

DRAFT CONDITIONS OF APPROVAL

MEETING DATE: October 8, 2019

TITLE: Ocean Springs Tech – Request for a one-year extension of time

CASE NO: CUP 13-16 (TE)

PREPARED BY: Scott Taschner, Senior City Planner

REVIEWED BY: Rebecca Deming, Community Development Director

Standard Administrative Conditions

1. The approval of the Time Extension for CUP 13-16 is subject to a one (1) year expiration, subject to the provisions of the City's Zoning Ordinance, as provided in Section 17.64.070 & 17.64.090 and will expire on October 10, 2020.
2. The applicant may request an extension of time for CUP 13-16 per the City's Zoning Ordinance Section 17.76.090. Upon filing a time extension(s) at least thirty (30) 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, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings, including those involving environmental issues, against the City to attack, set aside, void, annul, and/or 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 voters 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 (C of O) shall be granted until all Conditions of Approval have been completed and approved by the Planning, Engineering, Building, and Fire Departments and/or the City Manager and Chief of Police, 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 *CUP 13-16* as shown in all Exhibits attached hereto and incorporated herein by this reference.
7. The applicant/developer shall comply with all conditions of approval from the original entitlement for CUP 13-16.
8. Within fifteen (15) days of final approval (expiration of the appeal period) by the Planning Commission, the applicant/developer shall submit in writing, a statement indicating that he/she has read and agrees to the conditions imposed herein. This approval shall become void, as will any privilege, permit, or other authorization granted under these entitlements if compliance with this condition has not been undertaken within the specified time limits.

END