



THE CITY OF SAN DIEGO

Report to the Planning Commission

DATE ISSUED: June 20, 2019 REPORT NO. PC-19-059

HEARING DATE: June 27, 2019

SUBJECT: MPF 9151 REHCO ROAD, Process Three Decision

PROJECT NUMBER: [585470](#)

REFERENCE: [Report to the Hearing Officer No. HO-19-039.](#)

OWNER/APPLICANT: Rehco Holdings, LLC, a California Limited Liability Company, Owner and Matthew Longo, Applicant

SUMMARY

Issue: Should the Planning Commission deny or approve the appeal of the Hearing Officers' decision to deny the operation of a Marijuana Production Facility within an existing 68,937 square-foot, two-story building located at 9151 Rehco Road in Mira Mesa Community Plan area?

Staff Recommendation: DENY the appeal and affirm the Hearing Officer decision to DENY Conditional Use Permit No. 2070318.

Community Planning Group Recommendation: On November 19, 2018, the Mira Mesa Community Planning Group voted 13-1-1 to recommend approval of the project without additional conditions.

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15301, Existing Facilities. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on January 14, 2019, [Resolution No. R-312184](#). The scope of the subject hearing only includes the project, and not the environmental determination.

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 is an industrial development located in the industrial light, IL-2-1 Zone of the Mira Mesa Community Plan. The site is designated for Industrial Park

uses in the Miramar Subarea of the Mira Mesa Community Plan. The Miramar Subarea was foreseen in the community plan to be developed with a mix of research and development, office and manufacturing uses. All the surrounding parcels are located within the IL-2-1 Zone and the existing uses are consistent with the Industrial designation of the community plan. Therefore, the project would not impact the housing supply within the City of San Diego.

BACKGROUND

As detailed in the Marijuana Production Facility (MPF) 9151 Rehco Road Project's (Project) attached [Report to the Hearing Officer No. HO-19-039](#) (Attachment 1), the Project is a request for a Conditional Use Permit (CUP) pursuant to San Diego Municipal Code (SDMC) section 126.0303 to operate a MPF within an existing 68,937 square-foot, two-story building located at 9151 Rehco Road. The MPF operations would re-purpose the existing manufacturing and warehouse facility for the cultivation, manufacturing, and distribution of marijuana products.

Pursuant to SDMC section 141.1004, MPFs are restricted to forty (40) City-wide, within light and heavy industrial zones. On April 3, 2019, the City of San Diego Hearing Officer approved the 40th CUP application for an MPF. This Project's application was also considered on April 3, 2019 by the Hearing Officer after the 40th CUP application was approved and therefore, the Hearing Officer denied the Project based upon the inability to support the CUP findings pursuant to SDMC section 126.0305(b), (c), and (d), considering no more than 40 MPFs are allowed City-wide by the adopted City Ordinance.

On April 3, 2019, Kelly Hayes, 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:

Kelly Hayes Appeal Issue: "Appeal of Hearing Officer Decision."

Staff Response: Pursuant to SDMC section 141.1004, MPFs are restricted to forty (40) City-wide, within light and heavy industrial zones. Considering the City of San Diego Hearing Officer has previously approved 40 CUP applications for an MPF, the Hearing Officer denied the Project based upon the inability to support the CUP findings pursuant to SDMC section 126.0305(b), (c), and (d), since no more than 40 MPFs are allowed City-wide by the adopted City Ordinance.

Conclusion:

City staff supports the Hearing Officer's decision to deny the Project and recommends the Planning Commission affirm the Hearing Officer's decision and deny the appeal based upon the inability to support the CUP findings pursuant to SDMC section 126.0305(b), (c), and (d), since no more than 40 MPFs are allowed City-wide by the adopted City Ordinance.

ALTERNATIVES

1. Deny the appeal and affirm the Hearing Officer's decision to deny Conditional Use Permit No. 2070318.
2. Uphold the appeal and approve the Conditional Use Permit No. 2070318, if the findings required to approve the project can 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-19-039, March 27, 2019
2. Kelly Hayes Appeal
3. Draft Resolution with Findings



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: March 27, 2019 REPORT NO. HO-19-039

HEARING DATE: April 3, 2019

SUBJECT: MPF 9151 REHCO ROAD, Process Three Decision

PROJECT NUMBER: [585470](#)

OWNER/APPLICANT: Rehco Holdings, LLC, a California Limited Liability Company, Owner and Matthew Longo, Applicant

SUMMARY

Issue: Should the Hearing Officer approve operation of a Marijuana Production Facility to operate within an existing 68,937 square-foot, two-story building located at 9151 Rehco Road in Mira Mesa Community Plan area?

Staff Recommendation: Approve or Deny Conditional Use Permit No. 2070318.

Community Planning Group Recommendation: On January 24, 2019, the Mira Mesa Community Planning Group voted 15-0-0 to recommend approval of the project with no additional conditions (Attachment 6).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Section 15301, Existing Facilities. An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on January 14, 2019, [Resolution No. R-312184](#). The scope of the subject hearing only includes the project, and not the environmental determination.

BACKGROUND

The project site is within the Light Industrial Land Use area and the Miramar Subarea of the Mira Mesa Community Plan (Attachment 1). The Light Industrial designation is intended to accommodate manufacturing, storage, warehousing, distribution, and similar uses. The Miramar Subarea was foreseen in the community plan to be developed with a mix of light industrial and specialized commercial uses. The 4.72-acre site is located at 9151 Rehco Road in the IL-2-1 Zone, Prime Industrial Lands, FAA Part 77 Noticing Area for MCAS Miramar, Airport Influence Area for MCAS Miramar Review Area 1, and Airport Land Use Compatibility Overlay Zone for MCAS Miramar within the Mira Mesa Community Plan (Attachment 2). The building, constructed in 1987, is currently being

used for refrigerated food distribution center, a small luggage manufacturing, solar panel distributor, a truck liner distributor, and a pet supply manufacture (Attachment 3). The purpose and intent of the IL-2-1 Zone is to accommodate a range of industrial and manufacturing 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 nonindustrial 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 nonindustrial uses in some instances. Specifically, the IL-2-1 Zone allows a mix of light industrial, office, and commercial uses.

The project site is designated Industrial Employment by the Land Use and Community Planning Element of the General Plan. The General Plan identifies a citywide shortage of land suitable for manufacturing activities and a need to protect a reserve of manufacturing land from non-manufacturing uses.

The Industrial and Business Park designation would permit light manufacturing uses, thereby providing additional land suitable for manufacturing activities. The proposed project will promote the policies of the General Plan because Marijuana Production Facilities (MPFs) are industrial manufacturing uses.

MPFs are restricted to forty City-wide, within light and heavy industrial zones. MPFs require compliance with San Diego Municipal Code (SDMC) Section 141.1004, which require a 1,000-foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. MPFs also require a minimum distance requirement of 100 feet from a residential zone. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. MPFs must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

As of the published date of this report, 30 CUP applications for MPFs have been approved. Nine additional CUP applications for MPFs have been approved by the Hearing Officer; however, the decisions of the Hearing Officer on these applications have been appealed to the Planning Commission. The appeals to Planning Commission are currently in process.

DISCUSSION

Project Description

The project proposes to operate an MPF within an existing 68,937 square-foot, two-story building located at 9151 Rehco Road. The MPF operations would re-purpose the existing manufacturing and warehouse facility for the cultivation, manufacturing, and distribution of marijuana products.

The project proposes interior improvements that include non-load bearing partitions, doors, lighting, security cameras and system, millwork, finishes throughout and associated mechanical, electrical and plumbing improvements. Other minor site improvements are proposed consistent

with the City of San Diego requirements. Public improvements would include reconstruction of the two existing driveways on Rehco Road, new curb ramp, and accessible ramp, all satisfactory to the City Engineer. No exterior building alterations would occur. The proposed 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 facility is also subject to State California statutes and regulations.

The site currently provides 107 off-street parking spaces which will be maintained. The amount of parking required for the MPF is based on a rate of one automobile parking space per employee, plus two motorcycle spaces. The project is anticipated to have 54 employees, which requires a minimum of 54 parking spaces.

Conclusion

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

However, if the Hearing Officer has already approved one of the four CUP applications for an MPF scheduled for a Hearing Officer decision on April 3, 2019, City staff then recommends that the Hearing Officer deny this application as no more than 40 MPFs are allowed City-wide pursuant to SDMC Section 141.1004.

