

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~Struck Out~~

NEW LANGUAGE: Double Underline

ORDINANCE NUMBER O-21163 (NEW SERIES)

DATE OF FINAL PASSAGE JANUARY 8, 2020

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE 2, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 22.4033; AMENDING CHAPTER 3, ARTICLE 4, DIVISION 1 BY AMENDING SECTION 34.0103; AMENDING CHAPTER 4, ARTICLE 2, DIVISION 13 BY AMENDING SECTIONS 42.1301, 42.1302, 42.1303, AND 42.1304; AMENDING CHAPTER 4, ARTICLE 2, DIVISION 15 BY AMENDING SECTIONS 42.1501, 42.1502, 42.1504, 42.1505, 42.1506, 42.1507, 42.1508, 42.1509, AND 42.1510; AMENDING CHAPTER 4, ARTICLE 3, DIVISION 10 BY AMENDING SECTION 43.1002; AMENDING CHAPTER 5, ARTICLE 2, DIVISION 33 BY AMENDING SECTION 52.3305; AMENDING CHAPTER 11, ARTICLE 3, DIVISION 1 BY AMENDING SECTION 113.0103; AMENDING CHAPTER 11, ARTICLE 3, DIVISION 2 BY AMENDING SECTION 113.0225; AMENDING CHAPTER 12, ARTICLE 6, DIVISION 3 BY AMENDING SECTION 126.0303; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 2 BY AMENDING SECTION 131.0222; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 3 BY AMENDING SECTION 131.0322; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 4 BY AMENDING SECTION 131.0422; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 5 BY AMENDING SECTION 131.0522; AMENDING CHAPTER 13, ARTICLE 1, DIVISION 6 BY AMENDING SECTION 131.0622; AMENDING CHAPTER 13, ARTICLE 2, DIVISION 15 BY AMENDING SECTIONS 132.1510 AND 132.1515; AMENDING CHAPTER 14, ARTICLE 1, DIVISION 5 BY AMENDING SECTION 141.0504; AMENDING CHAPTER 14, ARTICLE 1, DIVISION 10 BY AMENDING SECTION 141.1004; AMENDING CHAPTER 15, ARTICLE 1, DIVISION 1 BY AMENDING SECTION 151.0103; AMENDING CHAPTER 15, ARTICLE 2, DIVISION 3 BY AMENDING SECTION 152.0312; AMENDING CHAPTER 15, ARTICLE 3, DIVISION 3 BY AMENDING SECTIONS 153.0309 AND 153.0310; AMENDING CHAPTER 15, ARTICLE 5, DIVISION 2 BY AMENDING SECTION 155.0238; AMENDING CHAPTER 15, ARTICLE 16, DIVISION 1 BY AMENDING SECTIONS 1516.0112, 1516.0117, AND 1516.0122, RELATING TO CANNABIS

REGULATIONS AS PART OF THE 12th UPDATE (PHASE TWO) OF THE LAND DEVELOPMENT CODE.

§22.4033 Sales or Distribution of Goods in Special Event Venue

- (a) [No change in text.]
- (b) It is unlawful to sell, resell, offer to sell, or distribute ~~marijuana~~ *cannabis* or ~~marijuana~~ *cannabis* products within a Special Event Venue.

§34.0103 Definitions

Except where the context otherwise requires, the definitions given in this section shall govern the application and interpretation of this Article. Each word or phrase defined in this Division appears in the text of this Division in italicized letters.

- (a) “*Cannabis*” [No change in text.]
- (b) “*Cannabis Business*” means any activity which entails the distribution, delivery, dispensing, exchanging, bartering or sale of non-medical *Cannabis*, including but not limited to, transporting, manufacturing, cultivating, compounding, converting, processing, preparing, storing, packaging, wholesale, or retail sales of *Cannabis* and any ancillary products in the City, whether or not carried on for gain or profit. Medical marijuana activities authorized under Health and Safety Code section 11362.765, as it may be amended from time to time, are not *Cannabis Businesses* under this Article. ~~Medical marijuana consumer cooperatives permitted pursuant to this Code are not *Cannabis Businesses* under this Article.~~
- (e) “*Cannabis Business Tax*” through ~~(k)~~ “*Tax Administrator*” or “*administrator*” [No change in text.]

Chapter 4: Health and Sanitation

Article 2: Health Regulated Businesses and Activities

Division 13: ~~Marijuana~~ Cannabis Regulations

- §42.1301 Purpose and Intent**
- (a) through (c) [No change in text.]
- (d) This Division shall be interpreted in a manner consistent with state law. Nothing in this Division is intended to authorize the sale, distribution, possession, planting, cultivation, harvesting, drying, processing, manufacturing, compounding, converting, producing, deriving, or preparing of ~~marijuana~~ cannabis, or any other transaction, in violation of state law.
- §42.1302 Definitions**
- For the purpose of this Division the following definitions shall apply and appear in italicized letters:
- ~~Marijuana~~ Cannabis has the same meaning as in California Health and Safety Code section 11018.
- ~~Marijuana~~ Cannabis processing means the creation or manufacturing of ~~marijuana~~ cannabis concentrate, including concentrated ~~cannabis~~ or an edible or topical product containing ~~marijuana~~ or concentrated ~~cannabis~~ cannabis and other ingredients.
- ~~Marijuana~~ Cannabis products has the same meaning as in California Health and Safety Code section 11018.1.
- Primary caregiver* means the individual designated by the *qualified patient* who has consistently assumed responsibility for the housing, health, or safety of the *qualified patient*, in accordance with state law, including California Health and Safety Code section 11362.5. As explained in *People v. Mentch*, 45 Cal. 4th 274 (2008), a *primary caregiver* is a person who consistently provides caregiving to a *qualified patient*, independent of any assistance in taking medical ~~marijuana~~ cannabis, at or before the time he or she assumed responsibility for assisting with medical ~~marijuana~~ cannabis.
- Private residence* [No change in text.]
- Qualified patient* means a California resident having the right to obtain and use ~~marijuana~~ cannabis for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of ~~marijuana~~ cannabis in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which ~~marijuana~~ cannabis provides relief in accordance with state law, including California Health and Safety Code section 11362.5.
- Vaping through Volatile solvents* [No change in text.]
- §42.1303 Smoking and Vaping ~~Marijuana~~ Cannabis or ~~Marijuana~~ Cannabis Products**
- Smoking, *vaping*, and ingesting of ~~marijuana~~ cannabis or ~~marijuana~~ cannabis products is prohibited in any public place or in any place open to the public. Any person who violates this section is guilty of an infraction.

