



# City of Lemon Grove City Council Regular Meeting Agenda

Tuesday, May 2, 2023, 6:00 p.m.

Lemon Grove Community Center  
3146 School Lane, Lemon Grove, CA 91945

*For everyone's protection, all attendees must maintain a safe social distance. Face coverings are optional but strongly recommended during the meeting.*

## **City Council**

Racquel Vasquez, Mayor  
George Gastil, Mayor Pro Tem  
Jennifer Mendoza, Councilmember  
Liana LeBaron, Councilmember  
Alysson Snow, Councilmember

A complete agenda packet is available for review on the [City's website](#)

*The City Council also sits as the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board, and Lemon Grove Successor Agency*

## **Call to Order**

## **Pledge of Allegiance**

## **Changes to the Agenda**

## **Presentation(s)**

Proclamation – Public Works Week

## **Public Comment**

*Digitally submitted public comments received by the City Clerk at [dharrington@lemongrove.ca.gov](mailto:dharrington@lemongrove.ca.gov) will not be read out-loud during the meeting. However, they will be provided to the City Council and remain part of the meeting's records. Per the Lemon Grove Municipal Code Section 2.14.150, live comments are allotted a maximum of three (3) minutes.*

## **Consent Calendar**

*(Note: The items listed on the Consent Calendar will be enacted in one motion unless removed from the Consent Calendar by Council, staff, or the public.)*

### **1.A Waive Full Text Reading of All Ordinances on the Agenda**

Reference: Kristen Steinke, City Attorney

Recommendation: Waive the full text reading of all ordinances included in this agenda;  
Ordinances shall be introduced and adopted by title only.

1.B Approval of City Council Minutes

Reference: Deborah Harrington, Interim City Clerk

Recommendation: Approve City Council Minutes of the Regular Meetings held April 4, 2023 and April 18, 2023 and Special Meeting held April 10, 2023.

1.C Note and File Planning Commission Minutes

Reference: Deborah Harrington, Interim City Clerk

Recommendation: Note and File Planning Commission Minutes of Regular Meeting held February 27, 2023.

1.D Accept the Community Development Block Grant (CDBG) 2020-21 Street Rehabilitation and ADA Pedestrian Curb Ramp Project – Golden Avenue (Contract 2021-03)

Reference: Ed Walton, Contract City Engineer

Recommendation: Adopt a Resolution accepting the CDBG 2020-21 Street Rehabilitation and ADA Pedestrian Curb Ramp Project (Contract 2021-03).

**Public Hearing(s):**

2. Public Hearing to Consider Conditional Use Permit Application CUP-210-0001, a Request to Establish a Cannabis Dispensary Retail Store at 6691 Federal Boulevard in the Light Industrial Zone (APN-478-172-01-00)

Reference: Bill Chopyk, Interim Community Development Manager

Recommendation: Adopt a Resolution finding the project is exempt from CEQA Pursuant to Section 15301 and conditionally approving Conditional Use Permit CUP-210-0001 to allow a Cannabis Dispensary (CD) Retail Store at 6691 Federal Boulevard, Lemon Grove, CA.

3. Public Hearing to Consider Conditional Use Permit Application CUP-210-0002, a Request to Establish a Cannabis Dispensary Retail Store at 8290 Broadway in the Heavy Commercial Zone (APN-499-200-19-00)

Reference: Bill Chopyk, Interim Community Development Manager

Recommendation: Adopt a Resolution finding the project is exempt from CEQA pursuant to Section 15301 and conditionally approving Conditional Use Permit CUP-210-0002 to allow a Cannabis Dispensary (CD) Retail Store at 8290 Broadway, Lemon Grove, CA.

**Report(s) to Council:**

4. Resolution Affirming Limitations on the Two-Year EDCO Corporation Rate Schedule

Reference: Christian Olivas, Management Analyst

Recommendation: Adopt a Resolution affirming a maximum two-year EDCO Rate Limitation for FY 202324 and 2024-2025.

5. Second Reading and Adoption of Sanitation District Ordinance No. 33

Reference: Izzy Murguia, Public Works Director

Recommendation: Adopt Ordinance No. 33 amending Ordinance No. 32 of the Lemon Grove Sanitation District Describing Methods for Calculating Sewer Service Charges.

**City Council Reports on Meetings Attended at the Expense of the City**

*(GC 53232.3 (d)) (53232.3. (d) states that members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.)*

**City Manager Report**



**Closed Session(s)**

Conference With Legal Counsel – Existing Litigation (Government Code §54596.9(d)(1)) – Daniel Owens and Erlaine Ah Lan Owens v. City of Lemon Grove (San Diego Superior Court, Case No.: 37-2023-00013477-CU-EI-CTL)

**Adjournment**

AFFIDAVIT OF NOTIFICATION AND POSTING  
STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) SS  
CITY OF LEMON GROVE )

I, Deorah Harrington, Interim City Clerk of the City of Lemon Grove, hereby declare under penalty of perjury that a copy of the above Agenda of the Regular Meeting of the City Council of the City of Lemon Grove, California, was delivered and/or notice by email not less than 72 hours, on or before the hour of 6:00 p.m. on April 28, 2023 to the members of the governing agency, and caused the agenda to be posted on the City's website at [www.lemongrove.ca.gov](http://www.lemongrove.ca.gov) and at Lemon Grove City Hall, 3232 Main Street Lemon Grove, CA 91945.

/s/: Deborah Harrington  
Deborah Harrington, Interim City Clerk

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# CITY OF LEMON GROVE

## CITY COUNCIL STAFF REPORT

**Item No.** 1.A  
**Meeting Date:** May 2, 2023  
**Submitted to:** Honorable Mayor and Members of the City Council  
**Department:** City Manager's Office  
**Staff Contact:** Kristen Steinke, City Attorney  
**Item Title:** **Waive the Full Text Reading of all Ordinances**

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**Summary:** Waive the full text reading of all ordinances included in this agenda. Ordinances shall be introduced and adopted by title only.

**Environmental Review:**

- Not subject to review                       Negative Declaration  
 Categorical Exemption, Section |                       Mitigated Negative Declaration

**Fiscal Impact:** None.

**Public Notification:** None.



**MINUTES OF THE REGULAR MEETING  
OF THE LEMON GROVE CITY COUNCIL  
Lemon Grove Community Center  
3146 School Lane, Lemon Grove, CA 91945  
TUESDAY, April 4, 2023 at 6:00 P.M.**

*The City Council also sits as the Lemon Grove Housing Authority,  
Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board,  
and Lemon Grove Successor Agency.*

**Call To Order:**

Mayor Vasquez called the Regular City Council Meeting to order at 6:00 p.m.

**Present:**

Mayor Racquel Vasquez, Mayor Pro Tem George Gastil, Councilmember Liana LeBaron, Councilmember Jennifer Mendoza and Councilmember Alysson Snow.

Absent: None

**Staff Members Present:**

Lydia Romero, City Manager, Kristen Steinke, City Attorney, Brent Koch, Fire Chief, Joseph Barry, San Diego Sheriff's Lieutenant, Izzy Murguia, Public Works Director, Bill Chopyk, Interim Community Development Director and Deborah Harrington, Interim City Clerk.

**Pledge of Allegiance:**

Led by Councilmember LeBaron.

**Changes to the Agenda**

City Clerk Harrington reported Councilmember LeBaron requested the Payment Demands be pulled from the Consent Calendar. Item 1.B, Payment Demands, will be considered after Item 5.

**Presentation(s)**

Mayor Vasquez provided comments and read the Arbor Day Proclamation. Mayor Vasquez presented the proclamation to Public Works Director Murguia.

**Public Comment**

Email Submitted:

- Barbara Gordon

In-Person:

- John Wood
- Julie DeAmicis

**Consent Calendar:**

- 1.A Waived Full Text Reading of All Ordinances on the Agenda.
- 1.B City of Lemon Grove Payment Demands (Pulled from Consent Calendar)

- 1.C Approved City Council Minutes of the Regular Meeting held March 21, 2023
- 1.D Adopted Resolution No. 2023-3937 calling for application to appoint one member to the Lemon Grove Planning Commission for a four-year term, beginning July 1, 2023 and setting a date to interview the qualifying applicants.
- 1.E Adopted Resolution No. 2023-3938 awarding a purchase/task order for traffic signal repairs to Southwest Signal Service in the amount of \$67,508.86 and authorize the City Manager to execute any necessary documents. (Lemon Grove Avenue and San Miguel Traffic Signal)
- 1.F Adopted Resolution No. 2023-3939 ratifying a contract (No. 2023-09) with Jimenez Inc., dba MJC Construction to repair a sinkhole and storm drain at the Public Works Yard in the amount of \$57,500 and authorize the City Manager to execute any necessary documents.
- 1.G Adopted Resolution No. 2023-3940 accepting the FY 2021 Assistance to Firefighters Grant (AFG) funds, appropriating those funds, and authorizing the City Manager or designee to execute the grant documents required to receive and use said funds in accordance with AFG requirements.

**Action:** Motion by Councilmember Mendoza, second by Mayor Pro Tem Gastil, to approve the Consent Calendar with the exception of Item 1.B, City of Lemon Grove Payment Demands.

**The motion passed by the following vote:**

**Ayes:** Mendoza, Snow, Gastil, Vasquez

**Noes:** LeBaron

**Absent:** None

**Public Hearings**

2. 2022 General Plan Annual Progress Report

City Clerk stated all notices required by law had been given on the public hearing.

City Attorney Steinke asked if there were any disclosures or conflicts of interest relating to this item by members of the Council. All members of the City Council indicated there no disclosures or conflicts.

Mayor Vasquez opened the public hearing at 6:20 p.m.

Report presented by Bill Chopyk, Interim Community Development Director and Spencer Richard, Assistant Planner.

Public Comments: None.

Council provided questions/comments for staff.

**Action:** Motion by Mayor Pro Tem Gastil, second by Councilmember Snow to close the public hearing.

**The motion passed by the following vote:**

**Ayes:** LeBaron, Mendoza, Snow, Gastil, Vasquez

**Noes:           None**  
**Absent:         None**

**Action:** Motion by Mayor Pro Tem Gastil, second by Councilmember Snow, to adopt Resolution No. 2023-3941 accepting the 2022 General Plan Annual Progress Report and direct staff to submit the Report to both the California State Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD).

**The motion passed by the following vote:**

**Ayes:           LeBaron, Mendoza, Snow, Gastil, Vasquez**  
**Noes:           None**  
**Absent:         None**

3. Conditional Use Permit CUP-200-0001 Time Extension – Medical Marijuana Dispensary (MMD) at 8280 Broadway in the Heavy Commercial (HC) Zone.

City Clerk stated all notices required by law had been given on the public hearing.

City Attorney Steinke asked if there were any disclosures or conflicts of interest relating to this item by members of the Council. Councilmembers Mendoza, LeBaron, Snow and Mayor Vasquez stated they received an email from Chris Williams and did not have any conflicts. Mayor Pro Tem Gastil stated he did not read the email and had no conflicts. All members of the City Council indicated there no disclosures or conflicts. Mayor Vasquez disclosed she was contacted by phone by a member of the business community on behalf of the applicant offering a trip to Las Vegas to discuss the project.

City Attorney Steinke encouraged Councilmember to forward these types of concerns to her office.

Councilmember LeBaron noted her response to the email.

Report presented by Bill Chopyk, Interim Community Development Director.

Mayor Vasquez opened the public hearing at 7:00 p.m.

Chris Williams, representative of Pick Axe Holdings presented comments. He refuted the Mayor’s disclosure. He noted the email in question was sent to all Councilmembers. He stated he wanted to be treated the same as other time extension requests of the other cannabis retail dispensaries.

Council provided questions/comments for staff and applicant.

Public Comments:

- Juliet DeAmicis
- Kathleen McLean
- Teresa Rosiak-Proffit
- Brittany Biesterfeld
- Tamara Rozmus
- Gina Austin
- Jerry Jones

Mr. Williams provided final comments.

Applicant's architect from Architectural Concepts, Inc. spoke in support of the extension noting efforts they have accomplished.

Council provided questions/comments for staff and applicant.

Motion by Mayor Pro Tem Gastil, seconded by Councilmember Mendoza to close the public hearing. Roll Call on the motion was interrupted by a motion to table the close of the public hearing.

A substitute motion was made to table that motion to keep the public hearing open.

**Action:** Motion by Mayor Pro Tem Gastil, seconded by Councilmember LeBaron to table the motion to close the public hearing.

**The motion passed by the following vote:**

**Ayes:** LeBaron, Mendoza, Snow, Gastil, Vasquez  
**Noes:** None  
**Absent:** None

There was further discussion on the matter.

**Action:** Motion by Councilmember Mendoza, seconded by Councilmember Snow, to close the public hearing.

**The motion passed by the following vote:**

**Ayes:** LeBaron, Mendoza, Snow, Gastil, Vasquez  
**Noes:** None  
**Absent:** None

Council provided comments on the matter.

**Action:** Moved by Councilmember Mendoza, seconded by Mayor Pro Tem Gastil, to deny the requested time extension and adopt a resolution denying a Time Extension of Conditional Use Permit CUP-200-001 located at 8280 Broadway.

**The motion passed by the following vote:**

**Ayes:** Mendoza, Snow, Gastil, Vasquez  
**Noes:** LeBaron  
**Absent:** None

City Manager asked the City Council to consider the remainder of the agenda. Councilmember Mendoza and Mayor Pro Tem Gastil supported moving forward with the remainder of the

agenda items and foregoing City Council reports and City Manager's report. There were no objections from the City Council.

**Reports to Council**

4. Acceptance of the Sidewalk Master Plan

Report presented by Izzy Murguia, Public Works Director and consultant Catherine Showley, Wood Rogers, Inc.

Public Comment

- John Wood

Council provided questions/comments for staff.

**Action:** Motion by Councilmember Mendoza, second by Councilmember LeBaron, to adopt Resolution No. 2023-3943 accepting the Sidewalk Master Plan.

**The motion passed by the following vote:**

**Ayes:** Lebaron, Mendoza, Snow, Gastil, Vasquez  
**Noes:** None  
**Absent:** None

5. Acceptance of the Pavement Management Plan

Report presented by Izzy Murguia, Public Works Director and consultant, Vivek Jha, NCE.

Council provided questions/comments for staff.

**Action:** Motion by Councilmember Mendoza, second by Mayor Pro Tem Gastil to adopt Resolution No. 2023-3944 accepting the Pavement Management Program.

**The motion passed by the following vote:**

**Ayes:** Lebaron, Mendoza, Snow, Gastil, Vasquez  
**Noes:** None  
**Absent:** None

**Pulled Consent Calendar Item**

1.B City of Lemon Grove Payment Demands

**Action:** Motion by Councilmember Mendoza, second by Councilmember Snow, to approve the City of Lemon Grove Payment Demands.

**The motion passed by the following vote:**

**Ayes:** Mendoza, Snow, Gastil, Vasquez  
**Noes:** LeBaron  
**Absent:** None

**City Council Reports on Meetings Attended at the Expense of the City**

Due to the length of the meeting, no City Council Reports were given.



**City Manager Report** – None.

**Closed Session**

Mayor Vasquez introduced City Attorney Kristen Steinke to recess the meeting into Closed Session.

City Attorney Steinke recessed the meeting into Closed Session at 10:13 pm. regarding the following items:

1. Conference with legal counsel—existing litigation (Government Code § 54956.9(d)(1))  
Project for Open Government v. City of Lemon Grove  
(SDSC Case No.: 37-2022- 00010862-CU-MC-CTL)

Councilmember LeBaron recused herself from the Closed Session.

Councilmember LeBaron left the meeting at 10:26 p.m.

City Attorney Steinke reconvened meeting from Closed Session at 10:45 pm. City Attorney Steinke stated there were no reports.

**Adjournment**

Mayor Vasquez adjourned the meeting at 10:45 p.m.

Deborah A. Harrington  
Interim City Clerk

**MINUTES OF THE SPECIAL MEETING  
OF THE LEMON GROVE CITY COUNCIL  
MONDAY, APRIL 10, 2023 AT 6:00 P.M.**

Lemon Grove Community Center  
3146 School Lane, Lemon Grove, CA 91945

**Call To Order**

Mayor Vasquez called the Special Meeting City Council Meeting to order at 6:00 p.m.

**Present**

Mayor Racquel Vasquez, Mayor Pro Tem Gastil, Councilmember Jennifer Mendoza, Councilmember Snow. Councilmember Lebaron arrived at 7:30 p.m.

**Staff Members Present**

Lydia Romero, City Manager, Kristen Steinke, City Attorney and Joseph Ware, Finance Director, Izzy Murgia, Public Works Director, Bent Koch, Fire Chief.

**Pledge of Allegiance**

Pledge of Allegiance to the Flag was led by Councilmember Mendoza

**Workshop**

**Initial Budget Workshop – FY 23-24**

Joseph Ware, Finance Director, presented the current and forecasted financial position of the City's general fund.

Lydia Romero, City Manager, previewed the status of the City Council's 2022-23 strategic priorities.

**Mayor opened facilitated questions from the audience.**

**Adjournment**

There being no further business to come before the Council, Mayor Vasquez adjourned the meeting at 8:25p.m.

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Deborah Harrington  
Interim City Clerk

**MINUTES OF THE REGULAR MEETING  
OF THE LEMON GROVE CITY COUNCIL  
Lemon Grove Community Center  
3146 School Lane, Lemon Grove, CA 91945  
TUESDAY, April 18, 2023 at 6:00 P.M.**

*The City Council also sits as the Lemon Grove Housing Authority,  
Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board,  
and Lemon Grove Successor Agency.*

**Call To Order:**

Mayor Vasquez called the Regular City Council Meeting to order at 6:06 p.m.

**Present:**

Mayor Racquel Vasquez, Councilmember Liana LeBaron, Councilmember Jennifer Mendoza and Councilmember Alysson Snow.

Absent: Mayor Pro Tem Gastil

**Staff Members Present:**

Lydia Romero, City Manager, Kristen Steinke, City Attorney, Brent Koch, Fire Chief, Joe Knece, San Diego Sheriff's Sergeant, Izzy Murguia, Public Works Director, Bill Chopyk, Interim Community Development Director and Deborah Harrington, Interim City Clerk.

**Pledge of Allegiance:**

Led by Councilmember Mendoza.

**Changes to the Agenda** – None.

**Presentations**

Lemon Grove Historical Society Essay Awards.

Mayor Vasquez introduced Laura Hook, Historical Society Present and Roberta Bulling, Historical Society Education Chair to present the Annual Lemon Grove Essay Contest winners.

**Public Comment**

In-Person:

- Jesse Velarde
- Minola Clark Mansen
- John Wood
- Richard Gold
- Carl Finster
- Karen Finster

**Consent Calendar:**

1.A Waived Full Text Reading of All Ordinances on the Agenda.

1.B Ratified City of Lemon Grove Payment Demands

1.C Adopted Resolution No. 2023-3945 awarding a contract for Website Design, Management and Implementation Services to GHD Digital and authorize the City Manager to execute any necessary documents.

**Action:** Motion by Councilmember Snow, second by Councilmember Mendoza, to approve the Consent Calendar.

**The motion passed by the following vote:**

**Ayes:** Mendoza, Snow, Vasquez

**Noes:** LeBaron

**Absent:** Gastil

**Public Hearings:**

2. Public Hearing and Introduction of Ordinance No. 33, Amending Ordinance No. 32 Describing Methods for Calculating Lemon Grove Sanitation District Sewer Service Charges

Chair Vasquez opened the public hearing at 6:40 p.m.

Board Clerk Harrington stated all notices required by law had been given on the public hearing.

Board Attorney Steinke asked if there were any disclosures or conflicts of interest relating to this item by members of the Board of Director. All members of the Board indicated there no disclosures or conflicts.

Report presented by Izzy Murguia, Public Works Director and Karyn Johnson, Consultant.

Board Clerk Harrington reported a total of four protests were received by the District.

**Public Comment:**

**In-Person:**

- John Wood
- Teresa Rosiak-Proffit
- Beatrice Lopez

Boardmembers provided questions/comments for staff.

**Action:** Motion by Boardmember Snow, second by Boardmember Mendoza, to close the public hearing.

**The motion passed by the following vote:**

**Ayes:** LeBaron, Mendoza, Snow, Vasquez

**Noes:** None

**Absent:** Gastil

**Action:** Motion by Boardmember Mendoza, second by Boardmember Snow, to introduce Ordinance No. 33, Amending Ordinance No. 32 Describing Methods for Calculating Lemon Grove Sanitation District Sewer Service Charges.

Action: An amendment to the motion to include findings that there were four protests received against the proposed Sewer Service Charges. Maker of the Motion and Second accepted the amendment.

**The motion as amended passed by the following vote:**

**Ayes:** Mendoza, Snow, Vasquez

**Noes:** LeBaron

**Absent:** Gastil

3. Appeal of the Community Development Manager's Decision to Deny Minor Use Permit, MUP 220-0004, a Request for Early Separation Findings for a Regulated Use (Medical Marijuana Dispensary ) at 6925-6935 North Avenue in the General Commercial Zone - APN 479-013-03-00

City Clerk Harrington stated all notices required by law had been given on the public hearing.

Mayor Vasquez opened the public hearing at 8:30 p.m.

City Manager Romero report the appellant had requested a continuance on this item. It is proposed to continue the public hearing to June 20, 2023.

**Action:** Motion by Councilmember LeBaron, second by Councilmember Snow to continue the public hearing to June 20, 2023.

**The motion passed by the following vote:**

**Ayes:** LeBaron, Mendoza, Snow, Vasquez

**Noes:** None

**Absent:** Gastil

**Report(s) to Council:** None.

**City Council Reports on Meetings Attended at the Expense of the City**

Councilmember Mendoza

League of California Cities, San Diego Division - San Diego Military Council  
City Council Pre-Budget Workshop  
Heartland Communications JPA Meeting

Councilmember LeBaron

Traffic Signal at Palm and Lemon Grove Avenue public comments

Councilmember Snow

Metro Waste Water JPA Meeting

City Leaders Summit

San Diego Eviction Collaborative

Lemon Grove Revenue and Expenditure Workshop

League of California Cities – Advocating for City Revenues

Center for Equity

Association of Realtors – Increase home purchase opportunities

SB35 Meeting

Mayor Vasquez

Eggxtravaganza Event

City Pre-Budget Meeting

League of California Cities Board of Directors Meeting

**City Manager Report**

Public Works Director Murguia reported the City Council approved a contract for traffic signal repairs at Lemon Grove Avenue and San Miguel and provided an update on the project.

**Adjournment**

Mayor Vasquez adjourned the City Council meeting at 8:42 p.m.

Deborah Harrington

Interim City Clerk

1.C Award of Contract for City Website Design, Management and Implementation Services

Reference: Greg Jackson, Communications Specialist

Recommendation: Adopt a Resolution awarding a contract for Website Design, Management and Implementation Services to GHD Digital and authorize the City Manager to execute any necessary documents.



# CITY OF LEMON GROVE

## CITY COUNCIL STAFF REPORT

**Item No.**            1.C  
**Meeting Date:**    May 2, 2023  
**Submitted to:**    Honorable Mayor and Members of the City Council  
**Department:**     City Manager's Office  
**Staff Contact:**    Deborah Harrington, Interim Deputy City Clerk  
                              [dharrington@lemongrove.ca.gov](mailto:dharrington@lemongrove.ca.gov)  
**Item Title:**        **Note and File Planning Commission Minutes**

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**Recommended Action:** Note and File Approved Planning Commission Minutes of February 27, 2023.

**Environmental Review:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration           |
| <input type="checkbox"/> Categorical Exemption, Section   | <input type="checkbox"/> Mitigated Negative Declaration |

**Fiscal Impact:** None.

**Public Notification:** None.



**MINUTES OF THE REGULAR MEETING  
OF THE LEMON GROVE PLANNING COMMISSION  
Lemon Grove Community Center  
3146 School Lane, Lemon Grove, CA 91945  
MONDAY, FEBRUARY 27, 2023 at 6:00 P.M.**

**Call To Order:**

The Regular Planning Commission Meeting was called to order at 6:00 p.m.

**Present:**

Commissioner Miranda Evans, Commissioner Seth Smith, Commissioner Elizabeth Jacobs, Commissioner Jacquelyn Clark and Commissioner John Burns.

Absent: None.

**Staff Members Present:**

Lydia Romero, City Manager, Elizabeth Mitchell, City Attorney, Tim Campen, Planning Commission Attorney, Michael Fellows, Community Development Manager and Deborah Harrington, Interim City Clerk.

**Pledge of Allegiance:**

The Pledge of Allegiance was led by Commissioner Smith.

**Changes to the Agenda:** None.

**Reorganization:**

1. Selection of Chairperson and Vice Chairperson

Community Development Manager opened nominations for the position of Chairperson.

Action: Moved by Commissioner Jacobs, seconded by Commission Clark, to nominate Seth Smith for the position of Chairperson. The motion carried by the following roll call vote:

AYES: Commissioners: Burns, Clark, Evans, Jacobs, Smith

NOES: Commissioners: None

At this time the meeting was turned over to Chairperson Smith.

Chairperson Smith opened nominations for the position of Vice-Chairperson.

Action: Moved by Commissioner Clark, seconded by Commissioner Burns, to nominate Miranda Evans as Vice-Chairperson. The motion carried by the following roll call vote:

AYES: Commissioners: Burns, Clark, Evans, Jacobs and Smith

NOES: Commissioners: None

**Consent Calendar:**

2. Approval of Planning Commission Meeting Minutes of Regular Meetings held April 25, 2022, June 27, 2022 and Special Meeting held July 25, 2022.

Action: Moved by Vice-Chairperson Evans, seconded by Commissioner Burns, to approve the Consent Calendar. The motion carried by the following roll call vote:

AYES: Commissioners: Burns, Evans, Jacobs and Smith

NOES: Commissioners: None

Abstain: Commissioners: Clark

**Public Comments:** None.

**Reports:**

3. Legislative Update

City Attorney Steinke presented the Legislative Update.

**Business from the Community Development Manager** – None

**Business from the Planning Commission Attorney** – None

**Planning Commission Oral Report on Meetings attended at the expense of the City** – None.

**Adjournment:**

There being no further business to come before the Planning Commission, the meeting was adjourned at 6:45 p.m.

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Deborah Harrington  
Interim City Clerk



# CITY OF LEMON GROVE

## CITY COUNCIL STAFF REPORT

**Item No.** 2

**Meeting Date:** May 2, 2023

**Submitted to** Honorable Mayor and Members of the City Council

**Department:** Community Development Department

**Staff Contact:** Bill Chopyk, Interim Community Development Manager

[bchopyk@lemongrove.ca.gov](mailto:bchopyk@lemongrove.ca.gov)

**Item Title:** **Public Hearing to Consider Conditional Use Permit Application CUP-210-0001, a Request to Establish a Cannabis Dispensary Retail Store at 6691 Federal Boulevard in the Light Industrial Zone (APN-478-172-01-00)**

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### **Recommended Action:**

- 1) Conduct the Public Hearing;
- 2) Receive Public Comment; and
- 3) Adopt a Resolution (**Attachment A**) finding the project is exempt from CEQA Pursuant to Section 15301 and conditionally approving Conditional Use Permit CUP-210-0001 to allow a Cannabis Dispensary (CD) Retail Store at 6691 Federal Boulevard, Lemon Grove, CA.

**Summary:** This is a request to establish a recreational and medical cannabis dispensary at 6691 Federal Boulevard in the Light Industrial (LI) Zone. The proposed project would utilize an existing 6,435 sq. ft. warehouse building and parking lot. The existing 1,373 sq. ft. mezzanine would be demolished and the remaining 5,080 sq. ft. would be used as a CD Retail Store. Site modifications include parking lot re-striping, a new trash enclosure, pedestrian access from the parking lot and existing right-of-way, miscellaneous site improvements such as lighting, fencing and security cameras, and right-of-way improvements. The existing landscaping would remain.

**Discussion:** The Cannabis Regulations in LGMC Chapter 17.32 allow CDs with an approved Conditional Use Permit (CUP) in commercial and industrial zoning districts. To be eligible, proposed CD sites must be separated by 1,000 feet from the regulated and protected uses described in LGMC Section 17.32.090(B), including other CDs, licensed daycare facilities, alcohol and substance abuse treatment centers, schools and parks.

The proposed project site at 6691 Federal Boulevard is approximately 1,500 feet from the nearest operating, or conditionally permitted, or proposed regulated use at 6859 Federal Boulevard (Wellgreens cannabis dispensary). Staff found no evidence of any protected uses, including public parks, playgrounds, licensed day care facilities, schools and alcohol and substance abuse treatment centers as defined in the LGMC within 1,000 feet.

### *Background*

On February 25, 2019 the Applicant, Element 7 Lemon Grove, LLC, submitted a Minor Use Permit (MUP) application (MUP-190-0002) for early separation findings, and the Development Services Director approved the MUP on May 19, 2019. On September 15, 2020, the Applicant again submitted a MUP application (MUP-200-0004) for early separation findings, and the Community Development Manager (CDM) approved the MUP on December 3, 2020. MUP-200-0004 expired on December 3, 2021. On January 11, 2021, the Applicant submitted a CUP application (CUP-210-0001) to operate a cannabis recreational and medical dispensary at 6691 Federal Boulevard. On April 5, 2023, CUP-210-0001 at 6691 Federal Boulevard was deemed complete.

### *Project Description*

The proposed project would utilize an existing 6,435 sq. ft. warehouse building built in 1979, now vacant, formerly occupied by La Mesa Glass Co. The existing 1,373 sq. ft. mezzanine would be demolished and the remaining 5,080 sq. ft. would be used as a CD Cannabis Retail Store. The scope of the project includes interior and exterior remodeling of the existing structure. Site modifications include parking lot re-striping, a new trash enclosure, pedestrian access from the parking lot and existing right-of-way, miscellaneous site improvements such as lighting, fencing and security cameras, and right-of-way improvements. The existing landscaping would remain. A project rendering is provided (**Attachment B**), and project plans are provided (**Attachment C**).

The project site is a 0.67-acre (29,815 sq. ft.) lot located on the southwest corner of Federal Boulevard and Central Avenue with approximately 340 feet of frontage on Federal Boulevard and 100 feet of frontage on Central Avenue. Both street frontages are improved with curb and gutter, and no sidewalk. Two driveways provide access to two parking lots on each side of the building. The proposed project would install a new 5-foot wide sidewalk and new driveway aprons. An 8-foot wide parking lane and 5-foot wide bicycle lane would be striped to match the existing road configuration along Federal Boulevard. The applicant proposes no changes to the existing landscaping. The five Jacaranda street trees on Federal Boulevard would remain and the existing trees on Central Avenue would remain.

Chollas Creek runs along the rear of the property separated by an existing 6-foot high chain link fence. The project is conditioned to provide an access easement or agreement

and appropriate open space easement to maintain and improve the tributary to Chollas Creek including weed abatement (removal of invasives), replanting and slope stabilization and irrigation.

The space within the 5,080 sq. ft. one-story building would be reconfigured with an eastern front entry into a lobby and another entry into the dispensary from the lobby. There are two other separate entries on the west and south elevations for employees and deliveries. The floor plan shows 1,809 sq. ft. of retail area, 814 sq. ft. of office space and 2,457 sq. ft. of storage.

The existing exterior stucco walls would be painted kale green with redwood horizontal banding. The existing glazing on the western end of the building would remain. Two wall signs would be located on each frontage with a 42" x 42" (12.25 sq. ft.) sign area facing Central Avenue and a 24" x 96" (16 sq. ft.) sign area facing Federal Boulevard. Exterior wall lights and parking lot light poles are proposed for lighting the entire site, as shown on the photometric plan.

#### *Land Use Analysis*

The subject property has a Lemon Grove General Plan land use designation of Industrial and a zoning designation of Light Industrial (LI). According to the General Plan, the Industrial land use calls for a mixture of manufacturing, processing, warehousing and storage uses. Cannabis Dispensaries are permitted with a CUP in the LI zone, according to LGMC Section 17.32.090(A). No cultivation, manufacturing, processing, or delivery services are proposed with this CUP application.

#### *Operations Manual*

The application for a CUP for a cannabis dispensary shall include a detailed Operations Manual under LGMC Section 17.32.090 C. 6. The operations manual must include the following information:

- a. Authorization for the city, its agents and employees, to seek verification of the information contained within the application;
- b. A description of the staff screening process including appropriate background checks;
- c. The hours and days of the week the *dispensary* will be open;
- d. Text and graphic materials showing the site, floor plan and facilities of the *dispensary*. The material shall also show adjacent structures and land use;
- e. A description of the security measures located on the *premises*, including, but not limited to, lighting, alarms, and automatic law enforcement notification;
- f. A description of the screening, registration and validation process for *qualified patients*;
- g. A description of *qualified patient* records acquisition and retention procedures;

- h. The process for tracking *cannabis* quantities and inventory controls employed, including the source of *cannabis* (on-site cultivation, processing, or plant material, or processed products, received from outside sources);
- i. Procedures to ensure accurate record keeping, including protocols to ensure that quantities purchased do not suggest re-distribution; and
- j. Other information required by the manager of the community services department.

The Operations Manual (**Attachment D**) submitted by the Applicant contains all of the above information. The proposed hours of operation are 8AM-8PM seven days per week.

*Development Standards*

LGMC Section 17.16.100 (G) outlines basic standards, which are applicable to all land and structures in the LI Zone. The following table compares those standards to the site conditions at the subject address. The proposed project complies with all basic development standards.

<b>Standard</b>	<b>Required</b>	<b>Proposed</b>
Min. Lot Area	20,000 square feet	29,185 square feet
Min. Lot Width & Depth	100 feet	103 feet
Front Yard Setback	20 feet min.	24 feet
Side Yard Setback	10 feet/20 ft. street side	120 feet
Rear Yard Setback	15 feet	16 feet
Maximum Building Height	40 feet	20 feet
Landscaped Area	10%	59%
Parking	11 spaces	13 spaces
Compact Parking	75%	46%

*Parking*

The Lemon Grove parking requirement for retail/business, warehouse/storage and office is one parking space per 500 square feet of floor area (LGMC 17.24.010). Thus, eleven parking spaces is the minimum amount of parking required. The proposed project provides 13 parking spaces including two disabled spaces. This meets the minimum parking requirement for customers, employees and deliveries. In addition, on-street parking on Federal Boulevard could accommodate parking for about 15 vehicles. A secured loading space is provided at the rear of the site.

The layout of the two parking lots has been reconfigured to comply with the LGMC off-street parking regulations. The parking area accommodates a 28 foot drive aisle and 9 foot by 19 foot parking stalls with wheel stops as required by the Space and Access Dimensions in LGMC Section 17.24.010(F) for parking dimensions. The site plan shows

six compact spaces (46% of total parking spaces). The plans call for a new bike rack located near the main entry to the dispensary.

*Traffic*

A traffic and parking analysis from Linscott Law & Greenspan dated 01/26/2023 shows that the proposed project would generate 410 Average Daily Trips (ADT) and would not significantly impact traffic. The Vehicle Miles Traveled (VMT) analysis concludes a less than significant VMT impact due to project characteristics and would not require a detailed VMT analysis.

*Street Improvements*

Off-street parking regulations, specifically Section 17.24.010(H), also require the installation of city standard street improvements along abutting streets as part of all discretionary permit application. LGMC Chapter 12.10 requires street dedication and street improvements with building permits that exceed \$25,000 in value. The Engineering Division has provided a list of preliminary conditions related to street improvements and are included in the City Council resolution conditions.

*Loading*

According to LGMC Section 17.24.020(B)(8), the CDM may determine loading requirements for unlisted uses, such as CDs, based upon the particular characteristics of the use. Deliveries from licensed cannabis distributors to the dispensary are not anticipated to occur in vehicles that require large, designated berths and therefore one is not provided. A condition of approval requires review of loading by the CDM prior to the issuance of a building permit.

*Landscaping*

The Lemon Grove Water Efficient Landscape Regulations in Chapter 18.44 of the LGMC require discretionary applications to provide a conceptual landscape plan that conforms to both the Zoning Ordinance and the aforementioned landscape regulations. Landscaping requirements and the proposed landscape for the project are as follows:

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Min. 10% Landscape Area	10% (2,919 sq. ft.)	59% (17,132 sq. ft.)
Min 25% Planted Landscape	25% (4,283 sq. ft.)	100% (17,132 sq. ft.)
Required On-Site Trees	7	11 (existing)
Required Street Trees	18	21 (existing)

### *Screening*

The cannabis regulations in Chapter 17.32 do not require on-site fencing. The project plans do not show any fencing on the Federal Boulevard frontage. The existing 6-foot chain link fencing along Chollas Creek would remain.

Two existing rooftop HVAC units would remain in their central location on the roof. The parapet wall provides some screening of the HVAC units. LGMC Section 17.24.050(E)(10) requires such units to be screened from the level of adjacent streets and walks while Section 17.24.040(C)(1) limits this screening, and any other rooftop appurtenance, to less than eight (8) feet in height. Screening of rooftop HVAC equipment is included as a condition in the city council resolution.

### *Trash*

A trash refuse enclosure is proposed that is conditioned to meet current storm water requirements. Storm water review of the construction drawings, and inspections, ensure that the trash enclosure will have a permanent waterproof roof and be fully screened to prevent rainfall contact and wind dispersion of trash.

### *Lighting and Security*

Crime Prevention Through Environmental Design (CPTED) principles encourage all exterior areas to be adequately lit. Exterior and interior security lighting and security cameras are included in the operations manual and project plan set. Review of detailed security lighting plans will occur as part of the building permit for the project. In addition, LGMC Section 17.24.080 requires light fixtures to be maintained and adjusted to direct light away from adjacent streets and properties so as to prevent nuisance conditions.

### *Signage*

Pursuant to sign ordinance Section 18.12.040(C), industrial uses are generally permitted up to three signs. The total allowable sign area permitted is 20% of the dispensary building wall facing Federal Boulevard, or approximately 500 sq. ft. The proposed signage consists of two wall signs totaling 28.25 sq. ft. A separate sign permit would be required at the time the signs are to be installed.

### **Conclusion:**

The city council must make the following findings as stated in LGMC Section 17.28.050 in order to approve any conditional use permit application:

1. The use is compatible with the neighborhood or the community;
2. The use is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity;
3. The use complies with performance standards according to Section 17.24.080;
4. The use is consistent with applicable provisions of the particular zoning district and with policies and standards of the general plan.



Section 17.32.080 also requires the decision making authority consider:

5. Whether the approval of the proposed use will violate the minimum requirements set forth in chapter 17.32 for distance separations between establishments which dispense, process or cultivate cannabis; and separations between establishments which dispense, process or cultivate cannabis and other specific regulated or protected land uses as set forth in chapter 17.32; and
6. Whether the proposed use complies with Title 17 of the Lemon Grove Municipal Code.

Staff believes that the required findings can be made in the affirmative and that required considerations were duly considered provided the conditions in the city council resolution of approval are observed. The application materials as presented and the corresponding conditions incorporate and reflect input from all City divisions, including: Building, Engineering, Heartland Fire & Rescue, Planning, Sheriff's Crime Prevention Unit, and D-Max Engineering, the City's stormwater consultant.

This CUP is valid for one year, and will expire one year after approval of the CUP, unless extended by the city council prior to the one-year expiration date.

**Environmental Review:**

- |   |   |
|---|---|
| <input type="checkbox"/> Not subject to review                            | <input type="checkbox"/> Negative Declaration           |
| <input checked="" type="checkbox"/> Categorical Exemption, Sections 15301 | <input type="checkbox"/> Mitigated Negative Declaration |

The project as proposed is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 "Existing Facilities" of the CEQA Guidelines.

The Class 1, Section 15301 Existing Facilities exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. This CUP would allow the operation of a Cannabis Dispensary in an existing structure in an urbanized area and involves no expansion of existing floor area. This request is lesser in scale than the examples of Class 1 exemptions in the CEQA Guidelines, including those for additions resulting in a 50% increase in floor area up, to a maximum of 2,500 square-feet, and demolition of multifamily residential structures up to six (6) dwelling units in urban areas.

The CEQA Guidelines Section 15300.2 exceptions to categorical exemption use do not apply to the project. The subject property is within a built-out urban environment thus limiting potential for cumulative effects from successive projects and avoiding impacts to

General Plan identified biological habitats or environmental resources of hazardous or critical concern. The project does not involve any other unusual circumstances that could potentially have a significant effect on the environment. The project site is not a hazardous waste site nor is it identified as such in any “Cortese List” including the DTSC EnviroStor database and State Water Resources Control Board GeoTracker tool. No impacts to scenic highways will occur as State Route 94 is not designated as, nor identified as eligible to be, a CalTrans scenic highway along city limits. Historic resources will not be impacted as the project site is not included in the San Diego County Historic Properties Data File nor the Lemon Grove Historical Society List of Historic Properties as referenced in the Lemon Grove General Plan Conservation and Recreation Element.

**Fiscal Impact:** No fiscal impact is associated with the approval of the CUP. Future sales of cannabis would generate additional sales tax and cannabis revenue to the City of Lemon Grove.

**Public Notification:** On April 21, 2023, the Notice of Public Hearing for this item was published in the East County Californian and was mailed to all property owners within 1,000 feet of the subject property. Staff verified the presence of the public notice sign required by LGMC Section 17.28.020(F)(2) on April 20, 2023. The City of Lemon Grove did not receive any comments in response to the Notice of Public Hearing at the time this staff report was written. Staff will provide the City Council with any comments received after publication of this staff report.

**Staff Recommendation:**

- 1) Conduct the public hearing;
- 2) Receive Public Comment; and
- 3) Adopt a Resolution finding the project is exempt from CEQA pursuant to Section 15301 and conditionally approving CUP-210-0001 to allow a Cannabis Dispensary at 6691 Federal Boulevard, Lemon Grove, CA.

**Attachments:**

**Attachment A – Resolution**

**Attachment B – Rendering**

**Attachment C – Project Plans**

**Attachment D – Operations Manual**

**RESOLUTION NO. 2023-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, FINDING THE PROJECT IS EXEMPT FROM CEQA PURSUANT TO SECTION 15301 AND CONDITIONALLY APPROVING CONDITIONAL USE PERMIT CUP-210-0001, A REQUEST TO ALLOW A CANNABIS DISPENSARY AT 6691 FEDERAL BOULEVARD, LEMON GROVE, CALIFORNIA.**

*WHEREAS, the California voters approved Proposition 215 in 1996 to ensure that seriously ill Californians have the right to obtain and use cannabis for medical purposes and to encourage elected officials to implement a plan for the safe and affordable distribution of medicine; and*

*WHEREAS, in 2003, the California State Legislature adopted Senate Bill 420, the Medical Marijuana Program Act, to clarify and further implement Proposition 215 in part by authorizing patients and Primary caregivers to associate within the State of California in order to collectively or cooperatively cultivate cannabis for medical purposes; and*

*WHEREAS, in 2015, the California State Legislature adopted Assembly Bill 243, Assembly Bill 266, and Senate Bill 643, collectively known as the Medical Marijuana Regulation and Safety Act, to establish a statewide regulatory framework and establish the Bureau of Medical Marijuana Regulation for the regulation of cannabis activity occurring in jurisdictions across California; and*

*WHEREAS, on November 8, 2016, voters in the City of Lemon Grove passed Measure V, an initiative removing the City's prohibition of medical marijuana dispensaries and establishing performance standards and a permit process by which cannabis dispensaries (CDs) may be established, which is codified as Chapter 17.32 in the Lemon Grove Municipal Code (LGMC); and*

*WHEREAS, LGMC Section 17.32.090(B) establishes the distance requirements between dispensaries (including CDs) as a regulated use and protected land uses, including public parks, playgrounds, licensed day care facilities, schools and alcohol and substance abuse treatment centers as defined in the LGMC; and*

*WHEREAS, on January 11, 2021, Element 7 Lemon Grove LLC (Applicant) filed Conditional Use Permit application CUP-210-0001, a request establish a CD Cannabis*

*Retail Store at 6691 Federal Boulevard in the Light Industrial Zone, and on April 5, 2023 Community Development Department staff found the application complete; and*

**WHEREAS**, *Notice of the Public Hearing was given in compliance with Lemon Grove Section 17.28.020(F). On April 21, 2023, the Notice of Public Hearing for CUP-210-0001 was published in the East County Californian and mailed to all property owners within 1,000 feet of the subject property. Staff confirmed the presence of the required on-site public notice sign on April 20, 2023; and*

**WHEREAS**, *the proposed project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities; and*

**WHEREAS**, *the Zoning Ordinance includes street improvement requirements per LGMC Chapter 12.10 and Section 17.24.010 (H). A clear nexus is made to require street improvements because: 1) this is the highest and best use of the property from a revenue standpoint; 2) the proposed use is higher intensity than typical retail uses and was not analyzed as a part of the General Plan Master Environmental Impact Report; 3) medical marijuana dispensary means persons with disabilities are likely to need access to the facility via vehicles or as a pedestrian or bicyclist; and 4) sidewalk and street improvements are largely supported by the General Plan Health & Wellness Element, Community Development Element, and Mobility Element policies; and*

**WHEREAS**, *this permit does not excuse any owner or operator from complying with all applicable federal, state, county or local laws, ordinances or regulations. The owner or operator is required to determine if another permit or approval from any other agency or department is necessary. The City, by issuing this permit, does not relinquish its right to enforce any violation of law; and*

**WHEREAS**, *on May 2, 2023, City Council held a duly noticed public hearing to consider Conditional Use Permit application CUP-210-0001; and*

**WHEREAS**, *the City Council determined that the following findings of fact can be made as required by LGMC Section 17.28.050(C):*

- 1. The use is compatible with the neighborhood or the community;*

*LGMC Chapter 17.32 is the product of a 2016 citizen's initiative, Measure V, which explicitly authorized Medical Marijuana Dispensaries as a conditionally permissible land use. The proposed project is compatible with the community insofar as it is consistent with Chapter 17.32, which was codified at the direction of Lemon Grove voters. The design of the proposed use is compatible with surrounding properties and uses by orienting the entrance generally towards the parking lot with ample parking, landscaping and security lighting.*

- 2. The use is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity;*

*LGMC Chapter 17.32 is the product of a 2016 citizen's initiative, Measure V, which explicitly authorized Medical Marijuana Dispensaries as a conditionally permissible land use. The Lemon Grove General Plan adopted in 1996 did not contemplate Cannabis Dispensaries as a land use nor were the specific environmental impacts assessed pursuant to CEQA. The proposed project is consistent with the General Plan as a consequence of LGMC Chapter 17.32, which was codified at the direction of Lemon Grove voters. The proposed project as designed and conditioned avoids potential detriments to the health, safety, convenience or general welfare of persons residing or working in the vicinity.*

- 3. The use complies with performance standards according to Section 17.24.080;*

*The proposed project reduces the floor area of the existing warehouse building by 1,373 square feet. With the security measures outlined in the Operations Manual, the project would not create nuisances, hazards, or dangerous or objectionable effects from the operation of the proposed CD. The project site is located approximately 100 feet away from the nearest residential zone and separated by Chollas Creek and a steep slope and is not anticipated to create undesirable impacts on residential neighborhoods.*

- 4. The use is consistent with applicable provisions of the particular zoning district and with policies and standards of the general plan;*

*LGMC Chapter 17.32 is the product of a 2016 citizen's initiative, Measure V, which explicitly authorized Medical Marijuana Dispensaries as a conditionally permissible land use. The proposed project is compatible with provisions of the Light Industrial zone insofar as it is consistent with Chapter 17.32 which was codified at the direction of Lemon Grove voters. The Lemon Grove General Plan adopted in 1996 did not contemplate Medical Marijuana Dispensaries but the project is consistent with the General Plan as a consequence of voter approval of Measure V.*

***WHEREAS,** LGMC Section 17.32.080 also requires City Council to consider the following with the required Conditional Use Permit findings:*

- A. Whether the approval of the proposed use will violate the minimum requirements set forth in LGMC Chapter 17.32 for distance separations between establishments which dispense, process or cultivate cannabis; and separations between establishments which dispense, process or cultivate cannabis and other specific regulated or protected land uses as set forth in LGMC Chapter 17.32.*

*The proposed location for a CD Cannabis Retail Store at 6691 Federal Boulevard is located approximately 1,500 feet from the nearest operating, or conditionally permitted, or proposed regulated use at 6859 Federal Boulevard. Staff found no evidence of any protected uses, including public parks, playgrounds, licensed day care facilities, schools and alcohol and substance abuse treatment centers as defined in the LGMC within 1,000 feet.*

- B. Whether the proposed use complies with Title 17 of the Lemon Grove Municipal Code.*

*The proposed project as conditioned complies with LGMC Title 17 requirements.*

***NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lemon Grove, California, hereby finds the project to be exempt from CEQA pursuant to Section 15301 and approves Conditional Use Permit CUP-210-0001 for a Cannabis Dispensary including the site and architectural plans date stamped March 22, 2023 (incorporated herein by reference as Exhibit A), except as noted herein. This approval*

*authorizes the establishment of a Cannabis Dispensary at 6691 Federal Boulevard in the Light Industrial Zone, subject to the following conditions:*

- 1. Within (5) days of approval, the applicant shall submit the appropriate payment for the filing of the CEQA Categorical Exemption and County Clerk Processing Fee.*
- 2. Prior to issuance of a building permit for the use authorized by this Conditional Use Permit the applicant shall comply with the following:*
  - a. All physical elements of the proposed project shown on the approved plans date stamped March 22, 2023, except as noted herein, shall be located, constructed and maintained substantially where they are shown in accordance with applicable Lemon Grove City Codes to the satisfaction of the Community Development Manager and City Engineer.*
  - b. All pre- and post-construction best management practices (BMPs) shall be maintained for the duration of the project.*
  - c. Where storm water runoff flows into landscape areas, landscape areas shall be designed to retain/capture first-flush of smaller storm events but larger storms must be provided with an adequate drainage pathway with appropriate mitigation. Storm water review for compliance shall be a part of a landscape plan review and shall include details for construction BMPs. Concrete curbs shall be installed around the entirety of landscape areas as required by 17.24.050(B)(6) with curb cuts provided to the satisfaction of the water quality reviewer. If infiltration is proposed, recommendations from a Soils or Geotechnical Engineer is required.*
  - d. In general landscape planters designed to receive first flush runoff shall be designed to be depressed below curb flow line and surrounding impervious area to allow stormwater to accumulate in planter, and have an adequate overflow for excess drainage via an approve conveyance/discharge pathway.*
  - e. Wheel stops shall be installed at all parking spaces located along the perimeter of a parking lot adjacent to landscape areas and buildings to the satisfaction of the Community Development Manager.*

- f. A Heartland Fire & Rescue hazardous materials questionnaire and delayed egress statement shall be submitted with the building permit application for review.*
- g. The applicant shall provide a letter detailing the security provisions for the dispensary and how the applicable Building and Fire Code requirements will be achieved for emergency ingress and egress.*
- h. Submit an application to be included into the Lemon Grove Lighting District. The property will be assessed annually.*
- i. Demonstrate on the site plan, or precise grading plan, that the accessible path of travel (POT), and ADA parking shown on the site plan by design or surveyed methods meets the requirements for accessibility. Show slopes and/or elevations and details of all Accessible signage required per the California Building Code in effect at the time of application.*
- j. An encroachment permit with appropriate fees shall be required for all work proposed within the right-of-way.*
- k. Carbon filtration is required prior to air exiting any exhaust point.*
- l. Locations of proposed Fire Extinguishers must be shown and shall be in compliance with the requirements of the adopted California Fire Code.*
- m. All camera locations and entryway doors shall be properly secured and approved by the Sheriff's Crime Prevention Officer.*
- n. A photometric lighting plan shall be provided with final lighting design. Lighting shall be installed to adequately light the exterior and interior of the dispensary premises and conform with Section 17.24.080.*
- o. All proposed improvements shall comply with Title 15 including Building and Fire Codes and ADA accessibility requirements as adopted and amended by the City Council.*
- p. A Public Improvement Plan that proposes street improvements as conditioned and required by the City of Lemon Grove Municipal Code 12.10.060 shall be approved by the City Engineer, an agreement to improve, and all necessary securities in place.*
- q. All new dry utility distribution facilities within the boundaries of the proposed project shall be placed underground.*



- r. *All existing and proposed easements, public and private shall be shown on the site plans, precise grading/improvement plans.*
- 3. *Prior to the Issuance of a Grading and/or Public Improvement Permit, and/or during Grading Activities, the Applicant shall comply with the following.*
  - a. *Per Lemon Grove Municipal Code Section 12.10.060, up to one half of the public street ultimate right-of-way abutting the subject property shall be improved with public street improvements for the entire length of the subject property abutting the public street so as to meet the current city adopted standards. This will require the submittal of improvement plans and associated documents to the Engineering Division for review, approval and issuance of an Improvement Permit. Should the existing street improvements meet current standards, or be in a condition satisfactory to the City Engineer, the City Engineer may waive this requirement, or portions thereof.*

*Public street improvements are defined in the Lemon Grove Municipal Code Section 12.10.020 as “curbs, gutters, sidewalks, driveways, paving, base material, alleys, street lights, traffic signals, signing, striping, storm drainage facilities, sewer and water facilities, the relocation and/or undergrounding of overhead utilities, fire hydrants, street trees, street landscaping and all necessary appurtenances” as applicable to the project.*

*The property owner(s) shall furnish all of the following to the engineering division upon applying for a permit to construct public street improvements:*

- i. *A street improvement plan prepared by a civil engineer registered in the state of California;*
- ii. *An erosion control plan prepared by a civil engineer or landscape architect registered in the state of California;*
- iii. *A landscape and irrigation plan prepared by a landscape architect registered in the state of California, if planting is required;*
- iv. *Engineering review fees for the construction permit as described in Section 12.10.070.*

- b. *Submit an application for the following Public Improvements. Required improvements identified by the City of Lemon Grove Engineering Department (per 12.10.060) as of 3/1/21 due to substandard condition include:*
- 1) Reconstruct two driveways entrances to current standard per SDRSD G-14 to maintain ADA access along Federal.*
  - 2) Provide sidewalk and landscape parkway Improvements consistent with the City of Lemon Grove General Plan for a 2-lane collector. Replace sidewalk panels if required to meet current standards and accessibility requirements. See Figure M-2 of the Mobility Element of the General Plan.*
  - 3) There are Drainage and inundation issues in the area. Drainage Improvements maybe required.*
- c. *In Lieu Fee Payment as part of public improvement contribution for weed abatement including removal of invasives, replanting of native plant materials, slope stabilization and irrigation within the tributary to Chollas Creek along and near and parallel to Federal Blvd. Weed abatement, only trimming of weeds not removal, shall be required within the waterway semi-annually with removal of trimmings in accordance with State Laws.”*
- d. *Provide an access easement or agreement and appropriate open space easement to maintain and improve the tributary to Chollas Creek including weed abatement (removal of invasives), replanting and slope stabilization and irrigation*
- e. *Per LGMC Section 12.10.080, when public street improvements are required in accordance with Section 12.10.060, the property owner(s) shall be required to underground or relocate all existing utility distribution facilities, including telecommunication lines, along the frontage of the subject property as required by the city engineer. The property owner(s) shall make the necessary arrangements with each of the serving utilities, including licensed telecommunication operators for the installation or relocation of such facilities. Note that high voltage*

*transmission lines are subject to a fairshare contribution toward a larger project rather than a requirement to directly underground.*

- f. An agreement to improve or install improvements which are to be located in the public right-of way and/or private easements is required. The applicant shall post a good and sufficient improvement security with the City comprised of a cash deposit or a combination of cash deposit and corporate surety bond of a surety authorized to do business in the state. The estimated cost of the work shall be determined by the city engineer after reviewing the civil engineer's estimates.*
- g. An Encroachment, Maintenance, and Removal Agreement (EMRA) will be required prior to the Improvement Permit issuance. The EMRA will mandate the responsibility of the property owner to maintain any proposed private improvements, landscape and irrigation within the public right-of-way, and any future removals as required by the City.*
- h. Prior to the issuance of a permit, a Covenant Not-to-Oppose the formation of a future street improvement district shall be required. The City will prepare the agreement and will require Owner signature and notarization (at the time of permit issuance).*
- i. Prior to the issuance of a permit, a Covenant Not-to-Oppose the formation of an undergrounding district shall be required. The City will prepare the agreement and will require Owner signature and notarization (at the time of permit issuance).*
- j. All existing survey monuments shall be shown on the public improvement plans. Prior to permit issuance, the Applicant, or Permittee shall retain the service of a professional Land Surveyor, L.S., or Civil Engineer authorized to practice Land Surveying who will be responsible for monument preservation and shall provide a corner record or record of survey to the County Surveyor as required by the Land Surveyors Act, if applicable, Section 8771 of the Business and Professions Code of the State of California.*
- k. All existing and proposed easements, public and private shall be shown on the public improvement plans.*

- l. Maintain and show on the Public Improvement plans all “Sight zones”. Sight Zones are triangular areas formed by a line drawn between points twenty feet from the intersecting property lines of a corner lot’s street sides, within which no building may be built, nor may any fence, wall or other obstruction exceed three and one-half feet in height or in conformance with the current Highway Design Manual approved by the city council at the time of development approval. A 10-foot Sight Zone triangles shall also be maintained at the site driveway entrance (begin behind property line).*
  - m. On-site drainage systems shall be designated and maintained as private.*
  - n. Submit an application to be included into the Lemon Grove Lighting District. The property owner will be assessed annually.*
  - o. Submit for Traffic Control Permit for work affecting traffic within the right-of-way on Federal Boulevard.*
  - p. Separately submit, and obtain current approval from the Helix Water District. A signature/date within a signature block on the final Grading and Public Improvement Plan will be required.*
  - q. Obtain approval from the Heartland Fire & Rescue. A signature/date within a signature block on the final Grading and Public Improvement Plan will be required.*
  - r. Per the City of Lemon Grove Plan Submittal Checklist: Applicants for all Grading and Improvement projects are required to submit and an Erosion control Plan, and minimum BMP Requirement notes AND:
    - WPCP  $\geq$  5,000 SF (disturbed area )*
    - s. - SWPPP  $>$  1 acre (disturbed area )**
  - t. Obtain all necessary permits from other governing agencies (Caltrans).*
- 4. Prior to Issuance of a Building Permit:*
- a. A Public Improvement Plan that proposes street improvements as conditioned and required by the City of Lemon Grove Municipal Code 12.10.060 shall be approved by the City Engineer, an agreement to improve, and all necessary securities in place, OR be fully constructed.*



- h. A bicycle rack with capacity for a minimum of two (2) bicycles shall be provided on the property.*
- i. A City Business License shall be obtained.*
- j. Provide copies of all IRS and State Franchise Board filings within 30 days of filing.*
- k. The location of the dispensary shall include the installation of a centrally monitored alarm system.*
- l. Windows and glass panes shall have vandal-resistant glazing, shatter resistant film, or glass block equipped with appropriate access to allow exit in the event of an emergency in compliance with Fire Code as adopted and amended by the City Council.*
- m. All emergency exits shall be solid core doors featuring hinge-pin removable deterrence. Emergency exit doors shall have latch guards at least 12 inches in length protecting the locking bolt area. Latch guards shall be a minimum 0.125-inch thick steel, affixed to the exterior of the door with non-removable bolts, and attached so as to cover the gap between the door and the doorjamb for a minimum of six inches both above and below the area of the latch.*
- n. Windows vulnerable to intrusion by a vehicle must be protected by bollards or landscaping grade separation reasonably sufficient to prevent such intrusion.*
- o. Damaged paving shall be repaired and parking area striped consistent with LGMC Section 17.24.010.*
- p. Street numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations so as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: minimum eight inches (8") high with a one-half inch (1/2") stroke for commercial, multi-residential buildings, and industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Marshal, such as rear doors, building corners, and entrances to commercial centers. The*

*Fire Marshal may require larger address numbers based on visibility and the need of emergency response personnel.*

6. *Upon establishment of use in reliance with this Conditional Use Permit, the applicant shall comply with the following:*

- a. *All physical elements of the proposed project shown on the approved plans date stamped March 22, 2023, except as noted herein, shall be located, constructed and maintained substantially where they are shown in accordance with applicable Lemon Grove City Codes to the satisfaction of the Community Development Manager and City Engineer.*
- b. *Operating procedures as described in the approved Operations Manual shall be observed except as noted herein.*
- c. *If during employment with the dispensary, a director or employee is convicted of a crime identified in California Penal Code Section 1192.7, subdivision (c), and Health and Safety Code Section 11359 shall be immediately dismissed from employment or required to resign as a corporate board member or officer. For purposes of this section, a conviction in another state that would have been a conviction equivalent under California law to those convictions specified in this section will disqualify the person from employment or volunteering at the dispensary.*
- d. *Dispensaries shall have at least one uniformed security guard on duty during operating hours that possess a valid Department of Consumer Affairs "Security Guard Card."*
- e. *Dispensaries shall designate a community relations liaison (liaison) who shall be at least eighteen years of age. The liaison may also be the director of the dispensary. To address community complaints or operational problems with the dispensaries, the individual designated as the community relations liaison shall provide his or her name, phone number and email address to the following:*
  - i. *Lemon Grove city manager;*
  - ii. *San Diego County sheriff's department personnel supervising law enforcement activity in Lemon Grove; and*
  - iii. *All neighbors within one hundred feet of the dispensary.*

- f. City code enforcement officers, San Diego sheriff's department staff, and any other employee of the City requesting admission for the purpose of determining compliance with the standards set forth in this section shall be given access to the premises. City and sheriff staff shall not retain information pertaining to individual patient records viewed during an inspection, and information related to individual patients shall not be made public. Inspectors will give reasonable notice of a scheduled inspection. Unannounced inspections of a dispensary may occur if city or sheriff's department staff have probable cause that the collective is violating the law. The dispensary must maintain compliance with inspection requirements as outlined in Section 17.32.090(C)(5) at all times.*
- g. The on-site display of unprocessed marijuana plants or representations of marijuana plants in any areas visible to the public is prohibited.*
- h. Dispensaries shall submit an "annual performance review report" for review and approval by the Community Development Manager. The "annual performance review report" is intended to identify effectiveness of the approved CUP, operations manual, and conditions of approval, as well as any proposed modification to procedures as deemed necessary. The Community Development Manager may review and approve amendments to the approved "operations manual"; and the frequency of the "annual performance review report." Cannabis cultivation, manufacturing and dispensing monitoring review fees pursuant to the current Master Fee Schedule shall accompany the "annual performance review report" for costs associated with the review and approval of the report.*
- i. Maintain a waste disposal plan detailing plans for disposal of chemicals and plant waste.*
- j. If the owners or operators of the Dispensary are a Limited Liability Company (LLC), corporation or trust, the names and addresses of all officers and designated signatories of the legal entities shall be provided to staff and shall be maintained in the CUP project files. The City shall be*



- notified within 30 days of all changes to the property and business ownership including officers and designated signatories.*
- k. The use of musical instruments and sound amplification devices on-site is prohibited at all times.*
  - l. All exits shall be readily accessible without delay or hindrance.*
  - m. Blocking or covering of egress windows is prohibited.*
  - n. All facilities shall be subject to review by the Fire Department at all times.*
  - o. Nuisance odor complaints shall be filed with the Department of Environmental Health.*
  - p. Sleeping within the facility and residential occupancy is prohibited.*
  - q. The dispensary shall post and maintain professional quality sign facing the parking lot(s) and the entrance that reads “No loitering; no littering; violators subject to arrest” in English and Spanish in accordance with LGMC. Loitering prohibitions shall be strictly enforced on-site.*
  - r. The Operating Standards as outlined in Section 17.32.090(C)(7) shall be observed and adhered to at all times.*
  - s. The business shall be subject to future local taxes and fees. If a local tax is implemented, a payment schedule may be established.*
  - t. A compliance inspection shall be conducted quarterly to ensure operations are in compliance with conditions of approval and other applicable regulations.*
  - u. The City or its designee may examine the records of licensees and inspect the premises of a licensee as the licensing authority as may be authorized by law. The City or its designee shall have access to any licensed cannabis facility for inspection of the facility, the employees and records (HIPPA compliance rules apply) during any normal business hours or at any other reasonable time. Licensees shall provide and deliver records to the licensing authority upon request (Business and Professions Code 19327(c).) Authorized regulatory staff shall be allowed access to the premises in accordance with State law (Business and Professions Code 19311 (e); 19327 (c)). Compliance inspections shall be conducted by HDL (contracted) and City staff with time expensed to and paid by the CD*

*operator to ensure operations are properly inspected in compliance with conditions of approval and other applicable regulations.*

- v. Disposal of any unused or unwanted cannabis shall undergo a special process and shall not be disposed of as or with routine garbage.*
- w. Business activities shall be limited to cannabis dispensaries only or additional uses based on applicable regulations at the time of the request.*
- x. Deliveries from the facility shall be permitted pursuant to LGMC Section 17.32.120.*
- y. The cultivation of cannabis on-site is prohibited. If cultivation is permissible, a conditional use permit modification may be required based on applicable regulations at the time of the request.*
- z. The use of generators on-site is prohibited, unless authorized by the Community Development Manager for emergency purposes.*
- aa. Loitering and outdoor events shall be prohibited on the subject property.*
- bb. Complaints related to noise and smell shall require professional investigation paid by the CD operator with analysis and appropriate mitigation.*
- cc. The site shall be well lit, but glare shall be prohibited onto adjacent properties or onto the public right-of-way. All light fixtures shall be maintained and adjusted to reflect light downward, away from any road or street, and away from any adjoining premises. Glare from proposed roof and siding materials and signage shall be considered and designed to minimize impacts onto adjacent properties and the public right-of-way.*
- dd. The building façade shall be well maintained at all times.*
- ee. All graffiti, trash and debris shall be removed daily.*
- ff. Except for designated employees, no persons shall be allowed within the tenant space except during normal business hours.*
- gg. All site Crime Prevention Through Environmental Design (CPTED) recommendations shall be implemented and adhered to all times.*
- hh. Sheriff "No Trespass" authorizations to enter and conduct enforcement on the subject property shall be completed and current at all times (renewed every 30 days).*

- ii. *Consumption, sampling, smoking or ingestion of alcohol, tobacco and marijuana products is prohibited on the subject property.*
- jj. *All activities associated with the business shall be conducted indoors.*
- kk. *Landscape shall be maintained in good condition at all times.*
- ll. *The use of barbed wire or razor ribbon on any fences, gates or walls is prohibited.*
- mm. *The hours of operation shall be restricted to 6am to 10pm seven days a week only.*
- nn. *All temporary signs are prohibited on-site.*
- oo. *A minimum of two employees and one Director is required per facility (three persons total) upon application. Live Scan background check shall be provided to the City prior to employment of all employees or a new Director and prior to commencing operations.*
- pp. *Verification shall be provided as a part of annual renewal submittals. A log of all persons entering the facility shall be kept on-site indicating the name, mailing address, phone and MMIC numbers and if product was purchased from the facility.*
- qq. *No outdoor storage of equipment, materials or fleet vehicles is permitted without modification of the Conditional Use Permit.*
- rr. *This project approval does not include signage and sign permits shall be obtained prior to installation. All signage for dispensaries shall require a sign permit from the City prior to installation. Signage shall not include any terminology (including slang) or symbols for marijuana. Green crosses are not considered terminology, slang, or symbols for marijuana. All signs shall conform to the Municipal Code Section 18.12.*
- ss. *Cooking and processing of food or marijuana products is prohibited.*
- tt. *The use of vending machines is prohibited on-site. A vending machine is any device which allows access to cannabis without a human intermediary.*
- uu. *All temporary uses in accordance with Section 17.29.040 shall be prohibited on-site.*

- vv. Food trucks and catering shall be prohibited on-site. Food and beverage and/or charitable offerings or solicitations to patrons shall be prohibited on-site.*
- ww. Recreational activities and games of chance shall be prohibited on-site.*
- xx. Prior to operation and annually thereafter, a record of Sheriff and Fire service calls shall be provided to the City of Lemon Grove for assessment.*
- yy. The uniformed security guard on duty shall have an issued Private Patrol Operator number and a valid Department of Consumer Affairs “Security Guard Card” on their possession at all times. A copy of the security guard contract shall be reviewed and approved by the Sheriff’s Department. The Security Guard uniform shall be approved by the Bureau of Security and Investigative Services (BSIS).*
- zz. No persons under the age of eighteen are allowed at, in or at a CD facility, unless such individual is a qualified patient and accompanied by their licensed attending physician, parent or documented legal guardian.*
- aaa. Plant materials in the front yard setback shall be no greater than 18 inches in height and tree canopies shall be maintained at eight feet high above grade.*
- bbb. All cannabis products shall be tracked, tested, sealed and labeled at a minimum by the Medical and Adult Use Cannabis Regulation and Safety Act and as it may be amended.*
- ccc. All records related to cannabis activity shall be maintained a minimum of seven years.*
- ddd. All activities involving the transportation of marijuana for a dispensary shall comply with California State Regulations, restrictions and guidelines, as enumerated in Division 10 of the California Business and Professions Code, and established by the Department of Cannabis Control Regulations. Delivery services are prohibited, unless applicable regulations at the time of the request permit delivery services.*

- eee. The doors and windows shall remain closed and the air conditioning system utilized during hours of operation to reduce noise and odor impacts in the surrounding neighborhood.*
  - fff. The project shall conform to all performance standards of Municipal Code Section 17.24.080.*
  - ggg. Proper drainage shall be maintained throughout this property so as to prevent ponding and/or storage of surface water.*
  - hhh. Clear and well-lit addresses shall be maintained on-site and shall be visible from the public street in all directions to the satisfaction of the Fire Marshal.*
  - iii. All trash, recycling, and refuse containers must be stored within the attached storage room, as shown on the Conditional Use Permit site plan and are only permitted to be outside said building for scheduled trash service.*
  - jjj. Each violation on the subject property shall be deemed a separate offense subject to daily administrative citations and fines to both the property and the business owners for each violation in accordance with LGMC Chapter 1.24. Violations of this CUP may result in the noticing of a public hearing for consideration by the City Council to revoke the Conditional Use Permit in accordance with LGMC Title 17. If considered for revocation, the City Council shall consider the impact of the violation(s) on public health and safety and the Permit Holder's ability and willingness to rectify the violation in a timely manner to minimize the impact on public health and safety.*
  - kkk. The CUP shall be renewed three years after commencing operations. The City Council can deny a CUP renewal if it's determined that the CD has operated contrary to the conditions of approval and the requirements of the LGMC, or if the CD has become a public nuisance.*
- 7. The applicant, project proponents, operators and owners of the subject property and the CD shall indemnify, protect, defend, and hold harmless, the City and any agency thereof, and/or any of its officers, employees, and agents from any and all claims, actions, or proceedings against the City, or any agency or*

*instrumentality thereof, or any of its officers, employees, or agents to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project. City shall promptly notify the applicant/subdivider of any claim, action, or proceeding brought within this time period, and City shall further cooperate fully.*

- 8. The terms and conditions of the Conditional Use Permit shall be binding upon the permittee and all persons, firms, and corporations having an interest in the property subject to this Conditional Use Permit and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies, and districts.*
- 9. This Conditional Use Permit expires May 2, 2024 (or such longer period as may be approved by the City Council of the City of Lemon Grove prior to said expiration date) unless all requirements of this Conditional Use Permit have been met prior to said expiration date.*

***PASSED AND ADOPTED*** on \_\_\_\_\_, 2023 the City Council of the City of Lemon Grove, California, adopted Resolution No. \_\_\_\_\_, passed by the following vote:

***AYES:***

***NOES:***

***ABSENT:***

***ABSTAIN:***

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***Racquel Vasquez, Mayor***

***Attest:***

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***Deborah Harrington, Interim City Clerk***

***Approved as to Form:***

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***Kristen Steinke, City Attorney***



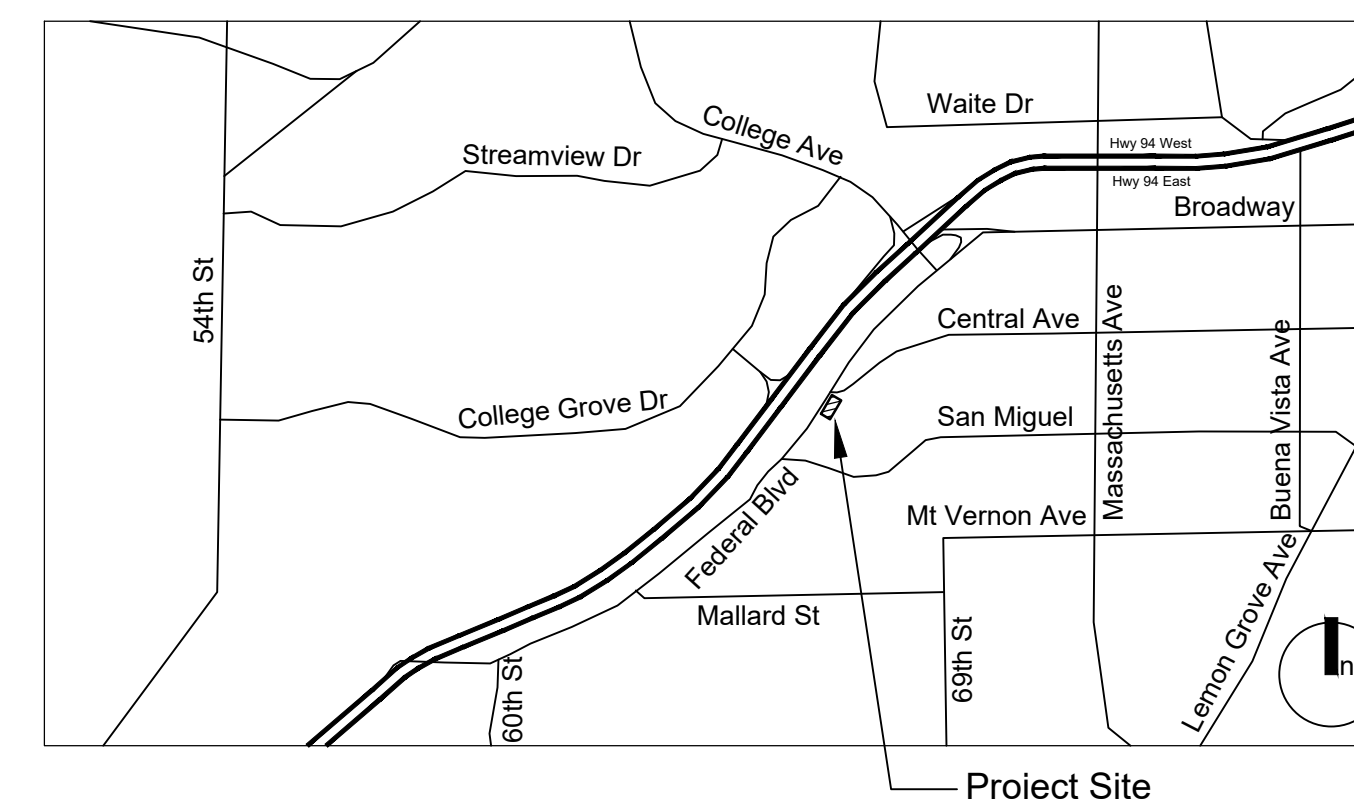


## Development Summary

Project Narrative:	<p>This project is a Conditional Use Permit Application CUP-210-0001 proposed at 6691 Federal Boulevard, Lemon Grove, CA 91945 for a medical marijuana dispensary.</p> <p>Notes:</p> <ul style="list-style-type: none"> <li>A. Proposed interior work would include: demolition of interior partitions, millwork and finishes; new lighting, security cameras and system, millwork, finishes, non-load bearing partitions and associated mechanical, electrical and plumbing infrastructure.</li> <li>B. Proposed exterior work would include: restriping of parking lot, new exterior storefront glazing at storefront entry, repainting of building</li> <li>C. There are no proposed modifications for the existing landscaping or impervious areas of the site.</li> </ul> <p>Please note: This drawing set is to replace the drawing set submitted previously. The applicant has hired new design professionals to complete the CUP application process.</p>
Project Team:	<p><b>Applicant:</b> Element 7 Lemon Grove, LLC 7936 Hillside Avenue Los Angeles, CA 90046 Contact: Josh Black josh@e7ca.com 628.213.5657</p> <p><b>Architect: (Project Contact)</b> Kristi Byers, Architect A.P.C. 2801 B Street, # 161 San Diego, CA 92102 Contact: Kristi Byers, AIA LEED AP kb@kristibyrsaia.com 619.599.5984</p> <p><b>Civil Engineer:</b> Latitude 33 9968 Hibert Street, 2nd Floor San Diego, CA 92131 Contact: Nick Psychogios, Principal nick.psychogios@latitude33.com 858.751.0633</p> <p><b>Traffic Consultant:</b> Linscott, Law &amp; Greenspan, Engineers 4542 Ruffner Street, Suite 100 San Diego, CA 92111 Contact: John A. Boarman, P.E. boarman@llegengineers.com 858.300.8800</p> <p><b>Electrical Engineer:</b> H+W Engineering 1810 Gillespie Way, Suite 207 El Cajon, CA 92020 Contact: Bryan Wayne, P.E., LEED AP Bryan@hweng.com 619.659.8234</p>
Legal Description:	<p>That portion of Lot 13 of Rancho Mission of San Diego, in the County of San Diego, State of California, according to Partition Map thereof made in the action entitled Juan M. Luco, et al, vs. The Commercial Bank of San Diego, et al, Superior Court Case No. 348, on file in the Office of the County Recorder of San Diego County, described as follows:</p> <p>Beginning at the most Westerly corner of Lot 33, Sonka Urban Heights Unit No. 3, according to Map thereof No. 2733; thence along the Northerly boundary line of said subdivision as follows: South 34°32'50" West, 105.46 feet, South 28°25'30" West, 172.84 feet, South 50°54'40" West, 199.39 feet, North 59°48'00" West, 33.00 feet to the Southeasterly boundary line of that certain 80.00 foot highway as described in Deed to the County of San Diego, recorded July 16, 1926 in Book 1208, Page 458 of Official Records; thence along the Southeasterly line of said Highway, North 30°12'00" East, 335.83 feet to the beginning of a tangent curve, concave Southeasterly having a radius of 85.81 feet in the Southerly line of Central Avenue of said Avenue is described in Deed to the County of San Diego, recorded July 16, 1926, in Book 1218, Page 267 of Deeds; thence Easterly along said curve and the aforesaid Avenue through a central angle of 51°53'00" a distance of 77.70 feet, thence tangent to said curve North 82°05'00" East, 23.80 feet to the beginning of a tangent curve, concave Northwesterly having a radius of 325.00 feet; thence Northeasterly along said curve through a central angle of 12°27'30" a distance of 70.67 feet to a point in the Northerly boundary of Sonka Urban Heights Unit No. 3; thence South 20°22'30" East, 5.00 feet to the Point of Beginning.</p>
APN:	478-172-01-00
Property Owner Information:	<p>Hycz Family Trust 6691 Federal Boulevard Lemon Grove, CA 91945 Contact: John Hycz and Rita M. Hycz</p>
Sheet Index:	<p>T0.00 Development Summary, Vicinity Map, &amp; Outlet Notes</p> <p>C1.01 Title Sheet - Existing Conditions C1.02 Proposed Site Plan</p> <p>A1.00 Architectural Site Plan &amp; Parking Calculations A1.40 Site Details Recycling &amp; Trash Enclosure A1.50 Existing Floor Plans A1.60 Proposed Demolition Plans A2.00 Proposed Floor Plan A2.10 Proposed Security Plan A2.20 Proposed Roof Plan A3.00 Colored Exterior Elevations</p> <p>E100 Site Lighting Photometrics E101 Electrical Specifications</p>
Type of Construction:	III-B, non-sprinklered
Occupancy Classification:	<p>Existing: S-1 Storage, B Office</p> <p>Proposed: S-1 Storage, B Office, and M - Mercantile</p>
Zoning:	Light Industrial - LI
Existing Building Area:	6,453 GSF
Proposed Building Area:	5,080 GSF
Gross Lot Area:	29,185 GSF
Net Lot Area:	29,185 NSF
Lot Coverage:	17%
Year Constructed:	1979
Project Address:	6691 Federal Blvd, Lemon Grove, CA 91945
Applicable Building Codes:	<p>City of Lemon Grove Municipal Code 2019 California Building Code 2019 California Green Building Code 2019 California Plumbing Code 2019 California Mechanical Code 2019 California Energy Code 2019 California Fire Code</p>

## Vicinity Map

Scale: Not to scale



Project:

# Element 7 Cannabis Retail Conditional Use Permit

6691 Federal Blvd.  
Lemon Grove, CA 91945

Issue:

01 05.15.2022 CUP Resubmittal  
02 01.26.2023 CUP Resubmittal

Drawing Name:

Development  
Summary and  
Vicinity Map

Drawing Number:

# T0.00

Kristi Byers, Architect  
Architecture  
Design  
Sustainability





**SHEET INDEX:**

TITLE SHEET AND EXISTING CONDITIONS.....C1.01  
PROPOSED SITE PLAN.....C1.02

**SCOPE OF WORK:**

PROPERTY DEVELOPMENT OF AN EXISTING INDUSTRIAL BUILDING INTO A SECURE, MULTI-UNIT RETAIL CANNABIS DISPENSARY AND DELIVERY LOCATION.

**PROJECT TEAM:**

LATITUDE 33 PLANNING AND ENGINEERING  
9968 HIBERT STREET 2ND FLOOR  
SAN DIEGO, CA 92131

**OWNER:**

ELEMENT 7 LEMON GROVE LLC  
8033 SUNSET BLVD  
LOS ANGELES, CA 90046

**LEGAL DESCRIPTION:**

THE LAND REFERRED IS SITUATED IN THE CITY OF LEMON GROVE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA AND IS DESCRIBED: PORTION OF LOT 13 OF RANCHO MISSION OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO PARTITION MAP THEREOF MADE IN THE ACTION ENTITLED JUAN M. LUCO, ET AL., VS THE COMMERCIAL BANK OF SAN DIEGO, ET AL. SUPERIOR COURT CASE NO. 348, ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY.

**ASSESSOR'S PARCEL NO.**

478-172-01

**EXISTING/PROPOSED USE:**

EXISTING: PREVIOUS KNOWN AS LA MESA GLASS MANUFACTURING  
PROPOSED: OPERATION OF CANNABIS RETAIL DISPENSARY AND DELIVERY

**REFERENCE DRAWINGS:**

- HELIX WATER DISTRICT - DISTRICT WORK W.D. 3485.1 - CENTRAL AVENUE REALIGNMENT
- HELIX WATER DISTRICT - DISTRICT WORK W.D. 8848 - FEDERAL BLVD FROM 100' SOUTHWEST OF CENTRAL AVE TO CENTRAL AVE
- HELIX WATER DISTRICT - DISTRICT WORK W.D. 08363 - PLANS FOR 12" WATER MAIN ON FEDERAL BLVD BETWEEN CENTRAL AVE. AND SAN MIGUEL AVE.
- CITY OF LEMON GROVE - FEDERAL BLVD DRAINAGE IMPROVEMENT PROJECT COLLEGE AVE TO CENTRAL AVE - CONTRACT NO. 2000-04, 1610

**ENVIRONMENTALLY SENSITIVE LAND:**

NONE

**LIMIT OF WORK:**

ASSESSOR'S PARCEL NUMBER: 478-172-01

**DISTURBED AREA:**

- 30,886 SF (0.71 AC)

**PERVIOUS AND IMPERVIOUS AREAS:**

- ON-SITE - TOTAL ON-SITE LAND AREA = 29,185 SF (0.67 AC)
  - PERVIOUS AREAS:
    - BEFORE IMPROVEMENTS: 13,211 SF (0.30 AC)
    - AFTER IMPROVEMENTS: 13,290 SF (0.31 AC)
  - IMPERVIOUS AREAS:
    - BEFORE IMPROVEMENTS: 15,974 SF (0.37 AC)
    - AFTER IMPROVEMENTS: 15,895 SF (0.36 AC)
- PUBLIC IMPROVEMENTS (OFFSITE) - TOTAL OFFSITE WORK AREA = 24,646 SF (0.57 AC)
  - PERVIOUS AREAS:
    - BEFORE IMPROVEMENTS: 5,164 SF (0.12 AC)
    - AFTER IMPROVEMENTS: 5,164 SF (0.12 AC)
  - IMPERVIOUS AREAS:
    - BEFORE IMPROVEMENTS: 19,482 SF (0.45 AC)
    - AFTER IMPROVEMENTS: 20,112 SF (0.46 AC)

**BUILDING HEIGHT:**

20 FT (1 STORY)

**TOPOGRAPHIC SOURCE:**

SITE TOPOGRAPHY SHOWN IS PER FIELD SURVEY BY LATITUDE 33 PLANNING AND ENGINEERING SURVEY TEAM DATED 01-25-2022.

**BASIS OF BEARINGS:**

BASIS OF BEARINGS: THE BASIS OF BEARINGS FOR THIS SURVEY IS THE NORTH AMERICAN DATUM OF 1983 (NAD83 EPOCH 1991.35), CALIFORNIA COORDINATE SYSTEM 1983 (CCS83), ZONE 6 (0406). THIS IS DETERMINED BY AN OBSERVED LINE BETWEEN SURVEY POINT NO. 1189 AND POINT NO. 1101 PER RECORD OF SURVEY NO. 14492.

- POINT NO. 1189: N-1,850,779.6195FT, E-6,316,273.6375FT.
- BEARING - 1189 TO 1101 = N 69° 13' 58" W

**BENCHMARK:**

THE BASIS OF ELEVATION FOR THIS SURVEY IS THE NORTH AMERICAN VERTICAL DATUM OF 1929 (NGVD29), ALSO KNOWN AS MEAN SEA LEVEL (MSL). THIS IS DETERMINED LOCALLY BY OBSERVATION OF A SAN DIEGO CITY BENCHMARK, BEING A BRASS PLUG IN CONCRETE LOCATED IN THE TOP OF A HEADWALL, 400' SOUTH OF CENTRAL AVENUE, PER THE CITY OF SAN DIEGO VERTICAL CONTROL BOOK.

- CITY OF SAN DIEGO BENCHMARK ELEVATION = 338.0995FT. (MSL)

**CONSTRUCTION STORMWATER BMP NOTES AND STANDARD PROJECT STORMWATER BMP NOTES**

THE FOLLOWING CONSTRUCTION BMP NOTES SHALL BE ADDED TO THE SITE PLAN:

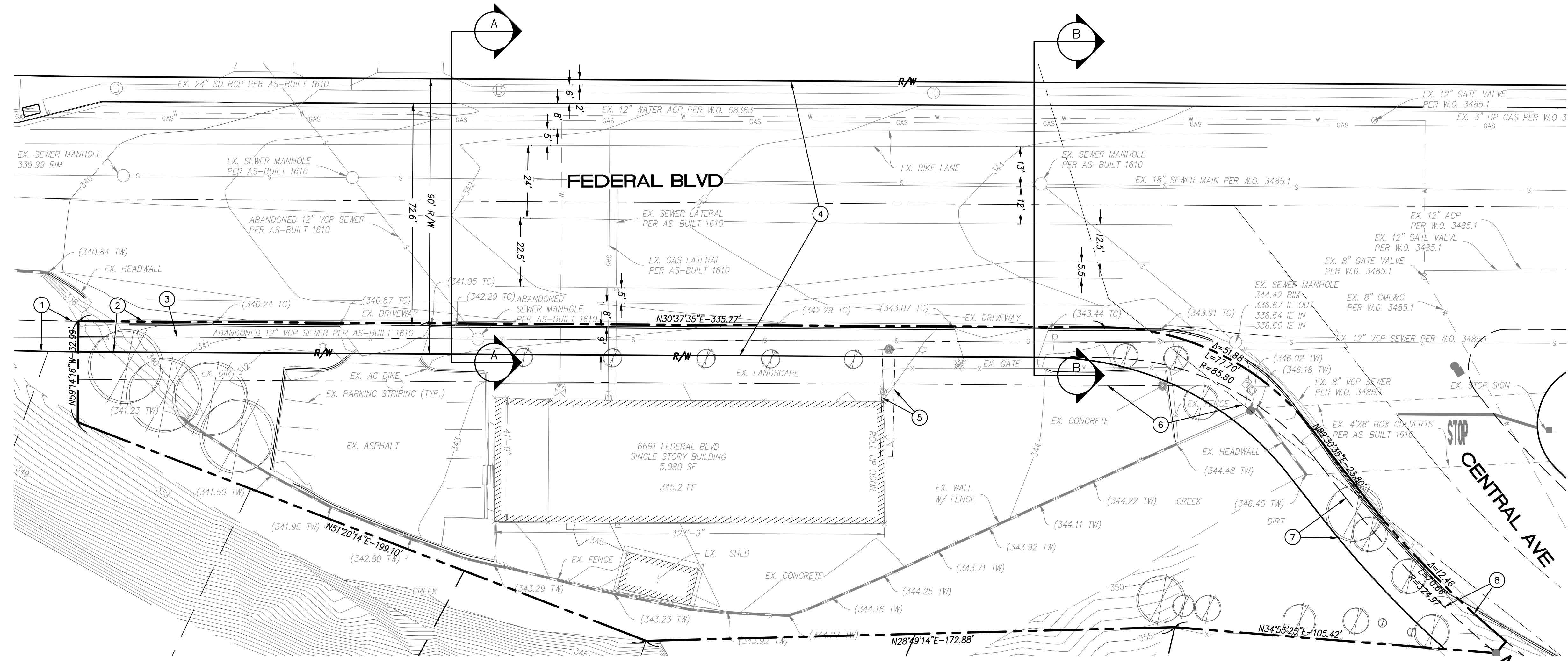
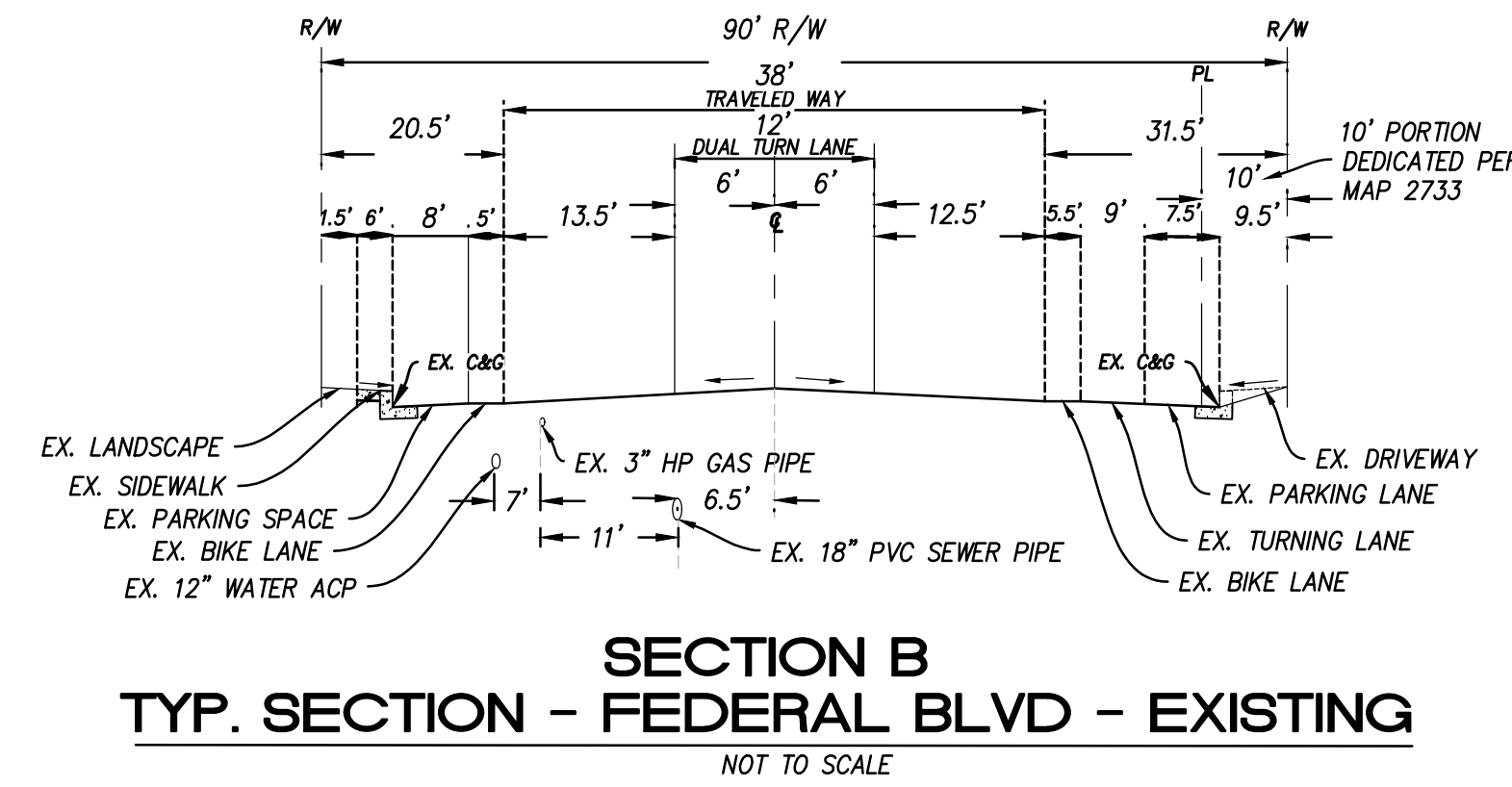
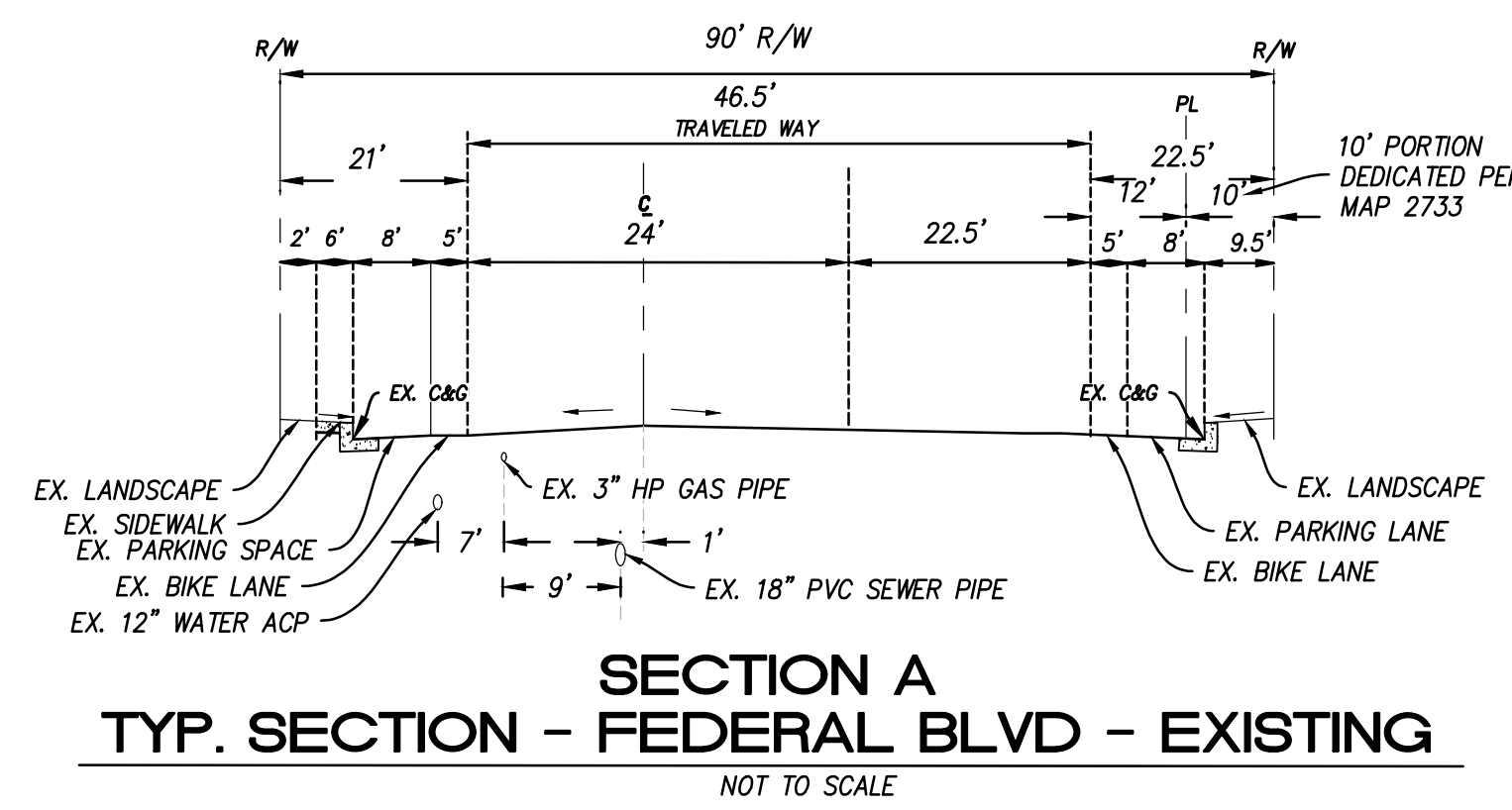
**CONSTRUCTION STORMWATER BMP NOTES**

1. ALL APPLICABLE CONSTRUCTION BMPs AND NON-STORMWATER DISCHARGE BMPs SHALL BE IMPLEMENTED IN ACCORDANCE WITH THE CITY OF LEMON GROVE MINIMUM BMP REQUIREMENTS INCLUDED IN THE CITY OF LEMON GROVE MUNICIPAL CODE AND THE CITY OF LEMON GROVE JURISDICTIONAL RUNOFF MANAGEMENT PROGRAM (JRM). ALL STORMWATER BMPs SHALL BE MAINTAINED FOR THE DURATION OF THE PROJECT.
2. EROSION CONTROL BMPs SHALL BE IMPLEMENTED FOR ALL PORTIONS OF THE PROJECT AREA IN WHICH NO WORK HAS BEEN DONE OR IS PLANNED TO BE DONE OVER A PERIOD OF 14 OR MORE DAYS. ALL ON-SITE DRAINAGE PATHWAYS THAT CONVEY CONCENTRATED FLOWS SHALL BE PAVED, PROTECTED BY LAYING AGGREGATE OVER EXPOSED SOIL, FULLY COVERED BY ESTABLISHED VEGETATION, OR OTHERWISE STABILIZED TO PREVENT EROSION.
3. RUN-ON FROM AREAS OUTSIDE THE PROJECT AREA SHALL BE DIVERTED AROUND WORK AREAS TO THE EXTENT FEASIBLE. RUN-ON THAT CANNOT BE DIVERTED SHALL BE MANAGED USING APPROPRIATE EROSION AND SEDIMENT CONTROL BMPs IN ACCORDANCE WITH APPLICABLE CASQA FACT SHEETS.
4. SEDIMENT CONTROL BMPs SHALL BE IMPLEMENTED, INCLUDING PROVIDING FIBER ROLLS, GRAVEL BAGS, OR OTHER EQUALLY EFFECTIVE BMPs AROUND THE PERIMETER OF THE PROJECT TO PREVENT TRANSPORT OF SOIL AND SEDIMENT OFFSITE. ANY SEDIMENT TRACKED ONTO OFFSITE PAVED AREAS SHALL BE REMOVED VIA SWEEPING AT LEAST DAILY. ALL BMPs SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE APPLICABLE CASQA FACT SHEETS.
5. TRASH AND OTHER CONSTRUCTION WASTES SHALL BE PLACED IN A DESIGNATED AREA AT LEAST DAILY AND SHALL BE DISPOSED OF IN ACCORDANCE WITH APPLICABLE REQUIREMENTS.
6. MATERIALS SHALL BE STORED TO AVOID BEING TRANSPORTED IN STORM WATER RUNOFF AND NON-STORM WATER DISCHARGES. CONCRETE WASHOUT SHALL BE DIRECTED TO A WASHOUT AREA DESIGNED IN ACCORDANCE WITH CASQA STANDARDS. CONCRETE SHALL NOT BE WASHED OUT TO THE GROUND.
7. STOCKPILES AND OTHER SOURCES OF POLLUTANTS SHALL BE COVERED WHEN THE CHANGE OF RAIN WITHIN THE NEXT 48 HOURS IS AT LEAST 50%.

THE FOLLOWING PERMANENT (POST-CONSTRUCTION) BMP NOTES LISTED SHALL BE ADDED TO THE SITE PLAN, EXCEPT WHERE NOT APPLICABLE AND FEASIBLE AS DETERMINED BY THE CITY OF LEMON GROVE.

