would consist of 575,879 s.f. of commercial/retail space, 640,020 s.f. of office/civic/public space and 452 dwelling units.

Findings

1. *The findings of the proposed Project set forth in this document and the overriding social, economic and other issues set forth in the Statement of Overriding Considerations provide support for the proposed Project and the elimination of this alternative from further consideration.*

Facts in Support of Findings

The No Project/Existing General Plan Alternative would only partially implement the goals and objectives of the proposed project. With this Alternative, fewer commercial/retail and residential uses would be developed when compared to the proposed project. However, additional office/civic/public uses would not be developed. Additionally, area-specific land use regulations and development guidelines for the seven districts would not occur. This Alternative would

continue to provide a mix of uses within the Downtown, but not to the extent of the proposed project. Although the No Project/Existing General Plan Alternative would involve development of vacant and underutilized sites with commercial/retail and residential uses, the variety and intensity of uses would not be consistent with the variety and intensity that can be supported by market conditions. This Alternative would not provide a consistent and compatible development to the extent of the proposed project, as specific regulations and guidelines would not be established. Additionally, this Alternative would not provide for a pedestrian friendly environment with attractive storefronts, landscaping and sidewalks, as well as public plazas and paseos. Therefore, some of the project objectives would not be met, and others would not be met to the same degree as with the proposed project.

The No Project Alternative has been determined to be the environmentally superior alternative, as it would result in reduced aesthetic/light and glare, air quality, noise and decreased traffic impacts. However, CEQA Guidelines Section 15126.6 indicates that, if the "No Project" alternative is the "Environmentally Superior" alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives; refer to the Reduced Project Alternative discussion below.

REDUCED PROJECT ALTERNATIVE

The Reduced Project Alternative would involve implementation of the proposed project, as described in Section 3.0, Project Description, but at a reduced density for retail, office, residential and civic uses. The Reduced Project Alternative would involve 693,636 s.f. of retail uses, 730,467 s.f. of office/civic/public uses and 2,644 residential units. When compared to the proposed project, this Alternative would result in an overall reduction in development of 25 percent, or approximately 231,212 fewer s.f. of retail uses, 243,489 fewer s.f. of office/civic/public uses and 881 fewer residential units at buildout.

Findings

1. *The findings of the proposed Project set forth in this document and the overriding social, economic and other issues set forth in the Statement of Overriding Considerations provide support for the proposed Project and the elimination of this alternative from further consideration.*

Facts in Support of Findings

The Reduced Project Alternative would only partially implement the goals and objectives of the proposed project. Under this Alternative, new retail, office, residential and civic uses would be developed on vacant and underutilized sites. However, development of this Alternative would provide fewer residential units and fewer retail, office and civic uses when compared to the proposed project. Similar to the proposed project, area-specific land use regulations and development guidelines for the seven districts would occur with this Alternative. This Alternative would encourage activity in the Downtown into the evening; provide consistent and compatible development within the Downtown through the establishment of specifications, regulations and guidelines; and providing a pedestrian friendly environment with attractive storefronts, landscaping and sidewalks, as well as public plazas and paseos. However, in comparison to the proposed project, the intensity of residential, retail, office and civic uses that

would occur with the Reduced Project Alternative would be less than what would be supported by market conditions. Therefore, this Alternative would not be consistent with the identified objective to develop the project area at an intensity that can be supported by market conditions.

The Reduced Project Alternative was identified as the environmentally superior alternative. Impacts to land use, air quality, noise, population and housing, public services and utilities, cultural resources, hazards and hazardous materials and hydrology and water quality would be similar to the proposed project. Aesthetics/light and glare and traffic, circulation and parking, impacts would be reduced. Although impacts to traffic, air quality and noise would be significant and unavoidable, the impacts would incrementally be reduced based upon the reduction in development. When compared to the proposed project, the Reduced Project Alternative would be environmentally superior and would fulfill the majority of the project objectives.

6.0 CERTIFICATION OF THE FINAL EIR

The Council declares that no new significant information as defined by the State CEQA Guidelines, Section 15088.5, has been received by the Council after circulation of the Draft EIR that would require recirculation.

