



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

FILED
Jun 12, 2023 09:31 AM
JORDAN Z. MARKS
SAN DIEGO COUNTY CLERK
File # 2023-000453
State Receipt # 37061220230409

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

CONDITIONAL USE PERMIT CUP -17-22

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 June 12, 2023

Posted June 12, 2023 **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 Exemption

To be filed after project approval

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

From: (Public Agency) **CITY OF LA MESA**
Community Development Dept.
8130 Allison Avenue
La Mesa, CA 91942

Assessor Recorder County Clerk
Attn: Fish and Wildlife Notices
1600 Pacific Highway Suite 260
San Diego, CA 92101
MS: A-33

Project Title: Conditional Use Permit CUP-17-22

Project Location - Specific: 8744 La Mesa Boulevard

Project Location - City: La Mesa Project Location - County: San Diego

Description of Nature, Purpose and Beneficiaries of Project:

The applicant, Deluxe Company, LLC, Fresh Selection, Inc., proposes a medical marijuana dispensary at 8744 La Mesa Boulevard. which requires approval of a Conditional Use Permit. Uses in the project vicinity along La Mesa Boulevard include commercial retail, restaurant, service-oriented, and automotive uses. The 7,000-square-foot site is located on the northerly side of La Mesa Boulevard, west of Jackson Drive. The scope of the project includes tenant and site improvements to operate a medical marijuana dispensary within the existing one-story, 2,428-square-foot commercial building. The project would share the parking lot with the adjacent fireplace and patio store.

The proposed medical marijuana dispensary is consistent with the General Plan Land Use designation and the C-D-MU zone classification of the property. The General Plan goal along La Mesa Boulevard is for less auto dependency and a more walkable commercial corridor with pedestrian-oriented development. The proposed dispensary is consistent with the intent of the General Plan with its location proposed along the La Mesa Boulevard transit corridor, introduction of uncommon retail goods with anticipated economic benefit for the area, creation of a 12-foot pedestrian realm, and revitalization of the area (General Plan, page LD-22, and Objective LU-3.1, page LD-37). The proposed dispensary is compatible with the surrounding commercial establishments.

The beneficiaries of the Project are the owner of record, the business owner, and patrons of the business.

Assessor's Parcel Number: 494-214-18-00.

Name of Public Agency Approving Project: City of La Mesa

Name of Person or Agency Carrying Out Project (applicant): Fresh Selection, Inc., Gregg Holda, 858-212-6006, 8744 La Mesa Boulevard, La Mesa, CA 91942

Exempt Status: (check one):

- Ministerial [Sec. 21080(b)(1); 15268]
- Declared Emergency [Sec. 21080(b)(3); 15269(a)]
- Emergency Project [Sec. 21080(b)(4); 15269 (b)(c)]
- Categorical Exemption. State Type and section number:
 - Class 1: CEQA Guidelines Section 15301 (Existing Facilities)
 - Class 3: CEQA Guidelines Section 15303 (Conversion of Small Structures)
- Statutory Exemptions. State code number:

Reasons why project is exempt: The project is for minor tenant improvements and change of use within an existing commercial building, consistent with Sections 15301 and 15303 of the CEQA Guidelines. The project is limited to the permitting of a change of use from one retail use to another, is on a site zoned for such land use, involves minor alterations

of private facilities, and limited street improvements along the property frontage. The project is located where all public services and facilities are available, and the surrounding uses are not environmentally sensitive. There is no evidence that the proposed medical marijuana dispensary will result in an environmental impact. None of the exceptions listed in Section 15300.2 apply. Therefore, the project complies with the exemption standards established in the CEQA Guidelines.

Lead Agency

Contact Person: Howard Lee, Contract Planner

Area Code/Telephone/Extension: 619-667-1103

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a notice of exemption been filed by the public agency approving the project? Yes No

Signature: 

Date: June 12, 2023 **Title:** Contract Planner

- Signed by Lead Agency
 Signed by Applicant

Date received for filing at OPR: