



THE CITY OF SAN DIEGO

Report to the Hearing Officer

DATE ISSUED: September 14, 2022 REPORT NO. HO-22-040

HEARING DATE: September 21, 2022

SUBJECT: Rancho Bernardo Cannabis Outlet, Process Three Decision

PROJECT NUMBER: 625766

REFERENCE: *Negative Declaration 91-0695*

OWNER/APPLICANT: Bernardo Center Shops LLC/Will Senn

SUMMARY

Issue: Should the Hearing Officer approve a new, 6,453-square-foot cannabis outlet in an existing 11,930-square-foot commercial building at 16375 Bernardo Center Drive in the CC-2-3 zone within the Rancho Bernardo Community Plan?

Staff Recommendation:

1. Approve Conditional Use Permit No. 2243740.

Community Planning Group Recommendation: In a letter dated February 23, 2020 (Attachment 7), the Rancho Bernardo Community Planning Board (RBCPB) described a January 16, 2020 vote 10-0 to recommend denial of the proposed project. Staff understood this letter to be the final vote of the RBCPB. However, the RBCPB has since stated that this letter was not their final vote and will be taking this project to their September meetings (9/6/2022 and 9/15/2022), which occur after this report goes to print. This situation is discussed in more detail herein.

Environmental Review: On February 10, 1992, the Planning Director adopted Negative Declaration 91-0695 for the Bernardo Center project. The City of San Diego, as lead agency, has completed a California Environmental Quality Act (CEQA) Section 15162 – Subsequent EIRs and Negative Declarations consistency evaluation for the proposed project. A consistency evaluation was performed to determine if conditions specified in CEQA Guidelines Sections 15162 would require preparation of additional CEQA review for the proposed amendments. The City has determined that the proposed project is consistent with the Bernardo Center Negative Declaration (Project No. 91-0695) and would not result in new impacts.

BACKGROUND

On March 25, 2014, the City of San Diego adopted Ordinance No O-20356 to implement regulations for Medical Marijuana Consumer Cooperatives (MMCCs), allowing the sale of medicinal marijuana with the approval of a Conditional Use Permit (CUP). On February 22, 2017, Ordinance No. O-20793 was approved, which included amendments to the Land Development Code and the Local Coastal Program, replacing the MMCC use with a new retail sales use, Marijuana Outlet. On January 8, 2020, the San Diego Municipal Code (SDMC) was amended by Council Ordinance [O-21163](#). The revision replaced the word “marijuana” with “cannabis”, to reflect consistency with the State of California cannabis regulations. Therefore, Marijuana Outlet was renamed to Cannabis Outlet.

Cannabis Outlets are allowed with the approval of a Process Three CUP, pursuant to [SDMC section 126.0303](#), in designated base zones. A CUP allows a Cannabis Outlet to sell both medicinal and recreational cannabis products subject to state licensing requirements.

Pursuant to [SDMC section 141.0504](#), cannabis outlets are limited to no more than four per City Council District (36 City-wide) within commercial and industrial zones. There is currently one approved cannabis outlet in Council District 5. If approved by the Hearing Officer, the proposed project would be the second Cannabis Outlet CUP approved within Council District 5, and the 28th within the City.

DISCUSSIONProject Description:

Project Location:	16375 Bernardo Center Drive, Rancho Bernardo Community Plan
Project Scope:	Conditional Use Permit for a Cannabis Outlet to operate within a 6,453-square-foot tenant space in a 11,930-square-foot building in an existing commercial center.
Lot Size:	0.63 acres (27,443 square feet)
Zoning:	CC-2-3 (Community Commercial)
Community Plan Designation:	Specialized Commercial

The site is currently improved with a commercial retail center that was permitted in 1992 under PCD 91-0695. The proposed tenant space was most recently occupied by a restaurant but is currently vacant. Other existing uses in the center include a barber shop, hearing aid store, beauty salons, restaurants, offices, and a Kumon learning center.

The proposed cannabis outlet use is required to provide 32 parking spaces, which will be provided within the existing parking area for the commercial retail center. The project will provide public

improvements, which includes the reconstruction of the middle driveway adjacent to the site to meet current accessibility standards.

Separation Analysis

The project application was deemed complete on February 4, 2019, and the project is subject to the separation regulations in effect at that time. Then, as now, [SDMC 141.0504\(a\)](#) regulated separation distances for cannabis outlets. However, the regulations were amended on August 29, 2020 to include revised regulations that are codified in Ordinance O-21221. Table 1 below is a comparison of the two versions of the ordinance.

Table 1	
Applicable Regulations (apply to project):	Current Version (does not apply to project):
141.0504(a): Cannabis outlets shall maintain the following minimum separation between uses, as measured between property lines, in accordance with Section 113.0225:	141.0504(a): Cannabis outlets shall maintain the following minimum separation:
141.0504(a)(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, inclusive, but does not include any private school in which education is primarily conducted in private homes.	141.0504(a)(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, 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.
141.0504(a)(2): 100 feet from a residential zone.	141.0504(a)(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.

Pursuant to both versions of SDMC 141.0504(a) shown above, cannabis outlets must be at least 1,000 feet away from the following per SDMC 141.0504(a)(1):

- City parks
- Childcare centers
- Churches
- Playgrounds

- City libraries
- Minor-oriented facilities
- Schools
- Other outlets

Also, per both versions of the ordinance, cannabis outlets must also be at least 100 feet from all residentially zoned properties per SDMC 141.0504(a)(2).

The difference between the applicable Cannabis Outlet regulations and the current regulations are specific to how residential separation is measured. [SDMC 113.0225\(c\)](#) allows both natural and topographic barriers that impede direct physical access to be considered when measuring distance between uses. The applicable version of the ordinance refers to SDMC 113.0225 in SDMC 141.0504(a). This means that it applies to (a)(1) and (a)(2). This allows barriers to be considered when determining residential separation.

The current ordinance (made effective by O-21221) moves the reference to SDMC 113.0225 from SDMC 141.0504(a) to (a)(1), and changes (a)(2) to specifically state that a straight-line measurement is required. The regulations no longer allow residential separation to be affected by barriers.

City staff has reviewed the applicable separation requirements for this project (Attachment 6) and determined that the proposed Cannabis Outlet complies per the analysis below:

Hope United Methodist Church, 16550 Bernardo Heights Parkway: This church is approximately 910 feet north of the proposed cannabis outlet when measured property line to property line. However, as discussed above, natural and topographic barriers that impede direct physical access can be taken into account. There is a six-foot wall between the proposed cannabis outlet and the existing church, which qualifies as such a barrier.

When using the provisions of SDMC 113.0225(c), distance is measured as the most direct route around the barrier in a manner that establishes direct access. A direct public route to the church from the proposed cannabis outlet would be north along the shopping center's pedestrian walkway, then west to the public sidewalk along Bernardo Center Drive, and north to the church, resulting in a distance of approximately 1,200 feet. Therefore, the proposed project meets the minimum separation requirements applicable to the project.

Kumon Math and Reading Center, 16395 Bernardo Center Drive: This business is located within the same shopping center as the proposed cannabis outlet on an adjacent parcel. Staff analyzed the operational characteristics of this use and determined that, because it does not provide full-time educational instruction, this business is not a school, but a tutoring center, which is an office use. Furthermore, it is not a minor-oriented use because it is not a business that serves predominantly minors and which occupies more than 50 percent of the premises. Therefore, the proposed project must not be 1,000 feet away from this use.

Adjacent Residential Properties to the East and South: The project site is directly adjacent to residentially zoned properties to the east and south, which are zoned RS-1-14. As discussed above, [SDMC 113.0225\(c\)](#) applies to the required residential separation for this project.

Steep topography, dense landscaping, and constructed barriers (a continuous wall separating the property from the adjacent subdivision to the east, and an open space easement across the sloped landscaped area to the south, adjacent to Interstate 15) result in a path to residentially-zoned properties that is much greater than 100 feet. To access the proposed cannabis outlet from the adjacent residential area, a person would either have to:

1. Walk at least 3,000 feet via City sidewalks, going north on Bernardo Heights Parkway, then turning left on Bernardo Center Drive, and continuing south to the proposed outlet, or
2. Travel at least 1,400 feet through an open space easement area to the rear of the shopping center, through steep terrain and dense vegetation.

Therefore, the project complies with the applicable regulations.

Land Use Analysis:

Rancho Bernardo Community Plan (RBCP) - The project site is within the Specialized Commercial designation. This designation provides for such uses as automobile agencies, furniture stores, commercial recreation facilities, financial institutions, offices, clinics and similar establishments. The RBCP also contains the following goals, objectives, and policies related to the project:

Commercial Objective 1: To accommodate commercial retail and office uses that serve the community, as well as provide an employment base for area residents.

Commercial Objective 5: To encourage commercial facilities to be designed so as to reduce the potential for criminal activity.

General Plan - The project site is designated Commercial Employment, Retail, & Services by the Land Use and Community Planning Element of the General Plan. The proposed project will promote the policies of the General Plan because Cannabis Outlets supply jobs and encourage and facilitate commerce within the San Diego region.

Base Zone - The purpose and intent of the CC-2-3 base zone is to permit a range of uses, including office and retail with an automobile orientation. Cannabis Outlets are specialized, separately regulated commercial uses that conform to the CC-2-3 base zone.

The above analysis indicates that the proposed Cannabis Outlet is a compatible use at this location with a CUP and it is consistent with the Community Plan land use policies.

Community Planning Group:

In a letter dated February 23, 2020 (Attachment 7), the Rancho Bernardo Community Planning Board (RBCPB) described a January 16, 2020 vote 10-0 to recommend denial of the proposed project. Staff understood this letter to be the final vote of the RBCPB. The issues shown in Table 2 below were identified in the letter:

Table 2	
Issue Raised by RBCPB	Staff Response
Project does not meet residential separation requirements	<p>Per the "Separation Analysis" above, the project complies with the applicable separation distance. Staff site visits and analysis of aerial photography confirm that the site is not easily accessible to any residentially zoned property, and the distance is further than 100 feet.</p> <p>The RBCPB's vote took place before the effective date of O-21221 - they were evaluating the project per the applicable code.</p>
Project is too close to Kumon Math and Reading Center (and other "youth oriented" programs)	<p>Per the "Separation Analysis" above, the project complies with the applicable separation distance.</p> <p>The RBCPB's letter describes Kumon as a private school and says that it must therefore be separated from the proposed outlet by 1,000 feet. Staff has determined that this facility is not a school. It is a tutoring center that specifically refers to itself as an "after school" program that will deliver "results in school and beyond". The website states that the typical Kumon program is two days a week, and that Kumon "is built to enhance what students learn in school, not replace it."</p> <p>Kumon also does not qualify as a minor-oriented facility as stated above. The other "youth oriented" programs of concern are not further discussed in the letter.</p>
Project cannot meet required CUP finding (b) "The proposed development will not be detrimental to the public health, safety and welfare."	<p>The RBCPB letter states that the applicant operates the "Cannabus", which is a cannabis tour bus that operates in San Diego, and that the bus may stop at the proposed location, which "would be problematic and could create a very unsafe condition for both pedestrians and vehicles." The letter describes this general concern without demonstrating detrimental effects to the public health, safety, and welfare. The Cannabus is not a part of the proposed project.</p> <p>The letter also states that</p> <p style="padding-left: 40px;">"Hope United Methodist Church continues to voice its concerns about the safety of its pre-school and youth program students. The youth programs schedule is 7:00am to 6:00pm, Monday through Friday. Any police activity at the cannabis dispensary would trigger a potential lockdown of all youth programs. Cannabis dispensaries, being cash only businesses, are potential targets for theft and violence. This location, being situated adjacent to a freeway onramp, is vulnerable."</p> <p>The letter does not demonstrate how a licensed cannabis outlet will lead to increased crime. Staff is not aware of such an issue at any of San Diego's permitted and licensed dispensaries. All types of businesses are</p>

	<p>a target for theft and violence. Police activity at any nearby business could theoretically cause a lockdown.</p> <p>City regulations address internal and external crime concerns, including requirements for security guards, alarms, cameras, lighting, background checks, cleaning up graffiti and trash, and more. The State of California has extensive regulations on security systems, alarms, security guards, chain of custody, background checks, and more.</p> <p>In addition, state and City licenses and permits can (and will) be revoked if retailers do not observe all their requirements; whether this is learned as the result of a crime or not.</p>
<p>Project cannot meet required CUP finding (d) "The proposed use is appropriate at the proposed location"</p>	<p>The letter identifies the wall constructed between the shopping center and the church property as a reason why the cannabis outlet is not appropriate but does not demonstrate how this is the case. The shopping center is not required to provide pedestrian access to the church.</p> <p>The letter further discusses that the wall has closed pedestrian access to seniors and others, making them have to travel 300 feet further to access the center. However, it does not address how this affects the appropriateness of the proposed location, which is over 900 feet away, and how the seniors may have originally reached the church to use the pedestrian access.</p> <p>The letter goes on to describe the opposition of community members and local businesses to the project, which includes:</p> <ul style="list-style-type: none"> • Opposition to a cannabis outlet at this location (a location which meets City requirements) • Opposition to cannabis outlets anywhere (cannabis is legal in San Diego, and cannabis outlets are an allowed use) • Fears about the dispensary negatively impacting customers and/or ability to lease space (speculative) • Potential advertising (heavily regulated by City and State law) <p>While these concerns are understandable, cannabis outlets operate in retail centers across the City and the region. Staff is not aware of a statistically significant increase in crime, vacancy rates and/or sustained losses in revenue due solely to the presence of such businesses in a center. The RBCPB's letter does not demonstrate that any of these concerns are directly related to the proposed project.</p>

Staff acknowledges that Cannabis Outlets are controversial and may not be appropriate at all locations. However, it is staff's opinion that the RBCPB's letter, while describing community concerns, does not conclusively demonstrate that findings cannot be made to approve this project.

City staff understood the above letter to have been the RBCPB's official vote on the matter. However, during preparation of this Hearing Officer report, staff learned that the RBCPB did not intend this letter to have represented their final vote.

The RBCPB will discuss this project at their Development Review Subcommittee meeting on September 6, 2022, and then at a meeting of the full Board on September 15, 2022. These meetings occur after this Hearing Officer report goes to print. Staff will be prepared to discuss these meetings at hearing.

Operational and Security Requirements:

The proposed outlet is subject to the operational and security requirements of SDMC Sections 141.0504(b) through (m), which are included as conditions of approval of the CUP. These requirements include a prohibition on consultation by medical professionals on-site; prohibition of the use of vending machines except by a responsible person (as defined by [SDMC sections 42.1502 and 11.0210](#)); provision of interior and exterior lighting, operable cameras, alarms, security guard; restriction of hours of operation to between 7:00 am and 9:00 pm daily; maintenance of area and adjacent public sidewalks free of litter and graffiti, removal of graffiti within 24 hours, and signage restrictions. Outlets must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation. State law also heavily regulates outlets, including their operational characteristics and advertising.

Conclusion

Cannabis outlets are unique in that there are only four allowed in each of the nine City Council districts, or 36 City-wide. No other retail business regulated by the City of San Diego is subject to such restrictions. The proposed project is located in District 5. At the time this report was written, District 5 had only one permitted cannabis outlet, which has not yet been constructed. Since the City's recreational cannabis regulations were first adopted in 2017, the zoning and separation requirements for cannabis outlets as applied in Council District 5 have resulted in very few locations that meet all locational criteria. This location does meet all criteria.

By contrast, in the five years since cannabis outlets have been allowed subject to the requirements of SDMC 141.0504, five City Council districts with different development patterns have reached the cap of four outlets per district. This limits the ability of local residents to obtain legal cannabis nearby. They are forced to purchase from outside their local area (retail or delivery) or to obtain cannabis from the illegal market, both of which may have negative consequences, which may include increased cost to the end user, more vehicle miles traveled, loss of tax revenue to the City (and in the case of illegal cannabis, purchase of cannabis that has not been tested or quality controlled and which undercuts the legal, taxed regulated market). It also means that different areas of the City have different concentrations of cannabis outlets, which may have social equity implications. The more difficult it is to obtain legal cannabis, the more likely a consumer will be to turn to the illegal market.

The proposed project meets all separation and zoning requirements. It would be the second Cannabis Outlet CUP approved within Council District 5, and the 28th within the City. All issues identified through the review process have been resolved in conformance with adopted City Council policies and regulations of the Land Development Code. The proposed project complies with all development regulations of the CC 2-3 zone and no deviations are required to approve the project. The project meets all separation requirements and the permit has been conditioned to ensure the proposed cannabis outlet would not be detrimental to the public health, safety, and welfare. Staff has provided draft findings (Attachment 4) to support the proposed development and draft conditions of approval (Attachment 5). Staff recommends that the Hearing Officer approve CUP No. 2243740 as proposed.

ALTERNATIVES

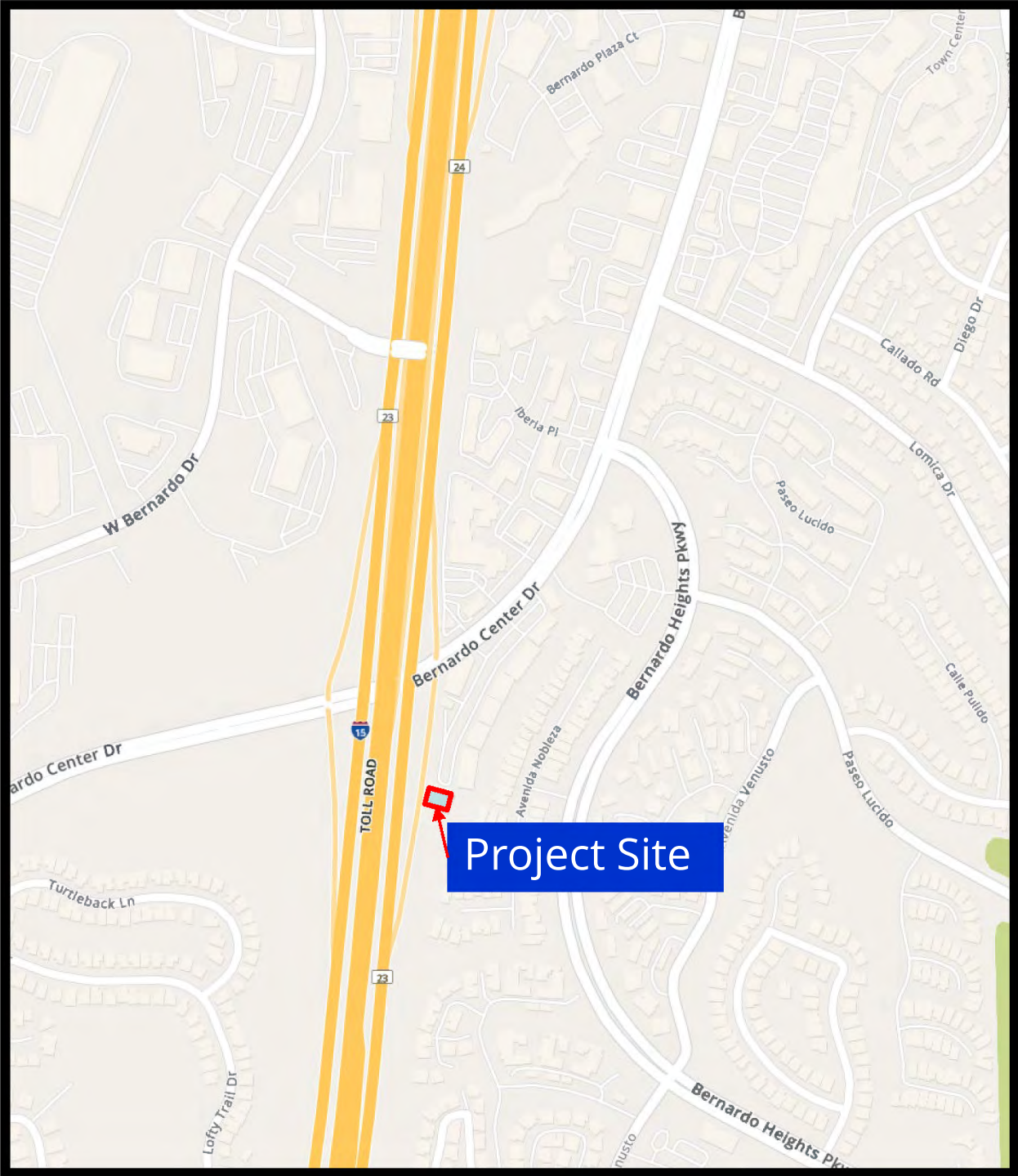
1. Approve Conditional Use Permit 2243740, with modifications.
2. Deny Conditional Use Permit 2243740, if the findings required to approve the project cannot be affirmed.

Respectfully submitted,



Travis Cleveland
Development Project Manager
Cannabis Business Division

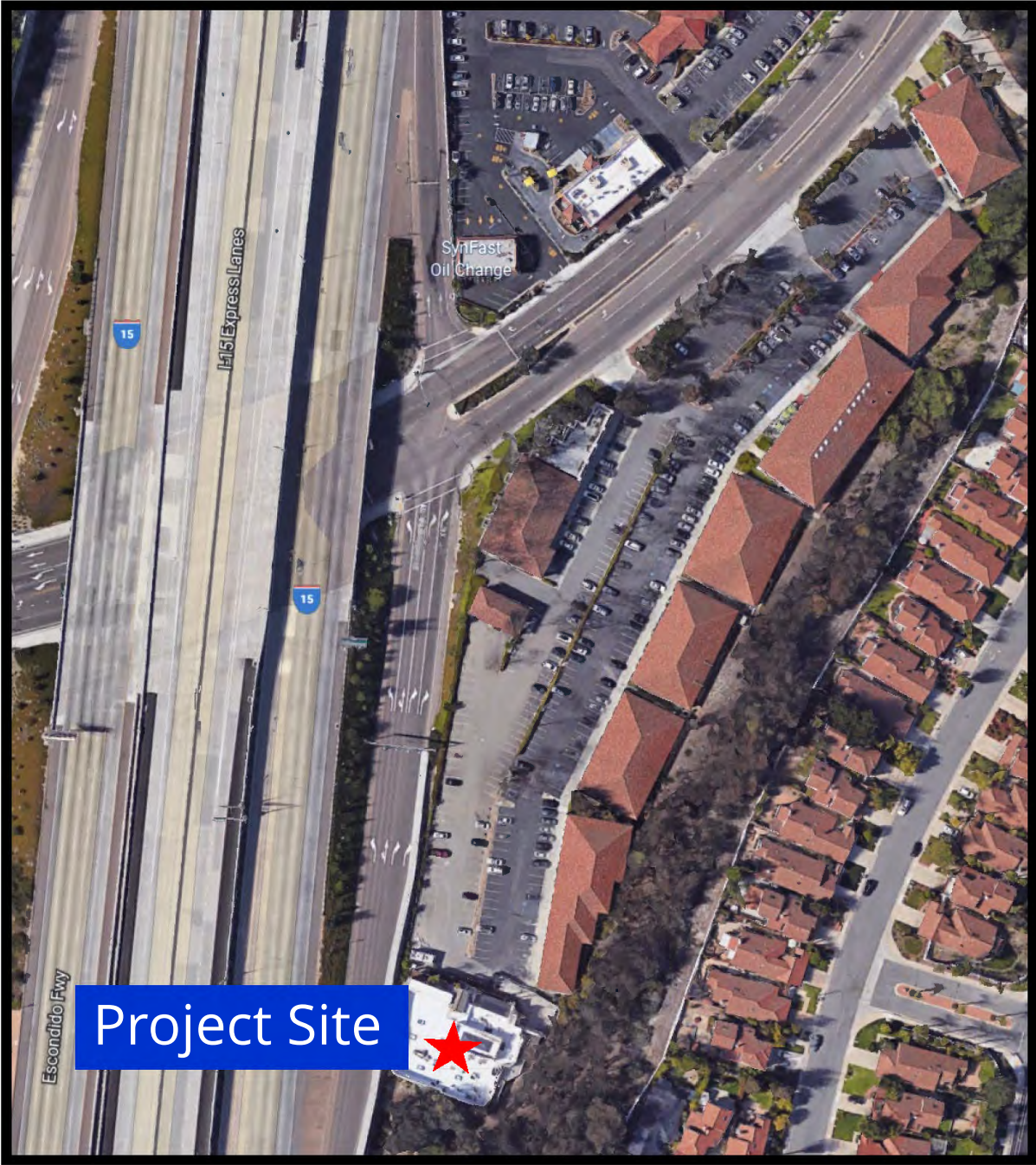
1. Project Location Map
2. Community Plan Land Use
3. Aerial Photograph
4. Draft Resolution with Findings
5. Draft Permit with Conditions
6. 100/1,000-foot Separation Information
7. Community Planning Group Recommendation
8. Ownership Disclosure Statement
9. Project Plans



Project Location

Rancho Bernardo Cannabis Outlet, Project No. 625766
16375 Bernardo Center Drive





Aerial Photo

Rancho Bernardo Cannabis Outlet, Project No. 625766
16375 Bernardo Center Drive



HEARING OFFICER RESOLUTION NO. _____
CONDITIONAL USE PERMIT NO. 2243740
RANCHO BERNARDO CANNABIS OUTLET - PROJECT NO. 625766

WHEREAS, BERNARDO CENTER SHOPS, LLC, Owner, and WILL SENN, Permittee, filed an application with the City of San Diego for a permit to operate a 6,453-square-foot cannabis outlet in an existing 11,930-square-foot commercial building (as described in and by reference to the approved Exhibits "A" and corresponding conditions of approval for the associated Permit No. 2243740), on portions of a 0.63-acre site;

WHEREAS, the project site is located at 16375 Bernardo Center Drive in the CC-2-3 zone of the Rancho Bernardo Community Plan;

WHEREAS, the project site is legally described as: A portion of Lot 75 of Bernardo Heights, Unit No. 3, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 9573, filed in the Office of the County Recorder of San Diego County, February 25, 1980;

WHEREAS, on September 21, 2022, the Hearing Officer of the City of San Diego considered Conditional Use Permit No. 2243740 pursuant to the Land Development Code of the City of San Diego;

BE IT RESOLVED by the Hearing Officer of the City of San Diego, that it adopts the following findings with respect to Conditional Use Permit No. 2243740:

A. CONDITIONAL USE PERMIT FINDINGS [SDMC Section 126.0305]

1. Findings for all Conditional Use Permits:

a. The proposed development will not adversely affect the applicable land use plan.

