

**ATTACHMENT TO PC RESOLUTION NO. 23-37  
TENTATIVE PARCEL MAP NO. 23-002 (TPM 84233)  
CONDITIONAL USE PERMIT NO. 23-014  
SITE PLAN REVIEW NO. 23-010  
CONDITIONS LIST**

**December 11, 2023**

**GENERAL**

1. Unless otherwise indicated herein, the development of the site shall be in substantial conformance with approved site plans on file in the Community Development Department.
2. The approval of this tentative parcel map shall expire 24 months from the date of conditional approval. The applicant may file for three one-year extensions of the conditionally approved map prior to the date of expiration. If such extension is requested, it must be filed no later than 60 days prior to expiration.
3. The Conditional Use Permit and Site Plan Review must be used within two (2) years from the date of approval; otherwise the Site Plan Review 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 Site Plan Review. 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 be considered the permit used, although the circumstances of each case may vary depending on the land use involved.

4. The Tentative Parcel Map, Conditional Use Permit, and Site Plan Review will not be effective under 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.
5. The applicant shall defend, indemnify, and hold harmless the City, 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.

6. 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.
7. All construction and/or installation of improvements shall be undertaken to the specification of the Lancaster Municipal Code.
8. The applicant shall contact the Los Angeles County Fire Department to determine the improvements that may be required to protect the property from fire hazards and shall provide and install at their 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 Public Works Director prior to certification of completion and occupancy of the subject buildings.
9. The following items/plans shall be submitted to the Public Works and Community Development Departments 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 Public Works and Community Development Departments 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 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.
15. If the map is to be recorded in phases, the applicant shall submit a phasing plan and phasing condition/mitigation measure matrix to the Community Development Department for approval thirty (30) days prior to filing the final map of the first phase.
16. The applicant is advised that details shown on the tentative map are not necessarily approved. Any details which are inconsistent with requirements of ordinances, general conditions of approval, or City policies must be specifically approved by the City in writing.
17. 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.
18. 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.
19. 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.
20. 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.
21. Prior to occupancy of any model homes, the applicant shall provide adequate off-street parking and complete adjoining street improvements.

22. The first check of the final map shall be submitted at least 180 days prior to the expiration date of the tentative map.
23. An encroachment permit shall be obtained from the Public Works Department prior to doing any work within the public right-of-way.
24. Prior to final map recordation, the subdivider shall be required to install distribution lines and individual service lines for appropriate cable television systems to each parcel in the subdivision.
25. 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.

### **FEES, ASSESSMENTS, AND ANNEXATIONS**

26. Prior to recordation of the final map and/or building occupancy, the property shall be annexed to the City of Lancaster Community Facilities District.
27. Prior to recordation of the final map and/or building occupancy, the property shall be annexed into the Lancaster Landscape Maintenance District.
28. Prior to recordation of the final map and/or building occupancy, the property shall be annexed into the Lancaster Lighting Maintenance District.
29. Prior to recordation of the final map and/or building occupancy, the property shall be annexed into the Lancaster Drainage Maintenance District.
30. The applicant is hereby advised that this project is subject to 1st year's assessment fees for the following maintenance districts, as applicable, prior issuance of any related permits (grading, building, sewer, etc.): 1) Lancaster Drainage Maintenance District, 2) Lancaster Lighting Maintenance District, 3) Lancaster Sewer Maintenance District, and 4) Lancaster Landscape Maintenance District.

### **STREETS**

31. Prior to issuance of building permit, the applicant shall dedicate sidewalk easements sufficient to encompass ADA requirements for sidewalks installed with drive approaches.
32. 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.

33. 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)
34. 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>.
35. Prior to issuance of the street improvement encroachment permit, the applicant shall obtain approval of temporary traffic control plan and allowable working hours, as directed by the Public Works Director.
36. Prior to Final Map approval, the applicant shall dedicate a corner cutoff at all intersections, as defined in the City of Lancaster Engineering Design Guidelines (Section 2.2.10.6.2).
37. Prior to building occupancy or Final Map, whichever comes first, the applicant shall dedicate 6 feet into an LMD easement on 30<sup>th</sup> Street West along the frontage of the property.
38. Prior to building occupancy, the applicant shall construct the following street improvement along the frontage of the project site, as directed by the City Engineer.

