

THE CITY OF SAN DIEGO

## REPORT TO THE PLANNING COMMISSION

**DATE ISSUED:** June 17, 2015 **REPORT NO.** PC-15-076

**ATTENTION:** Planning Commission, Agenda of June 25, 2015

**SUBJECT:** APPEAL OF THE HEARING OFFICER'S DECISION TO APPROVE  
A CONDITIONAL USE PERMIT FOR 7625 CARROLL ROAD MMCC  
- PROJECT NO. 370687 (PROCESS 3).

**REFERENCE:** Report to the Hearing Officer; Report No. HO-15-050 (Attachment 1-11).

**OWNER/  
APPLICANT:** RICK ENGEBRETSEN /  
Radoslav Kalla

### SUMMARY

**Issue:** Should the Planning Commission approve or deny an appeal of the Hearing Officer's decision to approve a Conditional Use Permit (CUP) to allow a Medical Marijuana Consumer Cooperative (MMCC) to operate in a 4,581 square-foot building on a 1.29-acre site within the Mira Mesa Community Plan area?

**Staff Recommendation:** Deny the appeal and **Uphold** the Hearing Officer's decision to **Approve** Conditional Use Permit No. 1338819.

**Community Planning Group Recommendation:** On August 18, 2014, the Mira Mesa Community Planning Group voted 7625 Carroll Road MMCC as the second most preferred project under Special Rules for Consideration of the MMCC applications (Attachment 10).

**Environmental Review:** This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19 Section 15303, New Construction or Conversion of Small Structures on November 26, 2014 (Attachment 8). An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on March 3, 2015.

**Fiscal Impact Statement:** None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

**Housing Impact Statement:** None with this action.

## **BACKGROUND**

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

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

The proposed project is a request for a Conditional Use Permit (CUP) to operate a MMCC in an existing 4,581 square-foot building located at 7625 Carroll Road. The site is in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone and the 70-75 dB CNEL for Miramar within the Mira Mesa Community Plan Area. The site was developed in 1972 per Building Permit No. G86991.

The site is in the Miramar Subarea and designated Light Industrial by the Mira Mesa Community Plan. The Light Industrial designation is intended for manufacturing, storage, warehousing, distribution and similar uses. The Miramar Subarea encourages a mix of light industrial and specialized commercial uses. The proposed MMCC was reviewed by Marine Corps Air Station (MCAS) Miramar and determined to be consistent with the Air Installation Compatible Use Zone (AICUZ) noise and safety compatibility guidelines. The proposed MMCC, classified as commercial services, is a compatible use for this location with a Conditional Use Permit within this community plan.

The proposed MMCC meets all applicable development regulations, including the minimum distance requirements. On April 22, 2015, the Hearing Officer approved the project.

## **DISCUSSION**

**Appeal:** An appeal of the Hearing Officer's decision was filed on May 5, 2015 by Scott Chipman on the grounds of Factual Error, Conflict with other matters, and Findings not supported (Attachment 12).

The appellant's summarized grounds for appeal issues and staff responses are as follows:



Appeal Issues:

1. *The proposed development will be detrimental to public health, safety and welfare. This project will expose the public to increase crime, explosions, increase manufacturing and edibles designed to appeal to youth.*

Staff Response: The CUP permit (Attachment 4) contains the following required conditions to ensure the public, health, safety and welfare of the community: 1) No consultations by medical professionals on site; 2) no vending machines without a human intermediary; 3) interior and exterior lighting; 4) surveillance camera; 5) alarm; 6) security guard during hours of operation; 7) no loitering; 8) no smoking medical marijuana on site; 9) hours of operation from 7:00 a.m. to 9:00 p.m. seven days a week; 10) permit expires in five years; 11) compliance with Chapter 4, Article 2, Division 15 of SDMC; and 12) MMCC permit (fingerprinting and background checks of all responsible persons).

State law prohibits medical marijuana smoking (a) where smoking is prohibited by law, (b) at or within 1000 feet of a school, recreation center, or youth center (unless the medical use occurs within a residence), (c) on a school bus, or (d) in a moving motor vehicle or boat.

Health & Safety Code § 11362.79. Our local smoking prohibitions are in Chapter 4, Article 3, Division 10 and apply to the smoking of tobacco or any weed or plant.

State law prohibits the concentration of controlled substances by chemical extraction. Health & Safety Code § 11379.6.

Edibles must comply with packing and labeling requirements, SDMC Section 42.1508(e)(1 & 2).

2. *The location is not appropriate. The site is on a very high traffic area. There isn't a designated right hand turn. One of the driveways should be closed.*

Staff Response: The proposed MMCC requires public improvements which include the closure of the northerly driveway on Carroll Road with a City standard curb, gutter and sidewalk and the replacement of the existing driveway located at the signalized entrance with a City standard driveway (Attachment 4, conditions 25 & 26). Additionally, no obstacles higher than 36 inches can be located within the visibility area (10'X10') of the driveway and 282 feet of frontage on Carroll Road must be maintained as a sight distance easement (Attachment 4, conditions 28 & 29). The conditions are required in order to assure safe access and visibility to the site.

3. *There are only two parking spaces in front of the building, the parking lot is at least 60 feet from storefront. There are no designed handicapped parking spaces.*

Staff Response: The site is providing 23 off-street parking spaces including 1 van accessible space in compliance with the parking requirements (Attachment 4, condition 27).

**Conclusion:**

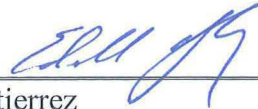
Staff is recommending denial of the appeal and approval of the project as it meets all applicable development regulations, including the minimum distance requirements.

Respectfully submitted,



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Mike Westlake  
Assistant Deputy Director  
Development Services Department



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Edith Gutierrez  
Development Project Manager  
Development Services Department

**Attachments:**

- 1-11 Report to the Hearing Officer – Report HO-15-050
- 12. Appeal Application, Scott Chipman
- 13. Draft Permit Resolution with Findings





THE CITY OF SAN DIEGO

## REPORT TO THE HEARING OFFICER

HEARING DATE: April 22, 2015

REPORT NO. HO-15-050

ATTENTION: Hearing Officer

SUBJECT: 7625 CARROLL ROAD MMCC  
PROJECT NUMBER: 370687

LOCATION: 7625 Carroll Road

APPLICANT: Radoslav Kalla

### SUMMARY

Issue(s): Should the Hearing Officer approve a Conditional Use Permit to allow a Medical Marijuana Consumer Cooperative (MMCC) to operate in a 4,581 square foot building within the Mira Mesa Community Plan Area?

Staff Recommendation: APPROVE Conditional Use Permit No. 1338819.

Community Planning Group Recommendation: On August 18, 2014, the Mira Mesa Community Planning Group voted for 7625 Carroll Road MMCC as the second most preferred project under Special Rules for Consideration of the MMCC applications (attachment 10).

Environmental Review: This project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Article 19 Section 15303, New Construction or Conversion of Small Structures on November 26, 2014 (Attachment 8). An appeal of the CEQA determination was previously made and the City Council denied the CEQA appeal on March 3, 2015. The scope of the Hearing Officer's decision only includes the project, and not the environmental determination.

### BACKGROUND

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

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

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

This proposed project is a request for a Conditional Use Permit (CUP) to operate a MMCC in an existing 4,581 square building on a 1.29-acre site. The proposed MMCC site is located at 7625 Carroll Road, southwest of Carroll Road, north of Miramar Road and east of Camino Santa Fe (Attachment 2). The site is in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone and the 70-75 dB CNEL for Miramar within the Mira Mesa Community Plan Area. The site was developed in 1972 per Building Permit No. G86991.

The site is in the Miramar Subarea and designated Light Industrial by the Mira Mesa Community Plan. The Light Industrial designation is intended for manufacturing, storage, warehousing, distribution and similar uses. The Miramar Subarea encourages a mix of light industrial and specialized commercial uses. The proposed MMCC was reviewed by Marine Corps Air Station (MCAS) Miramar and determined to be consistent with the Air Installation Compatible Use Zone (AICUZ) noise and safety compatibility guidelines. The parcels to the north, east and west are within the IL-3-1 Zone and the parcel to the southeast is within the CC-3-5 Zone. The existing surrounding uses within the IL-3-1 Zone are consistent with the Light Industrial designation of the community plan. The proposed MMCC, classified as commercial services, is a compatible use for this location with a Conditional Use Permit within this community plan.

## DISCUSSION

The project site located at 7625 Carroll Road is a 1.29-acre site developed with a 4,581 square foot building and surface parking. The building is currently being used by West-Tech Inc. for heavy equipment storage and a maintenance yard. The MMCC proposes interior improvements that include a reception area, dispensary area, office, storage and employee lounge. The tenant improvement building permit will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements for this project include closure of the northerly driveway, on Carroll Road with City standard curb, gutter and sidewalk and replacement of the existing driveway located at the signalized entrance to the project.

MMCC's must comply with San Diego Municipal Code (SDMC), Section 141.0614 which requires a 1,000 foot separation, measured between property lines, from; public parks, churches,



child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCC's prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCC Conditional Use Permits expire five years from date of issuance. MMCC's must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

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

#### CONCLUSION

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

#### ALTERNATIVE

1. Approve Conditional Use Permit No. 1338819, with modifications.
2. Deny Conditional Use Permit No. 1338819, if the findings required to approve the project cannot be affirmed.

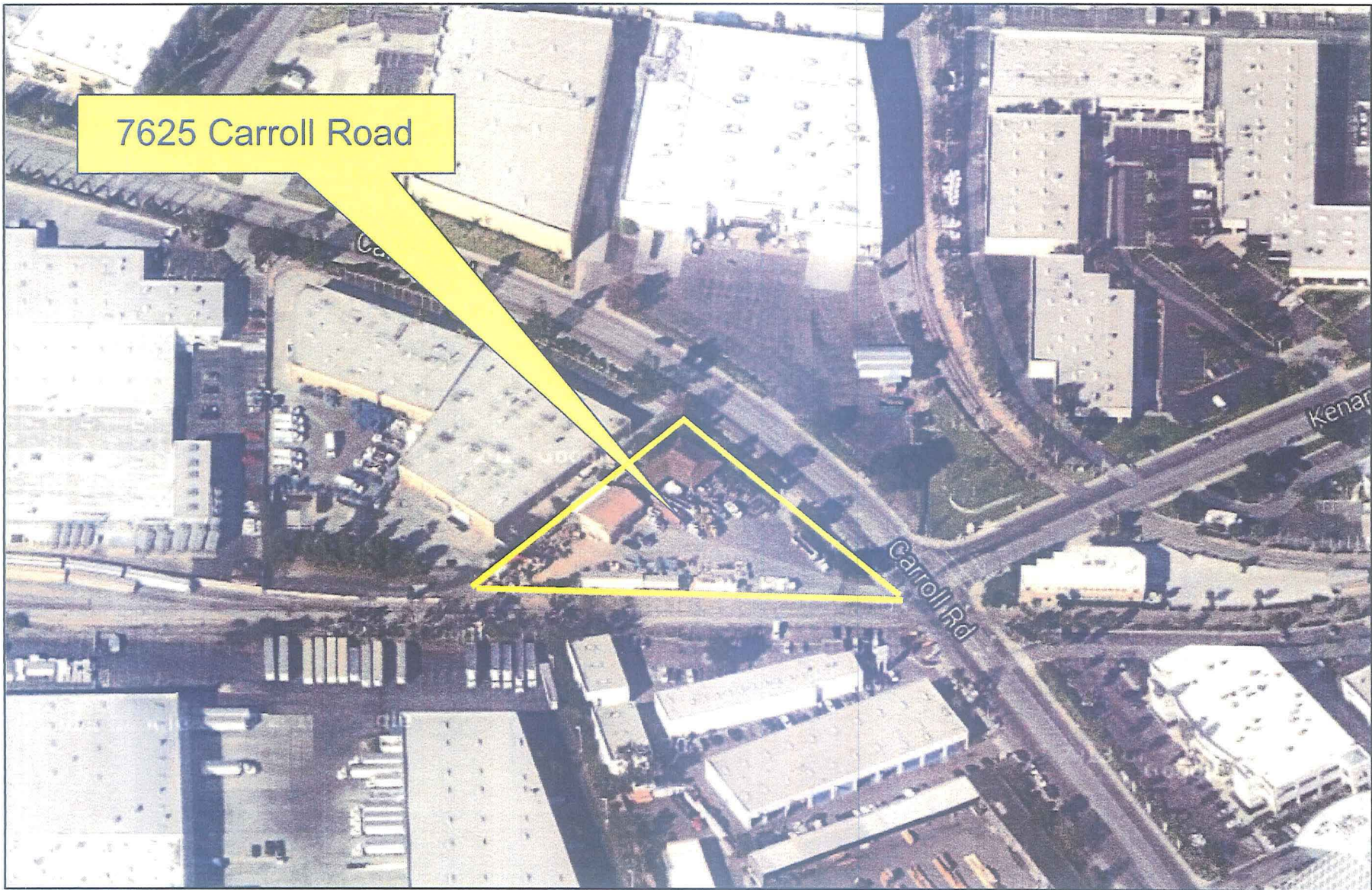
Respectfully submitted,

  
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Edith Gutierrez, Development Project Manager

Attachments:

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



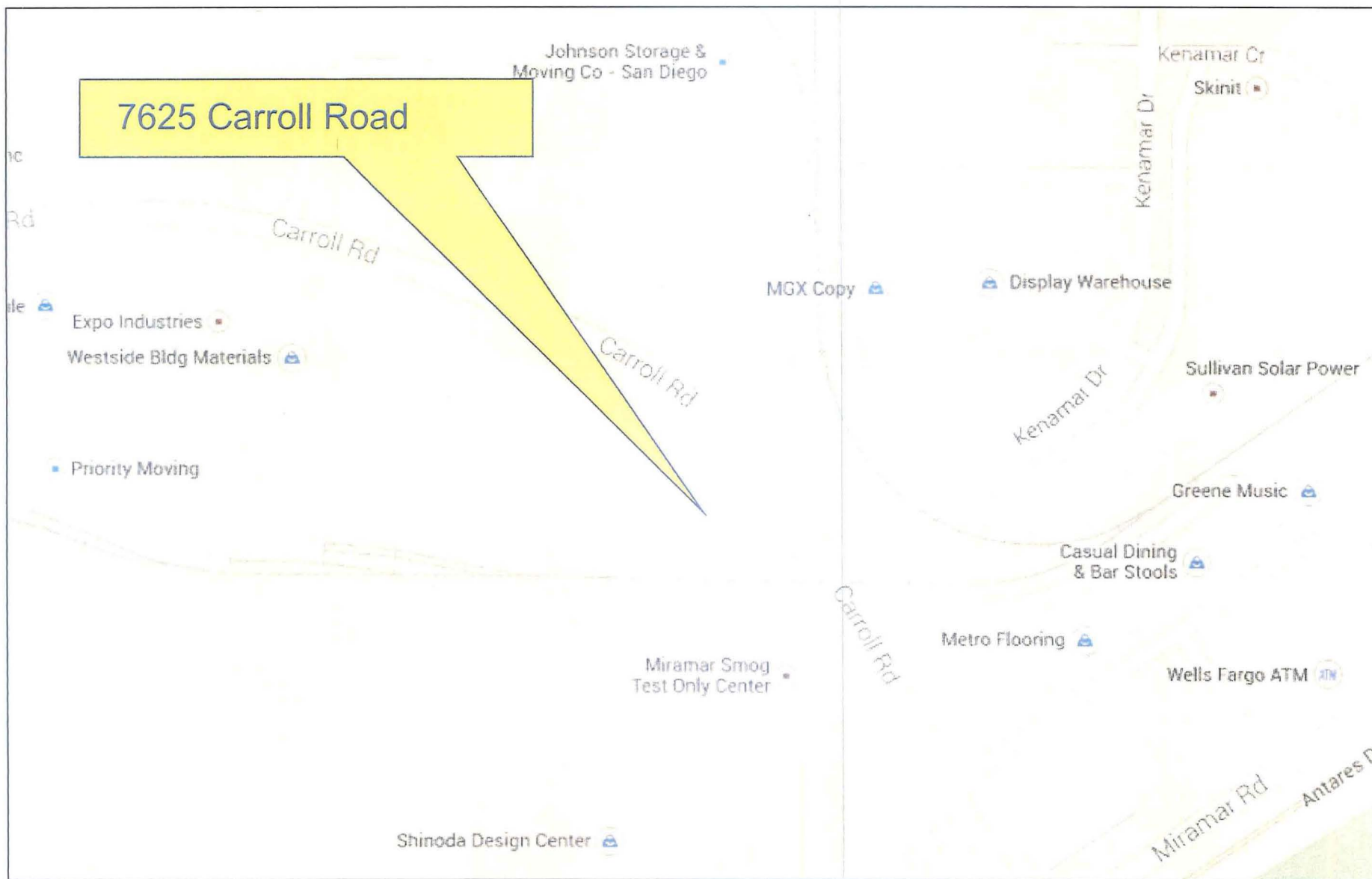


## Location Aerial Photo

7625 CARROLL RD. MMCC – 7625 Carroll Road  
PROJECT NO. 370687







## Project Location Map

**7625 CARROLL RD. MMCC – 7625 CARROLL ROAD**  
**PROJECT NO. 370687**







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

**PROJECT MANAGEMENT**  
**PERMIT CLERK**  
**MAIL STATION 501**

SPACE ABOVE THIS LINE FOR RECORDER'S USE

INTERNAL ORDER NUMBER: 24004715

**CONDITIONAL USE PERMIT NO. 1338819**  
**7625 CARROLL ROAD MMCC - PROJECT NO. 370687**  
**HEARING OFFICER**

This Conditional Use Permit No. 1338819 is granted by the Hearing Officer of the City of San Diego to RICK ENGBRETSSEN, Owner and RADOSLAV KALLA, Permittee, pursuant to San Diego Municipal Code [SDMC] section 126.0305. The 1.29-acre site is located at 7625 Carroll Road in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone, and the 70-75 dB CNEL for Miramar within the Mira Mesa Community Plan Area. The project site is legally described as: Parcel D of Parcel Map No. 904, July 18, 1972, File No. 185254, a portion of Lot 1 of G-W Industrial Park Unit No. 1, Map No. 7120, November 18, 1971.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner/Permittee to operate a Medical Marijuana Consumer Cooperative (MMCC) and subject to the City's land use regulations described and identified by size, dimension, quantity, type, and location on the approved exhibits [Exhibit "A"] dated April 22, 2015, on file in the Development Services Department.

The project shall include:

- a. Operation of a Medical Marijuana Consumer Cooperative (MMCC) in an existing 4,581 square foot building on a 1.29-acre site;
- b. Existing landscaping (planting, irrigation and landscape related improvements);
- c. Existing off-street parking;
- d. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality



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

**STANDARD REQUIREMENTS:**

1. This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12, Article 6, Division 1 of the SDMC within the 36 month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This permit must be utilized by May 7, 2018.
2. This Conditional Use Permit [CUP] and corresponding use of this MMCC shall expire on May 7, 2020.
3. In addition to the provisions of the law, the MMCC must comply with; Chapter 4, Article 2, Division 15 and Chapter 14, Article 1, Division 6 of the San Diego Municipal Code.
4. No construction, occupancy, or operation of any facility or improvement described herein shall commence, nor shall any activity authorized by this Permit be conducted on the premises until:
  - a. The Owner/Permittee signs and returns the Permit to the Development Services Department.
  - b. The Permit is recorded in the Office of the San Diego County Recorder.
  - c. A MMCC Permit issued by the Development Services Department is approved for all responsible persons in accordance with SDMC, Section 42.1504.
5. While this Permit is in effect, the MMCC shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.
6. This Permit is a covenant running with the MMCC and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
8. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.).

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

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

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

If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" 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.

#### **PLANNING/DESIGN REQUIREMENTS:**

13. The use within the 4,581 square foot building shall be limited to the MMCC and any use permitted in the IL-3-1 Zone.



14. Consultations by medical professionals shall not be a permitted accessory use at the MMCC.
15. Lighting shall be provided to illuminate the interior of the MMCC, facade, and the immediate surrounding area, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties.
16. Security shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the premises during business hours. The security guard should only be engaged in activities related to providing security for the facility, except on an incidental basis.
17. The name and emergency contact phone number of an operator or manager shall be posted in a location visible from outside of the MMCC in character size at least two inches in height.
18. The MMCC shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
19. The use of vending machines which allow access to medical marijuana except by a responsible person, as defined in San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this section and condition, a vending machine is any device which allows access to medical marijuana without a human intermediary.
20. The Owner/Permittee or operator shall maintain the MMCC, adjacent public sidewalks, and areas under the control of the owner or operator, free of litter and graffiti at all times. The owner or operator shall provide for daily removal of trash, litter, and debris. Graffiti shall be removed within 48 hours.
21. Medical marijuana shall not be consumed anywhere within the 1.29-acre site.
22. The Owner/Permittee or operator shall post anti-loitering signs near all entrances of the MMCC.
23. All signs associated with this development shall be consistent with sign criteria established by City-wide sign regulations and shall further be restricted by this permit. Sign colors and typefaces are limited to two. Ground signs shall not be pole signs. A sign is required to be posted on the outside of the MMCC and shall only contain the name of the business.
24. Interior spaces exposed to exterior aircraft noise sources shall be attenuated to achieve an indoor noise level of 50 dB CNEL.



**ENGINEERING REQUIREMENTS:**

25. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the closure of the northerly driveway, on Carroll Road, with City standard curb, gutter and sidewalk, satisfactory to the City Engineer.

26. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the replacement of the existing driveway with City standard driveway, located at the signalized entrance to the project, per Standard Drawing SDG-159, satisfactory to the City Engineer.

**TRANSPORTATION REQUIREMENTS:**

27. No fewer than 23 parking spaces (including 1 van accessible space) for the proposed 4,581 square foot MMCC on 1.29-acre site (with 23 parking spaces including 1 van accessible space provided), shall be maintained on the property at all times in the approximate locations shown on Exhibit "A". All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the Development Services Director.

28. The applicant shall provide and maintain 10 feet x 10 feet visibility triangle areas along the property line on both sides of the driveway on Carroll Road. No obstacles higher than 36 inches shall be located within these areas e.g. landscape, walls, columns, signs, shrubs etc.

29. The applicant shall provide and maintain a sight distance easement of 282 feet along the project's frontage on Carroll Road. No obstacles higher than 36 inches shall be located within this area e.g. landscape, walls, columns, signs, shrubs etc.

**POLICE DEPARTMENT RECOMMENDATION:**

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

**INFORMATION ONLY:**

- The issuance of this discretionary use permit alone does not allow the immediate commencement or continued operation of the proposed use on site. The operation allowed by this discretionary use permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on April 22, 2015 and Resolution No. HO-XXXX.



Conditional Use Permit No.1338819/PTS No. 370687

Date of Approval: April 22, 2015

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES  
DEPARTMENT

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Edith Gutierrez  
Development Project Manager

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

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**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.

