

**ATTACHMENT TO PLANNING COMMISSION RESOLUTION NO. 25-07**  
**CONDITIONAL USE PERMIT NO. 25-003**  
**CONDITIONS LIST**  
**MAY 19, 2025**

**GENERAL/ADVISORY**

1. Unless otherwise indicated herein, the development and/or use of the site shall be in substantial conformance with approved site plans on file in the Community Development Department.
2. This approval must be used within two (2) years from the date of approval; otherwise the approval will expire. The applicant may, not less than sixty (60) days prior to the expiration date, request a one (1)-year extension in writing to the Community Development Director.

Note: Issuance of building permits, installation of off-site improvements, and grading of the site do not constitute "use" of the approval. Under the Zoning Ordinance, construction or other development authorized by the Site Plan Review must have commenced. Generally, the city requires that the slab of a major building in the project be poured and inspected in order to consider the permit used, although the circumstances of each case may vary depending on the land use involved.

3. This approval will not be effective until ten (10) working days after the date upon which it is granted approval and until the applicant has executed and returned to the Community Development Department an authorized acceptance of the conditions of approval applicable to said permit.
4. The subdivider/applicant shall defend, indemnify, and hold harmless the city and its elected officials, officers, employees and representatives from any claim, action, or proceeding against the city or its elected officials, officers, employees and representatives to attack, set aside, void, or annul, an approval of the city concerning this subdivision, which action is brought within the time period provided for in Section 66499.37 of the Subdivision Map Act, or an approval of the city concerning this site plan review and the use(s) and development permitted by its approval. The city shall promptly notify the subdivider of any claim, action, or proceeding and shall cooperate fully in the defense; this condition shall not be imposed if the city fails to promptly notify the subdivider or fails to cooperate fully in the defense.
5. Expansion or intensification of the use beyond the approval specified herein would require subsequent review and possible application for amendment. The Community Development Director is authorized to approve modifications to the site plan provided such modifications do not substantially change the intent of the approved use, avoid issues raised at the public meeting, or raise new issues not previously addressed.
6. If the project is developed in phases, all the development requirements shall be met for each phase including parking, landscaping, trash enclosures, drainage, etc. The developer shall provide a phasing plan and phasing condition/mitigation measure matrix to the Community Development Department for approval prior to the issuance of construction-related permits.

7. All requirements of the Municipal Code and the specific zoning of the subject property must be complied with unless otherwise set forth in the permit or shown on the approved site plan.
8. The applicant shall contact the Los Angeles County Fire Department to determine improvements that may be required to protect the property from the fire hazard and shall provide and install at his expense such improvements as may be deemed necessary by the Los Angeles County Fire Department. Fire protection improvements shall be completed to the satisfaction of the Community Development Director prior to certification of completion and occupancy of the subject buildings.
9. The following items/plans shall be submitted to the Community Development Department, which shall route them to the Community Development Department for concurrent review and approval prior to issuance of permits:
  - a. Lighting Plan
  - b. Building Plan
  - c. Grading Plan
  - d. Landscape Plan
  - e. Trash Enclosure Plan
10. All necessary permits shall be obtained from the Community Development Department prior to any construction, remodeling, or replacement of buildings or other structures.
11. Prior to building permit issuance, the applicant shall pay all applicable development fees including, but not limited to, the following: 1) Los Angeles County Sanitation District Sewer Connection Fee; 2) Interim School Facilities Financing Fee; 3) Traffic Signal Fee; 4) Planned Local Drainage Facilities fee; 5) Dwelling Unit Fee; 6) Traffic Impact Fees; 7) Urban Structure Program Fee (Park Development Fee, Administrative Office Fee, Corporate Yard Fee, and Operations Impact Fee, etc.); and 8) Landscape Fee.
12. If any provision of this permit is held or declared to be invalid, the permit shall be void, and the privileges granted hereunder shall lapse.
13. It is further declared and made a condition of this permit that if any condition hereof is violated, or if any law, statute, or ordinance is violated, the permit shall be suspended and the privileges granted hereunder shall lapse provided that the applicant has been given written notice to cease such violation and has failed to do so within the time period indicated in the notice.
14. Prior to occupancy of any buildings or structures, the permittee shall request, no less than forty-eight (48) hours in advance, that on-site inspection be made by the Community Development Department to verify that development of the property has occurred in conformity with conditions as enumerated in this permit.
15. The applicant shall be responsible for notifying the Community Development Department in writing of any change in ownership, designation of a new engineer, or change in the status of the developer, within thirty (30) days of said change.