**PERMANENT (POST-CONSTRUCTION) STORMWATER BMP NOTES**

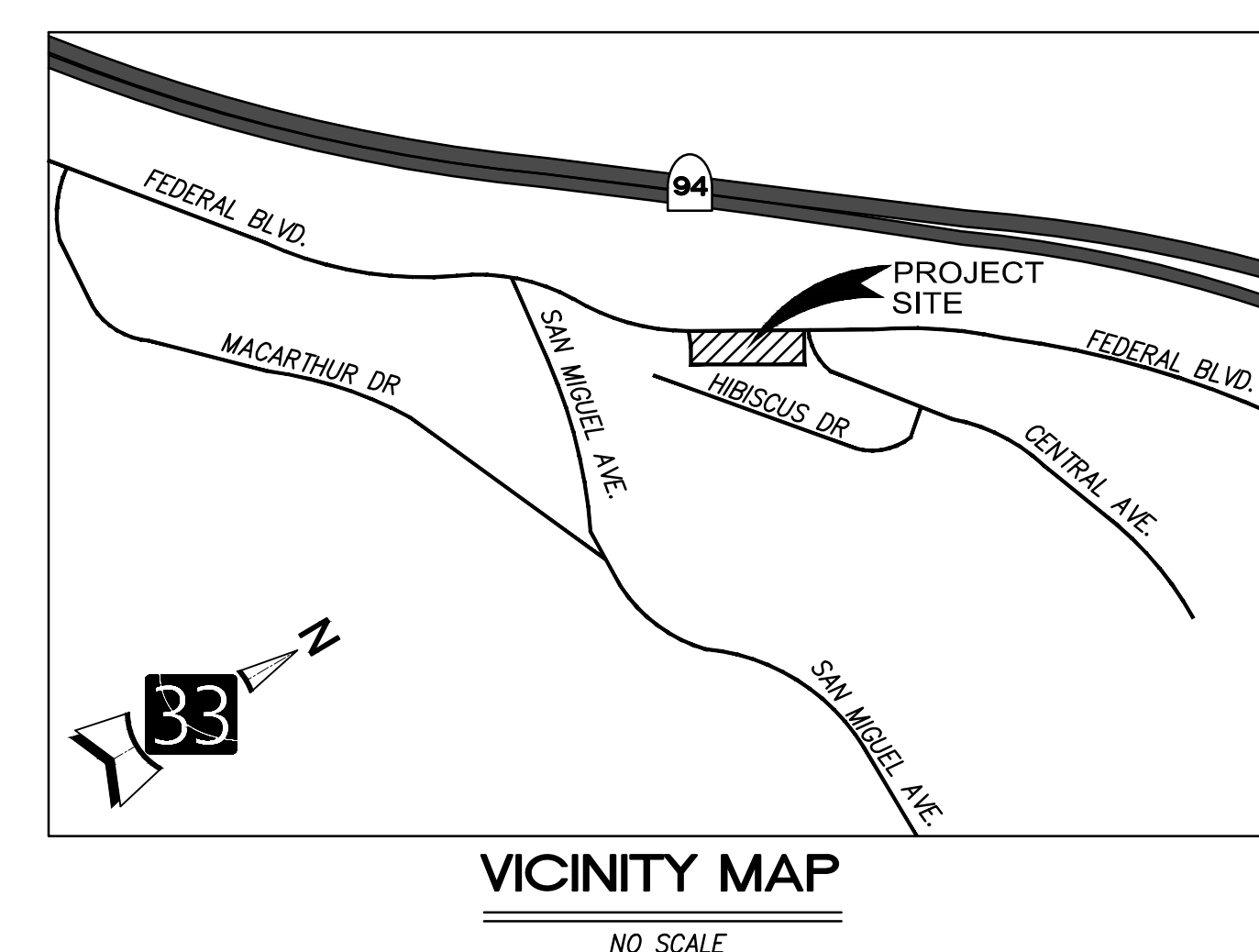
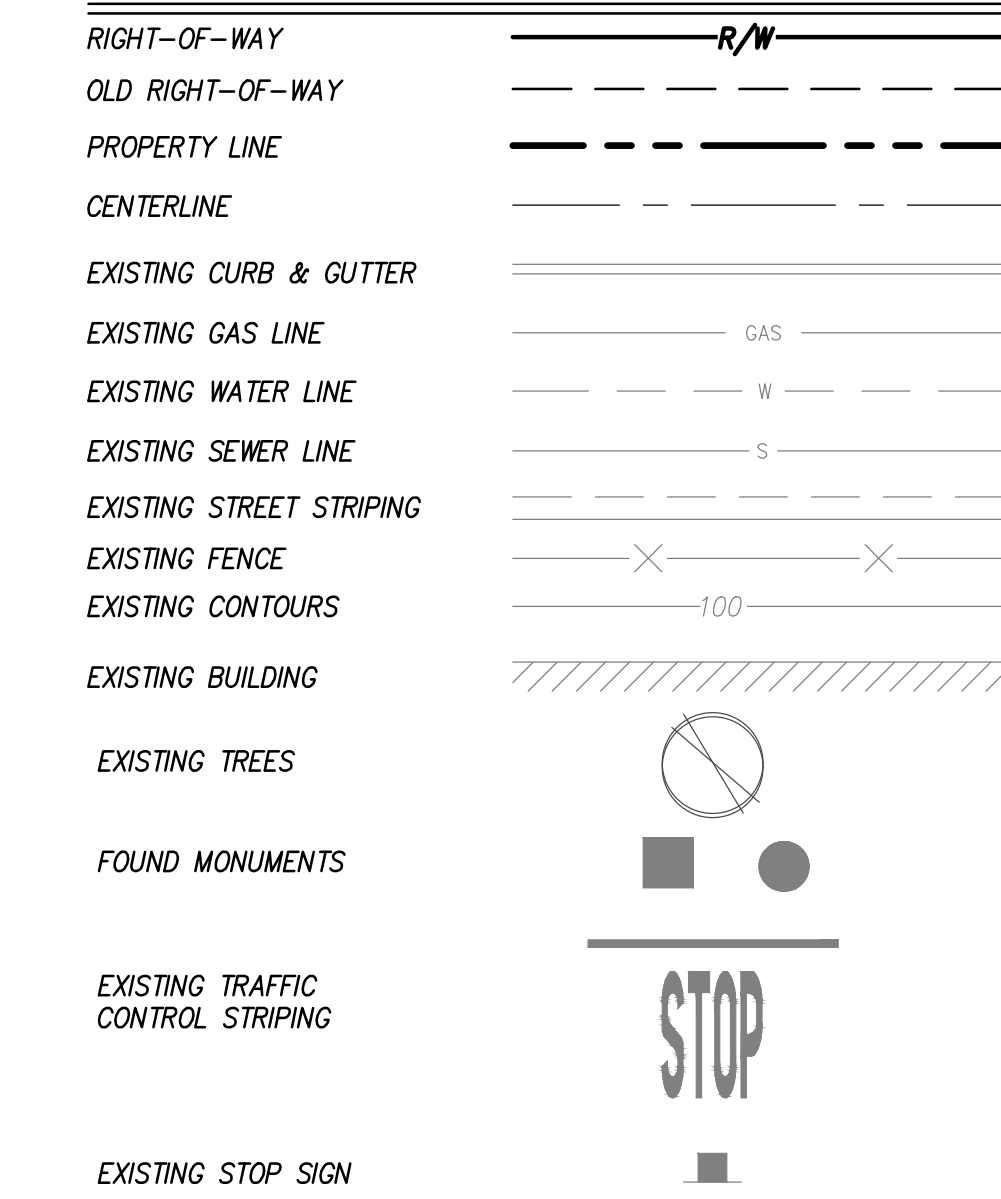
1. LANDSCAPED AREAS SHALL BE DESIGNED IN ACCORDANCE WITH LEMON GROVE MUNICIPAL CODE CHAPTER 18.44 (WATER EFFICIENT LANDSCAPE REGULATIONS).
2. ROOF DRAINAGE SHALL BE DIRECTED TO LANDSCAPED AREAS OR RAIN BARRELS (APPLIES TO NEW ROOFS ONLY).
3. DRIVEWAY AND WALKWAYS SHALL BE DESIGNED TO DRAIN TO ADJACENT LANDSCAPED OR NATURAL AREAS OR CONSTRUCTED USING PERMEABLE MATERIALS (APPLIES ONLY TO DRIVEWAYS AND WALKWAYS CREATED OR REPLACED AS PART OF THE PROPOSED PROJECT).
4. STREETS, SIDEWALKS, AND PARKING LOT AISLES SHALL BE CONSTRUCTED TO THE MINIMUM WIDTH NECESSARY, PROVIDED PUBLIC SAFETY IS NOT COMPROMISED.
5. EXISTING TREES AND NATURAL AREAS, INCLUDING BUT NOT LIMITED TO NATURAL WATER BODIES AND NATURAL STORAGE RESERVOIRS OR DRAINAGE CORRIDORS (E.G., TOPOGRAPHIC DEPRESSIONS, NATURAL SWALES, AND AREAS OF NATURALLY PERMEABLE SOILS), SHALL BE CONSERVED AND PROTECTED TO THE EXTENT FEASIBLE.
6. THE IMPERVIOUS FOOTPRINT, INCLUDING ROOFED AREAS AND PAVED AREAS, OF THE PROJECT SHALL BE MINIMIZED TO THE EXTENT APPLICABLE AND FEASIBLE.
7. DUMPSTERS, OTHER TRASH RECEPTACLES, AND WASTE COOKING OIL CONTAINERS SHALL BE STORED INSIDE BUILDINGS OR IN FOUR-SIDED ENCLOSURES WITH A STRUCTURAL OVERHEAD CANOPY DESIGNED TO PREVENT PRECIPITATION FROM CONTACTING MATERIALS STORED IN THE ENCLOSURE.
8. ON-SITE STORM DRAINS SHALL BE STENCILED OR OTHERWISE PERMANENTLY LABELED WITH "NO DUMPING, DRAINS TO OCEAN" OR OTHER EQUIVALENT LANGUAGE APPROVED BY THE CITY.
9. OUTDOOR MATERIAL STORAGE AREAS AND OUTDOOR WORK AREAS SHALL BE PROTECTED FROM RAINFALL, RUN-ON, AND WIND DISPERSAL.
10. PLANNING INSPECTION REQUIRED PRIOR TO FINAL.



**EASEMENTS:**

1. 10' PORTION DEDICATED PER MAP 2733
2. EASEMENT FOR COUNTY HIGHWAY PER DEED BOOK 6341, PAGE 57, REC. 11/14/56 O.R.
3. 5' SEWER EASEMENT GRANTED TO LEMON GROVE SANITATION DISTRICT PER DEED BOOK 4637, PAGE 443, REC. 10/28/52 O.R.
4. EASEMENT FOR COUNTY ROAD GRANTED PER DEED BOOK 1208, PAGE 458 O.R.
5. 4' SD&E EASEMENT PER FILE/PAGE 79-253152, REC. 6/19/79 O.R.
6. SD&E EASEMENT FOR FOR LINE OF POLES PER DEED BOOK 2998, PAGE 178, REC. 10/27/48 O.R.
7. EASEMENT FOR COUNTY HIGHWAY PER FILE/PAGE NO. 131111, REC. 7/31/61 O.R.
8. EASEMENT FOR COUNTY HIGHWAY PER DEED BOOK 6341, PAGE 57, REC. 11/14/56 O.R.

**LEGEND**



Kristi Byers, Architect  
 Sustainability  
 Design  
 Architecture

NOT FOR CONSTRUCTION

Project:

# Element 7 Cannabis Retail Store Conditional Use Permit

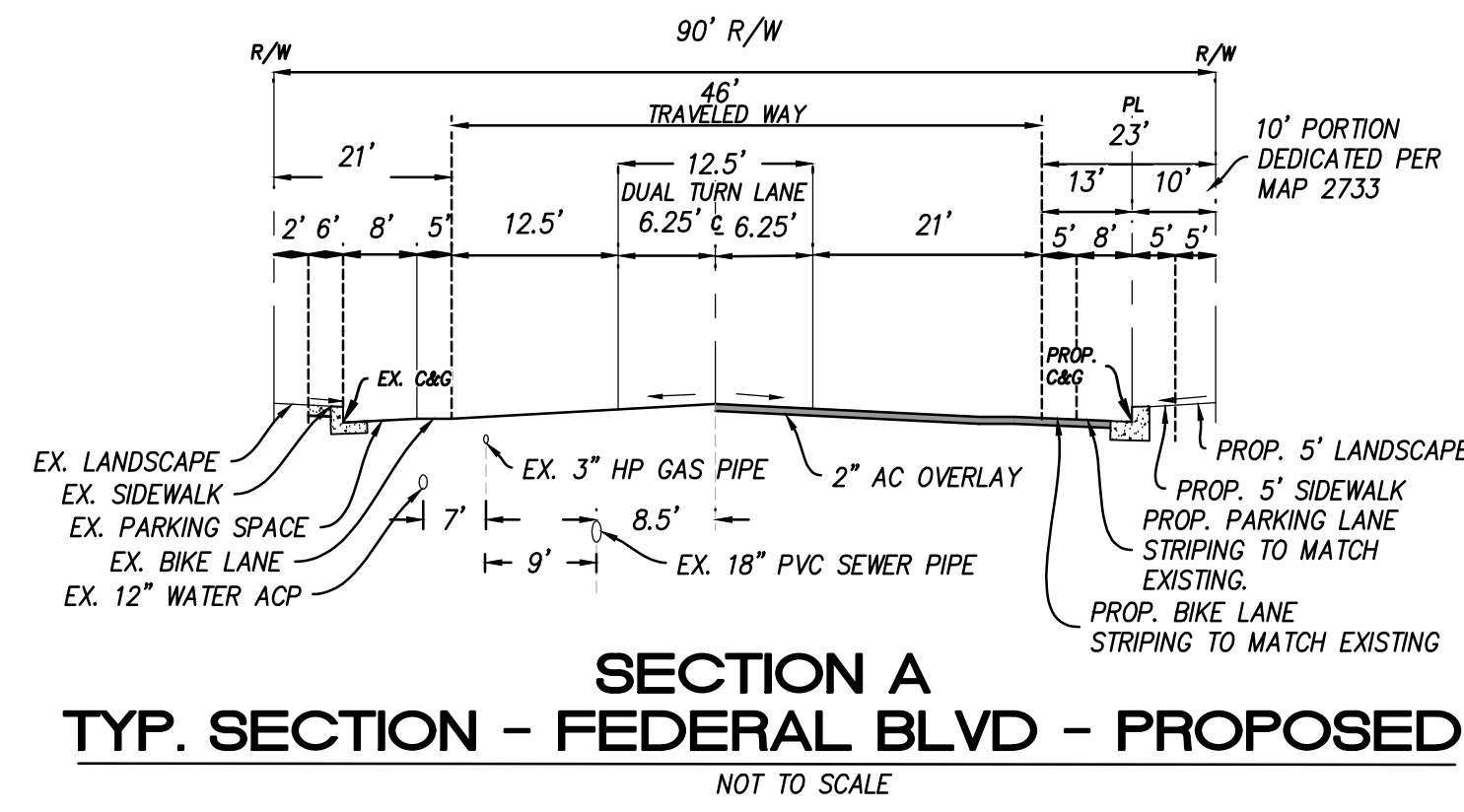
6691 Federal Blvd.  
 Lemon Grove, CA 91945

Issue: # 05.16.2022 CUP CITY REVIEW

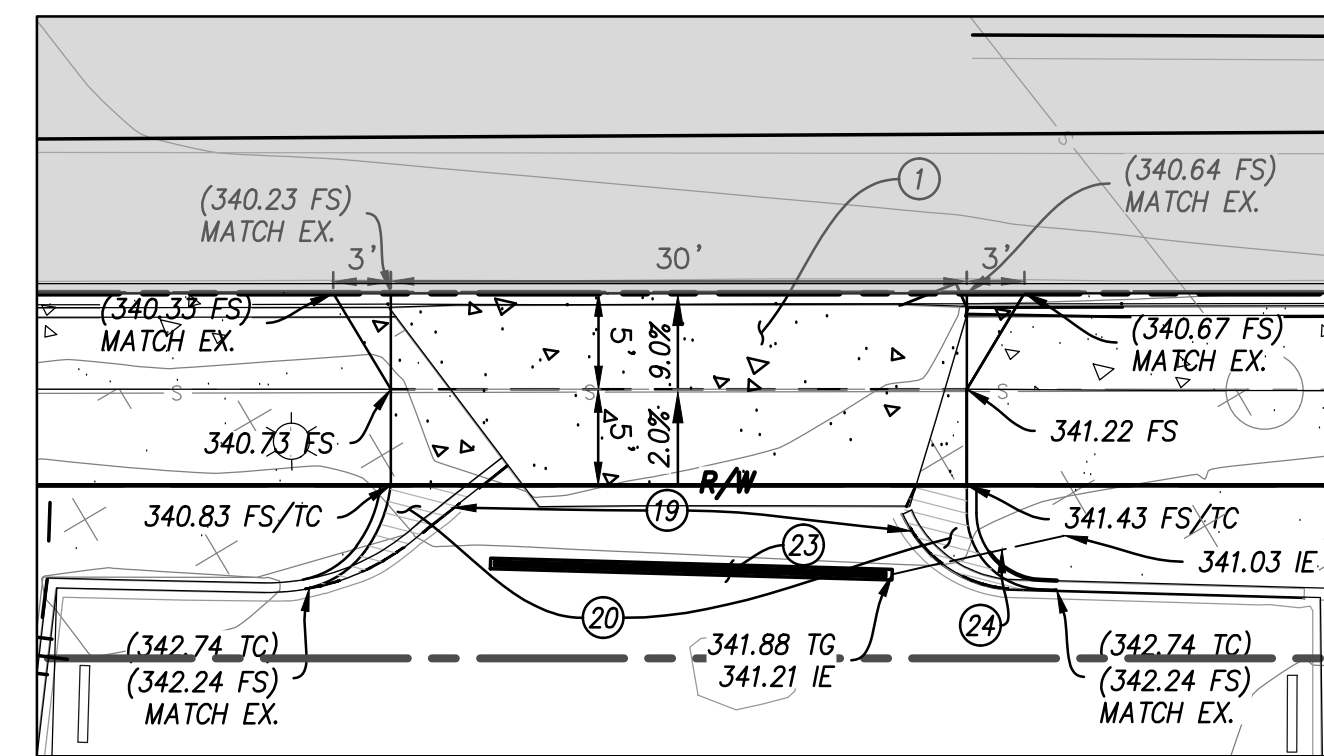
Drawing Name: TITLE SHEET-EXISTING CONDITIONS

Drawing Number: C1.01

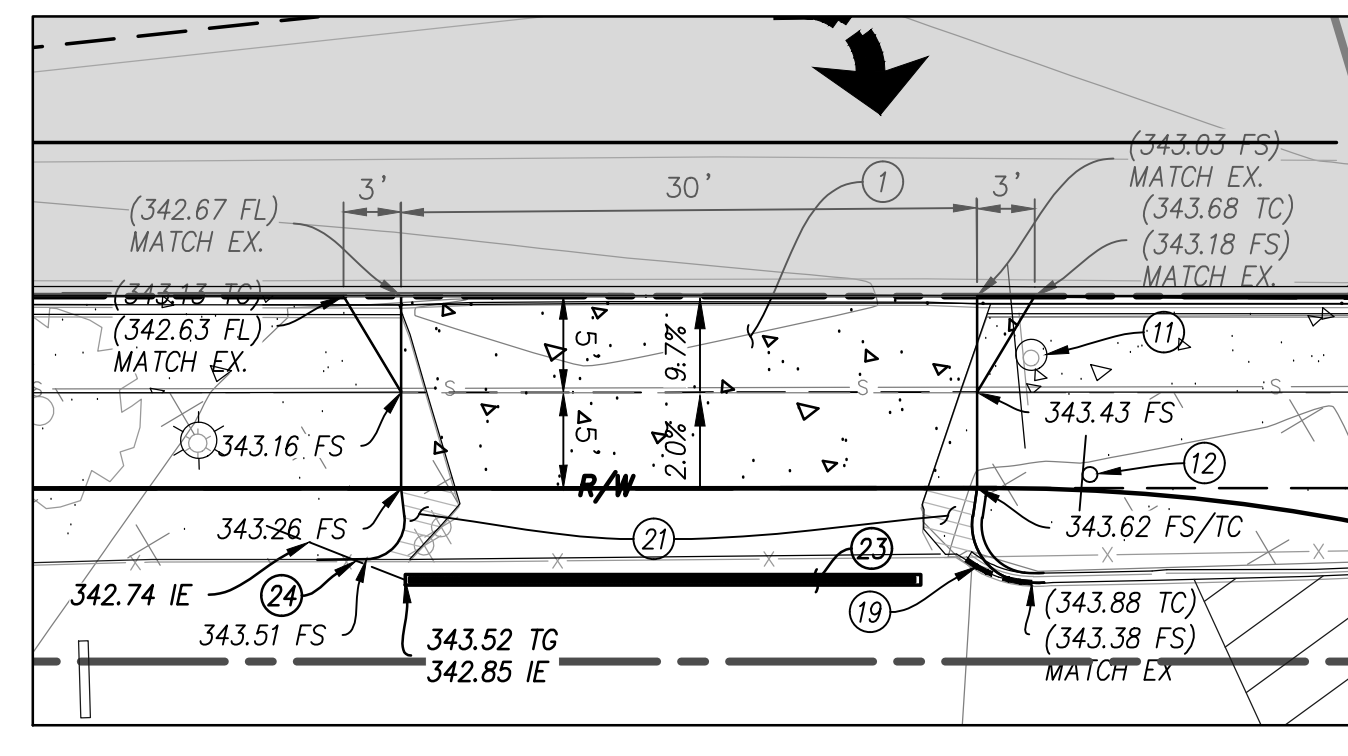




**SECTION A**  
TYP. SECTION - FEDERAL BLVD - PROPOSED  
NOT TO SCALE

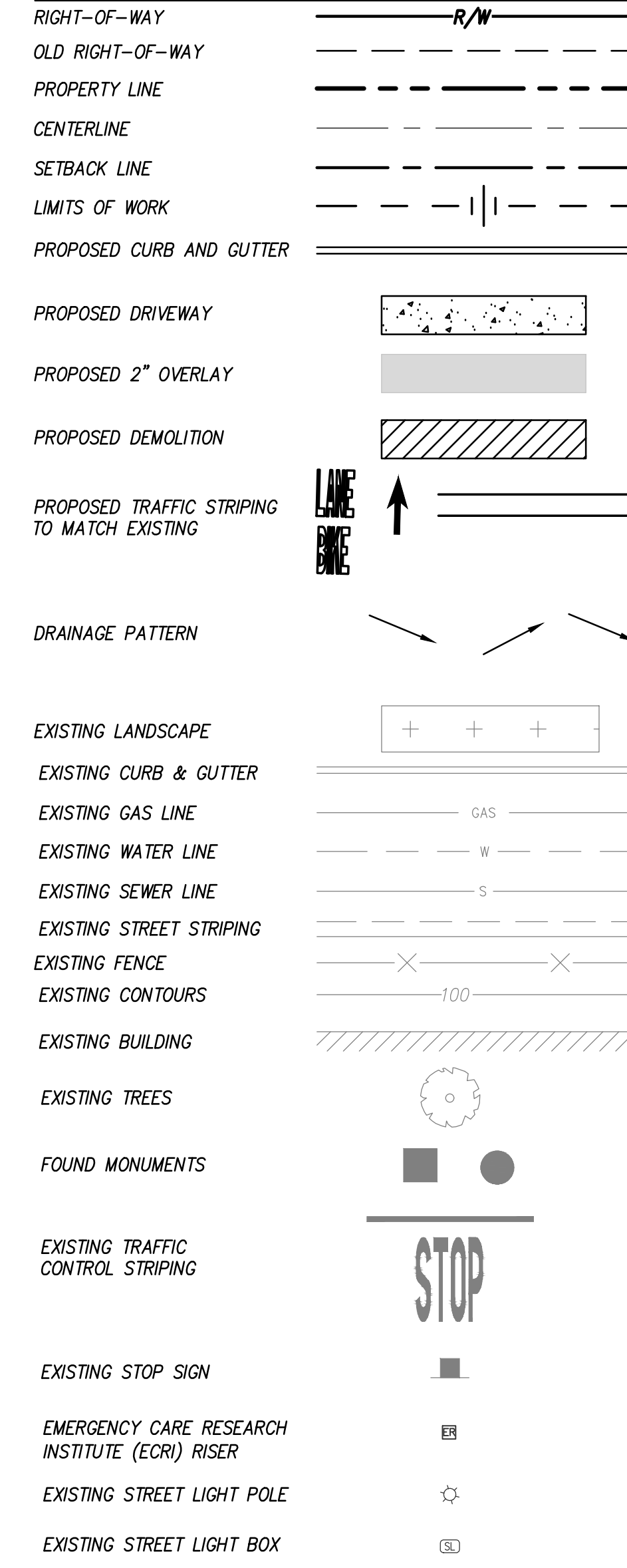


**DETAIL A: PROPOSED DRIVEWAY**  
SCALE: 1"=10'



**DETAIL B: PROPOSED DRIVEWAY**  
SCALE: 1"=10'

**LEGEND**

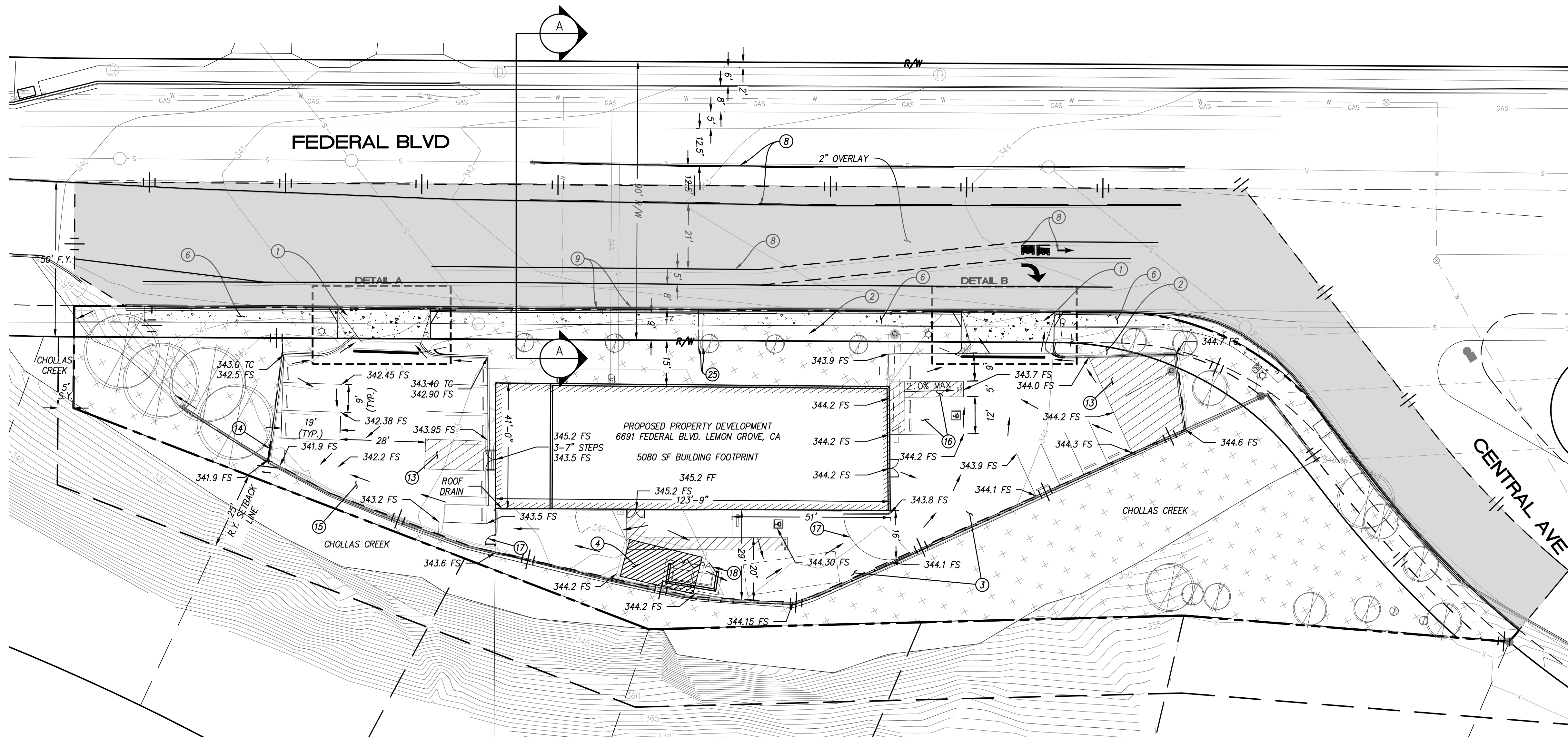


**CONSTRUCTION NOTES**

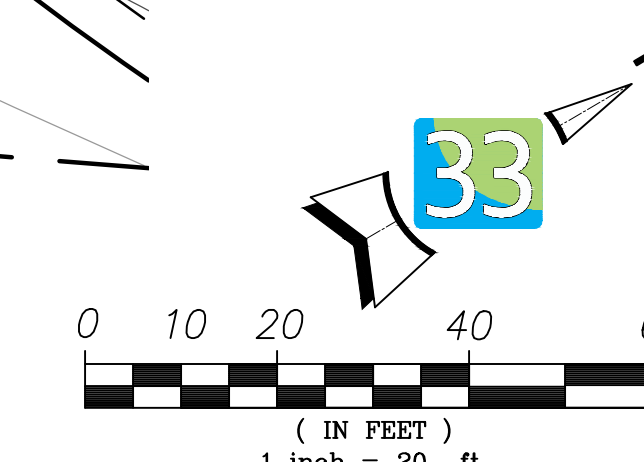
- ① EXISTING DRIVEWAY TO BE REMOVED AND REPLACED PER COUNTY STANDARD DRAWING SDRSD G-14A
- ② LANDSCAPE, EXISTING TO REMAIN.
- ③ EXISTING CONCRETE PAVEMENT TO REMAIN
- ④ EXISTING SHED TO BE DEMOLISHED
- ⑤ PROPOSED SIDEWALK PER SDRSD G-07
- ⑥ PROPOSED STREET STRIPING TO MATCH EXISTING
- ⑦ PROPOSED 6" CURB AND GUTTER PER SDRSD G-02
- ⑧ EXISTING SIGN TO BE RELOCATED
- ⑨ PROPOSED RELOCATION OF EXISTING SIGN
- ⑩ PROPOSED STRIPING PER ARCH PLANS
- ⑪ PROPOSED CURB CUT TO ALLOW SURFACE FLOW TO LANDSCAPE AREA
- ⑫ EXISTING ASPHALT PAVEMENT TO REMAIN
- ⑬ PROPOSED ADA PARKING PER ARCH PLANS
- ⑭ PROPOSED GATE PER ARCH PLANS
- ⑮ PROPOSED TRASH ENCLOSURE PER ARCH PLANS
- ⑯ EXISTING CURB TO BE DEMOLISHED
- ⑰ PROPOSED ASPHALT PAVEMENT TO MATCH EXISTING
- ⑱ PROPOSED CONCRETE PAVEMENT TO MATCH EXISTING
- ⑲ TRENCH DRAIN, ACO OR APPROVED EQUAL
- ⑳ 3" PVC DISCHARGE DRAINPIPE
- ㉑ 3" PVC SIDEWALK UNDERDRAIN PIPE. SEE SDRSD DETAIL D-27

**NOTE:**

ONSITE DRAINAGE PATTERNS TO FLOW OFFSITE TO CHOLLAS CREEK



**SITE PLAN-PROPOSED:**  
SCALE 1"=20'



Project:

**Element 7 Cannabis Retail Store**  
**Conditional Use Permit**  
6691 Federal Blvd.  
Lemon Grove, CA 91945

Issue:  
# 05.16.2022 CUP CITY REVIEW

Drawing Name:  
**PROPOSED SITE PLAN**

Drawing Number:

**C1.02**



**Parking Calculations:**

See Traffic and Parking Analysis completed by Linscott Law & Greenspan Engineers for additional information.

**Building Uses and Areas:**

Proposed Retail/Business Gross Area:	1,809 SF GLA
Proposed Storage/Warehouse Gross Area:	2,457 SF GLA
Proposed Office Gross Area:	814 SF GLA
<b>TOTAL:</b>	<b>5,080 SF GLA</b>

<b>Required Parking</b>	
Retail/Business 1809 SF / 500	= 4 Spaces
Storage/Warehouse 2457 SF / 500	= 5 Spaces
Office 814 SF / 500	= 2 Spaces
<b>Total Spaces Required</b>	<b>= 11 Spaces</b>

Accessible Spaces:	2 (including 1 ADA Van and 1 ADA Car)
Parking Spaces On Site:	14

Total Parking Spaces: 16

Total Parking Required: 11 Spaces  
Total Parking Provided: 16 Spaces

**Site Plan General Notes:**

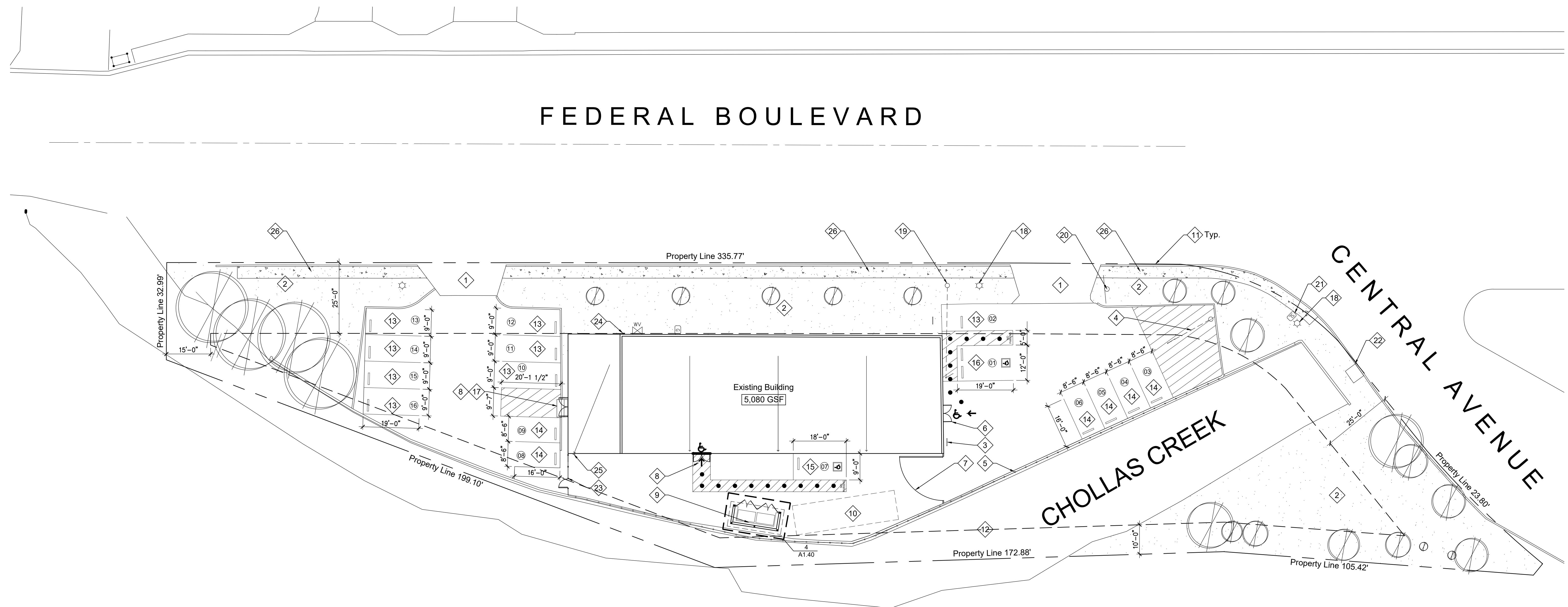
A. See civil engineering drawings for additional information.

**Site Plan Keynotes:** #

1. Existing driveway to be reconstructed. See Civil.
2. Existing landscape area to remain.
3. New bike rack.
4. Existing utility power pole and guy wire to remain.
5. Existing chain link fence along creek to remain.
6. Main entry to medical marijuana dispensary.
7. New 6'H vehicular security gate. Fence materials: black steel frame with horizontal 1"x4" redwood planks.
8. Receiving door and staff entrance.
9. New covered trash and recycling enclosure to meet the requirements of Section 17.24.050(M).
10. Wholesale delivery and trash pick-up vehicle parking, 11'x35' minimum.
11. Property line.
12. Chollas Creek Tributary.
13. Standard parking space.
14. Compact parking space.
15. ADA parking space.
16. ADA van space.
17. Existing stair and door to remain.
18. Existing street light to remain. Location to be field verified.
19. Existing utility pole to remain. Location to be field verified.
20. Existing 'No Parking' sign to remain. Location to be field verified.
21. Existing street light box to remain. Location to be field verified.
22. Existing storm drain to remain. Location to be field verified.
23. New 6'H wood fence with gate. Fence materials: black steel frame with horizontal 1"x4" redwood planks.
24. New downspout.
25. Existing downspout to remain.
26. New sidewalk. See Civil.

**Site Plan Legend:**

- Property Line
- Floor markings per CBC 11B-502.3
- Accessible Path of Travel
- Accessible Entrance
- Exterior Security Lighting
- Parking count sub-total for parking bay



17. Site Plan  
Scale: 1/16" = 1'-0"

Project:

**Element 7 Cannabis Retail  
Conditional Use Permit**  
6691 Federal Blvd.  
Lemon Grove, CA 91945

Issue:  
01 05.15.2022 CUP Resubmittal  
02 01.23.2023 CUP Resubmittal

Drawing Name:  
Site Plan

Drawing Number:  
**A1.00**

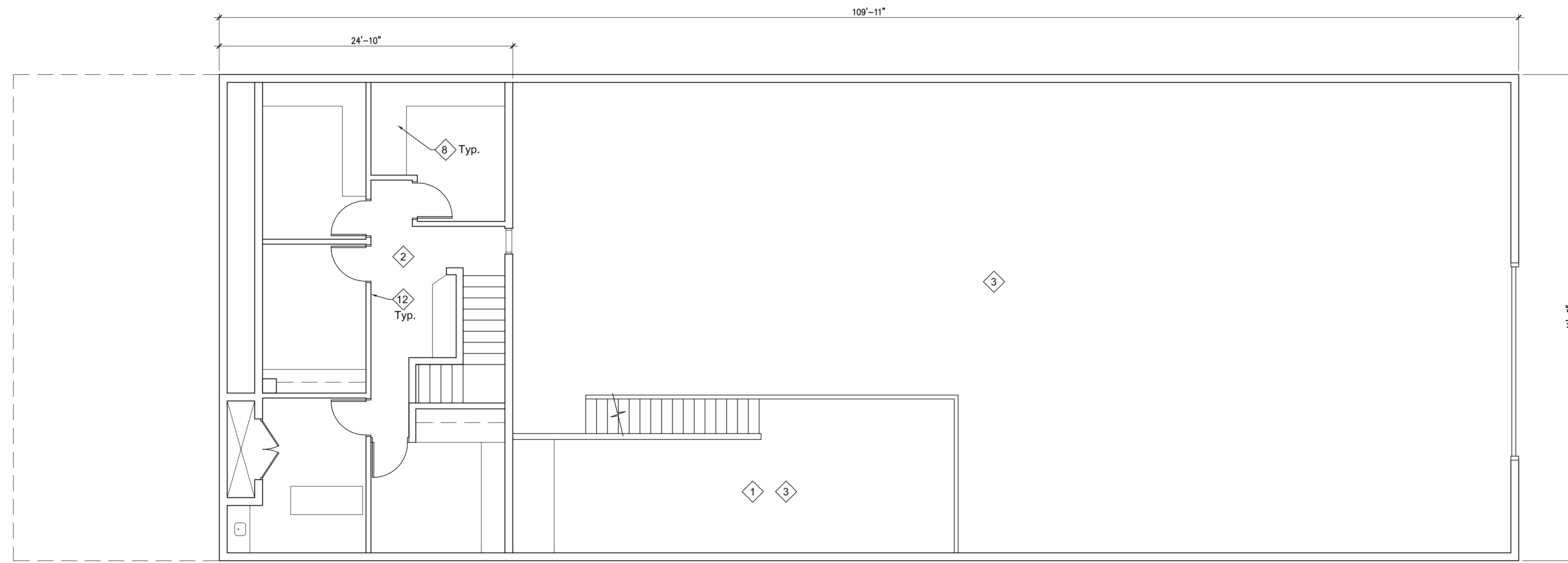
Kristi Byers, Architect  
Sustainability  
Design  
Architecture





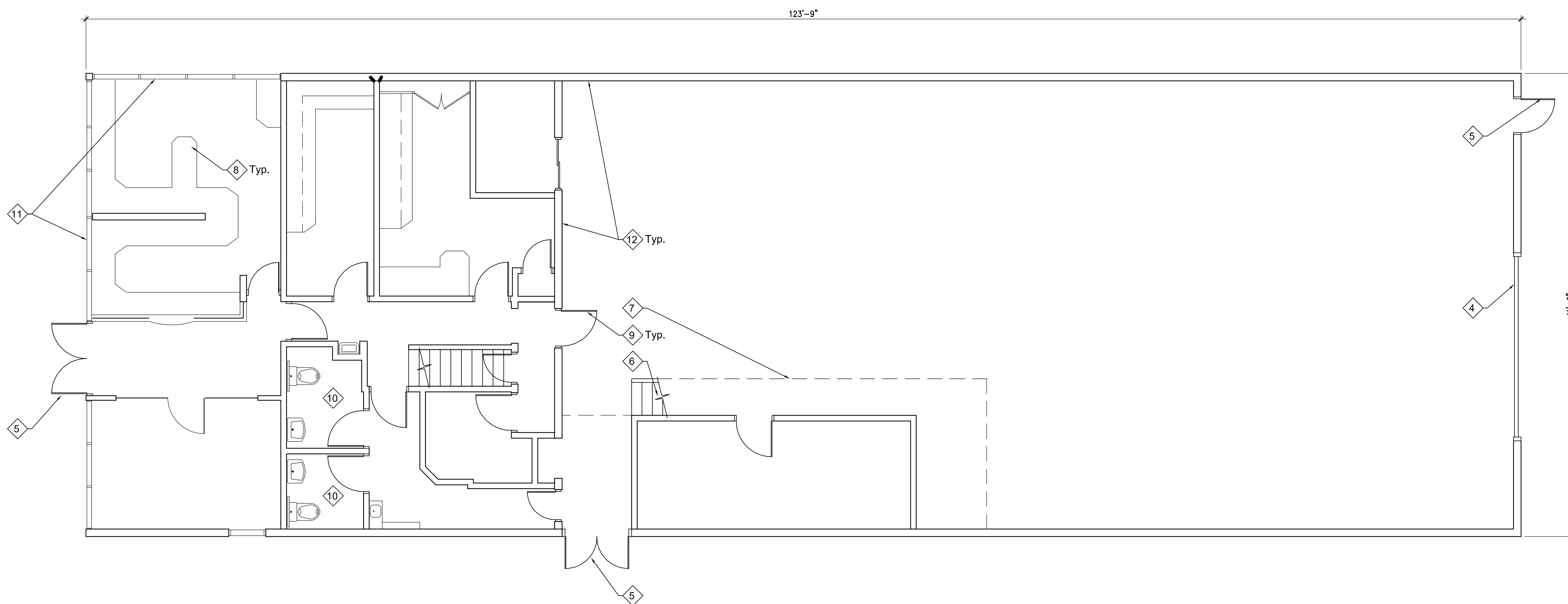
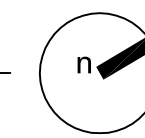
Existing Plan Keynotes:

1. Existing warehouse mezzanine.
2. Existing office mezzanine.
3. Open to ceiling above.
4. Existing steel roll-up door.
5. Existing exterior door.
6. Existing stair to mezzanine.
7. Dashed line represents mezzanine above.
8. Existing built-in millwork.
9. Existing interior door.
10. Existing restroom.
11. Existing exterior storefront system.
12. Existing wall or partition.



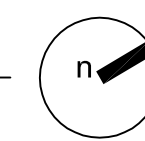
18. Existing Mezzanine Plan

Scale: 3/16" = 1'-0"



17. Existing First Floor Plan

Scale: 3/16" = 1'-0"



Project:

**Element 7 Cannabis Retail**  
**Conditional Use Permit**  
6691 Federal Blvd.  
Lemon Grove, CA 91945

Issue:

- 01 05.15.2022 CUP Resubmittal
- 02 01.26.2023 CUP Resubmittal

Drawing Name:

Existing Floor Plans

Drawing Number:

**A1.50**

**Demolition Plan General Notes:**

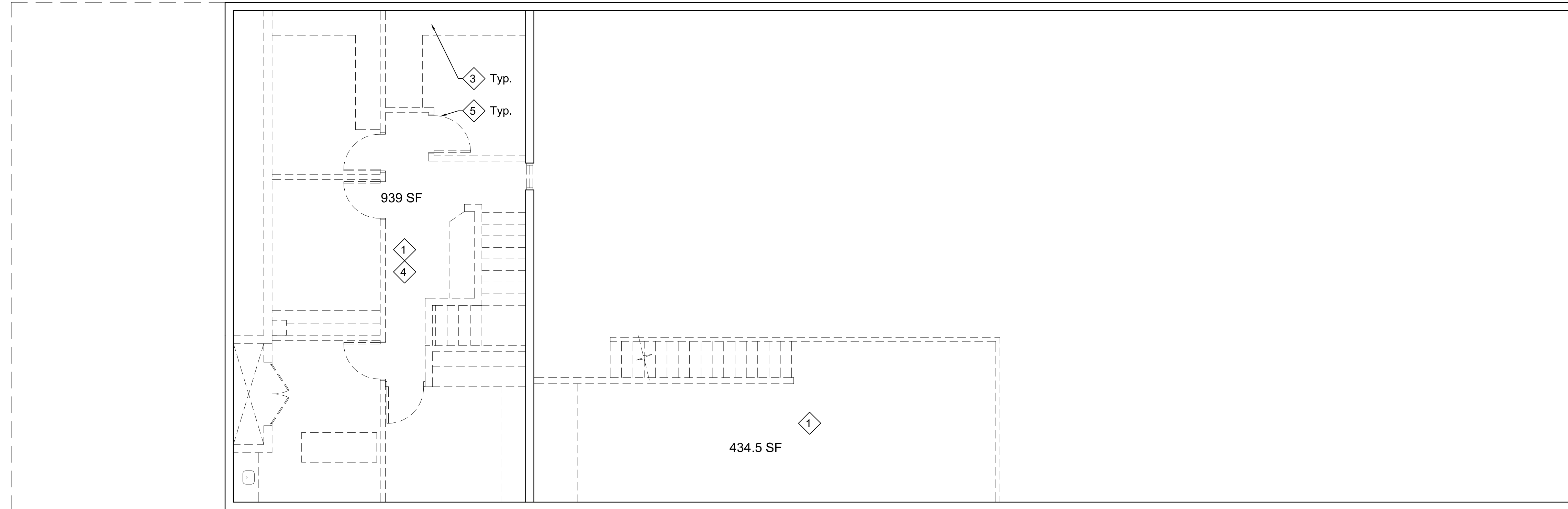
- A. All conditions and dimensions shall be field verified. Contractor to notify Architect in writing of dimensional or other discrepancies prior to proceeding with work in areas of question.
- B. Comply with all applicable local, state and federal codes and regulations pertaining to safety of persons, property and environmental protection.
- C. Erect and maintain barricades, lighting, and guardrails as required by applicable codes and regulations to protect occupants of building, project site, adjacent sites, and workers.
- D. If demolition is performed in excess of that required, restore effected areas at no cost to Owner.
- E. Remove from site daily and legally dispose of refuse, debris, rubbish, and other materials resulting from demolition operations.
- F. Provide protection as required to prevent damage to existing construction to remain. Items which are to remain that are damaged during performance of work shall be restored to their original condition or replaced with new approved equal or better replacement.
- G. Where interior surfaces become exposed to weather, protect all surfaces with plastic barrier. Plastic barrier to be adequately attached. Monitor attachment and continuity of plastic barriers often as necessary to protect all surfaces at all times from weather.
- H. Protect all electrical items to remain.
- I. Where concrete work is to be removed, saw concrete along straight lines at locations where the concrete cannot be concealed. Grind smooth or saw cut through full depth of concrete to create clean edge.
- J. Keep exits and other means of egress clear and unencumbered at all times.
- K. Where materials or surfaces are to be cut for removal, the cut is to be a straight, right angle line and shall result in a clean, finished surface.

**Demolition Plan Keynotes:** #

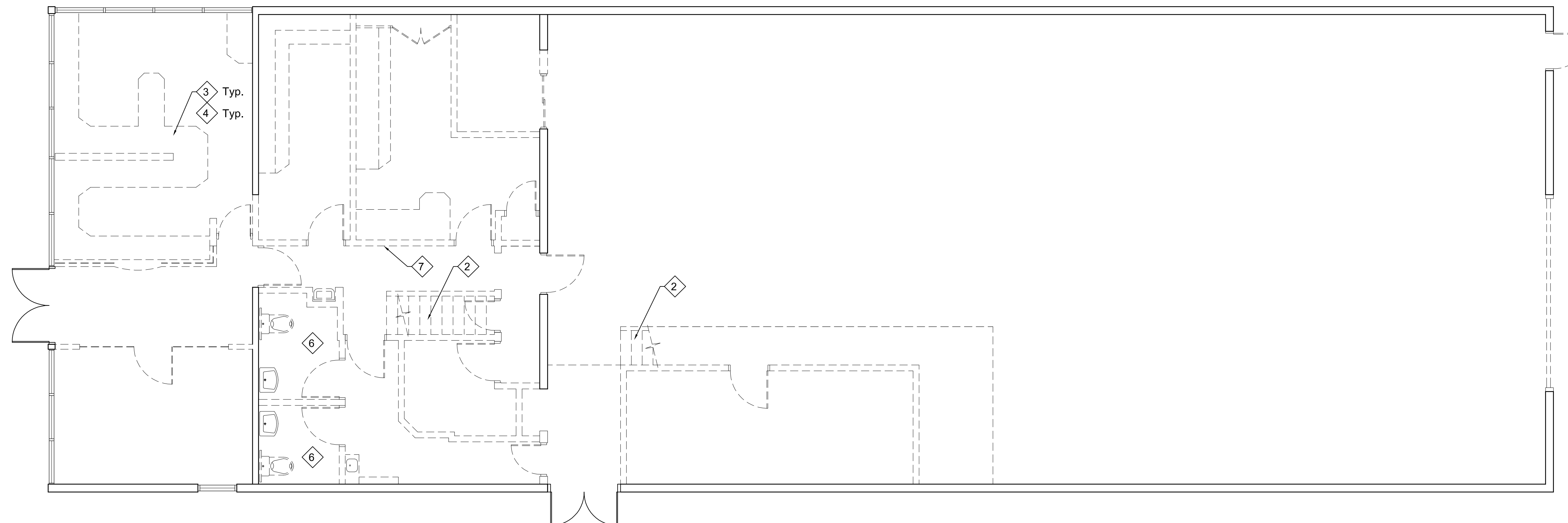
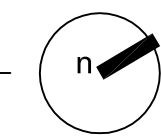
- 1. Existing mezzanine to be removed in its entirety.
- 2. Existing stair to be removed.
- 3. Existing millwork to be removed.
- 4. All finishes to be removed in this space including ceiling tiles, floor coverings, drywall, wallcoverings.
- 5. Existing door to be removed.
- 6. Existing plumbing equipment to be removed and capped back to wall or floor, as appropriate.
- 7. Existing partition to be removed.

**Demolition Plan Legend:**

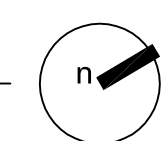
- Existing Wall / Partition to Remain.
- - - Dashed line represents item to be removed, typ.



**18. Mezzanine Plan**  
Scale: 3/16" = 1'-0"



**17. First Floor Plan**  
Scale: 3/16" = 1'-0"



Project:

**Element 7 Cannabis Retail**  
**Conditional Use Permit**  
6691 Federal Blvd.  
Lemon Grove, CA 91945

Issue:  
01 05.15.2022 CUP Resubmittal  
02 01.26.2023 CUP Resubmittal

Drawing Name:  
**Demo Floor Plans**

Drawing Number:  
**A1.60**



Proposed Floor Plan Keynotes:

1. Main entry to marijuana dispensary.
2. Limited access area.
3. Point-of-sale counter.
4. Millwork displays.
5. New exterior storefront.
6. New interior storefront.
7. Wholesale delivery and staff entry door.
8. New ADA compliant restroom.
9. Existing exterior storefront to remain.
10. New drinking fountain.
11. New custodial sink.
12. New exterior door.
13. New interior door.
14. New non-bearing partition.

Floor Area Summary

First Floor (\* Indicates accessory use)

Space	Square Footage	Occupancy Type
RETAIL	1,809 SF	B
STORAGE	2,487 SF	S-1
OFFICE	814 SF	B
Sub-Totals	5,080 SF	

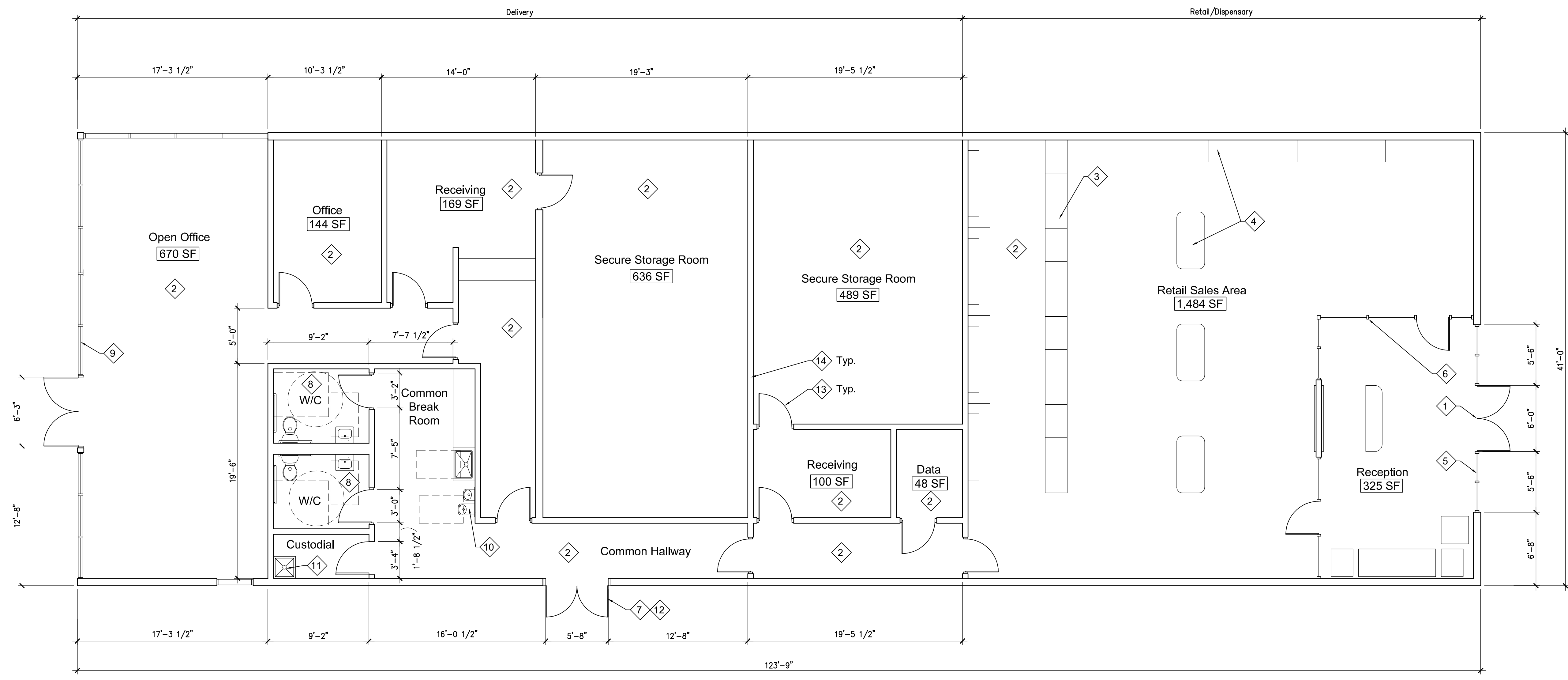
Project:

**Element 7 Cannabis Retail**  
**Conditional Use Permit**  
 6691 Federal Blvd.  
 Lemon Grove, CA 91945

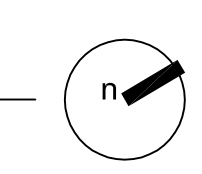
Issue:  
 01 05.15.2022 CUP Resubmittal  
 02 01.26.2023 CUP Resubmittal

Drawing Name:  
**Proposed Floor Plan**

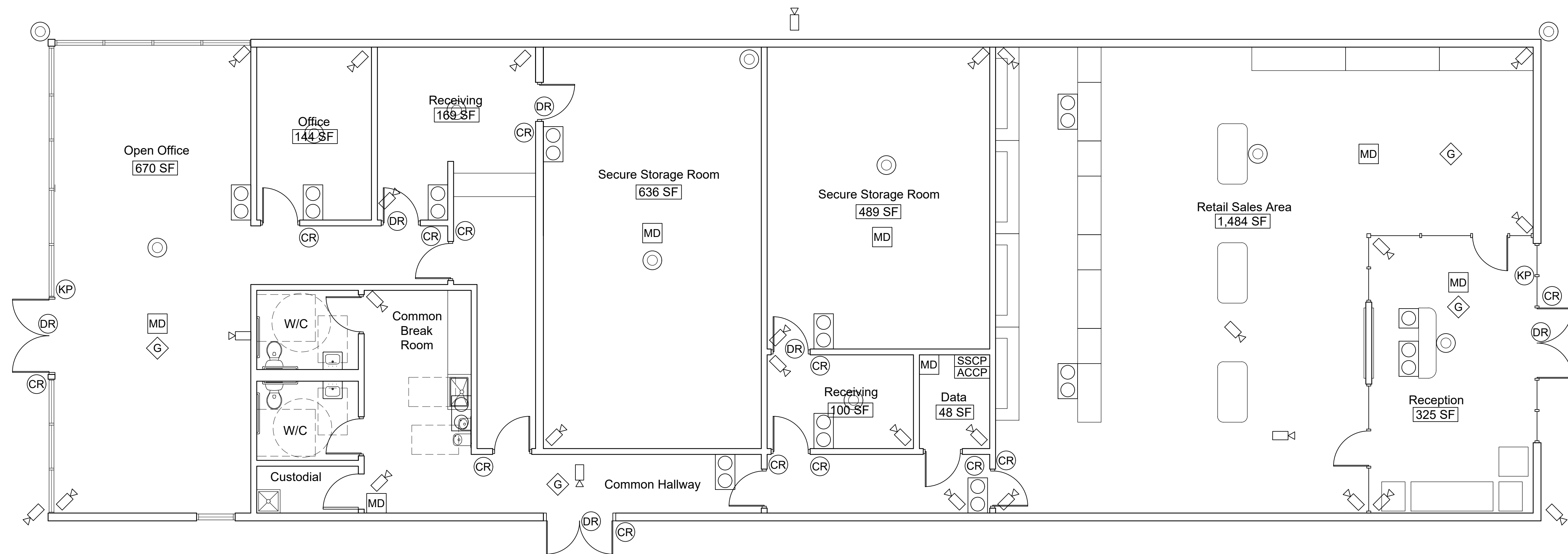
Drawing Number:  
**A2.00**



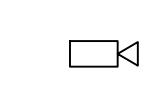
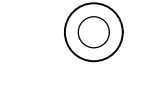



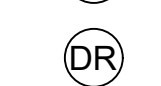




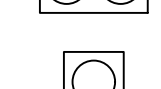
17. Proposed Floor Plan  
 Scale: 3/16" = 1'-0"





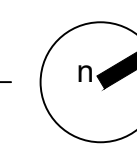


**Proposed Security Plan Legend:**

-  Security Camera - 90 degree coverage
-  Security Camera - 360 degree coverage
-  Glass Break Sensor
-  Motion Detector
-  Card Reader
-  Door Contact
-  Key Pad for Alarm
-  Security System Control Panel
-  Access Control Panel
-  Panic Button with Police Notification
-  Door Release for Customer Access to Sales Floor

**17. Proposed Security Plan**

Scale: 3/16" = 1'-0"



Project:

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Conditional Use Permit**

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Lemon Grove, CA 91945

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- 01 05.15.2022 CUP Resubmittal
- 02 01.26.2023 CUP Resubmittal

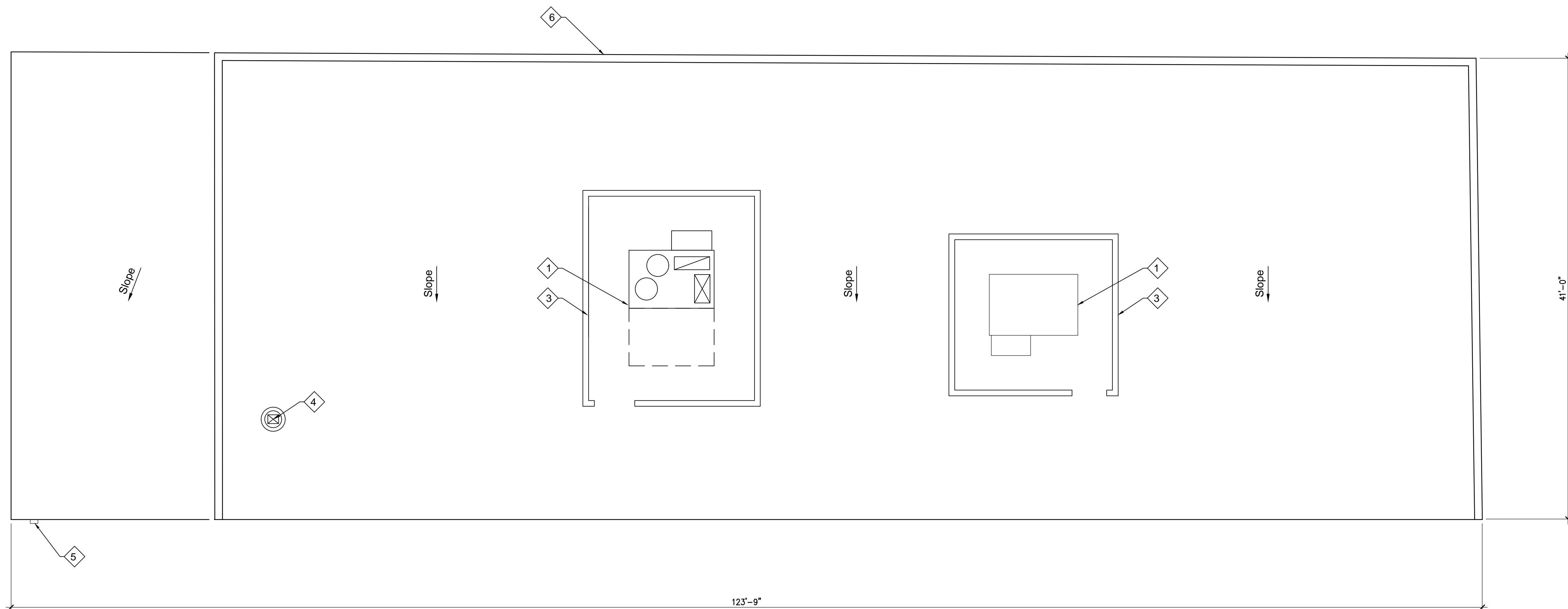
Drawing Name:

**Proposed Security Plan**

Drawing Number:

**A2.10**





Proposed Roof Plan Keynotes: #

1. Proposed location for new AHU and supporting curb. (Final equipment and sizing to be finalized with mechanical engineer during building permit phase.)
2. - Not Used -
3. New mechanical screen.
4. Proposed location for exhaust ducts.
5. Existing downspout to remain.
6. Existing parapet to remain.

Kristi Byers, Architect  
 Architecture Design Sustainability



Project:

**Element 7 Cannabis Retail**  
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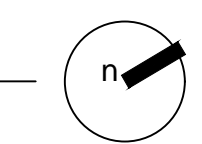
Issue:

01	05.15.2022	CUP Resubmittal
02	01.26.2023	CUP Resubmittal

Drawing Name:  
Proposed Roof Plan

Drawing Number:  
**A2.20**

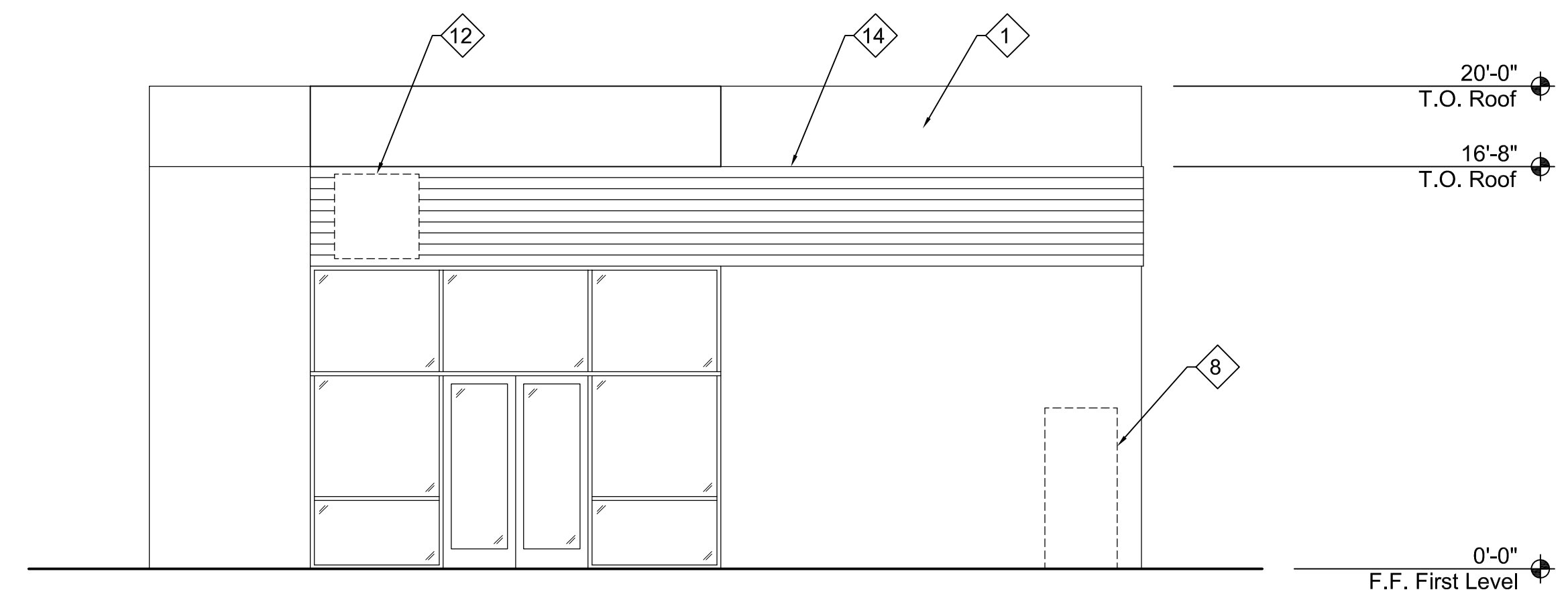
17. Proposed Roof Plan  
Scale: 3/16" = 1'-0"



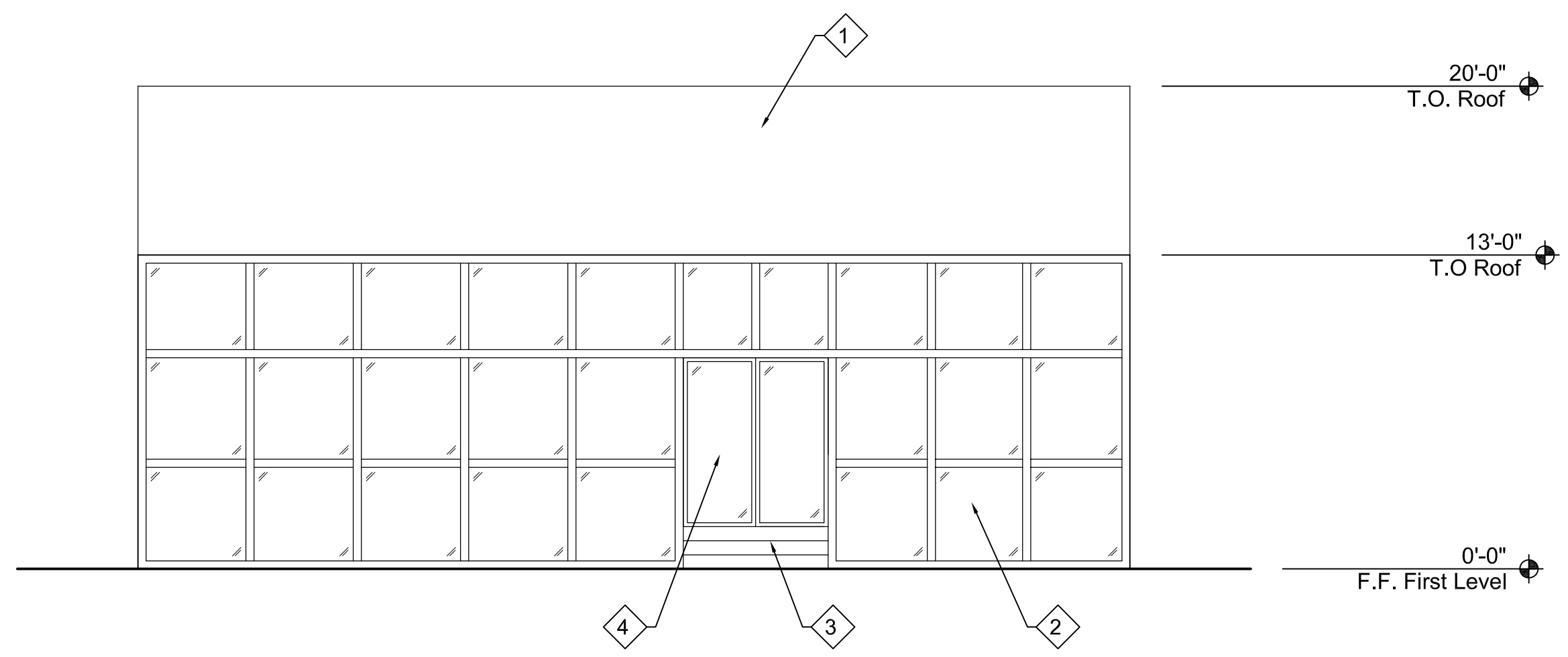
**Exterior Elevations Keynotes:**

1. Existing concrete tilt-up wall to receive exterior cementitious plaster to create smooth surface, paint.
2. Existing exterior glazing system to remain.
3. Existing stairs to remain.
4. Existing storefront doors to remain.
5. Existing construction joint to remain.
6. Replace existing hollow metal doors and frame with new hollow metal doors and frame.
7. Replace existing wood siding with new exterior plaster, paint.
8. Existing door to be removed. Reframe this area and patch with exterior plaster to match adjacent surfaces.
9. New 1 x 6 exterior grade wood slats.
10. New exterior storefront system.
11. Main entry to cannabis retail storefront.
12. Proposed 42"x42" sign location.
13. Proposed 24"x36" sign location.
14. New wood treatment.

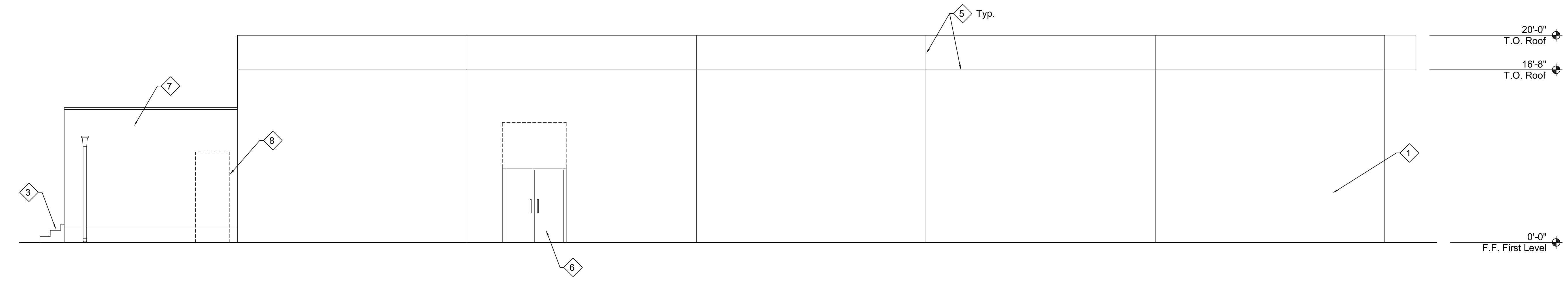
**Kristi Byers, Architect**  
 Sustainability  
 Design  
 Architecture



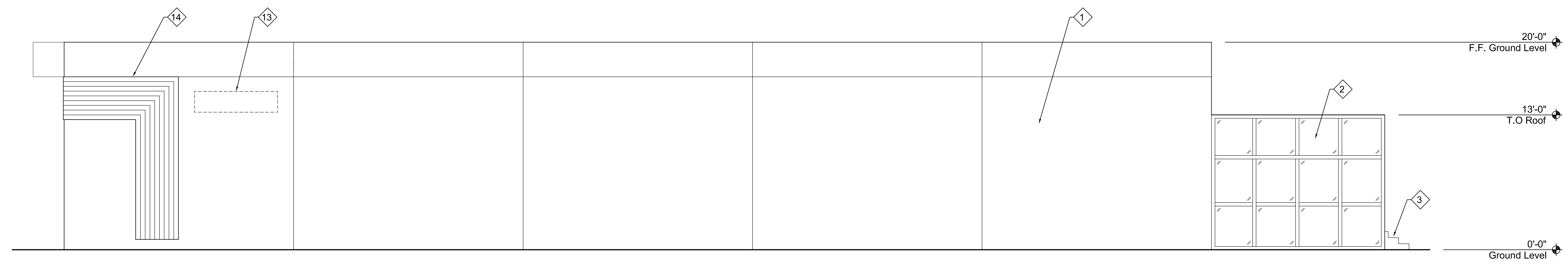
**19. East Exterior Elevation**  
 Scale: 3/16" = 1'-0"



**11. West Exterior Elevation**  
 Scale: 3/16" = 1'-0"



**18. South Exterior Elevation**  
 Scale: 3/16" = 1'-0"



**17. North Exterior Elevation**  
 Scale: 3/16" = 1'-0"



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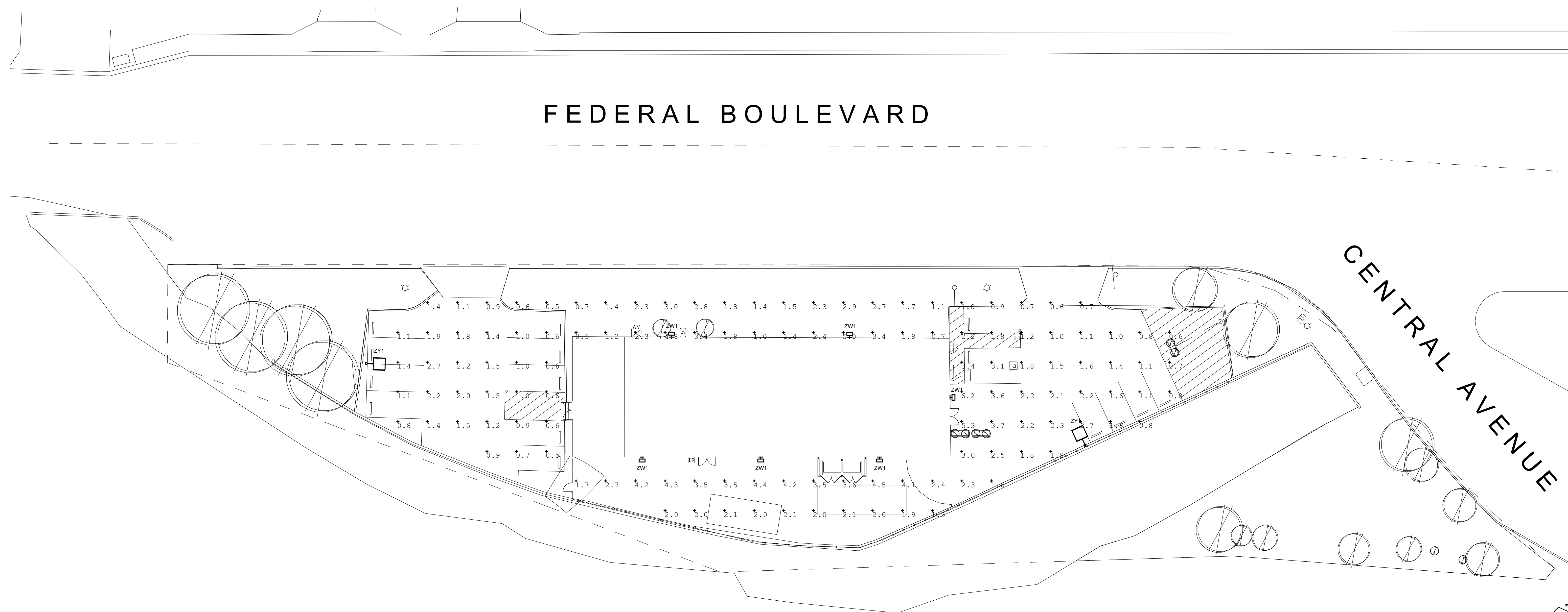
Drawing Name:  
**Exterior Elevations**

Drawing Number:  
**A3.00**

LIGHTING FIXTURE SCHEDULE															
TYPE	SYMBOL	MOUNTING	DESCRIPTION	MANUFACTURER(S)		LAMP					POWER		NOTES	LOCATION (GENERAL)	
				NAME	CATALOG #	LAMP	LUMENS	EGRESS LUMENS	CCT (KELVIN)	CRI (MINIMUM)	VOLTAGE (AVAILABLE)	WATTS			DRIVER
ZW1		WALL SURFACE	LED WALL PACK, NOMINALLY 13IN LENGTH X 9IN HEIGHT X 7IN DEPTH. MOUNTED AT 10' A.F.F. UL WET LISTED. FIXTURE UNDER E200L BUG EXEMPT.	LITHONIA	WDGE2-LED-P3-P25W-40K-80CRI-VW-MVOLT-SRM	LED	3200L	-	4000K	80	120/277V	23W	0-10V		SITE
ZY1		POLE	LED AREA POLE, FIXTURE HEAD MOUNTED AT 20' A.F.F. FIXTURE HEAD NOMINALLY 26IN LENGTH X 13IN WIDTH X 7IN HEIGHT, WITH INTEGRAL MOTION SENSOR. UL WET LISTED. MAXIMUM BUG RATING B1-UP-G2.	LITHONIA	DSX0-LED-P3-40K-T4M-MVOLT-RPA-PIRH-DMG POLE: RSS-20'	LED	8269L	-	4000K	70	120/277V	71W	0-10V		SITE

LIGHT FIXTURE SCHEDULE

SCALE  
NONE 1



SITE LIGHTING PHOTOMETRICS

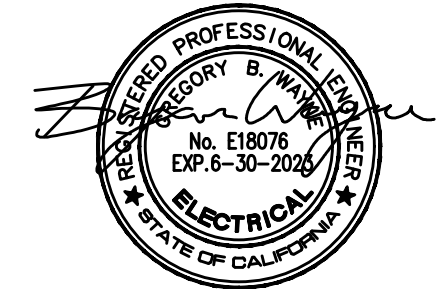
SCALE  
1/16" = 1'-0" 2

Consultant's Logo:



H+W PROJECT #22-189

Consultant's Stamp:



Project:

**Element 7 Cannabis Retail Store**  
**Conditional Use Permit**  
 6691 Federal Blvd.  
 Lemon Grove, CA 91945

Issue:

01	05.16.2022	CUP Resubmittal

Drawing Name:

**SITE LIGHTING PHOTOMETRICS**

Drawing Number:

**E100**



Consultant's Logo:



Consultant's Stamp:



Project:

# Element 7 Cannabis Retail Store Conditional Use Permit

6691 Federal Blvd.  
Lemon Grove, CA 91945

Issue:

01	05.16.2022	CUP Resubmittal

Drawing Name:

## ELECTRICAL SPECIFICATIONS

Drawing Number:

# E101

22-189 Element E7 LG CUP

ZW1 - Lithonia wdge2 Wall Pack.pdf

**WDGE2 LED**  
Architectural Wall Sconce  
Visual Comfort Optic

Depth (D1): 7"  
Depth (D2): 1.5"  
Height: 9"  
Width: 11.5"  
Weight (without options): 13.5 lbs

Specifications:  
Depth (D1): 7"  
Depth (D2): 1.5"  
Height: 9"  
Width: 11.5"  
Weight (without options): 13.5 lbs

**WDGE2 LED Family Overview**

Luminaire	Optic	Standard 90, 90°	ColdEN 20°C	Sealer	Approximate lumens (90°/90°)								
					F8	F1	F2	F3	F4	F5	F6	F7	F8
WDGE2 LED	Visual Comfort	4W	—	—	750	1,200	2,000	—	—	—	—	—	—
WDGE2 LED	Visual Comfort	10W	10W	Standard / Full light	—	1,200	2,000	3,000	4,500	6,000	—	—	—
WDGE2 LED	Precision Reflector	10W	10W	Standard / Full light	700	1,200	2,000	3,200	4,200	—	—	—	—
WDGE4 LED	Precision Reflector	10W	10W	Standard / Full light	—	1,500	3,500	10,000	12,000	—	—	—	—
WDGE4 LED	Precision Reflector	10W	10W	Standard / Full light	—	10,000	16,000	18,000	20,000	22,000	25,000	—	—

**Ordering Information** EXAMPLE: WDGE2 LED P3 40K 80CRI VF MVOLT SRM DOBDB

Series	Package	Color Temperature	CRI	Structure	Voltage	Mounting	Shipped separately
WDGE2 LED	P1, P2, P3, P4	27K, 3000K, 3500K, 4000K, 5000K	80, 90, 95	VF, VF, VF, VF	120V, 277V, 480V	SRM, DOBDB	Shipped separately

**Accessories**

Series	Package	Color Temperature	CRI	Structure	Voltage	Mounting	Shipped separately
WDGE2 LED	P1, P2, P3, P4	27K, 3000K, 3500K, 4000K, 5000K	80, 90, 95	VF, VF, VF, VF	120V, 277V, 480V	SRM, DOBDB	Shipped separately

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ZY1 - Lithonia dsx0 Pole.pdf

**D-Series Size 0**  
LED Area Luminaire

Depth: 26"  
Width: 13"  
Height: 3"  
Weight: 16 lbs

Specifications:  
Depth: 26"  
Width: 13"  
Height: 3"  
Weight: 16 lbs

**Ordering Information** EXAMPLE: DSX0 LED P6 40K T3M MVOLT SPA NLTAIR2 PIRNH DOBDB

Series	LED	Color Temperature	Structure	Voltage	Mounting	Shipped In
DSX0 LED	P1, P2, P3, P4, P5, P6	27K, 3000K, 3500K, 4000K, 5000K	T3M, T3M, T3M, T3M, T3M, T3M	120V, 277V, 480V	SPA, NLTAIR2	PIRNH, DOBDB

**Accessories**

Series	Package	Color Temperature	CRI	Structure	Voltage	Mounting	Shipped separately
DSX0 LED	P1, P2, P3, P4, P5, P6	27K, 3000K, 3500K, 4000K, 5000K	80, 90, 95	VF, VF, VF, VF, VF, VF	120V, 277V, 480V	SPA, NLTAIR2	Shipped separately

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**Accessories**

WDGE2 LED: WDGE2 LED Architectural Wall Sconce (single head)  
WDGE2SRM DOBDB: WDGE2 LED Architectural Wall Sconce (single head)

WDGE2 LED: WDGE2 LED Architectural Wall Sconce (single head)  
WDGE2SRM DOBDB: WDGE2 LED Architectural Wall Sconce (single head)

**Performance Data**

Lumen Output

Configuration	Wattage	Beam Angle	Beam Diameter @ 10m	Beam Diameter @ 20m	Beam Diameter @ 30m	Beam Diameter @ 40m	Beam Diameter @ 50m	Beam Diameter @ 60m	Beam Diameter @ 70m	Beam Diameter @ 80m	Beam Diameter @ 90m	Beam Diameter @ 100m
P1/P2/P3/P4	10W	120°	1.0m	2.0m	3.0m	4.0m	5.0m	6.0m	7.0m	8.0m	9.0m	10.0m

**Electrical Load**

Configuration	Wattage	Current (A)	Current (A)	Current (A)	Current (A)	Current (A)
P1/P2/P3/P4	10W	0.045	0.090	0.135	0.180	0.225

**Lumen Multiplier for 90CRI**

Configuration	Wattage	Current (A)	Current (A)	Current (A)	Current (A)	Current (A)
P1/P2/P3/P4	10W	0.045	0.090	0.135	0.180	0.225

**Lumen Output in Emergency Mode (4000K, 90 CRI)**

Configuration	Wattage	Current (A)	Current (A)	Current (A)	Current (A)	Current (A)
P1/P2/P3/P4	10W	0.045	0.090	0.135	0.180	0.225

**Lumen Ambient Temperature (LAT) Multiplier**

Temperature	Multiplier
0°C	1.03
10°C	1.02
20°C	1.01
25°C	1.00
30°C	0.99
40°C	0.98

**Projected LED Lumen Maintenance**

Operating Hours	0	25,000	50,000	100,000
Operating Hours	0	1.0	0.96	0.91

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**Ordering Information**

DSX0 LED: DSX0 LED Area Luminaire (single head)  
DSX0SRM DOBDB: DSX0 LED Area Luminaire (single head)

DSX0 LED: DSX0 LED Area Luminaire (single head)  
DSX0SRM DOBDB: DSX0 LED Area Luminaire (single head)

**Accessories**

Series	Package	Color Temperature	CRI	Structure	Voltage	Mounting	Shipped separately
DSX0 LED	P1, P2, P3, P4, P5, P6	27K, 3000K, 3500K, 4000K, 5000K	80, 90, 95	VF, VF, VF, VF, VF, VF	120V, 277V, 480V	SPA, NLTAIR2	Shipped separately

**EGS - External Glare Shield**

Handhole Orientation

Handhole Orientation

**Drilling**

Handhole Orientation

Handhole Orientation

**Tenon Mounting Slipfitter**

Series	Package	Color Temperature	CRI	Structure	Voltage	Mounting	Shipped separately
DSX0 LED	P1, P2, P3, P4, P5, P6	27K, 3000K, 3500K, 4000K, 5000K	80, 90, 95	VF, VF, VF, VF, VF, VF	120V, 277V, 480V	SPA, NLTAIR2	Shipped separately

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## BUSINESS AND OPERATIONS PLAN



### Budgets for Construction and Operations

#### Commencing Operations

Element 7 is in contract to lease the premises at **6691 Federal Blvd, Lemon Grove** for an integrated dispensary. Element 7 will not sell, provide, store or distribute any alcoholic beverages or tobacco products, or allow these products to be consumed at our facility.

The site has 15 off-street parking spaces with ADA-Compliant parking spaces and allows for Element 7 to achieve its vision, bringing jobs and economic development to the City of Lemon Grove. Site works are estimated at \$250,000, which covers all exterior and interior site works, minor building works, facility fit-out, and equipment costs. All building works will be conducted in full compliance and accordance with the Lemon Grove Municipal Code, State Building Codes and all DCC directives and local policies. Element 7 believes that the site could be operational by December 2022.

#### Start-Up Funding

Element 7 has budgeted for capital works, starting inventory, and operating capital of up to **USD\$750,000 Million to start and launch Element 7 in Lemon Grove**. This budget covers all site works (\$250,000), fit-out costs, external works, design and project management, security measures, POS Systems implementation, and branding required to open and operate the facility through to positive cash flows. It also includes \$150,000 of starting inventory and \$300,000 of operating capital with a further \$50,000 of contingency funds to cover over-runs on site works and additional working capital.





Element 7 Rendering in the City of Willows

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### Proof of Capitalization

Element 7 is financially backed in this venture by Industrial Court L11 LLC, a vertically integrated cannabis company and one of the largest cannabis tax-payers in the State of California. With operations in Desert Hot Springs and Cathedral City, Industrial Court L11 LLC is possibly California’s largest cannabis company.

Element 7 has attached a copy of its Proof of Funds Document (attached at rear of Statement of Qualifications) demonstrating ready access to up to \$5.0M capital for the lease of real estate, full capital works and tenant improvements, inventory and working capital for the proposed operation, demonstrating excessive sufficient capital for this venture.

A full-time Certified Public Accountant (CPA) sits within the Element 7 team to manage financials across the business. In addition, a third-party auditor (Marcum LLP) is engaged to audit the business twice annually to ensure all investor, city, state and federal measures are being correctly managed and accounted for. We are confident, based on our existing footprint of cannabis dispensary operations, that our projections for fit-out, security compliance, and design works are accurate.

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### Five Year Pro-Forma

Element 7 can provide a detailed financials for the first 5 years of operations, upon request.

These financials would be built on assumptions based on population, existing purchasing habits, expected market share, tourism statistics, and a range of other costs built into our financial models. We expect our COGS to be averaged at or below 30-35%—achievable thanks to our Distribution (License# and manufacturing licenses in Firebaugh. The first-year financials are based on the assumption that we will commence and launch operations in the first half of 2021, with a filter applied to the first 6 months of growth as we build and start to scale the business.

### Ongoing Operations

Ongoing operations will be funded by business-generated free cash reserves which are conservatively expected to be around \$150,000 per month in Year 2+ of operations.



We have a strong executive team with significant business experience across all facets of financial management, P&L control, debt and equity structures, and cost management.



### Hours of Operation and Daily Procedures

Element 7 are applying for a retail storefront cannabis license (with delivery) for licensed sales (packaged cannabis goods and products).

**Hours of Operation:** Subject to approval from City Council, the business shall only operate only during the hours specified in the Conditional Certificate, Use Permit and/or CCBP issued by the City. The proposed operating hours shall be limited to the hours of 8:00 a.m. through 8:00 p.m., seven days a week.

**Opening Procedures:** The Manager will be accompanied by a security guard when unlocking and entering the business (a guard will be at the premises 24 hours a day). Upon entering the building, the Manager will disarm the alarm and turn on all lights and check the phone for messages. Additional employees will be scheduled to arrive approximately 15 minutes after the Manager. Once the employees arrive, they will be responsible for completing their assigned tasks, such as reviewing inventory levels, checking overnight orders received, launch point-of-sale systems and assemble registers.

**Mid-Day Procedures:** Throughout the work-day, the manager may conduct the following tasks:

1. Assist employees with processing orders and ensuring that they are properly designated/assigned.
2. Update the track-and-trace system as necessary.
3. Receive shipments with the assistance of another employee.

Salespersons will be responsible providing excellent customer service and processing orders.

**Closing Procedures:** Upon the closure of business each day:

- The Manager will lock all doors.
- The Manager and Inventory Specialist will reconcile the track-and-trace system and cash.
- The Manager will ensure that all cannabis and cannabis products are securely stored.
- The facility be dusted, sweep, mopped, etc. as needed.
- The Manager will ensure that all doors, safes, and vaults are locked and secured.
- All surfaces will be cleaned and wiped. All equipment will be turned off (is necessary) and cleaned.
- All non-cannabis trash will be taken to the dumpster and sorted for recycling.
- All non-security lights will be shut off.



- The Manager will activate the alarm and lock and exit the building.
- The Manager will be accompanied by a security guard when locking and exiting the retail store. The security guard will escort the General Manager to their car.



## Day to Day Operational Procedures

### Customer check-in procedures.

The Customer Intake Process begins when a new, or returning customer, enters the secure lobby area of the dispensary and provides their government issued identification to security at the Reception area. Using a handheld scanning device that has the ability to verify forms of government issued ID, identification is scanned, and information is transferred onto our system through FlowHub, our point-of-sale (POS) system.

The customer experience begins in the limited access Reception area where a Receptionist manages intake and check-in. A Security Officer will be stationed at the Reception Area to provide support, when needed.

Age verification shall be conducted before the customer permitted access to the retail area according to the following procedure:

1. Once the customer enters the entry doors, they will be greeted by an employee and/or security personnel. The customer's valid identification card will be scanned in order to verify that the customer is 21 years of age or older.
2. If the customer is under the age of 21, but is at least 18 years of age, the employee will review the customer's physician's recommendation to ensure that the customer is a valid patient or primary caregiver.
3. In the case of a primary caregiver, valid written documentation containing the signature and the printed name of the medical patient designating the individual as a primary caregiver is required. We will implement two primary methods of verifying the validity of a customer's doctor's recommendation: (1) We will compile a list of reputable and compliant medical providers with a sample of a valid recommendation provided to us by the issuing provider. When a customer provides us with a doctor's recommendation from our list of verified providers, our staff will review the recommendation to verify its validity; and (2) We will verify the doctor's recommendations by contacting the issuing provider. Further, we will vet every new provider to ensure their credentials and legitimacy.
4. Once the customer's age has been verified, the customer will be permitted to enter the retail area.

### Receiving Cannabis Product Shipments

During business hours, shipments of cannabis goods shall not enter the premises through an entrance or exit that is available for use by the public. Element 7 proposes to make the necessary modification to create access to the facility for the loading and unloading of deliveries at the back of the facility. Security guards will be notified of any and all deliveries and are required to present during any loading or unloading to oversee the secure transportation of the delivery into the facility. The loading/unloading area will be considered a limited-access area and will be under constant video surveillance and properly illuminated at all times. This secured loading and unloading area allows for the safe and secure delivery of goods without any disruption to our retail operations.

Prior to arriving at the facility, the distribution employee delivering shipments will contact the Element 7 Manager to inform them when they are 5 minutes away from arriving at the



facility. Upon receiving the 5-minute notification, security guards will conduct a security sweep. This includes inspecting the perimeter of the facility, as well as the secure loading and unloading area. Upon clearance, the secure loading/unloading area will be prepped to receive the shipment.

Before accepting any deliveries, we will request that the delivering employee provide us with a copy of the company's business license and shipping manifest as a measure to verify that we are permitting an authorized shipment onto our premises. Simultaneously, we will request to view the employee's identification badge, a copy of which will already be on file for verification purposes.

Upon receipt of a shipment, an employee shall verify that all products have not exceeded their expiration or sell-by date. If any products have exceeded their expiration or sell-by date, employee shall notify management and the delivering employee. We shall not accept any products that have exceeded their expiration or sell-by date. We will return the expired goods and request that the expired goods be exchanged for sellable goods. If it is discovered that any product that was purchased is defective, we may return the product in exchange for a non-defective version of the same product, for product of equal value, or for a refund (if payment for the shipment has already been paid).

Additionally, we will not accept cannabis goods unless they are appropriately packaged and labeled as they will be sold at final sale. (Note: We shall not package or label cannabis goods.) All items will be inspected to ensure that they are compliantly packaged and labeled. A packaging, labeling and documentation "cheat-sheet" (composed of relevant regulations and company policies) will be readily available and used to inspect every shipment to ensure that we are accepting a compliant shipment and being provided the required/requested documentation.

Upon receipt of cannabis goods, we will ensure that the cannabis goods received are as described in the shipping manifest and shall record acceptance and acknowledgment of the cannabis goods in the track and trace system. If there are any discrepancies between the type or quantity specified in the shipping manifest and the type or quantity received, we will record and document the discrepancy in the track and trace system and any relevant business record and notify the distribution company immediately. We will not accept any cannabis goods that are not included on the shipping manifest. The Inventory Manager (IM) will ensure that all records related to the acquisition of cannabis and cannabis-infused products will include the following information:

- Strain Type
- Quantity
- Variety
- Batch Number
- Name and Registry Identification Number of the licensed operator supplying the shipment of cannabis and/or cannabis-infused products
- Name and Registry Identification Number of the licensed operator delivering the shipment of cannabis and/or cannabis-infused products
- Name and Registry Identification Number of the Dispensary Agent receiving the shipment of cannabis and/or cannabis-infused products
- Date of Acquisition of cannabis and/or cannabis-infused products

Please note that if we are not permitted to modify the facility to permit deliveries to be routed through the rear/side entrance to the building, we will ensure that deliveries are made before normal business hours through the main facility entrance. All doors will be



locked and kept secure while the delivery is verified by counting, examining and verifying all products and ensuring they are accurately recorded on the transportation manifest, invoice, or other shipping documents.

**Number of Point-of-Sales location and estimated number of customers to be served per hour/day.**

Initially, we plan to install three (3) point-of-sale systems to be located at a check-out counter, where customers transaction will be completed by a member of our staff.

With a potential customer base of approximately 20,000 cannabis consumers living with 10-miles of the Dispensary, Element 7 knows it would see approximately 400 customers a day (40-50 customers per hour). With a 50% load factor applied to this (for customer comfort), we would have a **maximum desired occupancy of 24 customers at any one time**. With an average customer visit time of 10 minutes, **the store could handle a maximum of 150 customers an hour**. With an estimate of **400 customers a day**, and operations from 8am to 8pm, we do not forecast any significant issues with customer flow within the store.

**Proposed product line and estimate the percentage of sales of flower and manufactured products.**

Once inside the Dispensary, a range of shopping options from quick-serve grab-and-go, through to customized shopping guidance will be available. A range of products includes flower, concentrates, edibles, topicals and lotions, tinctures, pre-rolls, and accessories (a wide range of topicals will be sold for elderly and retired locals).

In compliance with state regulations and industry best practices, our product offerings will only be sourced from licensed and compliant distributors. Our product mix represents cannabis products that are commonly purchased at retail dispensaries. Based on data from our out-of-state operations, cannabis products that are popular among consumers are:

- Concentrates: 12%
- Edibles: 5%
- Flower: 45%
- Pre-rolls: 24%
- Vape pens: 14%

Element 7 will stock a range of Element 7 branded products, and leading brands across California. As a cannabis retailer, at no time will any tobacco products or alcoholic beverages be stored, sold or consumed at our facility.



### Product Handling Procedures

Cannabis goods for inspection and sale shall only be displayed in the retail area. Cannabis goods may be removed from their packaging and placed in containers to allow for customer inspection. The containers shall not be readily accessible to customers without assistance of retail employee. A container must be provided to the customer by an employee, who shall remain with the customer at all times that the container is being inspected by the customer. Cannabis goods removed from their packaging for display or inspection shall not be sold, shall not be consumed, and shall be destroyed when the cannabis goods are no longer used for display.

### Product Safety Best Practices

**Regular Auditing** – Performing regular inventory audits includes physical inspections of products in inventory to ensure that their expiration/sell-by date have not been exceeded and to ensure that all movements of the products are accurately reflected by our track-and-trace system.

**First-In-First-Out Product Movement System (FIFO)** – We utilize a First-in, First-out product management system that ensures all products sold at our facilities have not exceeded their expiration, best-by, or use-by date/s. This system ensures that our oldest stock is sold first. This system is important especially where it concerns perishable products, such as edibles and beverages.

### Product Storage

Cannabis and cannabis-infused products will be stored within the secure, restricted access Product Storage area within the facility. The Product Storage area consists of four (4) storage containment partitions: ambient storage, cold storage, storage vault and quarantine area- these 4 areas lie within our Storage Area - they are not separate areas within the facility. Access to this area will be controlled and limited to owners and authorized inventory management team members, whose job tasks and duties specifically require access to cannabis and cannabis-infused products.

Types of Product Storage:

1. **Ambient storage** is climate controlled specifically for cannabis and cannabis-infused products, such as concentrates, tinctures, balms, gummies, candy, flower and pre-rolls.
2. **Cold Storage** is also climate controlled at lower temperatures and is specific to edible medical cannabis-infused products, such as brownies, cookies, chocolates and cannabis-infused beverages.
3. The **Storage Vault** is where all currency generated from in-store and delivery sales will be kept until it is securely moved to another secure off-site location or financial institution. The storage vault complies with the DEA's security requirements for Schedule I Controlled Substances. The Storage Vault will have at least eight inches of reinforced concrete and 18-gauge structural studs made of galvanized sheet metal meeting requirements of ASTM A1003; 9-gauge, Type II, Class 1 carbon steel security mesh and attachment clips meeting ASTM F1267 on either side of the studs; and an interior covered by 49 UL and ULC Classified, Type X (per ASTM C1658), impact-resistant, moisture-resistant, non-combustible gypsum board tested to ASTM E136.

4. The **Quarantine Area** is where cannabis and cannabis-infused products that have been returned, have been tampered with, expired and/or recalled will be stored prior to being destroyed.

Providing segregated, secure storage for specific types of cannabis and cannabis-infused products will protect the products against degradation, adulteration and spoilage. Controlling the storage environment is consistent with industry best practices and protects the integrity and quality of the cannabis and cannabis-infused products. In order to maintain the security of the Product Storage area, the area will be installed with a comprehensive Electronic Access Control system (i.e. Biometric, RFID, Smartcard). Other security measures deployed to ensure the security of the Product Storage area include security surveillance cameras at the exterior and interior of the area, motion detection sensors, electronic access monitoring and motion detection lighting.

### **Delivery service procedures, number of vehicles and product security during transportation.**

#### **Anticipated Number of Vehicles**

Initially, Element 7 anticipates to have two (2) delivery vehicles. Element 7 is conscious of its greenhouse gas emissions, particularly from any vehicles used in day-to-day operations. Our preferred vehicle models are hybrid vehicles as we need the ability, for safety and security purposes, to operate a vehicle that runs on both electric and fuel options (i.e., in the event of an empty battery, the vehicle will also have fuel). Our preferred choice is the Hyundai Ioniq Hybrid Vehicle as it returns an impressive 58 miles per gallon in combined city/highway driving. Further, the vehicle is built with eco-friendly materials, user-friendly technology, and delivers great handling capability. It comes with plenty of cargo space, which allows us to install lockboxes to store cannabis products during transportation.

#### **Product Security During Transport**

Element 7 will strictly adhere to all rules, requirements and regulations regarding transportation of cannabis within the State of California. No deviation from those rules will be tolerated or allowed. The Head of Security will implement additional measures beyond the minimum requirements.

Element 7's delivery process begins when the delivery employee leaves the facility with the cannabis goods for delivery. The delivery process ends when the delivery employee returns to the facility after delivering the cannabis goods, or attempting to deliver the cannabis goods to the patient or customer (s). At no time will an Element 7 delivery employee engage in any activities except for cannabis goods delivery and necessary rest, fuel, or vehicle repair stops.

Vehicles used for delivery will not have any marking or other indications on the exterior of the vehicle that may indicate that the delivery employee is carrying cannabis goods for delivery. In the event that an employee leaves the vehicle unattended, he/she will ensure that the vehicle is locked and equipped with an active vehicle alarm system.

The order fulfillment boxes containing cannabis to be delivered to patients and customers will be verified, recorded and sealed. Once sealed they will be loaded into the lock boxes in the delivery vehicle. No order fulfillment boxes, lockboxes, or cannabis goods will be visible to the public. Cannabis goods will be locked in a fully enclosed box, container, or cage that is secured to the inside of the vehicle. No portion of the enclosed box, container, or cage shall be comprised of any part of the body of the vehicle or trailer.



### Global Positioning System (GPS)

All Element 7 vehicles will be outfitted with a dedicated Global Positioning System (GPS) device for identifying the geographic location of the delivery vehicle and recording a history of all locations traveled to by the delivery employee while engaged in delivery. The GPS device will be owned by Element 7 and used for delivery only. The device will be either permanently or temporarily affixed to the delivery vehicle and will remain active and inside of the delivery vehicle at all times during delivery. At all times, Element 7 will be able to identify the geographic location of all delivery vehicles that are making deliveries, and document the history of all locations traveled to and by a delivery employee while engaged in delivery.



### Cash Handling Procedures

Element 7 is currently undergoing compliance auditing with a FDIC Regulated Bank to become the bank's 3<sup>rd</sup> client to bank cash funds from dispensary operations with this bank. Element 7 expects this process to be completed in April 2020, with cash remittances to then be allowed thereafter. A checking account would be linked to this savings account allowing Element 7 to bank cash and write checks. Less than 1% of California's cannabis industry has legal and allowed access to banks. Internal Company policy has defined register cash limits. Cash limits identify when cash in registers need to be removed and place in the Secure Vault installed within the Main Office. Register cash limits are set at \$1,500.00. Once a register reaches \$1,500.00, transactions will not be processed, and the General or Assistant Manager will need to perform a Cash Drop. Cash Drops will be managed through FlowHub's system.

A BudTender will place a call to the General or Assistant Manager to request for a Cash Drop. The Manager will approach the register with a money bag and remove the cash. The cash drop action will be processed through the register and will require the PIN of the manager in order to be performed. Once the process is completed through the register, the cash is placed in the money bag and the till is closed, the Manager will be escorted to the Main Office by security. The Manager will perform a cash count before placing the cash in the money bag into the vault for safekeeping until a Pick-up with the contracted armored car agency is scheduled.



### Inventory Control Procedures

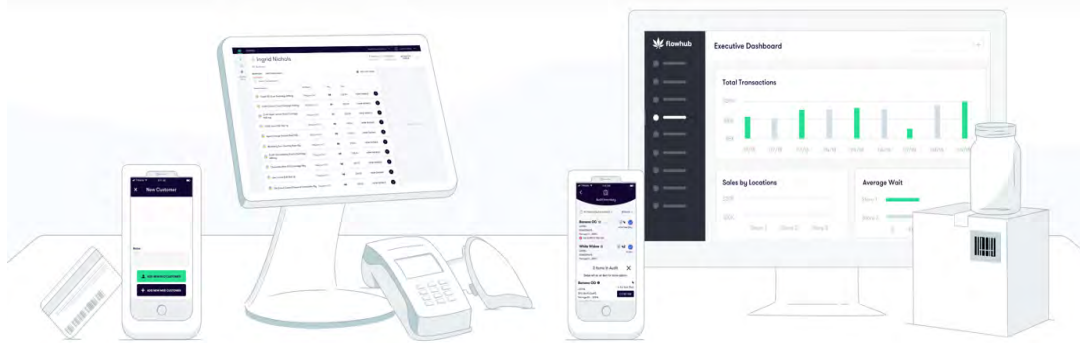
#### Inventory Management and Record Keeping Plans

Typical causes for inventory discrepancies are generally attributed to human error, such as misplacing items, double scanning items at checkout, scanning the wrong version, or flavor of an item, at checkout, failing to account for spoiled, expired or dropped products, and improperly processing returns. These scenarios are easily prevented by establishing robust policies and procedures surrounding inventory handling and management through our point-of-sale (POS) system, FlowHub.

**Point-of-Sale System & Track-and-Trace Software: FlowHub** – Our Company's preferred point-of-sale system (POS) is FlowHub, which we utilize across all our licensed dispensaries in California. FlowHub is a point-of-sale system that hosts and maintains the servers, databases and code that constitutes the point-of-sale system.







The system is customizable and compliant with local and state laws and regulations and is currently working towards obtaining their API integration key with METRC. The POS is custom-built and provides intuitive, reliable and scalable solutions for cannabis dispensaries.

FlowHub has streamlined data entry, inventory management and reporting by developing Stash, a mobile inventory management application that requires the use of a handheld scanning device that easily identifies, records and manages inventory. With Stash, performing manual reconciliations that involve counting items in every single package in product storage, or various rooms within a facility, is no longer a requirement, and reduces errors when performing reconciliations and reporting. In a highly regulated industry that depends on accurate reporting, being able to utilize state-of-the-art technology that can push/pull data, in real time, towards the State's mandated track and trace system is a powerful tool that ensures compliance and success.

Records pertaining to customer transactions, denials of sale, inventory acquisitions, management, movement, cannabis waste disposal, incident reports and corrective actions can be migrated from electronic devices that are used to perform functions through the POS onto our secure and encrypted cloud-based data system via file migration, which is facilitated by our data system.

