



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: June 6, 2019 REPORT NO. PC-19-052

HEARING DATE: June 13, 2019

SUBJECT: SAN DIEGO RELEAF, Process Three Decision

PROJECT NUMBER: [575936](#)

REFERENCE: [Report to the Hearing Officer No. HO-19-035](#)

OWNER/APPLICANT: CIRE STNL, LLC, Owner, and SVRMC, LLC, Applicant

SUMMARY

Issue: Should the Planning Commission deny or affirm the appeal of the Hearing Officers' decision to deny a Marijuana Outlet (Outlet) to operate within a 2,014 square-foot portion of an existing 41,124 square-foot building located at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1 and Coastal Overlay Zones within the Torrey Pines Community Plan area?

Staff Recommendation: DENY or APPROVE the appeal and affirm or reverse the Hearing Officer decision to DENY Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214.

Community Planning Group Recommendation: On October 11, 2018, the Torrey Pines Community Planning Board voted 7-4-1 to recommend denial of the project, stating another Outlet exists within 1,000 feet.

Environmental Review: This project activity is adequately addressed in the previously adopted environmental document, Mitigated Negative Declaration No. 82-0279, and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. The prior environmental document adequately covered this activity as part of the previously approved project and the activity is not a separate project for the purpose of California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15162.

Fiscal Impact Statement: All costs associated with the processing of this project are paid from a deposit account funded by the applicant.

Code Enforcement Impact: None with this application.

Housing Impact Statement: The project site is in the IL-3-1 Zone which allows a range of light industrial, office and commercial activities in designated areas to promote balanced land use and provide flexibility in the design of new and redeveloped industrial projects, while assuring high quality development and protecting land for industrial uses and limiting non-industrial uses. Residential housing is not allowed in the IL-3-1 Zone; therefore, the project would not impact the housing supply within the City of San Diego.

BACKGROUND

The proposed San Diego Releaf project (Project) is an application for a Conditional Use Permit (CUP) and Coastal Development Permit (CDP) for an Outlet to occupy 2,014 square feet of an existing two-story, 41,124 square-foot building at 10170 Sorrento Valley Road, Suite "A." Project operations would include the sales of cannabis products as a State of California licensed cannabis retailer. In accordance with SDMC Section 126.0702, a CUP is required for Outlets considered at a public hearing in accordance with Process Three, Hearing Officer decision.

During the Project's public hearing with the Hearing Officer on March 20, 2019, City staff corrected the recommendation to approve this Project's application, as stated in the [Report to the Hearing Officer No. HO-19-035](#) (Attachment 1), and recommended denial of the Project's application. The San Diego Municipal Code (SDMC) allows the operation of Outlets in specific land use zones of the City and subject to specific regulations. One of the criteria of the SDMC is the minimum separation requirements between an Outlet and other specified uses. Specifically, SDMC section 141.0504(a)(1) requires a 1,000-foot separation from other marijuana outlets in addition to the other specified uses. On September 19, 2018, the Hearing Officer approved [Project No. 545299](#), Sorrento Valley Marijuana Outlet (MO), a CUP and CDP application for an Outlet located at 10150 Sorrento Valley Road, which directly abuts the Project's property. The Hearing Officer's decision to approve [Project No. 545299](#), CUP and CDP, and adopt the Negative Declaration have been appealed both to the Planning Commission for the project and City Council for the CEQA document. On April 16, 2019, the City Council denied the appeal of the CEQA document, Resolution No. R-312385. The project appeal is pending a public hearing with the Planning Commission.

However, considering the Hearing Officer has previously approved an Outlet within 1,000 feet of this Project's application, City staff cannot support the necessary CUP findings (b), (c), and (d) to approve the CUP application at 10170 Sorrento Valley Road, Suite "A." The proposed Project does not comply with the separation requirements between uses set forth in SDMC section 141.0504 (a)(1) and the proposed use is not appropriate at the proposed location. On March 20, 2019, SVRMC, LLC, c/o Heather Riley, Allen Matkins, filed a Development Permit Appeal Application based upon factual error and findings not supported (Attachment 2).

PROJECT APPEAL DISCUSSION

The Project's appeal issues are provided below along with the City staff responses:

Appeal Issue: "The Hearing Officer denied the application based on a misunderstanding of the law and a misapplication of the facts. There is no "other marijuana outlet within 1,000 feet of the San Diego Releaf facility. Since the neighboring marijuana outlet has been appealed on environmental

and project grounds, there has been no "approval" and no "date of final action." As a result, the Hearing Officer should have made the necessary findings for the CUP/CDP."

Staff Response:

On September 19, 2018, the Hearing Officer approved [Project No. 545299](#), Sorrento Valley MO, a CUP and CDP application for an Outlet located at 10150 Sorrento Valley Road, which directly abuts the Project's property. The SDMC allows the operation of Outlets in specific land use zones of the City and subject to specific regulations. One of the criteria of the SDMC is the minimum separation requirements between an Outlet and other specified uses. Specifically, SDMC section 141.0504(a)(1) requires a 1,000-foot separation from other Outlets in addition to the other specified uses. Considering the Hearing Officer has previously approved another Outlet's discretionary permit(s) within the 1,000 feet of the Project's property, the Hearing Officer is obligated by the SDMC to deny the Project's discretionary permit(s) since the legal findings to support the Project cannot be justified or, the Hearing Officer can continue the Project's public hearing as the appeal process for [Project No. 545299](#) is finalized. During the Project's public hearing testimony on March 20, 2019, Ms. Heather Riley, on behalf of SVRMC, LLC, declined the Hearing Officer's suggestion to request for a continuance.

Conclusion:

Both the Project and [Project No. 545299](#) appeals to the Planning Commission are scheduled for a Planning Commission decision on June 13, 2019. [Project No. 545299](#) application was deemed complete on May 1, 2017 and the Project's application was deemed complete on October 11, 2017. Therefore, consistent with the City's processing of the CUP applications for an Outlet and their order of public hearings, [Project No. 545299](#) would be considered by the Planning Commission prior to this Project's application. The Planning Commission decision on [Project No. 545299](#) will dictate whether this Project's appeal is approved or denied and the Hearing Officer decision to deny CUP No. 2033810 and CDP No. 2163214 is affirmed or denied. City staff has provided draft findings (Attachments 3 and 4) to either deny or support the proposed Project and draft conditions of approval if appropriate (Attachment 5).

ALTERNATIVES

1. Approve the appeal and approve Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214, with modifications.
2. Deny the appeal and affirm the Hearing Officer's decision to deny the Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



PJ FitzGerald
Assistant Deputy Director
Development Services Department



Tim Daly
Development Project Manager
Development Services Department

LOWE/TPD

Attachments:

1. [Report to the Hearing Officer No. HO-19-035](#)
2. SVRMC, LLC, c/o Heather Riley Appeal
3. Draft Permit Resolution with Findings for Denial
4. Draft Permit Resolution with Findings for Approval
5. Draft Permit with Conditions



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: March 13, 2019 REPORT NO. HO-19-035

HEARING DATE: March 20, 2019

SUBJECT: San Diego Releaf, Process Three Decision

PROJECT NUMBER: 575936

OWNER/APPLICANT: CIRE STNL, LLC, Owner, and SVRMC, LLC, Applicant

SUMMARY

Issue: Should the Hearing Officer approve a Marijuana Outlet (Outlet) to operate within a 2,014 square-foot portion of an existing 41,124 square-foot building located at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1 and Coastal Overlay Zones within the Torrey Pines Community Plan area?

Staff Recommendation: Approve Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214.

Community Planning Group Recommendation: On October 11, 2018, the Torrey Pines Community Planning Board voted 7-4-1 to recommend denial of the project, stating another Outlet exists within 1,000 feet (Attachment 7).

Environmental Review: This project activity is adequately addressed in the previously adopted environmental document, Mitigated Negative Declaration No. 82-0279, and there is no change in circumstance, additional information, or project changes to warrant additional environmental review. The prior environmental document adequately covered this activity as part of the previously approved project and the activity is not a separate project for the purpose of California Environmental Quality Act (CEQA) review pursuant to CEQA Guidelines Section 15162.

BACKGROUND

In 1996, the people of the State of California passed Proposition 215, the Compassionate Use Act, which allows the use of marijuana for medical purposes when recommended by a physician and exempts the patient and the primary caregiver from criminal prosecution. In 2004, Senate Bill 420, the Medical Marijuana Program Act (MMP) became law. The MMP requires the California Department of Public Health (DPH) to establish and maintain a program for the voluntary

registration of qualified medical marijuana patients and their primary caregivers through a statewide identification card system, sets possession guidelines for cardholders, and recognizes a qualified right to collective and cooperative cultivation of medical marijuana. In 2008, the California Attorney General established guidelines for Medical Marijuana Collective Operations and allowed cities to adopt and enforce laws consistent with the MMP.

On March 25, 2014, the City of San Diego adopted Ordinance No. O-20356 to implement regulations for Medical Marijuana Consumer Cooperatives (MMCCs), which allowed MMCCs with the approval of a Conditional Use Permit (CUP), and limited MMCCs to four per Council District for a total of 36 MMCCs City-wide. A total of 15 MMCCs have been approved to date.

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 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, CUP, provided each Council District is limited to four Outlets. An Outlet allows the sale of both medicinal and recreational marijuana, and subject to State licensing requirements. A total of five Outlets have been approved to date, with 1 in Council District 1 and 4 in Council District 7. The 15 previously approved MMCCs are allowed to operate as Outlets for the remaining term of the CUP without an amendment pursuant to Ordinance No. O-20793, and would be allowed the retail sale of marijuana upon obtaining the required State license.

The project site is located on a 2.80-acre site at 10170 Sorrento Valley Road within an existing two-story, 41,124 square-foot building in the IL-3-1, Coastal Overlay Zone (Appealable and Non-Appealable), MCAS Miramar Land Use Compatibility Overlay Zone (Airport Influence Area - Review Area 1 and Accident Potential Zone 2), Federal Aviation Administration (FAA) Part 77 Noticing Area, Prime Industrial Lands, Parking Impact Overlay Zone (Coastal and Campus), Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway), and Transit Priority Area of the Torrey Pines Community Plan area (Attachment 1). The Torrey Pines Community Plan designates the site for Light Industrial development (Attachment 2). The building was constructed in 1985 and is currently being used for office uses (Attachment 3). The project site currently has a Conditional Use Permit application approved ([Project No. 585472](#)) pursuant to San Diego Municipal Code ([SDMC](#)) [section 126.0303](#) for the operations of a Marijuana Production Facility (MPF) within a 36,361 square-foot portion of the building, Suite "B."

The purpose and intent of the IL-3-1 Zone is to accommodate a range of light industrial, office and commercial activities in designated areas to promote balanced land use and provide flexibility in the design of new and redeveloped industrial projects, while assuring high quality development and protecting land for industrial uses and limiting non-industrial uses. The development standards of this zone are intended to encourage sound industrial development by providing an attractive environment free from adverse impacts associated with some heavy industrial uses. The IL Zones are intended to permit a range of uses, including non-industrial uses in some instances. Specifically, the IL-3-1 allows a mix of light industrial, office, and commercial uses.

DISCUSSION

Project Description:

The project proposes a Conditional Use Permit and Coastal Development Permit for an Outlet to occupy 2,014 square-feet of an existing two-story, 41,124 square-foot building at 10170 Sorrento Valley Road, Suite "A." Project operations would (?) include the sales of cannabis products as a State of California licensed outlet. The hours of operation would be between 7:00 a.m. and 9:00 p.m., seven days a week. The project proposes tenant improvements, consisting of the interior walls within the 2,014 square-foot area of the existing building. The Outlet operations would be within a completely enclosed area with a separate doorway from the MPF operations within the remaining portion of the building. Public improvements would include removing two existing driveways serving the site and replacing them with two, 24-foot-wide driveways per current City Standards on Sorrento Valley Road, and dedication of an additional three feet on Sorrento Valley Road to provide a 10-foot curb-to-property-line distance, all satisfactory to the City Engineer. The proposed tenant improvements would require the Owner/Permittee to obtain a change of use/occupancy building permit consistent with all California Codes and Regulations in effect at the time of building permit, satisfactory to the Building Official.

The project site is designated as Prime Industrial Land by the Economic Prosperity Element of the General Plan. The Economic Prosperity Element of the General Plan prohibits the approval of conditional use permits for sensitive receptor and assembly related uses. Industrial development in the Torrey Pines community is located in Sorrento Valley, which contains approximately 380 acres of industrially designated property. Industrial development in Sorrento Valley includes manufacturing firms, research and development, laboratories, offices, industrial services, incubator industry and business uses, and supports commercial and retail uses. The Torrey Pines Community Plan contains a policy that states "Development of freestanding retail commercial uses in industrially designated areas shall be restricted to those uses that serve only the immediate Sorrento Valley industrial area." The project site is designated Industrial by the Torrey Pines Community Plan. A conditional use permit for an Outlet does not conflict with this policy as the requested conditional use permit is not for sensitive receptor or assembly related uses.

The project site contains Environmentally Sensitive Lands (ESL) in the form of Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway) and is located within the Coastal Overlay Zone. The project has been determined to be exempt from the ESL regulations of Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway) pursuant to SDMC section 143.0110 (b)(4) and (c)(1), because there is no addition or modification to the existing development, other than proposed interior tenant improvements. The project requires a Coastal Development Permit pursuant to

SDMC section 126.0704 (a)(3) because the proposed project is changing the use from office to retail sales. Furthermore, the proposed Outlet is exempt from the Airport Land Use Compatibility Overlay Zone regulations set forth in Chapter 13, Article 2, and Division 15 of the SDMC section 132.1505(c)(1), as the project is limited to interior modifications and will not increase the density, floor area ratio or height of the existing structure.

The Outlet is required to have and proposes 10 off-street parking spaces. For the total site, the parking required is 112 spaces and the total parking spaces proposed is 154. 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 September 5, 2018 concluded the project would not result in any significant traffic impacts and no mitigation is required.

Separation Requirements:

The SDMC allows the operation of Outlets in specific land use zones of the City and provides regulations for Marijuana 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 city 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. In addition, there is a minimum distance requirement of 100 feet from all residentially zoned properties. City staff has reviewed the 100/1,000-foot radius map and 100/1,000-foot spreadsheet provided by the applicant identifying all the existing uses. The proposed Outlet complies with the minimum separation requirements between uses.

Operational and Security Requirements:

The proposed Outlet is subject to specific operational requirements and restrictions as set forth in SDMC section 141.0504 (b) through (m), which are incorporated as conditions in the CUP. 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 a.m. and 9:00 p.m. 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.

The applicant has also voluntarily agreed to the following additional security conditions to improve the safety of customers and the surrounding neighborhood and to also prevent any potential adverse impacts on the community:

- The provision of operable surveillance cameras and a metal detector;
- Use of cameras with a recording device that maintains records for a minimum of 30 days;
- Two security guards must be on the premises during business hours, and at least one security guard must be on the premises 24 hours a day, seven days a week;
- Installation of bullet resistant glass, plastic, or laminate shield at the reception area to protect employees; and

- Installation of bullet resistant armor panels, or solid grouted masonry block walls designed by a licensed professional, in common areas with other tenants, and vault room.

Environmental Analysis:

City's Environmental Analysis Section (EAS) staff reviewed the previously adopted Mitigated Negative Declaration (MND) No. 82-0279 for the original development of the site which is inclusive of the current proposal. The MND 82-0279 evaluated the site with respect to Geology and Soils, Water, Land-Related Uses, Biology, Historic and Cultural Resources, Land Use, Visual Quality, Growth Inducement/Services, Transportation, Air Quality, Energy and Water Conservation, Noise and Cumulative Effects. The only areas that were specifically discussed in detail in the Environmental Setting section included: Geology and Soils, Hydrology, Biology, Cultural Resources, Land Use, and Transportation. Staff evaluated the current proposal, which is limited to tenant improvements to an existing suite in an existing industrial building and determined that it is consistent with the analysis under the previous MND. Section 15162 of the CEQA Guidelines states:

"When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

EAS staff finds that none of the three criteria listed above has occurred. There is no substantial change in circumstances or new information that warrants additional analysis beyond the baseline conditions for the site. This evaluation supports the use of the previous environmental document for the proposed amendments pursuant to Public Resources Code 21166 and CEQA Guidelines

Section 15162. Therefore, adopted Mitigated Negative Declaration No. 82-0279 adequately covers the proposed modifications to the site as this proposal is limited to the currently disturbed area and will have to comply with current City standards. Further, all issues will remain below a level of significance.

Conclusion

City staff has reviewed the proposed project and all issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. The design of the proposed Project complies with all development regulations of the IL-3-1 Zone and no deviations are required to approve the project. Staff has provided draft findings (Attachment 4) to support the proposed development and draft conditions of approval (Attachment 5). Staff is recommending the Hearing Officer approve the Project as presented.

ALTERNATIVES

1. Approve Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214, with modifications.
2. Deny Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214, if the findings required to approve the project cannot be affirmed.

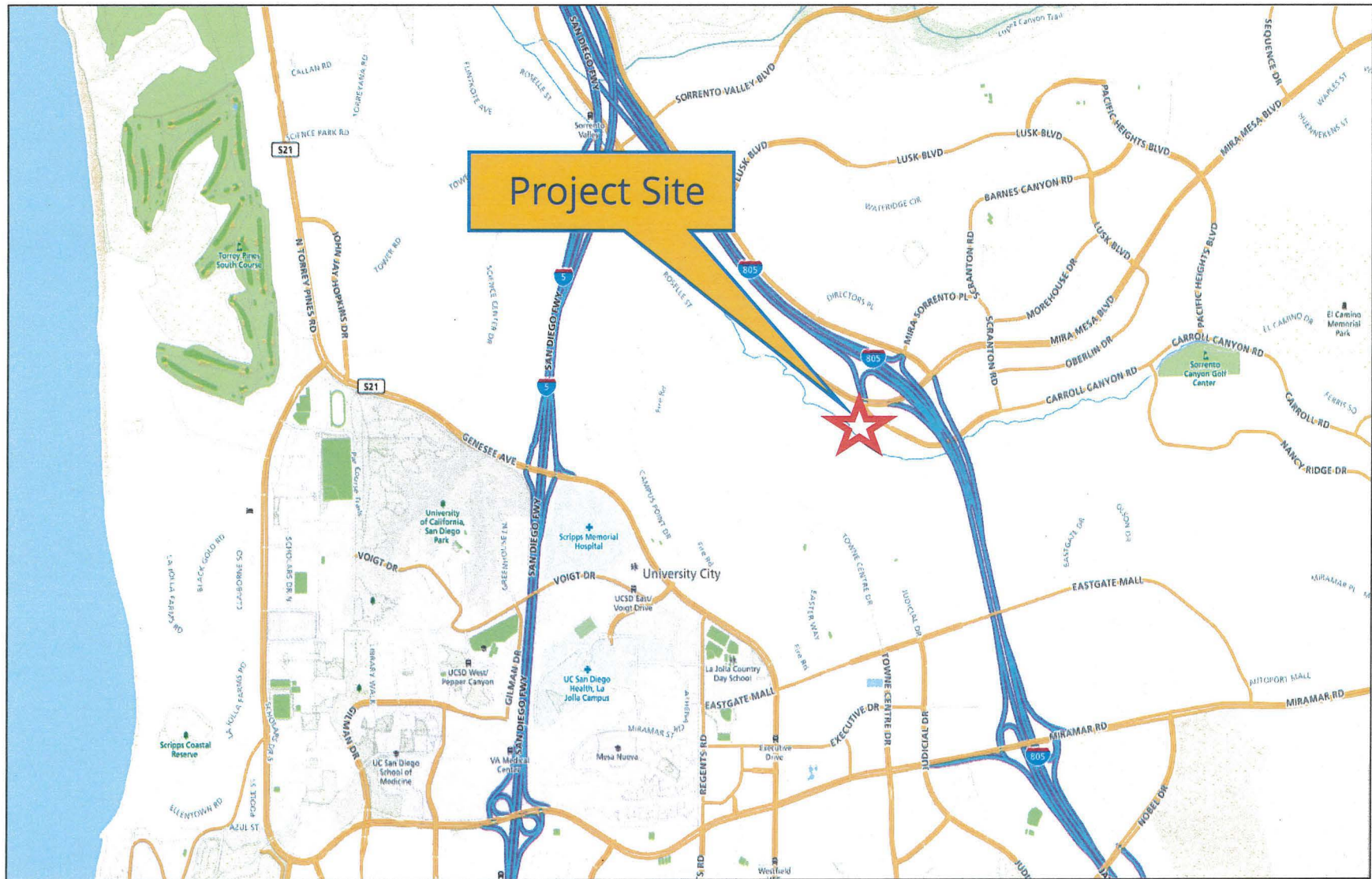
Respectfully submitted,



Tim Daly, Development Project Manager

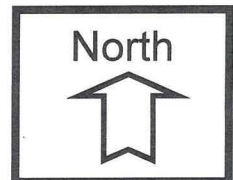
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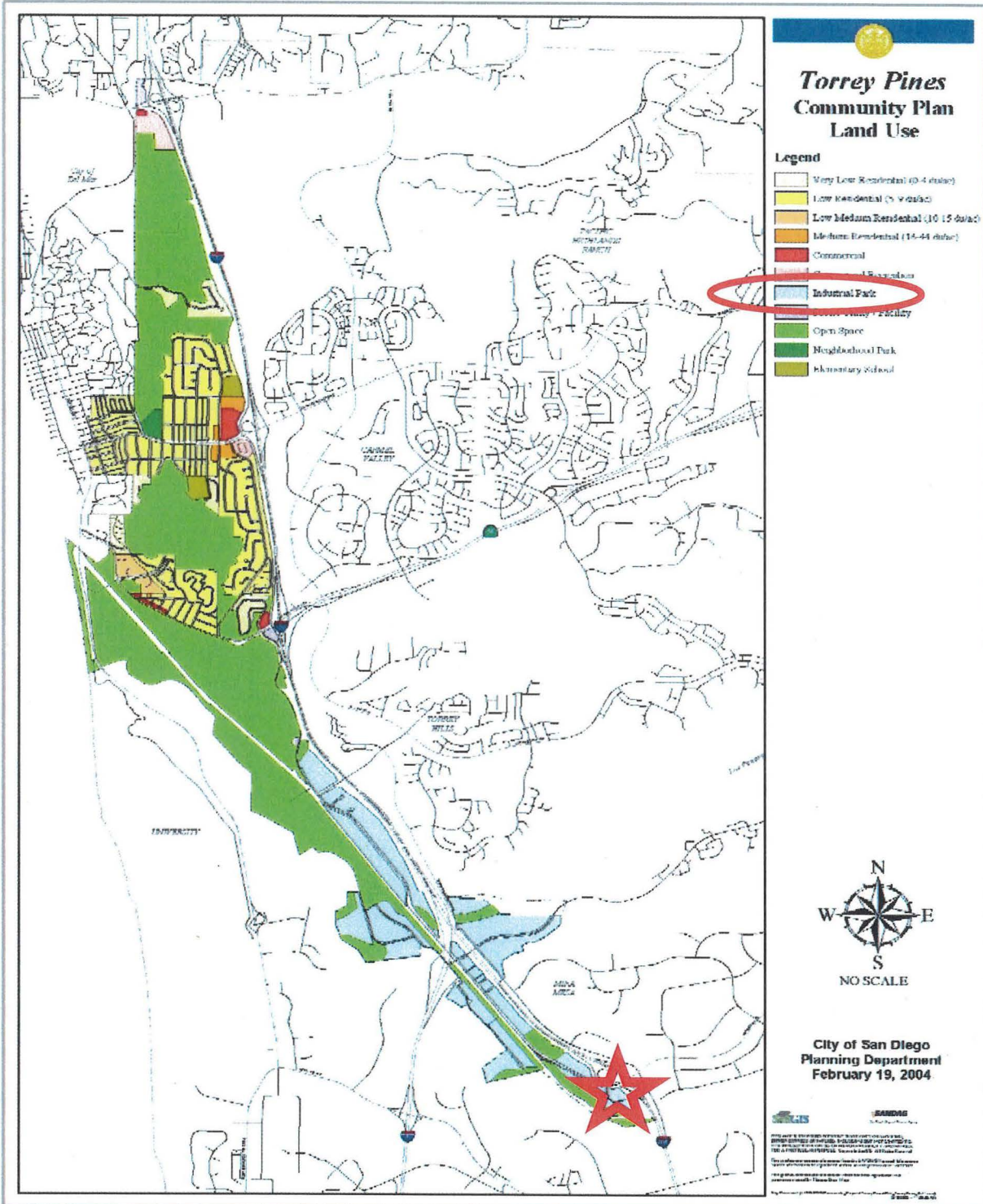
1. Project Location Map
2. Community Plan Land Use Map
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. Project Plans



Project Location Map

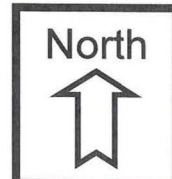
MO San Diego Releaf / 10170 Sorrento Valley Road, Ste. A
PROJECT NO. 575936

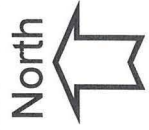




Land Use Map

MO San Diego Releaf / 10170 Sorrento Valley Road, Ste. A
PROJECT NO. 575936





Aerial Photo

MO San Diego Releaf / 10170 Sorrento Valley Road, Ste. A

PROJECT NO. 575936



HEARING OFFICER RESOLUTION NO. XXXXX
CONDITIONAL USE PERMIT NO. 2033810
COASTAL DEVELOPMENT PERMIT NO. 2163214
SAN DIEGO RELEAF - PROJECT NO. 575936

WHEREAS, CIRE STNL, LLC, a California limited liability company, Owner and SVRMC, LLC, a California limited liability company, Permittee, filed an application with the City of San Diego for a permit to operate a Marijuana Outlet within an existing 2,014 square-foot portion of an existing 41,124 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 2033810 and 2163214), on portions of a 2.80-acre site;

WHEREAS, the project site is located at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1, Coastal Overlay Zone (Appealable and Non-Appealable), MCAS Miramar Land Use Compatibility Overlay Zone (Airport Influence Area - Review Area 1 and Accident Potential Zone 2), Federal Aviation Administration (FAA) Part 77 Noticing Area, Prime Industrial Lands, Parking Impact Overlay Zone (Coastal and Campus), Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway), and Transit Priority Area of the Torrey Pines Community Plan area;

WHEREAS, the project site is legally described as Lot 4 of Sorrento Lands and Townsite, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 483. Filed in the Office of the County Recorder of San Diego County, February 6, 1888, lying northeasterly of the right-of-way of Atchison, Topeka and Santa Fe Railroad Com, formerly California Southern Railroad;

WHEREAS, on March 20, 2019, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214:

A. CONDITIONAL USE PERMIT [San Diego Municipal Code (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 a Conditional Use Permit (CUP) to allow the operation of a Marijuana Outlet (Outlet) in an existing 2,014 square-foot tenant space, Suite "A", on the first floor of an existing 41,124 square-foot, two-story building. The developed 2.80-acre project site is located at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1 Zone of the Torrey Pines Community Plan (TPCP).

