



**SAN DIEGO COUNTY CLERK
CEQA FILING COVER SHEET**

FILED
Dec 07, 2022 11:28 AM
Ernest J. Dronenburg, Jr.
SAN DIEGO COUNTY CLERK
File # 2022-000985
State Receipt # 37120720220868
Document # 2022-NOD-160

THIS SPACE FOR CLERK'S USE ONLY

Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

PRJ 1059999 4337 HOME AVENUE CO

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type):

**FILED IN THE OFFICE OF THE SAN DIEGO
COUNTY CLERK ON** December 7, 2022
Posted December 7, 2022 **Removed** _____
Returned to agency on _____
DEPUTY _____

Filing fees are due at the time a Notice of Determination/Exemption is filed with our office. For more information on filing fees and No Effect Determinations, please refer to California Code of Regulations, Title 14, section 753.5.

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

(Choose one)

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

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

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

Project Number: 1059999

State Clearinghouse Number: N/A

Project Title: PRJ 1059999 4337 Home Avenue CO

Project location: 4337 Home Avenue, San Diego, CA 92105

Project description: The project proposes an amendment to Conditional Use Permit (CUP) No. 2430967 (PTS 665772) to occupy the 1,200 square foot (sf) second floor of an approved (but not constructed) 2,400 sf building in which to operate a Cannabis Outlet (CO) on a site with an existing gas station and 2,944 sf convenience store. The project is located at 4333-4337 Home Avenue (APN 541-060-19) in the CC-1-3 and IL-3-1 zones within the City Heights Neighborhood of the Mid-City Communities Plan. A previous Mitigated Negative Declaration (MND) was prepared. The proposed operation of a Cannabis Outlet project remains within the scope of the previously adopted MND, and no further environmental review was required.

Pursuant to Public Resources Code Section 21166 and CEQA guidelines 15162 and 15163, the City has determined that: (1) there is substantial evidence that none of the conditions requiring preparation of a subsequent or supplemental EIR or subsequent Negative Declaration/Mitigated Negative Declaration exist, and (2) the City will rely on the previous environmental document, which adequately addresses this project.

The proposed project would, or would not introduce additional impacts or increase the severity of impacts beyond those already analyzed in Mitigated Negative Declaration.

Project applicant: Roy Davies, 8348 Center Drive, La Mesa, CA 91942, (619) 993-2199

This is to advise that the Designated Staff of the City of San Diego on November 14, 2022 approved the above described project and made the following determinations:

- (1) No Substantial changes are proposed in the project which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
- (2) No Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous Mitigated Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Mitigated Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous Mitigated Negative Declaration;

- b. Significant effects previously examined will be substantially more severe than shown in the previous Mitigated Negative Declaration;
- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or,
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Mitigated Negative Declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

It is hereby certified that the final environmental report, including comments and responses, is available to the public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: Rhonda Benally

Telephone: (619) 446-5468

Filed by:


Signature

Senior Planner

Title

[Attach Copy of Check, Proof of CDFG Payment, or No Effect Form]
Reference: California Public Resources Code, Section 15162/63.

NOTICE OF DETERMINATION

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

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

Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

190175

FILED
Ernest J. Driehaus, Jr., Recorder-County Clerk
DEC 10 2019
BY: [Signature] DEPUTY

PROJECT NUMBER: 593686/I.O. No. 24007693

STATE CLEARINGHOUSE NUMBER: N/A

PROJECT TITLE: 4337 HOME AVENUE MARIJUANA OUTLET NUP/CUP

PROJECT LOCATION: The site is located 4333 and 4337 Home Avenue within the Mid-City Communities - City Heights Community Planning Area and City Council District 9.

PROJECT DESCRIPTION: A Neighborhood Use Permit (NUP) to continue operation of the existing auto service station and mini-market in both the CC-1-3 (Commercial-Community) and IL-3-1 (Industrial-Light) zones; a Conditional Use Permit (CUP) to continue the ABC Type 20 license for off-site consumption alcohol beverage sale (the previous CUP No. 96-7374 has expired), located at 4333 Home Avenue in the CC-1-3 zone; and a CUP to operate a marijuana outlet in the first floor 1,200 square-foot suite in a new two-story 2,400 square-foot building located at 4337 Home Avenue in the IL-3-1 Zone. The 1.08 gross-acre site is located in the Airport Influence Area (SDIA Area 2), Fire Brush Zones, and High Fire Severity Zones.