§42.1304 Marijuana Cannabis Cultivation

- (a) Personal indoor *marijuana cannabis* cultivation is subject to the following regulations:
- (1) Indoor *marijuana cannabis* cultivation for personal use, in a manner and amount consistent with state law, may occur in an area of no more than 64 square feet.
 - (2) For purposes of this section, indoor *marijuana cannabis* cultivation includes cultivation in a fully enclosed and secure accessory structure to a *private residence* located upon the grounds of a *private residence*, consistent with state law.
 - (3) The use of gas products or *volatile solvents*, including carbon dioxide (CO₂), methane, or any other flammable or non-flammable gas, for *marijuana cannabis* cultivation or *marijuana cannabis processing* is prohibited.
- (b) No person shall plant, cultivate, harvest, dry, or process *marijuana cannabis* plants outdoors in anything other than a secured structure upon the grounds of a *private residence*.

Article 2: Health Regulated Businesses and Activities

Division 15: Marijuana Cannabis Outlets, Marijuana Cannabis Production Facilities, and Transportation of Marijuana Cannabis

§42.1501 Purpose and Intent

It is the intent of this Division to promote and protect the public health, safety, and welfare of the citizens of San Diego by allowing but strictly regulating the retail sale of *marijuana cannabis* at *marijuana cannabis outlets*, and the raising, harvesting, processing, wholesaling, distributing, storing, and producing of *marijuana cannabis* and *marijuana cannabis* products at *marijuana cannabis production facilities* in accordance with state law. It is further the intent of this Division to ensure that *marijuana cannabis* is not diverted for illegal purposes, and to limit its use to those persons authorized under state law. Nothing in this Division is intended to authorize the cultivation, sale, distribution, possession of *marijuana cannabis*, or other transaction, in violation of state law.

It is not the intent of this Division to supersede or conflict with state law, but to implement the Compassionate Use Act (California Health and Safety Code section 11362.5), the Medical Marijuana Program Act (California Health and Safety Code sections 11362.7-11362.83), the Medicinal and Adult-Use Cannabis Regulation and Safety Act, and the Adult Use of Marijuana Act.

§42.1502 Definitions

For the purpose of this Division, the following definitions shall apply and appear in italicized letters:

Marijuana Cannabis has the same meaning as in California Business and Professions Code section 26001.

Marijuana Cannabis outlet means a retail establishment operating with a Conditional Use Permit in accordance with section 141.0504, where *marijuana cannabis*, *marijuana cannabis* products, and *marijuana cannabis* accessories, as

defined in California Health and Safety Code sections 11018, 11018.1, and 11018.2, respectively, are sold to the public in accordance with dispensary or retailer licensing requirements contained in the California Business and Professions Code sections governing *marijuana cannabis* and *medical medical marijuana cannabis*. A *marijuana cannabis outlet* shall not include clinics licensed by the State of California pursuant to Chapters 1, 2, 3.01, 3.2, or 8 of Division 2 of the California Health and Safety Code.

Marijuana Cannabis production facility means individual or combined uses, operating with a Conditional Use Permit in accordance with section 141.1004, engaged in the agricultural raising, harvesting, and processing of *marijuana cannabis*; wholesale distribution and storage of *marijuana cannabis* and *marijuana cannabis* products; and production of goods from *marijuana cannabis* and *marijuana cannabis* products consistent with the requirements of State of California Statutes and the California Departments of Food and Agriculture, Consumer Affairs, and Public Health regulations.

Primary caregiver means the individual designated by the *qualified patient* who has consistently assumed responsibility for the housing, health, or safety of the *qualified patient*, in accordance with state law, including California Health and Safety Code section 11362.5. As explained in *People v. Mentch*, 45 Cal. 4th 274 (2008), a *primary caregiver* is a person who consistently provides caregiving to a *qualified patient*, independent of any assistance in taking medical *marijuana*, at or before the time he or she assumed responsibility for assisting with medical *marijuana* has the same meaning as in San Diego Municipal Code section 42.1302.

Qualified patient means a California resident having the right to obtain and use *marijuana* for medical purposes where that medical use is deemed appropriate and has been recommended by a physician who has determined that the person's health would benefit from the use of *marijuana* in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which *marijuana* provides relief, in accordance with state law, including California Health and Safety Code section 11362.5 has the same meaning as in San Diego Municipal Code section 42.1302.

Responsible person has the same meaning as in San Diego Municipal Code section 11.0210, and includes an employee and each person upon whom a duty, requirement or obligation is imposed by this Division, or who is otherwise a corporate director or officer, manager or member-manager, partner, trustee, or sole proprietor of an entity or trust operating or owning a *cannabis outlet* or a *cannabis production facility*, and persons responsible for the operation, management, direction, or policy of a *cannabis outlet* or a *cannabis production facility*. It also includes an employee who is in apparent charge of a *marijuana outlet* or a *marijuana production facility*.

State identification card through Violent felony [No change in text.]

§42.1504

Marijuana Cannabis Outlets and Marijuana Cannabis Production Facilities—Permit Required

- (a) It is unlawful for any person to operate any *marijuana cannabis outlet* without a *Marijuana Cannabis Outlet Permit* or a *marijuana cannabis production facility* without a *Marijuana Cannabis Production Facility Permit* issued pursuant to this Division.

- (b) ~~Marijuana Cannabis~~ outlets and ~~marijuana cannabis~~ production facilities shall designate one officer or manager to act as a responsible managing officer. The responsible managing officer may complete and sign the permit application on behalf of the ~~marijuana cannabis~~ outlet or a ~~marijuana cannabis~~ production facility.
- (c) The issuance of a ~~Marijuana Cannabis~~ Outlet Permit or ~~Marijuana Cannabis~~ Production Facility Permit pursuant to this Division does not relieve any person from ~~obtaining~~ the obligation to obtain any other permit, license, certificate, or other similar approval that may be required by the City, the County of San Diego, or state or federal law.
- (d) [No change in text.]
- (e) Applications for ~~Marijuana Cannabis~~ Outlet Permits and ~~Marijuana Cannabis~~ Production Facility Permits shall be filed with the City Manager.
- (f) [No change in text.]
- (g) ~~Marijuana Cannabis~~ Outlet Permits and ~~Marijuana Cannabis~~ Production Facility Permits issued pursuant to this Division shall be valid for one year from the date of issuance.
- (h) An application for a ~~Marijuana Cannabis~~ Outlet Permit or a ~~Marijuana Cannabis~~ Production Facility Permit shall be denied if the applicant has had any permit issued pursuant to this Division revoked by the City Manager within the past twelve months ~~preceding~~ of the date of application.

