

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

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MVB

Date: June 26, 2012

To: Mayor Parris and City Council Members

From: Brian S. Ludicke, Planning Director

Subject: **Amendment to Development Agreement No. 89-01 (Del Sur Ranch Project, 664 acres generally bounded by Avenue G, 93<sup>rd</sup> Street West, Avenue H and 105<sup>th</sup> Street West)**

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**Recommendation:**

Introduce **Ordinance No. 979**, amending various sections of Development Agreement No. 89-01 to allow for the development of commercial scale photovoltaic solar facilities with a Conditional Use Permit.

**Fiscal Impact:**

None.

**Discussion:**

The Del Sur Ranch project was originally approved by the City of Lancaster in February 1990. Development Agreement No. 89-01 (DA 89-01) became effective on April 17, 1990, and established certain time frames and requirements for the development of the project. This Development Agreement has been amended several times to incorporate changes in the project description, General Plan designations, zoning, and the subdivision map. DA 89-01 and the underlying zoning do not allow for the development of solar facilities on the subject property. Currently, the Development Agreement on the subject property has an expiration date of October 17, 2018.

The applicant, Del Sur Greenworks, LLC, is requesting an amendment to DA 89-01 to allow for the development of photovoltaic (PV) solar generating facilities on the subject property with a conditional use permit. The proposed amendment would change various sections of the Development Agreement to establish commercial scale solar power generating facilities as an allowable use subject to a conditional use permit without changing the existing zoning. This language also identifies the components of a typical solar development, and establishes the requirement for the preparation of an Environmental Impact Report (EIR) in compliance with the California Environmental Quality Act (CEQA) for any solar project on the subject property. In the event that a solar application (CUP) is filed and approved for the subject property, the Development Agreement amendment would also allow the City to unilaterally redesignate and rezone the subject property once construction of a solar project has started. The property would be redesignated and rezoned to Non-Urban Residential (NU) and RR-2.5 (rural residential,

minimum lot size 2.5 acres). This designation and zoning would be the same as the surrounding properties, and compatible with the designations in the adjacent unincorporated areas.

The subject property is located in an area that has many proposed and approved alternative energy projects due to the availability of large amounts of undeveloped, fallow agricultural land and proximity to existing and planned transmission lines. Additionally, future development of the subject property with solar facilities would help to achieve the City's and State's goals with respect to renewable energy.

Both the project applicant, Del Sur Greenworks, LLC, and the property owner, Del Sur Ranch, LLC, are in agreement with the attached revision to the Development Agreement (Exhibit A), and representatives of both parties stated their agreement at the Planning Commission meeting on May 21, 2012. Therefore, staff is recommending that the City Council adopt the attached ordinance amending Development Agreement No. 89-01 to allow solar electric generating facilities.

BSL/jr

**Attachments:**

Ordinance No. 979

Site Map

Exhibit "A" - Development Agreement Amendment

PC Staff Report from the May 21, 2012, Planning Commission Meeting