

ORDINANCE NO. 992

AN ORDINANCE OF THE CITY OF LANCASTER, CALIFORNIA, AMENDING THE CITY ZONING PLAN FOR 92.7± ACRES GENERALLY BOUNDED BY AVENUE K-8, AVENUE L, 20TH STREET EAST, AND 30TH STREET EAST KNOWN AS ZONE CHANGE NO. 13-01

WHEREAS, pursuant to Section 17.24.060 of the Municipal Code, a request has been filed by Psomas (on behalf of PsomasFMG, U.S. Topco, and Morgan Solar), to change the zoning designation on 92.7± acres of land generally bounded by Avenue K-8, Avenue L, 20th Street East, and 30th Street East from PK (Park) and RR-1 (rural residential, one dwelling unit per acre) to RR-2.5 (rural residential, one dwelling unit per 2.5 acres); and

WHEREAS, notice of intention to consider the zone change of the subject property was given as required in Section 17.24.110. of the Municipal Code and Section 65854 and 65905 of the Government Code of the State of California; and

WHEREAS, staff has performed necessary investigations, prepared a written report, and recommended that the zone change request be approved; and

WHEREAS, public hearings on the zone change request were held before the Planning Commission on July 15, 2013, and August 19, 2013; and

WHEREAS, a public notice was provided as required by law, and a public hearing on the zone change request was held by the City Council on September 10, 2013; and

WHEREAS, the Planning Commission reviewed and approved the Initial Study/Mitigated Negative Declaration prepared for the proposed project in compliance with the California Environmental Quality Act and the State Guidelines for the Implementation of the California Environmental Quality Act prior to taking action; and

WHEREAS, the Planning Commission adopted the mitigation measures contained in Exhibit "A" of the Planning Commission Staff Report from the August 19, 2013, meeting; and

WHEREAS, the City Council hereby makes the following findings in support of the Ordinance:

1. The proposed Zone Change from PK and RR-1 to RR-2.5 will be consistent with the proposed General Plan land use designation of NU requested by the applicant.
2. Modified conditions including a change in the site's General Plan use designation to provide for a suitable alternative energy site, warrant a revision in the zoning for the subject property which would allow the development of a photovoltaic electric generating facility.

3. A need for the proposed zone classification of RR-2.5 exists within such area in order to allow for the development of a utility scale solar energy development. Property zoned as RR-2.5 does not exist in the area, and the RR-2.5 zone is the only rural zone in which utility scale solar can be constructed.

4. The particular property under consideration is a proper location for said zone classification within such area, because it is surrounded by similar zoning and is served by adequate public access and necessary services.

5. Placement of the proposed RR-2.5 rural residential zone at such location will be in the interest of public health, safety and general welfare and in conformity with good zoning practices, because adequate services, access, and electrical infrastructure exist to accommodate the proposed type of development, and the zoning designation will not result in the development of incompatible uses.

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

Section 1. That the subject property is reclassified from PK and RR-1 to RR-2.5.

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 10th day of September, 2013, and placed upon its second reading and adoption at a regular meeting of the City Council on the ____ day of _____, 2013, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

CERTIFICATION OF ORDINANCE
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Ordinance No. 992, for which the original is on file in my office.

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

(seal)
