

**CITY OF HAYWARD PLANNING COMMISSION
PROPOSED CANNABIS MICROBUSINESS WITH DELIVERY,
DISTRIBUTION, AND MANUFACTURING ACTIVITIES
GREEN GRIZZLY AT 2416 RADLEY COURT UNIT 3
CONDITIONAL USE PERMIT APPLICATION NO. 201901980**

DRAFT CONDITIONS OF APPROVAL

GENERAL

1. The approval of Conditional Use Permit No. 201901980 shall be limited to the operation of a commercial cannabis microbusinesses with delivery, distribution, and non-volatile Level 1 manufacturing activities operation within an existing industrial 1,736 square-foot industrial tenant space located at 2416 Radley Court, Unit #3.
2. The cannabis microbusiness facility with delivery, distribution, and manufacturing activities shall operate according to these conditions of approval and the business plan on file with the Planning Division, including the hours of operation, intensity of use and mode/character of the proposed microbusiness operation unless further restricted by the Conditions of Approval herein. Any future change or modification of the operational plan and/or any expansion of the approved use may require the submittal of a new use permit application and commercial cannabis permit and shall be subject to additional review and approval by the City prior to any change, modification, or expansion.
3. The applicant shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
4. The applicant, property owner or designated representative shall allow the City's staff to access the property for site inspection(s) to confirm all approved conditions have been completed and are being maintained in compliance with all adopted city, state and federal laws.
5. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City and agreed to by the applicant, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City's requirement for full compliance may require minor corrections and/or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were pulled to construct the project. The applicant acknowledges that the conditions set forth in this approval are not intended to supersede any obligations imposed pursuant to Chapter 6, Article 14 of the Hayward Municipal Code related to commercial cannabis permits, as it may be amended from time to time.
6. All outstanding fees owed to the City, including permit charges and staff time spent processing, or associated with the development review of this application shall be paid in full prior to any consideration of a request for approval extensions and/or the issuance of a building permit.

7. The applicant shall take all reasonable steps to discourage and correct conditions that constitute a public or private nuisance in parking areas, sidewalks, alleys, and areas surrounding a permitted facility. Such conditions include but are not limited to smoking; creating a noise disturbance; loitering; littering; and graffiti. Graffiti must be removed from property and parking lots within 72 hours of discovery.

Operational

8. The commercial cannabis microbusiness operation shall be subject to and comply with the regulations and standards of Chapter 6, Article 14 (Commercial Cannabis Businesses) and Chapter 10, Article 1, Section 10-1.3600 (Cannabis) of the Hayward Municipal Code.
9. The commercial cannabis distribution operation shall be subject to and comply with the Bureau of Cannabis Control (BCC) California Code of Regulations Title 16, as amended, and all other pertinent State and Local regulations unless otherwise further restricted by these Conditions of Approval and/or the Hayward Municipal Code.
10. There shall be no display of cannabis goods and/or cannabis related products visible to the general public at the licensed premises. The establishment shall not display any cannabis related paraphernalia that may be used to administer commercial cannabis and/or commercial cannabis products.
11. Hours of Operation. The commercial cannabis distribution operation may perform deliveries between the hours of 6 a.m. and 10 p.m. Pacific Standard Time (PST), seven days a week; however, manufacturing and distribution activities shall cease at 8 p.m. PST daily. Upon license renewal, the City may impose more restrictive hours of operation due to site specific conditions or as the result of excessive and/or extraordinary calls for service, as determined by the City's Police Department.
12. Batch Testing and Required Sampling. The permittee shall ensure that all proper testing and sampling of cannabis related products is conducted in accordance with the procedures and standards of Bureau of Cannabis Control.
13. Permittees shall have an on-site manager at each permitted facility within the City of Hayward who is responsible for overall operation during times that employees are conducting operations and shall provide the City with contact information for all such persons, including telephone number and email address. Permittees shall also provide the City with the name and contact information including phone number of at least one manager that can be reached 24-hours a day.
14. Permittees shall employ only persons at least 21 years of age at any permitted facility within the City of Hayward. Employee records shall be kept and maintained, and proof of age shall be provided to the City upon request. No person under the age of 21 years old shall be in a commercial vehicle or trailer transporting cannabis goods.
15. The operator shall maintain a current register of the names of all employees employed by the Commercial Cannabis establishment and shall disclose such register for inspection by any City officer or official for purposes of determining compliance with the requirements of this section.
16. Upon returning to the business location, the delivery/ distribution driver and a manager shall reconcile the manifest, distribution log, remaining inventory, and all money received.

