

ORDINANCE NO. 963

AN ORDINANCE OF THE CITY OF LANCASTER,
CALIFORNIA, AMENDING THE CITY ZONING PLAN
FOR 20± ACRES AT THE NORTHWEST CORNER OF
40TH STREET EAST AND AVENUE K-8

WHEREAS, pursuant to Section 17.24.060 of the Municipal Code, a request has been filed by Sunlight Partners, to change the zoning designation on 20.00± acres of land located at the northwest corner of 40th Street East and Avenue K-8 from SRR (Semi-Rural Residential) to RR-2.5 (rural residential, one dwelling unit per 2.5 acres) known as Zone Change 10-03; 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, a public hearing on the zone change request was held before the Planning Commission on March 21, 2011; 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" of the Planning Commission Resolution No. 11-04; and

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

1. The proposed Zone Change from SRR to RR-2.5 will be consistent with the existing General Plan land use designation of NU.
2. Modified conditions 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 small scale solar energy development that can tie directly into the existing utility lines.

4. The particular property under consideration is a proper location for said zone classification within such area, because it is surrounded by similar semi-rural and rural 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, as identified in the attached map, is reclassified from SRR 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 12th day of April, 2011, 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. 963, 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)