### **Maintaining the Chain-Of-Custody (COC) through Effective Inventory Management**

Existing COC policies and procedures comply with State regulations and requirements. These policies include:

- Data and inventory management
- Recordkeeping and Reporting
- Customer transactions
- Preparing products for exit packaging
- Returns, exchanges and recalls
- Accepting and inspecting shipments
- Product handling
- Cleaning & sanitation procedures for product storage & cannabis waste storage
- Conducting daily inventory reconciliations and generating reports
- Inspections and audits
- Proper use and management of FlowHub, Stash, METRC and Tresorit

Policies for product handling cover how cannabis and cannabis-infused products will be securely moved throughout the facility to prevent diversion, theft, and loss. Record and Data policies also support the COC by preventing unauthorized intrusions that could lead to the mismanagement, use and alteration of critical personal and Company data and information. Inventory Management and Recordkeeping COC protocols require the use

of dual-factor authentication across all departmental actions through the POS. This means that owners, managers and employees will be required to personally authenticate actions before they can be executed in the POS.

Accountability throughout our Company, and across all tasks, is the foundation of a consistently compliant operation that diligently upholds the COC and the regulated cannabis market. Element 7 aims to be the most legal, licensed, controlled, compliant, tested and trusted cannabis company that the City of Lemon Grove could partner with for a retail cannabis dispensary.

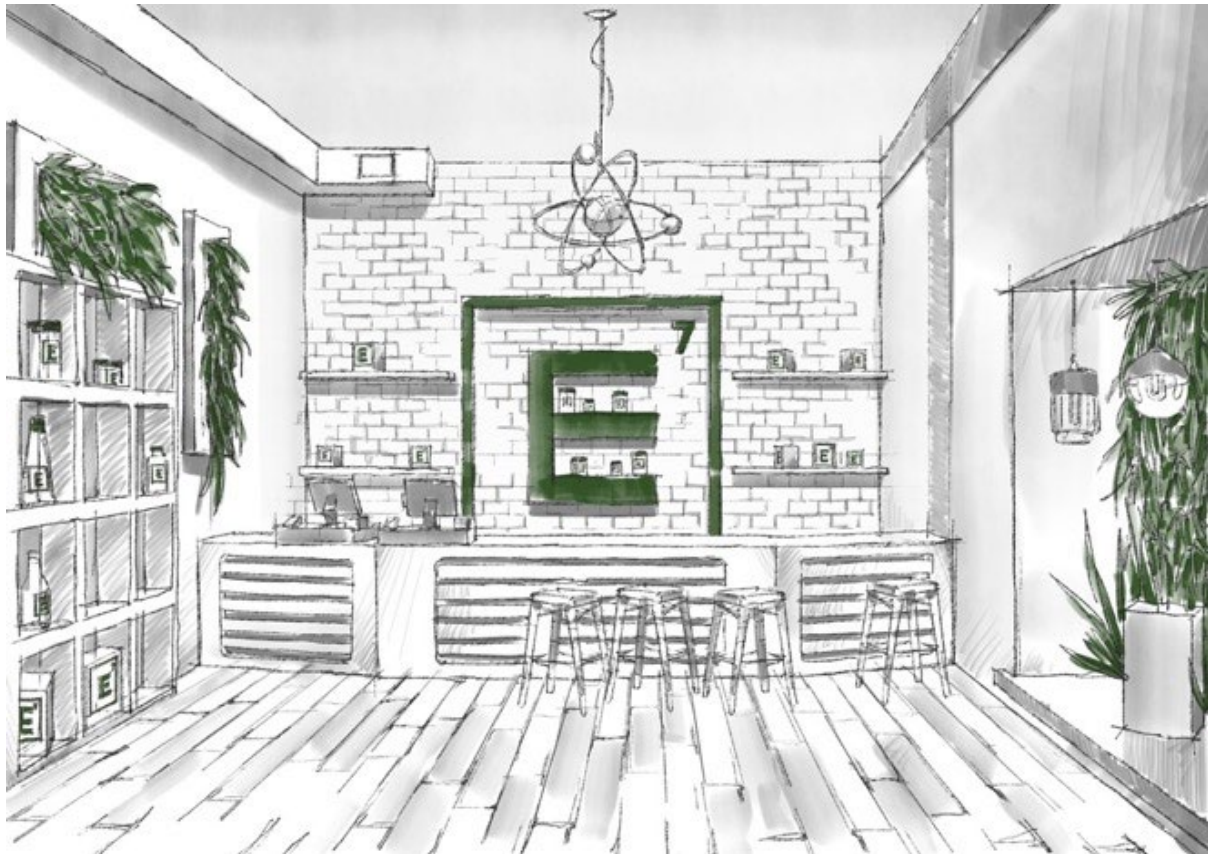
**We are California focused and ready to begin operations in Lemon Grove within months of a permit and license being approved and issued.**







## DISPENSARY OPERATING PLAN



### Introduction

Element 7 is holistic wellness. Cannabis consumers are looking for a more holistic healing, health, and wellness brand that focuses on the body, mind, soul, and spirit. The Element 7 brand aims to provide quality at an affordable price, allowing customers an immersive retail experience in a secure, relaxed, enjoyable and aesthetically pleasing environment.

Our **BudTenders** and **BudMasters** are among the highest trained and most skilled in the industry. Staff will undergo at least 80-hours of classroom based training before working within our retail outlet - that's five times the industry average (BDS Analytics reports that most retail staff in the industry receive up to 16 hours of training). Our BudMasters have over 200 hours of classroom based training behind them, and hundreds more working on our retail floor.



### **Floor Plan**

As we design the build-out and floor plans for our retail outlets, we work towards a standardized layout so that security operations, retail experiences, learning initiatives, and customer flow can be seamlessly integrated into one space.

An example of a typical floor plan is attached below. Specific plans for the site and dispensary are attached within the relevant section of this submission.

The Floor Plan below demonstrates our thinking, securing inventory in one secured area with limited staff access that serves both the retail storefront and non-storefront (delivery) business, a secured vault in the office space with no immediate external walls, ADA-compliant restrooms, separate entrances for staff and customers.

## Dispensary Operations

All customers must present valid identification card or a valid Medical Marijuana Identification Card (LGMC 17.32.050) to enter the Facility and must 18 years of age and have a valid physician's recommendation if they are a medical patient. Once inside, new customers will be required to register with the Facility and be offered the opportunity to join our Mailing List for further information and news. They will also be educated through the sign-up process on the potency and effects of cannabis.

Once inside the Dispensary, a range of shopping options from quick-serve grab-and-go, through to customized shopping guidance will be available. A range of products including flower, oils, edibles, topicals and lotions, and other products, all from State-Licensed Distributors will be available. We would look to price and push locally manufactured products over those from other Cities / Operators as this is good for business and good for the City from a tax perspective.

Patients will be able to order in-store or through our APP or Responsive Website (which adapts itself to the customer viewing environment – phone, tablet or desktop computer) – first time users will be ID verified and then required to run through a 3-screen educational component educating them on cannabis potency, absorption and effects. They will then have the option of selecting a range of cannabis products and being able to use our 'pick-and-go' service at the Retail Outlet which streamlines the purchase journey with the retail outlet.



## Training

Staff training sits at the heart of our business. Having an effective staff training program in place is critical for several reasons. Firstly, cannabis consumers look to in-store staff for purchase decisions more than any media channel, form of advertising or any industry news. Secondly, having an effective staff training program in place is critical



for compliant and legal operations. Finally, staff training is critical to personal development, hiring and retaining our best talent. Element 7 have secured Chloe Villano as a Strategic Advisor. Chloe is the President and Founder of Clover Leaf University, the first cannabis learning institute and academy in North America to receive University Accreditation from a Department of Higher Education's Private Occupational School Board. Clover Leaf University is the nation's first state-licensed Cannabis University and offers more than 25 stand-alone course certifications. Element 7 are in the preliminary stages of partnering with Chloe to bring Clover Leaf University to California in late 2019.

The Storefront (with Delivery) aspect of the business will be managed by a dedicated Head of Retail within Element 7 Lemon Grove, reporting to the General Manager of the local business.

The business management will be governed by a series of Standard Operating Procedures developed and implemented by Element 7, including:

- Labor & Employment Overview
- Employee Training
- Labor Peace Agreement
- Employee Processes
- Non-discrimination

*\*For purposes of this submission, we have emphasized our Employee Training Standard Operating Procedures.*

**Staff Training Policies**

POLICY NAME	EMPLOYEE TRAINING
<b>APPLICABLE LAW</b>	Pursuant to the Division of Labor Standards Enforcement, Title 8 regulations .
<b>POLICY OBJECTIVE</b>	To ensure Element 7 staff and executives significantly exceed industry training standards so that Element 7's understanding of the industry, customer and buying habits delivers a competitive business advantage. Our preferred partner is <b>Clover Leaf University</b> which is owned and operated by Element 7's Strategic Advisor, Chloe Villano.
<b>ELEMENT 7 CORE VALUE</b>	<i>'Excellence in Everything We Do'</i>
<b>SOP PROCEDURES</b>	<b>Employee Training</b> - Staff Training: Budtender Training Program - Pass Requirements

**Classroom Training Program**

Qualified candidates will be hired on a three-month probationary status. During this period, they will participate in a rigorous training process, and be evaluated for suitability in a restricted-access medical environment. Training will include the employee handbook, other reading materials, lectures by qualified professionals, hands-on training and quizzes.

According to BDS Analytics 2017 report 'Bud-tenders' in the industry received, on average, a total of 16 hours of training before commencing employment.

Element 7 employees will have received over **80 hours of training**, which is five (5) times the industry average prior to stepping foot on the floor. The following areas will be covered during training this 80 hours of training:

- Legal training will cover all City of Lemon Grove, State and Federal laws relating to cannabis, and especially those related to Commercial cannabis. Other topics will include the rules and regulations of the facility, sexual harassment training, effective interaction with law enforcement personnel, and the rights and responsibilities of Commercial cannabis consumers (**4 hours**)
- Product offerings (**12 hours**)
- Medical training will include disabled rights and sensitivity, how to identify and respond to a medical emergency, and the proper uses and benefits of Commercial cannabis (**8 hours**)
- Safety training, in addition to its focus on safety, will include warning signs of possible diversion to the illegal market, lock and alarm procedures, perimeter and entrance control, robbery response techniques, conflict resolution techniques and diversion detection techniques (**4 hours**)
- Element 7 business model and Customer Service Training (**4 hours**)
- Regulatory compliance (the applicability of Federal and State regulations to the employees' responsibilities) (**4 hours**)
- Training on Standard Operating Procedures (SOPs) (**12 hours**)
- Prevention of Diversion of Commercial cannabis (**8 hours**)
- Security procedures (**16 hours**)
- Safety procedures (**8 hours**)

Element 7 will implement a comprehensive series of trainings for all Company employees, on the overall business model and operations of Commercial cannabis products. Element 7 will train all employees to effectively and efficiently fulfill their duties and exceed the expectations of their positions, including a thorough understanding of all applicable Federal, State, and local regulations relating to Commercial cannabis operations.

All employees will gain a greater understanding regarding all aspects of Commercial cannabis production from propagation to point of sale, with an overview of SOPs across operations. Trainings are conducted strategically to ensure that all employees on-board effectively with a proven (tested) proficiency and increase their knowledge base.

Training will be conducted initially by the California Training Institute (CTI) until the Clover Leaf University is operational in California.



Clover Leaf  
University

### **Advanced Training Program (BudMaster)**

'Budtenders' working at Element 7 will be allowed to apply to undertake an Advanced Training Program annually which would allow them to hold the title of 'BudMaster' at Element 7.

The Advanced Training Program is adopted from LA Grants, a supplier of advanced certified training for the industry. The Advanced Training Program includes the following sections:

- Cannabis as Medicine
- Principles of Cannabinoid Therapy
- Use of Cannabis for Cardiovascular Disease
- Use of Cannabis for Respiratory Patients
- Use of Cannabis for Gastrointestinal Disease
- Use of Cannabis for Hematology / Oncology
- Use of Cannabis for Endocrine Issues
- Use of Cannabis for Gynecologic Issues
- Use of Cannabis for Musculoskeletal Issues
- Use of Cannabis for Neurological Issues
- Use of Cannabis for Dermatological Issues
- Use of Cannabis for Psychiatric Issues
- Cannabis Law
- Sales Skills 101
- Cannabis Potency, Absorption Rates & Product Effects
- Managing Impaired Patients
- Final Examination and Certification

In order to receive a BudMaster title, Element 7 BudTenders taking this program would need to receive a PASS mark of at least 80%. Training will be conducted by LA Grants until the Clover Leaf University is operational in California in 2019.

### **Americans for Safe Access Training**

All employees must complete the Patient Focused Certification Program given by Americans for Safe Access which shall be held annually.

### **Training Pass Score Requirements**

Staff training for regulation and compliance will be implemented annually and all staff must PASS required mandatory tests each year regarding the handling, treatment and processing of cannabis products.

Specific Compliance procedures will be implemented to ensure that the Commercial Cannabis operation meets any directives under Lemon Grove and the Attorney General's Guidelines for the Security and Non-Diversion of Cannabis.

Standard operating procedures as well as written health & safety information made available to all employees. A key part of the staff training program is understanding the potency, absorption rates and effects of cannabis, and dealing with impaired

customers. Supply of these documents will be reviewed for content and accuracy annually. The documents will include emergency contact information. All staff will have detailed knowledge and comprehension of the Standard Operating Procedures.

### **Management Model**

Element 7's operations plan is rooted in compliance and customer satisfaction. Led by the Dispensary Manager, using industry best practices, day to day operations will divide the dispensary's workforce according to different operational tasks, including reception and customer management, patient consultation, retail management, security, facility management, merchandising and inventory tracking.

Day to day operations will be overseen by Robert DiVito, as General Manager for the Facility, and a Head of Retail / Dispensary Manager that will be sourced from the local community and ideally has previous cannabis retail experience and other adjacent retail experience in the liquor, pharmaceutical, hospitality, or other regulated industries.

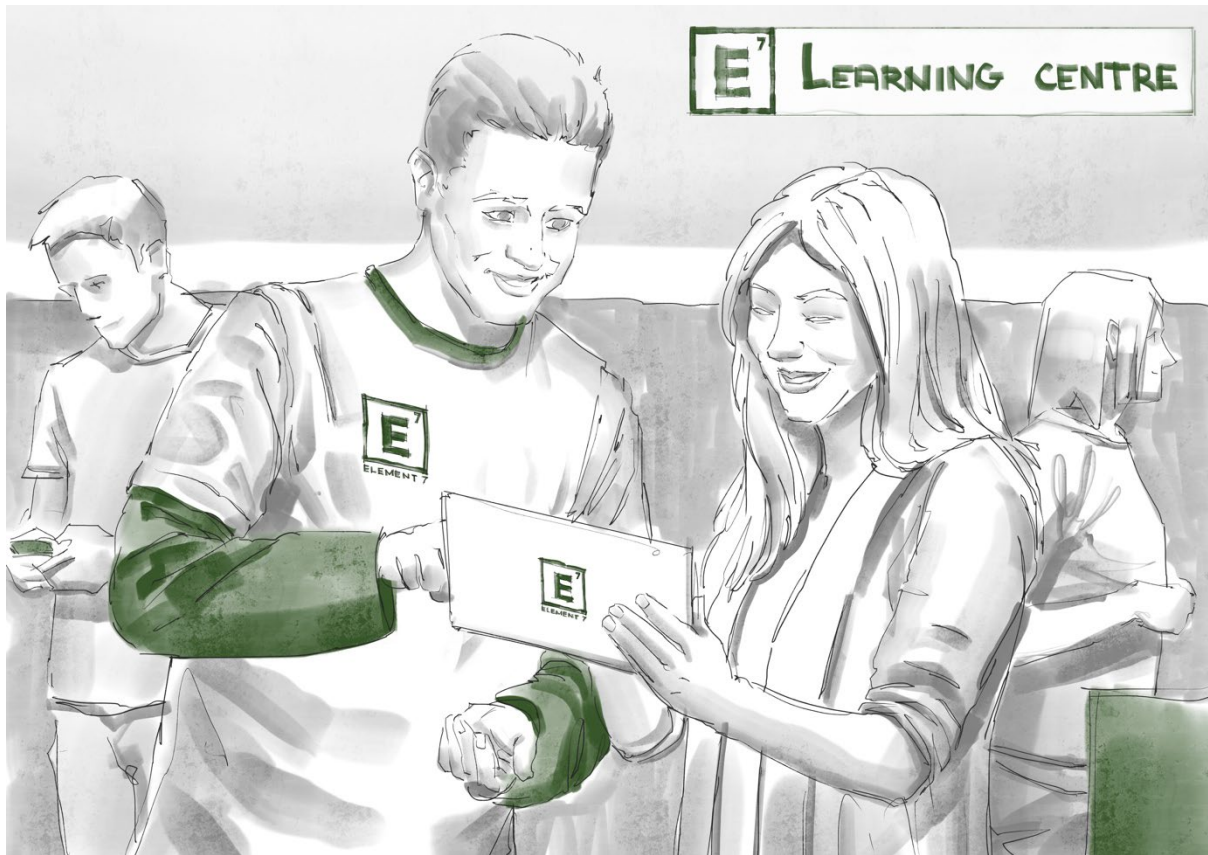
### **Dispensary Management**

- A Dispensary Manager and Dispensary Assistant Manager will oversee sales, inventory tracking, ordering, and all other day-to-day operations within the dispensary. The Dispensary Assistant Manager will set up daily specials and create bundle packages. Dispensary Assistant Managers will act as a second level of expertise for customers beyond Dispensary Technicians. When a Dispensary Technician is unable to answer a specific health and wellness question, application of cannabis, or company procedure, they will alert the Dispensary Assistant Manager for help.
- Dispensary Assistant Managers will have access to inventory controls to enable them to reconcile inventory levels, fix user-errors in the point of sale system, and purchase order bulk product into business management platforms. Dispensary Assistant Managers will respond to inquiries sent to Element 7's general information email address, oversee customer membership rewards / discounts, and reach out to vendors for purchasing wholesale flower and infused products.
- The Dispensary Assistant Manager will keep records for active inventory and back stock and report discrepancies to the Dispensary Manager. At the end of each business day, the Dispensary Assistant Manager will review the inventory reconciliation log prepared by the Dispensary Technician. The Dispensary Assistant Manager will then investigate discrepancies in physical and digital inventory levels. To ensure accuracy of records, the Flowhub platform will be reviewed on a daily basis by Element 7' Compliance department.
- The Dispensary Manager will be an expert in cannabis, its application for qualifying conditions, sales strategies, and customer service. The Dispensary Manager will oversee the daily operation of the dispensary. The Dispensary Manager will review all inventory reports and serve as the contact point for city officials, law enforcement officers, and state regulators. The Dispensary Manager will review daily inventory reports and any flagged items with irreconcilable discrepancies.
- As a best practice, the Dispensary Manager will report discrepancies in inventory to the City Chief of Police along with a description of the incident, probable causes, and with an explanation that the event did not occur



because of unlawful diversion (Lemon Grove Municipal Ordinance). Conversely, the Dispensary Manager will also handle reporting thefts and suspicious behavior to the City Chief of Police. The Dispensary Manager will schedule inspections, building maintenance, and work in coordination with the Facilities Manager, Heads of Security and Compliance, to ensure the dispensary is in good operational condition.

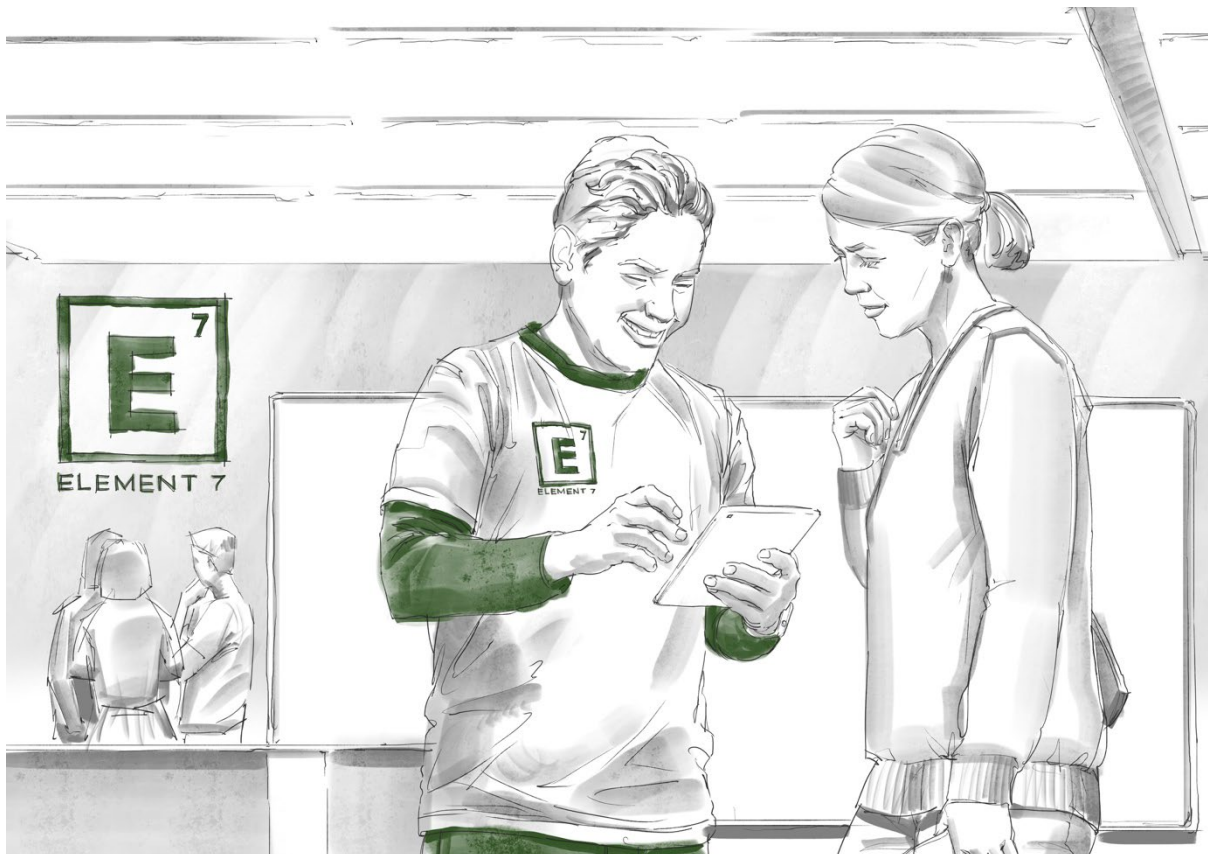
- The Dispensary Manager will hire employees to staff the dispensary and keep 90-day performance reviews for all employees. The Dispensary Manager will train employees on operations best practices and all company policies. As a resource for all dispensary employees, the Dispensary Manager will schedule employee work shifts and relay pertinent employment matters to the HR Director.
- The Dispensary Manager will manage daily finance operations within the dispensary and they will have exclusive access to the depository safe. As part of opening duties, the Dispensary Manager will count cash and other applicable payment receipts compiled from the previous day's operation. The Dispensary Manager will coordinate cash management services, including scheduling deposit pick-ups from a cash services company.
- As part of that process, Dispensary Managers will keep a manual deposit log. When the cash service provider enters the facility, the Dispensary Manager will prompt the representative to sign the log to verify the total deposit amount. The Dispensary Manager will keep money to be deposited in tamper-evident envelopes, then place the envelopes in puncture-proof, lockable bank bags. As an added precaution, only Dispensary Managers will transfer money to cash service providers. The Dispensary Manager will report deposits to Element 7's financial manager, who will integrate data into sales performance reports and budget forecasts.
- As a best practice, the Dispensary Manager, financial manager and head of operations will remain in constant contact to ensure the financial sustainability of dispensary operations.



### **BudTenders**

- Element 7 will prepare dispensary staff to accommodate all cannabis customers. Element 7 is a full-service store, where customers could conveniently access professional, attentive BudTenders and superior-quality cannabis. BudTenders will have knowledge of strains, infused products, and services that may help customers treat qualifying conditions. In addition to providing face-to-face consultations, BudTenders will navigate electronic data systems and manual logs to ensure all inventory is traceable and accounted for at all times.
- BudTenders will greet each customer by their preferred name, in a kind, inviting voice and with a pleasant attitude. After a friendly greeting, BudTenders will invite customers to express what brought them in for their visit. Some customers will eagerly express their motivation: the symptoms they experience, what products work, the potency they require, and at a specified price. Others will be more hesitant to reveal their condition, their experience (or lack thereof) with cannabis, or what they can expect to pay for cannabis products. Some customers may appear in good health, while others may clearly be suffering. As a best practice, BudTenders will quickly identify the appropriate tone of conversation for each customer. They will accomplish this by first asking customers, "Is this your first time in?" If so, the technician will recite a brief introduction to the company.
- Element 7 will be education-driven, and BudTenders will have a wealth of medical research, handouts, blogs, and publications on hand to best inform customers of the benefits and risks of cannabis. Technicians will answer all inquiries to the best of their ability, and when questions are outside their scope of knowledge, they will approach a manager to best accommodate the customer's request.

- BudTenders will keep active inventory away from back stock and organize active inventory in a way that is accessible and easy to navigate. Each BudTender will have a personal workspace that will include: a cash register and computer. When a customer selects a product, the BudTenders will write the order down. Then, the technician will search the inventory database for the requested product. The inventory tracking system will show the location of the product (active inventory or back stock). The BudTender will excuse himself or herself from the conversation to find the product. Upon returning with the product, the BudTender will ask the customer if they have any questions relating to applying or consuming it. To prevent diversion, the BudTender will place products out of the reach of customers while retrieving more products.
- When the BudTender completely fulfils the order, they will prompt the customer for payment. After payment is processed, the BudTender will offer a receipt. Then, before saying goodbye to the customer, BudTenders will invite customers to write a review of their experience on various social media accounts and mapping websites.
- BudTender opening duties will include preparing dispensing workspaces, turning on all computers, lights, and digital scales, setting up display shelves, ensuring adequate supply of active inventory, creating digital menus, and familiarizing with daily specials. At the end of each business day, BudTenders closing duties will include: closing cash registers, dropping deposits into the depository safe, reporting total sales to the Dispensary Assistant Manager, placing product in the storage vault, cleaning the service room and other limited access areas, logging out of business management platforms, counting merchandise, and turning off applicable electronics.



## Receptionist

- The Receptionist is the first point of contact that customers and customers will have with Element 7. The Dispensary Receptionist will have a thorough knowledge of California state laws and the Lemon Grove Municipal Code to best respond to all patient and customer inquiries. The Dispensary Receptionist will keep patient and customer identification data in a secure data management platform that will be stored in a secure off-site server.
- Element 7 will use industry best practices to best ensure Dispensary Receptionist job tasks are done in a compliant, timely, and effective manner.
- The Dispensary Receptionist will greet customers, caregivers, and visitors as they enter the dispensary, verify their identities, add customers and customers in the queue, grant customers and customers access to the retail sales outlet and manage the waiting room.
- As a liaison for customers and customers, the Dispensary Receptionist's foremost job duty is communicating information about the company and its products to qualified customers and adult-use customers. Receptionists will have digital and physical menus around workspaces to quickly reference product availability and pricing information, and they will keep reception areas free of clutter.
- Receptionists will verify medical recommendations for customers are correct and up-to-date, and adult-use customers have a valid State ID. They will also share with each patient Element 7's policy about patient and customer privacy and how to communicate to customers, caregivers and customers what information is shared with regulatory officials.
- Receptionists will convey this information in the form of patient and customer agreement forms, which the Receptionist will require each patient to sign before serving them. Patient agreement forms will include provisions that explain the consequences for falsifying medical or personal information. Patients and customers must agree to abide by all state and city regulations while on Element 7's premises.
- Patients and customers will only complete one agreement form and the Receptionist will log credentials into a secure digital network. Receptionists will encourage all customers and customers to include a phone number on their patient and customer agreement form to best reach them in case of emergency, or product recall.
- Receptionists will promptly enter contact information into business management platforms then file physical documents in a secure document storage area. Receptionists will access secure filing cabinets and use them to store completed patient and customer agreement forms. Before filing, the Receptionist will check the patient and customer agreement form for complete information, thus ensuring every patient and customer is aware of company policies before being served. To protect privacy, Receptionists will logout of all management networks before leaving the reception area.
- Receptionists will not let individuals under the age of 21 into the dispensary, nor will they dispense medical cannabis from reception areas.

- Receptionists will be proficient in data entry and word processing. When the dispensary has announcements on menu availability, changes in prices, or special events (e.g. holidays, road construction, or emergencies), Receptionists will prepare statements for release on social media and on printouts. Receptionists will use spreadsheet software to log non-sensitive patient information, including contact information, product preferences, patient “goes-by” names, membership status, birthdays (for deals), and text/email list preferences. To further protect privacy, Element 7 will position any Receptionist workspaces and computer screens to block passers-by from seeing information.
- Receptionists will assist with the daily cleaning of the dispensary. They will keep personal workspaces tidy and will maintain the waiting room and common areas (bathrooms and offices). Periodically throughout the day, Receptionists will prepare coffee and snacks for waiting customers, straighten furniture, disinfect surfaces, and remove waste/recycling from common areas. As part of end-of-day procedures, Receptionists will enter all outstanding patient data created throughout the business day into business management platforms. Before leaving the facility, Receptionists will file all paperwork, log out of all digital communication networks, clean work areas, and turn off applicable electronics.

### **Employee Screening Process**

Element 7 will manage Labor and Employment from multiple angles - a dedicated HR Specialist hired within Element 7 head office; the General Manager at the Facility, and a third party, HR Specialist consultant that will advise the business on aspects of employment law, HR principles and other labor related issues.

We know that in order to employ the best talent we must look beyond the resume and this is where our personalized and structured behavioural interviewing processes come into play. In previous businesses that we have operated and managed, we have developed a thorough interview and screening process using the most effective hiring practices and with the aid of our locally based employment agency we are confident in hiring the right person for the job, ensuring that our employees will greatly enhance the patient/customer experience and add tremendous value to Element 7. Prior cannabis, hospitality and retail experience is preferred, although not required.

We conduct extensive reference checks, considering the statistics, workplace violence, theft (an estimated 30 percent of business failures are related to employee theft), falsified resume applications etc. Criminal and background checks are an important part of our hiring process and all staff will require DOJ Background Checks and Live Scans.



### **Enhanced Retail Experience**

The Facility will have full climate-control systems installed. Within the main retail area of the Facility, the front-entry doors will be motion-controlled, closing within 5-seconds of opening.



Ambient room temperature will be managed and maintained with ceiling-mounted air-conditioners that allow the temperature to remain at a steady temperature of 68 degrees Fahrenheit, a temperature that studies (Engbrocks, Stephanie. The Impact of Temperature on a Consumer's Shopping Experience, 2008), have found that consumers prefer while shopping in a retail outlet.

Ceiling-mounted air conditioners will also ensure that air circulates through the store so that the store doesn't become stale or too humid on wet summer days.

The Applicant is cognizant of the fact that climate-control systems are important for the overall shopping experience of the customer.

Storage-areas will be fully climate controlled to ensure that product is stored at the optimal temperature for product safety and shelf-life management.



### **Customer Flow Management: Internal Space**

In order for the Dispensary to be successful and build a loyal customer base, it is vital that we have a robust plan in place to acquire, retain, and reward customers, as well as managing customer flow and traffic within the store at peak times.

With a potential customer base of approximately 150,000 cannabis consumers living within 10-miles of the Dispensary. If 15% of these customers visited Element 7 Lemon Grove once a month, we would have 3,300 regular customers who we estimate would visit our Dispensary 1.7 times a month. That delivers approximately 200 customers a day.

Two key aspects we keep in mind when managing this daily customer base are:

- Implementing the optimal dispensary layout for revenue management and maximization, and
- Understanding customer flow to deliver the best customer experience.

Both of these points are essential in allowing us to keep a flow of customers moving through the dispensary, and avoid customers lingering outside the facility.

With our dispensary occupying 5,080 square feet (70% of this is dedicated to retail floor space), we would have a maximum occupancy of 35 customers at any one time (based on the California Building Code for Retail Sales Stores on Basement or Ground Levels at 30 square feet per customer). With a 50% load factor applied to this (for customer comfort), we would have a **maximum desired occupancy of 35 customers at any one time.**





### **Store Layout to Assist Customer Flow**

Based on our experience with our other dispensaries, we monitor the number and patterns of customers at our various locations via closed-circuit television and analysing purchase data information via TouchBistro.

Our goal is to keep our customers excited about visiting our dispensary, and we will keep this excitement going by constantly introducing new products, strains, educational classes and exclusive merchandise. As such, promotions will be located in the dispensary's high traffic areas, and high-profit products will be staggered in busy areas or the dispensary and high demand items will be in low traffic areas, such as at the back of our dispensary allowing us to draw customers all the way through the dispensary.

Element 7's free-flowing layout will allow us to strategically group products, merchandise and other items throughout the store in a free-flowing pattern, allowing the customer to enjoy the space, while at the same time constantly noticing our placement of products.

### **Parking Management**

Customer off-site parking will be minimized by developing on-site parking for up to 12 vehicles. In addition, the site has excellent proximity to public transport (buses and trains) and freeways.



**Site Management Plan**

The Standard Operating Procedures for the Management of the Premises include for the daily inspection of the outer area of the building for trash, graffiti and any other unsightly issues. Any dumped trash or litter will be collected and placed into Element 7's dumpster for collection by the City Council, and any graffiti will immediately be removed by re-painting.

The responsibility of daily inspections will be assigned to the General Manager who will open the premises each day.

A selection of paints and paint brushes will be stored on site to rectify any issues. The interior of the building will also be inspected by the Head of Retail each day at the start of the shift to ensure the walls and floors are free from scuff marks, all lights are working, all door locks are in good working condition, all cameras are operational as required, and that all trash and litter is removed from the premises. Any maintenance issues will immediately be logged and reported to the General Manager.

**Streetscape and Minors**

The exterior architecture of the premises will be designed in such a way so that the premises first of all fit naturally within the broader streetscape of the neighborhood and has a minimum seventy-five percent (75%) transparency along the façade in accordance with the City of Lemon Grove Municipal Code.

We are absolutely mindful that minors and children live in the neighborhood and will responsibly ensure that we don't have any visible cannabis branding or products that could be seen from the exterior of the building pursuant to the Lemon Grove Municipal Code.

**SITE OPERATING POLICIES**

POLICY NAME	FACILITY RESTRICTIONS
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<b>APPLICABLE LAW</b>	Pursuant to the California Code of Cannabis Regulations §5039 and City of Lemon Grove Municipal Code, Element 7 officers, management, and staff will adhere to both local and state laws and regulations as it relates to running a compliant dispensary (with delivery) facility in the City of Lemon Grove.
<b>POLICY OBJECTIVE</b>	To ensure that the Element 7 facility remains in compliance with the City of Lemon Grove rules and regulations, as it relates to building signage, advertising, on-site consumption and permit visibility.
<b>ELEMENT 7 CORE VALUE</b>	<i>"Make Compliance an Advantage"</i>
<b>SOP PROCEDURES</b>	<b>Facility Restrictions</b>

**Facility Restrictions**

- On-site consumption of cannabis is prohibited at all times by all individuals on the property.
- No cannabis or cannabis products or graphics depicting cannabis or cannabis products will be visible from the exterior of the business premises, or on any of the vehicles owned or used as part of the business.
- Each entrance will be visibly posted with a clear and legible notice indicating that smoking, ingesting, or otherwise consuming cannabis on the premises or in the areas adjacent to the commercial cannabis business is prohibited.
- The original copy of the commercial cannabis business permit issued by the City will be posted inside the business premises in a location readily visible.

<b>POLICY NAME</b>	<b>HOURS OF OPERATION</b>
<b>APPLICABLE LAW</b>	Pursuant to the California Code of Cannabis Regulations §5403, Element 7 officers, management, and staff will adhere to both local and state laws and regulations as it relates to running a compliant dispensary (with delivery) facility in the City of Lemon Grove.
<b>POLICY OBJECTIVE</b>	To create a successful and fully compliant (dispensary (with delivery) operation which allows Element 7 to serve the needs of its customers, primary caregivers and customers during the hours of operation.
<b>ELEMENT 7 CORE VALUE</b>	<i>"Consistency is Everything"</i>
<b>SOP PROCEDURES</b>	<b>Hours of Operation</b>

Pursuant to LGMC 17.32.090 (6)(c), 17.32.110 and BCC requirements, the proposed main hours of operation for the Facility will be between 7am and 10pm:

7am – 8am: Daily Cleaning (Dispensary)  
8am – 8pm: Dispensary Operations  
9am – 10pm: Delivery Operations

<b>POLICY NAME</b>	<b>OPENING AND CLOSING PROCEDURES</b>
<b>APPLICABLE LAW</b>	An Element 7 Internal Practice.
<b>POLICY OBJECTIVE</b>	To ensure that Element 7 managers and staff adhere to a streamlined system for day-to-day operations at the retail facility.
<b>ELEMENT 7 CORE VALUE</b>	'Consistency is Everything'
<b>SOP PROCEDURES</b>	<b>Daily Business Schedule</b> - Opening Procedures - Mid-day Procedures - Closing Procedures

### **Daily Business Schedule**

The following proposed schedule represents the general daily tasks that will take place at the business location.

#### **Opening Procedures**

- The Manager will unlock the Dispensary and Offices section of the business each morning at 7am.
- The Manager will be accompanied by a security guard when unlocking and entering the business (a guard will be at the premises 24 hours a day).
- Upon entering the building, the Manager will conduct the following tasks:
  1. Disarm the alarm
  2. Turn on all lights
  3. Check the phone for messages
- The Head of Retail will be scheduled to arrive approximately 15 minutes after the Manager at 8am each day. Once the employees arrive, they will be responsible for managing their own departments and operations, reviewing inventory levels, monitoring and checking overnight data, preparing upcoming schedules for the day and week, and assigning employees to tasks as they arrive for work.

#### **Mid-Day Procedures**

- Throughout the workday, the manager may conduct the following tasks:
  1. Assist employees with processing orders and ensuring that they are properly designated/assigned.
  2. Update the track-and-trace system as necessary.
  3. Receive shipments with the assistance of another employee.
- Salespersons will be responsible providing excellent customer service and processing orders.
- During operating hours, the security guard will be walking the perimeter of the property and present in the facility, from time- to-time.

**Closing Procedures**

- The General Manager will ensure that all cannabis and cannabis products are securely stored.
- The facility be dusted, sweep, mopped, etc. as needed.
- The General Manager will ensure that all doors, safes, and vaults are locked and secured.
- All benches and surfaces will be cleaned and wiped. All equipment will be turned off and cleaned.
- All non-cannabis trash will be taken to the dumpster and sorted for recycling.
- All lights will be shut off.
- The General Manager will arm the alarm.
- The General Manager will lock and exit the building.

The General Manager will be accompanied by a security guard when locking and exiting the retail store. The security guard will escort the General Manager to their car.

POLICY NAME	AGE RESTRICTION AND VERIFICATION
<b>APPLICABLE LAW</b>	Pursuant to the California Code of Regulations §5031, §5400, §5404 and §5415 Element 7 directors, officers and management will adhere to both local and state laws and regulations as it relates age restrictions at the dispensary (with delivery) facility in the City of Lemon Grove.
<b>POLICY OBJECTIVE</b>	To protect children and young adults from entering the Element 7 facility, and ensure that all customers, primary caregivers, customers and employees meet both the local and state age requirements.
<b>ELEMENT 7 CORE VALUE</b>	<i>"Make Compliance an Advantage"</i>
<b>SOP PROCEDURES</b>	<b>Employee Age Restriction Age Verification</b>

### **Employee Age Restriction**

- Element 7 will not employ or retain persons under 21 years of age.

### **Age Verification**

- Electronic age verification will be utilized to determine the age of any individual attempting to purchase cannabis goods. All employees will be instructed on its use.
- Cannabis will not be sold to the public without electronic age verification.
- Dispensary employees will verify the age and identity of the recipient of the cannabis goods at purchase.
- Cannabis goods will only be received by the customer. The employee will scan the patient's valid identification card and physician's recommendation to verify that the individual is 18 years of age or older. At no time will employees dispense medical marijuana to an individual qualified patient or primary caregiver more than once a day is prohibited pursuant to Section 17.32.090(C)(7)(a).

POLICY NAME	SIGNAGE POLICIES
<b>APPLICABLE LAW</b>	Pursuant to the California Code of Regulations §5040 (b); Business and Professions Code §5200 and the City of Lemon Grove LGMC 17.32.090 (D)(i-ii), the Element 7 facility will adhere to both local and state laws and regulations as it relates to signage in the City of Lemon Grove.
<b>POLICY OBJECTIVE</b>	To inform visitors, contractors, customers, primary caregivers, customers and staff of Element 7' protocols both inside the facility, and the area surrounding the facility.
<b>ELEMENT 7 CORE VALUE</b>	'Make Compliance an Advantage'
<b>SOP PROCEDURES</b>	<b>Signage Policies</b>

### **SIGNAGE POLICIES**

Element 7 will install facility signage once approved by the City of Lemon Grove, such as the main building sign, in a manner that clearly establishes it is a dispensary, but is not overly obtrusive, obstructive, or offensive in nature.

The following signage will be displayed prominently within the business in measurements of not less than 8 x 10 inches in a minimum of 24-point font, stating:

1. "The sale of cannabis without a State license is illegal."
2. "Smoking, ingesting or consuming medical marijuana on the premises or in the vicinity of the dispensary is prohibited unless specifically authorized within the governing conditional use permit."
3. "No one under the age of eighteen shall be allowed on the premises, unless they are a qualified patient or a primary caregiver."
4. "The hours of operation for an authorized *dispensary* shall be limited to between eight a.m. to eight p.m. or as specified within the conditional use permit."
5. "No individual under the age of 18 will be allowed to enter the premises."

This signage is designed to ensure that customers are managed and aware that ingesting or smoking any cannabis products in the immediate vicinity of the building is not allowed, thus limiting the impacts on surrounding businesses, and their concerns.



<b>POLICY NAME</b>	<b>TRACK AND TRACE</b>
<b>APPLICABLE LAW</b>	Pursuant to the California Code of Regulations § 5048-5051; Business and Professions Code Section 26013, 26067, 26070, 26160 and 26161.
<b>POLICY OBJECTIVE</b>	To ensure that any cannabis handled, managed or sold by Element 7 is tracked and traced at every point of the inventory management process.
<b>ELEMENT 7 CORE VALUE</b>	'Trusted'
<b>SOP PROCEDURES</b>	<b>Track and Trace Operations</b> <ul style="list-style-type: none"> <li>- Service Provider</li> <li>- Track and Trace Systems Procedures</li> <li>- Track and Trace Data</li> <li>- Destruction and Disposal of Cannabis</li> <li>- Loss of Connectivity</li> <li>- System Reconciliation</li> </ul>

### **Track and Trace System Provider**

Element 7 uses **Flowhub** as its primary point-of-sale or management inventory tracking system to track and report on all aspects of the commercial cannabis business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale), time and date of each sale, etc.

### **Track and Trace Procedures**

- Element 7 will have in place a point-of-sale or management inventory tracking system to track and report on all aspects of the commercial cannabis business including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale), time and date of each sale, etc.
- All transactions will be entered into the track and trace system by 11:59 p.m. Pacific Time, on the day the transaction occurred.
- Element 7 will only enter and record complete and accurate information into the track and trace system and will correct any known errors entered into the track and trace system immediately upon discovery.
- Element 7 will record in the track and trace system, all commercial cannabis activity, including any:
  1. Packaging of cannabis goods.
  2. Sale of cannabis goods.
  3. Transportation of cannabis goods to a licensee.
  4. Receipt of cannabis goods.
  5. Return of cannabis goods.

6. Destruction and disposal of cannabis goods.
  7. Laboratory testing and results.
  8. Any other activity as required by any other licensing authority.
- The following information will be recorded for each activity entered in the track and trace system:
    1. Name and type of the cannabis goods.
    2. Unique identifier of the cannabis goods.
    3. Amount of the cannabis goods, by weight or count.
    4. Date and time of the activity or transaction.
    5. Name and license number of other licensees involved in the activity or transaction.
    6. If the cannabis goods are being transported Element 7 will transport pursuant to a shipping manifest generated through the track and trace system as well as:
      - a) The name, license number, and premises address of the originating licensee.
      - b) The name, license number, and premises address of the licensee transporting the cannabis goods.
      - c) The name, licensee number, and premises address of the destination licensee receiving the cannabis goods into inventory or storage.
      - d) The date and time of departure from the licensed premises and approximate date and time of departure from each subsequent licensed premises, if any.
      - e) Arrival date and estimated time of arrival at each licensed premises.
      - f) Driver's license number of the personnel transporting the cannabis goods, and the make, model, and license plate number of the vehicle used for transport.

### **Destruction and Disposal of Cannabis**

- If cannabis goods are being destroyed or disposed of, the licensee will record in the track and trace system the following additional information:
  1. The name of the employee performing the destruction or disposal.
  2. The reason for destruction or disposal.

3. The name of the entity being used to collect and process cannabis waste.
- Description for any adjustments made in the track and trace system, including, but not limited to:
    1. Spoilage or fouling of the cannabis goods.
    2. Any event resulting in exposure or compromise of the cannabis goods.
    3. Any other information as required by any other applicable licensing authorities.

**Loss of Access**

- If at any point Element 7 loses access to the track and trace system for any reason, Element 7 will prepare and maintain comprehensive records detailing all commercial cannabis activities that were conducted during the loss of access.
- The licensee will both document and notify licensing authorities immediately:
  1. When access to the system is lost;
  2. When it is restored; and
  3. The cause for the loss of access.
- Element 7 will submit the Notification and Request Form, BCCLIC-027 when connectivity is lost.
- Once access is restored, all commercial cannabis activity that occurred during the loss of access will be entered into the track and trace system within three (3) business days of access being restored.
- Element 7 will not transport, transfer or deliver any cannabis goods until such time as access is restored and all information recorded in the track and trace system.

**System Reconciliation**

Element 7 will reconcile the physical inventory of cannabis goods at the licensed premises with the records in the track and trace database at least once every 14 days. If Element 7 finds a discrepancy between its physical inventory and the track and trace system database, the licensee will conduct an audit.

POLICY NAME	RECORDS RETENTION
APPLICABLE LAW	Pursuant to California Code of Regulations §5037 and §5426. Element 7 management and staff will adhere to both local and state laws and regulations as it relates to record retention in the City of Lemon Grove.

<b>POLICY OBJECTIVE</b>	To ensure that Element 7 management, officers and employees keep and consistently maintain all records related to commercial cannabis activity at the premises.
<b>ELEMENT 7 CORE VALUE</b>	'Accountability'
<b>SOP PROCEDURES</b>	<b>Record Overview</b> - Record Retention - Employee Records - Patient Records - Records Management

### Records Retention

Element 7 will keep and maintain the following records related to commercial cannabis activity for at least seven years:

- **Financial Records** including, but not limited to, bank statements, sales invoices, receipts, tax records, and all records required by the California Department of Tax and Fee Administration.
- **Personnel Records** including each employee's full name, social security or individual taxpayer identification number, date employment begins, and date of termination of employment if applicable.
- **Training Records** including but not limited to the content of the training provided, and the names of the employees that received the training.
- **Contracts** with other licensees regarding commercial cannabis activity, including the source(s) of all products.
- **Permits, Licenses, and Other Local Authorizations** to conduct the licensee's commercial cannabis activity.
- **Security Records** except for surveillance.
- **Cannabis Records** relating to the composting or destruction of cannabis goods.
- **Documentation for Data** or information entered into the track and trace system.
- **Other Documents** prepared or executed by an owner or his employees or assignees in connection with the licensed commercial cannabis business.
- **Accurate Books and Records** in an electronic format, detailing all of the revenues and expenses of the business, and all of its assets and liabilities.
- **Employee Register** containing the names and the contact information (including the name, address, and telephone number) of anyone owning or holding an interest in Element 7, and separately of all the officers, managers, employees, and agents currently employed or otherwise engaged by Element 7.

- **Accurate Record of Sale** for every sale made to a customer. A record of a cannabis goods sale will contain the following information:
  - a) The first name and employee number of the retailer employee who processed the sale;
  - b) The first name of the customer and a retailer assigned customer number for the person who made the purchase;
  - c) The date and time of the transaction;
  - d) A list of all the cannabis goods purchased, including the quantity purchased; and
  - e) The total amount paid for the sale including the individual prices paid for each cannabis good purchased and any amounts paid for taxes.

### **Employee Records**

Element 7 will keep the following records of each of its employees on file at the premises of the business:

- Name, address, and phone number of the employee;
- Age and verification of employee. A copy of a birth certificate, driver's license, government issued identification card, passport or other proof that the employee is at least twenty- one (21) years of age must be on file with the business;
- A list of any crimes enumerated in California Business and Professions Code Section 26057(b)(4) for which the employee has been convicted;
- Name, address, and contact person for all previous employers of the employee for the last ten (10) years, including, but not limited to, all employers from which the employee was fired, resigned, or asked to leave and the reasons for such dismissal or firing;
- The fingerprints and a recent photograph of the employee;
- Verification that the employee is a qualified customer or primary caregiver, if applicable.

### **Patient Records**

Patient record keeping is an integral component in the cannabis space. Once a patient enters the dispensary, they are greeted by a receptionist who is responsible for gathering the patients information (i.e. Name, DOB, phone number) in addition to the patients medical card and/or physicians recommendation. If the patient has a hard copy of the physicians recommendation, an Element 7 employee will make a copy of the recommendation and upload the document to our secured intake platform. In accordance with HIPPA regulations patient records will not be accessible by employees without the proper designation.

Element 7 maintains patient records in a manner that allows the records to be produced for licensing authorities at the licensed premises in either hard copy or

electronic form. Records shall be maintained off-site, in electronic form on a secure SSL-encrypted server and secured and verified by the Head of Compliance for Element 7 as needed (consistent with requirements pertaining to patient confidentiality pursuant to applicable state and federal law).

All records required to be maintained by the business will be maintained for no less than three (3) years and are subject to immediate inspection by approved City Officials.

**Financial Records**

An appropriate Financial Software (e.g., QuickBooks) shall be installed and mandated for use by Element 7 with all revenues, expenses, assets and liabilities, accounted for. Annual records (or as requested) shall be made available to the City detailing all sales revenue on a per month basis. Taxes shall be estimated at agreed City rates and paid on time to all Local and State Tax Authorities.

<b>POLICY NAME</b>	<b>COMPLIANCE MANAGEMENT</b>
<b>APPLICABLE LAW</b>	An Element 7 Internal Policy.
<b>POLICY OBJECTIVE</b>	To ensure all requirements for dispensary (with delivery) in the City of Lemon Grove are implemented properly and are in alignment with the City's requirements.
<b>ELEMENT 7 CORE VALUE</b>	<i>'Make Compliance an Advantage'</i>
<b>SOP PROCEDURES</b>	<b>Managing Compliance with Local and State Laws</b>

### **Managing Compliance with Local and State Laws**

The General Manager is the head of the business and all commitments thereunder including ensuring that all commitments to the City and State are being met. Element 7 will ensure that all obligations, taxes, fees and other operational procedures are in place.

Specifically, the General Manager will also ensure the following compliance measures take place:

- Providing all necessary information and reports to local and state regulatory agencies;
- Monitoring reports from the inventory control system;
- Tracking any discrepancies between known or expected values, counts, weights or other information back to the source of the error;
- Providing input and implementing changes to protocols to correct errors, and/or other deficiencies in the Facility operations;
- Monitoring shipping manifests, inventory levels, inventory weight amounts, and other seed to sale tracking information;
- Interfacing with Security;
- Engaging local counsel when necessary; and
- Any other responsibilities required by management.
- Element 7 will authorize the city, its agents and employees, to seek verification of the information contained within the application as required by Section 17.32.090(C)(6)(a).

<b>POLICY NAME</b>	<b>PERMIT DISPLAY POLICY</b>
<b>APPLICABLE LAW</b>	Pursuant to the California Code of Regulations §5039 and the City of Lemon Grove Municipal Code Element 7 management will comply with both local and state regulations pertaining to the display of permits and department licenses.
<b>POLICY OBJECTIVE</b>	To ensure that all local and state permits and licenses are properly displayed at the facility, in a manner requested by both licensing authorities.
<b>ELEMENT 7 CORE VALUE</b>	<i>'Make Compliance an Advantage'</i>
<b>SOP PROCEDURES</b>	<b>Permit Display</b>

### **Permit Display**

The original copy of any Cannabis Business Permit issued by the City pursuant to the City of Lemon Grove Cannabis Ordinance, will be posted adjacent to the Lobby Entrance located at the Facility (Lemon Grove Insert Municipal Code).

Element 7 understands that Permits will be required to renew every 12 months with both the City of Lemon Grove and State of California.

Filings will be placed at least 60 days before the existing Permit expires.

All applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such commercial cannabis business intends to establish and to operate will be obtained by Element 7 prior to any operations commencing.

### **Inventory Management/Recordkeeping Plan**

The success of our operations in other regulated cannabis markets is due in part to the fact that we have developed efficient teams, policies and procedures that ensure compliance, an unbroken chain-of-custody (COC) and transparency. Where inventory and recordkeeping are concerned, we have assembled a team of individuals that oversee inventory management and recordkeeping. Having a dedicated team of individuals localizes actions and tasks related to inventory management and recordkeeping to a select group of employees, which minimizes the risk of diversion, re-distribution of products, theft, loss, and other related criminal activity. The Inventory Manager heads this department and is tasked with ensuring that team members comply with our Element 7's policies and procedures.

### **Protocols**

#### **Inventory Management Quality Control Standards**

Policies and procedures are developed to maintain compliance with applicable state regulations and industry best practices as they pertain to inventory management and recordkeeping. It is imperative to deploy control and assessment measures for these policies and procedures to ensure that they maintain compliance and efficiency. Element 7's quality control standards provide reasonable assurance that the policies and



procedures are sufficient in attaining the objectives of compliant and efficient inventory management and recordkeeping.

A system of quality control consists of policies designed to achieve the objectives of the system and the procedures necessary to implement and monitor compliance with those policies. The nature, extent, and formality of our quality control policies and procedures will depend on various factors such as: a properly functioning POS, effective departmental structuring, employee adherence to policies and procedures, successful and uninterrupted integration with BioTrack, effective troubleshooting, strict monitoring, and robust data storage, encryption, and security.

### ***Elements of the Quality Control System***

The elements that directly affect the quality control system include:

1. Leadership responsibilities for quality control within the Element 7
2. The Inventory Manager (IM) assumes responsibility for the implementation of policies and procedures by the Inventory Management Team.
3. Compliance with state regulations and industry best practices.
4. Policies and procedures have been assessed and deemed compliant with state regulations and generally accepted industry best practices.
5. Assessments, monitoring, and reporting.
6. The IM will conduct intermittent assessments and monitor the efficacy and efficiency of the policies and procedures as they have been written and create reports attesting to assessments that are made.
7. Training on regulations, SOPs and applicable skills.
8. Inventory Management Team Members (Team) will receive comprehensive training on applicable state regulations as they pertain to this department, as well as training on Element 7 operating policies and procedures and skills necessary to perform their jobs and assigned tasks.
9. Strict adherence to policies and procedures.
10. The IM and the Team will strictly adhere to the policies and procedures as they have been written and will not deviate from the policies and procedures unless extenuating circumstances require alternative actions that are more appropriate for the task at hand. Any deviations will be recorded, assessed and monitored to ensure that compliance and efficiency are not compromised.
11. Individual Performance Assessments.
12. Team members will be assessed at the discretion of the IM. Individual Performance Assessments will be used to determine if team members are meeting their Key Performance Indicators.
13. Incident management and corrective actions.
14. Policies and procedures are designed to provide order, efficiency and reduce risks related to tasks or objectives that a system has been designed to perform. Although regulations and best practices do not often change, systems encounter unforeseen risks and require updates. In the event that policies and procedures fail to consistently comply with regulations and provide efficient solutions, incident reports will be examined and corrective actions will be taken to improve the flawed or inadequate policies and procedures.
15. Reporting.
16. Any assessments, corrective actions and revisions made to policies and procedures will be properly documented in a format designed by the Element 7. Revisions to policies and procedures will be added to existing policies and procedures with notations on the changes found in the Attachment to the SOPs.
17. Point-of-Sale System (POS).

Harnessing technology to provide an intuitive POS is mandatory. Continually working with our POS provider will allow us to develop our operating system to meet the needs of the industry, regulations and our operations. Data Storage, Encryption and Security standards will be met to provide for secure and encrypted data management, storage and access that safeguards the confidentiality, safe custody, integrity, accessibility, and retrievability of confidential and proprietary information.

### **Maintaining the Chain-Of-Custody (COC) through Effective Inventory Management**

Existing COC policies and procedures from will be revised to comply with State regulations and requirements. These policies include:

- Data and inventory management
- Recordkeeping and Reporting
- Customer transactions
- Preparing products for exit packaging
- Returns, exchanges and recalls
- Accepting and inspecting shipments
- Conducting daily inventory reconciliations and generating reports
- Inspections and audits
- Proper use and management of FlowHub, Stash, BioTrack THC and Tresorit
- Product handling
- Cleaning and sanitation procedures

Policies for product handling cover how cannabis and cannabis-infused products will be securely moved throughout the facility to prevent diversion, theft, and loss. Record and Data policies also support the COC by preventing unauthorized intrusions that could lead to the mismanagement, use and alteration of critical personal and Element 7 data and information. Inventory Management COC protocols require the use of dual-factor authentication across all departmental actions through the POS. This means that owners, managers, and employees will be required to personally authenticate actions before they can be executed in the POS. Accountability throughout our Element 7, and across all tasks, is the foundation of a consistently compliant operation that diligently upholds the COC and the regulated cannabis market.

### **Inventory Control Department**

The success of our operations in other regulated cannabis markets is due in part to the fact that we have developed efficient teams, policies and procedures that ensure compliance, an unbroken chain-of-custody (COC) and transparency. Where inventory and recordkeeping are concerned, we have assembled a team of individuals that oversee inventory management and recordkeeping. Having a dedicated team of individuals localizes actions and tasks related to inventory management and recordkeeping to a select group of employees, which minimizes the risk of diversion, theft, loss and other related criminal activity. The Inventory Manager heads this department and is tasked with ensuring that team members comply with our Element 7's policies and procedures.

### **Assigning an Agent-in-Charge**

The Inventory Manager (IM) will act as the assigned Agent-in-Charge (AIG). As the AIG, he or she will be tasked with overseeing all aspects and responsibilities related to inventory management and recordkeeping. These responsibilities include:

- Establishing, managing, and maintaining the Element 7's BioTrack THC (TTS) account.
- Monitoring updates on the TTS from our POS. Sales transactions, cannabis waste reports, inventory movement and updates should occur in real-time.
- Ensure that opening and closing inventory management and recordkeeping policies and procedures, such as confirming and reporting starting and closing inventory, acquisitions, sales, and cannabis waste disposal are reflected on the TTS. The IM will also inspect and confirm whether data on the TTS reflects data on our POS and physical inventory.

### **Daily Inventory Reconciliations**

The IM will conduct daily inventory reconciliations documenting and balancing cannabis and cannabis-infused product inventory. This is done by confirming that information on the TTS aligns with inventory reconciliations performed using Stash and physical inventory maintained and managed at the facility. Daily Inventory Reconciliations will be performed by the IM or an assigned Inventory Specialist, twice daily. One reconciliation will be performed before normal business hours as part of Opening Procedures, and then again after business hours, as part of Closing Procedures. Inventory Reconciliation reports will be pushed to the TTS and migrated onto our secure and encrypted cloud-based Data System.

### **Inventory Adjustments and Imbalances**

Inventory management, even with FlowHub, can be susceptible to data errors due to system malfunctions, although it is highly unlikely. Generally, POS generated inventory reports that do not reflect the same data as the TTS, is due to review and confirmation errors. Theft and suspected criminal activity are also considered the most common reasons for imbalances.

### **Reporting Imbalances**

Our policies and procedures clearly outline steps that the IM and the inventory management team members will take when imbalances due to human error, theft and criminal activity occur. The first step in the reporting process is to conduct a full audit of physical inventory in the facility. Once the reason for the imbalance is determined, the IM will document the results of the inventory audit, factors or incidents that caused an imbalance, and develop steps/tasks for corrective action. The goal of any corrective action plan is to balance out physical inventory, inventory reflected on the POS and the TTS, determine why the discrepancies occurred, and develop and improve existing procedures that prevent or reduce imbalances in the future.

In some cases, an audit and investigation does not determine a cause for the imbalance. If a reason for the imbalance in inventory is not identified within two (2) days of its discovery, the IM will immediately submit a written statement notifying the Atlantic City of the inventory imbalance. Upon notifying the Atlantic City, the IM will continue to work towards identifying risks and factors that contributed to the imbalance in inventory

until a definite cause for the imbalance is identified, a corrective action plan is implemented and policies are improved to prevent repeated inventory imbalances. If the cause for inventory imbalance is due to theft or suspected criminal activity, the IM will immediately notify the Atlantic City in writing. An incident report will be prepared by the Head of Security, which will be submitted as supporting documentation with the Notification.

Inventory Imbalance reports, written notifications and inventory audit data will be maintained on our secure and encrypted cloud-based data system for at least two (2) years from the date the imbalance was reported.

### **Reporting and Requesting for Adjustments**

In the event that inventory reconciliation reports do not demonstrate the same data as the TTS, the IM will need to perform an audit of the physical inventory in the facility, and run it against the sales and returns transactions, recall reports and cannabis waste reports generated by the POS. If it is found that a scanning error was the cause of the difference, then the IM will prepare a written report that will list the reason/s for the adjustment request.

Inventory Adjustment records will be maintained on the secure cloud-based data system for at least two (2) years from the date the adjustment was performed.



**Summary**

Element 7 isn't just a retail cannabis outlet. Our vision is to create an interactive learning hub that allows first-time users, new cannabis consumers, and connoisseurs with a welcoming experience where they can learn, engage, and shop within an inviting and open environment.

Analyzing the data and understanding that customers look to retail staff more than any other outlet or channel for product recommendations, we will ensure that our front-line BudTenders are the most trained staff in industry.

Our design, customer experience, staffing and overall holistic wellness positioning all work together to seamlessly ensure that Element 7 will deliver a retail experience like no other.

**Authorizations**

Element 7 Lemon Grove LLC authorizes the city, its agents, and employees to seek verification of the information contained within the application.



## NON-STOREFRONT RETAIL (DELIVERY) LICENSE OPERATIONS PLAN



### Introduction

Element 7 delivers on-demand cannabis products to customer's homes in Cities and Towns across California. This aspect of our business is one of our fastest growing verticals driven by recent licensing wins we have secured in the Bay Area, Central Valley and San Diego regions in California.

Powered by our experience gained from our existing cannabis operations footprint, logistics management experience, and technology partnerships with Ready Cart, BURPY and Baker Technologies, Element 7 is strategically positioned to become one of the leading on-demand cannabis delivery companies in the State known for fast and on-time delivery, great pricing, product selection, and customer service.

The non-storefront retail (delivery) aspect of the business will be managed by a dedicated Head of Delivery within Element 7 Lemon Grove, reporting to the General Manager of the local business.

The business management will be governed by a series of Standard Operating Procedures developed and implemented by Element 7, including:

- Type 9 Non-Storefront Retail (Delivery) Operations Policy
- Cannabis Track and Trace Policy
- Inventory Control Policy
- Records Management Policy



## Standard Operating Procedures

<b>POLICY NAME</b>	<b>TYPE 9 LICENSE NON-STOREFRONT RETAIL (DELIVERY) OPERATIONS POLICY</b>
<b>APPLICABLE LAW</b>	Pursuant to the Business and Professions Code section 26001(p), California Code of Regulations §5414-5421; §5048-5051 Element 7 officers, management, and staff will adhere to both local and state laws and regulations as it relates to running a compliant non-storefront retail facility in the City of Lemon Grove.
<b>POLICY OBJECTIVE</b>	To create a successful and fully compliant non-storefront delivery operation which focuses on team member safety and training, the consistent delivery of high quality locally sourced products, consumer education, and community engagement.
<b>ELEMENT 7 CORE VALUE</b>	<i>'Excellence in Everything We Do'</i>
<b>SOP PROCEDURES</b>	<p><b>Management</b></p> <ul style="list-style-type: none"> <li>- Staffing and Management</li> </ul> <p><b>Ordering</b></p> <ul style="list-style-type: none"> <li>- Customer Ordering Procedures</li> <li>- Online Ordering System</li> <li>- Technology Integration</li> <li>- Education Integration</li> </ul> <p><b>Fulfillment</b></p> <ul style="list-style-type: none"> <li>- Transportation Vehicle Requirements</li> <li>- Delivery Inventory Ledger</li> <li>- Order Fulfillment (Pre and Post Delivery)</li> <li>- Delivery Receipts</li> <li>- Communications</li> <li>- Route Planning</li> </ul> <p><b>Control and Compliance</b></p> <ul style="list-style-type: none"> <li>- Carriage of Business License</li> <li>- Delivery Employees</li> <li>- Online Age Verification</li> </ul>

### Management

#### Staffing and Management

Element 7 will employ a number of key individuals to operate the non-storefront retail (delivery) operations aspect of its cannabis business.

#### General Manager

The General Manager will be Element 7's day-to-day operations manager for the Facility. The General Manager will oversee all of the operations, hiring, training, evaluating, disciplining, and terminating, all employees. The General Manager shall be responsible for implementing and maintaining the seed-to-sale inventory tracking system (Data Management System) and for ensuring that all City and State commitments are being met, that the site is secure and safe and that the quality of product is the highest in terms of industry and LLC standards possible.



The General Manager is responsible for:

1. All day-to-day operations;
2. All personnel matters including hiring, training, evaluating and disciplining all employees;
3. Implementing the Data Management System and maintaining the records generated by such;
4. Monitoring the security plan, and interfacing with the Head of Security;
5. Being the liaison between Element 7, local law enforcement and applicable local and State government entities and regulatory agencies;
6. Completing the weekly physical inventories of all inventory sales;
7. Random checks of all inventory levels, packaging and storage procedures, and report any deficiencies to the General Manager; and
8. All other management and supervisory responsibilities required by Element 7 and/or the City and State.

### **Shift Manager**

At all times the delivery center is operational, there will be one Shift Manager on duty and physically at the Facility. Each shift will have a Shift Manager who will act as the supervisor of the facility for his/her given shift. They will report directly to the General Manager. When the General Manager is not on site, they will monitor all operations, inventory control and security, in their respective departments. The Shift Managers will record and report any activity they undertake to the General Manager. No administrative or regulatory action shall be taken by the Shift Manager without the prior approval of the General Manager.

The Shift Manager shall be a full-time officer or employee of the Facility and shall participate in all delivery operations management. They will be responsible for the following while on duty:

1. Supervise the employees and staff within their respective departments;
2. Monitor employee activities within their respective departments;
3. Monitor and input data into the inventory control system within their department;
4. Monitor and follow the security plan, and interfacing with the Head of Security; and if the General Manager is off-site, they shall be the liaison between Element 7 local law enforcement, applicable State and local governmental and regulatory agencies, if necessary.

### **Head of Security**

The Head of Security responsibilities include, but are not limited to:

1. Following the security plan;
2. Responding to any breaches in security;
3. Reporting any attempted breaches of security and or any security deficiencies to the General Manager;
4. Maintaining regulatory compliance with all security measures employed by Element 7; and
5. All other management and supervisory responsibilities required by Element 7 and/or the City and State.

### **Inventory Control Specialist**

The Inventory Control Specialist main responsibility is to assure all the operations in the delivery Facility are fully compliant with California State law and regulations and that all inventory is fully accounted for at all points of the operations. These duties shall include, but are not limited to:

1. Providing all necessary information and reports to regulatory agencies;
2. Monitoring reports from the inventory control system;
3. Tracking any discrepancies between known or expected values, counts, weights or other information back to the source;
4. Providing input and implementing changes to protocols to correct errors, and/or other deficiencies in the Facility operations;
5. Monitoring shipping manifests, inventory levels, plant counts, inventory weight amounts, and other seed to sale tracking information;
6. Reporting to the General Manager;
7. Interfacing with the Head of Security;
8. Engaging local counsel when necessary; and
9. Any other responsibilities required by management.

### **Dispatch Manager**

The Dispatch Manager will work directly with the dispatch team to assist in coordinating daily workflow, and work independently on safety requirements for the delivery team; in addition to being responsible for properly deploying and monitoring the status and locations of the delivery drivers. The Dispatch Manager will also be responsible for the following:

1. Answer incoming customer phone calls and take appropriate action for each call;
2. Maintain customer satisfaction ratings based on explicit criteria set forth by Element 7;
3. Assign orders to drivers, and follow-up until all orders are completed;
4. Attend mandatory training sessions to stay updated on product or company policy changes;
5. Route and set schedules for the delivery team;
6. Maximize productivity and ensure prompt, courteous and efficient service to, primary caregivers and customers; and
7. Build strong customer relationships.

### **Driver**

Drivers will be responsible for transferring product from our non-storefront retail facility directly to patients and primary caregivers throughout the city and collecting money in exchange for the cannabis goods from customers. Drivers will work with the Dispatch Manager to ensure timely delivery and full compliance with both local and state laws.

Driver responsibilities include, but are not limited to:

1. Make a wide variety of deliveries as directed;
2. Keep accurate records of deliveries and customer authorizations;
3. Ensure all documentation is submitted to management on time;
4. Keep an accurate driver's log;
5. Follow a strict standard of operating procedure;

6. Load, unload, prepare, inspect and operate a delivery vehicle;
7. Collect payments and maintain petty cash.

## ORDERING PROCEDURES AND POLICIES

### Customer Ordering Procedures

Patients and customers will be able to order through our smartphone APP or responsive website (which adapts itself to the patient/customer viewing environment – phone, tablet or desktop computer) – first time users will have to upload a photo of their government identification card in order to verify age, and will then be required to run through a 3-screen educational component educating them on cannabis potency, absorption and effects. They will then have the option of selecting a range of cannabis products and being able to track Element 7 delivery business through the smartphone APP or Website in much the same way that UBER or LYFT operates.

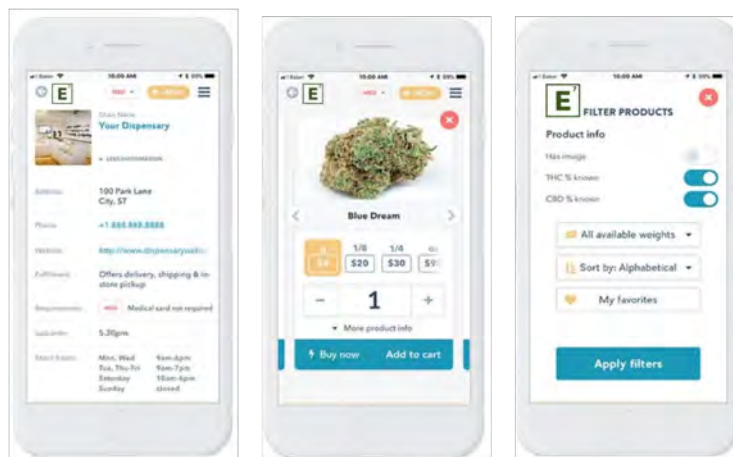
Our partner, Beyond Marketing Group has significant UX and UI experience within their company and will manage all development of such platform.

### Online Ordering System

Element 7's online ordering system will allow its patients and primary caregivers to place orders from our website, tablets or mobile app. Element 7 has partnered with a premier e-Commerce delivery company to create all online and web application features (Ready Cart). This will allow the website and application to have an online menu and shopping portal that directly and seamlessly connects to our inventory management system in real time.

In addition to Ready Cart, Element 7 will utilize Baker Technologies software platform which will allow Element 7 to communicate directly with patients immediately after an online order is placed, inform patients of new products, educate patients via the smartphone app and create a Loyalty program that offers patients "points" for being loyal to Element 7.

The online ordering system will display all the products for sale at the business, their prices, and product descriptions. (see demo images below)



### Technology Integration

We understand that as a licensed non-storefront retailer, we will not sell or otherwise transfer any cannabis goods to a customer through the use of an unlicensed third party, intermediary business, broker, or any other business or entity.

Element 7 will utilize Baker as a means to facilitate the sale and delivery of cannabis goods, in accordance with the following:

1. Element 7 will not allow for delivery of cannabis goods by the technology platform service provider.
2. Element 7 will not share in the profits of the sale of cannabis goods with the technology platform service provider, or otherwise provide for a percentage or portion of the cannabis goods sales to the technology platform service provider.
3. Element 7 will not advertise or market cannabis goods in conjunction with the technology platform service provider, outside of the technology platform, and will ensure that the technology platform service provider does not use Element 7' license number or legal business name on any advertisement or marketing that primarily promotes the services of the technology platform.
4. Element 7 will ensure the following information is provided to customers:
  - (i) Any cannabis goods advertised or offered for sale on or through the technology platform will disclose, Element 7' legal business name and license number.
  - (ii) Customers placing an order for cannabis goods through the technology platform will be able to easily identify Element 7 as the source of where the cannabis goods are being ordered or purchased from. This information will be available to the customer prior to the customer placing an order or purchasing the cannabis goods.
  - (iii) All required sales invoices and receipts, including any receipts provided to the customer, will disclose Element 7' legal business name and license number.
  - (iv) All other delivery, marketing, and advertising requirements will be complied with.

### Ordering Procedures

1. Once a patients, primary caregiver or customer visits Element 7 online delivery portal, they will be asked if they are above the age of 21;
2. Patients, primary caregivers and customers can visit the Element 7 menu of products which will range from edibles to flower and other cannabis products;
3. After a selection has been made, selected items will be placed in a "Cart" and the patients and primary caregivers can then proceed to checkout;

4. Once an order has been processed and filled at the delivery facility, the patients and primary caregivers will receive an alert notification for an approximate delivery-time estimate; and
5. Element 7 Delivery employees will receive instant push notifications on all tablets and smartphones at the facility. Once a patient or primary caregiver has placed an order, it will be immediately filled by an employee, packaged and ready for delivery within a 15-minute time frame.

### **Online Ordering System (Educational Component)**

The Element 7 online ordering system educational component will allow its patients and primary caregivers to learn about the potency, effects, THC and CBD content of cannabis or cannabis goods prior to purchasing, as well as providing patients and primary caregivers with the tools to incorporate a "Holistic Wellness" approach to their everyday lives.

In furthering Element 7' "Holistic Wellness" initiative to educate patients on the benefits of cannabis, Element 7 seeks to work with Tokr to create a customized app experience for Element 7 patients and customers. Tokr allows patients and customers to learn which cannabis-based products can be used in their everyday life, and eases the anxiety or nervousness associated with not knowing how cannabis and cannabis related products may be used daily.

Element 7's cannabis and cannabis products breakdown will equip patients and primary caregivers with the knowledge and understanding of the benefits of a chosen cannabis strain or product. Having an educational component on Element 7 website informs patients and primary caregivers how each strain of cannabis might affect them which can go a long way towards utilizing the plant's potential therapeutic benefits.

The website will provide thorough descriptions of each type of strain - Sativa, Indica, Hybrid and CBD.

In furthering Element 7's commitment to inform and empower the Lemon Grove community on cannabis education, it is also worth mentioning that accurately estimating cannabinoid effects must be treated with some subjectivity. Each patient/customer has an individual reaction to each type of cannabis strain and experimentation with different types of strains is essential for new patients and customers to achieve desired results.

Element 7 suggests patients and primary caregivers keep a journal and record both body and head reactions to each strain, which will remove much of the guesswork from selecting the strains that work best for them. Our content management system will automatically send an email 12 hours after a patients and primary caregiver has made a purchase which requires that product feedback following a "first time" purchase of a given product, and prior to the patients and customers next purchase to ensure we are receiving as much feedback as possible.

## FULFILLMENT PROCEDURES AND POLICIES

### Transportation Vehicle Requirements

Element 7 will strictly adhere to all rules, requirements and regulations regarding transportation of cannabis within the state of California, as they are created and modified by City and State legislators. No deviation from those rules will be tolerated or allowed. The Head of Security will implement additional measures beyond the minimum requirements (i.e. transfer of currency for remitting City tax payments).

Element 7' delivery process begins when the delivery employee leaves the facility with the cannabis goods for delivery. The delivery process ends when the delivery employee returns to the facility after delivering the cannabis goods or attempting to deliver the cannabis goods to the patient or customer(s). At no time will an Element 7 delivery employee engage in any activities except for cannabis goods delivery and necessary rest, fuel, or vehicle repair stops. Element 7 will maintain an accurate list of all delivery employee's information.

Any vehicle used in the delivery of cannabis goods will be operated by a delivery employee of Element 7. Vehicles used for delivery will not have any indications on the exterior of the vehicle that may indicate that the delivery employee is carrying cannabis goods for delivery. Only Element 7 employees will be in the delivery vehicle. In the event that an employee leaves the vehicle unattended, he/she will ensure that the vehicle is locked and equipped with an active vehicle alarm system.

All Element 7 vehicles will be outfitted with a dedicated Global Positioning System (GPS) device for identifying the geographic location of the delivery vehicle and recording a history of all locations traveled to by the delivery employee while engaged in delivery. The GPS device will be owned by Element 7 and used for delivery only. The device will be either permanently or temporarily affixed to the delivery vehicle and will remain active and inside of the delivery vehicle at all times during delivery. At all times, Element 7 will be able to identify the geographic location of all delivery vehicles that are making deliveries and document the history of all locations traveled to and by a delivery employee while engaged in delivery.

### Delivery Inventory Ledger

- A LIVE delivery inventory ledger† will be created which tracks all cannabis goods provided by Element 7 to the delivery driver, orders, purchase and product deliveries;
- For each cannabis good, the delivery inventory ledger will include the following:
  - Type of good, the brand, the retail value;
  - The track and trace identifier, and the weight, volume or other accurate measure of the cannabis good.
- After each customer delivery, the delivery inventory ledger will be updated to reflect the current inventory in possession of Element 7' delivery driver.
- No product will leave the Facility without being accompanied by an authorized driver of the Facility, together with transportation manifests to show the vehicle information, driver and accompanying personnel information, date

and time the delivery business vehicle leaves the facility, the amount of product that is being transported, a breakdown of the individual boxes that will be delivered to individual patients and customers, the route that the vehicle will take, and expected delivery business times for delivery business to each delivery business.

### **Order Fulfillment (Pre-Delivery)**

- Orders will be taken by Element 7 through an SSL Encrypted Responsive Website, Smart-Phone APP and by phone. All Patients and customers will be checked to ensure they have the appropriate ID Card by uploading a photo of their government-issued identification.
- Received Orders will then be approved by the Shift Manager and queued for Packing. A Packer Employee will fulfil the order from stock in either the Ambient Storage Room or Cold Storage Room, where it will be packed in the Packing Room. It will then be queued for Dispatch.
- Packed Orders will be assigned to a Driver by the Dispatch Manager and moved to the Dispatch Room from the Packing Room. Cannabis will only be sold to an individual in an amount consistent with personal possession and use limits allowed by the State of California and enforced by Lemon Grove and Element 7.
- The order fulfillment boxes (plastic) containing cannabis to be delivered to patients and customers will be verified, recorded and sealed. Once sealed they will be loaded into the lock boxes in the delivery business vehicle from the Dispatch Room, employees will ensure that no cannabis goods are visible to the public. Cannabis goods will be locked in a fully enclosed box, container, or cage that is secured on the inside of the vehicle. ▸
- Both the Inventory Control Specialist and the driver that will accompany the product will verify the number of boxes, the date and time of delivery business, the date and time that the delivery business vehicle leaves the Facility, and the addresses to which the product will be delivered.
- Element 7 will maintain a database and provide a list of the individuals and vehicles authorized to conduct vehicle dispensing, and a copy of the valid California driver's license issued to the driver of any such vehicle on behalf of Element 7 to the Lemon Grove Chief of Police.
- Only after the dispatch employee has completed the check with checklist for delivery business will the vehicle then be driven out of the lock area, and immediately began its delivery business route.
- Individuals making deliveries of cannabis or cannabis products on behalf of Element 7 will maintain a physical copy of the delivery request (and/or invoice) and will make it available upon the request of agents or employees of the City of Lemon Grove requesting documentation.



- The total amount of cannabis carried in the vehicle will comply with State Law.

### **Order Fulfillment (Post-Delivery)**

- Once the delivery business vehicle is in the locked and secured area designated for that purpose, the lockbox inside of the delivery business vehicle will be opened by delivery business personnel.
- The Inventory Control Specialist will perform a visual verification that the lockbox is in fact empty and contains no leftover cannabis products from a previous delivery business. If there is cannabis, it will be removed from the vehicle, identified, recorded and placed in the vault for either reshipment or in the case of a cancelled order, the box seal will be cut, the contents verified as being un-tampered with and then re-stocked into inventory and recorded as being re-stocked, including time, date, amount, package numbers, weights, employee performing the re-stocking and reason for the return of the product. Any product that has been tampered with will be accounted for and then destroyed in accordance with Element 7 procedures.
- Any cash payments received by the Driver will be logged, accounted for, signed and held in the cash register until the end of the shift or day, at which point it will be counted and locked in the Walk-In Vault.

### **Delivery Receipts**

- Element 7 will prepare both a hard copy and an electronic delivery request receipt for each delivery of cannabis goods. The delivery request receipt will contain the following:
  1. The name and address of Element 7;
  2. The first name and employee number of Element 7' delivery employee who delivered the order;
  3. The first name and employee number of Element 7' employee who prepared the order for delivery;
  4. The first name of the customer and an Element 7 retailer-assigned customer number for the person who requested the delivery;
  5. The date and time the delivery request was made;
  6. The delivery address; and
  7. A detailed description of all cannabis goods requested for delivery.

### **Communications**

- Each driver will carry a communication device and a cell phone for backup communication.
- Driver will always remain in contact with Element 7's Central Security Control Room as well as 911 and emergency services, if necessary.



## Route Planning

- The Dispatch Team will plan route security after the time and destination are determined. Routes will be randomized, and times varied. Other consideration, in addition to randomization and time, for each route will be based upon:
  1. Operational security (based on number of stop on route, crime by area, known previous routes etc.);
  2. Traffic (time of day or road incident);
  3. Known public events, i.e. parades, demonstrations, unusual activity using current information available from a variety of sources to include news releases, police and city offices, social media; and
  4. Ongoing real-time incidents that would impede delivery business.
- If an Element 7 delivery driver does not have any delivery requests to be performed for a 30-minute period, the delivery driver will not make any additional deliveries and will return to the facility.

## CONTROL AND COMPLIANCE

### Carriage of Business License

All vehicles associated with the business will carry in the vehicle a copy of the valid, unexpired business license as well as a copy of Element 7' current non-storefront retailer's license in addition, Element 7 Vehicle' will be registered with the City Police Department.

### Delivery Employees

- Element 7 will not employ or retain persons under 21 years of age.
- All deliveries of cannabis goods will be performed by a delivery employee who is directly employed by Element 7.
- All deliveries of cannabis goods will be made in person. A delivery of cannabis goods will not be made through the use of an unmanned vehicle.
- Delivery employees will carry a current government-issued identification, and an identification badge provided by Element 7.

### Online Age Verification

- Electronic age verification will be utilized to determine the age of any individual attempting to purchase cannabis goods. All employees will be instructed on its use.
- Cannabis will not be sold to the public without electronic age verification.
- Delivery employees will verify the age and identity of the recipient of the cannabis goods at both order time and delivery of goods.

- Cannabis goods will only be received by the customer. The driver will scan the customer's valid identification card and verify that the individual is 21 years of age or older.

### **Summary**

Element 7's Delivery business and operations are a critical focus point for our overall business strategy. While cannabis is a highly experimental and discovery-led category, we know that moving ahead, cannabis will more closely mimic existing shopping and buyer behavior practices of other consumer product verticals. Having a robust business plan and set of policies in place will be critical to our expansion efforts in this vertical over the next 3-5 years as we seek to become one of the leading and largest cannabis delivery companies in California.



## SITE SAFETY PLAN



### Facility Safety Features

The Facility has many safety features to protect employees, patients and the physical building itself, including the following:

- **Continuous Connection with Local Law Enforcement:** The Facility is located 1.4 Miles (4 minutes) from the San Diego County Sheriff's Department Lemon Grove Substation and can be accessed via Central Avenue.
- **Alarm Systems and Restricted Door Entry:** Element 7 will install a State-Certified security system to manage the premises, with all doors to have biometric scanners and swipe card access (2-factor authentication). Panic buttons are installed in the Facility in the event of an armed robbery or other security breach. All windows shall be secured against entry from the outside. Exterior doors shall be properly equipped with panic hardware as required by all applicable state codes.
- **Video Surveillance:** All video surveillance will be monitored by security personnel from the Central Security Control Room. Security personnel will have direct contact lines to local law enforcement authorities to report any suspicious activities and/or emergency situations. All Video Monitoring will have a direct live feed to Lemon Grove Police Department at all times.

- **Lighting:** The front and rear of the Facility will be equipped with security lighting as approved by the City. The entrance and rear of building lighting shall be continuously illuminated. Each light shall provide at least 0.1-foot candle intensity. Additionally, the minimum lighting level of one foot-candle shall be provided at building entrances and in parking lot areas. All lighting shall be fully shielded, downward casting and not spilling over onto structures, other properties or the night sky. Exterior lighting on the premises shall be balanced to complement the security/surveillance systems to ensure all areas of the premises are visible and shall provide increased lighting at all entrances to the premises. The lighting required shall be turned on from dusk to dawn.
- **Fire Suppression Systems:** Fire Sprinklers shall be located throughout the building. The primary purpose of the Fire Sprinklers is to protect employees, plant and equipment and the building in the event of a fire.
- **Exits and Exit Signage:** The number of exits at the Facility shall be in accordance with Table 1006.2.1 and Table 1006.3.2 (2) and Section 1017.2 of the International Fire Code (IFC).
- **Motion Detection System:** Element 7 will install Motion Detection sensors on the Roof of the Building which shall activate an Alarm if triggered. These will be appropriately installed by a State-Licensed Security firm and tested every 3-months.
- **Security Guards:** All security guards employed at Element 7 will be licensed by the Bureau of Security and Investigative Services (BSIS) with a valid Department of Consumer Affairs Security Guard License ('Security Guard Card') which is obtained by completing the annual pre-licensing course.
- **Staff Training and Standard Operating Procedures:** A number of procedures are highlighted in this document that deal with appropriate staff training, role-playing and responsive situation adaptation, and SOP's in place to deal with every situation a staff member may encounter.

The attached floor and site plans include full diagrams and descriptions of ingress and egress and security camera locations.

### **Fire Protection Plan**

Element 7 has prepared this Fire Protection Plan for review by the City and the Chief Fire Marshal and/or Inspector. Fire Sprinklers shall be located throughout the building. The primary purpose of the Fire Sprinklers is to protect employees, plant and equipment and the building in the event of a fire.

An assessment of the Facility's fire safety plan by a qualified licensed fire prevention and suppression consultant can be provided, which will include all possible fire, hazardous material and inhalation issues / threats.

In accordance with the California Fire Code, a plan that covers the following will be implemented in close consultation with Lemon Grove Fire Department:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices.
2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises.
3. Fire hazards in the structure or on the premises from occupancy or operation.
4. Matters related to the construction, extension, repair, alteration or removal of fire suppression or alarm systems.
5. Conditions affecting the safety of firefighters and emergency responders during emergency operations.

### **Exits and Exit Signage**

The number of exits at the Facility shall be in accordance with Table 1006.2.1 and Table 1006.3.2 (2) and Section 1017.2 of the International Fire Code (IFC).

Accordingly:

- All exits will be clearly illuminated by EXIT signage on the roof of the Facility – signs will be clearly visible from both directions.
- A Fire Exit Plan shall be printed and appropriately displayed on the walls of the Facility.
- Egress doors will be installed and required to swing in the direction of egress.
- All staff will be briefed on Fire Safety procedures and a Fire Safety Exercise shall be conducted at least twice a year.

### **Portable Fire Extinguishers**

Approved portable fire extinguishers will be supplied at the Facility to give employees and management the means to suppress a fire during its initial or incipient stage. Element 7 will ensure that all portable fire extinguishers are located where they are readily visible and accessible at all times. Proper maintenance of the installed portable fire extinguishers is the responsibility of the General Manager and will be included in their monthly checklist for the operations of the site. Fire extinguishers shall be of the proper UL Class A and Class B:C rating and size for the areas to be covered per OSHA guidelines.

### **Electrical: Wiring and Main Room**

In accordance with Section 605 of the IFC:

- Doors into electrical control panel rooms will be marked with a sign stating ELECTRICAL ROOM. The means for turning off electrical power to each electrical service and each individual electrical circuit must be clearly and legibly marked.
- Electrical panels and electrical disconnect switches will be accessible at all times. A clearance of 30 inches wide (wider for panels and equipment that exceeds 30 inches in width), 36 inches deep, and 78 inches high is required to be maintained free from storage.

- Electrical systems will be maintained in good repair without exposed wiring, open junction boxes, or damaged equipment that could present an electrical shock or fire hazard.
- Power strips with built-in overcurrent protection ("circuit breakers") are allowed, provided they are plugged directly into a permanent electrical receptacle. Power strips may not be plugged into additional power strips (daisy chaining). A power strip's cord may not be run through walls, above ceilings, or under doors or floor coverings. If power strips show evidence of physical damage, they must be replaced by the General Manager.
- Extension cords may only be used to provide temporary power to portable electric appliances. Extension cords may not be used as a substitute for permanent wiring, and may not be affixed to structures, extended through walls, ceilings or floors, or under doors or floor coverings. Multi-outlet extension cords that do not have built-in overcurrent protection ("circuit breakers") are not allowed. If extension cords show evidence of physical damage, they must be replaced immediately by the General Manager.

### **HVAC Design for Effective Airflow**

External contaminants should be removed by effective filtration of the supply air, to retain the required cleanroom classification. Internal contaminants should be controlled by displacing the airflow:

- The Pressure Differentials should be of sufficient magnitude to ensure containment and prevention of flow reversal without creating turbulence.
- Where possible, ventilation dampers and filters should be designed and positioned to be accessible from outside the manufacturing areas for ease of maintenance.
- Directional airflow within production or primary packing areas assist in preventing contamination.

The proposed HVAC units the Company will use positive-pressure, hospital-grade, HEPA-filtered systems throughout the facility. HVAC systems will be cleaned by an outside contractor bi-annually.

### **Fires, Hazardous Material and Inhalation Threat Management**

The entire facility will comply with all local fire code requirements. A fire inspection will occur at least once per year by the local fire department in conjunction with Lemon Grove Fire Department.

### **Responsibility for Materials**

Names and job titles of those responsible for the control of accumulation of flammable or combustible waste materials, and for maintenance of equipment and systems installed to prevent or control ignitions of fires (Ex. Fire Extinguishers, fire hoses, etc.) shall be determined after local hires have been made in order to ensure immediate response time when prudent.

### Smoke Detection, Exits, and Fire Separations

The facility will be equipped with automatic smoke detection as required by the CFC and CBC and shall be monitored at a remote central station. The smoke detection system shall be monitored twenty-four hours, seven days per week by the same licensed central station that will be monitoring the security system.

### General Fire Code Requirements

- An approved key box shall be provided and installed by Element 7 in a location approved by the Local Jurisdiction having Authority.
- The business owner shall obtain all required Fire Department permits and keep them on site and available for inspection per the California Fire Code, Section 105.
- UL listed and appropriately sized and type of fire extinguishers shall be located throughout the facility as required by the California Fire Code and local amendments.
- Inform fire-fighters that they should wear appropriate protective equipment and self-contained breathing apparatus (SCBA) with a full facepiece operated in positive pressure mode.

**Element 7's facility will not have hazardous material on site.**

### Identification of Fire Hazards

The following is a list of potential fire hazards and their associated work areas:

#### Work Areas

Packaging workstation  
Work rooms'  
Storeroom  
Break room

#### Fire Hazards

Paper, plastic, electrical  
Paper, electrical  
Paper, plastic, flammable and combustible liquids  
Paper, plastic, electrical appliances

### Housekeeping Practices

The following are the fire prevention practices associated with fire hazards identified above:

#### Type of Fire Hazard

Paper  
Plastic  
Electrical  
  
Flammable liquids  
  
Electrical appliances

#### Fire Prevention Practices

Wastepaper cans emptied daily  
Waste plastic discarded daily  
Quarterly inspections of outlets, multi strips, cubicles, and work areas  
Store liquids in approved flammable storage cabinet  
Quarterly inspections of appliances; employees trained to inspect appliances prior to use

### Safe Code of Work Practices

- Flammables, including data sheets, books, rags, clothing, flammable liquids or trash shall not be placed or stored near heaters or their vents, any electrical appliance, or other potential sources of ignition.



- Sources of actual or potential heat such as hot plates or electric coffee pots shall not be placed near flammable materials. *Portable space heaters and candles are prohibited.*
- Care must be taken not to block potential escape routes, particularly with flammable materials.
- Each individual is personally responsible for assuring that extension cords and multiple plugs are in good condition. Cords that are missing the grounding prong, are spliced together, or that are missing their protective sheath shall not be used.

### **Fire Control Measures**

The following is a list of fire control measures installed or available in work areas:

#### **Work Area**

Building

Fire Extinguishers

#### **Fire Control Measures**

Installed and monitored sprinkler system

Installed and monitored fire alarm system

4 Units in the Premises (staff trained on proper use)

### **Maintenance and Inspection Program**

The periodic maintenance and inspection frequencies for fire control measures are as follows:

#### **Fire Control Measures**

Sprinkler System

Fire Alarm System

Fire Extinguishers

#### **Inspection Frequency**

Bi-monthly

Annual

Monthly and Annual

### **Employee Response to Fire Situations**

Employees' response to a fire emergency is delineated in the Emergency Action Plan. Designated and trained employees may attempt to extinguish incipient fires with fire extinguishers after sounding the alarm to alert other employees.

### **Fire Systems: Staff Training**

Employees shall be apprised of the fire hazards of the materials and processes they are exposed to.

Upon the initial assignment, employees should be made aware of those parts of this fire prevention plan which they must know to protect them in the event of an emergency. This program is located in the Staff Room at the Facility and shall be made available for review upon request from the General Manager at the Facility.

### **Sanitation Procedures**

Respirators will be cleaned and sanitized every 7 days or whenever they are visibly dirty. Respirators will be cleaned according to the attached instructions (either the manufacturer's instructions or the Respirators Rule cleaning procedures.) All respirators will be inspected before and after every use and during cleaning. In addition, emergency respirators and self-contained tank-type supplied air respirators in storage will be inspected monthly.

Respirators will be inspected for damage, deterioration or improper functioning and repaired or replaced as needed. Repairs and adjustments shall be done by a hired 3<sup>rd</sup> party Contractor who is trained in respirator maintenance and repair. Supplied air respirators will be checked for proper functioning of regulator and warning devices and amount of air in tanks were used. When supplied air respirators are used, any needed repairs or adjustments will be done by the manufacturer or technician trained by the manufacturer.

### **Respirator Training**

Training shall be done by a licensed operator before employees wear their respirators and annually thereafter as long as they wear respirators. Additional training will also be done when an employee uses a different type of respirator or workplace conditions affecting respiratory hazards or respirator use have changed.

Training will cover the following topics:

- Why the respirator is necessary,
- The respirator's capabilities and limitations,
- How improper fit, use or maintenance can make the respirator ineffective,
- How to properly inspect, put on, seal check, use, and remove the respirator,
- How to clean, repair and store the respirator or get it done by someone else,
- How to use a respirator in an emergency situation or when it fails, and
- Medical symptoms that may limit or prevent respirator use

### **Records Management**

The following records will be kept:

- A copy of this completed respirator program
- Employees' latest fit-testing results
- Employee training records
- Written recommendations from our medical provider

The records will be kept at the Dispensary Reception in order to be accessed by the Fire Department or the Lemon Grove officials. Employees will also have access to these records on request to the General Manager.

### **Employee Safety Education**

Safety policies detail procedures for ensuring the implementation of best safety practices at all times and in accordance with Occupational Safety and Health Administration (OSHA) guidelines throughout all facilities and operations. The systematic guidelines established will be strictly enforced, as the safety of employees and the public is the company's foremost business consideration. All employees will comply with all applicable safety regulations as listed in the SOPs as a condition of employment. Safety training will be provided as often as necessary and annually at a minimum.

Our goal is to keep our people and our patients are safe. Our training will help our employees:

- Recognize safety hazards and correct them
- Avoid incidents and near misses to prevent injuries
- Understand safety best practices and expectations

## **Building a Safety Culture**

It is the policy of Element 7 that the safety of its employees and the public is the company's foremost business consideration. The prevention of accidents and injuries takes precedence over expedience. In the conduct of the company's business, every attempt will be made to prevent accidents from occurring. Element 7 requires that its employees, as a condition of employment, comply with all applicable safety policies and procedures.

The designated Safety Coordinator is the primary contact for safety-related matters. All employees will receive an orientation of the safety policy and rules upon initial employment and are required to bring to the attention of their manager or the Safety Coordinator any unsafe or non-compliant conditions or practices. Managers must communicate these concerns to the Safety Coordinator, who will respond to reports within twenty-four hours. Safety training will be provided as often as necessary and annually at a minimum.

Senior management will be actively involved with employees in establishing and maintaining an effective safety program. The CEO, Safety Coordinator and other members of the management team will participate with all retailer employees in an ongoing safety program.

The CEO in coordination with managers must:

- Provide a safe workplace.
- Facilitate monthly safety meetings.
- Provide safety and health education and training.
- Annually review and update workplace safety rules.

All employees must:

- Report all unsafe conditions.
- Immediately report all work-related injuries.
- Wear the required personal protective equipment.
- Abide by the organization's safety rules at all times.

## **Safety Coordinator Responsibilities**

It is the policy of Element 7 to assign a Safety Coordinator to oversee all safety related matters and chair the company's safety committee. The CEO must designate a Safety Coordinator for the company who will be the primary contact for safety-related matters.

## **Employee Reporting**

All employees will receive an orientation to this company's safety rules upon initial employment and must bring to the attention of to their manager and/or the Safety Coordinator any unsafe conditions or practices. Managers will communicate these concerns to the Safety Coordinator, who will respond to these concerns within twenty-four hours.

## Inspections

The Safety Coordinator or his or her designee must inspect the company's facility quarterly to identify potential hazards using the OSHA Self-Inspection Checklist. A responsible party must be assigned to correct all hazards as soon as possible. If the hazard is extreme, the inspector in his or her discretion may contact the Safety Coordinator to terminate operations until corrected. Per OSHA recommendations, inspections must cover:

- Processing, Receiving, Shipping and Storage - equipment, job planning, layout, heights, floor loads, projection of materials, material handling and storage methods, training for material handling equipment.
- Building and Grounds Conditions - floors, walls, ceilings, exits, stairs, walkways, ramps, platforms, driveways, aisles. Housekeeping Program - waste disposal, tools, objects, materials, leakage and spillage, cleaning methods, schedules, work areas, remote areas, storage areas.
- Electricity - equipment, switches, breakers, fuses, switchboxes, junctions, special fixtures, circuits, insulation, extensions, tools, motors, grounding, national electric code compliance. Lighting - type, intensity, controls, conditions, diffusion, location, glare and shadow control.
- Heating and Ventilation - type, effectiveness, temperature, humidity, controls, natural and artificial ventilation and exhausting.
- Machinery - points of operation, flywheels, gears, shafts, pulleys, keyways, belts, couplings, sprockets, chains, frames, controls, lighting for tools and equipment, brakes, exhausting, feeding, oiling, adjusting, maintenance, lockout/tagout, grounding, workspace, location, purchasing standards.
- Personnel - training, including hazard identification training; experience; methods of checking machines before use; type of clothing; PPE; use of guards; tool storage; work practices; methods for cleaning, oiling, or adjusting machinery.
- Hand and Power Tools - purchasing standards, inspection, storage, repair, types, maintenance, grounding, use and handling.
- Fire Prevention - extinguishers, alarms, sprinklers, smoking rules, exits, personnel assigned, separation of flammable materials and dangerous operations, explosion-proof fixtures in hazardous locations, waste disposal and training of personnel.
- Maintenance - provide regular and preventive maintenance on all equipment used at the worksite, recording all work performed on the machinery and by training personnel on the proper care and servicing of the equipment.
- PPE - type, size, maintenance, repair, age, storage, assignment of responsibility, purchasing methods, standards observed, training in care and use, rules of use, method of assignment.
- Transportation - motor vehicle safety, seat belts, vehicle maintenance, safe driver programs.
- First Aid Program/Supplies - medical care facilities locations, posted emergency phone numbers, accessible first aid kits.
- Evacuation Plan (Ingress and Egress)- establish and practice procedures for an emergency evacuation, e.g., fire, chemical/biological incidents, bomb threat; include escape procedures and routes, critical plant operations,

employee accounting following an evacuation, rescue and medical duties and ways to report emergencies.

### **Safety Rules**

These safety rules are designed to provide employees with knowledge of the recognized and established safe practices and procedures that apply to many of the work situations encountered while employed at this organization.

It would be impossible to cover every work situation. If any employee is in doubt about the safety of any condition, practice or procedure, they must consult their immediate supervisor for guidance. Any employee that willingly disregards a safety rule may be terminated.

### **Accident Reporting**

All accidents or near misses are to be reported to a manager or the Safety Coordinator immediately. Falsification of company records, including employment applications, time records or safety documentation will not be tolerated.

### **Hazard Reporting**

Employees must notify a manager or the Safety Coordinator immediately of any unsafe condition and/or practice.

### **Alcohol and Other Drugs**

No illegal drugs or alcohol will be allowed on the worksite. Employees must notify their manager and/or the Safety Coordinator if they are taking any prescription drugs that might affect their work performance. The use of prescribed medication will be accommodated by the company to every extent possible.

### **Driving**

While driving a company vehicle or driving a personal vehicle for company business, employees must obey traffic laws and signs at all times. Seat belt use is required, and employees must obey posted speed limits.

### **Lifting**

When employees are required to lift an item, they should always seek mechanical means (forklift, lift table, pallet jack, etc.) first. If an item must be lifted manually, employees will refer to the detailed lifting safety rules before performing the task.

### **Falls**

When working above a lower level (4 feet in general industry, 6 feet in construction) with unprotected sides, edges or openings, employees will protect themselves by use of guardrails or an approved personal fall-arrest system (e.g., lanyard, harness, anchor point).

### **Personal Protective Equipment**

Appropriate Personal Protective Equipment (PPE) must be worn at all times during hazardous operations. If an employee has any questions or needs PPE, they must notify their manager and/or the Safety Coordinator and reference the PPE job

hazard analysis. Employees are required to wear approved eye and face protection when sawing, grinding, drilling, using air tools or performing any other task that could generate flying debris. When working with chemicals, employees must wear the required protective eyewear. Gloves will be worn when handling metal, rough wood, fiberglass and other sharp objects. Hard hats will be provided when there are overhead hazards. Appropriate footwear, long sleeved shirts, long pants, high-visibility vest, etc., should also be worn as required.

### **Employee Responsibilities**

Each employee is responsible to perform tasks safely and read all safety documentation related to their assigned tasks. If an employee is not properly trained in a function, they must notify their immediate supervisor. Not all work procedures can be addressed. The following items are examples of work conditions in some operating units but are not all-inclusive.

- Do not stand on furniture to reach high places; always use a ladder or step stool.
- Use handrails when ascending or descending stairs or ramps.
- Close all drawers to cabinets after use to prevent tripping or bumping hazards.
- Keep cords neatly banded to prevent tripping hazards.
- Use extra caution when transporting glass to avoid breakage and cuts.
- Keep floors clear of water by mopping during and after watering to avoid slips and falls.
- Wear respirators when mixing and spraying chemicals.
- Wear PPE when performing hazardous operations.
- Ensure all exhaust equipment and emergency shut offs are operational prior to beginning work.

Safety rules are provided as guidelines for safe operations. All employees must follow these rules as a condition of employment. The IIPP applies to all employees and contractors.

### **Enforcement of Policies and Procedures**

Employees will be subject to disciplinary action for violations of safety rules. Managers are responsible for the enforcement of safety rules. Employees will be afforded instructive counselling and/or training to assure a clear understanding of the infraction and the proper conduct under organizational guidelines. All training will be documented on a safety rule violation notice form and placed in the employee's personnel file. Nothing in this policy or this safety program will preclude management from terminating an employee for a safety violation. This is not a progressive discipline system and any safety violation may lead to an employee's termination without prior instruction or warning.

Management reserves the right to impose any of the following disciplinary actions it deems appropriate:

- Verbal warning with documentation in personnel file.
- Written warning outlining nature of offense and necessary corrective action with documentation in personnel file.
- Termination.

