

FINAL NOTICE OF VIOLATION

Date Issued: June 29, 2023

APN: 665030037

Case Number: CODE-23-930

Subject Property: 65311 SAN JACINTO LN DESERT HOT SPRINGS, CA 92240

Parcel Owner: TK VETERANS
Mailing Address: 1815 JOHNSON AVE
FT DODGE, IA 50501

Code Compliance Officer: Tyler Messer

Email: tmesser@cityofdhs.org

An inspection of your property has revealed the following violation(s) of the Desert Hot Springs Municipal Code section (§):

Violation Code/Description

Section

A Conditional Use Permit may be revoked or modified if one or more of the following findings can be made:

17.76.100.B.4 Revocation.

One or more of the conditions of the Conditional Use Permit have not been met;

17.72.020 - Certificate of OccupancyApplication

No vacant, relocated, altered, repaired, or hereafter erected structure shall be occupied, or no change in use of land or structure(s) shall be inaugurated, or no new business commenced until a certificate of occupancy has been issued by the Department. An application for the permit shall be on a form prescribed by the Director and shall be filed with the Department pursuant to Chapter 17.68 (Applications and Fees). (Prior code § 159.34.020)

4.16.010.A.17 - Illegal, Nonconforming Buildings or Structures

Illegal, Nonconforming Building or Structure. It is unlawful and it shall be declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises or property in the City to maintain upon any such premises or property any building or structure, or any part thereof, which has been constructed or is maintained in violation of any applicable State or local law or regulation relating to the condition, use or maintenance of such building or structure.

5.04.040.A-General Business License- License Required

There are imposed, upon the businesses, trades, professions, callings and occupations specified in this chapter, license taxes in the amounts hereinafter prescribed. It is unlawful for any person to transact and carry on any business, trade, profession, calling or occupation in the City without first having procured a license from the City to so do or without complying with all applicable provisions of this chapter.

Any of the following changes to the structure or operation of a cannabis facility shall require only a permit modification.

5.50.190.D - Changes to a Cannabis Facility

A permittee seeking a permit modification as required under this subsection shall

pay the required filing fee for a permit modification, as determined by resolution of the City Council, and provide such information, including the information required

by section 5.50.040, as may be required by the City Manager or designee. The City

Manager or designee shall apply the criteria in section 5.50.060 to decide whether

to approve the modification. The decision of the City Manager or designee shall be

final.

Corrective Actions Required:

Violation Code/Description

Corrective Action

17.76.100.B.4 Revocation.

As per Conditional Use Permit 04-16 (CUP 04-16) complete condition #2, "Complete and install the Art in Public Places, as approved by City Council.". Please contact our Planning Division at (760) 329- 6411 ext. 243 to complete CUP 04-16 requirements. Continued violations may result in a modification, suspension, or revocation of CUP 04-16.

The CUP must be modified to show all current owner/operators of the facility.

As per Conditional Use Permit 04-16 (CUP 04-16) condition #5, no certificate of occupancy shall be granted until all Conditions of Approval have been completed. Complete all conditions of CUP 04-16, reapply for a Certificate of Occupancy and pay all associated fees. Please visit our online portal at cityofdhs.org to apply for a Certificate of Occupancy.

17.72.020 - Certificate of OccupancyApplication

To change the existing cannabis facility uses, parking, architectural features, etc. a minor modification to the conditional use permit is required. You may apply for a minor modification at <https://deserthotspingsca.viewpointcloud.com/categories/1079/record-types/6447>

4.16.010.A.17 - Illegal, Nonconforming Buildings or Structures

The Temporary Certificate of Occupancy issued on August 08, 2018 has expired as of February 2, 2019. Complete all outstanding CUP 04-16 conditions, reapply for a Certificate of Occupancy and pay all associated fees. Submit building plans for tenant improvements and obtain a building permit. Please contact our Building Division at (760) 329-6411 ext. 504 to submit building plans and obtain a building permit.

5.04.040.A-General Business License- License Required

No business can commence until all violations have been corrected, all permits have been obtained, and a business license has been issued by the City.

5.50.190.D - Changes to a Cannabis Facility

All new owners and operators must be added to the existing regulatory permit (2017-00001616)via a permit modification.

COMPLIANCE DATE: July 13, 2023

In order to avoid potential Citations, fines, and other administrative costs as referenced in Municipal Code 4.24.470 "Special Assessment", the corrective actions listed above must be completed by the compliance date above.

Signature: _____



Code Compliance Officer: Tyler Messer

PROOF OF SERVICE

I am employed in the City of Desert Hot Springs, State of California. I am over the age of 18 years and not a party to this action. My business address is 65950 Pierson Blvd. Desert Hot Springs, California 92240.

On June 29, 2023 , I caused to be served the within document:

FINAL NOTICE OF VIOLATION AT REAL PROPERTY LOCATED AT

65311 SAN JACINTO LN

DESERT HOT SPRINGS, CALIFORNIA 92240

APN 665030037

On the parties in this action by placing a true copy thereof in a sealed envelope, each envelope addressed as follows:

- (By First-Class Mail)** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with City of Desert Hot Springs practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- (By Certified Mail)** I caused each such envelope to be sent by USPS Return Receipt Certified Mail to the offices of each addressee.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

EXECUTED at Desert Hot Springs California on June 29, 2023.



Tyler Messer
Code Compliance Officer

SERVICE LIST

NOTICE OF VIOLATION AT REAL PROPERTY LOCATED AT 65311 SAN JACINTO LN DESERT HOT SPRINGS, CALIFORNIA 92240
PARCEL # 665030037

TK VETERANS
1815 JOHNSON AVE
FT DODGE , IA. 50501

Vets Leaf, INC.

65311 San Jacinto Ln.

Desert Hot Springs,

CA.

92240