

**ATTACHMENT TO PC RESOLUTION NO. 23-35  
GENERAL PLAN AMENDMENT NO. 17-007  
ZONE CHANGE NO. 17-006  
SITE PLAN REVIEW NO. 17-003  
CONDITIONS LIST  
November 13, 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. This 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 considered the permit used, although the circumstances of each case may vary depending on the land use involved.

3. This 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.
4. 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.
5. 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.

6. All construction and/or installation of improvements shall be undertaken to the specification of the Lancaster Municipal Code.
7. 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.
8. 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
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.

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. 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.
16. 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.
17. 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.
18. An encroachment permit shall be obtained from the Public Works Department prior to doing any work within the public right-of-way.
19. 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**

20. Prior to recordation of the final map and/or building occupancy, the property shall be annexed into the Lancaster Drainage Maintenance District.
21. Prior to recordation of the final map and/or building occupancy, the property shall be annexed into the Lancaster Lighting Maintenance District.
22. The applicant is hereby advised that this project is subject to 1<sup>st</sup> year's assessment fees for the following maintenance districts, as applicable, prior to issuance of related permits (grading, building, sewer, etc.): 1) Lancaster Drainage Maintenance District, 2) Lancaster Lighting Maintenance District, and 3) Lancaster Sewer Maintenance District.

#### **STREETS**

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

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 15th and January 2nd, 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 15th.

### **TRAFFIC IMPROVEMENT PLANS**

27. Prior to issuance of the street improvement encroachment permit, the applicant shall obtain approval of a signing and striping plan. The signing and striping plan shall be completed in accordance with all City of Lancaster standards, as directed by the Public Works Director.
28. 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.

### **STREET IMPROVEMENTS**

29. Prior to building occupancy, the applicant shall construct the following street improvements within/along the frontage of the project site, as directed by the Public Works Director:

| 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 |
|-------------|---------------|---------------|---------------|--------------|-------------------|---------------|----------------|----------------------|---------------------|--------------|
| Avenue H    | X             | X             | X             | X            | X                 |               | X              |                      | X                   |              |

30. Prior to issuance of building permits, the applicant shall pay "In Lieu" fees for the construction of a landscaped median along the project frontage on Avenue H.
31. Prior to Final Map approval, improve Avenue H to include:
  - 7-foot painted median
  - 29 feet of pavement from the painted median to the curb and gutter

- 14-foot meandering sidewalk
32. Prior to building occupancy, the applicant shall construct base and paving, if existing conditions are determined to be substandard or do not meet City of Lancaster current pavement condition standards, or if this condition is applied to a new facility. The base and paving shall be constructed along the property frontage up to centerline and include additional improvements beyond centerline as follows:
  33. 7-foot painted median and 21 feet of pavement on Avenue H
  34. Prior to building occupancy, the applicant shall construct additional pavement as required to transition to the existing pavement in accordance with City of Lancaster Engineering Design Guidelines (Section 2.2.10.24), to the satisfaction of the Public Works Director.
  35. Prior to building occupancy, the applicant shall install conduit, pull rope, and pull boxes along regional, primary and secondary arterials to the nearest arterial intersection to be used for future Traffic Signal Communication Interconnect. The interconnect system shall be installed in accordance with the specifications approved by the Traffic Section, to the satisfaction of the Public Works Director.
  36. Prior to occupancy, the applicant shall design and construct City owned and maintained street lighting systems. The street lighting system shall be designed using a LS-3 rate schedule unless the new lights can be connected to an existing LS-2 rate schedule system **and** Southern California Edison will not require the installation of a pedestal. The Developer's engineer shall prepare all plans necessary to build said street lighting system in accordance with Southern California Edison and City of Lancaster standards.

#### **DRIVEWAY REQUIREMENTS**

37. 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.
38. 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 Avenue H

#### **DRAINAGE/GRADING**

39. 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 on the Tract Map or by separate instrument. All right-of-way dedications will be to the satisfaction of the City Engineer.

40. 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.
41. 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.
42. 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.
43. Prior to building occupancy, all drainage facilities and streets with secondary overflow are to be constructed and approved prior to occupancy of any structure within the project to the satisfaction of the Public Works Director.
44. 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.
45. 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 the 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.
46. The project shall comply with the Best Management Practices (BMPs) of the National Pollutant Discharge Elimination System (NPDES) and all NPDES Permit Requirements.
47. Prior to building occupancy, install BMPs to treat first flush.

48. 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 Community Development and Public Works Departments 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.
49. 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.
- a. The applicant shall comply with the following requirements for the material hauling operation:
    - i. The hours of operation shall be approved by the Public Works Director.
    - ii. 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.
    - iii. Provide traffic control and flagging personnel along the haul route to the satisfaction of the Public Works Director.
    - iv. 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.
  - b. 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**

50. Prior to final map approval, sewer plan/lateral connection approval, and/or sewer permit issuance, the applicant shall acquire and dedicate all required easements for sewer improvements as identified in the final sewer area study report by separate instrument. All right-of-way dedications will be to the satisfaction of the City Engineer.