Management will be subject to the above disciplinary action for the following reasons:

- Repeated safety rule violations by employees under their supervision.
- Failure to provide adequate training prior to job assignment.
- Failure to report accidents and provide medical attention to employees injured at work.
- Failure to control unsafe conditions or work practices.
- Failure to maintain good housekeeping standards and cleanliness in their departments.

### **Insurance and Risk Management**

Element 7 shall procure and maintain, at its sole cost and expense, in a form and content satisfactory to Lemon Grove, the following policies of insurance in the amounts and of the types that are acceptable to Lemon Grove, with minimal coverage provided.

Throughout the life of the license, Element 7 shall pay for and maintain in full force and effect all policies of insurance required hereunder with an insurance company (ies) either (i) admitted by the California Insurance Commissioner to do business in the State of California and rated not less than "A-VII" in Best's Insurance Rating Guide, or (ii) authorized by city manager or his/her designee and in his/her sole discretion. The following policies of insurance are required:

- **Commercial General Liability Insurance** which shall be at least as broad as the most current version of Insurance Services Office (ISO) Commercial General Liability Coverage Form CG 00 01 and include insurance for "bodily injury," "property damage" and "personal and advertising injury" with coverage for premises and operations (including the use of owned and non-owned equipment), products and completed operations, and contractual liability (including, without limitation, indemnity obligations under the contract) with limits of not less than two million dollars (\$2,000,000.00) per occurrence for bodily injury and property damage, one million dollars (\$1,000,000.00) per occurrence for personal and advertising injury, four million dollars (\$4,000,000.00) aggregate for products and completed operations and four million dollars (\$4,000,000.00) general aggregate.
- **Commercial Automobile Liability Insurance** which shall be at least as broad as the most current version of Insurance Services Office (ISO) form CA 00 01 and shall include coverage for "any auto" with limits of liability of not less than one million dollars (\$1,000,000.00) per accident for bodily and property damage.
- **Workers' Compensation Insurance** as required under the California Labor Code.



- **Employers' Liability Insurance** with minimum limits of one million dollars (\$1,000,000.00) each accident, one million dollars (\$1,000,000.00) disease each employee and one million dollars (\$1,000,000.00) disease policy limit.

Element 7 shall be responsible for payment of any deductibles or self-insured retentions contained in any insurance policies required hereunder.

### **Summary**

Safety and security are two of the most important factors in the management and operations of Element 7. The policies, procedures, and systems that we have created are in place to drive staff and customer safety. In addition, these policies:

- Demonstrate to employees that safety performance and business performance are compatible;
- Clearly state the company's safety beliefs, principles, objectives, strategies and processes to build buy-in through all levels of the company;
- Outline employer and employee accountability and responsibility for workplace health and safety;
- Are designed to comply with the Occupational Health and Safety Act; and
- Set out safe work practices and procedures to be followed to prevent workplace injuries and illnesses.



## SECURITY PLAN



### Introduction

Element 7 has contracted with GSG Protective Services, and one of its most experienced security experts, Corey English, to act as an advisor and Chief Security Officer for all Element 7 security matters. Corey provides strategic guidance on risk management, security policies and programs, and oversight on all threat assessment, while working in conjunction with local security hardware installation firms, local guard service providers, and Regional Retail Leads at Element 7.

Security management, and the implementation of Element 7 standardized security procedures and operations at the facility will be the responsibility of the Regional Security Lead from Element 7 working in conjunction with:

1. Local Town law enforcement
2. Local State-Licensed Security firm approved by Local Town law enforcement
3. Local Element 7 General Manager who oversees all facility operations
4. Corey English (Chief Security Officer at Element 7) to ensure full compliance with company security policies
5. Chief of Security
6. Chief of Compliance

Our Company takes a comprehensive approach towards security. We deploy four approaches in our plans that prevents diversion, theft, and loss of cannabis products and currency, as well as deter other related criminal activity that could harm our employees, customers and negatively affect the surrounding communities. The four approaches we implement include mechanical, technological, physical, and educational.

### **Element 7 Approach to Effective and Dynamic Security**

The first and most obvious approach that is deployed is the mechanical approach. This covers security surveillance equipment, lighting, non-commercial grade locks, fencing, and buzz-in door features. The technological approach includes all security measures involving technology, data and surveillance and alarm systems, such as electronic access systems, secure and permission-authorized POS system, after-hour security systems, panic, duress and hold-up alarms, web-based access to live security surveillance, cybersecurity measures that include Virtual Private Networks, Malware and Anti-Virus applications, data encryption and cloud-based storage, failure notification systems, back-up power systems, secure communications, motion and glass break detectors.

Technology is always supplemented by a dynamic human element which is covered in the physical approach. This means that our physical approach involves trained and licensed security officers, 24/7 alarm and security surveillance monitoring, roving inspections, bag inspections, Company-issued uniforms and personal item carriers, tiered- authorized access controls and Employee IDs. The fourth and final approach, which is Education-based, supports the physical approach by ensuring that employees, security officers, managers and owners are trained and educated in a manner that allows them to maintain the security and safety of the facility, the customers, surrounding communities and themselves. Employees, security officers, managers and owners will receive comprehensive security training on how to manage hold-ups, burglaries, violence in the workplace, emergency situations such as fires, earthquakes and power outages, bomb threats, active shooters, FEMA training, OSHA training and how to create and report incidents to management.

Bringing the four approaches together to create a dynamic, versatile, and effective security plan also means engaging the services of trained, licensed and experienced professionals to provide the manpower, training, and continued guidance in the implementation and further development of our security plan. We will contract a locally licensed, private security provider who will provide trained and licensed security officers into our operations. We will also contract a local cybersecurity professional to monitor and manage our networks. Ensuring that our data and the confidentiality of our customers is one of our highest priorities. Our Company's Chief of Security will manage the on-boarding and continued advancement training for our employees. This training will cover our security policies and procedures.

All mechanical aspects of our security plan will be sourced, installed, maintained and monitored by professional, licensed alarm companies. Our plan includes two (2) third-party alarm companies who will monitor alarm systems, in the event that connection is lost to our primary alarm monitoring provider. Live security surveillance feeds will be made accessible to State Police through a web-based application that will allow the State Police to perform reverse monitoring. Our Company's goal to prevent diversion, theft and loss of

cannabis and currency, and deter other related criminal activity means open lines of communication with State authorities and transparency. We are committed to the safety of the community, our customers, and our employees and have made communication and transparency a core business practice across all our operations.

### Maintaining Records and Reporting

Managing reports and maintaining accurate records is another area of transparency and communication that we dedicate resources, time and training to. We will maintain a comprehensive log covering all aspects of our security systems, surveillance and equipment, including equipment maintenance, repair and replacement, electronic access records of limited and restricted access areas, customer, contractor, visitor and employee information, surveillance records, alarm monitoring records, system failure records, roving security inspection observations, incident reports and other pertinent records related to the security of the facility and the systems, personnel and contracted professionals charged with implementing and maintaining security.

### Community Liaison

As part of our security plan, we will also be assigning a Community Liaison, whose contact information will be posted in the facility's reception area and on our website. The Community Liaison will be available 24/7 to receive and respond to comments, suggestions, concerns and feedback from customers, the community, and local government.

### Overview of Operating Procedures

The Security Plan Operations Manual contains detailed policies and procedures related to the fulfillment of the above responsibilities and beyond.

POLICY NAME	SECURITY OPERATIONS POLICY
APPLICABLE LAW	Pursuant to the California Code of Regulations §5042-5047 and Lemon Grove Municipal Code, Element 7 officers, management, and staff will adhere to both local and state laws and regulations as it relates to providing adequate security measures at the facility in Lemon Grove.
POLICY OBJECTIVE	To ensure the safety of the public, Element 7 patients, primary caregivers, customers, staff and the surrounding community of Lemon Grove.
ELEMENT 7 CORE VALUE	<i>'Excellence in Everything We Do'</i>

<p><b>SOP PROCEDURES COVERED IN THIS DOCUMENT</b></p>	<ol style="list-style-type: none"> <li>1. Security Personnel Staff Plan</li> <li>2. Employee Theft Reduction Measures</li> <li>3. Security and Safety Training</li> <li>4. Workplace Hazard Assessment and Management</li> <li>5. Facility Access Plan</li> </ol>
	<ol style="list-style-type: none"> <li>6. Financial Plan, Cash Management / Currency Handling and Best Practices</li> <li>7. Cannabis Inventory Control</li> <li>8. Disposal and Destruction of Unusable Cannabis and Cannabis Products</li> <li>9. Security Equipment, Systems, and Hardware</li> <li>10. Site Design: External Security Factors</li> <li>11. Customer Records Management</li> <li>12. Cyber Security Plan</li> <li>13. Preventing Access to Minors</li> <li>14. Prevention of On-Site Consumption</li> <li>15. Display of Permit</li> <li>16. Emergency Contacts</li> <li>17. Summary</li> </ol>

**1. Security Personnel and Staffing Plan**

Element 7 will have at one licensed security personnel on-site during its hours of operation. This will ensure and perpetuate safe operations and provide additional security to the surrounding community.

Additionally, if Element 7 is awarded a license, we have found three prospective local NorCal security firms that we would envision working with that we would seek approval for from local Town law enforcement. Our preference is to work with a security company that is as 'local as possible'.

The group selected by Element 7 would be responsible for providing one (1) licensed security personnel on-site 24-hours a day to ensure safe operations of the business. All security personnel and guards will be certified by the State Bureau of Security and Investigative Services (as described below in '*Security Personnel and Guards*').

### **GSG Security Services**

Strategic security advisement for Element 7 is provided by GSG Security Services, a specialized security service company that will provide high-level guidance for Element 7 security operations across all aspects of the business, working in conjunction with a local State-Licensed Security firm approved by Local Town law enforcement.

### **GSG Security Services**

License Number: #16545  
Key Contact: Corey English  
Contact Number: (310) 425 3516

Corey English, Element 7's Chief Security Officer, is a 22+ year veteran in the security industry. He has worked with a variety of companies, ranging from small/local organizations to international and Fortune 500 companies, building their systems and processes for protecting their assets and staff. This has given Corey a unique perspective on how different industry leaders and businesses excel, depending on their team, clients and environment.

Corey is an expert in security process management and has decades of experience leading organizations through all aspects of security, including cyber, infrastructure, application, personnel, and network security.

Corey has also worked extensively with the following markets to ensure their security needs are met - colleges and universities, commercial and residential properties, museums, cultural centers, data and technology centers, entertainment industry, special events, loss prevention, petrochemical, pharmaceutical, cannabis and alcohol.

Corey is very passionate about the security industry and is actively involved with ASIS International and Law Enforcement and Private Security (LEAPS). Corey is also a reserve police officer for the Manzanita Police Department.

GSG, of which Corey English is the Vice President for California, was founded in 2000 in Nevada and 2005 in California and has been a trusted leader in the security industry for over 17 years. The business operates in 9 States across the US and brings over 300 years of combined security, law enforcement and military forces experience to Element 7 operation. GSG is a minority and veteran-owned business.

### **Security Personnel and Guards**

All security personnel and guards employed for security work at Element 7 will be licensed by the State Bureau of Security and Investigative Services (BSIS) with a valid Department of Consumer Affairs Security Guard License ('Security Guard Card') which is obtained by completing the annual pre-licensing course.



These personnel will be hired from a local licensed security firm chosen in consultation with the Chief of Police, with such guards reporting to the Chief Security Officer at Element 7, and a functional reporting line to the General Manager of the business. Such guards will be first on-site each day, and will remain at the premises until closing, escorting all staff to their vehicles at the end of the night, before closing the premises and activating the alarm system.

Element 7 Security Guards will also undertake pre-work training with GSG who conduct advanced training covering threat assessment, risk mitigation, customer management, systems and hardware and incident management. GSG are a Bureau-certified training provider.

All security guards must be at least 21 years of age, have undergone a criminal history background check through the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI), and complete the Power to Arrest Training, which includes:

- 40 hours of training in security officer skills; and
- 8 hours of continual training which must be completed during the second year of service.

### **Staffing Changes**

Element 7's operations manager will notify the Chief of Police within three (3) business days of any proposed staffing changes.

## **2. Employee Theft Reduction Measures**

### **Diversion**

Employee theft reduction starts with the hiring and retention programs created by the business – Element 7 is committed to hiring the best talent it can find, training them, creating a 'career' for them with Element 7, offering them 'ownership' of the business through a Stock Plan, and ensuring that there are continuous open lines of communication with management.

Element 7 has a zero-tolerance policy for theft. If an employee is caught stealing or attempting to divert medical cannabis, he/she will be terminated immediately and referred to the relevant local law enforcement authorities.

Element 7 will actively seek law enforcement involvement and seek to have criminal charges imposed against any employee stealing or diverting medical cannabis and will cooperate with the local police department in investigating any such activity. Employees found to be diverting medical cannabis are subject to arrest, prosecution, fine, imprisonment and will be punished to the fullest extent of the law.

### **Diversion Prevention - Best Practices**

Element 7 will implement the following "Best Practices" to prevent diversion from within the Company. These strategies include:

1. Pre-Employment and on-going annual background checks and reporting of necessary findings.
2. Policies prohibiting personal tools, supplies and equipment.
3. Employee personal bag searches (with signed consent).
4. Employee tracking via security surveillance and electronic access system (deliveries).
5. Escorting vendors, contractors, and visitors at all times while on facility premises.

### **Theft Reduction Measures**

The Company will implement the following employee theft reduction measures.

- Employees are required to wear uniforms while on duty in the storefront dispensary, while out on delivery, and/or while on dispensary premises.
- Uniforms will consist of Company issued pocket-less pants and shirts.
- No personal items or bags, that do not fit into the Company issued clear case, can be brought outside of the locker room area.
- Employees will be required to log in and out from Company time tracker.
- Employees will be required to use their Company issued key cards to enter into, and exit, the facility.
- Security Officers will perform spot and bag checks before employee's leave the premises.
- Entry/Exit of employees will be monitored by video surveillance, time tracking software, Employee badge cards that permit access to limited access areas, as well by visual surveillance by the security officer.

### **Facility Signage**

Signs are used within the Facility to remind staff and customers of the illegality of secondary sale, minors, and any diversion matters.

**DISTRIBUTION TO  
PERSONS UNDER  
THE AGE OF 21 IS  
STRICTLY PROHIBITED.**



**THE TRANSPORTATION  
OF CANNABIS OR  
CANNABIS PRODUCTS  
ACROSS STATE LINES IS  
STRICTLY PROHIBITED.**



**THE SALE OF CANNABIS  
PRODUCTS TO PERSONS  
UNDER 21 IS PROHIBITED  
BY LAW. LEGITIMATE  
GOVERNMENT-ISSUED  
IDENTIFICATION WITH PHOTO  
I.D. IS REQUIRED OF ALL  
CUSTOMERS IN ORDER TO  
GAIN ENTRY. VIOLATORS WILL  
BE REPORTED TO THE VILLAGE  
POLICE DEPARTMENT.**



### **Non-Employees in the Product Storage and Receiving Area**

People who have not been verified as employees or qualified vendors are not permitted in the product storage or receiving areas.

### **Employee Locker Rooms and Break Room**

The Company will maintain a separate area for the employee locker and break room where all employees will have appointed lockers to leave their personal belongings while on the clock. This area will remain completely separate from any limited access areas such as product storage, main office, and secure loading and unloading area/s.

Our Levels of Access protocol which guides who can access which areas within the Facility, and the use of Swipe Cards and Bio-Scans, will significantly eliminate the risk of theft and diversion. Our Inventory Management processes and Product POS systems further control access to the product and how cash and products are managed.

### **Company-Issued Uniforms, Clear Cases, and Personal Item Policies**

An effective deterrent to diversion, theft and loss is the issuance of uniforms and clear cases for personal belongings, such as mobile devices. Internal policies require employees to make use of locker rooms that are provided in the facility. Company-issued uniforms are generally pocketless to prevent diversion, theft and loss of cannabis products and currency. Upon an employee's termination or resignation, uniforms and clear cases will be surrendered to the General Manager.

### **Background Checks**

Pursuant to California Penal Code Sections 11105(b) (11) and 13300(b)(11), every person listed as an owner, manager, supervisor or employee within the Facility, must submit fingerprints and other information requested by the Chief of Police, for a background check.

Pursuant to California Penal Code Sections 11105(b) (11) and 13300(b)(11), no person will be issued a permit to operate or work within the Facility unless they have first cleared the background check.

A Log of all Background check documents will be held by both the Head of Security and the Head of Human Resources at Element 7 and the General Manager at Element 7.

### **3. Reducing Risks of Robbery**

Robberies and armed hold-ups are serious and potentially dangerous crimes that can cause emotional and psychological distress to victims even when they are not physically hurt. Particularly at risk are businesses such as cannabis dispensaries that manage large amounts of cash, that have few employees on site, and that regularly deal face-to-face with customers in areas that are often isolated due to zoning restrictions.

The most important aspect of reacting to a robbery is to deal first with the personal safety of employees and customers. Preventing crime in the first-place stems from

having a range of practices, systems, and workplace design considerations in place that make it hard to, or completely deter, such crimes from happening.

### **Workplace Designs to Prevent Robbery**

- Element 7 dispensaries are designed so that they are highly visible from the street as this deters robbers and makes detection much more likely. A well-lit interior and exterior (including sensor lights at night) is a significant deterrent. Managing landscaping and the height of shrubs is critical so that robbers cannot hide or create blind spots.
- Prominently displayed high-quality digitized closed-circuit television (CCTV) surveillance equipment that is maintained regularly with data backed-up at an offsite remote location is critical as both a deterrent and for any evidence.
- Sales counters within Element 7 are at a height, depth, and width that makes it difficult for any customer to physically grab or reach for an employee while they are behind the counter. Counter tops are cleaned regularly so that fingerprints are more easily captured (counters are not cleaned with oil or wax based cleaners).
- Cash registers are bolted into the units they are placed on / within. Barriers to separate customers from 'staff-only' areas are in place at all facilities.
- Up-to-date lists of emergency phone numbers are kept next to landlines in all facilities. Witness description forms are kept in a known area behind all sales counters.
- Panic and duress buttons are located next to each cash register. Such devices are tested frequently for malfunctions. False alarms are immediately reported to local law enforcement.
- Storage rooms shall have internal locks that can be opened from the inside (spare keys shall be kept in a hidden area within the storage room in the event that staff are held at gunpoint and locked in a room).
- All internal doors within the facility have a 2-factor magnetic lock with industrial hinges and door strength.
- Sally-ports are used at facilities – one door must be closed before the other door will open.
- All seldom-used rear and side doors will either be blocked with bricks and cement during the construction phase or marked as an exit door for fire safety requirements. Doors are locked when not in use.
- Bullet-resistant glass shall be used at the check-in counter in high-risk urban locations.

### **Workplace Practices**

The following practices are adopted to create a safer working environment for both staff and customers:

- Procedures for the operation of duress and panic buttons (silent alarm) clear to all employees. Periodic update and review for all staff.
- All employees trained to watch for and report any suspicious behavior and actions inside and outside the premises.
- Reporting all suspicious activities immediately – (a) recording a written description of all suspicious activities, persons, and vehicles, (b) training staff to be aware of suspicious persons, questions, and activities including persons that seem to be

loitering, questions business volume and transaction amounts, and people waiting for a lull in operations.

- Greeting every customer with a friendly greeting and eye contact – robbers try to avoid eye contact as they do not want to be identified. This practice may deter some would-be robbers.
- Requiring all tradespeople, repair workers, guards, police officers, and any visitors to sign-in and provide an ID Card before entering the premises.
- Ensuring that sufficient staff and guards are on duty at all times to manage customer flows – this practice is known as ‘target hardening’ and makes robberies more complicated and difficult.
- Make it obvious that the business uses good cash-practices, techniques, and protection equipment. Visual deterrents (equipment, signage, placards) tells potential robbers that the risks may outweigh the profits.
- Ongoing liaison with local law enforcement with regards to robbery procedures so that all parties understand the process with regards to any robbery or theft situation.
- Ensure that emergency telephone numbers and other vital contact numbers (security, police, owners) are easily visible and accessible to staff.
- Presence of uniformed guards within the facility and use of armored vehicles for the pick-up and delivery of all cash.

### **Training**

- Regular on-site training is given the highest priority at Element 7. Employees are continuously trained on robbery prevention, detection, and deterrent to improve safety and assist in apprehension.

### **Opening and Closing Procedures**

The following practices are used for all opening and closing of the premises each day for the safety of staff, customers, and the business:

- On arrival each day, the premises shall be inspected for forcible entry prior to entering the facility.
- A security guard shall first inspect the premises before allowing staff to enter. If all clear, staff shall enter the premises.
- At closing, a final sweep shall be conducted to ensure that nobody is hiding within the premises.
- A security guard shall escort all staff to their vehicles at closing time.
- All staff shall text message the security guard on-duty as staff either arrive home or at their next destination after leaving work.

### **Cash Protection**

By following set rules and processes for the management of cash within the business, the business will be a less attractive target and will limit any robber’s profits while reducing losses:

- A minimum of easily accessible cash shall be kept on hand within the business and stored within the vault. Each cash register shall start the day with \$250.00 in cash change and shall be emptied as soon as the register has \$1,250.00. At that point, \$1,000.00 shall be removed from the register and placed in a quick one-way cash



drop box within the secured office prior to the end of that shift (drop-box shall be bolted to the floor and emptied at the end of each shift before being transferred to the vault).

- Vaults shall contain an outer-lock for access to the vault and an inner-lock for cash (vault within a vault). Vaults shall be locked at the end of each use and access shall be minimized to the General Manager and Shift Manager. Access by Shift Manager shall require a security guard being present (dual-access control).
- Money shall be kept out of reach of customers by ensuring that the register is at a height and depth back from the counter that makes access by a customer problematic and out of reach.
- No counting of cash allowed within view of any customers – all cash shall be counted and balanced in the General Manager's locked office.
- Use of 'marked-bills' within each cash register – in this instance the Serial Numbers are pre-recorded and two bills (\$10.00 and \$5.00) are kept within a separate section within the register and not to be touched unless during a robbery.

### Preparing Against a Robbery

The overriding consideration in dealing with a robbery is to reduce the possibility of any injury by ensuring staff are trained and prepared on how to deal with such occurrence.

- Use of **CODE A** practices – that can be used as a prompt to staff as to how to handle a robbery. CODE A is an acronym and can be easily memorized:
  - **Stay Calm** – Remain calm and in control at all times.
  - **Obey** – Do not resist the robber. Don't be a hero. Do not take action that would jeopardize the safety of personnel or customers. In most situations robbers don't harm people that are cooperating and calm. Try to inform the robbers of any surprises and inform the robber if you need to reach for anything such as a key. Follow the robber's commands but do not volunteer assistance or information.
  - **Describe the Situation** – Train staff to be observant and plan to be a good witness. Count the number of robbers, note their physical characteristics and distinguishing features, behavior, speech patterns, nicknames used, and other relevant details. Ensure that witnesses do not discuss or collaborate details until law enforcement arrives and takes witness statements. Have staff record their own version of events as soon as possible in writing after an incident.
  - **Maintain Evidence** – Train staff to maintain and safeguard evidence. Do not let anyone touch counters, door handles, or any other surface before law enforcement arrives.
  - **Alarm** – Activate the panic / duress buttons as quickly, safely, and discreetly as possible. Call the police. All actions must only be done when it is safe to do so.

### Post-Robbery Procedures

By following a known set of procedures after a robbery, employees will be in a better position to assist law enforcement in apprehending robbers and protecting the community from harm. Employees will be assigned set responsibilities for who will do what after a robbery takes place – who will safeguard evidence, who will call police,



who will care for anyone injured, who will identify the getaway vehicle.

The following policies are in place:

- Staff are trained to not chase after robbers. The robbers may shoot at, or attack, and pursuers. Responding law enforcement may confuse staff for robbers.
- Secure the doors so that robbers cannot re-enter the premises. Stop all operations immediately. Do not let anyone enter except emergency and law enforcement personnel. Place a sign on the door saying "Premises are Temporarily Closed Due to an Emergency" so that more customers do not attempt to enter.
- Call the police immediately on 911. Staff will be briefed to report if anyone is injured so that an ambulance may be dispatched if necessary. Report all details to law enforcement including descriptions and times.
- Care for any injured persons.
- Write down all details of what happened and inform staff to do so – witness description forms are kept behind all sales counters.
- Preserve potential evidence by protecting the crime scene and keeping people out of the area where the crime took place. Do not touch anything.
- Ask witnesses to stay until law enforcement arrives.
- Contact Element 7 Chief of Security and CEO immediately to report the situation.
- Do not discuss the crime with outsiders or the media – refer all questions to the police and the Element 7 CEO.
- Assist the investigating officers in every way possible including access to CCTV footage, and witness description forms.
- Manage trauma situations through paid leave, counselling, or any other means necessary.

#### **4. Security and Safety Training**

Safety training is critical to ensuring Element 7 staff are informed, educated, and prepared for a range of responsive situations that could occur within daily operations. The training importantly includes clear directives, material, and instruction for customers. These policies and procedures include emergency evacuation procedures within the retail facility, safety hazards, returning cannabis products, recalls and other situations that may affect their safety and security while in the retail facility or while using cannabis products purchased at our facility.

#### **Training and Instruction**

We have established the following policy on training all workers with respect to workplace security.

All workers, including managers and supervisors, shall have training and instruction on general and job-specific workplace security practices. Training and instruction shall be provided when the IIP Program for Workplace Security is first established and periodically thereafter. Training shall also be provided to all new workers and to other workers for whom training has not previously been provided and to all workers, supervisors and managers given new job assignments for which specific workplace security training for that job assignment has not previously been provided. Additional training and instruction will be provided to all personnel whenever the employer is made aware of new or previously

unrecognized security hazards.

General workplace security training and instruction includes, but is not limited to, the following:

1. Explanation of the IIP Program for Workplace Security including measures for reporting any violent acts or threats of violence.
2. Recognition of workplace security hazards including the risk factors associated with the three types of workplace violence.
3. Measures to prevent workplace violence, including procedures for reporting workplace security hazards or threats to managers and supervisors.
4. Ways to defuse hostile or threatening situations.
5. Measures to summon others for assistance.
6. Worker routes of escape.
7. Notification of law enforcement authorities when a criminal act may have occurred.
8. Emergency medical care provided in the event of any violent act upon a worker; and
9. Post-event trauma counseling for those workers desiring such assistance.

In addition, we provide specific instructions to all workers regarding workplace security hazards unique to their job assignment, to the extent that such information was not already covered in other training.

We have chosen the following checked items for training and instruction for managers, supervisors and workers:

- Crime awareness.
- Location and operation of alarm systems.
- Communication procedures.
- Proper work practices for employees and security guards.
- Self-protection.
- Dealing with angry, hostile or threatening individuals.
- Location, operation, care, and maintenance of alarm systems and other protective devices.
- Communication procedures.
- Determination of when to use the "buddy" system or other assistance from co-workers.
- Awareness of indicators that lead to violent acts by service recipients.
- Pre-employment screening practices.
- Worker Assistance Programs.

- Awareness of situational indicators that lead to violent acts.
- Managing with respect and consideration for worker well-being.
- Review of anti-violence policy and procedures.

### **Security and Emergency Preparedness Training**

Supervisors, managers and employees will also be required to complete Security and Emergency Preparedness training based on Federal Emergency Management Agency guidelines and courses. This includes:

- Natural hazards: floods, hurricanes, tornadoes, and earthquakes
- Health hazards
- Cybersecurity, power outages and equipment failure
- Emergency alerts and the Integrated Public Alert and Warning Systems
- Active Shooter, robbery, burglary, transportation incidents and workplace violence
- Attacks in Public Places
- Terrorism, bomb threats and suspicious packages
- Ensuring Building Security: evacuation, sheltering and lockdown
- Severe Weather
- Recovering from Disaster
- Loss Prevention
- First Aid and CPR

### **Employee Safety and Security Training and Resources**

Our supervisors, managers and employees will be required to complete safety training that covers OSHA requirements, Sexual Harassment and Workplace Violence, Emergency Preparedness and Safety and Security Policies and Procedures.

In order for our Company to maintain the safety and security of our employees, we will perform security and risk assessments at various stages of build-out and implementation, and on-going assessments while in operation, to identify workplace security issues. The fact that the cannabis industry is unable to access traditional banking services, high amounts of cash on-site and highly valuable items, such as cannabis products, may increase the risk of violence related to diversion, theft and other related criminal activity. Although our security plan includes state-of-the art security systems, devices and professional, contracted security officers, we will have all facility supervisors and employees complete Worker Safety and Health training modeled after Cal/OSHA's Cannabis Industry Health and Safety Program.

Training will cover:

- Electrical hazards
- Hazard communication
- Injury and illness prevention
- Personal protective equipment
- Point of operation hazards
- Repetitive motion injuries
- Slips, trips, falls and use of ladders
- Sanitation and pest control
- Workplace violence

- Sexual harassment
- Discrimination
- Worker's Rights
- Employer's Rights
- Reporting and Resources

### **Cannabis Specific, In-Depth Security Training**

We will contract a security professional to provide security and emergency preparedness training based on FEMA Emergency Management Agency guidelines that includes active shooter, emergency preparedness, burglary and robbery, bomb threats, cybersecurity threats and other potential security and safety threats that employees may encounter while on the job. Our contracted security professional will also train employees on ways to identify potential risks to workplace security, describe measures for improving workplace security and how to determine actions to take in response to a safety or security situation (e.g., burglary, armed hold-up, stroke and heart attack, loss of power). We also require, and provide, training refresher courses which will occur on an annual, ongoing basis for all employees. Refresher training courses will consist of a minimum of 32 (paid) hours annually, for security and safety training.

Our Chief of Security will also be providing, and managing, training on internal safety and security policies and procedures that have been developed with our Chief of Compliance. Facilities may have unique safety and security issues and our Chiefs of Security and Compliance will work on developing policies and procedures that address these unique issues. Internal Security and Safety policies and procedures include:

- Security Surveillance Systems
  - Equipment: inspections, maintenance, and reporting
- Alarm Systems: inspections, maintenance, monitoring, reporting
  - Duress
  - Panic
  - Burglary
  - After-Hours
  - Motion Detectors
  - Glass Break Detectors
- Lighting: inspections, maintenance, monitoring, reporting
  - Facility Lighting
  - Emergency Lighting
  - Motion Detection Lights
- Cybersecurity
  - Employee and Customer WIFI, Mobile Device Use Policies, Firewalls and VPNs
- Product and Currency Handling and Storage
- Shipments and Deliveries

- Logs, Data Management and Reporting
- Financial Plan
  - Receipts
  - Managing Cash on Hand
  - Currency Pick Up
  - Reporting
- Limited and Restricted Access Areas and Permissions
- Keys, Electronic Access Cards and Company Issued IDs
- Contracted Licensed Security Officers
- Bag Checks
- Clocking-In and Clocking-Out
- Roving Inspections
- Safety and Security Training Requirements

### **Situational Training**

Staff are trained to deal with, and manage, a range of workplace scenarios – having staff adequately trained allows for rapid response, resolution, and risk minimization.

### **Emergencies**

The Company has outlined steps that supervisors, managers, and employees should take in the event of certain emergency situations.

#### **Fire**

- Call 911 immediately if fire is uncontrollable.
- Use fire extinguisher to put out smaller fires.
- Evacuate the building immediately and allow the fire department full access to the facility.
- Have staff and witnesses fill out incident reports.
- Assist in clean up after fire has been extinguished properly. Management is to secure product in the safe if available.

#### **Earthquake**

- All employees find a safe spot during the event and exit store in calm fashion if possible.
- Manager on duty is to lock up doors and shut off gas line to business if accessible.
- Manager is to account for all employees and vendors after the event is over and facilitate cleaning up the business if needed. No employee is to leave without contacting the manager first and receiving authorization to do so.

- Manager is to call the owner and inform him of any damage. Owner is to call Insurance company in the event of damage and facilitate the repairs.

### **Medical**

Any type of serious life-threatening medical emergency, such as seizures, asthma attacks, epilepsy, diabetic episodes, etc. will be handled by medical professionals and emergency responders will be called immediately via 911. Any type of accident wherein bodily fluids is present, only management is to deal with such fluids using proper cleaning supplies and gloves. If in abundance, use of professional cleaning service may be deemed necessary. Business will have a stocked first-aid kit in case of minor injuries at work. Employees will always have access to this kit.

### **Active Shooter**

Employees will receive Active Shooter training from our contracted Security Professional.

### **Injury or Accident**

Employees will be instructed to remain calm and assess the emergency situation. They will be trained to assess whether the injured individual requires need medical attention. Injured individuals who refuse medical attention will be asked to complete and sign an incident report and refusal to receive medical attention waiver. Basic first-aid procedures can be used on employees in the event of a minor injury.

### **Hazardous Materials**

Hazardous materials (hazmat) are substances or materials that the U.S. Department of Transportation (DOT) has determined are capable of posing an unreasonable risk to health, safety and property when transported in commerce. The Hazardous Materials Regulations (HMR) are a set of rules established by The Pipeline and Hazardous Materials Safety Administration (PHMSA) to ensure hazmat is packaged and handled safely during transport, storage, and handling.

Hazardous Material Security training is designed to introduce hazmat employees to security risks associated with the hazmat transportation process and ways to enhance security, as well as how to spot a possible security threat and respond appropriately. Training will help employees meet the security awareness training requirement (49 CFR 172.704(a)(4)). Training will enable employees to determine if a material is hazardous, recognize the hazard classes and divisions used to identify hazardous materials, recall what makes a material hazardous substance, waste, marine pollutant, or elevated temperature material. All employees will be able to communicate a material's hazards through the use of shipping papers, markings, labels, and placards.

All staff are trained in two (2) core Hazmat areas of concern, which training is included in staff on-boarding training and the annual training refresher program:

- Importance of Hazmat Security
- Reducing the Hazmat Risk

### **Workplace Safety**

We have built our company by maintaining the interests, safety and security of our

employees – in 2019 Element 7 entered into a Labor Peace Agreement with the United Food and Commercial Workers Union (UFCW).

Our training includes providing material and instruction on Worker's Rights. Every employee should know that they have the right to safe working environments, access to protective equipment and information, records and reports about their employer, the facility they work in and the issues that they may be exposed to. Materials and instruction on Worker's Rights will clearly state and explain that every employee has the right to:

1. Working conditions that do not pose a risk of serious harm. This means providing a safe and secure working environment for our employees at all times.
2. Employees also have the right to receive information and training, in a language and vocabulary that they understand, about workplace hazards, methods to prevent them and the OSHA standards that apply to their workplace.
3. Provide employees access to records of work-related injuries and illnesses.
4. File a complaint asking OSHA to inspect their workplace if they believe that there is a serious hazard or that their employer is not following OSHA's rules.
5. Exercise their rights under the law, without fear of retaliation, including reporting an injury or raising health and safety concerns with their employer or OSHA.

### **Workplace Violence**

Workplace violence is any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site. It ranges from threats and verbal abuse to physical assaults and even homicide. It can affect and involve employees, clients, customers and visitors. Acts of violence and other injuries is currently the third-leading cause of fatal occupational injuries in the United States. In most workplaces where risk factors can be identified, the risk of assault can be prevented or minimized if employers take appropriate precautions.

Our Company has developed a Zero-Tolerance Policy towards Workplace Violence. Our policy covers all workers, customers, visitors, contractors, and anyone else who may come in contact with our supervisors, employees and contracted professionals.

Our Zero-Tolerance towards Workplace Violence Policy addresses:

1. Training that identifies aggressive and violent behavior and how to diffuse escalating violent situations;
2. Security system and devices installed throughout the workplace to enhance security and safety;
3. Proper alert and reporting procedures;
4. Responding to workplace violence incidents, including medical treatment, follow up treatment, providing tools and resources;
5. Assessing current policies and making improvements.



There are three (3) major types of workplace violence. Type I workplace violence involves a violent act by an assailant with no legitimate relationship to the workplace who enters the workplace to commit a robbery or other criminal act. Type II involves a violent act or threat of violence by a recipient of a service provided by our establishment, such as a client, patient, customer, passenger or a criminal suspect or prisoner. Type III involves a violent act or threat of violence by a current or former worker, supervisor or manager, or another person who has some employment-related involvement with our establishment, such as a worker's spouse or lover, a worker's relative or friend, or another person who has a dispute with one of our workers.

Our Company has decided to assign responsibility for security in our workplace to our Chief of Security who will act as the Injury and Illness Prevention (IIP) Program administrator for workplace security and has the authority and responsibility for implementing the provisions of our Zero-Tolerance towards Workplace Violence Policy. All managers and supervisors are responsible for implementing and maintaining this IIP Program in their work areas and for answering worker questions about the IIP Program. A copy of this IIP Program will be made to employees by each manager and supervisor.

Our policy is designed to ensure compliance with our rules on workplace security. The Management of our establishment is committed to ensuring that all safety and health policies and procedures involving workplace security are clearly communicated and understood by all supervisors, managers, and employees.

All supervisors, managers, and employees are responsible for using safe work practices, for following all directives, policies and procedures, and for assisting in maintaining a safe and secure work environment. Our policy ensures that all supervisors, managers, and employees comply with work practices that are designed to make the workplace more secure, and do not engage in threats or physical actions which create a security hazard for others in the workplace. The policy includes:

1. Informing supervisors, managers, and employees of the provisions of our IIP Program for Workplace Security. Evaluating the performance of all supervisors, managers, and employees in complying with our establishment's workplace security measures.
2. Recognizing supervisors, managers and employees who perform work practices which promote security in the workplace.
3. Providing training and/or counseling to supervisors, managers, and employees whose performance is deficient in complying with work practices designed to ensure workplace security.
4. Disciplining supervisors, managers, and employees for failure to comply with workplace security practices.
5. The following practices that ensure worker compliance with workplace security directives, policies and procedures.

We recognize that to maintain a safe, healthy and secure workplace we must have open, two-way communication between supervisors, managers, and employees, on all workplace safety, health and security issues. Our establishment has a communication

system designed to encourage a continuous flow of safety, health and security information between management and our workers without fear of reprisal and in a form that is readily understandable. Our communication system consists of the following checked items:

- New worker orientation on our establishment's workplace security policies, procedures and work practices.
- Periodic review of our IIP Program for Workplace Security with all personnel.
- Training programs designed to address specific aspects of workplace security unique to our establishment.
- Regularly scheduled safety meetings with all personnel that include workplace security discussions.
- A system to ensure that all workers, including managers and supervisors, understand the workplace security policies.
- Posted or distributed workplace security information.
- A system for workers to inform management about workplace security hazards or threats of violence.
- Procedures for protecting workers who report threats from retaliation by the person making the threats.
- Addressing security issues at our workplace security team meetings.
- Our establishment has fewer than ten workers and communicates with and instructs workers orally about general safe work practices with respect to workplace security.

## **Other Workplace Staff Policies**

### ***Intoxication***

Any employee of the businesses who appears to be intoxicated will be asked to leave the premises immediately. This will include alcohol, drug and marijuana intoxication. This will be counted as a shift missed and can be written up with a reprimand in their file. If an intoxicated employee refuses to leave the property, the authorities will be called, and they may be arrested for trespassing.

### ***Drugs and Alcohol***

Drugs and alcohol of any kind are not welcome in the workplace. Anyone caught using, providing, sharing, or selling drugs and / or alcohol will be terminated and could be subject to criminal/civil prosecution.

### ***Theft***

Any employee caught stealing will be terminated immediately, they will be banned from the premises, and management will press charges against them. If you suspect someone of

employee theft do not directly confront them as this could lead to a volatile situation and you may be wrong. Inform management immediately and the issue will be investigated thoroughly before any decisions are made. Employee theft will not be tolerated and will result in instant termination and possible criminal charges against the individual.

### ***Violence – Zero Tolerance***

Violence toward anyone is NEVER tolerated and will result in immediate termination of employment and possibly criminal and / or civil litigation.

### ***Sexual Harassment***

Sexual harassment occurs when one employee makes continued, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, to another employee, against his or her wishes. Sexual Harassment is not tolerated and may result in termination of employment depending upon review of complaint and validity of accusations.

### ***Incident Investigations***

We have established the following policy for investigating incidents of security and safety breaches and threats. Our procedures include:

1. Reviewing all previous incidents.
2. Visiting the scene of an incident as soon as possible.
3. Interviewing threatened or injured workers and witnesses.
4. Examining the workplace for security risk factors associated with the incident, including any previous reports of inappropriate behavior by the perpetrator.
5. Determining the cause of the incident.
6. Taking corrective action to prevent the incident from recurring.
7. Recording the findings and corrective actions taken.

### **6. Facility Access Plan**

Element 7 has designed its facilities in a manner that provides for controlled contact and access to cannabis and cannabis products, cash and currency, and other sensitive records and materials to prevent diversion, theft, loss and other related criminal activity that may put its operations, employees and the surrounding community at risk.

### ***Product and Facility Access Protocols***

Cannabis or cannabis product will not be stored, kept, or otherwise, accessed from outside the building. Loading and unloading of cannabis or cannabis products is allowed during business operating hours only and must be completed at the rear of the building. All cannabis present or kept at the premises will be securely stored against both unauthorized access as well as theft.

A Safe with a UL-Approved safe with a fire rating that is 2-hour and 1,700 degrees F or better rated with a complex locking device only known to the General Manager will be installed at the Facility. The CEO for Element 7 will also have access to such safe.

The overall design of the security plan is based on Levels of Access designation, with levels assigned to each person and situation, setting the basis for control and access. This system provides the following benefits:

- Assists in outlining access rights to be administered and monitored;
- When combined with rules and policies it delineates clarity for purposes of compliance and enforcement; and
- System allows for training of employees and staff with ease of operation assisting with enforcement.

### **Main Facility Access**

The front of the facility will have a Lobby which will be manned by a Security Guard during all hours of operation. This person also acts as the check-in staff to facilitate age and identity verification, as well as new patient and customer intake. All persons must present their ID Card and sign-in to the Facility at this point. Any persons without a valid ID Card will be asked to leave the facility immediately.

### **Limited Access Areas**

Element 7 will ensure that any person on the business premises, except for employees and contractors of Element 7 are always escorted by at least one employee of the licensee when in the limited-access areas of the premises.

- Element 7 will establish limited-access areas and permit only authorized individuals to enter the limited-access areas. An example of the type of signage used by Element 7 is demonstrated below.
- Authorized individuals include employees as well as any outside vendors, contractors, or other individuals conducting business that requires access to the limited-access area.
- An individual who enters the limited-access areas will be at least 21 years of age.
- Element 7 will maintain a log of all authorized individuals who are not employees that enter the limited-access area. These logs will be made available to licensing authorities upon request.
- Element 7 will not receive consideration or compensation for permitting an individual to enter the limited-access area.



### Facility Layout and Access Plan

The layout of our dispensing facility complies with state requirements in as much as it utilizes a buzz-in feature door that separates our reception area from the retail floor area. The entire facility consists of limited access areas, which are areas where customers will be allowed under supervision of an employee; and restricted access areas, which are areas that are only accessible to authorized personnel with specific permissions.

Restricted Access Areas will be identified by signage of no less than 12 inches by 12 inches, indicating: "**Do Not Enter - Restricted Access Area - Authorized Personnel Only**". The sign will utilize lettering with a font size no less than 1 inch in height (as shown above).

### Limited Access Areas

1. Parking Lot
2. Retail Floor

### Restricted Access Areas

1. Cannabis Product Storage Area
2. Reinforced Vault (within Main Office)- TL-30 safe, DEA-approved for the storage of Schedule I Narcotics
3. Cannabis Waste Storage Area
4. Main Office
5. Register (POS)
6. Employee Break Room
7. Employee Restroom
8. Quarantine Area
9. Loading and Unloading Area

Employees will be designated a Level of Access based on their job scope, title and

responsibilities. They will then be assigned a personalized security pass (with name, photo and Access Level boldly displayed) for movement within the Facility. Every employee will be trained on Element 7's strict "anti-piggybacking" rules and procedures which prevent unauthorized persons accessing areas within the Facility that they are not approved for.

Anybody caught in an Access Level beyond their assigned level will be immediately taken to a meeting room with the General Manager for an explanation and investigation of consequences of such security breach. Any serious breaches could result in immediate suspension and up to termination of the employee from the Facility. All security passes given to employees must be returned to the on-site security guard prior to exiting the facility.

### **Electronic Access, Limited and Restricted Access Areas**

To ensure that accurate and reliable logs of access to restricted areas are monitored and recorded, the facility will be installed with an electronic access system. This system requires dual factor authentication via Company-issued access cards and facial recognition software. Passwords are sufficient in maintaining an effective dual factor authentication process but can be easily stolen or retrieved by unauthorized individuals. Facial recognition reduces the chances of replicating an individual's facial features and provides a more robust security measure that is more difficult to circumvent.

Electronic Access Systems record information pertaining to the access of areas controlled by its system. This means that we will be able to identify which employees access certain limited and restricted access areas, the time and date they accessed the area and how much time was spent in that particular area. This system complies with current regulatory requirements and ensures accurate and reliable reporting.

The access control system is built upon the following platform and involves the following measures:

- Dual factored authorization and authentication measures – Contact and Control Card (CAC) and Facial Recognition;
- Access Privilege - based upon employees' duties and roles;
- Contact and Control Card lockout times;
- Continuous Monitoring and Recording of Access Entry/Exit, Attempted Surreptitious Entry;
- System Interrogation;
- All assigned employees will be issued a Contact and Control Card (CAC) of which each will be assigned a Card Holder Unique Identifier (CHUID) identifying the employee and record a biometric fingerprint; and
- Biometric restricted access to Critical Cyber Asset areas.

## **Keys, IDs and Access Card Policies and Procedures**

### **Medeco Locks and Key Issuance**

To ensure the security of the facility even in the event of power outages, the facility will be outfitted with noncommercial grade mechanical Medeco locks. Medeco locks are drill proof, require multiple diamond blades in order to be cut, are pick-resistant and require a Medeco company issued card with a unique authorization number to be duplicated. Medeco locks meet security ratings established by Underwriters Laboratories for Key Locks and have a rating of UL437.

Keys for these locks will be managed and issued by the General Manager. Best practices demand that agents and employees that have been issued keys for these locks maintain the keys on their person at all times and should not leave the keys in locks or store the keys in a location accessible to unauthorized individuals. Keys will be surrendered to the General Manager at the close of business day.

### **Electronic Access**

Element 7 has chosen to implement a comprehensive Electronic Access Control system (i.e. Biometric, RFID, Smartcard) which will be installed throughout the facility. All employees, management, and visitors will be required to wear an identification badge/card for specific access. These Electronic Access Control systems will be continuously monitored. Element 7's security personnel will track the movement of employees and visitors throughout the facility using human surveillance, video surveillance and Electronic Access and Control monitoring. Attributes of this platform include:

- Dual factored authorization and authentication measures – Contact and Control Card (CAC) and Biometric Fingerprint;
- Access Privilege - based upon employee's duties and roles;
- Contact and Control Card lockout times;
- Continuous Monitoring and Recording of Access Entry/Exit; and
- Biometric restricted access to Limited and Restricted Access areas.

### **Company Issued Electronic Access Cards and Employee Badges**

Electronic access allows for permission controls that allow authorized agents to access specific areas of the facility in order to complete tasks related to their assigned roles. To ensure that access to an area is limited to the authorized agent, we will be issuing Access Cards embedded with unique employee permissions that are integrated with employee facial imaging signatures. These cards will only be issued to employees by the General Manager. Although cards may be duplicated, facial recognition, which is the second layer of access authentication, will prohibit unauthorized individuals from accessing the facility or areas of the facility.

Upon the termination of an employee, or resignation, these access cards will be surrendered to the General Manager before the former employee leaves the facility. Access cards that are lost or stolen will immediately be de-activated and a temporary access card will be issued that de-activates at the close of business day. Temporary access cards will need to be activated by the General Manager on the days that employees work, until their permanent access card is replaced. Access Cards also serve as



Company-issued ID badges that are required to be worn in a conspicuous manner while on-duty.

### **Employee Badges**

Element 7 will be issuing employee badges in compliance with state regulations (California Code of Regulations, Title 16, Division 42, Section 5043. Employee ID badges will include the following:

- Element 7 name and license number
- Employee's first name
- Employee number exclusively assigned to the employee for identification purposes
- Color photograph of the employee clearly showing the full front of the employee's face, at least 1 inch in width and 1.5 inches in height

All Element 7 issued employee badges will be laminated and worn on Element 7 issued ID clip. Element 7 policy requires that employees wear IDs at all times while at the facility. Element 7's Facility Supervisor will issue employee badges and maintain all related documentation on Flowhub.

In the event that an employee forgets or misplaces his or her badge, the employee will be required to get a temporary badge from the Facility Supervisor. In cases where an employee loses his or her badge, a formal report must be made to the Facility Supervisor and a new badge will be issued. Any authorizations attributed to the lost badge will be suspended. In some cases, disciplinary action will be taken against employees who misplace, forget or lose their badges.

### **Integrated Visitor Management System**

We permit visitors into our facilities on the condition that their visit is pre-approved by the General Manager, Chiefs of Retail, Security or Compliance, or owners. To ensure the security of our facility, our customers, and the visitor, we deploy integrated visitor management, that utilizes U.S. Military grade technology. Our Integrated Visitor Management system features:

- Real time monitoring and management of audio and video verification systems
- Managed access control and on-line visitor management
- Visitor Badge Printing
- On-line visitor reports
- Secured 256-bit communication
- Single click evacuation list
- Barred Visitor Control
- Access control integration with security system

Visitor records will be maintained on our secure, cloud-based data storage system, and reports will be generated for the Town at their request.

### **Lost/Stolen Keys**

Any employee who loses a key, ID or access card must report the loss to his or her manager/supervisor immediately, who will then report the loss to the Key Administrator.

The General Manager will determine whether the system has been compromised, and if a core change is necessary. If a core change is required, the authorized state approved locksmith will be notified, and the Head of Security will take necessary measures to secure any potential compromised areas.

The Head of Security will initiate an investigation in reference to any lost/stolen keys, IDs or access cards, and determine if disciplinary action is necessary.

### **Duplicated Keys**

**It is strictly against Company policy to duplicate keys, IDs or access cards.**

Keys, IDs and access cards will not be duplicated for individually dedicated locks and access points, unless a need can be demonstrated, and written approval is received from the Head of Security.

### **Prevention of Trespassing**

Human surveillance will be supplemented by video surveillance of the premises and its perimeter. In the event that illegal activities are occurring on the premises, security personnel have been instructed to determine the type and level of the incident and then respond accordingly. Violent type incidents require that security personnel contact the local police department for assistance. A full sweep of all areas of the facility will be conducted each night before closing to ensure nobody is hiding on the premises or remains on the premises after closing.

## **7. Financial Plan, Cash Management/Currency Handling and Best Practices**

### **Financial Plan**

Financial Planning is a key component of operational success. To ensure the success of our cannabis retail business, our Chief Financial Officer (CFO) has developed a robust financial plan that will be implemented by our financial department. As part of our CFO's role in the successful implementation of our Financial Plan, he will oversee the financial department, including the implementation and administration of the internal control structure over elements such as financial reporting, safeguarding assets and appropriate authorizations over expenditures.

We will use QuickBooks for all financial transactions, invoicing, payments, and financial analysis. Our CFO will oversee all accounting and reporting policies and procedures that ensure directives are carried out by employees according to such mandated directives related to financial activities. He will also manage internal controls over financial activities including the authorization of financial transactions; recordkeeping and financial reporting;

physical control over assets and inventory; periodic independent verification and auditing, such as separate invoicing and receiving departments; separation of duties, which consists of several sub-departments within the financial department; and the implementation of sound personnel practices that promote a strengthened internal control structure, such as adequate supervision of employees, mandatory vacation time, and bonding of personnel who handle cash or inventory.

Our internal control structure is established in a manner to help mitigate and detect deficiencies in the controls structure. Separation of duties is one such element to manage accurate financial reporting. This means having sub-departments that oversee particular aspects of Element 7's financial transactions and activities. Each sub-department, such as Invoicing and Receivables will only manage either invoicing or receivables. Sub-department personnel will never be tasked to manage both invoicing and receivables at any one given time. Separation of duties safeguards and helps promote proper accountability and controls over financial reporting, assets and investments.

Finance sub-departments consist of Accounts Receivable, Accounts Payable, Invoicing, Purchase Orders, Vendor Management, Bookkeeping, Taxes, Payroll, Cash Count and Transfer, Inventory Review, Daily Budget Management, and Account Management. Each sub-department is expected to perform their duties and responsibilities and provide comprehensive reports to their sub-department managers, which will be overseen by top management and officers in the event of reporting errors, the CFO will adhere to FASB Accounting Standards Codification Topic 250, *Accounting Changes and Error Corrections*.

FlowHub, our preferred point-of-sale system provider has integration capabilities with QuickBooks, which ensures complete financial information capture and management and reduces the risk of error associated with manual data input. FlowHub features reporting mechanisms that facilitate in accurate financial recordkeeping and reviews. Part of our Financial Plan includes mandatory Financial Audits that will be conducted quarterly by a head office financial control team, and annually by a reputable third-party audit firm such as Marcum Partners.

### **Financial Plan in Light of Federal Restrictions**

The financial and banking restrictions imposed on legal cannabis operators across the country due to federal laws have forced an explosively profitable industry into a vulnerable financial position. Operating as cash-only businesses exposes legal marijuana operators to various threats, such as burglary, robbery, theft and other related criminal activity because they are unable to access basic financial and banking services. Our Company has experienced the direct impact of these restrictions. Our experience legally operating in California has provided us with the opportunity to explore financial and banking options that are not generally entertained by traditional businesses.

Our team of attorneys with our Chief Financial Officer (CFO) have performed their due diligence and developed a financial plan that provides legally acceptable financial and banking solutions for our cannabis operations across the country. Upon recommendation of legal experts, financial advisors and our CFO, we have divided our assets in a manner that utilizes a network of operating agreements with management companies, armored car

service providers, secure payment processing companies, and smaller, privately insured financial institutions that are willing to work with licensed operators.

As a heavily cash-based transaction business, our initial concern is securing currency on hand from potential theft, burglary, robbery and other related criminal activity. Our solution for managing currency on-site has been to contract an armored car service provider, who provides daily and weekly cash pick-up, drop-off, and storage, until we are ready to bring our cash and currency to a financial institution for safe-keeping. Armored car services enable us to secure our facilities against potential robberies and break-ins and provides secure transportation services that facilitates the timely remittance of local and state taxes. In order to address banking services and cash deposits for long-term safekeeping and investment, we have had success in securing open accounts with small, privately insured financial institutions, such as credit unions. We continue to reach out to larger FDIC insured financial institutions and hope to one day secure an active account that offers traditional banking services.

Our Company is also working on securing agreements with several secure, payment processors in order to provide secure debit and credit card transaction processing. In an increasingly technology driven world, we understand the need to offer quicker and easier payment solutions to customers who prefer to purchase products on-line or would rather make purchases using their smartphones or debit/credit cards. This opens up our market share to include a younger customer demographic and would decrease the risks posed by having excessive amounts of cash on facility premises.

We also utilize management companies who are able to manage payroll and secure employee benefits. Enlisting the services of a third-party to manage our operations provides us with a legitimate avenue that ensures employees receive their compensation in a timely manner and allows our Company to extend health, dental and vision insurance and other benefits. We will engage a local management company to provide such services.

Currently, there is the SAFE Banking Act that is being reviewed by the Senate. Until the Act is passed, we will continue to explore creative financial and banking solutions that do not jeopardize the legality and compliance of our operations with local and state laws and regulations. In the event that our business requires access to financial services, such as a loan, our industry relations with venture capitalist groups across the country will provide us with the funding it needs for build out, equipment, inventory acquisition and any other financial needs we may have throughout the course of our operations.

### **Cash Handling Plan**

Our Company has successfully implemented a Cash Handling Plan that ensures cash is securely and safely maintained and transported to a financial institution for safekeeping. Cash Handling begins with the purchase transaction. At the retail facility, a Budtender receives the cash and places it in the safe drop box located beneath the point-of-sale register. These drop boxes are emptied every two (2) hours by the General Manager.

The General Manager removes the cash from the drop boxes and places the cash into a

cash bag. The Budtender is then required to print out all transaction receipts from the time the last cash transfer was conducted. These receipts are placed in the cash bag with the currency taken from the drop box and taken into the Main Office. Cash bags with currency and receipts are placed in the Master Vault. The movement of currency from Retail Floor to the Main Office are recorded on security surveillance cameras installed throughout the facility.

At the close of business day, the General Manager and the second most senior employee, usually the Dispensary Manager or the Dispensary Assistant Manager, will conduct the cash counts and receipt audits. Reports are logged onto QuickBooks, which works in tandem with our POS. The retail facility will only be allowed to carry up to 20,000 USD in cash at any one given time (which must be stored in the vault). Once currency reaches this limit, the General Manager will contact the armored car transport provider to schedule a pick-up.

Once the authorized representative for the armored car transport service arrives to the facility, the currency will be removed from the Vault in the Main Office by the General Manager. The Armored Car Provider's Authorized Representative will receive the cash bags and will be escorted by the armored car transport's armed security officer back to the armored vehicle. The Authorized Representative will take currency from the retail facility to our Company's financial institution for safekeeping.

Element 7's Cash Management Plan is geared towards security and accountability. Its goal is to prevent theft, loss, and diversion, and maintain accuracy and transparency in its cash handling policies and practices. This is enforced in Element 7's cash handling practices, which are as follows:

- Operator invoices every sale and delivery order via billing module and POS system through Flow Hub
- System automatically records the sale and invoice
- Cash Payments are collected by bud tenders at point of sale and delivery drivers receive cash then drop off into cash safe upon return to facility
- Credit card payments are automatically uploaded onto the POS system
- At the close of business day, managers print out billing module metrics and POS metrics.
- The manager then counts all cash at the register to compare against the POS metric report. The Manager will also retrieve all cash at the cash drop off safe and will count the cash and compare against the billing module metric report.
- Completed cash counts must be logged onto a Cash Count Log and uploaded onto internal drives for record retention purposes.
- Upon completion of the dispensary register and cash drop off safe cash counts, the manager places cash in cash bags ready to be transported to the armored vehicle pick up loading and unloading area.
- Cash exceeding \$1,000 will be moved from the point-of-sale register and into the main office by the General Manager.

- Cash Logs will be imported onto Zero or QuickBooks to be maintained and used for tax reporting purposes.

### Cash Counting/Reconciliation

Daily cash counts and reconciliations will be performed to ensure that all currency and receipts are accounted for. All counts and reconciliations will be performed on video surveillance by the General Manager. A manual report will be completed and then uploaded on the cloud-based data storage system.

- Daily cash counts and reconciliations will be conducted by the General Manager.
- Cash counts will be conducted before reconciliations against the point of sale system receipts / records.
- A record of the count and reconciliation will be done prior to closing the facility every day. Only the General Manager will have access to the records and the safe where currency will be stored until it is picked up by our contracted armored vehicle provider's authorized representative.
- Company policy outlines that all currency received will not be co-mingled to use, pay for, or cover for other invoices, expenses, and outsourced services.

### Cash Storage

Element 7 will securely store cash and currency in the main office, which is a secure, limited access area that has a cash drop box, where budtenders take cash accepted during their shift to drop off. Cash and currency will remain in the main office until the scheduled armored vehicle pick up arrives to take it to a financial institution or other off- site location.

- All cash will be kept in a safe contained within a limited access area, that only the operations manager/s and facility owner/s will have access to.
- The cash safe will meet all local and state requirements.
- During business hours, cash will be kept in a register that is accessed through Flowhub.

### Cash Collection and Secure Cash Transport

Cash will be collected daily from Element 7 by a State-Licensed cash collection company that will safely transport any cash and coins from Element 7 to a Credit Union in California.

Cash will be collected two (2) times a week from the Facility with pick-up times to be coordinated between the General Manager and the cash collection company on a rolling-forward 2-week schedule.

Our preferred provider is **GardaWorld**. **GardaWorld** has offices in 19 locations across California.





### **Cash and Gross Sales Reporting**

Transactions and inventory will be monitored internally through FlowHub, the POS system. The system will track and report inventory, gross sales by weight and sale, and other information and metrics. FlowHub has the capability to produce historical transactional data for review, and several other operational metrics that the Town may request. Element 7 will provide detailed logs and reports to the Town, Bureau, and other governmental agencies upon their request. Reports could include inventory data, gross sales by weight and product type, and other historical transactional data that the Town may require at any given time.

### **Customer Transactions**

All transactions are conducted as cash sales. Many of our peers in the industry accept credit card sales, have elaborate cryptocurrency cash transaction schemes in place, and others have advised the banks they deal with that the transactions are for an alternate business purpose. Unfortunately, none of these schemes and programs are compliant with Federal banking regulations, and we are forced, as an industry, to rely on cash transactions for now.

Element 7 has formed a relationship with FDIC regulated bank and is currently undergoing final auditing and compliance checks – if approved, this would allow us to bank cannabis funds into an FDIC regulated bank, and to possibly offer debit card and merchant services in the near future.

In addition, we install GenMega ATM machines into all of our facilities – GenMega have over 1,000 of these units deployed across North America.

These units store up to \$10,000 in cash and are bolted into the floor, with a secondary plate that is welded to the bolts. The ATM is continuously monitored by camera and will be installed within the dispensary.

### **Cannabis Fees and Taxes**

Element 7 will report and remit all sales, use, business, and other applicable taxes, as well as all licensing and registration fees to the Town and the State in a timely fashion.



These will be made with direct bank deposits to the relevant government or Town departments.

### **Patient and Customer Transactions**

Cash will be accounted for at the start and finish of each shift by each staff member with access to the cash register for that shift. Staff members with access to the register during their shift will be able to conduct transactions with a swipe card which identifies the transaction operator. A 360 camera will be installed above the cash register to monitor transactions continuously and will have the ability to record facial features.

All transactions will be managed through an industry-leading streamlined cash management POS software system that allows for:

- End-of-shift reporting and cash balancing platform
- Inventory control platform
- Integrated accounting system to monitor sales and costs
- Staff management to track employee efficiency and performance
- Hard copy or paper free receipts
- Back-office analytics and reporting
- Planning and scheduling
- Full data security (Compliant POS)

Our preferred system is **Flowhub** – one of the most-used and popular iPad-based POS Systems in the market, which is the first POS system to integrate with METRC. Flowhub is a top-of-the-line compliant management system.

Staff will undergo extensive training on the Flowhub platform before being allowed to handle transactions within the facility. Staff will be required to obtain a PASS score on the Flowhub Training Platform and then twice annually, all staff will be tested to ensure proficiency with the system and the full and latest functionality.

All cash will be moved to a secure, locked, walk-in vault at the end of each shift. A licensed cash management company licensed by the State of California will be contracted to then collect cash each day for transport to Element 7's Credit Union.

All products will be sold with appropriate exit packaging that is tamper-free, child-proof and does not display the product.

### **Financial Records**

Element 7 utilizes a software system (Flowhub) that provides point of sales data that can provide historical transactional information and records for inventory and cash. All sales and inventory data and records are considered financial records and will be maintained on Element 7's data storage systems.

Financial records also include Element 7's owner, operator and employee registry that will maintain a current list of names and contact information of individuals owning or holding an interest in Element 7. Financial records also include ledgers, books of business, financial accounts, data and documents related to its commercial cannabis retail activities. All written accounting or cash ledgers, receipts, credit card transactions and reimbursements, including operational expenditures and costs will be maintained for a minimum of three years.

The Town Manager will have access to these records and Element 7 will facilitate any audit or investigation that the Town Manager may perform. Records requested by the Town Manager will be produced and submitted to the Town Manager within 24-hours of his or her request. Any records of loss (financial, data, product) will be immediately notified to the Town Manager and Chief of Police within 24-hours of such discovery.

### **Annual Filings**

Element 7 will comply with the Town's regulations and will file a sworn statement each year, detailing the number of sales Element 7 conducted during the previous 12-month period. The statement will include gross sales provided on a per month basis, including gross sales for each month and all applicable taxes paid or due.

### **Annual Audit**

Each owner and operator of Element 7 will submit to a financial audit of the business' operations that will be conducted by an independent CPA.

### **External Auditing**

A third-party audit, regulation and compliance management team will ensure that all operations are in adherence to both Town and State Laws regarding all aspects of the cannabis operations. Any standards will meet or exceed Town and State Regulations and any changes must be approved by the Head of Regulation and Compliance. Element 7's preferred external audit team is the Marcum Group.

## **8. Product Deliveries**

The Facility will have a dedicated secured loading and unloading area at the left side of the building. This secured loading and unloading area allows for the safe and secure delivery of goods without any disruption.

Delivery vehicles will be instructed to call upon arrival. After the area is secured with no visible threats, the vehicle will be unloaded with all stock to be moved immediately to the secured product storage area inside Element 7. After all checks and balances are completed and all inventory is accounted for as per the Delivery manifest, the storage room will be locked and secured.

Element 7 will request that any Distributors that it works with ensure that all deliveries are made to the side of the building during operational hours and that deliveries are made in non-branded vehicles. This Secured Loading Bay adds a further element of safety to the employees of Element 7 and the Delivery company. The Loading Bay will have continuous illuminated lighting and a Panic/duress alarm for Employee Safety.

### **Preparing Products for Release to Customers (Compliant Exit Packaging)**

Employees will not release cannabis products purchased by customers unless they have been placed in compliant exit packaging with the appropriate, accompanying educational material. Inventory Management Team employees will be tasked with ensuring that all cannabis products released to the Retail Floor area for customers, are securely placed in the appropriate exit packaging and have the accompanying educational material for the specific products that were purchased by the customer.

### **9. Disposal and Destruction of Unusable Cannabis and Cannabis Products**

As a licensed storefront retailer that conducts deliveries, Element 7 will be generating minimal types of waste streams that will be properly segregated, securely stored, rendered unrecognizable and useless and will be hauled by the contracted waste hauler to an authorized waste disposal or transformation facility.

The procedures below apply to expired, contaminated, adulterated, deteriorated, and excess cannabis products.

The types of waste generated at the facility are as follows:

- **Organic Material:** flower and pre-rolls that have passed their best-by or use-by date
- **Universal Waste:** batteries, light bulbs, electronic devices, etc.
- **Incineration Waste:** edibles, oils, waxes, liquids contained THC, contaminated flower

Standard 'household and non-sensitive' trash will be placed in trash bins provided by the town (if applicable) or by Element 7. Element 7 will recycle all paper, plastics and greens. Trash will be collected weekly.

With respect to 'sensitive cannabis trash', a policy exists to dispose of this material using industry best-practices. As the License Type being operated at the premises is a retail with delivery license type, we do not envision having any significant 'sensitive cannabis waste products' to dispose of. The majority of waste in the industry either comes from cultivation or manufacturing (by-products such as stalks, stems, roots, and leaves) or from products that have failed testing protocols.

As a storefront and delivery license operator, all products would be delivered to our premises with testing completed and products already fully packaged. The only products we would then ever need to destroy would be products that have exceeded their 'use-by' or 'best-by' date. Our Inventory Control Manager is responsible for managing all protocols regarding stock management and inventory which would seek to minimize any

issues with products expiring.

In the event that products were required to be destroyed, our preferred partner is **MediWaste**, a company that has over 50-years of medical waste disposal experience. MediWaste have a full cannabis waste disposal service that leverages the same practices and principles of medical waste. MediWaste has the following permits in place to handle such waste:

DTSC Haz Permit #6300  
Motor Carrier Permit #CA 0446205  
CHP Hazardous Materials Transport License #228307  
RCRA ID # CAR000265140  
Weigh Masters License #014137



Products would be placed into a **Secured Waste Receptacle** provided by MediWaste (see example on left) held within the secured storage room within the Facility which is a secured zone and only accessible by the Inventory Control Manager, Dispatch Manager, and General Manager (three persons who each access the room with a bio-scan and swipe card), with all destroyed products tracked into our Inventory Management System, with records provided to the Town and State. This room has 24-hour CCTV coverage and the MediWaste Secured Waste Receptacle has a lock system at the top of the waste bin so that products can only be disposed of, with no retrieval possible. Any 'disposal' would require two staff to be present – one to manage the disposal

and one to manage the information and approvals for what is disposed.

For more information: <https://medi-waste.com/cannabis-waste/>

### **Quarantine of Products for Destruction**

The Inventory Control Manager will store in a secure, locked room any products that are expired, damaged, deteriorated, mislabeled, contaminated, recalled, or whose containers or packaging have been opened or breached. To ensure that defective products will never be returned to regular inventory or sold to patients, the Inventory Control Manager will identify, mark, and place all defective and unsellable products in the pre-determined area for this type of inventory and make the items clearly distinguishable from sellable products. Once ready for destruction, they will be placed in the red MediWaste Bins.

The Secure Storage area will not be visible to patients or customers and will only be accessed by swipe card and biometric scan. The Inventory Control Manager will keep the secure storage area clean, uncluttered, free from dust, debris or pests of any kind.

### **Rendering Cannabis Waste Useless and Unrecognizable Before Disposal**

All cannabis waste generated at the facility will be rendered useless and unrecognizable by authorized employees within the secure cannabis waste storage area. Cannabis waste is rendered unusable by mixing the waste with at least 51 percent sawdust and between 2-5 percent water. All rendering will be done within the unobstructed view of the security camera within the cannabis waste storage area. Authorized personnel performing the rendering will clearly indicate the date, time and weight of cannabis waste being rendered unusable.

Cannabis waste in the form of vaporizer cartridges, disposable vaporizer pens, edibles, etc. will first be removed from their packaging before being mixed with water and sawdust.

Once rendering is complete, rendered cannabis waste will be placed in locked waste containers within the secure cannabis waste area until MediWaste is contacted to haul the containers to authorized transformation or disposal facilities.

### **Accepting Customer's Returned Cannabis Products**

BudTenders will be tasked with accepting cannabis product returns, that will be processed through the point-of-sale system. Returned products will not be re-sold. Rather, these products will be placed in the secure, restricted access Quarantine area and destroyed, in compliance with State Regulations.

## **10. Security Equipment, Systems, and Hardware**

Robust and compliant security systems, equipment, and effective policies and procedures that mirror local, state and federal regulations and requirements are necessary when operating within a regulated cannabis market. Our experience operating licensed and compliant cannabis dispensaries in California has allowed us to develop effective safety and security operating procedures, and establish relationships with leaders in compliance, security systems, security training, equipment manufacturers and licensed security professionals. These relationships extend beyond California and will enable us to source, implement and monitor user-friendly, state-of-the-art security equipment and systems.

### **Security Equipment, Systems and Procedures**

There are six aspects to our security system: layout, perimeter, equipment, alarms, personnel and policy. Our security plans are customized to address unique security and safety issues for each facility, since no two facilities are identical. Our plans also take into consideration the surrounding area and the community's concerns and prevalent safety and security issues.

### **Building Security, Monitoring and Safety and Surveillance**

Element 7 has forecasted in its budget for a range of security hardware, software and human personnel - our goal is to exceed Town and State measures for security compliance and management.

The Security Department is critical to the success and well-being of the facility and has

four overarching responsibilities that fulfill the primary role of the department. They are:

- Safeguard cannabis products at every stage, from receipt of the cannabis to its eventual sale;
- Protect the facility property, confidentiality and assets from theft, damage, or acts of vandalism; and
- Maintain a safe and secure environment that ensures the well-being of staff, patients, customers, and visitors.
- Monitor, maintain, and upgrade (as necessary) a comprehensive security system and plan.

### Video Surveillance

Security video surveillance is an integral component of dispensary security systems and plans. Being able to record and monitor live footage allows our Company to track and identify individuals that enter our facility, record situations and events that would not have been captured or seen without cameras and allows for law enforcement to access our cameras and monitor our feeds securely. Security cameras also provide an “omniscient” presence that is proven to prevent diversion, deter theft, robbery, loitering, vandalism and other related criminal activities. We have identified the Tyco Exacq camera and recording system as our equipment of choice for this.

### Video Camera and Building Surveillance Plan

All video surveillance will be monitored by security personnel from the Central Security Control Room. Security personnel will have direct contact lines to local law enforcement authorities to report any suspicious activities and/or emergency situations. The Police Department or a Department representative will have access to all security video monitoring systems.

Panic/duress alarms will be in multiple locations in the Facility – Lobby, Loading Bay, Central Security Room, Storage Room, and Office. All staff will be trained on the proper use of panic/duress alarms and the processes that follow if a panic/duress alarm is activated. **Panic alarms will also automatically notify law enforcement.**

Daily surveillance reports are created and stored by the security personnel which are then shared with the General Manager for review. All reports will be available to the Police Chief at any time.

The digital video surveillance system will have a minimum 100' of night vision capability, resolution of 1280 × 720 pixels, 80 pixels per foot and 100 pixels per foot for internal and external targeted viewing areas, record at a minimum of 15 frames per second, and recordings will be HD and in color. Recorded images will clearly and accurately display the time and date. Time will be measured in accordance with the standards issued by the United States National Institute of Standards and Technology. Additionally, the system will be equipped with a failure notification system that provides notification of any interruption or

failure of the system and storage devices.

In the event that our alarm system is down, our keypad will notify us via (sound alert and/or message on the keypad window) indicating that it has a trouble condition for a “failure to communicate” or “phone line fault”. This will require that an Element 7 Manager test the system with the central station prior to scheduling a service call. Testing the system will help us identify whether the problem still exists or whether it was a momentary glitch. If our system keypad indicates that it has lost power, an Element 7 Manager will notify the contracted alarm company that we are conducting a test of the system. If the system does not “reset” a service order will be submitted to the contracted alarm company.

Security cameras will be installed on the property, maintained in good condition, and will provide a clear, unobstructed view of the parking area, all entrances, loading areas, bays, windows and any other areas as determined by the Town. Cameras will be placed in fixed positions that allows clear recording from 20 feet of all points of entry and exit on the premises. Prior to installation, both exterior and interior camera systems will be approved by the Police Chief.

The entire interior and exterior of the Facility will be protected and monitored by 24-hour video surveillance in the Central Security Control Room. Areas that will have security surveillance cameras include all interior spaces within the facility which is accessible to the public (Lobby and Retail Floor), all interior spaces where cannabis, cash or currency is being stored and all interior spaces where diversion could reasonably occur.

Any irregular surveillance video footage would be investigated by the General Manager with the appropriate steps then taken to resolve any issues. Security personnel will have direct contact lines to local law enforcement authorities to report any suspicious activities and/or emergency situations. Daily surveillance reports are created and stored by the security personnel which are then shared with the Head of Security at Element 7 and the General Manager for review.

All regular surveillance will record continuously 24 hours per day and stored on hard disc for a minimum of 90 days. The storage device on which surveillance recordings are stored will be secured in a manner to protect the recording from tampering or theft. The surveillance-system storage device and cameras will be remote accessible through transmission control protocol (TCP).

The system will be capable of recording video in standard MPEG formats for transfer to another format such as DVD or USB. We will maintain a log of all person(s) who have accessed surveillance recordings—access to recordings are granted to Owners, General Managers and Head of Security.

In addition, all security systems at the site are attached to an uninterruptible power supply that can provide continuous power.



### **Security Camera Placement**

Our security cameras will be installed throughout the premises and within the facility. All points of exterior and interior ingress and egress will be monitored, including limited and restricted access areas, such as the reception area, retail floor area, each point-of-sale register, cannabis product and waste storage areas, main office, reinforced vault, break room, count/quarantine room, loading and unloading area, parking lot and the exterior of the facility, including the roof. Cameras will be securely mounted in designated areas of the facility that remain unobstructed. The quality of the images will enable our Company, law enforcement and the Town to obtain clear images, including facial features and license plates.

### **Camera Capabilities**

Cameras will have night vision capabilities and be able to record images in high definition at 15 frames per second. The surveillance feed will be accessible via secure web-access that requires specific authorizations and permissions that will be enforced via security code. State Police will be provided with a security code in order to access surveillance cameras and live feeds, including permissions for reverse functionality.

Cameras will continuously record and monitor the exterior and interior of the facility 24/7. Supplemental lighting required to ensure proper illumination will be installed throughout the facility where needed to ensure that image and recording quality exceeds standards mandated by law.

Camera capabilities externally will be enabled to read car plates where required for any law enforcement actions required.

### **Security Surveillance Footage Formatting and Storage**

Footage will be maintained on a secure cloud-based data storage system and on a secure physical storage device that will be kept in the Main Office for at least 90-days, unless investigations into diversion, theft, loss, robbery, burglary or other criminal activity requires footage to be maintained for a longer period of time. Synchronized date and time stamps are included in the footage formatting in a manner that does not obscure the images.

All footage will be stored as an MP4 or AVI file and images will be stored and maintained as a .jpeg file. All live streams and recordings can produce clear, still photos. Images from surveillance footage can be exported in industry standard formats including .jpg, .bmp and .gif.

The Main Office will have a photo printer attached to the monitoring system if a clear image needs to be printed for investigations, audits, or at the request of law enforcement or the Town. All recordings will have the ability to be archived in a proprietary format that ensures authentication of the video and can be saved in an industry standard file format capable of being played on a standard computer operating system.

### **Failure Notification Systems and Back-Up Power**

The Security Camera Surveillance system will have back-up power that will be able to

maintain continuous recording for up to eight hours. A failure notification system for the security camera surveillance system, that is both audible and visual, will also be deployed. Telephone calls, text messages and emails will be sent to authorized personnel to alert them of system failures within five minutes of its occurrence. Assessments will be made to the system and malfunctioning equipment immediately after the notification. If assessments determine that policies, procedures and equipment are deficient and/or flawed, Chiefs of Security and Compliance will move to revise existing policies and procedures, develop training that addresses improved policies and procedures and immediately circulate new policies and procedures to staff.

In the event that equipment is found to be problematic and cannot be repaired or replaced immediately, extra security measures will be implemented to support secure facility operations. If extra security measures that are immediately available are not sufficient to support secure facility operations, the facility will be closed immediately, and operations will resume once security equipment has been deemed functional and able to support secure facility operations.

### **Equipment Inspections, Maintenance and Testing**

All surveillance cameras will be inspected daily by security officers. During daily inspections, cameras will be tested via monitor surveillance testing. Inspections include making sure each camera's view remains unobstructed and recordings are being uploaded to the physical storage device and the cloud-based data system. In the event that a camera's view is found to be obstructed, security officers are authorized to remove the obstruction.

Cameras that are found to be malfunctioning will be replaced or repaired, whichever can be done immediately. When a camera is being replaced or repaired by our contracted security surveillance contractor, supplemental security measures will be deployed to ensure that secure and compliant operations are maintained until the camera is replaced or repaired.

Logs pertaining to security surveillance camera inspections, maintenance and testing will be maintained on file for two (2) years.

### **Security Hardware and Equipment**

- Network Evideo Recorder, Supports up to 128 IP Camera Streams
- High Definition 1080p resolution (Full HD) live display equivalent to Mega Pixel IP System/ Audio / D1 Full Resolution Recording / FAST INTERNET REMOTE VIEW / H.264 CODEC / Pentaplex / HDMI
- 3000 GB Hard Drive
- Low Light, High Definition 1080p resolution equivalent to 4 Mega Pixel IP camera with 3.7mm Megapixel lens, 3DDNR, SENS-UP, BLC, DC 12V
- High Definition 1080p resolution equivalent to 4 Mega Pixel IP camera, Waterproof

Large Bullet IR with 2.8~12mm VF Megapixel lens, low light, 80 IR LED range up to 200 ft, 3DDNR, SENS-UP, BLC, DC 12V,

- HD, multi-directional, 1080p resolution equivalent to 4 Mega Pixel IP dome cameras
- 40" LCD VGA Monitor with 1680x1050, 1 22" LCD VGA Monitor with 1680x1050
- Lock Box with keys and internal fan to Keep System Cool and last long Standard (BW-200 20"Wx20"Dx8"H)
- Video Printer

### **Alarm Systems**

Part of our comprehensive security system includes professionally installed and maintained alarms that include:

- Panic Buttons: buttons will be placed in the reception, register/check out, main office, locker room, and loading / unloading areas. Delivery vehicles will also be equipped with panic buttons.
- Duress Buttons: buttons will be placed in the reception, register/check out, main office, locker room, and loading/unloading areas.
- Hold-Up Alarm: a hold-up alarm will be placed in the reception and register/check out areas.
- Burglary: a burglary alarm will be connected to the main alarm system.
- After Hours: The main alarm system will be engaged between hours of operation. The alarm will be activated once the facility is closed for the day and de-activated once the facility is opened for regular hours of operation.
- Motion Detectors: Motion detectors will be placed in each area of the facility, including the roof.
- Glass Break Detectors: Glass break detectors will be installed at each window.

### **Intrusion Detection and Alarm System**

The facility will operate with a centrally-monitored fire and burglar alarm system that is monitored by an alarm company properly licensed by the State of California Department of Consumer Affairs Bureau of Security and Investigative Services in accordance with California Business and Professions Code Section 7590 et seq. and whose agents are properly licensed and registered under applicable law.

Intrusion Detection devices will be installed at all entry points and motion detectors will be installed to cover all areas of the Facility. A licensed and accredited company will monitor the alarm system and perform a monthly service on the system. The system will be put into

test mode and tested at least once a month for any failures. In addition, the alarm system will have an audible interior and exterior alarm system in place.

Alarms will be inspected and tested daily, monthly and semi- annually, by security officers, the Head of Security and our contracted alarm system provider. In the event that alarms fail inspections, operations will be suspended until all alarms are replaced or repaired to good working condition. Inspection, testing and maintenance logs and reports will be maintained for up to two years on our cloud-based data system.

Alarm monitoring will be performed by our contracted licensed alarm monitoring provider. In the event that an alarm is tripped, the General Manager, Chief of Security and owners will be notified via telephone call, text message and email. In the event that none of the authorized representatives are immediately responsive, local and state police will be notified. For certain alarms, such as panic, duress, hold up and burglary, local and state police will be notified immediately.

### **Response Protocol for Alarm System Contractor**

In the event that the alarm system is triggered, the following will occur:

1. A Dispatch Vehicle from the Alarm Company will be sent to the Facility;
2. The Alarm Company will text and call both Element 7's Head of Security AND the Facility General Manager;
3. In the event that the Head of Security or the General Manager advise that the Alarm is a False Alarm, the Alarm Company will still attend to the Facility to ensure that no person is being held under duress;
4. In the event that the Head of Security or the General Manager advise that the Alarm is NOT a False Alarm, local law enforcement authorities will be notified;
5. A report of the situation will be logged once the alarm has been resolved.

### **Testing and Maintenance**

Maintenance will be performed in accordance with the equipment manufacturer's recommendations and guidance. Our contracted Alarm System Provider will schedule and track routine maintenance, which they will perform as necessary, or if the systems malfunction. Daily maintenance, via visual inspection will be conducted prior to the opening and closing of the facility by security officers. This type of inspection will focus on identifying cracked housing, frayed or loose wires and evidence of tampering. Monthly inspections will be performed by the Head of Security and will consist of stay-behind tests so that each sensor can be tested for functionality and detection design. Monthly stay-behind testing is performed in this manner:

- Head of Security physically opens each door that contains an open/close switch to ensure the alarm is triggered.

- Head of Security physically walks and stands in front of motion detection devices in each area of the facility to ensure the alarm is triggered.
- Head of Security physically presses all panic/duress/hold-up buttons and wireless devices to ensure alarms are triggered.
- Head of Security will use a Honeywell FG701-Glass Break simulator to activate glass break detectors to ensure that alarms are triggered.
- Head of Security will evaluate if the sensitivity settings on all devices are accurate.

Required semi-annual inspections and testing will be performed by our contracted alarm provider who will test all sensor points of protection and provide a signed test and certification report.

All logs, reports and certifications will be maintained on our secure, cloud-based data storage system. Any reports requested by the Town or law enforcement will be provided immediately.

### **Sourced Equipment**

- Perimeter Security Protection Brain with back-up cellular capability
- Interior Motion Detectors
- Glass Break Detectors
- Door Sensors
- Keypad Alarm Controls
- Hold-up Alarms / Panic Buttons
- 24-hour UL Certified Station Monitoring (Alarm Monitoring Center)
- UPS Battery Back-up

### **Failure Notification Systems and Back-up Power**

Each component of our security system will have its own failure notification system and back-up power that will allow the system to run continuously for up to eight hours. The electronic access system, alarm system, security surveillance system and ancillary lighting systems will provide audible and visual failure notifications to authorized personnel, such as the General Manager and Chief of Security when a system or device malfunctions or is shutdown. Audible notification consists of a telephone call, and visual notifications include text messages and emails.

There will be an on-site generator that will supply back-up power to these systems. Back-up power will be able to support up to eight hours of continuous operation.

## **10. Site Design: External Security Factors**

### **Perimeter Security: Fencing, Window Tint, Lighting and Landscaping**

The perimeter of the facility consists of all the outer/exterior areas of the facility on the premises. This includes the parking lot, front exterior portion of the facility and roads, streets and walkways surrounding the premises that could be used by a customer to gain access to the dispensary.

#### **Fencing**

The parking lot, which is part of the perimeter of the facility, will be illuminated by parking lot lights that provide sufficient illumination for security cameras that are placed on the exterior of the building and on several parking lot lights. Lights will turn on at sundown and will switch off at sunrise. Parking lot lights are also used to ensure that walkways within the parking area are properly illuminated to prevent customers from injuries and deter loitering, theft and other related criminal activity.

#### **External Facility Lighting**

The front and rear of the Facility will be equipped with security lighting as approved by the Town. The entrance and rear of building lighting will be continuously illuminated. Each light will provide at least 1-foot candle intensity.

The Facility will be lit by exterior lighting between the hours of dusk and dawn, 365 days a year. There may be occasions (e.g., inclement weather) when the lights are required to be used during the day, which will be at the judgement of the General Manager. All outdoor lighting used for security purposes will be shielded and downward facing. In any case, we will adjust our external lighting to Lemon Groves guidance.

We will be using LED 4000K Flood Lights supplied by GE. These lights offer 11 years of light life (50,000 hours) and are widely used to illuminate similar buildings in the industry. The LED lighting solution selected considers security and safety requirements, design, energy efficiency (reduced carbon footprint) and a uniform distribution of light (to aid security cameras and minimize 'dark areas' which become potential security breaches).

The lights have a die-cast aluminum housing and a slim architectural design that incorporates an integral heat sink and light engine, ensuring maximum heat transfer, long LED life and a reduced Effective Projected Area (EPA). Lights meet 2g Vibration level per ANSI (C136.31 – 2010). The lights are rated at -40 degrees to 50 degrees Celsius and are fully compliant with all industry standards. The lights will be mounted on the building exterior and wired with cable to the building power.

#### **Landscaping**

Part of our facility perimeter security policies include landscaping provisions to ensure that any trees, bushes, other foliage or debris on the premises will be removed or maintained in

a manner that does not allow for a person to conceal himself or herself from sight.

Any exterior windows will be tinted with shatterproof tinted film and outfitted with glass break detectors.

### **Managing Customer and Visitor Access to Various Limited Access Areas**

Upon entering the facility, customers and visitors will find themselves in the secure Reception Area where a security officer manages the Reception Desk. Customers and visitors will be asked for their government issued identification, which will be scanned and verified by the security officer.

Internal policies dictate that customers wishing to purchase cannabis products on the retail floor area be attended to by a BudTender. One BudTender can only attend to up to two customers at any one given time. This policy ensures that each customer is provided exceptional service and cannabis products and customer flow can be easily managed. The security officer will ensure that the number of customers in the Retail Area always comply with internal policies and sufficient BudTenders are on the floor to meet these policies. When a customer on the retail floor area completes their purchase and exits the Retail Area, the security officer will buzz-in a customer in the waiting area, based on the order they were checked into the waiting list, to the Retail Area.

This process ensures that customer flow is smooth, and BudTenders are able to monitor and service customers in an efficient manner. Customer accessible limited access areas are controlled via buzz-in features on doors leading into those limited access areas. The security officer in the reception area is the authorized agent who will manage access to these areas, via buzz-in door features.

### **Door Security**

All exterior doors will remain locked and be accessible for operation by employees only, and all windows will be secured against entry from the outside. Exterior doors will be properly equipped with panic hardware as required by all applicable state codes.

All external doors on site will be heavy-duty reinforced security doors. All internal doors will be sealed and heavy-duty interior doors. We use commercial-grade, non-residential locks on all points of entry and exit to the premises in accordance with the approved security plan in accordance with the Lemon Grove Municipal Code. All doors will remain locked from the outside to prevent unauthorized ingress. Ingress will be allowed by means of a remote release operated from within the location.

In all cases, doors will be able to be opened from the inside to allow egress without the use of a key or special knowledge. If installed, access-controlled egress doors will comply with Section 1008.1.3.4 of the California Building Code. Windows and roof hatches will be secured from the inside with bars so as to prevent unauthorized entry and will be equipped with latches that may be released quickly from the inside to allow exit in the event of emergency in compliance with all applicable Codes.

The image below demonstrates the reinforced locks, bio-scan and fob-lock system



deployed by Element 7.



### **Prevention of Adverse Impacts on Adjacent Properties**

Trespassing, diversion and illegal activity can occur near, or around, Element 7's facility, which can include adjacent property. In its commitment to safeguarding the community and neighboring businesses, Element 7 will extend its security sweeps and inspections to include the perimeter of adjacent properties. In the event that suspicious activity is noted on an adjacent property, security personnel have been trained to contact the property or business manager to report the activity.

### **11. Customer Records Management**

Local and State regulations identify the need for record keeping in order to facilitate the successful tracking and tracing of cannabis and cannabis products and cash and currency. Element 7 implements record keeping policies that meet or exceed local and state requirements across all of its operations – all records will be kept for 10 years which exceeds State regulations.

Customer records include the intake records for new patients, primary caregivers and customers, verified government issued identification and physician recommendations, transaction histories, privacy policy acknowledgment and data consent forms, Company policy acknowledgement, and any other data and information collected by Flowhub when a customer or patient makes a purchase at the facility. These records and data will be maintained on a physical media device that is securely stored on-site, as well as on Element 7's cloud-based storage.

### **12. Cyber Security Plan**

Element 7 implements cyber protection measures across all its facilities. This includes policies and procedures pertaining to Passwords, regular system and application updates, daily data back-up and the monitoring of customer-only WLAN networks. Element 7 has a cybersecurity consultant who will perform regular IT and network maintenance and security sweeps to ensure that its network is not breached.

In order to secure the facility's networks, the facility will be using both a physical media storage device and a secure, cloud-based data back-up system for all its critical and sensitive data and information. Element 7 will have two separate Wi-Fi networks: one for

operations and the other for guests. Element 7's network is a secure Wi-Fi network that utilizes WPA2 encryption. It can be remotely accessed through a secure VPN by authorized owners and employees. The facility will be outfitted with the necessary firewalls that provide protection against cyber threats.

All measures to secure and protect data and network security protocols will meet UL Standards.

### **Cybersecurity and Personal Electronic Device Use Policies**

Cybersecurity ensures that proprietary and confidential information, such as customer records, company data and records and networks are secure at all times. Our Company has contracted a professional cybersecurity professional to develop a cybersecurity plan, source equipment and technology, install, repair, maintain and monitor all cybersecurity devices and systems.

#### *Securing Networks and Cloud Services*

Our network will consist of two separate networks: one for employees and customers, and another for confidential customer and Company records and data. We will be using two Virtual Private Networks that are supplemented by strict WIFI and personal electronic device Use policies. Our networks will be separated from the public internet through the use of:

- Strong User Authentication Mechanism
- Policy enforcement Systems: Firewalls and Web Filtering Proxies
- Anti-virus Software
- Intrusion Detection Systems

The boundaries of our networks will be evaluated to determine the most efficient types of security controls to secure our data, records and customer confidentiality. Border routers will be configured to only route traffic to, and from, our public IP addresses, and firewalls will be deployed to restrict traffic only to, and from, the minimum set of necessary services. Intrusion prevention systems will be configured to monitor for suspicious activity crossing our network's perimeter. For our cloud-based data storage system, we will have back-up and restore services, as well as sophisticated data encryption.

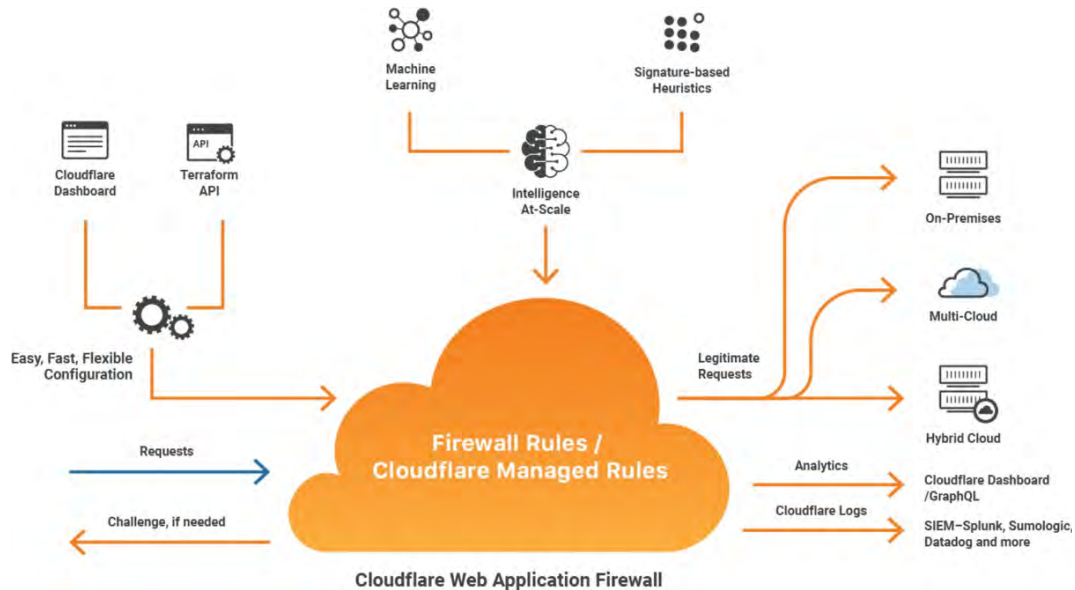
### **Secure and Encrypted Cloud-Based Data System: Tresorit**

Our Company relies heavily on deliberate and secure data encryption and storage technology to protect our data, assets, and the confidentiality of our customers. In order to facilitate secure data storage, we rely on *Tresorit*. *Tresorit* provides end-to-end encryption for file sync and sharing through zero-knowledge encryption and cross-platform support. Based out of Switzerland, where neutrality and data laws are advanced, *Tresorit* provides cloud-based data storage across multiple compliant Azure Data Centers in the EU, US, Canada and the UK. It is also ISO 27001 certified and complies with GDPR, HIPAA and other security and data protection requirements. The key attributes of *Tresorit*, which services our need for security and data encryption are:

- **Public Key Cryptography:** every file on Company-issued devices are encrypted using an Advanced Encryption Standard Algorithm using 256-bit keys before files are uploaded to the cloud. This also ensures that files are not decrypted on *Tresorit's* servers. Key sharing is based on RSA-4096 with OAEP padding scheme, used in group mode, and PKI certificates, combining it with a tree of symmetric keys.
- **Zero Knowledge Tech:** Not even *Tresorit* can access files. Only individuals or organizations with permissions to access files will be able to download the file and access the content on the file.
- **Client-Side Integrity Protection:** Message Authentication Codes are applied to each file uploaded onto the cloud which guarantees that files cannot be modified without our cybersecurity team knowing. Authorized employees with permission to access our *Tresorit* account/files will be prompted to deploy their Company-issued Message Authentication Code (MAC), which is a key known only to the authorized employee accessing the account, but not with the server.
- **Centralized control over Company Data and Records**
- **Define security policies:** our cybersecurity team will apply policy templates to sets of authorized users and customize each template for the permissions of each authorized user. This includes 2-step verification, IP Filtering, Timeout policies, allowed devices and sharing policies.
- **Monitoring devices and User statistics:** the cybersecurity moderator will be able to monitor and decide which devices across our facilities will have access to our account— this designates specific devices where authorized users are allowed to log-in.
- **Revoking Access to Users and Devices:** the cybersecurity moderator will be able to revoke access to specific users and devices in cases where passwords and devices are compromised.
- **Restore data lost due to ransomware:** ability to easily restore files lost or compromised due to a malware attack or accidental deletion.
- **Secure Data Server Infrastructure:** 24/7 monitoring and physical security, redundant storage and continuous patching
- **Certified Microsoft Azure Data Centers:** ISO27001:2005, SSAE 16, GDPR and HIPAA Compliant
- **Non-convergent Cryptography:** dedicated to state-of-the-art encryption and security, to ensure that our data is not scanned for similar content on cloud accounts of other *Tresorit* account holders.
- **Secure cloud-storage**

### Cloud Firewall Protection: Cloudflare

Cloudflare is a web-based firewall application that provides next-gen firewall capabilities, DDoS protection, WAF, Rate Limiting, Bot Management, SSL / TLS, DNSSEC, Load Balancing, Web Optimization and Analytics. This system works with Amazon Web Services (AWS) and is can be customized to meet specific needs and / or requirements of each facility. Cloudflare is also ISO27001:2013, SOC 2 Type II, SOC 3, and PCI DSS 3.2.1 certified.



### Virus and Malware: BitDefender

BitDefender is a virus and malware prevention solution that is run on all Company-issued electronic devices at regular, scheduled intervals.



### **Aegis Secure Key Flash Drives**

Internal records, files and data, as well as personal information of customers will also be encrypted via built-in 256-bit AES XTS Hardware Encryption through the Aegis flash drive. This storage device will be maintained on-site, within the Main Office's secure vault. Access to the files on this device is limited to those authorized individuals with the encryption key, which is needed to decrypt the files. Individuals with such authorization are the owners and the Head of Security.

The Aegis Secure Key can be configured with independent User and Admin PINs, making it an ideal device for corporate and government deployment. Should the User forget his or her PIN, the drive can still be unlocked with the Admin PIN after which, a new User PIN can then be created.

In case data stored on the drive needs to be inspected or audited, the device has two (2) Read-Only Modes, which is ideal for applications that require data to be preserved in its original, unaltered state and can't be overwritten or modified. One is set by the admin in the admin mode and can't be modified or disabled by anyone other than the admin. The second read-only mode can be set and disabled by a user but can also be overridden by the admin as well.

### **Secure Data Flow Control: Ubiquiti UniFi Switch**

The UniFi Switch is for advanced enterprise switching and can securely control data flow. It supports 802.1X authentication, dynamic and static VLAN tagging, Port Isolation, Storm Control and Guest Control.

### **Passwords and User Authentication**

Our systems typically require two-factor authentication, which requires two types of evidence in authenticating user identity. Instead of just using static passwords, our systems will use a combination of system generated passwords and access ID's that will be issued to employees upon completion of their required training. System generated passwords will be changed periodically and at various intervals.

### **Encrypted WIFI**

The facility will have a Wireless Local Area Network (WLAN) for the use of customers, visitors and employees. The WLAN will be kept separate from our Company's network so that public network traffic will never coincide or infiltrate our internal systems. The internal non-public WLAN will require unique credentials with preset expiration dates and will utilize Wi-Fi Protected Access 2 (WPA2) encryption.

Since our facility will be processing customer orders from our App and Website, we will secure a Secure Sockets Layer (SSL) Certificate that ensures all transactions are secure and data remains encrypted.

### **Systems and Applications Updating**

All systems and software, including networking equipment, will be updated in a timely fashion as patches and firmware upgrades become available. Company policy requires the use of automatic updating services whenever possible, especially for security systems

such as anti-malware applications, web filtering tools and intrusion prevention systems.

### **Safe Web Browsing and Personal Electronic Device Use**

Our employee handbook outlines personal electronic device use guidelines that restrict the use and access of cellphones, tablets and laptops while at the facility. Employees will have access to the Public WLAN and will not be allowed to download or stream videos, movies, and music at any time. This policy also covers social media access and use, which instructs employees that they should not be on social media while at the facility. Public WLAN settings restrict the bandwidth of the network which significantly decreases the speed of the network that a customer or an employee can access. This prevents malicious software and intentional breaches to security through compromised devices or browsers from infiltrating the public WLAN.

### **Safe Use Flash Drive**

Our cybersecurity policies include a Safe Use Flash Drive guideline that instructs employees to use only those flash drives that have been issued by the General Manager.

### **Emails**

Email is an integral component of any business. Our Company has developed policies to protect the security and integrity of our email account by enabling email filters and anti-virus programs. To protect Personally Identifiable Information (PII), our email account will utilize email encryption. Employees will also be instructed to restrict the use of PII in internal and external emails. To facilitate the transfer of significant data exchanges in a secure manner, we will be using *Tresorit*, which provides secure and encrypted data exchange.

### **IT Security Training**

A strong IT security program must include training IT users on security policy, procedures and techniques, as well as the various management, operational and technical controls necessary and available to keep IT resources secure. In addition, IT infrastructure managers must have the skills necessary to carry out their assigned duties effectively. Failure to give attention to the area of security training puts an enterprise at great risk because security of business resources is as much a human issue as it is a technology issue.

Employees will be appropriately trained in the proper IT system handling and internal policies and procedures. This includes keeping software and applications updated, proper password usage, data back-up, antivirus protection, and reporting incidents. Employees will also be trained on data that is typically considered sensitive information:

- Government issued identification numbers (social security numbers, driver's license numbers, etc.)
- Financial account information (bank account numbers, credit card numbers)
- Salary Information
- Passwords

Training will also cover security policies for accessing and transmission of such data and

records, including secure databases, emails, file transfers, encrypted electronic media and hard copies. Data privacy and security related materials, including updates to internal policies and procedures will be disseminated to employees via Company facilitated communication.

### **Sourced Equipment**

- Firewall with IPS and DLP enabled functions, Layer 7
- SSL / VPN (Virtual Private Network)
- *Tresorit – Data encryption, secure file sharing, and secure cloud storage*
- *Aegis Secure Key 3z – Hardware Encrypted USB 3.1 Flash Drive*
- *Cloudflare Firewall*
- *BitDefender Virus and Malware System*
- *Ubiquiti UniFi Switch*
- Penetration Testing
- WLAN

### **13. Preventing Access to Minors**

Persons under the age of twenty-one (21) years shall not be allowed into the Facility at any time or for any reason. No person under the age of twenty-one (21) shall be offered any form of work or employment at the Facility. The Facility shall be clearly and legibly posted with a notice that no person under the age of twenty-one (21) years of age is permitted to enter.

All persons entering the facility will be screened, registered, and validated to ensure they are 21 years of age, or older. This will be conducted by:

1. A primary inspection of all government-issued ID Cards by the Security Guard posted at the front door of the premises.
2. A secondary inspection of all government-issued ID Cards by Concierge Staff who will then create an Online Patient Profile with the patient – scanning their license and recording their name, address, phone and email which will then be stored at an off-site server for HIPAA Compliance. ALL new patients will be required to then complete a 3-part online education form educating them on the potency, absorption speed and effects of cannabis products.
3. A final inspection at the point of purchase of any products.



### **15. Prevention of On-site Consumption**

Element 7 will have signage at the entrance of its facility clearly stating that: "NO SMOKING, INGESTING OR OTHERWISE CONSUMING CANNABIS ON THESE PREMISES OR ON THE AREAS ADJACENT TO THIS FACILITY IS PROHIBITED." Security personnel have been trained to enforce this policy and approach individuals in violation of this policy.

Element 7 has also trained its budtenders to remind patients and customers to politely remind them of this policy upon completion of their transaction. Roving security personnel will address any situations that involve on-site consumption in the manner in which they were trained during their comprehensive security personnel training program.

### **16. Security Assessments and Scheduled Audits**

A full security assessment has been completed by GSG Protective Services – License #16545. In addition, a scheduled security audit program is implemented to continuously ensure that the security plan is optimized.

#### **Security Plan Policy and Procedure Reviews, Assessments and Updates**

In order for our operations to consistently exceed industry standards, maintain employee, customer and community safety, and continue to lead industry innovation, Element 7 will perform quarterly Security Plan and Policy assessments and reviews. These assessments will be performed by the Chief of Security, in conjunction with the General Manager, GSG and the Chief of Compliance.

The Chief of Security is responsible for the implementation, supervision, compliance and training of all aspects of our Security Plan on a daily basis. Corrective actions and revisions to existing plans, policies and procedures will occur upon the completion of a quarterly assessment and review, or as needed due to an unforeseen event.

#### **Daily Security Assessments**

1. Inventory Counts and Audits with full report;
2. Cash counts, reconciliations and financial reports;
3. GPS functionality report;
4. Full delivery vehicle inspection, maintenance and update report and logs;
5. Visitor logs and report;
6. Employee log and report;
7. Full facility security equipment and system sweep and check, log and report;
8. Alarm activation at close of business day, upon completion of full security equipment and system sweep, log and report.