RICK ENGBRETSSEN  
Owner

By \_\_\_\_\_  
Rick Engbretsen  
Owner

RADOSLAV KALLA  
Permittee

By \_\_\_\_\_  
Radoslav Kalla  
Managing Member

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

HEARING OFFICER  
RESOLUTION NO. HO-  
CONDITIONAL USE PERMIT NO. 1338819  
**7625 CARROLL ROAD MMCC - PROJECT NO. 370687**

WHEREAS, RICK ENGEBRETSEN, Owner and RADOSLAV KALLA, Permittee, filed an application with the City of San Diego for a permit to operate a Medical Marijuana Consumer Cooperative (MMCC) in a 4,581 square foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1338819), on portions of a 1.29-acre site;

WHEREAS, the project site is located at 7625 Carroll Road in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone, and the 70-75 dB CNEL for Miramar within the Mira Mesa Community Plan Area;

WHEREAS, the project site is legally described as Parcel D of Parcel Map No. 904, July 18, 1972, File No. 185254, a portion of Lot 1 of G-W Industrial Park Unit No. 1, Map No. 7120, November 18, 1971;

WHEREAS, on April 22, 2015, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 1338819 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on November 26, 2014, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures); and the Environmental Determination was appealed to City Council, which heard and denied the appeal on March 3, 2015 pursuant to Resolution No. 309533;

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 22, 2015.

FINDINGS:

**Conditional Use Permit Approval – Section §126.0305**

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

The proposed project is a request for a Conditional Use Permit to operate a MMCC in an existing 4,581 square foot building. The 1.29-acre site is located at 7625 Carroll Road in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone and the 70-75 dB CNEL for Miramar within the Mira Mesa Community Plan Area.

The site is in the Miramar Subarea, designated Light Industrial by the Mira Mesa Community Plan.



The Light Industrial designation is intended for manufacturing, storage, warehousing, distribution and similar uses. The Miramar Subarea encourages a mix of light industrial and specialized commercial uses. The proposed MMCC was reviewed by MCAS Miramar and determined to be consistent with the Air Installation Compatible Use Zone (AICUZ) noise and safety compatibility guidelines.

The parcels to the north, east and west are within the IL-3-1 Zone and the parcel to the southeast is within the CC-3-5 Zone. The existing surrounding uses within the IL-3-1 Zone are consistent with the Light Industrial designation of the community plan. The proposed MMCC, classified as commercial services, is a compatible use for this location with a Conditional Use Permit and is consistent with the community plan, therefore will not adversely affect the applicable land use plan.

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

The proposed project is a request for a Conditional Use Permit to operate an MMCC within an existing 4,581 square building located at 7625 Carroll Road. The building is currently being used by West-Tech Inc. for heavy equipment storage and maintenance yard. The project proposes interior improvements that include a reception area, dispensary area, office, storage and employee lounge. The tenant improvement building permit will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements for this project include closure of the northerly driveway, on Carroll Road with City standard curb, gutter and sidewalk and replacement of the existing driveway located at the signalized entrance to the project.

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

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

The project requires compliance with the development conditions in effect for the subject property as described in Conditional Use Permit No. 1338819. The Conditional Use Permit is valid for five years, however may be revoked if the use violates the terms, conditions, lawful requirements, or provisions of the permit.

The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety and general welfare of persons patronizing, residing or working within the



surrounding area and therefore, the proposed MMCC will not be detrimental to the public health, safety and welfare.

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

The proposed project is a request for a Conditional Use Permit to operate an MMCC in an existing 4,581 square building located at 7625 Carroll Road on a 1.29-acre site. The project proposes interior improvements that include a reception area, dispensary area, office, storage and employee lounge. The tenant improvement building permit will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements for this project include closure of the northerly driveway, on Carroll Road with City standard curb, gutter and sidewalk and replacement of the existing driveway located at the signalized entrance to the project.

MMCCs are allowed in the IL-3-1 Zone with a Conditional Use Permit (CUP). The CUP requires MMCCs to comply with SDMC, section 141.0614 which requires a 1,000 foot separation, measured between property lines, from: public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCCs prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCCs must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

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

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

The proposed project is a request for a Conditional Use Permit to operate an MMCC in an existing 4,581 square building. The site is in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone, the 70-75 dB CNEL for Miramar and within the Miramar Subarea which is designated Light Industrial by the Mira Mesa Community Plan. The Light Industrial designation is intended for manufacturing, storage, warehousing, distribution and similar uses. The Miramar Subarea encourages a mix of light industrial and specialized commercial uses. The proposed MMCC was reviewed by MCAS Miramar and determined to be consistent with the Air Installation Compatible Use Zone (AICUZ) noise and safety compatibility guidelines. The proposed MMCC, classified as commercial services, is therefore consistent with the community plan.

MMCCs are allowed in the IL-3-1 Zone with a Conditional Use Permit (CUP). The CUP requires MMCCs to comply with SDMC, section 141.0614 which requires a 1,000 foot separation, measured between property lines, from: public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and



schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCCs prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCCs must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The San Diego Municipal Code limits MMCCs to commercial and industrial zones and the number of MMCCs to only four per Council District, 36 city-wide, in order to minimize the impact on the City and residential neighborhoods. The parcels to the north, east and west are within the IL-3-1 Zone and the parcel to the southeast is within the CC-3-5 Zone. The existing surrounding uses in the IL-3-1 Zone are consistent with the Light Industrial designation of the community plan and compatible uses with MMCCs. Therefore, the proposed MMCC is an appropriate use at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 1338819 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. 1338819, a copy of which is attached hereto and made a part hereof.

---

Edith Gutierrez  
Development Project Manager  
Development Services

Adopted on: April 22, 2015

Job Order No. 24004715



## 7625 Carroll Rd.

## Legend

-  Subject Parcel
-  Parcels
-  1000ft buffer
-  Freeway
-  Highways
-  Major Roads
-  Roads
-  AR-1-1
-  IL-2-1
-  CC-3-5
-  IL-3-1
-  CC-4-2

0 105 210 420 Feet  
1 inch = 417 feet

## Vicinity Map

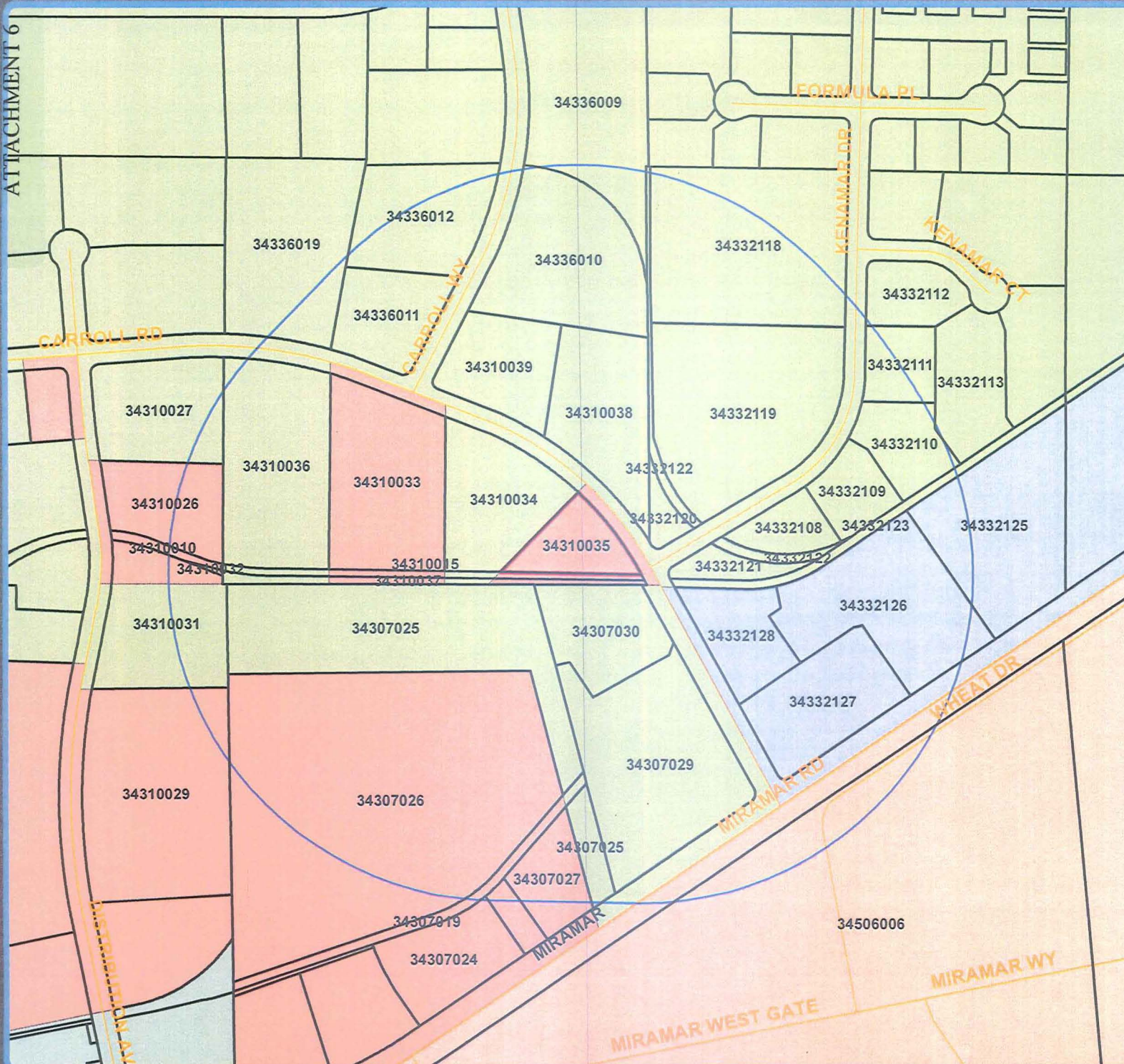


Map made exclusively for our client by the  
San Diego Geographic Information Source  
5510 Overland Ave., Suite 230  
San Diego, CA 92123  
(858) 874-7000  
[www.sangis.org](http://www.sangis.org)  
For reprints, mapping or additional information  
please contact SanGIS.