17. Prior to engaging in distribution or delivery operations, and at any time during normal business hours, each distribution vehicle shall be inspected and approved by the Chief of Police or his/her/their designee(s).
18. Only employees of the licensee and other authorized individuals shall be allowed access to enter the licensed premises. Authorized individuals may include employees, outside vendors, scheduled deliveries and/or contractors, but shall not include the general public.
19. The premises shall be prohibited from conducting on-site sales of cannabis products and cannabis/tobacco paraphernalia/accessories.
20. Distribution activities shall operate in accordance with the Section 5311 (Requirements for the Transportation of Cannabis Goods), as amended and/or updated. Cannabis goods shall only be transported inside of a vehicle or trailer and shall not be visible or identifiable from outside of the vehicle or trailer. Transportation by means of aircraft, watercraft, drone, rail, human powered vehicle, or unmanned vehicle is prohibited.
21. On-site consumption of cannabis and cannabis products by customers or employees shall be prohibited. Consumption of cannabis and cannabis products for qualified patients shall be subject to the standards of Section 10-1.3607(e) of the Hayward Municipal Code.
22. The commercial cannabis distribution operation shall provide the Police Department with information regarding any motor vehicle used for the delivery of cannabis goods, including the vehicle's make, model, color, vehicle identification number (VIN), license plate number and Department of Motor Vehicles registration information. Vehicles shall be registered with the Hayward Police Department.
23. Any motor vehicle used by the licensed distribution operator to deliver cannabis goods is subject to inspection by the Hayward Police Department. Vehicles used for delivering cannabis may be stopped and inspected by the Hayward Police Department at any licensed premises or during delivery.
24. The applicant shall take all reasonable steps to discourage and correct conditions that constitute a public or private nuisance in parking areas, sidewalks, alleys and areas surrounding a permitted facility. Such conditions include but are not limited to: smoking; creating a noise disturbance; loitering; littering; and graffiti. Graffiti must be removed from property and parking lots under the control of the permittee within 72 hours of discovery.
25. All loading and unloading of delivery and distribution vehicles shall occur inside the building, and all delivery and distribution vehicles shall not be parked or remain idle within public right of way.
26. The applicant shall provide a detailed Community Benefits program and coordinate the implementation of the proposed Community Benefits program with City staff within six months from use permit approval. The applicant will be subject to annual review and verification on the implementation of the approved Community Benefits program prior to permit renewal.