The project is a request for a Conditional Use Permit (CUP) to allow the operation of a Cannabis Outlet within a 6,453-square-foot tenant space in a 11,930-square-foot building in an existing commercial center at 16375 Bernardo Center Drive within the Rancho Bernardo Community Plan (RBCP).

The RBCP designates the site Specialized Commercial. This designation provides for such uses as automobile agencies, furniture stores, commercial recreation facilities, financial institutions, offices, clinics, and similar establishments. The RBCP also contains the following goals, objectives, and policies related to the project:

Commercial Objective 1: To accommodate commercial retail and office uses that serve the community, as well as provide an employment base for area residents.

Commercial Objective 5: To encourage commercial facilities to be designed so as to reduce the potential for criminal activity.

As a retail establishment specialized in the sale of cannabis, a cannabis outlet fits the Specialized Commercial designation. The use would serve the needs of residents that want to purchase recreational cannabis and will also provide jobs to area residents. City and state requirements for security systems, guards, and secured facilities will ensure that the potential for criminal activity is minimized, and conditions of the permit will ensure prompt resolution of litter and graffiti if it occurs onsite.

The City's General Plan Land Use and Community Planning Element designates the site Commercial Employment, Retail, & Services. The proposed project will promote the policies of the General Plan because Cannabis Outlets supply jobs and encourage and facilitate commerce within the San Diego region.

Therefore, the project will not adversely affect the applicable land use plan.

b. The proposed development will not be detrimental to the public health, safety, and welfare.

The project proposes interior improvements to an existing tenant space, including entry/exit areas, waiting areas, a cannabis retail sales floor, and employee and storage areas. Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors.

A Cannabis Outlet in the CC-2-3 zone is allowed with a CUP at this location and consistent with the goals and policies of the RBCP. The proposed development will not be detrimental to the public's health, safety, and welfare because the discretionary permit controlling the development and continued use of this site contains specific regulatory conditions of approval. These conditions are specifically intended to reduce, mitigate, or prevent all adverse impacts to the public and community at large.

Pursuant to SDMC section 141.0504, Cannabis Outlets are limited to no more than four per Council District (CD), and 36 city-wide, within commercial and industrial

zones to minimize the impact on the City and residential neighborhoods. There is currently one approved outlet in District 5. The project will be the second Cannabis Outlet CUP to approved within District 5, and the 28th within the City.

Cannabis Outlets require compliance with the separation requirements of SDMC section 141.0504(a). The project was deemed complete on February 4, 2019 and is subject to the regulations in effect at that time. At that time, SDMC 141.0504(a) read as follows:

(a): 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 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, inclusive, but does not include any private school in which education is primarily conducted in private homes.

141.0504(a)(2): 100 feet from a residential zone.

During project review, staff identified three potential conflicts with the separation requirements. They were evaluated and determined not to conflict with the ordinance.

Hope United Methodist Church, 16550 Bernardo Heights Parkway: This church is approximately 910 feet north of the proposed cannabis outlet when measured property line to property line. However, there is a six-foot wall between the proposed cannabis outlet and the existing church, which qualifies as such a barrier.

When using the provisions of SDMC 113.0225(c), distance is measured as the most direct route around the barrier in a manner that establishes direct access. A direct public route to the church from the proposed cannabis outlet would be north along the shopping center's pedestrian walkway, then west to the public sidewalk along Bernardo Center Drive, and north to the church, resulting in a distance of approximately 1,200 feet. Therefore, the proposed project meets the minimum separation requirements applicable to the project.

Kumon Math and Reading Center, 16395 Bernardo Center Drive: This business is located within the same shopping center as the proposed cannabis outlet on an adjacent parcel. Staff analyzed the operational characteristics of this use and determined that, because it does not provide full-time educational instruction, this business is not a school, but a tutoring center, which is an office use. Furthermore, it is not a minor-oriented facility use, as defined in the SDMC, because it is not a

business that serves predominantly minors and which occupies more than 50 percent of the premises. Therefore, the proposed project must not be 1,000 feet away from this use.

Adjacent Residential Properties to the East and South: The project site is directly adjacent to residentially zoned properties to the east and south, which are zoned RS-1-14. [SDMC 113.0225\(c\)](#) applies to the required residential separation for this project.

Steep topography, dense landscaping, and constructed barriers (a continuous wall separating the property from the adjacent subdivision to the east, and an open space easement across the sloped landscaped area to the south, adjacent to Interstate 15) result in a path to residentially-zoned properties that is much greater than 100 feet. To access the proposed cannabis outlet from the adjacent residential area, a person would either have to:

1. Walk at least 3,000 feet via City sidewalks, going north on Bernardo Heights Parkway, then turning left on Bernardo Center Drive, and continuing south to the proposed outlet, or
2. Travel at least 1,400 feet through an open space easement area to the rear of the shopping center, through steep terrain and dense vegetation.

Therefore, the project complies with the separation regulations, which are intended to protect the public health, safety, and welfare.

The proposed cannabis outlet use is required to provide 32 parking spaces, which will be provided within the existing parking area for the commercial retail center. The project will provide public improvements, which include the reconstruction of the middle driveway adjacent to the site to meet current accessibility standards. The discretionary permit controlling the development of this site contains specific regulatory conditions of approval. These regulations, which are implemented and enforced through the permit, are specifically intended to reduce, mitigate, or prevent all adverse impacts to the public and community at large

The proposed Cannabis Outlet is subject to specific operational and security requirements and restrictions as set forth in SDMC section 141.0504(b) through (m), which have also been incorporated as conditions in the CUP including prohibition of consultation by medical professionals on-site; prohibition of the use of specified vending machines except by a responsible person (as defined by the SDMC); provision of interior and exterior lighting, operable cameras, alarms, security guard; restriction of hours of operation to between 7:00 a.m. and 9:00 p.m. daily; maintenance of area and adjacent public sidewalks free of litter and graffiti, and removal of graffiti within 24 hours; restriction of signage to business name, two-color signs, and alphabetic characters; and signage advertising cannabis may not be visible from the public right-of-way. Cannabis Outlets must also comply with Chapter 4, Article 2, Division 15 which provides guidelines for lawful operation. The CUP is valid

for five years, however, may be revoked if the use violates the terms, conditions, lawful requirements, or provision of the permit.

Construction of the project authorized through this permit will be subject to all adopted building, electrical, mechanical, fire and plumbing codes, which will be enforced through plan review and building inspections completed by the City's building inspectors. Furthermore, this project has been reviewed pursuant to the California Environmental Quality Act, and the environmental analysis did not find any significant impacts to the public health and safety. Based on the above analysis, project features and conditions of approval, the proposed development will not be detrimental to the public health, safety, and welfare.

c. The proposed development will comply with the regulations of the Land Development Code including any allowable deviations pursuant to the Land Development Code.

The project is located within the CC-2-3 zone, which allows Cannabis Outlets with the approval of a Conditional Use Permit per SDMC Table 131-05B. No deviations are requested or required by this project. As outlined in Finding 2 above, the project complies with the separation requirements of the Land Development Code.

The permits for the project include various conditions and corresponding exhibits of approval relevant to achieving compliance with the SDMC relative to parking, signage, lighting, security measures, hours of operation, and site maintenance. No variance or deviations are requested as part of this application. Therefore, the proposed development will comply with the regulations of the Land Development Code.

d. The proposed use is appropriate at the proposed location.

Cannabis outlets are unique in that there are only four allowed in each of the nine City Council districts, or 36 City-wide. No other retail business regulated by the City of San Diego is subject to such restrictions. The proposed project is located in District 5. At this time, District 5 has only one permitted cannabis outlet, which has not yet been constructed. Since the City's recreational cannabis regulations were first adopted in 2017, the zoning and separation requirements for cannabis outlets as applied in Council District 5 have resulted in very few locations that meet all locational criteria. This project is one of those locations. By contrast, in the five years since cannabis outlets have been allowed subject to the requirements of SDMC 141.0504, five City Council districts with different development patterns have reached the cap of four outlets per district.

The site is currently improved with a commercial retail center approved in 1992 under PCD 91-0695. The previous tenant and many existing uses have similar operational characteristics (high frequency retail sales and services). The proposed tenant space was most recently occupied by a restaurant but is currently vacant. Other existing uses in the center include a barber shop, hearing aid store, beauty salons, restaurants, offices, and a learning center. The proposed cannabis outlet use

is required to provide 32 parking spaces, which will be provided within the existing parking area for the commercial retail center. The project will provide public improvements, which includes the reconstruction of the middle driveway adjacent to the site to meet current accessibility standards. Furthermore, the project is located within an established commercial area with nearby access to arterial roads (Bernardo Center Drive) and freeways (Interstate 15).

As stated in findings 2 and 3 above, the project meets all separation requirements for cannabis outlets, as well as the requirements of the applicable land uses plans and the Land Development Code. Therefore, based on the above analysis, the proposed use is appropriate at the proposed location.

The above findings are supported by the minutes, maps, and exhibits, all of which are incorporated herein by this reference.

BE IT FURTHER RESOLVED that, based on the findings hereinbefore adopted by the Hearing Officer, Conditional Use Permit No. 2243740 is hereby GRANTED by the Hearing Officer to the referenced Owner/Permittee, in the form, exhibits, terms and conditions as set forth in Permit No. 2243740, a copy of which is attached hereto and made a part hereof.

Travis Cleveland
Development Project Manager
Development Services

Adopted on: September 21, 2022

IO#: 24008137

RECORDING REQUESTED BY
CITY OF SAN DIEGO
DEVELOPMENT SERVICES
PERMIT INTAKE, MAIL STATION
501

PROJECT MANAGEMENT
PERMIT CLERK
MAIL STATION 501

INTERNAL ORDER NUMBER: 24008137

SPACE ABOVE THIS LINE FOR RECORDER'S USE

CONDITIONAL USE PERMIT NO. 2243740
RANCHO BERNARDO CANNABIS OUTLET - PROJECT NO. 625766
HEARING OFFICER

This Conditional Use Permit No. 2243740 is granted by the Hearing Officer of the City of San Diego to BERNARDO CENTER SHOPS, LLC, Owner, and WILL SENN, Permittee, pursuant to San Diego Municipal Code (SDMC) section(s) 126.0301 et seq. and 141.0405. The 0.63-acre site is located at 16375 Bernardo Center Drive in the CC-2-3 zone of the Rancho Bernardo Community Plan. The project site is legally described as: A portion of Lot 75 of Bernardo Heights, Unit No. 3, in the City of San Diego, County of San Diego, State of California, according to Map thereof No. 9573, filed in the Office of the County Recorder of San Diego County, February 25, 1980.

Subject to the terms and conditions set forth in this Permit, permission is granted to Owner and Permittee to operate a 6,453-square-foot cannabis outlet in an existing 11,930-square-foot commercial building, described and identified by size, dimension, quantity, type, and location on the approved exhibits (Exhibit "A") dated September 21, 2022, on file in the Development Services Department.

The project shall include:

- a. A 6,453-square-foot cannabis outlet in an existing 11,930-square-foot commercial building,
- b. Off-street parking; and
- c. Public and private accessory improvements determined by the Development Services Department to be consistent with the land use and development standards for this site in accordance with the adopted community plan, the California Environmental Quality Act (CEQA) and the CEQA Guidelines, the City Engineer's requirements, zoning regulations, conditions of this Permit, and any other applicable regulations of the SDMC.

STANDARD REQUIREMENTS:

1. **Utilization date:** This permit must be utilized within thirty-six (36) months after the date on which all rights of appeal have expired. If this permit is not utilized in accordance with Chapter 12,

Article 6, Division 1 of the SDMC within the 36-month period, this permit shall be void unless an Extension of Time has been granted. Any such Extension of Time must meet all SDMC requirements and applicable guidelines in effect at the time the extension is considered by the appropriate decision maker. This Conditional Use Permit (CUP) must be utilized by October 5, 2025.

2. **Expiration Date:** This Conditional Use Permit (CUP) and corresponding use of this site shall expire on September 21, 2027.

This expiration date can be extended by filing for a CUP amendment pursuant to SDMC 126.0114(c), 126.0114(d), and 141.0504(n). To allow the use to continue to operate while an amendment is processed, an amendment application must be deemed complete by the close of business on the expiration date. Otherwise, this permit will expire, and all operation of the use must cease.

An amendment application should be filed at least 90 days before expiration to allow time to be deemed complete.

3. The continued utilization of this CUP is contingent upon (but not limited to) the following, with non-compliance with any of the following being cause to revoke this permit:

- a. The existence of a valid license at this location by the California Department of Cannabis Control (DCC) for any operating business. The issuance of this CUP does not guarantee that the DCC will grant a license for this location.
- b. Compliance with Chapter 4, Article 2, Division 15 of the San Diego Municipal Code, including payment of any fees enacted pursuant to SDMC 42.1506.
- c. Timely payment of all current and future Cannabis Business Tax owed pursuant to Chapter 3, Article 4, Division 1 of the San Diego Municipal Code.
- d. Possession of a Business Tax Certificate for any operating business.
- e. Fulfillment of all permit conditions.
- f. Continued compliance with all other applicable federal, state, and local laws.

4. No permit for the construction, occupancy, or operation of any facility or improvement described herein shall be granted, nor shall any activity authorized by this Permit be conducted on the premises until:

- a. The Owner/Permittee signs and returns the Permit to the Development Services Department; and
- b. The Permit is recorded in the Office of the San Diego County Recorder.

5. While this Permit is in effect, the subject property shall be used only for the purposes and under the terms and conditions set forth in this Permit unless otherwise authorized by the appropriate City decision maker.

6. This Permit is a covenant running with the subject property and all of the requirements and conditions of this Permit and related documents shall be binding upon the Owner/Permittee and any successor(s) in interest.
 7. The continued use of this Permit shall be subject to the regulations of this and any other applicable governmental agency.
 8. Issuance of this Permit by the City of San Diego does not authorize the Owner/Permittee for this Permit to violate any Federal, State or City laws, ordinances, regulations or policies including, but not limited to, the Endangered Species Act of 1973 (ESA) and any amendments thereto (16 U.S.C. § 1531 et seq.).
 9. The Owner/Permittee shall secure all necessary building permits. The Owner/Permittee is informed that to secure these permits, substantial building modifications and site improvements may be required to comply with applicable building, fire, mechanical, and plumbing codes, and State and Federal disability access laws.
 10. Construction plans shall be in substantial conformity to Exhibit "A." Changes, modifications, or alterations to the construction plans are prohibited unless appropriate application(s) or amendment(s) to this Permit have been granted.
 11. All of the conditions contained in this Permit have been considered and were determined necessary to make the findings required for approval of this Permit. The Permit holder is required to comply with each and every condition in order to maintain the entitlements that are granted by this Permit.
- If any condition of this Permit, on a legal challenge by the Owner/Permittee of this Permit, is found or held by a court of competent jurisdiction to be invalid, unenforceable, or unreasonable, this Permit shall be void. However, in such an event, the Owner/Permittee shall have the right, by paying applicable processing fees, to bring a request for a new permit without the "invalid" condition(s) back to the discretionary body which approved the Permit for a determination by that body as to whether all of the findings necessary for the issuance of the proposed permit can still be made in the absence of the "invalid" condition(s). Such hearing shall be a hearing de novo, and the discretionary body shall have the absolute right to approve, disapprove, or modify the proposed permit and the condition(s) contained therein.
12. The Owner/Permittee shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Owner/Permittee of any claim, action, or proceeding and, if the City should fail to cooperate fully in the defense, the Owner/Permittee shall not thereafter be responsible to defend, indemnify, and hold harmless the City or its agents, officers, and employees. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in

defense of any claim related to this indemnification. In the event of such election, Owner/Permittee shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Owner/Permittee regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Owner/Permittee shall not be required to pay or perform any settlement unless such settlement is approved by Owner/Permittee.

ENGINEERING REQUIREMENTS:

13. Prior to the issuance of any construction permit the Owner/Permittee shall submit a Water Pollution Control Plan (WPCP). The WPCP shall be prepared in accordance with the guidelines in Part 2 Construction BMP Standards Chapter 4 of the City's Storm Water Standards.

LANDSCAPE REQUIREMENTS:

14. Prior to issuance of a building permit, replacement trees and shrubs shall be provided within the Vehicular Use Area (VUA) center island in conformance with previous permits and/or current landscape regulations.

PLANNING/DESIGN REQUIREMENTS:

15. 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.

16. Security shall be provided at the 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.

17. 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, 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.

18. 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.

19. The cannabis outlet shall operate only between the hours of 7:00 a.m. and 9:00 p.m., seven days a week.

20. 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.

21. An annual operating permit shall be obtained as required pursuant to San Diego Municipal Code Chapter 4, Article 2, Division 15.

22. Deliveries shall be permitted as an accessory use only from a cannabis outlet with a valid Conditional Use Permit unless otherwise allowed pursuant to state law.

23. 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.

24. The Cannabis Outlet shall provide daily removal of trash, litter, and debris from the premises. Graffiti shall be removed from the premises within 24 hours.

25. Consultations by medical professionals shall not be a permitted accessory use at the cannabis outlet.

26. All private outdoor lighting shall be shaded and adjusted to fall on the same premises where such lights are located and in accordance with the applicable regulations in the SDMC.

TRANSPORTATION REQUIREMENTS

27. All automobile, motorcycle and bicycle parking spaces must be constructed in accordance with the requirements of the SDMC. All on-site parking stalls and aisle widths shall be in compliance with requirements of the City's Land Development Code and shall not be converted and/or utilized for any other purpose, unless otherwise authorized in writing by the appropriate City decision maker in accordance with the SDMC.

28. Prior to the issuance of any building permit, the Owner/Permittee shall assure by permit and bond the reconstruction of the middle driveway along the project frontage on Bernardo Center Drive per current accessibility standards, satisfactory to the City Engineer. All improvements shall be completed and accepted by the City Engineer prior to first occupancy.

INFORMATION ONLY:

- The issuance of this discretionary permit alone does not allow the immediate commencement or continued operation of the proposed use on site. Any operation allowed by this discretionary permit may only begin or recommence after all conditions listed on this permit are fully completed and all required ministerial permits have been issued and received final inspection.
- Any party on whom fees, dedications, reservations, or other exactions have been imposed as conditions of approval of this Permit, may protest the imposition within ninety days of the approval of this development permit by filing a written protest with the City Clerk pursuant to California Government Code-section 66020.

- This development may be subject to impact fees at the time of construction permit issuance.

APPROVED by the Hearing Officer of the City of San Diego on September 21, 2022 and (Approved Resolution Number).

DRAFT

Permit Type/PTS Approval No.: Conditional Use Permit No. 2243740
Date of Approval: September 21, 2022

AUTHENTICATED BY THE CITY OF SAN DIEGO DEVELOPMENT SERVICES DEPARTMENT

Travis Cleveland
Development Project Manager

**NOTE: Notary acknowledgment
must be attached per Civil Code
section 1189 et seq.**

The undersigned Owner/Permittee, by execution hereof, agrees to each and every condition of this Permit and promises to perform each and every obligation of Owner/Permittee hereunder.

BERNARDO CENTER SHOPS, LLC
Owner

By _____
NAME
TITLE

WILL SENN
Permittee

By _____
NAME
TITLE

**NOTE: Notary acknowledgments
must be attached per Civil Code
section 1189 et seq.**

SUMMARY OF PARCELS							
APN: 274-831-57 100FT MP - RESIDENTIAL SEARCH							
#	Use Description	Site Address	City	State	Zip	Parcel Number	Owner/Business Name
1	SINGLE FAMILY RESIDENCE	16290 AVENIDA NOBLEZA	SAN DIEGO	CA	92128	274-831-16-00	DUON,HUONG LAN
2	SINGLE FAMILY RESIDENCE	16294 AVENIDA NOBLEZA	SAN DIEGO	CA	92128	274-831-17-00	ARGUELLO,SAL JR
3	PARKING LOT, PARKING STRUCTURE	BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-50-00	TICOR TITLE INSURANCE CO OF CALI
4	STORES, RETAIL OUTLET	16381 BERNARDO CENTERDR 16399	SAN DIEGO	CA	92128	274-831-56-00	DEL SOL DEVELOPMENT CORP
5	STORES, RETAIL OUTLET	16381 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	TIME WARNER CABLE
6	STORES, RETAIL OUTLET	16383 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	SDAR OF RANCHO BERNARDO
7	STORES, RETAIL OUTLET	16385 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	FANCY NAILS
8	STORES, RETAIL OUTLET	16387 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	BUCKNUM TERRY REALTY EXCTVS
9	STORES, RETAIL OUTLET	16389 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	FITNESS TOGETHER
10	STORES, RETAIL OUTLET	16391 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	LIVINGFIT CORP.
11	STORES, RETAIL OUTLET	16393 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	KRISTA'S CHAIR
12	STORES, RETAIL OUTLET	16395 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	KUMON LEARNING CENTERS; RANCHO BERNARDO
13	STORES, RETAIL OUTLET	16397 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	PAINTING WITH A TWIST
14	RESTAURANT, BAR, FOOD SERVICE	16375 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-57-00	SUBJECT PROPERTY
15	SINGLE FAMILY RESIDENCE	11725 CORTE TEMPLANZA	SAN DIEGO	CA	92128	274-832-31-00	KLINER, RONALD R & FAY
16	SINGLE FAMILY RESIDENCE	11715 CORTE TEMPLANZA	SAN DIEGO	CA	92128	274-832-32-00	BALONE, ROXANNE
17	SINGLE FAMILY RESIDENCE	11705 CORTE TEMPLANZA	SAN DIEGO	CA	92128	274-832-33-00	GASTELUM, ALEJANDRO & FATIMA
18	SINGLE FAMILY RESIDENCE	11716 CORTE TEMPLANZA	SAN DIEGO	CA	92128	274-832-34-00	ASUNCION, AURELIO P
19	SINGLE FAMILY RESIDENCE	11726 CORTE TEMPLANZA	SAN DIEGO	CA	92128	274-832-35-00	GAVIOLA, ELMER D
20	SINGLE FAMILY RESIDENCE	11746 CORTE TEMPLANZA	SAN DIEGO	CA	92128	274-832-36-00	DEGUZMAN, CHRISTOPHER & MARIA TR
21	VACANT MISCELLANEOUS	VACANT/OPEN SPACE	SAN DIEGO	CA	92128	274-832-37-00	VILLA LADERA HOMEOWNERS ASSN
THERE ARE MULTIPLE RESIDENTS FOUND WITHIN 100FT WHEN MEASURING FROM PARCEL TO PARCEL ON A MAP. HOWEVER, NO DIRECT PUBLIC PATHS ARE AVAILABLE AND ALL RESIDENTS ARE MORE THAN A 3500FT WALKING DISTANCE WHEN USING SURFACE STREETS.							

