

## **RESOLUTION NO. 25-01**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 24-005 TO ALLOW FOR CANNABIS RETAIL AND DELIVERY WITHIN AN EXISTING BUILDING LOCATED AT 45248 TREVOR AVENUE, ASSESSOR'S PARCEL NUMBER: 3137-015-047, IN THE HEAVY INDUSTRIAL ZONE AND FINDING THE PROJECT CATEGORICALLY EXEMPT UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO STATE CEQA GUIDELINES SECTION 15301.

WHEREAS, a Conditional Use Permit ("CUP No. 24-005") has been requested by EJ2 Ventures, LLC ("Applicant") to allow for cannabis retail and delivery within an existing building located at 45248 Trevor Avenue (APN: 3137-015-047) in the Heavy Industrial (HI) (the "Project"); and

WHEREAS, an application for the above-described Conditional Use Permit has been filed pursuant to Chapter 17.32, and Chapter 17.43 of the Lancaster Municipal Code ("LMC"); and

WHEREAS, a notice of intention to consider the granting of a Conditional Use Permit has been published and provided as required by Chapter 17.32 of the LMC and Section 65905 of the Government Code; and

WHEREAS, staff has performed the necessary investigations, prepared a written report, and recommended approval of this conditional use application, subject to conditions; and

WHEREAS, pursuant to Section 21067 of the Public Resources Code, and, Section 15367 of the California Environmental Quality Act ("CEQA") Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City of Lancaster is the lead agency for the proposed Project; and

WHEREAS, the Project was reviewed for compliance with the California Environmental Quality Act ("CEQA") and staff determined that the Project is categorically exempt from further environmental review under CEQA Section 15301, Existing Facilities; and

WHEREAS, public notice was published and given as required by law, and a public hearing was held on January 27, 2025; and

WHEREAS, the Lancaster Planning Commission ("Planning Commission"), after considering all evidence presented, desires to approve Applicant's requested Conditional Use Permit; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

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

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

Section 2. This Planning Commission hereby finds the Project categorically exempt from the provisions of CEQA under Section 15301 of the State CEQA Guidelines.

The Project is exempt from CEQA under the Class 1 exemption set forth in State CEQA Guidelines section 15301. Class 1 encompasses the "operation, repair, permitting, or minor alteration of existing private structures... involving negligible or no expansion of existing or former use." Section 15301 provides examples of such projects, which include, but are not limited to, "interior or exterior alterations" and "maintenance of existing landscaping." The proposed Project involves the operation of a cannabis retail and delivery business within an existing 1,800-square-foot industrial building. As part of the Project, the building will undergo improvements, including façade upgrades, parking lot improvements, and landscaping enhancements. Importantly, the Project will not increase or expand the use of the property; the building will not be enlarged or altered in a way that increases its footprint or capacity. The proposed use will remain confined within the existing structure. Therefore, the Project qualifies for the Class 1 exemption.

Lastly, no exceptions to the exemption as set forth in State CEQA Guidelines Section 15300.2 apply. The Project is located in a heavy industrial area and is fully developed with a 1,800 square-foot building and parking lot. There is no possibility of a significant cumulative impact as staff does not anticipate that other projects of the same type will take place at the project site or the surrounding area. The property does not present any unusual circumstances such as unusual resources, an unusual location, or unusual physical qualities inherent to the project site that might result in significant impacts. The Project area is developed and does not contain any environmentally sensitive areas. The Project would not damage any scenic resources, including trees, historic buildings, rock outcroppings or similar resources, within a highway officially designated as a state scenic highway. The Project is not located on a hazardous waste site or any other site included on a list compiled pursuant to Government Code section 65962.5 and the proposed Project will not cause a substantial adverse change in the significance of a historical resource because there are no historical resources near the proposed Project such that project impacts would not have any substantial adverse changes in the significance of a historical resource.

Staff is hereby authorized and directed to prepare, execute and file a Notice of Exemption pursuant to CEQA and State CEQA Guidelines with the County Clerk and State Clearinghouse within five working days of Project approval.

