

EXHIBIT A

CITY OF CLEARLAKE CONDITIONS OF APPROVAL CONDITIONAL USE PERMIT, CUP 2026-02 CATEGORICAL EXEMPTION, CE 2026-02

Pursuant to the approval of the Planning Commission on April 7th 2026, a Conditional Use Permit (CUP 2026-02) and corresponding Categorical Exemption (CE 2026-02) are hereby granted to Cindy Nuno to allow a the **development and operation of a drive-up recycling center for California CRV materials** located at **2450 Ogulin Canyon Road, California 95422, further described as Assessors Parcels Number 010-044-11**. This approval is subject to the following terms and conditions.

SECTION A - GENERAL CONDITIONS:

1. The use shall substantially conform to the site plan(s), and project description submitted with the application dated January 29th, 2026, and any conditions of approval imposed by the above Conditional Use Permit and Review Authority as shown on the approved site plan and project description for this action dated January 29th, 2026.
2. **Prior to operation**, the applicant shall secure and maintain required permits from the Lake County Air Quality Management District, the City of Clearlake, Lake County Fire Protection District, Lake County Environmental Health Department, and/or all applicable Federal, State and local agencies.
3. **Prior to operation**, all driveways and parking areas shall be surfaced with all-weather material, such as asphalt or concrete (or similar approved material) to minimize dust. The applicant shall obtain all necessary encroachment permits for any work conducted within the public right-of-way and all improvements shall comply with all applicable federal, state, and local requirements.
4. **Prior to Operation**, all cargo/shipping containers (if applicable) shall adhere to the following requirements (Section 18-19.180 of City Municipal Code):
 - *Shall be visually screened from residential areas if located within 100 feet of a residential zone or if located within a known scenic corridor. Said screening includes but is not limited to buildings, fencing, landscaping, walls, wood/decorative siding/cladding and a roof*
 - *Shall not be stacked.*
 - *Shall not occupy any required parking spaces, landscaped area or pedestrian access (may occupy parking areas if there is sufficient parking and they don't preclude safe access).*
 - *Shall be painted a uniform color on the project site approved by the Community Development Director or their designee.*
 - *Shall be equipped with a mechanical latch to hold the door in an open position or equipped with a mechanism to unlock the door from the inside when the structure is occupied*
 - *Shall be maintained free of graffiti.*
 - *Shall not be used for human habitation.*
 - *Shall not have separate sewer, water or electrical services except for needed lighting purposes.*
5. **Prior to Operation**, the installation of the wright iron fence and gates shall be installed as described in the application package dated January 29th, 2026. All fencing shall adhere to the City's Adopted Design Standards and City Municipal Code requirements.
6. **Prior to Operation**, the applicant shall apply for and maintain an active Business License with the City. Said license may be applied for through the Online Permitting System at <https://clearlakeca.portal.opengov.com/> and shall be renewed annually.

7. **Prior to the installation of any signage**, the applicant shall apply for and secure a Sign Permit. All signs shall adhere to the City Municipal Codes and Adopted Design Standards.
8. The operation shall adhere to all requirements in Chapter 18, Section 18-22 (Performance Standards) of the City Municipal Code (*i.e. Noise, Vibrations, Air Containments, Odors, Solid Waste, Flammable Material, etc.*).
9. All outdoor lighting shall be directed downward and shielded to illuminate only the project site, not adjacent properties. All lighting shall comply with applicable federal, state, and local requirements, including the standards outlined by DarkSky.org
10. Any conditions established pursuant to these regulations shall be met before the use is established, except that the Community Development Director/designee, Planning Commission or on appeal, the City Council, may establish a schedule for certain conditions to be met after the establishment of the use. Continuance of the use shall then be contingent on complying with the schedule for meeting the deferred conditions.
11. This Conditional Use Permit does not abridge or supersede the regulatory powers and permits requirements of any federal, state, or local agency requirements, which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain and maintain permits as may be required from each agency.
12. The operator shall be responsible for paying all sales, use, business and other applicable taxes, and all licenses, registration, and other fees and permits required under federal, state, and local laws.
13. The applicant is responsible for ensuring that all employees including third party vendors are informed of, understand, and agree to abide by the approved plans and project conditions.
14. All conditions are necessary to protect the general health, safety and welfare of the public. If any condition of this entitlement is held to be invalid by a court, the whole entitlement shall be invalid. The Director specifically declares that it would not have approved of this entitlement unless all of the conditions herein are held as valid.
15. The review authority may revoke or modify the Conditional Use Permit if the review authority finds that the use to which the permit allows is detrimental to health, safety, comfort, general welfare of the public; constitutes a public nuisance; if the permit was obtained or is being used by fraud; and/or if one or more the conditions upon which a permit was granted are in noncompliance or have been violated. Applicant shall be notified of potential violations of the use permit prior to action.
16. Any modifications and/or additions to a use requiring permit approval shall itself be subject to permit approval. The addition of an allowed use to a premise occupied by a conditionally allowed use shall require permit approval of the type required for the existing use. The Community Development Director shall determine when such an addition and/or modification is of such a minor or incidental nature that the intent of these regulations can be met without further use permit control.
17. This permit does not abridge or supersede the regulatory powers and permit requirements of any federal, state, or local agency requirements, which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain and maintain permits as may be required from each agency.
18. The use permit may be transferred to new owners at the same location/use upon notifying the Community Development Department of said ownership transfer and upon the new owner's written agreement to maintain all conditions of approval.

19. The developer/operator shall agree to indemnify, defend, and hold harmless the City or its agents, officers and employees from and against any and all claims, actions, demands or proceeding (including damage, attorney fees, and court cost awards) against the City or its agents, officers, or employees to attach, set aside, void, or annul an approval of the City, advisory agency, appeal board, or legislative body concerning the permit or entitlement when such action is brought within the applicable statute of limitations. In providing any defense under this Paragraph, the applicant, business operator, property owner, developer shall use counsel reasonably acceptable to the City. The City shall promptly notify the applicant, business operator, property owner, developer of any claim, action, demands or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the developer/operator of any claim, action, or proceeding, or if the City fails to cooperate fully in the defense, the developer/operator shall not thereafter be responsible to defend, indemnify, or hold the City harmless as to that action. The City may require that the developer/operator post a bond, in an amount determined to be sufficient, to satisfy the above indemnification and defense obligation. The developer/operator understands and acknowledges that City is under no obligation to defend any claim, action, demand or proceeding challenging the City's actions with respect to the permit or entitlement.
20. Said Conditional Use Permit shall be subject to revocation or modification by the review authority if the review authority finds that there has been:
- *Noncompliance with any of the foregoing conditions of approval; or*
 - *The City Manager/Community Development Director finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to persons or property in the neighborhood of the use. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to the City of Clearlake Municipal Code.*
 - *The Planning Commission finds that the use for which this permit is hereby granted is so exercised as to be substantially detrimental to people or property in the neighborhood of the use. Any such revocation shall be preceded by a public hearing noticed and heard pursuant to the City of Clearlake Municipal Code. 15.*
 - *Expiration of Use Permit. When a use that was allowed by approval of a use permit ceases operation for one (1) year or such other time-period as specified in the conditions of approval, then reinstatement of that use will be allowed only with approval of a new use permit.*

To be Completed by Authorized Representative/Applicant

ACCEPTANCE

I have read and understand the foregoing Conditional Use Permit and agree to each term and condition of approval and/or mitigation measure(s) thereof.

Name: _____

Signature: _____

Date: _____

To Be Completed by City Authorized Personnel

Name: _____

Signature: _____

Title: _____

Date:
