



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: October 31, 2018 REPORT NO. HO-18-109

HEARING DATE: November 7, 2018

SUBJECT: MPF 6225 Progressive Ave B200, Process Three Decision

PROJECT NUMBER: [585510](#)

OWNER/APPLICANT: RM-USE, LLC, a California limited liability company, Owner
Happy Travels, LLC, a California limited liability company, Applicant

SUMMARY

Issue: Should the Hearing Officer approve a Marijuana Production Facility located at 6225 Progressive Avenue, Suite B200, of the Otay Mesa Community Plan area?

Staff Recommendation: Approve Conditional Use Permit No. 2071560.

Community Planning Group Recommendation: On October 17, 2018, the Otay Mesa Community Planning Group voted 12-0-1 to recommend approval of the proposed project with no additional conditions (Attachment 7).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures). This project is not pending an appeal of the environmental determination. The environmental exemption determination for this project was made on August 1, 2018, and the opportunity to appeal that determination ended August 15, 2018.

BACKGROUND

The 6.56-acre site of the proposed project is located at 6225 Progressive Avenue, Suite B200, in the IL-2-1 Zone of the Otay Mesa Community Plan (Community Plan) area (Attachment 1). The project site is designated Light Industrial within the Community Plan (Attachment 2). The Light Industrial designation allows a variety of industrial uses, permitting a range of light manufacturing, research and development, storage, and distribution. The existing building has three existing suites and is currently being used as a warehouse and shipping facility. Only Suite B200, will be occupied by the proposed Marijuana Production Facility (MPF) project. The purpose and intent of the IL Base Zone is to permit a range of uses, including non-industrial uses in some instances. Specifically, the IL-2-1

allows a mix of light industrial and office uses with limited commercial. The site is presently developed with an industrial building constructed in 2000 (Attachment 3).

MPFs are restricted to 40 City-wide, within light and heavy industrial zones. MPFs require compliance with San Diego Municipal Code (SDMC) [Section 141.1004](#), which require a 1,000-foot separation, measured between property lines, from resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. MPFs also require a minimum distance requirement of 100 feet from a residential zone. Security requirements include 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. MPFs must also comply with [SDMC Chapter 4, Article 2, Division 15](#) which provides guidelines for lawful operation.

DISCUSSION

Project Description:

A Conditional Use Permit is required pursuant to [SDMC Section 126.0303](#) for a MPF. The project proposes a Conditional Use Permit for a MPF to operate within an existing tenant space, Suite B200, encompassing an operational area of 6,006 square feet. The facility would be contained within an existing 17,032 square-foot building. The project proposes tenant improvements to the existing building to organize the interior spaces to facilitate operations including cultivation, processing, packaging and distribution of cannabis products. The 6.56-acre site is designated Light Industrial of the Otay Mesa Community Plan and subject to the IL-2-1 Zone requirements.

The MPF operations include packaging, storage, distribution, and cultivation of cannabis, which includes trimming, drying, curing, and harvesting. The project proposes interior improvements including offices, restrooms, packaging area, storage, distribution, and cultivation area. The proposed MPF is subject to specific operation requirements as set forth in [SDMC Section 141.1004](#), including security requirements. The proposed improvements will require the Owner/Permittee to obtain a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit, satisfactory to the Building Official. The facility is also subject to State of California statutes and regulations. Public improvements would include the reconstruction of six existing driveways and existing curb ramp per current City Standards.

Conclusion:

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. The design of the proposed project complies with all development regulations of the IL-2-1 Zone and no deviations are required to approve the project. Staff has provided draft findings (Attachment 4) to support the proposed project and draft conditions of approval (Attachment 5). Staff is recommending the Hearing Officer approve the project as presented.

ALTERNATIVES

1. Approve Conditional Use Permit No. 2071560, with modifications.

2. Deny Conditional Use Permit No. 2071560, if the findings required to approve the project cannot be affirmed.

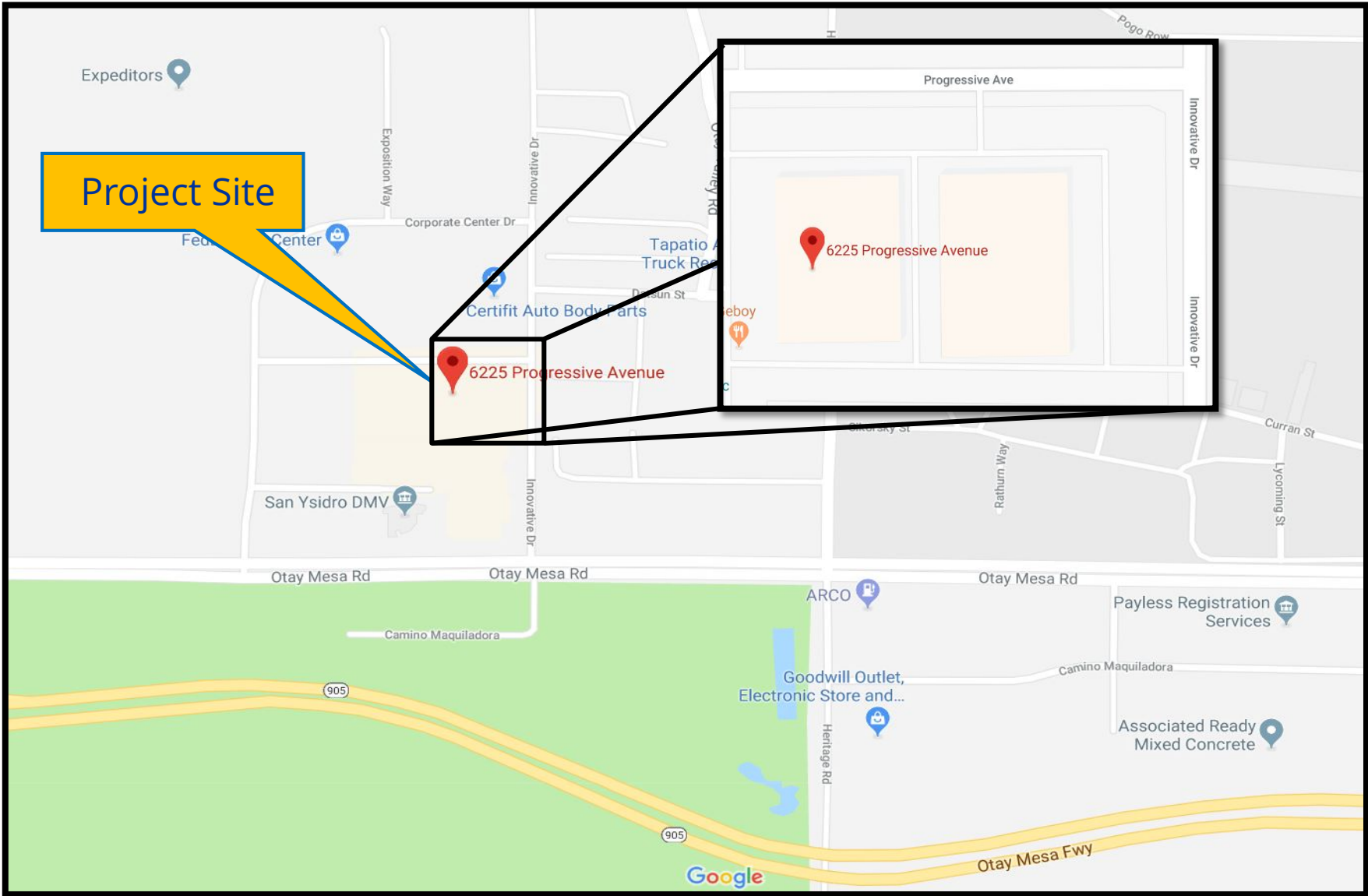
Respectfully submitted,



Sammi Ma
Development Project Manager

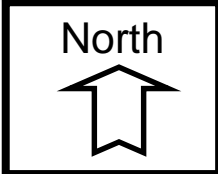
Attachments:

