

ORDINANCE NO. 956

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, AMENDING TITLE 17 OF THE MUNICIPAL CODE, (ZONING ORDINANCE) TO IMPLEMENT THE REQUIREMENT TO COMPLY WITH THE ADOPTED CITY OF LANCASTER DESIGN GUIDELINES

WHEREAS, the City Council of the City of Lancaster, finds that it is necessary to amend Title 17 of the Municipal Code (Zoning Ordinance) to ensure that the newly adopted Design Guidelines are put into place; and

WHEREAS, the amendment to Title 17 of the Lancaster Municipal Code will modify the various sections of the Zoning Ordinance; and

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

1. The proposed Zoning Ordinance amendment is consistent with General Plan Policy No. 19.1.1 which states: “Develop and apply a comprehensive set of community design standards and guidelines in conformance with the goals, objectives, policies and action programs contained in the Community Design subsection of the Plan for Physical Development”; and
2. The proposed amendments to the Lancaster Municipal Code will not adversely affect the public health, peace, comfort or welfare, because amending the application process would not affect the existing land use; and
3. The modification to the Lancaster Municipal Code would not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the proposed procedural modifications would not alter land use patterns; and
4. The Council hereby finds the environmental findings adopted by the City Council Resolution No. 09-52 on July 14, 2009, are valid for the amendment because the project is consistent with the General Plan. Therefore, no further environmental review is required pursuant to Section 15162 of the State CEQA Guidelines.

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

Section 1. Add Section: 17.08.060.AA to read as follows:

“Architectural Design Review for the development of single family residential dwelling units.”

Section 2. Amend Sections: 17.08.090 to read as follow to read as follows:

In the Medium Density Residential and High Density Residential Zones, a site plan (with vicinity map) and building elevations, drawn to scale and reflecting the accurate dimensions of the buildings and property, shall be required of any person seeking to erect new buildings or structures, make additions to any existing buildings or structures, or otherwise improve or develop any lot or portion thereof for a permitted use prior to the issuance of any building permit. The Director or his designated representative shall review the site plan for conformance with the provisions of this title. The site plan shall demonstrate conformance with height regulations, property development regulations, sign regulations, off-street parking requirements, the adopted City of Lancaster Design Guidelines, any other requirements established for the Medium Density Residential and High Density Residential Zones, and any other applicable City Ordinances, standards, or policies. In addition to the conditions and requirements imposed by this title and other City Ordinances, standards and policies, the Director may place conditions on the approval of the site plan only where he finds that such action is necessary to protect the public health, safety and general welfare. At such time the site plan complies with the requirements of this title and other City Ordinances, standards or policies, the site plan may be approved by the director or his designated representative. The site plan approval shall be valid for two (2) years from the date of approval. A site plan shall be considered “used” when the slab of a major building in the project is poured and inspected, although circumstances in each case may vary. Three (3) one-year extensions for the approval may be granted by the director provided such written request for an extension is received not less than sixty (60) days prior to expiration and any significant environmental changes which have occurred since the original approval have been addressed. Any extension granted shall be conditioned to comply with the City’s current Design Guidelines as adopted by the City Council, unless the applicant can demonstrate to the director’s satisfaction that such compliance will impose an undue hardship on the project. In the event the site plan is denied, the applicant may appeal the decision in accordance with Section 17.36.030. All projects constructed in accordance with an approved site plan shall be permanently maintained as approved. Any desired subsequent changes shall be submitted for approval as an amendment to the site plan.

Where the Director determines that the requirements of this section surpass the City’s need for project review of a particular development proposal, the director may exercise discretion and apply the provisions of Article VI of Chapter 17.32, Director’s Review, in its place.

Section 4. Amend Sections 17.12.120.A, 17.12.630, 17.12.790.A and 17.16.120.A to read as follows:

A site plan (with vicinity map) and building elevations, drawn to scale and reflecting the accurate dimensions of the buildings and property, shall be required of any person seeking to erect new buildings or structures, make additions to any existing buildings or structures, site temporary commercial coaches, or otherwise grade, improve or develop any lot or portion thereof for a permitted use prior to the issuance of any grading or building permit. The site plan shall be accompanied by an appropriate development application and both shall be filed with the Planning Department. The director or his designated representative shall review the site plan for conformance with the provisions of this title. The site plan shall demonstrate conformance with height regulations, property development regulations, sign regulations or a sign program required by the city for multiple-tenant projects, off-street parking requirements, the adopted City of Lancaster Design Guidelines, any other requirements established for the adopted zoning designation in which the property (ies) is (are) located, and any other applicable city ordinances, standards, guidelines or policies. In addition to the conditions and requirements imposed by the ordinance codified in this title and other city ordinances, standards, guidelines and policies, the director may place conditions on the approval of the site plan where the director finds that such action is necessary to protect the public health, safety and welfare. At such time as the site plan complies with the requirements of the ordinance codified in this title and other city ordinances, standards, guidelines or policies, the site plan shall be approved by the director or his designated representative. The site plan approval shall be valid for two (2) years from the date of approval. A site plan shall be considered “used” when the slab of a major building in the project is poured and inspected, although circumstances in each case may vary and the final determination as to “use” of a site plan review shall be made by the director. Three (3) one-year extensions of the approval may be granted by the director provided such written request for an extension is received not less than sixty (60) days prior to expiration, and any significant environmental changes which have occurred since the original approval have been addressed. Any extension granted shall be conditioned to comply with the city’s current design guidelines as adopted by the city council, unless the applicant can demonstrate to the director’s satisfaction that such compliance will impose an undue hardship on the project. In the event the site plan or an extension thereof is denied, the applicant may appeal the decision in accordance with Section 17.36.030. All projects constructed in accordance with an approved site plan shall be permanently maintained as approved. Any desired subsequent changes shall be submitted for approval as an amendment to the site plan. Prior to occupancy the site shall be inspected for compliance with the site plan. All improvements shall be installed and functioning before occupancy will be allowed.

Where the Director determines that the requirements of this section surpass the city’s need for project review of a particular development proposal, the director may exercise discretion and apply the provisions of Article VI of Chapter 17.32, Director’s Review, in its place.

Section 5. 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 14<sup>th</sup> day of December, 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

STATE OF CALIFORNIA                    )  
COUNTY OF LOS ANGELES            )    ss  
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. 956, for which the original is on file in my office.

WITNESS MY HAND AND SEAL OF THE CITY OF LANCASTER, on this \_\_\_\_\_ Day of the \_\_\_\_\_, \_\_\_\_\_.

(seal)

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