

# Rainbow Community Planning Group

Advising the Board of Supervisors ~ San Diego County

## MINUTES of Regular Meeting

Wednesday, March 19, 2025 at 6:30 PM at Rainbow Valley Grange, 2160 Rainbow Valley Blvd, Rainbow CA 92028

### I. Open Provisions

- A. The meeting was called to order by Chair Kurland at 6:32 PM.
- B. Pledge of Allegiance
- C. Attendance: Present: Marty Kurland, Lynne Malinowski, Greg Doud, Frederick Rasp, Jon Gorr, Ron Ehrler, Michele Dahl, Paul Georgantas, and Pat Eastman. Unexcused: Douglas Gastelum. 9 members being present, a quorum is declared. 2 community members were present.

### II. Motion to approve the agenda by Mr. Rasp, second Ms. Dahl, approved unanimously.

### III. Public Comments

- A. None

### IV. Consolidated Motion

- A. Motion to approve prior meeting minutes from 19 February 2025 made by Mr. Rasp, second Mr. Georgantas, approved unanimously.

### V. Continued Items, Discretionary Projects and County Action Items

- A. None.

### VI. Old Business and Reports

- A. Announcements and Correspondence Received – Chair Kurland reported that Michael Ogbeiwi, Legislative Coordinator for Supervisor Joel Anderson, requested a letter supporting Board of Supervisors support for Unsafe Camping Ordinance for which a letter of support was written and sent. Chair Kurland reported on the March Quarterly Chairs Meeting. Subjects presented were the General Plan Housing Element and the Socially Equitable Cannabis Program Ordinance.
- B. Architectural Subcommittee – Ms. Malinowski – Nothing new.
- C. Social Media and Membership Subcommittee – Ms. Malinowski reported that an announcement about the RCPG vacancy was placed in the Village News. Mr. Georgantas reached out to a previous party who filed candidacy for the 2022 election regarding the open seat and received no reply.
- D. Parks and Beautification Subcommittee – Ms. Dahl reported that the semi-annual ‘I Love a Clean San Diego’ cleanup event will take place on Saturday, April 26<sup>th</sup> from 9am-noon at Rainbow Park. Mr. Georgantas reported that the Rainbow Green Streets Water Quality Improvement project will roll in equipment on April 1<sup>st</sup> and the construction manager is looking for a site to park their equipment.
- E. I-15 Corridor Design Review Board – Mr. Doud reported that the meeting was canceled, but there are 3 projects.
- F. Roads and traffic status – Dr. Kurland. Ms. Malinowski reviewed the list of DPW CIP project with the group for prioritization. Motion to approve the prioritized list by Mr. Georgantas, second by Mr. Rasp, approved unanimously. List will be submitted by deadline March 30, 2025. Reminder about the SD

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County Speed Limit Reductions Community Zoom Workshop on 3/27/25 from 6-7pm which may provide insight on how to address traffic calming on Rainbow Valley Blvd. See comment about Rainbow Green Streets Project under “Parks and Beautification Subcommittee” agenda item.

