

STAFF REPORT
City of Lancaster

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10/13/15
MVB

Date: October 13, 2015

To: Mayor Parris and City Council Members

From: Britt Avrit, CMC, City Clerk

Subject: **Consideration of adoption of Ordinance No. 1007**

Recommendation:

Adopt **Ordinance No. 1007**, amending Title 17 of the Lancaster Municipal Code (LMC) by amending Sections 17.10.050.B (Uses and Permit Requirements – Mixed Use – Uses Matrix), 17.12.080.D.11 (Uses Subject to Conditional Use Permits – General Commercial Zone), 17.16.070.A.5 (Uses Subject to Conditional Use Permits – Industrial Zones) to require a conditional use permit for nightclubs without alcohol sales, and Section 17.42.020 (DEFINITIONS) related to provisions for convenience markets, sales floor area, and incidental sellers.

Fiscal Impact:

None.

Background:

On February 12, 2008, the City Council adopted Ordinance No. 896, adding Chapter 17.42 (Alcohol Beverage Establishment) to the Lancaster Municipal Code. The current ordinance has generally functioned as intended. However, in recent months the City has received several Conditional Use Permit (CUP) applications for convenience markets. The Planning Commission has been concerned the applicants are requesting approvals for convenience markets in order to avoid the separation distances required for mini-marts.

On April 15, 2015, the City Council directed the Planning Commission to re-examine the provisions related to convenience markets. On August 17, 2015, the Planning Commission voted to recommend several modifications to the current ordinance. The proposed amendments tighten requirements for a convenience market. The proposed amendments include a definition of “Sales floor area”, increases the amount of floor area for the display and sale of fresh meat and produce from 10% to 15%, prohibits the sale of spirits within a convenience market, and reduces the amount of floor area for the storage, sale and display of alcoholic beverages from 10% to 5% for all incidental sellers. Currently, there is no CUP requirement for nightclubs that could operate without the sale of alcohol in the mixed use, commercial, and industrial zones. The modifications to the municipal code establish this requirement.

At the September 22, 2015 meeting, the City Council approved the introduction of Ordinance No. 1007 by the following vote:

AYES: Council Members Mann, Underwood-Jacobs, Vice Mayor Crist, Mayor Parris
NOES: None
RECUSED: None
ABSENT: None

Attachment:
Ordinance No. 1007