

FORM

DS-3031

November 2022

Development Permit/ Environmental Determination Appeal Application

In order to ensure your appeal application is successfully accepted and processed, you must read and understand Information Bulletin [\(IB\) 505, "Development Permits/Environmental](#)

[Determination Appeal Procedure."](#)

1. Type of Appeal: Appeal of the Project
 Appeal of the Environmental Determination
2. Appellant: Please check one Applicant Officially recognized Planning Committee
 "Interested Person"
[\(Per San Diego Municipal Code \(SDMC\) § 113.0103\)](#)

Name:
Rancho Benardo Community Planning Board

E-mail:

Address: 12463 Rancho Bernardo Rd #523 City: San Diego, CA State: CA Zip Code: 92128 Telephone: 858.487.6227

3. Project Name: 625766 Cannabis CUP 16375 Bernardo Center Dr.

4. Project Information: Application for a Cannabis CUP

Permit/Environmental Information Determination and Permit/Document No: 2243740

Date of Decision/Determination: 1/25/23

City Project Manager: Travis Cleveland

Decision (Describe the permit/approval decision): Hearing Officer approved project #625766

5. Ground for Appeal (Please check all that apply):

- Facture Error New Information
 Conflict with other Matters City-wide Significance (Process four decisions only)
 Findings Not Supported

Description of Grounds for Appeal (Please relate your description to the allowable reasons for appeal as more fully described in the [SDMC § 112.0501](#). Attach additional sheets if necessary.)

Visit our website: sandiego.gov/DSD.

Upon request, this information is available in alternative formats for persons with disabilities. DS-3031 (11-22)

6. Applicant's Signature: I certify under penalty of perjury that the foregoing, including all names and addresses, is true and correct.

Signature: Robin Kaufman Date: 2/7/23

Note: Faxed appeals are not accepted.

Reference Table

- [San Diego Municipal Code \(SDMC\)](#)
- [Development Permits/Environmental Determination Appeal Procedure \(IB-505\)](#)

Visit our website: sandiego.gov/DSD.

Upon request, this information is available in alternative formats for persons with disabilities. DS-3031 (11-22)

Rancho Bernardo Community Planning Board

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

www.rbplanningboard.com

February 5, 2023

Planning Commission
City of San Diego
1222 First Ave, Fifth Floor
San Diego, CA 92101

RE: Appeal Request for Project 625766 Cannabis CUP, 16375 Bernardo Center Drive, San Diego 92128

Dear Planning Commissioners:

The Rancho Bernardo Community Planning Board (RBCPB) is officially requesting an appeal on Project 625755 Cannabis CUP with a proposed location at 16375 Bernardo Center Drive, San Diego 92128. The RBCPB originally considered this item on during our April 18, 2019 Board meeting and recommended to table the matter until we received new detailed study information from the City Department Services Department. This motion was passed unanimously, 14-0-0. The RBCPB's final review and vote on the matter took place during our September 15, 2022 Board meeting with a unanimous vote of 11-0-0 to deny the application.

The RBCPB is requesting the appeal for the following reasons:

- The applicant, Willie Frank Senn, had a stipulated judgement against him in which he was restrained by the courts from operating or maintaining a cannabis outlet at the time the application was deemed complete.
- The proposed Cannabis Outlet is not in-line with the Rancho Bernardo Community Plan.
- The City Project Manager has incorrectly inserted measurements to allow for the approval of the Cannabis outlet.
- A factual timeline has not been established on when the separation between the Hope Methodist Church and the proposed Cannabis Outlet was altered by the insertion of a fence. This area was utilized publicly for decades prior to the application process for the proposed Cannabis Outlet.
- The City Project Manager failed due diligence in verifying the measurements when they are under scrutiny from all interested parties.

- The required finding presented in Section 126.0305 (d) for CUPs, “the proposed use is appropriate at the proposed location,” cannot be met.

The applicant, Willie Frank Senn, had a stipulated judgment with the City of San Diego that was ordered by the Superior Court of California, County of San Diego case # 37-2012-00087648-CU-MC-CTL that restrained him from engaging in the ownership or maintenance of a cannabis outlet. The City Project Manager deemed the application complete on February 4, 2019. At this time, Willie Frank Senn had a legal judgment against him that made him ineligible of operating or maintaining a cannabis outlet in the City of San Diego. The applicant may make the argument that he is currently eligible by an amendment to the stipulation, however, such an amendment was ordered on May 3, 2019, which is after the application was deemed complete on February 4, 2019. Based on the court judgment that Willie Frank Senn was ordered not to engage in the operation or maintenance of a cannabis outlet at the time the application was deemed complete, the application should have been denied (see Attachments 1 and 2). If the City determines that the judgement is no longer in force, despite the fact that it was in force at the time of the application, then the same consideration should be made with respect to changes in the Cannabis Ordinance, which at the time of application submittal allowed a cannabis operation at this location, but the currently approved ordinance does not permit a cannabis operation to be located adjacent to residential zoned property.