### **Weekly Security Assessments**

1. Inspections of the following, followed by formal log and full reports:
  - Perimeter fences, doors, lighting, surveillance cameras and landscaping;
  - Exterior and interior door operability and security;
  - Exterior landscaping- debris inspection and removal;
  - Intrusion Detection System and communication inspection;
  - Security surveillance system inspections- cameras, software, monitors and operating systems;
  - Security camera angles, cleanliness and operability;
  - Key logs and ID Badge reports;
  - Signage cleanliness and visibility;
  - Back-up power systems and generator;
  - Verify license status of preferred vendors and new vendors and contractors;
  - Team meeting addressing security policies and procedures, reports, updates and input.

### **Monthly Security Assessments**

1. Review Roving Patrol Performance via logs and reports, including community feedback;
2. Inspect external landscaping and ensure cleanliness and shrub and canopy limits are maintained; and
3. Review employee files for upcoming training and screening;

### **Quarterly Security Assessments**

1. Perform Quarterly Security Plan and Procedures Review and Assessment with General Manager, GSG and Chief of Compliance- make plan and policy changes if necessary; and
2. Assess staff and other employees on knowledge and implementation of Company Security Plan, procedures, policies, and best practices.

### **Annual Security Assessments**

1. Review and amend security plan, policies, and procedures;
2. Develop training plan and modules that reflect changes to the plan, policies, and procedures; and
3. Ensure all employees receive updated training.

### **15. Customer Safety Practices**

Beyond providing the most secure and safe retail environment for our customers, Element 7 is focused on ensuring our customers consume products responsibly and appropriately, including the location of consumption. We have signs at the exit of the retail property which advise patients and customers on the dangers of consumption and

motor vehicles, and the potency of products.

In addition to this signage, Element 7 has a large **Customer Education Program** that has been designed to educate customers in-store, online, and at a range of community and educational events.



### **16. Display of Permit (Licensed Legal Facility Notice)**

The original copy of any Cannabis Business Permit issued by the Town shall be posted adjacent to the Lobby Entrance located at the Facility. This is for staff and customer safety. Element 7 understands that Permits will be required to renew every 12 months. Filings will be placed at least 60 days before the existing Permit expires. All applicable planning, zoning, building, and other applicable permits from the relevant governmental agency which may be applicable to the zoning district in which such commercial medical cannabis business intends to establish and to operate shall be obtained by Element 7 prior to any operations commencing.

### **17. Emergency Contacts**

A list of emergency contacts will be listed at the Facility to include local Police and Fire Departments, Utility Providers, Health Care and Hospitals, and the General Manager. In addition, Element 7 will identify a designated representative /liaison to Lemon Grove, who will be reasonably available to meet with the Chief of Police regarding any security related measures and/or operational issues.

### **18. Summary of Security Plan**

Element 7's integrated security management plan is designed to allow for:

- Operational intelligence for better decision making
- Improved real-time response in the event of a threat
- Smarter business planning and resource allocation across the business
- Increased flexibility for future growth and adaption
- Reduced risk to staff, customers and business assets
- Enhance our ability to comply with regulatory requirements
- Lower our operational and life cycle business costs
- Provide a safer working, operating and shopping environment

We are confident that with GSG and Corey's expertise with cannabis security operations and partnering with a local security company and alarm system management company, that we can operate a business that puts security at the forefront of our business strategy and will provide the framework that exceeds the expectations of local law enforcement who we are eager to partner with.

Continuous improvement is one of our core operational premises at Element 7- where we can continue to identify and find best-practices that improve our exhaustive security plan, we will continue to do so, keeping staff, security, customer, and patient safety at the top of our minds in all Element 7 operations.



# CITY OF LEMON GROVE

## CITY COUNCIL STAFF REPORT

**Item No.** 3

**Meeting Date:** May 2, 2023

**Submitted to** Honorable Mayor and Members of the City Council

**Department:** Community Development Department

**Staff Contact:** Bill Chopyk, Interim Community Development Manager

[bchopyk@lemongrove.ca.gov](mailto:bchopyk@lemongrove.ca.gov)

**Item Title:** **Public Hearing to Consider Conditional Use Permit Application CUP-210-0002, a Request to Establish a Cannabis Dispensary Retail Store at 8290 Broadway in the Heavy Commercial Zone (APN-499-200-19-00)**

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### **Recommended Action:**

- 1) Conduct the Public Hearing;
- 2) Receive Public Comment; and
- 3) Adopt a Resolution (**Attachment A**) finding the project is exempt from CEQA pursuant to Section 15301 and conditionally approving Conditional Use Permit CUP-210-0002 to allow a Cannabis Dispensary (CD) Retail Store at 8290 Broadway, Lemon Grove, CA.

**Summary:** This is a request to establish a recreational and medical cannabis dispensary at 8290 Broadway in the Heavy Commercial (HC) Zone. The proposed project would utilize the existing 2,510 sq. ft. single story commercial building and existing parking lot to be reused as a CD Retail Store. The scope of the project includes interior and exterior remodeling of the existing structure within the same floor area. Site modifications include landscaping, parking lot re-striping, pedestrian access from the parking lot and existing right-of-way, miscellaneous site improvements such as lighting, fencing and security cameras, and right-of-way improvements.

**Discussion:** The Cannabis Regulations in LGMC Chapter 17.32 allow CDs with an approved Conditional Use Permit (CUP) in commercial and industrial zoning districts. To be eligible, proposed CD sites must be separated by 1,000 feet from the regulated and

protected uses described in LGMC Section 17.32.090(B), including CDs, licensed daycare facilities, schools and parks. The proposed project site at 8290 Broadway is approximately 6,000 feet from the nearest operating, or conditionally permitted, or proposed regulated use at 3515 Harris Street. Staff found no evidence of any protected uses, including public parks, playgrounds, licensed day care facilities, schools and alcohol and substance abuse treatment centers as defined in the LGMC within 1,000 feet. Furthermore, the nearest protected use (St. John's Elementary School) is approximately 1,100 feet from the proposed dispensary site.

### *Background*

On December 9, 2021, the Applicant, Rita Hirmez and Sabah Toma, submitted a Minor Use Permit application (MUP-210-0008) and a CUP application (CUP-210-0001) to operate a cannabis recreational and medical dispensary at 8290 Broadway. MUP-210-0008 was later withdrawn by the Applicant because another MUP application (MUP-210-0007) at 8280 Broadway (adjacent property) was approved by City Council on April 5, 2022 (now expired as of April 5, 2023).

On May 10, 2022, CUP-210-0002 at 8290 Broadway was deemed complete. The Applicant waived the sixty-day public hearing time requirement in LGMC 17.28.020 G. 1. to determine whether or not the adjacent CUP at 8280 Broadway would be utilized. A time extension request for CUP-200-0001 at 8280 Broadway was denied by City Council on April 4, 2023. Thus, CUP-200-0001 expired on April 19, 2023. The applicant for 8290 Broadway submitted a MUP application for early separation findings for a CD on April 19, 2023.

### *Project Description*

The proposed project consists of an existing 2,510 sq. ft. single story commercial building and existing parking lot to be reused as a CD Cannabis Retail Store. The scope of the project includes interior and exterior remodeling of the existing structure within the same floor area. Site modifications include landscaping, parking lot re-striping, pedestrian access from the parking lot and existing right-of-way, miscellaneous site improvements such as lighting, fencing, security cameras, and right-of-way improvements. Project Plans are provided (**Attachment B**).

The project site is a 0.61-acre (26,679 square-feet) lot currently used as an adult entertainment venue "Little Darlings". The property is located on the southeast corner of Broadway and Monson Drive with approximately 80 feet of frontage on both streets. Both street frontages are unimproved with gravel and asphalt. Monson Drive is a dead-end street located underneath the 94/125 overpass connector.

The space within the 2,510 square-foot one-story building would be reconfigured with an eastern front entry into a lobby and another entry into the dispensary from the lobby.

There is a separate northern entry for employees and deliveries. The existing awnings and shade structure would be removed. The existing exterior stucco walls would be painted white, grey, and dark grey. A 3'-2" by 12'-2" (38 sq. ft.) wall mounted sign is proposed on the south elevation facing Broadway.

Site improvements include new sidewalk, curb and gutter with three new Crepe Myrtle street trees along the Broadway frontage. Two new driveways would provide access to the site from Broadway, one-way in and one-way out. The parking lot planters would be reconfigured, and landscaping expanded to provide new planting areas in the rear, sides and front of the site. The impervious surface area of the site would be decreased by 1,788 sq. ft. New landscaping would provide additional planted areas to increase the total landscaped area from 2,055 sq. ft. to 3,843 sq. ft. (14% of total lot area). The existing 6 ft. tall chain link fencing would remain along the sides and rear of the site. Exterior wall lights and parking lot light poles are proposed for lighting the entire site, as shown on the photometric plan (Sheet EO.1).

### *Land Use Analysis*

The subject property has a Lemon Grove General Plan land use designation of General Business and a zoning designation of HC, Heavy Commercial. According to the General Plan, this land use designation is planned for professional office, wholesale business, research and development, high technology production, and sales. CDs are authorized with a CUP in commercial zoning districts, including the HC zone, according to LGMC Section 17.32.090(A).

The General Plan establishes a maximum density of 1.2 Floor Area Ratio (FAR) in the General Business designation. The applicant proposes to maintain the existing 0.09 FAR, well below the maximum allowable FAR. No cultivation, manufacturing, processing, or delivery services are proposed with the CUP application. Site alterations and improvements including new landscape, lighting, signage, and access and parking area improvements are incorporated into the CUP application.

### *Operations Manual*

The application for a CUP for a cannabis dispensary shall include a detailed Operations Manual under LGMC Section 17.32.090 C. 6. The operations manual must include the following information:

- a. Authorization for the city, its agents and employees, to seek verification of the information contained within the application;
- b. A description of the staff screening process including appropriate background checks;
- c. The hours and days of the week the *dispensary* will be open;
- d. Text and graphic materials showing the site, floor plan and facilities of the *dispensary*. The material shall also show adjacent structures and land use;



- e. A description of the security measures located on the *premises*, including, but not limited to, lighting, alarms, and automatic law enforcement notification;
- f. A description of the screening, registration and validation process for *qualified patients*;
- g. A description of *qualified patient* records acquisition and retention procedures;
- h. The process for tracking *cannabis* quantities and inventory controls employed, including the source of *cannabis* (on-site cultivation, processing, or plant material, or processed products, received from outside sources);
- i. Procedures to ensure accurate record keeping, including protocols to ensure that quantities purchased do not suggest re-distribution; and
- j. Other information required by the manager of the community services department.

The Operations Manual (**Attachment C**) submitted by the Applicant contains all of the above information. The proposed hours of operation are 6AM-10PM seven days per week.

*Development Standards*

LGMC Section 17.16.080(G) outlines basic standards which are applicable to all land and structures in the HC Zone. The following table compares those standards to the site conditions at the subject address. The proposed project is in compliance with all basic development standards.

<b>Standard</b>	<b>Required</b>	<b>Proposed</b>
Min. Lot Area	10,000 square feet	26,679 square feet
Front Yard Setback	20 feet min.	28.5 feet
Side Yard Setback	None (0 ft.)	20 feet
Rear Yard Setback	None (0 ft.)	Approx. 125 feet
Maximum Building Height	30 feet	12 feet
Max. Building Coverage	40%	9%
Landscaped Area	10%	14%
Parking	6 spaces	34 spaces
Compact Parking	75%	24%

*Parking*

The Lemon Grove parking requirement for retail/business is one parking space per 500 square feet of floor area (LGMC 17.24.010). Thus, six parking spaces is the minimum amount of parking required. The proposed project provides 34 parking spaces including two disabled spaces. This is ample off-street parking for customers, employees and deliveries. The layout of the 34 on-site parking spaces (Sheet C-2) provides angled parking similar to the existing diagonal parking layout. The parking stalls have been

reconfigured to comply with the LGMC off-street parking regulations. The parking area accommodates a 13 foot one-way drive aisle and 9 foot by 19 foot parking stalls with wheel stops as required by the Space and Access Dimensions in LGMC Section 17.24.010(F) for parking dimensions. The Engineering site plan shows eight compact spaces (24% of total parking spaces). The plans do not show bicycle parking; however, staff recommends conditioning the project to provide a bicycle rack or other storage device for bicycle parking. Section 17.24.010(G) requires one bicycle space per ten required vehicle parking spaces.

### *Traffic*

A traffic and parking analysis letter from Urban Systems Associates, Inc. dated 12/09/2021 shows an increase in Average Daily Trips (ADT) from 402 ADT with the current use to 578 ADT with the proposed use. The 176 ADT increase in trip generation would be spread over a 24-hour period with less than 50 peak hour directional trips occurring at any signalized intersection in the vicinity of the project. No additional analysis of traffic conditions is recommended. The Vehicle Miles Traveled (VMT) analysis concludes that local-serving retail projects are presumed to have less than significant VMT impacts for a building of less than 50,000 sq. ft. This project falls well short of the threshold and would generally be considered “locally serving” which reduces VMT, no further VMT analysis is necessary.

### *Street Improvements*

Off-street parking regulations, specifically Section 17.24.010(H), also require the installation of city standard street improvements along abutting streets as part of all discretionary permit application. LGMC Chapter 12.10 requires street dedication and street improvements with building permits that exceed \$25,000 in value. The Engineering Division has provided a list of preliminary conditions related to street improvements and are included in the City Council resolution conditions.

### *Loading*

According to LGMC Section 17.24.020(B)(8), the CDM may determine loading requirements for unlisted uses, such as CDs, based upon the particular characteristics of the use. Deliveries from licensed cannabis distributors to the dispensary are not anticipated to occur in vehicles that require large, designated berths and therefore one is not provided. A condition of approval requires review of loading by the CDM prior to the issuance of a building permit.

### *Landscaping*

The Lemon Grove Water Efficient Landscape Regulations in Chapter 18.44 of the LGMC require discretionary applications to provide a conceptual landscape plan that conforms to both the Zoning Ordinance and the aforementioned landscape regulations. Landscaping requirements and the proposed landscape for the project are as follows:

<b>Standard</b>	<b>Required</b>	<b>Provided</b>
Min. 10% Landscape Area	10% (2,668 sq. ft.)	14 % (3,843 sq. ft.)
Min 25% Planted Landscape	25% (667 sq. ft.)	75% (2,898 sq. ft.) (irrigated landscape area)
Required On-Site Trees	4	13
Required Street Trees	3	3

*Screening*

The cannabis regulations in Chapter 17.32 do not require on-site fencing. The project plans do not show any fencing on the Broadway frontage. The existing 6-foot perimeter chain link fencing would remain.

Two existing rooftop HVAC units would remain in their central location on the roof. The parapet wall provides some screening of the HVAC units. LGMC Section 17.24.050(E)(10) requires such units to be screened from the level of adjacent streets and walks while Section 17.24.040(C)(1) limits this screening, and any other rooftop appurtenance, to less than eight (8) feet in height. Screening of rooftop HVAC equipment is included as a condition in the city council resolution.

*Trash*

A trash refuse enclosure is proposed that is conditioned to meet current storm water requirements. Storm water review of the construction drawings, and inspections, ensure that the trash enclosure will have a permanent waterproof roof and be fully screened to prevent rainfall contact and wind dispersion of trash.

*Lighting and Security*

Crime Prevention Through Environmental Design (CPTED) principles encourage all exterior areas to be adequately lit. Exterior and interior security lighting and security cameras are included in the operations manual and project plan set. Review of detailed security lighting plans will occur as part of the building permit for the project. In addition, LGMC Section 17.24.080 requires light fixtures to be maintained and adjusted to direct light away from adjacent streets and properties so as to prevent nuisance conditions.

*Signage*

Pursuant to sign ordinance Section 18.12.040(C), commercial uses are generally permitted up to three signs. The total allowable sign area permitted is 20% of the dispensary building wall facing Broadway, or approximately 96 sq. ft. The proposed signage consists of one 38 sq. ft. wall mounted sign on the south elevation facing Broadway. The existing billboard on the northwest corner of the site would remain, and is not considered part of the signage for the proposed project.

**Conclusion:**

The city council must make the following findings as stated in LGMC Section 17.28.050 in order to approve any conditional use permit application:

- 1. The use is compatible with the neighborhood or the community;
- 2. The use is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity;
- 3. The use complies with performance standards according to Section 17.24.080;
- 4. The use is consistent with applicable provisions of the particular zoning district and with policies and standards of the general plan.

Section 17.32.080 also requires the decision making authority consider:

- 5. Whether the approval of the proposed use will violate the minimum requirements set forth in chapter 17.32 for distance separations between establishments which dispense, process or cultivate cannabis; and separations between establishments which dispense, process or cultivate cannabis and other specific regulated or protected land uses as set forth in chapter 17.32; and
- 6. Whether the proposed use complies with Title 17 of the Lemon Grove Municipal Code.

Staff believes that the required findings can be made in the affirmative and that required considerations were duly considered provided the conditions in the city council resolution of approval are observed. The application materials as presented and the corresponding conditions incorporate and reflect input from all City divisions, including: Building, Engineering, Heartland Fire & Rescue, Planning, Sheriff’s Crime Prevention Unit, and D-Max Engineering, the City’s stormwater consultant.

This CUP is valid for one year, and will expire one year after approval of the CUP, unless extended by the city council prior to the one-year expiration date.

**Environmental Review:**

- Not subject to review  Negative Declaration
- Categorical Exemption, Sections 15301  Mitigated Negative Declaration

The project as proposed is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 “Existing Facilities” of the CEQA Guidelines.

The Class 1, Section 15301 Existing Facilities exemption consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. This CUP would allow the operation of a CD in an existing structure in an urbanized area and involves no expansion of existing floor area. This request is lesser in

scale than the examples of Class 1 exemptions in the CEQA Guidelines, including those for additions resulting in a 50% increase in floor area up, to a maximum of 2,500 square-feet, and demolition of multifamily residential structures up to six (6) dwelling units in urban areas.

The CEQA Guidelines Section 15300.2 exceptions to categorical exemption use do not apply to the project. The subject property is within a built-out urban environment thus limiting potential for cumulative effects from successive projects and avoiding impacts to General Plan identified biological habitats or environmental resources of hazardous or critical concern. The project does not involve any other unusual circumstances that could potentially have a significant effect on the environment. The project site is not a hazardous waste site nor is it identified as such in any “Cortese List” including the DTSC EnviroStor database and State Water Resources Control Board GeoTracker tool. No impacts to scenic highways will occur as State Route 94 is not designated as, nor identified as eligible to be, a CalTrans scenic highway along city limits. Historic resources will not be impacted as the project site is not included in the San Diego County Historic Properties Data File nor the Lemon Grove Historical Society List of Historic Properties as referenced in the Lemon Grove General Plan Conservation and Recreation Element.

**Fiscal Impact:** No fiscal impact is associated with the approval of the CUP. Future sales of medical and recreational marijuana would generate additional sales tax and cannabis revenue to the City of Lemon Grove.

**Public Notification:** On April 21, 2023, the Notice of Public Hearing for this item was published in the East County Californian and was mailed to all property owners within 1,000 feet of the subject property. Staff verified the presence of the public notice sign required by LGMC Section 17.28.020(F)(2) on April 20, 2023. The City of Lemon Grove did not receive any comments in response to the Notice of Public Hearing at the time this staff report was written. Staff will provide the City Council with any comments received after publication of this staff report.

**Staff Recommendation:**

- 1) Conduct the public hearing;
- 2) Receive Public Comment; and
- 3) Adopt a Resolution finding the project is exempt from CEQA pursuant to Section 15301 and conditionally approving CUP-210-0002 to allow a Cannabis Dispensary at 8290 Broadway, Lemon Grove, CA.

**Attachments:**

**Attachment A – Resolution**

**Attachment B – Project Plans**

**Attachment C – Operations Manual**

**RESOLUTION NO. 2023-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, FINDING THE PROJECT IS EXEMPT FROM CEQA PURSUANT TO SECTION 15301 AND CONDITIONALLY APPROVING CONDITIONAL USE PERMIT CUP-210-0002, A REQUEST TO ALLOW A CANNABIS DISPENSARY AT 8290 BROADWAY, LEMON GROVE, CALIFORNIA.**

*WHEREAS, the California voters approved Proposition 215 in 1996 to ensure that seriously ill Californians have the right to obtain and use cannabis for medical purposes and to encourage elected officials to implement a plan for the safe and affordable distribution of medicine; and*

*WHEREAS, in 2003, the California State Legislature adopted Senate Bill 420, the Cannabis Program Act, to clarify and further implement Proposition 215 in part by authorizing patients and Primary caregivers to associate within the State of California in order to collectively or cooperatively cultivate cannabis for medical purposes; and*

*WHEREAS, in 2015, the California State Legislature adopted Assembly Bill 243, Assembly Bill 266, and Senate Bill 643, collectively known as the Cannabis Regulation and Safety Act, to establish a statewide regulatory framework and establish the Bureau of Cannabis Regulation for the regulation of cannabis activity occurring in jurisdictions across California; and*

*WHEREAS, on November 8, 2016, voters in the City of Lemon Grove passed Measure V, an initiative removing the City's prohibition of cannabis dispensaries and establishing performance standards and a permit process by which cannabis dispensaries (CDs) may be established, which is codified as Chapter 17.32 in the Lemon Grove Municipal Code (LGMC); and*

*WHEREAS, LGMC Section 17.32.090(B) establishes the distance requirements between dispensaries (including CDs) as a regulated use and protected land uses, including public parks, playgrounds, licensed day care facilities, schools and alcohol and substance abuse treatment centers as defined in the LGMC; and*

*WHEREAS, on December 9, 2021, Rita Hirmez and Sabah Toma (Applicant) filed Conditional Use Permit application CUP-210-0002, a request establish a CD Cannabis Retail Store at 8290 Broadway in the Heavy Commercial Zone, and on May*

10, 2022 Community Development Department staff found the application complete; and

**WHEREAS**, The Applicant waived the sixty-day public hearing time requirement of LGMC 17.28.020 G. 1.; and

**WHEREAS**, Notice of the Public Hearing was given in compliance with Lemon Grove Section 17.28.020(F). On April 21, 2023, the Notice of Public Hearing for CUP-210-0002 was published in the East County Californian and mailed to all property owners within 1,000 feet of the subject property. Staff confirmed the presence of the required on-site public notice sign on April 11, 2023; and

**WHEREAS**, the proposed project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities; and

**WHEREAS**, the Zoning Ordinance includes street improvement requirements per LGMC Chapter 12.10 and Section 17.24.010 (H). A clear nexus is made to require street improvements because: 1) this is the highest and best use of the property from a revenue standpoint; 2) the proposed use is higher intensity than typical retail uses and was not analyzed as a part of the General Plan Master Environmental Impact Report; 3) cannabis dispensary means persons with disabilities are likely to need access to the facility via vehicles or as a pedestrian or bicyclist; and 4) sidewalk and street improvements are largely supported by the General Plan Health & Wellness Element, Community Development Element, and Mobility Element policies; and

**WHEREAS**, this permit does not excuse any owner or operator from complying with all applicable federal, state, county or local laws, ordinances or regulations. The owner or operator is required to determine if another permit or approval from any other agency or department is necessary. The City, by issuing this permit, does not relinquish its right to enforce any violation of law; and

**WHEREAS**, on May 2, 2023, City Council held a duly noticed public hearing to consider Conditional Use Permit application CUP-210-0002; and



**WHEREAS**, the City Council determined that the following findings of fact can be made as required by LGMC Section 17.28.050(C):

1. *The use is compatible with the neighborhood or the community;*

*LGMC Chapter 17.32 is the product of a 2016 citizen's initiative, Measure V, which explicitly authorized Cannabis Dispensaries as a conditionally permissible land use. The proposed project is compatible with the community insofar as it is consistent with Chapter 17.32, which was codified at the direction of Lemon Grove voters. The design of the proposed use is compatible with surrounding properties and uses by orienting the entrance generally towards the parking lot with ample parking, landscaping and security lighting.*

2. *The use is not detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity;*

*LGMC Chapter 17.32 is the product of a 2016 citizen's initiative, Measure V, which explicitly authorized Cannabis Dispensaries as a conditionally permissible land use. The Lemon Grove General Plan adopted in 1996 did not contemplate Cannabis Dispensaries as a land use nor were the specific environmental impacts assessed pursuant to CEQA. The proposed project is consistent with the General Plan as a consequence of LGMC Chapter 17.32, which was codified at the direction of Lemon Grove voters. The proposed project as designed and conditioned avoids potential detriments to the health, safety, convenience or general welfare of persons residing or working in the vicinity.*

3. *The use complies with performance standards according to Section 17.24.080;*

*The proposed project replaces an existing commercial facility and would result in a reduction of 1,788 square feet of impervious surface area. No expansion of the existing floor area of the commercial building would occur. With the security measures outlined in the Operations Manual, the project would not create nuisances, hazards, or dangerous or objectionable effects from the operation of the proposed CD. The project site is located approximately 600 feet away from*

*the nearest residential zone and would not create undesirable impacts on residential neighborhoods.*

- 4. The use is consistent with applicable provisions of the particular zoning district and with policies and standards of the general plan;*

*LGMC Chapter 17.32 is the product of a 2016 citizen's initiative, Measure V, which explicitly authorized Cannabis Dispensaries as a conditionally permissible land use. The proposed project is compatible with provisions of the Heavy Commercial zone insofar as it is consistent with Chapter 17.32 which was codified at the direction of Lemon Grove voters. The Lemon Grove General Plan adopted in 1996 did not contemplate Cannabis Dispensaries but the project is consistent with the General Plan as a consequence of voter approval of Measure V.*

***WHEREAS***, *LGMC Section 17.32.080 also requires City Council to consider the following with the required Conditional Use Permit findings:*

- A. Whether the approval of the proposed use will violate the minimum requirements set forth in LGMC Chapter 17.32 for distance separations between establishments which dispense, process or cultivate cannabis; and separations between establishments which dispense, process or cultivate cannabis and other specific regulated or protected land uses as set forth in LGMC Chapter 17.32.*

*The proposed location for a CD Cannabis Retail Store at 8290 Broadway is located approximately 6,000 feet from the nearest operating, or conditionally permitted, or proposed regulated use at 3515 Harris Street. Staff found no evidence of any protected uses, including public parks, playgrounds, licensed day care facilities, schools and alcohol and substance abuse treatment centers as defined in the LGMC within 1,000 feet. Furthermore, the nearest protected use (St. John's Elementary School) is approximately 1,100 feet from the proposed dispensary site.*

- B. Whether the proposed use complies with Title 17 of the Lemon Grove Municipal Code.*

*The proposed project as conditioned complies with LGMC Title 17 requirements.*

***NOW, THEREFORE, BE IT RESOLVED*** that the City Council of the City of Lemon Grove, California, hereby finds the project to be exempt from CEQA pursuant to Section 15301 and approves Conditional Use Permit CUP-210-0002 for a Cannabis Dispensary including the site and architectural plans date stamped March 30, 2022 (incorporated herein by reference as Exhibit A), except as noted herein. This approval authorizes the establishment of a Cannabis Dispensary at 8290 Broadway in the Heavy Commercial Zone, subject to the following conditions:

1. *Within (5) days of approval, the applicant shall submit the appropriate payment for the filing of the CEQA Categorical Exemption and County Clerk Processing Fee.*
2. *Prior to issuance of a building permit for the use authorized by this Conditional Use Permit the applicant shall comply with the following:*
  - a. *All physical elements of the proposed project shown on the approved plans date stamped March 30, 2022, except as noted herein, shall be located, constructed and maintained substantially where they are shown in accordance with applicable Lemon Grove City Codes to the satisfaction of the Community Development Manager and City Engineer.*
  - b. *All pre- and post-construction best management practices (BMPs) shall be maintained for the duration of the project.*
  - c. *Where storm water runoff flows into landscape areas, landscape areas shall be designed to retain/capture first-flush of smaller storm events but larger storms must be provided with an adequate drainage pathway with appropriate mitigation. Storm water review for compliance shall be a part of a landscape plan review and shall include details for construction BMPs. Concrete curbs shall be installed around the entirety of landscape areas as required by 17.24.050(B)(6) with curb cuts provided to the satisfaction of the water quality reviewer. If infiltration is proposed, recommendations from a Soils or Geotechnical Engineer is required.*
  - d. *In general landscape planters designed to receive first flush runoff shall be designed to be depressed below curb flow line and surrounding impervious*

*area to allow stormwater to accumulate in planter, and have an adequate overflow for excess drainage via an approved conveyance/discharge pathway.*

- e. Wheel stops shall be installed at all parking spaces located along the perimeter of a parking lot adjacent to landscape areas and buildings to the satisfaction of the Community Development Manager.*
- f. A Heartland Fire & Rescue hazardous materials questionnaire and delayed egress statement shall be submitted with the building permit application for review.*
- g. The applicant shall provide a letter detailing the security provisions for the dispensary and how the applicable Building and Fire Code requirements will be achieved for emergency ingress and egress.*
- h. Submit an application to be included into the Lemon Grove Lighting District. The property will be assessed annually.*
- i. Demonstrate on the site plan, or precise grading plan, that the accessible path of travel (POT), and ADA parking shown on the site plan by design or surveyed methods meets the requirements for accessibility. Show slopes and/or elevations and details of all Accessible signage required per the California Building Code in effect at the time of application.*
- j. An encroachment permit with appropriate fees shall be required for all work proposed within the right-of-way.*
- k. Submit for Community Development Department approval, a detailed landscape and irrigation plan. Provide reference sheets for any grading and landscape erosion control plans. The plan shall indicate all surface improvements including, but not limited to, the design and locations of all walls, fences, driveways, walkways, botanical and common names of all plant materials, number, size and location of all plantings; all irrigation lines including valves and back-flow devices; and soil amendments. Said landscape plan shall comply with the requirements of Section 17.24.050(B) and Chapter 18.44 of the Municipal Code. The landscape plan shall be in substantial conformance to the approved landscape concept plan.*
- l. Carbon filtration is required prior to air exiting any exhaust point.*

- m. *Locations of proposed Fire Extinguishers must be shown and shall be in compliance with the requirements of the adopted California Fire Code.*
  - n. *All camera locations and entryway doors shall be properly secured and approved by the Sheriff's Crime Prevention Officer.*
  - o. *A photometric lighting plan shall be provided with final lighting design. Lighting shall be installed to adequately light the exterior and interior of the dispensary premises and conform with Section 17.24.080.*
  - p. *All proposed improvements shall comply with Title 15 including Building and Fire Codes and ADA accessibility requirements as adopted and amended by the City Council.*
  - q. *A Public Improvement Plan that proposes street improvements as conditioned and required by the City of Lemon Grove Municipal Code 12.10.060 shall be approved by the City Engineer, an agreement to improve, and all necessary securities in place.*
  - r. *All new dry utility distribution facilities within the boundaries of the proposed project shall be placed underground.*
  - s. *All existing and proposed easements, public and private shall be shown on the site plans, precise grading/improvement plans.*
3. *Prior to the Issuance of a Grading and/or Public Improvement Permit, and/or during Grading Activities, the Applicant shall comply with the following.*
- a. *Per Lemon Grove Municipal Code Section 12.10.060, up to one half of the public street ultimate right-of-way abutting the subject property shall be improved with public street improvements for the entire length of the subject property abutting the public street so as to meet the current city adopted standards. This will require the submittal of improvement plans and associated documents to the Engineering Division for review, approval and issuance of an Improvement Permit. Should the existing street improvements meet current standards, or be in a condition satisfactory to the City Engineer, the City Engineer may waive this requirement, or portions thereof.*
- Public street improvements are defined in the Lemon Grove Municipal Code Section 12.10.020 as "curbs, gutters, sidewalks, driveways, paving,*

*base material, alleys, street lights, traffic signals, signing, striping, storm drainage facilities, sewer and water facilities, the relocation and/or undergrounding of overhead utilities, fire hydrants, street trees, street landscaping and all necessary appurtenances” as applicable to the project.*

*The property owner(s) shall furnish all of the following to the engineering division upon applying for a permit to construct public street improvements:*

- i. A street improvement plan prepared by a civil engineer registered in the state of California;*
  - ii. An erosion control plan prepared by a civil engineer or landscape architect registered in the state of California;*
  - iii. A landscape and irrigation plan prepared by a landscape architect registered in the state of California, if planting is required;*
  - iv. Engineering review fees for the construction permit as described in Section 12.10.070.*
- b. Except if exempt, submit an application for the following Public Improvements. Requested Improvements will be proportional to the impacts of the development, and will not exceed 20% of the proposed building permit valuation. Improvements identified by the City of Lemon Grove Engineering Department (per 12.10.060) as of 5/5/21 due to substandard condition include:*
- 1) On Broadway, construct driveway entrance(s) per current San Diego Regional Standard Drawings to maintain ADA pedestrian access along Broadway.*
  - 2) Provide sidewalk and landscape parkway Improvements within the project frontage consistent with the ultimate build-out of Broadway cross-section as provided City of Lemon Grove General Plan Mobility Element. See Figure M-2 of the Mobility Element of the General Plan.*
  - 3) Provide asphalt concrete (AC) rehabilitation up to ½ street width.*
  - 4) Restriping (to replace in kind where ac pavement has been redone.*

*5) Street trees provided per LGMC 12.10.100.*

- c. Per LGMC Section 12.10.080, when public street improvements are required in accordance with Section 12.10.060, the property owner(s) shall be required to underground or relocate all existing utility distribution facilities, including telecommunication lines, along the frontage of the subject property as required by the city engineer. The property owner(s) shall make the necessary arrangements with each of the serving utilities, including licensed telecommunication operators for the installation or relocation of such facilities.*
- d. An agreement to improve or install improvements which are to be located in the public right-of way and/or private easements is required. The applicant shall post a good and sufficient improvement security with the City comprised of a cash deposit or a combination of cash deposit and corporate surety bond of a surety authorized to do business in the state. The estimated cost of the work shall be determined by the city engineer after reviewing the civil engineer's estimates.*
- e. An Encroachment, Maintenance, and Removal Agreement (EMRA) will be required prior to the Improvement Permit issuance. The EMRA will mandate the responsibility of the property owner to maintain any proposed private improvements, landscape and irrigation within the public right-of-way, and any future removals as required by the City.*
- f. Prior to the issuance of a permit, a Covenant Not-to-Oppose the formation of a future street improvement district shall be required. The City will prepare the agreement and will require Owner signature and notarization (at the time of permit issuance).*
- g. Prior to the issuance of a permit, a Covenant Not-to-Oppose the formation of an undergrounding district shall be required. The City will prepare the agreement and will require Owner signature and notarization (at the time of permit issuance).*



- h. All existing survey monuments shall be shown on the public improvement plans. Prior to permit issuance, the Applicant, or Permittee shall retain the service of a professional Land Surveyor, L.S., or Civil Engineer authorized to practice Land Surveying who will be responsible for monument preservation and shall provide a corner record or record of survey to the County Surveyor as required by the Land Surveyors Act, if applicable, Section 8771 of the Business and Professions Code of the State of California.*
  - i. All existing and proposed easements, public and private shall be shown on the public improvement plans.*
  - j. Maintain and show on the Public Improvement plans all "Sight zones". Sight Zones are triangular areas formed by a line drawn between points twenty feet from the intersecting property lines of a corner lot's street sides, within which no building may be built, nor may any fence, wall or other obstruction exceed three and one-half feet in height or in conformance with the current Highway Design Manual approved by the city council at the time of development approval. A 10-foot Sight Zone triangles shall also be maintained at the site driveway entrance (begin behind property line).*
  - k. Submit for Traffic Control Permit for work affecting traffic within the right-of-way on Broadway.*
  - l. Obtain all necessary permits from other governing agencies (Caltrans).*
- 4. Prior to Issuance of a Building Permit:*
- a. A Public Improvement Plan that proposes street improvements as conditioned and required by the City of Lemon Grove Municipal Code 12.10.060 shall be approved by the City Engineer, an agreement to improve, and all necessary securities in place.*
  - b. All new dry utility distribution facilities within the boundaries of the proposed project shall be placed underground.*
  - c. On a site plan, Precise Grading Plan and/or Plot Plan, demonstrate that the accessible path of travel (POT), and ADA parking shown on the Site Plan by design or surveyed methods meets the requirements for*

- accessibility. Show slopes and/or elevations. Show details of all accessible signage required per 2019 California Building Code.*
- d. All existing and proposed easements, public and private shall be shown on the site plans, precise grading/improvement plans.*
- 5. Prior to requesting a final inspection and occupancy of the structure, the applicant shall comply with the following:*
- a. All physical elements of the proposed project shown on the approved plans date stamped March 30, 2022, except as noted herein, shall be located, constructed and maintained substantially where they are shown in accordance with applicable Lemon Grove City Codes to the satisfaction of the Community Development Manager and City Engineer.*
- b. Buildings equipped with fire alarm systems shall be provided with Knox Box for emergency access.*
- c. A State license shall be required prior to commencing operations. The license must be maintained at all times.*
- d. The San Diego Air Pollution Control District Rule 55 requires compliance with standard fugitive dust control best management practices which will be required as a part of normal practices.*
- e. Dispensaries shall comply with the most recent adopted California Fire Codes and Standards.*
- f. A fire inspection is required prior to a certificate of occupancy or business license being issued. The applicant shall ensure the dispensary is set up and ready for operation prior to the fire inspection.*
- g. Parking areas and striping shall comply with current standards and damaged paving shall be repaired and maintained in a good condition. Designated parking spaces are prohibited on-site.*
- h. A bicycle rack with capacity for a minimum of two (2) bicycles shall be provided on the property.*
- i. A City Business License shall be obtained.*
- j. Provide copies of all IRS and State Franchise Board filings within 30 days of filing.*

- k. *The location of the dispensary shall include the installation of a centrally monitored alarm system.*
  - l. *Windows and glass panes shall have vandal-resistant glazing, shatter resistant film, or glass block equipped with appropriate access to allow exit in the event of an emergency in compliance with Fire Code as adopted and amended by the City Council.*
  - m. *All emergency exits shall be solid core doors featuring hinge-pin removable deterrence. Emergency exit doors shall have latch guards at least 12 inches in length protecting the locking bolt area. Latch guards shall be a minimum 0.125-inch thick steel, affixed to the exterior of the door with non-removable bolts, and attached so as to cover the gap between the door and the doorjamb for a minimum of six inches both above and below the area of the latch.*
  - n. *Windows vulnerable to intrusion by a vehicle must be protected by bollards or landscaping grade separation reasonably sufficient to prevent such intrusion.*
  - o. *Damaged paving shall be repaired and parking area striped consistent with LGMC Section 17.24.010.*
  - p. *Street numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations so as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background, and shall meet the following minimum standards as to size: minimum eight inches (8") high with a one-half inch (1/2") stroke for commercial, multi-residential buildings, and industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Marshal, such as rear doors, building corners, and entrances to commercial centers. The Fire Marshal may require larger address numbers based on visibility and the need of emergency response personnel.*
6. *Upon establishment of use in reliance with this Conditional Use Permit, the applicant shall comply with the following:*

- a. *All physical elements of the proposed project shown on the approved plans date stamped March 30, 2022, except as noted herein, shall be located, constructed and maintained substantially where they are shown in accordance with applicable Lemon Grove City Codes to the satisfaction of the Community Development Manager and City Engineer.*
- b. *Operating procedures as described in the approved Operations Manual shall be observed except as noted herein.*
- c. *If during employment with the dispensary, a director or employee is convicted of a crime identified in California Penal Code Section 1192.7, subdivision (c), and Health and Safety Code Section 11359 shall be immediately dismissed from employment or required to resign as a corporate board member or officer. For purposes of this section, a conviction in another state that would have been a conviction equivalent under California law to those convictions specified in this section will disqualify the person from employment or volunteering at the dispensary.*
- d. *Dispensaries shall have at least one uniformed security guard on duty during operating hours that possess a valid Department of Consumer Affairs “Security Guard Card.”*
- e. *Dispensaries shall designate a community relations liaison (liaison) who shall be at least eighteen years of age. The liaison may also be the director of the dispensary. To address community complaints or operational problems with the dispensaries, the individual designated as the community relations liaison shall provide his or her name, phone number and email address to the following:*
  - i. *Lemon Grove city manager;*
  - ii. *San Diego County sheriff’s department personnel supervising law enforcement activity in Lemon Grove; and*
  - iii. *All neighbors within one hundred feet of the dispensary.*
- f. *City code enforcement officers, San Diego sheriff’s department staff, and any other employee of the City requesting admission for the purpose of determining compliance with the standards set forth in this section shall be given access to the premises. City and sheriff staff shall not retain*

*information pertaining to individual patient records viewed during an inspection, and information related to individual patients shall not be made public. Inspectors will give reasonable notice of a scheduled inspection. Unannounced inspections of a dispensary may occur if city or sheriff's department staff have probable cause that the collective is violating the law. The dispensary must maintain compliance with inspection requirements as outlined in Section 17.32.090(C)(5) at all times.*

- g. The on-site display of unprocessed marijuana plants or representations of marijuana plants in any areas visible to the public is prohibited.*
- h. Dispensaries shall submit an "annual performance review report" for review and approval by the Community Development Manager. The "annual performance review report" is intended to identify effectiveness of the approved CUP, operations manual, and conditions of approval, as well as any proposed modification to procedures as deemed necessary. The Community Development Manager may review and approve amendments to the approved "operations manual"; and the frequency of the "annual performance review report." Cannabis cultivation, manufacturing and dispensing monitoring review fees pursuant to the current Master Fee Schedule shall accompany the "annual performance review report" for costs associated with the review and approval of the report.*
- i. Maintain a waste disposal plan detailing plans for disposal of chemicals and plant waste.*
- j. If the owners or operators of the Dispensary are a Limited Liability Company (LLC), corporation or trust, the names and addresses of all officers and designated signatories of the legal entities shall be provided to staff and shall be maintained in the CUP project files. The City shall be notified within 30 days of all changes to the property and business ownership including officers and designated signatories.*
- k. The use of musical instruments and sound amplification devices on-site is prohibited at all times.*
- l. All exits shall be readily accessible without delay or hindrance.*

- m. Blocking or covering of egress windows is prohibited.*
- n. All facilities shall be subject to review by the Fire Department at all times.*
- o. Nuisance odor complaints shall be filed with the Department of Environmental Health.*
- p. Sleeping within the facility and residential occupancy is prohibited.*
- q. The dispensary shall post and maintain professional quality sign facing the parking lot(s) and the entrance that reads “No loitering; no littering; violators subject to arrest” in English and Spanish in accordance with LGMC. Loitering prohibitions shall be strictly enforced on-site.*
- r. The Operating Standards as outlined in Section 17.32.090(C)(7) shall be observed and adhered to at all times.*
- s. The business shall be subject to future local taxes and fees. If a local tax is implemented, a payment schedule may be established.*
- t. A compliance inspection shall be conducted quarterly to ensure operations are in compliance with conditions of approval and other applicable regulations.*
- u. The City or its designee may examine the records of licensees and inspect the premises of a licensee as the licensing authority as may be authorized by law. The City or its designee shall have access to any licensed cannabis facility for inspection of the facility, the employees and records (HIPPA compliance rules apply) during any normal business hours or at any other reasonable time. Licensees shall provide and deliver records to the licensing authority upon request (Business and Professions Code 19327(c).) Authorized regulatory staff shall be allowed access to the premises in accordance with State law (Business and Professions Code 19311 (e); 19327 (c)). Compliance inspections shall be conducted by HDL (contracted) and City staff with time expensed to and paid by the CD operator to ensure operations are properly inspected in compliance with conditions of approval and other applicable regulations.*
- v. Disposal of any unused or unwanted cannabis shall undergo a special process and shall not be disposed of as or with routine garbage.*

- w. *Business activities shall be limited to cannabis dispensaries only or additional uses based on applicable regulations at the time of the request.*
- x. *Deliveries from the facility shall be permitted pursuant to LGMC Section 17.32.120.*
- y. *The cultivation of cannabis on-site is prohibited. If cultivation is permissible, a conditional use permit modification may be required based on applicable regulations at the time of the request.*
- z. *The use of generators on-site is prohibited, unless authorized by the Community Development Manager for emergency purposes.*
- aa. *Loitering and outdoor events shall be prohibited on the subject property.*
- bb. *Complaints related to noise and smell shall require professional investigation paid by the CD operator with analysis and appropriate mitigation.*
- cc. *The site shall be well lit, but glare shall be prohibited onto adjacent properties or onto the public right-of-way. All light fixtures shall be maintained and adjusted to reflect light downward, away from any road or street, and away from any adjoining premises. Glare from proposed roof and siding materials and signage shall be considered and designed to minimize impacts onto adjacent properties and the public right-of-way.*
- dd. *The building façade shall be well maintained at all times.*
- ee. *All graffiti, trash and debris shall be removed daily.*
- ff. *Except for designated employees, no persons shall be allowed within the tenant space except during normal business hours.*
- gg. *All site Crime Prevention Through Environmental Design (CPTED) recommendations shall be implemented and adhered to all times.*
- hh. *Sheriff “No Trespass” authorizations to enter and conduct enforcement on the subject property shall be completed and current at all times (renewed every 30 days).*
- ii. *Consumption, sampling, smoking or ingestion of alcohol, tobacco and marijuana products is prohibited on the subject property.*
- jj. *All activities associated with the business shall be conducted indoors.*
- kk. *Landscape shall be maintained in good condition at all times.*



- ll. The use of barbed wire or razor ribbon on any fences, gates or walls is prohibited.*
- mm. The hours of operation shall be restricted to 6am to 10pm seven days a week only.*
- nn. All temporary signs are prohibited on-site.*
- oo. A minimum of two employees and one Director is required per facility (three persons total) upon application. Live Scan background check shall be provided to the City prior to employment of all employees or a new Director and prior to commencing operations.*
- pp. Verification shall be provided as a part of annual renewal submittals. A log of all persons entering the facility shall be kept on-site indicating the name, mailing address, phone and MMIC numbers and if product was purchased from the facility.*
- qq. No outdoor storage of equipment, materials or fleet vehicles is permitted without modification of the Conditional Use Permit.*
- rr. This project approval does not include signage and sign permits shall be obtained prior to installation. All signage for dispensaries shall require a sign permit from the City prior to installation. Signage shall not include any terminology (including slang) or symbols for marijuana. Green crosses are not considered terminology, slang, or symbols for marijuana. All signs shall conform to the Municipal Code Section 18.12.*
- ss. Cooking and processing of food or marijuana products is prohibited.*
- tt. The use of vending machines is prohibited on-site. A vending machine is any device which allows access to cannabis without a human intermediary.*
- uu. All temporary uses in accordance with Section 17.29.040 shall be prohibited on-site.*
- vv. Food trucks and catering shall be prohibited on-site. Food and beverage and/or charitable offerings or solicitations to patrons shall be prohibited on-site.*
- ww. Recreational activities and games of chance shall be prohibited on-site.*

- xx. Prior to operation and annually thereafter, a record of Sheriff and Fire service calls shall be provided to the City of Lemon Grove for assessment.*
- yy. The uniformed security guard on duty shall have an issued Private Patrol Operator number and a valid Department of Consumer Affairs “Security Guard Card” on their possession at all times. A copy of the security guard contract shall be reviewed and approved by the Sheriff’s Department. The Security Guard uniform shall be approved by the Bureau of Security and Investigative Services (BSIS).*
- zz. No persons under the age of eighteen are allowed at, in or at a CD facility, unless such individual is a qualified patient and accompanied by their licensed attending physician, parent or documented legal guardian.*
- aaa. Plant materials in the front yard setback shall be no greater than 18 inches in height and tree canopies shall be maintained at eight feet high above grade.*
- bbb. All cannabis products shall be tracked, tested, sealed and labeled at a minimum by the Medical and Adult Use Cannabis Regulation and Safety Act and as it may be amended.*
- ccc. All records related to cannabis activity shall be maintained a minimum of seven years.*
- ddd. All activities involving the transportation of marijuana for a dispensary shall comply with California State Regulations, restrictions and guidelines, as enumerated in Division 8, Chapter 3.5 of the California Business and Professions Code, and established by the Department of Cannabis Control Regulations. Delivery services are prohibited, unless applicable regulations at the time of the request permit delivery services.*
- eee. The doors and windows shall remain closed and the air conditioning system utilized during hours of operation to reduce noise and odor impacts in the surrounding neighborhood.*
- fff. The project shall conform to all performance standards of Municipal Code Section 17.24.080.*
- ggg. Proper drainage shall be maintained throughout this property so as to prevent ponding and/or storage of surface water.*

- hhh. *Clear and well-lit addresses shall be maintained on-site and shall be visible from the public street in all directions to the satisfaction of the Fire Marshal.*
  - iii. *All trash, recycling, and refuse containers must be stored within the attached storage room, as shown on the Conditional Use Permit site plan and are only permitted to be outside said building for scheduled trash service.*
  - jjj. *Each violation on the subject property shall be deemed a separate offense subject to daily administrative citations and fines to both the property and the business owners for each violation in accordance with LGMC Chapter 1.24. Violations of this CUP may result in the noticing of a public hearing for consideration by the City Council to revoke the Conditional Use Permit in accordance with LGMC Title 17. If considered for revocation, the City Council shall consider the impact of the violation(s) on public health and safety and the Permit Holder's ability and willingness to rectify the violation in a timely manner to minimize the impact on public health and safety.*
  - kkk. *The CUP shall be renewed three years after commencing operations. The City Council can deny a CUP renewal if it's determined that the CD has operated contrary to the conditions of approval and the requirements of the LGMC, or if the CD has become a public nuisance.*
7. *The applicant, project proponents, operators and owners of the subject property and the CD shall indemnify, protect, defend, and hold harmless, the City and any agency thereof, and/or any of its officers, employees, and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees, or agents to attack, set aside, void, or annul, an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project. City shall promptly notify the applicant/subdivider of any claim, action, or proceeding brought within this time period, and City shall further cooperate fully.*

8. *The terms and conditions of the Conditional Use Permit shall be binding upon the permittee and all persons, firms, and corporations having an interest in the property subject to this Conditional Use Permit and the heirs, executors, administrators, successors, and assigns of each of them, including municipal corporations, public agencies, and districts.*
9. *This Conditional Use Permit expires May 2, 2024 (or such longer period as may be approved by the City Council of the City of Lemon Grove prior to said expiration date) unless all requirements of this Conditional Use Permit have been met prior to said expiration date.*

***PASSED AND ADOPTED*** on \_\_\_\_\_, 2023 the City Council of the City of Lemon Grove, California, adopted Resolution No. \_\_\_\_\_, passed by the following vote:

***AYES:***

***NOES:***

***ABSENT:***

***ABSTAIN:***

---

***Racquel Vasquez, Mayor***

***Attest:***

---

***Deborah Harrington, Interim City Clerk***

***Approved as to Form:***

---

***Kristen Steinke, City Attorney***







**Attachment A**

5. Rooftop mechanical equipment shall be screened.
6. Complaints related to noise and smell shall require professional investigation and analysis and appropriate mitigation.
7. The building façade shall be well maintained at all times.
8. All graffiti, trash and debris shall be removed daily.
9. All activities associated with the cultivation shall be conducted indoors.
10. Landscape shall be maintained in good condition at all times.
11. Each violation on the subject property as it relates to the LGMC or the conditions of approval shall result in a suspension of the privilege to cultivate marijuana for 30 days for a 1st licensing violation; 60 days for a 2nd violation; 90 days for a 3rd violation; and one year for subsequent violations not to exceed five years. Multiple violations may be observed on the same day creating a cumulative suspension. Each day the violation occurs constitutes a subsequent violation and code enforcement warnings, fines, and other means for compliance may commence. The Development Services Director may revoke the zoning clearance with appeal rights to City Council as a part of any violation and a violation may be grounds for not renewing a zoning clearance. In lieu of a suspension, a fine in the amount of \$1,000 per day of suspension may be paid at the discretion of the City Manager. This is in addition to code enforcement fines issued.
12. If the owners or leases are a Limited Liability Company (LLC), corporation or trust, the names and addresses of all officers and designated signatories of the legal entities shall be provided to staff and shall be maintained in the conditional use permit project files. The City shall be notified of all changes to the property owner and lessee including officers and designated signatories.

**Attachment A**

32. A minimum of two employees and one Director is required per facility (three persons total) upon application. Live Scan background check shall be provided to the City prior to employment of all employees or a new Director and prior to commencing operations.
33. The hours of operation shall be from 8am to 5pm seven days a week only.
34. All temporary signs are prohibited on-site.
35. A California Food Handlers Card shall be provided for each employee and Director on-site.
36. A State issued Medical Marijuana Identification Card (MMIC) shall be obtained for each qualified patient. Verification shall be provided as a part of annual renewal submittals. A log of all persons entering the facility shall be kept on-site indicating the name, mailing address, phone and MMIC numbers and if product was purchased from the facility.
37. If edibles are proposed on-site, a County Public Health Permit and Food Safety Certification shall be obtained and renewed as applicable.
38. Operators and property owners previously in code enforcement for operating an unpermitted marijuana establishment shall not be eligible for permit approval.
39. Each violation on the subject property as it relates to the LGMC or the conditions of approval shall result in a suspension of the privilege to sell medical marijuana for 30 days for a 1st licensing violation; 60 days for a 2nd violation; 90 days for a 3rd violation; and one year for subsequent violations not to exceed five years. Multiple violations may be observed on the same day creating a cumulative suspension. Each day the violation occurs constitutes a subsequent violation and code enforcement warnings, fines, and other means for compliance may commence. During such suspension, the operation shall still be considered a regulated use for purposes of calculated separation requirements. A new dispensary shall not commence operation on the subject property or under the same operator or Director or with any of the same employees for the duration of the suspension. City staff may forward the conditional use permit to the City Council for revocation consideration as a part of any violation and a violation may be grounds for not renewing a conditional use permit. In lieu of a suspension, a fine in the amount of \$1,000 per day of suspension may be paid at the discretion of the City Manager. In exercising discretion, the City Manager shall consider the impact of the violation(s) on public health and safety and the Permit Holder's ability to rectify the violation in a timely manner to minimize the impact on public health and safety. This is in addition to code enforcement fines issued.
40. If the owners or operators of a MMD are a Limited Liability Company (LLC), corporation or trust, the names and addresses of all officers and designated signatories of the legal entities shall be provided to staff and shall be maintained in the conditional use permit project files. The City shall be notified of all changes to the property and business ownership including officers and designated signatories.

Additional conditions will likely be required based upon the specific conditions at the site and/or as required by Council.

-9-

**Attachment A**

1. Require carbon filters, especially in cultivation rooms.
2. Ensure proper ventilation. This includes HVAC infrastructure at each facility.
3. Require an air quality permit if applicable.
4. Require a waste disposal plan detailing plans for disposal of chemicals and plant waste.
5. Require that any cooking processes occur only in commercial kitchens with proper ventilation and safety features.
6. Prohibit the blocking or covering of egress windows.
7. Require all facilities to be reviewed by the Fire Department.
8. Nuisance odor complaints shall be filed with the Department of Environmental Health.

Heartland Fire & Rescue has recommended the following additional conditions for MMDs:

1. Dispensaries shall comply with the most recent adopted California Fire Codes and Standards.
2. A site plan and floor plan shall be submitted for review, approval and permits prior to commencing work. It is strongly encouraged that the applicant hires a design professional (i.e. an Architect) to prepare the plan documents.
3. A fire inspection is required prior to a certificate of occupancy or business license being issued. The applicant shall ensure the dispensary is set up and ready for operation prior to the fire inspection.
4. The applicant shall provide a letter indicating any hazardous materials to be used or stored on site for the dispensary. This does not include normal business cleaning materials however; they must be in a limited quantity.
5. The applicant shall provide a letter detailing the security provisions for the dispensary and how the applicable Building and Fire Code requirements will be achieved for emergency ingress and egress.

In addition, the City's Planning Division recommends the following additional conditions for MMDs:

1. Each CUP shall be renewed every three years. The City Council can deny a CUP renewal if it's determined that the MMD has operated contrary to the conditions of approval and the requirements of the LGMC, or if the MMD has become a public nuisance.
2. A compliance inspection shall be conducted annually to ensure operations are in compliance with conditions of approval and other applicable regulations.
3. On January 1, 2018, the State begins reviewing and issuing licenses for medical marijuana businesses. A State license shall be applied for by February 1, 2018 and obtained by July 1, 2018 as a condition of approval for any CUP granted to such a business. After July 1, 2018, a State license shall be required prior to commencing operations.
4. Business activities shall be limited to medical marijuana dispensaries only.
5. Deliveries from the facility shall be prohibited.
6. Prohibit the cultivation of medical marijuana on-site. If cultivation is permissible, additional conditions will be required.
7. No consumption or sampling of any medical marijuana product shall be permissible on the subject property.

-7-

**Attachment A**

upon the specific conditions at the site and/or as required by the Fire Department, the Building Official, and the Director of Development Services.

The City's Building Division has recommended the following additional conditions for MMDs:

1. Require carbon filters in cultivation rooms.
2. Ensure proper ventilation. This includes HVAC infrastructure at each facility.
3. Require an air quality permit if applicable.
4. Require a waste disposal plan detailing plans for disposal of chemicals and plant waste.
5. Cooking processes are prohibited.
6. The blocking or covering of egress windows is prohibited.
7. All facilities are required to be reviewed by the Fire Department.
8. Nuisance odor complaints shall be filed with the Department of Environmental Health and shall be grounds for revocation.

Heartland Fire & Rescue has recommended the following additional conditions for MMDs:

1. Cultivation shall comply with the most recent adopted California Fire Codes and Standards.
2. A site plan and floor plan shall be submitted for review, approval and permits prior to commencing work. It is strongly encouraged that the applicant hires a design professional (i.e. an Architect) to prepare the plan documents.
3. The applicant shall complete the Hazardous Materials Management (HMMP) and submit this document with the plans for review by the Fire Department.
4. A code analysis regarding code compliance with the California Fire Code in the use of all processing phases may be required and shall be provided by a third party, state Certified Professional Engineer or Fire Protection Engineer.
5. A fire inspection is required prior to cultivation operations. The applicant shall ensure the cultivating site and building are ready for operation prior to the fire inspection and in accordance with the approved and permitted plans. Be advised fire inspections may be required during the setup of the operation and will be determined at time of permit issuance.

In addition, the City's Planning Division recommends the following additional conditions for MMDs:

1. Each ZC shall be renewed every three years. The Development Services Director can deny a ZC renewal if it's determined that the cultivator has operated contrary to the conditions of approval and the requirements of the LGMC, or if the MMD has become a public nuisance.
2. A compliance inspection shall be conducted annually to ensure operations are in compliance with conditions of approval and other applicable regulations.
3. A building permit shall be required and obtained for tenant improvements proposed including electrical, plumbing and mechanical improvements proposed. Structures and access shall meet current building and fire code regulations. An architect's investigation and proposed scope of work shall be required upon application submittal.
4. The use of generators on-site is prohibited.

-11-

**Attachment A**

8. All marijuana products shall be equipped with appropriate warning labels and child safety locking containers.
9. The subject property shall comply with current landscape regulations.
10. Parking areas and striping shall comply with current standards and damaged paving shall be repaired and maintained in a good condition. Designated parking spaces are prohibited on-site.
11. Dumpsters shall be housed within a permitted trash enclosure.
12. A building permit shall be required and obtained for tenant improvements proposed including electrical, plumbing and mechanical improvements proposed. Structures and access shall meet current building and fire code regulations. An architect's investigation and proposed scope of work shall be required upon application submittal.
13. The use of generators on-site is prohibited.
14. Storefronts shall be a minimum of 30 percent transparent to view all indoor customer areas.
15. Rooftop mechanical equipment shall be screened.
16. No company related vehicles shall be permitted within the City of Lemon Grove.
17. Loitering and outdoor events shall be prohibited on the subject property.
18. Complaints related to noise and smell shall require professional investigation and analysis and appropriate mitigation.
19. The site shall be well lit, but glare shall be prohibited onto adjacent properties or onto the public right-of-way.
20. The building façade shall be well maintained at all times.
21. All graffiti and trash and debris shall be removed daily.
22. Except for designated employees, no persons shall be allowed within the tenant space except during normal business hours.
23. A City Business License shall be obtained.
24. All site Crime Prevention Through Environmental Design (CPTED) recommendations shall be implemented and adhered to all times.
25. Sheriff authorizations to enter and conduct enforcement on the subject property shall be completed.
26. Any weapons on-site, and their storage, and any persons who handle the weapons shall be reviewed and authorized by the San Diego County Sheriff's Department. A weapons storage and use plan for the business shall be submitted in writing prior to the approval of any license.
27. Smoking or ingestion of tobacco and marijuana products is prohibited on the subject property.
28. All activities associated with the business shall be conducted indoors.
29. Landscape shall be maintained in good condition at all times.
30. Street improvements and street dedication shall be required in accordance with Chapter 12.10.
31. A covenant not to oppose the formation of a future utility undergrounding district and the formation of a future street improvement district shall be signed and recorded.

-8-



2934 Lincoln Ave., San Diego, CA 92104  
 techne-us.com sustainablearchitect.org  
 619-940-5814 313-595-5814

CONSULTANTS



8290 Broadway,  
 Lemon Grove, CA 91945

APPLICANT

Rita Hirmez & Sabah Toma  
 2424 Cerro Sereno,  
 El Cajon, CA 92019

01	12/08/21	1st CUP Submittal
02	03/29/22	2nd CUP Submittal

MARK DATE DESCRIPTION  
 03/29/22 8:36:14 PM

PROJECT NO: 2121  
 CAD DWG FILE: G001-G003 COVER SHEET.DWG  
 DRAWN BY: A.S., C.G., S.V., D.C., J.A.  
 CHK'D BY: A.S., M.M.

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SHEET TITLE

CUP NOTES -  
 DISPENSARY

G002

SHEET 2 OF 27



**MONUMENTS:**

- FD 1" IP WITH DISC "DIV HWYS" PER CORNER RECORD 14585
- FD 1" IP WITH DISC "CAL DOT" PER CORNER ROS 19150
- FD 3/4 IP WITH DISC "RCE 14778 PER ROS 11705
- FD LEAD & DISC WITH DISC RCE 14778 PER ROS 11705
- ▲ FD STD WELL MON PER ROS 11705

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF BROADWAY PER ROS 11705 I.E. N45°42'02"E

**BASIS OF ELEVATIONS:**

THE BASIS OF ELEVATIONS FOR THIS SURVEY IS THE MTD8 POINT NO. 35, BEING A 2.5 BRASS DISC "LS 8000", PER ROS 16575 LOCATED AT THE SOUTH END OF LEMON GROVE STATION PLATFORM, EL= 448.70', DATUM = NAVD 88

**LEGAL DESCRIPTION:**

A PORTION OF LOT 12 OF RANCHO MISSION SAN DIEGO, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO PARTITION MAP THEREOF ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY TOGETHER WITH THAT A PORTION OF LOT 12 OF MASON SUBDIVISION, MAP 2618, IN THE CITY OF LEMON GROVE, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 1, 1950.

APN: 499-200-18

**LEGEND:**

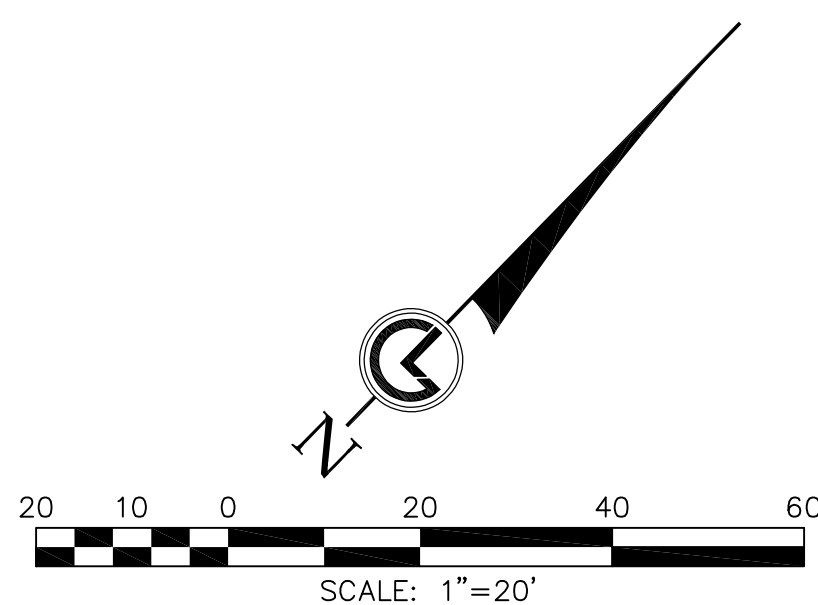
- ( ) RECORD DATA PER ROS 11705
- (M&R) MEASURED & RECORD PER ROS 11705
- [ ] RECORD DATA PER ROS 19150
- (DD1) RECORD DATA PER DEED RECORDED JUNE 20, 2002 AS DOC# 2002-0521887, O.R.
- Ⓢ CENTERLINE

**EASEMENTS:**

- (A) AERIAL EASEMENT TO THE STATE OF CALIFORNIA PER DOC# 1999-0480330 FOR FREEWAY PURPOSES.

Symbol Table	
●	BOLLARD
Ⓢ	ELEC-TRANS
Ⓢ	ELECTRIC BOX
Ⓢ	GAS METER
→	GUY POLE
Ⓢ	HDCP
Ⓢ	LIGHT STANDARD
Ⓢ	POWERPOLE
Ⓢ	SEWER MANHOLE
Ⓢ	TELEPHONE MANHOLE
Ⓢ	TELEPHONE RISER
Ⓢ	TRAFFIC SIGNAL BOX
Ⓢ	TREE-MISC
Ⓢ	TREE-PALM
Ⓢ	WATER METER

- X — X — X — CHAIN LINK FENCE
- □ — □ — □ — WOOD FENCE
- — — — — OHE — — — — — OVERHEAD ELECTRIC
- — — — — HAND RAIL



12/03/2021

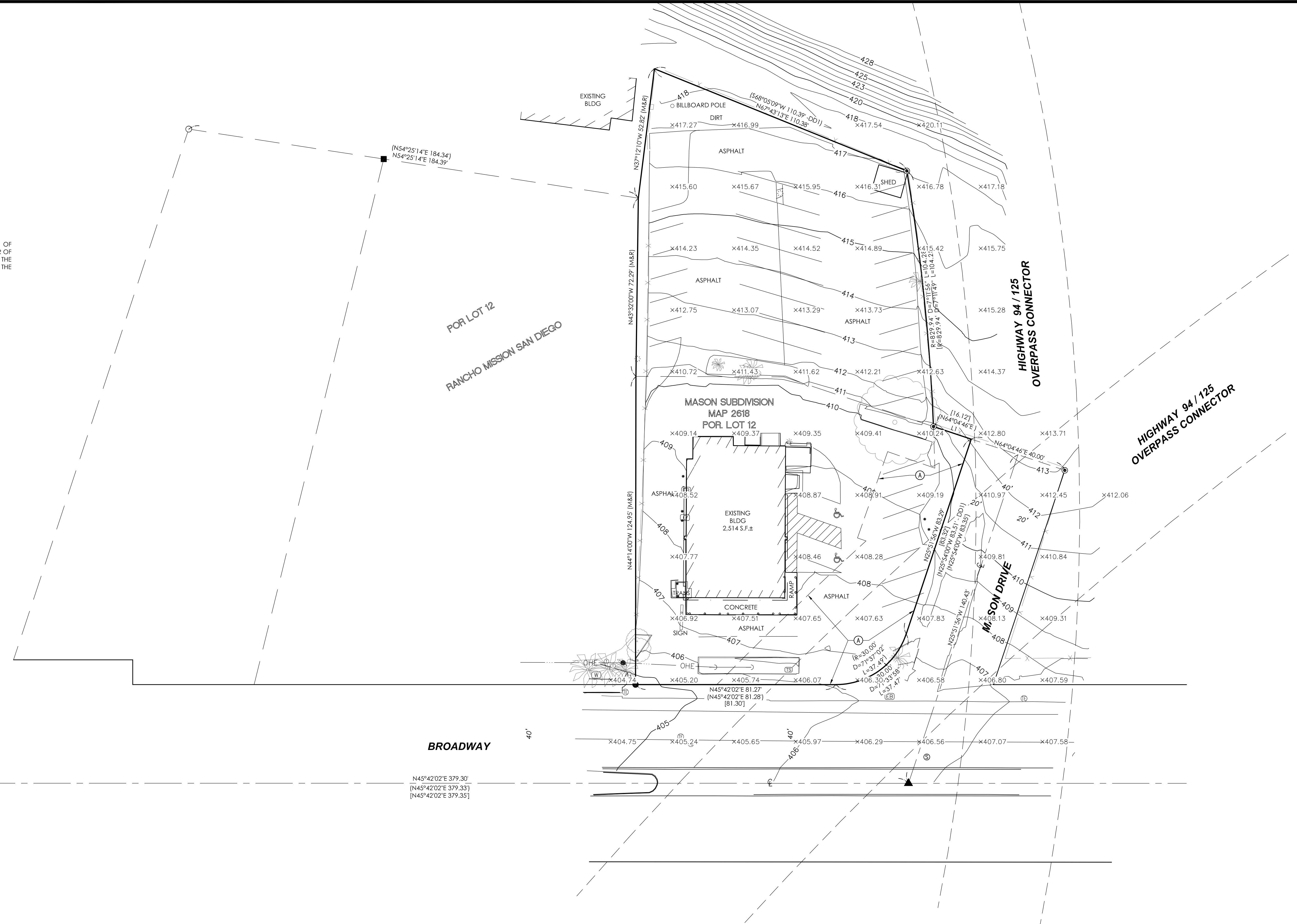
Revisions			
No.	Description	By	Date

**TOPOGRAPHIC SURVEY**  
 PORTION LOT 12, RANCHO MISSION SAN DIEGO  
 PORTION LOT 12, MAP 2618, MASON SUBDIVISION  
 LEMON GROVE, CA

Drawn By: JPG  
 Checked By: \_\_\_\_\_  
 Project No. 21-153  
 Date: 12/03/2021  
 Sheet 1 of 1

**PROJECT NAME:**  
 8290 BROADWAY

**LG LAND SURVEYING, INC.**  
 "Quality Service You Can Count On"  
 30355 CALLEJO FELIZ TER  
 VALLEY CENTER, CA 92082  
 p: 619-535-1172  
 f: 619-618-1972  
 www.lglsinc.com















CONSULTANTS

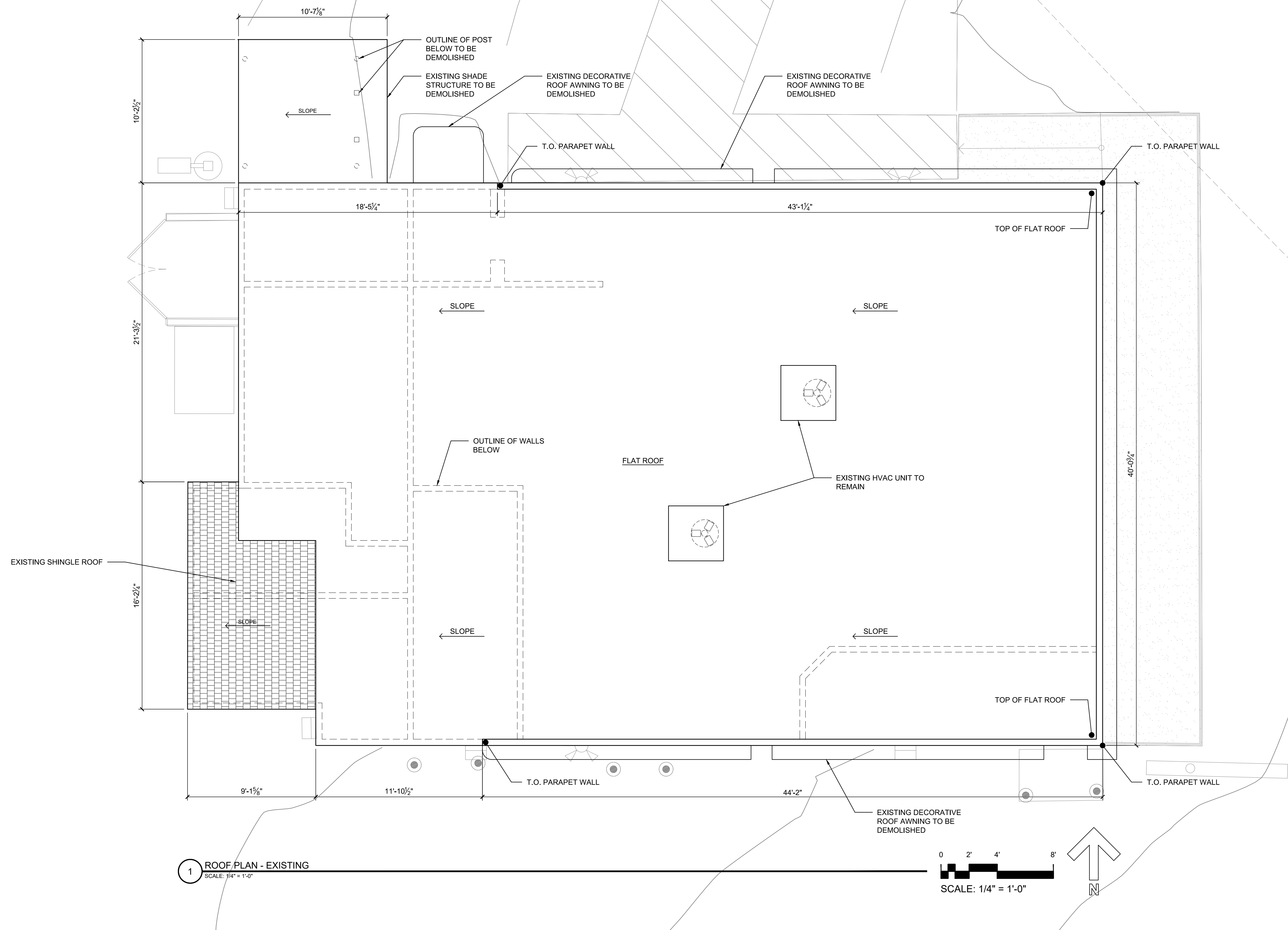
03-29-2022



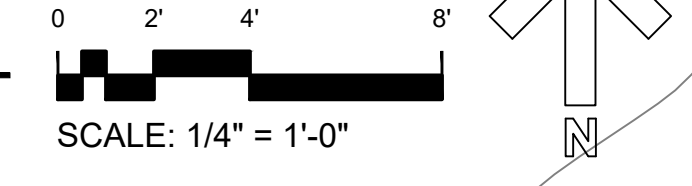
8290 Broadway,  
 Lemon Grove, CA 91945

APPLICANT

Rita Hirmez & Sabah Toma  
 2424 Cerro Sereno,  
 El Cajon, CA 92019



1 ROOF PLAN - EXISTING  
 SCALE: 1/4" = 1'-0"



ROOF PLAN NOTES

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

ROOF PLAN LEGEND

- OUTLINE OF WALLS BELOW
- OUTLINE OF METAL POST BELOW
- EXISTING MECHANICAL EQUIPMENT
- ROOF SLOPE INDICATOR

01	12.08.21	1st CUP Submittal
02	03.29.22	2nd CUP Submittal

MARK	DATE	DESCRIPTION

PROJECT NO: 2121  
 CAD DWG FILE: A104 ROOF PLAN - EXISTING.DWG  
 DRAWN BY: A.S., C.G., S.V., D.C., J.A.  
 CHK'D BY: A.S., M.M.

ROOF PLAN - EXISTING



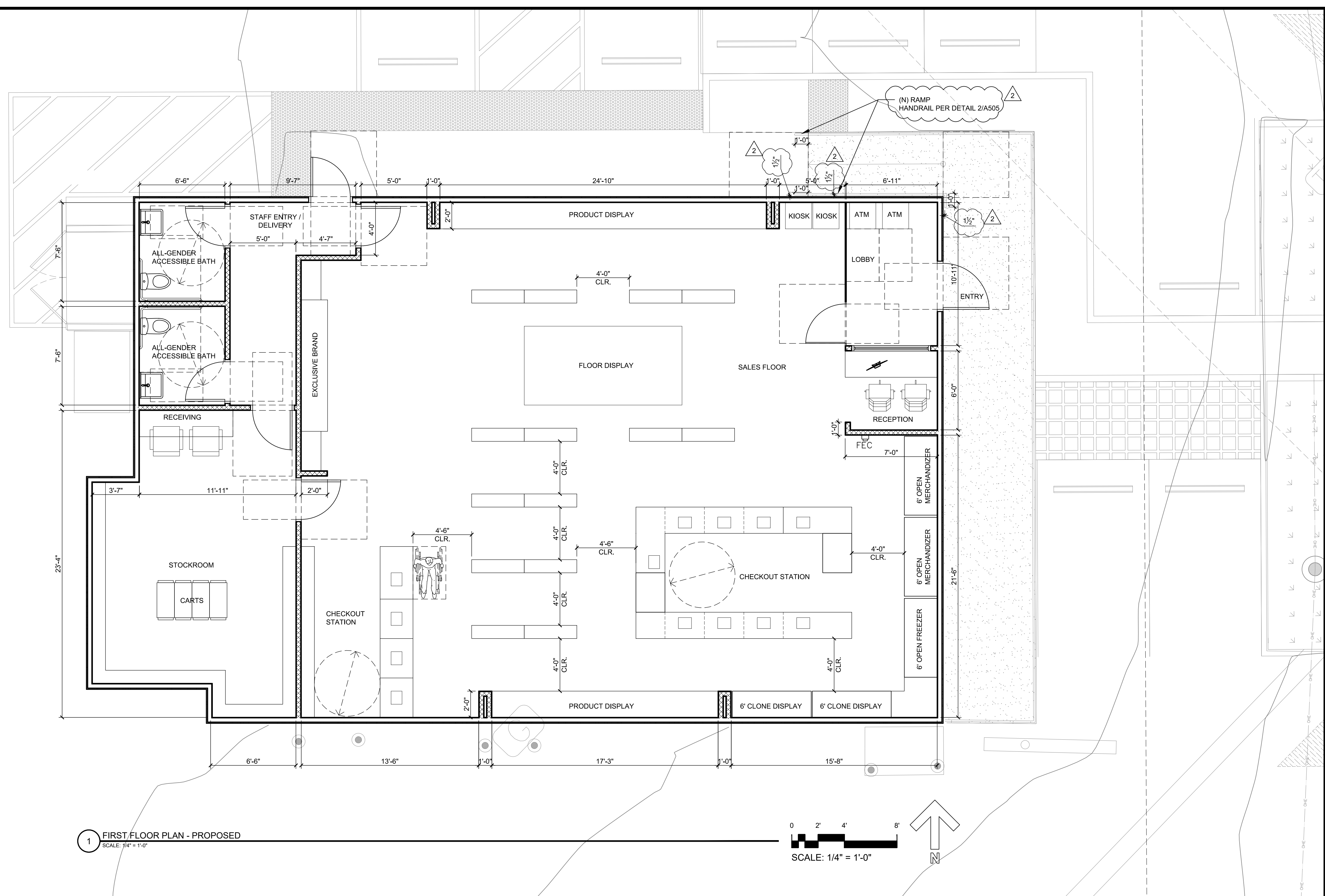
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03-29-2022

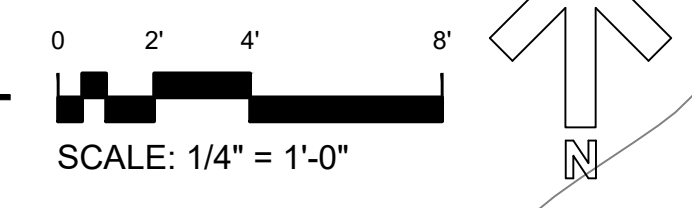


8290 Broadway,  
 Lemon Grove, CA 91945  
 APPLICANT

Rita Hirmez & Sabah Toma  
 2424 Cerro Sereno,  
 El Cajon, CA 92019



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



FLOOR PLAN NOTES

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

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

FLOOR PLAN LEGEND

- EXISTING EXTERIOR WALL TO REMAIN
- PROPOSED NON-STRUCTURAL INTERIOR WALL: 3/8" Light Gauge Steel Stud @ 24" O.C. with 1 layer of 5/8" gypsum board each side.
- DOOR
- FIRE EXTINGUISHER CABINET

01	12.08.21	1st CUP Submittal
02	03.29.22	2nd CUP Submittal

MARK	DATE	DESCRIPTION
	03/29/22 11:02 AM	
PROJECT NO: 2121		
CAD DWG FILE: A105 FIRST FLOOR PLAN - PROPOSED DWG		
DRAWN BY: A.S., C.G., S.V., D.C., J.A.		
CHK'D BY: A.S., M.M.		

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SHEET TITLE  
**FIRST FLOOR PLAN  
 - PROPOSED**



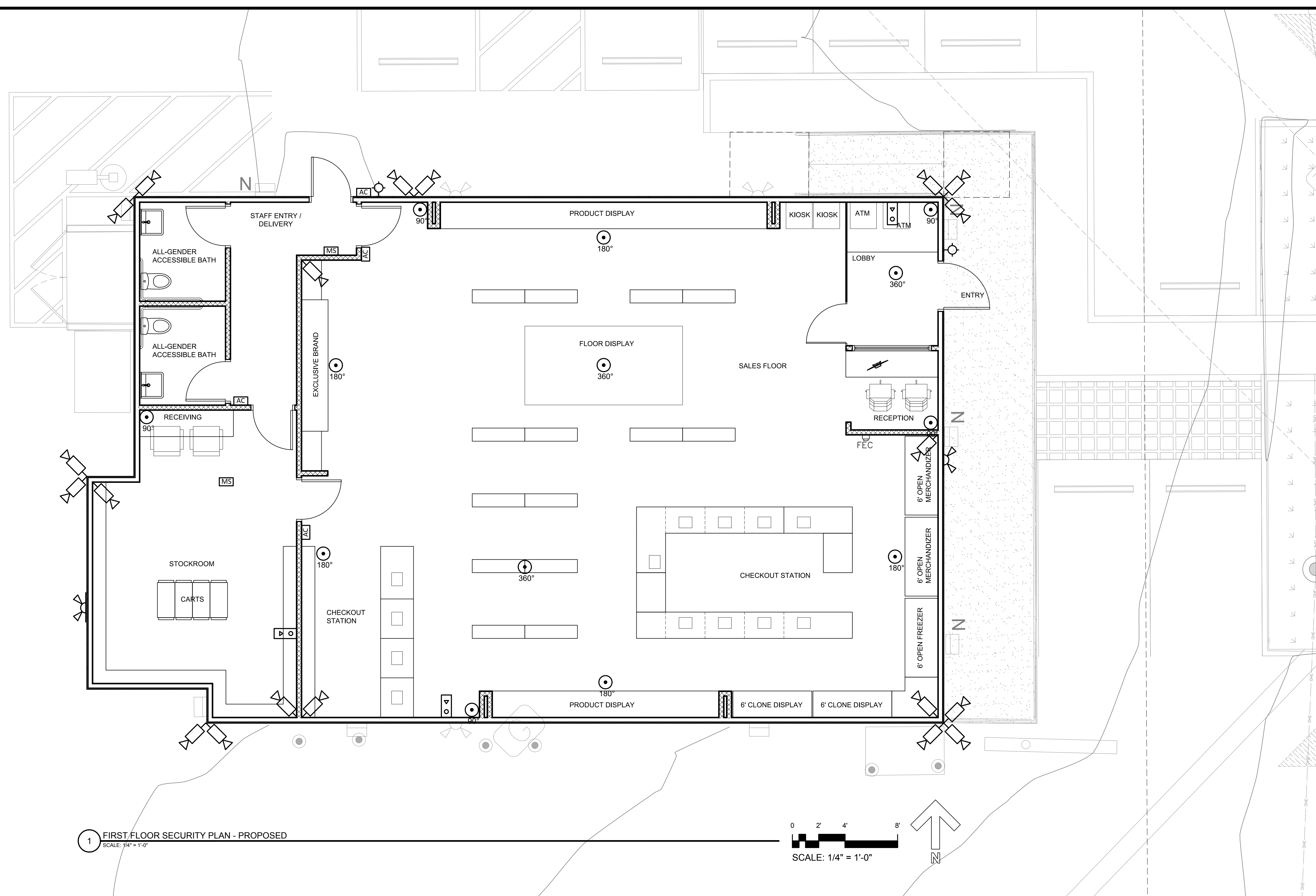
CONSULTANTS

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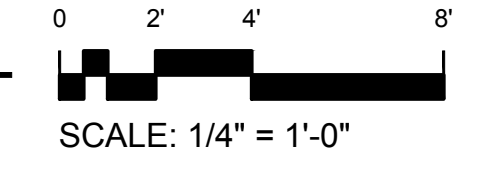
03-29-2022  
  
 Michael M. Toma AIA

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 Lemon Grove, CA 91945  
 APPLICANT

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 2424 Cerro Sereno,  
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1 FIRST FLOOR SECURITY PLAN - PROPOSED  
 SCALE: 1/4" = 1'-0"



SECURITY MEASURES

- THIS PROJECT PROPOSES TO IMPLEMENT THE FOLLOWING SECURITY MEASURES:
- OPERABLE CAMERAS (On-site and off-site monitoring with remote backup)
  - ALARMS
  - LICENSED SECURITY GUARD DURING BUSINESS HOURS
  - BULLET RESISTANT ASSEMBLIES TO PROTECT EMPLOYEES
  - METAL DETECTORS
  - "MAN-TRAP" TYPE EXIT.
    - 6.1. THE FOLLOWING SHALL BE POSTED ON EGRESS SIDE ADJACENT TO OR ON DOOR: "THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS"
    - 6.2. FULL HEIGHT BULLET RESISTANT GLASS, PLASTIC OR LAMINATE SHIELD OR BULLET RESISTANT ARMOUR PANELS, UL LEVEL 3 SECURITY.
    - 6.3. FRAMELESS BALLISTIC DOOR; UL LEVEL 3 SECURITY, CONNECT WITH FIRE ALARM FOR DOOR RELEASE IN AN EMERGENCY, READER, POWER SUPPLY AND INTEGRATION BY SECURITY CONTRACTOR, LOSS OF POWER TO LOCKING SYSTEM AUTOMATICALLY UNLOCKS THE DOOR PER CBC 1010.1.9.9.
    - 6.4. STOREROOM LOCK SET (ND80P TLR), ELECTRONIC STRIKE, PULL SIDE MOUNTED SURFACE CLOSER.
    - 6.5. READER, POWER SUPPLY AND INTEGRATION BY SECURITY CONTRACTOR, DOOR TO COMPLY WITH CBC 1010.1.9.8.
  - ILLUMINATION AROUND BUILDING, IN PARKING AREAS AND IN ADJACENT SIDEWALKS

SECURITY PLAN LEGEND

- SECURITY CAMERA - HIKVISION COLORVU DS-2CD21147G2-SU  
 ANGLE ADJUSTMENT: PAN: 0° TO 355°, TILT: 0° TO 75°, ROTATE: 0° TO 355°
- 360° SINGLE SENSOR SECURITY CAMERA
- 180° SINGLE SENSOR SECURITY CAMERA
- 90° SINGLE SENSOR SECURITY CAMERA
- AUDIBLE ALARM
- MOTION SENSOR - BOSCH DS9370/DS9371 SERIES CEILING MOUNT DETECTORS
- ACCESS CONTROL DEVICE (KEYPAD, CARD READER, BIOMETRIC SCANNER OR SIMILAR) HID MULTICLASS SE READERS
- 3 - EXTERIOR WALL OR SOFFIT MOUNTED FLOOD LIGHT - GREENTEK ENERGY SYSTEMS LED 30W S-SERIES
- EXTERIOR SECURITY LIGHTING - NOIRA NE-902LED
- 6 - INTERIOR SECURITY CAMERAS
- 14 - EXTERIOR SECURITY CAMERAS
- 1 - STOCK ROOM
- 1 - SALES FLOOR
- 1 - LOBBY

MARK	DATE	DESCRIPTION
01	12/08/21	1st CUP Submittal
02	03/29/22	2nd CUP Submittal

PROJECT NO: 2121  
 CAD DWG FILE: A106 FIRST FLOOR SECURITY PLAN - PROPOSED.DWG  
 DRAWN BY: A.S., C.G., S.V., D.C., J.A.  
 CHK'D BY: A.S., M.M.

FIRST FLOOR SECURITY PLAN - PROPOSED



CONSULTANTS

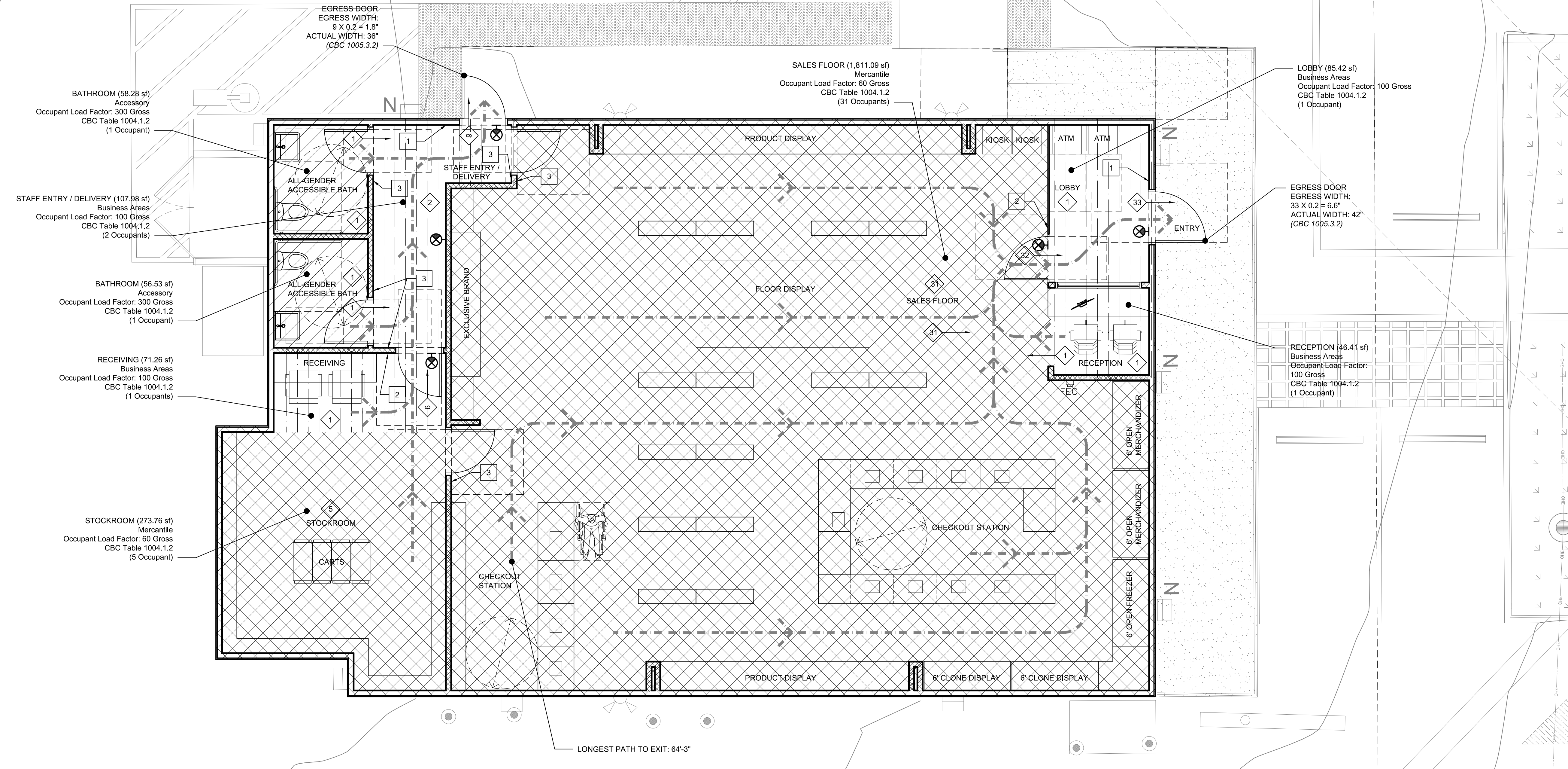


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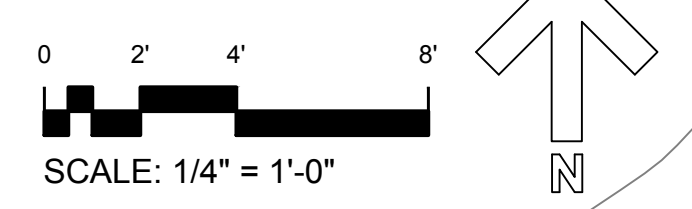


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APPLICANT  
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1 FIRST FLOOR EGRESS PLAN - PROPOSED  
 SCALE: 1/4" = 1'-0"



EGRESS & ACCESSIBILITY NOTES

**ACCESSIBLE ROUTE** - Accessible routes shall comply with CBC Section 11B-402. Walking surfaces shall provide clearances complying with CBC Section 11B-403.5. The running slope of walking surfaces shall not be steeper than 1:20. The cross slope of walking surfaces shall not be steeper than 1:48 per CBC Section 11B-403.3. Except as provided in CBC Sections 11B-403.5.2 and 11B-403.5.3, the clear width of walking surfaces shall be 36 inches (914 mm) minimum. The clear width for walking surfaces in corridors serving an occupant load of 10 or more shall be 44 inches (1118 mm) minimum. The clear width for sidewalks and walks shall be 48 inches (1219 mm) minimum.

**MEANS OF EGRESS** - A continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or structure to a public way. A means of egress consists of three separate and distinct parts: the exit access, the exit and the exit discharge. Means of Egress shall comply with CBC Chapter 10.

**DESIGN OCCUPANT LOAD** - The number of occupants whom means egress facilities shall be provided. Where occupants from accessory area egress through a primary space, the calculated occupant load for the primary space shall include the total occupant load of the primary space plus the number of occupants egressing through it from the accessory area.

**MINIMUM EGRESS WIDTH** - The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by 0.3 inches (7.62 mm) per occupant for stairways and by 0.2 inches (5.08 mm) per occupant for other egress components. Multiple means of egress shall be sized such that the loss of any one means of egress shall not reduce the available capacity to less than 50 percent of the required capacity. The maximum capacity required for any story of a building shall be maintained to the termination of the means of egress. (CBC Sec. 1005.1)

**DOOR ENCROACHMENT** - Doors, when fully opened, and handrails shall not reduce the required means of egress width by more than 7 inches (178 mm). Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features shall be permitted to project into the required width a maximum of 1 1/2 inches (38 mm) on each side. (CBC Sec. 1005.7)

**EGRESS** - Egress doors must be readily openable from egress side without use of a key or any special knowledge or effort. (CBC Sec. 1010.1.9) Unlatching any door or leaf shall not require more than one operation. (CBC Sec. 1010.1.9.6)

**EXIT SIGNS** - Exit signs shall be internally and externally illuminated at all times. Externally illuminated exit signs shall be connected to an emergency power system (batteries, unit equipment or an on-site generator) that will automatically illuminate the exit signs for a duration of not less than 90 minutes in case of primary loss. (CBC Sec. 1013.1, 1013.3, 1013.6.3)

**EGRESS ILLUMINATION** - The means of egress, including the exit discharge, shall be illuminated to a level of not less than 1 footcandle (11 lux) at the walking surface at all times the building space served by the means of egress is occupied. (CBC Sec 1008.2.1)

**ILLUMINATION EMERGENCY POWER** - The power supply for means of egress illumination shall normally be provided by the premises' electrical supply. (CBC Sec 1008.3)

In the event of power supply failure in buildings that require two or more means of egress, an emergency electrical system shall automatically illuminate all of the following areas:

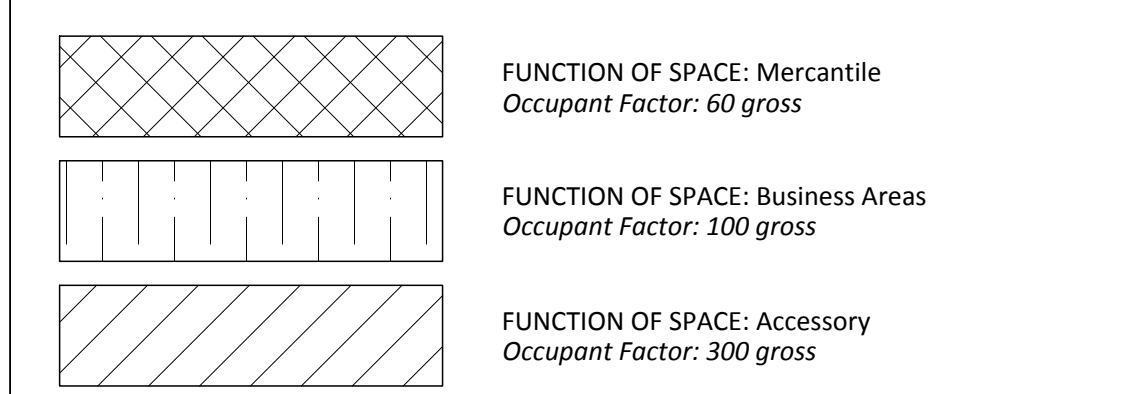
1. Interior exit access stairways and ramps.
2. Interior and exterior exit stairways and ramps.
3. Exit passageways.
4. Vestibules and areas on the level of discharge used for exit discharge in accordance with CBC Section 1028.1.
5. Exterior landings as required by CBC Section 1010.1.6 for exit doorways that lead directly to the exit discharge. (CBC Sec. 1008.3.2)

The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with CBC Section 2702. (CBC Sec 1008.3.4)

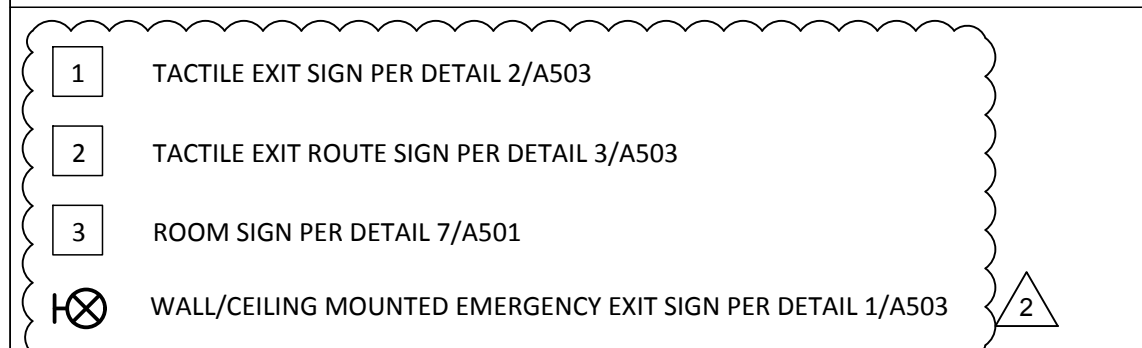
Illumination level under emergency power. Emergency lighting facilities shall be arranged to provide initial illumination that is at least an average of 1 footcandle (11 lux) and a minimum at any point of 0.1 footcandle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.6 footcandle (6 lux) average and a minimum at any point of 0.06 footcandle (0.6 lux) at the end of the emergency lighting time duration. A maximum-to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded. (CBC Sec. 1008.3.5)

This facility will not utilize delayed egress components or systems.

EGRESS PLAN LEGEND



EGRESS PLAN KEYNOTES



ACCESSIBILITY NOTES

Refer to First Floor Accessibility Plan, Sheet A108 for Accessibility Notes.

01	12.08.21	1st CUP Submittal
02	03.29.22	2nd CUP Submittal

MARK DATE DESCRIPTION

PROJECT NO:	2121
CAD DWG FILE:	A107_A108_FIRST_FLOOR_EGRESS_ACCESSIBILITY_PLAN - PROPOSED.rvt
DRAWN BY:	A.S., C.G., S.V., D.C., J.A.
CHK'D BY:	A.S., M.M.

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SHEET TITLE

FIRST FLOOR  
 EGRESS PLAN -  
 PROPOSED

A107



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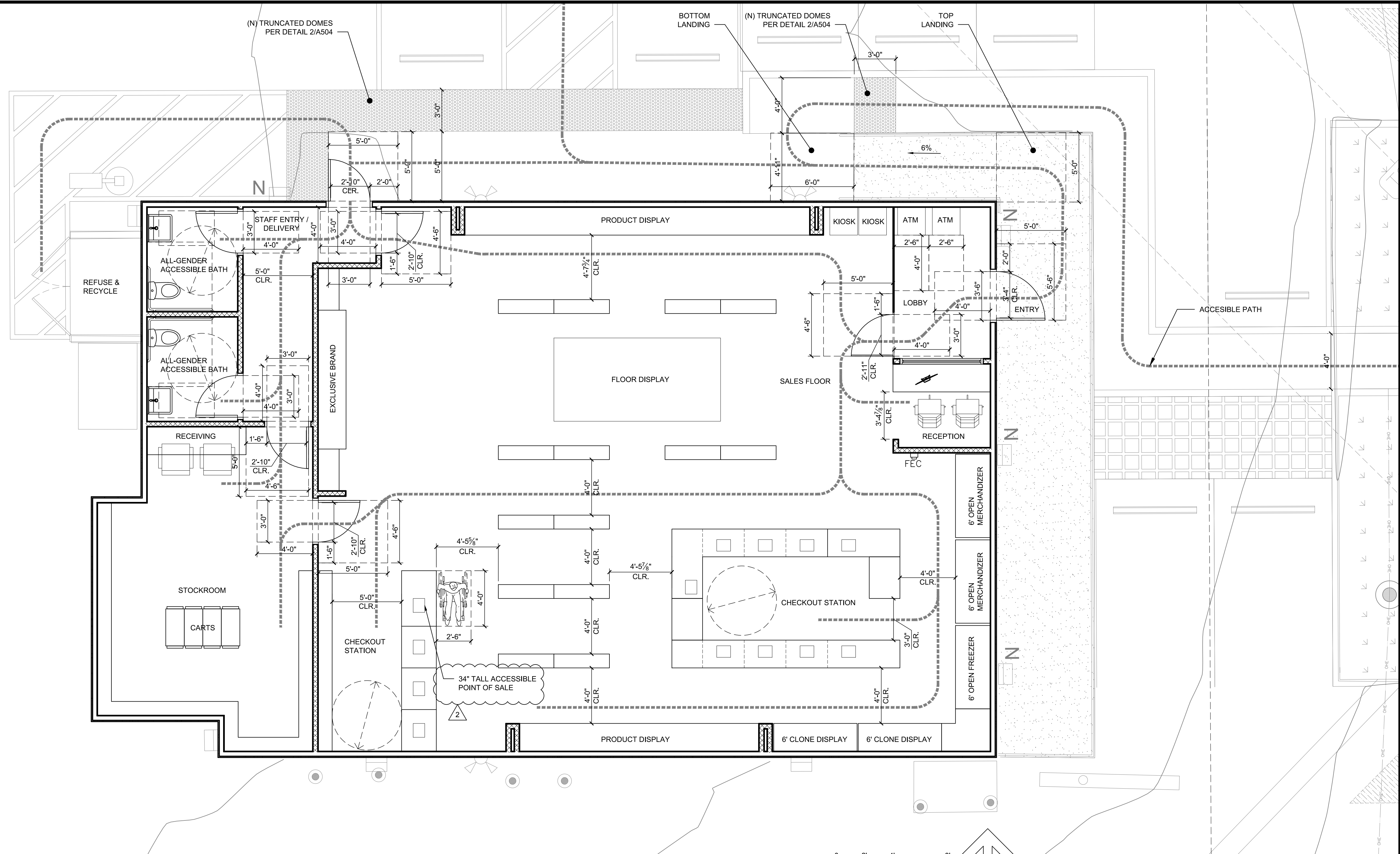
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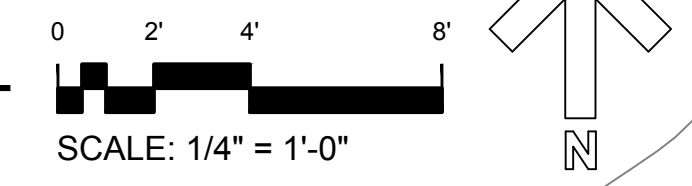
8290 Broadway,  
Lemon Grove, CA 91945

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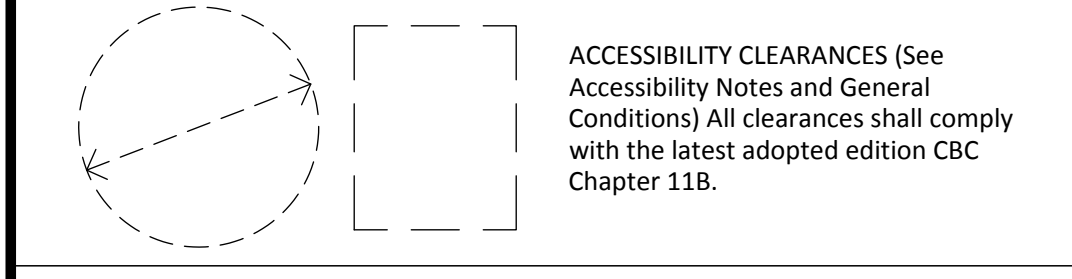
Rita Hirmez & Sabah Toma  
2424 Cerro Sereno,  
El Cajon, CA 92019



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



ACCESSIBILITY PLAN LEGEND



ACCESSIBLE REACH RANGES NOTES

- Reach ranges shall comply with CBC Sec 11B-308
- Unobstructed forward reach:
  - High forward reach shall be a maximum of 48 inches and low forward reach shall be a minimum of 15 inches above finished floor.
- Obstructed high reach:
  - Where reach depth is a maximum 20 inches, high forward reach shall be a maximum of 48 inches above finished floor.
  - Where reach depth exceeds 20 inches, high forward reach maximum shall be 44 inches and reach depth maximum shall be 25 inches.
  - Clear floor space extending underneath obstruction elements for a distance not less than required reach depth over obstruction.
- Where a parallel approach is allowed, unobstructed side reach shall be per CBC Figure 11B-308.3.1
  - High side reach shall be a maximum of 48 inches and minimum of 15 inches above finished floor.
- Where parallel approach is allowed, obstructed side reach shall be per CBC Figure 11B-308.3.2
  - Height of obstruction 34 inches maximum.
  - Depth of obstruction 24 inches maximum.
  - Where reach depth is a maximum of 10 inches, high side reach maximum shall be 48 inches.
  - Where reach depth exceeds 10 inches, high side reach maximum shall be 46 inches and reach depth maximum shall be 24 inches.

