

**ATTACHMENT TO PC RESOLUTION NO. 24-22
GENERAL PLAN AMENDMENT NO. 21-001
ZONE CHANGE NO. 21-001
TENTATIVE TRACT MAP NO. 24-001 (84317)
CONDITIONAL USE PERMIT NO. 21-001
CONDITIONS LIST
APRIL 21, 2025**

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 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. 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. For the sale of alcohol within an existing building, the City generally requires that a license has been issued by the State of California Alcoholic Beverage Control to constitute “use” of the conditional use 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 Community Development and Public Works 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. The first check of the final map shall be submitted at least 180 days prior to the expiration date of the tentative map.
20. 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

21. Prior to recordation of the final map and/or building occupancy, the property shall be annexed into the Lancaster Drainage Maintenance District.
22. Prior to recordation of the final map and/or building occupancy, the property shall be annexed into the Lancaster Lighting Maintenance District.
23. Prior to recordation of the final map and/or building occupancy, the property shall be annexed into the Lancaster Sewer Maintenance District.
24. Prior to recordation of the final map and/or building occupancy, the property shall be annexed into the Lancaster Landscape Maintenance District.
25. The applicant is hereby advised that this project is subject to 1st 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, 3) Lancaster Sewer Maintenance District, and 4) Lancaster Landscape Maintenance District.

26. Prior to site plan approval, the applicant shall pay all required CEQA VMT analysis and/or Local Transportation Assessment review fees as outlined under II-Public Works, Section 2: Engineering Fees, Traffic Study Review in the City's most current Fee Schedule.

STREETS

27. Prior to issuance of building permit, the applicant shall dedicate sidewalk easements sufficient to encompass ADA requirements for sidewalks installed with drive approaches.
28. Provide letter(s) of slope easement(s) as directed by the Public Works Director.
29. 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.
30. 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)
31. 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

32. 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.
33. Prior to issuance of the street improvement encroachment permit, the applicant shall obtain approval of a traffic signal plan. The traffic signal plan shall be completed in accordance with all City of Lancaster standards, as directed by the Public Works Director.
34. 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

35. Prior to issuance of building permits, improve and offer for dedication:
 - 15th Street West at 66 feet of an ultimate 80-foot right-of-way

36. Prior to issuance of building permits, the applicant shall dedicate a corner cutoff at all intersections, as defined in the City of Lancaster Engineering Design Guidelines Section 2.2.10.6.1 (residential) or Section 2.2.10.6.2 (arterial).
37. 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 L	X	X	X		X	X			X	
15 th Street West	X	X	X		X		X		X	

38. Prior to issuance of building permits, improve 15th Street West to include:
- 7-foot painted median
 - 19 feet of pavement from the painted median to the top of curb
 - 14-foot meandering sidewalk
39. 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:
- 7-foot painted median and 19 feet of pavement on 15th Street West.
40. 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.
41. 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.
42. Prior to occupancy, the applicant shall design and construct City owned and maintained street lighting systems (LS-3 rate schedule). 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.
43. Prior to issuance of building permits, the applicant shall dedicate the right to restrict direct vehicular ingress and egress on all streets having a project volume of 2,000 vehicle trips each day

and within 100 feet of any secondary or primary arterial, on the Tract Map or by separate document.

44. Prior to building occupancy, a reciprocal access agreement shall be recorded for all driveways on 15th Street West to provide access to all parcels located immediately to the east.
45. If at any time during the operation of any business on this parcel there are frequent and/or persistent situations where vehicles attempting to access said business queue back onto a public facility, the property/business owner is required to submit a mitigation plan to the City. The plan will be implemented and monitored by and at the expense of the property/business owner until conditions are deemed acceptable by the City Traffic Engineer.
46. All traffic signal improvements shall be constructed to the satisfaction of the Public Works Director.
47. Prior to issuance of the street improvement encroachment permit, the applicant shall obtain approval of a traffic signal plan. The traffic signal plan shall be completed in accordance within all City of Lancaster standards, as directed by the Public Works Director.
48. Prior to building occupancy, the applicant shall install all traffic signal upgrades at the following location:
 - Southeast corner of the intersection of Avenue L and 15th Street West
 - Any infrastructure or operating equipment deemed necessary due to the addition of the southern leg of the intersection.
49. Applicant will be responsible for the installation of all pavement transitions, pavement markings, signage and street lighting deemed necessary for the installation of the south leg of the intersection of 15th Street West and Avenue L.
50. Prior to final certificate of occupancy, the applicant shall pay a deposit to cover the cost for the City to conduct a traffic signal retiming study.
51. Prior to building occupancy, the applicant shall provide and install street name signs, as directed by the Public Works Director.
52. Prior to building occupancy, the applicant shall design and construct ADA-compliant curb ramps at the following locations, to the satisfaction of the Public Works Director:
 - Southeast corner of Avenue L and 15th Street West
53. The curb ramp(s) shall comply with the requirements of Title II of the American with Disabilities Act (ADA) relating to curb ramps and pedestrian crossings.
54. Prior to building occupancy, the applicant shall construct all operational or safety improvements identified in the approved Local Transportation Assessment Report.

