

ORDINANCE NO. 1016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, AMENDING THE LANCASTER MUNICIPAL CODE, TITLE 17, FOR THE REMOVAL OF MINIMUM PARKING REQUIREMENTS IN THE C (COMMERCIAL) AND CPD (COMMERCIAL PLANNED DEVELOPMENT) ZONES

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

WHEREAS, the City's General Plan states that the City will continue to examine new innovative approaches to address the issues of parking demand; and

WHEREAS, in consideration of the overabundance of existing parking in the City's commercial shopping centers, the City is taking appropriate actions to address the visual and economic impacts of large, open parking facilities; and

WHEREAS, the removal of minimum parking requirements in the City's C (Commercial) and CPD (Commercial Planned Development) zones, is an approach to yielding or maximizing value generation, as property owners would have the ability to balance the cost of supplying parking with the potential to add productive uses to areas that would have otherwise been required for parking; and

WHEREAS, notice of intention to consider the amendments to the Lancaster Municipal Code ("LMC") for the removal of minimum parking requirements in the City's C and CPD zones 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 an informational meeting on June 20, 2016, and a public hearing on August 15, 2016, for the amendments to the LMC, 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 amendments to the LMC for the removal of minimum parking requirements in the City's C and CPD zones; and

WHEREAS, on August 15, 2016, the Planning Commission recommended for adoption, an amendment to the Zoning Code (Title 17) for the removal of minimum parking requirements in the C and CPD zones; and

WHEREAS, the City Council finds that the amendment to the LMC for the removal of minimum parking requirements 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 amending Title 17 of the Lancaster Municipal Code, including Section 17.12.220:

1. The removal of minimum parking requirements and related zoning amendments in the City's C and CPD zones is consistent with the City's General Plan, including:
  - a. Objective 14.3, which states, "Achieve a balance between the supply of parking and demand for parking, recognizing the desirability and availability of alternatives to the use of the private automobile."
  - b. Policy 14.3.1, which states, "Maintain an adequate supply of parking that will support the present level of automobiles and allow for the expected increase in alternative modes of transportation."
  - c. Objective 16.3, which states, "Foster development patterns and growth which contributes to, rather than detracts from net fiscal gains to the City."
  - d. Policy 16.3.1, which states, "Promote development patterns which will minimize the costs of infrastructure development, public facilities development and municipal service cost delivery."
  - e. Policy 17.1.6, which states, "Revise the zoning ordinance to conform with the General Plan text and map to address changing conditions with new concepts that will allow both flexibility in application as well as a pleasing and attractive built environment."
  - f. Policy 18.2.1, which states, "Encourage appropriate infill development."
  - g. Policy 19.2.3, which states, "Encourage the rehabilitation and revitalization of declining development, in a manner consistent with community design and development objectives."

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

Section 1. Delete Section 17.12.070.J, eliminating lease or joint usage of parking subject to a director's review.

Section 2. Amend Section 17.12.100, "Adjustments," to read as follows:

"Adjustments.

The director may reduce the required minimum lot width, minimum lot depth and yard requirements by an amount not to exceed 10%; may increase the maximum height regulations and maximum sign area by an amount not to exceed 10% of the amount specified by the C zone; where the director makes a finding in writing that the applicant has demonstrated:

- A. That there are special circumstances or exceptional physical characteristics applicable to the property including size, shape, topography, location or surroundings involved which are not generally applicable to other properties in the same vicinity with the same zoning; and
- B. That an adjustment (if authorized) will not constitute a grant of special privilege inconsistent with the limitations on other properties in the same vicinity with the same zoning; and
- C. The strict application of the requirements that are sought to be reduced or increased would result in practical difficulties and unnecessary hardship which is inconsistent with the purpose of the requirements; and
- D. That approval of the application will not diminish the visual appearance of the property or neighborhood; and
- E. Where applicable, that approval of the application will result in the need for less grading and disturbance of soils and natural vegetation. Where applicable, that approval of the application will result in the retention or preservation of native vegetation; particularly Joshua trees, California Juniper, or Creosote shrubs.

Any reduction or increase greater than those specified in this section shall be subject to the granting of a variance."

Section 3. Delete Section 17.12.130.B.4, eliminating the maximum floor area ratio.

