LA COUNTY PLANNING

AMY J. BODEK, AICP
Director,
Regional Planning

DENNIS SLAVIN
Chief Deputy Director,
Regional Planning

REPORT TO THE REGIONAL PLANNING COMMISSION

DATE ISSUED:	May 14, 2026		
MEETING DATE:	5/20/2026	AGENDA ITEM:	9(a)
PROJECT NUMBER:	PRJ2024-000811		
PROJECT NAME:	Commercial Cannabis Ordinance		
PLAN NUMBER(S):	RPPL2024001191		
SUPERVISORIAL DISTRICT:	1-5		
PROJECT LOCATION:	Countywide		
PROJECT PLANNER:	N/A		

COMMERICAL CANNABIS ORDINANCE PRESENTATION

Since May 7, 2026, one public comment letter has been received.

As a reminder, this presentation is intended to be informational. No action is required.

Report Reviewed By: Edward Rojas
Edward Rojas, Assistant Deputy Director

Report Approved By:
Connie Chung, Deputy Director

From: Acton Town Council <atc@actontowncouncil.org>
Sent: Friday, May 8, 2026 1:35 PM
To: Elida Luna <ELuna@planning.lacounty.gov>; atc <atc@actontowncouncil.org>
Subject: Agenda Item #9A slated for the May 20, 2026 Planning Commission meeting

The Acton Town Council respectfully requests that this email be distributed to all Commissioners

Honorable Commissioners;
The Acton Town Council just learned that a presentation on the pending Cannabis Ordinance is scheduled before the Regional Planning Commission on May 20, 2026. The Acton Town Council has participated extensively in the Cannabis Ordinance development process, and we thought it prudent to share with you some of the comments and concerns that we recently filed with DCBA which pertain to the scope and extent of the ordinance and the associated environmental Impact analysis. Hopefully, this information is received sufficiently in advance to allow you to factor it into any discussion that takes place on May 20.

Sincerely;
The Acton Town Council

ACTON TOWN COUNCIL
1887
P.O.Box 810, Acton CA 93510

March 30, 2026

Rafael Carbajal, Director of DCBA
County of Los Angeles
320 W. Temple Street, Room G-10
Los Angeles, CA 90012.
Electronic transmission of fourteen (14) pages to:
CannabisEIR@dcba.lacounty.gov

Subject: Acton Town Council Comments on the Draft Programmatic Environmental Impact Report for the Commercial Cannabis Business Licensing Program.

Dear Director Carbajal;

The Acton Town Council respectfully submits the following comments to the Department of Consumer and Business Affairs (DCBA) in response to the Draft Programmatic Environmental Impact Report (DEIR) issued for the proposed Los Angeles County Commercial Cannabis Business Licensing Program (Program). These comments are timely filed by the March 30, 2026 deadline set forth in the NOP.

THE DEIR SHOULD NOT HAVE BEEN ISSUED BEFORE THE PROPOSED TITLE 8 ORDINANCE/COMPLIANCE REQUIREMENTS WERE RELEASED.

Section 2.0 of the DEIR devotes 26 pages to describing the "project" at issue here. However, what the "project" actually consists of is just two things: an ordinance amending the Title 22 Zoning Code to allow cannabis uses, and an ordinance amending Title 8 to establish licensing and enforcement procedures, operating conditions, and monitoring requirements. CEQA requires all the elements of the "project" to be fully disclosed to the public either before or when a DEIR is issued; in this case, full disclosure means the release of both the proposed Title 22 ordinance and the proposed Title 8 ordinance. The reason is simple: without access to the proposed ordinances which comprise the "project" the public cannot assess whether they "deliver" the environmental protections that are committed to by the DEIR. Unfortunately, the County has not released any information about the Title 8 ordinance, so it is impossible to assess whether the operating, monitoring, compliance and enforcement provisions that will be included in the Title 8 ordinance will indeed mitigate environmental impacts to the extent that the DEIR alleges. Without the proposed Title 8 ordinance, the Acton Town Council is unable to provide full and comprehensive comments on the DEIR.

INCONSISTENCY BETWEEN THE DEIR AND THE DRAFT ORDINANCE.

The DEIR finds that at least some impacts caused by the ordinance are not minimized or reduced to a level that is less than significant; additionally (and as explained in more detail below), the Acton Town Council contends that some of the impacts deemed to be less than significant are in fact significant and that the DEIR is wrong to declare otherwise. Given that the DEIR finds that the ordinance *does* result in significant impacts on the environment and thus *does not* minimize such impacts, it is improper for the "Purpose" statement in the Title 22 ordinance to declare that the ordinance *minimizes* the "potential for adverse impacts on people, communities, and the environment". Furthermore, *every* cannabis business authorized by the County will be ministerially approved and thus will *never* be subject to land use requirements beyond those expressly set forth in the Title 22 ordinance. In other words, the cannabis business land use restrictions imposed by Title 22 are the *only* land use restrictions that will be imposed; therefore, they are not *minimum* land use requirements. Accordingly, the "Purpose" statement claim that the Title 22 Ordinance establishes "minimum land use requirements" is substantially erroneous given that the Ordinance sets forth *all* the land use requirements that will *ever* be imposed. To correct these errors, the Acton Town Council recommends the following revision to the draft cannabis ordinance

22.140.134 Cannabis.
Purpose. To promote the health, safety, and general welfare of the County, this Section regulates legally established commercial cannabis businesses and personal use cannabis cultivation in compliance with State law. This Section establishes ~~minimum~~ all land use requirements for all medical and adult-use cannabis uses, including cultivation, processing, distribution, manufacturing, testing, retail sales, and microbusinesses, as defined in Chapter 22.14 of Division 2 (Definitions). Commercial cannabis businesses shall first obtain a County Cannabis License issued by the Office of Cannabis Management (OCM) before business operations commence. The regulations in this Section provide permitted cannabis uses in unincorporated areas of the County a reasonable opportunity to access legal cannabis ~~while minimizing the potential for adverse impacts on people, communities, and the environment~~.

