



Rancho Bernardo Community Planning Board
 PO Box 270831, San Diego, CA 92198
www.rbplanningboard.com

November 20th, 2014 Minutes

7:00 PM, @ RB Swim & Tennis Club Club 21 Room
 16955 Bernardo Oaks Drive

<u>2014 RB PLANNING BOARD</u>									
P = present		A = absent				ARC = arrived after roll call			
Lou Dell'Angela	P	Donald Gragg	A	Roberta Mikles	A	Vicki Touchstone	P	Sherry Guthrie	P
John Cochran	P	Scott Hall	P	Matt Stockton	P	Mike Lutz	P	Bernardo Bicas	P
Joe Dirks	P	Richard House	P	Kathy Keehan	P	John Kowalski	A	Robin Kaufman	P
Laura Benze	P							Total Seated	16
								Total in Attendance	13

ITEM #1 **CALL TO ORDER/ROLL CALL – REGULAR MEETING:** The meeting was called to order at 7:06 pm by Lou Dell Angela. A quorum was reached with 13 at of 15 members present.

ITEM #2 **NON-AGENDA PUBLIC COMMENT (3 minutes per speaker):** Resident Lily Zhou introduced herself as a new resident in Rancho Bernardo.

ITEM #3 **MODIFICATIONS TO AGENDA / ADOPT DRAFT AGENDA (5 min) VOTING ITEM:**
 -A motion was made Vicki Touchstone/Robin Kaufman to change the wording in item #11 by removing the word 'letter'. The traffic committee is presenting a recommendation to the full board, not a letter. Motion passed unanimously (13-0-0).
 -A motion was made by Lou Dell Angela/Joe Dirks to change the wording in item #12 to read 'Review' instead of 'Approval'. **Motion passed unanimously (13-0-0).**
 -A motion was made Lou Dell Angela/Vicki Touchstone to add a voting item – Item # 13A) Appointment and approval of a new Election/PR chair. **Motion passed 13-1-0**, with John Cochran not in favor.
 -A motion was made Robin Kaufman/Vicki Touchtone to accept the agenda with the above mentioned modifications. **Motion passed unanimously (13-0-0).**

ITEM #4 **ADMINISTRATIVE ITEMS (10 min)VOTING ITEMS:**
 -Review, and approve October 2014 Regular Meeting minutes: A motion was made Vicki Touchstone/Mike Lutz to accept the minutes. **Motion passed 12-1-0**, with Matt Stockton abstaining as he was not at the October meeting.

-Review, and approve October 30,2014 Special Meeting minutes: Motion made Vicki Touchstone/Mike Lutz to accept the minutes. **Motion passed 8-0-5**. Those in favor: John Cochran, Robin Kaufman, Sherry Guthrie, Mike Lutz, Vicki Touchstone, Scott Hall, Lou Dell Angela, Bernardo Bicas. Those abstaining as they were not present at the meeting include: Kathy Keehan, Laura Benz, Matt Stockton, Richard House. Joe Dirks abstained because he did not remember if the information recorded is correct.

-Review and approve September 2014 Treasurer's report: This item was passed over by the Chair.

ITEM #5 **CHAIR REMARKS (10 minutes) INFORMATION ITEM:** This item was passed over by the Chair.

ITEM #6 **APPOINTMENT OF BOARD VACANCIES (5 min) POSSIBLE VOTING ITEM:** There were no audience members present at the meeting to request appointment.

ITEM #7 **T-MOBILE RANCHO BERNARDO COUNTRY CLUB (SD06970) (10 Min) VOTING ITEM:** This time is a request by T-Mobile for continued use of an existing telecommunications facility in the vicinity the Rancho Bernardo Country Club. The request is extend the height of the existing palm monopole and existing equipment cabinets. Caitlyn Kes from T-Mobile

presented the information, explaining it will look more ‘tree like’ in color. She also commented that Crown Castle owns the property where the pole is located. A motion was made Vicki Touchstone/Scott Hall to approve the project with the condition of more palm frons that will be green in color. **Motion passed 12-1-0**, with Richard House not in favor.