55. Prior to final certificate of occupancy of each phase, the applicant shall construct or pay a fair-share contribution for all improvements as identified in the approved CEQA VMT Analysis / Local Transportation Assessment Report required to adequately serve this development, to the satisfaction of the Public Works Director.

DRIVEWAY REQUIREMENTS

56. 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 110-2, 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.
57. Prior to building occupancy, the applicant shall remove the existing driveway on Avenue L fronting the project site and replace it with sidewalk.
58. Prior to building occupancy, the applicant shall design and construct ADA “walk arounds” at all driveway locations on 15th Street West, to the satisfaction of the Public Works Director.

DRAINAGE/GRADING

59. 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.
60. 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.
61. 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.
62. Prior to first occupancy, the applicant shall construct all drainage improvements required by the City of Lancaster’s Master Plan of Drainage Facilities (MPDF) when warranted by upstream development and/or if identified as “critical” by the Master Plan of Drainage or City Engineer to the satisfaction of the Public Works Director. This may include but not be limited to a 42-inch reinforced concrete pipe(s) in 15th Street West. The hydrology/hydraulic report prepared for the project shall provide calculations demonstrating the proposed improvements will be of sufficient size and capacity to mitigate and convey interim and ultimate watershed flow from the project site and surrounding off-site tributary areas. The hydrology/hydraulic report shall also include analyses to determine if and when the MPDF will be warranted and identify any interim MPDF

and/or local improvements required with the project. The applicant is hereby advised that this project is subject to Planned Local Drainage Facilities Fees at the time of building permit issuance as part of their fair share of future cost. If ultimate MPDFs are warranted at the time of development, the applicant may enter into a reimbursement agreement with the City and be credited fees per the City's Drainage Reimbursement Policy.

63. 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. If the project is phased, all drainage facilities required for each phase will be constructed and approved prior to occupancy of any structure within that phase.
64. 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.
65. The project shall comply with the Best Management Practices (BMPs) of the National Pollutant Discharge Elimination System (NPDES) and all NPDES Permit Requirements.
66. Prior to building occupancy, install BMPs to treat first flush.
67. 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.
68. 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

- 69. Prior to issuance of a sewer permit, the applicant shall submit a sewer plan consistent with the approved site plan and conditions of approval. The sewer plan shall be based on an approved Sewer Area Study.
- 70. 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.
- 71. 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.
- 72. 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.
- 73. 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 dedicate drainage paths, paseos, or other pedestrian walkways and passageways.

WATER

- 74. 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.

75. 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.
76. 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.
77. 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 White Fence Farms Mutual Water Company (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.
78. 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

79. 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.
80. Elevations and architectural details of the future 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.
81. 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.
82. All mechanical equipment, both rooftop and ground-mounted, shall be screened from view.
83. Roof access ladders shall be located and accessed from interior to the building. Roof access ladders shall not be located on the exterior of the building.

84. All electrical equipment shall be located interior to the building and shall not be located in attached electrical closets.
85. Any future sales of alcohol shall require additional approvals from the Community Development Department.
86. The applicant shall work with the White Fence Farms Mutual Water Company to secure the water easement located south of the project site through a mutually agreeable method (e.g., fencing, etc.) to minimize the potential for damage to the infrastructure.
87. The applicant shall work with the surrounding community members, including the White Fence Farms Neighborhood Watch, to provide a remotely operated gate on 15th Street West at the southern end of the project site. The proposed gate shall be reviewed and comply with all City of Lancaster and Los Angeles County Fire Department requirements and standards prior to installation.

LANDSCAPING

88. 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.
89. Prior to building occupancy, 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.
90. Landscape materials, once approved, shall be maintained in good condition in perpetuity.

