



**A JOINT MEETING OF THE CITY COUNCIL OF THE
CITY OF PARLIER AND THE SUCCESSOR AGENCY OF THE PARLIER
REDEVELOPMENT AGENCY**

“SPECIAL MEETING”

DATE: Friday, December 29, 2017
TIME: 6:30 P.M.
PLACE: Parlier City Council Chambers
1100 E. Parlier Avenue
Parlier, CA 93648

CALL TO ORDER/WELCOME:

Roll Call: Mayor Alma M. Beltran, Mayor Pro-Tem Jose Escoto, Councilwoman Diane Maldonado, Councilman Noe Rodriguez, Councilman Trinidad Pimental, City Clerk Dorothy Garza.

Flag Salute: Mayor Alma M. Beltran

CITY COUNCIL:

ADMINISTRATIVE DEPARTMENT:

- 1. SUBJECT:** Public Hearing to consider approving a Disposition and Development Agreement with Forebay Farms, LLC and Genezen Parlier, LLC governing the development of specific commercial cannabis operations on properties in the City's industrial park.

- PUBLIC HEARING:**
- a. Mayor Beltran to open Public Hearing
 - b. Public input/testimony for or against.
 - c. Mayor Beltran to close Public Hearing

RECOMMENDATION: Approve **Resolution No. 2017-91** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARLIER APPROVING A DISPOSITION AND

DEVELOPMENT AGREEMENT WITH FOREBAY FARMS, LLC AND GENEZEN PARLIER, LLC GOVERNING COMMERCIAL CANNABIS OPERATIONS IN THE CITY'S INDUSTRIAL PARK CONSISTENT WITH THE CITY'S CANNABIS CONTROL ORDINANCE; and authorize City Manager to execute the agreement.

2. **SUBJECT:** Approve and establish a Regulatory License Fee for commercial cannabis operations consistent with City of Parlier Municipal Code section 18.55.070, subsection (P)(2).

PUBLIC COMMENT:

- a. Oral Staff report
- b. Public comments
- c. City Council comments/review/action

RECOMMENDATION: Approve **Resolution No. 2017-92** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARLIER ESTABLISHING A REGULATORY LICENSE FEE FOR COMMERCIAL CANNABIS OPERATIONS CONSISTENT WITH PARLIER MUNICIPAL CODE SECTION 18.55.070, SUBSECTION (P)(2); and directing the imposition of a regulatory license fee.

PLANNING DEPARTMENT:

3. **SUBJECT:** Public Hearing to consider issuing a Regulatory Permit for Genezen Parlier, LLC, GZ1 Grow Parlier, LLC, and GZ2 Grow Parlier, LLC, consistent with Parlier Municipal Code sections 18.55, *et seq.* (the "Cannabis Control Ordinance").

PUBLIC HEARING:

- a. Mayor Beltran to open Public Hearing
- b. Public input/testimony for or against
- c. Mayor Beltran to close Public Hearing

RECOMMENDATION: Approve **Resolution No. 2017-93** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARLIER APPROVING A REGULATORY PERMIT FOR GENEZEN PARLIER, LLC, GZ1 GROW PARLIER, LLC, AND GZ2 GROW PARLIER, LLC, AUTHORIZING COMMERCIAL CANNABIS OPERATIONS ON PARCELS 4, 5, 9 AND 14 IN THE CITY'S INDUSTRIAL PARK AND APPROVING A SITE PLAN FOR THE CANNABIS FACILITIES.

ADJOURNMENT:

ADA Notice: In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (559) 646-3545 ext. 227. Notification 48 hours prior to the meeting will enable the City to make arrangements to ensure accessibility to this meeting.

Documents: Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the front counter at City Hall located at

1100 E. Parlier Avenue, Parlier, CA during normal business hours. In addition, most documents are posted on the City's website at parlier.ca.us

STATEMENT ON RULES OF DECORUM AND ENFORCEMENT

The Brown Act provides that members of the public have a right to attend public meetings, to provide public comment on action items and under the public forum section of the agenda, and to criticize the policies, procedures, or services of the city or of the acts or omissions of the city council. The Brown Act also provides that the City Council has the right to exclude all persons who willfully cause a disruption of a meeting so that it cannot be conducted in an orderly fashion.

During a meeting of the Parlier City Council, there is a need for civility and expedition in the carrying out of public business in order to ensure that the public has a full opportunity to be heard and that the Council has an opportunity to conduct business in an orderly manner. The following is provided to place everyone on notice of the rules of decorum and enforcement.

GENERAL RULES OF DECORUM

While any meeting of the City Council is in session, the following rules of decorum shall be observed:

1. All remarks shall be addressed to the City Council as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the City Council under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any City Council meeting.
3. A person, other than members of the Council and the person, who has the floor, shall not be permitted to enter into the discussion unless requested by the Mayor to speak.
4. Members of the City Council may not interrupt a person who has the floor and is making public comments. Members of the City Council shall wait until a person completes his or her public comments before asking questions or commenting. The Mayor shall then ask Council members if they have comments or questions.
5. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impeded the orderly conduct of any Council meeting.

STAFF REPORT

TO: PARLIER CITY COUNCIL

FROM: Sam Escobar, City Manager

DATE: December 29, 2017

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARLIER APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT WITH FOREBAY FARMS, LLC AND GENEZEN PARLIER, LLC GOVERNING COMMERCIAL CANNABIS OPERATIONS IN THE CITY'S INDUSTRIAL PARK CONSISTENT WITH THE CITY'S CANNABIS CONTROL ORDINANCE

Background:

During August 2017, the City Council held two workshops to solicit public input regarding whether to permit and regulate a commercial medical marijuana cultivation operation in the City of Parlier. One business that is interested in investing in such an operation in the City (Genezen Parlier, LLC or "Developer") made presentations at the workshops regarding its proposal to purchase former redevelopment, Successor Agency properties in the City, on which to build indoor, mixed-light cannabis cultivation operations, and to manufacture and distribute cannabis only from those facilities to dispensaries permitted in other jurisdictions. Subsequently, on November 15, 2017, the City Council passed Ordinance 17-03 (the Commercial Cannabis Control Ordinance or "Ordinance") allowing for such a development and operation within the City, which became effective on December 15, 2017.

Following the November passage of the Ordinance, Forebay Farms, LLC ("Landowner") agreed to purchase four parcels of land in the City's Industrial Park and to contract with Developer to construct and operate Commercial Cannabis Operations on that land. To ensure that the land is used in a manner that is consistent with the public interest and to promote successful Commercial Cannabis Operations that will render to the City new taxes and revenues, the City, Landowner and Developer entered into negotiations of a Disposition and Development Agreement ("Agreement") governing the development of land and operation of the cannabis business(es).