Additionally, page 2-13 of the DEIR states "All cannabis business licenses would be subject to mandatory annual renewal. Any business that fails to comply with all County and State regulations may be subject to enforcement actions, including fines, license suspension, or revocation". This statement establishes two fundamental principles that are applicable to all the impacts which are assessed in the DEIR along with their associated mitigation measures. The first principle is that enforcement is essential for ensuring compliance with County and State regulations and that, without enforcement, compliance is not guaranteed. The second principle is that the County does not consider enforcement to be a compulsory act because the DEIR states that enforcement *may* occur which, by extension, means that it also *may not* occur. Together, these principles

lead to just one conclusion: because the County does not commit to enforcing any of the compliance provisions set in the County Code or in State regulations, there is no evidence to support a conclusion that the environmental impacts which result from noncompliance will be mitigated. In other words, the DEIR presumes that significant impacts will be mitigated through compliance; yet, it acknowledges that compliance is only achieved through enforcement and that the County does not consider enforcement to be a compulsory act. Accordingly, the DEIR cannot conclude that impacts will be mitigated to a level that is less than significant if the mitigation measure is contingent on compliance with applicable regulations that will not be enforced. Nonetheless, the DEIR ***does*** conclude that impacts of the cannabis ordinances are less than significant simply because cannabis businesses will be subject to the County Code. Such conclusions are not supported by substantial evidence. In fact, they are controverted by substantial evidence including the statement on page 2-13 which clarifies that the County does not consider enforcement (and therefore compliance) to be obligatory.

The Acton Town Council has substantial evidence proving that it is a standard County "pattern and practice" to not enforce applicable County Code provisions. For example, in the scoping comments, we provided nearly 30 pages of substantial evidence proving that Regional Planning ***does not*** enforce the Title 22 Zoning Code; this evidence substantiates our claim that compliance with applicable cannabis regulations in Title 22 is not guaranteed because enforcement is not compulsory. We now supplement the evidence we have already provided with additional substantial evidence showing that the DCBA and the County Department of Health ***do not*** enforce applicable Title 8 code provisions that fall under their jurisdiction. Specifically, Attachment 1 provides photographs taken on March 27, 2026 which show numerous food vendors in Acton that persistently and blatantly violate all Title 8 "Sidewalk Vendor" regulations for which the Health Department and DCBA are responsible. These businesses create significant traffic hazards because they induce customers to block traffic with their cars, park in red zones, even extend their tables and chairs into the County Right of Way. These businesses pose a significant wildfire danger because they cook with open flames in areas of heavy brush during windy conditions; they also operate generators sitting on the ground near brush. These businesses create significant trash impacts because they all dump their grease, food waste and trash in gullies and open space areas. For more than a year, the Acton Town Council has tried to eliminate these significant environmental impacts by getting the County to enforce Title 8 and other applicable code provisions. The County refuses. All of this proves that the County does not enforce Title 8 business codes or Title 11 health codes or Title 22 zoning codes; it also constitutes substantial evidence that the environmental impacts of the project are not mitigated simply because cannabis businesses will be subject to these codes.

The DEIR appears to vaguely acknowledge the importance of enforcing mitigation measures to ensure impacts are reduced to a level that is "less than significant" because it states on page 3-12 that mitigation measures ***must be*** "fully enforceable" through "measures incorporated directly into the adopted ordinance" such as "permitting requirements, licensing requirements, or development standards" and/or "standard conditions of approval for individual projects". However, there is a significant difference between the "enforceability" of a mitigation measure and the "enforcement" of the mitigation measure; it only the latter which actually constructively reduces environmental impacts to a level that is "less than significant". Accordingly, while it is likely that the measures developed by the County to mitigate environmental impacts of cannabis businesses will be enforceable, there is substantial record evidence proving that these measures will not be enforced and, by extension, that environmental impacts will not be mitigated to a level that is "less than significant". Consistent with this principle, there is no substantial evidence to support DEIR conclusions that cannabis businesses will not result in significant air quality, public safety, or other impacts because they are subject to County Code requirements.

THE TITLE 22 ORDINANCE DOES NOT APPEAR TO RESTRICT CANNABIS BUSINESSES TO EXISTING BUILDINGS.

DCBA and Regional Planning previously asserted that cannabis businesses would only be permitted in existing buildings and that the "Project" would not result in any new construction. This is reflected on page 3.5-38 of the DEIR and in the "Initial Study"[1] both of which aver that cannabis businesses would only be permitted in existing structures. Because the Title 8 Ordinance has not been released, it is not known whether this restriction will be included therein (which is another reason why the County should not have released the DEIR until after the Title 8 Ordinance was issued). Moreover, the Acton Town Council has carefully reviewed the proposed Title 22 Ordinance but cannot find any restriction that limits cannabis businesses to just existing structures (though we apologize in advance if the restriction is there and we somehow missed it). This restriction does not appear in the proposed "Development Standards" set forth in Section 22.140.134. In fact, Section 22.140.134.F.4 merely states that "commercial cannabis businesses shall conduct operations entirely within an enclosed building or structure" and "cannabis businesses shall be permitted only within a permanent structure"; these statements do not restrict cannabis businesses to existing structures. Because the Title 22 Ordinance does not restrict cannabis businesses to existing structures, the DEIR cannot conclude that impacts are less than significant because cannabis businesses are restricted to existing structures.

[1] Pages 25, 38, and 44 of the "Initial Study" in Appendix A of the DEIR.

AIR QUALITY IMPACTS OF THE "PROJECT" ARE NOT "LESS THAN SIGNIFICANT".

According to pages 3.1-30 to 3.1-31 of the DEIR, air quality impacts and in particular odor impacts of the "Project" are "less than significant" because cannabis businesses "would be subject to all applicable LACC regulations" including "Section 11.37.070, that requires the development and implementation of an odor management plan that would be subject to the Public Health Department's review and approval". Of course, a plan is nothing more than a document and as such, it is intrinsically incapable of mitigating anything *particularly when there is no inclination to enforce the plan*. More importantly, the County has no commitment to enforcing the "LACC regulations" upon which this "finding of no significance" is based (as discussed above). Accordingly, the conclusion that odor impacts from cannabis businesses will be "less than significant" *is not supported by substantial evidence* because it is based solely on the applicability of County Code provisions which, according to the DEIR, may (or may not) be enforced.

