

**AGENDA ITEM:** 2.

**DATE:** 09-17-12

## **STAFF REPORT**

### **RESIDENTIAL ZONES UPDATE**

**DATE:** September 17, 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 City's 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.

The following is a timeline of significant dates of the Residential zones update effort:

- **June 30, 2011:** The City released an administrative draft for internal departmental review.
- **January 23, 2012:** The City released a public draft for review by members of the public, the development community, and relevant outside agencies.
- **February 8, 2012:** The City hosted a public workshop on the Residential zones.

- **April 5, 2012:** City Staff provided a presentation before the Greater Antelope Valley Association of Realtors (GAVAR).
- **May 21, 2012:** City Staff presented the Residential zones to the Planning Commission as an informational item.
- **June 18, 2012:** The Planning Commission reviewed the Residential zones as a public hearing item and received public testimony; the item was continued to the July Planning Commission meeting.
- **June 28, 2012:** The City held a meeting with building industry representatives and received additional comments.
- **July 9, 2012:** The Planning Commission visited two residential tracts in Lancaster (Richmond American and KB Home) that included solar energy systems as a standard option in their homes.
- **July 16, 2012:** The Planning Commission continued discussion on the Residential zones; the item was continued to the August Planning Commission meeting.
- **August 20, 2012:** The Planning Commission continued discussion on the Residential zones; staff prepared a matrix outlining the comments received, staff's response, and intended revision to the draft Residential zones (see Exhibit "C"); the item was continued to the September Planning Commission meeting.

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 are 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.

Throughout this zoning update effort, staff has solicited comments from the public and other stakeholders. During the public hearing process, staff has also received written and verbal comments, including those from Planning Commissioners. In August, staff prepared a matrix outlining the comments received and staff's response and intended revision to the draft Residential zones (see Exhibit "C"). For September's Planning Commission meeting, a revised Residential zoning ordinance is provided (Exhibit "A"), as well as a red-lined edit to the Public Draft Residential Zones (see Exhibit "B").

### **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 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-foot by 100-foot 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.

### **Live-work**

Staff is introducing the addition of a live-work ordinance into the Residential zones update. The live-work ordinance would provide for the appropriate development of units that incorporate both living and working space on residential properties located specifically along primary arterial streets. Implementation of a live-work ordinance would allow these residential properties transition into office or commercial uses, due to their proximity and access to higher volume traffic. A live-work use is distinguished from a home occupation primarily in that a live-work use can include employees who are not residents of the home, involve a greater number of customers, be located in a larger percentage of a home or accessory building, and have appropriate on-site signage. Examples of live-work uses may include real estate, tax preparation, and other office uses. Heavier intensity commercial uses, such as restaurant and entertainment uses, or other uses that may result in a negative impact on surrounding uses, are not permitted as live-work uses. These uses tend to generate additional traffic and noise, and are not suited as transitional uses.

### **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 Building Industry Association LA-Ventura (BIA LAV) 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 BIA LAV 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 the City to contact Tom DiPrima for specifics on costs and benefits for adding solar PV systems. Ron Mertz mentioned that the solar requirement of a minimum average of 1 kilowatt 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 Home 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 eight (8) units per acre in the R-7,000 zone. Both KB Home and Pacific Communities expressed that those incentives provide no immediate benefit to the homebuilders, because they are building on recorded tracts, 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 do not result in a profit, compared to building on existing recorded lots.

### **Responses to Comments**

Staff has provided responses to these comments, as outlined in the matrix provided, among others, and as revised in the red-lined edit of the Residential zones. Staff is recommending keeping the solar energy system requirement as drafted, but would allow for the requirement to be met off-site, and would set an implementation date of January 1, 2014. In regards to the concern of the number of elevations and floor plans, staff has revised the draft Residential zones to reduce the number elevations and floor plans required to a number that is more in line with building industry standards.

Given all the comments received throughout the outreach efforts and public hearings, 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,

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Chuen Ng, Associate Planner

Attachment:

Exhibit "A": Draft Residential Zones (Revised 9/17/2012)

Exhibit "B": Red-lined Edit of Public Draft Residential Zones

Exhibit "C": Matrix of Revisions of Public Draft Residential Zones

## **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 public hearings before the Planning Commission for this purpose on June 18, 2012, July 16, 2012, August 20, 2012, and September 17, 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 17<sup>th</sup> day of September 2012, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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JAMES D. VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

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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 September 17, 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 (GAVAR) on April 5, 2012, provided a public presentation at a Planning Commission meeting on May 21, 2012, held public hearings before the Planning Commission for this purpose on June 18, 2012, July 16, 2012, August 20, 2012, and September 17, 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 \_\_\_\_\_, 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

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)

\_\_\_\_\_

**EXHIBIT “A”**  
**(Revised 09/17/2012)**

**Chapter 17.08**  
**DRAFT RESIDENTIAL ZONES**

**Sections:**

- Article I. In general**  
17.08.010 In general
- Article II. Non-urban, Urban, Medium and High Density Residential Zones**  
17.08.020 Purpose and intent  
17.08.030 Purposes of the Residential zones  
17.08.040 Applicability of standards  
17.08.050 Uses and permit requirements  
17.08.060 Development regulations by building types  
17.08.070 Design and performance measures  
17.08.080 Infill residential development standards  
17.08.090 Density bonus
- Article III. General Site Planning and Project Design Standards**  
17.08.100 Parking and Loading  
17.08.110 Landscaping  
17.08.120 Signs  
17.08.130 Fences, Walls, and Screening  
17.08.140 Outdoor Lighting
- Article IV. Standards for Specific Land Uses**  
17.08.150 Purpose and Applicability  
17.08.160 Residential Accessory Uses and Structures  
17.08.170 Cargo Container Storage  
17.08.180 Animal Keeping  
17.08.190 Child Day Care Facilities  
17.08.200 Home Occupations  
17.08.210 Live-work  
17.08.220 Garage Conversions  
17.08.230 Guest Houses and Carriage Units  
17.08.240 Second Dwelling Units  
17.08.250 Mobilehomes and Manufactured Housing

- Article V. Solar, Wind, and Alternative Energy Uses**  
17.08.270 Purpose  
17.08.280 Applicability  
17.08.290 Solar farms  
17.08.300 Solar energy systems  
17.08.305 Implementation of solar energy systems  
17.08.310 Vertical-axis wind turbines systems (VAWTS)  
17.08.320 Non-commercial wind energy systems (NC-WES)  
17.08.330 Electric vehicle charging systems

- Article VI. Specific Provisions for Designated Uses Subject to Conditional Use Permits**  
17.08.340 Residential Planned Development (RPD)

- Article VII. Mobilehome Parks and Mobilehome Park (MHP) Zone**  
17.08.350 Purpose and intent  
17.08.360 Applicability  
17.08.370 Prohibition  
17.08.380 Permitted use  
17.08.390 Accessory and temporary uses  
17.08.400 Uses subject to director's review and approval  
17.08.410 Uses subject to conditional use permit  
17.08.420 Mobilehome conversions  
17.08.430 Park development standards  
17.08.440 Perimeter  
17.08.450 Landscaping and screening  
17.08.460 Signs  
17.08.470 Senior mobilehome park

- Article VIII. Reasonable Accommodation for Persons with Disabilities**  
17.08.500 Reasonable Accommodation

**Article I. In General**

**17.08.010 In general.**

As used in this title, “residential zones” mean the RR, R, MHP, MDR and HDR zones.

**Article II. Non-urban, Urban, Medium and High Density Residential Zones**

**17.08.020 Purpose and intent.**

The purpose and intent of the residential zones are to implement the City’s General Plan, and land use designations as set forth in the text of the General Plan and as delineated on the General Plan Map. The adopted General Plan specifies goals, objectives, policies, and specific actions with regard to residential uses and development.

It shall not be the intent of this title to render previously legally created building lots or legally constructed buildings which do not comply with the property development regulations of this title to be nonconforming where these lots or buildings complied with the ordinances in effect at the time of their creation or construction.

**17.08.030 Purposes of the Residential zones.**

**A. Non-urban Residential or RR Zones.** These zones are intended to provide for single-family dwellings in a non-urban environment with minimal urban services. The primary difference between the zones is the minimum lot size. Only those additional uses that are complementary to and exist in harmony with a rural residential neighborhood are allowed.

1. The RR-2.5 (rural residential) zone implements the “Non-urban Residential, Rural Residential” designation. This zone is intended for rural single-family residential use, allowing one dwelling unit per minimum net area of 100,000 square feet;
2. The RR-1 (rural residential) zone implements the “Non-urban Residential, Low Density” designation. This zone is intended for low density single-family residential use, allowing one dwelling unit per minimum net area of 40,000 square feet; and
3. The SRR (semi-rural residential) zone implements the “Non-urban Residential, Transitional Density” designation. This zone is intended for transitional density between the rural and urban land uses, allowing one dwelling unit per minimum net area of 20,000 square feet.

**B. Urban Residential or R Zones.** These zones are intended to provide for single-family dwellings in an urban environment with full urban services. Only those additional uses that are complementary to and exist in harmony with an urban residential neighborhood are allowed.

1. The R-15,000 zone implements the “Urban Residential, Transitional Density” land use designation. This zone is intended for single-family dwellings, allowing one dwelling unit per minimum net area of 15,000 square feet;

2. The R-10,000 zone implements the “Urban Residential, Transitional Density” land use designation. This zone is intended for single-family dwellings, allowing one dwelling unit per minimum net area of 10,000 square feet; and
3. The R-7,000 zone implements the “Urban Residential, Low Density” land use designation. This zone is intended for single-family dwellings, allowing one dwelling unit per minimum net area of 7,000 square feet.

**C. Medium and High Density Residential Zones.** These zones are intended to provide for medium to high density multiple-family dwellings in an urban environment with full urban services. Only those additional uses that are complementary to and exist in harmony with such residential developments are allowed.

1. The MDR zone implements the “Medium Density Residential” land use designation. This zone includes lower intensity residential dwelling units, with a density range of 6.6 to 15 dwelling units per acre; and
2. The HDR zone implements the “High Density Residential” land use designation. This zone includes higher density residential dwelling units, with a density range of 15.1 to 30 dwelling units per acre.

#### **17.08.040 Applicability of standards.**

A person shall not use any premises in the Residential zones, except as hereafter permitted in this title and subject to all regulations and conditions enumerated in this title. Development and new land uses proposed within the Residential zones shall comply with the standards in this Section for the applicable zones, as follows:

- A. Use.** Only the land uses allowed by Section 17.08.050 shall be established in the applicable zone. In the instance when an applicant proposes a use that is not specifically listed in Section 17.08.050, the Planning Director shall make a determination on whether it is allowed or not, based on the finding that the proposed use would complement and be able to exist in harmony with other permitted uses in the same zone.
- B. Site specifications and building placement.** Each proposed structure shall comply with the build-to line, setback, and buildable area requirements in Section 17.08.060 as required for the applicable zone, as well as the design requirements listed in 17.08.070.
- C. Building size and massing.** Each proposed structure shall adhere to size, massing, and height standards established by Section 17.08.060 for the applicable zone, as well as the design requirements listed in Section 17.08.070.
- D. Parking.** On-site parking shall be provided, located, and designed in compliance with Section 17.08.060 for the applicable zone.
- E. Development and building types.** All developments shall substantially resemble one of the development and building types listed in Section 17.08.060, or feature primary characteristics of the development and building types.
- F. Other design requirements.** All other requirements listed in Section 17.08.060, Section 17.08.070, and all applicable guidelines in the Lancaster Design Guidelines shall apply.

**17.08.050 Uses and permit requirements.**

<b>Residential Zones – Uses Matrix</b>			
<b>USES</b> P = permitted use / D = director’s review C = conditional use / N/A = not allowed	<b>ZONES</b>		
	<b>RR-2.5 RR-1 SRR</b>	<b>R-15,000 R-10,000 R-7,000</b>	<b>MDR HDR</b>
<b>A. Uses.</b>			
Single-family house on individual lot	P	P	N/A
Multi-family: 2 or 3 units	N/A	N/A	D
Multi-family: 4 or more units	N/A	N/A	P
Duplex on single-family corner lot in a new subdivision (minimum dimensions of 100’ by 100’)	N/A	P	N/A
Residential planned development (RPD)	C	C	C
Assisted living facility/residential care facility	N/A	C <sup>1</sup>	P
Congregate living health facility (up to 6 beds)	D	D	N/A
Supportive and transitional housing (group homes)	P	P	P
Mobilehome on individual lot	P	P	N/A
Mobilehome parks	Permitted in MHP zone only		
<b>B. Accessory uses.</b>			
Accessory structures/buildings (gazebos, sheds, etc.)	P	P	P
Swimming pools and pool equipment	P	P	P
Second dwelling unit	D	D	N/A
Guest house	P	P	N/A
Garage conversion	P	P	N/A <sup>2</sup>
Small family daycare (up to 7 children)	P	P	N/A <sup>2</sup>
Large family daycare (8 to 14 children)	D	D	N/A <sup>2</sup>
Home occupation/home office	P	P	P
Electric vehicle charging station (EVCS)	P	P	P
Non-commercial solar energy systems, including building and ground-mounted photo-voltaic (PV) panels	P	P	P
Non-commercial wind energy systems (NC-WES)	D	D	D
Vertical-axis wind turbines (VAWTs)	D	D	D
Cargo containers <sup>3</sup>	P	N/A	N/A
Light agricultural uses <sup>3</sup>	P	N/A	N/A
<b>C. Temporary uses.</b>			
Temporary mobilehome as residence during construction	D	D	N/A
Real estate sales office in conjunction with new subdivision	D	D	D
Model homes in conjunction with new subdivision	D	D	D
Cargo containers	P	P	N/A
<b>D. Other uses.</b>			
Adult daycare or day health care	C	C	P
Animal boarding and training; kennels <sup>4</sup>	C	N/A	N/A



<b>Residential Zones – Uses Matrix</b>			
<b>USES</b> P = permitted use / D = director’s review C = conditional use / N/A = not allowed	<b>ZONES</b>		
	<b>RR-2.5 RR-1 SRR</b>	<b>R-15,000 R-10,000 R-7,000</b>	<b>MDR HDR</b>
Animal hospital <sup>4</sup>	C	N/A	N/A
Arboretums and horticultural gardens	C	N/A	N/A
Churches	C	C	C
Colleges and universities	C	C	C
Commercial crop production	P	N/A	N/A
Commercial solar electrical generation facilities <sup>4</sup>	C	N/A	N/A
Community gardens	D	D	D
Daycare center	C	C	C
Electric distribution substations	C	C	C
Equestrian center; commercial or boarding stables <sup>3</sup>	C	N/A	N/A
Expansion of parking lot for institutional uses	D	D	D
Feed stores and related accessory uses <sup>3</sup>	C	N/A	N/A
Gas metering and control stations	C	C	C
Golf courses and driving ranges, and accessory facilities	C	C	C
Land reclamation projects <sup>4</sup>	C	N/A	N/A
Neighborhood wellness home	D	D	D
Parking lots as a transitional use	D	D	D
Radio and television stations and towers <sup>3</sup>	C	N/A	N/A
Retail nurseries <sup>3</sup>	C	N/A	N/A
Rooming and boarding houses	N/A	N/A	C
Schools, not including trade or commercial schools	C	C	C
Water reservoirs, pumping stations, tanks, wells, etc.	P	P	P
Wireless telecommunication facilities (stealth) <sup>5</sup>	D	D	D
Wineries ( <i>minimum 10 gross acre lot</i> )	C	N/A	N/A
<b>Notes:</b> <sup>1</sup> R-7,000 and R,10-000 zones only <sup>2</sup> For existing single family homes in MDR and HDR zones, use and permit requirements consistent with urban residential single family zones would apply <sup>3</sup> RR-1 and RR-2.5 zones only <sup>4</sup> RR-2.5 zones only <sup>5</sup> In conjunction with a non-residential use, such as a church, school, etc.			

**17.08.060 Development regulations by building types.**

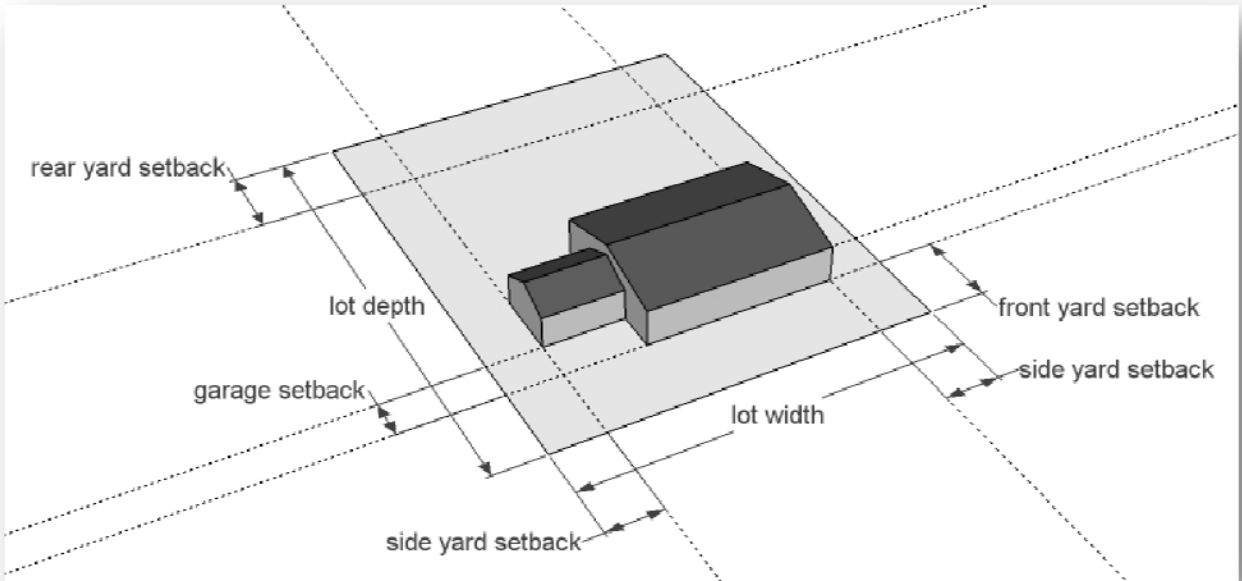
**A. Single-family house on Rural Residential lot.**

A single-family house on a rural residential lot is a residence for one household, with its primary entrance accessed through the front yard, on a lot ranging from 20,000 to 100,000 square feet or greater.

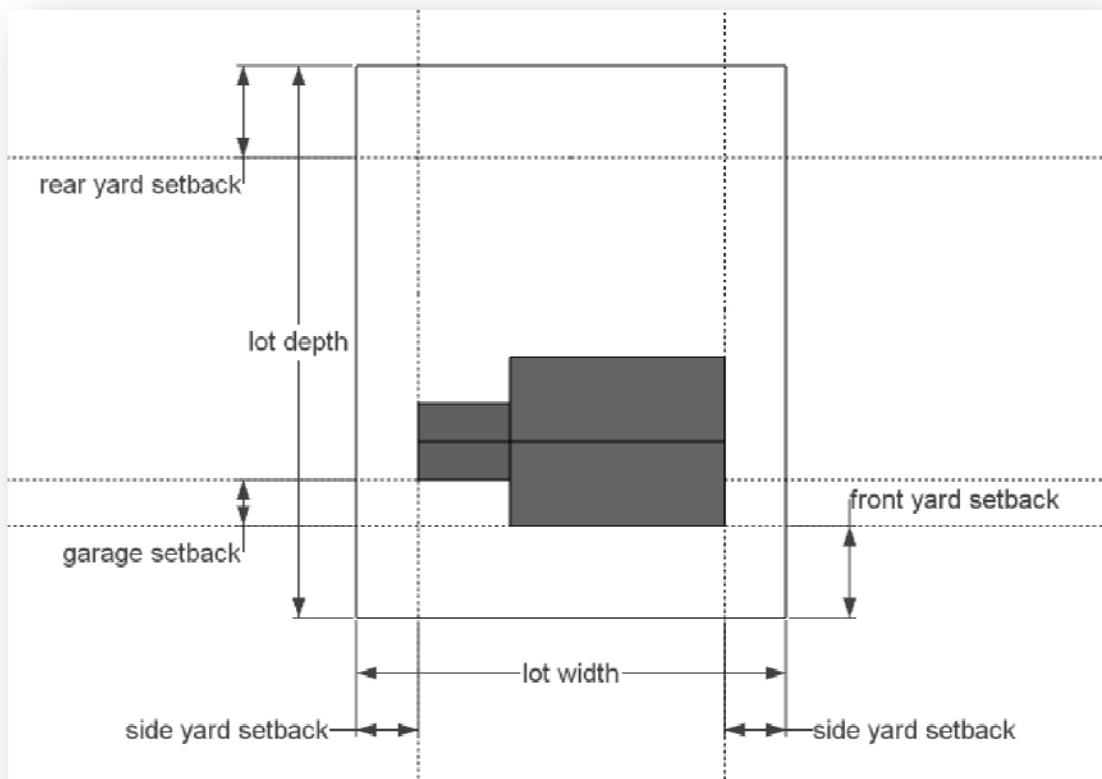
1. Development standards.

<b>Rural Residential Development Standards</b>			
	<b>ZONES</b>		
	<b>RR-2.5</b>	<b>RR-1</b>	<b>SRR</b>
<b>Site specifications.</b>			
Minimum lot size (sq. ft.).	100,000	40,000	20,000
Minimum width (feet).	165	110	85
Minimum depth (feet).	250	130	120
<b>Building placement.</b>			
Front yard (feet).	40	30	30
Garage location.	All garages shall be located at or behind the wall plane where the front entrance is located.		
Rear yard (feet).	30	25	20
Interior side yard: minimum (feet).	20	15	10
Interior side yard: total sum of two yards (feet).	40	30	25
Street side yard (feet).	40	30	20
<b>Building size and massing.</b>			
Lot coverage (percentage).	30%	40%	40%
Building height (feet).	40	40	35
<b>Parking.</b>			
Number of parking spaces.	2 spaces within an enclosed garage per Section 17.08.100		
<b>Solar energy system provision.</b>			
Minimum photo-voltaic kW per unit per Section 17.08.305.	1.5 kW	1.5 kW	1.5 kW

**Diagram for Single-family house on Rural Residential lot – perspective view**



**Diagram for Single-family house on Rural Residential lot – site plan view**

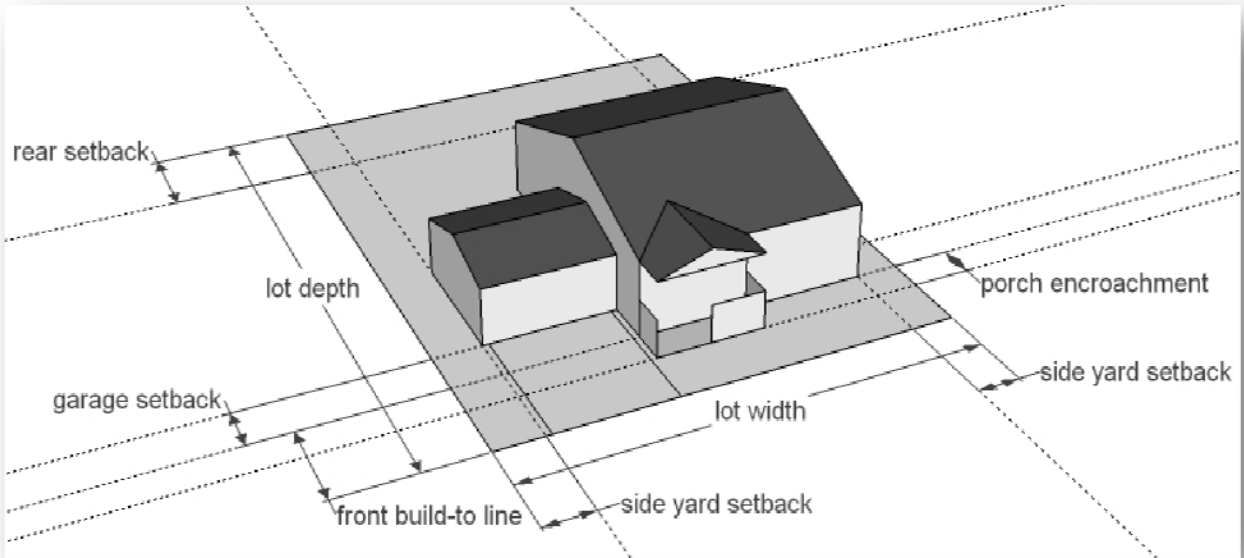


**B. Single-family house on Residential lot.**

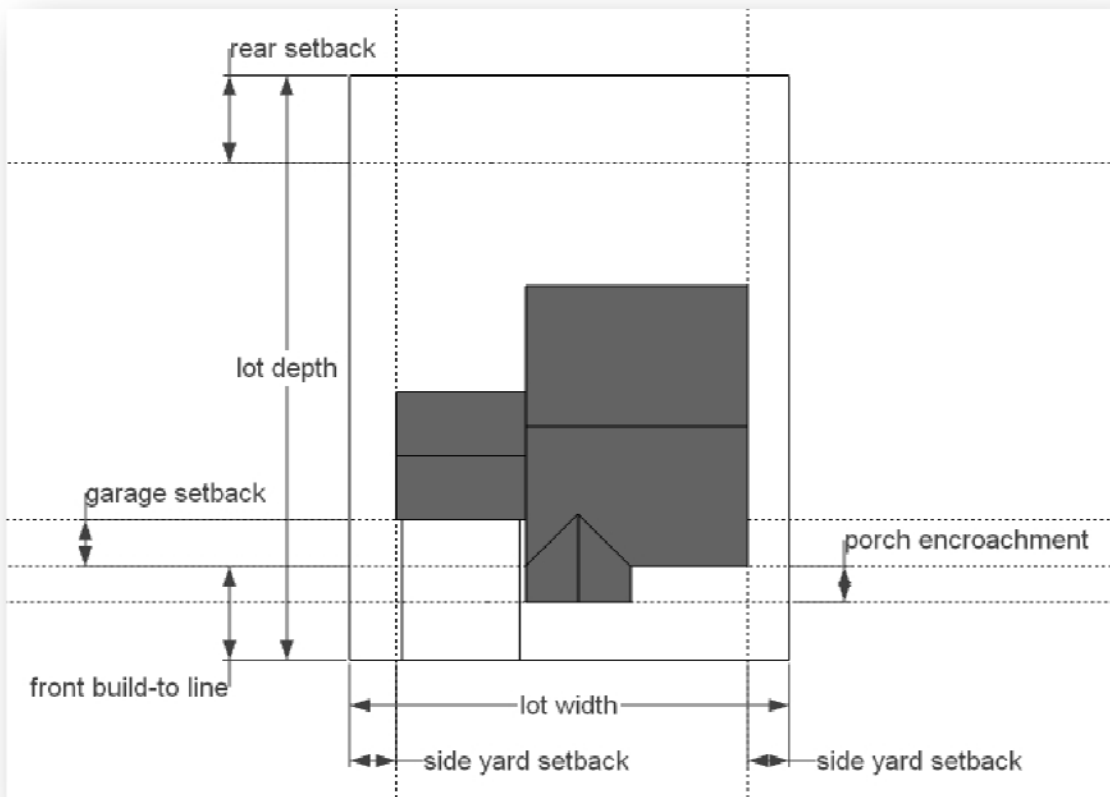
1. Development standards.

<b>Development Standards</b>						
	<b>ZONES / LOT TYPE</b>					
	<b>R-15,000</b>	<b>R-10,000</b>	<b>R-7,000</b>	<b>Infill R-7,000 (with RPD)</b>	<b>Infill R-7,000 (alley access, with RPD)</b>	<b>SFR corner duplex</b>
<b>Site specifications.</b>						
Minimum lot size (sq. ft.).	15,000	10,000	7,000	5,000	3,500	10,000
Minimum width (ft.).	85	70	60	50	40	100
Min. width – corner lot (ft.).	100	85	75	60	50	
Minimum depth (ft.).	120	100	100	85	75	100
<b>Building placement.</b>						
Front plane build-to line (ft.).	20-32	16-28	14-26	12-20	10-18	16-28
Required minimum porch size (feet x feet).	6 x 12	6 x 12	6 x 12	6 x 10	6 x 8	6 x 12
	To the satisfaction of the Planning Director, an alternative frontage feature may be proposed in lieu of a porch if it achieves the same design intent and variation.					
Porch encroachment.	Up to additional 6' beyond front plane build-to line					
Garage location.	All garages shall be located at or behind the wall plane where the front entrance is located. A homebuilder with a subdivision with at least four floor plans may have one floor plan that has a garage located in front of the front entrance plane.					
Rear yard (ft.).	20	20	15	12	0	N/A
Interior side yard: min. (ft.).	5	5	5	5	0	10
Interior side yard: sum of two yards (ft.).	20	15	15	10	10	N/A
Street side yard (ft.).	15	15	10	10	10	N/A
<b>Building size and massing.</b>						
Lot coverage (percentage).	40%	40%	50%	55%	60%	45%
Building height (ft.).	35	35	35	35	35	35
<b>Parking.</b>						
Number of parking spaces.	2 spaces within an enclosed garage (Section 17.08.100)					
<b>Solar provision.</b>						
Minimum photo-voltaic kW per unit per Section 17.08.305.	1.50 kW	1.25 kW	1.0 kW	0.75 kW	0.50 kW	1.0 kW
<p>a. A tandem garage parking arrangement may be considered if the applicant cannot meet the requirement to place a 2-car garage behind the plane of the house.</p> <p>b. Corner lots featuring side yard driveway access require a minimum 20-foot driveway and street side yard setback.</p>						

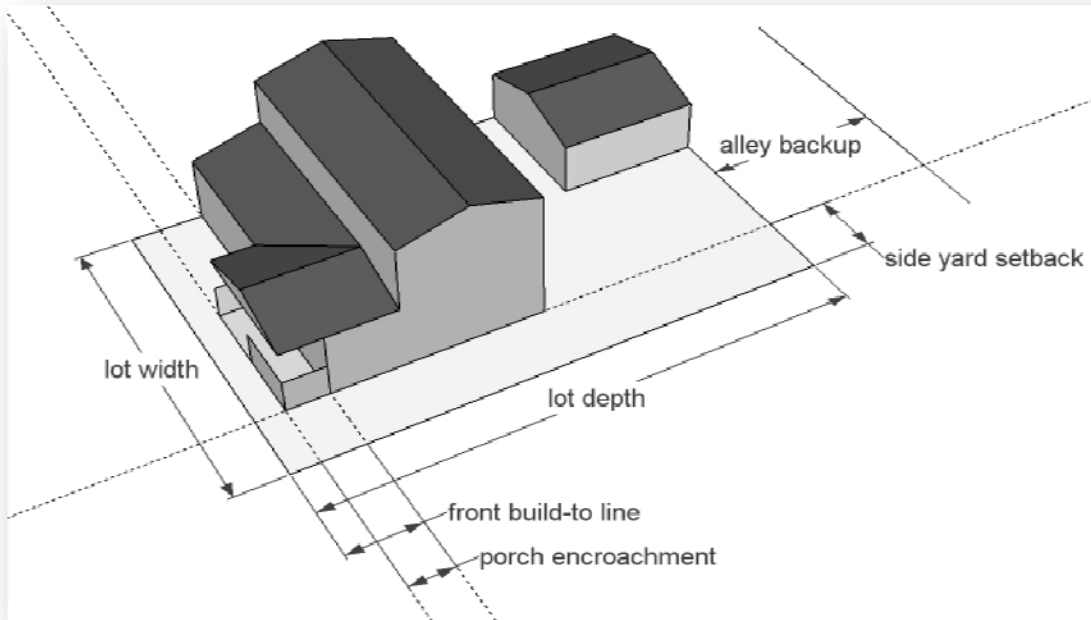
**Diagram for Single-family house on Residential lot – perspective view**



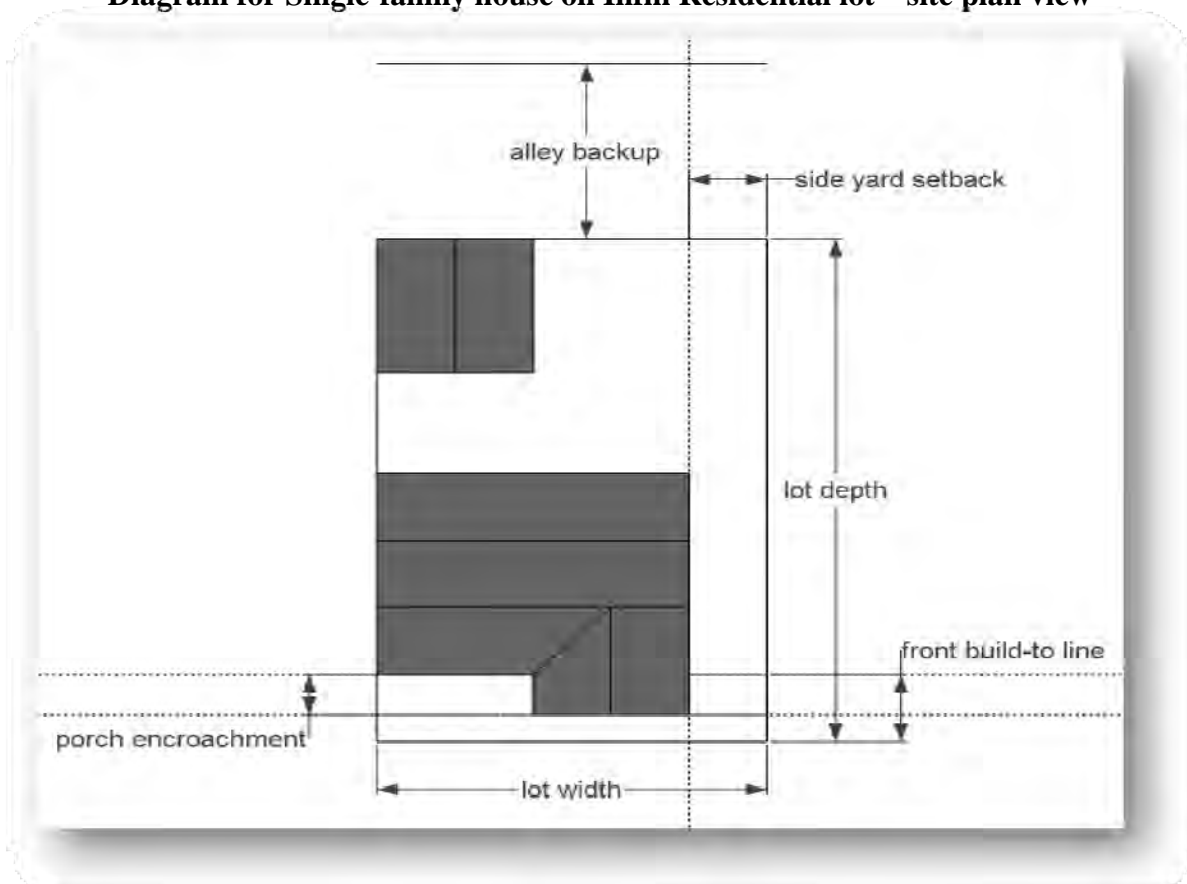
**Diagram for Single-family house on Residential lot – site plan view**



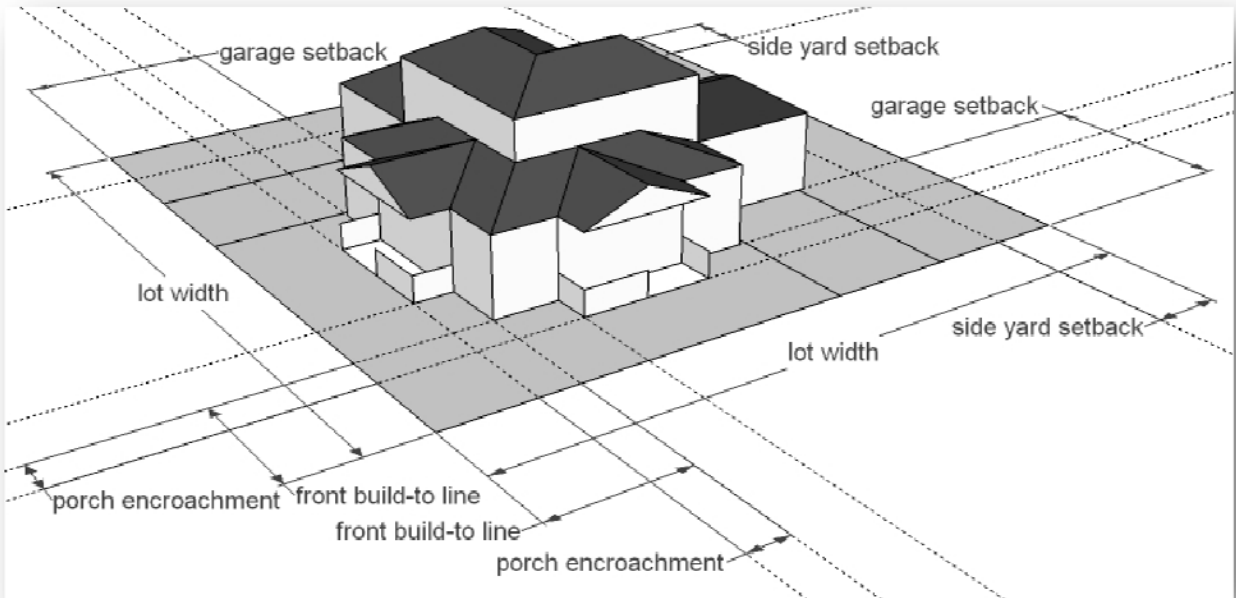
**Diagram for Single-family house on Infill Residential lot – perspective view**



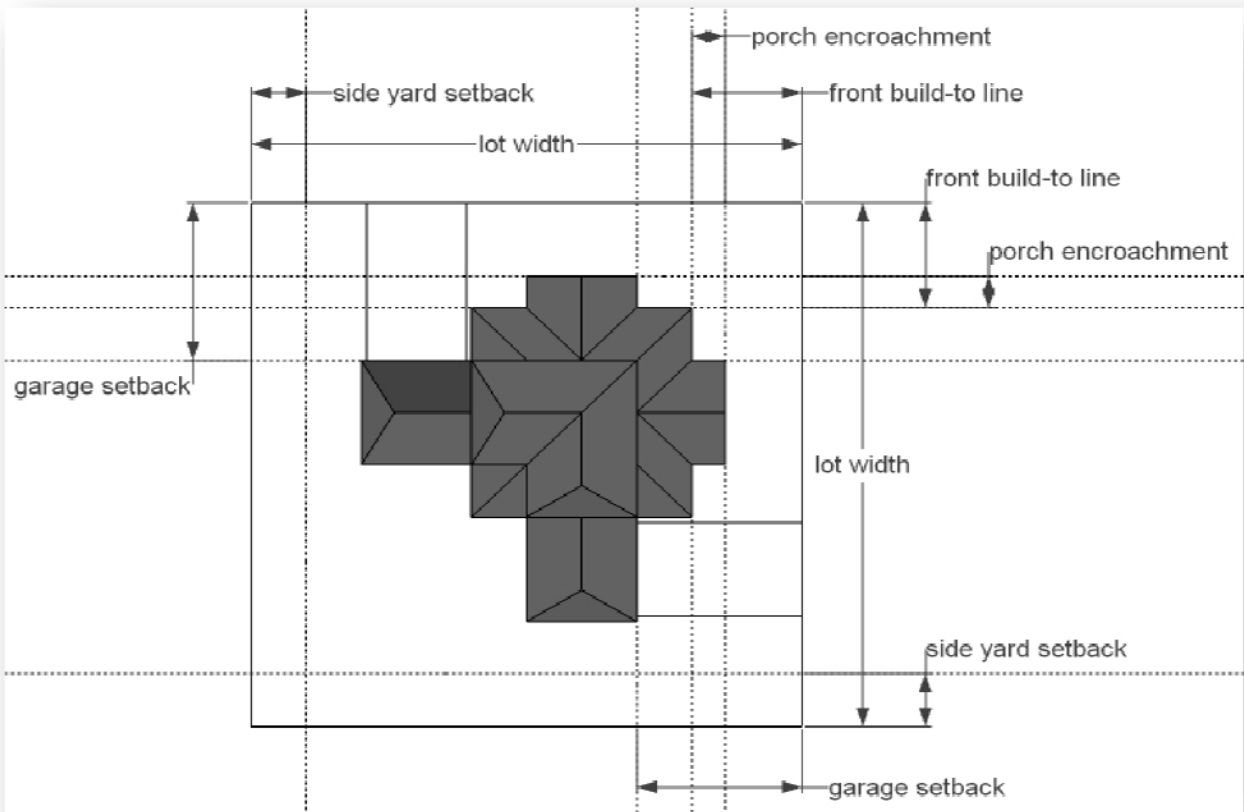
**Diagram for Single-family house on Infill Residential lot – site plan view**



**Diagram for Duplex on Corner Residential Lot – perspective view**



**Diagram for Duplex on a Corner Residential lot – site plan view**



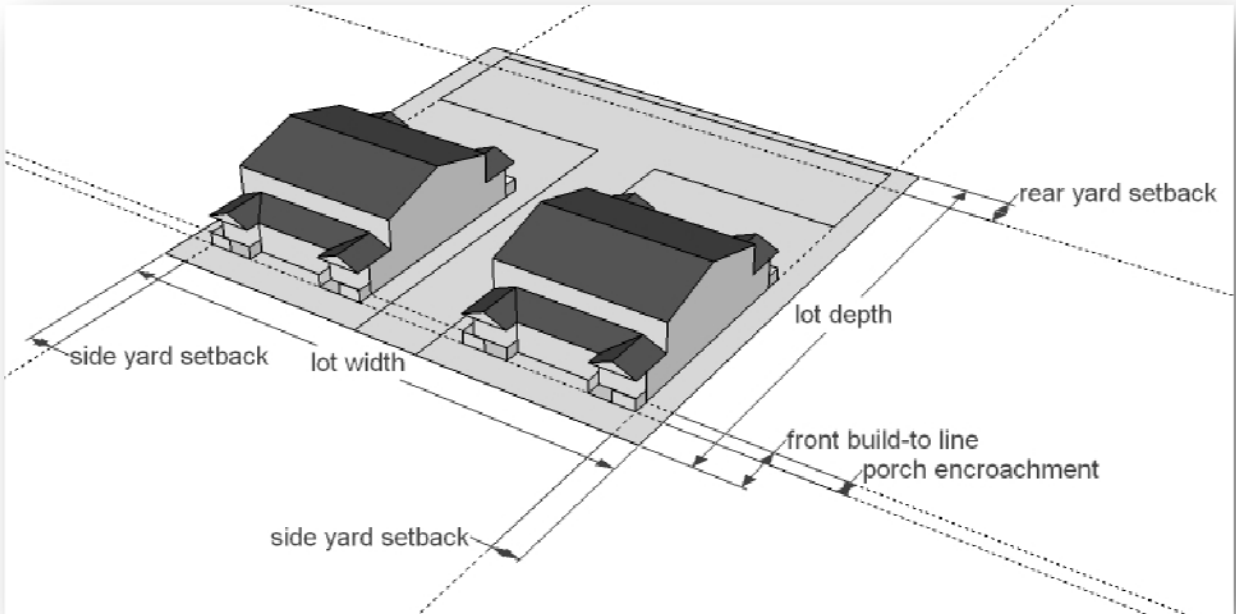
**C. Small apartment/condominium building/complex (2 to 15 units).**

1. Development standards.

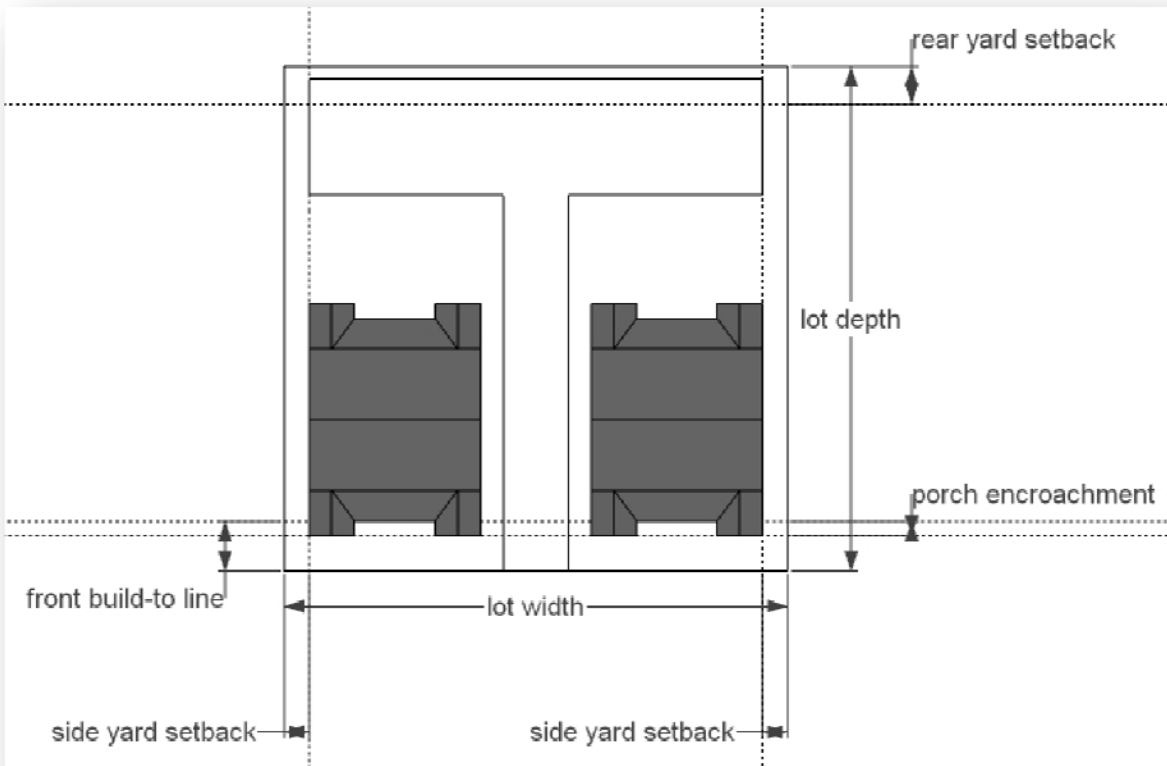
<b>Development standards</b>	
	<b>MDR or HDR ZONE</b>
<b>Site specifications.</b>	
Minimum lot size (sq. ft.)	6,000
Minimum width (feet).	60
Minimum width – corner lot (feet).	80
Minimum depth (feet).	100
<b>Building placement.</b>	
Front build-to line.	
Fronting local, collector, or other residential street with on-street parking (feet). Transitional infill design guidelines apply (Section 17.08.070.D).	0-12
Fronting local, collector, or other residential street with on-street parking and adjacent to single-family uses along the same street (feet).	8-20
Fronting arterial street with no on-street parking (feet).	20-32
Rear yard (feet).	15
Interior side yard (feet).	10
Street side yard (feet).	15
<b>Building size and massing.</b>	
Lot coverage (percentage).	50%
Building height within 100 feet of SFR zone (feet).	35
Maximum building height (feet).	55
<b>Parking.</b>	
Location of on-site parking.	Behind the front façade of the residential building
Number of parking spaces.	Per Section 17.08.100
<b>Open space.</b>	
Required usable open space/recreation area.	Minimum 8% of lot area, minimum 20' width and depth
<b>Landscaping.</b>	
Required landscaping (percentage).	Minimum 15% of lot area
<b>Solar provision.</b>	
Minimum photo-voltaic kW per unit per Section 17.08.305.	0.5 kW
<p>a. On-site management shall be provide for apartments 4 units or greater.</p> <p>b. A minimum 4' x 4' covered entryway shall be provided for each apartment or condominium unit. The entryway may be enlarged and designed as a porch.</p> <p>c. Required amenities for units in a small apartment include in-unit laundry hook-ups.</p> <p>d. Required amenities for units in a small condominium, beyond those required for apartments, include garage parking with storage shelves for each unit, and a minimum 4' x 8' porch, patio, or balcony area.</p> <p>e. Other site amenities may include a barbeque area, pool, recreation courts, and shall be centrally located and easily accessible for residents.</p>	



**Diagram for small apartment – perspective view**



**Diagram for small apartment – site plan view**



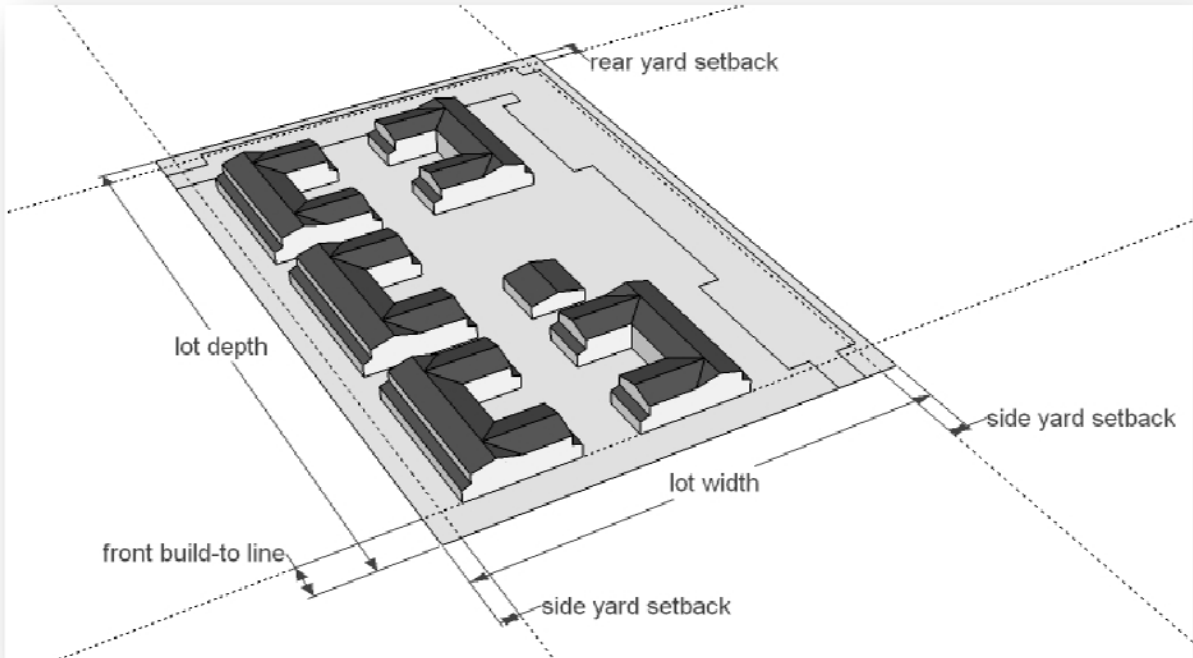
**D. Large apartment/condominium building/complex (16 or more units).**

1. Development standards.

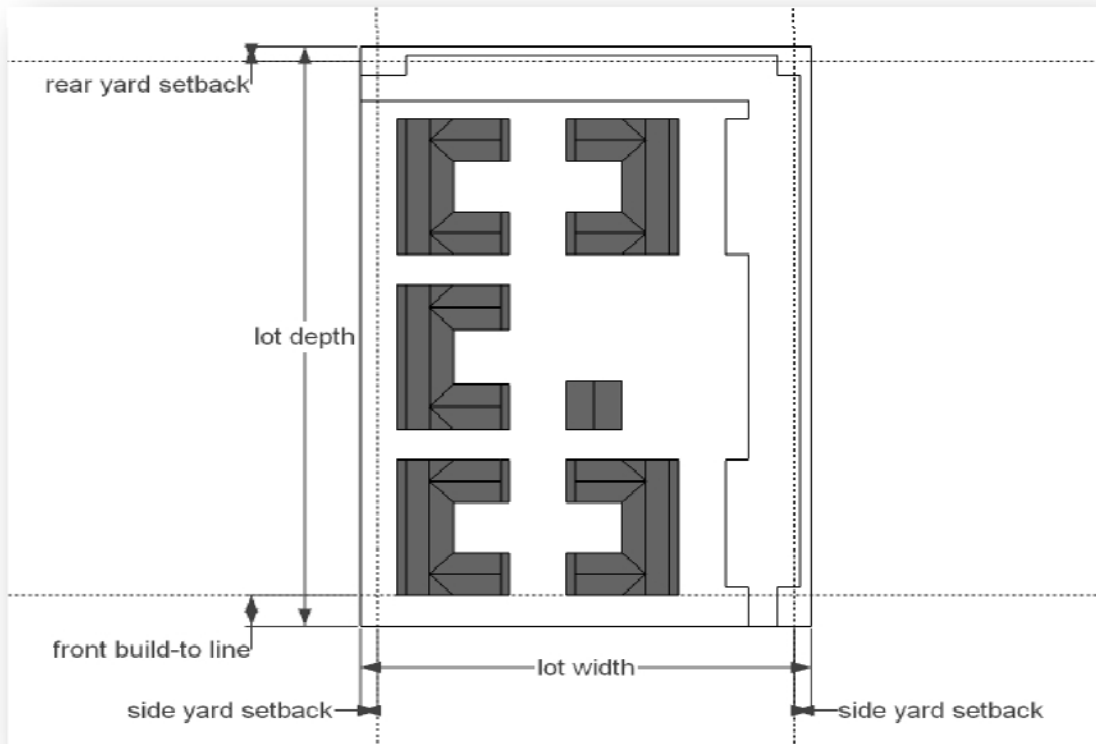
<b>Development standards</b>	
	<b>MDR or HDR ZONE</b>
<b>Site specifications.</b>	
Minimum lot size (sq. ft.)	6,000
Minimum width (feet).	60
Min. width – corner lot (feet).	75
Minimum depth (feet).	100
<b>Building placement.</b>	
Front build-to line.	
Fronting local, collector, or other residential street with on-street parking (feet). Transitional infill design guidelines apply (Section 17.08.070.D).	0-12
Fronting local, collector, or other residential street with on-street parking and adjacent to single-family uses along the same street (feet).	8-20
Fronting arterial street (feet).	20-32
Rear yard (feet).	15
Interior side yard (feet).	15
Street side yard (feet).	20
<b>Building size and massing.</b>	
Lot coverage (percentage).	50%
Building height within 100 feet of SFR zone (feet).	35
Maximum building height (feet).	72
<b>Parking.</b>	
Location of on-site parking.	40 ft. from front property line
Number of parking spaces.	Per Section 17.08.100
<b>Open space.</b>	
Required usable open space/recreation area.	Minimum 8% of lot area, minimum 50' width and depth
<b>Landscaping.</b>	
Required landscaping (percentage).	Minimum 15% of lot area
<b>Solar provision.</b>	
Minimum photo-voltaic kW per unit per Section 17.08.305.	0.5 kW
<p>a. On-site management and security shall be provided for all large apartment complexes. Specific security provisions may include cameras, alarms, or active security guard surveillance, to the satisfaction of the Planning Director.</p> <p>b. Required amenities for units in a large apartment include in-unit laundry hook-ups, and community pool and recreation room.</p> <p>c. Required amenities for units in a large condominium, beyond those required for apartments, include garage parking with storage shelves for each unit, and a minimum 4' x 8' porch, patio, or balcony area.</p> <p>d. Other amenities for units in a large multi-family complex may include courts for basketball,</p>	

tennis or other sports, indoor gym, outdoor dog park, or daycare center.  
e. All amenities shall be centrally located and easily accessible for residents.