The Planning Department’s approval for Project 625766 should be overturned and the requested CUP denied as its approval would be in direct conflict with the Rancho Bernardo Community Plan (RBCP). Page 22, Commercial Objectives, bullet point five states “To encourage commercial facilities to be designed so as to reduce the potential for criminal activity.” The approval of the Cannabis Outlet would bring crime to the residents of Rancho Bernardo as suggested by SDMC 141.0504 where if the Cannabis Outlet were to be approved then per the City’s own code “Security 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.” This inclusion in the SDMC 141.0504 of the need for added security suggests that the City assumes the potential for criminal activity which is contrary to the community plan’s objective of encouraging commercial facilities designed to reduce the potential.

The Commercial Objectives in the RBCP also state “To ensure that any redevelopment of commercial retail or office use is sensitive to the needs and conditions of the community.” The approval of the proposed Cannabis Outlet would be in direct conflict with the RBCP as the needs and conditions of the community have been stated by the residents and the RBCPB. Further, the fact that proposed Cannabis Outlet is located adjacent to residentially zoned and developed property, and is not permitted at this location under the current Cannabis Ordinance (141.0504(a)(2)) verifies that the proposal is not sensitive to the needs and conditions of the community. A Cannabis Outlet at this location has been strongly opposed by the residents, local businesses, and the RBCPB and all have voiced their continued opposition to this proposal since was introduced in February of 2019, four years ago.

The City of San Diego adopted the RBCP on March 28, 1978. Within the RBCP is the structuring for the Community Planning Board.

“Community Planning Board

The Community Planning Board should be involved and active in the implementation of the Plan. Its work should include initiating action based upon Plan proposals, monitoring development activity in Rancho Bernardo and periodically conducting general meetings within the community so as to raise the consciousness of the people relative to planning and implementation efforts. It should also function to obtain public opinion, to act as liaison between the residents, developer and City government, and to maintain the Plan on a contemporary basis by periodic review and updating. Conversely, all governmental should solicit Planning Board and community input before making decisions that affect the Plan.”

The RBCPB has followed the guidelines set forth above by getting the public opinion, acted as a liaison with the City, and communicated its and the community’s opposition to the proposed Cannabis Outlet. If the City should move forward and allow the proposed Cannabis Outlet then the City itself could be seen as going against the RBCP that it adopted in March 1978 and has continued to recognize to date.

The interpretation of SDMC 113.0225 by the City’s Project Manager has been a strong point of contention. The Project Manager relied on the City’s *italicized* words that directly reference the City’s definitions (SDMC 11.0103) when it came to removing the Kumon Learning Center, which appears to meet the definition of a minor-oriented facility, as a sensitive use. However, in SDMC 113.0225 with regards to measuring separation between uses, the word separation is not italicized. Therefore, one must go outside of the City’s definitions to find its true meaning. Merriam Webster Dictionary defines separation as: 1: the act or process of **separating** : the state of being **separated** 2 a: a point, line, or means of division b: an intervening space : **GAP** “the *separation* between wheel spokes” 3 a: cessation of cohabitation between a married couple by mutual agreement or judicial decree b: termination of a contractual relationship (such as employment or military service). One can see above the applicable definition references “an intervening space or GAP (see Attachments 3 and 4). It is clear that there is zero separation between the proposed Cannabis Outlet’s parcel and the residential zone as they have an *abutting* (“*Abutting property means a lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land.*”) property line. Clearly zero separation exists and therefore a measurement does not apply and directly contradicts the Project Manager’s interpretation by inserting a measurement where there is none.

The residents of Rancho Bernardo, the RBCPB, local businesses and Hope United Methodist Church have been attempting to get a factual timeline of when the fence was inserted that altered the separation measurement to the applicant’s favor, between Hope United Methodist Church and the proposed Cannabis Outlet. The applicant admitted they paid for the fence.

The applicant has not provided any solid proof that the fence was erected prior to what the City's sees as the "Deemed Application Date". The residents, RBCPB, local businesses and Hope United Methodist Church ask the Planning Commission to see the insertion of the fence for what it really is and that it's simply a tool to close off a direct route to Hope United Methodist Church. The Planning Commission should note that before the path was closed by the insertion of the fence, it was a "good neighbor" pathway for the members of Hope United Methodist Church, residents of Bernardo Heights, and the visitors to the shopping center. The insertion of the fence was not a "neighborly" act.

