

ATTACHMENT TO PLANNING COMMISSION RESOLUTION NO. 25-08

CONDITIONAL USE PERMIT NO. 24-010

CONDITIONS LIST

May 19, 2025

GENERAL/ADVISORY

1. Unless otherwise indicated herein, the development and/or use of the site shall be in substantial conformance with approved site plans on file in the Community Development Department.
2. This 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.

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. The applicant shall contact the Los Angeles County Fire Department to determine improvements that may be required to protect the property from the fire hazard and shall provide and install at applicant’s expense such improvements as may be deemed necessary by the Los Angeles County Fire Department. Fire protection improvements shall be completed to the satisfaction of the Community Development Services Director prior to certification of completion and occupancy of the subject buildings.
5. Three (3) copies of a signage plan shall be submitted for approval by the Community Development Director at the time of building plan issuance and shall be in compliance with the Municipal Code and Design Guidelines. Such plan shall be comprehensive and shall include: location, height, square-footage, method of attachment, construction materials, and colors of each sign proposed to be placed on the site.
6. The following items/plans shall be submitted to the Community Development Department, which shall route them to the Community Development Department for concurrent review and approval prior to issuance of permits:
 - a. Lighting Plan

- b. Building Plan
 - c. Grading Plan
 - d. Landscape Plan: Landscape plans shall be prepared in accordance with Ordinance No. 907.
 - e. Trash Enclosure Plan
- 7. All necessary permits shall be obtained from the Community Development Department prior to any construction, remodeling, or replacement of buildings or other structures.
- 8. 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.
- 9. Prior to building permit issuance, the applicant shall pay traffic impact fees as adopted by City Council Ordinance No. 852 to be used for the improvement of off-site streets within the unincorporated areas of Los Angeles County. This fee applies to any project within the boundaries of Avenue J-8 to Avenue L-8 and 40th Street West to 100th Street West.
- 10. 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.
- 11. 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.
- 12. All construction and/or installation of improvements shall be undertaken to the specification of the Lancaster Municipal Code.
- 13. An encroachment permit shall be obtained from the Public Works Department prior to doing any work within the public right-of-way.
- 14. 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.
- 15. 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 Community Development 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.

16. 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 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.
17. Prior to occupancy of any buildings or structures, the applicant shall request, no less than forty-eight (48) hours in advance, that an on-site inspection be made by the Community Development Department to verify that development of the property has occurred in conformity with conditions as enumerated in this permit.
18. 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.
19. 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 after the applicant has executed and returned to the Community Development Department a signed copy of its acceptance of the conditions of approval applicable to this permit.
20. Expansion or intensification of the use beyond the approval specified herein would require subsequent review and possibly a new application for an 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.

PLANNING

21. The applicant is hereby approved for the redesign amending Conditional Use Permit (CUP) No. 22-017 originally approving the construction and operation of a new car wash facility, retail tenant building and site improvements located near the southwest corner of 20th Street West and Avenue J (APN: 3123-005-042) in accordance with the plans on file with the Community Development Department.
22. Hours of operation shall be limited to 7 A.M. to 7 P.M., seven days a week.
23. 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.

STREETS

PLANS AND DEDICATIONS

24. 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.
25. 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.
26. Prior to building occupancy the applicant shall improve the Amargosa Creek Class I Bike trail along the frontage of the project site as identified in the Master Plan of Trails and Bikeways.

STREET IMPROVEMENTS

27. 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/ Delineated Median	Painted Median	Class I/IV Bike Lane/ Trail	Class II Bike Lanes	LMD Easement
20 th Street West			X	X	X				X	

28. 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:
 - a. 7-foot raised median and 21 feet of pavement on 20th Street West.
29. 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.
30. 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.

DRIVEWAY REQUIREMENTS

31. Prior to the issuance of a 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, 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.

32. 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:

a. Both driveways on 20th Street West

33. Prior to the issuance of building permits/and receiving Final Map approval, the applicant shall dedicate the right to restrict direct vehicular ingress and egress on all streets having a projected 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.

34. If at any time during the operation of any business on this parcel, if 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.

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

36. 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 the street centerline to the satisfaction of the Public Works Director.

37. 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 Development Services Director. (Ordinance No. 361)

38. 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.

39. Prior to the issuance of a street improvement encroachment permit, the applicant shall show on the site plan drive approaches that are restricted as follows:

a. Northern driveway on 20th Street West is restricted to inbound traffic only

b. Southern driveway on 20th Street West is restricted to outbound traffic only

40. The following restrictions shall be placed on the project’s driveways:

a. Northern driveway on 20th Street West shall be restricted to inbound traffic only.

~~38-b.~~ Southern driveway on 20th Street West shall be restricted to outbound traffic only.

- 39-41. 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.
- 40-42. Prior to the 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.
- 41-43. 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.
- 42-44. 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.
- 43-45. Prior to the issuance of grading permit, the applicant must demonstrate that the lowest finish floor elevation of all habitable structures to be a minimum of one-foot above the FEMA Base Flood Elevation, if within a floodplain or minimum of one-foot above the maximum water level resulting from a Capital Flood, whichever is greater.
- 44-46. The project shall comply with the Best Management Practices (BMPs) of the National Pollutant Discharge Elimination System (NPDES) and all NPDES Permit Requirements.
- 45-47. Prior to building occupancy, install BMPs to treat first flush.
- 46-48. Prior to the issuance of any construction related permits (grading, building, etc.), a Dust Control Plan shall be prepared and submitted to the Antelope Valley Air Quality Management District (AVAQMD) in accordance with Rule 403 of the AVAQMD. An approved copy of the Dust Control Plan shall be submitted to the Public Works Department for residential projects of 10 acres and larger and for commercial/industrial projects of 5 acres and larger. In lieu of an approved plan, a letter from the AVAQMD waiving this requirement shall be submitted.
- 47-49. 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 Development Services Director.
- 48-50. The applicant shall comply with the following requirements for the material hauling operation:
- a. The hours of operation shall be approved by the Public Works Director.

- 49-51. 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.
- 50-52. Provide traffic control and flagging personnel along the haul route to the satisfaction of the Public Works Director.
- 51-53. 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.
- 52-54. 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 Development Services Director.

SEWER

- 53-55. Prior to the issuance of a sewer plan/lateral connection approval, and/or sewer encroachment permit, the applicant shall submit a public sewer plan consistent with the approved site plan and conditions of approval. The sewer plan shall be based on an approved Sewer Area Study.
- 54-56. 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 shall be designed based on Section 2.4 of the City of Lancaster Engineering Design Guidelines Policies and Procedures, and/or to the satisfaction of the Public Works Director. Any on-site and/or off-site mitigation measures required by the approved sewer area study shall be constructed prior to first occupancy.
- 55-57. 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.

WATER

- 56-58. The project must have adequately sized water system facilities, including fire hydrants, of sufficient size to meet the total domestic and fire flows demands 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.
- 57-59. 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.
- 58-60. Per the direction of the Community Development Manager and the Public Works Director, the applicant shall be required to comply with all Ordinances in effect at the time of project construction to address the balance of water supply to water demand.

~~59-61.~~ 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.

~~60-62.~~ 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.

OTHER

~~61-63.~~ Per the direction of the Public Works Director, prior to Certificate of Occupancy, obtain a Certificate of Compliance for Assessor's Parcel Number 3123-005-042.

~~62-64.~~ 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 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