§42.1505 Exemptions

- (a) This Division does not apply to the cultivation of ~~marijuana cannabis~~ by a *qualified patient* at that patient's home, so long as the *patient qualified patient* is only growing the cannabis for his or her own personal medical needs in a manner consistent with state law.
- (b) This Division does not apply to the cultivation of six or fewer ~~marijuana cannabis~~ plants within a private residence or an accessory structure to that residence that is fully enclosed and secure. For the purposes of this section, a private residence means a house, apartment unit, mobile home, or other similar dwelling.

§42.1506 Marijuana Cannabis Outlets and Marijuana Cannabis Production Facilities—Cost Recovery Fees

Notwithstanding any other provision of this Code, the City may recover its costs in the form of a permit fee for the costs of permitting and regulating ~~marijuana cannabis~~ outlets and ~~marijuana cannabis~~ production facilities.

§42.1507 Marijuana Cannabis Outlets and Marijuana Cannabis Production Facilities—Background Checks and Reporting Convictions

- (a) Prior to acting as a *responsible person* in a ~~marijuana cannabis~~ outlet or a ~~marijuana cannabis~~ production facility, all persons shall undergo fingerprinting. The fingerprints shall be provided to and kept on file with the City.

- (b) The City shall conduct a background check of all *responsible persons*. Any person who has been convicted of a *violent felony* or a crime of moral turpitude within the past seven years; cannot act as a *responsible person* for a *marijuana cannabis outlet* or a *marijuana cannabis production facility*.
A conviction is complete upon entry of judgment upon a finding of guilty, or upon entry of a plea of guilty, or upon entry of a plea of nolo contendere or “no contest,” regardless of the pendency of any appeal, or expungement pursuant to California Penal Code sections 1203.4, 1203.4a, or 1203.41.
- (c) It is unlawful for any *responsible person* to act as a *responsible person* for a *marijuana cannabis outlet* or a *marijuana cannabis production facility* if he or she:
 - (1) fails to provide their fingerprints to the City; or
 - (2) has been convicted of a *violent felony* or crime of moral turpitude within the past seven years.

(d) through (e) [No change in text.]

§42.1508 Marijuana Cannabis Outlets and Marijuana Cannabis Production Facilities—Operational Requirements

- (a) Verification and Documentation

The *responsible person* for A *marijuana cannabis outlet* and a *marijuana cannabis production facility* shall maintain and provide, upon request by the City, a current list of all *responsible persons*.

- (b) Age Limitations

- (1) No person under the age of ~~twenty-one~~ 21 is allowed at or in any *marijuana cannabis outlet* or *marijuana cannabis production facility* unless the person is a *qualified patient* or *state identification card* holder, and if under the age of ~~eighteen~~ 18, is accompanied by a parent, legal guardian, or a *primary caregiver* who is over the age of ~~eighteen~~ 18.
- (2) No person under the age of ~~twenty-one~~ 21 may be employed by or act as a *responsible person* on behalf of a *marijuana cannabis outlet* or a *marijuana cannabis production facility*.

§42.1509 Marijuana Cannabis Outlets and Marijuana Cannabis Production Facilities—Regulatory Actions on Permit

- (a) In addition to any penalties and remedies provided by law, and any other bases for regulatory action provided by law, a *Marijuana Cannabis Outlet Permit* and a *Marijuana Cannabis Production Facility Permit* are subject to regulatory actions for the following reasons:
 - (1) through (5) [No change in text.]
- (b) Regulatory action includes the following:
 - (1) through (4) [No change in text.]
 - (5) Suspension of the *Marijuana Cannabis Outlet Permit* or the *Marijuana Cannabis Production Facility Permit*; or

(6) Revocation of the *Marijuana Cannabis Outlet* Permit or the *Marijuana Cannabis Production Facility* Permit.

(c) through (i) [No change in text.]

(j) The regulatory action shall be suspended while an appeal is pending, or until the time for filing such an appeal has expired, except for regulatory action taken when the City Manager determines there is a need to take immediate action to protect the public from injury or harm or when the *Marijuana Cannabis Outlet* Permit or the *Marijuana Cannabis Production Facility* Permit was based on material misrepresentations in the application and the permit would not have been issued but for the material misrepresentations.

§42.1510 Transportation

The transportation of *marijuana cannabis* and ~~*marijuana-cannabis*~~ products between facilities licensed by the State of California pursuant to Business and Professions Code, Division 10, is permitted.

§43.1002 Prohibitions

(a) through (g) [No change in text.]

(h) It is unlawful to smoke, *vape*, and ingest ~~*marijuana cannabis*~~ or ~~*marijuana-cannabis*~~ products at Special Events.

(i) It is unlawful to *vape* ~~*marijuana cannabis*~~ or ~~*marijuana-cannabis*~~ products in a *vaping lounge*.

§52.3305 Evidentiary Factors

The following factors, in addition to the specific circumstances of each situation, may be considered to determine if a violation of this Division has occurred:

(1) through (4) [No change in text.]

(5) Similarity to Illicit Street Drugs: The product resembles the form or consistency of an illicit street drug (such as cocaine, or methamphetamine, ~~or marijuana~~);

(6) through (11) [No change in text.]

Disclaiming a *Federal Schedule I Drug*, a *Novel Synthetic Drug*, or a *Novel Psychoactive Drug* as “not safe for human consumption” will not avoid the application of this Division.

§113.0103 Definitions

Abutting property through Business day [No change in text.]

Cannabis outlet has the same meaning as in San Diego Municipal Code section 42.1502.

Cannabis production facility has the same meaning as in San Diego Municipal Code section 42.1502.