- G. Water and Environmental Issues Report – Dr. Kurland – Nothing new.
- H. Community News and Grange – Ms. Dahl reported on upcoming Grange events: Community Service Projects at Grange on 3/29/25, Protea Festival on 4/27/25,
- I. Cannabis and Social Equity Program update – Mr. Doud reported that he worked with the Fallbrook CPG to review the 1,000-page Cannabis program PEIR. Out of 5 alternatives, #4 was preferred: Indoor grows only because all other aspects are considered secondary to odor. Mr. Doud cited thousands of other municipality complaints about odors (example: as a result, Santa Barbara amended their ordinance to require indoor growing only and installation of scrubbers.) Indoor grow category includes hoop houses, which are considered “mixed-light indoors.” The setback for indoor grows is 1,000 feet. All licenses for A70 and A72 zoning will be discretionary. Motion to approve and submit SECP Draft EIR comments letter by Ms. Malinowski, second by Ms. Dahl, approved unanimously.
- J. Vallecitos School District Update – Dr. Kurland reported that the roof work was done, with work started on the solar. Mr. Doud had shared information about the ‘Kids Learn to Code’ program at the Temecula Library for students (costs about \$2,000) with Chair Kurland who reported that the Vallecitos School Superintendent was interested in the program.
- K. Fire Safety Council Update – Mr. Doud reported that a contract has been signed to update the website and a page has been made for the “Reflective Address Sign Program” which will cost only \$25 apiece due grant subsidy and bulk purchase. To order, visit: <https://fallbrookfiresafecouncil.org/reflective-sign-program/> Work continues updating the evacuation map. Mr. Doud will obtain info on a local area Red Cross contact and inform the group per request from Ms. Eastman. Mr. Doud reported that the Property Cleanup Assistance program (aka Defensible Space Assistance Program [DSAP]) has been restarted for our area at the beginning of the year, and is considered part of being a Firewise Community. Link to program and information at: <https://firesafesdcounty.org/dsap/> Dr. Kurland reported that the Vallecitos School Superintendent is amenable to using the NE part of the campus as a temporary large animal evacuation center as long as temporary corrals are used.
- L. APG & SANDAG Advisory Seat for Unincorporated Communities – Ms. Malinowski reported that she was appointed to the Borders committee as advisory member, but will need to resign due to meeting date conflicts. Reports from the other committee meetings will be forwarded to the group. Mr. Doud mentioned the SANDAG tentative plan for I-15 Rapid Transit from San Marcos to Temecula which would be a long-term project.
- M. Regional Study of Rainbow traffic concerns – Ms. Malinowski – Nothing new.
- N. Policy I-1 Review – Ms. Malinowski reported that PDS is reviewing the changes submitted by the CPSGs, which will take a while. Those changes will need to be reviewed and approved by other departments and legal. The final step will be issuing a Board Letter and a vote by the Board of Supervisors. This item will be removed until September or October meeting agendas.
- O. County Code Enforcement – Mr. Doud – Nothing new.
- P. Signs in the Rights of Way – Mr. Doud reported that there have only been a few new signs put up. Mr. Rasp asked for follow up on allowable signs posting. DPW stated that any sign encroaching in the ROW is illegal and will be removed. Any real estate signs on private property need to be maintained. Large sign in disrepair by corner of Old Hwy 395 and Rainbow Valley Blvd West will be evaluated by DPW.
- Q. DPW Rainbow Area CIP meeting location and April 16<sup>th</sup> presentation schedule: DPW has changed the location of presentation to the Rainbow CPG meeting on April 16<sup>th</sup> date from 6:30pm-7:00pm based

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upon our request to not have separate presentation held at Fallbrook Library at the same time as our meeting.

R. Member/Administrative Reports – Chair Kurland – Nothing new.

VII. New Business

A. None

VII. Call for New Agenda Items for next meeting

A. Agenda items can be submitted up until the next meeting's agenda is posted at the meeting site.

VIII. Motion to Adjourn by Mr. Doud, second Ms. Eastman, approved unanimously. Adjournment by Chair Kurland at 7:45 PM to the next regularly scheduled meeting 19 March 2025.

Respectfully submitted, Lynne Malinowski      Secretary, Rainbow CPG

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# Department of Public Works - Road Improvement Project Priority List

EMAIL FORM

Group:	Rainbow Community Planning Group
Date:	3/19/25
Contact Name:	Lynne Malinowski
Contact Tel:	619-507-0307
Contact Email:	Rustyhorseranch@outlook.com

2024-25 RAINBOW					
Community Planning Group Road Improvement Project Proposed Priority List					
Priority Number	Project Type (e.g., road, drainage, sidewalk, etc.)	Location (please include cross streets or any specific location details to support review)	Description of issue, needs, possible solutions, etc.	Why is this a priority?	Previously submitted as a priority project? (yes/no)
1	Sample: Sidewalk	Alphabet Road from X Street to Y Street	Construct a new sidewalk and pedestrian ramps on the west side of street between the passage to school. Improves safety and access. CPG Name: No at YVA	Improves safety and access	Yes or No
2	Sample: Drainage	Imaginary Lane to Lane X on the west side of the street	Assess drainage issues and water pooling after storms	Prevents property damage	Yes or No
3	Sample: Road Improvement	Disneyland Road Traffic Circle Single lane traffic circle to replace current intersection of Tinker Bell Road and Peter Pan Drive	Improve safety and ease in crossing and entering Palm Canyon Dr and to reduce vehicular speeds. Traffic Calming.	Improves safety and access	Yes or No
1	Road Improvement	Rice Canyon Rd 940' north of MPO.40	Improve safety for speeding around blind and sharp curve. Low visibility of road at night. Solution: curve realignment, guard rails, flashing lights	Many vehicles cross lanes or drive over embankment (* possible fires in dry brush). Hazard to oncoming vehicles.	yes
2	Road Reconstruction	6200-6276 Rainbow Heights Rd north (downhill) lane next to downhill embankment	Road bed failure undermining roadway on downhill around a curve which is on the edge of a steep downhill embankment. Many cracks, broken asphalt holding pools of water, road is sinking	Major safety issue for our one County maintained road ingress/egress if road collapses on degraded section.	no
3	Intersection Improvement	Rainbow Valley Blvd curve at 8th and Camino Rainbow (both ends)	Poor visibility for access of Camino Rainbow heading south AND accessing Rainbow Valley Blvd from 8th St heading west. Solution: Traffic calming and ROW visibility maintenance	Safety for vehicles around bend when trying to cross RBVB due to fast speed and poor visibility.	no
4	Road Reconfiguration	Rainbow Heights Rd at Select Way	Double yellow line around curve needs to curve more to the north because the uphill lane is too narrow and downhill vehicles cross over the lane into oncoming traffic.	Many possible collisions are averted only because of uphill vehicle slamming brakes to avoid either collision or being forced over the steep embankment	no
5	Sidewalk/Pathway	8th Street from Camino Rainbow to Rice Canyon Rd	Pedestrians have no place to walk safely. Solution: larger shoulder or sidewalk on one side of the road	Safety issue for children walking to school and other pedestrians	no
6	Road Drainage	1805-2017 Rainbow Valley Blvd south side	Flooding in roadway on south side. Solution: better drainage, culverts, road slope	Flooding makes road hazardous, impairs traction, reduces road to single lane	no

