

RESOLUTION NUMBER R- 312184

DATE OF FINAL PASSAGE JAN 14 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO DENYING THE APPEAL AND UPHOLDING
THE ENVIRONMENTAL EXEMPTION FOR 9151 REHCO
ROAD – PROJECT NO. 585470.

WHEREAS, an application for a Conditional Use Permit (CUP) was submitted to operate a Marijuana and Production Facility (MPF) at 9151 Rehco Road within an existing 68,937 square foot, two-story building located on a 4.72-acre site within the Mira Mesa Community Plan area (the Project); and

WHEREAS, on October 20, 2018, the Environmental Analysis Section (EAS) of Development Services Department made the determination that the Project was exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301 (existing facilities); and

WHEREAS, on November 6 and 14, 2018, two appeals of the environmental determination were filed; and

WHEREAS, EAS staff prepared a memorandum for the City Council's consideration that contains responses to the issues raised in the appeals; and

WHEREAS, under San Diego Charter section 280(a)(2), this resolution is not subject to veto by the Mayor because this matter requires the City Council to act as a quasi-judicial body and where a public hearing was required by law implicating due process rights of individuals affected by the decision and where the City Council was required by law to consider evidence at the hearing and to make legal findings based on the evidence presented; and

WHEREAS, one appeal was withdrawn prior to the hearing and the remaining appeal was heard before the City Council on January 14, 2019, testimony having been heard, evidence

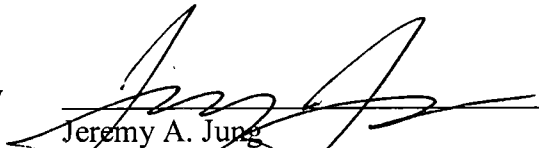
having been submitted, and the City Council having fully considered the matter and being fully advised concerning the same; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the appeal is hereby denied.

BE IT FURTHER RESOLVED, that the environmental determination that the Project is exempt under CEQA Guidelines section 15301 is hereby upheld.

APPROVED: MARA W. ELLIOTT, City Attorney

By


Jeremy A. Jung
Deputy City Attorney

JAJ:nja
01/15/19
Or. Dept: DSD
Doc. No.: 1909497

Passed by the Council of The City of San Diego on JAN 14 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JAN 14 2019

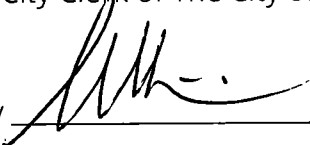
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California
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