

### City of Lemon Grove City Council Regular Meeting Agenda

Tuesday, July 18, 2017, 6:00 p.m. Lemon Grove Community Center 3146 School Lane, Lemon Grove, CA

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 Board

Call to Order

Pledge of Allegiance

Changes to the Agenda

Presentation

Major League All Stars - District Champions

**Public Comment** 

(Note: In accordance with State Law, the general public may bring forward an item not scheduled on the agenda; however, the City Council may not take any action at this meeting. If appropriate, the item will be referred to staff or placed on a future agenda.)

#### 1. 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.)

Approval of Meeting Minutes

June 6, 2017 Regular Meeting

Members present: Vasquez, J. Mendoza, Arambula, and M. Mendoza

June 13, 2017 Special Meeting

Members present: Vasquez, J. Mendoza, Arambula, Jones, and M. Mendoza

June 20, 2017 Regular Meeting

Members present: Vasquez, J. Mendoza, Arambula, Jones, and M. Mendoza

B. City of Lemon Grove Payment Demands

Reference: Auggie Matt, Finance Manager

Recommendation: Ratify Demands

C. Waive Full Text Reading of All Ordinances on the Agenda

Reference: James P. Lough, City Attorney

Recommendation: Waive the full text reading of all ordinances included in this

agenda; Ordinances shall be introduced and adopted by title

D. Acceptance of the Community Development Block Grant (CDBG) 2017 Golden Avenue Street Rehabilitation Project

The City Council will consider a resolution accepting the project as complete per the contract specifications. The final project cost, was under budget, and totaled \$134,838.01.

Reference: Malik Tamimi, Management Analyst

Recommendation: Adopt Resolution

#### E Rejection of Claim

The City Council will consider rejecting a claim submitted by N. Zazueta.

Reference: Mike James, Assistant City Manager/Public Works Director Recommendation: Reject Claim

#### F. Rejection of Claim

The City Council will consider rejecting a claim submitted by D. Correa.

Reference: Mike James, Assistant City Manager/Public Works Director Recommendation: Reject Claim

## G. Rejection of Claim

The City Council will consider rejecting a claim submitted by P. Zazueta.

Reference: Mike James, Assistant City Manager/Public Works Director Recommendation: Reject Claim

H. Acceptance of the FY 2016-17 Street Rehabilitation Project (Contract No. 2017-17)

The City Council will consider a resolution accepting the FY 2016-17 Street Rehabilitation Project as complete per the contract specifications. The final project cost totaled \$294,909.53 of which \$11,273.85 will be reimbursed by Helix Water District.

Reference: Mike James, Assistant City Manager/Public Works Director Recommendation: Adopt Resolution

## 2. Sage Project Presentation

The City Council will receive a presentation of the Sage Project partnership with the City led by Dr. Jessica Barlow, Sage Project Manager.

Reference Mike James, Assistant City Manager/Public Works Director Recommendation: Discuss and Provide Direction to Staff

3. Ordinance No. 446 – Zoning Amendment ZA1-500-0002 Amending the Alcoholic Beverage Sales Regulations and the General Commercial Zoning District Regulations to Allow for Light Manufacturing, Brewpubs, Wine Bars and Related Accessory Uses

The City Council will consider a zoning amendment that would allow for alcoholic beverage manufacturers breweries, wineries, distilleries, brewpubs, and wine bars to be permissible by-right in industrial and commercial zones with related accessory uses.

Reference: David De Vries, Development Services Director Recommendation: Waive further reading and adopt Ordinance No. 446 certifying Mitigated Negative Declaration ND17-02 and approving Zoning Amendment ZA1-500-0002

4. Five-Year Agreement with San Diego County Sheriff's Department for Law Enforcement Service

The City Council will consider a resolution approving and an agreement between the City and the San Diego County Sheriff's Department for General, Specialized Law Enforcement, and Traffic Services for a term of five-years.

Reference: Lydia Romero, City Manager Recommendation: Adopt Resolution

5. Public Appeal to Consider Appeal No. AA1-700-0001 Regarding the Denial of Zoning Clearance No. ZC1-700-0006 Continued from May 16, 2017; a Request to Apply for a Conditional Use Permit to Establish a Medical Marijuana Dispensary at 7309 Broadway in the General Commercial Zone

The City Council will conduct the continued public hearing and consider a resolution that upholds the Development Services Director's determination to deny ZC1-700-0006, a request to apply for a conditional use permit to establish a medical marijuana dispensary at 7309 Broadway in the General Commercial Zone.

Reference: David De Vries, Development Services Director Recommendation: Conduct Continued Public Hearing and Adopt Resolution

6. Public Appeal to Consider Appeal No. AA1-700-0002 Regarding the Denial of Zoning Clearance No. ZC1-700-0010; a Request to Apply for a Conditional Use Permit to Establish a Medical Marijuana Dispensary at 8249 Broadway in the General Commercial Zone

The City Council will conduct a public hearing and consider a resolution that upholds the Development Services Director's determination to deny ZC1-700-0010, a request to apply for a conditional use permit to establish a medical marijuana dispensary at 8249 Broadway in the General Commercial Zone.

Reference: David De Vries, Development Services Director Recommendation: Conduct Public Hearing and Adopt Resolution

Public Appeal to Consider Appeal No. AA1-700-0003 Regarding the Denial of Zoning Clearance No. ZC1-700-0012; a Request to Apply for a Conditional Use Permit to Establish a Medical Marijuana Dispensary at 8260 Broadway in the Heavy Commercial Zone

The City Council will conduct a public hearing and consider a resolution that upholds the Development Services Director's determination to deny ZC1-700-0012, a request to apply for a conditional use permit to establish a medical marijuana dispensary at 8260 Broadway in the Heavy Commercial Zone.

Reference: David De Vries, Development Services Director Recommendation: Conduct Public Hearing and Adopt Resolution

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City.

(GC 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.)

Department Director Reports (Non-Action Items)
Adjournment

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(The regular City Council meetings are recorded and the recording can be found at <a href="http://www.lemongrove.co.gov/departments/mayor-council/city-council-meeting-audio-recordings">http://www.lemongrove.co.gov/departments/mayor-council/city-council-meeting-audio-recordings</a>)

## MINUTES OF A MEETING OF THE LEMON GROVE CITY COUNCIL

#### June 6, 2017

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

City Councilmembers present:

Mayor Racquel Vasquez, Mayor Pro Tem Jennifer Mendoza, Councilmember David Arambula, and Councilmember Matt Mendoza.

City Council Members absent:

Councilmember Jerry Jones.

City Staff present:

City Manager, Lydia Romero; Development Services Director, David De Vries, Sheriff's Department Sergeant, Jorge Dueno; Management Analyst, Miranda Evans; City Clerk, Susan Garcia; Assistant City Manager/Public Works Director; Mike James, City Attorney, James P. Lough; Finance Manager, Auggie Matt; Human Resources Manager, Corinne Russell; Finance Department, Gilbert Rojas; Fire Chief, Colin Stowell; and Management Analyst, Malik Tamimi.

## Pledge of Allegiance

The Pledge of Allegiance was led by Mayor Pro Tem J. Mendoza.

#### **Presentations**

Mayor Vasquez presented the 27th Annual Treganza Third Grade History Essay Awards.

#### **Public Comment**

Ranger Dick Whitmore commented on street repair, construction work at a gas station, and the Family Magazine.

Lorenzo Higley, Community Action Service and Advocacy, commented on tobacco issues with retailer education, and illegal sales of tobacco.

Natasha Vazquez, Rose Freeman, Paula LaBond, and Brenda LeVerette expressed concern and commented on vehicle speed on Sweetwater Road, a recent vehicle accident, and road signage.

#### 1. Consent Calendar

Councilmember Arambula requested that Consent Calendar item 1. E Assembly Bill 805 Resolution be removed for discussion.

## A. Approval of City Council

March 18, 2017 Special Meeting May 9, 2017 Special Meeting May 16, 2017 Regular Meeting May 23, 2017 Special Meeting

- **B.** Ratification of Payment Demands
- C. Waive Full Text Reading of All Ordinances and Resolutions on the Agenda
- D. Resolution Reauthorizing the City's Public, Educational and Governmental Access Fee on State Video Franchises

Action: Motion by Mayor Pro Tem J. Mendoza, seconded by Councilmember Arambula, to approve the Consent Calendar passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, M. Mendoza

Absent: Jones

**Resolution No. 2017- 3909**: A Resolution of the City Council of the City of Lemon Grove, California Reaffirming Authorization to Collect Public, Educational and Governmental ("PEG") Fees by Cox Communications, LLC

## 1. E Assembly Bill 805 Resolution

Councilmember Arambula stated that the Resolution presented does not capture the voting majority intent and asked that paragraphs 2, 3, and 4 are removed from the Resolution.

Mayor Pro Tem J. Mendoza questioned the need for a Resolution and the proposed letter. She added that her preference is that their decision stands without a Resolution or a letter on the City Council's position on AB 805. She noted that this matter has already passed through the State Assembly.

Motion by Mayor Pro Tem J. Mendoza, seconded by Councilmember Arambula, to not approve the Resolution presented or send a letter stating the City's position on AB 805.

#### Public Speaker(s)

Katie Meyer commented on the benefits of AB 805 for Lemon Grove residents, along with countywide benefits related to transit.

Daniella Trujillo, represented the San Diego County Bike Coalition, spoke in support of AB 805.

#### Action the motion passed by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, M. Mendoza

Absent: Jones

# 2. Ordinance No. 445 Amending Park Regulations (Chapter 12.20 of the Lemon Grove Municipal Code)

On May 16, 2017, the City Council introduced and conducted the first reading of Ordinance No. 445 to approve amendments to the City's park regulations. Proposed amendments to the existing regulations include; provisions related to hours of operation, the prohibition of alcohol possession and consumption, the prohibition of smoking marijuana, and marijuana-related products within City parks.

#### Public Speaker(s)

There were no requests from the public to speak.

Action: Motion by Mayor Pro Tem J. Mendoza, seconded by Councilmember Arambula, to waive further reading and adopt Ordinance No. 445 passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, M. Mendoza

Absent: Jones

**Ordinance No. 445:** An Ordinance of the City Council of the City of Lemon Grove, California Amending Chapter 12.20 of the Lemon Grove Municipal Code to Provide Modifications to Park Regulations

#### 3. Draft Fiscal Year 2017-18 Consolidated Operating & Capital Budget

Lydia Romero explained that the purpose of this report is to solicit comments regarding the City's financial plan for FY 2017-18. Any changes supported by a majority of the City Council will be incorporated in the formal document presented at the June 20, 2017, City Council meeting.

Gilbert Rojas provided an overview and presentation of the following items:

Budget Entities

City of Lemon Grove Lemon Grove Roadway Lighting District Lemon Grove Sanitation District Lemon Grove Successor Agency

Budget (Accounting) Foundation

Fund Equal Business Entity
Salary and Benefits allocated over most funds
Retirement normal cost
Retirement unfunded liability payment

General Fund

Revenue and Transfers equal Expenditures

- \$12.4 million Estimated Revenues
- \$.9 million Transfers In
- \$.2 million Transfers Out
- \$13.1 million Budgeted Expenditures

Mike James provided an overview and presentation of the following items:

• Capital Improvement Projects (CIP)

Various Funds - \$9,000,000 Lemon Grove Realignment

#### Sanitation Fund - \$1,591,360

Sewer Main Maintenance (construction) Sewer Main Rehabilitation (design) Sewer Main Rehabilitation (construction)

#### TransNet Fund - \$1,928,000

Traffic Improvements
Storm Drain Rehabilitation
Pavement Management
Street Improvement
Traffic Signal Improvements
Street/Sidewalk Rehabilitation
Lemon Grove Realignment

### Lydia Romero provided an overview and presentation of the following items:

Capital Improvement and Facilities Projects (CIP) List

Annex Courtyard

Folding chairs

#### Community Center

Padded chairs
Glass door replacement
Paint
Baby changing tables
Linoleum floor

#### • Fire Department

Roll up door sensors and bumpers Furnace and A/C unit

#### Lemon Blossom Hall

New laminate counter tops in restrooms

Mirror replacement in restrooms Linoleum floor (4) 8ft. rectangular mobile tables Baby changing tables

#### Recreation Center

Counter top and cabinets arts crafts room
Activity room frame repair
Shade structure pad replacements
Gym wall mat replacement
Foosball table
Baby changing tables
Southwest end gym door replacement

#### Public Works Yard

Tile conference room Auto Scrubber One ton roller

#### Sheriff's Building

Repair subterranean leaking

#### Future Unfunded Department Needs:

New Fire Engine
Fire Command Vehicle
Station Generator
SCBA replacement bottles
Mobile Data Center
GIS Oblique Imagery software

Chief Stowell commented on Fire Fees related to fire inspection services and updates to the Master Fee Schedule.

David De Vries reported on fees for the medical marijuana dispensaries to be included in the Master Fee Schedule, along with art review for a possible Art District.

Councilmember Arambula asked for a cost analysis and priority of the unfunded Fire Department needs that would include a timeframe to address these needs.

Mayor Pro Tem J. Mendoza commented on the business license fee and asked if an analysis could be prepared, regarding providing an after school program.

Lydia Romero noted that the business license fee is actually a tax. In order to increase business license fees, the proposed increase would need to go before the voters for approval. She stated that the business license fee could be brought back for consideration along with strategies to sustain the City's financial plan. The analysis for restoring recreation programs will be presented to the City Council in the fall of this year.

Mayor Vasquez asked if staff could evaluate diversified revenue sources outside of tax revenue.

After the City Council's budget review and discussion, Mayor Vasquez noted that at the June 20, 2017, City Council meeting, the Fiscal Year 2017-18 Consolidated Operating and Capital Budget will be presented for adoption.

Kimberly Simms representing John Marks, property owner at 7309 Broadway, noted that the closed session item on the agenda is related to this property. She commented on the City's Code Enforcement activity and added that they seek to resolve this issue amicably.

# City Council Oral Comments and Reports on Meetings Attended at the Expense of the City. (GC 53232.3 (d))

Councilmember Arambula attending the May 23 City Council Special meeting where the pavement management program was discussed, a Memorial Day Event, and the Summer Kick-off Barbeque Event,

Councilmember M. Mendoza had no reports this evening.

Mayor Pro Tem J. Mendoza attended a Helix Water District Board meeting, where a rate increase was discussed, Mexican American Business Association luncheon, two SANDAG Transportation Committee meetings, Relay for Life, City Council Special meeting where the pavement management program was discussed, SANDAG Regional Energy Working Group, SANDAG's Regional Planning and Transportation Committee joint meeting, and a ceremony commemorating the Battle of Midway, on the USS Midway Museum.

Mayor Vasquez attended the San Diego Bravo Awards, One San Diego 100 Regional Reception, Relay for Life, Lemon Grove's Art Fest, AutoZone's event to reduce an individual's carbon footprint, City Council Special meeting where the pavement management program was discussed, San Diego Taxpayers Golden Watchdog and Fleece Awards Event, SANDAG's Independent Tax Overseers Committee Appointment Meeting.

### City Manager and Department Director Reports

Chief Stowell reported that he attended the Burn Institute's demolition derby fund raising event at the San Diego County Fair where Chris Wrisley, Lemon Grove Firefighter/Paramedic, won the event.

Lydia Romero commented on her attendance at the Burn Institute's demolition derby fund raising event and acknowledged Miranda Evans, Dave Huey, and Monica Gonzales for their efforts in obtaining grants to offset food costs that will provide food, for Lemon Grove children, along with residents of the Citronica Apartments, throughout the summer.

#### **Closed Session**

Conference with Legal Counsel – Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One Case

Closed Session Report: No reportable action was taken.

#### Adjournment

There being no further business to come before the City Council, Housing Authority, Sanitation District Board, Lemon Grove Roadway Lighting District Board, and the Lemon Grove Successor Agency, the meeting was adjourned at 8:30 p.m.

Susan Garcia, City Clerk

## MINUTES OF A SPECIAL MEETING OF THE LEMON GROVE CITY COUNCIL

#### June 13, 2017

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

City Councilmembers present:

Mayor Racquel Vasquez, Mayor Pro Tem Jennifer Mendoza, Councilmember David Arambula, Councilmember Jerry Jones, and Councilmember Matt Mendoza.

City Council Members absent:

None.

City Staff present:

City Manager, Lydia Romero, City Attorney, James Lough, and Management Analyst, Miranda Evans.

#### Pledge of Allegiance

#### **Public Comment**

None

#### 1. Community Advisory Commission Interviews

The City Council interviewed fourteen Community Advisory Commission candidates. After conducting the interviews with the candidates, the City Council nominated and voted unanimously to appoint three permanent members: James Davis, Angeles Nelson and Yajaira Preciado and two alternate members: Tom Clabby and Walter Oliwa. and directed staff to formalize their appointments at the June 20, 2017 City Council meeting.

#### **Closed Session**

Conference with Legal Counsel – Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One Case Closed Session Report: No reportable action was taken.

#### Adjournment

There being no further business to come before the City Council, Housing Authority, Sanitation District Board, Lemon Grove Roadway Lighting District Board, and the Lemon Grove Successor Agency the meeting was adjourned at 9:20 p.m.

## MINUTES OF A MEETING OF THE LEMON GROVE CITY COUNCIL

June 20, 2017

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

City Councilmembers present:

Mayor Racquel Vasquez, Mayor Pro Tem Jennifer Mendoza, Councilmember David Arambula, Councilmember Jerry Jones, and Councilmember Matt Mendoza.

City Council Members absent:

None.

City Staff present:

City Manager, Lydia Romero; Development Services Director, David De Vries, Management Analyst, Miranda Evans; City Clerk, Susan Garcia; Assistant City Manager/Public Works Director; Mike James, City Attorney, James Lough; Finance Manager, Auggie Matt; Sheriff's Department Sergeant, Kelly Moody; Human Resources Manager, Corinne Russell; Finance Department, Gilbert Rojas; Fire Chief, Colin Stowell; and Management Analyst, Malik Tamimi

#### Pledge of Allegiance

The Pledge of Allegiance was led by Councilmember Jones.

Mayor Vasquez called to order a concurrent special meeting for a closed session item, additional to the three items listed on the regular agenda.

#### Presentation

Mayor Vasquez presented the July is Parks and Recreation Month Proclamation to the City's Community Services staff.

Luis Valdiva reported on the 2017 San Diego County Fair at the Del Mar Fairgrounds.

#### **Public Comment**

John L. Wood commented on Trolley operations, media coverage of the park ordinance, and the City Council's position on SANDAG's voting structure.

Paula La Bond commented on issues along Sweetwater Road and asked for the cost of a solar powered sign.

Lani Stacks commented on a woman who had handed out rabbits, Lemon Grove Pets Store, and on an article regarding milk.

#### 1. Consent Calendar

James Lough noted that Consent Calendar item 1.L Five Year Lease Agreement with the Lemon Grove Historical Society for the Use of the H. Lee House Located at 3205 Olive Street needs to be removed for discussion.

- A. Approval of City Council
  April 8, 2017 Special Meeting
- B. Ratification of Payment Demands
- C. Waive Full Text Reading of All Ordinances and Resolutions on the Agenda
- D. Community Development Block Grant Program Cooperation Agreement
- E. Renewal of Professional Services Agreement Stormwater Program Support Services with D-MAX Engineering, Inc.
- F. Renewal of Stormwater Professional Services Agreement for Plan Review and Construction Inspections with D-MAX Engineering, Inc.
- G. Reimbursement of Expenses to the City of San Diego Based on Draft Cost Share Agreements Phase 1 Activities Associated with Investigative Order No. R9-2015-0058 for the Investigation of Sediment Quality in the Mouth of Chollas Creek
- H. Acceptance of the Connect Main Street Project (Contract No. 2017-16)
  Segment I Phase
- I. Approve the Engineer's Report Detailing Zone L Assessments for Fiscal Year 2017-2018
- J. Approve the Engineer's Report Detailing Sewer Service Charges for Fiscal Year 2017-2018
- K. Contract Extension for Street Light Maintenance and Repair
- M. Levy and Collection of Assessments within the Lemon Grove Wildflower Landscape Maintenance Assessment District 97-1 for Fiscal Year 2017-2018
- N. Reject All Bids for the North Avenue/Olive Street 20A Muni-Trench & Conduit
- O. Revise the Completion Date for Converting the Overhead Distribution Facilities within Underground Utility District No. 7

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to approve the Consent Calendar without item 1.L passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

**Resolution No. 2017- 3510:** Resolution of the City Council of the City of Lemon Grove, California, Authorizing the Renewal of the Community Development Block Grant (CDBG) Program Cooperation Agreement for Three (3) Periods from July 1, 2018 through June 30, 2021

**Resolution No. 2017- 3511:** Resolution of the City Council of the City of Lemon Grove, California Approving an Agreement for Professional Services with D-Max Engineering, Inc. for Stormwater Plan Review and Construction Inspection Services

**Resolution No. 2017- 3512:** Resolution of the City Council of the City of Lemon Grove, California Approving an Agreement for Professional Services with D-Max Engineering, Inc. for Stormwater Support Services

**Resolution No. 2017 - 3513:** Resolution of the Lemon Grove City Council Approving a Reimbursement of Expenses to the City of San Diego for the Implementation of Phase 1 Activities Associated with Investigative Order R9-2015-0058 Pertaining to an Investigation of Sediment Quality in the Mouth of Chollas Creek, San Diego Bay, San Diego County, California

**Resolution No. 2017- 3514:** Resolution of the Lemon Grove City Council Accepting the Connect Main Street Segment I Phase I Project (Contract No. 2017-16) as Complete

**Resolution No. 2017- 169:** Resolution of the Lemon Grove Roadway Lighting District Approving the Engineer's Report Regarding the Zone L Charges for Fiscal Year 2017-2018

**Resolution No. 2017-286:** Resolution of the Board of Directors of the Sanitation District Approving the Engineer's Report Regarding the Sewer Service Charges for Fiscal Year 2017-2018

**Resolution No. 2017- 3515:** Resolution of the City Council of the City of Lemon Grove and the Board of Directors of the Lemon Grove Lighting District Authorizing a One-Year Extension of the Existing Contract between the City and CTE, Inc. for Street Light Maintenance and Repair for Fiscal Year 2017-2018

Resolution No. 2017 – 3517: Resolution of the City Council of the City of Lemon Grove, California Approving the Levy and Collection of Assessments with the Lemon Grove Wildflower Landscape Maintenance Assessment District 97-1 for Fiscal Year 2017-2018

**Resolution No. 2017- 3518:** Resolution of the Lemon Grove City Council Rejecting All Bids for the North Avenue/Olive Street 20A Muni-Trench and Conduit Project

**Resolution No. 2017-3519:** Resolution of the City Council of the City of Lemon Grove, California Revising the Completion Date for Converting the Overhead Distribution Facilities within Underground Utility District No. 7

# 1. L Five Year Lease Agreement with the Lemon Grove Historical Society for the Use of the H. Lee House Located at 3205 Olive Street

Mike James noted that there were substantive revisions to the agreement after preparation of the agenda. He provided the City Council with the revised version of the agreement. The revisions are the Historical Society will pay a \$100 fee when the gazebo area is rented and permits approved by the Community Services Superintendent are a no fee permit.

Action: Motion by Councilmember Jones, seconded by Mayor Pro Tem J. Mendoza, to approve Consent Calendar item 1. L passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

**Resolution No. 2017-3516:** Resolution of the City Council of the City of Lemon Grove, California Approving a Five Year Lease Agreement with the Lemon Grove Historical Society for the Use of the H. Lee House Located at 3205 Olive Street

# 2. Appointment of Three Permanent and Two Alternate Community Advisory Commission Members

Miranda Evans stated that on June 13, 2017, the City Council interviewed fourteen Community Advisory Commission (CAC) applicants. Following the interviews, there was an unanimous vote for the three permanent CAC appointees James Davis, Angeles Nelson, and Yajaira Preciado. These three permanent CAC members will be required to submit conflict of interest forms and complete ethics training.

Ms. Evans noted that two alternate members were selected to each serve a one-year term and unanimously voted to appoint Tom Clabby as first alternate and Walter Oliwa as second alternate.

Public Speaker(s)

There were no requests from the public to speak

Action: Motion by Mayor Pro Tem J. Mendoza, seconded by Councilmember Jones, to adopt the resolution passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

**Resolution No. 2017 - 3520:** Resolution of the City Council of the City of Lemon Grove, California Appointing Three Permanent and Two Alternate Members to the Community Advisory Commission

## 3. Fiscal Year 2017-2018 Consolidated Operating and Capital Budget

Gilbert Rojas explained that on June 6, 2017, staff presented a draft of the Fiscal Year 2017-18 (FY 2017-18) budgets for all City funds as well as the Sanitation District and the Roadway Lighting District for feedback. Based on feedback received, staff presents the FY 2017-18 consolidated budget for approval by the City Council, the Roadway Lighting District Board, the Sanitation District Board, and the Successor Agency. The Draft Budget presented to the City Council on June 6, highlighted the following items:

2% cost of living increase for all Fire Safety employees (as specified in contract)

6% increase in the Sheriff Department service contract

10 year RCS lease to upgrade communication equipment at an annual cost of \$49,000

Contracting for City Engineer service with an Engineering firm for \$218,000. Cost is allocated over multiple funds.

An increase for the Animal Services contract.

#### Public Speaker(s)

There were no requests from the public to speak.

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to approve the resolution passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

**Resolution No. 2017- 3521:** Resolution of the City Council of the City of Lemon Grove, California Approving the City of Lemon Grove Budget for Fiscal Year 2017-2018 and Authorizing Expenditures Thereto

Action: Motion by Councilmember Arambula, seconded by Councilmember Jones, to approve the resolution passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

**Resolution No. 2017- 3522:** Resolution of the City Council of the City of Lemon Grove, California Approving a Salary Plan and Classification Summary

Action: Motion by Councilmember M. Mendoza, seconded by Councilmember Jones, to approve the resolution passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

**Resolution No. 2017- 3523:** Resolution of the City Council of the City of Lemon Grove, California Establishing the Appropriations Limit for Fiscal Year 2017-2018

Action: Motion by Mayor Pro Tem J. Mendoza, seconded by Board Member Jones, to approve the Consent Calendar passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

**Resolution No. 2017- 170:** Resolution of the Lemon Grove Roadway Lighting District Board Approving the Lemon Grove Roadway Lighting District Budget for Fiscal Year 2017-2018 and Authorizing Expenditures Thereto

Action: Motion by Board Member Jones, seconded by Board Member Arambula, to approve the Consent Calendar passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

**Resolution No. 2017- 287:** Resolution of the Lemon Grove Sanitation District Board Approving the Lemon Grove Sanitation District Budget for Fiscal Year 2017-2018 and Authorizing Expenditures Thereto

4. Public Hearing to Consider Variance Request VA1-700-0001 to Modify Development Standards Requiring Two Off-street Parking Spaces to be Garaged in the Residential Low Zoning District

Michael Viglione explained that this item is a variance application at 6547 MacArthur Drive. The variance is a modification of the Residential Low Zoning District Development Standard that requires two garaged, off-street parking spaces per house.

The property owner submitted the Variance application in response to City Code Enforcement Action in late 2016 after non-permitted alterations were discovered. Specifically, the attached garage was converted into a living room, while both the basement and the detached garage were converted into accessory apartments. The conversion of both garages left the property without garaged, off-street parking in violation of the Off-Street Parking Development Standard. The Code Enforcement Citation requires the legalization of these non-permitted conversions either through building permits, demolition permits or a combination thereof.

In January, the applicant filed a Variance application proposing unenclosed off street parking to preserve both garage conversions as living space.

The plot plan submitted with the variance application shows the proposed parking pad behind the house approximately 140 feet from the MacArthur Drive. The pad provides space enough for 4 vehicles, exceeding the number of off-street spaces required at this location for a dwelling and accessory apartment.

The proposed parking area is also about 15 feet below the grade at the front of the house and is not visible from the street. Trees partially obscure the parking area from adjoining neighbors.

The following Findings must be made for the approval of the application. To paraphrase:

That the strict application of the title deprives the property of rights enjoyed by others.

That the Variance is necessary to preserve a property right possessed by other property owners.

The Variance will not be a detriment to the public health, welfare or property.

The Variance will not constitute a special privilege.

Mr. Viglione explained that staff believes the project may be approved because the proposed concealed parking pad satisfies the intent of the Residential Low Zoning District's Garaged, Off-Street Parking Requirement. Staff believes the intent is to limit cars that are visible from adjacent public streets. Accessory apartments are also an important housing resource that the State is encouraging. A maximum of one additional accessory apartment will be allowed on site. If findings are made granting the variance, a condition requiring the maintenance of the parking area in perpetuity will be included. Conversely, staff believes the project may be denied because the proposed parking pad does not meet the letter of the law and the property has sufficient space to provide a 2-car garage.

Regardless of the decision, the applicant will be required to permit or demolish all unpermitted construction to close the code enforcement action.

Andrea Vielma, property owner's partner, explained that the construction of an additional garage would result in financial hardship. Further, restoring the garages would result in the destruction of valuable architectural and artistic elements.

Mayor Vasquez opened the public hearing.

#### Public Speaker(s)

Tom Clabbly commented that the property owner should be required to comply with the City's zoning regulations and added that the City might not be receiving property tax related to the conversions.

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to close the public hearing passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to closed the public hearing and adopt the resolution passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

**Resolution No. 2017-3524:** Resolution of the Lemon Grove City Council Denying Variance Request VA1-700-0001 to Modify Off-Street Parking Requirements for Two Off-Street Parking Spaces to be Unenclosed (Not Garaged) At 6547 Macarthur Drive, Lemon Grove, California

5. Public Hearing to Consider Ordinance No. 446 – Zoning Amendment ZA1-500-0002 Amending the Alcoholic Beverage Sales Regulations and the General Commercial Zoning District Regulations to Allow for Light Manufacturing, Brewpubs, Wine Bars and Related Accessory Use

David De Vries explained that this item is a City initiated request to allow for and encourage alcoholic beverage manufacturers like breweries and wineries in the City's commercial and industrial zones.

Cities like Santee, Vista and the City of San Diego have encouraged breweries and related uses and have received increased economic development, sales tax revenue and neighborhood revitalization as a result. These have also created valuable regional destinations for these cities.

The zoning amendment request is to amend the general commercial zoning regulations and the alcoholic beverage sales ordinance regulations to allow for light manufacturing uses like breweries, wineries, distilleries, rectifiers, brewpubs and wine bars. These would be considered an incidental use allowed by right, provided the new business complies with performance standards related to noise, air emissions, odor and other standards and also the minimum conditions of approval shown, in the alcoholic beverage sales ordinance.

Other incidental uses like restaurants serving beer and wine would also be subject to the same provisions and would now be allowed by right without requirements for public noticing or minor use permit.

The amendment also includes allowances for accessory uses that are common with brewery type businesses including tasting rooms, outdoor consumption in fenced patio areas, catering on-site, live music indoors, recreational activities including billiards or darts, or games of skill or chance like video games and retail sales of alcoholic beverages for off-site consumption, for instance, buying a six pack or a growler to bring home. These are common amongst breweries and similar uses.

After sending the staff report to the prospective brewery owner, the owner stated that prohibiting the single-serve beers is problematic because a lot of their business is selling single-serve 32 ounce beers cans called growlers. The proposed zoning amendment would allow sales of two or more at a time, but not just one. Should the Council desire to allow the single-serve sales for manufacturers only, staff recommend saying "excepting off-sale alcoholic beverages from manufacturers on-site" as a part of the prohibition requirements.

An Initial Environmental Study was prepared for this project and identified potential environmental impacts related to noise from new outdoor patios and indoor live music. Appropriate noise mitigation measures will be implemented for each project and noise complaints can result in the closure of these patio and live music areas.

Mr. De Vries noted that written correspondence was received in support of this item from Bob Frank, 13 Point Brewing Company, and the San Diego Brewers Guild.

Mayor Vasquez opened the public hearing.

#### Public Speaker(s)

Anita Lopez, spoke on behalf of the Heal Zone, expressed concern with the proposed zoning ordinance, related to the message being conveyed related, to health and wellness with alcohol consumption.

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to close the public hearing passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to waive further reading and introduce Ordinance 446 with an amendment read into the record by Mr. De Vries passed, by the following vote:

Ayes: Vasquez, J. Mendoza, Arambula, Jones, M. Mendoza

**Ordinance No. 446:** An Ordinance of the City Council of the City of Lemon Grove, California Amending Chapter 18.27 (Alcoholic Beverage Sales Regulations) and Section 17.16.070 (General Commercial Zoning District Regulations) of the Lemon Grove Municipal Code to Allow for Light Manufacturing, Brewpubs, Wine Bars and Related Accessory Uses

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City. (GC 53232.3 (d))

Councilmember Jones reported that he was in Sacramento, where he attended the League of California Cities Policy Committee meetings.

Councilmember Arambula attended a MTS Board meeting and the Special City Council meeting where the Community Advisory Commission interviews were conducted. He also attended UCSD's graduation ceremony, along with Heartland Fire and Rescue's Fire OPS 101, a fund raising event for the homeless veterans' pet care, and a tour at San Onofre Nuclear Power Plant.

Councilmember M. Mendoza had no reports this evening.

Mayor Pro Tem J. Mendoza reported on the League of California Cities Policy Committee meetings in Sacramento, the League's luncheon in San Diego, and SANDAG's Transportation Committee meeting. She represented the City during a media event that covered the City's new park ordinance and participated in Heartland Fire and Rescue's Fire OPS 101.

Mayor Vasquez attended Heartland Fire and Rescue's Fire OPS 101 and thanked the firefighters for volunteering their time for this event.

#### City Manager and Department Director Reports

David De Vries reported on the upcoming community clean-up event to be held on July 22.

Mike James thanked the City Council for recognizing the community services staff. He reported on the upcoming events at Berry Street Park; Movies in the Park on July 14 and August 4 along with Concerts in the Park Thursday nights from June 29 to August 17.

#### **Closed Session**

Conference with Legal Counsel – Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: Three Cases

Closed Session Report: No reportable action was taken.

## Adjournment

There being no further business to come before the City Council, Housing Authority, Sanitation District Board, Lemon Grove Roadway Lighting District Board, and the Lemon Grove Successor Agency, the meeting was adjourned at 9:30 p.m.

Susan Garcia, City Clerk

### City of Lemon Grove Demands Summary

Approved as Submitted: Auggie Matt, Finance Manager For Council Meeting: 07/18/17

ACH/AP Checks 06/09/17-07/05/17

2,329,176.93

Payroll - 06/20/17 Payroll - 07/05/17 143,493.72 177,746.32

Total Demands	2,650,416.97

Check No	Vendor No	Vendor Name	Check Date	Vendor Name	Check Amount	
CHECKINO	INVOICE NO	VENDOR NAME	CHECK	Description	INVOICE AMOUNT	CHECK
ACH	May24-Jun6	Calpers Supplemental Income 457 Plan	06/09/2017	457 Plan 5/24/17-6/6/17	8,180 90	8,180 90
ACH	May17	Wells Fargo Bank	06/12/2017	Bank Service Charge - May'17	541 41	541 41
ACH	May17	Colonial Life	06/12/2017	Colonial Optional Insurance - May 17	714.78	714 78
ACH	Jun6 17	US Treasury	06/13/2017	Federal Taxes 6/6/17	31,367 06	31,367 06
ACH	Refill 6/15/17	Pitney Bowes Global Financial Services	06/16/2017	Postage Usage 6/15/17	250.00	250 00
ACH	Apr 17	San Diego County Sheriff's Department	06/20/2017	Law Enforcement Services - Apr'17	433,675 64	433,675.64
ACH	Jun22 17 Jun8 17	Southern CA Firefighters Benefit Trust	06/21/2017	LG Firefighters Benefit Trust 6/22/17 LG Firefighters Benefit Trust 6/8/17	876 85 876 85	1,753 70
ACH	Jun20 17	Employment Development Department	06/22/2017	State Taxes 6/20/17	8,123 69	8,123 69
ACH	Jun20 17	US Treasury	06/27/2017	Federal Taxes 6/20/17	29,916 96	29,916 96
ACH	50116739	WEX Bank	06/27/2017	Fuel - Fire Dept - May'17	657 55	657 55
ACH	7489198	LEAF	06/28/2017	Ricoh C3502 Copier System-PW Yard - Jun'17	160 51	160.51
ACH	Jun7-Jun20 17	Calpers Supplemental Income 457 Plan	06/28/2017	457 Plan 6/7/17-6/20/17	5,140.60	5,140 60
ACH	May24-Jun20	California Public Empl Retirement System	06/30/2017	Pers Retirement 5/24/17-6/20/17	66,974.98	66,974 98
ACH	Jun 17	Wage Works	06/30/2017	FSA Disbursement - Jun'17	463,69	463.69
ACH	Jun 17	Dharma Merchant Services	07/03/2017	Merchant Fees - Jun'17	564 97	564 97
ACH	Jun 17	Power Pay Biz/Evo	07/03/2017	Online Credit Card Processing - Jun'17	62 28	62 28
ACH	Refill 7/3/17	Pitney Bowes Global Financial Services LLC	07/05/2017	Postage Usage 7/3/17	250 00	250 00
ACH	Jun6 17	Authorize Net	07/05/2017	Merchant Fees In-Store & Online - Jun'17	49 68	49,68
7747	5718	Aguirre & Associates	06/14/2017	2065 69th Street - Map Review - May '17	1,265.00	1,265 00
7748	55996	Anthem Blue Cross EAP	06/14/2017	Employee Assistance Program - May 17	165,00	165 00
7749	5/22/2017	AT&T	06/14/2017	Backup City Hall Internet- 4/23/17-5/22/17	75.00	75.00
7750	10172L-IN 15457L-IN	Aztec Landscaping Inc	06/14/2017	Right of Way Maintenance in Trolley Corridor Weed Abatemt Stormdrain Easement Behind San Altos Elem	13,680 00 5,097.40	18,777 40
7751	Burkett-5/27	Burkett, Terry	06/14/2017	Training/EMS Today Conf/Mileage- 5/22/17-5/25/17 Burkett	250 80	250 80
7752	Cali Venture 1	Cali Venture Party Rentals	06/14/2017	Summer Daycamp - Laser Tag Rental 6/15/17	400 00	400 00
7753	1706023	California Aquatics	06/14/2017	Fountain Repair Service - May '17	140 00	140 00
7754	17355948 17375865	Canon Financial Services Inc	06/14/2017	Canon Plotter Contract Charge - May '17 Canon Copier Contract Charge Jun '17 Basement	288 00 132.99	420 99
7755	4022315993 4022322787 4022322788	Canon Solutions America, Inc	06/14/2017	Canon Maintenance-Copier Usage 2/26/17-5/25/17 Basement Canon Maintenance-Copier Usage 2/27/17-5/26/17 City Hall Canon Maintenance-Copier Usage 2/27/17-5/26/17 Fire	77.58 896 11 109 44	1,083 13
7756	694348104	Cintas Corporation #694	06/14/2017	Janitorial Supplies - 5/25/17	428 58	428 58
7757	19222 19253	City of La Mesa	06/14/2017	Household Hazardous Waste Event- 3/18/17 Household Hazardous Waste Event- 5/13/17	1,001.50 1,276.50	2,278 00

7758	1000198981	City of San Diego	06/14/2017	Chollas Creak TMDL- Metals Monitoring Cost Share	25,033 42	25,033.42
7759	81804264 81808897	Corelogic Solutions, LLC	06/14/2017	RealQuest Graphics Package- May '17 Image Requests- May '17	300,00 60 50	360 50
7760	17CTOFLGN11	County of San Diego- RCS	06/14/2017	800 MHZ Network - May '17	2,860 00	2,860.00
7761	201700308	County of San Diego/Assessor/Recorder	06/14/2017	Recording Services- S/17/17	96 00	96 00
7762	6/1/2017 6/1/2017 5/30/2017 5/30/2017	Cox Communications	06/14/2017	Main Phone/Fire- 5/1/17-5/31/17 Phone/City Hall- 6/1/17-6/30/17 Internet/Community Ctr- 5/30/17-6/29/17 Peg Circuit Svc - 5/30/17-6/29/17	936.06 972 88 75 00 2,888.46	4,872.40
7763	0067123-IN	Doggie Walk Bags Inc	06/14/2017	4,200 Doggie Walk Dispenser Bags w/ Pouch	1,118 74	1,118.74
7764	31547	Dokken Engineering	06/14/2017	Sewer Upsizing Construction Mgmt 4/1/17-4/30/17	25,465 00	25,465 00
7765	6/5-8/17	Esgil Corporation	06/14/2017	75% Building Fees- 6/5/17-6/8/17	3,683.16	3,683.16
7766	AR008654	Grossmont Union High School District	06/14/2017	Summer Daycamp Flyers	851 00	851.00
7767	00044356	Hudson Safe-T- Lite Rentals	06/14/2017	CDBG Golden Ave Street Rehab 2017 Signage	525 01	525.01
7768	38365	Kennedy Electric	06/14/2017	Electrical Work/Sheriff's Station	158 04	158 04
7769	120513	Knott's Pest Control, Inc.	06/14/2017	Exterior Mosquito Control - Various Locs 4/5/17	565 00	565.00
7770	07-2288	Lemon Grove School District	06/14/2017	Annual Rent- PW Yard 2873 Skyline Dr	100 00	100.00
7771	May 17	Lounsbery Ferguson Altona & Peak LLP	06/14/2017	General 01163-00002 - May '17 Code Enforcement 01163-00003 - May '17 Cost-Share Agreement 00023 - May '17 7741 Broadway 01163-00028 - May '17 1440 San Altos Pl 01163-00033 - May '17 7309 Broadway 01163-00024 - May '17 Jesse Lane, Minor v LG 01163-00034 - May '17 Sanitation District 01163-00036 - May '17 City v USTDS 01163-00037 - May '17	11,666.13 1,561.42 132.80 282.20 298.80 747.00 99.60 680.60 609.50	16,078 05
7772	977435 981321	Michael Baker International	06/14/2017	Prof Svc: Main St. Promenade Phase I thru 4/30/17 Prof Svc: Main St. Promenade Phase I thru 5/28/17	1,750.00 4,550.00	6,300.00
7773	617000044 617000045	NBS Govt Finance Group	06/14/2017	Develop Add'l Rate Alternatives & Consulting Svcs- thru 5/31/17 Task 3 Public Presentations/Consulting/Travel Reimb-thru 5/31	567 50 143 62	711.12
7774	38	New Century Construction, Inc	06/14/2017	Connect Main St Segment 1 Phase 1 - 5/6/17-6/7/17	152,191 01	152,191.01
7775	208176	Ninyo & Moore	06/14/2017	Materials Testing Svcs/Connect Main St thru 5/26/17	4,704.50	4,704 50
7776	WO-37403-2	Office Advantage, Inc	06/14/2017	Supplies/USB Drives	62.47	62 47
7777	3101295182	Pitney Bowes Global Financial Services	06/14/2017	Postage Meter Rental 3/30/17-6/29/17	180.75	180.75
7778	0055202 17546B(12) 17546B(12) 17546B(12)	Rick Engineering Company	06/14/2017	Prof Svc: LGA Realignment & 20A UG Dist Projs 4/1/17-4/28/17 Prof Svc: City Engineer/Berry St Park/CC Mtgs 4/1/17-4/28/17 Prof Svc: Sanitation District Services 4/1/17-4/28/17 Prof Svc: Connect Main St/Phase I 4/1/17-4/28/17	12,573 47 13,881 06 940 00 4,230 00	31,624.53
7779	FY18/Gay	SD County Fire Chiefs Assn-Admin	06/14/2017	SDCFCA Membership & Meeting Dues - Gay - 7/1/17-6/30/18	90 00	90.00
7780	LG06012017	SD Sports Medicine and Family Health Ctr	06/14/2017	Medical Fitness Evaluations - 6/1/17	1,736 44	1,736.44
7781	6/12/2017	San Diego Zoo	06/14/2017	Summer Daycamp Fieldtrip - San Diego Zoo Safari	1,160 00	1,160.00
7782	Jun 17	Sun Life Financial	06/14/2017	Life Insurance Premium - Jun '17	124 20	124,20
7783	RG1442417	Swank Motion Pictures, Inc.	06/14/2017	Movies in the Park- 7/14/17, 8/4/17	826 00	826 00
7784	JBCSD17-443	The JBC Groups, LLC	06/14/2017	JBC AB939 2015 Annual Report	1,325.00	1,325 00
7785	STMT 5/22/17	US Bank Corporate Payment Systems		Concrete Coring Bit & First Aid Kit Concrete for Sidewalk Repair/Broadway & Skyline Phone Case & Screen Protector Printer Ink/Highlighters Jump Starter CFED Conference & Expo 2017/Hayward 5/21/17 Workers Comp/Chair/Desk & Keyboard Tray/City Clerk Carpet Cleaning/Fire Station Refrigerator Drawer & Door Trim/Fire Stn Printing & Postage/Urban Greening Grant Submission	344 21 229 51 48 80 116 05 107 74 500 00 1,357 14 605 00 88 44 246 38	6,369.79

				MMASC Membership - Boyce	85,00	
				Park Ranger Citation Books	290.66	
				Skatepark Re-opening 4/30/17	191 33	
				Deposit for Skating Rink- Bonfire 2017	1,000.00	
				Daycamp/Dodgeballs	64.04	
				Vehicle Maint/Tire & Inflator Gauges/Fire	56,53	
				Ear Plugs	8,61	
				Diesel Exhaust Fluid	53,88	
				Conference Call/Romero 4/29/17	188	
				Team Building Mtg/City Council 5/9/17	51,37	
				Sound Cloud Audio Recording/Council Mtgs/Annual Subscrptn	121.50	
				Airfare/League Policy Mtg/Sacramento- 6/9/17 Jones	218.96	
				Training/GPS- Refurbished- Fire	551.86	
				Laptop Battery	30,90	
7786	3128348-CA	US HealthWorks Medical Group,PC	06/14/2017	DOT Physical Exam Recertification - 5/17/17	99,00	404 00
7700	3132290-CA	and the state of t	, ,	Annual DMV BAT Medical Exam - 5/31/17	104.00	
	3132290-CA			Medical Exam/Field Physical - 5/25/17	201,00	
7787	0169484	Zumar Industries, Inc	06/14/2017	Signs/LG Ave & West St	813.02	813 02
		,				
7788	3518	D- Max Engineering Inc.	06/14/2017	D-Max Stormwater Services 11/1/16-1/31/17	15,530.90	19,580 32
,,,,,	3524	ar manage and agreement of the second	, ,	100 Celsius Stormwater Construction Inspections thru 2/28/17	413,21	
	3525			Center Hilltop Stormwater Construction Inspctns thru 2/28/17	264 28	
	3526			8040 Lincoln St Stormwater Construction Inspetns thru 2/28/17	261 25	
				Grove Lofts Stormwater Construction Inspections thru 2/28/17	318 05	
	3527			LGA Realignment Stormwater Construction Inspect thru 2/28/17	521 43	
	3528				456 24	
	3529			Sewer Upsizing Proj Stormwater Constrctn Inspctn thru 2/28/17	456 24 90 00	
	3623			Ctr Hilltop Stormwater Doc Review/Retaining Wall Change 5/17		
	3635			LGA Realignment Stormwater Construction Inspctn thru 5/31/17	599.81	
	3636			Grove Lofts Stormwater Construction Inspections thru 5/31/17	198 92	
	3637			Center Hilltop Stormwater Construction Inspotns thru 5/31/17	363 39	
	3638			Sewer Upsizing Proj Stormwater Constrctn Inspctn thru 5/31/17	281 42	
	3639			Connect Main St Stormwater Construction Inspetns thru 5/31/17	226 42	
	3640			8040 Lincoln St Stormwater Constrctn Inspectn Prog thru 5/31/17	55 00	
7789	FY2017	American Medical Response	06/21/2017	Emergency Medical Services - FY17	35,165 00	35,165.00
7790	5656785790	AutoZone, Inc.	06/21/2017	Drain Pan - LGPW #26	9 55	42.62
	5656794288			Adjustable Brake Cylinder Hone	20 16	
	5656802180			Vinyl Electrical Tape - LGPW #26	12.91	
7791	782132-9	BJ's Rentals	06/21/2017	Boorn Knuckle Rental - Del Mar Fair Banners	396 34	396 34
7792	694350651	Cintas Corporation #694	06/21/2017	Janitorial Supplies - 6/1/17	187 36	2,153 47
	694353226			Janitorial Supplies - 6/8/17	441.19	
	694353227			Janitorial Supplies - 6/8/17	1,337 56	
	694355824			Janitorial Supplies - 6/15/17	187 36	
7793	235-7	Circulate San Diego	06/21/2017	Caltrans SSARP Project- 5/1/17-5/31/17	5,860 00	5,860 00
7794	May-17	City of Chula Vista	06/21/2017	After Hours Calls- May '17	268,73	1,008 72
				Mileage & Fuel for Animal Control Veh- May '17	739 99	
7795	FRS0000052	City of El Cajon	06/21/2017	Overtime Reimbursement- Kelsen- 5/20/17	1,085 16	3,515 52
				Overtime Reimbursement- Geilenfeldt- 5/28/17	1,328 83	
				Overtime Reimbursement- Silonov- 5/30/17	1,101 53	
7796	19256	City of La Mesa	06/21/2017	Overtime Reimbursement - Perrins 5/28/17 & Ooig 6/1/17	1,502 64	1,502 64
7797	6/6/2017	Cox Communications	06/21/2017	Calsense Modern Line:2259 Washington Ave 6/6/17-7/5/17	20 91	232 62
	6/6/2017			Calsense Modem Line:7071 Mt Vernon- 6/6/17-7/5/17	19 80	
	6/9/2017			Calsense Modern Line:8235 Mt Vernon- 6/9/17-7/8/17	94 39	
	6/4/2017			Phone/Rec Ctr/ 3131 School Ln - 6/4/17-7/3/17	97.52	
7798	060417560	DAR Contractor	06/21/2017	Animal Disposal- May '17	162 00	162 00
7799	0616172305	Domestic Linen- California Inc	06/21/2017	Shop Towels & Safety Mats 6/16/17	102 20	102 20
7800	6/12-15/17	Esgil Corporation	06/21/2017	75% Building Fees- 6/12/17-6/15/17	2,202 38	2,202 38
7801	Reimb 6/19/17	Evans, Miranda	06/21/2017	Reimb: Supplies/Label Maker Tape	54 23	54 23
7802	INV1011995	George Hills Company	06/21/2017	TPA Claims Svc - May17	904 70	904 70
7803	PettyCash6/20	Gill Rojas or Brenda Wardrip	06/21/2017	Petty Cash- Copies- County Assessor	28 00	473 22
	. , .	*		Petty Cash- Hex Nut/Bolt/Lockwasher	5 66	
				Petty Cash- Parking/Sage Proj Meeting 4/20/17	16 00	
				Petty Cash- LG Community Clean-up Supplies	24 52	
				Petty Cash- Serrated Machete for Sidewalk Vegetation Clearing	19 35	
				Petty Cash- Postage/Overnight Mail	39 99	
				Petty Cash- Office Supplies-Dividers/Hard Binders	17 73	

				Petty Cash- Mileage/Stormwtr Mtgs/Tamimi 3/2, 3/21, 4/26, 5/2 Petty Cash- Summer Daycamp Supplies Petty Cash- Tire Replacement LGPW#03 Petty Cash- Mileage/Stormwater Mtgs/Tamimi 5/16, 5/17, 5/23 Petty Cash- Shuttle&Taxi/League Mtg/Sacramento-Jones 6/10 Petty Cash- Binder Tabs/Council Interview Binders	44 41 96 31 43.10 42 80 52.00 43 35	
7804	17-4154	l love a Clean San Diego	06/21/2017	ILACSD Education Presentations thru May '17	375 00	375 00
7805	James 6/15/17	James, Mike	06/21/2017	Cell Phone Reimbursement - Jul '15-Jun '17/James	840.00	840.00
7806	121510 121511	Knott's Pest Control, Inc.	06/21/2017	Monthly Bait Stations- Civic Ctr - Jun 17 Monthly Bait Stations- Sheriff - Jun 17	60.00 45.00	105.00
7807	Apr-May 17	Law Offices of Chance Hawkins	06/21/2017	Prof Svcs/Legal Advice/MMD Permit Denial Appeals Apr-May '17	2,244.00	2,244.00
7808	1370	Law Offices of James F. Holtz, APC	06/21/2017	Lane, Minor v City/GHC0013049/DOL- 4/15/16- Svcs thru 5/31/17	2,925.00	2,925.00
7809	201718	Lemon Grove Car Wash, Inc.	06/21/2017	Deluxe Car Wash - LGPW#31 Ford Escape 4/28/17	16.00	16 00
7810	07-2225 07-2236 07-2258 07-2271 07-2289 07-2235 07-2257 07-2270	Lemon Grove School District	06/21/2017	Fuel Services-PW: Jan '17 Fuel Services-PW: Feb '17 Fuel Services-PW: Mar '17 Fuel Services-PW: Apr '17 Daycamp Supplies for Rec Center Fuel Services-Fire Stn- Feb '17 Fuel Services-Fire Stn- Apr '17 Fuel Services-Fire Stn- Apr '17	2,129.26 2,029.45 2,177.66 2,187.47 222.47 1,176.31 1,546.39 1,396.67	12,865.68
7811	Reimb:6/14/17	Lewis, Charles	06/21/2017	Reimb: Mileage 5/31/17-6/13/17/Fire Vehicle Not Available	57,78	57.78
7812	INV17659	Logiccopy	06/21/2017	Ricoh C3502 Copier Contract Charge- PW Yard 6/7/17-7/6/17	51,61	51.61
7813	442051	Mason's Saw & Lawnmower Service Inc.	06/21/2017	Starter Solenoid Kit/Weed Mower	386.72	386.72
7814	45274	McNamara Pump and Electric Inc.	06/21/2017	Duplex Sewage Pump Station 6-Mo Maintenance Svc- 6794 Cntrl	275.00	275 00
7815	13164395	Motorola Solutions, Inc.	06/21/2017	2 Portable Radios & Accessories w/ Syr Warranty Service	10,351,52	10,351 52
7816	5203 5400 5474	North County EVS, Inc	06/21/2017	E310 Service Call/Check Brakes & Transmission Retarder E310 Service Call/Check Siren/Replace Siren Speaker E310 Service Call/Check Ladder Rack Hydraulic Leak	683,21 756.17 466,05	1,905.43
7817	2017-200	Quality Code Publishing LLC	06/21/2017	Website Maintenance & Storage Fee 7/1/17-12/31/17	240.00	240,00
7818	INV013702	RapidScale Inc.	06/21/2017	Virtual Hosting 5/31/17	2,715.03	2,715.03
7819	May17	SDG&E	06/21/2017	Gas & Electric 4/21/17-5/22/17	20,163.24	20,163.24
7820	8122488636	Shred-It USA	06/21/2017	Shredding Services 5/3/17	62.06	62.06
7821	80904893	SiteOne Landscape Supply, LEC	06/21/2017	Herbicide/Weed Control/Roundup Promax	176.34	176 34
7822	8807 8893	Spring Valley Lawn Mower Shop	06/21/2017	Trimmer Line Trimmer Head Assembly & Line	19.29 75 36	94 65
7823	237316	State of California- Justice	06/21/2017	Fingerprint Apps - May '17	384,00	384,00
7824	00052431	The East County Californian	06/21/2017	Public Hearing Notice - Variance App in RtZ MacArthur Dr 6/8/17	143 50	143,50
7825	Torres	Torres, Manuel	06/21/2017	Refund/Torres,Manuel/Change Rental Fee - Berry St- 7/8/17	20.00	20,00
7826	Jun20 17	Vantage Point Transfer Agents-457	06/21/2017	ICMA Deferred Compensation Pay Period Ending 6/20/17	580.77	580,77
7827	9786868955	Verizon Wireless	06/21/2017	Modems- Cardiac Monitors - 5/4/17-6/3/17	14 06	14 06
7828	208762	Ninyo & Moore	06/27/2017	CDBG 2017 Golden Ave St Rehab Proj Mat'l Testing thru6/23/17	3,254 00	3,254.00
7829	2875	Ramona Paving & Construction Corp	06/27/2017	CDBG 2017 Golden Ave St Rehab Proj/Contract # 2017-22	124,326.50	124,326 50
7830	Fieldtrip 6/28	USS Midway Museum	06/27/2017	Summer Daycamp Fieldtrip - USS Midway Museum 6/28/17	750 00	750 00
7831	062217	AAA Imaging	06/28/2017	Business Cards - Finance, Bldg Dept	86.20	86.20
7832	9816057	AT&T	06/28/2017	Fire Telephone 5/13/17-6/12/17	78 88	78.88
7833	10174/5/6L-IN	Aztec Landscaping Inc.	06/28/2017	Trolley Corridor Tree Maintenance	18,164,00	18,164 00
7834	780527-9	BJ's Rentals	06/28/2017	Skidsteer & Mower Attachmt Rental/Weed Abatement 6/15/17	2,791 12	2,791 12
<b>78</b> 35	17422438	Canon Financial Services Inc	06/28/2017	Canon Copier Contract Charge 7/1/17	642 60	642 60