Capital improvement program project through Map, tentative (See *tentative map*)

[No change in text.]

~~*Marijuana outlet* means a retail establishment operating with a Conditional Use Permit in accordance with section 141.0504, where *marijuana*, *marijuana* products, and *marijuana* accessories, as defined in California Health and Safety Code sections 11018, 11018.1, and 11018.2, respectively, are sold to the public in accordance with dispensary or retailer licensing requirements contained in the California Business and Professions Code sections governing *marijuana* and *medical marijuana*. A *marijuana outlet* shall not include clinics licensed by the State of California pursuant to California Health and Safety Code Division 2, Chapters 1, 2, 3.01, 3.2, or 8.~~

Market value through Yard [No change in text.]

§113.0225 Measuring Distance Between Uses

When there is a separation requirement between uses, the distance of the separation shall be measured as follows, except as specified by state law. See Diagram 113-02E.

Diagram 113-02E

Distance Between Uses

[No change in text.]

(a) through (b) [No change in text.]

(c) When measuring distance for separation requirements for ~~*marijuana-cannabis outlets*~~ or ~~*marijuana production facilities*~~ *cannabis production facilities*, the measurement of distance between the uses shall 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.

§126.0303 When a Conditional Use Permit Is Required

An application for the following types of uses in certain zones may require a Conditional Use Permit. To determine whether a Conditional Use Permit is

required in a particular zone, refer to the applicable Use Regulations Table in Chapter 13. The decision process is described in Section 126.0304.

(a) Conditional Use Permits Decided by Process Three

Agricultural equipment repair shops
Agriculture-related supplies and equipment sales
Alcoholic beverage outlets (under circumstances described in Section 141.0502)
Assembly and entertainment uses, including places of religious assembly (under circumstances described in Section 141.0602)
Automobile service stations
Bed and breakfast establishments (under circumstances described in Section 141.0603)
Cannabis outlets
Cannabis production facilities
Child Care Centers
Commercial stables
Continuing care retirement communities
Educational facilities
Employee housing
Energy generation and distribution stations
Equestrian show and exhibition facilities
Fraternities, sororities, and student dormitories
Historical buildings used for purposes not otherwise allowed in the zone
Impound storage yards
Major transmission, relay, or communication switching station
Marijuana outlets
~~Marijuana production facilities~~
Museums
Newspaper publishing plants
Outdoor storage and display of new, unregistered motor vehicles as a *primary use*
Parking facilities as a *primary use*
Plant nurseries
Private clubs, lodges, and fraternal organizations
Processing and packaging of plant products and animal by-products grown off-premises
Recycling facilities (under circumstances described in Section 141.0620)
Residential care facilities for 7 to 12 persons
Swap meets and other large outdoor retail facilities
Wireless communication facilities (under circumstances described in Section 141.0420)

(b) through (c) [No change in text.]

§131.0222 Use Regulations Table for Open Space Zones

The uses allowed in the open space zones are shown in Table 131-02B.

Legend for Table 131-02B

[No change in text.]

Table 131-02 B
Use Regulations Table for Open Space Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones					
	1st & 2nd >>	OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹¹⁾ -
	3rd >>	1-	2-	1-	1-	1-	
	4th >>	1	1	1	1	2	1
Open Space through Retail Sales, Separately Regulated Retail Sales Uses, Alcoholic Beverage Outlets [No change in text.]	[No change in text.]						
<i>Cannabis Outlets</i>	=	=	=	=	=	=	
Farmers' Markets through Daily Farmers' Market Stands [No change in text.]	[No change in text.]						
<i>Marijuana Outlets</i>	-	-	-	-	-	-	
Plant Nurseries through Industrial, Separately Regulated Industrial Uses , Artisan Food and Beverage Producer [No change in text.]	[No change in text.]						
<i>Cannabis Production Facilities</i>	=	=	=	=	=	=	
<i>Hazardous Waste</i> Research Facility through <i>Hazardous Waste Treatment Facility</i> [No change in text.]	[No change in text.]						
Marijuana Production Facilities	-	-	-	-	-	-	
Marine Related Uses Within the Coastal Overlay Zone through Signs, Separately Regulated Signs Uses , Theater <i>Marquees</i> [No change in text.]	[No change in text.]						

Footnotes for Table 131-02 B [No change in text.]

§131.0322 Use Regulations Table for Agricultural Zones

The uses allowed in the agricultural zones are shown in Table 131-03B.

Legend for Table 131-03B

[No change in text.]

**Table 131-03B
Use Regulations Table for Agricultural Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd >>	AG		AR	
	3rd >>	1-		1-	
	4th >>	1	2	1	2
Open Space through Retail Sales, Separately Regulated Retail Sales Uses, Alcoholic Beverage Outlets [No change in text.]		[No change in text.]			
<i>Cannabis Outlets</i>		-		-	
Farmers' Markets through Daily Farmers' Market Stands [No change in text.]		[No change in text.]			
<i>Marijuana Outlets</i>		-		-	
Plant Nurseries through Industrial, Separately Regulated Industrial Uses, Artisan Food and Beverage Producer [No change in text.]		[No change in text.]			
<i>Cannabis Production Facilities</i>		-		-	
<i>Hazardous Waste</i> Research Facility through <i>Hazardous Waste Treatment Facility</i> [No change in text.]		[No change in text.]			
Marijuana Production Facilities		-		-	
Marine Related Uses Within the Coastal Overlay Zone through Signs, Separately Regulated Signs Uses, Theater Marquees [No change in text.]		[No change in text.]			

Footnotes for Table 131-03B [No change in text.]

§131.0422 Use Regulations Table for Residential Zones

The uses allowed in the residential zones are shown in the Table 131-04B.

Legend for Table 131-04B

[No change in text.]