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Priority Number	Project Type (e.g., road, drainage, sidewalk, etc.)	Location (please include cross streets or any specific location details to support review)	Description of issue, needs, possible solutions, etc.	Why is this a priority	Planning Group	Previously submitted as a priority project? (yes/no)
7	Road Drainage	Rice Canyon Rd at Clearwater Rd	Water floods over both roads in heavy rains making roadway impassable. Solution: improved culvert	Flooding makes roadway hazardous for visibility and traction, prevents ingress/egress to Clearwater Rd	RAINBOW	no
8	Bridge	5th Street at Rainbow Creek crossing	Rainbow Creek floods over road making impassable. Solution: bridge or large culvert	Safety issue due to flooding. Deaths have already occurred at this site	RAINBOW	yes
9						
10						
Road Resurfacing Project 1	Resurfacing	Rainbow Heights Rd from Via Ladera to Rainbow Crest Rd intersection	Broken, cracked, degraded asphalt	Rainbow Heights Rd is major ingress/egress for Rainbow, including vehicles from Cal Fire Rainbow Camp in emergencies	RAINBOW	no
Road Resurfacing Project 2						
Road Resurfacing Project 3						
Road Resurfacing Project 4						
Road Resurfacing Project 5						
Road Resurfacing Project 6						
Road Resurfacing Project 7						
Road Resurfacing Project 8						
Road Resurfacing Project 9						
Road Resurfacing Project 10						

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# Rainbow Community Planning Group

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March 19, 2025

## COMMENTS ON THE COUNTY OF SAN DIEGO SOCIALLY EQUITABLE CANNABIS PROGRAM DRAFT EIR, REGULATORY AMENDMENTS.AND ZONING AMENDMENTS

The Rainbow Community Planning Group has worked with the Fallbrook Community Planning Group to review the SECP Draft EIR and prepared these comments for the PDS to review. Please note that the Rainbow CPG has added additional comments which are shown in **RED**.

### DRAFT EIR

#### ALTERNATIVE 4 IS THE MOST ENVIRONMENTALLY SUPERIOR ALTERNATIVE

THIS IS CITED IN THE DEIR- CHAPTER 4 ALTERNATIVES 4.5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

There is substantial evidence throughout the DEIR that Alternative 4 is reasonable and feasible and accomplishes the basic objectives of the Social Equity Cannabis Program.

However, from more recent studies, facts and information obtained from municipalities that have had cannabis programs for a number of years, we conclude **that facts used to generate the DEIR were** outdated and deficient and we question its accuracy.

It is very important to note that even with Alternative 4, there are many questions and concerns regarding setbacks, outdoor temporary events, retail hours and locations where cannabis can be cultivated, that need to be revised.

The single most environmentally detrimental element in Alternative 2, which is being called "The Program", is outdoor cultivation. Alternative 4 prohibits outdoor cultivation. Data from other municipalities that have had cannabis programs for a number of years and that was not included in this DEIR, as well as new data that is just being discovered, shows that odors, pesticides, water, runoff and other factors from outdoor cultivation have had and continue to have substantially negative effects and threaten the health and safety of residents, especially growing children. **In addition, in looking at the trend for indoor cultivation licenses in regions like Riverside County show that outdoor cultivation licenses are minimal, thus no real impact in removing outdoor grow option by selecting Alternative 4.**

Residents that will be subjected to the Cannabis Program in their unincorporated areas should have a major weighted say in deciding whether or not indoor or outdoor cultivation will be allowed, because the agriculturally zoned lands where any type of cannabis cultivation is allowed in Alternatives 2,3,4,5 are adjacent to residential zones where families live.