ACCESSIBILITY NOTES

- At least one accessible route shall be provided within the site from accessible parking spaces and accessible passenger drop-off and loading zones; public streets and sidewalks; and public transportation stops to the accessible building or facility entrance they serve. Where more than one route is provided, all routes must be accessible. (CBC Sec. 11B-206.2.1)
- At least one accessible route shall connect accessible buildings, accessible facilities, accessible elements, and accessible spaces that are on the same site. (CBC Sec. 11B-206.2.2)
- At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility, including mezzanines, which are otherwise connected by a circulation path unless exempted by CBC 2019 Section 11B-206.2.3 Exceptions 1 through 7. (CBC Sec. 11B-206.2.4)
- Handles, pulls, latches, locks, and other operable parts on doors and gates shall comply with CBC Section 11B-309.4. Operable parts of such hardware shall be 34 inches (864 mm) minimum and 44 inches (1118 mm) maximum above the finish floor or ground. Where sliding doors are in the fully open position, operating hardware shall be exposed and usable from both sides. (CBC Sec. 11B-404.2.7)
- Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5 pounds (22.2 N) maximum. (CBC Sec. 11B-309.4)
- Door openings shall provide a clear width of 32 inches (813 mm) minimum. Clear openings of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees. Openings more than 24 inches (610 mm) deep shall provide a clear opening of 36 inches (914 mm) minimum. There shall be no projections into the required clear opening width lower than 34 inches (864 mm) above the finish floor or ground. Projections into the clear opening width between 34 inches (864 mm) and 80 inches (2032 mm) above the finish floor or ground shall not exceed 4 inches (102 mm). (CBC Sec. 11B-404.2.3)
- Minimum maneuvering clearances at doors and gates shall comply with CBC Section 11B-404.2.4, Figure 11B-404.2.4.1 and Table 11B-404.2.4.1. Maneuvering clearances shall extend the full width of the doorway and the required latch side or hinge side clearance. (CBC Sec. 11B-404.2.4)
- Floor or ground surface within required maneuvering clearances shall be stable, firm, and slip resistant in compliance with CBC Section 11B-302. Changes in level are not permitted. (CBC Sec. 11B-404.2.4.4)
- Maneuvering clearances for forward approach shall be provided when any obstruction within 18 inches (457 mm) of the latch side at an interior doorway, or within 24 inches (610 mm) of the latch side of an exterior doorway, projects more than 8 inches (203 mm) beyond the face of the door, measured perpendicular to the face of the door or gate. (CBC Sec. 11B-404.2.4.3 and Fig. 11B-404.2.4.3)
- Thresholds, if provided at doorways, shall be as follows: Changes in level of 1/4 inch (6.4 mm) high maximum shall be permitted to be vertical and without edge treatment (CBC Sec. 11B-303.2) and changes in level between 1/4 inch (6.4 mm) high minimum and 1/2 inch (12.7 mm) high maximum shall be beveled with a slope not steeper than 1:2 (CBC Sec. 11B-303.3)
- Swinging door and gate surfaces within 10 inches (254 mm) of the finish floor or ground measured vertically shall have a smooth surface on the push side extending the full width of the door or gate. Parts creating horizontal or vertical joints in these surfaces shall be within 1/16 inch (1.6 mm) of the same plane as the other and be free of sharp or abrasive edges. Cavities created by added kick plates shall be capped. (CBC Sec. 11B-404.2.3)
- The force for pushing or pulling open a door or gate shall be as follows: Interior hinged doors and gates: 5 pounds (22.2 N) maximum; Sliding or folding doors: 5 pounds (22.2 N) maximum; Required fire doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 pounds (66.7 N); Exterior hinged doors: 5 pounds (22.2 N) maximum. These forces do not apply to the force required to retract latch bolts or disengage other devices that hold the door or gate in a closed position. (CBC Sec. 11B-404.2.9)
- Except as provided in CBC Sections 11B-403.5.2 and 11B-403.5.3, the clear width of walking surfaces shall be 36 inches (914 mm) minimum. (CBC Sec. 11B-403.5.1)
- Employee workstations shall be on an accessible route complying with Division 4. Spaces and elements within employee workstations shall only be required to comply with CBC Sections 11B-207.1, 11B-215.3, 11B-302, 11B-303, 11B-308.1.1, 11B-308.1.2, and 11B-404.2.3 unless exempted by other parts of this code. Common use circulation paths within employee workstations shall comply with Section 11B-206.2.8. (CBC Sec. 11B-203.9)
- The clear width shall be permitted to be reduced to 32 inches (813 mm) minimum for a length of 24 inches (610 mm) maximum provided that reduced width segments are separated by segments that are 48 inches (1219 mm) long and 36 inches (914 mm) wide minimum. (CBC Sec. 11B-403.5.3, exception 1)
- Exterior Exit doors shall have a sign posted above stating: THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED.
- PROVIDE PANIC HARDWARE AT EXIT DOORS WHERE NOTED.
- Means of egress doors shall be readily identifiable from the exterior by color and finish such that the doors are easily recognized. Mirrors or similar reflecting materials shall not be used on means of egress doors. Means of egress doors shall not be concealed by curtains, drapes, decorations or similar materials. (CBC Sec. 1010.1)
- Gates used as a component in a means of egress shall conform to the applicable requirements for doors. (CBC Sec. 1010.2)
- Door closers and gate closers shall be adjusted so that from an open position of 90 degrees, the time required to move the door to a position of 12 degrees from the latch is 5 seconds minimum. (CBC Sec. 11B-404.2.8.1)

EGRESS & ACCESSIBILITY NOTES

- ACCESSIBLE ROUTE - Accessible routes shall comply with CBC Section 11B-402. Walking surfaces shall provide clearances complying with CBC Section 11B-403.5. The running slope of walking surfaces shall not be steeper than 1:20. The cross slope of walking surfaces shall not be steeper than 1:48 per CBC Section 11B-403.3. Except as provided in CBC Sections 11B-403.5.2 and 11B-403.5.3, the clear width of walking surfaces shall be 36 inches (914 mm) minimum. The clear width for walking surfaces in corridors serving an occupant load of 10 or more shall be 44 inches (1118 mm) minimum. The clear width for sidewalks and walks shall be 48 inches (1219 mm) minimum.
  - MEANS OF EGRESS - A continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or structure to a public way. A means of egress consists of three separate and distinct parts: the exit access, the exit and the exit discharge. Means of Egress shall comply with CBC Chapter 10.
  - DESIGN OCCUPANT LOAD - The number of occupants whom means egress facilities shall be provided. Where occupants from accessory area egress through a primary space, the calculated occupant load for the primary space shall include the total occupant load of the primary space plus the number of occupants egressing through it from the accessory area.
  - MINIMUM EGRESS WIDTH - The total width of means of egress in inches (mm) shall not be less than the total occupant load served by the means of egress multiplied by 0.3 inches (7.62 mm) per occupant for stairways and by 0.2 inches (5.08 mm) per occupant for other egress components. Multiple means of egress shall be sized such that the loss of any one means of egress shall not reduce the available capacity to less than 50 percent of the required capacity. The maximum capacity required from any story of a building shall be maintained to the termination of the means of egress. (CBC Sec. 1005.1)
  - DOOR ENCRoACHMENT - Doors, when fully opened, and handrails shall not reduce the required means of egress width by more than 7 inches (178 mm). Doors in any position shall not reduce the required width by more than one-half. Other nonstructural projections such as trim and similar decorative features shall be permitted to project into the required width a maximum of 1 1/2 inches (38 mm) on each side. (CBC Sec. 1005.7)
  - EGRESS - Egress doors must be readily operable from egress side without use of a key or any special knowledge or effort. (CBC Sec. 1010.1.9) Unlatching any door or leaf shall not require more than one operation. (CBC Sec. 1010.1.9.6)
- EXIT SIGNS - Exit signs shall be internally and externally illuminated at all times. Externally illuminated exit signs shall be connected to an emergency power system (batteries, unit equipment or an on-site generator) that will automatically illuminate the exit signs for a duration of not less than 90 minutes in case of primary loss. (CBC Sec. 1013.1, 1013.3, 1013.6.3)
- EGRESS ILLUMINATION - The means of egress, including the exit discharge, shall be illuminated to a level of not less than 1 footcandle (11 lux) at the walking surface at all times the building space served by the means of egress is occupied. (CBC Sec 1008.2.1)
- ILLUMINATION EMERGENCY POWER - The power supply for means of egress illumination shall normally be provided by the premises' electrical supply. (CBC Sec 1008.3)
- In the event of power supply failure in buildings that require two or more means of egress, an emergency electrical system shall automatically illuminate all of the following areas:
- Interior exit access stairways and ramps.
  - Interior and exterior exit stairways and ramps.
  - Exit passageways.
  - Vestibules and areas on the level of discharge used for exit discharge in accordance with CBC Section 1028.1.
- Exterior landings as required by CBC Section 1010.1.6 for exit doorways that lead directly to the exit discharge. (CBC Sec. 1008.3.2)
- The emergency power system shall provide power for a duration of not less than 90 minutes and shall consist of storage batteries, unit equipment or an on-site generator. The installation of the emergency power system shall be in accordance with CBC Section 2702. (CBC Sec 1008.3.4)
- Illumination level under emergency power. Emergency lighting facilities shall be arranged to provide initial illumination that is at least an average of 1 footcandle (11 lux) and a minimum at any point of 0.1 footcandle (1 lux) measured along the path of egress at floor level. Illumination levels shall be permitted to decline to 0.6 footcandle (6 lux) average and a minimum at any point of 0.06 footcandle (0.6 lux) at the end of the emergency lighting time duration. A maximum-to-minimum illumination uniformity ratio of 40 to 1 shall not be exceeded. (CBC Sec. 1008.3.5)
- This facility will not utilize delayed egress components or systems.

MARK	DATE	DESCRIPTION
01	12/08/21	1st CUP Submittal
02	03/29/22	2nd CUP Submittal

MARK	DATE	DESCRIPTION
PROJECT NO: 2121		
CAD DWG FILE: A107_A108 FIRST FLOOR EGRESS ACCESSIBILITY PLAN - PROPOSED.rvt		
DRAWN BY: A.S., C.G., S.V., D.C., J.A.		
CHK'D BY: A.S., M.M.		

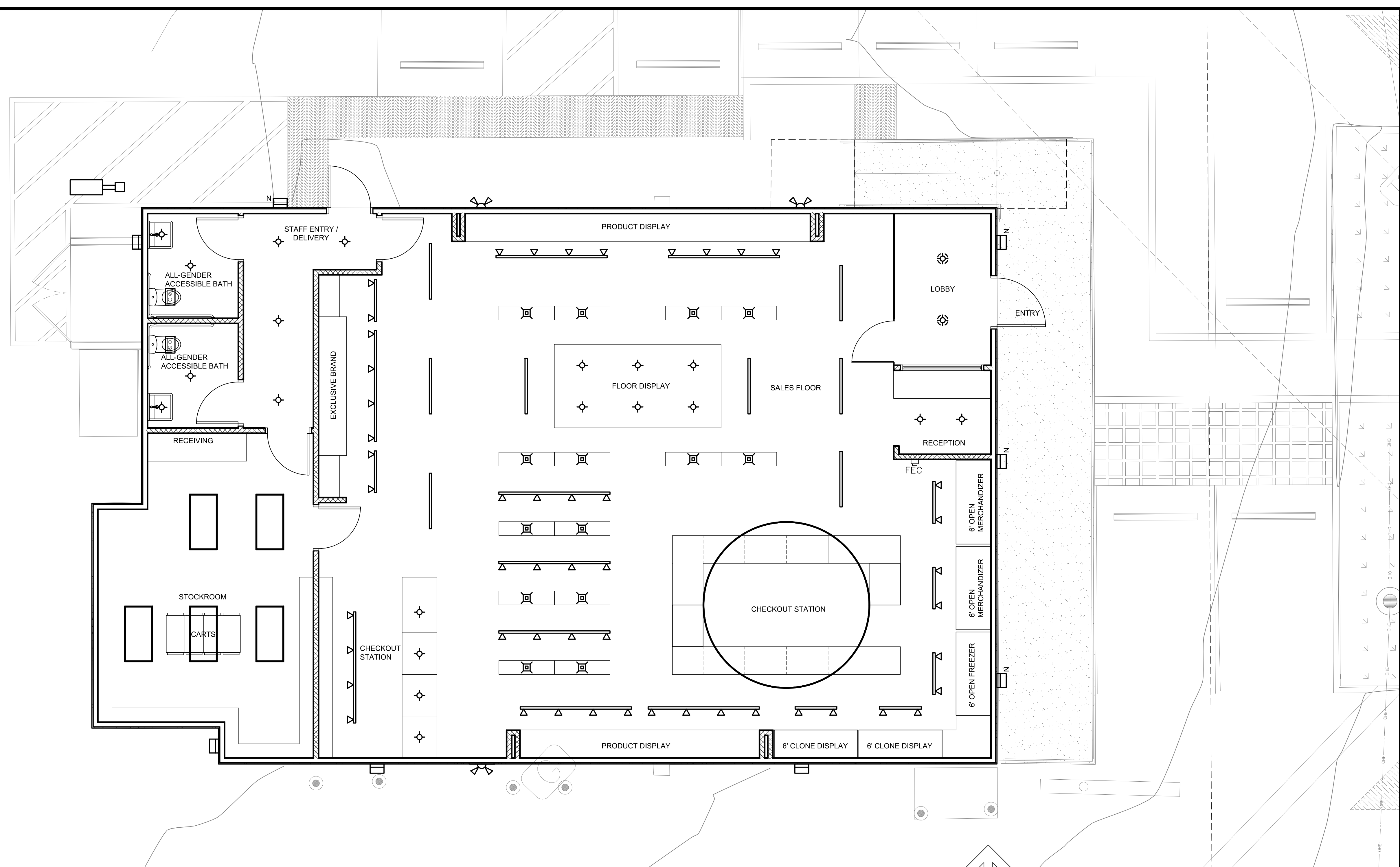
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03-29-2022  
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RENEWAL  
04/30/2023  
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El Cajon, CA 92019



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

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

SUSPENDED CEILING NOTES

Suspended ceilings in Seismic Design Categories D, E & F to comply with ASCE 7-16, Section 13.5.6.2.2 as follows:  
a. The width of the perimeter supporting closure angle or channel shall be not less than 2.0" unless qualified perimeter supporting clips are used.  
b. Closure angles or channels shall be screwed or otherwise positively attached to wall studs or other supporting structures. Perimeter supporting clips shall be qualified in accordance with approved test criteria per Section 13.2.5.  
c. Perimeter supporting clips shall be attached to supporting closure angle or channel with a minimum of two screws per clip and shall be installed around the entire ceiling perimeter.  
d. In each orthogonal horizontal direction, one end of the ceiling grid shall be attached to the closure angle, channel or perimeter supporting clip. The other end of the ceiling grid in each horizontal direction shall have a minimum 0.75-in clearance from the wall and shall rest upon and be free to slide on a closure angle, channel, or perimeter supporting clip.  
e. Ceiling areas over 2,500 sf must have seismic separation joints or full height partitions.  
f. Ceilings without rigid bracing must have 2" oversize trim rings for sprinklers and other ceiling penetrations.

LIGHTING PLAN NOTES

A. ALL PARKING AREAS SHALL BE ILLUMINATED  
B. ALL AREAS AROUND THE BUILDING SHALL BE ILLUMINATED  
C. LIGHTING SHALL BE SHIELDED SO AS TO NOT ILLUMINATE ADJACENT PROPERTIES  
D. SEE PHOTOMETRIC PLAN --- FOR EXTERIOR LIGHT LEVELS

LIGHTING PLAN LEGEND

	EXHAUST FAN COMBO, TYPE F8
	4" DIAMETER DECORATIVE / SEMI RECESSED LED LIGHT, TYPE F2/F7
	4" DIAMETER RECESSED LED DOWNLIGHT, TYPE L1
	2" X 4' LED PANEL, TYPE F6
	PENDANT LIGHT, TYPE P1/P2
	2" X 48" SURFACE / SUSPENDED LINEAR LED TYPE L2
	TRACK LIGHTING / LED SPOTS
	EXISTING PARKING LOT POLE LIGHT
	EXISTING ROOF MOUNTED FLOOD LIGHT
	EXISTING WALL MOUNTED FLOOD LIGHT
	PROPOSED WALL MOUNTED FLOOD LIGHT

MARK	DATE	DESCRIPTION
01	12/08/21	1st CUP Submittal
02	03/29/22	2nd CUP Submittal
MARK DATE DESCRIPTION		
PROJECT NO: 2121		
CAD DWG FILE: A109 FIRST FLOOR LIGHTING PLAN - PROPOSED.DWG		
DRAWN BY: A.S., C.G., S.V., D.C., J.A.		
CHK'D BY: A.S., M.M.		
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SHEET TITLE		
FIRST FLOOR LIGHTING PLAN - PROPOSED		
A109		
SHEET	12	OF 27

CONSULTANTS

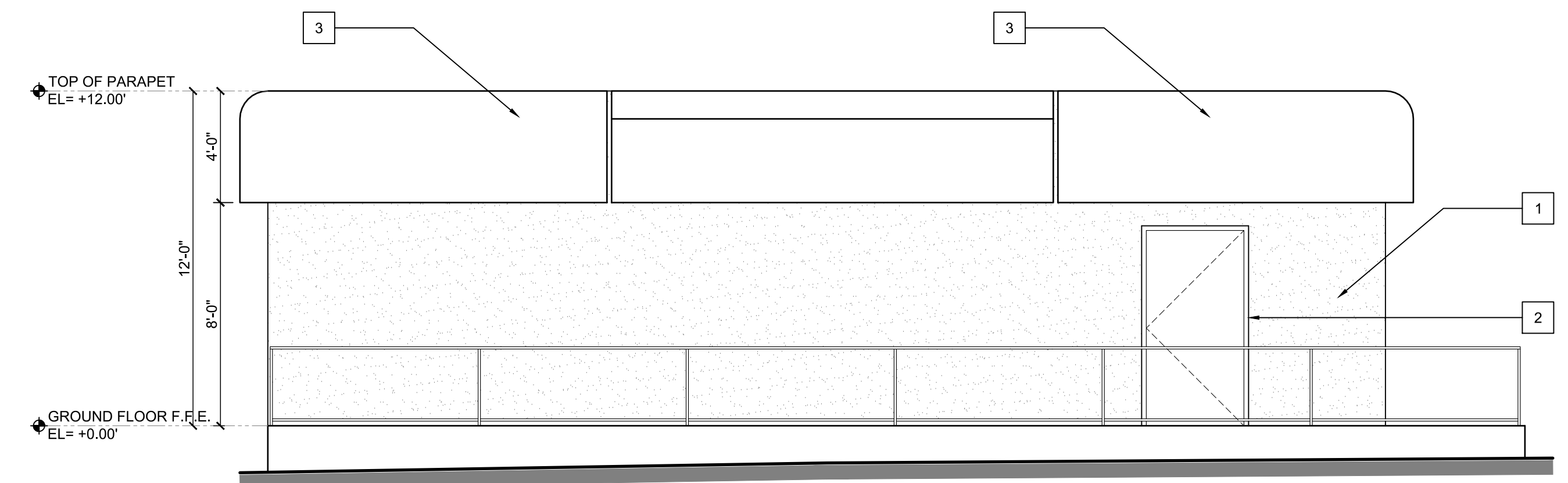
03-29-2022



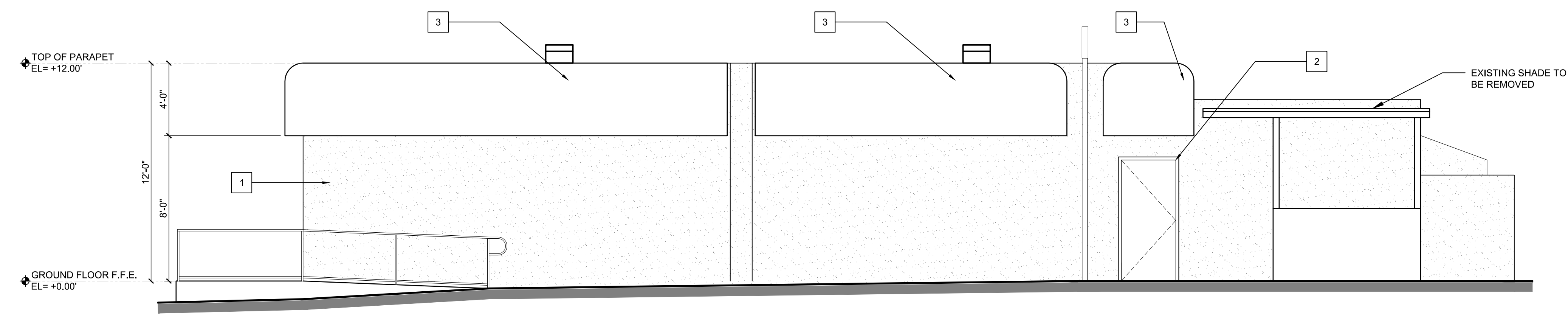
8290 Broadway,  
 Lemon Grove, CA 91945

APPLICANT

Rita Hirmez & Sabah Toma  
 2424 Cerro Sereno,  
 El Cajon, CA 92019



1 SOUTH ELEVATION - EXISTING  
 SCALE: 1/4" = 1'-0"



2 EAST ELEVATION - EXISTING  
 SCALE: 1/4" = 1'-0"

ELEVATION KEYNOTES

1. EXISTING STUCCO FINISH: PAINTED GREY
2. EXISTING DOOR TO REMAIN
3. EXISTING AWNING TO BE REMOVED

ELEVATION NOTES

Elevations shown are from ground floor datum.

MARK	DATE	DESCRIPTION
01	12.08.21	1st CUP Submittal
02	03.29.22	2nd CUP Submittal

MARK DATE DESCRIPTION  
 03/29/2022 4:14:25 PM

PROJECT NO: 2121  
 CAD DWG FILE: A201-A202 EXTERIOR ELEVATIONS - EXISTING.DWG

DRAWN BY: A.S., C.G., S.V., D.C., J.A.  
 CHK'D BY: A.S., M.M.

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SHEET TITLE  
 EXTERIOR  
 ELEVATIONS -  
 EXISTING

A201



CONSULTANTS

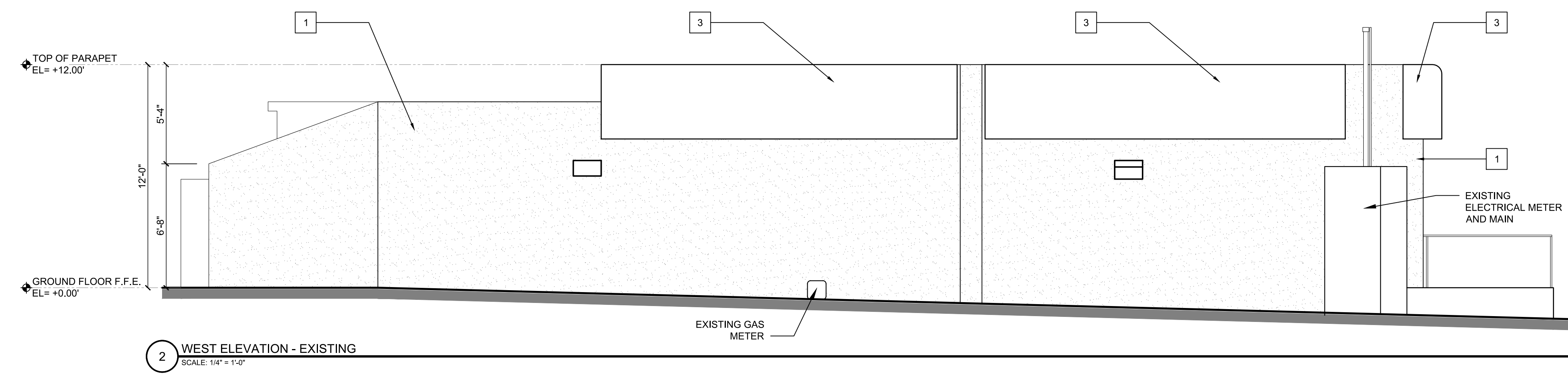
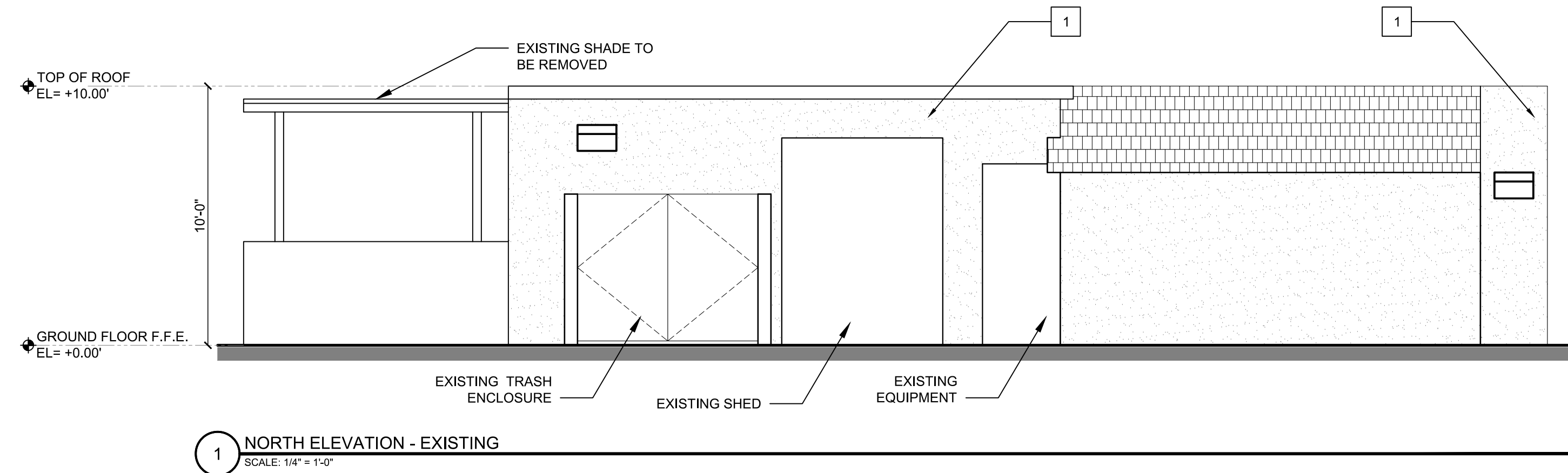
03-29-2022



8290 Broadway,  
 Lemon Grove, CA 91945

APPLICANT

Rita Hirmez & Sabah Toma  
 2424 Cerro Sereno,  
 El Cajon, CA 92019



ELEVATION KEYNOTES

1. EXISTING STUCCO FINISH: PAINTED GREY
2. EXISTING DOOR TO REMAIN
3. EXISTING AWNING TO BE REMOVED

ELEVATION NOTES

Elevations shown are from ground floor datum.

MARK	DATE	DESCRIPTION
01	12.08.21	1st CUP Submittal
02	03.29.22	2nd CUP Submittal

MARK DATE DESCRIPTION  
 03/29/22 4:14:25 PM

PROJECT NO: 2121  
 CAD DWG FILE: A201-A202 EXTERIOR ELEVATIONS - EXISTING.DWG

DRAWN BY: A.S., C.G., S.V., D.C., J.A.  
 CHK'D BY: A.S., M.M.

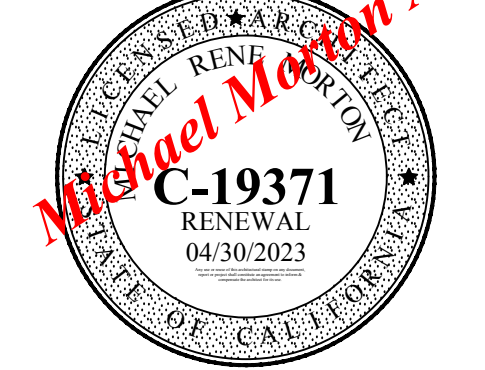
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SHEET TITLE  
**EXTERIOR ELEVATIONS - EXISTING**

A202

CONSULTANTS

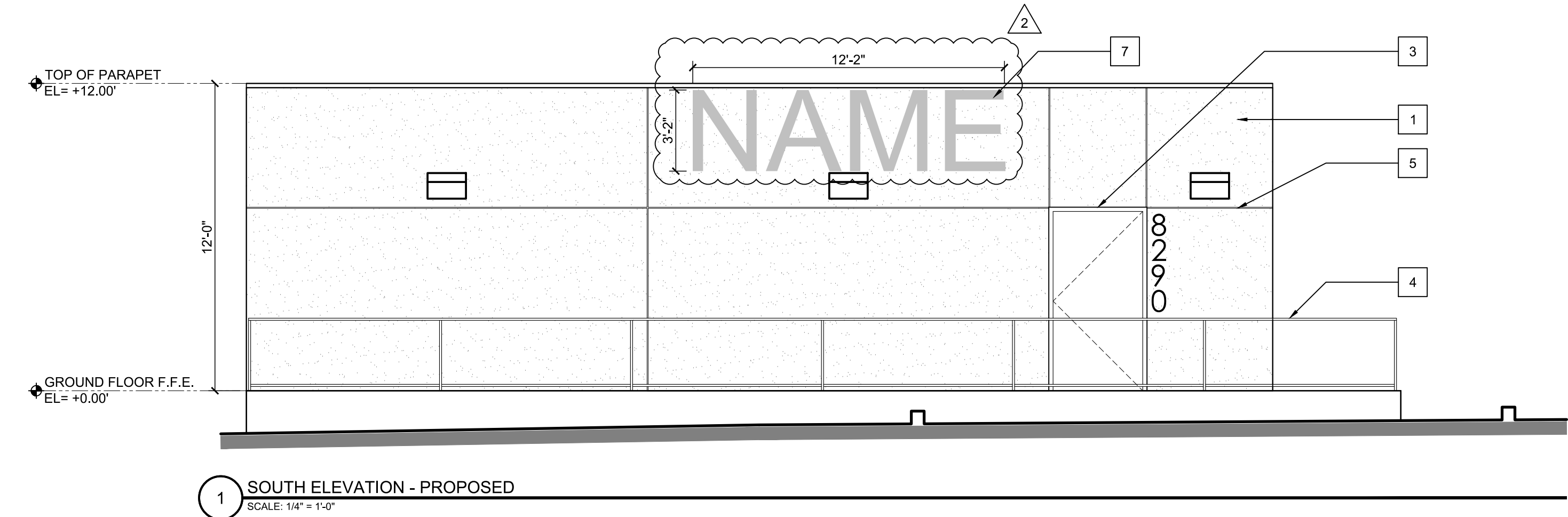
03-29-2022



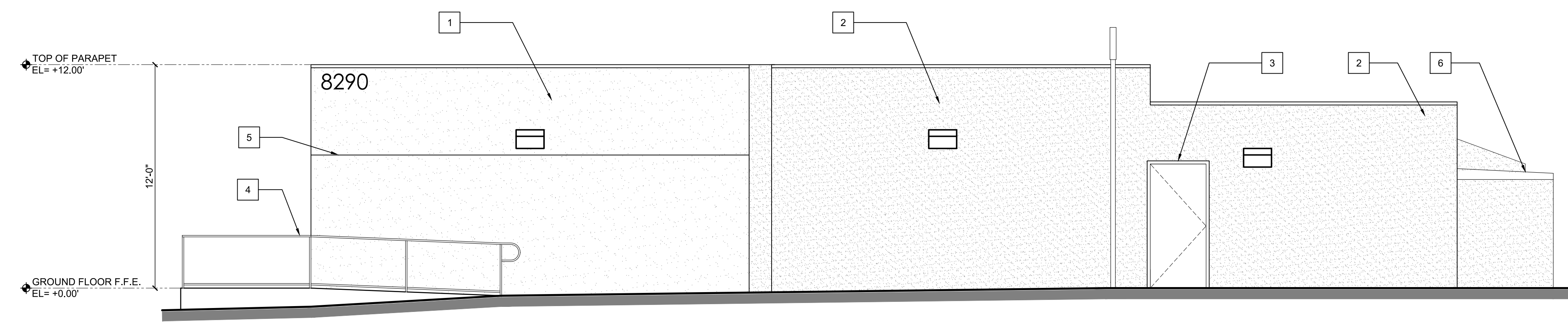
8290 Broadway,  
 Lemon Grove, CA 91945

APPLICANT

Rita Hirmez & Sabah Toma  
 2424 Cerro Sereno,  
 El Cajon, CA 92019



1 SOUTH ELEVATION - PROPOSED  
 SCALE: 1/4" = 1'-0"



2 EAST ELEVATION - PROPOSED  
 SCALE: 1/4" = 1'-0"

ELEVATION KEYNOTES

1. EXISTING WALL STUCCO FINISH: PAINTED WHITE
2. EXISTING WALL STUCCO FINISH: PAINTED DARK GRAY
3. EXISTING DOOR TO REMAIN
4. EXISTING HANDRAIL TO REMAIN
5. PROPOSED STUCCO JOINS
6. PROPOSED TRASH ENCLOSURE ROOF STRUCTURE PER DETAIL 3/A203
7. PROPOSED WALL MOUNTED SIGN, SATISFYING THE LEMON GROVE MUNICIPAL CODE SECTION 18.12.040 (C)(1-2). THE SIGN COPY SHALL MEASURE 3'-2" IN HEIGHT, AND ITS MINIMUM AREA SHALL BE AT LEAST 36 SF.

ELEVATION NOTES

Elevations shown are from ground floor datum.

MARK	DATE	DESCRIPTION
01	12.08.21	1st CUP Submittal
02	03.29.22	2nd CUP Submittal

MARK	DATE	DESCRIPTION

PROJECT NO: 2121

CAD DWG FILE: A203-A204 EXTERIOR ELEVATIONS - PROPOSED.DWG

DRAWN BY: A.S., C.G., S.V., D.C., J.A.

CHK'D BY: A.S., M.M.

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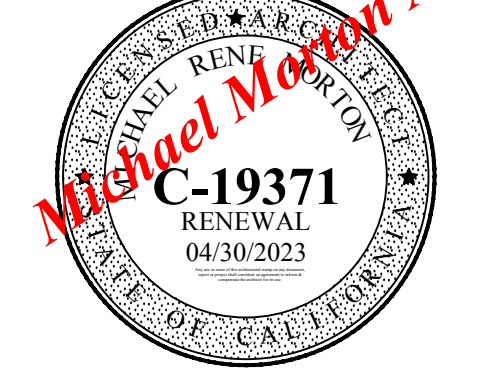
SHEET TITLE  
**EXTERIOR ELEVATIONS - PROPOSED**

A203



CONSULTANTS

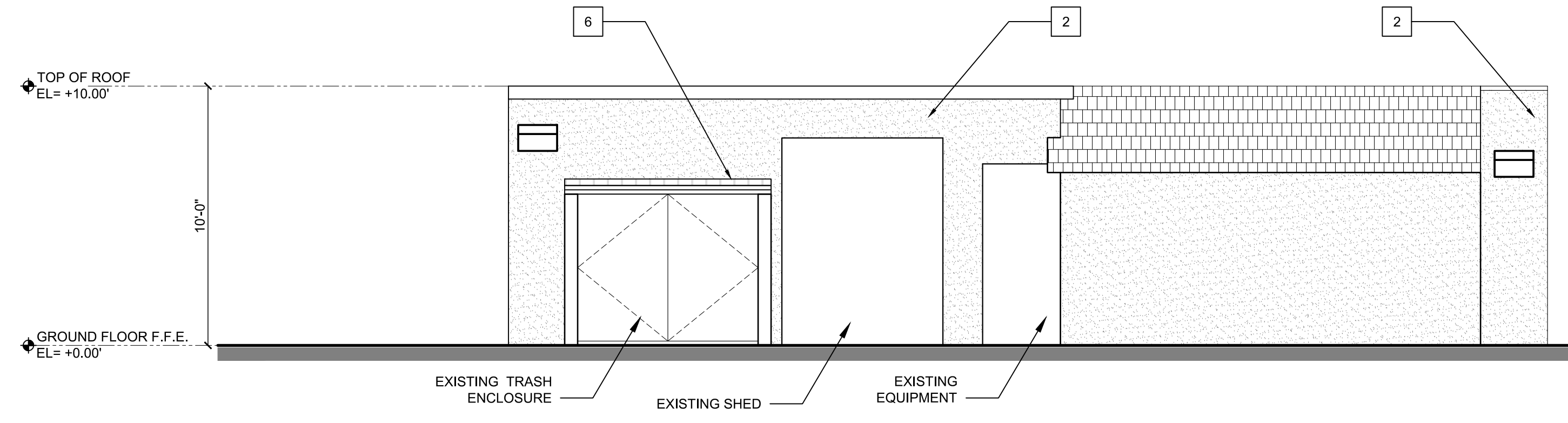
03-29-2022



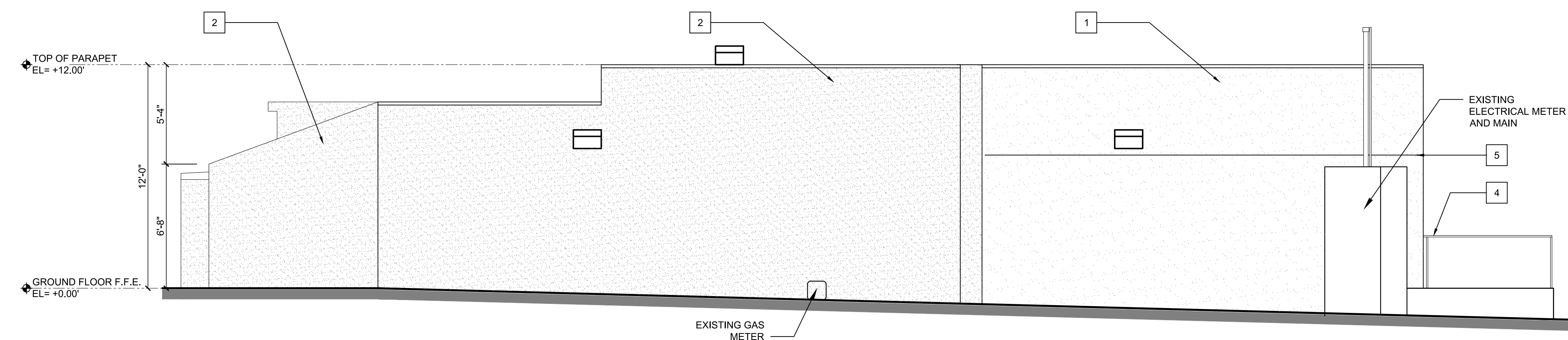
8290 Broadway,  
 Lemon Grove, CA 91945

APPLICANT

Rita Hirmez & Sabah Toma  
 2424 Cerro Sereno,  
 El Cajon, CA 92019



1 NORTH ELEVATION - PROPOSED  
 SCALE: 1/4" = 1'-0"



2 WEST ELEVATION - PROPOSED  
 SCALE: 1/4" = 1'-0"

ELEVATION KEYNOTES

1. EXISTING WALL STUCCO FINISH: PAINTED WHITE
2. EXISTING WALL STUCCO FINISH: PAINTED DARK GRAY
3. EXISTING DOOR TO REMAIN
4. EXISTING HANDRAIL TO REMAIN
5. PROPOSED STUCCO JOINS
6. PROPOSED TRASH ENCLOSURE ROOF STRUCTURE PER DETAIL 3/A204
7. PROPOSED WALL MOUNTED SIGN, SATISFYING THE LEMON GROVE MUNICIPAL CODE SECTION 18.12.040 (C)(1)-2). THE SIGN COPY SHALL MEASURE 3'-2" IN HEIGHT, AND ITS MINIMUM AREA SHALL BE AT LEAST 36 SF.

ELEVATION NOTES

Elevations shown are from ground floor datum.

01	12.08.21	1st CUP Submittal
02	03.29.22	2nd CUP Submittal

MARK	DATE	DESCRIPTION
	03/29/22 4:01:50 PM	

PROJECT NO: 2121

CAD DWG FILE: A203-A204 EXTERIOR ELEVATIONS - PROPOSED.DWG

DRAWN BY: A.S., C.G., S.V., D.C., J.A.

CHK'D BY: A.S., M.M.

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SHEET TITLE  
**EXTERIOR ELEVATIONS - PROPOSED**

A204



CONSULTANTS



8290 Broadway,  
 Lemon Grove, CA 91945

APPLICANT

Rita Hirmez & Sabah Toma  
 2424 Cerro Sereno,  
 El Cajon, CA 92019

BATHROOM FIXTURE KEYNOTES

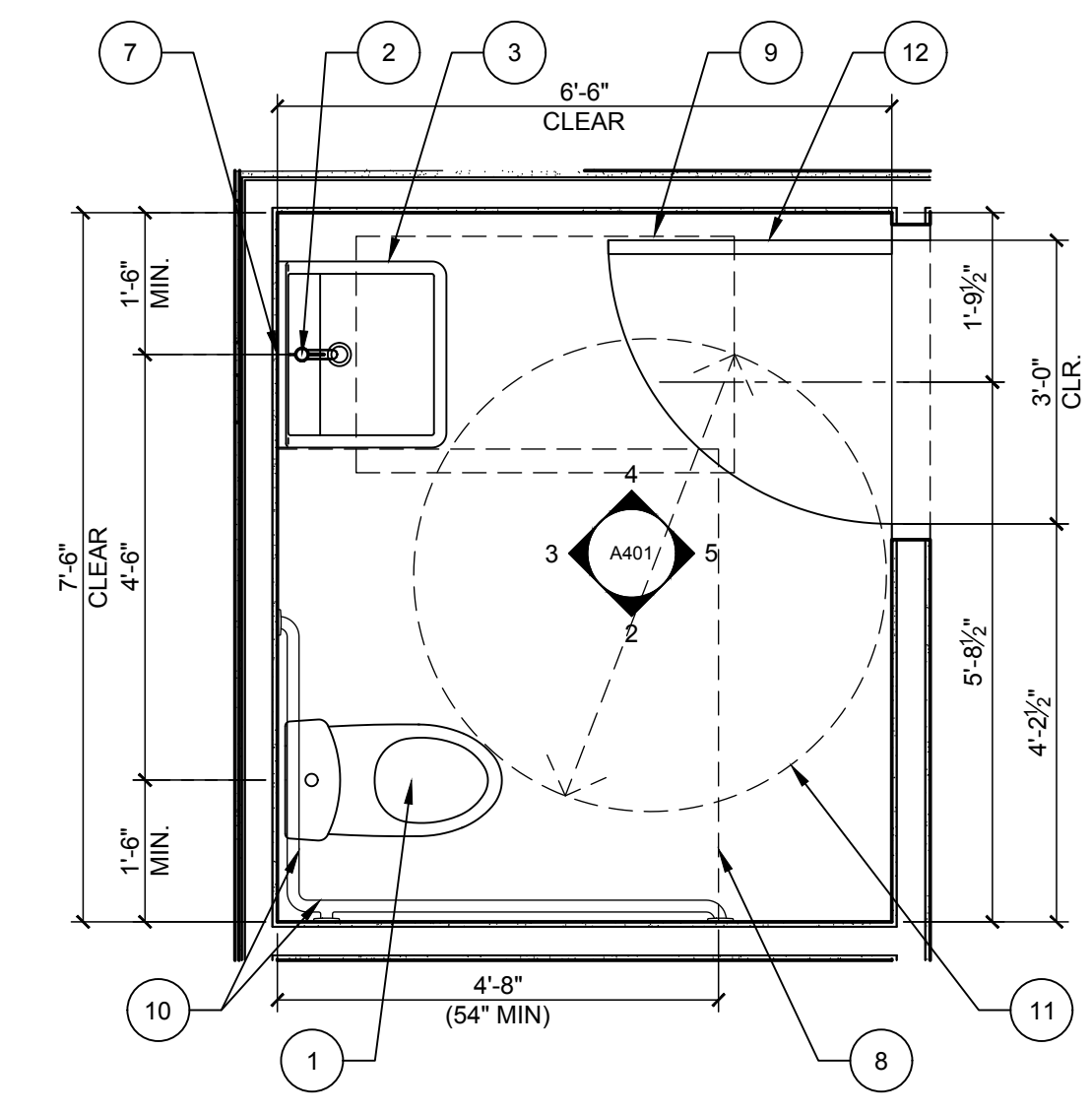
1. ADA TOILET and SEAT - TOTO Drake® II 1G™  
 Flush controls shall be located 44 inches maximum above the floor on the open side of the wheelchair accessible water closet. Section 11B-604.6.
2. SINGLE HOLE FAUCET - MOEN 8551
3. ADA WALL-MOUNTED SINK - KOHLER Reve K-5027
4. RECESSED TOILET TISSUE HOLDER - BOBRICK B-699 dual roll
5. TOILET SEAT PROTECTOR DISPENSER - BOBRICK B-221
6. HAND TOWEL DISPENSER - BOBRICK B-2860
7. MIRROR - BOBRICK B-165
8. ADA TOILET FLOOR SPACE: 60"W X 48"D min. clear per CBC sec. 11B-604.3.1.
9. ADA LAVATORY FLOOR SPACE: 30"W X 48"L min. clear per CBC sec. 11B-606.2. Base cabinets directly under sink shall be removable to provide clearance for wheelchair. Provide cabinet sides and extend finished flooring under cabinets to rear wall. Max. height of fixture rim to be 34".
10. TOILET REAR/SIDE WALL GRAB BAR & REINFORCEMENT: Toilet grab bar for accessible bathrooms shall be Bobrick B68137 36" x 54". Provide 2X backing at rear wall 33" to 36" A.F.F., extend 54" min. in length from back wall (Must support 250 lbs. min.), per CBC sec. 11B-609.4.
11. ADA TURNING CIRCLE: 60" diameter per CBC sec. 11B-304.3.1
12. DOOR.

BATHROOM FINISH SCHEDULE

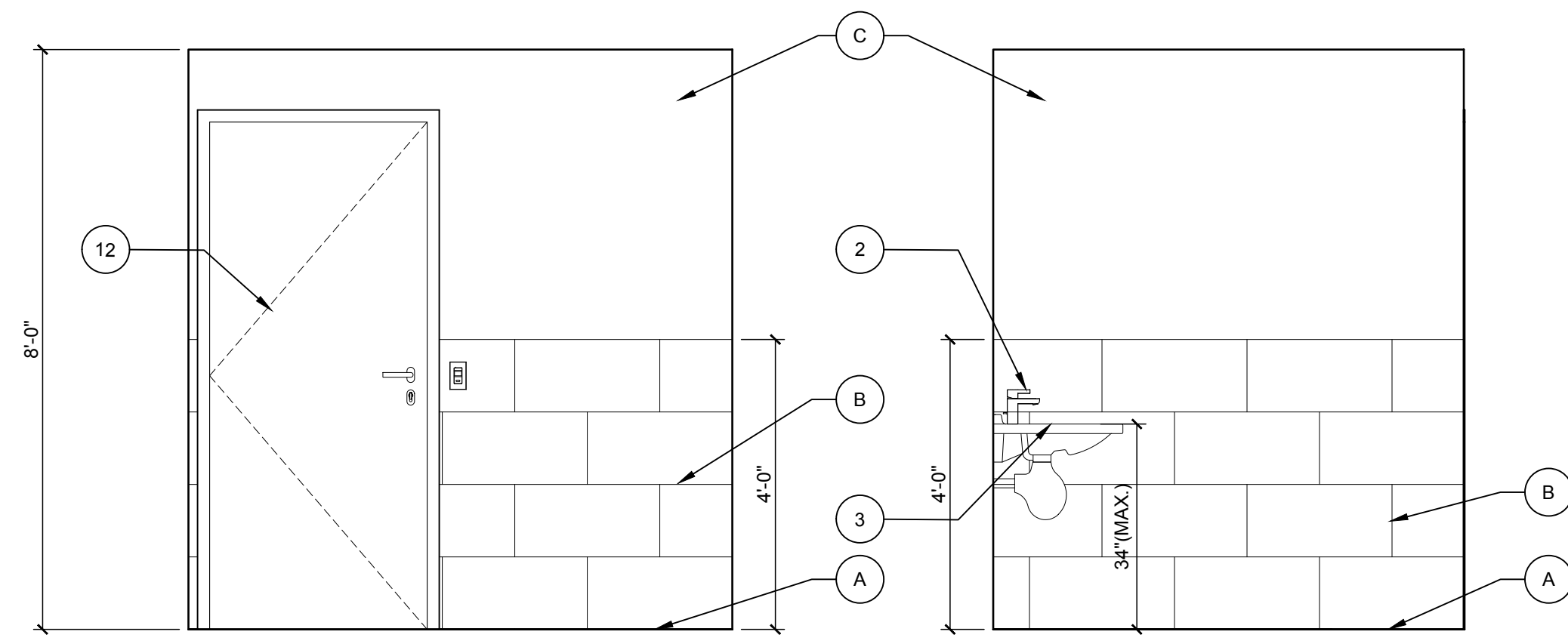
- A. CERAMIC FLOOR TILE: Iris US, Delorean Grey, Honed. Size shall be 12"x24". Pattern shall be Running Bond. Grout joints shall be 1/8" wide and with non-sanded grout by Laticrete or approved equivalent. Installation shall be done using Schluter Ditra system membrane and per manufacturer's installation instructions.
- B. CERAMIC WALL TILE: Iris US, Delorean Grey, Honed. Size shall be 12"x24". Pattern shall be Running Bond. Grout joints shall be 1/8" wide and with non-sanded grout by Laticrete or approved equivalent.
- C. GYPSUM BOARD WALL FINISH: Walls shall be finished with 1/2" moisture resistant gypsum board. Finish shall be Level 5 smooth, painted.

BATHROOM NOTES

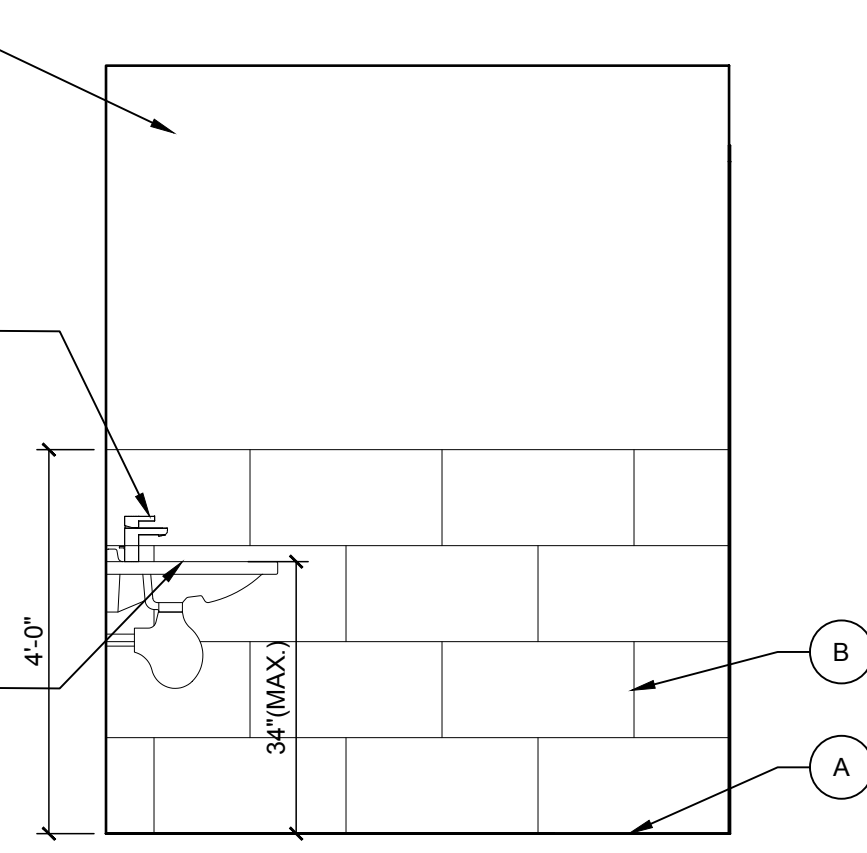
- a. LAVATORY FAUCET CONTROLS AND OPERATING MECHANISM SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5 POUNDS. SELF-CLOSING VALVES SHALL REMAIN OPEN FOR AT LEAST 10 SECONDS. PER 2019 CBC, SECTION 1134A.8.



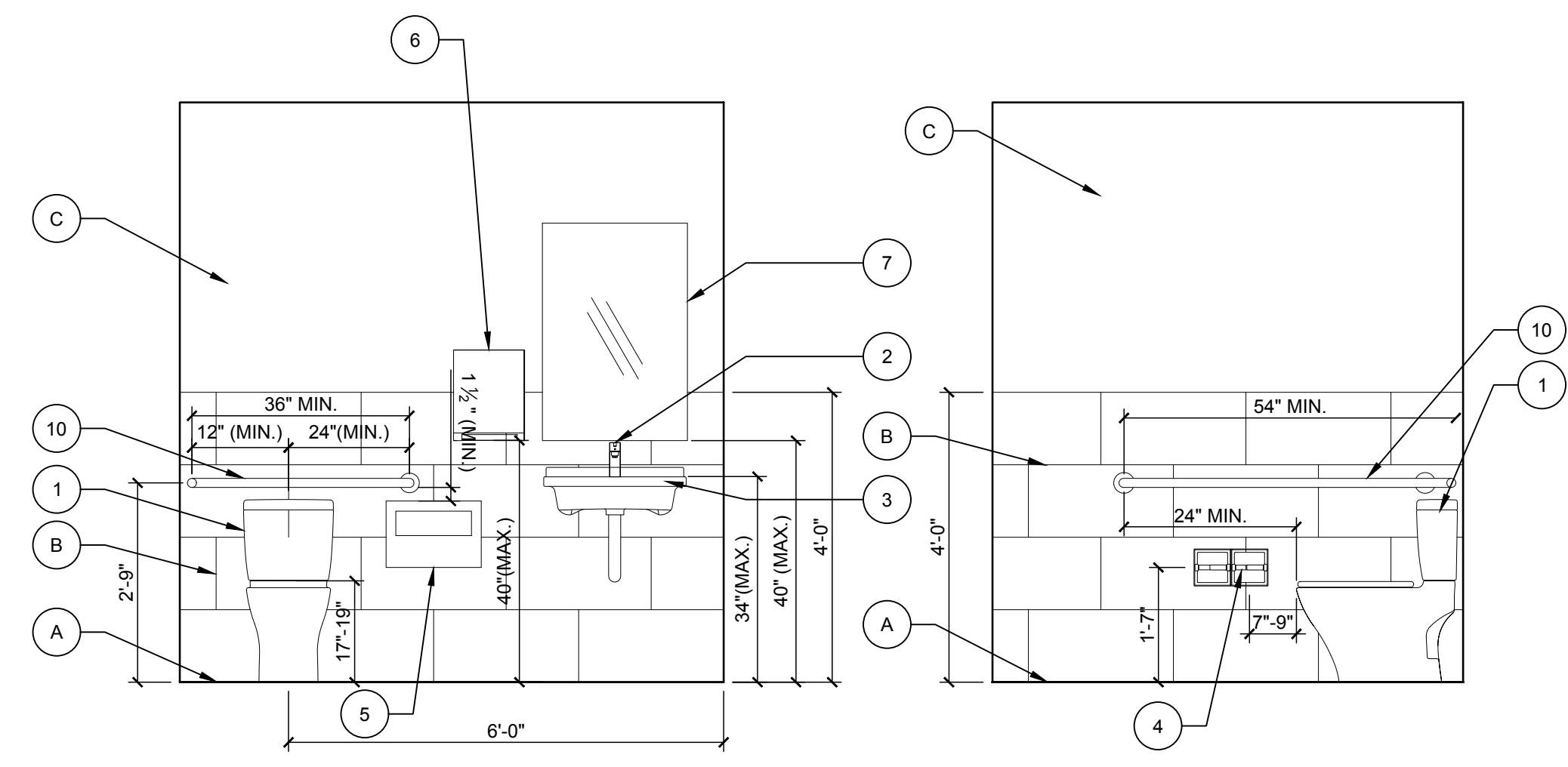
1 ALL GENDER BATHROOM - ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"



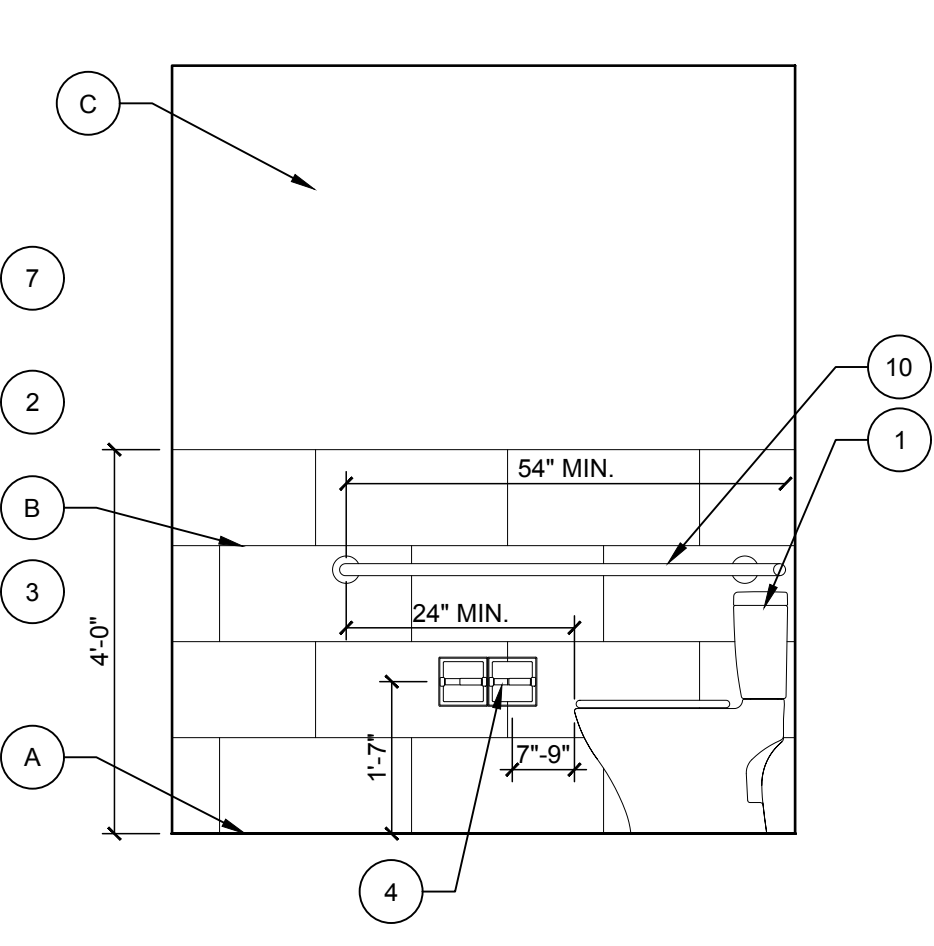
5 ALL GENDER BATHROOM  
 SCALE: 1/2" = 1'-0"



4 ALL GENDER BATHROOM  
 SCALE: 1/2" = 1'-0"



3 ALL GENDER BATHROOM  
 SCALE: 1/2" = 1'-0"



2 ALL GENDER BATHROOM  
 SCALE: 1/2" = 1'-0"

01	12.08.21	1st CUP Submittal
02	03.29.22	2nd CUP Submittal

MARK	DATE	DESCRIPTION

PROJECT NO: 2121  
 CAD DWG FILE: A401-A402 ENLARGED BATHROOM PLAN - PROPOSED.DWG  
 DRAWN BY: A.S., C.G., S.V., D.C., J.A.  
 CHK'D BY: A.S., M.M.

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SHEET TITLE  
**ENLARGED BATHRM.  
 PLAN & ELEVATIONS -  
 PROPOSED**

CONSULTANTS

03-29-2022



8290 Broadway,  
 Lemon Grove, CA 91945  
 APPLICANT

Rita Hirmez & Sabah Toma  
 2424 Cerro Sereno,  
 El Cajon, CA 92019

BATHROOM FIXTURE KEYNOTES

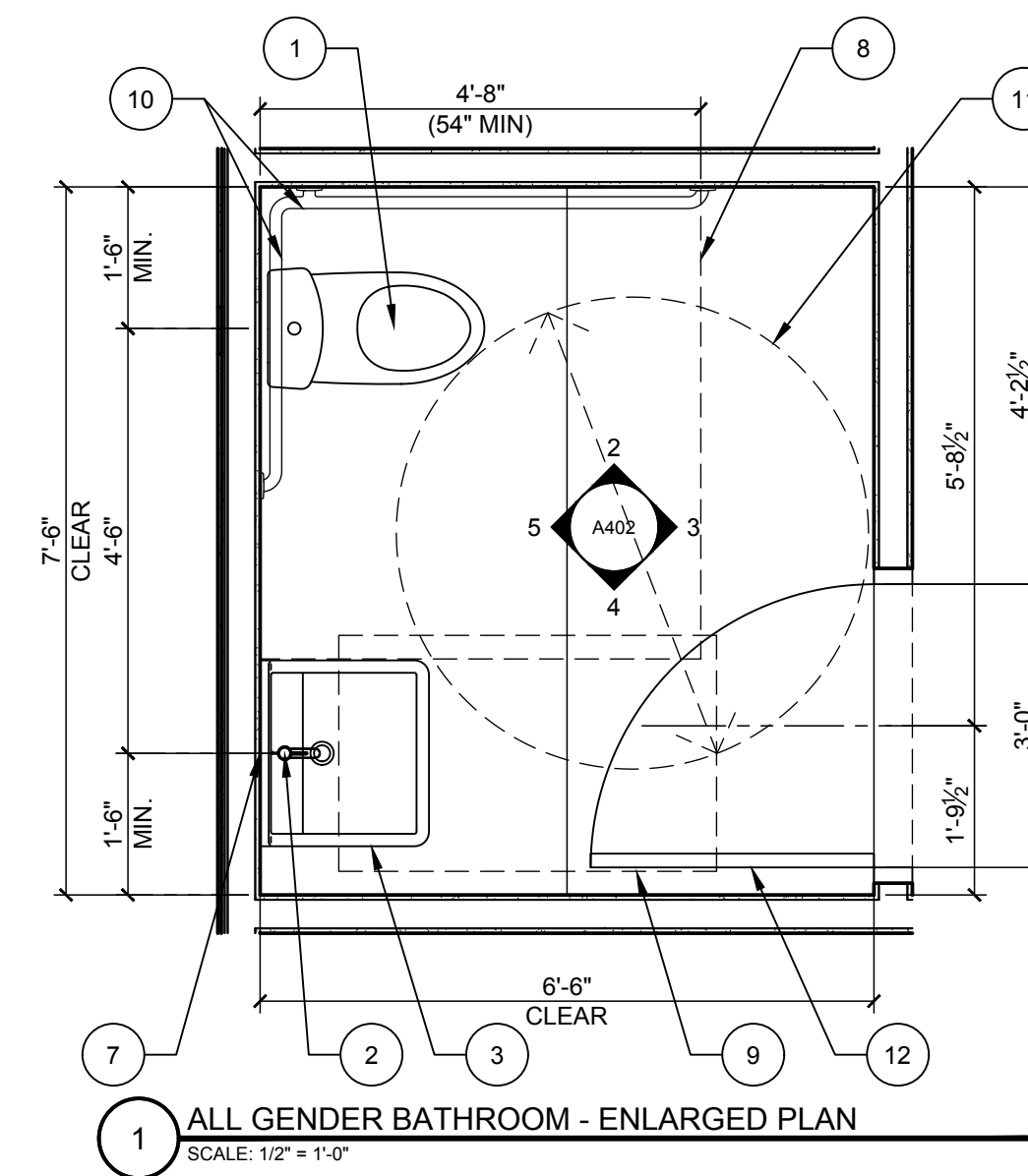
1. ADA TOILET and SEAT - TOTO Drake® II 1G™  
 Flush controls shall be located 44 inches maximum above the floor on the open side of the wheelchair accessible water closet. Section 11B-604.6.
2. SINGLE HOLE FAUCET - MOEN 8551
3. ADA WALL-MOUNTED SINK - KOHLER Reve K-5027
4. RECESSED TOILET TISSUE HOLDER - BOBRICK B-699 dual roll
5. TOILET SEAT PROTECTOR DISPENSER - BOBRICK B-221
6. HAND TOWEL DISPENSER - BOBRICK B-2860
7. MIRROR - BOBRICK B-165
8. ADA TOILET FLOOR SPACE: 60"W X 48"D min. clear per CBC sec. 11B-604.3.1.
9. ADA LAVATORY FLOOR SPACE: 30"W X 48"L min. clear per CBC sec. 11B-606.2. Base cabinets directly under sink shall be removable to provide clearance for wheelchair. Provide cabinet sides and extend finished flooring under cabinets to rear wall. Max. height of fixture rim to be 34".
10. TOILET REAR/SIDE WALL GRAB BAR & REINFORCEMENT: Toilet grab bar for accessible bathrooms shall be Bobrick B68137 36" x 54". Provide 2X backing at rear wall 33" to 36" A.F.F., extend 54" min. in length from back wall (Must support 250 lbs. min.), per CBC sec. 11B-609.4.
11. ADA TURNING CIRCLE: 60" diameter per CBC sec. 11B-304.3.1
12. DOOR.

BATHROOM FINISH SCHEDULE

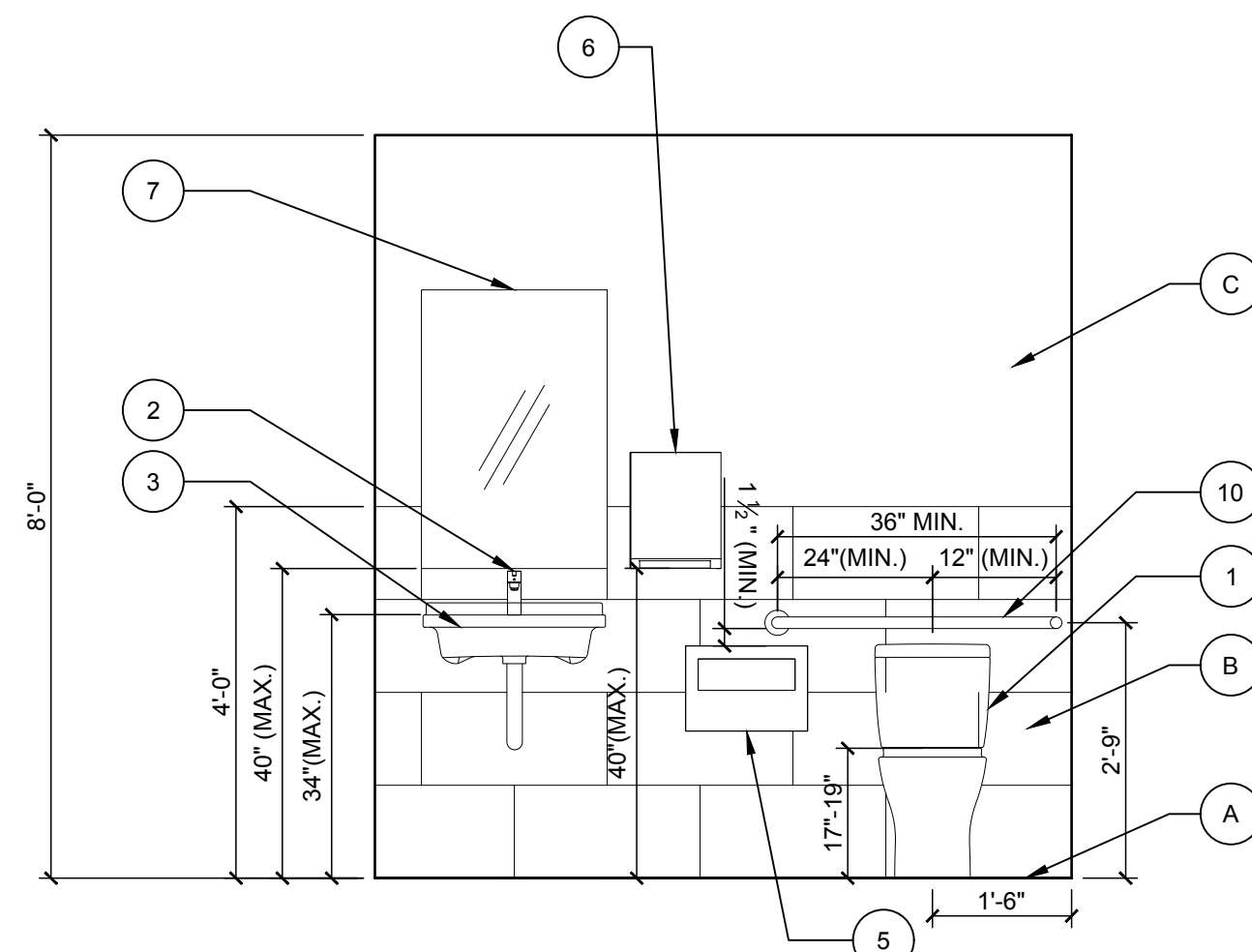
- A. CERAMIC FLOOR TILE: Iris US, Delorean Grey, Honed. Size shall be 12"x24". Pattern shall be Running Bond. Grout joints shall be 1/8" wide and with non-sanded grout by Laticrete or approved equivalent. Installation shall be done using Schluter Ditra system membrane and per manufacturer's installation instructions.
- B. CERAMIC WALL TILE: Iris US, Delorean Grey, Honed. Size shall be 12"x24". Pattern shall be Running Bond. Grout joints shall be 1/8" wide and with non-sanded grout by Laticrete or approved equivalent.
- C. GYPSUM BOARD WALL FINISH: Walls shall be finished with 1/2" moisture resistant gypsum board. Finish shall be Level 5 smooth, painted.

BATHROOM NOTES

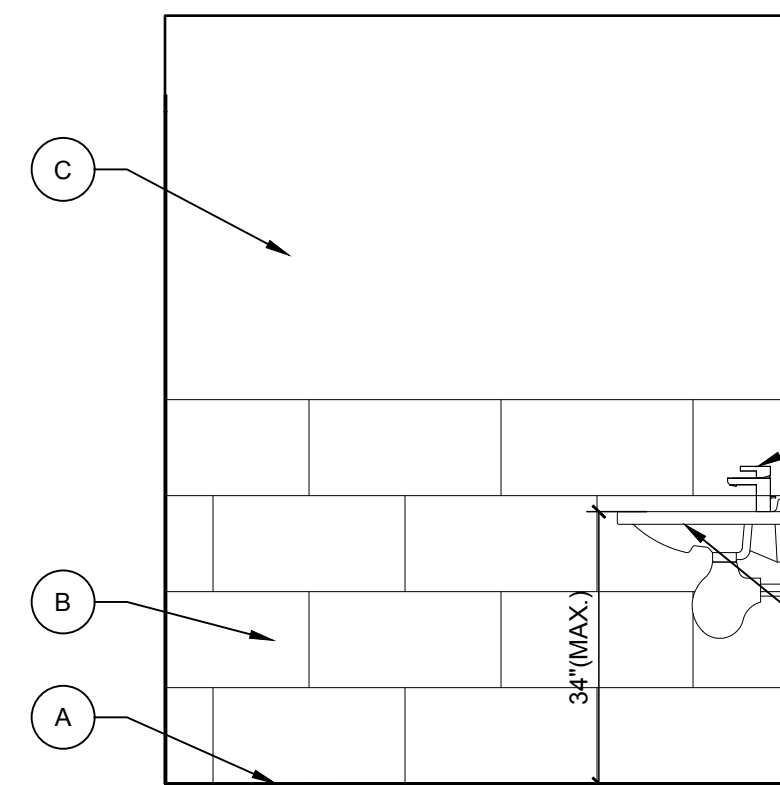
- a. LAVATORY FAUCET CONTROLS AND OPERATING MECHANISM SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE CONTROLS SHALL BE NO GREATER THAN 5 POUNDS. SLEF-CLOSING VALVES SHALL REMAIN OPEN FOR AT LEAST 10 SECONDS. PER 2019 CBC, SECTION 1134A.8.



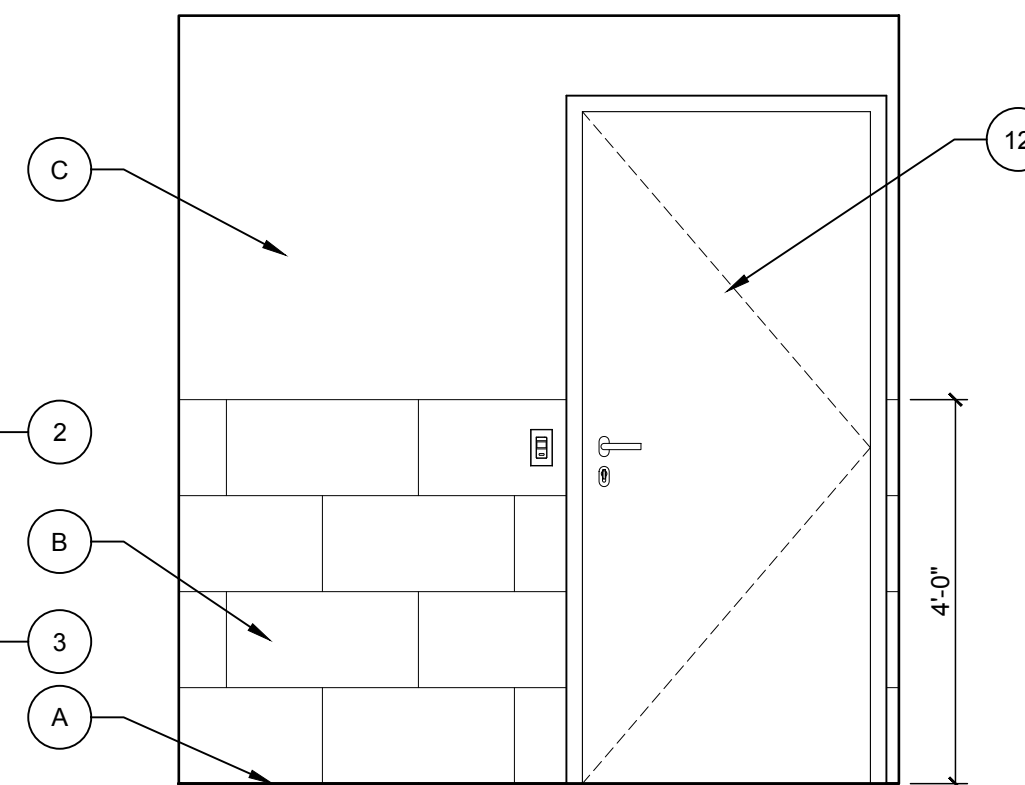
1 ALL GENDER BATHROOM - ENLARGED PLAN  
 SCALE: 1/2" = 1'-0"



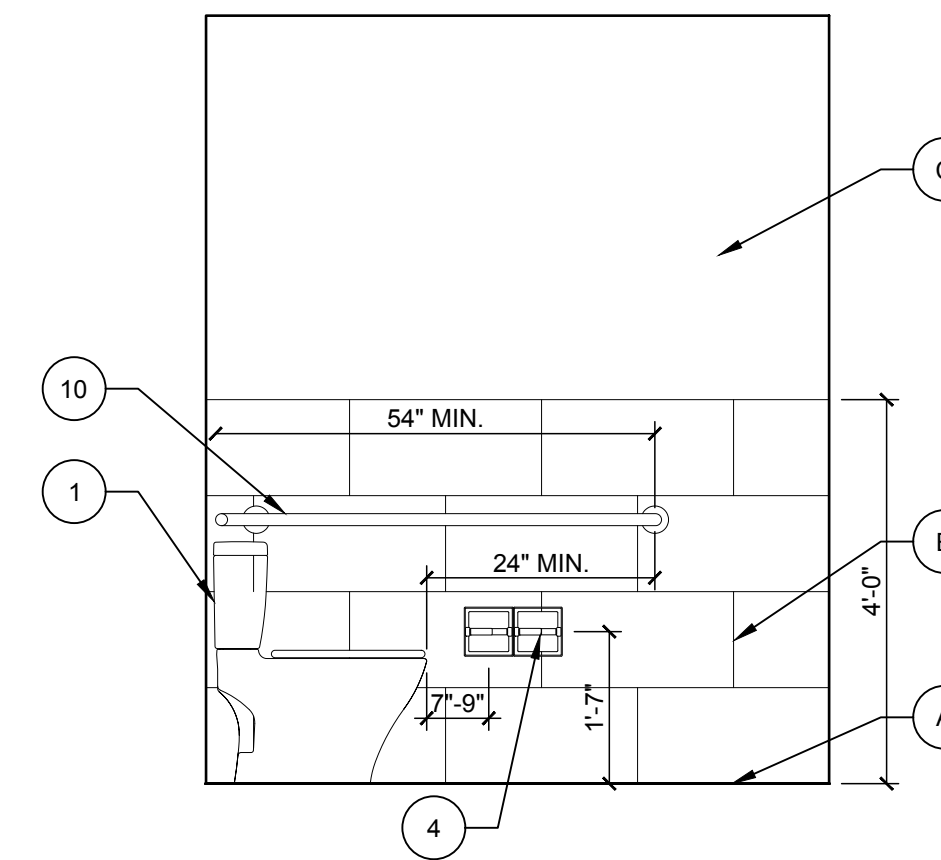
5 ALL GENDER BATHROOM  
 SCALE: 1/2" = 1'-0"



4 ALL GENDER BATHROOM  
 SCALE: 1/2" = 1'-0"



3 ALL GENDER BATHROOM  
 SCALE: 1/2" = 1'-0"



2 ALL GENDER BATHROOM  
 SCALE: 1/2" = 1'-0"

01	12.08.21	1st CUP Submittal
02	03.29.22	2nd CUP Submittal

MARK DATE DESCRIPTION

PROJECT NO: 2121  
 CAD DWG FILE: A401-A402 ENLARGED BATHROOM PLAN - PROPOSED.DWG  
 DRAWN BY: A.S., C.G., S.V., D.C., J.A.  
 CHK'D BY: A.S., M.M.

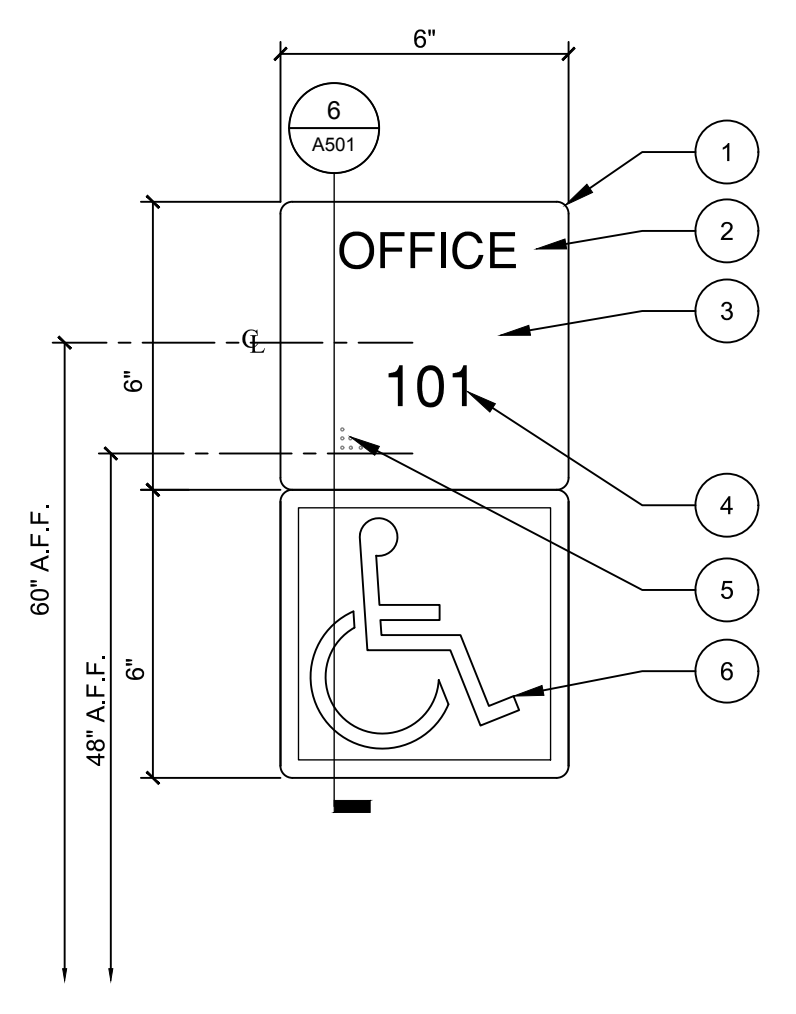
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SHEET TITLE  
 ENLARGED BATHRM.  
 PLAN & ELEVATIONS -  
 PROPOSED

A402



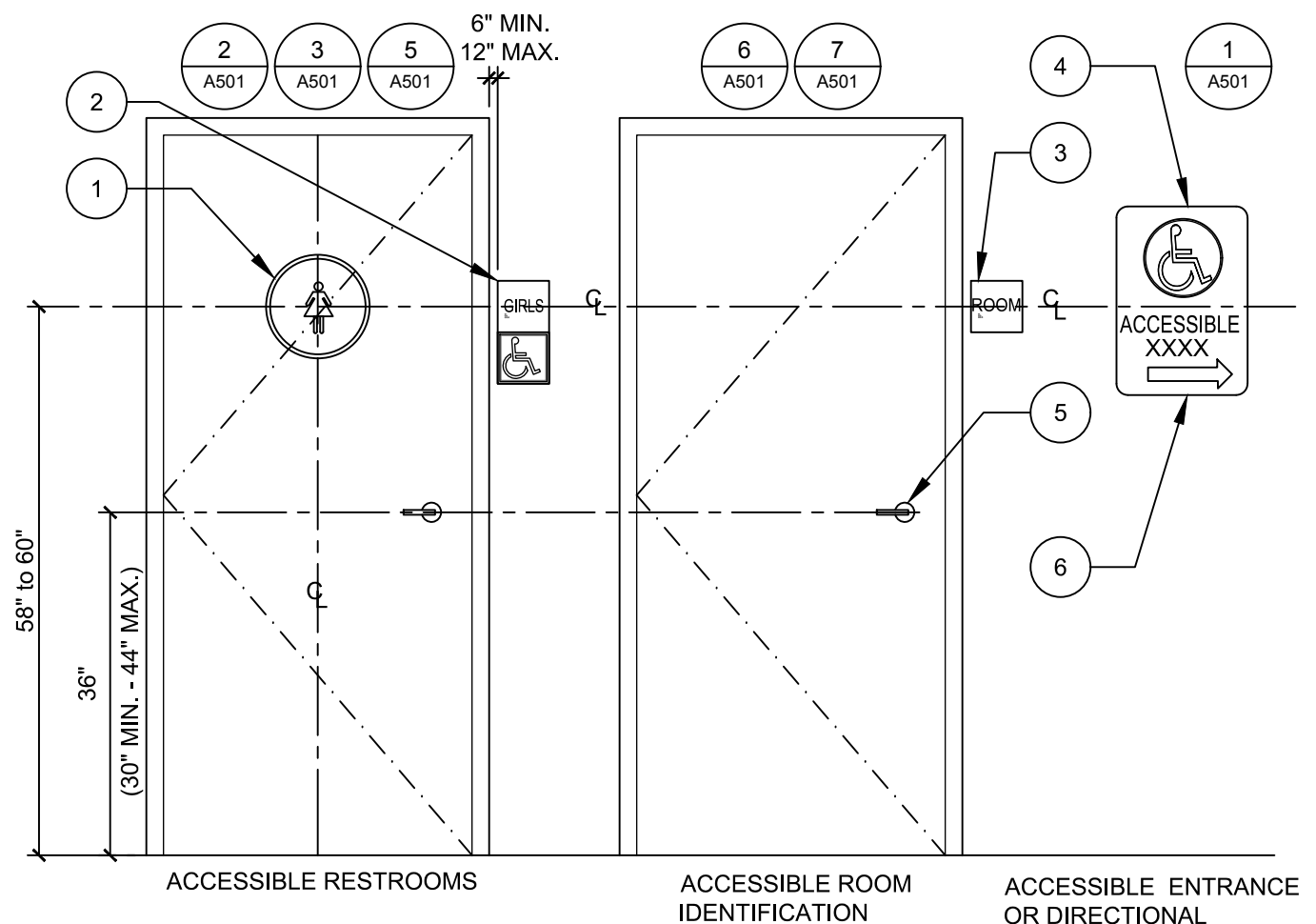
1. ACRYLIC PLASTIC SHEETS (2) EASED ALL CORNERS
2. 1" HIGH RAISED LETTERS, PER SPECIFICATIONS CHARACTERS WILL BE RAISED FROM THE BACKGROUND 1/2" MIN. (CBC. SEC 117B.5) ("WHITE" TYPICAL)
3. CONTRASTING COLOR BACKGROUND TO BE SELECTED BY ARCHITECT ("BLUE" TYPICAL)
4. 3/4" HIGH RAISED LETTERS, PER SPECIFICATIONS (6/16" MIN. - 2" MAX.)
5. RAISED BRAILLE - GRADE 2 (1/16" MIN. - 2" SPECIFICATIONS)
6. INTERNATIONAL SYMBOL WITH RAISED SURFACE 1/2" MIN. ("WHITE" TYPICAL)



- NOTES:
- ATTACH SIGN USING (4) FOUR FLATHEAD WOOD SCREWS, COUNTERSUNK, AND APPLIED WITH ADHESIVE TO BASE SURFACE
  - SIGN SHALL BE MOUNTED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR OR ON THE NEAREST ADJACENT WALL AT A MINIMUM OF 60" ABOVE FINISHED GROUND
  - LETTER STYLE TO BE SANS-SERIF UPPER CASE ACCOMPANIED BY GRADE 2 BRAILLE
  - COLORS TO BE SELECTED BY ARCHITECT AND APPROVED BY OWNER
  - REFER TO DOOR SCHEDULE FOR TEXT GRAPHICS ON DOORS ARCHITECT TO VERIFY WITH OWNER FOR ROOM LOCATIONS/ NAMES

7 ROOM SIGNAGE DETAIL  
A501 3" = 1'-0"

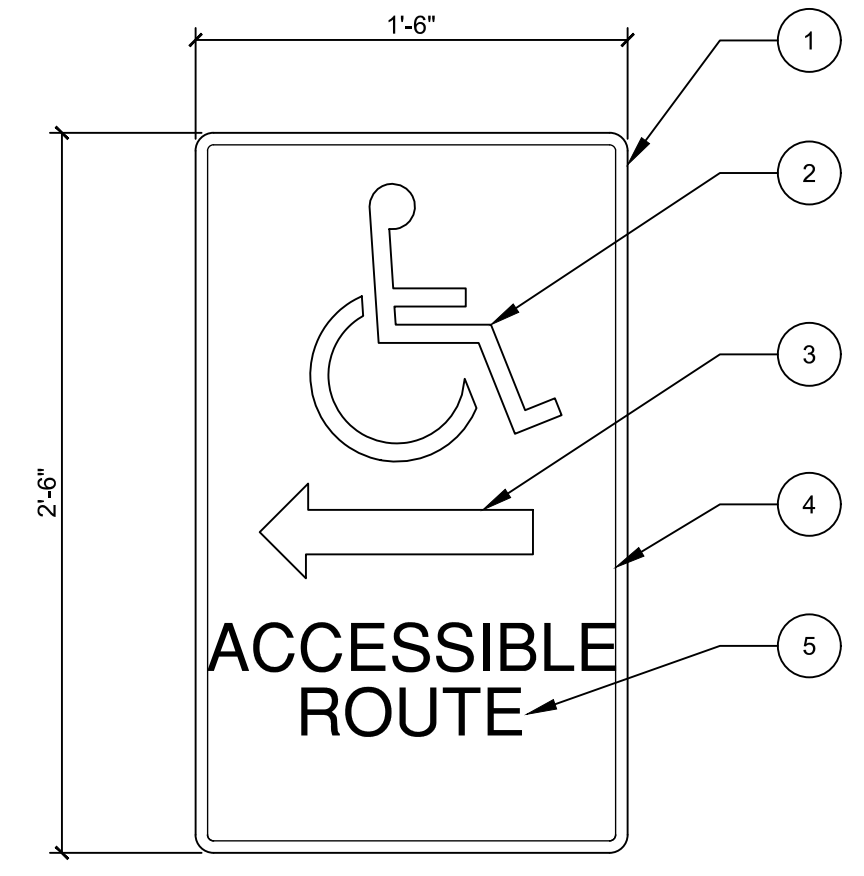
1. ACCESSIBLE RESTROOM SIGNAGE
2. ACCESSIBLE ROOM I.D. / SIGN & INTERN'L SYMBOL
3. ACCESSIBLE ROOM I.D.
4. ACCESSIBLE DIRECTION / INFORMATION SIGNAGE
5. ADA APPROVED LEVER STYLE DOOR LATCH
6. WALL MOUNTED AT SIGN INTERIOR OR EXTERIOR OF BUILDING



- NOTES:
- REFER TO DOOR SCHEDULE FOR TEXT GRAPHICS ON DOORS
  - FOR NON ACCESSIBLE AREAS REFER TO
  - INACCESSIBLE SANITARY FACILITIES SHALL HAVE DIRECTIONAL SIGNAGE
  - ROOM IDENTIFICATION SIGNS SHALL BE:
    - PLACED ON APPROACH SIDE AS ONE ENTERS ROOM OR SPACE
    - PLACED ADJACENT TO DOOR ON LATCH SIDE LOCATED WITH CLEAR FLOOR SPACE MINIMUM 18 INCHES BY 18 INCHES - CENTERED ON TACTILE CHARACTERS - PROVIDE BEYOND ARC OF ANY DOOR SWING BETWEEN CLOSED AND 45-DEGREE-OPEN POSITIONS PER CBC FIGURE 11B-703.4.2

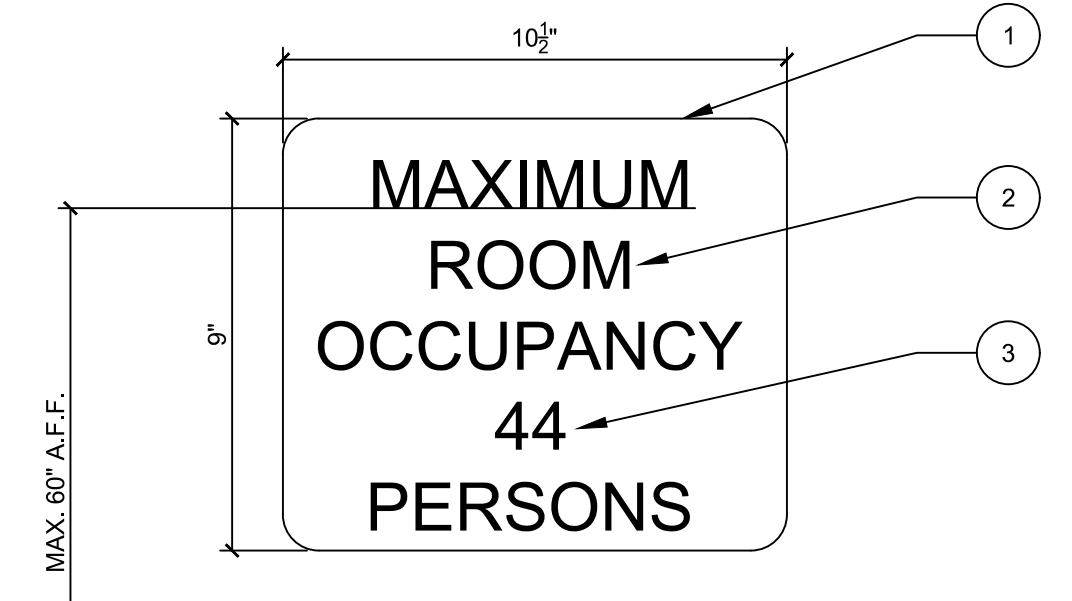
4 ADA SIGNAGE MOUNTING DETAIL  
A501 3" = 1'-0"

1. REFLECTOR SIGN PANEL SHALL BE CONSTRUCTED OF A MINIMUM .062 (1157MM) THICK ALUMINUM WITH PORCELAIN ENAMEL FINISH WITH "BLUE" BACKGROUND COLOR EQUAL TO NO. 15090 FEDERAL STANDARD 595A
2. 6" X 6" MIN. PICTOGRAM "WHITE" INTERNATIONAL SYMBOL ACCESSIBILITY
3. "WHITE" ARROW, VERIFY DIRECTION
4. 1/2" WIDE "WHITE" BORDER
5. LETTERING "WHITE" IN COLOR NOT LESS THAN 2" HIGH CHARACTERS SHALL BE "SANS SERIF"



- NOTES:
- WALL MOUNTED SIGNAGE ASSEMBLY: ATTACH SIGN USING (3) THREE FLATHEAD WOOD SCREWS, (COUNTERSUNK) AND/ OR ADHESIVE
  - SIGN SHALL BE MOUNTED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR OR ON THE NEAREST ADJACENT WALL A MINIMUM OF 40" ABOVE THE FINISHED GROUND
  - AN EXTERIOR SIGN SHALL BE MOUNTED PERPENDICULAR TO THE PATH OF TRAVEL
  - LINE SPACING BETWEEN BASELINES OF SEPARATE CHARACTER LINES AT MINIMUM 135 PERCENT AND MAXIMUM 170 PERCENT OF CHARACTER HEIGHT
  - CHARACTER HEIGHT SIZED ACCORDING TO CBC SEC. 11B-703.2.5 AND TABLE 11B-703.5.5 AND BASED ON UPPERCASE LETTER "I"

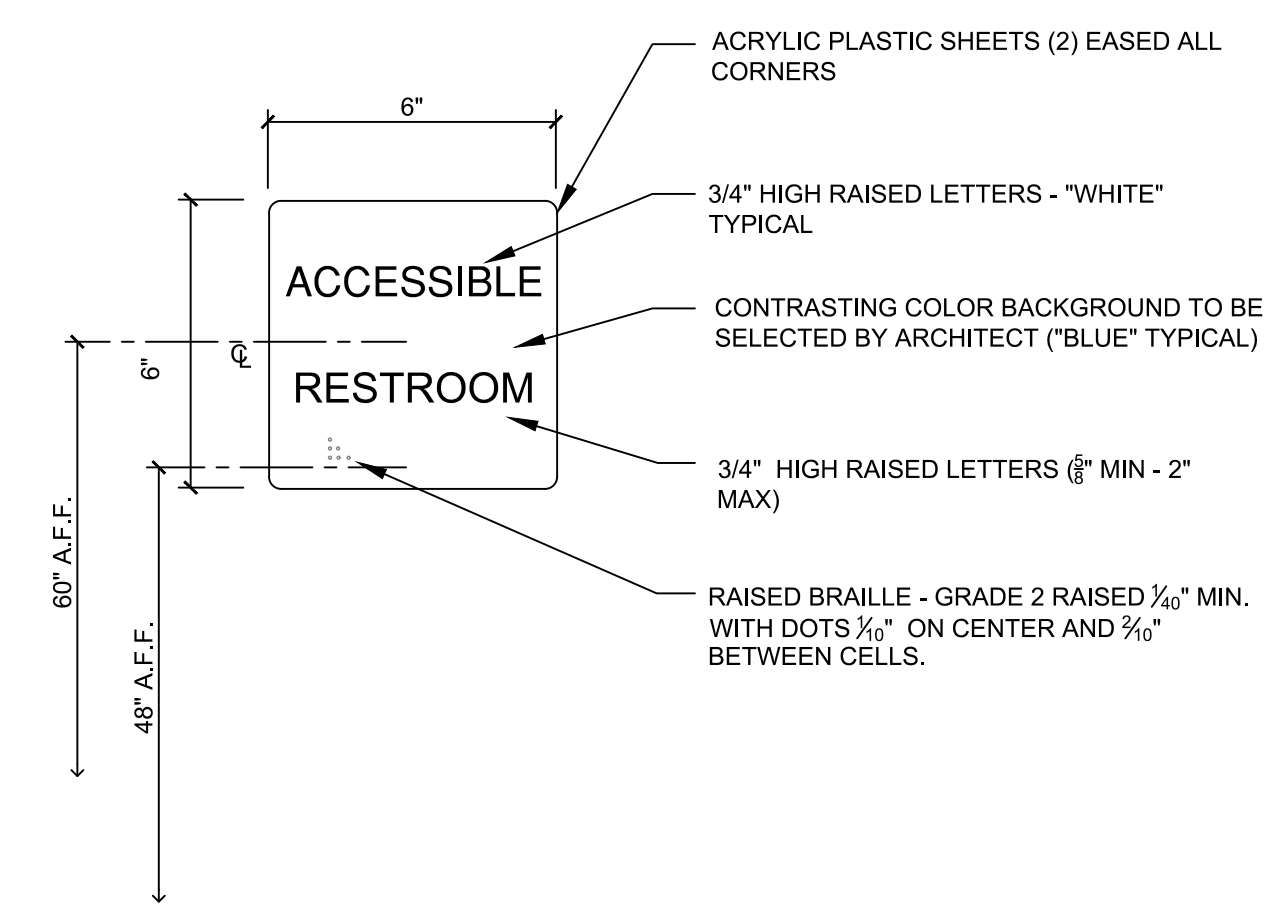
1 ACCESSIBLE ROUTE SIGNAGE DETAIL  
A501 1 1/2" = 1'-0"



- KEYNOTES:
- 3/4" THICK SOLID ACRYLIC PLASTER SHEET WITH EASED CORNERS
  - 1" HIGH RAISED "WHITE" LETTERS
  - VERIFY ROOM CAPACITY

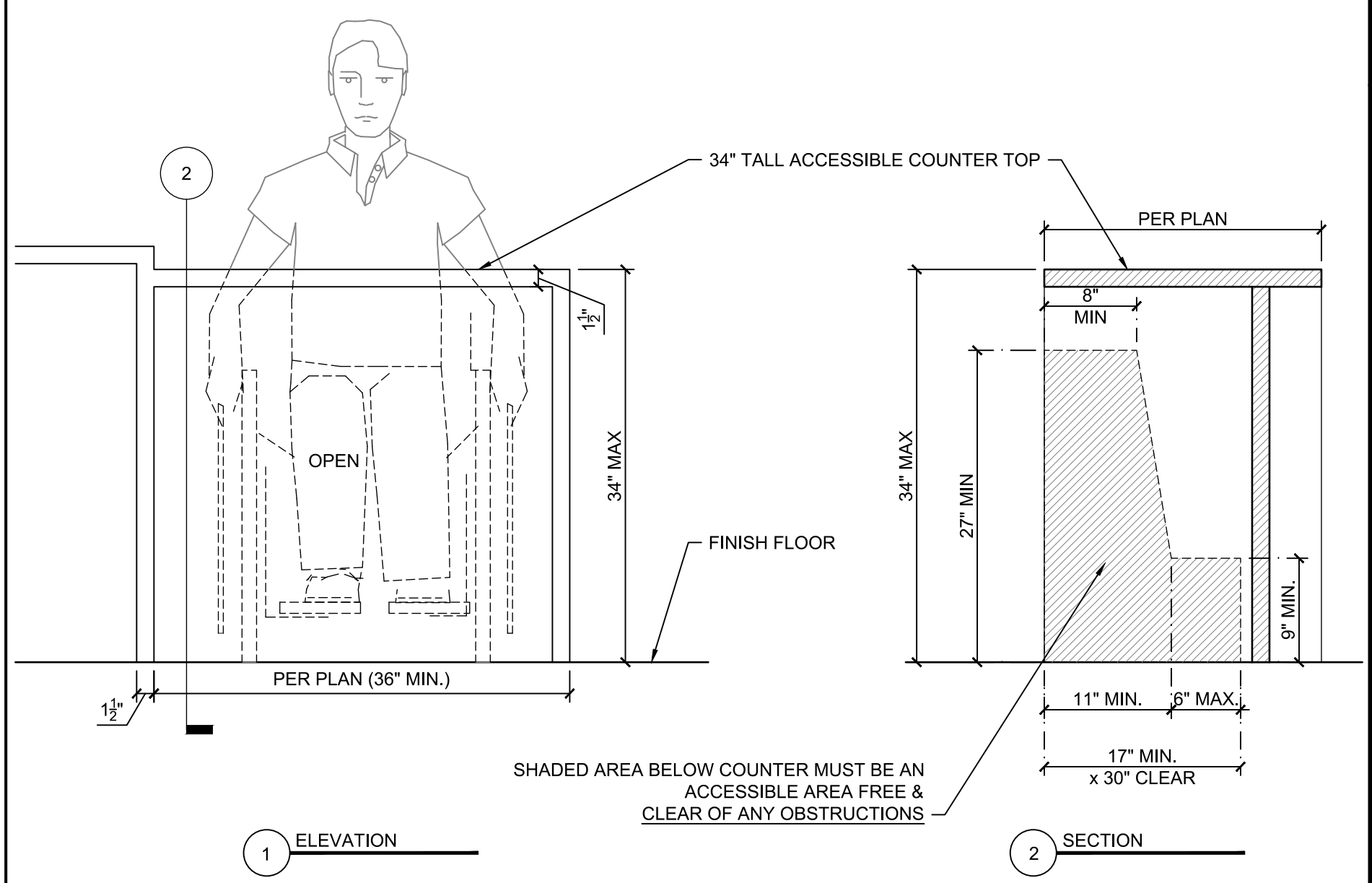
- NOTES:
- ATTACH SIGN USING (4) FOUR FLATHEAD WOOD SCREWS, COUNTERSUNK, AND ADHESIVE. SIGN SHALL BE MOUNTED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR OR ON THE NEAREST ADJACENT WALL 60" ABOVE THE FLOOR
  - LETTER STYLE TO BE SANS-SERIF UPPER CASE. COLORS TO BE SELECTED BY ARCHITECT
  - REFER TO DOOR SCHEDULE FOR TEXT GRAPHICS ON DOORS

8 OCCUPANCY SIGN DETAIL  
A501 3" = 1'-0"



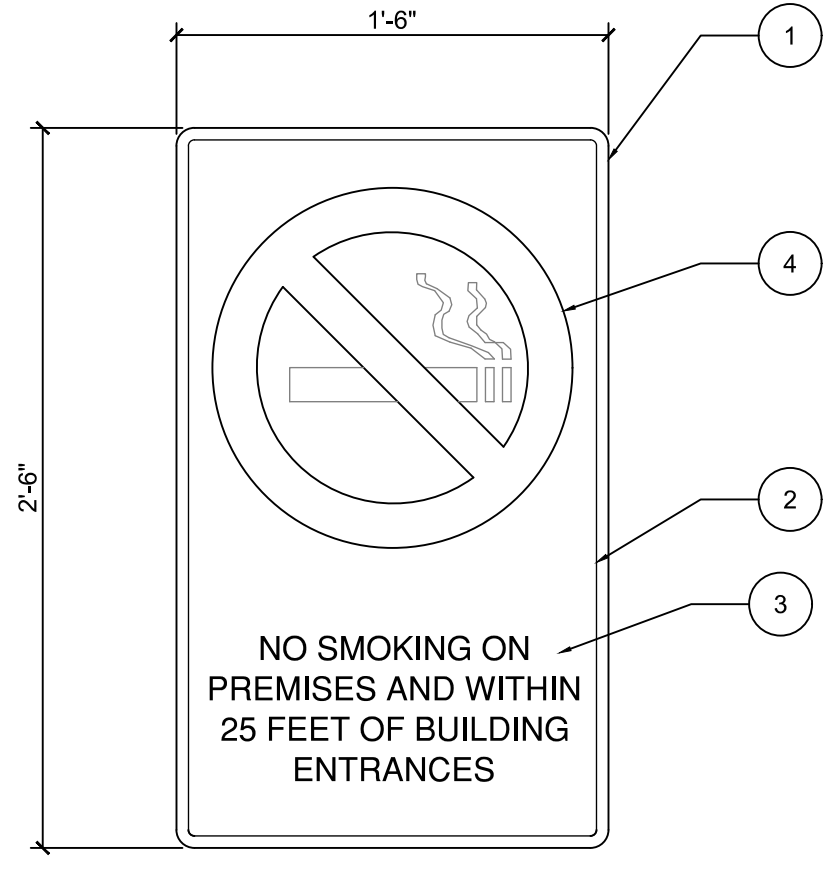
- NOTES:
- ATTACH SIGN USING (4) FOUR FLATHEAD WOOD SCREWS, COUNTERSUNK AND ADHESIVE. SIGN SHALL BE MOUNTED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR OR ON THE NEAREST ADJACENT WALL 60" ABOVE THE FLOOR
  - LETTER STYLE TO BE "SANS-SERIF" UPPER CASE ACCOMPANIED BY GRADE 2 BRAILLE - COLORS TO BE SELECTED BY ARCHITECT
  - REFER TO DOOR SCHEDULE FOR TEXT GRAPHICS ON DOORS ARCHITECT TO VERIFY WITH DISTRICT FOR ROOM LOCATIONS

5 ACCESSIBLE RESTROOM SIGNAGE DETAIL  
A501 3" = 1'-0"



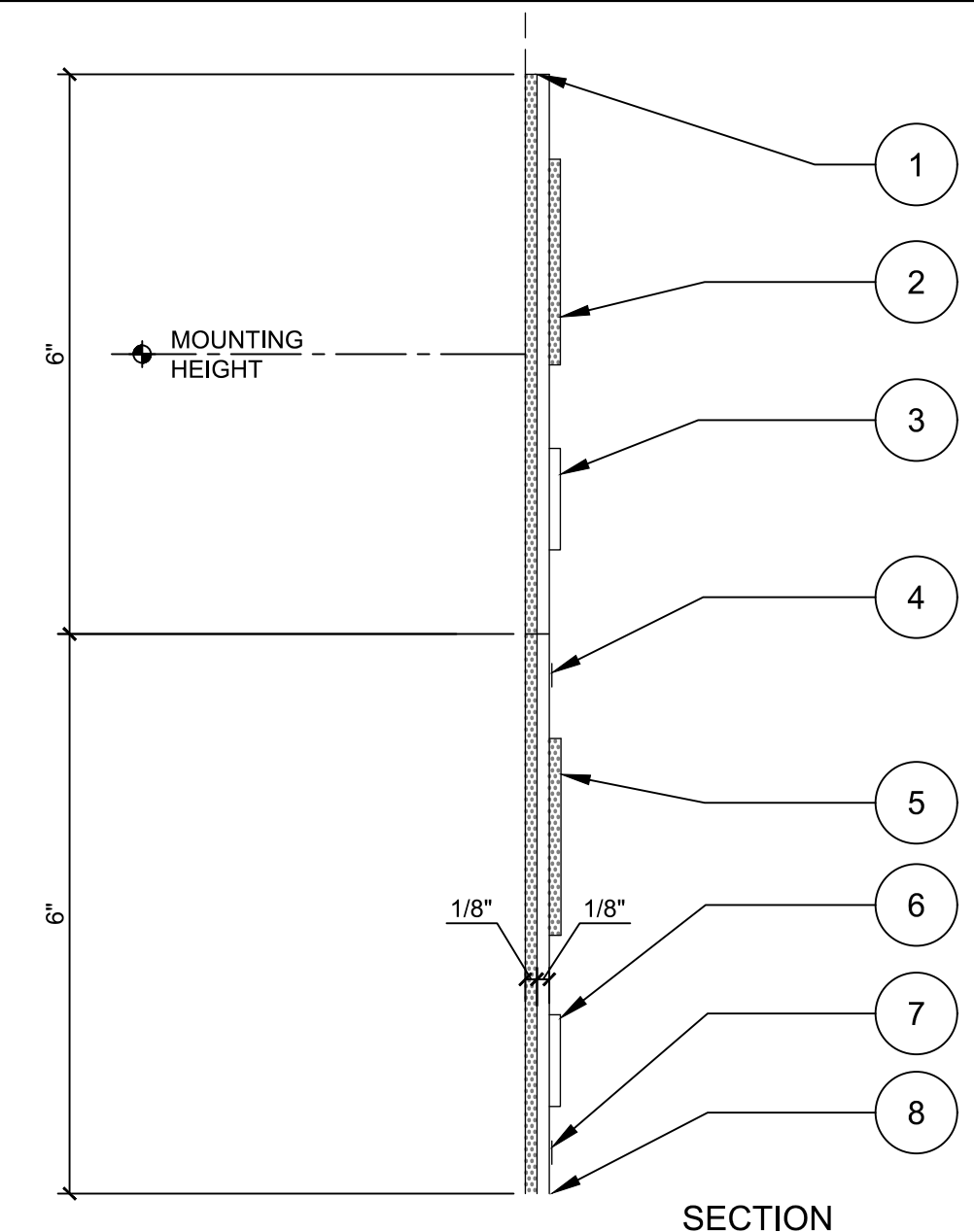
2 ACCESSIBLE COUNTERTOP  
A502 1" = 1'-0"

1. REFLECTOR SIGN PANEL SHALL BE CONSTRUCTED OF A MINIMUM .062 (1157MM) THICK ALUMINUM WITH PORCELAIN ENAMEL FINISH WITH "WHITE" BACKGROUND COLOR EQUAL TO NO. 15090 FEDERAL STANDARD 595A
2. 1/2" WIDE "RED" BORDER
3. LETTERING "RED" IN COLOR NOT LESS THAN 1" HIGH (CHARACTERS SHALL BE "SANS SERIF")
4. NO SMOKING SYMBOL, RED IN COLOR



- NOTES:
- WALL MOUNTED SIGNAGE ASSEMBLY: ATTACH SIGN USING (3) THREE FLATHEAD WOOD SCREWS, (COUNTERSUNK) AND/ OR ADHESIVE.