The TPCP designates the site as Industrial Element. TPCP land use in Sorrento Valley is generally implemented by the IL-3-1 Zone, which is an industrial zone that allows industrial, retail, and commercial uses. Pursuant to SDMC section 131.0622, retail sales and commercial services are permitted uses in the IL-3-1 Zone. The proposed Outlet is allowed in the IL-3-1 Zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The site is within the Industrial Employment General Plan land use category per the Land Use and Street System Map (Figure LU-2). The Sorrento Valley industrial area, including this site, is identified as Prime Industrial Lands (PIL) by the General Plan. Although a General Plan goal for identifying PIL is to protect valuable employment land for base sector industries important to the region's economy, the General Plan allows development or redevelopment of individual properties pursuant to the development regulations and permitted uses of the existing zone and community plan designation provided a site is not critical to base sector employment. An Outlet is not considered a base sector employment. General Plan policies also specifically restrict sensitive receptor land uses such as residential and public assembly in PIL. An Outlet is not a sensitive receptor land use.

Furthermore, the TPCP contains a policy that states development of freestanding retail commercial uses in industrially designated areas shall be restricted to those uses that serve only the immediate Sorrento Valley industrial area. Outlets are permitted in each Council District and the use is restricted to a few base zones with a CUP. The proposed Outlet will be located within an existing developed property and would occupy a tenant space of 2,014 square feet in an existing 41,124 square-foot building. The project's CUP is conditioned that the 2,014 square-foot building cannot be converted to a stand-alone retail building throughout the duration of the CUP and thereby restricting the proposed Outlet to serve only the immediate Sorrento Valley community. The proposed Outlet is a compatible use at this location with a CUP and is consistent with the TPCP land use policies; therefore, the proposed Outlet 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 Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The project proposes interior improvements to an existing tenant space, including entry, reception, administrative offices and facility, and sales area. The proposed development will not be detrimental to the public's health, safety and welfare because the discretionary permit controlling the development and continued use of this site contains specific regulatory conditions of approval. 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.

Approval of the CUP would allow the sale of marijuana to be conditioned in order to prevent potential adverse impacts on the community. The proposed Outlet is subject to specific operational requirements and restrictions as set forth in SDMC sec. 141.0504 (b) through (m), which have also been incorporated as conditions in the CUP, including prohibiting consultation by medical professionals on-site; prohibiting the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, alarms; 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.

The CUP also includes additional security conditions to improve the safety of the building and surrounding neighborhood, including the provision of operable surveillance cameras and a metal detector; use of cameras with a recording device that maintains records for a minimum of 30 days; two security guards during business hours with one security guard present on the premises 24 hours a day, seven days a week; installation of bullet resistant glass, plastic, or laminate shield at the reception area to protect employees; and installation of bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, reception area, and vault room. Outlets must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

Furthermore, 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 construction review and building inspections.

Outlets require compliance with SDMC section 141.0504 (a), which require a 1,000-foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. Outlets also require a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet complies with the separation requirements between uses set forth in SDMC section 141.0504 (a).

The proposed project will be required to comply with the development conditions as

described in the CUP No. 2033810 and Coastal Development Permit (CDP) No. 2163214. The CUP No. 2033810 and CDP No. 2163214 will be valid for five years and may be revoked if the Owner or Permittee violates the terms, conditions, lawful requirements, or provisions of the Permit.

The proposed development will not be detrimental to the public's health, safety, and welfare in that the discretionary permit controlling the use of this site contains specific regulatory conditions of approval, as referenced in CUP No. 2033810 and CDP No. 2163214. The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety, and welfare. Therefore, the proposed Outlet will not be detrimental to the public health, safety and welfare.

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

The project proposes the operation of an Outlet within an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building at 10170 Sorrento Valley Road, Suite "A." The site was developed in 1985. The developed 2.80-acre site is located in the IL-3-1 zone and an Outlet is allowed in the IL-3-1 Zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The project has been determined to be exempt from the Environmentally Sensitive Lands (ESL) regulations of the Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway) pursuant to SDMC sections 143.0110 (b)(4) and (c)(1), because there is no addition or modification to the existing development, other than proposed interior tenant improvements and reconstruction of the existing driveways. In addition, the development will not encroach into the ESL during or after construction pursuant to SDMC sec. 143.0110(b)(4) and (c)(1). Furthermore, the proposed Outlet is exempt from the Airport Land Use Compatibility Overlay Zone regulations set forth in Chapter 13, Article 2, and Division 15 of the SDMC pursuant to section 132.1505 (c)(1) as the project is limited to interior modifications and will not increase the density, floor area ratio or height of the existing structure.

Outlets require compliance with SDMC section 141.0504 (a), which require a 1,000-foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. Outlets also require a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet complies with the separation requirements between uses set forth in SDMC section 141.0504 (a). The proposed Outlet is subject to specific operations requirements for security, such as lighting, security cameras, alarms, and security guards as referenced in CUP No. 2033810 and CDP No. 2163214. Outlets must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The CUP for the project includes various conditions and corresponding exhibits of approval relevant to achieving compliance with the relevant SDMC regulations for an Outlet. No variance or deviations are requested as part of this application, nor are any required to approve the CUP. Therefore, the proposed development will comply with the

regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

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

The project proposes a CUP to allow the operation of a Marijuana Outlet (Outlet) in an existing 2,014 square-foot tenant space, Suite "A", on the first floor of an existing 41,124 square-foot, two-story building. The developed 2.80-acre project site is located at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1 Zone of the Torrey Pines Community Plan (TPCP).

The TPCP designates the site as Industrial Element. TPCP land use in Sorrento Valley is generally implemented by the IL-3-1 Zone, which is an industrial zone that allows industrial, retail, and commercial uses. Pursuant to SDMC section 131.0622, retail sales and commercial services are permitted uses in the IL-3-1 Zone. The proposed Outlet is allowed in the IL-3-1 Zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The site is within the Industrial Employment General Plan land use category per the Land Use and Street System Map (Figure LU-2). The Sorrento Valley industrial area, including this site, is identified as Prime Industrial Lands (PIL) by the General Plan. Although a General Plan goal for identifying PIL is to protect valuable employment land for base sector industries important to the region's economy, the General Plan allows development or redevelopment of individual properties pursuant to the development regulations and permitted uses of the existing zone and community plan designation provided a site is not critical to base sector employment. An Outlet is not considered a base sector employment. General Plan policies also specifically restrict sensitive receptor land uses such as residential and public assembly in PIL. An Outlet is not a sensitive receptor land use.

Furthermore, the TPCP contains a policy that states development of freestanding retail commercial uses in industrially designated areas shall be restricted to those uses that serve only the immediate Sorrento Valley industrial area. Outlets are permitted in each Council District and the use is restricted to a few base zones with a CUP. The proposed Outlet will be located within an existing developed property and would occupy a tenant space of 2,014 square feet in an existing 41,124 square-foot building. The project's CUP is conditioned that the 2,014 square-foot building cannot be converted to a stand-alone retail building throughout the duration of the CUP and thereby restricting the proposed Outlet to serve only the immediate Sorrento Valley community. The proposed Outlet is a compatible use at this location with a CUP and is consistent with the TPCP land use policies; therefore, the proposed Outlet will not adversely affect the applicable land use plan.

Outlets require compliance with SDMC section 141.0504 (a), which require a 1,000-foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. Outlets also require a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet complies with the separation requirements between uses set forth in SDMC section 141.0504 (a). The proposed Outlet is subject to specific operations requirements for security, such as

lighting, security cameras, alarms, and security guards as referenced in CUP No. 2033810 and CDP No. 2163214. Outlets must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The proposed Outlet is consistent with the land development regulations relevant for the site and the use. No deviations are required or requested to approve the CUP. The proposed Outlet is classified as retail sales use for this location with a CUP. Therefore, based on all the facts cited above and conditions of approval, the proposed Outlet is an appropriate use at the proposed location.

B. COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]

1. Findings for all Coastal Development Permits:

- a. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," is an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The project site is located approximately 2.6 miles from the Pacific Ocean. The project is proposed within an existing developed site and will not encroach upon any existing or proposed physical access to the coast. The site does not contain a public view as identified within the Torrey Pines Community Plan and Local Coastal Land Use Plan. The proposed project meets the development standards required by the underlying zone. Therefore, the project will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Torrey Pines Community Plan and Local Coastal Program Land Use Plan.

- b. The proposed coastal development will not adversely affect Environmentally Sensitive Lands.**

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The project site contains Environmentally Sensitive Lands (ESL) in the form (?) of Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway). The project has been determined to be exempt from the permit requirements of the ESL regulations pursuant to SDMC sections 143.0110(b)(4) and (c)(1), because no encroachment into the environmentally sensitive lands is proposed and the development is limited to interior modifications that does not increase the footprint of an existing building and will not encroach into the environmentally sensitive lands during or after construction. The project proposes a CUP to operate an Outlet in one of the existing tenant spaces of an existing building. Therefore, the proposed development will not adversely affect Environmentally Sensitive Lands.

c. The coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The developed 2.80-acre project site is located in the IL-3-1 zone of the TPCP and Local Coastal Program Land Use Plan. The project site is located approximately 2.6 miles from the Pacific Ocean. The project is proposed within an existing developed site and will not encroach upon any existing or proposed physical access to the coast. The site does not contain a public view as identified within the TPCP and Local Coastal Program Land Use Plan.

The TPCP designates the site as Industrial Element. TPCP land use in Sorrento Valley is generally implemented by the IL-3-1 Zone, which is an industrial zone that allows industrial, retail, and commercial uses. Pursuant to SDMC section 131.0622, retail sales and commercial services are permitted uses in the IL-3-1 Zone. The proposed Outlet is allowed in the IL-3-1 Zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The site is within the Industrial Employment General Plan land use category per the Land Use and Street System Map (Figure LU-2). The Sorrento Valley industrial area, including this site, is identified as Prime Industrial Lands (PIL) by the General Plan. Although a General Plan goal for identifying PIL is to protect valuable employment land for base sector industries important to the region's economy, the General Plan allows development or redevelopment of individual properties pursuant to the development regulations and permitted uses of the existing zone and community plan designation provided a site is not critical to base sector employment. An Outlet is not considered a base sector employment. General Plan policies also specifically restrict sensitive receptor land uses such as residential and public assembly in PIL. An Outlet is not a sensitive receptor land use.

Furthermore, the TPCP contains a policy that states development of freestanding retail commercial uses in industrially designated areas shall be restricted to those uses that serve only the immediate Sorrento Valley industrial area. Outlets are permitted in each Council District and the use is restricted to a few base zones with a CUP. The proposed Outlet will be located within an existing developed property and would occupy a tenant space of 2,014 square feet in an existing 41,124 square-foot building. The project's CUP is conditioned that the 2,014 square-foot building cannot be converted to a stand-alone retail building throughout the duration of the CUP and thereby restricting the proposed Outlet to serve only the immediate Sorrento Valley community. The proposed Outlet is a compatible use at this location with a CUP and is consistent with the TPCP land use policies; therefore, the proposed Outlet will not adversely affect the applicable land use plan.

The proposed Outlet does not increase the footprint of the existing building. The project is not requesting, nor does it require, any deviations or variances from the regulations and policy documents and is consistent with the recommended land use and

development standards in effect for this site. Therefore, the development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

- d. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of California Coastal Act.**

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The project site is not located within the first public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. The public access to the water, public recreation facilities, or public parking would not be adversely affected by the approval of this coastal development because the development is located on private property. Therefore, this coastal development is in compliance with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

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. 2033810 and Coastal Development Permit No. 2163214, 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. 2033810 and 2163214, a copy of which is attached hereto and made a part hereof.

Tim Daly
Development Project Manager
Development Services

Adopted on: March 20, 2019

IO#: 24007479

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: 24007479

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2033810
COASTAL DEVELOPMENT PERMIT NO. 2163214
SAN DIEGO RELEAF - PROJECT NO. 575936
HEARING OFFICER

This Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214 ("Permit") is granted by the Hearing Officer of the City of San Diego to CIRE STNL, LLC, a California limited liability company, Owner and SVRMC, LLC, a California limited liability company, Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0305 and 126.0708. The 2.80-acre site at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1, Coastal Overlay Zone (Appealable and Non-Appealable), MCAS Miramar Land Use Compatibility Overlay Zone (Airport Influence Area - Review Area 1 and Accident Potential Zone 2), Federal Aviation Administration (FAA) Part 77 Noticing Area, Prime Industrial Lands, Parking Impact Overlay Zone (Coastal and Campus), Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway), and Transit Priority Area of the Torrey Pines Community Plan area. The project site is legally described as Lot 4 of Sorrento Lands and Townsite, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 483, filed in the Office of the County Recorder of San Diego County, February 6, 1888, lying northeasterly of the right-of-way of Atchison, Topeka and Santa Fe Railroad Com, formerly California Southern Railroad.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a Marijuana Outlet within an existing 2,014 square-foot portion of an existing 41,124 square-foot building described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated March 20, 2019, on file in the Development Services Department.

The project shall include:

- a. Operation of a Marijuana Outlet within Suite "A," a 2,014 square-foot portion of an existing 41,124 square-foot building;
- b. Off-street parking; and
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act

[CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This Permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This Permit must be utilized by March 20, 2022.
2. This Permit and corresponding use of this site shall expire on March 20, 2024. Upon expiration of this Permit, the facility and improvements described herein, except for the public improvements, shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
 - c. A Marijuana Outlet Permit issued by the Development Services Department is approved in accordance with SDMC Section 42.1504.
4. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action or following all appeals.
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 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 construction permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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.

BUILDING OFFICIAL REQUIREMENTS:

13. 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.

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the two existing 24-foot driveways per current City Standards, adjacent to the site on Sorrento Valley Road, satisfactory to the City Engineer.

15. Prior to the issuance of any construction permits, the Owner/Permittee shall dedicate an additional 3 feet on Sorrento Valley Road right-of-way to provide a 10-foot, curb-to-property line distance, satisfactory to the City Engineer. The dedicated right-of-way shall be free and clear of all encumbrances and prior easements. The Owner/Permittee shall secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.

16. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the damaged/uplifted sidewalk per current City Standards, adjacent to the site on Sorrento Valley Road, satisfactory to the City Engineer.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the private walkway and curbs in the parkway, landscape, and irrigation in the Sorrento Valley Road right-of-way.

18. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate Construction and Permanent Storm Water Best Management Practices necessary to comply with current City of San Diego Storm Water Standards Manual and with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications, satisfactory to the City Engineer.

19. 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.

20. 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.

PLANNING/DESIGN REQUIREMENTS:

21. 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.

22. The Owner/Permittee must provide and maintain an accessible path from the building entrance to the public street.

23. The sale of marijuana shall be prohibited without a valid license from the State authorizing such activity.

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

25. Prior to issuance of any construction permit, all construction documents shall demonstrate that the building is not stand-alone retail.

26. Consultations by medical professionals shall not be a permitted accessory use at this Marijuana Outlet.

27. Deliveries shall be permitted as an accessory use to and from 10170 Sorrento Valley Road, Suite "A." Each delivery person shall be employed by the Owner or Permittee, the successor, or the person using the property at 10170 Sorrento Valley Road, Suite "A," that is subject to this Permit.

28. The Owner/Permittee shall provide lighting to illuminate the interior of the Marijuana Outlet, façade, and the immediate surrounding area, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented, so as to deflect light away from adjacent properties.

29. The Owner/Permittee shall install and maintain operable security cameras and a metal detector for security to the satisfaction of Development Services Department. The security cameras shall have and use a recording device that maintains the recordings for a minimum of 30 days. This Marijuana Outlet shall also include alarms and two security guards. The security guards shall be licensed by the State of California. Two security guards must be on the premises during business hours. At least one security guard must be on the premises 24 hours a day, seven days a week. The security guards should only be engaged in activities related to providing security for the Marijuana Outlet, except on an incidental basis.

30. The Owner/Permittee shall install a combination of full-height bullet resistant 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.

31. The Owner/Permittee shall install full-height bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, at all walls adjoining common areas and other tenants, and vault room.

32. 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.
33. The Owner/Permittee shall post and maintain a sign showing the name and emergency contact phone number of an operator or manager in a location visible from outside the Marijuana Outlet in font size at least two inches in height.
34. The Marijuana Outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
35. The use of vending machines which allow access to marijuana and marijuana products except by a responsible person, as defined in the SDMC 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.
36. 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.
37. The Owner/Permittee shall provide for daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
38. The Owner/Permittee shall provide a sufficient odor absorbing ventilation and exhaust system capable of eliminating excessive or offensive odors causing discomfort or annoyance to any reasonable person of normal sensitivities standing outside of the structural envelope of this Marijuana Outlet facility in compliance with SDMC Section 142.0710.
39. Medical marijuana, recreational marijuana, or marijuana products, in any form, shall not be consumed anywhere within the property.

LANDSCAPE REQUIREMENTS:

40. Prior to issuance of any construction permit for public improvements, 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.
41. 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.

42. 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.

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, 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 March 20, 2019 by Resolution No. HO-XXX.

ATTACHMENT 5

Permit Type/PTS Approval No.: Conditional Use Permit No. 2033810
Coastal Development Permit No. 2163214
Date of Approval: March 20, 2019

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Tim Daly
Development Project Manager

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

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

CIRE STNL, LLC,
California limited liability company
Owner

By _____
Name:
Title:

SVRMC, LLC,
California, limited liability company
Permittee

By _____
Name:
Title:

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

Board




www.torreypinescommunity.org

BOARD MEMBERS: Dennis Ridz, Chair; Dee Rich, Vice Chair; Patti Ashton, Treasurer (absent); Wayne Cox, Recording Secretary; Jake Mumma (absent); Susan Lyon; Barbara Cerny; Pat Whitt; Troy Van Horst (absent); Mike Hastings (absent); Samson Gavranian (absent); Brad Remy (absent); Sheryl Adams: Seven attendees.

Torrey Pines Community Planning Board MONTHLY MEETING, Minutes

THURSDAY, October 11, 2018 at 7:00 PM

Del Mar Hills Academy, 14085 Mango Drive, Del Mar CA 92014

NOTE: Times assigned for each item are approximate. Agenda items/order are subject to modification at beginning of meeting at the discretion of the Chair. Any item may be pulled from Consent Agenda and added to a future Board agenda by request. To request an agenda in alternative format - sign language, oral interpreter or Assistive Listening Devices (ALDs) - please contact the Planning Department at (619) 236-6879 five (5) working days prior to the meeting to insure availability.

CALL TO ORDER: 7:00 P.M. Dennis Ridz, Chair:

INTRODUCTIONS:

1. Officer Terry Phillips, SDPD, North West Station, called to inform that he would be absent.
2. Justine Murray, representing D-1 City Councilwoman Barbara Bry, called to inform that she was ill but Steve Hadley would attempt to attend at the end of the meeting.
3. Javier Gomez, representing State Assemblyman Todd Gloria, updated us on the Assemblyman's activities.
4. Chevelle Tate, representing California Senate Pro Tempore Toni Adkins, distributed and discussed the October issue of Toni Times. : a. Del Mar Heights Rd. Ad Hoc Committee; and b. Scheduling board meetings.

A. NON-AGENDA PUBLIC COMMENT (Summarized Subjects):

1. Liz Shores: a. Priority of marijuana applications over community safety issues; b. First amendment rights; and c). Agenda Organization.
2. Libby Hellmann (with hand-out): a. Running for DMUSD Board; and b. Facilities Task Force.
3. Dianna Scheffler (with hand-out): a. Del Mar Heights Rd. Ad Hoc Committee; and b. Scheduling TPCPB meetings.
4. Marybeth Norgren (with hand-out): a. Priority of marijuana applications over community issues; and b. Hazardous waste storage.

B. GENERAL ANNOUNCEMENTS: The Chair announced that the Project Review Committee (PRC) had met on Thursday, October 4, but lacked a quorum and therefore no votes were taken. Discussed the Capital Improvements Priorities (CPI) list requested by Councilwoman Bry. The subject is on the Agenda

C. APPROVAL OF THE AGENDA: Approved 12-0.

D. APPROVAL OF THE SEPTEMBER MINUTES (Distributed on-line).
Approved 12-0

E. REPORT BY TREASURER: None.

F. REPORT BY VICE CHAIR: None.

G. BRIEFING, INFORMATION, QUESTIONS 7 ANSWER (non-action):

1. MO application for 10150 Sorrento Valley Rd., and approved at the September TPCPB meeting, was approved by the Hearing Officer.
2. MPF application for 10170 Sorrento Valley Rd., and approved at the September TPCPB meeting, was approved by the Hearing Officer
3. TPCPB elections will be held in March, 2019. Four positions will be open.

H. ACTION ITEMS:

1. Stainwise, Marijuana Outlet (MO) #559038 at 11189 Sorrento Valley Rd., Ste. 103.
 - a. Gina Austin (with hand-out), Presented.
 - b. Art Palkowitz (attorney), and Mike Gallis, DMUSD, spoke in opposition. Two hand-outs: 1. Letter from Dr. McClurg, DMUSD Superintendent; and 2. CC&Rs for Sorrento Condominium Association.
 - c. Judy Strang: Project lacks CEQA approval.
 - d. Mike Hastings, TPCPB: CEQA complication at this site.
 - e. Application was **opposed 9-3**.
2. Marijuana Production Facility (MPF) #585348 and #58358, at 10110 Sorrento Valley Rd.
 - a. Sean St. Peter, Presented. Application is for distribution, packaging and offices. No production or grow operations.
 - b. Judi Strang: Project lacks CEQA approval.
 - c. Application was **approved 12-0**.
3. Community Planning Committee does not currently have a TPCPB member attending.
 - a. Brad Penny was approved by acclamation to be the TPCPB representative.