Table 131-04B
Use Regulations Table for Residential Zones

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																						
	1st & 2nd >>	RE-		RS-										RX-		RT-								
	3rd >>	1-		1-										1-		1-								
	4th >>	1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3	4
Open Space through Retail Sales, Separately Regulated Retail Sales Uses, Alcoholic Beverage Outlets [No change in text.]	[No change in text.]																							
<i>Cannabis Outlets</i>	=	=										=	=											
Farmers' Markets through Daily Farmers' Market Stands [No change in text.]	[No change in text.]																							
<i>Marijuana Outlets</i>	-	-										-	-											
Plant Nurseries through Industrial, Separately Regulated Industrial Uses, Artisan Food and Beverage Producer [No change in text.]	[No change in text.]																							
<i>Cannabis Production Facilities</i>	=	=										=	=											
<i>Hazardous Waste</i> Research Facility through <i>Hazardous Waste</i> Treatment Facility [No change in text.]	[No change in text.]																							
Marijuana Production Facilities	-	-										-	-											
Marine Related Uses Within the Coastal Overlay Zone through Signs, Separately Regulated Signs Uses, Theater Marquees [No change in text.]	[No change in text.]																							

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones												
	1st & 2nd >>	RM-												
	3rd >>	1-			2-			3-			4-		5-	
	4th >>	1	2	3	4	5	6	7	8	9	10	11	12	
Open Space through Retail Sales, Separately Regulated Retail Sales Uses, Alcoholic Beverage Outlets [No change in text.]		[No change in text.]												
<i>Cannabis Outlets</i>		-	-	-	-	-	-	-	-	-	-	-	-	
Farmers' Markets through Daily Farmers' Market Stands [No change in text.]		[No change in text.]												
<i>Marijuana Outlets</i>		-	-	-	-	-	-	-	-	-	-	-	-	
Plant Nurseries through Industrial, Separately Regulated Industrial Uses, Artisan Food and Beverage Producer [No change in text.]		[No change in text.]												
<i>Cannabis Production Facilities</i>		-	-	-	-	-	-	-	-	-	-	-	-	
<i>Hazardous Waste</i> Research Facility through <i>Hazardous Waste</i> Treatment Facility [No change in text.]		[No change in text.]												
Marijuana Production Facilities		-	-	-	-	-	-	-	-	-	-	-	-	
Marine Related Uses Within the Coastal Overlay Zone through Signs, Separately Regulated Signs Uses, Theater Marquees [No change in text.]		[No change in text.]												

Footnotes for Table 131-04B [No change in text.]

§131.0522 Use Regulations Table for Commercial Zones

The uses allowed in the commercial zones are shown in Table 131-05B.

Legend for Table 131-05B

[No change in text.]

Table 131-05B
Use Regulations Table for Commercial Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																	
	1st & 2nd >>	CN ⁽¹⁾ -						CR-		CO-						CV-		CP-	
	3rd >>	1-						1-	2-	1-		2-	3-			1-	1-		
	4th >>	1	2	3	4	5	6	1	1	1	2	1	2	1	2	3	1	2	1
Open Space through Retail Sales, Separately Regulated Retail Sales Uses, Alcoholic Beverage Outlets [No change in text.]		[No change in text.]																	
<i>Cannabis Outlets</i>		=					=	<u>C</u>	=	<u>C</u>	=	=	=	=	=	=	=	=	=
Farmers' Markets through Daily Farmers' Market Stands [No change in text.]		[No change in text.]																	
<i>Marijuana Outlets</i>		-					-	€	-	€	-	-	-	-	-	-	-	-	-
Plant Nurseries through Industrial, Separately Regulated Industrial Uses, Artisan Food and Beverage Producer [No change in text.]		[No change in text.]																	
<i>Cannabis Production Facilities</i>		=					=	=	=	=	=	=	=	=	=	=	=	=	=
<i>Hazardous Waste</i> Research Facility through <i>Hazardous Waste</i> Treatment Facility [No change in text.]		[No change in text.]																	
Marijuana Production Facilities		-					-	-	-	-	-	-	-	-	-	-	-	-	-
Marine Related Uses Within the Coastal Overlay Zone through Signs, Separately Regulated Signs Uses, Theater Marquees [No change in text.]		[No change in text.]																	

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																								
	1st & 2nd >>	CC-																								
	3rd >>	1-				2-				3-				4-				5-								
	4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5
Open Space through Retail Sales, Separately Regulated Retail Sales Uses, Alcoholic Beverage Outlets [No change in text.]		[No change in text.]																								
<i>Cannabis Outlets</i>		=					<u>C</u>	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=	=

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																								
	1st & 2nd >>	CC-																								
	3rd >>	1-			2-			3-			4-			5-												
	4th >>	1	2	3	1	2	3	4	5	4	5	6	7	8	9	1	2	3	4	5	6	1	2	3	4	5
Farmers' Markets through Daily Farmers' Market Stands [No change in text.]		[No change in text.]																								
<i>Marijuana Outlets</i>		-		€				-			-			-												
Plant Nurseries through Industrial, Separately Regulated Industrial Uses , Artisan Food and Beverage Producer [No change in text.]		[No change in text.]																								
<i>Cannabis Production Facilities</i>		=		=				=			=			=												
<i>Hazardous Waste Research Facility through Hazardous Waste Treatment Facility</i> [No change in text.]		[No change in text.]																								
<i>Marijuana Production Facilities</i>		-		-				-			-			-												
Marine Related Uses Within the Coastal Overlay Zone through Signs, Separately Regulated Signs Uses , Theater <i>Marquees</i> [No change in text.]		[No change in text.]																								

Footnotes for Table 131-05B [No change in text.]

§131.0622 Use Regulations Table for Industrial Zones

The uses allowed in the industrial zones are shown in Table 131-06B.

Legend for Table 131-06B

[No change in text.]

**Table 131-06B
Use Regulations Table for Industrial Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	IP-			IL-			IH-		IS-	IBT-
	3rd >>	1-	2-	3-	1-	2-	3-	1-	2-	1-	1-
	4th >>	1	1	1	1	1	1	1	1	1	1
Open Space through Retail Sales, Separately Regulated Retail Sales Uses , Alcoholic Beverage Outlets [No change in text.]		[No change in text.]									
<i>Cannabis Outlets</i>		=	=	=	=	=	C	=	=	C	C

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	IP-			IL-			IH-		IS-	IBT-
	3rd >>>	1-	2-	3-	1-	2-	3-	1-	2-	1-	1-
	4th >>>	1	1	1	1	1	1	1	1	1	1
Farmers' Markets through Daily Farmers' Market Stands [No change in text.]	[No change in text.]										
<i>Marijuana Outlets</i>	-	-	-	-	-	€	-	-	€	€	
Plant Nurseries through Industrial, Separately Regulated Industrial Uses , Artisan Food and Beverage Producer [No change in text.]	[No change in text.]										
<i>Cannabis Production Facilities</i>	-	-	-	€	€	€	€	€	-	-	
<i>Hazardous Waste</i> Research Facility through <i>Hazardous Waste</i> Treatment Facility [No change in text.]	[No change in text.]										
<i>Marijuana Production Facilities</i>	-	-	-	€	€	€	€	€	-	-	
Marine Related Uses Within the Coastal Overlay Zone through Signs, Separately Regulated Signs Uses , Theater <i>Marquees</i> [No change in text.]	[No change in text.]										

