

#### THE CITY OF SAN DIEGO

# Report to the Hearing Officer

DATE ISSUED: September 11, 2019 REPORT NO. HO-19-081

HEARING DATE: September 18, 2019

SUBJECT: MO (MARIJUANA OUTLET) 2281 FAIRMOUNT AVENUE - Process Three

Decision

PROJECT NUMBER: 607352

OWNER/APPLICANT: Schnautz Revocable Family Trust / Blake Marchand (Attachment 14)

#### **SUMMARY**

<u>Issue:</u> Should the Hearing Officer approve the operation of a 2,800-square-foot Marijuana Outlet within an existing commercial building located at 2281 Fairmount Avenue, within the City Heights community of the Mid-City Communities Plan area?

#### **Staff Recommendations:**

- 1. **Adopt** Negative Declaration No. 607352; and
- 2. **Approve** Conditional Use Permit No. 2149607.

<u>Community Planning Group Recommendation</u>: On October 1, 2018, the City Heights Area Planning Committee (CHAPC) considered the project and voted 4-11-0 to recommend approval of the project with conditions. The motion failed and no further action has been taken by the CHAPC (Attachment 13).

<u>Environmental Review</u>: Negative Declaration No. 607352 has been prepared for the project in accordance with the State of California Environmental Quality Act (CEQA) Guidelines (Attachment 6). Based on the Initial Study, it was determined that the proposed project will not have a significant effect on the environment.

# **BACKGROUND**

On November 2016, the people of the State of California approved Proposition 64, the Adult Use of Marijuana Act (AUMA). The AUMA allows adults 21 years of age or older to legally grow, possess, and use cannabis for non-medicinal purposes, with certain restrictions. The California State Legislature passed Senate Bill 94 (Chapter 27) on June 2017 that integrated Medical Cannabis Regulation and

Safety Act (MCRSA) with AUMA to create the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) contained in Division 10 of the California Business and Professions Code (§26000 et seq.). Under MAUCRSA, a single regulatory system governs the medical and adult-use cannabis industry in California.

A local jurisdiction may adopt and enforce local ordinances that regulate land use requirements as it deems necessary to reduce potential impacts associated with marijuana use. On February 22, 2017, Ordinance No. O-20793 was approved, which included amendments to the Land Development Code and the Local Coastal Program, replacing the Medical Marijuana Consumer Cooperative (MMCC) use with a new retail sales use, Marijuana Outlet (Outlet). The Ordinance became effective in areas of the City of San Diego outside of the Coastal Overlay Zone on April 12, 2017, and within the Coastal Overlay Zone on October 12, 2017.

An Outlet may be allowed with the approval of a Process Three, Conditional Use Permit (CUP), in specific land use zones of the City, and limited to no more than four per Council District, and 36 Citywide. An Outlet would be allowed to sell both medicinal and retail marijuana and is subject to State licensing requirements as defined in California Business and Professions Code section 26001. A total of two Outlets have been approved to date within Council District 9, one of which is currently in the appeal process and pending a final decision.

The project is a request for a Conditional Use Permit (CUP) pursuant to San Diego Municipal Code Section (SDMC) 126.0303 to allow operation of an Outlet within a 2,800-square-foot space in an existing commercial building located at 2281 Fairmount Avenue (Attachment 1). The 0.50-acre project site is located in the IL-3-1 (Industrial Light) and OR-1-1 (Open Space-Residential) Zones within the City Heights community of the Mid-City Communities Plan area. The project site is also located within the Fire Brush and High Fire Severity Overlay Zones, and the Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain). The Mid-City Communities Plan designates the site Industrial, intended for commercial and light industrial uses, with the southeastern corner of the site designated Open Space (Attachment 2). Properties to the northeast, northwest, and southwest are zoned IL-3-1 and developed with light industrial and commercial land uses. Properties to the southeast are zoned OR-1-1 and include a vegetated hillside with residential development further southeast located on top of the hillside in the RS-1-7 Zone.

The site is currently improved with a commercial structure constructed in 1987 and occupied by an auto repair shop, parking spaces, vegetated slope southeast of the existing building, and a portion of a channelized tributary to Chollas Creek along the northwestern property boundary (Attachment 3). The channelized tributary is separated from the project construction footprint by a chain-link fence. The site is almost entirely developed as a vehicle repair shop on a graded pad and no native habitat is located within the project's construction footprint. A portion of the City's Multi-Habitat Planning Area (MHPA) is mapped along the southeastern edge of the site. The project has been conditioned to require compliance with the MHPA Land Use Adjacency Guidelines.

As part of the project, a Letter of Map Revision (LOMR) was prepared and the developed portion of the site has been removed from the floodway/floodplain boundaries of the Special Flood Hazard Area pursuant to Federal Emergency Management Agency's (FEMA) approved LOMR Amendment No. 18-09-2271A-060295 dated October 3, 2018. Although the project site contains Environmentally Sensitive Lands (ESL) in the form of Special Flood Hazard Area and Biological Resources, the project

is exempt from the ESL permit requirements per <u>SDMC 143.0110(c)(1)</u>, as the proposed development does not increase the footprint of the existing structure and will not encroach into environmentally sensitive lands during or after construction.

#### **DISCUSSION**

# **Project Description:**

The project proposes to operate an Outlet within a 2,800-square-foot space in an existing commercial building. The building totals 6,313 square feet in Gross Floor Area, consisting of 2,337 square feet of phantom area, 3,517 square feet of first floor area, and a 459-square-foot mezzanine. The project would remodel 2,800 square feet of the interior first floor space, reducing the total project footprint by 717 square feet from the proposed exterior soffit renovations. The 459-square-foot mezzanine floor would remain vacant during the CUP term. Interior improvements include construction of security check area, waiting area, reception room, dispensary area, office/camera room, prep room, breakroom, and restrooms. Exterior improvements include the removal of the existing exterior wall metal siding, and the construction of a new exterior wall at the same elevation for the current building measuring 30.5 feet high and 70 feet in length. Proposed construction would comply with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards, and would be reviewed for conformance during the construction permit application phase.

Public improvements include the reconstruction of a 24-foot driveway, and the replacement of the curb, gutter and sidewalk on Fairmount Avenue, consistent with current City Standards, and construction of a new bus stop concrete slab on Fairmount Avenue along the project's frontage. The project would also construct a new American Disabilities Act (ADA) accessible path of travel ramp and sidewalk from the Fairmount Avenue public right-of-way to the building entrance.

The Outlet requires and provides 14 off-street parking spaces based on parking rate of five off-street parking spaces per 1,000 square feet of floor area in accordance with the SDMC. The surface parking would be accessed from the driveway located along Fairmount Avenue. An access analysis was prepared to evaluate whether there would be any significant impacts to transportation/circulation in the area due to the project. The access analysis dated December 12, 2018 concluded the project would not result in any significant traffic impacts and no mitigation is required.

#### **Community Plan Consistency:**

The project site is within the City Heights community of the Mid-City Communities Plan, which designates the site Industrial, except for the southeastern corner of the property, which is designated Open Space. The community plan further identifies the site for Light Manufacturing with Commercial use intended to accommodate shopping centers, strip commercial, neighborhood service convenience stores, retail sales, office, wholesale, personal and commercial services, visitor commercial enterprises, and light manufacturing. The Community Plan land use is implemented by the underlying zones. The portion of the site designated Industrial is zoned IL-3-1. The IL Zones are intended to permit a range of uses, including nonindustrial uses in some instances. Specifically, the IL-3-1 Zone allows a mix of light industrial, office, and commercial uses. The portion of the site designated Open Space is zoned OR-1-1, an open space zone intended to preserve privately owned property that is designated as open space in a land use plan for such purposes as preservation of

public health and safety, visual quality, sensitive biological resources, steep hillsides, and control of urban form, while retaining private development potential. This area contains vegetation and is separated from the native habitat on the adjacent hillside to the southeast by a chain-link fence. All improvements are proposed within previously graded and disturbed areas.

The Outlet, classified as retail sales use category, is consistent with the underlying IL-3-1 zone and community plan land use designation and objectives of encouraging a range of commercial goods and services, and with a CUP, is a compatible use with the surrounding development. Additionally, the project is designed in conformance with the open space goals and policies of the Mid-City Communities Plan of preserving open space areas and protecting biological and topographic resources as no encroachment into the open space area is proposed.

# Separation Requirements:

The SDMC allows the operation of Outlets in specific land use zones of the City and provides regulations for Outlets. One of the criteria of the SDMC is the minimum separation requirements between an Outlet and other specified uses. SDMC Section 141.0504(a) requires a 1,000-foot separation from resource and population–based parks, other marijuana outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten and grades One to Twelve. In addition, there is a minimum distance requirement of 100 feet from all residentially zoned properties. Distance between uses is measured in a straight line between the two closest points of the property lines. Per SDMC Section 113.0225(c), when measuring distance between uses, natural topographical barriers and constructed barriers such as freeways or flood control channels that would impede direct physical access between the uses can be taken into consideration. In such cases, the distance is measured as the most direct route around the barrier in a manner that establishes direct access.

City staff has reviewed the 1,000-foot radius map (Attachment 7) and 1,000-foot spreadsheet exhibit (Attachment 8) provided by the applicant identifying all of the existing uses and has determined that the project complies with the separation requirements as detailed in the following analysis. The project site abuts industrial and open space zones. The site is bounded by the IL-3-1 Zone to the northwest and northeast, the OR-1-1 Zone to the southeast, and the IL-3-1 and OR-1-1 Zones to the southwest (Attachment 9). The distance between the proposed Outlet and the RM-1-1 Zone located further east, is about 132 feet, measured property line to property line (Attachment 10).

There is undeveloped natural slope in the OR-1-1 (Open Space-Residential) Zone that rises to the southeast with single family dwellings beyond the slope in the RS-1-7 Zone (Figure 1). Although the project site is within 100 feet of the RS-1-7 Zone, the residential uses are separated from the proposed Outlet by existing topographical barriers as illustrated in Figure 1. When measuring distance pursuant to SDMC Section 113.0225(c) as the most direct route around the existing topographical barriers, the distance



Figure 1 –Southeast view from Fairmount

between the Outlet and residential uses is approximately 0.3 miles, and greater than 100 feet (Attachment 10).

As illustrated in Figure 2, the proposed Outlet is located within 1,000 feet of a church and an Outlet. The proposed Outlet is approximately 650 feet, measured property line to property line, from Laurel Bible Chapel located at 4445 Laurel Street. However, there are existing topographical barriers that would impede direct access between the uses. The most direct route around the barrier would be via Fairmount Avenue north to Maple Street, east on Maple Street to 44<sup>th</sup> Street, and south on 44th Street to Laurel Street. The distance is greater than



Figure 2 -Proximity to a Church and an Outlet

1,000 feet, approximately 0.6 miles, when measured as the most direct route around the barrier in a manner that establishes direct access between the uses in accordance with SDMC Section 113.0225(c) as detailed above and illustrated in Attachment 11.

Additionally, on July 24, 2019, the Hearing Officer approved an Outlet located at 4333-4337 Home Avenue, which is within 1,000 feet from the subject project site. There are topographical barriers along with a flood control channel that would impede direct physical access between the uses. According to the Certificate Letter of Survey dated May 20, 2019, prepared by K&S Engineering, Inc., the distance between the Home Avenue Outlet and the proposed project is 1,008 feet, when measured as the most direct route around the barrier in a manner that establishes direct access between the uses in accordance with SDMC Section 113.0225(c), and in compliance with the 1,000-foot distance requirement (Attachment 12).

# Operational and Security Requirements:

The proposed Outlet is subject to specific operational requirements and restrictions as set forth in SDMC Section 141.0504 (b) - (m), which are incorporated as conditions in the CUP (Attachment 5). These include prohibition of consultation by medical professionals on-site, prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC), provision of interior and exterior lighting, operable cameras, alarms, and a security guard, restriction of hours of operation to between 7:00 am and 9:00 pm daily, maintenance of area and adjacent public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours, and restriction of signage to business name, two-colors signs, and alphabetic characters. Outlets must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

### Conclusion:

In conclusion, City staff has reviewed the application for the CUP for the operation of a 2,800-square-foot Outlet within an existing commercial building, and has determined that the project is consistent with the recommended land use and development standards in effect for this site per the Mid-City Communities Plan and SDMC. The project is not requesting, nor does it require any deviation or variance from the applicable regulations and policy documents. The permit has been conditioned to ensure the proposed project would not be detrimental to the public health, safety and welfare (Attachments 5). Staff has prepared draft findings for consideration (Attachment 4) and is recommending approval of the project as proposed.

#### **ALTERNATIVES**

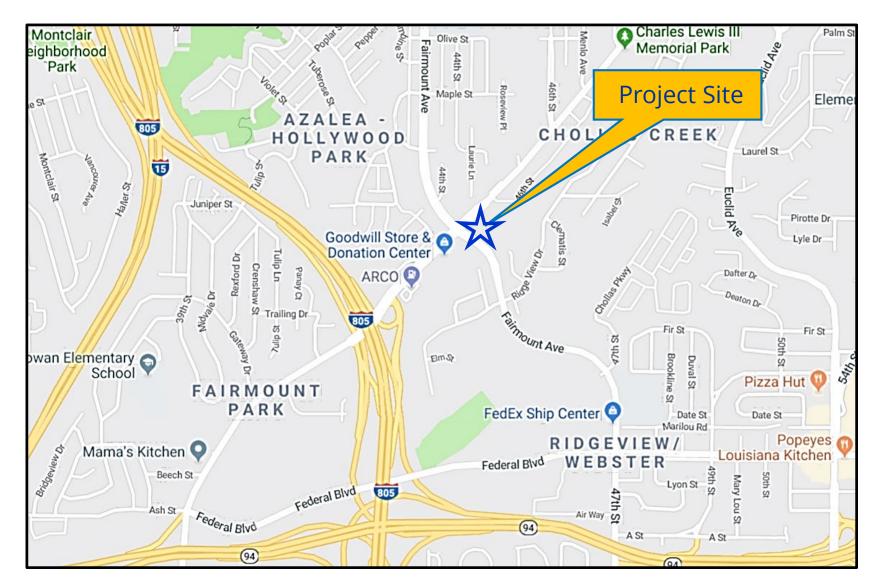
- 1. Approve Conditional Use Permit No. 2149607, with modifications.
- 2. Deny Conditional Use Permit No. 2149607, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

Firouzeh Tirandazi, Development Project Manager

### Attachments:

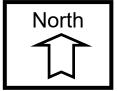
- 1. Project Location Map
- Community Plan Land Use Map
- 3. Aerial Photograph
- 4. Draft Resolution with Findings
- Draft Permit with Conditions
- 6. Draft Environmental Resolution
- 7. 100/1000-Foot Radius Map
- 8. 100/1000-Foot Radius Map Spreadsheet
- 9. Zone Exhibit
- 10. Residential Zones (RM-1-1 and RS-1-7) Distance Exhibits
- 11. Church Distance Exhibit
- 12. Marijuana Outlet Distance Exhibit and Certificate Letter of Survey
- 13. Community Planning Group Recommendation
- 14. Ownership Disclosure Statement
- 15. Project Plans

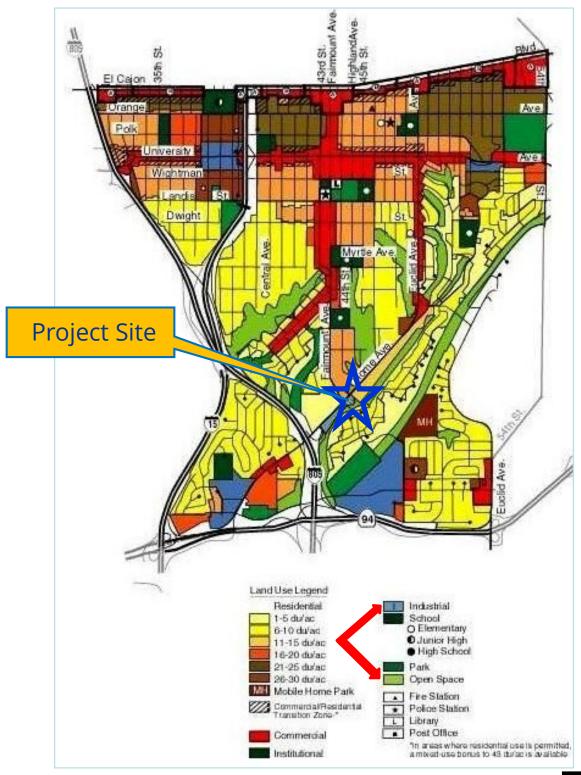




# **Project Location Map**

MO 2281 FAIRMOUNT AVENUE - 2281 Fairmount Avenue PROJECT NO. 607352







# **Mid-City Communities Land Use Map**

MO 2281 FAIRMOUNT AVENUE – 2281 Fairmount Avenue PROJECT NO. 607352

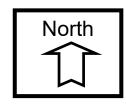






# **Aerial Photo**

MO 2281 FAIRMOUNT AVENUE – 2281 Fairmount Avenue PROJECT NO. 607352



# HEARING OFFICER RESOLUTION NO. \_\_\_\_\_ CONDITIONAL USE PERMIT NO. 2149607 MARIJUANA OUTLET 2281 FAIRMOUNT AVENUE - PROJECT NO 607352

WHEREAS, SCHNAUTZ REVOCABLE FAMILY TRUST dated February 21, 1994, Owner, and BLAKE MARCHAND, Permittee, filed an application with the City of San Diego for a permit to allow the operation of a Marijuana Outlet in a 2,800-square-foot space in an existing commercial building as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated permits, on portions of a 0.50-acre site;

WHEREAS, the project site is located at 2281 Fairmount Avenue in the IL-3-1 (Industrial Light) and OR-1-1 (Open Space-Residential) Zones, and Fire Brush Zones, High Fire Severity, and Special Flood Hazard (100 Year Floodway and 100 Year Floodplain) Overlay Zones within the City Heights community of the Mid-City Communities Plan area;

WHEREAS, the project site is legally described as a portion of Lot 1 of Valle Granada and a portion of Lot 6 of Valle Granada Annex, as described in the Quitclaim Deed filed in the Office of the County Records of San Diego County on June 7, 2000, as Document No. 2000-0299363 of Official Records;

WHEREAS, on September 18, 2019, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2149607 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

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. 2149607:

## **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 project proposes to remodel and operate a Marijuana Outlet (Outlet) within a 2,800-square-foot space in an existing commercial building. The 0.50-acre project site is located at 2281 Fairmount Avenue in the IL-3-1 (Industrial Light) and OR-1-1 (Open Space-Residential) Zones within the City Heights community of the Mid-City Communities Plan area. The project site is also located within the Fire Brush and High Fire Severity Overlay Zones, and the Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain). The proposed Outlet and associated site improvements are proposed on the portion of the site zoned IL-3-1.

The Mid-City Communities Plan designates the site Industrial, except for the southeastern corner of the property, which is designated Open Space. The community plan further identifies the site for Light Manufacturing with Commercial use intended to accommodate shopping centers, strip commercial, neighborhood service convenience stores, retail sales, office, wholesale, personal and commercial services, visitor commercial enterprises, and light manufacturing. The Community Plan land use is implemented by the underlying zones. The portion of the site designated Industrial is zoned IL-3-1. The IL Zones are intended to permit a range of uses, including nonindustrial uses in some instances. Specifically, the IL-3-1 Zone allows a mix of light industrial, office, and commercial uses. The portion of the site designated Open Space is zoned OR-1-1, an open space zone intended to preserve privately owned property that is designated as open space in a land use plan for such purposes as preservation of public health and safety, visual quality, sensitive biological resources, steep hillsides, and control of urban form, while retaining private development potential. This area contains vegetation and is separated from the native habitat on the adjacent hillside to the southeast by a chain-link fence. All improvements are proposed within previously graded and disturbed areas.

The operation of an Outlet, classified as retail sales use category, is consistent with the community plan land use designation. The project is also consistent with the community plan objectives of encouraging a range of commercial goods and services, and has been designed in conformance with the open space goals and policies of the Mid-City Communities Plan of preserving open space areas and protecting biological and topographic resources as no encroachment into the open space area is proposed. The project is compatible with the surrounding development, including adjacent commercial and light industrial establishments, with a CUP. Therefore, the proposed development 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 development will not be detrimental to the public's health, safety and welfare because the discretionary permits controlling the development and continued use of this site contains specific regulatory conditions of approval to assure the project's compliance with applicable local, regional, state and federal codes and rules. These regulations, which are implemented and enforced through the permit, are specifically intended to reduce, mitigate and/or prevent all adverse

impacts to the public and community at large. The operation of the Outlet in the IL-3-1 Zone, is allowed with a CUP at this location, and consistent with the goals and policies of the Mid-City Communities Plan.

Outlets 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. Outlets require compliance with SDMC Section 141.0504, which requires a 1,000-foot separation, measured in accordance with SDMC sections 141.0504 and 113.0225, from resource and population-based city parks, other Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone.

