County of Santa Cruz
Cannabis Licensing Office
701 Ocean Street, Room 520
Santa Cruz, CA 95060
831-454-3833
Cannabisinfo@santacruzcounty.us

NOTICE OF EXEMPTION

To: Clerk of the Board
Attn: Juliette Rezzato
701 Ocean Street, Room 500
Santa Cruz, CA 95060

Project Name: Non-Retail Commercial Cannabis Update

Project Location: Countywide

Assessor Parcel No.: N/A

Project Applicant: County of Santa Cruz Cannabis Licensing Office

Project Description: The project updates the Santa Cruz County Code for non-retail cannabis cultivation canopy allocation with the TP, SU, and CA zone district as defined in Santa Cruz County Code section 13.10.650 and 7.128.110. The changes encompass revisions to canopy allocations as defined by the Board of Supervisors.

Agency Approving Project: County of Santa Cruz Board of Supervisors

County Contact: Samuel LoForti **Telephone No**. 831-454-3426

Date Completed: December 10, 2024

This is to advise that the County of Santa Cruz *Board of Supervisors* has approved the above-described project on December 10, 2024 (date) and found the project to be exempt from CEQA under the following criteria:

Exempt status:

☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
☐ The proposed activity is exempt from CEQA as specified under CEQA Guidelines Section 15061(b)(3).
☐ The proposed activity is exempt from CEQA as specified under CEQA Guidelines Section 15321.
☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
☒ **Categorical Exemption** CEQA Guidelines 15301 and 15304

Reasons why the project is exempt:
The proposed changes qualify for exemptions from CEQA per Sections 15301 and 15304 of the CEQA Guidelines. An agency may combine several exemptions to find an entire project is exempt. The changes to Santa Cruz County Code section 13.10.650 are exempt via the class 1 categorical exemption defined in Section 15301 of the CEQA guidelines which entails changes to existing facilities. As stated in the CEQA Guidelines, the key consideration for applying this exemption is whether the project involves negligible or no expansion of use. Section 15301 lists six different examples of the projects that would be expected to fall within Class 1. However, the types of "existing facilities" itemized within Class 1 are not intended to be all-inclusive of the types of projects which may fall within the class. The following are some examples listed in Section 15301: Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The types of "existing facilities" itemized above are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of use. The expansion of the cannabis use is substantially similar to the existing principally permitted agricultural uses of growing plants for commercial purposes. The expansion of cannabis uses will use less water than all but one type of existing commercial agriculture operations (apple orchard) that we observe throughout the County. The expansion of cannabis cultivation within prior commercial uses will be less intense than other commercial uses which include commercial agriculture and visitor accommodations. The land use designations that will be impacted

by this project include the Commercial Agricultural, Special Use, and Timber Production zone districts. These zone districts share a goal of agricultural land preservation and allowing cannabis cultivation to expand within these districts aligns with this goal.

Section 15304 of the CEQA Guidelines involves minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples of these types of Class 4 projects listed in Section 15304 of this exemption include, but are not limited to:

- Grading on land with a slope of less than 10% and not in a waterway, wetland, designated scenic area, or official areas of geologic hazard.
- New Gardening or Landscaping, including the replacement of existing conventional landscaping with water resistant or fire efficient landscaping.
- Minor temporary us of land having negligible or no permanent effects on the environment.
- Minor trenching or backfilling where the surface is restored.

The Class 4 exemption applies to this proposed project as the project consists of permitting cannabis cultivation activities in previously disturbed soils which have been zoned for agricultural and/or commercial use. This project may result in minor agricultural grading and other minor land disturbing activities associated with the cultivation of crops for commercial purposes.

Signature: Sam LoForti Date: 12/10/2024 Title: Cannabis Licensing Manager