With respect to the distance of separation between the proposed outlet and the adjacent church, a third-party engineering study, which was requested by several parties, was submitted by the applicant. However, the study provided no supporting documentation or narrative for how the measurement was obtained (see Attachment 5). Without a narrative, the results cannot be verified by interested parties. When asked if there was supporting narrative or documentation for the study, the response from the Project Manager was that no support was provided, but when looking at the document, it appears to be the shortest route to the proposed Cannabis Outlet. The measurement from the engineering firm that was hired and paid by the applicant provided a study that indicated the separation between uses was 1,033 feet, just 33 feet over the needed separation or a margin of 3.3%. The Project Manager failed the community by simply accepting the submitted document without validating the information, particularly when this project is so close to a sensitive use. Further due diligence should have been done by the City's project manager to firmly assure that the applicants' submittal docs were thoroughly vetted. The applicant has a strong financial gain while the community has nothing to gain and a lot to lose.

In closing, the RBCPB asks the Planning Commission to deny this project for the various reasons expressed, and particularly because the required finding presented in Section 126.0305 (d) for CUPs (the proposed use is appropriate at the proposed location) cannot be met.

Sincerely,

Robin Kaufman

Robin Kaufman
Chair, Rancho Bernardo Planning Board

CC: Mayor Tod Gloria
Councilmember Marni von Wilpert, (District5)
Travis Cleveland, Project Manager

1 JAN I. GOLDSMITH, City Attorney
JON D. DWYER, Deputy City Attorney
2 California State Bar No. 233123
Office of the City Attorney
3 Community Justice Division/Code Enforcement Unit
1200 Third Avenue, Suite 700
4 San Diego, California 92101-4103
Telephone: (619) 533-5500
5 Fax: (619) 533-5696
JDwyer@sandiego.gov
6

No Fee GC §6103

F I L E D
Berk of the Superior Court

DEC 14 2012

By: LEE RYAN, Deputy

7 Attorneys for Plaintiff

8 SUPERIOR COURT OF CALIFORNIA
9 COUNTY OF SAN DIEGO

10 CITY OF SAN DIEGO, a municipal
corporation,

11 Plaintiff,

12 v.

13 THE HOLISTIC CAFÉ, INC., a California
14 nonprofit mutual benefit corporation;
WILLIE FRANK SENN, as an individual, as
15 president of THE HOLISTIC CAFÉ, INC.,
and as chief executive officer of
16 THE HOLISTIC CAFÉ, INC.;
PATRICK IAN CARROLL, as an individual
17 and as secretary of THE HOLISTIC CAFÉ,
INC.;
18 ZACHARY ROMAN, as an individual and as
chief financial officer of THE HOLISTIC
19 CAFÉ, INC.; and
DOES 1 through 50, inclusive,
20

21 Defendants.

Case No.: 37-2012-00087648-CU-MC-CTL

STIPULATED JUDGMENT FOR ENTRY
OF FINAL JUDGMENT IN ITS ENTIRETY
AND PERMANENT INJUNCTION;
JUDGMENT THEREON [CCP § 664.6]

IMAGED FILE

22 Plaintiff City of San Diego, a municipal corporation, appearing by and through its
23 attorneys, Jan I. Goldsmith, City Attorney, and Jon D. Dwyer, Deputy City Attorney, and
24 Defendants HOLISTIC CAFÉ, INC., a California nonprofit mutual benefit corporation, WILLIE
25 FRANK SENN, as an individual and as president/chief executive officer of HOLISTIC CAFÉ,
26 INC., PATRICK IAN CARROLL, as an individual and as secretary of THE HOLISTIC CAFÉ,
27 INC., ZACHARY ROMAN, as an individual and as chief financial officer of THE HOLISTIC
28 CAFÉ, INC., appearing by and through their attorney, Stephen G. Cline, enter into the following

L:\CRUCASE\2\1681.g0\Plendings\13\Settlement\City's revised version Stip Final 11-26-12.docx

1
STIPULATED JUDGMENT FOR ENTRY OF FINAL JUDGMENT IN ITS ENTIRETY AND PERMANENT
INJUNCTION; JUDGMENT THEREON [CCP § 664.6]

1 Stipulation for Entry of Final Judgment in full and final settlement of the above-captioned case
 2 without trial or adjudication of any issue of fact or law, and agree that a final judgment may be so
 3 entered.

4 1. This Stipulation for Entry of Final Judgment (Stipulated Judgment) is executed
 5 between and among Plaintiff City of San Diego, a municipal corporation, HOLISTIC CAFÉ,
 6 INC., a California nonprofit mutual benefit corporation, WILLIE FRANK SENN, as an
 7 individual and as president/chief executive officer of HOLISTIC CAFÉ, INC., PATRICK IAN
 8 CARROLL, as an individual and as secretary of THE HOLISTIC CAFÉ, INC., and ZACHARY
 9 ROMAN, as an individual and as chief financial officer of THE HOLISTIC CAFÉ, INC.,
 10 (Defendants) who are named parties in the above-entitled action. (Collectively referred to
 11 hereinafter as Parties.)

