

AGENDA ITEM: 2.

DATE: 08-15-11

STAFF REPORT

**CONDITIONAL USE PERMIT NO. 06-08
REQUEST FOR EXTENSION**

DATE: August 15, 2011

TO: Lancaster Planning Commission

FROM: Planning Department

APPLICANTS: The Frank and Yvonne Lane 1993 Family Trust, Joshua Lane LLC, and The Wood Group

LOCATION: 40.26± gross acres located at the southeast corner of 60th Street West and Avenue L

REQUEST: A Conditional Use Permit to construct a 395,355 square-foot commercial shopping center, with off-site sales of alcoholic beverages for the Anchor 1 building and the Drug Store

RECOMMENDATION: Grant a one-year extension to September 11, 2012, based on the findings contained in the staff report and subject to the Revised Conditions List, Attachment to Resolution No. 09-23.

BACKGROUND AND STATUS:

- The Planning Commission on October 30, 1989, and the City Council on December 13, 1989 approved General Plan Amendment No. 88-49 and Zone Change 89-60 to redesignate approximately 22.3± acres on the southwest corner of 57th Street West and Avenue L from UR (Urban Residential, 2.1 to 6.5 dwelling units per acre) to C (Commercial), and to rezone the property from R-7,000 (single-family residential, one dwelling unit per 7,000 square feet) to CPD (Commercial Planned Development). Approximately 5± acres on the southeast corner of 60th Street West and Avenue L were already designated C and Zoned CPD.
- During the City's General Plan update in 1992, approximately 2.96± acres were redesignated from UR to C and rezoned from R-7,000 to CPD, and approximately 10± acres north of Avenue L-4 between 57th Street West and 60th Street West were redesignated from UR to OP, and rezoned from R-7,000 to OP (Office Professional). In summary, 30.26± acres are designated C and zoned CPD, and 10± acres are designated and zoned OP.
- At the Planning Commission Special Meeting on July 8, 2009, the Planning Commission approved Conditional Use Permit No. 06-08 to construct a 395,355 square-foot commercial shopping center, with off-site sales of alcoholic beverages for the Anchor 1 building and the Drug Store.

- At the City Council Special Meeting on July 22, 2009, the Council adopted General Plan Amendment No. 06-03 and Zone Change No. 06-03, and approved Conditional Use Permit No. 06-08. The zone change was adopted on August 11, 2009, and became effective on September 11, 2009. The approval of the Conditional Use Permit became effective with the zone change on September 11, 2009.
- The General Plan Land Use designation for this location is designated C (Commercial) and OP (Office Professional), which is consistent with the project as approved. This is the first of three requests for an extension of the project.

FINDINGS:

1. The approval of the extension is consistent with the goals, objectives, policies, action programs, and land use designations of the adopted General Plan applicable to the subject property, because no major changes have been made to the original plan.
2. The approval of the extension will allow for development of a project that is of benefit to the public health, safety, and welfare through completion of vital infrastructure or public improvements, correction of existing hazardous conditions, or enhancement of public facilities.
3. The granting of the extension is necessary to allow sufficient time for the developer to complete the building and improvement plans that are currently being processed.
4. There is no substantial change in the land use or development patterns in the vicinity of the project that would cause detriment to the public health, safety or welfare, should the extension be granted.

Respectfully submitted,

Silvia Donovan, Principal Planner

cc: Applicant
Engineer

Attachments: Planning Commission Staff Report for July 7, 2009
City Council Staff Report for July 21, 2009
Applicant's Findings

ATTACHMENT TO PC RESOLUTION NO. 09-23
CONDITIONAL USE PERMIT NO. 06-08
CONDITIONS LIST (REVISED)
August 15, 2011

GENERAL ADVISORY

1. This conditional use permit became effective with Zone Change No. 06-03, on September 11, 2009.
2. All standard conditions as set forth in Planning Commission Resolution No. 10-23 for Conditional Use Permits shall apply, except for Condition No. 4 (modified below).
3. All off-site improvements required for any future phases of Conditional Use Permit No. 06-08 must be installed to the satisfaction of the Director of Public Works prior to occupancy of any structure in that phase.
4. If the project is developed in phases, undeveloped portions of the site shall not contribute to blowing debris and dirt or dust. Compliance with this condition will include, where determined necessary by the Planning Director, the placement of temporary curbs or other techniques to minimize the opportunity for vehicles to enter the undeveloped portions of the property.

STREETS

5. Per direction of the Director of Public Works, improve and offer for dedication:
 - 60th Street West at 78 feet of an ultimate 100-foot right-of-way
 - Avenue L at 88 feet of an ultimate 120-foot right-of-way
 - 57th Street West at 44 feet of an ultimate 58-foot right-of-way
6. Per the direction of the Director of Public Works, offer for dedication the north side of Avenue L-4 at 26 feet of an ultimate 64-foot right-of-way.
7. Per the direction of the Director of Public Works, improve and dedicate additional right-of-way on northbound 60th Street West and eastbound Avenue L for an increased capacity intersection.
8. Per the direction of the Director of Public Works, acquire right-of-way and construct improvements on the west side of 60th Street West, south of Avenue L (adjacent to Quartz Hill High School) necessary to complete the increased capacity intersection.
9. Per the direction of the Director of Public Works, acquire right-of-way and construct street improvements on the west side of 60th Street West, north of Avenue L (southbound approach) to accommodate an additional through lane, an additional left-turn lane, and a dedicated right-turn lane. The minimum length of the full width lanes shall be 300 feet and the transition shall be in accordance with the City's Engineering Design Guidelines.

10. Per the direction of the Director of Public Works, construct street improvements to widen 60th Street West from Avenue L-8 to Avenue L-4 to accommodate an additional northbound through lane and an 8-foot wide paved shoulder. The northbound approach to the intersection with Avenue L-8 shall be re-stripped for the additional through lane.
11. Per the direction of the Director of Public Works, re-stripe westbound Avenue K at 60th Street West to provide two left-turn lanes.
12. Per the direction of the Director of Public Works, install a traffic signal at the intersection of 60th Street West and the main entrance for the commercial center and Quartz Hill High School (QHHS).
13. Per the direction of the Director of Public Works, install a traffic signal at the intersection of 60th Street West and Avenue L-4.
14. Per the direction of the Director of Public Works, install a traffic signal on Avenue L at the main entrance into the commercial center (the easterly driveway nearest the Anchor 1 store).
15. Per the direction of the Director of Public Works, install raised landscape medians with stamped concrete in Avenue L and 60th Street West. The raised median in Avenue L shall be constructed 150 feet east of 57th Street West to prohibit left-turns.
16. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in westbound Avenue L at the intersection with the easterly driveway entrance into the Lane Ranch Towne Center. The lane and dedication shall be 200 feet in length with a 90-foot transition.
17. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in 60th Street West at the entrance into QHHS. The lane and dedication shall be a minimum 230 feet in length with a 90-foot transition.
18. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in 60th Street West at the northerly entrance into Lane Ranch Towne Center. The lane and dedication shall be 190 feet in length with a 90-foot transition.
19. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in 60th Street West at the southerly entrance into Lane Ranch Towne Center (Avenue L-4). The lane and dedication shall be 150 feet in length with a 90-foot transition.
20. Per the direction of the Director of Public Works, install a right-turn lane on Avenue L at 57th Street West. The lane and dedication shall be 12 feet in width and 150 feet in length, with a 90-foot transition.
21. Per the direction of the Director of Public Works, install a right-turn lane on Avenue L at the easterly driveway into the Lane Ranch Towne Center. The lane and dedication shall be 12 feet in width and 150 feet in length, with a 90-foot transition.

22. Per the direction of the Director of Public Works Director, install a right-turn lane and combination bus turnout with amenities (benches, shelter, trash receptacle, etc.) on Avenue L at the westerly driveway into the Lane Ranch Town Center. The lane and dedication shall be 140 feet in length with a transition per Standard Plan PW-4.
23. Per the direction of the Director of Public Works, install a right-turn lane on 60th Street West at the northerly main entrance into the Lane Ranch Towne Center. The lane and dedication shall be 12 feet in width and 150 feet in length, with a 90-foot transition.
24. Per the direction of the Director of Public Works, install a bus turnout with amenities (benches, shelter, trash receptacle, etc.) on the east side of 60th Street West, north of the northerly main entrance into the Lane Ranch Towne Center.
25. Per the direction of the Director of Public Works, acquire right-of-way and construct improvements to install a bus turnout with amenities (benches, shelter, trash receptacle, etc.) on the west side of 60th Street West, just south of Avenue L.
26. Per the direction of the Director of Public Works and the Planning Director, construct improvements necessary to provide one new driveway into QHHS that will align with the main signalized entrance into the Lane Ranch Towne Center (approximately 710 feet south of Avenue L). These improvements would include but not necessarily be limited to, closing the two existing QHHS driveways, reconfiguring the QHHS parking lot, and replacing any disturbed landscaping and irrigation.
27. The applicant shall pay a traffic impact fee as adopted by the City Council to be used for the improvement of off-site streets within unincorporated areas of Los Angeles County that would be affected by traffic generated by the project. (All residential and commercial projects within the following boundary are conditioned to pay the traffic impact fee as adopted by City Council to be used for the improvement of offsite streets within the unincorporated areas of Los Angeles County that would be affected by traffic generated by the project). The boundaries are 40th Street West to 100th Street West from Avenue J-8 to Avenue L-8.

DRAINAGE

28. Per the direction of the Director of Public Works, the applicant shall install a 60-inch RCP (storm drain) in 60th Street West from Avenue L-4 to Avenue L. Construction of the storm drain shall include removal of the existing cross-gutter at Avenue L on the west side of 60th Street West. Adequate catch basins shall be included to capture storm runoff from both sides of 60th Street West. (Credit against drainage impact fees will apply for the installation of the Master Plan Drainage Facility.)
29. If at the time the 60-inch RCP is installed in 60th Street West, the storm drain in Avenue L has not been installed, the applicant shall design and construct an adequate outlet for the drainage system.

30. Per the direction of the Director of Public Works, the applicant shall install a 24-inch RCP (storm drain) in Avenue L from 60th Street West to 57th Street West, and tie into the retention basin on the northwest corner of Avenue L and 57th Street West.
31. The applicant is strongly encouraged to install pervious pavement to help mitigate runoff and to recharge the groundwater.
32. All projects where the total landscape area exceeds 5,000 square feet shall be designed to capture on-property run-off for a 10-year rain event through the use of earth berms, drainage swales, subsurface storage (pervious pavement), or other approved methodology as per Section 8.50.058A.1 of Landscape Ordinance No. 907.
33. Per the direction of the Director of Public Works, at the time the Lane Ranch Towne Center is developed the applicant shall enclose the retention basin at the northwest corner of 57th Street West and Avenue L with a block wall and wrought iron fence combination, and provide landscaping and irrigation within right-of-way to LMD standards.
34. Per the direction of the Public Works Director, the trash enclosures wash out drains shall be connected to the drainage clarifier.
35. Per the direction of the Public Works Director, install metal/lattice covers on all trash enclosures.
36. Per the direction of the Planning Director, install heavy-duty concrete pavement at the apron of all trash enclosures.

OTHER

37. The applicant shall contact the local Postmaster to determine if the location of a postal drop box is desirable in the center. If such a box is desired, the applicant shall pay the Postmaster any fees required for such placement (i.e., purchase of the box) and shall obtain the approval of the Planning Director as to the box location. If the location is in a parking lot or abutting a parking lot, the Director shall consult with the City Traffic official to ensure that a traffic safety hazard will not be created. In the event a box is not desired by the Postal Service, the applicant shall submit a letter from the Postmaster to that effect as a fulfillment of this condition.
38. Per the direction of the Planning Director, the perimeter of the parking lot shall be screened with hedges per the Design Guidelines and Ordinance 907.
39. Per the direction of the Planning Director, a five-to-seven-foot-wide parkway planter with landscaping and irrigation shall be installed in 60th Street West, Avenue L, and Avenue L-4, in accordance with the adopted Architectural and Design Guidelines, and shall be maintained in perpetuity.
40. Per the direction of the Director of Public Works, for the purposes of pedestrian and vehicular safety, all parkway landscaping shall be maintained as not to interfere with necessary vehicular or pedestrian traffic lines of sight, including view of traffic signage,

- signals, and clear views of vehicles within the roadbed or existing driveways. Such standards, which include limitation on taller landscape elements within street intersection area, shall be determined by the City Traffic Engineer.
41. Per the direction of the Directors of Planning and Public Works, a revised landscape plan must be submitted to include parkway planters subject to meet Ordinance 907.
 42. Secure bicycle parking areas and racks shall be provided on site. Design, location, and amount of such facilities are subject to review and approval of the Planning Director and must comply with Ordinance 633.
 43. The Planning Director is authorized to review and approve the elevations of individual buildings proposed within the commercial center to ensure that they are compatible with the architectural design of the overall development. This review includes, but is not limited to, architectural style, color, exterior material, loading areas, material and type of fences/walls, and location and screening of above-ground utilities. The applicant shall provide 360 degree architecture treatments for all proposed buildings. In the event disputes arise between the applicant and the Planning Director regarding elevations, or design of subsequent buildings, the matter may be appealed, and the Architectural and Design Commission (ADC) shall render the final decision (modified Condition No. 4).
 44. Appeals on staff review of the elevation and building design would be in conformance with Section 2.34.020. Power and scope of authority.
 45. Switch/electronic gear location shall be incorporated into the design of the building,
 46. Per the direction of the Director of Planning, the intent to create a pedestrian oriented main-street at the main entrance from 60th Street West must include elevations and shop building entrances that are consistent with that intent.
 47. Per the direction of the Planning Director, utility boxes or panels shall be incorporated into the design of the building.
 48. The new buildings shall be designed to incorporate roof access from the building interior (eliminate external climbing ladder).
 49. Per the direction of the Planning Director, the applicant shall provide an electric device to keep shopping carts from leaving the site; this is required to be shown on the grading plan.
 50. Per the direction of the Planning Director, the applicant must provide shopping cart storage in the parking lot area and the areas shall not be placed in any required parking space.
 51. Per the direction of the Planning Director, delivery hours, parking lot sweeping hours, and trash pick-up hours shall be limited to occur between 6:00 a.m. and 9:00 p.m. The loading dock hours of operation shall be posted on a sign located at the Anchor 1, and Anchor 2 loading docks.

52. There shall be a posted sign on the exterior of the premises prohibiting smoking within 20 feet of the entrances to the premises.
53. Per the direction of the Planning Director, all lights located on the east property line shall be shielded/screened so that light will not spill off of the site.
54. Per the direction of the Public Works Director, comply with all disabled access requirements.
55. Per the direction of the Planning Director, no signage shall be permitted on the east elevations along the east property line adjacent to residential uses.
56. Per the direction of the Planning Director, install an 8-foot-high masonry screen wall along the east property line with a minimum 20-foot-wide planter.
57. Per the direction of the Planning Director, install one evergreen tree (i.e., Eldarica, Aleppo Pine) spaced every 30 feet on center along the easterly planter.
58. Per the direction of the Planning Director, install a an 8-foot-high masonry screen wall along the east side of the Anchor 1 and Anchor 2 building's loading docks. This would include the trash compactor area for the Anchor 2.
59. Any trash or graffiti on the premises shall be removed within forty-eight (48) hours.
60. On-site security, including provision of a Sheriff's deputy, shall be provided if determined necessary by the Planning Director. Such determination shall be made after consultation with the Los Angeles County Sheriff's Department and the Applicant.
61. The applicant shall provide conduit connections to a minimum of (36) thirty-six on-site parking stalls to permit the future installation of charging stations for electric vehicles (see Section 17.12.230.20 of the Zoning Ordinance, standards for Electric Vehicle Charging Stations).
62. Per the direction of the Director of Public Works, design ADA passenger loading zones to have stamped concrete and flat curbs to delineate the space in lieu of painted blue striping.
63. Per the direction of the Planning Director, the east elevations of the major tenants (currently identified as "Anchor I and Anchor II") shall be fully articulated, and shall incorporate materials and colors consistent with those used on the west facing elevations (i.e., "360-degree architectural treatment")
64. Per the direction of the Planning Director, posted signs are required to prohibit overnight R.V. camping/parking on the site.
65. Per the direction of the Planning Director, no individual exterior storage allowed outside of the building. Outside storage of seasonal goods shall be allowed as per Section 17.12.070.Q of the Zoning Ordinance.

66. The applicant shall coordinate with both the Antelope Valley Joint Union High School District and the Westside School District in developing a student safety plan for the construction phase of the project, including provisions for pedestrian access, vehicular access and circulation during street construction, restriction of access to the construction site, and notification to school officials and parents regarding the overall construction schedule.
67. Per the Planning Director where provided, all deliveries shall be confined (restricted) to designated loading areas so as not to interfere with customer parking and ADA parking, and/or pedestrian access and site circulation.

ALCOHOL

68. Per the direction of the Planning Director, the Anchor 1 (Target) and the drug store (Rite-Aid) shall comply with Chapter 17.42 and Section 17.42.080 (Conditions of Approval for Off-Sale Alcoholic Beverage Establishments) except for Section 17.42.42.080.F to be replaced with, "The sale of alcoholic beverages shall be from 6:00 a.m. to 12:00 a.m., Sunday through Saturday." Any reference to beer and wine shall apply to all alcoholic beverages. In addition, Section 17.42.080.K shall be replaced with, "No sales of separated packages of alcoholic beverages (i.e. individual containers, cans or bottles)" shall be allowed.
69. Per the direction of the Planning Director, in the event alcoholic beverages are to be sold, served or given away at additional establishments located on the premises, each applicant shall obtain approval in accordance with Chapter 17.42 (Alcoholic Beverage Establishments).
70. The amount of floor area approved for alcohol sales at the Target store (Anchor 1) is 1,000 square feet. The applicant may increase up to 20 percent or 200 square feet without modification to the conditional use permit.
71. The amount of floor area approved for alcohol sales at the Rite-Aid store (Drug Store) is 750 square feet. The applicant may increase up to 20 percent or 150 square feet without modification to the conditional use permit.

RESOLUTION NO. 10-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, ADOPTING CERTAIN STANDARDIZED CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMITS

WHEREAS, the Planning Department staff presented to the Planning Commission a list of forty-nine (49) conditions which are applied to Conditional Use Permits when they are approved by said Commission; and

WHEREAS, the staff explained to the Commission that since these are standard conditions for almost all use permits, it might be more appropriate to adopt them by resolution for reference purposes as it would save staff time in preparing the reports and Commission time in hearing said reports; and

WHEREAS, it was further explained by staff that adoption of these standard conditions and incorporating by reference would be a more efficient and consistent approach to applying said conditions to the use permits approved by the Commission; and

WHEREAS, after discussion, it was the consensus of the Commission that it would be in the best interest of all concerned that the above-mentioned conditions of approval be adopted by resolution and referred to by resolution number for all Conditional Use Permits;

NOW, THEREFORE THE LANCASTER PLANNING COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND FIND AS FOLLOWS:

The Planning Commission hereby establishes the following conditions of approval as standard conditions to be used by reference in conjunction with all Conditional Use Permit approvals.

1. Unless otherwise indicated herein, the development of the site shall be in substantial conformance with approved site plans on file in the Planning Department.
2. This Conditional Use Permit must be used within two (2) years from the date of approval; 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 Planning 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 Planning 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 of the specific zoning of subject property must be complied with unless otherwise set forth in the permit or shown on the approved plot plan.
4. The Planning Director is authorized to review and approve the elevations of future buildings proposed to ensure that they are compatible with the architectural design guidelines established for the overall development. Design and location of such buildings are subject to review and approval of the Planning Director, including but 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. In the event disputes arise between the applicant and the Planning Director regarding elevations, or design of the buildings, the matter may be appealed to the Architectural and Design Commission (ADC) and the ADC shall render the final decision.
5. The applicant shall contact the City of Lancaster Fire Warden to determine improvements that may be required to protect the property from the fire hazard and shall provide and install at his expense such improvements as may be deemed necessary by the Fire Warden. Fire protection improvements shall be completed to the satisfaction of the Director of Public Works prior to certification of completion and occupancy of the subject buildings.
6. Three (3) copies of a signage plan shall be submitted for approval by the Planning Director at the time of building plan issuance to 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.
7. The following items/plans shall be submitted to the Department of Public Works, which shall route them to the Planning Department for concurrent review and approval prior to issuance of permits:
 - a. Lighting Plan: Such plan shall include decorative, directional, and security lighting. Such lighting shall be directed away or shielded from neighboring properties.
 - b. Building Plan: Such plan shall demonstrate adherence to design elements approved by the Planning Commission including but not limited to: building elevations (all sides), construction materials and colors, and the method of screening rooftop equipment.
 - c. Grading Plan: Such plan shall show height of finished building pads in addition to walls, berming and/or contour mounding if such features are approved by the Planning Commission.
 - d. Landscape Plan: Landscape plans shall be prepared in accordance with Ordinance No. 907 and submitted to the Building and Safety 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

- e. Trash Enclosure Plan: Such plan shall show location, design, construction materials, and color of materials and shall be in accordance with such plans contained within the Municipal Code and Design Guidelines. All trash enclosures shall be located in a covered area or the covered with a roof or metal lattice treatment to prevent wind-blown trash from leaving the enclosure.
8. The development shall comply with all requirements of Ordinance No. 907 (Water Efficient Landscaping Requirements).
9. All necessary permits shall be obtained from the City Engineering Division of the Public Works Department prior to any construction, remodeling, or replacement of buildings or other structures.
10. The applicant is hereby advised that this project is subject to development fees at the time of building permit issuance, including, but not limited to, the following as applicable: 1) Los Angeles County Sanitation District Sewer Connection Fee; 2) Interim School Facilities Financing Fee; 3) Installation or Upgrade of Traffic Signals Fee; 4) Planned Local Drainage Facilities Fee; 5) Dwelling Unit Fee; 6) Traffic Impact Fees; and 7) Urban Structure Fee (Park Development Fee, Administrative Office Fee, Corporate Yard Fee, and Operations Impact Fee, etc); 8) Landscape Fee.
11. Per the direction of the Director of Public Works, the submission of a hydrology study will be required with the grading plan check.
12. An encroachment permit shall be obtained from the Department of Public Works prior to doing any work within the public right-of-way.
13. Per the direction of the Director of Public Works, construct ADA “walk arounds” at driveway locations to the specifications of the Director of Public Works and install ADA curb ramps at all intersection.
14. Per the direction of the Director of Public Works, all street lighting systems designed after July 1, 2007, shall be designed as City owned and maintained street lighting systems. 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.
15. All construction and/or installation of improvements shall be undertaken to the specifications of the City of Lancaster Municipal Code.
16. Per direction of the Director of Public Works, comply with City Municipal Code, Chapter 13.20 Article II, entitled Installation/Relocation for New/Expanded Development of Overhead Utilities.