**Diagram for large apartment – perspective view**



**Diagram for large apartment – site plan view**



## 17.08.070 Design and performance measures

Developers shall take the following actions in meeting specific design and performance measures in residential zones:

- A. Site design.** Develop projects that enhance the sense of place and reflect a commitment to functional efficiency, quality, and neighborhood context.
  - 1. Develop innovative designs for new subdivisions that feature pedestrian connections, open spaces, enhanced landscaping, architecture, and streetscapes.
  - 2. Develop innovative designs for residential lot layouts, including wide corner lots, varied setbacks, and minimized visual presence of garages.
  - 3. Design neighborhoods to have distinct entryway features that help define neighborhood character and provide a sense of arrival.
  - 4. Design neighborhoods using “safe by design” techniques to reduce opportunities for criminal activity.
- B. Pedestrian connections and amenities.** Develop residential neighborhoods with safe and attractive pedestrian and bicycle connections to trails, parks, schools, public transit, and other daily uses.
  - 1. Design neighborhoods with street patterns that minimize the walking distance between residential homes and neighborhoods amenities, such as trails, parks and schools.
  - 2. Design open-ended cul de sacs with paseos for pedestrian and bicycle access.
  - 3. Design pedestrian and bicycle paths separated from vehicular paths, to ensure safety and ease of use.
  - 4. Where appropriate, use traffic calming measures to reduce automobile speed within residential developments, including corner bulbouts, tree plantings, enhanced paving at crosswalks, and round-a-bouts.
- C. Building architecture and form.** Provide enhanced elevations for residential structures that contribute to an attractive neighborhood streetscape.
  - 1. Articulate building facades by including variation in massing, roof form, and wall planes.
  - 2. Use multiple colors, materials, textures, and applied finishes to help break up wall massing.
  - 3. Provide distinctive entries, porches, balconies, and window treatment, oriented toward the street.
  - 4. Residential buildings shall use high-quality, tile roofing (concrete, ceramic, etc.), providing aesthetic value and appropriate for withstanding the city’s varied climate conditions; asphalt shingle or other roofing material of a similar quality are prohibited.
  - 5. Garage door shall provide aesthetic value to the home. Roll-up garage door types are permitted, whereas wooden, swing-out garage doors are prohibited.
  - 6. Builders of new single-family residential subdivisions shall ensure architectural variation by providing a minimum of the following combinations, dependent on the proposed number of residential units in the development:

<b>Proposed number of residential units</b>	<b>Minimum number of elevations</b>	<b>Minimum number of floor plans</b>
Less than 20 units	3	3
20 to 50 units	3	4
50 to 100 units	4	5
100 units or greater	5	5

In no instance should two homes of the same model and floor plan be built adjacent to each other or across the street from each other.

**D. Transitions and buffering.** Encourage transitions between proposed higher intensity developments and adjacent, less intensive uses to keep disturbance to a minimum.

1. Step down the heights of structures at the edge of developments to match or complement those in adjacent properties.
2. Enhance buffers with additional width or increased landscaping. Plant trees and shrubs in voids created by wall variations, at an appropriate scale.
3. Vary building setbacks and wall alignments to soften the edge of the development.
4. Provide a clear distinction between public and private spaces, through the use of height separation, fencing, berm, or a combination of these elements.
5. Offset windows from one another between residential units.

**E. Open space and common areas.** Provide open space and common areas to enhance quality of life, and to encourage opportunities for social gathering and interaction.

1. For single-family residential developments, create centralized pocket parks, connected by trails and pedestrian paths, to serve the neighborhood.
2. For multi-family residential developments, provide centralized open space and community facilities, to serve residents of the development.
3. Create recognizable focal points by using community amenities in public open spaces and other commonly used community spaces.

**F. Parking and access.** Minimize the dominant appearances of parking areas and structures, while ensuring functional vehicular access.

1. For multi-family residential developments, locate parking behind residential structures. For developments facing arterial streets, a builder may design a wide, enhanced landscape buffer between the street and parking areas, in circumstances where it is difficult to achieve rear parking placement. Wherever possible, design parking lots by dividing a large parking lot into a series of smaller, connected lots.
2. Decorate and define parking areas with plants, shrubs, trees, light fixtures, and textured paving to minimize the negative impact of large expanses of asphalt.
3. Provide defined pedestrian pathways between parking areas and residential building entrances.
4. Permanent parking for recreation vehicles (RVs), boats and other similar large items shall be located behind the front plane of the house.
5. In no instance shall flat, paved surfaces, including driveways, cover more than 50% of a single-family front yard.

## **17.08.080 Infill residential development.**

- A. Purpose and intent.** The purpose of this section is to implement Lancaster General Plan 2030, Policy 18.2.1, which encourages appropriate infill development, and Specific Action 18.2.1(c). Under the guidance of the Specific Action, a developer may build up to eight (8) residential units per net acre on land zoned R-7,000, provided the developer submits an application for a Residential Planned Development, as well as findings that the proposed infill development would integrate with the surrounding area.
- B. Qualification criteria for infill residential development.** Properties zoned R-7,000 and meeting **one** of the following criteria qualify for infill residential development of up to eight (8) units per acre:
1. The project site is located within the area bounded by Avenue I, 20<sup>th</sup> Street East, Avenue L and 30<sup>th</sup> Street West; or
  2. The project site is surrounded by existing development (fully improved with paving, landscaping, curb and gutter, etc.) on all adjoining sides; or
  3. The project site is located adjacent to property zoned commercial, office professional, mixed use or light industrial development; or
  4. The project site combines four (4) or more adjoining parcels, combining for a minimum project size of 5 acres.
- C. Findings for infill residential development.** Among other findings necessary for a residential planned development (RPD), as listed in Section 17.08.340, the following findings shall be made when recommending approval for a infill residential development:
1. The project reduces overall land use fragmentation in the City.
  2. The project uses existing infrastructure and minimizes extension of new services and resources.
  3. The project is compatible with adjacent land uses and would not adversely affect the health, peace, comfort or welfare of persons residing or working at the adjacent properties.
- D. Infill residential development standards.** In addition to all other applicable development standards listed in this chapter, infill residential single-family lots shall adhere to the following additional standards specific for small-lot single-family homes:
1. Site design.
    - a. Maximize usability of property by minimizing “dead spaces,” which can often be found in narrow side yards with limited access.
    - b. Create privacy by designing windows that minimizes view into an adjacent residential home. Also, design windows of a façade along a zero-lot line facing a neighboring side yard to be small, with a high sill height, typically 6 feet above the finished floor, or provide windows with translucent glazing.
    - c. For alley-access small-lot single-family parcels, the developer shall provide a 4-foot-wide pedestrian pathway to connect the building entrance to the street sidewalk.
  2. Building design.

- a. A proposed small-lot subdivision must have homes that are distinguished from one another, following the minimum number of model and floor plan combinations as listed in Section 17.08.070.C.5.
  - b. Blank, flat wall planes are prohibited. Varied and articulated facades that create visually appealing elevations are required.
  - c. Provide at least two different rooflines to provide visual interest to the residential structure.
  - d. Roof-mounted equipment is not allowed, with the exception of solar and wind generation systems. Photo-voltaic panels facing the street shall be designed integrated with the house rooftop.
3. Transitions and buffering.
- a. In infill situations, new buildings shall be located in a manner that complements the location of existing buildings on adjacent lots; and not in a manner that would diminish their appearance or that would create a streetscape with dramatically uneven building setbacks.
  - b. All residential buildings, including detached garages, shall maintain a minimum 5-foot separation distance from any other structure to ensure adequate clearance area around the structures.
  - c. Adjacent homes shall not vary more than one story in height.
4. Patios, private yards, open space and common areas.
- a. Each small-lot single-family home shall have a porch area with minimum dimensions as listed in Section 17.08.060.C.
  - b. Each small-lot single-family parcel shall provide a minimum of 400 square feet of usable private yard space with no dimensions less than 12 feet.
  - c. The City may grant a reduction of usable private yard space to 200 square feet, with no dimensions less than 12 feet, if the developer provides common open space or park elsewhere in the neighborhood that is no further than ¼ mile from the residence, or if there is an existing park within the same distance.
5. Parking and access.
- a. For alley-access small-lot single-family parcels, a garage entrance facing an alley shall ensure a minimum of 26 feet from the opposite edge of the alley, for adequate vehicle backup space.

**17.08.090 Density bonus**

**A. Purpose.** The purpose of the Density Bonus Ordinance is to provide incentives for the production of affordable housing, senior housing, and the development of child care facilities, in the City’s residential zones, as directed by General Plan 2030, and as mandated by California Government Code, Section 65915. In the event that any provision in this section conflicts with state law, the state law shall take precedence.

**B. Definitions.** The following terms used in the section shall be defined as follows:

- 1. Affordable Housing/Affordable Housing Unit: A housing unit which is available for sale to Moderate Income Households or for rent to Low and/or Very Low Income Households, as those terms are defined in this section.



2. **Affordable Rent:** Monthly rent charged to Low and Very Low Income Households for housing units as calculated in accordance with Section 50053 of the California Health and Safety Code.
3. **Child Day Care Facility:** A facility that provides non-medical care and supervision of minor children for periods of less than 24 hours and is licensed by the California State Department of Social Services, further subject to the definition in California Government Code Section 65915(h)(4).
4. **Density Bonus:** A density increase for residential units over the otherwise allowed residential density under the applicable zoning and land use designation on the date an application is deemed complete.
5. **Density Bonus Housing Agreement.** A legally binding agreement between a developer and the City of Lancaster to ensure that continued affordability of the Affordable Housing Units required in this chapter persists and the units are maintained in accordance with this section.
6. **Density Bonus Units.** Those additional residential units granted pursuant to the provisions of this section.
7. **Housing Development.** A development project for five or more residential units. Within this section, it shall also include a subdivision or planned unit development, rehabilitation and conversion of an existing building to residential use, or condominium conversion of an existing multi-family building.
8. **Incentives or Concessions.** Regulatory concessions which include, but are not limited to, the reduction of site development standards or zoning code requirements, approval of mixed-use zoning in conjunction with the Housing Development, or any other regulatory incentive which would result in identifiable, financially sufficient, and actual cost reductions that are offered in addition to a Density Bonus.
9. **Initial Subsidy.** The fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.
10. **Low Income Household.** A household whose income does not exceed 80 percent of the area median income for Los Angeles County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50079.5 of the California Health and Safety Code.
11. **Moderate Income Household.** A household whose gross income does not exceed 120 percent of the area median income for Los Angeles County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Sections 50079.5 and 50052.5 of the California Health and Safety Code.
12. **Proportionate Share of Appreciation.** The ratio of the local government's Initial Subsidy as defined above to the fair market value of the home at the time of initial sale.
13. **Senior Citizen Housing Development.** A residential development developed, substantially rehabilitated or renovated, and having at least 35 dwelling units for

senior citizens in compliance with the requirements of Section 51.3 and 51.12 of the California Civil Code.

14. Very Low Income Households. A household whose income does not exceed 50 percent of the area median income for Los Angeles County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.

**C. Application for Density Bonus and Incentives or Concessions.** An applicant seeking a Density Bonus for a Housing Development shall submit a Density Bonus Application, containing the following information with the fees and the required application:

1. Identification of the location, acreage, and the maximum number of base units allowed under the zoning and land use designated under the General Plan without the Density Bonus.
2. Identification of the total number of units proposed, specifically identifying the Density Bonus units and the Affordable Units which will demonstrate eligibility under this section.
3. Identification of the requested incentives or concessions.
4. A statement of how the requested incentives or concessions are necessary to make the proposed Housing Development economically feasible, and result in identifiable, financially sufficient and actual cost reductions.

**D. Processing of Density Bonus Application.**

1. Once deemed complete, the density bonus application shall be processed and determinations made concurrent with the underlying Housing Development application.
2. Review Authority. A request for density bonus will be reviewed by the same review authority as the Housing Development's other entitlements specifically noted below. The review authority shall grant the density bonus and requested incentive(s) or concession(s) unless the findings in Section 17.08.090.E can be made.
  - a. Administrative. When a proposed Housing Development needs only administrative approval (i.e. site plan review), then the Planning Director will consider and act on the density bonus request when the site plan review application is considered.
  - b. Planning Commission/City Council. If the project requires entitlements or an environmental clearance to be considered by the Planning Commission and/or the City Council, then these decision bodies will consider and act on the density bonus request concurrent with the applicable project entitlement/environmental clearance.
3. Application for Density Bonus Housing Agreement. Once the proposed Housing Development has received its approval for Density Bonus, as described above, the developer shall file an application, including the payment of any processing fees with the City of Lancaster for approval and finalization of the Density Bonus Agreement in compliance with the requirements set forth in Section 17.08.090.J.

**E. Eligibility Criteria for Density Bonus.** The City of Lancaster shall consider a density bonus and provide incentives or concessions as described in Section 17.08.090.H, when a developer of a Housing Development seeks and agrees to construct a Housing Development that will contain at least one of the following:

1. Ten (10) percent of the total units of a Housing Development strictly for Low Income Households as defined herein;
2. Five (5) percent of the total units of a Housing Development strictly for Very Low Income Households as defined herein;
3. A Senior Citizen Housing Development, as defined herein;
4. Ten (10) percent of the total dwelling units in a common interest development for persons and families of Moderate Income Households as defined herein, provided that all units in the development are offered to the public for purchase.

**F. Project Specific Density Bonus.** The City of Lancaster will grant a Housing Development a density bonus and incentives or concessions meeting all the applicable eligibility requirements of this section according to the following density bonus options. In the event that the minimum requirements for granting density bonus units or number of applicable incentives or concessions as set forth in Government Code 65915 is amended or modified after the adoption of this chapter by the City, then the lowest minimum requirements shall apply.

1. Density Bonus for Very Low Income Households: If a housing developer elects to construct units for Very Low Income Households, the development shall be entitled to the following Density Bonus calculation:

Provision of Very Low Income Units		
Percentage of Very Low Income Affordable Units	Density Bonus Available	Number of Incentives or Concessions
5%	20%	1
6%	22.5%	1
7%	25%	1
8%	27.5%	1
9%	30%	1
10%	32.5%	2
11%	35%	2

2. Density Bonus for Low Income Households: If a housing developer elects to construct units for Low Income Households, the Housing Development shall be entitled to the following Density Bonus calculation:

Provision of Low Income Units		
Percentage of Low Income Affordable Units	Density Bonus Available	Number of Incentives or Concessions
10%	20%	1
11%	21.5%	1
12%	23%	1
13%	24.5%	1
14%	26%	1
15%	27.5%	1
16%	29%	1
17%	30.5%	1
18%	32%	1

19%	33.5%	1
20%	35%	2

3. Senior Housing: If a housing developer elects to construct a Senior Citizen Housing Development, the density bonus shall be 20 percent of the total number of allowed housing units without the Density Bonus.
4. Moderate Income Units in Common Interest Developments: If a housing developer elects to construct units for Moderate Income Households, the development shall be entitled to the following Density Bonus calculation:

Provision of Moderate Income Units		
Percentage of Moderate Income Affordable Units	Density Bonus Available	Number of Incentives or Concessions
10%	5%	1
11%	6%	1
12%	7%	1
13%	8%	1
14%	9%	1
16%	10%	1
15%	11%	1
17%	12%	1
18%	13%	1
19%	14%	1
20%	15%	2
21%	16%	2
22%	17%	2
23%	18%	2
24%	19%	2
25%	20%	2
26%	21%	2
27%	22%	2
28%	23%	2
29%	24%	2
30%	25%	3
31%	26%	3
32%	27%	3
33%	28%	3
34%	29%	3
35%	30%	3
36%	31%	3
37%	32%	3
38%	33%	3
39%	34%	3
40%	35%	3

5. Density Bonus for Land Donation: When an applicant for a tentative map, parcel map, or other residential development approval donates at least one acre of land or enough land to develop 40 units, then the applicant shall be entitled to a 15 percent increase above the otherwise maximum allowable residential density for the entire Housing Development as follows:

Land Donation	
Percentage of Very Low Income Units	Percentage Density Bonus
10%	15%
11%	16%
12%	17%
13%	18%
14%	19%
15%	20%
16%	21%
17%	22%
18%	23%
19%	24%
20%	25%
21%	26%
22%	27%
23%	28%
24%	29%
25%	30%
26%	31%
27%	32%
28%	33%
29%	34%
30%	35%

- a. Nothing in this subsection shall be construed to enlarge or diminish the authority of the City to require a developer to donate land as a condition of development.
- b. The Density Bonus for land dedication shall be in addition to any Density Bonus earned pursuant to Section 17.08.090.E and up to a maximum combined increase of 35 percent.
- c. An applicant with a land donation shall be eligible for the increased Density Bonus if all of the following conditions are met:
  - 1) The applicant donates and transfers the land to the City no later than the date of approval of the City of the final subdivision map, parcel map, or Housing Development application for the proposed Housing Development seeking the Density Bonus.
  - 2) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to Very Low Income Households in an amount not less than 10 percent of the number of residential units of the proposed Housing Development seeking the Density Bonus.

- 3) The land proposed to be donated to the City:
  - i. Has the appropriate General Plan designation and is appropriately zoned for development at the density described in paragraph (3) of subsection (c) of section 65583.2 of the California Government Code; and
  - ii. Is or will be served by adequate public facilities and infrastructures; and
  - iii. Is donated no later than the date of approval of the final subdivision map, parcel map or Housing Development application seeking a Density Bonus and has all of the permits and approvals, other than building permits, necessary for the development of the Very Low Income housing units on the transferred land; and
  - iv. Is transferred to the City or a housing developer approved by the City; and
  - v. Shall be within the boundary of the proposed development or within one-quarter mile of the boundary of the proposed development; and
  - vi. Must have a proposed source of funding for the Very Low Income units prior to the approval of the final subdivision map, parcel map or Housing Development application seeking the Density Bonus.
  - vii. May be zoned Mixed Use-Neighborhood, Mixed Use-Commercial, or Mixed Use-Employment; however, the land shall assume a density equivalent to the Medium Density Residential zone, for the purposes of calculating affordable housing yield.
- 4) The transferred land and the Affordable Housing Units shall be subject to a deed restriction, which shall be recorded on the property upon dedication, ensuring continued affordability of units for at least 30 years from the date of occupancy.
6. Condominium Conversions: Density Bonus for Condominium Conversion, shall be considered and approved in accordance with section 65925.5 of the California Government Code for specifications.

**G. Density Bonus for Development of Child Day Care Facility.**

1. A Housing Development meeting the requirements of Section 17.08.090.E and Section 17.08.090.F above which includes a child day care facility built and operated in accordance with Section 17.08.190 that will be located on the premises of, as part of, or adjacent to, such a Housing Development shall receive either of the following:
  - a. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child day care facility.
  - b. An additional incentive or concession that contributes significantly to the economic feasibility of the construction of the child day care facility.
2. When a Housing Development is providing a Child Day Care Facility consistent with this ordinance, then the conditions of approval shall require that:
  - a. The child day care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the affordable units are required to remain affordable; and

- b. Of the children who attend the child day care facility, the children of Very Low Income Households, Lower Income Households, or persons or families of Moderate Income shall equal a percentage that is equal to or greater than the percentage of affordable units that are required pursuant to Section 17.08.090.F.
3. The City shall not be required to provide a density bonus or incentive or concession for a child care facility if it makes a written finding, based upon substantial evidence, that the community has adequate child day care facilities.

**H. Available Incentives and Concessions.** In addition to the applicable density bonus described above, an applicant may request incentives or concessions in connection with its application for a density bonus in accordance with the density bonus calculation set forth in Section 17.08.090.F.

1. An incentive or concession shall mean:
  - a. A reduction in the site development standards or a modification of zoning code requirements including but not limited to:
    - 1) Increased lot coverage percentage
    - 2) Reduced minimum setbacks
    - 3) Increased maximum height
    - 4) Reduced number of parking spaces
  - b. If a Housing Development is 100% affordable, meaning that all or substantially all of the units will be maintained at affordable rents by agreement through the City of Lancaster, priority processing of the required density bonus application and associated entitlement applications will be given. Priority processing shall mean a timeline for review of the Housing Development and all associated applications as mutually agreed to by the City and the developer;
  - c. Approval of mixed-use development in conjunction with the proposed Housing Development if the non-residential uses will reduce the cost of the proposed Housing Development, and the non-residential uses are compatible with the proposed Housing Development and surrounding development;
  - d. Other regulatory incentives or concessions proposed by the applicant or that the City determines will result in identifiable, financially sufficient, and actual cost reductions.
2. The City shall grant incentive(s) or concession(s) requested by the applicant unless the City can make a written finding, based upon the substantial evidence, of any of the following:
  - a. The incentive or concession is not required in order to provide for affordable housing costs or affordable rents.
  - b. The incentive or concession would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or physical environment or any real property that is listed in the California Registry of Historical Resources and for which the City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.
  - c. The incentive or concession would be contrary to state or federal law.

**I. General Provisions for Density Bonuses and Incentives/Concessions**

1. All density bonus calculations resulting in fractional units shall be rounded up to the next whole number.
2. The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, zone change, or other discretionary approval.
3. Upon request by the applicant, the City shall not require the proposed Housing Development eligible for a Density Bonus pursuant to this section to provide a parking ratio, including handicapped and guest parking, that exceeds the following:
  - a. Zero to one bedroom: one on-site parking space
  - b. Two to three bedrooms: two on-site parking spaces
  - c. Four and more bedrooms: two and one-half parking spaces

If the total number of parking spaces required for the proposed Housing Development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subsection, a development may provide on-site parking through tandem parking or uncovered parking, but not through on-street parking.

4. The City shall not apply any development standard that would have the effect of precluding the construction of a proposed Housing Development meeting the requirements of this section, at the densities or with the incentives permitted by this section. An applicant may submit with its application to the City a proposal for the waiver or reduction of development standards. A waiver or reduction of development standards, the application of which would physically preclude the development, shall not reduce nor increase the number of incentives or concessions being requested. Nothing in this subsection, however, shall be interpreted to require the City to waive or reduce development standards if the waiver or reduction would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which the City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Furthermore, the applicant shall be required to prove that the waiver or modification is necessary to make the affordable units economically feasible.
5. Location of Affordable Units. The location of the affordable units within the Housing Development may be at the discretion of the developer. However, the affordable units shall:
  - a. Be constructed at the same time as the market units are constructed;
  - b. Be reasonably dispersed throughout the development and/or phases if applicable;
  - c. Be a similar unit type/size to the overall Housing Development; and
  - d. Be reasonably compatible with the design or use of the remaining units in terms of appearance, materials and quality finish.

**J. Required Density Bonus Agreement and Terms of Agreement**

1. A Density Bonus Housing Agreement must be executed prior to recording any final map for the underlying property or prior to the issuance of any building permit for the Housing Development, whichever comes first. The Density Bonus Housing Agreement shall be binding on all future owners and successors of interests of the Housing Development.



2. The Density Bonus Housing Agreement shall:
  - a. Identify the type, size and location of each Affordable Housing Unit required hereunder;
  - b. Identify the term of the agreement, which would define the term of affordability of the required units;
  - c. Require that the Affordable Housing Units be constructed and completed by the developer as specified in this Chapter and in accordance with state law;
  - d. Require that each Affordable Housing Unit be kept available only to members of the identified income group at the maximum affordable rent during the term of the agreement.
  - e. Identify the means by which such continued availability shall be secured and enforced and the procedures under which the Affordable Housing Units shall be leased and shall contain such other terms and provisions, the Housing Authority may require. The agreement, in its form and manner of execution, shall be in a form to be recorded with the Los Angeles County Recorder.
  - f. The Density Bonus Housing Agreement shall be reviewed and approved by the City of Lancaster and the affordability of the required units shall be monitored for compliance by City of Lancaster staff.
3. Required Terms for the Continued Availability of Affordable Units
  - a. Low and Very Low Income Households. A housing developer providing Low and Very Low income units in accordance with this chapter must continue to restrict those units to Low or Very Low Income households for a minimum of 30 years or longer term under another regulatory agreement from the date of initial occupancy.
  - b. Moderate Income Households. In the case of Housing Development providing Moderate Income units, the initial occupant of the unit must be a person or family of Moderate Income.
    - 1) Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The local government shall recapture any Initial Subsidy and its Proportionate Share of Appreciation; which shall be used within five years for any purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote home ownership. Any recaptured funds shall be deposited and used in accordance with subsection (e) of Section 33334.2 of the Health and Safety Code.

**Article III. General Site Planning and Project Design Standards**

**17.08.100 Parking and Loading**

The automobile parking facilities required by this section shall be provided and permanently maintained unless and until a substitute has been provided which is in full compliance with the provisions of this title.

- A. General conditions.** All buildings shall have permanently maintained off-street parking and shall apply as follows:
  1. No structure or use shall be permitted or constructed unless off-street parking spaces are provided and maintained in accordance with the provisions of this section;
  2. When a building is enlarged the required amount of parking spaces shall be provided for that enlargement portion, in accordance with the provisions of this section;
  3. When there is an increase in the number of bedrooms (to more than one); or
  4. When there is an increase in the number of dwelling units.
- B. Fractions.** Fractional space requirements for a parking space shall be rounded up to the next whole space.
- C. Parking Requirements by Use.** The following number of parking spaces shall be the minimum provided for each new use:

<b>Parking Requirements by Use</b>	
<b>Use</b>	<b>Number of Required Spaces</b>
1. Single-family house	2 parking spaces within an enclosed garage
a. 2 <sup>nd</sup> dwelling unit	1 uncovered parking space
b. Guest house/carriage unit	1 uncovered parking space
2. Duplex/triplex/four-plex	2 parking spaces within an enclosed garage for each unit
3. Apartments, 5 or more units	
a. Studio/loft and one bedroom	1 and ½ covered spaces for each unit
b. Two or more bedrooms	1 and ½ covered and ½ uncovered for each unit
c. Guest parking	1 uncovered space for every 4 units
4. Condominiums	2 parking spaces within an enclosed garage for each unit and 1 guest space for every 4 units
5. Condominiums, mid-rise (3+ stories)	
a. Studio/loft and one bedroom	1 and ½ covered spaces for each unit
b. Two or more bedrooms	1 and ½ covered and ½ uncovered for each unit
c. Guest parking	1 uncovered space for every 4 units
6. Boarding or rooming house, hostel, fraternity or sorority house	1 uncovered space for each guest room and 2 spaces within an enclosed garage for resident manager
7. Senior apartments/condominiums	1 covered parking space for each unit and 1 guest space for every 4 units
8. Senior residential care facility	1 space for every 3 beds and for each resident employee
9. Churches	1 space for each 5 fixed seats or for each 45

	square feet of seating area within the main auditorium; 24 inches of bench shall be considered a fixed seat
10. Daycare center (nursery/preschool)	5 spaces per 100 students
11. Elementary and middle school	15 spaces per 100 students
12. High school	26 spaces per 100 students
13. Colleges/universities	33 spaces per 100 students, plus one space per bed in dormitories
<p>Notes:</p> <ol style="list-style-type: none"> <li>1. An uncovered parking space shall not include the driveway area for a garage.</li> <li>2. Parking lots or areas for 10 or more contiguous uncovered vehicle parking spaces shall comply with the requirements of Section 17.08.090.D (Parking design and performance standards) for design and development of landscaping and surface parking area.</li> <li>3. Parking for uses subject to conditional use permit shall meet the requirements specified in the permit or as otherwise provided in this title.</li> <li>4. Requirements for uses not specifically listed herein shall be determined by the director based upon the requirements for comparable uses and upon the particular characteristics of the use.</li> <li>5. The number of parking spaces required may be reduced, at the discretion of the Director, if the builder can sufficiently demonstrate, through research and analysis that the development warrants fewer parking than is required. Such parking reductions may be granted if the development is located near public transit or if the builder pays in-lieu parking fees for future public parking, transportation, or pedestrian and bicycle trail improvements.</li> <li>6. For multi-family uses, a private owner retains the right to assign parking spaces for tenants and visitors, provided there are enough parking spaces per City code.</li> </ol>	

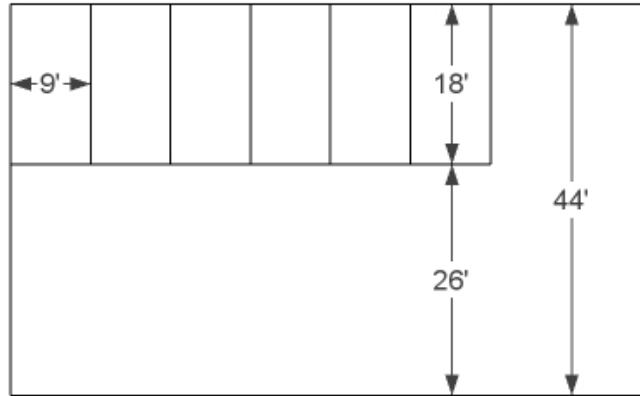
**D. Accessible parking.** Housing providers shall adhere to the accessible parking regulations of the American Disabilities Act “ADA,” Part 20 of the United States Code of Federal Regulations, and the California Building Code. In accordance to these regulations, housing providers shall establish the following number of accessible parking spaces for multiple-family developments: ”

Total Number of Parking Spaces in Lot or Garage	Minimum Required Number of Accessible Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	Two percent of total
1,001 and over	Twenty plus one for each 100, or fraction over 1,001

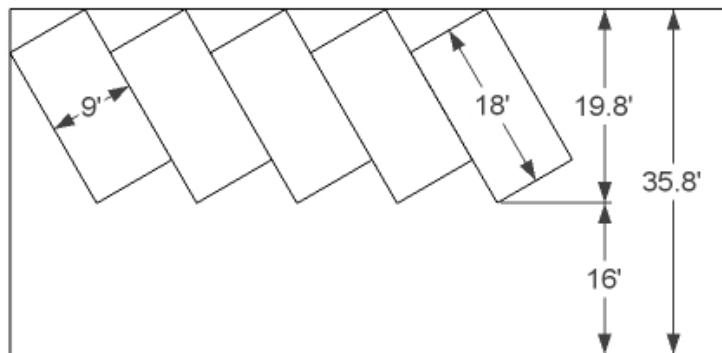
**E. Parking design standards.** The following design and development standards shall be met for development in all residential zones.

1. Location of parking facilities.
  - a. Required off-street parking shall be located on the same parcel as the uses served, unless it can be sufficiently demonstrated that parking from another parcel can adequately serve the project, with a recorded parking agreement between the parcels.
  - b. Parking facilities other than driveways shall not be located in a required front or street side setback.
2. Access to parking facilities and parking spaces.
  - a. Access to parking lots. Parking facilities shall be designed to prevent vehicle access at any point other than at designated driveway entrances.
  - b. Access to individual unit garages. Garages shall be accessed via a minimum 20-foot-length driveway. Garage driveway width shall be minimum 20-foot-wide, except for access into tandem garages, or rear-located garages (not alley access), in which the driveway width shall be minimum 12-foot, and shall widen or taper as necessary to allow for adequate vehicle access.
  - c. Internal maneuvering and queuing. Parking facilities shall provide suitable maneuvering room so that vehicles enter the street in a forward direction, except for lots with four or fewer residential units.
3. Parking space and facility dimensions.
  - a. Individual unit garages. Parking spaces within garages shall have minimum dimensions of 10 feet in width and 20 feet in length, clear of any obstructions. Tandem parking garage arrangements may be considered, and shall have minimum dimensions of 12 feet in width and 40 feet in length, clear of any obstructions.
  - b. Carports. Parking spaces within carports shall have minimum dimensions of 9.5 feet in width and 19 feet in length, clear of any obstructions.
  - c. All other parking spaces. Minimum parking space dimensions shall be as follows, except as shown in the following table and figure.
    - 1) Standard parking spaces shall have a minimum dimension of 9 feet in width by 18 feet in length, except for spaces provided at either a 45 or 30 degree layout, in which the spaces shall have a minimum dimension of 8.5 feet in width by 18 feet in length.
    - 2) Up to 35 percent of the spaces in a parking lot may be compact spaces, with minimum dimensions of 8 feet in width by 16 feet in length. For multi-residential uses, this shall only apply to guest parking spaces.
    - 3) Parallel parking spaces shall be 8 feet by 22 feet, except that spaces that are unencumbered at one end may be reduced to 8 feet by 20 feet.
    - 4) The width of a parking space shall be increased by one-foot if either side of the space is adjacent to a wall, fence, support column or other structure, except where the obstruction is limited to the front or rear one-third of the parking space.

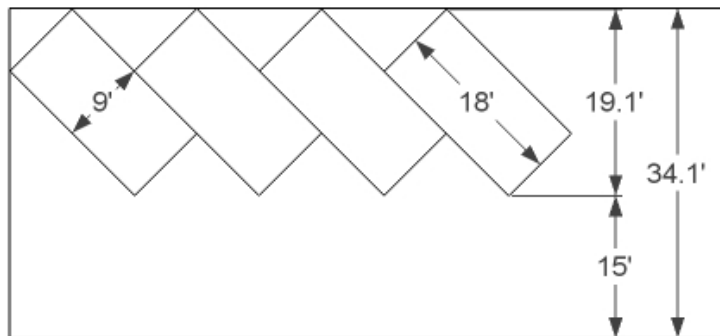
## Off-street Parking Design Standards for Full Size Parking Spaces



90 degree parking with 2-way drive aisle

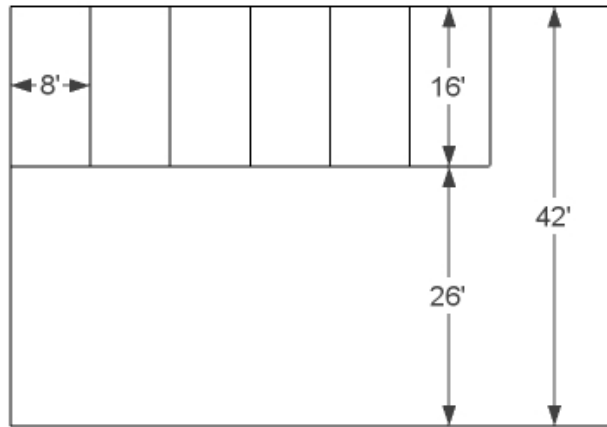


60 degree parking with one-way drive aisle

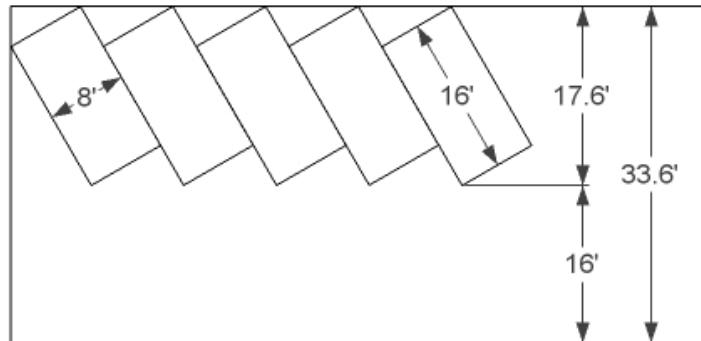


45 degree parking with one-way drive aisle

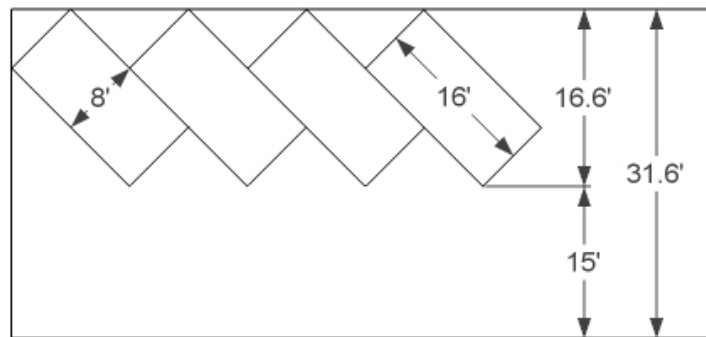
## Off-street Parking Design Standards for Compact Parking Spaces



90 degree parking with 2-way drive aisle



60 degree parking with one-way drive aisle



45 degree parking with one-way drive aisle

4. Curbing. Continuous concrete curbing at least six inches high and six inches wide shall be provided along the edges of parking spaces adjacent to fences, walls, sidewalks, other structures, and landscaping.
  - a. Alternative barrier designs may be approved by the Director.
  - b. Parking spaces adjacent along their length to landscaped areas or other similar surfaces shall incorporate a paved extension of the curb measuring 12 inches (for

- a total of 18 inches) to provide a place to stand while exiting and entering vehicles.
- c. Although discouraged, wheel stops may be installed as determined by the Director, in the uncommon circumstance where there is no curbing or landscaping that buffer parking spaces from a fence or other structures. The wheel stop shall be located in a manner that prevents a vehicle from colliding into a fence, or other structures.
  - d. Curb design and installation shall comply with National Pollution Discharge Elimination System (NPDES) standards where applicable.
5. Directional arrows and signs (except single-family detached):
- a. Parking spaces, aisles, approach lanes, and maneuvering areas shall be clearly marked with directional arrows and lines to ensure the safe and efficient flow of vehicles.
  - b. The Director may require the installation of traffic signs in addition to directional arrows to ensure the safe and efficient flow of vehicles in a parking facility.
6. Access to public right-of-way. Each vehicular passage of any parking or loading facility to or across a public right-of-way shall comply with the following requirements:
- a. No such curb cut may exceed 24 feet in width for single-family residential uses, or 35 feet for multi-family residential uses, unless as approved by a Director's Review. Curb cut is defined as the flat bottom dimension for the driveway, excluding wings.
  - b. Wherever feasible, curb cuts serving adjacent uses shall be combined to minimize the number of entrances onto arterial and collector streets.
  - c. Only one curb cut may be installed for any parking or loading facility, provided that additional curb cuts may be allowed if the City Engineer determines that each such additional curb cut is necessary for the efficient operation of the facility and will not significantly affect capacity and traffic safety.
  - d. Curb cuts for any circular driveway or multiple driveways on the same lot must meet the following requirements:
    - 1) The curb cuts of circular or multiple driveways must be at least 20 feet apart.
    - 2) The combined width of the curb cuts shall not exceed 40 percent of the lot frontage.
  - e. Any curb cut on a corner shall be located at the farthest point on the lot from the curb return.
7. Striping and identification (except single-family residential). Parking spaces shall be clearly outlined with four-inch wide lines painted on the surface of the parking facility. Circulation aisles, approach lanes, and turning areas shall be clearly marked with directional arrows and lines to ensure safe traffic movement. Double-striping outlining of parking spaces is also permitted, using the mid-point of the double-striped area as the measurement of the parking space width.
8. Grade of parking facilities. Parking facilities should not exceed a grade of five percent.

9. Parking lots as a transitional use. Parking lots may be permitted in the Residential zones as a transitional use, provided:
  - a. In the RR and R zones:
    - 1) The area used for parking adjoins or is separated only by an alley from property in a multiple-family, commercial, or industrial zone; and
    - 2) Parking shall be limited to an area within 100 feet from the boundary of the qualifying multiple-family, mixed use, commercial or industrial zone.
  - b. In the MDR and HDR zones:
    - 1) The area used for parking adjoins or is separated only by an alley from property in a commercial or industrial zone; and
    - 2) Parking shall be limited to an area within 100 feet from the boundary of the qualifying multiple-family, mixed use, commercial or industrial zone.
    - 3) An area developed with parking shall have direct vehicular access to an improved public street, highway, alley, or to the qualifying multiple-family, mixed use, commercial or industrial zone.

## **17.08.110 Landscaping**

### **A. Landscaping in general.**

1. Landscape designs shall be consistent throughout a project site. A combination of landscape materials should be arranged in a harmonious manner as an integral part of project design to enhance building design, public view, and interior spaces and provide buffers and transitions as needed. Unrelated and random choice or placement of plant materials shall be avoided; however, variety may be employed to intensify distinction between spaces or to strengthen a sense of place or movement, or to promote energy and water conservation and mitigate erosion.
2. The type, scale and proportion of landscape materials shall be appropriate to the site and/or structures to which they relate.
3. Plant material shall be selected for interest in its structure, texture, color, ultimate growth and water efficiency. Plants that are native or climate adaptive to the high desert area of Lancaster and/or others that will be hardy, harmonious with project design and of good appearance shall be used. Drought-resistant varieties of plants shall be used in accordance with Title 8, Chapter 8.50, Landscaping Installation and Maintenance; Title 8, Chapter 8.30, Residential Landscaping Installation and Maintenance; and Title 15, Chapter 15.48, Specifications for Landscape Development of the Lancaster Municipal Code.
4. Landscaped areas shall be irrigated by an automatic system with separate stations for each hydrozone. The irrigation system shall be designed and equipped to incorporate water conservation techniques, such as drip systems, moisture sensors and anti-drain valves. Sprinkler systems shall be designed to prevent water from falling onto impervious surfaces. The system shall comply with Title 8, Chapter 8.50, Landscaping Installation and Maintenance; Title 8, Chapter 8.30, Residential Landscaping Installation and Maintenance of the Lancaster Municipal Code.
5. All areas which are not utilized for buildings, sidewalks, vehicle access, or parking, shall be permanently landscaped and maintained.



6. All landscaped planters for interior parking areas shall be completely bordered by a 6-inch concrete curb to prevent runoff.
7. Required Landscaping. The following basic standards shall be observed:
  - a. All interior areas of parking lots shall be landscaped with a minimum of one shade tree plus one shade tree for each 4 parking spaces along with other required plant materials.
  - b. The minimum required landscaping for parking lots shall be the percentage shown below of the total area used for vehicle ingress, egress, circulation and parking. Only landscaped areas exclusive of curbs shall qualify toward meeting this requirement and no landscaped area with a dimension of less than 2 feet shall be credited toward meeting the landscape requirement.

Size	Minimum Percentage of Landscaping Required
1—4,999 square feet	5%
5,000—19,999 square feet	6%
20,000 or more square feet	7%

- c. Where off-street parking areas abut local or collector public streets, such areas shall be separated from an abutting street by a continuous landscaped planter which extends parallel to the street frontage of the parking area. The planter shall be a minimum of 10 feet in width exclusive of perimeter curbs. Up to 1/2 of the area of this required landscape planter may be counted toward fulfilling the requirements of the required landscaping for lots under 20,000 square feet.
8. Utilize trees and landscaping wherever possible to shade buildings as a means of enhancing energy conservation.
9. All landscaped areas shall be continuously and properly maintained in good condition.
10. At least 25 percent of all trees installed shall be from a 24-inch box, and no tree shall be less than 15 gallon size. At least 50 percent of all shrubs shall be of 5-gallon size, and no shrub shall be less than one-gallon size. Ground covers shall be planted at no further apart than 6 inches on center.
11. Multiple family residential developments shall comply with the provisions of Chapter 8.30 of the Lancaster Municipal Code.
12. Single family residential developments shall comply with the provisions of Chapter 8.30 of the Lancaster Municipal Code.

**17.08.120 Signs**

A person shall not use any sign except as specifically permitted in this section and subject to all regulations and conditions set forth in this title. The following signs are permitted in the residential zones except where specific references limit certain uses to the RR, R, MDR or HDR zone.