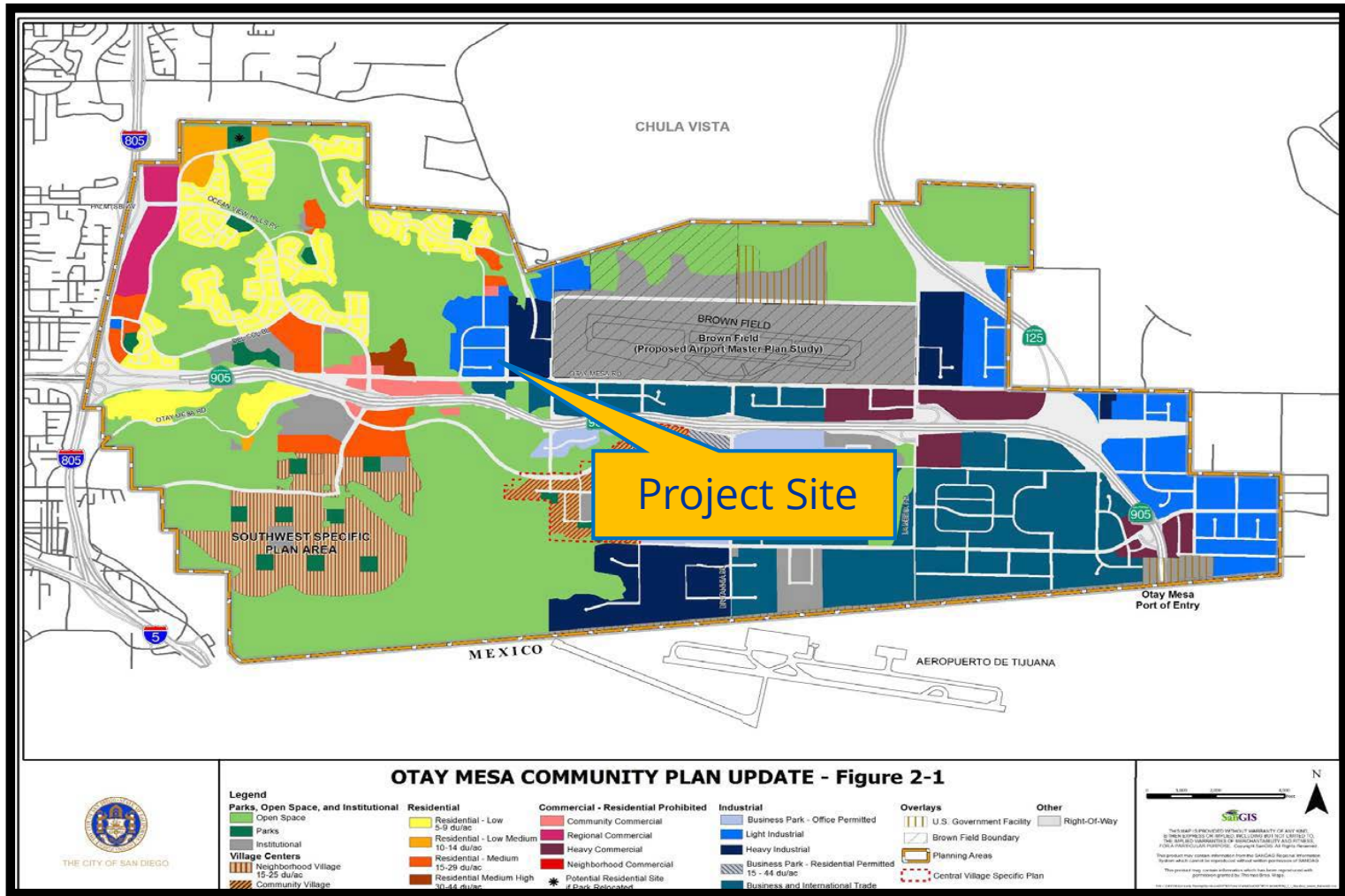
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Environmental Exemption
7. Community Planning Group Recommendation
8. Ownership Disclosure Statements
9. Project Plans



Project Location Map

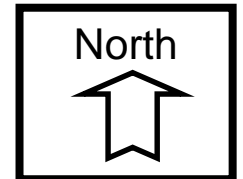
MPF 6225 Progressive Avenue, Suite 200B / 6225 Progressive Avenue
PROJECT NO. 585510





Community Plan Land Use Map

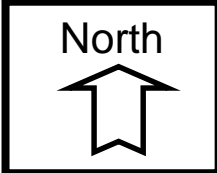
6225 Progressive Ave. Suite B-200
PROJECT NO. 585510





Aerial Photograph

MPF 6225 Progressive Avenue, Suite 200B / 6225 Progressive Avenue
PROJECT NO. 585510



HEARING OFFICER RESOLUTION NO. [REDACTED]
CONDITIONAL USE PERMIT NO. 2071560
MPF 6225 PROGRESSIVE AVE B200 - PROJECT NO. 585510

WHEREAS, RM-USE LLC, a CALIFORNIA LIMITED LIABILITY COMPANY, Owner, and HAPPY TRAVELS, LLC, a CALIFORNIA LIMITED LIABILITY COMPANY, Permittee, filed an application with the City of San Diego for a permit to operate a 6,006 square-foot Marijuana Production Facility within an existing 17,032 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2071560), on portions of a 6.56-acre site;

WHEREAS, the project site is located at 6225 Progressive Avenue, Suite B200, in the IL-2-1 Zone of the Otay Mesa Community Plan area;

WHEREAS, the project site is legally described as Parcel 2, Unit 200, located in Building B as shown on the amended and corrected condominium plan of Biltmore at Ocean View Hills, recorded in the Office of the County Recorder of San Diego County, October 22, 2007 as instrument No. 2007-0674167 of official records;

WHEREAS, on August 1, 2018, 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 Guideline Section 15303 (New Construction or Conversion of Small Structures), and there was no appeal of the Environmental Determination filed within the time period provided by San Diego Municipal Code Section 112.0520;

WHEREAS, on November 7, 2018, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2071560 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2071560:

A. CONDITIONAL USE PERMIT [SDMC Section 126.0305]

1. Findings for all Conditional Use Permits:

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

The proposed project requests a Conditional Use Permit to operate a 6,006 square-foot Marijuana Production Facility (MPF) within an existing 17,032 square-foot building. The 6.56-acre site is located at 6225 Progressive Avenue, Suite B200, in the IL-2-1 Zone, Community Plan Implementation Overlay Zone – Type A (CPIOZ-A), Transit Priority Area, Airport Federal Aviation Authority (FAA) Part 77 Noticing Area, Airport Influence Area (Brown Field – Review Area 1), Airport Land Use Compatibility Overlay Zone (Brown Field), and designated Prime Industrial Land in the Prosperity Element of the General Plan within the Otay Mesa Community Plan area.

The project site is designated as Prime Industrial by the Economic Prosperity Element and Industrial Employment by the Land Use and Community Planning Element of the General Plan. The General Plan identifies a citywide shortage of land suitable for manufacturing activities and a need to protect a reserve of manufacturing land from non-manufacturing uses. The Prime Industrial and Business Park designation would permit light manufacturing uses; thereby, providing additional land suitable for manufacturing activities. The project site is within the Light Industrial Land Use Area of the Otay Mesa Community Plan (Community Plan). The Light Industrial designation permits light manufacturing, distribution and storage uses. The IL-2-1 Zone allows a mix of light industrial and office uses with limited commercial. The proposed MPF, classified as an industrial use, is a compatible use for this location with a Conditional Use Permit and is consistent with the community plan. Therefore, the proposed MPF will not adversely affect the applicable land use plan.

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

The proposed project requests a Conditional Use Permit to operate a 6,006 square-foot MPF within an existing 17,032 square-foot building. The 6.56-acre site is located at 6225 Progressive Avenue, Suite B200, in the IL-2-1 Zone, Community Plan Implementation Overlay Zone – Type A (CPIOZ-A), Transit Priority Area, Airport Federal Aviation Authority (FAA) Part 77 Noticing Area, Airport Influence Area (Brown Field – Review Area 1), Airport Land Use Compatibility Overlay Zone (Brown Field), and designated Prime Industrial Land in the Prosperity Element of the General Plan within the Otay Mesa Community Plan area.

MPFs are restricted to 40 City-wide, within light and heavy industrial zones. MPFs require compliance with San Diego Municipal Code (SDMC) Section 141.1004 (a), which require a

1,000-foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. MPFs also require a minimum distance requirement of 100 feet from a residential zone. The proposed MPF complies with the separation requirements between uses set forth in SDMC Section 141.1004 (a). The proposed MPF is subject to specific operational requirements as set forth in SDMC Section 141.1004, including security requirements, such as 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. MPFs must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The proposed project will be required to comply with the development conditions as described in the Conditional Use Permit No. 2071560. The Conditional Use Permit No. 2071560 will be valid for five years and may be revoked if the Owner or Permittee violates the terms, conditions, lawful requirements, or provisions of the Permit.

The proposed development will not be detrimental to the public's health, safety, and welfare in that the discretionary permit controlling the use of this site contains specific regulatory conditions of approval, as referenced in Conditional Use Permit No. 2071560. The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety, and welfare. Therefore, the proposed MPF will not be detrimental to the public health, safety and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The proposed project requests a Conditional Use Permit to operate a 6,006 square-foot MPF within an existing 17,032 square-foot building. The 6.56-acre site is located at 6225 Progressive Avenue, Suite B200, in the IL-2-1 Zone, Community Plan Implementation Overlay Zone – Type A (CPIOZ-A), Transit Priority Area, Airport Federal Aviation Authority (FAA) Part 77 Noticing Area, Airport Influence Area (Brown Field – Review Area 1), Airport Land Use Compatibility Overlay Zone (Brown Field), and designated Prime Industrial Land in the Prosperity Element of the General Plan within the Otay Mesa Community Plan area.

The building is currently being used as a warehouse and shipping facility. The project proposes interior improvements including offices, restrooms, packaging area, storage, distribution, and cultivation area. The proposed improvements will require a ministerial building permit. The tenant improvement building permit will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements would include the reconstruction of six existing driveways and existing curb ramp per current City Standards.

MPFs are allowed in the IL-2-1 Zone with a Conditional Use Permit. The proposed use

requires compliance with SDMC Section 141.1004 and Chapter 4, Article 2, Division 15. SDMC Section 141.1004 requires a 1,000-foot separation from resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. The proposed MPF complies with the separation requirements between uses. The proposed MPF is subject to specific operational requirements for security, as referenced in Conditional Use Permit No. 2071560, in 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. MPFs must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The proposed MPF is consistent with all land development regulations relevant for the site and the use. No deviations are required or requested to approve the Conditional Use Permit. Therefore, the proposed MPF will comply with the regulations of the Land Development Code.