The DEIR also claims that odor impacts will be less than significant because cannabis businesses will comply with SCAQMD and AVAQMD regulations[2]; however, the SCAQMD does not regulate any cannabis operations and the AVAQMD does not regulation cannabis cultivation operations[3]. Accordingly, any enforcement undertaken against cannabis businesses by SCAQMD and AVAQMD will be complaint driven. And, since both SCAQMD and AVAQMD odor regulations require multiple complainants over a substantial period of time[4], they can take more than a year to resolve and there will not even be an investigation unless "a considerable number" of people complain. Meanwhile, significant odor impacts will persist throughout the "odor investigation" (if there even is an investigation). And in those instances where the District with jurisdiction concludes that there are not sufficient complainants to satisfy the "considerable number of people" standard, no investigation will be done and no odor control requirements will be imposed; under such circumstances, the significant air quality (odor) impacts will be permitted to continue *with impunity*.

---

[2] SCAQMD has not promulgated any rules for cannabis operations; however, Rule 425 to regulate cannabis businesses may be developed someday. https://www.aqmd.gov/docs/default-source/agendas/governing-board/2026/2026-mar6-013.pdf?sfvrsn=1158697e_2 .

[3] AVAQMD merely requires an odor control plan for cannabis cultivation; no pollution control is required. However, "plans" are intrinsically incapable of mitigating anything.

[4] Neither the SCAQMD nor the AVAQMD investigate odors until a "considerable number of people" file complaints [https://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf?sfvrsn=4, https://www.avaqmd.ca.gov/files/597409879/AV402+1976+07+Apr+reformatted.pdf]. Only after multiple complaints from multiple individuals are received will SCAQMD and AVAQMD launch an odor investigation *which takes months and even years*. After the investigation, it is not a certainty that emission controls will be required. As the AVAQMD states "the District ***may*** require a public or nuisance odor to be abated in response to an odor investigation, which ***may*** effectively require an odor control device" (emphasis added) [https://www.avaqmd.ca.gov/files/0e7d9f545/FAQ+Cannabis+2020.pdf].

In a nutshell, because there is no guaranteed enforcement of Title 8, Title 11, and Title 22 County Code provisions, and because SCAQMD has no substantive compliance requirement for any cannabis businesses and AVAQMD has no substantive compliance requirements for cannabis cultivation operations, there is no substantial evidence to support the conclusion set forth in the DEIR that air quality (odor) impacts from the "project" will be reduced to a level that is "less than significant". The DEIR is fatally flawed in concluding otherwise. Furthermore, this fatal flaw precludes the County from making the finding required by CEQA Guidelines Section 15091 that odor and air quality impacts will be less than significant because such a findings must be supported by substantial evidence. Equally important, the County's established pattern and practice of not enforcing applicable code provisions constitutes substantial evidence that significant air quality/odor impacts ***will*** occur because the Health Department *will not* enforce any "odor control plans" and the DCBA *will not* rescind or revoke the license of any cannabis business that does not comply with its "odor control plan". Accordingly, the County must find that the "project" will result in significant air quality impacts and adopt a statement of overriding considerations pursuant thereto.

THE DEIR IGNORES THE SIGNIFICANT PUBLIC SAFETY IMPACTS THAT WILL RESULT FROM THE "PROJECT".

The "Scoping Comments" provided by the Acton Town Council expressed substantial concern regarding public safety impacts and in particular, we provided substantial evidence that cannabis businesses will pose a significant public safety threat in rural areas where sheriff department response is often substantially delayed. We also expressed concerns that, because every conceivable type of cannabis business will be permitted on M-1 land and because all the M-1 zoned properties in Acton are in residential neighborhoods and because cannabis businesses always have armed guards and are targeted by armed criminals, the "Project" poses a direct and substantial public safety risk to Acton residents. The Acton Town Council specifically requested that the EIR address these safety concerns in the hope that mitigation measures would be offered. Our request was ignored. Worse yet, the DEIR does not even consider such public safety concerns even though the initial study affirms that crimes associated with permitted cannabis activities will likely occur particularly at cultivation and retail facilities[5]! All of this renders the DEIR is substantially deficient.

[5] Page 61. The Initial Study dismisses such concerns because cannabis businesses are limited to existing structures and because a pathway is provided for legal operations. These reasons are not substantive or dispositive. Sheriff response and public safety are intrinsically intertwined *particularly in incidents that involve armed criminals and occur in remote rural areas that already have long sheriff response delays*; thus, it is irrelevant that cannabis businesses are limited to existing buildings. Furthermore, developers frequently initiate "bait and switch" scams where they get County approval to construct a building for one alleged purpose and then turn around and submit an application to use the structure for an entirely different purpose. This is how developers will sidestep the "existing structure" requirement.

The DEIR asserts that Policy S 7.1 and Policy S 7.5 from the Safety Element of the County General Plan are appliable to the "Project"; Policy S 7.1 states "Ensure that residents are protected from the public health consequences of natural or human-made disasters through increased readiness and response capabilities, risk communication, and the dissemination of public information" and Policy S 7.5 states "Ensure that there are adequate resources, such as sheriff and fire services, for emergency response". However, the DEIR does not explain how the "Project" is consistent with these policies. Perhaps this is because the "Project" actually controverts these policies. For instance, the "Project" allows the conversion of an existing structure in a residential area that is established with an existing benign use which does not attract armed criminals or pose explosion or wildfire risks into a cannabis business that requires armed security guards and even utilizes dangerous solvent extraction processes. Accordingly, the "Project" does not ensure residents "are protected from public health consequences" of "human-made disasters"; to the contrary, it invites "human-made disasters" into residential areas!

