

AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION TUESDAY, FEBRUARY 16, 2021 6:00 P.M.

Council Chambers, City Hall
212 S. Vanderhurst Avenue, King City, CA

**Teleconference and Conference call services will be available for the meeting.*

To join the meeting, select ONE of the options below:

1) Click on the following link:

<https://us02web.zoom.us/j/82866430635?pwd=SjVFOFILbkEzL2dxRVVsTCtvYUhrQT09>

2) Call the following number **+16699009128** and enter in
Meeting ID: 828 6643 0635

Passcode: 728553

1. CALL TO ORDER

2. FLAG SALUTE

3. ROLL CALL:

Planning Commission Members: Oscar Avalos, Paulette Bumbalough, David Mendez, Brett Saunders, and Chairperson David Nuck

4. PUBLIC COMMENTS

*Any person may comment on any item not on the agenda. **PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.** Action may not be taken on the topic, unless deemed an urgency matter by a majority vote of the Planning Commission. Topics not considered an urgency matter might be referred to City staff and placed on a future agenda, by a majority vote of the Planning Commission.*

5. PRESENTATIONS

None

6. CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine and may be approved by one action of the Planning Commission unless any member of the Planning Commission wishes to remove an item for separate consideration.

- A. Meeting Minutes of January 19, 2021 Planning Commission Meeting
Recommendation: Approve and file.

7. NON-PUBLIC HEARINGS

None

8. PUBLIC HEARINGS

- A. Project: Sun Street Centers Community Mural
- Applicant: Anna Foglia, Sun Street Centers
- Location: 641 Broadway St., King City, CA. 93930.
- Consideration: A Public Mural Conditional Use Permit for Sun Street Center to Paint Approximately 1,080 Square Feet of Mural on the Exterior Walls of 641 Broadway Street, King City, Ca 93930.
- Recommendations: Planning Commission adopt the Resolution and approve the Public Mural Conditional Use Permit Case No. CUP-210-006 for Sun Street Centers on the exterior walls of 641 Broadway Street.
- Environmental Determination: Staff has performed a preliminary environmental assessment of this project and has determined that it falls within the Categorical Exemption set forth in Class 11 Categorical Exemption set forth in CEQA Guidelines, Class 11 “consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to: (a) On-premises signs.” This project involves painting of a mural on an existing wall and involves no expansion of us. Therefore, the Categorical Exemption Class 11 set forth in the CEQA Guidelines, Section 15311, is deemed to apply to this project.

9. PLANNING COMMISSIONER REPORTS

10. DIRECTOR’S REPORT – Planning Commissioner’s Terms

11. WRITTEN CORRESPONDENCE

12. ADJOURN

UPCOMING REGULAR MEETINGS

MARCH 2021

March 2nd	6:00 p.m.	Planning Commission
March 8th	6:00 p.m.	Airport Advisory Committee
March 9th	6:00 p.m.	City Council
March 15th	5:00 p.m.	Recreation Commission
March 16th	6:00 p.m.	Planning Commission
March 23rd	6:00 p.m.	City Council

APRIL 2021

April 6th	6:00 p.m.	Planning Commission
April 12th	6:00 p.m.	Airport Advisory Committee
April 13th	6:00 p.m.	City Council
April 19th	5:00 p.m.	Recreation Commission (Canceled)
April 20th	6:00 p.m.	Planning Commission
April 27th	6:00 p.m.	City Council

ADT: Average daily trips made by vehicles or persons in a 24-hour period

ALUC: Airport Land Use Commission

AMBAG: The Association of Monterey Bay Area Governments. The AMBAG region includes Monterey, San Benito and Santa Cruz Counties, and serves as both a federally designated Metropolitan Planning Organization and Council of Government. AMBAG manages the region's transportation demand model and prepares regional housing, population and employment forecast that are utilized in a variety of regional plans.

APCD: Air Pollution Control District

AR: Architectural Review

BMP: Best Management Practice, Bike Master Plan

CAP: Climate Action Plan

CC&Rs: Covenants, Conditions, and Restrictions (private agreements among property owners; the City has no authority to enforce these)

CDBG: Community Development Block Grant (a federal grant program designed to benefit low and moderate income persons)

CEQA: California Environmental Quality Act

CFD: Community Facilities District

COG: A council of government, or regional council, is a public organization encompassing a multi-jurisdictional regional community. It serves the local governments by dealing with issues that cross political boundaries.