## **A. Signs in general.**

1. Address. Street numbers of all buildings shall be prominently located and of sufficient size, lighted or illuminated during hours of darkness, to be easily read from the street by public safety personnel in accordance with city standards.
2. Building identification signs. One illuminated wall-mounted sign not to exceed 6 square feet in sign area shall be permitted on a lot which contains 3 dwelling units or more, in the MDR and HDR zones only. No such signs may be illuminated by an exposed incandescent lamp and any continuous or sequential flashing operation is prohibited.
3. Directory diagram. A multiple-family residential development consisting of 6 or more dwelling units shall have posted at or near the primary entrance to the building or buildings a brief descriptive directory diagram which clearly indicates the numerical, alphabetical or identification pattern or layout showing the location of each dwelling unit, including floor levels and access patterns. Such diagram shall be of a size to be easily readable by a person with normal vision, shall be illuminated during the hours of darkness, and shall be protected from the elements by being placed in a permanent glass or transparent plastic covered device.
4. Project identification signs. One wall or monument sign may be permitted for a multiple-family development or project which contains 10 dwelling units or more. Such sign shall not exceed 20 square feet of total sign area or 8 feet in height measured vertically from the average ground level at the base of the sign. If, in the opinion of the director, the project requires more than one such sign and there are more than 25 dwelling units in the project, the director may then approve a second project identification sign of equal area for a particular project. No such signs may be illuminated by an exposed incandescent lamp and any continuous or sequential flashing operation is prohibited.
5. Prohibited signs. The following signs shall be prohibited in the R zones and may not be included in any sign plan.
  - a. Any notice, placard, bill, card, poster, sticker, banner, sign, advertising or other device calculated to attention of the public which any person posts, prints, sticks, stamps, tacks or otherwise affixes upon any street, right-of-way, crosswalk, curb, lamppost, hydrant, tree, telephone or lighting system, or upon any fixture in the public right-of-way.
  - b. Any strings of pennants, banners or streamers, clusters of flags, strings of twirlers or propellers, flares, balloons, and similar attention-getting devices, including noise-emitting devices, with the exception of the following, not intended for advertising use: holiday decorations in season used for an aggregate period of 60 days in any one calendar year, or national, state, or other governmental or institutional flags properly displayed.
6. Signs for uses subject to conditional use permit. The planning commission may approve signs it deems appropriate for the use. In cases where the commission does not specifically approve signs, the maximum dimensions that may be authorized in the residential zones are as follows:
  - a. A sign face area of 25 square feet, or a total sign area of 50 square feet; and
  - b. A height of 8 feet.

**B. Temporary signs.** Temporary signs, such as real estate “for sale” or “for lease” signs may be permitted in the residential zones subject to the following restrictions:

1. Area permitted. Temporary signs that are posted for less than 90 days shall not exceed 16 square feet in sign area (one-sided) or 32 feet in total sign area (two-sided) as defined in Section 17.04.240. An applicant proposing a temporary sign for more than 90 days shall obtain a temporary sign permit, with the requirement that the sign shall not exceed 32 square feet in sign face area or 64 square feet in total sign area.
2. Height permitted. Freestanding temporary signs shall not exceed 6 feet in height.
3. Lighting. Temporary signs shall not be lighted.
4. Placement. Temporary signs shall not be placed on public property, including all public right-of-ways, or in any manner than would endanger the public.
5. Prohibited temporary signs. All prohibited signs as listed in Section 17.08.120.A5.
6. Duration. No temporary sign shall be posted for more than 90 days without obtaining a sign permit pursuant to this section. No sign permit for a temporary sign shall be valid for more than a year. Upon written request for an extension, the director may grant an extension for up to one additional year upon finding that the sign is otherwise in compliance with the requirements of Section 17.08.120 et seq. and that the extension is necessary to accomplish the purposes for which the sign has been posted. No additional extensions may be granted. All temporary signs shall be removed within 14 calendar days after the event. The date of the posting shall permanently and legibly be marked on the lower right-hand corner of the sign face.
7. Permit required. Any person who proposes to post or erect a temporary sign for more than 90 days shall file an application for a sign permit with the Planning Department. The applicant shall also file a statement of responsibility as required in subsection I of this section.
8. Standards for Approval.
  - a. Within 7 working days, the director or his designated representative shall act upon the application for a temporary sign permit.
  - b. The action on the application shall be based on character, location and design, including design elements such as material, letter style, colors, sign type or shape, and the provisions of Section 17.08.110 et seq.
  - c. If the action is to disapprove, the notice of disapproval shall specify the reasons for disapproval.
9. Statement of responsibility. Each person desiring to post or erect a temporary sign, regardless of duration, shall submit to the Planning Department, a statement of responsibility in a form approved by the director with a description sufficient to identify the temporary sign, the location of the sign to be posted, and certifying a named individual who is responsible for removing each temporary sign. In the event the responsible individual fails to remove the temporary sign as required by this section, the temporary sign shall be deemed abandoned and may be removed by the City, the cost of which removal shall be payable by the responsible individual.
10. Removal of unauthorized, non-maintained or dangerous signs.
  - a. Temporary signs posted for which a statement of responsibility has not been submitted, and a required permit has not been obtained, are subject to immediate

removal by the city without compensation. The city may also pursue legal action under Section 17.04.220.

- b. Temporary signs which are deemed by the city to constitute a threat to the public health and safety are subject to immediate removal by the city without compensation or prior notice. (Some examples might include signs which are not secured against the wind or were placed in a manner which would interfere with the vision of drivers or pedestrians.) The city's cost of removal shall be payable by the responsible individual.
- c. Temporary signs for which a statement of responsibility has been submitted, and a required permit has been obtained, and which do not pose a threat to public health and safety are otherwise posted in violation of Section 17.08.110 et seq. shall be subject to removal in accordance with the following procedures:
  - 1) The city shall provide written notice to the responsible individual for each temporary sign established pursuant to subsection I of this section.
  - 2) The sign in violation of Section 17.08.110 et seq. shall specify the nature of the violation and shall direct the responsible individual to remove or alter such temporary sign.
  - 3) If the responsible individual fails to comply with the notice within 3 working days after such notice is mailed, the sign shall be deemed abandoned, and may be removed by the city.
  - 4) The responsible individual shall pay the city for the cost of the sign removal.

**C. Subdivision sales signs.** Temporary subdivision sales signs, entry signs and special feature signs shall be accompanied by site plan or other pertinent information and approved by the director in order to be permitted in all zones.

1. Subdivision sales signs.
  - a. One freestanding subdivision shall be pertained per street frontage.
  - b. Sign area. The sign face shall not exceed 180 square feet per sign face or 360 square feet in total sign area.
  - c. Height permitted. Twelve feet measured vertically from ground level at the base of the sign.
  - d. Location. Each sign shall be located on the subdivision and be oriented to read from the street or highway where the sign is permitted. The distance between subdivision signs shall be a minimum of 500 feet.
  - e. Lighting. Subdivision signs may be internally or externally lighted. Continuous or sequential flashing is not allowed.
  - f. Time limit. Subdivision sales signs shall be maintained only until all the property is disposed of, or for a period of 3 years from the date of issuance of the first building permit. The approved sales sign shall be removed at the end of the 3-year period. The director may extend the permitted time beyond 3 years, if needed by the owner of the property. The owner must make the request in writing.
  - g. Copy. All copy shall relate exclusively to the subdivision being offered for sale.
2. Subdivision entry and special feature signs.
  - a. Such signs are permitted and shall be located within a subdivision to facilitate entry and movement.

- b. Sign area.
    - 1) Subdivision entry signs. The sign face shall not exceed 12 square feet per sign face or 24 feet in total sign area.
    - 2) Special feature signs. The sign face shall not exceed 6 square feet per sign face or 12 feet in total sign area.
  - c. Height permitted.
    - 1) Subdivision entry signs. Shall not exceed a maximum height of 8 feet measured from the base of the sign.
    - 2) Special feature signs. Shall not exceed 6 square feet in sign area or 12 square feet in total sign area.
  - d. Lighting. Signs shall be unlighted.
  - e. Time limit. Shall have the same time limit as subdivision sales signs approved for the same tract and shall be removed at the end of such period.
3. Subdivision kiosk signs.
- a. Contents of application. An application for a subdivision kiosk sign shall be filed as a director's review, and shall contain the following information:
    - 1) A scale drawing of the proposed sign;
    - 2) Proposed location of the sign, including distance from adjacent streets and public sidewalks;
    - 3) The proposed colors of the sign.
  - b. Development standards. All subdivision kiosk signs shall be of a consistent design and shall comply with the following standards:
    - 1) Height. The overall height of the sign shall not exceed 10 feet, measured from the ground level at the base of the sign.
    - 2) Width. The overall width of the sign shall not exceed 6 feet.
    - 3) Individual sign panels. Individual sign panels shall not exceed one-foot in width and 6 feet in length. Copy on sign panels shall be limited to the name of the subdivision and/or builder, and a directional arrow.
    - 4) Location. Signs may be located on either public or private property, provided that the appropriate agency or property owner has given their written consent. Signs shall not obscure required line of sight visibility for motorists or pedestrians.
    - 5) There shall be no additions, tag signs, streamers, flags, banner devices, display boards, or appurtenances added to the signs as originally approved. Further, no other directional signs shall be used, including but not limited to posters or portable outdoor advertising signs.
    - 6) Subdivision directional signs may advertise tracts either within the city limits or within that portion of the county of Los Angeles which is within the city's sphere of influence.
  - c. Approval process.
    - 1) Approval authority. Application shall be reviewed and approved by the Planning Department.

- 2) Building permit. The applicant shall obtain all necessary construction permits from the Public Works Department.
- 3) Separate agreement. The city may, at its discretion, enter into an agreement with a private entity for the purpose of erecting and maintaining subdivision kiosk signs. Such agreement shall be consistent with the provisions of this section, but may also establish other requirements not specifically addressed by this section.

#### **17.08.130 Fences, Walls, and Screening**

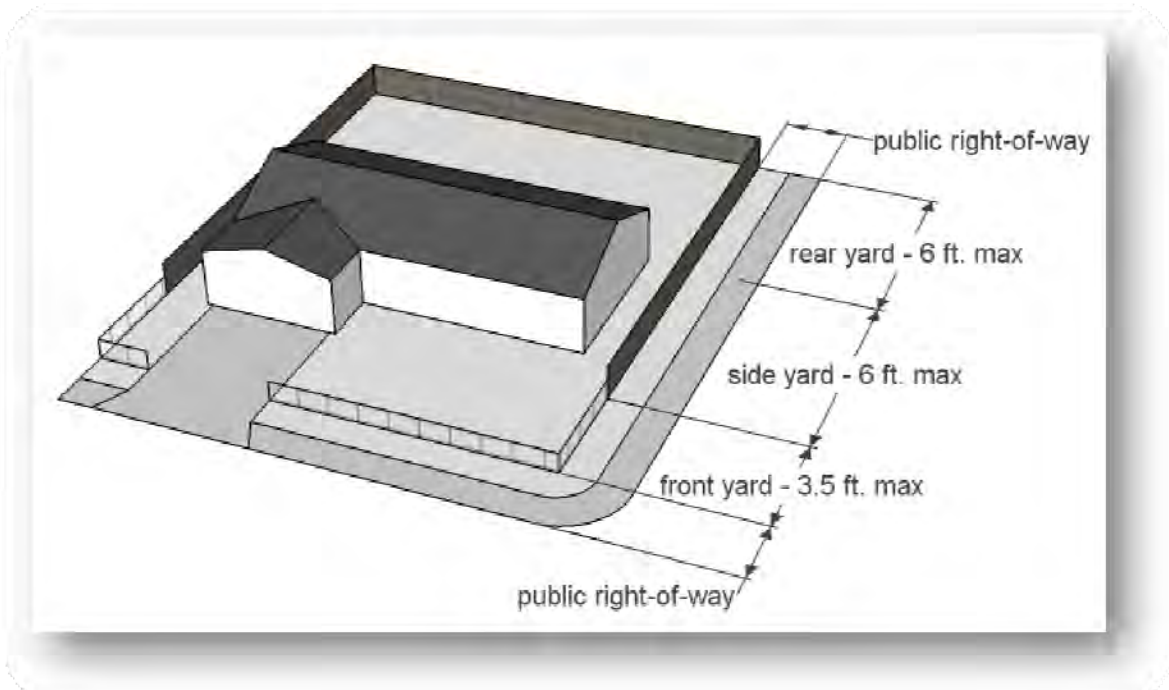
**A. Purpose.** This section provides regulations for the installation, construction and placement of fences on private residential property. For the purpose of this zoning code, the term “fence” includes fences, hedges, walls or other structures with the functions and characteristics of a fence.

**B. Measurement of fence and wall height.**

1. Fence height shall be measured as the vertical distance between the finished grade from the base of the fence to the top edge of the fence material.
2. Where the ground elevation within six feet of the base of a fence differs from one side of the fence to the other (as when a fence is placed at the top of a slope or on a retaining wall), the height shall be measured from the side with the highest natural grade. (See Section 17.28.030)

**C. Fence height limits.**

Location	Maximum height
Within front yard setback or corner lot side yard setback	3 ½ feet
Within side or rear yard setback or along/behind corner lot side yard setback	6 feet



**D. Consideration for additional height.** A fence or wall may be constructed to a height in excess of the limits established by 17.08.120.C with a Director’s Review. The Director’s Review shall require that the applicant make the following findings, in addition to the findings required for a Director’s Review listed in Chapter 17.32:

1. The issuance of the permit is reasonably necessary, by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable property rights or the full use and enjoyment of the property.
2. The fence will not create a safety hazard to pedestrians or vehicular traffic.
3. The appearance of the fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood.
4. The orientation and location of the fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood.
5. The fence will be of sound construction.

**E. Fencing for new production homes.** Fencing for new production homes shall be a masonry wall, adjacent to the rear and side yards, up to 6 feet in height. The Planning Director may approve alternative fencing materials that provide comparable aesthetics and durability.

**F. Subdivision perimeter walls.** A masonry wall shall be constructed along the perimeter of a subdivision, with the color and design to be specifically approved by the Planning Director.

**G. Prohibited fence materials.** The use of barbed wire, razor wire, electrical fence, glass and other similar objects of a hazardous characteristic shall not be permitted for residential uses.

#### **17.08.140 Outdoor Lighting**

The intent of this requirement is to properly illuminate the site without producing an adverse impact on neighboring property. Exterior lighting of the building and site shall be provided, maintained and utilized during the hours of darkness in accordance with the following requirements:

##### **A. Outdoor lighting in general.**

1. Lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be compatible with the building design.
2. Lighting shall be placed to provide adequate illumination for security and safety.
3. Lighting used to illuminate the premises shall be directed away from adjacent properties.
4. Lighting shall be designed and located in a manner that prevents glare onto adjacent properties.

### **Article IV. Standards for Specific Land Uses**

#### **17.08.150 Purpose and Applicability**

**A. Purpose.** This article provides site planning, development, and/or operating standards for certain land uses that are allowed within the residential zones, and for activities that require special standards to mitigate their potential adverse impacts. The land uses and activities covered by this article shall comply with the provisions of the sections applicable to the specific use, in addition to all other applicable provisions of this zoning code.

##### **B. Applicability.**

1. Where allowed. The uses that are subject to the standards in this article shall be located in compliance with the requirements of Chapter 17.08 (Residential Zones).
2. Land use permit requirements. The uses that are subject to the standards in this article shall be authorized by any required and applicable land use permit.
3. Development standards. The standards for specific uses in this article are required in addition to those listed elsewhere in the Residential chapter of the Zoning Ordinance. In the event of any conflict between the requirements of this article and those listed elsewhere in the Residential chapter of the Zoning Ordinance, the specific requirements under this article shall take precedence.

#### **17.08.160 Residential Accessory Uses and Structures**

The development criteria set forth in this section are intended to provide minimum standards for accessory buildings or structures. Accessory buildings and structures may only be constructed



on a lot containing a main dwelling unit. Whenever there is a conflict between these standards and the city’s building code, the most restrictive requirement shall apply.

**A. Standards for residential accessory uses and structures.**

Structure type	Maximum height	Distance from interior/rear property lines	Distance from main dwelling unit	Other notes
1. Attached accessory structures (patio, etc.)	One story or 12 feet	5 feet	N/A	• Shall remain permanently unenclosed on at least 2 sides, excluding the placement of detachable screens
2. Detached accessory structures less than 120 sq. ft. (small shed, etc.)	8 feet	0 feet	6 feet	
3. Detached accessory structures greater than 120 sq. ft. (shed, gazebo, etc.)	One story or 12 feet	5 feet	6 feet	
4. Detached garages (without 2 <sup>nd</sup> story living area)	16 feet	0 feet	6 feet	• Detached garages built to the property line shall not result in drainage onto neighboring properties
5. Swimming pools and spas	N/A	5 feet	6 feet	
6. Accessory structure and equipments (air conditioner units, pool equipment, etc.)	6 feet	5 feet	0 feet	
<p>Other notes:</p> <ul style="list-style-type: none"> <li>• For accessory buildings that are used for living or sleeping space, see Section 17.08.220 discussing guest houses.</li> <li>• No more than 50% of the required rear yard shall be covered by roofed structures. Infill residential lots (smaller than 7,000 square feet) may have up to 60% of the rear yard covered by roofed structures.</li> </ul>				

**B. Projections permitted into yards.** The following projections are permitted in a required yard:

1. Eaves, cantilevered roofs, awnings and similar architectural features may project a maximum distance of 2 ½ feet into any required front or side yard or 5 feet into a rear

- yard, provided that such features shall maintain a minimum distance of 3 feet to any property line and are not less than 8 feet in height above grade. Such appendages shall be supported only at or behind the building setback line.
2. Fireplace structures (meeting all requirements of the current California building code), bay windows (not wider than 8 feet measured in the general direction of the wall of which it is a part), fire escapes, exterior stairs, and landings, buttresses and wing walls may project a maximum distance of 2 ½ feet into any required yard, provided that such features shall maintain a minimum distance of 3 feet to any property line. Such structures shall not be utilized to provide closets or other usable floor area.
  3. Decks, platforms, covered and uncovered porches, and landing places including access stairs, which exceed an average height of 2 ½ feet and do not extend above the level of the first floor may project a maximum distance of 2 feet into required interior side yards, and a maximum distance of 5 feet into required front and side yards, provided such features shall maintain a minimum distance of 3 feet to any property line, and that an open-work railing installed shall not exceed 3 ½ feet in height.
  4. Walls and window-mounted air conditioners, coolers, and fans may be used in any required yard provided that such equipment shall maintain a minimum distance of 3 feet to any property line.

#### **17.08.170 Cargo Container Storage**

All cargo container uses, except those use by a public agency or entity, or by a non-public or private school, shall comply with all pertinent city codes, ordinances and regulations in addition to the following conditions:

- A. Cargo containers as accessory buildings or structures.** Cargo containers may be used as accessory buildings or structures in the RR-2.5 and RR-1 zones, subject to the following:
  1. Containers shall be located only to the rear of the main building, in which a permissible use is occurring;
  2. Containers shall only be used for incidental uses that are permissible in the zone;
  3. Containers shall not be used for commercial purposes or in conjunction with commercial activities;
  4. Containers shall not be closer than fifty (50) feet to any property line;
  5. Containers shall not be stacked on top of each other or on any other structure;
  6. Containers shall not encroach upon, block, obstruct, or reduce in any manner any required exits, windows or vent shafts of structures, or any parking spaces, driveways, private streets, or public rights of way;
  7. Containers shall not be used for human habitation or occupied by individuals for any reason;
  8. Containers shall not have any electrical, plumbing, heating or air conditioning installations or systems, and shall not be connected to a power source;
  9. Containers shall not be unsightly, graffitied, or damaged;

10. Refuse, garbage, trash and debris, as well as hazardous substances, as defined by state or federal law, shall not be placed or stored in, against, on, or under a cargo container at any time;
11. Containers shall require a container permit. The number and location of cargo containers used as accessory buildings or structures in the RR-2.5 and RR-1 zones shall be subject to the review and prior written approval of the directors of planning and housing and neighborhood revitalization, or their duly authorized representatives. Upon such approval, compliance with all conditions of approval, and payment of a container permit fee in an amount established by city council, a container permit shall be issued.

**B. Cargo containers as temporary storage.** Cargo containers may be used as temporary structures in the R and RR zones, including the following:

1. Storage of materials for public works and other infrastructure improvements.
  - a. Storage of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drain, underground conduits, flood control works, pipelines and similar uses, shall not exceed a period of one year.
2. Storage of building materials for temporary construction.
  - a. This includes storage of building materials, machinery and equipment used in conjunction or development project undertaken pursuant to an active building permit. Storage shall be on the lot or parcel which is part of the project, or on property adjoining the construction or development site with the written consent of the property owner. Storage shall not occur until the building permit is obtained. Storage shall be removed within thirty (30) calendar days after the permit is expired, revoked, or finalized.
  - b. Cargo containers may be used for the temporary construction storage described in (a) of this subsection. A cargo container approved pursuant to this subsection shall not require a separate permit. The number and location of cargo containers used for temporary construction storage shall be subject to the review and prior written approval of the building official and directors of planning and housing and neighborhood revitalization or their duly authorized representatives. Application for approval of cargo containers for temporary construction storage shall be made on a city-approved form and shall indicate the number of the building permit obtained for the construction or development project for which the temporary construction storage is requested, the size of each cargo container, the proposed location of each container on the property, and the date on which each container shall be placed on the property.
  - c. The time period for which a cargo container may be used for temporary construction storage is limited to the time when the building permit is active. An active building permit means one that has not expired, been revoked, or been finalized. Cargo containers used for temporary construction storage shall be removed from the property within thirty (30) calendar days of the expiration, revocation or finalization of a building permit.
  - d. Cargo containers used for temporary construction storage shall not exceed eight feet in width, eight feet six inches in height, and forty (40) feet in length.

- e. Cargo containers used for temporary construction storage shall conform to the following standards:
  - 1) Cargo containers shall be set back a minimum of five feet from any property line and a minimum of ten (10) feet from any structure.
  - 2) Cargo containers shall not be stacked on top of each other or on any other structure.
  - 3) Cargo containers shall not encroach upon, block, obstruct, or reduce in any manner any required exits, windows or vent shafts of structures, or any parking spaces, driveways, private streets, or public rights of way.
  - 4) Cargo containers shall not be used for human habitation or occupied by individuals for any reason.
  - 5) Cargo containers shall not have any electrical, plumbing, heating or air conditioning installations or systems, and shall not be connected to a power source.
  - 6) Refuse, garbage, trash and debris, as well as hazardous substances, as defined by state or federal law, shall not be placed or stored in, against, on, or under a cargo container at any time.
- 3. Storage of household materials during remodeling or other construction work.
  - a. This includes temporary storage of household materials, including but not limited to furniture, appliances, household electronics, clothing and other items of personal property, when a structure is undergoing rehabilitation, repair, remodeling, alteration or other construction work under an active building permit.
    - 1) The number and location of cargo containers used for temporary household storage shall be subject to the review and prior written approval of the building official and directors of planning and housing and neighborhood revitalization or their duly authorized representatives. A cargo container approved under this subsection shall not require a separate permit. Application for approval of cargo containers for temporary household storage shall be made on a city-approved form and shall indicate the number of the building permit obtained for the repair, remodeling, alteration or other work for which the temporary household storage is requested, the size of each cargo container, the proposed location of each container on the property, and the date on which each container shall be placed on the property.
    - 2) The time period for which a cargo container may be used for temporary household storage is limited to the time when the building permit is active. An active building permit means one that has not expired, been revoked, or been finalized. Cargo containers used for temporary construction storage shall be removed from the property within thirty (30) calendar days of the expiration, revocation or finalization of a building permit.
    - 3) Cargo containers used for temporary household storage shall not exceed eight feet in width, eight feet in height, and sixteen (16) feet in length.
    - 4) Cargo containers used for temporary household storage shall conform to the standards set forth in Section 17.08.170.B.2.e.
- 4. Emergency storage of household materials due to disaster circumstance.

- a. Cargo containers used for emergency household storage shall require a container permit. The number and location of cargo containers used for emergency household storage shall be subject to the review and prior written approval of the directors of planning and housing and neighborhood revitalization, or their duly authorized representatives. Upon such approval, and payment of a container permit fee in an amount established by city council, a container permit shall be issued.
  - b. Cargo containers may be used for emergency household storage for a period not to exceed fifteen (15) calendar days. This use may be extended for an additional ten (10) calendar days upon the prior written approval of the directors of planning and housing and neighborhood revitalization.
  - c. Cargo containers used for emergency household storage shall not exceed eight feet in width, eight feet in height, and sixteen (16) feet in length.
  - d. Cargo containers used for emergency household storage shall conform to the standards set forth in Section 17.08.170.B.2.e.
5. Storage of household materials used for relocation.
- a. Cargo containers used for relocation storage shall require a container permit. The number and location of cargo containers used for relocation storage shall be subject to the review and prior written approval of the Directors of planning and housing and neighborhood revitalization, or their duly authorized representatives. Upon such approval, and payment of a container permit fee in an amount established by city council, a container permit shall be issued.
  - b. Cargo containers may be used for relocation storage for a period not to exceed fifteen (15) calendar days. This use may be extended for an additional ten (10) calendar days upon the prior written approval of the directors of planning and housing and neighborhood revitalization.
  - c. Cargo containers used for relocation storage shall not exceed eight feet in width, eight feet in height, and sixteen feet in length.
  - d. Cargo containers used for relocation storage shall conform to the standards set forth in Section 17.08.170.B.2.e, except as provided in f. of this subsection.
  - e. Cargo containers used for relocation storage may be placed on driveways.

**C. Existing cargo containers.**

- 1. Cargo containers that are present on private real property, for any use or purpose, on the effective date of this section shall be removed within six months from the effective date, unless the property owner obtains the requisite approvals and permits in conjunction with temporary uses allowed in Section 17.08.170.B. and otherwise complies with all regulations pertaining to cargo containers.
- 2. This subsection does not apply to cargo containers that are present on real property located in RR-2.5 and RR-1 zones, provided they are brought into conformance with the requirements of Section 17.08.170.B.2.e.

**D. Exceptions.** Except as provided in A. of this section, cargo containers shall not be used as accessory buildings or structures, and shall not be placed, maintained or used on private real property at any time except as permitted in conjunction with temporary uses allowed in 17.08.170.B. This provision does not apply to the following real property:

- 1. Real property owned, leased, rented, occupied or used by a public agency or entity;

2. Real property owned, leased, rented, occupied or used by a non-public or private school. For purpose of this subsection, “non-public school” means a private, non-sectarian school that enrolls individuals with exceptional needs pursuant to an individualized education program and is certified by the California Department of Education. For purposes of this subsection, “private school” means a full-time day school that provides instruction in the several branches of study required to be taught in the public schools of the state, by persons capable of teaching, and that files an annual private school affidavit as required by the California Department of Education. For purposes of this subsection, “private school” does not include a school that provides instruction in building used for residential purposes. A non-public or private school is not exempt unless it is operating in conformity with all pertinent land use and technical code regulations.
3. Real property utilized for the placement of cargo containers that are used exclusively for the storage of emergency supplies to be used for the benefit of the public by a recognized governmental agency, such as the Los Angeles County Fire Department, in the event of a disaster or emergency situation. Placement of a cargo container for the storage of private supplies is not included in this exemption. Placement of cargo containers for this purpose shall be approved through a Director’s Review.

#### **17.08.180 Animal Keeping**

- A. Purpose.** Regulations governing animals for the personal use of the family residing on the premises are established in order to provide for the keeping of domestic and wild animals where accessory to the residential use of the property as opposed to maintenance for commercial purposes. The following regulations presume a reasonable effort on the part of the animal owner to recognize the rights of surrounding neighbors by maintaining and controlling animals in a safe and healthy manner.
- B. Animal keeping in Residential zones.** On any lot in a residential zone, or in conjunction with any residential use in any other zone, a total of five animals (domestic or exotic) may be kept on one lot, of which not more than three may be dogs.
- C. Animal keeping in Rural Residential zones only.** Where allowed by Section 17.08.050, livestock farming shall be limited to the raising, feeding, maintaining, and breeding of livestock, subject to a minimum 20,000 square-foot net lot area. The following are allowed per each 20,000 square feet of gross lot area, in accordance with the following limitations and conditions:
  1. Two hogs or pigs;
  2. Two horses or mules or cows or steer;
  3. Three goats or sheep or similar livestock;
  4. One dozen chickens or ducks or rabbits.
- D. Offspring.** Young animals born to a permitted animal kept on the site may be kept until such animals are weaned.
- E. Therapy and service animals.** In accordance with fair housing law, a housing provider shall accommodate a person with a disability who requests a reasonable and necessary animal. Such animals may include, but are not limited to, guide dogs that assist persons with visual impairment, hearing dogs trained to alert those who are hard of hearing,

service dogs trained to assist those with mobility impairment, or other animals intended to provide therapy, including emotional support.

### **17.08.190 Child Day Care Facilities**

**A. Purpose and Intent.** The availability and affordability of quality, licensed child care is beneficial to the well-being of parents and children within this community. The purpose of regulating child day care facilities, including large family daycares (8 to 14 children) located as an accessory use in a residential home, and daycare centers, within the City shall be to:

1. Facilitate and encourage the establishment of licensed child day care;
2. Specify standards to avoid any adverse effects of such facilities upon surrounding properties; and
3. Avoid the over-concentration of child care facilities in any neighborhood.

**C. Application requirements.** The following shall be included in each application for a child day care facility (Director's Review for large family daycares, and Conditional Use Permit for daycare centers in the Residential zones):

1. The application shall indicate the number of children to be cared for, including the applicant's children under 10 years of age; the number of employees; hours of operation and outdoor playtime; and State license number. The application and site plan shall clearly show compliance with applicable standards.
2. A site plan (8-1/2" x 11") showing: location and dimensions of existing residence and other structures, including: fencing, outdoor play structures and equipment, distance to property line, parking areas, access and traffic circulation. Additional site plan and/or application information may be requested at the discretion of the Planning Department.
3. An accurate traffic circulation plan showing parking, circulation and drop-off areas.

**D. Conditions of approval.** The operation of a child day care center or large family day care home, in compliance with a Conditional Use Permit or Director's Review application, may be conditioned or limited by the permit, except as may be prohibited by State law applicable to a chartered city, in any manner deemed necessary by the review authority to ensure the preservation of the health, safety and general welfare of the community and the neighborhood where the facility is proposed. The scope of permit review and approval shall be limited as required by State law to the following.

1. Space and concentration. No proposed large family day care facility shall be located closer than 300 feet in all directions from any other large family day care facility, as measured from any point on the exterior walls of both structures. In no case shall a residential parcel be directly abutted by large family day care homes on two or more sides.
2. Noise. The operation of any child care facility shall comply with all provisions of the City noise ordinance. The review authority may conditions of approval to reduce noise impacts including: solid fencing or other sound attenuating devices, restrictions on outside play hours, location of play areas, and placement of outdoor play equipment.

3. Traffic circulation. The traffic circulation plan for all child day care facilities shall be designed to diminish traffic safety problems. A residence on a primary or secondary arterial street shall provide a drop-off/pickup area designed to prevent vehicles from backing onto the arterial roadway. The care provider may be required to submit a plan of staggered drop-off and pickup time ranges to reduce congestion in neighborhoods already identified as having traffic congestion problems.

**E. Required findings for approval.** No Conditional Use Permit for a daycare center or a Director's Review for a large family day care facility shall be granted unless the review authority first makes all of the following findings, in addition to those required by Section 17.32.090 (Findings and decision for Conditional Use Permits) or Section 17.32.790 (Findings and decision for Director's Review):

1. The facility complies with all applicable requirements of this Section; and
2. The facility complies with all applicable building and fire code provisions adopted by the State and administered by the County Fire Department, and California Department of Social Services licensing requirements.

**F. Notification of proposed action.** Not less than 10 working days prior to the date on which the decision will be made on the application, the City shall provide public notice in compliance to the applicant, and all owners of property within a 300-foot radius of the exterior boundaries of the proposed parcel.

## **17.08.200 Home Occupations**

**A. Purpose and intent.** The purpose of this article is to provide the guidelines and restrictions for operating a home occupation (home-based business), from a residential dwelling in the city of Lancaster. It is intended that the home occupation functions as an office, and is secondary to the dwelling's main residential use. In addition, the home occupation shall not detract from nor become incompatible with the surrounding residential uses; and thus, will not interfere with the general welfare of the surrounding residential area.

**B. Conditions for home occupations.** No home occupation shall be approved unless it complies with this section and all pertinent city codes, ordinances and regulations:

1. Residency. The applicant who holds the home occupation permit and accompanying business license shall reside at the address location as stated on the home occupation permit and business license.
2. Boundaries. A home occupation shall be conducted only within the enclosed living area of the dwelling unit, accessory building, or the garage, without rendering the garage unusable as the required off-street parking space(s) for the dwelling unit. Home occupation activities shall not be visible or audible beyond the boundaries of the site.
3. Alterations. There shall be no alteration of any building or structure which would result in a change of the residential occupancy classification under the current California building code.
4. Traffic and parking. The home occupation shall not generate vehicular traffic and/or vehicular parking which degrades or is otherwise detrimental to the residential nature of the neighborhood and thus becomes objectionable to neighboring residents and other affected by such parking or traffic.



5. Hours of operation. No customer or client may come to the premises except during the hours of 7 a.m. to 10 p.m. No deliveries may originate from or be made to the premises except during the hours of 8 a.m. to 6 p.m.
6. Commercial vehicles. No commercial vehicle which has a capacity of more than one ton shall be parked or stored at the home occupation site other than a recreational vehicle. (The term “commercial vehicle” means as the term as described in the California Vehicle Code.)
7. Nuisance. The home occupation shall not create any radio or television interference or create discernible noise, glare, dust, odor, vibrations, or unreasonable disturbance in excess of that which is normal to a residential use of the premises. Nor may the home occupation cause or generate any other condition that interferes with the peace, health, safety or general welfare of people or property in the surrounding area.
8. Signs and advertising. There shall be no signs or structures advertising the home occupation business on the residential property. In addition, no other advertisement of the home occupation shall include the address of the residential dwelling where the home occupation is conducted.
9. Storage. There shall be no exterior storage of materials in the conduct of a home occupation. The storage of materials, equipment, inventory, supplies, and files for home occupation, is only permitted inside the dwelling unit or an entirely closed roofed accessory structure.
10. Rental property. No home occupation shall be conducted in a rental unit, without the owner or landlord’s permission.
11. Transferability. Home occupations are valid only for the person and the address approved and are nontransferable. Only persons whose primary residence in the dwelling unit may engage in the home occupation.
12. Employees. A maximum of one employee is allowed at the home occupation, if located in an apartment or condominium unit; 2 employees is allowed if the home is within an Urban Residential zone; and 3 employees in Rural Residential zones.
13. Sales. No commodity shall be sold or displayed on the premises.
14. Specific conditions. The director may add specific conditions to the approval of a home occupation permit in order to address concerns which are not covered by the above conditions and which, in the director’s opinion, are necessary to protect neighboring property from any potential adverse effects of the proposed home occupation.

**C. Prohibited uses.** The following uses shall not be allowed as a home occupation:

1. Ambulance service;
2. Animal training;
3. Body piercing;
4. Construction, preassembly and similar large woodworking operations;
5. Contractor and construction yards that cause or require outdoor storage;
6. Cosmetology services including barber and beauty shops;
7. Food handling, food processing, food warehousing, food packaging, or food distribution;
8. Forensic testing;

9. Limousine, taxi or tow truck services; recreational vehicle rentals or automobile leasing; food or ice cream vending vehicles; or other vehicles not normally incidental to a residential use where such motor vehicles would be parked or stored at the home occupation site. This provision does not preclude limited customer or client parking;
10. Mechanical and electronic repair utilizing, maintaining, or storing more mechanical or electronic equipment on the premises than is common to a residence;
11. On-site massage therapists;
12. Pet grooming (not prohibited in RR-1 and RR-2.5 zones, if on appointment basis only);
13. Rental establishments as described in Section 17.12.040, the permitted uses section of the C zone;
14. Repair services related to automobiles, motorcycles, large household appliances, small engines, garden equipment, or other machinery;
15. Sales or production of drug paraphernalia;
16. Tattoo studio;
17. Taxidermy;
18. The manufacturing, sale, lease, or rental of firearms and/or ammunition;
19. Welding shop and/or metal fabrication;
20. Uses which are subject to director's review or a conditional use permit in the zone where the applicant's residence is located;
21. Those uses which the director determines are similar in nature to the uses listed above.

**D. Application.** The application for a home occupation shall be made in person to the Planning Department by resolution of the city council. The applicant shall fully disclose on the application form all hazardous materials (as defined in Section 17.04.240) which will be stored on-site or used in conjunction with the home occupation. The city shall accept only those applications which have provided all of the information required on the application form which applies to the proposed home occupation.

**E. Revocation.** Home occupation permits may be immediately revoked by the director based upon a finding that any one of the following conditions exists:

1. That the use has changed either in nature or extent to the point that it differs substantially from the use requested in the approved application for the home occupation permit.
2. That the use fails to comply with any condition in subsection B of this section.
3. That the holder of the home occupation permit failed to allow inspections at a reasonable time for the purpose of investigating a complaint or to verify compliance of the home occupation with the required conditions.
4. That the holder of the home occupation permit failed to comply with any applicable city, county, state or federal ordinance, law or regulation including failure to obtain and/or renew a business license.

The director shall notify in writing the holder of the home occupation permit of such revocation and the reasons thereof. The director's decision may be appealed in accordance with Section 17.36.030.

## 17.08.210 Live-work

- A. Definition.** As used in this ordinance: a “live-work” use is a business conducted within a dwelling unit or accessory structure by occupants of the dwelling unit. A live-work use is distinguished from a home occupation primarily in that a live-work use can include employees who are not residents of the home, involve a greater number of customers, be located in a larger percentage of a home or accessory building, and have appropriate on-site signage.
- B. Purposes.** The purposes of this ordinance are to:
1. Provide for the appropriate development of units that incorporate both living and working space;
  2. Provide flexibility for the development of live-work units, particularly within existing buildings;
  3. Allow for the transition of residential uses along primary arterial streets to office and commercial uses due to their proximity and access to higher volume traffic;
  4. Protect existing, surrounding, and potential uses from conflicts with each other; and
  5. Ensure that the exterior design of live-work buildings is compatible with the exterior design of surrounding buildings in the area, while remaining consistent with the predominant workspace character of live-work buildings.
- C. Permitted locations for live-work units.** Live-work units are permitted in Urban and Rural Residential Zones where the property faces and has access from a primary arterial street.
- D. Uses permitted with a Director’s Review.** The following non-residential uses are allowed in live-work units:
1. Personal and household retail sales and services;
  2. Business support services;
  3. Offices; and
  4. Other similar uses as determined appropriate by the Planning Director.
- E. Prohibited uses.** The following non-residential uses are prohibited in live-work units:
1. Restaurants and/or alcohol establishments;
  2. Entertainment uses;
  3. Construction yards;
  4. Any uses involving hazardous materials; and
  5. Any other uses that may result in a negative impact on surrounding uses, including traffic, noise and/or safety, as determined by the Planning Director.
- F. Development standards.** Construction of the live-work unit as a non-residential structure is permitted within the development standards of the zone that the property is located in, as well as all other applicable building and accessibility regulations.
- G. Conditions of approval.**
1. Parking.
    - a. Two covered or uncovered parking spaces shall be provided for the residential use of the live-work unit.

- b. Required parking for the non-residential use will be based on the applicable parking standard as determined by the Planning Director.
2. Signage.
  - a. Wall business sign permitted: maximum height 18 inches; maximum length 30% of façade width; roof sign prohibited.
  - b. Monument sign permitted: maximum 48 inches in height, including base; maximum length 72 inches; for maximum total of 24 square feet per sign face.
3. Owner or employee residency required. The owner of the property or an employee of the live-work business shall be required to live on the premises.
4. Employees. Up to three (3) persons other than residents of the dwelling may be employed, unless otherwise provided by the use permit.
5. Hours of operation. No customer or client may come to the premises except during the hours of 7 a.m. to 10 p.m. No deliveries may originate from or be made to the premises except during the hours of 8 a.m. to 6 p.m.
6. Number of live-work activities. No more than one (1) live-work use is allowed per legal dwelling unit on the property.
7. Outdoor storage and activity. No outdoor storage of materials or equipment related to the business activity shall be permitted. No outdoor activity related to the business activity shall be permitted.
8. Nuisance. The live-work use shall not create discernible noise, glare, dust, odor, vibrations, or unreasonable disturbance in excess of that which is normal to a residential use, nor shall the live-work use cause or generate any other condition that interferes with the peace, health, safety or general welfare of people or property in the surrounding area.
9. Specific conditions. The Director may add specific conditions to the approval of a live-work permit in order to address concerns which are not covered by the above conditions and which, in the Director's opinion, are necessary to protect neighboring property from any potential adverse effects of the proposed home occupation.

**H. Revocation.** Live-work permits may be immediately revoked by the Director based upon a finding that any one of the following conditions exists:

1. The use has changed either in nature or extent to the point that it differs substantially from the use requested in the approved application for the live-work permit.
2. The use fails to comply with any condition or intended purpose as described in this section.
3. The holder of the live-work permit failed to allow inspections at a reasonable time for the purpose of investigating a complaint or to verify compliance of the live-work use with the required conditions.
4. The holder of the live-work permit failed to comply with any applicable city, county, state or federal ordinance, law or regulation including failure to obtain and/or renew a business license.

The director shall notify in writing the holder of the live-work permit of such revocation and the reasons thereof. The Director's decision may be appealed in accordance with Section 17.36.030.

### **17.08.220 Garage Conversions**

All garage conversions shall comply with all pertinent city codes, ordinances and regulations in addition to the following conditions:

- A. Garage conversions.** Garages serving and attached to existing single-family detached residences may be converted to expand the living area of such residences, provided that:
1. The property owner, in writing, absolves the city of all liabilities regarding any deed restrictions that may be applicable to the property.
  2. The garage shall be replaced by 2 covered or uncovered, surfaced, off-street parking spaces on the site in a manner consistent with the character of the neighborhood.
  3. Interior access from the garage to the house shall be kept.
  4. There shall be no door access into the garage facing the street.
  5. The conversion is accomplished in full accordance with all pertinent codes and ordinances as verified by obtaining permits and inspections from all appropriate agencies.
  6. The garage conversion shall meet the Design Guidelines for enhanced architectural quality and compatibility.
- B. Illegal garage conversions.** Conversion of a garage to expand the living area of a residence or otherwise render the garage unusable for its original purpose without obtaining appropriate permits and inspections shall be deemed an illegal garage conversion. When a property owner is informed that such an illegal garage conversion exists on his property, the property owner shall comply with the following requirements:
1. Within 30 days of becoming so informed, the property owner shall pay the required fees and request that the conversion be inspected by building and safety division.
  2. Should building code violations be detected during the inspection of the premises, the building and safety division shall prepare a list of the deficiencies which must be corrected to bring the conversion, and if necessary the residence, into compliance with all applicable building codes.
  3. The property owner shall then exercise one of the following options:
    - a. If the property owner desires to retain the garage conversion he shall correct the deficiencies cited by the building and safety division prior to the expiration of the building permit. Once the deficiencies are corrected and verified by inspection, the conversion shall be considered legal provided that 2 covered or uncovered, surfaced, off-street parking spaces are furnished on the site in a manner consistent with the character of the neighborhood; or
    - b. If the property owner does not desire to correct the conversion deficiencies as cited, he shall remove the conversion and restore the building to function as a garage in accordance with applicable building codes.

### **17.08.230 Guest Houses**

- A. Purpose and intent.** The purpose and intent of this section is to provide a means for adding living space to a residential home or residential detached garage, which may serve as housing for guests.

- B. Applicability.** This section shall apply to all guest houses, which is defined as living facilities located on the same premises with the primary residence, provided for the sole use of family members, guests, or persons employed on the premises. Carriage units located above a detached garage are considered guest houses.
- C. Standards.** The following development standards shall apply to all guest houses, including carriage units, when specified:
1. The guest house may be constructed as a detached building or may be attached to the primary residence on a lot or parcel in the RR or R zone.
  2. The minimum net area of a lot or parcel of land upon which a guest house may be constructed shall be 5,000 square feet.
  3. The guest house must be located within the buildable area of the lot or parcel, and conform to all property development regulations and standards of the zone in which it is located. If a guest house is attached to a garage located in the rear yard, the garage portion of the structure may be located in the same manner as stand-alone rear yard garages (allowed up to the rear and side property line), but any livable portion of the structure shall meet the rear and side yard setback. A carriage unit may be located above a detached garage that is located in the rear yard, and is accessed from an alley.
  4. Only one guest house shall be permitted on any residential lot or parcel, in conjunction with the primary residential unit. A guest house is not permitted on a property with both a primary and a secondary dwelling unit.
  5. The floor area of a guest house shall not exceed 50% of the existing living area of the main dwelling unit.
  6. The maximum floor area for a guest house shall be 500 square feet.
  7. The guest house shall be architecturally compatible with the main dwelling unit.
  8. The guest house shall be located on the same lot as the primary dwelling and cannot be sold as a separate unit.
  9. The guest house shares utility services with the main dwelling unit for gas, electricity, water and sewer.
  10. A property owner may not build a guest house if the primary residence has a garage that has been converted into living space.
  11. The guest house shall meet the Design Guidelines for enhanced architectural quality and compatibility.
- D. Application.** Any property owner seeking a permit for a guest house shall submit a Director's Review application. The Director shall approve the application so long as the guest house or carriage unit complies with all provisions of this section. In the event such application is denied, the appeals proceedings set forth in Chapter 2.44 of this Code shall be available to the applicant.
- E. Conversions.** In order to legitimize an illegal guest house or carriage unit to a conforming legal second dwelling unit, the property owner shall file a Director's Review application and shall comply with the standards and requirements set forth in this section.
- F. Violations.** Any property owner with a guest house or carriage unit which does not comply with all the standards established herein is subject to prosecution for a zoning violation under Section 17.04.220.

## 17.08.240 Second Dwelling Units

- A. Purpose and intent.** The purpose and intent of this section is to provide an alternate means of augmenting the supply of lower cost housing. The enactment of this section does not legitimize existing illegal second dwelling units.
- B. Applicability.** This section shall apply to all second dwelling units, which is defined as an additional dwelling unit on a lot or parcel, with its own utility services and meters, which provides complete independent living facilities and may be rented.
- C. Standards.** The following development standards shall apply to all second dwelling units:
1. The second dwelling unit may be constructed as a detached building or may be attached to the primary residence on a lot or parcel in the RR or R Zone.
  2. The minimum net area of a lot or parcel of land upon which a second dwelling unit may be constructed shall be 7,000 square feet.
  3. No more than one second dwelling unit shall be permitted on any residential lot or parcel. A second dwelling unit may not be permitted on a residential lot which already have an existing second dwelling unit or a guest house.
  4. The second dwelling unit must be located within the buildable area of the lot or parcel, and conform to all property development regulations and standards of the zone in which it is located.
  5. The floor area of an attached second dwelling unit shall not exceed 50% of the existing living area of the main dwelling unit.
  6. The minimum floor area for a detached second dwelling unit shall be 400 square feet. The maximum floor area for a detached second dwelling unit shall be no more than 10% of the square-footage of the lot (e.g. a maximum 1,000 square-foot 2<sup>nd</sup> dwelling unit on a 10,000 square-foot lot), up to a maximum of 1,500 square feet.
  7. The second dwelling unit shall be architecturally compatible with the main dwelling unit.
  8. The address number for the second dwelling unit shall be posted in the same manner and location as the main dwelling unit.
  9. A separate mail box shall be provided for the second dwelling unit.
  10. The second dwelling unit shall be located on the same lot as the principal dwelling and cannot be sold as a separate unit.
  11. The second dwelling unit shall have separate service from the main dwelling unit for gas and electricity.
  12. One parking space is required for the second dwelling unit, in addition to the parking required for the main dwelling unit. The parking for the second dwelling unit shall be provided by a 10 feet by 20 feet space located either inside a garage or carport, or on a driveway not used for access into the primary structure's garage.
  13. A property owner may not build a second dwelling unit if the primary residence has a garage that has been converted into living space.
  14. The garage conversion shall meet the Design Guidelines for enhanced architectural quality and compatibility.

15. The second dwelling unit may continue as an independent dwelling only as long as one of the dwelling units is owner occupied. Prior to the issuance of a building permit for the second dwelling unit, a covenant of restriction to run with the property shall be recorded which specifies that the second dwelling unit as an independent dwelling unit may continue as long as one unit on the property is owner occupied.

