NOTICE OF REGULAR MEETING

Location:

San Ysidro School District Education Center 4350 Otay Mesa Road [north of Beyer Blvd] in San Ysidro, California

Wednesday, November 8, 2023 at 5:30 p.m.

This is an in-person meeting.

Chairman: Rudy Lopez, Jr. (619) 581-7491 City Planner: Selena Sanchez Bailon (619) 533-3672

Except for Public Comment, Items Appearing in This Agenda May Be Acted Upon Without Further Notice as Allowed by the Brown Act [California Gov. Code, §54950 et.seq.]

1. Call to Order, Introduction, and Roll Call

2. Agenda & Minutes

- a. Approval of the Published Agenda.
- b. Approval of Minutes.

3. Public Comment on Matters Not on the Agenda.

Any person may address the SYCPG regarding matters which are <u>not</u> shown in this Agenda. Comments and inquiries must be related to the SYCPG purposes (City Council Policy 600-24). The Chair can limit comment to a set amount of time per item, or per speaker. The "Brown Act," a State law, does not allow any discussion of, or action to be taken on, items not properly noticed to the public.

4. Docket Items:

a. ACTION: U-Haul Self Storage & Vehicle Rental - PRJ-1065540 (Kimley-Horn for project applicant). Make recommendation on a proposed U-Haul project encompassing 4.65 acres at 360 W. Calle Primera.

b. ACTION: Expansion to existing dispensary project - PRJ-1104710 (Mosher Drew for project applicant). Make recommendation for the addition of 503 square feet to an exisiting dispensary project at 4575 Camino de la Plaza.

c. ACTION: Planning Group Recognition Process. Update on the process for official recognition pursuant to the City of San Diego's reform of the Community Planning Group program.

5. Communications, Announcements and Special Orders

a. Members of the Public

b. Elected Officials and Public Servants.

- (1) Carlos Lacarra, San Diego Police Department
- (2) Lucero Maganda, Mayor Todd Gloria
- (3) Gerardo Ramirez, Council District 8 Vivian Moreno
- (4) Andrew Harvey, County Supervisor Nora Vargas
- (5) Myriam Mendoza, State Senate District 40 Steve Padilla
- (6) Mayra Hernandez, State Assembly District 80 David Alvarez
- (7) Other Representatives in attendance

c. Chairman.

d. Board Members

6. Subcommittee Reports

a. There are no active subcommittees.

7. Representative's Reports

- **a.** Community Planners Committee (Lopez)
- **b.** Otay Mesa Planning Group (Wells)

8. Adjournment.

MINUTES OF REGULAR MEETING

Location:

San Ysidro School District Education Center 4350 Otay Mesa Road [north of Beyer Blvd] in San Ysidro, California

, September 13

Chairman Rudy Lopez called the meeting to order at 5:31 pm

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Members Present: A Amador; M Chavarin; O Espinoza; M Freedman; R Lopez; G Ortiz; A Perez; A Ripa; J Wells

Members Absent: N Alvarez; P Arredondo; L Charqueno; C Delgadillo; S Morison; J Ochoa;

Agenda & Minutes

Approval of the Published Agenda was moved by J Wells and seconded by M Freedman. Motion passed unanimously.
Approval of Minutes. Approval of June minutes was moved by M Freedman and seconded by A Perez. Motion passed unanimously.

Public Comment on Matters Not on the Agenda None

Docket Items:

Marco Polo Cortes and David Bejerano presented CUP Application - PRJ-1093210 for JJYM LLC. Support for the PUC was moved by J Wells and seconded by A Ripa. Motion passed unanimously.

Krystal Ayala and Claudia Brizuela presented the San Ysidro Parking Study Findings and concept of the San Ysidro Parking District to be managed by the San Ysidro Improvement Corporation.

Madai Parra of SANDAG gave the group a status update of the Border to Bayshore Bikeway project.

R Lopez summarized to the CPG the City of San Diego Planning Group Recognition Process – J Wells moved and A Ripa seconded for the existing SYCPG to serve as working group to apply for official recognition and directed Chair Lopez to draft bylaw edits to fit new structure. The motion passed 8-0-1 with M Freeman abstaining.

Members of the Public. None

Elected Officials and Public Servants.



c. Board Members

J Wells gave update on PedWest closure;

G Ortiz mentioned public input process opening for housing project land trust A Amador mentioned Oct 7 Casa Familiar 50th anniversary event.

8. Subcommittee Reports

- **a.** There are no active subcommittees.
- 9. Representative Reports
 - a. None

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10. Adjournment. Chairperson Lopez adjourned the meeting at 7:33 pm.

NOTICE OF REGULAR MEETING

Location:

San Ysidro School District Education Center 4350 Otay Mesa Road [north of Beyer Blvd] in San Ysidro, California

Wednesday, October 11, 2023 at 5:30 p.m.

This is an in-person meeting.

Chairman: Rudy Lopez, Jr. (619) 581-7491 City Planner: Selena Sanchez Bailon (619) 533-3672

Except for Public Comment, Items Appearing in This Agenda May Be Acted Upon Without Further Notice as Allowed by the Brown Act [California Gov. Code, §54950 et.seq.]

1. Call to Order, Introduction, and Roll Call – 5:30PM

PRESENT: ALVAREZ, AMADOR, ARREDONDO, CHARQUENO, CHAVARIN, DELGADILLO, ESPINOZA, FREEDMAN, LOPEZ, MORISON, ORTIZ, PEREZ, RIPA

ABSENT: OCHOA, WELLS

2. Agenda & Minutes

- a. Approval of the Published Agenda. FREEDMAN/CHAVARIN/UNANIMOUS
- b. Approval of Minutes. TABLED

3. Public Comment on Matters Not on the Agenda.

Any person may address the SYCPG regarding matters which are <u>not</u> shown in this Agenda. Comments and inquiries must be related to the SYCPG purposes (City Council Policy 600-24). The Chair can limit comment to a set amount of time per item, or per speaker. The "Brown Act," a State law, does not allow any discussion of, or action to be taken on, items not properly noticed to the public.