The Council certifies the Environmental Impact Report based on the following findings and conclusions:

6.1 FINDINGS

The Project would have the potential for creating significant adverse impacts. These significant adverse environmental impacts have been identified in the EIR and will require mitigation as set forth in the Findings. Significant adverse impacts which cannot be mitigated to a level of insignificance after mitigation include air quality, noise, traffic and circulation and public services and utilities, as discussed in the Findings.

6.2 CONCLUSIONS

- Except as to those impacts stated above relating to air quality, noise, traffic and circulation, and public services and utilities, all other significant environmental impacts from the implementation of the proposed project have been identified in the EIR and, with implementation of the mitigation measures identified, will be mitigated to a level of insignificance.
- Alternatives to the proposed project, which could potentially achieve the basic objectives of the proposed project, have been considered and rejected in favor of the proposed project.
- Environmental, economic, social, and other considerations and benefits derived from the development of the proposed project override and make infeasible any alternatives to the proposed project or further mitigation measures beyond those incorporated into the proposed project.

7.0 STATEMENT OF OVERRIDING CONSIDERATIONS

7.1 INTRODUCTION

The California Environmental Quality Act (CEQA) and the CEQA Guidelines provide in part the following:

- CEQA requires that the decision maker balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- Where the decision of the public agency allows the occurrence of significant effects that are identified in the Environmental Impact Report (EIR) but are not mitigated, the agency must state in writing the reasons to support its action based on the EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091 (a)(2) or (a)(3) of the CEQA Guidelines.
- If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination (Section 15093 of the CEQA Guidelines).

The City of Lancaster, having reviewed and considered the information contained in the Environmental Impact Report (EIR) for the Downtown Lancaster Specific Plan (the project), Responses to Comments and the public record, adopts the following Statement of Overriding Considerations that have been balanced against the unavoidable adverse impacts in reaching a decision on this project.

7.2 SIGNIFICANT UNAVOIDABLE ADVERSE IMPACTS

Although all potential project impacts have been substantially avoided or mitigated as described in the preceding findings, there is no complete mitigation for the following project impacts:

- Air Quality – Short-Term Construction;
- Air Quality – Long-Term Operational;
- Air Quality – Conformity with Air Quality management Plan;
- Air Quality – Cumulative Short-Term Construction
- Air Quality – Cumulative Long-Term Operational;
- Noise – Short-Term Construction;
- Noise – On-Site Mobile Source;
- Noise – Cumulative Construction;
- Noise – Cumulative Operational;
- Public Services and Utilities – Libraries;
- Public Services and Utilities – Water Demand;
- Public Services and Utilities – Cumulative Libraries and Water Demand
- Traffic, Circulation, and Parking – Project With Four Lane Lancaster Boulevard;

- Traffic, Circulation, and Parking – Project With Two Lane Lancaster Boulevard;
- Traffic, Circulation and Parking – Cumulative Project Traffic.

Details of these significant unavoidable adverse impacts were discussed in the Downtown Lancaster Specific Plan EIR and are summarized, or were otherwise provided in Section 5.4, Environmental Effects Which Remain Significant and Unavoidable After Mitigation and Findings, in the Statement of Facts and Findings.

7.3 OVERRIDING CONSIDERATIONS

The proposed action consists of the certification of the Downtown Lancaster Specific Plan EIR. Analysis in the EIR for this project has concluded that the proposed project will result in air quality, noise, public services and utilities and traffic, circulation and parking impacts that cannot be mitigated to a less than significant level. All other potential significant adverse project impacts have been mitigated to a less than significant level based on mitigation measures in the Final EIR.

The California Environmental Quality Act requires that a lead agency balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project.