Street Name	Curb & Gutter	Base & Paving	Street Lights	Street Trees	Sidewalk (5'min)	Raised Median	Painted Median	Class I/IV Bike Lane	Class II Bike Lanes	LMD Easement
30 <sup>th</sup> Street West				X	X					X

39. Prior to issuance of building permits, improve 30<sup>th</sup> Street West to include:
  - 14-foot meandering sidewalk, which shall be part of the eight-foot right-of-way and six-foot Landscape Maintenance District easement.
40. Prior to issuance of the street improvement encroachment permit, the applicant shall show on the street plan drive approaches using a modified commercial driveway design (SPPWC 110-1, Type C or equivalent) with a minimum radius of 15 feet and that will provide a street/drive approach transition with a maximum algebraic grade difference of 10%. Construction details shall be shown on the street plan providing a transition no greater than this maximum.

41. Prior to building occupancy, the applicant shall design and construct ADA “walk arounds” at the following driveway locations, to the satisfaction of the Public Works Director:
  - Driveways along 30<sup>th</sup> Street West and Lancaster Boulevard

#### **DRAINAGE/GRADING**

42. Prior to grading permit issuance, and/or storm drain permit issuance, the applicant shall acquire and dedicate all required easements for drainage improvements as identified in the final hydrology/hydraulic report by separate instrument. All right-of-way dedications will be to the satisfaction of the City Engineer.
43. Provide for contributory drainage from adjoining properties and return drainage to its natural conditions or secure off-site drainage acceptance letters from affected property owners.
44. Prior to issuance of a grading permit, the applicant shall submit a grading plan consistent with the approved site plan and conditions of approval. The grading plan shall be based on an approved drainage area study and hydrology/hydraulic report, detailed recent topographic survey, and a detailed engineering soils report specifically approved by the geologist and/or soils engineer that addresses all submitted recommendations.
45. Prior to grading permit issuance, the applicant shall obtain approval of the final hydrology/hydraulic study. The final drainage facilities shall be based on the approved hydrology/hydraulic study and will be designed based on the City of Lancaster Engineering Design Guidelines Policies and Procedures Sections 2.7 and 3, and/or to the satisfaction of the Public Works Director. Any on-site and/or off-site mitigation measures required by the approved hydrology/hydraulic study shall be constructed prior to first occupancy.
46. Prior to building occupancy, all drainage facilities are to be constructed and approved prior to occupancy of any structure within the project to the satisfaction of the Public Works Director.
47. Prior to first occupancy, the applicant shall design and construct an on-site drainage basin or underground retention or other approved drainage solution as warranted to mitigate the developed runoff volume per an approved hydrology study to the satisfaction of the Public Works Director.
48. Prior to final map approval or grading permit issuance, the streets shall be designed to avoid creating sump conditions to the satisfaction of the Public Works Director. If a sump condition is unavoidable, design streets so that secondary overflow is through the streets and, as needed, design and install redundant drainage systems (i.e., additional storm drain line and catch basin systems). Secondary overland overflow shall not be allowed

through lot easements. Secondary overland overflow shall be allowed through fee title dedicated drainage paths, paseos or other pedestrian walkways and passageways.

49. The project shall comply with the Best Management Practices (BMPs) of the National Pollutant Discharge Elimination System (NPDES) and all NPDES Permit Requirements.
50. Prior to building occupancy, install BMPs to treat first flush.
51. Prior to issuance of any construction related permits (grading, building, etc.), a Dust Control Plan shall be prepared and submitted to the Antelope Valley Air Quality Management District (AVAQMD) in accordance with Rule 403 of the AVAQMD. An approved copy of the Dust Control Plan shall be submitted to the Public Works Department for residential projects of 10 acres and larger and for commercial/industrial projects of 5 acres and larger. In lieu of an approved plan, a letter from the AVAQMD waiving this requirement shall be submitted.
52. Prior to commencing hauling operations for this project, the applicant shall obtain a hauling permit for an import/export of > 100 CY of hauling material to/from the project within the public right-of-way including the export/receiving site and an exhibit of the proposed haul route. The applicant is responsible to obtain approval from all applicable agencies for the material hauling operation. The designated haul route shall be designed to the requirements of the City of Lancaster Design Guidelines, Standards, and Municipal Code and to the satisfaction of the Public Works Director.
  - The applicant shall comply with the following requirements for the material hauling operation:
    1. The hours of operation shall be approved by the Public Works Director.
    2. Provide non-stop street sweeping service on all City streets along the haul route during all hours of work to the satisfaction of the Public Works Director.
    3. Provide traffic control and flagging personnel along the haul route to the satisfaction of the Public Works Director.
    4. When required by the Public Works Director, the applicant shall post a security to serve as surety of repair in the event facilities within the City right-of-way are adversely impacted by the hauling operations.
  - Prior to building occupancy/release of security, the applicant shall repair any pavement damaged by the material hauling operation to the satisfaction of the Public Works Director. The security will not be reduced or released or building occupancy given until the completion of the repair work. The limits of the road