ALTERNATIVES

1. Approve Conditional Use Permit No. 2070318, with modifications.
2. Deny Conditional Use Permit No. 2070318, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,

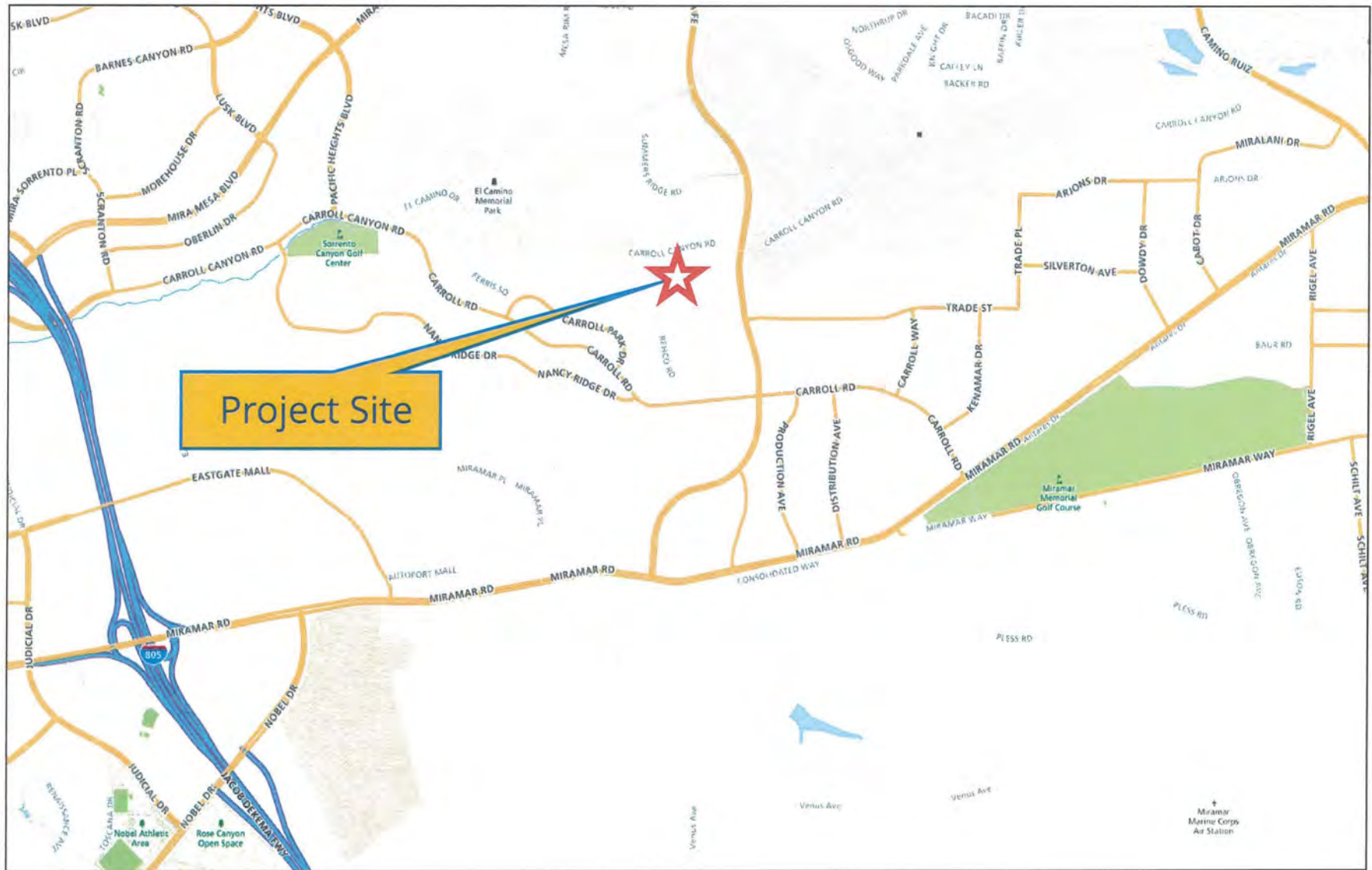


Tim Daly
Development Project Manager

Attachments:

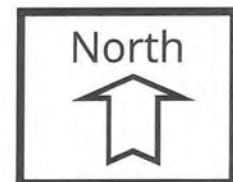
1. Community Plan Land Use Map
2. Project Location Map
3. Aerial Photograph
4. Draft Resolution with Findings

5. Draft Permit with Conditions
6. Community Planning Group Recommendation
7. Ownership Disclosure Statement
8. Project Plans



Project Location Map

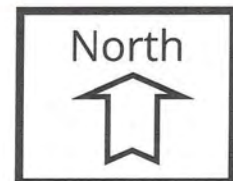
PROJECT NO. 585470, MPF 9151 REHCO ROAD
 9151 REHCO ROAD, SAN DIEGO CA 92121





Aerial Photograph

PROJECT NO. 585470, MPF 9151 REHCO ROAD
9151 REHCO ROAD, SAN DIEGO CA 92121



HEARING OFFICER RESOLUTION NO. HO-XXXX
CONDITIONAL USE PERMIT NO. 2070318
MPF 9151 REHCO ROAD – PROJECT NO. 585470

WHEREAS, REHCO HOLDINGS, LLC, a California Limited Liability Company, Owner and MATTHEW LONGO, Permittee, filed an application with the City of San Diego for a permit to operate a Marijuana Production Facility within an existing 68,937 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2070318), on portions of a 4.72-acre site;

WHEREAS, the project site is located at 9151 Rehco Road in the IL-2-1 Zone, Prime Industrial Lands, FAA Part 77 Noticing Area for MCAS Miramar, Airport Influence Area for MCAS Miramar Review Area 1, and Airport Land Use Compatibility Overlay Zone for MCAS Miramar within the Mira Mesa Community Plan;

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map No. 13275, filed in the Office of the County Recorder of San Diego County, May 14, 1984 as instrument No. 84-178424 of official records;

WHEREAS, on October 30, 2018, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15301, Existing Facilities, and the Environmental Determination was appealed to City Council, which heard and denied the appeal on January 14, 2019 pursuant to Resolution No. R- 312184;

WHEREAS, on April 3, 2019, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2070318 pursuant to the Land Development Code of the City of San Diego; NOW, THEREFORE,

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

That the Hearing Officer adopts the following written Findings, dated April 3, 2019.

A. CONDITIONAL USE PERMIT [SDMC Section 126.0305]

1. Findings for all Conditional Use Permits:

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

The proposed project requests a Conditional Use Permit to operate a Marijuana Production Facility (MPF) within an existing 68,937 square-foot, two-story building located on a 4.72-acre site at 9151 Rehco Road in the IL-2-1 Zone within the Mira Mesa Community Plan area.

The Mira Mesa Community Plan designates the site for Light Industrial Land Use Area and the Miramar Subarea. The Light Industrial designation is intended to accommodate manufacturing, storage, warehousing, distribution, and similar uses. The Miramar Subarea was foreseen in the community plan to be developed with a mix of light industrial and specialized commercial uses. The purpose and intent of the IL-2-1 Zone is to accommodate a range of industrial and manufacturing 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 nonindustrial 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-2-1 allows a mix of light industrial, office, and commercial uses.

The project site is designated Industrial Employment by the Land Use and Community Planning Element of the General Plan. The General Plan identifies a citywide shortage of land suitable for manufacturing activities and a need to protect a reserve of manufacturing land from non-manufacturing uses.

The Industrial and Business Park designation would permit light manufacturing uses, thereby providing additional land suitable for manufacturing activities. The proposed project will promote the policies of the General Plan because MPFs are industrial manufacturing uses.

The proposed MPF, classified as an industrial use, is a compatible use for this location with a Conditional Use Permit and is consistent with the community plan, and therefore 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 MPF is proposed within an existing 68,937 square-foot building. The project proposes interior improvements that include non-load bearing partitions, doors, lighting, security cameras and system, millwork, finishes throughout and associated mechanical, electrical and plumbing improvements. Other minor site improvements are proposed consistent with the City of San Diego requirements. No exterior building alterations would occur. The proposed 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. Public improvements would include the reconstruction of two existing driveways, and new curb ramp, and accessible ramp, all satisfactory to the City Engineer.

MPFs are restricted to forty City-wide, within light and heavy industrial zones. MPFs require compliance with San Diego Municipal Code (SDMC) Section 141.1004, which require a 1,000-foot separation, measured between property lines from, resource and population-based City parks, churches, child care centers, playgrounds, City libraries, minor-oriented facilities, residential care facilities, and schools. MPFs also a minimum distance requirement of 100 feet from a residential zone. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Marijuana Production Facilities must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The proposed project will be required to comply with the development conditions as described in the Conditional Use Permit No. 2070318. The Conditional Use Permit No. 2070318 will be valid for five years and may be revoked if the Owner/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 the Conditional Use Permit No. 2070318. The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety and general welfare of persons patronizing, residing or working within the surrounding area. Therefore, the proposed MPF will not be detrimental to the public health, safety and welfare.