4. Docket Items:

a. **INFO: Digital Customer Experience (City of San Diego).** City of San Diego Performance and Analytics staff will present on the city's digital platforms.

ALEX HEMPTON, DEPUTY DIRECTOR OF PERFORMANCE & ANALYTICS PRESENTED REGARDING THE CITY'S DIGITAL PLATFORMS AND INVITED THE PUBLIC TO SHARE FEEDBACK ON THE THEIR DIGITAL EXPERIENCE https://www.sandiego.gov/panda/digital-customerexperience-strategy

b. Action: Planning Group Recognition Process. Update on the process for official recognition pursuant to the City of San Diego's reform of the Community Planning Group program.

DISCUSSION REGARDING THE APPLICATION FOR RECOGNITION OF THE SYCPG UNDER THE REVISED CITY COUNCIL POLICY. THE SYCPG WILL APPROVE/DENY THE APPLCIATION AT THE NOVEMBER MEETING

5. Communications, Announcements and Special Orders

a. Members of the Public

ALEJANDRO FARIAS SHARED SOME CONCERNS ABOUT THE NEIGHBORHOOD

b. Elected Officials and Public Servants.

- (1) Carlos Lacarra, San Diego Police Department
- (2) Lucero Maganda, Mayor Todd Gloria
- (3) Gerardo Ramirez, Council District 8 Vivian Moreno
- (4) Andrew Harvey, County Supervisor Nora Vargas
- (5) Myriam Mendoza, State Senate District 40 Steve Padilla
- (6) Mayra Hernandez, State Assembly District 80 David Alvarez
- (7) Other Representatives in attendance

GERARDO RAMIREZ SHARED NEWS FROM D8 REPORTS VIA EMAIL FROM VARGAS AND PADILLA

- c. Chairman.
- d. Board Members

CASA FAMILIAR HOSTING PRESENTANTIONS FROM FINAL 3 DESIGN ARCHITECTS FOR NEW DEVELOPMENT. DATES ARE OCTOBER 12, 24, AND 26

CASA FAMILIAR 2023 FALL FESTIVAL ON OCTOBER 25

6. Subcommittee Reports

a. There are no active subcommittees.

7. Representative's Reports

- **a.** Community Planners Committee (Lopez)
- **b.** Otay Mesa Planning Group (Wells)

8. Adjournment. – 7:09PM

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11. Pedestrian Path from Development Project to Existing Passenger Rail Station (San Ysidro Station) Scale: 1" = 20'-0"

Cannabis Outlet Notes **Development Summar** Project Narrative: Cannabis outlets that are consistent with the requirements for retailer or dispensary license requirements in the California Business and Professions Code may be npermitted 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 12, Article (Base Zones), provided that no more than four cannabis outlets are permitted in each City Council District. Cannabis outlets are subject to the following regulations. (Per SDMC 42.1504) Cannabis outlets shall maintain the following minimum separation: 2. 1) 1,000 feet from resource and population-based city parks, other 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 1 to 12, Project Team: inclusive, but does not include any private school in which education is primarily conducted in private homes. The distance shall be measured between the property lines, in accordance with Section 113.0225. (Per SDMC 42.1504.a.1) 2) 100 feet from the property line of a residentially zoned lot or premises. The distance shall be measured horizontally in a straight line between the two closest points of the property lines without regard to topography or structures that would interfere with a straight-line measurement. (Per SDMC 42.1504.a.2) 3. Lighting shall be provided to illuminate the interior, facade, and the immediate surrounding area of the cannabis outlet, including any accessory uses, parking lots, and adjoining sidewalks. Lighting shall be hooded or oriented to deflect light away from adjacent properties. (Per SDMC 141.0504.b.) Security shall be provided at the cannabis outlet which shall include operable 4. 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 Legal Description: security guard shall only be engaged in activities related to providing security for the facility, except on an incidental basis. (Per SDMC 141.0504.c.) 5. Primary signs shall be posted on the outside of the cannabis outlet and shall only contain the name of the business, which shall contain only alphabetic characters, APN: 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. (Per Property Owner Information: SDMC 141.0504.d.) 6. The name and emergency contact phone number of the designated responsible managing operator shall be posted in a location visible from outside the cannabis outlet in character size at least two inches in height. (Per SDMC 141.0504.e.) 7. The cannabis outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week. (Per SDMC 141.0504.f.) Sheet Index: 8. The use of vending machines which allow access to cannabis and 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 cannabis and cannabis products without a human intermediary. (Per SDMC Section 141.0504.g.) Type of Construction: 9. A permit shall be obtained as required pursuant to Chapter 4, Article 2, Division 15. (Per SDMC 141.0504.h.) Occupancy Classification: 10. A Conditional Use Permit for a cannabis outlet shall expire no later than five (5) years from the date of issuance. (Per SDMC 141.0504.i.) 11. Deliveries shall be permitted as an accessory use only from cannabis outlets with a Zoning & Overlays: valid Conditional Use Permit unless otherwise allowed pursuant to state law. (Per SDMC 141.0504.j.) 12. The cannabis outlet, adjacent public sidewalks, and areas under the control of the cannabis outlet, shall be maintained free of litter and graffiti at all times. (Per SDMC 141.0504.k.) 13. The cannabis outlet shall provide daily removal of trash, litter, and debris. Graffiti shall be removed from the premises within 24 hours. (Per SDMC 141.0504.I.) 14. Consultations by medical professionals shall not be a permitted accessory use at a cannabis outlet. (Per SDMC 141.0504.m.) Existing Building Area: Existing & Proposed Use: Year Constructed:



Geologic Hazard:

Landscape Area:

Project Address:

Historic:

Proposed Building Height:

FAA Notification (Part 77):

