

# Culver CITY

(310) 253-5710

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## PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

### FINAL NEGATIVE DECLARATION

**Project Title and Culver City File No.:** Amendments to the City's Municipal Code Regarding Cannabis Activities  
P2017-0149-ZCA

**Project Location:** Citywide

**Project Sponsor:** City of Culver City

**Project Description:** The Project consists of amendments to the City's Municipal Code to address cannabis activities. The Project consists of the following two proposed ordinances related to cannabis activities:

1. Chapter 11.17, Commercial Cannabis Activity, to establish operating regulations for commercial cannabis activities to protect the public health and safety and to establish procedures for review by the City; and
2. Amendments to the Section 17.700.010, Definitions of Specialized Terms and Phrases, Section 17.220.015 Commercial District Land Uses and Permit Requirements, and Section 17.210.015 Residential Zoning District Land Uses and Permit Requirements, of the Zoning Code to establish the allowable locations for specific types of cannabis activities and provide clear definition of terms.

**Environmental Determination:** This is to advise that the City of Culver City, acting as the lead agency, has conducted an Initial Study to determine if the Project may have a significant effect on the environment and is proposing this NEGATIVE DECLARATION based on the following finding:

- ☒ The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
- ☐ The Initial Study identified potentially significant effects, but:
1. Revisions in the project plans or proposals made by, or agreed to by the applicant before this proposed MITIGATED NEGATIVE DECLARATION AND INITIAL STUDY was released for public review would avoid the effects or mitigate the effects or mitigate the effects to a point where clearly no significant effects would occur, and
  2. There is no substantial evidence before the agency that the project as revised may have a significant effect on the environment.

A copy of the Initial Study and other material which constitute the record of proceedings upon which the City based its decision to adopt this NEGATIVE DECLARATION may be obtained at:

**City of Culver City, Planning Division**  
**9770 Culver Boulevard, Culver City, CA 90232**

[www.culvercity.org](http://www.culvercity.org)

Contact: Michael Allen, Contract Planning Manager (310) 253-5727 or [michael.allen@culvercity.org](mailto:michael.allen@culvercity.org)

October 24, 2017

November 20, 2017 (revised)



**ENVIRONMENTAL CHECKLIST AND  
ENVIRONMENTAL DETERMINATION**







# Culver CITY

## PLANNING DIVISION

9770 CULVER BOULEVARD, CULVER CITY, CALIFORNIA 90232-0507

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### INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM AND ENVIRONMENTAL DETERMINATION

<b>Project Title:</b>	City of Culver City - Cannabis Ordinance		
<b>Lead Agency Name &amp; Address:</b>	City of Culver City, Planning Division 9770 Culver Blvd., Culver City, CA 90232		
<b>Contact Person &amp; Phone No.:</b>	Michael Allen, Contract Planning Manager (310) 253-5727		
<b>Project Location/Address:</b>	City of Culver City		
<b>Nearest Cross Street:</b>	Not applicable	<b>APN:</b>	Not applicable
<b>Project Sponsor's Name &amp; Address:</b>	City of Culver City Planning Division 9770 Culver Boulevard Culver City, CA 90232-0507		
<b>General Plan Designation:</b>	Commercial and Industrial Designations	<b>Zoning:</b>	Commercial and Industrial Zones
<b>Overlay Zone/Special District:</b>			
<b>Project Description and Requested Action:</b> The Project is the proposed City of Culver City Commercial Cannabis Activity Ordinance (Chapter 11.17) and associated Zoning Code Amendment to Title 17 (P2017-0149-ZCA). Chapter 11.17 provides definitions and would establish the permit process and operational requirements for commercial cannabis facilities. The amendments to the Culver City Municipal Code (CCMC) would provide definitions related to cannabis activities as well as amendments to the uses in certain zones to clearly indicate the locations where such activities would be allowed.			
<b>Existing Conditions of the Project Site:</b> The Ordinance would establish regulations for commercial cannabis activities and allow such uses in the industrial and commercial zones in the City. Commercial zoning and development is typically concentrated around major thoroughfares with more concentrated development in larger retail centers. Approximately 17.4 percent of the City's land area is zoned for commercial uses. Approximately 6.6 percent of the City's land area is zoned for industrial uses. The general industrial lands are located at the very eastern end of the City, the area west of National Boulevard to Higuera Street, and the area along Jefferson Boulevard south of Ballona Creek. In addition, there is a small general industrial area at the intersection of the 90 Freeway and I-405. A small area of light industrial land is located in the southern portion of the City at the terminus of the 90 Freeway.			
<b>Surrounding Land Uses and Setting:</b> The Project is the adoption of ordinances regarding commercial cannabis activities and is Citywide. Such uses could locate in commercial and/or industrial zones. See Attachment A, Project Description, for a detailed description of the ordinances as well as figures showing potential locations.			
<b>Anticipated Project Approvals:</b> <ul style="list-style-type: none"> <li>▪ Adoption of the Negative Declaration</li> <li>▪ Adoption of the ordinances revising the Zone Code</li> <li>▪ Other approvals as needed.</li> </ul>			
<b>Other public agencies whose approval may be required:</b>			

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

*The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Less Than Significant Impact With Mitigation Incorporated" as indicated by the checklist on the following pages:*

- |   |   |
|---|---|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Land Use / Planning                |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Air Quality                        | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Biological Resources               | <input type="checkbox"/> Population / Housing               |
| <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Geology /Soils                     | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Transportation/Traffic             |
| <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Utilities / Service Systems        |
| <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Mandatory Findings of Significance |

## ENVIRONMENTAL DETERMINATION:

On the basis of this initial evaluation:

- ☒ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a 'potentially significant impact' or 'potentially significant unless mitigated' impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **EIR** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Michael Allen, Contract Planning Manager, Culver City

11/20/17  
Date

## PURPOSE OF THE INITIAL STUDY

The project is analyzed in this Initial Study, in accordance with the California Environmental Quality Act (CEQA), to determine if approval of the project would have a significant impact on the environment. This Initial Study has been prepared pursuant to the requirements of CEQA, under Public Resources Code 21000-21177, of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387) and under the guidance of the City of Culver City. The City of Culver City is the Lead Agency under CEQA and is responsible for preparing the Initial Study for the proposed project.

## Environmental Review Process

The Draft MND was circulated for public review from October 24, 2017 to November 14, 2017 in accordance with CEQA Guidelines Section 15073(a). A "Notice of Availability & Intent to Adopt a Mitigated Negative Declaration" for the project was published in the Culver City News and posted at the County Clerk's office on October 24, 2017. Copies of the Draft Initial Study/Negative Declaration were made available to the public within the City's Planning Division Office at City Hall and on the City's website at [www.culvercity.org](http://www.culvercity.org).

The City did not receive any written comments during the public review period. The City held a public hearing on November 15, 2017 at which time the Planning Commission took public testimony and made a recommendation to the City Council on the item. During the public hearing planning staff indicated that the location of commercial cannabis cultivation (indoor cultivation) would be limited to the Industrial General (IG) zoning district and not further limited to the geographic area in the vicinity of the I-405 and State Route 90 intersection as shown on Map 2.10 of the Draft Ordinance. This revision would allow the indoor cultivation to be more dispersed in the City but still limited to the IG district. In addition, the limitation on the number of cultivation facilities would still apply. Currently, the number anticipated Citywide for indoor cultivation is up to three (3) facilities. The Ordinance would allow the City Council to reassess the number of commercial cannabis business permits at any time.

Where necessary, this Final MND, includes "corrections and additions" to the Draft Initial Study/Negative Declaration that have been made to revise the information relative to the location of indoor cultivation facilities. Deletions are shown with ~~striketrough~~ and additions are shown with a double underline. This change to the geographic location does not add significant new information to the Draft Initial Study/Negative Declaration, nor does it result in new or more severe significant environmental impacts from the project. As such, recirculation of the Initial Study/Negative Declaration or further environmental review per CEQA is not necessary.

## EVALUATION OF ENVIRONMENTAL IMPACTS:

The impact columns heading definitions in the table below are as follows:

- “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- “Less Than Significant Impact With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The mitigation measures must be described, along with a brief explanation of how they reduce the effect to a less than significant level.
- “Less Than Significant Impact” applies where the project creates no significant impacts, only Less Than Significant impacts. An impact may be considered “less than significant” if “project design features” would be implemented by the project or if compliance with applicable regulatory requirements or standard conditions of approval would ensure impacts are less than significant.
- “No Impact” applies where a project does not create an impact in that category. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one proposed (e.g., the project would not displace existing residences). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to toxic pollutants, based on a project-specific screening analysis).

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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### **I. AESTHETICS** – Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                    | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**II. AGRICULTURE AND FORESTRY RESOURCES** – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire protection regarding the state's inventory of forest land, including the Forest and Range Assessment of and the Forest Legacy Assessment Project; and forest carbon measurements methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**III. AIR QUALITY** – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**IV. BIOLOGICAL RESOURCES** – Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native nursery sites?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **V. CULTURAL RESOURCES** – Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Disturb tribal cultural resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### **VI. GEOLOGY AND SOILS** – Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**VII. GREENHOUSE GAS EMISSIONS** – Would the Project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**VIII. HAZARDS AND HAZARDOUS MATERIALS** – Would the project:

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |



Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**IX. HYDROLOGY AND WATER QUALITY** – Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Otherwise substantially degrade water quality?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?  | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| j) Inundation by seiche, tsunami, or mudflow?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**X. LAND USE AND PLANNING** – Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **XI. MINERAL RESOURCES** – Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **XII. NOISE** – Would the project result in:

a) Exposure of persons to or generation of noise level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **XIII. POPULATION AND HOUSING** – Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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#### **XIV. PUBLIC SERVICES**

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **XV. RECREATION**

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? ☐ ☐ ☐ ☒
- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? ☐ ☐ ☐ ☒

#### **XVI. TRANSPORTATION/TRAFFIC – Would the project:**

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? ☐ ☐ ☒ ☐
- b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? ☐ ☐ ☒ ☐
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? ☐ ☐ ☐ ☒
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? ☐ ☐ ☒ ☐
- e) Result in inadequate emergency access? ☐ ☐ ☒ ☐

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### **XVII. UTILITIES AND SERVICE SYSTEMS – Would the project:**

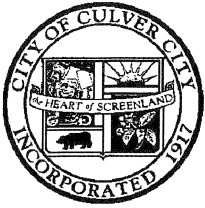
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### **XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**ATTACHMENT A**  
**PROJECT DESCRIPTION**





# Culver CITY

## ATTACHMENT A PROJECT DESCRIPTION

### A. INTRODUCTION

This Initial Study and Negative Declaration (IS/ND) has been prepared in accordance with the California Environmental Quality Act (CEQA) and State Guidelines for Implementation of CEQA. This document serves as the environmental document for the proposed City of Culver City (City) Commercial Cannabis Activity Ordinance (Chapter 11.17) and associated Zoning Code Amendment (P2017-0149-ZCA) to Title 17, Zoning (the Project). A copy of the Ordinance and Zoning Code amendments is provided in Appendix A of this document. Chapter 11.17 provides definitions and would establish the permit process and operational requirements for commercial cannabis facilities. The amendments to Title 17, Zoning of the Culver City Municipal Code (CCMC) would provide definitions related to cannabis activities as well as amendments to the uses in certain zones to clearly indicate the locations where such activities could be allowed.

### B. BACKGROUND

The Project has a unique regulatory setting with a number of relevant laws regarding cannabis having been passed since 1996. The views and laws around cannabis differ at the State and Federal levels. Commercial cannabis activities are considered federal criminal offenses under the Controlled Substances Act (CSA) adopted in 1970. The CSA made it unlawful to manufacture, distribute, dispense, or possess any controlled substance and reflects the federal government's view that marijuana is a controlled substance with "no currently accepted medical use."