- b. Susan Lyon volunteered to be the First Alternate.
- c. Snervi Adams volunteered to be the Second Alternate.
- 4. **Releaf Marijuana Outlet (MO) # 575936 at 10170 Sorrento Valley Rd.**
 - a. Abhay Schweitzer, presented. Distributed a set of drawings from Techne Design. Property owner is CIRE equity.
 - b. Dennis Ridtz: Another approved MO exists within less than 1000 feet.
 - c. Application was **opposed 7-4-1.**
- 5. A motion to extend the meeting by 15 minutes **passed 12-0.**
- 6. Capital Improvement Program (CIP):
 - a. TPCPB October 11th letter to Councilwoman Bry was distributed.
 - b. Steve Hadley agreed to get a list of general cost estimates for each of the 7 potential projects before the next PKC meeting (November 10).
- 7. **Adjournment: 9:20.**



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

THE CITY OF SAN DIEGO

Ownership Disclosure Statement

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

Project Title

San Diego Relcaf

Project No. For City Use Only

575936

Project Address:

10170 Sorrento Valley Rd Suite A San Diego, Ca 92121

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

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

Additional pages attached ☐ Yes ☐ No

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

Name of Individual (type or print):

☐ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency

Street Address:

City/State/Zip:

Phone No:

Fax No:

Signature :

Date:

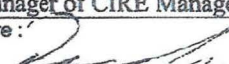
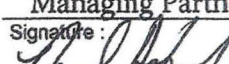
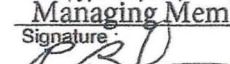
Project Title: San Diego Releaf	Project No. (For City Use Only) 575936
---	--

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

Legal Status (please check):

☐ Corporation
 ☒ Limited Liability -or-
 ☐ General) What State? CA
 Corporate Identification No. 46-2145283
☐ Partnership

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

Corporate/Partnership Name (type or print): CIRE STNL, LLC <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: 530 B Street, Suite 2050 City/State/Zip: San Diego, CA 92101 Phone No: (858) 367-5885 Fax No: (858) 367-5884 Name of Corporate Officer/Partner (type or print): Trevor Smith Title (type or print): Co-Manager of CIRE Management, LLC, manager of CIRE ^ Signature:  Date: 9/13/17	Corporate/Partnership Name (type or print): CIRE STNL, LLC <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Tenant/Lessee Street Address: 530 B Street, Suite 2050 City/State/Zip: San Diego, CA 92101 Phone No: (858) 367-5885 Fax No: (858) 367-5884 Name of Corporate Officer/Partner (type or print): Josua Volen Title (type or print): Co-Founder & Principal Signature: _____ Date: 09/13/17
Corporate/Partnership Name (type or print): Lighthouse Strategies, LLC <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant/Lessee -Sublandlord Street Address: 1495 Pacific Hwy, Suite 275 City/State/Zip: San Diego, CA 92101 Phone No: (619) 838-8492 Fax No: _____ Name of Corporate Officer/Partner (type or print): Michael Hayford Title (type or print): Managing Partner Signature:  Date: 09/13/17	Corporate/Partnership Name (type or print): Lighthouse Strategies, LLC <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant/Lessee Sublandlord Street Address: 1495 Pacific Hwy, Suite 275 City/State/Zip: San Diego, CA 92101 Phone No: (702) 217-0500 Fax No: _____ Name of Corporate Officer/Partner (type or print): Ross C Goodman Esq. Title (type or print): Managing Member Signature: _____ Date: 09/13/17
Corporate/Partnership Name (type or print): Lighthouse Strategies, LLC <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant/Lessee -Sublandlord Street Address: 1495 Pacific Hwy, Suite 275 City/State/Zip: San Diego, CA 92101 Phone No: (617) 594-5812 Fax No: _____ Name of Corporate Officer/Partner (type or print): Tim Walters Title (type or print): Managing Member Signature: _____ Date: 09/13/17	Corporate/Partnership Name (type or print): SVRMC, LLC <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant/Lessee Street Address: 1495 Pacific Hwy, Suite 275 City/State/Zip: San Diego, CA 92101 Phone No: (619) 987-8296 Fax No: (858) 408-3400 Name of Corporate Officer/Partner (type or print): Renny Bowden Title (type or print): Managing Member Signature:  Date: 09/13/17

TECHNE

DESIGN | DEVELOPMENT

3956 30th Street, San Diego, CA 92104
technne-us.com sustainablearchitecture.org
619-940-5814 313-595-5814

CONSULTANTS

10170 Sorrento Valley Rd.
San Diego CA. 92121

PROPERTY OWNER

CIRE Equity
530 B. St. San Diego CA. 92121

SITE PLAN NOTES

- A. The site plan is for informational and general site reference only. Refer to other construction documents for complete scope of work.
- B. Before commencing any site foundation or slab cutting or excavation, the contractor shall verify and mark locations of all site utilities, dimensions and conditions. These include but are not limited to property lines, setback location to all new or existing walls, easements (if any), existing site utilities, including water, sewer, gas and electrical lines and any other new or existing site items which could affect in any way the construction of the building. Flag or otherwise mark all locations of site property lines, easements (if any), underground utilities, and indicate utility type.
- C. The Contractor or subcontractor shall notify TECHNE if any conflicts or discrepancy occurs between the information on this plan and actual field conditions. Do not proceed with work in conflict with these drawing until written or verbal instructions are issued by TECHNE.
- D. Protect and mark all existing building structure including walls, beams, columns, area separation walls, and other items that are part of the existing structure and not part of the scope of the tenant improvement, and mark perimeter of construction zone.
- E. Coordinate with other tenants the temporary shutoff of any site utilities.
- F. Refer to Topographic Survey for additional information.
- G. The existing water and sewer services will remain.

SITE PLAN LEGEND

- PROPERTY LINE
- OUTLINE OF EXISTING STRUCTURES
- OUTLINE OF EXISTING MULTI-HABITAT PLANNING AREA (MHPA)
- SITE DRAINAGE PATTERN
- VEHICULAR CIRCULATION
- EXISTING TREES TO REMAIN - PLATANUS RECEMOSA "WESTERN SYCAMORE", 18" CALIPER-TYP.

ADDITIONAL SITE PLAN NOTES

- a. BUILDING ADDRESS: Building address numbers must be visible and legible from the street or road fronting the property, per FHPS Policy P-00-6 (UFC 901.4.4)
- b. If the City Building Inspector determines non-compliance with any accessibility provisions, a complete and detailed revised plans clearly showing all existing non-complying conditions and the proposed modifications to meet current accessibility requirements (including site plans, floor plans, details, etc.) will be submitted to the department for review and approval.

LANDSCAPE NOTES

S.D.M.C. §142.0409

Street Tree and Public Right-of-Way Requirements

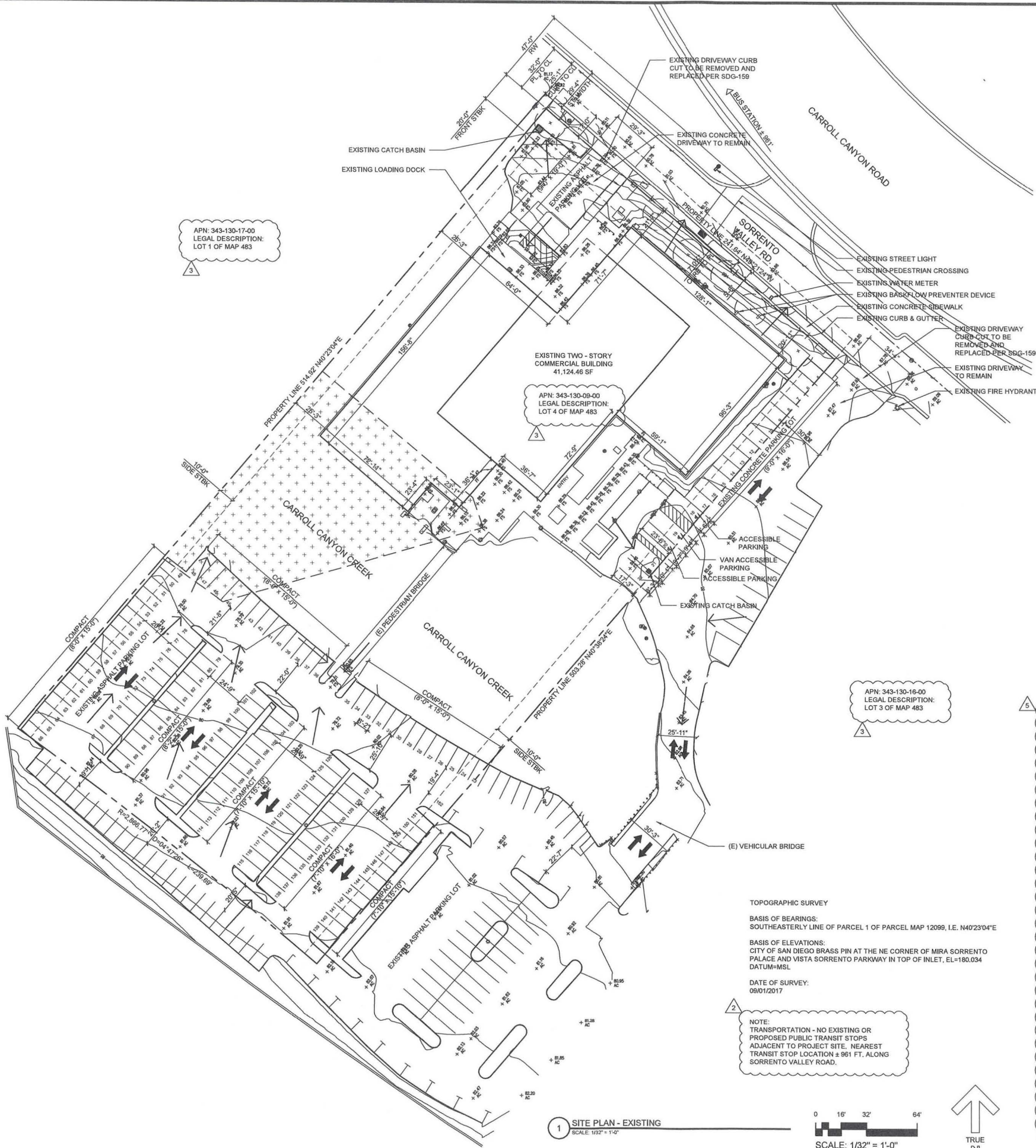
(a) Street Tree Requirements

When new structures, additions to structures, condominium conversions, or new vehicular use areas are subject to this section in accordance with Table 142-04A, street trees within the parkway shall be provided in accordance with the following regulations.

1. (1) Street Tree Quantity. Street trees shall be planted between the curb and abutting property line. The number of required street trees shall be calculated at the rate of one 24-inch box canopy tree for every 30 linear feet of street frontage, excluding curb cuts and required clearances for designated bus stops. The installed tree spacing may be varied to accommodate site conditions or design considerations; however, the number of trees required for each street frontage on a lot bounded by more than one street shall be planted along the corresponding street frontage. Where site conditions do not allow the installation of the street trees required by this section in the parkway, trees may be located on the private property within 10 feet of the property line along that street frontage. Where palm trees are proposed to satisfy this requirement in accordance with Section 142.0409(a)(3), they shall be planted at a rate of one 10-foot brown trunk height palm for each 20 feet of street frontage. For projects in the IL and IH zones that have loading docks along more than 25 percent of the building street wall, the street tree requirement shall be increased to the rate of one 24-inch box tree for every 20 feet of street frontage or one 10-foot brown trunk height palm for each 10 feet of street frontage.

Frontage = 241.64' - 30' westerly curb cut = 211.64'

211.64' net / 30' = 7.05 or 7 req. street trees; 7 mature existing street trees shown



TOPOGRAPHIC SURVEY
BASIS OF BEARINGS:
SOUTHEASTERLY LINE OF PARCEL 1 OF PARCEL MAP 12099, I.E. N40°23'04"E

BASIS OF ELEVATIONS:
CITY OF SAN DIEGO BRASS PIN AT THE NE CORNER OF MIRA SORRENTO PALACE AND VISTA SORRENTO PARKWAY IN TOP OF INLET, EL=180.034
DATUM=MSL

DATE OF SURVEY:
09/01/2017

NOTE:
TRANSPORTATION - NO EXISTING OR PROPOSED PUBLIC TRANSIT STOPS ADJACENT TO PROJECT SITE. NEAREST TRANSIT STOP LOCATION ± 961 FT. ALONG SORRENTO VALLEY ROAD.

1 SITE PLAN - EXISTING
SCALE: 1/32" = 1'-0"

0 16' 32' 64'
SCALE: 1/32" = 1'-0"



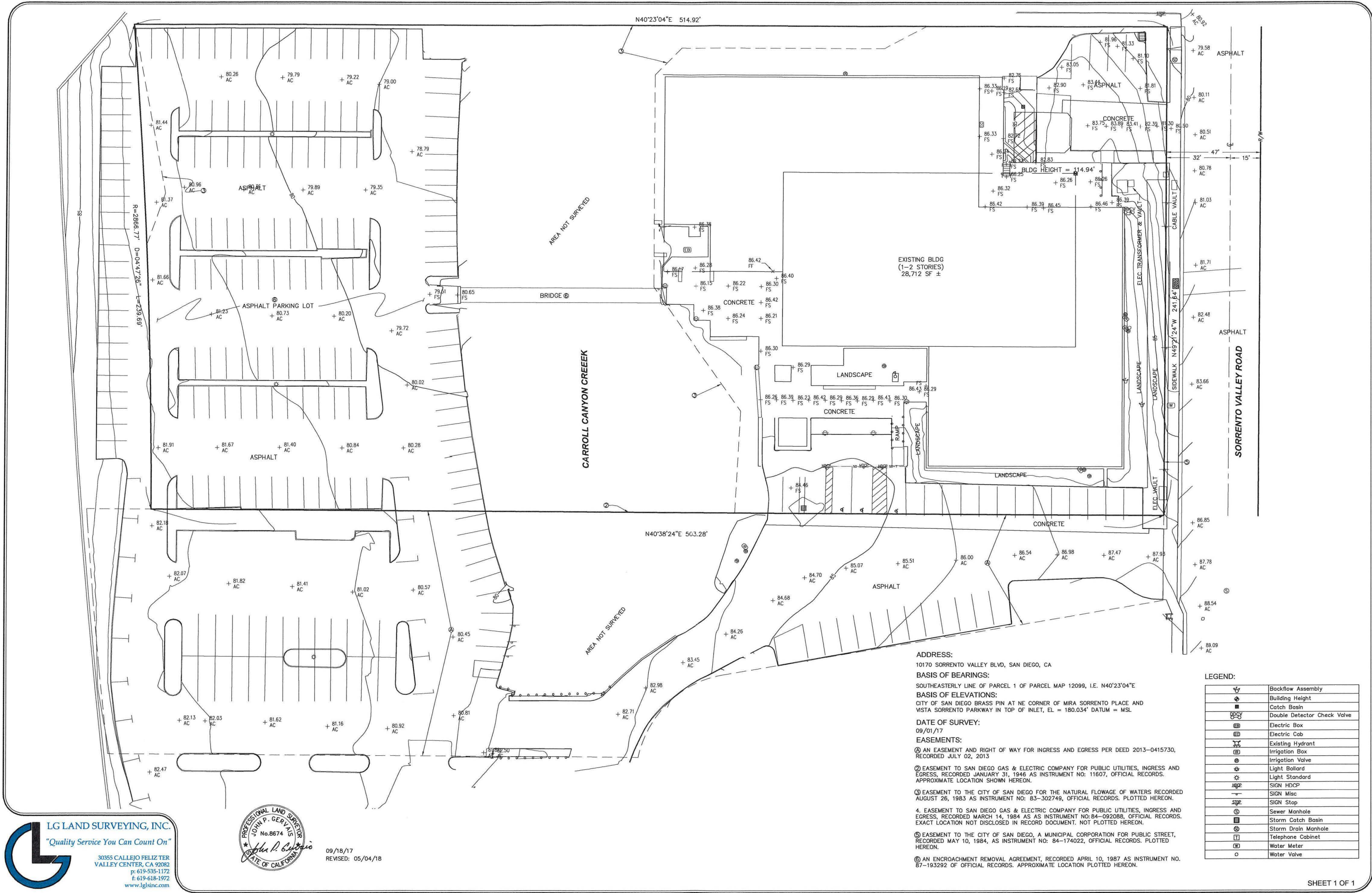
MARK	DATE	DESCRIPTION
D1	09.27.17	CUP - Initial Screening
D2	10.11.17	CUP - First Submittal
D3	03.14.18	CUP - Second Submittal
D4	04.27.18	CUP - Third Submittal
D5	07.05.18	CUP - Fourth Submittal
D6	08.07.18	CUP - Fifth Submittal

PROJECT NO: 1722
CAD DWG FILE: A101 SITE PLAN - EXISTING.DWG
DRAWN BY: A.S., B.P., C.G., S.V.
CHK'D BY: A.S.

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SHEET TITLE

SITE PLAN - EXISTING



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

Storm Water Requirements Applicability Checklist

FORM DS-560 OCTOBER 2016

Project Address: 10170 Sorrento Valley Rd., San Diego, CA 92121 Project Number (for City Use Only):

SECTION 1. Construction Storm Water BMP Requirements:
All construction sites are required to implement construction BMPs in accordance with the performance standards in the *Storm Water Standards Manual*. Some sites are additionally required to obtain coverage under the State Construction General Permit (CGP), which is administered by the State Water Resources Control Board.

For all projects complete PART A: If project is required to submit a SWPPP or WPCP, continue to PART B.

PART A: Determine Construction Phase Storm Water Requirements.

1. Is the project subject to California's statewide General NPDES permit for Storm Water Discharges Associated with Construction Activities, also known as the State Construction General Permit (CGP)? (Typically projects with land disturbance greater than or equal to 1 acre.)
☐ Yes; SWPPP required, skip questions 2-4 ☒ No; next question

2. Does the project propose construction or demolition activity, including but not limited to, clearing, grading, grubbing, excavation, or any other activity resulting in ground disturbance and contact with storm water runoff?
☒ Yes; WPCP required, skip 3-4 ☐ No; next question

3. Does the project propose routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility? (Projects such as pipeline/utility replacement)
☐ Yes; WPCP required, skip 4 ☐ No; next question

4. Does the project only include the following Permit types listed below?
• Electrical Permit, Fire Alarm Permit, Fire Sprinkler Permit, Plumbing Permit, Sign Permit, Mechanical Permit, Spa Permit.
• Individual Right of Way Permits that exclusively include only ONE of the following activities: water service, sewer lateral, or utility service.
• Right of Way Permits with a project footprint less than 150 linear feet that exclusively include only ONE of the following activities: curb ramp, sidewalk and driveway apron replacement, pot holing, curb and gutter replacement, and retaining wall encroachments.
☒ Yes; no document required

Check one of the boxes below, and continue to PART B:

☐ If you checked "Yes" for question 1, a SWPPP is REQUIRED. Continue to PART B

☒ If you checked "No" for question 1, and checked "Yes" for question 2 or 3, a WPCP is REQUIRED. If the project proposes less than 5,000 square feet of ground disturbance AND has less than a 5-foot elevation change over the entire project area, a Minor WPCP may be required instead. Continue to PART B.

☐ If you checked "No" for all questions 1-3, and checked "Yes" for question 4, PART B does not apply and no document is required. Continue to Section 2.

1. More information on the City's construct on BMP requirements as well as CGP requirements can be found at: www.sandiego.gov/stormwater/regulations/index.shtml

Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services. Upon request, this information is available in alternative formats for persons with disabilities. DS 560 (10-16)

Clear Page 1

Page 2 of 4 City of San Diego • Development Services • Storm Water Requirements Applicability Checklist

PART B: Determine Construction Site Priority
This prioritization must be completed within this form, noted on the plans, and included in the SWPPP or WPCP. The city reserves the right to adjust the priority of projects both before and after construction. Construction projects are assigned an inspection frequency based on if the project has a "high threat to water quality." The City has aligned the local definition of "high threat to water quality" to the risk determination approach of the State Construction General Permit (CGP). The CGP determines risk level based on project specific sediment risk and receiving water risk. Additional inspection is required for projects within the Areas of Special Biological Significance (ASBS) watershed. **NOTE:** The construction priority does NOT change construction BMP requirements that apply to projects; rather, it determines the frequency of inspections that will be conducted by city staff.

Complete PART B and continued to Section 2

1. ☐ **ASBS**
a. Projects located in the ASBS watershed.

2. ☐ **High Priority**
a. Projects 1 acre or more determined to be Risk Level 2 or Risk Level 3 per the Construction General Permit and not located in the ASBS watershed.
b. Projects 1 acre or more determined to be LUP Type 2 or LUP Type 3 per the Construction General Permit and not located in the ASBS watershed.

3. ☐ **Medium Priority**
a. Projects 1 acre or more but not subject to an ASBS or high priority designation.
b. Projects determined to be Risk Level 1 or LUP Type 1 per the Construction General Permit and not located in the ASBS watershed.

4. ☒ **Low Priority**
a. Projects requiring a Water Pollution Control Plan but not subject to ASBS, high, or medium priority designation.

SECTION 2. Permanent Storm Water BMP Requirements.
Additional information for determining the requirements is found in the *Storm Water Standards Manual*.

PART C: Determine if Not Subject to Permanent Storm Water Requirements.
Projects that are considered maintenance, or otherwise not categorized as "new development projects" or "redevelopment projects" according to the *Storm Water Standards Manual* are not subject to Permanent Storm Water BMPs.

If "yes" is checked for any number in Part C, proceed to Part F and check "Not Subject to Permanent Storm Water BMP Requirements".

If "no" is checked for all of the numbers in Part C continue to Part D.

1. Does the project only include interior remodels and/or is the project entirely within an existing enclosed structure and does not have the potential to contact storm water? ☐ Yes ☒ No

2. Does the project only include the construction of overhead or underground utilities without creating new impervious surfaces? ☐ Yes ☒ No

3. Does the project fall under routine maintenance? Examples include, but are not limited to: roof or exterior structure surface replacement, resurfacing or reconfiguring surface parking lots or existing roadways without expanding the impervious footprint, and routine replacement of damaged pavement (grinding, overlay, and pothole repair). ☐ Yes ☒ No

Clear Page 2

City of San Diego • Development Services • Storm Water Requirements Applicability Checklist Page 3 of 4

PART D: PDP Exempt Requirements.
PDP Exempt projects are required to implement site design and source control BMPs.

If "yes" was checked for any questions in Part D, continue to Part F and check the box labeled "PDP Exempt."

If "no" was checked for all questions in Part D, continue to Part E.

1. Does the project ONLY include new or retrofit sidewalks, bicycle lanes, or trails that:
• Are designed and constructed to direct storm water runoff to adjacent vegetated areas, or other non-erodible permeable areas? Or;
• Are designed and constructed to be hydraulically disconnected from paved streets and roads? Or;
• Are designed and constructed with permeable pavements or surfaces in accordance with the Green Streets guidance in the City's Storm Water Standards manual?
☐ Yes; PDP exempt requirements apply ☒ No; next question

2. Does the project ONLY include retrofitting or redeveloping existing paved alleys, streets or roads designed and constructed in accordance with the Green Streets guidance in the *City's Storm Water Standards Manual*?
☐ Yes; PDP exempt requirements apply ☒ No; project not exempt.

PART E: Determine if Project is a Priority Development Project (PDP).
Projects that match one of the definitions below are subject to additional requirements including preparation of a Storm Water Quality Management Plan (SWQMP).

If "yes" is checked for any number in PART E, continue to PART F and check the box labeled "Priority Development Project".

If "no" is checked for every number in PART E, continue to PART F and check the box labeled "Standard Development Project".

1. New Development that creates 10,000 square feet or more of impervious surfaces collectively over the project site. This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land. ☐ Yes ☒ No

2. Redevelopment project that creates and/or replaces 5,000 square feet or more of impervious surfaces on an existing site of 10,000 square feet or more of impervious surfaces. This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land. ☐ Yes ☒ No

3. New development or redevelopment of a restaurant. Facilities that sell prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC 5812), and where the land development creates and/or replaces 5,000 square feet or more of impervious surface. ☐ Yes ☒ No

4. New development or redevelopment on a hillside. The project creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site) and where the development will grade on any natural slope that is twenty-five percent or greater. ☐ Yes ☒ No

5. New development or redevelopment of a parking lot that creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site). ☐ Yes ☒ No

6. New development or redevelopment of streets, roads, highways, freeways, and driveways. The project creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site). ☐ Yes ☒ No

Clear Page 3

Page 4 of 4 City of San Diego • Development Services • Storm Water Requirements Applicability Checklist

7. New development or redevelopment discharging directly to an Environmentally Sensitive Area. The project creates and/or replaces 2,500 square feet of impervious surface (collectively over project site), and discharges directly to an Environmentally Sensitive Area (ESA). "Discharging directly to" includes flow that is conveyed overland a distance of 200 feet or less from the project to the ESA, or conveyed in a pipe or open channel any distance as an isolated flow from the project to the ESA (i.e. not commingled with flows from adjacent lands). ☐ Yes ☒ No

8. New development or redevelopment projects of a retail gasoline outlet (RGO) that create and/or replaces 5,000 square feet of impervious surface. The development project meets the following criteria: (a) 5,000 square feet or more or (b) has a projected Average Daily Traffic (ADT) of 100 or more vehicles per day. ☐ Yes ☒ No

9. New development or redevelopment projects of an automotive repair shops that creates and/or replaces 5,000 square feet or more of impervious surfaces. Development projects categorized in any one of Standard Industrial Classification (SIC) codes 5013, 5014, 5541, 7532-7534, or 7536-7539. ☐ Yes ☒ No

10. Other Pollutant Generating Project. The project is not covered in the categories above, results in the disturbance of one or more acres of land and is expected to generate pollutants post construction, such as fertilizers and pesticides. This does not include projects creating less than 5,000 sf of impervious surface and where added landscaping does not require regular use of pesticides and fertilizers, such as slope stabilization using native plants. Calculation of the square footage of impervious surface need not include linear pathways that are for infrequent vehicle use, such as emergency maintenance access or bicycle pedestrian use, if they are built with pervious surfaces of if they sheet flow to surrounding pervious surfaces. ☐ Yes ☒ No

PART F: Select the appropriate category based on the outcomes of PART C through PART E.

1. The project is NOT SUBJECT TO PERMANENT STORM WATER REQUIREMENTS. ☐

2. The project is a STANDARD DEVELOPMENT PROJECT. Site design and source control BMP requirements apply. See the *Storm Water Standards Manual* for guidance. ☒

3. The project is PDP EXEMPT. Site design and source control BMP requirements apply. See the *Storm Water Standards Manual* for guidance. ☐

4. The project is a PRIORITY DEVELOPMENT PROJECT. Site design, source control, and structural pollutant control BMP requirements apply. See the *Storm Water Standards Manual* for guidance on determining if project requires a hydromodification plan management ☐

Abhay Schweitzer Designer/Agent
Name of Owner or Agent (Please Print) Title

03/14/2018
Signature Date

Clear Page 4
Clear Form

Appendix A: Submittal Templates

Source Control BMP Checklist for Standard Projects Form I-4

All development projects must implement source control BMPs SC-1 through SC-6 and. Refer to Chapter 4 and Appendix E of the BMP Design Manual for information to implement BMPs shown in this checklist.

