

*****SPECIAL NOTICE*****

To take part in the VIRTUAL meeting call in by phone at either 669-900-6833 Or 346-248-7799 starting at 7:15 pm.

When directed, enter the meeting ID: 869-0213-0606, Password: 286896 You will be placed in a Queue until admitted by the Host. You will then be placed on hold until the Meeting begins. When it is your turn to speak, the host will say the last four digits of your phone number and you will be permitted to speak at that time. If you become disconnected, call back and enter the appropriate ID and PW numbers.

To join the meeting via the web use the following link:

<https://us02web.zoom.us/j/86902130606?pwd=bWRHQW8wR0NsK0lwOUFNdGU2WUpxQT09>

*****SPECIAL NOTICE*****

**JAMUL DULZURA
COMMUNITY PLANNING GROUP
FINAL MINUTES**

Tuesday September 28, 2021

APPROVED OCTOBER 12, 2021

*******VIRTUAL MEETING*******

CALL IN BEGINS AT 7:15 p.m.

7:30 p.m.

1. CALL TO ORDER: Chair Dan Neirinckx called the meeting to order at 7:38 p.m.

2. ROLL CALL:

Present: Dan Neirinckx, Janet Mulder, Amber Recklau, Preston Brown, Streeter Parker, Paul Romero, Michael Casinelli, Kevin May, Ed Mollon, Rachel Vedder, Eve Nasby

Excused: Steve Wragg, Summer Piper,

Absent:

Vacant: Seats 7 & 14.

Guests: Lauren Schulte, Paul Dombkowski, Kathleen Lippett Laura Glant

3. APPROVAL of the Agenda for September 28, 2021 and Final Minutes for September 14, 2021. Kevin May moved we approve the minutes and agenda as presented. Motion passed unanimously.

4. OPEN FORUM:

a. Michael Casinelli thanked Janet Mulder for taking good minutes at the last meeting and appreciated the questions that were asked on the Safe Route Path for SR 94

- b. **Preston Brown** pointed out that the proposed SR 94 Path could be of help to the bikers and others on SR-94, and would like for us to recognize that.
- c. **Preston Brown** reported that the Courts accepted the Sierra Club's presentation and secondly that he wrote a letter to San Diego Fire Foundation regarding the Fire Department Grant for CalFire Education in the rural area.
- d. **Preston Brown** asked if **Caesar Stirling** had announced that on October 23 the Fire Safe Council would be doing an event and he had asked if JDCPG would like to be present at the event. **Preston Brown and Eve Nasby will go representing the Planning Group listening to public input.**
- e. **Eve Nasby asked Paul Romero to send his bio to her for the Facebook Page.**
- f. **Kathleen Lippit** reported on the meeting regarding the County's ordinance allowing homes to serve meals which could be a problem for restaurants. Her testimony is as follows: "As a public health practitioner, I have a number of concerns related to permit home kitchens to operate similar to brick and mortar restaurants but with far fewer safeguards. It creates an unfair advantage over brick and mortar restaurants; could avoid paying taxes that would otherwise support city inspections. Restaurants have been struggling as it is with shutdowns and their inability to hire back employees being paid more to stay home by the government. Numerous complaints have been lodged against mico's kitchens already permitted in Los Angeles; including food being made in dirty kitchens, out of garages and in backyards. Complaint that tamales were made in bathtubs. What public health laws will Micos be required to follow? What are the consequences for failure to follow these laws? Home operations may lack of potable hot/cold water under pressure. May not have battery backup in case of power outages to hold constant safe temperatures to prevent food spoilage. Will pest control inspections be required? Home may have active vermin infestation. There is increased fire risk from grease (no grease traps required as with restaurants.) Fire suppression and sewer system building codes/requirements may not be met. No potable water quality standards are required; testing and over time. Metals, coliforms, nitrites, or other testing? No current opening/closing times are required (only noise control), so if they are quiet, there is nothing to stop them from opening at 5 a.m. All food must be cooked and sold same day. No left-over sales. No grading system as with brick-and-mortar restaurants. Grades help customers appreciate whether restaurants are complying with state health laws. (90-100% compliance with state law; a "B" means the facility earned a score of 80 to 89 percent and needs improvement; a "C" means the facility earned a score of 79 percent or less and is a failing grade.) Mico operations are not graded: not even pass/fail so I'm not sure then of the point of doing inspections. Grade cards must be visibly displayed near the public entrance during hours of operation. Unless you've been the victim of Salmonella, e-coli or Hep A you may not pay much attention to a restaurant's grade. From kitchen doors that fail to close automatically letting dozens of pigeons into the kitchen, a chef smoking while making food, sewage back-ups, vermin infestations, etc. power outage that may have resulted in food becoming hazardous to eat. Commercial grade equipment is not required. Foodborne illnesses: salmonella kills up to 160,000 worldwide/yearly. But salmonella isn't the only foodborne illness of concern; Hepatitis A, Staph, Ecoli, etc. This is yet another expedited ordinance that on paper belies its potential harmful impacts. 100 days from concept to proposed ordinance. (Coming back in 100 days on Jan 22). Therefore, CPG's need advance notice of draft ordinance in time for CPG response. Alert CPG when draft Micro language is available.