The project site is adjacent to an undeveloped natural slope in the OR-1-1 (Open Space-Residential) Zone that rises to the southeast with single family dwellings on top of the slope located in the RS-1-7 Zone. Although the project site is within 100 feet of a residential zone, the residential uses are separated from the proposed Outlet by existing topographical barriers. When measuring distance as the most direct route around the existing topographical barriers in accordance with SDMC Section 113.0225(c), the distance between the Outlet and residential uses is approximately 0.3 miles, and greater than 100 feet.

The proposed Outlet is also within 1,000 feet of a church and another Outlet. The proposed Outlet is approximately 650 feet from Laurel Bible Chapel located at 4445 Laurel Street. However, there are existing topographical barriers that would impede direct access between the church and the proposed Outlet, and the distance is greater than 1,000 feet, approximately 0.6 miles, when measured as the most direct route around the barrier in a manner that establishes direct access between the uses in accordance with SDMC Section 113.0225(c). On July 24, 2019, the Hearing Officer approved an Outlet located at 4333-4337 Home Avenue, which is within 1,000 feet from the subject project site. There are topographical barriers along with a flood control channel that would impede direct physical access between the uses. In accordance with SDMC Section 113.0225(c), the distance is greater than 1,000 feet, approximately 1,008 feet per the survey dated May 20, 2019, prepared by K&S Engineering, Inc., when measured as the most direct route around the barrier in a manner that establishes direct access between the uses. Therefore, the project complies with the aforementioned separation requirements.

The proposed Outlet is subject to specific operational and security requirements and restrictions as set forth in SDMC Section 141.0504(b) - (m), which have also been incorporated as conditions in the CUP including prohibition of consultation by medical professionals on-site; prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, operable cameras, alarms, security guard; restriction of hours of operation to between 7:00 am and 9:00 pm daily; maintenance of area and adjacent

public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours; and restriction of signage to business name, two-color signs, and alphabetic characters. Outlets must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation. The CUP is valid for five years, however, may be revoked if the use violates the terms, conditions, lawful requirements, or provision of the permit.

Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors. Furthermore, this project has been reviewed pursuant to the California Environmental Quality Act, and the environmental analysis did not find any significant impacts to the public health and safety. Based on the above analysis, the proposed development would 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 project proposes to operate an Outlet within a 2,800-square-foot space in an existing commercial building. The Outlet and associated site improvements are located on the portion of the site zoned IL-3-1. The building totals 6,313 square feet in Gross Floor Area, consisting of 2,337 square feet of phantom area, 3,517 square feet of first floor area, and a 459-square-foot mezzanine. The project would remodel 2,800 square feet of the interior first floor space, reducing the total project footprint by 717 square feet from the proposed exterior soffit renovations. The 459-square-foot mezzanine floor would remain vacant during the CUP term. Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors.

The Outlet requires and provides 14 off-street parking spaces based on parking rate of five off-street parking spaces per 1,000 square feet of floor area in accordance with the SDMC. The surface parking would be accessed from the driveway located along Fairmount Avenue.

The Outlet, classified as retail sales, is allowed in the IL-3-1 Zone with a CUP pursuant to San Diego Municipal Code (SDMC) Section 141.0504. Outlets require compliance with SDMC Section 141.0504, which requires a 1,000-foot separation, measured in accordance with SDMC sections 141.0504 and 113.0225, from resource and population-based city parks, other Outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, minor-oriented facilities, residential care facilities, and schools including private or public institutions of learning providing instruction in kindergarten grades 1 to 12. There is also a minimum distance requirement of 100 feet from a residential zone.

The project site is adjacent to an undeveloped natural slope in the OR-1-1 (Open Space-Residential) Zone that rises to the southeast with single family dwellings on top of the slope located in the RS-1-7 Zone. The project site is also within 1,000 feet of Laurel Bible Chapel located at 4445 Laurel Street, and an Outlet located at 4333-4337 Home Avenue, approved by the Hearing Officer on July 24, 2019. Although the project site is within 100 feet of the RS-1-7 Zone, and within 1,000 feet of a church and an Outlet, the proposed Outlet is separated from these uses by existing topographical barriers. When measuring distance as the most direct route around the existing topographical barriers pursuant to SDMC Section 113.0225(c), the distance between the proposed Outlet and residential use is greater than 100 feet, approximately 0.3 miles, and the distance between the proposed Outlet and the church and another Outlet is greater than 1000 feet, approximately 0.6 miles, and 1,008 feet, respectively. Therefore, the project complies with the aforementioned separation requirements.

The site is almost entirely developed as a vehicle repair shop on a graded pad and no native habitat is located within the project's construction footprint. A portion of the City's Multi-Habitat Planning Area (MHPA) is mapped along the southeastern edge of the site. The project has been conditioned to require compliance with the MHPA Land Use Adjacency Guidelines. Additionally, as part of the project, a Letter of Map Revision (LOMR) was prepared and the developed portion of the site has been removed from the floodway/floodplain boundaries of the Special Flood Hazard Area pursuant to Federal Emergency Management Agency's (FEMA) approved LOMR Amendment No. 18-09-2271A-060295 dated October 3, 2018. Although the project site contains Environmentally Sensitive Lands (ESL) in the form of Special Flood Hazard Area and Biological Resources, the project is exempt from the ESL permit requirements per SDMC 143.0110(c)(1), as the proposed development does not increase the footprint of the existing structure and will not encroach into environmentally sensitive lands during or after construction.

The permits for the project include various conditions and corresponding exhibits of approval relevant to achieving compliance with the SDMC relative to parking, signage, lighting, security measures, hours of operation, and site maintenance. No variance or deviations are requested as part of this application. Therefore, the proposed development will comply with the regulations of the Land Development Code.

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

The project is a request for a CUP pursuant to SDMC Section 126.0303 to allow operation of an Outlet within a 2,800-square-foot space in an existing commercial building located at 2281 Fairmount Avenue. The 0.50-acre project site is located in the IL-3-1 and OR-1-1 Zones within the City Heights community of the Mid-City Communities Plan area. The project site is also located within the Fire Brush and High Fire Severity Overlay Zones, and the Special Flood Hazard Area (100 Year Floodway and 100 Year Floodplain). The Outlet and associated site improvements are proposed on the portion of the site zoned IL-3-1. The Mid-City Communities Plan

designates the site Industrial, intended for commercial and light industrial uses, with the southeastern corner of the site designated Open Space. Properties to the northeast, northwest, and southwest are zoned IL-3-1 and developed with light industrial and commercial land uses. Properties to the southeast are zoned OR-1-1 and include a vegetated hillside with residential development further southeast located on top of the hillside in the RS-1-7 Zone.

The site is currently improved with a commercial structure constructed in 1987 and occupied by an auto repair shop, parking spaces, vegetated slope southeast of the existing building, and a portion of a channelized tributary to Chollas Creek along the northwestern property boundary. The channelized tributary is separated from the project construction footprint by a chain-link fence. The site is almost entirely developed as a vehicle repair shop on a graded pad and no native habitat is located within the project's construction footprint. A portion of the City's Multi-Habitat Planning Area (MHPA) is mapped along the southeastern edge of the site. The project has been conditioned to require compliance with the MHPA Land Use Adjacency Guidelines.

As part of the project, a Letter of Map Revision (LOMR) was prepared and the developed portion of the site has been removed from the floodway/floodplain boundaries of the Special Flood Hazard Area pursuant to Federal Emergency Management Agency's (FEMA) approved LOMR Amendment No. 18-09-2271A-060295 dated October 3, 2018. Although the project site contains Environmentally Sensitive Lands (ESL) in the form of Special Flood Hazard Area and Biological Resources, the project is exempt from the ESL permit requirements per SDMC 143.0110(c)(1), as the proposed development does not increase the footprint of the existing structure and will not encroach into environmentally sensitive lands during or after construction.

The City Heights community of the Mid-City Communities Plan identifies site for Light Manufacturing with Commercial use intended to accommodate shopping centers, strip commercial, neighborhood service convenience stores, retail sales, office, wholesale, personal and commercial services, visitor commercial enterprises, and light manufacturing, except for the southeastern corner of the sited identified for open space use. The portion of the site designated Industrial is zoned IL-3-1. The IL Zones are intended to permit a range of uses, including nonindustrial uses in some instances. Specifically, the IL-3-1 Zone allows a mix of light industrial, office, and commercial uses. The portion of the site designated Open Space is zoned OR-1-1, an open space zone intended to preserve privately owned property that is designated as open space in a land use plan for such purposes as preservation of public health and safety, visual quality, sensitive biological resources, steep hillsides, and control of urban form, while retaining private development potential. This area contains vegetation and is separated from the native habitat on the adjacent hillside to the southeast by a chain-link fence. All improvements are proposed within previously graded and disturbed areas.

The Outlet, classified as retail sales use category, is consistent with the underlying IL-3-1 zone and community plan land use designation and objectives of encouraging a

range of commercial goods and services, and with a CUP, is a compatible use with the surrounding development. Additionally, the project is designed in conformance with the open space goals and policies of the Mid-City Communities Plan of preserving open space areas and protecting biological and topographic resources as no encroachment into the open space area is proposed.

The SDMC limits Outlets to commercial and industrial zones limited to no more than four per Council District, 36 city-wide, in order to minimize the impact on the City and residential neighborhoods. To date, Outlets have been approved within Council District 9, one of which is currently in the appeal process. The Outlet is allowed in the IL-3-1 Zone with a CUP and subject to separation requirements set forth in SDMC Section 141.0504(a) including a 1,000-foot separation, measured in accordance with SDMC sections 141.0504 and 113.0225, from specified uses. There is also a minimum distance requirement of 100 feet from a residential zone.

The project site is adjacent to an undeveloped natural slope in the OR-1-1 (Open Space-Residential) Zone that rises to the southeast with single family dwellings on top of the slope located in the RS-1-7 Zone. The project site is also within 1,000 feet of Laurel Bible Chapel located at 4445 Laurel Street, and an Outlet located at 4333-4337 Home Avenue, approved by the Hearing Officer on July 24, 2019. Although the project site is within 100 feet of the RS-1-7 Zone, and within 1,000 feet of a church and an Outlet, the proposed Outlet is separated from these uses by existing topographical barriers. When measuring distance as the most direct route around the existing topographical barriers pursuant to SDMC Section 113.0225(c), the distance between the proposed Outlet and residential use is greater than 100 feet, approximately 0.3 miles, and the distance between the proposed Outlet and the church and another Outlet is greater than 1000 feet, approximately 0.6 miles and 1,008 feet, respectively. Therefore, the project complies with the aforementioned separation requirements.

The proposed Outlet is consistent with the purpose and intent of the underlying light industrial/commercial and open space designations per the community plan and zones, and compatible with the surrounding development with a CUP. Therefore, based on the above analysis, the proposed use is appropriate 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. 2149607 is hereby GRANTED by the Hearing Officer to the

referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit Nos.

2149607, a copy of which is attached hereto and made a part hereof.

Firouzeh Tirandazi Development Project Manager Development Services

Adopted on: September 18, 2019

IO#: 24007856

# **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: 24007693** 

SPACE ABOVE THIS LINE FOR RECORDER'S USE

# CONDITIONAL USE PERMIT NO. 2149607 MARIJUANA OUTLET 2281 FAIRMOUNT AVENUE - PROJECT NO 607352 HEARING OFFICER

This Conditional Use Permit No. 2149607 (Permit) is granted by the Hearing Officer of the City of San Diego to Schnautz Revocable Family Trust dated February 21, 1994, Owner, and Blake Marchand, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 0.50-acre site is located at 2281 Fairmount Avenue in the IL-3-1 (Industrial Light) and OR-1-1 (Open Space-Residential) Zones, and the Fire Brush, High Fire Severity, and Special Flood Hazard (100 Year Floodway and 100 Year Floodplain) Overlay Zones within the City Heights community of the Mid-City Communities Plan area. The project site is legally described as: A portion of Lot 1 of Valle Granada and a portion of Lot 6 of Valle Granada Annex, as described in the Quitclaim Deed filed in the Office of the County Records of San Diego County on June 7, 2000, as Document No. 2000-0299363 of Official Records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a Marijuana Outlet described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated September 18, 2019, on file in the Development Services Department.

#### The project shall include:

- a. Operation of a Marijuana Outlet within a 2,800-square-foot space in an existing commercial building;
- b. A 459-square-foot mezzanine floor area, as shown on Exhibit "A", to remain vacant and unoccupied for the term of the subject Conditional Use Permit;
- c. Landscaping (planting, irrigation and landscape related improvements);
- d. Off-street parking; and
- e. 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 October 3, 2022.
- 2. This Conditional Use Permit and corresponding use of this site shall expire on October 3, 2024. The Owner/Permittee may request that the expiration date be extended in accordance with SDMC Section 141.0504(n).
- 3. In addition to other provisions of the law, the Marijuana Outlet must comply with Chapter 4, Article 2, Division 15 and Chapter 14, Article 1, Division 5 of the San Diego Municipal Code.
- 4. 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;
  - b. The Permit is recorded in the Office of the San Diego County Recorder; and
  - c. A marijuana Outlet Permit issued by the Development Services Department is approved in accordance with SDMC Section 42.1504.
- 5. 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.
- 6. 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.
- 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.

## **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. The project proposes to export no material from the project site. Any excavated material that is exported, shall be exported to a legal disposal site in accordance with the Standard Specifications for Public Works Construction (the "Green Book"), 2015 edition and Regional Supplement Amendments adopted by Regional Standards Committee.
- 15. The drainage system proposed for this development, as shown on the site plan, is private and subject to approval by the City Engineer.
- 16. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for all non-standard improvements within the Fairmount Avenue Right-of-Way.
- 17. 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 SDMC, into the construction plans or specifications.
- 18. 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 Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.
- 19. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new 24-foot driveway per current City Standards, adjacent to the site on Fairmount Avenue.
- 20. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the replacement of damaged curb and gutter per current City Standards, on Fairmount Avenue.
- 21. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the replacement of damaged sidewalk maintaining the existing sidewalk scoring pattern and preserving the contractor's stamp per current City Standards, on Fairmount Avenue.
- 22. Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the construction of a new bus stop slab per current City Standards, on Fairmount Avenue.

# **LANDSCAPE REQUIREMENTS:**

- 23. Prior to issuance of any public improvement permit, the Owner/Permittee shall submit complete landscape construction documents for right-of-way improvements to the Development Services Department for approval. Improvement plans shall show, label, and dimension a 40-square-foot area around each tree which is unencumbered by utilities. Driveways, utilities, drains, water and sewer laterals shall be designed so as not to prohibit the placement of street trees.
- 24. Prior to issuance of any construction permit, the Owner/Permittee shall submit complete landscape and irrigation construction documents, which are 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 provide a 40-square-foot area around each tree that is unencumbered by hardscape and utilities unless otherwise approved per \$142.0403(b)5.
- 25. The Owner/Permittee shall be responsible for the maintenance of all landscape improvements shown on the approved plans, including in the right-of-way, unless long-term maintenance of said landscaping will be the responsibility of another entity approved by the Development Services Department. All required landscape shall be maintained consistent with the Landscape Standards in a disease, weed, and litter free condition at all times. Severe pruning or "topping" of trees is not permitted.
- 26. If any required landscape (including existing or new plantings, hardscape, landscape features, etc.) indicated on the approved construction documents is damaged or removed during demolition or construction, the Owner/Permittee shall repair and/or replace in kind and equivalent size per the approved documents to the satisfaction of the Development Services Department within 30 days of damage or Certificate of Occupancy.

## **BRUSH MANAGEMENT PROGRAM REQUIREMENTS:**

- 27. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A" on file in the Development Services Department.
- 28. The Brush Management Program shall consist of a modified Zone One ranging from 8 feet to 42 feet in width with a corresponding Zone Two of 5 feet to 19 feet in width, extending out from the structure towards the native/naturalized vegetation consistent with §142.0412(h)(7).
- 29. Prior to issuance of any Building Permits, a complete Brush Management Program shall be submitted for approval to the Development Services Department and shall be in substantial conformance with Exhibit "A" on file in the Development Services Department. The Brush Management Program shall comply with the City of San Diego's Landscape Regulations and the Landscape Standards.
- 30. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

#### **MULTIPLE SPECIES CONSERVATION PROGRAM:**

- 31. Prior to issuance of any construction permits, including but not limited to, the first Grading Permit, Demolition Plans/Permits and Building Plans/Permits, the owner/permittee shall depict the following requirements on the construction documents and plans for Project Site.
  - a. Grading/Land Development/MHPA Boundaries -Within or adjacent to the MHPA, all manufactured slopes associated with site development shall be included within the development footprint.
  - b. **Drainage -** All staging and developed/paved areas must prevent the release of toxins, chemicals, petroleum products, exotic plant materials prior to release by incorporating the use of filtration devices, planted swales and/or planted detention/desiltation basins, or other approved temporary and permanent methods that are designed to minimize negative impacts, such as excessive water and toxins into the ecosystems of the MHPA.
  - c. **Toxics/Project Staging Areas/Equipment Storage -** Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Provide a note in/on the CD's that states: "All construction related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/Owners Representative or Resident Engineer to ensure there is no impact to the MHPA."
  - d. **Lighting -**All lighting within or adjacent to the MHPA is directed away/shielded from the MHPA, or limited to the immediate area and is in compliance with City Outdoor Lighting Regulations per LDC Section 142.0740.
  - e. **Barriers** –Existing fences/walls; and/or signage along the MHPA boundaries shall remain and or be added to direct public access to appropriate locations, reduce domestic animal predation, protect wildlife in the preserve, and provide adequate noise reduction where needed.
  - f. **Invasives** No invasive, non-native plant species shall be introduced into areas within or adjacent to the MHPA.
  - g. **Brush Management** -Brush management zones will not be greater in size that is currently required by the City's regulations (this includes use of approved alternative compliance). Within Zone 2 the amount of woody vegetation clearing shall not exceed 50 percent of the vegetation existing when the initial clearing is done. Vegetation clearing shall be done consistent with City standards and shall avoid/minimize impacts to covered species to the maximum extent possible. For all

new development, regardless of the ownership, the brush management in the Zone 2 area will be the responsibility of a home-owner's association or other private party.

h. **Noise** - Construction noise that exceeds the maximum levels allowed (60 dB or greater at the beginning edge of the habitat) shall be avoided during the breeding seasons for the following: CA gnatcatcher (3/1-8/15). If construction is proposed during the breeding season for the species the following measures are required:

# **COASTAL CALIFORNIA GNATCATCHER (Federally Threatened)**

1. Prior to the issuance of any grading permit, the City Manager (or appointed designee) shall verify that the Multi-Habitat Planning Area (MHPA) boundaries and the following project requirements regarding the coastal California gnatcatcher are shown on the construction plans:

NO CLEARING, GRUBBING, GRADING, OR OTHER CONSTRUCTION ACTIVITIES SHALL OCCUR BETWEEN MARCH 1 AND AUGUST 15, THE BREEDING SEASON OF THE COASTAL CALIFORNIA GNATCATCHER, UNTIL THE FOLLOWING REQUIREMENTS HAVE BEEN MET TO THE SATISFACTION OF THE CITY MANAGER:

- A. A QUALIFIED BIOLOGIST (POSSESSING A VALID ENDANGERED SPECIES ACT SECTION 10(a)(1)(A) RECOVERY PERMIT) SHALL SURVEY THOSE HABITAT AREAS <u>WITHIN THE MHPA</u> THAT WOULD BE SUBJECT TO CONSTRUCTION NOISE LEVELS EXCEEDING 60 DECIBELS [dB(A)] HOURLY AVERAGE FOR THE PRESENCE OF THE COASTAL CALIFORNIA GNATCATCHER. SURVEYS FOR THE COASTAL CALIFORNIA GNATCATCHER SHALL BE CONDUCTED PURSUANT TO THE PROTOCOL SURVEY GUIDELINES ESTABLISHED BY THE U.S. FISH AND WILDLIFE SERVICE WITHIN THE BREEDING SEASON PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION. IF GNATCATCHERS ARE PRESENT, THEN THE FOLLOWING CONDITIONS MUST BE MET:
  - I. BETWEEN MARCH 1 AND AUGUST 15, NO CLEARING, GRUBBING, OR GRADING OF OCCUPIED GNATCATCHER HABITAT SHALL BE PERMITTED. AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; AND
  - II. BETWEEN MARCH 1 AND AUGUST 15, NO CONSTRUCTION ACTIVITIES SHALL OCCUR WITHIN ANY PORTION OF THE SITE WHERE CONSTRUCTION ACTIVITIES WOULD RESULT IN NOISE LEVELS EXCEEDING 60 dB (A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED GNATCATCHER HABITAT. AN ANALYSIS SHOWING THAT NOISE GENERATED BY CONSTRUCTION ACTIVITIES WOULD NOT EXCEED 60 dB (A) HOURLY AVERAGE AT THE EDGE OF OCCUPIED HABITAT MUST BE COMPLETED BY A QUALIFIED ACOUSTICIAN (POSSESSING CURRENT NOISE ENGINEER LICENSE OR REGISTRATION WITH MONITORING

NOISE LEVEL EXPERIENCE WITH LISTED ANIMAL SPECIES) AND APPROVED BY THE CITY MANAGER AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES DURING THE BREEDING SEASON, AREAS RESTRICTED FROM SUCH ACTIVITIES SHALL BE STAKED OR FENCED UNDER THE SUPERVISION OF A QUALIFIED BIOLOGIST; OR

- III. AT LEAST TWO WEEKS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, UNDER THE DIRECTION OF A QUALIFIED ACOUSTICIAN, NOISE ATTENUATION MEASURES (e.g., BERMS, WALLS) SHALL BE IMPLEMENTED TO ENSURE THAT NOISE LEVELS RESULTING FROM CONSTRUCTION ACTIVITIES WILL NOT EXCEED 60 dB(A) HOURLY AVERAGE AT THE EDGE OF HABITAT OCCUPIED BY THE COASTAL CALIFORNIA GNATCATCHER. CONCURRENT WITH THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES AND THE CONSTRUCTION OF NECESSARY NOISE ATTENUATION FACILITIES, NOISE MONITORING\* SHALL BE CONDUCTED AT THE EDGE OF THE OCCUPIED HABITAT AREA TO ENSURE THAT NOISE LEVELS DO NOT EXCEED 60 dB (A) HOURLY AVERAGE. IF THE NOISE ATTENUATION TECHNIQUES IMPLEMENTED ARE DETERMINED TO BE INADEQUATE BY THE QUALIFIED ACOUSTICIAN OR BIOLOGIST, THEN THE ASSOCIATED CONSTRUCTION ACTIVITIES SHALL CEASE UNTIL SUCH TIME THAT ADEQUATE NOISE ATTENUATION IS ACHIEVED OR UNTIL THE END OF THE BREEDING SEASON (AUGUST 16).
- \* Construction noise monitoring shall continue to be monitored at least twice weekly on varying days, or more frequently depending on the construction activity, to verify that noise levels at the edge of occupied habitat are maintained below 60 dB (A) hourly average or to the ambient noise level if it already exceeds 60 dB (A) hourly average. If not, other measures shall be implemented in consultation with the biologist and the City Manager, as necessary, to reduce noise levels to below 60 dB(A) hourly average or to the ambient noise level if it already exceeds 60 dB(A) hourly average. Such measures may include, but are not limited to, limitations on the placement of construction equipment and the simultaneous use of equipment.
- B. IF COASTAL CALIFORNIA GNATCATCHERS ARE NOT DETECTED DURING THE PROTOCOL SURVEY, THE QUALIFIED BIOLOGIST SHALL SUBMIT SUBSTANTIAL EVIDENCE TO THE CITY MANAGER AND APPLICABLE RESOURCE AGENCIES WHICH DEMONSTRATES WHETHER OR NOT MITIGATION MEASURES SUCH AS NOISE WALLS ARE NECESSARY BETWEEN MARCH 1 AND AUGUST 15 AS FOLLOWS:
  - I. IF THIS EVIDENCE INDICATES THE POTENTIAL IS HIGH FOR COASTAL CALIFORNIA GNATCATCHER TO BE PRESENT BASED ON HISTORICAL RECORDS OR SITE CONDITIONS, THEN CONDITION A.III SHALL BE ADHERED TO AS SPECIFIED ABOVE.