Topics in "The Program", which are consistent with state requirements, appear to be based more on urban areas. Since this Program is in rural areas, these topics, especially outdoor cultivation, setbacks and sensitive areas, should be adjusted to reflect the rural setting for this Program.

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Alternative 4 is the most environmentally superior alternative. It is also the alternative that is least damaging to the unique, unincorporated rural lifestyle.

Alternative 4, with certain revisions should be chosen for this Cannabis Program.

HOWEVER, OTHER MUNICIPALITIES WITH PROGRAMS THAT HAVE ALLOWED CANNABIS CULTIVATION FOR MANY YEARS, HAVE FOUND IT TO BE SO EXTREMELY PROBLEMATIC WITH DEVASTATING IMPACTS ON THEIR COMMUNITIES THAT THEY ARE NOW REVISING THEIR PROGRAMS.

BECAUSE OF THIS, CULTIVATION SHOULD BE REMOVED FROM ANY OF THE ALTERNATIVES UNTIL FURTHER UP TO DATE ANALYSIS, RELIABLE STUDIES AND INFORMATION CAN BE OBTAINED.

## **RATIONALE FOR ALTERNATIVE 4**

### **Chapter 4**

#### **4.2.1 ATTAINMENT OF PROJECT OBJECTIVES**

Alternative # 4 would develop a cannabis program generally consistent with the project objectives

However, more research and emphasis need to be directed toward developing the regulatory program that will assist in protecting public health, safety and welfare, and protecting resources including power and water.

\*\*\*\*\*See comments in the Regulatory Code Amendment

This program needs to be flexible and be able to adapt to new technologies and changing community needs.  
(Adaptive regulations)

#### **ENVIRONMENTAL IMPACTS OF THE CANNABIS PROGRAM**

A70 and A72 Agriculture Zones as well as other C and M Zones, are interspersed and are often adjacent to residential areas in the unincorporated areas. Buffer distances as currently listed in all the Alternatives would provide little, if any real protection for residents in terms of odor, traffic, pollution run-off, fire hazards and other adverse effects from Cultivation in these zones.

More up to date studies indicate that cannabis farming, particularly outdoor cultivation does have adverse effects on other crops.

Cannabis cultivation and other cannabis businesses are different in nature than other agricultural products that are farmed and used by consumers. Cannabis Cultivation in particular has more negative environmental impacts than most other agriculture. As such, they should have more stringent regulations and inspections. Additionally, under federal law, cannabis is not legal.

How is crop residue disposed of to prevent contamination from pesticides and other chemicals?

<https://www.swansea.ac.uk/media/Environmental-Impacts-of-the-Legalization-of-Cannabis-in-California.pdf>

#### **DEVELOPMENTAL IMPACTS**

Related to development area, operational demand or resources, earth moving, etc. (top page 4-4)

Alternative #4 impacts would be less than the Programs (as stated in the DIER)

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## PUBLIC SERVICES

The conclusions in the DEIR appear to be inconsistent with studies and information that are just now coming to light based on other areas with Cannabis Programs. More up to date studies need to be conducted.

The unincorporated areas have a total population of over 500,000 residents. While none of the alternatives might require additional law enforcement facilities, hiring only 2 additional code compliance officers would not serve the public in dealing with hundreds of potential complaints that could be generated for theft, noise, odor and other health and safety concerns caused by this program.

For reference, Santa Barbara County's total population is under 500,000, with their unincorporated population area being approximately 150,000. This is important to know because 4,000 odor complaints were filed in Santa Barbara County's unincorporated areas. None of these complaints were ever resolved. (Santa Barbara County Code Enforcement)

More impaired drivers could cause more accidents and put greater demands on our fire and paramedic first responders. California is the most dangerous state for freeway driving. One of the deadliest freeways is the I-15. There are no known tests to determine a person's impairment.

Consumer Affairs Website- Deadliest Roads

<https://www.consumeraffairs.com/automotive/deadliest-roads-in-california.html>

Studies now show that hospital ER visits have increased with the increase in cannabis use as well, especially in older adults.

<https://pubmed.ncbi.nlm.nih.gov/36622838/#:~:text=Conclusion%3A%20Cannabis%2Drelated%20ED%20visits,m%20care%20for%20older%20adults>

This program could severely strain already understaffed law enforcement.

Enclosed cultivation would be required in Alternative #4. This would help prevent crime associated with outdoor grows. This is evidenced by crimes already faced by current citrus, avocado and other outdoor groves.

