REPORT TO THE HEARING OFFICER

HEARING DATE: March 25, 2015
REPORT NO. HO-15-033

ATTENTION: Hearing Officer

SUBJECT: 4645 DE SOTO MMCC
PROJECT NUMBER: 368309

LOCATION: 4645 De Soto Street

APPLICANT: Un Sik Chong

SUMMARY

Issue(s): Should the Hearing Officer approve a Conditional Use Permit to allow a Medical Marijuana Consumer Cooperative (MMCC) to operate in a proposed 2,470 square foot building within the Pacific Beach Community Plan Area?

Staff Recommendation: APPROVE Conditional Use Permit No. 1292095.

Community Planning Group Recommendation: On August 27, 2014, the Pacific Beach Community Planning Group voted 12-5-2 to deny the project (attachment 10).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19 Section 15303, New Construction or Conversion of Small Structures on September 26, 2014 (Attachment 8). An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on January 13, 2015. The scope of the Hearing Officer’s decision only includes the project, and not the environmental determination.

BACKGROUND

In 1996 the people of the State of California passed Proposition 215, the Compassionate Use Act, which allows the use of marijuana for medical purposes when recommended by a physician and excludes the patient and the primary caregiver from criminal prosecution. In 2004, Senate Bill 420, the Medical Marijuana Program Act (MMP) became law. The MMP requires the California Department of Public Health (DPH) to establish and maintain a program for the voluntary registration of qualified medical marijuana patients and their primary caregivers.
through a statewide identification card system, sets possession guidelines for cardholders, and recognizes a qualified right to collective and cooperative cultivation of medical marijuana. In 2008 the California Attorney General established guidelines for Medical Marijuana Collective Operations and allowed cities to adopt and enforce laws consistent with the MMP.

On March 25, 2014 the City of San Diego adopted Ordinance No. O-20356, to implement zoning regulations for Medical Marijuana Consumer Cooperatives (MMCC). MMCC’s are allowed with a Conditional Use Permit, Process 3, Hearing Officer Decision. A limit of four MMCC’s per Council District (36 city-wide) was adopted in order to minimize the impact on the City and residential neighborhoods.

The site located at 4645 De Soto Street has two buildings totaling 7,675 square feet. Building 1 is 5,960 square feet and Building 2 is 1,715 square feet. Approximately 5,205 square feet of Building 1 will be demolished and the remaining 755 square feet will be integrated to Building 2. The proposed MMCC will be 2,470 square feet on a 0.22-acre site. The MMCC site is located at 4645 De Soto Street, west of Interstate 5, south of Garnet Avenue and east of Mission Bay Drive (Attachment 2). The site is in the IS-1-1 Zone and Coastal Height Limitation Overlay Zone within the Pacific Beach Community Plan Area.

The site is designated Industrial within the Pacific Beach Community Plan. Pacific Beach is both a visitor destination as well as a residential community. It is comprised of mostly residential property with little commercial and industrial uses. Industrial zoning in Pacific Beach is limited to a small area east of East Mission Bay Drive and west of Interstate 5. The goal of the community plan is to continue to promote a diverse economic and employment base in the industrial area and a mixture of commercial services to meet needs of existing and future populations. The uses to the north and east of this site are storage facilities (Price Self Storage), to the south building services (Dewey Pest Control) and east Interstate 5. The surrounding uses are consistent with the Light Industrial designation of the community plan. The proposed MMCC, classified as commercial services, is a compatible use for this location with a Conditional Use Permit within this community plan.

DISCUSSION

The project site located at 4645 De Soto Street is a 0.22-acre site. The proposed MMCC will be 2,470 square feet after the partial demolition and reconfiguration. The existing buildings are currently being used by Pratt Machine Tools (commercial services). The MMCC proposes interior improvements include a reception area, dispensary area, office, storage room and restroom. The proposed demolition and improvements will require ministerial building permits. The building permits will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements required are the removal of the existing curb, construction of a new City standard curb and gutter, sidewalk and curb ramp with truncated domes on the west side of De Soto Street satisfactory to the City Engineer.
MMCC's must comply with San Diego Municipal Code (SDMC), Section 141.0614 which requires a 1,000 foot separation, measured between property lines, from; public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCC's prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard for the tenant/facility space and directly adjacent area. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCC Conditional Use Permits expire five years from date of issuance. MMCC's must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The City of San Diego, Development Services staff has reviewed the 1,000 foot radius map (Attachment 6) and 1,000 foot spreadsheet exhibit (Attachment 7) provided by the applicant identifying all the existing uses. Staff has determined that the proposed MMCC meets all applicable development regulations, including the minimum distance requirements. The permit has been conditioned to include all development restrictions and the applicant has willingly proposed additional conditions in order to avoid adverse impacts upon the health, safety and general welfare of persons patronizing, residing or working within the surrounding area.

**CONCLUSION**

The Conditional Use Permit for the proposed MMCC may be approved if the Hearing Officer finds that the MMCC meets all applicable regulations. Staff has reviewed the proposed MMCC and has determined that it meets all applicable sections of the San Diego Municipal Code, the Midway/Pacific Highway Corridor Community Plan and the General Plan. Additionally, the required findings can be made and therefore, staff is recommending approval of the project as proposed.

**ALTERNATIVE**

1. Approve Conditional Use Permit No. 1292095, with modifications.

2. Deny Conditional Use Permit No. 1292095, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

[Signature]

Edith Gutierrez, Development Project Manager
Attachments:

1. Aerial Photograph
2. Project Location Map
3. Community Plan Land Use Map
4. Draft Permit with Conditions
5. Draft Permit Resolution with Findings
6. 1000 Foot Radius Map
7. 1000 Foot Radius Map Spreadsheet
8. Notice of Right to Appeal
9. Project Site Plan(s)
10. Community Planning Group Recommendation
11. Ownership Disclosure Statement
12. Crime Prevention Through Environmental Design recommendations
Location Aerial Photo

4645 De Soto MMCC – 4645 De Soto Street
PROJECT NO. 368309
INTERNAL ORDER NUMBER: 24004658

CONDITIONAL USE PERMIT NO. 1292095
4645 DE SOTO MMCC - PROJECT NO. 368309
HEARING OFFICER

This Conditional Use Permit No. 1292095 is granted by the Hearing Officer of the City of San Diego to PRATT FAMILY TRUST, Owner and MISSION BAY COOPERATIVE, INC. Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 0.22-acre site is located at 4645 De Soto Street in the IS-1-1 Zone and Coastal Height Limitation Overlay Zone within the Pacific Beach Community Plan Area. The project site is legally described as: Pueblo Lot 1788 of the Pueblo Lands of San Diego, Map made by James Pascoe in 1870, Recorded on November 14, 1921, Miscellaneous Map No. 26.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a Medical Marijuana Consumer Cooperative (MMCC) and subject to the City's land use regulations described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 25, 2015, on file in the Development Services Department.

The project shall include:

a. Demolition of 5,205 square feet of an existing building to maintain 755 square feet.

b. Integrating 755 square feet to an existing 1,715 square foot building for a total of 2,470 square feet.

c. Operation of a Medical Marijuana Consumer Cooperative (MMCC) in a 2,470 square foot building on a 0.22-acre site;

b. Landscaping (planting, irrigation and landscape related improvements);
c. Off-street parking;

d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by April 10, 2018.