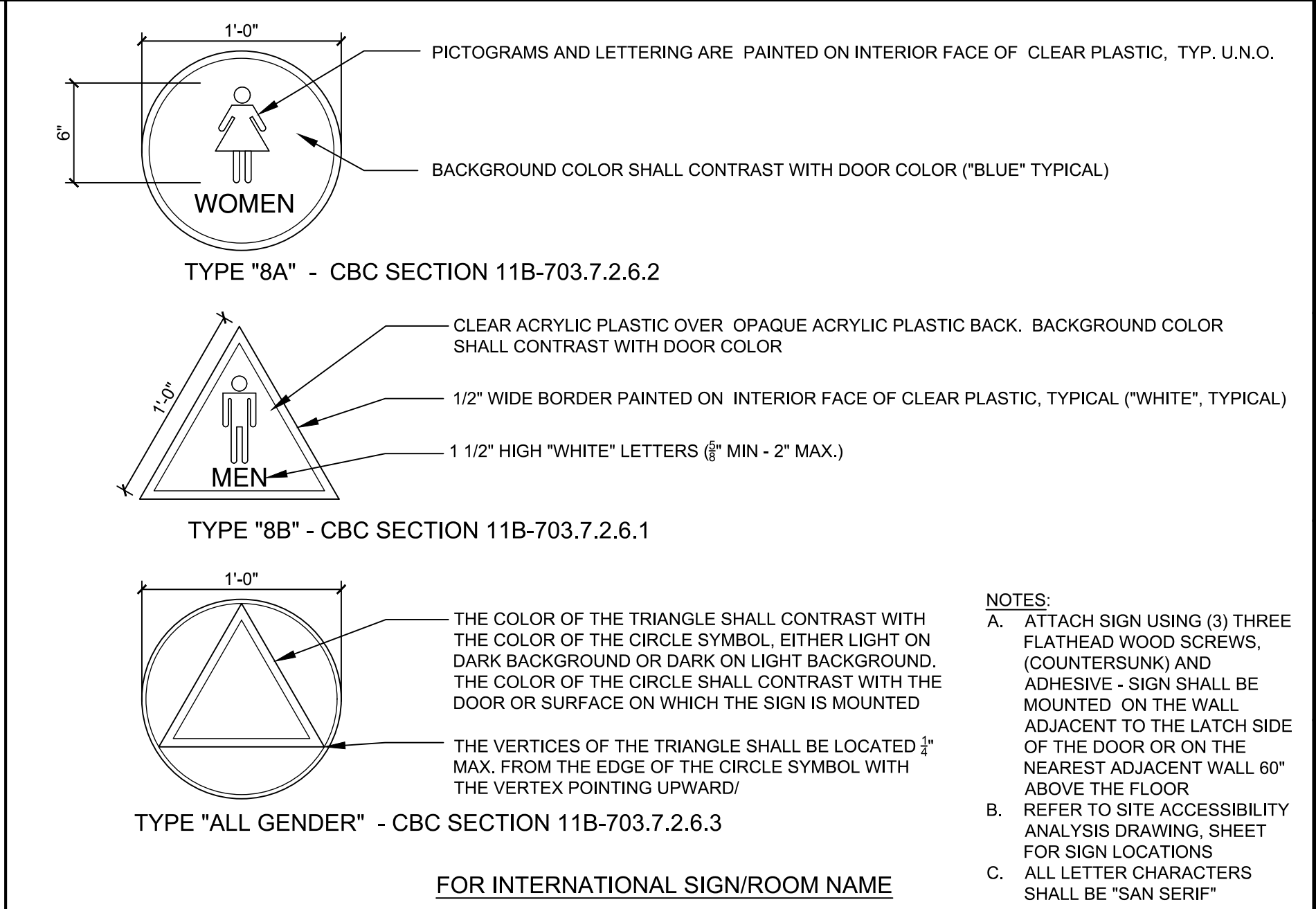
9 NO SMOKING WITHIN 25 FEET SIGN DETAIL  
A501 1 1/2" = 1'-0"



1. OPAQUE ACRYLIC PLASTIC BACK - VERIFY COLOR
2. 1" HIGH LETTER CHARACTER WITH RAISED LETTER SURFACE 1/2" HIGH MINIMUM
3. RAISED BRAILLE (GRADE 2)
4. BORDER PAINTED ON INTERIOR FACE OF CLEAR PLASTIC (SHORT DASHED) TOP, BOTTOM AND SIDES
5. 1" HIGH BETTER CHARACTERS OR SYMBOL WITH RAISED SURFACE 1/2" HIGH MINIMUM
6. RAISED BRAILLE - (GRADE 2)
7. CLEAR ACRYLIC PLASTIC
8. LINE OF SURFACE TO BE SECURITY MOUNTED TO

ALSO SEE DETAIL 7 A501

6 ROOM SIGNAGE DETAIL -02  
A501 6" = 1'-0"



- PICTOGRAMS AND LETTERING ARE PAINTED ON INTERIOR FACE OF CLEAR PLASTIC, TYP. U.N.O.
- BACKGROUND COLOR SHALL CONTRAST WITH DOOR COLOR ("BLUE" TYPICAL)
- TYPE "8A" - CBC SECTION 11B-703.7.2.6.2
- TYPE "8B" - CBC SECTION 11B-703.7.2.6.1
- TYPE "ALL GENDER" - CBC SECTION 11B-703.7.2.6.3
- FOR INTERNATIONAL SIGN/ROOM NAME
- NOTES:
- ATTACH SIGN USING (3) THREE FLATHEAD WOOD SCREWS, (COUNTERSUNK) AND ADHESIVE - SIGN SHALL BE MOUNTED ON THE WALL ADJACENT TO THE LATCH SIDE OF THE DOOR OR ON THE NEAREST ADJACENT WALL 60" ABOVE THE FLOOR
  - REFER TO SITE ACCESSIBILITY ANALYSIS DRAWING, SHEET FOR SIGN LOCATIONS
  - ALL LETTER CHARACTERS SHALL BE "SAN SERIF"

3 ACCESSIBLE SIGNAGE  
A501 1 1/2" = 1'-0"

CONSULTANTS



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Lemon Grove, CA 91945

APPLICANT

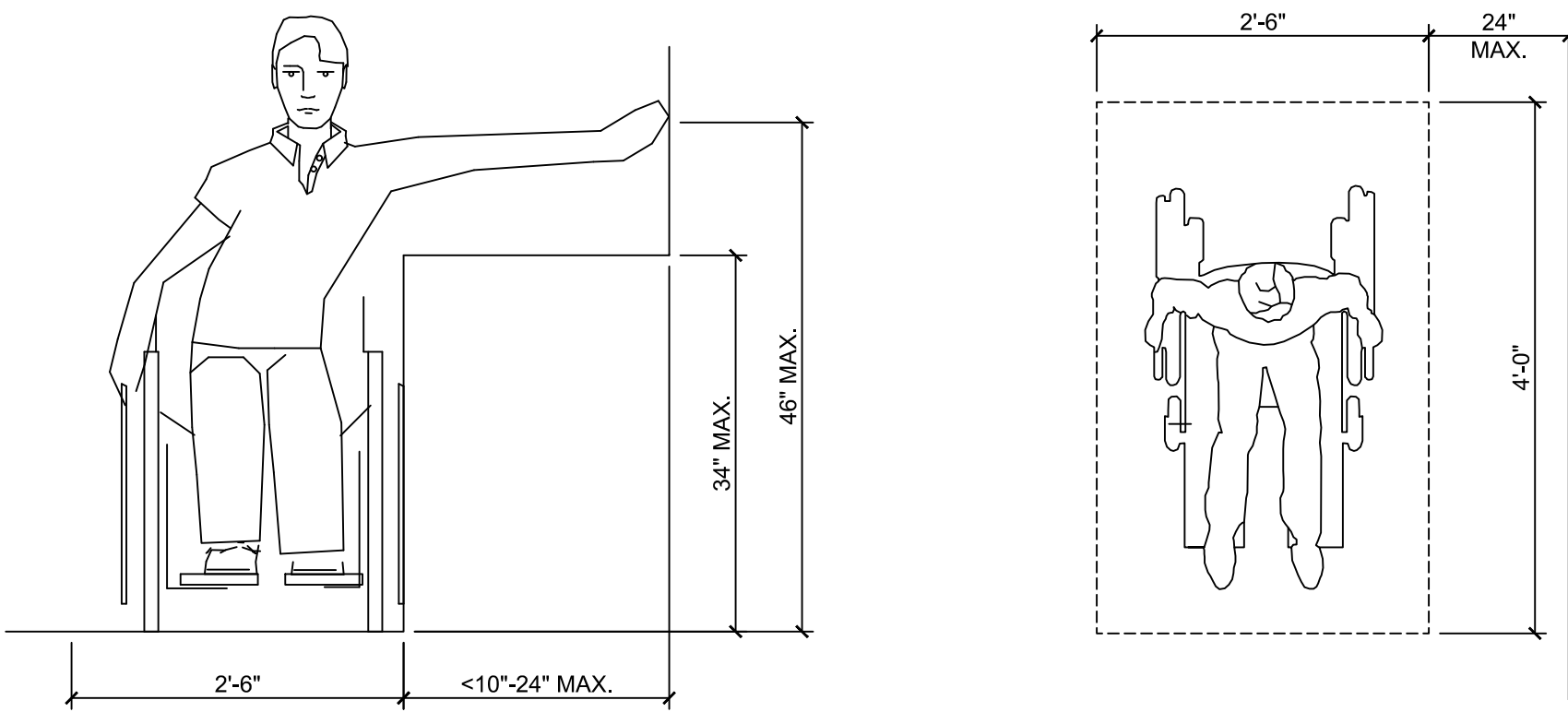
Rita Hirmez & Sabah Toma  
2424 Cerro Sereno,  
El Cajon, CA 92019

MARK	DATE	DESCRIPTION
01	12/08/21	1st CUP Submittal
02	03/29/22	2nd CUP Submittal
PROJECT NO: 2121		
CAD DWG FILE: A501-A505 DETAILS.DWG		
DRAWN BY: A.S., C.G., S.V., D.C., J.A.		
CHK'D BY: A.S., M.M.		
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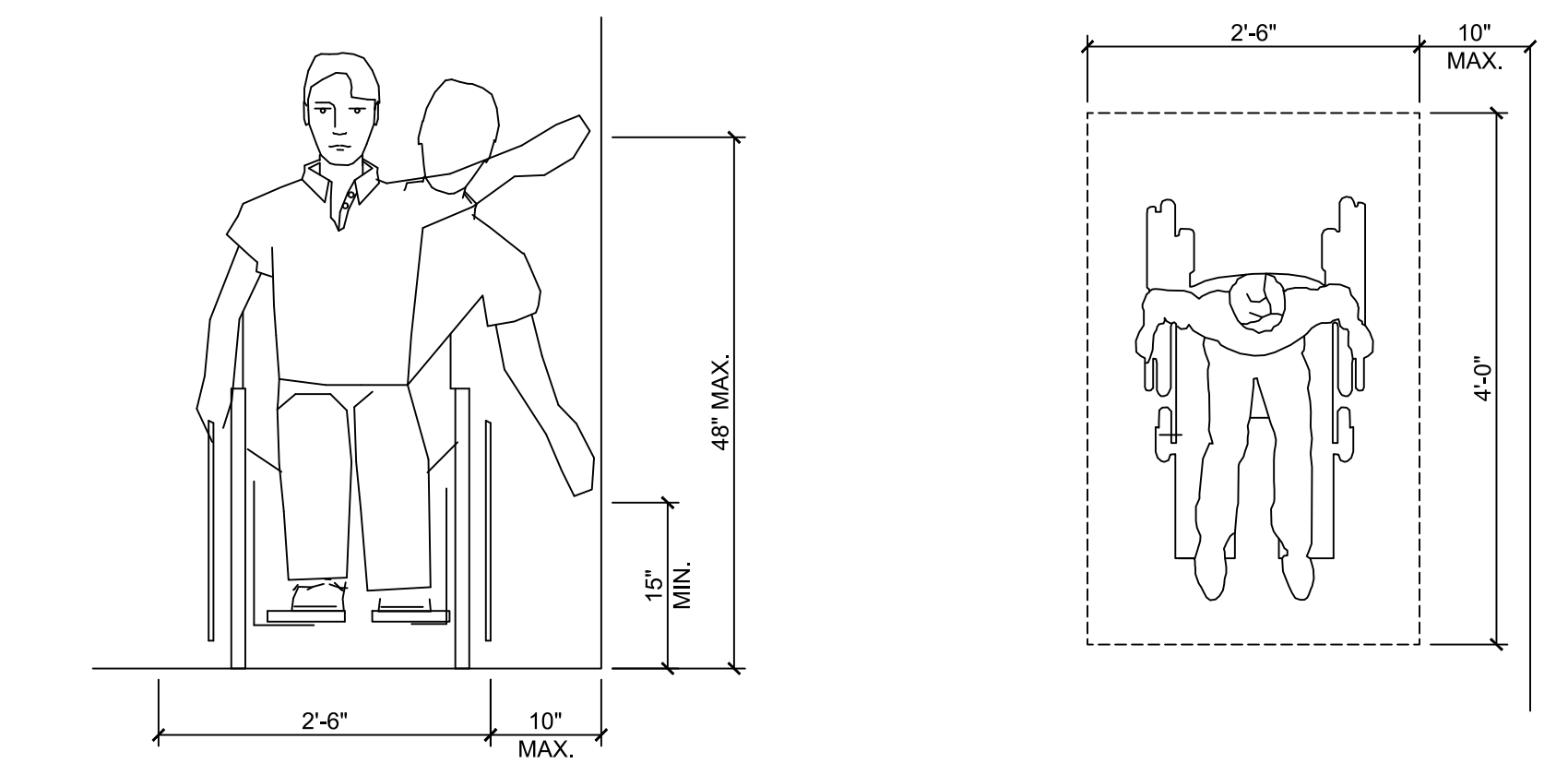
NOTE:  
 1. OBSTRUCTED HIGH SIDE REACH PER CBC 11B-308.3.2.  
 2. PER CBC SECTION 11B-309.4, OPERABLE PARTS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE OPERABLE PARTS SHALL BE 5 LBS. (22.2 N) MAXIMUM.



7 ADA SIDE REACH DETAIL

A502 3/4" - 1'-0"

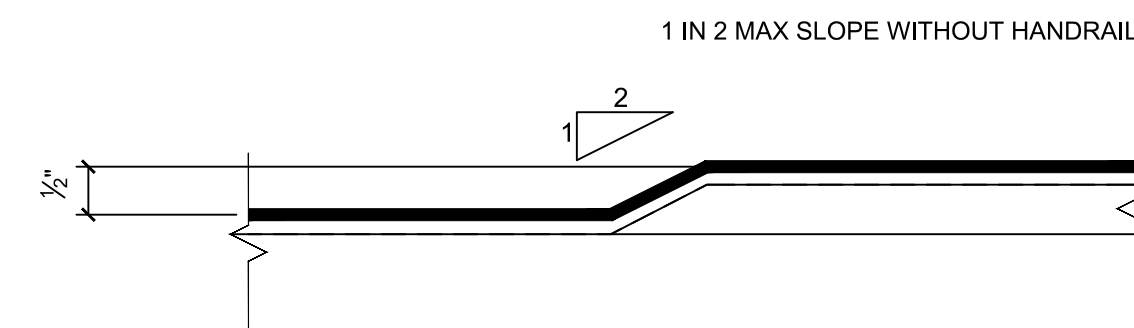
NOTE:  
 1. UNOBSTRUCTED SIDE REACH PER CBC 11B-308.3.1.  
 2. PER CBC SECTION 11B-309.4, OPERABLE PARTS SHALL BE OPERABLE WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, PINCHING, OR TWISTING OF THE WRIST. THE FORCE REQUIRED TO ACTIVATE OPERABLE PARTS SHALL BE 5 LBS. (22.2 N) MAXIMUM.



8 ADA UNOBSTRUCTED SIDE REACH DETAIL

A502 3/4" - 1'-0"

A AT SLOPING FLOOR TRANSITION PER CBC 11B-303.3

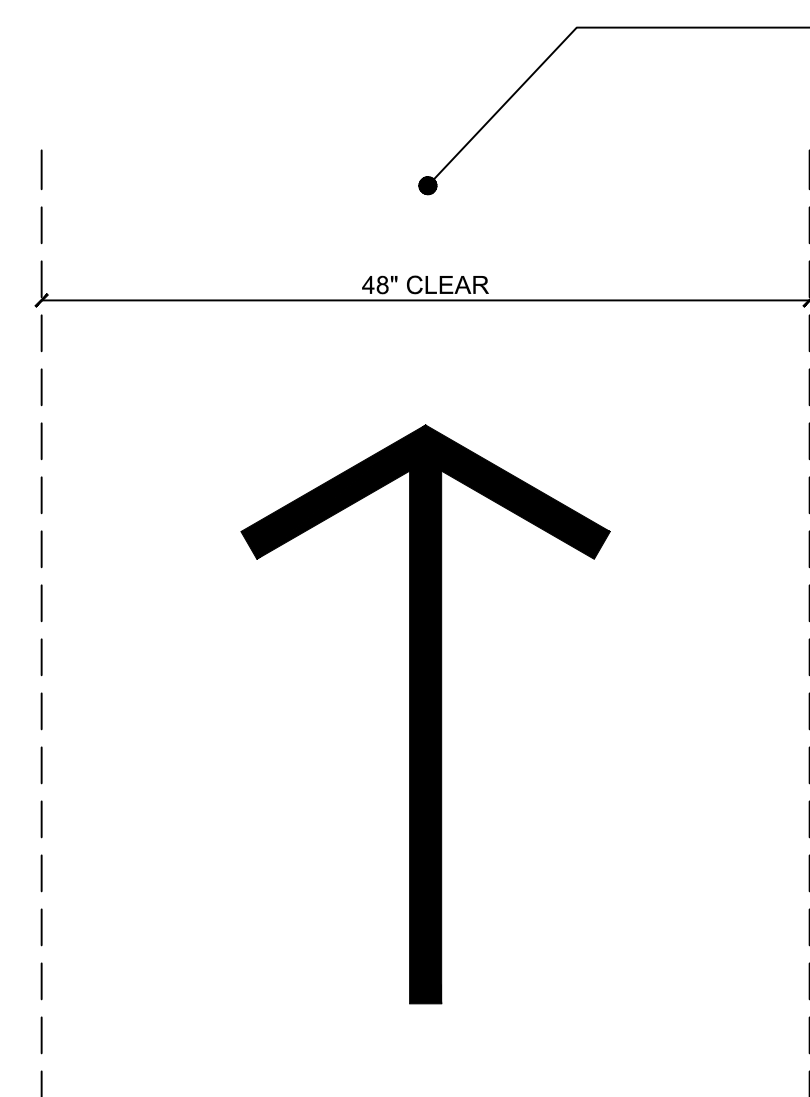


B AT THRESHOLD OR CHANGE OF FLOORING MATERIALS PER CBC 11B-303.2



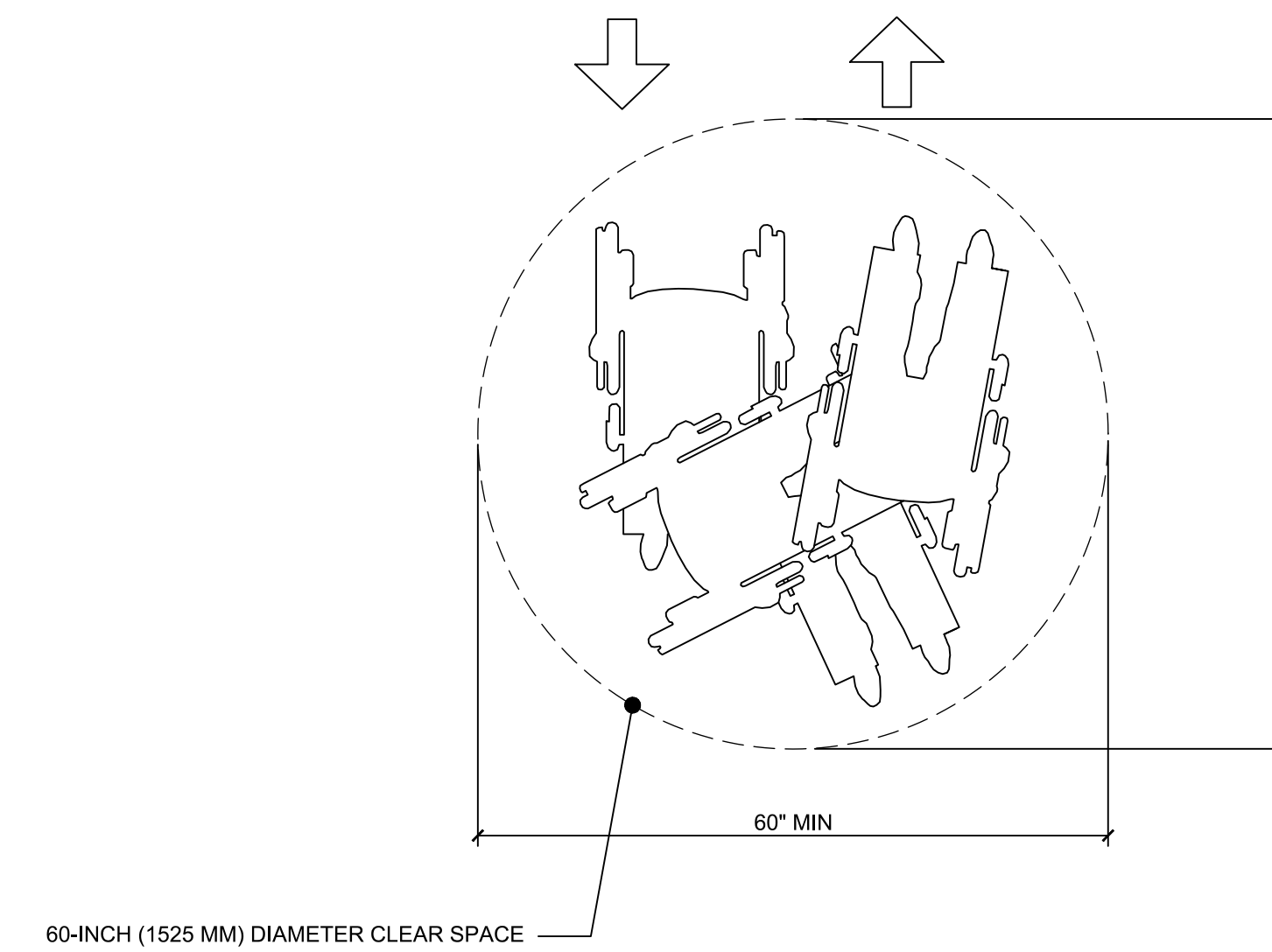
4 ACCESSIBLE ROUTE CHANGES IN LEVEL DETAIL

A502 8" = 1'-0"

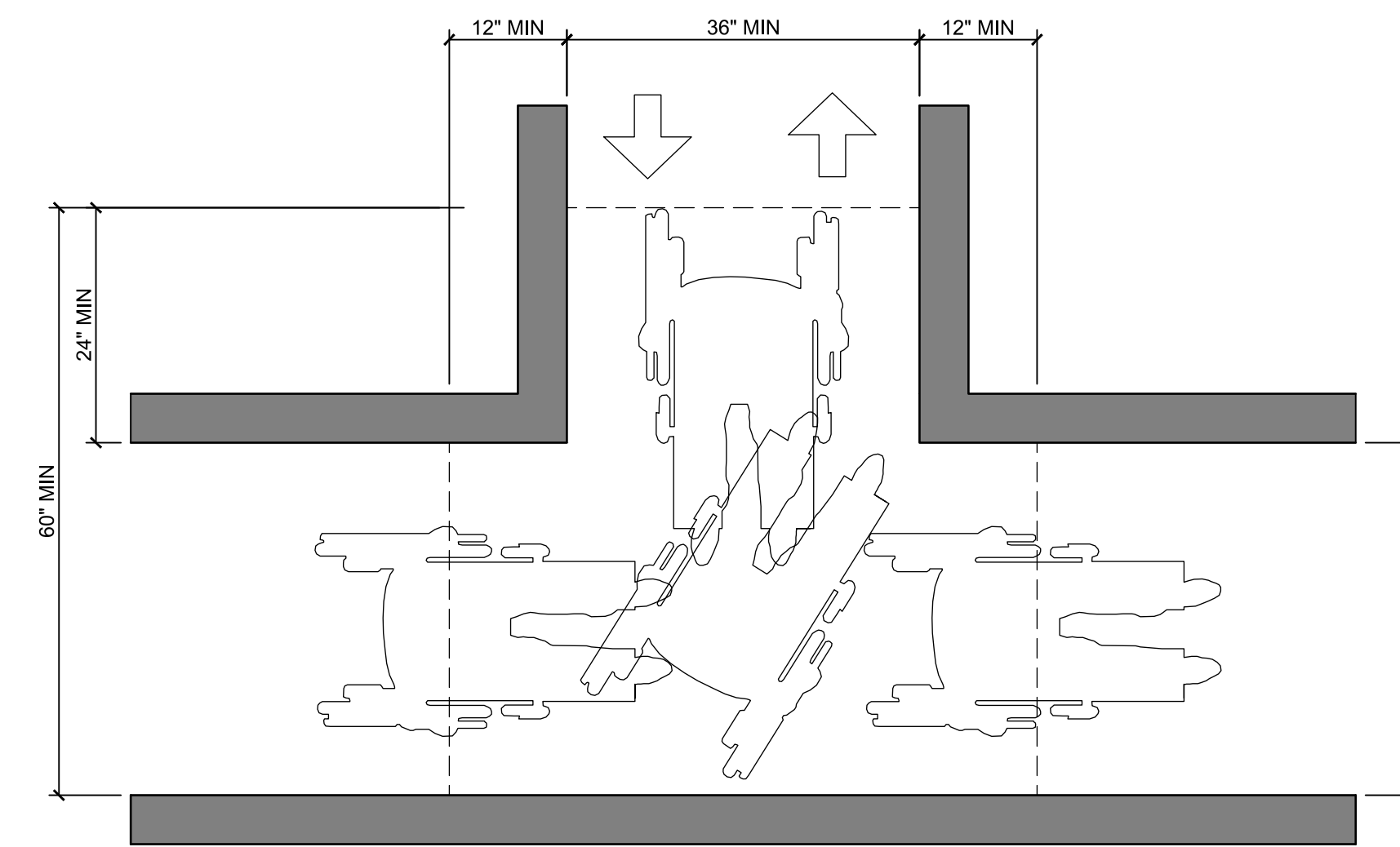


PATH OF TRAVEL NOTES

1. ACCESSIBLE ROUTE OF TRAVEL SHALL BE PROVIDED TO ALL PORTION OF THE BUILDING TO ACCESSIBLE BUILDING ENTRANCES, AND BETWEEN THE BUILDING AND THE PUBLIC WAY. AT LEAST ONE ACCESSIBLE ROUTE SHALL BE PROVIDED WITHIN THE SITE FROM ACCESSIBLE PARKING SPACES AND ACCESSIBLE PASSENGER DROP-OFF AND LOADING ZONES; PUBLIC STREETS AND SIDEWALKS; AND PUBLIC TRANSPORTATION STOPS TO THE ACCESSIBLE BUILDING OR FACILITY ENTRANCE THEY SERVE. (CBC SECTION 11B-206.2.1).
2. PRIMARY ENTRY ACCESS. ALL ENTRANCES AND EXTERIOR GROUND EXITS TO BUILDINGS AND FACILITIES SHALL COMPLY WITH CBC SECTION 11B-206.4.1.
3. WALKS AND SIDEWALKS HAVE A CONTINUOUS COMMON SURFACE, NOT INTERRUPTED BY STEPS OR BY ABRUPT CHANGES IN LEVEL EXCEEDING 1/2" AND SHALL BE A MINIMUM OF 48" INCHES WIDTH. IF WALK OR SIDEWALK HAS LESS THAN 60 INCHES, CLEAR WIDTH THAN PASSING SPACES OF AT LEAST 60 INCHES BY 60 INCHES SHALL BE LOCATED AT REASONABLE INTERVALS NOT TO EXCEED 200 FEET. AN INTERSECTION IS AN ACCEPTABLE PASSING PLACE (CBC SECTION 11B-403.5.3 AND 11B-304.3.2).
4. SURFACES INCLUDING WALKS AND SIDEWALKS, SHALL HAVE SLIP RESISTANT SURFACES. SURFACES WITH A SLOPE OF LESS THAN 6% PERCENT GRADIENT SHALL BE AT LEAST A SLIP RESISTANT AS THAT DESCRIBED AS A MEDIUM SALTED CONCRETE FINISH (CBC SECTION 11B-302).
5. RAMP SURFACE CROSS SLOPES SHALL NOT EXCEED ONE UNIT VERTICAL IN 48 UNITS HORIZONTAL (2-PERCENT SLOPE). (CBC SECTION 11B-405.3).
6. THE RUNNING SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:20. THE CROSS SLOPE OF WALKING SURFACES SHALL NOT BE STEEPER THAN 1:48. (CBC SECTION 11B-403.3).
7. CHANGES IN LEVEL, CHANGES IN LEVEL UP TO 1/2" INCHES MAY BE VERTICAL AND WITHOUT EDGE TREATMENT. CHANGES IN LEVEL BETWEEN 1/2" AND 1/2" INCH SHALL BE BEVELED WITH A SLOPE NO GREATER THAN 1:2. CHANGES IN LEVEL GREATER THAN 1/2" INCH SHALL BE RAMPED AND SHALL COMPLY WITH SECTION 11B-405 AND 11B-406. (CBC SECTION 11B-303.2 AND 11B-303.3)
8. THE CONTRACTOR SHALL VERIFY THAT THE PATH OF TRAVEL INDICATED CONFORM TO THIS CRITERIA.



60-INCH (1525 MM) DIAMETER CLEAR SPACE



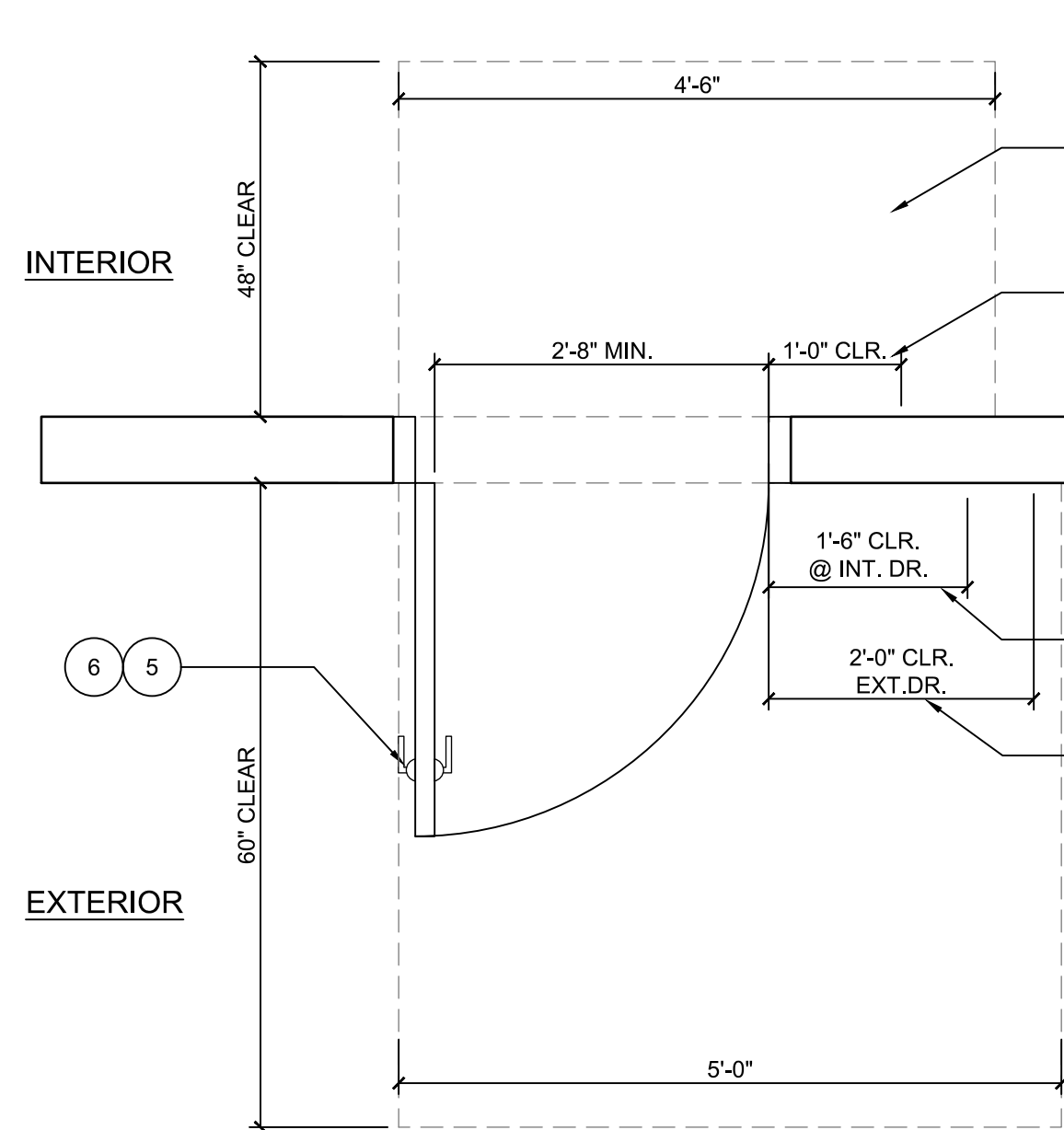
T-SHAPED SPACE FOR 180 DEGREE TURNS

2 WHEELCHAIR TURNING SPACE DETAILS

A502 3/4" - 1'-0"

5 EXTERIOR ACCESSIBLE ROUTE OF TRAVEL DETAIL

A502 1" = 1'-0"



1. CLEAR LANDING AREA AT EXTERIOR DOORS MAX. 1/2" PER FOOT (OR 2.1%) SLOPE IN ALL DIRECTIONS OVER LANDING AREA ON EACH SIDE OF EACH DOOR. FLOOR LEVEL ON EITHER SIDE OF DOOR TO BE NO GREATER THAN 1/2" LOWER THAN THE THRESHOLD
2. PULL SIDE STRIKE EDGE 18" CLEARANCE REQUIRED FOR INTERIOR
3. PULL SIDE STRIKE EDGE 24" CLEARANCE REQUIRED FOR EXTERIOR
4. PUSH SIDE STRIKE EDGE CLEARANCE REQUIRED FOR DOORS WITH CLOSURES AND LATCHES
5. ADA COMPLIANT LEVER STYLE DOOR HARDWARE
6. HANDLE LATCH SHALL BE CENTERED BETWEEN (MIN. 30" TO 44") STANDARD AT 36" ABOVE FINISHED FLOOR

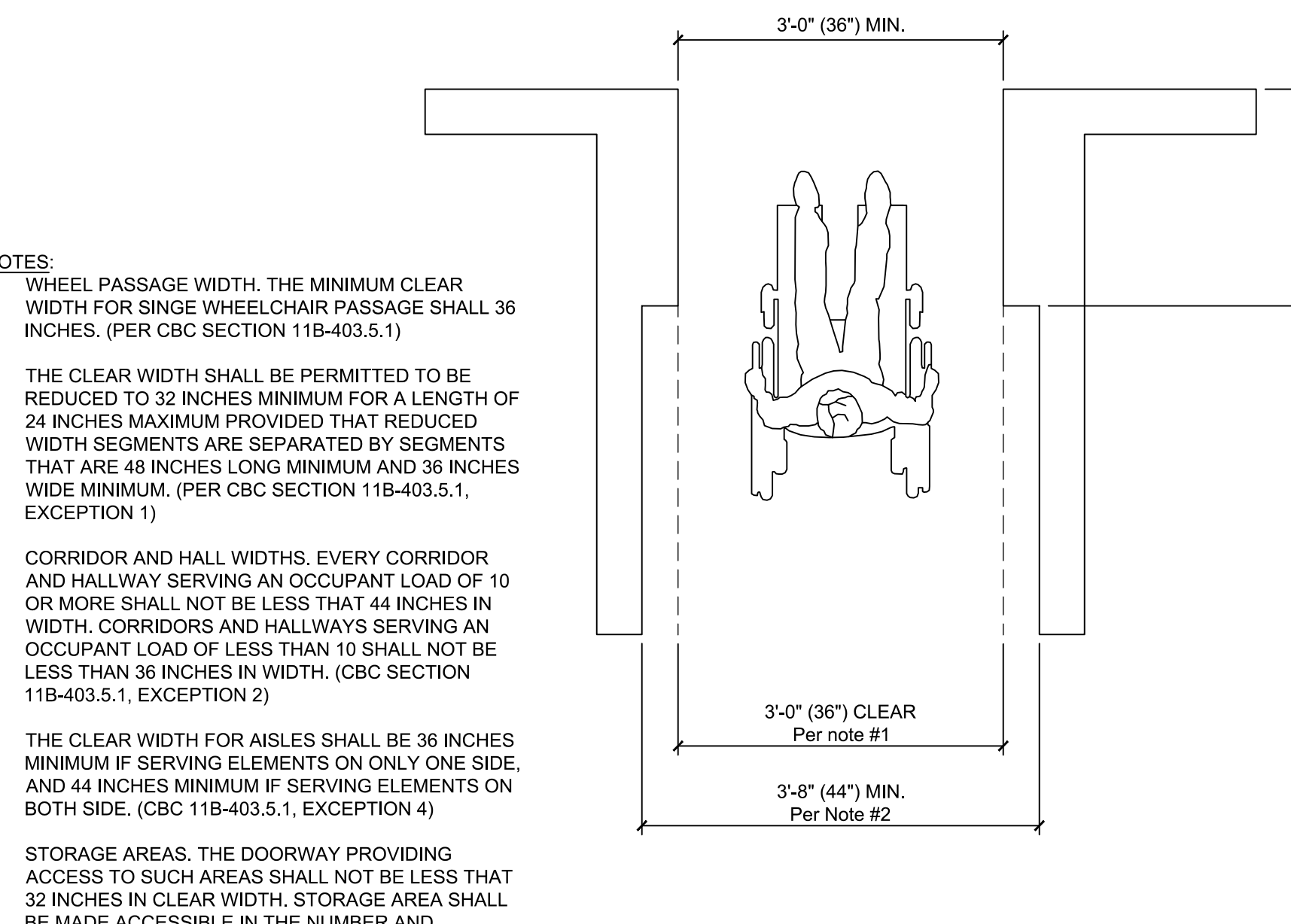
NOTES:  
 A. REFER TO FLOOR PLAN FOR ACTUAL DOOR SWING AND WALL CONFIGURATIONS  
 B. REFER TO DOOR SCHEDULE FOR ACTUAL DOOR SIZE AND SWING.  
 C. DOORS TO COMPLY WITH CBC SECTION 11B-404.

6 ADA DOOR CLEARANCE DETAIL

A502 3/4" - 1'-0"

3 MINIMUM INTERIOR CLEARANCES FOR ACCESSIBLE ROUTES

A502 3/4" - 1'-0"



NOTES:

1. WHEEL PASSAGE WIDTH. THE MINIMUM CLEAR WIDTH FOR SINGLE WHEELCHAIR PASSAGE SHALL 36 INCHES. (PER CBC SECTION 11B-403.5.1)
2. THE CLEAR WIDTH SHALL BE PERMITTED TO BE REDUCED TO 32 INCHES MINIMUM FOR A LENGTH OF 24 INCHES MAXIMUM PROVIDED THAT REDUCED WIDTH SEGMENTS ARE SEPARATED BY SEGMENTS THAT ARE 48 INCHES LONG MINIMUM AND 36 INCHES WIDE MINIMUM. (PER CBC SECTION 11B-403.5.1, EXCEPTION 1)
3. CORRIDOR AND HALL WIDTHS. EVERY CORRIDOR AND HALLWAY SERVING AN OCCUPANT LOAD OF 10 OR MORE SHALL NOT BE LESS THAN 44 INCHES IN WIDTH. CORRIDORS AND HALLWAYS SERVING AN OCCUPANT LOAD OF LESS THAN 10 SHALL NOT BE LESS THAN 36 INCHES IN WIDTH. (CBC SECTION 11B-403.5.1, EXCEPTION 2)
4. THE CLEAR WIDTH FOR AISLES SHALL BE 36 INCHES MINIMUM IF SERVING ELEMENTS ON ONLY ONE SIDE, AND 44 INCHES MINIMUM IF SERVING ELEMENTS ON BOTH SIDE. (CBC 11B-403.5.1, EXCEPTION 4)
5. STORAGE AREAS. THE DOORWAY PROVIDING ACCESS TO SUCH AREAS SHALL NOT BE LESS THAN 32 INCHES IN CLEAR WIDTH. STORAGE AREA SHALL BE MADE ACCESSIBLE IN THE NUMBER AND DIMENSIONS PROVIDED IN CBC SECTION 11B-404.2.3.

TECHNE

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03-29-2022



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 El Cajon, CA 92019

01	12/08/21	1st CUP Submittal
02	03/29/22	2nd CUP Submittal

MARK DATE DESCRIPTION

03/29/22 1:33:30 PM

PROJECT NO: 2121

CAD DWG FILE: A501-A505 DETAILS.DWG

DRAWN BY: A.S., C.G., S.V., D.C., J.A.

CHK'D BY: A.S., M.M.

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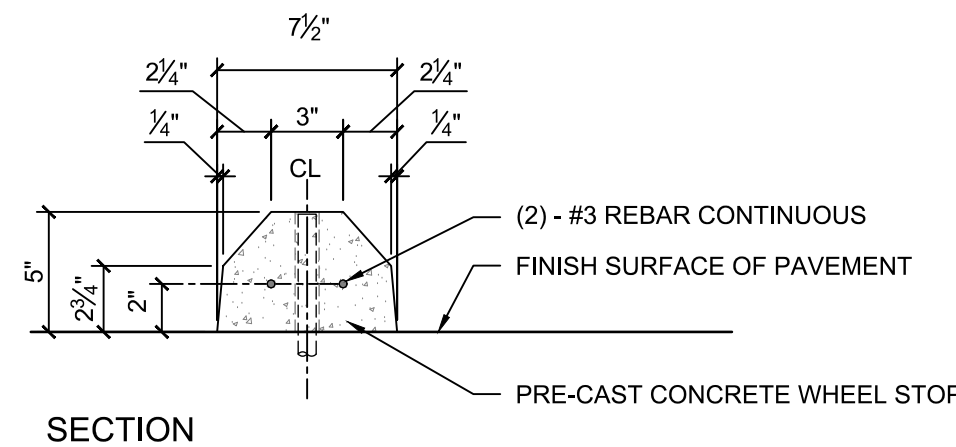
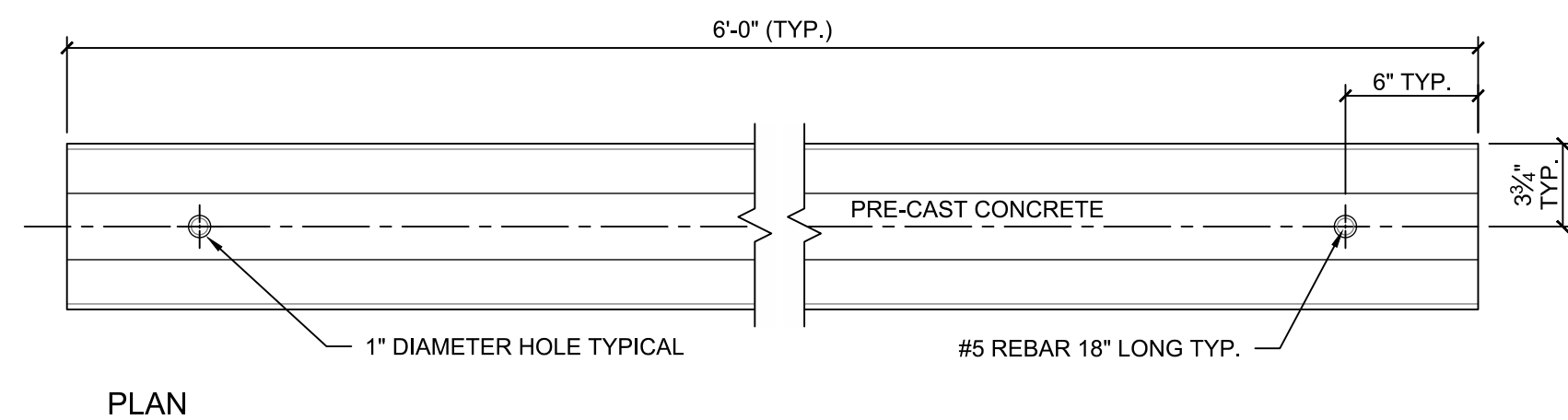
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SHEET 20 OF 27





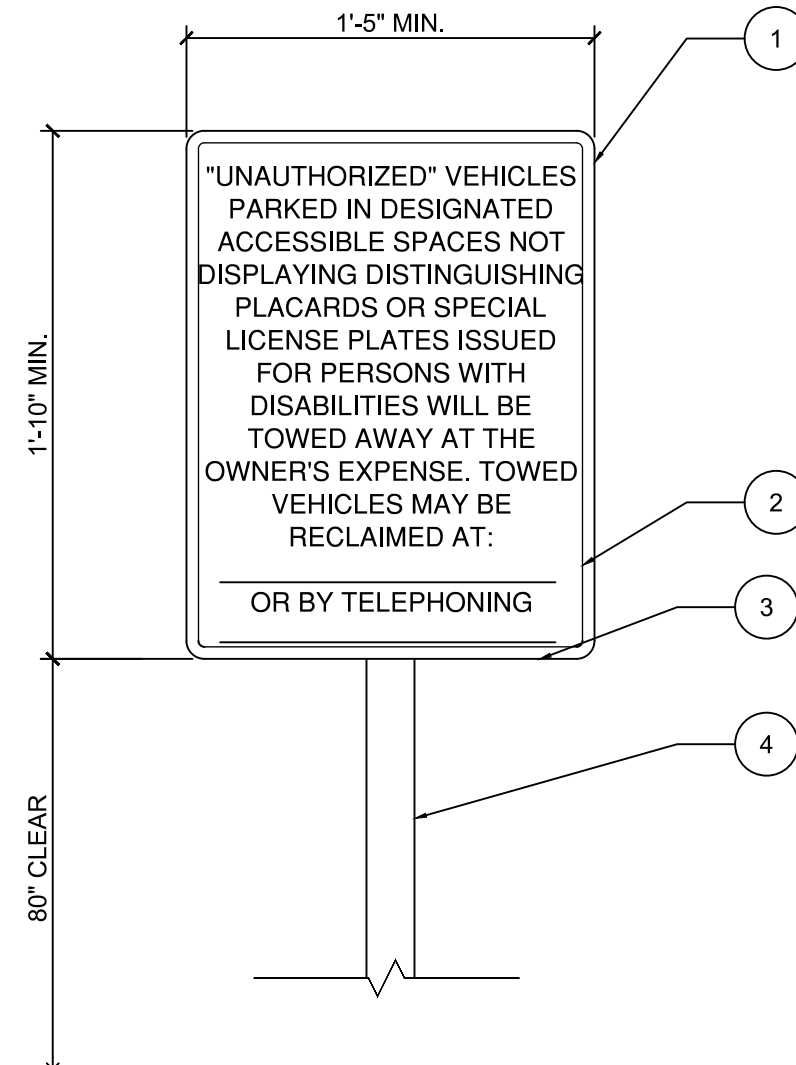




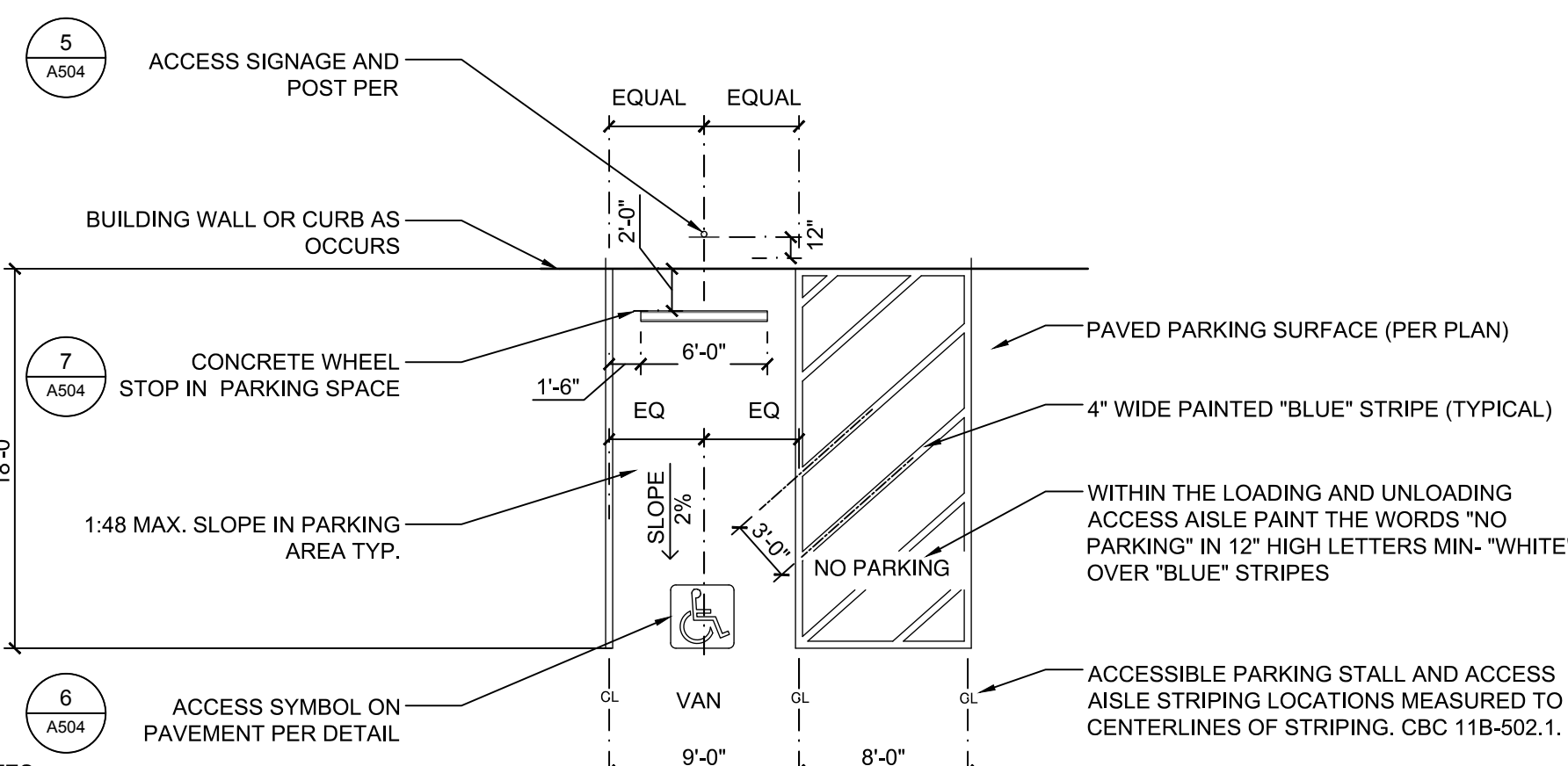
NOTE:  
PROVIDE CONCRETE BUMPERS PER CBC SECTION 11B-502.7.2

7 CONCRETE BUMPER DETAIL  
A504 1/2" = 1'-0"

- REFLECTOR SIGN PANEL SHALL BE CONSTRUCTED OF A MINIMUM .062 (1157MM) THICK ALUMINUM WITH PORCELAIN ENAMEL FINISH WITH "WHITE" BACKGROUND COLOR EQUAL TO NO. 15090 FEDERAL STANDARD 595A
  - 1/2" WIDE "BLACK" BORDER
  - LETTERING "BLACK" IN COLOR NOT LESS THAN 1" HIGH (CHARACTERS SHALL BE "SANS SERIF")
  - 2" X 2" GALVANIZED STEEL TUBE SUPPORT POST - PER 5
- NOTES:  
A. WALL MOUNTED SIGNAGE ASSEMBLY: ATTACH SIGN USING (3) THREE FLATHEAD WOOD SCREWS, ( COUNTERSUNK) AND/ OR ADHESIVE.  
B. SIGN TO BE POSTED IN A CONSPICUOUS PLACE AT EACH ENTRANCE TO AN OFF-STREET PARKING FACILITY OR IMMEDIATELY ADJACENT TO ON-SITE ACCESSIBLE PARKING AND VISIBLE FROM EACH PARKING SPACE.  
C. THE SIGN SHALL BE NOT LESS THAN 17" WIDE BY 22" HIGH (70 SQ. INCHES MINIMUM).  
D. BLANK SPACES SHALL BE FILLED IN WITH THE APPROPRIATE INFORMATION AS A PERMANENT PART OF THE SIGN.  
E. SIGN LETTERING FOR RECLAIM LOCATION AND TELEPHONE NUMBER MUST BE PERMANENT PART OF SIGN, CBC 11B-502.8, CVC.  
F. TEXT INFORMATION TO BE OBTAINED PRIOR TO FABRICATION OF SIGN AND INCLUDED IN THE PERMANENT LETTER

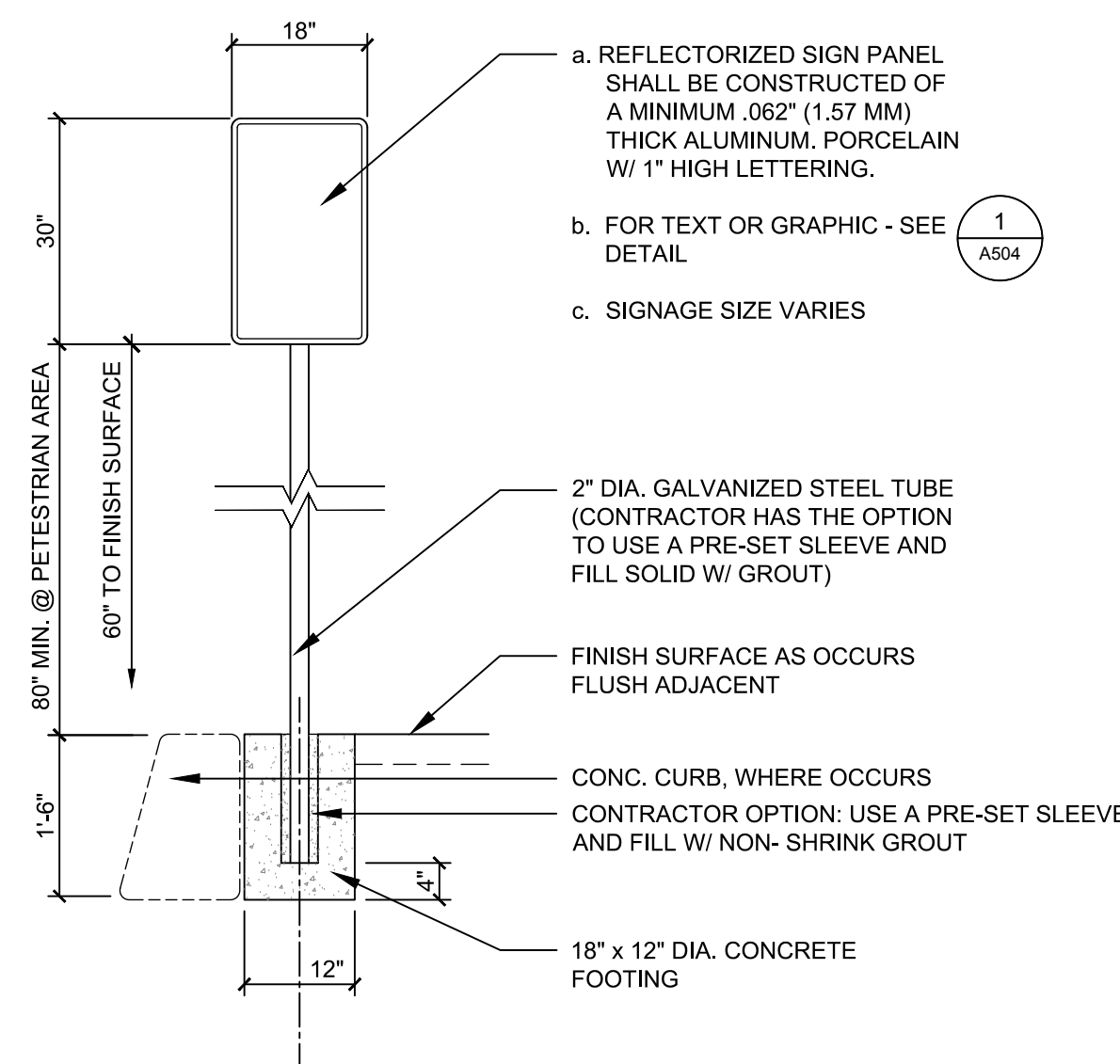


8 "UNAUTHORIZED" VEHICLE PARKING SIGN DETAIL  
A504 1/2" = 1'-0"



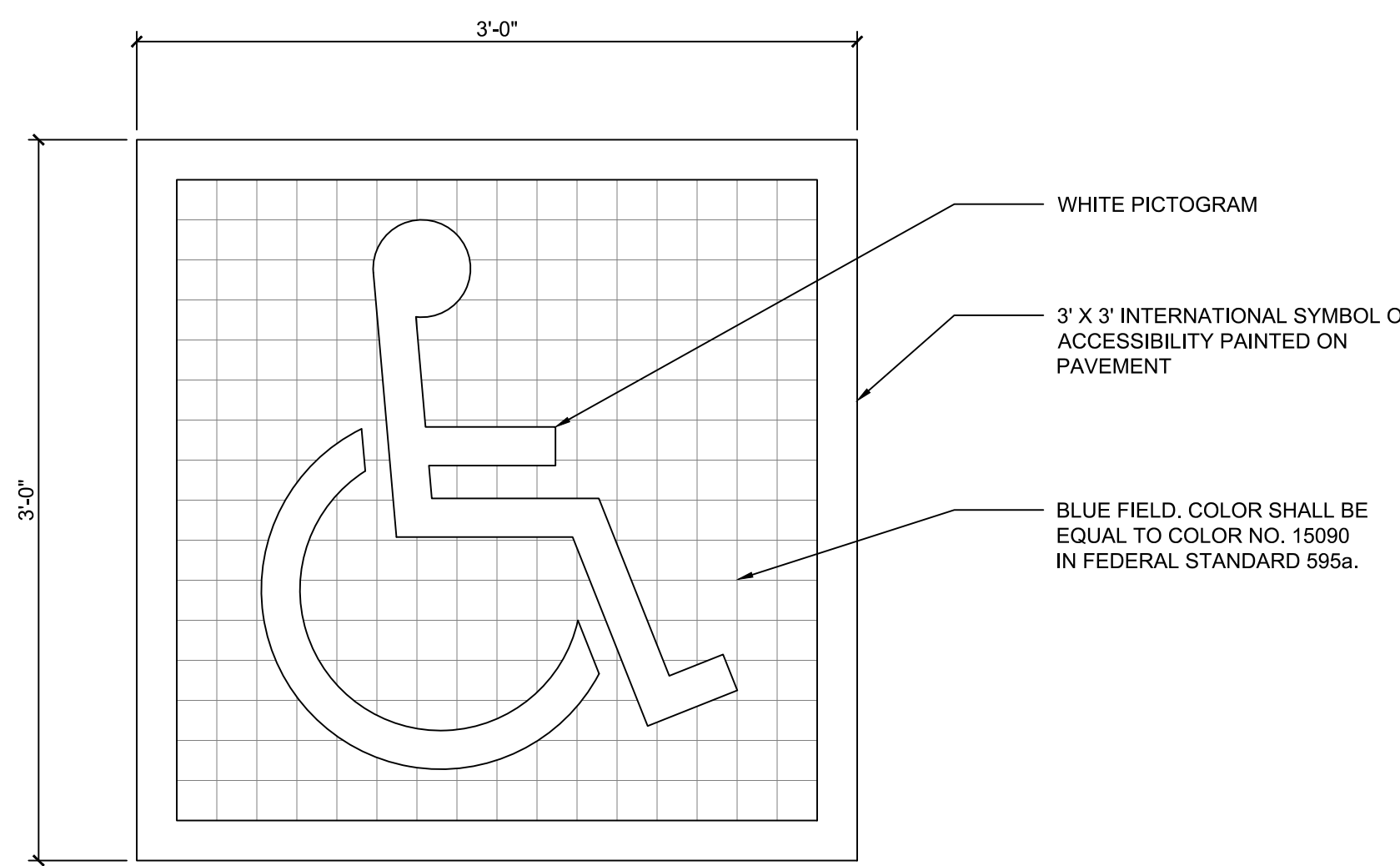
- NOTES:  
A. SURFACE SLOPES OF ACCESSIBLE PARKING SPACES AND ASSESSABLE AISLES SHALL BE THE MINIMUM POSSIBLE AND SHALL NOT EXCEED 1 UNIT VERTICAL TO 48 UNITS HORIZONTAL (2% SLOPE) IN ANY DIRECTION. (CBC SEC. 11B-403.3 AND 11B-502.4)  
B. FOR APPROPRIATE RAMP ALTERNATE - CONFORM TO TOPOGRAPHICAL CONDITIONS, SEE SAN DIEGO COUNTY REGIONAL STANDARD DRAWING G-27 THROUGH G-30.  
C. BLUE COLOR SHOULD MATCH COLOR NO. 15090 IN THE FEDERAL STANDARD 595C AS SPECIFIED IN SECTIONS 522 (b) S.  
D. IF ONLY ONE ACCESSIBLE PARKING STALL IS GOING TO BE PROVIDED, THE ACCESS AISLE SHALL BE 8' (VAN ACCESSIBLE) AND LOCATED ON THE PASSENGER SIDE. (CBC SEC. 11B-502.3.4)  
E. SIDEWALK CROSS SLOPE SHALL NOT EXCEED 2.0%.  
F. LETTERS CHARACTERS SHALL BE "SANS SERIF".  
G. ACCESS AISLES SHALL BE MARKED WITH A BLUES PAINTED BORDERLINE AROUND THEIR PERIMETER. THE AREA WITHIN THE BLUE BORDERLINES SHALL BE MARKED WITH HATCHED LINES A MAXIMUM OF 36 INCHES ON CENTER IN A COLOR CONTRASTING WITH THAT OF THE AISLE SURFACE, PREFERABLY BLUE OR WHITE. THE WORDS "NO PARKING" SHALL BE PAINTED ON THE SURFACE WITHIN EACH ACCESS AISLE IN WHITE LETTERS A MINIMUM OF 12 INCHES IN HEIGHT AND LOCATED TO BE VISIBLE FROM THE ADJACENT VEHICULAR WAY. ACCESS AISLE MARKING MAY EXTEND BEYOND THE MINIMUM REQUIRED LENGTH. (CBC SEC. 11B-502.3.3)

4 VAN ACCESSIBLE 90 DEGREE PARKING STALL DETAIL  
A504 1/8" = 1'-0"



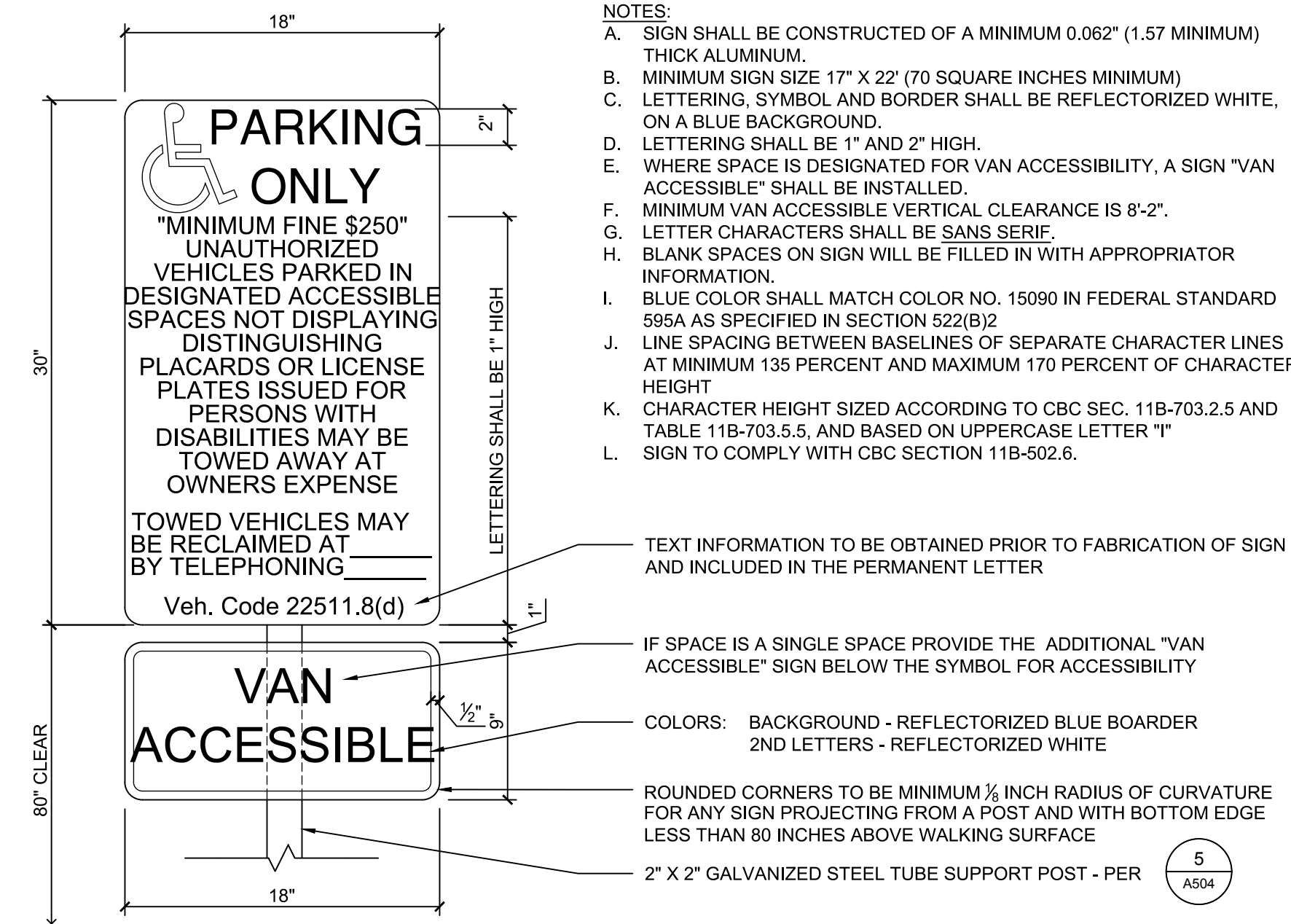
NOTE:  
A. PROVIDE (2) TWO FACEPLATE BACK-TO-BACK WHEN SIGN POST IS PERPENDICULAR TO PATH OF TRAVEL

5 ACCESSIBLE PARKING SPACE SIGN POST MOUNTING DETAIL  
A504 1/2" = 1'-0"



NOTE:  
GRID LINES ARE SHOWN FOR PROPORTION ONLY AND ARE NOT TO APPEAR AS PART OF SYMBOL. DISABLED SIGNAGE SHALL COMPLY WITH SECTION 7102 TITLE 24 CCR.

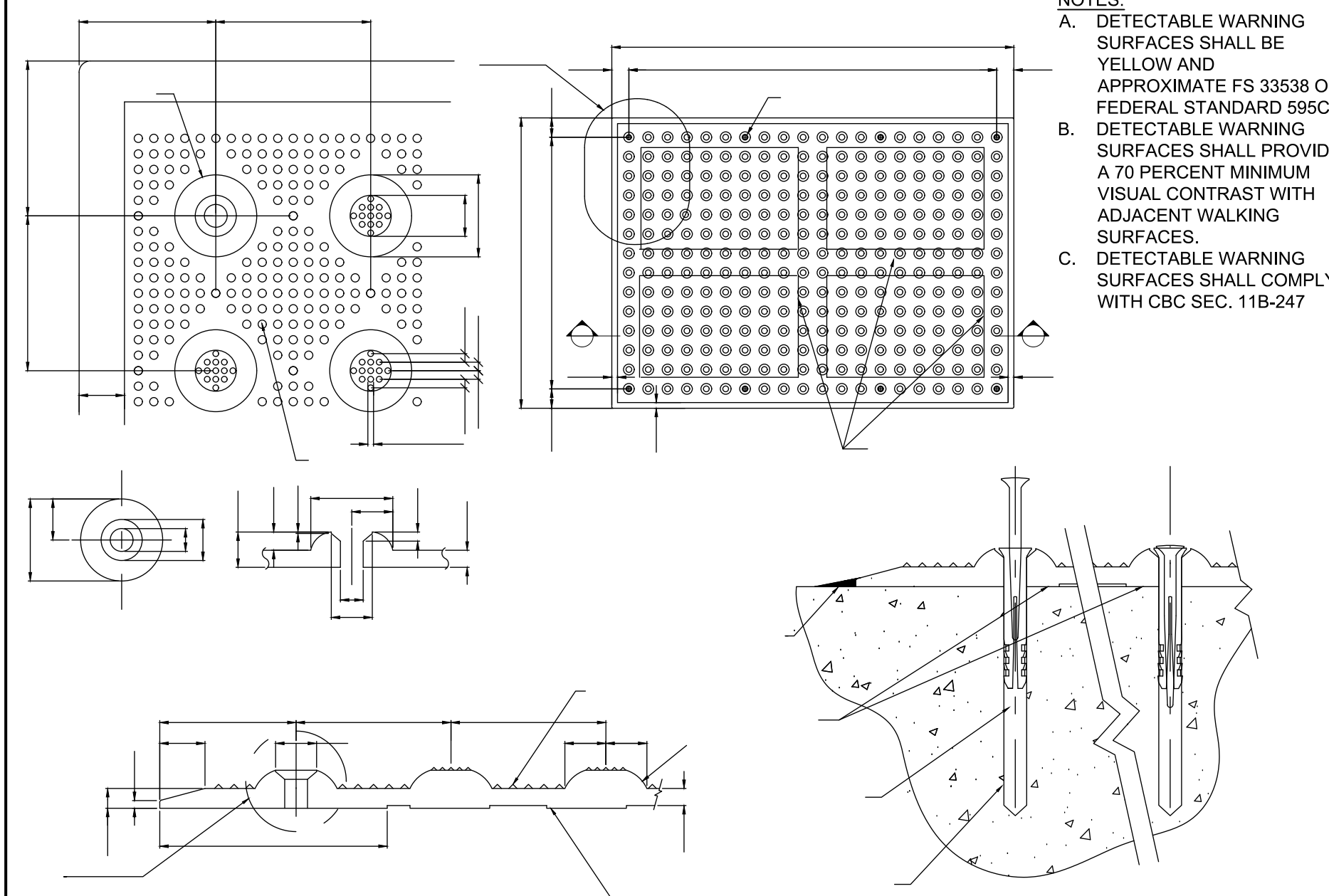
6 ACCESSIBLE PARKING SYMBOL DETAIL  
A504 1/2" = 1'-0"



- NOTES:  
A. SIGN SHALL BE CONSTRUCTED OF A MINIMUM 0.062" (1.57 MINIMUM) THICK ALUMINUM.  
B. MINIMUM SIGN SIZE 17" X 22" (70 SQUARE INCHES MINIMUM)  
C. LETTERING, SYMBOL AND BORDER SHALL BE REFLECTORIZED WHITE, ON A BLUE BACKGROUND.  
D. LETTERING SHALL BE 1" AND 2" HIGH.  
E. WHERE SPACE IS DESIGNATED FOR VAN ACCESSIBILITY, A SIGN "VAN ACCESSIBLE" SHALL BE INSTALLED.  
F. MINIMUM VAN ACCESSIBLE VERTICAL CLEARANCE IS 8'-2".  
G. LETTER CHARACTERS SHALL BE SANS SERIF.  
H. BLANK SPACES ON SIGN WILL BE FILLED IN WITH APPROPRIATOR INFORMATION.  
I. BLUE COLOR SHALL MATCH COLOR NO. 15090 IN FEDERAL STANDARD 595A AS SPECIFIED IN SECTION 522(B)2  
J. LINE SPACING BETWEEN BASELINES OF SEPARATE CHARACTER LINES AT MINIMUM 135 PERCENT AND MAXIMUM 170 PERCENT OF CHARACTER HEIGHT  
K. CHARACTER HEIGHT SIZED ACCORDING TO CBC SEC. 11B-703.2.5 AND TABLE 11B-703.5.5, AND BASED ON UPPERCASE LETTER "I" SIGN TO COMPLY WITH CBC SECTION 11B-502.6.

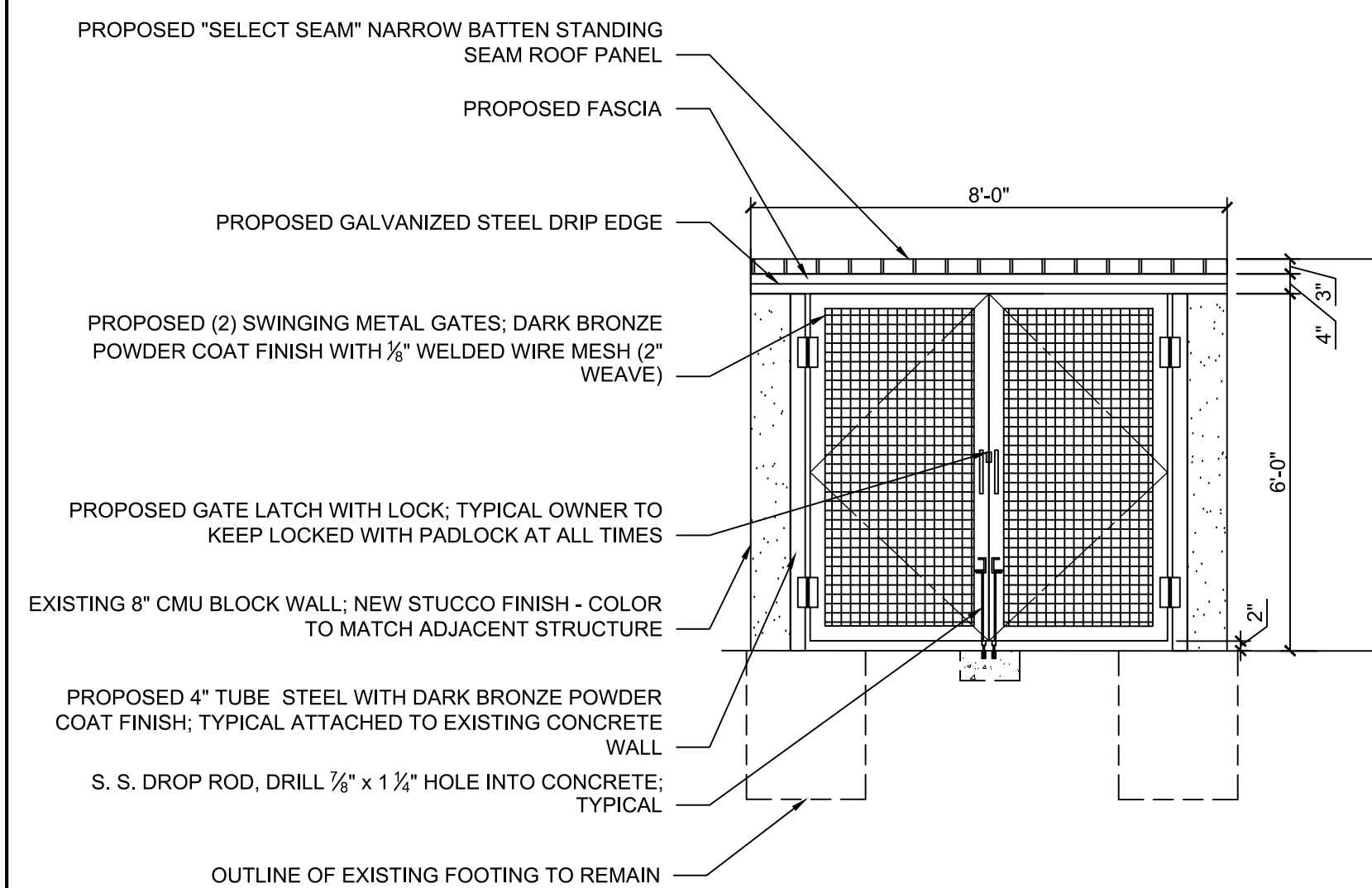
TEXT INFORMATION TO BE OBTAINED PRIOR TO FABRICATION OF SIGN AND INCLUDED IN THE PERMANENT LETTER  
IF SPACE IS A SINGLE SPACE PROVIDE THE ADDITIONAL "VAN ACCESSIBLE" SIGN BELOW THE SYMBOL FOR ACCESSIBILITY  
COLORS: BACKGROUND - REFLECTORIZED BLUE BOARDER 2ND LETTERS - REFLECTORIZED WHITE  
ROUNDED CORNERS TO BE MINIMUM 1/4" INCH RADIUS OF CURVATURE FOR ANY SIGN PROJECTING FROM A POST AND WITH BOTTOM EDGE LESS THAN 80 INCHES ABOVE WALKING SURFACE  
2" X 2" GALVANIZED STEEL TUBE SUPPORT POST - PER 5

1 ACCESSIBLE PARKING ONLY SIGNAGE  
A504 1/2" = 1'-0"



- NOTES:  
A. DETECTABLE WARNING SURFACES SHALL BE YELLOW AND APPROXIMATE FS 33538 OF FEDERAL STANDARD 595C.  
B. DETECTABLE WARNING SURFACES SHALL PROVIDE A 70 PERCENT MINIMUM VISUAL CONTRAST WITH ADJACENT WALKING SURFACES.  
C. DETECTABLE WARNING SURFACES SHALL COMPLY WITH CBC SEC. 11B-247

2 TACTILE WARNING SURFACE TILE DETAIL  
A504 NTS



3 TRASH ENCLOSURE GATE ELEVATION - 01  
A504 3/8" = 1'-0"

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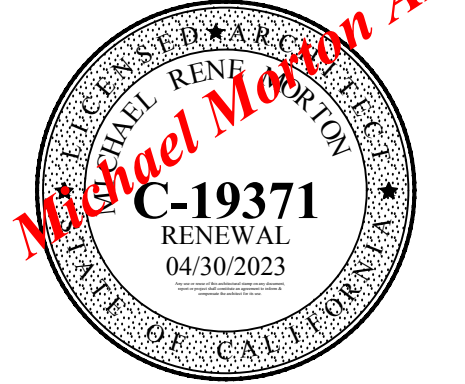
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SHEET 22 OF 27



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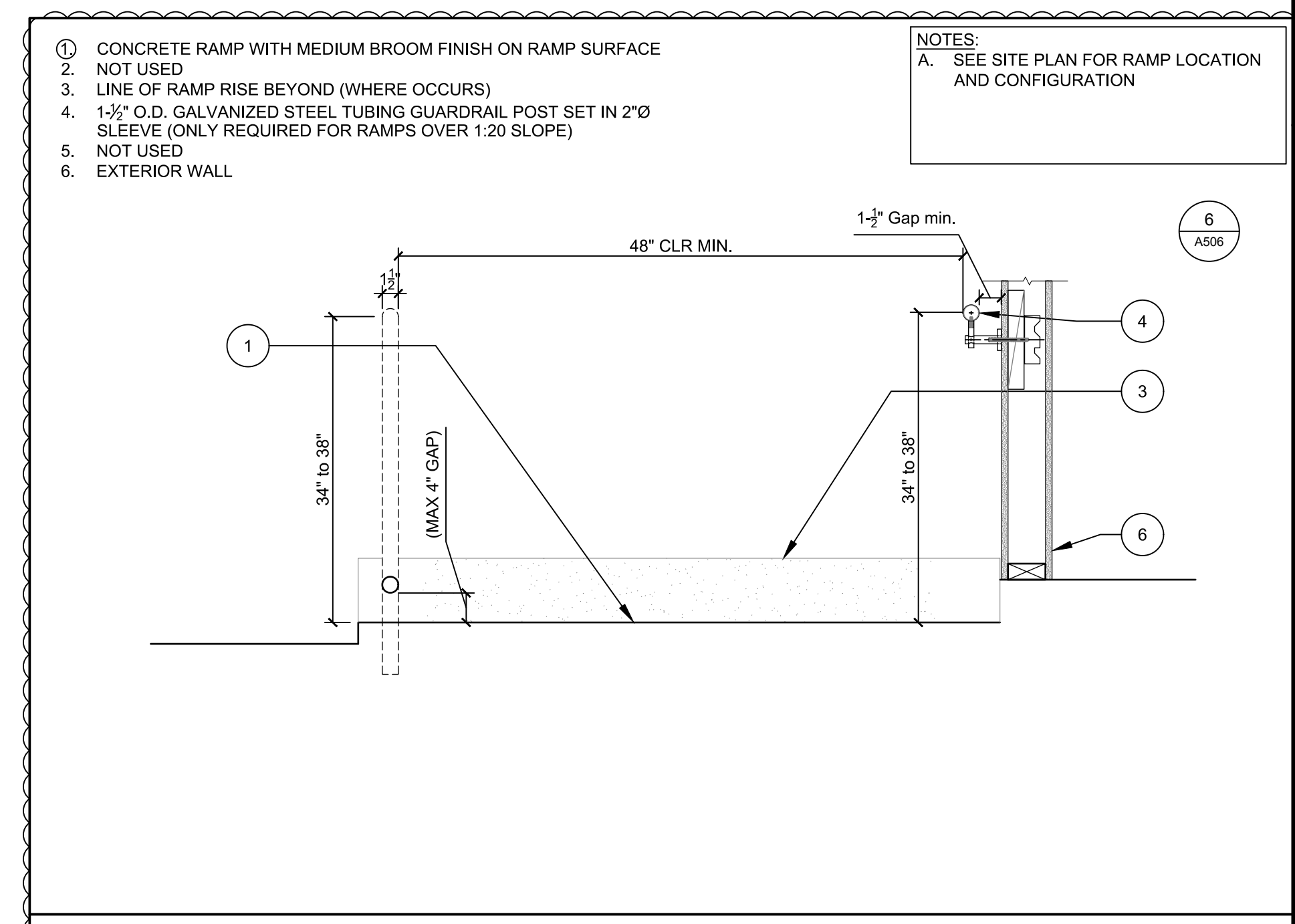
03-29-2022



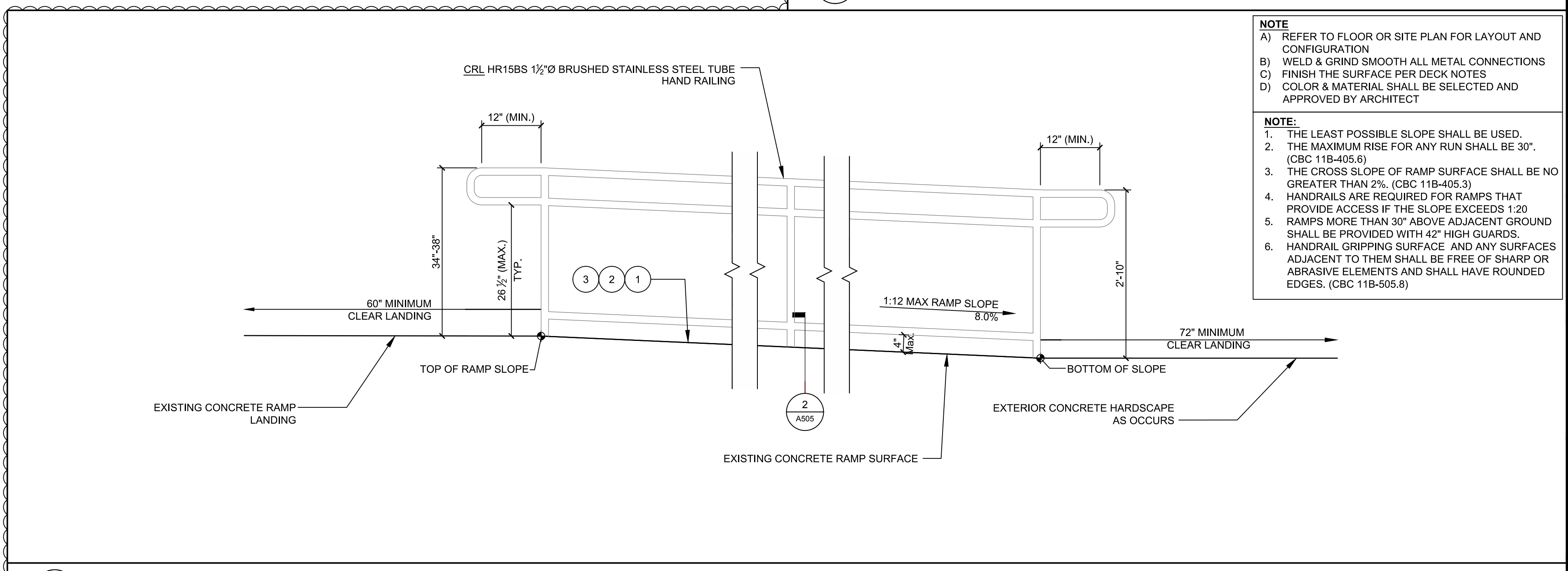
8290 Broadway,  
 Lemon Grove, CA 91945

APPLICANT

Rita Hirmez & Sabah Toma  
 2424 Cerro Sereno,  
 El Cajon, CA 92019



2 ACCESSIBLE RAMP SECTION DETAIL  
 A505 1" = 1'-0"



6 ADA RAMP HANDRAIL DETAIL  
 A505 3/4" = 1'-0"

- NOTE:**
- A) REFER TO FLOOR OR SITE PLAN FOR LAYOUT AND CONFIGURATION
  - B) WELD & GRIND SMOOTH ALL METAL CONNECTIONS
  - C) FINISH THE SURFACE PER DECK NOTES
  - D) COLOR & MATERIAL SHALL BE SELECTED AND APPROVED BY ARCHITECT
- NOTE:**
- 1. THE LEAST POSSIBLE SLOPE SHALL BE USED.
  - 2. THE MAXIMUM RISE FOR ANY RUN SHALL BE 30". (CBC 11B-405.6)
  - 3. THE CROSS SLOPE OF RAMP SURFACE SHALL BE NO GREATER THAN 2%. (CBC 11B-405.3)
  - 4. HANDRAILS ARE REQUIRED FOR RAMPS THAT PROVIDE ACCESS IF THE SLOPE EXCEEDS 1:20
  - 5. RAMPS MORE THAN 30" ABOVE ADJACENT GROUND SHALL BE PROVIDED WITH 42" HIGH GUARDS.
  - 6. HANDRAIL GRIPPING SURFACE AND ANY SURFACES ADJACENT TO THEM SHALL BE FREE OF SHARP OR ABRASIVE ELEMENTS AND SHALL HAVE ROUNDED EDGES. (CBC 11B-505.8)

MARK	DATE	DESCRIPTION
01	12.08.21	1st CUP Submittal
02	03.29.22	2nd CUP Submittal

PROJECT NO:	2121
CAD DWG FILE:	A501-A505 DETAILS.DWG
DRAWN BY:	A.S., C.G., S.V., D.C., J.A.
CHK'D BY:	A.S., M.M.

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SHEET TITLE  
**DETAILS**





1 EXTERIOR RENDERING- DAYLIGHT VIEW  
N.T.S.

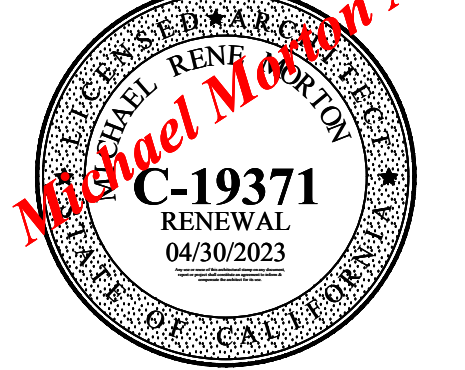
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PROJECT NO: 2121  
 CAD DWG FILE: A901 - A902 RENDERING - PROPOSED.DWG  
 DRAWN BY: A.S., C.G., S.V., D.C., J.A.  
 CHK'D BY: A.S., M.M.

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SHEET TITLE  
 RENDERING -  
 PROPOSED

A901  
 SHEET 24 OF 27





1 EXTERIOR RENDERING- NIGHT VIEW  
N.T.S.

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PROJECT NO: 2121

CAD DWG FILE: A901 - A902 RENDERING - PROPOSED DWG

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SHEET TITLE

RENDERING -  
 PROPOSED

A902

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CONSULTANTS



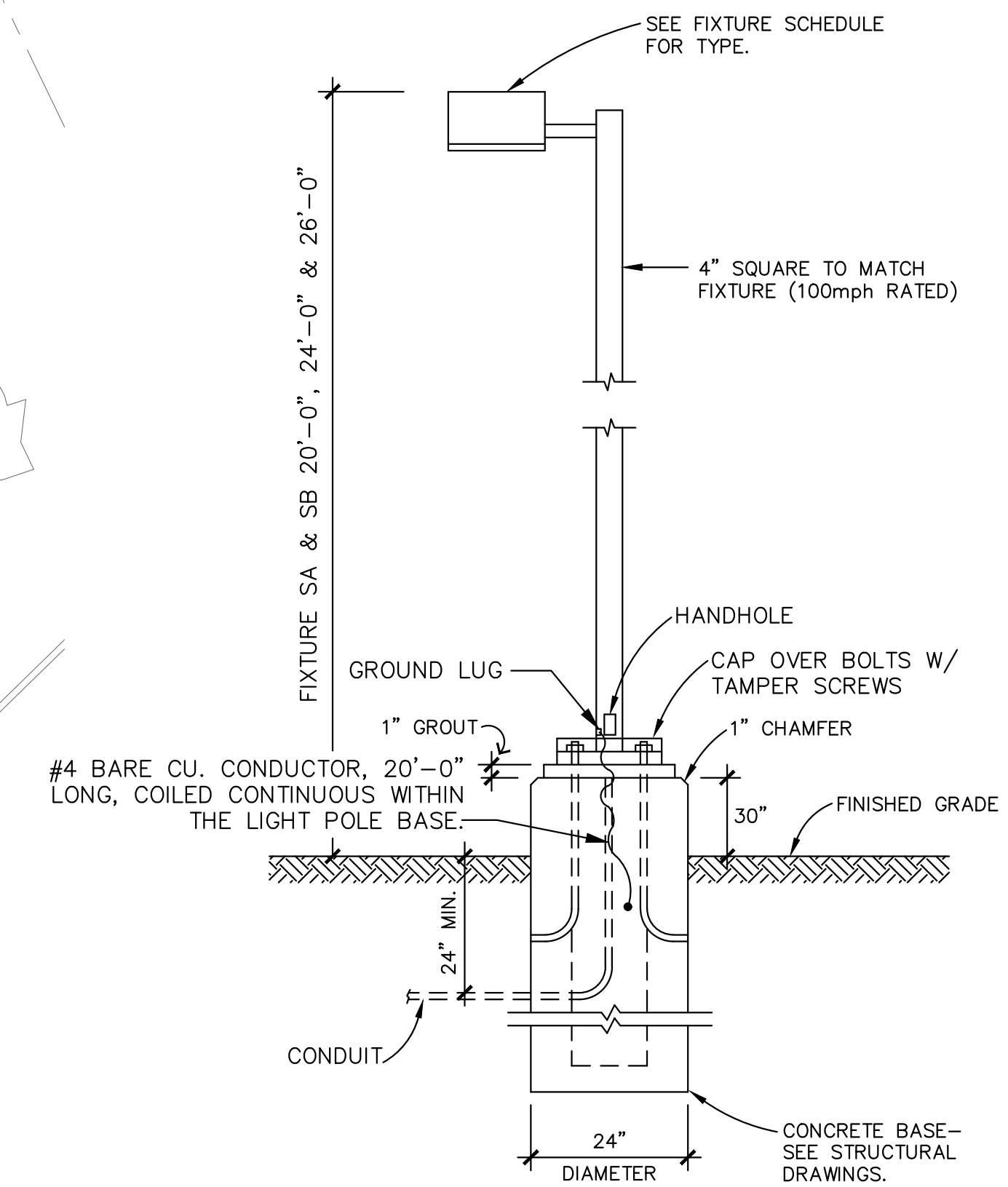
8290 Broadway,  
Lemon Grove, CA 91945

APPLICANT

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El Cajon, CA 92019

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
□	SA	2	Lithonia Lighting	DSXO LED P6 40K T5W MVOLT SPA (FINISH) / MOUNTED TO EXISTING POLE 24" AFG	DSXO LED P6 40K T5W MVOLT	LED - 4000K	DSXO_LED_P6_40K_T5W_MVOLT.jies	16466	0.91	134
□	SB	1	Lithonia Lighting	DSXO LED P6 40K T2M MVOLT SPA HS (FINISH) / MOUNTED TO EXISTING POLE 24" AFG	DSXO LED P6 40K T2M MVOLT with houseside shield	LED - 4000K	DSXO_LED_P6_40K_T2M_MVOLT_HS.jies	13054	0.91	134
□	SC	7	Lithonia Lighting	WDGE2 LED P1 40K 80CRI TFTM MVOLT (FINISH)	WDGE2 LED WITH P1 - PERFORMANCE PACKAGE, 4000K, 80CRI, TYPE FORWARD THROW MEDIUM OPTIC	LED - 4000K	WDGE2_LED_P1_40K_80CRI_TFTM.jies	1245	0.91	11.1658
□	SCE	1	Lithonia Lighting	WDGE2 LED P1 40K 80CRI TFTM MVOLT EZOWC (FINISH)	WDGE2 LED WITH P1 - PERFORMANCE PACKAGE, 4000K, 80CRI, TYPE FORWARD THROW MEDIUM OPTIC W/EM BATTERY PACK	LED - 4000K	WDGE2_LED_P1_40K_80CRI_TFTM.jies	1245	0.91	11.1658
□	SD	2	Lithonia Lighting	WDGE2 LED P3 40K 80CRI TFTM MVOLT (FINISH)	WDGE2 LED WITH P3 - PERFORMANCE PACKAGE, 4000K, 80CRI, TYPE FORWARD THROW MEDIUM OPTIC	LED - 4000K	WDGE2_LED_P3_40K_80CRI_TFTM.jies	3166	0.91	32.1375
□	SF	1	Lithonia Lighting	WDGE2 LED P3 40K 80CRI T2M MVOLT (FINISH)	WDGE2 LED WITH P3 - PERFORMANCE PACKAGE, 4000K, 80CRI, TYPE 2 MEDIUM OPTIC	LED - 4000K	WDGE2_LED_P3_40K_80CRI_T2M.jies	3215	0.91	32.1375

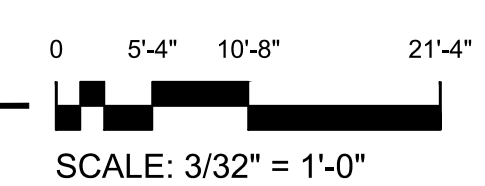
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
SITE - FC @ GRADE	+	1.7 fc	5.5 fc	0.1 fc	55.0:1	17.0:1



**LIGHT POLE AND FIXTURE SA & SB**

NOTE: CONTRACTOR SHALL PROVIDE NEW POLE BASES WHERE INDICATED ON PLANS. LIGHTING FIXTURE POLE DETAILS AND DESCRIPTIONS ARE FOR ELECTRICAL REFERENCES ONLY. THE POLE AND BASE SHALL BE DESIGNED BY A STRUCTURAL ENGINEER REGISTERED IN THE STATE OF ARIZONA AND BE STAMPED AND SEALED ACCORDINGLY AS A DEFERRED SUBMITTAL.

1 SITE PLAN - EXISTING  
SCALE: 3/32" = 1'-0"



**ARBILI Engineering**  
Project Number: 21751 | Project Manager: RMS  
7328 E Stetson Dr., Scottsdale, AZ 85251  
P: 480.626.7072 | ardebilieng.com

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**PHOTOMETRIC PLAN**

E0.1  
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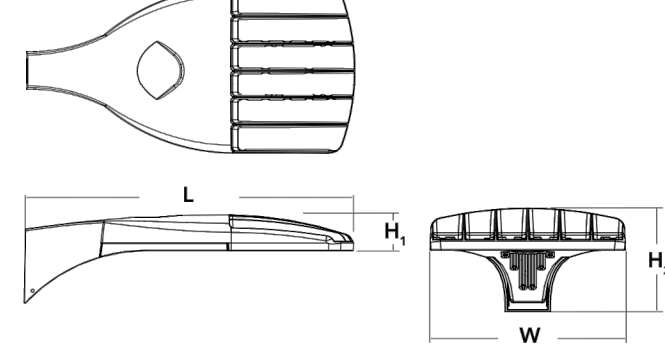


### D-Series Size 0 LED Area Luminaire



#### Specifications

EPA: 0.95 ft<sup>2</sup> (0.09m<sup>2</sup>)  
 Length: 26" (0.66m)  
 Width: 13" (0.33m)  
 Height: 3" (0.08m)  
 Height: 7" (0.18m)  
 Weight: 16 lbs (7.2kg)  
 (max)



Category: SA & SB

#### Introduction

The modern styling of the D-Series is striking yet unobtrusive - making a bold, progressive statement even as it blends seamlessly with its environment. The D-Series distills the benefits of the latest in LED technology into a high performance, high efficacy, long-life luminaire. The outstanding photometric performance results in sites with excellent uniformity, greater pole spacing and lower power density. It is ideal for replacing up to 400W metal halide with typical energy savings of 70% and expected service life of over 100,000 hours.

