

RESOLUTION 020P-010

A RESOLUTION OF THE CITY OF COALINGA PLANNING COMMISSION APPROVING WITH CONDITIONS CONDITIONAL USE PERMIT APPLICATION NUMBER 20-03 FOR A NEW TRUCK TERMINAL AT 140 TRUMAN STREET

WHEREAS, the City of Coalinga Community Development Department has received an application from the applicant, Ruben Ayala (Ayala Trucking), proposing a truck terminal at 140 Truman Street (APN: XXXXXXXX); and

WHEREAS, the Planning Commission held the scheduled and noticed public hearing on September 8, 2020 to take testimony with regard to the proposed applications, and;

WHEREAS, Public Hearing Notices were sent to all property owners within 300 feet of the site as required by Local and State law, and;

WHEREAS, the Planning Commission has determined that this project is exempt from further environmental review under CEQA Guidelines §15061 related to the General Rule, and;

WHEREAS, the Planning Commission completed its review of the proposed application and information contained in the staff report and has considered the testimony received during the public meeting process and comments provided via mail/email, and;

WHEREAS, the Planning Commission has made the following findings based on the development proposal:

General Plan Consistency. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted;

Neighborhood Compatibility. The location, size, design, bulk, coverage, density, traffic generation and operating characteristics of the proposed project are consistent with the purposes of the district where it is located, and will not have an adverse effect on the neighborhood and surrounding properties; and

Asset for the Neighborhood. The nature, use and architectural/design features of the proposed development make it attractive, functional and convenient. The proposed development enhances the successful operation of the surrounding area in its basic community functions, or provides an essential service to the community or region.

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**NOW THEREFORE BE IT RESOLVED**, that the Planning Commission approves the application for conditional use permit for a truck terminal with conditions (Exhibit A) and reports and exhibits associated with this project.

**PASSED AND ADOPTED**, by the City of Coalinga Planning Commission at their regular meeting held on the 8<sup>th</sup> day of September 2020.

AYES:

NOES:

ABSTAIN:

ABSENT:

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Planning Commission Chairman/Vice Chairman

ATTEST:

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City Clerk/Deputy City Clerk

## **Exhibit A**

### **General On-going Procedural and Operational Conditions of Approval – Conditional Use Permit 20-03 (140 Truman Street)**

1. *Revocation of approvals.* Any permit granted may be revoked or modified if any of the terms or conditions of approval are violated, or if any State law, statute and regulation, or City Ordinance is violated. The City Council and Planning Commission, by their own action, or following a recommendation from the Community Development Director, may initiate revocation or modification proceedings. A public hearing shall be held pursuant to Section 9-6.114.
2. The applicant shall defend, indemnify, and hold harmless the City or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul the approval of the project when such claim or action is brought within the time period provided for in applicable state and /or local statutes. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith.
3. Within fifteen (15) days of final approval (expiration of the appeal period) by the Planning Commission, the Applicant/Developer shall submit in writing, a statement indicating that he/she has read and agrees to the conditions imposed herein. This approval shall become void, and any privilege, permit, or other authorization granted under these entitlements if compliance with this condition has not been undertaken within the specified time limits.
4. *Permit validity and renewal.* The Permit shall be valid for a period of ten (10) years. If the applicant fails to submit a renewal application at least ninety (90) days prior to expiration of the permit, the permit shall expire. Approval of the Community Development Director shall be required for permit renewal. In the event a timely submitted renewal application has not been acted upon, the permit shall extend beyond the ten (10) year period until the renewal permit has been acted upon. The renewal shall be valid for an additional five (5) years from renewal approval or the prior permit expiration, whichever is later.
5. This approval shall become null and void if all conditions have not been completed and the occupancy or use of 140 Truman Street has not taken place within one (1) year of the effective date of conditional approval.
6. All development on the Project Site shall be in compliance with all applicable provisions of the City's Municipal Code as well as all applicable provisions of the adopted Building and Fire Codes and submitted plans. All applicable construction shall obtain a building

permit and comply with the requirements of the Planning, Building, Public Works Police and Fire Departments.

7. The applicant shall obtain an Encroachment permit from the Public Works Department prior to expanding the driveway on Truman Street. This shall be reviewed by the City Engineer prior issuance.
8. All dead and/or diseased landscaping material along the Truman frontage shall be replaced as recommended by the Public Works Department and a proper irrigation system shall be installed to consistent watering. A separate landscape meter shall be required.
9. The entire property shall be fenced and slatted with approved fence material and not exceed 6 feet in height. Any damaged fencing or slat material shall be replaced.
10. This project is approved for no more than four (4) semi-trucks and four (4) trailers to be parked and/or temporarily stored on the property. The only trucks permitted on site are those owned and operated by the owners of the Property (Ayala Trucking Co.). Additional trucks and trailers beyond 5 shall be reviewed and approved by the Assistant City Manager or his/her designee.
11. The access driveway on Truman shall be equipped an automatic gate to limit queuing on Truman Street when accessing the facility.