## **PLANNING**

16. The applicant is hereby approved for the operation of a recuperative care facility within existing buildings at 44748 and 44758 Elm Avenue (APN: 3134-017-011) in the Transit Oriented Development – Neighborhood Medium (TOD-NM) zone, in accordance with the plans on file with the Community Development Department.
17. The business operator shall ensure a nuisance-free operation of the proposed use. Staff shall be trained to handle any noise complaints or other related concerns.
18. Patients and others served by the facility shall be prohibited from loitering in the area surrounding the project.
19. The applicant is hereby advised that the use of any signs, strings of pennants, banners or streamers, clusters of flags and similar attention-getting devices are prohibited, except where there has been prior written approval from the Community Development Department.
20. A signage plan shall be submitted for approval by the Community Development Director at the time of building permit issuance. Such plan shall be comprehensive and shall include location, height, square-footage, method of attachment, construction materials and colors of each sign proposed. The signs shall be in compliance with the Municipal Code and the Design Guidelines.

## **CAPITAL ENGINEERING**

### General/Advisory

21. Prior to building/grading permit issuance, whichever comes first, the applicant shall submit a geotechnical report as detailed in Chapter 18 of the latest edition of the California Building Code and as required by the Public Works Department. The geotechnical report shall be completed in accordance with the County of Los Angeles, Department of Public Works, Manual for Preparation of Geotechnical Reports.
22. An encroachment permit shall be obtained from the Public Works Department prior to doing any work within the public right-of-way.
23. Prior to permit issuance, the applicant by agreement with the Public Works Director, may guarantee installation of improvements as determined by the Public Works Director through faithful performance bonds, letters of credit, or any other acceptable means acceptable to the Public Works Director, Finance Director, and/or City Attorney.

### Streets

24. Prior to building occupancy, the applicant shall repair or replace any broken, damaged, and/or non-ADA compliant pavement, curb, gutter, and sidewalk on streets within or abutting the project to street centerline to the satisfaction of the Public Works Director.

25. The applicant shall comply with City Municipal Code, Chapter 13.20, Article II, entitled Installation/Relocation for New/Expanded Development of Overhead Utilities as directed by the Public Works Director. (Ordinance No. 361)
26. The proposed project shall comply with the City of Lancaster Holiday Moratorium Policy. No excavation or work shall occur within the public right-of-way on Primary Arterials, Secondary Arterials, and Collector Streets between November 15<sup>th</sup> to January 2<sup>nd</sup>, except work pertaining to public safety or with the written permission of the City Manager. Work commenced prior to the restriction period must be in such a condition that it will be resurfaced prior to November 15<sup>th</sup>.

#### Water

27. The project shall be served by adequately sized water system facilities, including fire hydrants, of sufficient size to accommodate the total domestic and fire flows required for the land division. Domestic flows required are to be determined by the Public Works Director. Fire flows required are to be determined by the Fire Chief.
28. There shall also be filed with this project a statement from the water purveyor indicating that water service shall be provided to each lot and that the proposed water mains and any other required facilities will be operated by the purveyor and that under normal operating conditions the system will meet requirements for the land division.
29. Per the direction of the Community Development Director and the Public Works Director, the applicant shall be required to comply with all Ordinances in effect at the time of project construction to address the balance of water supply to water demand.
30. In order to obtain a conditional will-serve letter, the Project applicant must secure permanent water supply entitlements sufficient to meet the Project's annual water demands as determined by the Los Angeles County Waterworks District 40 (District). This entitlement may be secured through entering an agreement with the District to purchase new State Water Project Table A or other permanent water supply through the Antelope Valley-East Kern Water Agency.
31. In addition to the condition above, the District may require that: (1) various charges/fees be paid by the owner/developer of the property; (2) on-site and off-site water system facilities be installed by a State licensed contractor retained by the owner/developer, and inspected and accepted by the District, using plans prepared by a licensed engineer that are reviewed by the District; or (3) a combination of (1) and (2). Once constructed to the satisfaction of the District, the water system facilities are to be dedicated gratis to the District for subsequent operation and maintenance.

#### **PERMITTING**

##### Plans and Permits

32. Construction drawings for this project shall be prepared and submitted to the Building and Safety Division for plan review and building permit issuance. Supporting documents, such as structural and energy calculations shall be included in the plan submittal package.

