

RESOLUTION NO. 2014-39

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CATHEDRAL CITY SETTING THE DEPOSIT AMOUNT FOR
APPLICATIONS FOR CONDITIONAL USE PERMITS FOR
MEDICAL MARIJUANA DISPENSARIES**

WHEREAS, Municipal Code Chapter 9.108 requires that all medical marijuana dispensaries operating within the City obtain a Conditional Use Permit prior to initiating operations; and

WHEREAS, the procedures for processing applications for such Conditional Use Permits are time and resource intensive for the City; and

WHEREAS, Municipal Code Section 9.108.080 provides that the City shall charge application fees to cover the cost of administration of the application process as established by resolution; and

WHEREAS, the City Council wishes to establish a required deposit and method for recovery of administrative costs in connection with applications for Conditional Use Permits for medical marijuana dispensaries.

NOW, THEREFORE, be it resolved by the City Council of the City of Cathedral City as follows:

Section 1. Initial Deposit

Persons or entities applying for a Conditional Use Permit in order to operate a medical marijuana dispensary within the City pursuant to Cathedral City Municipal Code Chapter 9.108 shall pay an initial deposit of \$7,500.00 simultaneously with submission of all application materials.

Section 2. Calculation of Fees

Once the application for a Conditional Use Permit for a medical marijuana dispensary has been processed in its entirety, the Community Development Director or his designee shall calculate the total amount expended and incurred by the City, including but not limited to recovery of costs for staff time, resources, and other administrative expenses. If the total amount calculated is less than the deposit provided, the applicant shall be refunded the balance of the deposit. If the total amount calculated exceeds the deposit provided, the applicant shall be required to pay the balance within ten (10) calendar days of notification by the City of the amount due.

Section 3. Findings.

That the City Council finds that the deposit amount established by this resolution does not exceed the estimated reasonable cost of providing the service for which the fee is charged.

Section 4. Severability.

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 5. Certification.

That the City Clerk shall certify to the passage of this resolution and enter it into the book of original resolutions.

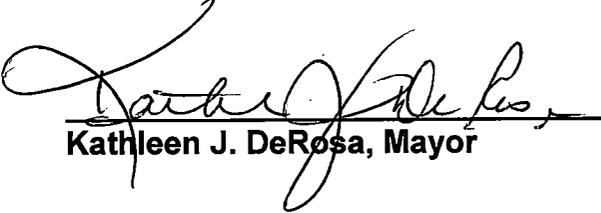
The foregoing Resolution was approved and adopted at a meeting of the City Council held on September 10, 2014, by the following vote:

Ayes: 3 - Pettis, Vasquez, DeRosa

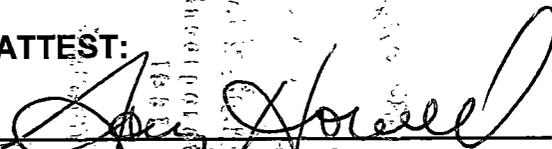
Noes: 0

Abstain: 0

Absent: 1 - Henry


Kathleen J. DeRosa, Mayor

ATTEST:


Gary Howell, City Clerk

APPROVED AS TO FORM:


Charles R. Green, City Attorney