17. If determined necessary by the Director of Public Works, testing of the existing pavement section is to be performed prior to submitting street plans for plan checking. The minimum allowable structural section will be per the City requirement or the soil test recommendation whichever is greater based on the City's Traffic Index for the street. Removal and reconstruction of the street centerline may be necessary to meet the required structural section.
18. Street grades shall meet the specifications of the Department of Public Works.
19. Per the direction of the Director of Public Works, the asphalt surface course for all arterial streets shall be constructed with rubber modified asphalt. The type of rubber modified asphalt shall be as specified by the City and shall be determined in final design.
20. Per the direction of the Director of Public Works, 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 Public Works prior to issuance of a grading permit within the City for commercial/industrial projects of 5 acres or larger. In lieu of an approved plan, a letter waiving this requirement shall be submitted.
21. Prior to grading, the applicant shall provide a contact name and valid phone number where someone is available 24-hours, 7 days a week to report the blowing of dust or debris from the site.
22. Per the direction of the Director of Public Works, the Developer shall install a 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.
23. The project shall comply with the Best Management Practices (BMPs) of the National Pollutant Discharge Elimination System (NPDES) and all NPDES Permit Requirements.
24. Per the direction of the Director of Public Works, install a clarifier or other BMP to treat first flush.
25. Per the direction of the Director of Public Works, if the project is located in Flood Zone AO (1), elevate the building one-foot above the highest adjacent grade.
26. Mitigate onsite nuisance water and developmental storm water runoff to the satisfaction of the Director of Public Works.
27. Box culverts or other structures acceptable to the Director of Public Works are required at all intersections with arterial streets to eliminate nuisance water from crossing the streets above ground. (No cross gutters allowed).

28. Prior to occupancy, the property shall be annexed into the Lancaster Lighting Maintenance District.
29. Prior to occupancy, the property shall be annexed into the Lancaster Drainage Maintenance District.
30. Street lights are required per adopted City ordinance or policy.
31. The applicant is hereby advised that the use of any signs, strings or pennants, banners or streamers, clusters of flags and similar attention-getting devices are prohibited, except where there has been prior approval from the Planning Department.
32. 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.
33. 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 for a period of thirty (30) days.
34. Prior to occupancy of any buildings or structures, the permittee shall request, not less than forty-eight (48) hours in advance, that on-site inspection be made by the Planning Department to verify that development of the property has occurred in conformity with conditions as enumerated in this permit.
35. Landscape materials, once approved, shall be maintained in perpetuity.
36. If the project is developed in phases, undeveloped portions of the site shall not contribute to blowing debris, dirt or dust.
37. If the project is developed in phases, all the development requirements shall be met for each phase including parking, landscaping, trash enclosures, drainage, etc.
38. The applicant shall be responsible for notifying the Planning Department in writing of any change in ownership, designation of a new engineer, or a change in the status of the developer, within thirty (30) days of said change.
39. The Planning Director shall execute the necessary documents to ensure the recording of this permit with the County Recorder's Office.
40. 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 Planning Department an authorized acceptance of the conditions of approval applicable to said permit.

41. Expansion or intensification of the use beyond the approval specified herein would require subsequent review and possible application for amendment. The Planning 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.
42. Pursuant to Section 65089.6. of the Government Code, the project will be subject to the Congestion Management Plan (CMP) mitigation requirements, including mitigation fees.

ENVIRONMENTAL

43. Per the direction of the Planning Director, a Phase I Cultural Resource Study is required for any off-site area which will be disturbed by the development, such as staging areas and turn-arounds not covered by the Cultural Resource Study, or all work shall be conducted on the site by installation of a fence to determine limits of development.
44. Pursuant to Section 21089(b) of the Public Resource Code, approval of this Conditional Use Permit will not be valid, and no development right shall be vested, until such times the required fees, as set forth under Section 711.4 of the Fish and Game Code, have been paid. Said fees, in the form of a check made payable to the County of Los Angeles Clerk's Office shall be submitted to the Planning Department within three (3) days of the Commission's action.
45. The applicant shall, prior to or concurrent with the approval of a grading permit, 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. Additionally, should the applicant be required to pay mitigation fees under the California Department of Fish and Game, these fees can be deducted from the amount collected by the City of Lancaster.
46. The project shall comply with all mitigation measures adopted in the mitigation monitoring program.

ALCOHOL CONDITIONS

47. Per the direction of the Planning Director, the applicant shall comply with Chapter 17.42 (Alcoholic Beverage Establishments).
48. On-site security shall be provided if determine necessary by the Planning Director.
49. The conditional use permit shall be subject to an annual review by the Planning Commission should on-site operations or effects on adjacent uses warrant such review.

PASSED, APPROVED AND ADOPTED this 17th day of May, 2010, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:

BRIAN S. LUDICKE, Planning Director
City of Lancaster

RESOLUTION NO. 09-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LANCASTER, CALIFORNIA, ADOPTING NECESSARY ENVIRONMENTAL FINDINGS, THE STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVING CONDITIONAL USE PERMIT NO. 06-08

WHEREAS, a conditional use permit was requested by The Frank and Yvonne Lane 1993 Family Trust, Joshua Lane LLC, and The Wood Group. A Conditional Use Permit to construct a 395,355 square-foot commercial shopping center, with off site sales of alcoholic beverages for the Anchor 1 building and the Drug Store in the CPD Zone, located on 40.26± acres at the southeast corner of 60th Street West and Avenue L, as shown on the attached site map; and

WHEREAS, an application for the above-described conditional use permit has been filed pursuant to the regulations contained in Article I of Chapter 17.32 of the Lancaster Municipal Code; and

WHEREAS, notice of intention to consider the granting of a Conditional Use Permit has been given as required in Article V of Chapter 17.32 of the Lancaster Municipal Code and in Section 65905 of the Government Code of the State of California; and

WHEREAS, a written report was prepared by staff which included a recommendation for approval of this conditional use permit subject to conditions; and

WHEREAS, public notice was provided as required by law and a public hearing was held on; July 8, 2009, as part of a special Planning Commission meeting recessed from the July 7, 2009; and

WHEREAS, this Commission hereby adopts the following findings in support of approval of the conditional use permit application:

1. The proposed 395,355 square feet commercial retail center will be in conformance with the General Plan land use designation of CPD (Commercial Planned Development) for the subject property, and with the following various goals, objectives, policies, and specific actions of the General Plan:
 - **Policy 16.2.6:** "Ensure that a variety of sites are available for a diversity of industrial and commercial users.
 - **Objective 16.3** "Foster development patterns and growth which contributes to, rather than detracts from net fiscal gains to the City."
 - **Policy 16.3.1** "Promote development patterns which will minimize the costs of infrastructure development, public facilities development and municipal service cost delivery."

- **Policy 16.3.2.** “Provide sufficient amounts of land zoned for each type of major revenue generating land use to allow for competitive development opportunities among many potential sites with a broad range of site features and land uses.”
 - **Policy 17.1.3;** “Provide a hierarchical pattern of attractive commercial developments which serve regional, community, and neighborhood functions with maximum efficiency and accessibility.” This project will be a benefit to the neighborhood as an upgrade of the existing farm. The location of the project on a regional arterial will serve regional needs. The commercial development is designed to provide valuable retail space in an underserved locale which has undergone tremendous growth. The building’s design will be compatible with the desired character of the area in its design and materials.
2. The requested uses at the location proposed will not:
 - a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, because on-site lighting will be shielded from residential areas to the south of the site, a 20-foot wide landscape planter and a block wall will be installed on the east property line, the hours for delivery will be limited between 6:00 a.m. to 9:00 p.m., the uses are compatible with residential uses north and east of the site, and sufficient on-site parking will be provided and semi-trucks will be prohibited from ingress/egress on 57th Street West.
 - b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, because City development standards will be met, proposed landscape planters to the east of the site will be planted with shrubs and trees to provide a buffer, and adequate on-site parking and landscaping will be provided. The proposed buildings are of a height compatible with the height limits of the commercial zones, and are designed with adequate setbacks from the adjacent streets.
 - c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare, because adequate sewer, water, drainage, and traffic facilities and improvements will be part of the project.
 3. The proposed 40.26± net acres is adequate in size and shape to accommodate the building, landscape setback, 1,775 parking spaces, and loading facilities, landscaping, buildings, and other development features prescribed in the Zoning Ordinance or as is otherwise required in order to integrate said use with the uses in the surrounding area.
 4. The proposed site is adequately served:
 - a. By Avenue L and 60th Street West, which will be of sufficient width and improved as necessary to carry the anticipated 13,683 daily vehicle trips such use would generate; and

- b. By other public or private service facilities, including sewer, water, fire, and police services are required.
5. The proposed project will have effects on the environment, and these effects are insignificant, adequately mitigated, or acceptable due to overriding considerations as noted in Exhibit "A" of the Planning Commission Resolution No. 09-23
6. There is a need for the proposed commercial shopping center, which is in an area of West Lancaster that presently lacks extensive commercial areas. The uses within the center will provide for commercial retail goods and services to serve the immediate area as well as the future growth of west Lancaster City.

WHEREAS, it is the intent of this Commission that the conditional use permit for incidental off-sale of alcoholic beverages (Alcohol Beverage Control, Type 21, Off-Sales General License) for the Anchor 1 (Target) and Drug Store (Rite-Aid) buildings is considered separate and can be revoked apart from the original conditional use permit, if necessary.

WHEREAS, this Commission hereby adopts the following findings in support of approval of this application for alcohol sales:

1. The proposed use of incidental off-sale of alcoholic beverages would be located within the proposed 17,272 square-foot "Drug" store and within the 138,545 square-foot Anchor 1 (Target) retail store
2. The requested alcohol use at the location will not:
 - a. Jeopardize, endanger or otherwise constitute a menace to the public health, safety, or general welfare because the project would operate in conformance with Chapter 17.42 and conditions of approval have been a part of the project.
 - b. Adversely affect the nearby residents and facilities primarily devoted to use by the general public, after giving consideration to the distance or proximity of the proposed alcoholic beverage establishment because the request is for less than 10 percent of the 17,272 square feet of the "Drug" building and less than 5 percent of the 138,545 square feet of the Anchor1 used for the sale and display of alcoholic beverages and therefore meet the maximum square-footage allowed for incidental off-sale alcoholic beverages based upon Section 17.42.060. The incidental off-sale of alcoholic beverages are not subject to distance requirements to residences or schools, and the hours to sell the alcohol would be limited to between 6:00 a.m. and 12:00 a.m. Sunday through Saturday.
3. The proposed 17,272 square feet of the "Drug" building and the 138,545 Anchor 1 building is located within the CPD Zone which permits alcoholic beverages to be sold, served, or given away for the off-sale consumption subject to Chapter 17.42., and the stores serve the public convenience and necessity based upon all factors outlined in Chapter 17.42.060.

WHEREAS, this Commission, after considering all evidence presented, further finds that approval of the proposed conditional use permit will promote the orderly growth and development of the City.

NOW, THEREFORE, BE IT RESOLVED:

1. This Commission hereby adopts all findings set forth in attached Exhibit "A," and hereby adopts Mitigation Monitoring Program (Exhibit "B") set forth in the final EIR, subject to final certification by the City Council.
2. This Commission hereby approves Conditional Use Permit No. 06-08 subject to the conditions attached hereto and incorporated herein.

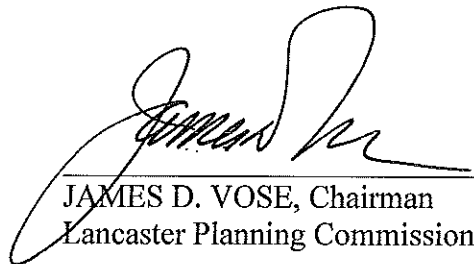
PASSED, APPROVED and ADOPTED this 8th day of July 2009, by the following vote:

AYES: Commissioners Burkey, Haycock, Jacobs and Malhi, Vice Chair Smith, Chairman Vose.

NOES: Commissioner Ervin.

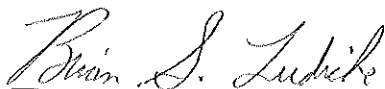
ABSTAIN: None.

ABSENT: None.



JAMES D. VOSE, Chairman
Lancaster Planning Commission

ATTEST:



BRIAN S. LUDICKE, Planning Director
City of Lancaster

Avenue L

57th Street West

©1997-2006 AirPhotoUSA

Lane Ranch
Town Center

GPA 06-03, ZC 06-03
GUP 06-08



60th Street West

Quartz Hill
High School

ATTACHMENT TO PC RESOLUTION NO. 09-23
CONDITIONAL USE PERMIT NO. 06-08
CONDITIONS LIST
July 7, 2009

GENERAL ADVISORY

1. These conditions will be effective upon approval of Zone Change No. 06-03.
2. All standard conditions as set forth in Planning Commission Resolution Number 06-16 for Conditional Use Permits shall apply, except for Condition Nos. 5d and 31 (modified below).
3. All off-site improvements required for any future phases of CUP No. 06-08 must be installed to the satisfaction of the Director of Public Works prior to occupancy of any structure in that phase
4. All the development requirements shall be met for each phase including parking, landscaping, trash enclosures, drainage, etc.
5. Landscape plans shall be prepared in accordance with Ordinance No. 907, and submitted to 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 must be approved prior to issuance of permits. 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 (modified Condition No. 5d).
6. If the project is developed in phases, undeveloped portions of the site shall not contribute to blowing debris and dirt or dust. Compliance with this condition will include, where determined necessary by the Planning Director, the placement of temporary curbs or other techniques to minimize the opportunity for vehicles to enter the undeveloped portions of the property (modified Condition No. 31).
7. Per the direction of the Planning Director, the applicant shall abide by all conditions of the Mitigation Monitoring Program (Exhibit B).

STREETS

8. Per direction of the Director of Public Works, improve and offer for dedication:
 - 60th Street West at 88 feet of an ultimate 120-foot right-of-way
 - Avenue L at 78 feet of an ultimate 100-foot right-of-way
 - 57th Street West at 44 feet of an ultimate 58-foot right-of-way
9. Per the direction of the Director of Public Works, offer for dedication the north side of Avenue L-4 at 26 feet of an ultimate 64-foot right-of-way.

Conditions List

Conditional Use Permit No. 06-08

July 7, 2009

Page 2

10. Per the direction of the Director of Public Works, improve and dedicate additional right-of-way on northbound 60th Street West and eastbound Avenue L for an increased capacity intersection.
11. Per the direction of the Director of Public Works, acquire right-of-way and construct improvements on the west side of 60th Street West, south of Avenue L (adjacent to Quartz Hill High School) necessary to complete the increased capacity intersection.
12. Per the direction of the Director of Public Works, acquire right-of-way and construct street improvements on the west side of 60th Street West, north of Avenue L (southbound approach) to accommodate an additional through lane, an additional left-turn lane, and a dedicated right-turn lane. The minimum length of the full width lanes shall be 300 feet and the transition shall be in accordance with the City's Engineering Design Guidelines.
13. Per the direction of the Director of Public Works, construct street improvements to widen 60th Street West from Avenue L-8 to Avenue L-4 to accommodate an additional northbound through lane and an 8-foot wide paved shoulder. The northbound approach to the intersection with Avenue L-8 shall be re-stripped for the additional through lane.
14. Per the direction of the Director of Public Works, re-stripe westbound Avenue K to provide two left-turn lanes.
15. Per the direction of the Director of Public Works, install a traffic signal at the intersection of 60th Street West and the main entrance for the commercial center and Quartz Hill High School (QHHS).
16. Per the direction of the Director of Public Works, install a traffic signal at the intersection of 60th Street West and Avenue L-4.
17. Per the direction of the Director of Public Works, install a traffic signal on Avenue L at the main entrance into the commercial center (the easterly driveway nearest the Anchor 1 store).
18. Per the direction of the Director of Public Works, install raised landscape medians with stamped concrete in Avenue L and 60th Street West. The raised median in Avenue L shall be constructed 150 feet east of 57th Street West to prohibit left-turns.
19. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in westbound Avenue L at the intersection with the easterly driveway entrance into the Lane Ranch Towne Center. The lane and dedication shall be 200 feet in length with a 90-foot transition.
20. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in 60th Street West at the entrance into QHHS. The lane and dedication shall be a minimum 230 feet in length with a 90-foot transition.

Conditions List

Conditional Use Permit No. 06-08

July 7, 2009

Page 3

21. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in 60th Street West at the northerly entrance into Lane Ranch Towne Center. The lane and dedication shall be 190 feet in length with a 90-foot transition.
22. Per the direction of the Director of Public Works, provide a left-turn lane in the raised median in 60th Street West at the southerly entrance into Lane Ranch Towne Center (Avenue L-4). The lane and dedication shall be 150 feet in length with a 90-foot transition.
23. Per the direction of the Director of Public Works, install a right-turn lane on Avenue L at 57th Street West. The lane and dedication shall be 12 feet in width and 150 feet in length, with a 90-foot transition.
24. Per the direction of the Director of Public Works, install a right-turn lane on Avenue L at the easterly driveway into the Lane Ranch Towne Center. The lane and dedication shall be 12 feet in width and 150 feet in length, with a 90-foot transition.
25. Per the direction of the Director of Public Works Director, install a right-turn lane and combination bus turnout with amenities (benches, shelter, trash receptacle, etc.) on Avenue L at the westerly driveway into the Lane Ranch Town Center. The lane and dedication shall be 140 feet in length with a transition per Standard Plan PW-4.
26. Per the direction of the Director of Public Works, install a right turn lane on 60th Street West at the northerly main entrance into the Lane Ranch Towne Center. The lane and dedication shall be 12 feet in width and 150 feet in length, with a 90-foot transition.
27. Per the direction of the Director of Public Works, install a bus turnout with amenities (benches, shelter, trash receptacle, etc.) on the east side of 60th Street West, north of the northerly main entrance into the Lane Ranch Towne Center.
28. Per the direction of the Director of Public Works, acquire right of way and construct improvements to install a bus turnout with amenities (benches, shelter, trash receptacle, etc.) on the west side of 60th Street West, just south of Avenue L.
29. Per the direction of the Director of Public Works and the Planning Director, construct improvements necessary to provide one new driveway into QHHS that will align with the main signalized entrance into the Lane Ranch Towne Center (approximately 710 feet south of Avenue L). These improvements would include but not necessarily be limited to, closing the two existing QHHS driveways, reconfiguring the QHHS parking lot, and replacing any disturbed landscaping and irrigation.
30. The applicant shall pay a traffic impact fee as adopted by the City Council to be used for the improvement of off-site streets within unincorporated areas of Los Angeles County that would be affected by traffic generated by the project. (All residential and commercial projects within the following boundary are conditioned to pay the traffic impact fee as adopted by City Council to be used for the improvement of offsite streets within the unincorporated areas of Los Angeles County that would be affected by traffic generated by

the project). The boundaries are 40th Street West to 100th Street West from Avenue J-8 to Avenue L-8.

31. Per the direction of the Director of Public Works, all street lighting systems designed after July 1, 2007, shall be designed as City owned and maintained street lighting systems. 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.

DRAINAGE

32. Per the direction of the Director of Public Works, the applicant shall install a 60-inch RCP (storm drain) in 60th Street West from Avenue L-4 to Avenue L. Construction of the storm drain shall include removal of the existing cross-gutter at Avenue L on the west side of 60th Street West. Adequate catch basins shall be included to capture storm runoff from both sides of 60th Street West. (Credit against drainage impact fees will apply for the installation of the Master Plan Drainage Facility.)
33. If at the time the 60-inch RCP is installed in 60th Street West, the storm drain in Avenue L has not been installed, the applicant shall design and construct an adequate outlet for the drainage system.
34. Per the direction of the Director of Public Works, the applicant shall install a 24-inch RCP (storm drain) in Avenue L from 60th Street West to 57th Street West, and tie into the retention basin on the northwest corner of Avenue L and 57th Street West.
35. The applicant is strongly encouraged to install pervious pavement to help mitigate runoff and to recharge the groundwater.
36. All projects where the total landscape area exceeds 5,000 square feet shall be designed to capture on-property run-off for a 10-year rain event through the use of earth berms, drainage swales, subsurface storage (pervious pavement), or other approved methodology as per Section 8.50.058A.1 of Landscape Ordinance No. 907.
37. Per the direction of the Director of Public Works, at the time the Lane Ranch Towne Center is developed the applicant shall enclose the retention basin at the northwest corner of 57th Street West and Avenue L with a block wall and wrought iron fence combination, and provide landscaping and irrigation within right-of-way to LMD standards.
38. Per the direction of the Public Works Director, the trash enclosures wash out drains shall be connected to the drainage clarifier.
39. Per the direction of the Public Works Director, install metal/lattice covers on all trash enclosures.
40. Per the direction of the Planning Director, install heavy-duty concrete pavement at the apron of all trash enclosures.

OTHER

41. The applicant shall contact the local Postmaster to determine if the location of a postal drop box is desirable in the center. If such a box is desired, the applicant shall pay the Postmaster any fees required for such placement (i.e., purchase of the box) and shall obtain the approval of the Planning Director as to the box location. If the location is in a parking lot or abutting a parking lot, the Director shall consult with the City Traffic official to ensure that a traffic safety hazard will not be created. In the event a box is not desired by the Postal Service, the applicant shall submit a letter from the Postmaster to that effect as a fulfillment of this condition.
42. Secure bicycle parking areas shall be provided on site. Design, location, and amount of such facilities are subject to review and approval of the Planning Director and must comply with Ordinance 633.
43. The Planning Director is authorized to review and approve the elevations of individual buildings proposed within the commercial center to ensure that they are compatible with the architectural design of the overall project. This review includes, but is not limited to, architectural style, color, exterior material, loading areas, material and type of fences/walls, and location and screening of above-ground utilities. In the event disputes arise between the applicant and the Planning Director regarding elevations, or design of subsequent buildings, the matter may be appealed, and the Architectural and Design Commission (ADC) shall render the final decision.
44. Appeals on elevation and building design would come before the Architectural Design Commission.
45. Per the direction of the Director of Planning, the intent to create a pedestrian oriented main-street at the main entrance from 60th Street West must include elevations and shop building entrances that are consistent with that intent.
46. Per the direction of the Planning Director, utility boxes or panels shall be incorporated into the design of the building.
47. Per the direction of the Planning Director, the applicant shall provide an electric device to keep shopping carts from leaving the site; this is required to be shown on the grading plan.
48. Per the direction of the Planning Director, the applicant must provide shopping cart storage in the parking lot area and the areas shall not be placed in any required parking space.
49. Per the direction of the Planning Director, delivery hours, parking lot sweeping hours, and trash pick-up hours shall be limited to occur between 6:00 a.m. and 9:00 p.m. The loading dock hours of operation shall be posted on a sign located at the Anchor 1, and Anchor 2 loading docks.
50. There shall be a posted sign on the exterior of the premises prohibiting smoking within 20 feet of the entrances to the premises.