27. The proposed cannabis use shall operate in a manner to prevent possible diversion of cannabis and shall promptly comply with any track and trace program established by the State.
28. The applicant shall notify the City if it intends to transfer any portion of ownership or operational control of a Commercial Cannabis Business and shall complete the New Owner/Investor Application Attestation Form as provided by the City. All new owners/investors are subject to the LiveScan fingerprint background check and the transferee shall be responsible for complying with all applicable local and state licensing requirements. Any conditions imposed upon the transferor by the original use permit shall be binding upon any subsequent transferees. Any transfer of ownership or operational control of a Commercial Cannabis Business which results in a lapse of normal operations for a period of six months or more shall be required to obtain a new use permit and/or commercial cannabis permit, consistent with Sections 10-1.3170 or 10-1.3270 of the Hayward Municipal Code, as applicable.
29. The applicant shall utilize only extraction processes that are (a) solvent-free or that employ only non-flammable, nontoxic solvents that are recognized as safe pursuant to the federal Food, Drug, and Cosmetic Act, and/or (b) use solvents exclusively within a closed loop system that meets the requirements of the federal Food, Drug, and Cosmetic Act including use of authorized solvents only, the prevention of off-gassing, and certification by a California licensed engineer. The use of volatile solvents, defined as Commercial Medical and Non-Medical Cannabis Manufacturing - Level 2, is prohibited.
30. Any manufacturing, processing and analytical testing devices used by the applicant must be UL (Underwriters Laboratories) listed or otherwise certified by an approved third-party testing agency or engineer and approved for the intended use by the City's Building Official and Fire Code Official.
31. All owners, employees, volunteers, or other individuals that participate in the production of edible cannabis products must be state certified food handlers. The valid certificate number of each such owner, employee, volunteer, or other individual must be on record at approved facility where that individual participates in the production of edible cannabis products. No consumption of any cannabis product is allowed on-site, including in outdoor areas and parking lots.
32. If applicable, the applicant shall obtain a permit from the Alameda County Public Health Department and provide a copy of the valid permit to the City prior to the operation of any cannabis manufacturing activities on-site. All permit holders shall comply with State and County health permit requirements. These requirements provide a system of prevention and overlapping safeguards designed to minimize foodborne illness, ensure employee health, demonstrate industry manager knowledge, ensure safe food preparation practices and delineate acceptable levels of sanitation for preparation of edible products.
33. No person who is younger than the minimum age established by state law for the purchase, possession or consumption of cannabis and cannabis-related products shall be allowed on the premises of a permitted Commercial Cannabis Business.
34. The applicant shall provide the Police Department with information regarding any motor vehicle used for the delivery of cannabis goods, including the vehicle's make,

model, color, vehicle identification number (VIN), license plate number and Department of Motor Vehicles registration information. Vehicles shall be registered with the Hayward Police Department.

35. Any motor vehicle used to deliver or transport cannabis goods is subject to inspection by the Hayward Police Department. Vehicles may be stopped and inspected by the Hayward Police Department at any licensed premises or during delivery or transport.
36. A licensed retailer's delivery employee shall not carry cannabis goods in the delivery vehicle with a value in excess of \$5,000 (three-thousand) at any given time per Section 5418 of the Bureau of Cannabis Control (BCC) regulations.
37. The facility must be conducted in accordance with the Sustainability Plan on file with the City of Hayward.

Security

38. The proposed cannabis use shall provide adequate security on the premises, including any on-site security, lighting, and alarms, to ensure the public safety and the safety of persons within the facility and to protect the premises from theft. Should calls for service arise for the commercial cannabis business, the applicant shall be required to maintain on-site State-licensed security guard personnel during hours of operation to the satisfaction of the Hayward Police Chief. Additionally, all Commercial Cannabis Businesses and Cannabis Operators shall maintain and implement a security and safety plan that includes the following minimum requirements:

- a. *Security Cameras.* Security surveillance IP video cameras shall be installed and maintained in good working order to provide coverage on a twenty-four (24) hour real-time basis of all internal and exterior areas where Cannabis is weighed, manufactured, packaged, stored, and transferred. The cameras shall allow for remote access to be provided to the Hayward Police Department. The security surveillance cameras shall be oriented in a manner that provides clear and certain identification of all individuals within those areas. IP cameras shall remain active at all times and shall be capable of operating under any lighting condition. Security video must use standard industry format to support criminal investigations and shall be maintained for ninety (90) days.

The applicant shall maintain a Video Assessment and Surveillance System (VASS) that provides comprehensive coverage, at a minimum, of safe(s), areas of ingress and egress, storage areas, parking lot, loading areas, coverage of all four (4) exterior sides of the property, and adjacent public rights of way.

- b. *Security Cameras within Distribution and Delivery Vehicles.* Each distribution and delivery vehicles shall be equipped with a dual-facing camera and recording system affixed to the vehicle and positioned in such a way to capture the driver//interior of the vehicle, as well as the front outside of the vehicle.