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

The MPF will operate within an existing 68,937 square-foot, two-story building located on a 4.72-acre site at 9151 Rehco Road in the IL-2-1 Zone within the Mira Mesa Community Plan area. The site was developed in 1987. The project proposes interior improvements to convert an existing office and warehouse facility for the cultivation, manufacturing, and distribution of marijuana products. Other minor site improvements are proposed

consistent with the City of San Diego requirements.

MPFs are allowed in the IL-2-1 Zone of the Mira Mesa Community Plan with a Conditional Use Permit. The proposed use requires compliance with SDMC Section 141.1004 and SDMC Chapter 4, Article 2, Division 15. SDMC Section 141.1004 requires 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. There is also a minimum distance requirement of 100 feet from a residential zone. The proposed MPF complies with the separation requirements between uses. The proposed MPF is subject to specific operational requirements for security, as referenced in Conditional Use Permit No. 2070318, in lighting, security cameras, alarms, and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. MPFs must also comply with SDMC Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

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

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

The proposed MPF within an existing 68,937 square-foot building is located at 9151 Rehco Road in the IL-2-1 Zone of the Mira Mesa Community Plan. The Mira Mesa Community Plan designates the site for Light Industrial Land Use Area and the Miramar Subarea. The Light Industrial designation is intended to accommodate manufacturing, storage, warehousing, distribution, and similar uses. The Miramar Subarea was foreseen in the community plan to be developed with a mix of light industrial and specialized commercial uses. The purpose and intent of the IL-2-1 Zone is to accommodate a range of industrial and manufacturing 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 nonindustrial 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-2-1 allows a mix of light industrial, office, and commercial uses.

The project site is designated Industrial Employment by the Land Use and Community Planning Element of the General Plan. The General Plan identifies a citywide shortage of land suitable for manufacturing activities and a need to protect a reserve of manufacturing land from non-manufacturing uses.

The Industrial and Business Park designation would permit light manufacturing uses, thereby providing additional land suitable for manufacturing activities. The proposed project will promote the policies of the General Plan because MPFs are industrial manufacturing uses.

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

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

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 2070318 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2070318, a copy of which is attached hereto and made a part hereof.

Tim Daly
Development Project Manager
Development Services

Adopted on: April 3, 2019

IO#: 24007575

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: 24007575

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2070318
MPF 9151 REHCO ROAD - PROJECT NO. 585470
HEARING OFFICER

This Conditional Use Permit No. 2070318 is granted by the Hearing Officer of the City of San Diego to Rehco Holdings, LLC, a California Limited Liability Company, Owner and Matthew Longo, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 4.72-acre site is located at 9151 Rehco Road in the IL-2-1 Zone, Prime Industrial Lands, FAA Part 77 Noticing Area for MCAS Miramar, Airport Influence Area for MCAS Miramar Review Area 1, and Airport Land Use Compatibility Overlay Zone for MCAS Miramar within the Mira Mesa Community Plan. The project site is legally described as Parcel 1 of Parcel Map No. 13275, filed in the Office of the County Recorder of San Diego County, May 14, 1984 as instrument No. 84-178424 of official records.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a Marijuana Production Facility within an existing 68,937 square-foot building described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 3, 2019, on file in the Development Services Department.

The project shall include:

- a. Operation of a Marijuana Production Facility within an existing 68,937 square-foot two-story industrial building. The operation shall include the production of marijuana products consistent with the requirements of the State of California statutes and the California Departments of Food and Agriculture, Consumer Affairs and Public Health regulations;
- b. The Marijuana Production Facility operations would include the cultivation, processing, manufacturing, and distribution of cannabis products to State of California licensed marijuana outlets;
- c. Off-street parking; and
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in

accordance with the adopted community plan, the California Environmental Quality Act [CEQA] and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by April 18, 2022.
2. This Conditional Use Permit [CUP] and corresponding use of this site shall expire on April 18, 2024. Upon expiration of this Permit, the facilities and improvements, excluding any public improvements, described herein shall be removed from this site and the property shall be restored to its original condition preceding approval of this Permit.
3. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:
 - a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
 - b. The Permit is recorded in the Office of the San Diego County Recorder.
4. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
5. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
6. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
7. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).
8. The Owner/Permittee shall secure all necessary construction permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements

may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.

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

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

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

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

BUILDING OFFICIAL REQUIREMENTS:

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

CLIMATE ACTION PLAN (CAP) REQUIREMENTS:

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

PLANNING/DESIGN REQUIREMENTS:

14. 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.

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

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

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

18. The name and emergency contact telephone number of an operator or manager shall be posted outside the marijuana production facility in a location visible to the public from the public right-of-way in character size at least two inches in height. The permittee shall provide this contact information to the San Diego Police Department. The operator or manager shall also be available 24 hours a day to address public nuisance complaints and interact with local, state, and federal law enforcement authorities. Other than the contact information, a marijuana production facility shall limit signage on the exterior of the property visible from the public right-of-way to the address.

19. A permit shall be obtained as required pursuant to Chapter 4, Article 2, Division 15.

20. This Conditional Use Permit for a marijuana production facility shall expire five years from the date of issuance.

21. The retail sale of marijuana and marijuana products shall only be conducted by a marijuana outlet in accordance with Section 141.0504. A marijuana production facility is prohibited from providing marijuana and marijuana products to any person other than another marijuana production facility, a testing lab, or a marijuana outlet.

22. The marijuana production facility, adjacent public sidewalks, and areas under the control of the marijuana production facility shall be maintained free of litter and graffiti at all times.

23. The marijuana production facility shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.

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

LANDSCAPING REQUIREMENTS:

25. Prior to issuance of any construction permits for right-of-way 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.

26. Prior to issuance of any construction permits for tenant improvements and/or right-of-way improvements, the Owner/Permittee shall submit complete landscape and irrigation construction documents consistent with the Landscape Standards to the Development Services Department for approval. The construction documents shall be in substantial conformance with Exhibit 'A,' Landscape Development Plan, on file in the Office of the Development Services Department.

27. 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 shall be the responsibility of a Landscape Maintenance District or other approved entity. All required landscape shall be maintained in a disease, weed and litter free condition at all times consistent with the City of San Diego Landscape Regulations and Standards.

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

BRUSH MANAGEMENT REQUIREMENTS:

29. The Owner/Permittee shall implement the following requirements in accordance with the Brush Management Program shown on Exhibit "A," Brush Management Plan on file in the Office of the Development Services Department.
30. The Brush Management Program shall consist of a modified Zone One ranging in width from 25 feet to 80 feet. Zone One shall extend from the rear of the commercial structure to the outer edge of the existing vehicular use area. Zone Two of approximately 5 feet shall extend beyond Zone One to the top of bank. No brush management shall be required within the riparian wetland.
31. Prior to issuance of any Construction Permits, a complete set of Brush Management Plans shall be submitted for approval to the Development Services Department. The construction documents shall be in substantial conformance with Exhibit 'A' and shall comply with the Landscape Standards and Brush Management Regulations as set forth under SDMC sec. 142.0412.
32. Within Zone One, combustible accessory structures (including, but not limited to decks, trellises, gazebos, etc.) shall not be permitted while accessory structures of non-combustible, one-hour fire-rated, and/or heavy timber construction may be approved within the designated Zone One area subject to Fire Marshal's approval.
33. The following note shall be provided on the Brush Management Construction Documents: "It shall be the responsibility of the Owner/Permittee to schedule a pre-construction meeting on site with the contractor and the Development Services Department to discuss and outline the implementation of the Brush Management Program."
34. The Brush Management Program shall be maintained at all times in accordance with the City of San Diego's Landscape Standards.

ENGINEERING REQUIREMENTS:

35. Prior to the issuance of any construction permits, the Owner/Permittee shall assure, by permit and bond, the reconstruction of the existing 24 feet wide driveway and the existing 28 feet wide driveway per current City Standards, adjacent to the site on Rehco Road, satisfactory to the City Engineer.
36. Prior to the issuance of any construction permits, the Owner/Permittee shall obtain an Encroachment Maintenance Removal Agreement, from the City Engineer, for landscape and irrigation in the Rehco Road public right-of-way.
37. Prior to the issuance of any construction permit, the Permittee shall incorporate any construction Best Management Practices necessary to comply with Chapter 14, Article 2, Division 1 (Grading Regulations) of the San Diego Municipal Code, into the construction plans or specifications.
38. 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.