**D. Covenants, conditions, and restrictions.** The covenants, conditions, and restrictions to run with the property shall include the following declarations:

1. Upon completion of construction of a second dwelling unit on the Property, the second dwelling unit may continue as an independent dwelling only as long as one of the dwelling units located on the Property is occupied by Owner.
2. The second dwelling unit shall be located on the same lot as the principal dwelling and cannot be sold as a separate unit.
3. Each owner of the Property shall be responsible for assuring conformity with these covenants during the term of their ownership of the Property.
4. The covenant contained in Section 1 hereinabove shall remain effective in perpetuity.
5. All covenants, conditions, and restrictions contained in this Declaration shall be covenants running with the land, and shall, in any event, and without regard to technical classification or designation, legal or otherwise, be, to the fullest extent permitted by law and equity, binding for the benefit of, and in favor of, and enforceable by the City of Lancaster, its successors and assigns, against Owner, its successors and assigns to or of the Property. The covenants contained herein shall not be construed as conditions subsequent which might result in forfeiture of title.
5. In amplification and not in restriction of the provisions set forth hereinabove, it is intended and agreed that the City shall be deemed a beneficiary of the agreements and covenants provided hereinabove both for and in its own right and also for the purposes of protecting the interests of the community. All covenants without regard to technical classification or designation shall be binding for the benefit of City, and such covenants shall run in favor of City for the entire period during which such covenants shall be in force and effect, without regard to whether City is or remains an owner of any land or interest therein to which such covenants relate. City shall have the right, in the event of any breach of any such agreement or covenant, to exercise all the rights and remedies, and to maintain any actions at law, suits in equity, or other proper proceedings to enforce the curing of such breach of agreement or covenant.
6. No violation or breach of the covenants, conditions, restrictions, provisions or limitations contained in this Declaration shall defeat or render invalid or in any way impair the lien or charge of any mortgage or deed of trust or security interest permitted by this Declaration; provided, however, that any subsequent owner of the Property shall be bound by such remaining covenants, conditions, restrictions, limitations, and provisions, whether such owner's title was acquired by foreclosure, deed in lieu of foreclosure, trustee's sale, or otherwise.
7. Only the City, its successors and assigns, and Owner and the successors and assigns of Owner in and to all or any part of the fee title to the Property shall have the right to consent and agree to changes in, or to eliminate in whole or in part, any of the covenants, conditions, or other restrictions contained in this Declaration. The covenants contained in this Declaration, without regard to technical classification,



shall not benefit or be enforceable by any person or entity having any interest less than a fee interest in the Property or any part thereof, other than the City of Lancaster.

- E. Application.** Any property owner seeking a permit for a second dwelling unit shall submit a Director's Review application. The Director shall approve the application so long as the second dwelling unit complies with all provisions of this section. In the event such application is denied, the appeals proceedings set forth in Chapter 2.44 of this Code shall be available to the applicant.
- F. Conversions.** In order to legitimize an illegal second dwelling unit to a conforming legal second dwelling unit, the property owner shall file a Director's Review application and shall comply with the standards and requirements set forth in this section. The Director reserves the right to allow deviations, if there is a demonstrated difficulty or impracticality to modify the second dwelling unit to meet adopted requirements; nonetheless, all code requirements pertaining to fire and building safety must still be met.
- G. Violations.** Any property owner with a second dwelling unit which does not comply with all the standards established herein for second dwelling units is subject to prosecution for a zoning violation under Section 17.04.220.

#### **17.08.250 Mobilehomes and Manufactured Housing**

A mobilehome/manufactured housing unit located outside of mobilehome park shall comply with the requirements of this section:

- A. Site requirements.** The site, and the placement of the mobile home on the site shall comply with all zoning, subdivision, and development standards applicable to a conventional single-family dwelling on the same parcel.
- B. Mobile home design and construction standards.** A mobile home outside of a mobile home park shall comply with the following design and construction standards.
  - 1. **Roof.** The roof of each mobilehome shall exhibit an angle line with an overhang of at least 12 inches on all sides and shall consist of shingles or non-reflective exterior material customarily used on conventionally constructed dwellings.
  - 2. **Exterior Siding.** Each mobilehome shall be covered with a non-reflective exterior material customarily used on conventionally constructed dwellings. The exterior covering material shall extend to the ground except when:
    - a. The exterior siding, trim, and roof shall be of the same materials and treatment found in conventionally built residential structures in the surrounding area, and shall appear the same as the exterior materials on any garage or other accessory structure on the same site.
    - b. A solid concrete or masonry perimeter foundation is used, in which case the covering material shall extend to 6 inches above final grade; or
    - c. Wood siding is used, in which case such siding is not permitted closer than 6 inches to final grade, provided that the last 6 inches to final grade is fully enclosed with other building code approved materials.

3. Foundation Systems. Each mobilehome shall be attached to a foundation system which shall be in accordance with Health and Safety Code requirements as approved by city building and engineering services.

## **Article V. Solar, Wind, and Alternative Energy Uses**

### **17.08.270 Purpose**

The purpose of the solar, wind, and alternative energy uses section of the Lancaster Municipal Code is to encourage investment in alternative energy uses in the city, while providing regulations and guidelines for the installation of these uses. The regulations and guidelines shall ensure that solar, wind, and alternative energy uses, whether as primary or accessory uses, are functionally effective and efficient, aesthetically pleasing in design, and complements the structures they are attached to, and the surrounding environment that they are located in.

### **17.08.280 Applicability**

All solar farms (solar photovoltaic electric generation facilities) shall comply with all applicable provisions of the City of Lancaster codes, California state building and utility codes, and the standards of this section.

### **17.08.290 Solar Farms**

- A. Purpose and applicability.** The purpose of the solar farm (solar photovoltaic electric generation facility) standards is to encourage investment in solar energy on parcels zoned RR-2.5 in the city, while providing guidelines for the installation of solar facilities that complement the surrounding environment. All solar farms shall comply with all applicable provisions of the City of Lancaster codes and the standards of this section.
- B. Approvals required.** As allowed only on properties zoned RR-2.5, the applicant shall submit for and receive approval of a conditional use permit and building permit prior to construction of a solar farm.
- C. Design requirements.**
  1. No unscreened outdoor storage of any kind would be allowed on the site.
  2. Barbed wire is acceptable on the top of the perimeter fence to provide site security, but razor wire is prohibited.
  3. Restroom facilities shall be provided on the project site for use by maintenance staff.
  4. Per the direction of the Planning Director, the applicant shall install landscaping along the perimeter of the project site for screening purposes.
  5. Per the direction of the Director of Public Works, the applicant shall dedicate right-of-way for all necessary street improvements.
  6. The solar farm shall be designed and constructed in a manner that mitigates all environmental impacts, including aesthetics, noise, and dust, among others, as indicated by the environmental initial study, and other reports.

#### **D. Findings.**

1. The solar farm will be in conformance with the General Plan land use designation of Non-Urban Residential and with General Plan Policy 3.6.6, which states, “consider and promote the use of alternative energy such as wind energy and solar energy.”
2. The requested use at the location proposed will not:
  - a. Adversely affect the health, peace, comfort, or welfare of persons living in the surrounding area because the proposed use will be buffered from the surrounding residential zones by vegetation, berms, or other means and the panels and trackers generate minimal amounts of noise.
  - b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site because the proposed panels are within the height regulations of the Rural Residential zones and are designed with adequate setbacks from the adjacent street.
  - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare because adequate sewer, water, drainage, and improvements will be part of the project.
3. The solar farm will not adversely affect other nearby uses because all aesthetic, noise, and other environmental concerns will be mitigated through various design features, including landscaping and screening, and the use of silent or low-noise equipment.
4. The proposed site is adequate in size and shape that accommodate the solar photovoltaic electric generation facility, landscaping, and other development features prescribed in the Zoning Ordinance or as otherwise required in order to integrate said use with the use in the surrounding areas.
5. The proposed site is adequately served by the surrounding streets, which are of sufficient width and improved as necessary to carry the anticipated daily vehicle trips such use would generate; and by other public and private service facilities, including sewer, water, fire, and police services as required.
6. The proposed use will not result in a significant effect on the environment because all potential impacts have been found to be less than significant with the inclusion of mitigation measures, or are determined to be acceptable due to overriding considerations.

### **17.08.300 Solar Energy Systems**

- A. Purpose and applicability.** The purpose of the solar energy system standards is to encourage investment in solar energy on all parcels in the city, while providing guidelines for the installation of those systems that are consistent with the architectural and building standards of the City. All solar energy systems shall comply with all applicable provisions of the City of Lancaster codes and the standards of this section.
- B. Approvals required.** The applicant shall submit for and receive approval of a building permit prior to installation of any solar energy system.
- C. Ground-mounted solar energy systems.**
  1. All ground-mounted solar energy systems shall not be located within the required front, side, or rear building setbacks, or front yard area, and shall comply with all applicable height restrictions.

2. To the extent possible, without compromising the solar energy system's access to the sun, ground-mounted solar energy systems shall be screened from view at-grade from all adjacent streets and adjacent properties.

**D. Roof-mounted solar energy systems.**

1. Solar panels and accessory equipment shall be designed and located on a house in a manner that minimizes the detrimental impact to the aesthetic appearance of a house.
2. All solar energy system appurtenances such as, but not limited to, water tanks, supports, wiring and plumbing shall be screened to the maximum extent possible without compromising the effectiveness of the solar collectors, and shall be painted a color similar to the color of the surface upon which they are mounted. Solar collectors are exempt from the screening and color provisions of this subsection.
3. All roof-mounted solar collectors can be mounted at an optimum angle to the sun for maximum energy production. The maximum height of a solar collector shall be two feet, measured perpendicular to the roof surface, and may not exceed the maximum overall building height. The remainder of the solar energy system shall be below the level of the solar collector(s).

**17.08.305 Implementation of solar energy systems**

**A. Purpose and intent.** It is the purpose and intent of this section to provide standards and procedures for builders of new homes to install solar energy systems in an effort to achieve greater usage of alternative energy.

**B. Applicability.** These specific standards are applicable for all new single-family homes with a building permit issuance date on or after January 1, 2014.

**C. Provision of solar energy systems.**

1. A builder shall provide solar energy systems for new homes in accordance with the energy generation requirements as listed in Section 17.08.060.
2. Installation of solar energy systems is not required for all homes within a production subdivision; however, the builder shall meet the aggregate energy generation requirement within the subdivision (as calculated by the per-unit energy generation requirement multiplied by the number of homes in the subdivision). For example, an R-7000 subdivision with 10 homes that is required to provide 1.0 kW per unit would have an aggregate energy generation requirement of 10 kW for the subdivision. The 10-kW energy generation requirement can be met with two homes having solar energy systems generating 5 kW each, or with four homes having systems generating 2.5 kW each.
3. Homebuilders shall demonstrate through building plan check their intention to meet the solar energy generation requirement.
4. Homebuilders shall build solar energy systems on model homes, reflective of the products that will be offered to homebuyers.
5. If a tract is built in phases, the solar energy generation requirement shall be fulfilled for each phase.
6. Solar energy systems shall meet the development standards and guidelines as described in Section 17.08.300.

7. Solar energy systems for multi-family developments may be provided on rooftops, or on solar support/shade structures.

**D. Off-site fulfillment of solar energy generation.** A homebuilder may choose to meet the solar energy generation requirement off-site by providing evidence of purchasing solar energy credits from another solar-generating development located within the City.

### **17.08.310 Vertical-axis Wind Turbine Systems (VAWTS)**

**A. Purpose and intent.** It is the purpose and intent of this section to promote the safe, effective and efficient construction and use of VAWTS on residential lots within the city limits of the City of Lancaster. These regulations are intended to assure that VAWTS are designed and located in a manner that minimizes visual, noise, and safety impacts on the surrounding community. Commercial wind turbines in residential zones are subject to a conditional use permit.

**B. Applicability.** These specific standards are applicable for all vertical axis wind turbine system in residential zones allowed subject to approval of a director's review in accordance with Article VI of Chapter 17.32.

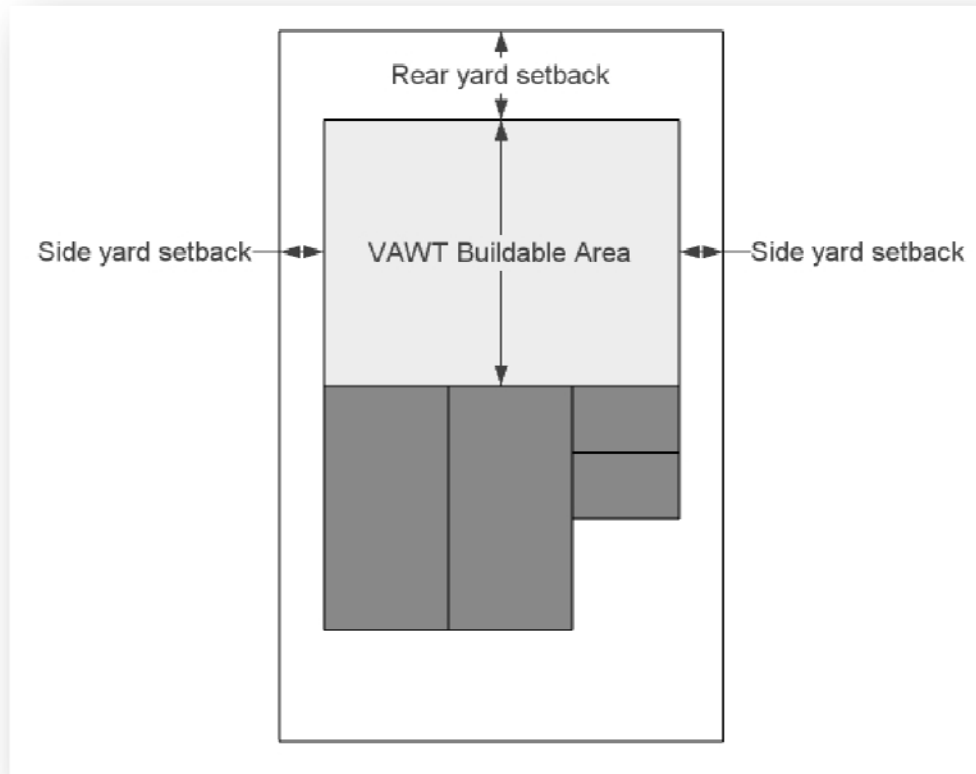
**C. Definitions.** The following are definitions of specialized terms and phrases used in this section. Definitions of general terms and phrases are located in Chapter 17.04 Section 17.04.240 (Definitions).

1. "Director" means the planning director of the City of Lancaster.
2. "FAA" means Federal Aviation Administration.
3. "Guy wires" means wires or cables used in tension to support a tower.
4. "Tower" means the portion of the VAWTS upon which the turbine is mounted.
5. "Tower height" means the height above grade of the fixed portion of the tower measured from the ground to the top of the tower, excluding the VAWTS, blades and wind-measuring devices.
6. "USGS" means the United States Geological Survey.
7. "Vertical axis wind turbine system" ("VAWTS") means a small scale, non-commercial vertical axis wind turbine system, designed with a vertical axis, suitable for residential zones consisting of a wind turbine, tower, blades, associated controls and conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity under the Emerging Renewables Fund of the Renewables Investment Plan administered by the California Energy Commission and which will be used primarily to reduce on-site consumption of utility power by converting mechanical energy into electricity. For the purposes of this section, "wind turbine" shall mean the same as VAWTS.

**D. Restriction on Use of Electricity Generated by VAWTS.** A VAWTS shall be used exclusively to supply electrical power for on-site consumption. Electrical power generated by the VAWTS exceeding on-site consumption may be used by the utility company in exchange for a reduction in the cost of electrical power supplied by that company to the parcel for on-site use, as long as no net revenue is produced by such excess electrical power. VAWTS, as allowed pursuant to this section shall not be used for commercial production or profit.

- E. Type of Device.** Vertical axis wind turbines system (VAWTS) shall meet the following guidelines. All other noncommercial and commercial wind energy conversions system shall meet the requirements outlined in Article XI, Wind Energy Conversion Systems and shall be subject to a conditional use permit.
- F. Property Development Regulations.** A VAWTS shall be subject to all applicable regulations of the residential zone in which it is proposed, except that the following standards shall take precedence over the regulations of the residential zones to the extent that they differ. The following shall be deemed to be conditions of approval of every VAWTS unless specifically modified under the director's review and approval process.
1. No part of a VAWTS shall be located within or over drainage, utility, or any other established easements. Each VAWTS shall be setback from the nearest above-ground public communication or electrical line by a distance which is equivalent to the height of the VAWTS.
  2. Blade Clearance. No part of a VAWTS blade shall extend within fifteen (15) feet of the ground, trees, or any other structure.
  3. Only one VAWTS shall be allowed per residence.
  4. Devices mounted on a building may require strengthening of the existing structure to bear the additional weight and stress created by the VAWTS for which a building permit shall be obtained.
- G. Yard Requirements.** The following shall apply for building and ground mounted VAWTS in all residential zones:
1. VAWTS shall be located behind the primary building outside of the front, side and rear yard setbacks (refer to Section 17.08.060).
  2. Tower height shall not exceed the maximum height of the zone in which the VAWTS is located (refer to Section 17.08.060).

### Diagram showing allowed location of VAWTS



#### H. VAWTS Standards.

1. Cage Width. Maximum seventy-eight (78) inches (six and one-half feet).
2. Cage Height. Maximum eighty-four (84) inches (seven feet).
3. California Energy Commission Approval. The equipment shall meet California Energy Commission standards for approved small wind turbines (VAWTS) [[www.consumerenergycenter.org](http://www.consumerenergycenter.org)].
4. Compliance with Aviation Safety Standards. The VAWTS shall comply with all applicable FAA requirements, including any necessary approvals for installations close to airports and other facilities with flight operations in the vicinity such as Fox Field, and Plant 42.
5. Design. A VAWTS must be designed and constructed in accordance with the following:
  - a. Colors. The colors used in the construction materials or finished surface shall be muted and visually compatible with surrounding development.
  - b. Lighting. If required by FAA requirements, all required lights shall be shielded from adjacent properties, and no other lights shall be placed upon the Tower.
  - c. Noise. Noise from a VAWTS shall conform with normally acceptable noise standards of sixty-five (65) dBA at property line.

- d. Visual Effects. Any VAWTS that is placed within the viewshed of a designated Scenic Highway or vista shall be assessed for its visual effects, and appropriate conditions relating to setting, buffers, and design of the facility.
  - e. Climbing Apparata. All climbing apparatus for ground-mounted VAWTS must be located at least fifteen (15) feet above the ground, and the structure must be designed to prevent climbing within the first fifteen (15) feet.
  - f. Automatic Overspeed Controls. VAWTS shall be equipped with manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of the VAWTS.
  - g. Access Doors. If a VAWTS is equipped with access doors, all access doors shall be lockable.
- 6. Grid Interconnection. The renewable energy must be permanently interconnected to the electrical distribution grid of the utility serving the customer's electrical load. The VAWTS shall interconnect to the electricity distribution system and must comply with applicable electrical codes and utility interconnection requirements.
  - 7. Maintenance. VAWTS shall be maintained in an operational condition that poses no potential safety hazards.
  - 8. Removal. Within six months after the VAWTS has ceased to operate the permittee shall remove the VAWTS, clear the site of all equipment, and restore the site as nearly as practicable to its condition prior to the installation of the VAWTS. Failure to remove such VAWTS shall constitute as a public nuisance.
- I. The Planning Director can require additional design criteria or other information as deemed necessary to integrate the proposed VAWTS with the surrounding area.

#### **17.08.320 Non-commercial Wind Energy Systems (NC-WES)**

- A. Purpose and Intent.** It is the purpose and intent of this section to promote the safe, effective and efficient construction, and use of NC-WES in the Rural Residential Zones (RR-1 and RR-2.5 only). These regulations are intended to assure that NC-WES are designed and located in a manner that minimizes visual, noise, and safety impacts on the surrounding community.
- B. Applicability.** These specific standards are applicable for all Non-Commercial Wind Energy Systems in the Rural Residential Zones (RR-1 and RR-2.5 only), and subject to approval of a Director's Review in accordance with Article VI of Chapter 17.32. The definitions contained in Section 17.04.240 regarding wind energy conversion systems shall apply to this section.
- C. Development Standards.** An NC-WES shall be subject to all applicable regulations of the Rural Residential Zones (RR-1 and RR-2.5 only) in which it is proposed, except that the following standards shall take precedence over the regulations of the Rural Residential Zones to the extent that they differ.
  - 1. Accessory Use. A NC-WES is considered to be an ancillary structure and may only be placed on a parcel already developed with a primary use, or placed on a parcel concurrent with the development of a primary use.
  - 2. Minimum Lot Size. The minimum parcel size shall be 40,000 square feet.
  - 3. Location of NC-WES. A NC-WES shall be located:

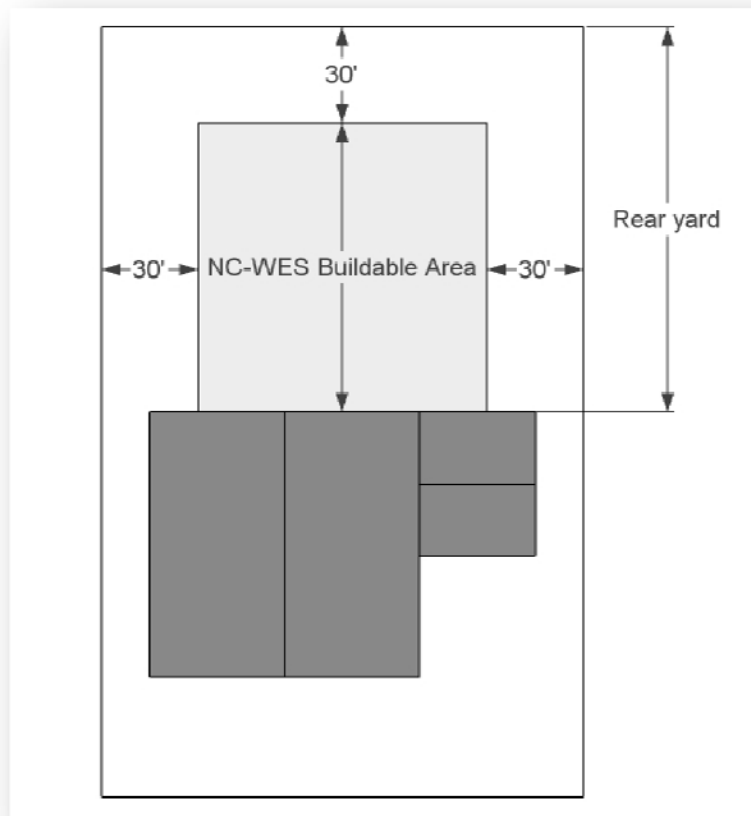


- a. Behind the primary building within the buildable area of the parcel (exclusive of required front, side, and rear yard areas), and located a minimum of 30 feet from any property line. (Note: Setback distances shall not apply to guy wires or anchors).
  - b. Shall not be located within or over drainage, utility, or other established easements.
  - c. Each wind turbine shall be setback from the nearest above-ground public communication or electrical line by a distance which is equivalent to the height of the wind turbine.
4. Blade Clearance. No part of an NC-WES blade shall extend within 15 feet of the ground, trees, or any other structure.
  5. Maximum Tower Height. Tower Height shall not exceed 65 feet above grade on any parcel of 5 acres or less. Parcels greater than 5 acres in size may have a maximum tower height of 80 feet.
  6. Maximum Blade Rotor Area Diameter. The overall diameter of the blade area shall not exceed 24 feet.
  7. Compliance with Aviation Safety Standards. The NC-WES shall comply with all applicable Federal Aviation Administration (FAA) requirements, including any necessary approvals for installations within an adopted Airport Land Use Plan, Air Installation Compatibility Use Zone (AICUZ), or other recognized over-flight area.
  8. Wind Turbine Approval. Wind Turbines must be approved under the Emerging Technologies program of the California Energy Commission or any other small wind certification program recognized by the AWEA.
  9. Design. An NC-WES must be designed and constructed in accordance with the following:
    - a. Colors. The colors used in the construction materials or finished surface shall be muted and visually compatible with surrounding development.
    - b. Lighting. Lighting of the Tower shall only be permitted if required by, and done in conformance with, the requirements of the FAA.
    - c. Noise. Noise from an NC-WES shall not exceed 65 decibels at any property line.
    - d. Visual Effects. Any NC-WES that is placed within the view shed of a designated Scenic Highway or vista shall be assessed for its visual effects, and appropriate conditions relating to setting, buffers, and design of the facility.
    - e. Climbing Apparatus. All climbing apparatus must be located at least fifteen (15) feet above the ground, and the tower must be designed to prevent climbing within the first fifteen (15) feet.
    - f. Automatic Overspeed Controls. An NC-WES shall be equipped with both manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of the NC-WES.
    - g. Access Doors. If an NC-WES is equipped with access doors, all access doors shall be lockable.
  10. Signs. One sign, limited to eighteen (18) inches in length and one (12) inches in height, shall be posted at the base of the Tower. The sign shall include a notice of no

trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.

11. Maintenance. NC-WES shall be maintained in an operational condition that poses no potential safety hazards.
12. Removal. Within six (6) months after the operation of an NC-WES has ceased the permittee shall remove the NC-WES, clear the site of all equipment, and restore the site as nearly as practicable to its condition prior to the installation of the NC-WES. Failure to remove such NC-WES as required above shall constitute a public nuisance.

**Diagram showing allowed location of NC-WES (RR-2.5 and RR-1 only)**



**D. Review and Decision Process.**

1. Application. A Director's Review application in accordance with Article VI of Chapter 17.32 shall be filed for a NC-WES meeting the requirements of this Section.
2. Notice of Application. The applicant shall submit as part of the Director's Review, a list of all owners of real property as listed on the latest county assessor's equalized assessment roll, located within 300 feet of the boundaries of the parcel on which the NC-WES is proposed. Written notices shall be given by mail to all such owners of the intent to consider the application for a NC-WES at least 10 days prior to a decision on the application.

3. Consideration by Planning Director. The Planning Director shall review the application for conformance with the requirements of this section and consider any comments received prior to making a decision on the request. The Planning Director shall approve, approve with conditions, or deny the application. Any decision of the Planning Director may be appealed to the Planning Commission in accordance with Chapter 2.44 of the Lancaster Municipal Code.

### **17.08.330 Electric Vehicle Charging Stations**

Electric Vehicle Charging Stations (EVCS). New residential development shall provide for EVCS in the manner prescribed as follows:

- A. Garages serving each new single-family residence and each unit of a duplex shall be constructed with a gang box (4 inches by 4 inches) connected to a conduit linking the garage to the electrical service, with available “Level 2” plug-in voltage of 240 volt, in a manner approved by the building and safety official, to allow for the future installation of electric vehicle supply equipment to provide an EVCS for use by the resident.
- B. In new multiple-family projects of 10 dwelling units or less, 20% of the total parking spaces required (all of the 20% shall be located within the required covered parking) shall be provided with a gang box (4 inches by 4 inches) connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official, to allow for the future installation of electric vehicle supply equipment to provide EVCSs at such time as it is needed for use by residents. EVCSs shall be provided in disabled person parking spaces in accordance with state requirements.
- C. In new multiple-family projects of more than 10 dwelling units, 10% of the total parking spaces required (all of the 10% shall be located within the required covered parking) shall be provided with a gang box (4 inches by 4 inches) connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official. Of the total gang boxes provided, 50% shall have the necessary electric vehicle supply equipment installed to provide active EVCSs ready for use by residents. The remainder shall be installed at such time as they are needed for use by residents. EVCSs shall be provided in disabled person parking spaces in accordance with state requirements.

## **Article VI. Specific Provisions for Designated Uses Subject to Conditional Use Permits**

### **17.08.340 Residential Planned Development (RPD)**

- A. **Purpose and Intent.** The purpose and intent of the residential planned development (RPD) is to allow for project designs that do not entirely meet the regulatory standards in Chapter 17.08 (Residential Zones), but do meet the design objectives of the General Plan and Design Guidelines. The RPD promotes high-quality, well-planned developments with residential features and amenities beyond those typical of conventional development, including innovative site layout and design, high-quality architecture, enhanced pedestrian connections and provision of trails, parks and open space. The RPD

also allows for project design that is sensitive to the unique physical characteristics of the site (such as clustering units to avoid development in flood-prone areas), as well as infill scenarios, or other circumstances that warrant special methods of development. The RPD would reduce developmental problems in hillside areas and preserve areas of natural scenic beauty through integrated planning and design, and unified control of development. It is further the purpose of this section to establish development standards for the RPD, with the expectation that they will result in a project that is superior to conventional development, in exchange for greater flexibility and intensification of land use.

**B. Applicability.** These specific standards, as well as those listed in Section 17.08.060, specific to infill residential lots, and Section 17.08.080, pertaining to infill residential development, are applicable for all residential planned developments in zones in which they are allowed subject to the granting of a conditional use permit.

**C. Standards.** The following standards shall apply to all residential planned developments:

1. Area. The proposed development plan shall encompass a gross area of not less than the acreage specified below by the zone in which the property is located:

Zone	Minimum Area
RR	10 acres
R, MDR, HDR	5 acres

2. The proposed development plan for an area less than specified above may be considered if the subject property is considered infill development or when there is no effective way to develop the property under conventional standards.
3. Density. In an RPD, the number of dwelling units shall be within the density range for the subject property as specified by the zone. For infill RPD, a developer may build up to eight (8) residential units per acre on land zoned R-7,000, in accordance with the provisions of Section 17.08.080 (Infill residential development).
4. Type of Structures. Dwelling units may be single-family attached or detached structures, duplexes or multiple-family residential structures depending upon adjacent development and the compensating features of the development plan. The commission may approve places of public assembly, recreational buildings and accessory buildings if such facilities are for the primary use of persons residing within the planned development project and located so as not to be detrimental to adjacent properties.
5. RPD Development Standards. A builder shall adhere to the development standards as listed in Section 17.08.060 and the design and performance standards listed in Section 17.08.070, unless the builder proposes standards that will result in a more innovative and superior product, and makes the finding that the project will meet or exceed the design goals and objectives of the General Plan and Design Guidelines. For infill RPD, the builder shall also adhere to the development standards listed in Section 17.08.080.
6. Open Space and Trails. Open space, paseos and trails shall comprise not less than 15% of the net lot or parcel area exclusive of required yards, provided, however, that where the applicant submits evidence to the satisfaction of the commission that the

- particular development will contain compensatory characteristics which will provide as well or better for planned residential development within the intent of this section. “Infill” RPDs that may not practically accommodate these open space features shall instead provide amenities in context of the surrounding environment, including enhanced pedestrian connections, pocket parks or tot lots, etc. Subject to the approval of the commission, open space shall include one or more of the following designated uses or facilities for the use and enjoyment of all the occupants of the planned residential development or appropriate phase thereof:
- a. Common open space developed for recreational purposes;
  - b. Areas of scenic or natural beauty forming a portion of the proposed development;
  - c. Present or future recreational areas of noncommercial nature including parks and playgrounds. Where specifically approved by the commission, green fees or similar charges related to use of a golf course or similar open recreational use may be permitted, provided such charges are incidental to operation of said facilities, are not primarily commercial in nature, and do not alter the character of said recreational facility;
  - d. Hiking, equestrian or bicycle trails;
  - e. Landscaped portions adjacent to streets or highways which are in excess of minimum required rights-of-way or yards;
  - f. Other similar areas determined appropriate by the commission. In approving said open space, the commission shall give consideration to the project to be developed, the characteristics of such open space, the manner in which the open space is to be improved and maintained, and such other information as the commission deems pertinent. Reservation of open space shall be made a condition of approval. Such reservation shall be by public dedication, establishment of a maintenance district, common ownership, or other satisfactory means to insure the permanent reservation of and, where appropriate, perpetual maintenance of required open space.
7. Distribution of Open Space. Projects developed in phases shall be designed so that each successive phase will contain sufficient open space to independently qualify under the provisions of subsection C.5. of this section, provided however, that where the applicant submits development plans indicating to the satisfaction of the commission that the proposed development will provide as well or better for planned residential development within the intent of this section, the commission may approve a division of open space encompassing more than one phase. Where a division of open space will encompass more than one phase, the applicant shall provide the commission with a map indicating cumulative allocation and utilization of open space for each successive phase in each subsequent application.
  8. Landscaping. The RPD shall adhere to the provisions of Section 17.08.110 (Landscaping) unless the builder proposes a landscaping plan with the finding that the project will meet or exceed the design goals and objectives of the General Plan and Design Guidelines.
  9. Street circulation and Connections. The RPD shall be designed to integrate with the adjacent and surrounding land uses through the use of enhanced circulation and connections, with complete streets allowing for safe vehicular, pedestrian and bicycle

- use. Subject to the approval of the commission, street circulation and connections shall include one or more of the following designated features:
- a. Street calming features, including corner bulb-outs, mid-block bump-outs, stamped paving, etc;
  - b. Pedestrian connection features, including cul de sac pedestrian access, mid-block pedestrian paseos, pedestrian-only pathways, widened parkways, etc;
  - c. Bicycle pathways and trails;
  - d. Other features and mechanism in accordance with the Master Plan of Trails and Bikeways.
10. Utilities. The applicant shall submit to the commission, and it shall be made a condition of approval, satisfactory evidence that the applicant has made arrangements with the serving utilities to install underground all new facilities necessary to provide service in the development.
11. Development Program. The commission shall consider and may approve an appropriate program indicating the development of open space related to the construction of dwelling units, which shall become a condition of approval. Where development is to be completed in phases, the said development may, with the approval of the commission, be coordinated between phases as approved in subsection C.6. of this section. The commission may modify, without a hearing, this condition pertaining to the development program based upon an affirmative showing, in writing, of hardship.
12. Findings for RPD. In addition to all other consistency and health and safety findings applicable to the project, the following findings shall be made in reviewing and approving a residential planned development application for a conditional use permit:
- a. The residential planned development meets the goals of the Lancaster General Plan, pertaining to community design, and the objectives to “enhance overall community form, create a vibrant sense of place,” and to “improve the city’s visual identity by utilizing design standards that instill a sense of pride and well-being in the community.”
  - b. The residential planned development adheres to the Adopted Lancaster Design Guidelines and the design and performance standards listed in Section 17.08.340, and is consistent with the mission statement of “implementing quality design for timeless architecture that enhances the community’s image, pride and quality of life.”
  - c. The residential planned development is comprehensive, covers a logical planning area, and provides the opportunity for unique and creative designs that are not possible under the city’s typical development regulations.
13. Findings for Infill RPD. In addition to the findings listed in Section 17.08.340.C.11, infill RPDs shall meet the findings listed in Section 17.08.080.C.

## **Article VII. Mobilehome Parks and Mobilehome Park (MHP) Zone**

### **17.08.350 Purpose and intent**

The purpose and intent of the Mobilehome Park (MHP) zone is to provide the means necessary to implement the city general plan, specifically the “Urban Residential, Moderate Density” land use designation set forth in the text of the general plan and as delineated on the general plan map. The MHP zone is intended for the exclusive development of mobilehome parks. All mobilehome parks shall be developed in accordance with the standards of this section. Mobilehome parks are intended as an alternative mode of affordable housing to the residents of the city.

The MHP zone sets forth standards for mobile-home parks in order to promote a better living environment. Where the city does not have the authority to adopt regulations, the Mobile Home Parks Act, Government Code Section 18200 et seq. shall apply. It shall also be the intent of this zone to apply all mobilehome park zone requirements contained herein to all new mobilehome parks created after the effective date of the ordinance codified in this chapter and to apply these same requirements to any additions to existing mobilehome parks created after the effective date of the ordinance codified in this chapter. Existing lots may develop in the MHP zone but no new lots may be created in the MHP zone with a gross area of less than 10 acres.

It shall not be the intent of this chapter to render previously legally created mobilehome parks which do not comply with the new Mobilehome Park zone requirements of this chapter to be nonconforming where these parks complied with the ordinances in effect at the time of their creation.

### **17.08.360 Applicability**

Mobilehome parks located in the MHP zone are subject to site plan review. Mobilehome parks located outside the MHP zone in a residential zone are subject to a conditional use permit, as provided in Article I of Chapter 17.32. Mobilehome parks located outside the MHP zone shall comply with the development requirements which would be imposed on a single-family residential development in that particular zone including, without limitation, any density considerations which might be applicable.

### **17.08.370 Prohibition**

A person shall not use any premises in the MHP zone except as hereafter specifically permitted in this chapter and subject to all regulations and conditions enumerated in this chapter.

### **17.08.380 Permitted uses**

The following uses are permitted in the MHP zone:

- A. A mobilehome on each designated mobile home space within an approved mobilehome park;
- B. One conventional single-family detached dwelling per mobilehome park. Said dwelling to be for the exclusive use of the caretaker or manager, responsible for operating the park,

as a residence and an office. Parking shall be provided in accordance with Section 17.08.140, Off-street parking;

- C. Parks, playgrounds, riding and hiking trails, golf courses, lakes, structures, facilities, clubhouses, community centers and similar uses; providing that all such uses are designed for and limited to use by residents of the mobilehome park and their guests, and further provided that such uses are not permitted on the individual mobilehome space;
- D. Public uses (i.e., parks, libraries and fire stations);
- E. Water reservoirs, dams, treatment plants, gauging stations, pumping stations, tanks, wells, and any use normal and appurtenance to the storage and distribution of water. Exception: This use is not subject to site plan review;
- F. Senior mobilehome park in accordance with Section 17.08.305.

#### **17.08.390 Accessory and temporary uses**

- A. The following uses are considered as accessory uses to the permitted uses in mobilehome parks:
  - 1. Awnings, enclosed or unenclosed; storage sheds or cabinets; fences, walls or windbreaks, carports, porches, ramps, stairways, garages;
  - 2. Maintenance or storage buildings;
  - 3. Solar energy systems, whether mounted on or attached to a mobilehome, building, or mounted on the ground;
  - 4. Swimming pools and associated uses and structures. All heated pools erected or constructed after the adoption of the ordinance codified in this chapter shall be heated primarily by a solar energy system or any other water heating system which has been demonstrated to be equal or superior to solar systems in energy efficiency.
- B. The following uses are considered as temporary uses in the MHP zone:
  - 1. Building materials, storage of, use in the construction of a building or building project for a permitted use, during the construction and 30 days thereafter, including the contractor's temporary office, provided that any lot or parcel of land so used shall be part of the building project, or on property adjoining the construction site.

#### **17.08.400 Uses subject to director's review and approval**

If site plans or other pertinent information for the proposed use are first submitted to and approved by the director in accordance with Article VI of Chapter 17.32, premises in the MHP zone may be used for the following uses:

- A. Home occupation subject to the requirements of Section 17.08.320;
- B. Public utilities (i.e., gas, electric and telephone facilities);
- C. Limited convenience commercial and retail uses designed to serve residents of the mobilehome park.



**17.08.410 Uses subject to conditional use permit**

The following uses may be permitted provided a conditional use permit has first been obtained as provided in Article I of Chapter 17.32, and while such permit is in full force and effect in conformity with conditions of such permit:

- A. Uses necessary to the maintenance of the public health, safety and general welfare.

**17.08.420 Mobilehome conversions**

Any proposal for conversion of an existing mobilehome park shall comply with the requirements of Chapter 11.12 of the Lancaster Municipal Code.

**17.08.430 Park development standards**

In addition to the development standards established in the Mobile Home Parks Act, the following minimum development standards shall apply:

A. Mobilehome park area:	10 gross acres.
B. Mobilehome park density:	
1. Mobilehome park zone:	Consistent with the MDR zone classification.
2. Outside mobilehome park zone:	Shall not exceed the density specified by residential zone in which the park is located.
C. Mobilehome park street frontage:	200 feet, continuous frontage on a dedicated public street.
D. Public street front yard, rear and street side setback for mobilehome park site:	20 feet. Parking is not permitted in these yards.
E. Interior side yard and rear setback, for mobilehome park site:	10 feet along each boundary line of the mobilehome park.
F. Maximum building height:	35 feet.
G. Perimeter public streets and access:	Shall be provided in accordance with director's requirements and city standards.
H. Parking:	Each mobilehome space shall be provided with 2 paved parking spaces, both of which must be covered. Each parking space shall not be less than 9 x 20 feet in size and may be tandem.
I. Guest parking:	One guest space for each 4 mobilehome spaces to be located within 200 feet of the spaces they serve.

**17.08.440 Perimeter**

The mobilehome park shall be designed and developed in a manner compatible with and complementary to existing and potential residential development in the immediate vicinity of the project site. Site planning on the perimeter shall give consideration to protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development.

#### **17.08.450 Landscaping and screening**

All yards and setbacks required for mobile home parks shall be landscaped and shall appear similar to conventional residential developments. A decorative masonry wall 6 feet in height shall screen the mobile home park and shall be located 20 feet from the back of the sidewalk on a street frontage and on the property line elsewhere. The landscaping shall be permanently maintained and shall consist predominantly of drought-resistant trees and vegetation in accordance with Title 8, Chapter 8.50, Landscaping Installation and Maintenance; and Title 8, Chapter 8.30, Residential Landscaping Installation and Maintenance of the Lancaster Municipal Code.

#### **17.08.460 Signs**

A person shall not use any sign except as specifically permitted in this section and subject to all regulations and conditions set forth in this title. The following signs are permitted or required, as specified, in all mobilehome parks:

- A. There shall be no more than one wall sign or single- or double-faced freestanding sign designating the name of the mobilehome park premises, facing or adjacent to each street from which there is access to the property. The height of a freestanding sign shall not exceed 8 feet, measured vertically from the base at ground level to the apex of the sign. The total sign area of all wall and freestanding signs (excluding directional signs) shall not exceed 1/10 square-foot for each linear-foot of street frontage, and no sign shall exceed a total sign area of 32 square feet. Freestanding signs may be lighted only by continuous internal light.
- B. One directional sign, not to exceed 10 square feet in area, may be placed at each entrance or exit driveway of the mobilehome park. No such sign shall exceed a height of 3 feet measured vertically from the base at ground level to the apex of the sign. Directional signs may be lighted only by continuous internal light.
- C. There shall be a directory diagram readily visible from all entrances to the park on which is posted a map of the park showing the location of all facilities, the layout and names of all interior streets, and the location and lot number of all mobilehome spaces. Such diagram shall be of a size to be easily readable by a person with normal vision, shall be illuminated during the hours of darkness, and shall be protected from the elements by being placed in a permanent glass or plastic device.
- D. Each mobilehome shall be identified by a space number conspicuously posted and of such size and type so as to be clearly readable after dark and in accordance with city standards.

#### **17.08.470 Senior mobilehome park**

The purpose of the senior mobilehome district overlay is to provide various development and preservation incentives to make the development and maintenance of senior mobilehome parks attractive to mobilehome park owners and developers while, at the same time, providing assurances that existing senior mobilehome parks within the overlay district remain available to seniors. Senior mobilehome parks shall comply with the following requirements:

- A. Zoning Map Designation. Adoption of a senior mobilehome park overlay (MHP-S) shall be by a zone change in accordance with Chapter 17.24 of the Lancaster Municipal Code. Such zone change may be initiated by either the mobilehome park owner or the city.
- B. Qualification for Inclusion of Properties within the Senior Mobilehome Park Overlay (MHP-S). Properties that are designated to be within the senior mobilehome park overlay zone shall be those properties operated as or proposed to be developed as a senior mobilehome park in which at least one occupant of each mobilehome is 55 years or older.
- C. Land Use Regulations. At least 80% of the spaces in mobilehome parks in the senior mobilehome park overlay district shall be occupied by at least one person 55 years or older. If an existing mobilehome park met this qualification on August 14, 2007, and fell below the 80% requirement between that date and the effective date of the ordinance codified in this section, the senior mobilehome park overlay district shall be applied to that mobilehome park, and that park shall be required to operate as a senior mobilehome park by renting spaces and mobilehomes only when at least one occupant of the mobilehome is 55 years or older. The signage, advertising, park rules and regulations, and leases for spaces in mobilehome parks in the senior mobilehome park overlay district shall state the park is a senior park.
- D. Development New or Expansion of Existing Senior Mobilehome Park. A site plan review shall be required for any proposal to develop a new senior mobilehome park or expand an existing senior mobilehome park. A new senior mobilehome park and the expansion area of an existing senior mobilehome park shall comply with the development standards, perimeter treatment, landscaping, screening signage requirement, and use restrictions of this article.
- E. Limitations on Rentals. Spaces and mobilehomes in a mobilehome park in the senior mobilehome overlay district shall be rented only to occupants who meet the age requirement set forth in subsection A of this section provided, however, that if the occupants of a space or mobilehome who do not meet this requirement rented the space or mobilehome before the adoption of this chapter, they shall be allowed to remain, and provided further that when such occupants cease to occupy a space or mobilehome, the home and space cannot thereafter be rented except to occupants who meet that age requirement.
- F. Exemption from Abatement of Nonconforming Uses. Notwithstanding the provisions of Article VII of Chapter 17.32 of the Lancaster Municipal Code, senior mobilehome parks that have become nonconforming as to the underlying general plan or zoning designation shall be deemed to be legal and conforming uses.
- G. Expansion of Existing Senior Mobilehome Parks. Notwithstanding the provisions of Article VII of Chapter 17.32 of the Lancaster Municipal Code, the expansion of an existing senior mobilehome park shall not terminate the legal and conforming status of any previously existing structures or uses in the mobilehome park.

## Article VIII. Reasonable Accommodation for Persons with Disabilities

### 17.08.500 Reasonable Accommodation

- A. Purpose.** The reasonable accommodation ordinance provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act in the application of zoning laws and other land use regulations, policies and procedures.
- B. Applicability.** A request for reasonable accommodation may be made by any person with a disability (or their representative), when the application of zoning law or other land use regulation acts as a barrier to fair housing opportunities. A request for reasonable accommodation may include a modification or exception to the standards for the siting, development and use of housing that would result in the removal of regulatory barriers and provision of equal housing opportunity.
- C. Application requirements.** Requests for reasonable accommodation shall be submitted on an application form provided by the Planning Department, or in the form of a letter, to the Planning Director and shall contain the following information:
1. The applicant's name, address and telephone number.
  2. Address of the property for which the request is being made.
  3. Record owner of property. In the event the nature of the requested accommodation is one that would ordinarily require the consent of the landlord or property owner, such consent shall be submitted, in writing, with the application.
  4. Description of current uses of the property.
  5. A description of the impairment of major life activities for which reasonable accommodation is requested.
  6. Description of the requested accommodation that is being requested.
  7. The reason why the reasonable accommodation is necessary to ensure equal access to specific property.
- D. Review authority and procedure.** The Planning Director, or the Planning Director's designee, shall make a written determination within 45 days and either grant, grant with modifications, or deny a request for reasonable accommodation based on findings listed in this section and in consistency with the Fair Housing Act.
- E. Findings.** The written decision to grant or deny the request for reasonable accommodation shall be consistent with the Fair Housing Act and shall be based on consideration of the following findings:
1. The housing accommodation will be used by an individual disabled under the Fair Housing Act.
  2. The request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Fair Housing Act.
  3. The requested reasonable accommodation would not impose an undue financial or administrative burden on the City.
  4. The requested reasonable accommodation would not require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning.

5. The requested reasonable accommodation would not impair the reasonable use of adjacent properties.
- F. Decision.** The decision shall be based on the ability to make the findings listed in this section, in consistency with the Fair Housing Act, as well as consideration of the accommodation's physical attributes, and whether there are alternative reasonable accommodations which may provide an equivalent level of benefit.
- G. Appeal of determination.** A determination by the reviewing authority to grant or deny a request for reasonable accommodation may be appealed to the Planning Commission in compliance with Section 17.32.820 of the Zoning Code.
- H. Confidentiality.** All information provided in conjunction with a request for reasonable accommodation shall be kept confidential, and shall only be shared with persons properly designated to make or assess a decision to grant or deny the reasonable accommodation request, or unless disclosure is required by law.
- I. Non-transferability.** A reasonable accommodation is personal to the applicant and shall not be transferable to, or inure to the benefit of, subsequent owners, tenants, or occupants.

**EXHIBIT “B”**  
**(Red-lined)**

**Chapter 17.08**  
**DRAFT RESIDENTIAL ZONES**

**Sections:**

**Article I. In general**  
17.08.010 In general

**Article II. Non-urban, Urban, Medium and High Density Residential Zones**  
17.08.020 Purpose and intent  
17.08.030 Purposes of the Residential zones  
17.08.040 Applicability of standards  
17.08.050 Uses and permit requirements  
17.08.060 Development regulations by building types  
17.08.070 Design and performance measures  
17.08.080 Infill residential development standards  
17.08.090 Density bonus

**Article III. General Site Planning and Project Design Standards**  
17.08.100 Parking and Loading  
17.08.110 Landscaping  
17.08.120 Signs  
17.08.130 Fences, Walls, and Screening  
17.08.140 Outdoor Lighting

**Article IV. Standards for Specific Land Uses**  
17.08.150 Purpose and Applicability  
17.08.160 Residential Accessory Uses and Structures  
17.08.170 Cargo Container Storage  
17.08.180 Animal Keeping  
17.08.190 Child Day Care Facilities  
17.08.200 Home Occupations  
17.08.210 Live-work  
17.08.22~~10~~ Garage Conversions  
17.08.23~~20~~ Guest Houses and Carriage Units  
17.08.24~~30~~ Second Dwelling Units  
17.08.25~~40~~ Mobilehomes and Manufactured Housing

**Article V. Solar, Wind, and Alternative Energy Uses**

- 17.08.270 Purpose
- 17.08.280 Applicability
- 17.08.290 Solar farms
- 17.08.300 Solar energy systems
- [17.08.305 Implementation of solar energy systems](#)
- 17.08.310 Vertical-axis wind turbines systems (VAWTS)
- 17.08.320 Non-commercial wind energy systems (NC-WES)
- 17.08.330 Electric vehicle charging systems

**Article VI. Specific Provisions for Designated Uses Subject to Conditional Use Permits**

- 17.08.340 Residential Planned Development (RPD)

**Article VII. Mobilehome Parks and Mobilehome Park (MHP) Zone**

- 17.08.350 Purpose and intent
- 17.08.360 Applicability
- 17.08.370 Prohibition
- 17.08.380 Permitted use
- 17.08.390 Accessory and temporary uses
- 17.08.400 Uses subject to director's review and approval
- 17.08.410 Uses subject to conditional use permit
- 17.08.420 Mobilehome conversions
- 17.08.430 Park development standards
- 17.08.440 Perimeter
- 17.08.450 Landscaping and screening
- 17.08.460 Signs
- 17.08.470 Senior mobilehome park

**Article VIII. Reasonable Accommodation for Persons with Disabilities**

- 17.08.500 Reasonable Accommodation

**Article I. In General**

**17.08.010 In general.**

As used in this title, “residential zones” mean the RR, R, MHP, MDR and HDR zones.