Despite federal law, and similar to what has occurred in other States, in 1996 California voters passed Proposition 215 (the Compassionate Use Act), which allowed the use of medical cannabis statewide without threat of local or state criminal prosecution. Proposition 215 provided immunity from state law enforcement for patients and their designated primary caregivers to possess and cultivate marijuana for their personal medical use given the recommendation or approval of a California licensed physician. However, Proposition 215 did not cover commercial cultivation or manufacturing of cannabis products and expressly did not allow unlimited amounts of cannabis to be grown anywhere.

In 2003, Senate Bill (SB) 420 broadened Proposition 215 by further protecting patients and caregivers from state criminal prosecution for additional related activities (e.g., transporting medical cannabis) and allowed patients to form medical cultivation "collectives" or "cooperatives" to grow cannabis for medical use, as well as established a voluntary state ID card system run through county health departments.

In 2015, the California Legislature passed the Medical Marijuana Regulation and Safety Act (MMRSA or MCRSA), establishing permitting for marijuana cultivation at the state level (with local approval). Under MCRSA, all medical marijuana businesses, or commercial cannabis activities, must have a state license and a local permit, license, or other authorization in order to operate lawfully within California. The MCRSA is not specific as to the start date, except to state that businesses in good standing with their local jurisdiction may apply for state licensing in 2018.

Proposition 64, commonly known as the Adult Use of Marijuana Act (AUMA), was passed by California voters on November 8, 2016. AUMA goes beyond prior state laws which were restricted to medical cannabis activity, to allow adults 21 or older to possess, use, and cultivate recreational marijuana in certain amounts. An individual may possess up to 28.5 grams of non-concentrated marijuana or eight grams of marijuana in a concentrated form (e.g., marijuana edibles). In addition, an individual may cultivate up to six marijuana plants at a private residence provided that no more than six plants are cultivated on the property at one time. AUMA imposes state taxes on sales and cultivation, provides for industry licensing and establishes standards for cannabis products. Proposition 64 also allows local jurisdictions to regulate (including prohibit) and tax non-medical cannabis. AUMA sets up a state licensing scheme for commercialization of non-medical marijuana and state licenses for a range of commercial cannabis activities.

On June 27, 2017, Governor Brown signed Senate Bill (SB) 94, which repealed MCRSA and merged its provisions with AUMA unifying medicinal and commercial cannabis administration now referred to as the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA).

## C. PROJECT INFORMATION

### Existing Setting

The City of Culver City (City) is located in the southwestern portion of Los Angeles County approximately 5 miles from the Pacific Ocean. **Figure A-1, *Regional and Project Vicinity Locations***, illustrates the location of the City from a regional and local perspective. The Interstate 405 (I 405) runs in a north-south direction through the western portion of the City. State Route 90 (SR 90) runs in an east-west direction beginning in the southwestern portion of the City.

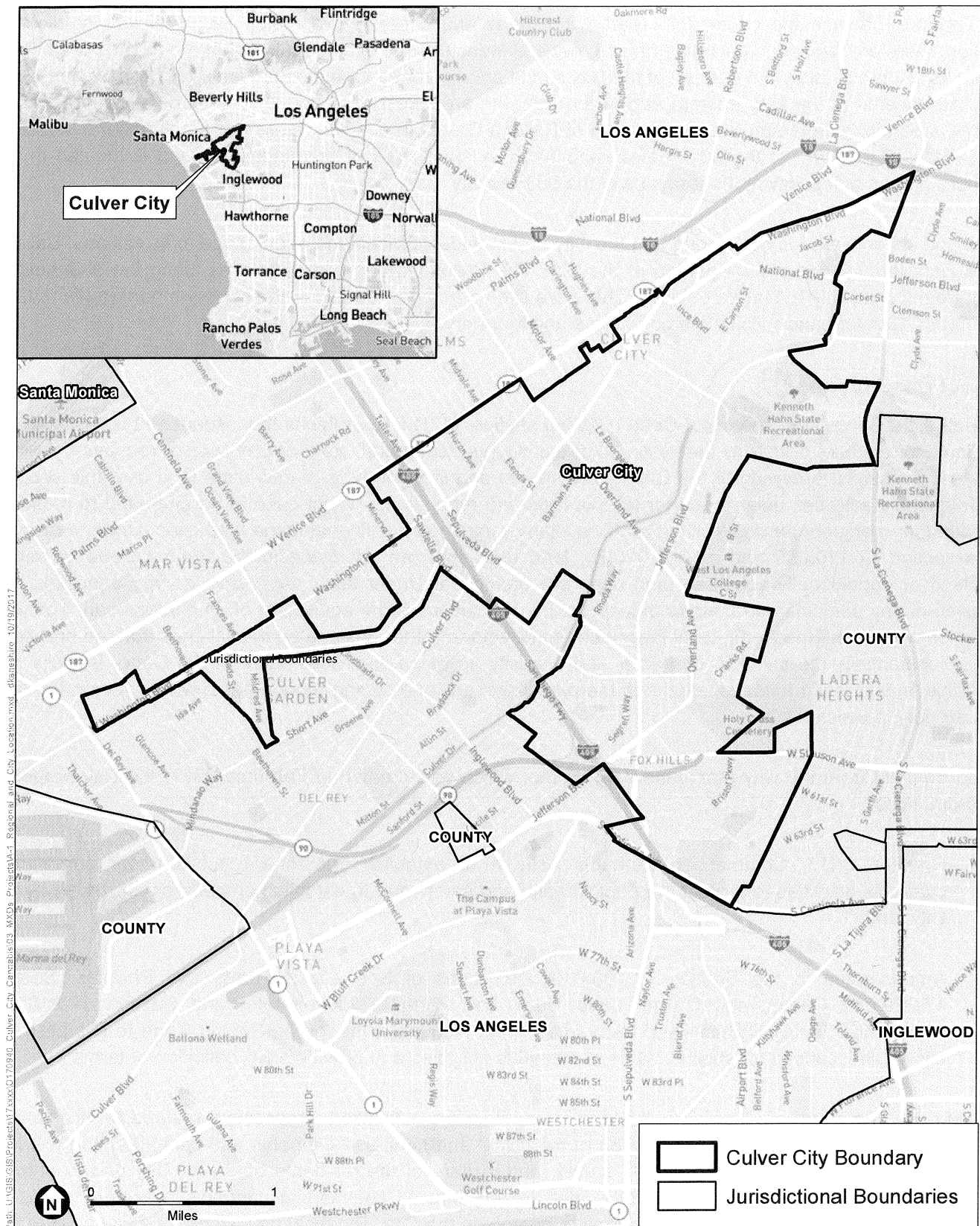
The City is surrounded on three sides by the City of Los Angeles, with Playa Vista to the southwest, Marina del Rey to the west and Cheviot Hills to the north. An area of unincorporated Los Angeles County forms the City's southeastern boundary. Acknowledging that development outside of the City's control creates pressures on City infrastructure and services, the Los Angeles County Local Agency Formation Commission (LAFCO) created a Sphere of Influence. Culver City is located approximately 10 miles west of Downtown Los Angeles and approximately 5 miles northeast of Los Angeles International Airport.

The City has an approximate land area of 5.14 square miles (3,290 acres) with a population of approximately 39,364 as of July 1, 2016.<sup>1</sup> The City is generally flat, with the exception of the Culver Crest and Blair Hills areas that are nearly 300 feet higher than the surrounding areas, and are generally built out. There are approximately 2.53 acres of undeveloped land and thus, new development will occur through infill, reuse, intensification or annexation. Approximately 60 percent of the City's land area is developed with residential uses with a mix of densities. Commercial zoning and development is typically concentrated around major thoroughfares with more concentrated development in larger retail centers, such as Westfield Culver City, located in the southwestern portion of the City. Approximately 17.4 percent of the City's land area is zoned for commercial uses.

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<sup>1</sup> US Census data, <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>, accessed September 2017.





Path: U:\GIS\GIS\Projects\Txxxx\077940 Culver City Cannabis Ordinance\03 MXDs\Project\MapA-1 Regional and City Location.mxd Date: 10/19/2017

SOURCE: ESRI; Los Angeles County

Culver City Cannabis Ordinance

**Figure A-1**  
Regional and City Location

The City has become the center for creative industries and contains two major motion picture studios. In addition, there are two industrial types of land, general industrial and light industrial that are located in pockets in the City. Approximately 6.6 percent of the City's land area is zoned for industrial uses. The general industrial lands are located at the very eastern end of the City, the area west of National Boulevard to Higuera Street, and the area along Jefferson Boulevard south of Ballona Creek. In addition, there is a small general industrial area at the intersection of the 90 Freeway and I-405. A small area of light industrial land is located in the southern portion of the City at the terminus of the 90 Freeway.

Parks and schools are located throughout the City and provide services and open space to its citizens. Ballona Creek runs through the central portion of the City. The Ballona Creek bike path runs along the channelized creek from Culver City to Marina del Rey. There are two cemeteries located in the southern portion of the City, Holy Cross Mortuary and Hillside Memorial Park and Mortuary.

## **Project Description**

Currently, the Culver City Municipal Code (CCMC) section 11.01.075 prohibits the issuance of a business tax certificate for any use or activity that is illegal or unlawful under federal, state or City laws or regulations. Many cities have a similar provision. If the City determines to permit some type of marijuana land use, this section, which includes activities unlawful under federal laws and regulations, would have to be amended to make an exception for marijuana facilities. The CCMC is silent regarding specific marijuana land uses. Under Municipal Code section 17.110.005 and 17.200.020(B), land uses that are not listed in the Zoning Code as either permitted or conditionally-permitted land uses are prohibited. Under such *permissive zoning* principles, the omission of any particular land use from local zoning regulations is the equivalent of an express ban. The only exception would be if the Community Development Director or other designated official finds that the proposed use is substantially the same in character and intensity as those land uses listed in the Code. If a city can make this finding, such a use is subject to the permit process and zoning requirements which govern the land use category in which it falls.

Based on input from the City Marijuana Task Force, which was created in February 2017, the City proposes two ordinances:

1. Chapter 11.17, Commercial Cannabis Activity, to establish operating regulations for commercial cannabis activities to protect the public health and safety and to establish procedures for review by the City; and
2. Amendments to the Section 17.700.010, Definitions of Specialized Terms and Phrases, Section 17.220.015 Commercial District Land Uses and Permit Requirements, and Section 17.210.015 Residential Zoning District Land Uses and Permit Requirements, of the Zoning Code to establish the allowable locations for specific types of cannabis activities and provide clear definition of terms.

The purpose and intent of Chapter 11.17 is to "...regulate the cultivation, processing, manufacturing, testing, sale, delivery, distribution and transportation of medicinal and adult-use cannabis and cannabis products in a responsible manner to protect the health, safety, and welfare of the residents of Culver City and to enforce rules and regulations consistent with state law." In addition, all commercial cannabis operators would be required to obtain and renew annually a permit to operate in the City. The local provisions are in addition to any other permits, licenses, or approvals that may be necessary to conduct a business in the City and in addition to those required under state, county, or other law.

## **Cannabis Facilities**

The Ordinance would provide for the cultivation and sale of cannabis as specifically authorized in Chapter 11.17 and within specific zoning districts as allowed in the Zoning Code amendments.

The City would establish a specific number of facilities by resolution. Currently, numbers anticipated Citywide are for: no more than three (3) retail facilities and five (5) home delivery uses, up to three (3) cultivation facilities, up to six (6) manufacturing uses; up to six (6) distribution facilities, and up to four (4) testing facilities.<sup>2</sup> The Ordinance would allow the City Council to reassess the number of commercial cannabis business permits at any time.