Note: All selected BMPs must be shown on the construction plans.

Source Control Requirement	Applied ^{1/2}
SC-1 Prevention of Illicit Discharges into the MS4	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SC-2 Storm Drain Stenciling or Signage	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SC-3 Protect Outdoor Materials Storage Areas from Rainfall, Run-On, Runoff, and Wind Dispersal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SC-4 Protect Materials Stored in Outdoor Work Areas from Rainfall, Run-On, Runoff, and Wind Dispersal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SC-5 Protect Trash Storage Areas from Rainfall, Run-On, Runoff, and Wind Dispersal	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SC-6 BMPs based on Potential Sources of Runoff Pollutants	
On-site storm drain inlets	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Interior floor drains and elevator shaft sump pumps	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Interior parking garages	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Need for future indoor & structural pest control	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Landscaping/Outdoor Pesticide Use	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Pools, spas, ponds, decorative fountains, and other water features	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Food service	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Refuse areas	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Industrial processes	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Outdoor storage of equipment or materials	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Vehicle/Equipment Repair and Maintenance	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Fuel Dispensing Areas	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Loading Docks	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Fire Sprinkler Test Water	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
Miscellaneous Drain or Wash Water	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Plazas, sidewalks, and parking lots	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SC-6A: Large Trash Generating Facilities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SC-6B: Animal Facilities	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SC-6C: Plant Nurseries and Garden Centers	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
SC-6D: Automotive-related Uses	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A

Discussion / justification for all "No" answers shown above:

Appendix A: Submittal Templates

Site Design BMP Checklist for Standard Projects Form I-5

All development projects must implement site design BMPs SD-1 through SD-8. Refer to Chapter 4 and Appendix E of the BMP Design Manual for information to implement BMPs shown in this checklist.

Note: All selected BMPs must be shown on the construction plans.

Site Design Requirement	Applied ^{1/2}
SD-1 Maintain Natural Drainage Pathways and Hydrologic Features	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-2 Conserve Natural Areas, Soils, and Vegetation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-3 Minimize Impervious Area	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-4 Minimize Soil Compaction	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-5 Impervious Area Dispersion	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-6 Runoff Collection	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-7 Landscaping with Native or Drought Tolerant Species	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
SD-8 Harvesting and Using Precipitation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A

Discussion / justification for all "No" answers shown above:

Project is an interior modification of an existing building, to a suite located on the ground floor. Project suite is located in an area without a roof above, therefore it would be impossible to implement harvesting and using precipitation measures (SD-8).

^{1/2} Answer for each source control and site design category shall be pursuant to the following:

- "Yes" means the project will implement the BMP as described in Chapter 4 and/or Appendix E of the BMP Design Manual. Discussion / justification is not required.
- "No" means the BMP is applicable to the project but it is not feasible to implement. Discussion / justification must be provided.
- "N/A" means the BMP is not applicable at the project site because the project does not include the feature that is addressed by the BMP (e.g., the project has no outdoor materials storage areas). Discussion / justification may be provided.

01	08/27/17	CUP - Initial Screening
02	10/11/17	CUP - First Submittal
03	03/14/18	CUP - Second Submittal
04	04/27/18	CUP - Third Submittal
05	07/05/18	CUP - Fourth Submittal
06	08/07/18	CUP - Fifth Submittal
MARK DATE DESCRIPTION		
7/12/2019 8:48:01 AM		

PROJECT NO: 1722

CAD DWG FILE: 0001-0303 COVER SHEET.DWG

DRAWN BY: A.S., B.P., C.G., S.V.

CHK'D BY: A.S.

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SHEET TITLE

Forms -
DS-560 & I-4 / I-5

G004



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619-940-5814 313-595-5814

CONSULTANTS

10170 Sorrento Valley Rd.
San Diego CA. 92121

PROPERTY OWNER

CIRE Equity
530 B. St. San Diego CA. 92121

01	09.27.17	CUP - Initial Screening
02	10.11.17	CUP - First Submittal
03	03.14.18	CUP - Second Submittal
04	04.27.18	CUP - Third Submittal
05	07.05.18	CUP - Fourth Submittal
06	08.07.18	CUP - Fifth Submittal

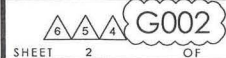
MARK DATE DESCRIPTION
7/31/2018 6:48:01 AM

PROJECT NO: 1722
CAD DWG FILE: 0001-0003 COVER SHEET.DWG
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SHEET TITLE

MO NOTES



CONDITIONS FOR MARIJUANA OUTLET CUP:

PLANNING/DESIGN REQUIREMENTS:

- The Owner/Permettee shall provide Lighting 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.
- The Owner/Permittee shall install and maintain operable security cameras and a metal detector for security to the satisfaction of Development Services Department. The security cameras shall have and use a recording device that maintains the recordings for a minimum of 30 days. The Marijuana Outlet shall also include alarms and two security guards. The security guards shall be licensed by the State of California.
- Two security guards must be on the premises during business hours. At least one security guard must be on the premises 24 hours a day, seven days a week. The security guards should only be engaged in activities related to providing security for the marijuana Outlet, except on an incidental basis.
- 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.
- The Owner/Permettee shall post and maintain a sign showing the name and emergency contact phone number of an operator or manager in a location visible from outside the Marijuana Outlet in font 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 SDMC 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.
- The Owner/Permittee shall obtain a Marijuana Outlet Permit as required pursuant to SDMC Chapter 4, Article 2, Division 15.
- A Conditional Use Permit for a marijuana outlet shall expire no later than five years from the date of issuance.
- 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.
- The Owner/Permittee shall maintain the Marijuana Outlet, adjacent public sidewalks, and areas under the control of the Owner/Permettee, free of litter and graffiti at all times.
- The Owner/Permittee shall provide for 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 use at a marijuana outlet.
- The Owner/Permittee shall install a combination of full-height bullet resistant glass, plastic or laminated 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 bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, reception area and vault room.
- The Owner/Permittee shall provide a sufficient odor absorbing ventilation and exhaust system capable of eliminating excessive or offensive odors causing discomfort or annoyance to any reasonable person of normal sensitivities standing outside of the structural envelope of this Marijuana Outlet facility in compliance with SDMC Section 142.0710.

CONDITIONS FOR MHPA:

- Lighting - Lighting should be directed away from the MHPA, and shielded if necessary.
- Drainage - Drainage should be directed away from MHPA, or if not possible, must not drain directed into the MHPA. Instead, runoff should flow into sedimentation basins, grassy swales or mechanical trapping devices prior to draining into the MHPA.
- Access - Access to the MHPA, if any, should be directed to minimize impacts and reduce impacts associated with domestic pet predation.
- Noise - Due to the site's location adjacent to (could also be within) the MHPA, construction noise will need to be avoided, if possible, during the breeding season of the east Bell's vireo (3/15-9/15) and southwest willow flycatcher (5/1-8/30). If construction is proposed during the breeding season for the species, U.S. Fish and Wildlife Service protocol surveys will be required in order to determine species presence/absence. If the species is/are not identified within the MHPA, no additional measures will be required.If present, measures to minimize noise impacts will be required and should include temporary noise walls/beams. If a survey is not conducted and construction is proposed during the species' breeding season, presence would be assumed and a temporary wall/berm would be required. Noise levels from construction activities during the bird breeding season should not exceed 60 dBA hourly LEQ at the edge of the occupied MHPA, or the ambient noise level if noise levels already exceed 60 dBA hourly LEQ.

ENGINEERING CONDITIONS:

- Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the two (2) existing 24 ft driveways per current City Standards, adjacent to the site on Sorrento Valley Rd., satisfactory to the City Engineer.
- Prior to the issuance of any building permits, the Owner/Permittee shall dedicate an additional 3 ft on Sorrento Valley Rd. to provide a 10 foot curb-to-property-line distance, satisfactory to the City Engineer.
- Whenever street rights-of-way are required to be dedicated, it is the responsibility of the Owner/Permittee to provide the right-of-way free and clear of all encumbrances and prior easements. The Applicant must secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.
- Prior to the issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the damaged/uplifted sidewalk per current City Standards, adjacent to the site on Sorrento Valley Rd., satisfactory to 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 the private walkway and curbs in the parkway, landscape, and irrigation in the Sorrento Valley Rd. Right-of-Way.
- Prior to the issuance of any construction permit, the Owner/Permittee shall incorporate Construction and Permanent Storm Water Best Management Practices necessary to comply with current City of San Diego Storm Water Standards Manual and with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications, satisfactory to the City Engineer.
- 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.

ADDITIONAL CONDITIONS:

- Prior to the issuance of any building permit, all construction documents shall demonstrate that the building is not stand-alone retail.

LANDSCAPING CONDITIONS:

- Prior to the 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.
- 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 other 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.
- If any required landscape (including existing or new planting, 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.



DESIGN | DEVELOPMENT

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619-940-5814 313-595-5814

CONSULTANTS

10170 Sorrento Valley Rd.
San Diego CA. 92121

PROPERTY OWNER

CIRE Equity
530 B. St. San Diego CA. 92121

10170 Sorrento Valley Rd. , San Diego CA. 92121
Conditional Use Permit
Marijuana Outlet(MO)

PARKING CALCULATION

Marijuana Outlet (MO)			
1070 Sorrento Valley Rd., San Diego, CA 92121			
PARKING CALCULATIONS			
Uses	Area (sf)	Ratio (per 1,000sf of GFA)	Parking Stalls
Project Area			
Retail (Proposed MO)	2,013.79	5.00	10.1
Marijuana Production Facility (Separate CUP, Not Part of Project)	36,360.77	2.50	90.9
Medical, & Health Practitioners (Not Part of Project)	2,749.90	4.00	11.0
Total Parking Required			112
Total Building Gross Floor Area	41,124.46		
* Exemption per SDMC Sec. 142.0530- Table 142-05G (6)			
Parking Ratios per SDMC Sec. 142.0530- Table 142-05E, Table 142-05G			
Compact Parking (On Site)	Total Parking Spaces	Ratio	Parking Spaces
Exceptions to Parking Regulations for Non Residential (Sec. 142.0560(e)(2))	140	60% Total Parking Max.	84.0
Max. Compact Vehicle Spaces Allowed (On Site)			84
Proposed Carpool / Zero Emission Vehicle Parking (On Site)	Req. Parking Spaces	Ratio	Parking Spaces
Parking Ratios per SDMC Sec. 142.0530(d)(B)(vi)	112	101-150	11.0
Total Carpool / Zero Emission Vehicle Spaces Required *			11
Electric Vehicle Charging Spaces (On Site)	Req. Parking Spaces	Ratio	Parking Spaces
CGBSC, Table 5.106.5.3.3	112	101-150	7.0
Total Electric Vehicle Charging Stations Required *			7
Proposed Motorcycle Spaces (On site)	Req. Parking Spaces	Ratio	Parking Stalls
2% of Req. Automobile Parking (Min. Req. = 2)	112	0.02	2.2
Total Motorcycle Spaces Required *			2
Proposed Bicycle Spaces (Short Term)	Req. Parking Spaces	Ratio	Bicycle Spaces
5% of Req. Automobile Parking (Min. Req. = 2)	112	0.05	5.6
Total Short term Bicycle Spaces Required			6
Proposed Bicycle Spaces (Long Term)	Parking Spaces	Ratio	Parking Stalls
5% of Req. Automobile Parking (Min. Req. = 1)	112	0.05	5.6
Total Long term Bicycle Spaces Required			6
EXISTING PARKING	Number / Area (sf)	Ratio	Parking Stalls
Parking Spaces (Previously Conforming)	41,124.5	3.7	152
Accessible Spaces (Previously Conforming)	41,124.5	Varies	3
Bicycle Parking (On Site)	0.0	0.0	0
Motorcycle Parking (On site)	0.0	0.0	0
TOTAL			152
PROPOSED PARKING	Number / Area (sf)	Ratio	Parking Stalls
Standard Parking Spaces (On Site)	41,124.5	Varies	81
Compact Parking Spaces (On Site)	140	31% of Total Parking	43
Accessible Spaces (On Site)	112	101-150 (CBC 2016 11B-208.2)	5
Carpool/Zero Emission Vehicles (On Site)	112	101-150	11
Electrical Vehicle Charging Parking Spaces (On Site)(Table 5.106.5.3.3 CGBSC non Res.)	112	101-150	7
Bicycle Parking (On Site, Short/Long Term)	112	0.05	12
Motorcycle Parking (On site)	112	0.02	2
TOTAL PARKING ON-SITE			154
VEHICULAR PARKING SUMMARY - Proposed Project			
Standard Parking	92		
Compact Parking	43		
Accessible Spaces	5		
Totals			140

SHEET INDEX

#	SHEET NAME
G001	Cover Sheet
G002	MO Notes
G003	General Notes
G004	Forms - DS-560 & 1-47-5
A101	Topographic Survey
A102	Site Plan - Existing
A102	Site Plan - Proposed
A102a	Site Plan - Road Plan
A102b	Site Plan - Easements
A102c	Site Plan - Proposed ROW
A103	First Floor Plan - Existing
A104	Second Floor Plan - Existing
A105	First Floor Plan - Proposed
A106	First Floor Accessibility Plan - Proposed
A107	First Floor Egress Plan - Proposed
A108	Security Plan - Proposed
A109	First Floor Lighting Floor Plan - Proposed

SCOPE OF WORK

- This project consists of:
- Tenant Improvement of first floor to include:
 - Interior remodel of approximately 2,013.79sf in order to convert into a Marijuana Outlet (MO).

* Conditional Use Permit (CUP) Requested

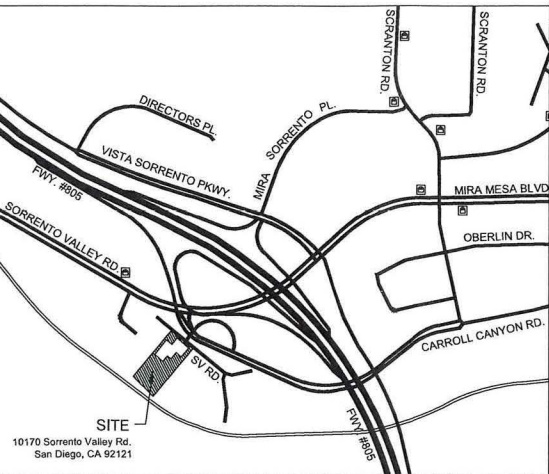
APPLICABLE CODES

- City of San Diego Municipal Code
- 2016 California Building Code
- 2016 California Green Code
- 2016 California Plumbing Code
- 2016 California Electrical Code
- 2016 California Mechanical Code

PROJECT TEAM

PROPERTY OWNER:
CIRE Equity
530 B. St. San Diego CA. 92121
APPLICANT:
SVRMC, LLC
1495 Pacific Coast Hwy., Suite 275
San Diego, CA. 92101
Contact: Renny Bowden
Phone #: 619.987.8296
DESIGN FIRM:
TECHNE
Project Contact: Abhay Schweitzer - Assoc. AIA
3956 30th Street, San Diego, CA 92104
Phone #: 619-940-5814, email:
abhay@technne-us.com
SURVEYOR:
LG Land Surveying, Inc.
30355 Callejo Feliz Ter. Valley Center, CA 92082
Phone #: 619-535-1172

VICINITY MAP



PROJECT INFORMATION

PROJECT ADDRESS:	10170 Sorrento Valley Rd. San Diego, CA 92121 343-130-09-00 Lot: 4 Map Ref: 000483 Abbreviated Description: LOT:4 CITY:SAN DIEGO SUBD:SORRENTO LANDS & TOWN:SITE 000483 LOT 4*(EX ST WID&NWLY 417.04 FT THF)ALL LY NELY OF RR R/W IN City/Muni/Twp: SAN DIEGO
ASSESSORS PARCEL NUMBER:	
LEGAL DESCRIPTION:	
YEAR BUILT:	1985
BUILDING CODES:	CALIFORNIA BUILDING CODE (CBC), 2016 EDITION CALIFORNIA ELECTRICAL CODE (CEC), 2016 EDITION CALIFORNIA MECHANICAL CODE (CMC), 2016 EDITION CALIFORNIA PLUMBING CODE (CPC), 2016 EDITION CITY OF SAN DIEGO MUNICIPAL CODE
EXISTING OCCUPANCY CLASSIFICATION:	B - Business
PROPOSED OCCUPANCY CLASSIFICATION:	M - Mercantile & B - Business
EXISTING USE:	Office
PROPOSED USE:	Office / Marijuana Outlet
CONSTRUCTION TYPE:	Type II - Sprinklered
NUMBER OF STORIES:	2
BUILDING HEIGHT:	~30 ft (approximate. No change to exterior of building)
LOT AREA:	122,038.08 sf 2.80 acres

GROSS FLOOR AREA:	
GROSS FLOOR AREA PROJECT SUITE:	2,013.79 sf (Propose Marijuana Outlet)
GROSS FLOOR AREA REMAINDER:	39,110.67 sf (Adjacent suite on first floor and entire second floor)
GROSS FLOOR AREA (entire building)	41,124.46 sf

ZONING INFORMATION

BASE ZONE:	Industrial - IL-3-1
OVERLAY ZONES:	Geological Hazard Category - 31, Coastal Overlay Zone, Prime Industrial Lands, Parking Impact Overlay Zone (Coastal and Campus), FEMA Floodways & Floodplains, Torrey Pines Community Plan, FAA Part 77 Noticing Area for MCAS Miramar (580-590), Airport Influence Area for MCAS Miramar Review Area 1, ALLUCP Noise for MCAS Miramar 60-65 CNEL, Airport Land Use Compatibility Overlay Zone for MCAS Miramar, MCAS Miramar Accident Potential Zone 2, Sensitive Vegetation, MHPA, and MSCP Vegetation in the form of Southern Sycamore-Alder Riparian Woodland.

NUMBER OF BUILDINGS:	1
SETBACKS:	FRONT: 20'-0" (Standard Front Setback) SIDE: 10'-0" REAR: 0'-0" (Not required) 30' (Prop D)
MAX. STRUCTURE HEIGHT:	2.0 244,076.17 sf
Max. FAR	0.02 2,013.79 sf (FAR for proposed MO)
Actual FAR	

D1	09.27.17	CUP - Initial Screening
D2	10.11.17	CUP - First Submittal
D3	03.14.18	CUP - Second Submittal
D4	04.27.18	CUP - Third Submittal
D5	07.05.18	CUP - Fourth Submittal
D6	08.07.18	CUP - Fifth Submittal
MARK	DATE	DESCRIPTION
07/20/2018	0.48:01 AM	

PROJECT NO:	1722
CAD DWG FILE:	0001-0001 COVER SHEET.DWG
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SHEET TITLE

COVER SHEET

CONSULTANTS

10170 Sorrento Valley Rd.
San Diego CA. 92121

PROPERTY OWNER

CIRE Equity
530 B. St. San Diego CA. 92121

MARK	DATE	DESCRIPTION
01	09.27.17	CUP - Initial Screening
02	10.11.17	CUP - First Submittal
03	03.14.18	CUP - Second Submittal
04	04.27.18	CUP - Third Submittal
05	07.05.18	CUP - Fourth Submittal
06	08.07.18	CUP - Fifth Submittal

PROJECT NO:	1722
CAD DWG FILE:	A102 SITE PLAN - PROPOSED.DWG
DRAWN BY:	A.S., B.P., C.G., S.V.
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SHEET TITLE

SITE PLAN -
PROPOSED

A102

SITE PLAN NOTES

- A. The site plan is for informational and general site reference only. Refer to other construction documents for complete scope of work.
- B. Before commencing any site foundation or slab cutting or excavation, the contractor shall verify and mark locations of all site utilities, dimensions and conditions. These include but are not limited to property lines, setback location to all new or existing walls, easements (if any), existing site utilities, including water, sewer, gas and electrical lines and any other new or existing site items which could affect in any way the construction of the building. Flag or otherwise mark all locations of site property lines, easements (if any), underground utilities, and indicate utility type.
- C. The Contractor or subcontractor shall notify TECHNE if any conflicts or discrepancy occurs between the information on this plan and actual field conditions. Do not proceed with work in conflict with these drawing until written or verbal instructions are issued by TECHNE.
- D. Protect and mark all existing building structure including walls, beams, columns, area separation walls, and other items that are part of the existing structure and not part of the scope of the tenant improvement, and mark perimeter of construction zone.
- E. Coordinate with other tenants the temporary shutdown of any site utilities.
- F. Refer to Topographic Survey for additional information.
- G. The existing water and sewer services will remain.
- H. No obstruction including solid walls in the visibility area shall exceed 3 feet in height. Plant material, other than trees, within the public right-of-way that is located within visibility areas shall not exceed 24 inches in height, measured from the top of the adjacent curb.

SITE PLAN LEGEND

- PROPERTY LINE
- OUTLINE OF EXISTING STRUCTURES
- AREA OF PROPOSED MO
- OUTLINE OF EXISTING MULTI-HABITAT PLANNING AREA (MHPA)
- OUTLINE OF PARKING AREA NOT PART OF PROJECT
- SITE DRAINAGE PATTERN
- ACCESSIBLE ROUTE
- VEHICULAR CIRCULATION
- EXISTING TREES TO REMAIN - PLATANUS RECEMOSA "WESTERN SYCAMORE", 18" CALIPER-TYP.

ADDITIONAL SITE PLAN NOTES

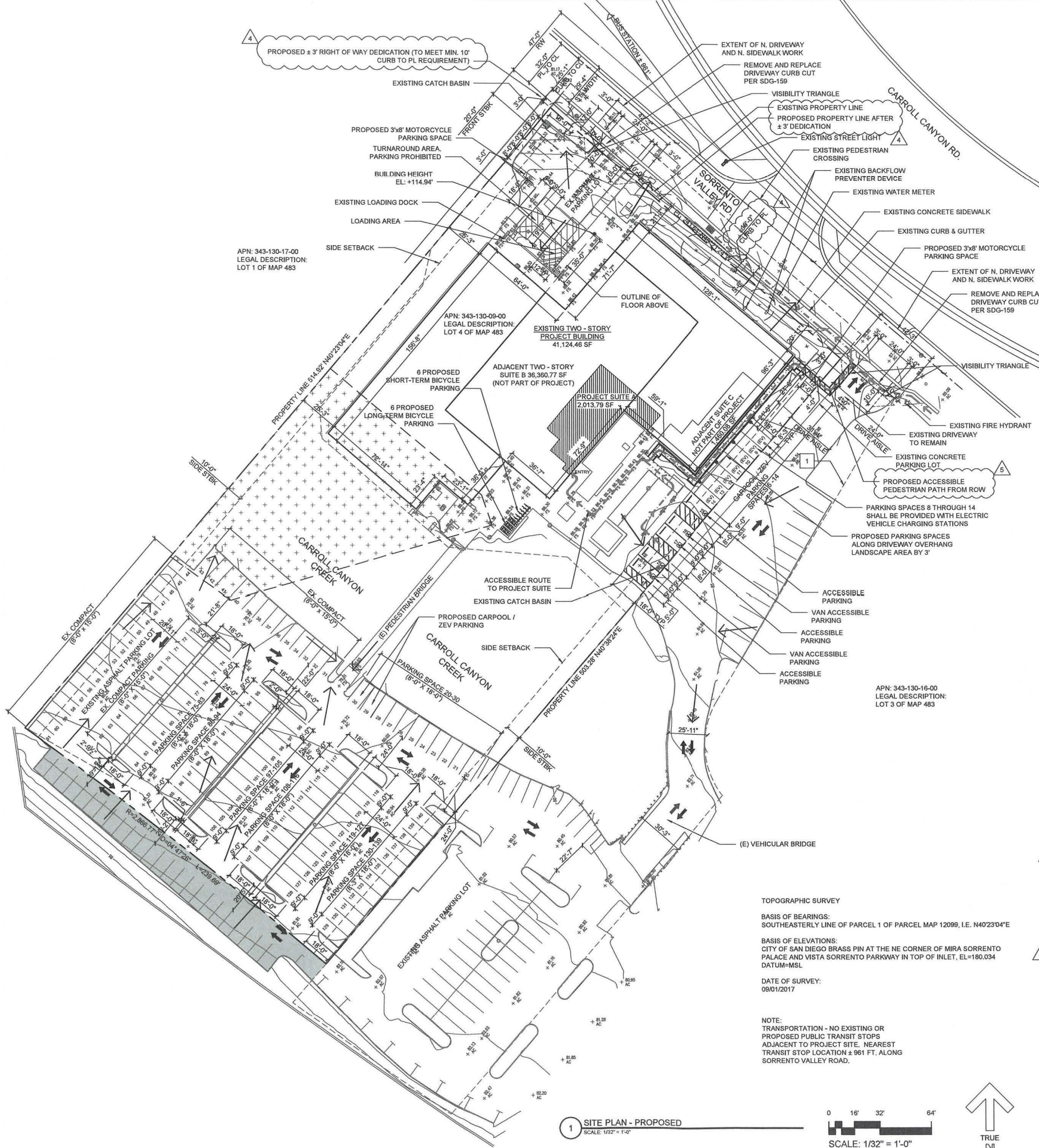
- a. BUILDING ADDRESS: Building address numbers must be visible and legible from the street or road fronting the property, per FHPS Policy P-00-6 (UFC 901.4.4)
- b. If the City Building Inspector determines non-compliance with any accessibility provisions, a complete and detailed revised plans clearly showing all existing non-complying conditions and the proposed modifications to meet current accessibility requirements (including site plans, floor plans, details, etc.) will be submitted to the department for review and approval.
- c. Prior to the issuance of any building permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for private Landscaping/Irrigation within Sorrento Valley Road public right of way.
- d. Prior to issuance of any building permits, the Owner/Permittee shall assure, by permit and bond, removal of existing two driveway serving the site and replace them with two 24 ft driveway per current City Standard SDG-159 on Sorrento Valley Road.