The distribution and delivery vehicles video and recording system must be of adequate quality, color rendition, resolution, and position to allow the ready identification of any individual driving the distribution vehicle, approaching the distribution vehicle, or occupying the passenger compartment of the distribution vehicle. Video recordings from each distribution vehicle recording system shall be retained for 90 days. distribution vehicle video recordings shall be made available

and accessible to the Chief of Police and any other city official charged with enforcing the provisions of this Code immediately upon request for review and copying.

- c. *Geolocation Tracking System.* The distribution vehicle shall be equipped with a GPS tracking system with the following minimum capabilities:
- Live remote monitoring of the distribution vehicle from when it leaves the collective to when it returns to the collective and is no longer in service as a distribution vehicle,
 - Live updates at no greater than ten (10) second intervals
 - Storing historical GPS data for at least 90 days
 - A cell phone does not meet the GPS tracking system requirement; and
 - Access to both live and historical GPS tracking system data shall be provided to the Chief of Police.

The applicant shall obtain and maintain for each distribution vehicle and driver all the insurance requirements as may be presently or in the future required by any financial responsibility laws of the State of California regarding Commercial Car Insurance.

- d. *Alarm System.* The premises shall be equipped with an active alarm system, which shall be activated when the facility or its employees are not present at the licensed premises. A professionally monitored security alarm system shall be installed and maintained in good working condition. The alarm system shall include sensors to detect entry and exit from all secure areas and all windows. The applicant shall keep the name and contact information of the alarm system installation and monitoring company as part of the Commercial Cannabis Business's onsite books and records. Cannabis Operators shall also identify a local contact who will be responsible for addressing security and safety issues and shall provide and keep current that contact information to the Hayward Police Department as part of the permitting process.

Distress (hold-up) alarm systems shall be installed and mounted near the transport area, manager's office, lobby, safes, and any area(s) where there will be long-term storage of cannabis and/or cannabis-related products. Distress alarms shall cause the dispatch of local law enforcement (Hayward Police Department). Prior to the commencement of the cannabis distribution operation, the alarm system shall be tested and deemed effective to the satisfaction of the Police Department, Fire Department and Development Services Department.

- e. *Secure Storage and Waste.* Commercial Cannabis products and associated product manufacturing, distribution, and delivery waste shall be stored and secured in a manner that prevents diversion, theft, loss, hazards and nuisance.
- f. *Transportation.* The proposed use shall implement procedures for safe and secure transportation and delivery of Commercial Medical and Non-Medical Cannabis, including all Cannabis products and currency, in accordance with local and state law. None of the vehicles associated with commercial use shall have markings or advertising that indicates the presence of cannabis on-site.

- g. *Building Security.* All points of ingress and egress to the proposed use shall be secured with Building Code compliant commercial-grade, non-residential door locks and/or window locks. All heating, ventilating, air-conditioning and service openings shall be secured with steel bars and/or metal grating. All solid core exterior doors shall be equipped with a 180-degree viewing device to screen persons before allowing entry and to screen outside before leaving the building. Doors shall always remain locked, except for emergencies and deliveries.
- h. *Emergency Access.* Security measures shall be designed to ensure emergency access is provided to the Hayward Police Department and Hayward Fire Department for all areas on the premises in the case of an emergency.
- i. *Background Checks.* All employees working in conjunction with the cannabis microbusiness shall be subject to background/LiveScan checks. Additionally, all employees shall furnish the Hayward Police Department a state or federal registered Identification Card, upon request.
- j. *Exterior Lighting.* Exterior lighting within the parking area(s) shall be provided and be maintained at a minimum of one foot-candle in accordance with the Security Standards Ordinance (No.90-26 C.S.) and be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast direct light or glare upon adjacent business and homes. Lighting shall be maintained in good working condition to adequately illuminate the parking lot areas and around the building to deter illicit activities.
- k. *Inspections.* During regular business hours, the building premises shall be accessible, upon request, to an identified Hayward Police Department, Building Division, or Code Enforcement employee for random and/or unannounced inspections.
- l. *Records Retention.* All financial records, personnel records, training records, contracts, permits, security records, destruction records, data entered into track-and-trace, and an accurate record of all business activities must be made available to the Hayward Police Department upon request.