## **Cannabis Product Sales**

The two primary methods of cannabis sale are through a storefront retail business and delivery. With regard to retail, the Ordinance requires that the entrances to the store shall be locked and accessed through a controlled entry system. The retail use would be monitored by a uniformed, licensed security person. No customer consumption would be allowed on the premises.

With regard to delivery, retailers may only deliver to customers within a city or county that does not expressly prohibit delivery by ordinance. The Ordinance requires a security plan related to vehicle security and protection of employees and product during loading and in transit.

Cannabis retail and delivery is defined under General Retail Stores and could occur on a commercially zoned parcel in which retail stores are allowed in the CN, CG, CC, CD, CRR, CRB zoning districts. (Please see **Figure A-2, Zoning Map**, for a location of the zoning districts.) Based on the Ordinance a Conditional Use Permit (CUP) would be required for the retail establishments concurrent with the City's existing regulatory process.

## **Cannabis Cultivation**

Generally, there are three types of cultivation: outdoor, indoor, and greenhouse/mixed light. For commercial facilities, the Ordinance would prohibit outdoor cultivation and allow indoor and greenhouse/mixed light cultivation only. The Ordinance, consistent with State law, would allow cultivation of no more than six (6) living cannabis plants on the grounds of a private residence. General descriptions of indoor and greenhouse/mixed light cultivation are as follows:

- **Indoor Cultivation** – Cultivation occurs in an enclosed space with no natural light or limited natural light. Artificial lights, irrigation, dehumidifiers, and HVAC equipment are often used to control interior climate. Indoor facilities are typically secured and locked to prevent trespassing and theft.
- **Greenhouse/Mixed Light Cultivation** – Cultivation occurs inside a greenhouse structure; which can provide mixed light sources. Passive greenhouses use only natural light, though it can be controlled with shading, and typically use drip or recirculating irrigation. Mixed light greenhouses supplement natural light with light suppression/shielding and artificial lights, along with HVAC and other climate controls. Greenhouses are typically secured and locked to prevent trespassing and theft.

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<sup>22</sup> Home delivery is proposed as a permitted use ancillary to a retail store front. A delivery only business would be considered a wholesale and distribution use.



SOURCE: Culver City, 2017

Culver City Cannabis Ordinance

**Figure A-2**  
Zoning Map

The Ordinance requires that plants not be visible from public or private roads, sidewalks, parks or any common public viewing area. For commercial facilities, the Ordinance requires that a cultivation and operations plan be submitted to the City for review and approval. The plan must demonstrate that the facility would meet or exceed minimum legal standards for water use; drainage, runoff, and erosion control; and proper storage of fertilizers, pesticides. In addition, the plan must provide a schedule of activities during each month of growing and harvesting. A description of a legal water source, irrigation plan, and projected water use is required as well as identification of a source of energy and compliance with applicable building codes and related codes. The applicant must also provide a plan to address odor and other public nuisances that may derive from the cultivation facility.

For cultivation on the grounds of a private residence, the Ordinance limits lighting to 1200 watts and does not allow the use of gas products (CO<sub>2</sub>, butane, propane, natural gas, etc.) inside a structure. In addition, the Ordinance requires that the private residence maintain kitchen, bathrooms, and primary bedrooms for their intended use and that no public nuisance, such as dust, glare, noise, odor, noxious gasses, vibration, storage of hazardous materials, occur.

Commercial cannabis cultivation could occur on an industrially zoned parcel in either the Industrial Light (IL) or Industrial General (IG) zoning districts ~~within the area defined in Map 2.10 in the Ordinance~~. Limited cultivation (no more than six plants) could occur on a property with a private residence.

### **Cannabis Manufacturing**

Manufacturing refers to taking the raw cannabis and using a process, such as the compounding, blending, extracting, or infusing, to make a cannabis product for internal consumption through inhalation, ingestion or topical application. A range of cannabis products are known, such as tinctures, infusions, extractions, and various types of hash. Types of cannabis products typically include:

- Hash – a product made from filtered cannabis plant matter. Methods of filtering can include screening with mesh, cold water filtration, and heat pressing to form rosin.
- Tinctures – a product made by dissolving cannabis in alcohol, such as ethanol or vodka.
- Infusions – a product made using heat to infuse foods, oils, or liquids with cannabis.
- Extractions – a product made using solvents to dissolve THC from the cannabis plant matter. Processes can be volatile and potentially explosive, such as production of butane honey oil (BHO) and high-pressure CO<sub>2</sub> extract, or non-volatile, such as the production of low-pressure CO<sub>2</sub> extract.

Many types of cannabis manufacturing operations involve the use of nonvolatile processes to extract desired compounds while some employ volatile techniques. When properly administered the more volatile operations typically have similar or lower risk profiles than many other types of manufacturing processes. Different processes include:

- Infused Products - Infuses raw cannabis flower/leaves or prepared concentrate into different mediums (e.g. oil, milk, butter, other lipids) to make new products such as: edibles like baked goods, tinctures, the production of lotions and salves, soaps and the like, and vape pens.

- Non-flammable Extraction - Using cold water, heat press, lipid (butter, milk, oil) or other nonchemical extraction method to make bubble hash, kief, rosin, cannabis-infused lipid, etc.; CO2 extraction to make cannabis concentrates/oil (closed loop only) under pressure.
- Flammable Extraction - Compressed and uncompressed liquid solvents using pentane, hexane, butane, propane, ethanol, etc. to make cannabis concentrates/oil (closed loop only); post-extraction refinement, taking previously extracted cannabis concentrates and further refining through processes such as chromatography, to make distillates.

The Ordinance includes operating requirements for Cannabis Manufacturing. For example, solvents that are used, such as hydrocarbons N-butane, isobutene, propane, or heptane, must be at least 99 percent purity and must be used in a professional grade closed loop extraction system designed to recover the solvents. Property ventilation is required and sources of ignition where a flammable environment may be present must be controlled. Cannabis manufacturing facilities could be located on an industrially zoned parcel in either the IL or IG zoning districts.

### Proposed Locations

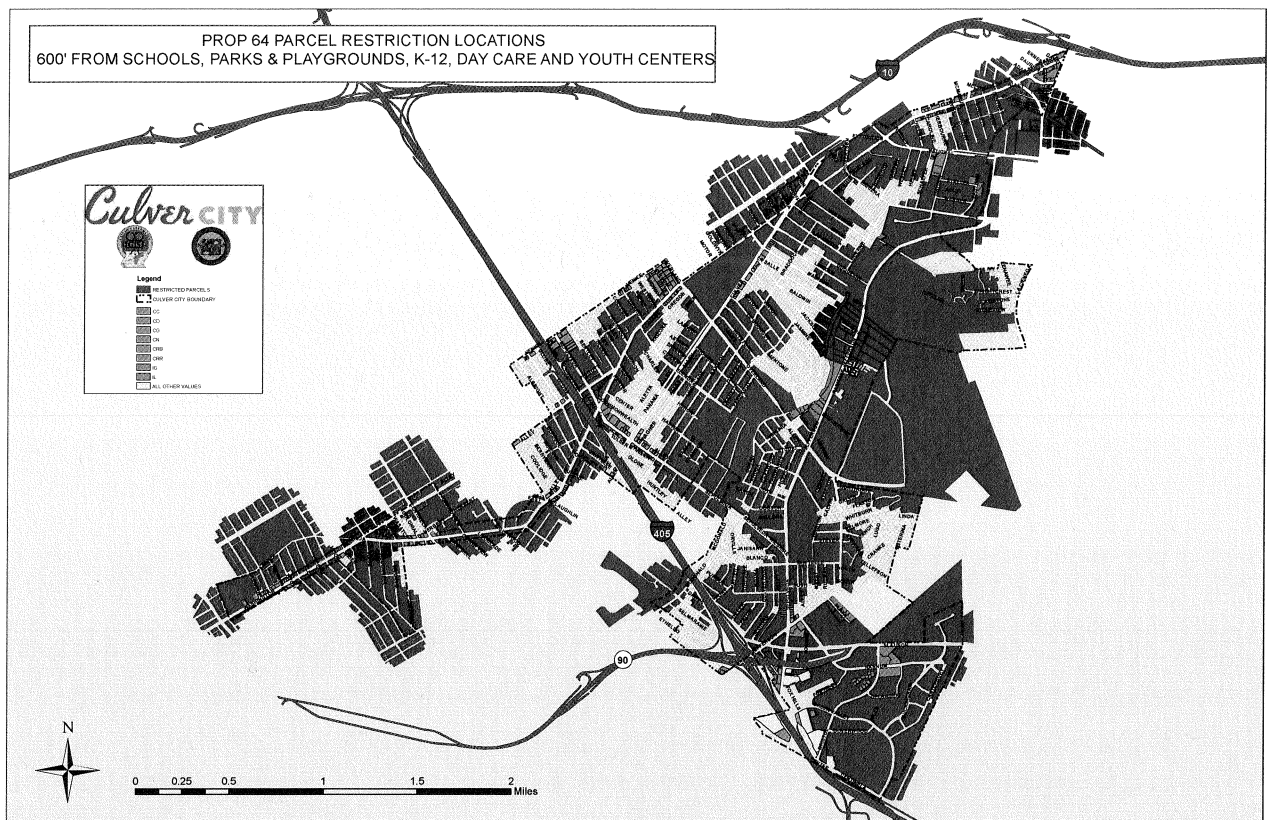
Retail sales/delivery could occur in any of the commercial districts, which include the Commercial Neighborhood (CN), Commercial General (CG), Commercial Community (CC), Commercial Downtown (CD), Commercial Regional Retail (CRR), Commercial Regional Business Park (CRB) zoning districts. Indoor cultivation and manufacturing could locate on an industrially zoned parcel in either the IL or IG zoning districts. Cannabis testing laboratories would be defined as a Research and Development use. Such a facility could be located on an industrially zoned parcel in either the IL or IG zoning districts and in the CRB district. Cannabis distribution or distributor would be defined as a Wholesaling and Distribution use. Such a facility could be located on an industrially zoned parcel in either the IL or IG zoning districts and in the CRB district. Commercial cannabis cultivation facilities and manufacturing facilities could be located in the IG zone. ~~would be further limited to the IG zone located in the vicinity of the I-405 and State Route 90 intersection (see Map 2.10 in the Ordinance).~~ Zones not affected by the Ordinance pertaining to commercial cannabis activities include residential zones (all single family and multi-family zones), planned development zone, studio zone, cemetery zone, open space zone, and transportation zone. However, the proposed amendment to Section 17.210.015, Residential Zoning District Land Uses and Permit Requirements, would allow the cultivation of no more than six (6) cannabis plants in accordance with State law.

Retail cannabis uses would be further restricted within the eligible zones by a 600-foot buffer or exclusion area, around sensitive uses. Sensitive uses include schools, parks, playgrounds, and child care facilities. **Figure A-3, Potential Locations of Retail Commercial Cannabis Facilities**, shows the potential locations in which a retail use could locate based on zoning and the required buffer from sensitive uses.

### Other Requirements

A Conditional Use Permit would be required for any retail commercial cannabis use. As with all CUPs, a public hearing would be held and findings would need to be made to approve the use. If warranted, conditions of approval could be imposed on the use. Section 11.17.210, Building Permits and Inspection, requires that prior to commencing operations all required permits and approvals that would otherwise be required for any business of the same size and intensity operating in that zone be obtained. In addition, a building inspection would be conducted prior to the commencement of operation.





SOURCE: Culver City, 2017

Culver City Cannabis Ordinance

**Figure A-3**  
Potential Locations of Retail Commercial Cannabis Facilities

Culver City – Cannabis Ordinance  
Attachment A – Project Description

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The Ordinance also requires security at a permitted commercial cannabis business and lists a minimum of ten (10) security measures, such as the installation of 24-hour security surveillance cameras, use of secured areas and limited access areas, use of a professional alarm system, use of security personnel, and sensors to detect entry and exit from all secured areas. The Culver City Police Department would review the security measures for a facility.