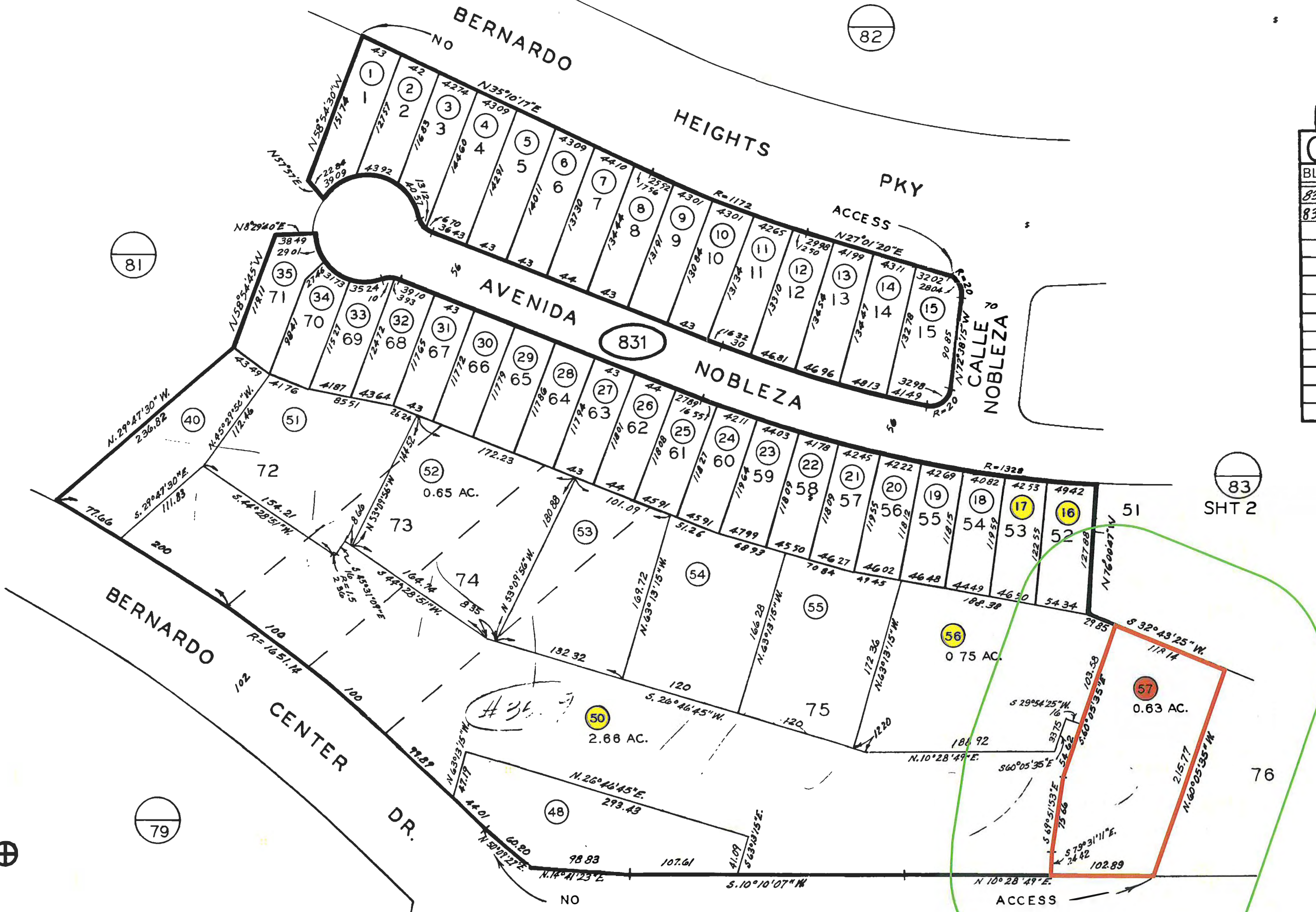
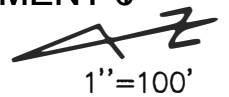
SUMMARY OF PARCELS							
APN: 274-831-57 1000FT MO - BUSINESS LIST							
#	Use Description	Site Address	City	State	Zip	Parcel Number	Owner/Business Name
1	RESTAURANT, BAR, FOOD SERVICE	16410 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-790-18-00	CASTROL SYNFAST OIL CHANGE
2	RESTAURANT, BAR, FOOD SERVICE	16440 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-790-18-00	MCDONALD'S
3	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 106	SAN DIEGO	CA	92128	274-790-19-01	LAW OFFICES OF BRIAN R RILEY
4	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 116	SAN DIEGO	CA	92128	274-790-19-01	GRASSO CHRISTIAN A
5	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 136	SAN DIEGO	CA	92128	274-790-19-01	DEBERRY ENGINEERING
6	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 140	SAN DIEGO	CA	92128	274-790-19-01	STATE FARM INSURANCE
7	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 150	SAN DIEGO	CA	92128	274-790-19-01	CPMS MEDICAL GROUP INC.
8	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 176	SAN DIEGO	CA	92128	274-790-19-01	RANCHO BERNARDO ENDODONTICS
9	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 185	SAN DIEGO	CA	92128	274-790-19-01	BERNARDO DENTAL OFFICE
10	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 188	SAN DIEGO	CA	92128	274-790-19-01	GRANUM HOLDINGS
11	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 200	SAN DIEGO	CA	92128	274-790-19-01	M S INVESTMENTS
12	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 240	SAN DIEGO	CA	92128	274-790-19-01	BRILLIANT CORNERS
13	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 250	SAN DIEGO	CA	92128	274-790-19-01	GRANUM HOLDINGS
14	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 260	SAN DIEGO	CA	92128	274-790-19-01	LAW OFFICES SCOTT C SOADY APC
15	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 270	SAN DIEGO	CA	92128	274-790-19-01	TRACY LAW OFFICES OF KEVIN
16	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 277	SAN DIEGO	CA	92128	274-790-19-01	VISION GLOBAL EVENT STRATEGIES
17	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 279	SAN DIEGO	CA	92128	274-790-19-01	R2H ENGINEERING INC.
18	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 281	SAN DIEGO	CA	92128	274-790-19-01	ILER BROOKS & VIRGIL LLP
19	STORE/OFFICE COMBO	16466 BERNARDO CENTER DR STE 283	SAN DIEGO	CA	92128	274-790-19-01	ANIMAL RESOURCE MANAGEMENT
20	STORE/OFFICE COMBO	16456 BERNARDO CENTER DR STE 100	SAN DIEGO	CA	92128	274-790-19-02	ARNOLD SHERI
21	STORE/OFFICE COMBO	16456 BERNARDO CENTER DR STE 102	SAN DIEGO	CA	92128	274-790-19-02	KEVIN PAULSON INS AGCY. INC.
22	STORE/OFFICE COMBO	16456 BERNARDO CENTER DR STE 201	SAN DIEGO	CA	92128	274-790-19-02	BROWN, CRAIG S REVOC TRUST
23	STORE/OFFICE COMBO	16476 BERNARDO CENTER DR STE 100	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
24	STORE/OFFICE COMBO	16476 BERNARDO CENTER DR STE 117	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
25	STORE/OFFICE COMBO	16476 BERNARDO CENTER DR STE 127	SAN DIEGO	CA	92128	274-790-19-03	REALTY FINANCIAL GROUP
26	STORE/OFFICE COMBO	16476 BERNARDO CENTER DR STE 137	SAN DIEGO	CA	92128	274-790-19-03	NORTH AMERICAN TITLE CO.
27	STORE/OFFICE COMBO	16476 BERNARDO CENTER DR STE 200	SAN DIEGO	CA	92128	274-790-19-03	RAFALSKI JEFFREY T DDS
28	STORE/OFFICE COMBO	16476 BERNARDO CENTER DR STE 220	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
29	STORE/OFFICE COMBO	16476 BERNARDO CENTER DR STE 221	SAN DIEGO	CA	92128	274-790-19-03	BAKER STREET GROUP
30	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 100	SAN DIEGO	CA	92128	274-790-19-03	ACUPUNCTURE KELLY MANGAN
31	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 120	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
32	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 124	SAN DIEGO	CA	92128	274-790-19-03	PERFECT WORKOUT THE INC.
33	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 126	SAN DIEGO	CA	92128	274-790-19-03	CLOVER SPA
34	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 128	SAN DIEGO	CA	92128	274-790-19-03	SOUTH COAST FLOORING
35	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 130	SAN DIEGO	CA	92128	274-790-19-03	JACKSON FEDERAL BANK
36	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 140	SAN DIEGO	CA	92128	274-790-19-03	MARIOLAS EUROPEAN SALON
37	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 150	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
38	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 170	SAN DIEGO	CA	92128	274-790-19-03	JAY W HENDERSON LTD. ATTY.
39	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 207	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
40	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 208	SAN DIEGO	CA	92128	274-790-19-03	OSWALD THOMAS J CFP
41	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 218	SAN DIEGO	CA	92128	274-790-19-03	ALLSTATE INSURANCE
42	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 228	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
43	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 238	SAN DIEGO	CA	92128	274-790-19-03	THAI SPORT BODYWORKS
44	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 248	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
45	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 250	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
46	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 268	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
47	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 278	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
48	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 300	SAN DIEGO	CA	92128	274-790-19-03	OUTSOURCE MANAGEMENT
49	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 308	SAN DIEGO	CA	92128	274-790-19-03	GRANUM HOLDINGS
50	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 318	SAN DIEGO	CA	92128	274-790-19-03	UTILITY TREE SVC. INC.
51	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 348	SAN DIEGO	CA	92128	274-790-19-03	ARDENT HOSPICE & PALLIATIVE CARE INC.; MAIN NUMBER
52	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 368	SAN DIEGO	CA	92128	274-790-19-03	MOUNTAIN TRUST MTG. & REALTY
53	STORE/OFFICE COMBO	16486 BERNARDO CENTER DR STE 378	SAN DIEGO	CA	92128	274-790-19-03	DAVIS DF DF DAVIS REAL ESTATE
54	STORE/OFFICE COMBO	16496 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-790-19-03	WELTSCH MATTHEW
55	STORE/OFFICE COMBO	16516 BERNARDO CENTER DR STE 100	SAN DIEGO	CA	92128	274-790-19-03	NORTH JR. ROBERT DALE
56	STORE/OFFICE COMBO	16516 BERNARDO CENTER DR STE 130	SAN DIEGO	CA	92128	274-790-19-03	FARMERS INSURANCE-SVETLANA
57	STORE/OFFICE COMBO	16516 BERNARDO CENTER DR STE 150	SAN DIEGO	CA	92128	274-790-19-03	FARMERS INSURANCE-STEVEN WLSN
58	STORE/OFFICE COMBO	16516 BERNARDO CENTER DR STE 200	SAN DIEGO	CA	92128	274-790-19-03	WALTERS HOME MANAGEMENT
59	STORE/OFFICE COMBO	16516 BERNARDO CENTER DR STE 210	SAN DIEGO	CA	92128	274-790-19-03	LAW OFFICES-KENNETH N GRNFLD
60	STORE/OFFICE COMBO	16516 BERNARDO CENTER DR STE 220	SAN DIEGO	CA	92128	274-790-19-03	ANALYZE SOFTWARE INC.
61	STORE/OFFICE COMBO	16516 BERNARDO CENTER DR STE 300	SAN DIEGO	CA	92128	274-790-19-03	UMEK & ASSOC.
62	STORE/OFFICE COMBO	16516 BERNARDO CENTER DR STE 320	SAN DIEGO	CA	92128	274-790-19-03	LISTTRAC
63	STORE/OFFICE COMBO	16516 BERNARDO CENTER DR STE 330	SAN DIEGO	CA	92128	274-790-19-03	SULLIVAN & GUZMAN
64	RELIGIOUS	16550 BERNARDO HEIGHTS PKWY	SAN DIEGO	CA	92128	274-810-18-00	HOPE UNITED METHODIST CHURCH; PRESCHOOL
65	VACANT MISCELLANEOUS	16380 AVENIDA VENUSTO	SAN DIEGO	CA	92128	274-820-04-00	MLP HOMEOWNERS ASSN
66	STORES, RETAIL OUTLET	16495 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-40-00	RANCHO BERNARDO COMMUNITY BANK
67	COMMERCIAL MISCELLANEOUS	16363 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-48-00	RANCHO BERNARDO REAL ESTATE
68	PARKING LOT, PARKING STRUCTURE	SHOPPING CENTER PARKING LOT	SAN DIEGO	CA	92128	274-831-50-00	TICOR TITLE INSURANCE CO OF CALI
69	STORES, RETAIL OUTLET	16471 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-51-00	RGB DENTAL
70	STORES, RETAIL OUTLET	16473 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-51-00	BIKRAM'S YOGA COLLEGE-INDIA
71	STORES, RETAIL OUTLET	16475 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-51-00	MUSIC FOR KIDS (CLOSED)
72	STORES, RETAIL OUTLET	16477 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-51-00	LITTLE CAESARS PIZZA
73	STORES, RETAIL OUTLET	16479 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-51-00	RANCHO VIEJO
74	STORES, RETAIL OUTLET	16483 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-51-00	CLEAR CHOICE HEARING AID CENTER
75	STORES, RETAIL OUTLET	16485 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-51-00	PRO BARBER
76	STORES, RETAIL OUTLET	16451 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-52-00	LO-FI PIE
77	STORES, RETAIL OUTLET	16453 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-52-00	DEL SOL DEVELOPMENT CORP

ATTACHMENT 6

78	STORES, RETAIL OUTLET	16469 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-52-00	TEMECULA VALLEY BANK
79	STORES, RETAIL OUTLET	16441 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-53-00	PAILIN THAI CAFE
80	STORES, RETAIL OUTLET	16445 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-53-00	SAN DIEGO SPINE & WELLNESS CTR.
81	STORES, RETAIL OUTLET	16447 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-53-00	NING JERRY
82	STORES, RETAIL OUTLET	16449 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-53-00	LITTLE ARTISTS
83	STORES, RETAIL OUTLET	16419 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-54-00	CREATIVE INTERIOR DESIGNS
84	STORES, RETAIL OUTLET	16421 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-54-00	TD AMERITRADE INC.
85	STORES, RETAIL OUTLET	16425 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-54-00	PHO HOA NOODLE SOUP
86	STORES, RETAIL OUTLET	16405 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-55-00	HANAOKA JAPANESE RESTAURANT
87	STORES, RETAIL OUTLET	16407 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-55-00	DEL SOL DEVELOPMENT CORP
88	STORES, RETAIL OUTLET	16409 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-55-00	PRECISION DENTAL
89	STORES, RETAIL OUTLET	16411 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-55-00	PASSAGE TO INDIA
90	STORES, RETAIL OUTLET	16381 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	TIME WARNER CABLE
91	STORES, RETAIL OUTLET	16383 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	SDAR OF RANCHO BERNARDO
92	STORES, RETAIL OUTLET	16385 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	FANCY NAILS
93	STORES, RETAIL OUTLET	16387 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	BUCKNUM TERRY REALTY EXCTVS
94	STORES, RETAIL OUTLET	16389 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	FITNESS TOGETHER
95	STORES, RETAIL OUTLET	16391 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	LIVINGFIT CORP.
96	STORES, RETAIL OUTLET	16393 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	KRISTA'S CHAIR
97	STORES, RETAIL OUTLET	16395 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	KUMON LEARNING CENTERS; RANCHO BERNARDO
98	STORES, RETAIL OUTLET	16397 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-56-00	PAINTING WITH A TWIST
99	RESTAURANT, BAR, FOOD SERVICE	16375 BERNARDO CENTER DR	SAN DIEGO	CA	92128	274-831-57-00	SUBJECT PROPERTY
100	VACANT INDUSTRIAL	VACANT/OPEN SPACE	SAN DIEGO	CA	92128	678-252-11-00	WELLINGTON GROUP LLC

THERE IS ONE CHURCH (WITH A PRESCHOOL) FOUND WITHIN 1000FT OF THE SUBJECT PROPERTY WHEN MEASURING WITH A DIRECT LINE ON A MAP. HOWEVER, THE WALKING DISTANCE FROM DOOR TO DOOR WHEN USING SURFACE STREETS IS ~2500FT.

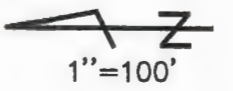




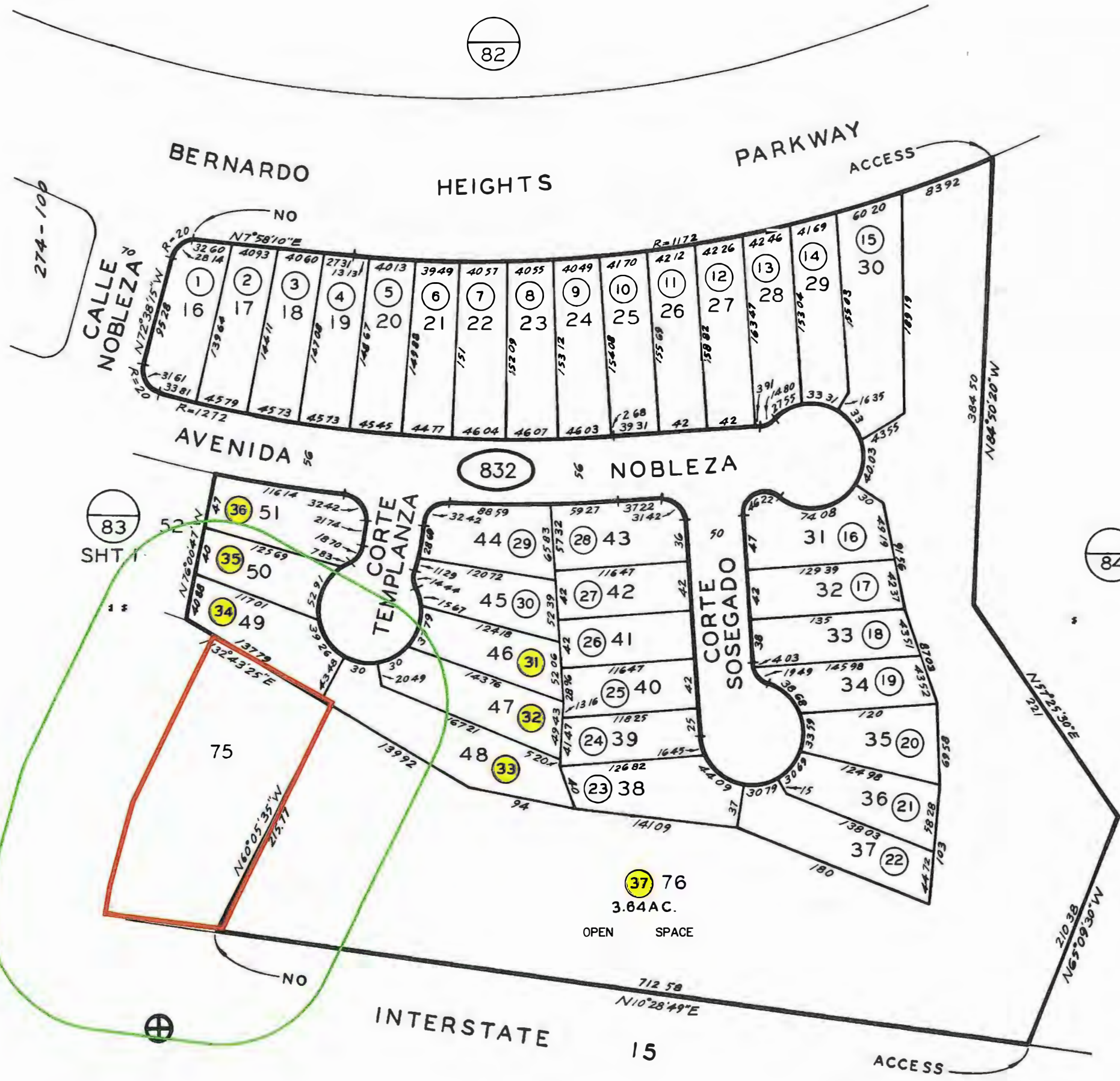
1-21-92 JFC

CHANGES			
BLK	OLD	NEW	YR CUT
831		1-39	80 212
831	36-39	40-49	84 3881
	41-47 49	50-57	86 2231

83
SHT 2



82

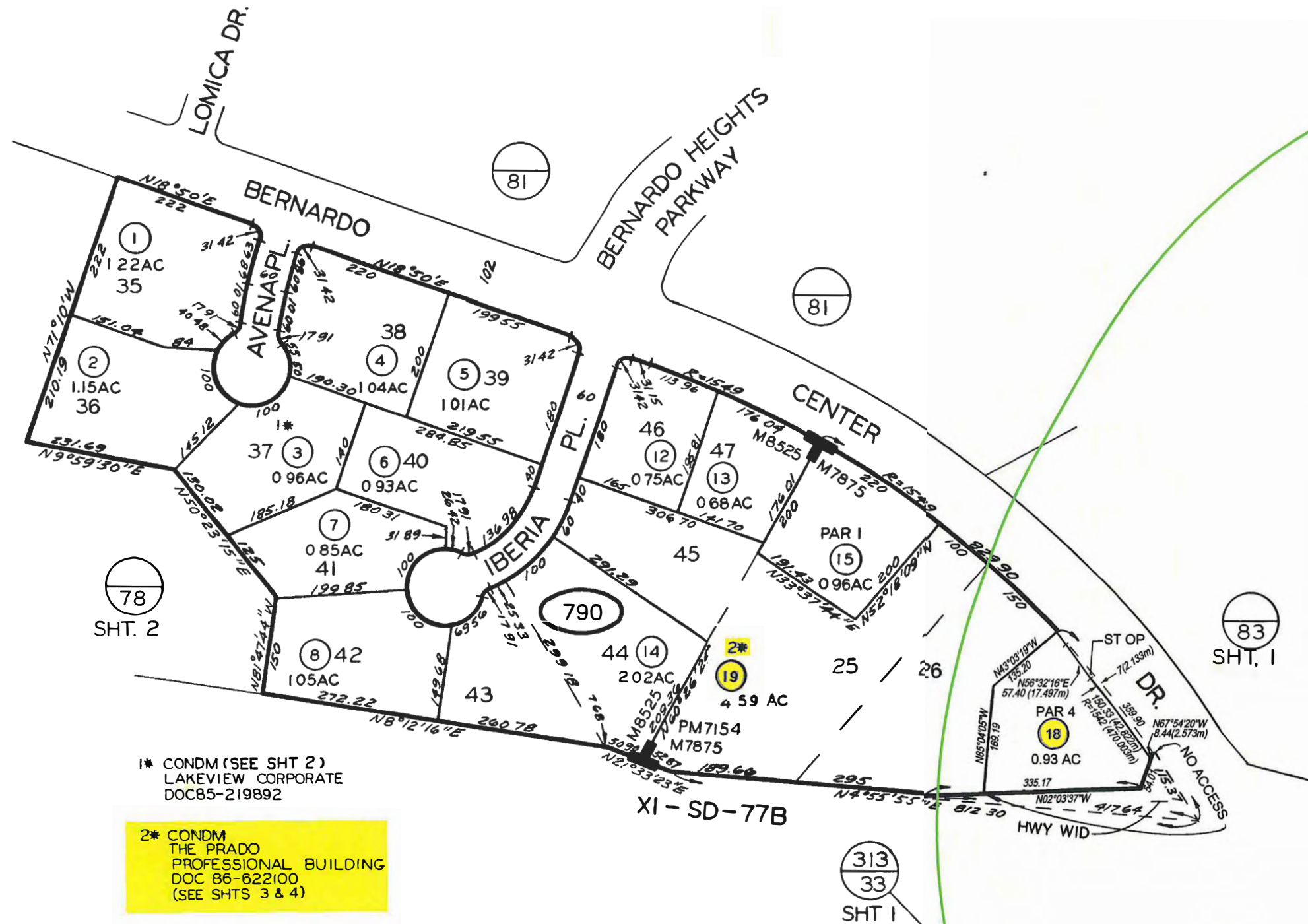


8-15-90 LCA

CHANGES			
BLK	OLD	NEW	YR CUT
832		1-37	80 212

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

274-10



1/27/2009 AJR

CHANGES

BLK	OLD	NEW	YR	CUT
790		1-13	78	16
	9-10	14	80	1361
	100-73-76	15-18	80	10088
790	1,761.7	19	RD	3875
	3	COND M	81	623
	15	198-208 1P 01-23	87	739
780	18	SAME & STOP	09	4690

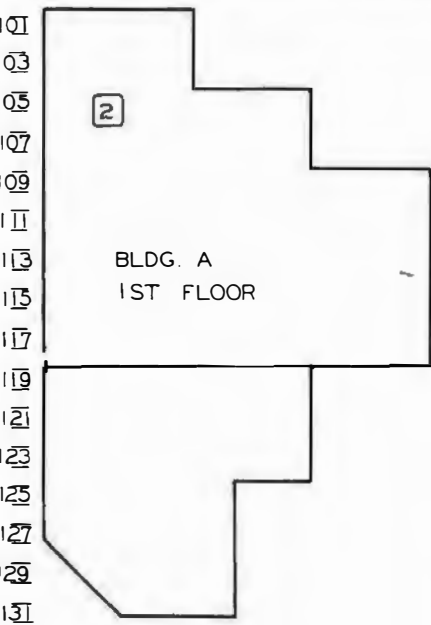
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

MAP 8525 - BERNARDO TOWN CENTER UNIT NO. 9
MAP 7875 - BERNARDO TOWN CENTER UNIT NO. 6

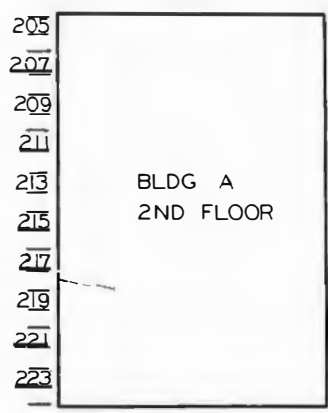
4-23-89
ESB



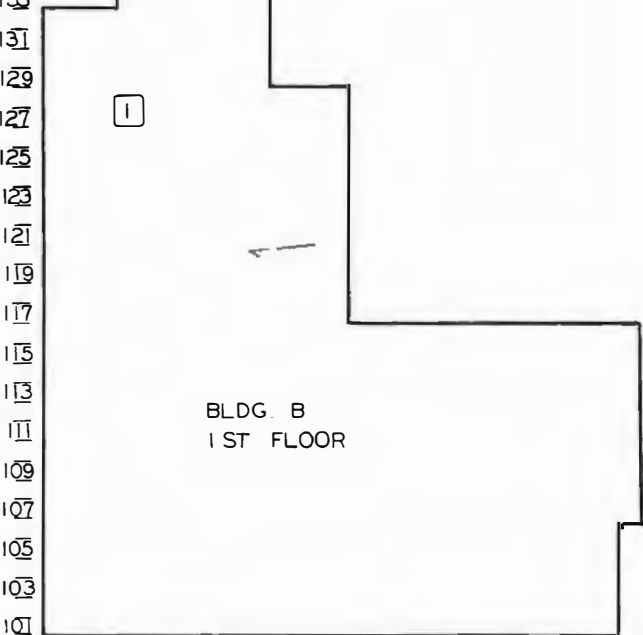
101 103 105 107 109 111 113 115 117 119 121 123 125 127 129 131



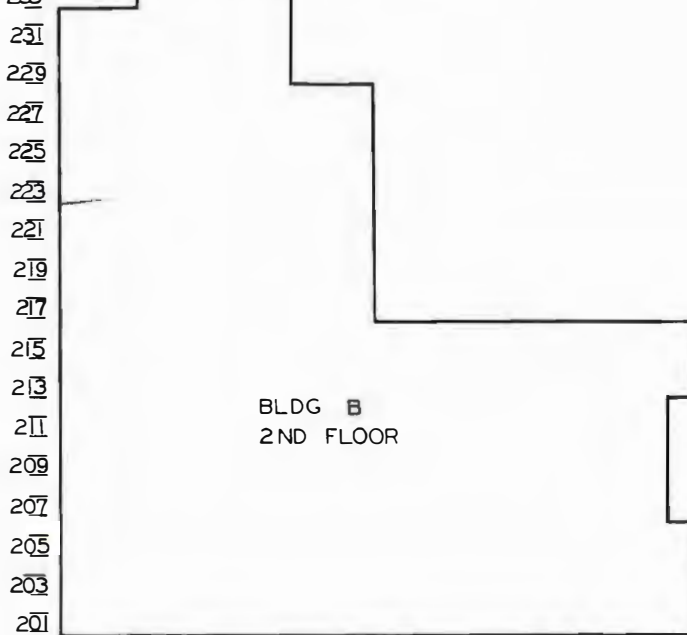
205 207 209 211 213 215 217 219 221 223



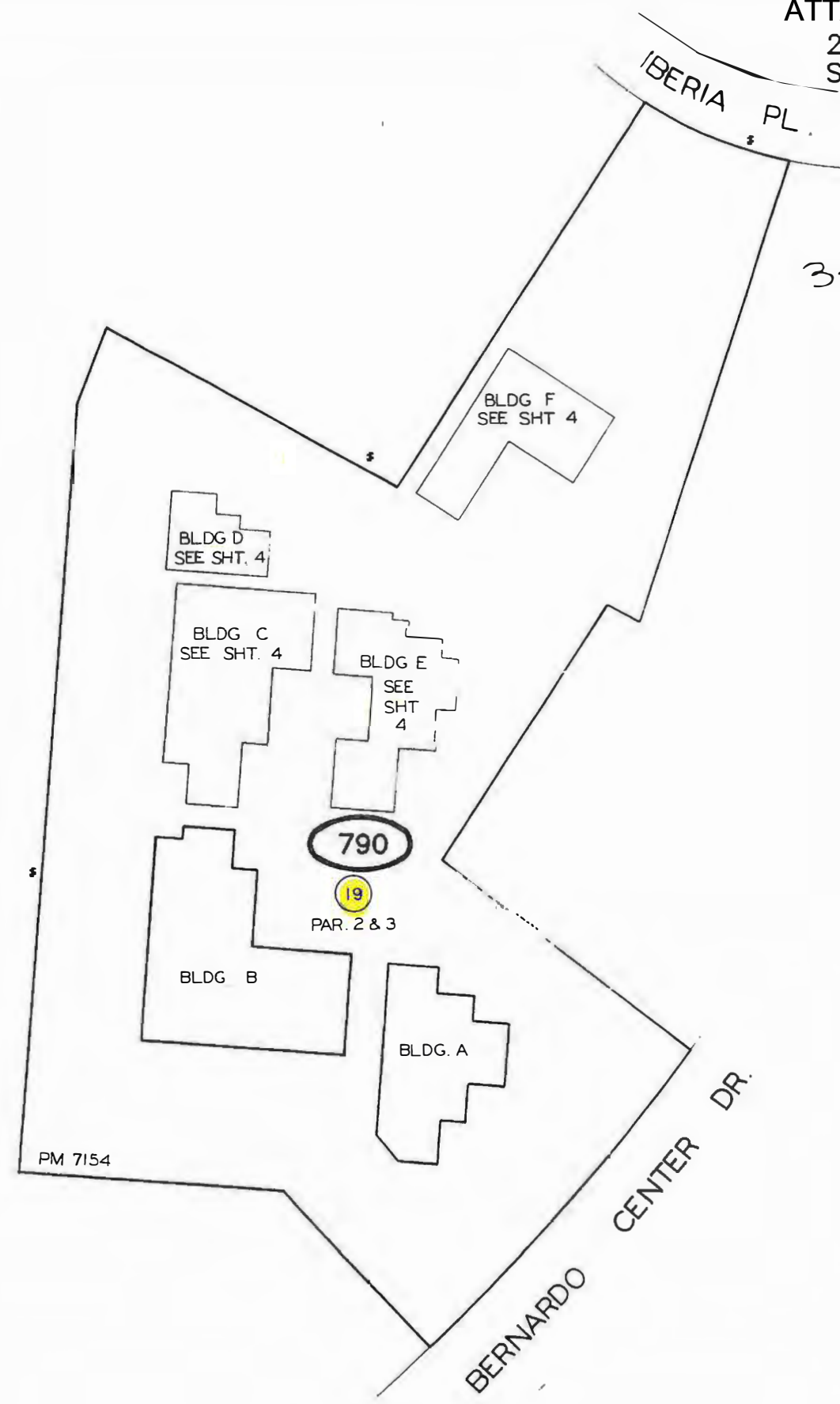
133 131 129 127 125 123 121 119 117 115 113 111 109 107 105 103 101