2. This Conditional Use Permit [CUP] and corresponding use of this MMCC shall expire on April 10, 2020.

3. In addition to the provisions of the law, the MMCC must comply with; Chapter 4, Article 2, Division 15 and Chapter 14, Article 1, Division 6 of the San Diego Municipal Code.

4. No construction, occupancy, or operation of any facility or improvement described herein shall commence, nor shall any activity authorized by this Permit be conducted on the premises until:

   a. The Owner/Permittee signs and returns the Permit to the Development Services Department.

   b. The Permit is recorded in the Office of the San Diego County Recorder.

   c. A MMCC Permit issued by the Development Services Department is approved for all responsible persons in accordance with SDMC, Section 42.1504.

5. While this Permit is in effect, the MMCC shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

6. This Permit is a covenant running with the MMCC and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.

7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
8. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

9. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

10. Construction plans shall be in substantial conformity to Exhibit “A.” Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.

11. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" conditions(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

12. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney’s fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney’s fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.
PLANNING/DESIGN REQUIREMENTS:

13. The use within the 2,470 square foot building shall be limited to the MMCC and any use permitted in the IS-1-1 Zone.

14. Consultations by medical professionals shall not be a permitted accessory use at the MMCC.

15. Lighting shall be provided to illuminate the interior of the MMCC, facade, and the immediate surrounding area, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties.

16. Security shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the premises during business hours. The security guard should only be engaged in activities related to providing security for the facility, except on an incidental basis.

17. The name and emergency contact phone number of an operator or manager shall be posted in a location visible from outside of the MMCC in character size at least two inches in height.

18. The MMCC shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.

19. The use of vending machines which allow access to medical marijuana except by a responsible person, as defined in San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this section and condition, a vending machine is any device which allows access to medical marijuana without a human intermediary.

20. The Owner/Permittee or operator shall maintain the MMCC, adjacent public sidewalks, and areas under the control of the owner or operator, free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter, and debris. Graffiti shall be removed within 48 hours.

21. Medical marijuana shall not be consumed anywhere within the 0.22-acre site.

22. The Owner/Permittee or operator shall post anti-loitering signs near all entrances of the MMCC.

23. All signs associated with this development shall be consistent with sign criteria established by City-wide sign regulations and shall further be restricted by this permit. Sign colors and typefaces are limited to two. Ground signs shall not be pole signs. A sign is required to be posted on the outside of the MMCC and shall only contain the name of the business.
ENGINEERING REQUIREMENTS:

24. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the removal of the existing curb and the construction of the City standard curb and gutter, at new location on the west side of De Soto Street as shown on Exhibit "A", satisfactory to the City Engineer.

25. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of City standard sidewalk, on the west side of De Soto Street as shown on Exhibit "A" to provide pedestrian access from the existing offsite improvements to the project site, satisfactory to the City Engineer.

26. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the construction of City standard curb ramp with truncated domes, at the end of the sidewalk improvement on the west side of De Soto Street as shown on Exhibit "A", satisfactory to the City Engineer.

27. Prior to the issuance of any construction permit, the Owner/Permittee shall enter into a Maintenance Agreement for the ongoing permanent BMP maintenance, satisfactory to the City Engineer.

28. Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the Municipal Code, into the construction plans or specifications.

29. Prior to the issuance of any construction permit, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Appendix E of the City's Storm Water Standards.

TRANSPORTATION REQUIREMENTS:

30. No fewer than 3 off-street parking spaces (with 13 on-site parking spaces provided; including one van-disabled accessible space), 2 motorcycle spaces and 2 bicycle spaces shall be permanently maintained on the property within the approximate location shown on the project's Exhibit "A". Further, all on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

LANDSCAPING REQUIREMENTS:

31. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Development Services Department. Construction plans shall show, label, and dimension a 40 sq-
ft area around each tree which is unencumbered by hardscape and utilities as set forth under LDC 142.0403(b)(5).

32. Prior to issuance of any construction permits for structures, the Owner/Permittee shall submit a water budget in accordance with the Water Conservation Requirements per SDMC 142.0413, Table 142-041, to be included with the construction documents. An irrigation audit shall be submitted consistent with Section 2.7 of the Landscape Standards of the Land Development Manual at final inspection. The irrigation audit shall certify that all irrigation systems have been installed and operate as approved by the Development Services Department.

33. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, consistent with the Landscape Standards unless long-term maintenance of said landscaping will be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained in a disease, weed and litter free condition at all times. Severe pruning or "topping" of trees is not permitted unless specifically noted in this Permit.

34. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction document plans is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace it in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage.

**POLICE DEPARTMENT RECOMMENDATION:**

35. The San Diego Police Department recommends that a Crime Prevention Through Environmental Design (CPTED) review be requested by their department and implemented for the MMCC.

**INFORMATION ONLY:**

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.

- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

- This development may be subject to impact fees at the time of construction permit issuance.
APPROVED by the Hearing Officer of the City of San Diego on March 25, 2015 and Resolution No. HO-XXXX.
Conditional Use Permit No.1292095/PTS No. 368309
Date of Approval: March 25, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Edith Gutierrez
Development Project Manager

NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

PRATT FAMILY TRUST
Owner

By ____________________________
James Gordon Pratt
Trustee

PRATT FAMILY TRUST
Owner

By ____________________________
Lynne D. Pratt
Trustee
MISSION BAY COOPERATIVE, INC
Permittee

By ________________________________

Un Sik Chong

NOTE: Notary acknowledgments must be attached per Civil Code section 1189 et seq.
WHEREAS, PRATT FAMILY TRUST, Owner and MISSION BAY COOPERATIVE, INC., Permittee, filed an application with the City of San Diego for a permit to operate a Medical Marijuana Consumer Cooperative (MMCC) within a 2,470 square foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1292095), on portions of a 0.22-acre site;

WHEREAS, the project site is located at 4645 De Soto Street in the IS-1-1 Zone and Coastal Height Limitation Overlay Zone within the Pacific Beach Community Plan Area;

WHEREAS, the project site is legally described as Pueblo Lot 1788 of the Pueblo Lands of San Diego, Map made by James Pascoe in 1870, Recorded on November 14, 1921, Miscellaneous Map No. 26;

WHEREAS, on March 25, 2015, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 1292095 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on September 26, 2014, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures); and the Environmental Determination was appealed to City Council, which heard and denied the appeal on January 13, 2015 pursuant to Resolution No. 309474;

NOW, THEREFORE, BE IT RESOLVED by the Hearing Officer of the City of San Diego as follows:

That the Hearing Officer adopts the following written Findings, dated March 25, 2015.

FINDINGS:

Conditional Use Permit Approval – Section §126.0305

1. The proposed development will not adversely affect the applicable land use plan.

The proposed project is a request for a Conditional Use Permit (CUP) to operate a Medical Marijuana Consumer Cooperative (MMCC) within a 2,470 square foot building. The 0.22-acre site is located at 4645 De Soto Street in the IS-1-1 Zone and Coastal Height Limitation Overlay Zone within the Pacific Beach Community Plan Area. All of the surrounding parcels are in the IS-1-1 zone.