Subject/Discussion:

The Agreement serves the public interest in the following ways:

1. It puts vacant and unused land to use in the City to generate taxes and revenues necessary for the City's operation;
2. Protects an area of the land for the City's use for the construction and operation of a well-water treatment plant;

3. Ensures that the development and operation of the Commercial Cannabis Operations in the City's Industrial Park will be done by an experienced developer and operator of commercial properties with experience in cannabis operations;
4. Requires that all operators on the land unaffiliated with Developer will be required to obtain independently all required permits and licenses for their proposed operations;
5. Works with Developer to establish a financially viable business operation before collecting authorized Revenue Raising Fees;
6. Imposes the Agreement as a covenant running with the land so that any future heirs, assigns or successors will be legally obligated to fulfill the same requirements as set forth in the Agreement;
7. Provides for the construction of a community benefit project that includes two (2) entry signs into the City to be constructed consistent with City specifications; and
8. Partners with Developer to co-sponsor an annual community holiday dinner for each year that Developer conducts business operations in the City for the term of the Agreement.

Recommendation:

That the City Council approve the Agreement and authorize the City Manager to execute it on behalf of the City.

Fiscal Impact:

As the Agreement will result in the City receiving additional revenues, taxes, and community benefit projects, there is no significant adverse impact on the City in approving the Agreement.

Alternatives:

None at this time.

Attachments:

Disposition and Development Agreement City of Parlier Parcels 4, 5, 9 and 14 [between] City of Parlier, Forebay Farms, LLC and Genezen Parlier, LLC

[546991]

RESOLUTION NO. 2017-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARLIER APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT WITH FOREBAY FARMS, LLC AND GENEZEN PARLIER, LLC GOVERNING COMMERCIAL CANNABIS OPERATIONS IN THE CITY'S INDUSTRIAL PARK CONSISTENT WITH THE CITY'S CANNABIS CONTROL ORDINANCE

WHEREAS, on November 15, 2017, the City Council of the City of Parlier enacted Ordinance No. 17-03, amending the Municipal Code and approving the establishment of Commercial Cannabis Operations in the City; and

WHEREAS, on December 22, 2017, Forebay Farms, L.L.C. ("Landowner") entered into an amended Purchase and Sale Agreement with the City of Parlier as Successor Agency for the acquisition of four parcels of land in the City's Industrial Park for the purpose of developing Commercial Cannabis Operations; and

WHEREAS, Genezen Parlier, LLC ("Developer") has contracted with Landowner to develop and operate through Developer's own corporate entity and related affiliates the Commercial Cannabis Operations on Landowner's purchased parcels; and

WHEREAS, the City, Landowner and Developer all desire to enter into a Disposition and Development Agreement ("Agreement") to govern the development and operation of the Commercial Cannabis Operations in the City, which Agreement is attached hereto as **Exhibit A**.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Parlier hereby approves the Disposition and Development Agreement between the City, Landowner, and Developer, and finds that the Agreement is in the public interest as it does the following:

1. Puts vacant and unused land to use in the City to generate taxes and revenues necessary for the City's operation;
2. Protects an area of the land for the City's use for the construction and operation of a well-water treatment plant;
3. Ensures that the development and operation of the Commercial Cannabis Operations in the City's Industrial Park will be done by an experienced developer and operator of commercial properties with experience in cannabis operations;
4. Requires that all operators on the land unaffiliated with Developer will be required to obtain independently all required permits and licenses for their proposed operations;
5. Works with Developer to establish a financially viable business operation before collecting authorized Revenue Raising Fees;
6. Imposes the Agreement as a covenant running with the land so that any future heirs, assigns or successors will be legally obligated to fulfill the same requirements as set forth in the Agreement;

7. Provides for the construction of a community benefit project that includes two (2) entry signs into the City to be constructed consistent with City specifications; and
8. Partners with Developer to co-sponsor an annual community holiday dinner for each year that Developer conducts business operations in the City for the term of the Agreement.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the Agreement on behalf of the City of Parlier.

* * * *

The foregoing resolution was approved and adopted at a special meeting of the City Council of the City of Parlier held on the 29th day of December, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor Alma Beltran

ATTEST:

City Clerk Dorothy Garza

[546967]

STAFF REPORT

TO: PARLIER CITY COUNCIL

FROM: Sam Escobar, City Manager

DATE: December 29, 2017

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARLIER
ESTABLISHING A REGULATORY LICENSE FEE FOR COMMERCIAL
CANNABIS OPERATIONS CONSISTENT WITH PARLIER MUNICIPAL CODE
SECTION 18.55.070, SUBSECTION (P)(2) AND DIRECTING THE IMPOSITION
OF A REGULATORY LICENSE FEE

Background:

On November 15, 2017, the City Council passed Ordinance 17-03 (the Cannabis Control Ordinance or "Ordinance") amending the Municipal Code and allowing for the development and operation of Commercial Cannabis Operations within the City, which Ordinance became effective on December 15, 2017. The Ordinance added to the Municipal Code Section 18.55.070, subdivision (P), which provides for "Fees and Taxes" associated with Commercial Cannabis Operations. Section 18.55.070, subdivision (P)(2), specifically provides that:

Regulatory License Fee. The Business Owner shall pay an annual regulatory license fee ("Regulatory Fee") to cover the costs of anticipated enforcement relating to the Cannabis Operation. The amount of the fee shall be set by Resolution of the City Council and be supported by the estimated additional costs of enforcement and monitoring associated with the Cannabis Operation. The Regulatory Fee shall be due and payable prior to opening for business and thereafter on or before the anniversary date. The Regulatory Fee may be amended from time to time based upon actual costs.

The purpose of this resolution is to establish the amount for and to impose on Commercial Cannabis Operations the Regulatory License Fee set out in Municipal Code Section 18.55.070, subdivision (P)(2).

Subject/Discussion:

Staff has done a thorough study and has consulted with the Chief of Police regarding the additional costs of enforcement and monitoring associated with Commercial Cannabis Operations. The results of that study and consultation is attached hereto as **Exhibit A**. That study and consultation has caused staff to conclude that a Regulatory License Fee should be adopted equal to _____ dollars (\$_____) annually to cover fully the City's additional costs of enforcement and monitoring of Commercial Cannabis Operations.

Recommendation:

Staff recommends that the City Council approve an annual Regulatory License Fee of _____ Dollars (\$_____), consistent with Municipal Code Section 18.55.070, subdivision (P)(2), and that the Regulatory License Fee become effective upon the adoption.

Fiscal Impact:

Given that the Regulatory License Fee will recover all of the City's additional costs of enforcement and monitoring of Commercial Cannabis Operations, there is no significant adverse impact on the City in approving the fee.

Alternatives:

None at this time.