51. Per the direction of the Planning Director, all lights located on the east property line shall be shielded/screened so that light will not spill off of the site.
52. Per the direction of the Public Works Director, comply with all disabled access requirements.
53. Per the direction of the Planning Director, no signage shall be permitted on the east elevations along the east property line adjacent to residential uses.
54. Per the direction of the Planning Director, install an 8-foot-high masonry screen wall along the east property line with a minimum 20-foot-wide planter.
55. Per the direction of the Planning Director, install one evergreen tree (i.e., Eldarica, Aleppo Pine) spaced every 30 feet on center along the easterly planter.
56. Per the direction of the Planning Director, install a an 8-foot-high masonry screen wall along the east side of the Anchor 1 and Anchor 2 building's loading docks. This would include the trash compactor area for the Anchor 2.
57. Any trash or graffiti on the premises shall be removed within forty-eight (48) hours.
58. **On-site security, including provision of a Sheriff's deputy, shall be provided if determined necessary by the Planning Director. Such determination shall be made after consultation with the Los Angeles County Sheriff's Department and the Applicant. ~~On-site security shall be provided if determined necessary by the Planning Director.~~ (Amended at the 07-07-2009 PC Meeting)**
59. The applicant shall provide conduit connections to a minimum of (36) thirty-six on-site parking stalls to permit the future installation of charging stations for electric vehicles (see Section 17.12.230.20 of the Zoning Ordinance, standards for Electric Vehicle Charging Stations).
60. Per the direction of the Director of Public Works, design ADA passenger loading zones to have stamped concrete and flat curbs to delineate the space in lieu of painted blue striping.
61. Per the direction of the Planning Director, the east elevations of the major tenants (currently identified as "Anchor I and Anchor II") shall be fully articulated, and shall incorporate materials and colors consistent with those used on the west facing elevations (i.e., "360-degree architectural treatment")
62. Per the direction of the Planning Director, posted signs are required to prohibit overnight R.V. camping/parking on the site.
63. Per the direction of the Planning Director, no individual exterior storage allowed outside of the building. Outside storage of seasonal goods shall be allowed as per Section 17.12.070.Q of the Zoning Ordinance.

64. The applicant shall coordinate with both the Antelope Valley **Joint** Union High School District and the Westside School District in developing a student safety plan for the construction phase of the project, including provisions for pedestrian access, vehicular access and circulation during street construction, restriction of access to the construction site, and notification to school officials and parents regarding the overall construction schedule. **(Amended at the 07-07-2009 PC Meeting)**
65. **Per the Planning Director where provided, all deliveries shall be confined (restricted) to designated loading areas so as not to interfere with customer parking and ADA parking, and/or pedestrian access and site circulation. (Added at the 07-07-2009 PC Meeting)**

ALCOHOL

66. Per the direction of the Planning Director, the Anchor 1 (Target) and the drug store (Rite-Aid) shall comply with Chapter 17.42 and Section 17.42.080 (Conditions of Approval for Off-Sale Alcoholic Beverage Establishments) except for Section 17.42.42.080.F to be replaced with, "The sale of alcoholic beverages shall be from 6:00 a.m. to 12:00 a.m., Sunday through Saturday." Any reference to beer and wine shall apply to all alcoholic beverages. In addition, Section 17.42.080.K shall be replaced with, "No sales of separated packages of alcoholic beverages (i.e. individual containers, cans or bottles)" shall be allowed.
67. Per the direction of the Planning Director, in the event alcoholic beverages are to be sold, served or given away at additional establishments located on the premises, each applicant shall obtain approval in accordance with Chapter 17.42 (Alcoholic Beverage Establishments).
68. ~~The applicant shall limit the floor area for the display and sales of alcoholic beverages to a maximum of 5 percent of sales floor area (for Target, store greater than 100,000 square feet). The amount of floor area approved for alcohol sales at the Target store is 1,000 square feet. The applicant may increase up to 20 percent or 200 square feet without modification to the conditional use permit. (Amended at the 07-07-2009 PC Meeting)~~
69. ~~The applicant shall limit the floor area for the display and sales of alcoholic beverages to a maximum of 10 percent of sales floor area (for Rite-Aid, store less than 100,000 square feet). The amount of floor area approved for alcohol sales at the Rite-Aid store is 750 square feet. The applicant may increase up to 20 percent or 150 square feet without modification to the conditional use permit. (Amended at the 07-07-2009 PC Meeting)~~

EXHIBIT “A”

***FINDINGS AND FACTS IN SUPPORT OF FINDINGS FOR THE LANE RANCH TOWNE
CENTER PROJECT
(GENERAL PLAN AMENDMENT 06-03; ZONE CHANGE 06-03, AND CONDITIONAL
USE PERMIT 06-08
ENVIRONMENTAL IMPACT REPORT
STATE CLEARINGHOUSE NUMBER 2007061012***

1. INTRODUCTION

The California Environmental Quality Act (CEQA), Public Resources Code Section 21081, and the State CEQA Guidelines, 14 Cal. Code of Regs. Section 15091 requires that a public agency consider the environmental impacts of a project before a project is approved and make specific findings. CEQA Guidelines Section 15091 provides:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
 - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.
 - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
 - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the final EIR.
- (b) The findings required by subsection (a) shall be supported by substantial evidence in the record.
- (c) The finding in subsection (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

- (d) When making the findings required in subsection (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

Having received, reviewed and considered the Final Environmental Impact Report for the Lane Ranch Towne Center Project, dated June 2009 (“FEIR”), which includes but is not limited to the Draft Environmental Impact Report (“DEIR”), Responses to Comments on the DEIR, and all other information in the record of proceedings on this matter, the following Findings and Facts in Support of Findings (“Findings”) are hereby adopted by the City of Lancaster (“City”) in its capacity as the CEQA Lead Agency. These Findings set forth the City’s environmental basis for approval of General Plan Amendment 06-03, Zone Change 06-03, and Conditional Use Permit 06-08 (“proposed project”).

A. Format

These Findings have been organized into the following sections:

- (1) Section 1 provides an introduction to these Findings.
- (2) Section 2 provides a summary of the project and overview of the discretionary actions required for approval of the project, and a statement of the project’s objectives.
- (3) Section 3 provides a summary of the environmental review conducted in accordance with CEQA and the CEQA Guidelines by the City for the project and a summary of public participation in the environmental review for the project.
- (4) Section 4 sets forth findings regarding those environmental impacts which were determined as a result of the Notice of Preparation (NOP) and consideration of comments received during the NOP comment period either not to be relevant to the project or which were determined to clearly not manifest at levels which were deemed to be significant for consideration at the project-specific level.
- (5) Section 5 sets forth findings regarding significant or potentially significant environmental impacts identified in the FEIR which the City has determined are either not significant or can feasibly be mitigated to a less than significant level through the imposition of mitigation measures. In

order to ensure compliance and implementation, all of these measures will be included in the Mitigation Monitoring and Reporting Program (MMRP) for the project. Section 5 also includes findings regarding those significant or potentially significant environmental impacts identified in the FEIR which will or which may result from the project and which the City has determined cannot feasibly be mitigated to a less than significant level.

- (6) Section 6 sets forth findings regarding alternatives to the proposed project.
- (7) Section 7 consists of a Statement of Overriding Considerations which sets forth the City's reasons for finding that specific economic, legal, social, technological, and other considerations associated with the project outweigh the project's potential unavoidable environmental effects.

B. Custodian and Location of Records

The documents and other materials which constitute the administrative record for the City's actions related to the project are located at the City of Lancaster, Planning Department, 44933 Fern Avenue, Lancaster, California 93534. The City Planning Department is the custodian of the administrative record for the project.

2. PROJECT SUMMARY

A. Discretionary Actions

These Findings set forth the environmental basis for current discretionary actions to be undertaken by the City for the approval of the project. These actions include approval of General Plan Amendment No. 06-03, Zone Change 06-03, and Conditional Use Permit 06-08.

B. Project Location

The project site is located in the City of Lancaster, at the southeast corner of 60th Street West and Avenue L. The project site is bound by Avenue L to the north, 60th Street West to the west, 57th Street West to the east, and vacant land to the south. The project site is approximately 4.5 miles west of the Antelope Valley Freeway. The project site is currently developed with three single-family residences, two mobile homes, two barns, a machine shop, stables, and other outbuildings associated with ranch operations.

C. Project Description

The proposed project would redesignate, rezone and develop a commercial shopping center on the project site. The City of Lancaster General Plan designates the project site as Commercial (C) and Office Professional (OP) and the zoning code designates the project site as Commercial Planned Development (CPD) and Office Professional (OP).

The proposed project would include a general plan amendment and zone change to redesignate a portion of the project site from OP to C and rezone a portion of the site from OP to CPD. The

project site is approximately 35 acres. Development on the project site would include approximately 394,575 square feet of commercial retail facilities. The inline retail structure and anchors would be oriented toward 60th Street West, pad buildings along the perimeter of the project site would front 60th Street West and wrap the corner to Avenue L, surface parking would be provided at the interior of the site. The two major retail anchors are currently slated as a Target and a home improvement store.

Development on the project site would include approximately 1,815 parking spaces and access to the development would be provided via both 60th Street West and Avenue L. Demolition of the existing structures onsite would occur as part of the proposed project.

D. Project Objectives

The following objectives have been established for the proposed project:

- To create development on the project site to provide commercial retail facilities to serve the local community;
- To generate significant sales tax revenues to benefit the general fund;
- To provide a well-designed development that is compatible and complementary with surrounding land uses;
- To provide a development that is financially viable;
- To generate employment opportunities for the local area;
- To mitigate, to the extent feasible, the potential environmental impacts of the proposed project; and
- To provide adequate parking facilities to serve the proposed development customers, and employees.

3. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The environmental review process for the proposed project is summarized as follows.

On June 4, 2007, the City issued a Notice of Preparation (“NOP”) for the proposed project in accordance with the requirements of CEQA and the CEQA Guidelines; publication of the Notice of Preparation occurred in the Antelope Valley Press on June 8, 2007 and June 10, 2007. However, an error was discovered on the NOP and it was therefore republished on June 14, 2007. The NOP was circulated for a period of thirty (30) days, and scoping meetings were held on June 14, 2007 and June 19, 2007, at Quartz Hill High School to solicit comments on the proposed project. The NOP comment period ended on July 17, 2007. The NOP was filed with the State Clearinghouse on June 4, 2007 and the revised NOP was also filed, extending the review date to July 17, 2007. The NOP is included in the DEIR as Appendix A. The responses to the NOP are included in Appendix B.

The DEIR was made available and distributed to agencies, interested organizations, and individuals by the City for public review on January 9, 2009. A forty-five day comment period was provided from January 9, 2009 to February 23, 2009. A public hearing was held before the Planning Commission on February 18, 2009, during which opportunity was provided to give oral and written comments on the DEIR. Comments received during the public review period for the DEIR were responded to in the Responses to Comments which was included in the FEIR, dated June 2009. The FEIR was distributed to agencies submitting comments on June 25, 2009.

The following documents comprise the FEIR for the project:

- Draft Environmental Impact Report for The Lane Ranch Towne Center, dated January 2009 including applicable revisions;
- Comments received on the DEIR and responses to those comments, published in the FEIR, dated June 2009;
- All analysis, attachments, incorporated documents, and references to the documents identified and referenced in the DEIR and FEIR, and submitted to the City as part of the EIR process.

The City Planning Commission considered the FEIR and the project at its hearing on July 7, 2009 for approval of the conditional use permit and to make a recommendation to the City Council on the certification of the FEIR and the general plan amendment and zone change. The City Council will consider the FEIR and the project at its hearing on July 21, 2009.

4. ENVIRONMENTAL EFFECTS WHICH WERE DETERMINED TO NOT BE POTENTIALLY AFFECTED BY THE PROJECT

As a result of the NOP circulated by the City beginning on June 4, 2007, the City determined, based upon the threshold criteria for significance, that the proposed project would have no impact on the following potential environmental effects, and therefore, determined that these potential environmental effects would not be addressed in the DEIR. Based upon the environmental analysis presented in the Final EIR, and the comments received from the public on the DEIR, no substantial evidence has been submitted to or identified by the City which indicates that the proposed project would have an impact on the following environmental issues, and therefore no additional analysis beyond what was provided.

1. Geology and Soils: The following issues were not analyzed in the Draft EIR for the reasons identified below.
 - Landslides: The topography of the project site and surrounding area is generally flat. Therefore, no impact with respect to landslides would occur for the proposed project, and no further analysis of this issue is required.
 - Septic Tanks: The proposed project site does not propose the use of septic tanks or alternative disposal systems. Therefore, no impact would occur with

implementation of the proposed project and no further analysis of this is required.

2. Hazards and Hazardous Materials: The following issues were not analyzed in the Draft EIR for the reasons identified below.

- **Airport Safety Hazards**: No airport exists within two miles of the project site. In addition, the project site is not located within any Airport Land Use Plan and is not subject to land use regulations within any such plan. Thus, no impact would occur. No private airstrips are located in the vicinity of the project site. No impact would occur with regard to private airstrips.
- **Emergency Response/Evacuation**: Implementation of the proposed project would not substantially impede public access or travel upon public rights-of-way and would not interfere with any adopted emergency response plan or emergency evacuation plan. Furthermore, the construction phase of the proposed project would not substantially impede public access or travel on public rights-of-way, and would not interfere with any adopted emergency response plan or emergency evacuation plan. No impact would occur to emergency response plans with implementation of the proposed project.
- **Wildlife Fire Risks**: A significant impact may occur if a project is located in proximity to wildland areas and poses a potential fire hazard, which could affect persons or structures in the area in the event of a fire. The project site is currently vacant and undeveloped, located in an area surrounded by residential and institutional development. As shown in the Draft EIR on Figure IV.A-1, the project site is located in an area of the City of Lancaster with little or no threat of wildland fire. Therefore, the proposed would not expose people or structures to a greater than average risk of loss, injury or death involving wildland fires and no impact would occur.

3. Hydrology and Water Quality: The following issues were not analyzed in the Draft EIR for the reasons identified below.

- **Seiche, Tsunami, or Mudflow**: The City of Lancaster is not located near a large body of water such as lake or ocean in which in seiche or tsunami would occur. Thus, no impact would occur as a result of a seiche or tsunami from any body of water. In addition, as the project is not located near any hills or slopes, there is no risk of the site being affected by mudflow.
- **Dam/Levee Failure**: The project site is not located near any dam or levee, the failure of which could impact the project site. As such, no impact would occur with respect to dam or levee failure, and no further discussion of this issue is required.
- **Housing in 100-Year Flood Plain**: The proposed project does not include any housing. As such, there would be no impact with respect to placing housing

in a 100-year floodplain. Therefore, no further discussion of this issue is required.

4. Mineral Resources: The following issue was not analyzed in the Draft EIR for the reason identified below.

- **Loss of a Known or Locally Important Mineral Resource:** The project site is not located in an area where mining of mineral resources occurs. The project site may contain known mineral deposits that would be of value to the region and the residents of the State, but development of the proposed project would not preclude or otherwise result in the loss of availability of these resources. The minerals would continue to exist on the project site with development, and could be mined and used in the future. The proposed project therefore would not result in the loss of availability of a known mineral resource. Impacts to mineral resources would be less than significant.

5. Noise: The following issue was not analyzed in the Draft EIR for the reason identified below.

- **Airport Land Use Plan and Private Airstrip:** No airport exists within two miles of the project site. As such, the project site is not located within any Airport Land Use Plan and would not be exposed to severe noise levels from airport or aircraft-related activities.

6. Population and Housing: The following issue was not analyzed in the Draft EIR for the reason identified below.

- **Displacement of Existing Housing and Persons:** Three single-family and two mobile homes currently exist on the project site; however, the on-site housing is occupied by the project applicant. Therefore, as the existing population and housing on the project site is minimal and as it is occupied by the project applicant, development of the proposed project would not require the construction of replacement housing elsewhere. Therefore, no impacts associated with displacement of existing housing or people would occur.

7. Transportation and Traffic: The following issues were not analyzed in the Draft EIR for the reasons identified below.

- **Air Traffic Patterns:** The height of the building would not interfere with air traffic patterns and would not cause an increase in traffic levels or change in location that results in substantial safety risks. Since the building is not a multi-story tower, no additional lighting for air traffic safety is required. Therefore, no further discussion of this issue is required.
- **Adopted Plans, Policies, or Programs Regarding Alternative Transportation:** The proposed project is not expected to conflict with adopted policies, plans,

or programs supporting alternative transportation. Therefore, there would be no impact to adopted policies or existing alternative transportation facilities.

5. FINDINGS ON POTENTIALLY SIGNIFICANT IMPACTS OF THE PROPOSED PROJECT IDENTIFIED IN THE DEIR

The following potentially significant environmental impacts were analyzed in the DEIR:

- Aesthetics, including Urban Decay
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use Planning
- Noise
- Population and Housing
- Public Services
- Transportation/Traffic
- Utilities

Where as a result of the environmental analysis of the proposed project and the identification of project design features, compliance with existing laws, codes and statutes, and the identification of feasible mitigation measures, the following potentially significant impacts have been determined by the City to be reduced to a level of less than significant, the City has found in accordance with CEQA Section 21081(a)(1) and CEQA Guidelines Section 15091(a)(1) that “Changes or alterations have been required in, or incorporated into, the proposed project which mitigate or avoid the significant effects on the environment,” which is referred to herein as “Finding 1.” Where the potential impact can be reduced to less than significant solely through adherence to and implementation of project design features or standard conditions, these measures are considered “incorporated into the project” which mitigate or avoid the potentially significant effect, and in these situations, the City also will make “Finding 1” even though no mitigation measures are required, but will find that the potential impact has been reduced to Less Than Significant through either project design features incorporated into the project or adherence to standard conditions.

Where the City has determined pursuant to CEQA Section 21081((a)(2) and CEQA Guidelines Section 15091(a)(2) that “Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency, the City’s finding is referred to herein as “Finding 2.”

Where, as a result of the environmental analysis of the proposed project, the City has determined that either (1) even with the identification of project design features, compliance with existing laws, codes and statutes, and/or the identification of feasible mitigation measures,

potentially significant impacts cannot be reduced to a level of less than significant, or (2) no feasible mitigation measures or alternatives are available to mitigate the potentially significant impact, the City has found in accordance CEQA Section 21081(a)(3) and CEQA Guidelines Section 15091(a)(3) that “Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report,” referred to herein as “Finding 3.”

In making these findings, the City has relied upon the environmental conclusions reached by the experts that prepared the FEIR, including the information, analysis and conclusions in the technical reports prepared and made a part of the FEIR. Although contrary opinions may have been presented in comments submitted on the DEIR and FEIR, the City has weighed those comments against the underlying data, analysis and conclusions in the FEIR, and has reached its conclusions accordingly.

A. AESTHETICS

The thresholds of significance for aesthetic impacts, including urban decay, are listed in Section IV.B on page IV.B-5 of the FEIR.

Potential Impact: The proposed project would change the visual character of the project site.

Finding: The City hereby makes Finding 1 with respect to the proposed project’s potential to change the visual character and quality of the project site.

Facts in Support of Findings: As discussed on pages IV.B-5 through IV.B-7 of the Draft EIR, the proposed project would change the visual character of the project site. The specific details regarding the appearance of the proposed project are described in Section II, Project Description, and Section IV.B, Aesthetics, of the Draft EIR. Whether the alteration of the project site would degrade or improve the visual character of the site is a subjective assessment. The implementation of the proposed project would substantially change the existing character from a working ranch to an urban use with retail buildings and surface parking facilities. The General Plan envisions the transformation of the site from its undeveloped condition to urban uses. Further, the surrounding area is in transition with intensification of rural or undeveloped land to suburban and urban uses. Therefore, the project would have a less than significant impact with respect to visual character.

Potential Impact: The proposed project would not result in a significant impact to the available public scenic views from the area.

Finding: The City hereby makes Finding 1 with respect to the proposed project’s potential to impact permanent, public scenic views.

Facts in Support of Findings: As discussed on page IV.B-7 of the EIR, changes in views of the project site from adjacent land uses and roadways would not result in a significant impact, as the area is already urbanized with a mix of institutional,

commercial, and residential uses. The proposed project would not result in the obstruction of any permanent, public scenic views. Long-range views of the San Gabriel and Tehachapi Mountains would not be substantially altered. Considering the distance of the mountains from the project site, long-range views from the surrounding area would still be available above and around the proposed development. Therefore, the project would have a less than significant impact with respect to public scenic views.

Potential Impact: A significant urban blight and decay impact could occur as a result of the construction and operation of the proposed development.

Finding: The City hereby makes Finding 1 with respect to the proposed project's ability to result in an urban decay and blight impact.

Facts in Support of Findings: The proposed project's potential to create urban blight was addressed on pages IV.B-7 through IV.B-15 of the Draft EIR and III-6 through III-19 of the Final EIR.

The original economic report was prepared in November 2008 and was included as Appendix M in the Draft EIR. As a result of comments received on the Draft EIR, the economic report was updated in June 2009 to reflect the change in the market conditions. This revised report is included in Appendix B of the Final EIR. While the economic report was updated to reflect the current market conditions, the conclusions of the report did not change.

The economic reports looked at three major categories: 1) Shopper Good (general merchandise, apparel, home furnishings/furniture and specialty goods); 2) Building Materials/Garden Supplies; and 3) Convenience Goods (food and beverage facilities and drug store/pharmacy). The major conclusions of the report with respect to these categories are provided below. Therefore, the proposed project's potential to create urban blight is less than significant.