Furthermore, because the "Project" establishes a ministerial approval process for all cannabis businesses, there will never be any consideration given to whether any cannabis business location has "adequate resources, such as sheriff and fire services, for emergency response". And, because the DEIR completely ignores these public safety concerns and never addresses whether the locations identified for future cannabis business development have adequate sheriff and fire services, there is no substantial record evidence which shows the "Project" is consistent with these policies. In fact, the evidence provided by the Acton Town Council shows that the "Project" controverts these policies because it authorizes ministerial approval of all cannabis businesses with no regard for fire or sheriff resources! Furthermore, because Policies S 7.1 and S 7.5 were adopted for the purpose of reducing environmental impacts[6], and because the "Project" is inconsistent with these policies, it can be argued that these inconsistencies are significant environmental impacts that must be addressed in the DEIR[7].

---

[6] It is self-evident from the language in Policy S 7.1 that it was adopted for the purpose of reducing the environmental impacts of development (particularly hazard and safety impacts) because its whole purpose is to ensure the safety of residents. It is also self-evident from the language in Policy S 7.5 that it was also adopted for the purpose of reducing environmental impacts. Furthermore, the environmental document that was certified when the Safety Element was adopted in 2022 states that Policy S 7.1 was adopted to ensure "that there are enough sheriff and fire services that can handle emergency response situation" and that adequate "emergency response coverage exists" (page 22) and that "required fire suppression and other emergency response services for the County" are provided (page 64).

[7] Courts have held that an inconsistency between a proposed project and an adopted General Plan Land Use Policy will implicate CEQA when the Policy was adopted for the purpose of mitigating environmental impacts (*Joshua Tree Downtown Business Alliance v. County of San Bernardino* 1 Cal.App.5th 677; *Pocket Protectors v. City Of Sacramento* 124 Cal.App.4th 903). It is a logical extension to conclude that inconsistencies with other general plan policies would also constitute significant environmental impacts.

The DEIR claims on page 3.5-28 that the "Project" is consistent with General Plan Policy PS/F 1.1 which "discourage[s] development in areas without adequate public services and facilities" because the DEIR asserts that the "Project" is limited to "suburban and urban areas" that have "existing public services and facilities" including "sewer, solid waste, law enforcement, fire services, emergency response, and transportation/circulation systems that facilitate multiple modes of transportation". However, Acton is not an urban or suburban area, it does not have sewers, it does not have law enforcement, it does not have a "circulation system" that has multiple modes of transportation", and the fire department is quite small. Accordingly, the "Project" is inconsistent with General Plan Policy PS/F 1.1 and this inconsistency constitutes a significant environmental impact that must be mitigated before the "Project" can be approved.

THE "PROJECT" WILL RESULT IN SIGNIFICANT LAND USE IMPACTS.

The Acton Town Council notes several deficiencies in the DEIR pertaining to land use impacts. For example, the DEIR states on page 3.5-18 that the "Project" is consistent with several Land Use Policies adopted in the County General Plan because "commercial cannabis businesses would be required to occupy only existing, legally established buildings located in urban and suburban areas of Los Angeles County which have existing multimodal transportation infrastructure". This statement is categorically false. The "Project" allows every conceivable type of cannabis business throughout the Community of Acton which is neither an urban nor a suburban area and these locations do not have "existing multimodal transportation infrastructure". Page 3.5-19 states that cannabis businesses would be "established urban and suburban areas of Los Angeles County that have existing public utilities and services". This statement is categorically false. Acton is not an urban or suburban area and, as explained above, it has no dedicated Sheriff presence and only a small fire department.

Perhaps worst of all, the DEIR claims that the "Project" is consistent with Land Use Policy LU 7.1 which calls for buffers to "reduce and mitigate the impacts of incompatible land uses"; the DEIR claims consistency with Policy LU 7.1 because the "Project" imposes a 600 foot buffer between cannabis businesses and "youth-oriented uses". However, Policy LU 7.1 *is not* just concerned with buffers for "youth-oriented uses"; to the contrary, it requires buffers for *all* uses that are intrinsically incompatible with cannabis businesses because of the armed guards they employ, the significant odors that they create, and the explosion potential that is posed by their solvent based extraction operations. Because these are all characteristics of cannabis businesses, and because these characteristics are all intrinsically incompatible with residential uses, Policy LU 7.1 *compels* the County to require at least some buffer distance around residential areas. To ensure consistency with Policy LU 7.1 for ***all*** incompatible land uses and not just

"youth-oriented uses", the Acton Town Council recommends that the "Project" include a buffer of at least 200 feet for residential uses because of the intrinsic incompatibility between residential and cannabis business uses. Anything less would result in a substantial inconsistency with Land Use Policy LU 7.1. And, given that Land Use Policy LU 7.1 was adopted for the purpose of mitigating environmental impacts[8] and that the "Project" is substantially inconsistent with Policy LU 7.1 because it fails to provide buffers for incompatible residential uses, this inconsistency constitutes a significant environmental impact[9] that must be mitigated before the "Project" is approved.

The DEIR also claims on page 3.5-19 that the "Project" is consistent with Land Use Policy LU 6.1 that protects "rural communities from the encroachment of incompatible development that conflict with existing land use patterns and service standards" because the "Project" will only locate cannabis businesses "in established urban and suburban areas of Los Angeles County that have existing public utilities and services". This statement is categorically false. The "Project" authorizes every conceivable type of cannabis business throughout the Community of Acton which is not an urban or suburban area; to the contrary, it is a designated rural community under every land use standard adopted by the County. Furthermore, Acton does not have the "services" that are needed to support cannabis business development: we have no Sheriff presence, our Fire Department is very small, we have no sewers, and our roads are almost all dirt. The "Project" is not consistent with Land Use Policy LU 6.1, and because Land Use Policy LU 6.1. was adopted for the purpose of mitigating environmental effects[10], this inconsistency constitutes a significant environmental impact that must be mitigated before the "Project" is approved.