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

The proposed project requests a Conditional Use Permit to operate a 6,006 square-foot Marijuana Production Facility (MPF) within an existing 17,032 square-foot building. The 6.56-acre site is located at 6225 Progressive Avenue, Suite B200, in the IL-2-1 Zone, Community Plan Implementation Overlay Zone – Type A (CPIOZ-A), Transit Priority Area, Airport Federal Aviation Authority (FAA) Part 77 Noticing Area, Airport Influence Area (Brown Field – Review Area 1), Airport Land Use Compatibility Overlay Zone (Brown Field), and designated Prime Industrial Land in the Prosperity Element of the General Plan within the Otay Mesa Community Plan area.

The project site is designated as Prime Industrial by the Economic Prosperity Element and Industrial Employment by the Land Use and Community Planning Element of the General Plan. The General Plan identifies a citywide shortage of land suitable for manufacturing activities and a need to protect a reserve of manufacturing land from non-manufacturing uses. The Prime Industrial and Business Park designation would permit light manufacturing uses; thereby, providing additional land suitable for manufacturing activities. The project site is within the Light Industrial Land Use Area of the Community Plan. The Light Industrial designation permits light manufacturing, distribution and storage uses. The IL Zone is to provide for a wide range of uses from manufacturing and distribution, including non-industrial uses in some instances. Specifically, the IL-2-1 Zone a mix of light industrial and office uses with limited commercial.

The proposed MPF is consistent with all land development regulations relevant for the site and the use. No deviations are required or requested to approve the Conditional Use Permit. The proposed MPF is classified as industrial use for this location with a Conditional Use Permit. Therefore, the proposed MPF is an appropriate use at the proposed location.

The above findings are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the HEARING OFFICER, CONDITIONAL USE PERMIT NO. 2071560 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. 2071560, a copy of which is attached hereto and made a part hereof.

Sammi Ma
Development Project Manager
Development Services

Adopted on: November 7, 2018

IO#: 24007585

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

WHEN RECORDED MAIL TO
PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24007585

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2071560
MPF 6225 PROGRESSIVE AVE B200 - PROJECT NO. 585510
HEARING OFFICER

This Conditional Use Permit No. 2071560 is granted by the Hearing Officer of the City of San Diego to RM-USE, LLC, a California limited liability company, Owner, and Happy Travels, LLC, a California limited liability company, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0303. The 6.56-acre site is located at 6225 Progressive Avenue, Suite B200, in the IL-2-1 Zone, Community Plan Implementation Overlay Zone – Type A (CPIOZ-A), Transit Priority Area, Airport Federal Aviation Authority (FAA) Part 77 Noticing Area, Airport Influence Area (Brown Field – Review Area 1), Airport Land Use Compatibility Overlay Zone (Brown Field), and designated Prime Industrial Land in the Prosperity Element of the General Plan within the Otay Mesa Community Plan area. The project site is legally described as Parcel 2, Unit 200, located in Building B as shown on the amended and corrected condominium plan of Biltmore at Ocean View Hills, recorded in the Office of the County Recorder of San Diego County, October 22, 2007 as instrument No. 2007-0674167 of official records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to operate a Marijuana Production Facility (MPF) described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated November 7, 2018, on file in the Development Services Department.

The project shall include:

- a. Operation of a 6,006 square-foot Marijuana Production Facility within an existing 17,032 square-foot building at 6225 Progressive Avenue, Suite B200. The operation shall include requirements consistent with the State of California Statutes and the California Departments of Food and Agriculture and Consumer Affairs regulations;
- b. The Marijuana Production Facility operations include cultivation, packaging, storage, and distribution of cannabis;
- b. Off-street parking;

- c. 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 November 21, 2021.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on November 21, 2023. Upon expiration of this Permit, the facilities and improvements described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, 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; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. While this Permit is in effect, the subject property 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.
5. This Permit is a covenant running with the subject property 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.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. 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.).

8. The Owner/Permittee shall secure all necessary construction 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.

9. 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.

10. 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" condition(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.

11. 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.

BUILDING OFFICIAL REQUIREMENTS:

12. Prior to the commencement of operations granted by this Permit, the Owner/Permittee shall obtain a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit, satisfactory to the Building Official.

CLIMATE ACTION PLAN REQUIREMENTS:

13. Owner/Permittee shall comply with the Climate Action Plan (CAP) Consistency Checklist stamped as Exhibit "A." Prior to issuance of any construction permit, all CAP strategies shall be noted within the first three (3) sheets of the construction plans under the heading "Climate Action Plan Requirements" and shall be enforced and implemented to the satisfaction of the Development Services Department.

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of six existing driveways, per current City Standards, adjacent to the site on Progressive Avenue, Innovative Drive, and Business Center Court as shown on the Exhibit "A," satisfactory to the City Engineer.

15. The Owner/Permittee shall reconstruct existing curb ramp at the southwest corner of Progressive Avenue and Innovative Drive, with current City Standard curb ramp Standard Drawing SDG-130 and SDG-132 with truncated domes, satisfactory to the City Engineer.

16. Prior to the issuance of any construction permits, the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

17. Prior to issuance of any construction permits, the Owner/Permittee shall obtain Encroachment Maintenance and Removal Agreement (EMRA) for all proposed improvements of any kind, including utilities, landscaping, and electrical conduits to be installed within the Progressive Avenue, Innovative Drive and Business Center Court Public Right-of-Way.

18. Prior to issuance of any construction permits, the Owner shall obtain Encroachment Maintenance and Removal Agreement (EMRA) for any existing encroachments of any kind, including utilities, landscaping, and electrical conduits currently installed within the Progressive Avenue, Innovative Drive and Business Center Court Public Right-of-Way.

PLANNING/DESIGN REQUIREMENTS:

19. Owner/Permittee shall maintain minimum off-street parking spaces on the property at all times in the approximate locations shown on the approved Exhibit "A." Parking spaces shall comply at all times with the SDMC and shall not be converted for any other use unless otherwise authorized by the appropriate City decision maker in accordance with the SDMC.

20. A maximum of 10 employees shall be allowed on-site at any given time to correspond to the 10 provided parking spaces for the project.

21. A topographical survey conforming to the provisions of the SDMC may be required if it is determined, during construction, that there may be a conflict between the building(s) under

construction and a condition of this Permit or a regulation of the underlying zone. The cost of any such survey shall be borne by the Owner/Permittee.

22. Prior to issuance of any construction permits, the Owner/Permittee shall submit plans that show landscaping equivalent to the previously conforming condition, consistent with City of San Diego Landscape Standards, to the Development Services Department for approval per SDMC Section 142.0406. Any landscaping that is removed or damaged during construction shall be replaced in kind.

23. The Owner/Permittee shall provide a sufficient odor absorbing ventilation and exhaust system capable of minimizing excessive or offensive odors emanating outside of the permitted facility to the satisfaction of the Development Services Department.

24. Prior to the commencement of operations granted by this Permit, the Owner/Permittee shall obtain a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit, satisfactory to the Building Official.

25. All operations shall be conducted indoors within a secured structure. All equipment and storage shall be also located within a secured structure.

26. Lighting shall be provided to illuminate the immediate surrounding area of the facility, including parking lots and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties.

27. 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 shall only be engaged in activities related to providing security for the facility, except on an incidental basis.

28. The name and emergency contact phone number of an operator or manager shall be posted outside the MPF in a location visible to the public from the public right-of-way in character size at least two-inches in height. The permittee shall provide this contact information to the San Diego Police Department. The operator or manager shall also be available 24 hours a day to address public nuisance complaints and interact with local, state, and federal law enforcement authorities.

29. Other than the contact information, a MPF shall limit signage on the exterior of the property visible from the public right-of-way to the address.

30. The Marijuana Production Facility must comply with Chapter 4, Article 2, Division 15 of the San Diego Municipal Code, including obtaining a Marijuana Production Facility Permit, and Background Checks and Reporting Convictions.

31. The retail sale of marijuana and marijuana products shall only be conducted by a Marijuana Outlet (MO) in accordance with SDMC Section 141.0504. A MPF is prohibited from providing marijuana and marijuana products to any person other than another MPF, a testing lab, or a MO.

32. The MPF, adjacent public sidewalks, and areas under the control of the MPF shall be maintained free of litter and graffiti at all times.

33. The MPF shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.

34. All signs associated with this development shall be consistent with sign criteria established by either the approved Exhibit "A" or City-wide sign regulations.

INFORMATION ONLY:

- Cannabis businesses that operate or provide services within the City of San Diego are liable for a monthly gross receipts tax. As referenced in San Diego Municipal Code Section 34.0103(b), taxable activities include but are not limited to, transporting, manufacturing, cultivating, packaging, or retail sales of cannabis and any ancillary products in the City. For additional information, contact the Office of the City Treasurer at (619) 615-1580.
- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary 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 November 7, 2018 and Resolution Number .

ATTACHMENT 5

Permit Type/PTS Approval No.: Conditional Use Permit No. 2071560
Date of Approval: November 7, 2018

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Sammi Ma
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.