	7836	Chavez	Chavez, Catalina	06/28/2017	Refund/Chavez, Catalina/Deposit - LBH- 6/3/17	300 00	300 00
	7837	694358413	Cintas Corporation #694	06/28/2017	Janitorial Supplies - 6/22/17	591.47	591 47
٠	7838	1000197269 1000197270 1000198978	City of San Diego	06/28/2017	Investigative Order/Mouth of Chollas Creek- Phase I Investigative Order/Mouth of Chollas Creek- Phase I Metro Wastewater Reconciliation - FY2015	7,741.18 26,889.96 118,820.00	153,451 14
	7839	1348 1349 1350	Clark Telecom & Electric Inc	06/28/2017	Parking Lot Light Maintenance- May '17 Street Light Repairs- May '17 Street Light Dig Alert Mark Outs - May '17	141.76 551.59 1,194.82	1,888 17
	7840	WO40352	College Copy Center	06/28/2017	BBQ Flyers 6/5/17	1,232.14	1,232.14
	7841	62817	County of San Diego	06/28/2017	Refund/Asha,Mohamed/County Traffic Cit Collected in Error	100 50	100,50
	7842	Enviro Law	Environmental Law Group LLP	06/28/2017	Prof Sycs: Environmental Consultation for Celsius I	357.00	357.00
	7843	6/19-22/17	Esgil Corporation	06/28/2017	75% Building Fees- 6/19/17-6/22/17	2,307.50	2,307.50
	7844	390805	EW Truck & Equipment Company, Inc.	06/28/2017	Gauge for PW Shop	54 95	54.95
	7845	Goggins	Goggins, Ema	06/28/2017	Refund/Goggins, Ema/Deposit - CommCtr- 6/16/17	200.00	200,00
	7846	Reimb-6/18/17	Govea, Garrett	06/28/2017	Reimb:Tuition Reimb & Books- BS Mgmt Prog/Govea 3/19-6/15	575 00	575.00
	7847	AR008690	Grossmont Union High School District	06/28/2017	Day Camp Flyers/Movie Flyers	1,702.00	1,702.00
	7848	Reimb-6/21/17	Hales, Suzanna	06/28/2017	Field Observer & Display Proc Trng/Hales - 5/9/17-5/12/17	537 88	537,88
	7849	00044595	Hudson Safe-T- Lite Rentals	06/28/2017	Concrete In A Can	142,89	142,89
	7850	1441300	Liebert Cassidy Whitmore	06/28/2017	Prof Svcs: LE050-00003 Pre-Litigation thru 5/31/17	420.00	420.00
	7851	342096	LN Curtis & Sons	06/28/2017	Cairns Custom Reaxtion Jackets & Pants - Angelillo/Brackney	4,311 98	4,311.98
	7852	7/6/17	Loftis, Steve	06/28/2017	Concerts in the Park - The Catillacs 7/6/17	800 00	800.00
	7853	4274748 4281769	Mallory Safety and Supply, LLC	06/28/2017	Nitrile Gloves/Safety Glasses Nitrile Gloves/Disposable Respirators/Straw Hat	157 37 106 13	263.50
	7854	Maosi	Maosi, Virginia	06/28/2017	Refund/Maosi, Virginia/Deposit - LBH- 6/10/17	200 00	200.00
	7855	Reimb 6/27/17	Mendoza, Jennifer	06/28/2017	LCC Policy Comm Mtg/Airfare/Hotel/Transp/Sacra/Mendoza-6/8-9/17	471.81	471.81
	7856	IN1138777	Municipal Emergency Services Inc.	06/28/2017	SCBA Fit Test	450 00	450 00
	7857	5379	North County EVS, Inc	06/28/2017	Service/Safety Inspection - Repairs & Labor - E210 - Pierce '04	17,638.17	17,638 17
	7858	Reimb-6/14/17	Pepin, Matt	06/28/2017	Reimb: Intro to Humanities/Psychology/Art Hist 10/24/16-6/7/17	1,000 00	1,000.00
	7859	3350	Qual Chem Corp	06/28/2017	Shop Towels	1,745 04	1,745 04
	7860	Quintana	Quintana, Domenica	06/28/2017	Refund/Quintana, Domenica/Summer Daycamp - Maude Quintana	35.00	35.00
	7861	Retoriano	Retoriano, Kevin	06/28/2017	Refund/Retoriano, Kevin/Deposit - Courtyard- 6/3/17	200 00	200.00
	7862	062217	San Diego County Clerk	06/28/2017	Filing Fee - Brewery Ordinance CEQA	50 00	50 00
	7863	LG06152017	SD Sports Medicine and Family Health Ctr	06/28/2017	Medical Fitness Evaluations - 6/15/17	1,736 44	1,736 44
	7864	1052-06 1052-07	SC Valley Engineering Inc	06/28/2017	LG Sewer Upsizing Proj- 4/1/17-4/30/17 LG Sewer Upsizing Proj- 5/1/17-5/31/17	206,720 25 49,416 92	256,137 17
	7865	6/22/2017	SDG&E	06/28/2017	3500 1/2 Main- 5/21/17-6/20/17	175 71	175 71
	7866	80753063	SiteOne Landscape Supply, LLC	06/28/2017	Grounds Maintenance Supply/QCV With Locking Rubber Cover	49 17	49.17
	7867	LG-3 LG-4	Smith Air Conditioning	06/28/2017	Service Call/AC Unit/Sheriff Dept Service Call/Backup AC-Server Room/Sheriff Dept	780 00 312 50	1,092 50
	7868	8822	Spring Valley Lawn Mower Shop	06/28/2017	Pole Saw 12 Inch Kit	203 65	203.65
	7869	6/29/17	Torres, Tawnya	06/28/2017	Concerts in the Park - Suspicious Minds 6/29/17	700 00	700 00
	7870	44880	Uniforms Plus, Inc:	06/28/2017	Uniforms- Lewis	232 87	232 87
	7871	0136090-IN	Vavrinek, Trine, Day & Co., LLP	06/28/2017	Accounting Svc- Sanitation Fund Cost Analysis- May '17	2,600 00	2,600.00
	7872	9787426946 9787427569 9787426947	Verizon Wireless	06/28/2017	City Phone Charges- 5/13/17-6/12/17 Mobile Broadband Access- 5/13/17-6/12/17 PW Tablets- 5/13/17-6/12/17	340 76 76 02 188 78	605,56

7873	71414692 71476613	Vulcan Materials Company	06/28/2017	Asphalt Asphalt/SS1H 4 5 Gallon Bucket	137.11 180 98	318 09	
7874	White	White, Andrew	06/28/2017	Refund/White, Andrew/Deposit - Rec Ctr- 6/16/17	200.00	200.00	
7875	Jul-Dec 17	Adams Robert	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	902.88	902 88	,
7876	10192	AdminSure	07/05/2017	Workers' Compensation Claims Administration - Jul 17	415.00	415.00	
7877	Jul-Dec 17	Anderson, Curtis	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	1,200 00	1,200,00	
7878	32577	Anita Fire Hose Company Etc	07/05/2017	Hydrant/Spinner - PW	39.76	39.76	
7879	56107-Jul 17	Anthem Blue Cross EAP	07/05/2017	Employee Assistance Program - Jul 17	165.00	165.00	
7880	5656786390 5656818369	AutoZone, Inc.	07/05/2017	Power Cleaner/Degreaser Diesel Exhaust Fluid - LGPW #32	21 54 26.94	48 48	
7881	15509L-IN 30502-IN	Aztec Landscaping Inc.	07/05/2017	Replace 24 Inch Pinus Canariensis - LGA Łandscape Mgmt Svc May'17	461.93 9,629.00	10,090.93	
7882	4841 4842 4917	Bear Electrical Solutions, Inc	07/05/2017	Main St Promenade - Install 2 No Rt Turn Signs/Remove Existing LGA & Palm Ave- Signal Light Knocked Over/Repair Traffic Signal Maintenance Svc - Response - May 2017	2,258.00 3,501.50 2,693.00	8,452.50	
7883	6055244	Bob Stall Chevrolet	07/05/2017	Cleaned Throttle Body - LGPW#22	140,00	140.00	
7884	1145881-IN	Boot World Inc.	07/05/2017	Work Boots - Irons	122.73	122,73	
7885	Jul-Dec 17	Brackmann, Bruce	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	902 88	902.88	
7886	26208-1	Brobeck, West, Borges, Rosa & Douville LLP	07/05/2017	Prof Svcs: George Hills # GHC0015650 Soto v CLG	1,519.85	1,519.85	
7887	Buffalo Spot	Buffalo Spot Management Group	07/05/2017	Refund/Buffalo Spot Mgmt Group/Bus License Overpaymt	70,00	70,00	
7888	071317	Burke, Patrick J	07/05/2017	Concerts in the Park - We Kinda Music 7/13/17	750.00	750.00	
7889	Jul 2017	California Dental Network Inc.	07/05/2017	California Dental Insurance - Jul 17	309.98	309.98	
7890	Jul-Dec 17	Chamberlain, Dale	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	1,200,00	1,200.00	
7891	FRS0000053	City of El Cajon	07/05/2017	Overtime Reimbursement- Thorn 6/3/17	1,101,54	1,101.54	
7892	17CTOFLGN12	County of San Diego- RCS	07/05/2017	800 MHZ Network - Jun '17	2,860.00	2,860.00	
7893	6/18/2017 6/17/2017	Cox Communications	07/05/2017	Phone/PW Yard/2873 Skyline- 6/19/17-7/18/17 City Manager/Copy Room Fax Line- 6/18/17-7/17/17	211.15 4.09	215,24	
7894	6/19/17 6/27/17	Custom Auto Wrap Inc.	07/05/2017	Sponsor Patches for Concert Banner/Date Changes Sponsor Banner - SDG&E/Sponsor Banner Patch	145.46 269 38	414.84	
7895	3665	D- Max Engineering Inc	07/05/2017	Celsius II SWQMP Review I - 6/21/17 thru 6/26/17	900 00	900 00	
7896	Jul-Dec 17	Davisson, William	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	1,200.00	1,200,00	
7897	0517 03 1062	Dexter Wilson Engineering, Inc	07/05/2017	Metro JPA Wastewater Issues - May '17	11,520.00	11,520.00	
7898	31589	Dokken Engineering	07/05/2017	Sewer Upsizing Construction Mgmt 5/1/17-5/31/17	9,880.00	9,880.00	
7899	0113172305 0519172305	Domestic Linen- California Inc.	07/05/2017	Shop Towels & Safety Mats 1/13/17 Shop Towels & Safety Mats 5/19/17	96 40 102.20	198 60	
7900	Jul-Dec 17	Ek, James	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	1,200 00	1,200.00	
7901	6/26-29/17	Esgil Corporation	07/05/2017	75% Building Fees- 6/26/17-6/29/17	1,917 01	1,917 01	
7902	93274201	ESRI Inc.	07/05/2017	ArcGIS Annual Maintenance 7/1/17-6/30/18	5,420.88	5,420,88	
7903	9134	FailSafe Testing	07/05/2017	Ground Ladder Testing 6/27/17	356,40	356 40	
7904	108428979	Globalstar USA, Inc.	07/05/2017	Satellite Service 5/16/17-6/15/17	106 44	106 44	
7905	COMP 6/27/17	Hales, Suzanna	07/05/2017	Computer Loan Program - Hales 6/27/17	1,677.68	1,677.68	
7906	Jul-Dec 17	Harper, Raymond	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	902 88	902 88	
7907	060617-1	Heartland Fire Training Facility	07/05/2017	Registration - Rescue Systems Course Jul10-14,2017- Brackney	839 00	839 00	
7908	4/26-6/23	Helix Water District	07/05/2017	Water Services- 4/26/17-6/23/17	17,716 36	17,716 36	
7909	Reimb 6/29/17	Huey, David	07/05/2017	Reimb: Day Camp Aquatica Field Trip 6/29/17	2,300 00	2,300 00	

7910	33439 33439Disc	Hunter's Nursery Inc	07/05/2017	Platanus/Caesalpinia/Strelitzia-LGA Median Improvements Discount-LGA Median Improvements	1,237 23 -123.72	1,113.51
7911	9916	Infrastructure Engineering Corporation	07/05/2017	Prof Svc: LGA Realignment 4/29/17-5/26/17	27,036 93	27,036.93
7912	102639	Kniffing's Discount Nursery	07/05/2017	Trees for Trolley Corridor Landscaping- So of Palm on LGA	1,831 75	1,831.75
7913	Jul-Dec 17	Laff, Timothy	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	1,200.00	1,200.00
7914	2287	Lemon Grove School District	07/05/2017	Water Usage - Softball Field 7/1/16-4/30/17	10,048.28	10,048.28
7915	Jul-Dec 17	Maciejewski, Frank	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	1,200.00	1,200.00
7916	Jul-Dec 17	Marcon, Romeo	07/05/2017	Retiree Health Benefit · Jul'17-Dec'17	1,200.00	1,200.00
7917	Jul-Dec 17	McBride, Thomas	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	1,200 00	1,200.00
7918	Jul-Dec 17	McReynolds, Mildred		Retiree Health Benefit - Jul'17-Dec'17	1,200.00	1,200.00
7919	17-041-15 17-041-27 17-041-28 17-041-29	MJC Construction	07/05/2017	Drainage Improvements- 2300 Block Lawton Dr San Miguel Ave Storm Drain Addl Purchase&Install San Miguel Ave Storm Drain Improvements @Federal 29 Median Improvements on LGA (2700 blk)	15,433.00 4,000.00 39,380.00 7,761.00	66,574.00
7920	Jul-Dec 17	Mullins, Karl	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	1,200.00	1,200.00
7921	IN1128870	Municipal Emergency Services Inc.	07/05/2017	AV-3000 HT Mask	311 16	311.16
7922	207522 207523 208476 208477 208478 208479 208480 208481 208482	Ninyo & Moore	07/05/2017	Materials Testing Svcs/CIP Sewer Upsizing Proj thru 4/28/17 Materials Testing Svcs/2016-17 Street Rehab Proj thru 4/28/17 Golden Ave Row Homes Inspection Svcs thru 5/26/17 Grove Loft Apartments Inspection Svcs thru 5/26/17 Hilltop Condos Proj Inspection Svcs thru 5/26/17 Lincoln Homes Project Inspection Svcs thru 5/26/17 Materials Testing Svcs/CIP Sewer Upsizing Project thru 5/26/17 Materials Testing Svcs/2016-17 Street Rehab Proj thru 5/26/17 Emergency Svcs - 8500 Block Calle Norte thru 5/26/17	7,022.50 8,859.00 1,109.75 482.00 661.50 1,014.00 423.00 1,996.50 1,861.50	23,429 75
7923	Jul-Dec 17	Ott, Manie	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	902.88	902.88
7924	145856	Pacific Sweeping	07/05/2017	Street Sweeping/Parking Lot/Bus Shelters - May '17	6,655 15	6,655,15
7925	38672	Penske Ford	07/05/2017	LGPW #31- Replace 4 Tires & Routine Maint - '14 Ford Escape	1,091.08	1,091,08
7926	Jul2017	PLIC- SBD Grand Island	07/05/2017	Dental Insurance -Jul17	4,679.18	4,679.18
7927	PD-35312	Plumbers Depot Inc.	07/05/2017	LGPW #26 Sewer Camera Repair/Replaced Lamps	216 61	216.61
7928	171608	Quality Chevrolet	07/05/2017	New 2017 Chevy City Cargo Van + Mavron Animal Transport	43,903.51	43,903.51
7929	31168345	RCP Block & Brick, Inc	07/05/2017	Bulk Fertilized Soil - LGA Median South	387.90	387.90
7930	AR171442	San Diego Association of Governments	07/05/2017	Sandag Member Agency Assessments - FY'18	5,657.00	5,657.00
7931	6262017	San Diego Fire County Fire Prev Officers As	s 07/05/2017	2016 CFC Flammable Liqs & Gases Class & Handout - Richardson 2016 CFC High-Piled Combustible Storage Class & Handout	65 00 65 00	130,00
7932	LG06222017	SD Sports Medicine and Family Health Ctr	07/05/2017	Medical Fitness Evaluations - Pepin 6/22/17	868 22	868 22
7933	Jul-Dec 17	Schmidtmann, Warren	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	1,200.00	1,200.00
7934	6/22/2017	SDG&E	07/05/2017	3225 Olive- 5/21/17-6/20/17	121 10	121 10
7935	Jul-Dec 17	Smith, Timothy	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	1,200.00	1,200.00
7936	8934	Spring Valley Lawn Mower Shop	07/05/2017	RedMax Cutting Heads - Trimmers	77.76	77 76
7937	Jul-Dec 17	Taff, Jon	07/05/2017	Retiree Health Benefit - Jul'17-Oec'17	1,200 00	1,200.00
7938	Jul4 17	Vantage Point Transfer Agents-457	07/05/2017	ICMA Deferred Compensation Pay Period Ending 7/4/17	580 77	580 77
7939	9787850815	Verizon Wireless	07/05/2017	MDC Engine Tablets- 5/21/17-6/20/17	190 09	190.09
7940	71498664 71500236	Vulcan Materials Company	07/05/2017	Asphalt Asphalt	138 00 138 87	276.87
7941	2016 04-011	LGA Realignment Proj- 5/1/17-5/31/17	07/05/2017	LGA Realignment Proj- 5/1/17-5/31/17	394,293 27	394,293 27
7942	Jul-Dec 17	Wright, Nancy	07/05/2017	Retiree Health Benefit - Jul'17-Dec'17	902 88	902 88
					2 220 176 02	2 220 176 93

2,329,176 93 2,329,176.93

Mtg. Date	1.D July 18, 2017 Development Services Department				
	Acceptance of the Community Devo Avenue Street Rehabilitation Projec	elopment Block Grant (CDBG) 2017 Golden t			
Staff Contact	:: Malik Tamimi, Management Analy	st			
Recommenda	ation:				
	esolution ( <b>Attachment A</b> ) accepting on Project as complete.	the CDBG 2017 Golden Avenue Street			
Item Summar	ry:				
Ave Street R	ehabilitation Project (Contract No. 20	on Corp. was awarded the CDBG 2017 Golden 017-22) with a bid cost of \$130,870.00 and a yo and Moore for \$5,775.00) not to exceed			
came in unde \$134,838.01.	er budget, including material testing,	o change orders. The final project cost, which bid advertising, and project signage, totaled the final inspection of the improvements and t specifications.			
Staff recommends that the City Council adopt a resolution ( <b>Attachment A</b> ) accepting the work as complete, authorize the City Manager or designee to file a notice of completion with the County of San Diego, and authorize staff to release the retention of \$6,543.50 no sooner than thirty (30) days after the notice of completion has been filed.					
Fiscal Impact	<b>t</b> :				
None; Commu	unity Development Block Grant (CDBG	6) was used to fund this project.			
Environment	al Review:				
Not subject     ■     Not subject     Not subject     ■     Not subject     Not s	Not subject to review  □ Negative Declaration				
☐ Categorica	☐ Categorical Exemption, Section ☐ Mitigated Negative Declaration				
Public Inform	nation:				
None	☐ Newsletter article	Notice to property owners within 300 ft.			
☐ Notice pub	lished in local newspaper	☐ Neighborhood meeting			
Attachments	:				
A. Resolution	n				

## Attachment A

#### **RESOLUTION NO. 2017 -**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA ACCEPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2017 GOLDEN AVENUE STREET REHABILITATION PROJECT (CONTRACT NO. 2017-22) AS COMPLETE

WHEREAS, on May 16, 2017, the City Council awarded the Community Development Block Grant (CDBG) 2017 Golden Avenue Street Rehabilitation Project (Contract No. 2017-22) to Ramona Paving and Construction Corp.; and

WHEREAS, the final project cost including material testing, bid advertising, and project signage, totaled \$134,838.01 and is under the approved budget of \$179,476.00 and was adequately funded from CDBG grant funds; and

**WHEREAS**, Ramona Paving and Construction Corp. completed the scope of work as defined by the original contract and change order; and

WHEREAS, City staff inspected all of the improvements on June 29, 2017 and determined that Ramona Paving and Construction Corp. fulfilled its contractual obligations; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lemon Grove, California hereby:

- 1. Accepts the work for the CDBG 2017 Golden Avenue Street Rehabilitation Project (Contract No. 2017-22) as complete; and
- 2. Authorizes the City Manager or designee to file a notice of completion with the County of San Diego; and
- 3. Authorizes City staff to release the retention no sooner than thirty (30) days after the notice of completion is filed.

Item No Mtg. Date _ Dept	1.E July 18, 2017 Public Works	
Item Title:	Rejection of Claim	
Staff Conta	ict: Mike James, Assistant City Ma	nager / Public Works Director
Recommen	ndation:	
Reject a	claim submitted by Nicolosa Zazueta	
Item Summ	nary:	
	fter reviewing the claim, staff recomm	received a timely submitted claim from Nicolosa nendations its rejection.
None.		
Environme	ntal Review:	
⊠ Not subj	ect to review	□ Negative Declaration
Categori	cal Exemption, Section	☐ Mitigated Negative Declaration
Public Info	rmation:	
⊠ None	☐ Newsletter article	☐ Notice to property owners within 300 ft.
☐ Notice p	ublished in local newspaper	□ Neighborhood meeting
Attachmen	ts:	
None.		

Item No. 1.F  Mtg. Date July 18							
popular production and a state of the state							
, -	ke James, Assistant City Man	ager / Public Works Director					
Recommendation:	no cames, riscionam enj mam						
Reject a claim sub	omitted by Dino Correa						
	,						
Item Summary:							
On April 27, 2017, t	he City of Lemon Grove rece laim, staff recommendations i	eived a timely submitted claim from Dino Correa.					
After reviewing the c	iaiii, staii recommendations i	ts rejection.					
Fiscal Impact:							
None.		*					
Environmental Rev		□ Negative Declaration					
Not subject to rev		<ul><li>☐ Negative Declaration</li><li>☐ Mitigated Negative Declaration</li></ul>					
Categorical Exen	nption, Section	initigated Negative Declaration					
Public Information:	:						
None     Non	Newsletter article	Notice to property owners within 300 ft.					
☐ Notice published	in local newspaper	Neighborhood meeting					
Attachments:							
None.							

Item No. Mtg. Date	1.G July 18, 2017	
Dept.	Public Works	
Item Title:	Rejection of Claim	
Staff Conta	act: Mike James, Assistant City Mana	ager / Public Works Director
Recommer	ndation:	
Reject a	claim submitted by Pedro Zazueta.	
<u></u>		
Item Sumn	nary:	
		ed a timely submitted claim from Pedro Zazueta.
Atter review	ving the claim, staff recommendations it	s rejection.
Fiscal Impa	act:	
None.		
Environme	ental Review:	
⊠ Not subj	ect to review	☐ Negative Declaration
☐ Categor	ical Exemption, Section	☐ Mitigated Negative Declaration
Public Info	rmation:	
⊠ None		☐ Notice to property owners within 300 ft.
☐ Notice p	oublished in local newspaper	☐ Neighborhood meeting
Attachmen	its:	
None.		

Item No.         1.H           Mtg. Date         July 18, 2017           Dept.         Public Works		
Item Title: Acceptance of the FY 2016-17 Stree	t Rehabilitation Project (Contract No. 2017-17)	
Staff Contact: Mike James, Assistant City Manag	ger / Public Works Director	
Recommendation:		
Adopt a resolution ( <b>Attachment A</b> ) accepting the (Contract No. 2017-17) as complete.	ne FY 2016-17 Street Rehabilitation Project	
Item Summary:		
On February 21, 2017, American Asphalt So Rehabilitation Project (Contract No. 2017-17) with \$258,488.47 and a project budget not to exceed there was one change order: Change Order No. unforeseen items including the addition and deduct deep grind and replace with hot mix asphalt, traffic lea jointly funded project, with Helix Water District, tr Lemon Grove Avenue with a slurry seal and including the unforeseen construction items, project deduct time and materials by \$25,565.56. The final pr \$294,909.53 of which \$11,273.85 will be reimburse staff completed the final inspection of the improvement of the contract specifications.	a total bid cost including Additive Alternates of 5299,019.12. Since the project was awarded, 1. The change order was issued for various tion of slurry, stop legends, stop bars, striping, cops, and adjustment to manholes. In addition, eated Broadway between Massachusetts and ded striping. The overall change order reflects tions and increase of construction quantities, oject cost including material testing totaled and by Helix Water District. On June 15, 2017, ments and determined the work was completed	
Staff recommends that the City Council adopts a ras complete, authorizes the City Manager or des County of San Diego, and authorizes staff to releas after the notice of completion has been filed.	signee to file a notice of completion with the	
Fiscal Impact:		
TransNet funds were budgeted for this project a Program.	s part of the Five-Year Capital Improvement	
Environmental Review:		
Not subject to review	☐ Negative Declaration	
Categorical Exemption, Section	☐ Mitigated Negative Declaration	
Public Information:		
	☐ Notice to property owners within 300 ft.	
☐ Notice published in local newspaper	□ Neighborhood meeting	
Attachments:		

A. Resolution

-1-

## Attachment A

# RESOLUTION OF THE LEMON GROVE CITY COUNCIL ACCEPTING THE FY 2016-17 STREET REHABILITATION PROJECT (CONTRACT NO. 2017-17) AS COMPLETE

WHEREAS, on February 21, 2017, the City Council awarded the FY 2016-17 Street Rehabilitation Project (Contract No. 2017-17) to American Asphalt South; and

WHEREAS, the contract bid amount was established at \$258,488.47 with Additive Alternates and a total project budget not to exceed \$299,019.12; and

**WHEREAS**, one change order in the total amount of \$25,565.56 increased the original contract price from \$258,488.47 to \$284,054.03; and

**WHEREAS**, the final project cost, including material testing, of \$294,909.53 was allocated for this project from TransNet funds; and

**WHEREAS,** on June 15, 2017, American Asphalt South completed the scope of work as defined by the original contract and change orders; and

**WHEREAS**, City staff inspected all of the improvements and determined that American Asphalt South fulfilled its contractual obligations.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lemon Grove, California hereby:

- 1. Accepts the work for the FY 2016-17 Street Rehabilitation Project (Contract No. 2017-17) as complete; and
- 2. Authorizes the City Manager or designee to file a notice of completion with the County of San Diego; and
- 3. Authorizes city staff to release the retention no sooner than thirty (30) days after the notice of completion is filed.

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Item No. 2  Mtg. Date July 18, 2017  Dept. Public Works	
Item Title: Sage Project Presentation	
Staff Contact: Mike James, Assistant City Mana	ger / Public Works Director
Recommendation:	
That the City Council receives and then provides presentation.	feedback to staff regarding the Sage Project
Item Summary:	
In February 2016, city staff submitted a propose participate in the Sage Project for Fiscal Year 200 proposal. Those topics included: Art Walls, Compowntown Revitalization Plan, Gateway Improve Outreach/Resources, Infrastructure Maintenance Mecommendation, Lighting District Analysis and Program Analysis, Place-Making, Public Art Projectical Urbanism, and Urban Agriculture.	16-2017. There were 14 topics included in the imprehensive Economic Development Strategy ements and Way Finding Signage, Homeless Methodology and Gap Analysis, IT Analysis and nd Recommendation, Parks and Recreation
Of the 14 projects submitted, six were selected Outreach/Resources, Image Development/Gatew Methodology and Gap Analysis, Parks and Rec Public Art Project. A seventh project was included	vay Improvements, Infrastructure Maintenance reation Program Analysis, Place-Making, and
The presentation will be led by Dr. Jessica Barlo faculty, staff and students of the Sage Project part	
At the conclusion of the presentation, staff comments/feedback to staff regarding the information	
Fiscal Impact:	
None.	
Environmental Review:	
Not subject to review     ■	☐ Negative Declaration
Categorical Exemption, Section	☐ Mitigated Negative Declaration
Public Information:	
	☐ Notice to property owners within 300 ft.
☐ Notice published in local newspaper	☐ Neighborhood meeting
Attachments:	

A. None.

Item No.3Mtg. DateJulyDept.Dev	y 18, 2017 velopment Services Department	
Be Re	everage Sales Regulations a	endment ZA1-500-0002 Amending the Alcoholic and the General Commercial Zoning Distric nt Manufacturing, Brewpubs, Wine Bars and
Staff Contact:	David De Vries, Development Mike Viglione, Assistant Plann	
Recommendat	ion:	
1) Conduct t	the second reading, by title only,	and adopt Ordinance No. 446 ( <b>Attachment A)</b> )
Item Summary	:	
Chapter 18.27 cuses as inciden common to bre prohibition on t Those revisions incorporated, as	of the LGMC are also amended to a later that alcoholic beverage sales land weries. The Ordinance also explored the sale of alcohol in single-serves to the ordinance that were read are featured in bold text. This	retail. Alcoholic Beverage Sales regulations in o allow alcoholic beverage light manufacturing land duses and permit by-right accessory uses that are empts alcoholic beverage manufacturers from the ve containers equal to or greater than 32 ounces ad into the record during the Council hearing are bolded text serves strictly to highlight revisions to opted, the ordinance becomes effective August 15
Fiscal Impact:		
Environmental	Review:	
☐ Not subject t		☐ Negative Declaration
	ction 15307 and 15308	
Public Informa	ition:	
<ul><li>☐ None</li><li>☑ Notice publis</li><li>Attachments:</li></ul>	☐ Newsletter article shed in local newspaper	☐ Tribal Government Consultation Request☐ Notice to property owners within 500 ft.

A. Ordinance No. 446 – ZA1-500-0002

## Attachment A

#### **ORDINANCE NO. 446**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA AMENDING CHAPTER 18.27 (ALCOHOLIC BEVERAGE SALES REGULATIONS) AND SECTION 17.16.070 (GENERAL COMMERCIAL ZONING DISTRICT REGULATIONS) OF THE LEMON GROVE MUNICIPAL CODE TO ALLOW FOR LIGHT MANUFACTURING, BREWPUBS, WINE BARS AND RELATED ACCESSORY USES

WHEREAS, staff has received several inquiries and business license proposals from prospective alcoholic beverage manufacturers to open a related business within the City; and

WHEREAS, allowing and encouraging alcoholic beverage manufacturing and related accessory uses is found to be an important economic development strategy. Alcoholic beverage manufacturers create employment opportunities, revitalize property, stimulate economic development, create regional destinations that attract visitors, and provide increased tax revenue; and

WHEREAS, on June 20, 2017, a public hearing was duly noticed and held by the Lemon Grove City Council; and

WHEREAS, the City of Lemon Grove conducted an environmental assessment for Zoning Amendment ZA1-500-0002 on May 25, 2017. A Mitigated Negative Declaration (MND) of Environmental Impact will be filed subsequent to the adoption and final approval of the proposed project. The Initial Environmental Study prepared for this project identified potential environmental impacts related to noise from indoor live music and outdoor patios. Mitigation measures included compliance with noise regulations; patio areas are required to have appropriate barriers and interior spaces will require double entry doorways, appropriate STC rated windows with a closed window and door condition and a HVAC system when live music is proposed. A noise analysis may alternatively be prepared to identify appropriate noise mitigations; and

WHEREAS, the City Council finds that the following findings required to approve a Zoning Amendment can be made in accordance with Section 17.28.080(B) of the Municipal Code:

- 1. That the proposed amendment is consistent with the General Plan, in accordance with Government Code Section 65860, as amended.
  - Provisions for alcoholic beverage sales and manufacturing uses include implementation
    of and consistency with General Plan goals and policies including encouraging
    redevelopment of the Broadway corridor to attract regional shoppers; fostering
    revitalization of the light industrial district; pursuing new local entertainment
    opportunities; cultivating small businesses; and encouraging outdoor dining.
- 2. That the public health, safety, and general welfare benefit from the adoption of the proposed amendment.
  - Allowing alcoholic beverage sales manufacturers improves property aesthetics, increases employment and services to the site thereby increasing "eyes on the street" in the surrounding area where the manufacturer is located and attracts economic development and visitors to the City. Also, the prohibition of single-serving alcoholic beverages will reduce public consumption of alcoholic beverages ensuring appropriate

safety measures are taken to benefit the public health, safety and general welfare of the community; and

**WHEREAS**, the City Council has considered the following findings of fact, as required by Section 18.27.050 of the Lemon Grove Municipal Code (LGMC) for allowing alcoholic beverage manufacturing businesses with accessory uses within commercial and industrial zones:

- 1. Whether the proposed use will result in an undue concentration of establishments selling alcoholic beverages as defined by the State Alcoholic Beverage Control Department (ABC) or by City ordinance or policy.
  - The City Council finds that the proposed project will result in an over-concentration of establishments selling alcoholic beverages within Census Tract 144, however, because permits for off-sale alcohol uses in the entire City are less than what is allowed (16 exist; approximately 20 allowed), there will not be an undue concentration for the City as a whole and the proposed zoning amendment will not result in an undue concentration of establishments selling alcoholic beverages in the City.
- 2. Whether the approval of the proposed use will violate the minimum requirements, set forth in Chapter 18.27, for distance separations between establishments which sell, serve or give away alcoholic beverages; and separations between establishments which sell, serve or give away alcoholic beverages and other specific land uses.
  - The City Council finds that the proposed zoning amendment continues to support separation and minimum requirements to limit alcoholic beverage sales businesses within the City.
- 3. Whether the proposed use will be located in an area which, based on the most recent yearly compilation by the San Diego County Sheriff's Department or other appropriate law enforcement agency, has experienced a greater than average number of reported crimes and arrests, including those reported as alcohol-related, as well as, criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, motor vehicle theft combined with all arrests for other crimes, felonies and misdemeanors, except traffic citations.
  - The City Council finds that the City includes Census Tract 144, which is shown to have high crime (137.9% of average), however, the proposed zoning amendment, which includes allowing alcoholic beverage sales manufacturers, improves property aesthetics and encourages redevelopment, increases employment and services to the site thereby increasing "eyes on the street" in the surrounding area where the manufacturer is located and attracts economic development and visitors to the City. Also, the prohibition of single-serving alcoholic beverages will reduce public consumption of alcoholic beverages and is consistent with Sheriff staff public safety recommendations; and

WHEREAS, based on crime statistics and number of alcohol beverage sales licenses within Census Tract 144, the State Department of Alcoholic Beverage Control (ABC) has determined that there is an over-concentration of licenses (two permitted; 10 exist) and that there is a higher than average crime rate in the Census Tract that the subject property is located in (137.9% of average) and as a result, ABC requires that the governing body determine that public convenience or necessity would be served by the issuance of this license.

 The City Council finds that public convenience and necessity would be served by allowing alcoholic beverage sales manufacturers within the City based on findings stated herein; and

NOW, THEREFORE, the City Council of the City of Lemon Grove hereby ordains as follows:

#### **SECTION ONE:**

**ENVIRONMENTAL FINDING.** The City Council finds in its independent judgment that the proposed amendment to the Municipal Code could not have a significant effect on the environment and certifies Mitigated Negative Declaration ND17-02.

#### **SECTION TWO:**

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Amendments to Chapter 18.27 (Alcoholic Beverage Sales Regulations) and Section 17.16.070 (General Commercial Zoning District Regulations) of the Lemon Grove Municipal Code to Allow for Light Manufacturing, Brewpubs, Wine Bars and Related Accessory Uses, are hereby added to the City of Lemon Grove Municipal Code to read as shown in Exhibit A.

**INTRODUCED** by the City Council on June 20, 2017.

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#### **EXHIBIT A**

#### **TEXT OF PROPOSED REGULATIONS**

#### NOTE:

- Text proposed to be added is displayed in underlined type.
- Text proposed to be deleted is displayed in strikeout type.

The City of Lemon Grove Municipal Code to amend Zoning District Regulations for the General Commercial Zone, Section 17.16.070, and to amend the Alcoholic Beverage Sales Regulations, Chapter 18.27, to read as follows:

#### 17.16.070 General commercial (GC) zone. [Excerpts Only]

- A. Purpose. The general commercial (GC) zone is available to auto-oriented, generally large-scale businesses and activities offering retail goods and services meant to serve the needs of local and regional shoppers. These regulations establish development standards and conditions through which uses may be located in this zone. All uses shall be subject to the applicable regulations of this title.
- B. Permitted Uses. Uses that are consistent with the following categories, as determined by the development services director, are permitted by right, as verified by zoning clearance:
- 1. Animal Sales and Services—Pet Supplies. Uses that provide sales of pet supplies including feed and grain. Facilities and operations shall comply with all standards set forth in this title.
- 2. Animal Sales and Services—Grooming. Uses that provide animal grooming, with or without the sale of supplies, for household pets and small farm animals as defined in LGMC Chapter 18.16. Facilities and operations shall comply with all standards set forth in this title.
  - 3. Brewpubs and wine bars as defined by Chapter 18.27.
- 34. Business and Professional. Uses related to the practice of a vocation requiring specialized training or education that can be performed in an office setting.
- 4<u>5</u>. Business Support. Uses that provide printing, copying, photographic, computer, or technological services.
- 56. Educational and Training Facilities. Uses that provide classroom-style instruction for occupancies less than fifty persons as determined by the building official.
- 67. Financial Institutions. Uses related to the exchange, lending, borrowing, and safe-keeping of money.
- 78. Food and Beverage Establishments with Drive-Through. Uses that prepare, provide, or serve food or beverages for consumption on or off the premises that may include drive-through service. Alcoholic beverage sales shall be subject to LGMC Chapter 18.27.
- 89. Funeral and Mortuary Services—No Assembly Space. Uses that provide services related to the death of a human (without crematoria). This use does not include assembly space.
- 9<u>10</u>. Government. Uses related to local, state, or federal government agencies in an office setting.

- 11. Light Manufacturing. Uses that process, fabricate, assemble, treat, or package finished parts or products, of a limited intensity that result in few outside impacts. This use requires a retail component along the entire street frontages.
- 4012. Maintenance and Repair of Consumer Goods. Uses that provide maintenance, cleaning, and repair services for consumer goods. This use does not include vehicle repair uses.
- 4413. Medical, Dental, Clinics and Health Practitioners. Uses related to diagnosis and treatment of human illness and physical malfunction, including medical and dental laboratories that can be performed in an office setting.
- 1214. Parking. Uses that provide surface or structure parking for passenger vehicles. Parking areas may be public or privately-owned and managed.
- 1315. Personal Services. Uses that provide a variety of services associated with personal grooming or adornment, health maintenance, or well-being.
- 44<u>16</u>. Recreation—Small. Uses or facilities associated with indoor or outdoor, active or passive recreation for indoor occupancies less than fifty persons as determined by the building official and outdoor occupancies less than fifty persons as determined by the community development director.
- 4517. Retail. Uses that provide new consumer goods, large and small, functional and decorative, for use, entertainment, comfort, or aesthetics; goods for personal grooming or day-to-day maintenance of personal health and well-being. This use includes, but is not limited to, furniture, appliances, sundries, pharmaceuticals, wearing apparel and accessories, small equipment sales and rentals. This use does not include vehicle uses.
- 4618. Retail—Antiques. Uses that provide antique goods, large and small, functional and decorative, for use, entertainment, comfort, or aesthetics.
- 4719. Vehicle Equipment and Supplies Without Installation. Uses related to the sale of new or used parts, tools or supplies for repairing or maintaining vehicles. This use does not include on-site installation.

## **Chapter 18.27 ALCOHOLIC BEVERAGE SALES**

#### 18.27.010 Statement of necessity.

- A. The city council finds and determines that the sale and use of alcoholic beverages contributes to problems encountered by residents, businesses, property owners, visitors and workers of the city of Lemon Grove. Documented problems include: (1) debilitating and life-threatening medical conditions such as those related to the dysfunction of the heart and circulatory system, stroke and diseases of the liver; (2) social problems such as child and family neglect and abuse, public drunkenness, and lost productivity; (3) public safety issues relating to drunk driving and related automobile traffic and pedestrian accidents, violence and crime.
- B. The city council finds and determines that, without the appropriate regulation, the sale, service and use of alcoholic beverages may adversely and seriously affect the peace, health, safety and welfare of residents of the community and may specifically affect the safety of

children and of visitors to the city, may contribute to the deterioration of neighborhoods, cause devaluation of property, erode community values and lower the quality of life.

C. The city council finds that relatively high densities of alcohol outlets are associated with relatively higher rates of related medical disorders, relatively higher rates of social problems and alcohol-related traffic casualties.

#### 18.27.020 Purpose.

- A. To deal with and ameliorate problems and adverse conditions associated with establishments which sell, serve or give away alcoholic beverages by restricting the location of such uses in relation to one another, and their proximity to facilities primarily devoted to use by children and families and the general public, and through the denial of a conditional use permit or through the imposition of conditions on a case by case basis, thereby preventing undue concentration and undesirable community impact of such uses, and by the imposition of reasonable conditions upon the operation of all such uses both existing and in the future.
  - B. To implement the purposes, policies, and programs of the general plan.

#### 18.27.030 Definitions.

The following words and phrases are specifically defined to apply to the regulations of this chapter. Where words are not defined here or elsewhere in this municipal code, their common meaning shall apply.

- A. "Alcoholic beverage" means and includes alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.
  - B. Alcoholic Beverage Sales, Incidental.
- 1. Alcoholic beverage sales in restaurants\_shall be considered incidental if all of the following conditions exist:
  - a. Alcoholic beverages are sold for consumption on the premises only;
  - b. The primary purpose of the establishment is sit-down dining with table service:
- c. The restaurant contains a fully equipped kitchen, which is utilized each day of business operation for preparation of meals to be served to patrons;
- d. Full food service is available in the restaurant for all hours that the facility, including the bar or cocktail lounge, is open;
- e. Take-out food service, if any, is only incidental to the primary use, sit-down food service;
- f. The restaurant offers no drive-up or drive-through service and does not have a take-out window.
- g. A separate bar or cocktail lounge may be located on the premises (subject to the provisions set forth in Section 17.28.050 conditional use permits, of the city of Lemon Grove development code);

- h. No alcoholic beverage is served in conjunction with any recreational activity, any game of skill or chance, any athletic event or any form of adult entertainment in accordance with Chapter 18.28.
- 2. Alcoholic beverage sales in food stores other than convenience markets shall be considered incidental when the shelving or display area allocated to alcoholic beverages does not exceed more than ten percent of the total shelf and display area within the store;
- 3. Alcoholic beverage sales in drug stores with a floor area greater than ten thousand square feet, with or without the sale of household merchandise, beauty supplies, toiletries, and packaged food products, shall be considered incidental when the shelving or display area allocated to alcoholic beverages does not exceed six percent of the total shelf and display area within the store.
- 4. Brewpubs, wine bars, rectifiers, and alcoholic beverage manufacturers with accessory on- and off-sale alcoholic beverage sales including, but not limited to, tasting rooms and off-sale alcoholic beverages that are manufactured on-site with catering permitted on-site shall be considered incidental provided performance standards in Section 17.24.080(E) are adhered to.
- 5. Accessory indoor music and outdoor consumption of alcoholic beverages within a private fenced area shall be considered incidental provided noise regulations within Section 9.24.080(B) are adhered to during the hours between 7 P.M. to 7 A.M.
- C. "Brewpub" means a small primary or accessory beer manufacturer, which may include a restaurant, where the alcohol is produced exclusively at its own premises and sold for on-and/or off-site consumption. This operation allows the sale of other supplier's alcohol for consumption on its own premises.
- <u>CD</u>. "Convenience markets" means, for purposes of this chapter, any store selling food and household merchandise to the public, which has a floor area less than ten thousand square feet.
- DE. "Establishment" means a place of business with its furnishings and staff which may be regarded as the smallest unit conveyable by sale, rent or lease.
- EF. "Notice and order" means the community development director's written notice and order to a business or facility owner or operator which directs such owner or operator to comply with city regulations and the specific requirements of the conditional use permit or minor use permitzoning clearance authorizing the operation of the business or facility which sells, serves or gives away alcoholic beverages.
- FG. "Off-sale liquor establishment" means any establishment wherein alcoholic beverages are sold or given away for consumption off the premises including but not limited to any establishment which is applying for or has obtained a liquor license from the California Department of Alcoholic Beverage Control, including types 20 and 21.
- <u>H</u>. "On-sale liquor establishment" means any establishment wherein alcoholic beverages are sold, served or given away for consumption on the premises including but not limited to any establishment which is applying for or has obtained a California Department of Alcoholic Beverage Control license types 41, 42, 47, 48, 51, 52 and 63.
- <u>I.</u> <u>"Rectifier" means to cut, blend, rectify, mix, flavor and color distilled spirits and wine upon which excise tax has been paid and, whether rectified by the licensee or another person.</u>

to package, label, export and sell the products to persons holding licenses authorizing the sale of distilled spirits.

- J. "Tasting Room" means an area used for accessory alcoholic beverage retail consumption on the premises where the alcoholic beverages are produced.
- K. "Wine bar" means a small primary or accessory wine beverage manufacturer, which may include a restaurant, where the wine is produced exclusively at its own premises and sold for on- and/or off-site consumption. This operation allows the sale of other supplier's alcohol for consumption on its own premises.
- H<u>L</u>. Substantial Change in Mode or Character of Operation. Any of the following actions or situations will constitute a "substantial change in mode or character of operation" for purposes of this chapter:
- 1. The establishment changes its type of retail liquor license within a license classification; or
- 2. The establishment ceases operation for a period of thirty-one days. The suspension of business during the diligent prosecution of building repairs or remodeling undertaken under the authority of a valid building permit shall not be considered a substantial change in the mode or character of operation if the repairs or remodeling do not change the nature of the licensed premises and do not increase the square footage of the area which constitutes the establishment;
- 3. Any addition exceeding ten percent of the existing floor area is made to the building or portion of a building occupied exclusively by a business which sells or serves alcoholic beverages and which would be subject to approval by conditional use permit, if being established as a new use;
- 4. Any modification, remodeling or renovation of an existing building, or portion thereof, occupied exclusively by a business or facility which sells or serves alcoholic beverages, when the value of such modification, remodeling, or renovation exceeds fifty percent of the replacement value of the subject premises as determined by the building official;
  - 5. The establishment is found to be a public nuisance by the city council:
- 6. The California Department of Alcoholic Beverage Control has held a formal hearing regarding accusations of violations, by the establishment, of ABC rules and has determined that such violations have occurred.
- IM. Timely Compliance.
- 1. For all violations involving the unauthorized enlargement or physical modification to the existing building, facility or outdoor service area, timely compliance means complete removal of the physical modifications which constitute the violation or submittal of detailed working drawings sufficient for an application for building permit and a complete application for modification of the conditional use permit or minor use permitzoning clearance which authorizes the business or facility. Evidence of the complete removal of unauthorized work, or the working drawings and complete application shall be filed in the office of the community development services department within fifteen calendar days following the receipt of the community development services director's notice and order by the owner, operator or employee-in-charge of the business or facility.

2. For all violations, other than those described in subsection <code>ḤL</code> of this section, such as, but not limited to, the sale or display of unauthorized fortified wines, the display of unauthorized advertising signs, exceeding shelf area limitations; "timely compliance" means full compliance within twenty-four hours following receipt of the community development services director's notice and order by the owner, operator or employee-in-charge of the business or facility.

#### 18.27.040 General provisions.

- A. Alcoholic Beverage Sales or Service, New and Substantial Changes. Except as otherwise stated herein, on and after the effective date of the ordinance creating this chapter, no place, facility or business wherein alcoholic beverages are sold, served or given away for onsite or off-site consumption, shall be established or shall affect a "substantial change" in mode or character of operation as defined in Section 18.27.030(G) without first obtaining a conditional use permit, or modification of an existing conditional use permit, pursuant to Section 17.28.050 of the zoning ordinance. A minor use permit, or modification of a minor use permit,zoning clearance shall be required if alcoholic beverage sales or services are "incidental" as defined in Section 18.27.030(B).
- B. Alcoholic Beverage Sales or Service, Not Authorized by CUP or MUPzoning clearance. Except for those places, businesses and facilities described in subsection A of this section as an establishment having a conditional use permit or minor use permitzoning clearance and being in full or substantial compliance with current requirements, on and after the effective date of the ordinance creating this chapter, all existing places wherein alcoholic beverages are sold, served, or given away for on-site or off-site consumption shall be considered nonconforming uses. Elimination of nonconforming status may be achieved by filing the appropriate application, receiving a conditional use permit or minor use permitzoning clearance as required by this chapter, and complying with conditions of approval which shall be limited to the minimum conditions of approval as set forth in Sections 18.27.060(A) and (B). These requirements shall be enforced according to the provisions of subsection C of this section. For existing businesses selling alcoholic beverages, the requirements of this chapter relating to minimum separations between the existing business, similar establishments and other specific land uses shall be waived.
- C. Alcoholic Beverage Sales or Service—Enforcement. The alcoholic beverage sales ordinance shall be enforced according to the provisions of Section 18.27.120 of the development code and Section 17.28.020 of the zoning ordinance. (Ord. 386 § 3, 2009)

#### 18.27.050 Findings.

In addition to the findings required for the granting of conditional use permits by Section 17.28.050 of the zoning ordinance, the decision making authority shall consider the following:

- A. Whether the proposed use will result in an undue concentration of establishments selling alcoholic beverages as defined by the state Alcoholic Beverage Control Department (ABC) or by city ordinance, resolution, or policy.
- B. Whether the approval of the proposed use will violate the minimum requirements, set forth in this chapter, for distance separations between establishments which sell, serve or give

away alcoholic beverages; and separations between establishments which sell, serve or give away alcoholic beverages and other specific land uses.

C. Whether the proposed use will be located in an area which, based on the most recent yearly compilation by the San Diego County sheriff's department or other appropriate law enforcement agency, has experienced a greater than average number of reported crimes and arrests, including those reported as alcohol-related, as well as, criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, motor vehicle theft combined with all arrests for other crimes, felonies and misdemeanors, except traffic citations. (Ord. 386 § 3, 2009)

#### 18.27.060 Minimum conditions of approval.

- A. Businesses or facilities providing alcoholic beverages for off-site consumption shall comply with the following minimum conditions of approval. However, the planning commission, or-city council-on appeal, may impose such additional conditions and restrictions as found necessary or desirable to achieve the purposes of this chapter.
- 1. No alcoholic beverages shall be consumed on the premises under the control of the business owner or the property owner, excepting when alcoholic beverages are manufactured on the premises.
  - 2. Adequate litter receptacles shall be provided.
- 3. All display of alcoholic beverages shall be located a minimum of five feet from the store entrance.
- 4. For establishments which sell or give away alcoholic beverages and also sell gasoline, no signs advertising alcoholic beverages may be visible from the exterior of the building. Except for liquor stores, the signage for which shall be governed by conditional use permit and the city sign ordinance, signage advertising alcoholic beverages for all other establishments selling alcoholic beverages for off-premises consumption shall be limited to no more than fifty percent of the temporary window display permitted by the sign ordinance (twelve and one-half percent of total window area). Not more than two neon signs which hang on the inside of a window may be permitted subject to, and deducted from, the area limitations established in this subsection. No reference to liquor, any alcoholic beverage or product, or alcoholic beverage brand name may be included in any permanent signage for any establishment selling alcoholic beverages for off-site consumption other than that displayed by liquor stores or alcoholic beverage manufacturers when they are on the premises.
- 5. No wine shall be displayed, sold or given away in containers of less than seven hundred ml, except multipack containers of wine and wine coolers containing no more than sixfifteen percent alcohol by volume.
- 6. No distilled spirits shall be displayed, sold or given away in containers of less than two hundred fifty ml, except two-hundred-ml pre-mixed cocktails.
- 7. The display, sale or distribution of fifty ml "airport bottles" and three-hundred-seventy-five ml "hip flask" containers is prohibited.
- 8. No <u>single serve</u> beer, ale or malt liquor shall be offered for sale in a container with a volume <u>equal to or greater</u> than <u>thirty-two</u> ounces, <u>excepting off-sale alcoholic beverages</u>

<u>from manufacturers on the premises</u>. This restriction is not intended to prohibit the sale of such beverages in kegs or other types of containers, **with a volume of two or more gallons**, which are clearly designed to dispense multiple servings.

- 9. No wine with an alcoholic content greater than fifteen percent by volume shall be displayed, sold or given away unless the following conditions are met:
  - a. The alcohol content is solely the result of the natural fermentation process; or
- b. If the alcohol content resulting from natural fermentation has been increased by the addition of wine spirits, brandy, or other alcohol, the wine must be sealed and capped by cork closure and aged for two or more years.
- 10. All litter shall be removed from the exterior areas around the building as required and no less frequently than once each day this business is open.
- 11. The operation of the business shall comply fully with all the rules, regulations and orders of the state Alcoholic Beverage Control Department. Failure to comply with these requirements shall constitute grounds for revocation of a conditional use permit or minor use permitzoning clearance.
- 12. The business shall comply with all of the conditions of the conditional use permit or minor use permitzoning clearance which authorizes its operation.
- 13. For all businesses other than liquor stores, <u>brewpubs</u>, <u>wine bars</u>, <u>rectifiers</u> and <u>manufacturing</u>, warehouse, and distribution facilities, the display, sale and distribution of alcoholic beverages shall be accessory to other permitted activities. Except where Section 18.27.030(B)(3) requires a greater limitation, shelving or other display area allocated to the display of alcoholic beverages shall not exceed ten percent of the total shelf or display area within the premises.
- 14. No sale or distribution of alcoholic beverages shall be made from a drive-up or walk-up window.
- 15. No display, sale or distribution of beer or wine, wine coolers or similar alcoholic beverages shall be made from an ice tub, barrel or similar container.
- 16. Employees engaged in the sale or distribution of alcoholic beverages shall be at least twenty-one years old, or at least one salesperson twenty-one years old or older must be on the premises during all times when alcoholic beverages are sold.
- 17. Businesses engaged in the sale or distribution of alcoholic beverages for off-site consumption shall maintain a minimum separation of five hundred feet from any other business required to have a conditional use permit for the sale of alcoholic beverages. This subdivision shall not apply to incidental alcoholic beverage sales and the following:
- -1. Wwarehouses, and distribution facilities;
- 2. Food or drug stores engaged in the incidental sale of alcoholic beverages as defined in Section 18.27.030(B).
- B. Businesses providing the sale or service of alcoholic beverages for on-site consumption shall comply with the following minimum conditions of approval. However, the planning commission, or city council on appeal, may impose such additional conditions and restrictions as are found necessary or desirable to achieve the purposes of this chapter.

- 1. Except within city-approved outdoor eating-places which are adequately separated from direct public access <u>via a fence or other means</u>, no alcoholic beverages shall be consumed outside of an enclosed building.
- 2. For restaurants, bars, taverns and cocktail lounges, signs advertising alcoholic beverages shall be limited to no more than fifty percent of the temporary window display permitted by the sign ordinance (twelve and one-half percent of total window area). Not more than two neon signs which hang on the inside of a window may be permitted subject to, and deducted from, the area limitations established in this subsection.
- 3. Except for manufacturers, brewpubs, wine bars and rectifiers. Nno reference to liquor, any alcoholic beverage or product, or alcoholic beverage brand name may be included in any permanent signage for any establishment selling alcoholic beverages for on-site consumption other than that displayed by bars, taverns and cocktail lounges.

No wine with an alcoholic content greater than fifteen percent by volume shall be displayed, sold or served unless the following conditions are met:

- a. The alcohol content is solely the result of the natural fermentation process; or
- b. If the alcohol content resulting from natural fermentation has been increased by the addition of wine spirits, brandy, or other alcohol, the wine must be sealed and capped by cork closure and aged for two or more years.
- 4. All litter shall be removed from the exterior of the building as required and no less frequently than once each day the business is open.
- 5. The operation of the business or facility shall comply fully with all the rules, regulations and orders of the state Alcoholic Beverage Control Department. Failure to comply with these requirements shall constitute grounds for revocation of a conditional use permit or minor use permitzoning clearance.
- 6. For all businesses and other facilities engaged in the sale or service of alcoholic beverages for on-site consumption other than bars and taverns, the sale of alcoholic beverages shall be incidental and accessory to other permitted activities.
- 7. Employees engaged in the sale or service of alcoholic beverages for on-site consumption shall be at least twenty-one years old.
- 8. Except for restaurants with incidental en-site-alcoholic beverage sales businesses consumption, businesses engaged in the sale or service of alcoholic beverages for on-site consumption shall maintain a minimum separation of one thousand feet from another business selling or serving alcoholic beverages for on-site consumption and a minimum of five hundred feet from any other business requiring a conditional use permit for the on-site or off-site sale or service of alcoholic beverages; any church or other place of worship; any public or private preschool, elementary school or high school; any public park or playground; any hospital, clinic, or other health care facility; any residential unit other than a caretaker's dwelling on a commercial or industrial property; and any property zoned for residential use. Except that existing businesses that serve alcohol and that were located closer than five hundred feet or one thousand feet from another business serving alcohol prior to adoption of the ordinance codified in this chapter shall be allowed to expand their business as long as the expansion does not violate the distance requirements from any of the designated sensitive uses identified in this section above. Based upon the particular circumstances involved, the planning commissionCity

Council shall determine the appropriate separation between private clubs and lodges operated by recognized national, state or regional religious or fraternal order and appropriate distances between such clubs and lodges and other types of land use.

#### 18.27.070 Measurement of distance.

- A. Types of Uses.
- 1. "Regulated uses" are those businesses and facilities which sell, serve or give away alcoholic beverages and which have been identified in Sections 18.27.060(A)(16) and 18.27.060(B)(8).
- 2. "Protected uses" are churches or other places of worship; any public or private preschool, elementary school or high school; any park or playground; any hospital, clinic, or other health care facility; any residential unit other than a caretaker's dwelling on a commercial or industrial property; and any property zoned for residential use.
  - B. Distance Computation.
- 1. When a physical separation is required between two regulated uses, the distance of such separation is measured along a straight line extending between the closest exterior structural walls of each use.
- 2. When a physical separation is required between a regulated use and a protected use, the distance of such separation is measured along a straight line extending between the closest exterior structural wall of the regulated use and the closest property line of the protected use.

#### 18.27.080 Notification to alcoholic beverage control department.

- A. Within five days following the city's approval of a conditional use permit or minor use permitzoning clearance for a business proposing to sell, serve or give away alcoholic beverages, the city will send a written notice of such approval to the local office of the State Alcoholic Beverage Control Department.
- 1. The notice shall include a copy of the resolution or notice of approval and will state that city approval of the business or other facility proposing to sell, serve or give away alcoholic beverages has been granted subject to compliance, by the business or facility, with certain specific conditions.
- 2. The notice shall indicate the final date for the filing of any appeals from the decision or conditions of approval.
- 3. The notice shall state clearly in its heading and text that formal city approval of the business or facility which proposes to sell, serve or give away alcoholic beverages will be withheld until the business has complied with all appropriate conditions of approval.
- B. Within three working days of the city's determination that a business proposing to sell alcoholic beverages has fully complied with all appropriate conditions of approval of a conditional use permit or minor use permitzoning clearance, a notice regarding such full compliance will be sent to the local ABC office.

#### 18.27.090 Notification regarding violations.

Each time the community-development <u>services</u> director determines that a business or other facility which sells, serves or gives away alcoholic beverages has violated any provision or condition of its conditional use permit, <u>minor use permitzoning clearance</u>, other city law or regulation, or any requirement of the state Alcoholic Beverage Control Department, it shall issue a written notice and order to the owner of the business or facility. The notice and order shall include the following:

- A. A requirement that the business owner or facility operator correct all violations immediately.
- B. A statement that a violation of the alcoholic beverage sales ordinance constitutes a misdemeanor subject to the general penalty provisions of this code, that conviction of a misdemeanor shall be punishable by fine or imprisonment or both such fine and imprisonment, and that each day a violation is committed or continued constitutes a separate offense.
- C. A statement that, in addition to the penalties stated in Section 18.27.080, failure to comply in a timely manner or repeated violations may result in a revocation of the conditional use permit or minor use permitzoning clearance which authorizes the maintenance of an establishment selling, serving or giving away alcoholic beverages.
- D. A notification that a written report of such violation or violations has been transmitted to both the owner of the property where the business or facility is being conducted or operated and to the local office of the Alcoholic Beverage Control Department.

#### 18.27.100 Justification for revocation of approvals.

Any business establishment which has been authorized by the city to sell, serve or give away alcoholic beverages shall comply fully with all city zoning and sign regulations, with all conditions attached to the approval of its conditional use permit or minor use permitzoning clearance, and with all rules, regulations and orders of the State Alcoholic Beverage Control Department. Failure to comply with any of these requirements shall constitute grounds for revocation of a conditional use permit or minor use permitzoning clearance.