II. IF THIS EVIDENCE CONCLUDES THAT NO IMPACTS TO THIS SPECIES ARE ANTICIPATED, NO MITIGATION MEASURES WOULD BE NECESSARY.

## **PLANNING/DESIGN REQUIREMENTS:**

- 32. The use within the 2,800-square-foot tenant space shall be limited to a Marijuana Outlet and any use permitted by right in the IL-3-1 Zone.
- 33. The Owner/Permittee shall maintain the approximately 459-square-foot mezzanine floor area vacant for the duration of the Conditional Use Permit as noted on the approved Exhibit A, unless an amendment has been granted.
- 34. The Owner/Permittee shall obtain a Marijuana Outlet Permit as required pursuant to SDMC Chapter 4, Article 2, Division 15.
- 35. Each responsible person at this Marijuana Outlet shall undergo fingerprinting, a criminal background check, and report convictions as required pursuant to SDMC Chapter 4, Article 2, Division 15.
- 36. The sale of marijuana shall be prohibited without a valid license from the State authorizing such activity.
- 37. Consultations by medical professionals shall not be a permitted accessory use at the Marijuana Outlet.
- 38. The Owner/Permittee shall provide lighting to illuminate the interior of the Marijuana Outlet, façade, and the immediate surrounding area, including any accessary uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties.
- 39. The Owner/Permittee shall provide security including 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.
- 40. The Marijuana Outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
- 41. The use of vending machines which allow access to marijuana and marijuana products except by a responsible person, as defined in the San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this Section, a vending machine is any device which allows access to marijuana and marijuana products without a human intermediary.

- 42. The Owner/Permittee shall maintain the Marijuana Outlet, adjacent public sidewalks, and areas under the control of the Owner/Permittee, free of litter and graffiti at all times.
- 43. The Owner/Permittee shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
- 44. 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.
- 45. Medical marijuana, recreational marijuana, or marijuana products, in any form, shall not be consumed anywhere within the 0.50-acre site.
- 46. 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. Ground signs shall not be pole signs. A primary sign shall be posted on the outside of the Marijuana Outlet and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors.
- 47. The Owner/Permittee shall post and maintain a sign showing the name and emergency contact phone number of the operator or manager, in a location visible from outside the Marijuana Outlet, in character size at least two inches in height.
- 48. Deliveries shall be permitted as an accessory use only from the Marijuana Outlet with a valid Conditional Use Permit unless otherwise allowed pursuant to the Compassionate Use Act of 1996.

# **TRANSPORTATION REQUIREMENTS:**

- 49. All automobile, motorcycle, and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. 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 appropriate City decision maker in accordance with the SDMC.
- 50. Prior to the issuance of any building permits, the Owner/Permittee shall dedicate and improve an additional three feet on Fairmount Avenue to provide a ten-foot curb-to-property-line distance, satisfactory to the City Engineer.

# **INFORMATION ONLY:**

 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.
- 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.

APPROVED by the Hearing Officer of the City of San Diego on September 18, 2019 and Resolution No. XXXXX.

	Permit Type/PTS Approval No.: CUP No. 2149607 Date of Approval:
AUTHENTICATED BY THE CITY OF SAN DIEG	O DEVELOPMENT SERVICES DEPARTMENT
 Firouzeh Tirandazi	
Development Project Manager	
NOTE: Notary acknowledgment must be attached per Civil Code section 1189 et seq.	
	recution hereof, agrees to each and every condition of and every obligation of Owner/Permittee hereunder.
	SCHNAUTZ REVOCABLE FAMILY TRUST, DATED FEBRUARY 21, 1994
	Owner
	Ву
	Kim Schnautz
	Co-Trustee
	Ву
	Sharon Ann Schnautz
	Co-Trustee

NOTE: Notary acknowledgments 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.

BLAKE	MARCHAND	
Permitte	ee	
Bv		

Blake Marchand

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

RESOLUTION NUMBER R
ADOPTED ON
WHEREAS, on May 23, 2018, Mr. Blake Marchand submitted an application to Development Services Department for a Conditional Use Permit for the Marijuana Outlet 2281 Fairmont Avenue (Project); and
WHEREAS, the matter was set for a public hearing to be conducted by the Hearing Officer of the City of San Diego; and
WHEREAS, the issue was heard by the Hearing Officer on September 18, 2019; and
WHEREAS, the Hearing Officer considered the issues discussed in Negative Declaration No. 607352 (Declaration) prepared for this Project; NOW THEREFORE,
BE IT RESOLVED, by the Hearing Officer that it is certified that the Declaration has been completed in compliance with the California Environmental Quality Act of 1970 (CEQA) (Public Resources Code Section 21000 et seq.), as amended, and the State CEQA Guidelines thereto (California Code of Regulations, Title 14, Chapter 3, Section 15000 et seq.), that the Declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in said Declaration, together with any comments received during the public review process, has been reviewed and considered by the Hearing Officer in connection with the approval of the Project.
BE IT FURTHER RESOLVED, that the Hearing Officer finds on the basis of the entire record, including the Initial Study and any comments received, that there is no substantial evidence that the Project will have a significant effect on the environment, and therefore, that said Declaration is hereby adopted.
BE IT FURTHER RESOLVED, that the Declaration and other documents constituting the record of proceedings upon which the approval is based are available to the public at the office of the Development Services Department, 1222 FIRST AVENUE, SAN DIEGO, CA 92101.
BE IT FURTHER RESOLVED, that Development Services Staff is directed to file a Notice of Determination with the Clerk of the Board of Supervisors for the County of San Diego regarding the Project.
APPROVED: Firouzeh Tirandazi, Development Project Manager

Ву:

Firouzeh Tirandazi

Development Project Manager



# 100 & 1000-FOOT RADIUS MAP SPREADSHEET

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APN: 541-280-09 100FT - MO RESIDENTIAL SEARCH

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# Use Description	Site Address	City	State	Zip	State Zip Parcel Number Owner Name	Owner Name
1 SINGLE FAMILY RESIDENCE	4404 CYNTHIA PL	SAN DIEGO	CA	92105	541-070-13-00	SAN DIEGO CA 92105 541-070-13-00 SORCE, DAVID BRIAN TRUST
2 SINGLE FAMILY RESIDENCE	4403 CYNTHIA PL	SAN DIEGO	CA	92105	541-070-28-00	SAN DIEGO CA   92105 541-070-28-00   LASHINSKI, JAMIN
3 VACANT RESIDENTIAL	HOME AVE	SAN DIEGO	CA	92105	541-280-06-00	SAN DIEGO CA 92105 541-280-06-00 COLUMBUS CLUB OF SAN DIEGO
4 PARKING LOT, PARKING STRUCTURE   2281 FAIRMOUNT AVE   SAN DIEGO   CA   92105   541-280-09-00   SUBJECT AREA	2281 FAIRMOUNT AVE	SAN DIEGO	CA	92105	541-280-09-00	SUBJECT AREA
THE ABOVE MARKED RESIDENTS/RESIDENTIAL ZONES WERE FOUND WITHIN 100FT OF THE SUBJECT PARCEL BOUNDARIES. THE RESIDENTIAL	DENTIAL ZONES WERE FO	UND WITHIN	100FT	OF THE	SUBJECT PARCEI	BOUNDARIES. THE RESIDENTIAL

ZONES FOUND WITHIN THE PARCELS OF THE 100FT SEARCH ARE: RM-1-1, RS-1-7 & OR-1-1

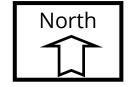
		SUMMARY OF PARCELS APN: 541-280-09 1000FT - MO CONSIDERATION POINTS	SUMMARY OF PARCELS 9 1000FT - MO CONSIDE	SELS SIDERATIC	IN POINTS	
#	Use Description	Site Address	City Stat	e Zip	Parcel Number	State Zip Parcel Number Owner/Business Name
٦	RELIGIOUS	4445 LAUREL ST	SAN DIEGO CA	92105	476-574-01-00	92105   476-574-01-00   LAUREL BIBLE CHAPEL
7	STORES, RETAIL OUTLET	4359 HOME AVE	SAN DIEGO CA	92105	541-060-12-00	92105 541-060-12-00 GOODWILL INDUSTRIES OF SAN DIEGO
3	STORES, RETAIL OUTLET	4395 HOME AVE	SAN DIEGO CA		541-060-18-00	92105 541-060-18-00 CHUY'S AUTO BODYE
4	SERVICE STATION, GAS STATION	4333 HOME AVE	SAN DIEGO CA	92105	541-060-19-00	92105 541-060-19-00 ARCO GAS STATION
5	SERVICE STATION, GAS STATION	2286 FAIRMOUNT AVE SAN DIEGO CA	SAN DIEGO CA	92105	541-060-20-00	92105 541-060-20-00 PETER AUTO REPAIR
9	SERVICE STATION, GAS STATION	4345 HOME AVE	SAN DIEGO CA	92105	541-060-20-00	92105 541-060-20-00 PEARL CAR WASH
7	SERVICE STATION, GAS STATION	4355 HOME AVE	SAN DIEGO CA	92105	541-060-20-00	92105 541-060-20-00 HOME AVENUE LAUNDRY
∞	GOVERNMENTAL, PUBLIC	4425 HOME AVE	SAN DIEGO CA	-	541-280-03-00	92105 541-280-03-00 COLUMBUS CLUB OF SAN DIEGO
6	PARKING LOT, PARKING STRUCTURE	2281 FAIRMOUNT AVE SAN DIEGO CA	SAN DIEGO CA	92105	92105 541-280-09-00 SUBJECT AREA	SUBJECT AREA
10	10 SERVICE STATION, GAS STATION	4405 HOME AVE	SAN DIEGO CA	92105	541-280-10-01	92105 541-280-10-01 VALERO CORNER STORE
11	11 COOPERATIVE/COMMUNITY GARDEN	2004 RIDGE VIEW DR	SAN DIEGO CA		760-227-28-00	92105 760-227-28-00 CITY HEIGHTS TOWN COUNCIL INC DB
	1 CONSIDERATION POINT FOUND WITHIN 1000FT WHEN MEASURING DIRECT FROM PARCEL TO PARCEL. HOWEVER, WHEN USING SURFACE STREETS THE CHURCH IS ~3000FT WALKING DISTANCE. THERE IS NO DIRECT WALKING PATH UNDER 1000FT UNLESS YOU CROSS OVER VACANT, OPEN	1 1000FT WHEN MEASUR ISTANCE. THERE IS NO DI	ING DIRECT FROI RECT WALKING P	M PARCEL ATH UND	TO PARCEL. HOW ER 1000FT UNLES	FVER, WHEN USING SURFACE STREETS S YOU CROSS OVER VACANT, OPEN

LANDSCAPE.



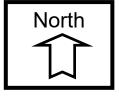
# Zoning Map (IL-3-1 and OR-1-1 Zones)

MO 2281 FAIRMOUNT AVENUE – 2281 Fairmount Avenue PROJECT NO. 607352



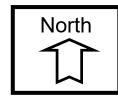


# RM-1-1 Zone Distance Exhibit (1 of 2)



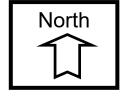


# **RS-1-7 Zone Distance Exhibit (2 of 2)**



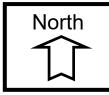


# **Church Distance Exhibit (1 of 2)**



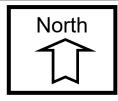


# **Church Distance Exhibit (2 of 2)**





# **Marijuana Outlet Distance Exhibit**





Jn-18-024 May 20, 2019

Mr. Blake Marchand March and Ash 2835 Camino Del Rio South, Suite 100 San Diego, CA 92108

Re: 2281 Fairmount Avenue, Project No. 607352

Dear Mr. Marchand:

At your request, we have recovered monumentation to establish the location of the ARCO station located at the intersection of Home Avenue and I-805.

Based on our site surveys and records search, we have produced the attached aerial orthophoto ascertaining the length of the total separation distance between the two properties located at 2281 Fairmount Avenue and 4337 Home Avenue to be equal to one thousand and eight feet (1,008') as measured between the closest property lines.

Per the San Diego Municipal Code Section 141.0504(a), and in accordance with SDMC Section 113.0225(c), this measurement of distance between the subject properties was established by taking into account the existing natural topographical barrier and the existing constructed flood/drainage channel that impedes direct physical access between the subject properties.

I hereby certify the separation distance was accurately measured as the most direct route around the barrier in a manner that establishes direct access between the subject properties.

LS 8084 Expires

Sincerely,

2019-05-21

Dennis W. Good LS 8084

Date



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

# Community Planning Committee Distribution Form Part 2

THE CITY OF SAN DIEGO	Distribution Form Pa		
Project Name:	Project Number:	Distribution Date:	

it for a Marijuan I Fairmount Ave an area in Coun I Fairmount Ave an area in Coun I Grand Ave an area in Coun I Gr	ncil District 9.	one Number:
Tairmount Aven area in Coun  Tumber: Fa 36-6327 (6  eview):	Applicant Ph (951) 757-02	one Number:  E-mail Address:
36-6327 (6 eview):	(951) 757-02 ax Number:	E-mail Address:
36-6327 (6 eview):	(951) 757-02 ax Number:	E-mail Address:
36-6327 (6 eview):	ax Number:	E-mail Address:
36-6327 (6 eview):		
eview):	519) 446-5245	CCac@sandiego.gov
mhers Vos		
mhers Ves		
4	Members No	Members Abstain Ø † Ch福i R NOT リロテ
embers Yes	Members No	Members Abstain
embers Yes	Members No	Members Abstain
embers Yes	Members No	Members Abstain
Split vote, Lac	nck of	Continued
Meme.		
	TITLE: C	IAR
	DATE: 10	/2/2018
of San Diego lopment Service First Avenue, N	ces Department MS 302	
	embers Yes  Embers Yes  Split vote, La  Mem c  See return to: ect Managemen of San Diego lopment Servic First Avenue, Diego, CA 921	embers Yes Members No  Embers Yes Members No

Upon request, this information is available in alternative formats for persons with disabilities.

#### **ATTACHMENT 13**



CHAPC P.O. Box 5859 City Heights, CA 92165 (619) 266-7161

MEMORANDUM FOR:

Cheryln Cac – Project Manager, Development Services

From:

Committee Chairman

Russ Connelly

Subject:

607352 MO 2281 Fairmount Avenue

CC:

Tim Daly – DPM, Development Services

At the October 1, 2018 CHAPC meeting, the applicant appeared before the committee and presented this project. This memo highlights the discussion and input that the committee received and heard as a part of this presentation.

Several community members attended and voiced concerns about this project's proximity to nearby housing and the fact the children use Fairmount Avenue to walk to and from schools. The applicant offered to work with the community to help mitigate issues that might arise from this project but both the community and the applicant were unspecific about any issues, potential mitigations or how they would be enacted.

Questions were asked about security onsite and improvements that were proposed for the property. Discussion also centered on the understanding that while the local community voted to approved legal marijuana use, the community is concerned about the proximity and number of proposed locations of outlets and production facilities in the community and potential issues of crime and traffic impacts that such facilities could bring to the mostly residential uses adjacent to the proposed facility.

After one hour of community and committee discussion and input, a motion was made and seconded:

"To approve a CUP for a Marijuana Outlet at 2281 Fairmount avenue with the following conditions: the facility have two (2) unarmed security guards onsite 24 hours per day, that the applicant provide an enhanced bus waiting area on the private property area near the existing bus stop, to encourage the hiring of City Heights residents and that the applicant work with the local community for items of community benefit." After discussion of the motion, the chair called for the vote. The vote was 4-11-0 with the Chair not voting and the motion failed. No further motion was proposed by the committee. A straw poll after the vote by the Chair indicated that members of the Committee voted based on a desire to follow the input of the community and not approve a CUP for this project.



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 a  □ Neighborhood Development Permit □ Site Dev □ Tentative Map □ Vesting Tentative Map □ Ma	velopment Permit 🗖 Planned Developm	nent Permit	Conditional Use P	
Project Title: Fairmount Marijuana Outlet		Project No	. For City Use Only	60735c
Project Address: 2281 Fairmount Avenue				
San Diego, CA 92105-5222				
Specify Form of Ownership/Legal Status (pleas	e check):			
$\square$ Corporation $\square$ Limited Liability -or- $\square$ General	– What State?Corporate	Identification	n No	<del></del>
☐ Partnership 🖪 Individual				
By signing the Ownership Disclosure Statement, to with the City of San Diego on the subject proper owner(s), applicant(s), and other financially interest individual, firm, co-partnership, joint venture, asswith a financial interest in the application. If the individuals owning more than 10% of the shares. Officers. (A separate page may be attached if necessary person serving as an officer or director of A signature is required of at least one of the pronotifying the Project Manager of any changes in ownership are to be given to the Project Manage accurate and current ownership information coul-	erty with the intent to record an encume sted persons of the above referenced sociation, social club, fraternal organizate applicant includes a corporation or path of the nonprofit organization or as true operty owners. Attach additional page ownership during the time the application at least thirty days prior to any publication and	nbrance again property. A tion, corpora rtnership, inde the name ganization or stee or bene ss if needed. ation is being hearing on t	nst the property. Prinancially interested tion, estate, trust, reclude the names, tit s, titles, and address a trust, list the name ficiary of the none Note: The applicant processed or consistent of the consistent of the processed or consistent or consistent or consistent of the processed or consistent o	lease list below the d party includes any eceiver or syndicate les, addresses of all ses of the corporate es and addresses of profit organization. It is responsible for idered. Changes in
Property Owner				
Name of Individual: Kim T. Schnautz / Schnautz Revoc	cable Family Trust 02-21-94	<b>⊠</b> Owner	☐ Tenant/Lessee	☐ Successor Agency
Street Address: 2281 Fairmount Avenue			1 2	
City: _San Diego	X .		State: CA	Zip: 92105-5222
Phone No.: 6/9 262 6045	Fax No.:	Email: b	b Auto Rep.	4 it 55 @ Vahan
Signature: Kin holan				3,
Additional pages Attached:	⊠ No	- 1		
Applicant				
Name of Individual: Blake Marchand		□ Owner	☑ Tenant/Lessee	☐ Successor Agency
Street Address: _2835 Camino Del Rio South, Suite 110				
City: San Diego			State: _CA	Zip: 92108
Phone No.: (619) 890-4588	_ Fax No.:	Fmail: blak	e@BlakeMarchand.cor	
Signature:		Date: 4/27		
Additional pages Attached:	⊠ No	Date		
Other Financially Interested Persons				
Name of Individual:		□ Owner	☐ Tenant/Lessee	☐ Successor Agency
Street Address:				
City:			State:	Zip:
Phone No.:	Fax No.:	Email:		
Signature:		111		
Additional pages Attached:	□ No	Date.		
riadicional pages ricuelled. — 163	₩ 11U			

FOLLOWING REGULATIONS:

ROPOSED MODIFICATIONS TO MEET CURRENT ACCESSIBILITY REQUIREMENTS (INCLUDING SITE PLAN, FLOOR PLANS, DETAILS, ETC.) WILL BE SUBMITTED TO

PRINT NAME: KYLE STEPHENS

DATE: 5/22/2018

#### SITE LEGEND - SHEET A1.1



----

10'

EXISTING PROPERTY LINE EXISTING SETBACK LINE

EXISTING STREET LIGHT

EXISTING FIRE HYDRANT

KEYNOTE SYMBOL THIS SHEET

VEHICULAR PARKING SPACE PER CITY STANDARDS

EXISTING WATER METER TO REMAIN - V.I.F.

