

Exhibit “A”
CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT APPLICATION NO. 21-04

Administrative

- COA-1. *Actions voiding approval.* If the construction of a building or structure, or the use(s) established in the building or structure is contrary to the project approval, therefore violating any provision of the Zoning Ordinance, or would require additional permits, then the original approval shall be deemed null and void. The approved phased site plan shall become void if occupancy of said phase has not occurred within the following timeframes:

Phase 1 – Building(s) 1 & 2 (2 Year from the date of Resolution 021P-005)

Phase 2 – Building 3 FUTURE (4 Years from the date of Resolution 021P-005). Subsequent administrative site plan review will be required for Phase 2 (building 3) reviewed and approved by the Community Development Department.

This Conditional Use Permit shall only remain valid so long as the applicant maintains, in good standing, an approved regulatory permit issued by the Coalinga Police Department and certified by the City Council, and valid State of California Commercial Cannabis License. Without a valid regulatory permit and State issued license, as prescribed by law, this Conditional Use Permit (local approval) is null and void.

- COA-2. *Periodic review or monitoring of conditions.* All approvals may be subject to periodic review to determine compliance with the permit and its conditions of approval. If a condition of approval specifies that activities or uses allowed under the permit are subject to periodic reporting, monitoring or assessments, it shall be the responsibility of the permit holder, property owner, or successor property owners to comply with such conditions.
- COA-3. *Indemnification.* The applicants/developers 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 promptly notify the applicants/developers of any such claim, action, or proceeding. The City shall coordinate in 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.

- COA-4. *Extensions.* Approval of the site plan may be extended for an additional period or periods of one (1) year upon a written application to the Commission before the expiration of the phase.
- COA-5. *Fees.* All Community Development Department and Engineering fees shall be paid in full prior to the issuance of a building permit. The Developer is responsible for paying all applicable development impact fees as well all regional fees related to the project. All cannabis licensing fees and taxes shall be paid in accordance with the City of Coalinga's cannabis regulations and policies prior to occupancy and start of operation.
- COA-6. *Alterations.* Any minor alternations to the approvals shall be reviewed and approved by the Assistant City Manager, unless under his/her discretion warrants review and approval by the Commission.
- COA-7. *Acknowledgement.* Within fifteen (15) days of final approval (expiration of the appeal period) by the Planning Commission, the Applicant 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.
- COA-8. *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 law or City Ordinance is violated in connection. 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 9-6.111](#),

Public works/Engineering

- COA-9. Buildings shall provide adequate architectural articulation and detail to avoid a bulky and "box-like" appearance. The building façade at ground floor street frontage level shall be articulated with measures such as, indentation in plane, change of materials in a complimentary manner, sensitive composition and juxtaposition of openings and solid wall and/or building frame, and projecting elements, such as awnings or marquees, to provide shade and shelter.
- COA-10. All improvements shall conform to City Standards and Specifications and be approved by the City Engineer.
- COA-11. The applicant shall furnish and install off-site public AC pavement, Curb & Gutter, Sidewalk, and Street Lighting for the property frontage along Polk Avenue (SR33)

in accordance with Caltrans Construction requirements. Streetlights shall be installed at 150 foot spacing along Polk Avenue.

- COA-12. The applicant shall furnish and install off-site public AC pavement, Curb & Gutter, Sidewalk, and Street Lighting for the property frontage along Mercantile Lane.
- COA-13. The applicant shall furnish and install new water service, irrigation controller and backflow prevention device for all irrigated landscape areas of the project frontage. The applicant shall furnish a separate domestic water meter and a separate landscape meter.
- COA-14. The applicant shall comply with all 2019 California Building Code (CBC) Chapter 11B ADA accessibility guidelines.
- COA-15. The final site plan shall identify all easements effecting the parcel.
- COA-16. No storm water runoff from the proposed project shall flow into the State right-of-way (SR 33) without approval from the District Hydraulic Engineer.
- COA-17. The applicant shall provide smooth AC pavement transitions from new concrete driveway to existing Mercantile Lane asphalt pavement.
- COA-18. The trash enclosure shall be designed and installed in conformance with City of Coalinga Standards A-4 and approved by the City Engineer.
- COA-19. Public Sewer Facilities exist in Mercantile Lane and are available to serve this development. The applicant shall extend a sewer lateral to the project site. The sewer clean out shall be placed at the property line.
- COA-20. Public Water Facilities exist in Mercantile Lane and are available to serve this development. The applicant shall extend a water service to the project site. Water meters shall be located on or near the property line outside the secured area for ease of meter reading.
- COA-21. Public Natural Gas Facilities exist in Mercantile Lane and are available to serve this development. The applicant shall extend natural gas service to the project site. The applicant shall locate the natural gas meter outside of secured areas to facilitate access by City meter readers.
- COA-22. Mailboxes shall be located outside of secured areas for access by postal workers. Obtain final approval by Postmaster prior to installation.
- COA-23. The applicant shall direct all on-site storm water drainage runoff to the existing storm drain facilities at Mercantile Lane. It is the responsibility of the applicant to confirm sufficient capacity exists in the storm water basin serving this site. Any work needed to the storm water basin serving this development is the

responsibility of the applicant. Direct drainage of storm water runoff over public sidewalks not permitted. Storm water runoff shall be directed under sidewalks per City Standard A-14 or A-15.

