

ATTACHMENT TO PLANNING COMMISSION RESOLUTION NO. 25-01
CONDITIONAL USE PERMIT NO. 24-005
CONDITIONS LIST
JANUARY 27, 2025

GENERAL CONDITIONS

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 Conditional Use Permit must be used within two (2) years from the date of approval; otherwise the Conditional Use Permit will expire. The applicant may, not less than sixty (60) days prior to the expiration date, request a total of three one-(1)-year extensions in writing to the Community Development Director. Modifications to the plan, including timing of on- and off-site improvements that do not raise significant new issues or extend the overall time frame beyond the approval period may be approved by 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 conditional use permit. Under the Zoning Ordinance, construction or other development authorized by the conditional use permit 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. 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 plot plan.
4. 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.
5. The following items/plans shall be submitted to the Community Development and Public Works Departments, and approval prior to issuance of permits:
 - a. Landscape Plan: Landscape plans shall be prepared in accordance with Ordinance No. 907.
 - b. Trash Enclosure Plan
6. All necessary permits shall be obtained from the Community Development and Public Works Departments prior to any construction, remodeling, or replacement of buildings or other structures.
7. 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.
8. 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.
9. 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.

10. The applicant shall execute an agreement as set forth in Lancaster Municipal Code section 17.43.130, in a form and substance approved by the City Attorney, and also 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 conditional use permit and the use(s) and development permitted by its approval. The City shall promptly notify the applicant 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 applicant or fails to cooperate fully in the defense.
11. 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.
12. 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.
13. This Conditional Use Permit will not be effective until ten (10) working days after the date upon which it is granted by the Planning Commission 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.
14. 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.
15. The applicant shall obtain a city business license and pay all necessary fees prior to the operation of any business within the city. Additionally, once operational, the applicant shall also coordinate and create an account with the city's cannabis fee collection system to collect all monthly surcharges; Commercial cannabis retail and delivery activity shall be five percent (5%) of gross receipts for all cannabis and cannabis products.

PLANNING

16. The applicant is hereby granted approval for cannabis retail sales and delivery within the existing building located at 45248 Trevor Avenue (Assessor's Parcel Number (APN): 3137-015-047) in the Heavy Industrial (HI) zone. Improvements to the site include:
 - a. A new 168 square-foot trash enclosure located at the rear of the site with construction that is compatible to the building.
 - b. Approximately 320 square feet of enhanced landscaping street-adjacent on the subject property.

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- c. A new 6-foot tall concrete block wall at the south, east and north property lines.
 - d. New architectural improvements to the west, south, and east building façade elevations. Such improvements include architectural light fixtures, trellis features, and canopy overhangs.
- 17. The hours of operation for the retail cannabis component of the business shall be limited to 9 a.m. to 10 p.m., Monday through Sunday. Delivery operations shall be limited to 6 a.m. to 10 p.m., Monday through Sunday.
- 18. The perimeter wall must be constructed to completion per plan prior to Certificate of Occupancy.
- 19. Landscape materials, once approved, shall be maintained in perpetuity.
- 20. Outdoor storage of cannabis or cannabis product is prohibited.
- 21. Any and all window and security devices, such as metal bars, gates, and shutters, shall be installed within the interior of the building and screened from the public street to the satisfaction of the Community Development Director.
- 22. The use shall operate consistent with the project description and other supporting documentation submitted with this application unless otherwise conditioned herein, including, but not limited to the business plan and security plan. The Conditional Use Permit shall be reviewed by the Community Development Director if any reasonable written complaint is received from any citizen or from the Lancaster Sheriff Department or upon receipt of evidence that the use is not in compliance with the conditions of approval and the Lancaster Municipal Code. The Community Development Director may refer the complaint to the Planning Commission at their discretion and conditions of approval may be added, deleted, or modified or the Conditional Use Permit may be revoked.

Cannabis

- 23. The applicant shall pay all applicable current and future state and all applicable cannabis fees, and related penalties established by City Council, including but not limited to application, administrative review, inspections, etc.
- 24. The applicant shall comply with all applicable provisions of the LMC relating to cannabis commercial activity including, but not limited to, those provisions of Chapters 5.56 and 17.43, as they may be amended from time to time.
- 25. Detection of cannabis odor outside of the proposed cannabis retail use may result in the revocation of Conditional Use Permit No. 24-005.
- 26. The applicant shall provide all gear and suits for protection of City staff during site inspections.
- 27. Failure to immediately grant access to any authorized City staff onto the premises or into any portion of the facility may result in revocation of the Conditional Use Permit.

General

- 28. 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.

29. Architectural improvements approved for the facades of the building must be completed per the Elevation plans on file with the city prior to Certificate of Occupancy.
30. All equipment and access ladders shall be located interior of the building. Roof-mounted equipment shall be fully screened from public view by parapet walls or other architectural features. No exterior ground-mounted equipment or exterior roof access ladders shall be permitted.
31. The applicant shall submit a complete application for a Landscape Plan Review (LPR) to the Planning Division prior to first building permit issuance. The plan must be prepared by a California registered landscape architect and shall be designed with the plant palette suitable for Lancaster. The landscape design plan shall meet the design criteria of the State Water Efficiency Landscape Ordinance as well as all other current Municipal Codes.
32. Prior to Certificate of Occupancy, the applicant shall prepare, implement, and make available a written Hazardous Materials Management Plan to include a list of all hazardous products, chemicals, fertilizers, herbicides, pesticides, lubricants, flammable liquids, bleaches, cleaning supplies, aerosols, etc., that will be stored, or in use, on the site and the related Safety Data Sheets (SDS). The applicant shall ensure the safe and proper storage of chemicals and products, in accordance with all applicable local, state, and federal laws, including the use of appropriate personal protective equipment when handling hazardous materials. A copy of the Hazardous Materials Management Plan shall be subject to review and approved by the Community Development Director.
33. The applicant shall comply with all applicable provisions of the Lancaster Municipal Code relating to cannabis commercial activity including, but not limited to, those provisions of Chapters 5.56 and 17.43. as they may be amended from time to time.
34. Prior to issuance of any building permit, the City shall receive documentation that the odor filtration system was designed by a mechanical engineer. The odor filtration system plan shall include the engineer's stamp, certifying that it complies with Lancaster Municipal Code Section 17.43.070.B.12.
35. Prior to issuance of a Certificate of Occupancy, the City shall receive documentation that the applicant has established service with the City's waste management and manufacturing-related cannabis waste management franchisees. The applicant shall store and process all cultivation- and manufacturing-related cannabis and cannabis products in strict accordance with the requirements established by the applicable franchisee and approved by the Community Development Director.

ENGINEERING

STREETS

36. An encroachment permit shall be obtained from the Public Works Department prior to doing any work within the public right-of-way.
37. 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 to 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.

WATER

38. 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.
39. 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.

LANDSCAPING

40. Developer shall install a parkway planter with landscaping and irrigation where required in accordance with the adopted Design Guidelines.