

**STAFF REPORT**  
**City of Lancaster, California**

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06/24/08
MVB

Date: June 24, 2008

To: Mayor Parris and City Council Members

From: Geri K. Bryan, CMC, City Clerk

Subject: **Consideration of Adoption of Ordinance No. 902**

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**Recommendation:**

Adopt **Ordinance No. 902**, an ordinance of the City Council of the City of Lancaster, California, adding Chapter 2.26 to the Lancaster Municipal Code relating to the Architectural and Design Planning Commission.

**Fiscal Impact:**

None.

**Background:**

At the June 10, 2008 meeting, the City Council approved the introduction of Ordinance No. 902 by the following vote:

AYES: Council Members: Mann, Marquez, Sileo, Vice Mayor Smith, Mayor Parris

NOES: None

ABSTAIN: None

ABSENT: None

**Attachment:**

Ordinance No. 902

ORDINANCE NO. 902

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA ADDING CHAPTER 2.26 TO THE LANCASTER MUNICIPAL CODE RELATING TO THE ARCHITECTURAL AND DESIGN PLANNING COMMISSION

**WHEREAS**, Section 65101 of the California Government Code provides, in part, that “[t]he legislative body may create one or more planning commissions each of which shall report directly to the legislative body. The legislative body shall specify the membership of the commission or commissions. In any event, each planning commission shall consist of at least five members, all of whom shall act in the public interest” (emphasis added); and

**WHEREAS**, the City Council of the City of Lancaster (the “City Council”) has determined that it is in the public interest to establish an Architectural and Design Planning Commission (the “ADPC”) as set forth in Exhibit “A” attached hereto and incorporated herein; and

**WHEREAS**, the purpose of the ADPC shall be limited to the following: (i) the recommendation of design standards, and (ii) the review of appeals of determinations of city staff regarding the interpretation and application of design standards (including both existing design standards and design standards adopted in the future); and

**WHEREAS**, the ADPC is intended to be in addition to the existing Planning Commission established pursuant to Chapter 2.24 of the Lancaster Municipal Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANCASTER DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** Chapter 2.26 (“Architectural and Design Planning Commission”) is hereby added to read as set forth in Exhibit “A” attached hereto and incorporated herein by reference.

**Section 2.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance, including Exhibit “A”, is held for any reason to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Lancaster hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

**Section 3.** The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard and this Ordinance shall take effect 30 days after its final passage.

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 10<sup>th</sup> day of June, 2008, and placed upon its second reading and adopted at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2008 by the 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. 902, 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 \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_

(seal)

**EXHIBIT “A”  
ORDINANCE NO. 902**

**CHAPTER 2.26**

**ARCHITECTURAL AND DESIGN PLANNING COMMISSION**

**Sections:**

<b>2.26.010</b>	<b>Creation.</b>
<b>2.26.020</b>	<b>Administration and Enforcement.</b>
<b>2.26.030</b>	<b>Term of Office.</b>
<b>2.26.040</b>	<b>Chairman and vice-chairman.</b>
<b>2.26.050</b>	<b>Vacancy on the architectural and design planning commission.</b>
<b>2.26.060</b>	<b>Removal from office.</b>
<b>2.26.070</b>	<b>Absence from meetings.</b>
<b>2.26.080</b>	<b>Meetings.</b>
<b>2.26.090</b>	<b>Expenses.</b>

**2.26.010 Creation.**

There is created an architectural and design planning commission for the city composed of seven commissioners who shall be residents of the city.

**2.26.020 Power and Scope of Authority.**

The power and authority of the architectural and design planning commission established by this Chapter shall be limited to the following: (i) development and recommendation to the City Council of new residential, commercial and/or industrial design standards, or the revision and/or modification of existing residential, commercial and/or industrial design standards, and (ii) hearing appeals from interpretations and/or decisions of city staff related to residential, commercial and/or industrial design standards; provided, however, that any final decision or determination made by the architectural and design planning commission may be appealed to the City Council pursuant to the procedure set forth in Chapter 2.44 of this code.

**2.26.030 Term of Office.**

All commissioners of the architectural and design planning commission shall be appointed by the mayor, subject to approval of a majority of the city council. Each commissioner’s term shall be concurrent with the term of the appointing mayor and shall be automatically extended in the event the appointing mayor is reelected as mayor. Nothing contained in this section is intended to preclude the reappointment of any architectural and design planning commissioner upon the expiration of his or her term and all commissioners of the architectural and design planning commission shall serve at the will of the mayor and city council.

**2.26.040 Chairman and vice-chairman.**

The commissioners of the Lancaster architectural and design planning commission shall, by election, select their own chairman to preside over their meetings, and their own vice-chairman, to preside in the absence of the chairman.

**2.26.050 Vacancy on the architectural and design planning commission.**

Any vacancy occurring on the architectural and design planning commission shall be filled by an appointment made by the mayor, subject to approval of a majority of the city council. Any person appointed to fill such vacancy shall serve for the remainder of the term of the commissioner whose office has been vacated.

**2.26.060 Removal from office.**

Whenever, in the opinion of the mayor or upon a vote of a majority of the city council, the best interests of the city shall be served thereby, any commissioner of the architectural and design planning commission may be removed from office by a majority vote of the city council.

**2.26.070 Absence from meetings.**

If a commissioner of the architectural and design planning commission shall be absent from three regular meetings of the planning commission during any one calendar year without cause, the office of said commissioner is ipso facto terminated and such vacancy shall be filled for the unexpired term pursuant to Section 2.26.050 of this code.

**2.26.080 Meetings.**

The architectural and design planning commission shall hold one regular meeting per month, which meeting shall be held at the Lancaster City Hall Council Chamber located at 44933 North Fern Avenue, Lancaster, California. The timing and date of such meeting shall be established by resolution of the architectural and design planning commission.

**2.26.090 Expenses.**

The commissioners of the Lancaster architectural and design planning commission shall be entitled to reimbursement for all necessary and proper expenses incurred by them in the performance of their duties as members of said planning commission.