EASEMENTS KEYNOTES

- 1 An easement and right of way for ingress and egress per deed 2013-0415730, recorded July 02, 2013.

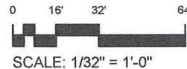
SFHA DETERMINATION NOTES

- SUBJECT STRUCTURE IS NOT WITHIN THE SPECIAL FLOOD HAZARD AREA (SFHA) PER LOMR-FW, CASE NO. 18-09-1122A, DATED APRIL 13, 2018.



1 SITE PLAN - PROPOSED

SCALE: 1/32" = 1'-0"



TECHNE

DESIGN | DEVELOPMENT

3956 30th Street, San Diego, CA 92104
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San Diego CA. 92121

PROPERTY OWNER

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530 B. St. San Diego CA. 92121

TOPOGRAPHIC SURVEY

BASIS OF BEARINGS:
SOUTHEASTERLY LINE OF PARCEL 1 OF PARCEL MAP 12099, I.E. N40°23'04"E

BASIS OF ELEVATIONS:
CITY OF SAN DIEGO BRASS PIN AT THE NE CORNER OF MIRA SORRENTO
PALACE AND VISTA SORRENTO PARKWAY IN TOP OF INLET, EL=180.034
DATUM=MSL

DATE OF SURVEY:
09/01/2017

NOTE:
TRANSPORTATION - NO EXISTING OR
PROPOSED PUBLIC TRANSIT STOPS
ADJACENT TO PROJECT SITE. NEAREST
TRANSIT STOP LOCATION ± 961 FT. ALONG
SORRENTO VALLEY ROAD.

SITE PLAN LEGEND

- PROPERTY LINE
- OUTLINE OF EXISTING STRUCTURES
- AREA OF PROPOSED MO

FLOODWAY LEGEND

COMMUNITY: SAN DIEGO, CITY OF
NUMBER: 060295
PANEL: 1339
SUFFIX: G

- 0.2% ANNUAL CHANCE FLOOD HAZARD,
AREAS OF 1% ANNUAL CHANCE FLOOD
WITH AVERAGE DEPTH LESS THAN ONE
FOOT OR WITH DRAINAGE AREAS OF LESS
THAN ONE SQUARE MILE.
- WITHOUT BASE FLOOD ELEVATION (BFE)
ZONE A.V. A99
- REGULATORY FLOODWAY AREA
REVISED TO REFLECT LOMR EFFECTIVE:
JULY 24, 2017 (PANEL 1339 OF 2375)

SFHA DETERMINATION NOTES

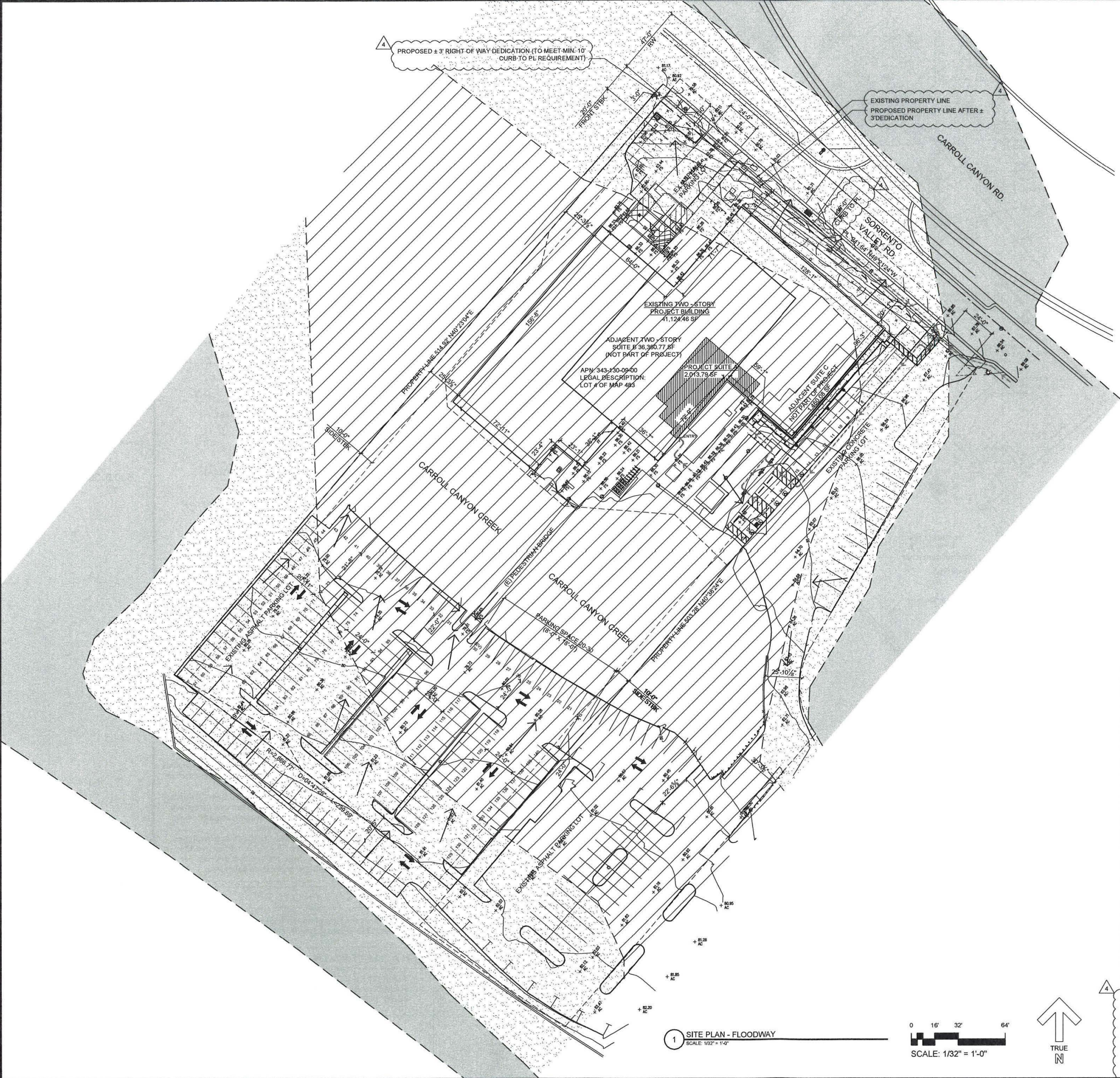
- SUBJECT STRUCTURE IS NOT WITHIN THE SPECIAL FLOOD
HAZARD AREA (SFHA) PER LOMR-FW, CASE NO.
18-09-1122A, DATED APRIL 13, 2018.

D1	09.27.17	CUP - Initial Screening
D2	10.11.17	CUP - First Submittal
D3	03.14.18	CUP - Second Submittal
D4	04.27.18	CUP - Third Submittal
D5	07.05.18	CUP - Fourth Submittal
D6	08.07.18	CUP - Fifth Submittal
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07/12/2018 8:48:33 AM		
PROJECT NO: 1722		
CAD DWG FILE: A102A SITE PLAN - FLOOD PLANS.DWG		
DRAWN BY: A.S., B.P., C.G., S.V.		
CHK'D BY: A.S.		
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SHEET TITLE		

SITE PLAN -
FLOODWAY

A102a

SHEET 8 OF 18





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CONSULTANTS

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D1	09.27.17	CUP - Initial Screening
D2	10.11.17	CUP - First Submittal
D3	03.14.18	CUP - Second Submittal
D4	04.27.18	CUP - Third Submittal
D5	07.05.18	CUP - Fourth Submittal
D6	08.07.18	CUP - Fifth Submittal

MARK DATE DESCRIPTION

PROJECT NO: 1722

CAD DWG FILE: A102b SITE PLAN - EXISTING EASEMENTS.DWG

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SHEET TITLE

SITE PLAN -
EXISTING
EASEMENTS

A102b

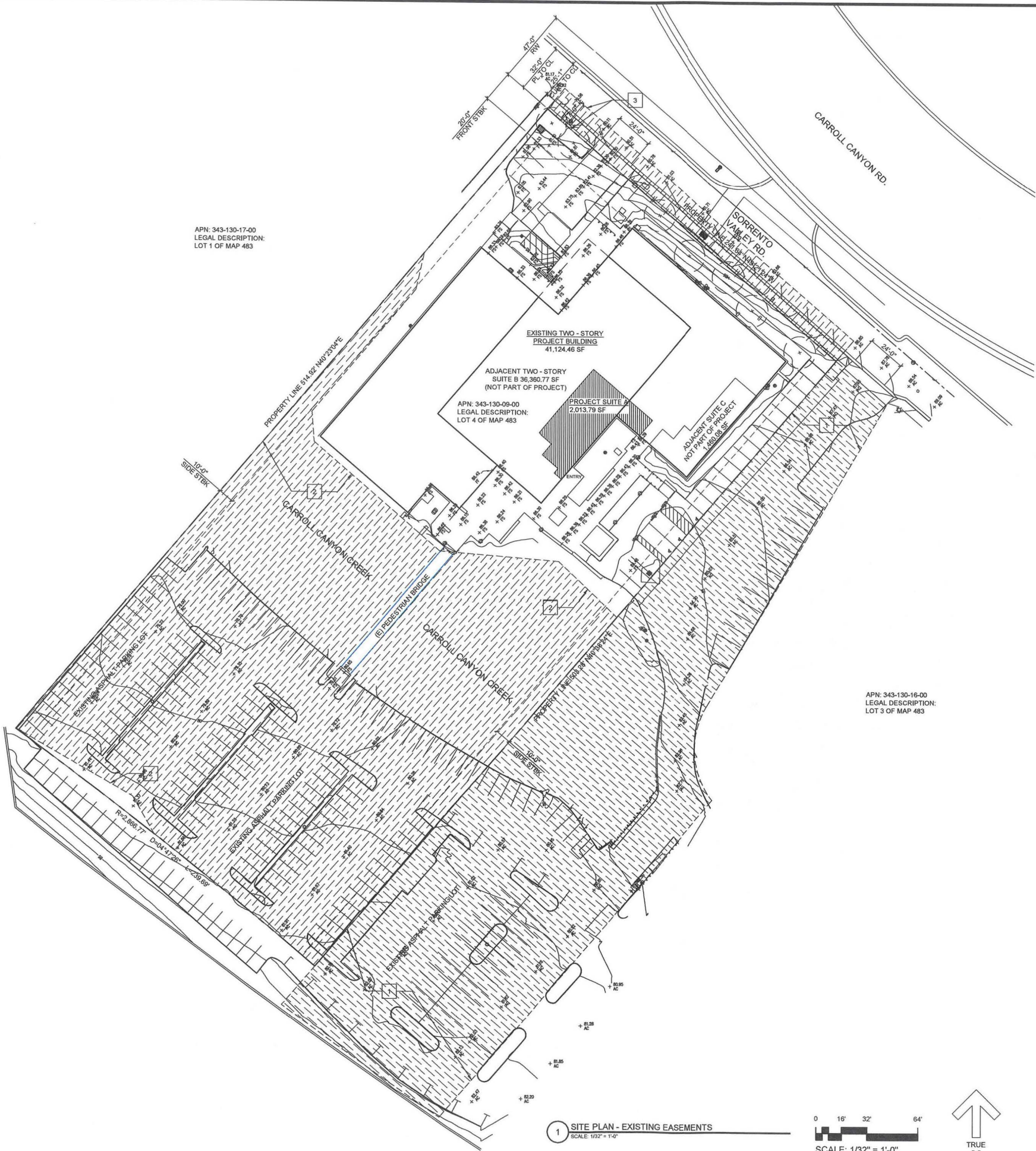
SHEET 9 OF 18

SITE PLAN LEGEND

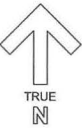
- PROPERTY LINE
- OUTLINE OF EXISTING STRUCTURES
- AREA OF PROPOSED MO
- AREA OF EXISTING EASEMENT

EASEMENTS KEYNOTES

- An easement and right of way for ingress and egress per deed 2013-0415730, recorded July 02, 2013.
- Easement to the city of San Diego for the natural flowage of waters recorded August 26, 1983 as instrument No: 83-302749, official records. Plotted hereon.
- Easement to the city of San Diego, a municipal corporation for public street, recorded May 10, 1984, as instrument No: 84-174022, official records. Plotted hereon.



0 16' 32' 64'
SCALE: 1/32" = 1'-0"



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SITE PLAN LEGEND

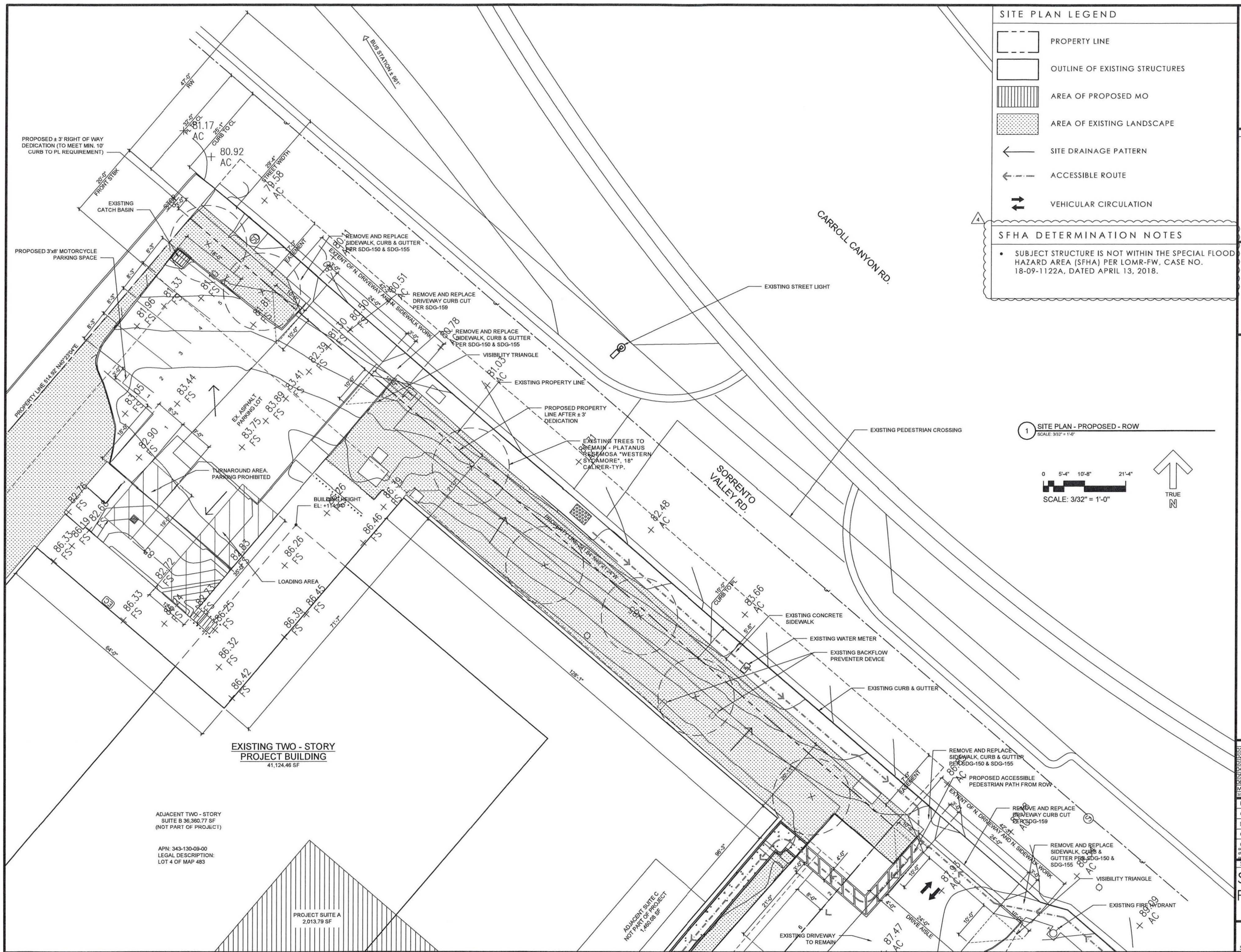
- PROPERTY LINE
- OUTLINE OF EXISTING STRUCTURES
- AREA OF PROPOSED MO
- AREA OF EXISTING LANDSCAPE
- SITE DRAINAGE PATTERN
- ACCESSIBLE ROUTE
- VEHICULAR CIRCULATION

SFHA DETERMINATION NOTES

- SUBJECT STRUCTURE IS NOT WITHIN THE SPECIAL FLOOD HAZARD AREA (SFHA) PER LOMR-FW, CASE NO. 18-09-1122A, DATED APRIL 13, 2018.

1 SITE PLAN - PROPOSED - ROW

SCALE: 3/32" = 1'-0"

0 5'-4" 10'-8" 21'-4"
SCALE: 3/32" = 1'-0"

MARK	DATE	DESCRIPTION
D1	09.27.17	CUP - Initial Screening
D2	10.11.17	CUP - First Submittal
D3	03.14.18	CUP - Second Submittal
D4	04.27.18	CUP - Third Submittal
D5	07.05.18	CUP - Fourth Submittal
D6	08.07.18	CUP - Fifth Submittal

PROJECT NO: 1722

CAD DWG FILE: A102C SITE PLAN - PROPOSED - ROW.DWG

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SHEET TITLE

SITE PLAN -
PROPOSED - ROW

A102C

SHEET 10 OF 18



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MARK	DATE	DESCRIPTION
01	09.27.17	CUP - Initial Screening
02	10.11.17	CUP - First Submittal
03	03.14.18	CUP - Second Submittal
04	04.27.18	CUP - Third Submittal
05	07.05.18	CUP - Fourth Submittal
06	08.07.18	CUP - Fifth Submittal

PROJECT NO: 1722
CAD DWG FILE: A103 FIRST FLOOR PLAN- EXISTING.DWG
DRAWN BY: A.S., B.P., C.G., S.V.
CHK'D BY: A.S.

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SHEET TITLE
FIRST FLOOR PLAN
- EXISTING

A103

DEMOLITION GENERAL NOTES

- TECHNE shall be notified immediately when any discrepancy with Architectural or Structural drawings are found at the project site. All drawings may have to be modified upon removal of existing construction. Do not proceed with work in question until TECHNE issues directions.
- Contractor shall verify layout of existing structure, property boundaries, location of site utilities - underground and overhead, and field conditions as shown on the plans prior to demolition.
- Before start of demolition contractor shall verify with the owner any item to be saved (S), covered, or stored, verify storage locations with owner before demolition commences. Contractor to pay for and replace any item not intended for demolition but damaged during construction.
- Contractor to pay for and replace any item not intended for demolition but damaged during construction.
- Any outdoor structures or landscaping marked to be saved, shall be protected, fenced and/or covered to avoid damage.
- All demolition material shall be transported off site and properly disposed at city-approved locations by the contractor.
- Contractor to verify Dumpster location with owner before demolition commences.
- Contractor shall also refer to floor plans, and other construction plans for new work to be incorporated into the project and to proceed with demolition accordingly.
- Carefully remove structure as shown on plan. Remove all materials carefully to avoid damage to adjacent surfaces.
- Contractor shall notify TECHNE and owner if any removed wood showing evidence of active water leaks, termites or dry rot.
- Prepare existing window and door framing openings (to remain) to receive new window units. Coordinate work with proposed floor plans, elevations and door & window schedules.
- When demolition is complete, the structure and site shall be broom clean and ready to receive new work.
- Remove all existing landscape and tree roots within 3 feet of the outline of new structure. If the removal of tree roots produces potentially unstable trees, the contractor shall immediately contact a tree specialist to make a recommendation.
- Demolition of openings in roof and exterior walls shall be covered each night with plastic tarps and secured to prevent water and dust from entering the building.
- Existing floors shall be covered during construction. Openings shall be taped and sealed to walls at edges of construction zone to minimize dust. Temporary wall shall be built and sealed as if needed or shown on plans.
- Should any portion of the structure being removed produce unstable of unsafe conditions the contractor shall provide shoring and bracing.
- Existing FAU & Water Heater shall be turned off to and/or salvaged units removed and stored for re-use. Existing natural gas service shall be turned off and lines temporarily capped at residence.
- Electrical service shall be turned off at residence and provisions for temporary power made during construction.
- Contractor shall verify in the field the condition of all foundations, stem walls, sill attachments, pier-footing conditions and attachment to framing. Deficiencies, cracks or other structural issues in foundations or footings or lack thereof shall be brought to the attention of the architect and structural engineer.
- Existing framing and floor surfaces may be out of plumb and not level. They shall be inspected and made plumb and leveled by the contractor. Wood framing adjacent to soil may be encountered and modifications and/or protection measures shall be taken.
- Elevation changes between door openings and adjacent grade shall be verified in the field and if discrepancies exist between field conditions and plans exist, notify TECHNE to make modifications and/or other corrective measures.

FLOOR PLAN NOTES

- The General Contractor or Sub-Contractor shall verify all conditions or dimensions on these plans in the field with actual site conditions.
- Written dimensions shall take precedence over scaled dimensions and shall be verified on the job site. On-site verification of all dimensions and conditions shall be the sole responsibility of the General Contractor and Sub-Contractors.
- The Contractor or sub-contractor shall notify TECHNE and the Architect if any conflicts or discrepancy occurs between this information on this plan and actual field conditions.
- Any discrepancies with this drawing affecting project layout shall be brought to the attention of TECHNE and the Architect. Do not proceed with work until written or verbal instructions are issued by TECHNE and the Architect.

DIMENSIONS

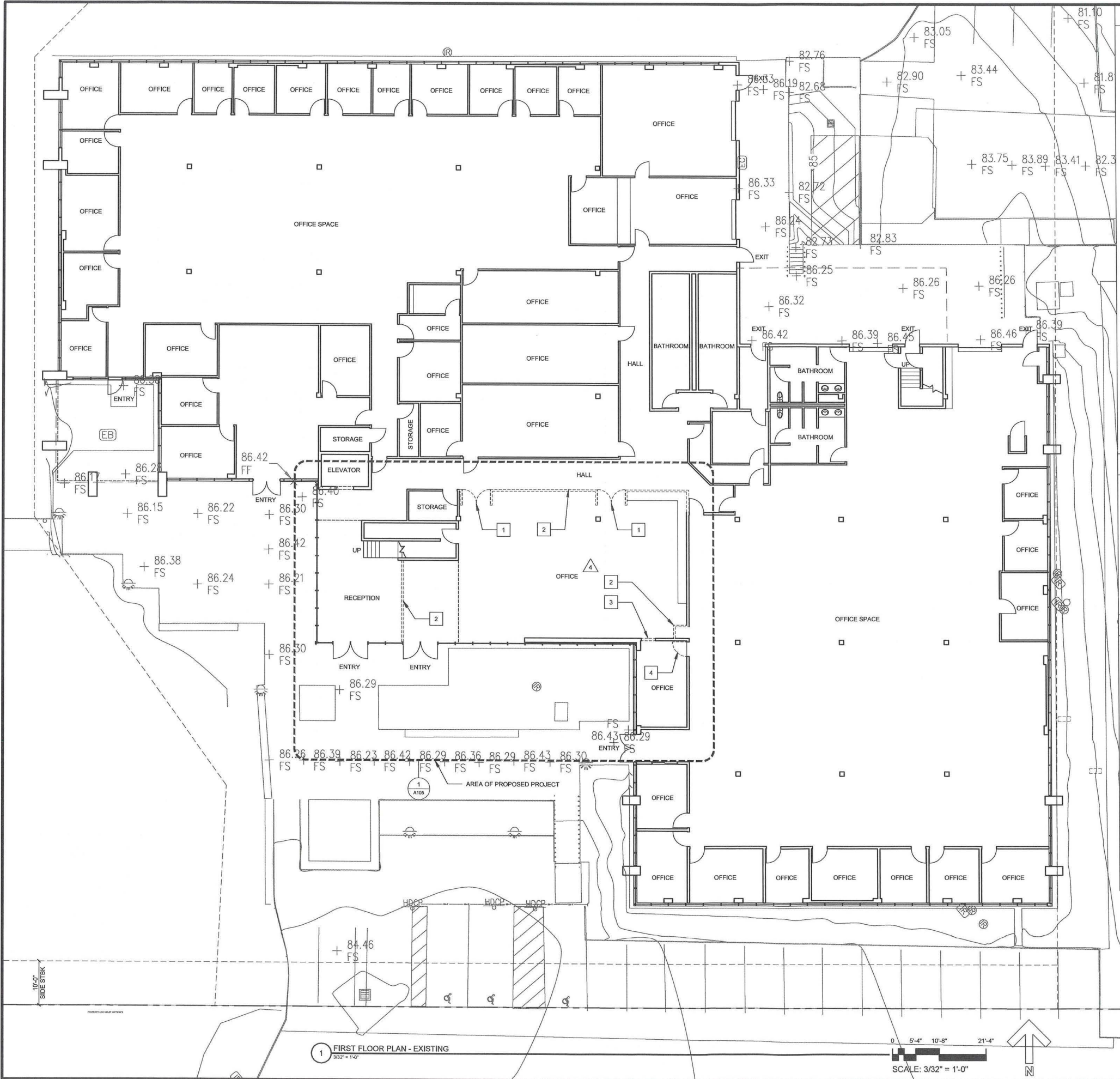
- EXTERIOR WALL DIMENSIONS TO FACE OF FINISH (U.N.O.)
- INTERIOR WALL DIMENSIONS TO CENTER LINE OF STUD (U.N.O.)
- CLEARANCE DIMENSIONS ARE TO FACE OF FINISH MATERIALS, NOTED WITH CLR.