1. Shopper Goods: The total proposed supply represents the equivalent of 118 percent of total demand in 2012, through there would be more than adequate support for the proposed space by 2013. Thus, while the development of the proposed project and the Commons at Quartz Hill project together would leave little capacity for additional new General Merchandise space in the PMA, it is unlikely that they would individually or collectively create adverse market conditions that could lead to urban decay.
2. Building Materials/Garden Supplies: Assessment of the potential for urban decay caused by an oversupply of Building Materials and Garden Supplies space needs to recognize that the potential oversupply problem would be caused by the cumulative impact generated by three separate developments. Under current circumstances, the total supply of additional space would come from the proposed project (171,038 square feet GLA, 47 percent of the total new space), the Commons project (21,624 square feet GLA, 6 percent of the new space) and the Avenue K/60th Street West center (171,069 square feet GLA, 47 percent of the

new space). Given these relative shares of space, it can be seen that the problem of a potential significant oversupply of Building Materials and Garden Supply space arises with the possible development of two major home improvement centers in the PMA during the next five years in a market that likely can support only one such facility at the proposed size of 170,000 square feet GLA.

Perhaps the major question that cannot be resolved in this analysis is whether or not the development of the two proposed home improvement centers is a reasonable proposition in the next five to seven years in the PMA at the two locations that have been identified to date. While it was not possible to confirm the identity of the home improvement center operator at each site,³ the similarity of location, proposed building configuration and recent change in timing of the home improvement center at the Avenue K/60th Street West location to a future phase (2014) suggests that the two projects may have the same operator in mind, or, at a minimum, the developers will carefully consider the potential competitive circumstances presented by other projects before proceeding with such a commitment.

Considering the possible oversupply problem that would result if two major home improvement centers were developed in the PMA over the next five years, it is the judgment of the economic consultant that only one major home improvement center be built in the foreseeable future on 60th Street West, and that the superior location for such a retailer is the project site. However, if both projects do proceed with a home improvement center as currently conceived, the project will likely seize a competitive advantage if it is the first to complete such a facility and put it into operation. Moreover, the onus of causality for urban decay would logically fall on to the 60th Street West/Avenue K site, as it would be the development that could finally create the conditions of oversupply.

3. Food and Beverage Facilities: Analysis of the potential impact of the proposed Eating and Drinking Facility component of the proposed project indicates that there is sufficient market support generated by the PMA resident population and other market sources to fully support the proposed addition of this type of space by 2013. As the addition of the proposed eating and drinking uses in the proposed project represents such a small share of the total space that it will not have a significant negative impact on the existing and proposed supply of existing restaurant uses in the PMA, this component of the proposed project will not lead to urban decay at any of the existing or proposed shopping centers and business districts found in the competitive market area.
4. Drug Store/Pharmacy: The site-specific analyses indicate that while there could be a serious oversupply of drug store/pharmacy space in the proposed project's PMA if the proposed project and the Commons at Quartz Hill project open as currently scheduled, this oversupply is not likely to create conditions at any of the specific locations studied that would likely lead to significant urban decay. The four major drug store chains with stores (CVS, Walgreens, Sav-on, Rite-Aid) in the PMA are all capable of holding on to their market shares for the long term,

due both to their brand strengths and to their respective geographic positioning. However, it is also very possible that the sales achieved per square foot at these stores may fall below the standard threshold utilized in the analysis for determining supportable drug store space.

Potential Impact: The proposed project could have a potentially significant impact with respect to nighttime lighting and glare.

Finding: The City hereby makes Finding 1 with respect to the proposed project's potential to create significant impacts with respect to lighting and glare.

Facts in Support of Findings: As discussed on pages IV.B-14 and IV.B-15 of the Draft EIR, development of the project site with the proposed land uses would create new sources of light and glare. Even though the immediate area is experiencing growth, the development would substantially change the nighttime lighting in the area and could potentially affect the adjacent properties with light "spill". Additionally, the development would introduce new sources of glare to the site, such as signs and automobile glass. However, with the implementation of Mitigation Measures B-1 through B-15 as identified in the EIR, these impacts would be less than significant.

Potential Impact: The proposed project would not have a significant shade and shadow impact on the residences to the east/north or high school to the west of the project site.

Finding: The City hereby makes Finding 1 with respect to the proposed project's potential to create shade and shadow impacts on sensitive land uses.

Facts in Support of Findings: As discussed in the Draft EIR on page IV.B-15, the proposed project would generate shade and shadows. The tallest structure in the proposed development is approximately 42 feet in height. While this is tall enough to cast shadows, due to the relatively low height of the buildings and the distance between the proposed project and sensitive receptors, no shadows would be cast onto the school property or the residences and impacts would be less than significant.

Potential Impact: The proposed project would not result in a cumulatively considerable impact with respect to visual character, views, urban decay, shade/shadow, and light/glare.

Finding: The City hereby makes Finding 1 with respect to the proposed project's potential aesthetic impacts.

Facts in Support of Findings: Development of the related projects is expected to occur in accordance with adopted plans and regulations. Related Project No. 78, the Commons at Quartz Hill, is located near the project site. No substantial scenic resources are located in the area surrounding the project site that could be affected by a cumulatively considerable reduction in views. Therefore, the proposed project in conjunction with the related projects would not result in significant cumulative impacts with regard to the aesthetic and visual character of the area.

Development of the proposed project, in conjunction with the related projects, would increase ambient lighting and glare levels in the project vicinity. However, any additional glow from the related projects would be subject to the City's reflective materials design standards which limits the amount of reflective surface areas and materials that can be used for any given project. The potential glare created from these related projects would not be cumulatively considerable.

Development of the proposed project, in conjunction with the related projects would not result in an increase of shading impacts on the project site or in the vicinity of the project site as major roadways separate the project site from the nearest related projects. There are no related projects in the immediate vicinity of the project site that would increase the shading of the sensitive uses adjacent to the project site. Therefore, no cumulatively considerable shading impacts would occur.

Finally, the cumulative impacts of this project in conjunction with the related projects, on potential physical degradation or urban decay related to Shopper Goods space, Building Materials and Garden supplies space, food store space, drug store/pharmacy space and eating and drinking facilities would be less than significant.

B. AGRICULTURAL RESOURCES

The thresholds of significance for agricultural resources are listed in Section IV.C on page IV.C-4 of the FEIR.

Potential Impact: The proposed project would not result in the conversion of prime farmland, unique farmland or farmland of statewide importance to non-agricultural use.

Finding: The City hereby makes Finding 1 with respect to the proposed project's potential to convert farmland to non-agricultural use and further finds that no significant impacts will result from the project and no mitigation is required.

Facts in Support of Findings: As discussed on page IV.C-4 of the Draft EIR, the project is classified by the California Department of Conservation, Farmland Mapping and Monitoring Program, the project site is classified as urban and built-up land and other land and not for agricultural use. Therefore, development of the proposed project would not change agricultural land to a non-agricultural use and no impacts would occur.

Potential Impact: The proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract.

Finding: The City hereby makes Finding 1 with respect to the proposed project's potential to conflict with existing zoning for agricultural use or a Williamson Act contract and further finds that no significant impacts will result from the project and no mitigation is required.

Facts in Support of Findings: As discussed on pages IV.C-4 and IV.C-5 of the Draft EIR, the project site is currently designated for commercial and office professional uses,

which does not allow agricultural uses. Additionally, the project site is not subject to a Williamson Act contract. Therefore, no impacts would occur.

Potential Impact: The project would not result in changes to the environment which could result in the conversion of farmland to non-agricultural uses.

Finding: The City hereby makes Finding 1 with respect to the proposed project's potential to result in the conversion of farmland to non-agricultural use.

Facts in Support of Findings: As discussed on page IV.C-5 of the Draft EIR, the proposed project would be constructed on a site which has been planned for urban uses. Additionally, the surrounding uses in the area are residential and institutional and no agricultural uses are located nearby. Therefore, no impacts would occur.

Potential Impact: No cumulative impact to agricultural resources would occur as a result of the proposed project in conjunction with the related projects.

Finding: The City hereby makes Finding 1 with respect to the proposed project's potential to result in cumulative impacts to agricultural resources and further finds that no significant impacts will result from the project and no mitigation is required.

Facts in Support of Findings: None of the related projects are of an agricultural nature. These projects in combination with the proposed project would greatly intensify the residential and commercial land usage in the immediate project area. None of the nearby projects involve the conversion of agricultural uses to non-agricultural uses. In addition, each related project must be individually assessed to determine if agricultural resources are being negatively impacted. Therefore, no cumulative impacts would occur.

C. AIR QUALITY

The thresholds of significance for air quality impacts are listed in Section IV.D on pages IV.D-17 through IV.D-20 of the FEIR.

Potential Impact: The proposed project would not conflict with or obstruct implementation of the 2004 Ozone Attainment Plan.

Finding: The City hereby makes Finding 1 with respect to impacts to the air quality plan.

Facts in Support of Findings: As discussed on page IV.D-20 of the EIR, the use of the entire project site for commercial uses was not accounted for in the 2004 Ozone Attainment Plan prepared by the Antelope Valley Air Quality Management District. However, because the City of Lancaster's General Plan was used by SCAG to prepare the growth forecasts for northern Los Angeles County, upon which the 2004 Ozone Attainment Plan is based, as long as growth in the City is consistent with the City's General Plan, implementation of the 2004 Ozone Attainment Plan would not be obstructed by such growth and cumulative impacts would be less than significant. Although development of the proposed project would result in a general plan amendment

and zone change, the development of the proposed commercial uses on the project site would help to reduce vehicle emissions by providing commercial/retail opportunities in an area of Lancaster that is currently underserved. This could serve to decrease the distance residents need to travel for consumer goods. Additionally, the proposed project would provide employment opportunities for the local area. Thus, although the proposed project would not be consistent with the City's General Plan and by extension the attainment plan, it would not conflict with or obstruct implementation of the 2004 Ozone Attainment Plan and impacts would be less than significant.

Potential Impact: The proposed project would generate air quality impacts during construction.

Finding: The City hereby makes Finding 1 with respect to air quality impacts associated with construction of the proposed project.

Facts in Support of Findings: Air quality impacts associated with construction activities were discussed on pages IV.D-21 through IV.D-24 of the EIR. As determined in this analysis, the proposed project would generate VOC, NO_x and PM₁₀ emissions above the thresholds set by AVAQMD during construction activities. However, it was determined that no exceedances of the localized pollutant concentrations would occur during construction. All other emissions would be below the established thresholds. Mitigation measures D-1 through D-14 were identified to reduce these impacts to a less than significant level. Therefore, impacts from emissions of these criteria pollutants during construction of the proposed project would be reduced to a less than significant level.

Potential Impact: The proposed project would generate potentially significant air quality impacts during operation.

Finding: The City hereby makes Finding 3 with respect to air quality impacts associated with the operation of the proposed project. Specifically, no mitigation measures or alternatives have been identified that can feasibly reduce potentially significant air quality impacts during operations to a level of less than significant.

Facts in Support of Findings: Air quality impacts associated with the operation of the proposed project were discussed on pages IV.D-24 through IV.D-26. As determined in this analysis, the proposed project would generate carbon monoxide (CO) and PM₁₀ emissions which exceed the thresholds established by the air district during operational activities. Because a majority of these emissions are generated by motor vehicles, the only way to reduce these emissions would be to greatly reduce the size of the proposed project. Such size reduction was determined to be infeasible as it would not meet the project objectives. Therefore, impacts from operational emissions would remain significant and unavoidable.

Potential Impact: The proposed project would generate toxic air contaminants from operation of the development.

Finding: The City hereby makes Finding 1 with respect to impacts associated with toxic air contaminants.

Facts in Support of Findings: Air quality impacts associated with the generation of toxic air contaminants were discussed on pages IV.D-26 and IV.D-27 of the EIR. As discussed, a Health Risk Assessment was prepared to evaluate the impacts from diesel exhaust emissions generated by the proposed project. The inhalation cancer risk at the closest exposed individual resident is 5 in one million and the chronic non-cancer hazard index at this receptor is less than 0.01. The inhalation cancer risk and chronic non-cancer index at the nearest worker and nearest sensitive receptor (students at Quartz Hill High School) were 0.2 in one million and less than 0.01, respectively. These numbers are substantially less than the thresholds established by the AVAQMD of 10 in one million for inhalation cancer risk and 1 for the chronic non-cancer index. Therefore, impacts would be less than significant.

Potential Impact: The proposed project would generate greenhouse gas emissions.

Finding: The City hereby makes Finding 1 with respect to impacts associated with greenhouse gas emissions generated by the proposed project.

Facts in Support of Findings: Greenhouse gas emission impacts were discussed on pages IV.D-28 through IV.D-39 of the EIR. As discussed in this section it was determined that the proposed project would be consistent with all feasible and applicable strategies to reduce greenhouse gas emissions in California and would therefore be considered consistent with the 2006 CAT report. In addition, Target incorporates into its projects, measures which would add to the reduction of greenhouse gas emissions. These measures are identified in the greenhouse gas emissions analysis and have been included as Mitigation Measure D-16 in the Final EIR. Therefore, greenhouse gas emissions would be less than significant.

Potential Impact: The proposed project would generate some odors as a result of the proposed restaurant and kitchen uses.

Finding: The City hereby makes Finding 1 with respect to impacts associated with odors and further finds that no significant impacts will result from the project and no mitigation is required.

Facts in Support of Findings: As discussed on page IV.D-39, odors are typically associated with industrial/manufacturing uses which utilize chemicals, solvents, and petroleum products, such as landfills and treatment facilities. The proposed project does not include any of these uses. The proposed project would include restaurant and kitchen uses which generate odors as a result of the cooking process. However, these odors are similar in type to the odors generated by a residential kitchen. Additionally, these facilities are required to be permitted through the air district and must comply with all applicable conditions and regulations related thereto. Therefore, impacts would be less than significant.

Potential Impact: The proposed project would generate cumulative air quality impacts.

Finding: The City hereby makes Finding 1 with respect to cumulative air quality impacts associated with the proposed project.

Facts in Support of Findings: According to the *AVAQMD California Environmental Quality Act (CEQA) and Federal Conformity Guidelines*, cumulative impacts are similar to the direct and indirect impacts that the proposed project contributes to. In addition, in terms of conformity impacts, a project is conforming if it “complies with all applicable District rules and regulations, complies with all proposed control measures that are not yet adopted from the applicable plans(s), and is consistent with the growth forecasts in the applicable plan(s) (or is directly included in the applicable plan).” Because the City of Lancaster’s General Plan was used by SCAG to prepare the growth forecasts for northern Los Angeles County, development that is consistent with the City’s General Plan would not create air emissions that exceed the applicable air quality plan, which is the AVAQMD’s *2004 Ozone Attainment Plan*. Consequently, as long as growth in the City is consistent with the City’s General Plan, implementation of the *2004 Ozone Attainment Plan* would not be obstructed by such growth and cumulative impacts would be less than significant. Although development of the proposed project would result in a general plan amendment and zone change to the project site, the development of the proposed commercial uses on the project site could serve to reduce vehicle emissions in the area by providing retail facilities on the project site to serve the local community. In particular, the proposed project, which is a large commercial/retail development, would serve to decrease the distance City residents would have to travel for consumer goods, which in turn would reduce the trip lengths residents would need to travel and the emissions associated with those vehicle trips. Thus, the proposed project would not conflict with or obstruct implementation of the *2004 Ozone Attainment Plan*. Therefore, the contribution of the proposed project to this impact would be less than significant.

As discussed previously, the increased accumulation of GHGs in the atmosphere may result in global climate change, the consequences of which result in adverse environmental effects. The State has mandated a goal of reducing State-wide emissions to 1990 levels by 2020, even though State-wide population and commerce is predicted to grow substantially. The increase in commercial space with implementation of the proposed project would generate greater than zero GHG emissions and the cumulative effect of global climate change would be considered incrementally cumulatively considerable. This would be considered a potentially significant cumulative impact. However, with the incorporation of the identified Mitigation Measures D-1 through D-16, impacts would be less than significant.

D. BIOLOGICAL RESOURCES

The thresholds of significance for biological resource impacts are listed in Section IV.E on page IV.E-7 of the FEIR.

Potential Impact: Development of the proposed project could result in significant impacts to special status wildlife species, including nesting raptors/birds and burrowing owl.

Finding: The City hereby makes Finding 1 with respect to impacts to special status animal species.

Facts in Support of Findings: Impacts to special status wildlife species, including nesting birds and burrowing owls, were discussed on page IV.E-8 of the Draft EIR. As discussed, no special status species were identified on the project site; however, the potential still exists from them to occur, particularly burrowing owls. Construction of the proposed project would remove all vegetation, including the cottonwoods which provide suitable nesting habitat for migratory birds and generalist birds. This would be a potentially significant impact. However, Mitigation Measures E-1 and E-2 were identified which would reduce potential impacts to a less than significant level.

Potential Impact: The proposed project would not result in significant impacts to special status plant species and sensitive plant communities.

Finding: The City hereby makes Finding 1 with respect to impacts to special status plant species and sensitive plant communities and further finds that no significant impacts will result from the project and no mitigation is required.

Facts in Support of Findings: As discussed on page IV.E-8 of the Draft EIR, the project site is currently utilized as an active ranch and contains no areas which represent natural plant communities; therefore, no impacts to sensitive natural communities would result from the proposed project.

Potential Impact: The proposed project would result in impacts to federally protected wetlands.

Finding: The City hereby makes Finding 1 with respect to impacts to federally protected wetlands.

Facts in Support of Findings: As discussed on page IV.E-8, no wetlands are present on the project site; therefore, the proposed project would have no impact on federally protected wetlands.

Potential Impact: The proposed project would not impact wildlife movement, migration corridors, or native nursery sites.

Finding: The City hereby makes Finding 1 with respect to impacts to wildlife movement or native wildlife nurseries and further finds that no significant impacts will result from the project and no mitigation is required.

Facts in Support of Findings: As discussed on pages IV.E-8 and IV.E-9, a wildlife corridor joins otherwise fragmented habitats, which helps to increase the gene flow between the individual habitats, provides an escape route and improves the overall fitness of resident species. The project site is surrounded by suburban development and therefore lacks connectivity to nearby natural habitats. In addition, the existing environmental conditions within the project site have a low probability of providing an important value to native wildlife species, since the project site is a developed site and it

is regularly disturbed and contains no native habitat. Therefore, no impacts to wildlife movement, migration corridors, or native nursery sites would occur.

Potential Impact: Development of the proposed project would not conflict with local policies or ordinances.

Finding: The City hereby makes Finding 1 with respect to impacts to local policies or ordinances and further finds that no significant impacts will result from the project and no mitigation is required.

Facts in Support of Findings: The City of Lancaster does not have an ordinance specifically protecting tree species; therefore, the fruit trees and cottonwoods on-site are not protected by local ordinances. In addition, those General Plan policies protecting sensitive species were addressed under the special status species, above. Therefore, the proposed project would have no impacts regarding conflicts with local policies and ordinances.

Potential Impact: Development of the proposed project would not conflict with any conservation plans.

Finding: The City hereby makes Finding 1 with respect to impacts to conservation plans and further finds that no significant impacts will result from the project and no mitigation is required.

Facts in Support of Findings: The project site is not located in an area which is covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Although a draft of the West Mojave Plan has been prepared that would eventually cover lands within the City of Lancaster, this plan has not yet been approved by regulatory agencies and currently only covers lands owned by the Bureau of Land Management. Therefore, no impacts would occur.

Potential Impact: Development of the proposed project would not result in a cumulatively considerable impact to biological resources.

Finding: The City hereby makes Finding 1 with respect to cumulative impacts to biological resources.

Facts in Support of Findings: The project site is already developed and supports marginally suitable habitat for common native wildlife species and the loss of such habitat is not a substantial adverse impact for native wildlife species. The loss of marginally suitable habitat from the implementation of the proposed project, when considered with the related projects, would not be cumulative considerable. However, a few of the related projects are located on undeveloped lands which may support nesting birds or burrowing; potential impacts to these sensitive biological resources, when considered with the potential impacts to these resources from the proposed project, may result in cumulatively considerable adverse impacts. However, with implementation of Mitigation Measures E-1 through E-2, impacts would be less than significant.

In addition, the City has adopted Ordinance 848, Biological Impact Fee, to help offset the cumulative loss of biological resources within the City of Lancaster. This ordinance requires the payment of \$770/acre to be utilized towards conservation activities and applies to all development projects regardless of the level of impact.

E. CULTURAL RESOURCES

The thresholds of significance for cultural resources impacts are listed in Section IV.F on pages IV.F-8 and IV.F-9 of the FEIR.

Potential Impact: Development of the project site would not impact any historic resources.

Finding: The City hereby makes Finding 1 with respect to potential impacts to historic resources.

Facts in Support of Findings: As discussed on pages IV.F-9 through IV.F-13, of the FEIR, all of the structures on the project site were evaluated for historical significance for both listing on the National Register and the California Register. The buildings on project site are not eligible for listing in either register for the reasons identified in the analysis. While the integrity requirements for listing in the California Register are less stringent than those for the National Register, there is still the expectation that the property appear much as it did during the period of significance. The subject buildings do not convey the period of significance of their original construction. Therefore, no impacts to historical resources would occur.

Potential Impact: Development of the project site could potentially impact presently unknown archaeological resources.

Finding: The City hereby makes Finding 1 with respect to potential impacts to archaeological resources.

Facts in Support of Findings: According to the records search conducted by the South Central Coastal Information Center, there are no identified prehistoric or archaeological sites, prehistoric isolates, historic archaeological sites, or historic isolates within the boundaries of the project site. Additionally, no archaeological resources were identified during a survey of the project site. It is not possible to determine if there are any subsurface archaeological resources on the project site and there are five archaeological sites and three isolated artifacts within one mile of the project site. Therefore, impacts are potentially significant. However, with implementation of Mitigation Measure F-1, potential impacts would be reduced to a less than significant level.

Potential Impact: Development of the project site could potentially impact currently unknown paleontological resources.

Finding: The City hereby makes Finding 1 with respect to potential impacts to paleontological resources

Facts in Support of Findings: No evidence of paleontological resources was discovered on the project site during surveys and excavation and development of the project site is not anticipated to affect paleontological resources. However, it is difficult to know what lies beneath the ground surface. Therefore, there is a possibility to impact paleontological resources during excavation activities. However, with implementation of Mitigation Measure F-1, potential impacts would be reduced to a less than significant level.