OTHER

91. Prior to first issuance of building permit, adjust lots (Assessor Parcel Numbers 3109-026-032, -040, -042, and -044) to ensure structures are not crossing lot lines and meet setbacks. Applicant shall file and record separate instrument such as final map or lot line adjustment.
92. 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.
93. Prior to first certificate of occupancy, the applicant shall record a covenant for easement and/or a reciprocal access easement and maintenance agreement for all shared driveways and drive aisles, 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.

94. Prior to first certificate of occupancy, 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).
95. Prior to first certificate of occupancy, the applicant shall establish a Property/Home Owners' Association (POA/HOA), or similar entity, to ensure the continued maintenance of all shared/common lots, and private drainage devices.

ENVIRONMENTAL/MITIGATION MEASURES

96. 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.
97. The project applicant shall obtain a Western Joshua Tree Conservation Act permit from the California Department of Fish and Wildlife to remove the Joshua trees on the project site. As part of obtaining the Western Joshua Tree Act Conservation permit, the project applicant shall follow all measures outlined in the executed permit and pay all mitigation fees identified in the Western Joshua Tree Conservation Act. A copy of the fully executed permit shall be provided to the City of Lancaster prior to the issuance of any construction-related permits.
98. The project applicant shall comply with the conservation measures identified in the Western Joshua Tree Conservation Plan upon adoption by the California Fish and Game Commission, to the extent feasible.
99. A nesting bird and raptor survey shall be conducted by a qualified biologist within 7 days prior to the start of construction/ground disturbing activities. The qualified biologist shall survey the entire project site and areas within a biologically defensive buffer zone surrounding the project site. If project activities are delayed or suspended for more than 7 days during the nesting season, the nesting bird and raptor survey shall be repeated. If active bird nests are identified during the survey, the species shall be identified and a no-disturbance buffer shall be established around the active nest. At a minimum, a buffer of 500 feet around active raptor nests and 100 feet around migratory bird species nests shall be established. Personnel working on the project, including all contractors working onsite, shall be instructed on the presence of nesting birds, restricted areas, and adherence to no-disturbance buffers. 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 areas.
100. A pre-construction burrowing owl clearance survey shall be conducted no more than 14 days prior to any vegetation removal or ground disturbing activities to avoid impacts to burrowing owls and/or occupied burrows. The pre-construction clearance survey shall be conducted by a qualified biologist and in accordance with the methods outlined in the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). Documentation of surveys and findings shall be submitted to the City of Lancaster for review and file. If no burrowing owls or occupied burrows are detected, project activities may begin, and no additional avoidance and minimization measures shall be required.

If an occupied burrow is found outside, but within 500 feet, of the development footprint, the qualified biologist shall establish a “no-disturbance” buffer around the burrow location(s). The size of the “no-disturbance” buffer shall be determined in consultation with CDFW and be based on the species status (i.e., breeding, non-breeding) and proposed level of disturbance. If an occupied burrow is found within the development footprint, the qualified biologist shall prepare an Impact Assessment and Burrowing Owl Mitigation Plan in accordance with CDFW’s Staff Report on Burrowing Owl Mitigation. The project proponent shall contact CDFW to develop appropriate mitigation and management procedures and a final Burrowing Owl Mitigation Plan shall be submitted to the City and CDFW for review and approval prior to project activities.

If burrowing owl presence is confirmed, the Project proponent shall offset impacts by acquiring CDFW-approved mitigation lands for the species. The potential mitigation land shall have the following: 1) have presence of burrowing owl; 2) replace the impacted burrowing owl habitat area at a minimum of 2:1 ratio to ensure no net loss of habitat; and 3) be of equivalent or greater habitat value than that of the project site. Prior to acquisition of potential mitigation land, the project proponent shall provide CDFW with the appropriate documentation for property eligibility. Requested documentation may include, but is not limited to, a biological report, preliminary title report, mineral risk assessment report, and Phase I Environmental Site Assessment report. Following CDFW written approval of potential mitigation land, the project proponent shall protect the land in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands pursuant to Assembly Bill 1094. Recordation of the conservation easement shall occur prior to commencement of project activities. An appropriate endowment, to be determined by CDFW, shall also be provided for the long-term monitoring and management of mitigation lands.