CUP: Conditional Use Permit

EIR: Environmental Impact Report

EIS: Environmental Impact Statement

Ex-Parte: Communication between Planning Commissioners and applicants outside of a public meeting

FEMA: Federal Emergency Management Agency

GHG: Greenhouse gas

HOME: Home Investment Partnership Act (a federal program to assist housing for low and moderate income households)

HCP: Habitat Conservation Plan

HCD: State Department of Housing & Community Development

HUD: U.S. Department of Housing and Urban Development

LAFCO: Local Agency Formation Commission

LID: Low Impact Development (measures to reduce rainwater runoff impacts)

LLA: Landscaping and Lighting District

LOS: Level of Service (a measurement of traffic efficiency used by Caltrans)

MMTC: A multimodal transit center includes a combination of alternative modes of transportation so people do not have to only rely on vehicles.

MMTC: Multi-modal Transit Center

MOU: Memorandum of Understanding

MND: Mitigated Negative Declaration

MPO: A metropolitan planning organization is a federally mandated and federally funded transportation policy-making organization, such as AMBAG, that is made up of representatives from local government to help implement transportation projects and projects.

Neg Dec: Negative Declaration (a CEQA statement that a project will not have a significant effect on the environment)

NEPA: National Environmental Policy Act

SLOCOG: San Luis Obispo Council of Government

SOI: Sphere of Influence.

TAMC: The Transportation Agency for Monterey County develops and maintains a multimodal transportation system for Monterey County. TAMC consists of local officials from each Monterey city (12 cities) and five (5) county supervisorial districts, and ex-officio members from six (6) public agencies.

TOT: Transient Occupancy Tax

Variance: A form of relief from zoning development regulations based on physical constraints of a property that prevents development of the same type of buildings allowed on other properties within the same zone and in the same neighborhood

VMT: Vehicle Miles Traveled

Planning Commission Minutes

January 19, 2021

1. Call to Order

Chair Nuck called the regular meeting of the Planning Commission of the City of King to order at 6:01 p.m.

2. Pledge of Allegiance

Chair Nuck led the Commission and audience in the Pledge of Allegiance.

3. Roll Call

Chairperson David Nuck X Oscar Avalos X (video conference)

Paulette Bumbalough X (video conference)

David Mendez X Brett Saunders X (video conference)

Staff present: Community Development Director, Doreen Liberto; Principal Planner, Scott Bruce (video conference); Executive Admin. Asst./Deputy City Clerk/ Planning Secretary, Erica Sonne

4. Public Comments

None

5. Chair and Vice Chair

Brett Saunders nominated David Nuck for Chair, Mr. Nuck accepted the nomination on a motion by Commissioner Saunders and a second by Commissioner Bumbalough motion carried 5-0.

Commissioner Saunders nominated Commissioner Mendez; Commissioner Mendez nominated Commissioners Saunders. Commissioner Mendez stated let Brett have it. Commissioner Saunders accepted the nomination. On a motion by Commissioner Mendez and a second by Commissioner Bumbalough motion carried 5-0.

6. Consent Calendar

All matters listed on the Consent Calendar are considered routine and may be approved by one action of the Planning Commission unless any member of the Planning Commission wishes to remove an item for separate consideration.

A. Approval of Minutes: October 20, 2020

Action: Motion made by Commissioner Saunders to approve minutes of October 20, 2020. Seconded by Commissioner Mendez. Motion carried 5-0.

7. NON- PUBLIC HEARINGS –

None

Commissioner Saunders recused himself from the meeting and left the zoom feed, due to a conflict.

8. PUBLIC HEARINGS

- | | |
|-------------|--|
| A. Project: | Include a commercial kitchen in an existing facility to prepare cannabis infused beverages |
| Applicant: | Nebula Management/Lehua Brands International, dba Golden State Sciences (GSS) |

Location: 190 E. San Antonio, King City, CA. 93930

Consideration: Conditional Use Permit Case No. CUP-200-258 (amending original CUP-2016-011)

Recommendations: Planning Commission: 1) review request for Conditional Use Permit, 2) receive public comment, and 3) adopt the attached Resolution 2021-286.