Potential Impact: Development of the project site could potentially impact unknown human remains.

Finding: The City hereby makes Finding 1 with respect to impacts to human remains

Facts in Support of Findings: According to the Native American Heritage Commission (NAHC), there are no sacred lands or other Native American cultural resources in the project area. None of the NAHC contacts have expressed any concerns regarding the proposed project. However, the majority of the project site has never been subject to subsurface disturbance and it is difficult to know what lies beneath the ground surface. There is a possibility that impacts to human remains could occur during excavation activities for the proposed project. However, with implementation of Mitigation Measure F-1, potential impacts would be reduced to a less than significant level.

Potential Impact: Development of the proposed project would not result in a cumulatively considerable impact to cultural resources.

Finding: The City hereby makes Finding 1 with respect to cumulative impacts to cultural resources.

Facts in Support of Findings: Development of the proposed project in conjunction with the development of the related projects has the potential to increase the risk to cultural resources in the project area. While the development of the related projects in conjunction with the proposed project would greatly intensify the land usage in the immediate project area, impacts to cultural resources tend to be site-specific and are assessed on a site-by-site basis. The extent of cultural resources that occur at related project sites is unknown and, as such, it is not known whether any of the related projects would result in significant impact to cultural resources. However, similar to the proposed project, such determinations would be made on a case-by-case basis, and if necessary, the applicants of the related projects would be required to implement the appropriate mitigation measures. Furthermore, the analysis of the proposed project's impacts to cultural resources concluded that, through the implementation of the identified mitigation measure, project impacts to cultural resources would be less than significant. Therefore, the proposed project would not contribute to any potential cumulative impacts, including Mitigation Measure F-1, and impacts to cultural resources would not be cumulatively considerable.

F. GEOLOGY/SOILS

The thresholds of significance for geology/soils impacts are listed in Section IV.G on page IV.G-6 of the FEIR.

Potential Impact: The proposed project has the potential to create erosion during construction activities and operation of the development.

Finding: The City hereby makes Finding 1 with respect to impacts associated with erosion.

Facts in Support of Findings: During construction activities there is a potential for erosion to occur during the grading process. The proposed project would have a potentially significant impact if it would result in substantial soil erosion or the loss of topsoil during construction. Regulatory measures are required to be implemented during construction periods to minimize wind and water-borne erosion. The proposed project would be required to obtain a grading permit from the Public Works Department. In addition, project construction would be performed in accordance with the Storm Water Pollution Prevention Plan (SWPPP), which specifies Best Management Practices to prevent all soil from moving off-site due to water and wind erosion. With implementation of the applicable grading and building permit requirements and the application of BMPs, impacts with respect to erosion or loss of topsoil during construction would be less than significant. No additional mitigation is necessary or required.

Under the existing condition, the project site is susceptible to erosion. The proposed project would develop the project site with pervious and impervious surfaces including structures, paved areas, and landscaping. As such, the proposed development would reduce the rate and amount of erosion occurring at the project site and impacts with respect to erosion or the loss of topsoil during development operation would be less than significant.

Potential Impact: Development of the proposed project would result in a less than significant impact as a result of seismic hazards such as surface fault rupture, seismicity, ground shaking, liquefaction, seismically-induced settlement, and subsidence.

Finding: The City hereby makes Finding 1 with respect to impacts associated with seismic hazards.

Facts in Support of Findings: As discussed on pages IV.G-7 through IV.G-8, the project site is not located in an Alquist-Priolo zone, in an area subject to liquefaction, seismically-induced settlement, or subsidence. While the project site would be subject to ground shaking as a result of an earthquake, this risk is no greater than anywhere else in southern California. Additionally, the proposed project would be required to be constructed in accordance with the seismic design criteria contained in the City's building code. No additional mitigation is necessary or required. Therefore, impacts would be less than significant.

Potential Impact: Development of the project site would not create substantial risks to life or property associated with expansive soils.

Finding: The City hereby makes Finding 1 with respect to impacts associated with expansive soils and further finds that no significant impacts will result from the project and no mitigation is required.

Facts in Support of Findings: The soils at the project site consist of coarse, sandy materials which have a low expansive potential. No additional mitigation is necessary or required. Therefore, impacts associated with expansive soil would be less than significant.

Potential Impact: Development of the project site could result in impacts from corrosive soils.

Finding: The City hereby makes Finding 1 with respect to impacts associated with corrosive soils

Facts in Support of Findings: The project site is located in a geologic environment that could potentially contain soil conditions that are corrosive to concrete and metals. The degree of potential corrosivity of soils will be evaluated by site-specific analysis during design of the project. Specific measures to mitigate the potential effects of corrosive soils will be developed in the design phase. The requirement for a site specific analysis is identified in Mitigation Measure G-1. Therefore, impacts with respect to soil corrosivity would be less than significant.

Potential Impact: Development of the proposed project would not result in a cumulatively considerable impact with respect to geology and soils.

Finding: The City hereby makes Finding 1 with respect to cumulative impacts to geology and soils.

Facts in Support of Findings: Development of the proposed project in conjunction with the related projects would result in further development of various land uses in the City of Lancaster. These projects in combination with the proposed project would greatly intensify the land usage in the immediate project area. Geologic hazards are site-specific and there is little, if any, cumulative relationship between development of the proposed project and the related projects. As such, construction of the related projects is not anticipated to combine with the proposed project to cumulatively expose people or structures to such geologic-seismic hazards as earthquakes, ground shaking, liquefaction, landslides, unstable soils, expansive soils, or result in substantial soil erosion or loss of topsoil. Therefore, no cumulatively considerable impacts are anticipated from the proposed project and the related projects.

G. HAZARDS AND HAZARDOUS MATERIALS

The thresholds of significance for hazards and hazardous materials impacts are listed in Section IV.H on page IV.H-11 of the FEIR.

Potential Impact: The proposed project would involve the routine transport, use, disposal or release of hazardous materials.

Finding: The City hereby makes Finding 1 with respect to impacts associated with the routine transport, use, and disposal of hazardous materials.

Facts in Support of Findings: As discussed on page IV.H-12, during the construction phase, the proposed project is anticipated to require the routine transport, use, and disposal of cleaning solvents, fuels, and other hazardous materials commonly associated with construction projects. All hazardous materials encountered or used during construction activities would be handled in accordance with applicable local, state, and federal regulations which include requirements for disposal of hazardous materials at a facility licensed to accept such wastes. During operation of the proposed project, the proposed retail uses would require minimal amounts of hazardous materials for routine cleaning and would not pose any substantial potential for accident conditions involving the release of hazardous materials. The proposed project would be required to comply with applicable local, state, and federal regulations regarding the storage and retail sale of potentially hazardous materials. Therefore, impacts would be less than significant.

Potential Impact: The proposed project could result in the accidental release of hazardous materials.

Finding: The City hereby makes Finding 1 with respect to impacts associated with the routine transport, use, and disposal of hazardous materials.

Facts in Support of Findings: As discussed on page IV.H-12, due to the age of the structures on the project site, demolition activities could release asbestos-containing materials and lead-based paint that may be present in the structures. However, the project applicant is required to comply with all regulations pertaining to asbestos/lead-based paint removal prior to demolition. Additionally, Mitigation Measures H-1 and H-2 have been identified which would reduce the impacts to a less than significant level.

During operation of the proposed project, the proposed retail uses would require minimal amounts of hazardous materials for routine cleaning and would not pose any substantial potential for accident conditions involving the release of hazardous materials. The proposed project would be required to comply with applicable local, state, and federal regulations regarding the storage and retail sale of potentially hazardous materials. Therefore, impacts would be less than significant.

Potential Impact: The proposed project has the potential to impact sensitive receptors (school and residence) with the use of hazardous materials.

Finding: The City hereby makes Finding 1 with respect to hazardous materials impacts to sensitive receptors as a result of the proposed project.

Facts in Support of Findings: As discussed on page IV.H-14, the proposed project would utilize hazardous materials during construction and operational activities. All hazardous materials used/encountered during construction activities or used during the

routine day-to-day operations of the proposed development would be done in accordance with all applicable local, state, and federal regulations. No additional mitigation is necessary or required. Therefore, such materials would not be expected to endanger sensitive receptors in the project vicinity and impacts would be less than significant.

Potential Impact: Development of the proposed project could result in impacts from hazardous materials sites.

Finding: The City hereby makes Finding 1 with respect to impacts associated with hazardous materials sites.

Facts in Support of Findings: The project site was listed as having a historically registered UST that contained “regular” fuel. The project site was not listed on any other hazardous materials sites database, including the CORTESE list. The size of the UST, year installed, year removed, or other information was not provided. This listing presents an environmental concern to the project site. Additionally, a water well and associated cistern are located on the project site just south of the main single family home. The water from this well is used for livestock. Mitigation Measures H-3 through H-8 have been identified to reduce impacts to a less than significant level.

Potential Impact: The proposed project would not generate cumulatively considerable impacts with respect to hazardous materials/waste.

Finding: The City hereby makes Finding 1 with respect to cumulative hazardous materials/waste impacts associated with the proposed project.

Facts in Support of Findings: Development of the proposed project in conjunction with the related projects has the potential to increase the risk for accidental release of hazardous materials. While the development of the related projects in conjunction with the proposed project would greatly intensify the land usage in the immediate project area, the identified uses are primarily residential in nature and would not involve uses that typically use, store, transport, or treat hazardous materials with the exception of the nearby related project, the Commons at Quartz Hill. This related project would involve similar uses and transport of hazardous materials. These materials would not pose any substantial potential for accident conditions. Each of the related projects would require evaluation for potential threats to public safety, including those associated with the accidental release of hazardous materials into the environment during construction and operation, transport/use/disposal of hazardous materials, and hazards to sensitive receptors. Because hazardous materials and risk of upset conditions are largely site specific, this would occur on a case-by-case basis for each individual project affected, in conjunction with the development proposals on these properties. In addition, each related project would be required to comply with local, state, and federal laws regarding hazardous materials. Therefore, cumulative impacts with respect to hazardous materials would be less than significant.

H. HYDROLOGY/WATER QUALITY

The thresholds of significance for hydrology/water quality impacts are listed in Section IV.I on page IV.I-4 of the FEIR.

Potential Impact: The proposed project has the potential to create water quality impacts during construction activities and operation.

Finding: The City hereby makes Finding 1 with respect to water quality impacts associated with the proposed project.

Facts in Support of Findings: Impacts to water quality as a result of construction and operational activities associated with the proposed project were discussed on pages IV.I-5 and IV.I-6 of the Draft EIR.

Since the proposed project would include grading, the proposed project would require a General Construction Activity Storm Water Permit from the SWRCB prior to the start of construction. The General Permit requires that a Notice of Intent (NOI) be filed with the SWRCB. By filing an NOI, the project developer agrees to the conditions outlined in the General Permit. One of the conditions of the General Permit is the development and implementation of a Storm Water Pollution Prevention Plan which identifies the structural and nonstructural Best Management practices which will be implemented. With implementation of the applicable grading and building permit requirements and the application of the BMPs, the proposed project would not violate any water quality standards or waste discharge requirements.

The proposed project would reduce the rate of erosion on the project site. However, if not properly designed and constructed, the proposed project could increase the rate of urban pollutant introduction into the storm water system. With compliance with the Clean Water Act and the City's municipal code, the proposed project would not violate any water quality standards or waste discharge requirements. Mitigation measures identified as I-1 through I-5 reiterate each of the requirements stated herein. Therefore, the proposed projects construction and operational impacts would be less than significant.

Potential Impact: The proposed project would result in a less than significant impact to groundwater.

Finding: The City hereby makes Finding 1 with respect to groundwater impacts associated with the proposed project and further finds that no significant impact will result from the project and no mitigation is required.

Facts in Support of Findings: As discussed on page IV.I-6 of the EIR, the groundwater table is 100 feet or more below ground surface. Only relatively shallow excavations (e.g., building pads, foundations, etc) are proposed as part of the project. The proposed project does not have the potential to intercept existing aquifers. It would not include any wells and therefore would not involve the addition or withdrawal of groundwater. The increase in the amount of impervious surfaces at the project would not substantially interfere with groundwater. Therefore, impacts would be less than significant.

Potential Impact: The proposed project would result in an increase in runoff from the project site.

Finding: The City hereby makes Finding 1 with respect to drainage impacts associated with the proposed project.

Facts in Support of Findings: As discussed on pages IV.I-6 and IV.I-7 of the EIR, the proposed project would alter the existing drainage patterns on the project site as the project would be developed with pervious and impervious surfaces including structures, paved areas, and landscaping. This would result in an increase in runoff from the site, with an overall increase in debris. However, all projects in the City of Lancaster are required to reduce their runoff to 85% of pre-developed flow. Additionally, the project applicant has been conditioned to construct a 60-inch storm drain along the project site in 60th Street West and approximately 1,300 feet westerly in Avenue L (Mitigation Measure I-5). All onsite runoff would be outletted into the proposed storm drain in Avenue L or the existing storm drain in 60th Street West. Mitigation Measures I-4 and I-5, in addition to the conditions of approval and project design features, would reduce drainage impacts to a less than significant level.

Potential Impact: The proposed project would result in a less than significant impact to flooding.

Finding: The City hereby makes Finding 1 with respect to flooding impacts associated with the proposed project.

Facts in Support of Findings: As discussed on page IV.I-7, the project site is located in an area susceptible to flooding. The City has adopted the Master Plan of Drainage to address such issues and has established drainage fees to fund additional flood control facilities. The proposed project is required to install a 60-inch storm drain in 60th Street West along the project site and 1,300 feet westerly Avenue L and is required to reduce the runoff from the project site to 85 percent of predevelopment flow. Therefore, impacts with respect to flooding would be less than significant.

Potential Impact: The proposed project would not result in a cumulatively considerable impact to hydrology and water quality.

Finding: The City hereby makes Finding 1 with respect to cumulative hydrology and water quality impacts.

Facts in Support of Findings: As discussed on page IV.I-7 of the EIR, the proposed project and the 81 related projects would greatly intensify the land use and impervious surfaces in the immediate project area and thus stormwater volume and rate would increase. This would also impact water quality. The proposed storm drainage system serving this area has been designed to accommodate runoff from this built environment. New developments would also be required to control the amount of storm water runoff coming from their respective sites as well as pay drainage impact fees. Mitigation measures have been identified (I-1 through I-5) which would reduce the proposed project's drainage impact to a less than significant level. Thus, the proposed project

would not contribute to a significant cumulative impact and no cumulatively considerable impacts to water runoff and water quality would occur.

I. LAND USE PLANNING

The thresholds of significance for land use impacts are listed in Section IV.J on page IV.J-5 of the FEIR.

Potential Impact: The proposed project would not result in physically dividing an established community.

Finding: The City hereby makes Finding 1 with respect to impacts associated with community division and further finds that no significant impact will result from the project and no mitigation is required.

Facts in Support of Findings: The potential for the proposed project to physically divide an established community is based on the comparison of existing land uses on and adjacent to the project site. The project site is situated at the southeast corner of 60th Street West and Avenue L, both of which are arterial streets. The project site has residential located to the north and east and a high school to the west. South of the site is vacant land. Therefore, the proposed project would not physically divide an established community and/or uses and impacts would be less than significant.

Potential Impact: The proposed project would not conflict with an applicable Conservation Plan or Natural Community Conservation Plan.

Finding: The City hereby makes Finding 1 with respect to impacts to conservation plans and further finds that no significant impact will result from the project and no mitigation is required.

Facts in Support of Findings: There are no habitat conservation plans or natural community conservation plans that are applicable to the project site. Therefore, the proposed project would not conflict with any habitat conservation plan or community conservation plan and no impacts would occur.

Potential Impact: The proposed project is consistent with both the City of Lancaster's General Plan and the Southern California Association of Governments (SCAG) Regional Comprehensive Plan and Guide (RCPG).

Finding: The City hereby makes Finding 1 with respect to impacts associated with the consistency of applicable land use plans.

Facts in Support of Findings: Consistency of the proposed project with applicable plans was discussed on pages IV.J-6 through IV.J-19 of the Draft EIR. The proposed project would be consistent with the general plan designation and zoning code upon approval of the general plan amendment and zone change. The project site is currently zoned for commercial and office professional uses. The site redesignation and rezoning would not substantially conflict with applicable policies of the Lancaster General Plan

and would work to implement a number of those policies (see Table IV.J-1 of the Draft EIR). The project's consistency with the applicable policies of the RCPG was also analyzed and was deemed to be consistent (see Table IV.J-2 of the Draft EIR). Therefore, impacts would be less than significant.

Potential Impact: The proposed project would be compatible with the surrounding land uses.

Finding: The City hereby makes Finding 1 with respect to impacts to land use compatibility and further finds that no significant impact will result from the project and no mitigation is required.

Facts in Support of Findings: As discussed on page IV.J-15, compatibility with surrounding land uses would be ensured through compliance with development standards. The design, height, and massing of the buildings included in the proposed project would be consistent with the existing development in the area and the structures would be compatible with the surrounding one- and two-story residential and institutional buildings. Through its proposed uses and architectural form, the proposed project would become fully integrated into the existing streetscape and community. The proposed general plan amendment and zone change would not introduce land uses that would be inconsistent with the policies and intent of the General Plan. Thus, no significant land use compatibility impacts related to the scale and massing of the proposed project would occur.

Potential Impact: The proposed project would not result in a cumulatively considerable land use impact.

Finding: The City hereby makes Finding 1 with respect to land use impacts.

Facts in Support of Findings: In addition to the proposed project, the related projects would be required to either generally conform to the zoning and land use designations for each site or be subject to specific findings and conditions which are based on maintaining general conformance with the land use plans applicable to the area. Development of the proposed project and related project is not anticipated to substantially conflict with the intent of the City's General Plan regarding the future development of Lancaster, or with other land use regulations required to be consistent with the General Plan, such as the zoning code. Development of the proposed project would not be expected to result in cumulatively considerable effects with respect to land use regulations. Therefore, no mitigation is required and impacts would be less than significant.

J. NOISE

The thresholds of significance for noise impacts are listed in Section IV.K on pages IV.K-10 through IV.K-12 of the FEIR.

Potential Impact: The proposed project would result in a significant unavoidable increase in noise levels as a result of construction activities.

Finding: The City hereby makes Finding 3 with respect to construction noise impacts associated with the proposed project.

Facts in Support of Findings: Impacts from construction noise was analyzed on pages IV.K-12 through IV.K-15 of the EIR. This analysis examined the noise levels that could potentially be generated during different types of construction activities and the noise impacts that they would have on the sensitive uses in the immediate vicinity (Quartz Hill High School to the west and residences to the north and east). It was determined that the construction noise levels experienced by the residences to the north would be 71.4 dBA and the residences to the east would experience levels at approximately 82.5 dBA. The high school would experience noise levels at approximately 75.1 dBA. Based on the City's General Plan, the noise levels at the residences to the east would be significant. Mitigation Measures K-1 through K-8 were identified to reduce impacts. However, even with implementation of the identified measures, impacts would be significant and unavoidable.

Potential Impact: The proposed project would generate groundborne vibration during construction activities.

Finding: The City hereby makes Finding 3 with respect to groundborne vibration impacts to sensitive receptors during construction activities.

Facts in Support of Findings: Impacts from construction generated groundborne vibration were discussed on pages IV.K-15 and IV.K-16 of the EIR. It was determined that vibration levels would be approximately 87 VdB at 25 feet of the construction activities. Due to the distance from the project site, the residences to the north are anticipated to experience vibration levels at approximately 77.4 VdB, residences to the east at approximately 83.5 VdB, and the high school at approximately 76.1 VdB. The levels at the residences to the east would be greater than the established threshold of 80 VdB. Therefore, impacts would be significant. No mitigation measures were identified that would reduce these impacts. Therefore, impacts are significant and unavoidable.

Potential Impact: The proposed project would generate increase noise levels from vehicular traffic during both the weekdays and on the weekends.

Finding: The City hereby makes Finding 1 with respect to noise impacts generated by vehicular traffic associated with the proposed project.

Facts in Support of Findings: As discussed on pages IV.K-16 through IV.K-19, the noise levels in the area around the project site would increase as a result of vehicular traffic associated with the proposed project. Noise modeling was conducted for 40 roadway segments for weekday and weekend (Saturday) traffic. As shown in Table IV.K-10, roadway noise would increase a maximum of 1.7 dBA during the weekday. This increase would on the roadway segment of 60th Street West north of Avenue L. During the weekend, the roadway noise would increase a maximum of 3.0 dBA (Table IV.K-11). This would occur on the roadway segment on 60th Street West, south of

Avenue K-8. As these increases are equal to or less than the 3 dBA threshold, impacts would be less than significant.

Potential Impact: The proposed project would increase the periodic noise levels associated with loading dock/solid waste collection and HVAC systems.

Finding: The City hereby makes Finding 1 with respect to periodic noise impacts associated with operation of the proposed project.

Facts in Support of Findings: As discussed on pages IV.K-19 through IV.K-20, intermittent noise level increases would occur in association with delivery trucks, loading dock activities, solid waste collection, and HVAC systems. Loading activities involving small/medium sized trucks generate noise in the range of 60 to 65 dBA, while larger trucks and trash collection activities generate noise in the range of 70 to 75 dBA at 50 feet. The generation of single event noise levels (SENL) should be no greater than 15 dBA above the noise objectives in the General Plan. Therefore, SENL cannot exceed 80 dBA at the adjacent single family residences. As the trucks are not anticipated to generate levels in excess of 70 to 75 dBA, impacts would be less than significant.

The operation of heating, ventilation, and air condition systems (HVAC) systems could result in noise levels that average between 50 and 65 dBA Leq at 50 feet from the source. As 24-hour CNEL noise levels are about 6.7 dBA greater than 24-hour Leq measurements, the HVAC equipment associated with the proposed project could generate noise levels that average between 57 and 72 dBA CNEL at 50 feet when the equipment is operating continuously over a 24-hour period. These units would be screened which would result in a reduction in the noise levels. With proper screening the noise levels generated by the HVAC systems would be similar to the existing noise levels and impacts would be less than significant. Additionally, Mitigation Measure K-9 has been identified to further reduce the less than significant noise impacts associated with HVAC systems.

Potential Impact: The proposed project could result in a cumulative noise impact.