ACCESSIBLE ROUTE OF TRAVEL - MAXIMUM 2.1% CROSS SLOPE PER CBC 11B - 403.3. SURFACES SHALL BE STABLE, FIRM & RESISTANT MATERIAL (CBC 11B - 302.1)

10' X 10' VISIBILITY TRIANGLES, NO FENCES/SHRUBS HIGHER THAN 24" ARE PERMITTED IN THIS AREA

EXISTING CONCRETE PAVEMENT PER CITY STANDARDS

\_162\_

NEW CONCRETE DRIVEWAY PER SDG-163

EXISTING DIRECTION OF DRAINAGE EXISTING CONTOUR LINE TO REMAIN

#### **CUP CONDITIONS**

THE PROJECT PROPOSES TO EXPORT NO MATERIAL FROM THE PROJECT SITE. ANY EXCAVATED MATERIAL THAT IS EXPORTED, SHALL BE EXPORTED TO A ANY EXCAVATED MATERIAL THAT IS EXPORTED, SHALL BE EXPORTED TO A LEGAL DISPOSAL SITE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (THE "GREEN BOOK"), 2015 EDITION AND REGIONAL SUPPLEMENT AMENDMENTS ADOPTED BY REGIONAL STANDARDS

THE DRAINAGE SYSTEM PROPOSED FOR THIS DEVELOPMENT, AS SHOWN ON THE SITE PLAN. IS PRIVATE AND SUBJECT TO APPROVAL BY THE CITY ENGINEER

PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS. THE OWNER/PERMITTEE SHALL OBTAIN AN ENCROACHMENT MAINTENANCE REMOVAL AGREEMENT, FROM
THE CITY ENGINEER, FOR ALL NON-STANDARD IMPROVEMENTS WITHIN THE

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT. 1 OWNER/PERMITTEE SHALL INCORPORATE ANY CONSTRUCTION BEST MANAGEMENT PRACTICES NECESSARY TO COMPLY WITH CHAPTER 14, ARTICLE 2. DIVISION 1 (GRADING REGULATIONS) OF THE SDMC. INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.

PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT THE PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITTINE
OWNER/PERMITTEE SHALL SUBMIT A WATER POLLUTION CONTROL PLAN (WPCP)
THE WPCP SHALL BE PREPARED IN ACCORDANCE WITH THE GUIDELINES IN PAR
2 CONSTRUCTION BMP STANDARDS CHAPTER 4 OF THE CITY'S STORM WATER

PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, THE OWNER/PERMITTEE SHALL ASSURE, BY PERMIT AND BOND, THE CONSTRUCTION OF A NEW 24 FOOT DRIVEWAY PER CURRENT CITY STANDARDS, ADJACENT TO THE SITE ON FAIRMOUNT AVENUE.

PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS. THE OWNER/PERMITTEE SHALL ASSURE, BY PERMIT AND BOND, THE REPLACEMENT OF DAMAGED CURB AND GUTTER PER CURRENT CITY STANDARDS, ON FAIRMOUNT AVENUE.

PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, THE OWNER/PERMITTEE SHALL ASSURE, BY PERMIT AND BOND, THE REPLACEMENT OF DAMAGED SIDEWALK MAINTAINING THE EXISTING SIDEWALK SCORING PATTERN AND PRESERVING THE CONTRACTOR'S STAMP PER CURRENT CITY STANDARDS, ON FAIRMOUNT AVENUE.

PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS. THE OWNER/PERMITTEE SHALL ASSURE, BY PERMIT AND BOND, THE CONSTRUCTION OF A NEW BUS STOF SLAB PER CURRENT CITY STANDARDS, ON FAIRMOUNT AVENUE.

#### M.O. CODE PROVISIONS SDMC SECTION 141.0504

MARLIUANA OUTLETS THAT ARE CONSISTENT WITH THE REQUIREMENTS FOR RETAILER OR DISPENSARY LICENSE REQUIREMENTS IN THE CALIFORNIA BUSINESS AND PROFESSIONS CODE DISPENSARY LICENSE REQUIREMENTS IN IT IN CALLFORM BUSINESS AND PROFESSIONS CODE
MAY BE PERMITTED WITH A CONDITIONAL USE PERMIT DECIDED IN ACCORDANCE WITH PROCESS
THREE IN THE ZONES INDICATED WITH A "C" IN THE USE REGULATIONS TABLES IN CHAPTER 13,
ARTICLE 1 (8ASE ZONES), PROVIDED THAT NO MORE THAN FOUR MARIJUANA OUTLETS ARE
PERMITTED IN EACH CITY COUNCIL DISTRICT. MARIJUANA OUTLETS ARE SUBJECT TO THE

WARIJUANA OUTLETS SHALL MAINTAIN THE FOLLOWING MINIMUM SEPARATION BETWEEN USES. AS MEASURED BETWEEN PROPERTY LINES. IN ACCORDANCE WITH SECTION 113.022

- 1 1 000 FEET FROM RESOURCE AND POPULATION-BASED CITY PARKS, OTHER MARLILIANA 1,000 PEET FROM RESOURCE AND POPULATION-BASED CITY PARKS, O THER MARIDAMY OUTLETS, CHURCHES, CHILD CARE CENTERS, PLAYGROUNDS, LIBRARIES OWNED AND OPERATED BY THE CITY OF SAN DIEGO, MINOR-ORIENTED FACILITIES, RESIDENTIAL CARE FACILITIES, AND SCHOOLS, FOR PURPOSES OF THIS SECTION, SCHOOL MEANS ANY PUBLIC OR PRIVATE INSTITUTION OF LEARNING PROVIDING INSTRUCTION IN KINDERGARTEN OR GRADES 1 TO 12, INCLUSIVE, BUT DOES NOT INCLUDE ANY PRIVATE SCHOOL IN WHICH EDUCATION IS PRIMARILY CONDUCTED IN PRIVATE HOMES.
- 2. 100 FEET FROM A RESIDENTIAL ZONE.
- LIGHTING SHALL BE PROVIDED TO ILLUMINATE THE INTERIOR, FACADE, AND THE IMMEDIATE SURROUNDING AREA OF THE MARIJUANA OUTLET, INCLUDING ANY ACCESSORY USES, PARKING LOTS, AND ADJOINING SIDEWALKS, LIGHTING SHALL BE HOODED OR ORIENTED TO DEFLECT LIGHT AWAY FROM ADJACENT PROPERTIES.
- SECURITY SHALL BE PROVIDED AT THE MARIJUANA OUTLET WHICH 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.
- SECURITY SHALL INCLUDE OPERABLE CAMERAS AND A METAL DETECTOR TO THE SATISFACTION OF DEVELOPMENT SERVICES DEPARTMENT. THIS FACILITY SHALL ALSO INCLUDE ALARMS AND TWO ARMED SECURITY GUARDS TO THE EXTENT THE POSSESSION OF A FIREARM IS NOT IN CONFLICT WITH 18 U.S.C. § 922(G) AND 27 C.F.R 478.11. NOTHING HEREIN SHALL BE INTERPRETED TO REQUIRE OR ALLOW A VIOLATION OF FEDERAL FIREARMS LAWS. THE SECURITY GUARDS SHALL BE LICENSED BY THE STATE OF CALIFORNIA. ONE SECURITY GUARD MUST BE ON THE PREMISES 24 HOURS A DAY, SEVEN DAYS A WEEK, THE OTHER MUST BE PRESENT DURING BUSINESS HOURS
- THE SECURITY GUARDS SHOULD ONLY BE ENGAGED IN ACTIVITIES RELATED TO PROVIDING SECURITY FOR THE FACILITY. EXCEPT ON AN INCIDENTAL BASIS. THE CAMERAS SHALL HAVE AND USE A RECORDING DEVICE THAT MAINTAINS THE RECORDS FOR A MINIMUM OF 30 DAYS
- PRIMARY SIGNS SHALL BE POSTED ON THE OUTSIDE OF THE MARIJUANA OUTLET AND SHALL ONLY CONTAIN THE NAME OF THE BUSINESS, WHICH SHALL CONTAIN ONLY ALPHABETIC CHARACTERS, AND SHALL BE LIMITED TO TWO COLORS.
- THE NAME AND EMERGENCY CONTACT PHONE NUMBER OF AN OPERATOR OR MANAGER SHALL BE POSTED IN A LOCATION VISIBLE FROM OUTSIDE THE MARIJUANA OUTLET IN CHARACTER SIZE AT LEAST TWO INCHES IN HEIGHT.
- THE MARIJUANA OUTLET SHALL OPERATE ONLY BETWEEN THE HOURS OF 7:00 A.M. AND 9:00 P.M., SEVEN DAYS A WEEK.
- THE USE OF VENDING MACHINES WHICH ALLOW ACCESS TO MARIJUANA AND MARIJUANA PRODUCTS EXCEPT BY A RESPONSIBLE PERSON, AS DEFINED IN SAN DIEGO MUNICIPAL CODE SECTION 42.1502, IS PROHIBITED. FOR PURPOSES OF THIS SECTION, A VENDING MACHINE IS ANY DEVICE WHICH ALLOWS ACCESS TO MARIJUANA AND MARIJUANA PRODUCTS WITHOUT HUMAN INTERMEDIARY
- THE MARIJUANA OUTLET, ADJACENT PUBLIC SIDEWALKS, AND AREAS UNDER THE CONTROL OF THE MARIJUANA OUTLET, SHALL BE MAINTAINED FREE OF LITTER AND GRAFFITI AT ALL
- THE MARIJUANA OUTLET SHALL PROVIDE DAILY REMOVAL OF TRASH, LITTER, AND DEBRIS. GRAFFITI SHALL BE REMOVED FROM THE PREMISES WITHIN 24 HOURS
- CONSULTATIONS BY MEDICAL PROFESSIONALS SHALL NOT BE A PERMITTED ACCESSORY US
- A CONDITIONAL USE PERMIT FOR A MARIJUANA OUTLET SHALL EXPIRE NO LATER THAN FIVE YEARS FROM THE DATE OF ISSUANCE.
- THE OWNER/PERMITTEE SHALL INSTALL A COMBINATION OF FULL-HEIGHT BULLET RESISTAN GLASS, PLASTIC OR LAMINATE SHIELD AND BULLET RESISTANT ARMOR PANELS OR SOLID GROUTED MASONRY BLOCK WALLS, DESIGNED BY A LICENSED PROFESSIONAL, AT THE RECEPTION AREA
- THE OWNER/PERMITTEE SHALL INSTALL FULL-HEIGHT BUILLET RESISTANT ARMOR PANELS O SOLID GROUTED MASONRY BLOCK WALLS, DESIGNED BY A LICENSED PROFESSIONAL, IN COMMON AREAS WITH OTHER TENANTS, RECEPTION AREA AND VAULT ROOM.
- A PERMIT SHALL BE OBTAINED AS REQUIRED PURSUANT TO CHAPTER 4, ARTICLE 2, DIVISION 15. THIS MARIJUANA OUTLET MUST ALSO COMPLY TO CHAPTER 14, ARTICLE 1, DIVISION 5 OF THE S.D.M.C.
- DELIVERIES SHALL BE PERMITTED AS AN ACCESSORY USE ONLY FROM MARIJUANA OUTLETS WITH A VALID CONDITIONAL USE PERMIT UNLESS OTHERWISE ALLOWED PURSUANT TO THE COMPASSIONATE USE ACT OF 1996.
- 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.
- 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. GROUND SIGNS SHALL NOT BE POLE SIGNS.
- THE FACILITY SHALL PROVIDE A SUFFICIENT ODOR ABSORBING VENTILATION AND EXHAUST THE FACILITY SHALL PROVIDE A SUFFICIENT OUDOR ABSURBING VEN ILLATION AND EARTHANST SYSTEM CAPABLE OF ELIMINATING EXCESSIVE OR OFFENSIVE ODORS CAUSING DISCOMFOR OR ANNOYANCE TO ANY REASONABLE PERSON OF NORMAL SENSITIVITIES STANDING OUTSIDE OF THE STRUCTURAL ENVELOPE OF THE PERMITTED FACILITY IN COMPLIANCE WITI SDMC SECTION 142,0710.
- MEDICAL MARIJUANA, RECREATIONAL MARIJUANA OR MARIJUANA PRODUCTS SHALL NOT BE CONSUMED ANYWHERE WITHIN THE 0.50 ACRE SITE.
- THE OWNER/PERMITTEE MAY REQUEST THAT THE EXPIRATION DATE BE EXTENDED IN ACCORDANCE WITH SDMC SECTION 141.0504(n
- AN EXTENSION OF TIME FOR A CONDITIONAL USE PERMIT GRANTED TO A MARIJUANA OUTLE' SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 126.0111, WITH THE FOLLOWING EXCEPTIONS:
- THE EXTENSION SHALL BE FOR NO MORE THAN FIVE 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 L(G) WHEN A SPECIFED USE IN SECTION 14.0504(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 L(G).

#### SITE NOTES

- PROVIDE BUILDING ADDRESS NUMBERS TO BE VISIBLE AND LEGIBLE FROM THE STREET
- ALL VEHICULAR PARKING SPACES TO BE MARKED WITH 4" WIDE WHITE STRIPES AT EACH SIDE OF STALL, SAID STRIPES FOR EACH PARKING SPACE SHALL BE MAINTAINED BY THE OWNER/TENANT AT ALL TIMES.
- LOT DRAINAGE MUST MEET CURRENT CITY ENGINEERING STANDARDS, RUNOFF SHALL NOT BE INCREASED WITHOUT THE ADDITION OF AN ON-SITE DETENTION FACILITY TO DECREASE RUNOFF.
- WHEEL STOPS ARE REQUIRED TO PROTECT FENCES AND LANDSCAPING ADJACENT TO AUTO VEHICULAR PARKING AREAS.
- VERIFY LOCATION OF ALL UTILITIES & STREET IMPROVEMENTS SHOWN ON THESE PLANS.
- NO OBJECTS HIGHER THAN 24" PROPOSED TO BE WITHIN THE VISIBILITY TRIANGLES.
- NO MECHANICAL EQUIPMENT, TANK, DUCT, ELEVATOR ENCLOSURE, COOLING TOWER OR MECHANICAL VENTILATOR OR AIR CONDITIONER SHALL BE ERECTED, CONSTRUCTED, CONVERTED, ESTABLISHED, ALTERED, OR ENLARGED ON THE ROOF OF ANY BUILDING, UNLESS ALL SUCH EQUIPMENT AND APPURTENANCES ARE FULLY SCREENED AS REQUIRED BY THE CITY OF SAN DIEGO
- THIS PROJECT IS NOT SUBJECT TO STEP 2 BECAUSE IT IS A USE PERMIT THAT DOES NOT RESULT IN THE EXPANSION OR ENLARGEMENT OF A BUILDING.
- ALL EXISTING DRIVE AISLES SHALL COMPLY TO SDMC 142,0560, TABLE 142-05 L.
- NEAREST MTS BUS STOP; , 2281 FAIRMOUNT AVENUE, SAN DIEGO, CA 92105,
- DISTANCE TO NEAREST MTS BUS STOP = 50'.
- DISTANCE TO NEAREST FIRE HYDRANT = 110'.
- 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 PART 2 CONSTRUCTION BMP STANDARDS CHAPTER 4 OF THE CITY'S STORM WATER STANDARDS.
- 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 SAN DIEGO MUNICIPAL CODE, INTO THE CONSTRUCTION PLANS OR SPECIFICATIONS.
- THE EXISTING WATER AND SEWER SERVICES WILL REMAIN.
- THIS PROJECT SHALL IMPLEMENT A PRE-PACKAGED CARBON FILTRATION OR EQUAL ODOR SUPPRESSION SYSTEM TO ADDRESS POTENTIAL ODOR IMPACTS AS REQUIRED BY SDMC.
- PRIOR TO ISSUANCE OF ANY ENGINEERING PERMITS, THE OWNER/PERMITTEE SHALL OBTAIN ENCROACHMENT AND MAINTENANCE REMOVAL AGREEMENT (EMRA) FROM THE CITY ENGINEER, FOR ANY NON-STANDARD LANDSCAPE, SLOPE AND DRAINAGE SYSTEMS IN THE FAIRMOUNT AVENUE RIGHT-OF-WAY.
- THE EXHAUST CARBON SCRUBBER TO ADDRESS ANY RELEASE OF ODORS FROM OPERATIONS AND THE PROJECT'S HVAC SYSTEM SHALL BE DESIGNED IN MANNER WITH POSITIVE AND NEGATIVE AIR FLOW CONSISTENT INDUSTRY STANDARDS AND THE CALIFORNIA BUILDING CODE.
- ALL AUTOMOBILE, MOTORCYCLE AND BICYCLE PARKING SPACES MUST BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE SDMC, 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 APPROPRIATE CITY DECISION MAKER IN ACCORDANCE WITH THE SDMC.
- PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, THE OWNER/PERMITTEE SHALL DEDICATE AND IMPROVE AN ADDITIONAL 3 FEET ON FAIRMOUNT.

#### SCOPE OF WORK

- PROCESS THREE CONDITIONAL USE PERMIT FOR A MARIJUANA OUTLET (M.O.) TO OPERATE WITHIN A 2,800-SQUARE-FOOT SPACE IN AN EXISTING 3,976-SQUARE-FOOT COMMERCIAL BUILDING LOCATED AT 2281 FAIRMOUNT AVENUE IN THE LIGHT INDUSTRIAL ZONE, LAND USE AUTO REPAIR & RELATED/GARAGE
- INDUSTRIAL ZONE, DAND USE AND OFFERANCE RELATED/DARAGE.

  RECONSTRUCT EXISTING DRIVEWAY TO CURRENT CITY STANDARDS WITH SDG-159
  CONCRETE DRIVEWAY, ADJACENT TO THE SITE ON FAIRMOUNT AVENUE. NEW
  DRIVEWAY WIDTH SHALL COMPLY WITH SDMC TABLE 142-05M.
  PROPOSED ACCESSIBLE PATH OF TRAVEL FROM THE ADJACENT PUBLIC SIDEWALK TO
- THE PROJECT ENTRANCE.
  PROPOSED LANDSCAPE AND IRRIGATION IMPROVEMENTS AND BRUSH MANAGEMENT. PROPOSED INTERIOR TENANT IMPROVEMENTS FOR 2,800 S.F. MARIJUANA OUTLET.
- PROPOSED REMOVAL OF EXISTING EXTERIOR WALL METAL SIDING.
- PROPOSED NEW EXTERIOR WALL (70-1½" L.F.)
  PROPOSED REDUCTION OF 717 S.F. FROM THE EXISTING TOTAL BUILDING FOOT-PRINT.
  PROPOSED EXTERIOR SOFFIT BELOW EXISTING ROOF (717 S.F.)
  EXISTING MEZZANINE FLOOR (459 S.F.) TO BE VACANT DURING THE CUP TERM.
- PROPOSED SOLAR PANELS ON EXISTING ROOF

## LEGAL DESCRIPTION

PARCEL 1: THAT PORTION OF LOT 6 OF VALUE GRANADO ANNEX ACCORDING TO MAP PARCEL 1. THAT PORTION OF LOTE OF VALLE GRANADO ANNEA, ACCORDING 10 MAP THEREOP NO. 4994, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, APRIL 24, 1962, WHICH LIES SOUTHEASTERLY OF THE CENTER LINE OF THAT CERTAIN 30 FOOT DRAINAGE EASEMENT, AND SOUTHWESTERLY OF THE CENTER LINE OF THAT CERTAIN 8.0 FOOT DRAINAGE EASEMENT AS BOTH EASEMENTS ARE DELINEATED AND SET FORTH ON SAID MAP NO 4954

PARCEL 2: THAT PORTION OF LOT 1 OF VALLE GRANADO, ACCORDING TO MAP THEREOF IO, 3422, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, MAY 4. 956: WHICH LIES SOUTHEASTERLY OF THE CENTER LINE OF THAT CERTAIN 30 FOOT DRAINAGE EASEMENT AS DELINEATED AND SET FORTH ON SAID MAP NO. 3422, EXCEPTING THEREFROM THAT PORTION OF LAND CONVEYED BY ROBERT LEO SCHNAUTZ, A MARRIED MAN AS HIS SOLE AND SEPARATE PROPERTY TO THE CITY OF SAN DIEGO IN THE GRANT DEED RECORDED APRIL 18, 1994 AS INSTRUMENT NO. 251806 OF OFFICIAL RECORDS.