233 231 229 227 225 223 221 219 217 215 213 211 209 207 205 203 201



NOTE: EACH SUB. 1D INCLUDES AN UND INT. IN COMMON AREA



3-23-37
M/Z

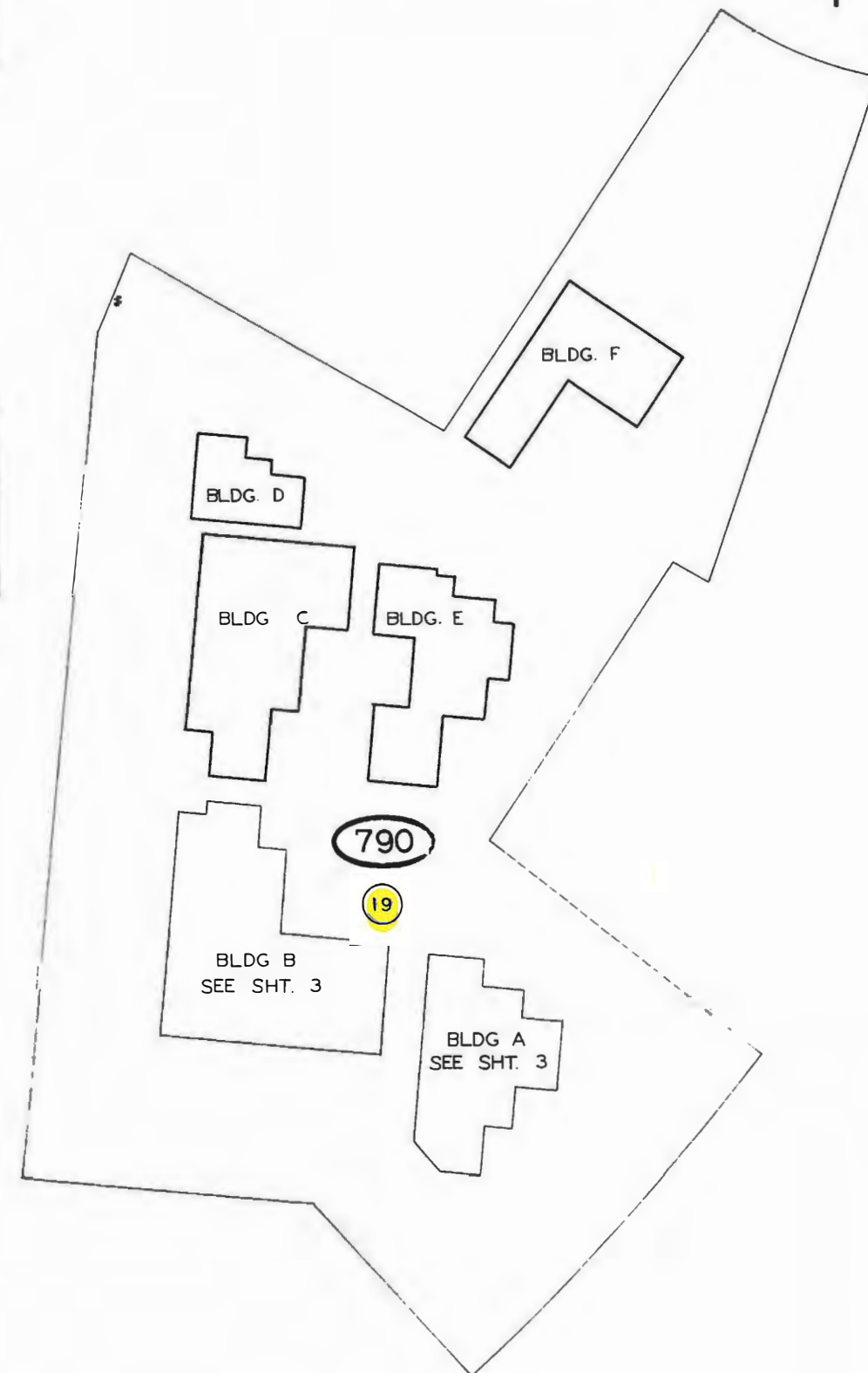
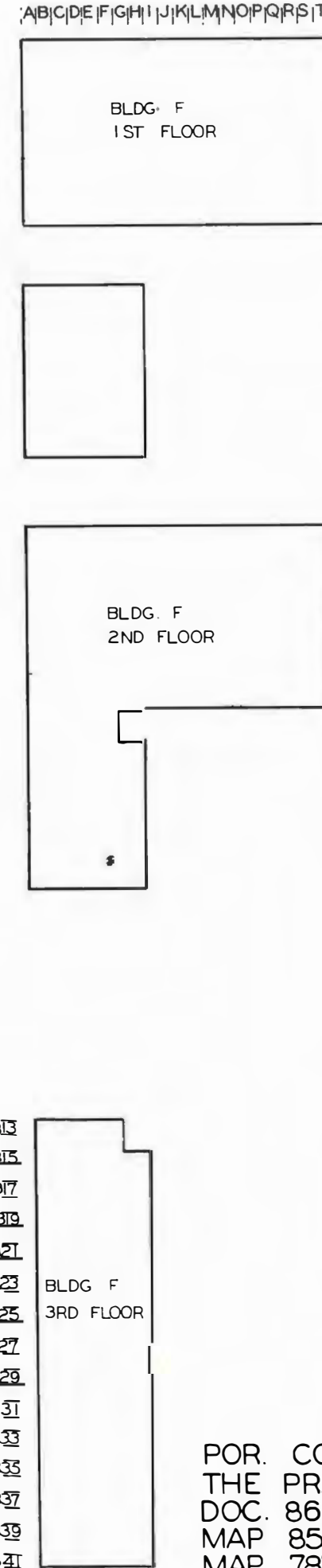
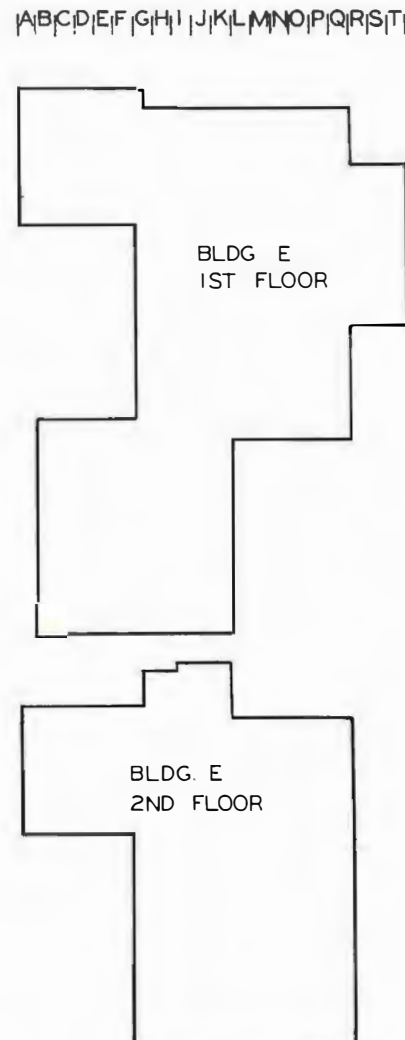
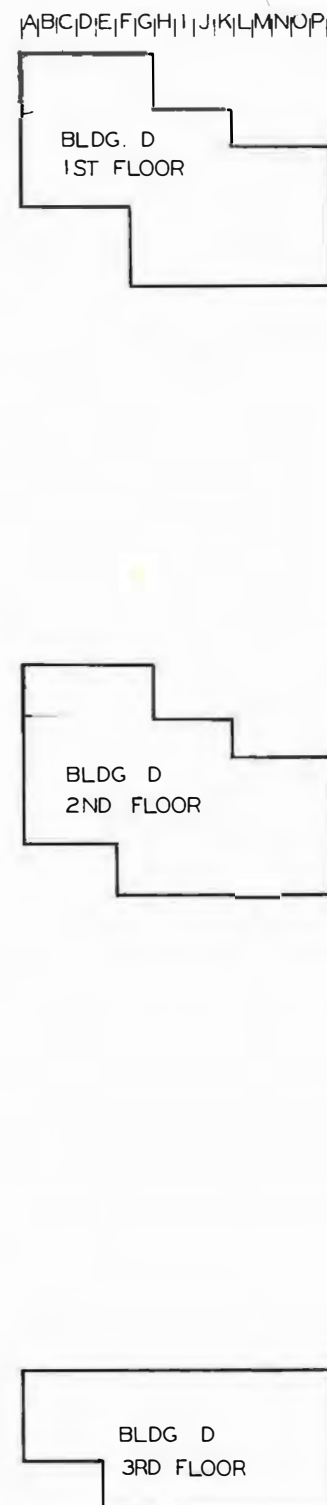
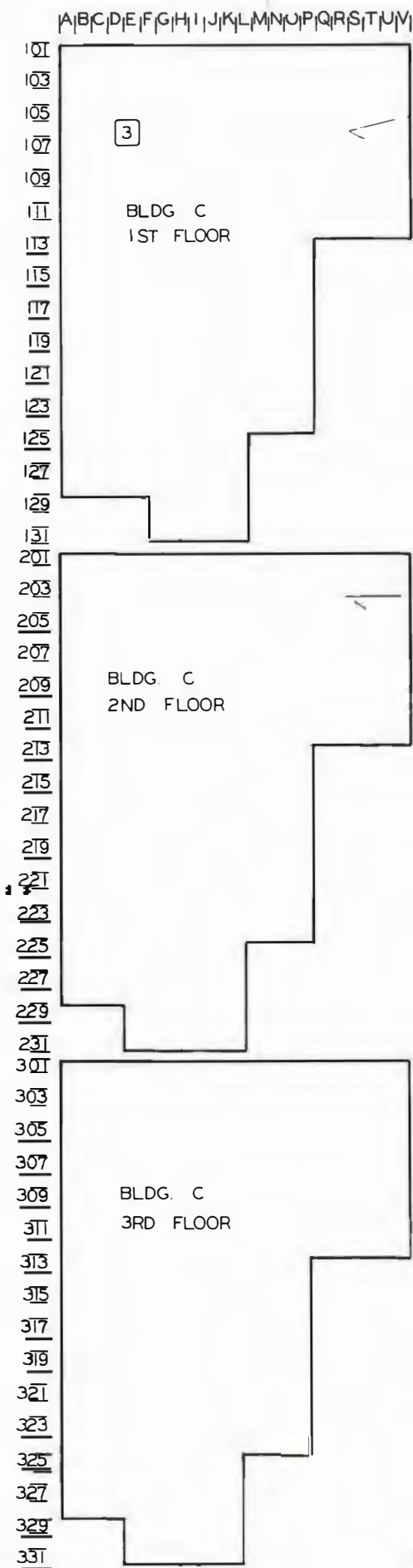


THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL SUBDIVISION OR BUILDING ORDINANCES.

POR. CONDOMINIUM
THE PRADO PROFESSIONAL BUILDING
DOC. 86-622100
MAP 8525-BERNARDO TOWN CENTER UNIT NO. 9
MAP 7875-BERNARDO TOWN CENTER UNIT NO. 6

3-23-51
N/E

NO SCALE



NOTE: EACH SUB. ID. INCLUDES AN UND. INT IN COMMON AREA

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POR. CONDOMINIUM
THE PRADO PROFESSIONAL BUILDING
DOC. 86-622100
MAP 8525-BERNARDO TOWN CENTER UNIT NO. 9
MAP 7875 - BERNARDO TOWN CENTER UNIT NO. 6

274-100



CHANGES

BLK	OLD	NEW	YR	CUT
810		1-12	80	105
	4	CONDN	82	572
	1+2	CONDN	82	608
	5	CONDN	82	609
	6	CONDN	83	520 CC
	4	CONDN	83	3301
	13+5+8	CONDN	83	3302
	15	CONDN	84	539 CC
810	11+12	18	84	2937
	5+3+5	19	84	3501
	14+19	20+21	84	3141
	20	CONDN	84	671
	6	CONDN	84	5756
	7+8+10	22	89	1157

- 1* CONDM LOMAS BERNARDO PHASE III DOC82-379267 (SEE SHT. 3)
- 2* CONDM LOMAS BERNARDO PHASE II DOC83-372783 (SEE SHT. 3)
- 3* CONDM LOMAS BERNARDO PHASE I DOC 83-164607 (SEE SHT 2)

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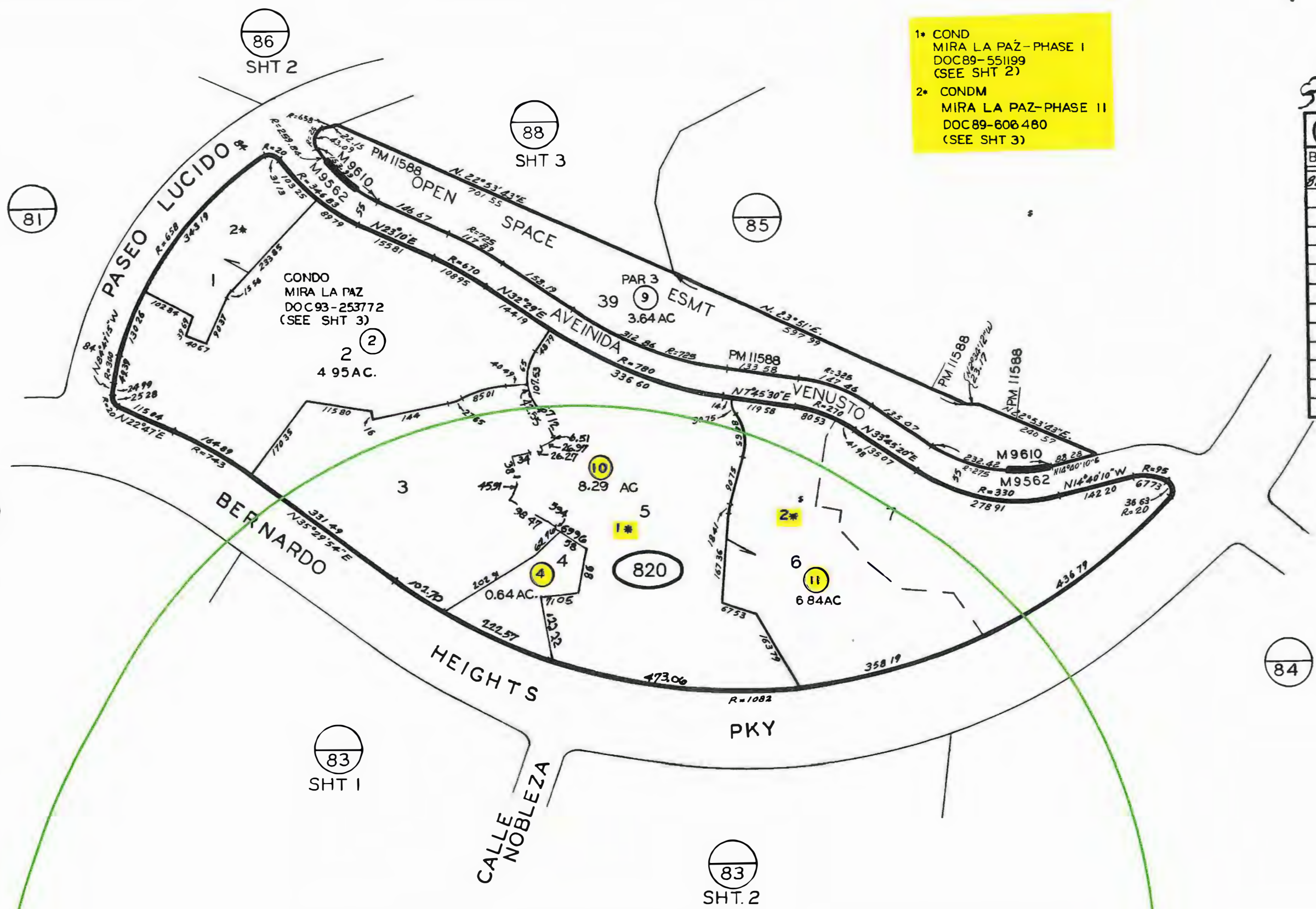
274-100

1* COND
MIRA LA PAZ - PHASE I
DOC 89-551199
(SEE SHT 2)

2* CONDM
MIRA LA PAZ - PHASE II
DOC 89-606480
(SEE SHT 3)

9-6-23 RLB

CHANGES				
BLK	OLD	NEW	YR	CUT
820		1-7	80	126
	100-81	8	81	16
	8	9E PAR. 89-8081	82	1953
	345	13 CONDM	90	650
	1,647	11 CONDM	91	589 CC
	2	CONDO	94	525 CC



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MAP 9610 - BERNARDO HEIGHTS - UNIT NO. 5
MAP 9562 - BERNARDO HEIGHTS - UNIT NO. 2

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NO SCALE

RUB

8-20-03

BERNARDO HEIGHTS PKY
PASEO LUCIDO

MIRA LA PAZ
DOC 93-253772
MAP 9562 LOT 2

ASSESSMENT PAR NO
274-820-02 SUB ID 01-50

MIRA LA PAZ-PHASE I
DOC 89-551199
MAP 9562 LOTS 3 & 5

ASSESSMENT PAR NO
274-820-10
SUB ID 01-63

274-82

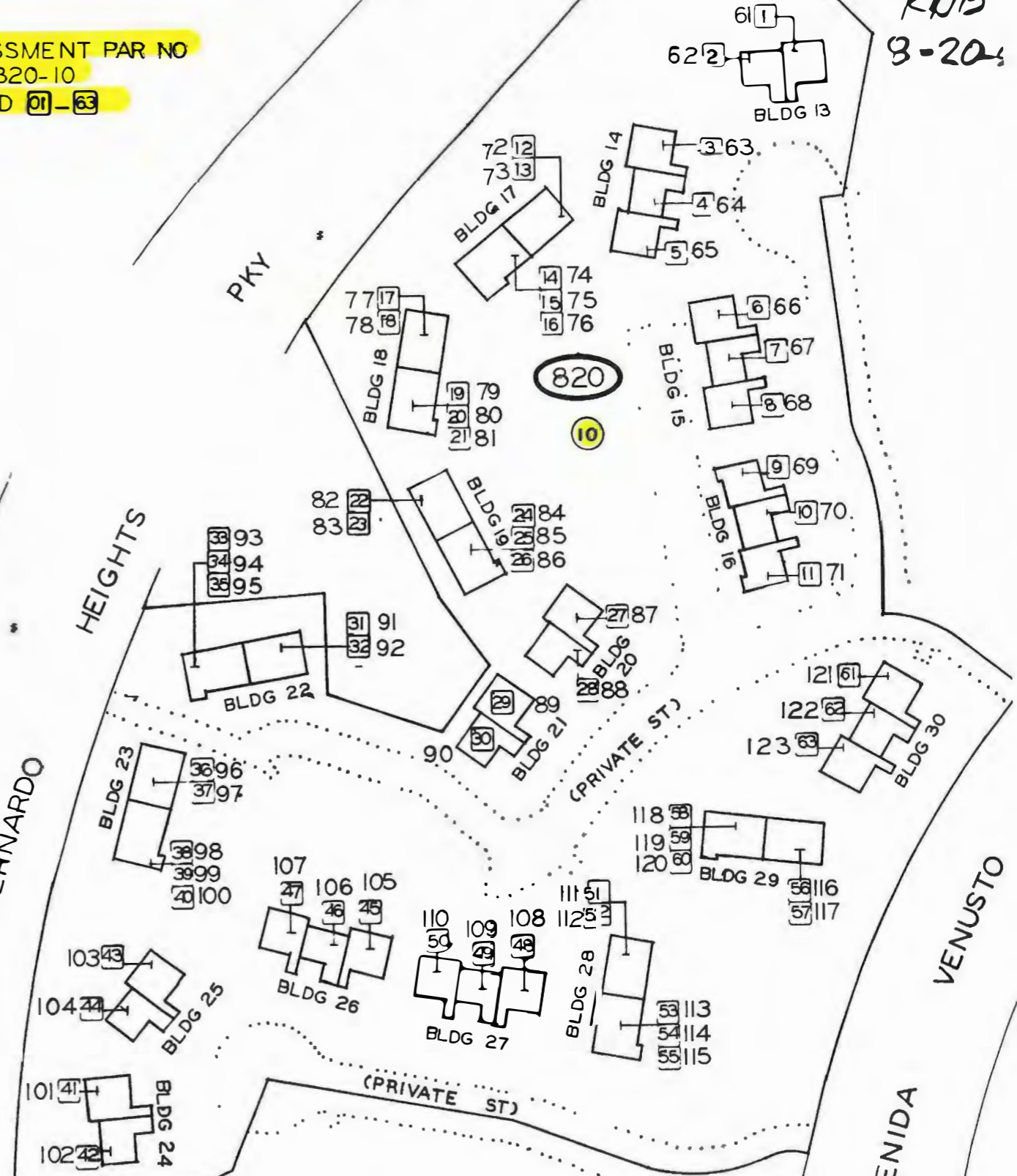


NOTE: EACH SUB ID INCLUDES AN UND INT IN ITS RESPECTIVE COMMON AREA

BERNARDO HEIGHTS
PKY

BERNARDO

CONDOMINIUM
MAP 9562-BERNARDO HEIGHTS-UNIT NO 2

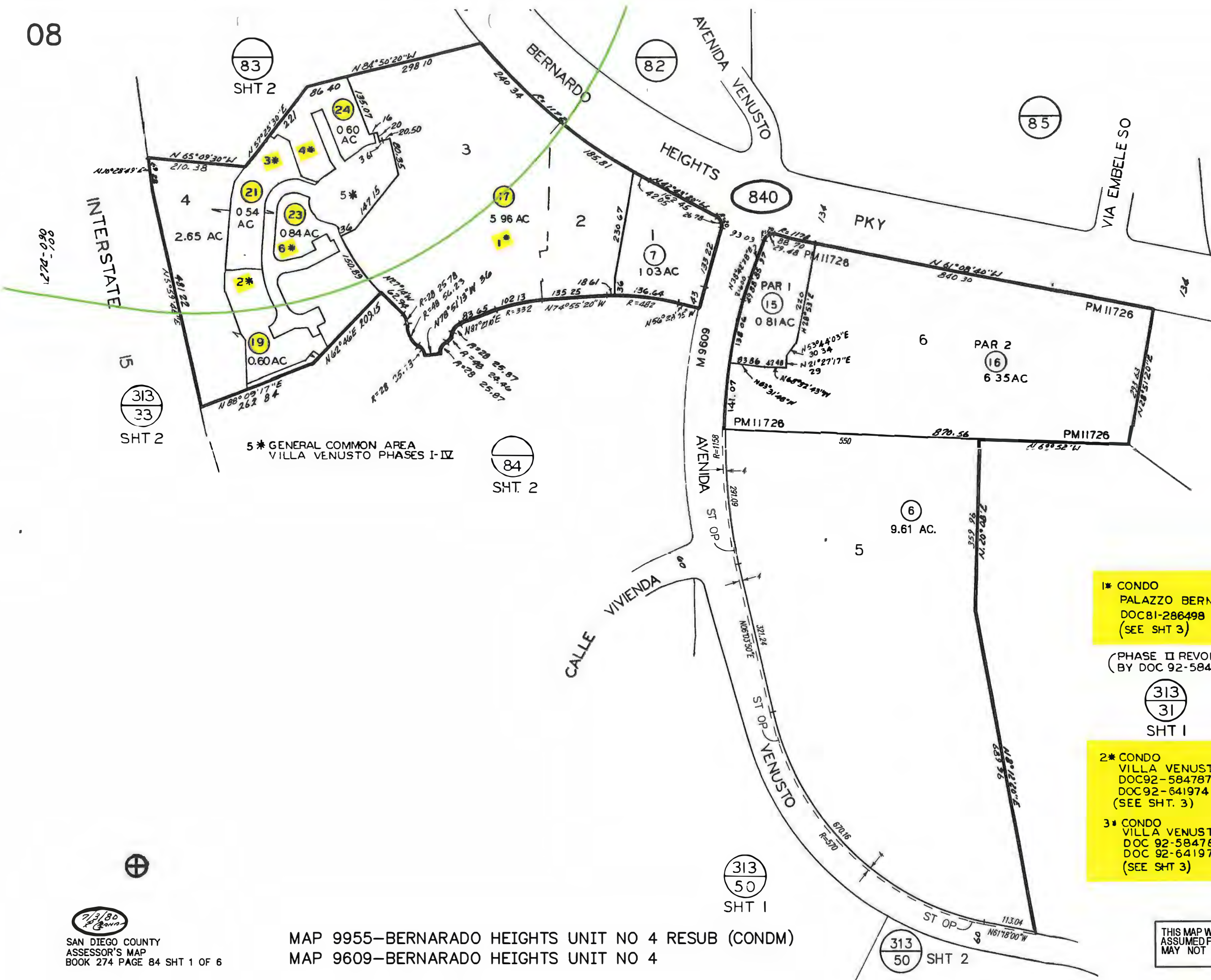


4-17-90



2/9/2018 RC

CHANGES				
BLK	OLD	NEW	YR	CUT
840		1-6	81	16
	1-4	7-14	81	362
	5	15-16	82	2517
	8,9	17 CONDM		
	10	CONDM	82	698
	11-14	84- 1-93	88	67
	10-5125 82-83	18	93	2260
	18	19, 20 CONDM	93	635
	20	21, 22 CONDM	93	656
	22	23, 24 CONDM	94	514 CC
	24	CONDM	94	529 CC
	6	SAFE & ST OP	18	4711



