

ORDINANCE NO. 979

AN ORDINANCE OF THE CITY OF LANCASTER, CALIFORNIA,
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

WHEREAS, pursuant to Section 65864 et. seq. of the Government Code of the State of California, the City of Lancaster and Del Sur Ranch, LLC previously entered into Development Agreement No. 89-01 for the Del Sur Ranch project; and

WHEREAS, solar power generating facilities are not an allowable use under the current zoning of the subject property; and

WHEREAS, notice of intention to consider the amendment of the development agreement for the subject property was given as required in Section 65867 of the Government Code of the State of California; and

WHEREAS, public hearing was held before the Lancaster Planning Commission on May 21, 2012, regarding the proposed development agreement amendment; and

WHEREAS, the Planning Commission reviewed and concurred that the amendment to the development agreement is covered by the Final Environmental Impact Report for the City of Lancaster General Plan (SCH #2007111003), and recommended to the City Council approval of this development agreement amendment; and

WHEREAS, the City Council hereby makes the following findings in support of the Development Agreement Amendment:

1. The proposed development agreement amendment is consistent with the adopted General Plan, because it will facilitate implementation of the following objective and policy of the General Plan:

“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.” (Objective 3.6)

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

2. The proposed development agreement amendment is consistent with the surrounding rural residential land uses and zoning designations.
3. The proposed development agreement amendment will not be detrimental to the public health, safety, and general welfare, because any future solar development on the subject property would be less intensive than the uses (residential, commercial) currently approved for the subject property.

4. The potential environmental effects of the development agreement amendment are adequately identified in the certified Final EIR for the Lancaster General Plan. Any future solar application on the subject property would undergo environmental review per the requirements of the California Environmental Quality Act.

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

Section 1. The City Council hereby approves Development Agreement No. 89-01 AM as contained in Exhibit "A".

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 26th day of June, 2012, and placed upon its second reading and adoption at a regular meeting of the City Council on the ____ day of _____, 2012, 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. 979, 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)