ITEM #8 RANCHO BERNARDO/VERIZON CARMEL HIGHLANDS CELLULAR FACILITY (378613) (15 Min)

VOTING ITEM: This item is a request by Verizon to install a 60-foot-high eucalyptus monopole and associated equipment at 15330 Avenue of Science adjacent to I-15 in the Carmel Highlands industrial park of the Rancho Bernardo planning area. Representative Jill Cleveland explained it will be five (5) feet shorter, making it 55 feet. There will also be a 30 K diesel generator which will be ‘exercised’ for 15 minutes, Monday through Friday during working hours. Verizon plans on removing three trees, but plans on adding six additional trees. Motion made Vicki Touchstone/Robin Kaufman to approved the project with the revised height from 60 feet to 55 feet. **Motion passed unanimously (13-0-0)**.

ITEM #9 PROPOSED 9TH UPDATE TO THE CITY OF SAN DIEGO LAND DEVELOPMENT CODE (15 MIN)

VOTING ITEM: Vicki Touchstone, Development Review Chair, presented the 9th Update is a package of code amendments that are part of a comprehensive update and regular maintenance of the code. See attached document for full details. Motion made Vicki Touchstone/MikeLutz to approve that a letter which focuses on our issues be drafted and sent to our Councilman and to Amanda Lee. **Motion passed 12-1-0**, with Lou Dell Angela not in favor.

ITEM #10 ZONING MAPS FOR RANCHO BERNARDO (15 Min)VOTING ITEM: Vicki Touchstone, Regional Issues Chair,

presented this item. In reviewing the proposed updates to the Land Development Code, the Regional Issues Committee identified a number of errors on the City’s zoning map for Rancho Bernardo. Dan Normanden from the City is assisting in resolving the errors. Tony Kempton, our City Planner who was present at the full board meeting, suggested reaching out to Leo DeJesus, who has the C sheet. After some discussion, it was determined that more research into the matter needs to take place before voting on the item. Motion made Vicki Touchstone/Joe Dirks to table this item until we have more information. **Motion passed unanimously (12-0-0)**. ****The voting number changed as Richard House left at 8:02 pm.**

ITEM #11 TRAFFIC COMMITTEE RECCOMENDATION (5 Min) VOTING ITEM: Robin Kaufman, Traffic

Committee Chair, presented this information. The City has recommended the speed along Pomerado Road between Escala Drive and the freeway on/off ramps be increased from 45 mph to 50 mph both north and south bound. Robin Kaufman explained that while the City stated in their letter to the board that they are recommending the speed between Escala Drive and the freeway be raised from 45 mph to 50 mph, the traffic committee observed that the portion of Pomerado Road between Highland Valley Road and the freeway ramps is actually 40 mph, not 45 mph, which would mean a 10 mph increase in that area. Robin Kaufman explained there are two entrances/exits in Montelana that do not have traffic lights and that the traffic committee unanimously (5-0-0) opposed the speed increase due to safety concerns of residents in the Montelana development. Motion made Robin Kaufman/Joe Dirks that due to the two entrances/exits of the residential development in that area (Montelana) which do not have traffic lights, the increased speed would negatively impact their ability to safely enter/exit Pomerado Road, especially during the peak traffic hours in the a.m. and p.m. Therefore, it is recommended the speed limit of 45 mph on Pomerado Road between Escala Drive and Highland Valley Road, both north and south bound, and the speed limit of 40 mph on Pomerado Road between Highland Valley Road and the freeway entrance, both north and south bound, remain as presently designated. **Motion passed 11-1-0**, with Laura Benz not in favor. Lou Dell Agela stated he would contact the City via email and/or a letter in regard to our decision.