5 * GENERAL COMMON AREA
VILLA VENUSTO PHASES I-IV

1* CONDO
PALAZZO BERNARDO PHASE I
DOC81-286498
(SEE SHT 3)

(PHASE II REVOKED)
BY DOC 92-584786

313
31
SHT I

2* CONDO
VILLA VENUSTO - PHASE II
DOC92-584787
DOC 92-641974
(SEE SHT. 3)

3* CONDO
VILLA VENUSTO - PHASE I
DOC 92-584787
DOC 92-641974
(SEE SHT 3)

4* CONDO
VILLA VENUSTO
PHASE IV
DOC 92-584787
DOC 92-641974
(SEE SHT 3)

6* CONDO
VILLA VENUSTO
PHASE III
DOC92-641974
(SEE SHT 3)

8-23-9
NHC

8

INTERSTATE

15

VILLA VENUSTO - PHASE I

DOC 92-584787
DOC 92-641974
LOT 4 - POR
ASSESSMENT PAR NO
274-840-21 SUB ID

PALAZZO BERNARDO PHASE I

DOC 81-286498
LOTS 2 & 3
ASSESSMENT PAR NO
274-840-17 SUB ID 01-51

VILLA VENUSTO - PHASE IV

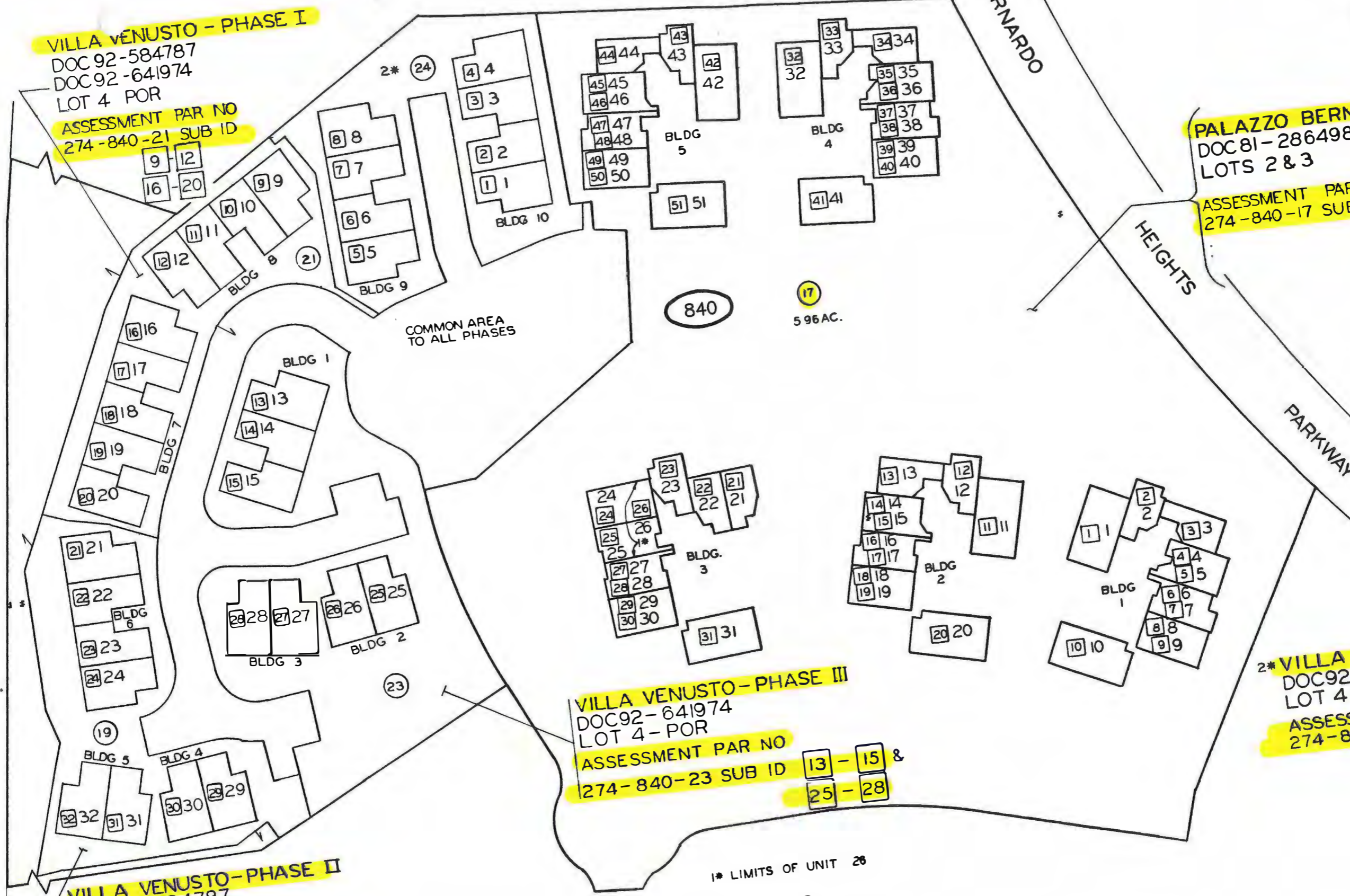
2* DOC 92-641974
LOT 4 - POR
ASSESSMENT PAR NO
274-840-24 SUB ID 01-08

VILLA VENUSTO - PHASE II

DOC 92-584787
DOC 92-641974
LOT 4 - POR
ASSESSMENT PAR NO
274-840-19 SUB ID 21-24 &
29-32

VILLA VENUSTO - PHASE III

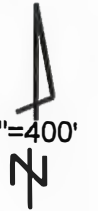
DOC 92-641974
LOT 4 - POR
ASSESSMENT PAR NO
274-840-23 SUB ID 13-15 &
25-28



NOTE: EACH SUB ID INCLUDES AN UND INT IN ITS RESPECTIVE COMMON AREA

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CONDOMINIUMS
MAP 9955 - BERNARDO HEIGHTS UNIT NO. 4 RESUB.



273-45

11/20/2014 DJS

CHANGES

BLK	OLD	NEW	CUT
252	14	12	6353
	10411	79	193
	15416	SAME	5922
	9,151	PG 98	80 12
	8	80	3559
	8	184	3970
	17	19	308
	2	SAME	4794
252	273-450	1-8	10007
	8	SAME	4520
	5, 8	HWY	2114
	8	313-36	83 15
	7	SAME	5520
	PKL-UP	9	2532
	9	10411	2109
	4	12-15	1787
	10	HWY OP	1550
	14	16&17	1439
	15	SAME & HWY OP	4641
	17	KILL & ST OP	1657
	15	SAME & ST OP	4696
	7	SAME & ST OP	4670

- A - S42°28'59"E(ROS) 66.20
- B - S00°31'04"E(ROS) 60.69
- C - S15°02'27"E 45.23
- D - R=422.41 82.79
- E - R=164.04 72.29
- F - S6°05'50"W 80.40
- G - R=367.44 51.77
- H - S61°20'49"W 61.13
- I - R=658 138.98



DETAIL "B"
1"=100'

DETAIL "A"
1"=100'

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Rancho Bernardo Community Planning Board

12463 Rancho Bernardo Road #523, San Diego, CA 92128

www.rbplanningboard.com

February 23, 2020

Edith Gutierrez, Development Project Manager
Development Services Department
101 Ash Street
San Diego, CA 92101

SUBJECT: Marijuana Outlet - Project No. 625766, 16375 Bernardo Center

Dear Ms. Gutierrez,

During the January 16, 2020 meeting of the Rancho Bernardo Community Planning Board, the Board discussed the recent articles in newspapers that have emphasized the 1,000 foot distance from “sensitive uses” requirement as the key to qualifying a cannabis dispensary being proposed by Urbn Leaf at 16375 Bernardo Center Drive in Rancho Bernardo. While the 1,000 foot requirement is important, as is a proposed traffic study, these are not the only issues. There are at least three other City of San Diego Municipal Code requirements that must be considered, along with the traffic hazards on neighboring parcels, when considering the recommendation for a Conditional Use Permit.

First, § 141.0504 (a) (2) [Cannabis Outlets – *effective 2-9-2020*] specifically states that to qualify for a CUP, the parcel must not be within 100 feet of a residential zone. Per this code, the distance shall be measured horizontally in a straight line between the two closest points of the property line.

The proposed site for the Urbn Leaf cannabis dispensary is situated immediately adjacent to a residential area. The residence at 11716 Corte Templanza shares a common property line with the proposed dispensary site (zero feet separation). There are three other residences on Corte Templanza with property lines within 100 feet of the proposed facility.

The parcel at 11716 Corte Templanza is located in the Villa Ladera development. This area was established in the 1980s under the R-1-5 zone and is still regulated by PRD 83-0560. In 2000 the City redefined zoning designators and converted R-1-5 to RS-1-14. As a result of a mapping error from 2006, not caught by City staff, the Official Zoning Map now wrongly shows Villa Ladera zoned as IL-3-1. The original property records for all parcels within Villa Ladera indicate R-1-5. Presently, County APN Land Use records (both existing and planned) list the parcels as “Single Family Detached” (Code 1110).

Second, § 141.0504 (a) (1) states that to qualify for a CUP, the parcel must be not be within 1000 feet of any public or private institution of learning providing instruction in kindergarten or grades 1 to 12 inclusive. The distance shall be measured between property lines, in accordance with § 113.0225 (c) – *effective 2-9-2020* – i.e. legal path of travel.

Kumon Math and Reading Center (16395 Bernardo Center Drive) is an established private school for K-12 students. There is a sidewalk along the front of this parcel that connects with the proposed location of the cannabis dispensary. The path of travel between the two locations is not only less than 1000 feet, it is less than 100 feet. There are other small businesses in the center that are youth-oriented, all within 1000 feet.

Third, § 126.0304 (b) and (d) - [Findings for Conditional Use Permit Approval – Process Three] states that an applicant for a Conditional Use Permit may be approved or conditionally approved only if the decision maker makes the following findings:

- (b) “The proposed development will not be detrimental to the public health, safety and welfare.” [Urbn Leaf fails this condition]

Urbn Leaf operates Cannabus. Their literature advertises “Cannabus is San Diego’s premier cannabis tour company providing guests with fun adventures created to highlight the dispensaries throughout San Diego.” The party bus, flaunting Urbn Leaf advertising, has been observed by Rancho Bernardo residents parked at local community events and the Westwood Club parking lot. Urbn Leaf will likely include scheduled stops at the proposed Rancho Bernardo dispensary. Oversized vehicle traffic within the parking lot would be problematic and could create a very unsafe condition for both pedestrians and vehicles.

Any traffic study performed will not be able to take into account the traffic created by the bus traffic into and out of this parking lot. While city law forbids customers from consuming marijuana products while on site or in their vehicles, Urbn Leaf literature “. . . encourages smoking on the bus, even though (customers) cannot smoke on the premises”. For VIP privileges, while at the dispensary, Urbn Leaf encourages customers to use the bus.

Hope United Methodist Church continues to voice its concerns about the safety of its pre-school and youth program students. The youth programs schedule is 7:00am to 6:00pm, Monday through Friday. Any police activity at the cannabis dispensary would trigger a potential lockdown of all youth programs. Cannabis dispensaries, being cash only businesses, are potential targets for theft and violence. This location, being situated adjacent to a freeway onramp, is vulnerable.

- (d) “The proposed use is appropriate at the proposed location.” [Urbn Leaf fails this condition]

The applicant has demonstrated its good neighbor interests by erecting a six-foot high cinderblock wall across a pedestrian walkway that has served residents for over thirty years. The location of the barrier as constructed is not even in the vicinity of the proposed dispensary. The wall is located multiple parcels to the north of the applicant’s location (over 900 feet away). When asked why they had the wall constructed, the reason given by the applicant was pedestrian safety.

From the residents’ point-of-view, the obstruction only makes it inconvenient for seniors and others to access the merchants. The additional path of travel, now required, is over a hilly terrain and increases the distance to the retail businesses by approximately 300 feet.

From the applicant’s point-of-view, this tenant improvement has ensured their compliance with § 141.0504 (a) (1) - Dispensaries cannot open within 1,000 feet of churches, parks, schools and other “sensitive uses”. The wall increased the path of travel from the proposed dispensary to the church from about 985 feet to about 1,040 feet.

Of equal importance to residents of Rancho Bernardo, as expressed in meetings of the Planning Board, is the community’s objection to the location proposed.

During two previous Board meetings, the vast majority of attendees at each (around 30 in April 18, 2019 and more than 80 in August 15, 2019) expressed their objections. Some said they were not opposed to the legal sale of marijuana products, just the chosen location, while others were in complete opposition to any marijuana sales in Rancho Bernardo citing safety concerns and saying it was not in the community’s character.

At the April 18, 2019 Board meeting, a petition signed by the majority of the small business owners in the shopping center was presented, validating their opposition to the proposed marijuana dispensary. The business owners indicated that the presence of the dispensary would have a negative impact on their customer base.

The property management company responsible for the parcels where the businesses are located expressed its concern about the impact on its ability to renew leases or lease vacancies with the cannabis dispensary on the adjacent parcel with a shared parking lot.

The perception of the business owners was that a cannabis dispensary located in Rancho Bernardo would not be providing a product or service used by local clientele. The customer base will more than likely be from outside the immediate area.

The residents have expressed concern about what forms of advertising and incentives Urbn Leaf would use to reach potential customers – billboards, social media, advertising, transportation, etc.

After a full discussion of the request by Urbn Leaf for a Conditional Use Permit for a Cannabis Dispensary at 16375 Bernardo Center Drive, the Rancho Bernardo Planning Board voted 10-0-0 in agreement that the location is an inappropriate use of the property and they are opposed to a CUP being granted. This location does not qualify for multiple reasons, as outlined above. It should be noted that reasons listed are not all-inclusive of what has been voiced by members of the Board or the community as a whole.

The Board is in agreement with city staff review, dating back to March 2019, stating that the location is not permissible per municipal code provisions and the application for a CUP should be DENIED.

Sincerely,

Robin Kaufman

Robin Kaufman, Chair
Rancho Bernardo Community Planning Board

cc: Councilmember Mark Kersey, District 5
Susan Peerson, Chair, City of San Diego Planning Commission
Tony Kempton, Community Planner – Rancho Bernardo



City of San Diego
Development Services
1222 First Ave., MS 302
San Diego, CA 92101
(619) 446-5000

Ownership Disclosure Statement

FORM
DS-318

October 2017

Approval Type: Check appropriate box for type of approval(s) requested: Neighborhood Use Permit Coastal Development Permit
 Neighborhood Development Permit Site Development Permit Planned Development Permit Conditional Use Permit Variance
 Tentative Map Vesting Tentative Map Map Waiver Land Use Plan Amendment • Other _____

Project Title: RBMO

Project No. For City Use Only: 625766

Project Address: 16375 Bernardo Center Dr. San Diego, CA 92128

Specify Form of Ownership/Legal Status (please check):

Corporation Limited Liability -or- General - What State? CA Corporate Identification No. 201829810243

Partnership Individual

By signing the Ownership Disclosure Statement, the owner(s) acknowledge that an application for a permit, map or other matter will be filed with the City of San Diego on the subject property with the intent to record an encumbrance against the property. Please list below the owner(s), applicant(s), and other financially interested persons of the above referenced property. A financially interested party includes any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver or syndicate with a financial interest in the application. If the applicant includes a corporation or partnership, include the names, titles, addresses of all individuals owning more than 10% of the shares. If a publicly-owned corporation, include the names, titles, and addresses of the corporate officers. (A separate page may be attached if necessary.) If any person is a nonprofit organization or a trust, list the names and addresses of **ANY** person serving as an officer or director of the nonprofit organization or as trustee or beneficiary of the nonprofit organization. A signature is required of at least one of the property owners. Attach additional pages if needed. Note: The applicant is responsible for notifying the Project Manager of any changes in ownership during the time the application is being processed or considered. Changes in ownership are to be given to the Project Manager at least thirty days prior to any public hearing on the subject property. Failure to provide accurate and current ownership information could result in a delay in the hearing process.

Property Owner

Name of Individual: Bernardo Center Shoppes LLC by SouthBird LLC, Member Owner Tenant/Lessee Successor Agency
by Akhil Israni, Member

Street Address: 2308 Anady St.

City: San Diego

State: CA Zip: 92109

Phone No.: (858) 692-2970

Fax No.: _____

Email: aisrani-11@sandiego.edu.

Signature: [Signature]

Date: December 20, 2018

Additional pages Attached: Yes No

Applicant

Name of Individual: Willie Senn Owner Tenant/Lessee Successor Agency

Street Address: 1028 Buenos Ave.

City: San Diego

State: CA Zip: 92110

Phone No.: (619) 346-0587

Fax No.: _____

Email: will@urbanleaf.com

Signature: [Signature]

Date: 12/20/18

Additional pages Attached: Yes No

Other Financially Interested Persons

Name of Individual: _____ Owner Tenant/Lessee Successor Agency

Street Address: _____

City: _____

State: _____ Zip: _____

Phone No.: _____

Fax No.: _____

Email: _____

Signature: _____

Date: _____

Additional pages Attached: Yes No

RBCO

16375 Bernardo Center Dr, San Diego, CA. 92128

PTS # 625766

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A Professional Corporation
2031 Second Ave., San Diego, CA 92101 619/237-9489
619/237-9433 fax 619/237-9489



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TITLE SHEET
DRAWING DATE:
122018
REVISION 1:

REVISION 2:

REVISION 3:

REVISION 4:

REVISION 5:

SHEET NUMBER
TS
SHEET 1 OF 12

PROJECT DATA

PROJECT NAME : RBCO
PROJECT ADDRESS : 16375 Bernardo Center Drive
San Diego, CA. 92128
ASSESSOR'S PARCEL NUMBER: 274-831-57-00
LEGAL DESCRIPTION : LOT 1, PARCEL 8, MAP 5231
CONSTRUCTION TYPE : V-B, SPRINKLERED
PROPOSED OCCUPANCY : M, CANNABIS OUTLET
EXISTING OCCUPANCY : VACANT
PREVIOUS OCCUPANCY : A2 - RESTAURANT
ZONE : CC - 2 - 3

LOT AREA : 27,312 SQ. FT
BUILDING AREA : 11,930 SQ. FT GFA

AREA OF USE :
MARIJUANA OUTLET = 6,453 SF
COMMON AREAS:
EXTERIOR MAINTENANCE YARD = 557 SF
EXTERIOR STORAGE = 233 SF
COMMON AREAS INTERIOR = 1,389 SF
LEASE SPACE NOT A PART = 3,298 SF

FAR PERMITTED .75 EXISTING .44
NUMBER OF STORIES : 1
BUILDING HEIGHT : PERMITTED 45' EXISTING 32'

AREA OF WORK : INTERIOR WORK AT EXISTING TENANT SPACE
DATE OF CONSTRUCTION : 1988. NO EXTERIOR MODIFICATION PROPOSED

GEOLOGICAL HAZARD : CATEGORY 21
NO CHANGE TO EXTERIOR LIGHTING

CANNABIS OUTLET NOTES

- (a) CANNABIS OUTLETS SHALL MAINTAIN THE FOLLOWING MINIMUM SEPARATION BETWEEN USES, AS MEASURED BETWEEN PROPERTY LINES, IN ACCORDANCE WITH SECTION 133.0225:
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 PURPOSE OF THIS SECTION, SCHOOL MEANS ANY PUBLIC OR PRIVATE INSTITUTION OF LEARNING PROVIDING INSTRUCTION IN KINDERGARTEN OR GRADES 1 TO 12, INCLUSIVE, BUT DOES NOT INCLUDE ANY PRIVATE SCHOOL IN WHICH EDUCATION IS PRIMARILY CONDUCTED IN PRIVATE HOMES.
2) 100 FEET FROM A RESIDENTIAL ZONE.
- (b) 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 SO AS TO DELECT LIGHT AWAY FROM ADJACENT PROPERTIES.
- (c) SECURITY SHALL BE PROVIDED AT THE CANNABIS OUTLET WHICH SHALL INCLUDE OPERABLE CAMERAS, ALARMS, AND SECURITY GUARDS. THE SECURITY GUARDS SHALL BE LICENSED BY THE STATE OF CALIFORNIA AND BE PRESENTS ON THE PREMISES DURING BUSINESS HOURS. THE SECURITY GUARDS SHALL ONLY BE ENGAGE 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 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 SHALL BE POSTED IN A LOCATION VISIBLE FROM THE OUTSIDE OF THE CANNABIS OUTLET IN CHARACTER SIZE AT LEAST TWO INCHES IN HEIGHT.
- (f) THE CANNABIS OUTLET SHALL OPERATE ONLY BETWEEN THE HOURS OF 7:00 AM AND 9:00 PM, SEVEN (7) DAYS A WEEK.
- (g) 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. A VENDING MACHINE IS ANY DEVICE WHICH ALLOWS ACCESS TO CANNABIS AND CANNABIS PRODUCTS WITHOUT A HUMAN INTERMEDIARY.
- (h) A PERMIT SHALL BE OBTAINED AS REQUIRED PURSUANT TO CHAPTER 4, ARTICLE 2, DIVISION 15.
- (i) A CONDITIONAL USE PERMIT FOR A 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 CANNABIS OUTLETS WITH A VALID CONDITIONAL USE PERMIT UNLESS OTHERWISE ALLOWED PURSUANT TO STATE LAW.
- (k) 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.
- (l) THE 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 PERMITTED ACCESSORY USE AT THE CANNABIS OUTLET.
- (n) AND EXTENSION OF TIME FOR CONDITIONAL USE PERMIT GRANTED TO A CANNABIS OUTLET SHALL COMPLY WITH THE REQUIREMENTS OF SECTION 126.0111, WITH THE FOLLOWING EXCEPTIONS:
1) THE EXTENSION SHALL BE FOR NO MORE THAN FIVE YEARS.
2) A DECISION ON AN APPLICATION FOR AN EXTENSION OF TIME SHALL BE MADE IN ACCORDANCE WITH PROCESS TWO.
3) THE SEPARATION REQUIREMENTS IN SECTION 141.0504 (a) SHALL NOT BE CONSIDERED IN MAKING THE FINDINGS REQUIRED IN SECTION 126.0111 (g) WHEN A SPECIFIED USE IN SECTION 141.0504 (a) HAS LOCATED WITHIN THE REQUIRED DISTANCE AFTER THE APPROVAL DATE OF THE INITIAL CONDITIONAL USE PERMIT.
4) A CHANGE IN ZONING AFTER THE APPROVAL DATE OF THE INITIAL CONDITIONAL USE PERMIT SHALL NOT BE CONSIDERED IN MAKING THE FINDINGS REQUIRED IN SECTION 126.0111 (g).
- (o) THE USES ON THE PREMISES SHALL BE LIMITED TO MARIJUANA OUTLETS AND ANY USE PERMITTED IN THE MV/CO ZONE. FUTURE USES FOR THE SITE MAY INCLUDE ANY USE PERMITTED IN THE MV/CO ZONE, WHETHER BY RIGHT OR BY CONDITIONAL USE PERMIT.
- (p) NO HAZARDOUS MATERIALS WILL BE STORED AND/OR USED WITHIN THE BUILDING.
- (q) PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER PDPS POLICY P-006 (UPC 901.4.4).

PROJECT SCOPE

REQUEST FOR A C.U.P. FOR A PROPOSED CANNABIS OUTLET (CO) OF 6,453 SF IN AN EXISTING 11,930 SF GFA ONE STORY BUILDING. THE PROJECT WILL REMODEL A PREVIOUS RESTAURANT. NO CHANGE TO THE EXTERIOR.