DEMOLITION PLAN LEGEND

- EXISTING WALL TO BE REMOVED
- EXISTING DOOR TO BE REMOVED
- EXISTING WINDOW TO BE REMOVED
- EXISTING WALL
- EXISTING DOOR TO REMAIN
- EXISTING WINDOW TO REMAIN
- EXISTING MISC. ITEM TO BE REMOVED

DEMOLITION PLAN KEYNOTES

- REMOVE EXISTING DOOR.
- REMOVE EXISTING INTERIOR WALL.
- REMOVE EXISTING INTERIOR WALL AND PREPARE OPENING FOR NEW DOOR
- REMOVE EXISTING DOOR AND FILL IN OPENING



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CONSULTANTS

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San Diego CA. 92121

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FLOOR PLAN NOTES

- The General Contractor or Sub-Contractor shall verify all conditions or dimensions on these plans in the field with actual site conditions.
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- Any discrepancies with this drawing affecting project layout shall be brought to the attention of TECHNE and the Architect. Do not proceed with work until written or verbal instructions are issued by TECHNE and the Architect.

DIMENSIONS

- EXTERIOR WALL DIMENSIONS TO FACE OF FINISH (U.N.O.)
- INTERIOR WALL DIMENSIONS TO CENTER LINE OF STUD (U.N.O.)
- CLEARANCE DIMENSIONS ARE TO FACE OF FINISH MATERIALS, NOTED WITH CLR.

DEMOLITION PLAN LEGEND

- EXISTING WALL TO BE REMOVED
- EXISTING DOOR TO BE REMOVED
- EXISTING WINDOW TO BE REMOVED
- EXISTING WALL
- EXISTING DOOR TO REMAIN
- EXISTING WINDOW TO REMAIN
- EXISTING MISC. ITEM TO BE REMOVED

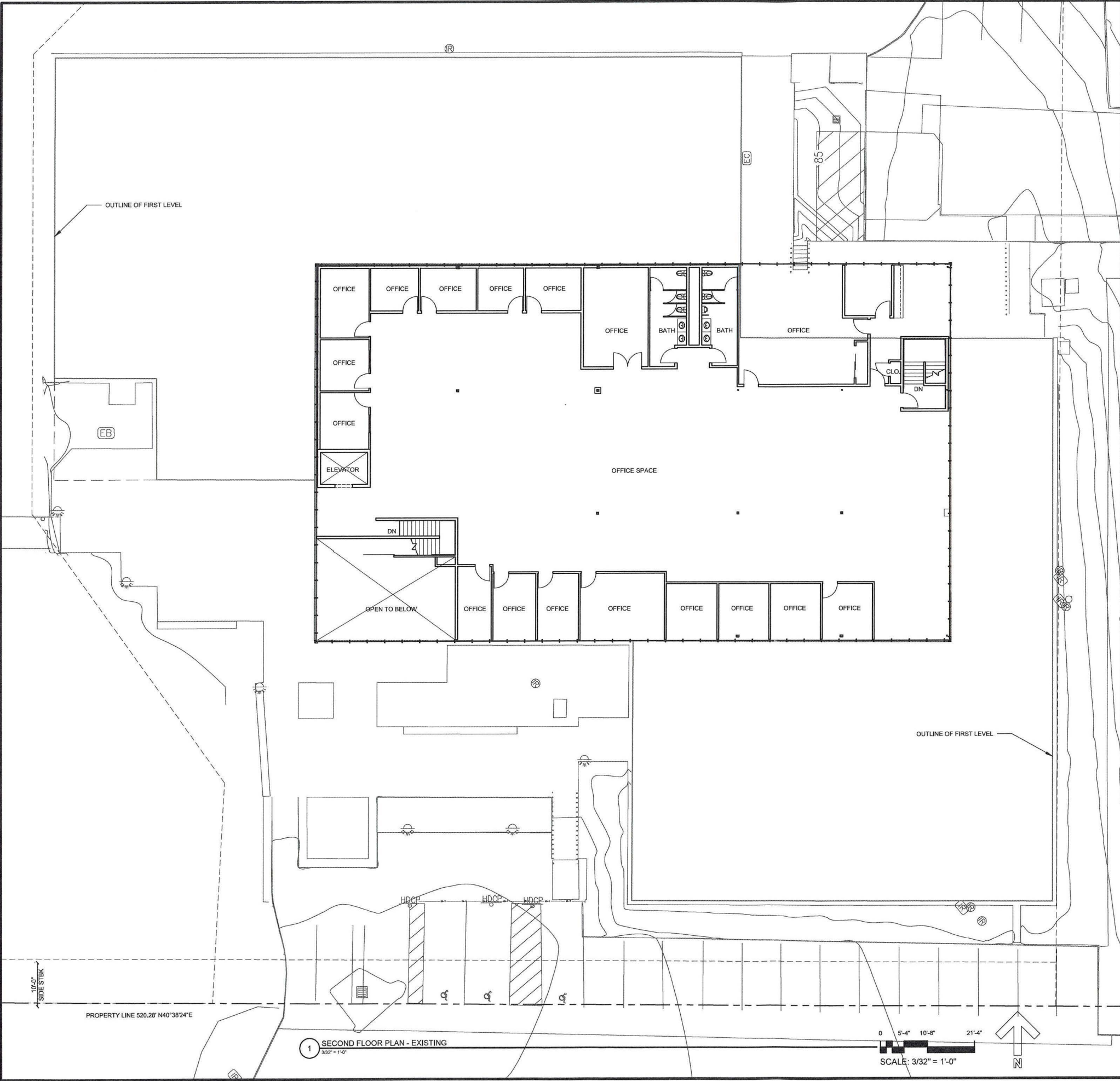
01	03.27.17	CUP - Initial Screening
02	10.11.17	CUP - First Submittal
03	03.14.18	CUP - Second Submittal
04	04.27.18	CUP - Third Submittal
05	07.05.18	CUP - Fourth Submittal
06	08.07.18	CUP - Fifth Submittal
MARK DATE DESCRIPTION		
7/25/2018 8:49:11 AM		

PROJECT NO: 1722
CAD DWG FILE: A104 SECOND FLOOR PLAN - EXISTING.DWG
DRAWN BY: A.S., B.P., C.G., S.V.
CHK'D BY: A.S.

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SHEET TITLE
SECOND FLOOR
PLAN - EXISTING

A104



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01	09.27.17	CUP - Initial Screening
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03	03.14.18	CUP - Second Submittal
04	04.27.18	CUP - Third Submittal
05	07.05.18	CUP - Fourth Submittal
06	08.07.18	CUP - Fifth Submittal
MARK	DATE	DESCRIPTION

PROJECT NO: 1722

CAD DWG FILE: A105 FIRST FLOOR PLAN - PROPOSED.DWG

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SHEET TITLE

FIRST FLOOR PLAN
- PROPOSED

A105

SHEET 13 OF 18

FLOOR PLAN NOTES

- A. The General Contractor or Sub-Contractor shall verify all conditions or dimensions on these plans in the field with actual site conditions.
B. Written dimensions shall take precedence over scaled dimensions and shall be verified on the job site. On-site verification of all dimensions and conditions shall be the sole responsibility of the General Contractor and Sub-Contractors.
C. The Contractor or sub-contractor shall notify TECHNE if any conflicts or discrepancy occurs between this information on this plan and actual field conditions.
D. Any discrepancies with this drawing affecting project layout shall be brought to the attention of TECHNE. Do not proceed with work until written or verbal instructions are issued by TECHNE.
E. INSULATION: R-13 Batt Insulation at all Exterior 2 X 4 Walls.
R-13 Batt Insulation at all accessible interior walls for sound control.
R-30 Batt Insulation at 2 X 10 Ceiling, Raised Floor & Roof Areas.
R-4.5 Insulation Wrap on all New Hot Water Piping.
R-4.5 Insulation Wrap on all New Supply Ducts.

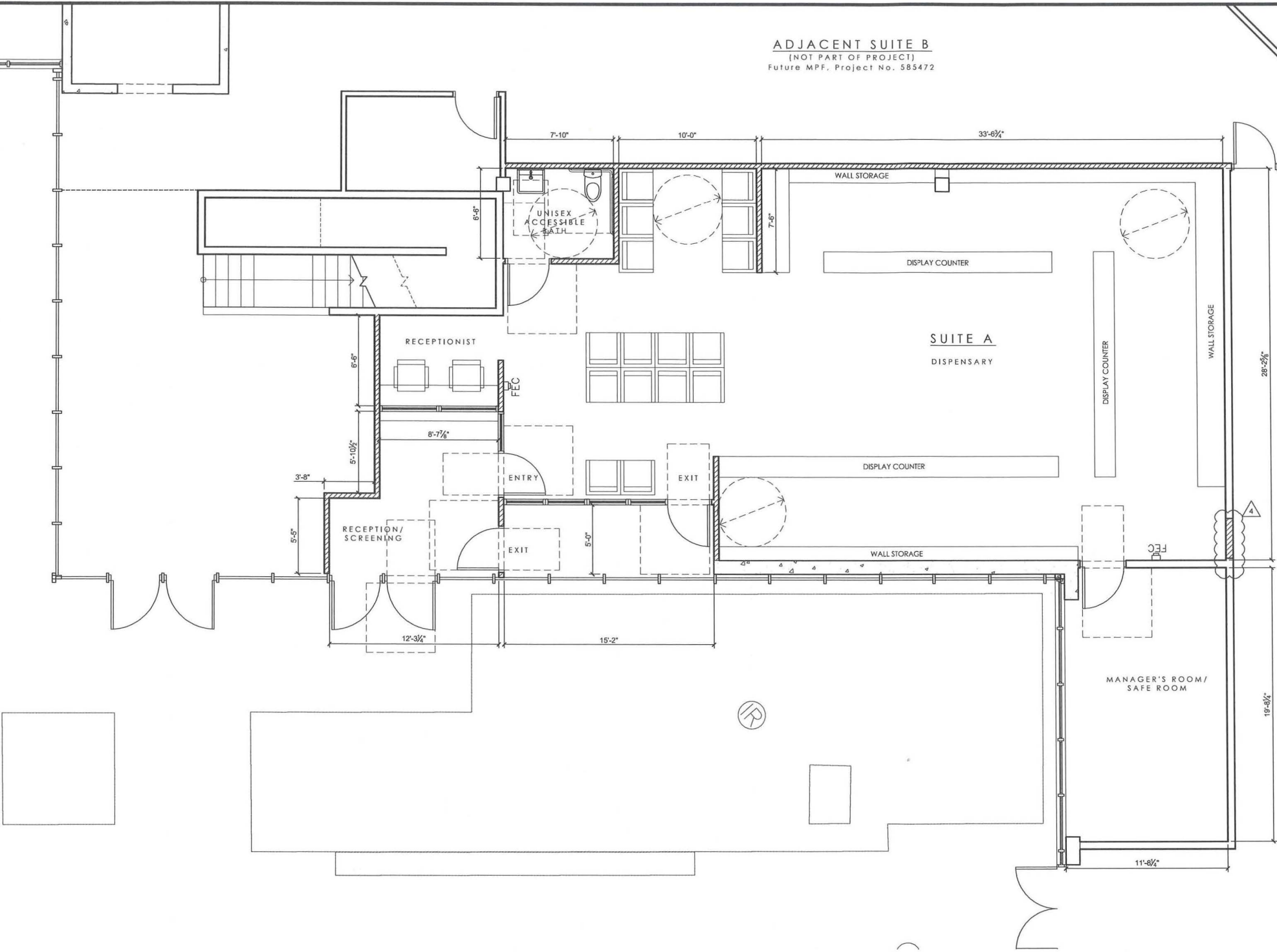
DIMENSIONS

- EXTERIOR WALL DIMENSIONS TO FACE OF FINISH (U.N.O.)
- INTERIOR WALL DIMENSIONS TO CENTER LINE OF STUD (U.N.O.)
- CLEARANCE DIMENSIONS ARE TO FACE OF FINISH MATERIALS, NOTED WITH CLR.

FLOOR PLAN LEGEND

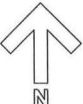
- EXISTING CONCRETE WALL
- EXISTING WALL: 2X4 wood stud @ 16" O.C.
- PROPOSED INTERIOR PARTITION WALL: 3/4" metal stud @ 24" O.C. with 1 layer of 5/8" gypsum board on each side.
- 3/4" U.N.O.
- DOOR AND SYMBOL: See door schedule for complete information
- WINDOW AND SYMBOL: See window schedule for complete information

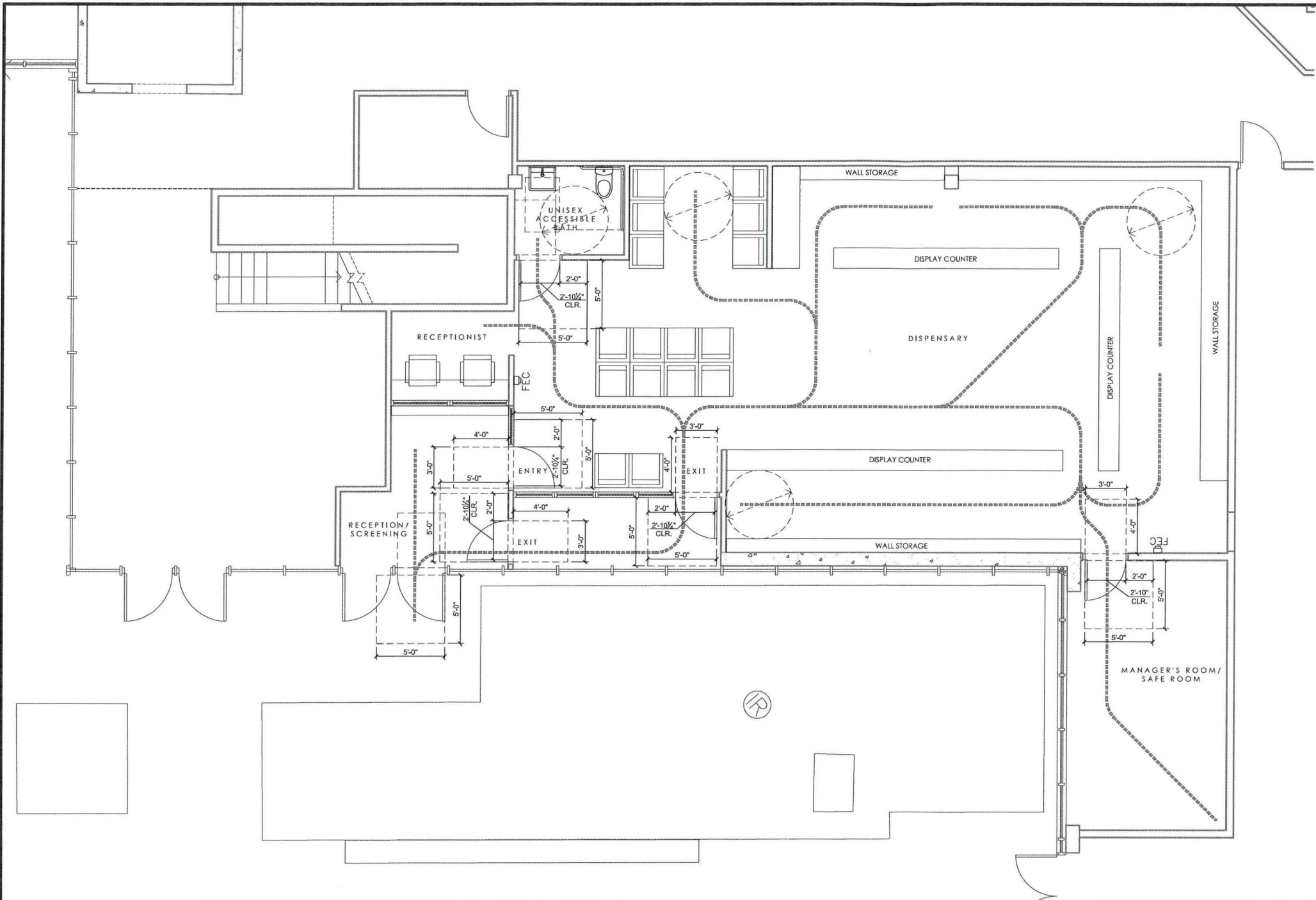
ADJACENT SUITE B
[NOT PART OF PROJECT]
Future MPF, Project No. 585472



1 FIRST FLOOR PLAN - PROPOSED
SCALE: 1/4" = 1'-0"

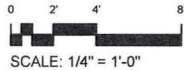
0 2' 4' 8'
SCALE: 1/4" = 1'-0"



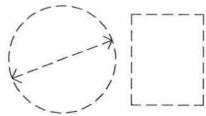


1 FIRST FLOOR ACCESSIBILITY PLAN - PROPOSED

SCALE: 1/4"=1'-0"



ACCESSIBILITY PLAN LEGEND



ACCESSIBILITY CLEARANCES (See Accessibility Notes, General Conditions and Detail Sheet A502) All clearances shall comply with CBC 2016 Chapter 11B.

ACCESSIBLE REACH RANGES NOTES

- Reach ranges shall comply with CBC 2016 sec 11B-308
- Unobstructed forward reach:
 - High forward reach shall be a maximum of 48 inches and low forward reach shall be a minimum of 15 inches above finished floor or ground.
- Obstructed high reach:
 - Where reach depth is a maximum 20 inches, high forward reach shall be a maximum of 48 inches above finished floor.
 - Where reach depth exceeds 20 inches, high forward reach maximum shall be 44 inches and reach depth maximum shall be 24 inches.
- Clear floor space extending underneath obstruction elements for a distance not less than required reach depth over obstruction.
- Where a parallel approach is allowed, unobstructed side reach shall be per CBC Figure 11B-308.3.1
 - High side reach shall be a maximum of 48 inches and minimum of 15 inches above finished floor.
- Where parallel approach is allowed, obstructed side reach shall be per CBC Figure 11B-308.3.2
 - Height of obstruction 34 inches maximum.
 - Depth of obstruction 24 inches maximum.
 - Where reach depth is a maximum of 10 inches, high side reach maximum shall be 48 inches.
 - Where reach depth exceeds 10 inches, high side reach maximum shall be 46 inches and reach depth maximum shall be 24 inches.

ACCESSIBILITY NOTES

- All entrances and all exterior ground-floor exit doors to buildings and facilities shall be made accessible to persons with disabilities. (Sec. 1133B.1.1.1)
- Latching and locking hand activated doors in a path of travel shall be operable with a single effort by lever type hardware, panic bars, push pull activating bars, or other hardware designed to provide passage without requiring the ability to grasp the opening hardware. Locked exit doors shall operate as above in egress direction. (Sec. 1133B.2.5.2)
- Hand activated door opening hardware shall be centered between 30 inches (762 mm) and 44 inches (1118 mm) above the floor. (Sec. 1133B.2.5.2)
- The width and height of doorways shall comply with section 1008. Every required exit doorway shall permit the installation of a door not less than 3 feet (914 mm) wide and not less than 6 feet 8 inches (2032 mm) high. Exit doors shall be capable of opening at least 90 degrees and provide not less than 32 inches clear width (813mm). (Sec. 1133B.2.2 and Figure 11B 33) except where noted.
- For hinged doors, the opening width shall be measured with the door positioned at an angle of 90 degrees from its closed position. (Sec. 1133.2.3 and Fig. 11B 33)
- Minimum maneuvering clearances at doors shall be as shown in Figures 11B-26A and 11B-26B. The floor or ground area within the required clearances shall be level and clear. (Sec.1133B.2.4.2)
- There shall be a level and clear floor or landing on each side of a door. The level area shall have a length in the direction of door swing of at least 60 inches (1524 mm) and the length opposite the direction of door swing of 48 inches (1219 mm) as measured at right angle to the plane of the door in its closed position. (Sec. 1133B.2.4.2 and Fig. 11B 26A and 11B 26B)
- The width of the level area on the side to which the door swings shall extend 24 inches (610 mm) minimum past the strike edge of the door for exterior doors and 18 inches (457 mm) minimum past the strike edge for interior doors. This also applies to obstructions and recesses. An additional 12 inches is required at the push side if a frontal approach, if door is equipped with both latch and closer. (Sections 1133B.2.4.3, 1133B.2.4.5, 1133B.2.5.3, Figures 11B 26A and B, and 11B-33(a))
- The floor or landing shall be not more than 1/2 inch (12.7 mm) lower than the threshold of the doorway. Change in level between 1/4 inch (6 mm) and 275 inch (12.7 mm) shall be beveled with a slope no greater than one unit vertical to 2 unit horizontal (50- percent slope) (Sec. 1133B.2.4.1 and Figures 11B 32)
- The bottom 10 inches (254 mm) of all doors except automatic and sliding shall have a smooth, uninterrupted surface to allow the door to be opened by a wheelchair footrest without creating a trap or hazardous condition. Where narrow frame doors are used, a 10 inch (254 mm) high smooth panel shall be installed on the push side. (Sec 1133B.2.6 and Fig 11B 29)
- Maximum effort to operate doors shall not exceed 5 pounds (22 N) for exterior and interior doors, applied at right angles to hinged doors and at the center plane of sliding or folding doors. Compensating devices or automatic door operators may be utilized. The maximum effort to operate fire doors may be increased up to 15 pounds (66.72N) if allowed by the appropriate administrative authority. (Sec 1133B.2.5)
- Specific work stations need only comply with the required aisle width (Sections 1133B.6.1 and 1133B.6.2 and floors and levels (Section 1120B). (Sec. 1123B.2)
- Entry ways to specific work stations shall be 32 inches clear width. (Sec. 1123B.2)
- PROVIDE PANIC HARDWARE AT EXIT DOORS WHERE NOTED.
- Gates used as a component in a means of egress shall conform to the applicable requirements for doors. (Sec 1008.2)
- Exterior Exit doors shall have a sign posted above stating: DOOR TO REMAIN UNLOCKED DURING REGULAR BUSINESS HOURS. (Sec. 1008.1.9.3)
- Public accommodations shall maintain in operable working condition those features of facilities and equipment that are required to be accessible to and usable by persons with disabilities isolated or temporary interruptions in service or accessibility due to maintenance or repairs shall be permitted. §11B-302.1
- Means of egress doors shall be readily distinguishable from the adjacent construction & finishes such that the doors are easily recognized. Mirrors or similar reflecting materials shall not be used.

EGRESS & ACCESSIBILITY NOTES

- ACCESSIBLE ROUTE - Accessible routes shall comply with CBC 2016 Section 11B-402. Walking surfaces shall provide clearances complying with CBC 2016 Section 11 B-403.5. The running slope of walking surfaces shall not be steeper than 1:20. The cross slope of walking surfaces shall not be steeper than 1:48. Except as provided in CBC 2016 Sections 11B-403.5.2 and 11B-403.5.3, the clear width of walking surfaces shall be 36 inches (914 mm) minimum. The clear width for walking surfaces in corridors serving an occupant load of 10 or more shall be 44 inches (1118 mm) minimum. The clear width for sidewalks and walks shall be 48 inches (1219 mm) minimum.
- MEANS OF EGRESS - A continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or structure to a public way. A means of egress consists of three separate and distinct parts: the exit access, the exit and the exit discharge. Means of Egress shall comply with CBC 2016 Chapter 10.
- DESIGN OCCUPANT LOAD - The number of occupants whom means egress facilities shall be provided. Where occupants from accessory area egress through a primary space, the calculated occupant load for the primary space shall include the total occupant load of the primary space plus the number of occupants egressing through it from the accessory area.
- MINIMUM EGRESS WIDTH - The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by 0.3 inches (7.62 mm) per occupant for stairways and by 0.2 inches (5.08 mm) per occupant for other egress components. Multiple means of egress shall be sized such that the loss of any one means of egress shall not reduce the available capacity to less than 50 percent of the required capacity. The maximum capacity required from any story of a building shall be maintained to the termination of the means of egress. (CBC 1005.1)
- DOOR ENCROACHMENT - Doors, when fully opened, and handrails shall not reduce the required means of egress width by more than 7 inches (178 mm). Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features shall be permitted to project into the required width a maximum of 11/2 inches (38 mm) on each side. (CBC 1005.2)

- EGRESS ILLUMINATION - The means of egress, including the exit discharge, shall be illuminated at all times the building space served by the means of egress is occupied. Egress illumination shall comply with CBC 2016 Section 1006.
- ILLUMINATION EMERGENCY POWER - The power supply for means of egress illumination shall normally be provided by the premises' electrical supply.
- In the event of power supply failure, an emergency electrical system shall automatically illuminate all of the following areas:
- Aisles and unenclosed egress stairways in rooms and spaces that require two or more exits.
 - Corridors, exit enclosures and exit passageways in buildings required to have two or more exits.
 - Exterior egress components at other than their levels of exit discharge until exit discharge is accomplished for buildings required to have two or more exits.
 - Interior exit discharge elements, as permitted in Section 1027.1, in buildings required to have two or more exits.
 - Exterior landings as required by Section 1008.1.6 for exit discharge doorways in buildings required to have two or more exits.
- The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with CBC 2016 Section 2702.
- Illumination level under emergency power: Emergency lighting facilities shall be arranged to provide initial illumination that is at least an average of 1 footcandle (11 lux) and a minimum at any point of 0.1 footcandle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.6 footcandle (6 lux) average and a minimum at any point of 0.06 footcandle (0.6 lux) at the end of the emergency lighting time duration. A maximum-to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded.