The DEIR also claims on page 3.5-30 that the "Project" is consistent with General Plan Policy ED 2.2 which requires the use of "adequate buffering and other land use practices to facilitate the compatibility between industrial and nonindustrial uses". However, the "Project" provides no buffers between industrial cannabis operations and residential uses *even though residential uses are intrinsically incompatible with cannabis operations* (as explained in detail above). This is particularly true in Acton where there is nearly 100 acres of industrially zoned land and *all of it* is within residential areas. The "Project" is substantially inconsistent with General Plan Policy ED 2.2, and this inconsistency constitutes a significant environmental impact that must be mitigated.

---

[8] Policy LU 1.7 and other policies (such as EDD 2.2) were adopted to "reduce adverse effects". Pages 5.10-11 to 5.10-32.

[9] A potentially significant environmental impact exists when a proposed project is inconsistent with a General Plan Policy that was adopted for the purpose of mitigating environmental impacts [*Joshua Tree Downtown Business Alliance v. County of San Bernardino* 1 Cal.App.5th 677, *Pocket Protectors v. City Of Sacramento* (2004) 124 Cal.App.4th 903].

[10] Policy LU 6.1 was adopted to "reduce adverse effects". Pages 5.10-11 to 5.10-17.

CANNABIS MANUFACTURING IN RURAL, HIGH FIRE HAZARD AREAS WILL RESULT IN SIGNIFICANT PUBLIC SAFETY IMPACTS.

The Title 22 ordinance allows cannabis manufacturing (including solvent-based extraction operations also known as volatile extraction operations) in rural, residential, and very high fire hazard areas despite the explosion and wildfire risks and hazards that they pose. The DEIR sets forth various why such impacts should be deemed "less than significant"; however, the following paragraphs explain how these reasons are not supported by substantial evidence.

Reason 1 on Page 3.4-22. All cannabis business types are "prohibited in residential, agricultural, open space, and other zones that have substantial numbers of sensitive receptors and/or characteristics that would exacerbate hazardous conditions (e.g., fuel loads)". What this statement fails to account for is that the industrial properties in Acton where cannabis manufacturing is permitted *do* have substantial numbers of sensitive receptors because they are in residential neighborhoods; they also have fuel load characteristics that *do* exacerbate hazardous conditions because they are all VHFHSZs. Accordingly, the claims made in this statement are not applicable to Acton and they do not constitute substantial evidence that the "Project" will have "less than significant" hazard risks.

Reason 2 on Page 3.4-22. Because cannabis businesses are subject to buffer requirements from youth oriented uses, rehab facilities, and cannabis retail businesses, this will "limit the potential for the routine use of hazardous materials to adversely affect the public and the environment". The fallacy in this statement is that "the public" does not consist solely of youth oriented uses, rehabs, and other cannabis businesses. Thus, while buffers which protect youth oriented uses, rehabs, and other cannabis businesses may be effective at protecting the small portion of the public that is represented by youth oriented uses, rehabs, and other cannabis businesses, they are ineffective at protecting the broader public and they are certainly useless at protecting residences (which, incidentally, are defined as a "sensitive use" under the Zoning Code). Accordingly, while the claim made in this statement does constitute substantial evidence that the "Project" will have "less than significant" hazard impacts on the youth oriented uses, rehabs, and other cannabis businesses, it does not constitute substantial evidence that "Project" will have "less than significant" hazard impacts on the public. This is particularly true in rural communities like Acton where industrial properties are in residential neighborhoods and all of it is in a VHFHSZ.

Reason 3 on Page 3.4-22. Because cannabis businesses are governed by a regulatory framework, the "potential for the routine use, storage, transport, and disposal of hazardous materials to create substantial hazards to the public" is minimized. However, there is no commitment by the County to actually enforce the "regulatory framework"

that the "Project" creates. Moreover, the mere existence of a "regulatory framework" for cannabis manufacturing operations is not dispositive, and it certainly does not constitute substantial evidence that the public safety and wildfire hazards posed by cannabis manufacturing will be "less than significant".

Reason 4 on Page 3.4-23. The "Project" restricts cannabis manufacturing to industrial zones which minimizes "risks resulting from potential, accidental exposure to sensitive receptors and ensuring land use compatibility". This argument fails to take into consideration that, in rural communities like Acton, individual industrial lots are actually *inside* residential neighborhoods and are thus adjacent to, and even surrounded by, sensitive land uses. Accordingly, the "Project" does not "ensure land use compatibility" in rural communities and it certainly does not minimize "risks resulting from potential, accidental exposure to sensitive receptors". Accordingly, the restriction of cannabis manufacturing to just industrial zones does not "minimize" the risks of potential accidental exposure to sensitive receptors in rural areas; therefore, it does not constitute substantial evidence that the "Project" will have "less than significant" hazard risks.