repairs shall be consistent with the approved haul route and determined by the Public Works Director.

### **SEWER**

53. Prior to sewer plan/lateral connection approval, and/or sewer encroachment permit issuance, the applicant shall submit a public sewer plan consistent with the approved site plan and conditions of approval. The sewer plan shall be based on an approved Sewer Area Study.
54. Prior to sewer plan/lateral connection approval, and/or sewer encroachment permit issuance, the applicant shall obtain approval of the final sewer area study. The final sewer facilities shall be based on the approved sewer area study and will be designed based on the City of Lancaster Engineering Design Guidelines Policies and Procedures Section 2.4, and/or to the satisfaction of the Public Works Director. Any on-site and/or off-site mitigation measures required by the approved sewer area study shall be constructed prior to first occupancy.
55. Prior to building occupancy, approval of this project is contingent upon the installation and dedication of local main line sewers and separate laterals to serve each structure at such time as the permanent structures are constructed on the site.
56. Prior to sewer plan approval, the streets shall be designed to avoid creating sump conditions to the satisfaction of the Public Works Director. Local main line sewers shall not be allowed through lot easements. Local main line sewers shall be allowed through fee title dedicated drainage paths, paseos or other pedestrian walkways and passageways.

### **WATER**

57. 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.
58. 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.
59. Per the direction of the Community Development Manager 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.

60. 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.
61. 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.

### **COMMUNITY DEVELOPMENT**

62. The applicant is hereby granted approval to split the existing 20-acre lot, located at the northeast corner of 30<sup>th</sup> Street West and Lancaster Boulevard (APN: 3153-034-087), into two residential lots and to construct a 324-unit apartment complex and 96-unit townhouse community in the Commercial Planned Development (CPD) zone.
63. All mechanical equipment (ground mounted and rooftop) shall be enclosed or screened from view.
64. A signage plan shall be submitted for approval by the Community Development Director at the time of building permit issuance. Such a plan shall be comprehensive and shall include location, height, square footage, method of attachment construction materials and colors of each sign proposed. These signs shall be in accordance with the Lancaster Municipal Code.
65. On-site management and security shall be provided for all large apartment complexes. Specific security provisions may include cameras, alarms, or active security guard surveillance, to the satisfaction of the Community Development Director.
66. Any changes in elevations are subject to further review by the Community Development Department.
67. Prior to certificate of occupancy, the applicant shall obtain any required AVAQMD permits necessary for the equipment onsite. A copy of the permits shall be provided to the City of Lancaster.

68. Prior to issuance of grading permits, the applicant shall receive project approval from the Los Angeles County Fire Department. The applicant shall comply with all Los Angeles County Fire Department conditions of approval.

#### **LANDSCAPING**

69. The applicant shall submit a landscape and irrigation plan to the Community Development Department prepared in accordance with Ordinance 1070 for review and approval.
70. Once installed, all landscaping shall remain in perpetuity.