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Full text of the legal notice can be found at: [http://www.sangis.org/Legal\\_Notice.htm](http://www.sangis.org/Legal_Notice.htm)

Plot Date: 03/27/15





## 1000-Foot Radius Map Spreadsheet

Project Name: 7625 CARROLL RD MMCC  
 7625 CARROLL RD. SAN DIEGO,  
 Address : CA 92121  
 Date: 5/7/14

Use	Address	Assessor Parcel No.	Business Name
WAREHOUSE	7466 CARROLL RD	343-360-19-00	RESTAURANT DEPOT, WACO FILTERS
WAREHOUSE	8960 CARROLL WAY	343-360-12-00	KEENAN SUPPLY,
MANUFACTURING	7518 CARROLL RD	343-360-11-00	DIRECT TV, ARIZONA TILE
MANUFACTURING	8963 CARROLL WAY	343-360-10-00	XPRESS GLOBAL SYSTEMS INC.,
MANUFACTURING	8963 CARROLL WAY	343-360-10-00	JOHNSON STORAGE AND MOVING CO.
RETAIL STORES	7630 CARROLL RD	343-321-28-00	THE ELEPHANT'S TRUNK
STORE/OFFICE	7310 MIRAMAR RD	343-321-27-00	RUG EXPO
RETAIL STORES	7340 MIRAMAR RD	343-321-26-00	METRO FLOORING, SCAN FURNITURE HOUSE, MICROSKILLS LLC.,
RETAIL STORES	7480 MIRAMAR RD	343-321-25-00	SYNERGY DANCE ZONE, NEW HORIZONS COMPUTER LEARNING CENTERS OF SOUTHERN CALIFORNIA
INDUSTRIAL-VACANT LAND	KENAMAR DR	343-321-20-00	TM KENAMAR LLC
WAREHOUSE	8820 KENAMAR DR # 40, 8920 KENAMAR DR., 8860 KENAMAR DR., 8840 KENAMAR DR.	343-321-19-00	DISPLAY WAREHOUSE INC., PROMOTION PRODUCTS, HOME ENTERTAINMENT LIFESTYLE, TEXTRA INC., MGX COPY
WAREHOUSE	9010 KENAMAR DR # 50, 9030 KENAMAR DR., 9020 KENAMAR DR., 9050 KENAMAR DR, 9040 KENAMAR DR	343-321-18-00	WINTRISS ENGINEERING CORPORATION, ECOLAB GCS SERVICES INC., DIRECT SYSTEM SUPPORT, DIGITAL OUTFIT, GREATHOUSE, SIERRA PACIFIC WINDOWS, REAL DEAL FITNESS
MANUFACTURING	7737 KENAMAR CT	343-321-13-00	SOS CORPORATIONS
WAREHOUSE	8969 KENAMAR DR	343-321-12-00	VIDEO GEAR, SKINIT INC.,
INDUSTRIAL-VACANT LAND	KENAMAR DR	343-321-11-00	H G FENTON PROPERTY CO
WAREHOUSE	8949 KENAMAR DR	343-321-10-00	HOTPRODUCTS, SULLIVAN SOLAR POWER
WAREHOUSE	8909 KENAMAR DR	343-321-09-00	VAN CAN CO.
INDUSTRIAL-VACANT LAND	KENAMAR DR	343-321-08-00	H G FENTON PROPERTY CO
MANUFACTURING	8925 CARROLL WAY	343-100-39-00	USARIM
MANUFACTURING	7590 CARROLL RD	343-100-38-00	RR DONNELLEY
MANUFACTURING	7455 CARROLL RD # 65, 7465 CARROLL RD	343-100-36-00	CONCRETE SOLUTIONS BY RHINO LININGS, WESTSIDE BUILDING MATERIALS, EXPO INDUSTRIES INC.
MANUFACTURING	7555, 7565, 7575, 7585, 7595 CARROLL RD	343-100-34-00	CLOSET FACTORY, SAN DIEGO WINDUSTRIAL
WAREHOUSE	7545 CARROLL RD	343-100-33-00	JOHN DEERE WATER
MANUFACTURING	9673 DISTRIBUTION AVE # 95,	343-100-31-00	OASIS NATURALS, OASIS BRAND, HOLSUM BAKERY
MANUFACTURING	9685 DISTRIBUTION AVE	343-100-31-00	SOUTH MISSION HOME AND PATIO
MANUFACTURING	9687 DISTRIBUTION AVE	343-100-31-00	PACIFIC IMAGING
MANUFACTURING	9689 DISTRIBUTION AVE	343-100-31-00	CONCORD HOME FASHIONS
MANUFACTURING	9681 DISTRIBUTION AVE	343-100-31-00	FLOWERS FOOD
MANUFACTURING	9693 DISTRIBUTION AVE	343-100-31-00	JFC INTERNATIONAL
MANUFACTURING	9677 DISTRIBUTION AVE	343-100-31-00	ADVANCED BIOHEALING
MANUFACTURING	9679 DISTRIBUTION AVE	343-100-31-00	ALLIED EXHAUST
MANUFACTURING	9675 DISTRIBUTION AVE	343-100-31-00	AMERICAN EAGLE WHEEL
MANUFACTURING	9691 DISTRIBUTION AVE	343-100-31-00	TEAK EMPORIUM
MANUFACTURING	9593 DISTRIBUTION AVE	343-100-29-00	ATK SPACECRAFT SYSTEMS
WAREHOUSE	7415 CARROLL RD	343-100-27-00	ARIZONA TILE

WAREHOUSE	9755 DISTRIBUTION AVE # 59	343-100-26-00	PRIORITY MOVING
RETAIL STORES	7629 CARROLL RD # 45, 7639 CARROLL RD	343-070-30-00	PERFORMANCE AUTOMOTIVE OF SAN DIEGO, JAPANESE CARMASTERS,
RETAIL STORES	7292 MIRAMAR RD, 7645 MIRAMAR RD	343-070-29-00	PAYLESS AUTO REPAIR, MANNA AUTO CENTER, A&P AUTO TECH, FLEET ARS
RETAIL STORES	7180 MIRAMAR RD # 90, 7190 MIRAMAR RD	343-070-27-00	KFC, TACO BELL, PASTALINI, COCO SPA, DANNY MOTORS, STRIVE2BFIT.COM, 858 FIGHT STOP
WAREHOUSE	7130 MIRAMAR RD	343-070-26-00	BEDROSIANS TILE AND STONE
INDUSTRIAL-VACANT LAND	MIRAMAR RD	343-070-25-00	PPF INDUSTRIAL MIRAMAR ROAD LP
RETAIL STORES	7140 MIRAMAR RD # 60, 7160 MIRAMAR RD	343-070-24-00	MCDONALDS





THE CITY OF SAN DIEGO

Date of Notice: November 26, 2014

# NOTICE OF RIGHT TO APPEAL ENVIRONMENTAL DETERMINATION

DEVELOPMENT SERVICES DEPARTMENT  
SAP No. 24004715

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**PROJECT NAME/NUMBER:** 7625 Carroll Road MMCC/370687

**COMMUNITY PLAN AREA:** Mira Mesa Community Plan

**COUNCIL DISTRICT:** 6

**LOCATION:** The project is located at 7625 Carroll Road, San Diego, CA 92121

**PROJECT DESCRIPTION:** The proposed project is a request for a Conditional Use Permit (CUP) for a Medical Marijuana Consumer Cooperative (MMCC). The facility is proposing to operate within an existing 4, 581 square foot building on a 1.29 acre site located at 7625 Carroll Road within the Mira Mesa Community Plan Area; it is designated for Light Industrial use. The project is zoned IL-3-1 and is subject to the Airport Influence Area for Miramar, the Part 77 Noticing, the 70-75 dB CNEL for MCAS Miramar, and the Airport Land Use Compatibility Zone.

**ENTITY CONSIDERING PROJECT APPROVAL:** City of San Diego Designated Staff

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

**ENTITY MAKING ENVIRONMENTAL DETERMINATION:** City of San Diego

**STATEMENT SUPPORTING REASON FOR ENVIRONMENTAL DETERMINATION:** The City of San Diego conducted an environmental review that determined the project would not have the potential for causing a significant effect on the environment. The project meets the criteria set forth in CEQA Section 15303 which allows for the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The exceptions listed in CEQA Section 15300.2 would not apply.

**DEVELOPMENT PROJECT MANAGER:**

Edith Gutierrez

**MAILING ADDRESS:**

1222 First Avenue, MS 501

San Diego, CA 92101

**PHONE NUMBER:**

(619) 446-5147

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On November 26, 2014, the City of San Diego made the above-referenced environmental determination pursuant to the California Environmental Quality Act (CEQA). This determination is

appealable to the City Council. If you have any questions about this determination, contact the City Development Project Manager listed above.

Applications to appeal CEQA determination made by staff (including the City Manager) to the City Council must be filed in the office of the City Clerk within 10 business days from the date of the posting of this Notice (December 12, 2014). The appeal application can be obtained from the City Clerk, 202 'C' Street, Second Floor, San Diego, CA 92101.

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

POSTED IN THE OFFICE OF DSD	
Posted	NOV 26 2014 <i>ml</i>
Removed	DEC 15 2014
Posted by	<i>myra lee</i>



# MODERN FORM DESIGNS

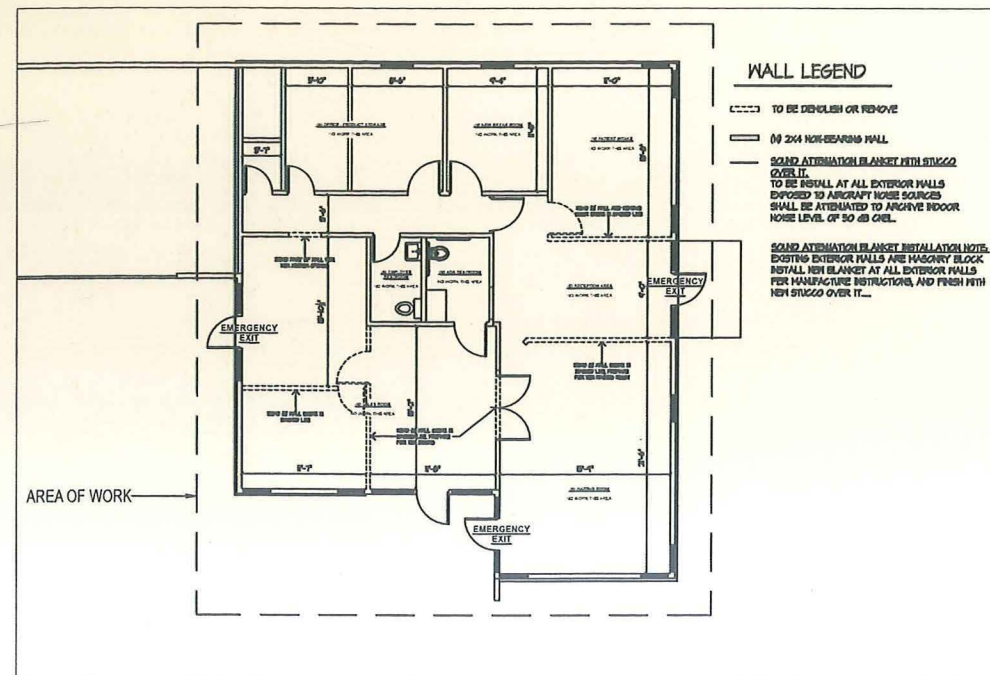
RESIDENTIAL & COMMERCIAL DESIGN



JORGE M. RICO  
DESIGNER / PROJECT  
COORDINATOR

MOBILE: 619-508-7039  
jorgericodesign@yahoo.com  
www.modernformdesigns.com

MEDICAL MARIJUANA CONSUMER COOPERATIVE  
7625 CARROLL RD  
SAN DIEGO CALIFORNIA 92121



## SITE PLAN SUMMARY

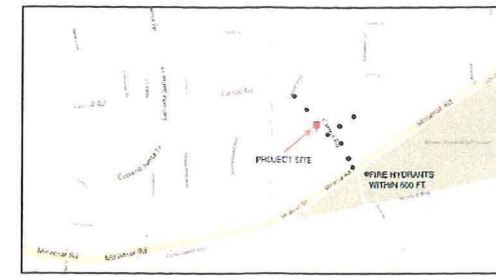
- PROJECT NAME: RAILROAD VALLEY 412-52-40
- LEGAL DESCRIPTION: PARCEL 10 OF 1000
- APR 24-100-00-00
- OWNER: RICE DEVELOPMENT 580 N. TULIP ST. ESCROWED, CA 92028
- CONSTRUCTION TYPE: V-N, CHU MASONRY STRUCTURAL WALLS, GLASS STORE FRONT, OCCUPANCY CLASSIFICATION: 1P
- ZONE: L-1-1
- GROSS SITE AREA: 1.21 ACRES (84,824 S.F.), FLOOR AREA: 4,381 S.F. PAR. 3.0
- EXISTING USE: INDUSTRIAL (MASONRY)
- PROPOSED USE: RETAIL STORES
- YEAR CONSTRUCTED: N/A
- EXISTING HAZARDOUS MATERIAL: N/A
- LANDSCAPE AREA: ALL EXISTING LANDSCAPES TO REMAIN, NO CHANGE, ALL BUSHES NEXT TO BUILDING TO BE MAINTAINED BY THE MAINTENANCE PERSONNEL TO BE PROVIDED FOR ACCESS FROM SIDEWALK, SEE PLAN.