101. Within 72 hours of the start of project-related activities, a qualified biologist with the appropriate handling permits shall conduct a survey to determine presence of the northern California legless lizard. The qualified biologist shall survey the proposed impact areas and a 50-foot buffer. Surveys shall incorporate appropriate methods to detect these species, including individuals that could be concealed in burrows, beneath leaf litter, or in loose soil prior to any project activities in areas that have or may have the potential to support these species. If any special-status species is found, the qualified biologist shall contact CDFW and the species shall be passively ushered out of harm’s way to an area that is unaffected by the project. If the project requires SCC to be removed, disturbed, or otherwise handled, the qualified biologist shall obtain all appropriate permits and prepare a species-specific list (or plan) of proper handling and passive relocation protocols. The list (or plan) of protocols shall be implemented during project construction.
102. In the event that cultural resources are discovered during project activities, all work in the immediate vicinity of the find (with 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 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.

103. If significant pre-contact 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.
104. 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.
 - 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.
 - Should human remains and/or cremations be encountered on the surface or during any and all ground-disturbing activities (i.e., clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all water supply, electrical, and irrigation lines, and landscaping phases of any kind), work in the immediate vicinity of the discovery shall immediately stop within a 100-foot perimeter of the discovery. The area shall be protected; project personnel/observers will be restricted. The County Coroner is to be contacted within 24 hours of discovery. The County Coroner has 48 hours to make his/her determination pursuant to State and Safety Code §7050.5. and Public Resources Code (PRC) § 5097.98.
 - In the event that the human remains and/or cremations are identified as Native American, the Coroner shall notify the Native American Heritage Commission within 24 hours of determination pursuant to subdivision (c) of HSC §5097.98.
 - The Native American Heritage Commission shall immediately notify the person or persons it believes to be the Most Likely Descendant (MLD). The MLD has 48 hours, upon being granted access to the Project site, to inspect the site of discovery and make his/her recommendation for final treatment and disposition, with appropriate dignity, of the remains and all associated grave goods pursuant to PRC §5097.98.
 - If the Morongo Band of Mission Indians has been named the Most Likely Descendant (MLD), the Tribe may wish to rebury the human remains and/or cremation and sacred items in their place of discovery with no further disturbance where they will reside in perpetuity. The place(s) of reburial will not be disclosed by any party and is exempt from the California Public Records Act (California Government Code § 6254[r]). Reburial

location of human remains and/or cremations will be determined by the Tribe's Most Likely Descendant (MLD), the landowner, and the City Planning Department.

105. 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.
106. 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.
107. If 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 retained by the project applicant shall assess the find. Work on the portions of the Projects outside of the buffered area may continue during this assessment period. Should the find be deemed significant, as defined by CEQA (as amended, 2015), the Project applicant shall retain a professional Tribal Monitor procured by the FTBMI to observe all remaining ground-disturbing activities including, but not limited to, clearing, grading, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, leveling, driving posts, auguring, blasting, stripping topsoil or similar activity, and archaeological work.
108. The Lead Agency and/or applicant shall, in good faith, consult with FTBMI on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities.
109. Prior to the issuance of grading permits, the applicant shall enter into a Tribal Monitoring Services Agreement with the Morongo Band of Mission Indians (MBMI) for the Project. The Tribal Monitor shall be on-site during all ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post placement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind). The Tribal Monitor shall have the authority to temporarily divert, redirect, or halt the ground-disturbing activities to allow identification, evaluation, and potential recovery of cultural resources.
110. Prior to any ground-disturbing activities (including, but not limited to, clearing, grubbing, tree and bush removal, grading, trenching, fence post replacement and removal, construction excavation, excavation for all utility and irrigation lines, and landscaping phases of any kind), and prior to the issuance of grading permits, the Applicant shall retain a Qualified Archaeologist who meets the U.S. Secretary of the Interior Standards (SOI). The Archaeologist shall be present during all ground-

disturbing activities to identify any known or suspected archaeological and/or cultural resources. The Archaeologist will conduct a Cultural Resource Sensitivity Training, in conjunction with the Tribe[s] Tribal Historic Preservation Officer (THPO), and/or designated Tribal Representative. The training session will focus on the archaeological and tribal cultural resources that may be encountered during ground-disturbing activities as well as the procedures to be followed in such an event.