The site is designated Industrial within the Pacific Beach Community Plan. Pacific Beach is both a visitor destination as well as a residential community. It is comprised of mostly residential property with little commercial and industrial uses. Industrial zoning in Pacific Beach is limited to a small area east of East Mission Bay Drive and west of Interstate 5. The goal of the community plan is to continue to
promote a diverse economic and employment base in the industrial area and a mixture of commercial services to meet needs of existing and future populations. The uses to the north and east of this site are storage facilities (Price Self Storage), to the south building services (Dewey Pest Control) and east Interstate 5. The surrounding uses are allowed in the IS-1-1 Zone, are consistent with the Industrial designation of the community plan and a MMCC is a compatible use with a CUP.

The proposed MMCC, classified as commercial services is consistent with the community plan and therefore, will not adversely affect the applicable land use plan.

2. The proposed development will not be detrimental to the public health, safety, and welfare.

The site located at 4645 De Soto Street has two buildings totaling 7,675 square feet. Building 1 is 5,960 square feet and Building 2 is 1,715 square feet. Approximately 5,205 square feet of Building 1 will be demolished and the remaining 755 square feet will be integrated to Building 2. The proposed MMCC will be 2,470 square feet. The project proposes interior improvements that include a reception area, dispensary area, office, storage room and restroom. The proposed demolition and improvements will require ministerial building permits. The building permits will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements required are the removal of the existing curb, construction of a new City standard curb and gutter, sidewalk and curb ramp with truncated domes on the west side of De Soto Street satisfactory to the City Engineer.

The City of San Diego conducted an environmental review of this site in accordance with the California Environmental Quality Act (CEQA) guidelines. The project was determined to be categorically exempt from CEQA pursuant to Section 15303 (New Construction or Conversion of Small Structures).

MMCCs are restricted to four per Council District, 36 city-wide, within commercial and industrial zones in order to minimize the impact on the City and residential neighborhoods. MMCCs require compliance with San Diego Municipal Code (SDMC), section 141.0614 which require a 1,000 foot separation, measured between property lines, from: public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCCs prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCCs must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The project requires compliance with the development conditions in effect for the subject property as described in Conditional Use Permit No. 1292095. The CUP is valid for five years, however may be revoked if the use violates the terms, conditions, lawful requirements, or provisions of the permit.

The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety and general welfare of persons patronizing, residing or working within the surrounding area and therefore, the proposed MMCC will not be detrimental to the public health, safety and welfare.
3. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The site located at 4645 De Soto Street has two buildings developed in 1948 per Building Permit No. 67509 totaling 7,675 square feet. Building 1 is 5,960 square feet and Building 2 is 1,715 square feet. Approximately 5,205 square feet of Building 1 will be demolished and the remaining 755 square feet will be integrated to Building 2. The proposed MMCC will be 2,470 square feet. The project proposes interior improvements that include a reception area, dispensary area, office, storage room and restroom. The proposed demolition and improvements will require ministerial building permits. The building permits will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements required are the removal of the existing curb, construction of a new City standard curb and gutter, sidewalk and curb ramp with truncated domes on the west side of De Soto Street satisfactory to the City Engineer. The building is currently occupied by Pratt Machine Tools (commercial services).

MMCCs are restricted to four per Council District, 36 city-wide, within commercial and industrial zones in order to minimize the impact on the City and residential neighborhoods. MMCCs require compliance with San Diego Municipal Code (SDMC), section 141.0614 which require a 1,000 foot separation, measured between property lines, from: public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCCs prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCCs must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The proposed MMCC is consistent with the land use designation of Industrial and allowed in the IS-1-1 Zone with a CUP. The proposed MMCC meets all development regulations, no deviations are requested, and the permit as conditioned assures compliance with all the development regulations of the San Diego Municipal Code. The proposed MMCC therefore complies with the regulations of the Land Development Code.

4. The proposed use is appropriate at the proposed location.

The proposed 2,470 square foot MMCC located at 4645 De Soto Street is in the IS-1-1 Zone and designated Industrial within the Pacific Beach Community Plan. Pacific Beach is both a visitor destination as well as a residential community. It is comprised of mostly residential property with little commercial and industrial uses. Industrial zoning in Pacific Beach is limited to a small area east of East Mission Bay Drive and west of Interstate 5. The goal of the community plan is to continue to promote a diverse economic and employment base in the industrial area and a mixture of commercial services to meet needs of existing and future populations. The uses to the north and east of this site are storage facilities (Price Self Storage), to the south building services (Dewey Pest Control) and east Interstate 5. The surrounding uses are allowed in the IS-1-1 Zone, are consistent with the Industrial designation of the community plan and a MMCC is a compatible use with a CUP.
MMCC's are allowed in the IS-1-1 Zone with a Conditional Use Permit (CUP). The CUP requires MMCCs to comply with San Diego Municipal Code (SDMC), section 141.0614 which require a 1,000 foot separation, measured between property lines, from: public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCCs prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCCs must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The San Diego Municipal code limits MMCC's to commercial and industrial zones and the number of MMCC's to only four per Council District, 36 city-wide, in order to minimize the impact on the City and residential neighborhoods. The proposed MMCC meets the SDMC regulations and is consistent with the community plan which promotes a diverse economic and employment base in the industrial area and a mixture of commercial services to meet needs of existing and future populations. Therefore, the proposed MMCC is appropriate at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 1292095 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1292095, a copy of which is attached hereto and made a part hereof.

_____________________
Edith Gutierrez
Development Project Manager
Development Services

Adopted on: March 25, 2015

Job Order No. 24004658
Project Name: Kitano Mow
Address: 4645 De Solo St, San Diego
Date: May 9th 2014