PARKING SPACES REQUIRED PER 1,000 SQUARE FEET OF FLOOR AREA UNLESS OTHERWISE NOTED (FLOOR AREA NCLUDES GROSS FLOOR AREAS PLUS BELOW GRADE FLOO AREA AN EXCLUDES FLOOR AREA DEVOTED TO PARKING)

SQUARE REQUIRED RATIO REQUIRED RATIO

OUTSIDE A

TRANSIT AREA

14 REQUIRED

0 REQUIRED

0 REQUIRED

VARIES

14 REQUIRED 14 PROVIDED

4 PROVIDED

II -3-1

POPOSEI

M.O.

VACANT

FLOOR

YTERIO!

TOTAL:

**IEZZANI**NE

FOOTAGE

2,800

459

717

3,976

REQUIRED AUTOMOBILE PARKING SPACES

WITHIN A

TRANSIT AREA

N/A

N/A

N/A

#### IL-3-1, OR-1-1 ONING: COUNCIL DISTRICT: NFLUENCE AREA MID-CITY

OMMUN**I**TY PLAN: CITY HEIGHTS 541-280-09-00 MAP NUMBER: 4954 AND 3422 EXISTING USE:

SITE DATA

GENERAL PLAN LAND USE:

UBDIVISION:

AUTO BODY & REPAIR SHOP ROPOSED USE MARIJUANA OUTLET (MO) PER SDMC. SECTION 141.0504 & CHAPTER 4 ARTICLE 2, DIVISION 15
RETAIL SALES, COMMERCIAL SERVICES,
OFFICES & MARIJUANA OUTLETS ERMITTED USES:

COMMERCIAL

VALLE GRANADA ANNEX

SINGLE STORY BUILDING W/ MEZZANINE ROPERTY CLASS

ARKING REQUIRED: ARKING PROVIDED:

**BUILDING DATA** TYPE OF CONSTRUCTION: TYPE V (NON SPRINKLERED) BUILDING CONSTRUCTED: 1987

IRST FLOOR AREA: MEZZANINE FLOOR AREA: 459 S.F. OTAL EXISTING BUILDING: 3.976 S.F. XISTING F.A.R.: ROPOSED CUP AREA: 2.800 S.F. (FIRST FLOOR) OPOSED EXTERIOR SOFFIT: 717 S.F. (FIRST FLOOR) EXISTING PHANTOM AREA: 2.337 S.F. (NOT INCLUDED IN NET AREA) XISTING VACANT MEZZANINE\*: 459 S.F. (MEZZANINE

THIS SPACE TO REMAIN VACANT DURING THE CUP TERM OTAL GROSS FLOOR AREA: 6.313 S.F. (PER G.F.A. CALCS, SHT, A2.1

**DISTURBANCE AREA** MOUNT OF FILL = 25 CUBIC YARDS AMOUNT OF CUT 0 CUBIC YARDS AMOUNT OF IMPORT = 25 CUBIC YARDS

## PROJECT ANALYSIS

# EXISTING OCCUPANCY: H-4 = 3,041 S.F. < 5,100 S.F. (ALLOWABLE FLOOR AREA) FOR TYPE V.

AMOUNT OF EXPORT = 0 CUBIC YARDS

B = 935 S.F. < 14,000 S.F. (ALLOWABLE FLOOR AREA) FOR TYPE V, 1 HOUR CONSTRUCTION 3-STORY 1 HOUR SEPARATION WALL BETWEEN DCCUPANCY H-4 AND B PER TABLE 3-B, CBC.

PROPOSED OCCUPANCY: M = 2.800 S.F. / 12.330 S.F. = 0.259 < 1

## **BUILDING CODE**

016 CALIFORNIA BUILDING CODE 016 CALIFORNIA GREEN BUILDING STANDARDS CODE 016 CALIFORNIA PLUMBING CODE

# **SETBACKS**

LOCATION:	REQUIRED STANDARD	REQUIRED MINIMUM	EXISTING
FRONT STREET SETBACK (FAIRMOUNT AVENUE)	20'-0"	15'-0"	87'-0"
SIDE YARD SETBACK (IL-3-1)	25'-0"	10'-0"	29'-0"
SIDE YARD SETBACK (OR-1-1)	8'-0"	8'-0"	45'-10"
REAR YARD SETBACK	15'-0"	0'-0"	19'-10"

DTAL FRONTAGE:

LOADING

N/A

N/A

SPACES

ACCESSIBLE

SEE BELOW

1 OF 3

1 REQUIRED

ACCESSIBLE

SEE BELOW

ABLE 11.B-208.2

1 REQUIRED 1 PROVIDED

PERMITTED

N/A

N/A

N/A

BICYCLE

2%

1 REQUIRED 1 PROVIDED

RKING SPACES

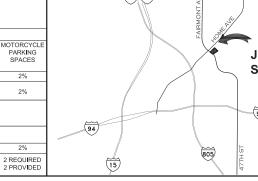
#### PARKING CALCS - SDMC 131,0530 TABLE 142-05E

BICYCLE

5%

2 REQUIRED

ARKING SPACE



# ATTACHMENT 15

TEL (619) 230-1088 FAX (619) 230-1089



#### MARCH & ASH

2835 CAMINO DEL RIO SOUTH SUITE 100 SAN DIEGO, CA 92108

## **FAIRMOUNT** M.O.

APN: 541-280-09-00

2281 FAIRMOUNT AVENUE SAN DIEGO, CA 92105-5222

		I 2281 FAIRN	/IOUNT AVEN	UE
THIS PROJECT SHALL COMPLY WITH ALL CURRENT REQUIREMENTS OF THE STATE PERMIT; CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (SDRWQCB), SAN		SAN DIEGO	), CA 92105-5	222
	EGO MUNICIPAL STORM WATER PERMIT, THE CITY OF SAN DIEGO LAND			
DE	VELOPMENT CODE, AND THE STORM WATER STANDARDS MANUAL:	REVISION	ITEM	DATE
1.	THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANUP OF ALL SILT AND MUD ON ADJACENT STREET(S), DUE TO CONSTRUCTION VEHICLES OR ANY OTHER CONSTRUCTION ACTIVITY, AT THE END OF EACH WORK DAY, OR AFTER A STORM EVENT THAT CAUSES A BREECH IN INSTALLED CONSTRUCTION BMP'S WHICH MAY COMPROMISE STORM WATER QUALITY WITHIN ANY STREET(S). A STABILIZED CONSTRUCTION EXIT MAY BE REQUIRED TO PREVENT CONSTRUCTION VEHICLES OR EQUIPMENT FROM TRACKING MUD OR SILT ONTO THE STREET.			
2.	ALL STOCKPILES OF SOIL AND/OR BUILDING MATERIALS THAT ARE INTENDED TO BE LEFT FOR A PERIOD GREATER THAN SEVEN CALENDAR DAYS ARE TO BE COVERED.	$\triangle$		
	ALL REMOVABLE BMP DEVICES SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN FIVE DAY RAIN PROBABILITY FORECAST EXCEEDS 40%.			

THIS SET ISSUE DATE

■ INITIAL SUBMITTAL . 5/7/2018

■ FULL SUBMITTAL 5/22/2018

■ 2ND RESUBMITTAL \_\_\_\_\_10/3/2018

□ SCHEMATIC

TO WORKING ORDER AFTER EACH RUN-OFF PRODUCING RAINFALL OR AFTER ANY MATERIAL BREACH IN EFFECTIVENESS. ALL SLOPES THAT ARE CREATED OR DISTURBED BY CONSTRUCTION ACTIVITY MUST BE PROTECTED AGAINST EROSION AND SEDIMENT TRANSPORT AT ALL

A CONCRETE WASHOUT SHALL BE PROVIDED ON ALL PROJECTS WHICH PROPOSE THE CONSTRUCTION OF ANY CONCRETE IMPROVEMENTS WHICH ARE TO BE POURED IN PLACE ON SITE.

THE CONTRACTOR SHALL RESTORE ALL EROSION/SEDIMENT CONTROL DEVICES

THE STORAGE OF ALL CONSTRUCTION MATERIALS AND FOLIPMENT MUST BE PROTECTED AGAINST ANY POTENTIAL RELEASE OF POLLUTANTS INTO TH ENVIRONMENT.

## HOURS OF OPERATION

FROM; 7:00 AM TO; 9:00 PM - 7 DAYS A WEEK

SHEET INDEX

SHEET TITLE - DESCRIPTION

4 A2.0 EXISTING FIRST FLOOR PLAN, KEYNOTES & LEGEND

5 A2,1 PROPOSED FIRST FLOOR PLAN, KEYNOTES & LEGEND

A2.3 PROPOSED SECURITY PLAN, NOTES AND LEGEND

8 A2.5 EXISTING ROOF PLAN - FOR REFERENCE ONLY

11 C1 EXISTING TOPOGRAPHIC AND BOUNDARY MAP

**PROJECT TEAM** 

ANDSCAPE ARCHITECT: HUTTER DESIGNS, INC.
DDRESS: 3645 RUFFIN ROAD, STE. 235

**BMP NOTES** 

SAN DIEGO, CA 92123

CHNAUTZ REVOCABLE FAMILY TRUST 02-21-94

2835 CAMINO DEL RIO SOUTH, SUITE 100 SAN DIEGO, CA 92108

K & S ENGINEERING 7801 MISSION CENTER COURT, SUITE 100 SAN DIEGO, CA 92108 KAMAL SWEIS / kss@ks-engr.com / (619) 296-5565

| TRH, INC. | 1350 COLUMBIA STREET, SUITE 702 | SAN DIEGO, CA 92101 | TOBY HALLAL / toby@trhinc.com / (619) 230-1088

SAN DIEGO, CA 92105-5222 KIM SCHNAUTZ / bbautorepair55@yahoo.com / (619) 262-6045

BLAKE MARCHAND / blake@BlakeMarchand.com / (619) 890-458

STEVE HUTTER / steve@hutterdesigns.com / (619) 337-4044

9 A4.1 EXTERIOR ELEVATIONS

12 C2 PRELIMINARY DRAINAGE PLAN

14 L-1 LANDSCAPE DEVELOPMENT PLAN

15 L-2 BRUSH MANAGEMENT PLAN

16 L-3 LANDSCAPE AREA DIAGRAM

10 A5.1 BUILDING SECTIONS

13 C3 SLOPE ANALYSIS

CONTACT/PHONE

CONTACT/PHONE

IVIL ENGINEER:

CONTACT/PHONE

ONTACT/PHONE

CONTACT/DHONE

DDRESS

ENANT: DDRESS:

6 A2.2 EXISTING MEZZANINE FLOOR PLAN - FOR REFERENCE ONLY

2 A1.0 CHURCH SLOPE ANALYSIS AND PHOTOS SITE PLAN, NOTES, LEGEND AND KEYNOTES

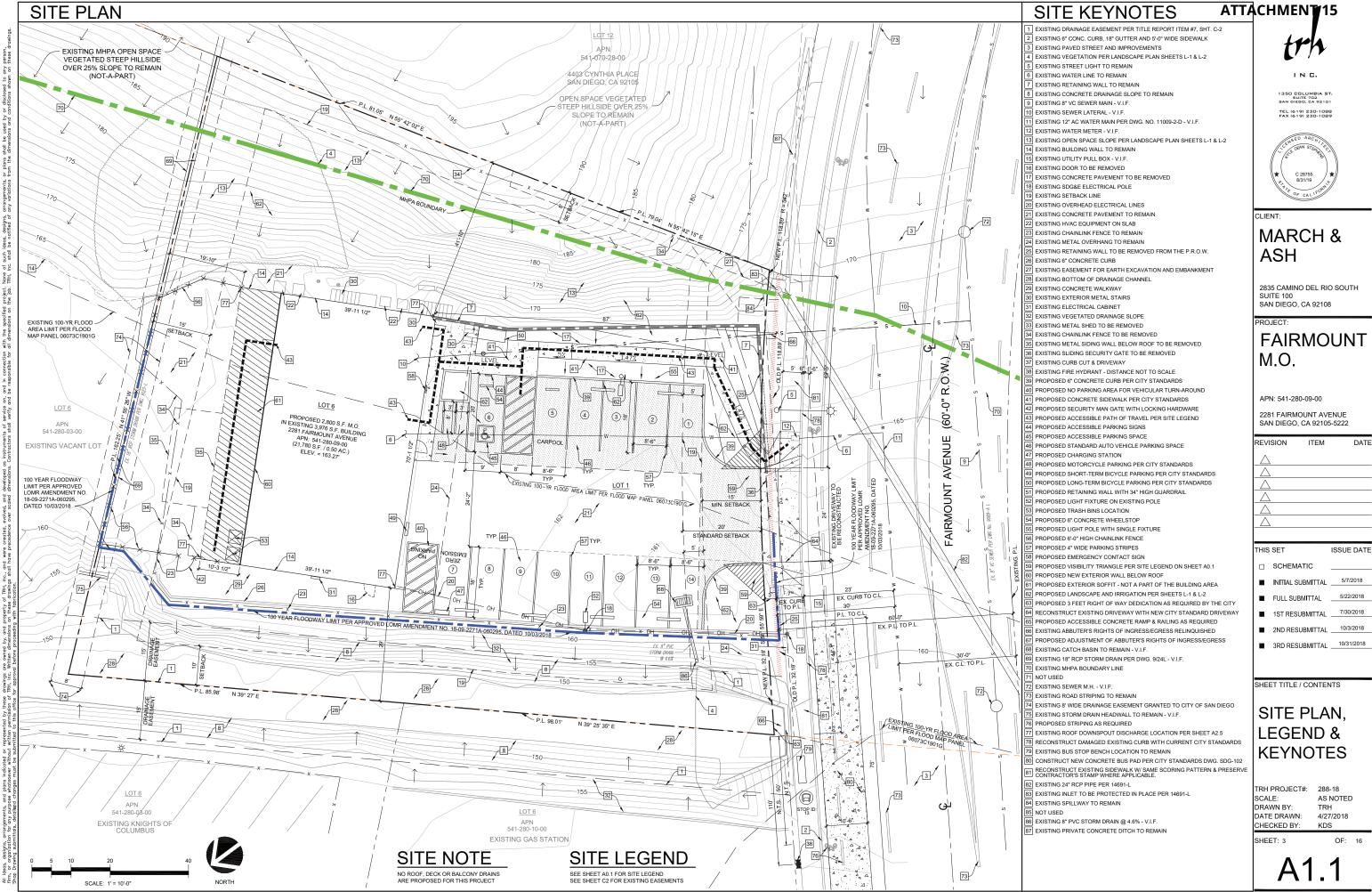
1 A0.1 TITLE SHEET, VICINITY MAP, DATA, CALCULATIONS & NOTES

#### VICINITY MAP

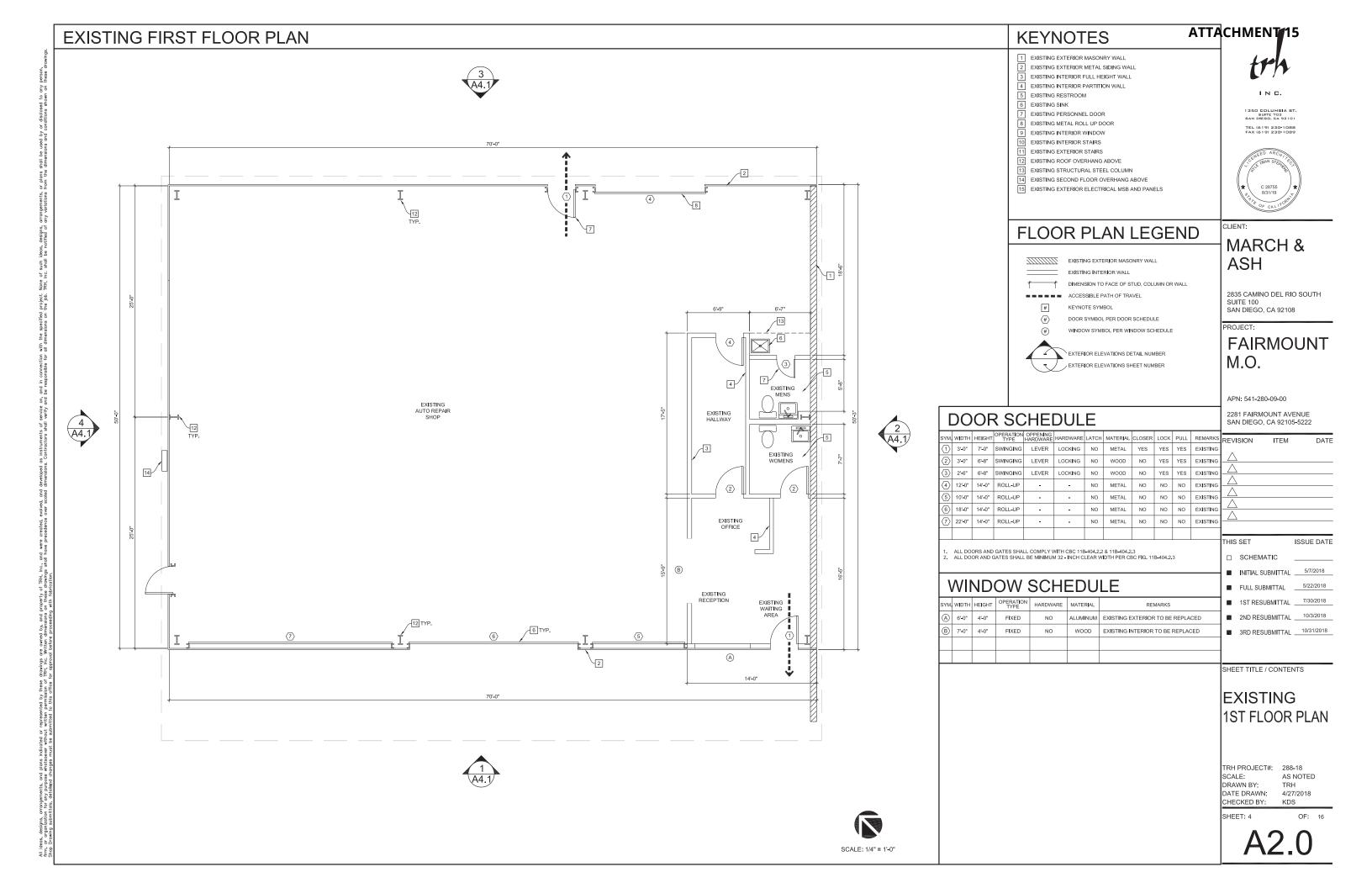


SHEET TITLE / CONTENTS TITLE SHEET

TRH PROJECT#: 288-18 SCALE: AS NOTED DRAWN BY TRH DATE DRAWN 4/27/2018 CHECKED BY: KDS



REVISION	ITEM	DATE
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DOOR SCHEDULE	WINDOW SCHEDULE	OCCUPANT LOAD CALCS	KEYN
SYM, WIDTH HEIGHT OPERATION OPPENING HARDWARE LATCH MATERIAL CLOSER LOCK PULL REMARK:	LOSED-WIND LANGUAGE CONTROL OF THE PROPERTY OF	AREA/ROOM OCCUP, OCCUP, OCCUP, TYPE	1 EXISTING EXT
1 3-0" 7-0" SWINGING LEVER LOCKING NO METAL YES YES NEW1	(A) 6'-0" 4'-0" FIXED NO ACRYLIC CRL LEVEL 1 CLEAR VISION BULLET RESISTANT	CONDITION   NAME	2 EXISTING EXT 3 EXISTING INTE
(2) 3'-0" 7'-0" SWINGING LEVER LOCKING NO METAL YES YES YES NEW <sup>1</sup> (3) 3'-0" 7'-0" SWINGING LEVER LOCKING NO METAL YES YES YES NEW	(B) 7-0" 44-0" FIXED NO ACRYLIC CRL LEVEL 1 CLEAR VISION BULLET RESISTANT	TOTAL 2,800 S.F. 46 M V	4 EXISTING INTE 5 EXISTING RES
(4) 3'-0" 6'-8" SWINGING LEVER LOCKING NO METAL YES YES YES NEW	© 3-0"   4-0"   FIXED   NO   ACRYLIC   ONE WAY MIRROR OR PRIVACY GLASS		6 EXISTING SINI 7 EXISTING PER
(5) 3'-0" 6'-8" SWINGING LEVER LOCKING YES METAL YES YES YES NEW <sup>1</sup> (6) 3'-0" 7'-0" SWINGING LEVER LOCKING NO ACRYLIC YES YES YES NEW <sup>1</sup>	E 8-6" 6-0" FIXED NO ACRYLIC CRL LEVEL 1 CLEAR VISION BULLET RESISTANT		8 EXISTING MET 9 EXISTING INT
TSS BULLET RESISTANT DOOR LEVEL 1	(F) 3'-0" 9'-0" FIXED NO ACRYLIC CRL LEVEL 1 CLEAR VISION BULLET RESISTANT SPEAK-THRU		10 EXISTING EXT
ALL DOORS AND GATES SHALL COMPLY WITH CBC 118-404.2.2 & 118-404.2.3     ALL DOOR AND GATES SHALL BE MINIMUM 32 - INCH CLEAR WIDTH PER CBC FIG. 118-404.2.3			12 EXISTING STR
*	70'-2"	+	14 EXISTING EXT 15 EXISTING EXT 16 EXISTING EXT 17 PROPOSED N 18 PROPOSED N 19 PROPOSED N
<del>+</del>		13	20 PROPOSED A 21 PROPOSED E 22 PROPOSED N 23 PROPOSED E
15 15			24 PROPOSED IN 25 PROPOSED IN 26 PROPOSED R
10-4-1/2"			27 PROPOSED N
100	SOFFIT AREA 717 S.F.		FLOO
17			
177	3/	BREAK ROOM 50	
	PREP. ROOM [105]	4 106 166 S.F.	
	© 256 S.F.		<del>* * *</del>
	©	7	#
		HALLWAY WOMEN'S 5	#
		86 S.F. 5	#
		16 2	
TVP.	DISPENSARY		
4 5 1	AREA 103	4 a mens	
4 A4.1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	999 S.F.	7 MENS 5 5 5 5 5 6 7 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	
14 18 (2)	F F = 18		
	2		GROS
(2)			FIRST FLOOR - A2.1
118		4	PROPOSED 100
	WAITING AREA [101]	OFFICE 18	PROPOSED 101
	475 S.F.	B CAMERA ROOM A5.1	PROPOSED 102 PROPOSED 103
RECEPTION E	SECURITY CHECK	227 S.F.	PROPOSED 104
102 158 S.F.	100 303 S.F.		PROPOSED 105 PROPOSED 106
	12		PROPOSED 107
	8 23 8		PROPOSED 108 PROPOSED 109
	0 6	A (1)	PROPOSED TOTAL
			MEZZANINE FLOOR
610	· ·		CONDITION ROOM
) is 11	4201		EXISTING 201
	56'-0"	14'-0"	EXISTING 202 EXISTING
	741 E"		
*	71-5"	<del></del>	
PROPOSED FIRST FLOOR PL	AN 1		EXISTING USE B & B AUTO REPAIR
		SCALE: 1/4" = 1'-0"	(AUTO BODY & REF