Attachments:

Methodology for Calculating the Regulatory License Fee for Commercial Cannabis Operations in the City of Parlier

[546997]

RESOLUTION NO. 2017-92

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARLIER
ESTABLISHING A REGULATORY LICENSE FEE FOR COMMERCIAL
CANNABIS OPERATIONS CONSISTENT WITH PARLIER MUNICIPAL CODE
SECTION 18.55.070, SUBSECTION (P)(2)**

WHEREAS, Section 18.55.070, subsection (P)(2) of the Parlier Municipal Code authorizes the City Council to establish an annual Regulatory License Fee to cover the costs of anticipated enforcement and monitoring related to Commercial Cannabis Operations in the City; and

WHEREAS, the Regulatory License Fee is required to recover the City's total cost of both license and permit enforcement, including, for example, completing the license and permit process, administering the license and permit program, education, inspection and compliance checks, documentation of violations, and prosecution of violators; and

WHEREAS, City Staff has prepared an analysis of the Regulatory License Fee, which is set forth in **Exhibit A**.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Parlier as follows:

1. The annual Regulatory License Fee shall be _____ Dollars (\$ _____), as set forth in **Exhibit A**.
2. The Regulatory License Fee shall become effective upon the adoption of this Resolution.

* * * *

The foregoing resolution was approved and adopted at a special meeting of the City Council of the City of Parlier held on the 29th day of December, 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Mayor Alma Beltran

ATTEST:

City Clerk Dorothy Garza

[546967]

EXHIBIT A

METHODOLOGY FOR CALCULATING THE REGULATORY LICENSE FEE FOR COMMERCIAL CANNABIS OPERATIONS IN THE CITY OF PARLIER



AGENDA ITEM: _____
MEETING DATE: December 29, 2017
DEPARTMENT: Police, Community
Development

REPORT TO CITY COUNCIL

SUBJECT:

Public Hearing - City Council to Consider Approval of Site Plan and Regulatory Permit for Cannabis Operations for Genezen Parlier, LLC

RECOMMENDATION:

Staff recommends that the City Council adopts Resolution No. 17-93, approving the regulatory permit and site plan for cannabis operations

BACKGROUND:

Legalization of marijuana/cannabis, whether for medicinal or recreational use, has been a hotly-debated topic in California and elsewhere for decades. Please see the timeline below for a brief litany of the development of cannabis legalization in California.

- In 1996, with the adoption of Proposition 215, the California voters approved the "Compassionate Use Act" (Health and Safety Code Section 11362.5). This Act was intended to ensure that seriously ill Californians have the right to obtain and use marijuana for medical purposes where that medical use is deemed appropriate and has been recommended by a physician, without fear of criminal prosecution under limited, specified circumstances.
- In 2004, the State Legislature enacted SB 420, which clarified the scope of the Compassionate Use Act and provided additional statutory guidance regarding medical marijuana use. These statutes are codified at Health and Safety Code Section 11362.7, *et seq.*, and allow cities and counties to adopt supplemental rules and regulations.
- In 2009, the City of Parlier adopted an express ban on medical marijuana dispensaries and prohibited cultivation except as allowed through State-authorized collectives and cooperatives.
- On October 9, 2015, almost 20 years after passage of the Compassionate Use Act, the Governor signed the "Medical Marijuana Regulation and Safety Act" ("MMRSA"), comprising California legislative bills AB 243, AB 266, and SB 643. MMRSA created a comprehensive State licensing system for the commercial cultivation, manufacture, retail sale, transport, distribution, delivery, and testing of medical cannabis, all

subject to local control. One of the purposes of MMRSA was to ensure uniformity among jurisdictions that wished to allow commercial marijuana operations.

- On June 27, 2016, the Governor signed SB 837, effective immediately, changing the terms in MMRSA from “medical marijuana” or “marijuana” to “medical cannabis” or “cannabis,” and making other technical changes (now called “MCRSA”). SB 837 also adopted regulations relating to the use and diversion of water in connection with the cultivation of cannabis.
- On February 3, 2016, the City Council adopted Ordinance No. 2016-02, further restricting medical marijuana activities in the City.
- On November 8, 2016, California voters approved the “Adult Use of Marijuana Act” (“AUMA”). The purpose of AUMA is to establish a comprehensive system to legalize, control and regulate the cultivation, processing, manufacture, distribution, testing, and sale of non-medical marijuana, including marijuana products. Adults, age 21 and older, are allowed to possess marijuana and grow certain amounts at home for personal use.
- On June 27, 2017, the Governor signed SB 94, effective immediately, to consolidate and reconcile MCRSA and AUMA into a single regulatory system. SB 94 repealed MCRSA and created the Medicinal and Adult Use Cannabis Regulation and Safety Act (“MAUCRSA”).
- On September 16, 2017, the Governor signed AB 133, effective immediately, making changes to MAUCRSA.
- On November 15, 2017, the City Council adopted Ordinance No. 2017-03, the Cannabis Control Ordinance, putting in place the standards by which commercial cannabis operations would be regulated.
- State regulatory agencies are currently working on emergency and permanent regulations to implement MAUCRSA so that the State licenses may be issued beginning January 1, 2018.

<u>Owner:</u>	Forebay Farms LLC
<u>Applicant:</u>	Genezen Parlier LLC
<u>Location:</u>	North and south sides of E. Industrial Drive east of S. Milton Avenue and west side of S. Milton Avenue; APNs 358-390-34, 35, 44, and 58; Parcels 4, 5, 9, and 14 of Parcel Map No. 04-03; no address
	See attached map and photo
<u>Site Size:</u>	18.22 acres (plus 1.09 acres; see Proposal & Discussion below), less dedication for City well treatment site
<u>Zoning:</u>	M-1, Manufacturing
<u>General Plan:</u>	Light Industrial
<u>Existing Use:</u>	Vacant
<u>Surrounding Uses:</u>	North – Vacant, metal tank manufacturing (future); M-1

Street Access:

East – City well; box, packaging, and pallet manufacturing; M-1
South – Agriculture; AE-20 (Fresno County)
West – Consolidated Mosquito Abatement District offices; M-1
E. Industrial Drive, S. Milton Avenue

PROPOSAL & DISCUSSION:

Genezen Parlier, LLC has applied for a regulatory permit authorizing various cannabis-related activities at the site. The proposal for the regulatory permit includes Assessor's Parcel Numbers (APNs) 358-392-34, -35, -44, and -58; however, the site plan under consideration does not include development of APN 358-390-44. Future development of that parcel will be independently subject to site plan review.

As proposed, the operation would include the cultivation (including nursery), processing, manufacturing, and distribution of cannabis for either medicinal or recreational use. No onsite retail sales would occur, and the operation would not distribute to any retailers in Parlier. The disposition and development agreement (DDA) details many of the provisions of the operation and the rights and responsibilities of the parties, and is generally not discussed further herein. If the regulatory permit is approved, those provisions would become part of the regulatory permit approval.