Environmental Determination: Staff has performed a preliminary environmental assessment of this project and has determined that it falls within the addressed Mitigated Negative Declaration ("MND") approved by the City Council as part of the Zoning Code Amendments approved September 27, 2016. The project also qualifies as a Class 1 Categorical Exemption set forth in CEQA Guidelines, Section 15301 (Existing Facilities).

Principal Planner Scott Bruce introduced this item with a PowerPoint presentation. Applicant Doug Berchtold spoke about who they are and that they are owned by Lehua Brands Limited. Chief Science Officer Randy Reed further introduced this item with a video of the process and equipment.

Chair Nuck opened the public hearing,

Mindy Hunt had a question on the flow sheets and would like them forwarded to her. She wanted to know where the retail sales will be. Mr. Berchtold stated through out California not currently in King City as it has to go through a dispensary. Ms. Hunt asked about the waste and where it was going. Mr. Reed stated that it was like lawn clippings and it is mixed with kitty litter and disposed of that way and is on camera.

Chair Nuck closed the public hearing.

Motion by Commissioner Avalos to adopt the attached Resolution 2021-286. Commissioner Mendez seconded. Motion carried 4-0.

Commissioner Saunders returned to the zoom feed for the rest of the meeting.

9. Regular Business- None

10. Planning Commission Report – Brett is selling for the Young Farmers Cabbage and Corn beef tickets \$20 on March 12, 2021 Salinas Valley Fairgrounds take out.

11. Director Reports-

a. Update on the General Plan – 4 Grants were received for. 3 for Housing Element and 1 for Regional housing, homeless, affordable housing programs. Land use element update is being worked on currently. Should be coming forward to the Planning Commission in spring. Update the open space and conservation element at the same time according to the law.

b. Update on Phase 1 of the Multi-Modal Transportation Center (MMTC) RailPros working on design of the temporary platform for the MMTC so that the Coast Daylight can stop here in King City. AMTrak has been working with us as well as Fort Hunter Liggett staging area for the troops and possible equipment delivery. City Engineer Hurtado explained that they are working with Union Pacific and coordinating with Downtown addition, however it will take lots of work to get approval to close Pearl Street crossing and open Broadway crossing.

c. Update on the Mills Ranch Central Community Park (City Council Determination) Council listened to public comment. They will not go forward with park reducing the size of the park. Staff is looking into Park concepts that would reduce maintenance cost. That

should be coming up in March or April. It should go to the Parks and Recreation Commission prior to going to the Planning Commission.

12. Written Correspondence– None

13. Adjournment

There being no further business, the Planning Commission meeting was adjourned by Chair Nuck at 6:51p.m.

David Nuck
Planning Commission Chairperson
City of King

Erica Sonne
Planning Commission Secretary
City of King



Item 8(A)

REPORT TO THE PLANNING COMMISSION

DATE: FEBRUARY 16, 2021

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

BY: MARICRUZ AGUILAR, ASSISTANT PLANNER

RE: CONSIDERATION OF A PUBLIC MURAL CONDITIONAL USE PERMIT FOR SUN STREET CENTER TO PAINT APPROXIMATELY 1,080 SQUARE FEET OF MURAL ON THE EXTERIOR WALLS OF 641 BROADWAY STREET, KING CITY, CA 93930.

RECOMMENDATION:

It is recommended Planning Commission adopt the attached Resolution and approve the Public Mural Conditional Use Permit Case No. CUP-210-006 for Sun Street Centers on the exterior walls of 641 Broadway Street.

PROJECT SUMMARY:

Anna Foglia, Sun Street Centers (**“Applicant”**) submitted a sign permit application on **January 11, 2021**. The proposed rendering designed by King City youth will include a family setting with a variety of flowers and a windmill, etc., each representing core values selected by the students that represent history, school, support, independence, and family. (Reference **Figure 2**.) The colors are a mix of blues and yellows and greens similar to a spring setting. The mural will be painted by youth and organized by the Arts Council for Monterey. The project site is located within the Highway Service Commercial (**“H-S”**) zoning district and within the Highway Service Commercial (**“HSC”**) General Plan Land Use designation.



The mural will be painting on two walls facing Mildred Avenue. The building area has a stairway and windows. The mural will be painted to blend in with the stairway. The first wall is 20 feet in height and 16.5 feet wide. The second wall is 25 feet high and 30 feet wide. The combined total is 1,080 square feet mural. (Reference **Table No. 1 – Dimensions and Figure 1 – Mural Location**.)

