

AGENDA ITEM: 2.

DATE: 07-16-12

STAFF REPORT

RESIDENTIAL ZONES UPDATE

DATE: July 16, 2012

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANT: City of Lancaster

LOCATION: City-wide

REQUEST: Comprehensive update of the Residential zoning ordinance in Title 17, Chapter 8 of the Lancaster Municipal Code

RECOMMENDATION: Receive public testimony on the Residential zoning ordinance and adopt Resolution No. 12-13, recommending to the City Council approval of a comprehensive update to the [Residential zoning ordinance in Title 17, Chapter 8 of the Lancaster Municipal Code \(Exhibit "A"\)](#).

BACKGROUND: Various sections of the Residential zoning ordinance have been revised in the past, however, this is the first significant update to Title 17, Chapter 8 of the Lancaster Municipal Code since 1994, and the first comprehensive update since 1983. Shortly after the adoption of the General Plan Update in 2009, City staff began initial research on the Residential Zones update. On June 30, 2011, the City released an administrative draft for internal departmental review, which subsequently led to additional revision of the draft. On January 23, 2012, the City released a public draft for review by members of the public, the development community, and relevant outside agencies. On February 8, the City hosted a public workshop on the Residential zoning ordinance, and on April 5, City staff provided a presentation before the Greater Antelope Valley Association of Realtors. On June 28, 2012, the City held a meeting with building industry representatives and received additional verbal comments. City staff has received a small number of written comments, which are attached to this staff report.

ENVIRONMENTAL REVIEW: Pursuant to Sections 15162 and 15168(c)(2) of the State CEQA Guidelines, the proposed update is within the scope of the Program Environmental Impact Report (SCH #2007111003) for the existing Lancaster General Plan, and no further environmental review is required.

LEGAL NOTICE: Notice of Public Hearing was noticed in a newspaper of general circulation per prescribed procedure.

DISCUSSION: The City is updating the Residential Zones to ensure that City development requirements be consistent with the adopted General Plan. In 2009, the City adopted General Plan 2030, with goals and objectives for achieving a more livable community, including residential neighborhoods with housing that are well-designed, and meet the needs of all segments of the population.

The Residential Zoning Ordinance as an Implementation Tool

The zoning ordinance is an implementing tool of the General Plan. Whereas the General Plan contains goals, objectives and policies, the zoning ordinance contains specific standards and regulations to ensure that the objectives and policies are met. The General Plan contains broader language that speaks to the desires of community residents, such as Goal 19, which states: “Achieve an attractive and unique image for the community by creating a sustainable, cohesive and enduring built environment.” To implement this goal, the zoning ordinance contains a variety of provisions that guide the form and appearance of development.

Community residents have expressed a desire for better neighborhoods, with a variety of amenities, throughout the City’s outreach efforts over the past six or seven years, including efforts for the Downtown Specific Plan, General Plan 2030, Design Guidelines, Parks Master Plan, and Master Plan of Trails and Bikeways. The Residential Zones is drafted with this desire in mind, with specific language that would help builders provide a residential product that is superior to the “cookie cutter” homes that have been built in the past. The Residential Zones also contains language that goes beyond regulating a house on a single lot, but the entire neighborhood as well, with attention to connectivity and access to community amenities.

Basic Outline of the Residential Zoning Ordinance

The Residential zoning ordinance effectively regulates properties in the City’s Residential Zones by: 1) managing the uses allowed; 2) providing development regulations, such as setbacks, height, and lot coverage requirements; 3) providing general site planning standards, such as parking, landscaping, and fencing; and 4) setting standards for specific land uses, including accessory uses, such as patios and sheds, second dwelling units, and guest homes. The Residential zoning ordinance also includes a state-mandated Density Bonus ordinance, which grants developers the ability to build additional housing units, beyond the maximum density as defined for a residential zone, in exchange for moderate and low-income affordable units.