The Ordinance would require that an applicant for a commercial cannabis cultivation facility submit a cultivation and operations plan that meets or exceeds minimum standards for water use, drainage and runoff, storage of fertilizers, pesticides and other regulated products, as well as a description and schedule of activities. In addition, the Ordinance would require the applicant to submit a description of a legal water source and projections of water demand as well as the source of electrical power and a plan for compliance with applicable Building Codes and related codes and documentation of energy consumption and conservation measures beyond Building Code requirements. The energy plan would be required to include energy conservation measures, such as the use of solar or photovoltaics and energy efficient equipment. The Ordinance further requires that odor control devices and techniques be incorporated so as to ensure that odors are not detectable off-site. For example, an exhaust air filtration system with odor control or an air system that creates negative air pressure between the interior and the exterior would prevent odors from being emitted externally.

Any signage would be required to comply with the Culver City Municipal Code. A license holder would not be allowed to advertise in the form of billboards, bus shelters, placards, or aircrafts.

Any cultivation in residential zones would be required to comply with Health and Safety Code Section 11362.2. This section requires that the living plants and any cannabis produced by the plants in excess of 28.5 grams are in a locked space, and are not visible by normal unaided vision from a public place. In addition, the Ordinance would require that lighting shall not exceed 1200 watts and would prohibit the use of gas products for cultivation that occurs inside a private residence or an accessory structure. The Ordinance would also require that the kitchen, bathrooms, and primary bedrooms shall be maintained and not used for cannabis cultivation.

## **Permits**

The Regulatory Ordinance requires that commercial cannabis business permits be renewed annually and that the land use entitlement shall not “run with the land”. The Ordinance restricts an owner of a cannabis business permit from transferring ownership or control of the permit without an amendment to the approved permit by the City. The permit process includes obtaining a business permit and all employees are required to obtain a commercial cannabis employee work permit. The employee work permit is valid for a twelve-month period and must be reviewed annually. Prior to operation, a mandatory building inspection would be conducted.

## **D. NECESSARY APPROVALS**

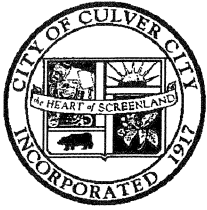
It is anticipated that approvals required for the Project from Culver City would include, but may not be limited to, the following:

- Adoption of the Negative Declaration
- Adoption of Chapter 11.17 and the Zone Code Amendments
- Other approvals as needed.



**ATTACHMENT B**  
**EXPLANATION OF CHECKLIST DETERMINATIONS**





# Culver CITY

## ATTACHMENT B EXPLANATION OF CHECKLIST DETERMINATIONS

### I. AESTHETICS

*Would the project:*

#### a. Have a substantial adverse effect on a scenic vista?

**No Impact.** The Project would allow commercial cannabis activities within commercial and industrial zones within the City. These areas are generally developed with existing structures, parking lots and associated structures. The City, including the commercial and industrial zoned areas, is highly urbanized with limited vacant land (approximately 2.53 acres). The commercial and industrial areas are generally located along major roadways. Given the amount of existing development and the limited vacant or underutilized lands within the commercial and industrial zones, the commercial cannabis facilities would likely locate within existing structures, or in the event a property were to be redeveloped, new construction would comply with applicable building codes and regulations such that the facilities would remain in character with existing development. The City does not have any designated scenic vistas although there are identified view corridors and view locations in Figure LU-3, Urban Design Analysis, of the Land Use Element. However, the potential areas within which commercial cannabis activities could occur are not within close proximity to the view corridors or view locations, and, given locations within existing structures or areas redeveloped in accordance with applicable building codes, no meaningful changes in building heights are expected that would result in substantial adverse effects on scenic vistas. Furthermore, any proposed cannabis facility would be required to comply with applicable regulations and codes regarding aesthetics. In addition, cannabis cultivation in residential zones would be limited to six plants and would be required to comply with Health and Safety Code Section 11362.2, which specifies that the plants not be visible by normal unaided vision from a public place. Therefore, the Project would not have a substantial adverse effect on a scenic vista.

#### b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

**No Impact.** The City is a highly urbanized setting and is primarily developed with low to mid-rise buildings. The City does not have any City or State-designated scenic highways. In addition, the commercial cannabis activities would be limited to commercial and industrial zoned areas. Given the nature of commercial and industrial development within an urban setting, the areas in which commercial cannabis activities could be located do not contain any unique or locally recognized, natural (i.e., rock outcroppings and trees), features. If new construction were to occur as a result of the Project, the new development would be required to comply with applicable building codes and other regulations intended to enhance visual quality. Thus, the Project would not substantially damage scenic resources within the vicinity of a scenic highway and no impact would occur.

**c. Substantially degrade the existing visual character or quality of the site and its surroundings?**

**Less Than Significant Impact.** As indicated above, potential development (i.e., new construction and/or additions) of commercial or industrial zoned properties that would occur pursuant to the Project, would be required to comply with applicable regulations. The Culver City General Plan Land Use and Open Space Elements include objectives and policies that address the visual environment and urban design. The General Plan and CCMC are in place to guide development and to protect the aesthetics of the community. While changes to the aesthetics of an area could result from the Project, applicable regulations would ensure that such changes do not substantially degrade existing visual character or quality. In addition, architectural review in accordance with CCMC Section 15.07.025 would be required for new construction or for an addition of 750 square feet or more of floor area and site plan review in accordance with CCMC Section 15.540.010 for new construction of 5,000 square feet or more or additions totaling 5,000 square feet in a year timeframe. The visual character and quality would be reviewed as part of these City processes. In addition, cannabis cultivation in residential zones would be limited to six plants that would not be visible by normal unaided vision from a public place. As such, the Project would result in a less than significant impact with regard to the visual character or quality.

**d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

**Less Than Significant Impact.** Potential future development or redevelopment within commercial or industrial zoned properties that occurs in association with the Project may result in a new use or change of use that could result in a change in lighting or an increase in glare. However, such uses would be required to comply with applicable regulations regarding lighting and glare, and where applicable would be subject to architectural review and site plan review that would take such issues into account. As such, impacts with regard to light and glare would be less than significant.

## **II. AGRICULTURE AND FOREST RESOURCES**

*In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:*

**a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

**No Impact.** Culver City is highly urbanized area and is developed primarily with single family and multi-family residences. The City does not have any lands that are designated for agricultural uses or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance as shown on the maps prepared pursuant

to the Farmland Mapping and Monitoring Program.<sup>1</sup> Furthermore, the Culver City General Plan does not identify areas within the City for agriculture use. Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural uses. Accordingly, Project implementation would have no impact on farmland.

**b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**No Impact.** The Zoning Code amendments would allow cannabis facilities in commercial zones or industrial zones. No areas within the City are zoned for agriculture or enrolled under the Williamson Act. As such, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract and no impact would occur in this regard.

**c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

**No Impact.** As discussed under Response II.b, the Zoning Code amendments would allow cannabis facilities in commercial zones or industrial zones. No forest land or timberland zoning is present in the City or in the surrounding area. As such, the Project would not conflict with existing zoning for forest land or timberland and no impact would occur in this regard.

**d. Result in the loss of forest land or conversion of forest land to non-forest use?**

**No Impact.** No forest land exists within the City or in the surrounding area. As such, the Project would not result in the loss of forest land or conversion of forest land to non-forest use and no impact would occur in this regard.

**e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?**

**No Impact.** Since there are no agricultural or forest uses or related operations in or near the City, the Project would not involve the conversion of farmland or forest land to other uses, either directly or indirectly. No impacts to agricultural land or uses would occur.

### **III. AIR QUALITY**

*Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:*

**a. Conflict with or obstruct implementation of the applicable air quality plan?**

**Less Than Significant Impact.** The City is located within the 6,745-square-mile South Coast Air Basin (SoCAB). Air quality planning for the SoCAB is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Project would be subject to the SCAQMD's Air Quality Management

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<sup>1</sup> State of California Department of Conservation, *California Important Farmland Finder*, [http://www.conservation.ca.gov/dlrp/fmmp/Pages/county\\_info.aspx](http://www.conservation.ca.gov/dlrp/fmmp/Pages/county_info.aspx), accessed October 3, 2017.

Plan (AQMP), which contains a comprehensive list of pollution control strategies directed at reducing emissions and achieving ambient air quality standards. These strategies are developed, in part, based on regional population, housing, and employment projections prepared by the Southern California Association of Governments (SCAG).

Although it is anticipated that most commercial cannabis related activities authorized under the Project would locate within existing structures, the Project would authorize uses which may result in some degree of future construction activities which could result in short-term construction-related air emissions. However, because of the limited amount of vacant land as well as the limited numbers of commercial cannabis facilities that could result, it is likely that any such new development and construction would be limited in scale. Thus, it is unlikely that new development related to commercial cannabis cultivation and manufacturing would result in a level of development that would generate construction air emissions that would exceed adopted significance thresholds for construction-related emissions. It is anticipated that commercial cannabis activities would likely locate within existing structures and that limited, if any, construction would occur. Any construction activities, even minor renovation activities, would be required to comply with California Air Resources Board (CARB) and SCAQMD regulations and rules regarding fugitive dust control and minimizing exhaust emissions. These regulations and rules include using dust suppression techniques (e.g., watering disturbed areas), limiting heavy-duty truck idling to 5 minutes or less, and using construction contractors with construction equipment fleets that are in compliance with the State's heavy-duty equipment regulation to minimize ozone precursor and particulate matter emissions. Accordingly, it is not anticipated that the Project would result in future development of commercial or industrial spaces that would exceed SCAQMD screening criteria for new construction. If new development were to occur, such activities would be subject to applicable code requirements and City approval processes.

During operation of commercial cannabis facilities, emissions from vehicles used for retail deliveries, product transportation, employee trips, and customer/visitor traffic would occur. It is anticipated that commercial cannabis facilities would typically locate within existing structures in the commercial and industrial zones. In addition, the number of such facilities would be limited by the City and the uses would be similar to other types of permitted retail and manufacturing uses. In terms of potential employment, as commercial cannabis activities would likely locate in existing buildings, and the array of uses that could occupy those spaces would result in employment, the future commercial cannabis uses that could occur as a result of the Project would not result in a substantial increase in employees within the City. The Project would not amend General Plan designations and therefore, would not change regional growth projections. While precise employment numbers are not available, the net growth in employment that would result from the Project would be within the SCAG projections. As such, the Project would not induce substantial population growth in the area either directly or indirectly beyond the SCAG growth projection that are incorporated into the AQMP.

As required by the Project, retail uses would require a Conditional Use Permit at which time a detailed analysis, including air quality, could be required if it were determined that the proposed use warranted such an analysis. The Ordinance, which establishes the regulations for commercial cannabis facilities and provides the locations in which such facilities could be located, would not result in air quality impacts. Cultivation in residential zones would be similar to gardening and would not materially change air quality emissions associated with residential uses. Therefore, impacts to air quality from construction and operational emissions as a result of implementation of the Project are considered negligible in relation to baseline conditions and are not expected to result in non-compliance with the adopted AQMP. Therefore, impacts would be less than significant.