TABLE NO. 1 - DIMENSIONS

Mural	Location	Height	Width	Square Feet
1	Mildred Avenue	20 feet	16.5 feet	330 square feet
2	Mildred Avenue	25 feet	30 feet	750 square feet
			Total Square Feet	1080 square feet

FIGURE 1 – LOCATION



DISCUSSION:

The property is within the Highway Service Commercial (“**H-S**”) zoning district and within the Highway Service Commercial (“**HSC**”) General Plan Land Use designation. Murals are regulated by Chapter 17.55 of the King City Municipal Code. Chapter 17.55 requires the Planning Commission conduct a public hearing, review and approval murals over twenty (20’) square feet in area. The proposed mural is approximately 1,080 square feet in area. A public hearing notice was published on **February 3, 2021** in the South County Newspaper *The Rustler* and notices were sent to property owners within three-hundred (300’) feet of the project site.

For approval of a public mural sign permit, the Planning Commission must make the following findings:

- (1) Mural's size, colors, and placement are visually compatible with the structure architecture;
- (2) Mural serves to enhance the aesthetics of the city; and
- (3) Mural illustrates the local history or natural resources or assets of the city and region.

ANALYSIS:

The applicant has presented a draft rendering of the mural with the application. (Reference **Figure 2**.) The mural was designed by local students and they identified different types of flowers that represent their values of history, school, support, independence, and family.

FIGURE 2 – PROPOSED MURAL



Staff has reviewed the draft renderings to meet the required findings of fact as outlined below:

- 1) Mural's size, colors, and placement are visually compatible with the structure architecture;

Staff Comment: The mural uses lively spring colors that brighten up the current brown scheme of the building. It will have some view from Broadway Street but most prominent view would be from Mildred Avenue. The mural would complement the structure and the surrounding area.

- 2) Mural serves to enhance the aesthetics of the city; and

Staff Comment: The city is in support of community murals. This is the third community mural to be processed for the city. The image is a compilation of what the city means to the students and the values of history, school, support, independence, and family.

- 3) Mural illustrates the local history or natural resources or assets of the city and region.

Staff Comment: The mural was designed by local students and incorporated a windmill to represent the local history and garlic to represent the local crop.

ENVIRONMENTAL DETERMINATION:

Staff has performed a preliminary environmental assessment of this project and has determined that it falls within the Categorical Exemption set forth in Class 11 Categorical Exemption set forth in CEQA Guidelines, Class 11 "consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to:

(a) On-premise signs." This project involves painting of a mural on an existing wall and involves no expansion of use. Therefore, the Categorical Exemption Class 11 set forth in the CEQA Guidelines, Section 15311, is deemed to apply to this project.

COST ANALYSIS:

The fees for this sign permit have been waived as this is a community benefit project.

ALTERNATIVES:

The following alternatives are provided for Planning Commission consideration:

1. Approve the Mural Permit for CUP-210-006;
2. Make recommendations for modification as deemed appropriate by the Planning Commission; or
3. Provide other direction to staff.

Exhibits:

1. Findings of Fact
2. Resolution No. 287

3. Conditions of Approval
4. Mural Renderings

Prepared by: Maricruz Aguilar
Maricruz Aguilar, Assistant Planner

Approved by: MLT FOR Doreen Liberto
Doreen Liberto-Blanck, AICP, Community Development Director

EXHIBIT 1
Findings of Fact

The purpose for making Findings of Facts to *"bridge the analytical gap between the raw evidence and ultimate decision"*. The Municipal Code gives the Planning Commission ("**Commission**") the authority to approve a project so long as the Commission can make certain findings. Written "findings of fact" are required in order to support the decision of the hearing body to approve or deny a project.

Sign Permit Findings

Municipal Code §17.55.040(A) allows the Commission to review request for all murals that exceed twenty (20') square feet in area.

