

ERRATA

Cannabis Business Ordinance Update

File No.	PP21-002
Location	Citywide
Council District	Citywide

BACKGROUND

The Draft Initial Study/Negative Declaration (IS/ND) for the Cannabis Business Ordinance Update was published for public review on September 22, 2021 and ended on October 12, 2021. Since the public review of the IS/ND, there are text changes that need to be made to the IS/ND. The following errata to the IS/ND is made to correct and clarify the changes.

PURPOSE OF ERRATA

The California Environmental Quality Act (CEQA) Guidelines, Section 15073.5, requires that a lead agency recirculate a negative declaration “when the document must be substantially revised.” A “substantial revision” includes: (1) identification of a new, avoidable significant effect requiring mitigation measures or project revisions, and/or (2) determination that proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures and revisions must be required.

State CEQA Guidelines specify situations in which recirculation of a negative declaration is not required. This includes, but is not limited to, situations in which “new information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.” As noted below, revisions to the proposed project would not change the extent of the project analyzed in the Initial Study/Negative Declaration (IS/MND). Changes to the negative declaration would therefore merely clarify the project being analyzed, and modifications would be insignificant. Recirculation of the negative declaration is therefore not required in accordance with Section 15073.5(c).

TEXT REVISIONS

The change is made to the project description on page two, page 13, and page 14, second column of Table 3.5-1 of the IS/ND as shown below. Deletions are shown as ~~strikethrough~~ text and additions are shown in underlined text.

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- Amend Title 20 to allow Cannabis Retail Storefront ~~and Cannabis Retail Non-Storefront~~ businesses in the Main Street Commercial, Main Street Ground Floor Commercial, Mixed-Use Commercial, Combined Industrial and Commercial, Commercial Pedestrian, Commercial Neighborhood, Transit Residential, Urban Village, Urban Village Commercial, Urban Residential, applicable Planned Development Zoning Permits, and Commercial General Zoning Districts.

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- Amend Title 20 to allow Cannabis Retail Non-Storefront in the Combined Industrial and Commercial, Industrial Park, Light Industrial, and applicable Planned Development Zoning Districts.
- Amend Title 20 to remove Cannabis Retail Storefront uses from Industrial Zoning Districts.

Table 3.5-1: Proposed Location Criteria	
Policy Feature	Retail Storefront
Allowed Zoning Districts	<u>Main Street Commercial</u> <u>Main Street Ground Floor Commercial</u> <u>Mixed-Use Commercial</u> <u>Transit Residential</u> <u>Urban Village</u> <u>Urban Village Commercial</u> <u>Urban Residential</u> <u>And applicable Planned Development Zoning Permits</u>

The changes are minor corrections that do not present new information or change the analysis or findings of the IS/ND. The IS/ND is a programmatic level document that addresses moving cannabis related business to locations that presently accommodate similar uses. The proposed changes identified above would only clarify the zoning districts being considered as a result of the action. The changes would not involve any direct physical changes to the environment. Any future development of new physical structures or expansion of existing structures, as opposed to occupation of existing buildings, associated with the ordinance update would be subject to project-level, site-specific environmental review pursuant to CEQA. During the environmental review process, the potential for the proposed development to result in adverse effects would be evaluated. The new information is not significant, and recirculation is not required. In conformance with Section 15074 of the CEQA Guidelines, the ND, technical appendices and reports, together with the Errata and the information contained in this document are intended to serve as documents that will inform the decision-makers and the public of environmental effects of this project.

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Deputy

Date: February 2, 2022