

ORDINANCE NO. 1029

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, AMENDING THE LANCASTER MUNICIPAL CODE (TITLE 16) TO ALLOW APPROVAL OF MULTI-YEAR EXTENSION REQUESTS FOR TENTATIVE MAPS

WHEREAS, the City of Lancaster has adopted Title 16, Subdivisions, as part of the Lancaster Municipal Code (LMC) to regulate the design, review, and processing requirements of tentative and final subdivision maps pursuant to Section 66411 of the State Subdivision Map Act (Cal. Gov't Code §§66410 et seq.); and

WHEREAS, the State of California Subdivision Map Act, under the Section 66452.6 (e), allows a subdivider to request and the City to approve time extensions, under certain limitations, for approved tentative maps in accordance with local ordinance; and

WHEREAS, Section 16.08.140 of the City of Lancaster Municipal Code establishes the provisions for granting extensions to tentative parcel and tract maps; and

WHEREAS, the City of Lancaster has determined that a modification to the current extension provisions is warranted; and

WHEREAS, notice of intention to consider the amendment to Title 16 of the Lancaster Municipal Code 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 public hearings before the Planning Commission on April 17, 2017, and a public hearing before the City Council on June 27, 2017, for the proposed amendment, and has received and considered on all public testimony both oral and written; and

WHEREAS, staff has prepared a written report recommending approval of the amendment; and

WHEREAS, on April 17, 2017, the Planning Commission recommended to the City Council approval of the proposed amendment; and

WHEREAS, the City Council finds that the amendment to the LMC to allow approval of multi-year extension requests will not have a significant effect on the environment, since the proposed action is 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 16 of the Lancaster Municipal Code:

1. The proposed modification would allow for added flexibility on the part of the applicant of a tentative map in requesting an extension of time, and also on the part of the City in evaluating and approving such a request.
2. The proposed modification will standardize the extension requirements for tentative parcel maps and tentative tract maps, and will allow for such time to be granted in periods of time greater than the current 12 months, which will reduce costs and uncertainty for applicants and be more efficient for the City to administer.
3. The proposed modification is consistent with the procedural and time limitations established by the State of California Subdivision Map Act.

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

Section 1. Repeal Section 16.08.140 in its entirety.

Section 2. Adopt new Section 16.08.140 as contained in attached Exhibit "A."

Section 3. 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, MMC, 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 27th day of June, 2017, and placed upon its second reading and adoption at a regular meeting of the City Council on the 11th day of July, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

BRITT AVRIT, MMC
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, CA, do hereby certify that this is a true and correct copy of the original Ordinance No. 1029, 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”

16.08.140 – Expiration of tentative maps

An approved or conditionally approved tentative map shall expire twenty-four (24) months from the date of planning commission or city council approval, except as follows:

- A. The applicant may file a request for an extension of time prior to the expiration of a tentative parcel or tract map. Upon such filing, the tentative map shall be automatically extended for a period of sixty (60) days or until the extension request is acted upon, whichever occurs first, in accordance with Section 66452.6 (e) of the Subdivision Map Act.
- B. Tentative parcel and tract maps may be extended under the provisions of this section for an aggregate time period not to exceed three (3) years. An extension may be requested, and the City may grant an extension for, any length of time up to the aggregate limit of three (3) years.
- C. Extensions of tentative maps subject to an adopted development agreement shall be governed by Section 16.08.160.