



AGENDA ITEM: 4.

DATE: 4/21/2025

STAFF REPORT

2025 ZONE TEXT AMENDMENT TO TITLES 2, 8, 15, 16, AND 17 OF THE LANCASTER MUNICIPAL CODE (ZTA25-001) AND GENERAL PLAN AMENDMENT TO THE SAFETY ELEMENT OF THE GENERAL PLAN (GPA25-001)

DATE: April 21, 2025

TO: Lancaster Planning Commission

FROM: Kendall Brekke, Senior Planner
Community Development Department

APPLICANT: City of Lancaster

LOCATION: Citywide

REQUEST: Recommendation to the City Council for the approval of Zone Text Amendment No. 25-001 (ZTA25-001) for the 2025 Zone Text Amendment to Titles 2, 8, 15, 16, and 17 of the Lancaster Municipal Code (LMC) and General Plan Amendment No. 25-001 (GPA25-001) for the update to the Safety Element of the General Plan to provide clarification, consistency, and compliance with City policies and State requirements.

RECOMMENDATION: Planning Commission adopt Resolution 25-05 recommending approval to the City Council for Zone Text Amendment No. 25-001 (ZTA25-001) for the 2025 Zone Text Amendment to Titles 2, 8, 15, 16, and 17 of the Lancaster Municipal Code (LMC) and General Plan Amendment No. 25-001 (GPA25-001) for the update to the Safety Element of the General Plan to provide clarification, consistency, and compliance with City policies and State requirements.

BACKGROUND

The City of Lancaster (City) periodically updates the Lancaster Municipal Code (LMC) and General Plan 2030 (General Plan) to reflect current legislation and regulations, codify new and current city policies, and provide code clarifications.

The previous Zone Text Amendment (ZTA21-001) and General Plan Amendment (21-002) were approved by the City Council on June 14, 2022 for the 2021-2029 Housing Element Update, Safety Element Update, implementation of the Environmental Justice Element. Subsequently, the City Council approved a Zone Text Amendment on September 12, 2023 for the implementation of goals, policies, and programs associated with the Housing Element.

The Safety Element of the General Plan presents the City's overall goals, policies, and action programs to facilitate resiliency and prosperity. By incorporating data and mapping, addressing vulnerabilities related to climate change, and integrating policies and programs from the City's 2019 Local Hazard Mitigation Plan (LHMP), the previous 2022 technical amendments to the Safety Element were intended to achieve compliance with State, regional and local policies and guidelines.

Assembly Bill (AB) 2140 was enacted in 2006 and allows California counties and cities to be considered for additional state cost-share on eligible Public Assistance projects by adopting their current, FEMA-approved LHMPs into the Safety Element of their General Plan. This adoption, along with other requirements, makes the City eligible to be considered for part or all of its local-share costs on eligible Public Assistance projects to be provided by the state through the California Disaster Assistance Act (CDAA). AB 2140 compliance is not a requirement; it serves as a valuable financial incentive to strengthen community resilience and reduce the fiscal burden of disaster recovery. To participate in this program, the City must update the Safety Element to incorporate the newly approved 2025 LHMP, ensuring compliance with AB 2140 and positioning the City to maximize potential state funding for future disaster events.

PROJECT DESCRIPTION

The City proposes to update the LMC with text amendments to the following chapters/titles: Chapter 2.36 (Disaster Council), Chapter 8.50 Landscaping Installation and Maintenance, Chapter 15.04 Administrative Code, Chapter 15.64 Development Impact Fees, Chapter 16.04 General Provisions, and Title 17 Zoning, and to update the Safety Element of the General Plan (project).

The project only consists of text amendments. No changes to the City's zoning map or development densities are proposed. No construction or development is proposed as part of the project. The proposed amendments would require the approval of the City Council.

The project is necessary because it aims to address current state legislation and regulations, implement new and current city policies and procedures, and provide code "clean ups" and clarifications. The goal is to improve the LMC to be innovative, compliant, and user-friendly to City staff and the public.

Summary of Proposed Changes

The proposed amendments are organized in the following four categories:

1. Administrative Correction - Clerical corrections from previous amendments to effectuate the codification.
2. Code Clarification – Reorganization and "clean up" items to fix outdated references, typos, and grammar.

3. New Proposal – Introduction of a new policy, concept, or land use category.
4. Policy Implementation – Implementation of existing City policies or state mandates.

The proposed LMC and General Plan amendment language is detailed in a redline/strikethrough document included in this staff report as Attachment C. The proposed amendment language without redlines, or “clean” version, is included as Attachment D.