SHEET INDEX

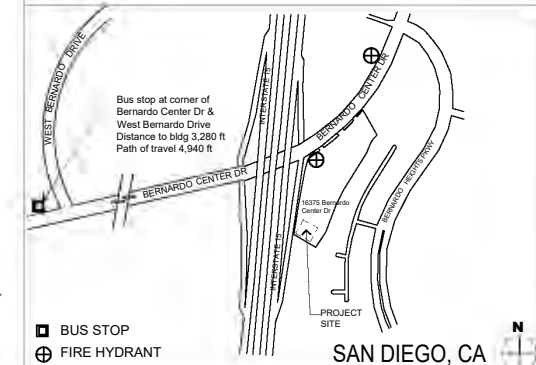
- TS TITLE SHEET
- A0.1 OVERALL MIXED USE CENTER ACCESSIBLE SITE CIRCULATION PEDESTRIAN PATH / M.O. PARKING
- A0.2 ENLARGED SITE PLAN
- A1.1 EXISTING AND DEMOLITION FLOOR PLAN
- A1.2 PROPOSED FLOOR PLAN
- A1.3 SECURITY SITE PLAN / SECURITY FLOOR PLAN
- A2.0 BUILDING PHOTOS
- C.0 CIVIL SITE PLAN
- C.1 SIDEWALK ACCESSIBILITY IMPROVEMENTS
- F.1 FIRE DEPARTMENT ACCESS SITE PLAN
- F.2 FIRE DEPARTMENT ACCESS FLOOR PLAN
- SW STORM WATER

PROJECT TEAM

ARCHITECT SCOTT BERNET ARCHITECTS
2031 SECOND AVE.
SAN DIEGO, CA 92101
619-237-9433

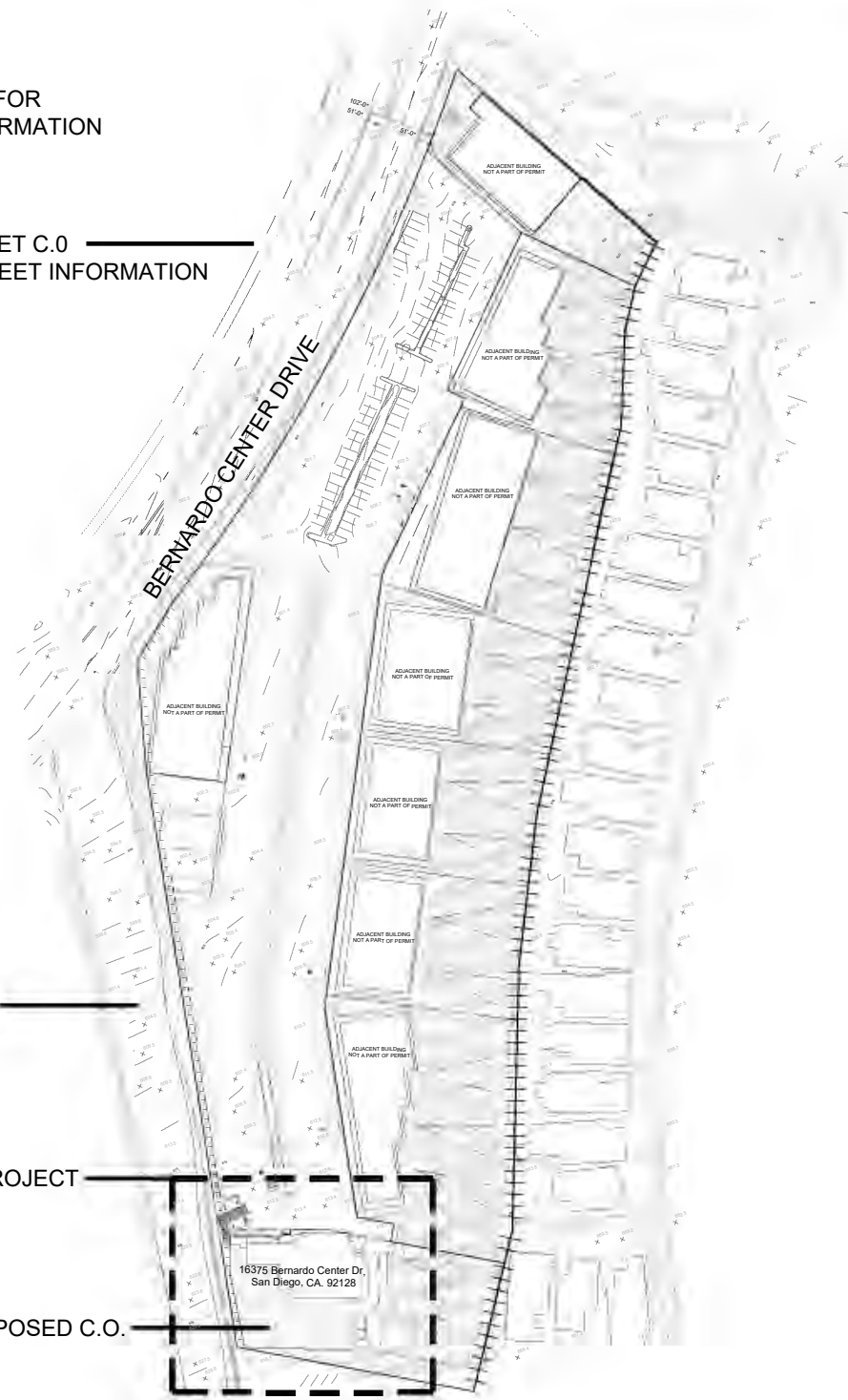
APPLICANT WILLIE SENN
1028 BUENOS AVENUE
SAN DIEGO, CA 92110
619-346-0587

VICINITY MAP



EASEMENT:
SEE SHEET C.O FOR
EASEMENT INFORMATION

SEE SHEET C.O
FOR STREET INFORMATION



INTERSTATE 15
OFF RAMP

PROPOSED PROJECT

AREA OF PROPOSED C.O.

PROJECT LOCATION
NOT TO SCALE



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KEYNOTES

- ① EXISTING CURB CUTS
- ② EXISTING PARKING
- ③ LOCATION OF 32 SPACES AVAILABLE (PART OF OVERALL EXISTING SHARED PARKING LOT)
- ④ EXISTING PUBLIC SIDEWALK
- ⑤ EXISTING CURB CUT & DRIVEWAY TO BE REBUILT TO CITY STANDARDS AND ADA STANDARDS - SEE SHEET C.0
- ⑥ MAIN BUILDING ENTRANCE

PARKING

PROPOSED USE	C.O.	5 / 1000
C.O. AREA	6,453 SF	
	6.45 x 5.00 = 32 REQUIRED	
	32 SPACES PROVIDE	
	1 VAN ACCESSIBLE	
	2 ACCESSIBLE SPACES	
	2 MOTORCYCLES	
	6 CARPOOL / ZERO EMISSION SPACES	
	3 SHORT TERM BICYCLE	
	3 LONG TERM BICYCLE	
	1 LOADING AREA	
	(SEE A0.2 PER REQUIRED MARKED SPACES)	

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SHEET TITLE:
EXISTING SITE PLAN
DRAWING DATE:
122018
REVISION 1:

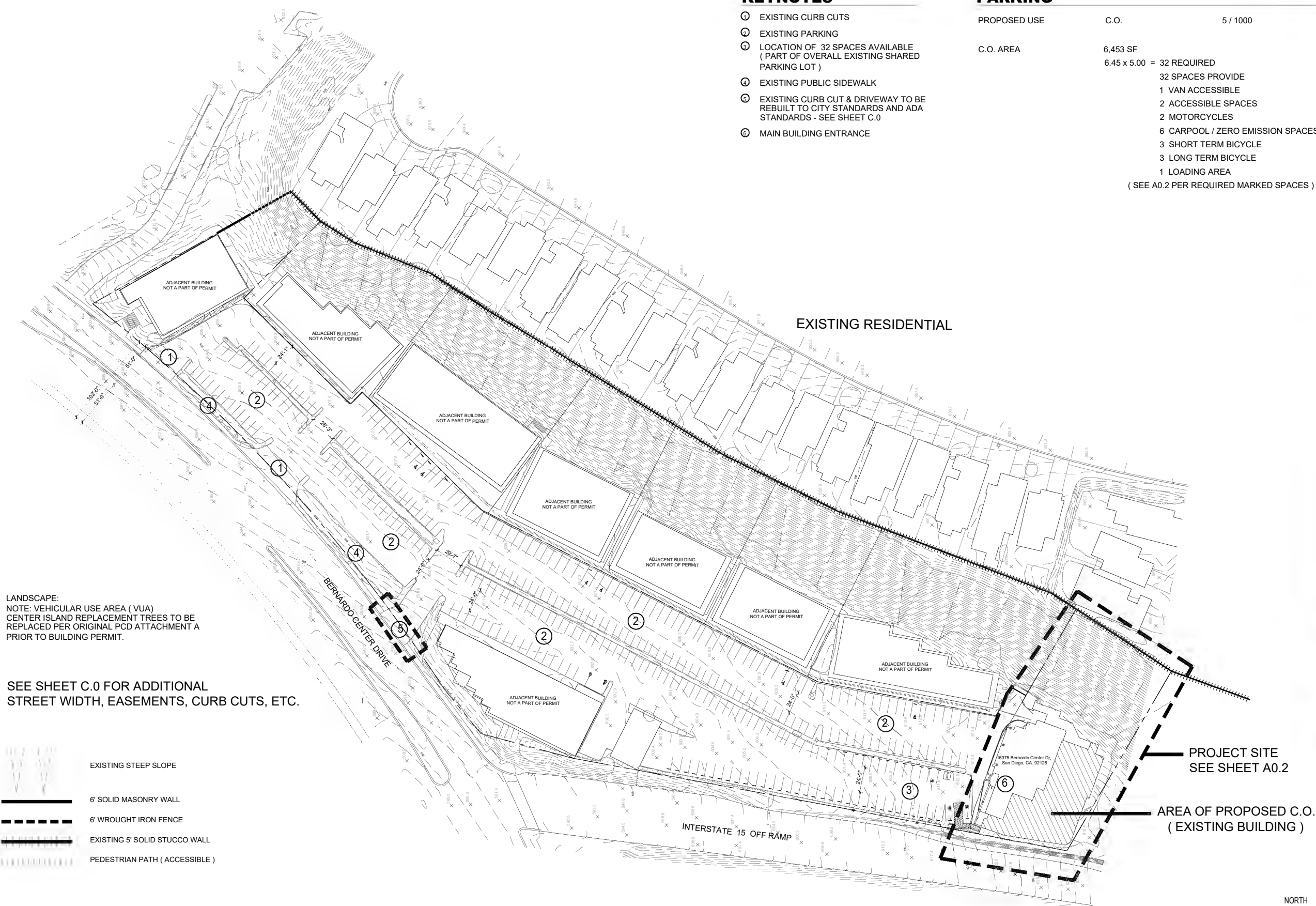
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REVISION 3:

REVISION 4:

REVISION 5:

SHEET NUMBER
A0.1
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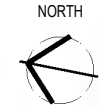
LANDSCAPE:
NOTE: VEHICULAR USE AREA (VUA)
CENTER ISLAND REPLACEMENT TREES TO BE
REPLACED PER ORIGINAL PCD ATTACHMENT A
PRIOR TO BUILDING PERMIT.

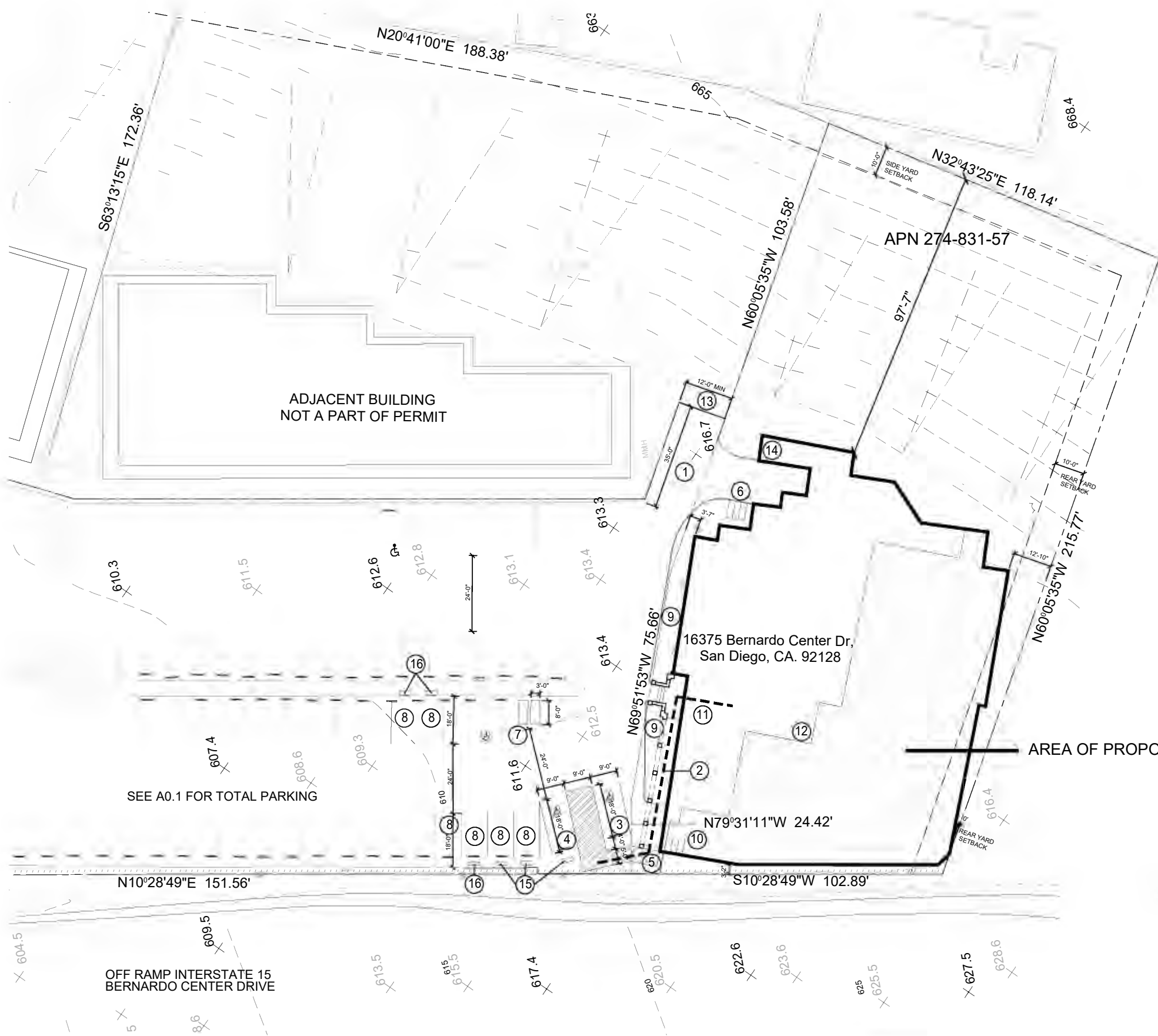
SEE SHEET C.0 FOR ADDITIONAL
STREET WIDTH, EASEMENTS, CURB CUTS, ETC.

- EXISTING STEEP SLOPE
- 6' SOLID MASONRY WALL
- 6' WROUGHT IRON FENCE
- EXISTING 5' SOLID STUCCO WALL
- PEDESTRIAN PATH (ACCESSIBLE)

OVERALL MIXED USE CENTER / ACCESSIBLE SITE CIRCULATION / PEDESTRIAN PATH / C.O. PARKING

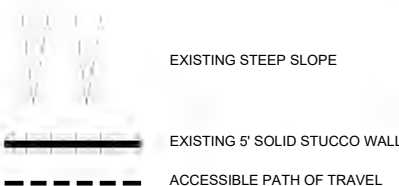
NTS





KEYNOTES

- ① EXISTING LOADING AREA
- ② EXISTING RAMP
- ③ REVISED ACCESSIBLE VAN SPACE
- ④ REVISED ACCESSIBLE PARKING
- ⑤ EXISTING SIDEWALK
- ⑥ PROPOSED SHORT TERM BICYCLE RACK (3 SPACES)
- ⑦ PROPOSED MOTORCYCLE PARKING (2 SPACES)
- ⑧ PROPOSE CARPOOL / ZERO EMISSION PARKING (6 SPACES)
- ⑨ EXISTING LANDSCAPE
- ⑩ LONG TERM BICYCLE SPACE
- ⑪ MAIN BUILDING ENTRANCE
- ⑫ C.O. MAIN ENTRANCE
- ⑬ EXISTING REFUSE AND RECYCLE CONTAINER
- ⑭ EXTERIOR STORAGE (COMMON AREA)
- ⑮ ELECTRIC CHARGING STATION WITH POWER
- ⑯ ELECTRIC CHARGING CABINETS FOR FUTURE POWER



SETBACKS	REQ'D	EXISTING
FRONT SETBACK	---	3'-7"
STREET SIDE SETBACK	---	3'-2"
SIDE SETBACK	10'	97'-7"
REAR SETBACK	10'/0'	0' / 12'-10"

ENLARGED SITE PLAN - AREA OF WORK

1/16" = 1'-0"



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SHEET TITLE:
CLOSEUP SITE PLAN
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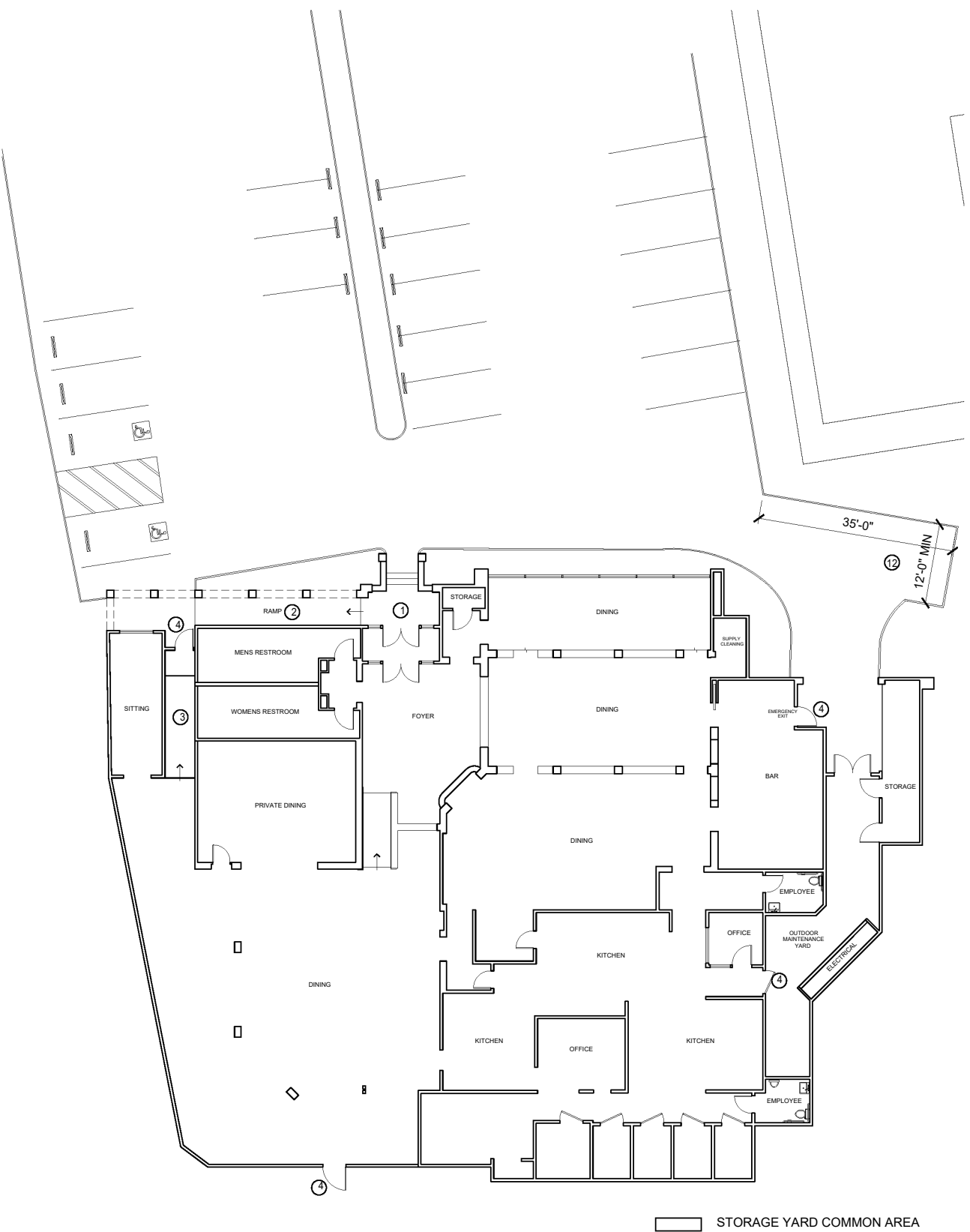
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A0.2
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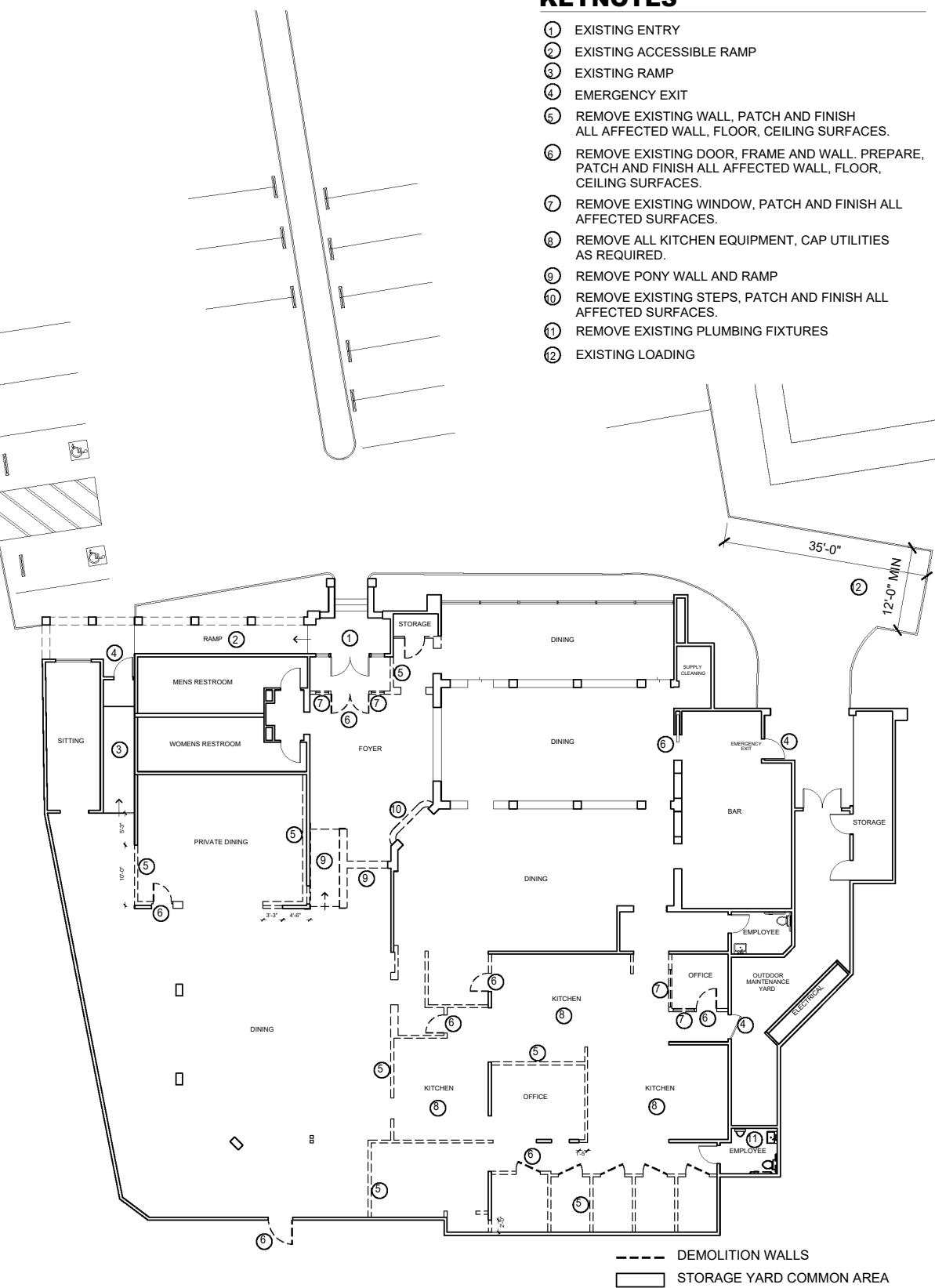
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EXISTING FLOOR PLAN

3/32" = 1'-0"



DEMOLITION FLOOR PLAN

3/32" = 1'-0"



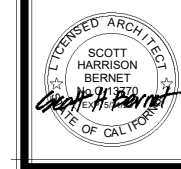
KEYNOTES

- ① EXISTING ENTRY
- ② EXISTING ACCESSIBLE RAMP
- ③ EXISTING RAMP
- ④ EMERGENCY EXIT
- ⑤ REMOVE EXISTING WALL, PATCH AND FINISH ALL AFFECTED WALL, FLOOR, CEILING SURFACES.
- ⑥ REMOVE EXISTING DOOR, FRAME AND WALL. PREPARE, PATCH AND FINISH ALL AFFECTED WALL, FLOOR, CEILING SURFACES.
- ⑦ REMOVE EXISTING WINDOW, PATCH AND FINISH ALL AFFECTED SURFACES.
- ⑧ REMOVE ALL KITCHEN EQUIPMENT, CAP UTILITIES AS REQUIRED.
- ⑨ REMOVE PONY WALL AND RAMP
- ⑩ REMOVE EXISTING STEPS, PATCH AND FINISH ALL AFFECTED SURFACES.
- ⑪ REMOVE EXISTING PLUMBING FIXTURES
- ⑫ EXISTING LOADING

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SHEET TITLE:
EXISTING SITE PLAN AND
EXISTING BASEMENT PLAN
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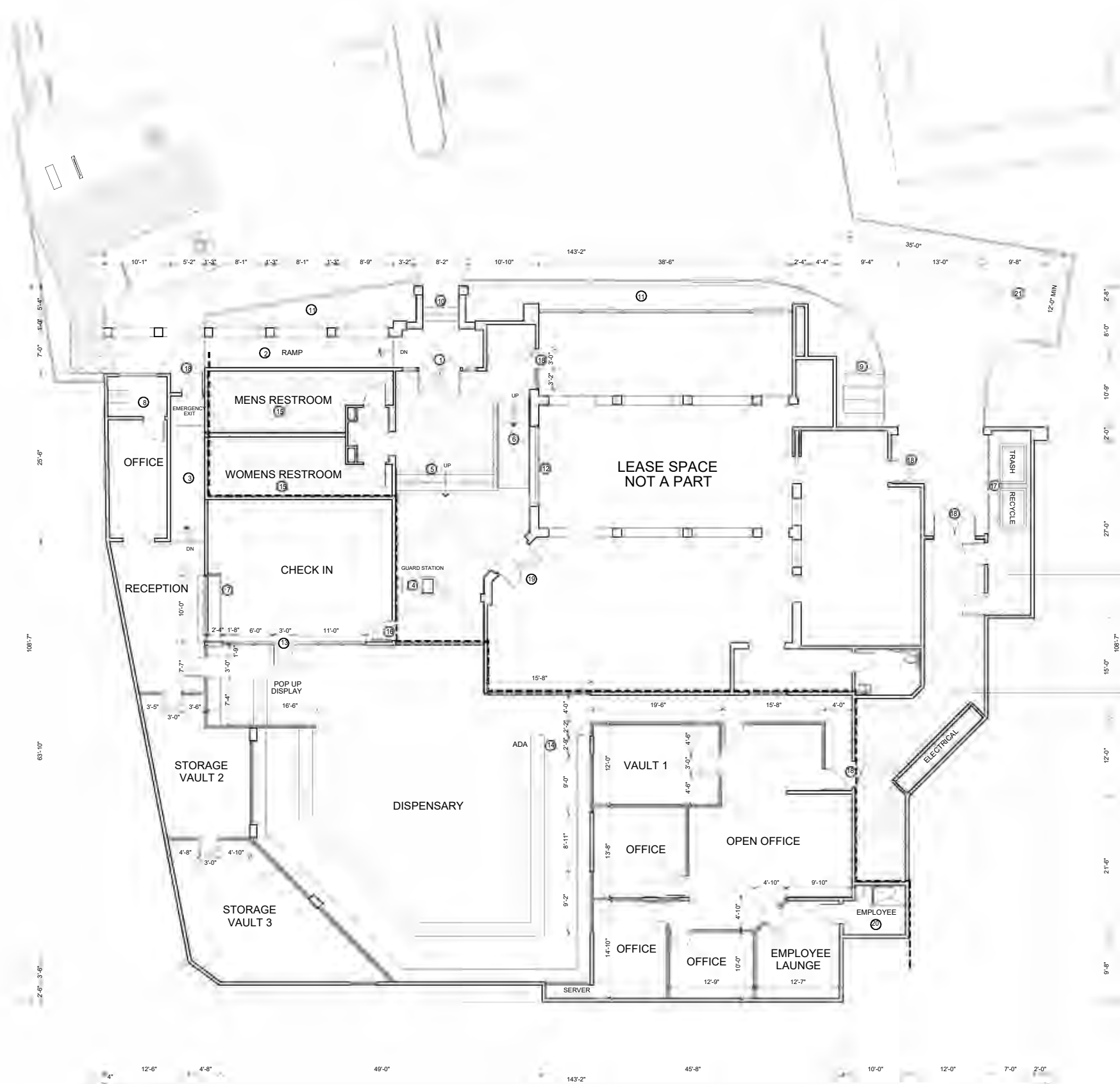
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A1.1
SHEET 4 OF 12

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- KEYNOTES**
- ⊙ EXISTING COMMON AREA ENTRANCE
 - ⊙ EXISTING EXTERIOR ACCESSIBLE RAMP
 - ⊙ EXISTING INTERIOR RAMP
 - ⊙ PROPOSED GUARD STATION
 - ⊙ NEW STAIRS
 - ⊙ NEW INTERIOR ACCESSIBLE RAMP
 - ⊙ PROPOSED ACCESSIBLE COUNTER AT CHECK IN
 - ⊙ PROPOSE LONG TERM BICYCLE LOCKING RACKS (3)
 - ⊙ PROPOSE SHORT TERM BICYCLE RACKS (3)
 - ⊙ EXISTING STAIR
 - ⊙ EXISTING LANDSCAPE
 - ⊙ NEW GLASS PARTITION
 - ⊙ NEW ACCESS CONTROL DOOR
 - ⊙ PROPOSED ACCESSIBLE COUNTER IN DISPENSARY
 - ⊙ EXISTING ACCESSIBLE COMPLIANT RESTROOMS
 - ⊙ NEW MAIN ENTRANCE ACCESS CONTROL DOOR
 - ⊙ EXISTING REFUSE & RECYCLE CONTAINERS WITH OVERHEAD DOOR
 - ⊙ EMERGENCY EXIT DOORS
 - ⊙ FUTURE LEASE SPACE ENTRANCE
 - ⊙ EMPLOYEE SHOWER WITH LOCKERS
 - ⊙ EXISTING LOADING

COMMON AREA BUILDING MAINTENANCE AND STORAGE NOT USED BY PROPOSED C.O.