RM-USE, LLC.
Owner

By _____
Name:
Title:

HAPPY TRAVELS, LLC.
Permittee

By _____
Name:
Title:

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

NOTICE OF EXEMPTION

ATTACHMENT 6

(Check one or both)

TO: Recorder/County Clerk
P.O. Box 1750, MS A-33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2400

FROM: City of San Diego
Development Services Department
1222 First Avenue, MS 501
San Diego, CA 92101

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Name/Number: MPF 6225 Progressive Ave. #B-200 / 585510 **SCH No.:** N.A.

Project Location-Specific: 6225 Progressive Avenue, Suite #B-200, San Diego, CA 92154

Project Location-City/County: San Diego/San Diego

Description of nature and purpose of the Project: Conditional Use Permit for a Marijuana Production Facility to operate within Suite #B-200, which consists of 6,006-square-feet of floor area within an existing 17,032-square-foot one-story building located at 6225 Progressive Avenue. The 6.56-acre site is located within the IL-2-1 zone within the Otay Mesa Community Plan area. Project operations would include the processing, manufacturing, and distribution of cannabis products to State of California licensed outlets. The 6.56-acre site is designated Light-Industrial and is subject to the IL-2-1 zone requirements. The project is also subject to Airport FAA Part 77 Noticing Area (Brown Field 546 – 551 ASML), Airport Influence Area – Brown Field Review Area 1, Airport Land Use Compatibility Overlay Zone – Brown Field, Airport Land Use Compatibility Overlay Zone – Noise – 60-65 CNEL, Airport Safety Zone 6, Geologic Hazards Type 53, Prime Industrial Lands, Transit Priority Overlay Zone, Outdoor Lighting Zone 3, Otay Watershed, Otay Valley Sub-area Watershed, and Council District 8.

Name of Public Agency Approving Project: City of San Diego Hearing Officer

Name of Person or Agency Carrying Out Project: Marty Reed, 4904 Ladera Sarina, Del Mar, CA, 92014, (858) 344-9093

Exempt Status: (CHECK ONE)

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption: 15303(c) (New construction or conversion of small structures)
- Statutory Exemptions:

Reasons why project is exempt: 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(c) 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 as is the case with this use. Furthermore, the site is located an within existing urbanized area, and the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area, as is the case for the size of the suite, and the use does not propose the use of significant amounts of hazardous substances and the site located where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive. The exceptions listed in CEQA Section 15300.2 would not apply.

ATTACHMENT 6

Lead Agency Contact Person: Chris Tracy, AICP Senior Planner

Telephone: (619) 446-5381

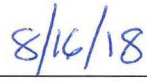
If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

It is hereby certified that the City of San Diego has determined the above activity to be exempt from CEQA


Signature/Title

CHRIS TRACY, AICP
Senior Planner


Date

Check One:

- Signed By Lead Agency
 Signed by Applicant

Date Received for Filing with County Clerk or OPR:



City of San Diego
 Development Services
 1222 First Ave., MS-302
 San Diego, CA 92101

Community Planning Committee Distribution Form Part 2

Project Name: MPF 6225 Progressive Avenue B200		Project Number: 585510	Distribution Date:
Project Scope/Location: Conditional Use Permit - Marijuana Production Facility- MPF			
Applicant Name: Joe Esposito		Applicant Phone Number: (619) 236-0143	
Project Manager: Cherlyn Cac	Phone Number: (619) 236-6327	Fax Number: (619) 321-3200	E-mail Address: ccac@sandiego.gov
Committee Recommendations (To be completed for Initial Review):			
<input checked="" type="checkbox"/> Vote to Approve	Members Yes 12	Members No 0	Members Abstain 1
<input type="checkbox"/> Vote to Approve with Conditions Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Approve With Non-Binding Recommendations Listed Below	Members Yes	Members No	Members Abstain
<input type="checkbox"/> Vote to Deny	Members Yes	Members No	Members Abstain
<input type="checkbox"/> No Action (Please specify, e.g., Need further information, Split vote, Lack of quorum, etc.)			<input type="checkbox"/> Continued
CONDITIONS: Subject to review of environmental report approval			
NAME: ROB HIXSON, III		TITLE: PLANNING GROUP CHAIR	
SIGNATURE:		DATE: 10/19/2018	
<i>Attach Additional Pages If Necessary.</i>		Please return to: Project Management Division City of San Diego Development Services Department 1222 First Avenue, MS 302 San Diego, CA 92101	
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.			

FORM

DS-318

October 2017



**City of San Diego
Development Services**
1222 First Ave., MS 302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title: Happy Travels Licensing Process **Project No. For City Use Only:** _____

Project Address: 6225 Progressive Ave suite 200B, San Diego, CA. 92154

Specify Form of Ownership/Legal Status (please check):

Corporation Limited Liability -or- General - What State? California Corporate Identification No. 201622510158

Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. 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.

Property Owner

Name of Individual: RM-USE LLC Owner Tenant/Lessee Successor Agency

Street Address: 6225 Progressive Ave suite 200B

City: San Diego State: CA Zip: 92154

Phone No.: 619-306-3314 Fax No.: _____ Email: calcommercial@hotmail.com

Signature: *Ron Reynolds* Date: November 6th 2017

Additional pages Attached: Yes No

Applicant

Name of Individual: Happy Travels, LLC Owner Tenant/Lessee Successor Agency

Street Address: 1041 Market Street suite 165

City: San Diego State: CA Zip: 92101

Phone No.: 619-677-6512 Fax No.: _____ Email: gespinosa@invictus-advisors.com

Signature: *J. G.* Date: November 6th 2017

Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: Full Circle Ventures, LLC Owner Tenant/Lessee Successor Agency

Street Address: 6225 Progressive Ave suite 200B

City: San Diego State: CA Zip: 92154

Phone No.: 858-344-9093 Fax No.: _____ Email: marty@emreed.com

Signature: *AP* Date: November 5th 2017

Additional pages Attached: Yes No



**City of San Diego
Development Services**
1222 First Ave., MS 302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

**FORM
DS-318**

October 2017

Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment Other _____

Project Title: Happy Travels Licensing Process

Project No. For City Use Only: 585510

Project Address: 6225 Progressive Ave suite 200B, San Diego, CA. 92154

Specify Form of Ownership/Legal Status (please check):

Corporation Limited Liability -or- General - What State? California Corporate Identification No. 201622510158

Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter 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), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. 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.

Property Owner

Name of Individual: RM-USE LLC Owner Tenant/Lessee Successor Agency

Street Address: 6225 Progressive Ave suite 200B

City: San Diego State: CA Zip: 92154

Phone No.: 619-30643314 Fax No.: _____ Email: calcommercial@hotmail.com

Signature: _____ Date: November 6th 2017

Additional pages Attached: Yes No

Applicant

Name of Individual: Happy Travels, LLC Owner Tenant/Lessee Successor Agency

Street Address: 4904 Ladera Sarina

City: Del Mar State: CA Zip: 92014

Phone No.: 858-344-9093 Fax No.: _____ Email: marty@emreed.com

Signature: MARTY REED Date: November 6th 2017

Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: Marty Reed Owner Tenant/Lessee Successor Agency

Street Address: 4904 Ladera Sarina

City: Del Mar State: CA Zip: 92014

Phone No.: 858-344-9093 Fax No.: _____ Email: marty@emreed.com

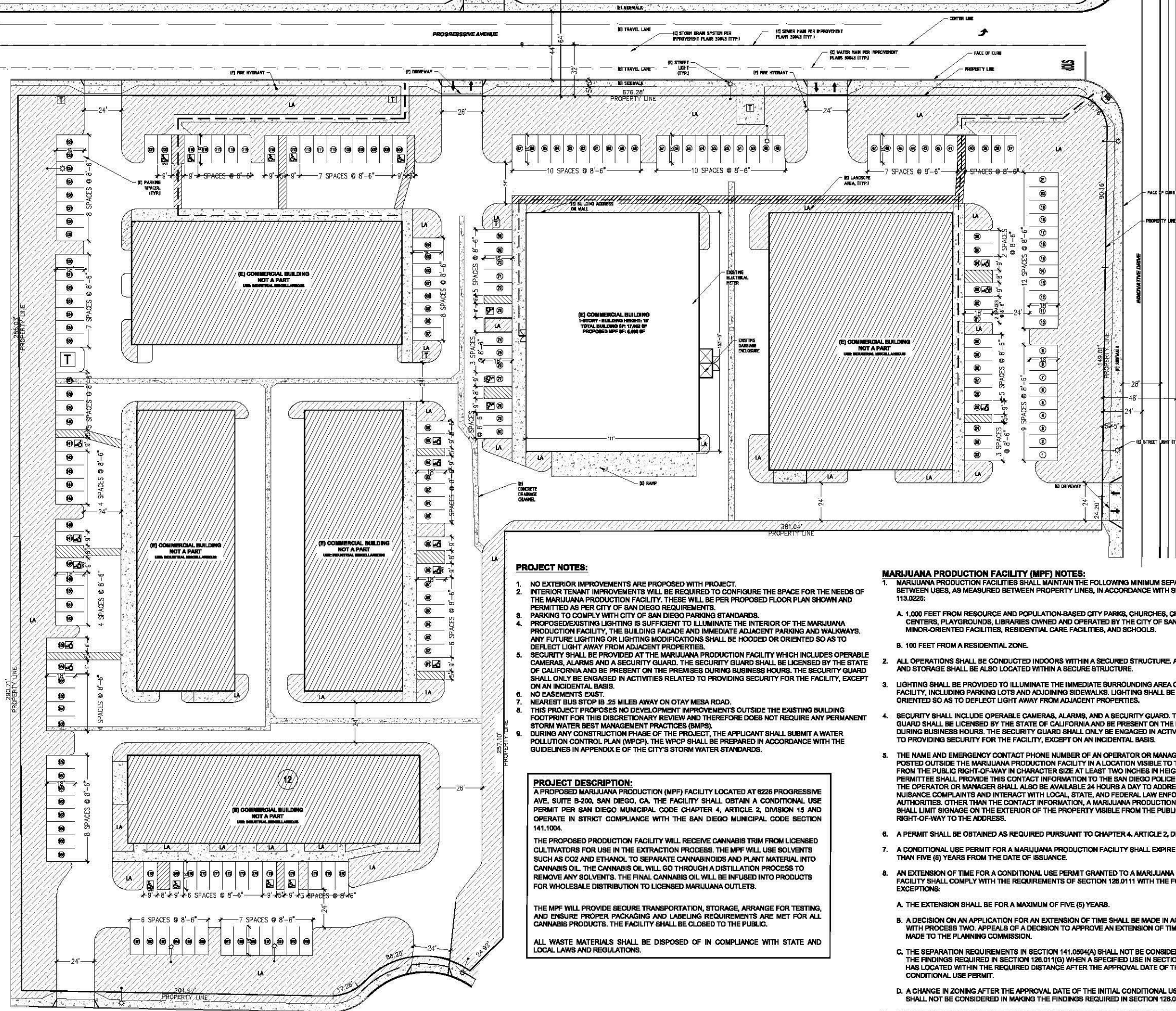
Signature: MARTY REED Date: November 5th 2017