<table>
<thead>
<tr>
<th>Use</th>
<th>Address</th>
<th>APR</th>
<th>Business Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential, US Navy</td>
<td>2748 Garnet Ave</td>
<td>427 150 00</td>
<td>Lincoln Military Housing, Uniform Service</td>
</tr>
<tr>
<td>Core Service Station</td>
<td>417 280 23 00</td>
<td></td>
<td>Enterprise Rent A Car</td>
</tr>
<tr>
<td>RV &amp; Boat Storage Lot</td>
<td>&quot;no site address&quot;</td>
<td></td>
<td>San Diego Property Management</td>
</tr>
<tr>
<td>Core, Garage, Parking Lot/Lease Car</td>
<td>4555 Mission Bay Blvd</td>
<td>426 110 20</td>
<td>Move Toyota</td>
</tr>
<tr>
<td>Undeveloped Land/2007</td>
<td>&quot;no site address&quot;</td>
<td>426 272 07 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Utilities</td>
<td>4848 Santa Fe St</td>
<td>426 111 20</td>
<td>Sidge</td>
</tr>
<tr>
<td>Public, City Of St. Operation Yard</td>
<td>3775 Valencia Blvd, S2117</td>
<td>426 060 21 00</td>
<td>Rose Canyon Operations Group</td>
</tr>
<tr>
<td>Com 1 To 3 Story/multistore buildings</td>
<td>4426 Albuquerqui St</td>
<td>426 272 05 00</td>
<td>Hill Construction Company</td>
</tr>
<tr>
<td>Com 1 To 3 Story/multistore buildings</td>
<td>4625 Albuquerqui St</td>
<td>426 272 05 00</td>
<td>Designer Window Supply Inc</td>
</tr>
<tr>
<td>Ind, bulk Storage, (tank, etc)</td>
<td>4467 Albuquerque St</td>
<td>426 272 20 00</td>
<td>Price Self Storage</td>
</tr>
<tr>
<td>Ind, bulk Storage, (tank, etc)</td>
<td>4607 Albuquerque St</td>
<td>426 272 21 00</td>
<td>Price Self Storage</td>
</tr>
<tr>
<td>Ind, bulk Storage, (tank, etc)</td>
<td>4607 Albuquerque St</td>
<td>426 272 20 00</td>
<td>Price Self Storage</td>
</tr>
<tr>
<td>Railroard</td>
<td>N/A</td>
<td>426 272 20 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Railroard</td>
<td>N/A</td>
<td>426 272 20 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Auto Service</td>
<td>4745 Mission Bay Dr</td>
<td>426 272 09 00</td>
<td>Dual Tune Mufflers</td>
</tr>
<tr>
<td>Ind, Factory/ship Manufacturing</td>
<td>2924 Garnet Ave</td>
<td>426 272 09 00</td>
<td>Napa Auto Center</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4813 Star Pacific Row #303</td>
<td>417 700 16 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4813 Star Pacific Row #810</td>
<td>417 700 16 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4813 Star Pacific Row #607</td>
<td>417 700 16 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4813 Star Pacific Row #307</td>
<td>417 700 16 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4813 Star Pacific Row #809</td>
<td>417 700 16 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4813 Star Pacific Row #505</td>
<td>417 700 16 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4813 Star Pacific Row #520</td>
<td>417 700 16 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4813 Star Pacific Row #909</td>
<td>417 700 16 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4813 Star Pacific Row #921</td>
<td>417 700 16 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Com 1 To 3 Story/multistore buildings</td>
<td>2903 Damon Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Car Rental</td>
<td>2900 Baggage Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Undeveloped Stream And Land</td>
<td>4800 Baggage Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Res, single Family Residences</td>
<td>De Soto St</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Ind, warehouse, processing, storage</td>
<td>De Soto St</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Ind, factory/ship Manufacturing</td>
<td>De Soto St</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Ind, furniture, (tank, etc)</td>
<td>De Soto St</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Self Storage</td>
<td>De Soto St/Albuquerque</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Commercial Sales And Service Agency</td>
<td>2735 Garnet Ave</td>
<td>417 250 10 00</td>
<td>Rose Creek</td>
</tr>
<tr>
<td>Veterans/Institutional</td>
<td>2735 Garnet Ave</td>
<td>417 250 10 00</td>
<td>In N Biz Burger</td>
</tr>
<tr>
<td>Used Auto Dealer</td>
<td>2730 Garnet Ave</td>
<td>417 250 10 00</td>
<td>Bumper Repair</td>
</tr>
<tr>
<td>Com 1 To 3 Story/multistore buildings</td>
<td>2736 Garnet Ave</td>
<td>417 250 10 00</td>
<td>IT &amp; Allan Service</td>
</tr>
<tr>
<td>Com 1 To 3 Story/multistore buildings</td>
<td>2776 Garnet Ave</td>
<td>417 250 10 00</td>
<td>Chris Auto Service Repair Center</td>
</tr>
<tr>
<td>Private Residence Upstairs</td>
<td>2772 Garnet Ave</td>
<td>417 250 10 00</td>
<td>Motel 6</td>
</tr>
<tr>
<td>Core, service station</td>
<td>2790 Garnet Ave</td>
<td>417 250 10 00</td>
<td>Quality Inn Lakefront</td>
</tr>
<tr>
<td>Core, service station</td>
<td>2790 Garnet Ave</td>
<td>417 250 10 00</td>
<td>Quality Inn Lakefront</td>
</tr>
<tr>
<td>New Construction</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Ind, automotive garage (small)</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Ind, automotive garage (small)</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Fitness Center, Gym</td>
<td>2400 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Fitness Center, Gym</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Fitness Center, Personal Trainers (small)</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Fitness Center, Personal Trainers (small)</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Fitness Center, Personal Trainers (small)</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Fitness Center, Personal Trainers (small)</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Fitness Center, Personal Trainers (small)</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Fitness Center, Personal Trainers (small)</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Fitness Center, Personal Trainers (small)</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Fitness Center, Personal Trainers (small)</td>
<td>2830 Garnet Ave</td>
<td>426 272 01 00</td>
<td>N/A</td>
</tr>
<tr>
<td>Business Type</td>
<td>Address</td>
<td>Phone</td>
<td>Notes</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------------------------------</td>
<td>----------</td>
<td>----------------</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4647 Pico St #203</td>
<td>417 740 03 41</td>
<td>N/a</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4647 Pico St #201</td>
<td>417 740 03 42</td>
<td>N/a</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4647 Pico St #202</td>
<td>417 740 03 43</td>
<td>N/a</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4647 Pico St #209</td>
<td>417 740 03 44</td>
<td>N/a</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4647 Pico St #204</td>
<td>417 740 03 45</td>
<td>N/a</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4647 Pico St #205</td>
<td>417 740 03 46</td>
<td>N/a</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4651 Pico St #206</td>
<td>417 740 03 35</td>
<td>N/a</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4651 Pico St #207</td>
<td>417 740 03 36</td>
<td>N/a</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4651 Pico St #208</td>
<td>417 740 03 37</td>
<td>N/a</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4651 Pico St #209</td>
<td>417 740 03 38</td>
<td>N/a</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4651 Pico St #210</td>
<td>417 740 03 39</td>
<td>N/a</td>
</tr>
<tr>
<td>Res, condominium</td>
<td>4651 Pico St #211</td>
<td>417 740 03 40</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 00</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 01</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 02</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 03</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 04</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 05</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 06</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 07</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 08</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 09</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 10</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 11</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 12</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 13</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 14</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 15</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 16</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 17</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 18</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 19</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 20</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 21</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 22</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 23</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 24</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 25</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 26</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 27</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 28</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 29</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4670 Santa Fe St</td>
<td>424 571 04 30</td>
<td>N/a</td>
</tr>
<tr>
<td>Ind, factory/light Manufacturing</td>
<td>4672 Santa Fe St</td>
<td>424 571 04 31</td>
<td>N/a</td>
</tr>
</tbody>
</table>
REVISED NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT
SAP No. 24004658

PROJECT NAME/NUMBER: 4645 De Soto MMCC/368309
COMMUNITY PLAN AREA: Pacific Beach Community Plan
COUNCIL DISTRICT: 2
LOCATION: The project is located at 4645 De Soto Avenue, San Diego, CA 92109

The original notice included a Project Description that inadvertently omitted reference to another building on the project site that will be included in the proposed medical marijuana facility. The revised Project Description does not affect the environmental determination.

PROJECT DESCRIPTION: The proposed project is a request for a Conditional Use Permit (CUP) for a Medical Marijuana Consumer Cooperative (MMCC). The facility is proposing to operate within two existing buildings (totaling 2,470-square-feet) located at 4645 De Soto Street. The current site consists of two buildings totaling 7,675-square-feet. Building One currently totals 5,960-square-feet and Building Two is currently 1,715-square-feet. This project will partially demolish all of Building One with the exception of 755 square-feet. Building Two will retain its square footage. The 0.22-acre project site is located within the Pacific Beach Community Plan Area; the site is designated Industrial. The project site is located in the IS-1-1 Zone, the Transit Area Overlay Zone, and the Coastal Height Limitation Overlay Zone.