Odor Control

- 39. No cannabis odors shall be detectable outside of the facility. The applicant shall incorporate and maintain adequate on-site odor control measures such that the odors resulting from cannabis manufactured and stored on-site cannot be readily detected from outside of the structure in which the Business operates or from other non-cannabis businesses adjoining the Commercial Cannabis Business.
- 40. The building permit application shall include duct work, filters and other recommendations included in the Odor Mitigation Plan and shall be certified by a professional engineer or industrial hygienist. The Odor Mitigation Plan shall include the following:
 - a. Operational processes and maintenance plan, including activities undertaken to ensure the odor mitigation system remains functional;
 - b. Staff training procedures; and

- c. Engineering controls, which may include carbon filtration or other methods of air cleansing, and evidence that such controls are sufficient to effectively mitigate odors from all odor sources. All odor mitigation systems and plans submitted pursuant to this subsection shall be consistent with accepted and best available industry-specific technologies designed to effectively mitigate cannabis odors.

Commercial Cannabis Permit

- 41. The applicant shall obtain and maintain a valid Commercial Cannabis Permit from the City, including any other applicable State and local permits. Commercial Cannabis Permit applications and renewals are subject to the requirements of Section 6-14.15 of the Hayward Municipal Code as well as including, but not limited to:
 - a. A submittal of a statement updating information and/or certifying that original information submitted is unchanged;
 - b. Verification that the State cannabis license has been renewed and the operator is in compliance with State law; and
 - c. An authorization for updated criminal background checks.

Commercial Cannabis Permits are valid for a period of one year and shall be renewed annually. The permit is invalid if the term has expired and the annual fee, as established in the City of Hayward Master Fee schedule, has not been timely paid in full. Non-payment will result in a violation penalty fee in accordance with the Master Fee Schedule for Cannabis uses. Additionally, the City may invalidate or suspend a Commercial Cannabis Permit for excessive calls for service or nuisance citations.

- 42. The permit is invalid if the term has expired and the annual fee, as established in the City of Hayward Master Fee schedule, has not been timely paid in full. Non-payment will result in a violation penalty fee in accordance with the Master Fee Schedule for Cannabis uses. Additionally, the City may invalidate or suspend a Commercial Cannabis Permit for excessive calls for service or nuisance citations.
- 43. The proposed commercial cannabis use shall not commence operations until the Business can demonstrate compliance with all necessary state and local licenses (dual licensing) and agency permits. Failure to demonstrate dual licensing in accordance with the Hayward Municipal Code shall be grounds for revocation of a City approved permit. Revocation of a local permit and/or a state license shall terminate the ability of the Commercial Cannabis Business to operate until a new permit and/or state license is obtained.
- 44. The applicant shall maintain books, records, accounts, public safety calls for service, and all data and information relevant to its operations of the commercial cannabis use, including the implementation of the proposed community benefits component, and allow the City access to such records for purposes of conducting an audit or examination to determine compliance with the Hayward Municipal Code, and other local regulations, including compliance with local tax obligations. Prior to the applicant's commercial cannabis permit renewal each year, the applicant shall provide these records to the City for review to verify compliance.

Building Design & Signage

45. All exterior and rooftop mechanical equipment shall be screened. Mechanical and rooftop equipment shall include, but is not limited to, electrical panels, pull boxes, air conditioning units, gas meters, and other equipment. All rooftop screening and mechanical equipment shall be shown on the project plans and be subject to final review and approval by City staff prior to the issuance of an occupancy permit.
46. Any above-ground structures that may be required to provide utilities for the project shall be compatible as to location, form, design, exterior materials, and noise generation. The applicant shall obtain staff approval prior to issuance of permits.
47. No signs are approved with this project. Any signs shall be reviewed and approved by the Planning Division and a separate Sign Permit application shall be required, consistent with Hayward Municipal Code Sign Ordinance requirements.