**b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

**Less Than Significant Impact.** As indicated above, the City is located within the SoCAB, which is characterized by relatively poor air quality. Culver City is located in the Source Receptor Area (SRA) 2, Northwest Los Angeles County Coastal. State and federal air quality standards are often exceeded in many parts of the SoCAB, including monitoring stations within SRA 2 nearest to the City. The Project would establish the regulations and allowable locations for commercial cannabis activities. The Project could result in development that would contribute to local and regional short-term or temporary construction related air pollutant emissions. Operation of commercial cannabis activities would result in long-term occupancy and associated air emissions. However, it is anticipated that commercial cannabis activities would likely locate within existing structures and that limited, if any, construction would occur. In addition, facilities would be limited in number and location, would be dispersed in the City, and would be similar to other permitted retail and light industrial uses. Cultivation in residential zones would be similar to gardening and would not materially change air quality emissions associated with residential uses. As such, commercial cannabis activities and residential cultivation would not contribute substantially to air quality violations and impacts would be less than significant.

**c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

**Less Than Significant Impact.** The SCAQMD's approach for assessing cumulative impacts related to operations is based on attainment of ambient air quality standards in accordance with the requirements of the Federal Clean Air Act and California Clean Air Acts. The Federal and California Clean Air Acts establish the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) respectively. In order to meet the CAAQS and NAAQS in the basin, the SCAQMD has adopted a series of AQMPs. As discussed earlier, the SCAQMD has developed a comprehensive plan, the 2012 AQMP, which addresses the region's cumulative air quality condition.

A significant impact may occur if a Project were to add a cumulatively considerable contribution of a federal or state non-attainment pollutant. Because the SoCAB is currently in nonattainment for ozone, PM<sub>10</sub> and PM<sub>2.5</sub>, related projects could cause ambient concentrations to exceed an air quality standard or contribute to an existing or projected air quality exceedance. Cumulative impacts to air quality are evaluated using thresholds for CEQA and the SCAQMD. In particular, CEQA Guidelines Sections 15064(h)(3) provides guidance in determining the significance of cumulative impacts. Specifically, Section 15064(h)(3) states in part that:

"A lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program which provides specific requirements that will avoid or substantially lessen the cumulative problem (e.g., water quality control plan, air quality plan, integrated waste management plan) within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make specific the law enforced or administered by the public agency..."

For purposes of the cumulative air quality analysis with respect to CEQA Guidelines Section 15064(h)(3), the Project's incremental contribution to cumulative air quality impacts is determined based on compliance with the SCAQMD adopted 2012 AQMP. Projects which are consistent with the AQMP would also be consistent with the AQMD's goals for meeting ambient air quality standards. As discussed under Response II.a, the Project would not conflict with the 2012 AQMP. The Project would not result in a cumulatively considerable net increase of criteria pollutants for which the region is non-attainment and impacts would be less than significant.

**d. Expose sensitive receptors to substantial pollutant concentrations?**

**Less Than Significant Impact.** Certain population groups are especially sensitive to air pollution and should be given special consideration when evaluating potential air quality impacts. These population groups include children, the elderly, persons with pre-existing respiratory or cardiovascular illness, and athletes and others who engage in frequent exercise. As defined in the SCAQMD CEQA Air Quality Handbook, a sensitive receptor to air quality is defined as any of the following land use categories: (1) long-term health care facilities; (2) rehabilitation centers; (3) convalescent centers; (4) retirement homes; (5) residences; (6) schools; (7) parks and playgrounds; (8) child care centers; and (9) athletic fields.

The Project would establish regulations and allowable locations for commercial cannabis activities. While commercial cannabis activities, including potential construction and operation, could result in generation of air emissions, such emissions are not anticipated to comprise a substantial new source of air emissions to which a sensitive population would be exposed. It is anticipated that commercial cannabis activities would primarily locate within existing structures and that limited, if any, construction would occur. Such facilities would be limited in number and location, would be dispersed in the City, would not change the proximity of commercial or light industrial uses to sensitive land uses, and would be similar to other existing and/or permitted retail and industrial uses in terms of air emissions. Retail commercial cannabis facilities would be required to maintain a 600 foot buffer from sensitive uses. In addition, commercial cannabis cultivation would be limited to the IG zone located in the vicinity of the I-405 and State Route 90 intersection (see Map 2.10 of the Ordinance). As such, impacts from associated air emissions are not anticipated to be considerable. Therefore, impacts concerning the exposure of sensitive land uses to air pollutant concentrations are considered to be less than significant.

**e. Create objectionable odors affecting a substantial number of people?**

**Less Than Significant Impact.** According to the SCAQMD CEQA Air Quality Handbook, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. Although the Project does not fall specifically within these categories of uses, it could result in the generation of objectionable odors, particularly from cultivation. However, the proposed Ordinance requires that odor control devices and techniques be incorporated in all commercial cannabis businesses to ensure that odors are not detectable outside of the facility, anywhere on adjacent property or public rights-of-way, on or about the exterior or interior common area walkways, hallways, breezeways, foyers, lobby areas, or any other common area or within any other unit located within the same building. With implementation of this requirement, commercial cannabis activities would not result in the generation of objectionable odors that would affect a substantial number of people. The Project would result in less than significant impacts with regards to odor.

#### IV. BIOLOGICAL RESOURCES

*Would the project:*

- a. **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

**No Impact.** The Project would allow for commercial cannabis activities to be located in commercial and industrial zones within the City. While the hillsides within the City contain biological resources, such as native plants, birds, and mammal species, the areas in which the commercial cannabis activities could locate are urbanized and it is expected that activities would occur in existing buildings. Due to high levels of human activity and density of development in the commercial and industrial zoned areas, the potential for sufficient natural habitat to support candidate, sensitive, or special status species within these areas is very low. As such, the Project would not have a substantial adverse effect on candidate, sensitive, or special status species and no impact would occur.

- b. **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?**

**No Impact.** The City is highly urbanized and as indicated above in Response IV.a., the Project would allow for commercial cannabis activities to be located in commercial and industrial zoned areas within the City. It is anticipated that commercial cannabis activities would occur in existing buildings, and that any new facilities would be established through urban infill on previously developed properties that do not support riparian habitat or sensitive natural communities. As such, the Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community and no impact would occur in this regard.

- c. **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

**No Impact.** As discussed under Response IV.b, the Project would allow for commercial cannabis activities to be located in commercial and industrial zoned areas within the City. In addition, it is anticipated that commercial cannabis activities would occur within an existing buildings and that any new facilities would be established through urban infill on previously developed commercial and industrial areas within the City that do not support federally protected wetlands, including marshes, vernal pools, or coastal habitats regional is limited in the vicinity of existing. Thus, no direct removal, filling, hydrological interruption, or other means of construction would occur within a federally protected wetlands as defined by Section 404 of the Clean Water Act. As such, the Project would result in no impact with regard to wetlands as defined by Section 404 of the Clean Water Act.

- d. **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native nursery sites?**

**Less Than Significant Impact.** The Project would allow a limited number of commercial cannabis activities to locate in the commercial and industrial zoned areas within the City. Given that the properties in these areas are already developed, the potential for native resident or migratory wildlife species movement through such sites

is negligible. Therefore, the uses allowed by the Project would not substantially interfere with the movement of species. There are no native nursery sites located within the City. Therefore, the project would not impede the use of a native nursery site.

Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). In accordance with the MBTA, the City requires that all projects which may result in the removal of a tree may be required to comply with the Migratory Bird Treaty Act by either avoiding grading during the nesting season (February 15 to August 15) or conducting a site survey for nesting birds prior to commencing grading activities. Adherence to the MBTA regulations would ensure that if there is construction that could occur during the breeding season, appropriate measures would be taken to avoid impacts to any nesting birds if found. The urbanized nature of the City limits the potential for native resident or migratory wildlife species movement. The Project would result in less than significant impacts to the movement of wildlife species.

**e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

**Less Than Significant Impact.** The Project would allow a limited number of commercial cannabis activities to locate in the commercial and industrial zoned areas within the City, which are generally built out areas. In terms of trees within the public realm, in 2016 the City adopted an Urban Forest Master Plan to foster a robust and resilient urban forest within the City. The primary objective of the Urban Forest Master Plan is to facilitate the preservation, management and enhancement of Culver City's urban forest. Any tree removal would be required to comply with applicable provisions pertaining to the removal and replacement of street trees in the CCMC (i.e., Title 9: General Regulations, Chapter 9.08: Streets and Sidewalks – Tree Removal, Section 9.08.220: Removal of Trees in Parkways Related to Private Improvement or Development Project). If the Project were to result in new construction, and if any tree removal were to occur, the City requires a 2:1 replacement planting ratio (two new trees for each tree removed). Accordingly, through compliance with the applicable street tree removal and replacement provisions of the CCMC, no conflicts with policies or ordinances protecting biological resources would occur and impacts would be less than significant in this regard.

**f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

**No Impact.** There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan in place for the City. Thus, and because commercial cannabis activities would occur within developed areas, the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

## V. CULTURAL RESOURCES

*Would the project:*

**a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**

**Less Than Significant Impact.** A historical resource is defined in Section 15064.5(a)(3) of the CEQA Guidelines as any object, building, structure, site, area, place, record, or manuscript determined to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California. Historical resources are further defined as being associated with significant events, important persons, or distinctive characteristics of a type, period or method of construction; representing the work of an important creative individual; or possessing high artistic values. Resources listed in or determined eligible for the California Register of Historical Resources, included in a local register, or identified as significant in a historic resource survey are also considered historical resources under CEQA. A project with an effect that may cause substantial adverse change in the significance of a historical resource is a project that may have a significant impact on the environment. Substantial adverse change is defined as physical demolition, relocation, or alteration of a resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.<sup>2</sup> Direct impacts are those that cause substantial adverse physical change to a historical resource. Indirect impacts are those that cause substantial adverse change to the immediate surroundings of a historical resource such that the significance of a historical resource would be materially impaired.

It is anticipated that commercial cannabis activities associated with the Project would occur within existing buildings and that any new facilities would be established through urban infill on previously developed commercial and industrial properties within the City. The City has a strong historic preservation program. The Historic Preservation Advisory Committee Report (HPAC Report) identifies the City's resources. If a facility were proposed on a property that would require demolition of a historical resource or potential historical resource, or adaptive reuse of a historic building, appropriate review would occur at that time. Although the potential for impacts on historical resources is low given the nature of the Project, in light of the City's historical preservation program and development review procedures, impacts to historic resources are considered less than significant.

**b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?**

**c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

**d. Disturb any human remains, including those interred outside of dedicated cemeteries?**

**(b, c & d) Less Than Significant Impact.** As indicated above, commercial cannabis facilities would be limited to commercial and industrial zones within the City and it is anticipated that such facilities would primarily locate in existing buildings. Any potential development activities, such as redevelopment, building additions, grading or earthmoving, that would occur as a result of the Project would, like any other commercial redevelopment project, be subject to existing laws and regulations that protect buried archaeological resources, such as Public Resource Code 21083.2 and City requirements. Cultivation of six plants as allowed in a residential zone, would

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<sup>2</sup> California Code of Regulations, Title 14, Chapter 3, Article 5, Section 15064.5 (b) (1)

not materially change typical residential activities with potential for minimal ground disturbance similar to other gardening activities. Since the Project would not materially change the nature or extent of commercial development, and any such development would be limited and subject to existing laws and regulations, impacts to archaeological resources would be less than significant.

**e. Cause a substantial adverse change in the significance of a tribal cultural resource as defined in §21074?**

**Less Than Significant Impact.** As previously noted above, it is anticipated that commercial cannabis uses would primarily locate in existing buildings and would be limited to commercial and industrial zones within the City. Any potential development activities, such as redevelopment, building additions, grading or earthmoving, that would occur as a result of the Project would be subject to existing laws and regulations that protect tribal cultural resources. Therefore, impacts to tribal cultural resources would be less than significant.

