

**SUBSEQUENT ACTION NOTICE OF DETERMINATION
(Consistency Determination Pursuant to CEQA Section 15162)**

To: Recorder/County Clerk
P.O. Box 1750, MS A33
1600 Pacific Hwy, Room 260
San Diego, CA 92101-2422

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

Office of Land Use and Climate Innovation
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: PRJ-1124115

State Clearinghouse Number: N/A

Project Title: 2281 Fairmount Avenue Cannabis Outlet Amendment

Project Location: 2281 Fairmount Avenue, San Diego, CA 92105

City/County: San Diego/San Diego

Description of Previous Action and Project: The City of San Diego previously prepared Negative Declaration (ND) No. 607352 for the Marijuana Outlet 2281 Fairmount Avenue (PTS NO. 607352) that was adopted by the Council of the City of San Diego on December 19, 2018, Resolution R-312789. The Marijuana Outlet 2281 Fairmount Avenue (PTS NO. 607352) project required a Conditional Use Permit (CUP) No. 2149607 to allow for the operation of a cannabis outlet within a 2,800 square-foot space of an existing 3,976 square-foot commercial building on a 0.50-acre site. The project proposed interior improvements which included the construction of a security check area, waiting area, reception room, dispensary area, office/camera room, prep room, break room, hallway, and restrooms. Exterior improvements included the removal of the existing exterior wall metal siding, and the construction of a new exterior wall at the same height of the existing building, 30.5 feet high. The project was also required to reconstruct an existing 24-foot-wide driveway adjacent to the site on Fairmount Avenue to meet City standards; replace the damaged curb, gutter and sidewalk on Fairmount Avenue; and construct a new concrete bus stop slab on Fairmount Avenue along the project's frontage. The CUP would allow the outlet to operate for five-years, and would expire October 3, 2024.

Description of Current Project: Prior to the CUP No. 2149607's expiration, March and Ash (applicant) submitted an application to amend the previously approved CUP No. 2149607 to extend cannabis operations (CO) for another five-years. There is no proposed construction to the site or changes to the operation of the existing CO. The project site, located at 2281 Fairmount Avenue, is zoned Industrial – Light (IL-3-1) and Open Space – Residential (OR-1-1) and designated as Industrial and Open Space in the Mid-City: City Heights Community Plan. The project is also located within the following overlays: Sustainable Development Areas, Complete Communities Mobility Choices, Central Urbanized Planned District, Parking Standards Transit Priority Area, Transit Priority Area, Affordable Housing Parking Demand, and Very High Fire Hazard Severity Zone, within Council

District 4. LEGAL DESCRIPTION: Lot No. 1 of Map No. 3422 and Lot No. 6 of Map No. 4954. APN 541-280-09-00.

Project Applicant: March and Ash, 2281 Fairmount Avenue, San Diego, CA 92105, (619) 890-4588, spencer@marchandash.com

Determination: Pursuant to Public Resources Code Section 21166 and CEQA Guidelines 15162, the City has determined that: (1) there is substantial evidence that none of the conditions requiring preparation of a subsequent Negative Declaration/Mitigated Negative Declaration exist, and (2) the City will rely on the previous environmental document, which adequately addresses this project.

This is to advise that the Development Services Department on 12/17/2024 approved the above-described project and made the following determinations:

- (1) No Substantial changes are proposed in the project which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
- (2) No Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous ND was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous ND;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous ND;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or,
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous ND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Furthermore, the City has made the following determinations:

1. The project in its approved form would, or would not have a significant effect on the environment.

2. The proposed project would, or would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in ND.
3. Mitigation measures were, were not, made a condition of the approval of the project;
4. New Findings were, were not, required pursuant to CEQA Guidelines Section 15091.
5. New Statement of Overriding Considerations were, were not, required.

It is hereby certified that the CEQA 15162 Consistency Analysis Memorandum and final environmental document(s) are available to the public at the office of the City's Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: Kristy Blodgett

Telephone: (619) 236-7788

Filed by: Anne A. Gargne
Signature

Senior Planner
Title



State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 12/10/19) Previously DFG 753.5a

RECEIPT 37-2020- 0068 STATE CLEARINGHOUSE NUMBER (If applicable)
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SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN DIEGO DEVELOPMENT SERVICE DEPARTMENT	LEAD AGENCY EMAIL --	DATE 01/28/2020
COUNTY/STATE AGENCY OF FILING San Diego County	DOCUMENT NUMBER *2020-0018*	

PROJECT TITLE
MARIJUANA OUTLET 2281 FAIRMONT AVENUE

PROJECT APPLICANT NAME SCHNAUTZ FAMILY TRUST	PROJECT APPLICANT EMAIL --	PHONE NUMBER (619) 262-6405
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PROJECT APPLICANT ADDRESS 2281 FAIRMONT AVENUE	CITY SAN DIEGO	STATE CA	ZIP CODE 92105
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PROJECT APPLICANT (Check appropriate box)

Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)		\$3,343.25	\$	
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	200018	\$2,406.75	\$	\$2,406.75
<input type="checkbox"/> Certified Regulatory Program document (CRP)		\$1,136.50	\$	

Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	
<input checked="" type="checkbox"/> County documentary handling fee		\$	\$50.00
<input type="checkbox"/> Other		\$	

PAYMENT METHOD:

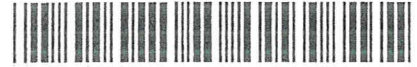
Cash
 Credit
 Check
 Other 3476, 3483
 TOTAL RECEIVED
 \$ 2,456.75

SIGNATURE X	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County K.ORTIZ , Deputy
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San Diego County



Transaction #: 4433987
Receipt #: 2020047220

Ernest J. Dronenburg, Jr.
Assessor/Recorder/County Clerk
1600 Pacific Highway Suite 260
P. O. Box 121750, San Diego, CA 92112-1750
Tel. (619) 237-0502 Fax (619) 557-4155
www.sdarcc.com

Cashier Date: 01/28/2020
Cashier Location: SD

Print Date: 01/28/2020 10:02 am

Payment Summary

Total Fees:	\$2,456.75
Total Payments:	\$2,456.75
Balance:	\$0.00

Payments	
CHECK PAYMENT	\$2,406.75
CHECK PAYMENT	\$50.00
Total Payments	\$2,456.75
Miscellaneous Item	
FISH & WILDLIFE FEES	
Fees: Fish & Wildlife County Administrative Fee	\$50.00
Fees: Fish & Wildlife Mitigated/Negative Declaration	\$2,406.75
Total Fees Due:	\$2,456.75
Grand Total - All Documents:	\$2,456.75