12 2. The Parties to this Stipulated Judgment are parties to a civil suit pending in the
 13 Superior Court of the State of California for the County of San Diego, entitled *CITY OF SAN*
 14 *DIEGO, a municipal corporation v. HOLISTIC CAFÉ, INC., a California nonprofit mutual*
 15 *benefit corporation, WILLIE FRANK SENN, as an individual and as president and chief executive*
 16 *officer of HOLISTIC CAFÉ, INC., PATRICK IAN CARROLL, as an individual and as secretary of*
 17 *THE HOLISTIC CAFÉ, INC., ZACHARY ROMAN, as an individual and as chief financial officer*
 18 *of THE HOLISTIC CAFÉ, INC.; and DOES 1 through 50, inclusive.*

19 3. The Parties wish to avoid the burden and expense of further litigation and accordingly
 20 have determined to compromise and settle their differences in accordance with the provisions of
 21 this Stipulated Judgment. Neither this Stipulated Judgment nor any of the statements or
 22 provisions contained herein shall be deemed to constitute an admission or an adjudication of any
 23 of the allegations of the Complaint. The Parties to this Stipulated Judgment agree to resolve this
 24 action in its entirety by mutually consenting to the entry of Final Judgment in its Entirety and
 25 Permanent Injunction by the Superior Court.

26 4. The property involved in this action is located at 415 University Avenue, San Diego,
 27 California (PROPERTY). The PROPERTY is also identified as Assessor's Parcel Number 452-
 28 / / / / /

1 056-01-00, according to San Diego County Recorder's Grant Deed document No. 2006-0529341,
 2 filed July 26, 2006. The legal description of the PROPERTY is:

3 University Retail Apartments, (401-425 University Avenue, San Diego,
 4 California 92103) Lots 1 and 2 in Block 3 of Nutt's Addition, in the
 5 City of San Diego, County of San Diego, State of California, according
 6 to Map thereon No. 628, filed in the Office of the County Recorder of
 said County, April 8, 1890.

7 5. This action is brought under California law and this Court has jurisdiction over the
 8 subject matter, the PROPERTY, and each of the parties in this action.

9 **INJUNCTION**

10 6. The provisions of this Stipulated Judgment are applicable to Defendants, their
 11 successors and assigns, and any of their agents, officers, employees, representatives and all
 12 persons, corporations or other entities acting by, through, under or on behalf of Defendants and
 13 all persons acting in concert with or participating with Defendants with actual or constructive
 14 knowledge of this Stipulated Judgment and Injunction. **Effective immediately upon the date of**
 15 **entry of this Stipulated Judgment**, Defendants and all persons mentioned above are hereby
 16 enjoined and restrained pursuant to San Diego Municipal Code (SDMC) sections 12.0202 and
 17 121.0311 and California Code of Civil Procedure section 526, and under the Court's inherent
 18 equity powers from engaging in or performing, directly or indirectly, any of the following acts:

19 a. Operating or maintaining at the PROPERTY any commercial, retail, nonprofit,
 20 collective, cooperative, or group establishment for the growth, storage, sale, or distribution of
 21 marijuana, including but not limited to any marijuana dispensary, collective, or cooperative
 22 organized pursuant to the California Health and Safety Code;

23 b. Operating or maintaining at any property, premises, or location anywhere in the
 24 City of San Diego any commercial, retail, nonprofit, collective, cooperative, or group
 25 establishment for the growth, storage, sale, or distribution of marijuana, including but not limited
 26 to any marijuana dispensary, collective, or cooperative organized pursuant to the California
 27 Health and Safety Code;

28 / / / / /

1 c. The Parties acknowledge that if in the future, local zoning ordinances are enacted
 2 or amended by either legislation or municipal code enactment and/or by operation of law pursuant
 3 to rulings by California Supreme Court in relevant cases, including but not limited to, *City of*
 4 *Riverside v. Inland Empire Patients and Wellness Center Case No. S198638* and *City of Lake*
 5 *Forest v. Evergreen Holistic Case No. S201454* to allow commercial, retail, nonprofit, collective,
 6 cooperative, or group establishment for the growth, storage, sale, or distribution of marijuana,
 7 including but not limited to any marijuana dispensary, collective, or cooperative organized
 8 pursuant to the California Health and Safety Code, as a permitted use in the City of San Diego,
 9 then Defendants can apply to this Court for a modification of the terms of this Final Judgment;

10 d. Performing or maintaining any structural work at the PROPERTY without first
 11 obtaining all required permits, inspections and approvals as required by the SDMC;

12 e. Performing or maintaining any electrical work at the PROPERTY without first
 13 obtaining all required permits, inspections and approvals as required by the SDMC;

14 f. Performing or maintaining any plumbing/mechanical work at the PROPERTY
 15 without first obtaining all required permits, inspections or approvals as required by the SDMC;

16 g. Maintaining any violation of the SDMC at the PROPERTY or at any other
 17 property, premises, or location in the City of San Diego; and

18 h. Operating any business in the City of San Diego without first obtaining a Business
 19 Tax Certificate as required by SDMC section 31.0121.