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 April 3, 2018 by Resolution No. HO-XXXX.

Permit Type/PTS Approval No.: Conditional Use Permit No. 2070318
Date of Approval: April 3, 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.

Rehco Holdings, LLC,
a California Limited Liability Company
Owner

By _____
Name:
Title:

Matthew Longo
Permittee

By _____
Name:
Title:

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

Mira Mesa Community Planning Group Meeting Minutes

Mira Mesa Community Planning Group Meeting Minutes

Date/Time: Thursday, January 24, 2019, 7:00pm

Location: Mira Mesa Public Library, 8405 New Salem Street, San Diego CA 92126

1. Robert Mixon	6. Jeff Stevens	11. Julia Schriber	16. Bari Vaz
2. Craig Radke	7. Ted Brengel	12. Wayne Cox	17. Albert Lee
3. Bruce Brown	8. Marv Miles	13. Tom Derr	18. Chris Morrow
4. Joe Punsalan	9. Jon Labaw	14. Craig Jackson	19. Justin Mandelbaum
5. Kent Lee	10. Ralph Carolin	15. Michael Linton	20.

(HIGHLIGHTED INDICATES ATTENDANCE)

Call to Order/Confirm quorum: Quorum present

1. Non-Agenda Public Comments: 3 Minutes per speaker.
 - a. Tom Derr – Wildlife Research, Birds of Prey, demonstrations.
2. Modifications to the Agenda.
 - a. Arjons Drive MPF deferred to a different meeting.
3. Adopt Previous Meeting Minutes – approved.
4. Report of the Chair
 - a. Forming election subcommittee. Albert to chair. Need list of candidates at next meeting, eligible and willing. To be eligible must have attended 2 meetings out of last 12 (since November 2017)
 - b. FBA update – received documents from the City for subcommittee review
 - c. 3 Roots – Parkdale overlook plans on website. Jeff, Ted, Joe toured site; would like to have it at a higher point.
 - d. NORAs received for various construction projects throughout Mira Mesa.
5. Old Business
 - a. Mira Mesa Community Plan Update – Alex Frost
 - i. Released Phase 1 engagement report, available online
 - ii. Planmiramesa.org
6. New Business
 - a. Flood water storage easement vacation at Mira Mesa Mall – Joshua Bielick (Action)
 - i. Vacate flood storage easement

Mira Mesa Community Planning Group Meeting Minutes

- ii. Approved 15-0-0 Chris Morrow/Jeff Stevens
- b. Brush Management on Canyon Perimeters - Eddie Villavicencio
 - i. Assistant fire marshal
 - ii. March 1 thru Aug 15 gnatcatcher breeding season, no brush management allowed
 - iii. Selectively thin, trim and prune
 - iv. Reach out to HOA/neighbors to help your defensible space.
- c. Traffic issues with stop sign at Flanders and Dancy – Joe Punsalan, James Maddalena
 - i. Side effect – Cars are turning on Keoki south of Flanders to bypass the traffic stopped at the stop sign at Flanders and Dancy.
 - ii. Initial request was to remove the stop sign.
 - iii. Need a traffic study to mitigate the traffic and provide a solution. Secondary problem is that traffic flow from northbound Camino Santa Fe turning right onto Mira Mesa Blvd is poor.
 - iv. Send a memorandum from the planning group requesting a traffic study of two problems related to Flanders Drive near Camino Santa Fe:
 - 1. After a stop sign was installed at the intersection of Flanders Drive and Dancy Road, rush hour traffic started to divert south on Keoki St. and then east on Dancy Road to bypass the line of cars waiting at the stop sign. Residents report a huge increase in traffic, with many cars traveling at high speeds. What options are available for alleviating this problem?
 - 2. One reason traffic turns right onto Flanders from Camino Santa Fe is because it is difficult to turn right from Camino Santa Fe onto Mira Mesa Blvd. There is only one right turn lane and the signal that allows right turns is on for too short a time to allow the turning traffic through. What can be done to make it easier and faster to make the turn so that traffic stays on Mira Mesa Blvd instead of cutting through on Flanders?
 - v. Motion to approve Craig Radke/Tom Derr 15-0-0
- d. MPF 585470 9151 Rehco Road – Joe Esposito (Action)
 - i. CUP
 - ii. No odors
 - iii. Motion: Jon Labaw/Craig Jackson 15-0-0
- e. MPF 585627 8330 Arjons Drive – Faith Picking (Action)
 - i. Moved to future date

7. Elected Officials/Government Agencies

- a. San Diego – City Council District 6. Luis will follow up on traffic study request.

8. Reports

- a. Stone Creek Subcommittee – waiting for City
- b. Community Park Subcommittee – will be reviewing FBA
- c. Community Planners Committee

Mira Mesa Community Planning Group Meeting Minutes

- i. New parking regulations reduce or remove parking requirements over most of the City including about ½ of Mira Mesa
 - d. Los Peñasquitos Canyon Preserve Citizens Advisory Committee – January meeting rained out. Next meeting March 21.
- 9. Adjourn

FORM

DS-318

October 2017



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

Ownership Disclosure Statement

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

Project Title: Rehco - MPF CU? App. **Project No. For City Use Only:** _____
Project Address: 9151 Rehco Road, San Diego, CA 92121

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

☐ Corporation ☒ Limited Liability -or- ☐ General - What State? CA Corporate Identification No. 57-1161369
☐ Partnership ☐ Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: Rehco Holdings ☒ Owner ☐ Tenant/Lessee ☐ Successor Agency
Street Address: 9747 Businesspark Avenue
City: San Diego State: CA Zip: 92121
Phone No.: 858.450.0441 Fax No.: 858.731.0670 Email: rlwls@rhinollnngs.com
Signature: Pamela D. Roberts Date: 11-3-2017
Additional pages Attached: ☐ Yes ☒ No

Applicant

Name of Individual: Matthew Longo ☐ Owner ☒ Tenant/Lessee ☐ Successor Agency
Street Address: 9151 Rehco Road.
City: San Diego State: CA Zip: 92121
Phone No.: 714-805-6646 Fax No.: _____ Email: LongoMatt@gmail.com
Signature: [Signature] Date: 11/3/2017
Additional pages Attached: ☐ Yes ☒ No

Other Financially Interested Persons

Name of Individual: _____ ☐ Owner ☐ Tenant/Lessee ☐ Successor Agency
Street Address: _____
City: _____ State: _____ Zip: _____
Phone No.: _____ Fax No.: _____ Email: _____
Signature: _____ Date: _____
Additional pages Attached: ☐ Yes ☐ No

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.

Parking Tobia per SDMC 142.0630

F PARKING TABLE

PROJECT DESCRIPTION
I-5 HOLDINGS, LTD INTENDS TO OPERATE A MARIJUANA PRODUCTION (MPF) FACILITY IN AN EXISTING 68,937 SF BUILDING LOCATED AT: 9151 REHCO ROAD, SAN DIEGO, CA. THE FACILITY SHALL OBTAIN A PERMIT PER SAN DIEGO MUNICIPAL CODE CHAPTER 4, ARTICLE 2, DIVISION 15 AND OPERATE IN STRICT COMPLIANCE WITH THE SAN DIEGO MUNICIPAL CODE SECTION 141.1004.

THE MPF WILL DEVELOP CLONES CUT FROM MOTHER PLANTS. AFTER 3 WEEKS THE CLONES WILL BE MOVED INTO THE VEGETATIVE ROOM FOR ANOTHER 3 WEEKS. THEN THE BEST PLANTS WILL MOVE INTO A FLOWER ROOM AND WILL BE HARVESTED AFTER A NINE WEEK CYCLE. THE PLANTS WILL BE TRIMMED AND DRIED BEFORE THE EXTRACTION PROCESS. THE EXTRACTION PROCESS WILL BE A CLOSED LOOP PROCESS AND SHALL OBTAIN CANNABIS CONCENTRATES FROM THE MARIJUANA PLANTS (TRIM). THE CONCENTRATES ARE PRODUCED IN A SCIENTIFIC MANNER THAT UTILIZES SOLVENTS LIKE BUTANE, ALCOHOL OR CARBON DIOXIDE. THE EXTRACTION PROCESS PRODUCES THE MARIJUANA OILS NEEDED FOR VARIOUS MARIJUANA PRODUCTS.