ENTITY CONSIDERING PROJECT APPROVAL: City of San Diego Designated Staff

ENVIRONMENTAL DETERMINATION: CEQA Exemption 15303 (New Construction or Conversion of Small Structures)

ENTITY MAKING ENVIRONMENTAL DETERMINATION: City of San Diego

STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION: The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15303 which allows for the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The exceptions listed in CEQA Section 15300.2 would not apply.
DEVELOPMENT PROJECT MANAGER: Edith Gutierrez
MAILING ADDRESS: 1222 First Avenue, MS 501
San Diego, CA 92101
PHONE NUMBER: (619) 446-5147

On September 22, 2014, the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (October 10, 2014). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

This information will be made available in alternative formats upon request.
LEGAL DESCRIPTION:

Project: 368309

The Project is located in the City of San Diego, within the boundaries of the City of San Diego, County of San Diego, State of California. The boundaries of the Project are as follows:

The Project is bounded on the east by the City of San Diego, on the south by the City of San Diego, on the west by the City of San Diego, and on the north by the City of San Diego.

The Project consists of a total area of [X] acres.

ZONING DESIGNATION:

The Project is zoned [X] under the City's [Zoning Code].

OCUPANCY CLASSIFICATION:

The Project is classified as [X].

EXISTING AND PROPOSED USES:

Existing Uses:
- [Existing Uses]

Proposed Uses:
- [Proposed Uses]

YEAR CONSTRUCTED:

[Year Constructed]

CONSTRUCTION PERMIT:

Number: [Permit Number]

FIRM NAME:

[Contractor Name]

PROJECT ADDRESS:

[Address]

DATE:

[Date]

SIGNATURES:

[Signatures]

ATTACHMENT 9
Landscape Notes

1. All landscape and irrigation shall conform to the standards of the City-Wide Landscape Regulations and the City of San Diego Land Development Manual Landscape Standards and all other landscape related City and Regional Standards.

2. Irrigation: An automatic, electrically controlled irrigation system shall be provided as required by LDC 142.640(b) for proper irrigation, development, and maintenance of the vegetation in a healthy growing condition. Trees and all plant materials shall be maintained in a healthy growing condition. Diseased or dead plant materials shall be satisfactorily removed or replaced as required by the conditions during the permit period. The irrigation system shall be provided for all trees. The minimum dimension for this area shall be 5 square feet, per SDMC 142.640(b)(5).

3. Maintenance: All required landscape areas shall be maintained by Owner. The landscape areas shall be maintained free of debris and litter, and all plant material shall be maintained in a healthy growing condition. Diseased or dead plant material shall be satisfactorily removed or replaced as required by the conditions during the permit period. The irrigation system shall be provided for all trees. The minimum dimension for this area shall be 5 square feet, per SDMC 142.640(b)(5).

4. An irrigation Audit consistent with San Diego Municipal Code (SDMC) 142.641(b) and Section 3.7 of the Landscape Standards of the Land Development Manual will be conducted and submitted to the City prior to occupancy and use.

Planting Calculations

STREET YARD (Industrial and Commercial Development)

<table>
<thead>
<tr>
<th>Planting Area Required</th>
<th>Planting Area Provided</th>
<th>Excess Area Provided</th>
<th>Plant Points Required</th>
<th>Plant Point Provided</th>
<th>Excess Points Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>5,963 sq. ft. x 25%</td>
<td>1,291 sq. ft.</td>
<td>4,672 sq. ft.</td>
<td>76 points</td>
<td>120 points</td>
<td>50 points</td>
</tr>
</tbody>
</table>

HUMANIC YARD (Industrial and Commercial Development)

<table>
<thead>
<tr>
<th>Planting Area Required</th>
<th>Planting Area Provided</th>
<th>Excess Area Provided</th>
<th>Plant Points Required</th>
<th>Plant Point Provided</th>
<th>Excess Points Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>664 sq. ft. x 30%</td>
<td>198 sq. ft.</td>
<td>466 sq. ft.</td>
<td>14 points</td>
<td>40 points</td>
<td>26 points</td>
</tr>
</tbody>
</table>

VERMICULAR USE AREAS (VUA): less than 9,000 sq. ft.

| Plant Points Required | Plant Points Provided | Excess Points Provided | Points Achieved by Trees (at least 1/2)
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>222 points</td>
<td>258 points</td>
<td>120 points</td>
<td></td>
</tr>
</tbody>
</table>

AUDIT SUMMARY: PLANTING AREA AND PLAN EASEMENT

1. Parable 142.640(b): 100% of the required Plant Points in the street yard is achieved with Trees.
2. Parable SDMC 142.640(b): 50% of the required Plant Points in the Remaining Yard is achieved with Trees.
Pacific Beach Community Planning Group
Commercial/Residential/Mixed-Use Subcommittee
Thursday June 12, 2014 12:15PM
PB Library Community Room

Minutes – Note: These are subcommittee recommendations and shall not be sent to the City of San Diego as a PBPG recommendation

1. Project Name – 3427 Riviera Drive
   a. Presenter – Mel McGee
   b. City Project Number – PTS# 35881, Project Manager: Sandra Teasley, steasley@sandiego.gov
   c. Description – Coastal Development Permit (Process 2) to remodel and add a 1,195 square foot, 2nd story addition to an existing one story single family residence. The 0.12 acre site is located at 3427 Riviera Drive in the RS-1-7 Zone and Coastal (non appealable) Overlay Zone within the Pacific Beach Community Plan area.
   d. Discussion
      i. The project has a 2 car garage that is included in the FAR.
   e. Motion (Action Item) – Approve the project as presented; passed 4-0-1.

2. T-Mobile ActivCare
   a. Presenter – Rocki Lam
   b. City Project Number – PTS# 344679, Project Manager: Alexander Hempton, ahempton@sandiego.gov
   c. Description – 2440 Grand Ave. Conditional Use Permit (CUP), Process 4, for a Wireless Communication Facility (WCF) consisting of panel antennas concealed within a roof-top screening element designed to integrate with the proposed ActivCare senior residential care facility. RS-1-7.
   d. Discussion
      i. The antennae and equipment are to be concealed with in the building façade.
   e. Motion (Action Item) – Approve the project as presented; passed 7-0-1.

3. Project Name – 4645 De Soto MMCC
   a. Presenter – Joe Esposito
   b. City Project Number – PTS# 368309, Project Manager Edith Gutierrez, eguitierrez@sandiego.gov
   c. Description – Conditional Use Permit for a Medical Marijuana Consumer Cooperative (MMCC) to operate within an existing 1,550 square foot building located at 4645 De Soto Avenue. The 0.22-acre site is located in the IS-1-1 zone within the Pacific Beach Community Plan Area.
   d. Discussion
      i. Project Manager, Joe Esposito gave a presentation showing the proposed MMCC. The discussion outlined:
         1. MMCC law and intent.
         2. Current site conditions and configurations.
3. Proposed condition and configuration.
4. Security plan which included guards, surveillance, lighting, and alarm system.
5. Point of sale system.
6. Lab testing and analytic services.

ii. Approximately five members of the audience and seven members of the subcommittee chose to speak regarding the MMC. Joe Esposito and Attorney Lance Rogers were given an opportunity to respond to the comments from the public. General comments and concerns were in regards to:
   1. Representatives from Price Self Storage came in opposition of the proposed MMCC.
   2. Parking. There is one handicap space and one additional space for the entire site. This includes the MMCC and two other spaces. One of the two spaces was contentious based on whether or not it impeded on the neighbor's property. At this time the MMCC does not have a plan as to how to provide additional parking to its employees and patients.
   3. Traffic and circulation concerns for the additional commuter daily trips to the MMCC.
   4. Safety regarding to the intended use was a concern of some. An example of a security guard being shot at a MMCC recently was presented.
   5. The presenters were thanked for proposing a MMCC that would at very least be legal. As of now the current dispensaries are illegal.
   6. Several speakers expressed concern over not being able to support a MMCC until all illegal shops in PB were closed.
   7. There are still comments that have not been cleared by the city that hinder support of the presented project.
   8. A question that was not answered was; "What assurances does the community have should the proposed owners not act in accordance with the conditions presented?".

   e. Motion (Action Item) – Deny the project as presented. Passed 8-0.