#### 18.27.110 Hearing regarding alleged violations.

If a business or other facility which sells, serves or gives away alcoholic beverages has been declared a public nuisance; if it has been found, by the California Department of Alcoholic Beverage Control, to be in violation of ABC rules; if its owner or operator fails to comply or refuses to comply with a notice and order to correct a violation in a timely manner; or if the community development services director, on three separate occasions within any twelve-month period, has issued a written notice and order to the owner of said business or operator of the facility, pursuant to Section 18.27.080, requiring the correction of specific violations of its conditional use permit or minor use permitzoning clearance; the planning-commissionCity Council will schedule a public hearing, consistent with the requirements of Section 17.28.020 of the zoning ordinance to consider these matters. Following such public hearing, the planning commissionCity Council may make any findings which it believes to be supported by the facts presented in the hearing, including the following:

- A. It may find that the alleged violation(s) did not occur, were beyond the control of the business owner or facility operator, or were insignificant.
- B. It may find that the alleged violation(s) did occur, that they were the responsibility of the business owner or facility operator, and were significant. As part of its determination regarding the appropriate action to be taken, the planning commissionCity Council may consider whether the violations were corrected immediately after being brought to the owner's or facility operator's attention, whether such violations constitute a minor or major violation of this chapter and its purpose and intent, and whether such violations appear to constitute a pattern of disregard for the city's laws and the standards of the community. (Ord. 386 § 3, 2009)

#### 18.27.120 City actions in response to violations.

If, after a public hearing and full examination of the evidence regarding alleged violations of the city's regulations governing the sale, service or distribution of alcoholic beverages, the planning commissionCity Council makes findings similar to those stated in Section 18.27.110(A) it may choose to take no action against the owner of the subject business or operator of the subject facility. However, if the evidence submitted in the public hearing convinces the planning commissionCity Council that a significant violation has occurred, it may take one or more of the following actions:

- A. Imposition of additional conditions governing the physical design of the building or property where the business is conducted or the facility is operated.
- B. Attachment of additional conditions or limitations affecting the operations of the business or facility.
- C. The planning commission City Council may determine that the business or facility, and its manner of operation, constitutes a serious threat to the preservation of the public health, safety and welfare and may take one or both of the following actions:
- 1. It may revoke the conditional use permit or minor use permitzoning clearance which authorizes the business or facility to sell, serve or give away alcoholic beverages.
- 2. It may recommend that the city council declare that the business or facility is a public nuisance subject to abatement or enjoinment in the manner provided by law.

# LEMON GROVE CITY COUNCIL AGENDA ITEM SUMMARY

Item No.4Mtg. DateJuly 18, 2017Dept.City Manager'						
Item Title: Five-Year Agreement with San Diego County Sheriff's Department for Law Enforcement Services						
Staff Contact: Lydia Romero, City Manager						
Recommendation:						
Adopt a resolution ( <b>Attachment B</b> ) approving County Sheriff's Department for Law Enforcen	ng a five-year agreement with the San Diego nent Services.					
Item Summary:						
to provide law enforcement services. The C	ed on the San Diego County Sheriff's Department ity, along with eight other cities in the County, we years. The previous agreement for services					
City and the San Diego County Sheriff's I Enforcement and Traffic Services" for a term of	solution that approves an "Agreement between the Department for General and Specialized Law f five years (commencing retroactively on July 1, is a summary of the agreement and a fiscal analysis					
Fiscal Impact:						
See staff report section entitled "Fiscal Impact."						
Environmental Review:						
Not subject to review	□ Negative Declaration					
Categorical Exemption, Section	☐ Mitigated Negative Declaration					
Public Information:						
	☐ Notice to property owners within 300 ft.					
☐ Notice published in local newspaper	□ Neighborhood meeting					
Attachments:						
A. Staff Report						
B. Resolution (including Agreement with the Sa	n Diego County Sheriff's Department)					

#### LEMON GROVE CITY COUNCIL STAFF REPORT

Item	No.	4	

Mtg. Date \_\_July, 18, 2017

Item Title: Five-Year Agreement with San Diego County Sheriff's Department for Law

**Enforcement Services** 

Staff Contact: Lydia Romero, City Manager

#### **DISCUSSION:**

The City of Lemon Grove, along with eight other cities in San Diego County, contracts with the County of San Diego for law enforcement services. The contract is a joint agreement between all of the contract cities and the County—taking advantage of common needs and economies of scale that result in a lower cost for law enforcement than having a municipal police department or individually contracting with the County. The previous agreement for services expired on June 30, 2017.

The Lemon Grove Sheriff's Lieutenant serves as the City's Chief of Police, providing a full range of law enforcement services including patrol, traffic and investigative services. Staff at the Lemon Grove station includes 21 sworn deputies/command staff, a Community Services Officer and 18 volunteers (SVP)—these figures do not include the support staff at the station. In 2016, within the City, there were over 12,600 calls for service dispatched and more than 7,400 deputy-initiated activities made.

Along with standard law enforcement responsibilities, such as patrol and traffic services, the City also receives the following services through the contract:

- ✓ ASTREA Helicopter
- ✓ Crime Lab & Analysis
- ✓ Dispatch/Communication Center
- ✓ East County Gang Task Force
- ✓ Juvenile Diversion Officers
- ✓ Psychiatric Emergency Response Team (PERT)
- ✓ Backup coverage for major incidents

- ✓ Bomb/Arson Investigative Unit
- ✓ Criminal Intelligence
- ✓ Domestic Violence Investigative Unit
- ✓ Homicide Investigative Unit
- ✓ Narcotic Enforcement
- ✓ SWAT

#### Negotiations Process & Overview of Proposed Contract

In 2016, a committee was formed to negotiate a new contract on behalf of the contract cities. The contract cities identified maintaining of the cost center model and the controlling the costs of the contract in a new agreement.

The prior contract also fully transitioned in the Cost Model which allows for each city to directly control their costs related to the law enforcement services.

Cost – In the prior contract operational costs were capped to control contract increases, however retirement costs were exempt from the cost cap. During contract renewal discussions it was the goal for the City team to include retirement costs within the contract cap. However, due to changes to the investment and actuarial assumptions made by the San Diego County Employee Retirement System, the retirement costs going into this contact was extremely high. In order to cover the costs related to these retirement changes and to maintain reasonable cost controls, a

fixed charge for law enforcement services was agreed to by the negotiating team representing the cities interest and the team representing Sheriff's department. Below is the negotiated fixed charge for the proposed five year contract.

Fiscal Year	Fixed Charge
2017-18	6.00%
2018-19	6.00%
2019-20	5.50%
2020-21	5.00%
2021-22	4.50%

As of the writing of this staff report, all eight contract cities have approved the proposed five year contract. The County Board of Supervisors have also approved the contract.

#### Fiscal Analysis

The chart below lists the projected costs over five year term of the contract. Cost estimations for years 2 through 5 assumes no changes to staffing levels.

Fiscal Year	Contract Amount	Dollar Increase	Percent Increase
2017-18	\$5,546,600		6.00%
2018-19	\$5,879,362	\$332,762	6.00%
2019-20	\$6,202,727	\$323,365	5.50%
2020-21	\$6,512,863	\$310,136	5.00%
2021-22	\$6,805,942	\$293,079	4.50%

#### **CONCLUSION:**

Staff recommends that the City Council adopt the resolution (**Attachment B**) approving a five-year agreement with the San Diego County Sheriff's Department for Law Enforcement Services.

#### **RESOLUTION NO. 2017-**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA APPROVING A FIVE-YEAR AGREEMENT WITH THE SAN DIEGO COUNTY SHERIFF'S DEPARTMENT FOR THE PROVISION OF GENERAL AND SPECIALIZED LAW ENFORCEMENT AND TRAFFIC SERVICES WITHIN THE CITY OF LEMON GROVE

WHEREAS, the City of Lemon Grove has continuously contracted with the San Diego County Sheriff's Department for law enforcement services since 1977; and

**WHEREAS**, the City of Lemon Grove is satisfied with the arrangement, the level of service, and the positive impact to the community experienced with the Sheriff's service; and

WHEREAS, the prior five-year contract expired on June 30, 2017 and the nine cities contracting for law enforcement services with the San Diego County Sheriff's Department have completed negotiations for a new five-year contract; and

**WHEREAS**, the City of Lemon Grove and the San Diego County Sheriff's Department mutually desire to continue with a contract in which the Sheriff's Department provides general and specialized law enforcement and traffic services to the City.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Lemon Grove, California hereby:

- 1. Approves a five-year agreement, commencing on July 1, 2017, with the San Diego County Sheriff's Department for General and Specialized Law Enforcement Services (Exhibit 1); and
- 2. Authorizes the City Manager to execute said agreement.

/	/	/	/	/	
/	/	/	/	/	

#### **EXHIBIT 1**

# AGREEMENT BETWEEN THE CITY OF LEMON GROVE, THE COUNTY OF SAN DIEGO, AND THE SAN DIEGO COUNTY SHERIFF

## FOR GENERAL AND SPECIALIZED LAW ENFORCEMENT AND TRAFFIC SERVICES

This Agreement is between the City of Lemon Grove, a municipal corporation, hereinafter referred to as "CITY" and the County of San Diego, a political subdivision of the State of California, hereinafter referred to as "COUNTY", for services to be provided by the San Diego County Sheriff, hereinafter referred to as "SHERIFF."

#### **RECITALS**

WHEREAS, COUNTY through SHERIFF provides public safety services throughout the County of San Diego and is equipped and will do so to the extent and in the manner hereinafter provided; and

WHEREAS, CITY is a municipal corporation of the State of California within the County of San Diego and desires to obtain general and specialized law enforcement and traffic services; and

WHEREAS, Sections 51300-51308, 51350 and sections 54980 et seq. of the California Government Code authorize COUNTY and CITY to contract for performance of Sheriff services within the CITY; and

WHEREAS, COUNTY through SHERIFF currently provides general and specialized law enforcement and traffic services to CITY pursuant to a contract dated February 5, 2013; and

WHEREAS, CITY and COUNTY through SHERIFF desire to enter into a new agreement with provisions concerning the nature and extent of general and specialized law enforcement and traffic services to be provided to CITY and establishing the compensation to be paid therefore; and

WHEREAS, COUNTY acknowledges that CITY requires standards of performance that demonstrate professional excellence both in the execution of duties and in the interpersonal relations with CITY employees and all persons utilizing the services of CITY;

WHEREAS, the Board of Supervisors on June 20, 2017 authorized the Clerk of the Board to accept and execute this Agreement for General and Specialized Law and Traffic Enforcement Services; and

WHEREAS, the City Council for the City of Lemon Grove on July 18, 2017 authorized the City Manager to accept and execute this Agreement for General and Specialized Law and Traffic Enforcement Services.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, COUNTY and CITY jointly intend that CITY will fund and COUNTY will

provide a level of general and specialized law enforcement and traffic services, as set forth in this Agreement.

#### <u>AGREEMENT</u>

#### I. PURPOSE AND INTENT

The purpose of this Agreement is to satisfy the requirements of California Government Code §§51300-51308, 51350 and 54980, *et seq.* This Agreement is effective for its term beginning as set forth in Section III.A, regardless of is approval date by the parties and replaces the February 5, 2013 contract between COUNTY and CITY for the period of July 1, 2012 through June 30, 2017, including all supplements, insofar as that contract relates to provisions of general and specialized law enforcement and traffic services to CITY.

#### II. SCOPE OF SERVICES

COUNTY through SHERIFF shall provide general and specialized law enforcement and traffic services to CITY as follows:

#### A. Method of Service Delivery

SHERIFF will maintain a Law Enforcement Services Bureau, which will be responsible for performance of COUNTY's obligations under this Agreement. General and specialized law enforcement and traffic services will be staffed as described in Section IV, Standards of Service. These services shall be provided from SHERIFF's existing stations and other such facilities as COUNTY or the CITY may hereafter acquire.

#### B. Law Enforcement Services

COUNTY through SHERIFF will provide general and specialized law enforcement and traffic services ("Law Enforcement Services") to CITY as outlined in Attachment B. Law Enforcement Services consist of enforcement of the California Penal Code, the California Vehicle Code, and pertinent regulatory ordinances as

adopted by the City Council of CITY, as well as direct supervision of law enforcement personnel assigned to provide Law Enforcement Services to CITY; all to the extent necessary and appropriate to meet the Standards of Service described in Section IV. Staffing for Law Enforcement Services shall be as provided in Section IV D of this Agreement.

#### C. Ancillary Services

Services of the SHERIFF's units related to the following services will be provided to CITY as an integral part of the law enforcement services described above and are included in the cost of such services: crime prevention, juvenile intervention, financial crimes, homicide, domestic violence, communication, information technology support, and clerical support. SHERIFF will consult with CITY when new programs are proposed that would increase costs to CITY, and implement them only after discussion with CITY.

#### D. Regional Services

The following regional services are provided to CITY as needed as an adjunct to the Law Enforcement Services described above at no additional cost: Special Weapons & Tactics (SWAT); Aerial Support to Regional Enforcement Agencies (ASTREA); Bomb/Arson; Search and Rescue; Fire/Rescue helicopter; Crime Lab; and Property and Evidence.

#### E. Search and Rescue Responsibility

The COUNTY and the CITY agree that some rescues are the responsibility of and will be performed by the SHERIFF while other rescues are the responsibility of and will be performed by the CITY's public safety services. In many instances, rescues will be conducted in a joint operation involving both the SHERIFF and the CITY's emergency response personnel.

#### F. Reserve Program

The SHERIFF, in partnership with the CITY, will take active steps to recruit individuals to participate in the Reserve Program.

#### G. Additional Services

#### 1. General

COUNTY through SHERIFF may provide supplemental Law Enforcement Services or additional related equipment and supplies as requested by CITY. Additional Services not covered under Law Enforcement Services may include, but are not limited to, added patrol or traffic services required for special events such as street fairs, concerts, movie productions and other third party promotions as well as auditing of red light camera programs.

#### 2. Requests

Requests for Additional Services shall be made to SHERIFF by CITY through the SHERIFF's Station Commander or his or her designee and shall be made in writing or, if made in person or by telephone, shall be confirmed in writing by the requestor within forty-eight (48) hours of the request. CITY shall provide SHERIFF with as much advance notice as possible regarding requests for Additional Services.

#### 3. Provision of Additional Services

SHERIFF shall advise CITY promptly and shall confirm in writing if SHERIFF is unable to provide some or all of any requested Additional Services. If SHERIFF is able to provide some or all of the requested Additional Services, SHERIFF shall promptly advise CITY in writing of the estimated costs of the services. Unless CITY disapproves in writing of an

estimate provided by SHERIFF, SHERIFF shall provide such Additional Services to CITY and shall be reimbursed for the actual cost of providing the Additional Services subject to Section V B 2. COUNTY shall delegate the authority to SHERIFF to approve additional services consistent with the intent of this provision.

#### 4. Identification

COUNTY and CITY acknowledge and agree that it is impractical to specify in this Agreement each and every category of Additional Services that might be desired by CITY, and that the parties will reasonably cooperate in identifying and addressing such potential Additional Services within the scope of Law Enforcement Services.

#### H. <u>Emergencies</u>

#### 1. General

Notwithstanding any other provision of this Agreement, in the event of an emergency occurring within CITY, SHERIFF shall take any and all actions reasonably necessary or appropriate to respond to the emergency, to include appropriate referrals to, and coordination with, other law enforcement agencies.

#### 2. <u>Temporary Duties</u>

SHERIFF's personnel assigned to perform services for CITY under this contract ("SHERIFF's contract city personnel") may be required to perform temporary duty outside the scope of this Agreement. For the purpose of this Agreement, "temporary duty" shall include, but not be limited to, assignments necessitated by a public safety emergency or other exigent circumstances such as might be required under "mutual aid" agreements.

#### 3. Redeployment of Staff

During the period of any public safety emergency or exigent circumstance such as responding to mutual aid requests, SHERIFF's contract city personnel may be temporarily redeployed for emergency response. If reasonable and practical, SHERIFF shall notify the City Manager for the CITY and discuss the redeployment prior to reassignment. If the public safety emergency or exigent circumstance such as requests for mutual aid demand immediate redeployment, SHERIFF need not notify the City Manager in advance, but shall do so as soon as practical. In the event of a major disaster for which the SHERIFF is reimbursed by FEMA for salary and benefit costs, the SHERIFF shall reimburse CITY (less administrative fee) from which the staff was redeployed.

#### III. TERM OF AGREEMENT

#### A. Term

7he term of this Agreement shall commence at midnight July 1, 2017, and shall continue in effect through and terminate at midnight on June 30, 2022, subject to the termination provisions in Section III. B. below.

#### B. Termination

Notwithstanding any other section or provisions of this Agreement, either party hereto may terminate this Agreement by giving a one-year advance written notice of intention to terminate.

#### IV. STANDARDS OF SERVICE

#### A. Anticipated Service Outcome

The anticipated outcome of law enforcement services provided by COUNTY through SHERIFF to CITY under this Agreement is the provision of efficient and

effective police protection and the performance of all duties as required by law or contract. These duties include patrol, traffic, general and specialized investigations, crime prevention, crime analysis, criminal intelligence, narcotics enforcement, emergency services, licensing, crime lab and communications.

#### B. Performance Standards

COUNTY through SHERIFF shall provide CITY with qualified personnel to meet the following performance standards and scope of service:

#### 1. General

All SHERIFF personnel who provide general and specialized law enforcement and patrol services to CITY pursuant to this Agreement shall have met the minimum qualifications designated for their specific classification, including a background investigation.

#### 2. Patrol Services

COUNTY through SHERIFF shall provide general law enforcement services via the various options listed in Attachment A of this Agreement. To the extent such staff is provided within CITY, their services, together with all normal ancillary services related thereto, shall primarily provide enforcement of the California Penal Code, the California Vehicle Code, and pertinent regulatory ordinances as adopted by the City Council of CITY.

#### 3. Traffic Services

COUNTY through SHERIFF shall provide traffic services via the various options listed in Attachment A. To the extent that such staff is provided within CITY, their services, together with all normal ancillary services related thereto, shall primarily provide enforcement of the California Vehicle Code and pertinent traffic regulatory ordinances as adopted by the City Council of CITY, accident investigations, analysis of traffic related problems

of CITY, and cooperate with various CITY departments to obtain solutions to the traffic problems of CITY.

#### 4. Special Purpose Officers

COUNTY through SHERIFF shall provide problem solving services via the various Special Purpose Officer options listed in Attachment A of this Agreement. To the extent such staff is provided within CITY, their services, together with all normal ancillary services related thereto, shall primarily be to identify and resolve problems of both a criminal and non-criminal nature for a designated geographic area through investigation, patrol support, coordination of departmental resources and cooperation with various CITY departments.

#### 5. School Resource Officers

COUNTY through SHERIFF shall provide school resource services via the various Special Purpose Officer options listed in Attachment A of this Agreement. To the extent such staff is provided within CITY, their services, together with all normal ancillary services related thereto, shall primarily provide enforcement and follow up investigation on school property for violations of the Penal Code of the State of California, the California Vehicle Code, and the California Education Code and cooperate with school administration, faculty, students, and parents to obtain solutions to problems of the school district.

#### 6. Community Service Officers

COUNTY through SHERIFF shall provide community services via the Community Service Officer options listed in Attachment A of this Agreement. To the extent such staff is provided within CITY, their services, together with all normal ancillary services related thereto, shall primarily

provide response/information to citizen inquiries, completion of minor reports, fingerprinting, traffic direction, parking enforcement, vehicle abatement, crime prevention education and enforcement of pertinent regulatory ordinances as adopted by the City Council of CITY.

#### 7. Detectives

COUNTY through SHERIFF shall provide follow-up criminal investigative services via the Detective option listed in Attachment A of this Agreement. To the extent such staff is provided within CITY, their services, together with all normal ancillary services related thereto, shall primarily be to investigate crime reports submitted by Patrol Officers, Community Service Officers, Special Purpose Officers or other personnel. Detectives are responsible for classifying and closing cases, identifying suspects, gathering evidence, making arrests, submitting cases for prosecution and supporting said prosecution with needed supplemental investigation.

#### 8. Retired-Rehired Deputies

COUNTY through SHERIFF shall, to the extent such personnel are available, make available Retired Deputies according to the options listed on Attachment A of this Agreement. Such Retired-Rehired Deputies are eligible for short-term assignments or assignments requiring specialized skills or knowledge on a temporary basis to CITY. Such Retired-Rehired Deputies are not available for routine Patrol, Traffic, Detective, or Special Purpose Officer services and are limited by State Law and Retirement System policy to working a maximum of 960 hours per fiscal year.

#### C. <u>Assignment of Personnel</u>

#### 1. Sheriff's Responsibility

The management, direction, supervision and discipline of SHERIFF personnel, the standards of performance, and all other matters incident to the performance of services, shall be performed by and be the responsibility of COUNTY through SHERIFF in SHERIFF's sole but reasonable judgment and in accordance with the provisions of applicable labor agreements. SHERIFF shall be the appointing authority for all personnel provided to CITY and shall have complete discretion as to the assignment of all individual SHERIFF'S personnel under this Agreement.

#### 2. Transfers and Selection of Station Commanders

SHERIFF will consult with CITY prior to reassignment of the station commander serving CITY and CITY will be afforded the opportunity to interview potential candidates prior to one being selected as the Station Commander of the station serving CITY. SHERIFF will solicit input from CITY when completing Station Commander's performance review. CITY and SHERIFF acknowledge that the length of assignment of the Station Commander serving CITY cannot be precisely defined; however SHERIFF will endeavor to maintain the Station Commander serving the CITY in that assignment for twenty four (24) months.

#### 3. Other Staff Assignments

If CITY has specific concerns regarding the actions of any officer, agent or employee who performs Law Enforcement Services, CITY may address those concerns with the Station Commander serving CITY.

#### 4. Liability for Payment of Wages

CITY shall have no liability for any direct payment of salary, wages, indemnity, or other compensation or benefit to persons engaged in COUNTY's performance of this Agreement.

#### D. Staffing for Basic Services

COUNTY through SHERIFF shall staff CITY as described in Attachment B in order to provide Law Enforcement Services. SHERIFF shall ensure that adequate numbers of qualified SHERIFF personnel are provided to CITY at all times during the term of this Agreement to meet the Law Enforcement Services, Scope of Services and Standards of Service commitments set forth herein, at no less than the staffing and classification levels established in the most current Attachment B. SHERIFF shall use best efforts to fill CITY funded position vacancies within a reasonable period of time.

#### E. Changes in Staffing

CITY shall provide COUNTY through SHERIFF thirty days advance notice when requesting changes in staffing. If CITY and SHERIFF agree that changes to the staffing level for Law Enforcement Services are needed and/or agree that staff additions or deletions in CITY are necessary in order to provide adequate levels of Law Enforcement Services in the succeeding contract year, CITY and COUNTY through SHERIFF shall execute and sign an amendment to Attachment B. COUNTY shall delegate the authority to SHERIFF to sign amendments to Attachment B consistent with the intent of this provision after review and approval by County Counsel. The level of service shall not be changed without the mutual consent of the SHERIFF and CITY.

#### F. Vehicles, Equipment and Supplies

COUNTY shall provide all supplies, equipment and materials required for performance of the required law enforcement services; except that the CITY shall, at its own expense, supply any special stationery, supplies, notices, or forms which are to be issued in the name of the CITY.

COUNTY agrees to provide the standard equipment for CITY vehicles per Attachment E. All marked vehicles (black & white) will generally be replaced at 100,000 miles. Vans and sedans will generally be replaced at 100,000 miles. Motorcycles will be replaced as needed at COUNTY's discretion.

The name of the city and city seal will be included on the doors of patrol cars if requested by the CITY. The CITY shall provide their CITY decal in the size requested by the SHERIFF.

Subject to written approval of the SHERIFF or his designee, the CITY may purchase equipment deemed necessary to facilitate program implementation or operation. If the COUNTY does not accept ownership of the equipment, the purchase price and all ongoing costs will be the responsibility of the CITY. If the COUNTY accepts in writing the equipment from the CITY, such equipment becomes the property of the COUNTY, and the CITY shall be credited the total cost for the equipment. Total cost shall mean a value agreed upon between COUNTY and CITY at the time the transfer is made.

#### G. Asset Ownership

#### 1. Vehicles

Vehicle ownership will be retained by the entity (CITY or COUNTY) that purchased the vehicle and is currently carrying ownership via the vehicle registration.

#### 2. Office Equipment

Office equipment (desks, chairs, computers, etc.) ownership will be retained by the entity (CITY or COUNTY) that purchased the equipment and is currently carrying ownership on the entity's inventory.

#### 3. Safety Equipment

Safety equipment (firearms, uniforms, leather gear, etc.) ownership will be retained by the COUNTY.

#### 4. <u>Facilities</u>

CITY shall retain ownership of facilities that CITY constructed for the purpose of use as a Sheriff's station. SHERIFF's payment to CITY is a lease payment only.

#### H. Membership

- For each year that this Agreement is in effect, CITY agrees to maintain its membership in the Automated Regional Justice Information System Joint Powers Agency (ARJIS).
- 2. For each year that this Agreement is in effect, CITY agrees to maintain its membership in the Regional Communications System (RCS).
- For each year that this Agreement is in effect, CITY agrees to maintain its
  participation in the California Identification System Remote Access
  Network (CAL-ID).

#### I. Contract Administration

#### 1. County Representative

COUNTY designates SHERIFF or his designee to represent COUNTY in all matters pertaining to the administration of the Agreement.

#### 2. City Representative

CITY designates its City Manager or designee to represent CITY in all matters pertaining to the administration of the Agreement.

#### 3. Meetings between City and Sheriff

SHERIFF or his designee shall be available to confer with the City Manager or designee whenever feasible, practical and not in conflict with mandated

duties and responsibilities. SHERIFF and/or Undersheriff and the Assistant Sheriff will meet with the City Managers as a group twice each year to discuss the law enforcement contract. CITY and COUNTY shall provide full cooperation and assistance of its officers, agents, and employees to each other in the performance of this contract.

#### 4. Implementation of New Programs

The COUNTY will discuss the implementation of any new programs with the CITIES. The County will provide the justification and value to CITY for the program and estimates of the cost impact. Such programs, if resulting in additional costs to CITY will only be implemented after discussion with the CITY.

#### 5. <u>Labor Negotiations</u>

The CITY will be requested to provide the SHERIFF with comments and recommendations during labor negotiations. The SHERIFF will review and pass on the CITY's comments to the COUNTY's labor negotiators.

#### 6. CLETAC

CITY, along with other cities within San Diego County entering into contracts for law enforcement services similar to this Agreement ("CITIES") shall maintain a Contract Law Enforcement Technical Advisory Committee (CLETAC). The Law Enforcement Services Bureau Assistant Sheriff, Law Enforcement Commanders and Sheriff's Contracts Manager shall meet with the committee on at least a semiannual basis to review contract administration including contract interpretation, costs, and liability. Additional meetings can be scheduled at the request of either party

#### J. Audit and Inspection of Records

COUNTY agrees that records generated under this contract shall be made available to CITY to audit and examine. CITY agrees that any such audit will be arranged by contacting COUNTY Board of Supervisors or designated representative in writing at least ten working days prior to the commencement of the audit and shall be conducted during normal working hours. CITY through its City Manager shall have access to reports and other documents pertaining to this Agreement including statistical reports on crime rates, traffic incidents and calls for service within CITY.

#### K. Reporting Requirements

CITY will receive monthly reports that provide information with respect to staffing, crime statistics, traffic statistics, programs, patrol activities and Information Led Policing strategies.

#### V. COST OF SERVICES/CONSIDERATION

#### A. General

As full consideration for the satisfactory performance and completion by COUNTY through SHERIFF of the Law Enforcement Services set forth in this Agreement, CITY shall pay COUNTY for the services agreed to on the basis of invoices and submittals as set forth hereunder.

### B. Personnel Costs

#### 1. Law Enforcement Services

The cost of a Law Enforcement Services position includes amounts that compensate COUNTY for all absences due to compensatory time off, bereavement, family, injury, military, and sick leave, holidays, jury duty, leave without pay, related training, and vacation but does not provide coverage or include costs required to maintain coverage for Law

Enforcement Services during such absences. If, however, there is an individual absence of more than 30 calendar days, CITY is not required to compensate the COUNTY from the 31<sup>st</sup> day until the position is staffed. In the event of a vacancy, CITY is not required to compensate the COUNTY from the 1<sup>st</sup> day of a vacancy until the position is filled.

#### 2. Additional Services

CITY shall compensate COUNTY for Additional Services requested and approved by CITY in accordance with Section II G, based upon the actual costs incurred by SHERIFF to provide those services.

#### C. Full Cost Center with Direct Space

#### 1. Cost Center Development

A Cost Center model including each station showing the direct station support, space and overhead costs for both the CITY and COUNTY shall be developed.

#### 2. Direct Costs

CITY shall pay for direct staff and equipment, which includes:

- a) Deputies
- b) Detectives
- c) Sergeants
- d) Community Service Officers
- e) Vehicles
- f) Handheld Radios

#### 3. Station Support Costs & Space

Station Support costs shall include:

- a) Lieutenants
- b) Captains

- c) Administrative Secretary I & II
- d) Office Assistants
- e) Property & Evidence Specialists
- f) Sr. Office Assistants
- g) Departmental Aid
- h) Crime Analyst
- i) Crime Prevention
- j) Supplies
- k) Space

All Station Support costs shall be allocated between the COUNTY and the CITY (or CITIES) occupying the station based on their number of deputies, detectives, sergeants and community services officers in that station. All deputy, detective and sergeant positions shall be allocated the same amount of Station Support Costs and community service offices will be allocated one half the amount of Station Support Costs allocated to a deputy, detective or sergeant.

#### 4. Overhead Costs

Overhead costs shall consist of:

- a) Communications Center
- b) Reserves
- c) Traffic Coordinator
- d) Juvenile Intervention
- e) Family Protection
- f) Financial Crimes
- g) Domestic Violence Unit
- h) Homicide

- i) Crime Analysis Administration
- j) Supplies
- k) Administrative Support
- I) Financial Services
- m) Personnel
- n) Data Services
- o) County Counsel
- p) County Support Costs

All CITY overhead costs shall be allocated to all the CITIES based on their number of deputies, detectives, sergeants and community services officers. All deputy, detective and sergeant position will be allocated the same overhead amount and community service officers will be allocated one half the amount of overhead allocated to a deputy, detective, or sergeant. CITY costs shall be listed in Attachment C.

#### 5. Overhead Allocation Date

The staffing of each CITY on May 1<sup>st</sup> (June 1<sup>st</sup> in agreement year one) and any requested adjustments shall be used to allocate overhead, station support and space calculation for the contract year starting the following July 1<sup>st</sup>.

#### 6. Staff Added After May 1st

For staff added after May 1<sup>st</sup> (June 1<sup>st</sup> in agreement year one) the CITY will only pay the direct cost (Salary, benefits, retirement, vehicle costs, and the one time equipment charge) until July 1<sup>st</sup> of the following year (e.g. 14 months or 13 months in agreement year one) when they will be included in

the new overhead calculation and Station Support Costs and Space Calculation.

### 7. Deleted Positions After May1st

If a CITY deletes a position after May 1<sup>st</sup> (June 1<sup>st</sup> in agreement year one), they will not have to pay the direct cost but that position will still be included in the overhead calculation until the following July 1<sup>st</sup>.

### D. Costs

### 1. Fixed Cost Increase

Cost increases for each city will be 6% in years one and two of this agreement, 5.5% in year three of this agreement, 5.0% in year four of this agreement and 4.5% in year five of this agreement. The cities will pay the applicable contract year's percentage increase regardless of the actual cost increase or decrease.

### 2. Application of Fixed Cost

Only staff included in the previous year's overhead calculation and adjustments made prior to May 1st (June 1st for agreement year one) will be used to determine the base for the percentage cost increase.

Adjustments for any changes in the future contract year will be made after applying the fixed percentage increase.

### 3. <u>Exceptions to the Fixed Cost</u>

Notwithstanding any other provision of this Agreement, the CITY's cost may increase above the fixed cost percentage if the following situation occurs:

a) If any city elects to discontinue its participation in the Contract Law Enforcement Program or deletes positions, all city overhead shall be

reallocated among the remaining CITIES at the beginning of the next contract year as provided for in the compensation plan Section V.C.4 above.

### E. Liability

### 1. Agreement Years One, Two, and Three

The CITIES will pay a total of \$650,000. This amount shall be allocated to each CITY using the formula for overhead in V.C.4.

### 2. Agreement Years Four and Five

The CITIES will pay a total of one million dollars. This amount shall be allocated to each CITY using the formula for Overhead in V.C.4.

### 3. Reopener

During year three, of this agreement, either party may request a meeting to discuss liability costs. All changes require the consent of both parties.

### F. Rate of Compensation

### 1. First Year

For the first year of this Agreement, CITY will compensate COUNTY for provision of the Law Enforcement Services in an amount equal to the fiscal year base amount set forth in Attachment B effective 07/01/17. Included in this amount will be a liability cost agreed to by COUNTY and CITY. In addition to the charges for Law Enforcement Services, CITY will compensate COUNTY for Additional Services as set forth in Section V.B.2, above.

### 2. Subsequent Years

### a. Cost Detail

By April 1<sup>st</sup> of each year, SHERIFF shall provide CITY with service costs as defined in Attachment A. The cost for services provided by

SHERIFF shall be based upon the actual cost of such services as identified in Attachment A. The salaries and benefits shall be based upon the most current payroll and adjusted for any known increases approved by the COUNTY's Board of Supervisors. Included in this amount will be an annual liability cost agreed to by COUNTY and CITY. All other costs will be based on actual costs per the COUNTY auditor's previous fiscal year accounting records.

### b. Level of Service

By May 1<sup>st</sup> of each year, CITY shall determine the level of Law Enforcement Services as defined in Section IV.B required within CITY for the upcoming fiscal year (July 1 through June 30). At a minimum, such service shall include the availability of one continuous twenty-four hour per day patrol unit and one continuously available eight and one-half hour, seven days a week, traffic unit.

### c. <u>Joint Operating and Financial Plan</u>

By July 1<sup>st</sup> of each year, COUNTY and CITY shall prepare a written Joint Operating and Financial Plan specifying the level of service for the upcoming fiscal year and the total cost of such services as determined in accordance with Section V.C and V.D, above. This plan, when approved by CITY and the COUNTY through the SHERIFF shall be effective July 1<sup>st</sup> and shall be made a part of this Agreement as Attachment B.

### d. Mandated Costs

CITY shall pay all costs which are mandatory as of the effective date of this agreement for any city police force to pay pursuant to state or federal statute or case law, if such costs are not included in the agreedto costs enumerated in the Joint Operating and Financial Plan. Further,

CITY shall pay any mandatory costs that shall become operational during the term of this Agreement.

### G. Mid-Year Adjustments to Basic Services

With thirty (30) days advance notice, either party may propose amendments or modifications to this Agreement. Such changes, including any increase or decrease in the level of service, which are mutually agreed upon by and between COUNTY and CITY shall be effective when incorporated in a revised Joint Operating and Financial Plan that is attached to this Agreement as Attachment B and approved by both the COUNTY through the SHERIFF and CITY. When CITY opts to increase or reduce service levels thus impacting the base staff count, SHERIFF will reallocate costs in accordance to Section V. C and V. D, above.

### H. Method of Payment, Proportional Payment, Credits

### 1. Monthly Invoices

COUNTY shall invoice CITY monthly for services received (1/12 of annual costs). CITY, within 30 days from the date of the invoice, shall pay to the County Treasurer, through the SHERIFF at 9621 Ridgehaven Court, San Diego, CA 92123, for costs of the services agreed upon as reflected in the Joint Operating and Financial Plan (Attachment B).

### 2. Billing for Additional Services

In the event that Additional Services have been agreed to by the parties and provided by SHERIFF to CITY, such services shall be billed in addition to those listed above. CITY agrees to pay the allowable cost of such services so requested. CITY shall not be obligated to pay for any regional services listed in Section II.D above. However, in the event that all non-contract cities are charged by COUNTY for any regional service, the COUNTY may reopen

negotiations with CITY and, upon agreement of the parties, a charge for such regional service may take effect at any time during the term of this Agreement.

### 3. Credits

### a. Vacancies and Absences

In the event that a credit is due CITY for vacancies or for absences extending beyond 30 calendar days, SHERIFF will deduct the amount of the credit from the total amount billed. This credit will not be "pooled" among all of the CITIES but will be credited to CITY only, for not having received the contractual service.

### b. <u>Towing Fees</u>

CITY shall be given credit for towing fees collected under California Vehicle Code section 22850.5.

### I. <u>Booking Fees/Jail Access Fee</u>

Effective 7/1/07, in lieu of charging CITY booking fees, COUNTY will receive an annual appropriation from the state. COUNTY may charge a "jail access fee" for certain low-level offenses (municipal code violations and misdemeanor violations except driving under the influence, domestic violence offenses, and enforcement of protective orders), for each booking in excess of CITY's three year average of such bookings (recalculated annually). In the event that the state reduces its annual appropriation, COUNTY may reinstate booking fee in accordance with Government Code sections 29550-29552.

### J. <u>Distribution of Fines and Forfeitures</u>

All personnel provided by SHERIFF in the performance of the services of this agreement for CITY shall be COUNTY officers and employees, but shall be

deemed officers and employees of CITY for the sole purpose of distributing fines and forfeitures pursuant to Penal Code section 1463.

### K. Forfeited Property and Assets

Any property retrieved in CITY by SHERIFF'S personnel such as unclaimed stolen goods or revenue generated by the sale of such property by COUNTY shall be made available to CITY net of allowable expenses, at first option to retain for CITY purposes. Assets seized through the Asset Forfeiture process by SHERIFF's personnel within CITY as a result of self-initiated activities or calls for service shall be shared with CITY according to current Federal Asset Seizure guidelines.

### L. Grant Availability

SHERIFF will advise CITY of availability of grant funding to maximize efforts to obtain funds for such things as anti-terrorism activities, programs and training.

### M. Availability of Funding

All terms and conditions of this Agreement are subject to the continued appropriations and availability of funds for either party for the performance of the services stated herein.

### VI. DEFENSE AND INDEMNIFICATION

### A. Indemnification Related to Workers Compensation and Employment Issues

COUNTY shall fully indemnify and hold harmless CITY, its officers, employees and agents, from any claims, losses, fines, expenses (including attorneys' fees and court costs or arbitration costs), costs, damages or liabilities arising from or related to (1) any workers' compensation claim or demand or other workers compensation proceeding arising from or related to, or claimed to arise from or relate to, employment which is brought by an employee of COUNTY or any contract labor provider retained by COUNTY, or (2) any claim, demand, suit or other proceeding arising from or related to, or claimed to arise from or relate to, the status of

employment (including without limitation compensation, demotion, promotion, discipline, termination, hiring, work assignment, transfer, disability, leave or other such matters) which is brought by an employee of COUNTY or any contract labor provider retained by COUNTY. CITY shall fully indemnify and hold harmless COUNTY, its officers, employees and agents, from any claims, losses, fines, expenses (including attorneys' fees and court costs or arbitration costs), costs, damages or liabilities arising from or related to (1) any workers' compensation claim or demand or other workers compensation proceeding arising from or related to, or claimed to arise from or relate to, employment which is brought by an employee of CITY or any contract labor provider retained by CITY, or (2) any claim, demand, suit or other proceeding arising from or related to, or claimed to arise from or relate to, the status of employment (including without limitation compensation, demotion, promotion, discipline, termination, hiring, work assignment, transfer, disability, leave or other such matters) which is brought by an employee of CITY or any contract labor provider retained by CITY.

### B. Defense and Indemnity; Acts and Omissions

### 1. Claims, Actions or Proceedings Arising From Acts or Omissions of COUNTY

COUNTY hereby agrees to defend and indemnify the CITY, its agents, officers and employees, from any claim, action or proceeding against CITY, arising out of the acts or omissions of COUNTY in the performance of this Agreement. At its sole discretion, CITY may participate at its own expense in the defense of any claim, action or proceeding, but such participation shall not relieve COUNTY of any obligation imposed by this Agreement. CITY shall notify COUNTY promptly of any claim, action or proceeding and cooperate fully in the defense.

### 2. Claims, Actions or Proceedings Arising From Acts or Omissions of CITY

CITY hereby agrees to defend and indemnify the COUNTY, its agents, officers and employees, from any claim, action or proceeding against COUNTY, arising out of the acts or omissions of CITY in the performance of this Agreement. At its sole discretion, COUNTY may participate at its own expense in the defense of any claim, action or proceeding, but such participation shall not relieve CITY of any obligation imposed by this Agreement. COUNTY shall notify CITY promptly of any claim, action or proceeding and cooperate fully in the defense.

# 3. Claims, Actions or Proceedings Arising From Concurrent Acts or Omissions

COUNTY hereby agrees to defend itself, and CITY hereby agrees to defend itself, from any claim, action or proceeding arising out of the concurrent acts or omissions of COUNTY and CITY. In such cases, COUNTY and CITY agree to retain their own legal counsel, bear their own defense costs, and waive their right to seek reimbursement of such costs, except as provided in paragraph 5 below (referring to joint defense agreements and reimbursement and/or reallocation).

# 4. Limited COUNTY Defense And Indemnification Of CITY; Claims Investigation

### a. Limited COUNTY Defense And Indemnification Of City

The COUNTY shall indemnify, defend and hold the CITY harmless where asserted CITY liability is based solely on one or more of the following three circumstances:

- (1) The CITY's contractual relationship with COUNTY under this Agreement;
- (2) The incident giving rise to the claim or suit is alleged to have occurred within the boundaries of CITY and there is no "dangerous condition" allegation against the CITY;

(3) The conduct alleged to be that of the CITY is, in fact, COUNTY conduct.

### b. Procedure For Determination Of Duty To Defend And Indemnify

If the COUNTY and/or CITY receive a claim or claims containing a description of circumstances, and/or are served with a complaint containing allegations, that the actions and/or omissions of the COUNTY and CITY in the performance of this Agreement contributed to the injuries and/or damages alleged in the complaint, the COUNTY shall look beyond the mere description of circumstances or allegations to determine whether CITY acts, omissions or dangerous conditions of CITY property may have contributed to the injuries and/or damages alleged in the complaint, notwithstanding the allegations. The COUNTY, consistent with its long standing practice, shall review the information in any COUNTY claims file, including investigative materials of the factual circumstances underlying the complaint's allegations and/or available law enforcement agency incident reports. If the COUNTY review determines that there are no facts supporting any viable theory of liability alleged in the complaint against the CITY, the COUNTY shall defend and indemnify the CITY pursuant to the provisions in paragraph 4.a above. However, if as a result of the COUNTY review, there appears to be a reasonable basis for concluding that CITY acts, omissions or dangerous conditions of CITY property may have contributed to the injuries and/or damages alleged in the complaint, COUNTY shall, as soon as practicable contact the appropriate CITY representative to discuss COUNTY's findings. If, after the discussion with CITY representative, the COUNTY is convinced that CITY was not involved, the COUNTY shall defend and indemnify the CITY pursuant to the provisions in paragraph A, above. However, if there continues to appear to be a reasonable basis for concluding that CITY acts, omissions or dangerous conditions of CITY property may have contributed to the plaintiff's injuries and/or damages alleged in

the complaint, the COUNTY will notify the CITY that the COUNTY, pursuant to the provisions of this Agreement, is not obligated to defend and indemnify CITY under paragraph 4 (a), above. When the COUNTY defends a claim or suit pursuant to paragraph 4(a), above, the CITY shall cooperate with COUNTY in the defense of the action or claim.

### 5. Joint Defense

Notwithstanding paragraph 4 above, in cases where COUNTY and CITY agree in writing to a joint defense, COUNTY and CITY may appoint joint defense counsel to defend the claim, action or proceeding arising out of the concurrent acts or omissions of CITY and COUNTY. Joint defense counsel shall be selected by mutual agreement of COUNTY and CITY. COUNTY and CITY agree to share the costs of such joint defense and any agreed settlement in equal amounts, except as follows: COUNTY and CITY further agree that neither party may bind the other to a settlement agreement without the written consent of both COUNTY and CITY. Where a trial verdict or arbitration award, in a joint defense case, allocates or determines the comparative fault of the parties, COUNTY and CITY may seek reimbursement and/or reallocation of defense costs, judgments and awards, consistent with such comparative fault.

### VII. GENERAL PROVISIONS

### A. Independent Contractor Status

In the performance of services under this Agreement, COUNTY and their respective officers, agents and/or employees shall be deemed independent contractors and not officers, agents or employees of CITY. All such personnel provided by COUNTY under this Agreement are under the direct and exclusive supervision, daily direction, and control of COUNTY and COUNTY assumes full

responsibility for the actions of such personnel in the performance of services hereunder.

CITY and COUNTY acknowledge and agree that CITY does not control the manner and means of performing the work of COUNTY's officers, agents or employees who perform Law Enforcement Services, and that CITY does not have the right or authority to hire, discipline or terminate such officers, agents or employees. COUNTY has no authority of any kind to bind CITY, and CITY has no authority to bind COUNTY and/or SHERIFF in any respect whatsoever, nor shall COUNTY or SHERIFF act or attempt to act, or represent itself directly or by implication as an agent of CITY, or in any manner assume or create or attempt to assume or create any obligation on behalf of or in the name of CITY. CITY shall not act or attempt to act, or represent itself directly or by implication as an agent of COUNTY, or in any manner assume or create or attempt to assume or create any obligation on behalf of or in the name of county.

### B. Notices

Any notice, request, demand or other communication required or permitted hereunder shall be in writing and may be personally delivered or given as of the date of mailing by depositing such notice in the United States mail, first-class postage prepaid and addressed as follows; or to such other place as each party may designate by subsequent written notice to each other:

To COUNTY and SHERIFF:

County of San Diego Chairperson San Diego County Board of Supervisors 1600 Pacific Highway San Diego, CA 92101

AND

Sheriff Contracts Manager PO Box 439062 9621 Ridgehaven Ct San Diego, CA 92123

To: CITY

City Manager City of Lemon Grove 3232 Main Street Lemon Grove, CA 91945

A notice shall be effective on the date of personal delivery if personally delivered before 5:00 p.m. on a business day or otherwise on the first business day following personal delivery; or two (2) business days following the date the notice is postmarked, if mailed; or on the first business day following delivery to the applicable overnight courier, if sent by overnight courier for next business day delivery and otherwise when actually received.

### C. Time of the Essence

Time is of the essence of this Agreement. Unless specifically stated to the contrary, all references to days herein shall be deemed to refer to business days, not to include COUNTY holidays.

### D. Amendments

With the exception of the modification or amendment of Exhibits as noted in Sections IV. E, V.C and V.D, above, this Agreement may be modified or amended only by a written document signed by all parties, and no oral understanding or agreement shall be binding on the parties. No party shall assign any of its rights or delegate any of its obligations hereunder without the prior written consent of the other parties.

### E. Entire Agreement

This Agreement, including all Exhibits hereto, constitute the complete and exclusive statement of agreement between COUNTY and CITY with respect to the subject matter hereof. As such, all prior written and oral understandings are superseded in total by this Agreement.

### F. Construction

Each party has had the opportunity to participate in the review of this Agreement and this Agreement will be deemed to have been made and shall be construed, interpreted, governed and enforced pursuant to and in accordance with the laws of the State of California. The headings and captions used in this Agreement are for convenience and ease of reference only and shall not be used to construe, interpret, expand, or limit the terms of the Agreement and shall not be construed against any one party. Each of the Exhibits attached to this Agreement is hereby incorporated into this Agreement by this reference.

### G. No Third Party Beneficiaries

This Agreement is intended solely for the benefit of the COUNTY and the CITY. Any benefit to any third party is incidental and does not confer on any third party to this Agreement any rights whatsoever regarding the performance of this Agreement. Any attempt to enforce provisions of this Agreement by third parties is specifically prohibited.

### H. Waiver

A waiver by COUNTY of a breach of any of the covenants to be performed by CITY, or a waiver by CITY of a breach of any of the covenants to be performed by COUNTY, shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions, or conditions of this Agreement. In addition, the failure of either party to insist upon strict compliance with any provision of this Agreement shall not be considered a waiver of any right to do so, whether for that breach or any subsequent breach. The acceptance by COUNTY or CITY of either performance or payment shall not be considered a waiver of the other party's preceding breach of this Agreement.

### I. Authority to Enter Agreement

COUNTY and CITY each has all requisite power and authority to conduct its respective business and to execute, deliver, and perform the Agreement. Each party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective party.

### J. Cooperation

COUNTY through SHERIFF and CITY will cooperate in good faith to implement this Agreement.

### K. Counterparts

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

### L. Severability

This Agreement is subject to all applicable laws and regulations. If any provision of this Agreement is found by any court or other legal authority, or is agreed upon by the parties, to be in conflict with any law or regulation, then the conflicting provision shall be considered null and void. If the effect of nullifying any conflicting provision is such that a material benefit of this Agreement to either party is lost, then the Agreement may be terminated at the option of the affected party, with the notice as required in this Agreement. In all other cases, the remainder of this Agreement shall be severable and shall continue in full force and effect.

### M. Representation

CITY's City Manager, or his or her designee, shall represent CITY in all discussions pertaining to this Agreement. With the exception of the procedures set forth in sections II E, IV E, and V D, concerning services and payment, the

SHERIFF, or his or her designee, shall represent COUNTY in all discussions pertaining to this Agreement.

### N. Job Actions

In the event of a work slowdown, strike, or any other form of job action by those individuals assigned to perform CITY Law Enforcement Services, COUNTY through SHERIFF agrees to provide only that minimal level of service agreed to by CITY and COUNTY, and CITY shall have no responsibility for the cost of SHERIFF's Law Enforcement Services personnel who withhold Law Enforcement Services to CITY under those circumstances.

### O. <u>Dispute Resolution Concerning Services and Payment</u>

In the event of any dispute concerning services and payment arising from this Agreement, the Assistant Sheriff of the Law Enforcement Services Bureau, or his or her designee, and CITY's City Manager, or his or her designee, will meet and confer within 10 (ten) business days after receiving notice of the dispute in an attempt to resolve the dispute. In the event no agreement can be reached, SHERIFF, or his or her designee, and CITY's City Manager, or his or her designee, shall meet to discuss resolution of said dispute.

### P. Obligation

This AGREEMENT shall be binding upon the successors of the members of the City Council, the Mayor and City Manager of CITY, and the members of the COUNTY Board of Supervisors and the SHERIFF.

IN WITNESS WHEREOF, the CITY, by resolution duly adopted by its City Council on July 18, 2017, has approved the execution of this contract by its City Manager, and the COUNTY, by order of its Board of Supervisors on June 20, 2017, and has approved the execution of this contract on the XX day of July, 2017.

CITY	COUNTY OF SAN DIEGO
City Manager	Clerk of the Board of Supervisors
Approved by City Council	Approved by Board of Supervisors
Action	Action
Date	Date
By:	By
Approved as to form and legality	Approved as to form and legality
ByCity Attorney	ByCounty Counsel
Date	Date
EXHIBITS TO THIS AGREEMENT: Exhibit A Exhibit B Exhibit C Exhibit D Exhibit E	

### ATTACHMENT A

### **CONTRACT LAW ENFORCEMENT PROGRAM**

### SERVICE COSTS FY 2017/2018

SERVICE CATEGORY	SALARY & BENEFITS (Prorate if partial year)	START UP COSTS (Full)	RADIO REPLACEMENT (Prorate If partial year)
STAFF:			
Deputy Patrol	\$176,417.39	\$17,559.00	\$506.03
Deputy Traffic	\$176,417.39	\$17,559.00	\$506.03
Deputy Motor	\$188,725.58	\$17,559.00	\$506.03
Deputy SPO	\$176,417.39	\$17,559.00	\$506.03
Detective	\$184,622.85	\$17,559.00	\$506.03
CSO	\$77,254.92	\$10,308.00	\$506.03
Sergeant	\$228,142.66	\$17,559.00	\$506.03
Lieutenants	\$241,248.58	\$17,559.00	\$506.03
Captains	\$280,804.60	\$17,559.00	\$506.03
Admin Sec II	\$83,862.96	\$5,133.00	\$0.00
Admin Sec I	\$71,220.34	\$5,133.00	\$0.00
Office Assistant	\$67,017.44	\$5,133.00	\$0.00
Office Support Specialist	\$80,822.88	\$5,133.00	\$0.00
Sr. Office Assistant	\$79,088.72	\$5,133.00	\$0.00
Sheriff's Prop & Evid Spec I	\$69,628.22	\$5,133.00	\$0.00
Dept. Alde	\$47,228.30	\$5,133.00	\$0.00
Crime & Intelligence Analyst	\$127,599.62	<b>\$</b> 5,133.00	\$0.00
Rehire (960 program) per hour	\$40.00		
AUTO:	Cost per auto		
	(Prorate		
	if partial year)		
Patrol Sedan B/W	\$25,523.32		
Patrol 4x4 B/W	\$30,744.11		
Traffic Sedan B/W	\$25,523.32		
Motorcycle	\$12,117.66		
Management Sedan	\$11,418.67		
Detective Sedan & Det. Supervisor	\$8,601.45		
SPO - Sedan 4 Dr	\$8,601.45		
SPO - Van	\$13,066.57		
SPO - B&W	\$25,523.32		
CSO - Sedan 4 Dr	\$8,601.45		
CSO - Van	\$8,004.99		
	- •		

			ATI	ATTACHMENT B City of Lemon Grove	
	*	N. F	43.0	June 2017	
SERVICE CATEGORY	Staff	# of Staff	Factor	Net Cost	Notes
Deputy Patrol Deputy Traffic	\$ 176,417.39	13.000 3.000		2,293,426.05 529,252.16	
Deputy Motor Deputy SPO Detective CSO	\$ 17,254.92	2.000 1.000		369,245.70 77,254.92	
Sergeant Patrol Sergeant Traffic Sergeant Relief Sergeant Dedicated Detective Sgt	\$ 228,142.66 \$ 228,142.66 \$ 228,142.66 \$ 228,142.66 \$ 228,142.66	1.000		228,142.66 	
Station Staff				596,600.96	
Subtotal Ancillary Support Supply				4,322,005.03 658,280.96 135,312.74	
Vehicles Space Management Support Liability Offset due to prior cap			l	230,733.11 36,733.11 36,783.10 (268,854.14) 1,224,535.00	
Adjustments:	ŀ	FAIR	<i>⊌</i>	5 546 600 09	
Attachment B					13-Jun-17

### ATTACHMENT C

### **OVERHEAD COST DETAIL SHEET**

	DE	PUTY SHER	RIFF &	SERGEANT	CO	MMUNITY S	ERV	ICE OFFICER
Station Support Staff		Direct C	harge	Now		Direct Ch	arge	Now
Ancillary Support								
Communications Ctr	\$	15,199.34			\$	7,599.67		
Reserves	\$	•			\$			
Crime Prevention	\$	1,808.50			\$	904.25		
Crime Analysis	\$	475.02			\$	237.51		
Traffic Coordinator	\$	435.81			\$	217.91		
Juvenile Intervention	\$	2,654.71			\$	1,327.36		
Family Protection	\$	3,737.30			\$	1,868.65		
Financial Crimes	\$	2,725.31			\$	1,362.66		
Domestic Violence	\$	1,268.61			\$	634.31		
Homicide	\$	3,806.66			\$	1,903.33		
Total			\$	32,111.26			\$	16,055.65
Supplies								
Station		Direct (	Charge	Now		Direct Ch	arge	Now
Support Other	\$	1.932.23	_		\$	966.12		
Total		**************************************	\$	1,932.23	- Secretaria de la compansión de la comp	144	\$	966.12
Space Cost								
Space		Direct (	Charge	now		Direct Ch	ıarge	Now
Total	orana marana		\$	#0	***************************************	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	\$	44
Management Support								
Admin	\$	1,423.28			\$	711.64		
Fiscal	\$	1,561.40			\$	780.70		
Personnel	\$	2,591.77			\$	1,295.89		
Data Services	\$	1,375.19			\$	687.60		
Other	\$	1,857.31			\$	928.66		
Total	·	•	\$	8,808.95			\$	4,404.49
Grand Total			\$	42,852.44			\$	21,426.26

### Note:

Deputy, Detective, CSO, Sergeant, Station Staff, Station Supplies, Space & Vehicles are calculated directly per station.

# ATTACHMENT D

# LIABILITY FUND HISTORY

	AMOUNT
Beginning Balance	1,643,947.51
FY 2009/2010	307,764.05
FY 2010/2011	(1,298,299.47)
FY 2011/2012	209,033.65
FY 2012/2013	258,994.88
FY 2013/2014	15,350.61
FY 2014/2015	60,289.48
FY 2015/2016	(635,636.98)
FY 2016/2017 (2 Quarters)	(178,801.17)
Total	382,642.56

### ATTACHMENT E

VHF Mobile radio

### STANDARDIZED EQUIPMENT LIST

PATROL STATIONS

Vehicle Type	Mobile Radio	Handitalk Radio	VHF Mobil Radio		VRM Modems	AVL (2)	Light Siren	Plastic Rear Seat	Radar	Push Bar	Gunlock	Winch	Screen
Patrol Sedan	x	×		×	×	x	×	×		x	x		X
Patrol 4X4 (Expedition)	x	×	X	×	x	×	×			×	X	×	x
Patrol 4X4 (Pick Up)	×	×		×	X	x	×			×	×	X	X
Traffic Sedan	x	×		×	X	×	x	**	x	x	x		X
Traffic Motorcycle	×	×							x				
Detective (4-Door)	×	x											
Detective (2-Door)	×	×											
Detective (Black & white)	×	×		Ž	X	<b>3</b>	×			×	×		X
Detective (Van)	X	×											
CSO (Van)	×	×		×	×		x (3)						
Supervisory Sedan	×	x		No*				X					

<sup>(1)</sup> Mobile Computer Terminals - purchased by Communication Center.

<sup>(2)</sup> Auto Vehicle Locator
(3) Amber warning light in rear deck.

### Staff Equivalent for Coverage and Relief

Work seven days a week with relief for weekends and time off

AAOLK SCACII (1933) S MCCK AAIR	Hellet for Meeyerian and and			
A TO STOCKED AND THE PROPERTY OF THE STOCKED AND AND AND AND AND AND AND AND AND AN	Hours per day Coverage	Hours per shift	days per week	Staff required
7 day with Relief (old unit)	8.5	8.5	7.0	1.78
New Unit	10.5	10.5	7.0	2.19
New Unit	12.5	12.5	7.0	2.61
New Unit	25.0	12.5	7.0	5.22
New Unit	25.5	8.5	7.0	5.33

Work full shifts a week with relief for time off

AAOLK LOU SILLIO O AACOV AAITILLI	AIGI TOL MILIO OLI			
All desirable six and the Company of	Hours per day Coverage	Hours per shift	days per week	Staff required
5 day with Relief (Old Unit)	8.5	8.5	5.0	1.27
New Unit	10.5	10.5	4.0	1.27
New Unit	12.5	12.5	3.4	1.27

Work full shifts a week with no relief for time off

TOTAL CITIES OF MODIL MILLING	I WILL I WILLIA WIL			The statement of the st
galas sa delegada delega yangga kanangan ang ang ang ang ang ang ang ang	Hours per day Coverage	Hours per shift	days per week	Staff required
5 day without Relief (Old Unit)		8.5	5.0	1.00
New Unit	10.5	10.5	4.0	1.00
New Unit	12.5	12.5	3.4	1.00

Note: add partial totals and round totals up. For example, if you need coverage for 2 positions 5 days a week with relief you would need 1.27 staff x 2 or 2.54 and would need 3 staff.

**Assumptions** 

•	Hours per year	Hours per week
Work	1,743	33.52
Off	467	8.98
Total	2,210	42.50

# LEMON GROVE CITY COUNCIL AGENDA ITEM SUMMARY

Mtg. Date	July 18, 2017
Dept.	Development Services Department
ltem Title:	Public Appeal to Consider Appeal No. AA1-700-0001 Regarding the Denial of Zoning Clearance No. ZC1-700-0006 Continued from May 16, 2017; a Request to
	Apply for a Conditional Use Permit to Establish a Medical Marijuana Dispensary
	at 7309 Broadway in the General Commercial Zone.