**Article II. Non-urban, Urban, Medium and High Density Residential Zones**

**17.08.020 Purpose and intent.**

The purpose and intent of the residential zones are to implement the City’s General Plan, and land use designations as set forth in the text of the General Plan and as delineated on the General Plan Map. The adopted General Plan specifies goals, objectives, policies, and specific actions with regard to residential uses and development.

It shall not be the intent of this title to render previously legally created building lots or legally constructed buildings which do not comply with the property development regulations of this title to be nonconforming where these lots or buildings complied with the ordinances in effect at the time of their creation or construction.

**17.08.030 Purposes of the Residential zones.**

**A. Non-urban Residential or RR Zones.** These zones are intended to provide for single-family dwellings in a non-urban environment with minimal urban services. The primary difference between the zones is the minimum lot size. Only those additional uses that are complementary to and exist in harmony with a rural residential neighborhood are allowed.

1. The RR-2.5 (rural residential) zone implements the “Non-urban Residential, Rural Residential” designation. This zone is intended for rural single-family residential use, allowing one dwelling unit per minimum net area of 100,000 square feet;
2. The RR-1 (rural residential) zone implements the “Non-urban Residential, Low Density” designation. This zone is intended for low density single-family residential use, allowing one dwelling unit per minimum net area of 40,000 square feet; and
3. The SRR (semi-rural residential) zone implements the “Non-urban Residential, Transitional Density” designation. This zone is intended for transitional density between the rural and urban land uses, allowing one dwelling unit per minimum net area of 20,000 square feet.

**B. Urban Residential or R Zones.** These zones are intended to provide for single-family dwellings in an urban environment with full urban services. Only those additional uses that are complementary to and exist in harmony with an urban residential neighborhood are allowed.

1. The R-15,000 zone implements the “Urban Residential, Transitional Density” land use designation. This zone is intended for single-family dwellings, allowing one dwelling unit per minimum net area of 15,000 square feet;



2. The R-10,000 zone implements the “Urban Residential, Transitional Density” land use designation. This zone is intended for single-family dwellings, allowing one dwelling unit per minimum net area of 10,000 square feet; and
3. The R-7,000 zone implements the “Urban Residential, Low Density” land use designation. This zone is intended for single-family dwellings, allowing one dwelling unit per minimum net area of 7,000 square feet.

**C. Medium and High Density Residential Zones.** These zones are intended to provide for medium to high density multiple-family dwellings in an urban environment with full urban services. Only those additional uses that are complementary to and exist in harmony with such residential developments are allowed.

1. The MDR zone implements the “Medium Density Residential” land use designation. This zone includes lower intensity residential dwelling units, with a density range of 6.6 to 15 dwelling units per acre; and
2. The HDR zone implements the “High Density Residential” land use designation. This zone includes higher density residential dwelling units, with a density range of 15.1 to 30 dwelling units per acre.

#### **17.08.040 Applicability of standards.**

A person shall not use any premises in the Residential zones, except as hereafter permitted in this title and subject to all regulations and conditions enumerated in this title. Development and new land uses proposed within the Residential zones shall comply with the standards in this Section for the applicable zones, as follows:

- A. Use.** Only the land uses allowed by Section 17.08.050 shall be established in the applicable zone. In the instance when an applicant proposes a use that is not specifically listed in Section 17.08.050, the Planning Director shall make a determination on whether it is allowed or not, based on the finding that the proposed use would complement and be able to exist in harmony with other permitted uses in the same zone.
- B. Site specifications and building placement.** Each proposed structure shall comply with the build-to line, setback, and buildable area requirements in Section 17.08.060 as required for the applicable zone, as well as the design requirements listed in 17.08.070.
- C. Building size and massing.** Each proposed structure shall adhere to size, massing, and height standards established by Section 17.08.060 for the applicable zone, as well as the design requirements listed in Section 17.08.070.
- D. Parking.** On-site parking shall be provided, located, and designed in compliance with Section 17.08.060 for the applicable zone.
- E. Development and building types.** All developments shall substantially resemble one of the development and building types listed in Section 17.08.060, or feature primary characteristics of the development and building types.
- F. Other design requirements.** All other requirements listed in Section 17.08.060, Section 17.08.070, and all applicable guidelines in the Lancaster Design Guidelines shall apply.

**17.08.050 Uses and permit requirements.**

<b>Residential Zones – Uses Matrix</b>			
<b>USES</b> P = permitted use / D = director’s review C = conditional use / N/A = not allowed	<b>ZONES</b>		
	<b>RR-2.5 RR-1 SRR</b>	<b>R-15,000 R-10,000 R-7,000</b>	<b>MDR HDR</b>
<b>A. Uses.</b>			
Single-family house on individual lot	P	P	N/A
Multi-family: 2 or 3 units	N/A	N/A	D
Multi-family: 4 or more units	N/A	N/A	P
Duplex on single-family corner lot in a new subdivision (minimum dimensions of 100’ by 100’)	N/A	P	N/A
Residential planned development (RPD)	C	C	C
Assisted living facility/residential care facility	N/A	C <sup>1</sup>	P
<a href="#">Congregate living health facility (up to 6 beds)</a>	<a href="#">D</a>	<a href="#">D</a>	<a href="#">N/A</a>
Supportive and transitional housing (group homes)	P	P	P
Mobilehome on individual lot	P	P	N/A
Mobilehome parks	Permitted in MHP zone only		
<b>B. Accessory uses.</b>			
Accessory structures/buildings (gazebos, sheds, etc.)	P	P	P
Swimming pools and pool equipment	P	P	P
Second dwelling unit	D	D	N/A
Guest house	P	P	N/A
Garage conversion	P	P	N/A <sup>2</sup>
Small family daycare (up to 7 children)	P	P	N/A <sup>2</sup>
Large family daycare (8 to 14 children)	D	D	N/A <sup>2</sup>
Home occupation/home office	P	P	P
Electric vehicle charging station (EVCS)	P	P	P
Non-commercial solar energy systems, including building and ground-mounted photo-voltaic (PV) panels	P	P	P
Non-commercial wind energy systems (NC-WES)	D	D	D
Vertical-axis wind turbines (VAWTs)	D	D	D
Cargo containers <sup>3</sup>	P	N/A	N/A
Light agricultural uses <sup>3</sup>	P	N/A	N/A
<b>C. Temporary uses.</b>			
Temporary mobilehome as residence during construction	D	D	N/A
Real estate sales office in conjunction with new subdivision	D	D	D
Model homes in conjunction with new subdivision	D	D	D
Cargo containers	P	P	N/A
<b>D. Other uses.</b>			
Adult daycare or day health care	C	C	P

<b>Residential Zones – Uses Matrix</b>			
<b>USES</b> P = permitted use / D = director’s review C = conditional use / N/A = not allowed	<b>ZONES</b>		
	<b>RR-2.5 RR-1 SRR</b>	<b>R-15,000 R-10,000 R-7,000</b>	<b>MDR HDR</b>
Animal boarding and training; kennels <sup>4</sup>	C	N/A	N/A
Animal hospital <sup>4</sup>	C	N/A	N/A
Arboretums and horticultural gardens	C	N/A	N/A
Churches	C	C	C
Colleges and universities	C	C	C
Commercial crop production	P	N/A	N/A
Commercial solar electrical generation facilities <sup>4</sup>	C	N/A	N/A
Community gardens	D	D	D
Daycare center	C	C	C
Electric distribution substations	C	C	C
<del>Feed stores and related accessory uses<sup>3</sup></del>	<del>C</del>	<del>N/A</del>	<del>N/A</del>
Equestrian center; commercial or boarding stables <sup>3</sup>	C	N/A	N/A
Expansion of parking lot for institutional uses	D	D	D
<u>Feed stores and related accessory uses<sup>3</sup></u>	<u>C</u>	<u>N/A</u>	<u>N/A</u>
Gas metering and control stations	C	C	C
Golf courses and driving ranges, and accessory facilities	C	C	C
Land reclamation projects <sup>4</sup>	C	N/A	N/A
Neighborhood wellness home	D	D	D
Parking lots as a transitional use	D	D	D
Radio and television stations and towers <sup>3</sup>	C	N/A	N/A
Retail nurseries <sup>3</sup>	C	N/A	N/A
Rooming and boarding houses	N/A	N/A	C
Schools, not including trade or commercial schools	C	C	C
<u>Water reservoirs, pumping stations, tanks, wells, etc.</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Wireless telecommunication facilities (stealth)<sup>5</sup></u>	<u>D</u>	<u>D</u>	<u>D</u>
Wineries (minimum 10 gross acre lot)	C	N/A	N/A
<del>Water reservoirs, pumping stations, tanks, wells, etc.</del>	<del>P</del>	<del>P</del>	<del>P</del>
Notes: <sup>1</sup> R-7,000 and R,10-000 zones only <sup>2</sup> For existing single family homes in MDR and HDR zones, use and permit requirements consistent with urban residential single family zones would apply <sup>3</sup> RR-1 and RR-2.5 zones only <sup>4</sup> RR-2.5 zones only <sup>5</sup> <u>In conjunction with a non-residential use, such as a church, school, etc.</u>			

**17.08.060 Development regulations by building types.**

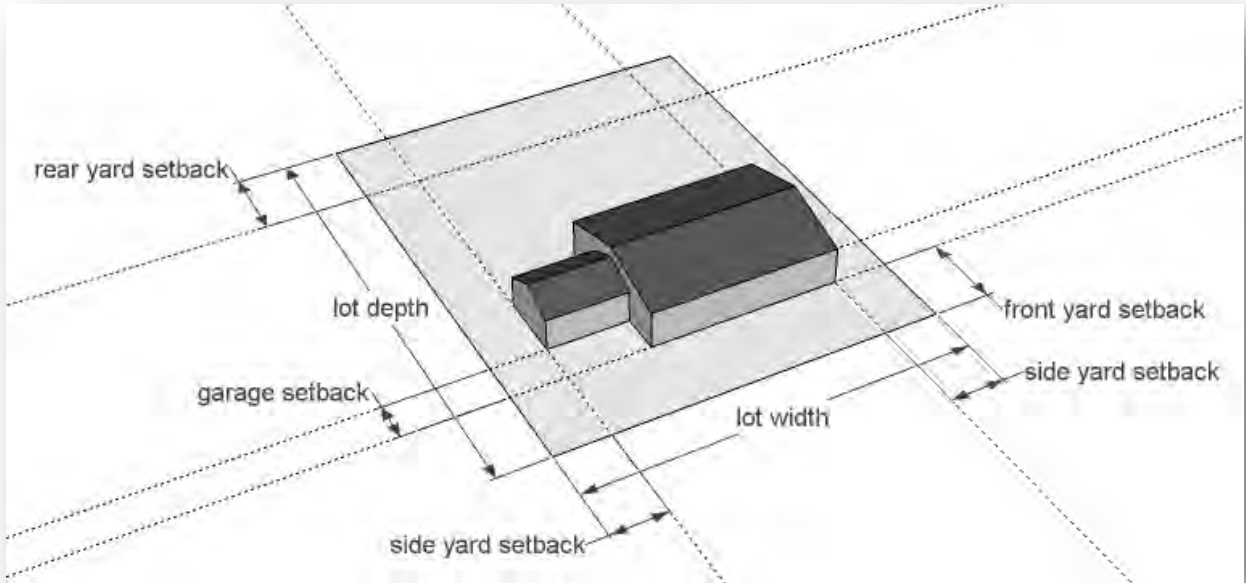
**A. Single-family house on Rural Residential lot.**

A single-family house on a rural residential lot is a residence for one household, with its primary entrance accessed through the front yard, on a lot ranging from 20,000 to 100,000 square feet or greater.

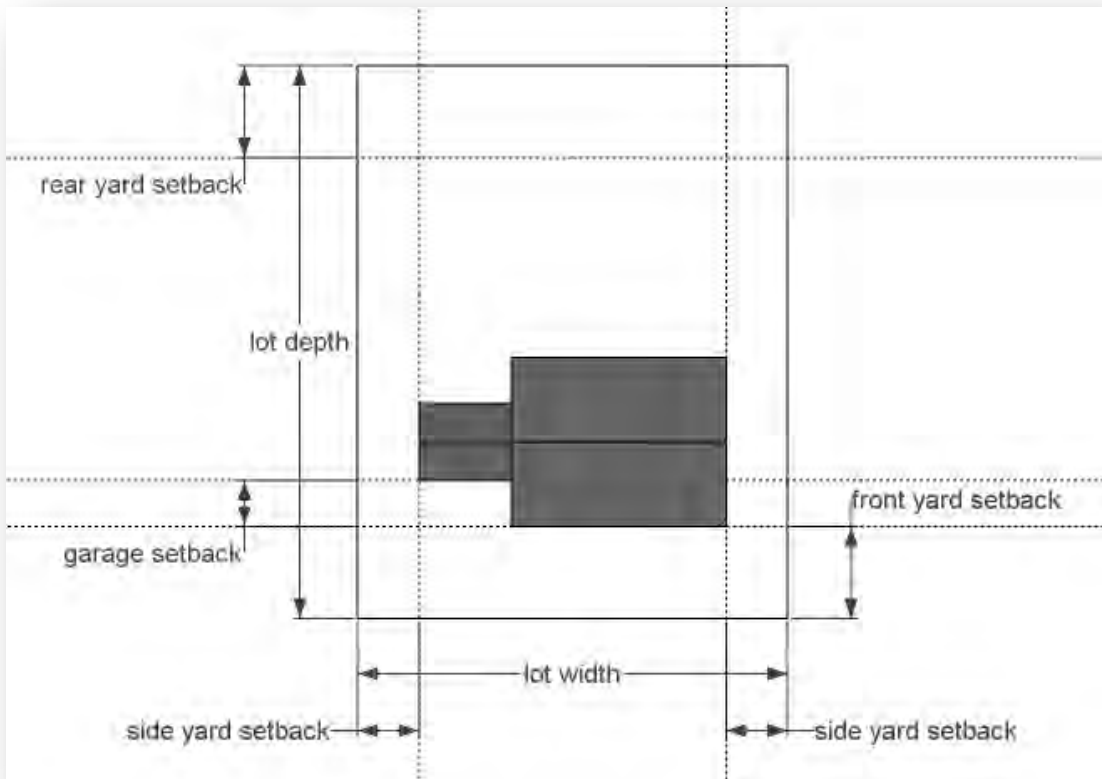
1. Development standards.

<b>Rural Residential Development Standards</b>			
	<b>ZONES</b>		
	<b>RR-2.5</b>	<b>RR-1</b>	<b>SRR</b>
<b>Site specifications.</b>			
Minimum lot size (sq. ft.).	100,000	40,000	20,000
Minimum width (feet).	165	110	85
Minimum depth (feet).	250	130	120
<b>Building placement.</b>			
Front yard (feet).	40	30	30
Garage location.	All garages shall be located at or behind the wall plane where the front entrance is located.		
Rear yard (feet).	30	25	20
Interior side yard: minimum (feet).	20	15	10
Interior side yard: total sum of two yards (feet).	40	30	25
Street side yard (feet).	40	30	20
<b>Building size and massing.</b>			
Lot coverage (percentage).	30%	40%	40%
Building height (feet).	40	40	35
<b>Parking.</b>			
Number of parking spaces.	2 spaces within an enclosed garage per Section 17.08.100		
<b>Solar energy system provision.</b>			
Minimum <del>average</del> photo-voltaic kW per unit <u>per Section 17.08.305.</u> <i>(only for production type housing in new subdivisions)</i>	1.5 kW	1.5 kW	1.5 kW
<p><del>a. Corner lots featuring side yard driveway access require a minimum 20-foot driveway and street side yard setback.</del></p> <p><del>b.a. Provision of solar panels is not required for all homes, however, the builder shall meet the “minimum average,” which is the total energy generation capacity (in kW) divided by the number of units in the subdivision.</del></p>			

**Diagram for Single-family house on Rural Residential lot – perspective view**



**Diagram for Single-family house on Rural Residential lot – site plan view**



**B. Single-family house on Residential lot.**

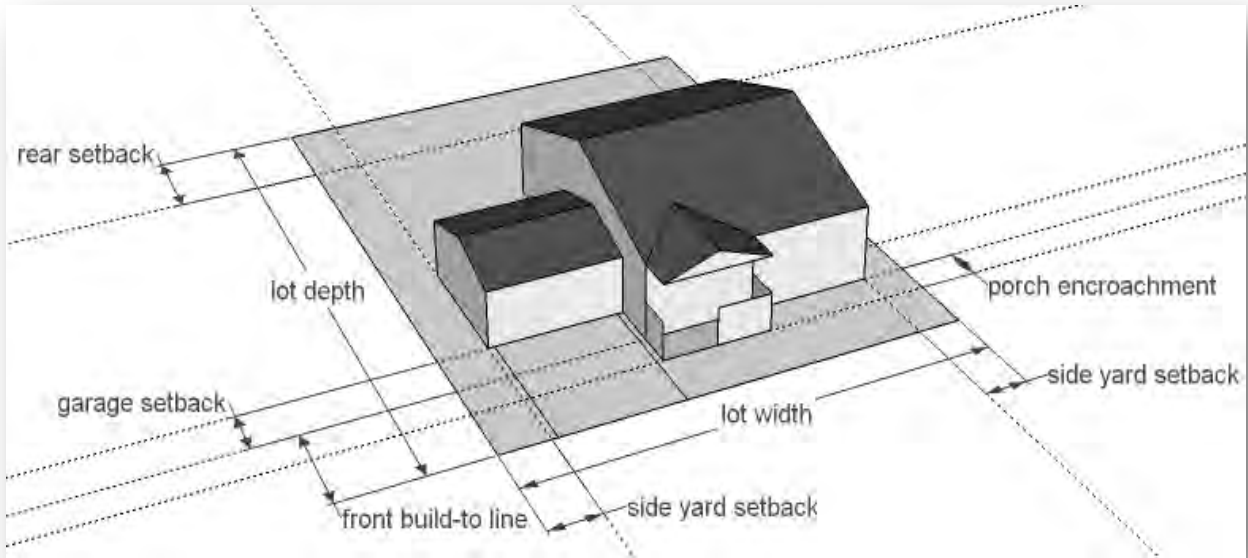
1. Development standards.

Development Standards						
	ZONES / LOT TYPE					
	R-15,000	R-10,000	R-7,000	Infill R-7,000 (with RPD)	Infill R-7,000 (alley access, with RPD)	SFR corner duplex
<b>Site specifications.</b>						
Minimum lot size (sq. ft.).	15,000	10,000	7,000	5,000	3,500	10,000
Minimum width (ft.).	85	70	60	50	40	100
Min. width – corner lot (ft.).	100	85	75	60	50	
Minimum depth (ft.).	120	100	100	85	75	100
<b>Building placement.</b>						
Front plane build-to line (ft.).	20-32	16-28	14-26	12-20	10-18	16-28
Required minimum porch size (feet x feet).	6 x 12	6 x 12	6 x 12	6 x 10	6 x 8	6 x 12
	<u>To the satisfaction of the Planning Director, an alternative frontage feature may be proposed in lieu of a porch if it achieves the same design intent and variation.</u>					
Porch encroachment.	Up to additional 6' beyond front plane build-to line					
Garage location.	All garages shall be located at or behind the wall plane where the front entrance is located. <del>Of these, at least 40% of homes in the subdivision shall be recessed an additional minimum of 10 feet behind the front entrance wall plane.</del> <u>A homebuilder with a subdivision with at least four floor plans may have one floor plan that has a garage located in front of the front entrance plane.</u>					
Rear yard (ft.).	20	20	15	12	0	N/A
Interior side yard: min. (ft.).	5	5	5	5	0	10
Interior side yard: sum of two yards (ft.).	20	15	15	10	10	N/A
Street side yard (ft.).	15	15	10	10	10	N/A
<b>Building size and massing.</b>						
Lot coverage (percentage).	40%	40%	50%	55%	60%	45%
Building height (ft.).	35	35	35	35	35	35
<b>Parking.</b>						
Number of parking spaces.	2 spaces within an enclosed garage (Section 17.08.100)					
<b>Solar provision.</b>						
Minimum <del>average</del> photovoltaic kW per unit <del>(new subdivisions).</del> <u>per Section 17.08.305.</u>	1.50 kW	1.25 kW	1.0 kW	0.75 kW	0.50 kW	1.0 kW
<p>a. A tandem garage parking arrangement may be considered if the applicant cannot meet the requirement to place a 2-car garage behind the plane of the house.</p> <p><del>b.</del> Corner lots featuring side yard driveway access require a minimum 20-foot driveway</p>						

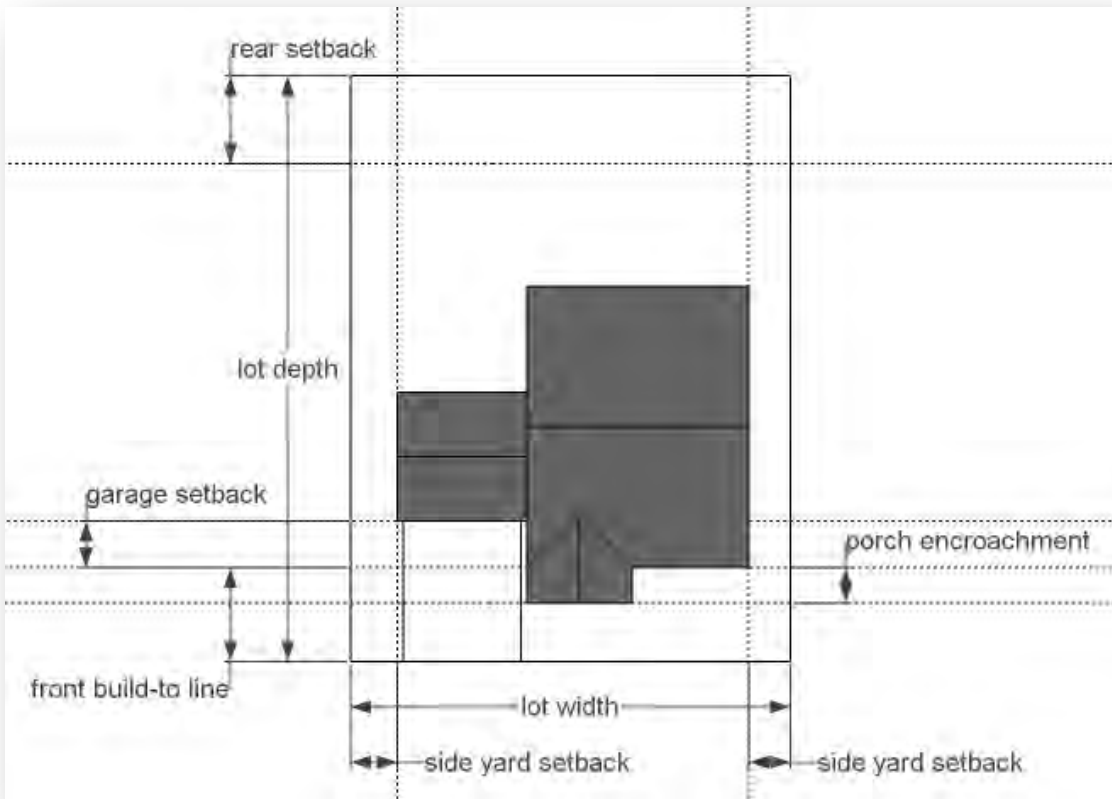
and street side yard setback.

~~e.b. Provision of solar panels is not required for all homes, however, the builder shall meet the “minimum average,” which is the total energy generation capacity (in kW) divided by the number of units in the subdivision.~~

**Diagram for Single-family house on Residential lot – perspective view**

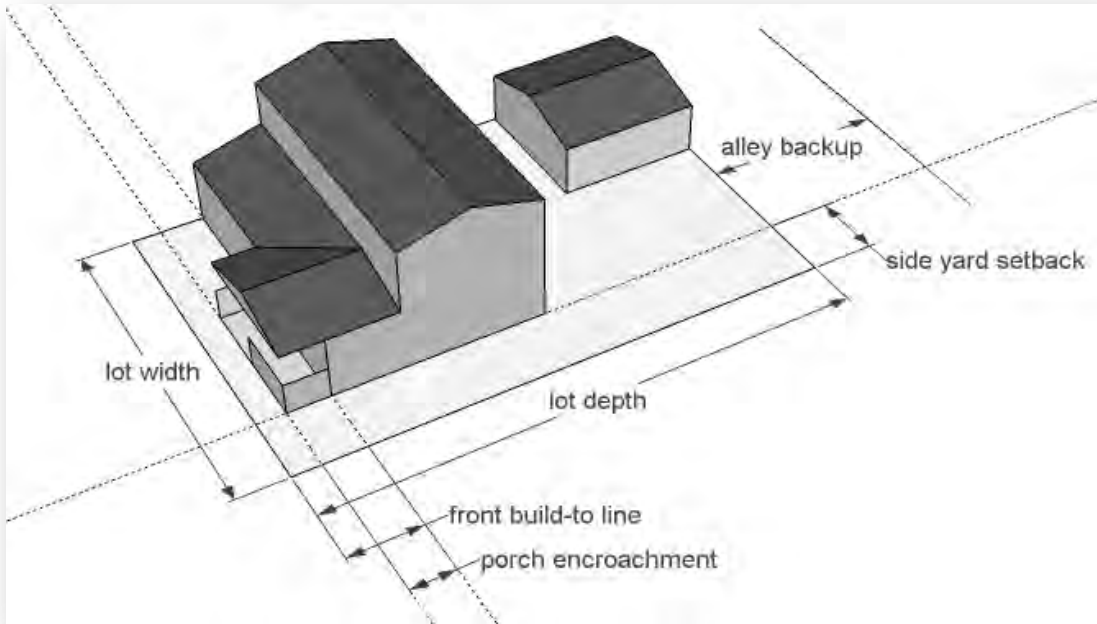


**Diagram for Single-family house on Residential lot – site plan view**

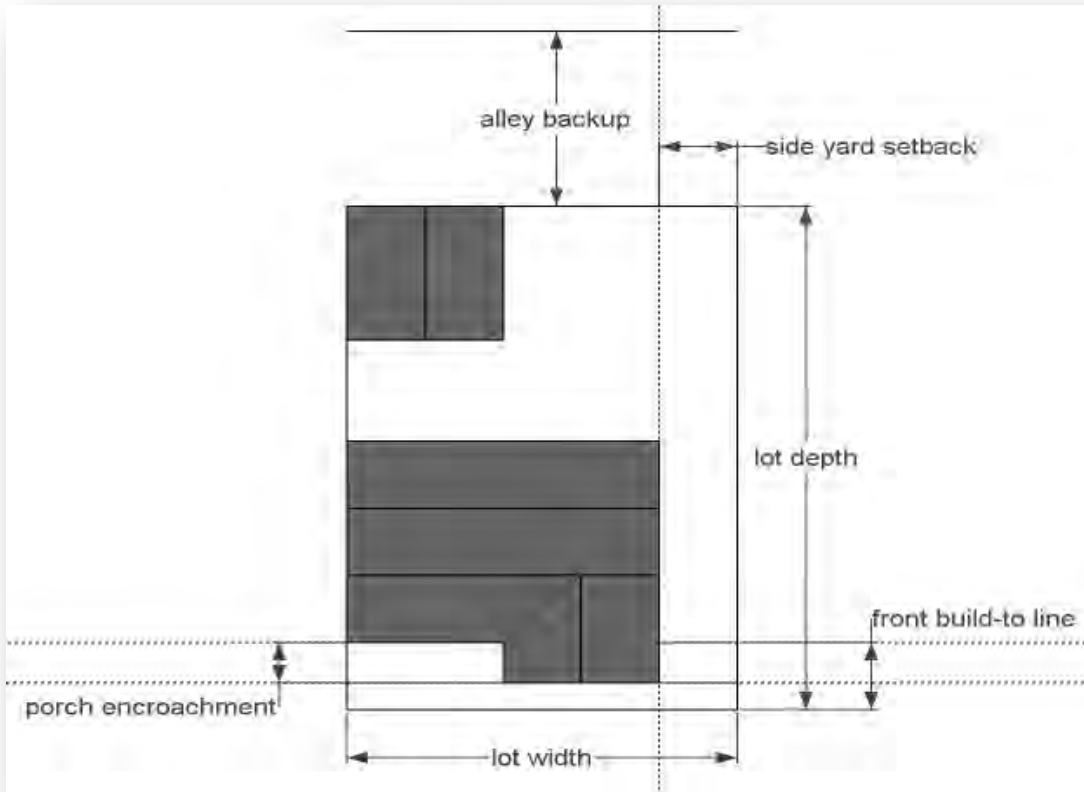




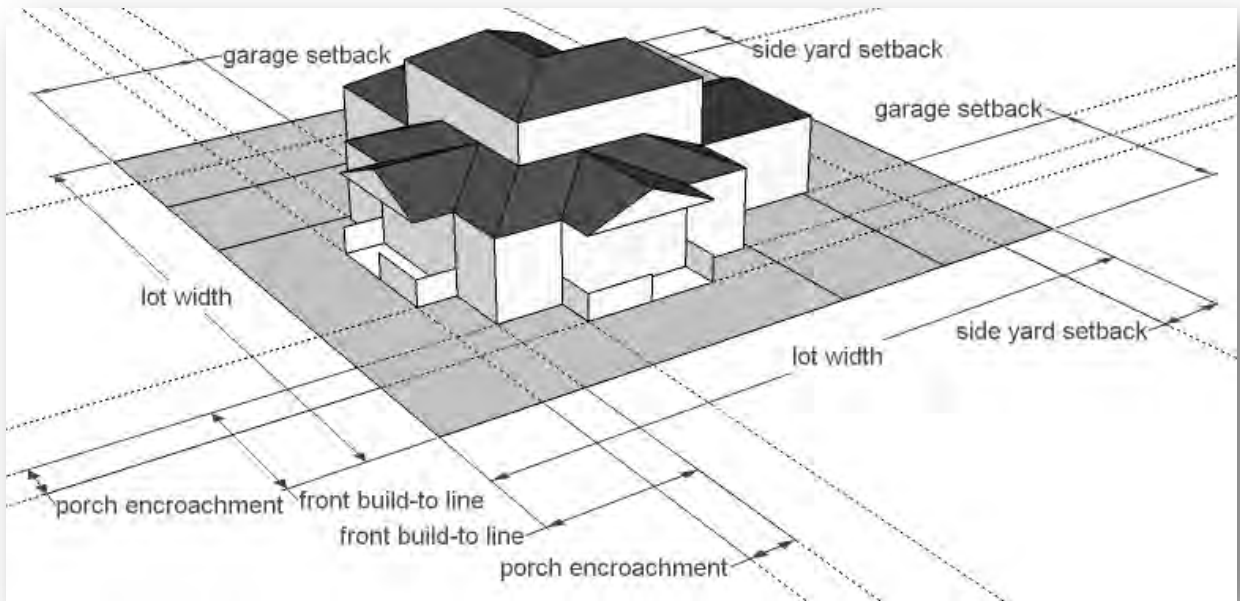
**Diagram for Single-family house on Infill Residential lot – perspective view**



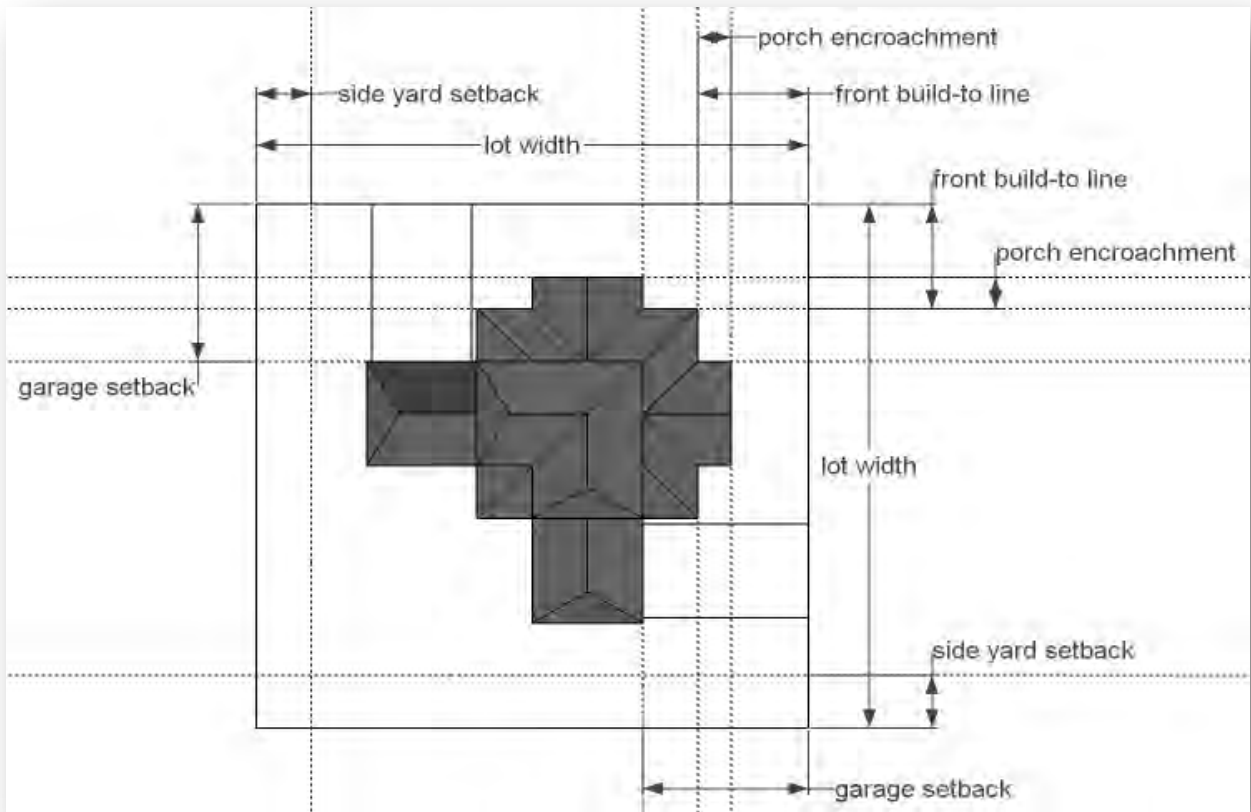
**Diagram for Single-family house on Infill Residential lot – site plan view**



**Diagram for Duplex on Corner Residential Lot – perspective view**



**Diagram for Duplex on a Corner Residential lot – site plan view**



**C. Small apartment/condominium building/complex (2 to 15 units).**

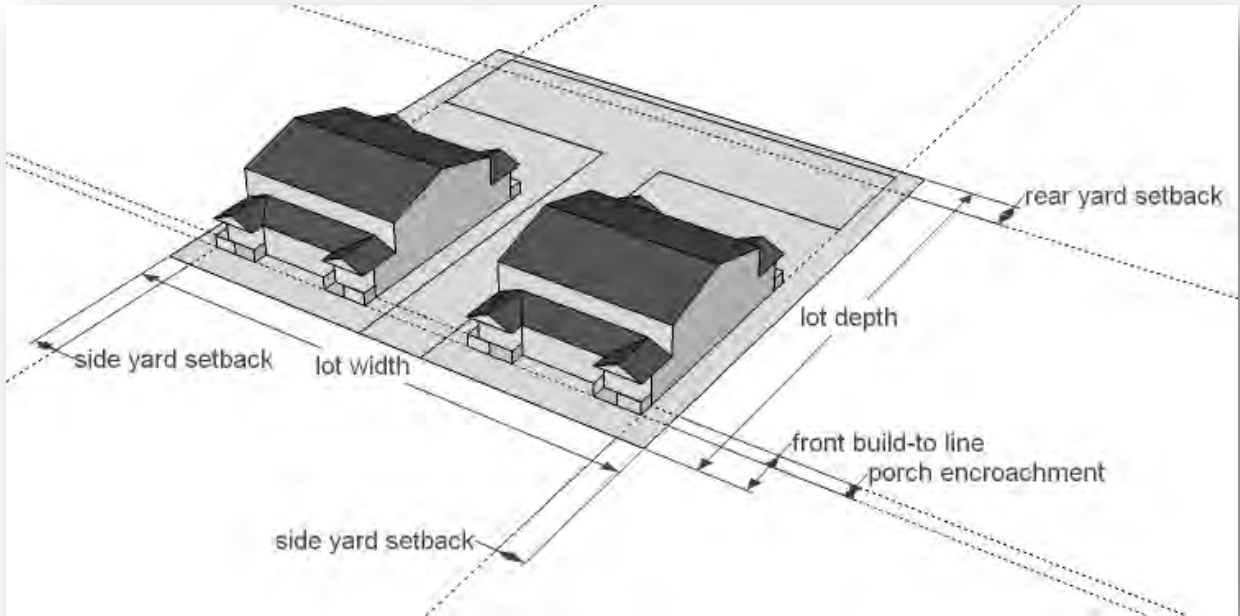
1. Development standards.

<b>Development standards</b>	
	<b>MDR or HDR ZONE</b>
<b>Site specifications.</b>	
Minimum lot size (sq. ft.)	6,000
Minimum width (feet).	60
Minimum width – corner lot (feet).	80
Minimum depth (feet).	100
<b>Building placement.</b>	
Front build-to line.	
Fronting local, collector, or other residential street with on-street parking (feet). Transitional infill design guidelines apply (Section 17.08.070.D).	0-12
Fronting local, collector, or other residential street with on-street parking and adjacent to single-family uses along the same street (feet).	8-20
Fronting arterial street with no on-street parking (feet).	20-32
Rear yard (feet).	15
Interior side yard (feet).	10
Street side yard (feet).	15
<b>Building size and massing.</b>	
Lot coverage (percentage).	50%
Building height within 100 feet of SFR <del>zone</del> uses (feet).	35
Maximum building height (feet).	55
<b>Parking.</b>	
Location of on-site parking.	Behind the front façade of the residential building
Number of parking spaces.	Per Section 17.08.100
<b>Open space.</b>	
Required usable open space/recreation area.	Minimum 8% of lot area, minimum 20' width and depth
<b>Landscaping.</b>	
Required landscaping (percentage).	Minimum 15% of lot area
<b>Solar provision.</b>	
<a href="#">Minimum photo-voltaic kW per unit per Section 17.08.305.</a>	<a href="#">0.5 kW</a>
<ul style="list-style-type: none"> <li>a. On-site management shall be provide for apartments 4 units or greater.</li> <li>b. A minimum 4' x 4' covered entryway shall be provided for each apartment or condominium unit. The entryway may be enlarged and designed as a porch.</li> <li>c. Required amenities for units in a small apartment include in-unit laundry hook-ups.</li> <li>d. Required amenities for units in a small condominium, beyond those required for apartments, include garage parking with storage shelves for each unit, and a minimum 4'</li> </ul>	

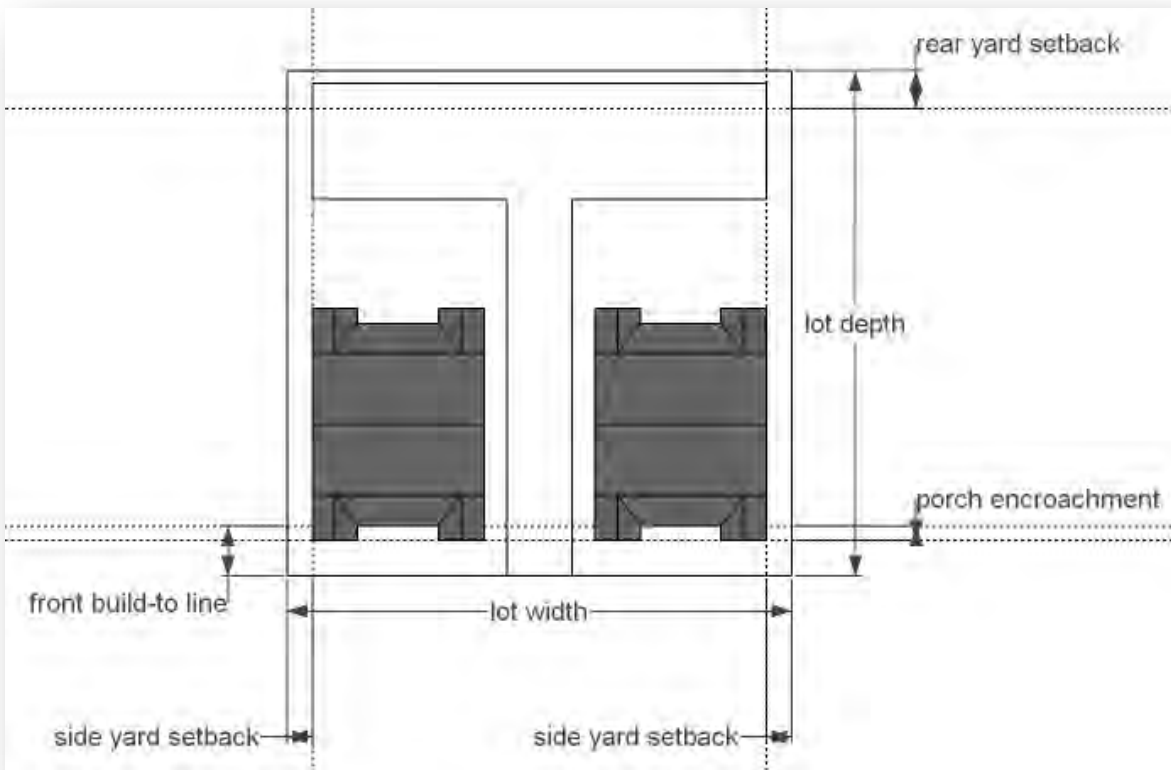
x 8' porch, patio, or balcony area.

- e. Other site amenities may include a barbeque area, pool, recreation courts, and shall be centrally located and easily accessible for residents.

**Diagram for small apartment – perspective view**



**Diagram for small apartment – site plan view**



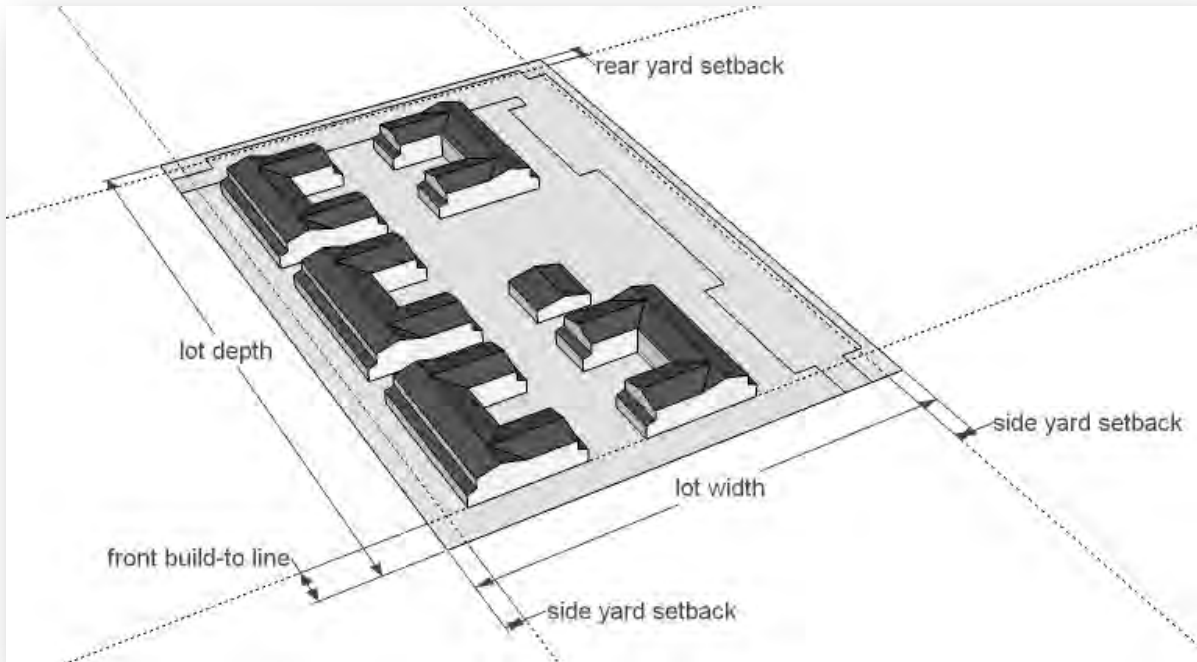
**D. Large apartment/condominium building/complex (16 or more units).**

1. Development standards.

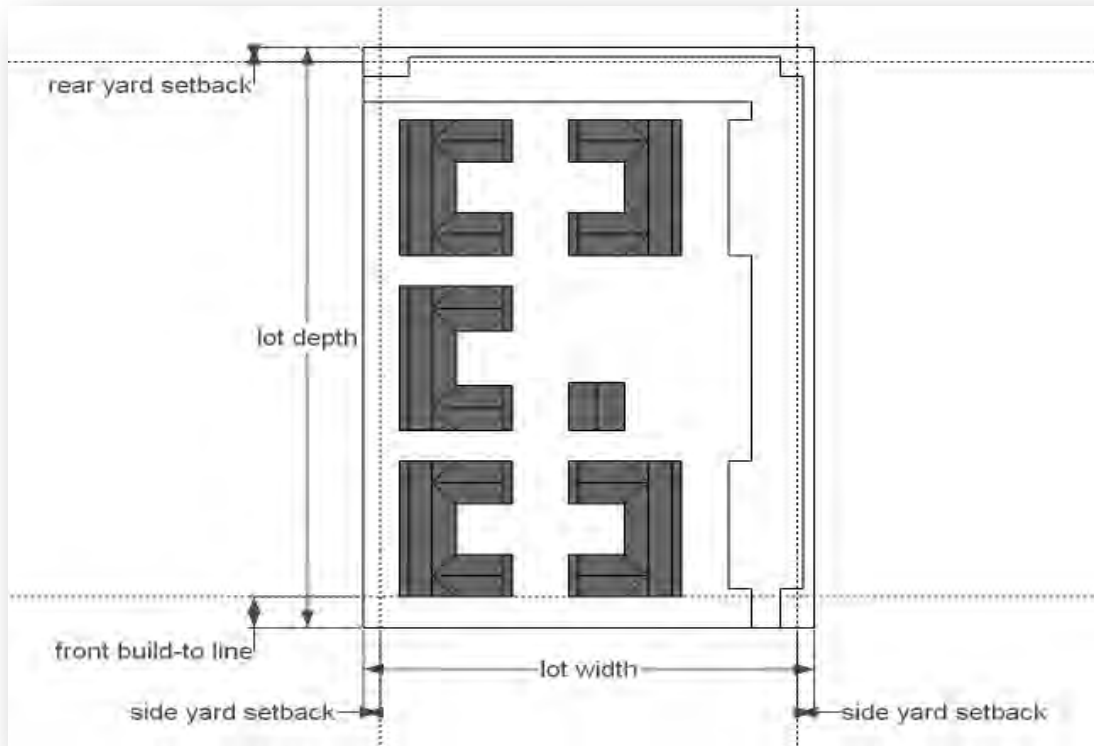
<b>Development standards</b>	
	<b>MDR or HDR ZONE</b>
<b>Site specifications.</b>	
Minimum lot size (sq. ft.)	6,000
Minimum width (feet).	60
Min. width – corner lot (feet).	75
Minimum depth (feet).	100
<b>Building placement.</b>	
Front build-to line.	
Fronting local, collector, or other residential street with on-street parking (feet). Transitional infill design guidelines apply (Section 17.08.070.D).	0-12
Fronting local, collector, or other residential street with on-street parking and adjacent to single-family uses along the same street (feet).	8-20
Fronting arterial street (feet).	20-32
Rear yard (feet).	15
Interior side yard (feet).	15
Street side yard (feet).	20
<b>Building size and massing.</b>	
Lot coverage (percentage).	50%
Building height within 100 feet of SFR <del>zone</del> uses (feet).	35
Maximum building height (feet).	72
<b>Parking.</b>	
Location of on-site parking.	40 ft. from front property line
Number of parking spaces.	Per Section 17.08.100
<b>Open space.</b>	
Required usable open space/recreation area.	Minimum 8% of lot area, minimum 50' width and depth
<b>Landscaping.</b>	
Required landscaping (percentage).	Minimum 15% of lot area
<b>Solar provision.</b>	
<a href="#">Minimum photo-voltaic kW per unit per Section 17.08.305.</a>	<a href="#">0.5 kW</a>
<p>a. On-site management and security shall be provided for all large apartment complexes. <a href="#">Specific security provisions may include cameras, alarms, or active security guard surveillance, to the satisfaction of the Planning Director.</a></p> <p>b. Required amenities for units in a large apartment include in-unit laundry hook-ups, and community pool and recreation room.</p> <p>c. Required amenities for units in a large condominium, beyond those required for apartments, include garage parking with storage shelves for each unit, and a minimum 4' x 8' porch, patio, or balcony area.</p>	

- d. Other amenities for units in a large multi-family complex may include courts for basketball, tennis or other sports, indoor gym, outdoor dog park, or daycare center.
- e. All amenities shall be centrally located and easily accessible for residents.