20 COMPLIANCE MEASURES

21 Defendants agree to do the following at the PROPERTY:

22 7. Immediately cease maintaining, operating, or allowing at the PROPERTY any
 23 commercial, retail, nonprofit, collective, cooperative, or group establishment for the growth,
 24 storage, sale, or distribution of marijuana, including but not limited to any marijuana dispensary,
 25 collective, or cooperative organized pursuant to the California Health and Safety Code.

26 8. Immediately, and no later than 48 hours from entry of this Stipulated Judgment,
 27 remove all signage from the PROPERTY advertising a marijuana dispensary or "The Holistic
 28 Café."

1 for the enforcement of this Stipulated Judgment. Further, any amount in default shall bear interest
2 at the prevailing legal rate from the date of default until paid in full.

3 14. Nothing in this Stipulated Judgment shall prevent any party from pursuing any
4 remedies as provided by law to subsequently enforce this Stipulated Judgment or the provisions
5 of the SDMC, including criminal prosecution and civil penalties that may be authorized by the
6 court according to the SDMC at a cumulative rate of up to \$2,500 per day per violation.

7 15. Defendants agree that any act, intentional or negligent, or any omission or failure by
8 their contractors, successors, assigns, partners, members, agents, employees or representatives to
9 comply with the respective requirements set forth in Paragraphs 7-12 above will be deemed to be
10 the act, omission, or failure of Defendants and shall not constitute a defense for a failure to
11 comply with any respective requirement or part of this Stipulated Judgment. Further, should any
12 dispute arise between any contractor, successor, assign, partner, member, agent, employee or
13 representative of Defendants for any reason, Defendants agree that such dispute shall not
14 constitute a defense for any failure to comply with any respective requirement or part of this
15 Stipulated Judgment, nor justify a delay in executing any of its terms and requirements.

16 **DISMISSAL OF DOES**

17 16. All allegations as to Does 1 through 50, inclusive, are dismissed.

18 **RETENTION OF JURISDICTION**

19 17. The Court will retain jurisdiction for the purpose of enabling any of the parties to this
20 Stipulated Judgment to apply to this Court at any time for such order or directions that may be
21 necessary or appropriate for the construction, operation or modification of the Stipulated
22 Judgment, or for the enforcement or compliance therewith.

23 18. The clerk is ordered to immediately enter this Stipulated Judgment.


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19. By signing this Stipulated Judgment, Defendants admit personal knowledge of the terms set forth herein. Service by mail shall constitute sufficient notice for all purposes.


IT IS SO STIPULATED.

Dated: 12/7, 2012 JAN I. GOLDSMITH, City Attorney


By 
Jon D. Dwyer
Deputy City Attorney

Attorneys for Plaintiff


Dated: 12/6, 2012


THE HOLISTIC CAFE, INC., a California nonprofit mutual benefit corporation; by WILLIE FRANK SENN, as president/chief executive officer of THE HOLISTIC CAFE, INC.

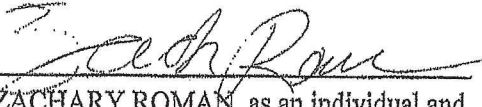
Dated: 12/6, 2012


WILLIE FRANK SENN, as an individual, as president of THE HOLISTIC CAFE, INC., and as chief executive officer of THE HOLISTIC CAFE, INC.


Dated: 12/6, 2012


PATRICK IAN CARROLL, as an individual and as secretary of THE HOLISTIC CAFE, INC.

Dated: 12/6, 2012


ZACHARY ROMAN, as an individual and as chief financial officer of THE HOLISTIC CAFE, INC.

Dated: 12/6/12, 2012


Stephen G. Cline, Attorney for THE HOLISTIC CAFE, INC., WILLIE FRANK SENN, PATRICK IAN CARROLL, and ZACHARY ROMAN

STIPULATED JUDGMENT FOR ENTRY OF FINAL JUDGMENT IN ITS ENTIRETY AND PERMANENT INJUNCTION; JUDGMENT THEREON [CCP § 664.6]

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Upon the Stipulated Judgment of the parties hereto and upon their agreement to entry of this Stipulated Judgment without trial or adjudication of any issue of fact or law herein, and good cause appearing therefore, IT IS SO ORDERED, ADJUDICATED AND DECREED.

Dated: DEC 14 2012


RONALD S. PRAGER
JUDGE OF THE SUPERIOR COURT

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FILED
SAN DIEGO SUPERIOR COURT
MAY - 3 2019
CLERK OF THE SUPERIOR COURT
BY: T. RAY

SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO

CITY OF SAN DIEGO, a municipal corporation,

Plaintiff,

v.