EXTERIOR COMMON AREA FOR BUILDING UTILITIES AND MAINTENANCE - NOT USED BY PROPOSED C.O.

- EXISTING WALLS
- NEW WALLS
- LINE OF CANNABIS OUTLET
- COMMON AREA

PROPOSED FLOOR PLAN

1/8" = 1'-0"

TOTAL CANNABIS OUTLET	=	6,453 SF
COMMON AREA EXTERIOR MAINTENANCE YARD	=	557 SF
COMMON AREA EXTERIOR STORAGE	=	233 SF
COMMON AREA INTERIOR	=	1,381 SF



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SHEET TITLE:
EXISTING SECOND FLOOR PLAN
AND NEW SECOND FLOOR PLAN
DRAWING DATE:
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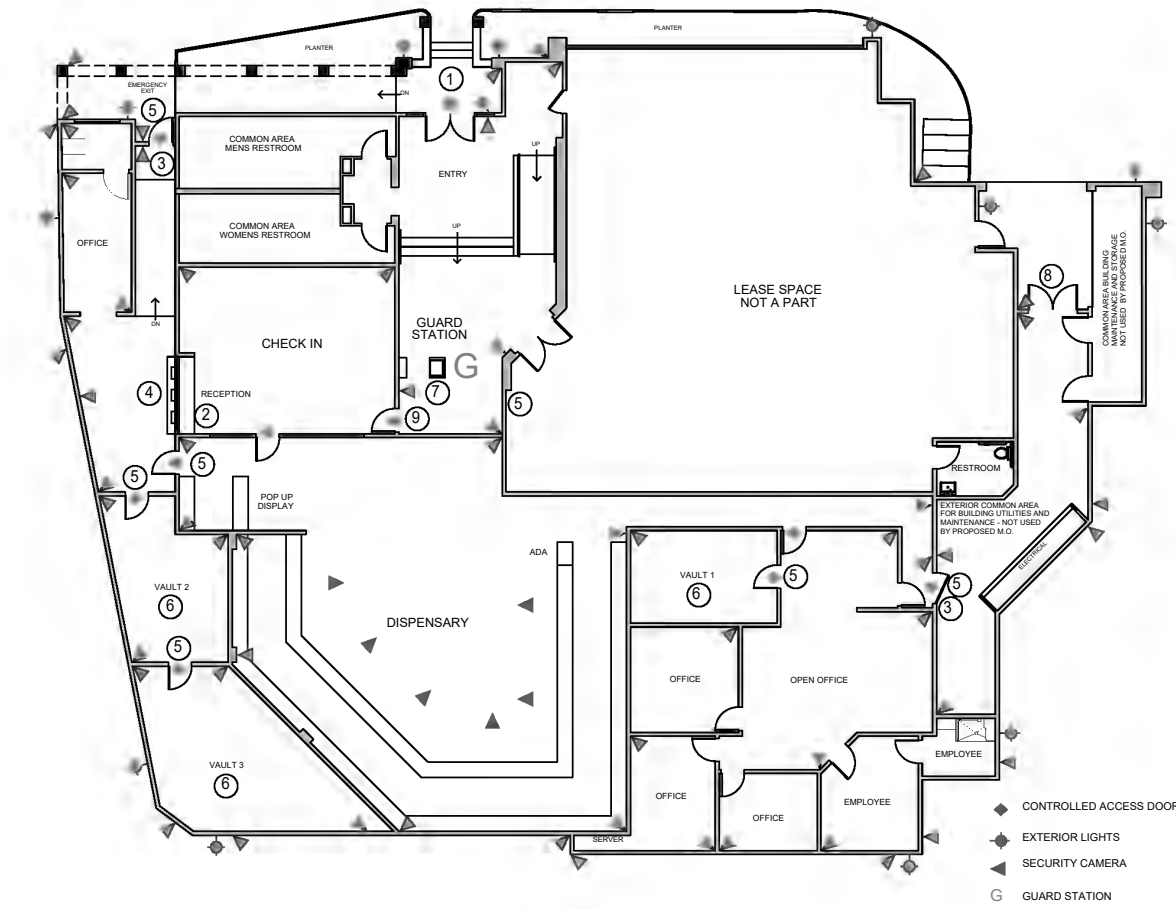
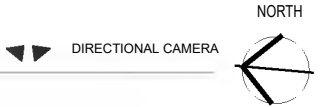
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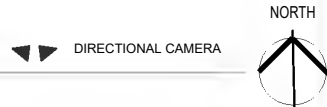
SECURITY SITE PLAN

1/16" = 1'-0"



SECURITY FLOOR PLAN

3/32" = 1'-0"



KEYNOTES

- ① MAIN ENTRANCE COMMON AREA
- ② SECURITY GLASS @ COUNTERS W/ PASS THRU
- ③ EMERGENCY EXIT WITH DELAY / ALARM
- ④ RECEPTION CONTROL OF DISPENSARY ACCESS LOCKS
- ⑤ ACCESS CONTROL DOORS
- ⑥ VAULT WITH BALLISTIC SECURITY AND ACCESS CONTROL
- ⑦ GUARD STATION WITH VIDEO
- ⑧ ACCESS CONTROLLED GATES
- ⑨ MAIN ENTRANCE C.O. ACCESS CONTROLLED

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LICENSED ARCHITECT
 SCOTT HARRISON BERNET
 No. 013770
 STATE OF CALIFORNIA

SHEET TITLE:
 SECURITY SITE PLAN AND
 SECURITY FLOOR PLAN
 DRAWING DATE:
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SHEET NUMBER
A1.3
 SHEET 6 OF 12



① PARKING LOT LOOKING SOUTHEAST



② PARKING LOT LOOKING SOUTH



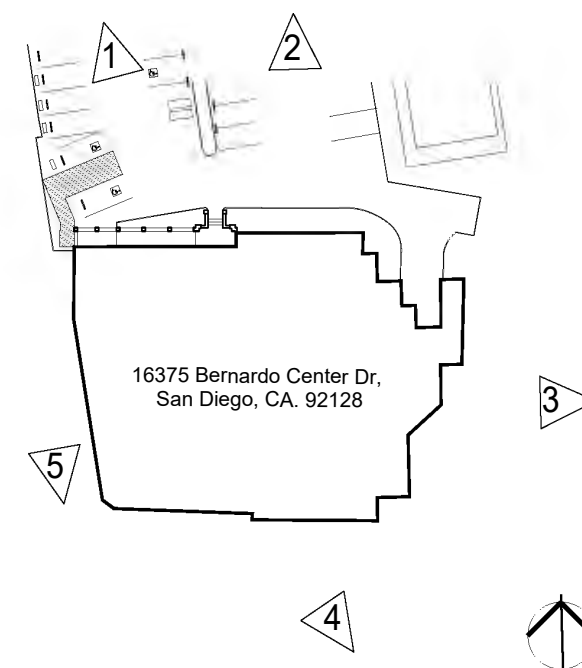
③ SIDE VIEW LOOKING WEST



④ REAR YARD VIEW LOOKING NORTH



⑤ SIDE YARD VIEW LOOKING NORTH



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BUILDING PHOTOS
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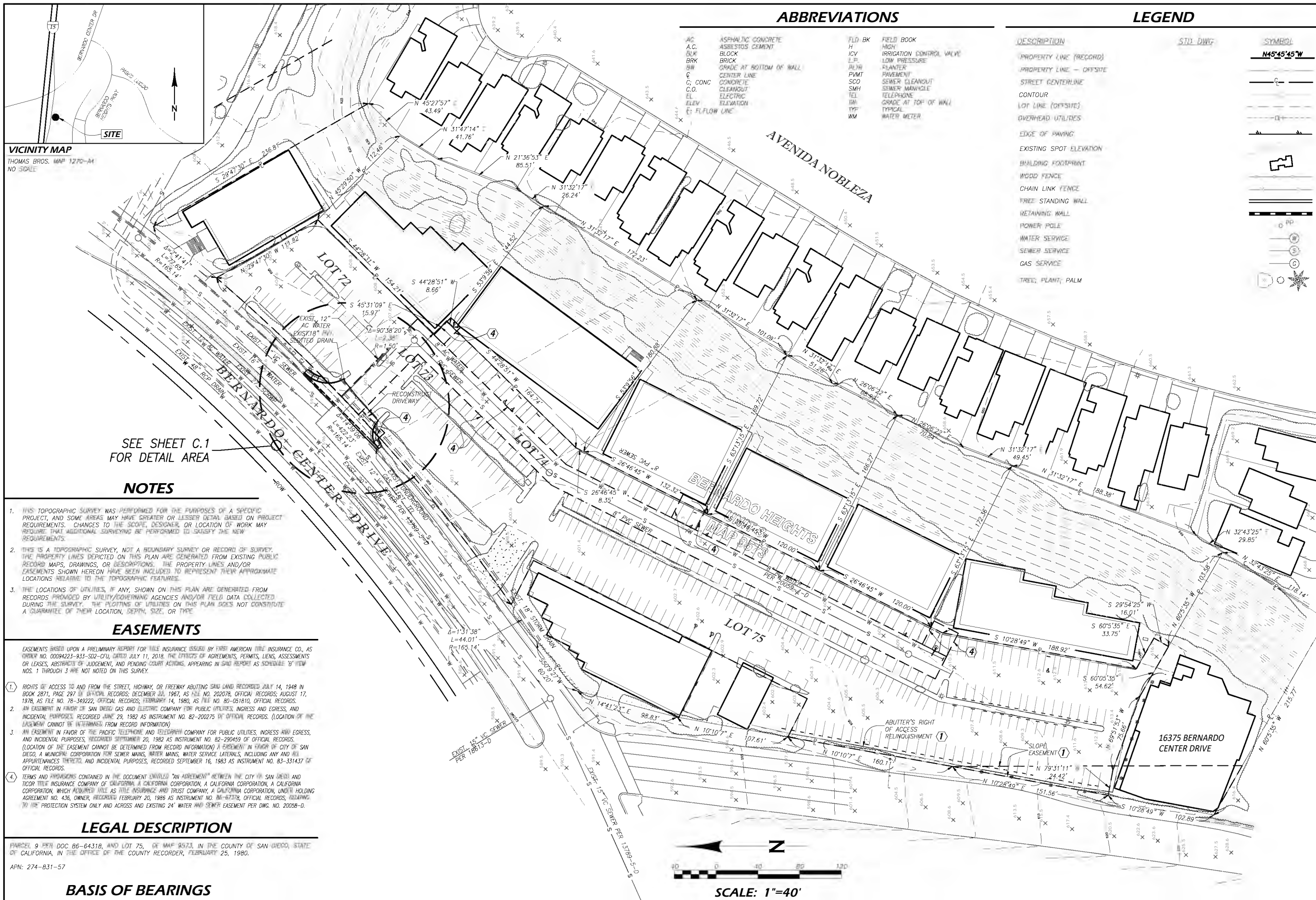
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A2.0
SHEET 7 OF 12

EXISTING " SECOND STORY " WINDOWS SHOWN IN PHOTOGRAPHS ARE AN EXISTING ARCHITECTURAL FACADE TREATMENT
THE BUILDING IS A ONE STORY BUILDING WITH NO HABITABLE SPACE ABOVE THE GROUND FLOOR



VICINITY MAP
THOMAS BROS. MAP 1270-A4
NO SCALE

ABBREVIATIONS

AC	ASPHALTIC CONCRETE	FLD BK	FIELD BOOK
A.C.	ASBESTOS CEMENT	H	HIGH
BK	BLOCK	ICV	IRRIGATION CONTROL VALVE
BRK	BRICK	L.P.	LOW PRESSURE
BW	GRADE AT BOTTOM OF WALL	PLR	PLANTER
C	CENTER LINE	PVMT	PAVEMENT
C. CONC	CONCRETE	SCO	SEWER CLEANOUT
C.O.	CLEANOUT	SMH	SEWER MANHOLE
EL	ELECTRIC	TEL	TELEPHONE
ELEV	ELEVATION	TM	GRADE AT TOP OF WALL
FL	FLOW LINE	TYF	TYPICAL
		WM	WATER METER

LEGEND

DESCRIPTION	STD. DWG.	SYMBOL
PROPERTY LINE (RECORD)		—N45°45'W
PROPERTY LINE - OFFSITE		---
STREET CENTERLINE		—+—
CONTOUR		—+—+—
LOT LINE (OFFSITE)		---
OVERHEAD UTILITIES		—+—+—
EDGE OF PAVING		—+—+—
EXISTING SPOT ELEVATION		•
BUILDING FOOTPRINT		—+—+—
WOOD FENCE		—+—+—
CHAIN LINK FENCE		—+—+—
FREE STANDING WALL		—+—+—
RETAINING WALL		—+—+—
POWER POLE		—+—+—
WATER SERVICE		—+—+—
SEWER SERVICE		—+—+—
GAS SERVICE		—+—+—
TREE; PLANT; PALM		—+—+—

SEE SHEET C.1
FOR DETAIL AREA

NOTES

- THIS TOPOGRAPHIC SURVEY WAS PERFORMED FOR THE PURPOSES OF A SPECIFIC PROJECT, AND SOME AREAS MAY HAVE GREATER OR LESSER DETAIL BASED ON PROJECT REQUIREMENTS. CHANGES TO THE SCOPE, DESIGNER, OR LOCATION OF WORK MAY REQUIRE THAT ADDITIONAL SURVEYING BE PERFORMED TO SATISFY THE NEW REQUIREMENTS.
- THIS IS A TOPOGRAPHIC SURVEY, NOT A BOUNDARY SURVEY OR RECORD OF SURVEY. THE PROPERTY LINES DEPICTED ON THIS PLAN ARE GENERATED FROM EXISTING PUBLIC RECORD MAPS, DRAWINGS, OR DESCRIPTIONS. THE PROPERTY LINES AND/OR EASEMENTS SHOWN HEREON HAVE BEEN INCLUDED TO REPRESENT THEIR APPROXIMATE LOCATIONS RELATIVE TO THE TOPOGRAPHIC FEATURES.
- THE LOCATIONS OF UTILITIES, IF ANY, SHOWN ON THIS PLAN ARE GENERATED FROM RECORDS PROVIDED BY UTILITY GOVERNING AGENCIES AND/OR FIELD DATA COLLECTED DURING THE SURVEY. THE PLOTTING OF UTILITIES ON THIS PLAN DOES NOT CONSTITUTE A GUARANTEE OF THEIR LOCATION, DEPTH, SIZE, OR TYPE.

EASEMENTS

- EASEMENTS BASED UPON A PRELIMINARY REPORT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE CO., AS OWNER NO. 00094223-943-502-CFU, DATED JULY 11, 2018. THE EFFECTS OF AGREEMENTS, PERMITS, LICENSES, ASSESSMENTS OR LEASES, ABSTRACTS OF JUDGEMENT, AND PENDING COURT ACTIONS, APPEARING IN SAID REPORT AS SCHEDULE 'B' ITEM NOS. 1 THROUGH 3 ARE NOT NOTED ON THIS SURVEY.
- RIGHTS OF ACCESS TO AND FROM THE STREET, HIGHWAY, OR FREEWAY ABUTTING SAID LAND RECORDED JULY 14, 1948 IN BOOK 2871, PAGE 297 IN OFFICIAL RECORDS; DECEMBER 22, 1967, AS FILE NO. 202078, OFFICIAL RECORDS; AUGUST 17, 1978, AS FILE NO. 78-349222, OFFICIAL RECORDS; FEBRUARY 14, 1980, AS FILE NO. 80-051810, OFFICIAL RECORDS.
 - AN EASEMENT IN FAVOR OF SAN DIEGO GAS AND ELECTRIC COMPANY FOR PUBLIC UTILITIES, INGRESS AND EGRESS, AND INCIDENTAL PURPOSES, RECORDED JUNE 29, 1982 AS INSTRUMENT NO. 82-200275 IN OFFICIAL RECORDS. (LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION)
 - AN EASEMENT IN FAVOR OF THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY FOR PUBLIC UTILITIES, INGRESS AND EGRESS, AND INCIDENTAL PURPOSES, RECORDED SEPTEMBER 20, 1982 AS INSTRUMENT NO. 82-290459 IN OFFICIAL RECORDS. (LOCATION OF THE EASEMENT CANNOT BE DETERMINED FROM RECORD INFORMATION) A PERMIT IN FAVOR OF CITY OF SAN DIEGO, A MUNICIPAL CORPORATION FOR SEWER MAINS, WATER MAINS, WATER SERVICE LATERALS, INCLUDING ANY AND ALL APPURTENANCES THEREON, AND INCIDENTAL PURPOSES, RECORDED SEPTEMBER 16, 1983 AS INSTRUMENT NO. 83-331437 IN OFFICIAL RECORDS.
 - TERMS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "AN AGREEMENT" BETWEEN THE CITY OF SAN DIEGO AND TIGOR TITLE INSURANCE COMPANY OF CALIFORNIA, A CALIFORNIA CORPORATION, A CALIFORNIA CORPORATION, A CALIFORNIA CORPORATION, WHICH ACQUIRED TITLE AS TITLE INSURANCE AND TRUST COMPANY, A CALIFORNIA CORPORATION, UNDER HOLDING AGREEMENT NO. 436, OWNER, RECORDED FEBRUARY 20, 1986 AS INSTRUMENT NO. 86-67378, OFFICIAL RECORDS, RELATING TO THE PROTECTION SYSTEM ONLY AND ACROSS AND EXISTING 24" WATER AND SEWER EASEMENT PER DWG. NO. 20058-D.

LEGAL DESCRIPTION

PARCEL 9 PER DOC 86-64318, AND LOT 75, OF MAP 9573, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, IN THE OFFICE OF THE COUNTY RECORDER, FEBRUARY 25, 1980.

APN: 274-831-57

BASIS OF BEARINGS

A PORTION OF THE WESTERLY BOUNDARY OF BERNARDO HEIGHTS UNIT NO. 2 SHOWN ON MAP NO. 9562, I.E., N35°10'17"E.



COFFEY ENGINEERING, INC.
2466 BUSINESSPARK AVENUE, SUITE 210, SAN DIEGO, CA 92131 PH: (619) 581-0111 FAX: (619) 581-0177



ADA DRIVEWAY
16375 Bernardo Center Drive
San Diego, CA 92128

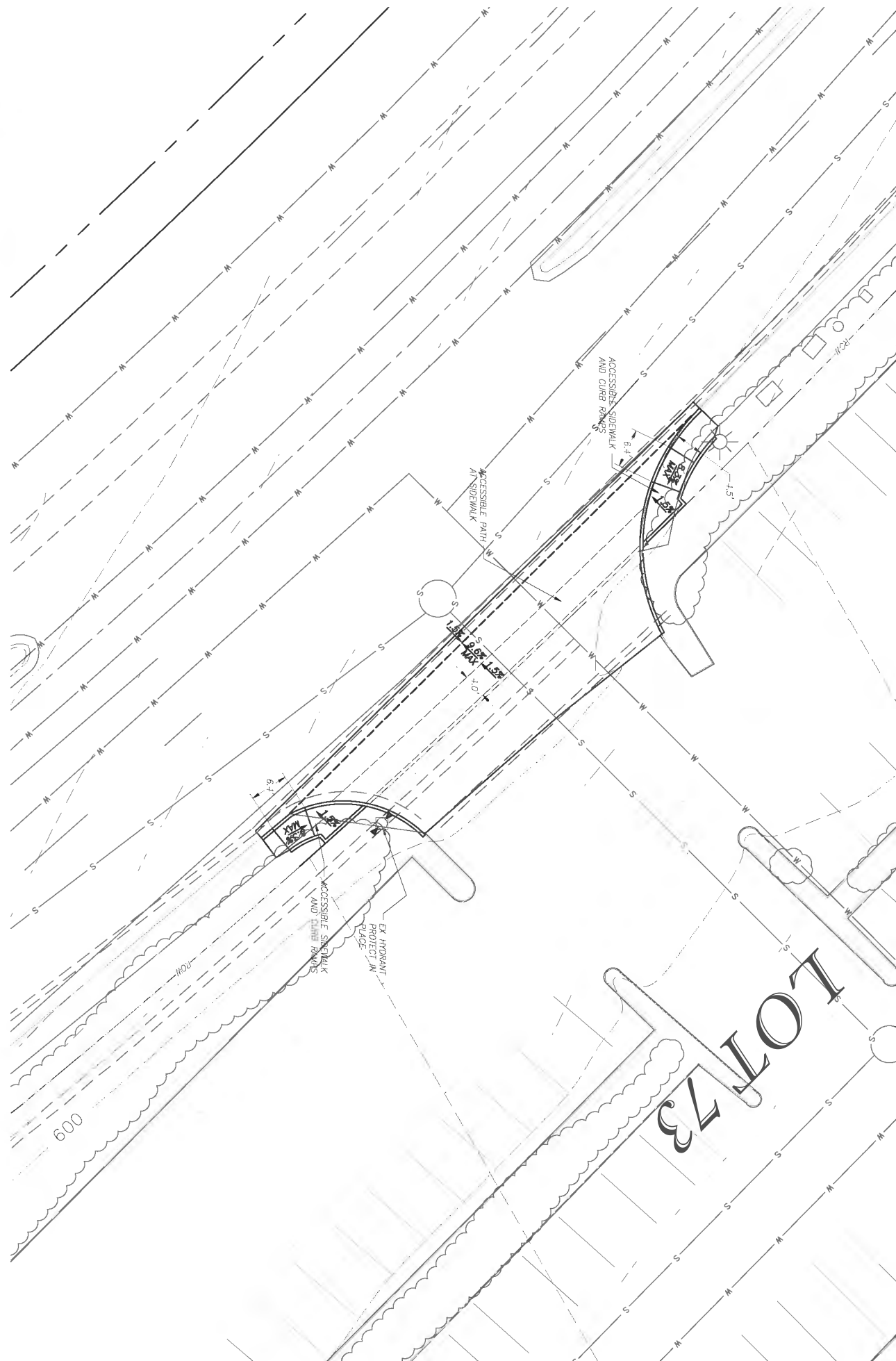
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CHECKED BY:	JC
ORIGINAL	8/3/22
REVISION 1	
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REVISION 4	
REVISION 5	

Topographic Survey

SCALE: 1" = 40'

C.0

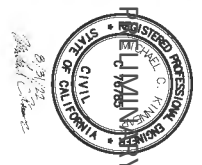
SHT 1 OF 2 SHTS



DETAIL AREA
SCALE: 1"=10'