The DEIR states that because Cannabis would be considered an agricultural use, it would not have an impact on agricultural resources. (Chapter 4, bottom page 4-4)

While Cannabis may not have an impact of agricultural resources, the strong and pungent odor from Outdoor Cannabis cultivation appears to have a more significant negative effect on other crops, especially vineyards that are close by. For example, it has recently been observed that the odor from cannabis can be so strong that it can permeate the skin of the grapes being grown close by and alter their flavor.

If food crops are replaced by cannabis for financial incentives, it could affect our local production and availability of food crops further driving up food costs.

### 4.4.1 AESTHETICS, ISSUE 2

The impact would be significant and unavoidable in Alternative 2 (The Program)

Impact would be LESS in Alternative 4

### 4.4.2 AIR QUALITY, ISSUE 3

The impact would be significant and unavoidable in Alternative 2 because outdoor cultivation would require outdoor spraying of pesticides and other chemicals.

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Impact would be LESS in Alternative # 4 because all spraying would be indoors.  
Alternative # 4 would result in the LEAST emissions of odors from pesticides (overspray), chemicals and cannabis plants, adversely affecting substantial number of people.

Other municipalities that allow outdoor grows have suffered significant environmental impact due to odors. For example, children in Santa Barbara County at times have been unable to play outdoors at recess due to odors.

[https://enewspaper.latimes.com/infinity/article\\_share.aspx?guid=5de42829-8623-4ff9-88af-35f90aa5bb97](https://enewspaper.latimes.com/infinity/article_share.aspx?guid=5de42829-8623-4ff9-88af-35f90aa5bb97)

Additionally, Alternative 4, with the 1000 ft buffer, also helps ensure that the concentration of cultivation sites in any given area is minimized. Although not mentioned in the impact analysis, this helps to ensure issues like increased VOCs from concentration of cultivation sites, or impact from increased use of Nitrogen fertilizers impacting air quality are minimized compared to Alternative 2.

#### **4.4.3 HYDROLOGY AND WATER QUALITY, Issue 2 Substantial Decrease in Groundwater Supplies or Interfere Substantially with Groundwater Recharge**

The impact would be significant and unavoidable in Alternative 2 (The Program)

Impact would be LESS in Alternative # 4

#### **4.4.6 UTILITIES AND SERVICE SYSTEMS ISSUE 1: ADEQUATE WATER SUPPLIES**

The impact would be significant and unavoidable in Alternative 2 (The Program)

4.4.6.3 Impact would be LESS in Alternative # 4

#### **4. 5 ENVIRONMENTALLY SUPERIOR ALTERNATIVE**

Alternative 4 is the environmentally superior alternative as stated in the DEIR

##### **TABLE 4.1 (pp 4-13-4-14)**

Summary of the Environmental Effects of Alternative 4 Relative to Those of the Proposed project

Alternative 2 (The Program)

6- Significant

8-Less than significant

3- Less than significant with mitigation

Alternative 4- ENVIRONMENTALLY SUPERIOR

12- Less than Significant

5- Similar to Alternative 2

Alternative 3

16- Similar to Alternative 2/ Program

1- Less

Alternative 5

16- Similar to Alternative 2/Program

1- Less

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## **COMMENTS ON THE DRAFT REGULATORY CODE AMENDMENT**

### **21.2504 MAXIMUM NUMBER & TYPE OF AUTHORIZED CANNABIS BUSINESSES**

#### **Limits on total number of dispensaries in each community**

The regulatory program/zoning needs to establish limits on the total number of dispensaries/lounges in each community. It is recommended that this be based on the population of each unincorporated community. For example, 1 per 20,000 residents.

#### **Location of Cultivation in A70 & A72**

Additionally, the regulatory program/zoning needs to establish not only the location of grows within the A70 and A72 Zones but establish a limit on the total number of grows allowed in each unincorporated Community. Cultivation adjacent to residential areas has the potential to destroy a town's residential areas, neighborhoods and rural way of life.

A remediation program should be required as part of licensing and permitting for Cannabis Cultivation. This program would ensure that when cannabis cultivation operations on a property cease, the property is cleared of any trash, pesticides and remaining buildings, and are not left in disrepair. See more under 21.2510 APPLICATION SUBMITTAL REQUIREMENTS

#### **Limits on Cultivation**

There should be a limit on the total number of acres for cultivation in each community and in the total unincorporated areas.