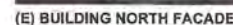
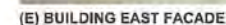
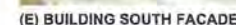
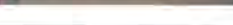
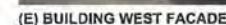
AFTER EXTRACTION, THE MARIJUANA BEGINS THE WINTERIZING (PURIFYING) AND DISTILLATION PROCESS. THE WINTERIZING PROCESS CREATES A PRODUCT THAT IS FURTHER PURIFIED BY REMOVING THE FATS AND WAXES FROM THE OIL. WINTERIZING ENTAILS DISSOLVING THE EXTRACTED OIL (NON-POLAR) IN A POLAR LIQUID (USUALLY ETHANOL), FREEZING THE MIXTURE AT SUB-ZERO TEMPS, THEN REMOVING THE WAXES THROUGH A LOW-MICRON FILTER. DURING THE DISTILLATION PROCESS THE EXTRACTED OIL IS EXPOSED TO HEAT AND DEEP VACUUM, WHICH SEPARATE VARIOUS CANNABINOIDS AND TERPENES FROM CONCENTRATE.

THE OIL CONCENTRATE WILL NOW BE FILLED INTO CARTRIDGES FOR PACKAGING AND DISTRIBUTION TO LICENSED MARIJUANA OUTLETS IN SAN DIEGO.

Estrada Land Planning
Urban Design Landscape Architecture Computer Imaging

616.236.0143
325 Broadway, Suite 88
San Diego, California 92101
616.236.0178 Fax
E:ELP@estrada.net

DATE: 11/15/2017; REVISION: 10/08/2018
SHEET: 2 OF 5



③

ODOR SUPPRESSION WILL BE PROVIDED BY PHRESH® FILTERS AIR FILTRATION SYSTEMS. PHRESH® FILTERS ARE STATE OF THE ART CARBON FILTERS THAT SCOUR THE AIR TO MAKE IT CLEAN OF DUST, FOREIGN PARTICULATES, ORGANIC COMPOUNDS AND ODORS. PHRESH® FILTERS RELY ON THE UNIQUE PROPERTIES OF RC-48 AUSTRALIAN ACTIVATED CARBON. PHRESH® FILTERS HIGH CTC % AND THE AMOUNT OF VIRGIN ACTIVATED CARBON INSIDE EACH PHRESH® FILTERS GIVE THE LONGEST LIFE SPAN ON THE MARKET.

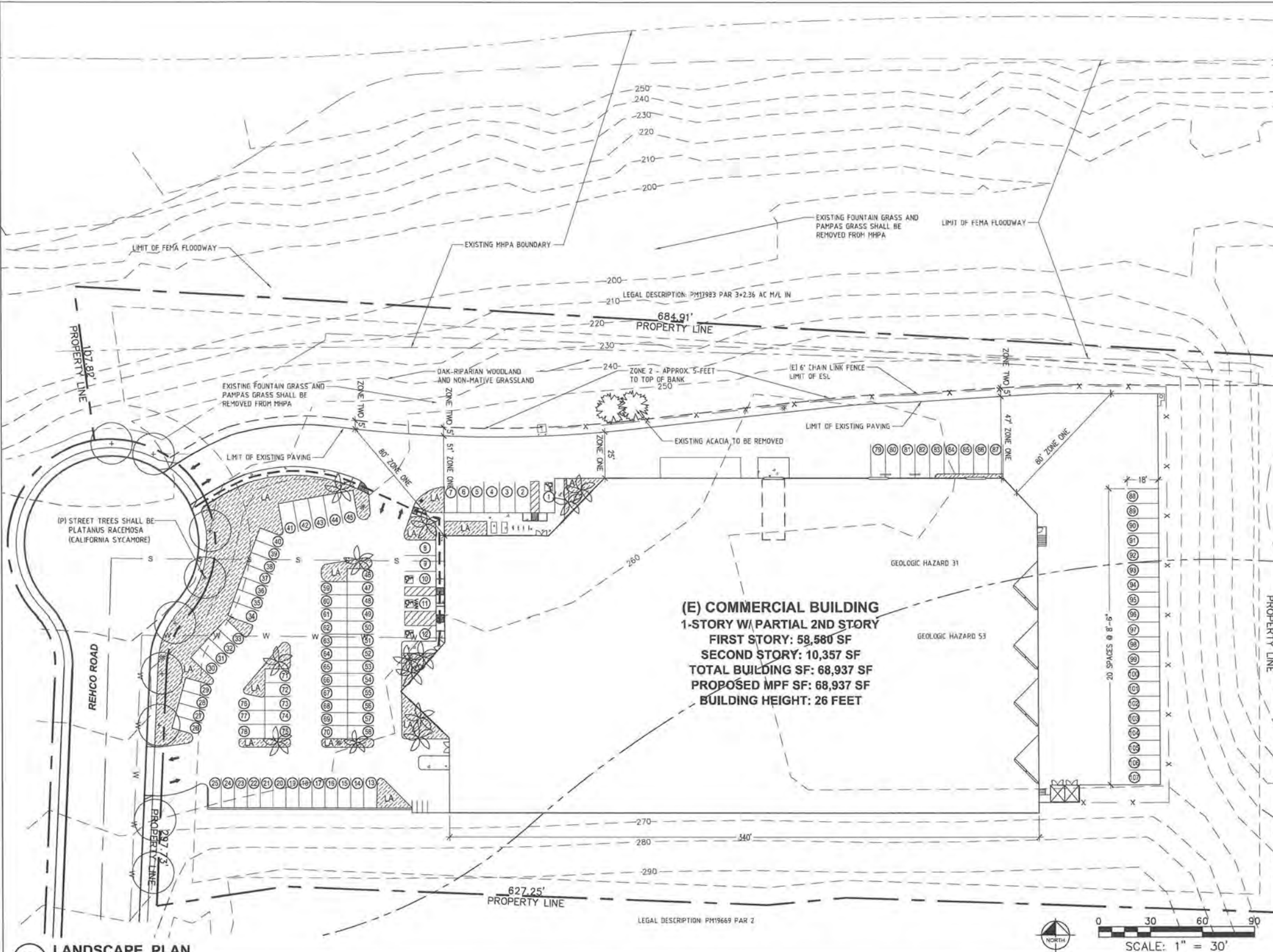
FILTERS

THE PHRESH® FILTERS ARE DESIGNED FOR THE CONTROL OF VOCs, ODORS, AND OTHER GASEOUS CONTAMINANTS. BUILT WITH THE SAME PROVEN PACKED BED DESIGN AND PELLETIZED VIRGIN ACTIVATED CARBON IN USE FOR 30 YEARS, THIS LINE OF TIME TESTED ACTIVATED CARBON AIR FILTERS SETS THE STANDARD FOR LONG LIFE, CONSISTENT PERFORMANCE, AND LOW PRESSURE DROP. RATED AT A CONSERVATIVE 0.1 SEC CONTACT TIME, THE PHRESH® FILTERS PROVIDE EXCELLENT VALUE AND CONFIDENCE.

EACH PHRESH® FILTERS USES THE MOST CONCEPTUALLY SOUND, PELLETIZED CARBON, PACKED-BED DESIGN TO DELIVER THE BEST PERFORMING CARBON FILTER ON THE MARKET. EVEN WITH THE INDUSTRY'S THICKEST CARBON BED, AT 2.5", THE CAN ORIGINAL PROVIDES FOR SOME OF THE LOWEST PRESSURE DROPS, EVEN ON SMALLER SIZE FILTERS. THIS HEFTY PELLETIZED CARBON BED EFFECTIVELY MAKES THE ORIGINAL FILTER THE "BIGGEST SPONGE" FOR ODOR REMOVAL CAPABLE OF HOLDING MASSIVE AMOUNTS OF CONTAMINANT.

VENTILATION SETUP
 PROPER VENTILATION AND PROPER FILTRATION ARE ESSENTIAL TO CLEAN THE AIR AND KILL ALL ODORS. YOU SHOULD BE REPLACING THE AIR IN YOUR SPACE ABOUT ONCE EVERY 5 MINUTES. TO CALCULATE THE CFM PERFORMANCE YOU NEED TO PROPERLY VENTILATE YOUR SPACE USE THE FOLLOWING FORMULA: (SPACE WIDTH X LENGTH X HEIGHT) / 5 = RECOMMENDED CFM.

PLEASE NOTE THAT CFM PERFORMANCE OF A FAN IS AFFECTED BY THE LENGTH AND PATH OF DUCTING AND THE USE OF A CARBON FILTER. THEREFORE WHEN USING A CARBON FILTER YOU MUST ADD AN ADDITIONAL 20% TO THE CFM RECOMMENDATION TO ACCOUNT FOR THE LOSS. SO THE FORMULA WHEN USING A CARBON FILTER WOULD BE: ((SPACE WIDTH X LENGTH X HEIGHT) / 5) X 1.2 = RECOMMENDED CFM.

