

RESOLUTION NO. 10-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING AN AMENDMENT TO THE ADOPTED GENERAL PLAN OF THE CITY, KNOWN AS GENERAL PLAN AMENDMENT NO. 10-01

WHEREAS, pursuant to Section 3.c of the City Council Resolution No. 93-07 an amendment to the adopted General Plan of the City has been initiated by the Beautiful Earth Group LLC to re-designate 180± acres from UR (Urban Residential) and C (Commercial) to NU (Non-Urban Residential); and

WHEREAS, pursuant to Section 17.24.040 of the Lancaster Municipal Code the applicant has requested the City Council to consider a change to the zoning designation on the subject property from R-7,000 (Single Family Residential, minimum lot size 7,000 square feet) and CPD (Commercial Planned Development) to RR-2.5 (Rural Residential, one dwelling unit per 2.5 acres); and

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

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

WHEREAS, a public notice was provided as required by law and a public hearing on the General Plan amendment and zone change requests was held on December 14, 2010; and

WHEREAS, the Planning Commission adopted a Mitigated Negative Declaration for the project on November 15, 2010 and found that the project and associated General Plan amendment and zone change would not create any significant environmental impacts; further, the Planning Commission voted to recommend to the Council approval of General Plan Amendment No. 10-01 and Zone Change No. 10-02; and

WHEREAS, this Council based on evidence in the record, hereby adopts the following findings in support of approval of General Plan Amendment No. 10-01:

1. There is a need for the proposed land use designation of NU (Non-Urban Residential) on the site, because most of the Non-Urban residential property is in smaller parcels and no under single ownership suitable for development of a large-scale solar energy facility.
2. The proposed designation of NU will be compatible with the existing land use designation of NU and Heavy Agriculture (County) surrounding the project site because it removes a leapfrogged development with an urban designation.

3. The proposed amendment is consistent with and implements Goal 19 of the General Plan “to achieve an attractive and unique image for the community by creating a sustainable, cohesive and enduring built environment.”
4. The proposed amendment is consistent with the following goals, objectives, and policies of the General Plan for the reasons stated below:

Objective 3.6 “Encourage efficient use of energy resources through the promotion of efficient land use patterns and the incorporation of energy conservation practices into new and existing development, and appropriate use of alternative energy.”

Policy 3.6.1 “Reduce energy consumption by establishing land use patterns which would decrease automobile travel and increase the usage of energy efficient modes of transportation.” The proposed project would change an urban residential designation which would have allowed the development of 631 single family residences. In order to obtain goods and services, these residents would have been required to drive significant distances. The NU designation and subsequent solar facility would generate minimal vehicle trips.

Policy 3.6.6 “Consider and promote the use of alternative energy such as wind energy and solar energy.”

5. There are no goals, objectives, policies, or specific actions of the General Plan that would conflict with the proposed amendment.
6. The proposed amendment would not adversely affect the economic health of the City, because the development proposed would not create a need for significant City services.
7. The proposed amendment would reduce the demand on the groundwater as compared to previous agricultural uses or the approved urban residential subdivision. Groundwater from existing wells located on the project site would be utilized for the occasional washing of the solar panels.
8. The proposed site could be adequately served by services necessary for a solar energy facility, including police and fire, based on responses from affected service agencies.
9. The proposed amendment will not have an adverse effect on traffic and circulation systems as noted in the Mitigated Negative Declaration. Upon completion of construction, minimal amounts of traffic associated with occasional maintenance operations would be generated and no traffic impacts would occur. No mitigation measures with respect to traffic are required.
10. The proposed amendment and subsequent construction of the photovoltaic facility would create environmental impacts as discussed in the Initial Study/Mitigated

Negative Declaration. Potential impacts with respect to biological resources, geology/soils, hazards/hazardous materials, and noise would be created as a result of construction activities. Mitigation measures are required which would reduce the impacts to a less than significant level. No impacts would occur as a result of the operation of the facility.