## **VI. GEOLOGY AND SOILS**

*Would the project:*

**a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

**i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

**ii. Strong seismic ground shaking?**

**Less Than Significant Impact.** The City is located within the seismically active Southern California region and is subject to moderate to strong ground shaking in the event of an earthquake on one of the many active Southern California faults. The City is located within the central block of the Los Angeles Basin region of the Transverse Ranges geomorphic province. This geomorphic province is characterized by an east-west trending structure of mountain ranges separated by broad, alluviated valleys and is bounded by the San Andreas fault system to the northeast, the Coast Ranges to the northwest, and the Peninsular Ranges to the southeast. Principal fault structures of the province comprise both east-west and southeast-northwest trends. Principal east-west trending faults in the region of the site include the San Cayetano, Oak Ridge, Santa Susana, Malibu Coast, Hollywood, and Santa Monica-Raymond. Principal northwest-trending faults in the region of the site include the San Andreas, San Gabriel, Sierra Madre, Verdugo, Whittier, Newport-Inglewood, and Palos Verdes.<sup>3</sup>

Fault rupture is the displacement that occurs along the surface of a fault during an earthquake. Based on criteria established by the California Geological Survey (CGS), faults may be categorized as active, potentially active, or inactive. Active faults are those which show evidence of surface displacement within the last 11,000 years (Holocene-age). Potentially active faults are those that show evidence of most recent surface displacement within the last 1.6 million years (Quaternary-age). Faults showing no evidence of surface displacement within the last 1.6 million years are considered inactive. In addition, there are buried thrust faults, which are low angle reverse faults with no surface exposure. Due to their buried nature, the existence of buried thrust faults is usually not known until they produce an earthquake.

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<sup>3</sup> Ninyo & Moore Geotechnical and Environmental Sciences Consultants, Updated Preliminary Geotechnical Evaluation for The Culver Studios Innovation Plan (CPA No. 7), September, 2017.

The CGS has established earthquake fault zones known as Alquist-Priolo Earthquake Fault Zones around the surface traces of active faults to assist cities and counties in planning, zoning, and building regulation functions. These zones, which extend from 200 to 500 feet on each side of a known active fault, identify areas where potential surface rupture along an active fault could prove hazardous and identify where special studies are required to characterize hazards to habitable structures.

While it is anticipated that commercial cannabis facilities would locate within existing buildings, the City requires that all new construction meet or exceed the Culver City Building Code and the latest standards of the 2013 CBC for construction which requires structural design that can accommodate maximum ground accelerations expected from known faults. Furthermore, any development within the City would comply with the CGS Special Publications 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California, which provides guidance for evaluation and mitigation of earthquake-related hazards. Given compliance with applicable regulations, impacts would be less than significant.

### **iii. Seismic-related ground failure, including liquefaction?**

**Less Than Significant Impact.** Liquefaction is a phenomenon in which saturated silty to cohesionless soils below the groundwater table are subject to a temporary loss of strength due to the buildup of excess pore pressure during cyclic loading conditions such as those induced by an earthquake. Liquefaction effects include loss of bearing strength, amplified ground oscillations, lateral spreading, and flow failures. Liquefaction typically occurs in areas where groundwater is less than 50 feet from the surface, and where the soils are composed of poorly consolidated, fine to medium-grained sand. In addition to the necessary soil conditions, the ground acceleration and duration of the earthquake must also be of a sufficient level to initiate liquefaction.

While it is anticipated that commercial cannabis facilities would likely locate within existing buildings, the City requires that all new construction meet or exceed the Culver City Building Code and the latest standards of the 2013 CBC for construction which requires structural design that can accommodate maximum ground accelerations expected from known faults. Furthermore, any development within the City would comply with the CGS Special Publications 117, Guidelines for Evaluating and Mitigating Seismic Hazards in California, which provides guidance for evaluation and mitigation of earthquake-related hazards. Given compliance with applicable regulations, impacts would be less than significant.

### **iv. Landslides?**

**No Impact.** The Project would limit commercial cannabis facilities to commercial and industrial zones. The City is highly urbanized and the commercial and industrial zones are located in relatively flat areas of the City. In addition, it is anticipated that commercial cannabis facilities would locate in existing structures, in areas that do not have the potential for landslides. Furthermore, any new construction would be required to comply with the Culver City Building Code and the latest standards of the 2013 CBC. Therefore, impacts regarding landslides would be less than significant.

### **b. Result in substantial soil erosion or the loss of topsoil?**

**Less Than Significant Impact.** Soil erosion refers to the process by which soil or earth material is loosened or dissolved and removed from its original location. Erosion can occur by varying processes and may occur in a construction area where bare soil is exposed to wind or moving water (both rainfall and surface runoff). The processes of erosion are generally a function of material type, terrain steepness, rainfall or irrigation levels, surface drainage conditions, and general land uses. Topsoil is used to cover surface areas for the



establishment and maintenance of vegetation due to its high concentrations of organic matter and microorganisms.

Ground surface disruption that would occur during construction would create the potential for erosion to occur. Wind erosion would be minimized through soil stabilization measures required by the SCAQMD Rule 403 (Fugitive Dust), such as daily watering. Potential for water erosion would be reduced by implementation of standard erosion control measures imposed during site preparation and grading activities. Any development within the City would be subject to all existing regulations associated with the protection of water quality. If construction were to occur, activities would be carried out in accordance with applicable Culver City standard erosion control practices required pursuant to the CBC and the requirements of the National Pollutant Discharge Elimination System (NPDES) General Construction Permit issued by the Los Angeles Regional Water Quality Control Board (LARWQCB), as applicable. Consistent with these requirements, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared that incorporates Best Management Practices (BMPs) to control water erosion during the Project's construction period. Following construction, the site would be covered completely by paving, structures, and landscaping.

The Ordinance would prohibit outdoor commercial cultivation thereby precluding ground disturbing activities that could occur to clear land for and during cultivation. While it is anticipated that commercial cannabis facilities would likely locate in existing buildings, some construction resulting in ground disturbance could occur. Given compliance with applicable regulations, impacts would be less than significant.

**c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

**Less Than Significant Impact.** Impacts related to liquefaction and landslides are discussed above in Responses VI.a.iii. and VI.a. iv. Lateral spreading is the downslope movement of surface sediment due to liquefaction in a subsurface layer. The downslope movement is due to the combination of gravity and earthquake shaking. Such movement can occur on slope gradients of as little as one degree. Lateral spreading typically damages pipelines, utilities, bridges, and structures. Lateral spreading of the ground surface during a seismic activity usually occurs along the weak shear zones within a liquefiable soil layer and has been observed to generally take place toward a free face (i.e. retaining wall, slope, or channel) and to a lesser extent on ground surfaces with a very gentle slope. As discussed above, the Project would limit commercial cannabis facilities to commercial and industrial zones and it is anticipated that such facilities would locate in existing structures. Any new construction would be required to comply with the Culver City Building Code and the latest standards of the 2013 CBC. Therefore, impacts regarding soil stability would be less than significant.

**d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

**Less Than Significant Impact.** Soils with shrink-swell or expansive properties typically occur in fine-grained sediments and cause damage through volume changes as a result of a wetting and drying process. Structural damage may occur over a long period of time, usually the result of inadequate soil and foundation engineering or the placement of structures directly on expansive soils. The Project would not directly result in new development as it establishes regulations and provides locations for commercial cannabis activities. It is anticipated that such facilities would likely locate in existing buildings. If any construction were to occur, the new development would be required to comply with standard construction practices (i.e., the removal of



expansive soils) pursuant to Culver City and the 2013 CBC building requirements. Therefore, impacts would be less than significant.

**e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?**

**No Impact.** The City is served by municipal wastewater infrastructure. It is expected that any new development connects to the existing mainlines and service lines, which are largely located in the surrounding roadways. Therefore, future development would not use septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur.

## **VII. GREENHOUSE GAS EMISSIONS**

*Would the project:*

- a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**
- b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**(a & b) Less Than Significant Impact.** State regulated GHGs include carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). CO<sub>2</sub> is the most abundant GHG in the atmosphere. Not all GHGs exhibit the same ability to induce climate change; as a result, GHG contributions are commonly quantified in equivalent mass of CO<sub>2</sub>, denoted as CO<sub>2</sub>e. Mass emissions are calculated by converting pollutant specific emissions to CO<sub>2</sub>e emissions by applying the proper global warming potential (GWP) value. These GWP ratios are available from the U.S. Environmental Protection Agency (USEPA) and are published in the California Climate Action Registry (CCAR) General Reporting Protocol. By applying the GWP ratios, project related CO<sub>2</sub>e emissions can be tabulated in metric tons per year.

The City has not yet adopted a numerical significance threshold for assessing impacts related to GHG emissions and has not formally adopted a local plan for reducing GHG emission. When no guidance exists under CEQA, the lead agency may look to and assess general compliance with comparable regulatory schemes.<sup>4</sup> In its January 2008 CEQA and Climate Change white paper, the California Air Pollution Control Officer's Association (CAPCOA) identified a number of potential approaches for determining the significance of GHG emissions in CEQA documents. In its white paper, CAPCOA suggests making significance determinations on a case-by-case basis when no significance thresholds have been formally adopted by a lead agency.

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<sup>4</sup> See *Protect Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th 1099, 1107 [“[A] lead agency’s use of existing environmental standards in determining the significance of a project’s environmental impacts is an effective means of promoting consistency in significance determinations and integrating CEQA environmental review activities with other environmental program planning and resolution.”]. Lead agencies can, and often do, use regulatory agencies’ performance standards. A project’s compliance with these standards usually is presumed to provide an adequate level of protection for environmental resources. See, e.g., *Cadiz Land Co. v. Rail Cycle* (2000) 83 Cal.App.4th 74, 99 (upholding use of regulatory agency performance standard).

The Office of Planning and Research released a technical advisory on CEQA and climate change that provided some guidance on assessing the significance of GHG emissions, and states that “lead agencies may undertake a project-by-project analysis, consistent with available guidance and current CEQA practice,” and that while “climate change is ultimately a cumulative impact, not every individual project that emits GHGs must necessarily be found to contribute to a significant cumulative impact on the environment.”<sup>5</sup> Furthermore, the technical advisory states that “CEQA authorizes reliance on previously approved plans and mitigation programs that have adequately analyzed and mitigated GHG emissions to a less than significant level as a means to avoid or substantially reduce the cumulative impact of a project.”<sup>6</sup>

On December 5, 2008, the SCAQMD Governing Board adopted the staff proposal for an interim GHG significance threshold for stationary source/industrial projects where the SCAQMD is lead agency. However, the SCAQMD has yet to adopt a GHG significance threshold for land use development projects (e.g., residential/commercial projects) and formed a GHG Significance Threshold Working Group to further evaluate potential GHG significance thresholds.<sup>7</sup> The Working Group released draft guidance regarding interim CEQA GHG indicators of significance in October 2008, proposing a tiered approach whereby the level of detail and refinement needed to determine significance increases with a project’s total GHG emissions. Under Tier 1, Projects that are exempt from CEQA would be less than significant. Under Tier 2, projects that are consistent with an adopted GHG reduction plan would be less than significant. Under Tier 3, non-industrial projects with 3,000 metric tons of CO<sub>2</sub>e per year or less would be less than significant. Tier 4 uses performance standards, which requires projects to demonstrate a percent emission reduction target below an identified baseline level or an efficiency-based threshold such as GHG emissions on a per service population basis. The aforementioned Working Group was inactive in 2011 through 2015 and did not formally submit the thresholds to the Governing Board for approval.