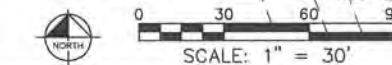


G LANDSCAPE PLAN

LANDSCAPE NOTES:

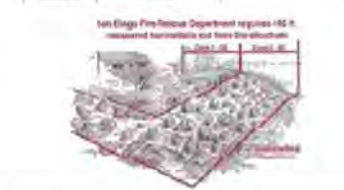
- ANY LANDSCAPING THAT IS REMOVED OR DAMAGED DURING CONSTRUCTION SHALL BE REPLACED IN KIND.
- STREET TREE SPECIES SHALL BE PLATANUS RACEMOSA. TREES ARE TO BE PROVIDED AT A RATE OF (1) CANOPY TREE PER 30 L.F. OF STREET FRONTAGE, EXCLUDING CURB CUTS.
- MINIMUM TREE SEPARATION DISTANCE - INCLUDE THE FOLLOWING NOTE ON THE PLAN PER SECTION 142.0409, TABLE 142-04E OF THE LANDSCAPE REGULATIONS:
MINIMUM TREE SEPARATION DISTANCE IMPROVEMENT/ MINIMUM DISTANCE TO TREE
a. TRAFFIC SIGNALS (STOP SIGN) - 20 FEET
b. UNDERGROUND UTILITY LINES - 5 FEET (10 FEET FOR SEWER)
c. ABOVE GROUND UTILITY STRUCTURES - 10 FEET
d. DRIVEWAY (ENTRIES) - 10 FEET (5 FEET ON RESIDENTIAL STREETS RATED AT 25 MPH OR LOWER)
e. INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET
- PRIOR TO ISSUANCE OF ANY ENGINEERING PERMITS FOR RIGHT-OF-WAY 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 SQ-FT 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 LANDSCAPING / BRUSH MANAGEMENT WITHIN THE BRUSH MANAGEMENT ZONE(S) AS SHOWN ON THESE PLANS. INCLUDING THE RIGHT-OF-WAY, UNLESS LONG-TERM MAINTENANCE OF SAID LANDSCAPING SHALL BE THE RESPONSIBILITY OF A LANDSCAPE MAINTENANCE DISTRICT OR OTHER APPROVED ENTITY. ALL REQUIRED LANDSCAPE SHALL BE MAINTAINED IN A DISEASE, WEED AND LITTER FREE CONDITION AT ALL TIMES CONSISTENT WITH THE CITY OF SAN DIEGO LANDSCAPE REGULATIONS AND STANDARDS.
- 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.

LONG-TERM MAINTENANCE RESPONSIBILITY:
ALL LANDSCAPING / BRUSH MANAGEMENT WITHIN THE BRUSH MANAGEMENT ZONE(S) AS SHOWN ON THESE PLANS SHALL BE THE RESPONSIBILITY OF THE OWNER. THE BRUSH MANAGEMENT ZONE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION



**San Diego Municipal Code
142.0412 Brush Management
Table 142-04H**

Standard Width	Permitted Width
Greater than 15 feet	Greater than 15 feet



The Zone Two width is determined by the Zone One width and the height of the brush. The Zone Two width is determined by the Zone One width and the height of the brush.

Zone One brush management requirements include: (1) The required Zone One brush width shall be provided between Zone One and the undisturbed, native or naturalized vegetation, and shall be measured from the edge of Zone One that is furthest from the habitable structure, to the edge of undisturbed vegetation.

(2) Zone One brush shall contain no habitable structures, structures that are directly attached to habitable structures, or other constructed construction that provides a means for transmitting fire to the habitable structure. Structures such as fences, walls, patios, play structures, and non-habitable garden that are located within brush management Zone One shall be removed or, if not removed, they shall be removed or destroyed.

(3) Plants within Zone One shall be primarily low-growing and less than 10 feet in height, except for trees, shrubs, and vines that are less than 10 feet in height.

(4) Trees within Zone One shall be located away from structures to a minimum distance of 10 feet as measured from the top of the tree to the edge of the tree structure in accordance with the Landscape Standards of the Land Development Manual.

(5) Permanent irrigation is required for all planting areas within Zone One except for trees.

(A) When planting trees, shrubs, or vines, they shall be taller than 24 inches in height, or

(B) When planting trees, shrubs, or vines, they shall be taller than 24 inches in height, or

(6) Zone One brush management and removal shall not be allowed into adjacent areas of native or naturalized vegetation.

(7) Zone One shall be maintained on a regular basis by pruning and cleaning plants, removing weeds and maintaining irrigation systems.

(8) Zone One brush management requirements include: (1) The required Zone One brush width shall be provided between Zone One and the undisturbed, native or naturalized vegetation, and shall be measured from the edge of Zone One that is furthest from the habitable structure, to the edge of undisturbed vegetation.

(2) No structures shall be constructed in Zone One.

(3) Within Zone One, a maximum of one plant over 24 inches in height shall be planted and shall be taller than 24 inches in height.

(4) Within Zone One, all plants remaining after 50 percent fire reduction shall be removed or destroyed.

(5) The following standards shall be used when Zone Two is in an area previously planted with native or naturalized vegetation:

(A) All trees, shrubs, and vines within Zone Two shall be removed, and the area shall be replanted with native or naturalized vegetation.

(B) New plants shall be low-growing with a maximum height of 10 feet, and shall be planted in a grid pattern.

(C) All Zone Two plantings shall be planted in a grid pattern.

**San Diego Landscape Standards
Section III - Brush Management
ATTACHMENT 8**

For safety in the landscape is achieved by reducing the brush. Through the landscape is achieved by reducing the brush. Through the landscape is achieved by reducing the brush.

Implementing brush management in an environmentally appropriate manner requires a reduction in the amount and frequency of highly flammable, fast growing vegetation that poses a fire hazard. Such a transition will minimize the visual, biological and noise impact, while reducing the risk of a wildfire.

Brush management requirements include: (1) The required Zone One brush width shall be provided between Zone One and the undisturbed, native or naturalized vegetation, and shall be measured from the edge of Zone One that is furthest from the habitable structure, to the edge of undisturbed vegetation.

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(4) Within Zone One, all plants remaining after 50 percent fire reduction shall be removed or destroyed.

(5) The following standards shall be used when Zone Two is in an area previously planted with native or naturalized vegetation:

(A) All trees, shrubs, and vines within Zone Two shall be removed, and the area shall be replanted with native or naturalized vegetation.

(B) New plants shall be low-growing with a maximum height of 10 feet, and shall be planted in a grid pattern.

(C) All Zone Two plantings shall be planted in a grid pattern.

(6) Zone One brush management and removal shall not be allowed into adjacent areas of native or naturalized vegetation.

(7) Zone One shall be maintained on a regular basis by pruning and cleaning plants, removing weeds and maintaining irrigation systems.

(8) Zone One brush management requirements include: (1) The required Zone One brush width shall be provided between Zone One and the undisturbed, native or naturalized vegetation, and shall be measured from the edge of Zone One that is furthest from the habitable structure, to the edge of undisturbed vegetation.

(2) No structures shall be constructed in Zone One.

(3) Within Zone One, a maximum of one plant over 24 inches in height shall be planted and shall be taller than 24 inches in height.

(4) Within Zone One, all plants remaining after 50 percent fire reduction shall be removed or destroyed.

(5) The following standards shall be used when Zone Two is in an area previously planted with native or naturalized vegetation:

(A) All trees, shrubs, and vines within Zone Two shall be removed, and the area shall be replanted with native or naturalized vegetation.

(B) New plants shall be low-growing with a maximum height of 10 feet, and shall be planted in a grid pattern.

(C) All Zone Two plantings shall be planted in a grid pattern.

(6) Zone One brush management and removal shall not be allowed into adjacent areas of native or naturalized vegetation.

(7) Zone One shall be maintained on a regular basis by pruning and cleaning plants, removing weeds and maintaining irrigation systems.

(8) Zone One brush management requirements include: (1) The required Zone One brush width shall be provided between Zone One and the undisturbed, native or naturalized vegetation, and shall be measured from the edge of Zone One that is furthest from the habitable structure, to the edge of undisturbed vegetation.

(2) No structures shall be constructed in Zone One.

(3) Within Zone One, a maximum of one plant over 24 inches in height shall be planted and shall be taller than 24 inches in height.