51. Prior to issuance of a 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.
52. Prior to sewer plan/lateral connection approval, and/or sewer encroachment permit issuance, whichever comes first, 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.
53. Prior to building occupancy, approval of this project is contingent upon the installation of local main line sewers and separate laterals to serve each structure at such time as the permanent structures are constructed on the site.
54. 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**

55. 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.
56. 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.
57. 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.
58. 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.

59. 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**

60. 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.
61. Elevations and architectural details of the project buildings are subject to review and approval by the City of Lancaster Community Development Department to ensure that they are compatible with the established architectural design guidelines. This includes, but is not limited to, architectural style, color, exterior materials, material and type of walls. The applicant shall provide 360-degree architectural treatments for all proposed buildings.
62. Three (3) copies of a signage plan shall be submitted for approval by the Community Development Department 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 Lancaster Municipal Code and Design Guidelines.
63. No parking shall occur outside of the established on-site parking lots including on the undeveloped portions of the project site or on any public roadways.

#### **LANDSCAPING**

64. Prior to landscape encroachment permit, landscape plans shall be prepared in accordance with Ordinance No. 1070 and submitted to the Development Engineering Section of the Public Works Department, along with required plan check fees, for review and approval prior to the installation of landscaping or irrigation systems. Such plans are to be incorporated into development of the site and shall show size, type, and location of all plants, trees, and irrigation facilities.

65. Prior to building occupancy, the developer shall install a “purple pipe” irrigation system in all landscape maintenance districts to provide for future connection to a recycled water system to the satisfaction of the Public Works Director.
66. Landscape materials, once approved, shall be maintained in perpetuity.

#### **OTHER**

67. 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.

#### **ENVIRONMENTAL/MITIGATION MEASURES**

68. During the final design phase of the project, the applicant shall prepare a plan that addresses all the visual aspects of development including equipment, walls, lighting, and landscaping to reduce visual intrusion that could result from the development, as well as minimize the potential for lighting to adversely affect views in the area. The plan shall be submitted to the City of Lancaster to demonstrate compliance with this measure.
69. Prior to ground disturbance activities, the project operator shall provide evidence to the Community Development 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 Community Development 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 Community Development 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 flier 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 county. This proof can be via printed training materials/agenda, DVD, digital media files, or photographs.

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 Community Development 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 Community Development 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.

70. A nesting bird survey shall be conducted by a qualified biologist within 14 days prior to the start of construction/ground disturbing activities. If active bird nests are identified during the survey, the applicant shall contact the California Department of Fish and Wildlife to determine the appropriate mitigation/management requirements. Impacts to nesting birds will be avoided by delay of work or establishing a buffer of 500 feet around active raptor nests and 50 feet around other migratory bird species. A qualified biologist shall periodically monitor any active bird nests to determine if project-related activities occurring outside the “no-disturbance” buffer disturbs the birds and if the buffer shall be increased. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, project activities within the “no-disturbance” buffer may occur following an additional survey by the qualified biologist to search for any new bird nests in the restricted area.
71. A preconstruction survey for legless lizards shall be conducted with 14 days prior to the start of any construction activities. In the event that any lizards are found, they shall be relocated to a safe (construction free) area nearby prior to the start of any construction activities by a qualified biologist.

72. Prior to the disturbance of any Joshua trees on the project through any activities including trimming, transplanting, removal, etc., the applicant shall obtain permission through the California Department of Fish and Wildlife. Proof of the approval shall be provided to the City prior to the disturbance occurring. The applicant can either obtain an Incidental Take Permit through the traditional process or they can obtain the approval through the Joshua Tree Habitat Conservation Act.
73. Due to the presence of alkali mariposa lilies on the project site, the applicant shall retain a biologist to conduct a springtime sensitive plant survey specifically focused on alkali mariposa lilies. In the event that a springtime survey cannot be conducted, the biologist shall map all habitat suitable for these special status plant species. The biologist's report shall include the total acreage of alkali mariposa lilies present or the suitable habitat for these species and the applicant shall be required to pay \$2,405/acre for these areas. The funds shall be placed into a designated account and utilized for the acquisition of conservation habitat within the Antelope Valley.
74. A preconstruction survey for desert kit fox shall be conducted no more than 30 days prior to the start of construction. In the event that potential dens are observed, the following buffer distances shall be established prior to construction activities:
- Desert kit fox potential den: 30 feet
  - Desert kit fox active den: 100 feet
  - Desert kit fox natal den: 500 feet

If avoidance of potential dens is not possible, the following measures shall be enacted:

- If the qualified biologist determines that potential dens are inactive, the biologist shall excavate these dens by hand with a shovel to prevent foxes from re-using them during construction.
  - If the qualified biologist determines that potential dens may be active, an on-site passive relocation program shall be implemented. This program shall consist of excluding foxes from occupied burrows by installation of one way doors at burrow entrances, monitoring of the burrow for one week to confirm usage has been discontinued and excavation and collapse of the burrow to prevent reoccupation.
  - After the qualified biologist determines that kit foxes have stopped using active dens within the project boundary, the dens shall be hand-excavated with a shovel to prevent re-use during construction.
75. The applicant shall consult with the California Department of Fish and Wildlife (CDFW) to determine whether a Streambed Alteration Agreement is required for the washes on the

project site. A copy of the agreement or documentation stating an agreement is unnecessary shall be submitted to the City of Lancaster prior to the issuance of any construction-related permits.