The operation would comply with all provisions of the Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA") and City of Parlier Ordinance No. 2017-03 ("The Cannabis Control Ordinance"). As part of the application package, the applicant provided the City with a number of documents collectively composing the operational statement. As the project has changed since originally submitted, the application will revise these documents as needed to align them with the agreed-upon changes.

The applicant has provided a draft Security Plan. The southern component (or "campus") will house the primary security facilities, including the Site Observation Center, including a manned gatehouse and electronically-controlled barrier arms. Only authorized vehicles and screened occupants will be allowed entrance. Access to the northern component will be via a motorized rolling gate remotely monitored from the primary security facility. All structures will be of steel-frame and metal construction, including pedestrian and roll-up doors.

All employees, including corporate or executive employees, will be subject to issuance of a permit from the Chief of Police following his investigation of their credentials and background. Access to buildings will be via electronic access cards or fobs, with access restricted based upon employee type. Cards/fobs will be maintained onsite under the direction of the Facility Security Director and/or the Security Liaison, and their use will be audited daily. Personal access codes will be unique to each user.

All access points to structures will be maintained in a closed and locked position unless actively being used. Any windows will include metal security bars, with accommodation for emergency exit.

More specifically related to the security of product and currency, the Security Plan states:

“At any time when cultivation businesses are not operating, the Security Liaison shall ensure that all interior and exterior doors of their cultivation structure will be closed, locked and alarmed. Routine patrolling by contracted security officers reporting to the Facility Security Director will ensure compliance by tenants with this requirement.

All rooms that contain harvested cannabis, cannabis prepared for sale, currency and security system infrastructure shall be equipped with a door that contains an automated re-locking device to prevent inadvertent exposure upon vacating.

All finished product kept on the premises will be secured in a vault. Vaults within each structure on the premises will be of a size that is capable of storing all of the cultivated cannabis anticipated to be on the premises.

All currency stored on the premises will be secured in a commercial grade safe. The safe will be securely anchored to a permanent structure and will meet or exceed the Underwriters’ Laboratory (UL) rating based on the value of its contents.”

No one under the age of 21 will be allowed on the site. Visitors will be logged, and must be accompanied by the Security Liaison or designated manager at all times. Video monitoring and recording equipment will comply with the provisions of the Cannabis Control Ordinance. upon any failure of the video system, the Facility Security Director will be electronically notified. The security system will include battery backup to support up to a 24-hour loss of power.

The site is vacant, and is disked for weed control, reducing or eliminating its value as habitat. The northeastern part of APN 358-390-58 abuts City of Parlier Well No. 9. To facilitate installation of a water treatment facility immediately to the west of the well and its tank, the project will be required to dedicate an approximately 37,500-square foot area to the City.

The project would construct approximately 443,000 square feet of structures across the two components, including 240,000 square feet of grow area. The grow area comprises 24 mixed-light greenhouse structures of 10,000 square feet each. The remaining building area would consist of nurseries for seedlings, potting and trimming areas for immature plants, drying structures, loading docks, and security buildings.

The peak height of the greenhouses is 24 feet 6 inches; the taller of the two security structures is just under 29 feet in height; this is below the M-1 maximum of 75 feet. There are no requirements for lot area, lot coverage, or building spacing, and no setback requirements unless the M-1 site abuts a residential zone district, which these sites do not. The minimum lot dimensions are 75 feet by 120 feet, which the subject properties exceed. The project will provide improved circulation and parking areas, with a total of 69 spaces distributed between the two sites. Signage has not been proposed, but will be required to comply with the City’s review and approval processes.

The public street frontages will be landscaped, along with the southern parking area, the northeast corner of E. Industrial Drive and S. Milton Avenue, and other areas visible from public rights-of-way. One parking lot tree will be provided per four parking spaces, for a

total of 18 trees as currently proposed, along with shrubs, bark, and other ground cover. If additional parking is needed in the future, the project may convert a portion of the landscaped area at the northeast corner of E. Industrial Drive and S. Milton Avenue to improved parking; additional trees would be required. The operator will be responsible for the long-term maintenance of site facilities and landscaping. The project proposes a 10-foot block wall to effectively enclose both components. This wall would be reinforced to help prevent incursion by vehicles, which has occurred at other similar facilities. Aside from the gates at the secured entrances and exits, the project does not propose any additional fencing or walls.

The project would utilize approximately 60,000 gallons of water per day. Although this amount is not out of the ordinary for certain industrial uses, if the City notices a drop in pressure or availability of water for other uses, it may require that the project install system enhancements to alleviate the problem. Onsite treatment facilities are proposed for wastewater. The project would be required to monitor wastewater discharge, allowing the City to take action if either the volume of wastewater or its constituents have an undue effect on the City's wastewater system.

The streets and utilities within the industrial park are largely complete, so few if any offsite improvements are required. The project will connect to existing water and sewer mains in the abutting streets, and will utilize existing drain inlets for storm drainage. Stormwater will drain to the abutting streets and ultimately make its way to the existing basin northwest of E. Industrial Drive and S. Milton Avenue. If additional capacity at the basin is required to serve the project, the project will be responsible for enlarging the basin accordingly.

The site plan and elevations drawings are attached.

ANALYSIS:

The project would operate in conjunction with approval of the disposition and development agreement. Following enactment of the City's Cannabis Control Ordinance, the proposed use became permissible subject to approval of a regulatory permit specific to this type of use. The proposed development will be among the first in the area, and may help attract other businesses to the northeast of Manning and Mendocino.

Site Plan Review

Prior to approving a site plan, the City Council must make findings as prescribed by Parlier Municipal Code Section 18.40.040:

1. The project complies with all provisions of the Zoning Ordinance.
The site is zoned M-1 Manufacturing. The proposed use is permitted subject to approval of a regulatory permit and a site plan, and meets development standards related to lot area, dimensions, building height, setbacks, space between buildings, lot coverage, parking, access, and signage.
2. The following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety are protected, and there will be no adverse effect on surrounding property:
 - a. Facilities and improvements

