

Exhibit “1”
CONDITIONS OF APPROVAL

Planning Application No.: Minor Conditional Use Permit No. PLN22-0123

Minor Conditional Use Permit No. PLN22-0123 “Quail Valley Market”, Quail Valley Market is an existing 2,410 square foot neighbor convenience store offering pre-package food and beverages, including refrigerated items and fresh produce. Previously the facility held a type 20 liquor license (beer and wine) and is proposing a type 21 license (beer, wine and distilled spirits for off-site consumption). The hour of operation for the market is from 6:00am to midnight, 7 days a week with two employees at the largest shift.

Assessor's Parcel No.: 350-254-033, 350-254-031, 350-254-014

MSHCP Category N/A (existing facility)

DIF Category N/A (existing facility – no additional SF)

TUMF Category: N/A (existing facility -no additional SF)

Approval Date: August 10, 2022

Expiration Date: August 10, 2025

Within 48 Hours of the Approval of This Project

1. **Filing Notice of Exemption (NOE).** The applicant/developer shall deliver to the Planning Division a cashier's check or money order made payable to the City of Menifee in the amount of fifty dollars (\$50.00) for the County administrative fee, to enable the City to file the Notice of Exemption required under Public Resources Code Section 21152 and California Code of Regulations Section 15062.
2. **Indemnification.** Applicant/developer shall indemnify, defend, and hold harmless the City of Menifee and its elected city council, appointed boards, commissions, committees, officials, employees, volunteers, contractors, consultants, and agents from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either the City's approval of the Project or actions related to the Property or the acts, omissions, or operations of the applicant/developer and its directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the applicant/developer with respect to the ownership, planning, design, construction, and maintenance of the Project and the Property for which the Project is being approved. In addition to the above, within 15 days of this approval, the developer/applicant shall enter into an indemnification agreement with the City. The indemnification agreement shall be substantially the same as the form agreement currently on file with the City.
3. **Definitions.** The words identified in the following list that appear in all capitals in the attached conditions of Minor Conditional Use Permit No. PLN22-0123 (MCUP PLN22-0123 Offsite Alcohol Sales) shall be henceforth defined as follows:

APPROVED EXHIBIT A = Site Plan for Minor Conditional Use Permit No. PLN22-0123, dated April 2022.
4. **Ninety (90) Days to Protest.** The land divider has ninety (90) days from the date of approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations and/or other exactions imposed on this project as a result of the approval or conditional approval of this project.
5. **Comply with All Conditions.** The applicant/developer shall comply with all terms and conditions of Minor Conditional Use Permit No. PLN22-0123.
6. **Comply with Ordinances and Codes.** The development of these premises shall comply with the standards of the Menifee Municipal Code and all other applicable guidelines, State and Federal codes.
7. **Revocation.** In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures.
8. **Business License.** Every person conducting a business within the City of Menifee

shall obtain a business license, as required by the Menifee Municipal Code. For more information regarding business registration, contact the City of Menifee.

9. **Licensing.** At all times during the conduct of the permitted use the permittee shall maintain and keep in effect valid licensing approval from the Department of Alcohol Beverage Control, or equivalent agency as provided by law. Should such licensing be denied, expire or lapse at any time in the future, this permit shall become null and void.
10. **Expiration Date.** This approval shall be used within three (3) years of the approval date; otherwise, it shall become null and void and of no effect whatsoever. By use is meant the beginning of substantial construction contemplated by this approval within three (3) year period which is thereafter diligently pursued to completion or to the actual occupancy of existing buildings or land under the terms of the authorized use.
11. **Subsequent Submittals and Fees.** Any subsequent submittals required by these conditions of approval, including but not limited to grading plan, building plan or mitigation monitoring review, shall be reviewed on an hourly basis (research fee), or other such review fee as may be in effect at the time of submittal, as required by Resolution No. 18-740 (Cost of Services Fee Study). Each submittal shall be accompanied with a letter clearly indicating which condition or conditions the submittal is intended to comply with.
12. **Exterior Noise Levels.** Facility-related noise, as projected to any portion of any surrounding property containing a "sensitive receiver, habitable dwelling, hospital, school, library or nursing home", must not exceed the following worst-case noise levels 45 dB(A) - 10-minute noise equivalent level ("leq"), between the hours of 10:00 p.m. to 7:00 a.m. (nighttime standard) and 65 dB (A) - 10 minute leq, between 7:00 a.m. and 10:00 p. m. (daytime standard).
13. **Hours of Operation –Quail Valley Market.** Market hours of operation shall be from 6:00am to midnight, 7 days a week with two employees at the largest shift.
14. **Beer, Wine and Distilled Spirits.** This approval is for the sale of alcohol for off-site consumption only.
15. **Alcohol Warnings.** The owner and the management of the convenience store shall provide health warnings about the consumption of alcoholic beverages. This educational requirement may be met by posting prominent signs, decals or brochures at points of purchase.
16. **State of California Department of Alcoholic Beverage Control (ABC) License.** The property owner or convenience store operator is responsible for obtaining the appropriate ABC license. Proof of such license shall be submitted to the City.
17. **Beer, Wine and Distilled Spirits.** The following development standards shall apply to the sale of beer, wine, and distilled spirits:
 - a. The sale of any single self-serve containers that are not package will not be permitted (No small mini self-distilled spirits, single self-serve tall cans or mini

self-serve wine bottles).

- b. No sales of alcoholic beverages shall be made after midnight.
 - a. No displays of beer, wine or other alcoholic beverages shall be located within five feet of any building entrance or checkout counter.
 - b. No lighted advertising for beer, wine or other alcoholic beverages shall be located on the exterior of buildings or within window areas.
 - c. Employees selling beer, wine and distilled spirits shall be at least 21 years of age.
 - d. No sale of alcoholic beverages shall be made from a drive-in window.
18. **Liquor Store Not Approved.** The CUP is not for the approval of a liquor store.
19. **Bar or Restaurant Not Approved.** The CUP is not for the approval of a bar or restaurant.
20. **Security Systems.** Prior to the issuance of a building permit, the applicant shall prepare and obtain approval (from City of Menifee Police Department and/or Planning Division of the Community Development Department) of a security plan for the tenant space. Security cameras shall be installed in the interior of this business that records the service areas as well as the cash registers. The interior cameras shall be equipped with recording capabilities allowing it to save a minimum of four months of recording time.

Prior to Final Occupancy

21. **Security System Inspection.** The City of Menifee Police Department and/or Planning Division of the Community Development Department shall verify that the security system has been installed prior to final occupancy

The undersigned warrants that he/she is an authorized representative of the project referenced above, that I am specifically authorized to consent to all of the foregoing conditions, and that I so consent as of the date set out below.

Signed

Date

Name (please print)

Title (please print)