Applicable Building Codes:

ummary			
	ation for a Process 2 CUP Amendment for an approved Cannabis Outlet		
(City of San Diego Cond	litional Use Permit No. PMT-3159485; Project No. PRJ-1061754) which is	stair tair	
•	vithin a ground level retail suite in the Virginia Ave Parking Garage (City of 375960; PRJ 1046233) which requests the following:		
		Archi Susta	
2. Minor changes	SF to the project (new total proposed SF = 1,934 SF). to the floor plan to accommodate the proposed additional square footage		
and applica	ant operational changes.	Sign Sign	
Notes:			
A. There are no othe	er proposed modifications to the project.	A CHISED ARCHIN	
Tenant:	SY Enterprises, Inc. Cannabis Outlet.	- DI	
	4575 Camino De La Plaza, Suite F San Ysidro, CA 92173	★ (t. Strutt	
	Contact: Joe Yousif		
	jiletteyousif@gmail.com 619.241.6561		
Architect:	Kristi Byers, Architect A.P.C.		
	2801 B Street, # 161 San Diego, CA 92102		
	Contact: Kristi Byers, AIA LEED AP BD&C		
	kb@kristibyersaia.com 619.599.5984		
	ONAL GATEWAY OF THE AMERICAS PHASE IA, IN THE CITY OF SAN		
	LIFORNIA, ACCORDING TO MAP NO. 14259. FILED AUG 15, 2001.		
666-400-10-00			
Baja Mex Insurance Ser	rvices		
4575 Camino De La Pla			
-	Sobke		
619.	889.8508	Project:	
-	ent Summary, Vicinity Map, & Outlet Notes		
	ans (Levels 1-2), Parking Calcs, Rail Station Distance		
A2.00 Proposed F	Floor Plans, Lighting & Security Plans, Exterior Elevation	utlet	
I-A, non-sprinklered		Ō	
Existing and Proposed:	M - Mercantile	Lt S.	
Base Zone:	CR-2-1	annabis	
Overlay Zones:	San Ysidro Community Plan Area		
	Airport Land Use Compatibility Overlay Zone (ALUCOZ) FFA Part 77 Notification Area		
	Coastal Height Limit Overlay		
	San Ysidro Discretionary Review Overlay Zone Transit Priority Area (TPA)		
	San Ysidro Commercial District		
Suite F Tenant Area:	1,934 SF (Project Area)	, LnC Suite F	
	1,381 SF (Previously CUP-Approved SF Total)		
	<u>553 SF (Proposed CUP-Amendment SF - this project)</u> 1,934 SF	Ses CU Plaza, a 9217	
Gross Site Area:	31,450 SF		
Gross Floor Area:	133,505 SF	Principality De La F alifornia	
Existing and Proposed:	M - Mercantile		
· ·	eview (Anticipated date of construction completion 2023)	o, O	
		Ente Camino Sidro, C	
53			
Proposed 6,955 SF		Prove San	
4575 Camino De La Pla	iza, Suite F, San Ysidro, CA 92173	Drawing Preparation and Revision Dates	
69'-11 1/2"		01 09.19.2023 Initial CUP Amend. Submittal	
Historic District:	No		
Designated Historic:	No		
Yes			
City of San Diego Munic			
2022 California Building 2022 California Green E			
2022 California Plumbing Code			
2022 California Mechanical Code 2022 California Energy Code		Drawing Name:	
2022 California Fire Code		Development	
		Summary, Vicinity	
		Map & Outlet Notes	
		T0.00	
		(1 of 4)	







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interprises, Inc. Cannabis Outlet	
ess 2 - CUP Amendment	
mino De La Plaza, Suite F	ST ST ST
ro, California 92173	08.31.2 07 CAL
	CORT







10. Parking Floor Plan Level 3 (Levels 4 and 5 Similar) Scale: 1" = 20'-0"



Parking Calculations:

Note: This project proposes no changes to the number or configuration of the Virginia Avenue Parking Garage's 321 off-street parking spaces. Per the Transportation Requirements in the Conditions of Approval of the Approved Coastal Development Permit No. 1325596, Neighborhood Use Permit No. 1884778, and Planned Development Permit No. 2191992, Project No. 375960, "A minimum of 66 automobile spaces (including 2 standard accessible spaces and 1 van accessible space) and 10 zero emission/carpool spaces, 2 motorcycle spaces, 3 long term bicycle spaces and 3 short term bicycle spaces are required by the Land Development Code as shown on the project's Exhibit "A"."

Total Parking Spaces Provided with Existing Building ded ided

= 321 Spaces

Van Accessible Spaces:	2 provided
Standard Accessible Spaces:	6 provided
Motorcycle:	8 provided
Carpool / Zero Emissions:	10 provided
Short-term Bicycle Storage:	22 provided
Long-term Bicycle Storage:	38 provided

Please note that customers visiting this project via vehicle will have access to all of the parking spaces noted above. Of the spaces listed above, the following satisfy the requirements for this project.

nnabis Outlet Spaces Required*	0 spaces	
Van Accessible Spaces:	1 required / 1 provided	
Motorcycle:	2 required / 2 provided	
Carpool / Zero Emissions:	0 required / 0 provided	
Short-term Bicycle**:	2 required / 2 provided	
Long-term Bicycle Storage***:	0 required / 0 provided	

*This project is located within a Parking Standards Transit Priority Area. Per SDMC Section 142.0530, Table 142-05E, 0 parking is required for a retail use in the CR-2-1 base zone within a Parking Standards Transit Priority Area.

**Per SDMC 141.0530(e)(1)(A) The minimum number of required short-term bicycle parking spaces shall be two; or 0.1 per 1,000 SF of building floor area. For this proposed TI project, 1,381 SF/1,000 SF x $0.1 = 0.14 \sim 2$ spaces required.

***Per SDMC 141.0530(e)(2)(A) Long-term bicycle parking spaces are required for any premises with more than ten full-time employees with the minimum number of required long-term bicycle spaces equaling one. While the overall premises (the entire parking garage building) will house tenants which (collectively) will have more than 10 full-time employees, this proposed CO will not have more than 10 full-time employees. The employees of the CO will have access to the 38 long-term bicycle storage spaces provided in the project.