Staff Contact: David De Vries, Development Services Director

### Recommendation:

Item No.

5

- 1. Continue Public Hearing from May 6, 2017; and
- 2. Adopt a Resolution (**Attachment B**) upholding the Development Services Director's determination to deny ZC1-700-0006, a request to apply for a conditional use permit to establish a medical marijuana dispensary at 7309 Broadway in the General Commercial Zone.

### **Item Summary:**

On April 3, 2017, the Development Services Director (Director) denied Zoning Clearance Application No. ZC1-700-0006, a request to establish a medical marijuana dispensary (MMD) at 7309 Broadway. The application was denied because the proposed MMD would be at a property located within 1,000 feet of a State-licensed family daycare home. The City of Lemon Grove obtained a confidential list of family daycare homes from the Department of Social Services (DSS), subject to the provision that the list be kept confidential. The appellant, Mr. Marty Frank, subsequently filed an appeal and request for public hearing, stating that the City has not proven there are any licensed day care facilities within 1,000 feet of the subject property. A discussion of the City provisions and DSS confidentiality requirements related to family daycare homes is provided herein (Attachment A). This public hearing was continued from May 6, 2017.

# Fiscal Impact: None. Environmental Review: ☐ Not subject to review ☐ Categorically Exempt ☐ Mitigated Negative Declaration ☐ Mitigated Negative Declaration Public Information: ☐ None ☐ Newsletter article ☐ Tribal Government Consultation Request ☐ Notice published in local newspaper ☐ Notice to property owners within 500 ft.

### Attachments:

- A. Staff Report
- B. Resolution of Denial
- C. Lemon Grove Municipal Code Section 17.32.090
- D. Excerpt from DSS Frequently Asked Questions Publication
- E. Information Request Letter from City to DSS, dated February 9, 2017
- F. Response Letter from DSS to City February 21, 2017
- G. Draft City of Lemon Grove Medical Marijuana Zoning Map
- H. ZC1-700-0006 Application Form
- I. Staff Denial Letter for ZC1-700-0006
- J. AA1-700-0001 Appeal Form
- K. Staff Acknowledgment Letter for AA1-700-0001
- L. Daycare Address Disclosure Letter, Dated May 3, 2017
- M. Project Vicinity Map
- N. Continuance Letter

# LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. 5

Mtg. Date July 18, 2017

Item Title: Public Appeal to Consider Appeal No. AA1-700-0001 Regarding the Denial of

Zoning Clearance No. ZC1-700-0006 Continued from May 16, 2017; a Request to Apply for a Conditional Use Permit to Establish a Medical Marijuana

Dispensary at 7309 Broadway in the General Commercial Zone.

Staff Contact: David De Vries, Development Services Director

### Background:

This appeal hearing was originally scheduled for May 16, 2017. However, the hearing was continued to July 18, 2017 at the applicant's request (**Attachment N**).

In November 2016 voters in the City of Lemon Grove passed Measure V, an initiative removing the City's prohibition of medical marijuana dispensaries (MMDs) and establishing performance standards and a permit process by which MMDs may be established. Measure V was subsequently codified in Chapter 17.32 of the Lemon Grove Municipal Code. The permit process for MMDs requires approval of a conditional use permit (CUP), and the performance standards prohibit MMDs on properties within 1,000 feet of certain protected uses, one of which is licensed daycare. See Lemon Grove Municipal Code Section 17.32.090 (Attachment C).

In order to identify and map the location of protected uses, staff relied upon on a variety of resources including, but not limited to, the website for the California Department of Social Services (DSS), which is the licensing agency for daycare throughout the State of California. As part of this research, staff discovered that DSS does not disclose the addresses of licensed family daycare homes to the general public. Such uses are conducted in private residential settings where there is an expectation of privacy and where the dissemination of such information is restricted by law. This policy is explained in the DSS Frequently Asked Questions publication (Attachment D). Based on a request from the City, DSS staff supplied a list of family daycare homes and their addresses to the staff at the City of Lemon Grove, provided that City staff would not disclose the list to the general public (Attachments E and F).

In order to honor the DSS provisions to protect the location of family daycare homes, while still providing the public with a map to identify potential locations for MMDs, City staff created several draft maps with 1,000 foot buffers around the parcels where protected uses are located, then made those buffers opaque to obscure the underlying parcel geography (Attachment G). These map iterations were based on known protected uses at the time of map creation. On March 7, 2017, staff presented a report to City Council describing the recommended draft review procedures and draft conditions of approval for requests to establish MMDs. Staff also presented the newly created draft Medical Marijuana Zoning Map. The review procedures include using the Zoning Clearance (ZC) process as the initial step in screening and reviewing of MMD applications. Complete ZC applications for sites which meet the zoning criteria, application requirements, and distance restrictions described in LGMC Chapter 17.32, and which include all required application materials, will be deemed complete, and the applicants may then submit an application for CUP approval by the City Council. ZC applications for sites that do not meet the specified criteria are denied by staff. Staff's decision to deny any application is subject to appeal to the City Council, pursuant to LGMC Section 17.28.020(I).

On March 21, 2017, the appellant filed ZC1-700-0006, an application to apply for a conditional use permit to establish a MMD at the subject property (**Attachment H**). Prior to accepting the

application, staff checked the location of the project site on the Medical Marijuana Zoning Map. Staff then informed the appellant that the proposed project site was within 1,000 feet of a protected use, and therefore staff would have no option but to deny the ZC application (**Attachment M**). The appellant chose to file the ZC application despite staff's admonishment. On April 3, 2017, the Development Services Director denied ZC1-700-0006 because the proposed project site is located within 1,000 feet of a licensed family daycare home (**Attachment I**). On April 5, 2017, the appellant filed an administrative appeal of the Director's decision. The appeal states that the City has not proven there are any licensed day care facilities within 1,000 feet of the subject property. Further details are provided herein (**Attachment J**).

On April 13, 2017, staff sent a letter to the appellant acknowledging receipt of the appeal, informing him of the appeal hearing date, and advising him to submit any additional information he wished to provide prior to the hearing (**Attachment K**). As of July 12, 2017, no additional information has been provided.

On May 3, 2017, staff contacted both of the family daycare home operators and asked for permission to disclose their locations to the appellant. One of the daycare operators, Kristina Pintor, informed staff that she had been contacted by three different groups with requests to relocate her daycare operation in order to facilitate the establishment of a dispensary. She stated that one of the groups included the owner of the property at 7309 Broadway. Furthermore, the proprietor of the small family daycare operation located at 3335 Citrus has complained about harassment by the owners and employees of 7309 Broadway prior to and after the appeal was filed showing that appellants knew of this location prior to filing their application and the appeal.

On May 3, 2017, out of an abundance of caution and in order to provide a full and open opportunity for the appellant to understand the reason staff denied the zoning clearance permit, and to allow the appellant to respond accordingly, staff sent a letter to the appellant (**Attachment L**) disclosing the physical street addresses of the licensed family daycare homes located within 1,000 feet of the proposed dispensary at 7309 Broadway.

It is worth noting that the subject property and the owner of the subject property have been subject to Code Enforcement actions since April of 2015 relating to the conduct of an unlicensed medical marijuana dispensary. During the conduct of the unlicensed dispensary, the City issued daily citations and multiple \$1,000 fines, which eventually totaled over \$246,000 including late payment penalties and interest. The majority of these fines are still outstanding. Moreover, these Code Enforcement efforts have required the involvement of the City Attorney's Office. The property was released from active code enforcement on March 10, 2017 when the MMD ceased operation and vacated the premises.

### Discussion:

The purpose of this appeal is to determine whether a MMD is allowed to proceed with a conditional use permit application based on a determination that the subject property is within 1,000 feet of a protected use, in this instance a licensed daycare facility. Staff contends that it has received appropriate evidence and made appropriate measurements to justify that there is a licensed daycare facility within 1,000 feet of the subject property. The appellant contends that they have been provided with insufficient evidence.

As stated above, City staff contacted the State to obtain information about the location of each licensed family daycare home. Under the Public Records Act ("PRA"), the City is bound to protect information forwarded under these conditions. The relevant PRA section states as follows:

### Government Code Section 6254.5. [Excerpts only]

Notwithstanding any other law, if a state or local agency discloses a public record that is otherwise exempt from this chapter, to a member of the public, this disclosure shall constitute a waiver of the exemptions specified in Section 6254 or 6254.7, or other similar provisions of law. For purposes of this section, "agency" includes a member, agent, officer, or employee of the agency acting within the scope of his or her membership, agency, office, or employment. ...

This section, however, shall not apply to disclosures: ...

(e) Made to a governmental agency that agrees to treat the disclosed material as confidential. Only persons authorized in writing by the person in charge of the agency shall be permitted to obtain the information. Any information obtained by the agency shall only be used for purposes that are consistent with existing law.

Typically, once a confidential record is disclosed, the disclosure constitutes a waiver of the privilege to keep the record confidential. However, there is a specific exemption when confidential records are shared between agencies. The City is bound by the State's confidentiality request. The State of California only agreed to share its list of licensed family daycare homes, on the condition that the City keep the list confidential. The City does not have the right to turn over the licensed daycare list to any person, however, individual daycare operations may be disclosed out of an abundance of caution and in order to provide a full and open opportunity for the appellant to understand the reason staff denied the zoning clearance permit, and to allow the appellant to respond accordingly.

Notwithstanding the confidentiality of the information shared with the City by DSS, applicants may have options in locating family daycare homes including: 1) canvassing their proposed location for other businesses which may prohibit their siting; 2) conducting internet research regarding daycare facilities that advertise on the internet; and 3) phoning DSS regarding daycare facilities in their community.

### **Public Information:**

The Notice of Public Hearing for this item was published in the May 4, 2017 edition of The East County Californian and mailed to all property owners within 500 feet of the subject property.

As of July 12, 2017, the City has received no responses to the Notice of Public Hearing. At the time of the public hearing, staff will provide the City Council with any additional written comments that may be received after the distribution of the staff report.

### Conclusion:

Staff recommends that the City Council conduct a public hearing and adopt a Resolution (**Attachment B**) upholding the Development Services Director determination to deny ZC1-700-0006, and denying a request to apply for a conditional use permit to establish a medical marijuana dispensary at 7309 Broadway

### **RESOLUTION NO.**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE UPHOLDING THE DECISION OF THE DEVELOPMENT SERVICES DIRECTOR'S DETERMINATION TO DENY A REQUEST TO APPLY FOR A CONDITIONAL USE PERMIT TO ESTABLISH A MEDICAL MARIJUANA DISPENSARY AT 7309 BROADWAY, LEMON GROVE, CALIFORNIA

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 medical marijuana dispensaries may be established; and

**WHEREAS**, Measure V includes the adoption of Lemon Grove Municipal Code Chapter 17.32 which prohibits the establishment of medical marijuana dispensaries within 1,000 feet of certain protected uses, including licensed daycare facilities; and

**WHEREAS**, City staff requested and obtained a confidential list of licensed family daycare homes from the California Department of Social Services; and

**WHEREAS**, in order to obtain the confidential list of family daycare homes, City of Lemon Grove staff agreed to keep the information confidential; and

WHEREAS, on March 13, 2017, the City received a confidential list from the California Department of Social Services noting at least two such properties are within 1,000 feet of 7309 Broadway; and

WHEREAS, on March 21, 2017, after being informed verbally by staff that the subject property was within 1,000 feet of a protected use and that submittal of a zoning clearance application would result in a denial, the appellant (Marty Frank) filed ZC1-700-0006, an application to apply for a conditional use permit to establish a MMD at 7309 Broadway, Lemon Grove, CA; and

**WHEREAS**, on April 3, 2017, the Development Services Director denied ZC1-700-0006 because the proposed project site is located within 1,000 feet of two licensed family daycare homes; and

**WHEREAS,** on April 5, 2017, the appellant filed an administrative appeal of the Director's decision (AA1-700-0001), stating in part that the City has not proven there are any licensed day care facilities within 1,000 feet of the subject property; and

WHEREAS, Government Code Section 6254.5(e) specifically exempts government agencies from the requirement to disclose confidential information that was shared between agencies under an agreement to maintain the confidentiality of said information; and

WHEREAS, City staff disclosed the addresses of the two daycare facilities in question on May 3, 2017 as evidenced by the letter attached to the heading packet as Attachment "L"; and

**WHEREAS,** the appellant has failed to show that their facility is greater than 1,000 feet from a California-licensed daycare facility; and

WHEREAS, at the request of the applicant, on May 16, 2017, the Lemon Grove City Council continued the duly noticed public hearing to consider AA1-700-0001, an appeal of the Development Services Director's determination to deny ZC1-700-0006 until July 18, 2017; and

**WHEREAS**, on July 18, 2017, the Lemon Grove City Council held a duly noticed and continued public hearing to consider AA1-700-0001, an appeal of the Development Services Director's determination to deny ZC1-700-0006; and

WHEREAS, the appeal of this determination is not a project and is not subject to the environmental review requirements of the California Environmental Quality Act (CEQA); and

NOW, THEREFORE, INCORPORATING THE ABOVE STATEMENTS HEREIN, BE IT RESOLVED that the City Council of the City of Lemon Grove hereby:

- 1. Denies Marty Frank's Administrative Appeal No. AA1-700-0001 based on the above-findings; and
- 2. Upholds the Development Services Director's April 3, 2017 determination to deny Zoning Clearance No. ZC1-700-0006, a request to apply for a conditional use permit to operate a medical marijuana dispensary, at 7309 Broadway, Lemon Grove, CA.

11111

17.32.090. Medical marijuana Dispensary Regulations

### A. Zones:

Dispensaries may be established by Conditional Use Permit in the Heavy Commercial (HC), Limited Commercial (LC), General Commercial (GC) and Light Industrial (LI) Zones and subject to the distance requirements. Dispensaries are prohibited in Mixed-Use Zones (Downtown Village Specific Plan and Central Commercial) and all residential zones (RLM, RL, RM, RMH).

### **B.** Distance Requirements

An application may be submitted provided the proposed facility meets the required distance measurements. For purposes of measurements, all *Dispensaries* are considered *Regulated uses* and public parks as defined at Section 12.20.030 of Lemon Grove Municipal Code, playgrounds as defined at Section 18.28.020, subdivision (v), of the Lemon Grove Municipal Code, licensed day care facilities as defined at Section 17.08.030 of Lemon Grove Municipal Code, schools as defined at California Health and Safety Code section 11362.768, subdivision (h), and alcohol and substance abuse treatment centers are considered *Protected Uses*. Measurement is made between the closest property lines of the *Premises* in which the *Regulated uses* and *Protected Uses* are located. A regulated use must not be:

- 1. Within 1000 feet of any other regulated use which is located either inside or outside the iurisdiction of the City.
- 2. Within 1000 feet from any protected use which is located either inside or outside the jurisdiction of the City.

The measurement of distance between uses will take into account natural topographical barriers and constructed barriers such as freeways or flood control channels that would impede direct physical access between the uses. In such cases, the separation distance shall be measured as the most direct route around the barrier in a manner that establishes direct access.

### C. Standards

- 1. Background Check Required for *Directors* and Employees. The *Director* and employees of a *Dispensary* must obtain a Live Scan background check through the California Department of Justice or the San Diego County Sheriff's Department prior to employment. *Directors* convicted of a serious felony, as defined in California Penal Code section 1192.7, subdivision (c), and Health & Safety Code Section 11359 (Possession for sale) within the previous ten years shall not be eligible for a license. Other potential collective employees and volunteers convicted of the crimes identified in this section in the previous five years are ineligible for employment or participation. If during employment with the *Dispensary*, a *Director* or employee is convicted of a crime identified in this section 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*.
- 2. **Security Personnel Required.** *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."
- 3. **Community Relations Liaison Required.** *Dispensaries* shall designate a community relations liaison (liaison) who shall be at least 18 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:

- a. Lemon Grove City Manager,
- b. San Diego County Sheriff's Department personnel supervising law enforcement activity in Lemon Grove
- c. All neighbors within one hundred feet of the *Dispensary*.
- 4. **Inspection of** *Premises.* 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 premise. 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 Sherriff Department staff have probable cause that the collective is violating the law.
- 5. **Inspection Requirements.** In order to facilitate verification that a *Dispensary* operates pursuant to State and local laws, the following records must be maintained at the *Premises* at all times and available for inspection by City Code Enforcement Officers, San Diego Sheriff's Department staff, and any other employee of the City:
  - a. Client Records The *Dispensary* shall keep a record of its clients. The record shall include the following and shall be maintained for a two-year period:
    - i. Qualified patient member's name, name of primary caregiver when appropriate, and name of Licensed Physician recommending use of medical marijuana for the member.
  - b. *Medical Marijuana* Records *Dispensary* shall keep a record of its *medical marijuana* transactions. The following records shall be maintained for a two-year period and labeling shall occur as specified:
    - i. 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.
    - ii. 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*.
  - iii. All *Medical marijuana* at the *Premises* shall be physically labeled with the monetary amount to be charged.
  - c. Financial Records *Dispensary* shall maintain records of all transactions involving money and/or *Medical marijuana* occurring at the *Premises*. Records shall be maintained for a two-year period preceding the current date.
  - d. Employee Records *Dispensary* 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 *Dispensary*.
- 6. **Operations Manual.** The application for a Conditional Use Permit shall include a detailed *Operations Manual* including but not necessarily limited to 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 *Medical marijuana* quantities and inventory controls employed, including the source of *Medical marijuana* (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;
- i. Other information required by the Development Services Director.
- 7. Operating Standards. Dispensaries shall comply with all of the following operating standards. In addition to these standards, the Dispensaries shall comply at all times with conditions outlined in the approved Conditional Use Permit and the Operational Manual.
  - a. Dispensing *Medical marijuana* to an individual *qualified patient* or *primary caregiver* more than once a day is prohibited;
  - b. *Dispensaries* shall only dispense *Medical marijuana* 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;
  - c. On-site evaluation by a *Licensed Physician* for the purposes of obtaining a qualified status is prohibited;
  - d. *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:
    - i. Each building entrance to a *Dispensary* shall be clearly and legibly posted with a notice indicating that 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.
    - ii. The building entrance to a *Dispensary* shall be clearly and legibly posted with a notice indicating that persons under the age of eighteen (18) are precluded from entering the *Premises*.
    - iii. The hours of operation for an authorized *Dispensary* shall be limited to between 8:00 a.m. to 8:00 p.m. or as specified within the Conditional Use Permit.
    - iv. *Dispensaries* shall not permit the use or consumption of *medical marijuana* on-site unless specifically authorized under the Conditional Use Permit.
    - v. *Dispensaries* shall not permit the on-site display of unprocessed marijuana plants or representations of marijuana plants in any areas visible to the public;
    - vi. 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.

- vii. Dispensaries shall only permit the distribution of medical marijuana plant material and medical marijuana manufactured products from licensed sources as allowed by the approved Conditional Use Permit. Such distribution shall be limited to qualified patients or primary caregiver,
- e. 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.
- f. *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;
- g. Dispensaries shall implement procedures as outlined in their approved Operations Manual;
- h. Dispensaries shall submit an "Annual Performance Review Report" for review and approval by the Development Services Director. 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 Development Services Director may review and approve amendments to the approved "Operations Manual"; and the frequency of the "Annual Performance Review Report." Medical marijuana 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.
- i. *Dispensaries* shall maintain 24-hour recorded video surveillance of the *Premises*. Recordings shall be retained for 30-days for inspection by City staff. City staff must provide valid cause for viewing video surveillance. City staff must ensure that patient 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*.
- j. Sales of alcoholic beverages are prohibited.
- k. Sales of tobacco and tobacco products are prohibited.
- I. Sales of drug paraphernalia are prohibited.
- m. The location of the *Dispensary* shall include the installation of a centrally monitored alarm system
- n. Lighting shall be installed to adequately light the exterior and interior of the *Dispensary Premises* while in conformance with 17.24.080£.2.
- 8. **Source of Medical Marijuana**. A *Dispensary* shall only dispense marijuana from the following sources and this information shall be included in the *Operations Manual*:
  - a. On-site Cultivation for Authorized *dispensary*. If the Conditional Use Permit authorizes limited, on-site *Medical marijuana* cultivation at the *dispensary*, on-site cultivation shall be considered an accessory use and shall not exceed twenty-five (25) percent of the *dispensaries*' total floor area and in no case exceed 1,500 square feet. In addition to these area limitations, the accessory use shall conform to the specific zone regulations, Section

17.24.060 Accessory Buildings and Uses, Section 17.32.100 of this Title, and applicable Building and Fire Codes. The *Operations Manual* shall include information regarding the on-site cultivation including, but not limited to:

- i. Description of measures taken to minimize or offset energy use from the cultivation or processing of *medical marijuana* on-site; and
- ii. Description of chemicals stored or used; and
- iii. Description of any effluent discharged into the City's wastewater and/or stormwater system;

Licensed External Source. Until one year following the date when the California State Bureau of Medical Marijuana Regulation begins accepting applications for licenses, or sooner, if such a deadline is set by the Bureau, *Dispensaries* shall source their *medical marijuana* from cultivators and manufacturers that have obtained a local business license or equivalent document showing that the organization is operating in zoning and regulatory compliance from another jurisdiction for the *Medical marijuana* cultivation or manufacturing. One year from the date that the California State Bureau of Medical Marijuana Regulation begins accepting applications for licenses, or sooner, if such a deadline is set by the Bureau, all sources of *medical marijuana* or *medical marijuana* activities.



# Frequently Asked Questions

### Where can I find the facility defintions?

See the Glossary link at the top.

### Where can I find out more about how facilities are regulated in California?

Please visit the Community Care Licensing (http://www.ccld.ca.gov/) website.

### What is the best way to search?

Select just one or a few of the available search terms. You will be able to filter your search on the Results screen.

### Where can I find the definitions of the facility types?

The definitions for the facility types can be found on the Glossary (http://www.ccld.ca.gov/res/html/glossary.htm) page.

### I am looking for Foster Family Homes. Why can't I find them.

The publication of names and addresses of Foster Family Homes is restricted by law and considered confidential

### Why can't I find the addresses for Small Family Child Care homes (less than 8 children)?

Because these are Child Care providers' homes, the publication of addresses is restricted. To find Small Family Child Care home providers in your area, contact the Resource and Referral Network

(http://www.rrnetwork.org/find\_child\_care) or call 1-800-KIDS-793. The Network can also assist you in searching for the right child care for your child and can provide you with addresses of facilities in your area.

### Why can't I see or search on street addresses for Large Family Child Care Homes?

For Large Family Child Care Homes, you can still search using the City, Zip and County options. To obtain the address of a Large Family Child Care Home, please contact either the State Licensing Office, the Resource and Referral Network (http://www.rrnetwork.org/find\_child\_care) or call 1-800-KIDS-793.

### Why can't I get a list of Small Family Child Care homes?

Information related to Small Family Child Care homes is restricted by law. Small Family Child Care home information is available to provide consumer information to parents with children in care and to parents seeking child care from a local child care home.



# CITY OF LEMON GROVE

Development Services Department

February 9 2017

Michelle Hood, Office Services Supervisor I Community Care Licensing San Diego Child Care Regional Office 7575 Metropolitan Drive #110 San Diego, CA 92108

RE: Request for List of Small Family Daycare Homes with Addresses

### Michelle

On November 8, 2016, voters in Lemon Grove passed Measure V, which removed the City's prohibition of medical marijuana dispensaries (dispensaries). Measure V (copy attached) allows dispensaries to be established by conditional use permit (CUP) subject to certain distance restrictions. One such distance restriction states that no dispensary shall be permitted within 1,000 feet of licensed daycare facilities Therefore, City staff needs to identify the location of family daycare homes both inside the City boundaries and outside the City boundaries within 1,000 feet. The applicable postal codes we need information for are 91945, 91977, 91941, and 92114

Our staff is sensitive to the need for privacy at family daycare homes. Therefore, if provided we do not intend to share this information with the general public. Our goal is to use the information to prepare a map for staff use only

Sincerely

for David De Vice David DeVnes, AICH

Director of Community Development

City of Lemon Grove

Attachments

1 Measure V



# STATE OF GALIFORNIA. HE AT DIAMONUMAN SERVICES AGENCY DEPARTMENT OF SOCIAL SERVICES



February 21, 2017

Mr. David DeVries City of Lemon Grove 3232 Main Street Lemon Grove, CA. 91945

RE: Request for Confidential Child Care Facilities Data

This letter is in response to your letter request to obtain a copy of the confidential Small Family Child Care Home list, which are in-home child care facilities with 8 or fewer children enrolled, as well as the Large Family Child Care Home list, which are in-home child care facilities with 9-14 children enrolled.

In your letter, you expressed that the need for this list is to ensure that those applying for medical marijuana dispensaries are not located within 1,000 feet of a licensed daycare facility.

For your information, Health and Safety Code Section 1596.86(b) requires the Department of Social Services (DSS) to maintain the personal privacy of small family child care homes and prevent the use of lists containing their names, addresses, and other identifying information, except for administering the licensing program, facilitating the placement of children, and providing the names and addresses to resource and referral agencies funded by the Department of Education, and food and nutrition programs also funded by the Department of Education.

In consideration of your reasoning for requesting the Small Family Child Care Home list, and Child Care Licensing's administrative responsibility to protect the health and safety of its clients in care, it appears your request is in fine with the mandate of the above statute.

I am including as an attachment to this letter, a copy of the fee schedule that contains the fee amount for the Small Family Child Care Home list. It also contains instructions for where to send your check.

Steven Blount of our Information Systems Division will receive a copy of this letter, so he will be aware that you have been approved to receive a copy of the fist. It should be understood that the small family child care home list is to remain only in your possession, and not shared.

Thank you for your communication. If you have any questions or additional concerns, you may contact Jenni Fong, System Review Analyst at (916) 651-0264.

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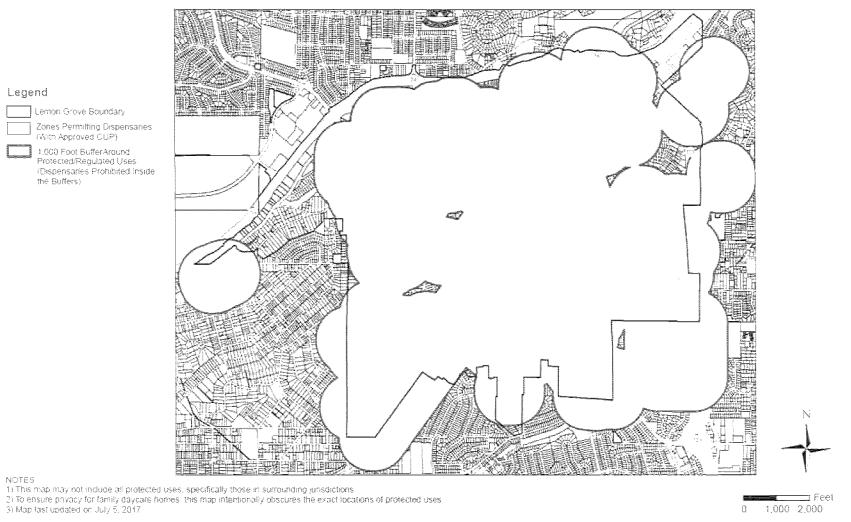
Shefia Hennig Manager 1

Child Cale Program System Administration and Support Unit.

Altachment

cc: Steven Bloamt, ISD

## Draft Lemon Grove Medical Marijuana Dispensary Zoning





## PLANNING PERMIT APPLICATION

Development Services Department / Planning Division 3232 Main Street, Lemon Grove, CA 91945 Phone: 619-825-3805 Fax: 619-825-3818 www.lemongrove.ca.gov

APPLICATION REQUEST- SELECT ALL THAT APPLY - (SUBJEC	TTO OTHER PERMIT REQUIREMENTS)
Pre-Application (PA)  Minor Use Permit (MUP)  Conditional Use Permit (CUP)  Planned Development Permit (PDP)  Minor Modification (MM)  Variance (VA)  Cert  Zon  Spe  Gen  Hood  Time	tative Parcel Map (TPM) - 4 or fewer lots tificate of Compliance (CC) ing Amendment (ZA) cific Plan Amendment (SPA) teral Plan Amendment (GPA) dification of e Extension for teral of teral of teral of teral of
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ADDRESS: 255) Promise of 92109	PHONE: MG 523 2222 FAX: EMAIL:
CONTACT PERSON: My Frank	PHONE: 760 443.5637
ADDRESS: 7128 Mirana Ra HIO  The applicant or property owner is a trust partnership, or corporation, to	EMAIL: Mark parthony @gma; I. Lum please attach recoils(s) of ownership listing
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distribution to staff, Planning Commission, City Council a	nd other agencies in order to process this application
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If property owner is a corporation or trust, a designee auti-	honzation letter is required
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hereby authorize City representative(s) to enter upon my	property for the purpose of examining and inspecting the
Dioperty in preparation of any reports and account them my	property for the purpose of examining and inspecting the
property in preparation of any reports and/or required env	aronmental review for the processing of the application.
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Note: This application being signed under penalty of	perjury and does not require notarization.
TO BE COMPLETED BY PLANNING STAFF	
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## CITY OF LEMON GROVE

13 Jennie 201.5

Development Services Department

Date April 3, 2017

Marty Frank 7128 Miramar Road #10 San Diego, CA 92128 John Marks 3555 Promontory Street San Diego, CA 92109

SUBJECT: Denial of Zoning Clearance Application ZC1-700-0006 for property located at 7309 Broadway, in the City of Lemon Grove (APN 479-092-02)

Marty Frank,

On March 21, 2017 staff received the subject application to establish a medical marijuana dispensary (MMD) at the subject property in the City of Lemon Grove. The application has been denied for the following reasons, which may not be all inclusive:

The property is located within 1,000 feet of a State-licensed family daycare home

In order for staff to process a conditional use permit application for a MMD, the application must include all of the information required by Chapter 17.32 of the Lemon Grove Municipal Code, as well as the items listed on the City's MMD Planning Permit Checklist. Additionally, the location of the proposed MMD must comply with the zoning requirements and distance restrictions contained within Chapter 17.32. If any of the required items are missing, or if the proposed location does not meet the zoning requirements and distance restrictions, then staff cannot process a conditional use permit application. Please review the requirements of Chapter 17.32 and the MMD Planning Permit Checklist prior to submitting another application. Please also verify that the site chosen meets the distance restrictions established by Chapter 17.32. Staff's decision to deny this application may be appealed to the Lemon Grove City Council pursuant to Lemon Grove Municipal Code. Section 17.28.020(1). Appeals must be filed in writing within 10 calendar days of the date on this denial letter and must include a filing fee of \$75.00. Appeals must be filed using forms provided by the Development Services Department.

Respectfully,

David De Vries Development Services Director

3232 Main Street Lemon Grove Carlomia 91945-1705



# APPEAL APPLICATION & REQUEST FOR PUBLIC HEARING

Community Development Department / Planning Division 3232 Main Street, Lemon Grove, CA 91945 Phone: 619-825-3805 Fax: 619-825-3818 www.ci.lemon-grove.ca.us

APPLICANT: Marks Franklich ADDRESS Miss Missing to Fraktice St. Diespy Co. 90101	FAX: EMAIL: Max by without & Experied control
CASE/PROJECT NUMBER: 101-700-0006	
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## CITY OF LEMON GROVE

"Ber James Getails

Development Services Department

Date April 13, 2017

Marty Frank 7128 Miramar Road #10 San Diego, CA 92128 John Marks 3555 Promontory Street San Diego, CA 92109

SUBJECT: Appeal hearing for denial of Zoning Clearance application ZC1-700-0006, for properly located at 7309 Broadway in the City of Lemon Grove (APN:479-092-02)

Marty Frank,

On March 21 2017, staff received the subject application to establish a medical marijuana dispensary (MMD) at the subject property in the City of Lemon Grove. On April 3, 2017, staff denied the application because the subject property is located within 1,000 feet of a State-licensed family daycare home.

On April 5, 2017, staff received an appeal of its decision to deny the application. Staff's decisions are subject to appeal pursuant to the provisions of Lemon Grove Municipal Code, Section 17.28 020(I). The Lemon Grove City Council will consider the appeal and make a determination to grant or deny the appeal at a public hearing to be conducted on May 16, 2017.

If you have any additional supporting material you would like to submit for the appeal, please provide that information to staff at your earliest convenience

Respectfully

Enc Craig, regulation his y anner

3232 Main Street Lemon Grove California 91945-1705

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## CITY OF LEMON GROVE

The Lords

Development Services Department

Date May 3, 2017

Marty Frank 7128 Miramar Road #10 San Diego, CA 92128 Elidia C. Dostal 3170 Fourth Avenue, Suite 250 San Diego, CA 92103

SUBJECT Disclosure of protected uses within 1,000 feet of 7309 Broadway (APN:479-092-02); Zoning Clearance Application ZC1-700-0006, and Administrative Appeal AA1-700-0001

Marty Frank.

This letter is in response to the administrative appeal received by the City for the denial of your zoning clearance application for a medical manipulana dispensary at the subject property. As described in the denial letter dated April 3, 2017, the application was denied because the subject property is within 1,000 feet of licensed daycare facilities.

In order to provide a full and open opportunity for you to understand the reason staff denied the permit, and to allow you to respond accordingly, we will disclose the physical street addresses of the licensed family daycare homes located within 1,000 feet of your proposed dispensary at 7309 Broadway. Those addresses are:

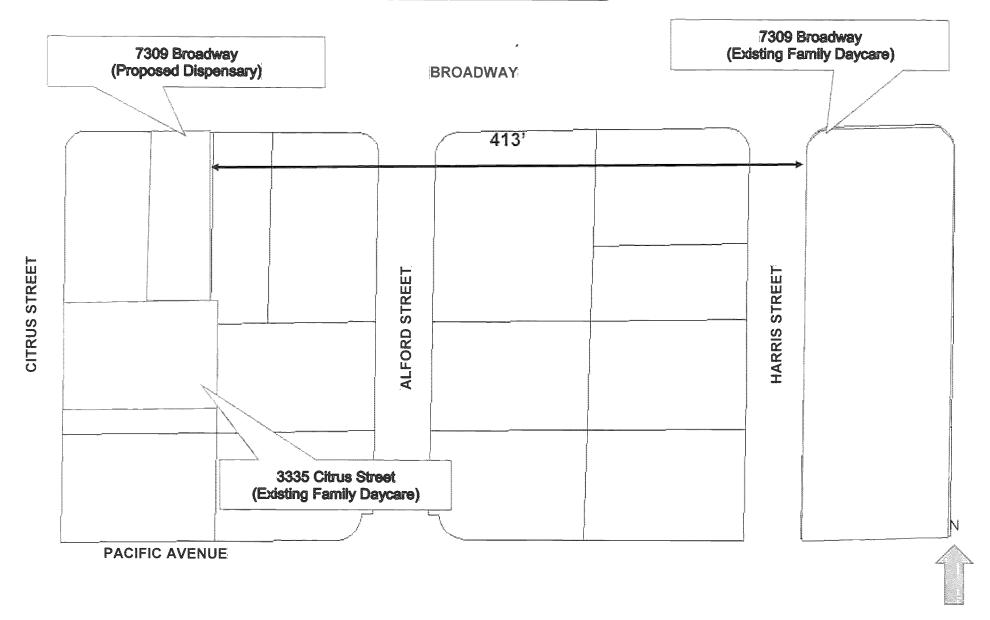
- 3335 Citrus Street
- 7379 Broadway

The City Council hearing for your appeal has been advertised and scheduled for Tuesday, May 16, 2017. A copy of this letter will be attached to the City Council staff report. At the hearing, you may wish to request additional time to consider this new information, or you may wish to withdraw the appeal. If you decide you want to ask the City Council for more time, please contact me as soon as possible. You can reach me at (619) 825-3806, or by email at ecraig@lemongrove calus.

Respectfully

Eric Craig Assignment ) Flanner

## 7309 Broadway and Protected Uses



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Applicants Signature STAFF	April 54. 2017
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# LEMON GROVE CITY COUNCIL AGENDA ITEM SUMMARY

Item No. 6  Mtg. DateJuly 18, 2017		
Dept. Development Services Department  Item Title: Public Appeal to Consider Appeal No. AA1-700-0002 Regarding the Denial of Zoning Clearance No. ZC1-700-0010; a Request to Apply for a Conditional Use Permit to Establish a Medical Marijuana Dispensary at 8249 Broadway in the General Commercial Zone.		
Staff Contact:	David De Vries, Development S	ervices Director
Recommendati	on:	
1. Conduct t	he public hearing; and	
2. Adopt a Resolution ( <b>Attachment B</b> ) upholding the Development Services Director's determination to deny ZC1-700-0010, a request to apply for a conditional use permit to establish a medical marijuana dispensary at 8249 Broadway in the General Commercial Zone.		
On April 3, 2017, the Development Services Director (Director) denied Zoning Clearance Application No. ZC1-700-0010, a request to establish a medical marijuana dispensary (MMD) on an undeveloped lot at 8249 Broadway. The application was denied because the proposed MMD would be at a property located within 1,000 feet of a private school and a State-licensed daycare center (Saint John of the Cross Catholic Parish). The appellant, Mr. Rodi Mikha, subsequently filed an appeal and request for public hearing, stating: "The property may not be within 1,000 feet of a school or daycare facility. Further, the parcel can be divided to avoid possibly being within 1,000 feet of a school, or daycare facility. Lastly, the map put out by the City of Lemon Grove showing parcels that could contain a medical marijuana dispensary included at least part of APN: 503-012-34-00." Staff's response to the appellant's statements are provided herein (Attachment A).  Fiscal Impact:  None.		
Environmental	Review:	
☐ Categoricall	y Exempt	☐ Mitigated Negative Declaration
Public Informat	tion:	
None	☐ Newsletter article	☐ Tribal Government Consultation Request
Notice publication       Notice publi	shed in local newspaper	Notice to property owners within 500 ft.

#### Attachments:

- A. Staff Report
- B. Resolution of Denial
- C. Lemon Grove Municipal Code Section 17.32.090
- D. Search Results from Greatschools.org
- E. Search Results from State Department of Social Services Website
- F. Draft City of Lemon Grove Medical Marijuana Zoning Map
- G. ZC1-700-0010 Application Form
- H. Staff Denial Letter for ZC1-700-0010
- I. AA1-700-0002 Appeal Form
- J. Map Showing Distance Between Uses
- K. Staff Acknowledgment Letter for AA1-700-0002
- L. Director's Approval of Continuance Request
- M. Letter from Saint John of the Cross Catholic Parish Staff

#### LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. <u>6</u>
Mtg. Date <u>July 18, 2017</u>

Item Title: Public Appeal to Consider Appeal No. AA1-700-0002 Regarding the Denial of

Zoning Clearance No. ZC1-700-0010; a Request to Apply for a Conditional Use Permit to Establish a Medical Marijuana Dispensary at 8249 Broadway in the

General Commercial Zone.

Staff Contact: David De Vries, Development Services Director

#### Background:

In November 2016, voters in the City of Lemon Grove passed Measure V, an initiative removing the City's prohibition of medical marijuana dispensaries (MMDs) and establishing performance standards and a permit process by which MMDs may be established. Measure V was subsequently codified in Chapter 17.32 of the Lemon Grove Municipal Code. The permit process for MMDs requires approval of a conditional use permit (CUP), and the performance standards prohibit MMDs on properties within 1,000 feet of certain protected uses, including schools and licensed daycare facilities. Schools include any public or private school providing instruction in kindergarten or grades one to 12. See Lemon Grove Municipal Code Section 17.32.090 (Attachment C).

In order to identify and map the location of protected uses, staff relied on a variety of resources including, but not limited to, the website Greatschools.org and the website for the California Department of Social Services (DSS). DSS is the licensing agency for daycare throughout the State of California (Attachments D and E). The City Council should note that the DSS Website reveals the locations of licensed daycare conducted in commercial and institutional settings, but does not reveal the locations of family daycare homes, which are conducted in private residential settings. To provide the public with a map identifying potential locations for MMDs, while protecting the locations of family daycare homes, City staff created a draft map with 1,000 foot buffers around the parcels where known protected uses are located. Staff then made those buffers opaque to obscure the underlying parcel geography (Attachment F).

On March 7, 2017, staff presented a report to the City Council describing the recommended draft review procedures and draft conditions of approval for requests to establish MMDs. Staff also presented the draft Medical Marijuana Zoning Map it had created. The review procedures include using the Zoning Clearance (ZC) process as the initial step in screening and reviewing of MMD applications. Complete ZC applications for sites which meet the zoning criteria and distance restrictions described in LGMC Chapter 17.32, and which include all required application materials will be deemed complete, and the applicants may then submit for CUP approval by the City Council. ZC applications for sites that do not meet the specified criteria are denied by staff. Staff's decision to deny any application is subject to appeal to the City Council, pursuant to LGMC Section 17.28.020(I).

On March 30, 2017, the appellant filed ZC1-700-0010, an application to apply for a conditional use permit to establish a MMD at the subject property (**Attachment G**). Prior to accepting the application, staff checked the location of the project site on the Medical Marijuana Zoning Map and determined it was ineligible for a dispensary. Staff then informed the appellant that the proposed project site was within 1,000 feet of a protected use, and therefore staff would have no option but to deny the ZC application.

The appellant chose to file the ZC application despite staff's admonishment, and on April 3, 2017, the Development Services Director denied ZC1-700-0010 (Attachment H). On April 12, 2017, the appellant filed AA1-700-0002, an administrative appeal of the Director's decision (Attachment I). The basis of the appeal is that a small portion of the subject property is outside the 1,000 foot buffer around Saint John of the Cross Catholic Parish. The appellant states that portion of the property could be subdivided to create a separate parcel more than 1,000 feet from the Church's property. See the attached exhibit prepared by staff depicting the location of the site in relation to the Church property (Attachment J). No application for a subdivision has been submitted.

On April 26, 2017, staff sent a letter to the appellant acknowledging receipt of the appeal, informing him that the appeal hearing date would be May 16, 2017, and advising him to submit any additional information he wished to provide prior at the hearing (**Attachment K**). However, the appellant's legal counsel did contact staff and requested to defer the hearing until July 18, 2017. That request was granted by the Director of Development Services as indicated on **Attachment L**, dated May 8, 2017. In the same letter, staff disclosed that the protected use affecting the subject property was the Saint John of the Cross Catholic Parish and that school operations are located at both 8086 and 8175 Broadway. As of July 12, 2017, no additional information has been received. On May 23, 2017, City staff received a letter (**Attachment M**) from the staff at Saint John of the Cross Catholic Parish. The letter verifies that all three parcels comprising the church property are utilized in the conduct of the school and the daycare program. For example, the school uses the auditorium on the eastern parcel (APN 503-011-11-00) to conduct school-related events and to serve school lunch on a daily basis. The church also uses the youth center located on the eastern parcel to conduct daycare activities.

#### Discussion:

The purpose of this appeal is to determine whether a MMD is allowed to proceed with a conditional use permit application based on a determination that the subject property is within 1,000 feet of a protected use, in this instance a school and licensed daycare facility. Staff contends that it has discovered appropriate evidence and made appropriate measurements to justify that there is both a school and a licensed daycare facility within 1,000 feet of the subject property. The appellant contends that the subject property may not be within 1,000 feet of the protected uses, and also suggests that the subject property could be subdivided in order to create a separate lot that would be more than 1,000 feet from the existing school and daycare property.

As indicated above and on **Attachment J**, staff has verified that Saint John of the Cross Catholic Parish is located approximately 744 feet west of the proposed dispensary site. As such, the site is ineligible for a dispensary. Staff further contends that the portion of the subject property which is more than 1,000 feet from the protected uses is too small to be developed and used as a separate commercial property.

The total area of the subject property is 46,174 square feet. The portion of the site located outside the 1,000 foot buffer around the protected uses has an area of approximately 5,600 square feet. The minimum size for a lot in the General Commercial zone is 10,000 square feet. As such, the portion of the subject property located outside the 1,000 foot buffer around the protected uses does not meet the minimum area requirements established in the Lemon Grove Municipal Code for lots in the General Commercial zone. Regardless, the property is not subdivided and a zoning clearance application authorizing such use could not be approved until the subdivision is finaled.

#### **Public Information:**

The Notice of Public Hearing for this item was published in the July 6, 2017 edition of The East County Californian, and mailed to all property owners within 500 feet of the subject property. As

of July 12, 2017, the City has received no responses to the Notice of Public Hearing. At the time of the public hearing, staff will provide the City Council with any additional written comments that may be received after distribution of the staff report.

#### Conclusion:

Staff recommends that the City Council conduct a public hearing and adopt a Resolution (**Attachment B**) upholding the Development Services Director determination to deny ZC1-700-0010, and denying a request to apply for a conditional use permit to establish a medical marijuana dispensary at 8249 Broadway.

#### **RESOLUTION NO.**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE UPHOLDING THE DEVELOPMENT SERVICES DIRECTOR'S DETERMINATION TO DENY A REQUEST TO APPLY FOR A CONDITIONAL USE PERMIT TO ESTABLISH A MEDICAL MARIJUANA DISPENSARY AT 8249 BROADWAY, LEMON GROVE, CALIFORNIA

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 medical marijuana dispensaries may be established; and

WHEREAS, Measure V includes the adoption of Lemon Grove Municipal Code Chapter 17.32 which prohibits the establishment of medical marijuana dispensaries within 1,000 feet of certain protected uses, including schools and licensed daycare facilities; and

**WHEREAS**, City staff verified the presence of a school and State-licensed daycare facility at Saint John of the Cross Catholic Parish located at 8086 and 8175 Broadway; and

WHEREAS, staff at the church has verified in writing that the church uses all three parcels comprising the church's property to conduct school and daycare-related activities; and

WHEREAS, on March 21, 2017, after being informed verbally by City staff that the subject property was within 1,000 feet of a school and licensed daycare facility, and that submittal of a zoning clearance application would result in a denial, the appellant (Rodi Mikha) filed ZC1-700-0010, an application to apply for a conditional use permit to establish a MMD at 8249 Broadway, Lemon Grove, CA; and

**WHEREAS**, on April 3, 2017, the Development Services Director denied ZC1-700-0010 because the proposed project site is located within 1,000 feet of a school and a state-licensed daycare facility; and

WHEREAS, on April 26, 2017, the appellant filed an administrative appeal of the Director's decision (AA1-700-0002), suggesting that there may be no schools or licensed daycare facilities within 1,000 feet of the subject property, and suggesting that the subject property could be subdivided to create a new lot more than 1,000 feet from any schools or daycare facilities; and

WHEREAS, the Lemon Grove Municipal Code requires at least 10,000 square feet to create a new lot in the General Commercial zone; and

**WHEREAS**, the portion of the subject property located more than 1,000 feet from the existing school and daycare facility at 8086 Broadway is only 5,600 square feet; and

**WHEREAS**, City staff disclosed in writing the address of the existing school and daycare facility at 8086 and 8175 Broadway on May 8, 2017 as evidenced by the letter attached to the Agenda Item Summary as Attachment "L"; and

**WHEREAS**, the appellant has failed to show that their facility is greater than 1,000 feet from the school and California-licensed daycare facility at 8086 and 8175 Broadway; and

WHEREAS, at the request of the applicant, the Director of Development Services set the hearing date to consider AA1-700-0002, an appeal of the Development Services Director's determination to deny ZC1-700-0010 as July 18, 2017; and

WHEREAS, on July 18, 2017, the Lemon Grove City Council held a duly noticed public hearing to consider AA1-700-0002, an appeal of the Development Services Director's determination to deny ZC1-700-0010; and

WHEREAS, the appeal of this determination is not a project and is not subject to the environmental review requirements of the California Environmental Quality Act (CEQA);

NOW, THEREFORE, INCORPORATING THE ABOVE STATEMENTS HEREIN, BE IT RESOLVED that the City Council of the City of Lemon Grove hereby:

- 1. Denies Rodi Mikha's Administrative Appeal No. AA1-700-0002 based on the above-findings; and
- 2. Upholds the Development Services Director's April 3, 2017 determination to deny Zoning Clearance No. ZC1-700-0010, a request to apply for a conditional use permit to operate a medical marijuana dispensary, at 8249 Broadway, Lemon Grove, CA.

///// /////

#### 17.32.090 Medical marijuana dispensary regulations.

- A. Zones. *Dispensaries* may be established by conditional use permit in the heavy commercial (HC), limited commercial (LC), general commercial (GC) and light industrial (LI) zones and subject to the distance requirements. *Dispensaries* are prohibited in mixed-use zones (Downtown Village Specific Plan and Central Commercial) and all residential zones (RLM, RL, RM, RMH).
- B. Distance Requirements. An application may be submitted provided the proposed facility meets the required distance measurements. For purposes of measurements, all *dispensaries* are considered *regulated uses* and public parks as defined at Section 12.20.030 of Lemon Grove Municipal Code, playgrounds as defined at Section 18.28.020, subdivision (v), of the Lemon Grove Municipal Code, licensed day care facilities as defined at Section 17.08.030 of Lemon Grove Municipal Code, schools as defined at California Health and Safety Code Section 11362.768, subdivision (h), and alcohol and substance abuse treatment centers are considered *protected uses*. Measurement is made between the closest property lines of the *premises* in which the *regulated uses* and *protected uses* are located. A regulated use must not be:
- 1. Within one thousand feet of any other regulated use which is located either inside or outside the jurisdiction of the city,
- 2. Within one thousand feet from any protected use which is located either inside or outside the jurisdiction of the city.

The measurement of distance between uses will take into account natural topographical barriers and constructed barriers such as freeways or flood control channels that would impede direct physical access between the uses. In such cases, the separation distance shall be measured as the most direct route around the barrier in a manner that establishes direct access.

#### C. Standards.

- 1. Background Check Required for *Directors* and Employees. The *director* and employees of a *dispensary* must obtain a LiveScan background check through the California Department of Justice or the San Diego County sheriff's department prior to employment. *Directors* convicted of a serious felony, as defined in California Penal Code Section 1192.7, subdivision (c), and Health and Safety Code Section 11359 (Possession for sale) within the previous ten years shall not be eligible for a license. Other potential collective employees and volunteers convicted of the crimes identified in this section in the previous five years are ineligible for employment or participation. If during employment with the *dispensary*, a *director* or employee is convicted of a crime identified in this section 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*.
- 2. Security Personnel Required. *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."
- 3. Community Relations Liaison Required. *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:
  - a. Lemon Grove city manager;

- b. San Diego County sheriff's department personnel supervising law enforcement activity in Lemon Grove;
  - c. All neighbors within one hundred feet of the *dispensary*.
- 4. Inspection of *Premises*. 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.
- 5. Inspection Requirements. In order to facilitate verification that a *dispensary* operates pursuant to state and local laws, the following records must be maintained at the *premises* at all times and available for inspection by city code enforcement officers, San Diego sheriff's department staff, and any other employee of the city:
- a. Client Records. The *dispensary* shall keep a record of its clients. The record shall include the following and shall be maintained for a two-year period:
- i. Qualified patient member's name, name of primary caregiver when appropriate, and name of licensed physician recommending use of medical marijuana for the member.
- b. *Medical marijuana* Records. *Dispensary* shall keep a record of its *medical marijuana* transactions. The following records shall be maintained for a two-year period and labeling shall occur as specified:
- i. 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.
- ii. 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*.
- iii. All medical marijuana at the premises shall be physically labeled with the monetary amount to be charged.
- c. Financial Records. *Dispensary* shall maintain records of all transactions involving money and/or *medical marijuana* occurring at the *premises*. Records shall be maintained for a two-year period preceding the current date.
- d. Employee Records. *Dispensary* 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 *dispensary*.
- 6. *Operations manual*. The application for a conditional use permit shall include a detailed *operations manual* including, but not necessarily limited to, 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 *medical marijuana* quantities and inventory controls employed, including the source of *medical marijuana* (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;
  - j. Other information required by the development services director.
- 7. Operating Standards. *Dispensaries* shall comply with all of the following operating standards. In addition to these standards, the *dispensaries* shall comply at all times with conditions outlined in the approved conditional use permit and the operational manual.
- a. Dispensing *medical marijuana* to an individual *qualified patient* or *primary caregiver* more than once a day is prohibited;
- b. Dispensaries shall only dispense medical marijuana 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;
- c. On-site evaluation by a *licensed physician* for the purposes of obtaining a qualified status is prohibited;
- d. *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:
- i. Each building entrance to a *dispensary* shall be clearly and legibly posted with a notice indicating that 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.
- ii. The building entrance to a *dispensary* shall be clearly and legibly posted with a notice indicating that persons under the age of eighteen are precluded from entering the *premises*.
- iii. 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.
- iv. *Dispensaries* shall not permit the use or consumption of *medical marijuana* on-site unless specifically authorized under the conditional use permit.
- v. *Dispensaries* shall not permit the on-site display of unprocessed marijuana plants or representations of marijuana plants in any areas visible to the public;
- vi. 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.

- vii. *Dispensaries* shall only permit the distribution of *medical marijuana* plant material and *medical marijuana* manufactured products from licensed sources as allowed by the approved conditional use permit. Such distribution shall be limited to *qualified patients* or *primary caregiver*;
- e. *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.
- f. *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;
  - g. Dispensaries shall implement procedures as outlined in their approved operations manual;
- h. *Dispensaries* shall submit an "annual performance review report" for review and approval by the development services director. 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 development services director may review and approve amendments to the approved "*operations manual*"; and the frequency of the "annual performance review report." *Medical marijuana* 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.
- i. *Dispensaries* shall maintain twenty-four-hour recorded video surveillance of the *premises*. Recordings shall be retained for thirty days for inspection by city staff. City staff must provide valid cause for viewing video surveillance. City staff must ensure that patient 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*.
  - j. Sales of alcoholic beverages are prohibited.
  - k. Sales of tobacco and tobacco products are prohibited.
  - I. Sales of drug paraphernalia are prohibited.
  - m. The location of the dispensary shall include the installation of a centrally monitored alarm system
- n. Lighting shall be installed to adequately light the exterior and interior of the *dispensary premises* while in conformance with Section 17.28.080.
- 8. Source of *Medical marijuana*. A *dispensary* shall only dispense marijuana from the following sources and this information shall be included in the *operations manual*:
- a. On-Site Cultivation for Authorized *Dispensary*. If the conditional use permit authorizes limited, on-site *medical marijuana* cultivation at the *dispensary*, on-site cultivation shall be considered an accessory use and shall not exceed twenty-five percent of the *dispensaries*' total floor area and in no case exceed one thousand five hundred square feet. In addition to these area limitations, the accessory use shall conform to the specific zone regulations, Section 17.24.060 Accessory Buildings and Uses, Section 17.32.100 of this title, and applicable Building and Fire Codes. The *operations manual* shall include information regarding the on-site cultivation including, but not limited to:
- i. Description of measures taken to minimize or offset energy use from the cultivation or processing of *medical marijuana* on-site; and
  - ii. Description of chemicals stored or used; and

- iii. Description of any effluent discharged into the city's wastewater and/or stormwater system;
- b. Licensed External Source. Until one year following the date when the California State Bureau of Medical Marijuana Regulation begins accepting applications for licenses, or sooner, if such a deadline is set by the Bureau, *dispensaries* shall source their *medical marijuana* from cultivators and manufacturers that have obtained a local business license or equivalent document showing that the organization is operating in zoning and regulatory compliance from another jurisdiction for the *medical marijuana* cultivation or manufacturing. One year from the date that the California State Bureau of Medical Marijuana Regulation begins accepting applications for licenses, or sooner, if such a deadline is set by the Bureau, all sources of *medical marijuana* or *medical marijuana* products sold in a *dispensary* must also have a state license for their *medical marijuana* activities. (Ord. 443 § 1, 2016)



Schools 😿 Co pia edulesca pendel



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#### 13 private schools found in Lemon Grove, CA 😹 🕫 😁 🕾



Compare (0/4) son by, spiritschools asking -

To see which school is your ineighborhood or assigned school, search using your home address

Today's Mortgage Rate

\$225,000





Same John Of The Cross Catholic School 2015 Lemon Grove 1937, Lemon Grove 1945

Private 3-0



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#### Child Care Center Preschool (CDSS Website; Facility Search)

AKA HEAD START - SAN MIGUEL 7059 SAN MIGUEL

91945 Licensed

CHRISTIAN CHURCH OF LEMON GROVE PRESCHOOL

6970 SAN MIGUEL AVENUE

91945

CHRISTIAN CREATIVE LEARNING ACADEMY

2920 MAIN ST 91945 Licensed

DISCOVERY LEARNING CENTER 1515 SKYLINE DRIVE

91945 Licensed

LEMON GROVE SCHOOL DISTRICT-GOLDEN AVE PRESCHOOL

**7885 GOLDEN AVENUE 91945** 

Licensed

Licensed

Licensed

LEMON GROVE SCHOOL DISTRICT-MONTEREY HEIGHTS P.S.