**QUESTIONS AT SITE PLAN SUMMARY, BY VICINITY MAP & FLOOR PLAN**  
APPLYING FOR A CONSTRUCTION USE PERMIT.  
EXISTING BUILDING TO BE USED FOR A PROPOSED MEDICAL MARIJUANA CONSUMER COOPERATIVE.  
SITE TO REMAIN AS IS, STRUCTURE TO REMAIN UNCHANGED.  
PROPOSED USE TO BE CHANGED FROM INDUSTRIAL TO RETAIL.  
PROPERTY LINES TO REMAIN UNCHANGED.  
NO PROPOSED ELEVATIONS.  
NO PROPOSED IMPROVEMENTS OR DEVELOPMENTS.  
NO PROPOSED ELEVATIONS TO SETBACKS, BUILDING HEIGHT, OR FAR.

**SCOPE OF WORK TO INCLUDE:**  
1. EXISTING BUILDING FOR THE IMMEDIATE SURROUNDING AREA, LIMITING SHALL BE OBSERVED TO DEFLECT LIMIT AWAY FROM ADJACENT PROPERTIES.  
2. INTERIOR LIGHTING  
3. SECURITY: SECURITY GUARD, OPERABLE CAMERA, AND ALARMS.  
4. EXISTING BUILDING SHALL BE LIMITED TO TWO COLORS.  
5. HOURS OF OPERATION: 10:00 AM TO 4:00 PM, SEVEN DAYS A WEEK.  
6. NO CHANGES IN ELEVATION.  
7. NO ENVIRONMENTALLY SENSITIVE LAND OR CHANGE IN DRAINAGE PATTERNS.  
8. NO PROPOSED EXISTING IMPROVEMENTS, BUT STRUCTURE OR BUILDINGS NOT DANGEROUS OR A HAZARD TO THE COMMUNITY OR PUBLIC SAFETY.  
9. NOT A HAZARD TO THE ENVIRONMENT.  
10. PROPOSED BUILDING OF OPERATION HAS SUFFICIENT PARKING.  
11. ELEVATIONS N/A FOR BUILDING DUE TO NO PROPOSED EXISTING IMPROVEMENTS.  
12. HISTORICAL RESOURCES INFORMATION N/A FOR BUILDING.  
13. LANDSCAPE DEVELOPMENT PACKAGES N/A FOR BUILDING.  
14. OTHER TECHNICAL STUDIES N/A FOR BUILDING.

## GENERAL NOTES

- ALL SIGNAGE SHALL BE LIMITED TO TWO TYPE FACES AND TWO COLORS - FIVE SIGNS ARE PERMITTED.
- SITE USED NOW AND IN FUTURE MAY BE ANY USE PERMITTED IN THIS ZONE ONLY.
- CONTRIBUTIONS BY MEDICAL PROFESSIONALS SHALL NOT BE A PERMITTED ACCESSORY USE AT THE WORK.
- SIGN SHALL BE POSTED ON THE OUTSIDE OF THE MEDICAL MARIJUANA CONSUMER COOPERATIVE AND SHALL ONLY CONTAIN THE NAME OF THE BUSINESS.
- SIGN SHALL BE POSTED IN A LOCATION VISIBLE FROM OUTSIDE OF THE OPERATOR OR HANOVER SHALL BE POSTED IN A LOCATION VISIBLE FROM OUTSIDE OF THE MEDICAL MARIJUANA CONSUMER COOPERATIVE IN CHANGING SIZE AT LEAST 2 FEET IN HEIGHT.
- USE OF VEHICLES OR MACHINES FROM ALLEN ACCESS TO MEDICAL MARIJUANA EXCEPT BY A RESPONSIBLE PERSON AS ORDERED IN SAN DIEGO MUNICIPAL CODE SECTION 42.02, IS PROHIBITED. FOR PURPOSES OF THIS SECTION, A VEHICLE OR MACHINE IS ANY DEVICE WHICH ALLOWS ACCESS TO MEDICAL MARIJUANA WITHOUT A HUMAN INTERMEDIARY.
- LIMITING SHALL BE PROVIDED TO ILLUMINATE THE INTERIOR OF THE MEDICAL MARIJUANA CONSUMER COOPERATIVE, FACADE, AND THE IMMEDIATE SURROUNDING AREA, INCLUDING ANY ACCESSORY USES, PARKING LOTS, AND ADJACENT SIDEWALKS. LIMITING SHALL BE LOCATED TO BE OBSERVED TO DEFLECT LIMIT AWAY FROM THE ADJACENT PROPERTIES.
- THIS CONSTRUCTION USE PERMIT AND CORRESPONDING USE OF THIS SITE SHALL EXPIRE FIVE YEARS FROM THE DATE OF ISSUANCE OF THIS PERMIT. UPON EXPIRATION OF THIS PERMIT, THE FACILITIES AND IMPROVEMENTS DESCRIBED HEREIN SHALL BE REMOVED FROM THE SITE AND THE PROPERTY SHALL BE RESTORED TO ITS ORIGINAL CONDITION. PRECEDING APPROVAL OF THIS PERMIT.
- LAND AND EXISTING CONTACT FROM WHOM AN OPERATOR OR HANOVER SHALL BE POSTED IN A LOCATION VISIBLE FROM OUTSIDE OF THE MEDICAL MARIJUANA CONSUMER COOPERATIVE IN CHANGING SIZE AT LEAST 2 FEET IN HEIGHT.
- ALL SIGNAGE ASSOCIATED WITH THIS CONSTRUCTION SHALL BE CONSIDERED WITH THE SIGN CRITERIA ESTABLISHED BY CITY-WIDE SIGN REGULATIONS AND SHALL FURTHER BE RESTRICTED BY THIS PERMIT. SIGN COLORS ARE LIMITED TO TWO. A SIGN IS REQUIRED TO BE POSTED ON THE OUTSIDE OF THE MEDICAL MARIJUANA CONSUMER COOPERATIVE AND SHALL ONLY CONTAIN THE NAME OF THE BUSINESS.
- SECURITY GUARD SHALL BE PROVIDED AT THE MEDICAL MARIJUANA CONSUMER COOPERATIVE. THE SECURITY GUARD SHALL BE PROVIDED BY THE STATE OF CALIFORNIA AND BE PRESENT ON PREMISES DURING BUSINESS HOURS. THE SECURITY GUARD SHOULD ONLY BE ENGAGED IN ACTIVITIES RELATED TO PROVIDING SECURITY FOR THE FACILITY, EXCEPT ON AN OCCASIONAL BASIS.



## VICINITY MAP

NOTE:  
"WEST-TECH" SIGN WILL BE REMOVED TO PROVIDE ADEQUATE SIGHT DISTANCE AND WITH A NOTE THAT "NO OBSTRUCTION HIGHER THAN 35' SHALL BE LOCATED WITHIN THIS AREA E.G. LANDSCAPE, SIGNS, POSTS, WALLS, COLUMNS, SHRUBS, TREE BRANCHES ETC."

## SITE PLAN LEGEND

- NOTES: NOT ALL SYMBOLS USED
- PROPERTY LINE
  - STREET CENTER LINE
  - EX-1000 PERMETER
  - BUILDING PERIMETER
  - PAVE OF TRAIL
  - SITE DISTANCE DATED OUT
  - ELECTRICAL METER
  - WATER METER
  - WATER METER
  - COLUMNS
  - ACCESSIBLE SYMBOL
  - PLANTING
  - EDGE OF PAVED AREA
  - CONCRETE SIDEWALK AND CURB
  - AS TREES
  - TRAIN CONTAINER
  - BLANKING 20000 S.F.
  - BUILDING IDENTIFICATION
  - TRAIN TRACKS
  - AS CONCRETE SLAB
  - AS LANDSCAPING TO REMAIN
  - AS VEHICLE PARKING SPACES
  - AS VEHICLE PARKING SPACES
  - TOTAL AREA 2000 S.F.

PROPOSED USE AND PARKING CALCULATION:  
MEDICAL MARIJUANA CONSUMER COOPERATIVE  
4,581 S.F. X 5 SPACES/1000 S.F. = 23 SPACES  
A MIN. OF 23 PARKING SPACES INCLUDING 1 VAN ACCESSIBLE SPACE ARE REQUIRED.

NEW SPACES PROVIDED:  
ADDITIONAL ACCESSIBLE PARKING SPACE  
REGULAR PARKING SPACES  
TOTAL ON SITE PARKING SPACES

REVISIONS: DATE: 03-12-2015

NOTES:  
1. MODERN FORM DESIGNS / Jorge Rico  
RESERVE THE RIGHT TO MAKE ANY CHANGES TO THE PROJECT AND OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS AND DRAWINGS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER WITHOUT FIRST OBTAINING THE WRITTEN PERMISSION AND CONSENT OF:  
MODERN FORM DESIGNS / Jorge Rico  
UNAUTHORIZED USE OF THESE PLANS, CONTRACTS, OR SPECIFICATIONS IN THE CONSTRUCTION OF ANY STRUCTURE OR INFRASTRUCTURE CONSTRUCTION TO MODERN FORM DESIGNS / Jorge Rico, MODERN FORM DESIGNS / Jorge Rico, 2004-2014.

START DATE: 05-08-2014  
SUBMITAL DATE: 05-12-2014  
DRAWN BY: JORGE RICO  
APPROVED BY: M.COMPTON  
PROJECT NO. 01-0514

SHEET NO.

SITE PLAN

S-P

(B) SITE PLAN  
SCALE: 1/16" = 1'-0"