Parking Plan Keynotes: 🐲

Proposed long-term bicycle storage. Proposed short-term bicycle storage.

Accessible path of travel to elevator and accessible parking spaces on 2nd Level. Proposed stairway.

5. Proposed elevator.

Accessible parking space. Note: All accessible parking spaces will be made available for garage visitors requiring accessible parking spaces including visitors to the cannabis outlet requiring accessible parking spaces. No accessible parking spaces will be assigned to specific tenants.

7. Typical drive aisle dimensions. The parking garage's drive aisles meet or exceed the minimum required aisle width for a two way drive aisle with 90° (perpendicular) angle between parking space and aisle per SDMC 142.0560

Table 142-05L. 8. Typical parking space dimensions. The parking garage's parking spaces meet the

minimum requirements of SDMC 142.0560 Table 142-05K (8'-3" wide x 18'-0" long for unobstructed parking spaces serving retail sales uses and eating and drinking establishments; and 8'-0" wide x 18'-0" long for all other uses).



Architect Sustainability

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Project:

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Drawing Preparation and Revision Dates

01 09.19.2023 Initial CUP Amend. Submittal

Pro

Drawing Name: Parking Plans (Levels 1-6) & Parking Calcs



Legend: • • • Accessible Path of Travel ₽→ Accessible Entrance



11. Existing Exterior Elevation - South Scale: 1/8" = 1'-0"



10. Security and Lighting Plan Scale: 1/8" = 1'-0"



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Scale: 1/8" = 1'-0"

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General Notes

1. See A1.00 Site Plan for additional information.

Floor Plan & Exterior Elevation Keynotes: 🏵

- Existing cast-in-place wall to remain.
 Existing exterior storefront glazing system to remain.
- 3. Existing spandrel glazing to remain. 4. Existing canopy to remain.
- 5. Future tenant sign under separate permit.
- 6. not used -
- 7. New interior door.
- 8. New lockable millwork. 9. New accessible restroom.
- 10. New mop sink.
- 11. New accessible drinking fountain.
- 12. New security lighting to illuminate the immediate surrounding area of the facility, including parking lots and adjoining sidewalks. Lighting shall be hooded or oriented so as to deflect light away from adjacent properties. (Per City of San Diego Municipal Code Section 141.1004.c.)
- 13. New operable security cameras.
- 14. Commercial-grade, nonresidential door locks at all limited access areas and on all points of entry and exit to the licensed premises.
- 15. Existing structural concrete column to remain.
- 16. New non-bearing partition.
- 17. Main entry to Cannabis Outlet.
- 18. Secondary entry for cannabis vendor deliveries.





Project: Outlet annabis endment \bigcirc E nC Ð Ч Plaza, Su a 92173 Enterprises σ \mathbf{N} Φ Ó SY Entel Process amino I) نامان، Cؤ 4575 (San Y Drawing Preparation and Revision Dates

Legend:



Existing Wall / Partition to Remain New Non-Bearing Partition

Existing Adjacent Suite Not in This Project

New Operable Security Camera

New Security Lighting

Drawing Name: Floor Plan, Security Plan & Exterior Elevations

09.19.2023 Initial CUP Amend. Submittal

01



TERMS AND CONDITIONS FOR CITY COUNCIL RECOGNITION OF SAN YSIDRO COMMUNITY PLANNING GROUP AS AN INDEPENDENT COMMUNITY PLANNING GROUP PER CITY COUNCIL POLICY 600-24

Introduction and Background

With the Terms and Conditions established herein, the City desires to establish the minimum standards by which the San Ysidro Community Planning Group (the CPG) will adhere to and designate services the CPG will provide in order to obtain and maintain official recognition by the City pursuant to Council Policy 600-24 (Policy 600-24). CPGs are independent organizations voluntarily created and operated by community members who are not City employees, City agents, or City representatives. CPGs are not City-controlled or managed organizations. The City does not direct or recommend the election, appointment, or removal of CPG voting members, or delegate authority to CPGs to act on its behalf.

The CPG, in adopting these Terms and Conditions, commits to meeting these minimum standards and to operating in a manner that abides by and conforms with the Brown Act, is transparent to the public, is accessible to and inclusive of all community members, and reflects the diversity of the communities where they operate. The CPG acknowledges that meeting the standards of this document is necessary to be formally recognized, and continue to be recognized, by the City Council (Council) as a CPG in the City of San Diego. The CPG acknowledges that the City can revoke recognition of any CPG if the City, in its sole discretion, determines these standards are not being met.

The CPG will separately and independently maintain any legally required corporate documents, including articles of incorporation and corporate bylaws, or any other legally required documents related to the CPG's founding, operation, or organization.

The CPG will submit the documents listed in Exhibit A of these Terms and Conditions with its application for Council recognition and maintain these documents in accordance with sections 2.5 and 7.2 herein.

In consideration of Policy 600-24 and the Terms and Conditions established herein, the CPG hereby agrees to abide by the following:

1. Name and Geographical Boundaries

The name of this City recognized CPG shall be San Ysidro Community Planning Group.

The community planning boundaries of this CPG are the boundaries of the San Ysidro Community, as shown in Exhibit B.

2. Responsibilities

2.1 Collaboration with City Staff

As a recognized independent body, the CPG may work with City staff throughout the City's planning process when requested by the City, including during the formation of long-range community goals, objectives, and proposals or revisions for inclusion in a General or Community Plan.

2.2 Advisory CPG Review

The CPG may make advisory recommendations to the City and other governmental agencies on land use matters within the CPG's geographical boundaries or related matters associated with implementation of its community plan as shown in Exhibit B, including the preparation of, adoption of, implementation of, or amendment to, the General Plan or a land use plan when a plan relates to its boundaries.

The CPG may, upon City request, make recommendations, or participate in, additional efforts such as identifying CIP infrastructure needs or additional City matters.