NOTES

EXTERIOR MASONRY WALL TO REMAIN EXTERIOR METAL SIDING WALL TO REMAIN INTERIOR FULL HEIGHT WALL TO BE REFINISHED INTERIOR PARTITION WALL TO BE REMOVED RESTROOMS TO BE REPLACED WITH NEW

SINK TO BE RELOCATED

PERSONNEL DOOR TO BE REMOVED METAL ROLL UP DOOR TO BE REMOVED INTERIOR WINDOW TO BE REMOVED

EXTERIOR STAIRS TO REMAIN ROOF OVERHANG ABOVE TO REMAIN STRUCTURAL STEEL COLUMN TO REMAIN METAL FRAME CHANNEL TO BE REMOVED

EXTERIOR ELECTRICAL MSB AND PANELS TO REMAIN EXTERIOR METAL SIDING WALL TO BE REMOVED EXTERIOR RETAINING WALL

D NEW EXTERIOR BULLET RESISTANT WALL D NEW INTERIOR BULLET RESISTANT WALL D NEW SERVICE COUNTER

D ACCESSIBLE PATH OF TRAVEL D EXTERIOR SOFFIT AREA D NEW INTERIOR WALL

ED EXTERIOR BULLET RESISTANT STOREFRONT WINDOW D INTERIOR BULLET RESISTANT WINDOW D INTERIOR ONE-WAY MIRROR GLASS WINDOW D RELOCATED / NEW SINK

D NEW LOWER & UPPER CABINETS

#### OR PLAN LEGEND

ZZ EXISTING EXTERIOR MASONRY WALL EXISTING INTERIOR WALLS

PROPOSED ARMORCORE BULLET RESISTANT INTERIOR WALL

PROPOSED EXTERIOR WALL

PROPOSED INTERIOR WALL PROPOSED PLUMBING WALL

DIMENSION TO FACE OF STUD, COLUMN OR WALL

■ ■ ACCESSIBLE PATH OF TRAVEL ROOM NUMBER

KEYNOTE SYMBOL DOOR SYMBOL PER DOOR SCHEDULE

WINDOW SYMBOL PER WINDOW SCHEDULE EXTERIOR ELEVATIONS DETAIL NUMBER

INTERIOR ELEVATIONS DETAIL NUMBER /INTERIOR ELEVATIONS SHEET NUMBER

EXTERIOR ELEVATIONS SHEET NUMBER

## SS FLOOR AREA CALCS

ROOM NUMBER 100 101 102	ROOM NAME SECURITY CHECK WAITING AREA	ROOM AREA 303 S.F. 475 S.F.	G.F.A. 303 S.F.
101			
	WAITING AREA	475 S.F.	
102		1	475 S.F.
	RECEPTION ROOM	158 S.F.	158 S.F.
103	DISPENSARY AREA	999 S.F.	999 S.F.
104	OFFICE/CAMERA ROOM	227 S.F.	227 S.F.
105	PREP. ROOM	256 S.F.	256 S.F.
106	BREAK ROOM	166 S.F.	166 S.F.
107	HALLWAY	86 S.F.	86 S.F.
108	WOMENS	69 S.F.	69 S.F.
109	MENS	61 S.F.	61 S.F.
	EXTERIOR SOFFIT	717 S.F.	717 S.F.
TOTAL	1ST FLOOR	3,517 S.F.	3,517 S.F.
	104 105 106 107 108 109	104   OFFICE/CAMERA ROOM   105   PREP. ROOM   106   BREAK ROOM   107   HALLWAY   108   WOMENS   109   MENS   109   MENS   100   MENS	104   OFFICE/CAMERA ROOM   227 S.F.     105

CONDITION	NUMBER	NAME	AREA	G.F.A.
EXISTING	201	VACANT	181 S.F.	181 S.F.
EXISTING	202	VACANT	278 S.F.	278 S.F.
EXISTING		PHANTOM AREA	2,337 S.F.	2,337 S.F.
		TOTAL MEZZANINE FLOOR	2,796 S.F.	2,796 S.F.

TOTAL FIRST FLOOR G.F.A.
TOTAL MEZZANINE FLOOR G.F.A.
TOTAL BUILDING G.F.A. 6,313 S.F.

PROPOSED USE PAIR, INC. REPAIR SHOP) MARCH & ASH (MARIJUANA OUTLET)

ATTACHMENT 15

TEL (619) 230-1088 FAX (619) 230-1089



MARCH & **ASH** 

2835 CAMINO DEL RIO SOUTH SAN DIEGO, CA 92108

PROJECT:

**FAIRMOUNT** M.O.

APN: 541-280-09-00

2281 FAIRMOUNT AVENUE SAN DIEGO, CA 92105-5222

REVISION ITEM

THIS SET ISSUE DATE

□ SCHEMATIC

■ INITIAL SUBMITTAL \_\_\_\_5/7/2018 ■ FULL SUBMITTAL 5/22/2018

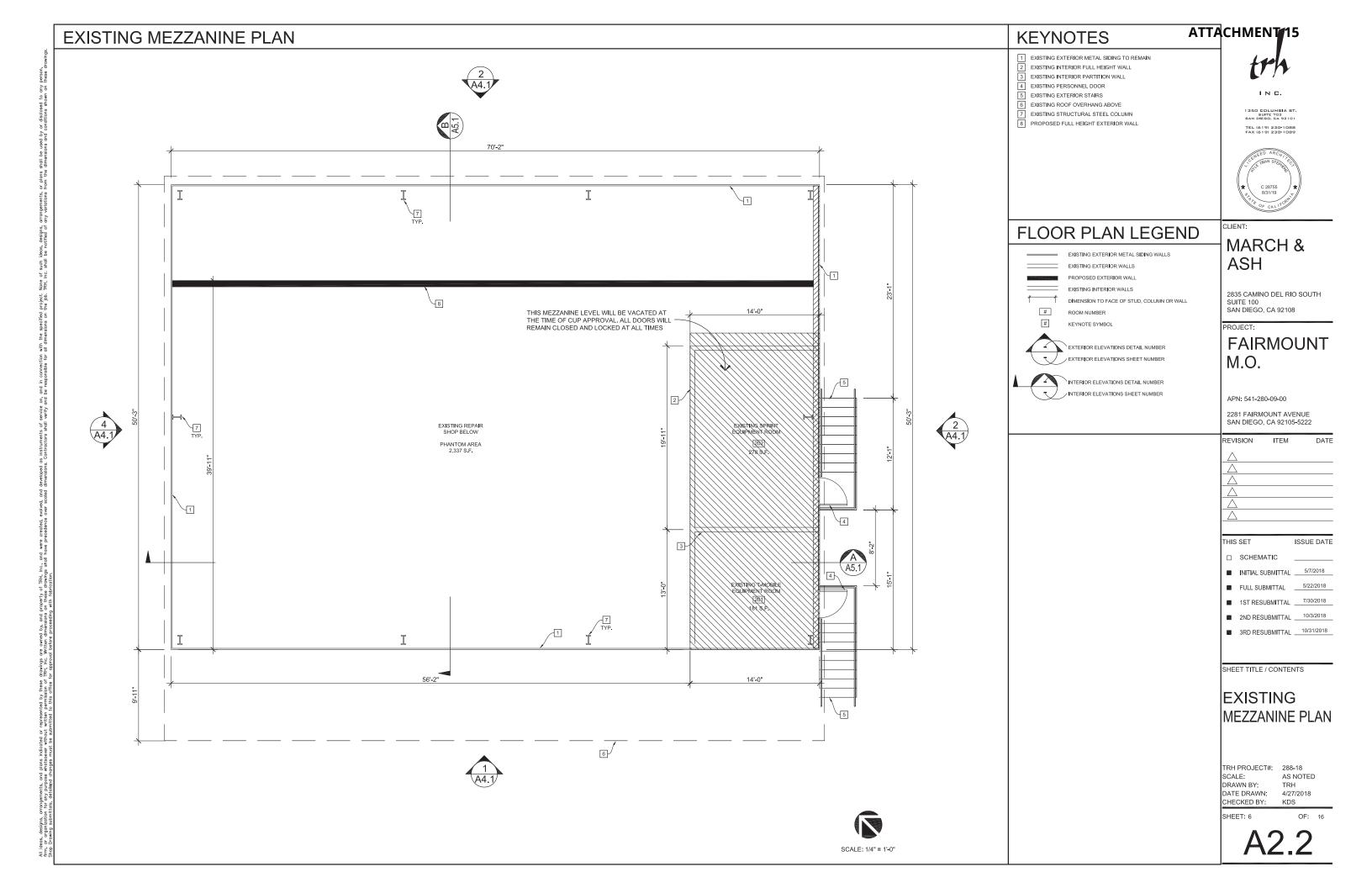
■ 2ND RESUBMITTAL 10/3/2018

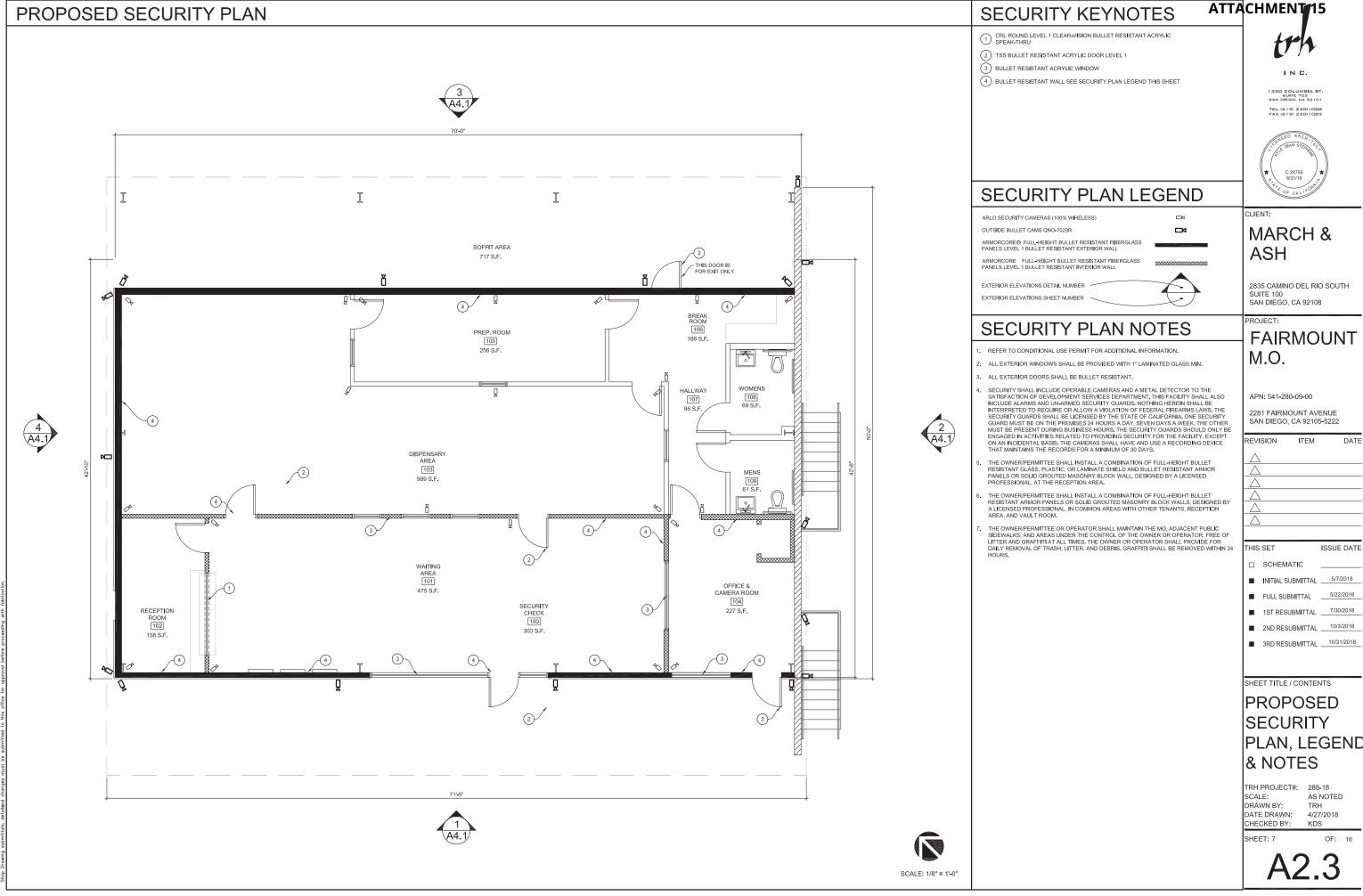
SHEET TITLE / CONTENTS

PROPOSED 1ST FLOOR PLAN

TRH PROJECT#: 288-18 SCALE: AS NOTED DRAWN BY: DATE DRAWN: CHECKED BY:

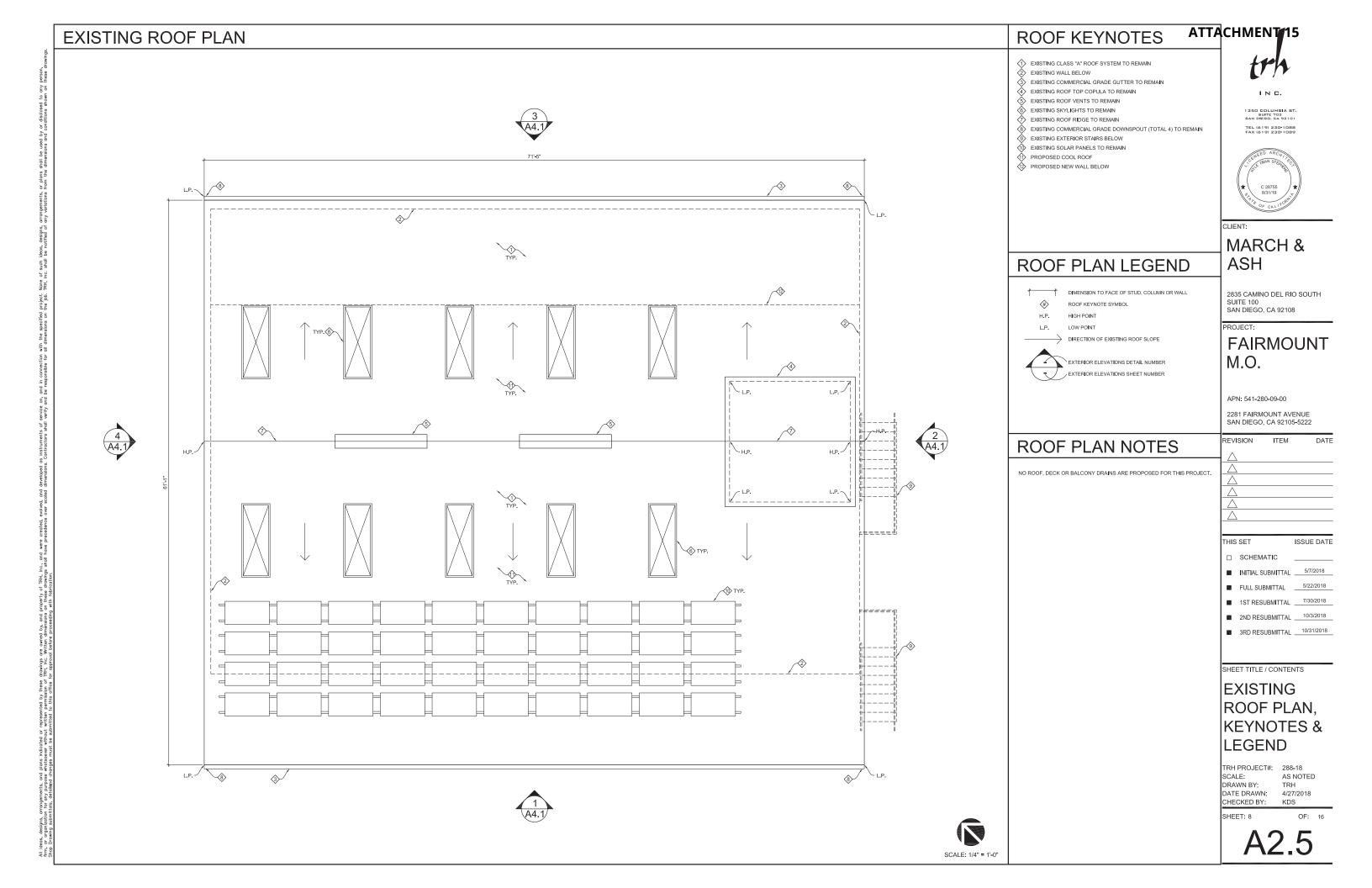
SHEET: 5

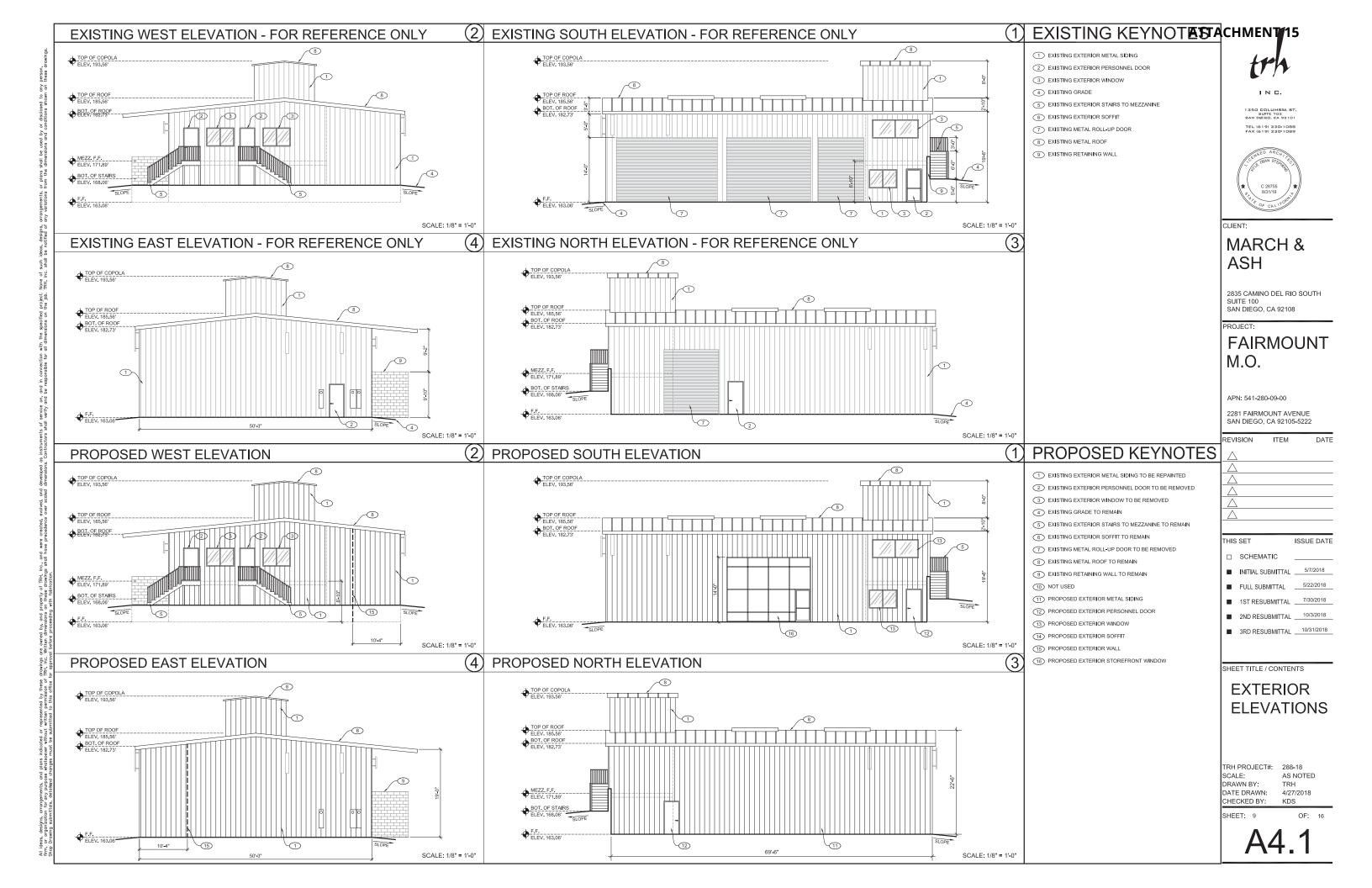


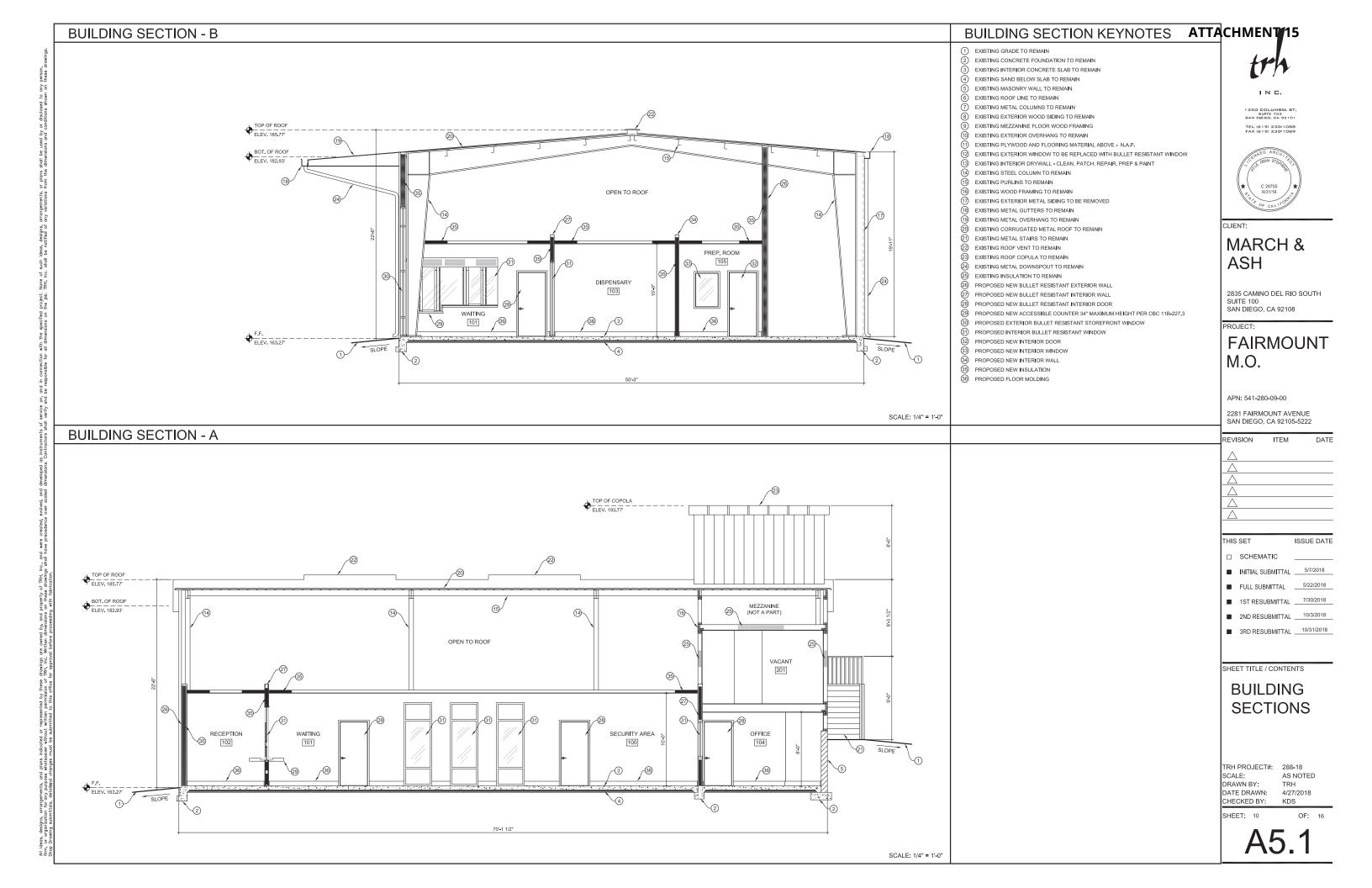


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# PLAN, LEGEND







FAIRMOUNT M.O. SAN DIEGO, CA

Date: 7/20/201
Project: FAIRMOUNT M.O.
File:
Revisions:

A.

et Title:

EXISTING TOPOGRAPHIC AND BOUNDARY MAP

SHEET: II OF:I

C



GRAPHIC SCALE: 1" = 10'

7/20/2018 RELIMINARY DRAINAGE PL SHEET: 12

(CONCRETE SURFACE) PROPOSED PERVIOUS AREA

(DIRT/GRASS SURFACE) MAX CUT OR FILL ...... FILL AREA ......

CUT AREA

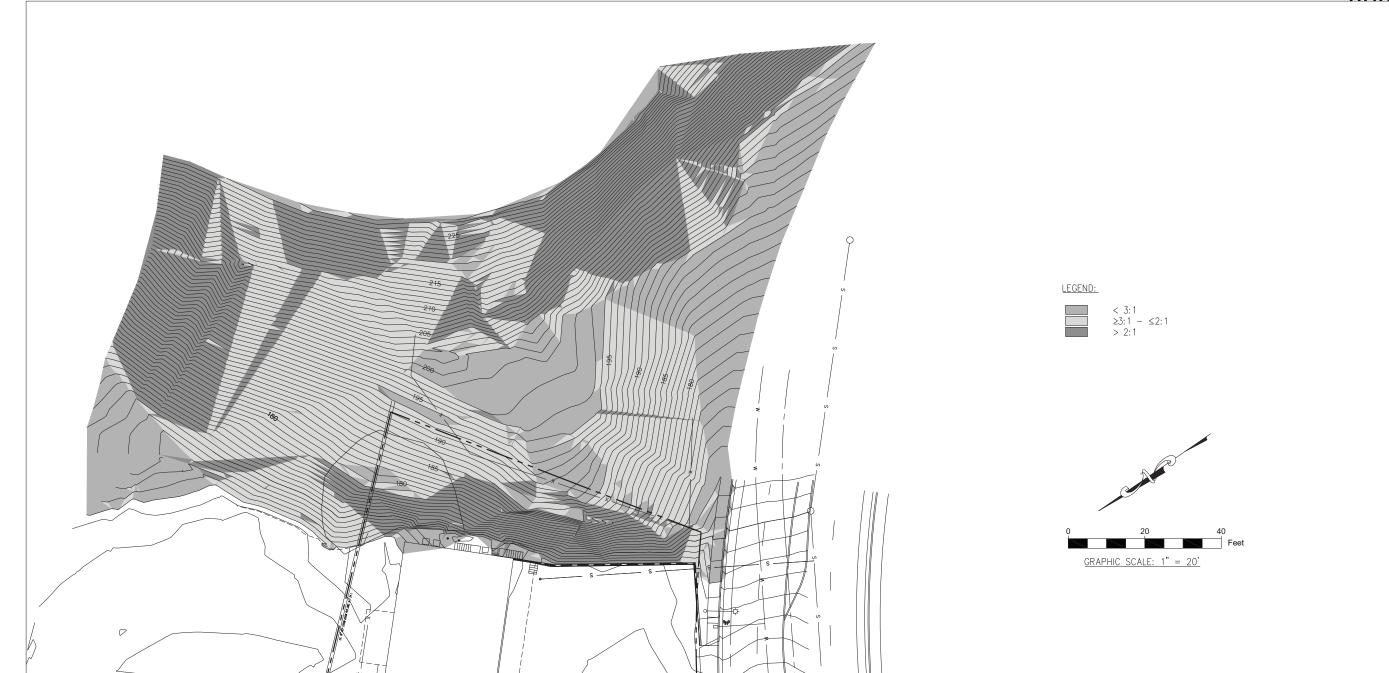
1,090 SF

25 CY

0 CY

25 CY

THE PROJECT PROPOSED TO EXPORT O CY OF MATERIAL FROM THIS SIT THE PROJECT PROPUSED TO EAPORT OF TO WATERNAL FROM THIS SHE ALL EXPORT MATERNAL SHALL BE DISCHARGED TO A LEGAL DISPOSAL STILL ADMINISTRATION OF THE PROJECT DOES NOT ALLOW PROCESSING AND SALE OF THE MATERNAL, ALL SUCH ACTIVITIES REQUIRE A SEPARATE COMMITIONAL USE PERMIT.







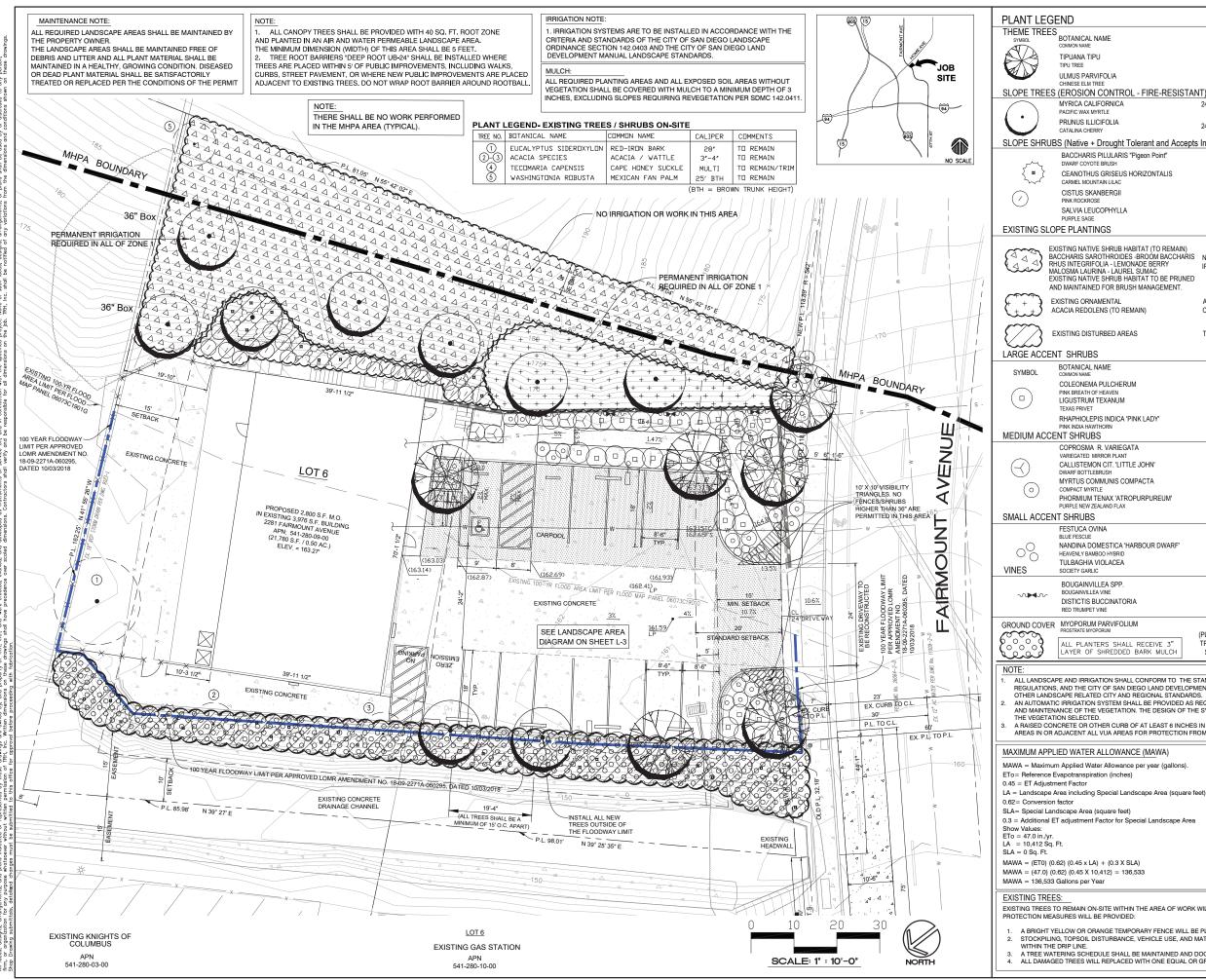
FAIRMOUNT M.O. SAN DIEGO, CA

Date: 7/17/18
Project: FAIRMOUNT M.O.
File:
Revisions:
A

heet Title: LOPE ANALYSIS

SHEET: 13

C3



PLANT LEGEND THEME TREES MATURE ROTANICAL NAME SIZE QUANTITY HEIGHT x SPREAD TIPUANA TIPU 24" BOX 50' x 40' TIPU TREE LILMUS PARVIEOLIA 24" BOX 50' x 40' SLOPE TREES (EROSION CONTROL - FIRE-RESISTANT) MYRICA CALIFORNICA 25' x 15' 24"+36" BOX PACIFIC WAX MYRTLE 1 36" BO PRUNUS ILLICIFOLIA TAL) 4 24" BO 24"+36" BOX 25' x 15' CATALINA CHER 1 36" BC SLOPE SHRUBS (Native + Drought Tolerant and Accepts Irrigation) BACCHARIS PILULARIS "Pigeon Point" 1 GAL. 12" x 8' 25 DWARF COYOTE BRUSH CEANOTHUS GRISEUS HORIZONTALIS 2' x 8' 1 GAL CARMEL MOUNTAIN LILAC CISTUS SKANBERGII 1 GAL 3' x 3' 15 SALVIA LEUCOPHYLLA 1 GAL. 3' x 3' PURPLE SAGE

> COMMENTS EXISTING NATIVE SHRUB HABITAT (TO REMAIN

> > 5 GAL.

18" x 18"

MINIMUM TREE SEPARATION DISTANCE:

TRAFFIC SIGNAL. STOP SIGN - 20 FEET

UNDERGROUND UTILITY LINES - 5 FEET

(SEWER - 10 FEET)
INTERSECTIONS (INTERSECTING CURB

ABOVE GROUND UTILITY STRUCTURES

TRANSFORMERS, HYDRANTS, POLES, ETC.)

LINES OF TWO STREETS) - 25 FEET

DRIVEWAYS - 10 FEET

10 FFFT

TO BE IRRIGATED + PLANTED

BACCHARIS SAROTHROIDES -BROOM BACCHARIS NATIVE SHRUB PLANTINGS IN ZONE 1 SHALL BE RHUS INTEGRIFOLIA - LEMONADE BERRY IRRIGATED WITH DRIP IRRIGATION (TYPICAL) MALOSMA LAURINA - LAUREL SUMAC EXISTING NATIVE SHRUB HABITAT TO BE PRUNED AND MAINTAINED FOR BRUSH MANAGEMENT

EXISTING ORNAMENTAL ACACIA TO REMAIN IN ORDER TO MAINTAIN EROSION ACACIA REDOLENS (TO REMAIN) CONTROL IN THIS AREA.

EXISTING DISTURBED AREAS

LARGE ACCENT SHRUBS MATURE BOTANICAL NAME SIZE QUANTITY HEIGHT x SPREAD 5 GAI COLFONEMA PULCHERUM 5' x 5' LIGUSTRUM TEXANUM 5 GAL. 4' x 6' TEXAS PRIVET RHAPHIOLEPIS INDICA 'PINK LADY 5 GAI 4' x 4' MEDIUM ACCENT SHRUBS COPROSMA R. VARIEGATA 5 GAL 3' x 3' VARIEGATED MIRROR PLANT CALLISTEMON CIT. 'LITTLE JOHN' 5 GAL. 3' x 3' MYRTUS COMMUNIS COMPACTA 5 GAL. 3' x 3' COMPACT MYRTLE PHORMIUM TENAX 'ATROPURPUREUM 5 GAL 5' x 4' URPLE NEW ZEALAND SMALL ACCENT SHRUBS FESTUCA OVINA 1 GAL 12" x 12"

TUI BAGHIA VIOI ACEA 1 GAI 12" x 12" BOUGAINVILLEA SPP 5 GAL. ~**\** DISTICTIS BUCCINATORIA 6' x 2' 5 GAL. GROUND COVER MYOPORUM PARVIFOLIUM FLATS 12" x 6' (PLANT 3' O C TRIANGULAR ALL PLANTERS SHALL RECEIVE 3" AYER OF SHREDDED BARK MULCH SPACING)

NANDINA DOMESTICA 'HARBOUR DWARF'

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.

AN AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED FOR PROPER IRRIGATION, DEVELOPMENT AND MAINTENANCE OF THE VEGETATION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED

A RAISED CONCRETE OR OTHER CURB OF AT LEAST 6 INCHES IN HEIGHT WILL BE PROVIDED TO ALL LANDSCAPE AREAS IN OR ADJACENT ALL VUA AREAS FOR PROTECTION FROM VEHICULAR DAMAGE.

#### MAXIMUM APPLIED WATER ALLOWANCE (MAWA)

MAWA = Maximum Applied Water Allowance per year (gallons). ETo= Reference Evapotranspiration (inches) 0.45 = ET Adjustment Facto

0.62= Conversion factor

SLA= Special Landscape Area (square feet) 0.3 = Additional ET adjustment Factor for Special Landscape Area

LA = 10,412 Sq. Ft.

 $MAWA = (ET0) (0.62) (0.45 \times LA) + (0.3 \times SLA)$ 

MAWA = (47.0) (0.62) (0.45 X 10,412) = 136,533 MAWA = 136,533 Gallons per Year

#### EXISTING TREES:

EXISTING TREES TO REMAIN ON-SITE WITHIN THE AREA OF WORK WILL BE PROTECTED IN PLACE. THE FOLLOWING PROTECTION MEASURES WILL BE PROVIDED:

A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE. STOCKPILING, TOPSOIL DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.

A TREE WATERING SCHEDULE SHALL BE MAINTAINED AND DOCUMENTED DURING CONSTRUCTION ALL DAMAGED TREES WILL REPLACED WITH ONE EQUAL OR GREATER IN SIZE

ATTACHMENT 15

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#### MARCH & **ASH**

2835 CAMINO DEL RIO SOUTH SUITE 100 SAN DIEGO, CA 92108

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#### **FAIRMOUNT** M.O.