In conclusion: The argument for this is that it will legalize the home kitchens who are operating safely and have an enforcement mechanism for the ones that don't already have one in place, "regulating them will eliminate the unlawful ones and make the permitted ones safer." This argument has a very familiar ring. The County's nuisance ordinance could be modified to address Micos.

CPG question: 60 meals/week allowed at \$10/meal doesn't come close to \$50k and they would have to charge \$20/meal which is not an affordable meal.

CPG Campo Chair concerns: CPG's need advance notice of draft ordinance in time for CPG response. Alert CPG when draft Mico language is available. Asked for comparison with cottage food rules from a Mico? We need an advanced notice to be able to comment.

g. **Kevin May** suggested we ask the gentleman **Ryan Johnson**, who spoke at the Chairs' meeting to come to our meeting. **Dan Neirinckx will take care of it.**

h. **Laura Gant** came to talk about a proposed gas station on the corner where Ranch Feed is located 12868 Campo Road which has not come before our Group. **Dan Neirinckx will look into this and contact Laura Gant and agendize it for the next meeting.**

5. CANNABIS ZONING ORDINANCE, PROPOSED CHANGES: **Dan Neirinckx** read the following to the group so all would be on the same page: On June 6, 2021, the Board of Supervisors (Board) directed PDS to draft new ordinances concerning the five existing dispensaries in the unincorporated areas of the county. PDS is tentatively scheduled to present the proposed ordinance amendments to the Board on October 6, 2021. The ordinance amendments will affect the five existing dispensaries, which are located within the Second and Fifth Supervisorial Districts. Names and locations of the five existing dispensaries are as follows:

Outliers Collective, 8157 Wing Ave, El Cajon

Ramona Cannabis Co, 736 Montecito Way, Ramona

Relief Meds, 618 Pine St, Ramona

Olive Tree Wellness Center/JAXX Cannabis, 1210 Olive St, Ramona

San Diego Natural/OutCo, 8530 Nelson Way, Escondido

The ordinance amendments being presented to the Board on October 6 will affect several sections of the Zoning Ordinance and the Code of Regulatory Ordinances. These changes will impact the five existing dispensaries by (1) allowing them to continue to operate past the "sunset" date of April 14, 2022, (2) allowing for commercial medical and commercial adult use cannabis sales, (3) allowing for building alterations and expansions up to 10,000 square feet through a ministerial building permit process, (4) exempting building alterations and expansions from the requirements of B Designator Community Design Review and S Designator Scenic, (5) allowing the transfer of Operating Certificates from existing Operating Certificate holders to others, (6) allowing the sale of edible and drinkable cannabis products, (7) allowing the sale of branded merchandise, and (8) mandating the use of municipal water for cultivation purposes. These ordinance amendments apply only to the existing five dispensaries that are currently in operation, and no new dispensaries will be permitted under these ordinance amendments.

Staff presented these ordinance amendments to the PC on August 6. At that meeting, the Commissioners recommended the Board adopt 1, 2, 5, 6, & 7 above."