Expiration & Revocation

48. This Use Permit approval is void 36 months after the effective date of approval unless:
 - a. Prior to the expiration of the 36-month period, a building permit application has been submitted and accepted for processing by the Building Official or a time extension of the approval has been granted by the Planning Director.
 - b. If a building permit is issued for construction of improvements authorized by the use permit approval, said approval shall be void two years after issuance of the building permit, or three years after approval of the application, whichever is later, unless the construction authorized by the building permit has been substantially completed or substantial sums have been expended in reliance on the conditional use permit approval. A request for an extension must be submitted in writing to the Planning Division at least 30 days prior to the above date.
 - c. Business operations have commenced in accordance with all applicable conditions of approval.
49. If this conditionally permitted use ceases operation for a period of more than six consecutive months, it shall be deemed to be discontinued, and the use permit establishing said use shall become null and void. Reestablishment of said use shall only be permitted upon obtaining a new use permit.
50. The Planning Commission may require modification, discontinuance or revocation of this Conditional Use Permit if it is determined that the use is operated or maintained in a manner that it:
 - a. Adversely affects the health, peace or safety of persons living or working in the surrounding area;
 - b. Contributes to a public nuisance; or
 - c. Has resulted in excessive nuisance activities including disturbances of the peace, illegal drug activity, diversion of cannabis or cannabis products, public intoxication, smoking in public, harassment of passerby, littering, or obstruction of any street, sidewalk or public way; or

- d. Violates any provision of the Hayward Municipal Code or condition imposed by a City issued permit, or violates any provision of any other local, state, regulation, or order, including those of state law or violates any condition imposed by permits or licenses issued in compliance with those laws.

CODE ENFORCEMENT

51. All tenant improvements and modifications and/or demolition require approval of a building permit prior to the start of the work. Verified violations of the California Building Code Section 105.1 are subject to a penalty fee of 205% of the required permit fees in addition to the regular Building Division fees in accordance with the City of Hayward Master Fee Schedule.
52. The Commercial Cannabis establishment shall maintain and visibly post valid copies of all required State, Local, and Municipal permits, including but not limited to the State of California Cannabis Bureau license, the Hayward Cannabis license, City of Hayward business license, and other pertinent permits and licenses according to the specific cannabis use.
53. Every owner of real property within the City is required to manage the property in a manner so as not to violate the provisions of the Cannabis Ordinance and/or any State and Municipal regulations. The property owner remains ultimately liable for all penalties and fees as a result of violation of any of the requirements for the Commercial Cannabis operation thereof regardless of any contract or tenant agreement or other third parties.
54. No outdoor storage or uses are permitted. All uses to be conducted indoors except as otherwise authorized by the approval of the use permit.
55. To the extent permissible by law, the City Manager and designees, and Code Enforcement shall have the right to enter and inspect during reasonable hours of operation all areas of the Commercial Cannabis establishment for the purposes of ensuring compliance with all pertinent Cannabis regulations and requirements. If the Cannabis permit holder or agents refuse to grant permission to enter, inspect and investigate, the City may seek an inspection warrant pursuant to the California Code of Civil Procedures.
56. The applicant shall be required to post on all entrances and exits within the interior of the tenant space, a sign reading "Persons under 21 years of age shall not be permitted on the premises".
57. Violation of the conditions of approval, the City of Hayward Municipal Code, and/or local and state cannabis requirements and regulations is declared to be a public nuisance which may be enjoined by civil action or pursuant to the procedures provided in the municipal code for abatement of nuisance conditions, including but not limited to Chapter 5, Article 7 and Chapter 1, Article 7 of the Hayward Municipal Code.
58. All Commercial Cannabis Business premises shall be accessible during regular business hours, upon request, to an identified Hayward Police Department or Code Enforcement employee for random and/or unannounced inspections. Verified cannabis violations will result in penalty fee in accordance with the adopted Master

Fee Schedule for Cannabis uses. The City may suspend or revoke the Commercial Cannabis Permit for excessive calls for service or nuisance conditions.