4. Non Agenda Public Comment – Information Items Only (1:10PM-1:30PM)
   a. Introduction to the Guy Hill Cadillac Project
      i. An introduction to this project was presented by Marengo Morton Architects. The project will be approximately 181 apartments over commercial space. The project is located at 4275 Mission Bay Drive. A pedestrian bridge would be proposed to link the east side of Mission Bay Drive to the west. Next month’s subcommittee meeting will discuss this project further and have this project as an action item.

5. Adjournment
Ownership Disclosure Statement

<table>
<thead>
<tr>
<th>Approval Type</th>
<th>Check appropriate box for type of approval (s) requested</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighborhood Use Permit</td>
<td>☐</td>
</tr>
<tr>
<td>Coastal Development Permit</td>
<td>☐</td>
</tr>
<tr>
<td>Neighborhood Development Permit</td>
<td>☐</td>
</tr>
<tr>
<td>Site Development Permit</td>
<td>☐</td>
</tr>
<tr>
<td>Planned Development Permit</td>
<td>☐</td>
</tr>
<tr>
<td>Conditional Use Permit</td>
<td>☒</td>
</tr>
<tr>
<td>Variance</td>
<td>☐</td>
</tr>
<tr>
<td>Tentative Map</td>
<td>☐</td>
</tr>
<tr>
<td>Vesting Tentative Map</td>
<td>☐</td>
</tr>
<tr>
<td>Map Waiver</td>
<td>☐</td>
</tr>
<tr>
<td>Land Use Plan Amendment</td>
<td>☐</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project Title</th>
<th>De Soto Street MMCC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Address</td>
<td>4645 De Soto St. San Diego, CA 92109</td>
</tr>
</tbody>
</table>

Part I - To be completed when property is held by Individual(s)

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property, with the intent to record an encumbrance against the property. Please list below the owner(s) and tenant(s) (if applicable) of the above referenced property. The list must include the names and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all individuals who own the property). A signature is required of at least one of the property owners. Attach additional pages if needed. A signature from the Assistant Executive Director of the San Diego Redevelopment Agency shall be required for all project parcels for which a Disposition and Development Agreement (DDA) has been approved / executed by the City Council. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Additional pages attached | ☒ Yes | ☐ No

Name of Individual (type or print): PRATT FAMILY TRUST 09-07-00, James Pratt, Co-Trustee

<table>
<thead>
<tr>
<th>Owner</th>
<th>Tenant/Lessee</th>
<th>Redevelopment Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Street Address: 4645 De Soto Street
City/State/Zip: San Diego, CA 92109
Phone No: 858 270-4005
Fax No:
Signature: James Pratt
Date: 4/10/2014

Name of Individual (type or print): PRATT FAMILY TRUST 09-07-00, Lynne Pratt, Co-Trustee

<table>
<thead>
<tr>
<th>Owner</th>
<th>Tenant/Lessee</th>
<th>Redevelopment Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Street Address: 4645 De Soto Street
City/State/Zip: San Diego, CA 92109
Phone No: 858 270-4005
Fax No:
Signature: Lynne Pratt
Date: 4/10/2014

Name of Individual (type or print): JAMES GORDON PRATT

<table>
<thead>
<tr>
<th>Owner</th>
<th>Tenant/Lessee</th>
<th>Redevelopment Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Street Address:
City/State/Zip:
Phone No:
Fax No:
Signature: Date:

Name of Individual (type or print): Lynne Pratt

<table>
<thead>
<tr>
<th>Owner</th>
<th>Tenant/Lessee</th>
<th>Redevelopment Agency</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Street Address:
City/State/Zip:
Phone No:
Fax No:
Signature: Date:

Printed on recycled paper. Visit our web site at: www.sandiego.gov/development-services
Upon request, this information is available in alternative formats for persons with disabilities.

DS-318 (5-05)
Project Title:
De Soto Street MMCC

Part II - To be completed when property is held by a corporation or partnership

Legal Status (please check):

[X] Corporation
[ ] Limited Liability -or- [ ] General

What State? CA
Corporate Identification No. C3662189

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter, as identified above, will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the names, titles and addresses of all persons who have an interest in the property, recorded or otherwise, and state the type of property interest (e.g., tenants who will benefit from the permit, all corporate officers, and all partners in a partnership who own the property). A signature is required of at least one of the corporate officers or partners who own the property. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process. Additional pages attached [ ] Yes [X] No

Corporate/Partnership Name (type or print):
Mission Bay Cooperative, Inc.

[ ] Owner [X] Tenant/Lessee

Street Address:
6435 Caminito Blythefield, Suite H
City/State/Zip: La Jolla, CA 92037
Phone No: (310) 704-3297
Fax No: (408) 205-1381

Name of Corporate Officer/Partner (type or print):
Un Sik Chong
Title (type or print):
President/CEO
Signature:
Date: 4/21/2014

[ ] Owner [X] Tenant/Lessee

Street Address:

City/State/Zip:
Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):
Title (type or print):
Signature:
Date:

Corporate/Partnership Name (type or print):

[ ] Owner [X] Tenant/Lessee

Street Address:

City/State/Zip:
Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):
Title (type or print):
Signature:
Date:

Corporate/Partnership Name (type or print):

[ ] Owner [X] Tenant/Lessee

Street Address:

City/State/Zip:
Phone No: Fax No:

Name of Corporate Officer/Partner (type or print):
Title (type or print):
Signature:
Date:
SDPD CPTED REVIEW OF MISSION BAY COOPERATIVE

Date: Feb. 24, 2015
To: James Chong
From: Ted Parker, SDPD Crime Prevention
Copies to: Edith Gutierrez, Development Services Department
Linda Griffin, A/Lieutenant, SDPD Vice Administration
Larry Hesselgesse, SDPD Northern Division Community Relations Officer (CRO)

I have a few advisory suggestions for crime prevention measures in the design of this project. They are based on the following four CPTED concepts that are widely used to reduce the incidence and fear of crime, and improve the quality of life in land-development projects. These concepts are defined briefly as follows:

1. **Surveillance.** Involves the use of electrical and mechanical devices, and the location of physical features, activities, and people to provide good visibility in the environment. Creates a risk of detection for offenders and a perception of safety for legitimate users.

2. **Access control.** Uses electrical and mechanical devices, people, and natural measures to create a perception of risk to offenders and deny them access to targets and escape routes. Also guides legitimate users safely through the environment.