111. Prior to any ground-disturbing activities the project Archaeologist shall develop a Cultural Resource Management Plan (CRMP) and/or Archaeological Monitoring and Treatment Plan (AMTP) to address the details, timing, and responsibilities of all archaeological and cultural resource activities that occur on the project site. This Plan shall be written in consultation with the consulting Tribe[s] and shall include the following: approved Mitigation Measures/Conditions of Approval, contact information for all pertinent parties, parties' responsibilities, procedures for each mitigation measure or condition of approval, and an overview of the project schedule.
112. The retained Qualified archeologist and Consulting Tribe[s] representative shall attend the pre-grade meeting with the grading contractors to explain and coordinate the requirements of the monitoring plan.
113. During all ground-disturbing activities the Qualified Archaeologist and the Tribal Monitor shall be on-site full-time. The frequency of inspections shall depend on the rate of excavation, the materials excavated, and any discoveries of Tribal Cultural Resources as defined in California Public Resources Code Section 21074. Archaeological and Tribal Monitoring will be discontinued when the depth of grading and the soil conditions no longer retain the potential to contain cultural deposits. The Qualified Archaeologist, in consultation with the Tribal Monitor, shall be responsible for determining the duration and frequency of monitoring.
114. In the event that previously unidentified cultural resources are unearthed during construction, the Qualified Archaeologist and the Tribal Monitor shall have the authority to temporarily divert and/or temporarily halt ground-disturbance operations in the area of discovery to allow for the evaluation of potentially significant cultural resources. Isolates and clearly non-significant deposits shall be minimally documented in the field and collected so the monitored grading can proceed.

If a potentially significant cultural resource(s) is discovered, work shall stop within a 60-foot perimeter of the discovery and an Environmentally Sensitive Area (ESA) physical demarcation/barrier constructed. All work shall be diverted away from the vicinity of the find, so that the find can be evaluated by the Qualified Archaeologist and Tribal Monitor[s]. The Archaeologist shall notify the Lead Agency and consulting Tribe[s] of said discovery. The Qualified Archaeologist, in consultation with the Lead Agency, the consulting Tribe[s], and the Tribal Monitor, shall determine the significance of the discovered resource. A recommendation for the treatment and disposition of the Tribal Cultural Resource shall be made by the Qualified Archaeologist in consultation with the Tribe[s] and the Tribal Monitor[s] and be submitted to the Lead Agency for review and approval. Below are the possible treatments and dispositions of significant cultural resources in order of CEQA preference:

- Full avoidance
 - If avoidance is not feasible, preservation in place.
 - If preservation in place is not feasible, all items shall be reburied in an area away from any future impacts and reside in a permanent conservation easement or deed restriction.
 - If all other options are proven to be infeasible, data recovery through excavation and then curation in a curation facility that meets the Federal Curation Standards (CFR 79.1)
115. The final report(s) created as a part of the project (AMTP, isolate records, site records, survey reports, testing reports, etc.) shall be submitted to the Lead Agency and Consulting Tribes(s) for review and comment. After approval of all parties, the final reports are to be submitted to the appropriate Information Center and the Consulting Tribe(s).
116. 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.
117. Prior to the submittal of any grading and/or building permits, the applicant shall have a construction and operational noise study prepared which identifies the existing/future noise and any necessary design features to ensure that noise levels adjacent to residences do not exceed 65 dBA during construction or operation. Specifically, the noise study shall:
- Short and long-term noise readings at the adjacent residential uses and on the project site.
 - Identification of location and material or any necessary noise barriers to be utilized during construction.
 - Any design features to be incorporated into the hotel and apartment buildings to ensure operations of these facilities do not exceed the noise standards established by the general plan.
 - A vibration noise analysis which identifies appropriate mitigation/management strategies to prevent impacts to neighboring residential properties and damage of structures based on the construction type and any subterranean parking.

This information shall be contained within a stand alone document and all recommendations and measures identified in the report shall be followed. Additionally, the measures shall be indicated on all construction and grading plans.

118. 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.
119. 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.
120. Electrically powered equipment shall be used instead of pneumatic or internal combustion power equipment, where feasible.
121. Material stockpiles and mobile equipment staging, parking and maintenance areas shall be located as far away as practicable from noise sensitive receptors.
122. The use of noise producing signals, including horns, whistles, alarms, and bells shall be for safety warning purposes only.
123. No project-related public address or music system shall be audible at any adjacent receptor.
124. 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.
125. In accordance with the City of Lancaster's Vehicle Miles Traveled Impact Fee Mitigation Program, the applicant shall pay a total of \$27,855 to reduce VMT impacts prior to issuance of any construction related permits.