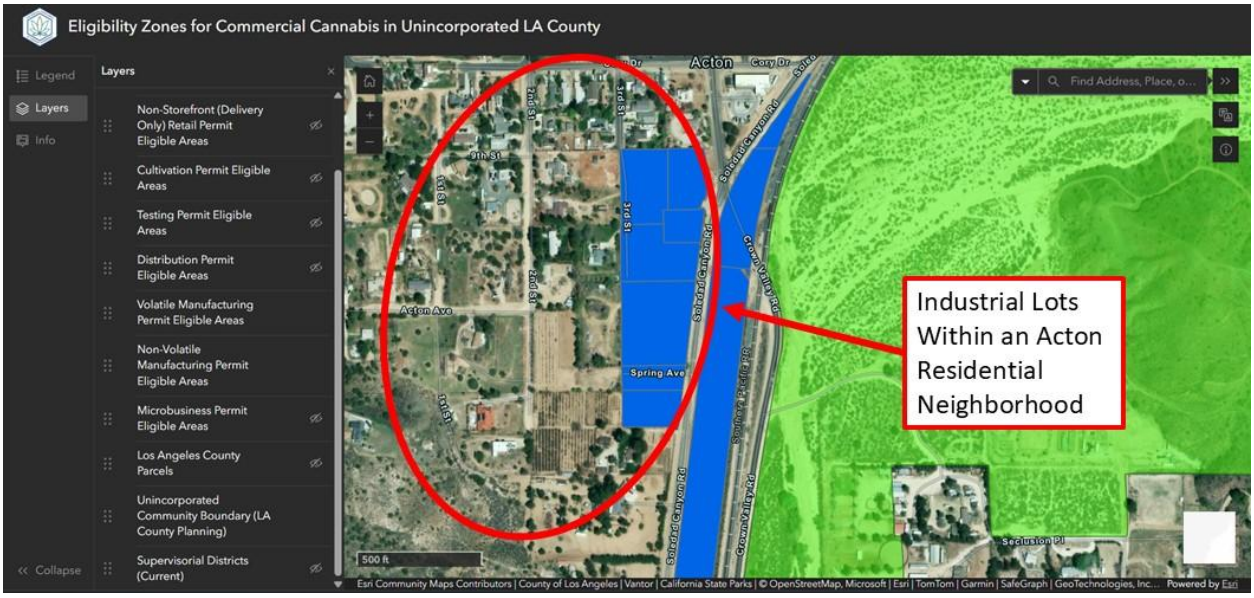
Reason 5 on Page 3.4-23. The adverse impacts of a hazardous release during an operational upset or accident (such as an explosion at a solvent extraction plant) is minimal because all cannabis businesses are "subject to federal, state, and local Regulations". However, the County is not committed to enforcing such regulations; therefore, the mere existence of such regulations is not dispositive and it certainly does not constitute substantial evidence that significant adverse impacts from operational upset or accident are "less than significant"

Reason 6 on Page 3.4-23. The adverse impacts of a hazardous release during an operational upset or accident (such as an explosion at a solvent extraction plant) is minimal because all cannabis businesses are "subject to federal, state, and local Regulations". However, the County is not committed to enforcing such regulations; therefore, the mere existence of such regulations is not dispositive and it certainly does not constitute substantial evidence that significant adverse impacts from operational upset or accident are "less than significant"

Reason 7 on Page 3.4-23. The "Project" will "ensure separation of hazardous materials from sensitive uses" and thereby "reduce the risk of exposure during an accidental release" because it provides buffers for a small subset of land uses. However, the "Project" ***does not*** ensure separation of hazardous material from sensitive uses. To the contrary, it authorizes cannabis manufacturing and solvent extraction operations right next door to residences! This *fact* is evident from the DCBA map titled "Eligibility Zones for Commercial Cannabis in Unincorporated LA County" which shows homes are

adjacent to nearly all the lots where cannabis manufacturing is permitted in Acton. An excerpt of this map is provided in Figure 1. Because the buffers established by the "Project" do not "ensure separation of hazardous materials from sensitive uses", there is no substantial evidence to support a conclusion that the buffers ensure that adverse impacts from exposure during an accidental release are "less than significant".

Figure 1. Excerpt from the DCBA Map of Commercial Cannabis Eligibility Zones.



Reason 8 on Pages 3.4-23 to 3.4-24. Because the "Project" initially limits the number of cannabis manufacturing licenses in each General Plan Planning Area, the "risk of significant exposure to hazardous materials in the event of an accidental release or emergency condition" is lowered because there will be no overconcentration. This is a strawman argument. A single manufacturing facility in Acton poses a significant hazard exposure risk during an accident or emergency condition; this significant hazard risk to Acton residents is not reduced or in any way altered by the fact that, for the time being, only a certain number of licenses are permitted in the Antelope Valley Planning Area. Accordingly, imposing a limiting on the number of cannabis manufacturing licenses that are issued does not reduce the public safety hazard posed by each manufacturing facility and it certainly does not constitute substantial evidence that the public safety hazard posed by each manufacturing facility is "less than significant".

Reason 9 on Page 3.4-24. Existing and new regulations and buffers will "prevent significant impacts associated with hazardous emissions, materials, substances, and/or wastes, to schools and/or sensitive uses." While a 600 foot buffer around schools may help reduce impacts of hazardous emissions on schools, the "Project" provides no buffers for other sensitive uses, including residences. Accordingly, the "hazardous emissions, materials, substances, and/or waste" impacts on sensitive residential

receptors that are created by the "Project" will remain significant and unmitigated and there is no substantial evidence to support a contrary conclusion.

Reason 10 on Pages 3.4-24 to 3.4-25. The "Project" will not expose sensitive uses to hazardous emissions or materials or waste because cannabis manufacturing is restricted to industrial lots that "typically do not include" large number of residents. This statement is so troubling that it is difficult to know where to begin. As explained above, industrial properties in Acton are surrounded by residences, so restricting cannabis manufacturing to industrial lots does not protect sensitive uses. Furthermore, what makes an environmental impact significant is not whether it affects "large numbers" of people; rather, it is the magnitude of the effect itself regardless of the number of people who experience the effect. The attitude behind this argument is alarming; it suggests that an impact is less than significant when only a handful of people experience a significant impact. That is not how CEQA works. A significant impact is a significant impact regardless of the number of people who experience it. It is an undisputed fact that a hazardous release or explosion at a cannabis manufacturing operation on an industrial lot in Acton will substantially and adversely affect the surrounding residents. That is the only relevant standard, and these impacts are not reduced simply because the impact does not involve a "large number" (whatever that means).

Reason 11 on Pages 3.4-26 to 3.4-27. The "Project" will not expose the public to a risk of wildland fire or create a potentially dangerous fire hazard because cannabis manufacturing will comply with the fire code. However, compliance with the fire code is not a panacea; plenty of structures that comply with the fire code catch on fire anyway. Therefore, compliance with the fire code is not sufficient to support a conclusion that fire and wildfire impacts are less than significant. Equally important, the risks of fire and wildland fire are exacerbated by locational circumstances. For instance, a fire in an industrial building in an urban or suburban area that is surrounded by other industrial buildings is unlikely to spread. However, that same fire in an industrial building that is isolated and surrounded by dry chaparral and homes is likely to spread and ignite a very dangerous wildfire particularly during windy conditions. Fire and wildfire impacts differ considerably across locations; yet, the "Project" fails to take any of this into account. In short, there is simply no substantial evidence that the fire and wildfire impacts posed by the "Project" are reduced to a level that is "less than significant".