The CPG recognizes that City staff and development project applicants are not required by the City to present their project or application before the CPG although the City encourages applicants to conduct robust engagement with all CPGs, the community, and project neighbors.

2.3 Timely Submittal of CPG Recommendations to the City

In order to be considered as part of the City's development review process, CPG project review recommendations, if any, must be submitted to the City within seven calendar days of the CPG taking action.

In addition, the CPG shall submit its recommendation and any conditions to the project proposed by the CPG, using Bulletin 620 Distribution Form, or reasonable facsimile.

The CPG will follow a uniform mandatory process for recording CPG project review recommendations through the use of an annual report that includes all project recommendations which shall be part of the CPG's official records.

2.4 Adherence to Ralph M. Brown Act

The CPG must comply with California's Open Meeting Law, the Ralph M. Brown Act, set forth in California Government Code sections 54950 through 54963 (Brown Act), by conducting meetings that are open to the public, properly noticed, and in compliance with each of the Brown Act provisions. Failure of the CPG to conduct meetings in compliance with the Brown Act provisions shall constitute sufficient reason for the CPG to lose its Council recognition and may subject the CPG and CPG voting members to a loss of indemnification by the City.

2.5 Maintenance of Open Records

The CPG shall maintain its official records, including its rosters, annual reports, meeting

agendas, applications to serve as voting members, evidence of completion of annual trainings, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

Written applications submitted to the CPG by individuals wishing to serve as voting members, and records of election results, are considered official records and will be maintained by the CPG in accordance with Policy 600-24. The CPG will submit to the City the rosters of CPG voting members by May 1st of each year and will also submit to the City any changes to rosters as a result of CPG elections.

2.6 Independent Entity

The CPG is an independent entity from the City and must be able to operate as such. The City may provide assistance to CPGs at the discretion of the City Manager or Chief Operating Officer and subject to the availability of City resources. In addition, CPGs may be allocated funds by the City when such funding is approved by the City Council.

3. Community Participation and Representation

3.1 Membership

The CPG will ensure that voting members of recognized CPGs, to the greatest extent possible, represent the entire community and community interests, including homeowners, renters, individuals with and without school age children, and diverse age groups.

The CPG and its voting members should routinely seek robust community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large. The CPG shall submit a detailed written Community Participation and Representation Plan to the City Council along with its application for recognition (see Exhibit A).

3.2 Community Outreach

The CPG and its voting members shall routinely seek community participation in the CPG planning and implementation process to serve the best long-term interest of the community at large.

3.3 Collection of Membership Data

To measure community representation, the CPG shall gather demographic data of existing and new CPG voting members at the time of elections or other regular periods to measure inclusion and diversity on the CPG. This data should be submitted to the City along with the annual rosters required by Section 2.5. Participation in this type of survey will be voluntary and will be conducted in a manner to ensure the privacy of responses and respondents.

4. CPG Composition

4.1 Number of Voting Members

The CPG will have no fewer than 10 and no more than 15 voting members, respectively, representing the various community interests set forth in these Terms and Conditions.

4.2 Voting Member Eligibility

The CPG will ensure that voting members meet the following minimum qualifications throughout their entire term of service:

4.2.1 Minimum Age

Voting members will be a minimum of 18 years of age unless the CPG has an appointed youth representative.

4.2.2 Minimum Attendance Requirements

The CPG shall take attendance to ensure that each voting member attends at least twothirds of the CPG's regularly scheduled meetings in any 12-month period throughout their term as a voting member. Failure to meet minimum attendance shall be grounds for disqualification of the voting member. No attendance requirements for voting member attendance prior to their election or appointment as a voting member are allowed.

4.3 Community Representation

The CPG will ensure that voting members be affiliated with the community as either a: (1) property owner, who is an individual identified as the sole or partial owner of record, or their employee, of a real property (either developed or undeveloped), within the community planning area;

(2) resident, who is an individual whose primary address of residence is an address in the community planning area; or

(3) local business person, who is a local business or non-profit owner, operator, or designee at a non-residential real property address in the community planning area as evidenced by a business tax certificate or other official document.

4.3.1 Appointed Seats

To ensure representation of unique stakeholder interests in the community planning area, the CPG may create appointed non-voting seats. These appointed non-voting seats must be described in the CPG bylaws.

4.4 Voting Member Term Limits

The CPG shall establish term limits for its voting members to ensure that the membership is not dominated over time by individual voting members or groups within the community. These term limits will conform with the following guidelines:

4.4.1 Maximum Time of Service

CPG voting members will not serve their service time for more than eight consecutive years if elected to two- or four-year terms, or nine consecutive years if voting members are elected to three-year terms. CPG voting members who accumulate this maximum service time can be eligible to serve again after a two-year break in service.

4.4.2 Waivers of Maximum Time of Service

The CPG may develop procedures for waiving the maximum time of service by vote of its voting members if the CPG cannot find sufficient new voting members to fill vacant open seats after a good faith effort to do so. Should a CPG choose to exercise this waiver, it will use the following guidelines:

(1) Waivers of Maximum Time of Service shall not be granted unless necessary to ensure there are at least 10 voting members (See Section 4.1).

(2) Waiver of Maximum Time of Service to ensure there are at least 10 voting members shall be ratified by at least a two-thirds majority of the votes cast by eligible community members participating in the regular election; and

(3) the term of a voting member elected by a two-thirds vote serving beyond the Maximum Time of Service should count as time served beyond the required break in service as required by this section.

5. Open and Public Elections

5.1. Equal Participation

The CPG shall develop election procedures to encourage equal participation by all members of the public of a community, including term limits which voting members of a recognized CPG can serve.

All members of the public affiliated with the community within the geographical boundary of the CPG will be allowed to vote in CPG elections, so long as they meet minimum conditions for eligibility per Section 4.2 of these Terms and Conditions and comply with the following:

- Only one elected CPG voting member per business tax certificate
- Only one elected CPG voting member per property tax billing

No additional qualifications, such as attendance requirements, will disqualify someone from voting, and no voting requirement will be stricter than allowed by the California Elections Code or Section 5.1.1.