PROJECT APPLICANT: ARM Investment, Inc., 4333 Home Ave. #M, San Diego, CA 92105.
Contact: Randall Zaitona, (619) 820-8121

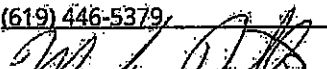
This is to advise that, on July 24, 2019, the City of San Diego Hearing Officer approved the above described project and made the following determinations:

- 1. The project in its approved form will, will not, have a significant effect on the environment.
- 2. ~~An Environmental Impact Report was prepared for this project and certified pursuant to the provisions of CEQA.~~
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
 An Addendum to Negative Declaration / Mitigated Negative Declaration / Environmental Impact Report No. was prepared for this project pursuant to the provisions of CEQA.
Record of project approval may be examined at the address above.
- 3. Mitigation measures were, were not, made a condition of the approval of the project; and a mitigation, monitoring and reporting program was, was not, adopted for the project.
- 4. (EIR only) Findings were, were not, made pursuant to CEQA Guidelines Section 15091.
- 5. (EIR only) A Statement of Overriding Considerations was, was not, adopted for this project.

no change of format
no change of format
no change of format

It is hereby certified that the final environmental report, including comments and responses, is available to the general public at the office of the Development Services Department, 1222 First Avenue, San Diego, CA 92101.

Analyst: Mark Brunette

Telephone: (619) 446-5379
Filed by: 

Mark Brunette, Senior Planner

FILED IN THE OFFICE OF THE COUNTY CLERK
San Diego County on DEC 10 2019
Posted DEC 10 2019 JAN 10 2020
Returned to agency on JAN 10 2020
Deputy an

AVAD INVESTMENTS, INC.
DBA ARCO-HOME
1128 AVENIDA DEL OCEANO
EL CAJON CA 92019-3691

EXPLANATION	
PTS # 593686	

11-35/1218 CA
D833

11-35/1218 CA
D833

PAY AMOUNT OF		Twenty Four hundred Four \$75,100		DOLLARS
DATE	TO THE ORDER OF	DESCRIPTION	CHECK NUMBER	
8-3-19	San Diego County Clerk	CDPW Fee + #502	5036	\$ 2,40475

Bank of America
ACH R/T 121000358

593686

Auth [Signature]

AUTHORIZED SIGNATURE

⑈005836⑈ ⑈121000358⑈ 000231513138⑈



State of California - Department of Fish and Wildlife
2019 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (Rev. 2/7/19) Previously DFG 753.5a

RECEIPT NUMBER: 37-2019- 1035
STATE CLEARINGHOUSE NUMBER (if applicable) ---

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN DIEGO	LEAD AGENCY EMAIL ---	DATE 12/10/2019
COUNTY/STATE AGENCY OF FILING San Diego County	DOCUMENT NUMBER 2019 - 0175	
PROJECT TITLE 4337 HOME AVENUE MARIJUANA OUTLET NUP/CUP		

PROJECT APPLICANT NAME ARM INVESTMENT, INC.	PROJECT APPLICANT EMAIL ---	PHONE NUMBER 619-820-8121
PROJECT APPLICANT ADDRESS 4333 HOME AVE, #M	CITY SAN DIEGO	STATE CA
		ZIP CODE 92105

PROJECT APPLICANT (Check appropriate box)

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

CHECK APPLICABLE FEES:

- Environmental Impact Report (EIR) \$3,271.00 \$ _____
- Mitigated/Negative Declaration (MND)(ND) \$2,354.75 \$ 2,354.75
- Certified Regulatory Program document (CRP) \$1,112.00 \$ _____