The City of Lancaster has determined that the significant unavoidable adverse project impacts, which remain significant after mitigation, are acceptable and are outweighed by social, economic, and other benefits of the project. Further, the alternatives that were identified in the Final EIR would not provide the project benefits, as summarized below, to the same extent as the proposed project:

1. The City of Lancaster finds that all feasible mitigation measures have been imposed to lessen project impacts to less than significant levels; and furthermore, that alternatives to the project are infeasible because while they have similar or less environmental impacts, they do not provide the benefits of the project, or are otherwise socially or economically infeasible when compared to the project, as described in the Statement of Facts and Findings.
2. The Downtown Lancaster Specific Plan Project will contribute to achieving the goals and objectives established by the Redevelopment Agency and associated redevelopment planning documents, including the Redevelopment Plans for the Lancaster Central Business District Redevelopment Project and City of Lancaster Redevelopment Project No. 5.
3. The Downtown Lancaster Specific Plan Project will allow for the development of vacant and underutilized sites with a variety of uses and intensities that can be supported by market conditions. Development in accordance with market conditions will allow for less development than allowed under the current General Plan and Zoning. It is acknowledged that at this time, water supply cannot be guaranteed for build out of the Downtown Lancaster Specific Plan. However, the Downtown Lancaster Specific Plan does not propose project specific development, but establishes the type and intensity of development that will occur within the Downtown over a time period of approximately 25

years. It provides the framework for consistent and compatible development within the Downtown through the establishment of specifications, regulations, and guidelines. As with other development within the City, individual projects will be required to obtain verification confirming adequate water supply and water systems are available to serve the project in which building permits are being issued.

4. The Downtown Lancaster Specific Plan will provide opportunities for existing public/civic uses to be expanded and development of new public/civic uses to occur to serve the growing and changing needs of the City.
5. The Downtown Lancaster Specific Plan will allow for a mix of uses within the Downtown including residential, retail, office, public, and civic uses that will encourage activity in the Downtown into the evening. An enhanced streetscape environment with attractive storefronts, landscaping and sidewalks, as well as public plazas and paseos will encourage people to frequent the Downtown area, encouraging opportunities for people to shop, dine and reside within Downtown.
6. Enhanced pedestrian connections to surrounding areas will increase the walkability of Downtown and the surrounding areas and increased development around the Lancaster Metrolink Station will serve existing transit users and encourage increased transit use, consistent with General Plan policies.
7. The Downtown Lancaster Specific Plan would be consistent with the policies of the City's General Plan and the policies established by the Southern California Association of Governments, which encourage the use of transit and promote infill development and redevelopment to revitalize existing communities.

Therefore, the City of Lancaster, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the public record, adopts the Statement of Overriding Considerations that has been balanced against the unavoidable adverse impacts in reaching a decision on this project.

RESOLUTION NO. 08-19

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT (EIR NO. 07-02), THE ADOPTION OF ENVIRONMENTAL FINDINGS, THE ADOPTION OF A STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF AN AMENDMENT TO THE ADOPTED GENERAL PLAN OF THE CITY, KNOWN AS GENERAL PLAN AMENDMENT NO. 08-01, AND THE ADOPTION OF A SPECIFIC PLAN, KNOWN AS SPECIFIC PLAN NO. 08-01 (DOWNTOWN LANCASTER SPECIFIC PLAN)

WHEREAS, pursuant to Section 3.A of City Council Resolution No. 93-07 an amendment to the adopted General Plan of the City has been initiated by the Lancaster City Council in 2005 to redesignate 140± acres as shown in the Downtown Lancaster Specific Plan document to SP (Specific Plan), and

WHEREAS, pursuant to Section 17.24.040 of the Lancaster Municipal Code, the City Council has initiated a change to the zoning designation on the subject property to the Downtown Lancaster Specific Plan, and

WHEREAS, notice of intention to consider the General Plan amendment and specific plan for the subject property was given as required in Sections 65854 and 65905 of the Government Code of the State of California; and

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

WHEREAS, public notice was provided as required by law and a public hearing was held on August 18, 2008; and

WHEREAS, this Commission hereby recommends to the City Council certification, pursuant to Section 15090(a)(1) of the State CEQA Guidelines, that the final environmental impact report prepared for this proposed project has been completed in compliance with the California Environmental Quality Act (CEQA) as described in Section 3 of Exhibit "A" of this resolution; and

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

WHEREAS, pursuant to Section 15090(a)(3) of the State CEQA Guidelines, this Commission hereby recommends that the City Council certify that the final environmental

impact report reflects the City's independent judgment and analysis as described in Section 4 of Exhibit "A"; and

