

DRAFT CONDITIONS OF APPROVAL

MEETING DATE: January 08, 2019 (Planning Commission)

TITLE: Conditional Use Permit Nos. 01-16 & 19-16 (Time Extensions) to allow the construction of a proposed medical marijuana cultivation facility consisting of two (2) traditional high metal wall panel/plaster warehouse style buildings, each building will be approximately 36,000 square feet with approximately 27,256 for cultivation purposes located east of Cabot Road and south of Two Bunch Palms Trail. The site is located in the Light Industrial district.

CASE NO: CUP 01-16 TE (Time Extension) & CUP 19-16 TE (Time Extension)

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Reviewed by: Scott Taschner, Senior Planner & Rebecca Deming, Community Development Director

Administrative Conditions:

1. The time extension approvals for Conditional Use Permit Nos. 01-16 & 19-16 are subject to a one-year expiration according to the provisions of the City's Zoning Ordinance, as provided in Section 17.76.070 & 17.76.090 and will expire on January 8, 2020.
2. The applicant may request an extension of time for Conditional Use Permit 01-16 and/or CUP 19-16 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.
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 01-16 and CUP 19-16.
7. The applicant/developer shall comply with all original conditions of approval from the original Conditional Use Permit entitlement (CUP 01-16 & CUP 19-16).
8. **Any substantial changes to the building or site layout shall require the applicant to file an application for an amendment to the existing Conditional Use Permit.**