5.1.1 Voter Identification for Resident Community Members

Consistent with state and federal law, proof of residency or identity, should consist of presenting an original or copy of any of the documents described below in either paragraph (1) or (2). These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

(1) Current and valid photo identification provided by a third party in the ordinary course of business that includes the name and photograph of the individual presenting

it. Examples of photo identification include, but are not limited to, the following documents: (A) driver's license or identification card of any state; (B) passport; (C) employee identification card; (D) identification card provided by a commercial establishment; (E) credit or debit card; (F) military identification card; (G) student identification card; (H) health club identification card; (I) insurance plan identification card; or (J) public housing identification card.

(2) Any of the following documents, provided that the document includes the name and address of the individual presenting it, and is dated since the date of the last election, unless the document is intended to be of a permanent nature such as a pardon or discharge, including: (A) utility bill; (B) bank statement; (C) government check; (D) government paycheck; (E) document issued by a governmental agency; (F) sample ballot or other official elections document issued by a governmental, agency dated for the election in which the individual is providing it as proof, of residency or identity; (G) voter notification card issued by a governmental agency; (H) public housing identification card issued by a governmental agency; (I) lease or rental statement or agreement issued by a governmental agency; (J) student identification card issued by a governmental agency; (K) tuition statement or bill issued by a governmental agency; (L) insurance plan card or drug discount card issued by a governmental agency; (M) discharge certificates, pardons, or other official documents issued to the individual by a governmental agency in connection with the resolution of a criminal case, indictment, sentence, or other matter; (N) public transportation authority senior citizen and disabled discount cards issued by a governmental agency; (O) identification documents issued by governmental disability agencies; (P) identification documents issued by government homeless shelters and other government temporary or transitional facilities; (Q) drug prescription issued by a government doctor or other governmental health care provider; (R) property tax statement issued by a governmental agency; (S) vehicle registration issued by a governmental agency; or (T) vehicle certificate of ownership issued by a governmental agency.

5.1.2 Voter Identification for Community Business Owners

Business Owners within the community should present an original or copy of a Business Tax Certificate or equivalent document showing a business address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community business owner to vote in the election.

5.1.3 Voter Identification for Community Non-Profits

Employees of non-profits within the community should present an original or copy of their founding documents or a related document showing an associated address within the CPG boundaries. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

5.1.4 Voter Identification for Community Non-Resident Property Owners

Non-residents who own property within the community should present documents similar to those described in 5.1.1 above, however at least one of these documents should show the address of the property in the community owned by the non-resident and be sufficient to prove ownership. These requirements should be construed liberally by CPGs and any doubt resolved in favor of allowing a community member to vote in the election.

5.2 Transparency and Inclusion in Operations

The CPG will adopt provisions within its operating procedures that will govern the election or appointment of voting members of the CPG, their removal if necessary, and the process to fill vacancies, among other provisions. These provisions will provide for a fair and transparent process, intended to ensure broad outreach to the community, sufficient time for community members to participate in elections, and the principles of inclusion and diversity in CPG operations.

- CPG operating procedures should address the following:
- Cut-off date for candidates to submit nominations, which generally should be a CPG's regular February meeting before an annual March election
- Verification of candidate eligibility prior to printing a ballot
- Creation of a ballot with all candidates identified by name
- Handling of write-in candidates, if applicable, including how to verify eligibility for a write-in candidate's name on a submitted ballot
- Handling of a candidate's absence from a scheduled candidates' forum
- Location(s) of polls, including managing multiple concurrent polling locations, if allowed
- Management of the polls
- Verification of voter eligibility as referenced in Sections 5.1.1-5.1.4 in these Terms and Conditions
- Ballot construction & content
- Setting election date(s)
- Setting voting time(s)
- Mail-in ballot procedures, if applicable
- Closing the polls
- Counting the ballots, including when, by whom, and how to account for a candidate continuing beyond eight or nine consecutive years of service
- Clarifying whether a plurality voting system is being used, or if a majority is required for a seat to have a declared winner
- Ballot record keeping
- Tie-breaking procedures
- Election challenge procedures
- Timing of installation of newly elected voting members
- Maintaining confidentiality of secret written ballots

- Discouragement of electioneering (individuals actively trying to convince voters to vote for a specific candidate at the time and place of the election)
- Next steps if a seat remains unfilled due to lack of, or ineligibility of, a candidate, or as a result of a successful election challenge.

5.3 Election Timing

The CPG will endeavor to host its elections during the month of March each year to be consistent with other CPGs.

6. Conduct of Meetings

6.1 Professional Conduct

The CPG and its voting members will conduct themselves reasonably and professionally and refrain from disrupting the public process as set forth on the CPG's agenda.

6.2 Rules of Procedure

The CPG shall adopt rules of procedure for its meetings, such as Robert's Rules of Order or Rosenberg's Rules of Order, to provide a uniform means for the CPG to facilitate public meetings, conduct public business, and resolve disputes.

6.3 Transparency in Operations

The CPG will maintain transparency in its operating procedures as outlined herein and in Policy 600-24 to ensure open meetings with appropriate public notice to invite community participation in CPG meetings.

7. Additional CPG Responsibilities

7.1 Commitment to Non-Discriminatory Practices

The CPG, in conducting its responsibilities, will not discriminate against any person or persons by reason of race, color, sex, gender, age, creed, national origin, ancestry, sexual orientation, marital status, military or veteran status, genetic information, medical condition, or physical or mental disability.

7.2 Records Retention

The CPG will maintain its official records, including its rosters, annual reports, meeting agendas, and meeting minutes, for a minimum of five years (either on its website, in electronic files, or in hard copies) from the date each record is created, and will make all official records available to the City and to any member of the public upon request.

