NOTICE OF EXEMPTION

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING
976 OSOS STREET • ROOM 200 • SAN LUIS OBISPO • CALIFORNIA 93408 • (805)781-5600

Project Title and No.: Medical Marijuana Cultivation Interim Zoning/Urgency Ordinance / ED16-024

Project Location (Specific address [use APN or description when no situs available]): , County of San Luis Obispo - unincorporated area	**Project Applicant/Phone No./Email:** County San Luis Obispo/(805)781-1006/bcummings@co.slo.ca.us **Applicant Address (Street, City, State, Zip):** 976 Osos Street Room 300, SLO, CA 93408

Description of Nature, Purpose and Beneficiaries of Project

An interim zoning/urgency ordinance establishing a moratorium on the cultivation of marijuana in all unincorporated areas of the County except for certain exemptions. All districts.

Name of Public Agency Approving Project: County of San Luis Obispo

Exempt Status: (Check One)

☐	Ministerial	{Sec. 21080(b)(1); 15268}
☐	Declared Emergency	{Sec. 21080(b)(3); 15269(a)}
☐	Emergency Project	{Sec. 21080(b)(4); 15269(b)(c)}
☒	Categorical Exemption.	{Sec. 15307; 15308 ; Class: 7, 8 }
☐	Statutory Exemption	{Sec.____}
☒	General Rule Exemption.	{Sec. 15061(b)(3)}

Reasons why project is exempt: This Ordinance is necessary to preserve natural resources by prohibiting medical marijuana cultivation. The establishment of medical marijuana cultivation sites in the unincorporated county without direct oversight and review by the County would threaten the public health, safety, and welfare by exacerbating degradation of natural resources and residential communities. This urgency and interim zoning ordinance will allow County staff time to complete necessary studies and reports to analyze and address environmental impacts of medical marijuana cultivation sites while protecting natural resources.

This Ordinance is exempt from the California Environmental Quality Act (Public Resources Code §21000, et seq.) ("CEQA") because:

1. Per CEQA Guidelines §15061(b)(3) – The urgency ordinance is not subject to CEQA due to the general rule that an action is not subject to CEQA where it can be seen with certainty that there is no possibility that there will be a significant effect on the environment. The urgency ordinance provides for regulations to prohibit the cultivation of marijuana, thus will not have a significant adverse effect on the environment.
2. Per CEQA Guidelines §15307(Class 7) and §15308(Class 8) – The urgency ordinance consists of regulations and restrictions on activities to assure the maintenance, restoration, or enhancement of natural resources and the environment by prohibiting environmentally destructive components of currently unregulated marijuana cultivation

Brandi Cummings (bcummings@co.slo.ca.us) (805)781-1006

Lead Agency Contact Person **Telephone**

If filed by applicant:
1. Attach certified document of exemption finding
2. Has a notice of exemption been filed by the public agency approving the project? Yes ☐ No ☐

Signature Brandi Cummings Date 8/3/2016

Name (Print) Brandi Cummings Title Planner I

On _____ the project was Approved by:

☐ Board of Supervisors ☐ Subdivision Review Board ☐ Other _____

☐ Planning Commission ☐ Planning Dept Hearing Officer

GENERAL RULE EXEMPTION - CHECKLIST

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Pursuant to section 15061 of the State California Environmental Quality Act (CEQA) Guidelines, the preliminary review of a project includes a determination as to whether a project is exempt from CEQA. This checklist represents a summary of this project's review for exemption.

		YES	NO
1.	Does this project fall within any exempt class as listed in sections 15301 through 15329 of the State CEQA Guidelines?	☒	☐
2.	Is there a reasonable possibility that the project could have a significant effect on the environment due to unusual circumstances?	☐	☒
3.	Is the project inconsistent with any Federal, State, or local law or administrative requirement relating to the environment?	☐	☒
4.	Will the project involve substantial public controversy regarding environmental issues?	☐	☒
5.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒
6.	Does the project have the potential to achieve short-term environmental goals to the disadvantage of achieving long-term environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future.)	☐	☒
7.	Does the project have adverse impacts which are individually insignificant, but cumulatively significant? Cumulatively significant means that the incremental effects of an individual project are substantially adverse when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	☐	☒
8.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒

On the basis of this initial evaluation, I find that the proposed project does not have the potential to cause a significant effect on the environment, and is therefore exempt from CEQA.

Brandi Cummings (bcummings@co.slo.ca.us) 8/4/2016

for Ellen Carroll, Environmental Coordinator Date