## GENERAL NOTES

## PLANT MATERIAL REQUIREMENTS

(1) PLANTING OF INVASIVE PLANT SPECIES, AS DESCRIBED IN THE LANDSCAPE STANDARDS OF THE LAND DEVELOPMENT MANUAL, IS NOT PERMITTED.  
(2) ALL EXISTING, INVASIVE PLANT SPECIES, INCLUDING VEGETATIVE PARTS AND ROOT SYSTEMS, SHALL BE COMPLETELY REMOVED FROM THE PREMISES WHEN THE COMBINATION OF SPECIES TYPE, LOCATION AND SURROUNDING ENVIRONMENTAL CONDITIONS PROVIDES A MEANS FOR THE SPECIES TO INVADE OTHER AREAS OF NATIVE PLANT MATERIAL THAT ARE ON OR OFF OF THE PREMISES.  
(3) PLANT MATERIAL SPECIES SHALL BE USED THAT WILL CONTINUE TO MEET THE REQUIREMENTS OF THIS DIVISION AFTER INSTALLATION.  
(4) TREE LOCATIONS SHALL BE MEASURED HORIZONTALLY FROM THE CENTERLINE OF THE TREE TRUNK AT PROPOSED GRADE.  
(5) A MINIMUM ROOT ZONE OF 40 SQUARE FEET IN AREA SHALL BE PROVIDED FOR ALL TREES. THE MINIMUM DIMENSION FOR THIS AREA SHALL BE 5 FEET. THIS MINIMUM DIMENSION AND ROOT ZONE AREA MAY BE REDUCED WITH THE USE OF STRUCTURAL SOIL OR WHERE THE COMBINATION OF SOIL CONDITIONS, ROOT ZONE AREA, ADJACENT IMPROVEMENTS, AND SELECTED TREE SPECIES CAN BE DEMONSTRATED TO PROVIDE CONDITIONS FOR HEALTHY TREE GROWTH THAT WILL NOT DAMAGE ADJACENT IMPROVEMENTS.  
(6) PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY, DISEASE-FREE, GROWING CONDITION AT ALL TIMES.  
(7) ALL PRUNING SHALL COMPLY WITH THE STANDARDS OF THE NATIONAL ARBORIST ASSOCIATION.  
(8) ANY PLANT MATERIAL REQUIRED BY THIS DIVISION THAT DIES WITHIN 5 YEARS OF INSTALLATION SHALL BE REPLACED WITHIN 90 CALENDAR DAYS OF PLANT DEATH WITH THE SAME SIZE AND SPECIES OF PLANT MATERIAL SHOWN ON THE APPROVED PLAN. REQUIRED SHRUBS THAT DIE 3 YEARS OR MORE AFTER INSTALLATION SHALL BE REPLACED WITH 15-GALLON SIZE, AND REQUIRED TREES THAT DIE 8 YEARS OR MORE AFTER INSTALLATION SHALL BE REPLACED WITH 60-INCH BOX SIZE MATERIAL. THE CITY MANAGER MAY AUTHORIZE ADJUSTMENT OF THE SIZE AND QUANTITY OF REPLACEMENT MATERIAL WHERE MATERIAL REPLACEMENT WOULD OCCUR IN INACCESSIBLE AREAS OR WHERE THE EXISTING PLANT BEING REPLACED IS LARGER THAN A 15-GALLON SHRUB OR 60-INCH BOX TREE.  
(9) TREES REQUIRED BY THIS DIVISION SHALL BE SELF-SUPPORTING, WOODY PLANTS WITH AT LEAST ONE WELL-DEFINED TRUNK AND SHALL NORMALLY ATTAIN A MATURE HEIGHT AND SPREAD OF AT LEAST 15 FEET.  
(10) TREES REQUIRED BY THIS DIVISION SHALL BE MAINTAINED SO THAT ALL BRANCHES OVER PEDESTRIAN WALKWAYS ARE 6 FEET ABOVE THE WALKWAY GRADE AND SO THAT ALL BRANCHES OVER VEHICULAR TRAVEL WAYS ARE 16 FEET ABOVE THE GRADE OF THE TRAVEL WAY.  
(11) SHRUBS REQUIRED BY THIS DIVISION SHALL BE WOODY OR PERENNIAL PLANTS THAT ARE LOW BRANCHING OR HAVE MULTIPLE STEMS.  
(12) TREE ROOT BARRIERS OR STRUCTURAL SOIL SHALL BE INSTALLED WHERE TREES ARE PLACED WITHIN 5 FEET OF PUBLIC IMPROVEMENTS INCLUDING WALKS, CURBS, OR STREET PAVEMENT OR WHERE NEW PUBLIC IMPROVEMENTS ARE PLACED ADJACENT TO EXISTING TREES. THE CITY MANAGER MAY WAIVE THIS REQUIREMENT WHERE THE COMBINATION OF SOIL CONDITIONS, ROOT ZONE AREA, ADJACENT IMPROVEMENTS, AND SELECTED TREE SPECIES CAN BE DEMONSTRATED TO PROVIDE CONDITIONS FOR HEALTHY TREE GROWTH THAT WILL NOT DAMAGE PUBLIC IMPROVEMENTS.  
(13) NATIVE PLANTS SHALL BE LOCALLY INDIGENOUS.  
(14) NATURALIZED PLANT MATERIAL SHALL BE PLANTINGS THAT CAN SURVIVE WITHOUT IRRIGATION AFTER INITIAL PLANT ESTABLISHMENT.  
(15) PLANT MATERIALS SHALL BE GROUPED INTO HYDROZONES THAT CONSIST OF PLANT SPECIES HAVING SIMILAR WATER DEMAND AND BY THEIR SOIL, SUN, AND SHADE REQUIREMENTS.  
(16) PLANT MATERIAL SHALL BE SELECTED TO MEET A MAXIMUM APPLIED WATER ALLOWANCE AS DETERMINED BY THE WATER BUDGET FORMULA AND SPECIFICATIONS IN SECTION 142.041(D).

## IRRIGATION REQUIREMENTS

(1) ALL REQUIRED PLANT MATERIAL SHALL BE IRRIGATED WITH A PERMANENT, BELOW-GRADE IRRIGATION SYSTEM UNLESS SPECIFIED OTHERWISE IN THIS DIVISION.  
(2) ALL REQUIRED IRRIGATION SYSTEMS SHALL BE AUTOMATIC, ELECTRICALLY CONTROLLED, AND DESIGNED TO PROVIDE WATER TO ALL REQUIRED PLANTINGS TO MAINTAIN THEM IN A HEALTHY, DISEASE-RESISTANT CONDITION.  
(3) IRRIGATION SYSTEMS SHALL MEET THE FOLLOWING DESIGN REQUIREMENTS:  
(A) NO IRRIGATION RUNOFF OR OVERSPRAY SHALL CROSS PROPERTY LINES OR PAVED AREAS,  
(B) THE VELOCITY OF WATER FLOWING IN IRRIGATION SYSTEM PIPING OR SUPPLY PIPES SHALL NOT EXCEED 5 FEET PER SECOND DOWNSTREAM OF THE WATER METER,  
(C) IRRIGATION SYSTEMS SHALL BE DESIGNED TO MINIMIZE SYSTEM MAINTENANCE REQUIREMENT AFTER INSTALLATION. ABOVE-GROUND IRRIGATION SYSTEM EQUIPMENT THAT IS EXPOSED TO POTENTIAL DAMAGE SHALL BE DESIGNED TO BE DAMAGE-RESISTANT; AND  
(D) AN APPROVED RAIN SENSOR SHUTOFF DEVICE IS REQUIRED FOR ALL SYSTEMS AND A MOISTURE-SENSING DEVICE THAT REGULATES THE IRRIGATION SYSTEM FOR ALL LAWN AREAS IS REQUIRED.

## PLANT AREA REQUIREMENTS

(1) PLANTING AREAS REQUIRED BY THIS DIVISION SHALL CONSIST OF THE FOLLOWING:  
(A) LOW-GROWING WOODY OR HERBACEOUS GROUNDCOVER, TURF, SHRUBS, OR TREES;  
(B) UNATTACHED UNIT PAVERS, LOOSE ORGANIC OR INORGANIC MATERIALS, OR HARDSCAPE, OR  
(C) BUILT IMPROVEMENTS INCLUDING WATER FEATURES, OVERHEAD STRUCTURES SUCH AS SAZEBOS, TRELLIS STRUCTURES, ETC., OR FIXED SEATING.  
(2) PLANTING AREAS MAY BE COUNTED TOWARD THE PLANTING AREA REQUIRED BY THIS DIVISION IF THEY ARE GREATER THAN 30 SQUARE FEET IN SIZE WITH NO DIMENSION LESS THAN 5 FEET.  
(3) ALL REQUIRED PLANTING AREAS SHALL BE MAINTAINED FREE OF WEEDS, DEBRIS, AND LITTER.

## STREET TREE 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) STREET TREE QUANTITY. STREET TREES SHALL BE PLANTED BETWEEN THE CURB AND ADJUTING PROPERTY LINE. THE NUMBER OF REQUIRED STREET TREES SHALL BE CALCULATED AT THE RATE OF ONE 24-INCH BOX TREE FOR EVERY 30 FEET OF STREET FRONTAGE. 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 142.040(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. (2) STREET TREE LOCATIONS

(A) STREET TREES SHALL BE LOCATED 7 FEET FROM THE FACE OF CURB ON STREETS CLASSIFIED IN THE APPLICABLE LAND USE PLAN AS MAJOR STREETS, PRIMARY ARTERIALS, OR EXPRESSWAYS THAT HAVE A POSTED SPEED OF 30 MILES PER HOUR OR GREATER. FOR ALL OTHER STREET CLASSIFICATIONS, STREET TREES SHALL BE LOCATED NO CLOSER THAN 30 INCHES TO THE FACE OF CURB OR WITHIN MEDIAN ISLANDS, NO CLOSER THAN FOUR FEET TO THE FACE OF CURB.  
(B) STREET TREES SHALL BE SEPARATED FROM IMPROVEMENTS BY THE MINIMUM DISTANCE SHOWN IN TABLE BELOW.

MINIMUM TREE SEPARATION DISTANCE IMPROVEMENT MINIMUM DISTANCE TO STREET TREE TRAFFIC SIGNAL, STOP SIGN 20 FEET UNDERGROUND UTILITY LINES (EXCEPT SEWER) 5 FEET SEWER LINES 10 FEET ABOVE GROUND UTILITY STRUCTURES (TRANSFORMERS, HYDRANTS, UTILITY POLES, ETC) 10 FEET DRIVEWAYS 10 FEET INTERSECTIONS INTERSECTING CURB LINES OF TWO STREETS) 25 FEET

(C) TREES SHALL BE SELECTED AND LOCATED SO THAT AT MATURITY THEY DO NOT CAUSE DAMAGE OR CONFLICT WITH OVERHEAD UTILITY LINES.  
(3) STREET TREE SPECIES SELECTION. TREES SHALL BE SELECTED IN ACCORDANCE WITH THE LANDSCAPE STANDARDS OF THE LAND DEVELOPMENT MANUAL. PALM TREES MAY ONLY BE USED TO SATISFY THE STREET TREE REQUIREMENT WHERE IDENTIFIED AS AN ACCEPTABLE STREET TREE SPECIES IN AN ADOPTED LAND USE PLAN.  
(B) ADDITIONAL PUBLIC RIGHT-OF-WAY REGULATIONS  
(1) AREAS WITHIN THE PUBLIC RIGHT-OF-WAY THAT ARE NOT PAVED FOR REQUIRED PEDESTRIAN WALKS OR FOR VEHICLE ACCESS SHALL BE PLANTED OR COVERED WITH MULCH, UNATTACHED UNIT PAVERS, OR OTHER PERMEABLE MATERIAL ACCEPTABLE TO THE CITY.  
(2) 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.

## PLANT LIST

ABBR.	SIZE	QTY	SCIENTIFIC NAME	COMMON NAME
<b>TREES</b>				
KOE. BIP.	36" BOX	1	KOELREUTERIA BIPINNATA	CHINESE FLAME TREE
<b>SHRUBS</b>				
ASA. ANG.	5 GAL.	4	AGAVE ANAUSTIFOLIA	CARIBBEAN AGAVE
ECH. AFT.	1 GAL.	17	ECHEVERIA AFTERSON	AFTERSLOW ECHEVERIA
HES. PAR.	1 GAL.	21	HESPERALOE PARVIFLORA	RED YUCCA
LAN. N.G.	5 GAL.	6	LANTANA NEN GOLD	YELLOW LANTANA
MYR. C.C.	5 GAL.	21	MYRTUS COMMUNIS 'COMPACTA'	COMPACT MYRTLE
NAS. TEN.	1 GAL.	26	NASSELLA TENISSIMA	MEXICAN FEATHER GRASS
RHA. SPR.	5 GAL.	21	RHAPHIOLEPIS INDICA 'SPRINGTIME'	SPRINGTIME INDIAN HAYTHORN
<b>GROUNDCOVERS</b>				
CAR. TUT.	1 GAL.	36" O.C.	CARISSA MACROCARPA 'TUTTLE'	TUTTLE NATAL FLUM
DRO. FLO.	FLATS	14" O.C.	DROSANTHEMUM FLORIBUNDUM	ROSEA ICE PLANT
SEN. MAN.	FLATS	12" O.C.	SENECIO MANDRALISCAE	BLUE ICE PLANT

ALL LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE STANDARDS OF THE CITY-WIDE LANDSCAPE REGULATIONS AND THE CITY OF SAN DIEGO LAND DEVELOPMENT MANUAL. LANDSCAPE STANDARDS AND ALL OTHER LANDSCAPE RELATED CITY AND REGIONAL STANDARDS.