#### **Setbacks**

Setbacks should be a minimum of 1,000 ft from sensitive areas which should include residences, schools, daycare, churches, parks, and any areas or businesses that cater to families and especially children.

d) Limits on the maximum number of retail storefront uses in any one of the planning areas or unincorporated communities are essential so that one community doesn't take the brunt of these retail dispensaries and consumption lounges and the associated traffic, law enforcement needs and other environmental impacts.

e) There must be limits on the maximum total number of non-storefront retail cannabis businesses. Without these limits the consequences could be devastating to entire communities and their residents and businesses, especially those that are adjacent to or near cannabis cultivation and other non-retail cannabis businesses. Example: A70 and A72 Zoning is interspersed throughout residential zones in the unincorporated areas. With no limits, this could cause irreparable harm to the health and safety of children, adults and animals with odors, traffic, lights, noise, pollution and crime and other environmental impacts. Residents could conceivably no longer be able to enjoy the peace and tranquility of their rural lifestyle due to these environmental impacts.

f) Modification of the maximum number of Cannabis Business licensed should never be increased.

### **21.2508 BUILDING PERMITS AND INSPECTIONS**

Must be subject to Design Standards where there is a B Designator.

### **21.2510 APPLICATION SUBMITTAL REQUIREMENTS**

#### **(3) SECURITY**

##### **b) Light plan**

Must comply with the Community's lighting regulations

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(5) Neighborhood Compatibility Plan

How would this function? Who with knowledge of the neighborhood will review? Will neighbors have input?

Any Cultivation/grows on A70 and A72 should have 24-hour on-site security.

(6) Odor Mitigation Plan

How will this be enforced? **Will APCD be involved?** Neighbors or community members should be involved in a quarterly review. These should be publicly posted ahead of time and the results published after.

(E) How will the Director or their designee determine if the Cannabis business is following procedures established by the licensee? Quarterly, unannounced inspections should be required. How will access to locked properties be handled?

Additionally, a remediation program which includes a "remediation" bond should be required as part of licensing and permitting for Cannabis Cultivation. This program would ensure that when cannabis cultivation operations on a property cease, the property is cleared of any trash, pesticide and remaining buildings, and is not left in disrepair. Once cultivation has ceased, all grow houses and associated materials (lights, fans, irrigation, pots, tables, trash, PVC piping, landscape fabric, tarps, etc.) must be disassembled and stored out of sight or properly disposed of within 90 days of operations ending. A post-inspection would determine compliance.

THE WALL STREET JOURNAL

[https://www.wsj.com/us-news/marijuana-weed-economy-colorado-pueblo-a8b89091?mod=Searchresults\\_pos1&page=1](https://www.wsj.com/us-news/marijuana-weed-economy-colorado-pueblo-a8b89091?mod=Searchresults_pos1&page=1)

## 21.2520 SUSPENSION OR REVOCATION OF CANNABIS BUSINESS LICENSE

(b) What is considered a major violation?

## 21.2525 GENERAL OPERATING REQUIREMENTS

(d) This contradicts the County's Live Well Program "Smoke is Smoke" and no smoking ordinances. Secondhand Cannabis smoke contains cancer causing chemicals and some at higher amounts than tobacco.

<https://www.cdc.gov/cannabis/health-effects/secondhand-smoke.html>

<https://www.uclahealth.org/news/article/secondhand-marijuana-smoke-what-are-the-risks-to-your-health>

<https://no-smoke.org/secondhand-marijuana-smoke-fact-sheet/>

(j) This is not realistic. How will businesses be responsible for safely controlling loitering without having to call already understaffed Law Enforcement if the loiterers do not comply?

(m) Signage and notices

Must comply with Design Standards

(o) Odor Control-

Code compliance should be available 24 hours a day to investigate odor complaints in real time. Unannounced inspections should take place quarterly or more often if there have been any complaints.

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In other municipalities with Cannabis Programs, this has been shown to be nearly impossible to control. Please see previous information under Air Quality.

[www.coastalview.com/news/county-planners-support-tough-odor-controls-for-all-cannabis-greenhouses/article](http://www.coastalview.com/news/county-planners-support-tough-odor-controls-for-all-cannabis-greenhouses/article)

<https://www.independent.com/2025/03/06/landmark-ruling-certifies-a-class-action-against-valley-crest-for-nuisance-odor-in-carpinteria-valley/>

<https://www.independent.com/2025/01/15/the-coming-crackdown-on-greenhouse-cannabis/>

<https://www.independent.com/2025/03/12/public-invited-to-community-forum-on-cannabis-odor-in-carpinteria/>

#### 21.2527 RETAIL HOURS

Closing time of 8:00 pm is a more reasonable time. In rural communities, there are very few businesses that stay open late into the night. Having an earlier closing time could help prevent crime. Additionally, our roads are dark and often windy. Impaired drivers would make them even more dangerous than they already are.

