

COUNTY OF SAN MATEO, PLANNING AND BUILDING DEPARTMENT

**NOTICE OF INTENT TO ADOPT  
NEGATIVE DECLARATION**

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et seq.), that the following project: Commercial Cannabis Cultivation Ordinance Amendments, when adopted and implemented, will not have a significant impact on the environment.

FILE NO.: PLN2022-00066

APPLICANT: San Mateo County

LOCATION: All lands designated as "Agriculture" on the San Mateo County General Plan Land Use Map. These lands are distributed throughout the Coastal Zone of unincorporated San Mateo County. Also, lands designated as "Open Space – Rural" or "Timber Production – Rural" on the San Mateo County General Plan Land Use Map where said lands have documented commercial agricultural operations for the three consecutive years prior to adoption of the existing Commercial Cannabis Cultivation Ordinance on June 1, 2017.

PROJECT DESCRIPTION

The County is preparing an update to its cannabis ordinance, initially adopted in 2017, based on a comprehensive review of the effectiveness of the ordinance and consideration of concerns raised by existing license holders operating in the unincorporated County.

The existing cannabis ordinance creates a discretionary licensing program and limits the potential locations where commercial cannabis activities may occur based on the General Plan land use designation/historical agricultural use of the property and based on proximity to sensitive land uses. Because the County's issuance of cannabis licenses is discretionary, CEQA compliance is considered for each license application. In addition, the cannabis ordinance does not directly authorize any new physical development, such as construction of new greenhouses, or expansion of existing greenhouse complexes. Any new development needed to facilitate cannabis cultivation would require discretionary permits and review prior to issuance of any cannabis license. The proposed ordinance changes would not alter these program features.

Proposed ordinance changes include removing the canopy limit that was imposed on each owner of a license, allowing licensed cultivators to distribute their product between licensees instead of relying solely on a third party, and eliminating the requirement that cannabis licensees maintain non-cannabis production that may have existed in June of 2017. Other less substantive changes are intended to improve the program's regulatory effectiveness and streamline implementation. Overall, staff anticipates that the ordinance amendments may increase the amount of cannabis cultivated by a given licensee at a particular location and may reduce obstacles to cannabis cultivation on parcels not currently engaged in cannabis farming. The precise extent to which the amendments may facilitate expansion of cannabis cultivation depends on a number of factors and is speculative at this time. Features of the existing and proposed ordinance (including location restrictions, setbacks, and discretionary review process) and otherwise applicable County land use regulations (including permit review processes for

new development) is expected to continue to significantly limit the scope of cannabis cultivation in the County and ensure review of all cannabis licenses and associated development on a case-by-case basis.

This IS/ND analyzes, at a programmatic level, the potential environmental impacts that might result from the proposed amended ordinance, as compared to the existing conditions under the existing ordinance.

### FINDINGS AND BASIS FOR A NEGATIVE DECLARATION

The Current Planning Section has reviewed the initial study for the project and, based upon substantial evidence in the record, finds that:

1. The project will not adversely affect water or air quality or increase noise levels substantially.
2. The project will not have adverse impacts on the flora or fauna of the area.
3. The project will not degrade the aesthetic quality of the area.
4. The project will not have adverse impacts on traffic or land use.
5. In addition, the project will not:
  - a. Create impacts which have the potential to degrade the quality of the environment.
  - b. Create impacts which achieve short-term to the disadvantage of long-term environmental goals.
  - c. Create impacts for a project which are individually limited, but cumulatively considerable.
  - d. Create environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

The County of San Mateo has, therefore, determined that the environmental impact of the project is insignificant.

MITIGATION MEASURES included in the project to avoid potentially significant effects:

None

### RESPONSIBLE AGENCY CONSULTATION

None

### INITIAL STUDY

The San Mateo County Current Planning Section has reviewed the Environmental Evaluation of this project and has found that the probable environmental impacts are insignificant. A copy of the initial study is attached.

REVIEW PERIOD: March 16, 2022 – April 4, 2022

All comments regarding the correctness, completeness, or adequacy of this Negative Declaration must be received by the County Planning and Building Department, 455 County Center, Second Floor, Redwood City, no later than **5:00 p.m., April 4, 2022.**

CONTACT PERSON

Delaney Selvidge  
Project Planner, 650/363-1867  
dselvidge@smcgov.org

  
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Delaney Selvidge, Project Planner