11. The proposed amendment is in the public interest because it will help California meet the established goals of using renewable resources to generate a portion of California's electricity. The proposed amendment will allow for the development of a photovoltaic electric generating facility which can be adequately served by streets, utilities, and public services in the area; and, the proposed land use designation would not adversely affect the regional water supply or the City's economic health.

NOW, THEREFORE, BE IT RESOLVED:

The City Council hereby approves General Plan Amendment No. 10-01 to redesignate the subject property from UR (Urban Residential) and C (Commercial) to NU (Non-Urban Residential)

PASSED, APPROVED and ADOPTED this _____ day of _____, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

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

CERTIFICATION OF RESOLUTION
 CITY COUNCIL

I, _____, _____ City
 of Lancaster, California, do hereby certify that this is a true and correct copy of the original
 Resolution No. 10-75, for which the original is on file in my office.

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

(seal)

ORDINANCE NO. 957

AN ORDINANCE OF THE CITY OF LANCASTER, CALIFORNIA, AMENDING THE CITY ZONING PLAN FOR 180± ACRES BOUNDED BY AVENUE H, 80TH STREET WEST, AVENUE H-8, AVENUE H-4, AND 90TH STREET WEST KNOWN AS ZONE CHANGE NO. 10-02

WHEREAS, pursuant to Section 17.24.060 of the Municipal Code, a request has been filed by the Beautiful Earth Group, LLC, to change the zoning designation on 180.00± acres of land bounded by Avenue H, 80th Street West, Avenue H-8, Avenue H-4, and 90th Street West from R-7,000 (single family residential, minimum lot size 7,000 square feet) and CPD (Commercial Planned Development) to RR-2.5 (rural residential, one dwelling unit per 2.5 acres); and

WHEREAS, notice of intention to consider the zone change of the subject property was given as required in Section 17.24.110. of the Municipal Code and Section 65854 and 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended that the zone change request be approved; and

WHEREAS, public hearings on the zone change request were held before the Planning Commission on November 15, 2010; and

WHEREAS, the Planning Commission reviewed and approved the Initial Study/Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act prior to taking action; and

WHEREAS, the Planning Commission adopted the mitigation measures contained in Exhibit "A"; and

WHEREAS, the City Council hereby makes the following findings in support of the Ordinance:

1. The proposed Zone Change from R-7,000 and CPD to RR-2.5 will be consistent with the proposed General Plan land use designation of NU requested by the applicant.
2. Modified conditions including a change in the site's General Plan use designation to provide for a suitable alternative energy site, warrant a revision in the zoning for the subject property which would allow the development of a photovoltaic electric generating facility.
3. A need for the proposed zone classification of RR-2.5 exists within such area in order to allow for the development of a larger scale solar energy development. Property zoned as RR-2.5 exists in the area; however, it is in smaller parcels with different owners making it difficult to develop with a solar energy project of this scale.

4. The particular property under consideration is a proper location for said zone classification within such area, because it is surrounded by similar zoning and is served by adequate public access and necessary services.
5. Placement of the proposed RR-2.5 residential zone at such location will be in the interest of public health, safety and general welfare and in conformity with good zoning practices, because adequate services, access, and electrical infrastructure exist to accommodate the proposed type of development, and the zoning designation will not result in the development of incompatible uses.

THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. That the subject property is reclassified from R-7,000 and CPD to RR-2.5.

Section 2. That the City Clerk shall certify to the passage of this Ordinance and will see that it is published and posted in the manner required by law.

I, Geri K. Bryan, CMC, City Clerk of the City of Lancaster, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading on the ____ day of _____, 2010, and placed upon its second reading and adoption at a regular meeting of the City Council on the ____ day of _____, 2011, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, _____, _____ City of Lancaster, California,
do hereby certify that this is a true and correct copy of the original Ordinance No. 957, for which the
original is on file in my office.

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

(seal)