#### 21.2528 CONSUMPTION LOUNGES

(f) What measures will be used to determine if a patron is impaired?

Many of the rural unincorporated communities do not have ride share services for consumers who are impaired after consuming cannabis products. Consumption Lounges should be prohibited in areas that do not have or have limited ride share services such as Uber or Lyft. Consumption lounges should close at 8:00pm.

Are Consumption lounges liable for impaired patrons? Will there be training for bud tenders?

Impaired drivers

<https://aaaafoundation.org/development-and-validation-of-messaging-to-deter-cannabis-impaired-driving/>

Consumer Affairs Website- Deadliest Roads

<https://www.consumeraffairs.com/automotive/deadliest-roads-in-california.html>

Consumption Lounges should be prohibited from selling or allowing sampling of any injectable cannabis products.

[https://www.sfgate.com/cannabis/article/california-injectable-cbd-gets-fda-warning-20219801.php?utm\\_campaign=CMS%20Sharing%20Tools%20\(Premium\)&utm\\_source=share-by-email&utm\\_medium=email](https://www.sfgate.com/cannabis/article/california-injectable-cbd-gets-fda-warning-20219801.php?utm_campaign=CMS%20Sharing%20Tools%20(Premium)&utm_source=share-by-email&utm_medium=email)

c.xii What will be the maximum occupant load for the designated cannabis smoking room?

21.2529- 2533 WHEN WILL THESE SECTIONS BE AVAILABLE FOR COMMENTS? Also missing section for Processing

#### 21.2534 TEMPORARY CANNABIS EVENTS

The number of Temporary Cannabis Events should be limited to a total for all licensees to 6 times per year. This would prevent the possibility of temporary events being held by many different licensees on so many dates throughout the year that local businesses and residents could be unduly disrupted by crowds, traffic, noise, odors and other negative factors.

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Neighbors or businesses within a 1,000 ft radius should be notified when the permits are applied for, prior to the event so that they can comment during the approval process.

Because of the rural nature of the unincorporated areas, sound, noise, lights and other environmental impacts carry quite a distance more than in an urban area. Because of this, large outdoor events should end at dusk.

The maximum number of attendees should be limited to a reasonable number. Will the licensees be required to have special event training for their staff?

How would the odor and other effects of large amounts of secondhand cannabis smoke be mitigated for surrounding neighbors and businesses?

Outdoor smoking contradicts the smoking-room requirements of The Program.

There will be significant negative impacts to the roads that were not designed to handle large increases in traffic associated with temporary events. Traffic control plans, law enforcement, noise and other requirements/regulations are needed.

Temporary Events should not be allowed in communities that do not have sufficient ride share services.

In addition to the regulations for Temporary Cannabis Events that are listed, these events should also be subject to all the other regulations that are required for other temporary community events.

No Temporary Events should be allowed on rural roads that do not have multiple routes of egress for emergencies similar to any MUP requirements as defined by Fire Code.

#### **21.2537 INSPECTIONS**

Inspections should be unannounced and quarterly. There should never be any reduced inspections.

#### **COMPLAINTS**

Hiring 2 extra Code Compliance Officers will be insufficient. Currently Code Compliance is understaffed and cannot efficiently and effectively handle the complaints they already receive.

Subsequent iterations of the regulatory codes should include weighted comments from PGs/SGs and the Public who live in the unincorporated areas.

Changes to the current noise regulations and ordinance may need to be revised for this program. While noise levels from Cannabis cultivation may not exceed the maximum decibels, they can still be annoying and disruptive to the peace and tranquility of residents who live adjacent to grows.

The industry oversight committee should also include representatives from PGs/SGs.

### **COMMENTS ON THE DRAFT ZONING ORDINANCE AMENDMENTS**

#### **General**

Terminology of Administrative Permit and Discretionary Administrative Permit needs to be consistent such that the Discretionary Administrative Permit is not confused with a Ministerial Administrative Permit

6129

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The number of Temporary Cannabis Events should be limited to a total for all licensees to 6 times per year. This would prevent the possibility of temporary events being held by many different licensees on so many dates throughout the year that local businesses and residents could be unduly disrupted by crowds, traffic, noise, odors and other negative factors.

Event facilities with Major Use Permits should be included in the total limit of 6 times a year for Cannabis events.

#### 6861 NON-CONFORMING

##### f) Exemptions

Just like any other business, exterior building modifications or additions should not be exempt from any Design Standards if subject to B Designator.