Dan Neirinckx recommended that our Planning Group should support numbers 1 & 8 and strongly oppose general distribution prior to changes to the zoning regulations that apply to all shops. **Preston Brown** stated that he had talked with **Robin Joy Maxon, Chair Ramona Planning Group** and they were opposed to items 3 & 4 involving the increased size to 10,000 without planning group input and in addition would also have problems without going through their process. **Paul Romero** pointed out that he agreed with the comments mentioned in earlier meetings as it left too much on the table and giving exemptions to the current zonings. **Michael Casinelli** agreed that it should only deal with medical marijuana, but should have the right to transfer ownership as other businesses do. **Kevin May** is in favor of items 1,2, 5, and 6. **Eve Nasby** reminded us of the dangers of marijuana that we have heard about in past meetings, and therefore would oppose 1-8. **Janet Mulder reiterated our JDCPG** position that Proposition 64 section 2 paragraph E states in part... “.....*allowing local governments to regulate marijuana-related activities, to subject marijuana businesses to zoning and permitting requirements, and to ban marijuana businesses by a vote of the people within a locality.* Which means that the people can ban sales of cannabis in their area. The JDCPG voted unanimously earlier to urge the **County to follow the guidelines of Proposition 64 and allow a vote of the communities involved to choose as to whether or not they allow recreational cannabis sales in their area.** I did not see this in the County Staff’s report nor an explanation as to why they are recommending that this requirement in Proposition 64 is being ignored!!! Isn’t this something that should be addressed? Our Planning Group, like many of the others, have had lots of input from our communities regarding this proposal. It is a bit disconcerting that there seems to be a lack of controls...It reminds us that some time ago they wanted to do exclusionary zoning for crematoriums which just like cannabis nobody wanted in **their backyard.** This cannabis proposal is similar as the zoning seems to be inevitable, and we would urge that controls be put in it to address our concerns as to where they would be located as well as regulations regarding size, cutting back on the 10,000 sq feet expansion, and requiring stronger than a ministerial review!! We could suggest that if they continue with this ill-advised plan, they need to at least limit the possible locations to industrial-use areas in which to locate thereby decreasing the possibility of being in close proximity to schools and other areas where young people gather. When reading and hearing the staff recommendation it is important to note the fact that **regardless of the unanimous opinions of the Community Planning Groups (who represent the people and hear from them with much more regularity and clarity) and all voiced strong objections, the County Staff has made these recommendations that are before you today....Please refer back to Proposition 64 and consider recommending to the Board of Supervisors that the people in the individual planning areas have a vehicle available through the Planning Group Elections to have a voice in this proposal as to whether or not they would be in favor of allowing recreational cannabis sales in their area.** After reading the backup information which included some, not all, of the Planning Group’s input, this seems like a very reasonable request - is Proposition 64 being ignored because others, like our Planning Group, have heard so much opposition and concern regarding this proposal that the decision has been made to ignore the will of the people? I surely hope this is not the case and that you will recommend that staff take another look at this proposed legislation and afford an opportunity for the public to show their opinion through the ballot box...otherwise you are not willing to hear the “voice of the people” when it is something that has the potential to create more revenue...a poor excuse for ignoring the will of the folks who live, work and play in the unincorporated area. **Eve Michael and Kevin May agreed and Paul Dombkowski** supported Dan’s position, but agreed with **Eve Nasby** against the dangers of cannabis and would want us to go on record as being against cannabis in our area. **Judi Strang,** is opposed to all 8 items in the proposals, but mostly she objects to the process of a

Supervisor making the motion when he has no unincorporated area in his District! **Kathleen Lippitt** would echo comments and point out what happened in Carpenteria, Santa Barbara, and others who found the odor is objectional and got a huge number of illegal groves which seems to follow when legal groves are approved. The Supervisors except Desmond have been taken by this. **Michael Casinelli moved that the JDCPG support numbers 1, 5 and 8 of the proposed ordinances which makes changes to the cannabis medical sales. In reference to item 5, the new owner must meet all of the qualifications of the existing owner. We would also repeat our earlier concern about following Proposition 64, allowing a vote of the communities involved to be able to make their own determination as to whether or not to allow cannabis to be sold in their communities. Motion Carried: Vote: 9, Yes, 2, No, Mulder, Nasby (2 absent, 2 vacancies) Dan Neirinckx will present our concerns with two other members to the Board of Supervisors Meeting on Wednesday, October 6, 2021.**