Additional pages Attached: Yes No

DEVELOPMENT SUMMARY

6225 Progressive Ave., San Diego, CA 92154	
Narrative: The Marijuana Production Facility (MPF) will be located in an existing industrial building. Tenant improvements will be installed in order to configure the space for the needs of the MPF, while providing accessibility and security. These improvements will include changes to walls, lighting and HVAC (odor suppression filters). Accessibility improvements include upgrading the driveways as required and providing an accessible path of travel from the City R.O.W. Security will be added per the conditions of approval and will include security cameras and lighting. All tenant improvements will be permitted as per City of San Diego requirements.	
Required Permits/Approvals	Conditional Use Permit Marijuana Production Facility
Project Team	Estrada Land Planning, Joe Esposito, 619.236.0743
Legal Description	UNIT 200, LOCATED IN BUILDING 17 AS SHOWN ON THE AMENDED AND CORRECTED CONDOMINIUM PLAN OF BILTMORE AT OCEAN VIEW HILLS, RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 22, 2007 AS INSTRUMENT NO. 2007-0874167 OF OFFICIAL RECORDS, ACCORDING TO THE DEFINITIONS OF SAID UNIT AS CONTAINED IN THE DECLARATION OF GOVERNANTS, CONDITIONS, RESTRICTIONS AND GRANT OF EASEMENTS AS TO THE PROJECT, HEREINAFTER DESCRIBED (DECLARATION)
Assessor's Parcel Number	545-280-25-09
Owner's Name & Address	RM Use, LLC 5307 Alvarado Ct., Suite 206 San Diego, CA 92120
Sheet Index	1 of 3
Type of Construction	Type V (Existing Building)
Occupancy Classification per CA Building Code	B
Zoning Designation	IL-2-1
Gross Site Area & Floor Area	Gross Site Area: 6.56 acres Building Floor Area: 17,052 SF Proposed MPF Floor Area: 6,006 SF
Existing Use	Light Industrial - Warehouse/Office
Proposed Use	Separately Regulated Industrial Use - Marijuana Production Facility
Year Constructed	2000
Geologic Hazard Category	S1
Landscape Area Square Footage	57,210 SF

DEVELOPMENT SUMMARY



EXISTING SITE PLAN

SCALE: 1" = 30'

PROJECT NOTES:

- NO EXTERIOR IMPROVEMENTS ARE PROPOSED WITH PROJECT.
- INTERIOR TENANT IMPROVEMENTS WILL BE REQUIRED TO CONFIGURE THE SPACE FOR THE NEEDS OF THE MARIJUANA PRODUCTION FACILITY. THESE WILL BE PER PROPOSED FLOOR PLAN SHOWN AND PERMITTED AS PER CITY OF SAN DIEGO REQUIREMENTS.
- PARKING TO COMPLY WITH CITY OF SAN DIEGO PARKING STANDARDS.
- PROPOSED/EXISTING LIGHTING IS SUFFICIENT TO ILLUMINATE THE INTERIOR OF THE MARIJUANA PRODUCTION FACILITY, THE BUILDING FACADE AND IMMEDIATE ADJACENT PARKING AND WALKWAYS. ANY FUTURE LIGHTING OR LIGHTING MODIFICATIONS SHALL BE HOODED OR ORIENTED SO AS TO DEFLECT LIGHT AWAY FROM ADJACENT PROPERTIES.
- SECURITY SHALL BE PROVIDED AT THE MARIJUANA PRODUCTION FACILITY WHICH INCLUDES 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 SHALL ONLY BE ENGAGED IN ACTIVITIES RELATED TO PROVIDING SECURITY FOR THE FACILITY, EXCEPT ON AN INCIDENTAL BASIS.
- NO EASEMENTS EXIST.
- NEAREST BUS STOP IS .25 MILES AWAY ON OTAY MESA ROAD.
- THIS PROJECT PROPOSES NO DEVELOPMENT IMPROVEMENTS OUTSIDE THE EXISTING BUILDING FOOTPRINT FOR THIS DISCRETIONARY REVIEW AND THEREFORE DOES NOT REQUIRE ANY PERMANENT STORM WATER BEST MANAGEMENT PRACTICES (BMPs).
- DURING ANY CONSTRUCTION PHASE OF THE PROJECT, THE APPLICANT SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPOP). THE WPOP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN APPENDIX E OF THE CITY'S STORM WATER STANDARDS.

PROJECT DESCRIPTION:

A PROPOSED MARIJUANA PRODUCTION (MPF) FACILITY LOCATED AT 6225 PROGRESSIVE AVE, SUITE B-200, SAN DIEGO, CA. THE FACILITY SHALL OBTAIN A CONDITIONAL USE PERMIT PER SAN DIEGO MUNICIPAL CODE CHAPTER 4, ARTICLE 2, DIVISION 15 AND OPERATE IN STRICT COMPLIANCE WITH THE SAN DIEGO MUNICIPAL CODE SECTION 141.1004.

THE PROPOSED PRODUCTION FACILITY WILL RECEIVE CANNABIS TRIM FROM LICENSED CULTIVATORS FOR USE IN THE EXTRACTION PROCESS. THE MPF WILL USE SOLVENTS SUCH AS CO2 AND ETHANOL TO SEPARATE CANNABINOIDS AND PLANT MATERIAL INTO CANNABIS OIL. THE CANNABIS OIL WILL GO THROUGH A DISTILLATION PROCESS TO REMOVE ANY SOLVENTS. THE FINAL CANNABIS OIL WILL BE INFUSED INTO PRODUCTS FOR WHOLESALE DISTRIBUTION TO LICENSED MARIJUANA OUTLETS.

THE MPF WILL PROVIDE SECURE TRANSPORTATION, STORAGE, ARRANGE FOR TESTING, AND ENSURE PROPER PACKAGING AND LABELING REQUIREMENTS ARE MET FOR ALL CANNABIS PRODUCTS. THE FACILITY SHALL BE CLOSED TO THE PUBLIC.

ALL WASTE MATERIALS SHALL BE DISPOSED OF IN COMPLIANCE WITH STATE AND LOCAL LAWS AND REGULATIONS.

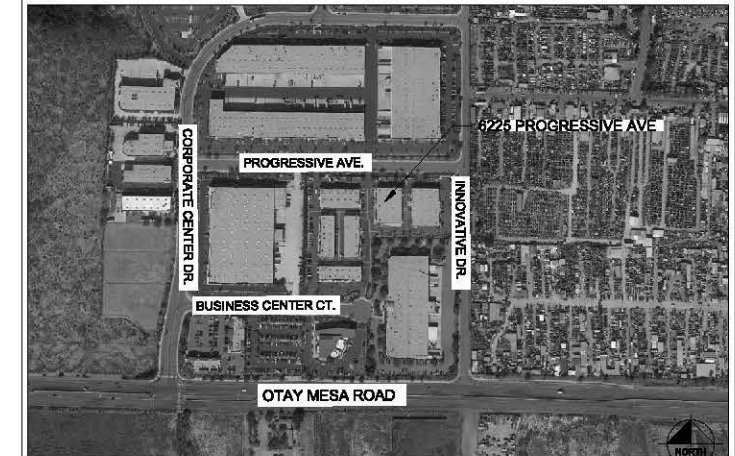
MARIJUANA PRODUCTION FACILITY (MPF) NOTES:

- MARIJUANA PRODUCTION FACILITIES SHALL MAINTAIN THE FOLLOWING MINIMUM SEPARATION BETWEEN USES, AS MEASURED BETWEEN PROPERTY LINES, IN ACCORDANCE WITH SECTION 118.0225:
 - 1,000 FEET FROM RESOURCE AND POPULATION-BASED CITY PARKS, CHURCHES, CHILD CARE CENTERS, PLAYGROUNDS, LIBRARIES OWNED AND OPERATED BY THE CITY OF SAN DIEGO, MINOR-ORIENTED FACILITIES, RESIDENTIAL CARE FACILITIES, AND SCHOOLS.
 - 100 FEET FROM A RESIDENTIAL ZONE.
- ALL OPERATIONS SHALL BE CONDUCTED INDOORS WITHIN A SECURED STRUCTURE. ALL EQUIPMENT AND STORAGE SHALL BE ALSO LOCATED WITHIN A SECURE STRUCTURE.
- LIGHTING SHALL BE PROVIDED TO ILLUMINATE THE IMMEDIATE SURROUNDING AREA OF THE FACILITY, INCLUDING PARKING LOTS AND ADJOINING SIDEWALKS. LIGHTING SHALL BE HOODED OR ORIENTED SO AS TO DEFLECT LIGHT AWAY FROM ADJACENT PROPERTIES.
- 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 SHALL ONLY BE ENGAGED IN ACTIVITIES RELATED TO PROVIDING SECURITY FOR THE FACILITY, EXCEPT ON AN INCIDENTAL BASIS.
- THE NAME AND EMERGENCY CONTACT PHONE NUMBER OF AN OPERATOR OR MANAGER SHALL BE POSTED OUTSIDE THE MARIJUANA PRODUCTION FACILITY IN A LOCATION VISIBLE TO THE PUBLIC FROM THE PUBLIC RIGHT-OF-WAY IN CHARACTER SIZE AT LEAST TWO INCHES IN HEIGHT. THE PERMITTEE SHALL PROVIDE THIS CONTACT INFORMATION TO THE SAN DIEGO POLICE DEPARTMENT. THE OPERATOR OR MANAGER SHALL ALSO BE AVAILABLE 24 HOURS A DAY TO ADDRESS PUBLIC NUISANCE COMPLAINTS AND INTERACT WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AUTHORITIES. OTHER THAN THE CONTACT INFORMATION, A MARIJUANA PRODUCTION FACILITY SHALL LIMIT SIGNAGE ON THE EXTERIOR OF THE PROPERTY VISIBLE FROM THE PUBLIC RIGHT-OF-WAY TO THE ADDRESS.
- A PERMIT SHALL BE OBTAINED AS REQUIRED PURSUANT TO CHAPTER 4, ARTICLE 2, DIVISION 15.
- A CONDITIONAL USE PERMIT FOR A MARIJUANA PRODUCTION FACILITY SHALL EXPIRE NO LATER THAN FIVE (5) YEARS FROM THE DATE OF ISSUANCE.
- AN EXTENSION OF TIME FOR A CONDITIONAL USE PERMIT GRANTED TO A MARIJUANA PRODUCTION FACILITY SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 126.0111 WITH THE FOLLOWING EXCEPTIONS:
 - THE EXTENSION SHALL BE FOR A MAXIMUM OF FIVE (5) YEARS.
 - A DECISION ON AN APPLICATION FOR AN EXTENSION OF TIME SHALL BE MADE IN ACCORDANCE WITH PROCESS TWO. APPEALS OF A DECISION TO APPROVE AN EXTENSION OF TIME SHALL BE MADE TO THE PLANNING COMMISSION.
 - THE SEPARATION REQUIREMENTS IN SECTION 141.0504(A) SHALL NOT BE CONSIDERED IN MAKING THE FINDINGS REQUIRED IN SECTION 126.011(G) WHEN A SPECIFIED USE IN SECTION 141.1004(A) HAS LOCATED WITHIN THE REQUIRED DISTANCE AFTER THE APPROVAL DATE OF THE INITIAL CONDITIONAL USE PERMIT.
 - A CHANGE IN ZONING AFTER THE APPROVAL DATE OF THE INITIAL CONDITIONAL USE PERMIT SHALL NOT BE CONSIDERED IN MAKING THE FINDINGS REQUIRED IN SECTION 126.011(G).
- THE SALE OF MARIJUANA AND MARIJUANA PRODUCTS SHALL ONLY BE CONDUCTED BY A MARIJUANA OUTLET IN ACCORDANCE WITH SECTION 141.0504. A MARIJUANA PRODUCTION FACILITY IS PROHIBITED FROM PROVIDING MARIJUANA AND MARIJUANA PRODUCTS TO ANY PERSON OTHER THAN ANOTHER MARIJUANA PRODUCTION FACILITY, A TESTING LAB, OR A MARIJUANA OUTLET.
- THE MARIJUANA PRODUCTION FACILITY, ADJACENT PUBLIC SIDEWALKS, AND AREAS UNDER THE CONTROL OF THE MARIJUANA PRODUCTION FACILITY SHALL BE MAINTAINED FREE OF LITTER AND GRAFFITI AT ALL TIMES.
- THE MARIJUANA PRODUCTION FACILITY SHALL PROVIDE DAILY REMOVAL OF TRASH, LITTER, AND DEBRIS. GRAFFITI SHALL BE REMOVED FROM THE PREMISES WITHIN 24 HOURS.

SHEET 1: VICINITY MAP EXISTING SITE PLAN DEVELOPMENT SUMMARY MPF NOTES PROJECT NOTES

ABBREVIATIONS:

- (E) EXISTING
- (P) PROPOSED
- (TYP.) TYPICAL



VICINITY MAP

SCALE: NTS

6225 PROGRESSIVE AVE, SUITE B-200, SAN DIEGO, CA MARIJUANA PRODUCTION FACILITY CUP DEVELOPMENT PLANS

DATE: 11/7/2017; REVISION: 6/26/2018
SHEET: 1 OF 3

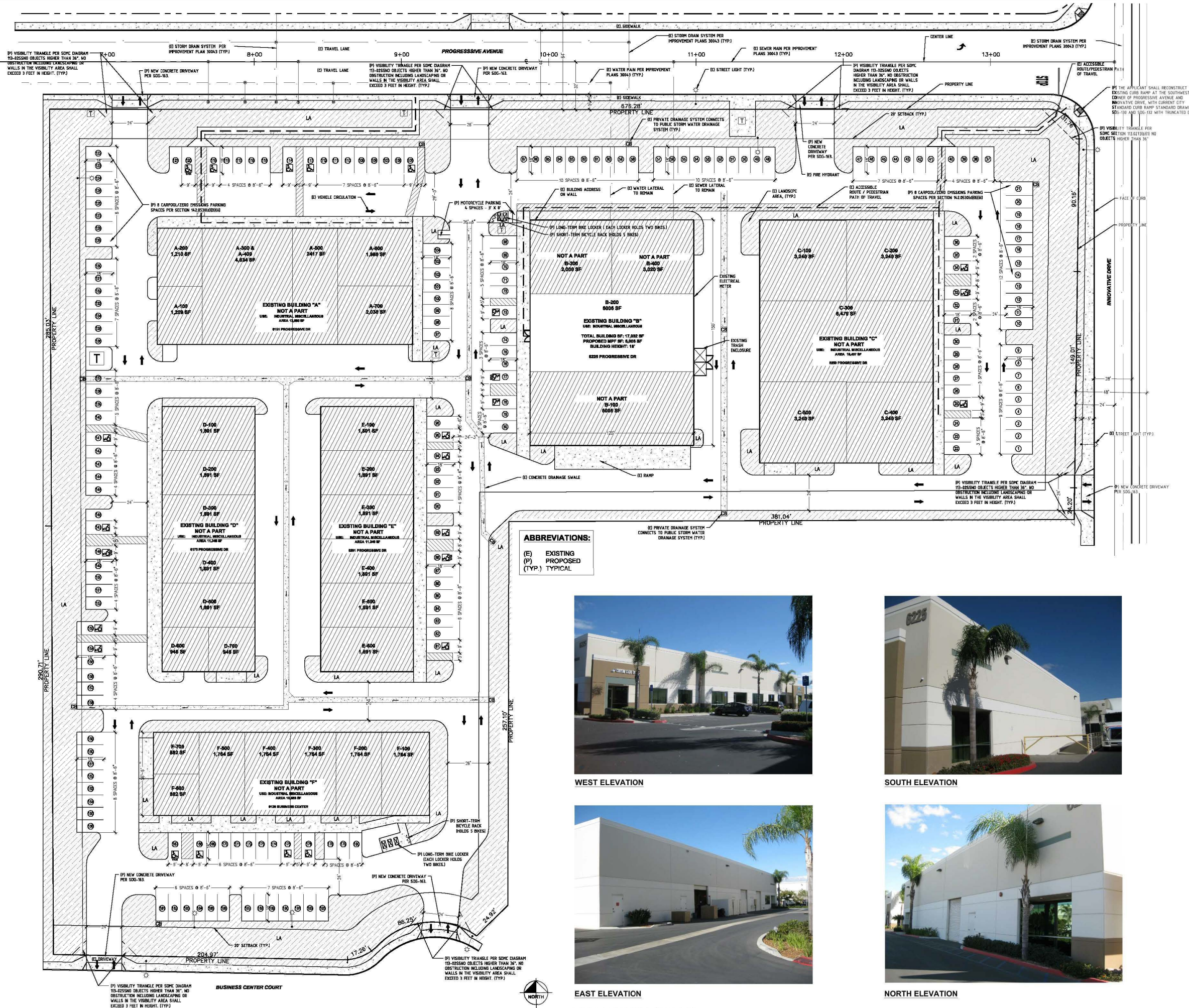
Estrada Land Planning

Urban Design Landscape Architecture Operator Pending

488 2nd Blvd
200 Broadway, Suite 200
San Diego, California 92101
619.236.0743 Fax