#### Ordering Information

EXAMPLE: D SX0 LED P6 40K T3M MVOLT SPA NLTAIR2 PIRHN DBBXD

Series	LEDs	Color temperature	Distribution	TS	Type V short <sup>1</sup>	MMVOLT	Shipping included		
DSX0 LED	Forward optics	30K 3000K	T1S	Type I short	TSS	Type V short <sup>1</sup>	MMVOLT (120V-277V) <sup>10</sup>	<b>Shipped included</b> SPA Square pole mounting RPA Round pole mounting <sup>11</sup> WBA Wall bracket <sup>12</sup> SPUMBA Square pole universal mounting adaptor <sup>13</sup> RPUMBA Round pole universal mounting adaptor <sup>14</sup> <b>Shipped separately</b> KMAA DBBXD <sup>15</sup> Mast arm mounting bracket adaptor (specify finish) <sup>16</sup>	
		40K 4000K	T2S	Type II short	TSM	Type V medium <sup>1</sup>	XXVOLT (277V-480V) <sup>10A</sup>		
	P2 P6	50K 5000K	T2M	Type II medium	TSM	Type V wide <sup>1</sup>	120 <sup>8</sup>		
	P4		T3S	Type III short	BLC	Backlight control <sup>1</sup>	208 <sup>8</sup>		
	Related optics			T3M	Type III medium	LCCO	Left corner cutoff <sup>1</sup>		240 <sup>8</sup>
		P10 <sup>17</sup>		T4M	Type IV medium	RCCO	Right corner cutoff <sup>1</sup>		277 <sup>8</sup>
		P11 <sup>17</sup>		T5M	Type V medium				342 <sup>8</sup>
		P11 <sup>17</sup>		T5V	Type V very short <sup>1</sup>				480 <sup>8</sup>

Control options	Other options	Finish
<b>Shipped installed</b> NLTAIR2 180° tilt All generation 2 enabled <sup>18A</sup> PIRHN Network, high/low motion/ambient sensor <sup>18B</sup> PER NEMA twist-lock receptacle only (control ordered separately) <sup>18C</sup> PER5 Five-pin receptacle only (control ordered separately) <sup>18D</sup> PER7 Seven-pin receptacle only (twak exit forward) (control ordered separately) <sup>18E</sup> DMG 0-10V dimming extend out back of housing for external control (control ordered separately) <sup>18F</sup>	PIR High/low motion/ambient sensor 8-15' mounting height, ambient sensor enabled at 16" <sup>19</sup> PRH High/low motion/ambient sensor 15-30' mounting height, ambient sensor enabled at 16" <sup>19</sup> PIRHFCV High/low motion/ambient sensor 8-15' mounting height, ambient sensor enabled at 16" <sup>19</sup> PIRHFCV High/low motion/ambient sensor 15-30' mounting height, ambient sensor enabled at 16" <sup>19</sup> FAO Field adjustable output <sup>20</sup>	<b>Shipped installed</b> DBBXD Dark bronze DBLKD Black DNAXD Natural aluminum DWHXD White DWHXD Textured dark bronze DRBLD Textured dark black DNATXD Textured natural aluminum DWHQXD Textured white <b>Shipped separately</b> BS Ball cap <sup>21</sup> EGS External glare shield

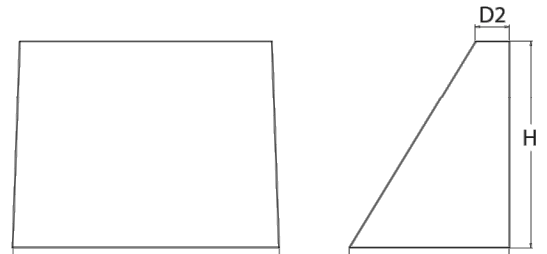


### WDGE2 LED Architectural Wall Sconce Precision Refractive Optic



#### Specifications

Depth (D1): 7"  
 Depth (D2): 1.5"  
 Height: 9"  
 Width: 11.5"  
 Weight: 13.5 lbs (without options)



Category Number: SC&SCE&SD&SF

#### Introduction

The WDGE LED family is designed to meet specifier's every wall-mounted lighting need in a widely accepted shape that blends with any architecture. The clean rectangular design comes in four sizes with lumen packages ranging from 1,200 to 25,000 lumens, providing a true site-wide solution. Embedded with rLight® AIR wireless controls, the WDGE family provides additional energy savings and code compliance. WDGE2 with industry leading precision refractive optics provides great uniform distribution and optical control. When combined with multiple integrated emergency battery backup options, including an 18W cold temperature option, the WDGE2 becomes the ideal wall-mounted lighting solution for pedestrian scale applications in any environment.

#### WDGE LED Family Overview

Luminaire	Optics	Standard EM, 0°C	Cold EM, 20°C	Sensor	Approximate Lumens (4000K, 80CRI)						
					P0	P1	P2	P3	P4	P5	
WDGE1 LED	Visual Comfort	4W		--	750	1,200	2,000	--	--	--	--
WDGE2 LED	Visual Comfort	10W	18W	Standalone / rLight	--	1,200	2,000	3,000	4,500	6,000	--
WDGE3 LED	Precision Refractive	10W	18W	Standalone / rLight	700	1,200	2,000	3,200	4,200	--	--
WDGE3 LED	Precision Refractive	15W	18W	Standalone / rLight	--	7,500	8,500	10,000	12,000	--	--
WDGE4 LED	Precision Refractive			Standalone / rLight	--	12,000	16,000	18,000	20,000	22,000	25,000

#### Ordering Information

EXAMPLE: WDGE2 LED P3 40K 80CRI VF MVOLT SRM DDBXD

Series	Package	Color Temperature	CRI	Distribution	Voltage	Mounting
WDGE2 LED	P0 <sup>1</sup>	27K 2700K	70CRI <sup>2</sup>	T1S Type I Short	MVOLT	<b>Shipped included</b>
	P1 <sup>1</sup>	30K 3000K	80CRI	T2M Type II Medium	347 <sup>3</sup>	SRM Surface mounting bracket
	P2 <sup>1</sup>	40K 4000K	LW <sup>4</sup> Limited Wavelength	T3M Type III Medium	440 <sup>5</sup>	KCW Indirect Canopy Ceiling Walker bracket (dry / damp locations only)
	P3 <sup>1</sup>	50K 5000K		T4M Type IV Medium		PSBW 5 surface-mounted back box (top, left, right conduit entry). Use when there is no junction box available.
	P4 <sup>1</sup>	AMB Amber		TFTM Forward Throw Medium		

Options	Standalone Sensors/Controls	Finish
E10WH Emergency battery backup, Certified in CA Title 20 MAE015 (10W, 5°C min)	PIR Bi-level (100/50%) motion sensor for 8-15' mounting heights. Intended for use on switched circuits with external dusk-to-dawn switching.	DBBXD Dark bronze
E20WC Emergency battery backup, Certified in CA Title 20 MAE015 (18W, 20°C min)	PIRH Bi-level (100/50%) motion sensor for 15-30' mounting heights. Intended for use on switched circuits with external dusk-to-dawn switching.	DBLKD Black
PE <sup>7</sup> PhotoCell, Button Type	PIRHFCV Bi-level (100/50%) motion sensor for 8-15' mounting heights with photocell pre-programmed for dusk to dawn operation.	DNAXD Natural aluminum
DMG <sup>8</sup> 0-10V dimming wires pulled outside fixture (for use with an external control, ordered separately)	PIRHFCV Bi-level (100/50%) motion sensor for 15-30' mounting heights with photocell pre-programmed for dusk to dawn operation.	DWHXD White
BCE Bottom conduit entry for back box (P890). Total of 4 entry points.	PIRHFCV Bi-level (100/50%) motion sensor for 15-30' mounting heights with photocell pre-programmed for dusk to dawn operation.	DRBLD Textured dark bronze
	<b>Networked Sensors/Controls</b>	DRBLD Textured dark black
	NLTAIR2 PIR rLight® IR Wireless enabled bi-level motion/ambient sensor for 8-15' mounting heights.	DNATXD Textured natural aluminum
	NLTAIR2 PIRH rLight® IR Wireless enabled bi-level motion/ambient sensor for 15-30' mounting heights. See page 4 for use of low functionality.	DWHQXD Textured white
		DSSTD Textured sandstone

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#### APPLICANT

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 2424 Cerro Sereno,  
 El Cajon, CA 92019


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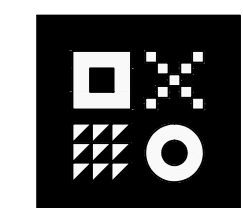
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## CUT SHEETS

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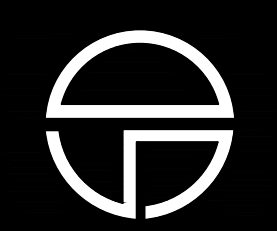
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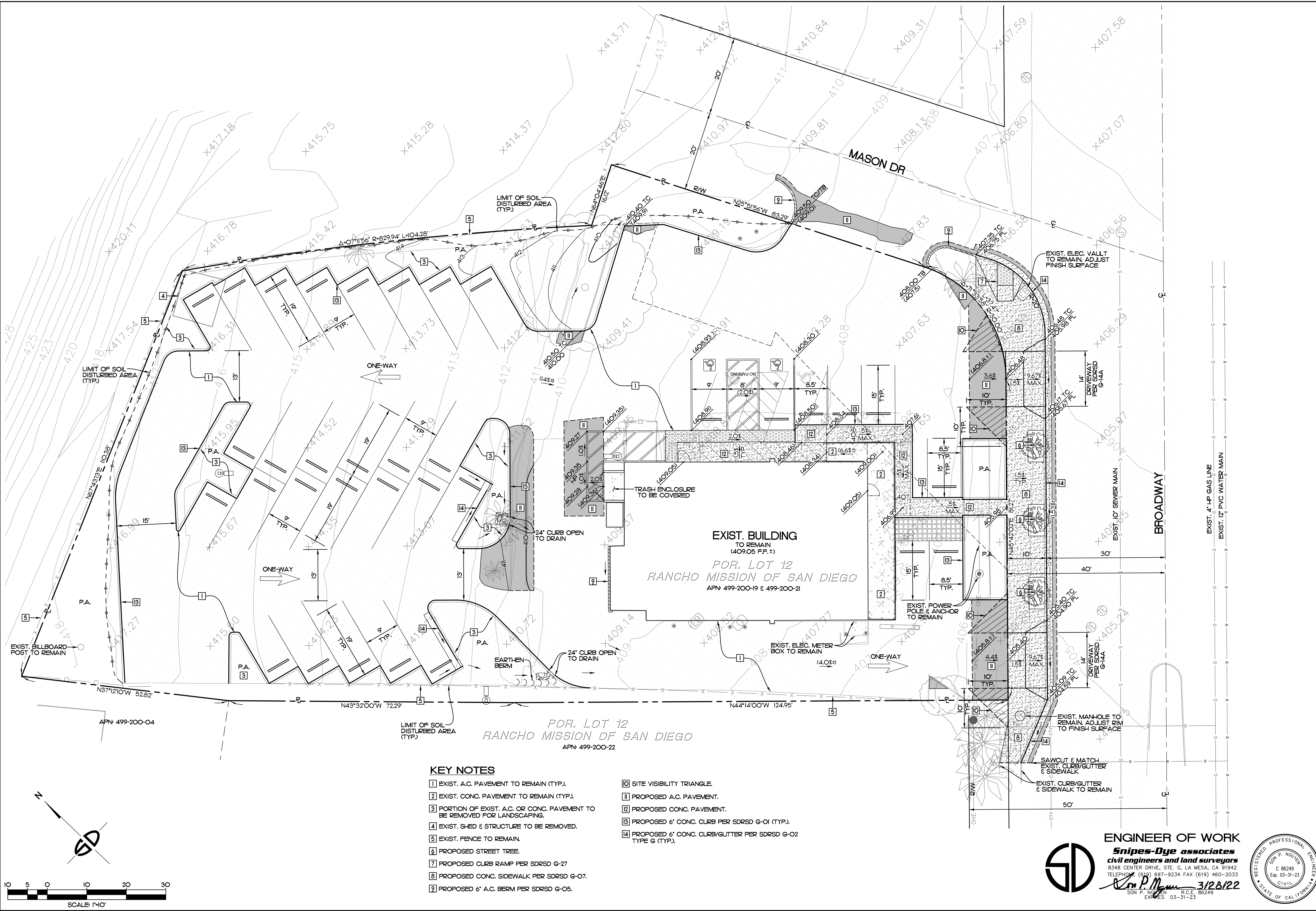
**ARDEBILI**  
 Engineering  
 Project Number: 21751 | Project Manager: RMS  
 7328 E Stetson Dr., Scottsdale, AZ 85251  
 P: 480.626.7072 | ardebileng.com





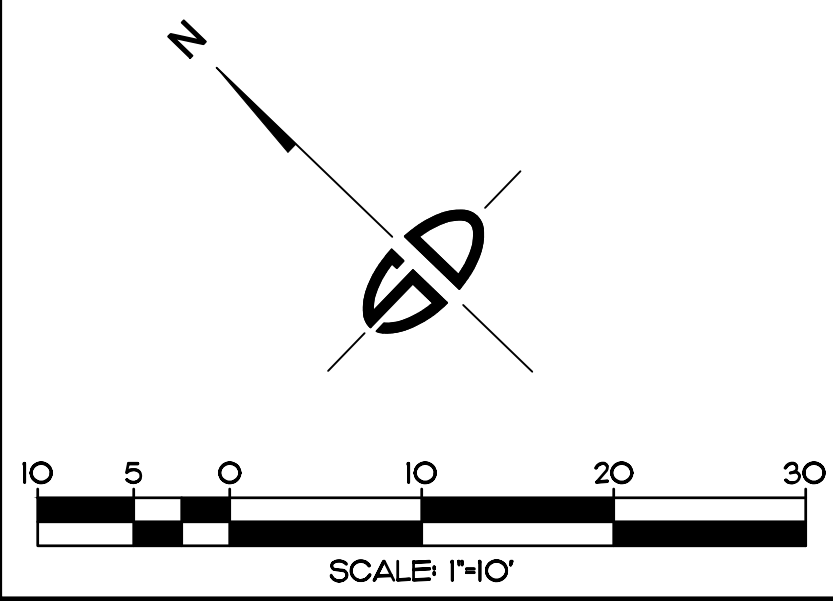


NO.	DATE	REVISION DESCRIPTION



**KEY NOTES**

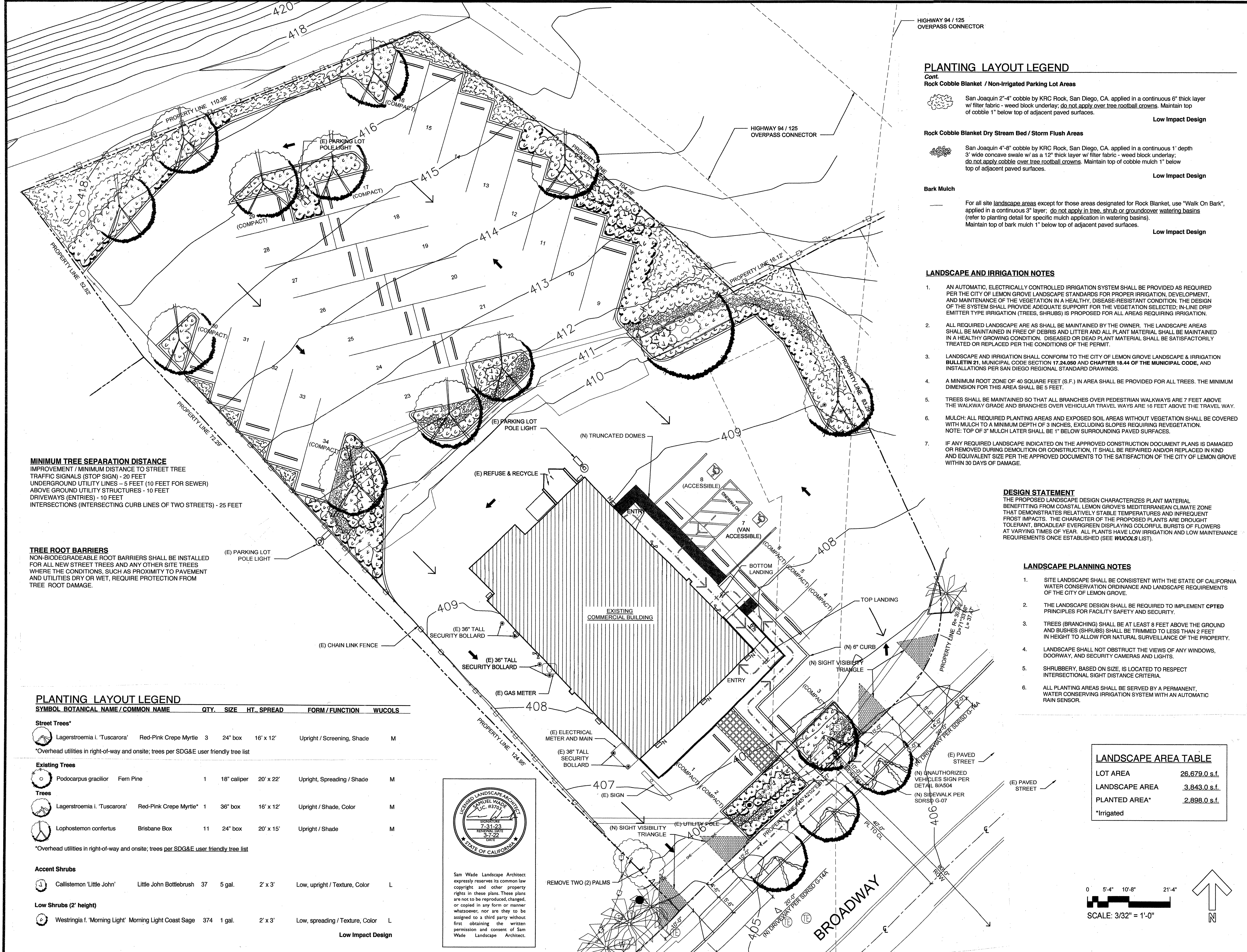
- 1 EXIST. A.C. PAVEMENT TO REMAIN (TYP.)
- 2 EXIST. CONC. PAVEMENT TO REMAIN (TYP.)
- 3 PORTION OF EXIST. A.C. OR CONC. PAVEMENT TO BE REMOVED FOR LANDSCAPING.
- 4 EXIST. SHED & STRUCTURE TO BE REMOVED.
- 5 EXIST. FENCE TO REMAIN
- 6 PROPOSED STREET TREE.
- 7 PROPOSED CURB RAMP PER SDRSD G-27
- 8 PROPOSED CONC. SIDEWALK PER SDRSD G-07.
- 9 PROPOSED 6" A.C. BERM PER SDRSD G-05.
- 10 SITE VISIBILITY TRIANGLE.
- 11 PROPOSED A.C. PAVEMENT.
- 12 PROPOSED CONC. PAVEMENT.
- 13 PROPOSED 6" CONC. CURB PER SDRSD G-01 (TYP.)
- 14 PROPOSED 6" CONC. CURB/GUTTER PER SDRSD G-02 TYPE G (TYP.)



**ENGINEER OF WORK**  
**Snipes-Dye associates**  
 civil engineers and land surveyors  
 8348 CENTER DRIVE, STE. G, LA MESA, CA 91942  
 TELEPHONE (619) 697-9234 FAX (619) 460-2033  
*Sam P. M...* 3/28/22  
 SON P. NGUYEN R.C.E. 86249  
 EXP. 03-31-23







**MINIMUM TREE SEPARATION DISTANCE**  
 IMPROVEMENT / MINIMUM DISTANCE TO STREET TREE  
 TRAFFIC SIGNALS (STOP SIGN) - 20 FEET  
 UNDERGROUND UTILITY LINES - 5 FEET (10 FEET FOR SEWER)  
 ABOVE GROUND UTILITY STRUCTURES - 10 FEET  
 DRIVEWAYS (ENTRIES) - 10 FEET  
 INTERSECTIONS (INTERSECTING CURB LINES OF TWO STREETS) - 25 FEET

**TREE ROOT BARRIERS**  
 NON-BIODEGRADABLE ROOT BARRIERS SHALL BE INSTALLED FOR ALL NEW STREET TREES AND ANY OTHER SITE TREES WHERE THE CONDITIONS, SUCH AS PROXIMITY TO PAVEMENT AND UTILITIES DRY OR WET, REQUIRE PROTECTION FROM TREE ROOT DAMAGE.

**PLANTING LAYOUT LEGEND**

SYMBOL	BOTANICAL NAME / COMMON NAME	QTY.	SIZE	HT.	SPREAD	FORM / FUNCTION	WUCOLS
<b>Street Trees*</b>							
	Lagerstroemia i. 'Tuscarora'	Red-Pink Crepe Myrtle	3	24" box	16' x 12'	Upright / Screening, Shade	M
*Overhead utilities in right-of-way and onsite; trees per SDG&E user friendly tree list							
<b>Existing Trees</b>							
	Podocarpus gracilior	Fern Pine	1	18" caliper	20' x 22'	Upright, Spreading / Shade	M
<b>Trees</b>							
	Lagerstroemia i. 'Tuscarora'	Red-Pink Crepe Myrtle	1	36" box	16' x 12'	Upright / Shade, Color	M
	Lophostemon confertus	Brisbane Box	11	24" box	20' x 15'	Upright / Shade	M
*Overhead utilities in right-of-way and onsite; trees per SDG&E user friendly tree list							
<b>Accent Shrubs</b>							
	Callistemon 'Little John'	Little John Bottlebrush	37	5 gal.	2' x 3'	Low, upright / Texture, Color	L
<b>Low Shrubs (2' height)</b>							
	Westringia f. 'Morning Light'	Morning Light Coast Sage	374	1 gal.	2' x 3'	Low, spreading / Texture, Color	L

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HIGHWAY 94 / 125 OVERPASS CONNECTOR

**PLANTING LAYOUT LEGEND**

- Cont**
- Rock Cobble Blanket / Non-Irrigated Parking Lot Areas**  
 San Joaquin 2"-4" cobble by KRC Rock, San Diego, CA, applied in a continuous 6" thick layer w/ filter fabric - weed block underlay; do not apply over tree rootball crowns. Maintain top of cobble 1" below top of adjacent paved surfaces. **Low Impact Design**
  - Rock Cobble Blanket Dry Stream Bed / Storm Flush Areas**  
 San Joaquin 4"-8" cobble by KRC Rock, San Diego, CA, applied in a continuous 1" depth 3" wide concrete swale w/ a 12" thick layer w/ filter fabric - weed block underlay; do not apply cobble over tree rootball crowns. Maintain top of cobble mulch 1" below top of adjacent paved surfaces. **Low Impact Design**
  - Bark Mulch**  
 For all site landscape areas except for those areas designated for Rock Blanket, use "Walk On Bark", applied in a continuous 3" layer; do not apply in tree, shrub or groundcover watering basins (refer to planting detail for specific mulch application in watering basins). Maintain top of bark mulch 1" below top of adjacent paved surfaces. **Low Impact Design**

**LANDSCAPE AND IRRIGATION NOTES**

- AN AUTOMATIC, ELECTRICALLY CONTROLLED IRRIGATION SYSTEM SHALL BE PROVIDED AS REQUIRED PER THE CITY OF LEMON GROVE LANDSCAPE STANDARDS FOR PROPER IRRIGATION, DEVELOPMENT, AND MAINTENANCE OF THE VEGETATION IN A HEALTHY, DISEASE-RESISTANT CONDITION. THE DESIGN OF THE SYSTEM SHALL PROVIDE ADEQUATE SUPPORT FOR THE VEGETATION SELECTED; IN-LINE DRIP EMITTER TYPE IRRIGATION (TREES, SHRUBS) IS PROPOSED FOR ALL AREAS REQUIRING IRRIGATION.
- ALL REQUIRED LANDSCAPE ARE AS SHALL BE MAINTAINED BY THE OWNER. THE LANDSCAPE AREAS SHALL BE MAINTAINED IN 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.
- LANDSCAPE AND IRRIGATION SHALL CONFORM TO THE CITY OF LEMON GROVE LANDSCAPE & IRRIGATION BULLETIN 21, MUNICIPAL CODE SECTION 17.24.050 AND CHAPTER 18.44 OF THE MUNICIPAL CODE, AND INSTALLATIONS PER SAN DIEGO REGIONAL STANDARD DRAWINGS.
- A MINIMUM ROOT ZONE OF 40 SQUARE FEET (S.F.) IN AREA SHALL BE PROVIDED FOR ALL TREES. THE MINIMUM DIMENSION FOR THIS AREA SHALL BE 5 FEET.
- TREES SHALL BE MAINTAINED SO THAT ALL BRANCHES OVER PEDESTRIAN WALKWAYS ARE 7 FEET ABOVE THE WALKWAY GRADE AND BRANCHES OVER VEHICULAR TRAVEL WAYS ARE 16 FEET ABOVE THE TRAVEL WAY.
- MULCH: ALL REQUIRED PLANTING AREAS AND EXPOSED SOIL AREAS WITHOUT VEGETATION SHALL BE COVERED WITH MULCH TO A MINIMUM DEPTH OF 3 INCHES, EXCLUDING SLOPES REQUIRING REVEGETATION. NOTE: TOP OF 3" MULCH LATER SHALL BE 1" BELOW SURROUNDING PAVED SURFACES.
- 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 CITY OF LEMON GROVE WITHIN 30 DAYS OF DAMAGE.

**DESIGN STATEMENT**

THE PROPOSED LANDSCAPE DESIGN CHARACTERIZES PLANT MATERIAL BENEFITTING FROM COASTAL LEMON GROVE'S MEDITERRANEAN CLIMATE ZONE THAT DEMONSTRATES RELATIVELY STABLE TEMPERATURES AND INFREQUENT FROST IMPACTS. THE CHARACTER OF THE PROPOSED PLANTS ARE DROUGHT TOLERANT, BROADLEAF EVERGREEN DISPLAYING COLORFUL BURSTS OF FLOWERS AT VARYING TIMES OF YEAR. ALL PLANTS HAVE LOW IRRIGATION AND LOW MAINTENANCE REQUIREMENTS ONCE ESTABLISHED (SEE WUCOLS LIST).

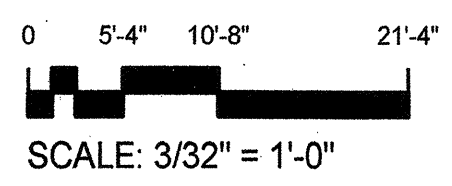
**LANDSCAPE PLANNING NOTES**

- SITE LANDSCAPE SHALL BE CONSISTENT WITH THE STATE OF CALIFORNIA WATER CONSERVATION ORDINANCE AND LANDSCAPE REQUIREMENTS OF THE CITY OF LEMON GROVE.
- THE LANDSCAPE DESIGN SHALL BE REQUIRED TO IMPLEMENT CPTED PRINCIPLES FOR FACILITY SAFETY AND SECURITY.
- TREES (BRANCHING) SHALL BE AT LEAST 8 FEET ABOVE THE GROUND AND BUSHES (SHRUBS) SHALL BE TRIMMED TO LESS THAN 2 FEET IN HEIGHT TO ALLOW FOR NATURAL SURVEILLANCE OF THE PROPERTY.
- LANDSCAPE SHALL NOT OBSTRUCT THE VIEWS OF ANY WINDOWS, DOORWAY, AND SECURITY CAMERAS AND LIGHTS.
- SHRUBBERY, BASED ON SIZE, IS LOCATED TO RESPECT INTERSECTIONAL SIGHT DISTANCE CRITERIA.
- ALL PLANTING AREAS SHALL BE SERVED BY A PERMANENT, WATER CONSERVING IRRIGATION SYSTEM WITH AN AUTOMATIC RAIN SENSOR.

**LANDSCAPE AREA TABLE**

LOT AREA	26,679.0 s.f.
LANDSCAPE AREA	3,843.0 s.f.
PLANTED AREA*	2,898.0 s.f.

\*Irrigated



**TECHNE**  
 DESIGN | DEVELOPMENT

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8290 Broadway,  
 Lemon Grove, CA 91945

APPLICANT

Rita Hirmez & Sabah Toma  
 2424 Cerro Sereno,  
 El Cajon, CA 92019

01	12.08.21	1st CUP Submittal
02	08.04.22	2nd CUP Submittal

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SHEET TITLE

**CONCEPTUAL LANDSCAPE AND IRRIGATION PLAN**

CLIP-1  
 SHEET OF

# **Dispensary Operations Manual and Standard**

**Rita Hirmez & Sabah Toma**

**8290 Broadway  
Lemon Grove, CA 91945**

**CITY OF LEMON GROVE**

**MAR 30 2022**

**COMMUNITY DEVELOPMENT**



## Table of Contents

Introduction .....	4
Authorization to City for Verification & Inspections.....	4
Hours of Operation .....	5
Proposed Location .....	6
Location.....	6
Ariel View of Location .....	6
Proposed Layout.....	6
Security Operational Plan.....	7
Security Guard .....	7
Security Measures.....	7
Automatic Law Enforcement Notification .....	9
New Employee Screening Process.....	10
Application.....	10
Extensive Interview Process .....	10
Probationary Training Period.....	10
Customer Check-In Procedures .....	11
Medical Cannabis Patient Screening.....	11
Adult-Use Customers Screening .....	12
Record Keeping.....	12
Employees: Roles and Responsibilities .....	14
Job Titles and Descriptions .....	14
General Manager .....	14
Inventory Manager .....	14
Floor Manager .....	15
Shift Manager.....	15
Sales Clerk Consultants.....	15
Receptionist .....	15
Tracking and Inventory Control Procedures .....	16
Vendor Deliveries – Receiving Cannabis.....	17
Record Keeping Methods .....	17
Diversion Prevention .....	18
Cash Handling – Sale to Deposits.....	18

Customer Sales Transaction .....	18
Cash Vault Transactions .....	19
Bank Deposits .....	19
Waste Disposal Plan.....	20
Waste Disposal Plan .....	20
Emergency Response .....	20
Notifications of and Communications Regarding Emergency .....	20
Readily Accessible Safety Routes.....	21
Evacuation Procedures .....	21
Operating Standards .....	21

# Introduction

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Rita Hirmez and Sabah Toma are applying for a conditional use permit for a medical and recreational cannabis dispensary at 8290 Broadway, Lemon Grove, CA 91945. At this time, they are applying as individuals. However, if permitted to move forward with the CUP process, Hirmez and Toma intend to form an entity in which they will be the two owners and all required corporate formation documents will be provided. For ease of reading, Hirmez and Toma will be collectively referred to as "Company" within this Dispensary Manual ("Manual").

## Authorization to City for Verification & Inspections

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Information Verification. The City of Lemon Grove, its agents, and employees are hereby authorized to seek verification of the information provided by Company within its application.

Inspection of Premises. Company shall permit an inspection of the premises by city code enforcement officers, the San Diego Sheriff's Department staff, and any other employee of the City requesting access for the purpose of verifying the information provided herein and for determining compliance with all applicable State and local laws and regulations, including the standards set forth in Lemon Grove Municipal Code section 17.32. City and Sheriff staff shall give Company reasonable notice of a scheduled inspection. Unannounced inspections of Company's dispensary shall only occur if City or Sheriff staff have probable cause that Company is violating the law.

Further, where it is necessary to make an inspection to enforce the provisions of the California Fire Code, or where a fire code official has reasonable cause to believe that there exists in a building or on any premises any conditions or violations of the California Fire Code that make the building or premises unsafe, dangerous or hazardous, the fire code official shall have the authority to enter the building or premises at all reasonable times to inspect or to perform the duties imposed on the fire code official by the California Fire Code. If such building or premises is occupied, the fire code official shall present credentials to Company and request entry. If such building or premises is unoccupied, the fire code official shall first make a reasonable effort to locate the owner, the owner's authorized agent or other person having charge or control of the building or premises and request entry. If entry is refused, the fire code official has recourse to every remedy provided by law to secure entry.

Where a fire code official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent or occupant or person having charge, care or control of the building, Company, or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the fire code official for the purpose of inspection and examination pursuant to the California Fire Code.

During these inspections, City and Sheriff staff shall not retain information pertaining to individual customer records viewed during an inspection, and information related to individual customers shall not be made public.

Inspection Requirements – Record Keeping. To successfully facilitate the inspection, Company shall maintain the following records:

- Client Records: A record of our medical marijuana clients. Such record shall include the following and shall be maintained for a two-year period or longer if required by State law:
  - Qualified patient member's name, name of primary caregiver when appropriate, and name of licensed physician recommending use of medical marijuana for the member.
  
- Medical Marijuana Records: Company shall keep a record of its medical marijuana transactions. The following records shall be maintained for a two-year period or longer if required by State law and labeling shall occur as specified:
  - A record identifying the source or sources of all medical marijuana currently on the premises or that has been on the premises during the two-year period preceding the current date. The record shall include the name of the cultivator or manufacturer and the address of the cultivation or manufacturing location.
  
  - All medical marijuana at the premises must at all times be physically labeled with information that will allow for identification of the source of the medical marijuana.
  - All medical marijuana at the premises shall be physically labeled with the monetary amount to be charged.
  
- Financial Records: Company shall maintain records of all transactions involving money and/or marijuana occurring at the premises. Records shall be maintained for a two-year period preceding the current date or longer if required by State law.
  
- Employee Records: Company shall maintain a record of each employee/volunteer and director. The record shall include name and background check verification. Records shall be maintained for a two-year period following the end of an employee's employment or director's relationship with the Company or longer if required by State law.

## Hours of Operation

Company intends to operate between the hours of 6am – 10pm, 7 days a week, as is permitted by the Lemon Grove Municipal Code and state law.



## Proposed Location

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### Location

Company is proposing a cannabis dispensary at the following location:

8290 Broadway  
Lemon Grove, CA 91945  
APN: 499-200-19-00

The property's zoning is heavy commercial. Cannabis dispensaries are expressly allowed in heavy commercial zones with a CUP. The property is located near an automobile repair shop and towing service company.

### Ariel View of Location



### Proposed Layout

As part of this CUP application submittal, Company has submitted an extensive architectural plan set. Please see the proposed site and floor plan attached to this submittal.

# Security Operational Plan

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Security is a critical component of operating a compliant and safe Commercial Cannabis Business. Company is dedicated to implementing the most efficient, well-rounded security measures to ensure safety for its employees, products, patrons and surrounding Lemon Grove neighborhood

## Security Guard

A security guard will be present during hours of operation. The guard on duty during will possess a valid Department of Consumer Affairs "Security Guard Card."

All security guards will be trained and required to perform the following duties while on duty, although this list is not all-inclusive:

- Ensuring the safety of all personnel on the premises;
- Preventing unauthorized individuals from entering and/or remaining on the premises;
- Preventing any individuals under the age of 21 from entering and/or remaining on the premises;
- Operating and monitoring the video surveillance camera systems;
- Operating and monitoring the security system;
- Activating and deactivating the alarm system;
- Ensuring that there is no cannabis, tobacco and/or alcohol consumption on the premises or within 100 feet of the facility;
- Requiring employees present their employee badges prior to entry;
- Ensuring that all visitors and non-employees sign-in and sign-out on the visitor log;
- Ensuring that all visitors are wearing a visitor badge;
- Assisting in security training and weekly reviews of security measures, plans and policies;
- Documenting any notable incidents that may occur;
- Developing a close relationship with management and the Chula Vista Police Department;
- Ensuring that all employees leave safely after business hours;
- Observing employee activities to prevent diversion and theft;
- Observing the transfer of cash from the premises to vehicles and other cash handling procedures; and
- Coordinating with other personnel and observing processes when cannabis goods are entering or exiting the premises.

## Security Measures

The security measures shall include, but not be limited to, all of the following:

- (1) Individuals will be prevented from remaining on the premises of the facility if they are not engaging in activity expressly related to the operations of the facility.
- (2) Limited access areas are accessible only to authorized facility personnel.
  - a. Main entrance keys will be held by the Director of the Dispensary; doors will remain locked after hours of operation.
  - b. The show room floor as well as the store room will be equipped with an automatic locking mechanism.
    - i. Key fobs will be issued to a limited number of authorized personnel that allowing them to open the main entrance into the showroom floor, as well as access to the store room, where all finished cannabis and cannabis products will be held.
- (3) Storing all finished cannabis and cannabis products in a secured and locked room, safe, or vault, and in a manner as to prevent diversion, theft, and loss, except for limited amounts of cannabis used for display purposes, samples, or immediate sale.
  - a. All finished cannabis and cannabis products except for limited amounts used for display, purposes, samples, or immediate sale will be held in a locked and secured store room that will be accessible only by authorized personnel.
  - b. Actions will be taken to notify appropriate law enforcement authorities within 24 hours after discovering any of the following:
    - i. Significant discrepancies identified during inventory.
    - ii. Diversion, theft, loss, or any criminal activity involving the facility or a facility agent.
    - iii. The loss or unauthorized alteration of records related to cannabis, registered qualifying customers, personal caregivers, or facility agents.
    - iv. Any other breach of security.
- (4) Lighting will be installed to adequately light the exterior and interior of the Dispensary premises, in conformance with state regulations. Extensive lighting plans have been submitted with the CUP application submittal.
- (5) This Dispensary will maintain a 24-hour recorded video surveillance of the Premises. Recordings shall be retained for 30-days for inspection by City staff. Video surveillance will not be shared with law enforcement except when formally requested as part of a law enforcement investigation directly involving the Dispensary.
  - a. Each building entrance shall be clearly and legibly posted with a notice indicating that smoking, ingesting or consuming cannabis on the Premises or in the vicinity of the Dispensary is prohibited.
  - b. The building entrance is clearly and legibly posted with a notice indicating that persons under the age of twenty-one (21) are precluded from entering the Premises, unless eighteen (18) or older with a valid physician's recommendation.
  - c. Company shall not permit the use or consumption of cannabis on-site unless specifically authorized under the Conditional Use Permit.
  - d. The on-site display of unprocessed cannabis plants or representations of cannabis plants in any areas visible to the public shall not be permitted.

- e. The distribution of cannabis plant material and cannabis manufactured products from licensed sources as allowed by the approved Conditional Use Permit will be permitted.

### Automatic Law Enforcement Notification

- (1) A centrally monitored alarm system will be installed which will monitor the entire facility, and include automatic law enforcement notification in the event of an emergency.
  - a. In order to ensure automatic law enforcement notification emergency 'buttons' will be located at reception, behind the counter of the showroom floor, and in the store room.
  - b. If there is a breach in security (i.e. incorrect alarm code is entered; alarm is alerted by intruder) the alarm will be set to automatically inform law enforcement of this security breach.
  - c. Guard on duty will be trained to immediately contact law enforcement in the event of a security breach or other serious violations of rules and regulations.



# New Employee Screening Process

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## Application

All applicants will be asked to submit a resume along with references. Only applicants who are the most qualified will be contacted for a follow-up interview.

When determining who is most qualified, Company seeks evidence of:

- Previous experience in the commercial cannabis industry or a similarly-regulated industry;
- Strong work ethic;
- Passion;
- Team player;
- Integrity;
- Communication skills;
- Reliability.

## Extensive Interview Process

The interview process will consist of interview by management and owners.

## Background Check

All applicants will obtain a Live Scan background check through the California Department of Justice or the San Diego County Sheriff's Department or Lemon Grove Police Department prior to employment.

## Probationary Training Period

When an employee passes the application, interview, and background check processes, the new hire will shadow experienced employees and/or management for one-on-one training and direct observation by Company to ensure smooth on-boarding and employee's capabilities.

# Customer Check-In Procedures

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## Medical Cannabis Patient Screening

### (1) Registration

- a. Qualified patients and caregivers must present a valid California Identification Card along with a doctor's recommendation in their name for the use of medicinal cannabis.
  - i. If the qualified patients or caregiver does not have a California Identification Card the following documents will be accepted:
    1. A document issued by a federal, state, county, or municipal government, or a political subdivision or agency thereof, including, but not limited to, a valid motor vehicle operator's license, that contains the name, date of birth, physical description, and picture of the person;
    2. A valid identification card issued to a member of the Armed Forces that includes a date of birth and a picture of the person; or
    3. A valid passport issued by the United States or by a foreign government.
- b. Qualified Patients or caregivers shall present a current and valid medical recommendation to use Medical Cannabis.

### (2) Validation

- a. Patient or qualified caregiver identification is established by the presented California Identification or the supplemental identifying materials listed above.
- b. When a patient has a physician's medical recommendation with or without a Medical Marijuana Identification Card (MMIC), our check-in staff verifies the recommending physician's medical license on the Medical Board of California's website at [http://www.mbc.ca.gov/breeze/license\\_verification.aspx](http://www.mbc.ca.gov/breeze/license_verification.aspx) to ensure the physician is licensed/registered in the State of California. All MMICs are verified on the California Department of Public Health's Medical Marijuana Program website at [http://mmic.cdph.ca.gov/MMIC\\_Search.aspx](http://mmic.cdph.ca.gov/MMIC_Search.aspx).

### (3) Record Retention

- a. Check-in staff is required to keep a copy of every patient's provided government-issued identification and a copy of his or her provided physician's recommendation or MMIC within our point-of-sale software.

## Adult-Use Customers Screening

Upon entry into the reception area of the facility, each person must present valid government-issued identification to the check-in staff. Our check-in staff only accepts the following forms of identification:

- A document issued by a federal, state, county, or municipal government, or a political subdivision or agency thereof, including, but not limited to, a valid motor vehicle operator's license, that contains the name, date of birth, physical description, and picture of the person;
- A valid identification card issued to a member of the Armed Forces that includes a date of birth and a picture of the person; or
- A valid passport issued by the United States or by a foreign government.

The verification process is monitored by our security guard staff and security surveillance system. Our check-in staff verifies the provided identification by running it through our identification scanner. Our scanner verifies the authenticity of the identification. It also completes a data entry for each swipe, which includes the customer's name, the customer's age, identification and/or driver's license number, and customer's address.

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## Record Keeping

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Company will maintain all records subject to Cal. Code Regs. tit. 16 § 5037 for a minimum of seven years. All other records will be maintained for a minimum of two years.

- (1) Acquisition of Medical Customer Records
  - a. Patients are asked to provide their original doctor's recommendation along with a current and valid form of California Identification on their first visit.
    - i. Once a patient has provided these records copies are made for later uploading into patient file and immediate verification of records.
- (2) Customer Information Retention
  - a. All customer information and records are entered into an online file that is accessed every time they make a purchase.
    - i. This also allows for monitoring of previous visits to ensure only one visit per day is made. All input of customer information occurs on two separate transactions: (1) initially, by the receptionist employee during identification verification procedures within our facility's waiting room; and (2) by our sales clerk consultants at the point of sale to input customer's purchase amount and items.
    - ii. Once the customer file has been completed, the copied documents are scanned and uploaded into the customer file that is connect to the Point

of Sale system, and all physical documents are shredded for proper disposal of customer records and pursuant of privacy standards.

1. All customer files and copies of files will be held in a file cabinet that can only be accessed by authorized personnel, until the records are properly uploaded onto online records.
  2. All paper files and copies will be shredded upon completion of online record, in order to maintain customer privacy.
- b. Client Records – The company shall keep a record of its clients. The record shall include the following:
- i. Customer member's name, name of primary caregiver when appropriate, and name of Licensed Physician recommending use of medical cannabis for the member, if applicable.
  - ii. These records will be entered into an online database that will be attached to the Point of Sale.
    1. Copies will be kept in a file cabinet only accessible to authorized personnel until they are uploaded onto online record.
    2. All paper files and copies will be shredded upon completion of online record.
- c. Financial Records – The company shall maintain records of all transactions involving money and/or cannabis occurring at the Premises.
- (3) Employee Records – The Company shall maintain a record of each employee/volunteer and Director. The record shall include name and background check verification.
- (4) Customer Confidentiality
- a. In accordance with the Health Insurance Portability and Accountability Act (“HIPAA”) and the additional restrictions laid out in California’s Confidentiality of Medical Information Act (“CMIA”), Company employees are prohibited from disclosing the following identifying information regarding our patients:
    - i. Names, identifying features, addresses, telephone numbers, email addresses, items purchased, and quantity purchased.
  - b. All information is retained within our online system which can only be accessed by authorized employees with the most current login information. To ensure maximum safety, our passwords will be changed often. The paper documentation of this information is kept in our limited-access Secure Storage room within a locked file cabinet in which only authorized management shall have possession of the key.
  - c. All Company employees will be trained on our patient confidentiality policy, and will be required to sign a form declaring against information disclosure. The signing will occur after the employees have attended a patient confidentiality informational session hosted by our trained management personnel. Materials regarding HIPAA, CIMA, and best disclosure prevention practices will be given to our employees for reference during the course of his or her employment.
  - d. Disclosure shall only be permitted with the consent of disclosure by the patient, or if otherwise required by law.



# Employees: Roles and Responsibilities

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Company anticipates hiring approximately 14 employees, separate and apart from our owners and outside security personnel. This will include employment for the following positions: reception, general management, sales management, inventory management, and sale consultants. Generally, we will have two shifts, an opening shift and a closing shift, to cover our hours of operation. During business hours, generally 6 employees, in addition to 2 security personnel will be working on our premises. Our modern, clean, safe, and innovative commercial cannabis retail dispensary will offer an excellent opportunity for entry-level and experienced employees within the local community.

## Job Titles and Descriptions

### General Manager

The General Manager will manage the day-to-day operations of our retail business. This includes ensuring that all managers and employees are operating in accordance to our company policies and practices, that are business operations are consistently in compliance, that all of our records are being inputted and organized correctly, and that all customer concerns and issues are appropriately addressed.

Additional duties include:

- Training and hiring staff;
- Opening and closing;
- Ordering and purchasing inventory;
- Monitoring the sales floor;
- Reviewing new products with distributors;
- Cash management;
- Updating online website;
- Intake of inventory deliveries; and
- Communicating with owners and management daily regarding progress of sales and staff.

### Inventory Manager

The Inventory Manager will have the primary responsibility of managing and overseeing all inventory storage and tracking at our facility. This includes working with our inventory software, physical inventory and overseeing all employees responsible for inventory management. This position will be

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**Hirmez & Toma - 8290 Broadway – Cannabis Dispensary**

responsible for performing weekly and monthly inventory counts and monthly and annual audits with a CPA.

## Floor Manager

Our Floor Manager positions will be the management position above a shift manager. The Floor Manager will oversee shift managers and retail employees and ensure that all day-to-day operations are being handled according to our company's policies and practices.

## Shift Manager

The Shift Manager position is our lowest level of management and will work directly with the day-to-day operations of our retail employees. A shift manager's duties will consist of the following:

- Opening and closing;
- Inputting inventory into our point of sale system;
- Monitoring the sales floor;
- Handling customer concerns;
- Intake of inventory deliveries;
- Cash management; and
- Updating online website.

## Sales Clerk Consultants

Sales Clerk Consultants will be responsible with educating customers on our products and providing sales transactional services. This will include:

- Providing product information and product recommendation to customers;
- Maintaining and organizing display of products;
- Logging defective products;
- Re-verifying customer's age during checkout;
- Aware of and implementing our counterfeit policies; and
- Providing a welcoming and friendly atmosphere for customers.

## Receptionist

Our receptionists will be responsible for the following:

- Greet customers;
- Conduct check-ins;
- Answer phone calls;
- Perform administrative duties;
- Stock supplies in restroom;
- Monitor the flow of traffic in lobby and retail sales floor;
- Maintain cleanliness and organize working space; and
- Verify and validate identification and age.

## Tracking and Inventory Control Procedures

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This company will use a point-of-sale commercial cannabis tracking software, which will be compatible and consistent with the State of California's Metrc® Track and Trace System. The software will encompass a dispensary point-of-sale solution that was designed specifically for licensed commercial cannabis businesses. The software will consist of many advanced features that assists business owners in staying organized and compliant. The software will track products, sales, waste and destruction, along with monitoring a customer's purchase limits. The software will have the ability to scan a customer's government-issued identification and input their information within their own customer profile in a single action. It also will have inventory management capability, automatically report required data to the State's system, and implement industry-leading security standards. All employees at this company will receive thorough training on how to efficiently and appropriately use the software before starting his or her first shift at our dispensary to ensure that our business's compliance is never jeopardized.

The company will complete an inventory audit and reconciliation as required, in which our software and Metrc® are compared and reconciled. Following this initial audit, a physical count of all products will be completed and overseen by our inventory manager. If at any point our audits reflect a discrepancy, this company will formally investigate to determine the issue's cause and source. The investigation may include reviewing data inputs on the tracking software, reviewing video surveillance records, security keypad entry/exit times, and other methods. If theft or diversion is found, the company shall report it to State licensing agencies and the City of Lemon Grove as required.

There are a variety of measures the company will implement to ensure none of our products will be subject to theft or diversion. First, the company's security plan consists of mandatory responsibilities of its security personnel and employees that require close surveillance of any suspicious activity, along with a trusted reporting system in case such activity is discovered. Our state-of-the-art security equipment will also permit us to monitor our employee and customer flow. Second, our tracking software will have a great tracking and inventory management system that traces all products we receive, sell, return and destroy. All products that are in the custody of the company are strictly required to be inputted to our system in an expeditious manner. The company

will also have an experienced inventory manager that will implement and oversee smart practices in conducting physical audits and maintaining an organized, efficient system. The company will also consistently reinforce to its staff the importance of the integrity of our business and how the prevention of cannabis diversion is a major way in which we can maintain such integrity.

Company shall only receive cannabis and cannabis products from other licensed commercial cannabis businesses. The ownership and management team is responsible for licensee verification.

## Vendor Deliveries – Receiving Cannabis

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Cannabis goods transported by a licensed distributor shall be received approximately one hour before our retail store opens to the public. The inventory manager, along with security personnel, will greet the licensed distributor and ensure the licensee is who is expected. Then, the inventory manager shall unlock the secure door into our facility that will lead to our secured storage room. The inventory manager shall check the shipping manifest against the cannabis goods received to ensure that all goods and quantities listed on the shipping manifest were delivered. Any discrepancies between cannabis goods and/or cannabis quantities that are listed on the shipping manifest but have not been received will be noted on the shipping manifest. The inventory manager and distributor will sign off on the shipment, and then the distributor will leave the premises. The goods shall then be subject to our quality assurance review in which our employees will physically inspect that the cannabis goods are not damaged, have compliant labeling and packaging, and are not expired. After our physical inspection is conducted, the inventory manager will enter the goods received into our inventory tracking system. Company shall generally receive shipments twice per week.

Inventory will be stored in the limited-access storage room. Cannabis goods that must be refrigerated at 41° or below will be securely stored in a refrigerator in the Secure Office located within the dispensary building. Company will use a first-in-first-out approach to ensure our cannabis goods are fresh and move through inventory and sales efficiently. Only managers have keys to the secure storage room, and the inventory manager works in this room during hours of operation.

Company is committed to only working with licensees who are in full compliance with local and State laws and regulations. Because of this, all licensed distributors we engage will use vehicles that are equipped with a secure, enclosed box for all cannabis and cannabis goods, equipped with an alarm system, and equipped with a GPS system.

## Record Keeping Methods

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The company will maintain its records in accordance with all applicable local and state laws and regulations, along with best industry practices. All employees will be sufficiently trained on the applicable laws, regulations, and company policies regarding accurate record keeping.



The company will maintain accurate books and records in an electronic format detailing all the revenues and expenses of the dispensary, and all of its assets and liabilities. In addition to the detailed financial reporting, the company will also maintain an inventory tracking and control system capable of accurately documenting the present location, amounts, and descriptions of all cannabis products up until the point-of-sale. The company will also maintain and update a register of anyone owning an interest in the dispensary, as well as a register of all owners, officers, managers, employees, and agents of the retail storefront. Included in this register will be the most recently updated contact information of each individual or entity including their address and telephone number.

Finally, if the City should request to see any records that the company is required to keep, the company will provide access to those records subject to any restrictions provided by law, or under the Confidentiality of Medical Information Act and Health Insurance Portability and Accountability Act. The company understands that there is generally a twenty-four (24) hour window in which to comply with such requests. These records which are requested and maintained by the City, whether for audit purposes or otherwise, will be kept as required and can be made available to appropriate City officials upon request, with the exception of medical records. The company understands the recordkeeping policies and regulations that it is required to abide by in the City of Lemon Grove and will have no problem complying fully with its obligations.

## Diversions Prevention

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There are a variety of measures the company will implement to ensure none of our cannabis or cannabis products will be subject to theft or diversion. First, the company's security plan consists of mandatory responsibilities of its security personnel and employees that require close surveillance of any suspicious activity, along with a trusted reporting system in case such activity is discovered. Our state-of-the-art security equipment will also permit us to monitor our employee and customer flow. Second, our tracking software will have a great tracking and inventory management system that traces all products we receive, sell, return and destroy. All products that are in the custody of the company are strictly required to be inputted to our system in an expeditious manner. The company will also have an experienced inventory manager that will implement and oversee smart practices in conducting physical audits and maintaining an organized, efficient system. The company will also consistently reinforce to its staff the importance of the integrity of our business and how the prevention of cannabis diversion is a major way in which we can maintain such integrity.

## Cash Handling – Sale to Deposits

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### Customer Sales Transaction

In order to ensure honesty, efficiency, and safety within our cash handling processes, Company's employees will be properly trained on all cash handling procedures. All cash register

drawers will only be permitted to contain \$5000.00 at all times. This is to lower the risk of damage in the case of a robbery. All sales clerk consultants will start with their own cash drawer at the beginning of their shift that shall contain \$200.00. Prior to accepting payment from a customer, all sales consultants will verify that the money is not counterfeit in accordance to Company's Counterfeit Money Policy. At the end of sales consultant's shift, the employee will take that drawer with them to the on-site manager. The manager will then be responsible for verifying and recording the cash amount in comparison to the point-of-sales information for that employee's shift. This will ensure honesty from all employees. If there is a discrepancy greater than \$10.00, that employee will be confronted about the discrepancy. If there is no discrepancy greater than \$10.00, the manager will store the cash in accordance with the cash vault transaction procedures below.

## Cash Vault Transactions

Company will have a designated vault storage for all cash holding purposes. This vault will be within a secure storage room on our premises that will only be accessible by authorized employees and security personnel. Access to the vault will be restricted to authorized management only, and only those individuals will have the proper keys and access codes to obtain access. We will require special record keeping for all cash vault transactions.

Management, after the proper verification of the cash amount and authenticity, must input the following information without our database: the manager's name conducting the transaction; the amount of cash being inserted; the date of the deposit; and the manager's signature. All transactions will then be reviewed by an owner or high-level manager.

Whenever cash is to be taken out of the cash vault storage, similar procedures are followed. Only management, with prior authorization from an owner, shall be authorized to withdraw cash from the vault for any proper, specified reason. The information recorded for the withdrawal shall include the following: prior authorization information from an owner or high-level manager; the name of the manager conducting the transaction; the amount of cash being withdrawn; the date of the withdrawal; and the manager's signature. All transactions will be reviewed by an owner or high-level manager to ensure that they were conducted in accordance to instruction. During all cash vault transactions, security personnel will monitor the entrance of the secured room to increase security and safety during this process.

## Bank Deposits

Owners shall be responsible for bank deposit transportation. Such transportation will occur outside of business hours. Owners will use personal vehicles for transportation. The cash will be enclosed in a secured vault during transportation. Security personnel will monitor the loading and departure of all bank deposit transactions.

# Waste Disposal Plan

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## Waste Disposal Plan

### (1) Raw cannabis related Wastes

(a) There should not be any raw cannabis flower ("Flower") related waste as all product is required to be delivered by the distributor pre-packaged. The California regulations allow limited packages of Flower to be opened and displayed so long as it is included in the track and trace program and discarded afterward ("Display Flower"). The Display Flower shall be logged into the POS system and prepared for destruction and disposal as follows: (i) Cannabis goods are removed from the original packaging and placed in a secured waste receptacle labeled "Destroyed Cannabis Goods," which is stored in the Secure Office within the dispensary building; (ii) the Destroyed Cannabis Goods receptacle is separately locked; (iii) when the receptacle is full, the operator will self-haul the destroyed cannabis to a licensed waste facility, obtain a weight receipt, and log the necessary information.

### (3) Other Chemicals

- (a) All chemicals shall be stored in a manner, method, and location that ensure there is no threat of discharge to waters of the state.
- (c) Products shall be labeled properly and applied according to the label.
- (d) Have proper storage instruction posted at all times in an open and conspicuous location.

## Emergency Response

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Company's employment team will be prepared for any emergency situation that may arise, including but not limited to, fire, robberies, shootings, theft, severe weather, and violent incidents.

### Notifications of and Communications Regarding Emergency

Upon the occurrence of an emergency, the following must be notified: on-site management, on-site security personnel, and the Sheriff Department. In the event of immediate threat or harm, employees are to call Sheriff emergency services prior to engaging in any other activity. Once the event has been addressed, employees are required to provide a brief of the incident to on-site management. On-site management is then required to provide this brief to Company owners. On-site management is required to document the incident in detail. All emergency incidents will be subsequently assessed. Our facility will then amend our operations in any way feasible to reduce the possibility of reoccurrence.

## Readily Accessible Safety Routes

Our facility offers a safe and easily accessible location for emergency responders. Under no circumstances will any materials or structures block entry driveways or entrances to our facility.

## Evacuation Procedures

Should an emergency situation arise that requires the evacuation of the facility, such as fire, robbery, violent incident, intruder, or hazardous/toxic air or materials, the following procedures are to be followed:

- Sheriff Department must be notified;
- Employees must cautiously assist customers and other employees towards a safe facility exit, if possible;
- Employees are to ensure customers and employees leave the premises for secure grounds during the entire duration of the emergency;
- Employees are to communicate with emergency responders to familiarize them with the emergency and source of it;
- Employees are to abide by the direction of emergency responders; and
- Incident is to be reported and recorded within our records.

## Operating Standards

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In addition to complying with any conditions included in an approved conditional use permit and the provisions contained in this operations manual, Company plans to operate a dispensary that is compliant with all requirements laid out in Section 17.32.090(C)(7) of the City of Lemon Grove Municipal Code. This compliance includes, but is not limited, to the following:

- (1) Dispensing cannabis to a customer more than once a day is prohibited;
- (2) Dispensaries shall only dispense medical cannabis to an individual qualified patient or primary caregiver who has a valid, verified licensed physician's recommendation, and if appropriate, a valid primary caregiver designation. The dispensary shall verify that the licensed physician's recommendation is current and valid;



- (3) On-site evaluation by a licensed physician for the purposes of obtaining a qualified status is prohibited;
- (4) Dispensaries shall display the client rules and/or regulations in a conspicuous place that is readily seen by all persons entering the dispensary. The client rules and/or regulations shall include, but are not limited to:
  - a. Each building entrance to a dispensary shall be clearly and legibly posted with a notice indicating that smoking, ingesting or consuming cannabis on the premises or in the vicinity of the dispensary is prohibited unless specifically authorized within the governing conditional use permit.
  - b. The building entrance is clearly and legibly posted with a notice indicating criteria for entering the premises.
  - c. The hours of operation for an authorized dispensary shall be limited to between six a.m. to ten p.m. or as specified within the conditional use permit.
  - d. Dispensaries shall not permit the use or consumption of cannabis on-site unless specifically authorized under the conditional use permit.
  - e. Dispensaries shall not permit the on-site display of unprocessed cannabis plants or representations of cannabis plants in any areas visible to the public;
  - f. All signage for dispensaries shall require a sign permit from the city prior to installation. Signage shall not include any terminology (including slang) or symbols for cannabis.
  - g. Dispensaries shall only permit the distribution of cannabis plant material and cannabis manufactured products from licensed sources as allowed by the approved conditional use permit.
- (5) Dispensaries shall maintain on the premises an on-site training curriculum capable of meeting employee, agents and volunteer training needs. The minimum training curriculum shall include professional conduct, ethics, and state and federal laws regarding patient confidentiality; specific procedural instructions for responding to an emergency, including robbery or violent incident.
- (6) Dispensaries shall maintain all necessary permits, and pay all appropriate taxes. Dispensaries shall also provide invoices to cultivators and manufacturers to ensure tax liability responsibility;
- (7) Dispensaries shall implement procedures as outlined in their approved operations manual;

- (8) Dispensaries shall submit an “annual performance review report” for review and approval by the Community Development Department. The “annual performance review report” is intended to identify effectiveness of the approved conditional use permit, operations manual, and conditions of approval, as well as any proposed modification to procedures as deemed necessary. The Manager of the Community Development Department may review and approve amendments to the approved “operations manual”; and the frequency of the “annual performance review report.” Cannabis cultivation and dispensing monitoring review fees pursuant to the current Master Fee Schedule shall accompany the “annual performance review report” for costs associated with the review and approval of the report.
  
- (9) Dispensaries shall maintain twenty-four-hour recorded video surveillance of the premises. Recordings shall be retained for 90 days for inspection by city staff. City staff must provide valid cause for viewing video surveillance. City staff must ensure that customer privacy is safeguarded. Video surveillance will not be shared with law enforcement except when formally requested as part of a law enforcement investigation directly involving the dispensary.
  
- (10) Sales of alcoholic beverages are prohibited.
  
- (11) Sales of tobacco and tobacco products are prohibited.
  
- (12) Sales of drug paraphernalia are prohibited.
  
- (13) The location of the dispensary shall include the installation of a centrally monitored alarm system
  
- (14) Lighting shall be installed to adequately light the exterior and interior of the dispensary premises while in conformance with Section 17.28.080.
  
- (15) Licensed External Source. Company shall source our cannabis from licensed distributors and microbusinesses authorized to engage in distribution that have obtained a licensed from the State and respective local jurisdiction.



# CITY OF LEMON GROVE

## CITY COUNCIL STAFF REPORT

**Item No.** 4

**Meeting Date:** May 2, 2023

**Submitted to:** Honorable Mayor and Members of the City Council

**Department:** City Manager's Office

**Staff Contact:** Lydia Romero, City Manager [lromero@lemongrove.ca.gov](mailto:lromero@lemongrove.ca.gov);

Christian Olivas, Management Analyst [colivas@lemongrove.ca.gov](mailto:colivas@lemongrove.ca.gov)

**Item Title:** **Resolution Affirming Limitations on the Two-Year EDCO Corporation Rate Schedule**

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**Recommended Action:** Adopt a Resolution (Attachment A) affirming a maximum two-year EDCO Rate Limitation for FY 2023-24 and 2024-25.

**Summary:** The purpose of this agenda item is to present a resolution that affirms a new two-year EDCO Rate ceiling for Fiscal Years 2023-24 and 2024-25. The background and discussion sections below provide information regarding the ECDO rate structure.

**Background:** EDCO, a local company headquartered in Lemon Grove, is a regional company with solid waste operations throughout Southern California. EDCO provides solid waste disposal services to Lemon Grove residents under a franchise granted by the City Council in 1978.

EDCO utilizes a two-year rate structure to help even out increases for residential and commercial customers. The current rate schedule, affirmed by resolution, is in effect through June 30, 2023.

### **Discussion:**

Earlier this year, city staff met with EDCO staff to review their request to increase the maximum waste collection and recycling rates from July 1, 2023 through June 30, 2025. In summary, EDCO requests that the basic residential service rate increase from \$27.57 to \$29.80 per month; a \$2.23 monthly increase. The basic residential service includes curbside refuse, recycling and organics collection, as mandated by state law. Commercial rates for the most common type of service, a three cubic yard bin serviced once weekly, would increase from \$122.57 per month to \$131.29 per month; a \$8.72 increase per month. State mandated commercial organics recycling services is billed separately, at an additional cost of \$92.59 for a 65 gallon cart serviced once weekly.

The following table identifies the proposed EDCO rates for the next two years (July 1, 2023 through June 30, 2025) for all EDCO services:

<b>Service</b>	<b>Current Rate</b>	<b>Proposed Rate</b>	<b>Actual Increase</b>	<b>Percent Increase</b>
Basic Residential Service (recycling, green waste, & refuse)	\$27.57	\$29.80	\$2.23	8.1%
Additional Cart Service	\$3.14	\$3.14	\$0.00	0.0%
Senior Residential Service (seniors 62+ with income under \$30,000)	\$22.06	\$23.84	\$1.78	8.1%
Silver Bag Service (seniors 62+)	\$3.84	\$4.15	\$0.31	8.1%
3-yard bin once per week	\$122.57	\$131.29	\$8.72	7.1%
3-yard bin twice per week	\$206.94	\$221.65	\$14.71	7.1%
3-yard bin three times per week	\$291.33	\$312.04	\$20.07	7.1%
3-yard bin four times per week	\$375.70	\$402.41	\$26.71	7.1%
3-yard bin five times per week	\$460.09	\$492.80	\$32.71	7.1%
3-yard bin six times per week	\$544.45	\$583.16	\$38.71	7.1%

EDCO’s Solid Waste and Recycling Services Agreement with the City allows for annual rate adjustments. However, any adjustment to the rate structure must be based on changes in the Consumer Price Index (CPI) and tipping fees. The City Council, having granted EDCO its exclusive franchise, can place limitations on EDCO’s rates, so that the public is charged a competitive rate. The Resolution establishes the maximum rate that EDCO can charge during the two fiscal years. EDCO has the right to charge up to the maximum rate, but cannot exceed that rate. Under its franchise, EDCO has the right to set rates within the limits set out by the City Council.

There are various cost factors that have impacted the solid waste industry, including EDCO. The primary factors contributing to the increased rates include landfill tipping fees, cost of fuel and labor, cost to comply with state regulations, and the loss in offsetting revenue from the sale of recycled materials overseas due to the poor market conditions for recycling commodities. Thus, there has been a higher than projected increase to the CPI. As a result, EDCO is requesting that the City Council raise the ceiling placed on its solid waste rates and the state mandated organics recycling. However, because the City has granted a franchise to EDCO to collect solid waste, recycled goods and other green waste within the City of Lemon Grove, the City Council has the right to set the maximum rate that the private contractor can charge for its services.

The proposed rate schedule reflects both the increase in service costs, as well as the anticipated revenue from recyclable materials diverted through the City’s Assembly Bill (AB) 939 programs. That revenue absorbs a portion of the cost increases, keeping fees lower than they would be without the resale of the recycled materials. In addition to collection service costs, the fees also include tipping fees, AB 939 fees, and the franchise fee.





**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE FRANCHISE AGREEMENT WITH EDCO CORPORATION TO AFFIRM THE MAXIMUM RATE LIMITATION FOR FISCAL YEARS 2023-24 AND 2024-2025**

**WHEREAS**, on May 4, 2021, the City Council adopted Resolution No. 2021-381, a Resolution of the Lemon Grove City Council affirmed a two-year service rate schedule for EDCO Disposal to provide Residential and Commercial Waste Collection and Recycling Services; and

**WHEREAS**, EDCO Corporation is the City of Lemon Grove's franchisee for solid waste collection and recycling services; and

**WHEREAS**, a franchise agreement exists between the City of Lemon Grove and EDCO Disposal for providing waste collection and recycling services; and

**WHEREAS**, under the franchise agreement, the City Council has the right to approve the maximum rate that EDCO may charge for its services; and

**WHEREAS**, EDCO has been operating under the same City Council approved rate ceiling since 2021; and

**WHEREAS**, EDCO has provided the City with a proposed service rate schedule for the upcoming two fiscal years; and

**WHEREAS**, to the extent that this resolution is determined to have resulted in the imposition of any fees, rates, or charges for services or facilities in connection with the solid waste system providing services within the City's territorial limits, those charges are adopted pursuant to California Health and Safety Code section 5471.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lemon Grove, California that the foregoing recitals are true and correct; and:

1. Establishes a maximum two-year EDCO rate schedule, including organic recycling mandate, for Fiscal Years 2023-24 and 2024-25, listed as Exhibit 1.
2. Repeals any previously adopted resolutions in conflict with the terms of this resolution.

**PASSED AND ADOPTED** on \_\_\_\_\_, 2023, the City Council of the City of Lemon Grove, California, adopted Resolution No. 2023- \_\_\_\_\_, passed by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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**Racquel Vasquez, Mayor**

**Attest:**

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**Deborah Harrington, Interim City Clerk**

**Approved as to Form:**

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**Kristen Steinke, City Attorney**

**EDCO BIENNIAL RATE INCREASE  
(July 1, 2023 through June 30, 2025)**

<b>Service</b>	<b>Current Rate</b>	<b>Proposed Rate</b>	<b>Actual Increase</b>	<b>Percent</b>
Basic Residential Service (recycling, green waste, & refuse)	\$27.57	\$29.80	\$2.23	8.1%
Optional Additional Cart Service	\$3.14	\$3.14	\$0.00	0.0%
Senior Residential Service (seniors 62+ with income under \$30,000)	\$22.06	\$23.84	\$1.78	8.1%
Silver Bag Service (seniors 62+)	\$3.84	\$4.15	\$0.31	8.1%
3-yard bin once per week	\$122.57	\$131.29	\$8.72	7.1%
3-yard bin twice per week	\$206.94	\$221.65	\$14.71	7.1%
3-yard bin three times per week	\$291.33	\$312.04	\$20.71	7.1%
3-yard bin four times per week	\$375.70	\$402.41	\$26.71	7.1%
3-yard bin five times per week	\$460.09	\$492.80	\$32.71	7.1%
3-yard bin six times per week	\$544.45	\$583.16	\$38.71	7.1%
Commercial Organic service (65 gal cart 1xweek)	\$92.59	\$99.17	\$6.58	7.1%
Commercial Organic service (96 gal cart 1xweek)	\$105.58	\$113.09	\$7.51	7.1%
Commercial Organic service (2 yd bin 1xweek)	\$176.08	\$188.60	\$12.52	7.1%

<b>Residential and Commercial</b>	<b>Maximum Monthly Rates</b>
<b>Waste Collection and Recycling Services</b>	<b>7/1/23 – 6/30/25</b>
Basic Residential Cart Service (One each – recycling, green waste, & refuse)	\$29.80
Optional Additional Cart Service	\$3.14
Senior Rate Residential Cart Service (62+ with income under \$30,000)	\$23.84
Silver Bag Service (For seniors 62+)	\$4.15
3-yard bin once per week	\$131.29
3-yard bin twice per week	\$221.65
3-yard bin three times per week	\$312.04
3-yard bin four times per week	\$402.41
3-yard bin five times per week	\$492.80
3-yard bin six times per week	\$583.16
Commercial Organic service (65 gal cart 1xweek)	\$99.17
Commercial Organic service (96 gal cart 1xweek)	\$113.09
Commercial Organic service (2 yd bin 1xweek)	\$188.60





# LEMON GROVE SANITATION DISTRICT

## DISTRICT BOARD STAFF REPORT

**Item No.** 5

**Meeting Date:** May 2, 2023

**Submitted to:** Honorable Chair and Members of the District Board

**Department:** Sanitation District

**Staff Contact:** Izzy Murguia, Public Works Director

[imurguia@lemongrove.ca.gov](mailto:imurguia@lemongrove.ca.gov)

Kristen Steinke, City Attorney, [ksteinke@bwslaw.com](mailto:ksteinke@bwslaw.com)

**Item Title:** **Second Reading and Adoption of Ordinance No. 33 Amending Ordinance No. 32 Describing Methods for Calculating Lemon Grove Sanitation District Sewer Service Charges**

**Recommended Action:** Introduce for its second reading, by title only, and adopt Ordinance No. 33 entitled “An Ordinance Amending Ordinance No. 32 of the Lemon Grove Sanitation District Describing Methods for Calculating Sewer Service Charges.”

**Summary/Discussion:** At the District Board meeting on April 18, 2023, the Board conducted a Public Hearing and introduced Ordinance No. 33 entitled “An Ordinance Amending Ordinance No. 32 of the Lemon Grove Sanitation District Describing Methods for Calculating Sewer Service Charges.” This ordinance establishes rates and methods of calculating annual sewer service charges for Fiscal Years 2023-24 through 2027-28. There were three (3) public speakers.

Vote at first reading:	AYES:	MENDOZA, SNOW, VASQUEZ
	NOES:	LEBARON
	ABASTAINED:	
	ABSENT:	GASTIL
	DISQUALIFIED:	

This item continues the ordinance adoption process by recommending the second reading, by title only, of Ordinance No. 33. If adopted, the proposed sewer rates for Fiscal Year 2023-24 through Fiscal Year 2027-28 will take effect July 1, 2023.

**Environmental Review:**

- Not subject to review  Negative Declaration  
 Categorical Exemption, Section |  Mitigated Negative Declaration

**Fiscal Impact:** There is no direct fiscal impact associated with this item.

**Public Notification:** An ordinance summary notice was published in the East County Californian on Friday, April 28, 2023. A certified copy of this Ordinance will also be posted in the Office of the City clerk in accordance with Government Code section 36933.

**Staff Recommendation:** Introduce for its second reading, by title only, and adopt Ordinance No. 33 entitled “An Ordinance Amending Ordinance No. 32 of the Lemon Grove Sanitation District Describing Methods for Calculating Sewer Service Charges.”

**Attachments:**

**Attachment A** – Ordinance No. 33 entitled “An Ordinance Amending Ordinance No. 32 of the Lemon Grove Sanitation District Describing Methods for Calculating Sewer Service Charges” (Redline)

**Attachment B** – Ordinance No. 33 entitled “An Ordinance Amending Ordinance No. 32 of the Lemon Grove Sanitation District Describing Methods for Calculating Sewer Service Charges” (Clean)

**ORDINANCE NO. 33**

**AN ORDINANCE AMENDING ORDINANCE NO. 32 OF THE  
LEMON GROVE SANITATION DISTRICT  
DESCRIBING METHODS FOR CALCULATING SEWER  
USE CHARGES**

The Board of Directors of the Lemon Grove Sanitation District does ordain as follows:

**SECTION 1.** Ordinance No. 32, Article III shall be amended to read as follows:

**ARTICLE III**

**SEWER SERVICE CHARGES**

**SECTION 30. ESTABLISHMENT OF SEWER SERVICE CHARGE.** There is hereby levied and assessed upon each premise within the district that discharges sewage into the sewer lines of the District and upon each person owning, letting or occupying such premises an annual sewer service charge.

The annual sewer service charges are designed to recover the cost of ongoing sewer operations, required improvements to the sewer system, and repair and replacement of existing sewer system assets. In general, these costs include, without limitation, (1) the District's annual cost to provide customer service functions and collect and transport wastewater, (2) the District's annual cost for wastewater treatment and disposal as fees paid to the City of San Diego for capacity and use of the San Diego Metropolitan Sewer System, and (3) the District's share of the regional Pure Water San Diego Program. Total annual costs are allocated to users of the District's system by classification of type of property ("customer class") based on the number of accounts, volume of wastewater, and constituent levels of sewer strength discharged into the sewer system, as measured by milligrams per liter (mg/l) of biochemical oxygen demand (BOD) and suspended solids (SS).

The structure of the annual sewer service charges uses a combination of equivalent dwelling units (EDU) for residential users and volume-based rates for commercial users. Residential users are one (1) EDU per dwelling unit. The annual sewer service charges for each residential user shall be a flat rate per EDU and not based on water usage. Commercial users are grouped based on their estimated sewage strengths into three (3) classes of users (low, medium, and high) strength. Each commercial customer shall be charged for sewer service based on water usage. Potable water delivered through the water meter shall be used to estimate the volume of wastewater discharge for commercial customers. Each year, 100% of the property's bi-monthly metered water usage records from Helix Water District for a recent 12-month period shall be used to estimate the volume of wastewater and determine the upcoming year's annual sewer service bill unless

the discharger or legal owner presents evidence to the contrary, and this evidence is satisfactory to the District Engineer (or designee). The District Engineer (or designee) may adjust the user's annual sewer service bill in proportion to the estimated volume of wastewater discharged to the sewer. See Section 30.4 for Appeal process.

Where metered water usage data is unavailable for a commercial parcel connected to the sewer system (and for parcels newly connected), the volume of sewer discharge for the parcel will be estimated using (1) permit records, (2) the average commercial volume of sewer discharge, or (3) other estimation method as determined by the District Engineer (or designee) unless the discharger or legal owner presents evidence to the contrary and this evidence is satisfactory to the District Engineer (or designee). The District Engineer (or designee) may adjust the user's annual sewer service bill in proportion to the estimated volume of wastewater discharged to the sewer. See Section 30.4 for Appeal process. The estimated volume of wastewater discharge shall be used for the calculation of the sewer service charge until 12 months of consecutive metered water usage records is collected. For this ordinance, the average commercial volume of sewer discharge per account is 3,248 cubic feet per month (6,496 cubic feet per bi-monthly period).

For this ordinance, properties are classified as either residential or commercial. Commercial properties are further categorized into the three (3) strength categories (low, medium, and high) based on the constituent level of sewage strength discharged into the sewer system that is typically generated for the type of business. Exhibit 1 lists the types of properties included within the residential class and the commercial classifications, which are based on the discharge characteristics, by property type, as set forth in the current edition of the California State Water Resources Control Board publication *"Policy for Implementing The State Revolving Fund For Construction of Water Treatment Facilities"*.

<b>EXHIBIT 1: CUSTOMER CLASSES AND WASTEWATER STRENGTH ASSIGNMENT</b>			
<b>RESIDENTIAL</b> <b>(&lt;= 200 mg/l BOD &amp; SS)</b>	<b>COMMERCIAL - LOW</b> <b>(&lt;= 200 mg/l BOD &amp; SS)</b>	<b>COMMERCIAL - MEDIUM</b> <b>(201-400 mg/l BOD &amp; SS)</b>	<b>COMMERCIAL - HIGH</b> <b>(401-800+ mg/l BOD &amp; SS)</b>
Single-family	Basic commercial	Bars without dining	Auto steam cleaning
Condominium	Car wash	Commercial laundry	Bakery, wholesale
Mobile home	Convalescent	Hotel/motel without dining	Bars with dining
Duplex	Laundromat	Mixed use	Special manufacturing
Tri-plex	Light manufacturing	Shopping centers/theaters	Hotel/motel with dining
Four-plex	Office building/storage	Repair shop/service station	Industrial laundry
Apartment	Medical/dental/veterinary		Supermarket/deli
	School/college		Mortuary
			Restaurant
			Septage hauler

1 - mg/l = milligrams per liter; BOD = biochemical oxygen demand; SS = suspended solids.

Each user under the authority of this ordinance is assigned to the residential customer class or one of the three (3) commercial strength classes for purposes of calculating and assessing the sewer service charges. For property types not listed in Exhibit 1, the District Engineer (or designee) shall assign each user under the authority of this ordinance to a customer classification based on comparable industry standards for purposes of assessing the sewer service charges.

For this ordinance, the discharge characteristics of an average residential user is one (1) EDU and shall be composed of wastewater flow of 675 cubic feet per month (or 166 gallons per day



for 365 days per year) and constituent levels of sewage strength of 200 mg/l BOD and 200 mg/l SS.

For this ordinance, the discharge characteristics for purposes of assessing sewer service charges for commercial customers shall be a minimum of one (1) EDU equal to 675 cubic feet per month (or 166 gallons per day for 365 days per year) and constituent levels of sewage strength of 200 mg/l BOD and 200 mg/l SS. Higher sewer service charges shall be assessed for metered water usage over 675 cubic feet per month (1,350 per bi-monthly period) and/or higher constituent levels of sewer strength per Exhibit 1.

The District Engineer (or designee) shall assign EDUs for each residential customer which shall be equal to the number of dwelling units for purposes of assessing the sewer service charges. For commercial customers, the District Engineer (or designee) shall assign the flow quantity and strength category for each commercial parcel based upon actual metered water usage and the strength of wastewater that is typically generated for each type of commercial customer. The number of dwelling units, water usage, and strength classification so assigned shall be used in computing the sewer service charges for residential and commercial customers.

**SECTION 30.1. Residential Sewer Service Charges.** Annual sewer service charges shall be determined for residential customers as follows:

Residential customers shall be assessed an annual sewer service charge based on a Rate per EDU (per dwelling unit) as shown in Exhibit 2. Vacant residential properties connected to the sewer system shall be assessed an annual fixed charge per dwelling unit to recover fixed sewer system costs incurred regardless of the actual volume or strength of wastewater discharge.

Annual sewer service charges for Fiscal Years 2023/24 through 2027/28 are shown in Exhibit 2.

EXHIBIT 2: RESIDENTIAL SEWER SERVICE CHARGES					
Residential Categories	MAXIMUM ANNUAL SEWER SERVICE CHARGES				
	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27	FY 2027/28
A. Occupied Residential - \$/dwelling unit	\$655.20	\$674.86	\$695.10	\$715.95	\$737.43
B. Vacant Residential - \$/dwelling unit	\$58.64	\$60.40	\$62.21	\$64.08	\$66.00

The annual sewer service charge (SSC) for residential customers shall be calculated using the formula below:

$$SSC = \text{EDU value (number of dwelling units)} \times \text{applicable year sewer service charge}$$

For example, for FY 2023/24 the formula for an occupied single-family home (1 dwelling unit) would be as follows:

$$SSC = 1 \times \$655.20 = \$655.20$$

The formula for an occupied 4-unit multi-family dwelling the formula would be as follows:

$$SSC = 4 \times \$655.20 = \$2,620.80$$

For a vacant single-family residential property, the formula would be as follows:

$$SSC = 1 \times \$58.64 = \$58.64$$

For subsequent fiscal years, the formula is the same but the rate per dwelling unit changes each year through FY 2027/28 per the schedule shown in Exhibit 2.

**SECTION 30.2. Assignment of Sewer Discharge for Commercial Customers.** Assignment of sewer discharge for commercial/industrial properties shall be based on (1) the volume of wastewater discharged into the sewer system as measured by metered water usage and (2) the constituent level of sewage discharged into the sewer system as determined by the assigned commercial strength class by property type as shown in Exhibit 1. The discharge characteristics for purposes of assessing sewer service charges for commercial customers shall be a minimum of one (1) EDU equal to 675 cubic feet per month (or 166 gallons per day for 365 days per year) and constituent levels of sewage strength of 200 mg/l BOD and 200 mg/l SS. Higher sewer service charges will be assessed for metered water consumption over 675 cubic feet per month and/or higher constituent levels of sewer strength per Exhibit 1 and Exhibit 3.

**SECTION 30.3. Commercial/Industrial Sewer Service Charges.** Annual sewer service charges shall be determined for commercial customers as follows:

The commercial sewer service charge includes an annual base charge per parcel that includes recovery of customer-related costs and the first 675 cubic feet of metered water supplied per month (1,350 cubic feet per bi-monthly basis), plus a volume charge per 100 cubic feet (Hcf) of water over the amount of water included in the base charge. Each commercial user shall pay a minimum annual charge of one base rate plus a volume charge for all consumption over 675 cubic feet per month that varies depending on the commercial strength classification assigned to each commercial user.

Annual sewer service charges for Fiscal Years 2023/24 through 2027/28 are shown in Exhibit 3.

EXHIBIT 3: COMMERCIAL SEWER SERVICE CHARGES					
Commercial Categories	MAXIMUM ANNUAL SEWER SERVICE CHARGES				
	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27	FY 2027/28
A. Occupied Commercial					
1. Base Charge - \$/parcel (includes first 675 cubic feet of water per month)	\$655.20	\$674.86	\$695.10	\$715.95	\$737.43
2. Volume Charge - \$/hcf (over 675 cubic feet of water per month)					
Commercial-Low	\$7.04	\$7.26	\$7.47	\$7.70	\$7.93
Commercial-Medium	\$8.95	\$9.22	\$9.50	\$9.78	\$10.08
Commercial-High	\$13.18	\$13.57	\$13.98	\$14.40	\$14.83
B. Vacant Commercial - \$/account	\$80.23	\$82.64	\$85.12	\$87.67	\$90.30

1 - One cubic foot is equivalent to 7.48 gallons. 675 cubic feet is equivalent to 5,049 gallons. Hcf = 100 cubic feet.

The volume charge component of the SSC for individual commercial property sewer bills for FY 2023/24 shall be calculated based on each parcel's FY 2020/21 actual bi-monthly metered water usage supplied by the Helix Water District. Sewer bills in subsequent fiscal years will be calculated

based on each parcel's actual bi-monthly metered water usage for the prior fiscal year (July through June).

The formula for calculating the commercial customer annual sewer service charge (SSC) is shown below:

$$\text{Bi-Monthly Commercial Customer SSC} = (\text{Base Charge}/6) + ((W_Q - (2 \times 675)) \times \text{Rate}_{L,M,H})$$

$$\text{Annual Commercial Customer SSC} = \text{Sum of Bi-Monthly Commercial SSC for the FY}$$

In the above formula, the terms are defined as follows:

Base Charge =	Minimum annual Base Charge per account. The charge changes each year based on the schedule shown in Exhibit 3. On a bi-monthly basis the charge is equal to the Base Charge divided by 6 months. The Base Charge includes 675 cubic feet of metered water usage per month or 1,350 cubic feet per bi-monthly water consumption records.
$W_Q$ =	Bi-Monthly metered water usage measured in cubic feet for each commercial customer as provided by Helix Water District.
675 =	Monthly metered water usage allowance measured in cubic feet that is included in the Base Charge for each commercial parcel. Since bills are calculated on bi-monthly usage, the formula multiplies 675 cubic feet by 2 which is equal to 1,350 cubic feet.
Rate <sub>L, M, H</sub>	The Volume Charge per hundred cubic feet (Hcf) as shown in Exhibit 3 for commercial properties based on the strength categories of commercial-low, commercial-medium, and commercial-high.

Vacant commercial properties connected to the sewer system shall be assessed an annual fixed charge per account to recover fixed sewer system costs incurred regardless of the actual volume or strength of wastewater discharge.

For example, for FY 2023/24 the formula for a vacant commercial property would be as follows:

$$\text{SSC} = 1 \times \$80.23 = \$80.23$$

**SECTION 30.4. Appeal Process.** The owner or agent of a commercial or residential property subject to the sewer service charge may apply in writing to the District Engineer (or designee) for an exception as herein provided. The applicant shall complete an official application for review of annual sewer service charges, supplied by the District, and provide necessary factual data to support such application. If the District Engineer (or designee) agrees that charges for the user should be adjusted, the District Engineer (or designee) may approve a re-computation of the user's annual sewer service bill.

Upon denial by the District Engineer (or designee), any applicant dissatisfied with such decision may appeal same in writing to the Executive Director. The Executive Director's decision shall be final.

The following are potential justifications for an exception:

- A. **Commercial Strength Classification.** The property discharges a lower strength BOD and SS concentration than their assigned commercial strength classification.
  
- B. **Return to Sewer Factor.** A portion of the user's metered water usage, larger than ten percent, is not discharged into the sewer system ("return to sewer") due to a substantial portion of the water used for commercial/industrial process, recreational, horticultural, agricultural, or other purposes where water does not enter the sewer system.
  
- C. **Estimated Water Usage.** The assigned volume of wastewater does not accurately reflect the actual water usage or volume of wastewater of the property.
  
- D. **Property with Separate Irrigation Meters.** When water is supplied to premises by one or more water meters and one or more of such water meters does not provide water which is discharged into the sewer system.
  
- E. **Leaks.** When excessive water consumption is caused by unknown water pipe leaks.

**SECTION 30.5 Refund/Reduction of Sewer Service Charges.** The Executive Director (or designee) is authorized to reduce the sewer service charge of over-charged parcels. The Executive Director (or designee) is authorized to allow refunds of annual sewer service charges to property owners which have been over-charged for sewer service charges. Only those amounts which were over-charged will be refunded and without accrued interest. Refunds may be issued for up to three years in arrears during which the property owner was over-charged for sewer service.

**SECTION 30.6 Back Charges for Unpaid Sewer Service.** The Executive Director (or designee) is authorized to require back charges if a property has been discharging into the sewer system without payment of sewer service charges or connection fees. The back charges may be imposed up to three years in arrears.

**SECTION 2. DATE OF LEVY OF NEW CHARGES.** The five-year schedule of sewer service charges (SSC) referenced above shall take effect on July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, and July 1, 2027, in the manner allowed by law. The SSC shall be placed on customers' annual property tax bills or by direct mail for tax-exempt properties.



**NOW, THEREFORE, BE IT RESOLVED** that the District Board of Lemon Grove Sanitation District, Lemon Grove, California, does ordain as follows:

Section 1. The following recitals are true and correct.

Section 2. This Ordinance shall be effective thirty (30) days following its adoption. Within fifteen (15) days following its adoption, the District Clerk shall publish the title thereof, as a summary as required by state law.

**INTRODUCED** by the District Board on April 18, 2023. **PASSED AND ADOPTED** by the District Board of the Lemon Grove Sanitation District, Lemon Grove, State of California, on \_\_\_\_\_, 2023 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

Racquel Vasquez, District Chair

**Attest:**

\_\_\_\_\_  
Deborah Harrington, Interim District Clerk

**Approved as to Form:**

\_\_\_\_\_  
Kristen Steinke, District Attorney

# ATTACHMENT B

## ORDINANCE NO. 33

### AN ORDINANCE AMENDING ORDINANCE NO. 32 OF THE LEMON GROVE SANITATION DISTRICT DESCRIBING METHODS FOR CALCULATING SEWER SERVICE CHARGES

The Board of Directors of the Lemon Grove Sanitation District does ordain as follows:

**SECTION 1.** Ordinance No. 32, Article III shall be amended to read as follows:

#### ARTICLE III

#### SEWER SERVICE CHARGES

SECTION 30. ESTABLISHMENT OF SEWER SERVICE CHARGES. There is hereby levied and assessed upon each premise within the District that discharges sewage into the sewer lines of the District and upon each person owning, letting, or occupying such premises an annual sewer service charge.

The annual sewer service charges are designed to recover the cost of ongoing sewer operations, required improvements to the sewer system, and repair and replacement of existing sewer system assets. In general, these costs include, without limitation, (1) the District's annual cost to provide customer service functions and collect and transport wastewater, (2) the District's annual cost for wastewater treatment and disposal as fees paid to the City of San Diego for capacity and use of the San Diego Metropolitan Sewer System, and (3) the District's share of the regional Pure Water San Diego Program. Total annual costs are allocated to users of the District's system by classification of type of property ("customer class") based on the number of accounts, volume of wastewater, and constituent levels of sewer strength discharged into the sewer system, as measured by milligrams per liter (mg/l) of biochemical oxygen demand (BOD) and suspended solids (SS).

The structure of the annual sewer service charges uses a combination of equivalent dwelling units (EDU) for residential users and volume-based rates for commercial users. Residential users are one (1) EDU per dwelling unit. The annual sewer service charges for each residential user shall be a flat rate per EDU and not based on water usage. Commercial users are grouped based on their estimated sewage strengths into three (3) classes of users (low, medium, and high) strength. Each commercial customer shall be charged for sewer service based on water usage. Potable water delivered through the water meter shall be used to estimate the volume of wastewater discharge for commercial customers. Each year, 100% of the property's bi-monthly metered water usage records from Helix Water District for a recent 12-month period shall be used to estimate the volume of wastewater and determine the upcoming year's annual sewer service bill unless the discharger or legal owner presents evidence to the contrary, and this evidence is satisfactory to the District Engineer (or designee). The District Engineer (or designee) may adjust the user's annual sewer service bill in proportion to the estimated volume of wastewater discharged to the sewer. See Section 30.4 for Appeal process.

Where metered water usage data is unavailable for a commercial parcel connected to the sewer system (and for parcels newly connected), the volume of sewer discharge for the parcel will be estimated using (1) permit records, (2) the average commercial volume of sewer discharge, or (3) other estimation method as determined by the District Engineer (or designee) unless the

discharger or legal owner presents evidence to the contrary and this evidence is satisfactory to the District Engineer (or designee). The District Engineer (or designee) may adjust the user's annual sewer service bill in proportion to the estimated volume of wastewater discharged to the sewer. See Section 30.4 for Appeal process. The estimated volume of wastewater discharge shall be used for the calculation of the sewer service charge until 12 months of consecutive metered water usage records is collected. For this ordinance, the average commercial volume of sewer discharge per account is 3,248 cubic feet per month (6,496 cubic feet per bi-monthly period).

For this ordinance, properties are classified as either residential or commercial. Commercial properties are further categorized into the three (3) strength categories (low, medium, and high) based on the constituent level of sewage strength discharged into the sewer system that is typically generated for the type of business. Exhibit 1 lists the types of properties included within the residential class and the commercial classifications, which are based on the discharge characteristics, by property type, as set forth in the current edition of the California State Water Resources Control Board publication *“Policy for Implementing The State Revolving Fund For Construction of Water Treatment Facilities”*.

EXHIBIT 1: CUSTOMER CLASSES AND WASTEWATER STRENGTH ASSIGNMENT			
RESIDENTIAL (≤ 200 mg/l BOD & SS)	COMMERCIAL - LOW (≤ 200 mg/l BOD & SS)	COMMERCIAL - MEDIUM (201-400 mg/l BOD & SS)	COMMERCIAL - HIGH (401-800+ mg/l BOD & SS)
Single-family	Basic commercial	Bars without dining	Auto steam cleaning
Condominium	Car wash	Commercial laundry	Bakery, wholesale
Mobile home	Convalescent	Hotel/motel without dining	Bars with dining
Duplex	Laundromat	Mixed use	Special manufacturing
Tri-plex	Light manufacturing	Shopping centers/theaters	Hotel/motel with dining
Four-plex	Office building/storage	Repair shop/service station	Industrial laundry
Apartment	Medical/dental/veterinary		Supermarket/deli
	School/college		Mortuary
			Restaurant
			Septage hauler

1 - mg/l = milligrams per liter; BOD = biochemical oxygen demand; SS = suspended solids.

Each user under the authority of this ordinance is assigned to the residential customer class or one of the three (3) commercial strength classes for purposes of calculating and assessing the sewer service charges. For property types not listed in Exhibit 1, the District Engineer (or designee) shall assign each user under the authority of this ordinance to a customer classification based on comparable industry standards for purposes of assessing the sewer service charges.

For this ordinance, the discharge characteristics of an average residential user is one (1) EDU and shall be composed of wastewater flow of 675 cubic feet per month (or 166 gallons per day for 365 days per year) and constituent levels of sewage strength of 200 mg/l BOD and 200 mg/l SS.

For this ordinance, the discharge characteristics for purposes of assessing sewer service charges for commercial customers shall be a minimum of one (1) EDU equal to 675 cubic feet per month (or 166 gallons per day for 365 days per year) and constituent levels of sewage strength of 200 mg/l BOD and 200 mg/l SS. Higher sewer service charges shall be assessed for metered water usage over 675 cubic feet per month (1,350 per bi-monthly period) and/or higher constituent levels of sewer strength per Exhibit 1.

The District Engineer (or designee) shall assign EDUs for each residential customer which shall be equal to the number of dwelling units for purposes of assessing the sewer service charges.

For commercial customers, the District Engineer (or designee) shall assign the flow quantity and strength category for each commercial parcel based upon actual metered water usage and the strength of wastewater that is typically generated for each type of commercial customer. The number of dwelling units, water usage, and strength classification so assigned shall be used in computing the sewer service charges for residential and commercial customers.

**SECTION 30.1. Residential Sewer Service Charges.** Annual sewer service charges shall be determined for residential customers as follows:

Residential customers shall be assessed an annual sewer service charge based on a Rate per EDU (per dwelling unit) as shown in Exhibit 2. Vacant residential properties connected to the sewer system shall be assessed an annual fixed charge per dwelling unit to recover fixed sewer system costs incurred regardless of the actual volume or strength of wastewater discharge.

Annual sewer service charges for Fiscal Years 2023/24 through 2027/28 are shown in Exhibit 2.

EXHIBIT 2: RESIDENTIAL SEWER SERVICE CHARGES					
Residential Categories	MAXIMUM ANNUAL SEWER SERVICE CHARGES				
	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27	FY 2027/28
A. Occupied Residential - \$/dwelling unit	\$655.20	\$674.86	\$695.10	\$715.95	\$737.43
B. Vacant Residential - \$/dwelling unit	\$58.64	\$60.40	\$62.21	\$64.08	\$66.00

The annual sewer service charge (SSC) for residential customers shall be calculated using the formula below:

$$SSC = EDU \text{ value (number of dwelling units)} \times \text{applicable year sewer service charge}$$

For example, for FY 2023/24 the formula for an occupied single-family home (1 dwelling unit) would be as follows:

$$SSC = 1 \times \$655.20 = \$655.20$$

The formula for an occupied 4-unit multi-family dwelling the formula would be as follows:

$$SSC = 4 \times \$655.20 = \$2,620.80$$

For a vacant single-family residential property, the formula would be as follows:

$$SSC = 1 \times \$58.64 = \$58.64$$

For subsequent fiscal years, the formula is the same but the rate per dwelling unit changes each year through FY 2027/28 per the schedule shown in Exhibit 2.

**SECTION 30.2. Assignment of Sewer Discharge for Commercial Customers.** Assignment of sewer discharge for commercial/industrial properties shall be based on (1) the volume of wastewater discharged into the sewer system as measured by metered water usage and (2) the constituent level of sewage discharged into the sewer system as determined by the assigned commercial strength class by property type as shown in Exhibit 1. The discharge characteristics for purposes of assessing sewer service charges for commercial customers shall be a minimum of one (1) EDU equal to 675 cubic feet per month (or 166 gallons per day for 365 days per year) and constituent levels of sewage strength of 200 mg/l BOD and 200 mg/l SS. Higher sewer service charges will be assessed for metered water consumption over 675 cubic feet per month and/or higher constituent levels of sewer strength per Exhibit 1 and Exhibit 3.

**SECTION 30.3. Commercial/Industrial Sewer Service Charges.** Annual sewer service charges shall be determined for commercial customers as follows:

The commercial sewer service charge includes an annual base charge per parcel that includes recovery of customer-related costs and the first 675 cubic feet of metered water supplied per month (1,350 cubic feet per bi-monthly basis), plus a volume charge per 100 cubic feet (Hcf) of water over the amount of water included in the base charge. Each commercial user shall pay a minimum annual charge of one base rate plus a volume charge for all consumption over 675 cubic feet per month that varies depending on the commercial strength classification assigned to each commercial user.

Annual sewer service charges for Fiscal Years 2023/24 through 2027/28 are shown in Exhibit 3.

EXHIBIT 3: COMMERCIAL SEWER SERVICE CHARGES					
Commercial Categories	MAXIMUM ANNUAL SEWER SERVICE CHARGES				
	FY 2023/24	FY 2024/25	FY 2025/26	FY 2026/27	FY 2027/28
A. Occupied Commercial					
<b>1. Base Charge - \$/parcel</b> (includes first 675 cubic feet of water per month)	\$655.20	\$674.86	\$695.10	\$715.95	\$737.43
<b>2. Volume Charge - \$/hcf</b> (over 675 cubic feet of water per month)					
<b>Commercial-Low</b>	\$7.04	\$7.26	\$7.47	\$7.70	\$7.93
<b>Commercial-Medium</b>	\$8.95	\$9.22	\$9.50	\$9.78	\$10.08
<b>Commercial-High</b>	\$13.18	\$13.57	\$13.98	\$14.40	\$14.83
B. Vacant Commercial - \$/account					
	\$80.23	\$82.64	\$85.12	\$87.67	\$90.30

1 - One cubic foot is equivalent to 7.48 gallons. 675 cubic feet is equivalent to 5,049 gallons. Hcf = 100 cubic feet.

The volume charge component of the SSC for individual commercial property sewer bills for FY 2023/24 shall be calculated based on each parcel’s FY 2020/21 actual bi-monthly metered water usage supplied by the Helix Water District. Sewer bills in subsequent fiscal years will be calculated based on each parcel’s actual bi-monthly metered water usage for the prior fiscal year (July through June).

The formula for calculating the commercial customer annual sewer service charge (SSC) is shown below:

$$\text{Bi-Monthly Commercial Customer SSC} = (\text{Base Charge}/6) + ((W_{L,M,H} - (2 \times 675)) \times \text{Rate})$$

$$\text{Annual Commercial Customer SSC} = \text{Sum of Bi-Monthly Commercial SSC for the FY}$$

In the above formula, the terms are defined as follows:

**Base Charge =** Minimum annual Base Charge per account. The charge changes each year based on the schedule shown in Exhibit 3. On a bi-monthly basis the charge is equal to the Base Charge divided by 6 months. The Base Charge includes 675



cubic feet of metered water usage per month or 1,350 cubic feet per bi-monthly water consumption records.

$W_Q =$  Bi-Monthly metered water usage measured in cubic feet for each commercial customer as provided by Helix Water District.

675 = Monthly metered water usage allowance measured in cubic feet that is included in the Base Charge for each commercial parcel. Since bills are calculated on bi-monthly usage, the formula multiplies 675 cubic feet by 2 which is equal to 1,350 cubic feet.

Rate <sub>L, M, H</sub> The Volume Charge per hundred cubic feet (Hcf) as shown in Exhibit 3 for commercial properties based on the strength categories of commercial-low, commercial-medium, and commercial-high.

Vacant commercial properties connected to the sewer system shall be assessed an annual fixed charge per account to recover fixed sewer system costs incurred regardless of the actual volume or strength of wastewater discharge.

For example, for FY 2023/24 the formula for a vacant commercial property would be as follows:

$$SSC = 1 \times \$80.23 = \$80.23$$

**SECTION 30.4. Appeal Process.** The owner or agent of a commercial or residential property subject to the sewer service charge may apply in writing to the District Engineer (or designee) for an exception as herein provided. The applicant shall complete an official application for review of annual sewer service charges, supplied by the District, and provide necessary factual data to support such application. If the District Engineer (or designee) agrees that charges for the user should be adjusted, the District Engineer (or designee) may approve a re-computation of the user's annual sewer service bill.

Upon denial by the District Engineer (or designee), any applicant dissatisfied with such decision may appeal same in writing to the Executive Director. The Executive Director's decision shall be final.

The following are potential justifications for an exception:

- A. **Commercial Strength Classification.** The property discharges a lower strength BOD and SS concentration than their assigned commercial strength classification.
- B. **Return to Sewer Factor.** A portion of the user's metered water usage, larger than ten percent, is not discharged into the sewer system ("return to sewer") due to a substantial portion of the water used for commercial/industrial process, recreational, horticultural, agricultural, or other purposes where water does not enter the sewer system.
- C. **Estimated Water Usage.** The assigned volume of wastewater does not accurately reflect the actual water usage or volume of wastewater of the property.

D. **Property with Separate Irrigation Meters.** When water is supplied to premises by one or more water meters and one or more of such water meters does not provide water which is discharged into the sewer system.

E. **Leaks.** When excessive water consumption is caused by unknown water pipe leaks.

**SECTION 30.5 Refund/Reduction of Sewer Service Charges.** The Executive Director (or designee) is authorized to reduce the sewer service charge of over-charged parcels. The Executive Director (or designee) is authorized to allow refunds of annual sewer service charges to property owners which have been over-charged for sewer service charges. Only those amounts which were over-charged will be refunded and without accrued interest. Refunds may be issued for up to three years in arrears during which the property owner was over-charged for sewer service.

**SECTION 30.6 Back Charges for Unpaid Sewer Service.** The Executive Director (or designee) is authorized to require back charges if a property has been discharging into the sewer system without payment of sewer service charges or connection fees. The back charges may be imposed up to three years in arrears.

**SECTION 2. DATE OF LEVY OF NEW CHARGES.** The five-year schedule of sewer service charges (SSC) referenced above shall take effect on July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, and July 1, 2027, in the manner allowed by law. The SSC shall be placed on customers' annual property tax bills or by direct mail for tax-exempt properties.

**NOW, THEREFORE, BE IT RESOLVED** that the District Board of Lemon Grove Sanitation District, Lemon Grove, California, does ordain as follows:

Section 1. The following recitals are true and correct.

Section 2. This Ordinance shall be effective thirty (30) days following its adoption. Within fifteen (15) days following its adoption, the District Clerk shall publish the title thereof, as a summary as required by state law.

**INTRODUCED** by the District Board on April 18, 2023. **PASSED AND ADOPTED** by the District Board of the Lemon Grove Sanitation District, Lemon Grove, State of California, on \_\_\_\_\_, 2023 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
Racquel Vasquez, District Chair

**Attest:**

\_\_\_\_\_  
Deborah Harrington, Interim District Clerk

**Approved as to Form:**

\_\_\_\_\_  
Kristen Steinke, District Attorney