#### **OTHER**

71. The applicant shall pay a fee to the City of Lancaster in the sum of \$770.00 per gross acre, to be held in the biological mitigation fund as established by the City Council. Payment of said fee shall occur prior to Final Map for Parcel/Tract Maps and prior to or concurrent with the approval of a grading permit for all other projects. Additionally, should the applicant be required to pay mitigation fees under the California Department of Fish and Wildlife, these fees can be deducted from the amount collected by the City of Lancaster.
72. Prior to first issuance of building permit, the applicant shall record a covenant for easement and/or a reciprocal access easement and maintenance agreement for all shared driveways and drive isles, private drainage devices, and common landscaping maintenance areas, within the project site and along the property frontage as directed by the Public Works Director. This condition may be satisfied by incorporating the appropriate provisions into the CC&Rs.
73. Prior to first issuance of building permit, the applicant shall obtain approval from the Public Works Director and the City Attorney for Covenants, Conditions, and Restrictions (CC&Rs) for this development. The applicant shall reimburse the City for the City Attorney's review fee. The CC&Rs shall grant the City the authority to review and approve/disapprove amendments (including dissolution) of the CC&Rs/association. The CC&Rs shall grant the City the right (though not the obligation) to enforce the CC&Rs (at a minimum those provisions related to City-required items).
74. Prior to first issuance of building permit, the applicant shall establish a Property/Home Owners' Association (POA/HOA), or similar entity, to ensure the continued maintenance of all shared/common lots, including the park, private drainage devices, all shared driveways and drive isles, and common landscaping maintenance areas.
75. Prior to final map submittal, applicant shall perform a new detailed boundary survey in the surrounding quarter section showing current monumentation and measurements affecting the subject property.

## ENVIRONMENTAL/MITIGATION MEASURES

76. Prior to ground disturbance activities, the project operator shall provide evidence to the Public Works Director that the project operator and/or construction manager has developed a “Valley Fever Training Handout”, training, and schedule of sessions for education to be provided to all construction personnel. All evidence of the training session materials, handout(s) and schedule shall be submitted to the Public Works Director within 24 hours of the first training session. Multiple training sessions may be conducted if different work crews will come to the site for different stages of construction; however, all construction personnel shall be provided training prior to beginning work. The evidence submitted to the Public Works Director regarding the “Valley Fever Training Handout” and Session(s) shall include the following:
- A sign-in sheet (to include the printed employee names, signature, and date) for all employees who attended the training session.
  - Distribution of a written flyer or brochure that includes educational information regarding the health effects of exposure to criteria pollutant emissions and Valley Fever.
  - Training on methods that may help prevent Valley Fever infection.
  - A demonstration to employees on how to use personal protective equipment, such as respiratory equipment (masks), to reduce exposure to pollutants and facilitate recognition of symptoms and earlier treatment of Valley Fever. Where respirators are required, the equipment shall be readily available and shall be provided to employees for use during work. Proof that the demonstration is included in the training shall be submitted to the City of Lancaster. This proof can be via printed training materials/agenda, DVD, digital media files, or photographs.
77. The project operator also shall consult with the Los Angeles County Public Health to develop a Valley Fever Dust Management Plan that addresses the potential presence of the *Coccidioides* spore and mitigates for the potential for Coccidioidomycosis (Valley Fever). Prior to issuance of permits, the project operator shall submit the Plan to the Los Angeles County Public Health for review and comment. The Plan shall include a program to evaluate the potential for exposure to Valley Fever from construction activities and to identify appropriate safety procedures that shall be implemented, as needed, to minimize personnel and public exposure to potential *Coccidioides* spores. Measures in the Plan shall include the following:
- Provide HEP-filters for heavy equipment equipped with factory enclosed cabs capable of accepting the filters. Cause contractors utilizing applicable heavy

equipment to furnish proof of worker training on proper use of applicable heavy equipment cabs, such as turning on air conditioning prior to using the equipment.

- Provide communication methods, such as two-way radios, for use in enclosed cabs.
- Require National Institute for Occupational Safety and Health (NIOSH)-approved half-face respirators equipped with minimum N-95 protection factor for use during worker collocation with surface disturbance activities, as required per the hazard assessment process.
- Cause employees to be medically evaluated, fit-tested, and properly trained on the use of the respirators, and implement a full respiratory protection program in accordance with the applicable Cal/OSHA Respiratory Protection Standard (8 CCR 5144).
- Provide separate, clean eating areas with hand-washing facilities.
- Install equipment inspection stations at each construction equipment access/egress point. Examine construction vehicles and equipment for excess soil material and clean, as necessary, before equipment is moved off-site.
- Train workers to recognize the symptoms of Valley Fever, and to promptly report suspected symptoms of work-related Valley Fever to a supervisor.
- Work with a medical professional to develop a protocol to medically evaluate employees who develop symptoms of Valley Fever.
- Work with a medical professional, in consultation with the Los Angeles County Public Health, to develop an educational handout for on-site workers and surrounding residents within three miles of the project site, and include the following information on Valley Fever: what are the potential sources/ causes, what are the common symptoms, what are the options or remedies available should someone be experiencing these symptoms, and where testing for exposure is available. Prior to construction permit issuance, this handout shall have been created by the project operator and reviewed by the project operator and reviewed by the Public Works Director. No less than 30 days prior to any work commencing, this handout shall be mailed to all existing residences within a specified radius of the project boundaries as determined by the Public Works Director. The radius shall not exceed three miles and is dependent upon the location of the project site.