WHEREAS, this Commission based on the evidence in the record, hereby adopts the following findings in support of approval of General Plan Amendment No. 08-01:

1. There is a need for the proposed land use designation of SP in order to allow for a specific plan to be approved for the downtown Lancaster area that will allow for long-term development of a mixed use district in an aesthetically pleasing manner.
2. The proposed designation will be compatible with other land use designations in the area, including nearby commercial, industrial, and residential designations, because the SP designation will allow for adoption of a specific plan that provides for proper building and design transitions between these adjoining areas and the downtown area.
3. The proposed amendment is consistent with and implements Goals 16 and 19 of the adopted General Plan, because it will promote the economic viability of the downtown area, and thereby the City as a whole, and will allow for the establishment of a mix and variety of land uses with an aesthetically pleasing physical environment.
4. The proposed amendment is consistent with the following objectives and policies of the General Plan:

Objective 16.5: "Maintain downtown Lancaster as a cultural, financial, and governmental center."

Policy 16.5.2: "Encourage the development of cultural facilities and related businesses in the downtown area."

Policy 16.5.3: "Support Redevelopment efforts to encourage appropriate office and commercial development in downtown Lancaster in order to accommodate finance-related businesses."

Policy 16.5.3: "Promote the development of a transit village development district around the Metrolink Commuter Rail Station order to further strengthen the role of downtown Lancaster as the cultural, financial, and government center of the City."

Objective 19.1: "Ensure that all development within the City of Lancaster yields a pleasant living, working, or shopping environment, and attracts the interest of residents, shoppers, and visitors as the result of consistent exemplary site, architectural, and landscape design."

Policy 19.1.1: "Promote high-quality projects and facilitate innovation in building design, land use mixes and site planning, and by encouraging mixed-use

developments that contain, when appropriate, pedestrian scale and uses that encourage a sense of place.”

Policy 19.2.5: “Promote the creation of a transit village development district around the Metrolink commuter rail station to provide opportunities for transit-oriented development, including housing, shopping, public services, and employment opportunities with a safe, pedestrian-friendly environment.

5. The proposed amendment would encourage the provision of a range of housing styles and types, because it allows for the adoption of a specific plan that encourages mixed use development, and allows housing within the various districts that comprise the downtown area.
6. As noted within the final EIR (EIR 07-02), there may not be sufficient water available to serve all development contained within the expected 2030 build-out scenario. However, the intent of the proposed general plan amendment is to allow for the adoption of a specific plan that would guide the long-term development of the downtown area with respect to physical design, and the general plan amendment and specific plan itself do not make such development mandatory or constitute a development project, but are instead regulatory in nature. All individual development proposals would be required to obtain water service from the appropriate water purveyor, currently Los Angeles County Waterworks District No. 40, or any subsequent purveyor, prior to construction. The benefits of the regulatory framework provided by the specific plan outweigh the potential lack of water to allow development, as noted within Section 7 of Exhibit “A”.
7. The proposed amendment would not adversely affect the economic health of the City, because the proposed specific plan would allow for the generation of additional economic activity within the downtown area.
8. The proposed site could be adequately served by necessary services and utilities, based on information contained in the final environmental impact report prepared for the Downtown Lancaster Specific Plan (EIR 07-02), provided that appropriate upgrades in size and capacity of existing facilities are made over the life of the specific plan as warranted by development that occurs in the downtown area.
9. The proposed amendment may have an adverse effect on traffic and circulation systems as noted in the final EIR and discussed in Exhibit “A”. Mitigation measures exist to reduce this impact in certain cases to less than significant; however, significant effects would still occur; these significant effects are considered acceptable due to overriding considerations as noted in Section 7 of Exhibit “A”.

10. The proposed amendment is in the public interest, because it would allow for the adoption of a specific plan that will provide a framework for the development of the downtown area into a vibrant mixed use district in accordance with community goals as expressed in the public outreach effort conducted for the preparation of the Downtown Lancaster Specific Plan.