Zone Text Amendment Summary

The following table provides a summary of the 2025 Zone Text Amendment including the item number for reference, category, LMC section, description, and justification:

2025 Zone Text Amendment Table

#	Category	LMC Section(s)	Description	Justification
1	Code Clarification	2.36	Updates to the Order of Succession in a local state of emergency and grammatical proofing.	Updating the order of succession for the City Council and Planning Commission in a local state of emergency. Replacing outdated references to previous city positions to be consistent with the current safety protocol and reflect city policies, and additional grammatical proofing.
2	Code Clarification	8.50.090, 8.50.261	Clarifying language related to residential grass limitations.	The current language is unclear for landscape architects and residents. Clarifying references to turf as organic grass, as opposed to artificial or synthetic turf.
3	Policy Implementation	15.04.080	Reducing refund time limit.	Reducing the refund time limit for building permit applications to reflect City policies.
4	Policy Implementation	15.64.130	Requiring impact fee payment at occupancy rather than issuance.	SB 937 requires that impact fee payments by a developer be made at building occupancy for residential projects, rather than by issuance of certificate of occupancy. Current City policy is in compliance, as fees for all development are due at building occupancy. This codifies this existing policy.
5	Policy Implementation	16.16.030.B	Adding flexibility to Tentative Administrative Parcel Map process.	Update to reflect city policies and to provide additional flexibility for development projects.

6	Administrative Correction	17.04.240	Further implementation of 2023 Housing Element updates.	Update to effectuate previously approved amendments (2023 Housing Element Update). Removing irrelevant terms and definitions.
7	New Proposal	17.08.050	Adding Battery Storage use in the residential permitted use chart.	Adding "Utility Scale Battery Energy Storage Systems (BESS)" as a use in the Residential Permitted Use Chart. The use would be allowed in the RR-2.5 zone with a CUP. This would make the use consistent with utility scale solar generating plants.
8	Administrative Correction	17.08.050	Further implementation of 2023 Housing Element updates.	Adding a missing asterisk for clarification in the residential use chart.
9	Policy Implementation	17.08.060.A	Implementation of Director's Policy to allow variation in garage location for custom homes in certain zones.	Update to reflect city policies and to provide additional flexibility for development projects. This allows custom homes to have different setback requirements for garages.
10	Administrative Correction	17.08.060	Further implementation of 2023 Housing Element updates.	Update to effectuate previously approved amendments (2023 Housing Element Update) - small multifamily standards.
11	Policy Implementation	17.08.120.A.5, 17.12.150.B.18, 17.16.140	Clarification of off-premises signage restrictions.	Updating three sections (residential, commercial, and industrial) to reflect city policies and to prevent proliferation of "off-premise signs," which are typically signs attached to a car parked off site and or similar signage.
12	Policy Implementation	17.08.130	Implementation of code interpretation regarding prohibited fencing materials.	Update to reflect city policies and to prevent the proliferation of undesirable fencing materials, such as chain link, in the residential zones.
13	New Proposal	17.08.130	Implementation of code interpretation regarding multifamily fence heights.	Update to reflect city policies and to provide clarification on multifamily fence standards.

14	Administrative Correction	17.08.130	Implementation of 2023 Housing Element updates.	Update to effectuate previously approved amendments (2023 Housing Element Update) regarding perimeter walls.
15	Policy Implementation	17.08.050, 17.08.130, 17.12.130, 17.16.220	Implementation of Director's Policy to allow temporary fencing on vacant property.	Update to reflect city policies, provide clarification on temporary fencing requirements and standards, and provide additional flexibility to property owners.
16	Administrative Correction	17.08.160	Clarification of code regarding accessory structure sizes.	Update to provide clarification on the measurement of accessory structures.
17	Policy Implementation	17.08.160	Implementation of Director's Policy to allow increased height for garages in rural zones.	Update to reflect city policies, allow the maximum height for a detached garage to 20 feet in rural zones, and to provide additional flexibility for residential projects.
18	Policy Implementation	17.08.160	Clarification of code regarding accessory structure setbacks.	Update to reflect city policies and to provide additional clarification on residential projects.
19	Administrative Correction	17.08.230	Implementation of 2023 Housing Element updates.	Update to effectuate previously approved amendments (2023 Housing Element Update) regarding removal of guest houses.
20	Code Clarification	17.10.030	Clarification of code language related to the adoption of the Lancaster Health District.	Update to incorporate a reference to the Mixed Use-Health District of the Lancaster Health District Master Plan which was previously missing.
21	Administrative Correction	17.10.030	Implementation of 2023 Housing Element updates - TOD publishing.	Update to incorporate a general reference to the City's website, as opposed to an impermanent link.
22	Administrative Correction	17.10.060	Implementation of 2023 Housing Element updates.	Update to effectuate previously approved amendments (2023 Housing Element Update) regarding multifamily setbacks.
23	New Proposal	17.42	Establishment and clarification on the standards for tobacco establishments.	Updating the Chapter 17.42 Alcoholic Beverage Establishments section to include tobacco establishments. This section is updated to include tobacco uses and entitlement requirements, distance requirements, and conditions of approval.