#### 6995 Cannabis Facilities

##### f) Performance Standards

Missing line item which reiterates the Performance Standard of section 1.6.1.4 stating no generators shall be used except for emergency situations

##### g) Activity Specific Standards

###### 2i & 2ii)

Cultivation setbacks between adjacent parcels based on residence versus vacant parcel lend itself to significant issues for both licensee and neighbor if owner of vacant parcel decides to develop adjacent vacant parcel. Licensee would be required to remove crops to adjust for change of 100ft setback to 300ft setback. This could prove to be a significant amount of crops if for example properties abut by a 1000ft boundary which is not uncommon in rural setting and 20 acre lots. This would translate to about 2 acres of crop that would need be removed to comply with setback change. In addition, there will be high likelihood of dealing with enforcement by code enforcement and litigation surrounding such events. To avoid these potential issues, it is recommended that all setbacks, independent of adjacent parcel being vacant or developed be set at 300 ft.

2vi.) Given all cannabis processing must be performed in an enclosed structure, also implies that now odor mitigation must be managed and a new license with APCD acquired to monitor and enforce such odor mitigation efforts.

## SUMMARY

While our recommendation is Alternative 4, we conclude that the DEIR fails to adequately address topics which have been discussed in the DEIR and Regulatory comments. In particular:

1. The effects and impacts to our rural roads and infrastructure.
2. The negative effects from impaired drivers who have visited cannabis lounges and temporary events.
3. The negative environmental effects of cannabis cultivation on utilities, rural aesthetics and surrounding residents and businesses.
4. The negative impacts of outdoor temporary events.
5. The negative environmental effects of cannabis cultivation odors.
6. Negative effects on other crops.
7. Negative effects on law enforcement, first responders and public services.

We recommend that the EIR be revised to include a more thorough and up to date analysis of these topics and their negative environmental impacts on our unincorporated communities.

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## OTHER REFERENCES

### FEDERAL LAW

Federal law (21 USC § 860) is clear: no alcohol, drugs of ANY kind are to be sold, grown, manufactured, or processed within 1000 feet of a school facility or club.

All setbacks/buffers should be a minimum of 1,000 ft for the protection of residences and businesses.

### ILLEGAL CANNABIS OPERATIONS

The idea that legal cannabis businesses will help prevent illegal cannabis business appears to be flawed.

[https://www.wsj.com/us-news/marijuana-weed-economy-colorado-pueblo-a8b89091?mod=Searchresults\\_pos1&page=1](https://www.wsj.com/us-news/marijuana-weed-economy-colorado-pueblo-a8b89091?mod=Searchresults_pos1&page=1)

According to NBC News 2022, 70-80% of MJ sold in state-LEGAL dispensaries in Calif was produced and grown ILLEGALLY (SOURCE: <https://learnaboutsam.org/wp-content/uploads/2023/04/2023-Report.pdf>)

Siskiyou County Sheriff, "We have definitive proof of illegal, toxic pot going to a Los Angeles ``dispensary".

<https://www.ganijingworld.com/video/1g8ntrcvb523T6Ky2i0Ptv06e1oi1c>

### CARTELS & HUMAN TRAFFICING

[https://www.latimes.com/california/story/2023-05-05/california-weed-regulators-confront-human-trafficking?utm\\_id=96600&sfmc\\_id=2400471](https://www.latimes.com/california/story/2023-05-05/california-weed-regulators-confront-human-trafficking?utm_id=96600&sfmc_id=2400471)

### ECONOMIC VIABILITY- MAY COST MORE TO REGULATE THAN TAX REVENUE

<https://pasoroblesdailynews.com/grand-jury-finds-legal-cannabis-has-not-been-economically-viable-for-slo-county/193704/>

### PESTICIDES

<https://www.latimes.com/california/story/2024-12-19/california-weed-cleanup>

GRAND JURY INDICTS 51 IN EAST VILLAGE OPEN AIR DRUG MARKET CRACKDOWN LOCAL – fox 5 kusi – April 25, 2024

<https://fox5sandiego.com/news/local-news/grand-jury-indicts-51-in-east-village-open-air-drug-market-crackdown/>

Journal of CannabisResearch. A narrative review on environmental impacts of cannabis cultivation

[https://j cannabisresearch.biomedcentral.com/articles/10.1186/s42238-021-00090-0#:~:text=2013\),in%20state%20or%20federal%20agencies](https://j cannabisresearch.biomedcentral.com/articles/10.1186/s42238-021-00090-0#:~:text=2013),in%20state%20or%20federal%20agencies)

Respectfully,

Martin Kurland, Chair  
Rainbow Community Planning Group

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