ELP@estradaandplan.com

ATTACHMENT 9



SUMMARY OF ON SITE USES

BUILDING A AREA: 13,695 SF						
#	Use Description	Site Address	City	State	Zip	AREA SF
1	INDUSTRIAL MISCELLANEOUS	6151 PROGRESSIVE DR 100	SAN DIEGO	CA	92154	1,209
2	INDUSTRIAL MISCELLANEOUS	6151 PROGRESSIVE DR 200	SAN DIEGO	CA	92154	1,210
3	INDUSTRIAL MISCELLANEOUS	6151 PROGRESSIVE DR 300	SAN DIEGO	CA	92154	2,417
4	INDUSTRIAL MISCELLANEOUS	6151 PROGRESSIVE DR 400	SAN DIEGO	CA	92154	2,417
5	INDUSTRIAL MISCELLANEOUS	6151 PROGRESSIVE DR 500	SAN DIEGO	CA	92154	2,417
6	INDUSTRIAL MISCELLANEOUS	6151 PROGRESSIVE DR 600	SAN DIEGO	CA	92154	1,988
7	INDUSTRIAL MISCELLANEOUS	6151 PROGRESSIVE DR 700	SAN DIEGO	CA	92155	2,038

BUILDING B AREA: 17,032 SF						
#	Use Description	Site Address	City	State	Zip	AREA SF
1	INDUSTRIAL MISCELLANEOUS	6225 PROGRESSIVE DR 100	SAN DIEGO	CA	92154	6,006
2	MARIJUANA PRODUCTION FACILITY	6225 PROGRESSIVE DR 200	SAN DIEGO	CA	92154	6,006
3	INDUSTRIAL MISCELLANEOUS	6225 PROGRESSIVE DR 300	SAN DIEGO	CA	92154	2,000
4	INDUSTRIAL MISCELLANEOUS	6225 PROGRESSIVE DR 400	SAN DIEGO	CA	92154	3,020

BUILDING C AREA: 19,437 SF						
#	Use Description	Site Address	City	State	Zip	AREA SF
1	INDUSTRIAL MISCELLANEOUS	6259 PROGRESSIVE DR 100	SAN DIEGO	CA	92154	3,240
2	INDUSTRIAL MISCELLANEOUS	6259 PROGRESSIVE DR 200	SAN DIEGO	CA	92154	3,240
3	INDUSTRIAL MISCELLANEOUS	6259 PROGRESSIVE DR 300	SAN DIEGO	CA	92154	6,479
4	INDUSTRIAL MISCELLANEOUS	6259 PROGRESSIVE DR 400	SAN DIEGO	CA	92154	3,240
5	INDUSTRIAL MISCELLANEOUS	6259 PROGRESSIVE DR 500	SAN DIEGO	CA	92154	3,240

BUILDING D AREA: 11,346 SF						
#	Use Description	Site Address	City	State	Zip	AREA SF
1	INDUSTRIAL MISCELLANEOUS	6175 PROGRESSIVE DR 100	SAN DIEGO	CA	92154	1,891
2	INDUSTRIAL MISCELLANEOUS	6175 PROGRESSIVE DR 200	SAN DIEGO	CA	92154	1,891
3	INDUSTRIAL MISCELLANEOUS	6175 PROGRESSIVE DR 300	SAN DIEGO	CA	92154	1,891
4	INDUSTRIAL MISCELLANEOUS	6175 PROGRESSIVE DR 400	SAN DIEGO	CA	92154	1,891
5	INDUSTRIAL MISCELLANEOUS	6175 PROGRESSIVE DR 500	SAN DIEGO	CA	92154	1,891
6	INDUSTRIAL MISCELLANEOUS	6175 PROGRESSIVE DR 600	SAN DIEGO	CA	92154	946
7	INDUSTRIAL MISCELLANEOUS	6175 PROGRESSIVE DR 700	SAN DIEGO	CA	92154	946

BUILDING E AREA: 11,346 SF						
#	Use Description	Site Address	City	State	Zip	AREA SF
1	INDUSTRIAL MISCELLANEOUS	6201 PROGRESSIVE DR 100	SAN DIEGO	CA	92154	1,891
2	INDUSTRIAL MISCELLANEOUS	6201 PROGRESSIVE DR 200	SAN DIEGO	CA	92154	1,891
3	INDUSTRIAL MISCELLANEOUS	6201 PROGRESSIVE DR 300	SAN DIEGO	CA	92154	1,891
4	INDUSTRIAL MISCELLANEOUS	6201 PROGRESSIVE DR 400	SAN DIEGO	CA	92154	1,891
5	INDUSTRIAL MISCELLANEOUS	6201 PROGRESSIVE DR 500	SAN DIEGO	CA	92154	1,891
6	INDUSTRIAL MISCELLANEOUS	6201 PROGRESSIVE DR 600	SAN DIEGO	CA	92154	1,891

BUILDING F AREA: 10,583 SF						
#	Use Description	Site Address	City	State	Zip	AREA SF
1	INDUSTRIAL MISCELLANEOUS	6120 BUSINESS CENTER CT 100	SAN DIEGO	CA	92154	1,764
2	INDUSTRIAL MISCELLANEOUS	6120 BUSINESS CENTER CT 200	SAN DIEGO	CA	92154	1,764
3	INDUSTRIAL MISCELLANEOUS	6120 BUSINESS CENTER CT 300	SAN DIEGO	CA	92154	1,764
4	INDUSTRIAL MISCELLANEOUS	6120 BUSINESS CENTER CT 400	SAN DIEGO	CA	92154	1,764
5	INDUSTRIAL MISCELLANEOUS	6120 BUSINESS CENTER CT 500	SAN DIEGO	CA	92154	1,764
6	INDUSTRIAL MISCELLANEOUS	6120 BUSINESS CENTER CT 600	SAN DIEGO	CA	92154	882
7	INDUSTRIAL MISCELLANEOUS	6120 BUSINESS CENTER CT 700	SAN DIEGO	CA	92154	882

Parking Table per SDMC 142.0530

Use	Number of Spaces Required (Proposed Use)	Number of Spaces Provided
IL-2-1	MPF (Suite B200): 1 space per employee (10 employees) 10 x 1 = 10 spaces w / 1 accessible space	10 spaces w / 1 van accessible space
Use	Number of Spaces (Previously Conforming)	Number of Spaces Provided
IL-2-1	2.36 spaces per 1,000 SF of floor area 2.36 x 77.43 = 183 spaces w / 6 accessible spaces	183 w / 23 accessible spaces
Accessible Parking Spaces per Americans with Disabilities Act (ADA) and SDSD MM-117		
Use	Number of Spaces Required	Number of Spaces Provided
IL-2-1	6 accessible parking space for 151-200 parking spaces with at least 1 van accessible parking space for every 6 accessible parking spaces	24 accessible spaces w / 5 van accessible spaces
Carpool and Zero Emissions Vehicles per SDMC 142.0530(d)(8)(ii)		
Use	Number of Spaces Required	Number of Spaces Provided
IL-2-1	Sixteen designated parking spaces for carpool vehicles and zero emission vehicle if there are 151-200 automobile parking spaces on premises.	16 parking spaces
Bicycle Spaces per SDMC 142.0530(e)(1)(D)(iii) and 142.0530(e)(2)(A)		
Use	Number of Spaces Required	Number of Spaces Provided
IL-2-1	Short-term - Minimum 2 spaces; 0.1 per 1,000 SF of floor area; or 5% of required automobile parking space minimum, whichever is greater Long-term - 1 space or 5% of the required automobile parking for any premises with more than 10 full-time employees	10 spaces 5 bike lockers (2 bikes per locker)
Motorcycle Spaces per SDMC 142.0530(i)		
Use	Number of Spaces Required	Number of Spaces Provided
IL-2-1	2% of the minimum number of automobile parking spaces required or 2 spaces, whichever is greater	4 spaces

PARKING TABLE
 APPLICANT PARKING WILL BE BASED ON NUMBER OF EMPLOYEES NEEDED TO OPERATE THE MPF (10 EMPLOYEES)