24	Code Clarification	17.12.040 (Commercial permitted use chart)	Reorganization of the Commercial permitted use chart.	Reorganized the Commercial permitted use section into a more user-friendly chart, consistent with the previously reorganized Residential permitted use chart. The updated use charts allow for better consistency, clarity, and usability.
25	Code Clarification	17.16.040 (Industrial permitted use chart)	Reorganization of the Industrial permitted use chart.	Reorganized the Industrial permitted use section into a more user-friendly chart, consistent with the previously reorganized Residential permitted use chart. The updated use charts allow for better consistency, clarity, and usability.
26	New Proposal	17.12.040, 17.16.040	Adding Gun Stores use in the Commercial and Industrial permitted use charts.	Adding Gun Stores as new use to provide clarification on requirements and consistency with City policies.
27	Policy Implementation	17.12.130	Implementation of Director's Policy regarding hydrogen required at gas stations.	Update to reflect City policies and provide clear direction on new gas stations to designate space for the installation hydrogen fueling.
28	Code Clarification	17.12.130.B.2, 17.16.220.A.8, 17.28.030.C	Creation of new fences and walls sections for Commercial and Industrial zones.	Updating and relocating fences and walls sections and standards in the appropriate sections within the Commercial and Industrial zones.
29	New Proposal	17.12.150	Implementation of new policy for additional wall signs.	Adding the option of additional wall signs subject to a Director's Review to provide additional flexibility for business owners.
30	Policy Implementation	17.12.230, 17.12.690, 17.12.890.A.3, 17.16.220.A.3, 17.20.810	Standardization of compact parking standards.	Update to standardize the language and dimensions associated with the use of compact parking spaces through all zones.
31	Code Clarification	17.16.040	Clarification on the allowance of legitimate massage businesses.	Clarifying and differentiating between "adult massage parlor" in the Sexually Oriented Businesses use category and "massage parlor" in the Health and Fitness Services use category.

32	Code Clarification	17.08.050, 17.08.060, 17.08.100, 17.08.190, 17.12.040, 17.12.730, 17.16.040	Standardization of the naming of "day care" uses.	Clarifying the definitions and requirements for each use consistent with city policies. Standardizing the naming of "day care" use throughout the code for consistency.
33	Policy Implementation	17.32.800	Removal of automatic denial due to inactivity process to be consistent with City policies.	Updating to reflect city policies and to provide additional flexibility for applicants.
34	New Proposal	17.12.040, 17.16.040	Adding "Animal Shelter - Public Agency Operated" use in the Commercial and Industrial permitted use charts.	Currently, an animal shelter use is only allowed in the Public (P) zone. By allowing this use in the I zones, it would allow this much needed use to be located in more appropriate areas in the City.
35	Code Clarification	Title 17	Replacement of outdated references to positions, departments, and agencies.	Updating multiple references to irrelevant, outdated, or non-existent positions, entities, departments, or agencies throughout Title 17. Examples include references to the Board of Supervisors.
36	Policy Implementation	17.36.010	Implementation of standardized administrative withdrawal processes.	Updating to reflect city policies and to provide additional clarification for applicants.
37	Administrative Correction	17.40.685	Removal of inapplicable code sections which were previously added erroneously.	Removing inapplicable code sections which were previously added erroneously.
38	Policy Implementation	17.41.016	Removal of detached ADU size limits for multifamily.	Removing the maximum size limitations of a detached ADU for multifamily developments in accordance with state law (AB 811).
39	New Proposal	17.16.040	Renaming and allowing "Electrical Generating Plants - Solar" use in the Industrial permitted use charts.	Renaming and allowing "Electrical Generating Plants - Solar" use in the Industrial zones to provide clarification and reflect City policies.