ITEM #12 REVIEW OF REVISED PLANNING BOARD BYLAWS (45 Min) VOTING ITEMS:

A. Decision for procedure when the Chairperson steps down from position: this item was not discussed/voted upon.

B. Review/Passing of the last six (6) pages of un-reviewed Bylaws. The following information was reviewed and discussed with consensus:

- 1) Article VIII, Section 4 – Members and Planning Board Responsibilities: A motion was made Vicki Touchstone/Robin Kaufman to change the wording in order to have the full board approve. The wording was agreed to read as follows: **‘In addition to the responsibilities outlined in Article VI of the Bylaws document, the Chair may, at his or her discretion, assign additional member duties including but not limited to the appointment of liaisons to the following area groups, committees or organizations. appoint, with the approval of the majority of the seated board, eligible Board members to serve as a liaison to the following community groups such as, but not limited to: ...**
- 2) It was agreed to add the following under Article VIII, Section 4 – Members and Planning Board Responsibilities: **‘All Planning Board members shall sit on at least one standing committee’**
- 3) Article IX, Documenting a Violation by a Planning Board Member, seventh (7th) bullet point, second (2nd) sentence: It was agreed to add a time of 72 hours in regard to ‘adequate notice. It was agreed the sentence will now read, **‘The Planning**

Board member accused of committing the violation shall be given adequate notice of 72 hours about the meeting discussion, and shall have the opportunity to resign prior to docketing the matter for a Planning Board discussion.'

- 4) Article IX, Recourse for a member who is removed from the Planning Board, first bullet point. It was agreed for word consistency purposes, the words 'entire membership' will be replaced with 'voting members'. The sentence should now read as follows: **'There is no appeal available to an elected Planning Board member who is removed by a two-thirds vote of the voting members'**.

Discussion of bylaws stopped at this point when Lou Dell Angela asked Tony Kempton, our City Planner, to give us any report he had on the Silvergate property and other matters.

-Tony Kempton informed us the initiation hearing for the Silvergate property is scheduled for January 15th, but no time had been set yet.

-Tony Kempton informed us the City received a letter from a board member regarding several Brown Act violations made by the Chair and other board members. The City is recommending the board 'self correct' and resolve any issues amongst ourselves.

He suggested that the board perhaps look for other meeting locations opened to the public such as the library or other public facilities. He also suggested the website adhoc committee be disbanded to help resolve the matter of meeting without notifications.

-Vicki Touchstone asked for clarification on the Brown Act. Tony Kempton explained planning groups are required to follow the 72 hour notification rules for any meetings associated with the board and its members.

-Robin Kaufman asked for clarification on group emails pertaining to agenda items. Tony Kempton explained in accordance with the Brown Act, no discussion on agenda items outside of a scheduled meeting are to take place – this means no group emails that relate to any agenda item and no meeting with any people in regard to an agenda item.

-John Cochran commented he was the one who filed the complaint with the City after he attempted to have the members stop communicating without holding a meeting and/or meeting without making a public notice of the meeting.

-John Cochran asked if it was permissible to discuss/meet with someone for research purposes to help make a recommendation on an agenda item. Tony Kempton reiterated we are not to meet or discuss agenda items outside of the meetings.

ITEM #13 DISSOLUTION OF WEBSITE AD HOC COMMITTEE (5 Min) INFORMATION ITEM: After the above discussion, motion was made Lou Dell Angela/Scott Hall to dissolve the website adhoc committee. **Motion passed** 10-1-1. Joe Dirks was not in favor of the motion. Laura Benz abstained as she wasn't fully clear on the matter. Sherry Guthrie asked everyone to review the website link sent out. Bernardo Bicas inquired if we will have a webmaster. Sherry Guthrie commented we will need to determine who will be posting on the new site.

ITEM # 13A APPOINTMENT AND APPROVAL OF A NEW ELECTION/PR CHAIR (5 Min) VOTING ITEM: A discussion of the election process took place, but no appointment/approval of a Committee Chair occurred.