THE HOLISTIC CAFÉ, INC., a California nonprofit mutual benefit corporation;
WILLIE FRANK SENN, as an individual, as president of THE HOLISTIC CAFÉ, INC., and as chief executive officer of THE HOLISTIC CAFÉ, INC.;
PATRICK IAN CARROLL, as an individual and as secretary of THE HOLISTIC CAFÉ, INC.;
ZACHARY ROMAN, as an individual and as chief financial officer of THE HOLISTIC CAFÉ, INC.; and
DOES 1 through 50, inclusive,

Defendants.

Case No. 37-2012-00087648-CU-MC-CTL

~~PROPOSED~~ ORDER AMENDING JUDGMENT ENTERED DECEMBER 14, 2012, AS TO DEFENDANT WILLIE FRANK SENN

Action Filed: December 12, 2012
Judgment Entered: December 14, 2012

THE COURT, having read and considered the motion by Defendant Willie Frank Senn to amend the Stipulated Judgment for Entry of Final Judgment in its Entirety and Permanent Injunction (Judgment) entered by this Court on December 14, 2012; opposition by the City of San Diego; and oral argument by the parties on May 3, 2019, hereby orders that the Judgment be amended as follows:


///

1 Subparagraphs 6(a), 6(b) and 6(c) of the Judgment are deleted and replaced by the
2 following language:

3 Keeping, maintaining, operating or allowing any commercial, retail,
4 collective, cooperative or group establishment for the growth, storage,
5 sale or distribution of marijuana, including, but not limited to, any
6 marijuana outlet or marijuana production facility anywhere in the City of
San Diego without first obtaining all permits required per the San Diego
Municipal Code, including, but not limited to, a Conditional Use Permit.

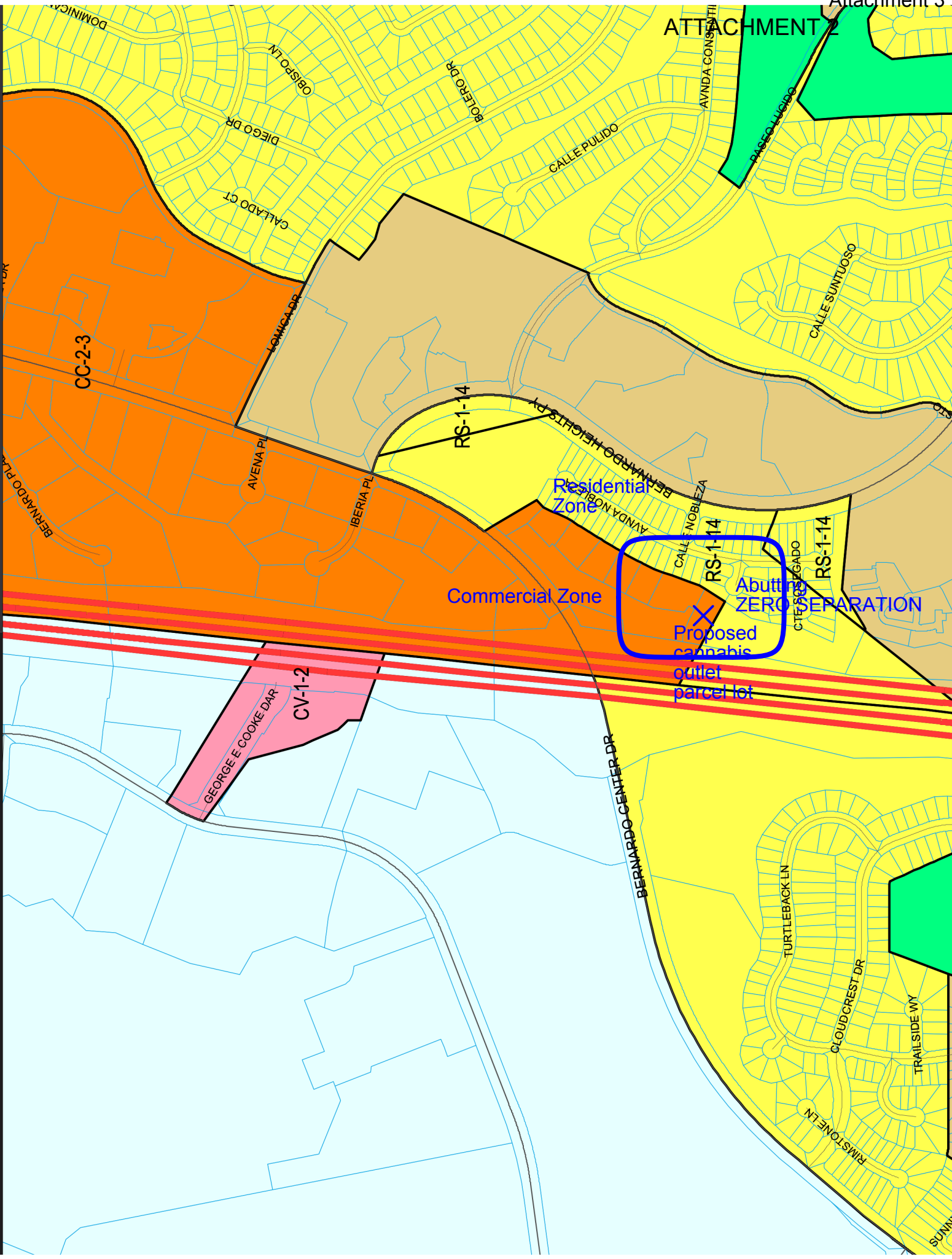
7 All other provisions of the Judgment remain in full force and effect.