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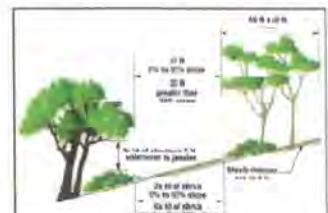
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(4) Within Zone One, all plants remaining after 50 percent fire reduction shall be removed or destroyed.

(5) The following standards shall be used when Zone Two is in an area previously planted with native or naturalized vegetation:

(A) All trees, shrubs, and vines within Zone Two shall be removed, and the area shall be replanted with native or naturalized vegetation.

**Figure 3.1
Pruning Trees to Provide Clearance for Brush Management**



All plants or plant material except trees, shrubs, and vines shall be removed by a distance from the edge of the habitable structure (Figure 3.1).

Maximum coverage and area limitations as stated herein shall not apply to indigenous native tree species (i.e., Ficus, Quercus, Platanus, Salix and Populus).

Zone 1 Requirements - All Structures

3.2.2.01 Do not use, and remove if necessary, highly flammable plant materials (see Appendix "B").

3.2.2.02 Trees should not be located any closer to a structure than a distance equal to the tree's mature spread.

3.2.2.03 Maintain all plantings in a succulent condition.

3.2.2.04 Non-irrigated plant groupings over six inches in height may be retained provided they do not exceed 100 square feet in area and their combined coverage does not exceed 10 percent of the total Zone 1 area.

Zone 2 Requirements - All Structures

3.2.3.01 Individual non-irrigated plant groupings over 24 inches in height may be retained provided they do not exceed 100 square feet in area and their combined coverage does not exceed 30 percent of the total Zone 2 area.

Brush Management Maintenance Notes

1. General Maintenance - Regular inspections and landscape maintenance are necessary to minimize the potential damage or loss of property from brush fires and other natural hazards such as erosion and slope failure. It is the responsibility of the owner to maintain a healthy landscape and to ensure that the landscape is maintained in a healthy condition.

2. Brush Management Zone 1 - This is the most critical area for fire and watershed safety. All ornamental plantings should be kept well watered and any irrigation run-off should drain toward the street. Brush management and removal should be performed regularly and all brush removed from the site before the fire season begins. All plantings, particularly non-irrigated natives and large trees should be regularly pruned to eliminate dead limbs, to reduce overhanging limbs and to provide adequate space between plants and structures.

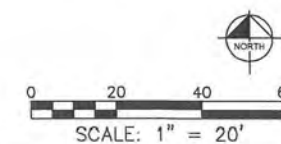
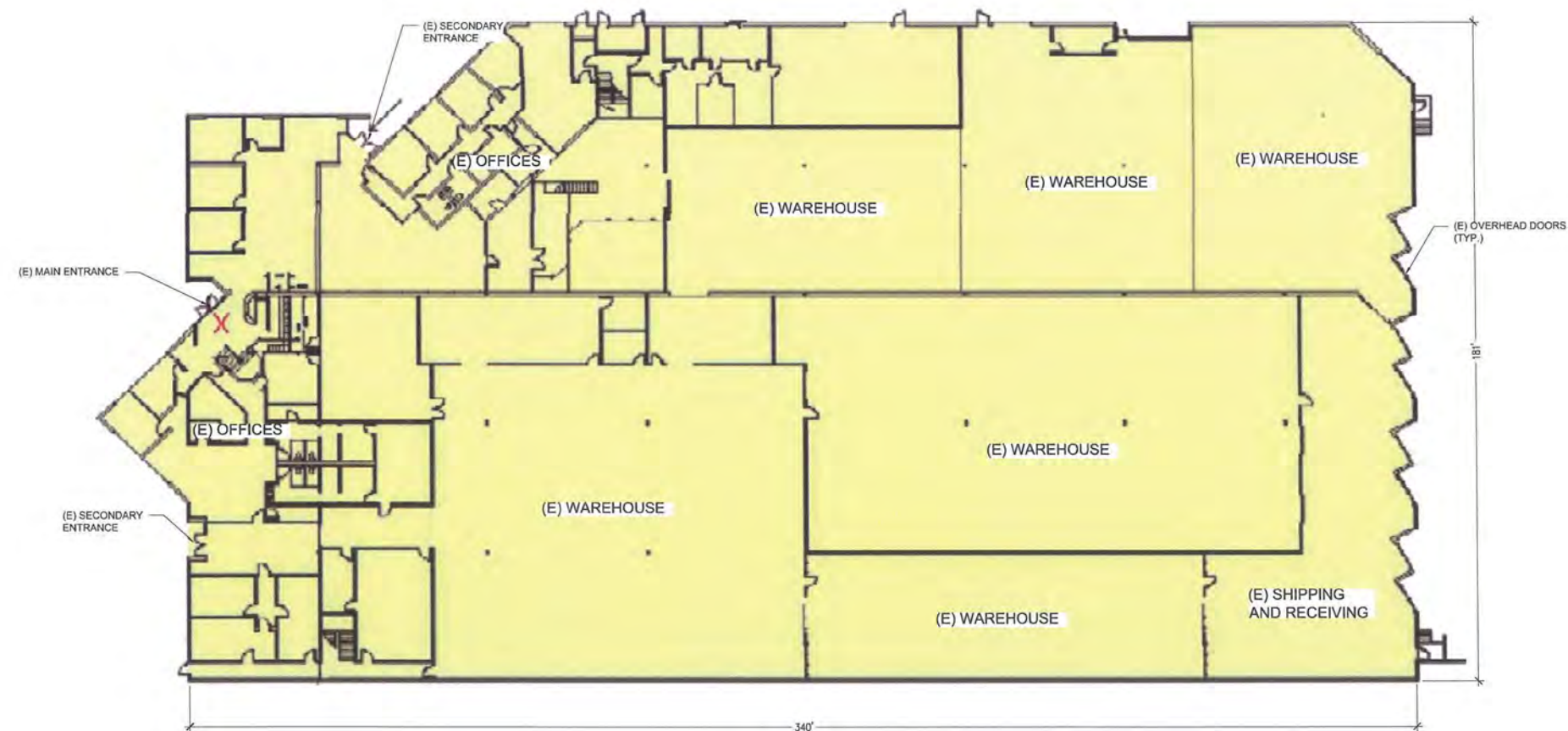
3. Brush Management Zone 2 - Seasonal maintenance in this zone should include removal of dead woody plants, eradication of woody species and periodic pruning and mowing of trees and shrubs. Removal of weeds should not be done with hand tools such as hoes, as this disturbs valuable soil. The use of weed whackers or other tools which retain stub within the process die and is recommended. Native shrubs should be pruned in the summer after the major effort growth occurs. Well pruned healthy shrubs should typically require several years to build up excessive live and dead fuel. The slopes of desirable shrubs should be kept close. If necessary, other shrubs should be removed and replaced with native shrubs. Native shrubs should be pruned from time to time to provide adequate space between plants and structures.

4. Long-term Maintenance Responsibility - All Landscaping / Brush Management within the Brush Management zone is to be done in accordance with the requirements of the OWNER, including the following: (a) The Brush Management zone shall be maintained in a healthy growing condition and all plant material shall be maintained in a healthy growing condition.