01	09.27.17	CUP - Initial Screening
02	10.11.17	CUP - First Submittal
03	03.14.18	CUP - Second Submittal
04	04.27.18	CUP - Third Submittal
05	07.05.18	CUP - Fourth Submittal
06	08.07.18	CUP - Fifth Submittal
MARK	DATE	DESCRIPTION

PROJECT NO:	1722
CAD DWG FILE:	A106A197 FIRST FLOOR EGRESS ACCESSIBILITY PLAN - PROPOSED.DWG
DRAWN BY:	A.S., B.P., C.G., S.V.
CHK'D BY:	A.S.

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SHEET TITLE

FIRST FLOOR
ACCESSIBILITY
PLAN - PROPOSED

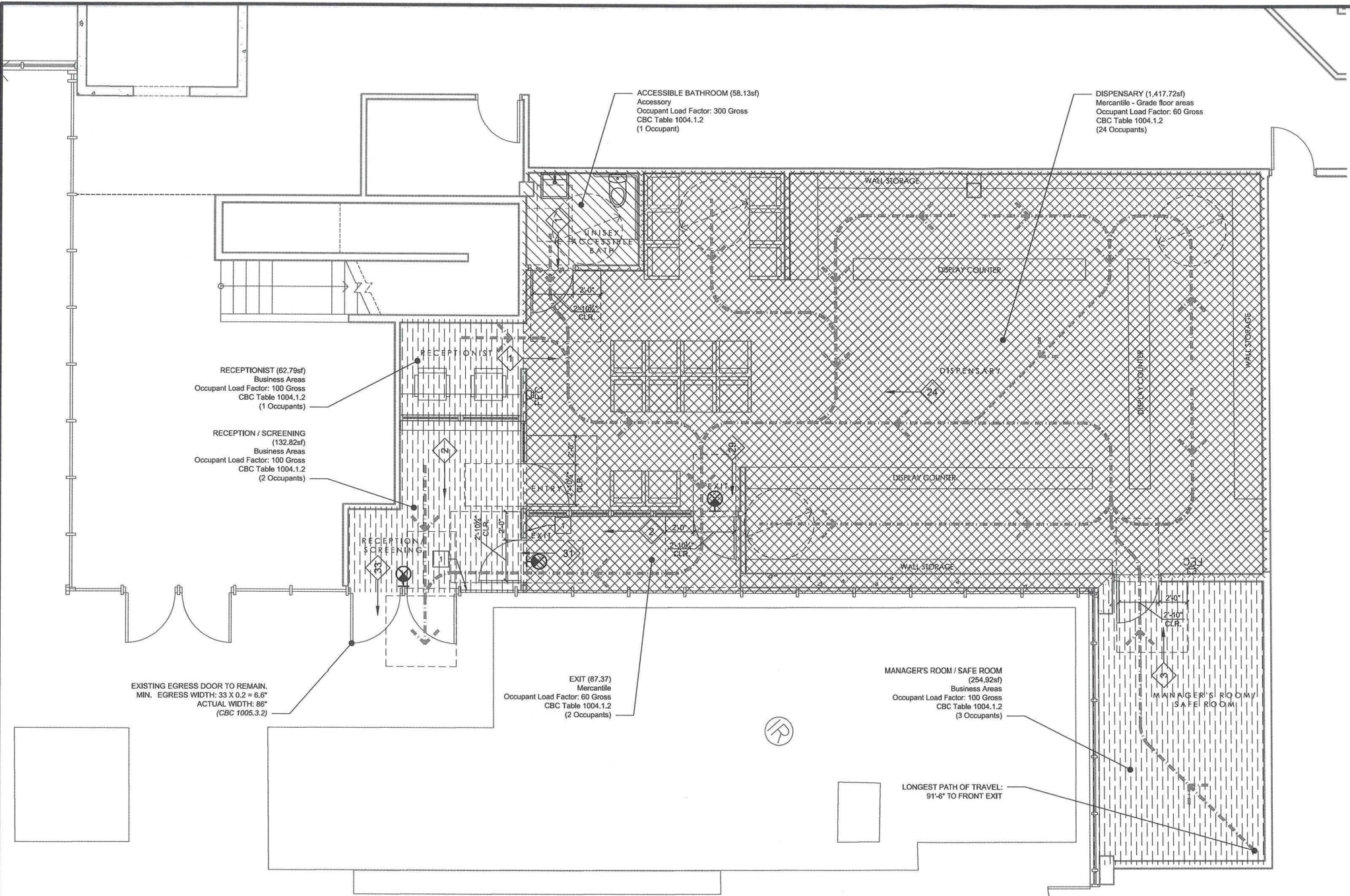
A106

CONSULTANTS

10170 Sorrento Valley Rd.
San Diego CA. 92121

PROPERTY OWNER

CIRE Equity
530 B. St. San Diego CA. 92121

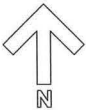


1 FIRST FLOOR EGRESS PLAN - PROPOSED

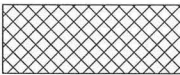
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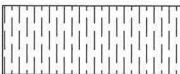
SCALE: 1/4" = 1'-0"



EGRESS PLAN LEGEND



FUNCTION OF SPACE: Mercantile
Occupant Factor: 60 gross



FUNCTION OF SPACE: Business areas
Occupant Factor: 100 gross



FUNCTION OF SPACE: Accessory
Occupant Factor: 300 gross

EGRESS PLAN KEYNOTES

1. TACTILE EXIT SIGN

WALL MOUNTED EMERGENCY EXIT SIGN

ACCESSIBILITY NOTES

- All entrances and all exterior ground-floor exit doors to buildings and facilities shall be made accessible to persons with disabilities. (Sec. 11338.1.1.1)
- Latching and locking hand activated doors in a path of travel shall be operable with a single effort by lever type hardware, panic bars, push pull activating bars, or other hardware designed to provide passage without requiring the ability to grasp the opening hardware. Locked exit doors shall operate as above in egress direction. (Sec. 11338.2.5.2)
- Hand activated door opening hardware shall be centered between 30 inches (762 mm) and 44 inches (1118 mm) above the floor. (Sec. 11338.2.5.2)
- The width and height of doorways shall comply with section 1008. Every required exit doorway shall permit the installation of a door not less than 3 feet (914 mm) wide and not less than 6 feet 8 inches (2032 mm) high. Exit doors shall be capable of opening at least 90 degrees and provide not less than 32 inches clear width (813mm). (Sec. 11338.2.2 and Figure 11B 33) except where noted.
- For hinged doors, the opening width shall be measured with the door positioned at an angle of 90 degrees from its closed position. (Sec. 1133.2.3 and Fig. 11B 33)
- Minimum maneuvering clearances at doors shall be as shown in Figures 11B-26A and 11B-26B. The floor or ground area within the required clearances shall be level and clear. (Sec.11338.2.4.2)
- There shall be a level and clear floor or landing on each side of a door. The level area shall have a length in the direction of door swing of at least 60 inches (1524 mm) and the length opposite the direction of door swing of 48 inches (1219 mm) as measured at right angle to the plane of the door in its closed position. (Sec. 11338.2.4.2 and Fig. 11B 26A and 11B 26B)
- The width of the level area on the side to which the door swings shall extend 24 inches (610 mm) minimum past the strike edge of the door for exterior doors and 18 inches (457 mm) minimum past the strike edge for interior doors. This also applies to obstructions and recesses. An additional 12 inches is required at the push side if a frontal approach, if door is equipped with both latch and closer. (Sections 11338.2.4.3, 11338.2.4.5, 11338.2.5.3, Figures 11B 26A and B, and 11B-33(a))
- The floor or landing shall be not more than 1/2 inch (12.7 mm) lower than the threshold of the doorway. Change in level between 1/4 inch (6 mm) and 275 inch (12.7 mm) shall be beveled with a slope no greater than one unit vertical to 2 unit horizontal (50- percent slope) (Sec. 11338.2.4.1 and Figures 11B 32)
- The bottom 10 inches (254 mm) of all doors except automatic and sliding shall have a smooth, uninterrupted surface to allow the door to be opened by a wheelchair footrest without creating a trap or hazardous condition. Where narrow frame doors are used, a 10 inch (254 mm) high smooth panel shall be installed on the push side. (Sec.1133.2.6 and Fig 11B 29)
- Maximum effort to operate doors shall not exceed 5 pounds (22 N) for exterior and interior doors, applied at right angles to hinged doors and at the center plane of sliding or folding doors. Compensating devices or automatic door operators may be utilized. The maximum effort to operate fire doors may be increased up to 15 pounds (66.72N) if allowed by the appropriate administrative authority. (Sec 11338.2.5)
- Specific work stations need only comply with the required aisle width (Sections 11338.6.1 and 11338.6.2 and floors and levels (Section 11208). (Sec. 11238.2)
- Entry ways to specific work stations shall be 32 inches clear width. (Sec. 11238.2)
- PROVIDE PANIC HARDWARE AT EXIT DOORS WHERE NOTED.
- Gates used as a component in a means of egress shall conform to the applicable requirements for doors. (Sec.1008.2)
- Exterior Exit doors shall have a sign posted above stating: DOOR TO REMAIN UNLOCKED DURING REGULAR BUSINESS HOURS. (Sec. 1008.1.9.3)
- Public accommodations shall maintain in operable working condition those features of facilities and equipment that are required to be accessible to and useable by persons with disabilities isolated or temporary interruptions in service or accessibility due to maintenance or repairs shall be permitted. §118-302.1
- Means of egress doors shall be readily distinguishable from the adjacent construction & finishes such that the doors are easily recognized. Mirrors or similar reflecting materials shall not be used.

EGRESS & ACCESSIBILITY NOTES

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04	04.27.18	CUP - Third Submittal
05	07.05.18	CUP - Fourth Submittal
06	08.07.18	CUP - Fifth Submittal

PROJECT NO:	1722
CAD DWG FILE:	A107-A107 FIRST FLOOR EGRESS, ACCESSIBILITY PLAN - 200805052018
DRAWN BY:	A.S., B.P., C.G., S.V.
CHK'D BY:	A.S.

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SHEET TITLE

FIRST FLOOR
EGRESS PLAN -
PROPOSED

A107

TECHNE

DESIGN | DEVELOPMENT

3956 30th Street, San Diego, CA 92104
techne-us.com sustainablearchitect.org
619-940-5814 313-595-5814

CONSULTANTS

10170 Sorrento Valley Rd.
San Diego CA. 92121

PROPERTY OWNER

CIRE Equity
530 B. St. San Diego CA. 92121

SECURITY PLAN LEGEND

SECURITY CAMERA

18 - INTERIOR SECURITY CAMERAS
4 - EXTERIOR SECURITY CAMERAS

LEVEL 1 BULLET RESISTANT WALL.

SECURITY PLAN KEYNOTES

A. INSTALL 1" BULLET RESISTANT ACRYLIC PANELS ON INTERIOR OF EXISTING STOREFRONT SYSTEM.
B. BULLET RESISTANT DOOR PER DOOR SCHEDULE, A601.
C. INSTALL 1" BULLET RESISTANT ACRYLIC PANELS ON INTERIOR OF EXISTING WINDOW SYSTEM.

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04	04.27.18	CUP - Third Submittal
05	07.05.18	CUP - Fourth Submittal
06	08.07.18	CUP - Fifth Submittal
MARK DATE DESCRIPTION		
7/1/2018 8:49:35 AM		

PROJECT NO: 1722
CAD DWG FILE: A108 FIRST FLOOR SECURITY PLAN - PROPOSED.DWG
DRAWN BY: A.S., B.P., C.G., S.V.
CHK'D BY: A.S.

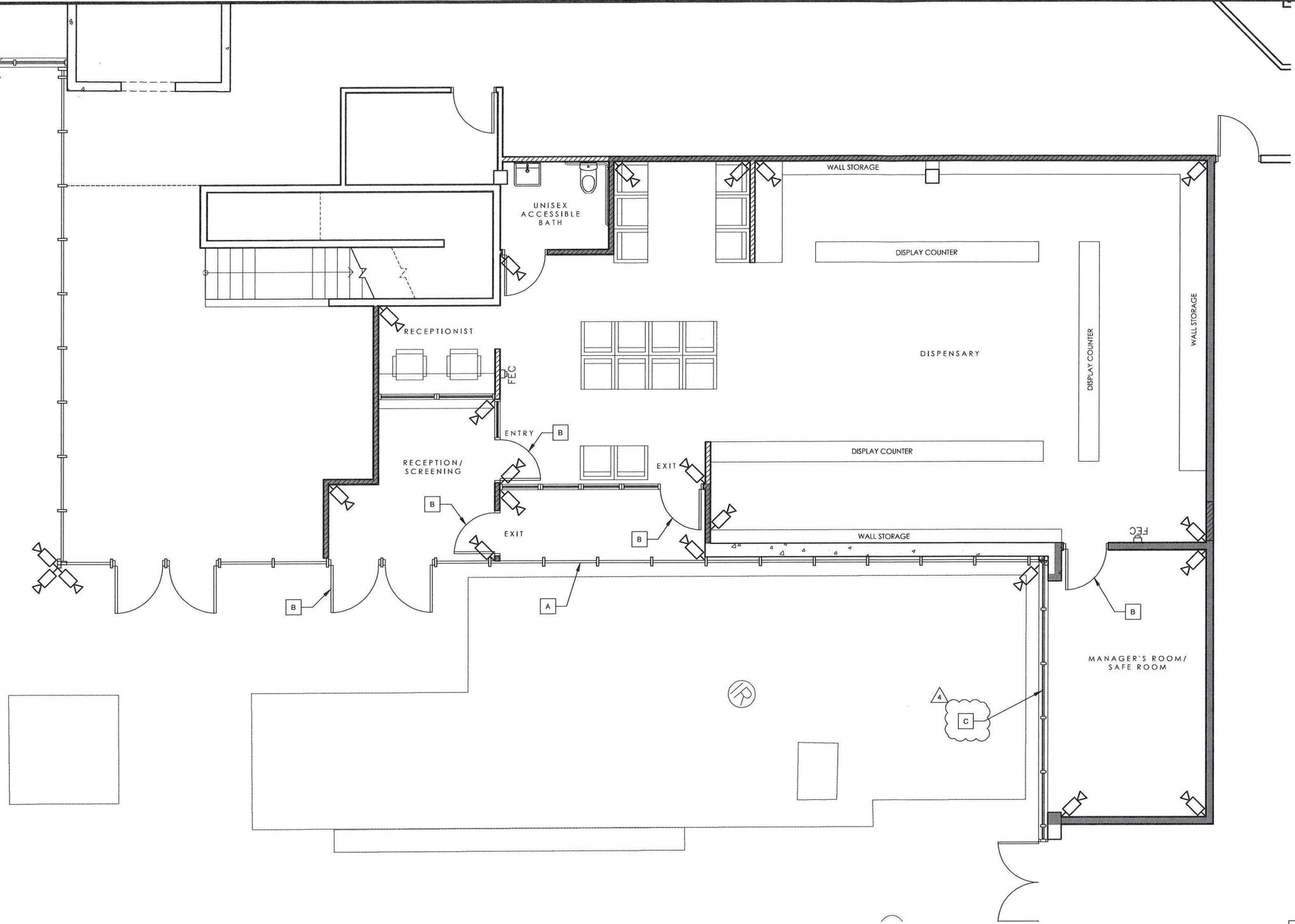
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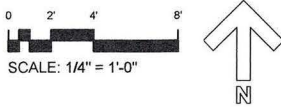
SECURITY PLAN
DIAGRAM -
PROPOSED

A108

SHEET 16 OF 18



1 SECURITY PLAN DIAGRAM - PROPOSED
SCALE: 1/4" = 1'-0"



TECHNE

DESIGN | DEVELOPMENT

3956 30th Street, San Diego, CA 92104
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619-940-5814 313-595-5814

CONSULTANTS

10170 Sorrento Valley Rd.
San Diego CA. 92121

PROPERTY OWNER

CIRE Equity
530 B. St. San Diego CA. 92121

LIGHTING PLAN LEGEND

RECESSED CEILING MOUNTED LIGHT

WALL MOUNTED LIGHT

LIGHTING PLAN NOTES

- A. ALL PARKING AREAS SHALL BE ILLUMINATED
B. ALL AREAS AROUND THE BUILDING SHALL BE ILLUMINATED
C. LIGHTING SHALL BE SHIELDED SO AS TO NOT ILLUMINATE ADJACENT PROPERTIES

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06	08.07.18	CUP - Fifth Submittal

PROJECT NO: 1722

CAD DWG FILE: A109 FIRST FLOOR LIGHTING PLAN - PROPOSED.DWG

DRAWN BY: A.S., B.P., C.G., S.V.

CHK'D BY: A.S.

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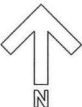
SHEET TITLE

FIRST FLOOR
LIGHTING PLAN -
PROPOSED

A109

1 FIRST FLOOR LIGHTING PLAN - PROPOSED
SCALE: 1/4" = 1'-0"

0 2' 4' 8'
SCALE: 1/4" = 1'-0"





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

Development Permit/ Environmental Determination Appeal Application

FORM
DS-3031

November 2017

In order to assure your appeal application is successfully accepted and processed, you must read and understand Information Bulletin 505, "Development Permits/Environmental Determination Appeal Procedure."

1. Type of Appeal: ☒ Appeal of the Project
☐ Appeal of the Environmental Determination

2. Appellant: Please check one ☒ Applicant ☐ Officially recognized Planning Committee ☐ "Interested Person"
(Per M.C. Sec. 113.0103)

Name: SVRMC, LLC c/o Heather Riley E-mail: hriley@allenmatkins.com

Address: 600 W. Broadway, 27th Floor City: San Diego State: CA Zip Code: 92101 Telephone: 619-233-1155

3. Project Name:

San Diego Releaf

4. Project Information

Permit/Environmental Determination & Permit/Document No.:

Date of Decision/Determination

City Project Manager:

Project No. 575936

March 20, 2019

Tim Daly

Decision(Describe the permit/approval decision):

Conditional Use Permit (CUP) No. 2033810/Coastal Development Permit (CDP) No. 2163214 for a marijuana outlet at 10170 Sorrento Valley Road, Suite A within the Torrey Pines Community Plan area.

5. Ground for Appeal(Please check all that apply):

- ☒ Factual Error ☐ New Information
☐ Conflict with other matters ☐ City-wide Significance (Process Four decisions only)
☒ Findings Not Supported

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in Chapter 11, Article 2, Division 5 of the San Diego Municipal Code. Attach additional sheets if necessary.)

The Hearing Officer denied the application based on a misunderstanding of the law and a misapplication of the facts. There is no "other marijuana outlet" within 1,000 feet of the San Diego Releaf facility. Since the neighboring marijuana outlet has been appealed on environmental and project grounds, there has been no "approval" and no "date of final action." As a result, the Hearing Officer should have made the necessary findings for the CUP/CDP.

RECEIVED

MAR 20 2019

DEVELOPMENT SERVICES

6. Appellant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: [Signature]

Date: 03/20/19

Note: Faxed appeals are not accepted.

PLANNING COMMISSION RESOLUTION NO. XXXXX
CONDITIONAL USE PERMIT NO. 2033810
COASTAL DEVELOPMENT PERMIT NO. 2163214
SAN DIEGO RELEAF - PROJECT NO. 575936

WHEREAS, CIRE STNL, LLC, a California limited liability company, Owner and SVRMC, LLC, a California limited liability company, Permittee, filed an application with the City of San Diego for a permit to operate a Marijuana Outlet within an existing 2,014 square-foot portion of an existing 41,124 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 2033810 and 2163214), on portions of a 2.80-acre site;

WHEREAS, the project site is located at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1, Coastal Overlay Zone (Appealable and Non-Appealable), MCAS Miramar Land Use Compatibility Overlay Zone (Airport Influence Area - Review Area 1 and Accident Potential Zone 2), Federal Aviation Administration (FAA) Part 77 Noticing Area, Prime Industrial Lands, Parking Impact Overlay Zone (Coastal and Campus), Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway), and Transit Priority Area of the Torrey Pines Community Plan area;

WHEREAS, the project site is legally described as Lot 4 of Sorrento Lands and Townsite, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 483. Filed in the Office of the County Recorder of San Diego County, February 6, 1888, lying northeasterly of the right-of-way of Atchison, Topeka and Santa Fe Railroad Com, formerly California Southern Railroad;

WHEREAS, on March 20, 2019, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214; and

WHEREAS, on March 20, 2019, SVRMC, LLC, c/o Heather Riley, Allen Matkins, filed a Development Permit Appeal Application (Appeal); and

WHEREAS, on June 13, 2019, the Planning Commission of the City of San Diego considered the Appeal and Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214 pursuant to the Land Development Code of the City of San Diego, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by Planning Commission of the City of San Diego, that it denies the Appeal and adopts the following findings with respect to Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214:

A. CONDITIONAL USE PERMIT [San Diego Municipal Code (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 a Conditional Use Permit (CUP) to allow the operation of a Marijuana Outlet (Outlet) in an existing 2,014 square-foot tenant space, Suite "A", on the first floor of an existing 41,124 square-foot, two-story building. The developed 2.80-acre project site is located at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1 Zone of the Torrey Pines Community Plan (TPCP).

The TPCP designates the site as Industrial Element. TPCP land use in Sorrento Valley is generally implemented by the IL-3-1 Zone, which is an industrial zone that allows industrial, retail, and commercial uses. Pursuant to SDMC section 131.0622, retail sales and commercial services are permitted uses in the IL-3-1 Zone. The proposed Outlet is allowed in the IL-3-1 Zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The site is within the Industrial Employment General Plan land use category per the Land Use and Street System Map (Figure LU-2). The Sorrento Valley industrial area, including this site, is identified as Prime Industrial Lands (PIL) by the General Plan. Although a General Plan goal for identifying PIL is to protect valuable employment land for base sector industries important to the region's economy, the General Plan allows development or redevelopment of individual properties pursuant to the development regulations and permitted uses of the existing zone and community plan designation provided a site is not critical to base sector employment. An Outlet is not considered a

base sector employment. General Plan policies also specifically restrict sensitive receptor land uses such as residential and public assembly in PIL. An Outlet is not a sensitive receptor land use.

Furthermore, the TPCP contains a policy that states development of freestanding retail commercial uses in industrially designated areas shall be restricted to those uses that serve only the immediate Sorrento Valley industrial area. Outlets are permitted in each Council District and the use is restricted to a few base zones with a CUP. The proposed Outlet will be located within an existing developed property and would occupy a tenant space of 2,014 square feet in an existing 41,124 square-foot building. The project's CUP is conditioned that the 2,014 square-foot building cannot be converted to a stand-alone retail building throughout the duration of the CUP and thereby restricting the proposed Outlet to serve only the immediate Sorrento Valley community. The proposed Outlet is a compatible use at this location with a CUP and is consistent with the TPCP land use policies; therefore, the proposed Outlet 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 Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. Outlets require compliance with SDMC section 141.0504(a), which require a minimum separation of 1,000 feet from resource and population-based city 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. Outlets also require a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet does not comply with the separation requirements between uses set forth in SDMC section 141.0504 (a).

On June 13, 2019, the Planning Commission denied the appeal of the Hearing Officer decision on September 19, 2018 to approve a Conditional Use Permit application for a separate Outlet located at 10150 Sorrento Valley Road, which directly abuts the property of this Project location. Therefore, the proposed Outlet does not comply with the separation requirements between uses set forth in SDMC section 141.0504 (a)(1) and the proposed development will be detrimental to the public health, safety, and welfare.

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

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. Outlets require compliance with SDMC section 141.0504(a), which require a minimum separation of 1,000 feet from resource and population-based city 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. Outlets also require a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet does not comply with the separation requirements between uses set forth in SDMC section 141.0504 (a).

On June 13, 2019, the Planning Commission denied the appeal of the Hearing Officer decision on September 19, 2018 to approve a Conditional Use Permit application for a separate Outlet located at 10150 Sorrento Valley Road, which directly abuts the property of this Project location. Therefore, the proposed Outlet does not comply with the separation requirements between uses set forth in SDMC section 141.0504 (a)(1) and the proposed development will not comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

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

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. Outlets require compliance with SDMC section 141.0504(a), which require a minimum separation of 1,000 feet from resource and population-based city 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. Outlets also require a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet does not comply with the separation requirements between uses set forth in SDMC section 141.0504 (a).

On June 13, 2019, the Planning Commission denied the appeal of the Hearing Officer decision on September 19, 2018 to approve a Conditional Use Permit application for a separate Outlet located at 10150 Sorrento Valley Road, which directly abuts the property of this Project location. Therefore, the proposed Outlet does not comply with the separation requirements between uses set forth in SDMC section 141.0504 (a)(1) and the proposed use is not appropriate at the proposed location.

B. COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]

1. Findings for all Coastal Development Permits:

- a. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," is an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The project site is located approximately 2.6 miles from the Pacific Ocean. The project is proposed within an existing developed site and will not encroach upon any existing or proposed physical access to the coast. The site does not contain a public view as identified within the Torrey Pines Community Plan and Local Coastal Land Use Plan.