WHEREAS, this Commission, based on the evidence contained in the record, hereby makes the following findings in support of the approval of the adoption of an ordinance adopting the Downtown Lancaster Specific Plan (SP 08-01):

1. The proposed Downtown Lancaster Specific Plan (SP 08-01) is consistent with the proposed General Plan land use designation of SP proposed for the subject property, and with identified goals, objectives, and policies of the adopted General Plan as noted within this Planning Commission resolution.
2. Modified conditions, including the opportunity to allow for development of the downtown area as a mixed use district containing retail, dining, office space, residential, and public uses in accordance with community goals as expressed in the public outreach effort for preparation of the Downtown Lancaster Specific Plan, warrant a revision in the zoning plan as it pertains to the area under consideration.
3. A need for the Downtown Lancaster Specific Plan exists to establish the necessary development standards and guidelines for the development of a mixed use area within downtown Lancaster.
4. The particular property under consideration is a proper location for adoption of this specific plan, because it will allow for development that is compatible with and will enhance the City's historic center.
5. Adoption of the Downtown Lancaster Specific Plan at such a location will be in the interest of public health, safety, and general welfare and in conformity with good zoning practices, because it allows for development in a way that is sensitive to and consistent with the community's long-term goals for the downtown area.

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby recommends to the City Council certification of the final environmental impact report as stated in this Resolution.
2. This Commission hereby recommends to the City Council adoption of all environmental findings and the Statement of Overriding Considerations as contained in Exhibit "A".

3. This Commission hereby recommends to the City Council approval of General Plan Amendment No. 08-01 to redesignate the subject property to SP (Specific Plan).
4. This Commission hereby recommends to the City Council adoption by ordinance of Specific Plan No. 08-01, known as the Downtown Lancaster Specific Plan, as contained in Exhibit "B", with modifications as noted on the attached cover sheet to Exhibit "B".

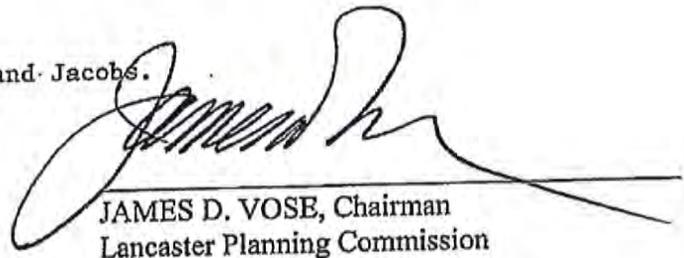
PASSED, APPROVED and ADOPTED this 18th day of August 2008, by the following vote:

AYES: Commissioners Burkey, Haycock and Malhi, Vice Chair Smith, Chairman Vose.

NOES: None.

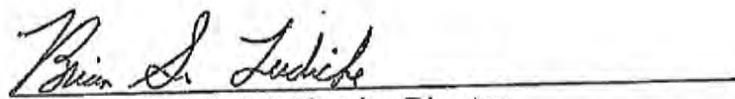
ABSTAIN: None.

ABSENT: Commissioners Ervin and Jacobs.



JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:



BRIAN S. LUDICKE, Planning Director
City of Lancaster

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
SEPTEMBER 9, 2008

CC 12. ACCEPTANCE OF WORK FOR PWCP NO. 08-005

Accepted the work constructed by Universal Coatings, Inc., on **Public Works Construction Project No. 08-005**, Eastside Pool Roof Repair; directed the City Clerk to file the Notice of Completion for the project; authorized payment of the 10 percent retention 35 days after recordation, provided no stop notices, as provided by law, have been filed.

CC 13. RESOLUTION NO. 08-78 – APPLICATION FOR GRANT FUNDS

Adopted **Resolution No. 08-78**, a resolution of the City Council of the City of Lancaster, California, approving the Application for Grant Funds from the Recreational Trails Program for the following project: Amargosa Creek Pathway.

PH 1. CONGESTION MANAGEMENT PROGRAM (CMP)

Mayor Parris opened the public hearing. The Public Works Director presented the staff report regarding the Congestion Management Program (CMP).

There being no further testimony, Mayor Parris closed the Public Hearing.