- 1) The mural's size, colors, and placement are visually compatible with the structure architecture. The mural uses lively colors that brighten up the brown paint scheme of the building. It will have visibility from Broadway Street, but most prominent view would be from Mildred Avenue. The mural would complement the structure and the surrounding area.
- 2) The mural serves to enhance the aesthetics of the city. The city is in support of community murals. This is the third community mural to be processed for the city. The image is a compilation of what the city means to the students and the values of history, school, support, independence, and family.
- 3) The mural was designed by local students and incorporated a windmill to represent the local history and garlic to represent the local crop.
- 4) This project involves painting of a mural on an existing wall and involves no expansion of use. Therefore, the Categorical Exemption Class 11 set forth in the CEQA Guidelines, Section 15311, is deemed to apply to this project.

EXHIBIT 2

RESOLUTION NO. 2021-287

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KING,
APPROVING A PUBLIC MURAL CONDITIONAL USE PERMIT CASE NO. CUP-210-
006 FOR SUN STREET CENTER ON THE EXTERIOR WALLS OF 641 BROADWAY
STREET, KING CITY, CA 93930**

WHEREAS, on **January 11, 2021**, Sun Street Center filed an application for a Conditional Use Permit for a public mural on the exterior wall of 641 Broadway Street, King City, CA 93930; and

WHEREAS, pursuant to the California Environmental Quality Act ("**CEQA**") Guidelines Section 15311, Class 11, exempts on-premises signs and the project involves painting a mural on an existing wall with no expansion of use; and

WHEREAS, a public hearing notice was published on **February 3, 2021** in the South County Newspaper *The Rustler* and notices were sent to all property owners within three-hundred feet (300') of the Project; and

WHEREAS, on **February 16, 2021**, the Planning Commission ("**Commission**") held the public hearing for the project; and

WHEREAS, the proposed mural has been reviewed and all information, whether written or oral, presented during the public review period, has been considered by the Commission; and

WHEREAS, the Commission of the City of King, California, met at the duly noticed public hearing on **February 16, 2021**, at which time all interested persons were given the opportunity to be heard; and

WHEREAS, the Commission makes the followings Findings of Facts:

- 1) The mural's size, colors, and placement are visually compatible with the structure architecture. The mural uses lively colors that brighten up the brown paint scheme of the building. It will have visibility from Broadway Street, but most prominent view would be from Mildred Avenue. The mural would complement the structure and the surrounding area.
- 2) The mural serves to enhance the aesthetics of the city. The city is in support of community murals. This is the third community mural to be processed for the city. The image is a compilation of what the city means to the students and the values of history, school, support, independence, and family.

- 3) The mural was designed by local students and incorporated a windmill to represent the local history and garlic to represent the local crop.
- 4) This project involves painting of a mural on an existing wall and involves no expansion of use. Therefore, the Categorical Exemption Class 11 set forth in the CEQA Guidelines, Section 15311, is deemed to apply to this project.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Planning Commission of the City of King approves Mural Permit Case No. CUP-210-006, attached as **Attachment 1**, for the public mural sign permit on the exterior wall of 641 Broadway Street, King City, CA 93930 as presented on **February 16, 2021**.

This resolution was passed and adopted this 16th day of February 2021, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

DAVID NUCK, CHAIRPERSON

ATTEST: _____
ERICA SONNE, SECRETARY TO THE PLANNING COMMISSION

EXHIBIT 3

CUP-210-006
641 BROADWAY STREET

CONDITIONS OF APPROVAL

Community Development Department (The applicant should discuss the following conditions of approval ("**COA**") with Maricruz Aguilar-Navarro, 831-386-5916, if there are any questions.)

The following conditions of approval ("**COA**") and requirements do not relieve the applicant or applicant's agents, of any discrepancies, errors or omissions regarding the intended use. Any permit or license of any type issued by any department or officer of the city, issued in conflict with the provisions of the City of King Municipal Code, is declared to be null and void. The following COA shall be included on all documents (e.g., construction plans, building plans). It is the responsibility of the application to verify that the COA are included on said documents.

Community Development Department Conditions (The applicant should discuss the following conditions of approval (COA) with Maricruz Aguilar, (831) 386-5916, if there are any questions.)