190175

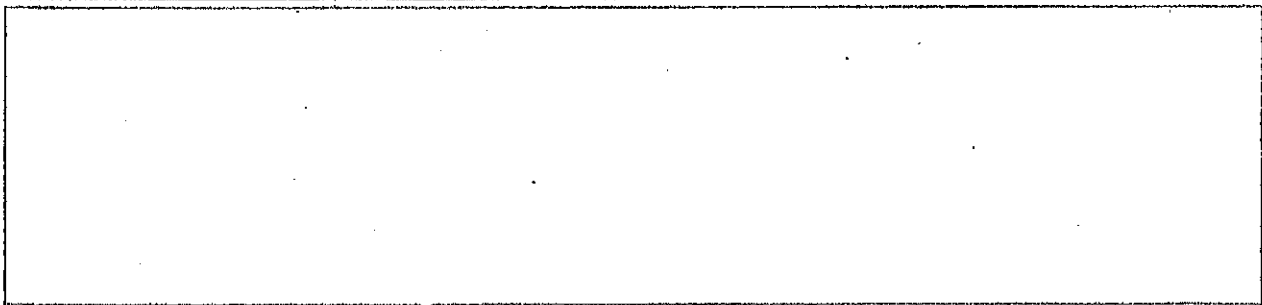
- Exempt from fee
 - Notice of Exemption (attach)
 - CDFW No Effect Determination (attach)
- Fee previously paid (attach previously issued cash receipt copy)

- Water Right Application or Petition Fee (State Water Resources Control Board only) \$850.00 \$ _____
- County documentary handling fee \$ \$50.00
- Other \$ _____

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other 5836
 TOTAL RECEIVED \$ \$2,404.75

SIGNATURE X <i>an</i>	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County A NUÑO , Deputy
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San Diego County



Transaction #: 4194889
 Receipt #: 2019593324

Ernest J. Dronenburg, Jr.
 Assessor/Recorder/County Clerk
 1600 Pacific Highway Suite 260
 P. O. Box 121750, San Diego, CA 92112-1750
 Tel. (619) 237-0502 Fax (619) 657-4155
www.sdarcc.com

Cashier Date: 12/10/2019
 Cashier Location: SD

Print Date: 12/10/2019 10:21 am

Payment Summary

Total Fees:	\$2,404.75
Total Payments:	\$2,404.75
Balance:	\$0.00

Payment

CHECK PAYMENT \$2,404.75

Total Payments \$2,404.75

Miscellaneous Item

FISH & WILDLIFE FEES

Fees:	Fish & Wildlife County Administrative Fee	\$50.00
Fees:	Fish & Wildlife Mitigated/Negative Declaration	\$2,354.75
Total Fees Due:		\$2,404.75

Grand Total - All Documents: \$2,404.75

San Diego County



Transaction #: 6862221
Receipt #: 2022522739

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

Cashier Date: 12/07/2022
Cashier Location: SD

Print Date: 12/07/2022 11:29 am

Payment Summary

Total Fees:	\$50.00
Total Payments:	\$50.00
Balance:	\$0.00

Payment	
CHECK PAYMENT #3006	\$50.00
Total Payments	\$50.00
Filing	
CEQA - NOD	FILE #: 2022-000985 Date: 12/07/2022 11:28AM Pages: 8
	State Receipt # 37-12/07/2022-0868
Fees: Fish & Wildlife County Administrative Fee	\$50.00
Total Fees Due:	\$50.00
Grand Total - All Documents:	\$50.00



State of California - Department of Fish and Wildlife
2022 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DEW 753.5a (Rev. 01/01/22) Previously DFG 753.5a

RECEIPT NUMBER: 37-12/07/2022-0868
STATE CLEARING HOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT	LEAD AGENCY EMAIL	DATE 12/07/2022
COUNTY/STATE AGENCY OF FILING SAN DIEGO	DOCUMENT NUMBER 2022-NOD-0160	
PROJECT TITLE PRJ 1059999 4337 HOME AVENUE CO		

PROJECT APPLICANT NAME ROY DAVIES	PROJECT APPLICANT EMAIL	PHONE NUMBER 619-993-2199
PROJECT APPLICANT ADDRESS 8348 CENTER DRIVE	CITY LA MESA	STATE CA
		ZIP CODE 91942

PROJECT APPLICANT (Check appropriate box)

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

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,539.25	\$	0.00
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)/(ND)	\$2,548.00	\$	0.00
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,203.25	\$	0.00
<hr/>			
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input checked="" type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$850.00	\$	0.00
<input checked="" type="checkbox"/> County documentary handling fee		\$	50.00
<input type="checkbox"/> Other		\$	0.00

PAYMENT METHOD:

Cash
 Credit
 Check
 Other

TOTAL RECEIVED	\$	50.00
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SIGNATURE <i>X Daniel Butler</i>	AGENCY OF FILING PRINTED NAME AND TITLE San Diego County Clerk, DANIEL BUTLER, Deputy
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Payment Reference #: CHECK# 3006 , RCT: 37-2019-1035 REM: 12/10/2019