ITEM #14 COMMITTEE REPORTS (see attached draft of minutes)
Bylaws Ad-Hoc..... Lou Dell Angela
Development Review..... Vicki Touchstone
Publicity/Elections/Nominating..... Matt Stockton
Regional Issues..... Vicki Touchstone
Traffic & Transportation..... Robin Kaufman

ITEM #15 LIAISON REPORTS:
Community Council..... Robin Kaufman – see attached report.
Community Planners Committee (CPC)... Lou Dell' Angela – no report was given.
SANDAG..... Not Filled

ITEM #16 OLD BUSINESS: This item was passed over by the Chair.

ITEM #17 NEW BUSINESS: This item was passed over by the Chair.

ADJOURMENT: Motion made Vicki Touchstone/Kathy Keehan to adjourn at 9:29 pm. **Motion passed unanimously** (12-0-0).

NEXT REGULAR BOARD MEETING:

Thursday December 18, 2015 @ 7:00 PM
RB Swim & Tennis Club – Club 21 Room

STANDING SUB-COMMITTEE MEETINGS

Administrative Committee

6:00 PM - Monday, 10 days prior to Board meeting
RB Swim & Tennis Club - Ceramics Room

Development Review Committee

6:00 PM - First Tuesday of month
RB Swim & Tennis Club – Ceramics Room

Traffic & Transportation Committee

6:00 PM – 4th Monday of month
RB Swim & Tennis Club – Ceramics Room

Web Site (Ad-Hoc) Committee

...location & time TBD

Publicity/Election Committee

7:30 PM - 4th Tuesday of month
RB Swim & Tennis Club – Ceramics Room

Regional Issues Committee

7:00 PM - First Tuesday of month
RB Swim & Tennis Club – Ceramics Room

By laws (Ad-Hoc) Committee

...location & time TBD

Information Pertaining to Item # 9:

9th Update to the Land Development Code Some Items that Appear Relevant to Rancho Bernardo

The City's Development Services Department is requesting early public review and feedback on the proposed 9th Update to the Land Development Code. The 9th Update is a package of code amendments that are part of a comprehensive update and regular maintenance of the Land Development Code. There are 54 amendment issues included that address processing for various permit and land use types, definitions and measurement, parking, signs, and minor corrections. The majority are regulatory reform items intended to improve the development process and to implement the City's economic development strategy in support of industrial development and the growth of local manufacturing (i.e. craft beer manufacturing).

Issue 14 - Regulatory Reform/Economic Development (Code Section 126.0113)

Flexibility for Modifications to Industrial Development

Streamline the process for changes to design guidelines and planned industrial development permit requirements that don't meet the criteria for Substantial Conformance Review. Reduce **from a Process Four Permit Amendment to a Process Two NDP (staff level decision appealable to Planning Commission) if the development meets specified criteria, including: no impact to public health, safety, and welfare; conformance to the code; no adverse effect to the land use plan; and location at least 1,000 feet from residential development.** This change in permit process will benefit manufacturers (i.e. breweries that utilize outdoor silos for grain) because it's common for older industrial development permits to have explicitly excluded outdoor tanks in the permit conditions.

ISSUE #14: Flexibility for Modifications to Industrial Development

§126.0113 Amendments to a Development Permit

(a) A proposed revision to an approved *development permit* that would significantly reduce the scope of the *development* or is not in *substantial conformance* with the approved permit requires an amendment to the approved permit or an application for a new permit, except as follows:

- (1) *Industrial development* in IP, IL and IH zones may request a Process Two Neighborhood Development Permit to modify approved *development permit* requirements or design guidelines instead of being required to amend the applicable *development permit* via a higher decision process.
- (2) The exception in Section 126.0113(a)(1) does not apply to *industrial development* within 1,000 feet of a residential *development*.