8
9 Dated: _____, 2019

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11 
12 _____
13 JUDGE OF THE SUPERIOR COURT
14 GREGORY W. POLLACK

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ATTACHMENT 2



sdgis.sandag.org

SANDAG SanGIS Parcel Lookup Tool and Geographic Boundary Viewer

Find address or place

Map

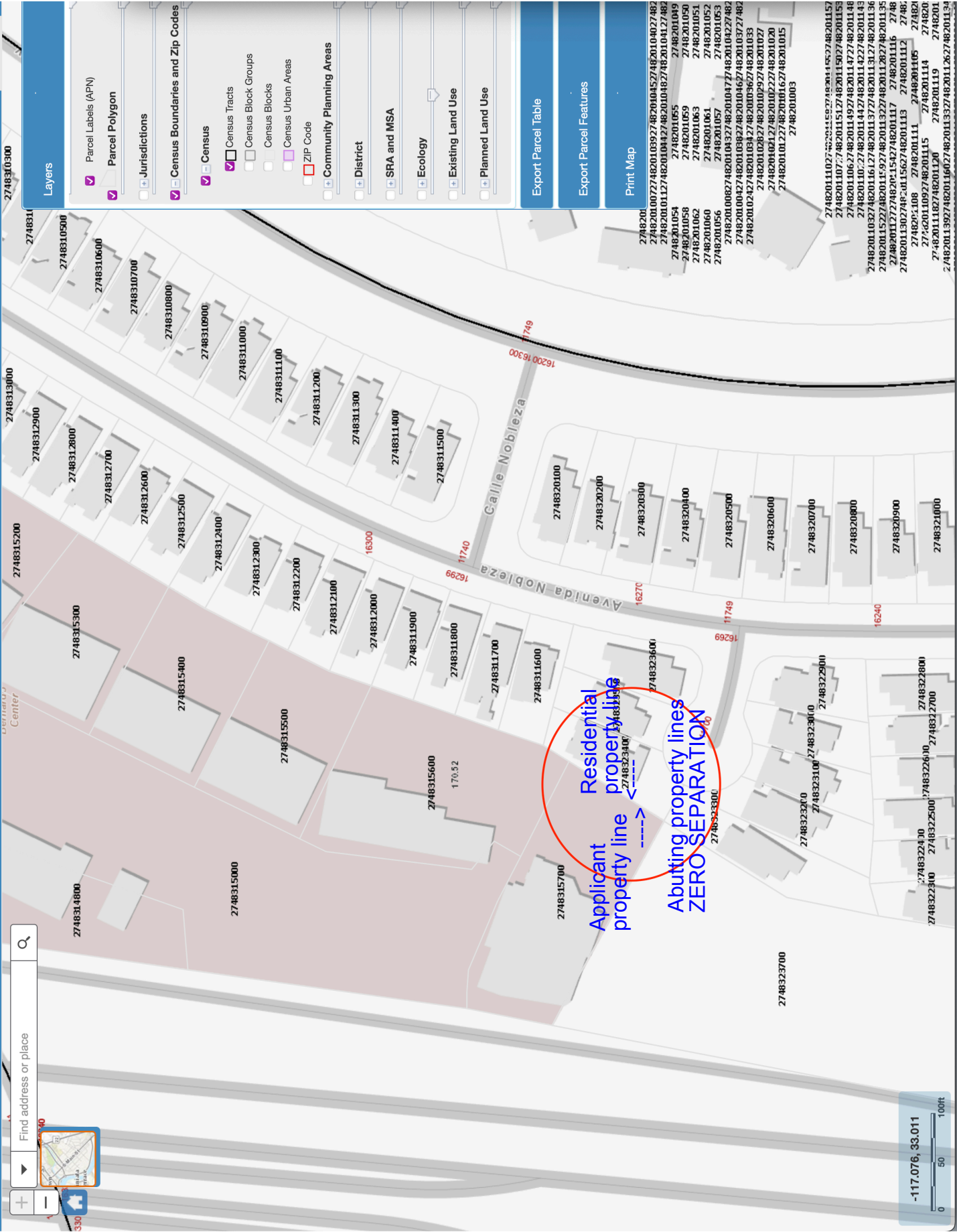
Layers

- Parcel Labels (APN)
- Parcel Polygon
- Jurisdictions
- Census Boundaries and Zip Codes
- Census
 - Census Tracts
 - Census Block Groups
 - Census Blocks
 - Census Urban Areas
 - ZIP Code
- Community Planning Areas
- District
- SRA and MSA
- Ecology
- Existing Land Use
- Planned Land Use