- 6. NEW SELF STORAGE FACILITY ON JEFFERSON ROAD REQUEST FOR SIGNAGE CHANGE.** **Lauren Schulte, representing the owner Woodcrest.** They are proposing new signage for the self-storage as they did not know who would be actually using the building. The dimensions proposed was 15x6 for the monument sign (224 sq feet) and the proposed sign is 12% smaller (200 sq feet total). All of the signs that now read Self Storage would read Jamul Self Storage. **Paul asked, "Is there electricity and Lauren Schulte** said only the monument sign will be lighted. **Preston Brown** said the plans state illuminating, and **Lauren Schulte** pointed out that they will do downward lighting which would be appropriate for our dark sky policy if we recommend it. **Preston Brown** asked if this lighting was originally approved and **Lauren Schulte** said it was approved as part of the whole package. **Preston Brown** felt that this building is in a neighborhood that has homes and they object to lighted signs at night. **Lauren Schulte** said they had come before the Group and followed our recommendations. **Michael Casinelli** pointed out that he was chair of our Group when this was proposed and we approved on a condition to control the truck traffic at peak times on SR94, and Steve Powell said he agreed to that condition, but in fact he did not honor it. Furthermore, Jefferson Road was closed for months, which was not part of project's description. Then after it was constructed, Steve Powell wanted to change the signs from downlighting to backlighting. Dan assigned me to this project and I discovered that the applicant had installed signs multiple times the size allowed by our community plan, which is 32 sq ft. At the CPG meeting when the project was approved, Dan asked if the signage for the project met our community plan, and Steve Powell said yes. His response was false. When Michael started raising the issue of the inappropriate sign sizes, Steve Powell withdrew his application for a change in sign lighting. During his due diligence, Michael Casinelli said he spoke with another CPG where a Tractor Supply had been constructed, and the CPG had a similar experience with the applicant. Michael Casinelli said that his opinion would be to recommend approval of the signage name change only if the applicant will change the signs' sizes to meet the specifications of our community plan. Michael Casinelli also stated that the County made a mistake in approving the project before bringing the oversized signs to our CPG for review and recommendation, as PDS has always done in the past. **Lauren Schulte** asked for the exact size our plan as found in our Community Plan regulations. **Eve Nasby** suggested we have **Lauren Schulte** come back to our Group. **Lauren Schulte** is here only for the signage, but **Dan Neirinckx** pointed out that all of the items that were incorrectly built need to follow our Community Plan and the name change is not the problem, it is the actual size of the sign that does not comply with our plan. **Preston Brown** asked what is the size of the existing sign and **Lauren Schulte** gave the dimensions. He would suggest making the signs smaller and more in tune with our country

living remembering that there is a rural housing area across the street. **Dan Neirinckx will provide the Community Plan regulations to Laura Schulte and put it back on the agenda. Michael Casinelli has all of the information from the previous meetings.**