7.3 Ethical Standards

All CPG voting members shall adhere to the following ethical standards to guard against potential conflicts of interest and undue influence on any recommendation:

7.3.1 Conflicts of Interest

CPG voting members with a potential conflict of interest should recuse from participation in a recommendation if they have a direct economic interest. A direct economic interest includes, but is not limited to, investments in or positions with a business entity, interest in real property, source of income, source of gifts, and personal finances.

7.3.2 Exceptions to Conflicts of Interest

Exceptions to conflicts of interest may be granted by a CPG board to other CPG voting members who can show that the decision will not have an effect on their economic interest.

7.3.3 Abstentions for Potential Conflicts of Interest

CPG voting members may voluntarily choose to abstain from voting when that member has legitimate, non-economic, personal interests in the outcome that would, at minimum, give the appearance of impropriety, cast doubt on that member's ability to make a fair decision, or where that voting member lacks sufficient information upon which to cast a vote. The CPG's record of the vote on the item will reflect an abstaining voting member in the vote and they are still counted in a community planning group quorum for that item, regardless of the point in time they declare their abstention.

7.3.4 Political Actions

Neither the CPG nor voting members in their capacity as such may use their title from or position on a CPG for political endorsements of individuals. The CPG may, however, upon majority vote, take a position on pending legislation that is within the CPG's purview.

7.3.5 Donations

Neither the CPG nor its voting members should accept donations on behalf of any individual running for office.

7.3.6 Equal Time for Candidates or Ballot Measures

The CPG will endeavor to grant equal time for candidates or ballot measures if docketed on the CPG agenda. Equal time does not apply to individuals speaking during nonagenda public comment.

7.4 Voting Member Training

The CPG will require all CPG voting members to complete the formal education program in person or on-line offered by the City.

The CPG will require voting members to complete the training each year within 60 days of being initially elected or appointed to the CPG, and by no later than June 1st of each succeeding year for as long as the voting member is serving or re-elected.

Evidence of completion of annual training shall be part of the CPG's official records. Failure of voting members to complete the specified training each year will make the member ineligible to serve.

7.5 Collaboration with City Staff

CPG voting members will collaborate with the City on an ongoing basis and as requested by the City to increase its voting members' understanding of the role and responsibilities of the CPG.

8. CPG Rights and Liabilities

8.1 Indemnification

Pursuant to the policy of the City Council, the City will indemnify, and the City Attorney will defend, the CPG or its individual voting members, acting in their capacity to the City, under the specified terms set forth in San Diego Ordinance No. O-19883 NS, adopted July 28, 2009, titled "An Ordinance Providing for Defense and Indemnification of Community Planning Groups," (Ordinance), which may be amended from time to time. Defense and indemnification cover any claim or action of civil wrongdoing against the CPG or its duly elected or appointed voting members resulting from their obligations to advise and assist the City and its agencies with land use matters as specified herein, so long as their conduct was in conformance with these Terms and Conditions, all of the findings specified in the Ordinance can be made, and the rights to defense and indemnification are consistent with state law. The right to defense and indemnification do not apply to allegations of criminal wrongdoing, including alleged criminal violation of the Brown Act.

When the CPG or one of its individual voting members is found to be out of compliance with the provisions of Policy 600-24, or with these Terms and Conditions, they acknowledge they risk loss of defense and indemnification pursuant to the Ordinance, and any future amendments.

8.2 Violations and Remedies Related to Provisions Citing the Brown Act

Pursuant to provisions required by the Brown Act, including civil remedies (California Government Code sections 54960 through 54960.5) and criminal penalties (Government Code section 54959) for violation of the provisions, the CPG will ensure good faith, voluntary compliance with the Brown Act and proactively cure violations themselves, to prevent legal actions that would void CPG actions. Individual voting members of the recognized CPG, as well as the group as a whole, could be subject to civil remedies. Civil remedies may include relief to prevent or stop future or ongoing violations of the Brown Act, or to void past actions of the CPG, and may in some cases include payment of court costs and attorney's fees.

Individual voting members of the CPG may also potentially face criminal misdemeanor charges for attending a meeting where action is taken in violation of the Brown Act, if the voting member intended to deprive the public of information to which the member knew or had reason to know the public was entitled. Action taken includes collective decisions or promises, and also includes tentative decisions. The CPG, or any of its individual voting members, may seek assistance, as well as training, from the City to better understand, implement, and comply with the Brown Act.

Any member of the public may refer alleged violations of the Brown Act by the CPG to appropriate law enforcement agencies, including the California Attorney General, San Diego County District Attorney, or San Diego City Attorney's Criminal Division. The CPG, or any of its individual voting members, accused of criminal violations of the Brown Act does not have the right to legal protection or representation under these Terms and Conditions or San Diego Ordinance O-19883.

8.3 Violations of Membership Eligibility

Any CPG voting member who violates membership eligibility as defined in Section 4.2, may be removed by the remaining CPG voting members as outlined in Section 5.2

8.3.1 Removal of Ineligible Voting Members

A CPG shall include in their Operating Procedures a procedure for removal of voting members for failure to retain eligibility, which should provide affected voting members with fair notice and require ineligibility determinations to be supported by documentation.

8.4 Violations and Remedies

If the CPG violates these Terms and Conditions, it may forfeit its status as a recognized CPG and lose its right to indemnification and defense by the City. A CPG voting member and the CPG itself risks loss of defense and indemnification pursuant to current San Diego ordinances and any future amendments.

In the case of an alleged violation of these Terms and Conditions by a CPG voting member, the CPG will conduct an investigation consistent with Policy 600-24.

In the case of an alleged violation of Policy 600-24, the violation will be forwarded in writing to the City for review by the Mayor or their Designee. The CPG will respond to the City in a dialogue to determine the validity of the complaint and to seek resolution of the issue or dispute.

The CPG acknowledges that if the Mayor or their Designee is unable to resolve a dispute or determines that there has been a violation, the Mayor or their Designee may seek to resolve the dispute or violation informally, with the cooperation of the CPG, or may recommend to the City Council that the CPG's recognition be revoked.