Section 4. Amend Section 17.12.220, "Off-street parking," to read as follows:

"Off-street parking.

The automobile parking facilities required by this section shall be provided and permanently maintained as such unless and until a substitute has been provided which is in full compliance with the provisions of this title. The following parking requirements shall be complied with in the C zone:

- A. General Conditions. The provisions of this section shall apply at the time that:
  1. A building or structure is erected; or
  2. An existing building or structure is altered or enlarged to increase the occupancy capacity.
- B. Parking Requirements by Use.
  1. For all uses, the developer, property owner, or authorized agent shall determine the number of parking spaces sufficient for the proposed use, and shall provide justification acceptable to the Director of Development Services and/or the Planning Commission to support the determination.
  2. Mixed-use, in conjunction with multi-family residential use. The developer, property owner, or authorized agent shall determine the number of parking spaces sufficient for the non-residential portion of the mixed-use development, and shall

provide justification acceptable to the Director of Development Services and/or the Planning Commission to support the determination. The parking requirement for the multi-family portion shall be consistent with Section 17.08.100 of the Residential Zones.

3. Multi-family uses. The parking requirement for multi-family uses shall be consistent with Section 17.08.100 of the Residential Zones.
4. All uses shall provide parking for disabled persons in accordance with federal and state requirements.”

Section 4. Amend Section 17.12.230, “Design requirements,” including 17.12.230.A.2, “Paving,” to read as follows:

“Paving. Parking areas, as well as the maneuvering areas and driveways used for access thereto shall be paved with:

- a. Concrete surfacing to a minimum thickness of 3½ inches with expansion joints as necessary; or
- b. Asphalt surfacing, rolled to a smooth, hard surface having a minimum thickness of 2 inches after compaction, and laid over a base of crushed rock, gravel or other similar material compacted to a minimum thickness of 4 inches.
- c. For commercial truck parking and drive aisles, asphalt surfacing rolled to a smooth hard surface having a minimum thickness of 3 inches after compaction and, at a minimum, designed to accommodate a traffic index (TI) of 6.5 as calculated in accordance with the latest edition of the CalTrans Highway Design Manual. Large commercial projects may need a greater TI based upon their use.
- d. Other alternative material that will provide at least the equivalent in service, life and appearance of the materials and standards which would be employed for development pursuant to subsection A.2.a. or b. of this section.
- e. The director of public works, at the request of the director, shall review and report on the adequacy of paving where alternative materials are proposed under subsection A.2.d. of this section. The director of public works may approve such alternative materials if, in his opinion, the evidence indicates compliance with subsection A.2.d. of this section.”

Section 5. Amend Section 17.12.230, “Design requirements,” including 17.12.230.A.3, “Size and Marking of Spaces,” to read as follows:

“Size and Marking of Spaces.

- a. Standard parking spaces shall exhibit dimensions of 9 feet wide by 20 feet long or 10 feet wide and 18 feet long in 90 degree parking, or 9 feet wide by 18 feet long in 45- or 60-degree parking, with required disabled person parking spaces as provided by federal and state law.
- b. Compact parking spaces may exhibit dimensions between 9 feet wide by 18 feet long to 8 feet wide by 16 feet long. Such spaces shall be labeled “compact” in a manner acceptable to the director.
- c. No parking shall occur in the first 10 feet of a required front or street side yard.
- d. Where parking abuts an alley, the improved alley may be used as an aisle subject to approval of the parking lot design. (See the following diagrams for parking design options.)”

Section 6. Delete Section 17.12.230.A.5, eliminating guidelines for the location of required parking spaces in the C zone.

Section 7. Amend Section 17.12.230, “Design requirements,” including 17.12.230.A.10.h, regarding parking lot landscaping, to read as follows:

“All parking lots shall be landscaped with shade trees to achieve 50 percent coverage at maturity.”

Section 8. Delete Section 17.12.530.B, eliminating maximum building coverage requirements.

Section 9. 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, Britt Avrit, 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 25<sup>th</sup> day of October, 2016, and placed upon its second reading and adoption at a regular meeting of the City Council on the 13<sup>th</sup> day of December, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

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BRITT AVRIT, CMC  
City Clerk  
City of Lancaster

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R. REX PARRIS  
Mayor  
City of Lancaster