MAINTENANCE. ALL REQUIRED LANDSCAPE AREAS SHALL BE MAINTAINED BY THE MEDICAL MARIJUANA CONSUMER COOPERATIVE. LANDSCAPE AND IRRIGATION AREAS IN THE PUBLIC RIGHT-OF-WAY SHALL BE MAINTAINED BY THE MEDICAL MARIJUANA CONSUMER COOPERATIVE. THE LANDSCAPE AREAS SHALL BE MAINTAINED FREE OF DEBRIS AND LITTER, AND ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION. DISEASED OR DEAD PLANT MATERIAL SHALL BE SATISFACTORILY TREATED OR REPLACED PER THE CONDITIONS OF THE PERMIT.

EXISTING TREES TO REMAIN ON SITE WITHIN THE AREA OF WORK WILL BE PROTECTED IN PLACE. THE FOLLOWING PROTECTION MEASURES WILL BE PROVIDED:  
1. A BRIGHT YELLOW OR ORANGE TEMPORARY FENCE WILL BE PLACED AROUND EXISTING TREES AT THE DRIP LINE.  
2. STOCKPILING, TOPSOIL, DISTURBANCE, VEHICLE USE, AND MATERIAL STORAGE OF ANY KIND IS PROHIBITED WITHIN THE DRIP LINE.  
3. A TREE WATERING SCHEDULE WILL BE MAINTAINED AND DOCUMENTED DURING CONSTRUCTION.  
4. ALL DAMAGED TREES WILL BE REPLACED WITH ONE OF EQUAL OR GREATER SIZE.

MULCH. ALL REQUIRED PLANTING AREAS AND ALL EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 2 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION PER SDMC 142.041.

IF ANY REQUIRED LANDSCAPE INDICATED ON THE APPROVED CONSTRUCTION DOCUMENT PLANS IS DAMAGED OR REMOVED DURING DEMOLITION OR CONSTRUCTION, IT SHALL BE REPAIRED AND/OR REPLACED IN KIND AND EQUIVALENT SIZE PER THE APPROVED DOCUMENTS TO THE SATISFACTION OF THE DEVELOPMENT SERVICES DEPARTMENT WITHIN 30 DAYS OF DAMAGE.

sotelo  
LANDSCAPE ARCHITECTS

2643 4th Avenue  
San Diego CA 92103  
phone 619.719.6756  
angelino@sotelo-la.com  
www.sotelo-la.com



MMCC  
7625 CARROLL RD.  
SAN DIEGO CA 92121

SUBMIT TO CLIENT 09.04.14

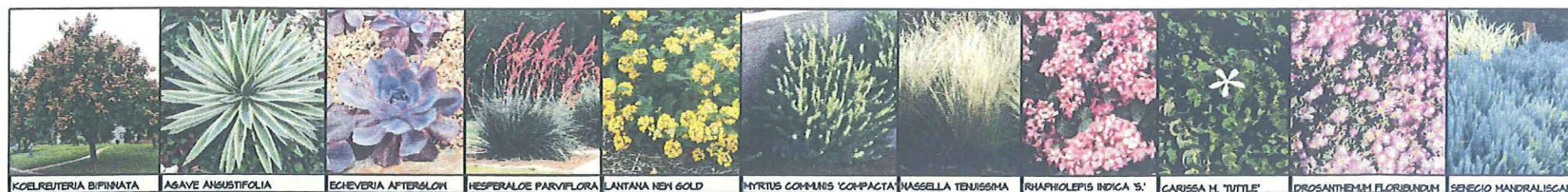
PLANTING  
PLAN

SHEET

L1.0

## PLANTING PLAN

SCALE 1/8"=1'-0"





August 19, 2014

City of San Diego, Planning Department  
1222 1st Avenue, MS 413  
San Diego CA 92101

To the Director:

At our August 18, 2014 meeting the Mira Mesa Community Planning Group heard a second round of presentations by four applicants for Conditional Use Permits (CUP) to operate Medical Marijuana Community Cooperatives. Please accept this letter as our report and recommendations on this matter.

It is our strong belief that current enforcement measures on illegally operating medical marijuana shops are grossly inadequate. As such, we request that the Hearing Officer table consideration of the permit applications until such a time as the illegal "dispensaries" in the area are closed and the City demonstrates that it has the wherewithal to both keep illegal marijuana dispensaries closed and to properly regulate MMCCs.

This notwithstanding, the presentations we heard were informative, thorough and educational. Two applicants stood out in this respect and we have voted to express our preference for these two applicants. Our first preference is for Glass Tech Entities (Project # 368509). Due to the Municipal Code restrictions disallowing MMCCs within 1,000 feet of each other, this recommendation precluded us from recommending the MEDBOX application (#368322). The second applicant most preferred by the Planning Group was that of Ms. Nicole Britvar (#370687).

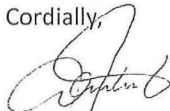
At such a time as illegal dispensaries are closed and effective enforcement mechanisms are in place to prevent them from simply opening up in a new location, we can support the awarding of only two CUPs to the two applicants mentioned above. This will allow the other two CUPs allowed for the 6<sup>th</sup> District to be awarded to applicants in Kearney Mesa with the guidance of the Kearney Mesa Community Planning Group.

This matter has of course been controversial. Numerous residents expressed their concern and opposition. However, we recognize that Proposition 215 is state law as expressed by the voters and the City Council has acted in their capacity as our representatives to craft a Municipal Ordinance to implement this law in San Diego. We wish to assist the City in implementing this Ordinance in our Community in keeping with the four criteria specified in the Municipal Code in support of necessary findings for these permits, these four criteria being:

- The proposed development will not adversely affect the applicable land use plan;
- The proposed development will not be detrimental to the public health, safety and welfare;
- The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code; and
- The proposed use is appropriate at the proposed location.

It is especially in light of the second of these four criteria that we insist that the City first remedy the inadequacies of current enforcement on illegal cooperatives. Subsequent to that, we ask that the two named applicants above be preferred in the deliberations on awarding two of the four allowable CUPs.

Cordially,



John Horst

Chairman, Mira Mesa Community Planning Group

**MIRA MESA COMMUNITY PLANNING GROUP  
SPECIAL RULES OF ORDER FOR ITEM #4(d) ON THE AGENDA FOR 18 AUGUST 2014**

1. The Chair will make a motion to adopt the following as Special Rules of Order for the consideration of the Medical Marijuana Community Cooperative applications before the Planning Group for a recommendation to the City Council.
2. Members of the Planning Group will base their evaluation of the applicants on the following four criteria from the Municipal Code (Section §126.0305):
  - a. The proposed development will not adversely affect the applicable land use plan;
  - b. The proposed development will not be detrimental to the public health, safety and welfare;
  - c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code; and
  - d. The proposed use is appropriate at the proposed location.
3. Due to the Municipal Code restriction limiting each Council District to four permits the Mira Mesa Community Planning Group will consider approval for only two among the four applicants, leaving two permits available for applicants in the Convoy/Kearny Mesa area of Council District 6.
4. Voting on the applicants before the Planning Group for a recommendation shall proceed as follows:
  - a. Voting: The Chair will request each member to express their preference for applicants by indicating the order in which the member believes they merit a recommendation of approval. The rankings shall be recorded on a spreadsheet which shall be projected for the view of those attending the meeting.
  - b. The First Vote
    - i. If a member does not wish to recommend approval for any applicant, the member will state to the Chair that he/she does not wish to recommend any of the applicants.
    - ii. Each member who wishes to recommend approval for an applicant or applicants will state their order of preference. The member may rank all four applicants, or choose to rank only those he or she feels merits a recommendation, at the member's discretion.



- iii. If an applicant receives 10 or more #1 rankings, that applicant shall receive the first recommendation for approval and voting shall proceed to the Second Vote except as provided for in 3(b)(vi) vi below.
  - iv. If no applicant receives 10 or more #1 rankings, points shall be awarded as follows:
    - 1. #1 vote = 4 points.
    - 2. #2 vote = 3 points.
    - 3. #3 vote = 2 points.
    - 4. #4 vote = 1 point.
  - v. A show of hands will then be taken for each of the two highest scoring applicants. *Members not wishing to recommend any applicant may abstain from this vote.* The applicant receiving the most votes numbering 10 or more (a majority of the entire Planning Group Executive Committee) in this show of hands shall receive the first recommendation for approval.
  - vi. As a result of the awarding of the first recommendation for approval, if one of the remaining applicants has applied for a location within 1,000 feet of the first recommended applicant, due to Municipal Code restrictions disallowing MMCCs within 1,000 feet of each other, that applicant shall be ineligible for a recommendation. Voting shall proceed to the Third Vote.
  - vii. Should the First Vote fail to secure 10 or more votes for the first recommendation as a result of this process, no applicant will be recommended and voting shall be concluded.
- c. The Second Vote
- i. If a member does not wish to recommend approval for any of the remaining applicants, the member will state to the Chair that he/she does not wish to recommend any of the remaining applicants.
  - ii. Each member who wishes to recommend approval for a second applicant will state their order of preference. The member may rank all three remaining applicants, or choose to rank only those he or she feels merits a recommendation, at the member's discretion.
  - iii. If a single applicant receives 10 or more #1 rankings, that applicant shall receive the second recommendation for approval and voting shall be concluded.

- iv. If no applicant receives 10 or more #1 rankings, points shall be awarded as follows:
    - 1. #1 vote = 3 points
    - 2. #2 vote = 2 points.
    - 3. #3 vote = 1 point.
  - v. A show of hands will be taken between the two highest scoring applicants. *Members not wishing to recommend any applicant may abstain from this vote.* The applicant receiving the most votes numbering 10 or more (a majority of the entire Planning Group Executive Committee) in this show of hands shall receive the second recommendation of approval and voting shall be concluded.
5. The Third Vote (if necessary per 3(b)(vi) above)
- a. The Third Vote shall be between two remaining applicants.
  - b. Each of the two remaining applicants shall receive a vote by show of hands. *Members not wishing to recommend a second applicant may abstain from these two votes.*
  - c. The applicant receiving the most votes numbering 10 or more (a majority of the entire Planning Group Executive Committee) shall receive the second recommendation.
  - d. Should neither of the two remaining applicants receive 10 or more votes at the Third Vote, no second recommendation shall be given.
6. Members are expressly under NO OBLIGATION to explain the reasons for their preferences as expressed by their votes.



## My Recommendation to the Mira Mesa Community Planning Group

1. Recommend to the Hearing Officer that all CUP requests be tabled until such time as the illegal “dispensaries” in the area are closed and the City demonstrates that it has the wherewithal to both *keep* illegal marijuana dispensaries closed *and* to properly regulate MMCCs.
2. Place the CUP requests in order based upon our assessment as to their ability to serve the purposes intended by Proposition 215 with a recommendation that once the conditions above are satisfied, a maximum of two CUPs within Mira Mesa be issued to the two top applicants.

Motion made by Ted Brengel prior to vote in accordance with Special Rules of Order above.