Section 3. That the Planning Commission hereby adopts the following findings pursuant to Section 17.32.090 of the LMC in support of the application for CUP No. 24-005:

- a. That the proposed use will not be in substantial conflict with the adopted general plan for the area.

The proposed use would not be in substantial conflict with the adopted general plan for the area because the proposed Project would be in conformance. It is compatible with adjacent land uses, surrounding development and zones. The proposed use helps achieve the following goals, objectives and policies of the City Lancaster General Plan 2030:

**Goal 18:** To manage development by planning the location and intensity of urban and rural uses to create a comprehensive structure.

- Policy 18.1.3:** Ensure that land use map designations are compatible with adjacent proposed land uses, surrounding developments, existing infrastructure, the roadway system, and Redevelopment Project Areas.
- Policy 18.2.2:** Encourage appropriate development to locate so that municipal services can be efficiently provided.
- Goal 16:** To promote economic self-sufficiency, and a fiscally solvent and financially stable community.
- Policy 16.3.4** Promote business development in those industrial sectors which are underrepresented in the Antelope Valley area economy.

b. That the requested use at the location proposed will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

The proposed use would not adversely affect the health, peace, and comfort of the residents and workers of the surrounding area and would not be detrimental to other properties or jeopardize public health and safety. The proposed Project is over 600 feet from any residence and the proposed industrial buildings and retail operation will have operating procedures and security protocols to ensure there are no adverse impacts to health, peace, comfort, and welfare of surrounding workers.

The proposed development would be consistent with the surrounding uses and would not jeopardize, endanger or constitute a menace to the public health, safety or welfare of the neighborhood. The cannabis retail use would be in a secure space with limited access to those employed by the facility or authorized to enter it. In addition, a security plan was prepared for the Project which would ensure thorough monitoring and safe operation.

- c. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

The proposed Project complies with the Lancaster Municipal Code, including specific development standards, as shown on the proposed site plan, elevations, and fence plans.

- d. That the proposed site is adequately served:
1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and;
  2. By other public or private service facilities as are required.

The proposed Project site is adequately served by Sierra Highway which is of sufficient width and improved to carry the daily vehicle trips generated by the proposed cannabis retail use. In addition, public or private service facilities, including sewer, water, fire, and police services are served to the Project site.

Section 4. That the Planning Commission hereby adopts the following findings pursuant to Section 17.43.080(B) of the LMC in support of the application for CUP No. 24-005:

- a. The cannabis facility as well as all operations as conducted therein, fully comply with all applicable environmental, building, electrical, zoning and fire codes, accessibility requirements of the Americans with Disability Act, and all other applicable local and state laws and regulations.

The proposed Project would comply with the Lancaster Municipal Code, environmental requirements, building, electrical, and fire codes, American with Disabilities Act and all other applicable City and State laws and regulations.

- b. The cannabis facility complies with and meets all operating criteria required pursuant to state laws, Chapter 5.56 of this Code, any other applicable provisions of this Code, and any specific, additional operating procedures and measures as may be imposed as conditions of approval in the conditional use permit.

The Applicant is required to obtain a primary license, in accordance with the requirements set for in Chapter 5.56 of the LMC and said license shall be ready for issuance upon approval of the CUP No. 24-005, final site inspection, issuance of a certificate of occupancy, and payment of all fees and surcharges. The proposed Project has been conditioned to comply with Chapter 5.56 of the LMC and all other applicable City and state laws and regulations.

Section 5. The Planning Commission hereby approves Conditional Use Permit No. 24-005 subject to the conditions attached hereto and incorporated herein.

Section 6. The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at Lancaster City Hall, 44933 Fern Avenue, Lancaster, CA 93534. This information is provided in compliance with Public Resources Code Section 21081.6.

Section 7. If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application.

PASSED, APPROVED and ADOPTED this 27<sup>th</sup> day of January 2025, by the following vote:

AYES:

NOES:

ABSTAIN:

RECUSED:

ABSENT:

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JAMES D. VOSE, Chairman  
Lancaster Planning Commission

ATTEST:

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HAI NGUYEN, Planning Manager  
City of Lancaster

Attachment:  
Conditions List