**Diagram for large apartment – perspective view**



**Diagram for large apartment – site plan view**





## 17.08.070 Design and performance measures

Developers shall take the following actions in meeting specific design and performance measures in residential zones:

- A. Site design.** Develop projects that enhance the sense of place and reflect a commitment to functional efficiency, quality, and neighborhood context.
  - 1. Develop innovative designs for new subdivisions that feature pedestrian connections, open spaces, enhanced landscaping, architecture, and streetscapes.
  - 2. Develop innovative designs for residential lot layouts, including wide corner lots, varied setbacks, and minimized visual presence of garages.
  - 3. Design neighborhoods to have distinct entryway features that help define neighborhood character and provide a sense of arrival.
  - 4. Design neighborhoods using “safe by design” techniques to reduce opportunities for criminal activity.
- B. Pedestrian connections and amenities.** Develop residential neighborhoods with safe and attractive pedestrian and bicycle connections to trails, parks, schools, public transit, and other daily uses.
  - 1. Design neighborhoods with street patterns that minimize the walking distance between residential homes and neighborhoods amenities, such as trails, parks and schools.
  - 2. Design open-ended cul de sacs with paseos for pedestrian and bicycle access.
  - 3. Design pedestrian and bicycle paths separated from vehicular paths, to ensure safety and ease of use.
  - 4. Where appropriate, use traffic calming measures to reduce automobile speed within residential developments, including corner bulbouts, tree plantings, enhanced paving at crosswalks, and round-a-bouts.
- C. Building architecture and form.** Provide enhanced elevations for residential structures that contribute to an attractive neighborhood streetscape.
  - 1. Articulate building facades by including variation in massing, roof form, and wall planes.
  - 2. Use multiple colors, materials, textures, and applied finishes to help break up wall massing.
  - 3. Provide distinctive entries, porches, balconies, and window treatment, oriented toward the street.
  - 4. Residential buildings shall use high-quality, tile roofing (concrete, ceramic, etc.), providing aesthetic value and appropriate for withstanding the city’s varied climate conditions; asphalt shingle or other roofing material of a similar quality are prohibited.
  - 3.5. Garage door shall provide aesthetic value to the home. Roll-up garage door types are permitted, whereas wooden, swing-out garage doors are prohibited.

~~4. All residential structures shall have eave and gable overhangs of not less than twelve (12) inches, unless overhangs are architecturally incompatible with the design of the structure.~~

5.6. Builders of new single-family residential subdivisions shall ensure architectural variation by providing a minimum of the following combinations, dependent on the proposed number of residential units in the development:

Proposed number of residential units	Minimum number of <del>models</del> <u>elevations</u>	Minimum number of floor plans
Less than 20 units	<del>34</del>	<del>35</del>
20 to 50 units	<del>35</del>	<del>46</del>
50 to 100 units	<del>46</del>	<del>57</del>
100 units or greater	<del>57</del>	<del>58</del>

In no instance should two homes of the same model and floor plan be built adjacent to each other or across the street from each other.

**D. Transitions and buffering.** Encourage transitions between proposed higher intensity developments and adjacent, less intensive uses to keep disturbance to a minimum.

1. Step down the heights of structures at the edge of developments to match or complement those in adjacent properties.
2. Enhance buffers with additional width or increased landscaping. Plant trees and shrubs in voids created by wall variations, at an appropriate scale.
3. Vary building setbacks and wall alignments to soften the edge of the development.
4. Provide a clear distinction between public and private spaces, through the use of height separation, fencing, berm, or a combination of these elements.
5. Offset windows from one another between residential units.

**E. Open space and common areas.** Provide open space and common areas to enhance quality of life, and to encourage opportunities for social gathering and interaction.

1. For single-family residential developments, create centralized pocket parks, connected by trails and pedestrian paths, to serve the neighborhood.
2. For multi-family residential developments, provide centralized open space and community facilities, to serve residents of the development.
3. Create recognizable focal points by using community amenities in public open spaces and other commonly used community spaces.

**F. Parking and access.** ~~Locate parking areas away from street view~~Minimize the dominant appearances of parking areas and structures, while ensuring functional vehicular access.

~~1. For single-family residential developments, locate parking garages away from street view, either by recessed garages, or detached garages located to the rear of the property.~~

2.1. For multi-family residential developments, locate parking behind residential structures. For developments facing arterial streets, a builder may design a wide, enhanced landscape buffer between the street and parking areas, in circumstances

where it is difficult to achieve rear parking placement. Wherever possible, design parking lots by dividing a large parking lot into a series of smaller, connected lots.

- ~~3.2.~~ Decorate and define parking areas with plants, shrubs, trees, light fixtures, and textured paving to minimize the negative impact of large expanses of asphalt.
- ~~4.3.~~ Provide defined pedestrian pathways between parking areas and residential building entrances.
- ~~5.4.~~ Permanent parking for recreation vehicles (RVs), boats and other similar large items shall be located behind the front plane of the house.
- ~~6.5.~~ In no instance shall flat, paved surfaces, including driveways, cover more than 50% of a single-family front yard.

#### **17.08.080 Infill residential development.**

**A. Purpose and intent.** The purpose of this section is to implement Lancaster General Plan 2030, Policy 18.2.1, which encourages appropriate infill development, and Specific Action 18.2.1(c). Under the guidance of the Specific Action, a developer may build up to eight (8) residential units per net acre on land zoned R-7,000, provided the developer submits an application for a Residential Planned Development, as well as findings that the proposed infill development would integrate with the surrounding area.

**B. Qualification criteria for infill residential development.** Properties zoned R-7,000 and meeting **one** of the following criteria qualify for infill residential development of up to eight (8) units per acre:

1. The project site is located within the area bounded by Avenue I, 20<sup>th</sup> Street East, Avenue L and 30<sup>th</sup> Street West; or
2. The project site is surrounded by existing development (fully improved with paving, landscaping, curb and gutter, etc.) on all adjoining sides; or
3. The project site is located adjacent to property zoned commercial, office professional, mixed use or light industrial development; or
4. The project site combines four (4) or more adjoining parcels, combining for a minimum project size of ~~5.10~~ acres.

**C. Findings for infill residential development.** Among other findings necessary for a residential planned development (RPD), as listed in Section 17.08.340, the following findings shall be made when recommending approval for a infill residential development:

1. The project reduces overall land use fragmentation in the City.
2. The project uses existing infrastructure and minimizes extension of new services and resources.
3. The project is compatible with adjacent land uses and would not adversely affect the health, peace, comfort or welfare of persons residing or working at the adjacent properties.

**D. Infill residential development standards.** In addition to all other applicable development standards listed in this chapter, infill residential single-family lots shall adhere to the following additional standards specific for small-lot single-family homes:

1. Site design.

- a. Maximize usability of property by minimizing “dead spaces,” which can often be found in narrow side yards with limited access.
  - b. Create privacy by designing windows that minimizes view into an adjacent residential home. Also, design windows of a façade along a zero-lot line facing a neighboring side yard to be small, with a high sill height, typically 6 feet above the finished floor, or provide windows with translucent glazing.
  - c. For alley-access small-lot single-family parcels, the developer shall provide a 4-foot-wide pedestrian pathway to connect the building entrance to the street sidewalk.
2. Building design.
    - a. A proposed small-lot subdivision must have homes that are distinguished from one another, following the minimum number of model and floor plan combinations as listed in Section 17.08.070.C.5.
    - b. Blank, flat wall planes are prohibited. Varied and articulated facades that create visually appealing elevations are required.
    - c. Provide at least two different rooflines to provide visual interest to the residential structure.
    - d. Roof-mounted equipment is not allowed, with the exception of solar and wind generation systems. Photo-voltaic panels facing the street shall be designed integrated with the house rooftop.
3. Transitions and buffering.
    - a. In infill situations, new buildings shall be located in a manner that complements the location of existing buildings on adjacent lots; and not in a manner that would diminish their appearance or that would create a streetscape with dramatically uneven building setbacks.
    - b. All residential buildings, including detached garages, shall maintain a minimum 5-foot separation distance from any other structure to ensure adequate clearance area around the structures.
    - c. Adjacent homes shall not vary more than one story in height.
4. Patios, private yards, open space and common areas.
    - a. Each small-lot single-family home shall have a porch area with minimum dimensions as listed in Section 17.08.060.C.
    - b. Each small-lot single-family parcel shall provide a minimum of 400 square feet of usable private yard space with no dimensions less than ~~12~~<sup>16</sup> feet.
    - c. The City may grant a reduction of usable private yard space to 200 square feet, with no dimensions less than 12 feet, if the developer provides common open space or park elsewhere in the neighborhood that is no further than ¼ mile from the residence, or if there is an existing park within the same distance.
5. Parking and access.
    - a. For alley-access small-lot single-family parcels, a garage entrance facing an alley shall ensure a minimum of 26 feet from the opposite edge of the alley, for adequate vehicle backup space.

## 17.08.090 Density bonus

- A. Purpose.** The purpose of the Density Bonus Ordinance is to provide incentives for the production of affordable housing, senior housing, and the development of child care facilities, in the City's residential zones, as directed by General Plan 2030, and as mandated by California Government Code, Section 65915. In the event that any provision in this section conflicts with state law, the state law shall take precedence.
- B. Definitions.** The following terms used in the section shall be defined as follows:
1. **Affordable Housing/Affordable Housing Unit:** A housing unit which is available for sale to Moderate Income Households or for rent to Low and/or Very Low Income Households, as those terms are defined in this section.
  2. **Affordable Rent:** Monthly rent charged to Low and Very Low Income Households for housing units as calculated in accordance with Section 50053 of the California Health and Safety Code.
  3. **Child Day Care Facility:** A facility that provides non-medical care and supervision of minor children for periods of less than 24 hours and is licensed by the California State Department of Social Services, further subject to the definition in California Government Code Section 65915(h)(4).
  4. **Density Bonus:** A density increase for residential units over the otherwise allowed residential density under the applicable zoning and land use designation on the date an application is deemed complete.
  5. **Density Bonus Housing Agreement.** A legally binding agreement between a developer and the City of Lancaster to ensure that continued affordability of the Affordable Housing Units required in this chapter persists and the units are maintained in accordance with this section.
  6. **Density Bonus Units.** Those additional residential units granted pursuant to the provisions of this section.
  7. **Housing Development.** A development project for five or more residential units. Within this section, it shall also include a subdivision or planned unit development, rehabilitation and conversion of an existing building to residential use, or condominium conversion of an existing multi-family building.
  8. **Incentives or Concessions.** Regulatory concessions which include, but are not limited to, the reduction of site development standards or zoning code requirements, approval of mixed-use zoning in conjunction with the Housing Development, or any other regulatory incentive which would result in identifiable, financially sufficient, and actual cost reductions that are offered in addition to a Density Bonus.
  9. **Initial Subsidy.** The fair market value of the home at the time of initial sale minus the initial sale price to the moderate-income household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale shall be used as the initial market value.
  10. **Low Income Household.** A household whose income does not exceed 80 percent of the area median income for Los Angeles County, as published and periodically

updated by the State Department of Housing and Community Development pursuant to Section 50079.5 of the California Health and Safety Code.

11. Moderate Income Household. A household whose gross income does not exceed 120 percent of the area median income for Los Angeles County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Sections 50079.5 and 50052.5 of the California Health and Safety Code.
12. Proportionate Share of Appreciation. The ratio of the local government's Initial Subsidy as defined above to the fair market value of the home at the time of initial sale.
13. Senior Citizen Housing Development. A residential development developed, substantially rehabilitated or renovated, and having at least 35 dwelling units for senior citizens in compliance with the requirements of Section 51.3 and 51.12 of the California Civil Code.
14. Very Low Income Households. A household whose income does not exceed 50 percent of the area median income for Los Angeles County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.

**C. Application for Density Bonus and Incentives or Concessions.** An applicant seeking a Density Bonus for a Housing Development shall submit a Density Bonus Application, containing the following information with the fees and the required application:

1. Identification of the location, acreage, and the maximum number of base units allowed under the zoning and land use designated under the General Plan without the Density Bonus.
2. Identification of the total number of units proposed, specifically identifying the Density Bonus units and the Affordable Units which will demonstrate eligibility under this section.
3. Identification of the requested incentives or concessions.
4. A statement of how the requested incentives or concessions are necessary to make the proposed Housing Development economically feasible, and result in identifiable, financially sufficient and actual cost reductions.

**D. Processing of Density Bonus Application.**

1. Once deemed complete, the density bonus application shall be processed and determinations made concurrent with the underlying Housing Development application.
2. Review Authority. A request for density bonus will be reviewed by the same review authority as the Housing Development's other entitlements specifically noted below. The review authority shall grant the density bonus and requested incentive(s) or concession(s) unless the findings in Section 17.08.090.E can be made.
  - a. Administrative. When a proposed Housing Development needs only administrative approval (i.e. site plan review), then the Planning Director will consider and act on the density bonus request when the site plan review application is considered.

- b. Planning Commission/City Council. If the project requires entitlements or an environmental clearance to be considered by the Planning Commission and/or the City Council, then these decision bodies will consider and act on the density bonus request concurrent with the applicable project entitlement/environmental clearance.
- 3. Application for Density Bonus Housing Agreement. Once the proposed Housing Development has received its approval for Density Bonus, as described above, the developer shall file an application, including the payment of any processing fees with the City of Lancaster for approval and finalization of the Density Bonus Agreement in compliance with the requirements set forth in Section 17.08.090.J.

**E. Eligibility Criteria for Density Bonus.** The City of Lancaster shall consider a density bonus and provide incentives or concessions as described in Section 17.08.090.H, when a developer of a Housing Development seeks and agrees to construct a Housing Development that will contain at least one of the following:

- 1. Ten (10) percent of the total units of a Housing Development strictly for Low Income Households as defined herein;
- 2. Five (5) percent of the total units of a Housing Development strictly for Very Low Income Households as defined herein;
- 3. A Senior Citizen Housing Development, as defined herein;
- 4. Ten (10) percent of the total dwelling units in a common interest development for persons and families of Moderate Income Households as defined herein, provided that all units in the development are offered to the public for purchase.

**F. Project Specific Density Bonus.** The City of Lancaster will grant a Housing Development a density bonus and incentives or concessions meeting all the applicable eligibility requirements of this section according to the following density bonus options. In the event that the minimum requirements for granting density bonus units or number of applicable incentives or concessions as set forth in Government Code 65915 is amended or modified after the adoption of this chapter by the City, then the lowest minimum requirements shall apply.

- 1. Density Bonus for Very Low Income Households: If a housing developer elects to construct units for Very Low Income Households, the development shall be entitled to the following Density Bonus calculation:

Provision of Very Low Income Units		
Percentage of Very Low Income Affordable Units	Density Bonus Available	Number of Incentives or Concessions
5%	20%	1
6%	22.5%	1
7%	25%	1
8%	27.5%	1
9%	30%	1
10%	32.5%	2
11%	35%	2

2. Density Bonus for Low Income Households: If a housing developer elects to construct units for Low Income Households, the Housing Development shall be entitled to the following Density Bonus calculation:

Provision of Low Income Units		
Percentage of Low Income Affordable Units	Density Bonus Available	Number of Incentives or Concessions
10%	20%	1
11%	21.5%	1
12%	23%	1
13%	24.5%	1
14%	26%	1
15%	27.5%	1
16%	29%	1
17%	30.5%	1
18%	32%	1
19%	33.5%	1
20%	35%	2

3. Senior Housing: If a housing developer elects to construct a Senior Citizen Housing Development, the density bonus shall be 20 percent of the total number of allowed housing units without the Density Bonus.
4. Moderate Income Units in Common Interest Developments: If a housing developer elects to construct units for Moderate Income Households, the development shall be entitled to the following Density Bonus calculation:

Provision of Moderate Income Units		
Percentage of Moderate Income Affordable Units	Density Bonus Available	Number of Incentives or Concessions
10%	5%	1
11%	6%	1
12%	7%	1
13%	8%	1
14%	9%	1
16%	10%	1
15%	11%	1
17%	12%	1
18%	13%	1
19%	14%	1
20%	15%	2
21%	16%	2
22%	17%	2
23%	18%	2
24%	19%	2
25%	20%	2



26%	21%	2
27%	22%	2
28%	23%	2
29%	24%	2
30%	25%	3
31%	26%	3
32%	27%	3
33%	28%	3
34%	29%	3
35%	30%	3
36%	31%	3
37%	32%	3
38%	33%	3
39%	34%	3
40%	35%	3

5. Density Bonus for Land Donation: When an applicant for a tentative map, parcel map, or other residential development approval donates at least one acre of land or enough land to develop 40 units, then the applicant shall be entitled to a 15 percent increase above the otherwise maximum allowable residential density for the entire Housing Development as follows:

Land Donation	
Percentage of Very Low Income Units	Percentage Density Bonus
10%	15%
11%	16%
12%	17%
13%	18%
14%	19%
15%	20%
16%	21%
17%	22%
18%	23%
19%	24%
20%	25%
21%	26%
22%	27%
23%	28%
24%	29%
25%	30%
26%	31%
27%	32%
28%	33%
29%	34%
30%	35%

- a. Nothing in this subsection shall be construed to enlarge or diminish the authority of the City to require a developer to donate land as a condition of development.
- b. The Density Bonus for land dedication shall be in addition to any Density Bonus earned pursuant to Section 17.08.090.E and up to a maximum combined increase of 35 percent.
- c. An applicant with a land donation shall be eligible for the increased Density Bonus if all of the following conditions are met:
  - 1) The applicant donates and transfers the land to the City no later than the date of approval of the City of the final subdivision map, parcel map, or Housing Development application for the proposed Housing Development seeking the Density Bonus.
  - 2) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to Very Low Income Households in an amount not less than 10 percent of the number of residential units of the proposed Housing Development seeking the Density Bonus.
  - 3) The land proposed to be donated to the City:
    - i. Has the appropriate General Plan designation and is appropriately zoned for development at the density described in paragraph (3) of subsection (c) of section 65583.2 of the California Government Code; and
    - ii. Is or will be served by adequate public facilities and infrastructures; and
    - iii. Is donated no later than the date of approval of the final subdivision map, parcel map or Housing Development application seeking a Density Bonus and has all of the permits and approvals, other than building permits, necessary for the development of the Very Low Income housing units on the transferred land; and
    - iv. Is transferred to the City or a housing developer approved by the City; and
    - v. Shall be within the boundary of the proposed development or within one-quarter mile of the boundary of the proposed development; and
    - vi. Must have a proposed source of funding for the Very Low Income units prior to the approval of the final subdivision map, parcel map or Housing Development application seeking the Density Bonus.
    - vii. May be zoned Mixed Use-Neighborhood, Mixed Use-Commercial, or Mixed Use-Employment; however, the land shall assume a density equivalent to the Medium Density Residential zone, for the purposes of calculating affordable housing yield.
  - 4) The transferred land and the Affordable Housing Units shall be subject to a deed restriction, which shall be recorded on the property upon dedication, ensuring continued affordability of units for at least 30 years from the date of occupancy.

6. Condominium Conversions: Density Bonus for Condominium Conversion, shall be considered and approved in accordance with section 65925.5 of the California Government Code for specifications.

**G. Density Bonus for Development of Child Day Care Facility.**

1. A Housing Development meeting the requirements of Section 17.08.090.E and Section 17.08.090.F above which includes a child day care facility built and operated in accordance with Section 17.08.190 that will be located on the premises of, as part of, or adjacent to, such a Housing Development shall receive either of the following:
  - a. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child day care facility.
  - b. An additional incentive or concession that contributes significantly to the economic feasibility of the construction of the child day care facility.
2. When a Housing Development is providing a Child Day Care Facility consistent with this ordinance, then the conditions of approval shall require that:
  - a. The child day care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the affordable units are required to remain affordable; and
  - b. Of the children who attend the child day care facility, the children of Very Low Income Households, Lower Income Households, or persons or families of Moderate Income shall equal a percentage that is equal to or greater than the percentage of affordable units that are required pursuant to Section 17.08.090.F.
3. The City shall not be required to provide a density bonus or incentive or concession for a child care facility if it makes a written finding, based upon substantial evidence, that the community has adequate child day care facilities.

**H. Available Incentives and Concessions.** In addition to the applicable density bonus described above, an applicant may request incentives or concessions in connection with its application for a density bonus in accordance with the density bonus calculation set forth in Section 17.08.090.F.

1. An incentive or concession shall mean:
  - a. A reduction in the site development standards or a modification of zoning code requirements including but not limited to:
    - 1) Increased lot coverage percentage
    - 2) Reduced minimum setbacks
    - 3) Increased maximum height
    - 4) Reduced number of parking spaces
  - b. If a Housing Development is 100% affordable, meaning that all or substantially all of the units will be maintained at affordable rents by agreement through the City of Lancaster, priority processing of the required density bonus application and associated entitlement applications will be given. Priority processing shall mean a timeline for review of the Housing Development and all associated applications as mutually agreed to by the City and the developer;

- c. Approval of mixed-use development in conjunction with the proposed Housing Development if the non-residential uses will reduce the cost of the proposed Housing Development, and the non-residential uses are compatible with the proposed Housing Development and surrounding development;
  - d. Other regulatory incentives or concessions proposed by the applicant or that the City determines will result in identifiable, financially sufficient, and actual cost reductions.
2. The City shall grant incentive(s) or concession(s) requested by the applicant unless the City can make a written finding, based upon the substantial evidence, of any of the following:
- a. The incentive or concession is not required in order to provide for affordable housing costs or affordable rents.
  - b. The incentive or concession would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or physical environment or any real property that is listed in the California Registry of Historical Resources and for which the City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.
  - c. The incentive or concession would be contrary to state or federal law.

**I. General Provisions for Density Bonuses and Incentives/Concessions**

- 1. All density bonus calculations resulting in fractional units shall be rounded up to the next whole number.
- 2. The granting of a density bonus shall not be interpreted, in and of itself, to require a general plan amendment, zone change, or other discretionary approval.
- 3. Upon request by the applicant, the City shall not require the proposed Housing Development eligible for a Density Bonus pursuant to this section to provide a parking ratio, including handicapped and guest parking, that exceeds the following:
  - a. Zero to one bedroom: one on-site parking space
  - b. Two to three bedrooms: two on-site parking spaces
  - c. Four and more bedrooms: two and one-half parking spaces

If the total number of parking spaces required for the proposed Housing Development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subsection, a development may provide on-site parking through tandem parking or uncovered parking, but not through on-street parking.

- 4. The City shall not apply any development standard that would have the effect of precluding the construction of a proposed Housing Development meeting the requirements of this section, at the densities or with the incentives permitted by this section. An applicant may submit with its application to the City a proposal for the waiver or reduction of development standards. A waiver or reduction of development standards, the application of which would physically preclude the development, shall not reduce nor increase the number of incentives or concessions being requested. Nothing in this subsection, however, shall be interpreted to require the City to waive

or reduce development standards if the waiver or reduction would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which the City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Furthermore, the applicant shall be required to prove that the waiver or modification is necessary to make the affordable units economically feasible.

5. Location of Affordable Units. The location of the affordable units within the Housing Development may be at the discretion of the developer. However, the affordable units shall:
  - a. Be constructed at the same time as the market units are constructed;
  - b. Be reasonably dispersed throughout the development and/or phases if applicable;
  - c. Be a similar unit type/size to the overall Housing Development; and
  - d. Be reasonably compatible with the design or use of the remaining units in terms of appearance, materials and quality finish.

**J. Required Density Bonus Agreement and Terms of Agreement**

1. A Density Bonus Housing Agreement must be executed prior to recording any final map for the underlying property or prior to the issuance of any building permit for the Housing Development, whichever comes first. The Density Bonus Housing Agreement shall be binding on all future owners and successors of interests of the Housing Development.
2. The Density Bonus Housing Agreement shall:
  - a. Identify the type, size and location of each Affordable Housing Unit required hereunder;
  - b. Identify the term of the agreement, which would define the term of affordability of the required units;
  - c. Require that the Affordable Housing Units be constructed and completed by the developer as specified in this Chapter and in accordance with state law;
  - d. Require that each Affordable Housing Unit be kept available only to members of the identified income group at the maximum affordable rent during the term of the agreement.
  - e. Identify the means by which such continued availability shall be secured and enforced and the procedures under which the Affordable Housing Units shall be leased and shall contain such other terms and provisions, the Housing Authority may require. The agreement, in its form and manner of execution, shall be in a form to be recorded with the Los Angeles County Recorder.
  - f. The Density Bonus Housing Agreement shall be reviewed and approved by the City of Lancaster and the affordability of the required units shall be monitored for compliance by City of Lancaster staff.
3. Required Terms for the Continued Availability of Affordable Units
  - a. Low and Very Low Income Households. A housing developer providing Low and Very Low income units in accordance with this chapter must continue to

restrict those units to Low or Very Low Income households for a minimum of 30 years or longer term under another regulatory agreement from the date of initial occupancy.

- b. Moderate Income Households. In the case of Housing Development providing Moderate Income units, the initial occupant of the unit must be a person or family of Moderate Income.
  - 1) Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The local government shall recapture any Initial Subsidy and its Proportionate Share of Appreciation; which shall be used within five years for any purposes described in subdivision (e) of Section 33334.2 of the Health and Safety Code that promote home ownership. Any recaptured funds shall be deposited and used in accordance with subsection (e) of Section 33334.2 of the Health and Safety Code.

**Article III. General Site Planning and Project Design Standards**

**17.08.100 Parking and Loading**

The automobile parking facilities required by this section shall be provided and permanently maintained unless and until a substitute has been provided which is in full compliance with the provisions of this title.

- A. General conditions.** All buildings shall have permanently maintained off-street parking and shall apply as follows:
  1. No structure or use shall be permitted or constructed unless off-street parking spaces are provided and maintained in accordance with the provisions of this section;
  2. When a building is enlarged the required amount of parking spaces shall be provided for that enlargement portion, in accordance with the provisions of this section;
  3. When there is an increase in the number of bedrooms (to more than one); or
  4. When there is an increase in the number of dwelling units.
- B. Fractions.** Fractional space requirements for a parking space shall be rounded up to the next whole space.
- C. Parking Requirements by Use.** The following number of parking spaces shall be the minimum provided for each new use:

<b>Parking Requirements by Use</b>	
<b>Use</b>	<b>Number of Required Spaces</b>
1. Single-family house	2 parking spaces within an enclosed garage
a. 2 <sup>nd</sup> dwelling unit	1 uncovered parking space
b. Guest house/carriage unit	1 uncovered parking space
2. Duplex/triplex/four-plex	2 parking spaces within an enclosed garage for each unit
3. Apartments, 5 or more units	
a. Studio/loft and one bedroom	1 and ½ covered spaces for each unit
b. Two or more bedrooms	1 and ½ covered and ½ uncovered for each unit
c. Guest parking	1 uncovered space for every 4 units
4. Condominiums	2 parking spaces within an <u>enclosed</u> garage for each unit and 1 guest space for every 4 units
5. Condominiums, mid-rise (3+ stories)	
a. Studio/loft and one bedroom	1 and ½ covered spaces for each unit
b. Two or more bedrooms	1 and ½ covered and ½ uncovered for each unit
c. Guest parking	1 uncovered space for every 4 units
6. Boarding or rooming house, hostel, fraternity or sorority house	1 uncovered space for each guest room and 2 spaces within an enclosed garage for resident manager
7. Senior apartments/condominiums	1 covered parking space for each unit and 1 guest space for every 4 units
8. Senior residential care facility	1 space for every 3 beds and for each resident employee

9. Churches	1 space for each 5 fixed seats or for each 45 square feet of seating area within the main auditorium; 24 inches of bench shall be considered a fixed seat
10. Daycare center (nursery/preschool)	5 spaces per 100 students
11. Elementary and middle school	15 spaces per 100 students
12. High school	26 spaces per 100 students
13. Colleges/universities	33 spaces per 100 students, plus one space per bed in dormitories

Notes:

1. An uncovered parking space shall not include the driveway area for a garage.
2. Parking lots or areas for 10 or more contiguous uncovered vehicle parking spaces shall comply with the requirements of Section 17.08.090.D (Parking design and performance standards) for design and development of landscaping and surface parking area.
3. Parking for uses subject to conditional use permit shall meet the requirements specified in the permit or as otherwise provided in this title.
4. Requirements for uses not specifically listed herein shall be determined by the director based upon the requirements for comparable uses and upon the particular characteristics of the use.
5. The number of parking spaces required may be reduced, at the discretion of the Director, if the builder can sufficiently demonstrate, through research and analysis that the development warrants fewer parking than is required. Such parking reductions may be granted if the development is located near public transit or if the builder pays in-lieu parking fees for future public parking, transportation, or pedestrian and bicycle trail improvements.
6. For multi-family uses, a private owner retains the right to assign parking spaces for tenants and visitors, provided there are enough parking spaces per City code.

**D. Accessible parking.** Housing providers shall adhere to the accessible parking regulations of the American Disabilities Act “ADA,” Part 20 of the United States Code of Federal Regulations, and the California Building Code. In accordance to these regulations, housing providers shall establish the following number of accessible parking spaces for multiple-family developments: ”

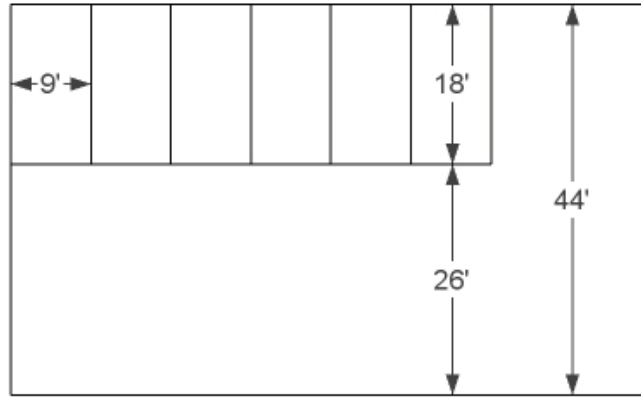
Total Number of Parking Spaces in Lot or Garage	Minimum Required Number of Accessible Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	Two percent of total
1,001 and over	Twenty plus one for each 100, or fraction over 1,001



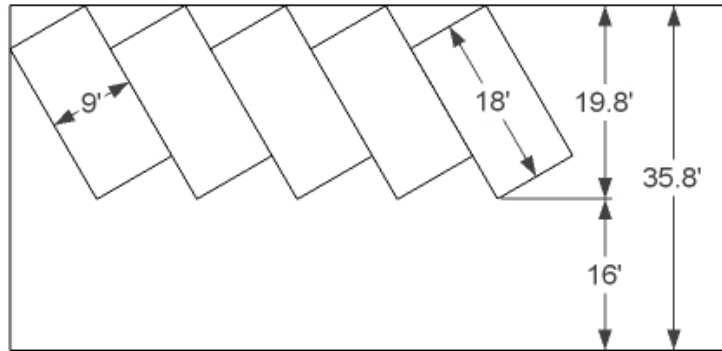
**E. Parking design standards.** The following design and development standards shall be met for development in all residential zones.

1. Location of parking facilities.
  - a. Required off-street parking shall be located on the same parcel as the uses served, unless it can be sufficiently demonstrated that parking from another parcel can adequately serve the project, with a recorded parking agreement between the parcels.
  - b. Parking facilities other than driveways shall not be located in a required front or street side setback.
2. Access to parking facilities and parking spaces.
  - a. Access to parking lots. Parking facilities shall be designed to prevent vehicle access at any point other than at designated driveway entrances.
  - b. Access to individual unit garages. Garages shall be accessed via a minimum 20-foot-length driveway. Garage driveway width shall be minimum 20-foot-wide, except for access into tandem garages, or rear-located garages (not alley access), in which the driveway width shall be minimum 12-foot, and shall widen or taper as necessary to allow for adequate vehicle access.
  - c. Internal maneuvering and queuing. Parking facilities shall provide suitable maneuvering room so that vehicles enter the street in a forward direction, except for lots with four or fewer residential units.
3. Parking space and facility dimensions.
  - a. Individual unit garages. Parking spaces within garages shall have minimum dimensions of 10 feet in width and 20 feet in length, clear of any obstructions. Tandem parking garage arrangements may be considered, and shall have minimum dimensions of 12 feet in width and 40 feet in length, clear of any obstructions.
  - b. Carports. Parking spaces within carports shall have minimum dimensions of 9.5 feet in width and 19 feet in length, clear of any obstructions.
  - c. All other parking spaces. Minimum parking space dimensions shall be as follows, except as shown in the following table and figure.
    - 1) Standard parking spaces shall have a minimum dimension of 9 feet in width by 18 feet in length, except for spaces provided at either a 45 or 30 degree layout, in which the spaces shall have a minimum dimension of 8.5 feet in width by 18 feet in length.
    - 2) Up to 35 percent of the spaces in a parking lot may be compact spaces, with minimum dimensions of 8 feet in width by 16 feet in length. For multi-residential uses, this shall only apply to guest parking spaces.
    - 3) Parallel parking spaces shall be 8 feet by 22 feet, except that spaces that are unencumbered at one end may be reduced to 8 feet by 20 feet.
    - 4) The width of a parking space shall be increased by one-foot if either side of the space is adjacent to a wall, fence, support column or other structure, except where the obstruction is limited to the front or rear one-third of the parking space.

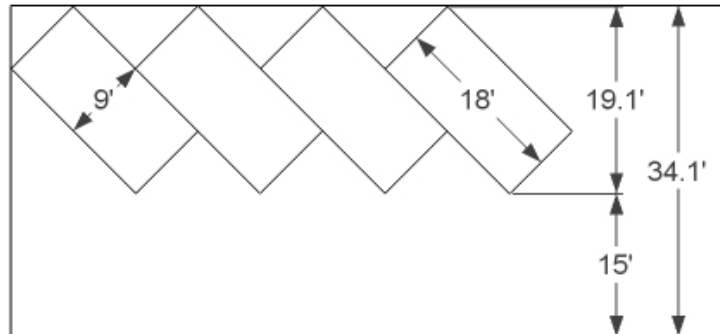
## Off-street Parking Design Standards for Full Size Parking Spaces



90 degree parking with 2-way drive aisle

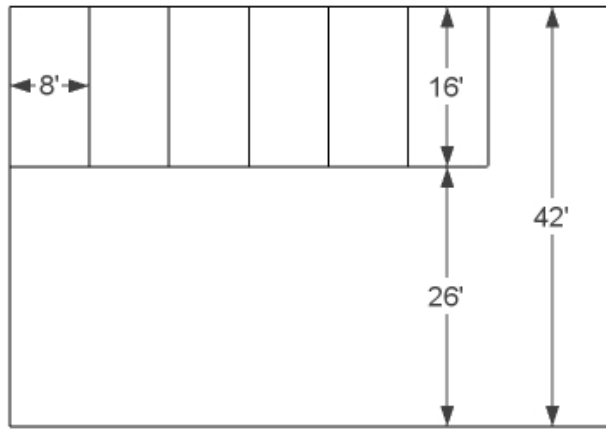


60 degree parking with one-way drive aisle

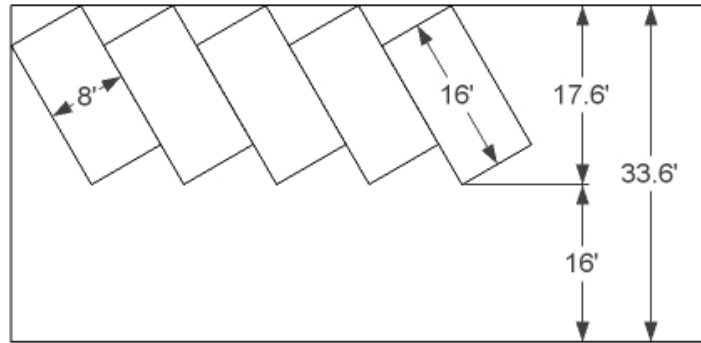


45 degree parking with one-way drive aisle

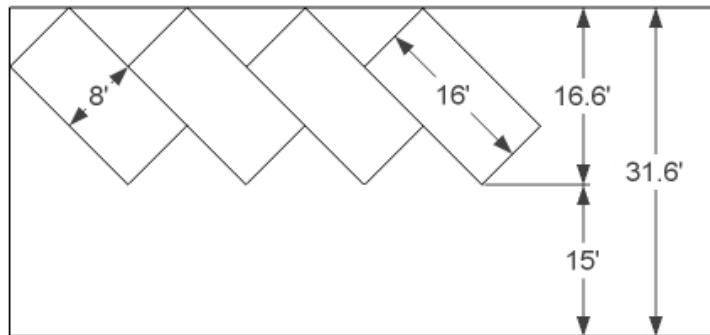
## Off-street Parking Design Standards for Compact Parking Spaces



90 degree parking with 2-way drive aisle



60 degree parking with one-way drive aisle



45 degree parking with one-way drive aisle

4. Curbing. Continuous concrete curbing at least six inches high and six inches wide shall be provided along the edges of parking spaces adjacent to fences, walls, sidewalks, other structures, and landscaping.
  - a. Alternative barrier designs may be approved by the Director.

- b. Parking spaces adjacent along their length to landscaped areas or other similar surfaces shall incorporate a paved extension of the curb measuring 12 inches (for a total of 18 inches) to provide a place to stand while exiting and entering vehicles.
  - c. Although discouraged, wheel stops may be installed as determined by the Director, in the uncommon circumstance where there is no curbing or landscaping that buffer parking spaces from a fence or other structures. The wheel stop shall be located in a manner that prevents a vehicle from colliding into a fence, or other structures.
  - d. Curb design and installation shall comply with National Pollution Discharge Elimination System (NPDES) standards where applicable.
5. Directional arrows and signs (except single-family detached):
- a. Parking spaces, aisles, approach lanes, and maneuvering areas shall be clearly marked with directional arrows and lines to ensure the safe and efficient flow of vehicles.
  - b. The Director may require the installation of traffic signs in addition to directional arrows to ensure the safe and efficient flow of vehicles in a parking facility.
6. Access to public right-of-way. Each vehicular passage of any parking or loading facility to or across a public right-of-way shall comply with the following requirements:
- a. No such curb cut may exceed 24 feet in width for single-family residential uses, or 35 feet for multi-family residential uses, unless as approved by a Director's Review. Curb cut is defined as the flat bottom dimension for the driveway, excluding wings.
  - b. Wherever feasible, curb cuts serving adjacent uses shall be combined to minimize the number of entrances onto arterial and collector streets.
  - c. Only one curb cut may be installed for any parking or loading facility, provided that additional curb cuts may be allowed if the City Engineer determines that each such additional curb cut is necessary for the efficient operation of the facility and will not significantly affect capacity and traffic safety.
  - d. Curb cuts for any circular driveway or multiple driveways on the same lot must meet the following requirements:
    - 1) The curb cuts of circular or multiple driveways must be at least 20 feet apart.
    - 2) The combined width of the curb cuts shall not exceed 40 percent of the lot frontage.
  - e. Any curb cut on a corner shall be located at the farthest point on the lot from the curb return.
7. Striping and identification (except single-family residential). Parking spaces shall be clearly outlined with four-inch wide lines painted on the surface of the parking facility. Circulation aisles, approach lanes, and turning areas shall be clearly marked with directional arrows and lines to ensure safe traffic movement. Double-striping outlining of parking spaces is also permitted, using the mid-point of the double-striped area as the measurement of the parking space width.

8. Grade of parking facilities. Parking facilities should not exceed a grade of five percent.
9. Parking lots as a transitional use. Parking lots may be permitted in the Residential zones as a transitional use, provided:
  - a. In the RR and R zones:
    - 1) The area used for parking adjoins or is separated only by an alley from property in a multiple-family, commercial, or industrial zone; and
    - 2) Parking shall be limited to an area within 100 feet from the boundary of the qualifying multiple-family, mixed use, commercial or industrial zone.
  - b. In the MDR and HDR zones:
    - 1) The area used for parking adjoins or is separated only by an alley from property in a commercial or industrial zone; and
    - 2) Parking shall be limited to an area within 100 feet from the boundary of the qualifying multiple-family, mixed use, commercial or industrial zone.
    - 3) An area developed with parking shall have direct vehicular access to an improved public street, highway, alley, or to the qualifying multiple-family, mixed use, commercial or industrial zone.

#### **17.08.110 Landscaping**

##### **A. Landscaping in general.**

1. Landscape designs shall be consistent throughout a project site. A combination of landscape materials should be arranged in a harmonious manner as an integral part of project design to enhance building design, public view, and interior spaces and provide buffers and transitions as needed. Unrelated and random choice or placement of plant materials shall be avoided; however, variety may be employed to intensify distinction between spaces or to strengthen a sense of place or movement, or to promote energy and water conservation and mitigate erosion.
2. The type, scale and proportion of landscape materials shall be appropriate to the site and/or structures to which they relate.
3. Plant material shall be selected for interest in its structure, texture, color, ultimate growth and water efficiency. Plants that are native or climate adaptive to the high desert area of Lancaster and/or others that will be hardy, harmonious with project design and of good appearance shall be used. Drought-resistant varieties of plants shall be used in accordance with Title 8, Chapter 8.50, Landscaping Installation and Maintenance; Title 8, Chapter 8.30, Residential Landscaping Installation and Maintenance; and Title 15, Chapter 15.48, Specifications for Landscape Development of the Lancaster Municipal Code.
4. Landscaped areas shall be irrigated by an automatic system with separate stations for each hydrozone. The irrigation system shall be designed and equipped to incorporate water conservation techniques, such as drip systems, moisture sensors and anti-drain valves. Sprinkler systems shall be designed to prevent water from falling onto impervious surfaces. The system shall comply with Title 8, Chapter 8.50,

Landscaping Installation and Maintenance; Title 8, Chapter 8.30, Residential Landscaping Installation and Maintenance of the Lancaster Municipal Code.

5. All areas which are not utilized for buildings, sidewalks, vehicle access, or parking, shall be permanently landscaped and maintained.
6. All landscaped planters for interior parking areas shall be completely bordered by a 6-inch concrete curb to prevent runoff ~~and act as a wheel stop where necessary.~~

~~7. Vehicle overhang into landscaped areas is prohibited.~~

~~8.~~7. Required Landscaping. The following basic standards shall be observed:

- a. All interior areas of parking lots shall be landscaped with a minimum of one shade tree plus one shade tree for each 4 parking spaces along with other required plant materials.
- b. The minimum required landscaping for parking lots shall be the percentage shown below of the total area used for vehicle ingress, egress, circulation and parking. Only landscaped areas exclusive of curbs shall qualify toward meeting this requirement and no landscaped area with a dimension of less than 2 feet shall be credited toward meeting the landscape requirement.

Size	Minimum Percentage of Landscaping Required
1—4,999 square feet	5%
5,000—19,999 square feet	6%
20,000 or more square feet	7%

- c. Where off-street parking areas abut local or collector public streets, such areas shall be separated from an abutting street by a continuous landscaped planter which extends parallel to the street frontage of the parking area. The planter shall be a minimum of 10 feet in width exclusive of perimeter curbs. Up to 1/2 of the area of this required landscape planter may be counted toward fulfilling the requirements of the required landscaping for lots under 20,000 square feet.

~~9.~~8. Utilize trees and landscaping wherever possible to shade buildings as a means of enhancing energy conservation.

~~10.~~9. All landscaped areas shall be continuously and properly maintained in good condition.

~~11.~~10. At least 25 percent of all trees installed shall be from a 24-inch box, and no tree shall be less than 15 gallon size. At least 50 percent of all shrubs shall be of 5-gallon size, and no shrub shall be less than one-gallon size. Ground covers shall be planted at no further apart than 6 inches on center.

~~12.~~11. Multiple family residential developments shall comply with the provisions of Chapter 8.30 of the Lancaster Municipal Code.

~~13.~~12. Single family residential developments shall comply with the provisions of Chapter 8.30 of the Lancaster Municipal Code.

## **17.08.120 Signs**

A person shall not use any sign except as specifically permitted in this section and subject to all regulations and conditions set forth in this title. The following signs are permitted in the residential zones except where specific references limit certain uses to the RR, R, MDR or HDR zone.

### **A. Signs in general.**

1. Address. Street numbers of all buildings shall be prominently located and of sufficient size, lighted or illuminated during hours of darkness, to be easily read from the street by public safety personnel in accordance with city standards.
2. Building identification signs. One illuminated wall-mounted sign not to exceed 6 square feet in sign area shall be permitted on a lot which contains 3 dwelling units or more, in the MDR and HDR zones only. No such signs may be illuminated by an exposed incandescent lamp and any continuous or sequential flashing operation is prohibited.
3. Directory diagram. A multiple-family residential development consisting of 6 or more dwelling units shall have posted at or near the primary entrance to the building or buildings a brief descriptive directory diagram which clearly indicates the numerical, alphabetical or identification pattern or layout showing the location of each dwelling unit, including floor levels and access patterns. Such diagram shall be of a size to be easily readable by a person with normal vision, shall be illuminated during the hours of darkness, and shall be protected from the elements by being placed in a permanent glass or transparent plastic covered device.
4. Project identification signs. One wall or monument sign may be permitted for a multiple-family development or project which contains 10 dwelling units or more. Such sign shall not exceed 20 square feet of total sign area or 8 feet in height measured vertically from the average ground level at the base of the sign. If, in the opinion of the director, the project requires more than one such sign and there are more than 25 dwelling units in the project, the director may then approve a second project identification sign of equal area for a particular project. No such signs may be illuminated by an exposed incandescent lamp and any continuous or sequential flashing operation is prohibited.
5. Prohibited signs. The following signs shall be prohibited in the R zones and may not be included in any sign plan.
  - a. Any notice, placard, bill, card, poster, sticker, banner, sign, advertising or other device calculated to attention of the public which any person posts, prints, sticks, stamps, tacks or otherwise affixes upon any street, right-of-way, crosswalk, curb, lamppost, hydrant, tree, telephone or lighting system, or upon any fixture in the public right-of-way.
  - b. Any strings of pennants, banners or streamers, clusters of flags, strings of twirlers or propellers, flares, balloons, and similar attention-getting devices, including noise-emitting devices, with the exception of the following, not intended for advertising use: holiday decorations in season used for an aggregate period of 60

days in any one calendar year, or national, state, or other governmental or institutional flags properly displayed.

6. Signs for uses subject to conditional use permit. The planning commission may approve signs it deems appropriate for the use. In cases where the commission does not specifically approve signs, the maximum dimensions that may be authorized in the residential zones are as follows:
  - a. A sign face area of 25 square feet, or a total sign area of 50 square feet; and
  - b. A height of 8 feet.

**B. Temporary signs.** Temporary signs, such as real estate “for sale” or “for lease” signs may be permitted in the residential zones subject to the following restrictions:

1. Area permitted. Temporary signs that are posted for less than 90 days shall not exceed 16 square feet in sign area (one-sided) or 32 feet in total sign area (two-sided) as defined in Section 17.04.240. An applicant proposing a temporary sign for more than 90 days shall obtain a temporary sign permit, with the requirement that the sign shall not exceed 32 square feet in sign face area or 64 square feet in total sign area.
2. Height permitted. Freestanding temporary signs shall not exceed 6 feet in height.
3. Lighting. Temporary signs shall not be lighted.
4. Placement. Temporary signs shall not be placed on public property, including all public right-of-ways, or in any manner than would endanger the public.
5. Prohibited temporary signs. All prohibited signs as listed in Section 17.08.120.A5.
6. Duration. No temporary sign shall be posted for more than 90 days without obtaining a sign permit pursuant to this section. No sign permit for a temporary sign shall be valid for more than a year. Upon written request for an extension, the director may grant an extension for up to one additional year upon finding that the sign is otherwise in compliance with the requirements of Section 17.08.120 et seq. and that the extension is necessary to accomplish the purposes for which the sign has been posted. No additional extensions may be granted. All temporary signs shall be removed within 14 calendar days after the event. The date of the posting shall permanently and legibly be marked on the lower right-hand corner of the sign face.
7. Permit required. Any person who proposes to post or erect a temporary sign for more than 90 days shall file an application for a sign permit with the Planning Department. The applicant shall also file a statement of responsibility as required in subsection I of this section.
8. Standards for Approval.
  - a. Within 7 working days, the director or his designated representative shall act upon the application for a temporary sign permit.
  - b. The action on the application shall be based on character, location and design, including design elements such as material, letter style, colors, sign type or shape, and the provisions of Section 17.08.110 et seq.
  - c. If the action is to disapprove, the notice of disapproval shall specify the reasons for disapproval.
9. Statement of responsibility. Each person desiring to post or erect a temporary sign, regardless of duration, shall submit to the Planning Department, a statement of



responsibility in a form approved by the director with a description sufficient to identify the temporary sign, the location of the sign to be posted, and certifying a named individual who is responsible for removing each temporary sign. In the event the responsible individual fails to remove the temporary sign as required by this section, the temporary sign shall be deemed abandoned and may be removed by the City, the cost of which removal shall be payable by the responsible individual.