- **Managing Uses**: The Residential zoning ordinance includes a table that lists the allowable uses for each zone. These uses may include single-family and multi-family structures, but also other uses that may be permitted with a conditional use permit, such as churches or school facilities, or with a Director’s Review, such as neighborhood wellness homes. Temporary and accessory uses are also included in this table, including guest homes and

second dwelling units. The objective is to ensure compatibility of the uses within the zone, but to also allow for variety and efficient use of available land.

- **Regulating Development:** There are specific standards for each type of development in the City's residential zones. These standards regulate building placement on a site, as well as building size and massing. The standards include minimum dimensions for lot size, width and depth, as well as maximum building heights and lot coverage. To reduce the dominant appearance of garages in single-family homes, the draft contains a regulation to set back the location of the garage behind the front plane of the house. While many of the regulations are quantitative with specific dimensional requirements, other regulations in the draft are qualitative, implementing specific design criteria as listed in the City's adopted Design Guidelines. In the past, the lack of strong design regulations have allowed developers to simply "stay within the buildable area" without concern to the look of the actual structure. This draft takes a more comprehensive approach, with dimensional regulations that ensure compatibility, but also descriptive performance standards that encourage high quality innovation.

Specific Tools for Variety and Flexibility

The City is open to development proposals that do not necessarily meet all the development standards, but do meet the General Plan goal of creating a livable community. A developer can submit such a proposal, with its own unique development standards, through a Specific Plan (SP) or Residential Planned Development (RPD) application. The SP or RPD process gives the City opportunities to trade off conventional regulations for desired amenities and creative design features. Instead of traditional layouts of garage-fronting, single-family homes on 70' by 100' lots, a builder may choose to locate the homes in a variety of different arrangements, including the neo-traditional arrangement of homes with detached or alley-access garages. Other SP or RPD amenities may include open space and recreational areas, trail connections, or even a neighborhood daycare center.

Infill Development Opportunities

The draft Residential zoning ordinance includes an infill provision that allows developers to build up to eight (8) housing units per acre in the single-family R-7000 zone (implementing Policy 18.2.1 and Specific Action 18.2.1(c) of General Plan 2030). To qualify for infill, the project site must be located in the urbanized area of Lancaster, or be located adjacent to commercially zoned land, or be surrounded by existing development on all sides, or combines 4 or more adjoining parcels. The infill qualifying criteria is drafted to strategically address the many parcels in the urbanized areas of Lancaster that continue to sit vacant and are bypassed for development, as a result of land fragmentation, as well as the abundance of available land on the fringes of Lancaster. City staff believes that the development of infill properties in Lancaster is critically important for the fiscal sustainability of the City, since infill development takes advantage of existing infrastructure, whereas development on the fringe results in the extension of City resources and services, as well as infrastructure that the City will need to maintain indefinitely. In addition to the infill provision, the draft will allow single-family property owners a greater ability to build a guest house or second

dwelling unit on their property. This provides a great opportunity to create a housing arrangement that suits a variety of households, including multi-generational family households.

Building Industry Comments

City staff has received written comments from Stratham Homes by letter, received on March 26, 2012, and verbal comments from Pacific Communities, KB Home, and the Antelope Valley Building Industry Association (AVBIA) at a meeting with City staff on June 25, 2012. They expressed concerns with requirements that may result in additional homebuilding costs. The two main concerns include the provision of solar photo-voltaic (PV) energy systems for residential homes and the requirements for additional elevations and floor plans within a subdivision.