“Tier 3,” the primary tier by which SCAQMD currently determines the significance of stationary emission sources, relies on Executive Order S-3-05 as the basis for a screening level, and was established at a level that captures 90 percent of SoCAB -wide land use GHG emissions. The SCAQMD proposed a screening level of 3,000 metric tons of carbon dioxide equivalents (MTCO<sub>2</sub>e) per year for commercial or mixed-use residential projects under which project impacts are considered less than significant, “to achieve the same policy objective of capturing 90 percent of the GHG emissions from new development projects in the residential/commercial sectors.”<sup>8</sup> In CAPCOA’s January 2008 CEQA and Climate Change white paper, CAPCOA suggested a possible quantitative threshold option that would capture 90 percent of GHG emissions from future discretionary development projects. According to CAPCOA, the “objective was to set the emission threshold low enough to capture a substantial fraction of future residential and nonresidential development that will be constructed to accommodate future statewide population and job growth, while setting the emission threshold high enough to exclude small development projects that will contribute a relatively small fraction of the cumulative statewide GHG emissions.”<sup>9</sup> A 90 percent capture rate would “exclude the smallest proposed

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<sup>5</sup> Governor’s Office of Planning and Research, *Technical Advisory – CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*, (2008).

<sup>6</sup> *Ibid.*

<sup>7</sup> California Air Resources Board, *Greenhouse Gases CEQA Significance Thresholds*, <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ghg-significance-thresholds>, accessed November 2015.

<sup>8</sup> South Coast Air Quality Management District, *Board Meeting, December 5, 2008, Agenda No. 31, Interim GHG Significance Threshold Proposal – Key Issues/Comments Attachment D*.

<sup>9</sup> California Air Pollution Control Officer’s Association, *CEQA and Climate Change*, (2008) 42-43.

developments from potentially burdensome requirements ... to mitigate GHG emissions.”<sup>10</sup> The SCAQMD’s proposed screening level of 3,000 MTCO<sub>2</sub>e per year is a South Coast Air Basin-specific level that would meet CAPCOA’s intent for the suggested quantitative threshold option. It should be noted that the SCAQMD has formally adopted a GHG significance thresholds of 10,000 MTCO<sub>2</sub>e per year for industrial/stationary source projects where the SCAQMD is the lead agency based on a 90 percent capture rate for the industrial/stationary source sector.

Absent a specific threshold, the Project would not have a significant effect on the environment if it is found to be consistent with the applicable plans and policies established within adopted regulatory documents. The Global Warming Solutions Act of 2006, also known as Assembly Bill (AB) 32, requires the State to achieve 1990 GHG emission levels by 2020 by setting statewide GHG reduction targets. To achieve these goals, the CARB has established an emissions cap and developed a Climate Change Scoping Plan to identify mandatory strategies for reducing statewide GHG emissions. In addition, the California Climate Action Team (CAT) was formed which consists of members of various state agencies tasked with identifying strategies to reduce GHG emissions.

Several other bills have been passed as a companion to AB 32 which include SB 1368 (electricity generation standards), SB 97 (CEQA analysis for GHGs), Low Carbon Fuel Standards, SB 375 (Regional Transportation Planning and GHG emissions), CALGreen building standards and others plans to achieve the goals of AB 32. The State has promulgated regulations and programs for the purpose of reducing GHG emissions. On the local level, since 2000 the City initiated various sustainability focused community visioning efforts that ultimately helped identify a range of GHG reduction activities and strategies that is anticipated to form the basis of the City’s future Sustainable Community Plan (SCP). GHG reduction activities and strategies are grouped into six categories: Community Education and Civic Participation; Environmental Pollution and Public Health Protection; Resource Conservation; Waste Management and Recycling; Sustainable Land Use and Open Space; and Sustainable Transportation. The SCP has not been formally adopted by the City.

Commercial cannabis activities would result in GHG emissions through the use of energy resources and operation of personal or commercial vehicles for the transport of commercial cannabis products and equipment, as well as travel to and from a commercial cannabis operation by employees and customers. The Project consists of code amendments that would apply specific requirements and regulations to cannabis activities within commercial and industrial zones in the City that could accommodate such facilities and would allow the cultivation of six plants in a residential zone on the grounds of a private residence. However, the number of commercial cannabis facilities would be limited and would be similar in nature to other retail and industrial uses that exist within the City. Given the limited vacant land within the City it is anticipated that most commercial cannabis facilities would likely locate in existing structures. Furthermore, the extent of vehicular trips due to retail or industrial operations would fall within the range of what would be expected from other uses permitted within these land use categories that might be replaced. Additional trips beyond those for a residential use would not result from cultivation in a residential zone.

In terms of GHG emissions, indoor cultivation could result in GHG emissions as a result of associated energy demands. Given that energy use is a primary component of regional GHG emissions, many regulations and policies adopted by the State as discussed above are targeted at reducing overall energy demands of existing and new development. Indoor cultivation has relatively intensive energy demands, often requiring large

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<sup>10</sup> *California Air Pollution Control Officer’s Association, CEQA and Climate Change, (2008) 43-44.*

amounts of electricity to power equipment, such as grow lights, space heating, water heating, HVAC and dehumidification, CO2 injection, and drying/curing.<sup>11</sup> The Ordinance would require an applicant to submit a description of the source of electrical power and a plan for compliance with applicable Building Codes and related codes and documentation of energy consumption and conservation measures beyond Building Code requirements. The energy plan would be required to include energy conservation measures, such as the use of solar or photovoltaics and energy efficient equipment.

The Project would not directly result in the establishment of commercial cannabis facility with indoor cultivation. However, such development would be subject to permit review and conditions to address new site specific demand for energy resources and compliance with energy reduction strategies to ensure conformance with adopted goals and regulations for GHG emissions. The Ordinance would limit the location for indoor cultivation and the City would limit the number of such facilities likely no more than three.<sup>12</sup> The Ordinance would require the identification of the source of electrical power and a plan for compliance with applicable Building Codes and related codes [Section 11.17.340(g)(3)]. Cannabis cultivation lighting in residential zones would be limited to 1200 watts. The Project would not directly conflict with adopted GHG reduction policies and programs. In addition, given that any future facilities would be required to comply with adopted regulations and policies to reduce GHG emissions through energy conservation, GHG emission impacts would be less than significant.

## VIII. HAZARDS AND HAZARDOUS MATERIALS

*Would the project:*

- a. **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?**
- b. **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

**(a & b) Less Than Significant Impact.** The Project does not directly propose the construction, demolition, or redevelopment of any structures or uses. However, for commercial cannabis activities, typical hazardous materials that may be used include, but are not limited to, fuels, solvents, oils, grease and fertilizers as well as volatile and flammable gases and liquids used in manufacturing. The use, transportation, storage, or disposal of such materials is expected to occur on a relatively minor scale for each commercial cannabis activity and these materials would be used in concentrations that would not pose threats to the public. Furthermore, like other permitted uses, commercial cannabis activities would be subject to compliance with applicable standards and regulations, including California Occupational Safety and Health Administration (OSHA) requirements, and Title 8 and 22 of the Code of California Regulations. Accordingly, risks associated with hazards to the public or

<sup>11</sup> Based on CEQA Up in Smoke, a presentation given at the San Diego Association of Environmental Professionals, every 2.2 pounds of cannabis produced indoors requires approximately 5,000 kilowatt-hours of energy. For comparison, the production of 2.2 pounds of aluminum, an energy-intensive product, requires 16 kilowatt-hours of energy. (CEQA Up in Smoke, Powerpoint presentation prepared by Best Best & Krieger LLP and Rincon Consultants, San Diego Association of Environmental Professionals, September 28, 2017).

<sup>12</sup> The City would establish a specific number of facilities by resolution. Currently, numbers anticipated Citywide are for: no more than three (3) retail facilities and five (5) home delivery uses, up to three (3) cultivation facilities, up to six (6) manufacturing uses; up to six (6) distribution facilities, and up to four (4) testing facilities. The Ordinance would allow the City Council to reassess the number of commercial cannabis business permits at any time.

environment posed by the transport, use or disposal of hazardous materials during construction are considered less than significant due to compliance with applicable and required standards and regulations.

Commercial cannabis cultivation and manufacturing would be limited to properties within the IG zone~~industrial zones~~ within the City, and would operate under a state license which would require a licensee to handle all hazardous waste in compliance with applicable hazardous-waste statutes and regulations. Therefore, the Project would not pose a substantial new risk to the environment from routine transport, use, or disposal of hazardous materials. The use of gas products would be prohibited in residential zones and any pesticides or fertilizers used in residential cultivation would be similar to such use that already occurs. The Project would not create a significant hazards to the public through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

**c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

**Less Than Significant.** Potentially hazardous activities that may occur during the indoor cultivation or manufacturing of cannabis could include the use, storage, transport, or discharge of hazardous materials, such as petroleum products, solvents, pesticides, herbicides, and metals. Commercial cannabis cultivation and manufacturing would be restricted to the IG industrial zones ~~and cultivation is further limited in its location to the area shown on Map 2.10 or the area to the east of I-405 bounded generally by Slauson Avenue and Sepulveda Boulevard.~~ All commercial cannabis activities eligible under the Project would be required to comply with applicable federal, State, and City policies and regulations related to the handling, use, storage, transport, or disposal of hazardous materials or waste.

**d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

**Less Than Significant.** Government Code Section 65962.5, amended in 1992, requires the California Environmental Protection Agency (CalEPA) to develop and update annually the Cortese List, which is a list of hazardous waste sites and other contaminated sites. While Government Code Section 65962.5 makes reference to the preparation of a list, many changes have occurred related to web-based information access since 1992 and information regarding the Cortese List is now compiled on the websites of the Department of Toxic Substances Control (DTSC), the State Water Board, and CalEPA. The DTSC maintains the EnviroStor database, which includes sites on the Cortese List and also identifies potentially hazardous sites where cleanup actions (such as a removal action) or extensive investigations are planned or have occurred. The database provides a listing of Federal Superfund sites [National Priorities List (NPL)]; State Response sites; Voluntary Cleanup sites; and School Cleanup sites. Geotracker is the State Water Resources Control Board's data management system for managing sites that impact groundwater, especially those that require groundwater cleanup [USTs, Department of Defense, Site Cleanup Program] as well as permitted facilities such as operating USTs and land disposal sites. CalEPA's database includes lists of sites with active Cease and Desist Orders (CDO) or Cleanup and Abatement Orders (CAO) from the State Water Board.

Under the Project, eligible commercial cannabis activities would be required to acquire a state cannabis license and comply with applicable local, state, and federal regulations regulated to siting of development on or near hazardous waste sites. For instance, state Draft Cannabis Regulations require applicants seeking a state license to provide evidence that a hazardous materials record search through the EnviroStor database was conducted for a proposed cannabis site, and where a hazardous site is encountered, protocols including

remediation regulations are implemented to ensure the appropriate management of such sites and the protection of health and safety of employees and workers. Compliance with existing regulations would reduce potential impacts to a less than significant level.

- e. **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**
- f. **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

**(e & f) No Impact.** The nearest airports to the City are the Santa Monica Municipal Airport and the Los Angeles International Airport (LAX), located approximately three miles and five miles to the southwest of the City, respectively. Therefore, the Project would not result in an airport-related safety hazard for people residing or working in the Project area, and no impact would occur in this regard.

- g. **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

**Less Than Significant Impact.** The Project would establish regulations and locations for commercial cannabis activities within the City. Such facilities would be limited in number and could locate in commercial and industrial zones like other permitted uses. The Project would also provide for cultivation in residential zones in compliance with State law. The City is highly urban and essentially built out. All areas of the City are well served by a roadway network. While commercial cannabis activities would generate traffic, such uses would replace similar uses that also generate traffic and are serviced by existing emergency services. Furthermore, any proposed use that would occur as a result of the Ordinance would be subject to review and approval, including review of access and circulation plans by the CCFD, like other permitted uses. Therefore, the Project would not impair implementation or physically interfere with adopted emergency response or emergency evacuation plans and impacts would be less than significant.