Finding: The City hereby makes Finding 1 and Finding 3 with respect to cumulative noise impacts.

Facts in Support of Findings: Cumulative noise impacts were discussed on pages IV.K-20 through IV.K-22 of the Draft EIR. As discussed, future construction associated with the related projects would result in a cumulatively significant impact with respect to temporary or periodic increases in noise levels. The closest related project is the proposed Commons at Quartz Hill at the northwest corner of 60th Street West and Avenue L. The proposed Lane Ranch Development would result in significant unavoidable noise impacts to the residences to the east and north. In the event that both of these projects are constructed at the same time, a cumulatively significant impact would occur. As the proposed project would generate significant unavoidable noise, its contribution to the significant cumulative impact would be considerable.

Cumulative mobile source noise impacts would occur primarily as a result of increased traffic on local roadways due to the proposed project and related projects within the study

area. Cumulative development along with the proposed project would increase local noise levels a maximum of 14.7 dBA CNEL. This would occur on the roadway segment of Avenue K-8 east of 60th Street West. However, the traffic generated by the operation of the proposed project would only contribute a maximum of 1.7 dBA CNEL to roadway noise. This would occur on the roadway segment of 60th Street West, north of Avenue L. Therefore, the project's contribution is not cumulatively considerable and impacts are less than significant.

L. POPULATION AND HOUSING

The thresholds of significance for population and housing impacts are listed in Section IV.L on page IV.L-2 of the FEIR.

Potential Impact: The proposed project would result in a less than significant impact with respect to substantial population growth in an area, either directly (by proposing new homes and businesses) or indirectly (through extension of roads or other infrastructure).

Finding: The City hereby makes Finding 1 with respect to impacts with respect to substantial population growth associated with the proposed project and further finds that no significant impact will result from the project and no mitigation is required.

Facts in Support of Findings: Population growth, in terms of employment, housing, and population numbers, were addressed on pages IV.L-3 through IV.L-5 of the Draft EIR. As determined in this analysis, the proposed project would result in an increase in employment, population, and housing demand. However, these increases have already been accounted for in the growth projections for the City and impacts would be less than significant.

Potential Impact: The proposed project would result in a cumulative impact with respect to substantial population growth and further finds that no significant impact will result from the project and no mitigation is required.

Finding: The City hereby makes Finding 1 with respect to cumulative population growth impacts.

Facts in Support of Findings: Cumulative impacts with respect to population, employment and housing growth were analyzed on pages IV.L-5 and IV.L-6 of the Draft EIR. As determined in this analysis, the cumulative impacts would be less than significant.

M. PUBLIC SERVICES

The thresholds of significance for public service impacts are listed in Section IV.M on pages IV.M-2, IV.M-8, IV.M-13, IV.M-21, and IV.M-24 of the FEIR.

Potential Impact: The proposed project would have a less than significant impact to fire protection services during construction activities.

Finding: The City hereby makes Finding 1 with respect to impacts to fire protection services during construction.

Facts in Support of Findings: As discussed on pages IV.M-2 and IV.M-3 of the Draft EIR, construction activities would increase the potential for accidental fires from mechanical equipment, flammable construction materials and discarded cigarettes. Implementation of good housekeeping practices would minimize the potential for these types of accidents to occur. Construction activities could also affect fire protection services through partial road closures; however, these are not anticipated to cause significant impacts as the closures are announced in advance, flagmen are generally present, and alternative routes are available. No additional mitigation is necessary or required. Therefore, impacts would be less than significant.

Potential Impact: The proposed project would have a less than significant impact to fire protection services during the operation of the proposed development.

Finding: The City hereby makes Finding 1 with respect to impacts to fire protection services during operation of the development.

Facts in Support of Findings: As discussed on pages IV.M-3 and IV.M-4 of the Draft EIR, operational activities would not result in significant impacts to fire protection services. The proposed project would not involve activities during its operational phase that could impede public access or travel upon public rights-of-way or would interfere with an adopted emergency response or evacuation plan. Hydrants, water lines, and water tanks would be installed per Fire Code requirements and would be based upon the specific land uses of the proposed project. Therefore, with respect to fire flows, fire protection would be adequate. Based on the existing staffing levels, equipment, facilities, and response distance, LACFD would not be able to accommodate the proposed project's demand for fire protection service without the addition of manpower, equipment, and facilities. With the payment of the required developer fees, the impacts to LACFD would be less than significant. Additionally, Mitigation Measures M.1-1 through M.1-9, have been identified which would reduce impacts to less than significant levels.

Potential Impact: The proposed project in conjunction with the related projects would result in a less than significant cumulative impact with respect to fire protection services.

Finding: The City hereby makes Finding 1 with respect to cumulative fire protection service impacts

Facts in Support of Findings: As discussed on pages IV.M-4 of the Draft EIR, implementation of the proposed project in conjunction with the 81 related projects would increase the demand for fire protection services in the project area. Specifically, there would be increased demands for additional LACFD staffing, equipment, and facilities. This need would be funded via existing mechanisms to which the applicants of the proposed project and related project would be required to contribute. In addition, each of the related projects would be individually subject to LACFD review, and would be required to comply with all applicable fire safety requirements of the LAFCD and City of

Lancaster in order to adequately mitigate fire protection impacts. No additional mitigation is necessary or required. Therefore, cumulative impacts on fire protection would be less than significant.

Potential Impact: The proposed project would result in a less than significant impact to police services during both construction and operation.

Finding: The City hereby makes Finding 1 with respect to impacts to police services as a result of the proposed project.

Facts in Support of Findings: As discussed on page IV.M-9 of the Draft EIR, during construction the project site can be a source of attractive nuisance if not properly maintained. Additionally, construction activities could cause minor traffic delays. However, impacts to police response time would be minimal and temporary. Therefore, the proposed project's construction-related impacts to police protection services would be less than significant.

Operation of the proposed development would result in a substantial increase in activity on the project site, thus an increase in the demand for police protection services is anticipated. The juxtaposition of the proposed project near sensitive uses such as residences and schools could potentially result in additional crime in the area. However, while the number of calls for police services is expected to increase with development of the proposed project, such calls are typical of problems experienced in existing commercial and residential neighborhoods. Additionally, the Sheriff's Department has stated that the Lancaster Station is staffed and equipped to provide full services to the project site and that no new facilities would be required. Therefore, impacts are less than significant. However, Mitigation Measures M.2-1 and M.2-2 were identified to further reduce the less than significant impact to police protection services.

Potential Impact: The proposed project would result in a cumulative impact to police protection services.

Finding: The City hereby makes Finding 1 with respect to cumulative impacts to police protection services.

Facts in Support of Findings: As discussed on page IV.M-10, the proposed project, in combination with the related projects, would increase the demand for police protection services in the project area. Any new or expanded police station would be funded via existing mechanisms to which the proposed project and related projects would contribute. Furthermore, similar to the proposed project, each of the related projects would be individually subject to LACSD review and would be required to comply with all applicable safety requirements of the LACSD and the City of Lancaster in order to adequately address police protection service demands. While the proposed project in combination with the related projects would increase the demand for police protection services, the proposed project's contribution to this demand would not be cumulatively considerable and impacts would be less than significant. No additional mitigation is necessary or required.

Potential Impact: The proposed project would a less than significant impact on schools.

Finding: The City hereby makes Finding 1 with respect to school impacts associated with the proposed project.

Facts in Support of Findings: As discussed on pages IV.M-14 and IV.M-15 of the Draft EIR, the proposed project is a commercial use and as such is not anticipated to generate large numbers of students that would need to be accommodated by the existing schools. Specifically, the proposed project is anticipated to generate a total of 24 students: 13 elementary students, 8 middle school students, and 3 high school students. Joe Walker Middle School is currently under capacity and would be able to accommodate the middle school students, while both Quartz Hill Elementary and Quartz Hill High School are over capacity which would result in a potentially significant impact. However, the proposed project would be required to pay school impacts fees in accordance with SB 50. Payment of these fees is considered to provide full and complete mitigation of school facilities impacts. No additional mitigation is necessary or required. Therefore, impacts would be less than significant.

Potential Impact: The proposed project would result in a cumulative impact to schools.

Finding: The City hereby makes Finding 1 with respect to cumulative impacts to schools.

Facts in Support of Findings: As discussed on pages VI.M-15 through VI.M-18 of the Draft EIR and pages III-24 and III-25 of the Final EIR, implementation of the proposed project in conjunction with the 81 related projects would increase the demand for schools. It is estimated that the related projects in combination with the proposed project would generate approximately 8,201. None of the public schools that would serve the proposed project and the related projects would have adequate capacity to accommodate the cumulative student generation. Therefore, new or expanded schools may be needed, which would result in a potentially significant cumulative impact. However, two of the projects involve the addition of school space. As such, these projects would not involve the generation of students, but would instead increase available school space. Additionally, all of the projects would be required to pay required developer fees in accordance with SB 50. These payments are deemed to provide full and complete mitigation of school facilities impacts. The payment of these fees is mandatory and would ensure that cumulative impacts upon school services remain less than significant. No additional mitigation is necessary or required. Therefore, the proposed project's impact on schools would not be cumulatively considerable and cumulative impacts would be less than significant.

Potential Impact: The proposed project would not impact parks and recreational facilities.

Finding: The City hereby makes Finding 1 with respect to park impacts associated with the proposed project.

Facts in Support of Findings: Impacts to parks and recreational facilities were addressed on page IV.M-21 of the EIR. As discussed, the proposed project is a commercial development, not residential and would not generate an increase in permanent residents. No additional mitigation is necessary or required. Therefore, the proposed project would not increase park usage and no impacts would occur.

Potential Impact: The proposed project would result in a cumulative impact to parks.

Finding: The City hereby makes Finding 1 with respect to cumulative park impacts.

Facts in Support of Findings: The proposed project in conjunction with the 81 related projects would increase usage of parks and recreational facilities. Most of the related projects are residential (77) and would generate an increase in permanent population. The proposed project is commercial and would not generate residents. While the project would generate employees, it is not likely that they would utilize parks during work hours, but would utilize the parks near their homes. As the proposed project would result in no impact with respect to parks and recreational facilities, the proposed project's contribution would not be cumulatively considerable and impacts would be less than significant.

Potential Impact: The proposed project would not impact library facilities.

Finding: The City hereby makes Finding 1 with respect to impacts to library facilities and further finds that no significant impact will result from the project and no mitigation is required.

Facts in Support of Findings: As discussed on page IV.M-24, the proposed project would not generate new permanent residents which would utilize local library facilities as it is a commercial development. Employees of the development are not likely to utilize library facilities during work hours, instead using facilities closer to their homes. Therefore, no impacts to libraries would occur.

Potential Impact: The proposed project would result in a cumulative impact to library facilities.

Finding: The City hereby makes Finding 1 with respect to impacts to cumulative library impacts and further finds that no significant impact will result from the project and no mitigation is required.

Facts in Support of Findings: The proposed project in conjunction with the 81 related projects would increase usage of library facilities. Most of the related projects are residential (77) and would generate an increase in permanent population. The proposed project is commercial and would not generate residents. While the project would generate employees, it is not likely that they would utilize libraries during work hours, but would utilize the libraries near their homes. As the proposed project would result in no impact with respect to library facilities, the proposed project's contribution would not be cumulatively considerable and impacts would be less than significant.

N. TRANSPORTATION/TRAFFIC

The thresholds of significance for transportation/traffic impacts are listed in Section IV.N on pages IV.N-11 and IV.N-12 of the FEIR.

Potential Impact: The proposed project would have a potentially significant traffic impact at area intersections and roadway segments.

Finding: The City hereby makes Finding 1 and Finding 2 with respect to traffic impacts associated with the proposed project.

Facts in Support of Findings: Traffic impacts associated with the proposed project are discussed on pages IV.N-12 through IV.N-35 of the EIR. As discussed in this section, the proposed project is anticipated to generate approximately 13,683 daily trips with 361 weekday a.m. peak hour trips, 1,292 weekday p.m. peak hour trips, and 3,190 midday Saturday trips. These trips when added to the existing, ambient growth, and related project trips would cause significant impacts at 10 of the 16 intersections and all 8 of the street segments. A total of 23 mitigation measures were identified (N-1 through N-23) which when implemented would reduce all traffic impacts to a less than significant level.

The applicant would be required to pay their fair share of the improvements as determined by the Director of Public Works. Some of the mitigation measures are also conditions of approval for the project. In this instance, the applicant's fair share would be the installation of the improvement. In other instances, the applicant's fair share is covered by the payment of their traffic impact and signal impact fees.

The City has also adopted Ordinance 850, which authorizes the City to collect a separate impact fee for improvements to street segments and intersections located within the County. The funds collected as a result of this ordinance are held in a separate account and will be release to the County to cover the cost of the necessary improvements on County roadways.

Potential Impact: The proposed project would not create a parking impact.

Finding: The City hereby makes Finding 1 with respect to parking impacts.

Facts in Support of Findings: Parking was discussed on pages IV.N-28 and IV.N-36 of the EIR. The proposed project would provide the required number of parking spaces for the development in accordance with the City's Municipal Code. No additional mitigation is necessary or required. Therefore, no parking impact would occur.

Potential Impact: The proposed project would not create any impact on Congestion Management Plan (CMP) facilities.

Finding: The City hereby makes Finding 1 with respect to impacts to CMP facilities and further finds that no significant impact will result from the project and no mitigation is required.

Facts in Support of Findings: As discussed on page IV.N-37 of the EIR, for the purposes of the CMP, a substantial change in freeway segments is defined as a 2% increase in the demand to capacity ratio and a change in LOS. A freeway evaluation was conducted and showed a 1.8% increase in traffic on the Antelope Valley Freeway. Therefore, no freeway impacts are anticipated as a result of the proposed project. The CMP also indicates that CMP monitoring locations be evaluated for significant traffic impacts if 50 or more trips will travel through the location during the morning or afternoon peak hours. There are no CMP roadway segments or intersections near the project site, and no impact would occur.

Potential Impact: The proposed project would result in a less than significant impact to transit services.

Finding: The City hereby makes Finding 1 with respect to impacts to transit services.

Facts in Support of Findings: As discussed on page IV.N-37, the proposed project is anticipated to generate approximately 670 daily transit trips, with 61 a.m. peak hour trips and 99 peak hour trips. This is not anticipated to create a significant impact. Additionally, the City periodically reviews AVTA's service and funding needs and adjusts its contribution accordingly. In addition, the project includes two transit stops to facilitate transit services to and from the site. No additional mitigation is necessary or required. Therefore, impacts would be less than significant.

Potential Impact: The proposed project would result in a less than significant cumulative traffic impact.

Finding: The City hereby makes Finding 1 and Finding 2 with respect to cumulative traffic impacts.

Facts in Support of Findings: The traffic analysis referenced above, was a cumulative analysis as it included the traffic generated by the related projects. With implementation of the identified traffic mitigation measures (N-1 through N-23), the proposed project would not generate a cumulatively considerable traffic impact and cumulative impacts would be less than significant.

O. UTILITIES

The thresholds of significance for utilities are listed in Section IV.O on pages IV.O-2, IV.O-10, IV.O-18, IV.O-24, and IV.O-29 of the FEIR.

Potential Impact: Impacts from wastewater generation associated with the proposed project would be less than significant.

Finding: The City hereby makes Finding 1 with respect to wastewater impacts associated with the proposed project.

Facts in Support of Findings: Impacts from wastewater generation were discussed on pages IV.O-2 and IV.O-3 of the EIR. As discussed, the proposed project was anticipated

to generate approximately 39,458 gallons per day (gpd) of wastewater. This amount of wastewater is within the remaining capacity of the Lancaster Water Reclamation Plant (LWRP). In response to a letter received from the Sanitation District on the Draft EIR, the generation rates for wastewater were revised. Based on the new generation rates, it is anticipated that the project would generate approximately 54,065 gpd of wastewater (see page III-27 of the Final EIR). This amount of wastewater is still within the capacity of the LWRP. No additional mitigation is necessary or required. Therefore, impacts would be less than significant.

Potential Impact: Cumulative impacts from wastewater generation would be less than significant.

Finding: The City hereby makes Finding 1 with respect to cumulative wastewater impacts.

Facts in Support of Findings: Cumulative impacts from wastewater generation were discussed on pages IV.O-3 through IV.O-6 of the EIR. As discussed, the proposed project in conjunction with the related projects was anticipated to generate approximately 2,634,936 gpd of wastewater. The LWRP does not currently have sufficient capacity to accommodate all of the wastewater generated by the project and related projects. However, the LWRP is currently upgrading its facility to process 18 million gpd. With completion of the upgrade, the LWRP would be able to accommodate all of the wastewater generated. In response to a letter received from the Sanitation District on the Draft EIR, the generation rates for wastewater were revised. Based on the new generation rates, it is anticipated that the proposed project and related projects would generate approximately 3,294,938 gpd of wastewater (see page III-30 of the Final EIR). This amount of wastewater is still within the capacity of the LWRP once it is upgraded. No additional mitigation is necessary or required. Therefore, impacts would be less than significant.

Potential Impact: The proposed project would have a less than significant impact with respect to water consumption.

Finding: The City hereby makes Finding 1 with respect to impacts associated with the amount of water consumed by the project.

Facts in Support of Findings: The amount of water that the proposed project would consume is discussed on page IV.O-11 of the Draft EIR and pages III-30 through III-39 of the Final EIR. It was estimated that the proposed project would use 47,349 gallons of water per day. The water generation rates were revised based on a Sanitation District letter on the Draft EIR. Using the revised rates, the amount of water the proposed project is anticipated to utilize is 64,877 gpd. The Quartz Hill Water District previously provided a water availability letter for the project. Since that time, the water situation has changed and water availability letters are not currently being issued.

The ranch irrigates approximately 25 acres of crops. The ranch uses approximately 200 acre feet of water per year for the entire ranch of which approximately 130 acre feet is

used for the proposed 35 acres that is the subject of this EIR. The crops use about seven acre feet per year per acre. The remainder of the water is used for livestock, landscaping and domestic use.

The project site is currently a small ranch compound which utilizes 130 acre feet per year. The 64,877 gpd of anticipated water consumption represents the water consumption generated by the proposed project without taking into account existing uses for a conservative analysis. However, as discussed above, the existing Lane Ranch utilizes significantly more water than the proposed project would utilize resulting in a net savings of water. Therefore, impacts with respect to water supply are less than significant.

In the event that it turns out that the project is located in Los Angeles County Waterworks, it is anticipated that the project would receive its water from the City's allotment. In a letter dated October 1, 2008, Los Angeles County Waterworks allotted the City of Lancaster 1,000 acre feet to assign to important projects within the City of Lancaster. The City has prepared a Water Allocation Policy to "effectively allocate this limited water supply and ensure that projects moving forward provide the greatest benefit for the City of Lancaster and its residents". Copies of this policy can be viewed at City Hall. It is assumed that the applicant would apply for water from this allotment in accordance with the policy and be granted the water necessary. Therefore, impacts associated with water resources would be less than significant.

Potential Impact: The proposed project could generate potentially significant water impacts.

Finding: The City hereby makes Finding 1 with respect to cumulative water impacts associated with the proposed project.

Facts in Support of Findings: Cumulative impacts to water resources were discussed on pages IV.O-12 through IV.O-15 of the Draft EIR and pages III-36 through III-39 of the Final EIR. As discussed the proposed project in conjunction with the related projects would consume approximately 3,953,925 gallons of water per day. This amount of water would significantly impact the available quantities of water. Each related project would be required to obtain a water availability letter prior to project approval and would not be able to move forward without such letter. Therefore, cumulative water impacts would not be significant. Furthermore, in the event that the project is in District 40, the Los Angeles County Waterworks has provided Lancaster with a specific amount of water to be allocated to priority projects and therefore, the proposed project has a guaranteed source of water; its contribution to this impact would not be cumulatively considerable.

Potential Impact: The proposed project would result in a less than significant impact on solid waste services.

Finding: The City hereby makes Finding 1 with respect to solid waste impacts associated with the proposed project.

Facts in Support of Findings: As discussed on pages IV.O-18 and IV.O-19 of the Draft EIR, the proposed project is anticipated to generate approximately 1,973 pounds of solid

waste per day. The Lancaster Landfill and Recycling Center currently is permitted to accept 1,700 tons per day of solid waste and accepts approximately 1,500 tons per day. The proposed project would represent approximately 0.05 percent of the solid waste the Lancaster Landfill and Recycling Center is currently permitted to take on a daily basis and 0.43 percent of the remaining daily permitted throughput. Therefore, adequate capacity exists to accommodate the solid waste generated by the proposed project and impacts would be less than significant. No additional mitigation is necessary or required.

Potential Impact: The proposed project would not result in a cumulatively considerable impact to solid waste.

Finding: The City hereby makes Finding 1 with respect to cumulative solid waste impacts.

Facts in Support of Findings: As discussed on pages IV.O-19 through IV.O-22 of the Draft EIR and page III-39 of the Final EIR, implementation of the proposed project in conjunction with the 81 related projects would generate approximately 142,087 pounds per day (71.04 tons) of solid waste. The Lancaster Landfill and Recycling Center has a remaining capacity of 200 tons per day. As such, it would have adequate existing capacity to handle the 71.04 tons per day as a result of the proposed project in combination with the related projects. Therefore, the proposed project would not contribute to a cumulative considerable effect on solid waste resources. No additional mitigation is necessary or required.

Potential Impact: The proposed project would not significantly impact the Southern California Gas Company's ability to provide natural gas services.

Finding: The City hereby makes Finding 1 with respect to impacts to natural gas supply systems.

Facts in Support of Findings: As discussed on pages IV.O-24 and IV.O-25 of the Draft EIR, the proposed project is expected to consume approximately 38,142 cubic feet of natural gas per day. The Southern California Gas Company anticipates having adequate supply and facilities to serve the project site. As an adequate supply is anticipated, the increase in natural gas consumption as a result of the proposed project would be less than significant. Additionally, the proposed project shall also comply with Title 24 energy conservation standards which would further reduce the project's less than significant natural gas impact. No additional mitigation is necessary or required.

Potential Impact: Cumulative impacts associated with the related projects would not substantially affect the provision of natural gas services.

Finding: The City hereby makes Finding 1 with respect to impacts to natural gas services.

