

## ATTACHMENT B: ARTICLE X NOTICE OF EXEMPTION

**TO:** Santa Barbara County Clerk of the Board of Supervisors

**FROM:** Noel Langle, Senior Planner, Long Range Planning Division  
Planning and Development Department

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970 as defined in the State and County guidelines for the implementation of CEQA.

**APN(s):** Not applicable - Countywide.

**Case No.:** 17ORD-00000-00007

**Location:** The proposed ordinance would apply to all of the unincorporated areas of Santa Barbara County.

**Project Title:** Medical Marijuana Amortization Ordinance Amendment

**Project Description:** The project proposes to amend Article X, Medical Marijuana Regulations, of Section 35, Zoning, of the Santa Barbara County Code, to provide that the current exemption from the prohibition against medical cannabis cultivation for medical cannabis cultivation locations that existed as of January 19, 2016, if they were legal under State law as of that date, shall terminate six months after the operative date of the applicable County ordinance regarding cannabis cultivation which is the subject of the Cannabis Land Use Ordinances and Licensing Program EIR (Project Case Nos.: 17ORD-00000-00009, -00010, and -00013) (collectively, "County cannabis ordinance"), or a minimum of 18 months from the effective date of this amendment (Case No.: 17ORD-00000-00007) to Article X. The project will revise Article X to provide that:

- If the County cannabis ordinance referenced above allows for cultivation of medical cannabis but requires a zoning permit, operators of nonconforming medical cannabis cultivation locations who have submitted a complete application to the Santa Barbara County Planning and Development Department to permit their nonconforming cultivation site by the termination date listed above, may continue to operate their same existing nonconforming medical cannabis cultivation site while the operator's permit application is being processed, as long as the cultivation location continues to comply with the requirements of (1) Article X as revised, (2) State law, and (3) the applicable provision of the County Land Use and Development Code Section 35.101.020 (Nonconforming Uses of Land and Structures), Montecito Land Use and Development Code Section 35.491.020 (Nonconforming Uses of Land and Structures), or Article II, the Coastal Zoning Ordinance Section 35-161 (Nonconforming Uses of Land, Buildings, and Structures), and
- If the permit application is denied, the applicant shall cease all cannabis cultivation operations until a permit is obtained.

**Name of Public Agency Approving Project:** Santa Barbara County.

**Name of Person or Agency Carrying Out Project:** Santa Barbara County.

**Exempt Status:**

- Ministerial
- Statutory
- Categorical Exemption
- Emergency Project
- No Possibility of Significant Effect

**Cite specific CEQA Guideline Section:** Section 15061(b)(3). The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**Reasons to support exemption findings:**

Providing that the current exemption from the prohibition against medical cannabis cultivation for medical cannabis cultivation locations that existed as of January 19, 2016, if they were legal under State law as of that date, shall terminate as of a certain date would not have the potential to create a significant effect on the environment, and would lessen existing impacts to the surrounding vicinity as a result of the cessation of such cultivation activities. Therefore, it can be seen with certainty that there is no possibility that this activity may have a significant effect on the environment.

**Lead Agency Contact Person:** Noel Langle, Senior Planner, Long Range Planning Division

**Phone No.:** (805) 568-2067

  
\_\_\_\_\_  
Department/Division Representative

  
\_\_\_\_\_  
Date

Date of Final Action on Project: \_\_\_\_\_

Date Filed by County Clerk: \_\_\_\_\_

Note: A copy of this form must be posted at Planning and Development six days prior to a decision on the project. Upon project approval, this form must be filed with the County Clerk of the Board and posted by the Clerk of the Board for a period of 30 days.

Distribution: (for posting six days prior to action, and posting original after project approval)

Hearing Support Staff  
17ORD-00000-00007 file