Footnotes for Table 131-06B [No change in text.]

§132.1510 Noise Compatibility

Noise compatibility between airport operations and proposed *development* within Review Area 1 of this overlay zone shall be evaluated as follows:

(a) through (f) [No change in text.]

Legend for Table 132-15D

[No change in text.]

Table 132-15D

Noise Compatibility Criteria

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Aircraft Noise Exposure (dB CNEL)			
	60-65	65-70	70-75	75-80
Open Space through Industrial, Separately Regulated Industrial Uses [No change in text.]	[No change in text.]			
<i>Cannabis Production Facilities</i>	<u>P</u>	<u>P</u>	<u>P¹</u>	-
<i>Hazardous Waste</i> Research Facility through <i>Hazardous Waste</i> Treatment Facility [No change in text.]	[No change in text.]			
Marijuana Production Facilities	P	P	P ¹	-
Marine Related Uses Within the Coastal Overlay Zone through Wrecking & Dismantling of Motor Vehicles [No change in text.]	[No change in text.]			

Footnotes to Table 132-15D [No change in text.]

§132.1515 Safety Compatibility

Safety compatibility between airport operations and proposed *development* within Review Area 1 of this overlay zone shall be evaluated in accordance with this Section.

(a) through (f) [No change in text.]

Legend for Table 132-15F

[No change in text.]

Table 132-15F

Safety Compatibility Criteria for MCAS Miramar

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	APZ I	APZ II	TZ
Maximum People Per Acre	25	50	300
Open Space through Industrial, Separately Regulated Industrial Uses [No change in text.]	[No change in text.]		
<i>Cannabis Production Facilities</i> [490 sq ft per person]	<u>L/.28^g</u>	<u>L/.56^g</u>	<u>P</u>
<i>Hazardous Waste</i> Research Facility through <i>Hazardous Waste</i> Treatment Facility [No change in text.]	[No change in text.]		
Marijuana Production Facilities [490 sq ft per person]	L/.28^g	L/.56^g	P
Marine Related Uses Within the Coastal Overlay Zone [300 sq ft per person] through Wrecking & Dismantling of Motor Vehicles [No change in text.]	[No change in text.]		

Footnotes to Table 132-15F [No change in text.]

(g) [No change in text.]

Legend for Table 132-15G

[No change in text.]

Table 132-15G

Safety Compatibility Criteria for Brown Field and Montgomery Field

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6
Maximum People Per Acre	N/A	70	130	130	200	No limit
Maximum <i>Lot Coverage</i> ¹¹	N/A	50%	60%	70%	70%	N/A
Open Space through Industrial, Separately Regulated Industrial Uses [No change in text.]	[No change in text.]					
<i>Cannabis Production Facilities</i> [300 sq ft per person]	-	<u>L/.48⁸</u>	<u>L/.90⁸</u>	<u>L.90⁸</u>	<u>L/1.38⁸</u>	<u>P</u>
<i>Hazardous Waste Research Facility through Hazardous Waste Treatment Facility</i> [No change in text.]	[No change in text.]					
Marijuana Production Facilities [300 sq ft per person]	-	L/.48⁸	L/.90⁸	L.90⁸	L/1.38⁸	P
Marine Related Uses Within the Coastal Overlay Zone [300 sq ft per person] through Wrecking & Dismantling of Motor Vehicles [No change in text.]	[No change in text.]					

Footnotes to Table 132-15G [No change in text.]

§141.0504 Marijuana Cannabis Outlets

~~Marijuana Cannabis outlets~~ that are consistent with the requirements for retailer or dispensary license requirements in the California Business and Professions Code may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), provided that no more than four ~~marijuana-cannabis outlets~~ are permitted in each City Council District. ~~Marijuana Cannabis outlets~~ are subject to the following regulations.

(a) ~~Marijuana Cannabis outlets~~ shall maintain the following minimum separation between uses, as measured between *property lines*, in accordance with Section 113.0225:

(1) 1,000 feet from resource and population-based city parks, other

~~marijuana cannabis~~ outlets, churches, child care centers, playgrounds, libraries owned and operated by the City of San Diego, ~~minor-oriented facilities~~, residential care facilities, and schools. For purposes of this section, school means any public or private institution of learning providing instruction in kindergarten or grades one to 12, inclusive, but does not include any private school in which education is primarily conducted in private homes.

- (2) [No change in text.]
- (b) Lighting shall be provided to illuminate the interior, facade, and the immediate surrounding area of the ~~marijuana cannabis~~ outlet, including any *accessory uses*, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented to deflect light away from adjacent properties.
 - (c) Security shall be provided at the ~~marijuana cannabis~~ outlet which shall include operable cameras, alarms, and a security guard. The security guard shall be licensed by the State of California and be present on the *premises* during business hours. The security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis.
 - (d) Primary *signs* shall be posted on the outside of the ~~marijuana cannabis~~ outlet and shall only contain the name of the business, which shall contain only alphabetic characters, and shall be limited to two colors. Secondary signs advertising cannabis, window signs and any display visible from the public right-of-way are not permitted.
 - (e) The name and emergency contact phone number of ~~an operator or manager~~ the designated responsible managing operator shall be posted in a location visible from outside the ~~marijuana cannabis~~ outlet in character size at least two inches in height.
 - (f) The ~~marijuana cannabis~~ outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.
 - (g) The use of vending machines which allow access to ~~marijuana cannabis~~ and ~~marijuana cannabis~~ products except by a responsible person, as defined in San Diego Municipal Code Section 42.1502, is prohibited. For purposes of this Section, a vending machine is any device which allows access to ~~marijuana cannabis~~ and ~~marijuana cannabis~~ products without a human intermediary.
 - (h) [No change in text.]
 - (i) A Conditional Use Permit for a ~~marijuana cannabis~~ outlet shall expire no later than five years from the date of issuance.
 - (j) Deliveries shall be permitted as an *accessory use* only from ~~marijuana-cannabis~~ outlets with a valid Conditional Use Permit unless otherwise allowed pursuant to ~~the Compassionate Use Act of 1996~~ state law.
 - (k) The ~~marijuana cannabis~~ outlet, adjacent public sidewalks, and areas under the control of the ~~marijuana cannabis~~ outlet, shall be maintained free of litter and graffiti at all times.
 - (l) The ~~marijuana cannabis~~ outlet shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.
 - (m) Consultations by medical professionals shall not be a permitted *accessory use* at a ~~marijuana cannabis~~ outlet.