Facts in Support of Findings: As discussed on pages VI.O-25 through VI.O-28 of the Draft EIR and page III-40 of the Final EIR, implementation of the proposed project in conjunction with the 81 related projects would increase the demand for natural gas. The

estimated natural gas consumption by the related projects in combination with the proposed project would be approximately 1,517,438 cubic feet per day. The combined total natural gas consumption of the related and proposed projects would increase demand for natural gas. Future development projects within the service area of the Gas Company would be subject to locally mandated energy conservation programs. As with the proposed project, the Gas Company undertakes expansion or modification of natural gas service infrastructure to serve future growth within its service area as required in the normal process of providing service. Cumulative impacts related to natural gas service would be addressed through this process. No additional mitigation is necessary or required. As such, the proposed project would not contribute to cumulatively considerable effects on natural gas supplies and infrastructure.

Potential Impact: The proposed project would not affect electrical services in the City of Lancaster that would require new facilities

Finding: The City hereby makes Finding 1 with respect to impacts to electricity demand and electricity distribution infrastructure.

Facts in Support of Findings: As discussed on pages IV.O-29 and IV.O-30 of the Draft EIR, the project is expected to consume approximately 14,648 kilowatt hours (kWh) per day of electricity. Southern California Edison undertakes expansion and/or modification of electricity distribution infrastructure and systems to serve future growth in the City of Lancaster as required in the normal process of providing electrical service. No additional mitigation is necessary or required. Impacts related to electrical power distribution would be addressed through this process and impacts would be less than significant.

Potential Impact: Cumulative impacts associated with the related projects would not substantially affect the provision of electrical services.

Finding: The City hereby makes Finding 1 with respect to impacts to electricity demand and electricity distribution infrastructure.

Facts in Support of Findings: As discussed on pages VI.O-30 through VI.O-33 of the Draft EIR and pages III-40 and III-41 of the Final EIR, implementation of the proposed project in conjunction with the 81 related projects would increase the demand for electricity. The estimated electricity consumption by the related projects in combination with the proposed project would be approximately 235,315 kilowatt hours per day. SCE expects that electricity demand will continue to increase annually and execution of plans for new distribution resources will maintain their ability to serve customers. Therefore, these 81 related projects have been factored into the projected load growth for electricity demands. In addition, like the proposed project, all of the related projects would be required to comply with Title 24 of the CCR, which establishes energy conservation standards for new construction. As a result, cumulative electricity impacts are not expected to be significant. No additional mitigation is necessary or required.

6. FINDINGS ON PROJECT ALTERNATIVES CONSIDERED IN THE DRAFT EIR

The CEQA Guidelines indicate that an EIR must "[d]escribe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives." (CEQA Guidelines § 15126.6(a).) Accordingly, the alternatives selected for review in the DEIR and FEIR focus on alternatives that could eliminate or reduce significant environmental impacts to a level of insignificance, consistent with the projects' objectives (i.e., the alternatives could impede to some degree the attainment of project objectives, but still would enable the project to obtain its basic objectives). Four alternatives to the proposed project were considered in the FEIR, as follows:

- Alternative 1: No Project Alternative
- Alternative 2: Existing Zoning Alternative
- Alternative 3: Reduced Commercial Density Alternative
- Alternative 4: Residential Alternative

Each of these alternatives was considered in terms of their ability to reduce significant impacts of the proposed projects, their feasibility and ability to achieve the project's objectives. The project's objectives are as follows:

- To create development on the project site to provide commercial retail facilities to serve the local community;
- To generate significant sales tax revenue to benefit the general fund;
- To provide a well-designed development that is compatible and complimentary with surrounding land uses;
- To provide development that is financially viable;
- To generate employment opportunities for the local area;
- To mitigate, to the extent feasible, the potential environmental impacts of the proposed project; and
- To provide adequate parking facilities to serve proposed development customers, and employees.

A. *ALTERNATIVES CONSIDERED AND SUBSEQUENTLY DISMISSED*

An EIR must briefly describe the rationale for selection and rejection of alternatives. The Lead Agency may make an initial determination as to which alternatives are potentially feasible and, therefore, merit in-depth consideration, and which are clearly infeasible. Alternatives that are remote or speculative, or the effects of which cannot be reasonably predicted, need not be considered (*CEQA Guidelines*, Section 15126.6(f)(3)). This section identifies alternatives considered by the Lead Agency, but rejected as infeasible, and provides a brief explanation of the reasons for their exclusion. As noted above, alternatives may be eliminated from detailed consideration in the EIR if they fail to meet most of the project objectives, are infeasible, or do not avoid any significant environmental effects (*CEQA Guidelines*, Section 15126.6(c)). In the Draft EIR, one alternative use was considered and rejected as infeasible.

Section 15126.6(c) of the CEQA Guidelines requires EIRs to identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process, and briefly explain the reasons underlying the lead agency's determination. One alternative was considered and rejected as being infeasible for the proposed project: development of an Antelope Valley Cultural Center on the project site. This suggestion included a Lane Ranch Museum with a petting zoo and a museum showcasing other aspects of the Antelope Valley. This idea was rejected on the basis that it would not be economically viable and would not maximize the potential of the project site.

From comments received during the public comment period, one alternative location was identified and rejected as infeasible: 65th Street West and Avenue M. The location identified by the commenter was the northeast corner of 65th Street West and Avenue M (APN 3204-016-094). This parcel is approximately 17 acres which is too small to support the proposed development. Therefore, it was eliminated from further consideration.

B. ALTERNATIVE 1: NO PROJECT ALTERNATIVE

The No Project Alternative is the circumstance under which the project does not proceed. The CEQA Guidelines, Section 15126(e) provide that the "no project" analysis shall discuss the existing conditions as the time the Notice of Preparation is published, as well as what would be reasonably expected to occur in the foreseeable future if the project is not approved based on current plans and consistent with available infrastructure and community services.

Under the No Project Alternative, operation of Lane Ranch would continue. The existing three single-family residences, two mobile homes, barn, stables, and outbuildings associated with the ranching operations would continue to occupy the project site. The No Project Alternative assumes the continuation of existing conditions at the project site as well as the development of the related projects. The potential environmental impacts associated with the No Project Alternative are described on pages VI-3 through VI-9 of the EIR and also compares the environmental impacts associated with the No Project to those anticipated with the Proposed Project.

The No Project Alternative would avoid most of the environmental impacts associated with the proposed project, but would result in a greater impact with respect to land use and the quality of stormwater runoff when compared to the proposed project. The proposed project would result in significant unavoidable construction noise and vibration and air quality operational impacts which would not occur under the No Project Alternative. However, the No Project Alternative would not satisfy any of the project objectives nor would it provide additional employment opportunities. In conclusion, while the No Project Alternative would have less impact than the proposed project, this alternative would fail to meet any of the project's objectives.

Finding: The No Project Alternative would have less environmental impacts than the proposed project; however, it would not achieve any of the project's objectives. The City therefore finds that Alternative 1 is not preferable to the proposed project.

C. ALTERNATIVE 2: EXISTING ZONING ALTERNATIVE

Under the Existing Zoning Alternative, the project site could be developed with up to approximately 500,000 square feet of Office Professional/Commercial uses in accordance with the existing Office Professional and Commercial Planned Development zoning of the project site. The type of uses permitted under this scenario would include banks, delis, ice cream shops, dry cleaners, Barbara, and general office space (including medical offices). No big box retail uses would be included. The potential environmental impacts associated with the Existing Zoning Alternative are described on pages VI-10 through VI-19 of the EIR and also compares the environmental impacts associated with the Existing Zoning Alternative to those anticipated with the Proposed Project.

The Existing Zoning Alternative would not avoid any of the environmental impacts associated with the proposed project and would result in a greater impact with respect to aesthetics (massing), air quality during construction and operation, quality of stormwater runoff, noise, fire, police, schools, traffic, waster, wastewater, solid waste, electricity, and natural gas when compared to the proposed project. However, the Existing Zoning Alternative would satisfy all of the project objectives, although not to the same extent as the proposed project.

Finding: Alternative 2 would not reduce any of the significant impacts of the proposed and would result in greater impacts with respect to several other resource areas. The City therefore finds that Alternative 2 is not preferable to the proposed project.

D. ALTERNATIVE 3: REDUCED COMMERCIAL DENSITY ALTERNATIVE

Under the Reduced Commercial Density Alternative, a proportionately smaller project would be constructed when compared to the proposed project. Specifically, this alternative would construct a 276,199 square foot development similar to the proposed project, but without big box anchor tenants. All other aspects of the project remain unchanged. The potential environmental impacts associated with the Reduced Commercial Density Alternative are described on pages VI-19 through VI-27 of the EIR and also compares the environmental impacts associated with the Reduced Commercial Density Alternative to those anticipated with the Proposed Project.

The Reduced Commercial Density Alternative would lessen most of the environmental impacts associated with the proposed project. The proposed project would result in a significant unavoidable impact to construction noise and vibration and operational air quality. The Reduced Commercial Density Alternative would likely reduce these significant impacts, but not to a less than significant level. The Reduced Commercial Density Alternative would also satisfy many of the project objectives, but not to the extent that the proposed project would satisfy them.

Finding: While Alternative 3 would lessen many of the impacts, the lack of the big box anchor tenant would effectively preclude development of its commercial center, since the secondary commercial uses remaining in the proposed project are not likely to develop without the customer draw created by the anchor tenant. Therefore, the City finds that the Reduced Commercial Density Alternative is not economically viable and would not be likely to proceed.

E. ALTERNATIVE 4: RESIDENTIAL ALTERNATIVE

Under the Residential Alternative, the project site would be developed with a maximum of 227 single family dwelling units in accordance with R-7,000 zoning. The project site would need to be rezoned to R-7,000. The potential environmental impacts associated with the Reduced Commercial Density Alternative are described on pages VI-27 through VI-37 of the EIR and also compares the environmental impacts associated with the Residential Alternative to those anticipated with the Proposed Project.

The Residential Alternative would result in many of the same impacts as the proposed project. However, this alternative would result in greater impacts with respect to hydrology, construction noise, schools, parks, libraries, water, wastewater, and solid waste. Additionally, the Residential Alternative would only satisfy one of the project objectives. The proposed project would result in significant unavoidable impacts in construction noise and vibration and operational air quality. The Residential Alternative would still result in a significant unavoidable impact with respect to construction noise and vibration. The Residential Alternative would reduce the operational air quality impacts, but not necessarily to a less than significant level.

Finding: Alternative 4 would still result in significant unavoidable impacts with respect to construction noise and vibration and would result in greater impacts with respect to several other resource areas. The City therefore finds that Alternative 4 is not preferable to the proposed project.

7. STATEMENT OF OVERRIDING CONSIDERATIONS

The Lancaster City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed project against any significant and unavoidable environmental impacts in determining whether to approve the proposed project. If the benefits of the proposed project outweigh the unavoidable adverse environmental impacts, those impacts are considered “acceptable.”

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the project. With the implementation of the mitigation measures discussed in the DEIR and FEIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed herein. The City Council identified operational air quality impacts and construction noise and vibration as significant and unavoidable.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not to be incorporated, such mitigation measures are infeasible because they would impose restrictions on the project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the project, all other alternatives set forth in the FEIR are infeasible because they would prohibit the realization of the project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the project and having weighed the benefits of the project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based upon the following considerations:

- A. The project will create a productive and attractive commercial/retail use, providing convenient shopping for the project vicinity and the western area of the City.
- B. The project will augment the City's economic base by yielding \$142,784 in one-time revenues to the City of from sales tax on construction materials and real estate transfer tax. Additionally, over the next 20 years, the project will generate \$40.1 million in tax revenue to the City (\$12.0 million in 2008 dollars). (See *The Lane Ranch, Economic Analysis*, pg. 3, attached to hereto as Appendix "B".)
- C. The project will contribute to traffic improvements that will be necessary to hold projected traffic volumes. (See *Lane Ranch Towne Center DEIR*, Section IV-N; *Mitigation Monitoring and Reporting Program*, Section IV above)
- D. The project will provide approximately 626 total full-time and part-time jobs that are vitally important, given the City's unemployment situation. (See *The Lane Ranch, Economic Analysis*, pg. 2, attached to hereto as Appendix "B".)
- E. The project will satisfy projected long-term demand for shopper goods. (See *The Lane Ranch, Economic Analysis*, attached to hereto as Appendix "B".)
- F. The project will expand retail options, with updated, modern, and energy efficient construction, in close proximity to local consumers and provide daytime and nighttime shopping opportunities in a safe and secure environment. (See *The Lane Ranch Towne Center DEIR*, pg. II-1 to II-9.)

As the CEQA Lead Agency for the proposed action, the City of Lancaster has reviewed the project description and the alternatives presented in the EIR and fully understands the project and project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, and finds that approval of the project is appropriate.

This Council has identified economic and social benefits and important policy objectives, which result from implementing the project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the project. Given the substantial social and economic benefits that will accrue from the project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: “In the event specific economic, social and other conditions make infeasible such project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof.” Section 21002.1(c) provides: “In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency...” Finally, California Administrative Code, Title 4, 15093 (a) states: “If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered ‘acceptable.’”

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the project outweigh the identified significant adverse environmental impacts of the project that cannot be mitigated. The City Council finds that each of the project benefits outweighs the unavoidable adverse environmental impacts identified in the DEIR and, therefore, finds those impacts to be acceptable.

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
AESTHETICS							
B-1	The project applicant shall submit a Lighting Mitigation Plan that incorporates reduction of night lighting "spill" onto adjacent parcels to the City of Lancaster for review and approval. The approved Lighting Mitigation Plan shall be installed to the satisfaction of the City of Lancaster.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-2	The height of the proposed on-site light standards shall be of such height as not to create a nuisance to the adjacent neighbors.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-3	Entrance and all forms of exterior lighting shall focus illumination downward and onto the project site. A combination of shielding, screening, and directing the lighting away from off-site areas shall be utilized to minimize "spill-over" effects onto adjacent roadways, properties, and open space areas.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-4	Exterior lighting shall be the lowest intensity necessary for security and safety purposes, while still adhering to the recommended levels of the Illuminating Engineering Society of North America.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-5	In order to minimize illumination wash onto adjacent areas, parking lot lighting shall utilize non-glare fixtures directed downward onto the project site.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-6	Parking lot lights shall be oriented to minimize off-site impacts (i.e., the maximum candlepower	Prior to construction,	Receipt of Lighting	Lancaster Planning			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	shall be aimed away from the off-site viewer).	during construction, prior to occupancy	Mitigation Plan, site observation and documentation	Department			
B-7	Atmospheric light pollution shall be minimized by utilizing street lighting fixtures that cut-off light directed to the sky.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-8	The use of exterior uplighting fixtures for building facades and trees shall be prohibited.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-9	Use of "glowing" fixtures that would be visible from existing communities or public roads shall be prohibited. A glowing fixture is a lantern style fixture, or any fixture that allows light through its vertical components.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-10	Only downlighting for exterior-building mounted fixtures shall be permitted.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-11	The adverse effects of night-lighting shall be mitigated by provision of one or more of the following: (1) low-elevation lighting poles and (2) shielding by internal silvering of the globe or external opaque reflectors.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-12	Exterior lighting fixtures that cut-off light directed to the sky shall be installed to minimize atmospheric light pollution, reflected heat, and daytime glare.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-13	Expansive areas of highly reflective materials,	Prior to construction,	Receipt of Lighting	Lancaster Planning			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	such as mirrored glass, shall not be permitted.	during construction, prior to occupancy	Mitigation Plan, site observation and documentation	Department			
B-14	The proposed buildings shall incorporate non-reflective exterior building materials (such as plaster and masonry) in their design. Any glass to be incorporated into the façade of the building shall be either of low-reflectivity, or accompanied by a non-glare coating.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
B-15	All roofs shall be surfaced with non-reflective materials.	Prior to construction, during construction, prior to occupancy	Receipt of Lighting Mitigation Plan, site observation and documentation	Lancaster Planning Department			
AIR QUALITY							
D-1	Apply approved non-toxic chemical soil stabilizers according to manufacturer's specification to all inactive construction areas (previously graded areas inactive for four days or more).	During construction	Confirmation from project contractor	AVAQMD / Lancaster Public Works Department			
D-2	Apply chemical soil stabilizers according to manufacturers' specifications to all unpaved parking or staging areas or unpaved road surfaces.	During construction	Confirmation from project contractor	AVAQMD / Lancaster Public Works Department			
D-3	Water active grading sites at least three times daily.	During construction	Confirmation from project contractor	AVAQMD / Lancaster Public Works Department			
D-4	Enclose, cover, water three times daily, or apply approved soil binders to exposed piles (i.e., gravel, sand, and dirt) according to manufacturers' specifications.	During construction	Site observation and documentation	AVAQMD / Lancaster Public Works Department			
D-5	Replace ground cover in disturbed areas as	During construction	Statement from	AVAQMD /			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	quickly as possible.		project contractor	Lancaster Public Works Department			
D-6	Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 miles per hour (mph).	During construction	Statement from project contractor	AVAQMD / Lancaster Public Works Department			
D-7	Provide temporary wind fencing consisting of 3- to 5-foot barriers with 50 percent or less porosity along the perimeter of sites that have been cleared or are being graded.	During construction	Site observation and documentation	AVAQMD / Lancaster Public Works Department			
D-8	Sweep streets at the end of the day if visible soil material is carried over to adjacent roads.	During construction	Site observation and documentation	AVAQMD / Lancaster Public Works Department			
D-9	Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.	During construction	Site observation and documentation	AVAQMD / Lancaster Public Works Department			
D-10	Enforce traffic speed limits of 15 mph or less on all unpaved roads	During construction	Site observation and documentation	AVAQMD / Lancaster Public Works Department			
D-11	The project applicant shall require in the construction specifications for the proposed project that construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, are turned off when not in use for an extended period of time (i.e., 5 minutes or longer). The contract specifications shall be reviewed by the City prior to the issuance of excavation permits.	During construction	Confirmation from project contractor	Lancaster Public Works Department			
D-12	The project applicant shall require in the construction specifications for the proposed	During construction, prior to excavation	Confirmation from project contractor	Lancaster Public Works Department			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	project that construction operations rely on the electricity infrastructure surrounding the construction site rather than electrical generators powered by internal combustion engines to the extent feasible. The contract specifications shall be reviewed by the City prior to the issuance of excavation permits.						
D-13	The project applicant shall be required to use off-road equipment with a diesel oxidation catalyst to reduce emissions of NOx by 15% to mitigate impacts from NOx during the grading phase.	During grading	Confirmation from project contractor	Lancaster Planning Department			
D-14	Architectural coatings with a VOC content of 50 g/liter or less shall be used to mitigate impacts from VOCs during the paving/architectural coatings phase.	During paving/architectural coatings phase	Confirmation from project contractor	Lancaster Planning Department			
D-15	The proposed project shall follow the guidelines and regulations outlined by AB 32 and the 2006 CAT Report Strategies.	During construction	Confirmation from project contractor	Lancaster Planning Department			
D-16	The proposed Target shall comply with all of the measures identified on pages IV.D-37 through IV.D-39.	During construction	Confirmation from project contractor	Lancaster Planning Department			
BIOLOGICAL RESOURCES							
E-1	To avoid disturbance to nesting birds during project construction, one of the following measures shall be implemented: <ul style="list-style-type: none"> Conduct vegetation clearing and grubbing associated with project construction during the non-breeding season (in general, September 1st through January 31st). Grading activities and other construction activities shall be initiated prior to the 	No more than 5 days prior to grading	Receipt of nesting bird survey	Lancaster Planning Department			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	<p>breeding season (which is generally in the same period identified above) and shall be ongoing throughout the breeding season to prevent birds from establishing nest in the surrounding habitat. If there is a lapse in grading activities of more than five days, a pre-construction survey and survey report (refer below) shall be completed.</p> <p>OR</p> <ul style="list-style-type: none"> Conduct pre-construction surveys for nesting birds if vegetation clearing and grubbing, grading, and other construction activities are initiated during the nesting season (in general, February 1st through August 31st). Within 30 days of construction-related activities, a qualified wildlife biologist shall conduct weekly nesting bird surveys with the last survey being conducted no more than 5 days prior to initiation of construction-related activities to provide confirmation on presence or absence of active nests in the vicinity (at least 300 feet around the project site). If active nests are encountered, species-specific measures shall be prepared by a qualified biologist in consultation with the CDFG and implemented to prevent abandonment of the active nest. At a minimum, construction-related activities in the vicinity of the nest shall be deferred until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction activities, depending on the species and location. The perimeter of the exclusion buffer shall be 						