**9151 REHCO ROAD, SAN DIEGO, CA 92102
MARIJUANA PRODUCTION FACILITY CUP
DEVELOPMENT PLANS**

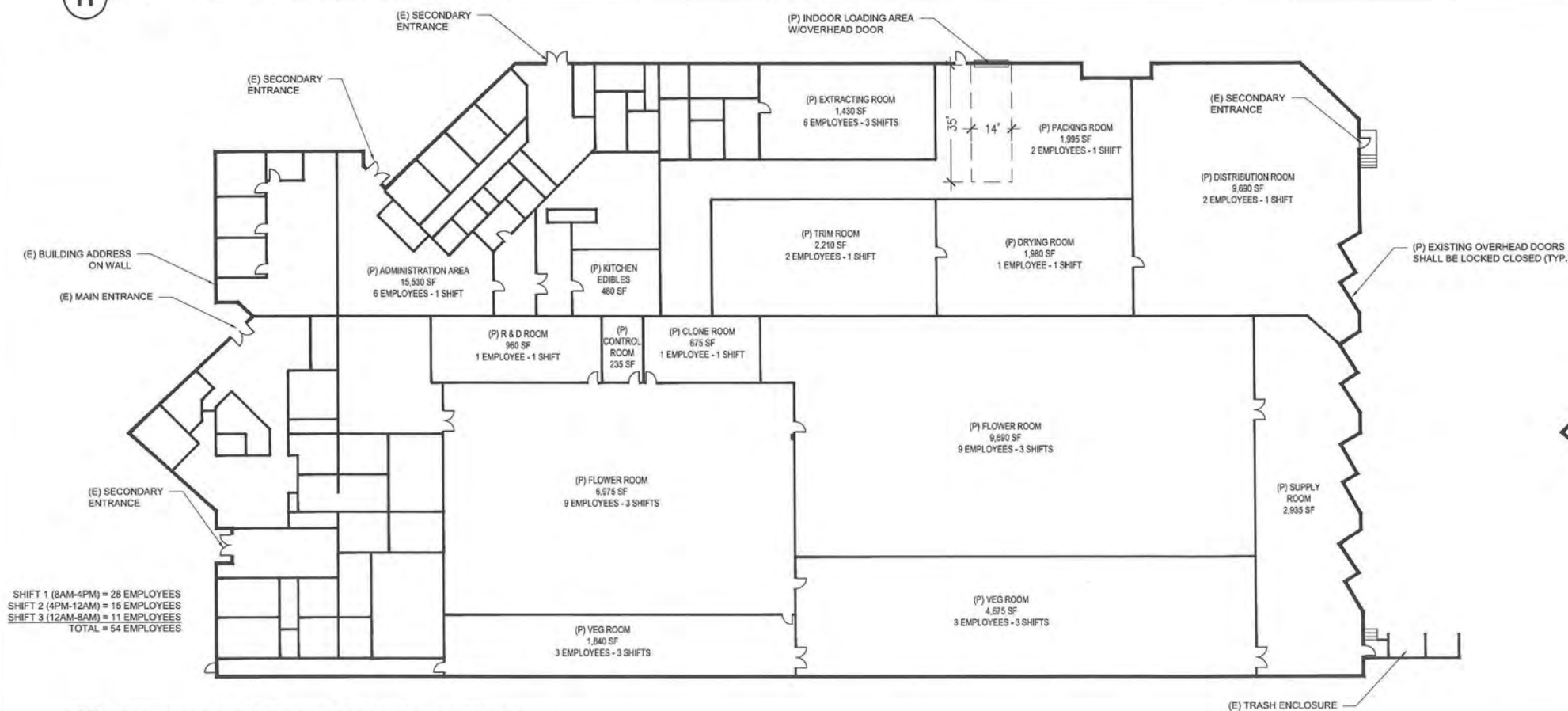
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San Diego, California 92101
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DATE: 11/15/2017; REVISION: 10/08/2018
SHEET: 3 OF 5



H EXISTING FIRST FLOOR PLAN - 58,580 SF

EXISTING SECOND FLOOR PLAN - 10,357 SF



9151 REHCO ROAD, SAN DIEGO, CA 92102
MARIJUANA PRODUCTION FACILITY CUP
DEVELOPMENT PLANS

DATE: 11/15/2017; REVISION: 10/08/2018
 SHEET: 4 OF 5



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DATE: 11/15/2017; REVISION: 10/08/2018
SHEET: 5 OF 5

Development Permit/ Environmental Determination Appeal Application

November 2017

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-3032 (11-17)

PLANNING COMMISSION RESOLUTION NO. XXXX-PC
CONDITIONAL USE PERMIT NO. 2070318
MPF 9151 REHCO ROAD - PROJECT NO. 585470

WHEREAS, REHCO HOLDINGS, LLC, a California Limited Liability Company, Owner and MATTHEW LONGO, Permittee, filed an application with the City of San Diego for a permit to operate a Marijuana Production Facility within an existing 68,937 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2070318), on portions of a 4.72-acre site;

WHEREAS, the project site is located at 9151 Rehco Road in the IL-2-1 Zone, Prime Industrial Lands, FAA Part 77 Noticing Area for MCAS Miramar, Airport Influence Area for MCAS Miramar Review Area 1, and Airport Land Use Compatibility Overlay Zone for MCAS Miramar within the Mira Mesa Community Plan;

WHEREAS, the project site is legally described as Parcel 1 of Parcel Map No. 13275, filed in the Office of the County Recorder of San Diego County, May 14, 1984 as instrument No. 84-178424 of official records;

WHEREAS, on October 30, 2018, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) under CEQA Guideline Section 15301, Existing Facilities, and the Environmental Determination was appealed to City Council, which heard and denied the appeal on January 14, 2019 pursuant to Resolution No. R- 312184;

WHEREAS, on April 3, 2019, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2070318; and

WHEREAS, on April 3, 2019, Kelly Hayes, filed a Development Permit Appeal Application (Appeal); and

WHEREAS, on June 27, 2019, the Planning Commission of the City of San Diego considered the Appeal and Conditional Use Permit No. 2070318 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. 2070318:

A. CONDITIONAL USE PERMIT [SDMC Section 126.0305]

1. Findings for all Conditional Use Permits:

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

The proposed project requests a Conditional Use Permit (CUP) to operate a Marijuana Production Facility (MPF) within an existing 68,937 square-foot, two-story building located on a 4.72-acre site at 9151 Rehco Road in the IL-2-1 Zone within the Mira Mesa Community Plan (Community Plan) area.

The Community Plan designates the site for Light Industrial Land Use Area and the Miramar Subarea. The Light Industrial designation is intended to accommodate manufacturing, storage, warehousing, distribution, and similar uses. The Miramar Subarea was foreseen in the community plan to be developed with a mix of light industrial and specialized commercial uses. The purpose and intent of the IL-2-1 Zone is to accommodate a range of industrial and manufacturing 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 nonindustrial 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-2-1 allows a mix of light industrial, office, and commercial uses.

The project site is designated Industrial Employment by the Land Use and Community Planning Element of the General Plan. The General Plan identifies a citywide shortage of land suitable for manufacturing activities and a need to protect a reserve of manufacturing land from non-manufacturing uses.

The Industrial and Business Park designation would permit light manufacturing uses, thereby providing additional land suitable for manufacturing activities. The proposed project will promote the policies of the General Plan because MPFs are industrial manufacturing uses.

The proposed MPF, classified as an industrial use, is a compatible use for this location with a CUP and is consistent with the community plan, and therefore will not adversely affect the applicable land use plan.

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

The proposed project requests a CUP to operate an MPF within an existing 68,937 square-foot, two-story building located on a 4.72-acre site at 9151 Rehco Road in the IL-2-1 Zone within the Mira Mesa Community Plan area.

MPFs are allowed in the IL-2-1 Zone of the Community Plan with a CUP. However, on April 3, 2019, the Hearing Officer of the City of San Diego approved a total of 40 CUP applications for MPFs. Pursuant to SDMC section 141.1004, no more than 40 MPFs may be permitted in the City of San Diego. The proposed MPF will not comply with the regulations of the Land Development Code as 40 CUP applications for an MPF have been previously approved. Therefore, the proposed MPF 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.

MPFs are allowed in the IL-2-1 Zone of the Mira Mesa Community Plan with a CUP. However, on April 3, 2019, the Hearing Officer of the City of San Diego approved a total of 40 CUP applications for MPFs. Pursuant to SDMC section 141.1004, no more than 40 MPFs may be permitted in the City of San Diego. Therefore, the proposed MPF will not comply with the regulations of the Land Development Code as 40 CUP applications for an MPF have been previously approved.

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

The proposed MPF within an existing 68,937 square-foot building is located at 9151 Rehco Road in the IL-2-1 Zone of the Mira Mesa Community Plan area. Light Industrial designation is intended for manufacturing, storage, warehousing, distribution and similar uses. The purpose and intent of the IL Base Zone is to permit a range of uses,

including nonindustrial uses in some instances. Specifically, the IL-2-1 allows a mix of light industrial, office, and commercial uses. Surrounding properties are zoned IL-2-1 and include uses consistent with the Light Industrial designation of the community plan.

However, on April 3, 2019, the Hearing Officer of the City of San Diego approved a total of forty (40) CUP applications for MPFs. Pursuant to SDMC section 141.1004, no more than 40 MPFs may be permitted in the City of San Diego. Therefore, the proposed MPF will exceed the limitation established by the City Ordinance and is not an appropriate use at the proposed location.

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

BE IT FURTHER RESOLVED, that the Appeal is denied, the decision of the Hearing Officer is upheld, and based on the Findings hereinbefore, Conditional Use Permit No. 2070318 is hereby denied by the Planning Commission to the referenced Owner/Permittee.

Tim Daly
Development Project Manager
Development Services

Adopted on: June 27, 2019

IO#: 24007575