- When possible, position workers upwind or crosswind when digging a trench or performing other soil-disturbing tasks.
  - Prohibit smoking at the worksite outside of designated smoking areas; designated smoking areas will be equipped with handwashing facilities.
  - Post warnings on-site and consider limiting access to visitors, especially those without adequate training and respiratory protection.
  - Audit and enforce compliance with relevant Cal OSHA health and safety standards on the job site.
78. If grading or site disturbance is to occur between January 1 through August 15 for raptors and February 15 through August 31 for all other avian species, a nesting bird survey shall be conducted within all suitable habitat, onsite and within 300-feet surrounding the site (as feasible), by a qualified biologist within no more than 5 days of scheduled vegetation removal or start of ground disturbing activities, to determine the presence of nests or nesting birds. If active nests are identified, the biologist shall establish buffers around the vegetation (500 feet for raptors and sensitive species, 200 feet for non-raptors/non-sensitive species). All work within these buffers shall be halted until the nesting effort is finished (i.e. the juveniles are surviving independent from the nest). The onsite biologist shall review and verify compliance with the no-work buffers and verify the nesting effort has finished. Work can resume when no other active nests are found onsite or within the surrounding buffer area. Alternatively, a qualified biologist may determine that construction can be permitted within the buffer areas of an active nest with preparation and implementation of a monitoring plan to prevent any impacts while the nest continues to be active (eggs, chicks, etc.). Upon completion of the survey and any follow-up construction avoidance management, a report shall be prepared documenting mitigation monitoring compliance. If ground disturbances have not commenced within 5 days of a negative survey or if construction activities have stopped for 5 days or longer, the nesting survey must be repeated to confirm the absence of nesting birds.
79. If human remains are encountered during excavation activities, all work shall halt and the County Coroner shall be notified (California Public Resources Code §5097.98). The Coroner will determine whether the remains are of forensic interest. If the Coroner, with the aid of the County-approved Archaeologist, determines that the remains are prehistoric, s/he will contact the Native American Heritage Commission (NAHC). The NAHC shall be responsible for designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the remains, as required by Section 7050.5 of the California Health and Safety Code. The MLD shall make his/her recommendation within 48 hours of being granted access to the site. The MLD's recommendation shall be followed if feasible, and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials (California

Health and Safety Code §7050.5). If the landowner rejects the MLD's recommendations, the landowner shall rebury the remains with appropriate dignity on the property in a location that will not be subject to further subsurface disturbance (California Public Resources Code §5097.98).

80. The project applicant shall retain a professional Tribal Monitor procured by the Fernandeano Tataviam Band of Mission Indians to observe all ground-disturbing activities including, but not limited to, clearing, grubbing, grading, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, leveling, driving posts, auguring, blasting, stripping topsoil or similar activity. One Tribal Monitor shall be assigned to each simultaneously occurring ground-disturbing activity. Tribal Monitoring Services will continue until confirmation is received from the project applicant, in writing, that all scheduled activities pertaining to Tribal Monitoring are complete. If the Project's scheduled activities require the Tribal Monitor(s) to leave the Project for a period of time and return, confirmation shall be submitted to the Tribe by Client, in writing, upon completion of each set of scheduled activities and 5 days' notice (if possible) shall be submitted to the Tribe by project applicant, in writing, prior to the start of each set of scheduled activities. If cultural resources are encountered, the Tribal Monitor will have the authority to request that ground-disturbing activities cease within 60 feet of discovery and a qualified archaeologist meeting Secretary of Interior standards retained by the project applicant as well as the Tribal Monitor shall assess the find.
81. The Lead Agency and/or applicant shall, in good faith, consult with the FTBMI and the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resource Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with FTBMI and YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents FTBMI and YSMN for the remainder of the project, should FTBMI and YSMN elect to place a monitor on-site.
82. If human remains or funerary objects are encountered during any activities associated with the Project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to State Health and Safety Code §7050.5 and that code shall be enforced for the duration of the Project. Inadvertent discoveries of human remains and/or funerary object(s) are subject to California State Health and Safety Code Section 7050.5, and the subsequent disposition of those discoveries shall be decided by the Most Likely Descendant (MLD), as determined by the Native American Heritage Commission (NAHC), should those findings be determined as Native American in origin.