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	fenced or adequately demarcated with staked flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by the qualified biologist verifying that (1) no active nests are present, or (2) that the young have fledged, shall be submitted to the City prior to initiation of construction activities in the exclusion buffer. The qualified biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests will occur.						
E-2	In order to avoid adverse impacts to burrowing owl, a pre-construction survey for burrowing owls shall be performed on the project site within 30 days prior to ground disturbance. The survey shall be performed according to accepted burrowing owl survey protocols by a qualified biologist. The results of the survey shall be reported to CDFG and the City of Lancaster prior to ground disturbance. If any burrowing owls are found on-site during the pre-construction surveys, passive relocation of the owls shall be completed outside of the nesting season according to California Burrowing Owl Consortium guidelines; a report shall be prepared by a qualified biologist following any passive relocation efforts documenting the methods and results of the relocation activities. All ground disturbance associated with site development and construction shall be postponed until passive	Within 30 days prior to ground disturbance	Receipt of burrowing owls survey	Lancaster Planning Department			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	relocation efforts have been completed and the associated report has been submitted to CDFG and the City of Lancaster.						
CULTURAL RESOURCES							
F-1	<p>All contractors and subcontractors shall be informed about the potential for archaeological and paleontological discoveries during construction, and all construction personnel should be informed on the appropriate responses to such discoveries. The information will include a description of the kinds of cultural resources that might be encountered during construction and the steps to be taken if such a find is unearthed.</p> <p>If buried or concealed cultural resources are discovered during excavation, construction, or related development work, all such work is to cease in the vicinity of the find and a qualified archaeologist shall be notified. The find shall be properly investigated and appropriate mitigative and/or protective measures (if necessary) shall be taken. If human remains are found, procedures for their treatment shall follow CEQA guidelines in 14 CCR 15064.5(e).</p>	During grading and construction	Field verification that procedure for cultural resource discovery was followed	Lancaster Planning Department / Lancaster Building and Safety Division			
GEOLOGY AND SOILS							
G-1	A comprehensive geotechnical investigation for the project site shall be conducted and submitted to the City of Lancaster as part of the permitting process for the proposed project. The specific design recommendations presented in the comprehensive geotechnical report shall be incorporated into the design and construction of the proposed project.	Prior to issuance of grading permits	Receipt of geotechnical investigation	Lancaster Planning Department / Lancaster Building and Safety Division			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
HAZARDS AND HAZARDOUS MATERIALS							
H-1	Prior to the issuance of the demolition permits, the applicant shall provide a letter to the City of Lancaster, Building Services Division from a qualified asbestos abatement consultant regarding the ACMs present in the buildings. ACMs found to be present shall be abated in compliance with the Antelope Valley Air Quality Management District's regulations, as well as other state and federal regulations.	Prior to the issuance of the demolition permits	Receipt of letter regarding the asbestos findings	Lancaster, Building Services Division			
H-2	Prior to the issuance of the demolition permits, the applicant shall provide a letter to the City of Lancaster, Building Services Division from a qualified Department of Health Services lead consultant regarding lead-based paint present in the buildings. Lead-based paint found in the building shall be removed and disposed of as a recommended by a qualified Department of Health Services lead consultant and in accordance with applicable federal, state, and local regulations.	Prior to the issuance of the demolition permits	Receipt of letter regarding the lead-based paint findings	Lancaster, Building Services Division			
H-3	The mobile home cesspool/leaching system shall be abandoned by the project applicant in accordance with current local and state regulations.	Prior to construction	Field verification, documentation	Lancaster Planning Department / Lancaster Building and Safety Division			
H-4	The water well and associated cistern shall be abandoned by the project applicant in accordance with current local and state regulations.	Prior to construction	Field verification, documentation	Lancaster Planning Department / Lancaster Building and Safety Division			
H-5	During site development, if historic septic systems or cesspools are discovered, they shall be abandoned by the project applicant in	During construction	Field verification, documentation	Lancaster Planning Department /			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	accordance with current county and state regulations.			Lancaster Building and Safety Division			
H-6	<p>The project applicant shall conduct limited soil sampling to assess the presence of pesticides or herbicides in soil at the project site. Additionally, disturbed soils shall be monitored for visual evidence of contamination (e.g., staining or discoloration). If visual evidence of contamination is observed, the soil shall be monitored for the presence of Volatile Organic Compounds (VOCs) using appropriate field instruments such as organic vapor measurement with photoionization detectors (PIDs) or flame ionization detectors (FIDs). If the monitoring procedures indicate the possible presence of contaminated soil, a contaminated soil contingency plan shall be implemented and shall include procedures for segregation, sampling, and chemical analysis of soil. Contaminated soil shall be profiled for disposal and shall be transported with appropriate hazardous or non-hazardous waste manifests by a state-certified hazardous material hauler to a state-certified disposal or recycling facility licensed to accept and treat the type of waste indicated by the profiling process. The contaminated soil contingency plan shall be developed and in place during all construction activities. In the event that these processes generate any contaminated groundwater that must be disposed of outside of the dewatering/National Pollutant Discharge Elimination System (NPDES) process, the groundwater shall be profiled, manifested, hauled, and disposed of in the same manner.</p>	During construction	Receipt of soil sampling tests	Lancaster Planning Department / Lancaster Building and Safety Division			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
H-7	The project applicant shall conduct a geophysical survey to evaluate for the possible presence of a reported historical UST at the project site. If a historical UST is discovered, it shall be properly abandoned.	Prior to grading	Receipt of geophysical survey	Lancaster Planning Department / Lancaster Building and Safety Division			
H-8	The project applicant/contractor shall prepare a hazardous materials contingency plan addressing the potential for discovery of unidentified USTs, septic systems, hazardous materials, petroleum hydrocarbons, or hazardous or solid wastes encountered during construction. This contingency plan shall address UST decommissioning, field screening, and materials testing methods, mitigation and contaminant management requirements, and health and safety requirements.	Prior to grading	Receipt of hazardous materials contingency plan	Lancaster Planning Department / Lancaster Building and Safety Division			
HYDROLOGY AND WATER QUALITY							
I-1	The project applicant shall prepare and submit a Notice of Intent (NOI) to comply with the Construction General Permit to the State Water Resources Control Board.	Prior to construction	Receipt of Notice of Intent	State Water Resources Control Board			
I-2	The project applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) and erosion control plan per the requirements of the Construction General NPDES Permit.	Prior to issuance of grading permits	Receipt of SWPPP	Lancaster Planning Department / Lancaster Building and Safety Division			
I-3	The project applicant shall implement the following SWPPP BMPs: <ul style="list-style-type: none"> • During construction and operation, all waste shall be disposed of in accordance with all applicable laws and regulations. Properly labeled recycling bins shall be utilized for recyclable construction materials including solvents, water-based paints, vehicle fluids, broken asphalt and 	Prior to issuance of grading permits	Receipt of SWPPP	Lancaster Planning Department / Lancaster Building and Safety Division			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	<p>concrete, wood, and vegetation. Non-recyclable materials and wastes must be taken to an appropriate landfill. Toxic wastes must be discarded at a licensed, regulated disposal site by a licensed waste hauler.</p> <ul style="list-style-type: none"> • All leaks, drips and spills occurring during construction shall be cleaned up promptly and in compliance with all applicable laws and regulations to prevent contaminated soil on paved surfaces that can be washed away into the storm drains. • If materials spills occur, they should not be hosed down. Dry cleaning methods shall be employed whenever possible. • Construction dumpsters shall be covered with tarps or plastic sheeting if left uncovered for extended periods. All dumpsters shall be well maintained. • The project applicant/developer shall conduct street sweeping and truck wheel cleaning to prevent dirt in storm water. • The project applicant/developer shall provide regular sweeping of private streets and parking lots with equipment designed for removal of hydrocarbon compounds. • The amount of exposed soil shall be limited and erosion control procedures implemented for those areas that must be exposed. • Grading activities shall be phased so that graded areas are landscaped or otherwise covered, as quickly as possible after completion of activities. • Appropriate dust suppression techniques, such as watering or tarping, shall be used in areas that 						

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	<p>must be exposed.</p> <ul style="list-style-type: none"> • The area shall be secured to control off-site migration of pollutants. • Construction entrances shall be designed to facilitate removal of debris from vehicles exiting the site, by passive means such as paved/graveled roadbeds, and/or by active means such as truck washing facilities. • Truck loads shall be tarped. • Roadways shall be swept or washed down to prevent generation of fugitive dust by local vehicular traffic. • Simple sediment filters shall be constructed at or near the entrances to the storm drainage system wherever feasible. 						
I-4	At the time the proposed project is developed, the City requires that the basin located at the northwest corner of 57 th Street West and Avenue L, be enclosed with a block wall and wrought iron fence combination. Contribution to the construction of these improvements, along with a one-third interest in the property, shall constitute the project's contribution to the basin project.	Prior to issuance of grading permits	Confirmation from project contractor	Lancaster Planning Department / Lancaster Building and Safety Division			
I-5	The project applicant shall construct a 60-inch storm drain along the project site in 60 th Street West, and approximately 1,300 feet westerly in Avenue L. At the terminus, the drain shall connect into a proposed storm drain, or outlet through an energy dissipating structure.	Prior to issuance of grading permits	Confirmation from project contractor	Lancaster Planning Department / Lancaster Building and Safety Division			
NOISE							
K-1	The proposed project shall comply with Section 8.24.040 of the City of Lancaster Municipal Code, which prohibit construction activity within 500 feet	During construction, at the specified days and time	Confirmation from project contractor	Lancaster Planning Department / Lancaster Building			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	of an occupied dwelling on Sundays and between the hours of 8:00 PM. and sunrise on other days.			and Safety Division			
K-2	Noise and groundborne vibration construction activities whose specific location on the project site may be flexible (e.g., operation of compressors and generators, cement mixing, general truck idling) shall be conducted as far as possible from the nearest noise- and vibration-sensitive land uses.	During construction	Confirmation from project contractor	Lancaster Planning Department			
K-3	Construction activities shall be scheduled so as to avoid operating several pieces of equipment simultaneously, which causes high noise levels.	During construction	Confirmation from project contractor	Lancaster Planning Department			
K-4	The use of those pieces of construction equipment or construction methods with the greatest peak noise generation potential shall be minimized. Examples include the use of drills, jackhammers, and pile drivers.	During construction	Confirmation from project contractor	Lancaster Planning Department			
K-5	The project contractor shall use power construction equipment with state-of-the-art noise shielding and muffling devices.	During construction	Confirmation from project contractor	Lancaster Planning Department			
K-6	Barriers such as plywood structures or flexible sound control curtains shall be erected between the proposed project and the adjacent sensitive land uses to minimize the amount of noise to the maximum extent feasible during construction.	During construction	Confirmation from project contractor	Lancaster Planning Department			
K-7	All construction truck traffic shall avoid residential areas and other sensitive receptors to the extent feasible.	During construction	Confirmation from project contractor	Lancaster Planning Department			
K-8	Two weeks prior to the commencement of construction at the project site, notification must be provided to the surrounding off-site residential uses and Quartz Hill High School that discloses the construction schedule, including the various types of activities and equipment that would be	During construction	Confirmation from project contractor	Lancaster Planning Department			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	occurring throughout the duration of the construction period. The contractor shall provide the name and telephone number of a contact person on the project to whom questions and complaints may be directed. Copies of the notification shall be provided to the City of Lancaster Planning Department.						
K-9	All new mechanical equipment (i.e., air conditioning, refrigeration, heating, pumping, and filtering equipment) associated with the proposed project shall be installed with proper shielding and muffling devices such that noise generated from this equipment would not exceed the ambient noise level on the premises of other occupied properties by more than five decibels.	During operation	Confirmation from project contractor	Lancaster Planning Department / Lancaster Building and Safety Division			
PUBLIC SERVICES – FIRE PROTECTION							
M.1-1	The development of this project shall comply with all applicable code and ordinance requirements for construction, access, water mains, fire flows and fire hydrants.	Prior to construction, during construction	Site and building construction plans and specifications	Los Angeles County Fire Department / Lancaster Building and Safety Division			
M.1-2	Every building constructed shall be accessible to Fire Department apparatus by way of access roadways, with an all-weather surface of not less than the prescribed width. The roadway shall be extended to within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building.	Prior to construction, during construction	Site and building construction plans and specifications	Los Angeles County Fire Department / Lancaster Building and Safety Division			
M.1-3	Fire sprinkler systems are required in most commercial occupancies. For those occupancies not requiring fire sprinkler systems, fire sprinkler systems shall be installed.	During construction	Site and building construction plans and specifications	Los Angeles County Fire Department / Lancaster Building and Safety Division			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
M.1-4	The development may require fire flows up to 5,000 gallons per minute at 20 pounds per square inch residual pressure for up to a five-hour duration. Final fire flows will be based on the size of the buildings, their relationship to other structures, property lines, and types of construction used.	Prior to occupancy	Site and building construction plans and specifications	Los Angeles County Fire Department / Lancaster Building and Safety Division			
M.1-5	Fire hydrant spacing shall be 300 feet and shall meet the following requirements: a. No portion of lot frontage shall be more than 200 feet via vehicular access from a public fire hydrant. b. No portion of a building shall exceed 400 feet via vehicular access from a properly spaced fire hydrant. c. Additional hydrants will be required if hydrant spacing exceeds specified distances. d. When cul-de-sac depth exceeds 200 feet on a commercial street, hydrants shall be required at the corner and mid-block. e. A cul-de-sac shall not be more than 500 feet in length, when serving land zoned for commercial use.	Prior to construction, during construction	Site and building construction plans and specifications	Los Angeles County Fire Department / Lancaster Building and Safety Division			
M.1-6	Turning radii shall not be less than 32 feet. This measurement shall be determined at the centerline of the road. A Fire Department approved turning area shall be provided for all driveways exceeding 150 feet in length and at the end of all cul-de-sacs.	Prior to construction, during construction	Site and building construction plans and specifications	Los Angeles County Fire Department / Lancaster Building and Safety Division			
M.1-7	All on-site driveways/roadways shall provide a minimum unobstructed width of 28 feet, clear-to-sky. The on-site driveway is to be within 150 feet of all portions of the exterior wall of the first story of any building. The centerline of the access	Prior to construction, during construction	Site and building construction plans and specifications	Los Angeles County Fire Department / Lancaster Building and Safety Division			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	driveway shall be located parallel to, and with 30 feet of an exterior wall on one side of the proposed structure.						
M.1-8	Driveway width for non-residential developments shall be increased when any of the following conditions will exist: a. Provide 34 feet in width, when parallel parking is allowed in one side of the access roadway/driveway. Preference is that such parking is not adjacent to the structure. b. Provide 42 feet in width, when parallel parking is allowed on each side of the access roadway/driveway. c. Any access way less than 34 feet in width in width shall be labeled "Fire Lane" on the final recording map, and final building plans. d. For streets or driveway with parking restrictions: The entrance to the street/driveway and intermittent spacing distances of 150 feet shall be posted with Fire Department approved signs stating "NO PARKING – FIRE LANE" in three-inch high letters. Driveway labeling is necessary to ensure access for Fire Department use.	Prior to construction, during construction	Site and building construction plans and specifications	Los Angeles County Fire Department / Lancaster Building and Safety Division			
M.1-9	Prior to the issuance of a building permit, the applicant shall pay fire protection fees to the City of Lancaster pursuant to Section 15.76 of the Municipal Code.	Prior to issuance of building permit	Receipt of fire protection fees	Lancaster Planning Department / Lancaster Building and Safety Division			
PUBLIC SERVICES – POLICE PROTECTION							
M.2-1	The applicant shall fence off the project site during the construction phase.	During construction	Site observation and documentation	Lancaster Planning Department			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
M.2-1	The building and layout design of the proposed project shall include crime prevention features, such as nighttime security lighting, and building security systems.	Prior to construction, during construction	Site and building construction plans and specifications	Los Angeles County Sheriff's Department / Lancaster Building and Safety Division			
TRANSPORTATION AND TRAFFIC							
60th Street West and Avenue J							
N-1	Currently 60 th Street West and Avenue J is not signalized. The intersection warrants a traffic signal in future conditions without and with the project. Therefore, the project applicant shall provide fair share contribution towards this improvement.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
N-2	The southbound direction currently provides a left turn lane and a shared lane for the through and right turn directions. The project applicant shall provide fair share contribution toward a second southbound turn lane.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
60th Street West and Avenue J-8							
N-3	Currently 60 th Street West and Avenue J-8 is not signalized. The intersection warrants a traffic signal in future conditions without and with the project. The project applicant shall provide fair share contribution toward this improvement.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
N-4	The southbound and eastbound directions currently provide left, through, and right turn lanes. The project applicant shall provide fair share contribution toward a second southbound through lane.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
60th Street West and Avenue K							
N-5	Currently the southbound 60 th Street West lane configuration at Avenue K provides a single left,	Prior to or concurrent	Payment of Fair	Lancaster Planning			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	through, and right turn lane. The project applicant shall provide fair share contribution for a second southbound through lane.	with the issuance of building permits	Share of Intersection improvement cost	Department / Lancaster Public Works Department			
N-6	Currently the westbound Avenue K lane configuration at 60 th Street West provides a single left, through, and right turn lane. The project applicant shall provide fair share contribution for a second westbound left turn lane.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
60th Street West and Avenue K-8							
N-7	Currently 60 th Street West and Avenue K-8 is not signalized. The intersection warrants a traffic signal in future conditions without and with the project. The project applicant shall provide fair share contribution towards this improvement.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
N-8	Currently the southbound 60 th Street West lane configuration at Avenue K-8 provides a single left, two through lanes, and right turn lane. The project applicant shall provide fair share contribution for replacement of the right turn lane to a shared through/right lane and extension of the through lane southerly.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
60th Street West and Avenue K-12							
N-9	Currently 60 th Street West and Avenue K-12 is not signalized. The intersection warrants a traffic signal in future conditions without and with the project. The project applicant shall provide fair share contribution towards this improvement.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
N-10	Currently the roadway geometrics at this intersection provide a northbound through and right turn lane, and a southbound left and through lane. The project applicant shall provide fair share contribution towards a second north and	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	southbound through lane.						
60th Street West and Avenue L							
N-11	Currently southbound 60 th Street West at Avenue L provides a left turn lane, a through lane and an operational right turn lane (not striped but wide enough to occur). The project applicant shall provide fair share contribution toward dual southbound left turn lanes and an additional through lane.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
60th Street West and Avenue L-4							
N-12	Currently 60 th Street West and Avenue L-4 is not signalized. The intersection warrants a traffic signal in future conditions without and with the project. The project applicant shall provide fair share contribution towards this improvement.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
60th Street West and Avenue L-8							
N-13	Currently 60 th Street West and Avenue L-8 is signalized. The northbound direction provides a left turn lane, a through lane, and a right turn lane. The project applicant shall provide a fair share contribution to a second through lane.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
60th Street West and Avenue M/Columbia Way							
N-14	Currently 60 th Street West and Avenue M/Columbia is not signalized. The intersection warrants a traffic signal in future conditions without and with the project. The project applicant shall provide fair share contribution towards this improvement.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
N-15	The current roadway geometrics provide a single lane for the north and eastbound direction. The westbound direction provides a shared	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection	Lancaster Planning Department / Lancaster Public			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	through/left turn lane and right turn lane and the southbound direction provides a left and shared through/right turn lane. The project applicant shall provide fair share contribution to left turn lanes in all directions with a second left for the southbound direction, as well as a second southbound through lane.		improvement cost	Works Department			
70th Street West and Avenue L							
N-16	Currently 70 th Street West and Avenue L is not signalized. The intersection warrants a traffic signal in future conditions without and with the project. The project applicant shall provide fair share contribution towards this improvement.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
57th Street West and Avenue L							
N-17	Currently this intersection provides single lanes in all directions of travel. The project applicant shall provide fair share contribution to a separate right turn and through lane in the northbound direction as well as a second east and westbound lane.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
55th Street West and Avenue L							
N-18	Currently 55 th Street West and Avenue L is not signalized. The intersection warrants a traffic signal in future conditions without and with the project. The project applicant shall provide fair share contribution towards the improvement.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
N-19	The north and westbound directions provide a single lane. The eastbound direction provides a through and right turn lane. The project applicant shall contribute fair share towards providing north and westbound left turn lanes and converting the eastbound right to a through/right turn lane.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
50th Street West and Avenue L							
N-20	Currently Avenue L provides a single through lane in the east and westbound direction at 50 th Street West. The project applicant shall provide fair share contribution toward an additional east and westbound through lane.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
45th Street West and Avenue L							
N-21	Currently Avenue L provides a single through lane in the east and westbound direction at 45 th Street West. The project applicant shall provide fair share contribution toward an additional east and westbound through lane.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
40th Street West and Avenue L							
N-22	Currently Avenue L provides a single through lane in the eastbound direction and two through lanes in the westbound direction at 40 th Street West. The project applicant shall provide fair share contribution toward a second eastbound lane.	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			
Street Segments							
N-23	The addition of one to three lanes will reduce the significant impacts along the study street segments. The project applicant shall contribute to the improvement of Avenue L between 55 th Street West to 60 th Street West for three additional lanes, from 60 th Street West to 62 nd Street West for two additional lanes, and from 62 nd Street West to 65 th Street West for one additional lane. The project applicant shall provide fair share contribution to the improvement	Prior to or concurrent with the issuance of building permits	Payment of Fair Share of Intersection improvement cost	Lancaster Planning Department / Lancaster Public Works Department			

Mit. / Cond. No.	Mitigation Measure/ Conditions of Approval	Monitoring Milestone (Frequency)	Method of Verification	Party Responsible for Monitoring	VERIFICATION OF COMPLIANCE		
					Initials	Date	Remarks
	of 60 th Street West between Avenue K-8 and Avenue L-8 for three additional lanes.						
UTILITIES - WATER							
O.2-1	The project developer shall ensure that the landscape irrigation system be designed, installed and tested to provide uniform irrigation coverage. Sprinkler head patterns shall be adjusted to minimize over spray onto walkways and streets.	During construction	Field verification	Lancaster Planning Department / Lancaster Public Works Department			
O.2-2	The project developer shall install either a "smart sprinkler" system to provide irrigation for the landscaped areas or, at a minimum, set automatic irrigation timers to water landscaping during early morning or late evening hours to reduce water losses from evaporation. Irrigation run times for all zones shall be adjusted seasonally, reducing water times and frequency in the cooler months (fall, winter, spring). Sprinkler timer run times shall be adjusted to avoid water runoff, especially when irrigating sloped property.	During construction	Field verification	Lancaster Planning Department / Lancaster Public Works Department			
O.2-3	The project developer shall select and use drought-tolerant, low-water-consuming plant varieties to reduce irrigation water consumption.	During landscaping	Field verification	Lancaster Planning Department / Lancaster Public Works Department			
O.2-4	The project developer shall install low-flush water toilets in new construction. Low-flow faucet aerators should be installed on all sink faucets.	During interior design construction	Field verification	Lancaster Planning Department / Lancaster Public Works Department			

CUP FINDINGS

The City of Lancaster requires certain findings to be made in order to approve a CUP extension. Please provide detailed information to justify the following findings:

1. The approval of the extension is consistent with the goals, objectives, policies, action programs and land use designations of the adopted General Plan (or Specific Plan) applicable to the subject property because:

NO CHANGES TO THE PROJECT ARE BEING REQUESTED AS PART OF THE EXTENSION.

2. The approval of the extension will allow for development of a project that is of benefit to the public health, safety, and welfare through completion of vital infrastructure or public improvements, correction of existing hazardous conditions, or enhancement of public facilities because:

THE GRANT OF EXTENSION WILL NOT CHANGE THE PROPOSED IMPROVEMENTS THAT WERE APPROVED AS PART OF THE ORIGINAL APPLICATION.

3. The granting of the extension is necessary to allow sufficient time for the developer to complete the building and improvement plans that are currently being processed.

THE CURRENT ECONOMY WILL NOT SUPPORT THE CONSTRUCTION OF THE PROJECT AT THIS TIME.

4. There is no substantial change in the land use or development patterns in the vicinity of the project that would cause detriment to the public health, safety, or welfare should the extension be granted because:

THERE HAVE BEEN NO SUBSTANTIAL CHANGES IN THE SURROUNDING PROPERTIES SINCE THE ORIGINAL APPROVAL OF THE PROJECT.

Date 5/18/11