- The site plan indicates a logical layout of facilities typical for industrial development and consistent with the approved uses in the vicinity.*
- b. Vehicular ingress, egress, and internal circulation
The northern and southern components will have gates entrances from ES. Milton Avenue and E. Industrial Drive, respectively. Internal circulation of each component provides access to onsite parking and loadings areas, as well as to gated emergency exits.
 - c. Setbacks
The project site does not abut a residential district, so there are no applicable setbacks.
 - d. Height of buildings
The peak height of the proposed structures is 28 feet 8 ½ inches, which does not exceed the 75-foot maximum.
 - e. Location of service
Water and sewer service are available in the abutting public streets. The project will surface drain to E. Industrial Drive and S. Milton Avenue, utilizing existing inlets in E. Industrial Drive.
 - f. Walls
The operational areas of the facility will be enclosed by a 10-foot-high masonry wall designed to resist vehicle incursion. Rolling security gates are provided at site entrances and the emergency exits. Any additional fences and walls will conform to the requirements of City of Parlier Standard Drawing Nos. M-3 to M-7.
 - g. Landscaping
The project is required to provide a landscaping plan for review and approval by the Community Development Department. It will install landscaping along the E. Industrial Drive and S. Milton Avenue frontages as well as within the southern parking area and at the northeast corner of E. Industrial Drive and S. Milton Avenue. Parking lot trees will be installed and maintained at a ratio of one (1) tree per four (4) parking spaces along with various shrubs and ground cover
3. Proposed lighting is so arranged as to reflect the light away from adjoining properties.
The project is required to provide a lighting plan for the review and approval of the City Engineer. Said plan will indicate location, direction, and illumination levels of all lighting.
4. Proposed signs will not by size, location, color, or lighting interfere with traffic or limit visibility.
All signage must be approved pursuant to the standards and guidelines of the Parlier Municipal Code prior to installation.

Environmental

The first step in complying with CEQA is to determine whether the activity in question constitutes a "project" as defined by CEQA, Public Resources Code Section 21000, *et seq.* and the CEQA Guidelines, California Code of Regulations Section 15000, *et seq.* A "project" consists of the whole of an action (i.e. not the individual pieces or components) that may have a direct or reasonably foreseeable indirect effect on the environment. The second step is to determine whether the project is subject to or exempt from the statute.

This proposal qualifies as a project under CEQA because it involves the issuance to a person of a "lease, permit, license, certificate, or other entitlement for use" as described in CEQA Guidelines Section 15378.

Although there is an exemption from CEQA for "In-Fill Development Projects", a project must meet certain criteria to qualify. One criterion is that the site must be substantially surrounded by urban development, which this site is not. After consideration, staff supports a finding consistent with CEQA Guidelines Section 15183(a), which is based upon Public Resources Code Section 21083.3, and which provides statutory exemption from CEQA for projects meeting the required criteria:

"(a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are particular to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies."

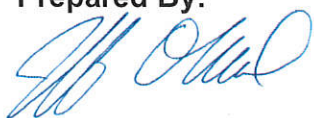
Prior to adoption of the 2010 General Plan Update, the City Council certified the Final Environmental Impact Report prepared in conjunction with the General Plan Update. The EIR identified, analyzed, and proposed all feasible mitigation to reduce potentially significant environmental impacts to less than significant levels, unless said impacts were unable to feasibly be so mitigated. The City Council made findings and adopted a Statement of Overriding Considerations indicating that, although adoption and implementation of the General Plan could result in significant and unavoidable impacts, the benefits of the General Plan outweighed these impacts.

For the subject project, staff prepared an environmental checklist, the intention of which was to examine environmental effects that might be project specific or otherwise peculiar to the site. None were identified. Thus, given that the proposed project is consistent with and serves to implement the General Plan for which an EIR was certified, and analysis of the project did not identify any peculiar circumstances that could result in a significant environmental effect, staff recommends a finding that the proposed action is not subject to any additional environmental review, and is statutorily exempt from CEQA under Public Resources Code Section 21083.3(b).

FISCAL IMPACT:

Aside from the revenue that the City will receive from the operation pursuant to the DDA, the applicant has deposited funds with the City to defray costs associated with application processing and development of regulations. The project would be subject to payment of development impact fees in the amount of approximately \$544,000 intended to offset its impacts to the City's infrastructure. More detail regarding impact fees can be found within the conditions of approval attached to Resolution No. 2017-93. Additional impact fees will be assessed upon the development of APN 358-390-44.

Prepared By:



Jeffrey O'Neal, AICP
Contract City Planner

For

Jose Garza
Chief of Police

Samuel Escobar
City Manager

RESOLUTION 2017-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARLIER APPROVING A REGULATORY PERMIT FOR GENEZEN PARLIER, LLC, AUTHORIZING COMMERCIAL CANNABIS OPERATIONS ON PARCELS 4, 5, 9 AND 14 IN THE CITY'S INDUSTRIAL PARK AND APPROVING A SITE PLAN FOR THE CANNABIS FACILITIES

WHEREAS, Genezen Parlier LLC wishes to construct and operate a commercial cannabis facility ("Project") on currently vacant land on the north and south sides side of E. Industrial Drive east of S. Milton Avenue and on the west side of S. Milton Drive north of E. Industrial Drive, said land consisting of Fresno County Assessor's Parcel Nos. ("APN") 358-390-34, -35-, 44, and -58 ("Site"); and

WHEREAS, the Site is zoned M-1 Central Trading District, which allows the proposed use subject to City issuance of a cannabis regulatory permit; and

WHEREAS, pursuant to Parlier Municipal Code ("PMC") Section 18.28.200, approval of a site plan is required to authorize development of the Project; and

WHEREAS, Genezen Parlier, LLC has submitted an application for a regulatory permit addressing all four APNs and a site plan covering APNs 358-390-34, -35, and -58; and

WHEREAS, approval of a regulatory permit and a site plan consists of a "lease, permit, license, certificate, or other entitlement for use", and is therefore a "project" pursuant to the California Environmental Quality Act, Public Resources Code Section 21000, *et seq.* ("CEQA") and the CEQA Guidelines, California Code of Regulations Section 15000, *et seq.*; and

WHEREAS, as the agency primarily responsible for carrying out or approving said project, the City of Parlier assumes the role of lead agency pursuant to CEQA; and

WHEREAS, the City Council has found that the proposed project is consistent with the land use and policies of the City of Parlier 2010 General Plan Update ("General Plan"), for which an environmental impact report was certified, findings were made, and a statement of overriding considerations was adopted; and

WHEREAS, CEQA Guidelines Section 15183(a) states that projects that are consistent with a general plan for which an environmental impact report was certified shall not require additional environmental review unless it can be shown that there exist project-specific significant effects particular to the project or site; and

WHEREAS, based upon staff preparation of an environmental checklist prepared to identify any potentially significant effects particular to the site or the project and staff's subsequent recommendation, the City Council finds there are no project- or site-specific peculiarities that could result in significant environmental effect not previously identified in the environmental impact report, and therefore the project is statutorily exempt from CEQA under Public Resources Code Section 21083.3; and

WHEREAS, on December 18, 2017 a notice of public hearing was published in *The Business Journal* announcing the project and the opportunity to comment thereon and said notice was also posted at Parlier City Hall; and