40	New Proposal	17.12.100, 17.12.780, 17.16.090, Article III - 17.32.410	Establishment of an Adjustment Permit entitlement and procedure.	Establishing a new procedure to address minor adjustments to various areas of the code such as building height, lot coverage, setbacks, FAR, fence and wall height, and sign regulation to allow additional flexibility to property owners. An Adjustment Permit would be a director-level approval. Adjustments would be considered minor in relation to a Variance (which requires Planning Commission approval). The Adjustment Permit procedure allows additional flexibility for property owners.
41	New Proposal	17.12.040, 17.16.040	Adding "Schools - Small Specialty/Charter" use in the Commercial and Industrial permitted use charts.	Adding Schools - Small Specialty/Charter use in the Commercial and Industrial permitted use charts to provide clarification and reflect city policies. A Small Specialty or Charter School use is not currently among the school uses in the code.
42	New Proposal	17.12.040, 17.16.040	Adding "Private Car Wash" use in the Commercial and Industrial permitted use charts.	Adding "Private Car Wash" as a new use to provide clarification to applicants. A private car wash use includes car washes that are ancillary to car-related uses such as a dealership or rental facility. Unlike typical car wash uses, a private car wash is not open to the public. This use requires a Director's Review.
43 GPA	Code Clarification	General Plan - 2021 Safety Element	Updating the reference to the recently adopted 2025 LHMP in the Safety Element.	See General Plan Amendment Summary below.

General Plan Amendment Summary

The Safety Element is one of the State-mandated elements of the General Plan and was recently updated in June 2022 to comply with State legislation and guidelines. It presents the City's overall goals, policies, and action programs to facilitate resiliency and prosperity. Technical amendments to the Safety Element are intended to achieve compliance with State, regional, and local policies and guidelines.

AB 2140 allows cities and counties to be considered for additional state cost-share on eligible Public Assistance projects. If compliant, the City may be eligible for up to 6.25% additional state funding, potentially covering the entire local share of eligible disaster recovery costs. AB 2140 compliance must be renewed each time the LHMP is updated.

The Federal Disaster Mitigation Act of 2000 requires state and local governments to develop and maintain an LHMP to qualify for certain types of federal disaster assistance. The LHMP identifies risks, vulnerabilities, and mitigation actions to reduce the impact of disasters on the community. The City has

completed an update to its LHMP, which has been reviewed and approved by the Federal Emergency Management Agency (FEMA) as "approvable pending adoption."

On April 8, 2025, the City Council approved the 2025 LHMP. By adopting the LHMP, the City will maintain compliance with Federal Emergency Management Agency (FEMA) requirements, ensuring continued eligibility for federal hazard mitigation and disaster relief funding, establish a foundation for future action to incorporate the LHMP into the Safety Element, and strengthen hazard mitigation planning to reduce disaster risks in the community.

Coinciding with this Zone Text Amendment, the proposed General Plan Amendment would update the reference to the LHMP and incorporate the newly adopted LHMP to the General Plan. This item is included in the above 2025 Zone Text Amendment Table as #43 GPA. The proposed General Plan amendment language is detailed in a redline/strikethrough and "clean version" documents included in this staff report as Attachments C and D.

ENVIRONMENTAL REVIEW

Pursuant to Sections 15162 and 15168(c)(2) of the State CEQA Guidelines, the proposed Zone Text Amendment and General Plan Amendment are within the scope of the Program Environmental Impact Report (State Clearinghouse (SCH) No. 2007111003) for the existing General Plan and within the scope of the Negative Declaration of the Safety Element Update (SCH No. 2021080292), and no further environmental review is required.

FINDINGS

Section 17.24.140 "Amendments—Commission findings and decision" of the Lancaster Municipal Code contains the following finding:

1. The Commission may recommend approval where the information presented at public hearing shows that such amendment is necessary to implement the general plan and/or that the public convenience, the general welfare or good zoning practice justifies such action.

The proposed Zone Text Amendment and General Plan Amendment are consistent with the goals and policies of the General Plan. The project only consists of text amendments. No changes to the City's General Plan and zoning designations, zoning map, or development densities are proposed. No construction or development is proposed as part of the project. The text amendments would result in clarifying the implementation of the goals, policies, and programs of the General Plan. The amendments would allow the City to continue establishing the fundamental framework to guide future decision-making about development, high quality design and general community wellbeing.

The Safety Element's Disaster Preparedness and Evacuations goals contains the following action which states:

Action 4.8.1(c): Periodically update the City's Local Hazard Mitigation Plan and integrate the findings and mitigation actions/strategies into other City documents like the Capital Improvements Program, Infrastructure Master Plans, and other planning documents.