7550 CANTON DRIVE

91945

LEMON GROVE SCHOOL DISTRICT-MOUNT VERNON PRESCHOOL8350 MOUNT VERNON STREET 91945 Licensed

LEMON GROVE SCHOOL DISTRICT-SAN ALTOS PRESCHOOL

1750 MADERA STREET 91945

Licensed

LEMON GROVE SCHOOL DISTRICT-SAN MIGUEL PRESCHOOL

7059 SAN MIGUEL AVENUE

91945

Licensed

LIGHTHOUSE CHRISTIAN PRESCHOOL 1345 SKYLINE DRIVE

91945 Licensed

MERRY GO ROUND LEARNING CENTER 2749 LEMON GROVE AVENUE 91945 Licensed

SHILOH CHRISTIAN ACADEMY 2770 GLEBE ROAD

91945 Licensed

ST. JOHN OF THE CROSS PRESCHOOL

8175 LEMON GROVE WAY

91945 Licensed

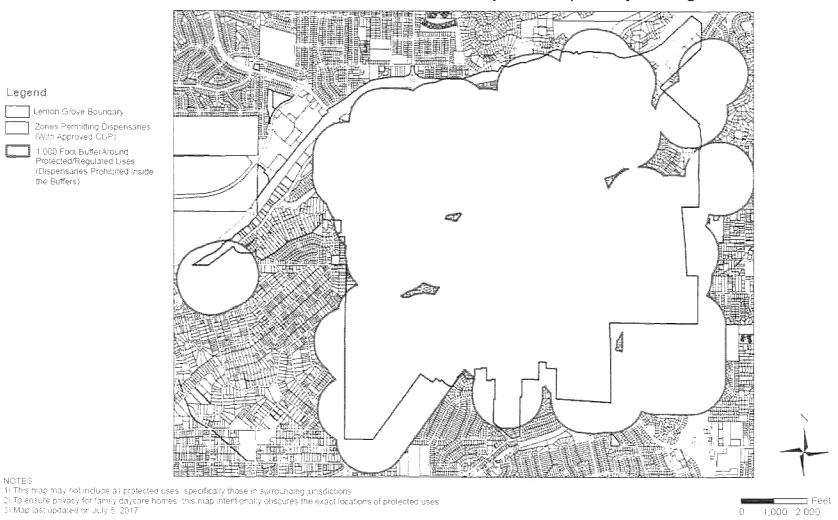
## Draft Lemon Grove Medical Marijuana Dispensary Zoning

Legend

Lemon Grove Boungary

(With Approved CUP)

the Buffers)





## PLANNING PERMIT APPLICATION

Development Services Department / Planning Division 3232 Main Street, Lemon Grove, CA 91945 Phone: 619-825-3805 Fax: 619-825-3818 www.lemongrove.ca.gov

	AND THE RESIDENCE OF THE PROPERTY OF THE PROPE
APPLICATION REQUEST- SELECT ALL THAT APPLY – (SUBJECT	( TO OTHER PERMIT REQUIREMENTS)
Pre-Application (PA)  Minor Use Permit (MUP)  Conditional Use Permit (CUP)  Planned Development Permit (PDP)  Minor Modification (MM)  Variance (VA)  Certii  Spec  Gene  Modi  Variance (VA)	ative Parcel Map (TPM) - 4 or fewer lots ficate of Compliance (CC) ng Amendment (ZA) ific Plan Amendment (SPA) eral Plan Amendment (GPA) fication of  Extension for eal of stantial Conformance Review of
APPLICANT: Rodi Mikha	PHONE: 6/9 217-1508
Leman Grave, CA. 91945	FAX: EMAIL:
PROPERTY OWNER: Rod Michina ADDRESS: 8280 1310000000000000000000000000000000000	PHONE: 6/4 212-1508 FAX: EMAIL:
CONTACT PERSON:	PHONE:
ADDRESS:	FAX: EMAIL:
*If applicant or property owner is a trust, partnership, or corporation, pl all trustees, partners, or officers, as applicable.	
PROJECT NAME: Lemen Grave plaza PROJECT ADDRESS: 8249 18 roch way Lemen C ASSESSOR PARCEL #: 503 - 012 - 34 - do SITE ACRI	Srave 91945 EAGE: 1.12
DETAILED DESCRIPTION OF PROPOSED PROJECT USE, STRUC	TURE, AND IMPROVEMENT:
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Rev. November 2016

APPLICANT CERTIFICATION:  I hereby certify that the statements furnished in this application and in the supplemental materials present the data and information required for this project to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge. In addition, I grant permission to the City of Lemon Grove to reproduce submitted materials, including but not limited to plans, exhibits, photographs, and studies for distribution to staff, Planning Commission, City Council and other agencies in order to process this application.    Signature	
Name (please print): Down MIKUA  CONSENT BY PROPERTY OWNER  If applicant is other than property owner, owner must sign if property owner is a corporation or trust, a designee aut	
I/We, as the owner(s) of the subject property, consent to the filing of this application. We further consent and hereby authorize City representative(s) to enter upon my property for the purpose of examining and inspecting the property in preparation of any reports and/or required environmental review for the processing of the application.	
Signature: A Report of Manager (please print): Part of Market A	Date
Signature: Name (please print):	Date Phone:
Note: This application being signed under penalty of perjury and does not require notarization.  TO BE COMPLETED BY PLANNING STAFF	
to man court describe me to a manda de la constitución de la constituc	
APPLICATION PROCESSING:  FILE #(s): ZCJ-700 - 00 10  DATE: 3 - 30 - 2017  FEES: \$\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	ACTION:  []APPROVED [] DISAPPROVED  [] CONDITIONALLY APPROVED (See Below)  LAND USE DESIGNATION:
APPLICATION PROCESSING:  FILE #(s): ZC[-700-0010  DATE: 3-30-2017  FEES: \$\\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	ACTION:  []APPROVED [] DISAPPROVED  [] CONDITIONALLY APPROVED (See Below)  LAND USE DESIGNATION:
APPLICATION PROCESSING:  FILE #(s): ZC[-700-0010  DATE: 3-30-2017  FEES: \$\\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	ACTION:  []APPROVED [] DISAPPROVED  [] CONDITIONALLY APPROVED (See Below)  LAND USE DESIGNATION:
APPLICATION PROCESSING:  FILE #(s): ZC[-700-0010  DATE: 3-30-2017  FEES: \$\\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	ACTION:  [APPROVED
APPLICATION PROCESSING:  FILE #(s): ZC[-700-0010  DATE: 3-30-2017  FEES: \$\\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\ \\	ACTION:  [APPROVED

Rev. November 2015



### CITY OF LEMON GROVE

"Best Climate On Fants'

**Development Services Department** 

Date: April 3, 2017

Rodi Mikha 8280 Broadway Lemon Grove, CA 91945

SUBJECT: Denial of Zoning Clearance Application ZC1-700-0010 for property located at 8249 Broadway, in the City of Lemon Grove (APN: 503-012-34-00)

Rodi Mikha,

Respectfully,

On March 30, 2017, staff received the subject application to establish a medical marijuana dispensary (MMD) at the subject property in the City of Lemon Grove. The application has been denied for the following reasons, which may not be all inclusive:

The property is located within 1,000 feet of a school and a State-licensed daycare facility.

In order for staff to process a conditional use permit application for a MMD, the application must include all of the information required by Chapter 17 32 of the Lemon Grove Municipal Code, as well as the items listed on the City's MMD Planning Permit Checklist. Additionally, the location of the proposed MMD must comply with the zoning requirements and distance restrictions contained within Chapter 17.32. If any of the required items are missing, or if the proposed location does not meet the zoning requirements and distance restrictions, then staff cannot process a conditional use permit application. Please review the requirements of Chapter 17.32 and the MMD Planning Permit Checklist prior to submitting another application. Please also verify that the site chosen meets the distance restrictions established by Chapter 17.32. Staff's decision to deny this application may be appealed to the Lemon Grove City Council pursuant to Lemon Grove Municipal Code, Section 17.28 020(I). Appeals must be filed in writing within 10 calendar days of the date on this denial letter and must include a filing fee of \$75.00. Appeals must be filed using forms provided by the Development Services Department.

David De Vries, Development Services Director

3232 Main Street Lemon Grove California 91945-1705
619.825,3805 FAX: 619.825,3818 www.ci lemon-grove.ca us



# APPEAL APPLICATION & REQUEST FOR PUBLIC HEARING

Community Development Department / Planning Division 3232 Main Street, Lemon Grove, CA 91945
Phone: 619-825-3805 Fax: 619-825-3818
www.ci.lemon-grove.ca.us

PHONE: 619-784-6682 FAX: EMAIL: greenhavensd@gmail.com
IDE CONDITION ITEM NUMBERS): cated at 8249 Broadway, Lemon Grove, CA arijuana dispensary at the property, and a 1,000 feet of a school and a state-licensed
EARING: Further, the parcel can be divided to avoid e map put out by the City of Lemon Grove ided at least part of APN: 503-012-34-00.
Ef - 12 + 10/4
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SR 125 CHERRASE 1 MANON ON BO 82.49 Broadway (Proposed Dispension)) 744 10007 BROADWAY St. John of the Cross Cetholic Church (School and Licensed Daycare) LEMON GROVE WAY

Saint John of the Cross and 8249 BROADWAY



## **CITY OF LEMON GROVE**

B. G. C. Vineato ("In Cardo.

Development Services Department

Date: April 26, 2017

Rodi Mikha 8280 Broadway Lemon Grove, CA 91945

SUBJECT: Appeal hearing for denial of Zoning Clearance application ZC1-700-0010 for property located at 8249 Broadway, in the City of Lemon Grove (APN: 503-012-34-00).

Rodi Mikha,

On March 30, 2017, staff received the subject application to establish a medical marijuana dispensary (MMD) at the subject property in the City of Lemon Grove. On April 3, 2017, staff denied the application because the property is located within 1,000 feet of a school and a State-licensed daycare facility.

On April 12, 2017, staff received an appeal of its decision to deny the application Staff's decisions are subject to appeal pursuant to the provisions of the Lemon Grove Municipal Code, Section 17.28 020(I) The Lemon Grove City Council will consider the appeal and make a determination to grant or deny the appeal at a public hearing to be conducted on May 16, 2017.

If you have any additional supporting material you would like to submit for the appeal, please provide that information to staff at your earliest convenience.

Respectfully,

Eric Crarg, Associate Planner



### CITY OF LEMON GROVE

"Best Climate On Earth

Development Services Department

Date: May 8, 2017

Rodi Mikha 8280 Broadway Lemon Grove, CA 91945 Jessica C. McElfresh P.O Box 230363 Encinitas, CA 92023

SUBJECT: Continued appeal hearing for denial of Zoning Clearance application ZC1-700-0010 for property located at 8249 Broadway, in the City of Lemon Grove (APN: 503-012-34-00).

Rodi Mikha,

At the request of your attorney, Jessica McElfresh, the City is continuing your appeal hearing from the May 16, 21017 City Council agenda, to the July 18, 2017 agenda. If you have any additional supporting material you would like to submit for the appeal, please provide that information to staff at your earliest convenience.

Also, in order to provide a full and open opportunity for you to understand the reason staff denied your zoning clearance permit, and to allow you to respond accordingly, we wish to inform you that the protected use affecting your project site is the Saint John of the Cross Catholic Church, located at 8086 Broadway. The church property is comprised of three parcels, each of which is utilized by the school and the licensed daycare facility associated with the church. As such, the entire church property is considered a protected use. By measuring georeferenced parcel boundary information, we have determined that your property at 8249 Broadway is located 745 feet west of the church property, and is therefore ineligible for approval as a dispensary. A copy of this letter will be attached to the City Council staff report.

Respectfully,

Eric Craig, குக்கவர்: Planner

3232 Main Street Lemon Grove California 91945-1705

619,825,3805 FAX: 619,825,3818 www.ci.lemon-grove.ca.us



St. John of the Cross Catholic Parish 8086 Broadway Ave Lemon Grove, CA, 91945

OFFICE OF RELIGIOUS EDUCATION (619) 461-2681

May 23, 2017

Eric Craig, AICP Associate Planner City of Lemon Grove

Saint John of the Cross Catholic Church operates an elementary and middle school, and provides licensed daycare services. The church programs activities for both the school and the daycare on all three of the parcels that comprise the church property. For example, the school uses the auditorium on the eastern parcel (APN 503-011-11-00) to conduct school-related events and to serve school lunch on a daily basis. Our Youth Center which is also on the north eastern side of our parcel is also used extensively for child care and youth activities.

Should you have any questions please feel free to contact me at 619-461-2681.

Respectfully,

Director Religious Education/Facility Manager

# LEMON GROVE CITY COUNCIL AGENDA ITEM SUMMARY

Item No. 7  Mtg. Date July 18, 2017  Dept. Development Services Department	
Zoning Clearance No. ZC1-700-0	eal No. AA1-700-0003 Regarding the Denial of 012; a Request to Apply for a Conditional Use larijuana Dispensary at 8260 Broadway in the
Staff Contact: David De Vries, Development S	Services Director
Recommendation:	
Conduct the public hearing; and	
2. Adopt a Resolution ( <b>Attachment B</b> ) upholding the Development Services Director's determination to deny ZC1-700-0012, a request to apply for a conditional use permit to establish a medical marijuana dispensary at 8260 Broadway in the Heavy Commercial Zone.	
Item Summary:	
On April 17, 2017, the Development Services Director (Director) denied Zoning Clearance Application No. ZC1-700-0012, a request to establish a medical marijuana dispensary (MMD) on an undeveloped lot at 8260 Broadway. The application was denied because the proposed MMD would be at a property located within 1,000 feet of a private school and a State-licensed daycare center (Saint John of the Cross Parish and Catholic School). The appellant, Mr. Christopher O. Williams, subsequently filed an appeal and request for public hearing, stating: "The denial letter does not state the specific school or state licensed daycare home and therefore has not put the applicant on notice for the reason of denial. However, the only potential sensitive use is St. John of the Cross and this school is more than 1000' from the proposed use." Staff's response to the appellant's statements are provided herein (Attachment A).	
Fiscal Impact:	
None.	
Environmental Review:	
Categorically Exempt	☐ Mitigated Negative Declaration
Public Information:	
☐ None ☐ Newsletter article	☐ Tribal Government Consultation Request
Notice published in local newspaper     ■	Notice to property owners within 500 ft.

#### Attachments:

- A. Staff Report
- B. Resolution of Denial
- C. Lemon Grove Municipal Code Section 17.32.090
- D. Search Results from Greatschools.org
- E. Search Results from State Department of Social Services Website
- F. Draft City of Lemon Grove Medical Marijuana Zoning Map
- G. ZC1-700-0012 Application Form
- H. Staff Denial Letter for ZC1-700-0012
- I. AA1-700-0003 Appeal Form and Attachments
- J. Map Showing Distance Between Uses
- K. Staff Acknowledgment Letter for AA1-700-0003
- L. Email from Appellant's Attorney Agreeing to the July 18, 2017 Hearing Date
- M. Letter from Saint John of the Cross Catholic Parish Staff

#### LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. <u>7</u>
Mtg. Date July 18, 2017

Item Title: Public Appeal to Consider Appeal No. AA1-700-0003 Regarding the Denial of

Zoning Clearance No. ZC1-700-0012; a Request to Apply for a Conditional Use Permit to Establish a Medical Marijuana Dispensary at 8260 Broadway in the

Heavy Commercial Zone.

Staff Contact: David De Vries, Development Services Director

#### Background:

In November 2016, voters in the City of Lemon Grove passed Measure V, an initiative removing the City's prohibition of medical marijuana dispensaries (MMDs) and establishing performance standards and a permit process by which MMDs may be established. Measure V was subsequently codified in Chapter 17.32 of the Lemon Grove Municipal Code. The permit process for MMDs requires approval of a conditional use permit (CUP), and the performance standards prohibit MMDs on properties within 1,000 feet of certain protected uses, including schools and licensed daycare facilities. Schools include any public or private school providing instruction in kindergarten or grades one to 12. See Lemon Grove Municipal Code Section 17.32.090 (Attachment C).

In order to identify and map the location of protected uses, staff relied on a variety of resources including, but not limited to, the website Greatschools.org and the website for the California Department of Social Services (DSS). DSS is the licensing agency for daycare throughout the State of California (Attachments D and E). City Council should note that the DSS Website reveals the locations of licensed daycare conducted in commercial and institutional settings, but does not reveal the locations of family daycare homes, which are conducted in private residential settings. To provide the public with a map identifying potential locations for MMDs, while protecting the locations of family daycare homes, City staff created a draft map with 1,000 foot buffers around the parcels where known protected uses are located. Staff then made those buffers opaque to obscure the underlying parcel geography (Attachment F).

On March 7, 2017, staff presented a report to City Council describing the recommended draft review procedures and draft conditions of approval for requests to establish MMDs. Staff also presented the draft Medical Marijuana Zoning Map it had created. The review procedures include using the Zoning Clearance (ZC) process as the initial step in screening and reviewing of MMD applications. Complete ZC applications for sites which meet the zoning criteria and distance restrictions described in LGMC Chapter 17.32, and which include all required application materials will be deemed complete, and the applicants may then submit for CUP approval by the City Council. ZC applications for sites that do not meet the specified criteria are denied by staff. Staff's decision to deny any application is subject to appeal to the City Council, pursuant to LGMC Section 17.28.020(I).

On April 6, 2017, the appellant filed ZC1-700-0012, an application to apply for a conditional use permit to establish a MMD at the subject property (**Attachment G**). Prior to accepting the application, staff checked the location of the project site on the Medical Marijuana Zoning Map and determined it was ineligible for a dispensary. Staff then informed the appellant that the proposed project site was within 1,000 feet of a protected use, and therefore staff would have no option but to deny the ZC application.

The appellant chose to file the ZC application despite staff's admonishment, and on April 17, 2017, the Development Services Director denied ZC1-700-0012 (**Attachment H**). On April 20, 2017, the appellant filed AA1-700-0003, an administrative appeal of the Director's decision (**Attachment I**). The appeal states "The denial letter does not state the specific school or state licensed daycare home and therefore has not put the applicant on notice for the reason for denial. However, the only potential sensitive use is St. John of the Cross and this school is more than 1000' from the proposed use". See the attached exhibit prepared by staff depicting the location of the site in relation to the church property (**Attachment J**).

On May 8, 2017, staff sent a letter to the appellant acknowledging receipt of the appeal, informing him that the appeal hearing date would be July 18, 2017, and advising him to submit any additional information he wished to provide prior to the hearing (Attachment K). In the same letter, staff disclosed that the protected use affecting the subject property was Saint John of the Cross Catholic Parish located at 8086 and 8175 Broadway. It should be noted that the letter includes an error. The error noted is that the subject property is located 822 feet west of the church, when in fact, the subject property is located approximately 822 feet east of the church's property. As of July 12, 2017, no additional information has been received. However, the appellant's legal counsel did contact staff and agreed to the July 18, 2017 hearing date. Please see Attachment L, dated May 15, 2017.

On May 23, 2017, City staff received a letter (**Attachment M**) from the staff at Saint John of the Cross Catholic Parish. The letter verifies that all three parcels comprising the church property are utilized in the conduct of the school and the daycare program. For example, the school uses the auditorium on the eastern parcel (APN 503-011-11-00) to conduct school-related events and to serve school lunch on a daily basis. The church also uses the youth center located on the eastern parcel to conduct daycare activities.

#### Discussion:

The purpose of this appeal is to determine whether a MMD is allowed to proceed with a conditional use permit application based on a determination that the subject property is within 1,000 feet of a protected use, in this instance a school and licensed daycare facility. Staff contends that it has discovered appropriate evidence and made appropriate measurements to justify that there is both a school and a licensed daycare facility within 1,000 feet of the subject property. The appellant contends that the subject property is not within 1,000 feet of the protected uses.

Saint John of the Cross Catholic Parish owns three adjacent parcels on the north side of Broadway. All three of these parcels comprise the church site. The western parcel is developed with school classroom buildings, a playground, meeting rooms, parking facilities, and landscaping. The center parcel is developed with the church sanctuary, parking, and landscaping. The eastern parcel is developed with a meeting hall used by the Knights of Columbus, a youth center, and an auditorium with more parking and landscaping. The appellant has correctly indicated that the portion of the site developed with classroom buildings is the western parcel, and that parcel is slightly more than 1,000 feet from the proposed dispensary site. However, staff has verified that the church utilizes all three parcel in the conduct of the school and daycare facility. For example, the youth center located on the eastern parcel is used for daycare, and the auditorium also located on the eastern parcel is used daily to serve lunch to the students. The auditorium is also used to host special events and presentations for the school. As indicated on Attachment J. the eastern parcel of the church property is located approximately 822 feet from the proposed dispensary site and is therefore ineligible to be approved as a dispensary. Please also refer to Attachment M, a letter from the church staff which verifies that the church uses all three parcels in the conduct of the school and daycare uses.

#### **Public Information:**

The Notice of Public Hearing for this item was published in the July 6, 2017 edition of The East County Californian, and mailed to all property owners within 500 feet of the subject property. As of July 12, 2017, the City has received no responses to the Notice of Public Hearing. At the time of the public hearing, staff will provide the City Council with any additional written comments that may be received after distribution of the staff report.

#### Conclusion:

Staff recommends that the City Council conduct a public hearing and adopt a Resolution (**Attachment B**) upholding the Development Services Director determination to deny ZC1-700-0012, and denying a request to apply for a conditional use permit to establish a MMD at 8260 Broadway.

#### **RESOLUTION NO.**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE UPHOLDING THE DEVELOPMENT SERVICES DIRECTOR'S DETERMINATION TO DENY A REQUEST TO APPLY FOR A CONDITIONAL USE PERMIT TO ESTABLISH A MEDICAL MARIJUANA DISPENSARY AT 8260 BROADWAY, LEMON GROVE, CALIFORNIA

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 medical marijuana dispensaries may be established; and

**WHEREAS,** Measure V includes the adoption of Lemon Grove Municipal Code Chapter 17.32 which prohibits the establishment of medical marijuana dispensaries within 1,000 feet of certain protected uses, including schools and licensed daycare facilities; and

**WHEREAS**, City staff verified the presence of a school and State-licensed daycare facility at Saint John of the Cross Catholic Parish located at 8086 and 8175 Broadway; and

**WHEREAS**, staff at the church has verified in writing that the church uses all three parcels comprising the church's property to conduct school and daycare-related activities; and

WHEREAS, on April 6, 2017, after being informed verbally by City staff that the subject property was within 1,000 feet of a school and licensed daycare facility, and that submittal of a zoning clearance application would result in a denial, the appellant (Christopher O. Williams) filed ZC1-700-0012, an application to apply for a conditional use permit to establish a MMD at 8260 Broadway, Lemon Grove, CA; and

**WHEREAS**, on April 17, 2017, the Development Services Director denied ZC1-700-0012 because the proposed project site is located within 1,000 feet of a school and a state-licensed daycare facility; and

**WHEREAS,** on April 20, 2017, the appellant filed an administrative appeal of the Director's decision (AA1-700-0003), stating that there are no schools or licensed day care facilities within 1,000 feet of the subject property; and

**WHEREAS**, City staff disclosed in writing the address of the existing school and daycare facility at 8086 and 8175 Broadway on May 8, 2017 as evidenced by the letter attached to the Agenda Item Summary as Attachment "L"; and

**WHEREAS**, the appellant has failed to show that their facility is greater than 1,000 feet from the school and California-licensed daycare facility at 8086 and 8175 Broadway; and

WHEREAS, with consent of the applicant, on May 8, 2017, the Director of Development Service set the hearing date to consider AA1-700-0003, an appeal of the Development Services Director's determination to deny ZC1-700-0012 to July 18, 2017; and

WHEREAS, on July 18, 2017, the Lemon Grove City Council held a duly noticed public hearing to consider AA1-700-0003, an appeal of the Development Services Director's determination to deny ZC1-700-0012; and

WHEREAS, the appeal of this determination is not a project and is not subject to the environmental review requirements of the California Environmental Quality Act (CEQA);

NOW, THEREFORE, INCORPORATING THE ABOVE STATEMENTS HEREIN, BE IT RESOLVED that the City Council of the City of Lemon Grove hereby:

- 1. Denies Christopher O. Williams' Administrative Appeal No. AA1-700-0003 based on the above-findings; and
- 2. Upholds the Development Services Director's April 17, 2017 determination to deny Zoning Clearance No. ZC1-700-0012, a request to apply for a conditional use permit to operate a medical marijuana dispensary, at 8260 Broadway, Lemon Grove, CA.

///// /////

#### 17.32.090 Medical marijuana dispensary regulations.

- A. Zones. *Dispensaries* may be established by conditional use permit in the heavy commercial (HC), limited commercial (LC), general commercial (GC) and light industrial (Ll) zones and subject to the distance requirements. *Dispensaries* are prohibited in mixed-use zones (Downtown Village Specific Plan and Central Commercial) and all residential zones (RLM, RL, RM, RMH).
- B. Distance Requirements. An application may be submitted provided the proposed facility meets the required distance measurements. For purposes of measurements, all *dispensaries* are considered *regulated uses* and public parks as defined at Section 12.20.030 of Lemon Grove Municipal Code, playgrounds as defined at Section 18.28.020, subdivision (v), of the Lemon Grove Municipal Code, licensed day care facilities as defined at Section 17.08.030 of Lemon Grove Municipal Code, schools as defined at California Health and Safety Code Section 11362.768, subdivision (h), and alcohol and substance abuse treatment centers are considered *protected uses*. Measurement is made between the closest property lines of the *premises* in which the *regulated uses* and *protected uses* are located. A regulated use must not be:
- 1. Within one thousand feet of any other regulated use which is located either inside or outside the jurisdiction of the city,
- 2. Within one thousand feet from any protected use which is located either inside or outside the jurisdiction of the city.

The measurement of distance between uses will take into account natural topographical barriers and constructed barriers such as freeways or flood control channels that would impede direct physical access between the uses. In such cases, the separation distance shall be measured as the most direct route around the barrier in a manner that establishes direct access.

#### C. Standards.

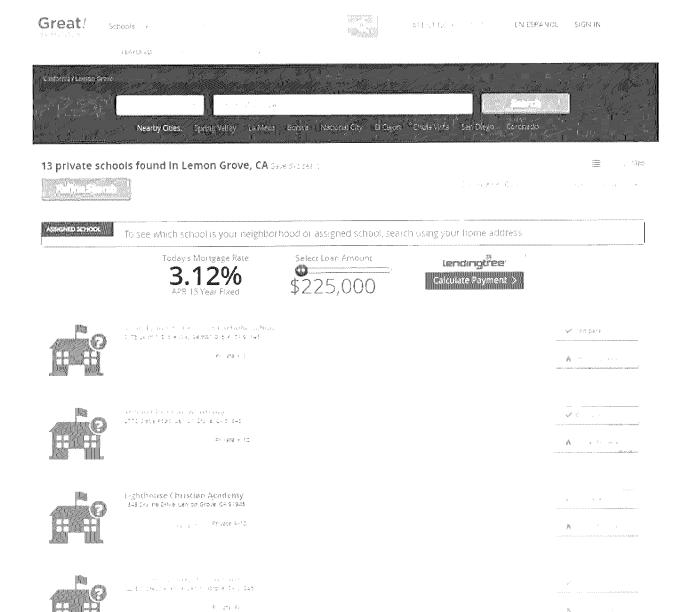
- 1. Background Check Required for *Directors* and Employees. The *director* and employees of a *dispensary* must obtain a LiveScan background check through the California Department of Justice or the San Diego County sheriff's department prior to employment. *Directors* convicted of a serious felony, as defined in California Penal Code Section 1192.7, subdivision (c), and Health and Safety Code Section 11359 (Possession for sale) within the previous ten years shall not be eligible for a license. Other potential collective employees and volunteers convicted of the crimes identified in this section in the previous five years are ineligible for employment or participation. If during employment with the *dispensary*, a *director* or employee is convicted of a crime identified in this section 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*.
- 2. Security Personnel Required. *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."
- 3. Community Relations Liaison Required. *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:
  - a. Lemon Grove city manager:

- b. San Diego County sheriff's department personnel supervising law enforcement activity in Lemon Grove;
  - c. All neighbors within one hundred feet of the *dispensary*.
- 4. Inspection of *Premises*. 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.
- 5. Inspection Requirements. In order to facilitate verification that a *dispensary* operates pursuant to state and local laws, the following records must be maintained at the *premises* at all times and available for inspection by city code enforcement officers, San Diego sheriff's department staff, and any other employee of the city:
- a. Client Records. The *dispensary* shall keep a record of its clients. The record shall include the following and shall be maintained for a two-year period:
- i. Qualified patient member's name, name of primary caregiver when appropriate, and name of licensed physician recommending use of medical marijuana for the member.
- b. *Medical marijuana* Records. *Dispensary* shall keep a record of its *medical marijuana* transactions. The following records shall be maintained for a two-year period and labeling shall occur as specified:
- i. 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.
- ii. 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*.
- iii. All *medicul marijuana* at the *premises* shall be physically labeled with the monetary amount to be charged.
- c. Financial Records. *Dispensary* shall maintain records of all transactions involving money and/or *medical marijuana* occurring at the *premises*. Records shall be maintained for a two-year period preceding the current date.
- d. Employee Records. *Dispensary* 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 *dispensary*.
- 6. *Operations manual*. The application for a conditional use permit shall include a detailed *operations manual* including, but not necessarily limited to, 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 *medical marijuana* quantities and inventory controls employed, including the source of *medical marijuana* (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;
  - j. Other information required by the development services director.
- 7. Operating Standards. *Dispensaries* shall comply with all of the following operating standards. In addition to these standards, the *dispensaries* shall comply at all times with conditions outlined in the approved conditional use permit and the operational manual.
- a. Dispensing *medical marijuana* to an individual *qualified patient* or *primary caregiver* more than once a day is prohibited;
- b. Dispensaries shall only dispense medical marijuana 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;
- c. On-site evaluation by a *licensed physician* for the purposes of obtaining a qualified status is prohibited;
- d. *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:
- i. Each building entrance to a *dispensary* shall be clearly and legibly posted with a notice indicating that 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.
- ii. The building entrance to a *dispensary* shall be clearly and legibly posted with a notice indicating that persons under the age of eighteen are precluded from entering the *premises*.
- iii. 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.
- iv. *Dispensaries* shall not permit the use or consumption of *medical marijuana* on-site unless specifically authorized under the conditional use permit.
- v. *Dispensaries* shall not permit the on-site display of unprocessed marijuana plants or representations of marijuana plants in any areas visible to the public;
- vi. 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.

- vii. *Dispensaries* shall only permit the distribution of *medical marijuana* plant material and *medical marijuana* manufactured products from licensed sources as allowed by the approved conditional use permit. Such distribution shall be limited to *qualified patients* or *primary caregiver*:
- e. *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.
- f. *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;
  - g. Dispensaries shall implement procedures as outlined in their approved operations manual;
- h. Dispensaries shall submit an "annual performance review report" for review and approval by the development services director. 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 development services director may review and approve amendments to the approved "operations manual"; and the frequency of the "annual performance review report." Medical marijuana 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.
- i. *Dispensaries* shall maintain twenty-four-hour recorded video surveillance of the *premises*. Recordings shall be retained for thirty days for inspection by city staff. City staff must provide valid cause for viewing video surveillance. City staff must ensure that patient 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*.
  - j. Sales of alcoholic beverages are prohibited.
  - k. Sales of tobacco and tobacco products are prohibited.
  - 1. Sales of drug paraphernalia are prohibited.
  - m. The location of the dispensary shall include the installation of a centrally monitored alarm system
- n. Lighting shall be installed to adequately light the exterior and interior of the *dispensary premises* while in conformance with Section 17.28.080.
- 8. Source of *Medical marijuana*. A *dispensary* shall only dispense marijuana from the following sources and this information shall be included in the *operations manual*:
- a. On-Site Cultivation for Authorized *Dispensary*. If the conditional use permit authorizes limited, on-site *medical marijuana* cultivation at the *dispensary*, on-site cultivation shall be considered an accessory use and shall not exceed twenty-five percent of the *dispensaries*' total floor area and in no case exceed one thousand five hundred square feet. In addition to these area limitations, the accessory use shall conform to the specific zone regulations, Section 17.24.060 Accessory Buildings and Uses, Section 17.32.100 of this title, and applicable Building and Fire Codes. The *operations manual* shall include information regarding the on-site cultivation including, but not limited to:
- i. Description of measures taken to minimize or offset energy use from the cultivation or processing of *medical marijuana* on-site; and
  - ii. Description of chemicals stored or used; and

- iii. Description of any effluent discharged into the city's wastewater and/or stormwater system;
- b. Licensed External Source. Until one year following the date when the California State Bureau of Medical Marijuana Regulation begins accepting applications for licenses, or sooner, if such a deadline is set by the Bureau, *dispensaries* shall source their *medical marijuana* from cultivators and manufacturers that have obtained a local business license or equivalent document showing that the organization is operating in zoning and regulatory compliance from another jurisdiction for the *medical marijuana* cultivation or manufacturing. One year from the date that the California State Bureau of Medical Marijuana Regulation begins accepting applications for licenses, or sooner, if such a deadline is set by the Bureau, all sources of *medical marijuana* or *medical marijuana* products sold in a *dispensary* must also have a state license for their *medical marijuana* activities. (Ord. 443 § 1, 2016)



#### Child Care Center Preschool (CDSS Website; Facility Search)

AKA HEAD START - SAN MIGUEL 7059 SAN MIGUEL

91945 Licensed

CHRISTIAN CHURCH OF LEMON GROVE PRESCHOOL

6970 SAN MIGUEL AVENUE

91945

CHRISTIAN CREATIVE LEARNING ACADEMY

2920 MAIN ST 91945 Licensed

DISCOVERY LEARNING CENTER 1515 SKYLINE DRIVE

91945 Licensed

LEMON GROVE SCHOOL DISTRICT-GOLDEN AVE PRESCHOOL

**7885 GOLDEN AVENUE 91945** 

Licensed

Licensed

Licensed

LEMON GROVE SCHOOL DISTRICT-MONTEREY HEIGHTS P.S.

7550 CANTON DRIVE

91945

LEMON GROVE SCHOOL DISTRICT-MOUNT VERNON PRESCHOOL8350 MOUNT VERNON STREET 91945 Licensed

LEMON GROVE SCHOOL DISTRICT-SAN ALTOS PRESCHOOL

1750 MADERA STREET 91945

Licensed

LEMON GROVE SCHOOL DISTRICT-SAN MIGUEL PRESCHOOL

7059 SAN MIGUEL AVENUE

91945

Licensed

LIGHTHOUSE CHRISTIAN PRESCHOOL 1345 SKYLINE DRIVE

91945 Licensed

MERRY GO ROUND LEARNING CENTER 2749 LEMON GROVE AVENUE 91945 Licensed

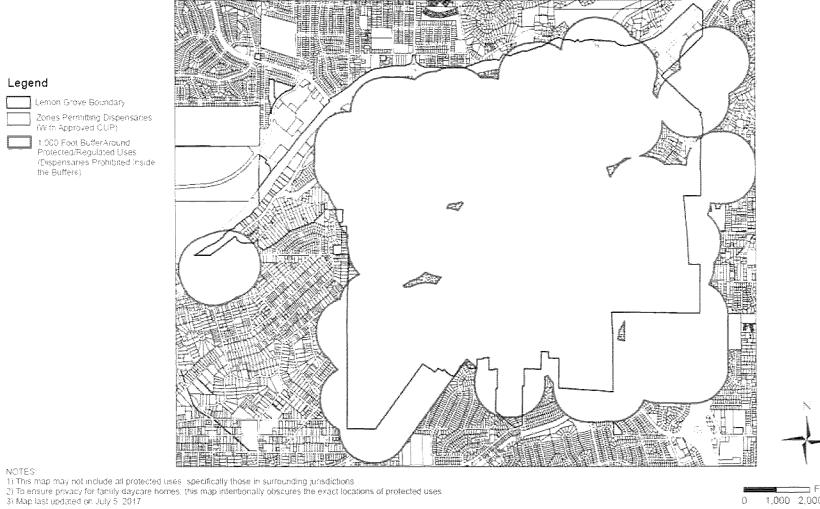
SHILOH CHRISTIAN ACADEMY 2770 GLEBE ROAD

91945 Licensed

ST. JOHN OF THE CROSS PRESCHOOL 8175 LEMON GROVE WAY

91945 Licensed

# Draft Lemon Grove Medical Marijuana Dispensary Zoning



Legend

Lemon Grove Boundary

the Buffers)

Zones Permitting Dispensaries (With Approved CUP)

1,900 Foot SufferAround Protected/Regulated Uses (Dispensaries Prohibited Inside



### PLANNING PERMIT APPLICATION

Development Services Department / Planning Division 3232 Main Street, Lemon Grove, CA 91945 Phone: 619-825-3805 Fax: 619-825-3818 www.lemongrove.ca.gov

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APPLICATION REQUE	EST- SELECT ALL THAT APPLY (SU	BJECT TO OTHER I	PERMIT REQUIREMENTS)
Minor Modification  Variance (VA)  Boundary Adjus	(PA) it (MUP) Permit (CUP) pment Permit (PDP)	Certificate of Com Zoning Amendmen Specific Plan Ame General Plan Ame Modification of Time Extension fo Appeal of	nt (ZA) ndment (SPA) ndment (GPA)
APPLICANT:	Pick Axe Holdings LLC - Christopher Williams	PHONE:	619-326-4182
ADDRESS:	7364 Mission Garge Rd.	FAX:	
, chigh   p   p   p   p   p   p   p   p   p	San Diego, CA 92120	EMAIL:	chris@xmgmedia.com
PROPERTY OWNER:	MATTAR FAMILY TRUST OF 1990	PHONE:	619-666-9978
ADDRESS:	4395 Alta Mira Dr	FAX:	
	La Mesa CA. 91941	EMAIL:	
	300		
CONTACT PERSON:	Pick Axe Holdings LLC - Christopher Willi	ams PHONE:	619-326-4182
ADDRESS:	7364 Mission Gorge Rd	FAX:	
	San Diego, CA 92120	EMAIL:	chris@xmgmedia.com
	owner is a trust, partnership, or corpora r officers, as applicable.	tion, please attach re	cord(s) of ownership listing
PROJECT NAME: BR	OADWAY MMD		
PROJECT ADDRESS:	8260 Broadway, Lemon Grove, CA. 91945		
ASSESSOR PARCEL	#: 499-200-18-00 <b>SIT</b>	E ACREAGE:	0.46
DETAILED DESCRIPT	TON OF PROPOSED PROJECT USE,	TRUCTURE, AND I	MPROVEMENT:
	onsists of an existing single story commercial		
	ed into a Medical Marijuana Dispensary located		
	at is to include interior remodel of the existing s		
	to include parking lot re-stripping, pedestrian a		
and miscellaneous site imp	provements such as lighting, fencing and secu	ity cameras. Parking lot	will be re-striped to accommodate
111 000 MM (1000000000000000000000000000	conforming parking spaces and acce	ssible parking spaces.	
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Rev. November 2015

APPLICANT CERTIFICATION:  for a by Territy from the abstraction to the sentiment of a boundary regular of the project of the boundary of the project of the boundary of the control of the boundary	the addition. I grand partitle seem to the Taly of Formic amports of the combines a traceparts, and admisses by additional partitles and appropriate transports about additional partitions and a process from applicables.
Signature (please print) (1) (2) (2) (2) (2) (3) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4	Priorite 1. 10 to y 1 y 1 & 1
CONSENT BY PROPERTY OWNER If applicant is other than properly owner, owner must sign of If properly owner is a corporation or trust, a designee author	consent to filing. Attach additional sheets if necessary crization letter is required.
IAVe, as the connects; of the subject droperty, consent to the hereby authorize the representative of the interrupour my property in proportion of any expects and/or required sovieties.	NUMBER OF STATE OF STREET STATE OF STREET
September   Department   Depart	Phone:
Signature:	Case Phone
Note: This application being signed under penalty of	perjury and does not require notarization.
TO BE COMPLETED BY PLANNING STAFF APPLICATION PROCESSING.  FILL SKY: ZCAY- 700 - 0042  DATE: 4-6 2017 FEES. \$150 RECEIPT # 183/6  ZONE: 14-6 COMMENTS and/or CONDITIONS:	ACTION:  PAPPROVED DISAPPROVED  CONDITIONALLY APPROVED (See Bellow)  LAND USE DESIGNATION:

Rev November 2015



### CITY OF LEMON GROVE

"Best Climate On Fauth

Development Services Department

Date: April 17, 2017

Pick Axe Holdings, LLC Attn Christopher Williams 7364 Mission Gorge Road San Diego, CA 92120 Mattar Family Trust of 1990 4395 Alta Mira Drive La Mesa, CA 91941

SUBJECT: Denial of Zoning Clearance Application ZC1-700-0012 for property located at 8260 Broadway, in the City of Lemon Grove (APN: 499-200-18-00).

Christopher Williams,

On April 6, 2017, staff received the subject application to establish a medical marijuana dispensary (MMD) at the subject property in the City of Lemon Grove. The application has been denied for the following reasons, which may not be all inclusive:

The property is located within 1,000 feet of a school and a State-licensed daycare facility.

In order for staff to process a conditional use permit application for a MMD, the application must include all of the information required by Chapter 17.32 of the Lemon Grove Municipal Code, as well as the items listed on the City's MMD Planning Permit Checklist. Additionally, the location of the proposed MMD must comply with the zoning requirements and distance restrictions contained within Chapter 17.32. If any of the required items are missing, or if the proposed location does not meet the zoning requirements and distance restrictions, then staff cannot process a conditional use permit application. Please review the requirements of Chapter 17.32 and the MMD Planning Permit Checklist prior to submitting another application Please also verify that the site chosen meets the distance restrictions established by Chapter 17.32. Staff's decision to deny this application may be appealed to the Lemon Grove City Council pursuant to Lemon Grove Municipal Code, Section 17.28.020(I). Appeals must be filed in writing within 10 calendar days of the date on this denial letter and must include a filing fee of \$75.00. Appeals must be filed using forms provided by the Development Services Department.

Respectf	ully,				
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David De	: Vries, De	evelopme	ent Servi	ces Direc	tor

3232 Main Street Lemon Grove California 91945-1705
619 825 3805 FAX: 619.825.3818 www.ci.lemon-grove.ca.us



# APPEAL APPLICATION & REQUEST FOR PUBLIC HEARING

Community Development Department / Planning Division 3232 Main Street, Lemon Grove, CA 91945
Phone: 619-825-3805 Fax: 619-825-3818
www.ci.lemon-grove.ca.us

APPLICANT: Pick Axe Holdings, LLC c/o Gina Austin	
Little Hillia Attacking	PHONE: 619-924-9600 FAX:
ADDRESS: 7364 Mission Gorge Rd San Diego, CA 92120	EMAIL: gaustin@austinlegalgroup.com
San Phelio, CA 32120	
CASE/PROJECT NUMBER: ZC1-700-0012	
DECISION /CONDITIONS OF APPROVAL BEING APPEALED (INCLI Applicant is appealing staff's determination that the property is lo licensed daycare home.	UDE CONDITION ITEM NUMBERS): cated within 1,000 feet of a school or State-
SPECIFIC REASON(S) FOR APPEAL OR REQUEST FOR PUBLIC H The denial letter does not state the specific school or state licensed days applicant on notice for the reason for denial. However, the only potent and this school is more than 1000' from the proposed use (See attached	are home and therefore has not put the tial sensitive use is St. John of the Cross
Attach additional sheets if necessary.	
Applicants Signature Thin Shopher Williams	Apr. 120, 2017
TO BE COMPLETED BY PLANNING STAFF	
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FILE #(s): AA\ - 700 - 0003  DATE: 4-20-17  FEES: 475 RECEIPT #: [8540	
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Austin Legal Group

Lawyers 3990 Old Town Ave, Sue A-112 San Diego, Ca 92110

LICENSEO IN CALEOGNIA & HAWAII HEREBONE (619) 924-9600

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Writer's Email: gaustin@anstinlegalgroup.com

April 10, 2017

City of Lemon Grove Development Services 3232 Main Street Lemon Grove, CA 91945

Re: 8260 Broadway, Application for Medical Marijuana Dispensary (MMD)

To Whom It May Concern:

Austin Legal Group, APC ("ALG") represents the applicant for a MMD located at 8260 Broadway, Lemon Grove ("MMD Location"). The purpose of this letter is to provide further clarification as to why the MMD Location is not within 1000' of a Protected Use as defined by section 17.32.090 of the Lemon Grove Municipal Code (the "Code".) It is our professional opinion that there are no Protected Uses within 1000' of the MMD Location.

While the MMD Location is not within the approved highlighted properties on the City's most recent map of protected uses, the City's map incorrectly measures the distance to St. John of the Cross Catholic School. This office conducted an independent analysis and the parcel that contains the Catholic School is approximately 1004' from the closest property line of the MMD Location. Further, the City supplied a list of Protected Uses in response to a public records request ("City's Response"). The City's Response is attached hereto as Exhibit 1<sup>1</sup>. No other Protected Uses were identified in the City's Response within 1000' of the MMD Location.

Exhibit 2, attached hereto, identifies the 1000' radius around the MMD Location on an image map. Exhibit 2, page 2, is a blow up of the approximate 4' separation between the MMD Location and the St. John of the Cross Catholic School. While the parcel with the Church only may be within 1000' of the MMD Location, the parcel with the school is at least 1004' from the MMD Location. In light of the above, the applicant is requesting the City process the CUP application for the MMD at 8260 Broadway all the way through to City Council Hearing despite the MMD Location being identified within the buffer area identified on the City's zoning map.

In further support of this application for a MMD, this office conducted an independent analysis of the 1000' area surrounding the MMD Location and, as explained below, no Protected Uses were identified.

<sup>&</sup>lt;sup>1</sup> Page 3 of Exhibit 1 is a mapping of each Protected Use provided by the City

City of Lemon Grove April 10, 2017 Page 2

To the north and northwest of the MMD Location there are no identified schools, parks, playgrounds, or alcohol and substance rehabilitation facilities. (See Exhibit 1 – page 3 and Exhibit 6.) Although it is possible an unknown licensed day care facility is present within the residential area north of the MMD location, that area is separated by the Route 94 Freeway. The code requires that the City shall take into account "natural topographical barriers and constructed barriers that would impede direct physical access between the uses. In such cases, the separation distance shall be measured as the most direct route around the barrier in a manner that establishes direct access." (Lemon Grove Municipal Code § 14.32.090 (B).) The northeast is only freeway and therefore no Protected Use can be located in this area. Route 94 is a constructed barrier that would impede direct physical access between the uses. The most direct route from the MMD Location around the constructed barrier of Route 94 is approximately 3,801 ft. (See Exhibit 3.)

Similarly, to the west of the MMD Location there are no identified schools, parks, playgrounds, or alcohol and substance rehabilitation facilities. (See Exhibit 1, page 3 and Exhibit 6.) The extent to which the residential areas to the west could potentially include private licensed daycarc facilities is eliminated due to constructed barriers that impede direct physical access. A direct path from the MMD Location to the closest homes to the west requires an individual to cross private property under the Sweetwater St. overpass, climb 8 foot fences and brick walls, and traverse the backyard of private residences. Each of these constructed barriers impedes direct physical access and requires the measurement to the residential area and potential licensed daycare facility to follow the most direct route around the constructed barriers. The most direct route around these constructed barriers to the nearest residential property is over 1000'. (See Exhibit 4.)

There are also no identified schools, parks, playgrounds, or alcohol and substance rehabilitation facilities to the south of the MMD Location. (See Exhibit 1, page 3 and Exhibit 6.) Directly south there are a variety of commercial entities and New Horizons Church.

There are also some residential homes that have the potential to locate a licensed childcare facility to the east and southeast of the MMD Location. While the closest residential home is within 1000 ft southeast of the MMD location there is no direct access from the MMD Location because the direct path includes a fenced off area with trees that are enclosed under the freeway overpass. The direct route from the MMD Location around the constructed barrier is approximately 3019 ft. (See Exhibit 5.)

<sup>&</sup>lt;sup>2</sup> All Further references are to the Lemon Grove Municipal Code unless stated otherwise

<sup>&</sup>lt;sup>3</sup> This analysis is only necessary if there is a licensed daycare facility within one of the private residences to the west. At this point in time, there is no information to believe that such a facility exists.

City of Lemon Grove April 10, 2017 Page 3

For the reasons above, we are requesting the City of Lemon Grove find that there are no Protected Uses within 1000' of the MMD Location and immediately issue the Zoning Clearance for the MMD Location.

Sincercly,
AUSTIN LEGAL GROUP, APC

fr. M. Auston

tims M. Austin, Esq.

-28-

#### **PROTECTED USES**

School Age Child Ca	are Center (CDSS	Website:	Facility	Search)

CHRISTIAN CHURCH OF LEMON GROVE SCHOOL AGE PROG. 6970 SAN MIGUEL AVE 91945

Licensed

CHRISTIAN CREATIVE LEARNING ACADEMY/SCHOOL-AGE 2920 MAIN STREET 91945

Licensed

EAST COUNTY FAMILY YMCA GOLDEN 7885 GOLDEN AVE. 91945 Licensed

MERRY GO ROUND LEARNING CENTER - SCHOOL AGE 2749 LEMON GROVE AVENUE 91945 Licensed

Child Care Center Preschool (CDSS Website; Facility Search)

AKA HEAD START - SAN MIGUEL 7059 SAN MIGUEL 91945 Licensed

CHRISTIAN CHURCH OF LEMON GROVE PRESCHOOL 6970 SAN MIGUEL AVENUE 91945

Licensed

CHRISTIAN CREATIVE LEARNING ACADEMY 2920 MAIN ST 91945 Licensed

DISCOVERY LEARNING CENTER 1515 SKYLINE DRIVE 91945 Licensed

LEMON GROVE SCHOOL DISTRICT-GOLDEN AVE PRESCHOOL 7885 GOLDEN AVENUE 91945

Licensed

LEMON GROVE SCHOOL DISTRICT-MONTEREY HEIGHTS P.S. 7550 CANTON DRIVE 91945

Licensed

LEMON GROVE SCHOOL DISTRICT-MOUNT VERNON PRESCHOOL8350 MOUNT VERNON STREET 91945

Licensed

LEMON GROVE SCHOOL DISTRICT-SAN ALTOS PRESCHOOL 1750 MADERA STREET 91945

Licensed

LEMON GROVE SCHOOL DISTRICT-SAN MIGUEL PRESCHOOL 7059 SAN MIGUEL AVENUE 91945

Licensed

LIGHTHOUSE CHRISTIAN PRESCHOOL 1345 SKYLINE DRIVE 91945 Licensed

MERRY GO ROUND LEARNING CENTER 2749 LEMON GROVE AVENUE 91945 Licensed

SHILOH CHRISTIAN ACADEMY 2770 GLEBE ROAD 91945 Licensed

ST. JOHN OF THE CROSS PRESCHOOL 8175 LEMON GROVE WAY 91945 Licensed

Exhibit 1- page 1

#### Large Family Daycare (up to 14 kids) (CDSS Website; Facility Search)

AHMED, FATHA & MOHAMED FAMILY CHILD CARE Unavailable 91945 Licensed ALVAREZ, VERONICA & JUAN FAMILY CHILD CARE Unavailable 91945 Licensed

DELGADO, ALICIA & JOSE FAMILY CHILD CARE Unavailable 91945 Licensed

DELGADO, GLORIA FAMILY DAY CARE Unavailable 91945 Licensed
GEORGE, CARRIE FAMILY CHILD CARE Unavailable 91945 Licensed
HUSSEN, FARTUN FAMILY CHILD CARE Unavailable 91945 Licensed
JOHNSON, KATHLEEN FAMILY DAY CARE Unavailable 91945 Licensed

LEDEZMA, LORENZA FAMILY CHILD CARE Unavailable 91945 Licensed

MAXWELL, REBECCA & DANIEL FAMILY CHILD CARE Unavailable 91945 Licensed

MILLER, O & CARTER, I FAMILY CHILD CARE Unavailable 91945 Licensed SAMBRANO, LAURA FAMILY CHILD CARE Unavailable 91945 Licensed

TANABE, SYLVIA FAMILY DAY CARE Unavailable 91945 Licensed

#### **Drug Treatment Facilities (Google Search)**

Alano Club 6901 Central Avenue

McAllister Institute 2049 Skyline Drive

#### Adult Daycare

HEALTHY OPPORTUNITIES PROGRESSIVE EDUCATION 3225 OLIVE ST. 91945 Licensed

LINK CENTER, THE 7944 GOLDEN AVE 91945 Licensed

Exhibit 1 - Page 2

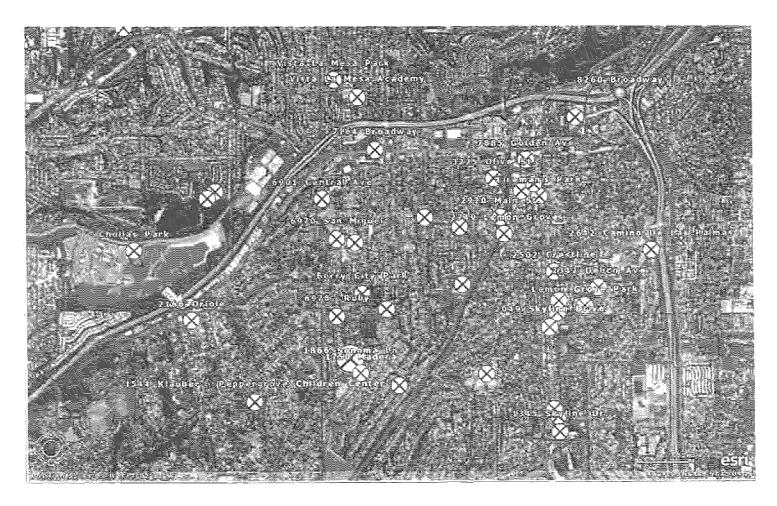


Exhibit 1 - page 3

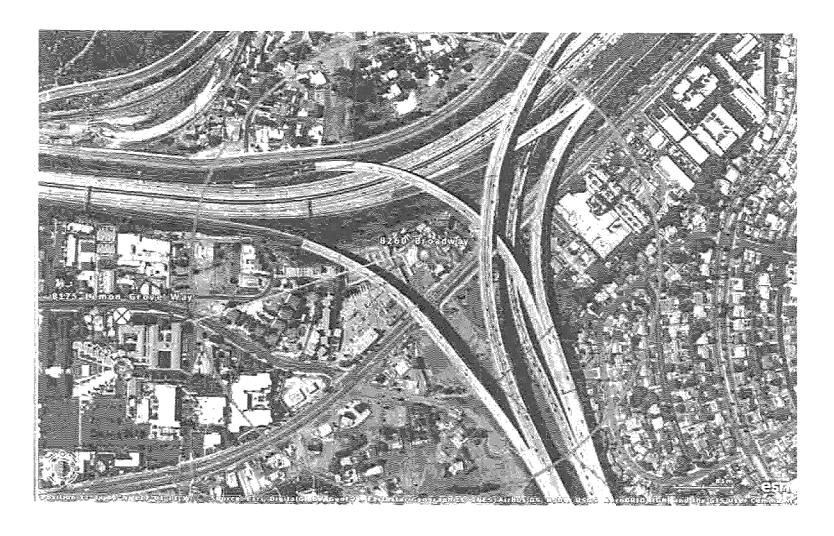


Exhibit 2 - Page 1

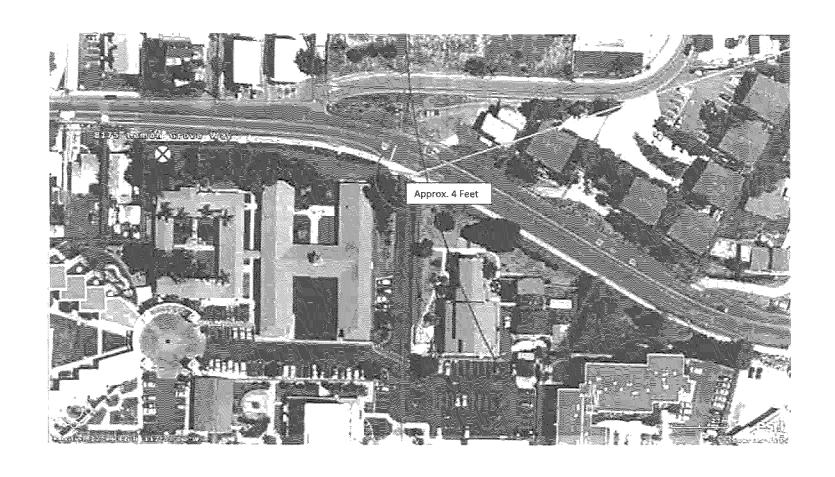


Exhibit 2 - Page 2

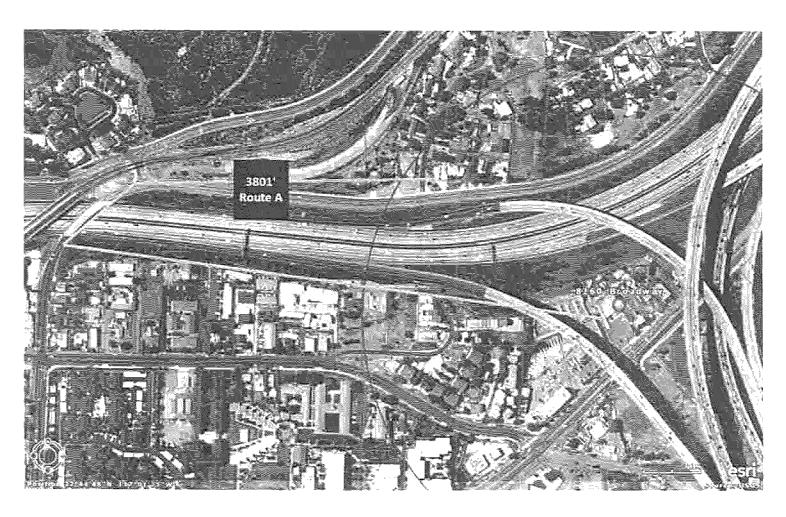


EXHIBIT 3

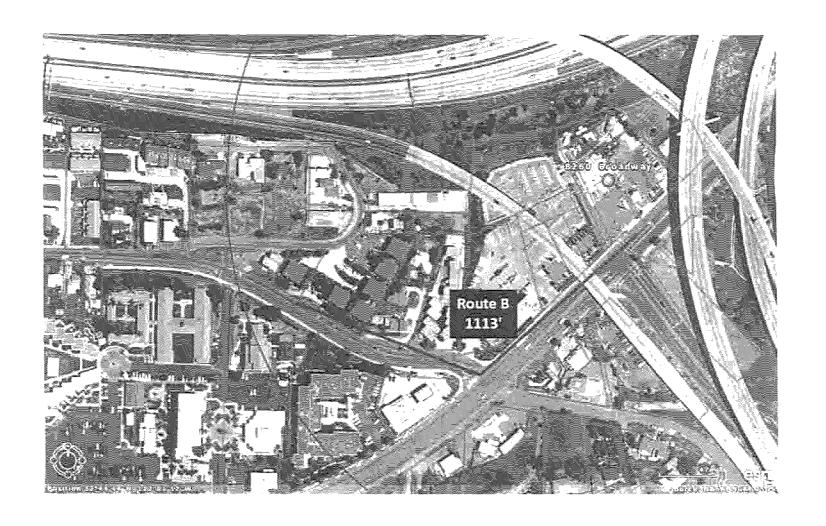


EXHIBIT 4



EXHIBIT 5

SUMMARY OF PARCELS								
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	SINGLE FAMILY BESIDERICE.	1825 ROJO WERRA NO	LA MESA	CA	23%62	495-162-61-60	WILSON LOUISA S	
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esere l	MULTI-FAMILY DWELLING (2-4 UNIT)	EXILERACIFACION	LA IVIESA	ICA		129-171-10-001	[HOLLAND CHOKO DRUCT	
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	DUPLEK	TTSG RIPHERA DX	LA MESA	JCA.		1679-171-11100	LURTIS, LEE C TRUST	
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	MULTI-FAMILY AES (5+ UNITS)	3521 HILTOP OX Avt B2	LEMON DECOR	GA		*41.181.11.05	SO PROPERTY INVIGROUP LLC	
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and a	MARY FARMET RES (50 MOTE)	2601 HILLTOP DR Apt 84	LEASTING CRUCKE	CA	191949		TO PROMERTY MY OROCH LLL	
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_ 20104	MULTI-FAMILY RES (5+ UNITS)	3501 PALLIDE DE REE ES	LEIMON GROVE		41947	499-181-11-00	SO PROPERTY INV GROUP ILC	
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	SEATERAMINE RESIDENT PROPERTY	LODA MILITOPIDA ALE EA	LEMON GROVE	CA	李件書聖報五			