DCBA PERSISTENTLY IGNORES THE PRIVATE SCHOOL APPROVED AT ACTON FAITH BIBLE

For reasons that have never been made clear, the cannabis maps that DCBA has prepared persistently ignore the approved private school operated by the "Acton Faith Bible" organization located on APN 3208-011-052. The school is adjacent to a large

industrially zoned area and it must be recognized to prevent cannabis business development in these areas.

THE TITLE 22 ORDINANCE DOES NOT RESTRICT THE NUMBER OF LICENSES THAT WILL BE ISSUED

The DEIR is premised on the assumption that only 90 cannabis licenses will be issued (page 1-7); these licenses are supposed to be evenly distributed throughout the five supervisorial districts. However, no such restrictions are found anywhere in the draft Title 22 ordinance. Additionally, the County still has not released the Draft Title 8 ordinance, so it is impossible for the public to assess whether this fundamental assumption expressed in the DEIR will indeed be implemented by the County. This is another reason why the Acton Town Council believes that the DEIR has been released prematurely; it is also why we believe that the public should be permitted to file additional comments on the DEIR after the Title 8 ordinance is finally released.

CONCLUSION

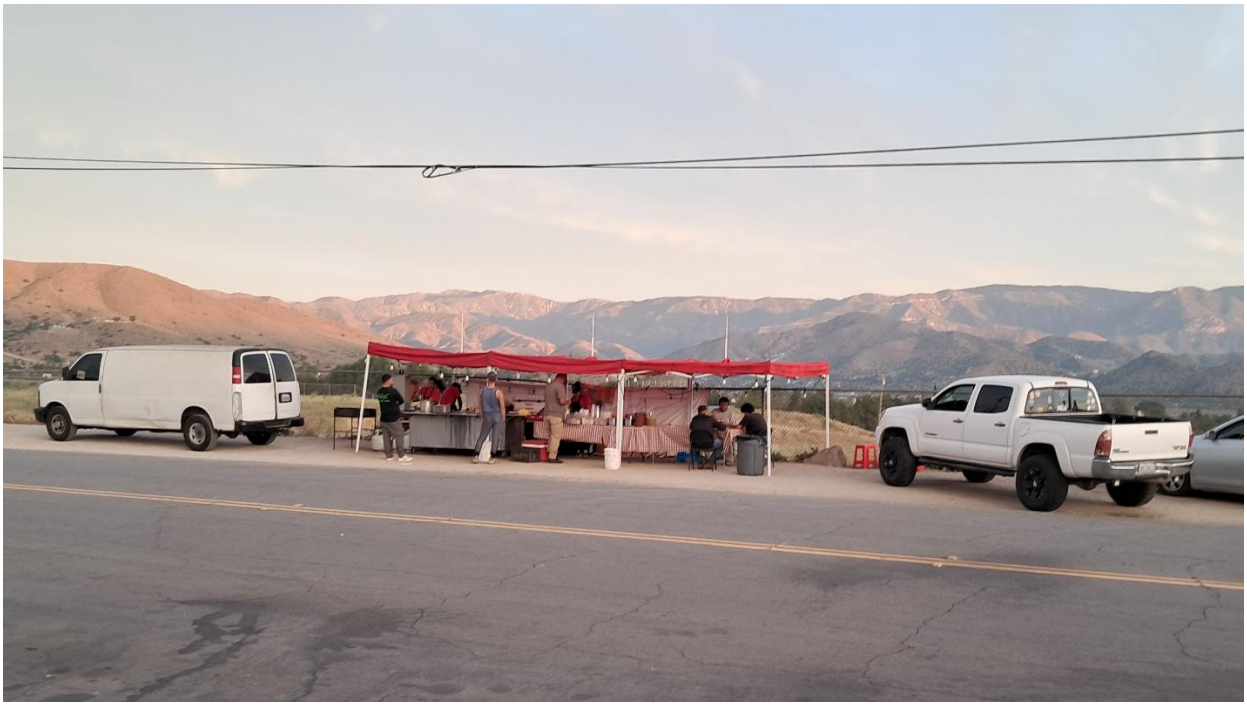
The Acton Town Council hopes that DCBA and Regional Planning considers the comments provided herein and makes adjustments to the DEIR and the County Code to address our concerns. If you have any questions, please do not hesitate to contact the Acton Town Council at atc@actontowncouncil.org

