

Notice of Exemption

To:

☒ Office of Planning and Research
U.S. Mail: Street Address:
PO Box 3044 1400 Tenth St., Rm 113
Sacramento, CA 95812-3044 Sacramento, CA 95812

☒ County Clerk:
County of Mendocino
501 Low Gap Road
Ukiah, CA 95482

From:

Mendocino County Planning & Building
860 North Bush Street
Ukiah, CA 95482
Contact: Julia Acker Krog
Phone: 707-234-6650

Project Title: Urgency Ordinance Adopting a Temporary Moratorium on the Commencement of Phase Three Cannabis Cultivation Permitting under Mendocino County Code Chapters 10A.17 and 20.242

Project Applicant: County of Mendocino

Project Location - Specific: Unincorporated Areas of the County of Mendocino, excluding areas within the Coastal Zone

Project Location - City: Unincorporated Mendocino County Project Location - County: MENDOCINO

Description of Nature, Purpose and Beneficiaries of Project: This ordinance adopts a temporary moratorium on the commencement of Phase Three permitting as provided for in Chapters 10A.17 and 20.242 of the Mendocino County Code, the Mendocino Cannabis Cultivation Ordinance. Specifically, section 10A.17.080 provides that permits under Chapter 10A.17 will be issued in three phases, the third of which ("Phase Three") would open for applications on April 1, 2021. In addition, section 20.242.060 contains the zoning table for Phase Three cultivation. An urgency moratorium on the commencement of Phase Three is necessary as the County is actively in the process of preparing ordinance code amendments that would change the permitting process for cannabis cultivation moving forward.

Name of Public Agency Approving the Project: County of Mendocino

Name of Person or Agency Carrying out Project: Mendocino County Department of Planning and Building Services

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21070(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State type and section number: (a) CEQA Guidelines section 15060(c)(2); (b) CEQA Guidelines section 15060(c)(3); (c) CEQA Guidelines section 15061(b)(3); (d) CEQA Guidelines section 15308.
☐ Statutory Exemption. State code number: _____

Reasons why project is exempt: The interim ordinance places a moratorium on the commencement of Phase Three permitting as provided for in Chapters 10A.17 and 20.242 of the Mendocino County Code, the Mendocino Cannabis Cultivation Ordinance. The ordinance does not authorize any new construction or development entitlements and merely temporarily prohibits the opening of a specific phase of the program pending additional study. Therefore, the moratorium will not result in a direct or reasonably foreseeable indirect physical change in the environment and it can be seen with certainty that the interim ordinance will not have a significant effect on the environment.

Lead Agency

Contact Person: Julia Acker Krog

Area Code/Telephone/Extension: 707-234-6650

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: Julia Acker Krog Date: 3/29/2021 Title: Assistant Director

☒ Signed by Lead Agency

☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____