ELEVATION PHOTOS
 NOTE: NO EXTERIOR MODIFICATIONS

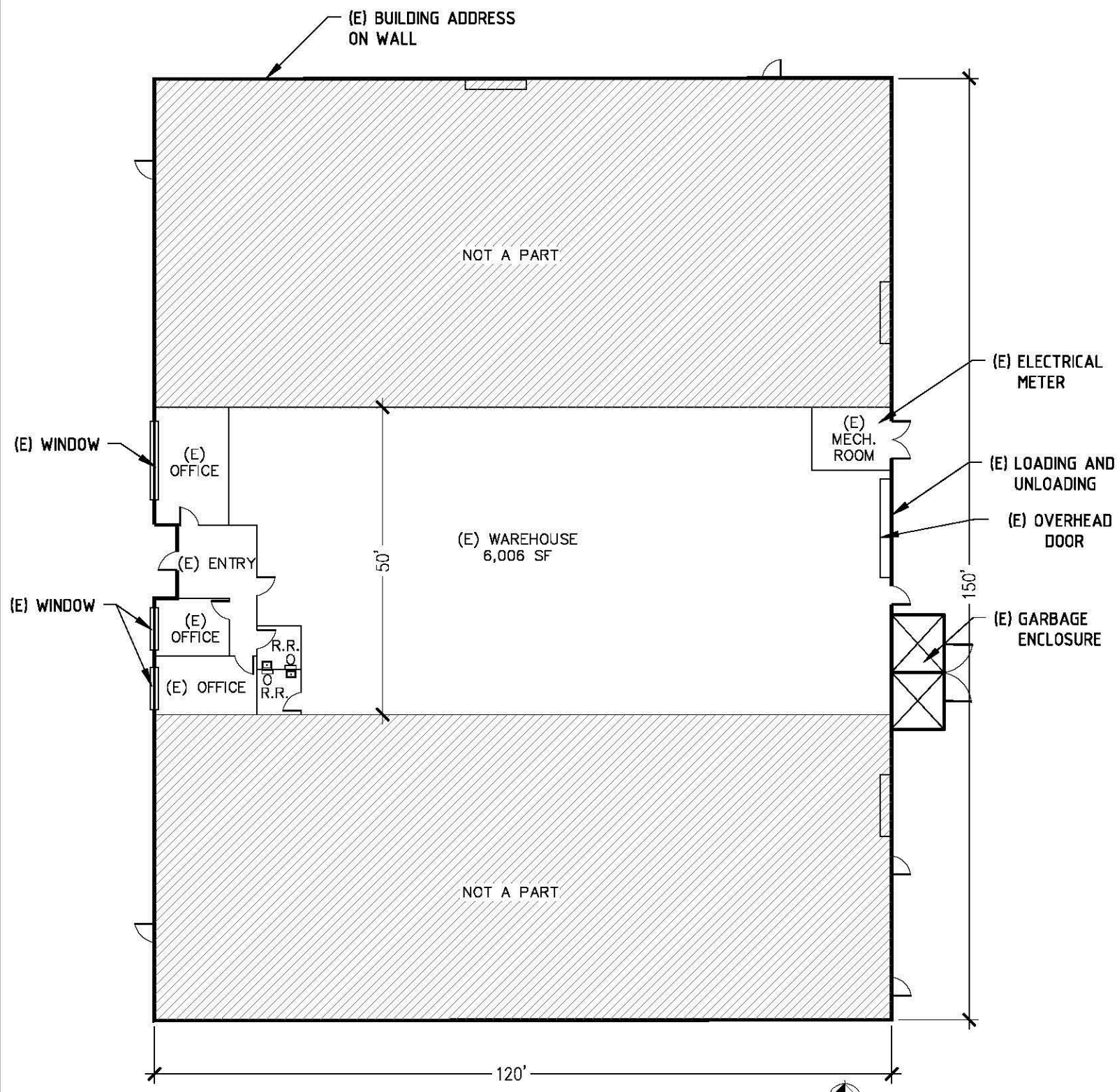
6225 PROGRESSIVE AVE, SUITE B-200, SAN DIEGO, CA
MARIJUANA PRODUCTION FACILITY CUP
DEVELOPMENT PLANS

DATE: 11/7/2017; REVISION: 6/26/2018
 SHEET: 2 OF 3



PROPOSED SITE PLAN

SCALE: 1" = 30'



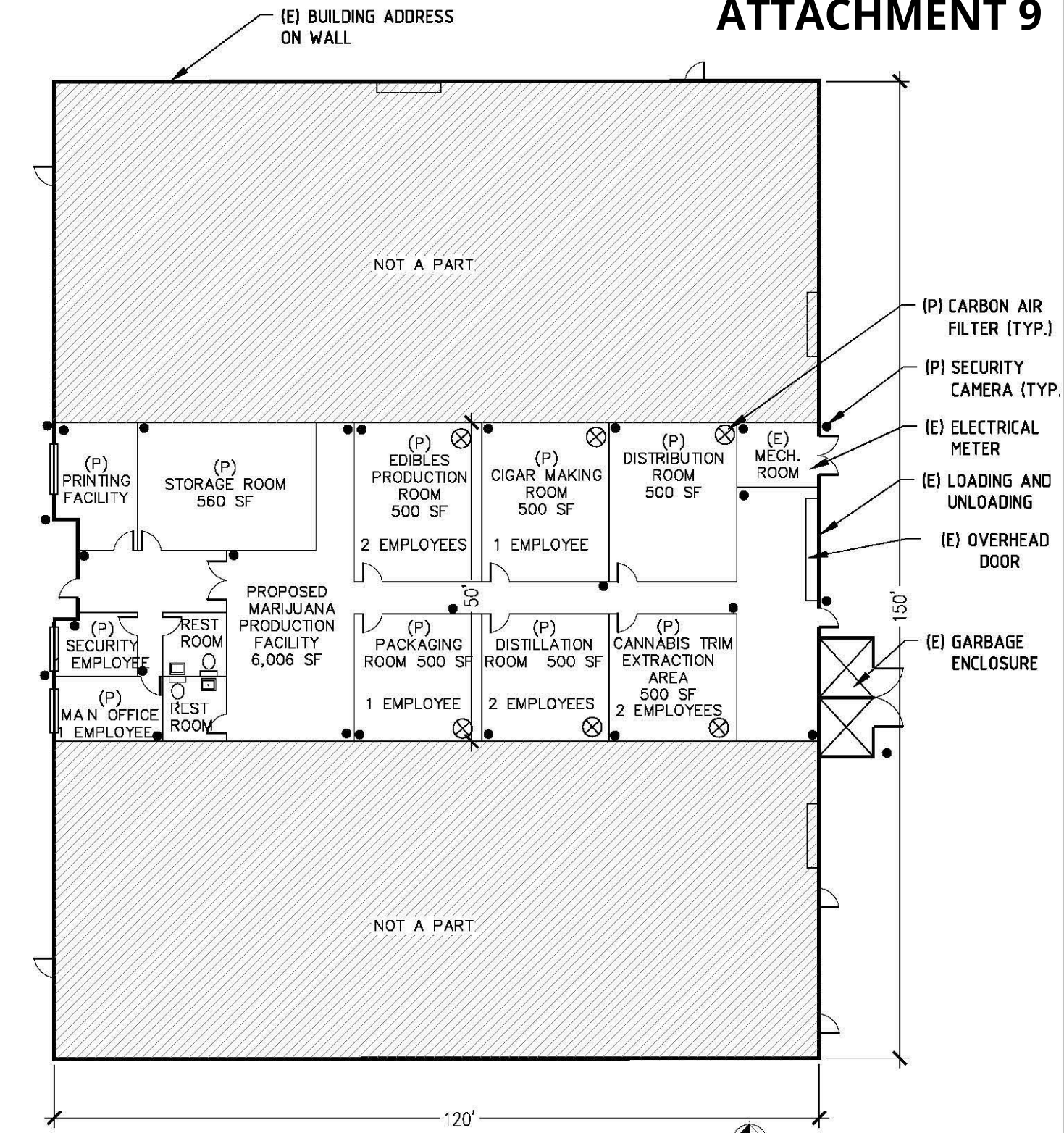
EXISTING FLOOR PLAN

SCALE: 1" = 10'

FACILITY USES:

- CANNABIS TRIM**
 - 500 SQUARE FEET
 - CANNABIS TRIM WILL BE HANDLED
 - CANNABIS TRIM WILL BE PRESSED WITH CO2 EXTRACTING MACHINES
 - 1 TO 2 EMPLOYEES WILL OVERSEE THIS PROCESS
- DISTILLATION ROOM**
 - 500 SQUARE FEET
 - CANNABIS EXTRACTED OIL WILL BE DISTILLED
 - 1 LABORATORY CHEMIST WILL OVERSEE THE FINISH PROCESS
 - 1 LABORATORY ASSISTANT WILL OVERSEE THE PROCESS
- PACKAGING**
 - 500 SQUARE FEET
 - CANNABIS DISTILLATE WILL BE HANDLED
 - CANNABIS WILL BE PACKAGED FOR WHOLESALE
 - 1 ASSISTANT WILL OVERSEE THE PACKAGING OF THE FINISHED PRODUCT

- DISTRIBUTION ROOM**
 - 500 SQUARE FEET
 - CANNABIS TRIM WILL BE RECEIVED
 - EDIBLES STORAGE
 - PACKAGING ASSISTANT WILL HANDLE WAREHOUSE RECEIVING
- CIGAR MAKING ROOM**
 - 500 SQUARE FEET
 - CANNABIS HAND ROLLING CIGAR MANUFACTURING
 - CANNABIS WILL BE PACKAGED FOR WHOLESALE
 - 1 ASSISTANT WILL OVERSEE THE PACKAGING OF THE FINISHED PRODUCT
- EDIBLES PRODUCTION ROOM**
 - 500 SQUARE FEET
 - EDIBLES PRODUCTION
 - 3 ASSISTANTS WILL OVERSEE THE PRODUCTION AND PACKAGING OF THE FINISHED PRODUCT



PROPOSED FLOOR PLAN

SCALE: 1" = 10'

- LEGEND:**
- CARBON AIR FILTER

NOTE:
THE CARBON FILTER SYSTEM USED WILL BE A CANFAN (CARBON FILTER IN COMBINATION WITH A 14" MAXFAN OR EQUAL).

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