3. **Territorial reinforcement.** Uses physical features and signs to define ownership and control activities in the environment. Delineates spaces with limited or no public access.

4. **Maintenance.** Allows the continued use of spaces for their intended purposes. Maintains the effectiveness of measures employed for surveillance, access control, and territoriality.

Feel free to call me at (858) 523-7049 if you want to discuss these suggestions further – but first some area crime data.

**AREA CRIME DATA**

During the year from Feb. 15, 2014 to Feb. 15, 2015 the crimes reported to the SDPD with valid addresses within a 0.25-mile radius of 4645 De Soto St., the address of this project, constituted 50 crime cases involving persons and property, including some with domestic violence. The following numbers of cases are defined by the most serious crime that occurred.

- 12 cases involving persons: 2 aggravated and 7 simple assaults, 2 sex other than rape, and 1 street robbery
- 35 cases involving property: 1 commercial and 4 residential burglaries, 5 financial crimes, 10 malicious mischief/vandalism, 8 thefts other than of or from vehicles, 3 vehicle break-ins, and 4 vehicle thefts
- 3 cases involving less serious crimes

Six of these crimes occurred on De Soto St. They were 2 simple assaults, 1 malicious mischief/vandalism, 1 theft, and 2 vehicle break-ins. None were at 4645.

These numbers suggest the importance of including crime prevention measures in the design of this project.
SUGGESTIONS

Alarms

The San Diego Municipal Code (SDMC) Sec. 141.0614(d) requires alarms but does not say what kind. Both robbery and burglar alarm systems should be installed. The robbery alarm is a silent panic button that an employee would push in the event of a holdup. It would signal the alarm company to call 911 to report a robbery in progress and not call back to confirm the alarm. The burglar alarm system should include sensors on all exterior doors and windows, exterior walls, common interior walls with the adjacent building, and the ceiling. The sensors on the walls and ceiling would detect any attempts to drill or otherwise break through them. Note that the parapet shields anyone on the roof from being seen from the street. These alarm systems should have batteries for backup power.

If the building has an above-ground telephone line that sends alarm signals to the alarm company, the telephone cable and its network interface box need to be protected against various attacks. The exterior cable should be installed in armor conduits. And the wiring should be in a sturdy metal box that is locked with a hidden- or shielded-shackle padlock with a shackle that is difficult to cut with a bolt cutter. Alternatively, the alarm system should have a wireless backup that would send the alarm if the telephone wire is cut.

Electric Power

Because lights and security systems work on electric power it is important that measures be taken to prevent its disruption and provide a source of backup power in the event of a power failure. If the circuit breakers and fuses are located outside the building, they should also be installed in a sturdy metal box that is locked with a hidden- or shielded-shackle padlock.

Cameras

The SDMC Sec. 141.0614(d) requires cameras but does not say what kind or where they should be installed. Cameras can be wired or wireless. They can record continually, when motion is detected, at specified times, or on an alarm. After a crime occurs the imagery can be reviewed for usable evidence. Any camera system that is installed should be designed to provide high-quality, color imagery of persons and activities inside and outside the MMCC in any lighting condition for use by the SDPD in investigating crimes. It should operate 24/7 and have backup power for at least 12 hours in the event of a power failure. The cameras should cover the parking lot, building entrance, transaction windows, and marijuana showroom, processing, and storage rooms. Their imagery should enable clear and certain identification of any individual on the premises. The video should be recorded and kept in a secure room for at least 30 days.

The existence of cameras helps to deter crime but not to stop a crime in progress. However, if buildings with robbery and burglary alarms also have Internet Protocol (IP) cameras, the imagery can be transmitted to the alarm company so personnel there can look at the imagery and see what is happening. Or it can be transmitted to a web-enabled mobile device. (This should be done over a secure Internet link protected by a strong password. Microsoft Windows suggests that these passwords be at least eight characters long, with at least one capital letter, one lowercase letter, one number, and one symbol. Use of non-dictionary words or easily-remembered phrases is recommended.) If a crime in progress is seen, 911 should be called and the dispatcher given the details. This will lead to a higher call priority and a faster response than would occur for an unverified alarm call. Officers might even arrive in time to catch the perpetrators. If something suspicious is seen, it should be reported to the SDPD on its non-emergency number, (619) 531-2000 or (858) 484-3154.

For actions that don't trigger alarms, "smart" cameras with video-analytics or intelligent-video software can be installed and programmed to detect anything unusual or suspicious. When an alert condition occurs, the imagery would be transmitted to the alarm company or to a web-enabled mobile device so security personnel can see what is happening and take appropriate action. Again, if a crime in progress is seen, 911 should be called and the dispatcher given the details. This will lead to a higher call priority and a relatively fast response. Officers might even arrive in time to catch the perpetrators.
In either case, if something suspicious is seen, it should be reported to the SDPD on its non-emergency number, (619) 531-2000 or (858) 484-3154. Or if there is a guard on-site or one in a patrol car that can respond quickly, the alarm company should be called to investigate.

IP cameras that view areas in which crimes might be in progress, such as the reception enclosure, should also be capable of providing real-time streaming video to the SDPD in Operation Secure San Diego. This program is one of the SDPD’s new technology public safety and crime fighting activities. It will enable officers arriving at the scene to make better, more-informed tactical decisions and determine whether additional officers and emergency services are required. Contact the CRO in the SDPD’s Northern Division at (858) 552-1700 if you wish to partner with the SDPD in this program.

Signs regarding cameras should be posted in order to deter crimes. They should use words like CAMERAS ARE ON THE PREMISES, SURVEILLANCE IS IN PROGRESS, or ALL ACTIVITIES ARE RECORDED TO AID IN THE PROSECUTION OF CRIMES COMMITTED ON THE PREMISES. One such sign is shown below.

Because cameras are susceptible to damage by criminals attempting to hide their actions, measures should be taken to make exterior cameras less vulnerable. Here are some possibilities.

- Mount cameras as high as possible.
- Use damage-resistant cameras.
- Use armored conduits for electrical cables.
- Install cameras where they are within the field of view of at least one other camera.
- Include measures to detect lens blockage and other tampering.

**Lighting**

Lighting should comply with SDMC Sec. 141.0614(c). The front and sides of the MMCC should be well lighted from sunset to sunrise. Like cameras, lights should also be damage-resistant.

The Site Plan (Sheet A2.02) shows four light poles on the north side of the parking lot. The Landscape Site Plan (Sheet L1.01) shows six crape myrtle trees there. When planted and grown, make sure that the trees won’t block light on the parking spaces.

**Single Entrance Door**

When the building is unoccupied, the door can be locked with a single-cylinder deadbolt that is separate from other locking mechanisms. These locks should have a throw of at least one inch, be key-operated on the outside, and have a thumb turn on the inside. They cannot be used when the suite is occupied because California Fire Code Sec. 1008.1.9 states that egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort. The thumb turn is deemed to require special knowledge. It also requires twisting of the wrist to open the door, which makes it prohibited in the California Fire Code. When a deadbolt is installed a sign must be posted on or adjacent to the door saying THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED per California Fire Code Sec. 1008.1.9.3.
To be bullet-resistant the door should be made of steel or reinforced with steel, and be tested in accordance with Underwriters Laboratories (UL) 752 and assigned a protection level from 1 to 10. It should also have a steel frame or a steel reinforcing device mounted on the lock side of the frame that extends at least 2 feet above and below the strike plate.