83. The applicant shall submit the required Construction Excavation Fee to the Antelope Valley Air Quality Management District (AVAQMD) prior to the issuance of any grading and/or construction permits. This includes compliance with all prerequisites outlined in District Rule 403, Fugitive Dust, including submission and approval of a Dust Control Plan, installation of signage and the completion of a successful onsite compliance inspection by an AVAQMD field inspector. Proof of compliance shall be submitted to the City.
84. The Project Applicant shall implement the recommendations contained in the *Geotechnical and Infiltration Evaluation Proposed Multi-Family Residential Development Assessor's Parcel Number 3153-034-087 West Lancaster Boulevard and 30th Street West, City of Lancaster, Los Angeles County, California* prepared by GeoTek, Inc., dated April 19, 2023, to reduce geologic hazards during implementation of the proposed project. Included in the reports are site-specific recommendations involving such topics as, grading and earthwork, slope stability, retaining walls, seismic design, construction materials, geotechnical observation, and testing and plan reviews.
85. Prior to the start of grading, the Applicant shall prepare, and the City shall approve, a Paleontological Resource Impact Mitigation Program (PRIMP). The PRIMP shall include methods for:
- Attendance by a qualified paleontologist at the preconstruction meeting to consult with the grading and excavation contractors.
  - On-site presence of a paleontological monitor to inspect for paleontological resources during the excavation of previously undisturbed deposits.
  - Salvage and recovery of paleontological resources by the qualified paleontologist or paleontological monitor.
  - Preparation (repair and cleaning), sorting, and cataloguing of recovered paleontological resources.
  - Donation of prepared fossils, field notes, photographs, and maps to a scientific institution (preferably the LACM) with permanent paleontological collections.
  - Completion of a final summary report that outlines the results of the mitigation program, to be submitted for approval by the City of Lancaster.
86. A qualified paleontological monitor shall be present during grading and excavation within undisturbed alluvial deposits to monitor for paleontological resources. The paleontological monitor shall have the authority to halt or redirect grading activities if paleontological resources are found on site.

87. All rooftop HVAC equipment shall be shielded from the line of sight of adjacent properties behind rooftop parapet walls. All ground-level HVAC equipment shall be fully shielded behind noise barrier walls from the line of sight of adjacent properties.
88. The project should incorporate building construction techniques and insulation that is consistent with California Title 24 Building Standards to achieve the minimum interior noise standard of 45 dBA CNEL for all residential units.
89. A “windows closed” condition with upgraded windows and sliding glass doors is expected to be required for all residential units facing West Lancaster Boulevard and 30th Street West in order to meet the interior noise standard. See Section 6.3.2, Table 20, for details regarding window STC requirements.
90. For proper acoustical performance, all exterior windows, doors, and sliding glass doors should have a positive seal and leaks/cracks must be kept to a minimum. Attic vents and opening should be oriented away from the adjacent roadways.
91. The project shall comply with City of Lancaster Municipal Code requirements, and all construction will take place Monday through Saturday, between the hours of 7:00 AM to 8:00 PM. No construction will occur on Sundays or federal holidays.
92. Provide public notifications and signage in readily visible locations along the perimeter of construction sites that indicate the dates and duration of construction activities, as well as provide a telephone number where neighbors can enquire about the construction process and register complaints to a designated construction noise disturbance coordinator.
93. All construction equipment shall be equipped with mufflers and other suitable noise attenuation devices (e.g., engine shields).
94. Establish an electric connection to the site to avoid the use of diesel- and gas-powered generators, to the extent feasible.
95. Locate staging area, generators, and stationary construction equipment as far from the adjacent residential homes as feasible.
96. Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 5 minutes.