LOT 73

CE COFFEY ENGINEERING, INC.
9666 BUSINESSPARK AVENUE, SUITE 210, SAN DIEGO, CA 92131 PH (658)831-0111 FAX (658)831-0179



ADA DRIVEWAY

16375 Bernardo Center Drive
San Diego, CA 92128

DRAWN BY:	GP
CHECKED BY:	
ORIGINAL:	8/31/22
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C.1

SCALE: 1"=10'
SHEET 2 OF 2 SHEETS

FIRE ACCESS PLAN NOTES

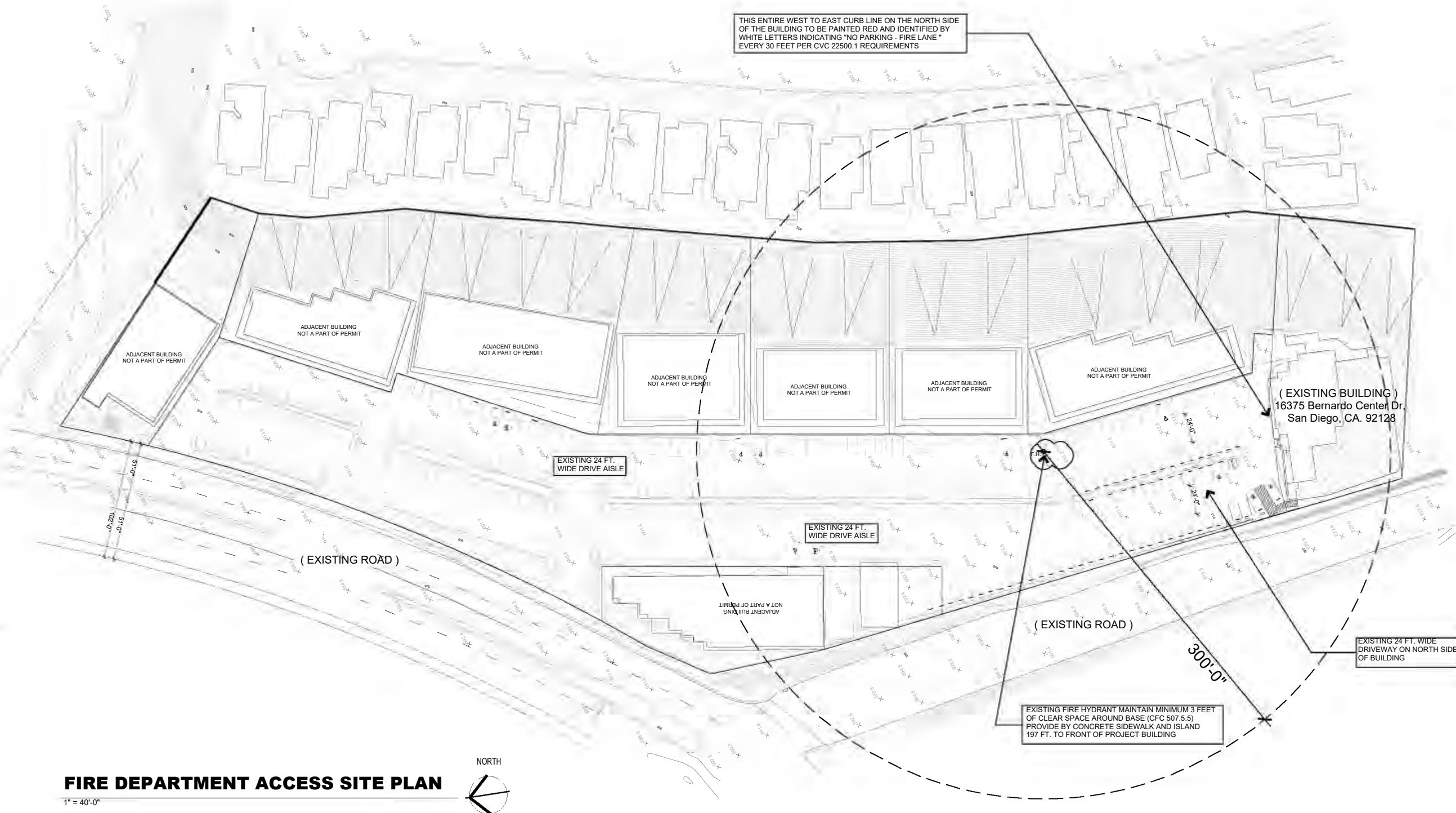
FIRE APPARATUS ACCESS ROADS SHALL BE DESIGNED AND MAINTAINED TO SUPPORT THE IMPOSED LOADS OF FIRE APPARATUS AND SHALL BE SURFACED SO AS TO PROVIDE ALL WEATHER DRIVING CAPABILITIES. CFC 503.2.3
 FIRE APPARATUS ACCESS ROADS AND WATER SUPPLIES FOR FIRE PROTECTION, SHALL BE INSTALLED AND MADE SERVICEABLE PRIOR TO AND DURING TIME OF CONSTRUCTION. CFC 501.4
 DEAD - END FIRE APPARATUS ACCESS ROADS IN EXCESS OF 150 FEET IN LENGTH SHALL BE PROVIDED WITH AN APPROVED AREA FOR TURNING AROUND FIRE APPARATUS. CFC 503.2.5
 PROVIDE BUILDING ADDRESS NUMBERS, VISIBLE AND LEGIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY PER SAN DIEGO MUNICIPAL CODE SECTION 95.0209
 POST INDICATOR VALVES, FIRE DEPARTMENT CONNECTIONS, AND ALARM BELL ARE TO BE LOCATED ON THE ADDRESS / ACCESS SIDE OF STRUCTURE. 912.2.1
 CFC 507.5.5 - CLEAR SPACE AROUND HYDRANTS - A 3 FOOT CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF FIRE HYDRANTS, EXCEPT AS OTHERWISE REQUIRED OR APPROVED.
 CFC 507.5.6 - PHYSICAL PROTECTION - IF ADDITIONAL HYDRANTS ARE REQUIRED AND WHERE FIRE HYDRANTS ARE SUBJECT TO IMPACT BY A MOTOR VEHICLE, GUARD POST OR OTHER APPROVED MEANS SHALL COMPLY WITH SECTION CFC 312.

VEGETATION SHALL BE SELECTED AND MAINTAINED IN SUCH MANNER AS TO ALLOW IMMEDIATE ACCESS TO ALL HYDRANTS, VALVES, FIRE DEPARTMENT CONNECTIONS, PULL STATIONS, EXTINGUISHERS, SPRINKLER RISERS, ALARM CONTROL PANELS, RESCUE WINDOWS, AND OTHER DEVICES OR AREAS USED FOR FIREFIGHTING PURPOSES. VEGETATION OR BUILDING FEATURES SHALL NOT OBSTRUCT ADDRESS NUMBERS OR INHIBIT THE FUNCTIONING OF ALARM BELLS, HORNS OR STROBES
 DECORATIVE MATERIALS SHALL BE MAINTAINED IN A FLAME - RETARDANT CONDITION. CFC SEC. 804
 ALL BUILDINGS AND SITES UNDERGOING CONSTRUCTION, ALTERATION, OR DEMOLITION SHALL COMPLY WITH THE REQUIREMENTS OF CHAPTER 33 OF THE CFC
 CFC 105.4.4 - CONSTRUCTION DOCUMENTS APPROVED BY THE FIRE CODE OFFICIAL ARE APPROVED WITH THE INTENT THAT SUCH CONSTRUCTION DOCUMENTS COMPLY IN ALL RESPECTS WITH THE CFC. REVIEW AND APPROVAL BY THE FIRE CODE OFFICIAL SHALL NOT RELIEVE THE APPLICANT OF THE RESPONSIBILITY OF COMPLIANCE WITH THIS CODE.

EXISTING CONSTRUCTION NOTES

2) THIS IS AN EXISTING COMMERCIAL DEVELOPMENT - FIRE APPARATUS ACCESS ROADS PREVIOUSLY INSTALLED AND APPROVED BY THE CITY OF SAN DIEGO (CFC 501.4 ; CFC 503.2.5)

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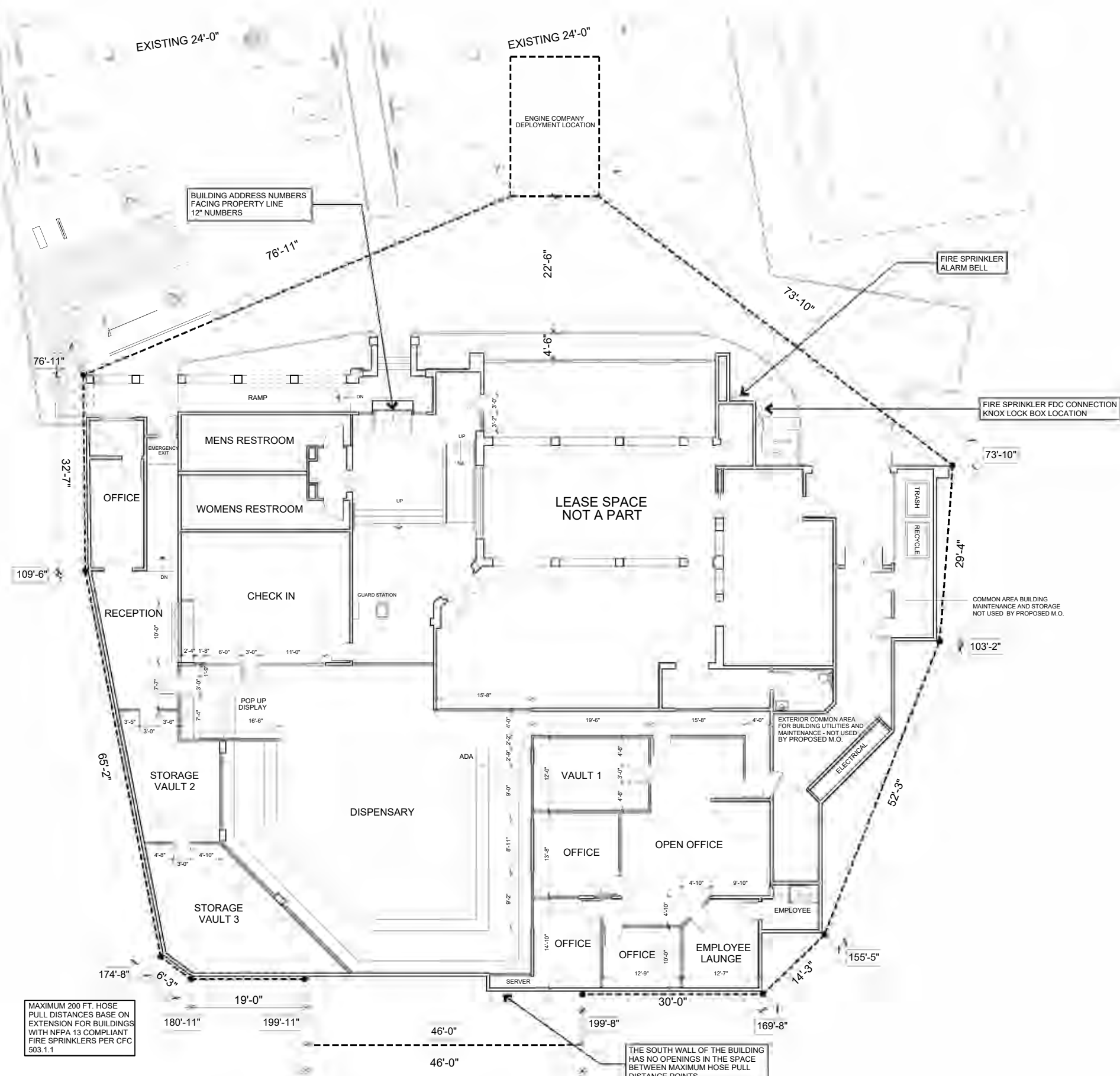
RBCO
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 SAN DIEGO, CA. 92128



SHEET TITLE:
FIRE PLAN
 DRAWING DATE:
122018
 REVISION 1:
 REVISION 2:
 REVISION 3:
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 REVISION 5:

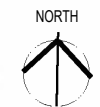
SHEET NUMBER
F.1
 SHEET 10 OF 12

C. All drawings and written materials appearing herein constitute the original and unpublished work of Scott Bernet Architects, a Professional Corporation, and may not be duplicated, used or disclosed without the written permission of Scott Bernet Architects.



FIRE DEPARTMENT ACCESS FLOOR PLAN (EXISTING BUILDING)

1/8" = 1'-0"



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RBCO
16375 BERNARDO CENTER DR
SAN DIEGO, CA. 92128



SHEET TITLE:
EXISTING SITE PLAN AND EXISTING BASEMENT PLAN
DRAWING DATE:
122018
REVISION 1:


REVISION 2:

REVISION 3:

REVISION 4:

REVISION 5:

SHEET NUMBER
F.2
SHEET 11 OF 12

 <p>City of San Diego Development Services 1222 First Ave., MS-302 San Diego, CA 92101 (619) 445-5000</p>	<p>Storm Water Requirements Applicability Checklist</p>	<p>FORM DS-560 October 2016</p>
	<p>Project Address: 16375 Bernardo Center Dr.</p>	<p>Project Number (for City Use Only):</p>
<p>SECTION 1. Construction Storm Water BMP Requirements: All construction sites are required to implement construction BMPs in accordance with the performance standards in the Storm Water Standards Manual. Some sites are additionally required to obtain coverage under the State Construction General Permit (CGP), which is administered by the State Water Resources Control Board.</p>		
<p>For all projects complete PART A. If project is required to submit a SWPPP or WPCP, continue to PART B.</p>		
<p>PART A: Determine Construction Phase Storm Water Requirements.</p>		
<p>1. Is the project subject to California's statewide General NPDES permit for Storm Water Discharges Associated with Construction Activities, also known as the State Construction General Permit (CGP)? (Typically projects with land disturbance greater than or equal to 1 acre.)</p> <p><input type="checkbox"/> Yes; SWPPP required, skip questions 2-4 <input checked="" type="checkbox"/> No; next question</p>		
<p>2. Does the project propose construction or demolition activity, including but not limited to, clearing, grading, grubbing, excavation, or any other activity resulting in ground disturbance and contact with storm water runoff?</p> <p><input type="checkbox"/> Yes; WPCP required, skip 3-4 <input checked="" type="checkbox"/> No; next question</p>		
<p>3. Does the project propose routine maintenance to maintain original line and grade, hydraulic capacity, or original purpose of the facility? (Projects such as pipeline/utility replacement)</p> <p><input type="checkbox"/> Yes; WPCP required, skip 4 <input checked="" type="checkbox"/> No; next question</p>		
<p>4. Does the project only include the following Permit types listed below?</p> <ul style="list-style-type: none"> Electrical Permit, Fire Alarm Permit, Fire Sprinkler Permit, Plumbing Permit, Sign Permit, Mechanical Permit, Spa Permit. Individual Right of Way Permits that exclusively include only ONE of the following activities: water service, sewer lateral, or utility service. Right of Way Permits with a project footprint less than 150 linear feet that exclusively include only ONE of the following activities: curb ramp, sidewalk and driveway apron replacement, pot holing, curb and gutter replacement, and retaining wall encroachments. <p><input type="checkbox"/> Yes; no document required</p>		
<p>Check one of the boxes below, and continue to PART B:</p> <p><input type="checkbox"/> If you checked "Yes" for question 1, a SWPPP is REQUIRED. Continue to PART B</p> <p><input type="checkbox"/> If you checked "No" for question 1, and checked "Yes" for question 2 or 3, a WPCP is REQUIRED. If the project proposes less than 5,000 square feet of ground disturbance AND has less than a 5-foot elevation change over the entire project area, a Minor WPCP may be required instead. Continue to PART B.</p> <p><input checked="" type="checkbox"/> If you checked "No" for all questions 1-3, and checked "Yes" for question 4 PART B does not apply and no document is required. Continue to Section 2.</p>		
<p>1. More information on the City's construction BMP requirements as well as CGP requirements can be found at www.sandiego.gov/development-services/permits-and-projects/development-services</p> <p>Printed on recycled paper. Visit our web site at www.sandiego.gov/development-services. Upon request, this information is available in alternative formats for persons with disabilities. DS-560 (10/16)</p>		

Page 2 of 4 City of San Diego • Development Services • Storm Water Requirements Applicability Checklist

PART B: Determine Construction Site Priority
This prioritization must be completed within this form, noted on the plans, and included in the SWPPP or WPCP. The City reserves the right to adjust the priority of projects both before and after construction. Construction projects are assigned an inspection frequency based on if the project has a "high threat to water quality." The City has aligned the local definition of "high threat to water quality" to the risk determination approach of the State Construction General Permit (CGP). The CGP determines risk level based on project specific sediment risk and receiving water risk. Additional inspection is required for projects within the Areas of Special Biological Significance (ASBS) watershed. NOTE: The construction priority does NOT change construction BMP requirements that apply to projects; rather, it determines the frequency of inspections that will be conducted by city staff.

Complete PART B and continued to Section 2

- ASBS
a. Projects located in the ASBS watershed.
- High Priority
a. Projects 1 acre or more determined to be Risk Level 2 or Risk Level 3 per the Construction General Permit and not located in the ASBS watershed.
b. Projects 1 acre or more determined to be LUP Type 2 or LUP Type 3 per the Construction General Permit and not located in the ASBS watershed.
- Medium Priority
a. Projects 1 acre or more but not subject to an ASBS or high priority designation.
b. Projects determined to be Risk Level 1 or LUP Type 1 per the Construction General Permit and not located in the ASBS watershed.
- Low Priority
a. Projects requiring a Water Pollution Control Plan but not subject to ASBS, high, or medium priority designation.

SECTION 2. Permanent Storm Water BMP Requirements.
Additional information for determining the requirements is found in the Storm Water Standards Manual.

PART C: Determine if Not Subject to Permanent Storm Water Requirements.
Projects that are considered maintenance, or otherwise not categorized as "new development projects" or "redevelopment projects" according to the Storm Water Standards Manual, are not subject to Permanent Storm Water BMPs.

If "yes" is checked for any number in Part C, proceed to Part F and check "Not Subject to Permanent Storm Water BMP Requirements".
If "no" is checked for all of the numbers in Part C continue to Part D.

- Does the project only include interior remodels and/or is the project entirely within an existing enclosed structure and does not have the potential to contact storm water? Yes No
- Does the project only include the construction of overhead or underground utilities without creating new impervious surfaces? Yes No
- Does the project fall under routine maintenance? Examples include, but are not limited to: roof or exterior structure surface replacement, resurfacing or reconfiguring surface parking lots or existing roadways without expanding the impervious footprint, and routine replacement of damaged pavement (grinding, overlay, and pothole repair). Yes No

CONSTRUCTION B.M.P.'S NOTES

STORM WATER QUALITY NOTES CONSTRUCTION B.M.P.'S
THIS PROJECT SHALL COMPLY WITH ALL CURRENT REQUIREMENTS OF THE STATE PERMIT; CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (SDRWQCB), SAN DIEGO MUNICIPAL STORM WATER PERMIT, THE CITY OF SAN DIEGO LAND DEVELOPMENT CODE, AND THE STORM WATER STANDARDS MANUAL.

NOTES BELOW REPRESENT KEY MINIMUM REQUIREMENTS FOR CONSTRUCTION BMP'S.

- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANUP OF ALL SILT AND MUD ON ADJACENT STREET(S). DUE TO CONSTRUCTION VEHICLES OR ANY OTHER CONSTRUCTION ACTIVITY, AT THE END OF EACH WORKDAY, OR AFTER A STORM EVENT THAT CAUSES A BREECH IN INSTALLED CONSTRUCTION BMP'S WHICH MAY COMPROMISE STORM WATER QUALITY WITHIN ANY STREET(S).
A STABILIZED CONSTRUCTION EXIT MAY BE REQUIRED TO PREVENT CONSTRUCTION VEHICLES OR EQUIPMENT FROM TRACKING MUD OR SILT ONTO THE STREET.
- ALL STOCKPILES OF SOIL AND/OR BUILDING MATERIALS THAT ARE INTENDED TO BE LEFT FOR A PERIOD GREATER THAN SEVEN CALENDAR DAYS ARE TO BE COVERED. ALL REMOVABLE BMP DEVICES SHALL BE IN PLACE AT THE END OF EACH WORKING DAY WHEN FIVE DAY RAIN PROBABILITY FORECAST EXCEEDS 40%.
- A CONCRETE WASHOUT SHALL BE PROVIDED ON ALL PROJECTS WHICH PROPOSE THE CONSTRUCTION OF ANY CONCRETE IMPROVEMENTS WHICH ARE TO BE POURED IN PLACE ON SITE.
- THE CONTRACTOR SHALL RESTORE ALL EROSION/SEDIMENT CONTROL DEVICES TO WORKING ORDER AFTER EACH RUN-OFF PRODUCING RAINFALL OR AFTER ANY MATERIAL BREACH IN EFFECTIVENESS.
- ALL SLOPES THAT ARE CREATED OR DISTURBED BY CONSTRUCTION ACTIVITY MUST BE PROTECTED AGAINST EROSION AND SEDIMENT TRANSPORT AT ALL TIMES.
- THE STORAGE OF ALL CONSTRUCTION MATERIALS AND EQUIPMENT MUST BE PROTECTED AGAINST ANY POTENTIAL RELEASE OF POLLUTANTS INTO THE ENVIRONMENT.

City of San Diego • Development Services • Storm Water Requirements Applicability Checklist Page 3 of 4

PART D: PDP Exempt Requirements.
PDP Exempt projects are required to implement site design and source control BMPs.
If "yes" was checked for any questions in Part D, continue to Part F and check the box labeled "PDP Exempt".
If "no" was checked for all questions in Part D, continue to Part E.

- Does the project ONLY include new or retrofit sidewalks, bicycle lanes, or trails that:
 - Are designed and constructed to direct storm water runoff to adjacent vegetated areas, or other non-erodible permeable areas? Or;
 - Are designed and constructed to be hydraulically disconnected from paved streets and roads? Or;
 - Are designed and constructed with permeable pavements or surfaces in accordance with the Green Streets guidance in the City's Storm Water Standards Manual?

Yes; PDP exempt requirements apply No; next question
- Does the project ONLY include retrofitting or redeveloping existing paved alleys, streets or roads designed and constructed in accordance with the Green Streets guidance in the City's Storm Water Standards Manual?
 Yes; PDP exempt requirements apply No; project not exempt.

PART E: Determine if Project is a Priority Development Project (PDP).
Projects that match one of the definitions below are subject to additional requirements including preparation of a Storm Water Quality Management Plan (SWQMP).

If "yes" is checked for any number in PART E, continue to PART F and check the box labeled "Priority Development Project".
If "no" is checked for every number in PART E, continue to PART F and check the box labeled "Standard Development Project".

- New Development that creates 10,000 square feet or more of impervious surfaces collectively over the project site. This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land. Yes No
- Redevelopment project that creates and/or replaces 5,000 square feet or more of impervious surfaces on an existing site of 10,000 square feet or more of impervious surfaces. This includes commercial, industrial, residential, mixed-use, and public development projects on public or private land. Yes No
- New development or redevelopment of a restaurant. Facilities that sell prepared foods and drinks for consumption, including stationary lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption (SIC 5812), and where the land development creates and/or replaces 5,000 square feet or more of impervious surface. Yes No
- New development or redevelopment on a hillside. The project creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site) and where the development will grade on any natural slope that is twenty-five percent or greater. Yes No
- New development or redevelopment of a parking lot that creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site). Yes No
- New development or redevelopment of streets, roads, highways, freeways, and driveways. The project creates and/or replaces 5,000 square feet or more of impervious surface (collectively over the project site). Yes No

Page 4 of 4 City of San Diego • Development Services • Storm Water Requirements Applicability Checklist

- New development or redevelopment discharging directly to an Environmentally Sensitive Area. The project creates and/or replaces 2,000 square feet of impervious surface (collectively over project site), and discharges directly to an Environmentally Sensitive Area (ESA). Discharging directly or includes flow that is conveyed overland a distance of 200 feet or less from the project to the ESA, or conveyed in a pipe or open channel any distance as an isolated flow from the project to the ESA (i.e. not commingled with flows from adjacent lands). Yes No
- New development or redevelopment projects of a retail gasoline outlet (RGO) that create and/or replaces 5,000 square feet of impervious surface. The development project meets the following criteria: (a) 5,000 square feet or more or (b) has a projected Average Daily Traffic (ADT) of 100 or more vehicles per day. Yes No
- New development or redevelopment projects of an automotive repair shops that creates and/or replaces 5,000 square feet or more of impervious surfaces. Development projects categorized in any one of Standard Industrial Classification (SIC) codes 5013, 5014, 5541, 7532-7534, or 7536-7539. Yes No
- Other Pollutant Generating Project. The project is not covered in the categories above, results in the disturbance of one or more acres of land and is expected to generate pollutants post construction, such as fertilizers and pesticides. This does not include projects creating less than 5,000 sf of impervious surface and where added landscaping does not require regular use of pesticides and fertilizers, such as slope stabilization using native plants. Calculation of the square footage of impervious surface need not include linear pathways that are for infrequent vehicle use, such as emergency maintenance access or bicycle pedestrian use, if they are built with pervious surfaces of if they sheet flow to surrounding pervious surfaces. Yes No

PART F: Select the appropriate category based on the outcomes of PART C through PART E.

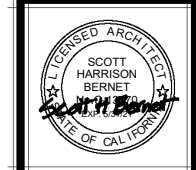
- The project is NOT SUBJECT TO PERMANENT STORM WATER REQUIREMENTS.
- The project is a STANDARD DEVELOPMENT PROJECT. Site design and source control BMP requirements apply. See the Storm Water Standards Manual for guidance.
- The project is PDP EXEMPT. Site design and source control BMP requirements apply. See the Storm Water Standards Manual for guidance.
- The project is a PRIORITY DEVELOPMENT PROJECT. Site design, source control, and structural pollutant control BMP requirements apply. See the Storm Water Standards Manual for guidance on determining if project requires a hydromodification plan management.

Scott Bernet Architect
Name of Owner or Agent (Please Print) Title
Scott Bernet 12/19/2018
Signature Date

Scott Bernet Architects
A Professional Corporation
2031 Second Ave., San Diego, CA 92101
619.237.9433 fax 619.237.9469



RBCO
16375 BERNARDO CENTER DR
SAN DIEGO, CA 92128



SHEET TITLE:
DS 560 STORM WATER

DRAWING DATE:
122018

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SHEET 12 OF 12

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