VT Note: According to the zoning maps, the majority of the Rancho Bernardo Industrial Park is zoned IP-2-1 (Below is the current Land Development Code description for the IP Zones)

Purpose of the IP (Industrial--Park) Zones

(a) The purpose of the IP zones is to provide for high quality science and business *parkdevelopment*. The property *development* standards of this zone are intended to create a campus-like environment characterized by comprehensive

site design and substantial landscaping. Restrictions on permitted uses and signs are provided to minimize commercial influence.

(b) The IP zones are differentiated based on the uses allowed as follows:

- IP-1-1 allows research and development uses with some limited Manufacturing
- IP-2-1 allows a mix of light industrial and office uses
- IP-3-1 allows for research and development, office, and residential uses.

Issue 20 - Regulatory Reform (Code Section 131.0202)

Applying OP Zone to City Parkland Prior to Dedication

As requested by the Planning Department, amend Section 131.0202 to allow the OP (open space-park) zone to be applied to City fee-owned designated park lands that have not, or will not, be formally dedicated by City ordinance or State statute. The goal is to **facilitate application of the OP zone to future parkland during the community plan update process**. It is common for parkland to be acquired by the City, designated for developed park purposes, and held until park facilities can be constructed, or until the property can be traded or sold to acquire land of a higher value for park purposes.

ISSUE #20: Applying OP Zone to City Parkland Prior to Dedication

§131.0202 Purpose of the OP (Open Space--Park) Zones

(a) The purpose of the OP zones is to be applied to *public parks* and facilities, ~~once they are dedicated as park land~~ pursuant to City Charter Section 55 in order to promote recreation and facilitate the implementation of *land use plans*. The uses permitted in these zones will provide for various types of recreational needs of the community.

Issue 23 - Regulatory Reform/Economic Development (Code Sections 131.0112 and 131.0623)

Manufacturing Uses (Light manufacturing v.s. Heavy manufacturing)

Provide an exception to Section 131.0623(e) to identify beverage production as an allowable light manufacturing use in the IP-1-1 zone. **Clarify that light manufacturing does not allow the use of explosives or unrefined petroleum.** (Petroleum based products are okay.) Also clarify that the use category for light manufacturing includes the manufacturing of a wide variety of products including, but not limited to food, beverages, durable goods, machinery and equipment. (Manufacturing of beer fits in this category.) Heavy manufacturing involves large outdoor equipment such as cranes and large tanks to produce unpackaged bulk products such as steel, paper, lumber, fertilizer, or petrochemicals, and manufacturing that typically produces disturbing noise, dust, or other pollutants capable of harming or annoying adjacent uses.

ISSUE #23: Manufacturing (Light vs Heavy)

§131.0112 Descriptions of Use Categories and Subcategories

(a) The following are descriptions of each use category and subcategory found in the Use Regulations Tables of each base zone. These descriptions shall be used to classify specific uses into use subcategories for the purpose of determining applicable use regulations, in accordance with Section 131.0110. A description of separately regulated uses is located in Section 131.0112(b).

(10) Industrial Use Category

This category includes uses that produce goods from extracted and raw materials or from recyclable or previously prepared materials, including the design, storage, and handling of these products and the materials from which they are produced. The industrial subcategories are:

(A) Heavy Manufacturing — Uses that process, fabricate, or assemble, or treat materials ~~for the fabrication of large base sector products. Assembly of large equipment and machines is included in this~~ using large outdoor equipment such as cranes and large tanks to produce unpackaged bulk products such as steel, paper, lumber, fertilizer, or petrochemicals. This subcategory as well as includes manufacturing uses that typically produce disturbing noise, dust, or other pollutants capable of harming or annoying adjacent uses.

(B) Light Manufacturing — Uses that process, fabricate, assemble, treat, or package finished parts or products without the use of explosives or unrefined petroleum materials. ~~(This subcategory does not include the assembly of large equipment and machinery.)~~ This category also applies to the manufacturing of a wide variety of products including, but not limited to the manufacturing of food, beverages, durable goods, machinery, and equipment.