- COA-24. On-site lighting shall be provided so that the parking areas are illuminated at a level of 1.5 foot candles. A photometric plan (not a full study) shall be provided to ensure that 1.5 FC has been met. All of the regulations in section 9-4.206 of the Coalinga Planning and Zoning Code shall be met as it relates to lighting and illumination.
- COA-25. All equipment shall be located on roofs and shall be screened from view as approved by the Assistant City Manager.
- COA-26. Construction hours shall be limited to normal working hours. All construction equipment shall be properly maintained and muffled to avoid nuisances to the surrounding or neighboring property owners.
- i. Weekdays from 7:00 a.m. to 6:00 p.m.
 - ii. Saturday from 8:00 a.m. to 5:00 p.m.
 - iii. Sunday and Holidays – no construction allowed unless authorization is granted by the City Manager.
- COA-27. *Setback and screening from highways.* Any site in a Manufacturing/Business district that is fully or partially located within 200 feet of a state highway shall provide a landscaped area at least fifteen (15) feet deep between the highway right-of-way and any building or parking area for the length of the site frontage facing toward the highway. At least two (2) fifteen (15) gallon trees shall be provided for every twenty-five (25) feet of site frontage toward the highway.
- COA-28. A screening wall shall be composed of brick, stone, stucco, or other quality durable material approved by the Assistant City Manager, and shall include a decorative cap or top finish as well as edge detail at wall ends. Plain concrete blocks are not allowed as a screening wall material unless capped and finished with stucco or other material approved by the Assistant City Manager. The height of said wall and wrought iron combination shall not exceed 6 feet.
- COA-29. *Landscaped setback of parking from on-site buildings.* In the MBL districts, parking spaces must be set back at least ten (10) feet from any building wall, and the area between parking and building must be landscaped. Two (2) feet of the landscaped setback shall be low growing plants to allow for vehicle overhang. Up to five (5) feet of this required landscape area may be occupied by a paved pedestrian walkway.
- COA-30. *Water efficient landscaping.* A landscaping plan shall be submitted to the Community Development Department for review and approval. The model Water Efficient Landscaping Ordinance, as published by the California

Department of Water Resources, pursuant to California Water Conservation in Landscaping Act (Government Code § 65591, et seq.), was adopted in full, by reference, and effective in the City of Coalinga commencing on January 1, 2010. A copy of the Water Efficient Landscaping Ordinance is retained on file in the Office of the City Manager, the Community Development Department, and the Office of the Coalinga City Clerk at all times. Landscaping plans must be consistent with the adopted Water Efficient Landscaping Ordinance.

- COA-31. *Shade trees.* A minimum of one shade tree for every ten (10) parking spaces shall be provided, which shall achieve fifty (50) percent canopy coverage of paved area at maturity. The shade trees shall be located so as to provide visual relief to long rows of parked vehicles, and to provide shade to pedestrian connections. Canopy-type trees should be used to provide a relatively consistent tree cover that will shade vehicles and pavement. Shade trees shall also be provided at appropriate intervals between perimeter parking spaces. The shade tree species shall be selected from a master tree list maintained by the City.
- COA-32. The 3-foot pedestrian gate shall be electronically accessed with the appropriate security access protocols. At the Mercantile Lane driveway entrance, the applicant shall provide a Public Pedestrian Sidewalk Easement for that portion of proposed public sidewalk encroaching into the property. This shall not be accessible by the general public.
- COA-33. All building doorways located outside of security fencing shall be secured per the standards of the Police Chief and be exit only.
- COA-34. Disposal of hazardous materials as part of construction and operations shall be in compliance with applicable Federal and State regulations.
- COA-35. The applicant shall provide wheel stops at all parking stalls that do not provide for 2-foot vehicle overhang.
- COA-36. All other required local (Police, Fire, Finance), County, State, or Federal permits shall be obtained prior to the start of operations.
- COA-37. All fire hydrant locations shall be reviewed and approved by the Fire Chief.
 - i. Provide two fire hydrants, one inside each gate entrance. Documentation of consultation and approval by the Fire Chief shall be provided with the final construction drawings.
 - ii. FDC shall be located outside the fence unless Knox pad lock provided on pedestrian gate.
 - iii. All drives not to be less than 20 feet wide with 49 foot turning radius.

- iv. All electric gates must be tied to the fire alarm system, and automatically open upon activation.
- v. All on-site fire hydrant/protection systems shall install a detector check valve at each connection to the public water system.
- vi. All electric gates must be tied to the fire alarm system, and automatically open upon activation. All electric gates serving a building with a NFPA 72 Fire Alarm system, shall be wired so gates automatically open when the fire alarm activates. For all electric gates, provide lock box for fire department access. Approved model is Doorking Model 1400-080. You can find dealers on their website <http://doorking.com/accessories/lock-boxes>.

COA-38. All Community Development Department and Engineering fees shall be paid in full prior to the issuance of a building permit.

COA-39. The Developer is responsible for paying all applicable development impact fees as well all regional fees related to the project.

COA-40. In the event that archaeological remains are encountered during grading, work shall be halted temporarily and a qualified archaeologist shall be consulted for evaluation of the artifacts and to recommend future action. The local Native American community shall also be notified and consulted in the event any archaeological remains are uncovered.

COA-41. A final site plan shall be submitted to the Community Development Department to ensure that all conditions of approval have been incorporated.

Applicant Acknowledgement

I _____, (Applicant) have read and will fully comply with all of the conditions stated above, and understand if they are not followed, my permit may be revoked in accordance with Section 13 of the above conditions.

Applicant: _____ Date: _____
Signature