On a motion by Vice Mayor Smith and seconded by Council Member Mann, the City Council adopted **Resolution No. 08-79**, a Resolution of the City Council of the City of Lancaster, California, finding the City to be in conformance with the Congestion Management Program (CMP) and adopting the 2008 CMP Local Development Report (LDR), in accordance with California Government Code Section 65089, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Silco, Vice Mayor Smith, Mayor Parris; NOES: None; ABSTAIN: None; ABSENT: None.

PH 2. DOWNTOWN LANCASTER SPECIFIC PLAN

Council Member Mann stated that due to a conflict with property that he owns within 500 feet of the subject matter, he would need to recuse himself from this discussion.

Mayor Parris opened the public hearing. The Planning Director presented the staff report regarding the Downtown Lancaster Specific Plan, 140 Acres Generally Bounded by Kettering Street, the Union Pacific Railroad, Newgrove Street (east of Date Avenue), Milling Street (west of Date Avenue), and 10th Street West (with westerly extension at the intersection of 10th Street West and Lancaster Boulevard.)

Addressing the City Council on this matter:

Merle McCleron - stated that he has been involved in the development of this project; this will be great for the downtown area and will revitalize Lancaster; project offers him great opportunities as an architect.

Vice Mayor Smith stated that staff has done a wonderful job; in the beginning of this project there was some resistance, however through community outreach and community involvement the citizens are now excited about this.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
SEPTEMBER 9, 2008

PH 2. DOWNTOWN LANCASTER SPECIFIC PLAN (continued)

Council Member Sileo stated that he likes the concept of allowing property owners and architects to have input in this and it will allow them to use their imaginations in the best way for the community.

The City Manager thanked the Planning Director, staff and citizens for all their hard work and support throughout this process.

There being no further testimony, Mayor Parris closed the Public Hearing.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council adopted **Resolution No. 08-80**, a Resolution of the City Council of the City of Lancaster, California, certifying Environmental Impact Report No. 07-02, making required environmental findings, including a Statement of Overriding Considerations, in accordance with the requirements of the California Environmental Quality Act, and approving General Plan Amendment No. 08-01 to re-designate the 140 acre area to SP (Specific Plan), by the following vote: 4-0-1-0; AYES: Marquez, Sileo, Vice Mayor Smith, Mayor Parris; NOES: None; RECUSED: Mann; ABSENT: None.

On a motion by Vice Mayor Smith and seconded by Council Member Sileo, the City Council introduced **Ordinance No. 906**, an Ordinance of the City Council of the City of Lancaster, California, amending the zoning plan for the City of Lancaster by approving the Downtown Lancaster Specific Plan (SP 08-01), by the following vote: 4-0-1-0; AYES: Marquez, Sileo, Vice Mayor Smith, Mayor Parris; NOES: None; RECUSED: Mann; ABSENT: None.

NB 1. ANTELOPE VALLEY TRANSIT AUTHORITY'S FISCAL YEAR 2008/2009 OPERATING BUDGET

The Public Works Director presented the staff report regarding the Antelope Valley Transit Authority's FY 2008/2009 Operation Budget.

Vice Mayor Smith thanked Randy Floyd of AVTA for doing a wonderful job on this; working with staff and other agencies and they are moving in the right direction.

Mayor Parris requested that Mr. Floyd look into buses that are late, causing senior citizens to be left in 105 degree weather. There needs to be more rapid response times for these delays and a procedure in place.

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council approved the Antelope Valley Transit Authority's Operating and Capital Budget for Fiscal Year 2008-2009 including the City of Lancaster's jurisdictional share in the amount of \$1,488,250.00, by the following vote: 5-0-0-0; AYES: Mann, Marquez, Sileo, Vice Mayor Smith, Mayor Parris; NOES: None; ABSTAIN: None; ABSENT: None.

LANCASTER CITY COUNCIL / REDEVELOPMENT AGENCY
REGULAR MEETING MINUTES
SEPTEMBER 23, 2008

RCC 1. MINUTES

See CC 2 for the approval of the Regular Redevelopment Agency Meeting minutes of September 23, 2008.