10. Removal of unauthorized, non-maintained or dangerous signs.

- a. Temporary signs posted for which a statement of responsibility has not been submitted, and a required permit has not been obtained, are subject to immediate removal by the city without compensation. The city may also pursue legal action under Section 17.04.220.
- b. Temporary signs which are deemed by the city to constitute a threat to the public health and safety are subject to immediate removal by the city without compensation or prior notice. (Some examples might include signs which are not secured against the wind or were placed in a manner which would interfere with the vision of drivers or pedestrians.) The city's cost of removal shall be payable by the responsible individual.
- c. Temporary signs for which a statement of responsibility has been submitted, and a required permit has been obtained, and which do not pose a threat to public health and safety are otherwise posted in violation of Section 17.08.110 et seq. shall be subject to removal in accordance with the following procedures:
  - 1) The city shall provide written notice to the responsible individual for each temporary sign established pursuant to subsection I of this section.
  - 2) The sign in violation of Section 17.08.110 et seq. shall specify the nature of the violation and shall direct the responsible individual to remove or alter such temporary sign.
  - 3) If the responsible individual fails to comply with the notice within 3 working days after such notice is mailed, the sign shall be deemed abandoned, and may be removed by the city.
  - 4) The responsible individual shall pay the city for the cost of the sign removal.

**C. Subdivision sales signs.** Temporary subdivision sales signs, entry signs and special feature signs shall be accompanied by site plan or other pertinent information and approved by the director in order to be permitted in all zones.

1. Subdivision sales signs.

- a. One freestanding subdivision shall be pertained per street frontage.
- b. Sign area. The sign face shall not exceed 180 square feet per sign face or 360 square feet in total sign area.
- c. Height permitted. Twelve feet measured vertically from ground level at the base of the sign.
- d. Location. Each sign shall be located on the subdivision and be oriented to read from the street or highway where the sign is permitted. The distance between subdivision signs shall be a minimum of 500 feet.

- e. Lighting. Subdivision signs may be internally or externally lighted. Continuous or sequential flashing is not allowed.
  - f. Time limit. Subdivision sales signs shall be maintained only until all the property is disposed of, or for a period of 3 years from the date of issuance of the first building permit. The approved sales sign shall be removed at the end of the 3-year period. The director may extend the permitted time beyond 3 years, if needed by the owner of the property. The owner must make the request in writing.
  - g. Copy. All copy shall relate exclusively to the subdivision being offered for sale.
2. Subdivision entry and special feature signs.
- a. Such signs are permitted and shall be located within a subdivision to facilitate entry and movement.
  - b. Sign area.
    - 1) Subdivision entry signs. The sign face shall not exceed 12 square feet per sign face or 24 feet in total sign area.
    - 2) Special feature signs. The sign face shall not exceed 6 square feet per sign face or 12 feet in total sign area.
  - c. Height permitted.
    - 1) Subdivision entry signs. Shall not exceed a maximum height of 8 feet measured from the base of the sign.
    - 2) Special feature signs. Shall not exceed 6 square feet in sign area or 12 square feet in total sign area.
  - d. Lighting. Signs shall be unlighted.
  - e. Time limit. Shall have the same time limit as subdivision sales signs approved for the same tract and shall be removed at the end of such period.
3. Subdivision kiosk signs.
- a. Contents of application. An application for a subdivision kiosk sign shall be filed as a director's review, and shall contain the following information:
    - 1) A scale drawing of the proposed sign;
    - 2) Proposed location of the sign, including distance from adjacent streets and public sidewalks;
    - 3) The proposed colors of the sign.
  - b. Development standards. All subdivision kiosk signs shall be of a consistent design and shall comply with the following standards:
    - 1) Height. The overall height of the sign shall not exceed 10 feet, measured from the ground level at the base of the sign.
    - 2) Width. The overall width of the sign shall not exceed 6 feet.
    - 3) Individual sign panels. Individual sign panels shall not exceed one-foot in width and 6 feet in length. Copy on sign panels shall be limited to the name of the subdivision and/or builder, and a directional arrow.
    - 4) Location. Signs may be located on either public or private property, provided that the appropriate agency or property owner has given their written consent.

Signs shall not obscure required line of sight visibility for motorists or pedestrians.

- 5) There shall be no additions, tag signs, streamers, flags, banner devices, display boards, or appurtenances added to the signs as originally approved. Further, no other directional signs shall be used, including but not limited to posters or portable outdoor advertising signs.
  - 6) Subdivision directional signs may advertise tracts either within the city limits or within that portion of the county of Los Angeles which is within the city's sphere of influence.
- c. Approval process.
- 1) Approval authority. Application shall be reviewed and approved by the Planning Department.
  - 2) Building permit. The applicant shall obtain all necessary construction permits from the Public Works Department.
  - 3) Separate agreement. The city may, at its discretion, enter into an agreement with a private entity for the purpose of erecting and maintaining subdivision kiosk signs. Such agreement shall be consistent with the provisions of this section, but may also establish other requirements not specifically addressed by this section.

#### **17.08.130 Fences, Walls, and Screening**

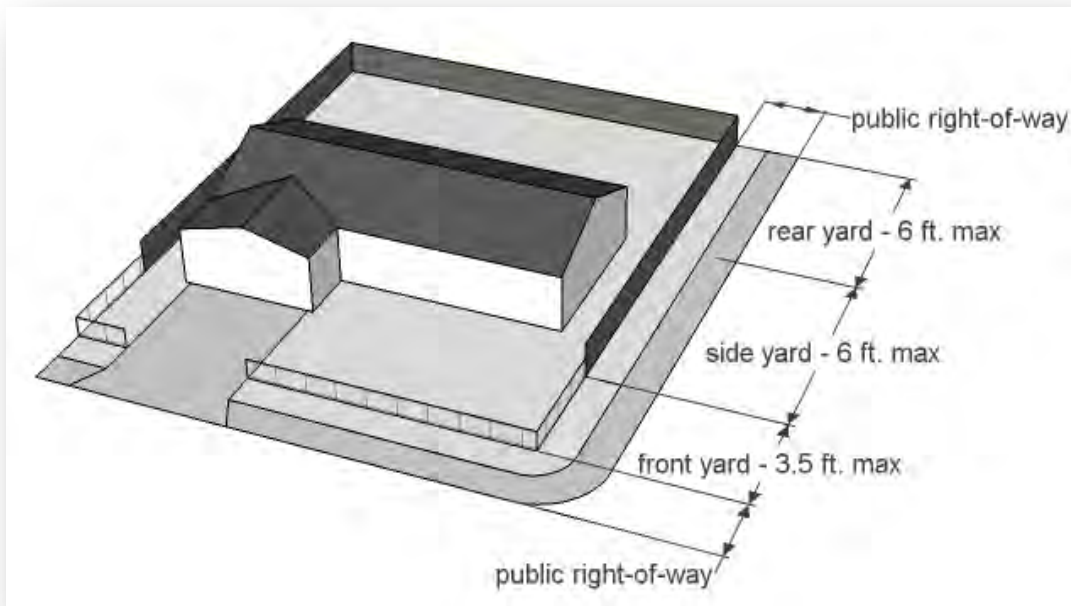
**A. Purpose.** This section provides regulations for the installation, construction and placement of fences on private residential property. For the purpose of this zoning code, the term "fence" includes fences, hedges, walls or other structures with the functions and characteristics of a fence.

**B. Measurement of fence and wall height.**

1. Fence height shall be measured as the vertical distance between the finished grade from the base of the fence to the top edge of the fence material.
2. Where the ground elevation within six feet of the base of a fence differs from one side of the fence to the other (as when a fence is placed at the top of a slope or on a retaining wall), the height shall be measured from the side with the highest natural grade. (See Section 17.28.030)

**C. Fence height limits.**

Location	Maximum height
Within front yard setback or corner lot side yard setback	3 ½ feet
Within side or rear yard setback or along/behind corner lot side yard setback	6 feet



**D. Consideration for additional height.** A fence or wall may be constructed to a height in excess of the limits established by 17.08.120.C with a Director’s Review. The Director’s Review shall require that the applicant make the following findings, in addition to the findings required for a Director’s Review listed in Chapter 17.32:

1. The issuance of the permit is reasonably necessary, by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable property rights or the full use and enjoyment of the property.
2. The fence will not create a safety hazard to pedestrians or vehicular traffic.
3. The appearance of the fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood.
4. The orientation and location of the fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood.
5. The fence will be of sound construction.

**E. Fencing for new production homes.** Fencing for new production homes shall be a masonry wall, adjacent to the rear and side yards, up to 6 feet in height. The Planning Director may approve alternative fencing materials that provide comparable aesthetics and durability.

**E.F. Subdivision perimeter walls.** A masonry wall shall be constructed along the perimeter of a subdivision, with the color and design to be specifically approved by the Planning Director.

**F.G. Prohibited fence materials.** The use of barbed wire, razor wire, electrical fence, glass and other similar objects of a hazardous characteristic shall not be permitted for residential uses.

### **17.08.1430 Outdoor Lighting**

The intent of this requirement is to properly illuminate the site without producing an adverse impact on neighboring property. Exterior lighting of the building and site shall be provided, maintained and utilized during the hours of darkness in accordance with the following requirements:

#### **A. Outdoor lighting in general.**

1. Lighting shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be compatible with the building design.
2. Lighting shall be placed to provide adequate illumination for security and safety.
3. Lighting used to illuminate the premises shall be directed away from adjacent properties.
4. Lighting shall be designed and located in a manner that prevents glare onto adjacent properties.

## **Article IV. Standards for Specific Land Uses**

### **17.08.150 Purpose and Applicability**

**A. Purpose.** This article provides site planning, development, and/or operating standards for certain land uses that are allowed within the residential zones, and for activities that require special standards to mitigate their potential adverse impacts. The land uses and activities covered by this article shall comply with the provisions of the sections applicable to the specific use, in addition to all other applicable provisions of this zoning code.

#### **B. Applicability.**

1. Where allowed. The uses that are subject to the standards in this article shall be located in compliance with the requirements of Chapter 17.08 (Residential Zones).
2. Land use permit requirements. The uses that are subject to the standards in this article shall be authorized by any required and applicable land use permit.
3. Development standards. The standards for specific uses in this article are required in addition to those listed elsewhere in the Residential chapter of the Zoning Ordinance. In the event of any conflict between the requirements of this article and those listed elsewhere in the Residential chapter of the Zoning Ordinance, the specific requirements under this article shall take precedence.

**17.08.160 Residential Accessory Uses and Structures**

The development criteria set forth in this section are intended to provide minimum standards for accessory buildings or structures. Accessory buildings and structures may only be constructed on a lot containing a main dwelling unit. Whenever there is a conflict between these standards and the city’s building code, the most restrictive requirement shall apply.

**A. Standards for residential accessory uses and structures.**

<b>Structure type</b>	<b>Maximum height</b>	<b>Distance from interior/rear property lines</b>	<b>Distance from main dwelling unit</b>	<b>Other notes</b>
1. Attached accessory structures (patio, etc.)	One story or 12 feet	5 feet	N/A	• Shall remain permanently unenclosed on at least 2 sides, excluding the placement of detachable screens
2. Detached accessory structures less than 120 sq. ft. (small shed, etc.)	8 feet	0 feet	6 feet	
3. Detached accessory structures greater than 120 sq. ft. (shed, gazebo, etc.)	One story or 12 feet	5 feet	6 feet	
4. Detached garages (without 2 <sup>nd</sup> story living area)	16 feet	0 feet	6 feet	• Detached garages built to the property line shall not result in drainage onto neighboring properties
5. Swimming pools and spas	N/A	5 feet	6 feet	
6. Accessory structure and equipments (air conditioner units, pool equipment, etc.)	6 feet	5 feet	0 feet	
<p><b>Other notes:</b></p> <ul style="list-style-type: none"> <li>• For accessory buildings that are used for living or sleeping space, see Section 17.08.220 discussing guest houses.</li> <li>• No more than 50% of the required rear yard shall be covered by roofed structures. Infill residential lots (smaller than 7,000 square feet) may have up to 60% of the rear yard covered by roofed structures.</li> </ul>				

**B. Projections permitted into yards.** The following projections are permitted in a required yard:

1. Eaves, cantilevered roofs, awnings and similar architectural features may project a maximum distance of 2 ½ feet into any required front or side yard or 5 feet into a rear yard, provided that such features shall maintain a minimum distance of 3 feet to any property line and are not less than 8 feet in height above grade. Such appendages shall be supported only at or behind the building setback line.
2. Fireplace structures (meeting all requirements of the current California building code), bay windows (not wider than 8 feet measured in the general direction of the wall of which it is a part), fire escapes, exterior stairs, and landings, buttresses and wing walls may project a maximum distance of 2 ½ feet into any required yard, provided that such features shall maintain a minimum distance of 3 feet to any property line. Such structures shall not be utilized to provide closets or other usable floor area.
3. Decks, platforms, covered and uncovered porches, and landing places including access stairs, which exceed an average height of 2 ½ feet and do not extend above the level of the first floor may project a maximum distance of 2 feet into required interior side yards, and a maximum distance of 5 feet into required front and side yards, provided such features shall maintain a minimum distance of 3 feet to any property line, and that an open-work railing installed shall not exceed 3 ½ feet in height.
4. Walls and window-mounted air conditioners, coolers, and fans may be used in any required yard provided that such equipment shall maintain a minimum distance of 3 feet to any property line.

#### **17.08.170 Cargo Container Storage**

All cargo container uses, except those use by a public agency or entity, or by a non-public or private school, shall comply with all pertinent city codes, ordinances and regulations in addition to the following conditions:

**A. Cargo containers as accessory buildings or structures.** Cargo containers may be used as accessory buildings or structures in the RR-2.5 and RR-1 zones, subject to the following:

1. Containers shall be located only to the rear of the main building, in which a permissible use is occurring;
2. Containers shall only be used for incidental uses that are permissible in the zone;
3. Containers shall not be used for commercial purposes or in conjunction with commercial activities;
4. Containers shall not be closer than fifty (50) feet to any property line;
5. Containers shall not be stacked on top of each other or on any other structure;
6. Containers shall not encroach upon, block, obstruct, or reduce in any manner any required exits, windows or vent shafts of structures, or any parking spaces, driveways, private streets, or public rights of way;

7. Containers shall not be used for human habitation or occupied by individuals for any reason;
8. Containers shall not have any electrical, plumbing, heating or air conditioning installations or systems, and shall not be connected to a power source;
- ~~8.9.~~ Containers shall not be unsightly, graffitied, or damaged;
- ~~9.10.~~ Refuse, garbage, trash and debris, as well as hazardous substances, as defined by state or federal law, shall not be placed or stored in, against, on, or under a cargo container at any time;
- ~~10.11.~~ Containers shall require a container permit. The number and location of cargo containers used as accessory buildings or structures in the RR-2.5 and RR-1 zones shall be subject to the review and prior written approval of the directors of planning and housing and neighborhood revitalization, or their duly authorized representatives. Upon such approval, compliance with all conditions of approval, and payment of a container permit fee in an amount established by city council, a container permit shall be issued.

**B. Cargo containers as temporary storage.** Cargo containers may be used as temporary structures in the R and RR zones, including the following:

1. Storage of materials for public works and other infrastructure improvements.
  - a. Storage of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drain, underground conduits, flood control works, pipelines and similar uses, shall not exceed a period of one year.
2. Storage of building materials for temporary construction.
  - a. This includes storage of building materials, machinery and equipment used in conjunction or development project undertaken pursuant to an active building permit. Storage shall be on the lot or parcel which is part of the project, or on property adjoining the construction or development site with the written consent of the property owner. Storage shall not occur until the building permit is obtained. Storage shall be removed within thirty (30) calendar days after the permit is expired, revoked, or finalized.
  - b. Cargo containers may be used for the temporary construction storage described in (a) of this subsection. A cargo container approved pursuant to this subsection shall not require a separate permit. The number and location of cargo containers used for temporary construction storage shall be subject to the review and prior written approval of the building official and directors of planning and housing and neighborhood revitalization or their duly authorized representatives. Application for approval of cargo containers for temporary construction storage shall be made on a city-approved form and shall indicate the number of the building permit obtained for the construction or development project for which the temporary construction storage is requested, the size of each cargo container, the proposed location of each container on the property, and the date on which each container shall be placed on the property.
  - c. The time period for which a cargo container may be used for temporary construction storage is limited to the time when the building permit is active. An



active building permit means one that has not expired, been revoked, or been finalized. Cargo containers used for temporary construction storage shall be removed from the property within thirty (30) calendar days of the expiration, revocation or finalization of a building permit.

- d. Cargo containers used for temporary construction storage shall not exceed eight feet in width, eight feet six inches in height, and forty (40) feet in length.
  - e. Cargo containers used for temporary construction storage shall conform to the following standards:
    - 1) Cargo containers shall be set back a minimum of five feet from any property line and a minimum of ten (10) feet from any structure.
    - 2) Cargo containers shall not be stacked on top of each other or on any other structure.
    - 3) Cargo containers shall not encroach upon, block, obstruct, or reduce in any manner any required exits, windows or vent shafts of structures, or any parking spaces, driveways, private streets, or public rights of way.
    - 4) Cargo containers shall not be used for human habitation or occupied by individuals for any reason.
    - 5) Cargo containers shall not have any electrical, plumbing, heating or air conditioning installations or systems, and shall not be connected to a power source.
    - 6) Refuse, garbage, trash and debris, as well as hazardous substances, as defined by state or federal law, shall not be placed or stored in, against, on, or under a cargo container at any time.
3. Storage of household materials during remodeling or other construction work.
- a. This includes temporary storage of household materials, including but not limited to furniture, appliances, household electronics, clothing and other items of personal property, when a structure is undergoing rehabilitation, repair, remodeling, alteration or other construction work under an active building permit.
    - 1) The number and location of cargo containers used for temporary household storage shall be subject to the review and prior written approval of the building official and directors of planning and housing and neighborhood revitalization or their duly authorized representatives. A cargo container approved under this subsection shall not require a separate permit. Application for approval of cargo containers for temporary household storage shall be made on a city-approved form and shall indicate the number of the building permit obtained for the repair, remodeling, alteration or other work for which the temporary household storage is requested, the size of each cargo container, the proposed location of each container on the property, and the date on which each container shall be placed on the property.
    - 2) The time period for which a cargo container may be used for temporary household storage is limited to the time when the building permit is active. An active building permit means one that has not expired, been revoked, or been finalized. Cargo containers used for temporary construction storage shall be

removed from the property within thirty (30) calendar days of the expiration, revocation or finalization of a building permit.

- 3) Cargo containers used for temporary household storage shall not exceed eight feet in width, eight feet in height, and sixteen (16) feet in length.
  - 4) Cargo containers used for temporary household storage shall conform to the standards set forth in Section 17.08.170.B.2.e.
4. Emergency storage of household materials due to disaster circumstance.
    - a. Cargo containers used for emergency household storage shall require a container permit. The number and location of cargo containers used for emergency household storage shall be subject to the review and prior written approval of the directors of planning and housing and neighborhood revitalization, or their duly authorized representatives. Upon such approval, and payment of a container permit fee in an amount established by city council, a container permit shall be issued.
    - b. Cargo containers may be used for emergency household storage for a period not to exceed fifteen (15) calendar days. This use may be extended for an additional ten (10) calendar days upon the prior written approval of the directors of planning and housing and neighborhood revitalization.
    - c. Cargo containers used for emergency household storage shall not exceed eight feet in width, eight feet in height, and sixteen (16) feet in length.
    - d. Cargo containers used for emergency household storage shall conform to the standards set forth in Section 17.08.170.B.2.e.
  5. Storage of household materials used for relocation.
    - a. Cargo containers used for relocation storage shall require a container permit. The number and location of cargo containers used for relocation storage shall be subject to the review and prior written approval of the Directors of planning and housing and neighborhood revitalization, or their duly authorized representatives. Upon such approval, and payment of a container permit fee in an amount established by city council, a container permit shall be issued.
    - b. Cargo containers may be used for relocation storage for a period not to exceed fifteen (15) calendar days. This use may be extended for an additional ten (10) calendar days upon the prior written approval of the directors of planning and housing and neighborhood revitalization.
    - c. Cargo containers used for relocation storage shall not exceed eight feet in width, eight feet in height, and sixteen feet in length.
    - d. Cargo containers used for relocation storage shall conform to the standards set forth in Section 17.08.170.B.2.e, except as provided in f. of this subsection.
    - e. Cargo containers used for relocation storage may be placed on driveways.

**C. Existing cargo containers.**

1. Cargo containers that are present on private real property, for any use or purpose, on the effective date of this section shall be removed within six months from the effective date, unless the property owner obtains the requisite approvals and permits

in conjunction with temporary uses allowed in Section 17.08.170.B. and otherwise complies with all regulations pertaining to cargo containers.

2. This subsection does not apply to cargo containers that are present on real property located in RR-2.5 and RR-1 zones, provided they are brought into conformance with the requirements of Section 17.08.170.B.2.e.

**D. Exceptions.** Except as provided in A. of this section, cargo containers shall not be used as accessory buildings or structures, and shall not be placed, maintained or used on private real property at any time except as permitted in conjunction with temporary uses allowed in 17.08.170.B. This provision does not apply to the following real property:

1. Real property owned, leased, rented, occupied or used by a public agency or entity;
2. Real property owned, leased, rented, occupied or used by a non-public or private school. For purpose of this subsection, “non-public school” means a private, non-sectarian school that enrolls individuals with exceptional needs pursuant to an individualized education program and is certified by the California Department of Education. For purposes of this subsection, “private school” means a full-time day school that provides instruction in the several branches of study required to be taught in the public schools of the state, by persons capable of teaching, and that files an annual private school affidavit as required by the California Department of Education. For purposes of this subsection, “private school” does not include a school that provides instruction in building used for residential purposes. A non-public or private school is not exempt unless it is operating in conformity with all pertinent land use and technical code regulations.
3. Real property utilized for the placement of cargo containers that are used exclusively for the storage of emergency supplies to be used for the benefit of the public by a recognized governmental agency, such as the Los Angeles County Fire Department, in the event of a disaster or emergency situation. Placement of a cargo container for the storage of private supplies is not included in this exemption. Placement of cargo containers for this purpose shall be approved through a Director’s Review.

### **17.08.180 Animal Keeping**

**A. Purpose.** Regulations governing animals for the personal use of the family residing on the premises are established in order to provide for the keeping of domestic and wild animals where accessory to the residential use of the property as opposed to maintenance for commercial purposes. The following regulations presume a reasonable effort on the part of the animal owner to recognize the rights of surrounding neighbors by maintaining and controlling animals in a safe and healthy manner.

**B. Animal keeping in Residential zones.** On any lot in a residential zone, or in conjunction with any residential use in any other zone, a total of five animals (domestic or exotic) may be kept on one lot, of which not more than three may be dogs.

**C. Animal keeping in Rural Residential zones only.** Where allowed by Section 17.08.050, livestock farming shall be limited to the raising, feeding, maintaining, and breeding of livestock, subject to a minimum 20,000 square-foot ~~net~~gross lot area. The following are allowed per each 20,000 square feet of gross lot area, in accordance with the following limitations and conditions:

1. Two hogs or pigs;
2. Two horses or mules or cows or steer;
3. Three goats or sheep or similar livestock;
4. One dozen chickens or ducks or rabbits.

**D. Offspring.** Young animals born to a permitted animal kept on the site may be kept until such animals are weaned.

**E. Therapy and service animals.** In accordance with fair housing law, a housing provider shall accommodate a person with a disability who requests a reasonable and necessary animal. Such animals may include, but are not limited to, guide dogs that assist persons with visual impairment, hearing dogs trained to alert those who are hard of hearing, service dogs trained to assist those with mobility impairment, or other animals intended to provide therapy, including emotional support.

### **17.08.190 Child Day Care Facilities**

**A. Purpose and Intent.** The availability and affordability of quality, licensed child care is beneficial to the well-being of parents and children within this community. The purpose of regulating child day care facilities, including large family daycares (8 to 14 children) located as an accessory use in a residential home, and daycare centers, within the City shall be to:

1. Facilitate and encourage the establishment of licensed child day care;
2. Specify standards to avoid any adverse effects of such facilities upon surrounding properties; and
3. Avoid the over-concentration of child care facilities in any neighborhood.

**C. Application requirements.** The following shall be included in each application for a child day care facility (Director’s Review for large family daycares, and Conditional Use Permit for daycare centers in the Residential zones):

1. The application shall indicate the number of children to be cared for, including the applicant’s children under 10 years of age; the number of employees; hours of operation and outdoor playtime; and State license number. The application and site plan shall clearly show compliance with applicable standards.
2. A site plan (8-1/2” x 11”) showing: location and dimensions of existing residence and other structures, including: fencing, outdoor play structures and equipment, distance to property line, parking areas, access and traffic circulation. Additional site plan and/or application information may be requested at the discretion of the Planning Department.
3. An accurate traffic circulation plan showing parking, circulation and drop-off areas.

**D. Conditions of approval.** The operation of a child day care center or large family day care home, in compliance with a Conditional Use Permit or Director’s Review application, may be conditioned or limited by the permit, except as may be prohibited by State law applicable to a chartered city, in any manner deemed necessary by the review authority to ensure the preservation of the health, safety and general welfare of the

community and the neighborhood where the facility is proposed. The scope of permit review and approval shall be limited as required by State law to the following.

1. Space and concentration. No proposed large family day care facility shall be located closer than 300 feet in all directions from any other large family day care facility, as measured from any point on the exterior walls of both structures. In no case shall a residential parcel be directly abutted by large family day care homes on two or more sides.
2. Noise. The operation of any child care facility shall comply with all provisions of the City noise ordinance. The review authority may conditions of approval to reduce noise impacts including: solid fencing or other sound attenuating devices, restrictions on outside play hours, location of play areas, and placement of outdoor play equipment.
3. Traffic circulation. The traffic circulation plan for all child day care facilities shall be designed to diminish traffic safety problems. A residence on a primary or secondary arterial street shall provide a drop-off/pickup area designed to prevent vehicles from backing onto the arterial roadway. The care provider may be required to submit a plan of staggered drop-off and pickup time ranges to reduce congestion in neighborhoods already identified as having traffic congestion problems.

**E. Required findings for approval.** No Conditional Use Permit for a daycare center or a Director's Review for a large family day care facility shall be granted unless the review authority first makes all of the following findings, in addition to those required by Section 17.32.090 (Findings and decision for Conditional Use Permits) or Section 17.32.790 (Findings and decision for Director's Review):

1. The facility complies with all applicable requirements of this Section; and
2. The facility complies with all applicable building and fire code provisions adopted by the State and administered by the County Fire Department, and California Department of Social Services licensing requirements.

**F. Notification of proposed action.** Not less than 10 working days prior to the date on which the decision will be made on the application, the City shall provide public notice in compliance to the applicant, and all owners of property within a 300-foot radius of the exterior boundaries of the proposed parcel.

## **17.08.200 Home Occupations**

**A. Purpose and intent.** The purpose of this article is to provide the guidelines and restrictions for operating a home occupation (home-based business), from a residential dwelling in the city of Lancaster. It is intended that the home occupation functions as an office, and is secondary to the dwelling's main residential use. In addition, the home occupation shall not detract from nor become incompatible with the surrounding residential uses; and thus, will not interfere with the general welfare of the surrounding residential area.

**B. Conditions for home occupations.** No home occupation shall be approved unless it complies with this section and all pertinent city codes, ordinances and regulations:

1. Residency. The applicant who holds the home occupation permit and accompanying business license shall reside at the address location as stated on the home occupation permit and business license.
2. Boundaries. A home occupation shall be conducted only within the enclosed living area of the dwelling unit, accessory building, or the garage, without rendering the garage unusable as the required off-street parking space(s) for the dwelling unit. Home occupation activities shall not be visible or audible beyond the boundaries of the site.
3. Alterations. There shall be no alteration of any building or structure which would result in a change of the residential occupancy classification under the current California building code.
4. Traffic and parking. The home occupation shall not generate vehicular traffic and/or vehicular parking which degrades or is otherwise detrimental to the residential nature of the neighborhood and thus becomes objectionable to neighboring residents and other affected by such parking or traffic.
5. Hours of operation. No customer or client may come to the premises except during the hours of 7 a.m. to 10 p.m. No deliveries may originate from or be made to the premises except during the hours of 8 a.m. to 6 p.m.
6. Commercial vehicles. No commercial vehicle which has a capacity of more than one ton shall be parked or stored at the home occupation site other than a recreational vehicle. (The term "commercial vehicle" means as the term as described in the California Vehicle Code.)
7. Nuisance. The home occupation shall not create any radio or television interference or create discernible noise, glare, dust, odor, vibrations, or unreasonable disturbance in excess of that which is normal to a residential use of the premises. Nor may the home occupation cause or generate any other condition that interferes with the peace, health, safety or general welfare of people or property in the surrounding area.
8. Signs and advertising. There shall be no signs or structures advertising the home occupation business on the residential property. In addition, no other advertisement of the home occupation shall include the address of the residential dwelling where the home occupation is conducted.
9. Storage. There shall be no exterior storage of materials in the conduct of a home occupation. The storage of materials, equipment, inventory, supplies, and files for home occupation, is only permitted inside the dwelling unit or an entirely closed roofed accessory structure.
10. Rental property. No home occupation shall be conducted in a rental unit, without the owner or landlord's permission.
11. Transferability. Home occupations are valid only for the person and the address approved and are nontransferable. Only persons whose primary residence in the dwelling unit may engage in the home occupation.
12. Employees. A maximum of one employee is allowed at the home occupation, if located in an apartment or condominium unit; 2 employees is allowed if the home is within an Urban Residential zone; and 3 employees in Rural Residential zones.
13. Sales. No commodity shall be sold or displayed on the premises.

14. Specific conditions. The director may add specific conditions to the approval of a home occupation permit in order to address concerns which are not covered by the above conditions and which, in the director's opinion, are necessary to protect neighboring property from any potential adverse effects of the proposed home occupation.

**C. Prohibited uses.** The following uses shall not be allowed as a home occupation:

1. Ambulance service;
2. Animal training;
3. Body piercing;
4. Construction, preassembly and similar large woodworking operations;
5. Contractor and construction yards that cause or require outdoor storage;
6. Cosmetology services including barber and beauty shops;
7. Food handling, food processing, food warehousing, food packaging, or food distribution;
8. Forensic testing;
9. Limousine, taxi or tow truck services; recreational vehicle rentals or automobile leasing; food or ice cream vending vehicles; or other vehicles not normally incidental to a residential use where such motor vehicles would be parked or stored at the home occupation site. This provision does not preclude limited customer or client parking;
10. Mechanical and electronic repair utilizing, maintaining, or storing more mechanical or electronic equipment on the premises than is common to a residence;
11. On-site massage therapists;
12. Pet grooming (not prohibited in RR-1 and RR-2.5 zones, if on appointment basis only);
13. Rental establishments as described in Section 17.12.040, the permitted uses section of the C zone;
14. Repair services related to automobiles, motorcycles, large household appliances, small engines, garden equipment, or other machinery;
15. Sales or production of drug paraphernalia;
16. Tattoo studio;
17. Taxidermy;
18. The manufacturing, sale, lease, or rental of firearms and/or ammunition;
19. Welding shop and/or metal fabrication;
20. Uses which are subject to director's review or a conditional use permit in the zone where the applicant's residence is located;
21. Those uses which the director determines are similar in nature to the uses listed above.

**D. Application and Fee.** The application for a home occupation shall be made in person to the Planning Department ~~and shall be accompanied by the fee required~~ by resolution of the city council. The applicant shall fully disclose on the application form all hazardous materials (as defined in Section 17.04.240) which will be stored on-site or used in

conjunction with the home occupation. ~~Fees for inspections by departments other than the Planning Department shall be paid directly to those departments.~~ The city shall accept only those applications which have provided all of the information required on the application form which applies to the proposed home occupation.

**E. Revocation.** Home occupation permits may be immediately revoked by the director based upon a finding that any one of the following conditions exists:

1. That the use has changed either in nature or extent to the point that it differs substantially from the use requested in the approved application for the home occupation permit.
2. That the use fails to comply with any condition in subsection B of this section.
3. That the holder of the home occupation permit failed to allow inspections at a reasonable time for the purpose of investigating a complaint or to verify compliance of the home occupation with the required conditions.
4. That the holder of the home occupation permit failed to comply with any applicable city, county, state or federal ordinance, law or regulation including failure to obtain and/or renew a business license.

The director shall notify in writing the holder of the home occupation permit of such revocation and the reasons there~~of~~<sup>for</sup>. The director's decision may be appealed in accordance with Section 17.36.030.

#### **17.08.210 Live-work**

**A. Definition.** As used in this ordinance: a “live-work” use is a business conducted within a dwelling unit or accessory structure by occupants of the dwelling unit. A live-work use is distinguished from a home occupation primarily in that a live-work use can include employees who are not residents of the home, involve a greater number of customers, be located in a larger percentage of a home or accessory building, and have appropriate on-site signage.

**B. Purposes.** The purposes of this ordinance are to:

1. Provide for the appropriate development of units that incorporate both living and working space;
2. Provide flexibility for the development of live-work units, particularly within existing buildings;
3. Allow for the transition of residential uses along primary arterial streets to office and commercial uses due to their proximity and access to higher volume traffic;
4. Protect existing, surrounding, and potential uses from conflicts with each other; and
5. Ensure that the exterior design of live-work buildings is compatible with the exterior design of surrounding buildings in the area, while remaining consistent with the predominant workspace character of live-work buildings.

**C. Permitted locations for live-work units.** Live-work units are permitted in Urban and Rural Residential Zones where the property faces and has access from a primary arterial street.



**D. Uses permitted with a Director's Review.** The following non-residential uses are allowed in live-work units:

1. Personal and household retail sales and services;
2. Business support services;
3. Offices; and
4. Other similar uses as determined appropriate by the Planning Director.

**E. Prohibited uses.** The following non-residential uses are prohibited in live-work units:

1. Restaurants and/or alcohol establishments;
2. Entertainment uses;
3. Construction yards;
4. Any uses involving hazardous materials; and
5. Any other uses that may result in a negative impact on surrounding uses, including traffic, noise and/or safety, as determined by the Planning Director.

**F. Development standards.** Construction of the live-work unit as a non-residential structure is permitted within the development standards of the zone that the property is located in, as well as all other applicable building and accessibility regulations.

**G. Conditions of approval.**

1. Parking.
  - a. Two covered or uncovered parking spaces shall be provided for the residential use of the live-work unit.
  - b. Required parking for the non-residential use will be based on the applicable parking standard as determined by the Planning Director.
2. Signage.
  - a. Wall business sign permitted: maximum height 18 inches; maximum length 30% of façade width; roof sign prohibited.
  - b. Monument sign permitted: maximum 48 inches in height, including base; maximum length 72 inches; for maximum total of 24 square feet per sign face.
3. Owner or employee residency required. The owner of the property or an employee of the live-work business shall be required to live on the premises.
4. Employees. Up to three (3) persons other than residents of the dwelling may be employed, unless otherwise provided by the use permit.
5. Hours of operation. No customer or client may come to the premises except during the hours of 7 a.m. to 10 p.m. No deliveries may originate from or be made to the premises except during the hours of 8 a.m. to 6 p.m.
6. Number of live-work activities. No more than one (1) live-work use is allowed per legal dwelling unit on the property.
7. Outdoor storage and activity. No outdoor storage of materials or equipment related to the business activity shall be permitted. No outdoor activity related to the business activity shall be permitted.
8. Nuisance. The live-work use shall not create discernible noise, glare, dust, odor, vibrations, or unreasonable disturbance in excess of that which is normal to a

residential use, nor shall the live-work use cause or generate any other condition that interferes with the peace, health, safety or general welfare of people or property in the surrounding area.

9. Specific conditions. The Director may add specific conditions to the approval of a live-work permit in order to address concerns which are not covered by the above conditions and which, in the Director's opinion, are necessary to protect neighboring property from any potential adverse effects of the proposed home occupation.

**H. Revocation.** Live-work permits may be immediately revoked by the Director based upon a finding that any one of the following conditions exists:

1. The use has changed either in nature or extent to the point that it differs substantially from the use requested in the approved application for the live-work permit.
2. The use fails to comply with any condition or intended purpose as described in this section.
3. The holder of the live-work permit failed to allow inspections at a reasonable time for the purpose of investigating a complaint or to verify compliance of the live-work use with the required conditions.
4. The holder of the live-work permit failed to comply with any applicable city, county, state or federal ordinance, law or regulation including failure to obtain and/or renew a business license.

The director shall notify in writing the holder of the live-work permit of such revocation and the reasons thereof. The Director's decision may be appealed in accordance with Section 17.36.030.

## **17.08.2210 Garage Conversions**

All garage conversions shall comply with all pertinent city codes, ordinances and regulations in addition to the following conditions:

- A. Garage conversions.** Garages serving and attached to existing single-family detached residences may be converted to expand the living area of such residences, provided that:
  1. The property owner, in writing, absolves the city of all liabilities regarding any deed restrictions that may be applicable to the property.
  2. The garage shall be replaced by 2 covered or uncovered, surfaced, off-street parking spaces on the site in a manner consistent with the character of the neighborhood.
  3. Interior access from the garage to the house shall be kept.
  4. There shall be no door access into the garage facing the street.
  5. The conversion is accomplished in full accordance with all pertinent codes and ordinances as verified by obtaining permits and inspections from all appropriate agencies.
  6. The garage conversion shall meet the Design Guidelines for enhanced architectural quality and compatibility.
- B. Illegal garage conversions.** Conversion of a garage to expand the living area of a residence or otherwise render the garage unusable for its original purpose without

obtaining appropriate permits and inspections shall be deemed an illegal garage conversion. When a property owner is informed that such an illegal garage conversion exists on his property, the property owner shall comply with the following requirements:

1. Within 30 days of becoming so informed, the property owner shall pay the required fees and request that the conversion be inspected by building and safety division.
2. Should building code violations be detected during the inspection of the premises, the building and safety division shall prepare a list of the deficiencies which must be corrected to bring the conversion, and if necessary the residence, into compliance with all applicable building codes.
3. The property owner shall then exercise one of the following options:
  - a. If the property owner desires to retain the garage conversion he shall correct the deficiencies cited by the building and safety division prior to the expiration of the building permit. Once the deficiencies are corrected and verified by inspection, the conversion shall be considered legal provided that 2 covered or uncovered, surfaced, off-street parking spaces are furnished on the site in a manner consistent with the character of the neighborhood; or
  - b. If the property owner does not desire to correct the conversion deficiencies as cited, he shall remove the conversion and restore the building to function as a garage in accordance with applicable building codes.

#### **17.08.2320 Guest Houses**

- A. Purpose and intent.** The purpose and intent of this section is to provide a means for adding living space to a residential home or residential detached garage, which may serve as housing for guests.
- B. Applicability.** This section shall apply to all guest houses, which is defined as living facilities located on the same premises with the primary residence, provided for the sole use of family members, guests, or persons employed on the premises. Carriage units located above a detached garage are considered guest houses.
- C. Standards.** The following development standards shall apply to all guest houses, including carriage units, when specified:
  1. The guest house may be constructed as a detached building or may be attached to the primary residence on a lot or parcel in the RR or R zone.
  2. The minimum net area of a lot or parcel of land upon which a guest house may be constructed shall be 5,000 square feet.
  3. The guest house must be located within the buildable area of the lot or parcel, and conform to all property development regulations and standards of the zone in which it is located. If a guest house is attached to a garage located in the rear yard, the garage portion of the structure may be located in the same manner as stand-alone rear yard garages (allowed up to the rear and side property line), but any livable portion of the structure shall meet the rear and side yard setback. A carriage unit may be located above a detached garage that is located in the rear yard, and is accessed from an alley.

4. Only one guest house shall be permitted on any residential lot or parcel, in conjunction with the primary residential unit. A guest house is not permitted on a property with both a primary and a secondary dwelling unit.
5. The floor area of a guest house shall not exceed 50% of the existing living area of the main dwelling unit.
6. The maximum floor area for a guest house shall be 500 square feet.
7. The guest house shall be architecturally compatible with the main dwelling unit.
8. The guest house shall be located on the same lot as the primary dwelling and cannot be sold as a separate unit.
9. The guest house shares utility services with the main dwelling unit for gas, electricity, water and sewer.
10. A property owner may not build a guest house if the primary residence has a garage that has been converted into living space.
11. The guest house shall meet the Design Guidelines for enhanced architectural quality and compatibility.

**D. Application.** Any property owner seeking a permit for a guest house shall submit a Director's Review application. The Director shall approve the application so long as the guest house or carriage unit complies with all provisions of this section. In the event such application is denied, the appeals proceedings set forth in Chapter 2.44 of this Code shall be available to the applicant.

**E. Conversions.** In order to legitimize an illegal guest house or carriage unit to a conforming legal second dwelling unit, the property owner shall file a Director's Review application and shall comply with the standards and requirements set forth in this section.

**F. Violations.** Any property owner with a guest house or carriage unit which does not comply with all the standards established herein is subject to prosecution for a zoning violation under Section 17.04.220.

## | 17.08.2430 Second Dwelling Units

**A. Purpose and intent.** The purpose and intent of this section is to provide an alternate means of augmenting the supply of lower cost housing. The enactment of this section does not legitimize existing illegal second dwelling units.

**B. Applicability.** This section shall apply to all second dwelling units, which is defined as an additional dwelling unit on a lot or parcel, with its own utility services and meters, which provides complete independent living facilities and may be rented.

**C. Standards.** The following development standards shall apply to all second dwelling units:

1. The second dwelling unit may be constructed as a detached building or may be attached to the primary residence on a lot or parcel in the RR or R Zone.
2. The minimum net area of a lot or parcel of land upon which a second dwelling unit may be constructed shall be 7,000 square feet.

3. No more than one second dwelling unit shall be permitted on any residential lot or parcel. A second dwelling unit may not be permitted on a residential lot which already have an existing second dwelling unit or a guest house.
4. The second dwelling unit must be located within the buildable area of the lot or parcel, and conform to all property development regulations and standards of the zone in which it is located.
5. The floor area of an attached second dwelling unit shall not exceed 50% of the existing living area of the main dwelling unit.
6. The minimum floor area for a detached second dwelling unit shall be 400 square feet. The maximum floor area for a detached second dwelling unit shall be no more than 10% of the square-footage of the lot (e.g. a maximum 1,000 square-foot 2<sup>nd</sup> dwelling unit on a 10,000 square-foot lot), up to a maximum of 1,500 square feet.
7. The second dwelling unit shall be architecturally compatible with the main dwelling unit.
8. The address number for the second dwelling unit shall be posted in the same manner and location as the main dwelling unit.
9. A separate mail box shall be provided for the second dwelling unit.
10. The second dwelling unit shall be located on the same lot as the principal dwelling and cannot be sold as a separate unit.
11. The second dwelling unit shall have separate service from the main dwelling unit for gas and electricity.
12. One parking space is required for the second dwelling unit, in addition to the parking required for the main dwelling unit. The parking for the second dwelling unit shall be provided by a 10 feet by 20 feet space located either inside a garage or carport, or on a driveway not used for access into the primary structure's garage.
- ~~13. The second dwelling unit may continue as an independent dwelling only as long as one of the dwelling units is owner occupied. Prior to the issuance of a building permit for the second dwelling unit, a covenant of restriction to run with the property shall be recorded which specifies that the second dwelling unit as an independent dwelling unit may continue as long as one unit on the property is owner occupied.~~
- ~~14.~~13. A property owner may not build a second dwelling unit if the primary residence has a garage that has been converted into living space.
14. The garage conversion shall meet the Design Guidelines for enhanced architectural quality and compatibility.
15. The second dwelling unit may continue as an independent dwelling only as long as one of the dwelling units is owner occupied. Prior to the issuance of a building permit for the second dwelling unit, a covenant of restriction to run with the property shall be recorded which specifies that the second dwelling unit as an independent dwelling unit may continue as long as one unit on the property is owner occupied.

**D. Covenants, conditions, and restrictions. The covenants, conditions, and restrictions to run with the property shall include the following declarations:**

1. Upon completion of construction of a second dwelling unit on the Property, the second dwelling unit may continue as an independent dwelling only as long as one of the dwelling units located on the Property is occupied by Owner.
2. The second dwelling unit shall be located on the same lot as the principal dwelling and cannot be sold as a separate unit.
3. Each owner of the Property shall be responsible for assuring conformity with these covenants during the term of their ownership of the Property.
4. The covenant contained in Section 1 hereinabove shall remain effective in perpetuity.
5. All covenants, conditions, and restrictions contained in this Declaration shall be covenants running with the land, and shall, in any event, and without regard to technical classification or designation, legal or otherwise, be, to the fullest extent permitted by law and equity, binding for the benefit of, and in favor of, and enforceable by the City of Lancaster, its successors and assigns, against Owner, its successors and assigns to or of the Property. The covenants contained herein shall not be construed as conditions subsequent which might result in forfeiture of title.
5. In amplification and not in restriction of the provisions set forth hereinabove, it is intended and agreed that the City shall be deemed a beneficiary of the agreements and covenants provided hereinabove both for and in its own right and also for the purposes of protecting the interests of the community. All covenants without regard to technical classification or designation shall be binding for the benefit of City, and such covenants shall run in favor of City for the entire period during which such covenants shall be in force and effect, without regard to whether City is or remains an owner of any land or interest therein to which such covenants relate. City shall have the right, in the event of any breach of any such agreement or covenant, to exercise all the rights and remedies, and to maintain any actions at law, suits in equity, or other proper proceedings to enforce the curing of such breach of agreement or covenant.
6. No violation or breach of the covenants, conditions, restrictions, provisions or limitations contained in this Declaration shall defeat or render invalid or in any way impair the lien or charge of any mortgage or deed of trust or security interest permitted by this Declaration; provided, however, that any subsequent owner of the Property shall be bound by such remaining covenants, conditions, restrictions, limitations, and provisions, whether such owner's title was acquired by foreclosure, deed in lieu of foreclosure, trustee's sale, or otherwise.
7. Only the City, its successors and assigns, and Owner and the successors and assigns of Owner in and to all or any part of the fee title to the Property shall have the right to consent and agree to changes in, or to eliminate in whole or in part, any of the covenants, conditions, or other restrictions contained in this Declaration. The covenants contained in this Declaration, without regard to technical classification, shall not benefit or be enforceable by any person or entity having any interest less than a fee interest in the Property or any part thereof, other than the City of Lancaster.

**D.E.** **Application.** Any property owner seeking a permit for a second dwelling unit shall submit a Director's Review application. The Director shall approve the application so long as the second dwelling unit complies with all provisions of this section. In the event such application is denied, the appeals proceedings set forth in Chapter 2.44 of this Code shall be available to the applicant.

| **E.F. Conversions.** In order to legitimize an illegal second dwelling unit to a conforming legal second dwelling unit, the property owner shall file a Director's Review application and shall comply with the standards and requirements set forth in this section. The Director reserves the right to allow deviations, if there is a demonstrated difficulty or impracticality to modify the second dwelling unit to meet adopted requirements; nonetheless, all code requirements pertaining to fire and building safety must still be met.

| **F.G. Violations.** Any property owner with a second dwelling unit which does not comply with all the standards established herein for second dwelling units is subject to prosecution for a zoning violation under Section 17.04.220.

## 17.08.2540 Mobilehomes and Manufactured Housing

A mobilehome/manufactured housing unit located outside of mobilehome park shall comply with the requirements of this section:

- A. Site requirements.** The site, and the placement of the mobile home on the site shall comply with all zoning, subdivision, and development standards applicable to a conventional single-family dwelling on the same parcel.
- B. Mobile home design and construction standards.** A mobile home outside of a mobile home park shall comply with the following design and construction standards.
  - 1. **Roof.** The roof of each mobilehome shall exhibit an angle line with an overhang of at least 12 inches on all sides and shall consist of shingles or non-reflective exterior material customarily used on conventionally constructed dwellings.
  - 2. **Exterior Siding.** Each mobilehome shall be covered with a non-reflective exterior material customarily used on conventionally constructed dwellings. The exterior covering material shall extend to the ground except when:
    - a. The exterior siding, trim, and roof shall be of the same materials and treatment found in conventionally built residential structures in the surrounding area, and shall appear the same as the exterior materials on any garage or other accessory structure on the same site.
    - b. A solid concrete or masonry perimeter foundation is used, in which case the covering material shall extend to 6 inches above final grade; or
    - c. Wood siding is used, in which case such siding is not permitted closer than 6 inches to final grade, provided that the last 6 inches to final grade is fully enclosed with other building code approved materials.
  - 3. **Foundation Systems.** Each mobilehome shall be attached to a foundation system which shall be in accordance with Health and Safety Code requirements as approved by city building and engineering services.



## Article V. Solar, Wind, and Alternative Energy Uses

### 17.08.270 Purpose

The purpose of the solar, wind, and alternative energy uses section of the Lancaster Municipal Code is to encourage investment in alternative energy uses in the city, while providing regulations and guidelines for the installation of these uses. The regulations and guidelines shall ensure that solar, wind, and alternative energy uses, whether as primary or accessory uses, are functionally effective and efficient, aesthetically pleasing in design, and complements the structures they are attached to, and the surrounding environment that they are located in.

### 17.08.280 Applicability

All solar farms (solar photovoltaic electric generation facilities) shall comply with all applicable provisions of the City of Lancaster codes, California state building and utility codes, and the standards of this section.