The CPG acknowledges that if the City Council determines through a recommendation from the Mayor or their Designee that a CPG has violated their Terms and Conditions or Policy 600-24 and the CPG has failed to take corrective action deemed adequate in the sole discretion of the City Council, the City Council may revoke the CPG's recognition under this Policy. The City Council may also prescribe conditions under which official recognition may be reinstated.

8.5 Disciplinary Actions of Individual Voting Members in Violation of Terms and Conditions

The CPG acknowledges that any of its voting members found to be in violation of these Terms and Conditions shall only be disciplined or removed by the CPG at a scheduled CPG meeting. This discipline or removal will be advertised on the agenda as an action item and the investigation or complaint will be reported to the City within 60 days of the allegation so as to ensure a fair and public process.

8.6 Potential Conflicts of Interest

CPG voting members found to have a conflict of interest who did not recuse from a vote may be subject to disciplinary action by the officers of the CPG, which may include expulsion from the board. The CPG will report in writing instances of disciplinary action to the City within 60 days of any allegation.

8.7 Violations and Remedies for Quorum and Attendance Requirements

If the CPG is unable to meet quorum and attendance requirements for three consecutive months, then City may place the CPG in a temporary inactive status, to allow the CPG to work through its membership issues to return to active status. If the CPG remains unable to meet quorum and attendance requirements for six consecutive months, then the Mayor or their Designee may recommend to the City Council that the CPG's recognition be revoked.

8.8 Violations of City Requests for Input

The CPG acknowledges that a consistent failure to respond to the City's request for input on the preparation of, adoption of, implementation of, or amendment to the General Plan or a community, precise, or specific plans may result in revocation of recognition as referenced in Policy 600-24. Consistent failure to provide input on private development applications or public infrastructure projects may result in revocation of recognition. Further, that such a determination resulting in the forfeiture of rights to represent its community for these purposes will be made by the Council upon the recommendation of the Mayor or his/her Designee.

9. Collective Action of the CPG

The official positions and opinions of the CPG will not be established or determined by any organization other than the recognized CPG, nor by any individual voting member or subcommittee of the CPG.

10. Term of the Terms and Conditions

These Terms and Conditions will be effective in perpetuity of the life of the CPG unless recognition of the CPG is revoked by the City as described in Section 8.4 or the Terms and

Conditions are updated to be consistent with Policy 600-24 as it may be amended.

Attachment: EXHIBIT A: REQUIRED COMMUNITY PLANNING GROUP DOCUMENTS FOR AN APPLICATION FOR CITY COUNCIL RECOGNITION

Community Participation & Representation Plan As required for Planning Group Recognition by Terms and Conditions, Exhibit A of Council Policy 600-24

The San Ysidro Community Planning Group ("Planning Group") is committed to engaging a broad and diverse cross-section of our community members in monthly meetings and to electing Planning Group members who are representative of the community and community interests, including, but not limited to renters, youth, people with disabilities, and intergenerational households. Soliciting and obtaining broad input on projects and initiatives is critical to the success of our Planning Groups to serve as a recognized advisory body to the City.

The goal of this participation and representation plan is to communicate our PLANNING GROUP's goals, guiding principles for outreach and communication, and a strategy for meaningful, ongoing engagement.

Our plan is crafted to reflect the unique demographics and characteristics of our community.

Overarching Goal

- Educate community members about the role of our Planning Group and opportunities for involvement.
- Establish partnerships with non-profits, community organizations, businesses, schools/universities and government organizations to build relationships and trust with the community.
- Increase and diversify participation in monthly Planning Group meetings and decisionmaking.
- Communicate about our CPG's work and goals in simple, easy-to-understand language that is accessible for anyone regardless of their background in or knowledge of community planning.
- Obtain meaningful input from a broad range of community members on land use matters (e.g. General Plan and Community Plan Amendments, Community Plan Updates, project reviews, and other land use matters referred to them by the City).
- Be proactive in listening to community needs and effectively communicating these to the City.

Guiding Principles for Public Participation

- Provide all meeting information necessary to encourage community members to participate in a simple and accessible manner.
- Communicate in ways that are inclusive, transparent and respectful.
- Consistently share information with community members using a variety of methods.
- Make meeting materials available in the languages spoken within the community.
- Be respectful of people's opinions and time.
- Ensure a safe, accessible meeting space.

Strategies for Community Involvement

• Create a simple Planning Group flyer to advertise in community hubs with meeting information included to help educate the community on the role of the CPG, how to get

involved, and the benefits of serving on a Planning Group.

- Share meeting information in digital formats including social media pages and a dedicated CPG website.
- Consistently post printed monthly meeting information at local places including, but not limited to:
 - Local library
 - Park and Rec Building(s)
 - Public transit hubs

Grocery stores 0

- Coffee shops
- Schools
- Build relationships with other city advisory boards to cross-pollinate messaging.
- Set up informal meetings or calls with local non-profit organizations to introduce and discuss the Planning Group's role and to build relationships.
- Advertise monthly meetings and elections in local community paper(s)/newsletter(s)/social media.
- Host informal events outside of Planning Group meetings to invite the public to learn about the Planning Group and how to participate in monthly meetings.
- Organize informal town hall events to solicit feedback on community needs. Select a time/ day, location and format of the events and town halls that maximizes the opportunity for people not already engaged with the Planning Group to attend.
- Work with the council office and the Mayor's Office to amplify outreach.
- Make online interactive activities, such as surveys, to seek input on community needs/ other initiatives.

Measuring Success

- Monitor month-over-month and year-over-year meeting attendance, number of voters in elections, social media metrics as applicable, type and frequency of outreach efforts, events attendance lists, change in composition of voting members as evidenced in annual surveys, etc.
- Success should also be qualitatively measured by the intentional efforts made to bring in • community members that have historically faced barriers to participation in Planning Groups. Document information in annual report and submit to the City via email: SDPlanningGroups@sandiego.gov within 14 days of the approval of the March minutes.