- (n) An extension of time for a Conditional Use Permit granted to a ~~marijuana-cannabis outlet~~ shall comply with the requirements of Section 126.0111, with the following exceptions:
(1) through (4) [No change in text.]

§141.1004 Marijuana Cannabis Production Facilities

~~Marijuana production facilities are individual or combined uses engaged in the agricultural raising, harvesting, and processing of marijuana; wholesale distribution and storage of marijuana and marijuana products; and production of goods from marijuana and marijuana products consistent with the requirements of State of California Statutes and the California Departments of Food and Agriculture, Consumer Affairs, and Public Health regulations.~~

A ~~marijuana production facility~~ cannabis production facility may be permitted with a Conditional Use Permit decided in accordance with Process Three in the zones indicated with a “C” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), provided that no more than 40 ~~marijuana production facilities~~ cannabis production facilities are permitted in the City of San Diego. ~~Marijuana production facilities~~ Cannabis production facilities are subject to the following regulations.

- (a) ~~Marijuana production facilities~~ Cannabis production facilities shall maintain the following minimum separation between uses, as measured between *property lines*, in accordance with Section 113.0225:
(1) through (2) [No change in text.]
- (b) through (d) [No change in text.]
- (e) The name and emergency contact phone number of ~~an operator or manager~~ the designated responsible managing operator shall be posted outside the ~~marijuana production facility~~ cannabis production facility in a location visible to the public from the *public right-of-way* in character size at least two inches in height. The permittee shall provide this contact information to the San Diego Police Department. The ~~operator or manager~~ designated responsible managing operator shall also be available 24 hours a day to address public nuisance complaints and interact with local, state, and federal law enforcement authorities. Other than the contact information, a ~~marijuana production facility~~ cannabis production facility shall limit signage on the exterior of the property visible from the *public right-of-way* to the address.
- (f) [No change in text.]
- (g) A Conditional Use Permit for a ~~marijuana production facility~~ cannabis production facility shall expire no later than five (5) years from the date of issuance.
- (h) An extension of time for a Conditional Use Permit granted to a ~~marijuana production facility~~ cannabis production facility shall comply with the requirements of section 126.0111 with the following exceptions:
(1) The extension shall be for a maximum of five (5) years.
(2) through (4) [No change in text.]
- (i) The sale of ~~marijuana~~ cannabis and ~~marijuana~~ cannabis products shall

only be conducted by a ~~marijuana~~ cannabis outlet in accordance with Section 141.0504. A ~~marijuana production facility~~ cannabis production facility is prohibited from providing ~~marijuana~~ cannabis and ~~marijuana~~ cannabis products to any person other than another ~~marijuana production facility~~ cannabis production facility, a testing lab, or a ~~marijuana~~ cannabis outlet.

- (j) The ~~marijuana production facility~~ cannabis production facility, adjacent public sidewalks, and areas under the control of the ~~marijuana production facility~~ cannabis production facility shall be maintained free of litter and graffiti at all times.
- (k) The ~~marijuana production facility~~ cannabis production facility shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours.

§151.0103 Applicable Regulations

- (a) [No change in text.]
- (b) The following regulations apply in all planned districts:
 - (1) through (8) [No change in text.]
 - (9) ~~Marijuana Cannabis outlet~~ regulations contained in Section 141.0504 when the use is specifically allowed by the Planned District Ordinance.
 - (10) ~~Marijuana production facilities~~ Cannabis production facilities regulations contained in Section 141.1004, when the use is specifically allowed by the Planned District Ordinance.
 - (11) through (12) [No change in text.]

§152.0312 Subdistrict D Permitted Uses

- (a) through (b) [No change in text.]
- (c) ~~Marijuana outlets~~ Cannabis outlets are permitted in accordance with Section 141.0504.
- (d) [No change in text.]
- (e) ~~Marijuana production facilities~~ Cannabis production facilities are permitted in accordance with Section 141.1004.

§153.0309 Employment Center (EC)

- (a) Permitted Uses

No building, improvement, or portion thereof shall be erected, constructed, converted, established, altered, or enlarged, nor shall any lot or premises be used except for one or more of the following purposes:
 - (1) through (10) [No change in text.]
 - (11) ~~Marijuana outlets~~ Cannabis outlets are permitted in accordance with Section 141.0504.
 - (12) through (14) [No change in text.]

§153.0310 Special Use Area (SP)

- (a) [No change in text.]

(b) Permitted Uses

The following uses are permitted in the Special Use Area:

(1) through (11) [No change in text.]

(12) ~~Marijuana outlets~~ *Cannabis outlets* are permitted in accordance with Section 141.0504.

(13) [No change in text.]

(c) through (d) [No change in text.]

§155.0238 Use Regulations Table of CU Zones

The uses allowed in the CU zones are shown in Table 155-02C:

Legend for Table 155-02C

[No change in text.]

**Table 155-02C
Use Regulations Table for CU Zones**

Use Categories/Subcategories [See Land Development Code Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones								
	1st & 2nd >>	CU-								
	3rd >>	1- ⁽¹⁾		2-			3-			
	4th >>	1	2	3	4	5	3 ⁽²⁾⁽¹²⁾	6	7	8
Open Space through Retail Sales, Separately Regulated Retail Sales Uses, Alcoholic Beverage Outlets [No change in text.]		[No change in text.]								
<i>Cannabis Outlets</i>		-	-	-	-	-	-	-	-	-
Farmers' Markets through Daily Farmers' Market Stands [No change in text.]		[No change in text.]								
Marijuana Outlets		-	-	-	-	-	-	-	-	-
Plant Nurseries through Industrial, Separately Regulated Industrial Uses [No change in text.]		[No change in text.]								