- **Solar Provision:** Marta Brown from the AVBIA expressed that solar PV systems should be an option for a residential home, not a requirement, especially under difficult housing market conditions; but, should it be a requirement, it should be offset by government incentives. Ron Mertz from KB Home acknowledged that they are unique in building solar PV systems as a standard feature in their homes, and asked City staff to contact Tom DiPrima, KB Home Executive Vice President - Southern California Division, for specifics on costs and benefits for adding solar PV systems. Ron Mertz mentioned that the solar requirement of a minimum average of 1 kW per home is not difficult to meet, but cannot say the same for other builders. Kevin Rogers, representing Pacific Communities, simply emphasized that any requirement beyond existing requirements would be a hardship on builders.
- **Increased Number of Elevations:** All builders expressed that the proposed minimum number of elevations and floor plans for new subdivisions were excessive. The draft proposes a minimum of four (4) elevations for subdivisions less than 20 units; five (5) elevations for subdivisions with 20 to 50 units; six (6) elevations for subdivisions with 50 to 100 units; and seven (7) elevations for subdivisions over 100 units. Stratham Homes suggested three (3) elevations for subdivisions up to 50 units; four (4) elevations for subdivisions up to 100 units; and five (5) elevations for subdivisions over 100 units. KB Homes and Pacific Communities expressed that three (3) elevations is the common industry standard. They also stated that the number of floor plans has a minimal effect on the exterior appearance of a house.

City staff explained to the homebuilders that there are provisions in the draft ordinance that would provide builders more opportunities to increase densities beyond what the current code would allow, such as the infill provision that grants up to 8 units per acre in the R-7,000 zone. Both KB Homes and Pacific Communities expressed that those incentives provide no immediate benefit to the homebuilders, because they are building on recorded tracts and lots with varying infrastructure already built and development impact fees partially paid. They stated that the incentives of added density would only benefit newly designed tracts; and currently, designing and building new tracts does not result in a profit, compared to building on existing recorded lots. Staff will consider these concerns, forward them to the Planning Commission, and prepare responses as necessary.

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Staff believes that this Residential zoning ordinance update will result in improved residential communities, through stronger design provisions, along with the added flexibility granted to developers. Staff recommends that the Planning Commission recommend to the City Council approval of a comprehensive update to the City's Residential zoning ordinance in Title 17, Chapter 8 of the Lancaster Municipal Code (Exhibit "A").

Respectfully submitted,

Chuen Ng, Associate Planner

RESOLUTION NO. 12-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL APPROVAL OF THE RESIDENTIAL ZONING ORDINANCE (TITLE 17, CHAPTER 8) IN THE LANCASTER MUNICIPAL CODE

WHEREAS, the State of California Government Code requires zoning to be consistent with the City's General Plan; and

WHEREAS, the City's effort to update the zoning ordinance in conformance with Lancaster General Plan 2030, as adopted on July 14, 2009, requires the comprehensive revision of the Residential zoning ordinance; and

WHEREAS, staff is recommending the comprehensive revision of the Residential zoning ordinance (Title 17, Chapter 8 of the Lancaster Municipal Code), as included in the attached Ordinance (Exhibit "A"), in order to bring the ordinance into consistency with the vision priorities, long-term goals, policies, and specific actions of the Lancaster General Plan; and

WHEREAS, notice of intention to consider the Residential zoning ordinance has been given in accordance with Section 65090 of the Government Code of the State of California; and

WHEREAS, the City has made a diligent effort to achieve public participation, and has held a public workshop on February 8, 2012, provided a presentation before the Greater Antelope Valley Association of Realtors (GAVAR) on April 5, 2012, provided a public presentation at a Planning Commission meeting on May 21, 2012, held a public hearing before the Planning Commission for this purpose on June 18, 2012, and held a meeting with building industry and homebuilding representatives, as directed by the Planning Commission on June 25, 2012, for the Residential zoning ordinance, and has received and commented on all public testimony both oral and written; and

WHEREAS, staff has prepared a written report recommending approval of the Residential zoning ordinance; and

WHEREAS, the comprehensive revision of the Residential zoning ordinance will not have a significant effect on the environment since these proposed actions are within the scope of the Program Environment Impact Report (SCH #2007111003) prepared for the Lancaster General Plan, and no further environmental review is required; and

WHEREAS, the Planning Commission, based upon evidence in the record hereby makes the following findings in support of the Residential zoning ordinance (Exhibit "A"):

1. The comprehensive revision of the Residential zoning ordinance is necessary to provide standards and regulations that will be consistent with the goals, objectives, policies, and specific actions of Lancaster General Plan 2030.

