

Notice of Exemption

To: ☐ Office of Planning and Research
Creek

1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Sutter

18 Main Street
Sutter Creek, CA 95685

☒ County Clerk
County of Amador
810 Court Street
Jackson, CA 95642

Project Title: Sutter Creek Responsible and Compliant Retail LLC DBA Embarc Dispensary

Project Location – City: Sutter Creek – Commercial C-2 Zoning District

Project Location – Specific: 11 Ridge Road. APN 044-020-063 **Project Location – County:** Amador

Description of Nature, Purpose, and Beneficiaries of Project:

The City received an application from Sutter Creek Responsible and Compliant Retail, LLC DBA Embarc, (the "Applicant") on May 11, 2026, for the rights and entitlements to develop and operate a commercial cannabis retail sales and delivery business at 11 Ridge Road in the Sutter Hill area of the City. The application includes amendments to Titles 10 and 18 of the Sutter Creek Municipal Code, a Development Agreement, a Conditional Use Permit, a Sign Permit and Site Plan Permit. Business will occur in a former bank building.

Name of Public Agency Approving Project: City of Sutter Creek

Name of Person or Agency Carrying Out Project: Tom DuBois, City Manager

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. Section 15301 (Existing Facilities) and Section 15061 (b)(3) (Common-Sense Exemption)
- ☐ Statutory Exemptions. State code number:

Reasons why project is exempt: The City has determined that the project application falls within a Class 1 Section 15301 and Section 15061 (b)(3) (Common-Sense Exemption) Categorical Exemptions under CEQA. Section 15301 allows 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 project is consistent with the Class 1 example 15301 as it proposes interior and exterior building alterations that are negligible and includes no expansion of the former bank land use. The project is also consistent with the Class 1 example 15301 as it proposes new copy on existing on-premises signs. Therefore, the project qualifies for this exemption.

Under CEQA Guidelines § 15061(b)(3), it can be seen with certainty that there is no possibility the adaptive reuse of an existing commercial building into a carefully regulated retail storefront will have a significant effect on the physical environment.

Lead Agency Contact Person: Tom DuBois Phone: (209) 215-4890

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

Notice of Exemption

Signature: *T. Dubois* Date: 8/19/26 Title: City Manager, City of Sutter Creek

☒ Signed by Lead Agency

Date received for filing at OPR:

☐ Signed by Applicant

POSTED: _____