WHEREAS, on December 19, 2017 a similar notice of public hearing was mailed to owners of real property within 300 feet of the project site; and

WHEREAS, at a special meeting on December 29, 2017, the Parlier City Council did conduct a public hearing to consider the regulatory permit and the associated site plan; and

WHEREAS, Genezen Parlier, LLC proposes an operation that is consistent with the City's Cannabis Control Ordinance and the Medicinal and Adult-Use Cannabis Regulation and Safety Act; and

WHEREAS, the Project is subject to a Disposition and Development Agreement detailed within Parlier City Council Resolution No. 2017-91; and

WHEREAS, the project will provide a source of employment within and an ongoing revenue source to the City of Parlier; and

WHEREAS, pursuant to PMC Section 18.40.040, the City Council has made the following findings, the evidence for said finding substantiated within the record:

1. The project complies with all provisions of the Zoning Ordinance.
2. The following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety are protected, and there will be no adverse effect on surrounding property:
 - a. Facilities and improvements.
 - b. Vehicular ingress, egress, and circulation.
 - c. Setbacks.
 - d. Height of buildings.
 - e. Location of service.
 - f. Walls.
 - g. Landscaping.
3. Proposed lighting is so arranged as to reflect the light away from adjoining properties.
4. Proposed signs will not by size, location, color, or lighting interfere with traffic or limit visibility.

NOW, THEREFORE BE IT RESOLVED as follows:

1. The Parlier City Council approves the regulatory permit allowing Genezen Parlier, LLC to conduct a commercial cannabis operation subject to the conditions detailed in Attachment "A" hereto; and
2. The Parlier City Council approves the site plan for APNs 358-390-34, -35, and -58 subject to the conditions detailed in Attachment "A" hereto.

The foregoing resolution was introduced and adopted at a special meeting of the City Council of the City of Parlier held on December 29, 2017 by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

City Clerk

Genezen Cannabis Operations Facility

As may be used herein, the words “owner,” “operator”, and “applicant” shall be interchangeable, excepting when the word is indicated in ***bold italics***. In that event, the condition of approval is specific to the entity named.

Regulatory Permit & Operations

1. This regulatory permit and the associated operation are subject to a disposition and development agreement (DDA) between the City of Parlier, Forebay Farms LLC, and Genezen Parlier LLC, which is attached hereto and incorporated herein. In the event of inconsistencies between the requirements of the DDA and the conditions of approval indicated herein, the provisions of the DDA shall control.
2. The operation shall comply with all provisions of the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) and City of Parlier Ordinance No. 2017-03 (Cannabis Control Ordinance).
3. Application materials originally provided for GZ1 LLC and GZ 2 LLC shall be consolidated into a single application package addressing the project as revised pursuant to agreement between the City and the applicant since initial submission. The facility and operations shall comply with the provisions of Items 00 through 2K as revised.
4. The *Cannabis Cultivation Campuses Draft Security Plan* dated November 6, 2017 shall be revised to account for project revisions since its submission and to the satisfaction of the City of Parlier Chief of Police.
5. ***Operator*** is authorized to conduct the following operations at the facility, as each is defined in the Cannabis Control Ordinance, with respect to both medicinal and adult-use cannabis:
 - a. Nursery
 - b. Cultivation
 - c. Processing
 - d. Manufacturing
 - e. Distribution
6. Each operator shall acquire and maintain a City of Parlier Business license, including payment of applicable business license fees.
7. Each operator shall pay the applicable regulatory license fee.
8. Onsite retail sale of cannabis and cannabis products is prohibited, and distribution to retailers shall not occur onsite or within the Parlier city limits.
9. General hours of operation shall be between 7:00 AM and 6:00 PM, with the exceptions of 24-hour onsite security and delivery/transportation services that may occur outside of normal business hours based on season. If, in the City’s determination, after-hours activities become excessive, the operator shall convene a meeting with the City to discuss alternatives.

Genezen Cannabis Operations Facility

10. Prior to use or production of hazardous materials or volatile chemicals, the operator shall provide the City of Parlier with ten (10) days' written notice.
11. The City will monitor the operation for violations of conditions of approval. Penalty for violation may include but is not limited to warnings, fines, and/or permit revocation.

Site Plan Review

General

12. This site plan provides for the development of Assessor's Parcel Numbers 358-390-34, -35, and -58 (Parcels 4, 5, and 9 of Parcel Map No. 04-03 – Book 64, Pages 40 & 41 of Parcel Maps, Fresno County Records). Use of the terms "facility" and "operation" refer to the overall development and use of the three above-named parcels. "Northern component" refers to the portion occupying APNs 358-390-34 and -35. "Southern component" refers to the portion occupying APN 358-390-58. Development of Assessor's Parcel Number 358-390-44 (Parcel 14 of Parcel Map No. 0403 – Book 64, Pages 40 & 41 of Parcel Maps, Fresno County Records), which may fall under the operational umbrella of the applicant as described in the DDA, shall be subject to independent site plan review and is not otherwise addressed in these conditions of approval.
13. Approval of this site plan shall be valid for a period not to exceed two (2) years from the date of approval unless a building permit for the facility described herein has been issued by the Building Department and construction is being diligently pursued. The owner may request an extension of up to one (1) additional year via written request to the Community Development Department submitted not less than thirty (30) days prior to expiration of the site plan approval. The pending expiration shall be tolled until such time as the City Council acts on the request for extension.
14. Development shall comply with all applicable provisions of the City of Parlier General Plan and the Parlier Municipal Code (PMC), including but not limited to: potable water protection regulations (Chapter 13.30), business licensing requirements (Title 5), and Building Code Standards (Title 15); the Subdivision Ordinance (Title 16); the Cannabis Control Ordinance (Chapter 18.55); the regulations of the applicable zone district(s) and other relevant portions of the Zoning Ordinance (Title 18); and the City of Parlier Standard Specifications and Standard Drawings, unless exceptions therefrom are approved by the City Engineer.
15. Use of the site shall conform to all applicable City requirements for the M-1 Manufacturing Zone District.
16. The site plan shall be revised to include location(s) of and distances to existing proximal offsite structures, dimensions of existing and proposed features, utilities, and other improvements, and dimensions from section line to property line.
17. If conveyance of Assessor's Parcel Numbers 358-390-34 and -35 to **owner** does not result in an effective merger of said parcels into a single new parcel containing both of their areas, approval of this site plan is contingent upon perfection by the **owner** of a lot line adjustment to merge Assessor's Parcel Numbers 358-390-34 and 35. Said lot line adjustment shall be perfected prior to issuance of a certificate of occupancy.