§131.0623 Additional Use Regulations of Industrial Zones

- (b) [See Issues #27 and 29]
- (c) through (d) [No change.]
- (e) Light manufacturing and assembly uses in the IP-1-1 zone are limited to the following:
 - (1) through (5) [No change.]
 - (6) Manufacturing of biological, biomedical, and pharmaceutical products; and
 - (7) Manufacturing of scientific, engineering, and medical instruments; **and**
 - (8) **Beverage manufacturing and production.**

Issue 24 - Regulatory Reform/ Economic Development (various Code Sections)

Tasting Rooms versus Retail Tasting Stores

Amend Section 131.0112 to create a new commercial subcategory for tasting rooms. And create a new separately regulated use category for tasting stores. Require a Process Two Neighborhood Use Permit for stand-alone tasting stores. **Allow tasting rooms that are accessory to a beverage manufacturer in an industrial zone to be allowed by right.** Amend the Chapter 13 use tables accordingly.

ISSUE #24: Tasting Rooms and Tasting Stores

§131.0112 Descriptions of Use Categories and Subcategories

(a) The following are descriptions of each use category and subcategory found in the Use Regulations Tables of each base zone. These descriptions shall be used to classify specific uses into use subcategories for the purpose of determining applicable use regulations, in accordance with Section 131.0110. A description of separately regulated uses is located in Section 131.0112(b).

(1) through (5) [No change.]

(6) Commercial Services Use Category

This category includes uses that provide for consumer or business services, for the repair and maintenance of a wide variety of products, and for entertainment. The commercial services subcategories are:

(A) through (B) [No change.]

(C) Eating and Drinking Establishments — Uses that prepare or serve food or beverages for consumption on or off the premises.

(D) through (L) [No change.]

(M) Tasting rooms- Uses associated with a brewery, winery or distillery that offer alcoholic beverage tastings under specified conditions in accordance with a license issued by the California Department of Alcoholic Beverage Control, and that sell alcoholic beverages manufactured on the premises for on-site or off-site consumption. (This subcategory does not include retail tasting stores subject to Section 141.0507 that sell alcoholic beverages manufactured by the business at a different location off of the premises.)(City note - Permitted in IP-2-1, IL, IH, IS, and CR-2-1. Not permitted in open space, Agricultural, Residential, commercial (except for CR-2-1), or in the IP-1-1 due to limit on allowed types of light manufacturing.)

§141.0507 Retail Tasting Stores

Retail tasting stores are branch locations affiliated with a licensed beer manufacturer, which sell or deliver alcoholic beverages that are manufactured by the business at a different location for consumption on or off of the premises of the retail tasting store. Section 141.0507 applies to any establishment for which a Duplicate Type 1 Beer Manufacturer License or a Duplicate Type 23 Small Beer Manufacturer License has been obtained from, or for which an application has been submitted to, the California Department of Alcoholic Beverage Control.

Retail tasting stores are permitted by right in the zones indicated with a “P” in the Use regulations Tables in Chapter 13, Article 1 (Base Zones), and may be permitted with a Neighborhood Use Permit decided in accordance with Process Two in the zones indicated with a “N” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones) subject to the following regulations.

(a) Off-street parking shall be provided in accordance with Section 142.0530 Table 142-05E (Parking Ratios for Retail Sales, Commercial Services, and Mixed-Use Development).

(b) In CN zones and on properties abutting residentially zoned property, retail tasting stores shall not operate between the hours of midnight and 6:00 a.m. Hours may be further limited as appropriate for the location.

(c) Section 141.0507 does not apply to tasting rooms that are an accessory use to a licensed beer manufacturer.