The proposed project meets the development standards required by the underlying zone. Therefore, the project will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Torrey Pines Community Plan and Local Coastal Program Land Use Plan.

b. The proposed coastal development will not adversely affect Environmentally Sensitive Lands.

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The project site contains Environmentally Sensitive Lands (ESL) in the form (?) of Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway). The project has been determined to be exempt from the permit requirements of the ESL regulations pursuant to SDMC sections 143.0110(b)(4) and (c)(1), because no encroachment into the environmentally sensitive lands is proposed and the development is limited to interior modifications that does not increase the footprint of an existing building and will not encroach into the environmentally sensitive lands during or after construction. The project proposes a CUP to operate an Outlet in one of the existing tenant spaces of an existing building. Therefore, the proposed development will not adversely affect Environmentally Sensitive Lands.

c. The coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The developed 2.80-acre project site is located in the IL-3-1 zone of the TPCP and Local Coastal Program Land Use Plan. The project site is located approximately 2.6 miles from the Pacific Ocean. The project is proposed within an existing developed site and will not encroach upon any existing or proposed physical access to the coast. The site does not contain a public view as identified within the TPCP and Local Coastal Program Land Use Plan.

The TPCP designates the site as Industrial Element. TPCP land use in Sorrento Valley is generally implemented by the IL-3-1 Zone, which is an industrial zone that allows industrial, retail, and commercial uses. Pursuant to SDMC section 131.0622, retail sales and commercial services are permitted uses in the IL-3-1 Zone. The proposed Outlet is allowed in the IL-3-1 Zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The site is within the Industrial Employment General Plan land use category per the Land Use and Street System Map (Figure LU-2). The Sorrento Valley industrial area, including this site, is identified as Prime Industrial Lands (PIL) by the General Plan. Although a General Plan goal for identifying PIL is to protect valuable employment land for base sector industries important to the region's economy, the General Plan allows development or redevelopment of individual properties pursuant to the development regulations and permitted uses of the existing zone and community plan designation provided a site is not critical to base sector employment. An Outlet is not considered a

base sector employment. General Plan policies also specifically restrict sensitive receptor land uses such as residential and public assembly in PIL. An Outlet is not a sensitive receptor land use.

Furthermore, the TPCP contains a policy that states development of freestanding retail commercial uses in industrially designated areas shall be restricted to those uses that serve only the immediate Sorrento Valley industrial area. Outlets are permitted in each Council District and the use is restricted to a few base zones with a CUP. The proposed Outlet will be located within an existing developed property and would occupy a tenant space of 2,014 square feet in an existing 41,124 square-foot building. The project's CUP is conditioned that the 2,014 square-foot building cannot be converted to a stand-alone retail building throughout the duration of the CUP and thereby restricting the proposed Outlet to serve only the immediate Sorrento Valley community. The proposed Outlet is a compatible use at this location with a CUP and is consistent with the TPCP land use policies; therefore, the proposed Outlet will not adversely affect the applicable land use plan.

The proposed Outlet does not increase the footprint of the existing building. The project is not requesting, nor does it require, any deviations or variances from the regulations and policy documents and is consistent with the recommended land use and development standards in effect for this site. Therefore, the development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

d. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of California Coastal Act.

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The project site is not located within the first public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. The public access to the water, public recreation facilities, or public parking would not be adversely affected by the approval of this coastal development because the development is located on private property. Therefore, this coastal development is in compliance with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

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 the Appeal is denied, the decision of the Hearing Officer is upheld, and based on the Findings hereinbefore, Conditional Use Permit No. 2033810 and Coastal

Development Permit No. 2163214 is hereby denied by the Planning Commission to the referenced Owner/Permittee.

Tim Daly
Development Project Manager
Development Services

Adopted on: June 13, 2019

IO#: 24007479

DRAFT

PLANNING COMMISSION RESOLUTION NO. XXXXX
CONDITIONAL USE PERMIT NO. 2033810
COASTAL DEVELOPMENT PERMIT NO. 2163214
SAN DIEGO RELEAF - PROJECT NO. 575936

WHEREAS, CIRE STNL, LLC, a California limited liability company, Owner and SVRMC, LLC, a California limited liability company, Permittee, filed an application with the City of San Diego for a permit to operate a Marijuana Outlet within an existing 2,014 square-foot portion of an existing 41,124 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit Nos. 2033810 and 2163214), on portions of a 2.80-acre site;

WHEREAS, the project site is located at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1, Coastal Overlay Zone (Appealable and Non-Appealable), MCAS Miramar Land Use Compatibility Overlay Zone (Airport Influence Area - Review Area 1 and Accident Potential Zone 2), Federal Aviation Administration (FAA) Part 77 Noticing Area, Prime Industrial Lands, Parking Impact Overlay Zone (Coastal and Campus), Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway), and Transit Priority Area of the Torrey Pines Community Plan area;

WHEREAS, the project site is legally described as Lot 4 of Sorrento Lands and Townsite, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 483. Filed in the Office of the County Recorder of San Diego County, February 6, 1888, lying northeasterly of the right-of-way of Atchison, Topeka and Santa Fe Railroad Com, formerly California Southern Railroad;

WHEREAS, on March 20, 2019, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214; and

WHEREAS, on March 20, 2019, SVRMC, LLC, c/o Heather Riley, Allen Matkins, filed a Development Permit Appeal Application (Appeal); and

WHEREAS, on June 13, 2019, the Planning Commission of the City of San Diego considered the Appeal and Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214 pursuant to the Land Development Code of the City of San Diego, received for its consideration written and oral presentations, evidence having been submitted, and testimony having been heard from all interested parties at the public hearing, and the Planning Commission having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by Planning Commission of the City of San Diego, that it approves the Appeal and adopts the following findings with respect to Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214:

A. CONDITIONAL USE PERMIT [San Diego Municipal Code (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 a Conditional Use Permit (CUP) to allow the operation of a Marijuana Outlet (Outlet) in an existing 2,014 square-foot tenant space, Suite "A", on the first floor of an existing 41,124 square-foot, two-story building. The developed 2.80-acre project site is located at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1 Zone of the Torrey Pines Community Plan (TPCP).

The TPCP designates the site as Industrial Element. TPCP land use in Sorrento Valley is generally implemented by the IL-3-1 Zone, which is an industrial zone that allows industrial, retail, and commercial uses. Pursuant to SDMC section 131.0622, retail sales and commercial services are permitted uses in the IL-3-1 Zone. The proposed Outlet is allowed in the IL-3-1 Zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The site is within the Industrial Employment General Plan land use category per the Land Use and Street System Map (Figure LU-2). The Sorrento Valley industrial area, including this site, is identified as Prime Industrial Lands (PIL) by the General Plan. Although a General Plan goal for identifying PIL is to protect valuable employment land for base sector industries important to the region's economy, the General Plan allows development or redevelopment of individual properties pursuant to the development regulations and permitted uses of the existing zone and community plan designation provided a site is not critical to base sector employment. An Outlet is not considered a

base sector employment. General Plan policies also specifically restrict sensitive receptor land uses such as residential and public assembly in PIL. An Outlet is not a sensitive receptor land use.

Furthermore, the TPCP contains a policy that states development of freestanding retail commercial uses in industrially designated areas shall be restricted to those uses that serve only the immediate Sorrento Valley industrial area. Outlets are permitted in each Council District and the use is restricted to a few base zones with a CUP. The proposed Outlet will be located within an existing developed property and would occupy a tenant space of 2,014 square feet in an existing 41,124 square-foot building. The project's CUP is conditioned that the 2,014 square-foot building cannot be converted to a stand-alone retail building throughout the duration of the CUP and thereby restricting the proposed Outlet to serve only the immediate Sorrento Valley community. The proposed Outlet is a compatible use at this location with a CUP and is consistent with the TPCP land use policies; therefore, the proposed Outlet 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 Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The project proposes interior improvements to an existing tenant space, including entry, reception, administrative offices and facility, and sales area. The proposed development will not be detrimental to the public's health, safety and welfare because the discretionary permit controlling the development and continued use of this site contains specific regulatory conditions of approval. 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.

Approval of the CUP would allow the sale of marijuana to be conditioned in order to prevent potential adverse impacts on the community. The proposed Outlet is subject to specific operational requirements and restrictions as set forth in SDMC sec. 141.0504 (b) through (m), which have also been incorporated as conditions in the CUP, including prohibiting consultation by medical professionals on-site; prohibiting the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, alarms; 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.

The CUP also includes additional security conditions to improve the safety of the building and surrounding neighborhood, including the provision of operable surveillance cameras and a metal detector; use of cameras with a recording device that maintains records for a minimum of 30 days; two security guards during business hours with one security guard present on the premises 24 hours a day, seven days a week; installation of bullet resistant glass, plastic, or laminate shield at the reception area to protect

employees; and installation of bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, in common areas with other tenants, reception area, and vault room. Outlets must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

Furthermore, 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 construction review and building inspections.

Outlets require compliance with SDMC section 141.0504 (a), which require a 1,000-foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. Outlets also require a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet complies with the separation requirements between uses set forth in SDMC section 141.0504 (a).

The proposed project will be required to comply with the development conditions as described in the CUP No. 2033810 and Coastal Development Permit (CDP) No. 2163214. The CUP No. 2033810 and CDP No. 2163214 will be valid for five years and may be revoked if the Owner or Permittee violates the terms, conditions, lawful requirements, or provisions of the Permit.

The proposed development will not be detrimental to the public's health, safety, and welfare in that the discretionary permit controlling the use of this site contains specific regulatory conditions of approval, as referenced in CUP No. 2033810 and CDP No. 2163214. The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety, and welfare. Therefore, the proposed Outlet will not be detrimental to the public health, safety and welfare.

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

The project proposes the operation of an Outlet within an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building at 10170 Sorrento Valley Road, Suite "A." The site was developed in 1985. The developed 2.80-acre site is located in the IL-3-1 zone and an Outlet is allowed in the IL-3-1 Zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The project has been determined to be exempt from the Environmentally Sensitive Lands (ESL) regulations of the Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway) pursuant to SDMC sections 143.0110 (b)(4) and (c)(1), because there is no addition or modification to the existing development, other than proposed interior tenant improvements and reconstruction of the existing driveways. In addition, the development will not encroach into the ESL during or after construction pursuant to SDMC sec. 143.0110(b)(4) and (c)(1). Furthermore, the proposed Outlet is exempt from the Airport Land Use Compatibility Overlay Zone regulations set forth in Chapter 13, Article 2, and Division 15 of the SDMC pursuant to section 132.1505 (c)(1) as the project is limited to interior modifications and will not increase the density, floor area ratio or height of the existing structure.

Outlets require compliance with SDMC section 141.0504 (a), which require a 1,000-foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. Outlets also require a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet complies with the separation requirements between uses set forth in SDMC section 141.0504 (a). The proposed Outlet is subject to specific operations requirements for security, such as lighting, security cameras, alarms, and security guards as referenced in CUP No. 2033810 and CDP No. 2163214. Outlets must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The CUP for the project includes various conditions and corresponding exhibits of approval relevant to achieving compliance with the relevant SDMC regulations for an Outlet. No variance or deviations are requested as part of this application, nor are any required to approve the CUP. Therefore, the proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

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

The project proposes a CUP to allow the operation of a Marijuana Outlet (Outlet) in an existing 2,014 square-foot tenant space, Suite "A", on the first floor of an existing 41,124 square-foot, two-story building. The developed 2.80-acre project site is located at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1 Zone of the Torrey Pines Community Plan (TPCP).

The TPCP designates the site as Industrial Element. TPCP land use in Sorrento Valley is generally implemented by the IL-3-1 Zone, which is an industrial zone that allows industrial, retail, and commercial uses. Pursuant to SDMC section 131.0622, retail sales and commercial services are permitted uses in the IL-3-1 Zone. The proposed Outlet is allowed in the IL-3-1 Zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The site is within the Industrial Employment General Plan land use category per the Land Use and Street System Map (Figure LU-2). The Sorrento Valley industrial area, including this site, is identified as Prime Industrial Lands (PIL) by the General Plan. Although a General Plan goal for identifying PIL is to protect valuable employment land for base sector industries important to the region's economy, the General Plan allows development or redevelopment of individual properties pursuant to the development regulations and permitted uses of the existing zone and community plan designation provided a site is not critical to base sector employment. An Outlet is not considered a base sector employment. General Plan policies also specifically restrict sensitive receptor land uses such as residential and public assembly in PIL. An Outlet is not a sensitive receptor land use.

Furthermore, the TPCP contains a policy that states development of freestanding retail commercial uses in industrially designated areas shall be restricted to those uses that serve only the immediate Sorrento Valley industrial area. Outlets are permitted in each Council District and the use is restricted to a few base zones with a CUP. The proposed Outlet will be located within an existing developed property and would occupy a tenant

space of 2,014 square feet in an existing 41,124 square-foot building. The project's CUP is conditioned that the 2,014 square-foot building cannot be converted to a stand-alone retail building throughout the duration of the CUP and thereby restricting the proposed Outlet to serve only the immediate Sorrento Valley community. The proposed Outlet is a compatible use at this location with a CUP and is consistent with the TPCP land use policies; therefore, the proposed Outlet will not adversely affect the applicable land use plan.

Outlets require compliance with SDMC section 141.0504 (a), which require a 1,000-foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. Outlets also require a minimum distance requirement of 100 feet from a residential zone. The proposed Outlet complies with the separation requirements between uses set forth in SDMC section 1141.0504 (a). The proposed Outlet is subject to specific operations requirements for security, such as lighting, security cameras, alarms, and security guards as referenced in CUP No. 2033810 and CDP No. 2163214. Outlets must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The proposed Outlet is consistent with the land development regulations relevant for the site and the use. No deviations are required or requested to approve the CUP. The proposed Outlet is classified as retail sales use for this location with a CUP. Therefore, based on all the facts cited above and conditions of approval, the proposed Outlet is an appropriate use at the proposed location.

B. COASTAL DEVELOPMENT PERMIT [SDMC Section 126.0708]

1. Findings for all Coastal Development Permits:

- a. The proposed coastal development will not encroach upon any existing physical accessway that is legally used by the public or any proposed public accessway identified in a Local Coastal Program land use plan; and the proposed coastal development will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Local Coastal Program land use plan.**

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," is an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The project site is located approximately 2.6 miles from the Pacific Ocean. The project is proposed within an existing developed site and will not encroach upon any existing or proposed physical access to the coast. The site does not contain a public view as identified within the Torrey Pines Community Plan and Local Coastal Land Use Plan. The proposed project meets the development standards required by the underlying zone. Therefore, the project will enhance and protect public views to and along the ocean and other scenic coastal areas as specified in the Torrey Pines Community Plan and Local Coastal Program Land Use Plan.

b. The proposed coastal development will not adversely affect Environmentally Sensitive Lands.

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The project site contains Environmentally Sensitive Lands (ESL) in the form (?) of Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway). The project has been determined to be exempt from the permit requirements of the ESL regulations pursuant to SDMC sections 143.0110(b)(4) and (c)(1), because no encroachment into the environmentally sensitive lands is proposed and the development is limited to interior modifications that does not increase the footprint of an existing building and will not encroach into the environmentally sensitive lands during or after construction. The project proposes a CUP to operate an Outlet in one of the existing tenant spaces of an existing building. Therefore, the proposed development will not adversely affect Environmentally Sensitive Lands.

c. The coastal development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The developed 2.80-acre project site is located in the IL-3-1 zone of the TPCP and Local Coastal Program Land Use Plan. The project site is located approximately 2.6 miles from the Pacific Ocean. The project is proposed within an existing developed site and will not encroach upon any existing or proposed physical access to the coast. The site does not contain a public view as identified within the TPCP and Local Coastal Program Land Use Plan.

The TPCP designates the site as Industrial Element. TPCP land use in Sorrento Valley is generally implemented by the IL-3-1 Zone, which is an industrial zone that allows industrial, retail, and commercial uses. Pursuant to SDMC section 131.0622, retail sales and commercial services are permitted uses in the IL-3-1 Zone. The proposed Outlet is allowed in the IL-3-1 Zone with a CUP pursuant to SDMC sections 131.0622 and 141.0504. The site is within the Industrial Employment General Plan land use category per the Land Use and Street System Map (Figure LU-2). The Sorrento Valley industrial area, including this site, is identified as Prime Industrial Lands (PIL) by the General Plan. Although a General Plan goal for identifying PIL is to protect valuable employment land for base sector industries important to the region's economy, the General Plan allows development or redevelopment of individual properties pursuant to the development regulations and permitted uses of the existing zone and community plan designation provided a site is not critical to base sector employment. An Outlet is not considered a base sector employment. General Plan policies also specifically restrict sensitive receptor land uses such as residential and public assembly in PIL. An Outlet is not a sensitive receptor land use.

Furthermore, the TPCP contains a policy that states development of freestanding retail commercial uses in industrially designated areas shall be restricted to those uses that serve only the immediate Sorrento Valley industrial area. Outlets are permitted in each Council District and the use is restricted to a few base zones with a CUP. The proposed Outlet will be located within an existing developed property and would occupy a tenant space of 2,014 square feet in an existing 41,124 square-foot building. The project's CUP is conditioned that the 2,014 square-foot building cannot be converted to a stand-alone retail building throughout the duration of the CUP and thereby restricting the proposed Outlet to serve only the immediate Sorrento Valley community. The proposed Outlet is a compatible use at this location with a CUP and is consistent with the TPCP land use policies; therefore, the proposed Outlet will not adversely affect the applicable land use plan.

The proposed Outlet does not increase the footprint of the existing building. The project is not requesting, nor does it require, any deviations or variances from the regulations and policy documents and is consistent with the recommended land use and development standards in effect for this site. Therefore, the development is in conformity with the certified Local Coastal Program land use plan and complies with all regulations of the certified Implementation Program.

- d. For every Coastal Development Permit issued for any coastal development between the nearest public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone the coastal development is in conformity with the public access and public recreation policies of Chapter 3 of California Coastal Act.**

The proposed Outlet at 10170 Sorrento Valley Road, Suite "A," would occupy an existing 2,014 square-foot tenant space located on the first floor of an existing 41,124 square-foot building. The project site is not located within the first public road and the sea or the shoreline of any body of water located within the Coastal Overlay Zone. The public access to the water, public recreation facilities, or public parking would not be adversely affected by the approval of this coastal development because the development is located on private property. Therefore, this coastal development is in compliance with the public access and public recreation policies of Chapter 3 of the California Coastal Act.

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 the Appeal is approved, the decision of the Hearing Officer is set aside, and based on the Findings hereinbefore, Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214 is hereby granted by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Conditional Use Permit

No. 2033810 and Coastal Development Permit No. 2163214, a copy of which is attached hereto and made a part hereof.

Tim Daly
Development Project Manager
Development Services

Adopted on: June 13, 2019

IO#: 24007479

DRAFT

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: 24007479

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2033810
COASTAL DEVELOPMENT PERMIT NO. 2163214
SAN DIEGO RELEAF - PROJECT NO. 575936
PLANNING COMMISSION

This Conditional Use Permit No. 2033810 and Coastal Development Permit No. 2163214 ("Permit") is granted by the Planning Commission of the City of San Diego to CIRE STNL, LLC, a California limited liability company, Owner and SVRMC, LLC, a California limited liability company, Permittee, pursuant to San Diego Municipal Code [SDMC] Section 126.0305 and 126.0708. The 2.80-acre site at 10170 Sorrento Valley Road, Suite "A," in the IL-3-1, Coastal Overlay Zone (Appealable and Non-Appealable), MCAS Miramar Land Use Compatibility Overlay Zone (Airport Influence Area - Review Area 1 and Accident Potential Zone 2), Federal Aviation Administration (FAA) Part 77 Noticing Area, Prime Industrial Lands, Parking Impact Overlay Zone (Coastal and Campus), Special Flood Hazard Area (100 Year Floodplain and 100 Year Floodway), and Transit Priority Area of the Torrey Pines Community Plan area. The project site is legally described as Lot 4 of Sorrento Lands and Townsite, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 483, filed in the Office of the County Recorder of San Diego County, February 6, 1888, lying northeasterly of the right-of-way of Atchison, Topeka and Santa Fe Railroad Com, formerly California Southern Railroad.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a Marijuana Outlet within an existing 2,014 square-foot portion of an existing 41,124 square-foot building described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated June 13, 2019, on file in the Development Services Department.

The project shall include:

- a. Operation of a Marijuana Outlet within Suite "A," 2,014 square-foot portion of an existing 41,124 square-foot building;
- b. Off-street parking; and
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act

[CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This Permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This Permit must be utilized by June 13, 2022.
2. This Permit and corresponding use of this site shall expire on June 13, 2024. Upon expiration of this Permit, the facility and improvements described herein, except for the public improvements, shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
 - c. A Marijuana Outlet Permit issued by the Development Services Department is approved in accordance with SDMC Section 42.1504.
4. This Coastal Development Permit shall become effective on the eleventh working day following receipt by the California Coastal Commission of the Notice of Final Action or following all appeals.
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 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 construction permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.

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.

BUILDING OFFICIAL REQUIREMENTS:

13. 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.

ENGINEERING REQUIREMENTS:

14. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the two existing 24-foot driveways per current City Standards, adjacent to the site on Sorrento Valley Road, satisfactory to the City Engineer.

15. Prior to the issuance of any construction permits, the Owner/Permittee shall dedicate an additional 3 feet on Sorrento Valley Road right-of-way to provide a 10-foot, curb-to-property line distance, satisfactory to the City Engineer. The dedicated right-of-way shall be free and clear of all encumbrances and prior easements. The Owner/Permittee shall secure "subordination agreements" for minor distribution facilities and/or "joint-use agreements" for major transmission facilities.

16. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the damaged/uplifted sidewalk per current City Standards, adjacent to the site on Sorrento Valley Road, satisfactory to the City Engineer.

17. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for the private walkway and curbs in the parkway, landscape, and irrigation in the Sorrento Valley Road right-of-way.

18. Prior to the issuance of any construction permits, the Owner/Permittee shall incorporate Construction and Permanent Storm Water Best Management Practices necessary to comply with current City of San Diego Storm Water Standards Manual and with Chapter 14, Article 2, Division 1 (Grading Regulations) of the SDMC, into the construction plans or specifications, satisfactory to the City Engineer.

19. 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.

20. 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.

PLANNING/DESIGN REQUIREMENTS:

21. 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.

22. The Owner/Permittee must provide and maintain an accessible path from the building entrance to the public street.

23. The sale of marijuana shall be prohibited without a valid license from the State authorizing such activity.

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

25. Prior to issuance of any construction permit, all construction documents shall demonstrate that the building is not stand-alone retail.

26. Consultations by medical professionals shall not be a permitted accessory use at this Marijuana Outlet.

27. Deliveries shall be permitted as an accessory use to and from 10170 Sorrento Valley Road, Suite "A." Each delivery person shall be employed by the Owner or Permittee, the successor, or the person using the property at 10170 Sorrento Valley Road, Suite "A," that is subject to this Permit.

28. The Owner/Permittee shall provide lighting to illuminate the interior of the Marijuana Outlet, façade, and the immediate surrounding area, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented, so as to deflect light away from adjacent properties.

29. The Owner/Permittee shall install and maintain operable security cameras and a metal detector for security to the satisfaction of Development Services Department. The security cameras shall have and use a recording device that maintains the recordings for a minimum of 30 days. This Marijuana Outlet shall also include alarms and two security guards. The security guards shall be licensed by the State of California. Two security guards must be on the premises during business hours. At least one security guard must be on the premises 24 hours a day, seven days a week. The security guards should only be engaged in activities related to providing security for the Marijuana Outlet, except on an incidental basis.

30. The Owner/Permittee shall install a combination of full-height bullet resistant 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.

31. The Owner/Permittee shall install full-height bullet resistant armor panels or solid grouted masonry block walls, designed by a licensed professional, at all walls adjoining common areas and other tenants, and vault room.

32. 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.
33. The Owner/Permittee shall post and maintain a sign showing the name and emergency contact phone number of an operator or manager in a location visible from outside the Marijuana Outlet in font size at least two inches in height.
34. The Marijuana Outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
35. The use of vending machines which allow access to marijuana and marijuana products except by a responsible person, as defined in the SDMC 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.
36. 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.
37. The Owner/Permittee shall provide for daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
38. The Owner/Permittee shall provide a sufficient odor absorbing ventilation and exhaust system capable of eliminating excessive or offensive odors causing discomfort or annoyance to any reasonable person of normal sensitivities standing outside of the structural envelope of this Marijuana Outlet facility in compliance with SDMC Section 142.0710.
39. Medical marijuana, recreational marijuana, or marijuana products, in any form, shall not be consumed anywhere within the property.

LANDSCAPE REQUIREMENTS:

40. Prior to issuance of any construction permit for public improvements, 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.
41. 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.

42. 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.

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, 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 Planning Commission of the City of San Diego on June 13, 2019 by Resolution No. XXXX-PC.

ATTACHMENT 5

Permit Type/PTS Approval No.: Conditional Use Permit No. 2033810
Coastal Development Permit No. 2163214
Date of Approval: June 13, 2019

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Tim Daly
Development Project Manager

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

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

CIRE STNL, LLC,
California limited liability company
Owner

By _____
Name:
Title:

SVRMC, LLC,
California, limited liability company
Permittee

By _____
Name:
Title:

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