33. Construction drawings submitted for plan review shall show full compliance with all applicable local, county, state and federal requirements and codes. Plan review will be based on the following current state building codes: The 2022 California Building (CBC), Mechanical (CMC), Plumbing (CPC), and Electrical (CEC) Codes, the 2023 County of Los Angeles Fire Code, 2022 California Energy Code, and the 2022 California Green Building Standards Code.
34. Construction drawings shall be prepared by qualified licensed design professionals (California licensed architects and engineers). Incomplete plans or plans prepared by unqualified individuals will delay the plan review and permit process.
35. Submit and incorporate to the plan the Construction Waste Management Plan using CWM plan sample on California Green Building Standards Code 2022, Chapter 8. Per 2022 California Green Building Standards Code, Section 5.408 or City standard Construction Management Plan compliance form. Per Section 5.408.1 of 2022 CGBSC. Construction Waste Management. Recycle and/or salvage for reuse a minimum of 65 percent of the nonhazardous construction and demolition waste in accordance with section 5.408.1.1, 5.408.1.2 or 5.408.1.3.
36. Submit one complete set of plans in PDF format. Limit file size to 1 gig. If the plans exceed the file limit, separate them into disciplines. (Architectural, Structural, MEP)
37. Plans may be submitted electronically using our Accela system. For more information about electronic submittal, please call 661-723-6144.
38. Construction drawings submitted to building and safety shall have a complete building code analysis and floor area justification for the proposed building per chapter 5 and 6 of the California Building Code. The code analysis and justification shall contain the following minimum information: types of construction, occupancy groups, occupant loads, any required area increases from frontage and/or fire sprinklers, height of building, number of stories, summary of any fire rated walls, occupancy separations, statement of special inspections and all other related data.
39. If this project will be under Occupancy R-2.1, this shall comply with 2022 CBC, Sec. 435.7 by providing an automatic fire sprinkler system, fire alarm system and Smoke alarm. (Sec. 435.7.1, Sec. 435.7.2 and Sec. 435.7.3).
40. Deferred submittals or deferral of any submittal items shall have the prior approval of the Building Official. Construction drawing shall indicate the list of all deferred submittal per 2022 CBC, Sec. 107.3.4.1.
41. Existing buildings or parking facilities being modified and altered shall comply with the EV Charging Station requirements per 2022 CGBSC Sec 5.106.5.4, Sec 5.106.5.4.1 and Sec. 5.106.5.4.2.
42. Bicycle parking shall be shown on the site plan based on 5% of the total vehicle parking spaces per the 2022 California Green Building Standards Code.

43. For an estimate of the building permit fees and the estimated time for plan review, please contact the Building and Safety division directly at 661-723-6144.
44. Prior to submitting plans to Building and Safety for plan review, please contact Emily Michel at 661-723-6273, for project addressing.

#### Clearances

45. Prior to issuance of building permits, clearances from the following agencies will be required:
  - a. Lancaster Planning,
  - b. Lancaster Engineering,
  - c. Lancaster Utility Services (FOG),
  - d. Los Angeles County Fire Prevention Bureau,
  - e. Los Angeles County Environmental Services (Health Dept. for food service and sales),
  - f. Los Angeles County Sanitation District,
  - g. Los Angeles County Water Works or Local Water Agency,
  - h. AQMD (Air Quality Management Division).

An agency referral list with contact information is available at the Building and Safety public counter. Please contact the agencies above to determine if there are any plan review requirements or fees to be paid. Clearances from additional agencies may be required and will be determined during the plan review process.

#### Accessibility

46. All applicable accessibility (disabled access) requirements of the current California Building Code (Chapter 11A & 11B) shall be shown and detailed on the plans.
47. The plans shall clearly show all areas that are usable by the public, staff and employees to be accessible.
48. An accessible path-of-travel shall be provided between all building entrances, the accessible parking spaces (including an EV charging space) and the public sidewalk shall be shown on the plans.
49. Accessibility for assembly seating areas per CBC sections 11B-221 and 11B-802, shall be shown on the plans. Accessible features including wheelchair spaces (proper clearances, location and dispersion), companion seats and semi-ambulant seats. Requirements for an assistive listening system for assembly areas, per section 11B-219 and 11B-706, shall also be shown on plans.
50. Disabled access for the dining areas shall be shown and detailed on the plans at the rate of 5% of the seating and standing spaces per CBC 11B-226.

Additional Information

51. The California Plumbing Code (CPC) shall be used to determine the minimum number of plumbing fixtures. (CPC Section 422, Table 422.1 and Table A). Drainage and sewer lines shall have a minimum slope of  $\frac{1}{4}$ " per foot, or 2% to the point of disposal. (CPC Section 708.0)
52. Additional comments and more detailed building code requirements will be listed during the plan review process when a building permit application and plans are submitted to Building and Safety.