Issue 26 - Regulatory Reform (various Code Sections)

Assembly and Entertainment Uses, Including Churches

Create a new separately regulated use (Section 141.0602) for Assembly and Entertainment Uses to regulate these facilities based on the size of the establishment. Set the process level based on the maximum capacity for assembly (i.e. allowing up to 300 people as limited use and creating conditional use criteria for larger facilities subject to CUP). The City currently regulates “churches and places of religious assembly” and “assembly and entertainment” as “permitted by right” or “not permitted” in most zones, but still requires a CUP for churches in a few specialized zones (i.e. AR, SEPDO, and CUPDO). The City can best avoid challenge by treating churches like other assembly. - Amend CUPDO Section 155.0238 to reflect citywide changes in CU-1, 2, 3.

Issue 27 - Regulatory Reform (various Code Sections)

Drive-in and Drive-through Eating and Drinking Establishments

Create a new use category for drive-in and drive-through eating and drinking establishments to regulate this type of development as a separately regulated use. The current code treats drive-in and drive-through components as a design feature of a restaurant. The new separately regulated use category will allow for this type of development to occur where it is appropriate for the location. This includes requirements for limitations or conditions to be placed on the development in certain zones to minimize detrimental effects to neighboring properties. Set 7 year amortization period for drive through hours of operation in previously conforming establishments adjacent to residential.

ISSUE #27: Drive-in and Drive-through Eating and Drinking Establishments

Amend Ch 13 Zones: Chapter 13 Tables

Not permitted: in open space, agricultural or residential; IS, IP-1-1 or IH-1-1; or in pedestrian oriented CN-1-1 or CN-1-3, CV-1-2; CC-3, CC-4-4, CC-4-5, CC-5-4, CC-5-5

Permitted by right: in CR; CV-1-1; CC-1, CC-2, CC-4-1, CC-4-2, CC-4-3, CC-5-1, CC-5-2, CC-5-3; and IL-3-1

Permitted as conditional use: in CN-1-2; IP-2-1, IL-1-1, IL-2-1, IH-2-1 (proposing Process 3)

Amend Table 131-05B footnote 4 (remove existing limit applicable to CN zones).

§131.0623 Additional Use Regulations of Industrial Zones

The additional use regulations identified in this section are applicable to uses where indicated in Table 131-06B.

(3) ~~No Drive-in~~ or drive-through services are ~~permitted subject to approval in accordance with Section 141.0607~~; and

(4) ~~Eating and drinking establishments abutting residential zones may operate only during the hours between 6:00 a.m. and 12:00 midnight.~~

VT Note: Also adds §141.0607 Eating and Drinking Establishments with a Drive-in or Drive-through Component that addresses conditions that should be applied to the proposal to avoid adverse effects adjacent properties or surrounding neighborhoods.

Issue 29 - Regulatory Reform/ Economic Development (Code Section 131.0623)

Allowance for Live Entertainment in Industrial Zones

Amend Section 131.0623 to allow eating and drinking establishments to have live entertainment in industrial zones, except for heavy industrial zones (IH zones).

ISSUE #29: Allowance for Live Entertainment in Industrial Zones

§131.0623 Additional Use Regulations of Industrial Zones

The additional use regulations identified in this section are applicable to uses where indicated in Table 131-06B.

(a) [No change.]

(b) Eating and drinking establishments are permitted subject to the following:

- (1) [No change.]
- (2) No live entertainment is permitted on the *premises* in the IH zones or on property abutting residential development; and
- (3) [See Issue #26.]
- (e) [See Issue #22]
- (f) through (i) [No change.]

**Rancho Bernardo Community Council's
November Monthly Report**

- the first annual community wide Safety Fair hosted by the RB Community Council on October 18 was a huge success. Several hundred residents attended the event.
- Since Thanksgiving and Christmas fall on the same week as the regularly scheduled RB Community Council full board meetings, the RB Community Council traditionally combines both months with one meeting the first Thursday of December. The next full board meeting will take place Thursday, December 4. At this time, there will be eight voting items on the agenda.
- The RB Community Council, in conjunction with Caltrans and the Police Department, successfully cleared out a homeless camp in the community.