EXHIBIT 6

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73	MULTI FAMILY RES (5 - UNITS)	3601 HULTOP DA ADI F2	FEMON GROVE			499-181-11, 00	ISD PROPERTY INV GROUP LLC
74	BULET-FRANCY BET (5. (19713)	MGCL HOLTOP DR #81 F.1	LEMON GEOVE	10,10		455-181-11-00	20 SECREBLY ON PROPERTY.
25	ARTH FIRANCE REALTS + MAINES	365) 1 4951 3646 De ayer F4	LIMON GROW	€%		425-183-01-00	SOFACETER'S INVIGROUP LLC
76	NAULITE AND Y HES (S = OMITS)	LIFE ED SOLUMENTAL	LESADA CROJE	CA	61345	438-191-13-05	LAGINIE M. MARIA LASTILY TH
77	JANUSTI-KARALY BEY IS CURITIS	3710 HILLTOP DR APT Z	LEMPON GINCY/K	i.k	4116	\$3% \$8[1-10-O]	ACUETRIBATARI & MARIATAMENTE
16	Angt-Fanky Res (5+ Units)	TTIO HULLTOF DE NOT T	LENGTH GROVE	CA.	91944	455-141-13-00	ACTOR ER ROFSEL & ASAUM FAMILTER
<i>y</i> 3	BROTE-FASSILY DESIGN UNITED	1210 HILLIOP C-LA-1 4	LEMON LACIT	ALA.	93944	450-184-11/02	ACRE, ER EJEARE B MARIA FABILIT TR
64)	IMMER FAMILY FEE IS A LOWERLE	DESCRIPTION ELECTS	TEMPOREDICAE	C.A.	191945	459 164-13-60	AGUELE ESTALL & ALAUA FAMILY TH
13	RESTONANTION OF SECURIORS	47592901 103F 634 A F 6	MEMON GROVE	17%		490-181-13-00	ARTHUR BRAKANA & RIAGIA FARILLY TR
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63	MUSTI-FAMILY RES (S# UNITS)	3710 HILLTOP DR APT 8	LEMON GROVE			459-181-12-53	ACARLES BAFACE & PAPERS FACALLY FO
84	MULTI-FAMILY RES (S+ UNITS)	3710 HILLTOP DR APT 9	LEMON GROVE		diam to the		
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45		SANGABITION DE WALLTO	F. WOIL CHILAL			172-181-15-00	ACUITH BOLARY & MARIA CASARY III
6.5	AND THE AND SERVICES ASSOCIATED	TANK PERISON CO AND 1	LEMISTER CHUNK	15.4		498-381-34-00	KANNETY PANELY TRUST
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AB	MULTI FAMILY RES (5+ UNITS)	3202 HILLTOP DR APT 3	LEMON GROVE			nja 191-14-00	HAMMETT FAMILY TRUST
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90	NALE TO FARTH Y RES (5 + CHATS)	3762 HILLTOP CRAPT 5	用规定操作者位件	1.4	61245	445-181-1446	MANGARTT FAMILY WEST
91	MULTI-FAMILY RES (S+ UNITS)	3702 HILLTOP OR APT 6	LEMON GROVE	CA	State	499 388 84 48	PAZAZAR I I KASIR V TRUST
92	MULTI-FAMILY DY/ELLING (2-4 UNIT)	3601 HILLTOP DR	LEMON GROVE	ICA.		499-111-14-60	ISO PROPERTY INVIGROUP (LC
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93	VILLE FASALLY RES (6 - UP-155)	TYPE FOR THE PARTY	ALEANON GOVERN	r.a		998-183-22-02	
96	MULTI-FAMILY RES (5+ UNITS)	3707 HILLTOP DR APT 1	LEMON GROVE	4			SHOOMER ADSVAND & & LANE THUST
92	MULTI-FAMILY RES (5+ UNITS)	3707 HILLTOP OR APT 2	LEMON GROVE			459-181-27-50 198-181-72-50	ELEPOYER COLVAND & A LART TRUST
							SURGIST BASE & GORAWOO, ATVOST
768.	MULTI-FAMILY HES [5+ UNITS]	13707 HILLTOP OR APT 3	LEMON GROVE			499-181-22-00	SHROYER EDWARD & & JAJAF TRUST
(91)	MULTI-FAMILY RES (5+ UNITS)	(370/ HILLIOP OR APT 4	ILEMON GROVE			499-161-22-00	SHROYER EDWARD () & JANE TRUST
100	MULTI-DAMILY RES [5+ UNITS]	3707 HILTOP BA APT 5	TEMON GROVE	r∯genn n nnn		409-191-22-00	SHROYER EDWARD & & JANE TRUST
lite:	MIRTHARDS WELFELDNIST	LOF HUTOP OR AFT 4		ξA	01045	400 044-72-00	SHROWER EDWARD B. A. JAME TRUST
102	SHIRTS-KARNILK BUS ES- GRUTTE	57/13 HILLION BE ATT 7	<b>多数指数的线 在被信息</b>	64	91945	454-183-22-00	SHIPPITER FOWARD & SAME TRUST
103	SHOULD-EMANUE HES DE-CONTISE	INDENNITOR SEAPES	MAZZON GROVE	C.A	15,531	\$52 LB1 22 DB	SHROYER EDWARD B & JANE TRUST
1.04	MULTI FAMILY RES (5+ UNITS)	3707 HILTOP OR APT 9	LEMON GROVE	CA		#55 181-22-00	STROPER, EGWARD & JANETRUST
165	SINGLE FALSILY SESSEEDS I	11205 militor on	ERMON GACYE	Ç.A.		499 1B1-24-CO	J SANDERVE, EGEWORK
1904	RESTOLISTING SPINGTHANGEOUS	VACABLERDADOVAS	AR MACOVE LAWS TO B	(A		599-181-25-06	MORADE WILLIAM L
101	MESIDENTIAL MINETLEAMEDERS	WACANT/BOADWAY	LEMON GREVE	F a		199-161-27-08	SHROVER UN'ES & EDWARD BILLING TH
	VACANY RESIDENTIAL	VACANT/PARKING LOT	LEMON GROVE	KA		199 151 19 50	SHROYER ROWARD O & JANE TRUST
manager e è	SINGLE FAMILY RESIDENCE	3886 AMERICAN AVE	LA MESA	IEA			
	SINGLE FAMILY RESIDENCE			å	A deduction from the	(V) 19   77 (27	TETEVO, DOSC TRUST
		3874 AMERICAN AME	LA MESA	[CA		499-191-07-00	FLYING, DOG THUS?
	SINGLE FAMILY RESIDENCE	3865 AMERICAN AVE	ILA MESA	[CA		699 151 13 66	FOSISNORUGARYI
	SINGLE FAIWLY RESIDENCE	3874 QUARRY RD	LA MESA	CA.		ara 191-15-00	ACOSTA ANTHONY
	SINGLE FAMILY RESIDENCE	3891 AMERICAN AVE		ICA		499-151-21-002	MORFIE AND KAYIN N. R. PATRICIA N
		3880 QIJARRY RD	JUA IMESA	CA		129-152-12-CO	STANDARY AND SALESTA
1.15 J	SINGLE FAMILY RESIDENCE	3851 AMERICAN AVE	LA MESA	CA	91941	\$99-152-24-00	NUCRINGOVERIARY FALRETTY F
116 ]	SINGLE FAMILY RESIDENCE	3853 AMERICAN AVE	LA MESA	CA	(31911	488 131-75 CO	ROSINSON SAAT :
1.1.7	VACANT MERCHING	CHARLEST AND STREET, AND LANE	LA MESA	CA	91941	493-191-15-CO	meau.iimua.c
11/	OUPLEK	LEID ANSERN AU AUL	LA MESA	CA .	112011	400 101 17 100	Fring DOG Traint
	DUPLEX	3808 AMERICAN AVE	TLA MESA	(CA		420 101-27-00	(1998G,OOG TROST
	OUPLEX	3804 AMERICAN AVE	LA MESA	ica		\$60 101.74 (63	A YEAR DOG TRUST
	CUPLEX	3802 AMERICAN AVE	LA MESA	ÇA			
	MULTI FAM LY DWELLING (2 4 UNIT)	3850 AMERICAN AVE	ILA MESA				FRANKS, ČKOS TRUET
	SINGLE FAMILY RESIDENCE			CA Ina	3.7 % 6 1	(189 144 25 Od	GA (SCIM PETE N
		3860 AMERICAN AVE	LA MESA			499-191-37.50	REFILE ONG TREST
	SINGLE FAMILY RESIDENCE	3B40 RIVIERA DR	LA MESA	CA .		199-151-14-00	SCHWARTE PETEN
	SINGLE FAMILY RESIDENCE	3762 MILTON RD		CA		(98 1:16-131-10)	STATE OF FAMILIES SEA
	VACANT RESIDENTIAL	3760 MILTON AD		CA	2119456	199-100-01-00	REFERING
							MATTAR FAMILY TRUST
	LEGGLE PAROL Y RESILIEUSE	3765 MILTON RD	FERNORE	CA.		6/0-506-04-00	
128	VACANT RESIDENTIAL	8252 BROADWAY	LEMON GROVE	ica Ica		179-769-06-00 179-769-06-00	B. C. L. C. 1982.
128				CA CA	WESTS !	179-798-08-00	B.C.P.CO INC.
28 29	VACANT RESIDENTIAL	8252 BROADWAY	LEMON GROVE	CA	91925 91925	179-100-08-00 25-20-06-00	E 5 0775 T V M(C)
28 29 30	VACANT RESIDENTIAL VACANT COMMERCIAL	8252 BROADWAY 8250 BROADWAY 785417,7986/WG LOT	LEMON GROVE LEMON GROVE LEMOTHUROVE	CA	91945 91945	199-199-445-50 -35-202-65-50 -30-202-65-58	F. P. CLASTIC & PHICE  L. C. CLASTIC & PHICE  L. CLASTIC & PHICE
28 29 70 13	VACANT RESIDENTIAL VACANT COMMERCIAL VXCART COMMERCIAL	8252 880A0WAY 8250 080A0WAY	LEMON GROVE	CA	91945 91945 91945 91945	(75-176-48-50 - 25-110-64-70 - 20-170-10-120 - 39-106-11-00	ELPHOCK & BUCK
28 29 10 11	VACANT RESIDENTIAL VACANT COMMERCIAL VACANT COMMERÇIAL VACANT COMMERÇIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL	E252 BROADWAY E250 BROADWAY /\$\$A*C;\$KRIIWG LOT R\$E5 BARPIDWAY P\$BY BROADWAY	LEMON GROVE LEMON GROVE LEMOTH GROVE SENTOR GROVE RESOLVE GROVE	CA (/) (/)	91925 91925 91945 91945 91945	179-180-08-00 - 3-20-08-18 - 20-20-10-18 - 399-200-11-00 - 499-200-12-00	N. P. COM. II. P. M. C. P. A. HELD J. C. L. LICTO N. B. P. C. A. C. BLOCK & B. P. C. R. C. B. D. C. K. B. B. C. S. R. C. B. D. C. K. B. B. C. S.
28 29 30 11 12	VACANT RESIDENTIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL STÖRLS RELIGION OF STREET PARKING LOT, PARKING STREETURE	B252 BROADWAY E250 BROADWAY / ALAT JEAR MING LOT RESONANT MENTALINA / LANDROADWAY / LANDROADWAY / B262 BRUADWAY	LEMON GROVE LEMON GROVE LEMON GROVE LEMON GROVE LEMON GROVE LEMON GROVE	CA CA CA	91925 91925 91925 91925 91945	179-179-08-00 175-200-06-09 170-200-06-06 170-200-12-00 170-200-12-00 170-200-12-00	BEPEDING E-2 mach abbits E-1 mach abbits E-1 mach about BEP BLOCK & BRICK BEP BLOCK & BRICK STATIAN FAMILY FAUST
28 29 30 31 12 33 34	VACANT RESIDENTIAL VACANT COMMERCIAL VACANT COMM	8252 BROADWAY 8250 DROADWAY 425.4 Y PARRING LOT 8456 WARDINAA Y SA DROADWAY 8262 DROADWAY 8260 DROADWAY 8260 DROADWAY	LEMON GROVE LEMON GROVE LEMON GROVE AT NOR GROVE LEMON GROVE LEMON GROVE LEMON GROVE	CA CA CA CA	#1+85 91945 91945 91945 91945	179-170-08-00 179-170-06-00 179-170-06-120 179-170-11-00 179-170-18-10 168-171-19-10	BE PERIME  BE MESTE A BRITEP  LET BEETE A BRITEP  ACP BEOCK & BRITEK  REP BEOCK & BRITEK  FOR A BRITEF  FOR A BRIT
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28 29 30 31 32 34 35 36	VACANT RESIDENTIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL STORES RETAIL CUTLET VACANT RESIDENTIAL VACANT COMMERCIAL VACANT COMMERCIAL	6352 BROADWAY E250 BROADWAY E250 BROADWAY E150 BACGRUSSE F1, as BROADWAY ES05 BROADWAY ES05 BROADWAY E307 MILTON RD VACANT/FARRING _TT	LEMON GROVE TEMON GROVE LEMON GROVE HANDS GROVE TEMON GROVE TEMON GROVE TEMON GROVE TEMON GROVE TEMON GROVE	CA CA CA CA CA	#1325 91325 91325 91325 91345 91345 91345	899-199-04-05 135-238-05-190 135-238-05-190 1399-100-11-00 1399-100-12-00 1399-100-28-20 1399-200-28-00 1399-200-28-00	IN CARDING  IN THE PROPERTY AND T
28 29 36 12 14 35 35 36 36 37	VACANT RESIDENTIAL  VACANT COMMERCIAL  VACANT COMME	8252 BROADWAY 8250 BROADWAY 8250 BROADWAY 8250 BROADWAY 8250 BROADWAY 8250 BROADWAY 8250 BROADWAY 8270 BROADWAY 3707 MILTON RD VACAMT/PARKING _97 8280 BROADWAY	LEMON GROVE LEMON GROVE LEMON GROVE ALACT GROVE LEMON GROVE	CA CA CA CA CA CA	91945 91945 91945 91945 91945 91945 91945	199-199-144-150 - 25-200-65-150 - 25-200-65-150 - 250-200-12-00 - 250-200-12-00 - 250-200-12-00 - 250-200-12-00 - 250-200-200-00 - 250-200-200-00 - 250-200-200-00 - 250-200-200-00 - 250-200-200-00 - 250-200-200-00 - 250-200-200-00	BEPARENCE BETTE BETT BETTE BETT BETTE BETT BETTE BETT BETTE BETT BETTE BETT BETTE BE
(28 (29 (30 (14) (14) (32 (35 (35) (36) (37) (71)	VACANT RESIDENTIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT CARRING STRUCTURE STORES, RETAIL CUTLET VACANT RESIDENTIAL VACANT COMMERCIAL PARKING OLT PARKING STRUCTURE STORES RETAIL CUTLET RESIDENTIAL VACANT PRESIDENTIAL VACANT PRESIDENTIAL VACANT COMMERCIAL RESIDENTIAL VACANT COMMERCIAL RESIDENTIAL VACANT COMMERCIAL	ESSE BROADWAY ESSE BROADWAY ESSE BROADWAY IF LA DAKEDWAY IF LA DROADWAY BROADWAY	LEMON GROVE	CA CA CA CA CA	91945 91945 91945 91945 91945 91945 91945 91945	489-199-04-00 189-288-06-189 180-200-11-06 199-200-12-00 149-200-28-00 189-200-28-00 189-200-28-00 189-200-28-00 189-200-28-00 189-200-28-00	INCEPAGNICA  INCEPAGNICA  INCEPAGNICA  REP BLOCK & BRICK  REP BLOCK & BRICK  REP BLOCK & BRICK  INTER BLOCK
28	VACANT RESIDENTIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT COMMERCIAL VACANT RESIDENTIAL VACANT RESIDENTIAL VACANT COMMERCIAL VACANT CO	E352 BROADWAY E350 BROADWAY E350 BROADWAY F, an BROADWAY E350 BROADWAY E	LEMON GROVE LEMON GROVE LEMON GROVE AFACH GROVE LEMON GROVE	CA TA TA TCA TCA TCA TCA TCA	91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945	679 (10 06 10) 15 230 06 10 150 270 10 12 159 200 11 10 109 200 11 10 109 200 20 10 109 20 20 20 20 20 109 2	IN CALCIUME  THE PROCESS AND CALCIUM  ACT DICTOR SOURCE  ACT DICTOR SOURCE  ACT DICTOR SOURCE  CANTAR FAMILY FOURT  CHILL DEBURGO  AND THE DEBURGO  COMMENT FOR ACT AND CALCIUM  (PERCHAMAGERIAL DEBURGOTY MATE)
28   29   10   12   13   14   15   15   15   15   15   15   15	VACANT RESIDENTIAL  VACANT COMMERCIAL  PARRING LOT, PARRING STRUCTURE  STORES, RETAIL OUTLET  VACANT RESIDENTIAL  VACANT COMMERCIAL  PARRING LOT, PARRING STRUCTURE  STRUCT FAMILY RESIDENCES  SANCY CAMPLY RESIDENCES  SANCY CAMPLY RESIDENCES	8252 BROADWAY 8250 BROADWAY 8250 BROADWAY 8250 BROADWAY 8250 BROADWAY 8250 BROADWAY 8250 BROADWAY 8270 BROADWAY 8370 BROADWAY 870 BROA	LEMON GROVE LEMON	CA TA TA TCA TCA TCA TCA TCA	91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945	### 100 08 00 00 00 00 00 00 00 00 00 00 00 0	BE PADING  BE THAT BE THE P  ACT DICE BE BEIGE  RCP BLOCK & BRICK  RCP
28   29   10   12   13   14   13   15   15   15   15   15   15   15	VACANT RESIDENTIAL  VACANT COMMERCIAL  PARKING OUT, PARKING STRUCTURE  PARKING VALVANT RESIDENCE  ##################################	8252 BROADWAY 8250 BROADWAY 8270 BROADWAY 8270 BROADWAY 8270 BROADWAY 8273 BROADWAY 8233 BROADWAY 8233 BROADWAY 8232 BROADWAY 8332 BROADWAY 83	LENGIN GROVE LEMON GROVE	CA CA CA CA CA CA CA CA CA CA CA	91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945	#79 408 06 00 00 00 00 00 00 00 00 00 00 00 00	N. P. ADIMO  R. P. MICHAEL  R. P. BLOCK & BRICK  PART AN PARALY PAUST  DITTS DEBUTO  MATTAR 2001 (MILLY 1887)  AND TARRES  COMMENTED  COMMENT ON ACCOUNTY OF THE  MAY POCH LLC 67%
28   29   16   17   16   17   17   17   17   17	VACANT RESIDENTIAL  VACANT COMMERCIAL  VACANT VACANT VACANT VACANT  VACANT VACANT VACANT VACANT  VACANT VACANT VACANT VACANT  VACANT VACANT VACANT VACANT VACANT  VACANT VACANT VACANT VACANT VACANT  VACANT VACANT VACANT VACANT VACANT VACANT  VACANT	E352 BROADWAY E350 BROADWAY E350 BROADWAY E150 DAKERDWAY E150 DAKERDWAY E350 BROADWAY E350 BROADWAY E3767 MILTON RD VACANT/FARKING _37 E350 BROADWAY E333 BROADWAY E333 BROADWAY E334 BROADWAY E335 BROADWAY E355 BROADWAY E355 BROADWAY E355 BROADWAY E355 BROADWAY E355 BROADWAY E355 BROADWAY END	LEMON GROVE LEMON	CA CA CA CA CA CA CA CA	91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945	#79 408 06 00 00 00 00 00 00 00 00 00 00 00 00	N. P. ADIMO  R. P. MICHAEL  R. P. BLOCK & BRICK  PART AN PARALY PAUST  DITTS DEBUTO  MATTAR 2001 (MILLY 1887)  AND TARRES  COMMENTED  COMMENT ON ACCOUNTY OF THE  MAY POCH LLC 67%
28   29   16   17   16   17   17   17   17   17	VACANT RESIDENTIAL  VACANT COMMERCIAL  VACANT VACANT VACANT VACANT  VACANT VACANT VACANT VACANT  VACANT VACANT VACANT VACANT  VACANT VACANT VACANT VACANT VACANT  VACANT VACANT VACANT VACANT VACANT  VACANT VACANT VACANT VACANT VACANT VACANT  VACANT	8252 BROADWAY 8250 BROADWAY 8270 BROADWAY 8270 BROADWAY 8270 BROADWAY 8273 BROADWAY 8233 BROADWAY 8233 BROADWAY 8232 BROADWAY 8332 BROADWAY 83	LENGIN GROVE LEMON GROVE	CA CA CA CA CA CA CA CA CA CA CA	91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945	##9 ##9 ##9 ##9 ##9 ##9 ##9 ##9 ##9 ##9	BE PEDING  L-2 MICH & BRICE  ACT DICE BE BRICE  RCP BLOCK & BRICE  STATCA FAMILY FAUST  SITTE BANKEY  MATTAK SOUL (BANKEY FROM  ANT TAKE SOUL (BANKEY FROM  ANT TAKE SOUL (BANKEY FROM  ANT TAKE SOUL (BANKEY FROM  DAMAS COUNTY FROM  DOARDA COUNTY AT TO  SANCHES BLOCK LICE FIS  RCCHEARY ROCEOUS & 0.2014 TRUST
28	VACANT RESIDENTIAL  VACANT COMMERCIAL  PARRING LOT. PARRING STRUCTURE  TREME TAMINY RESIDENCE  LANCY CANADY RESIDENCE  LANC	E352 BROADWAY E350 BROADWAY E350 BROADWAY E150 DAKERDWAY E150 DAKERDWAY E350 BROADWAY E350 BROADWAY E3767 MILTON RD VACANT/FARKING _37 E350 BROADWAY E333 BROADWAY E333 BROADWAY E334 BROADWAY E335 BROADWAY E355 BROADWAY E355 BROADWAY E355 BROADWAY E355 BROADWAY E355 BROADWAY E355 BROADWAY END	LETVICE GROVE LEXCHOLOUS LEXCHOLO	CA CA CA CA CA CA CA CA	91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945	499-200-06-00  499-200-12-00  499-200-12-00  499-200-12-00  499-200-12-00  499-200-12-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00  499-200-20-00	N. P. ADIMO  R. P. MICHAEL  R. P. BLOCK & BRICK  PART AN PARALY PAUST  DITTS DEBUTO  MATTAR 2001 (MILLY 1887)  AND TARRES  COMMENTED  COMMENT ON ACCOUNTY OF THE  MAY POCH LLC 67%
128	VACANT RESIDENTIA  VACANT COMMERCIAL  VACANT COMMERCIAL  VACANT COMMERCIAL  VACANT COMMERCIAL  VACANT COMMERCIAL  PARRING DOI, VARRING STRUCTURE  STORES, RETAIL CULLET  VACANT COMMERCIAL  PARRING DOI, PARRING STRUCTURE  REGILET FAMILY RESIDENCE  LANGUE CANANY RESIDENCE	6352 BROADWAY  8250 BROADWAY  8350 BROADWAY  8351 BROADWAY IN  8371 BROADWAY IN  8371 BROADWAY IN  8371 BROADWAY IN	LEMON GROVE	CA CA CA CA CA CA CA CA CA CA CA CA	91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945 91945	899-200-08-09-99-200-11-00 199-200-11-00 199-200-11-00 199-200-11-00 199-200-10-00 199-200-200-00 199-200-00 1	BE A CONTECT  FOR THE PROPERTY OF THE PROPERTY
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		COLUMBATION AND REPORT OF THE PROPERTY OF THE	S.		499-220-57-24	HEGWIN, RACHELLE L
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CONTRIBUTION PUD	SSES WEGGEVERY 4	JAMEN GROVE	(A		WP31041VI	AN VOA ULUSAND
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KINGLE FAMILY RESIDENCE	3448 TROPEN DR		LA.	《皇福生生	199 311 01-03	унаяру хаван
	2452 2EC944 658		£A		499 333 02 00	PATTERSON, BRANDON
MUSICE FARMLY RESIDENCE			Tak		499-311-03-60	MAATEO, TERESA
SINGLE FAMILY RESIDENCE	1456 TROPHY DR	LL MESA				CITIEL EENINA C KELTA DILL & BENNA
SINGLE VANILY RESIDENCE	1450 TROPIN DR	IA NYESA	C.L		499 311-04-60	
SUNCTE FANGLY BESIDENCE	A 664 TROPHY DR	1.病 抗糖多成	LA.		499-311-05-00	REIFRS JAMES B & JONETTE C
SWITTE FAMILY RESIDENCE	19468 TROPER DA	LA BAESA	12	91941	499-311-06-00	LIDYGALY.CAREY'A
MAISLE FAM: LY RESIDENCE	3463 TROP WEDH	LA STESA	CA.	91941	499-312-03-00	VILLALOSOS, DAWN A
SINGLE FAMILY RESIDENCE	3477 FAN (28		KA.	Grast.	459-311-01-00	RANGEL, MICHELE M
			C.A.		क्षेत्र स्वास्त्र (छ)	KOZEL DANIELLE L
	EAST TAGETON DA				480 11000 00	PENVITEDIAN IN
SINGLE FAMILY RESIDENCE	BACA PARTIE		E.A.			
SINGLE FARMLY RESIDENCE	3663 / AR GA	الإمارة والمراولة والمستشارة والمناسطة والمناسبة والمستنات والمناسبة	L)A		460 019-03-00	MEXICOLOGICA & SUZINE
SINGLE FAMILY RESIDENCE	1456 PAN DR		Falls.		499 FEE 500	COMMENSA AND COME A SHIRLEY A T
SPRIGHT FARMER RESIDENCE	[ 3450 PAR DR	5.A 0.5.5.A	L.J.	91941	#64-31E6E60	SISSON ANTHONY A
SHOUL FARELY BELIGHICE	I SGGA PAR CUR		1,3	21941	455 111-04-00	BORDWELL, DIANA D
BURELE FARRILY HESTEVENCE	18859 ANGARA OII		EA,		es-11)-01-00	KAPARIC FAMILY TRUST
			C4		#29-31F-04-00	EVERSULL PAMELA M
SINGLE FAMILY OF SIGNIFIC	1423 TODAY TUR	The second state and the second state of the s				TOYANJOEL M & UNDSEY I
Surger Partie Associate	PASA LVCANA ON		ΔĎ,		459 143-09-63	
SHEEL FAMILY HE STUDIEL	343S tugeya bil	was fire and a second	尴.	28888	199 655-10-00	FUNG, TAT MING BOLLY
SINGLE FAMILY RESIDENCE	3443 TROPHY OR	KA MESA	1.36		499-313-11-00	FEMER MARK A
SERVICE STATION GAS STATION	WE TO HODATAKAY	FRINCES.	17	91945	503 001-09-00	MOSILE GAS
RELIGIOUS	Ig:5 LEMON 64514 WAY	THE STATE OF THE PARTY OF THE P	t i	91945	503-011-11-00	FOMAN CATHOLIC BISHOP OF SAN DIF
COVERNMENTAL PUBLIC	BLCS BROADWAY OU		E.A.			CALENICO PLAZA DEVELOPMENT CORP
		LEMON GROVE	Lucy Commit		503-051-12-00	ENGRESS FLAZA DEVELTIONENI CORP
BOVERNMENTAL PUBLIC	B F DU MHYTAS AVAV A 11 F F F F		grandon o o o			LA TAKOTASA DIMILOFMENI CORP
GOVERNMENTAL PURCIC	\$150 BROADWAY Ant 10.5		CA		163-011-17-00	
STATEMENTAL PLANS	FRITO BROADWAY AD: 19.9		C.G.	61945	1681-031-12-70	EXITED OF STREET THE PROPERTY OF STREET
COVERNMENTAL PUBLIC	SULES TANGGEROUS CELS		CB.	145,842	563-011-11-00	TALLECO PLAZA DEVELOPMENT CORP
SOVERNMENTAL, PUBLIC	18150 GROXDWAY AR: 105	permananan	414	92548	101011112-00	(EALEX/CO PLAZA DEVELOPMENT CORP
GOVERNMENTAL PUBLIC	KING KALANDAYAY ADA 100	MANAGE CACLE	-C#		2004-211-12-644	CALEMICO PLAZA DEVELOPMENT CORP
GOVERNMENTAL, PUBLIC	8150 SEGROWAY A.S. 107	UNCHERONE	tx.		interfered	LAVERSO PLAZA DEVELOPMENT CORP.
			ra.		101-011 12 00	CALDOCO FLAZA DEVITORMENT CONF
GCYVERNMENTAL, PUBLIC	8150 bii Galeylay abi 108				He3-011-12-00	CALDICO PLAZA DEVELOPMENT CORO
SOVERIMENTAL BURE	8130 BROADWAY ALT 109	and the first production of the country of the coun	Ŀħ.,			
KETTERMAN MEAT, MILIEUK	inita magazzar att 110	ACMONG STREET	F		5421-231-13-00	CALFRICO FLAZA DEVELOPMENT CORP
COVERNMENTAL, PURIS	TRESO HEGGSOWAY ALC: 111	DEMONISTONE	t.a.		903 011 12 00	CALPITO PLAZA DEVILOPMENT COAP
COMPANIATION PURLLE	RISO BROADWAY AUC IVI	LEMON GROVE I	1.4	81945	1569 BIG (11-60)	CALEXICO PLAZA DEVELOCMENT CORP
EEDVERWAENTAL PUBLIC	8250 BRIGHTIVAY ADI 115	Stanovester	Q.a. i	924.84	963 E12 12 (s)	TARRESTALL OF THE STATE OF THE STATE
TABLE BULLDER PER 17 PERSON TO SERVICE STATE OF THE	A 15Y BADASI AVAY Ago 11 7		(4		501 011 33 00	CALERSO CAZA DEVELOPMENT CORP
KOVERNMENTAL PUBLIC			der spenne i		803 511 57 00	EXTERIOR EXTREMENDEMENT CORP.
EGVERNMENTAL PUBLIC	[M150 0HO 4052AV AB: 113	the first care appropriate course to the	E.A.			CALLES OF SANDIAN CASTON CONT.
GOVERNMENTAL PUBLIC	INTSO BROASTAVANC 121	The second second second	(4	91945	503-011-12-00	
GOVERNMENTAL PUBLIC	aregingically of the	1885010 68574	(2		503-011-12-02	LAPPRENIAL ENVELTMENT CORP
GOVERNMENTAL PUBLIC GOVERNALISTAL PUBLIC	BANG BROOKS SAN APR 124	FERMIN GROVE	Z.A.		503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
				I amount of		THE CONTRACTOR OF SIZE ASSESSMENT ASSESSMENT
COVERNMENTAL, PUBLIC	6150 BAGAGAWAY AIR 115	LESSESSES GWOVE	(.8,	91945	204-013-15-00	SALEXICO PLAZA DEVELOPMENT CORP

*****	\$166416666000000000000000000000000000000		andre of a second second second of a second			
234	GÇAVERNIMENTAL PUBLIK	S150 DROADWAY Apt 129	TOPOGREGORY ILA		91945[563-011-12-00]	[CALFRIOD #LEZA DEVELOT 98(*)* CORP
116	covertauntal folio	ELLO GRONDINAY ACT 1.13	LEMON GROVE LA		91945 503-011 12 00	CALLEGO ATSSV QAACTOMSE AL CORN
725	SCREAULIENTAL PUBLIC	A150 BROADWAY ADI 132	L'IMON GROVE ICA		91945 503-011 17 00	CALENCO CLARA DIVILORIMANI COMO
720	Commendation of the comment of the c	(A150 & HORSANAY AJ: LII)	LEMON GROVE ICA	- 1	91945 [50] 011 12-00	CALEXICO PLAZA DESTRUCTURA CARA
237	GOVERNMENTAL * CHUIC	BALLS BOKKERWAY Aga 134	LEMION GROVE [CA	1	91345 503-511-12-00	Carrado flaza develderbra car
128	Genzernmental, public	9150 BROKKING Apt 131	LEMON SROVE CA	)	215-15 505 011 12 00	CALEKCO PLAZA GIVELCI MENT COR*
129	GUYERSAN WERE, DUBLIC	DESTRUCTION YAWAY ASTERN	LEMON GROVE ICA		91945 503-011-12-00	CALEXICO PLAZA ECVEÇO SUNTTENT
230	GOVERNMENTAL, PUBLIC	S150 BROADWAY Apt 137	LEMON SROVE CA		91945 503-011-12-09	CALEXICO PLAZA DEVEROPMENTE COA*
231	SOVERNMENTAL PUBLIC	8150 BROADWAY AUT 138	LEMON GROVE CA		91945 503-011-12-00	CALEXICO PLAZA DEVILIDADENTE GOA!
232	GOVERNMENTAL PUBLIC	8150 BROADWAY Apt 139	LEMON GROVE JCA		91945 503-011-12-00	CALENICO PLAZA DESTROPHAENT (CRP
233			LEMON GROVE ICA		919451503-011-12-00	ICALENICO PLAZA DEVELOPMENT COM
	GOVERNMENTAL PUBLIC	8150 BROADWAY Act 140				
234	GOVERNALIVIAL FUBIL	MING BROADWAY AND 1914	LEMON GROVE ICA		91245 800 002-12-99	CAPERACO PLAZA SEVILLURARMO CURP
	BOVERNMONIAL, PUBLIC	jaisu Broadvias ade 202	LEMON GROVE (CA		91845 300 013 37 10	CVERACO STASY DENITOS PICINI COMA
136	GOVERNMENTAL PUBLIC	8150 BROADWAY Aut 203	JEMON GROVE (CA.		91945 503 031-32-00	CALIDICE PLAZA SEUCLOFMENT COMP
797	GOVERNMENTAL PUBLIC	B150 BROADWAY Ant 204	(ESSON GROVE ICA		91945 503 011-12 00	CALEXICO PLAZA DEVELOPMENT ÉGRE
228	GOVERNMENTAL PUBLIC	8150 BROADWAY Agt 205	LEMON GROVE ICA	1	91945[503-011-12-00	CASE OF FREE APARTS STATE OF MERIT CORP.
238	GÖVZENSZI VÍTEL, PUBLIC	/8150 BROADWAY Apt 206	LEMON GROVE ICA	I	91945 503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
740	GOVERNMENTAL PUBLIC	18150 BRONDWAY As; 207	HEMON GROVE ICA		91945 563-011-12-00	CALEXICO PLAZA ÔEVELOPIMENT COMP
2-01	GOVERNMENTAL PUBLIC	8150 BROADWAY Apt 208	FIMON GROVE CA	F	91945[503-011-12-00	CALERICO PLAZA DEVELORRATAR EDIAR
141	SOVERNMENTAL PUBLIC	8150 BROAD WAY Apt 209	HEMON GROVE CA		\$15-78 Stip-ett 1-42-481	CALENCO PLAZA DEVEGRAÇO AL CUMB
243	GOVERNMENTAL, PUBLIC	ISTSO HECADWAY ADI 210	LENON GROVE ICA		#1545[3G1-011-12-60	CAUSEO PIATA DEVITORMINI CORP
743		8156 BAGADWAY Apt 211			#1995[30 FM11-12-00	CALENICO PLAZA DESKROVSKIDA, COME
	GOVERNMENTAL PURING		THE REPORT OF THE PROPERTY OF THE PROPERTY OF THE PARTY.			CALEAR OF TAKE OF VALOR MEST COST
245	GOVERNMENTAL, PUBLIC	18150 BROADWAY Age, 217	MINACH CROVE CA		31945   565 C11-11-60	
246	COVERNMENTAL, PUBLIC	(B)50 BROADWAY Apt 215	Figure Chessel Ch		91945 503-011:12:00	CALEXICO PLAZA DIVINGEMINT CONV
147	SOMEONINE AT ALMARC	NISO EBOADORAY AUF 212	Etriongrost ca	1	21541 (40) 011 17 (8)	EXTEXICO PLAZA DEVELOPAR NE CORP
248	GGANTHUNG MEPA, PARBORT	GREG BECADOWAY AND 7309	LIVANO PARAMENTAL		*1943 [40] 013:12:00	CALENCO CLAZA DEVILOPATIVIT CORP
369	GOVERNOSTELM, FUBBIC	RESOLUTION WAY NOT 221	FANCH CIRCUT CA		91945 509-011-12-00	CALEXICO PLAZA 12 VI ILWANIAN COAP
150	CCV/EULOMILL PUMBY	#150 BAOADWAN A;n 221	CENTON GROWS CA	_ [	91945[503-011-12-00	CALEXICO PLAZA DEVELOTAZAN POGRA
251	SOVEHAVATINGAL, PUBLICS.	0110 FROMEWAY Age 224	LIMON CHENY EA	1	\$1543[5h4-811 13-66	CALSTOOD PLAZA DEVELOPMENT CORE
35.2	SCREENMENTAL PUBLIC	8150 BROADWAY Ant 225	ELIMON GROVE ICA		91945 503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORR
64	SOVERNMENTAL PUBLIC	8150 BROADWAY Abt 226	CEMON GROVE ICA		91945   503   011-12-00	CALEMIO PLAZA DEVELCYMENT COSP
it.	GENERNMENTAL PUBLIC	8150 BROADWAY Apt 227	LEMON GROVE ICA		91945/503-031-12-00	CALESCO PLAZA DEWLOTAKIMI COW
55	GOVERNMENTAL PUBLIC	3150 BROADWAY Apt 229	LEMON GROVE CA		91945 503 011-12-00	CALEXICO PLAZA DE VERGIMACOT CURF
	COVERNMENTAL PUBLIC	IS150 BROADWAY ADI 291	LEMON GROVE ICA		91945[503 011 12-00	CALEXICO PLAZA DEVERZENAMENT CORP
37	GOVERNMENTAL, PUBLIC	18150 BROADWAY ADI 233	LEMON GROVE CA		91945 503-011-12-00	CALEXICO PLAZA (IEVELOPASA) COAP
5A	OGNI BRIZINTAL PUBUC	\$150 KB DALWAY ASK 115	LEMON GROVE ICA	_1	\$\$\$45 [565-66] LO 66	CALEGOOD PLACE DEVILORMENT CORP
259	orazi enaflatar, Muhric	BISO EBORUWAY AUE 236	LEMON SHOVE ICA		#1945/BIO 011-17-00	CA EXCOPLAZA DEVELOPMENT CORP
260	OCAZENAMINTAL PUBLIC	MESO BROMPWAY ALL 257	LEMON GROVE, CA		91945.]503-011-12-00	ICALFRICO PLAZA DE VELOVMENT CÓRE
161	GOVERNMENTAL PUBLIC	Jares andarovay act are	LEMON GROVE ICA		91945 503-011-12-00	RECO PRESENTATION OF THE CONTRACTOR
162	SOVERNMENTAL PLISLIC	8150 BROADWAY Apt 239	LEMON GROVE ICA		91945[503-011-12 00	CALENICO PLAZA DE VELKIMMENT COMP
153	SOVERNMENTAL, PUBLIC	8150 0ECADWAY ADL 240	LEMON GROVE CA		91645[50] 011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
64	GOVERNMENTAL PUBLIC	RISO GA SADOWAT ADD 1911	ILEMON GROVE ICA		91945 309 011-12 00	CALEX TO PLAZA OTVINOL WILLT CORP
188	SOME ENESTRAL PUBLIC	8150 WED-HIWAY A21 217	LEATON GROWT CA		91915 503-011-12-30	CALENCO FLAZA DEVERZOMENT COMP
303	ODVI RUMUNTAL PUBLIC	18150 BROADWAY ADT 211	MAZON GNOVI, KA		W1945 201-011-11-00	CALERICO PLAZA DEVELOPMENT CORP
67	SOMERNIAMENTAL PUBLIC	8150 BROADWAY Ant 244	HESTOM GRICVE, ICA		01945[503-011-12-00	CALEXICO PLAZA OLVELOT MENT CORP
		ras Britana principal de la companya				
88	GOVERNMENTAL PUBLIC	18150 BROADWAY Aut 301	FERROREGROWE SA		91945 503-011-12-00	CALENICO PLATA CEVELCPESENT CYMP
24	QY99) * NASENTAL PUBLIC	B150 BROADWAY Apr 302	LEMON GROVE ICA		91945 [503-011-12 OG	CALERICO PLAZA CAVALIZPASE DE COSSE
	EDVERNMENTAL PUBLIC	E05 19A YAWGACRB 0218]	LEMON GROVE CA		91945 503-011-12 00	CALEXICO PLAZA DECELOFMENT CORP
71	GOVERNMENTAL PUBLIC	18150 BROADWAY Apt 304	LEMON GROVE CA			CALEXICO PLAZA DOVETOPANTHE COMP
72	GOVERNMENTAL PUBLIC	8150 BROADWAY Apt 305	LEMON GROVE ICA		91945 503-011-12-00	CALERICO PLAZA DEVELOPRARRA CORP
73	SOVERNMENTAL PUBLIC	8150 ERDADWAY Apr. 396	LEMON GROVE CA	Ţ	91945[503-011-12-00	CALENICO PLAZA ULVELCZAJEMI CKIRP
74	SOVERNIMENTAL PUBLIC	B150 BROAD WAY Apt 307	LEMON GROVE ICA	Ĭ	91945[503-011-12-00	CALEKICO PLAZA DESFLORMENT (X)RP
75	GOVERNMENTAL PUBLIC	6150 BROADWAY Apt 308	LEMON GROVE CA	~ 1	91945 509-011-12-00	CALEXICO PLAZA DI VITTO-MIAT COMP
	GOVERNING WALL PUBLIC	ntsurkoalematad: 300	LEMON GROVE CA	1	91925/303 031-12-06	CALENCO PLAZA BEVERDRADA F CORP
	GOVERNINGE TEAR PUBLIC	(8150 BRIGADWAY Ask 310	LEMON GROVE CA	£	919:5(53)-011-17-50	CALCARTO PLAZA OTVITOGRACIAT CERT
	GOVERNALISTAL, PUREIC	MISD BROADWAY AND MIS	LEMON GROVE CA	<b>-</b> †,		CALEXICO PLAZA CENTACIPACIAT CXINE
	GOVERNMENTAL PURIS	SATEO BROADWAY ADVE TO	LEMON GROVE CA		21215 503-011-12-00	CALCINO PLAIN DEVELOPMENT CONF
· · · · · · · · · · · · · · · · · · ·			JEMON GROVE CA			
	CATVENDAS PARAL PARES.	2450 85040 MAY A39 415			91949 222 011:12 (8)	LALEDDO NAZA DEVELOPMENT CDAF
	CONFRACTAL PUBLIC	ALSO BROADWAY AM 11.2	KEMON GROVE CA			CALEXICHPLAZA ULVELOPMUM COM
	SOVERNMENTAL PUBLIC	8150 BROADWAY ADI 319	THINKS GROVE OA		9144/1923-911-11-00	CALESCO PLAZA POSITIOPMENT COMP
	MOVERNMENTAL PUBLIC	8150 BROADWAY Apt 321	LLWAY GROVE ICA		51045 563 011.12 69	Calford Main resylvanth (1962
	LCVERNMENTAL PUBLIC	8150 BROADWAY ADI 323	CENTRAL ROOM CA		11744 223 411-17-420	CATTAGO PLAZA O SETTE MENT CORP
85	COVERNMENTAL PUBLIC	2150 BROADWAY Apt 324	LUMONGROVE LY		04945 (503 011-12-00	CALERICO PLAZA SEVILIGEMENT CORP
86	GOVERNMENTAL PUBLIC	(8150 BROADWAY Apt 325	LEASON GROWS CA	P	418 (54500) 014 12-00	CALDOCO PLAZA OF VEHID MENT CORP
	DESTRUMENTAL PUBLIC	BISD VEGADINAL ACLES	Introvidadve Ca		SECULOS RES LA CO	CALESCE PLACA DEVELOPMENT CORP
	SCVERRALEVIAL PUBLIC	RELOTADADAWAY (20 31)	LA MAZAMORCINE ICA		#1941 101 011-17 00 '	CALFOLD PLAZA DEVELOPMENT CERS
	GOVERNMENTAL PUBLIC	8150 BROADWAY Abi 328	LEMBARBONE ICA		#184%[504 031-17 DO	CALEXICO PLAZA DEVELOPMENT CORP
	GGWYARNAS YTAL PUBLIC	18150 BROADWAY Apr 329				CALEXICO PLAZA DEVELOPMENT CORP
			HENONGROVE ICA		91945 503-011 12 00	
	SCOV ENMENTAL PUBLIC	18150 BROADWAY AM 331				Califord Plays, SEVELORALIST CORP
	SCSTRONG VIAL PROMIS	FREST PROBLEMAN AND RES	JEMON GROVE ICA		91945[503-011 12 00	CALEXICO PLAZA DEVENÇAMBERAN COM
	GOVERNMENTAL PUBLIC	8150 890ADWAY Act 335	TEMON GHOVE ICA		91945[507-011-17-00	CALEGEO PLAZA ESVELONDENT COAP
31		10100 000 000 1000 (AVC 1 - 1 277)	(JEMON GROVE JCA	1	91945[503-011-12-00	LALEXICO FLAZA OF VELOPATENT CEMP
23 24	SOVERNMENTAL PUBLIC	12150 840ADWAY Adi 336				
23 24	SOVERNMENTAL PUBLIC STOP MARKETAL PUBLIC	8150 6RDADWAY 821 337	ALIMONACHOVE CA	. 1	\$1045 *654 400 · 12 CO	Calledgy fraca in versiblish carp
23 24 95				-	91945 494401 12 CO 91945 SOS 614-17-00	Lase dem feges in gelebergese corp Lase dem slack deselbergese comp Calerico plaza ecyclopment estre

T	I man of the attack his are 1844.	Total State State State State State	LOMON GROVE	82 A	Lean zo.	E6a a1102 (0	EALEDCO PLAZA GEWELOPMENT CORF
1964 1964	GOVERNATEDITAL, PULKIC	RISD RACKED MAY Age 340	REMADIN GROSS				ICALEXICO PLAZA DEVELOPMENT CORP
	SOVERVMENTAL PUBLIC	laise alondatay an 341		[25]			CALENICO PLAZA DEVELOPMENT CORP
30.0	GOVERNMENTAL PUBLIC GOVERNMENTAL PUBLIC	8150 8AOADWAY AS: 343	LEMON GROVE	Lann.		503-011-12-00	ICATEXICO PLAZA DEVELOPMENT CORP
						503-011-12-00	CALENICO PLAZA DEVELOPMENT CORP
	IGOVERNMENTAL, PUBLIC	BISO (KOADYSA) Apt 344	LEMON GROVE			503-012 04 00	GURZALEZ GUSTAVO & LOUNIDES MI
303	VACANT COMMERCIAL	VACANT/Wisc	LEMON GROVE		A to be notice.	503-012 05 00	S & S NELSON FARMY LIMITED PART
304	STORES RETAIL OUTLET	8247 BAOADWAY	LEMON GROVE		111045		LIVELY, OME O TRUST - VACANT
14.5	RESTAURANT, BAR, FOOD SERVICE	9261 BROADWAY	LEMOR GROVE			CATA CLERKSON CONTRACTOR	
306	STORES, RETAIL OUTLET	3556 SWEETWATER WAY	an francisco e cambrido, anno e com-	JCA.	91945	900 001 19 25	INDV FORMOUS CHORCE
307	RESTAURANT, BAR, FOOG SERVICE	8213 BROADWAY	LEMON GROVE			NO PHILATED TO	C BRICK KATIZHS HANDBURGERS
308	PARKING LOT, PARKING STRUCTURE	8215 (BOADWAY	TEMOR CROVE			503 012-31-00	PRO MEXAUTOMOTIVE
309	VACANT COMMERCIAL	VACANI/UN:WPROVED SAND	TEMOR GROVE	IÇA.		509-017-33-60	LIVELY ONG O TRUST
\$141	MARKERIA (IDT. PARKING STRUCTURE	RELA DICININNA	Tale was together to see the first	1.3		301 017 34 60	Denotes the estimates of the parties of
311	S"OMS RETAIL OUTLET	BIG BROADWAY	DESIGN OFFICE.		91965	503-014-58-60	CARRESM-THEARD FILES
112	STORES, RETAIL OUTLET	ALES SAGADINAN	TLEMON GROVE	Jea -	91945	503-014-08-00	MARINS BAILRER SHOP
313	VACANT COMMERCIAL	UNCANT/UNIMPROVED LAND	ILEMON GROVE	KA	91945	503-014-09-00	C M S AN LLC
	WAREHOUSE_STOPAGE	8171 BRIGHDWAY	LIMON GROVE	Ká	91945	503 014 10 60	SUZANIVE MELYCHER POSSIBLE RESIDENTIAL
315	WAREHOUSE, STORAGE	B179 BROADWAY	LIMUN SROVE	CA	91945	503-014-10-00	C M S AN LLC - VACANT
316	PARKING LOT, PARKING STRUCTURE	PANONONAY	TERMEN GROVE		91945	503 014 11 00	LEMON GROVE SMOG TEST ONLY STATION
	ATIMETH ASALUE DAVISADAG 12-4 URDY)	5598 BWHITWATER WAT	TORREST GROVE		91945	503-014-12-00	MEDINA JANGES I B. DIANA 1999 REVO
3.1.60	SPLATE FAMILY BSYFLETS (2-4 UND)	JS86 SWILLWAYER WAY	TEMOR GREAT	ie a	91945	503-034-12-00	MEDINAJAMES J & DIANA 1999 REVO
			LENSON GROVE	1 ×	91203	101 414 12 48	NED WALMANTS I BURNATA 1995 BURN
319	MALIT FAMAY OVERIUS (2-4 UNIT)	BEST SWEETSVATER WAY	LEMON GROVE	100 A		503-014-12-03	presentation of the property o
1,60	havilta faarii footesensi (2.4 Uhii)	RS 92 SWEETWATER WAY				WH M4.13 (8)	INCOME CARLOLUS A SULKIUM M
17.1	inegre early residence	ISAC SWEETWATER WAT	LEMON GROVE				
322	SINGLE FAMILY RESIDENCE	SEM SWEETWATER WAY	LEMON GROVE	LA		503-014-14-00	MOSLEY,RAY E YUSHWIR,YAHOSLAV & SUZANNE
333	XIJAIDG	TAW FEEDWITEWAY BRICE	LENGTH CACAS	1		503-014-15-00	
334	SINGLE FAMILY RESIDENCE	BYRA GRAPATIANS	collisioners I I and a Complete of the Co. of	Cá.		503-014-18-00	IRROWNE STEPHEN P & MARIA I LIVIN
9.1%	SHOULE PARTIES RESERVED	8796 GOLDEN AVE	JEMON GROVE			503-014-19-00	CASS PAULT & PATRICIA L
1.2%	SINGLE FAMILY RESIDENCE	8280 GOLDEN AVE	LEMON GROVE			503-034-21-00	TOWLER,TIMOTHY H & PAMALA A
127	SINGLE FAMILY RESIDENCE	8284 GOLDEN AVE	LEMON GROVE	CA		503-014-22-00	TOWLER FAMILY TRUST
128	VACANT RESIDENTIAL	VACANT/UNIMPROVED LAND	LEMON GROVE	CA	31285	503-014 23-60	KUSHNIR YAROSLAV & SUZANNE M
329	VACANT RESIDENTIAL	VACARE/IMMESPACIVED LAND	LEASEN GROVE	15/4	191945	301-014-24-00	KUSHNIR,YAROSLAV & SUZANNE M
	SINGLE FAMILY RESIDENCE	8176 GOLD CH AVE	REBACH GROVE		91945	\$0) 014 ZS 00	DEXTER, DANIEL F & KATHLEFN J TRU
	VACANT RESIDENTIAL	VACANTANIATRENTED LASES	LEMEN GREAT			503-014-26-00	KUSHNIR.YAROSLAV & SUZANNE M
	SINGLE FAMILY RESIDENCE	5471 GOLDEN WEW TER	LEMON GROVE			503-014-78-00	GROTH MARK & ROCHELLE M
	SINGLE FAMILY RESIDENCE	3443 GOLDEN VILW TER	LEMON GROVE		91965	503-014-29-00	MAY, RAYMOND II
		1441 GOLDEN VIEW TEN				503-014-30-00	WILSON, BRYAIN E & SONDRA L
334	SINGLE FAMILY RESIDENCE	<u> </u>				503-014-31-03	NAMES OF A PARTY AS ASSESSED.
335	SINGLE FAMILY RESIDENCE	134 FF GORDER VIFW TER	104 North GPT2V3				SAICHEL YARADEL & ALCIANDRO SU
336	Single Parity requesics	MAR CONDER WAY THE	ARBROM GROVE				
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341	MULTI-FAMILY RES (5+ UNITS)	3415 WASHINGTON ST Apt 19	LEMON GROVE			307-014-17-00	GOCCEST ERRORE TERRALE APACIENT SUS
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361	MULTI-FAM LY RES (5+ UNITS)	DREEWASVINGTONEST Apr 55	LEMON GROVE	CA	94845	%19-014-52-00	SOLDEN GROVE TERRACE APARTMENTS
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417	MULTI-FAMILY RES (5+ UNITS)	3417 WASHINGTON ST Apt 79	ETM ON GROVE	CA	91945 503-014-53-00	GUSTIN CRINE TERRAFF APARTMENTS
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279	SINGLE FAMILY RESIDENCE	3440 TROPHY DB	ILA MESA	EA	91940 500 020 02-00	ACCURACE CONTINUE
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436 T	SINGLE FAMILY RESIDENCE	(3417 TROPHY OR				



13520 Scarsdale Way San Diego, CA 92128 www.titleprois.com

#### CERTIFICATION

I SEAN WILSON/ TITLE PRO INFORMATION SYSTEMS HEREBY CERTIFY THAT THE ATTACHED LIST CONTAINS THE NAMES, ADDRESSES AND PARCEL NUMBERS OF ALL PERSONS TO WHOM ALL PROPERTY IS ASSESSED AS THEY APPEAR ON THE LATEST AVAILABLE ASSESSMENT ROLL OF THE COUNTY WITHIN THE AREA DESCRIBED AND REQUESTED BY YOU THE CLIENT, THE REQUIRED RADIUS MEASURED FROM THE EXTERIOR BOUNDARIES OF THE PROPERTY REQUESTED AND DESCRIBED AS:

APN... 499-200-18 1000FT MMCC

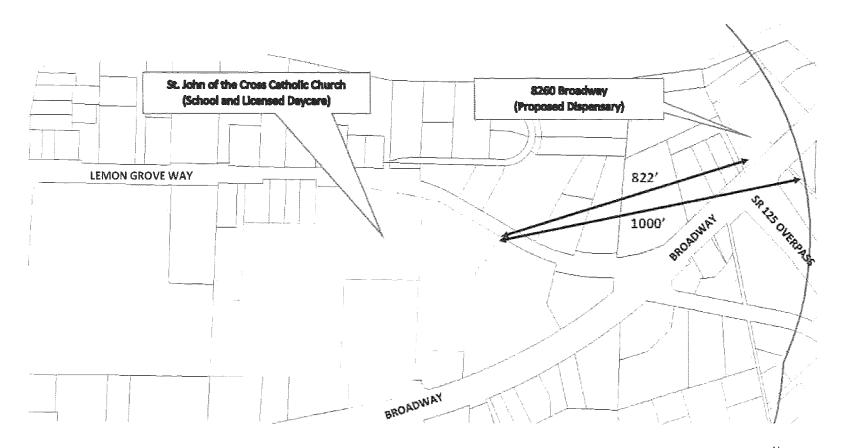
PLAT DATE 03/15/2017 COUNTY OF: SAN DIEGO CITY OF: LEMON GROVE

SEAN WILSON
TITLE PRO INFORMATION SYSTEMS

DATE: 03/18/2017

Phone: 760.295.3951 | Fax: 760.295.4038

#### Saint John of the Cross and 8260 BROADWAY







### **CITY OF LEMON GROVE**

"Best Climate On Earth"

Development Services Department

Date: May 8, 2017

Pick Axe Holdings, LLC Attn. Gina Austin 7364 Mission Gorge Road San Diego, CA 92120 Mattar Family Trust of 1990 4395 Alta Mira Drive La Mesa, CA 91941

SUBJECT: Appeal hearing for denial of Zoning Clearance application ZC1-700-0012 for property located at 8260 Broadway, in the City of Lemon Grove (APN: 499-200-18-00).

Gina Austin,

On April 6, 2017, staff received the subject application to establish a medical marijuana dispensary (MMD) at the subject property in the City of Lemon Grove. On April 17, 2017, staff denied the application because the property is located within 1,000 feet of a school and a State-licensed daycare facility. In order to provide a full and open opportunity for you to understand the reason staff denied your zoning clearance permit, and to allow you to respond accordingly, we wish to inform you that the specific protected use affecting your project site is the Saint John of the Cross Catholic Church, located at 8086 Broadway. The church property is comprised of three parcels, each of which is utilized by the school and the licensed daycare facility associated with the church. As such, the entire church property is considered a protected use. By measuring georeferenced parcel boundary information, we have determined that your property at 8260 Broadway is located 822 feet west of the church property, and is therefore ineligible for approval as a dispensary.

On April 20, 2017, staff received an appeal of its decision to deny the application. Staff's decisions are subject to appeal pursuant to the provisions of the Lemon Grove Municipal Code, Section 17.28.020(I). The Lemon Grove City Council will consider the appeal and make a determination to grant or deny the appeal at a public hearing to be conducted on July 18, 2017.

If you have any additional supporting material you would like to submit for the appeal, please provide that information to staff at your earliest convenience.

Respectfully,

Eric Craig, Associate Planner

3232 Main Street Lemon Grove California 91945-1705

619.825.3805 FAX: 519.825.3818 www.ci.lemon-grove.ca.us

#### Eric Craig

From:

Austin, Gina < gaustin@austinlegalgroup.com>

Sent:

Monday, May 15, 2017 9:44 AM

To:

Eric Craig

Cc:

'chris@xmgmedia.com'

Subject:

Re: Acknowledgement and Hearing Date for Medical Marijuana Dispensary Appeal

(AA1-700-0003)

Confirmed

Gina

Sent from my 1 Mobile 4G 1 fF Device

----- Original message -----

From: Eric Craig <ecraig@lemongrove.ca.gov>

Date: 5/15/17 9:43 AM (GMT 08:00)

To: "Austin, Gina" <gaustin@austinlegalgroup.com> Cc: "chris@xmgmedia.com" <chris@xmgmedia.com>

Subject: RE: Acknowledgement and Hearing Date for Medical Marijuana Dispensary Appeal (AA1-700-0003)

Good Morning Gina,

Please respond to this email acknowledging receipt of the letter 1 sent last Monday 5/8/17, and acknowledging your agreement to go to Council on July 18th, I attached another copy for your reference.

Thanks,

Eric Craig, AICP

Associate Planner

City of Lemon Grove

Development Services Department

3232 Main St

Lamon Grove, CA 91945

(619) 825-3806 phone

(619) 825-3818 fax ecraiga lemongrove, ca. gov www.lemongrave.ca.gov From: Eric Craig Sent: Monday, May 8, 2017 1:42 PM To: 'gaustin@austinlegalgroup com' <gaustin@austinlegalgroup.com>; 'chris@xmgmedia.com' <chris@xmgmedia.com> Ce: 'chris@xmgmedia.com' <chris@xmgmedia.com>; David DeVries <ddevries@lemongrove.ca.gov> Subject: Acknowledgement and Hearing Date for Medical Marijuana Dispensary Appeal (AA1-700-0003) Gina. The attached letter acknowledges our receipt of the appeal and indicates that the hearing date will be July 18th. Call me if you have any questions. Respectfully, Eric Craig, AICP Associate Planner City of Lemon Grove Development Services Department 3232 Main St. Lemon Grove, CA 91945 (619) 825-3806 phone (619) 825-3818 fax ecraig@lemongrove.ca.gov



St. John of the Cross Catholic Parish 8086 Broadway Ave Lemon Grove, CA, 91945

OFFICE OF RELIGIOUS EDUCATION (619) 461-2681

May 23, 2017

Eric Craig, AICP Associate Planner City of Lemon Grove

Saint John of the Cross Catholic Church operates an elementary and middle school, and provides licensed daycare services. The church programs activities for both the school and the daycare on all three of the parcels that comprise the church property. For example, the school uses the auditorium on the eastern parcel (APN 503-011-11-00) to conduct school-related events and to serve school lunch on a daily basis. Our Youth Center which is also on the north eastern side of our parcel is also used extensively for child care and youth activities.