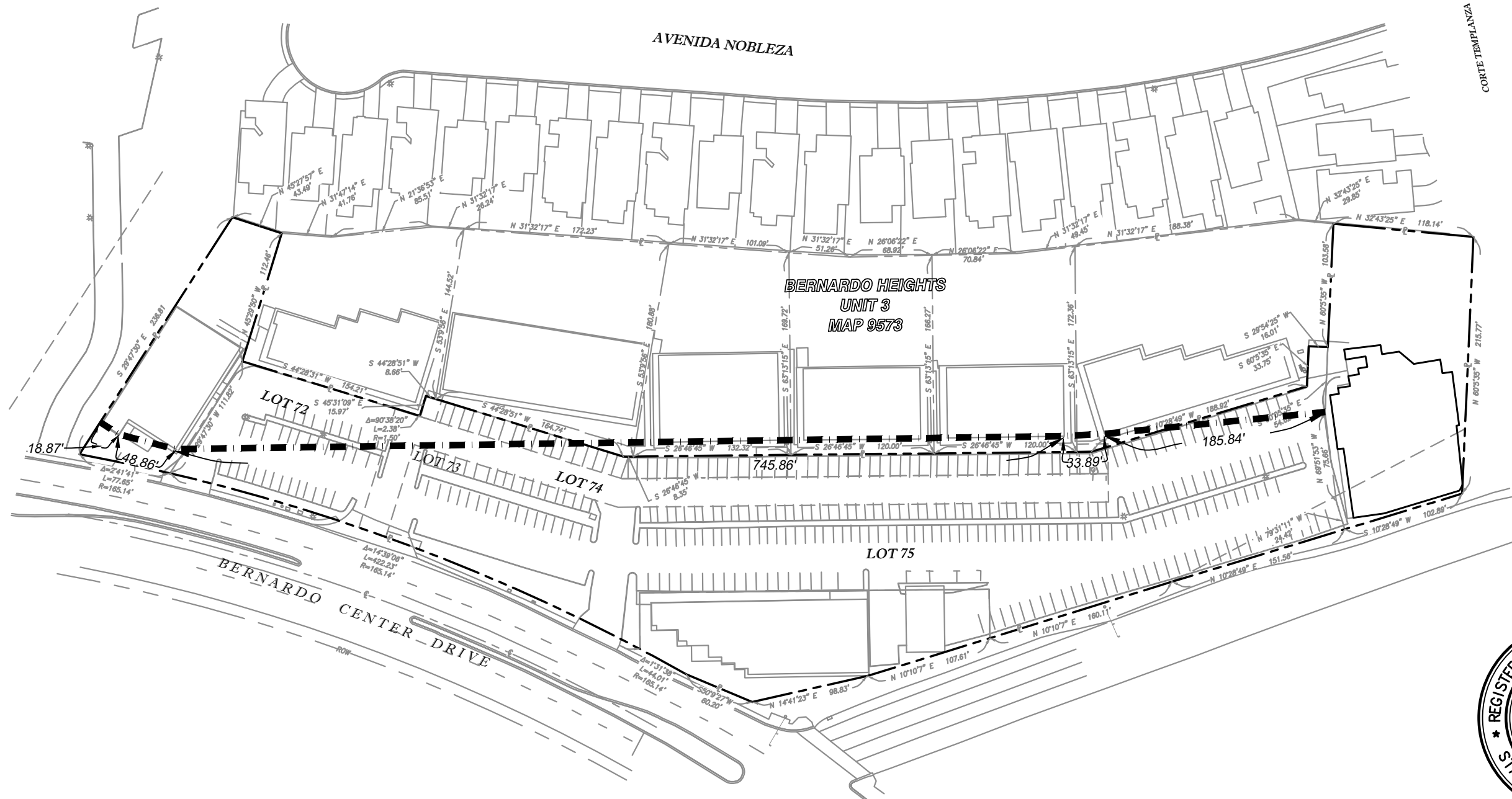
Export Parcel Table

Export Parcel Features

Print Map



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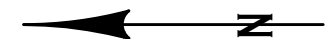
TOTAL DISTANCE TO
PROPERTY LINE: 1033.32'



1/16/23

Michael C. Kinear

SCALE: 1"=100'



DISTANCE EXHIBIT

RBMO
16375 Bernardo Center Drive
San Diego, CA 92128



COFFEY ENGINEERING, INC.

9666 BUSINESSPARK AVENUE, SUITE 210, SAN DIEGO, CA 92131 PH (858)831-0111 FAX (858)831-0179