The proposed amendments are consistent with the goals and policies of the General Plan, specifically the Safety Element. It is the City's responsibility to update the LHMP every five years as an ongoing effort to meet the evolving demands to foster a community with a strong sense of readiness to address emergency situations and activities. The amendments would ensure that the City is consistent with these goals and policies, while remaining compliant to State requirements, such as AB 2140.

LEGAL NOTICE

A notice of Public Hearing was posted in three places and published in Antelope Valley Press on April 1, 2025, as required by law.

RECOMMENDATION

Adopt Resolution No. 25-05 recommending approval to the City Council for Zone Text Amendment No. 25-001 (ZTA25-001) for the 2025 Zone Text Amendment to Titles 2, 8, 15, 16, and 17 of the Lancaster Municipal Code (LMC) and General Plan Amendment No. 25-001 for the update to the Safety Element of the General Plan to provide clarification, consistency, and compliance with City policies and State requirements.

Attachments:

- A. Resolution No. 25-05
- B. Draft City Council Ordinance
- C. ZTA and GPA Redlines
- D. ZTA and GPA Proposed Amendments

RESOLUTION NO. 25-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA RECOMMENDING APPROVAL TO THE CITY COUNCIL FOR ZONE TEXT AMENDMENT NO. 25-001 FOR THE 2025 ZONE TEXT AMENDMENTS TO TITLES 2, 8, 15, 16, AND 17 OF THE LANCASTER MUNICIPAL CODE AND GENERAL PLAN AMENDMENT NO. 25-001 FOR THE UPDATE TO THE SAFETY ELEMENT OF THE GENERAL PLAN TO PROVIDE CLARIFICATION, CONSISTENCY, AND COMPLIANCE WITH CITY POLICIES AND STATE REQUIREMENTS.

WHEREAS, the Planning Commission has considered the proposed Zone Text Amendment No. 25-001 (ZTA25-001) for the 2025 Zone Text Amendment to Titles 2, 8, 15, 16, and 17 of the Lancaster Municipal Code (LMC) and General Plan Amendment No. 25-001 for the update to the Safety Element of the General Plan to provide clarification, consistency, and compliance with City of Lancaster (City) policies and State requirements, as set forth and attached here to as Exhibit A and more fully described below (the “amendments”); and

WHEREAS, applicable law requires the Planning Commission to notice and hold a public hearing on the amendments and, following such hearing, to render a decision in the form of a written recommendation to the City Council; and

WHEREAS, the Planning Commission held a public hearing concerning the amendments on April 21, 2025, notice of which was published and provided as required by law; and

WHEREAS, the Planning Commission finds that the proposed amendments are required for public health, safety, and general welfare, and that the amendments are consistent with the general objectives, principles, and standards of the General Plan;

WHEREAS, the Planning Commission now desires to recommend that the City Council adopt the Proposed Ordinance.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LANCASTER, DOES HEREBY RESOLVE, DETERMINE AND ORDER, AS FOLLOWS:

Section 1. That the foregoing Recitals are true, correct and a substantive part of this Resolution.

Section 2. That the Planning Commission hereby adopts the following finding pursuant to Section 17.24.150 of the LMC:

1. The commission may recommend approval where the information presented at public hearing shows that such amendment is necessary to implement the general plan and/or that the public convenience, the general welfare or good zoning practice justifies such action.

Section 3. That the proposed amendments are consistent with the City’s General Plan.

Section 4. That pursuant to Sections 15162 and 15168(c)(2) of the State CEQA Guidelines, the proposed Zone Text Amendment and General Plan Amendment are within the scope of the Program Environmental Impact Report (State Clearinghouse (SCH) No. 2007111003) for the existing General Plan and within the scope of the Negative Declaration of the Safety Element Update (SCH No. 2021080292), and no further environmental review is required.

Section 5. That the Planning Commission hereby recommends the City Council approve and adopt the Proposed Ordinance.

Section 6. That Planning Commission staff is authorized and hereby directed to transmit this Resolution to the City Council as required by Section 65855 of the Government Code.

PASSED, APPROVED, and ADOPTED this 21st day of April 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

STEVEN DERRYBERRY, Vice-Chair
Lancaster Planning Commission

ATTEST:

PATTI GARIBAY, Director of Community Development
City of Lancaster

Attachments:

A. Exhibit A – Proposed Amendments