RCC 2. ACQUISITION OF PROPERTIES

Approved Agreement for Acquisition of Real Properties between the Lancaster Redevelopment Agency and various agencies as part of the approved Neighborhood Foreclosure Preservation Homeownership Program as outlined in Exhibit "A" of the Staff Report.

RCC 3. PROFESSIONAL SERVICES AGREEMENT WITH RBF CONSULTING

Authorized a Professional Services Agreement with RBF Consulting to develop the Yucca District Neighborhood Specific Area Vision Plan in an amount not to exceed \$43,943.00 for Phase I. The Yucca District Neighborhood is bounded by Sierra Highway to Division Street and from Avenue I to Avenue J.

APPROVAL OF CITY COUNCIL CONSENT CALENDAR

On a motion by Vice Mayor Smith and seconded by Council Member Marquez, the City Council approved the Council Consent Calendar by the following vote: 4-0-0-1; AYES: Marquez, Sileo, Smith, Parris; NOES: None; ABSTAIN: None; ABSENT: Mann.

CC 1. ORDINANCE WAIVER

Waived further reading of any proposed ordinances. (This permits reading the title only in lieu of reciting the entire text.)

CC 2A. MINUTES

Approved the City Council Special Meeting Minutes of September 3, 2008.

CC 2B. MINUTES

Approved the City Council/Redevelopment Agency Regular Meeting Minutes of September 9, 2008.

CC 3. WARRANT REGISTER

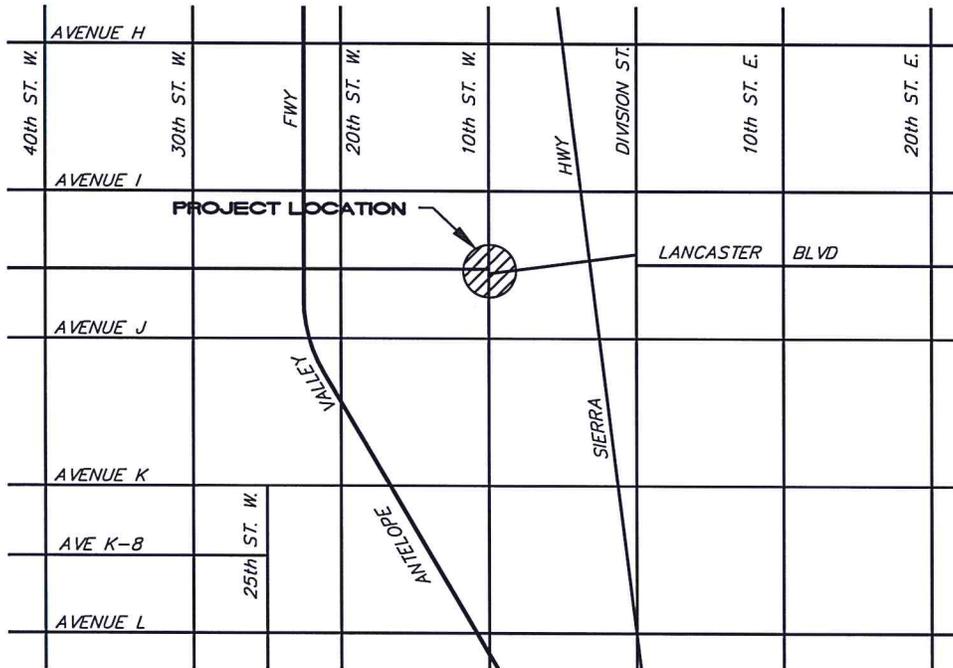
Approved the Check and Wire Registers (August 24, 2008 through September 6, 2008) in the amount of \$6,327,306.56.

CC 4. ORDINANCE NO. 906

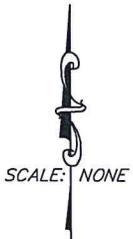
Adopted Ordinance No. 906, an ordinance of the City Council of the City of Lancaster, California adopting the Downtown Lancaster Specific Plan (SP 08-01).

CC 5. AGREEMENT WITH ANTELOPE VALLEY COLLEGE

Approved the Agreement for use of the Performing Arts Center by the Antelope Valley College for the 2008-2009 Season.



LEGEND:



VICINITY MAP
N.T.S.