BUILDING AND SAFETY

59. Applicant shall apply for all necessary building permits and/or all other related permits from the Building Division. All structures and/or tenant improvements shall be constructed and installed in accordance with the California Building Code, Uniform Mechanical and Plumbing Code, National Electrical Code, and the California Fire Code as adopted by the City of Hayward. As required by the California Building Code, disabled access upgrades shall be incorporated into the scope of work as described in Chapter 11B Section 202.

UTILITIES – WATER AND SEWER

60. Building Permit Revisions: During the building permit plan check phase, the applicant shall be required to revise the proposed utility plan to show the following:
 - a. The size and location of the proposed water service line
 - b. The size and location of the proposed domestic water meter
 - c. Revise location of proposed water meter to be located in the public right-of-way and a minimum of two feet from top of driveway flares.
61. Existing Water Services: The property is currently served by a shared 3/4" domestic water meter (account 30134) and a 3/4" irrigation meter (account 30135). The proposed business will be required to be served by a separate water meter.
62. All connections to existing water mains shall only be performed by City Water Distribution personnel at the owner's/applicant's expense.
63. New fire services must be installed by City Water Distribution Personnel at the owner's/applicant's expense. Fire service and fire hydrant installation costs are based on actual costs of work performed and equipment/materials used with a time and materials deposit due prior to the start of installation.
64. All domestic and irrigation water meters must have Reduced Pressure (RP) Backflow Prevention Assemblies, per City of Hayward Standard Detail 202 (SD-202). Backflow prevention assemblies shall be at least the size of the water meter or the water line on the property side of the meter, whichever is bigger. Backflow prevention assemblies on domestic water services shall be lead-free.
65. Water meters and services must be located a minimum of two feet from top of driveway flare as per SD-213 thru SD-218.
66. Sewer Services: The tenant space will be required to purchase sewer capacity to accommodate wastewater discharge from the manufacturing operations. Additional information from the applicant regarding the volumes and types of wastewater discharge is needed to determine the appropriate sewer capacity for the proposed business.
67. Sewer cleanouts shall be installed on each sewer lateral at the connection with the building drain, at any change in alignment, and at uniform intervals not to exceed 100 feet. Manholes shall be installed in the sewer main at any change in direction or grade, at intervals not to exceed 400 feet, and at the upstream end of the pipeline.

68. Industrial waste monitoring structures shall be installed on all sewer connections per SD-309.

SOLID WASTE

69. The owner or property manager shall be responsible for litter-free maintenance of the property and shall remove any litter on or within 50 feet of the property daily to ensure that the property and its street frontage remain clear of any abandoned debris or trash per Municipal Code Sec.11-5.22.
70. Should construction need to be performed, the City requires that construction and demolition debris be recycled per certain ordinance requirements. Submittal of the Debris Recycling Statement is required at the time of your building permit. The form can also be found at www.hayward-ca.gov/services/city-services/construction-and-demolition-debris-disposal. The applicant may also visit Hayward's [Green Halo webpage](#) and create a waste management plan instead of filling in the Debris Recycling Statement.

FIRE DEPARTMENT

71. Submit for proper building permits for the construction of the building to the Building Department. All building construction shall meet the requirements of adopted California Building Code.
72. Combustible/flammable liquids/gases shall not be allowed within the facility.
73. Install portable fire extinguishers having a minimum size of 5 lbs. and a minimum rating of 2A:10BC in centrally located and accessible locations (as approved by the Fire Department) with maximum travel distance of 75 feet within the tenant space.
74. A building permit is required for the installation of storage racks greater than 6 feet in height. A Fire Department annual operation permit is required for any combustible storage (floor and/or rack) which exceeds 12 feet in height (Class I-IV type commodities), AND/OR any high hazard storage which includes commodities such as hazardous materials, flammable liquids, plastics, foam and rubber products, or any other classified commodity as dictated by the California Fire Code and NFPA 13 Standards, which exceeds 6 feet in height.