2. The Residential standards and regulations implement the General Plan's goals, objectives, policies and programs to guide development and maintenance of an efficient and attractive built environment, to protect and manage natural resources, and to provide adequate infrastructure and services.
3. The Residential standards and regulations encourage a higher standard of design quality, consistent with the provision of the adopted Lancaster Design Guidelines, in exchange for increased development flexibility for the developer.

NOW, THEREFORE, BE IT RESOLVED:

This Commission hereby recommends that the City Council approve the Ordinance to comprehensively revise the Residential Zoning Ordinance (Exhibit "A"), Title 17, Chapter 8 to the Lancaster Municipal Code as attached hereto.

PASSED, APPROVED and ADOPTED this 16th day of July 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LANCASTER, CALIFORNIA, APPROVING
THE RESIDENTIAL ZONING ORDINANCE (TITLE 17,
CHAPTER 8) IN THE LANCASTER MUNICIPAL CODE

WHEREAS, the State of California Government Code requires zoning to be consistent with the City's General Plan; and

WHEREAS, the City Council finds that the City's effort to update the zoning ordinance in conformance with Lancaster General Plan 2030, as adopted on July 14, 2009, requires the comprehensive revision of the Residential zoning ordinance; and

WHEREAS, on July 16, 2012, the Planning Commission recommended for adoption, the addition of the Residential zoning ordinance (Title 17, Chapter 8 of the Lancaster Municipal Code), as included in the attached Ordinance (Exhibit "A"), in order to bring the ordinance into consistency with the vision priorities, long-term goals, policies and program of the Lancaster General Plan; and

WHEREAS, notice of intention to consider the Residential zoning ordinance has been given in accordance with Section 65090 of the Government Code of the State of California; and

WHEREAS, the City Council finds that the City has made a diligent effort to achieve public participation, and has held a public workshop on February 8, 2012, provided a presentation before the Greater Antelope Valley Association of Realtors on April 5, 2012, provided a public presentation at a Planning Commission meeting on May 21, 2012, held a public hearing before the Planning Commission for this purpose on June 18, 2012, and held a meeting with building industry and homebuilding representatives, as directed by the Planning Commission on June 25, 2012, for the Residential zoning ordinance, and has received and commented on all public testimony both oral and written; and

WHEREAS, staff has prepared a written report recommending approval of the Residential zoning ordinance; and

WHEREAS, the City Council finds that the comprehensive revision of the Residential zoning ordinance will not have a significant effect on the environment since these proposed actions are within the scope of the Program Environment Impact Report (SCH #2007111003) prepared for the Lancaster General Plan, and no further environmental review is required; and

WHEREAS, the City Council, based upon evidence in the record hereby makes the following findings in support of the Residential zoning ordinance (Exhibit "A"):

1. The comprehensive revision of the Residential zoning ordinance is necessary to provide standards and regulations that will be consistent with the goals, objectives and policies of Lancaster General Plan 2030.

2. The Residential standards and regulations implement the General Plan's goals, objectives, policies and specific actions to guide development and maintenance of an efficient and attractive built environment, to protect and manage natural resources, and to provide adequate infrastructure and services.
3. The Residential standards and regulations encourage a higher standard of design quality, consistent with the provisions of the adopted Lancaster Design Guidelines, in exchange for increased development flexibility for the developer.

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

Section 1. Amend Chapter 17.08 of the Lancaster Municipal Code, by deleting existing Chapter 17.08, titled "Residential Zones," and replacing it with new Chapter 17.08, titled "Residential Zones," as provided 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 _____ day of _____, 2012, and placed upon its second reading and adoption at a regular meeting of the City Council on the ____ day of _____, 2010, 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. _____, for which the original is on file in my office.

WITNESS MY HAND AND SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)
