

**STAFF REPORT**  
**City of Lancaster**

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10/11/2011
MVB

Date: October 11, 2011

To: Mayor Parris and City Council Members

From: Brian S. Ludicke, Planning Director

Subject: Amendment of Titles 5, 11, and 17 of the Lancaster Municipal Code for Compliance with Fair Housing and Disability Laws

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**Recommendation:**

Introduce **Ordinance No. 971**, amending Titles 5, 11, and 17 of the Lancaster Municipal Code for compliance with fair housing and disability laws, including references for rental housing (Section 5.40.035), group home (Section 5.44.015) and mobile home operators (Section 11.06.140), and provisions addressing therapy animals for persons with disabilities (Section 17.08.310), parking pursuant to the Americans with Disabilities Act (“ADA”) (Section 17.08.140), and an ordinance for reasonable accommodation (Section 17.08.400).

**Fiscal Impact:**

None.

**Background:**

As part of the Annual Action Plan grant application, the City is required to take appropriate actions to address and overcome the impediments identified in U.S. Department of Housing and Urban Development’s Analysis of Impediments to Fair Housing Choice. To do this, the City is ensuring municipal code compliance with the Fair Housing Act and Section 504 of the Rehabilitation Act of 1973, including the recommendation of the proposed amendments to the Lancaster Municipal Code (“LMC”).

On September 19, 2011, the Planning Commission recommended for adoption amendments to Title 17 of the LMC (Zoning Code). The amendments for Titles 5 (Business Licenses and Regulations) and 11 (Mobile Homes) did not require Planning Commission review.

**Discussion:**

The Planning Commission recommended amending Section 17.08.310 (Animal Regulations) to address the fair housing requirement that housing providers accommodate a person with a disability who requests a reasonable and necessary therapy animal. They also recommended amending Section 17.08.140 (Off-street Parking) to explicitly state the number of required off-street parking spaces for persons with disabilities, dependent on the total number of parking spaces provided, in particular relating to multiple family dwellings. The City already routinely

implements the provision of such parking spaces in accordance with ADA and California building code regulations.

In addition to the amendments described above, the Planning Commission also recommended the adoption of a reasonable accommodation ordinance. Reasonable accommodation means a waiver or modification to regulations, policies, procedures and standards that is reasonable and necessary for a person with a disability to have an equal opportunity to use and enjoy a residential use. This ordinance would establish a procedure to request reasonable accommodation for persons with disabilities, under the Fair Housing Act.

The City recommends amending Titles 5 and 11 to include specific references to the applicability of fair housing and disability laws for rental housing, group home and mobile home operators, since these housing types are considered dwellings under fair housing laws. The above LMC amendments will allow the City to maintain a complete and acceptable Analysis of Impediments to Fair Housing Choice.

CCN:BSL/jr

**Attachments:**

Ordinance No. 971

Planning Commission Staff Report for the September 19, 2011, Meeting