Genezen Cannabis Operations Facility

18. Construction drawings (building and improvement Plans; site, grading, irrigation, and landscaping) shall be submitted to the Community Development Department for review and approval. A building permit shall be acquired prior to start of any construction activities.
19. The applicant shall provide a grading plan prepared by a CA-licensed civil engineer for the review and approval of the City Engineer.
20. The applicant shall provide a geotechnical report prepared by a CA-licensed civil engineer for the review and approval of the City Engineer.
21. The applicant shall provide a landscaping and irrigation plan for the review and approval of the City Engineer. Landscaping shall be drought-tolerant, and the irrigation system shall be low-water-consumption, shall contain only drip or micro-spray irrigation, and shall comply with Gov. Code Section 65591, *et seq.*, the Water Conservation in Landscaping Act.
22. The applicant shall provide a lighting plan for the review and approval of the City Engineer. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on abutting rights-of-way.
23. The applicant shall consult with and shall comply with the requirements of the San Joaquin Valley Air Pollution Control District, including but not limited to compliance with Regulation VIII (Fugitive PM₁₀ Prohibitions) and Rule 9510 (Indirect Source Review).
24. The applicant shall consult with and shall comply with the requirements of the Fresno County Fire Protection District/CalFire, including but not limited to requirements related to sprinklers, fire hydrants, and fire access.
25. The developer shall comply with Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.98, 21083.2, and 21084.1 and related statutes regarding regulation of cultural and historical resources that may be discovered on the site.
26. Following any changes made to the site plan as a result of these conditions or other commentary, correspondence, or official requirement, the applicant shall submit a copy of the final site plan as revised to the Community Development Department for inclusion in the project file.
27. Prior to issuance of a certificate of occupancy, all conditions of approval shall be verified as complete by the Community Development Department, and any and all outstanding fees shall have been paid. Any discrepancy or difference in interpretation of the conditions between the owner/ applicant/ operator and the Community Development Department shall be subject to review and determination by the City Council.

Site

28. Development of the project site shall be in substantial conformance with the Preliminary Site Plan dated December 10, 2017 as attached hereto and incorporated herein, including all

Genezen Cannabis Operations Facility

facilities on Assessor's Parcel Numbers 358-390-34, -35, and -58. The City Planner shall determine the extent to which incremental or minor changes to the site plan, the landscape plan, and/or the operational statement meet this requirement.

29. All above-ground features including but not limited to lighting, fire hydrants, postal boxes, electrical and related boxes, and backflow devices shall be installed outside of the public-right-of-way. All on-site utilities shall be installed underground.
30. Hours of construction shall be limited to 6:00 AM to 7:00 PM, Monday through Saturday.
31. The project shall install and maintain parking spaces as follows: the northern component shall contain a minimum of fifteen (15) parking spaces, of which a minimum of one (1) shall be an ADA-accessible van space. The southern component shall contain a minimum of fifty-four (54) spaces, of which a minimum of three (3) shall be ADA-accessible spaces, including one (1) van-accessible space. ADA signage shall conform to current requirements. Parking spaces shall comply with City of Parlier Standard Drawing No. M-2. Reduced-length spaces may be allowed with the approval of the City Engineer to accommodate vehicle overhangs provided that abutting ADA paths of travel are not affected. Vehicle overhang into landscaped areas is allowed provided that landscaping treatments are not affected.
32. The project shall install permanent pavement for circulation and parking purposes as indicated on the site plan (i.e. in all locations intended for parking circulation, and loading). All areas vehicular circulation shall be a minimum of twenty (20) feet in width, with appropriate corner cut-offs as needed to accommodate vehicle turning movements. Paved areas shall comprise a minimum pavement section consistent with City of Parlier Standard Drawing No. ST-3 (2" A.C./4" Agg. Base), unless the geotechnical investigation indicates a heavier pavement section is necessary. For purposes of meeting slope requirements, and upon the approval of the City Engineer, surfacing for parking and movement areas (particularly those for ADA parking) may instead use Portland cement concrete.
33. The project shall install temporary gravel filters with minimum one- (1-) inch base rock at each construction entrance, extending across the entire entrance and a minimum of fifty-five (55) feet into the site.
34. Construction debris shall be contained within an on-site trash bin and the project site shall be watered for dust control during construction.
35. The applicant shall obtain an NPDES permit from the Regional Water Quality Control Board. The plan shall provide for the mitigation of soil erosion from the project site during the construction and warranty periods and shall be submitted to the City prior to the start of construction.
36. Drainage for the northern component shall be to E. Industrial Drive and shall utilize the existing inlet on the north side of E. Industrial Drive immediately east of its intersection with S. Milton Avenue. The portion of the southern component enclosed by the block wall shall drain to E. Milton Avenue; the landscaped area south of the block wall may drain to either E. Industrial

Genezen Cannabis Operations Facility

Drive or W. Milton Avenue. Drainage from the northern component shall utilize the existing inlet on the south side of E. Industrial Drive at its intersection with S. Milton Avenue.

37. The applicant shall provide calculations to the satisfaction of the City Engineer establishing whether sufficient capacity exists in the basin northwest of E. Industrial Drive and S. Milton Avenue. Costs associated with basin improvement requirements, if any, shall be credited against the Storm Drainage Development Impact Fee, although in no case shall the value of said credit exceed the amount of the fee.
38. Valley gutter construction shall be consistent with City of Parlier Standard Drawing No. ST-9 unless an alternate design is approved by the City Engineer.
39. Underdrain pipe, if applicable, shall be consistent with City of Parlier Standard Drawing No. D-6.
40. The masonry wall at the facility perimeter shall be 10 feet in height, capped, and earth-colored. All cells shall be grouted. Where not set back from a right-of-way or abutting parking and enhanced landscaped areas, the perimeter wall shall be placed on the property line. The boundary between the southern parking area and the abutting landscaping to the north extending from the Security 1 Building to the Water Treatment facility shall be delineated by a wrought-iron or tubular steel security fence of at least eight (8) feet in height. Other fencing locations and materials, if applicable, shall be subject to approval by the Community Development Department consistent with City of Parlier Standard Drawing Nos. M-3 through M-7.
41. Landscaping shall be installed along public rights-of-way and at additional locations visible from public rights-of-way:
 - a. The 10-foot setback areas between rights-of-way and the perimeter wall;
 - b. The approximately 30- to 35-foot-wide area between E. Industrial Avenue and the southern parking area; extending to and around the Security 1 building
 - c. The approximately 150-foot by 50-foot area at the northeast corner of E. Industrial Drive and S. Milton Avenue. In the event that additional parking is needed, up to one-half of this area may be converted to permanent parking area; and
 - d. Areas between opposing rows of parking.
 - e. Landscaping shall include parking lot trees at a ratio of one (1) tree per four (4) parking spaces. Trees required for the enclosed parking area on the northern component may be placed elsewhere on the site.
42. The applicant shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures (i.e., collection days and frequency). Construction of trash enclosures shall comply with City of Parlier Standard Drawing No. M-12, Type "E" or as determined by the City Engineer.
43. The owner/applicant shall comply with all relevant components of the California Building Standards Code and associated trade codes, including but not limited to issues related to restroom facilities, building occupancy limits, and fire prevention and safety.