76. The applicant shall consult with the Lahontan Regional Water Quality Control Board (RWQCB) to determine if the washes on the project site are subject to their jurisdiction. Any necessary permits from the RWQCB shall be obtained prior to the issuance of construction related permits (e.g., grading, building, etc.) by the City of Lancaster.
77. 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, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, grading, leveling, clearing, driving posts, auguring, blasting, stripping topsoil or similar activity. Tribal Monitor shall be assigned by the tribe to each machine or work crew engaged in ground disturbing activity that is active more than 100 feet from any other earthwork machine. In the event that Native American cultural resources are discovered during Project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. The archaeologist and Tribal monitor will have the authority to request ground disturbing activities cease within the area of a discovery. Work on the other portions of the Project outside of the buffered area may continue during this assessment period.
78. The applicant and Lead Agency shall, in good faith, consult with the Fernandeano Tataviam Band of Mission Indians on the disposition and treatment of any Tribal Cultural Resource encountered during project implementation.
79. 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.
80. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue

during this assessment period. Additionally, the Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted regarding any pre-contact and/or historic-era finds and be provided information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input with regards to significance and treatment.

81. If significant pre-contact and/or historic-era cultural resources, as defined by CEQA (as amended, 2015), are discovered and avoidance cannot be ensured, the archaeologist shall develop a Monitoring and Treatment Plan, the drafts of which shall be provided to YSMN for review and comment. The archaeologist shall monitor the remainder of the project and implement the Plan accordingly.
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 enforced for the duration of the project.
83. The Yuhaaviatam of San Manuel Nation Cultural Resources Department (YSMN) shall be contacted of any pre-contact and/or historic-era cultural resources discovered during project implementation, and be provided information regarding the nature of the find, so as to provide Tribal input with regards to significance and treatment. Should the find be deemed significant, as defined by CEQA (as amended, 2015), a cultural resources Monitoring and Treatment Plan shall be created by the archaeologist, in coordination with YSMN, and all subsequent finds shall be subject to this Plan. This Plan shall allow for a monitor to be present that represents YSMN for the remainder of the project, should YSMN elect to place a monitor on-site.
84. Any and all archaeological/cultural documents created as a part of the project (isolate records, site records, survey reports, testing reports, etc.) shall be supplied to the applicant and Lead Agency for dissemination to YSMN. The Lead Agency and/or applicant shall, in good faith, consult with YSMN throughout the life of the project.
85. 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.
86. The use, storage, and transport of hazardous materials associated with the operation of the proposed electric school bus manufacturing facility shall be in compliance with all

applicable regulations. Any necessary permits shall be obtained from the Los Angeles County Fire Department, AVAQMD, or other applicable agency.

87. Disposal of any hazardous material shall be done in accordance with all applicable regulations and associated with an EPA HazWaste ID number issued for the project site.
88. Construction operations shall not occur between 8 p.m. and 7 a.m. on weekdays or Saturday or at any time on Sunday. The hours of any construction-related activities shall be restricted to the periods and days permitted by local ordinance.
89. The on-site construction supervisor shall have the responsibility and authority to receive and resolve complaints. A clear appeal process to the owner shall be established prior to construction commencement that will allow for resolution of noise problems that cannot be immediately solved by the site supervisor.
90. Electrically powered equipment shall be used instead of pneumatic or internal combustion power equipment, where feasible.
91. Material stockpiles and mobile equipment staging, parking and maintenance areas shall be located as far away as practicable from noise sensitive receptors.
92. The use of noise producing signals, including horns, whistles, alarms, and bells shall be for safety warning purposes only.
93. No project-related public address or music system shall be audible at any adjacent receptor.
94. All noise producing construction equipment and vehicles using internal combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and other shrouds, shields, or other noise-reducing features in good operating condition that meets or exceeds original factory specifications. Mobile or fixed "package" equipment (e.g., arc-welders, air compressors, etc.) shall be equipped with shrouds and noise controls features that are readily available for the type of equipment.
95. All manufacturing operations shall be conducted inside of the building with the roll-up doors closed. The roll-up doors shall only be utilized to move buses in and out of the facility.
96. The proposed project shall pay \$555,300 to mitigate its Vehicle Miles Traveled (VMT) impacts in accordance with the City's VMT Impact Fee Mitigation Program approved by the City Council on January 24, 2023.