7. **MEMBER APPLICATION, Paul Dombkowski apparently lost connection, so his approval vote will come at the next meeting.**
8. **CAPITAL PROGRAM FUNDING PROJECT RECOMMENDATIONS. Dan Neirinckx received a letter from Supervisor Anderson's office asking for a Community Project and he pointed out that several times the Barrett House has been proposed as a community center. Michael Casinelli agreed that we could use a Community Center and Park. Preston Brown asked if there was an application process to address the community park. Dan Neirinckx did remind us that the upkeep would need to have additional and ongoing funding. Janet Mulder reminded us of the previous recommendation against a community center as discussed in the Planning Group meeting due to upkeep, maintenance, and problems with day to day operations programs. Michael Casinelli said the maintenance funds would come from the County's general fund, which was a change in policy from a few years ago. Kevin May moved that we recommend that a Community Center be built (possibly at the Barrett House) or other suitable site, conditioned on County funding the purchase, renovation, management and maintenance of the facility. Motion passed: 10, yes; 1, No, Janet Mulder.**
9. **REGIONAL DECARBONIZATION FRAMEWORK – Kevin May reported: On 9-13-21, San Diego County gave a webinar presentation entitled: Regional Decarbonization Framework – Public Workshop. In addition, there was a presentation by Elena Crete representing the United Nations Sustainable Development Solutions Network. In summary, the goal is for San Diego County to achieve Net Zero Carbon Emissions by 2035-45. Keeping equity as a factor, they are looking for ways to achieve this goal by reducing carbon production and increasing carbon capture while, at the same time, helping displaced workers transfer to good green jobs. This was the beginning of the County gathering information from the public and interested groups to help them formulate a report to be given to the Board of Supervisors in November 2021. The report will be made available to the public at that time, after which further input will be taken to help finalize a report to be given to the Board of Supervisors in February 2022. On 9-27-21, a similar presentation was given by Murtaza Baxamusa to the Campo/Lake Morena Community Planning Group, which I attended at the invitation of chairperson, Billie Jo Jannen. Some of the concerns they had were: the time frame for review (November 2021 – February 2022) was too short, that efforts by San Diego County would be negated if adjacent counties and Mexico did not do the same. The increased use in electrical power would be a problem in an area already running short on electrical power. The net impact resulting from the use of fossil fuel to product electricity, the net impact of battery production and disposal, the impact on people who now rely on propane and wood for household energy needs, people getting credit for their carbon capture efforts (trees, agriculture), and what efforts the county is doing to decrease carbon emissions (including forest fire prevention). Mr. Baxamusa explained that 2035 is the earliest that some of these goals would be implemented. Between 2022 – 2035, local communities will have input on how these goals are formatted and implemented. For more information go to: www.sandiegocounty.gov/content/sdc/sustainability/regional-decarbonization.html. Michael Casinelli asked if it coincides with the County's Climate Action Plan? Kevin May points out that they are looking at net zero emissions, but they will try to do decarbonization. Preston Brown said that this will take years to get carbon sync and former member Hannah Gebh has some good ideas to implement.**

10. COUNTY DEPARTMENT OF PUBLIC WORKS REQUEST FOR PROJECT LIST:

Dan Neirinckx said that since Caltrans was not considering relocating Otay Lakes Road to meet Honey Springs Road to make a much safer intersection, the County needs to consider funding the relocation of Honey Springs Rd and/or Otay Lakes Road to make it a much safer intersection. **Preston Brown** pointed out that Village 13 and 14 were working on this and might be able to help. **Dan Neirinckx** asked us all to think of other areas that we feel need work to make our area safer.

11. JDCPG OFFICER'S ANNOUNCEMENTS AND REPORTS:

Dan Neirinckx said that Supervisor Joel Anderson asked if we would be in favor of community identity signage for the individual communities. This will be discussed at the next meeting for more input.

Dan Neirinckx has asked the County to brief our CPG on how the VMT will impact our planning area and will agendize it when he has a commitment from County.

Michael Casinelli asked if the next meeting is in person or virtual and **Dan Neirinckx** said he prefers in person and questions whether we can do both. The Final Agenda will list how we are meeting.

12. ADJOURNMENT: Chair, Dan Neirinckx adjourned the meeting at 9:56 p.m.

Respectfully submitted,

Janet Mulder, Secretary

NOTICE OF NEXT REGULAR MEETING:

7:30 P.M. TUESDAY OCTOBER 12, 2021

IN PERSON SITE: OAK GROVE MIDDLE SCHOOL LIBRARY

Meeting minutes and agendas can be accessed at

<http://www.sdcounty.ca.gov/pds/CommunityGroups.html>

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JAMUL/DULZURA COMMUNITY PLANNING GROUP

MISSION STATEMENT:

The mission of the Jamul-Dulzura Community Planning Group is to represent

the best interests of the communities of Jamul and Dulzura while adhering to County of San Diego, California Board of Supervisors Policy I-1.

PURPOSE STATEMENT:

The purpose of the Jamul-Dulzura Community Planning Group is:

To provide a public forum where local citizens can learn about issues of importance to them and their community and provide input.

To carefully consider all input when advising the county on such issues as planning, land use, discretionary projects, and community and sub-regional plans.

APPROVED 5/12/2020