Genezen Cannabis Operations Facility

44. All signage must be approved pursuant to the standards and guidelines of the Parlier Municipal Code prior to installation.
45. The owner/operator of the facility shall be responsible for the ongoing and long-term maintenance of required improvements and landscaping. As required by CA Streets and Highways Code Sections 5600-5630, this shall include curb, and gutter, and planter strip.

Utilities

46. The development shall at all times respect existing or new easements by, for, and between all private and public entities, including but not limited to the City of Parlier and the Consolidated Irrigation District.
47. It shall be the responsibility of the owner/developer to grant easements as necessary for the installation and maintenance of private utilities, including but not limited to: electricity, gas, telephone, and cable television.
48. The developer shall work with PG&E for the preparation of a utility plan, subject to review and approval by the City Engineer prior to approval of the improvement plans and prior to the start of construction. All work shall be completed such that no street surface need be reopened for service.
49. The water supply for the northern component shall be taken from either the existing 12-inch water main in E. Industrial Drive or the existing 12-inch water main in S. Milton Avenue. The water supply for the southern component shall be taken from the existing 12-inch water main in E. Industrial Drive. For each component, separate connections for process water, domestic water, landscaping irrigation, and fire supply shall be provided. The connections shall be made in accordance with City of Parlier standards and shall be consistent with the utilities plan approved by the City Engineer.
50. If, at the determination of the City Engineer based upon substantial evidence, the project results in an undue burden on the City's water system including but not limited to a reduction in pressure affecting fire flows, the project may be required to install or improve water production, delivery, storage, and/or pressure-enhancing infrastructure.
51. The applicant shall comply with the City of Parlier Cross-Connection Control Regulations contained within PMC Section 13.30. Consistent with these regulations one or more backflow prevention devices may be required.
52. Sanitary sewer service for the northern component shall be connected to either the existing 8-inch sewer line in E. Industrial Drive or the existing 12-inch sewer line in S. Milton Avenue. Sanitary sewer service for the southern component shall be connected to the existing 8-inch sewer line in E. Industrial Drive. The connections shall be made in accordance with City of Parlier standards and shall be consistent with the utilities plan approved by the City Engineer.
53. Irrespective of onsite treatment and/or recycling of wastewater, the applicant shall install a discharge sampling station. If, at the determination of the City Engineer, the project qualifies as

Genezen Cannabis Operations Facility

a significant industrial user, operation-specific wastewater rates shall be established. Criteria include process flows in excess of 25,000 gallons per day (GPD), contribution of more than five (5) percent of the hydraulic or pollutant loading at the publicly-owned treatment works (POTW), or having the reasonable potential to adversely affect the POTW.

Streets

54. Any work within the City of Parlier public right-of-way shall require an encroachment permit.
55. Any broken, damaged, or substandard curb, gutter, or pavement along the project frontages, or any of the above damaged during construction wherever located, shall be removed and replaced as directed by the City Engineer.
56. Drive approaches shall be installed consistent with City of Parlier Standard Drawing No. ST-16.
57. Gates at drive approaches shall either be sliding/rolling or designed to swing into the site, and shall be at least as wide as the throat of the drive approach.

Fees

This section does not address fees related to the Regulatory Permit, which are contained within the DDA and related documents.

58. Owner shall be responsible for payment of any and all outstanding planning, building, plan check, and engineering fees prior to issuance of a certificate of occupancy.
59. Concurrently with submission of improvement and/or building plans, the applicant shall deposit with the City of Parlier funds in an amount estimated by the City Engineer and/or Building Official, respectively, to be sufficient to offset costs to the City for review of such plans. In the event that such funds are not sufficient to cover costs to the City, the City Engineer and/or Building Official, as appropriate, shall contact the applicant to request additional funds, which the applicant shall then deposit with the City.
60. The applicant shall pay to the City of Parlier development impact fees consistent with the City's current Development Impact Fee Schedule (May 2014) as detailed herein. Fees shall be paid in full prior to issuance of a certificate of occupancy.

This space intentionally left blank.

Genezen Cannabis Operations Facility

CITY OF PARLIER GENEZEN DEVELOPMENT IMPACT FEES				
Fee	Unit Type	Units	Fee per Unit	TOTAL
City Management and General Services	AC	18.22	\$319.53	\$5,821.84
Public Safety	AC	18.22	\$319.53	\$5,821.84
Storm Drainage	AC	18.22	\$5,591.75	\$101,881.69
Wastewater Treatment ¹	EDU	8.33	\$1,834.11	\$15,278.14
Domestic Water ¹	EDU	8.33	\$2,156.84	\$17,966.48
Fire Flow ¹	EDU	8.33	\$1,078.40	\$8,983.07
Potable and Process Water ¹	EDU	8.33	\$1,078.40	\$8,983.07
City Parks ¹	EDU	8.33	\$559.18	\$4,657.97
Water Hook-up ²	EDU	368.96	\$400.19	\$147,654.10
Sewer Hook-up ²	EDU	368.96	\$615.65	\$227,150.22
Total				\$544,198.41

¹ EDUs based on 50 employees per shift.

² Water and Sewer Hook-up charge EDUs valued at 1,200 SF (442,752 SF/1,200 = 368.96 EDU).

61. The applicant shall be responsible for payment of fees to the Mendota Unified School District and shall provide the City with evidence of payment, or evidence of the District's determination that no payment is required, prior to issuance of a certificate of occupancy.
62. The applicant shall be responsible for payment of Fresno County Regional Transportation Mitigation Fees and Fresno County Public Facilities Impact Fees and shall provide the City with evidence of payment, or evidence of the County's determination that no payment is required, prior to issuance of a certificate of occupancy.

635.87'

40' TO PL

DRYING AND CULTIVATION

6 CULTIVATION

12 CULT

5 CULTIVATION

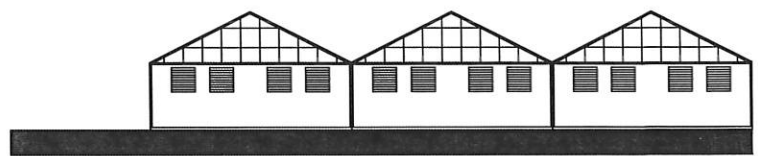
11 CULT

4 CULTIVATION

10 CULT

755.69' PL

672' BUILDING



FULL ELEVATIONS 1:20