Hazardous Materials Requirements:

75. Hazardous Materials Permit – If applicable, the applicant shall be required to obtain an annual Hazardous Materials Permit for the facility based on quantities of hazardous materials/waste. Applicant shall be required submit a complete Chemical Inventory Packet to the Hayward Fire Department along with the building permit application package. Any change to chemical quantities and type shall require notification and approval of the Hayward Fire Department's Hazardous Materials Office.
76. Hazardous Materials Business Plan (HMBP) / California Environmental Reporting System (CERS) – Facility shall submit an initial one-time hazardous material electronically reported through the California Environmental Reporting System (CERS) for the chemical to be stored/used on-site.
77. Hazardous Materials over the Maximum Allowable Quantities (MAQs) – Quantities of hazardous materials/waste shall not be stored and used in amounts greater than the

maximum allowable quantities (MAQs) in the 2019 California Fire Code as adopted by the City of Hayward.

78. Flammable and Combustible Liquid Storage and Use – The storage and use of flammable and combustible liquids shall meet the requirements of Chapter 57 of the 2019 California Fire Code as adopted by the City of Hayward.
79. Flammable Liquid Storage Cabinet – Quantities in excess of ten (10) gallons of flammable liquid shall require an approved flammable liquids cabinet with self-closing doors.
80. Incompatible Materials – Incompatible materials in storage or use shall be separated according to Chapter 50, Section 5003.9.8 (Separation of incompatible materials) of the 2019 California Fire Code (CFC) when the stored materials are in containers having a capacity of more than 5 lbs. or 0.5 gallons.
81. Disposal of Cannabis Waste – Shall be managed per the appropriate regulatory agencies and approved cannabis disposal contractors. If disposal of waste includes chemical treatment to render the product non-useable then the Hazardous Materials Office of the Hayward Fire Department shall be notified for approval and conditions.
82. Hazardous Waste – Hazardous waste shall be managed and disposed of per Title 22 of the California Code of Regulations. All containers holding hazardous waste shall be properly label and identified with a hazardous waste label. Labeling shall include Generator information, EPA ID number, accumulation start date, contents, physical state and hazard of the waste. Provisions shall also be made for the management and disposal of universal/electronic wastes which are a category of hazardous waste.
83. Signage and Labeling Requirements – All containers and storage areas shall be properly labeled for hazardous materials per the Hayward Fire Department Labeling Guidelines. All hazardous material containers shall be properly labeled stating their contents. Containers containing hazardous waste shall be properly label with Generator Information, Contents, Hazard, Physical State, Accumulation Start Date. Depending on storage an NFPA Placard may be required.
84. Seismic Protection – Machinery, aboveground tanks, and equipment utilizing hazardous materials shall be braced and anchored in accordance with seismic design requirements of the California Building Code.
85. Oxygen Deficient Environments – This facility is not proposing having oxygen deficient atmospheres or utilizing carbon dioxide to enhance plant grow operations. If there is a change, the operator shall contact the Hazardous Materials Office of the Hayward Fire Department as well as the Hayward Planning Division for approval and conditions.
86. Manufacturing/Extraction Processes – The facility shall be limited to an Ice-Water extraction process. This facility shall not include a chemical extraction processes (i.e. CO₂ or solvent based). If there is a change, the operator shall contact the Hazardous Materials Office of the Hayward Fire Department as well as the Hayward Planning Division for approval and conditions.
87. Tank Labeling – A container with a volume of 60 gallons or greater will be considered a tank and shall be properly labeled with the contents and hazard. Depending on contents a NFPA 704 placard may be required.

88. Future Changes to Operations - If this facility does change its operation, including the use of hazardous materials or the generation of hazardous waste, then the Hayward Fire Department and Planning Division shall be notified by the operator prior to the changes to allow review and/or determine if additional conditions of approval will be required by the City.
89. Final Inspection – A final inspection of this facility shall be completed by the Hazardous Materials Office once the facility is ready for operations and before commencement of operations. Please contact the Hazardous Materials Office at (510) 583-4910 to schedule the inspection at least 48 hours in advance.

-- END --