**MIRA MESA COMMUNITY PLANNING GROUP  
SPECIAL RULES OF ORDER FOR MMCC RECOMMENDATIONS**

		<b>GLASS TEC</b>		<b>EJ MARKETING</b>		<b>MEDBOX</b>		<b>NICOLE BRITVAR</b>	
		<b>RANK</b>	<b>SCORE</b>	<b>RANK</b>	<b>SCORE</b>	<b>RANK</b>	<b>SCORE</b>	<b>RANK</b>	<b>SCORE</b>
R01	Kent Lee	0	0	0	0	0	0	0	0
R02	Joe Punsalan	0	0	0	0	0	0	0	0
R03	Joe Frichtel	0	0	0	0	0	0	0	0
R04	Ted Brengel	1	4	0	0	0	0	0	0
R05	Bruce Brown	0	0	0	0	0	0	0	0
R06	Tom Derr	1	4	0	0	0	0	2	3
R07	James Ludwick	0	0	0	0	0	0	0	0
R08	Robert Mixon	1	4	0	0	0	0	2	3
R09	John Horst	0	0	0	0	0	0	0	0
R10	Jeff Stevens	0	0	0	0	0	0	0	0
R11	Pat O'Donohoe	0	0	2	3	0	0	1	4
B01	Marvin Miles	0	0	0	0	0	0	0	0
B02	Craig Radke	1	4	0	0	0	0	2	3
B03	Julia Scribner	1	4	0	0	0	0	2	3
B04	Eileen Magno	0	0	0	0	0	0	0	0
B05	Walter Kanzler	0	0	0	0	0	0	1	4
L01	Ralph Carolin	1	4	0	0	0	0	2	3
L02	Matt Woods	0	0	0	0	0	0	0	0
L03	Mike Linton	0	0	0	0	0	0	0	0
<b>TOTAL</b>			<b>24</b>		<b>3</b>		<b>0</b>		<b>23</b>

Members with all zeroes elected not to recommend any applicant.





THE CITY OF SAN DIEGO

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**

7625 CARROLL ROAD MMCC

**Project No. For City Use Only****Project Address:**

7625 CARROLL ROAD, 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):**

RICK ENGEBRETSSEN

☒ Owner ☐ Tenant/Lessee ☐ Redevelopment Agency
**Street Address:**

568 N TULIP STREET

**City/State/Zip:**

ESCONDIDO, CA 92025

**Phone No:**

760 233-2580-2570

**Fax No:****Signature :****Date:**

10/23/14

**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:**





City of San Diego  
Development Services  
1222 First Ave. 3rd Floor  
San Diego, CA 92101

THE CITY OF SAN DIEGO

# Development Permit/ Environmental Determination Appeal Application

FORM  
DS-3031  
OCTOBER 2012

See Information Bulletin 505, "Development Permits Appeal Procedure," for information on the appeal procedure.

## 1. Type of Appeal:

- ☐ Process Two Decision - Appeal to Planning Commission  
☒ Process Three Decision - Appeal to Planning Commission  
☐ Process Four Decision - Appeal to City Council
- ☐ Environmental Determination - Appeal to City Council  
☐ Appeal of a Hearing Officer Decision to revoke a permit

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

Name:  
Scott Chipman

E-mail Address:  
scott@chipman.info

Address:  
2247 Emerald

City:  
San Diego

State:  
Ca

Zip Code:  
92109

Telephone:  
619.990.7480

3. Applicant Name (As shown on the Permit/Approval being appealed). Complete if different from appellant.

Radoslav Kalla (Applicant) - 7625 Carroll Rd MMCC

## 4. Project Information

Permit/Environmental Determination & Permit/Document No.:

Date of Decision/Determination:

City Project Manager:

Project #370687 - 7625 Carroll Rd MMCC San Diego

April 22, 2015

Edith Gutierrez

Decision (describe the permit/approval decision):

DSD approved the Conditional Use Permit for this Project -

RECEIVED  
MAY 05 2015

DEVELOPMENT SERVICES

## 5. Grounds for Appeal (Please check all that apply)

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

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.)

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

a) The Center for Community Research's exploratory analysis of violent crime in census tracts with MJ dispensaries compared to census tracts without MJ dispensaries found more than twice the mean number of documented violent crimes. Dispensaries pose a greater risk of crime due to the presence of cash and MJ products. The manufacturing of products not prohibited by the city's ordinance has been shown to expose people and property to the risks of explosions. Without the city prohibiting products (edibles, oils, tinctures, and waxes) made from this process, the incentive to increase manufacturing will grow.

b) Advertising and edibles designed to appeal to youth and not prohibited in ordinance further increases youth use; "Pop Tarts", Bears", "Kronkikes", "Jolley Ranchers", "Reeses Peanut Butter Cups", "Kit Kats", "Gummy Bears", and "York Peppermint Patties".

FINDING #4 - The proposed use is appropriate at the proposed location

a) Very high traffic area. Cars back up at nearby signal 15 cars deep on the one lane rd. No designated rt turn lane. No sign warning other drivers of cars suddenly turning into MMCC's driveway ahead of them. One of the two driveways needs to be closed.

b) Only 2 pkg spaces in front of bldg and distance from pkg lot to storefront is at least 60 ft. No designed handicapped pkg spaces.

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

Signature:

Date: May 4, 2015

Note: Faxed appeals are not accepted. Appeal fees are non-refundable.

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DS-3031 (10-12)



PLANNING COMMISSION  
RESOLUTION NO. PC-  
CONDITIONAL USE PERMIT NO. 1338819  
**7625 CARROLL ROAD MMCC - PROJECT NO. 370687**

WHEREAS, RICK ENGEBRETSEN, Owner and RADOSLAV KALLA, Permittee, filed an application with the City of San Diego for a permit to operate a Medical Marijuana Consumer Cooperative (MMCC) in a 4,581 square-foot building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 1338819), on portions of a 1.29-acre site;

WHEREAS, the project site is located at 7625 Carroll Road in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone, and the 70-75 dB CNEL for Miramar within the Mira Mesa Community Plan Area;

WHEREAS, the project site is legally described as Parcel D of Parcel Map No. 904, July 18, 1972, File No. 185254, a portion of Lot 1 of G-W Industrial Park Unit No. 1, Map No. 7120, November 18, 1971;

WHEREAS, on April 22, 2015, the Hearing Officer of the City of San Diego approved Conditional Use Permit No. 1338819 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on May 5, 2015, Scott Chipman filed an appeal of the Hearing Officer's decision;

WHEREAS, on June 25, 2015, the Planning Commission of the City of San Diego considered the appeal of Conditional Use Permit No. 1338819 pursuant to the Land Development Code of the City of San Diego;

WHEREAS, on November 26, 2014, the City of San Diego, as Lead Agency, through the Development Services Department, made and issued an Environmental Determination that the project is exempt from the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et. seq.) under CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures); and the Environmental Determination was appealed to City Council, which heard and denied the appeal on March 3, 2015 pursuant to Resolution No. 309533;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of San Diego as follows:

That the Planning Commission adopts the following written Findings, dated June 25, 2015.

FINDINGS:

**Conditional Use Permit Approval – Section §126.0305**

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

The proposed project is a request for a Conditional Use Permit to operate a MMCC in an existing 4,581 square-foot building. The 1.29-acre site is located at 7625 Carroll Road in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone and the 70-75 dB CNEL for Miramar within the Mira Mesa Community Plan Area.

The site is in the Miramar Subarea, designated Light Industrial by the Mira Mesa Community Plan. The Light Industrial designation is intended for manufacturing, storage, warehousing, distribution and similar uses. The Miramar Subarea encourages a mix of light industrial and specialized commercial uses. The proposed MMCC was reviewed by MCAS Miramar and determined to be consistent with the Air Installation Compatible Use Zone (AICUZ) noise and safety compatibility guidelines.

The parcels to the north, east and west are within the IL-3-1 Zone and the parcel to the southeast is within the CC-3-5 Zone. The existing surrounding uses within the IL-3-1 Zone are consistent with the Light Industrial designation of the community plan. The proposed MMCC, classified as commercial services, is a compatible use for this location with a Conditional Use Permit and is consistent with the community plan, therefore will not adversely affect the applicable land use plan.

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

The proposed project is a request for a Conditional Use Permit to operate an MMCC within an existing 4,581 square-foot building located at 7625 Carroll Road. The building is currently being used by West-Tech Inc. for heavy equipment storage and maintenance yard. The project proposes interior improvements that include a reception area, dispensary area, office, storage and employee lounge. The tenant improvement building permit will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements for this project include closure of the northerly driveway, on Carroll Road with City standard curb, gutter and sidewalk and replacement of the existing driveway located at the signalized entrance to the project.

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

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



The project requires compliance with the development conditions in effect for the subject property as described in Conditional Use Permit No. 1338819. The Conditional Use Permit is valid for five years, however may be revoked if the use violates the terms, conditions, lawful requirements, or provisions of the permit.

The referenced regulations and conditions have been determined as necessary to avoid adverse impact upon the health, safety and general welfare of persons patronizing, residing or working within the surrounding area and therefore, the proposed MMCC will not be detrimental to the public health, safety and welfare.

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

The proposed project is a request for a Conditional Use Permit to operate an MMCC in an existing 4,581 square-foot building located at 7625 Carroll Road on a 1.29-acre site. The project proposes interior improvements that include a reception area, dispensary area, office, storage and employee lounge. The tenant improvement building permit will require compliance with the California Building Code, Plumbing Code, Mechanical Code, Electrical Code, Fire Code and all adopted referenced standards. Public improvements for this project include closure of the northerly driveway, on Carroll Road with City standard curb, gutter and sidewalk and replacement of the existing driveway located at the signalized entrance to the project.

MMCCs are allowed in the IL-3-1 Zone with a Conditional Use Permit (CUP). The CUP requires MMCCs to comply with SDMC, section 141.0614 which requires a 1,000 foot separation, measured between property lines, from: public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCCs prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCCs must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

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

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

The proposed project is a request for a Conditional Use Permit to operate an MMCC in an existing 4,581 square-foot building. The site is in the IL-3-1 Zone, Airport Land Use Compatibility Overlay Zone, the 70-75 dB CNEL for Miramar and within the Miramar Subarea which is designated Light Industrial by the Mira Mesa Community Plan. The Light Industrial designation is intended for manufacturing, storage, warehousing, distribution and similar uses. The Miramar Subarea encourages a mix of light industrial and specialized commercial uses. The proposed MMCC was reviewed by MCAS Miramar and determined to be consistent with the Air Installation Compatible Use Zone (AICUZ) noise and safety compatibility

guidelines. The proposed MMCC, classified as commercial services, is therefore consistent with the community plan.

MMCCs are allowed in the IL-3-1 Zone with a Conditional Use Permit (CUP). The CUP requires MMCCs to comply with SDMC, section 141.0614 which requires a 1,000 foot separation, measured between property lines, from: public parks, churches, child care centers, playgrounds, libraries, minor-oriented facilities, other medical marijuana consumer cooperatives, residential care facilities, and schools. There is also a minimum distance requirement of 100 feet from a residential zone. In addition to minimum distance requirements, MMCCs prohibit consultations by medical professionals on site and do not allow certain types of vending machines. Security requirements include interior and exterior lighting, security cameras, alarms and a security guard. The security guard must be licensed by the State of California and be present on the premises during business hours. Hours of operation are limited from 7:00 a.m. to 9:00 p.m. seven days a week. MMCCs must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation.

The San Diego Municipal code limits MMCCs to commercial and industrial zones and the number of MMCCs to only four per Council District, 36 city-wide, in order to minimize the impact on the City and residential neighborhoods. The parcels to the north, east and west are within the IL-3-1 Zone and the parcel to the southeast is within the CC-3-5 Zone. The existing surrounding uses in the IL-3-1 Zone are consistent with the Light Industrial designation of the community plan and compatible uses with MMCCs. Therefore, the proposed MMCC is an appropriate use at the proposed location.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Planning Commission, Conditional Use Permit No. 1338819 is hereby GRANTED by the Planning Commission to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 1338819, a copy of which is attached hereto and made a part hereof.

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Edith Gutierrez  
Development Project Manager  
Development Services

Adopted on: June 25, 2015

Job Order No. 24004715