Should you have any questions please feel free to contact me at 619-461-2681.

Respectfully,

Director Religious Education/Facility Manager

# LEMON GROVE CITY COUNCIL AGENDA ITEM SUMMARY

Item No.7Mtg. DateJuly 18, 2017Dept.Development Services Department	опилите
Zoning Clearance No. ZC1-700-0	eal No. AA1-700-0003 Regarding the Denial of 0012; a Request to Apply for a Conditional Use Marijuana Dispensary at 8260 Broadway in the
Staff Contact: David De Vries, Development	Services Director
Recommendation:	
Conduct the public hearing; and	
determination to deny ZC1-700-0012, a	pholding the Development Services Director's request to apply for a conditional use permit to y at 8260 Broadway in the Heavy Commercial
Item Summary:	
Application No. ZC1-700-0012, a request to est an undeveloped lot at 8260 Broadway. The approperty located within 1,000 feet center (Saint John of the Cross Parish and Cal Williams, subsequently filed an appeal and request does not state the specific school or state licent applicant on notice for the reason of denial. How	es Director (Director) denied Zoning Clearance cablish a medical marijuana dispensary (MMD) on polication was denied because the proposed MMD to of a private school and a State-licensed daycare tholic School). The appellant, Mr. Christopher O. Luest for public hearing, stating: "The denial letter used daycare home and therefore has not put the wever, the only potential sensitive use is St. John of from the proposed use." Staff's response to the tachment A).
Fiscal Impact:	
None.	
Environmental Review:	
Not subject to review	□ Negative Declaration
Categorically Exempt	Mitigated Negative Declaration
Public Information:	
☐ None ☐ Newsletter article	☐ Tribal Government Consultation Request
Notice published in local newspaper     ■	Notice to property owners within 500 ft.

#### Attachments:

- A. Staff Report
- B. Resolution of Denial
- C. Lemon Grove Municipal Code Section 17.32.090
- D. Search Results from Greatschools.org
- E. Search Results from State Department of Social Services Website
- F. Draft City of Lemon Grove Medical Marijuana Zoning Map
- G. ZC1-700-0012 Application Form
- H. Staff Denial Letter for ZC1-700-0012
- I. AA1-700-0003 Appeal Form and Attachments
- J. Map Showing Distance Between Uses
- K. Staff Acknowledgment Letter for AA1-700-0003
- L. Email from Appellant's Attorney Agreeing to the July 18, 2017 Hearing Date
- M. Letter from Saint John of the Cross Catholic Parish Staff

### LEMON GROVE CITY COUNCIL STAFF REPORT

Item No. Mtg. Date

July 18, 2017

Item Title:

Public Appeal to Consider Appeal No. AA1-700-0003 Regarding the Denial of Zoning Clearance No. ZC1-700-0012; a Request to Apply for a Conditional Use Permit to Establish a Medical Marijuana Dispensary at 8260 Broadway in the

**Heavy Commercial Zone.** 

**Staff Contact:** 

David De Vries, Development Services Director

### Background:

In November 2016, voters in the City of Lemon Grove passed Measure V, an initiative removing the City's prohibition of medical marijuana dispensaries (MMDs) and establishing performance standards and a permit process by which MMDs may be established. Measure V was subsequently codified in Chapter 17.32 of the Lemon Grove Municipal Code. The permit process for MMDs requires approval of a conditional use permit (CUP), and the performance standards prohibit MMDs on properties within 1,000 feet of certain protected uses, including schools and licensed daycare facilities. Schools include any public or private school providing instruction in kindergarten or grades one to 12. See Lemon Grove Municipal Code Section 17.32.090 (Attachment C).

In order to identify and map the location of protected uses, staff relied on a variety of resources including, but not limited to, the website Greatschools.org and the website for the California Department of Social Services (DSS). DSS is the licensing agency for daycare throughout the State of California (Attachments D and E). City Council should note that the DSS Website reveals the locations of licensed daycare conducted in commercial and institutional settings, but does not reveal the locations of family daycare homes, which are conducted in private residential settings. To provide the public with a map identifying potential locations for MMDs, while protecting the locations of family daycare homes, City staff created a draft map with 1,000 foot buffers around the parcels where known protected uses are located. Staff then made those buffers opaque to obscure the underlying parcel geography (Attachment F).

On March 7, 2017, staff presented a report to City Council describing the recommended draft review procedures and draft conditions of approval for requests to establish MMDs. Staff also presented the draft Medical Marijuana Zoning Map it had created. The review procedures include using the Zoning Clearance (ZC) process as the initial step in screening and reviewing of MMD applications. Complete ZC applications for sites which meet the zoning criteria and distance restrictions described in LGMC Chapter 17.32, and which include all required application materials will be deemed complete, and the applicants may then submit for CUP approval by the City Council. ZC applications for sites that do not meet the specified criteria are denied by staff. Staff's decision to deny any application is subject to appeal to the City Council, pursuant to LGMC Section 17.28.020(I).

On April 6, 2017, the appellant filed ZC1-700-0012, an application to apply for a conditional use permit to establish a MMD at the subject property (**Attachment G**). Prior to accepting the application, staff checked the location of the project site on the Medical Marijuana Zoning Map and determined it was ineligible for a dispensary. Staff then informed the appellant that the proposed project site was within 1,000 feet of a protected use, and therefore staff would have no option but to deny the ZC application.

The appellant chose to file the ZC application despite staff's admonishment, and on April 17, 2017, the Development Services Director denied ZC1-700-0012 (Attachment H). On April 20, 2017, the appellant filed AA1-700-0003, an administrative appeal of the Director's decision (Attachment I). The appeal states "The denial letter does not state the specific school or state licensed daycare home and therefore has not put the applicant on notice for the reason for denial. However, the only potential sensitive use is St. John of the Cross and this school is more than 1000' from the proposed use". See the attached exhibit prepared by staff depicting the location of the site in relation to the church property (Attachment J).

On May 8, 2017, staff sent a letter to the appellant acknowledging receipt of the appeal, informing him that the appeal hearing date would be July 18, 2017, and advising him to submit any additional information he wished to provide prior to the hearing (Attachment K). In the same letter, staff disclosed that the protected use affecting the subject property was Saint John of the Cross Catholic Parish located at 8086 and 8175 Broadway. It should be noted that the letter includes an error. The error noted is that the subject property is located 822 feet west of the church, when in fact, the subject property is located approximately 822 feet east of the church's property. As of July 12, 2017, no additional information has been received. However, the appellant's legal counsel did contact staff and agreed to the July 18, 2017 hearing date. Please see Attachment L, dated May 15, 2017.

On May 23, 2017, City staff received a letter (**Attachment M**) from the staff at Saint John of the Cross Catholic Parish. The letter verifies that all three parcels comprising the church property are utilized in the conduct of the school and the daycare program. For example, the school uses the auditorium on the eastern parcel (APN 503-011-11-00) to conduct school-related events and to serve school lunch on a daily basis. The church also uses the youth center located on the eastern parcel to conduct daycare activities.

#### Discussion:

The purpose of this appeal is to determine whether a MMD is allowed to proceed with a conditional use permit application based on a determination that the subject property is within 1,000 feet of a protected use, in this instance a school and licensed daycare facility. Staff contends that it has discovered appropriate evidence and made appropriate measurements to justify that there is both a school and a licensed daycare facility within 1,000 feet of the subject property. The appellant contends that the subject property is not within 1,000 feet of the protected uses.

Saint John of the Cross Catholic Parish owns three adjacent parcels on the north side of Broadway. All three of these parcels comprise the church site. The western parcel is developed with school classroom buildings, a playground, meeting rooms, parking facilities, and landscaping. The center parcel is developed with the church sanctuary, parking, and landscaping. The eastern parcel is developed with a meeting hall used by the Knights of Columbus, a youth center, and an auditorium with more parking and landscaping. The appellant has correctly indicated that the portion of the site developed with classroom buildings is the western parcel, and that parcel is slightly more than 1,000 feet from the proposed dispensary site. However, staff has verified that the church utilizes all three parcel in the conduct of the school and daycare facility. For example, the youth center located on the eastern parcel is used for daycare, and the auditorium also located on the eastern parcel is used daily to serve lunch to the students. The auditorium is also used to host special events and presentations for the school. As indicated on Attachment J, the eastern parcel of the church property is located approximately 822 feet from the proposed dispensary site and is therefore ineligible to be approved as a dispensary. Please also refer to Attachment M, a letter from the church staff which verifies that the church uses all three parcels in the conduct of the school and daycare uses.

#### **Public Information:**

The Notice of Public Hearing for this item was published in the July 6, 2017 edition of The East County Californian, and mailed to all property owners within 500 feet of the subject property. As of July 12, 2017, the City has received no responses to the Notice of Public Hearing. At the time of the public hearing, staff will provide the City Council with any additional written comments that may be received after distribution of the staff report.

### Conclusion:

Staff recommends that the City Council conduct a public hearing and adopt a Resolution (**Attachment B**) upholding the Development Services Director determination to deny ZC1-700-0012, and denying a request to apply for a conditional use permit to establish a MMD at 8260 Broadway.

#### RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE UPHOLDING THE DEVELOPMENT SERVICES DIRECTOR'S DETERMINATION TO DENY A REQUEST TO APPLY FOR A CONDITIONAL USE PERMIT TO ESTABLISH A MEDICAL MARIJUANA DISPENSARY AT 8260 BROADWAY, LEMON GROVE, CALIFORNIA

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 medical marijuana dispensaries may be established; and

**WHEREAS,** Measure V includes the adoption of Lemon Grove Municipal Code Chapter 17.32 which prohibits the establishment of medical marijuana dispensaries within 1,000 feet of certain protected uses, including schools and licensed daycare facilities; and

**WHEREAS**, City staff verified the presence of a school and State-licensed daycare facility at Saint John of the Cross Catholic Parish located at 8086 and 8175 Broadway; and

**WHEREAS**, staff at the church has verified in writing that the church uses all three parcels comprising the church's property to conduct school and daycare-related activities; and

WHEREAS, on April 6, 2017, after being informed verbally by City staff that the subject property was within 1,000 feet of a school and licensed daycare facility, and that submittal of a zoning clearance application would result in a denial, the appellant (Christopher O. Williams) filed ZC1-700-0012, an application to apply for a conditional use permit to establish a MMD at 8260 Broadway, Lemon Grove, CA; and

**WHEREAS,** on April 17, 2017, the Development Services Director denied ZC1-700-0012 because the proposed project site is located within 1,000 feet of a school and a state-licensed daycare facility; and

**WHEREAS,** on April 20, 2017, the appellant filed an administrative appeal of the Director's decision (AA1-700-0003), stating that there are no schools or licensed day care facilities within 1,000 feet of the subject property; and

**WHEREAS**, City staff disclosed in writing the address of the existing school and daycare facility at 8086 and 8175 Broadway on May 8, 2017 as evidenced by the letter attached to the Agenda Item Summary as Attachment "L"; and

**WHEREAS**, the appellant has failed to show that their facility is greater than 1,000 feet from the school and California-licensed daycare facility at 8086 and 8175 Broadway; and

WHEREAS, with consent of the applicant, on May 8, 2017, the Director of Development Service set the hearing date to consider AA1-700-0003, an appeal of the Development Services Director's determination to deny ZC1-700-0012 to July 18, 2017; and

**WHEREAS,** on July 18, 2017, the Lemon Grove City Council held a duly noticed public hearing to consider AA1-700-0003, an appeal of the Development Services Director's determination to deny ZC1-700-0012; and

WHEREAS, the appeal of this determination is not a project and is not subject to the environmental review requirements of the California Environmental Quality Act (CEQA);

NOW, THEREFORE, INCORPORATING THE ABOVE STATEMENTS HEREIN, BE IT RESOLVED that the City Council of the City of Lemon Grove hereby:

- 1. Denies Christopher O. Williams' Administrative Appeal No. AA1-700-0003 based on the above-findings; and
- 2. Upholds the Development Services Director's April 17, 2017 determination to deny Zoning Clearance No. ZC1-700-0012, a request to apply for a conditional use permit to operate a medical marijuana dispensary, at 8260 Broadway, Lemon Grove, CA.

///// /////

#### 17.32.090 Medical marijuana dispensary regulations.

- A. Zones. *Dispensaries* may be established by conditional use permit in the heavy commercial (HC), limited commercial (LC), general commercial (GC) and light industrial (LI) zones and subject to the distance requirements. *Dispensaries* are prohibited in mixed-use zones (Downtown Village Specific Plan and Central Commercial) and all residential zones (RLM, RL, RM, RMH).
- B. Distance Requirements. An application may be submitted provided the proposed facility meets the required distance measurements. For purposes of measurements, all *dispensaries* are considered *regulated uses* and public parks as defined at Section 12.20.030 of Lemon Grove Municipal Code, playgrounds as defined at Section 18.28.020, subdivision (v), of the Lemon Grove Municipal Code, licensed day care facilities as defined at Section 17.08.030 of Lemon Grove Municipal Code, schools as defined at California Health and Safety Code Section 11362.768, subdivision (h), and alcohol and substance abuse treatment centers are considered *protected uses*. Measurement is made between the closest property lines of the *premises* in which the *regulated uses* and *protected uses* are located. A regulated use must not be:
- 1. Within one thousand feet of any other regulated use which is located either inside or outside the jurisdiction of the city,
- 2. Within one thousand feet from any protected use which is located either inside or outside the jurisdiction of the city.

The measurement of distance between uses will take into account natural topographical barriers and constructed barriers such as freeways or flood control channels that would impede direct physical access between the uses. In such cases, the separation distance shall be measured as the most direct route around the barrier in a manner that establishes direct access.

#### C. Standards.

- 1. Background Check Required for *Directors* and Employees. The *director* and employees of a *dispensary* must obtain a LiveScan background check through the California Department of Justice or the San Diego County sheriff's department prior to employment. *Directors* convicted of a serious felony, as defined in California Penal Code Section 1192.7, subdivision (c), and Health and Safety Code Section 11359 (Possession for sale) within the previous ten years shall not be eligible for a license. Other potential collective employees and volunteers convicted of the crimes identified in this section in the previous five years are ineligible for employment or participation. If during employment with the *dispensary*, a *director* or employee is convicted of a crime identified in this section 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*.
- 2. Security Personnel Required. *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."
- 3. Community Relations Liaison Required. *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:
  - a. Lemon Grove city manager;

- b. San Diego County sheriff's department personnel supervising law enforcement activity in Lemon Grove:
  - c. All neighbors within one hundred feet of the *dispensary*.
- 4. Inspection of *Premises*. 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.
- 5. Inspection Requirements. In order to facilitate verification that a *dispensary* operates pursuant to state and local laws, the following records must be maintained at the *premises* at all times and available for inspection by city code enforcement officers, San Diego sheriff's department staff, and any other employee of the city:
- a. Client Records. The *dispensary* shall keep a record of its clients. The record shall include the following and shall be maintained for a two-year period:
- i. Qualified patient member's name, name of primary caregiver when appropriate, and name of licensed physician recommending use of medical marijuana for the member.
- b. *Medical marijuana* Records. *Dispensary* shall keep a record of its *medical marijuana* transactions. The following records shall be maintained for a two-year period and labeling shall occur as specified:
- i. 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.
- ii. 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*.
- iii. All *medical marijuana* at the *premises* shall be physically labeled with the monetary amount to be charged.
- c. Financial Records. *Dispensary* shall maintain records of all transactions involving money and/or *medical marijuana* occurring at the *premises*. Records shall be maintained for a two-year period preceding the current date.
- d. Employee Records. *Dispensary* 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 *dispensary*.
- 6. *Operations manual*. The application for a conditional use permit shall include a detailed *operations manual* including, but not necessarily limited to, 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 *medical marijuana* quantities and inventory controls employed, including the source of *medical marijuana* (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;
  - j. Other information required by the development services director.
- 7. Operating Standards. *Dispensaries* shall comply with all of the following operating standards. In addition to these standards, the *dispensaries* shall comply at all times with conditions outlined in the approved conditional use permit and the operational manual.
- a. Dispensing *medical marijuana* to an individual *qualified patient* or *primary caregiver* more than once a day is prohibited;
- b. Dispensaries shall only dispense medical marijuana 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;
- c. On-site evaluation by a *licensed physician* for the purposes of obtaining a qualified status is prohibited;
- d. *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:
- i. Each building entrance to a *dispensary* shall be clearly and legibly posted with a notice indicating that 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.
- ii. The building entrance to a *dispensary* shall be clearly and legibly posted with a notice indicating that persons under the age of eighteen are precluded from entering the *premises*.
- iii. 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.
- iv. *Dispensaries* shall not permit the use or consumption of *medical marijuana* on-site unless specifically authorized under the conditional use permit.
- v. *Dispensaries* shall not permit the on-site display of unprocessed marijuana plants or representations of marijuana plants in any areas visible to the public;
- vi. 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.

- vii. *Dispensaries* shall only permit the distribution of *medical marijuana* plant material and *medical marijuana* manufactured products from licensed sources as allowed by the approved conditional use permit. Such distribution shall be limited to *qualified patients* or *primary caregiver*;
- e. *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.
- f. *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:
  - g. Dispensaries shall implement procedures as outlined in their approved operations manual;
- h. *Dispensaries* shall submit an "annual performance review report" for review and approval by the development services director. 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 development services director may review and approve amendments to the approved "*operations manual*"; and the frequency of the "annual performance review report." *Medical marijuana* 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.
- i. *Dispensaries* shall maintain twenty-four-hour recorded video surveillance of the *premises*. Recordings shall be retained for thirty days for inspection by city staff. City staff must provide valid cause for viewing video surveillance. City staff must ensure that patient 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*.
  - j. Sales of alcoholic beverages are prohibited.
  - k. Sales of tobacco and tobacco products are prohibited.
  - 1. Sales of drug paraphernalia are prohibited.
  - m. The location of the dispensary shall include the installation of a centrally monitored alarm system
- n. Lighting shall be installed to adequately light the exterior and interior of the *dispensary premises* while in conformance with Section 17.28.080.
- 8. Source of *Medical marijuana*. A *dispensary* shall only dispense marijuana from the following sources and this information shall be included in the *operations manual*:
- a. On-Site Cultivation for Authorized *Dispensary*. If the conditional use permit authorizes limited, on-site *medical marijuana* cultivation at the *dispensary*, on-site cultivation shall be considered an accessory use and shall not exceed twenty-five percent of the *dispensaries*' total floor area and in no case exceed one thousand five hundred square feet. In addition to these area limitations, the accessory use shall conform to the specific zone regulations, Section 17.24.060 Accessory Buildings and Uses, Section 17.32.100 of this title, and applicable Building and Fire Codes. The *operations manual* shall include information regarding the on-site cultivation including, but not limited to:
- i. Description of measures taken to minimize or offset energy use from the cultivation or processing of *medical marijuana* on-site; and
  - ii. Description of chemicals stored or used; and

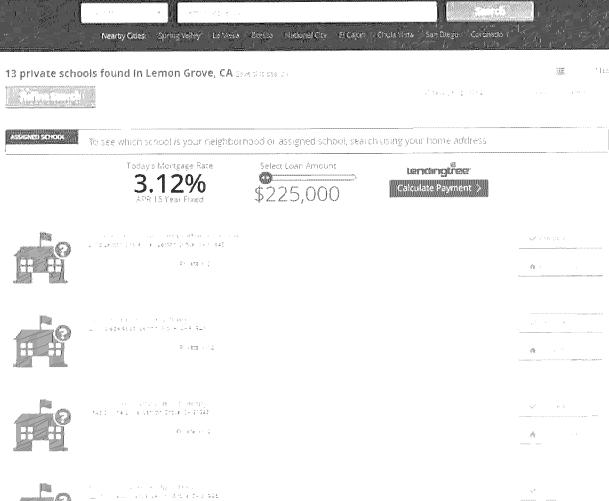
- iii. Description of any effluent discharged into the city's wastewater and/or stormwater system;
- b. Licensed External Source. Until one year following the date when the California State Bureau of Medical Marijuana Regulation begins accepting applications for licenses, or sooner, if such a deadline is set by the Bureau, *dispensaries* shall source their *medical marijuana* from cultivators and manufacturers that have obtained a local business license or equivalent document showing that the organization is operating in zoning and regulatory compliance from another jurisdiction for the *medical marijuana* cultivation or manufacturing. One year from the date that the California State Bureau of Medical Marijuana Regulation begins accepting applications for licenses, or sooner, if such a deadline is set by the Bureau, all sources of *medical marijuana* or *medical marijuana* products sold in a *dispensary* must also have a state license for their *medical marijuana* activities. (Ord. 443 § 1, 2016)





FARENTING . DONATE ENESPANOL SIGNIN





### Child Care Center Preschool (CDSS Website; Facility Search)

AKA HEAD START - SAN MIGUEL 7059 SAN MIGUEL 91945 Licensed

CHRISTIAN CHURCH OF LEMON GROVE PRESCHOOL 6970 SAN MIGUEL AVENUE 91945 Licensed

CHRISTIAN CREATIVE LEARNING ACADEMY 2920 MAIN ST 91945 Licensed

DISCOVERY LEARNING CENTER 1515 SKYLINE DRIVE 91945 Licensed

LEMON GROVE SCHOOL DISTRICT-GOLDEN AVE PRESCHOOL 7885 GOLDEN AVENUE 91945

Licensed

LEMON GROVE SCHOOL DISTRICT-MONTEREY HEIGHTS P.S. 7550 CANTON DRIVE 91945
Licensed

LEMON GROVE SCHOOL DISTRICT-MOUNT VERNON PRESCHOOL8350 MOUNT VERNON STREET 91945

Licensed

LEMON GROVE SCHOOL DISTRICT-SAN ALTOS PRESCHOOL 1750 MADERA STREET 91945
Licensed

LEMON GROVE SCHOOL DISTRICT-SAN MIGUEL PRESCHOOL 7059 SAN MIGUEL AVENUE 91945

Licensed

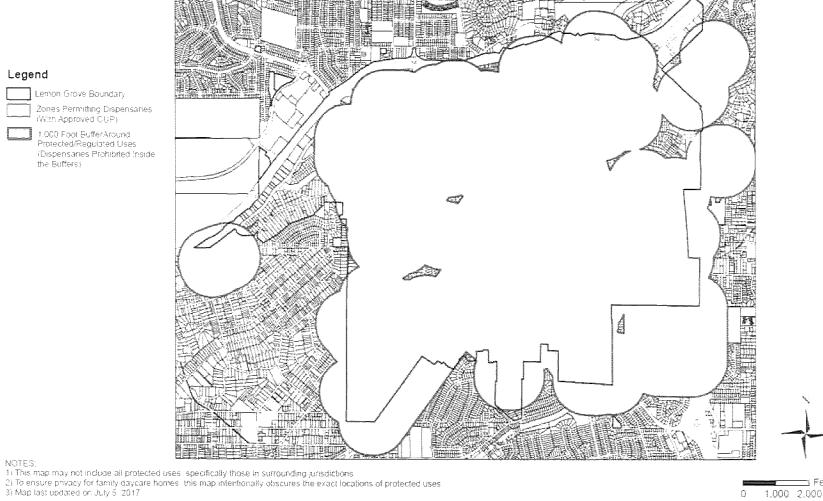
LIGHTHOUSE CHRISTIAN PRESCHOOL 1345 SKYLINE DRIVE 91945 Licensed

MERRY GO ROUND LEARNING CENTER 2749 LEMON GROVE AVENUE 91945 Licensed

SHILOH CHRISTIAN ACADEMY 2770 GLEBE ROAD 91945 Licensed

ST. JOHN OF THE CROSS PRESCHOOL 8175 LEMON GROVE WAY 91945 Licensed

# Draft Lemon Grove Medical Marijuana Dispensary Zoning



Legend

Lemon Grove Boundary

the Buffers)

Zones Permitting Dispensaries (With Approved CUP)

1.000 Foot BufferAround Protected/Regulated Uses (Dispensaries Prohibited Inside



### PLANNING PERMIT APPLICATION

Development Services Department / Planning Division 3232 Main Street, Lemon Grove, CA 91945
Phone: 619-825-3805 Fax: 619-825-3818
www.lemongrove.ca.gov

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APPLICATION REQUE	ST- SELECT ALL THAT APPLY – (SU	IBJECT TO OTHER F	PERMIT REQUIREMENTS)
Minor Modification Variance (VA) Boundary Adjust	PA)  t (MUP)  Permit (CUP)  ment Permit (PDP)	Certificate of Com Zoning Amendmer Specific Plan Ame General Plan Ame Modification of Time Extension for Appeal of	nt (ZA) ndment (SPA)
APPLICANT: P	ick Axe Holdings LLC - Christopher Williams	PHONE:	619-326-4182
ADDRESS:	7364 Mission Gorge Rd.	FAX:	
	San Diego, CA 92120	EMAIL:	chris@xmgmedia.com
PROPERTY OWNER:	MATTAR FAMILY TRUST OF 1990	PHONE:	619-666-9978
ADDRESS	4395 Alta Mira Dr	FAX:	
	La Mesa CA. 91941	EMAIL:	
	La Mesa OA, 31341	And a page of the state of the	
CONTACT PERSON:	Pick Axe Holdings LLC - Christopher Wil	iams PHONE:	619-326-4182
ADDRESS:	7364 Mission Gorge Rd	FAX:	
99900	San Diego, CA 92120	EMAIL:	chris@xmgraedia.com
*if applicant or property all trustees, partners, or	owner is a trust, partnership, or corpor officers, as applicable.	ation, please attach re	cord(s) of ownership listing
PROJECT NAME: BRO		oratorophia antique excellente de la companya de l	
	8260 Broadway, Lemon Grove, CA. 91945		
ASSESSOR PARCEL #		E ACREAGE:	0.46
DETAILED DESCRIPTI	ON OF PROPOSED PROJECT USE,	STRUCTURE, AND I	MPROVEMENT:
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	d into a Medical Marijuana Dispensary locate		
	is to include interior remodel of the existing		
	include parking lot re-stripping, pedestrian		
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CONSENT BY PROPERTY OWNER If applicant is other than property owner, owner must sign of If property owner is a corporation or trust, a designee author	onsent to filing. Attach additional sheets if necessary inization letter is required
IAVe, as the adverger of the subject measure, consent to the hereby authorize Site represendatives the inster upon my property in proportion of any insents and/or required environments.	
Santa process public	Phone:
Signature: Name (please pred)	Clatter  ! Phone
Note: This application being signed under penalty of a	nerpury and does not require notarization.
TO BE COMPLETED BY PLANNING STAFF APPLICATION PROCESSING:  FILE #(s): 2C \- 700 - 8012  DATE: 4 - 4 2017  FEES: \$150 RECEIPT #: 18346  COMMENTS and/or CONDITIONS:	ACTION:   ACTION:   DISAPPROVED

Rev. November 2015



## CITY OF LEMON GROVE

"Best Climate On Earth

### Development Services Department

Date: April 17, 2017

Pick Axe Holdings, LLC Attn. Christopher Williams 7364 Mission Gorge Road San Diego, CA 92120 Mattar Family Trust of 1990 4395 Alta Mira Drive La Mesa, CA 91941

SUBJECT: Denial of Zoning Clearance Application ZC1-700-0012 for property located at 8260 Broadway, in the City of Lemon Grove (APN: 499-200-18-00).

Christopher Williams,

Respectfully,

On April 6, 2017, staff received the subject application to establish a medical marijuana dispensary (MMD) at the subject property in the City of Lemon Grove. The application has been denied for the following reasons, which may not be all inclusive:

The property is located within 1,000 feet of a school and a State-licensed daycare facility.

In order for staff to process a conditional use permit application for a MMD, the application must include all of the information required by Chapter 17.32 of the Lemon Grove Municipal Code, as well as the items listed on the City's MMD Planning Permit Checklist. Additionally, the location of the proposed MMD must comply with the zoning requirements and distance restrictions contained within Chapter 17.32. If any of the required items are missing, or if the proposed location does not meet the zoning requirements and distance restrictions, then staff cannot process a conditional use permit application. Please review the requirements of Chapter 17.32 and the MMD Planning Permit Checklist prior to submitting another application. Please also verify that the site chosen meets the distance restrictions established by Chapter 17.32. Staff's decision to deny this application may be appealed to the Lemon Grove City Council pursuant to Lemon Grove Municipal Code, Section 17.28.020(I). Appeals must be filed in writing within 10 calendar days of the date on this denial letter and must include a filing fee of \$75.00. Appeals must be filed using forms provided by the Development Services Department.

David De Vries, Developr	ment Services Dire	ctor				
	3232 Main Street	Leman Grove	California	91945-1705		
	619 825 3805 FAX:				Z1641/4/4/4/4/4/4/77	paramine and the second



# APPEAL APPLICATION & REQUEST FOR PUBLIC HEARING

Community Development Department / Planning Division 3232 Main Street, Lemon Grove, CA 91945
Phone: 619-825-3805 Fax: 619-825-3818
www.ci.lemon-grove.ca.us

1	
APPLICANT: Pick Axe Holdings, LLC c/o Gina Austin	PHONE: 619-924-9600
ADDRESS: 7364 Mission Gorge Rd	FAX:
San Diego, CA 92120	EMAIL: gaustin@austinlegalgroup.com
CASE/PROJECT NUMBER: ZC1-700 0012	парежинама а повила коминенти постячка в 22222222222222222222222222222222222
DECISION /CONDITIONS OF APPROVAL BEING APPEALED (INCLU Applicant is appealing staff's determination that the property is lo licensed daycare home.	UDE CONDITION ITEM NUMBERS)  cated within 1,000 feet of a school or State-
SPECIFIC REASON(S) FOR APPEAL OR REQUEST FOR PUBLIC H The denial letter does not state the specific school or state licensed days applicant on notice for the reason for denial. However, the only potent and this school is more than 1000' from the proposed use (See attached	are home and therefore has not put the tial sensitive use is St. John of the Cross
Attach additional sheets if necessary	
The Grand Comment	1-120 2017
Applicants Signature (hasbyher Williams	April 20, 2017 Date
TO BE COMPLETED BY PLANNING STAFF	
TO BE COMPLETED By LITANNING STAFF	
FILE #(s): AA\ - 700 - 0003 DATE: 4-20-17 FEES: 475 RECEIPT#: [8540	
COMMENTS and/or CONDITIONS	
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NATIONAL AND	

#### Austin Legal Group

Lawyers 3990 OLD Town Ave, Ste A-112 San Diego, CA 92110

LICENSED IN CALL OFNIA & HAWAII FH FLYBONE 1619) 924-9600

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April 10, 2017

City of Lemon Grove Development Services 3232 Main Street Lemon Grove, CA 91945

Re: 8260 Broadway, Application for Medical Marijuana Dispensary (MMD)

#### To Whom It May Concern:

Austin Legal Group, APC ("ALG") represents the applicant for a MMD located at 8260 Broadway, Lemon Grove ("MMD Location"). The purpose of this letter is to provide further clarification as to why the MMD Location is not within 1000' of a Protected Use as defined by section 17.32.090 of the Lemon Grove Municipal Code (the "Code".) It is our professional opinion that there are no Protected Uses within 1000' of the MMD Location.

While the MMD Location is not within the approved highlighted properties on the City's most recent map of protected uses, the City's map incorrectly measures the distance to St. John of the Cross Catholic School. This office conducted an independent analysis and the parcel that contains the Catholic School is approximately 1004' from the closest property line of the MMD Location. Further, the City supplied a list of Protected Uses in response to a public records request ("City's Response"). The City's Response is attached hereto as Exhibit 1<sup>1</sup>. No other Protected Uses were identified in the City's Response within 1000' of the MMD Location.

Exhibit 2, attached hereto, identifies the 1000' radius around the MMD Location on an image map. Exhibit 2, page 2, is a blow up of the approximate 4' separation between the MMD Location and the St. John of the Cross Catholic School. While the parcel with the Church only may be within 1000' of the MMD Location, the parcel with the school is at least 1004' from the MMD Location. In light of the above, the applicant is requesting the City process the CUP application for the MMD at 8260 Broadway all the way through to City Council Hearing despite the MMD Location being identified within the buffer area identified on the City's zoning map.

In further support of this application for a MMD, this office conducted an independent analysis of the 1000' area surrounding the MMD Location and, as explained below, no Protected Uses were identified.

<sup>&</sup>lt;sup>4</sup> Page 3 of Exhibit 1 is a mapping of each Protected Use provided by the City

City of Lemon Grove April 10, 2017 Page 2

To the north and northwest of the MMD Location there are no identified schools, parks, playgrounds, or alcohol and substance rehabilitation facilities. (See Exhibit 1 – page 3 and Exhibit 6.) Although it is possible an unknown licensed day care facility is present within the residential area north of the MMD location, that area is separated by the Route 94 Freeway. The code requires that the City shall take into account "natural topographical barriers and constructed barriers that would impede direct physical access between the uses. In such cases, the separation distance shall be measured as the most direct route around the barrier in a manner that establishes direct access" (Lemon Grove Municipal Code § 14.32.090 (B).) The northeast is only freeway and therefore no Protected Use can be located in this area. Route 94 is a constructed barrier that would impede direct physical access between the uses. The most direct route from the MMD Location around the constructed barrier of Route 94 is approximately 3,801 ft. (See Exhibit 3.)

Similarly, to the west of the MMD Location there are no identified schools, parks, playgrounds, or alcohol and substance rehabilitation facilities. (See Exhibit 1, page 3 and Exhibit 6.) The extent to which the residential areas to the west could potentially include private licensed daycare facilities is eliminated due to constructed barriers that impede direct physical access. A direct path from the MMD Location to the closest homes to the west requires an individual to cross private property under the Sweetwater St. overpass, climb 8 foot fences and brick walls, and traverse the backyard of private residences. Each of these constructed barriers impedes direct physical access and requires the measurement to the residential area and potential licensed daycare facility to follow the most direct route around the constructed barriers. The most direct route around these constructed barriers to the nearest residential property is over 1000'. (See Exhibit 4.)

There are also no identified schools, parks, playgrounds, or alcohol and substance rehabilitation facilities to the south of the MMD Location. (See Exhibit 1, page 3 and Exhibit 6.) Directly south there are a variety of commercial entities and New Horizons Church.

There are also some residential homes that have the potential to locate a licensed childcare facility to the east and southeast of the MMD Location. While the closest residential home is within 1000 ft southeast of the MMD location there is no direct access from the MMD Location because the direct path includes a fenced off area with trees that are enclosed under the freeway overpass. The direct route from the MMD Location around the constructed barrier is approximately 3019 ft. (See Exhibit 5.)

<sup>&</sup>lt;sup>2</sup> All Further references are to the Lemon Grove Municipal Code unless stated otherwise

<sup>&</sup>lt;sup>3</sup> This analysis is only necessary if there is a licensed daycare facility within one of the private residences to the west—At this point in time, there is no information to believe that such a facility exists

City of Lemon Grove April 10, 2017 Page 3

For the reasons above, we are requesting the City of Lemon Grove find that there are no Protected Uses within 1000' of the MMD Location and immediately issue the Zoning Clearance for the MMD Location.

Sincerety.
AUSTIN LEGAL GROUP APC

J. M. Juston.
Gina M. Austin, 1989.

#### PROTECTED USES

						7.3
School Age	Child Care	· Center	(CDSS)	Website:	Facility	Searchl

CHRISTIAN CHURCH OF LEMON GROVE SCHOOL AGE PROG. 6970 SAN MIGUEL AVE 91945

CHRISTIAN CREATIVE LEARNING ACADEMY/SCHOOL-AGE

2920 MAIN STREET 91945

Licensed

EAST COUNTY FAMILY YMCA GOLDEN 7885 GOLDEN AVE. 91945 Licensed

MERRY GO ROUND LEARNING CENTER - SCHOOL AGE 2749 LEMON GROVE AVENUE 91945 Licensed

#### Child Care Center Preschool (CDSS Website; Facility Search)

AKA HEAD START - SAN MIGUEL 7059 SAN MIGUEL

91945 Licensed

CHRISTIAN CHURCH OF LEMON GROVE PRESCHOOL 6970 SAN MIGUEL AVENUE

91945

2920 MAIN ST 91945 Licensed

CHRISTIAN CREATIVE LEARNING ACADEMY

DISCOVERY LEARNING CENTER 1515 SKYLINE DRIVE 91945 Licensed

LEMON GROVE SCHOOL DISTRICT-GOLDEN AVE PRESCHOOL 7885 GOLDEN AVENUE 91945

Licensed

Licensed

LEMON GROVE SCHOOL DISTRICT-MONTEREY HEIGHTS P.S. 7550 CANTON DRIVE 91945

Licensed

LEMON GROVE SCHOOL DISTRICT-MOUNT VERNON PRESCHOOL8350 MOUNT VERNON STREET 91945

LEMON GROVE SCHOOL DISTRICT-SAN ALTOS PRESCHOOL

1750 MADERA STREET 91945

Licensed

LEMON GROVE SCHOOL DISTRICT-SAN MIGUEL PRESCHOOL 7059 SAN MIGUEL AVENUE

91945

LIGHTHOUSE CHRISTIAN PRESCHOOL 1345 SKYLINE DRIVE 91945 Licensed

MERRY GO ROUND LEARNING CENTER 2749 LEMON GROVE AVENUE 91945 Licensed

SHILOH CHRISTIAN ACADEMY 2770 GLEBE ROAD 91945 Licensed

ST. JOHN OF THE CROSS PRESCHOOL 8175 LEMON GROVE WAY 91945 Licensed

Exhibit 1- page 1

#### Large Family Daycare (up to 14 kids) (CDSS Website; Facility Search)

AHMED, FATHA & MOHAMED FAMILY CHILD CARE Unavailable 91945 Licensed ALVAREZ, VERONICA & JUAN FAMILY CHILD CARE Unavailable 91945 Licensed

DELGADO, ALICIA & JOSE FAMILY CHILD CARE Unavailable 91945 Licensed

DELGADO, GLORIA FAMILY DAY CARE Unavailable 91945 Licensed
GEORGE, CARRIE FAMILY CHILD CARE Unavailable 91945 Licensed
HUSSEN, FARTUN FAMILY CHILD CARE Unavailable 91945 Licensed
JOHNSON, KATHLEEN FAMILY DAY CARE Unavailable 91945 Licensed

LEDEZMA, LORENZA FAMILY CHILD CARE Unavailable 91945 Licensed

MAXWELL, REBECCA & DANIEL FAMILY CHILD CARE Unavailable 91945 Licensed

MILLER, O & CARTER, I FAMILY CHILD CARE Unavailable 91945 Licensed SAMBRANO, LAURA FAMILY CHILD CARE Unavailable 91945 Licensed

TANABE, SYLVIA FAMILY DAY CARE Unavailable 91945 Licensed

#### **Drug Treatment Facilities (Google Search)**

Alano Club 6901 Central Avenue

McAllister Institute 2049 Skyline Drive

#### Adult Daycare

HEALTHY OPPORTUNITIES PROGRESSIVE EDUCATION 3225 OLIVE ST. 91945 Licensed

LINK CENTER, THE 7944 GOLDEN AVE 91945 Licensed

Exhibit 1 - Page 2

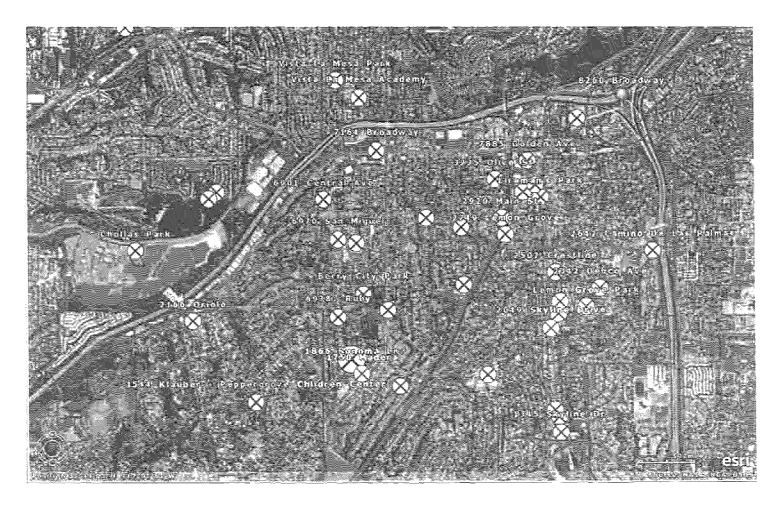


Exhibit 1 - page 3

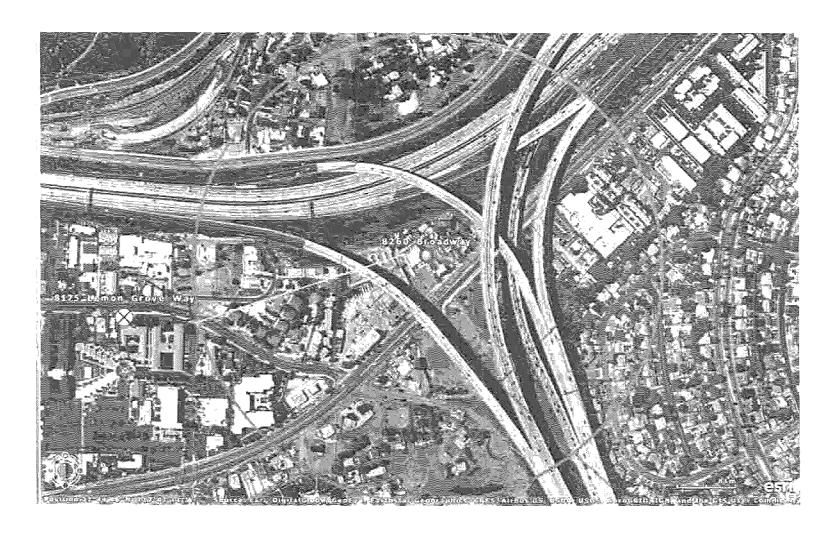


Exhibit 2 - Page 1

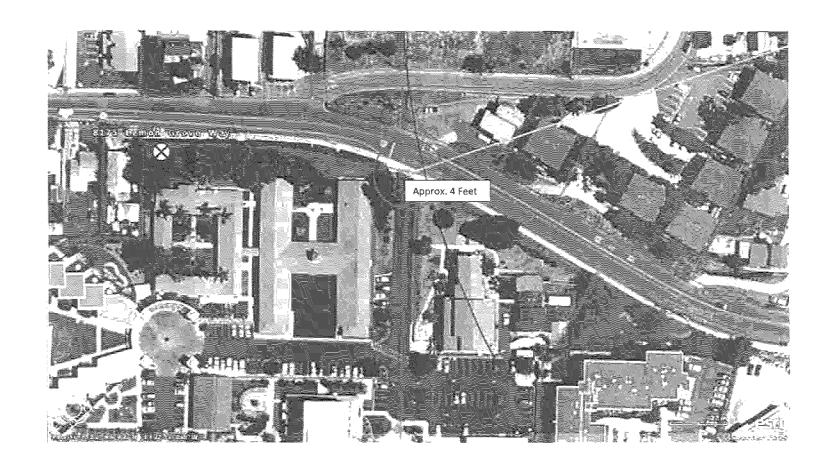


Exhibit 2 - Page 2

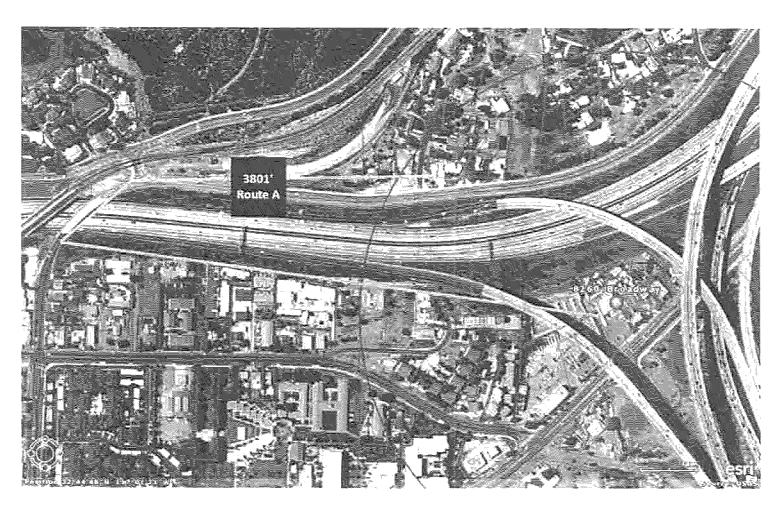


EXHIBIT 3

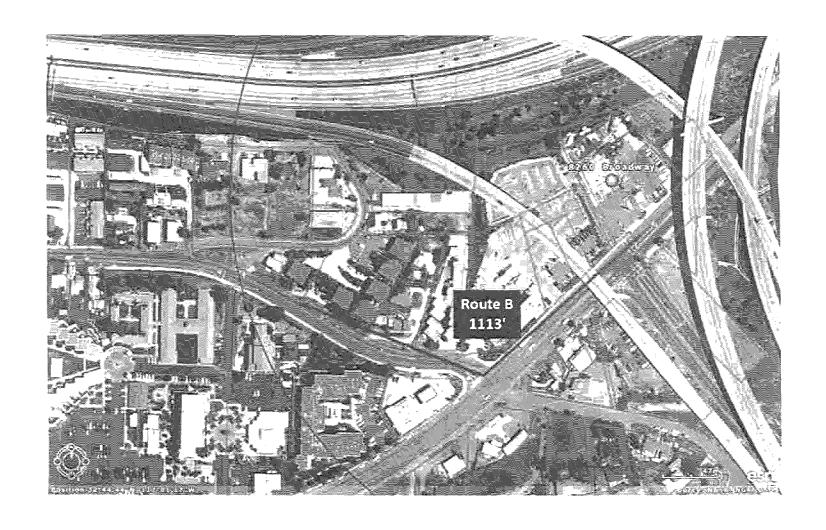


EXHIBIT 4



EXHIBIT 5

	SUMMARY OF PARCELS								
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	SINGLE FAMILY RESIDENCE	3724 BIVIEBA DR	LA MESA	CA		499-151-94-00	DILLON, BARBARA L LIVING TRUST		
	SINGLE FAMILY RESIDENCE	3808 ROJO TIERRA RD	LA MESA	EA.		499-161-04-00	ALAMERI ADWAN		
	SINISLE FAMILY RESIDENCE	3825 ROYO TIERRA RO	LA MESA	ĽA		eng-151 01-00	Whitehararia i		
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l	SINGLE FAMILY RESIDENCE	3815 ROIO TICARA RO	LA MESA	ÇA		499 162 06 00	INCIURSE JASON		
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5	SINGLE FAMILY RESIDENCE	3750 RIVIERA 0x	LA MESA	čA.		499-171-12-00	PRICE REBECCA		
	DUPLEX	3756 RIVIERA DR	LA MESA	ÇA		(499-171-13 00	CURTIS LEE C TRUST		
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3	SINGLE FAMILY RESIDENCE	3750 BELVIJE DR	LA MESA	CA.		499-171-15-00	ALGERICATINEED MS TROOT		
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1	VACANT RESIDENTIAL	IVACANT/UNIMPROVED LAND  3638 ROID TILBRA RD	LA MESA	<u> </u>		459-171-78-180	Prinuelas Nicolas		
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1	MULLITH-FARANCE BES (SV 1741) 1)	4230 LEATON GROVE WAS BET 16	SPANUAGE BANK	6.4		425-181-25-23	LUMACOU FORE CHELDIN'CHARLEC		
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	ANULTI-FAMILY RES (S+ UNITS)	3501 HILLTOP OR Apt A2	CEMON GROVE	CA		1495-181-11-00	30 PROPERTY INVIGROUP LLC		
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	MULTI-FAMILY RES (5+ UNITS)	3601 HILLTOP DR API A4	LENION GROVE	CA		450 151-11 00	(2) PROPERTY INVIGROUP LLC		
	MULTI-FAMILY RES (5+ UNITS)	3601 HULTOP DR ADI 81		CA		899-191-12-00	ED PROPERTY INVIGROUP LIC		
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	MULTI-FAMILY RES (5+ UNITS)	3601 HILLTOP OR Apt 83	LEMON GROVE	11.0	91945	1499 181 11 00	50 PROPERTY INV GROUP LLC		
2016667	MULTI-FAMILY RES (5+ UNITS)	3601 HILLTOP DR Apt 84	LEMON GROVE	Ca.		459 181 13 00	SD PROPERTY INV GROUP ILC		
	MULTI-FAMILY RES (S+ UNITS)	3501 HILLTOP OR Apt C1	LEMON GROVE	CA		459-181 11-00	SD PROPERTY INV GROUP LLC		
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	MOLTI FAMILY BES (5. UNITS)	1801 HILLTOP DT Act CJ	LEMON SHOW	LA		499-181-11-00	SD PROPERTY INV GROUP LLC		
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6	ALATI FAMEY BELIG - COSTS	EREAL BOLL LEAD ON WEST 21	AFSTON GROWN	CA		499-193-11-00	SD PAOPERTY INV GROUP LLC		
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)	MULTI-FAMILY RES (5+ UNITS)	3601 HILLTOP DR Apt E3	IN ON GROVE	CA		499-181 11 00	ED PROPERTY INVIGROUP LLC		
	NAME TO LABOUR RESULTS AUGUST	5501 HBLTOF 63 Act 64	LEMON GROVE	ICA		(499-181-11-00	ISD PROPERTY INV GROUP LLC		

EXHIBIT 6

				Assessment			
173	MULTI-FAMILY RES (S+ UNITS)	THEAT BILL TOP ISH KOLEZ	LESSEIN ORGAN	1534		459 181-11 00	STOPROPERTY INV GROUP IX
14	MULTI-FAMILY RES (5+ UNITS)	MET HILLSON OR ADD ST	LIMON GROVE	C.A	91345	45% 171-11-00	STREET ASSESSMENT OF THE STREET STREET
75 76	MULTI-FAMILY RES (5+ UNITS)	3601 HILLIOP OR Agt F4	LEMON GROVE	1 de	51345	2-1-121-11-4-	REPORT OF THE PROPERTY OF THE
76	IMULTI-FAMILY RES (5+ UNITS)	3710 HILLTOP OR APT 1	LEMON GROVE	LA	151545	135-181-11.00	AÇÜLER RAFAEL B MARIA FAMILY IR
77	MULTI-FAMILY RES (5+ UNITS)	3710 HILLTOP OR APT 2	HEMON GROVE	CA		499-181-13-00	AGUILER BAFAEL & MARIA FAMILY TA
78	[RIULTI-FAMILY RES (5+ UNITS)	3710 HILLTOP OR APT 3	ILEMON GROVE	20		455-167-13-00	AGUILER, MARANG & MARKELPARTINE FF
79	MULTI-FAMILY RES (S+ UNITS)	1710 HILLTOP DR APT 4	LEMON STORE	- A	43246		
80	IMPLITY FAMILY RES (5+ UNITS)			100		491-181-13-05	redura sprei e direnta sarcio en
i comme		3710 BILLTOP OR APT 5	LEMON GROVE	CA		455-161-13-00	AGUILER BALALE E MANUA FRANCE IN
R1	INULTI-FAMILY RES (5+ UNITS)	3710 MILLIOP DR APT 6	ILEMON GROVE	CA		499-181-13-00	AGUILER, RAFAEL & MARIA FAMILY TR
82	EMULTI-FAMILY RES (5+ UNITS)	3710 HILLTOP OS APT 7	ILEMON GROVE	CA	1925年長	655-181-11.00	AGURER RAFAEL & MARIA FAMILY TR
83	[MUS II-FAMILY RES (5+ URITS)	3710 HILLTOP OR APT 8	LEMON GROVE	E.A.	0.1544	482-181-11-00	AGUEER RAFAEL & MARIA FAMILY TR
B¢	MULTI-FAMILY RES (54 UNITS)	3710 RIU TOP DR APT 9	LEMON GROVE	CA	51945	499-181-13-00	LAGURER RAFAEL & MARIA FAMILY TR
85	MULTI-FAMILY RES (5+ UNITS)	3710 HILLTOP DR APT 10	LEMON GROVE	CA		1409-181-13-00	ACUILER RAFAEL & MARIA FAMILY TR
私	MULTI FAMILY RES (5+ UNITS)	3702 HILLTOP OR APT I	LEMON GROVE	l Ča		499-181-14 00	HAMMETT FAMBLY TRUST
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et.	[MULTI FAMILY BES (S+ UNITS]	3702 HILLTOP DR APT 2	JEEMON GROVE	CA		499-181-14-00	HAMMETT FAMILY TRUST
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B#	MULTI-FAMILY RES (5+ UNITS)	3702 HILLTOP DR APT 4	LEMON GROVE	CA	91945	499 381 14 00	HAMMETY AMARY TRUST
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w	MULTI FAMILY DWELLING (2-4 SHIFT)	3601 HILLTOP DR	LEMON GROVE	KA		495-181-18-60	SO PROPERTY INV GROUP LLC
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iii	DUPLEX	\$202 LEMON GROVE WAY		ICA.		1499-181-15-00	SERPA FAMILY TRUST
\$4.	DLPLEX	\$200 KENSON GREVIE WAY	HEMON CHOSE	ICA		1499-181-19-00	SERPA FAMILY TRUST
95	MULTI-FAMILY RES (5+ UNITS)	3707 HILLTOP DR OFC	LEMON GROVE	tiji,	91945	499 181 22-00	SBROYCR, EDWARD B & JANE TRUST
46	MULTI-FAMILY RES (S+ UNITS)	3207 WILLION OR APT 1	LEMON GROVE	CA	91945	499-281-72-00	SHROYER EDIVARO B & JANE TRUST
97	MULTI-FAMELY RES (S+ UNITS)	FAST BULLOF OR AFT 2	HEMORE GREEVE	1.3		929-141-22-64	GUROYER, EDWARD & JANE TRUST
98	MULTI-FAMRY RES (5+ UNITS)	XXXX FALLTON CR APT 1	I FARORI ON THE	10.3	1919.66	49/-181-77-00	SAROYER EDWARD B & JANE TRUST
98	MULTI-FAMILY RES (5+ UNITS)	3707 HILLTOP DR APT 4	LEMON GROVE	EA.			INTERPRETATION A LANGE TRUET
100	MULTI-FAMILY RES (5+ UNITS)			Mary warmers		835 151 22 (4)	
		3707 HILLTOP DR APT S	LEMON GROVE	ÇA		590-181-77-00	SHEEDVER EDWAED II & SAME TRUST
101	MULTI-LAMILY RES (S+ UNITS)	3207 HILLTOP OR APT 6	LEMON GROVE	16.56		477-141-22-00	STRUCTURE ETHYRAND IS A SANT TRANS
102	(MULTI-FAMILY RES (5+ UNITS)	3707 HILLTOP OR APT 7	LEMON GROVE	1.4	43245	499-189-27 CC	SPROVER FOLVARD & LANG TRUST
103	MULTI-FAMILY RES [5+ UNITS]	3707 HILLTOP OR APT B	LEMON GROVE	16.26	191960	855 193-32-20	PROPER FORMALIST RESIDENCE TREAT
104	MULTI FAMILY RES (S+ UNITS)	3707 HILLTOP OR APT 9	LEMON GROVE	ILA		499-181 22-97	VIIIIOVER LUSVILKO & K. LARE [BUL]
	SINGLE FAMILY RESIDENCE	3705 HILLTOP OR	LEMON GROVE	Accessor		499-181-24-CG	LANGUE WEETERS
Contralement Co.	IRESIDENTIAL MISCELLANEOUS	YACANT/ROADWAY	ILEMON GROVE	EA			
AND DESIGNATION A				(noncomposition)		499-181-25-00	MCDSACT VOLUMY I
101	RESIDENTIAL MISCELLAMEDUS	[VACANT/BOADWAY	LEWON ONCAE	CA		495-181-FF-00	SHIMOVER JANE & LOWINGO B MENOR TH
108	WALLSON BETALLERFERE	ivacant <i>ita</i> mong lot	TERMONOROUSE.	CA	對時時	499 141 78 00	SHROTER LOWARD & & JANE TRUST
164	imple family attributed	SESS ASSESSAN AVE	LE PHILE	E.A	141941	472 191 191 172	FLYING DOG TRUST
126	SPASSE FASARI RESIDENCE.	JUTA AM ERICAN AME	LARLESA	CA	94542	499 (40-07-00	FLYING, DOG TRUST
1.11	SHIGHT FASHEY BUSINGSHIDE	19985 AMERICAN AVE	TUA MESA	CA		499-191-13-00	k@BJNSON_GARY J
112	SINGLE FAMILY RESIDENCE	1970 Olinany BO	LA MUSA	K.3.		699-191-15-00	ACOSTA ANTHONY
manuscript County	SINGLE FAMILY RESIDENCE	TERRI ASSINICAN AVE	LA MISA	CA		499-191-21-00	MONTEJANO, KEVIN M & PATRICIA N
	ISINGLE FAMILY RESIDENCE						
125		SSAG CLIARRY RD	LA MESA	CA		499-191-22-00	BRAWLEYJOHN & SHELLY
	SINGLE FAMILY RESIDENCE	3B51 AMERICAN AVE	NA MESA	CA		499-191-24-00	ROBINSON, GARY J & BOTTY J
	SINGLE FAMILY RESIDENCE	FREE BASTRICAN ANT	LA AHSA	L.A.	171921	dre-141 15 co	SCHIPLES GARY I
	VACANT RESIDENTIAL	VACANT/UNIMPROVED LAND	LA MESA	Ca	194931	429-141-17-00	re alternary
118	DUPLEX	3810 AMERICAN AVE	LA MESA	lca	91511	499 181-27-65	FCYING, DOG TRUST
119	OUPLO	3808 AMCRICAN AVC	ILA MESA	ica.		4 kgs 1921 - 27 (647)	WEYING DOG TRUST
	CUPLEX	3804 AMERICAN AVE	LA MESA	CA.		44% 158-35 CC	FLYING OOG TRUST
months a	DUPLEX	3802 AMERICAN AVE	ILA MESA	CA			FLYING.DOG TALIST
	ELECTRON OF THE STATE OF THE ST					199-101-12 (S)	
	WILL BEATTA OMECHNOLLS ENVILLE	B850 AMERICAN AVE	ILA MESA	CA.		499-191-29-00	GA (ZOLIS PETE N
	S-MISSE CANSLY HESHINGS	3B60 AMERICAN AVE	ILA MESA	CA		499-191-37-60	FLYING DOG TRUST
	SINGLE FAMILY RESIDENCE	3840 RIVIERA DR	LA MESA	CA	91941	499-191-38 00	SCHWARTZ PETER
	SINGLE FAMILY RESIDENCE	3762 MILTON RD	LEMION GROVE	CAL	91945	499-200-03-00	STALL CALLANGERS
126	VAÇANT RESIDENTIAL	1760 MILTON AD	JLEMON GROVE	CA			R C P CO INC
127	SINGLE FAMILY RESIDENCE	3765 MILTON AD	LEWON GROVE	CA.			MATTAR FAMILY TRUST
	VACANT RESIDENTIAL	1/1/ ENCADWAY	LEMON GROVE	CA.			R C P CO INC
	VACANT COMMERCIAL	MISORIOADWAY	LEDAGII GIROVE	2.3		499 200 09 00	ACP DEOCK & BASCS
	VACAUT COMMERCIAL			Dally and a			
		VACAN (PARGING LOT	macu crow	Hill.		690 JORGE 50	ACT STOCK & DOLCK
	VACANT COMMERCIAL	\$145 REUGINAL	LA MICEN GERCAGE	64		459-100-11-00	PAR BLOSE & BOOKE
07	Steem to six "day existing x	DS 20 BM CALOS AV	LEESTON CADOS	€A		499-200-12-00	RES OF DOME WE DESIGN
		risi saladayay	LUMBON FROM	t.f.	91945	499 300-18 00	MATCHER LANGUE THUSE
	STORES RETAIL OUTLET	8290 ERCADWAY	LEMON GROVE	F.A.		499-200 19-00	LITTLE DARUNGS
	VACANT RESIDENTIAL		(LEMON GROVI	Cali.		£39-100-25-30	MALLATI 1950 FAMILY TRUST
annoncomer &	VACANT COMMERCIAL		LEMON GROVE	CA		125-12-21-32	SAIC UNSITED
	PARKING LOT PARKING STRUCTURE			\$			
			LEMON GROVE	JA		#56 200 P3 00	BUSHITY TOWAYS & RECOVERY
	SINGLE FAMILY RESIDENCE		LEMON GROVE	CA		299-YMP-CH-CE	GJANGA,CORNEG, Z & LETICIA
	SINGLE FAMILY RESIDENCE		LEMON GROVE	ra i	78345	439-920 cz -95	UTFOLHAM ARDS NOW A DOTTO TWY 64 10
33		BB09 BROADWAY LN -	LEMON GROVE	C.t.	*ist:	799-1142 CO OC	SQUAREMAN AFERNA 1
39 J	SINGLE FAMILY-RESIDENCE	BRITANDANAL TU			01032	499-220 10 00	MCS PGCH LCC 67%
33 J		VACANT/PARKING : OT	LEMON GROVE	CA I	212431		
33   40   41	SINGLE FAMILY RESIDENCE FOUND IN ACCOMMENDED FOR MEDITION OF THE	VACANT/PARKING : OT		Samuel of A			
33 ] 40   41	SINGLE FAMILY-RESIDENCE POLYTOLS CONVALESCING HOMES SITSLE VAMILY RESIDENCE	VACANT/PARKING : OT B319 860ADWAY (N	LEMON GROVE	ÇA.	9194"	99 720 28 00	Michigaey Adolfat & 1, 1914 Thurt
33   40   41   41	Single Family-Residence Form & roth-valeschut, Komes Single Vamily Residency Cupyka	VACANT/PARRING : OT B319 BROADWAY (N 4321, BROADWAY (N	LEMON GROVE LEMON GROVE	CA EA	91945 71945	-99 720 25 00 499-720-27-00	MCCULARY ACOTAL & DOTA TRUCT BOXELLE SEAN P
133 [ 40 ] 41 ] 43 ]	SINGLE FAMILY RESIDENCE FOUNT NECOTIVALECT TO MOMES S NELE FAMILY RESIDENCE DOWNER FOR PUBLIS COLORETS CELL, IOSHI	VACANT/PARFING OT B919 BROADWAY IN 4921 BROADWAY IN 8351 FROADWAY	LEMON GROVE LEMON GROVE LEMON GROVE	DA EA	91945 71945 91945	-99 720 25 00 499-720-27-00 899-720-15-60	MOTTE LEV AGOSTAT & 5 1014 TRUST BOXELLE STANP LLT COLLEGE ACTOR & REMARKED
133   140   21   41   41	Single Family-Residence Forms of aconstalescept, Homes Societ Rapply Resolvence Copple Formals (Colone (Scept), Osley Residential Moscella (Louis	VACANT/PARKING : OT 8319 BRDADWAY (N 4321 BRDADWAY IN 8351 PROADWAY VACANT/UNIMPROVED LAND	LEMON GROVE LEMON GROVE LEMON GROVE LEMON GROVE	CA CA	91945 91945 91945	-99 720 25 00 499-720-77-00 899-720-15-00 899-720-55-00	MATTELARY ACCOUNT & 17,034 THUST BOXELLE SEAN P LETY COLLEGE A CARE & SCHOOL CTR SCHROEDER, DIETRICH VY & XERIN L
133   140   21   41   44   74   26	SINGLE FAMILY RESIDENCE FOUNT NECOTIVALECT TO MOMES S NELE FAMILY RESIDENCE DOWNER FOR PUBLIS COLORETS CELL, IOSHI	VACANT/PARKING : OT B319 BROADWAY (N 4321 BROADWAY IN 8351 PROADWAY VACANT/JHIMMPROVED LAND #153 BROADWAY 1	LEMON GROVE LEMON GROVE LEMON GROVE	CA CA CA	91945 91945 91945 91945	-99 720 25 00 499-720-27-00 899-720-15-60	MOTTE LEV AGOSTAT & 5 1014 TRUST BOXELLE STANP LLT COLLEGE ACTOR & REMARKED

