

DRAFT CONDITIONS OF APPROVAL

MEETING DATE: September 25, 2017

TITLE: Amendment to Conditional Use Permit No 14-16
(Medmen / Green Horizons Cultivation Project)

CASE NO: CUP 14-16 (Amendment)

PREPARED BY: Scott Taschner, Senior Planner

REVIEWED BY: Daniel Porras, Community Development Director

Amendment - Project Specific Conditions

1. Access from Hacienda Avenue shall be approved by Southern California Edison Company as it relates to the existing transmission power pole within the proposed street area. If SCE approval cannot be obtained and the transmission power pole relocated prior to occupancy, then access to the site shall be provided on Little Morongo Road.
2. Improvements to Hacienda Avenue will still be required and shall be agreed to be installed by the Applicant/Developer by agreement and submittal of security acceptable to the City Attorney and Finance Director to ensure the agreement.
3. The applicant developer shall comply with all local and state laws in regards to medical marijuana distribution activities and operations
4. The applicant/developer/proprietor shall be in compliance with all conditions of approval from the original City Council approved Conditional Use Permit.

Standard Administrative Conditions

5. The amendment to CUP 19-17 is subject to the (2) year expiration (CUP), as provided in Section 17.64.070 and will expire on:
 - CUP 19-17, on September 25, 2019
6. The applicant may request an extension of time for CUP 14-16 per the City's Zoning Ordinance Sections 17.76.090. Upon filing a time extension(s) at least 30 (thirty) days prior to expiration of the project the Planning Commission may grant said time extension for good cause not to exceed twelve (12) months.

7. Applicant/Developer shall indemnify, protect, hold harmless and defend, with counsel selected by the City, the City and any agency or instrumentality thereof, an/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the Applicant/Developer and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.
8. All development on the Project Site shall be in compliance with all applicable provisions of the City's Municipal Code as well as all applicable provisions of the adopted Building and Fire Codes. All new construction shall obtain a building permit and comply with the requirements of the Planning, Building, and Fire Departments.
9. No Certificate of Occupancy (CofO) shall be granted until all Conditions of Approval have been completed and approved by the Planning, Engineering, Building, and Fire Departments unless otherwise identified herein. A Temporary Certificate of Occupancy (TCO) may be issued for a specific time period if a significant amount of issues have been resolved and there remains only minor issues that do not pose a threat to health & safety.
10. The development of the Project on the Project Site shall be in substantial compliance with the exhibits contained in the project file for the amendment to *CUP 14-16* as shown in all Exhibits attached hereto and incorporated herein by this reference.
11. The Applicant/Developer shall pay all established service, permit, impact, public art, and other applicable fees required by the City.