Use Categories/Subcategories [See Land Development Code Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones									
	1st & 2nd >>	CU-									
	3rd >>	1 ⁻⁽¹⁾		2-			3-				
	4th >>	1	2	3	4	5	3 ⁽²⁾⁽¹²⁾	6	7	8	
Mining and Extractive Industries		-		-		-					
<i>Cannabis Production Facilities</i>		=		=		=					
<i>Hazardous Waste</i> Research Facility through <i>Hazardous Waste</i> Treatment Facility [No change in text.]		[No change in text.]									
Marijuana Production Facilities		-		-		-					
Marine Related Uses Within the Coastal Overlay Zone [No change in text.]		[No change in text.]									
Mining and Extractive Industries		-		-		-					
Newspaper Publishing Plants through Signs, Separately Regulated Signs Uses , Theater <i>Marquees</i> [No change in text.]		[No change in text.]									

Footnotes for Table 155-02 C [No change in text.]

§1516.0112 Use Regulations for Old Town San Diego Residential Zones

The uses allowed in the Old Town San Diego Residential zones are shown in Table 1516-01B:

Legend for Table 1516-01B

[No change in text.]

**Table 1516-01B
Use Regulations for Old Town Residential Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd >> 3rd >> 4th >>	OTRS-	OTRM-		
		1-	1-	2-	
		1	1	1	2
Open Space through Retail Sales, Separately Regulated Retail Sales Uses, Alcoholic Beverage Outlets [No change in text.]	[No change in text.]				
<i>Cannabis Outlets</i>	-	-	-		
Farmers' Markets through Daily Farmers' Market Stands [No change in text.]	[No change in text.]				
Marijuana Outlets	-	-	-		
Plant Nurseries through Commercial, Separately Regulated Commercial Services Uses , Massage Establishments, Specialized Practice [No change in text.]	[No change in text.]				
Medical Marijuana Consumer Cooperatives	-	-	-		
Mobile Food Trucks through Industrial, Separately Regulated Industrial Uses [No change in text.]	[No change in text.]				
<i>Cannabis Production Facilities</i>	-	-	-		
Hazardous Waste Research Facility through Hazardous Waste Treatment Facility [No change in text.]	[No change in text.]				
Marijuana Production Facilities	-	-	-		
Marine Related Uses Within the Coastal Overlay Zone through Signs, Separately Regulated Signs Uses , Theater Marquees [No change in text.]	[No change in text.]				

Footnotes for Table 1516-01B [No change in text.]

§1516.0117 Use Regulations Table for Old Town San Diego Commercial Zones

The uses allowed in the Old Town San Diego Commercial zones are shown in Table 1516-01D:

Legend for Table 1516-01D

[No change in text.]

Table 1516-01D
Use Regulations for Old Town San Diego Commercial Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones								
	1st & 2nd >> 3rd >> 4th >>	OTCC-						OTMCR-		
		1-		2-		3-		1		
		1	1	2	3	1	2	1	2	3
Open Space through Retail Sales, Separately Regulated Retail Sales Uses, Alcoholic Beverage Outlets [No change in text.]		[No change in text.]								
<i>Cannabis Outlets</i>		-	-	-	-	-	-	-	-	-
Farmers' Markets through Daily Farmers' Market Stands [No change in text.]		[No change in text.]								
Marijuana Outlets		-	-	-	-	-	-	-	-	-
Plant Nurseries through Commercial, Separately Regulated Commercial Services Uses, Massage Establishments, Specialized Practice [No change in text.]		[No change in text.]								
Medical Marijuana Consumer Cooperatives		-	-	-	-	-	-	-	-	-
Mobile Food Trucks through Industrial, Separately Regulated Industrial Uses [No change in text.]		[No change in text.]								
<i>Cannabis Production Facilities</i>		-	-	-	-	-	-	-	-	-
Hazardous Waste Research Facility through Hazardous Waste Treatment Facility [No change in text.]		[No change in text.]								
Marijuana Production Facilities		-	-	-	-	-	-	-	-	-
Marine Related Uses Within the Coastal Overlay Zone through Signs, Separately Regulated Signs Uses, Theater Marquees [No change in text.]		[No change in text.]								

Footnotes for Table 1516-01D [No change in text.]

§1516.0122 Use Regulations Table for Old Town San Diego Open Space-Park Zones
The uses allowed in the Old Town San Diego Open Space-Park zones are shown in Table 1516-01F:

Legend for Table 1516-01F

[No change in text.]

Table 1516-01F
Use Regulations for Old Town San Diego Open Space-Park Zones

Use Categories/ Subcategories [See Section 131.0112 for Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones	
	1st & 2nd >>	OTOP-	
	3rd >>	1-	2-
	4th >>	1	1
Open Space through Retail Sales, Separately Regulated Retail Sales Uses, Alcoholic Beverage Outlets [No change in text.]		[No change in text.]	
<i>Cannabis Outlets</i>		-	-
Farmers' Markets through Daily Farmers' Market Stands [No change in text.]		[No change in text.]	
Marijuana Outlets		-	-
Plant Nurseries through Commercial, Separately Regulated Commercial Services Uses, Massage Establishments, Specialized Practice [No change in text.]		[No change in text.]	
Medical Marijuana Consumer Cooperatives		-	-
Mobile Food Trucks through Industrial, Separately Regulated Industrial Uses [No change in text.]		[No change in text.]	
<i>Cannabis Production Facilities</i>		-	-
Hazardous Waste Research Facility through Hazardous Waste Treatment Facility [No change in text.]		[No change in text.]	

Use Categories/ Subcategories	Zone Designator	Zones	
[See Section 131.0112 for Use Categories, Subcategories, and Separately Regulated Uses]	1st & 2nd >>	OTOP-	
	3rd >>	1-	2-
	4th >>	1	1
	Marijuana Production Facilities	-	-
Marine Related Uses Within the Coastal Overlay Zone through Signs, Separately Regulated Signs Uses, Theater Marquees [No change in text.]	[No change in text.]		

Footnotes for Table 1516-01F [No change in text.]

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