### 17.08.290 Solar Farms

**A. Purpose and applicability.** The purpose of the solar farm (solar photovoltaic electric generation facility) standards is to encourage investment in solar energy on parcels zoned RR-2.5 in the city, while providing guidelines for the installation of solar facilities that complement the surrounding environment. All solar farms shall comply with all applicable provisions of the City of Lancaster codes and the standards of this section.

**B. Approvals required.** As allowed only on properties zoned RR-2.5, the applicant shall submit for and receive approval of a conditional use permit and building permit prior to construction of a solar farm.

**C. Design requirements.**

1. No unscreened outdoor storage of any kind would be allowed on the site.
2. Barbed wire is acceptable on the top of the perimeter fence to provide site security, but razor wire is prohibited.
3. Restroom facilities shall be provided on the project site for use by maintenance staff.
4. Per the direction of the Planning Director, the applicant shall install landscaping along the perimeter of the project site for screening purposes.
5. Per the direction of the Director of Public Works, the applicant shall dedicate right-of-way for all necessary street improvements.
6. The solar farm shall be designed and constructed in a manner that mitigates all environmental impacts, including aesthetics, noise, and dust, among others, as indicated by the environmental initial study, and other reports.

**D. Findings.**

1. The solar farm will be in conformance with the General Plan land use designation of Non-Urban Residential and:

~~The solar farm is consistent~~ with General Plan Policy 3.6.6, which states, “consider and promote the use of alternative energy such as wind energy and solar energy.”

2. The requested use at the location proposed will not:
  - a. Adversely affect the health, peace, comfort, or welfare of persons living in the surrounding area because the proposed use will be buffered~~screened~~ from the surrounding residential zones by vegetation, berms, or other means~~trees~~ and the panels and trackers generate minimal amounts of noise~~are silent~~.
  - b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site because ~~City development standards will be met and adequate parking is provided. T~~he proposed panels ~~are a maximum height of 8 feet, which are under the maximum~~ are within the height regulations of the Rural Residential zones and are designed with adequate setbacks from the adjacent street.
  - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare because adequate sewer, water, drainage, and improvements will be part of the project.
3. The solar farm will not adversely affect other nearby uses because all aesthetic, noise, and other environmental concerns will be mitigated through various design features, including landscaping and screening, and the use of silent or low-noise equipment.
4. The proposed site is adequate in size and shape that accommodate the solar photovoltaic electric generation facility, landscaping, and other development features prescribed in the Zoning Ordinance or as otherwise required in order to integrate said use with the use in the surrounding areas.
5. The proposed site is adequately served by the surrounding streets, which are of sufficient width and improved as necessary to carry the anticipated daily vehicle trips such use would generate; and by other public and private service facilities, including sewer, water, fire, and police services as required.
6. The proposed use will not result in a significant effect on the environment because all potential impacts have been found to be less than significant with the inclusion of mitigation measures, or are determined to be acceptable due to overriding considerations ~~are noted in the environmental review section of the staff report prepared for the project.~~

### 17.08.300 Solar Energy Systems

- A. Purpose and applicability.** The purpose of the solar energy system standards is to encourage investment in solar energy on all parcels in the city, while providing guidelines for the installation of those systems that are consistent with the architectural and building standards of the City. All solar energy systems shall comply with all applicable provisions of the City of Lancaster codes and the standards of this section.
- B. Approvals required.** The applicant shall submit for and receive approval of a building permit prior to installation of any solar energy system.
- C. Ground-mounted solar energy systems.**
  1. All ground-mounted solar energy systems shall not be located within the required front, side, or rear building setbacks, or front yard area, and shall comply with all applicable height restrictions.

2. To the extent possible, without compromising the solar energy system's access to the sun, ground-mounted solar energy systems shall be screened from view at-grade from all adjacent streets and adjacent properties.

**D. Roof-mounted solar energy systems.**

1. Solar panels and accessory equipment shall be designed and located on a house in a manner that minimizes the detrimental impact to the aesthetic appearance of a house.
2. All solar energy system appurtenances such as, but not limited to, water tanks, supports, wiring and plumbing shall be screened to the maximum extent possible without compromising the effectiveness of the solar collectors, and shall be painted a color similar to the color of the surface upon which they are mounted. Solar collectors are exempt from the screening and color provisions of this subsection.
3. All roof-mounted solar collectors can be mounted at an optimum angle to the sun for maximum energy production. The maximum height of a solar collector shall be two feet, measured perpendicular to the roof surface, and may not exceed the maximum overall building height. The remainder of the solar energy system shall be below the level of the solar collector(s).

**17.08.305 Implementation of solar energy systems**

**A. Purpose and intent.** It is the purpose and intent of this section to provide standards and procedures for builders of new homes to install solar energy systems in an effort to achieve greater usage of alternative energy.

**B. Applicability.** These specific standards are applicable for all new single-family homes with a building permit issuance date on or after January 1, 2014.

**C. Provision of solar energy systems.**

1. A builder shall provide solar energy systems for new homes in accordance with the energy generation requirements as listed in Section 17.08.060.
2. Installation of solar energy systems is not required for all homes within a production subdivision; however, the builder shall meet the aggregate energy generation requirement within the subdivision (as calculated by the per-unit energy generation requirement multiplied by the number of homes in the subdivision). For example, an R-7000 subdivision with 10 homes that is required to provide 1.0 kW per unit would have an aggregate energy generation requirement of 10 kW for the subdivision. The 10-kW energy generation requirement can be met with two homes having solar energy systems generating 5 kW each, or with four homes having systems generating 2.5 kW each.
3. Homebuilders shall demonstrate through building plan check their intention to meet the solar energy generation requirement.
4. Homebuilders shall build solar energy systems on model homes, reflective of the products that will be offered to homebuyers.
5. If a tract is built in phases, the solar energy generation requirement shall be fulfilled for each phase.
6. Solar energy systems shall meet the development standards and guidelines as described in Section 17.08.300.

7. Solar energy systems for multi-family developments may be provided on rooftops, or on solar support/shade structures.

D. Off-site fulfillment of solar energy generation. A homebuilder may choose to meet the solar energy generation requirement off-site by providing evidence of purchasing solar energy credits from another solar-generating development located within the City.

### **17.08.310 Vertical-axis Wind Turbine Systems (VAWTS)**

**A. Purpose and intent.** It is the purpose and intent of this section to promote the safe, effective and efficient construction and use of VAWTS on residential lots within the city limits of the City of Lancaster. These regulations are intended to assure that VAWTS are designed and located in a manner that minimizes visual, noise, and safety impacts on the surrounding community. Commercial wind turbines in residential zones are subject to a conditional use permit.

**B. Applicability.** These specific standards are applicable for all vertical axis wind turbine system in residential zones allowed subject to approval of a director's review in accordance with Article VI of Chapter 17.32.

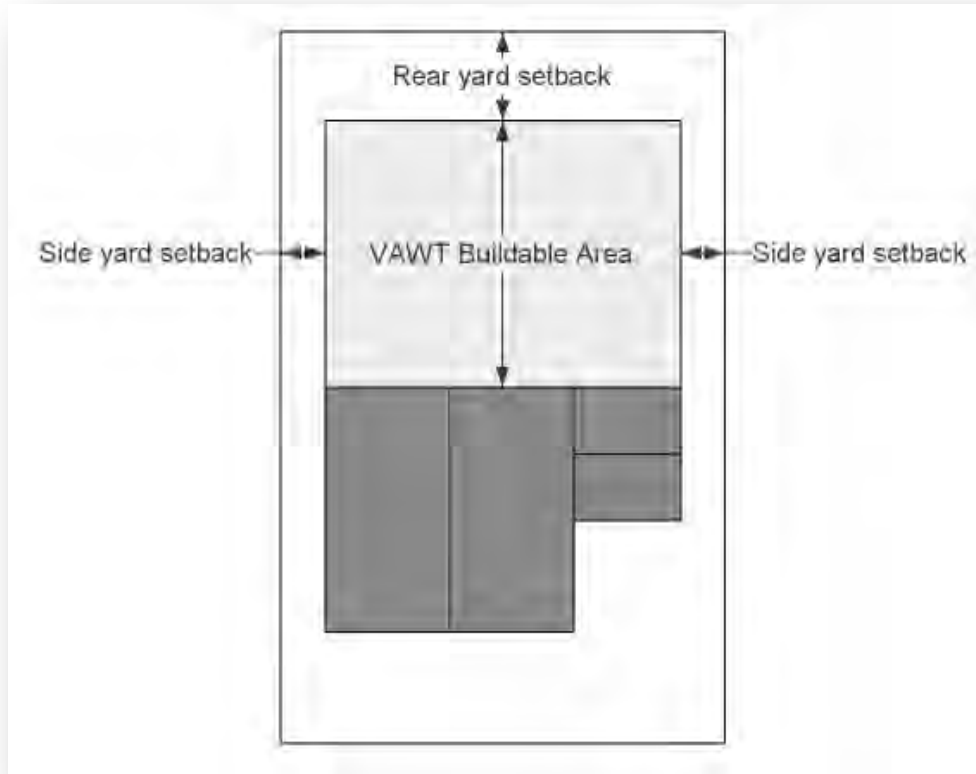
**C. Definitions.** The following are definitions of specialized terms and phrases used in this section. Definitions of general terms and phrases are located in Chapter 17.04 Section 17.04.240 (Definitions).

1. "Director" means the planning director of the City of Lancaster.
2. "FAA" means Federal Aviation Administration.
3. "Guy wires" means wires or cables used in tension to support a tower.
4. "Tower" means the portion of the VAWTS upon which the turbine is mounted.
5. "Tower height" means the height above grade of the fixed portion of the tower measured from the ground to the top of the tower, excluding the VAWTS, blades and wind-measuring devices.
6. "USGS" means the United States Geological Survey.
7. "Vertical axis wind turbine system" ("VAWTS") means a small scale, non-commercial vertical axis wind turbine system, designed with a vertical axis, suitable for residential zones consisting of a wind turbine, tower, blades, associated controls and conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity under the Emerging Renewables Fund of the Renewables Investment Plan administered by the California Energy Commission and which will be used primarily to reduce on-site consumption of utility power by converting mechanical energy into electricity. For the purposes of this section, "wind turbine" shall mean the same as VAWTS.

**D. Restriction on Use of Electricity Generated by VAWTS.** A VAWTS shall be used exclusively to supply electrical power for on-site consumption. Electrical power generated by the VAWTS exceeding on-site consumption may be used by the utility company in exchange for a reduction in the cost of electrical power supplied by that company to the parcel for on-site use, as long as no net revenue is produced by such excess electrical power. VAWTS, as allowed pursuant to this section shall not be used for commercial production or profit.

- E. Type of Device.** Vertical axis wind turbines system (VAWTS) shall meet the following guidelines. All other noncommercial and commercial wind energy conversions system shall meet the requirements outlined in Article XI, Wind Energy Conversion Systems and shall be subject to a conditional use permit.
- F. Property Development Regulations.** A VAWTS shall be subject to all applicable regulations of the residential zone in which it is proposed, except that the following standards shall take precedence over the regulations of the residential zones to the extent that they differ. The following shall be deemed to be conditions of approval of every VAWTS unless specifically modified under the director's review and approval process.
1. No part of a VAWTS shall be located within or over drainage, utility, or any other established easements. Each VAWTS shall be setback from the nearest above-ground public communication or electrical line by a distance which is equivalent to the height of the VAWTS.
  2. Blade Clearance. No part of a VAWTS blade shall extend within fifteen (15) feet of the ground, trees, or any other structure.
  3. Only one VAWTS shall be allowed per residence.
  4. Devices mounted on a building may require strengthening of the existing structure to bear the additional weight and stress created by the VAWTS for which a building permit shall be obtained.
- G. Yard Requirements.** The following shall apply for building and ground mounted VAWTS in all residential zones:
1. VAWTS shall be located behind the primary building outside of the front, side and rear yard setbacks (refer to Section 17.08.060).
  2. Tower height shall not exceed the maximum height of the zone in which the VAWTS is located (refer to Section 17.08.060).

### Diagram showing allowed location of VAWTS



#### H. VAWTS Standards.

1. Cage Width. Maximum seventy-eight (78) inches (six and one-half feet).
2. Cage Height. Maximum eighty-four (84) inches (seven feet).
3. California Energy Commission Approval. The equipment shall meet California Energy Commission standards for approved small wind turbines (VAWTS) [[www.consumerenergycenter.org](http://www.consumerenergycenter.org)].
4. Compliance with Aviation Safety Standards. The VAWTS shall comply with all applicable FAA requirements, including any necessary approvals for installations close to airports and other facilities with flight operations in the vicinity such as Fox Field, and Plant 42.
5. Design. A VAWTS must be designed and constructed in accordance with the following:
  - a. Colors. The colors used in the construction materials or finished surface shall be muted and visually compatible with surrounding development.
  - b. Lighting. If required by FAA requirements, all required lights shall be shielded from adjacent properties, and no other lights shall be placed upon the Tower.
  - c. Noise. Noise from a VAWTS shall conform with normally acceptable noise standards of sixty-five (65) dBA at property line.

- d. Visual Effects. Any VAWTS that is placed within the viewshed of a designated Scenic Highway or vista shall be assessed for its visual effects, and appropriate conditions relating to setting, buffers, and design of the facility.
  - e. Climbing Apparata. All climbing apparatus for ground-mounted VAWTS must be located at least fifteen (15) feet above the ground, and the structure must be designed to prevent climbing within the first fifteen (15) feet.
  - f. Automatic Overspeed Controls. VAWTS shall be equipped with manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of the VAWTS.
  - g. Access Doors. If a VAWTS is equipped with access doors, all access doors shall be lockable.
- 6. Grid Interconnection. The renewable energy must be permanently interconnected to the electrical distribution grid of the utility serving the customer's electrical load. The VAWTS shall interconnect to the electricity distribution system and must comply with applicable electrical codes and utility interconnection requirements.
  - 7. Maintenance. VAWTS shall be maintained in an operational condition that poses no potential safety hazards.
  - 8. Removal. Within six months after the VAWTS has ceased to operate the permittee shall remove the VAWTS, clear the site of all equipment, and restore the site as nearly as practicable to its condition prior to the installation of the VAWTS. Failure to remove such VAWTS shall constitute as a public nuisance.
- I. The Planning Director can require additional design criteria or other information as deemed necessary to integrate the proposed VAWTS with the surrounding area.

#### **17.08.320 Non-commercial Wind Energy Systems (NC-WES)**

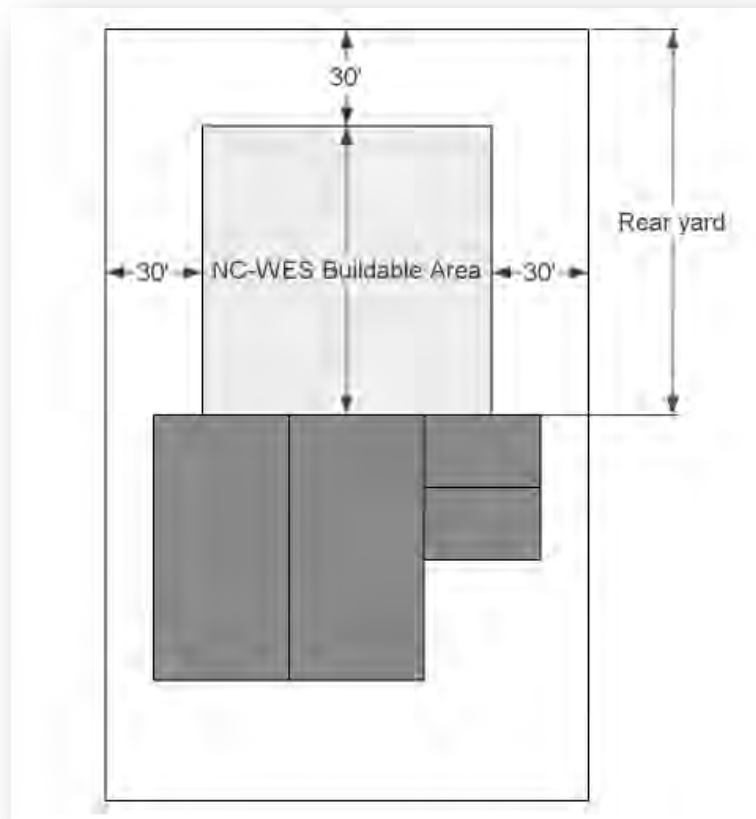
- A. Purpose and Intent.** It is the purpose and intent of this section to promote the safe, effective and efficient construction, and use of NC-WES in the Rural Residential Zones (RR-1 and RR-2.5 only). These regulations are intended to assure that NC-WES are designed and located in a manner that minimizes visual, noise, and safety impacts on the surrounding community.
- B. Applicability.** These specific standards are applicable for all Non-Commercial Wind Energy Systems in the Rural Residential Zones (RR-1 and RR-2.5 only), and subject to approval of a Director's Review in accordance with Article VI of Chapter 17.32. The definitions contained in Section 17.04.240 regarding wind energy conversion systems shall apply to this section.
- C. Development Standards.** An NC-WES shall be subject to all applicable regulations of the Rural Residential Zones (RR-1 and RR-2.5 only) in which it is proposed, except that the following standards shall take precedence over the regulations of the Rural Residential Zones to the extent that they differ.
  - 1. Accessory Use. A NC-WES is considered to be an ancillary structure and may only be placed on a parcel already developed with a primary use, or placed on a parcel concurrent with the development of a primary use.
  - 2. Minimum Lot Size. The minimum parcel size shall be 40,000 square feet.

3. Location of NC-WES. A NC-WES shall be located:
  - a. Behind the primary building within the buildable area of the parcel (exclusive of required front, side, and rear yard areas), and located a minimum of 30 feet from any property line. (Note: Setback distances shall not apply to guy wires or anchors).
  - b. Shall not be located within or over drainage, utility, or other established easements.
  - c. Each wind turbine shall be setback from the nearest above-ground public communication or electrical line by a distance which is equivalent to the height of the wind turbine.
4. Blade Clearance. No part of an NC-WES blade shall extend within 15 feet of the ground, trees, or any other structure.
5. Maximum Tower Height. Tower Height shall not exceed 65 feet above grade on any parcel of 5 acres or less. Parcels greater than 5 acres in size may have a maximum tower height of 80 feet.
6. Maximum Blade Rotor Area Diameter. The overall diameter of the blade area shall not exceed 24 feet.
7. Compliance with Aviation Safety Standards. The NC-WES shall comply with all applicable Federal Aviation Administration (FAA) requirements, including any necessary approvals for installations within an adopted Airport Land Use Plan, Air Installation Compatibility Use Zone (AICUZ), or other recognized over-flight area.
8. Wind Turbine Approval. Wind Turbines must be approved under the Emerging Technologies program of the California Energy Commission or any other small wind certification program recognized by the AWEA.
9. Design. An NC-WES must be designed and constructed in accordance with the following:
  - a. Colors. The colors used in the construction materials or finished surface shall be muted and visually compatible with surrounding development.
  - b. Lighting. Lighting of the Tower shall only be permitted if required by, and done in conformance with, the requirements of the FAA.
  - c. Noise. Noise from an NC-WES shall not exceed 65 decibels at any property line.
  - d. Visual Effects. Any NC-WES that is placed within the view shed of a designated Scenic Highway or vista shall be assessed for its visual effects, and appropriate conditions relating to setting, buffers, and design of the facility.
  - e. Climbing Apparatus. All climbing apparatus must be located at least fifteen (15) feet above the ground, and the tower must be designed to prevent climbing within the first fifteen (15) feet.
  - f. Automatic Overspeed Controls. An NC-WES shall be equipped with both manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of the NC-WES.
  - g. Access Doors. If an NC-WES is equipped with access doors, all access doors shall be lockable.



10. Signs. One sign, limited to eighteen (18) inches in length and one (12) inches in height, shall be posted at the base of the Tower. The sign shall include a notice of no trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.
11. Maintenance. NC-WES shall be maintained in an operational condition that poses no potential safety hazards.
12. Removal. Within six (6) months after the operation of an NC-WES has ceased the permittee shall remove the NC-WES, clear the site of all equipment, and restore the site as nearly as practicable to its condition prior to the installation of the NC-WES. Failure to remove such NC-WES as required above shall constitute a public nuisance.

**Diagram showing allowed location of NC-WES (RR-2.5 and RR-1 only)**



**D. Review and Decision Process.**

1. Application. A Director's Review application in accordance with Article VI of Chapter 17.32 shall be filed for a NC-WES meeting the requirements of this Section.
2. Notice of Application. The applicant shall submit as part of the Director's Review, a list of all owners of real property as listed on the latest county assessor's equalized assessment roll, located within 300 feet of the boundaries of the parcel on which the NC-WES is proposed. Written notices shall be given by mail to all such owners of the

intent to consider the application for a NC-WES at least 10 days prior to a decision on the application.

3. Consideration by Planning Director. The Planning Director shall review the application for conformance with the requirements of this section and consider any comments received prior to making a decision on the request. The Planning Director shall approve, approve with conditions, or deny the application. Any decision of the Planning Director may be appealed to the Planning Commission in accordance with Chapter 2.44 of the Lancaster Municipal Code.

### **17.08.330 Electric Vehicle Charging Stations**

Electric Vehicle Charging Stations (EVCS). New residential development shall provide for EVCS in the manner prescribed as follows:

- A. Garages serving each new single-family residence and each unit of a duplex shall be constructed with a gang box (4 inches by 4 inches) connected to a conduit linking the garage to the electrical service, with available "Level 2" plug-in voltage of 240 volt, in a manner approved by the building and safety official, to allow for the future installation of electric vehicle supply equipment to provide an EVCS for use by the resident.
- B. In new multiple-family projects of 10 dwelling units or less, 20% of the total parking spaces required (all of the 20% shall be located within the required covered parking) shall be provided with a gang box (4 inches by 4 inches) connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official, to allow for the future installation of electric vehicle supply equipment to provide EVCSs at such time as it is needed for use by residents. EVCSs shall be provided in disabled person parking spaces in accordance with state requirements.
- C. In new multiple-family projects of more than 10 dwelling units, 10% of the total parking spaces required (all of the 10% shall be located within the required covered parking) shall be provided with a gang box (4 inches by 4 inches) connected to a conduit linking the covered parking spaces or garages with the electrical service, in a manner approved by the building and safety official. Of the total gang boxes provided, 50% shall have the necessary electric vehicle supply equipment installed to provide active EVCSs ready for use by residents. The remainder shall be installed at such time as they are needed for use by residents. EVCSs shall be provided in disabled person parking spaces in accordance with state requirements.

**Article VI. Specific Provisions for Designated Uses Subject to Conditional Use Permits**

**17.08.340 Residential Planned Development (RPD)**

- A. Purpose and Intent.** The purpose and intent of the residential planned development (RPD) is to allow for project designs that do not entirely meet the regulatory standards in Chapter 17.08 (Residential Zones), but do meet the design objectives of the General Plan and Design Guidelines. The RPD promotes high-quality, well-planned developments with residential features and amenities beyond those typical of conventional development, including innovative site layout and design, high-quality architecture, enhanced pedestrian connections and provision of trails, parks and open space. The RPD also allows for project design that is sensitive to the unique physical characteristics of the site (such as clustering units to avoid development in flood-prone areas), as well as infill scenarios, or other circumstances that warrant special methods of development. The RPD would reduce developmental problems in hillside areas and preserve areas of natural scenic beauty through integrated planning and design, and unified control of development. It is further the purpose of this section to establish development standards for the RPD, with the expectation that they will result in a project that is superior to conventional development, in exchange for greater flexibility and intensification of land use.
- B. Applicability.** These specific standards, as well as those listed in Section 17.08.060, specific to infill residential lots, and Section 17.08.080, pertaining to infill residential development, are applicable for all residential planned developments in zones in which they are allowed subject to the granting of a conditional use permit.
- C. Standards.** The following standards shall apply to all residential planned developments:

  - 1. Area. The proposed development plan shall encompass a gross area of not less than the acreage specified below by the zone in which the property is located:

Zone	Minimum Area
RR	10 acres
R, MDR, HDR	5 acres

- 2. The proposed development plan for an area less than specified above may be considered if the subject property is considered infill development or when there is no effective way to develop the property under conventional standards.
- 3. Density. In an RPD, the number of dwelling units shall be within the density range for the subject property as specified by the zone. For infill RPD, a developer may build up to eight (8) residential units per acre on land zoned R-7,000, in accordance with the provisions of Section 17.08.080 (Infill residential development).
- 4. Type of Structures. Dwelling units may be single-family attached or detached structures, duplexes or multiple-family residential structures depending upon adjacent development and the compensating features of the development plan. The commission may approve places of public assembly, recreational buildings and accessory buildings if such facilities are for the primary use of persons residing

within the planned development project and located so as not to be detrimental to adjacent properties.

5. RPD Development Standards. A builder shall adhere to the development standards as listed in Section 17.08.060 and the design and performance standards listed in Section 17.08.070, unless the builder proposes standards that will result in a more innovative and superior product, and makes the finding that the project will meet or exceed the design goals and objectives of the General Plan and Design Guidelines. For infill RPD, the builder shall also adhere to the development standards listed in Section 17.08.080.
6. Open Space and Trails. Open space, paseos and trails shall comprise not less than ~~15~~30% of the net lot or parcel area exclusive of required yards, provided, however, that where the applicant submits evidence to the satisfaction of the commission that the particular development will contain compensatory characteristics which will provide as well or better for planned residential development within the intent of this section. "Infill" RPDs that may not practically accommodate these open space features shall instead provide amenities in context of the surrounding environment, including enhanced pedestrian connections, pocket parks or tot lots, etc. Subject to the approval of the commission, open space shall include one or more of the following designated uses or facilities for the use and enjoyment of all the occupants of the planned residential development or appropriate phase thereof:
  - a. Common open space developed for recreational purposes;
  - b. Areas of scenic or natural beauty forming a portion of the proposed development;
  - c. Present or future recreational areas of noncommercial nature including parks and playgrounds. Where specifically approved by the commission, green fees or similar charges related to use of a golf course or similar open recreational use may be permitted, provided such charges are incidental to operation of said facilities, are not primarily commercial in nature, and do not alter the character of said recreational facility;
  - d. Hiking, equestrian or bicycle trails;
  - e. Landscaped portions adjacent to streets or highways which are in excess of minimum required rights-of-way or yards;
  - f. Other similar areas determined appropriate by the commission. In approving said open space, the commission shall give consideration to the project to be developed, the characteristics of such open space, the manner in which the open space is to be improved and maintained, and such other information as the commission deems pertinent. Reservation of open space shall be made a condition of approval. Such reservation shall be by public dedication, establishment of a maintenance district, common ownership, or other satisfactory means to insure the permanent reservation of and, where appropriate, perpetual maintenance of required open space.
7. Distribution of Open Space. Projects developed in phases shall be designed so that each successive phase will contain sufficient open space to independently qualify under the provisions of subsection C.5. of this section, provided however, that where the applicant submits development plans indicating to the satisfaction of the commission that the proposed development will provide as well or better for planned

- residential development within the intent of this section, the commission may approve a division of open space encompassing more than one phase. Where a division of open space will encompass more than one phase, the applicant shall provide the commission with a map indicating cumulative allocation and utilization of open space for each successive phase in each subsequent application.
8. Landscaping. The RPD shall adhere to the provisions of Section 17.08.110 (Landscaping) unless the builder proposes a landscaping plan with the finding that the project will meet or exceed the design goals and objectives of the General Plan and Design Guidelines.
  9. Street circulation and Connections. The RPD shall be designed to integrate with the adjacent and surrounding land uses through the use of enhanced circulation and connections, with complete streets allowing for safe vehicular, pedestrian and bicycle use. Subject to the approval of the commission, street circulation and connections shall include one or more of the following designated features:
    - a. Street calming features, including corner bulb-outs, mid-block bump-outs, stamped paving, etc;
    - b. Pedestrian connection features, including cul de sac pedestrian access, mid-block pedestrian paseos, pedestrian-only pathways, widened parkways, etc;
    - c. Bicycle pathways and trails;
    - d. Other features and mechanism in accordance with the Master Plan of Trails and Bikeways.
  10. Utilities. The applicant shall submit to the commission, and it shall be made a condition of approval, satisfactory evidence that the applicant has made arrangements with the serving utilities to install underground all new facilities necessary to provide service in the development.
  11. Development Program. The commission shall consider and may approve an appropriate program indicating the development of open space related to the construction of dwelling units, which shall become a condition of approval. Where development is to be completed in phases, the said development may, with the approval of the commission, be coordinated between phases as approved in subsection C.6. of this section. The commission may modify, without a hearing, this condition pertaining to the development program based upon an affirmative showing, in writing, of hardship.
  12. Findings for RPD. In addition to all other consistency and health and safety findings applicable to the project, the following findings shall be made in reviewing and approving a residential planned development application for a conditional use permit:
    - a. The residential planned development meets the goals of the Lancaster General Plan, pertaining to community design, and the objectives to “enhance overall community form, create a vibrant sense of place,” and to “improve the city’s visual identity by utilizing design standards that instill a sense of pride and well-being in the community.”
    - b. The residential planned development adheres to the Adopted Lancaster Design Guidelines and the design and performance standards listed in Section 17.08.340, and is consistent with the mission statement of “implementing quality design for

timeless architecture that enhances the community’s image, pride and quality of life.”

- c. The residential planned development is comprehensive, covers a logical planning area, and provides the opportunity for unique and creative designs that are not possible under the city’s typical development regulations.
13. Findings for Infill RPD. In addition to the findings listed in Section 17.08.340.C.11, infill RPDs shall meet the findings listed in Section 17.08.080.C.

## **Article VII. Mobilehome Parks and Mobilehome Park (MHP) Zone**

### **17.08.350 Purpose and intent**

The purpose and intent of the Mobilehome Park (MHP) zone is to provide the means necessary to implement the city general plan, specifically the “Urban Residential, Moderate Density” land use designation set forth in the text of the general plan and as delineated on the general plan map. The MHP zone is intended for the exclusive development of mobilehome parks. All mobilehome parks shall be developed in accordance with the standards of this section. Mobilehome parks are intended as an alternative mode of affordable housing to the residents of the city.

The MHP zone sets forth standards for mobile-home parks in order to promote a better living environment. Where the city does not have the authority to adopt regulations, the Mobile Home Parks Act, Government Code Section 18200 et seq. shall apply. It shall also be the intent of this zone to apply all mobilehome park zone requirements contained herein to all new mobilehome parks created after the effective date of the ordinance codified in this chapter and to apply these same requirements to any additions to existing mobilehome parks created after the effective date of the ordinance codified in this chapter. Existing lots may develop in the MHP zone but no new lots may be created in the MHP zone with a gross area of less than 10 acres.

It shall not be the intent of this chapter to render previously legally created mobilehome parks which do not comply with the new Mobilehome Park zone requirements of this chapter to be nonconforming where these parks complied with the ordinances in effect at the time of their creation.

### **17.08.360 Applicability**

Mobilehome parks located in the MHP zone are subject to site plan review. Mobilehome parks located outside the MHP zone in a residential zone are subject to a conditional use permit, as provided in Article I of Chapter 17.32. Mobilehome parks located outside the MHP zone shall comply with the development requirements which would be imposed on a single-family residential development in that particular zone including, without limitation, any density considerations which might be applicable.

### **17.08.370 Prohibition**

A person shall not use any premises in the MHP zone except as hereafter specifically permitted in this chapter and subject to all regulations and conditions enumerated in this chapter.

### **17.08.380 Permitted uses**

The following uses are permitted in the MHP zone:

- A. A mobilehome on each designated mobile home space within an approved mobilehome park;
- B. One conventional single-family detached dwelling per mobilehome park. Said dwelling to be for the exclusive use of the caretaker or manager, responsible for operating the park,

as a residence and an office. Parking shall be provided in accordance with Section 17.08.140, Off-street parking;

- C. Parks, playgrounds, riding and hiking trails, golf courses, lakes, structures, facilities, clubhouses, community centers and similar uses; providing that all such uses are designed for and limited to use by residents of the mobilehome park and their guests, and further provided that such uses are not permitted on the individual mobilehome space;
- D. Public uses (i.e., parks, libraries and fire stations);
- E. Water reservoirs, dams, treatment plants, gauging stations, pumping stations, tanks, wells, and any use normal and appurtenance to the storage and distribution of water. Exception: This use is not subject to site plan review;
- F. Senior mobilehome park in accordance with Section 17.08.305.

**17.08.390 Accessory and temporary uses**

- A. The following uses are considered as accessory uses to the permitted uses in mobilehome parks:
  - 1. Awnings, enclosed or unenclosed; storage sheds or cabinets; fences, walls or windbreaks, carports, porches, ramps, stairways, garages;
  - 2. Maintenance or storage buildings;
  - 3. Solar energy systems, whether mounted on or attached to a mobilehome, building, or mounted on the ground;
  - 4. Swimming pools and associated uses and structures. All heated pools erected or constructed after the adoption of the ordinance codified in this chapter shall be heated primarily by a solar energy system or any other water heating system which has been demonstrated to be equal or superior to solar systems in energy efficiency.
- B. The following uses are considered as temporary uses in the MHP zone:
  - 1. Building materials, storage of, use in the construction of a building or building project for a permitted use, during the construction and 30 days thereafter, including the contractor's temporary office, provided that any lot or parcel of land so used shall be part of the building project, or on property adjoining the construction site.

**17.08.400 Uses subject to director's review and approval**

If site plans or other pertinent information for the proposed use are first submitted to and approved by the director in accordance with Article VI of Chapter 17.32, premises in the MHP zone may be used for the following uses:

- A. Home occupation subject to the requirements of Section 17.08.320;
- B. Public utilities (i.e., gas, electric and telephone facilities);
- C. Limited convenience commercial and retail uses designed to serve residents of the mobilehome park.

**17.08.410 Uses subject to conditional use permit**



The following uses may be permitted provided a conditional use permit has first been obtained as provided in Article I of Chapter 17.32, and while such permit is in full force and effect in conformity with conditions of such permit:

- A. Uses necessary to the maintenance of the public health, safety and general welfare.

**17.08.420 Mobilehome conversions**

Any proposal for conversion of an existing mobilehome park shall comply with the requirements of Chapter 11.12 of the Lancaster Municipal Code.

**17.08.430 Park development standards**

In addition to the development standards established in the Mobile Home Parks Act, the following minimum development standards shall apply:

A. Mobilehome park area:	10 gross acres.
B. Mobilehome park density:	
1. Mobilehome park zone:	Consistent with the MDR zone classification.
2. Outside mobilehome park zone:	Shall not exceed the density specified by residential zone in which the park is located.
C. Mobilehome park street frontage:	200 feet, continuous frontage on a dedicated public street.
D. Public street front yard, rear and street side setback for mobilehome park site:	20 feet. Parking is not permitted in these yards.
E. Interior side yard and rear setback, for mobilehome park site:	10 feet along each boundary line of the mobilehome park.
F. Maximum building height:	35 feet.
G. Perimeter public streets and access:	Shall be provided in accordance with director's requirements and city standards.
H. Parking:	Each mobilehome space shall be provided with 2 paved parking spaces, both of which must be covered. Each parking space shall not be less than 9 x 20 feet in size and may be tandem.
I. Guest parking:	One guest space for each 4 mobilehome spaces to be located within 200 feet of the spaces they serve.

**17.08.440 Perimeter**

The mobilehome park shall be designed and developed in a manner compatible with and complementary to existing and potential residential development in the immediate vicinity of the project site. Site planning on the perimeter shall give consideration to protection of the property from adverse surrounding influences, as well as protection of the surrounding areas from potentially adverse influences within the development.

#### **17.08.450 Landscaping and screening**

All yards and setbacks required for mobile home parks shall be landscaped and shall appear similar to conventional residential developments. A decorative masonry wall 6 feet in height shall screen the mobile home park and shall be located 20 feet from the back of the sidewalk on a street frontage and on the property line elsewhere. The landscaping shall be permanently maintained and shall consist predominantly of drought-resistant trees and vegetation in accordance with Title 8, Chapter 8.50, Landscaping Installation and Maintenance; and Title 8, Chapter 8.30, Residential Landscaping Installation and Maintenance of the Lancaster Municipal Code.

#### **17.08.460 Signs**

A person shall not use any sign except as specifically permitted in this section and subject to all regulations and conditions set forth in this title. The following signs are permitted or required, as specified, in all mobilehome parks:

- A. There shall be no more than one wall sign or single- or double-faced freestanding sign designating the name of the mobilehome park premises, facing or adjacent to each street from which there is access to the property. The height of a freestanding sign shall not exceed 8 feet, measured vertically from the base at ground level to the apex of the sign. The total sign area of all wall and freestanding signs (excluding directional signs) shall not exceed 1/10 square-foot for each linear-foot of street frontage, and no sign shall exceed a total sign area of 32 square feet. Freestanding signs may be lighted only by continuous internal light.
- B. One directional sign, not to exceed 10 square feet in area, may be placed at each entrance or exit driveway of the mobilehome park. No such sign shall exceed a height of 3 feet measured vertically from the base at ground level to the apex of the sign. Directional signs may be lighted only by continuous internal light.
- C. There shall be a directory diagram readily visible from all entrances to the park on which is posted a map of the park showing the location of all facilities, the layout and names of all interior streets, and the location and lot number of all mobilehome spaces. Such diagram shall be of a size to be easily readable by a person with normal vision, shall be illuminated during the hours of darkness, and shall be protected from the elements by being placed in a permanent glass or plastic device.
- D. Each mobilehome shall be identified by a space number conspicuously posted and of such size and type so as to be clearly readable after dark and in accordance with city standards.

#### **17.08.470 Senior mobilehome park**

The purpose of the senior mobilehome district overlay is to provide various development and preservation incentives to make the development and maintenance of senior mobilehome parks attractive to mobilehome park owners and developers while, at the same time, providing assurances that existing senior mobilehome parks within the overlay district remain available to seniors. Senior mobilehome parks shall comply with the following requirements:

- A. Zoning Map Designation. Adoption of a senior mobilehome park overlay (MHP-S) shall be by a zone change in accordance with Chapter 17.24 of the Lancaster Municipal Code. Such zone change may be initiated by either the mobilehome park owner or the city.
- B. Qualification for Inclusion of Properties within the Senior Mobilehome Park Overlay (MHP-S). Properties that are designated to be within the senior mobilehome park overlay zone shall be those properties operated as or proposed to be developed as a senior mobilehome park in which at least one occupant of each mobilehome is 55 years or older.
- C. Land Use Regulations. At least 80% of the spaces in mobilehome parks in the senior mobilehome park overlay district shall be occupied by at least one person 55 years or older. If an existing mobilehome park met this qualification on August 14, 2007, and fell below the 80% requirement between that date and the effective date of the ordinance codified in this section, the senior mobilehome park overlay district shall be applied to that mobilehome park, and that park shall be required to operate as a senior mobilehome park by renting spaces and mobilehomes only when at least one occupant of the mobilehome is 55 years or older. The signage, advertising, park rules and regulations, and leases for spaces in mobilehome parks in the senior mobilehome park overlay district shall state the park is a senior park.
- D. Development New or Expansion of Existing Senior Mobilehome Park. A site plan review shall be required for any proposal to develop a new senior mobilehome park or expand an existing senior mobilehome park. A new senior mobilehome park and the expansion area of an existing senior mobilehome park shall comply with the development standards, perimeter treatment, landscaping, screening signage requirement, and use restrictions of this article.
- E. Limitations on Rentals. Spaces and mobilehomes in a mobilehome park in the senior mobilehome overlay district shall be rented only to occupants who meet the age requirement set forth in subsection A of this section provided, however, that if the occupants of a space or mobilehome who do not meet this requirement rented the space or mobilehome before the adoption of this chapter, they shall be allowed to remain, and provided further that when such occupants cease to occupy a space or mobilehome, the home and space cannot thereafter be rented except to occupants who meet that age requirement.
- F. Exemption from Abatement of Nonconforming Uses. Notwithstanding the provisions of Article VII of Chapter 17.32 of the Lancaster Municipal Code, senior mobilehome parks that have become nonconforming as to the underlying general plan or zoning designation shall be deemed to be legal and conforming uses.
- G. Expansion of Existing Senior Mobilehome Parks. Notwithstanding the provisions of Article VII of Chapter 17.32 of the Lancaster Municipal Code, the expansion of an existing senior mobilehome park shall not terminate the legal and conforming status of any previously existing structures or uses in the mobilehome park.

## Article VIII. Reasonable Accommodation for Persons with Disabilities

### 17.08.500 Reasonable Accommodation

- A. Purpose.** The reasonable accommodation ordinance provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act in the application of zoning laws and other land use regulations, policies and procedures.
- B. Applicability.** A request for reasonable accommodation may be made by any person with a disability (or their representative), when the application of zoning law or other land use regulation acts as a barrier to fair housing opportunities. A request for reasonable accommodation may include a modification or exception to the standards for the siting, development and use of housing that would result in the removal of regulatory barriers and provision of equal housing opportunity.
- C. Application requirements.** Requests for reasonable accommodation shall be submitted on an application form provided by the Planning Department, or in the form of a letter, to the Planning Director and shall contain the following information:
1. The applicant's name, address and telephone number.
  2. Address of the property for which the request is being made.
  3. Record owner of property. In the event the nature of the requested accommodation is one that would ordinarily require the consent of the landlord or property owner, such consent shall be submitted, in writing, with the application.
  4. Description of current uses of the property.
  5. A description of the impairment of major life activities for which reasonable accommodation is requested.
  6. Description of the requested accommodation that is being requested.
  7. The reason why the reasonable accommodation is necessary to ensure equal access to specific property.
- D. Review authority and procedure.** The Planning Director, or the Planning Director's designee, shall make a written determination within 45 days and either grant, grant with modifications, or deny a request for reasonable accommodation based on findings listed in this section and in consistency with the Fair Housing Act.
- E. Findings.** The written decision to grant or deny the request for reasonable accommodation shall be consistent with the Fair Housing Act and shall be based on consideration of the following findings:
1. The housing accommodation will be used by an individual disabled under the Fair Housing Act.
  2. The request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Fair Housing Act.
  3. The requested reasonable accommodation would not impose an undue financial or administrative burden on the City.

4. The requested reasonable accommodation would not require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning.
  5. The requested reasonable accommodation would not impair the reasonable use of adjacent properties.
- F. Decision.** The decision shall be based on the ability to make the findings listed in this section, in consistency with the Fair Housing Act, as well as consideration of the accommodation's physical attributes, and whether there are alternative reasonable accommodations which may provide an equivalent level of benefit.
- G. Appeal of determination.** A determination by the reviewing authority to grant or deny a request for reasonable accommodation may be appealed to the Planning Commission in compliance with Section 17.32.820 of the Zoning Code.
- H. Confidentiality.** All information provided in conjunction with a request for reasonable accommodation shall be kept confidential, and shall only be shared with persons properly designated to make or assess a decision to grant or deny the reasonable accommodation request, or unless disclosure is required by law.
- I. Non-transferability.** A reasonable accommodation is personal to the applicant and shall not be transferable to, or inure to the benefit of, subsequent owners, tenants, or occupants.

**EXHIBIT “C”**  
**September 17, 2012**

**Matrix of Revisions of Public Draft of Residential Zones**

SECTION	COMMENT	STAFF RECOMMENDATION
17.08.050	<p>The list of uses in residential zones should include wireless facilities to ensure coverage, even if it is a non-residential use in a residential zone.  <i>Veronica Arvizu, CMH Consulting Group for MetroPCS</i></p>	<p>Amend the list of uses in Section 17.08.050 to allow wireless facilities (stealth only) on non-residential uses (churches, schools, etc.) in residential zones with a Director’s Review.</p>
17.08.060.A.1 and 17.08.060.B.1	<p>Solar energy generation for new subdivisions should be an option instead of a requirement.  <i>Various homebuilding representatives</i></p> <p>Instead of specifying “solar,” use more general terms, such as “alternative energy sources,” to avoid being locked into solar.  <i>Commissioner Hall</i></p>	<p>Keep the requirement for solar provision with the generation rates as drafted to meet the City’s alternative energy goals, but allow homebuilders options to meet the requirement off-site and set an implementation date of January 1, 2014. In addition, establish procedures for administering this requirement.</p>
17.08.060.B.1	<p>The requirement of a porch inhibits the use of certain elevations and architectural style.  <i>Brandon Roth, Stratham Homes</i></p>	<p>Keep the requirement for a porch, but allow homebuilders to propose alternative frontage features that would meet a similar design intent and variation.</p>
17.08.060.B.1	<p>Not all homes should have garages that are flush or recessed behind the front entrance plane. Allowing some garages to extend in front of the front entrance plane would add variety and allow for more floor area in the home.  <i>Ron Mertz, KB Homes</i></p>	<p>Amend this requirement so that all garages shall be located at or behind the wall plane where the front entrance is located; however, a homebuilder with a subdivision with at least four floor plans may have one floor plan that has a garage located in front of the front entrance plane.</p>
17.08.060.D.1.a	<p>Clarify and define on-site security for large apartment complexes.  <i>Chairman Vose</i></p>	<p>On-site security for large apartment complexes (16 units or greater) will be clarified to include the implementation of specific security provisions, such as cameras, alarms, or active security guard surveillance, to the satisfaction of the Planning Director.</p>

**Matrix of Revisions of Public Draft of Residential Zones**

<b>SECTION</b>	<b>COMMENT</b>	<b>STAFF RECOMMENDATION</b>
17.08.070.C.4	Extending the length of eaves and gable overhangs offer little aesthetic benefits. <i>Chairman Vose</i>	Amend the language to remove quantified eaves dimensions, but keep language that ensures enhanced residential architecture.
17.08.070.C.5	The proposed requirement for minimum number of models (elevations) and floor plans are excessive and do not reflect industry standard. <i>Various homebuilding representatives</i>	Amend this requirement and propose the following for new subdivisions: <ul style="list-style-type: none"> <li>• Less than 20 units: 3 elevations, 3 floor plans</li> <li>• 20 to 50 units: 3 elevations, 4 floor plans</li> <li>• 50 to 100 units: 4 elevations, 5 floor plans</li> <li>• 100 units or greater: 5 elevations, 5 floor plans</li> </ul>
17.08.070.F	The requirement to “locate parking areas away from street view” conflicts with the development standards for garage location in 17.08.060.B.1. <i>Brandon Roth, Stratham Homes</i>	Clarify language as applicable specifically for multi-residential development.
17.08.070.F.5	The requirement to locate permanent parking for RVs behind the front plane of the house should also apply to boats and other similar large items. <i>Chairman Vose</i>	Add language to require the parking of other large items, such as boats, behind the front plane of the house.
17.08.080.B.2	A project should only need to be surrounded by development on three sides, instead of all sides, to qualify for infill benefits. <i>Brandon Roth, Stratham Homes</i>	Keep the existing qualifying criteria for infill development. There are several ways to qualify for infill incentives, other than being surrounded by development on all sides. The various criteria were specifically worded to provide incentives to developing on land in the urban core that was previously bypassed, and to mitigate the City’s fragmented land use patterns.
17.08.080.B.4	Requiring that a project combine four adjoining parcels to qualify for infill punishes developers of a large, single parcel. <i>Brandon Roth, Stratham Homes</i>	Keep the existing qualifying criteria for infill development. See reasoning above, for 17.08.080.B.2.

**Matrix of Revisions of Public Draft of Residential Zones**

<b>SECTION</b>	<b>COMMENT</b>	<b>STAFF RECOMMENDATION</b>
17.08.080.D.4	Reduce the required yard space for small-lot infill parcels from minimum dimensions of 16 feet to 12 feet to allow for greater flexibility. <i>Ron Mertz, KB Homes</i>	Amend the required to yard space for small-lot infill parcels to minimum dimensions of 12 by 12 feet.
17.08.110.A.6 and 17.08.110.A.7	Language in #6 describing landscape planter curbing as wheel stop contradicts language in #7 prohibiting vehicle overhang into landscaped areas. <i>Chairman Vose</i>	Remove language describing landscape planter curbing as wheel stop and the prohibition of vehicle overhang into landscaped areas.
17.08.130	Section of Fences, Walls, and Screening does not call out masonry block fencing as required for new residential subdivisions. <i>Chairman Vose</i>	Add language pertaining to wall materials to require block fencing for new residential subdivisions, including language to be carried over from the Standard Conditions for Tentative Tract Maps requiring masonry wall along the perimeter of a subdivision. Also include language to require tile roofing and roll-up garage doors for new homes.
17.08.170	Include language that prohibits unsightly, graffitied, or damaged cargo containers. <i>Commissioner Hall</i>	Add language to prohibit unsightly, graffitied, or damaged cargo containers.
17.08.230.C.13	Include the language for covenant of restriction that would run with the property for second dwelling units. <i>Chairman Vose</i>	Add language for covenant of restriction in second dwelling unit ordinance.
17.08.330	Specify 220 volt plug-in for electric vehicle charging stations. <i>Commissioner Hall</i>	Add language to ensure that electric vehicle charging stations are provided with available “Level 2” plug-in voltage of 240 volt.
17.08.340.C.6	The 30% open space requirement for Residential Planned Developments is excessive. <i>Various homebuilding representatives</i>	Amend the open space requirement for Residential Planned Development to 15% of the gross project area.