APN: 541-280-09-00 2281 FAIRMOUNT AVENUE SAN DIEGO, CA 92105-5222

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■ INITIAL SUBMITTAL \_\_\_\_\_5/7/2018 FULL SUBMITTAL 5/22/2018

■ 1ST RESUBMITTAL 7/30/2018

■ 2ND RESUBMITTAL \_\_\_\_\_\_10/3/2018

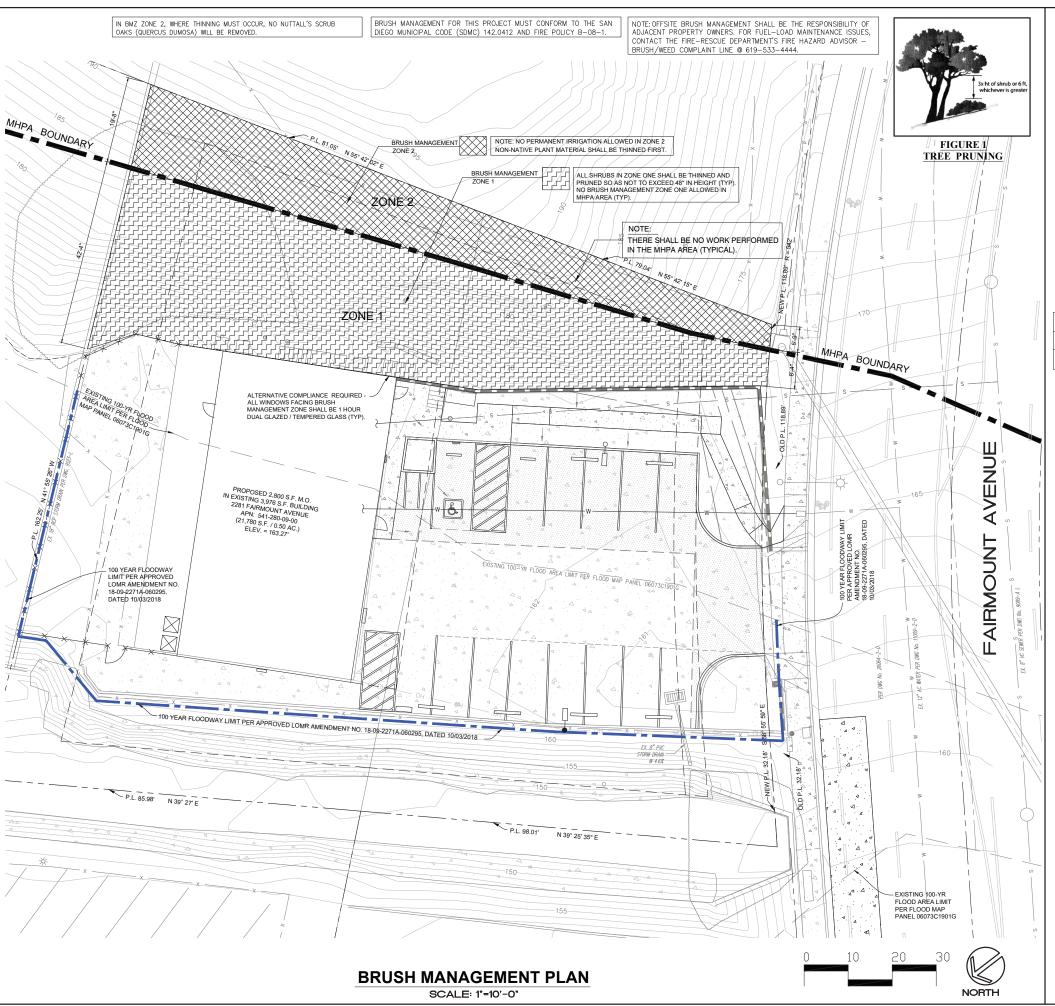
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#### LANDSCAPE **DEVELOPMENT PLAN**

PROJECT#: 18012 SCALE: DRAWN BY DATE DRAWN: CHECKED BY:

AS NOTED SHH 5/18/2018 HDI

HEET: 14



#### ZONE 1 MAINTENANCE REQUIREMENTS

ZONE ONE SHALL BE MAINTAINED ON A REGULAR BASIS BY PRUNING AND THINNING PLANTS, CONTROLLING WEEDS, AND MAINTAINING IRRIGATION SYSTEMS. REGULAR INSPECTIONS AND LANDSCAPE MAINTENANCE ARE NECESSARY TO MINIMIZE THE POTENTIAL DAMAGE OR LOSS OF PROPERTY FROM BUSH FIRES AND OTHER NATURAL HAZARDS SUCH AS EROSION AND SLOPE FAILURES. HOWEVER, FOR EFFECTIVE FIRE AND WATERSHED MANAGEMENT, PROPERTY OWNERS SHOULD EXPECT TO PROVIDE MAINTENANCE ACCORDING TO EACH BRUSH MANAGEMENT ZONE: ZONE 1: YEAR-ROUND MAINTENANCE

BRUSH MANAGEMENT ZONE 1:
THIS IS THE MOST CRITICAL AREA FOR FIRE AND WATERSHED SAFETY. ALL ORNAMENTAL PLANTINGS SHOULD BE KEPT WELL WATERED ALL IRRIGATION WATER SHOULD DRAIN TOWARD THE STREET. RAIN GUTTERS AND DRAINAGE PIPES SHOULD BE CLEANED REGULARLY AND ALL LEAVES REMOVED FROM THE ROOF BEFORE THE FIRE SEASON BEGINS. ALL PLANTINGS, PARTICULARLY NON-IRRIGATED NATIVES AND LARGE TREES TO BE REGULARLY PRUNED TO ELIMINATE DEAD FUELS. TO REDUCE FUEL AND TO PROVIDE ADEQUATE SPACE BETWEEN PLANTS

#### **BRUSH MANAGEMENT PROGRAM NOTES**

THE BRUSH MANAGEMENT PROGRAM FOR THIS PROJECT SHALL CONFORM TO THE REQUIREMENTS AND

BRUSH MANAGEMENT ZONES. WHERE BRUSH MANAGEMENT IS REQUIRED, A COMPREHENSIVE PROGRAM SHALL BE IMPLEMENTED THAT REDUCES FIRE HAZARDS AROUND STRUCTURES BY PROVIDING AN EFFECTIVE FIRE BREAK BETWEEN ALL STRUCTURES AND CONTIGUOUS AREAS OF NATIVE OR NATURALIZED VEGETATION.

BRUSH MANAGEMENT ZONE ONE IS THE AREA ADJACENT TO THE STRUCTURE, SHALL BE LEAST FLAMMABLE, AND SHALL CONSIST OF PAVEMENT AND PERMANENTLY IRRIGATED ORNAMENTAL PLANTING, ZONE ONE BRUSH MANAGEMENT IS ALLOWED ON SLOPES WITH A GRADIENT GREATER THAN 4:1 BECAUSE THE PROPERTY RECEIVED A TENTATIVE MAP APPROVAL BEFORE NOVEMBER 15, 1989.

#### BRUSH MANAGEMENT ZONE WIDTH REQUIREMENTS

CRITERIA	ZONE WIDTHS	COMMENTS
ZONE ONE WIDTH W/ PERMANENT IRRIGATION	8'-4" - 42'-4"	ALTERNATIVE COMPLIANCE REQUIRED - ALL WINDOWS FACING BRUSH MANAGEMENT ZONE SHALL BE I HOUR DUAL GLAZED / TEMPERED GLASS (TYP).
ZONE TWO WIDTH	5'-9" - 19'-8"	

BRUSH MANAGEMENT ACTIVITIES ARE PROHIBITED WITHIN COASTAL SAGE SCRUB, MARITIME SUCCULENT SCRUB, AND COASTAL SAGE—CHAPARRAL HABITATS FROM MARCH 1 THROUGH AUGUST 15, EXCEPT WHERE DOCUMENTED TO THE SATISFACTION OF THE CITY MANAGER THAT THE THINNING WOULD BE CONSISTENT WITH CONDITIONS OF SPECIES COVERAGE DESCRIBED IN THE CITY OF SAN DIEGO'S MSCP SUBAREA PLAN.

#### ZONE ONE REQUIREMENTS

- THE REQUIRED ZONE ONE WIDTH SHALL BE PROVIDED BETWEEN NATIVE OR NATURALIZED VEGETATION AND ANY STRUCTURE AND SHALL BE MEASURED FROM THE EXTERIOR OF THE STRUCTURE TO THE VEGETATION.

   ZONE ONE SHALL CONTAIN NO HABITABLE STRUCTURES, STRUCTURES THAT ARE DIRECTLY
- ZONE ONE SHALL CONTAIN NO HABITABLE STRUCTURES, STRUCTURES THAT ARE DIRECTLY ATTACHED TO HABITABLE STRUCTURES, OR OTHER COMBUSTIBLE CONSTRUCTION THAT PROVIDES A MEANS FOR TRANSMITHING FIRE TO THE HABITABLE STRUCTURES. STRUCTURES SUCH AS FENCES, WALLS, PLAY STRUCTURES, AND NON HABITABLE GAZEBOS THAT ARE LOCATED WITHIN BRUSH MANAGEMENT ZONE ONE SHALL BE OF NON-COMBUSTIBLE CONSTRUCTION, OR MINIMUM 1 HOUR FIRE-RATED.

   PLANTS WITHIN ZONE ONE SHALL BE PRIMARILY LOW-GROWING AND LESS THAN 4 FEET IN HEIGHT WITH THE EXCEPTION OF TREES. PLANTS SHALL BE LOW-FUEL AND FIRE RESISTIVE.

   TREES WITHIN ZONE ONE SHALL BE LOCATED AWAY FROM STRUCTURES TO A MINIMUM DISTANCE OF 10 FEET MEASURED FROM THE STRUCTURES TO THE DRIP LINE OF THE TREE T MATURITY IN ACCORDANCE WITH THE LANDSCAPE STANDARDS OF THE LAND DEVELOPMENT
- PERMANENT IRRIGATION IS REQUIRED FOR ALL PLANTING AREAS WITHIN ZONE ONE EXCEPT AS
- (A) WHEN PLANTING AREAS CONTAIN ONLY SPECIES THAT DO NOT GROW TALLER THAN 24 INCHES IN HEIGHT, OR
- (B) WHEN PLANTING AREAS CONTAIN ONLY NATIVE OR NATIRALIZED SPECIES THAT ARE NOT SUMMER-DORMANT AND HAVE A MAXIMUM HEIGHT AT PLANT MATURITY OF LESS THAN 24". - ZONE ONE IRRIGATION OVERSPRAY AND RUNOFF SHALL NOT BE ALLOWED INTO ADJACENT
- AREAS OF NATIVE OR NATURALIZED VEGETATION.

   DO NOT USE, AND REMOVE IF NECESSARY, HIGHLY FLAMMABLE PLANT MATERIALS (SEE
- APPENDIX "B" OF THE LTM).

   TREES SHOULD NOT BE LOCATED ANY CLOSER TO A STRUCTURE THAN A DISTANCE EQUAL TO
- IREES SHOULD NOT BE LOCATED ANY CLOSER TO A STRUCTURE. THAN A DISTANCE EQUAL TO THE TREES'S MATURE SPREAD.

   MAINTAIN ALL PLANTINGS IN A SUCCULENT CONDITION.

   NON-IRRIGATED PLANT GROUPINGS OVER SIX INCHES IN HEIGHT MAY BE RETAINED PROVIDED THEY DO NOT EXCEED TOO SQUARE FEET IN AREA AND THEIR COMBINED COVERAGE DOES NOT EXCEED TO PERCENT OF THE TOTAL ZONE ONE AREA.

   DEBRIS, AND TRIMMINGS PRODUCED BY THINNING AND PRUNING SHALL BE REMOVED FROM THE
- JEBRIS AND IRMMINES PRODUCED BY INITINITING AND PROVING SPALL BE REMOVED FROM SITE OR IF LEFT, SHALL BE CONVERTED INTO MULCH BY A CHIPPING MACHINE AND EVENLY DISPERSED, NON-IRRIGATED, TO A MAXIMUM DEPTH OF 6 INCHES.

   TREES AND LARGE TREE FORM SHRUBS (E.G., OAKS, SUMAC, TOYON) WHICH ARE BEING RETAINED SHALL BE PRUNED TO PROVIDE CLEARANCE OF THREE TIMES THE HEIGHT OF THE
- UNDER STORY PLANT MATERIAL OR SIX FEET WHICHEVER IS HIGHER (SEE FIGURE 1-THIS SHEET).

#### **ZONE TWO REQUIREMENTS**

- THE REQUIRED ZONE TWO WIDTH SHALL BE PROVIDED BETWEEN ZONE ONE AND THE UNDISTURBED, NATIVE OR NATURALIZED VEGETATION, AND SHALL BE MEASURED FROM THE EDGE OF ZONE ONE THAT IS FARTHEST FROM THE HABITABLE STRUCTURE, TO THE EDGE OF UNDISTURBED VEGETATION.
- NO STRUCTURES SHALL BE CONSTRUCTED IN ZONE TWO.
- WITHIN ZONE TWO, 50 PERCENT OF THE PLANTS OVER 24" IN HEIGHT SHALL BE CUT AND CLEARED TO A HEIGHT OF 6 INCHES.
- CLEARED TO A HEIGHT OF 6 INCHES.

   WITHIN ZONE 2, ALL PLANTS REMAINING AFTER 50 PERCENT ARE REDUCED IN HEIGHT,
  SHALL BE PRUNED TO REDUCE FUEL LOADING IN ACCORDANCE WITH THE LANDSCAPE
  STANDARDS IN THE LANDSCAPE DEVELOPMENT MANUAL. NON-NATIVE PLANTS SHALL BE
  PRUNED BEFORE NATIVE PLANTS ARE PRUNED.

   THE FOLLOWING STANDARDS SHALL BE USED WHERE ZONE TWO IS IN AN AREA PREVIOUSLY
  GRADED AS PART OF A LEGAL DEVELOPMENT ACTIVITY AND IS PROPOSED TO BE PLANTED
- WITH NEW PLANT MATERIAL INSTEAD OF CLEARING EXISTING NATIVE OR NATURALIZED
- VEGETATION:

  ALL NEW PLANT MATERIAL INSTEAD OF CLEARING EXISTING NATIVE OR NATURALIZED

  VEGETATION:

  ALL NEW PLANT MATERIAL FOR ZONE 2 SHALL BE NATIVE NON-IRRIGATED, LOW-FUEL, AND
  FIRE RESISTIVE. NO NON NATIVE PLANT MATERIAL MAY BE PLANTED IN ZONE TWO EITHER FIRE RESISTIVE. NO NON NATIVE PLANT MATERIAL MAT BE PLANTED IN ZONE IND ETHER
  INSIDE THE MHPA OR IN THE COASTAL OVERLAY ZONE, ADJACENT TO AREAS CONTAINING
  SENSITIVE BIOLOGICAL RESOURCES.

  ZONE TWO SHALL BE MAINTAINED ON A REGULAR BASIS BY PRUNING AND THINNING
- PLANTS, CONTROLLING WEEDS.
- EXCEPT AS PROVIDED IN SECTION 142.0412(i), WHERE THE REQUIRED ZONE ONE WIDTH SHOWN IN TABLE 142-04H CANNOT BE PROVIDED ON PREMISES WITH EXISTING STRUCTURE THE ZONE TWO WIDTH SHALL BE INCREASED BY ONE FOOT FOR EACH FOOT OF REQUIRED ZONE ONE WIDTH THAT CANNOT BE PROVIDED.
- ZONE ONE MUDIT HAT CANNOT BE PROVIDED.

  WHERE ZONE TWO IS BEING REVEGETATED AS A REQUIREMENT OF SECTION 142.0411(A),
  REVEGETATION SHALL COMPLY WITH THE SPACING STANDARDS IN THE LAND DEVELOPMENT
  MANUAL. FIFTY PERCENT OF THE PLANTING AREA SHALL BE PLANTED WITH MATERIAL THAT DOES NOT GROW TALLER THAN 24 INCHES. THE REMAINING PLANTING AREA MAY BE PLANTED WITH TALLER MATERIAL, BUT THIS MATERIAL SHALL BE MAINTAINED IN ACCORDANCE WITH THE REQUIREMENTS FOR EXISTING PLANT MATERIAL IN ZONE 2.



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■ INITIAL SUBMITTAL \_\_\_\_5/7/2018

■ FULL SUBMITTAL 5/22/2018

■ 2ND RESUBMITTAL 10/3/2018

■ 3RD RESUBMITTAL \_\_\_\_\_10/31/2018

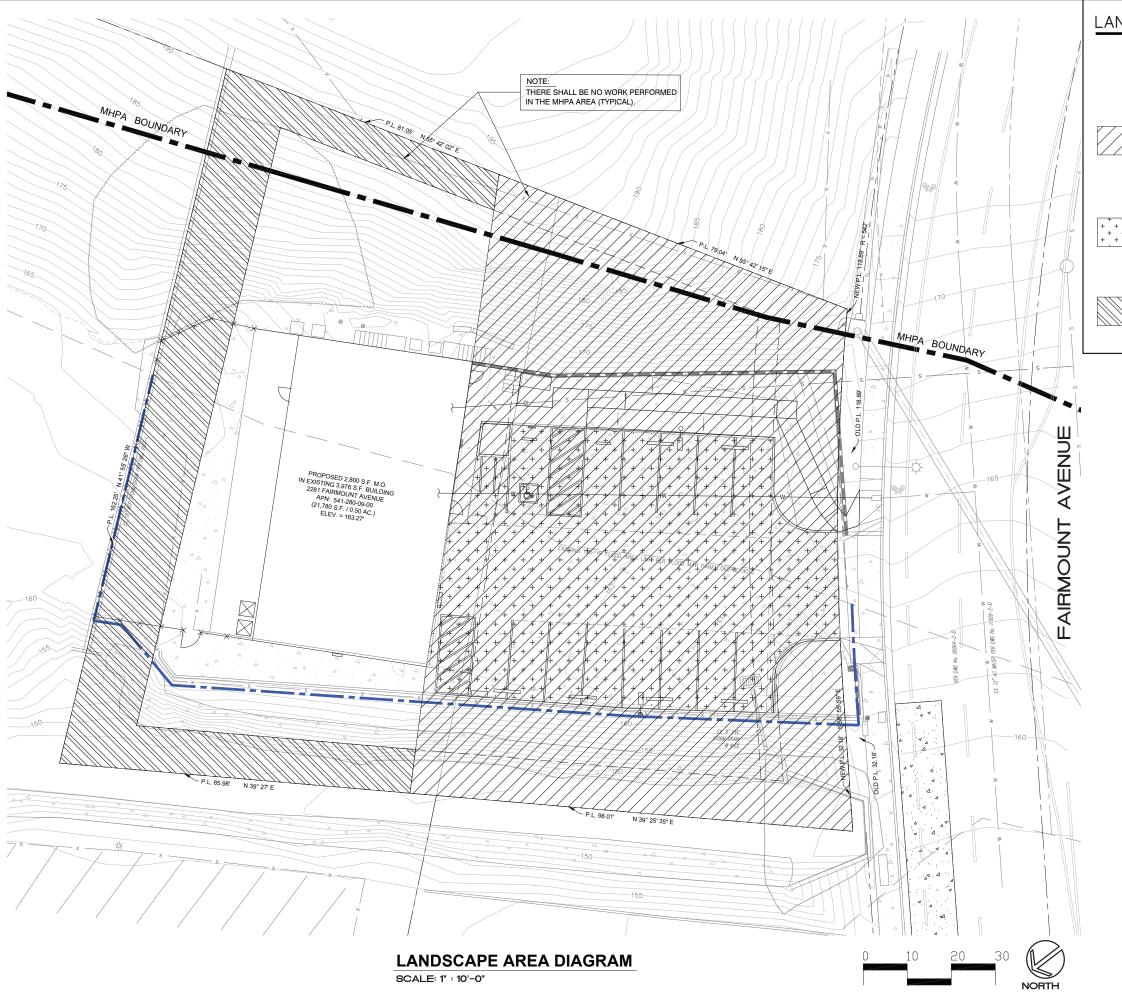
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#### **BRUSH MANAGEMENT PLAN**

PROJECT#: SCALE: DRAWN BY: DATE DRAWN CHECKED BY:

18012 AS NOTED SHH 5/18/2018 HDI

SHEET: 15



#### LANDSCAPE CALCULATIONS

STREET TREES IN PUBLIC RIGHT OF WAY LENGTH OF STREET FRONTAGE
STREET TREES REQUIRED (@ 30' o.c.)
STREET TREES PROVIDED

STREET YARD FAIRMOUNT AVENUE

-AIRMOUNT AVENUE
TOTAL AREA
PLANTING AREA REQ'D (25%)
PLANTING AREA PROVIDED
PLANT POINTS REQUIRED (.05 PTS/SF)
PLANT POINTS PROVIDED
PTS ACHIEVED W/ TREES (50% MIN)

VEHICLE USE AREA (INSIDE THE STREET YARD)

TOTAL AREA 40 SQ. FT. PER TREE PLANT POINTS REQUIRED (.05 PTS/SF) PLANT POINTS PROVIDED 4,922 SF PROVIDED 246 PTS 280+ PTS (1) TREE WITHIN 30' OF EACH PARKING SPACE. PROVIDED

REMAINING YARD

TOTAL AREA
PLANTING AREA REQ'D (30%)
PLANTING AREA PROVIDED
PLANT POINTS REQUIRED (.05 PTS/SF)
PLANT POINTS PROVIDED 3,457 SF 1,037 SF 1,383 SF 173 PTS 180+ PTS

11,650 SF 2,913 SF 6,688 SF 583 PTS 605+ PTS 320+ PTS

ATTACHMENT 15

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■ 3RD RESUBMITTAL \_\_\_\_10/31/2018

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#### LANDSCAPE **AREA DIAGRAM**

PROJECT#: SCALE: DRAWN BY: DATE DRAWN: CHECKED BY:

18012 AS NOTED 5/18/2018