		COLUMN TO A CONTRACTOR OF THE COLUMN TO THE		(F.)	Locari	499 220-57-03	HANDSBUR JESCELENE
	Darpidanyusia, Polo	E113 BROADWAY 5	4 6 AMERICA KARGINAL	LA		499 220-57-04	ASCIUTO,GIORGIO & ADRIANA
	CONTROL PARTY	RASS RROMEWAY 7	e d francisconomiconomico	passes non-			MATRICE CR. STOTHER:
	DANDORFILLINA, PUB	8163 BEDADWAY 9	HEROBORDAY	CA		cep 130 27 05	
51 IC	ONDOMÍNIUM, PAIG	8365 BROADWAY 11	LEADON GREET	ζA		459-170-53-26	RESERVE CASSES & TRACTA SECULIES
57 6	CHOCATONI (P. PUO	1365 BROADWAY 13	FEWANASAS CROTOSAS	£A.		499-120-57-07	
	CARMINARIO S.A. POLO	4365 BRDADWAY 15	TEAMORE GREATE	5萬		499-220-57-08	GREEN WINITRED
	ONOGAMMEN*, PUO	8362 BROADVVAY 1.7	HEMON GROVE	CA		021-173-57-07	Amistation in B
	DNDOMINIUM, PUD	RIGHTERSALIWAY 19	LEMON GROVE	CA		453-210-57-30	CARDZALES RAUL
	DNDOMNIUM, F.ED	8365 BROADWAY 21	LEMON GROVE	CA	lu lass	439-2335 52-12	BUSHSANORAA
	ONDOMINIUM, PUD	4365 BROADWAY 23	I DAON GROW	CA.	93555	409-229-57-17	SOPEZ LISTAG TRUST
- demonstrates	ONDOMINIUM, PUD	8365 BROADWAY 25		KA.		649.220.52-11	WILDWIS THERMAS A IR
				4.44		259-720-57-14	VARMER KATHRISEC 1997 BI VOCABLE
	OHDOMINIUM PUD	E354 BROXDWAY 27	UMONSTOVI	Principal Company		484-210-57-15	AGUNAN RAUG & STARIA G
	ONODMINIUM, PUD	1995 BROADWAY 28		ICA.		495-280-17-14	COREANAMACA
	ONDOMINIUM, PUD	\$285 BROADWAY 26		Account work			SANTI-LASS SAMENE &
	ONDOMINIUM, PUD	3355 BRCADWAY 24	/ Francisco	CA.		499-220-57-17	TE USA I
63 (	OND MUNIMAGEN	8355 BROADWAY 22	LEMON GROVE	EA		199-220-57-18	Accompany to a constitution of the constitutio
64 0	ONDOMINIUM: PUD	B365 BROADWAY 20	LEMON GROVE	CA		499-220-57-19	HIDALGO,MANUEL
68. IC	ONDOMINIUM PUD	I 6365 BROADWAY 26	LEMON GROVE	(A		499 220-57-20	DEPPESEN, JOSHUA
	OSDOMINSTA, PUD	B365 EBOADWAY 16	LEMON GROVE	15		499-220-57-21	MARKETAND RIPADE CARLETED FROM
67 6	OR DOMINION, THO	B365 RROADWAY 14	ILEMON GROVE	4.5	@1945	499-220-57-73	MELEROPES, DAVIDADAN & DALIA
1628 IC	ESCOMMIUM PUP	9365 EBOADWAY 17	LEMON GROVE	F.A	51915	494-326-57-23	VILLEGAS SUGGER R
	ALEMANANA PU	R365 BROADWAY 10	LEMON GROVE	francisco La		050-220-57-2a	BECOME, RACHY (BE L
	ONDOMINIUM, FUU	8365 BROADWAY B	LEASON GROVE	6.A.		499-220-57-25	GARCIA REUSEN
			LEMON GROVE	1 1 L		499-220-57-26	TIANZEKOV: CFEDZA
	DINDOMINIUM, PHID	SAN BROADWAY 6	(LANDIN MIKZVI)	CA.		499-220-57-27	THEATHLREGINALD
	GRODMINION PUD	E to S BREEN WAY A		ioa.		499-220-57-28	ZUNIGA, ERNEST O
	ONODMINIUM, FUD	HEL BROADWAY 2	PENALMA MILITAL	-			AL, AUTO HEADUNERS
74   2	YORES BETAIL DUTLET	\$373 BROADWAY	FEMILA CHUY	ICA	191345	199-229-58-00	
75 5	TURGE RETAIL OUTLE	IIITS BICKING/AR	REMONSHOWS	CA		199 230 58 00	CARREAS STOLLECTORS
	TORES, #1 14.2 () of a 1.5	847 - B F HOUWAY STEA	LE STOH GAUSS	CA		499-220-58-00	SV BODY & PAINT
	Jewes Relandadiet	8377 BAOADWAY STE 5	DEMON GROVE	CA	91848	998 279 3 5Ks	LASTY 1 SECT PAINT & BODY WORK
	TOHES, RETAIL OUTLER	8377 ERGADWAY STEC	LIBRURY GOGST	CA	01945	495 JULY 180	ALTO REPARK
	TORES, RUALLOUTEE	YAWDAONA 1869	LEMON GROVE	EA		499-220-28-07	VALUE TRUCK AND ALTO
		VACART/PARKING LOT	DANGEL BOOMER	£A.	31945	499-220-61-00	ISOUTH CHEAT IH HOS OWNERS
	ACANT COMMERCIAL	3448 TROPHY DR	I(A MESA	KA		499-311-01-00	SHARPE, SARAH
	INGLE FAMILY RESIDENCE		LA MESA	£A		499 311 02 00	PATTERSON, BRANDON
	HIGLE FASTEY WISHOFFICE	3452 TROPHY DR		EA			PARTIO, TERESA
	HACAL CARLLY DESIGNED	3456 TROPHY DR	LAARSA			1291 111 61 00	COLORAGE MILLY DIT & SEMIN
	DEGLE FAM LY REFERENCE	13460 TROPHY DR	LA ALLSA	SA		(48 311 04 00	
	ingel farely residence	1464 TROPHY DR	ILA MESA	CA		1499-311-05-002	BENERO, AAASTS & A. LOGFTIF C.
Balls 19	ongle family responde	3468 TROPHY DR	A MESA	KA.		472 111 55 00	LONCAET, CARSY A
87 IN	INVELY FARALT BY LUTE ALE	3463 TROPHY DR	PLA NESA	A		1439 212 03 00	VILLALDETE, DAVER A
E.B. 5	PARTE LAW EN BERINGS	1427 PAR DR	ÇA MESA	EA		1499-112-01-00	BARGE MEHITER
11/8 3	INGLE FAMILY RESIDENCE	1451 TROPHY DR	LA MESA	2.1	171941	489-319-21-00	BODE MARKETLE
	ingit faray resoliki	3468 PAR DR	LA MESA	EA		499-313-02-00	JEW, HONAS II
	INGLE FAMILY RESIDENCE	3462 PAR DR	LA MESA	ICA	91941	499-313-03-00	MEYERS, MITCHELL L. & SUZIN E
	MOLL FARALY RECIDENCE	1026 244 08	LA MESA	ICA	191941	499-313-04.00	TENNEY,M MURRAY IR & SHIRLEY A T
		13450 PAR DR	A MESA	EA	51341	499-333-05-00	SISSON ANTHONY A
	ANGLE FAMILY RELIGENCE	3444 PAR DR	LA MESA	CA		499-313-06-00	BORDWELL, OLANA D
	INGLE FAMILY RESIDENCE		LA MIESA	ICA		499-213-07-00	RAPARK FAMILY TRUST
	UNGLE FAMILY RESIDENCE	3423 TROPHY DR		T.A.		499-313-08-CO	TEVERSULL PAMELA M
96 5	INGLE FAMILY RESIDENCE	1425 TROPEY DR	LA MESA				TAYANJOEL M & LINDSEY )
97   9	UNGLE FAMOLY OF SUPERIOR	3429 TROPHY DR	LA MESA	Hs.		499 313-03-00	
98 ]5	INGLE FASHLY RESIDENCE	3435 TROPEY OR	IA MESA	JCA.		499 313-10-00	LEUNG, TAT MING BOLLY
99 (9	SNGLE FAMILY RESIDENCE	3443 TROPEY OR	LA MESA	10 h		499-313-11-60	FEINER, MARK A
	ERVICE STATION, GAS STATION	8170 BROADWAY	FMON GROVE	17.5		503-031-09-09	MOSILE GAS
	E (GLONS	EDIS TEMON GROVE WAY	DEMONRAÇÃOVY	F.a.	91945	Account of the second s	ROMAN CATHOLIC BISHOP OF SAN DIE
	CPVERALASTATAL PUBLIC	8150 BROADWAY Ofc	TEMON GEDVA	CA		500 011-12 (E)	CASES/ICO PLAZA DEPENDENTANT COAP
	COVERNMENTAL FULLIC	RISO BROADWAY Apt 101	UNION GEODS		91945	103 011 17 40	CALFERD FLATA INVESTMENT CORP
		5150 BROADWAY ADL 102	MENOR DESIRE			503-011-12-00	CALTXICO PLAZA DEVELOPMENT CORP
	CO-EXPONENTAL POBLIC	NISU RROADWAY ASL 103	LENGTH 6 SOUT	ra.		503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
	CONTERNATION TAIL PLOST OF		LEMON GROVE	CA	31945		CALEXICO PLAZA DEVELOPMENT CORP
	OVERVANDELA), FIGUR	#LSS BROADWAY Apt 164	REPROSECUEDAL		101949	pagegranger with a state this title to	ENTERED FORM DIVERSAMENT COM.
	Colesian at Prince	TESO HERIADAVAV ADT 105		CA	87.388		CALLESCE FLACE DESCRIPTION COMP
	LOVESTIMIENTAL PLINTO	\$150 HACATI WAY AND 106	LEASON GROVE	Angelow me	9 1000 35 - 300		CALLACTURATION ASA DE LOCALISTO CONTRACTOR
79 6	COERTMENTAL PUBLIC	elic begaliyaa ay 197	brinca drove	EA.	83049		To a response to a man the a transported to the state of
0 1	DIRLY JATHERALESVO	B150 DROADWAY Ant 108	LUMON GROVE			569-011-17-05	CALCORO PLAZA DEVALORMENT COM
ii J	COVERNMENTAL PLINIS	B150 BROADWAY Ant 109	INVITON GROVE			161-011-17-16	CALCATO PLASA DIVELES MINI CONT
12 1	CIVERNMENTAL, PUDUC	8150 980AOWAY Apt 110	LEMON GROVE	JCA.		1901001-11-00	CYLUNO STATE OF ATTORNOUS CORP.
	OVERHMENTAL, PUBLIC	RISO BROADWAY Aut 111	LEMON GROVE	CA	91945	CO 11 113 FEE	CALERICO BLAZA DEVELOPMENT CORP
	COVERNMENTAL PURIL	BEE DA YAWUADAR OF BE	LEMON GROVE	CA	162344	Dec 2011 11:00	RAIDATEO PLAZA DEVECTAMENTEDAZ
	OVERNMENTAL PUBLIC	RISO REGINEUS AV ANT 115	IT MON GROVE	1 Ac		1423 CH 12 CO	TO A THE OFFICE DEVELOPMENT COTA
			Mean and	CA	to the more a serve	101-011-10-60	CALCUSO FLATA DESCRIPTION CORP
	OVERNMENTAL PUBLIC	#150 ADMACRASA A AM 187	ELIALIS CROVE	CA		(6) 011-12-02	LATERIOU FLAZA DEVELOFMENT CORP
	inyernsintal fond	attubicatiway est the					CALLACT STATE OF A DEVIL DEVIL AND A COMP
	OVERMETHERY PUBLIC	also bridad & An Apr 121	LEMON GHOVE		) 13-49		(CALL XIED PLAZA DEVELOPMENT CORP
	SOVERNMENTAL PUBLIC	R150 RROADWAY Abt 123	LEMON GROVE			503 011-12-09	CALEXICO PLAZA DEVELOPMENT COMP
	OVERNMENTAL PUBLIC	R150 BROADWAY Apt 124	FERNORGEON.	IJA	91945	A comment	- A-L
	WW.S.N.W.W.AL. M. BLE	BASO PROADVAY AM AR	LI MON GROW		91945		CALEKICO PLAZA DEVELOPMENT CORP
E1 [6			THE MONIGROVE			503-011-12-00	CALEXIC O PLAZA DEVELOPMENT CURP

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223	GENERALMENTAL PURDE	JA150 BROADWAY Apr 129	LEMON ENGLY ICA	91945 31 341 1246	Colorus de esta la unione de la Color
274	CATHEMINARINE PAREING	E150 BROADWAY Act 131	DEMONIGRES LA	interplant out or	TAILEST O PLAZA PENDIOLOTEST CORP.
325	GOVERNMENTAL PUBLIC	LL CATAGONAY BELLE	(I Mich Grost CA	141545(50) 511 17 66	THE STEED OF SEA STEEDS OF STREET
226	GOVERNMENTAL PUBLIC		Leading Garlys Ca	\$1945 503 011 12 00	CALENCO PLAZA DEVELOPMENT CORP
		FURTHER PROPERTY (FILE)			
227	JOOVERHMENTAL PUBLIC	Twiso Eronovay qui due	RENNON BROVE ICA	111975 502 511 12 69	LATERACE FLASA BETALDRAYM) CORP
228	GOVERNMENTAL PUBLIC	(X250 BROWNAWAR COLUMN	DEMONSTRUME INA	11505 503-011-17-03	TO ALEKKOO PUNZA DEVELOR MINIT GORG
1229	IGOVERNMENTAL PUBLIC	\$150 BROADWAY Agt 136	LEADING TREET CA	91945 503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
230	GOVERNMENTAL PUBLIC	8150 BROADWAY Apt 137	LEMON GROVE CA	91,545,505,013-42-05	CALLYZO / LETA DEVELOPMENT COR?
231	GOVERNMENTAL PUBLIC		ELEMON GROVE CA		LALENICO PLAZA OLVINOPIJENI CORP
		BELLICA YAWQAQMR OCEA		[91541 S01-011-1:4x)	
732	GOVERNMENTAL PUBLIC	##50 BROADWAY Apt 139	LEMON GROVE TCA	181945[503 011-12-00	ICALEXICO PLAZA DEVELOPMENT CORP
(233	(GOVERNMENTAL PUBLIC	8150 BAGADWAY Apr 140	LEMON GROVE LEA	\$1945[503 051-12-00	ICALEXICO PLAZA DEVELOPMENT CORP
234	GOVERNMENTAL PUBLIC	8150 BROAD WAY Apt 201	LEMON GROVE TEA	91945/503 011 12 00	ICALEXICO PLAZA DEVELOPMENT CORP
235	GOVERNMENTAL PUBLIC	6150 BROADWAY Apt 202	ILEMON GROVE ICA	91945 503 041-12-00	CALENCO FUNZA DEVOLOPMENT CORP
23€	GOVERNMENTAL, PUBLIC	\$8150 BROADWAY Ant 203	LEMON GROVE CA	91945[503-011-17-00	ICALEXICO PLAZA GEVELOPMENT CORP
237	GOVERNMENTAL PUBLIC	BISO BROADWAY Apt 204	JEFNAUN GRIDGE CA	91385 FEB 611 12 00	CALEY COPLAIA DEVELOPMENT COOP
238	GOVERNMENTAL, PUBLIC	8150 BROADWAY Apt 205	LEMEN CREIVE CA	93,545,005,004,02,000	CARRICUPIAZA DEVELOPMENT CORP
239	GOVERNMENTAL, PUBLIC	RESO HADAGWAY ARE 20%	IEMON GROVE CA	919-95 503-011-12-00	CALENICO PLAZA DEVELOPMENT CORP
740	GOVERNMENTAL PUBLIC		TRMODEGROWT CA	91945 903 011-12-00	CALEXICO FLAZA DEVELOPMENT CORP
		ATED BROSDIVAY AS: 707			
241	GOVERNMENTAL, PUBLIC	8150 BROADWAY Ast 206	SEMON GROVE ICA	91945[503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
247	IGOVERNMENTAL, PLABLIC	0150 ESCADINAY A60 200	LEMON GROVE ICA	[82545] W.J. 611-12-CO	CALERICO I LAZA DINELEMMENT CORP
243	GOVERNMENTAL, PUBLIC	RED BROAD WAT ALS 230	NEMON GROVE ICA	[91635]503-691-48-65	CALENCO PLAZA SIANZERPIANTE CORP.
244	IGOVERNMENTAL PUBLIC	ATEC BROADWAY AU: 211	LEMON GROVE CA	01045/503 011-17-00	CALEXICO PLAZA DEVELOPMENT CORP.
243		18150 BHOADWAY Apt 213	ELMON GROVE ICA	91945 503-011-12 00	CALEXICO PLAZA DEVELOPMENT CORP
	CAPPEANAMENTAL PERSEC		A toronomic Action		
1100	CONTAGENDAL PUBLIC	5130 BROADWAY Apt 215	LEMON GROVE ICA	91945 503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
247	GOVERNMENTAL PURILIC	B150 BROADWAY Apt 217	LEMONEWAY: CA	[91945]503-011 12-00	CALEXICO PLAZA DEVELOPMENT CORP
15.5	SERVERNAMENTAL PARING	8150 BROADWAY Apt 219	LANCHE GROVE CA	91945 Eng CH 11 00	CALEBIED CLASS DEVELOPMENT COMP.
3:59	GOVERNMENTAL PUBLIC	8150 BROADWAY Apt 221	LIALON CROVE CA	01945[503-011 12-00	CALEXICO PLAZA DEVELOPMENT CORP
		and \$ are a second and a second			II association to the community of the c
250	COVERDAMINAL PUBLIC	6156 BROADWAY Apt 223	LEMON GROVE LA	[91945];b1-011-12-65	CALCUICO PLAZA DEVELOPARRA PROGRA
753	OCOVERNI SPENITAL PUBLIC	RECORDADIMAN AN ESC	TOMOGNICADORE FOR	91945 508 011-12-00	CALEXICO FLAZA DEVELOPMENT CORP
25.7	CONTENNENTAL CLICK	推移器 6条约束以初入V Am 235	HENRING GROWN ICA	1919 15 mm Line 1 : 00	CALLSYCO FLATA REVENUEMENT OF CORP.
253	GOVERNMENTAL PUBLIC	RESO BROADWAY #34 218	LENGTH GROWE ICA	(31325/1201011:13:76	CAMPUTO FLAZA DE VERIFICAME COAZ
254	GOVERNISIENTAL PUBLIC	8150 BROADWAY Apt 227	LUMONISHOVE ICA	91945 503-031-12-00	CALEXICO PLAZA DEVELOPMENT CORP
153	GOVERNMENTAL PLEMS	BISO BROADWAY Apt 279	TENGRICULES CA	[91945]503-013-12-00	CALEXICO PLAZA DEVELOPMENT CORP
256	GOVERNMENTAL, PUBLIC	8150 BROADWAY ADI 231	LEA-CONTRACTOR LA	[91945]561 611 12 00	CALEXICO PLAZA DEVELOPMENT CORP
757	GENTERALMENTAL PLINE	STEE GROADWAY AUG 191	HENROLU GARAVE CA	91945 503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
258	GOVERNMENTAL PUBLIC	8150 BROADWAY Act 235	LEMON GROWT CA	91945 503 011 12 00	ICALESICO PLAZA DEVELOPMENT CORP
(O'Connect )	IGOVERNMENTAL PUBLIC	BISO BROADWAY ASI 136	LEWON GROVE TOA	191948 503-011-12-60	CALEXICO PLAZA DEVELOPMENT CORP
100000000000000000000000000000000000000					Printed a Common Control Contr
	GOVERNMENTAL, PURSIC	B153 BROADWAY AND 213	BESTER GROVE CA	24945 500 011-17 00	CALLEGEO PLAZA DEVELOPMENT CORP
261	IGOVERNMENTAL PUBLIC	B150 BROADWAY Act 238	HEMON GROVE CA	91945 503 011 12 00	TCALCXICO FLAZA DEVELOPMENT CORP
167	GOVERNMENTAL PUBLIC	8150 BROADWAY Apt 239	JUEMON GROVE ICA	[91945]903-011-12-00	CALENICO PLAZA DEVELOPMENT CORP
253	GOVERNMENTAL PUBLIC	8150 BROADWAY ADI 240	HENDN GROVE CA	1919451503-011-12-00	ICALEX:CO PLAZA DEVELOPMENT CORP
264	GOVERNMENTAL PUBLIC	BISD GROADWAY Apt 241	LEMON GROVE CA	91945[503 011-12-00	ICALEXICO PLAZA DEVELOPMENT CORP
discourant St					
265	GOVERNMENTAL PUBLIC	BISO BROADWAY Apt 242	7	91945 503 011 12 00	CALEXICO PLAZA DEVELOPMENT CORP
266	GOVERNMENTAL, PUBLIC	E150 BROADWAY Agt 243	[GMONIGROSE] DA	[]01942[399-001-12-09	CALLETO CLAIA DEVELOPMENT CORP
215.2	CONTRIBERAL PURES.	(RES) BROADWAY AM 237	LEANING CONTINE TOA	· 原基的 15 年 15 年 15 年 15 日本 17 17 17 17 17 17 17 17 17 17 17 17 17	(LALLETTO TLAKE DESERVE NEW TONE
263	CONTAINMENTAL PUBLIC	RILD FRUADWAY A: LUI	SEASON GROVE CA	91943 3-33-011-12-00	CALES OF FLAZA OF VERY RUPMENT COAP
249	GERFERMAN STAL PURELL		TEASON GROVE CA	91043 021-011-12 00	CALEXICO PLAZA DEVELOPMENT CORP
770		BISS HECALINAT ALE 192			
	GOVERNMENTAL PUBLIC	RISO BROAD, VAY ARE SO	A.J. SYCHEGIPTONICA	[%1945]503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
271	GOVERNMENTAL, PUBLIC	8150 BROADWAY Apt 304	LEM ON GROVE CA	6x945[503-011-12 00	ICALEXICO PLAZA DEVELOPMENT CORP
273	GOVERNMENTAL, PUBLIC	8150 BROADWAY Apt 305	FEW ON GROVE CA	91945 503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
273	GOVERNMENTAL, PUBLIC	BISD BROADWAY Apt 306	LEMON GROVE CA	91945 503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
	GOVERNMENTAL PUBLIC	8150 BROADWAY Aut 307	LEMON GROVE CA	91945/503 011-17 00	ICALEXICO PLAZA DEVELOPIMENT CORP
	GOVERNMENTAL, PUBLIC	80E 10A YAWDAONG 0216		91945[503-071-12-00	CALEXICO PLAZA DEVELOPMENT CORP
		and labeled debided or resemble and resemble	4		
	GOVERNMENTAL PUBLIC	8150 BROADWAY Apt 309	LEMON GROVE CA	91945[503-011-12 00	ICALEXICO PLAZA DEVETORMENT CORP
	GOVERNIVALNIAL, PUBLIC	B150 BROADWAY Apt 310	LEMON GROWL CA	[91945]503 011-12 00	CATEXICO PLAZA DEVELOPMENT CORP
278	GOVERNMENTAL PUBLIC	TESTROADWAY ARE SEE	MENTAL CROSS CA	01010 605-011-17-00	CALLINGO PLAZA DEVELOPMENT CORP
	IGOVERNMENTAL PUBLIC	8150 8A CAPAVAY Ant 315	LEMON GROVE ICA	91300 000-011-17-00	CALL RE O PLAZA OF VITOP WHAT CORP
atatomatataan d	GOVERNMENTAL PUBLIC	£150 BROADWAY Apr 315	(LEMON GROVE ICA	21045 503 011 12 00	CALEXICO PLAZA DEVELOPMENT CORP
	GOVERNMENTAL PUBLIC	[BISO BROADWAY AM 417	LEMON GROVE CA	[88945] 580 841-41 00	CALERCO PLAZA CEVELOPARIA ECRE
282	GGVERNMENTAL, PUBLIC	8150 BROADWAY Apt 319	LEMON GROVE CA	91945 503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
583	GOVERNMENTAL, PUBLIC	8150 8RQADWAY Apt 321	LEMON GROVE ICA	(48945 563 011 12 00	CALESICO PLAZA UI VETON MEDI CORP
	GOVERNMENTAL, PUBLIC	8150 BROADWAY ABE ATE.	LEMON GROVE ICA	(94945) 33 (941-12-60)	CALUEICO PLAZA GENELOPMENT CORP
a systematical way				31945 Sn3 011-12-00	#Y SS SAME AND A SAME
	GOVERNMENTAL PUBLIC	#150 BROAUWAY Apt 324	LEAGUIGNOVE CA		CALEXIUU PLAZA DEVELOPMENT CORP
	IGOVERNMENTAL, PUBLIC	MISO BROADWAY Apr 325	LEMON GROVE ITA	91945 508 011-12-60	CALCNICO PLAZA DEVELOPMENT CORP
287	GOVERNMENTAL, PUBLIC	HISH BROADWAY ADI 116	(LEMON GROVE CA	01945 503-011-12-00	CALEXICO PLAZA DEVELOPMENT CORP
	GOVERNMENTAL, PUBLIC	2150 BROADWAY Act 327	LE MONS GROWE LA	91945[503-011-12-60	CALERICO PLAZA DEVELOPMENT CORP
	GCVERNMENTAL PUBLIC	#150 DROADWAY Apr 328	TEMON GROVE CA	91945 503-011-12-00	CALEKICO PLAZA DEVELOPMENT CORP
	GETVERNAFETTAL FURING	\$150 860 APRIVAY Apt 415	TENDARMAN EN	GANAS TET BELLTE ET	TATOTE OF SEED
795		LORGE DISCOURSE MAIN AND SIZE	TEANA CHUM INV	VI-45 503-011-11-00	HASH BOO HAFA COVEROFMENT CORE
793 233	SERVE AND ALL VEHILLE	2110 BROADWAY Apt 331		91945 503-011 12 (5)	Continues of the Principle Addition Cont.
795	SERVE AND ALL VEHILLE	DEST BECAUTYAY ARE \$11	[FUNDS GROSS [CA.	lanadalanamin na ma	CALEXICO PLAZA DEVELOPMENT CORP
793 233	GOVERNMENTAL FUNDS GOVERNMENTAL FUNDS	RESO BECANDAY ARE 331			
250 231 293 293	Generalital funic Consumetatial funic Consumeratal funic	BIND BROADWAY API 333	ENSORN EAGENS. TEX	91945 503 021 12 00	CALEXICO PLAZA DEVELOPMENT CORP
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295 291 291 291 291 295	GOVERNMENTAL PUBLIC GINGRADICATAL PUBLIC DEVERSACE ATAL PUBLIC GOVERNMENTAL PUBLIC GOVERNMENTAL PUBLIC	BIOD BROWDING API 339 BIOD BROADWAY API 339 PISO BROADWAY API 336 BISO BROADWAY API 337	DETAILS TO THE PROPERTY OF A LEWIS TO THE PROPERTY OF THE PROP	91945 503-071-17-01  91945 203-011-17-02  91945 503-011-17-00	CALEXICO PLAZA DEVELOPMENT CORP CALEXICO PLAZA DEVELOPMENT CORP CALEXICO PLAZA DEVELOPMENT CORP
290 293 293 291 294 295 296	GOVERNMENTAL FUNDS OTHER RESERVATAL FUNDS OTHER PROPERTY AT ALL FUNDS GOVERNMENTAL FUNDS	E130 EBCASTYAY APF 3.0 E130 EBCADAAN APF 3.3 JE150 BROADWAY ADI 336	EFYSYGRAN IS	91945   553 571 17 67   91945   563 673 172 174   91945   563 673 17 60   91945   563 673 17 69	CALEXICO PLAZA DEVELOPMENT CORP

[298	IGOVERNMENTAL, PUBLIC	B150 BROADWAY Apt 340	[LEMON GROVE  CA	Erany se.	(0) 011-12-00	ICALENICO PLAZA DEVELOPMENT CORP
299	GOVERNMENTAL, PUBLIC	B150 BROADWAY Apt 341	LEMON GROVE CA	71745	105-011-12-00	ICALEXICO PLAZA DEVELOPMENT CORP
300		R150 ARDADWAY Apr 347	IT FLADIN GROVE ICA	91345		CALEXICO PLAZA DEVELOPMENT CORP
	GOVERNMENTAL PUBLIC		ILLIMON GRUVE EX		101 011 12 03	ICAS EXISTO CIAZA DE VETETOS SELVITORIS
301	GOVERNMENTAL PUBLIC	6150 300 000WAY Ax ( 344		61545		CALCY CO PLAZA DEVELOPED MENT CORT
307	GOVERNMENTAL, PUBLIC	\$150 OMONDAYARI 316	LEMORGRAPH EA			
360	VAÇANT COMMERCIAL	VACANT/WISC	JLEMON GROVE JCA	141945		M 23URUG1 & GVATEUD S 11ASMOD
304	STORES, RETAIL OUTLET	9247 BROADWAY	ILEMON GROVE ICA	04.945	503-012-05-00	S & S NELSON FAMILY LIMITED PART
305	RESTAURANT, BAR, FOOD SERVICE	SAFT BUDYDMAY	LONGOL GROVE TO	191945	suicula tis co	HINGEY ONE OTRUST VACAUT
14%	STORES, RETAIL QUILLET	JEST DWEETWATER WAY	THUMOR SPIZZE C.E.	91945	20 87 380 kos	PRESENTATIONS COLUMN
107	RESTAURANT, BAP, FOOD SERVILL	FILL STRINGS AT	BETTOM SHOWS INA	91945	563 481 30 CO.	2 42A1 146 1 451 (48 1 M. 44 4 - MILERS
Asta-	BIANAGICT PAROSC STREET	9215 28454 Br&'A'Y	ASSESS CARN'S FEA	01445	104-012-11-05	CHO LUL AUTONOMIC
309	TOXICA SET CENSAMENCE AN	WARANTE/ARTHRACOURTET AFTER	TEMAGRICANO ZE ICA	91345	509-012-17-00	Egypticater of tausa
1886	Panicology (23 pangray santo line)	8 24'1 × 0026 (5 VZA Y	TEMBER GROZAL TOA			NUMBER OF STREET STREET, STREE
985	TELESTE BEFALL CONTACT	N. VS SECRETARY	TENOR GHOVE IS A		503-014-08-00	IGARYL SMITH SAND TIRES
817	S. Care as two constitutions	8:45 s8/96BA/89	LENGTH GADYS ICA		572 (45.4 (Je.Cs)	IRAHUR HARSER IV OP
	VACANT COMMERCIAL	VACANT/UNIN/PROVED LAND	LEMON GROVE ICA		503-014-09-00	IC M S AN UC
SIL		87 23 GROADWAY	LEMON GROVE ICA		503 014 03 CO	SUCARINE MELLINES FUNCTO +1 MET MINE
4 4	DIAMERICANA, CICHARA					ICMSANCE VACANT
115	WAREHERST TRESTANT	NIPE PROPERTY.	LEMON SPENT CH		503-014-10-00	
334	Farevise, our rain so that four	818) BROADWAY	ILEMON GROVE ICA			LEMON GROVE SMOG TEST ONLY STATION
217	MUETI FAMILY CALLING 12 4 DATH	1554 SWEETWATER WAY	LEMON GROVE ICA		503-014 12-00	MEDINA JAMES / & DIANA 1999 REVO
318	I MULTI-FASKLY OWELLING (2-6 GNIT)	3590, SWEETWATER WAY	TLEMON GROVE CA		S878-7114-112-000	(SALE) TOWNS OF STREET WAS INVESTIGATED BY
319	IMULTI-FAMILY CAMEDIAG 62-4 UNITS	3594 SWEETWATER WAY	LEMON GROVE CA	CO. NO. CO. STORY STATE OF		EMEDINA, JANGES J. & DIANA 1999 REVO
JE-21.5	SOUTH-FAMILY (SWELLING & 4 LASE)	25.92 SWEETWATER WAS	LEMON GROVE ICA		\$49-014-17-00	TOTO INALIAMES LA CHARA 1809 MEVO
321	SINGLE FAMILY RESIDENCE	16590 : 9517 TWOTER WAY	DEMONIGROVE (C)	81546	857 314 (1) (t)	THE CHARLEST A VARIOUS VARIOUS NO.
322	SINGLE FAMILY RESIDENCE	3576 SWEETWATER WAY	LEWON GRIPT (CA	91945	163-914-14-69	INTOSTEY BAYE
323	DUPLEX	SEGA VAGETYZATER WAY	LEMON GROVE I'A	WHEAT.	503 (114-15-03)	KILLEDNIG YAROSLAV & SKIZAKIM
324	SINGLE FAIVILY RESIDENCE	19369 COURTHAVE	TEMON GROVE CA	91943	W31-014-18-00	BROWNE STEPHEN P & MARIA I LIVIN
325	SINGLE FAMILY RESIDENCE	18296 GOLDEN AVE	LEMON GROVE ICA	91945	503-014-19-00	ICASS, PAUL T & PATRICIA L
323		8230 GOLDEN AVE	LEMON GROVE ICA	71945	503-014-21-00	TOWLER, TIMOTHY H & PAMALA A
	topalt PANAY nestropes	3284 GOLDEN AVE	LEMON GROVE ICA	91045	503-014-72-00	TOWLER FAMILY TRUST
327	SINGLE FAMILY RESIDENCE			191945	503 014 73 00	KUSHNIR YAROSLAV & SUZANNE M
328	VACANT RESIDENTIAL	WACANT/ROOMSPREEDTD LANE	LEMON GROVE CA	A10. 5 100		
329	(CACAMURISHERIDA)	İVAÇAHI/ORBHAPRÖVED LAND	LEMON CROVE CA			IKUSHINIR.YAROSLAV & SUZANNE M
330	Sprice Parage residence	10270 GOLDSH AVE	LEMON GROVE CA		503 014 25 00	DEXTER DANIEL F & KATHLEEN I TRU
334	[VACANT RESIDENTIAL	VACANT/UNIMPROVED LANG	LEMEN GREVE CA			IKUSHNIR,YAROSLAV & SUZANNE M
333	THINGS PARAMER NESTINGICE	MIT SOLDEN VIEW TER	ERMON GROWE I'M	01945	\$03.014.78.00	EBROSH MARK & ROCHELLE M
333	THIGH FAMILY BESIDENCE	1441 GOLDEN VILW TER	LEMON GROVE ICA	51925	563 GDT 29 GD	NUNTRANKCHO II
5.84	SUMBLE FAMILY RESTREACE	3441 GOLDEN VIEW TER	LEMON GROVE CA	91965	964 (014-12) (01	I ARCETT AFFAN E R EUNOBAL
335	SAVELE LAMON BESIDENCE	3437 GOLDEN VIEW TEN	ILEMUN GRUVE ICA		563-034-31-03	BANGOLEFF MENT I II. KARLISSA I
330	SINGLE FAMILY RESIDENCE	3439 GOLDEN VIEW TER	LEMON GROVE CA		503-014-37-02	PRICE CONTRACTOR & PEDERAL STREET
337	WULTI-FAMILY DWELLING (2-4 UNIT)	3518 SWEETWATER WAY	LEMON GROVE ICA	191945	503-014-49-00	KUSHNIR YAROSLAV & SUZANNE
338	WULTI-FAMILY DWELLING (2-4 UNIT)	3528 SWEETWATER WAY	LEMON GROVE ICA		500 014 51 00	KUMANK VAROSLAV E. SUDAROL KA
339	MULTI-FAMILY RES (S+ UNITS)	3415 WASHINGTON ST Apt 17	LEMON GROVE ICA		100-014-02	PERDENGROWS TRABACS AVAISMANTS
	(MULTI-FAMILY RES (5+ UNITS)	3415 WASHINGTON ST Apt 18	LEMON GROVE CA		503-014-52-00	GOLDEN GROVE TERRACE APARTMENTS
341	MULTI-FAMILY RES (5+ UNITS)	3013 WASHINGTON STADI 19	TEMORIBACKE CV		503-014-52-00	GOLDEN GROVE TERNACE APARTMENTS
	AND THE PASSES ACT IS - UNITS)	5415 UZASHINGTON ST Apt 10	LEWSH DESVE CA		503-014-52-00	GOLDEN GROVE TERRACE APARTMENTS
343	MULTI-FAMILY RES (5+ UNITS)	SALS WASHINGTON STAPLAT	LEMBH GROVE CA		5451-4154-51-00	LOLDERGROVE TERROUT APARTMENTS
344	MOUTH-FAMILY RES (5) UNITED	E415 WASHINGTON IT AM 22	THOMON GROWE ITA		503 (014-8) 00	GOLDET GROW, FERNALE APARTAGINES
345	ACM NO A VIEW HAVE A CONTROL	BAIS WASHINGTON STAN SE	LEMBN GROVE 148		503-014-52-00	GOLDEN 63094 ISHRACE AFARTMENTA
144	SECURE FAMILY BUT 184 SECTION	3415 WASHINGTESS 57 Aug 24	LESSON CROWN ICA		503-014-52-00	GOLDEN GROW TERRACE APARTMENTS
347	MURLE CAMPLY BES 15 - DELESS	SALE WASHINGTON ST Act 25	LEMON GROVE CA	91945	500-014-52-00	GOLDEN GROWE TERRACE APARTMENTS
3.88	MULTI-FAMILY RES (5) UNITS)	F&15 WASHINGTON ST ARE 26	TEMORITACVE DA	等量分支外	141 014 12 00	GENERA GREAT TERRAS E APARTMENTS
309	12 No 10 4 A A A A A A A A A A A A A A A A A A	5415 WASHINGTON ST Apt 27	LEMON GROVE CA	943835	503 934 12 50	SCHOOL OF CAN THER AS I AS ARTAITING
350	NULTI-FAMILY RES (S+ DRIES)	3415 WASHINGTON ST Apt 28	TEMON GROVE LA		563 614 57 60	GOLDEN CHOVE TERRISCE APARTMENTS
351	MULTI-FAMILY BES (5+ UNITS)	3415 WASHINGTON ST Apt 29	LEMON GROVE ICA	31925	589-014-52-00	CCTOEN CHOM TERRACE APARTMENTS
352	WUITI-FAMILY RES (5+ UNITS)	3415 WASHINGTON ST Apt 30	LEMON GROVE ICA	\$1:155	501 014 52 00	GENERAL CHERRY TENNALS BEAR PARTITIONS
353	WULTI-FAMILY RES (5: UNITS)	3415 WASHINGTON ST Apt 31	LEMON GROVE (CA	1#1945	503-014-52-00	GOLDEN GROVE TERRACE APASTMENTS
354	MULTI-FAMILY HES (5+ UNITS)	3415 WASHINGTON ST Apr 32	LEMON GROVE CA		203-037-33-00	DESIGNATIONS RESERVED APARTMENTS
955	MULTI-FAMILY RES (S) UNITS)	3413 WASHINGTON ST Apr 42	LEMON GROVE CA		503 014 52 00	IGGIDEN GROVE TERRACE APAREMENTS
			MAGNITURE AND THE PROPERTY OF		503-014-52-00	To the first of the second of
356	MILD FAVOR RESIDE ON THE	SALE WASHINGTON ST AND SO	HANNAGERAT FOR			GULDAN GAGAT TEPPAGE AFARTMENTS
357	THAT PAREET GET IS CLUMEN	BALB WASHINGSTON STANKET	AT PAGNOPHER		103 015 52 66	DIRDLA CATAL HAMAEL AT ARTHURN'S
158	EXEMIN-FAMILY RES (5+ UNITS)	JA13 WASHINGTON ST Apt 52	LEMON GROVE ICA		103-016-13-00	isolden obsyk tehbage aharpatints
	MULTI-FAMILY RES (5+ UNITS)	FOLOWASHINGTIOM STAIN SO	LEMONISHOVE CS			GOLDEN GROVE TERRACE APARTMENTS
1665	AND DEPARTY BES IN CONSTR	3611WASHINGTIPH ST Apt 36	BENGWORDS CA			GOLDEN GROVE TERRACE APARTMENTS
1441	MAKETI BEAFER BLESSE UPWES	BALE WASHINGTON ST Apr 55	LLNSDN GROW CA			IGOLDEN GROVE FERRACE APARTMENTS
PAJ	ASSOCIATION OF SUCH THAT IS	SATE WASHINGSTON ST ARE SIG	CHMOMISICÓVA CA			GOLDEN GROVE TERRACE APARTMENTS
14.1	MISTOTAR UT BES 13+ LIN [3]	3413 WASHINGTON 17 Agt 57	LI MONTINONE CA	91945	503-014-52-00	GOLDEN GROVE TERRACE APARTMENTS
	(N/115 T) #AB* 1 7 HITE #5 = 1:7 < 25)	#413 WASHINGTON ST ADL SE	LEMON GROVE ICA	91945	503-014-52-00	GOLDEN GROVE TERRALE APARTMENTS
	MEG TO FAAR 44 ECS (5 - UNITS)	141 LOUASIUS CATHS ST AIR EN	TENNING CA			COLDEN GROVE TERRACE APARTMENTS
	MULTI FAM LY RES (\$+ UNITS)	2412 WASHINGTON ST Aut 60	TEMON GROVE CA			GOLDEN GROVE TERRACE APARTMENTS
	STRIP TO FRANCE RES (50 PM-TS)	DETERMAININGTON STANKE	TEMPOREAGNS TON			TEO DITY GROVE THE AFT ATARTATERIS
	MICH IS FAM IN AND ES FOR MOTH	2+13 Washing For ST Apr 67				DEDINGLES THE STATE TO THE STATE OF THE STAT
122	BACKETT CARROLS ORC. O CONTACTOR		LEMON GROVE ICA	01000	344 dri 52 50	GOLDEN GROVE TERRACE APARTMENTS
ting.	MOLTE FAMILY RES (% UNIES)	PHI D WASHINGTON ST AUL 63				
170	MULTIFAR LY BUS (5+ UNITS)	3413 WASHINGTON ST Apt 64	ILEMON GROVE ICA			contraserve Trunca arabiment
	RAULTI-FAM:LY RES (5+ UNITS)	PELL WASHINGTON ST Apt 1	ILEMON GROVE ICA	[03:55]	Sh at 152.00	COURT INCOME TRACE APARTMENTS
372	MULTI FAM: LY RES (5+ UNITS)	3411 WASHINGTON ST Apt 2	ILEMON GROVE ICA	397.945	503 N14 52-CO	GOLDEN GROVE TERRACE APARTMENTS

72   Tarretti family 825 (5+ USIIIs)	(1011 WASH NOTON NOT ARE)	furnion arrors	irus.	Temeses	SAME AND SECTION	Postorn grant terret apartables
74 SAULTH FASTILY RES (2+ CONTS)	TATE WASHINGTON AND A	LEMON GROW	H., 1		345,7(14,52,00)	EGINTA CATAC HORSE LAPARIAMIA
PS MORTH FAMILY RESIDENCE	3411 WASH WOTON 51 Azu 5		III.		500-016-52-03	GOLD'N GROVE TERRACE APAULMONIC
FS WORTH FAMOUY RESIDENCES	THE WANTED HORSE AGE I	DEMON GADAL			593-014-53 (0)	EXPOSIS COOK TRUSKS PRAETABLISTS
27 SAULTI-CAMILY ICE (S) LISTEN	THE WASS TIGION SEARCE	LABOREN CHECKE	CA.		103 014 52 07	COLORN GROW THRANCS AND AND MINING
FR. NAULTI CAMITY HER (S) LORISI	SELL SAME WASON STADES	HEATON CACVE	E.S.		563-014-52-69	PROMETER THE PROMETE STREET APARTMENTS
15 200 Maria 2010 4 20 4 20 4 20 4 20 4 20 4 20 4 20	3811 20250-1031048-53 244 3	and the same parties approximate the same	1.2		183.014.12.10	GADEDEN GPAYAE TENASEL APASIANER IS
D SOCIETARIO (NES ESTADES)	3411 WASA, NESTERN STALE TO		€4		503 014 57 50	GENERAL GROVE TERMANE APAUT MENTA
1 Paghtanna eta ( enus)	1411 MASH MORRIED VOLUM		CA.		501-014-57-00	COLUMN GEORY THRONG AFANIMONES
ei Man a-aanny men (Sa thaish	1411 WAYP ZEZININ ST AN 12	IT TO CONTERD VE	KA.		501-014-51-00	SOCULO GROVE TERRACI ACAMERISTA
14 MARY A: EVARIA NEZ 18-4 MARCEL	1411 WASHINGTON NI 221 13	UNION GROVE	64		1610143260	GOLD CHI GROVE TERRALL NEARINGATI
CI JANUEL CARREL ALS IN UNITED	(Sall SEASINGETON STANCE	LESSON GROVE			501-014-57-09	GORDEN GRIZVE TERRAFT AT ANTAGEN PS
AND TO FAMILY RES (Se traits)	ALTA WASHINGTON ST AND IS	LEWON GARYE	CA		563-014-52-00	GEORGIA CHELVE CERRALE APARTMENTS
E MULTI FAMILY RES (SE URATS)	Tidas to A Senta (CALIFORNIA ST Ann. 10	LE NECES GROOM	ra.		503-014-52-00	CONDENSIONAL TRANSPARATION
AND CAMER CAMER SECTION	1421 washidigigi Vi An at	ILESSON GROVE	in it		261 014 53 00	GONGEL CRIMA TRUBBAS WANAFFERED
	1.473 V/A566RePON W A51 83	Fator Grow	CA -		1801 (214 51 00	STOUDER GROVE TERRALE AVARYMENTS
			ACAL DIMON Z		6E3 GM A3 (8)	granto centa lindaci afatheriis
5 [MULTI FASOLY REPORTS)	M22 W75HOLGTON STAIN \$3	HEART CROVE	C.K.			LANCENTERINE TERRACE APARTMENTS
) (Mary-rammy and for taxing	1473 Seathchigt/Initit Aprill	FERRING STRENG	1,8		101414-12-00	
MINUS FAMILY BY STEEDINGS	15473 WASHINGTON 51 A14.05	ILLENDA GROVE	ť.A		201111770	MICLOSPI GRIDVE TERRESSE AVARIATION
PARUCTE PARAGOTRES (2+ GROES).	3423 WASHINGKIN STADLES	MACCIONAL	EA.		101-011-51-00	GENTLEM CHINAL LEMINACE VAVOLEMENT
MOUTH FAMILY (US IS + USEFS)	3423 WASHINGTON STAIL 87	MINOW GROVE	CA.		104-014-53-06	Grando Greek Haract Apantathits
( MANAGERANTA SERVICES (SANTA)	THE PART OF THE PROPERTY OF THE PER	ELASON STORF	1.4		507-014-53-00	GOVERNMENT REMAIN APARENTES
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ENGLE FARMLY RESIDENCE	18410 MCSHY OR	LA MESA	CA	Time of Acres	503 832/34-00	WASTON HILLE



13520 Scarsdale Way San Diego, CA 92128 www.titleprois.com

#### CERTIFICATION

I SEAN WILSON/ TITLE PRO INFORMATION SYSTEMS HEREBY CERTIFY THAT THE ATTACHED LIST CONTAINS THE NAMES, ADDRESSES AND PARCEL NUMBERS OF ALL PERSONS TO WHOM ALL PROPERTY IS ASSESSED AS THEY APPEAR ON THE LATEST AVAILABLE ASSESSMENT ROLL OF THE COUNTY WITHIN THE AREA DESCRIBED AND REQUESTED BY YOU THE CLIENT, THE REQUIRED RADIUS MEASURED FROM THE EXTERIOR BOUNDARIES OF THE PROPERTY REQUESTED AND DESCRIBED AS:

APN... 499-200-18 1000FT MMCC

PLAT DATE 03/15/2017 COUNTY OF: SAN DIEGO CITY OF: LEMON GROVE

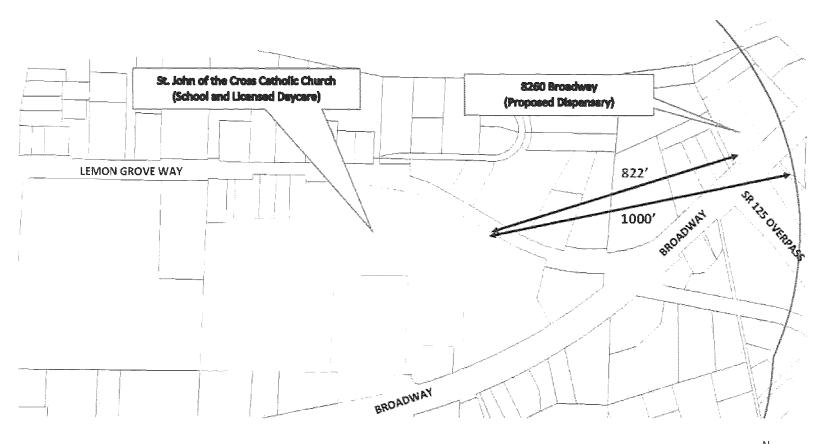
SEAN WILSON

TITLE PRO INFORMATION SYSTEMS

DATE: 03/18/2017

Phone: 760.295.3951 | Fax: 760.295.4038

### Saint John of the Cross and 8260 BROADWAY







### CITY OF LEMON GROVE

"Best Climate On Farth"

Development Services Department

Date: May 8, 2017

Pick Axe Holdings, LLC Attn. Gina Austin 7364 Mission Gorge Road San Diego, CA 92120 Mattar Family Trust of 1990 4395 Alta Mira Drive La Mesa, CA 91941

SUBJECT: Appeal hearing for denial of Zoning Clearance application ZC1-700-0012 for property located at 8260 Broadway, in the City of Lemon Grove (APN: 499-200-18-00).

Gina Austin,

On April 6, 2017, staff received the subject application to establish a medical marijuana dispensary (MMD) at the subject property in the City of Lemon Grove. On April 17, 2017, staff denied the application because the property is located within 1,000 feet of a school and a State-licensed daycare facility. In order to provide a full and open opportunity for you to understand the reason staff denied your zoning clearance permit, and to allow you to respond accordingly, we wish to inform you that the specific protected use affecting your project site is the Saint John of the Cross Catholic Church, located at 8086 Broadway. The church property is comprised of three parcels, each of which is utilized by the school and the licensed daycare facility associated with the church. As such, the entire church property is considered a protected use. By measuring georeferenced parcel boundary information, we have determined that your property at 8260 Broadway is located 822 feet west of the church property, and is therefore ineligible for approval as a dispensary.

On April 20, 2017, staff received an appeal of its decision to deny the application. Staff's decisions are subject to appeal pursuant to the provisions of the Lemon Grove Municipal Code, Section 17.28.020(I). The Lemon Grove City Council will consider the appeal and make a determination to grant or deny the appeal at a public hearing to be conducted on July 18, 2017.

If you have any additional supporting material you would like to submit for the appeal, please provide that information to staff at your earliest convenience.

Respectfully,

Eric Craig, Associate Planner

t, ...

3232 Main Street Lemon Grove California 91945-1705

619.825.3805 FAX: 619.825.3818 www.cl.lemon-grove.ca.us

#### **Eric Craig**

From:

Austin, Gina <gaustin@austinlegalgroup.com>

Sent:

Monday, May 15, 2017 9:44 AM

To:

Eric Craig

Cc:

'chris@xmgmedia.com'

Subject:

Re: Acknowledgement and Hearing Date for Medical Marijuana Dispensary Appeal

(AA1-700-0003)

#### Confirmed

Gina

Sent from un 1-Mobile #G 1 (F Device

----- Original message -----

From: Eric Craig <ecraig@lemongrove.ca.gov>

Date: 5/15/17 9:43 AM (GMT 08:00)

To: "Austin, Gina" <gaustin@austinlegalgroup.com> Ce: "chris@xmgmedia.com" <chris@xmgmedia.com>

Subject: RE: Acknowledgement and Heating Date for Medical Marijuana Dispensary Appeal (AA1-700-0003)

Good Morning Gina,

Please respond to this email acknowledging receipt of the letter I sent last Monday 5/8/17, and acknowledging your agreement to go to Council on July 18<sup>th</sup>. I attached another copy for your reference.

Thanks,

Eric Craig, AICP

Associate Planuer

City of Leman Grove

Development Services Department

3232 Matin St

Lemon Grove, CA 91945

(619) 825-3806 phone

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ммм Лениовром сащом
From: Eric Craig
Sent: Monday, May 8, 2017-1:42 PM
To: 'gaustin@austinlegalgroup.com' <gaustin@austinlegalgroup.com>; 'chris@xmgmedia.com'
· chris@xmgmedia.com ·
Ce: 'chris@xmgmedia.com' <cliris@xmgmedia.com>; David DeVries <ddevries@lemongrove.ca.gov>
Subject: Acknowledgement and Hearing Date for Medical Marijuana Dispensary Appeal (AA1-700-0003)
Gina.
The attached letter acknowledges our receipt of the appeal and indicates that the hearing date will be July 18th,
Call me if you have any questions.
Respectfully,
Eric Craig, AICP
Associate Planner
City of Lemon Grove
Development Services Department
3232 Main St
Lemon Grove, CA 91945
(619) 825-3806 phone
(619) 825-3818 Lts.
ceraig a lemongrove ca gov
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St. John of the Cross Catholic Parish 8086 Broadway Ave Lemon Grove, CA, 91945

OFFICE OF RELIGIOUS EDUCATION (619) 461-2681

May 23, 2017

Eric Craig, AICP Associate Planner City of Lemon Grove

Saint John of the Cross Catholic Church operates an elementary and middle school, and provides licensed daycare services. The church programs activities for both the school and the daycare on all three of the parcels that comprise the church property. For example, the school uses the auditorium on the eastern parcel (APN 503-011-11-00) to conduct school-related events and to serve school lunch on a daily basis. Our Youth Center which is also on the north eastern side of our parcel is also used extensively for child care and youth activities.

Should you have any questions please feel free to contact me at 619-461-2681

Respectfully,

Director Religious Education/Facility Manager