The door should have a 180-deg peep-hole so employees in the building can be sure that no one is loitering outside it when they open the door leave the building. Or with a camera outside the door, they could look at its monitor to see if it is safe to open the door. Also, a mirror should be installed outside so someone looking through the peephole or at a camera monitor can see if anyone is loitering on the north side of the building.

**Double Doors**

Doors with a post between them and beveled latches that are visible from the outside should have latch guards that extend at least 12 inches above and below the latches. This will prevent a person from sliding something between a door and the post to push in a latch.

Doors that don’t have posts between them and don’t have latches on their sides should have latches on both their tops and bottoms that go into the tops of their frames and the floor, respectively. Doors that only have latches that go into the tops of their frames can be opened by a person pushing on one door near the floor to create enough space between the doors for a hand to reach in and depress a push bar or press bar on the other door.

Doors that are opened on the inside by push or press bars and have a gap between them can be opened with an L- or T-shaped rod that is inserted between them next to the bars, turned 90 degrees, and pulled to depress one or both bars. This can be prevented by attaching a strip of metal or some other material to one door to cover the gap. It is better if the doors have no gap or a post between them.

Doors that are opened on the inside by press bars, i.e., bars that rotate downward when pushed, and have don’t have a gap between them but do have one underneath them, can be opened with a lever opening tool like the Kodex K-22. This tool has a curved wire that is inserted under the door and raised to hook over the bar on the inside of the door. The wire is then pulled to rotate the bar downward to open the door. The easiest way to prevent this is to attach a threshold strip to the floor under the doors and brush-sweeps to the bottoms of the doors. They would close the gap and prevent the tool from being inserted.

When the suite is unoccupied, the double doors can be locked with a single-cylinder deadbolt that is separate from other locking mechanisms. These locks should have a throw of at least one inch, be key-operated on the outside, and have a thumb turn on the inside. They cannot be used when the suite is occupied because California Fire Code Sec. 1008.1.9 states that egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort. The thumb turn is deemed to require special knowledge. It also requires twisting of the wrist to open the doors, which makes it prohibited in the California Fire Code. When a deadbolt is installed a sign must be posted or adjacent to the doors saying THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED per California Fire Code Sec. 1008.1.9.3.

**Front Window**

This window should be made of a burglar-resistant material that meets UL 972 standards. These materials look like safety glass but will not shatter easily, even after repeated blows. The following materials can be used:

- **Laminated glass** is made with a vinyl or plastic inter-layer sandwiched between two layers of glass. This type of glass adds additional strength to your windows. To gain entry a burglar would have to strike the glass repeatedly in the same spot in order to make a small opening. Most burglars are reluctant to create this type of noise for fear of being detected.

- **Tempered glass** is made by placing a piece of regular glass in an oven, bringing it almost to the melting point, and then chilling it rapidly. This causes a skin to form around the glass. Fully tempered glass is four to five times stronger than regular glass.

- **Wired glass** adds the benefit of a visible deterrent. Extra effort will be needed to break the glass and then cut through the wire located within the glass in order to gain entry.
• **Plastic acrylics** are more than ten times stronger than glass of the same thickness and are commonly called Plexiglas.
• **Polycarbonate** sheets are superior to acrylics and are advertised as 250 times more impact resistant than safety glass, and 20 more times than other transparent plastic.

Glass with a security film attached to the inside can also be burglar-resistant. It requires repeated blows to break through, which take time and make noise. A burglar faced with this task might give up and go away or look for another way or place to break in.

Another way to make windows burglar-resistant is to install security screens, which should have the following features so they cannot be broken through or pried open:

• Four-sided, stainless-steel frame
• Frame secured to the building
• Steel mesh that cannot be cut with a knife
• Mesh secured to frame to resist dynamic impacts
• Rust and corrosion resistant
• Passed Australian Standards (AS) knife shear, dynamic impact, jimmy, and salt spray tests

The front window should also be tinted or have a reflective film on them to prevent a person from seeing in during the day. And if the interior of the building is lighted after dark, e.g., by employees or janitors, shutters or blinds will need to be used inside the windows because reflective materials are not effective then.

Other ways to secure the building are with a folding security gate or a roll-down security shutter, and bollards that prevent a vehicle from driving in.

**Metal Detector**

If a metal detector is installed at the front door, a security guard will need to be present to check all carry-in items—backpacks, brief cases, purses, laptops, etc.—and any metal items detected on people entering the suite. This guard should be armed, wear a bullet-resistant vest, and be trained in how to deal with people who have weapons, refuse to be searched, or use their weapons.

The receptionist would observe this process keep the showroom entrance door locked until the guard indicates it is safe to remotely unlock it. It is assumed that the showroom exit door would always be locked on the outside.

**Video Intercom**

Consider installing a video intercom to control access to the building. With it the front door could be locked and a person wanting to enter would push a button to talk to the receptionist, who would also be able to see the person and might ask the person to show his or her identification. If the person is a member, he or she would be buzzed in.

**Mantrap**

To prevent a person from following another person into the building, i.e., tailgating, the front door could lead to a mantrap, i.e., a secured space for one person equipped with two interlocking doors to insure that only one person at a time can pass through into the lobby. Employees of the MMCC would be able to open both doors with their individual access cards, fobs, or keypad codes. Others would be buzzed through by the receptionist. To prevent someone who has stolen an employee’s access means from entering the building, a biometric sensor like a fingerprint reader could be installed at the second door. Thus, only employees would be able to enter through the mantrap.
Door to the Showroom

The receptionist should control access to the showroom. He or she would check the identity and membership of people entering the building and remotely unlock the door to the showroom for those who are granted entry.

Motorcycle Parking

The motorcycle parking spaces should have some permanently anchored fixtures that the bikes can be secured to.

CAVEATS ON CPTED

CPTED measures employ three elements -- people, devices, and design features -- to deter crimes of opportunity by making it more difficult for an offender to commit a crime and escape without being stopped or detected. Although devices and design features are important, the human element is the critical one. People in the environment must:

- Take advantage of the visibility provided to observe and question intruders.
- Report suspicious behavior and criminal activities.
- Use the access control measures provided to keep intruders out.
- Use security measures to protect themselves and their property.
- Exercise control over their environment.

But even all of this will not stop many types of offenders. Other concepts and strategies will be needed to deal with offenders who are:

- Determined and skillful in defeating surveillance and access control measures,
- Irrational in their behavior,
- Acting as a member of an organized gang,
- Under the influence of drugs or alcohol,
- Reckless or undeterred by the risks of detection and apprehension,
- Unconcerned about possible punishment, or
- Legitimately in the area.

The need for the community, police, and other agencies and organizations to work together as partners to employ other concepts and strategies is especially critical in dealing with organized gangs because gangs can also use surveillance, access control, and territoriality measures, along with terror and intimidation, to make an environment safe for their criminal activities.

Finally, CPTED measures do not deal with many types of crimes that occur in social, home, and business environments. For example, they do not help to prevent crimes in which the victim knows or provides access to the offender, i.e., domestic violence, child abuse, and acquaintance rape. Nor do they help prevent substance abuse, workplace violence, fraud, forgery, and other financial crimes. Counseling, education, enforcement, and other measures are needed to deal with these situations.