

DRAFT CONDITIONS OF APPROVAL

MEETING DATE: November 13, 2018

TITLE: Conditional Use Permit No. 13-16 (Time Extension) A request for a one-year time extension for Conditional Use Permit No. 13-16, for the Ocean Springs Tech Cannabis Cultivation Facility project located on the south side of Two Bunch Palms Trail, approximately 725 feet east of Little Morongo Road APN 665-030-068.

CASE NO: CUP 13-16 TE (Time Extension)

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Reviewed by: Scott Taschner, Senior Planner

Administrative Conditions:

1. The time extension approval for Conditional Use Permit 13-16 is subject to a one-year expiration according to the provisions of the City's Zoning Ordinance, as provided in Section 17.76.070 and will expire on October 11, 2019.
2. The applicant may request an extension of time for Conditional Use Permit 13-16 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.
3. 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.

4. 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.
5. 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.
6. The development of the Project on the Project Site shall be in substantial compliance with the exhibits contained in the project file for Conditional Use Permit 13-16.
7. The applicant/developer shall comply with all original conditions of approval from the original Conditional Use Permit entitlement (CUP 13-16) on October 11, 2016.