1. **Project Description:** Case No. CUP-210-006 is a request for a Conditional Use Permit to paint a public mural at 641 Canal Street, King City, CA 93930. The property is located in the Highway Service Commercial ("**H-S**") Zoning District and Highway Service Commercial ("**HSC**") General Plan Land Use Designation, and shall be constructed in accordance with the **Findings of Fact**, pursuant to **Exhibit 3** and as approved by the Planning Commission on **February 16, 2021**.
2. **Approval Period:** The approval period for this permit shall be in accordance with the approved drawings and sketches and shall be null and void if not used within one (1) year from the date of the approval. The approval shall immediately expire in reliance thereon shall be deemed cancelled and revoked.
3. **Changes:** Mural shall be in substantial conformance with the plans and conditions of approval presented to and approved by the Planning Commission in connection with the project. No conditions, colors, materials or architectural features shall be eliminated, added or modified without review by the Community Development Department review and action. Minor modifications may be reviewed by the Community Development Director. Major changes would require review by the Planning Commission.
4. **Anti-graffiti sealant:** The mural shall be coated with anti-graffiti sealant to protect the artwork. Any graffiti on the property needs to be removed by following the standards of Municipal Code Chapter 7.36.070.
5. **Hold Harmless Clause:** To the furthest extent allowed by law, the applicant shall indemnify, hold harmless and defend City and each of its officers, officials, employees, consultants, agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, damages and costs (including attorney's fees, litigation expenses and administrative record

preparation costs) arising from, resulting from, or in connection with any Third Party Action (as hereinafter defined). The term "Third Party Action" collectively means any legal action or other proceeding instituted by (i) a third party or parties, or (ii) a governmental body, agency or official other than the City, that: (a) challenges or contests any or all of these conditions of approval or any approval associated with entitlements associated with the project (collectively "Approvals"); or (b) claims or alleges a violation of CEQA or another law in connection with the Approvals by the City, or the grant, issuance or approval by the City of any or all approvals. The applicant's obligations under this paragraph shall apply regardless of whether City or any of its officers, officials, employees, consultants, agents or volunteers are actively or passively negligent, but shall not apply to any loss, liability, fines, penalties forfeitures, costs or damages caused solely by the active negligence or willful misconduct of the City or any of its officers, officials, employees, agents or volunteers. The provisions of this paragraph shall survive any termination, revocation, overturn, or expiration of an approval.

The nature and extent of the applicant's obligations to indemnify, defend and hold harmless the City with regard to events or circumstances not addressed in the preceding paragraph shall be governed by this paragraph. To the furthest extent allowed by law, the applicant shall indemnify, hold harmless and defend City and each of its officers, officials, employees, consultants agents and volunteers from any and all loss, liability, fines, penalties, forfeitures, costs and damages (whether in contract, tort or strict liability, including but not limited to personal injury, death at any time and property damage) incurred by City, the applicant or any other person, and from any and all claims, demands and actions in law or equity (including attorney's fees and litigation expenses), arising or alleged to have arisen directly or indirectly out of performance authorized or required by the approvals, requirements (including any mitigation measures) related to CEQA, or the performance of any or all work to be done by the applicant or its contractors, agents, successors and assigns pursuant to the approvals (including, but not limited to any design, construction and/or ongoing operation and maintenance of off-site improvements, if any, unless and until such off-site improvements are dedicated to and officially accepted by the City). The applicant's obligations under the preceding sentence shall apply regardless of whether City or any of its officers, officials, employees, consultants or agents are passively negligent, but shall not apply to any loss, liability, fines, penalties, forfeitures, costs or damages caused by the active or sole negligence, or the willful misconduct, of City or any of its officers, officials, employees, consultants agents or volunteers. If the applicant should subcontract all or any portion of the services to be performed pursuant to the approvals, the applicant shall require each subcontractor to indemnify, hold harmless and defend City and each of its officers, officials, employees, consultants, agents and volunteers in accordance with the terms of this paragraph. The provisions of this paragraph shall survive any termination, revocation, overturn, or expiration of an approval.

Conditional Use Permit Conditions Agreement:

The conditional use permit is **not** valid until all Conditions of Approval ("**COA**") and mitigated measures imposed by the City are signed for and agreed to by the applicant.

I have received a copy of the conditions of approval and mitigated measures and agree with them. I understand that if I do not abide by them the Planning Commission has the authority to revoke the permit, pursuant to the Municipal Code. (*Reference Municipal Code §17.64.*)

Applicant Signature: _____ Date: _____

EXHIBIT 4

Illustration of Proposed Mural Location & Mural Design



SUN STREET CENTER

KING CITY, CALIFORNIA