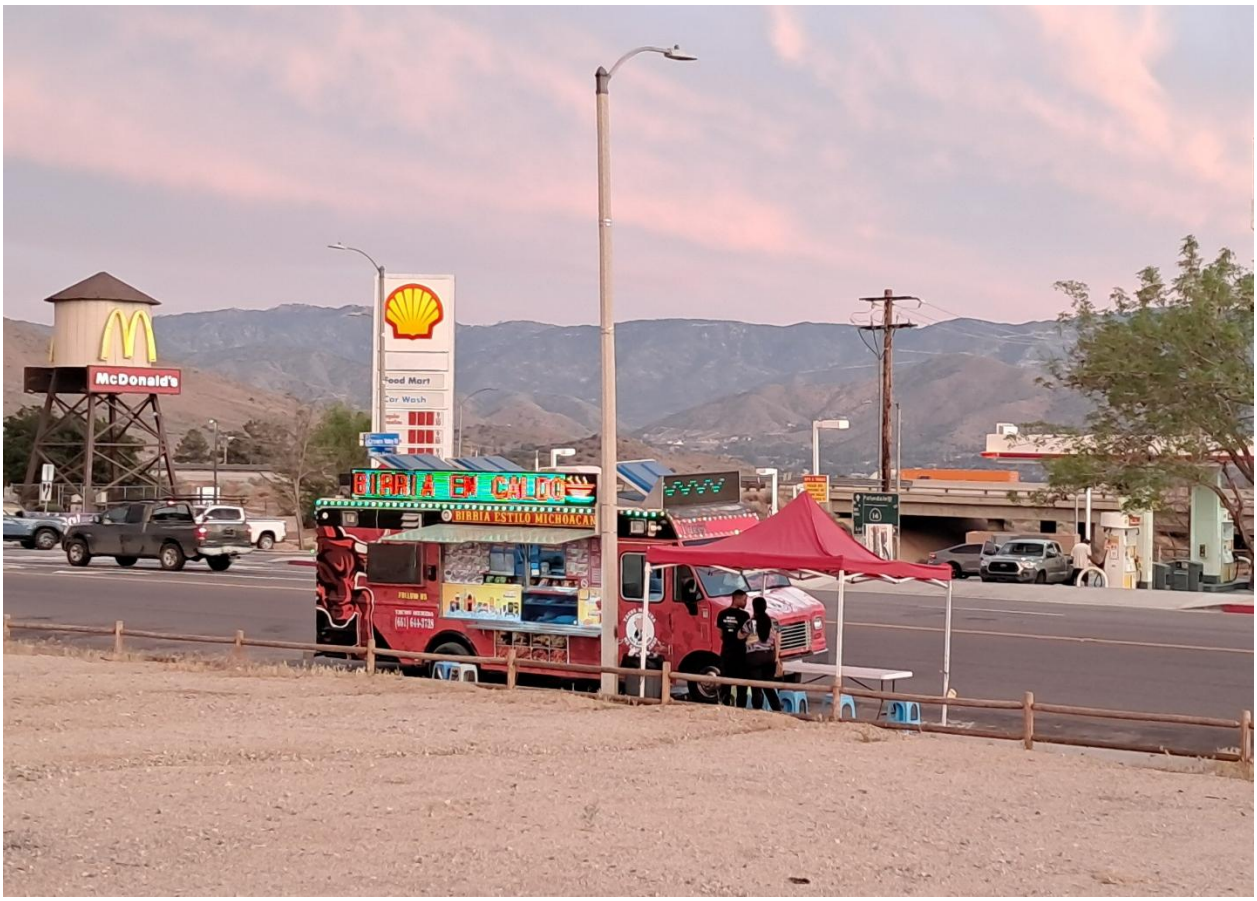
Sincerely;

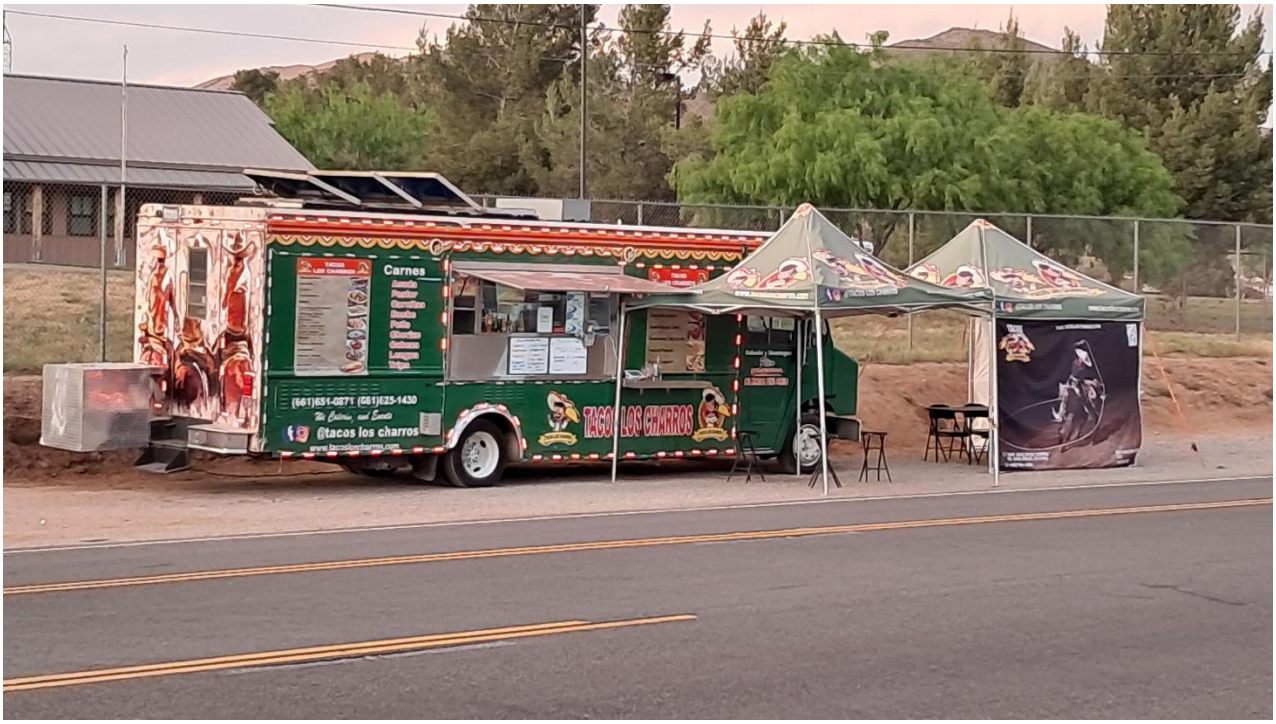
_____
Jeremiah Owen, President
The Acton Town Council

ATTACHMENT 1

PHOTOGRAPHS TAKEN MARCH 27, 2026 OF FOOD VENDORS IN ACTON THAT VIOLATE TITLE 8 “SIDEWALK VENDOR” REGULATIONS




McDonald's
Food Mart
Car Wash
BIRRIA EN CALDO
BIRRIA ESTILO MICHOACAN


Carnes
(661)651-0871 (661)625-1430
@tacos los charros
TACOS LOS CHARROS