- h. **Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

**No Impact.** The Project would apply to commercial and industrial zones. Eligible zoning districts do not lie within areas or in close proximity to wildlands where there would be a moderate or high threat of wildfire. The nearest very high fire hazard severity zone (VHFHSZ) is located in an unincorporated area of Los Angeles County known as Baldwin Hills.<sup>13</sup> However, the Culver City Fire Department would review any applications for commercial cannabis activities during the building permit process. In addition, for any cannabis manufacturing uses the Ordinance requires that any facilities using compressed gas be approved by the Fire Department and authorized by the regulatory permit. Thus, no impacts with regard to wildland fires would occur.

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<sup>13</sup> Culver City Fire Department Very High Fire Hazard Severity Zones (VHFHSZ) Map, prepared by CAL FIRE, dated June 13, 2012.

## IX. HYDROLOGY AND WATER QUALITY

*Would the project:*

### a. Violate any water quality standards or waste discharge requirements?

**Less Than Significant Impact.** Violations of water quality standards or waste discharge requirements, or degradation of water quality can result in potentially significant impacts to water quality and result in environmental damage or sickness in people. The Project would result in a significant impact to water quality if water quality standards, waste discharge requirements, or degradation of water quality occurred.

Point-source pollutants can be traced to their original source. Point-source pollutants are discharged directly from pipes or spills. Raw sewage draining from a pipe directly into a stream is an example of a point-source water pollutant. Non-point-source pollutants (NPS) cannot be traced to a specific original source. NPS pollution is caused by rainfall or snowmelt moving over and through surface areas. As the runoff moves, it picks up and carries away natural and human-made pollutants, finally depositing them into lakes, rivers, wetlands, coastal waters, and even underground sources of drinking water. These pollutants can include:

- Excess fertilizers, herbicides and insecticides from agricultural lands and residential areas;
- Oil, grease, and toxic chemicals from urban runoff and energy production;
- Sediment from improperly managed construction sites, crop and forest lands, and eroding stream banks;
- Salt from irrigation practices and acid drainage from abandoned mines;
- Bacteria and nutrients from livestock; pet wastes, and faulty septic systems; and
- Atmospheric deposition and hydro modification.

Impacts associated with water pollution include ecological disruption and injury or death to flora and fauna, increased need and cost for water purification, sickness or injury to people, and degradation or elimination of water bodies as recreational opportunities. Accidents, poor site management or negligence by property owners and tenants can result in accumulation of pollutant substances on parking lots, loading and storage areas, or result in contaminated discharges directly into the storm drain system. The Ordinance would require a cultivation and operation plan that would meet or exceed minimum legal standards for the proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel.

While it is anticipated that commercial cannabis activities would likely locate in existing buildings, if construction were to occur, activities would be carried out in accordance with the requirements of the NPDES General Construction Permit issued by the Los Angeles Regional Water Quality Control Board (LARWQCB), as applicable. Best Management Practices (BMPs) would be implemented to minimize pollutant runoff during construction. Compliance with applicable requirements in Chapter 5.05, Stormwater and Urban Runoff Pollution Control, and Section 5.05.040, Standard Urban Stormwater Mitigation Plan (SUSMP) Requirements for New Development and Redevelopment Projects, of the CCMC, any development or redevelopment would require a stormwater mitigation plan that complies with the most recent LARWQCB approved SUSMP. Compliance with applicable regulations would ensure that water quality standards and waste discharge requirements are not exceeded. Therefore, impacts would be less than significant.



- b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

**Less Than Significant Impact.** The Golden State Water Company (GSWC) provides water to Culver City. GSWC obtains its water supply for the Culver City System by purchasing imported water from the West Basin Municipal Water District (WBMWD). WBMWD obtains its imported water supply from the Metropolitan Water District of Southern California (Metropolitan). Imported water makes up 100 percent of the available water supply and is projected to make up 100 percent in future years as well. There are currently no sources of groundwater supplying the Culver City. Therefore, the Project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level, and a less than significant impact would result.

- c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?**
- d. Substantially alter the existing drainage pattern of the site or area, including through the alternation of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?**

**(c & d) Less Than Significant Impact.** Under the Project it is anticipated that commercial cannabis activities would most likely locate in existing buildings within the commercial and industrial zones of the City. The City is built out and parcels within the commercial and industrial zones are primarily developed. If changes were made to a parcel through redevelopment to accommodate a commercial cannabis facility such activity would not be expected to adversely alter existing drainage patterns or contribute to erosion or siltation on or off the parcel or substantially increase the rate or amount of runoff in a manner that would result in flooding on or off the parcel. In addition, redevelopment would be subject to the City building permit process that would include review of site drainage characteristics along with requirements for construction best management practices. Further, Section 11.17.340 of the proposed Ordinance requires a cultivation and operations plan that meets or exceeds minimum legal standards for drainage, runoff, and erosion control. The Project would also allow the cultivation of up to six plants on the grounds of a private residence in residential zones. The residential cultivation would be similar to gardening and landscaping that currently occurs on residential property. Therefore, the Project would have a less than significant impact on drainage patterns or alignments and erosion and runoff.

- e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

**Less Than Significant Impact.** As discussed above, commercial cannabis activities that could occur as a result of the Project would likely locate in existing buildings within the commercial and industrial zones of the City. These areas are primarily developed and would have on-site stormwater drainage systems in place. Commercial cannabis uses, more likely those related to the cultivation and manufacturing, similar to other industrial uses, could generate pollutant constituents. As indicated above, accidents, poor site management or negligence by property owners and tenants can result in accumulation of pollutant substances on parking lots, loading and storage areas, or result in contaminated discharges directly into the storm drain system. The Ordinance would require a cultivation and operation plan that would meet or exceed minimum legal standards for the proper storage of fertilizers, pesticides, and other regulated products to be used on the parcel. Any



commercial cannabis activity that occurs as a result of the Project would comply with applicable water quality control requirements as discussed under Response IX.a. Plan check review by the City would ensure that adequate stormwater capacity is available in the storm drain system that serves a property. An applicant would be responsible for providing the necessary on-site storm drain infrastructure, as well as any connections to the existing system in the area. Therefore, the Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. Thus, less than significant impacts would occur in this regard.

**f. Otherwise substantially degrade water quality?**

**Less Than Significant Impact.** As discussed in Response IX.a above, compliance with applicable regulations would ensure that water quality standards and waste discharge requirements are not exceeded. Therefore, the Project would have a less than significant impact on water quality.

**g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

**No Impact.** The Project does not propose the development or redevelopment of any residential units or structures. Therefore, the Project would have no impact with regard to the placement of housing units within a flood hazard area and no impact would occur.

**h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?**

**i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

**(h & i) Less Than Significant Impact.** Los Angeles County's General Plan indicates that a large portion of Culver City is located within the potential inundation area of the Hollywood Reservoir/Mulholland Dam and Franklin Canyon Reservoir Dam.<sup>14</sup> However, the National Dam Safety Act of 2006 authorized a program to reduce the risks to life and property from dam failure by establishing a safety and maintenance program. The program requires regular inspection of dams to reduce the risks associated with dam failures. Measures to maintain the safety of the dam in accordance with dam safety regulations are the primary means of reducing damage or injury due to inundation occurring from dam failure. The California Division of Safety of Dams provides periodic review of all dams in the State; and dams and reservoirs are monitored by the City during storms. Measures are instituted in the event of potential overflow. If a breach were to occur at the reservoir, flood water would disperse over a large area where water flows would be redirected by intervening development and changes in topography. Reservoir water would generally flow along roadways. Given the low likelihood of a breach the Project would not be expected to locate uses within a potential inundation area. Therefore, the Project would not result in a significant impact with regard to the exposure of people and structures to risk of loss or injury associated with the Hollywood or Franklin Canyon Dam.

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<sup>14</sup> Los Angeles County General Plan, Safety Element, December 6, 1990.

**j. Inundation by seiche, tsunami, or mudflow?**

**Less Than Significant Impact.** A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant disturbance undersea, such as a tectonic displacement of sea floor associated with large, shallow earthquakes. Mudflows occur as a result of downslope movement of soil and/or rock under the influence of gravity.

The Project does not propose the development or redevelopment of any structures within any areas subject to mudflows. Commercial cannabis activities would be limited to commercial and industrial areas. The majority of the City is developed. The potential risks, such as seiche, tsunami, or mudflow, would not be unlike risks that would occur to other existing permitted retail and industrial uses. According to the Tsunami Inundation Map for Emergency Planning, State of California, County of Los Angeles Beverly Hills and Venice Quadrangle, the City is not located within the mapped tsunami inundation boundaries.<sup>15</sup> Therefore, the Project would not be subject to flooding hazards associated with tsunamis. Most areas of the City are generally level with limited topographic changes. As discussed under Response IX.i, portions of the City are within the inundation area for the Hollywood Reservoir/Mulholland Dam and the Franklin Canyon Reservoir Dam. However, as discussed under Response IX.i, a breach of the dam facilities is very unlikely. If there were a breach of the dam facilities, it is expected that reservoir water would generally flow along roadways. Thus, during the unlikely failure of the dams, impacts regarding flooding hazards associated with seiches would be less than significant. Impacts associated with inundation by seiche, tsunami, or mudflow would be less than significant.

**X. LAND USE AND PLANNING**

*Would the project:*

**a. Physically divide an established community?**

**No Impact.** The City is highly urbanized and generally built out. The Project would provide regulations and locations for a limited number of commercial cannabis activities to occur within the City. The Project would create a set of compliance standards for the uses and such uses would locate in commercial and industrial zones. It is anticipated that commercial cannabis activities would most likely locate within existing structures. The Project would also allow for the cultivation of up to six plants on the grounds of a private residence in residential zones. The Project does not include a highway or development of the magnitude that would physically divide any established community. Any development that might occur would be subject to the City's standards and review processes. As such, there is no potential for creating a barrier from one part of a community to another. Thus, the Project would not physically divide an established community and no impact to the connectivity of established communities would occur.

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<sup>15</sup> *Tsunami Inundation Map for Emergency Planning, State of California, County of Los Angeles, Beverly Hills and Venice Quadrangles, dated March 1, 2009, [http://www.conservation.ca.gov/cgs/geologic\\_hazards/Tsunami/Inundation\\_Maps](http://www.conservation.ca.gov/cgs/geologic_hazards/Tsunami/Inundation_Maps)*

- b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?**

**Less Than Significant Impact.** The Project would establish regulations for commercial cannabis activities and would identify zones in which such uses are allowed as well as allow for cultivation in residential zones in compliance with State law. As such, the Project would establish procedures to protect the health and safety of the community. The Project would not result in conflicts with the applicable General Plan or Zoning Code or any other applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project such that significant physical impacts on the environment would occur. Thus, impacts would be less than significant.

- c. Conflict with any applicable habitat conservation plan or natural community conservation plan?**

**No Impact.** There is no adopted Habitat HCP, NCCP, or other approved local, regional, or State habitat conservation plan in place for the City. Thus, no impact to a habitat conservation or community conservation plan is anticipated.

## **XI. MINERAL RESOURCES**

*Would the project:*

- a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**
- b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

**(a & b) No Impact.** Minerals are defined as any naturally occurring chemical elements or compounds formed from inorganic processes and organic substances. The California Surface Mining and Reclamation Act of 1975 (SMARA) requires that all cities address significant mineral resources, classified by the State Geologist and designated by the State Mining and Geology Board, in their General Plans. The Inglewood Oil Field (Oil Field) is located within Culver City and the unincorporated area of Los Angeles County known as Baldwin Hills. The current active Oil Field boundary is approximately 1,000 acres of which 100 acres are located within Culver City.

The City is highly urbanized and generally built out. The Project would allow commercial cannabis activities within the industrial and commercial zones as well as residential cultivation in accordance with State law. It is anticipated that commercial cannabis activities would most likely locate within existing buildings. If construction were to occur, generally, the potential of uncovering mineral resources during construction is considered low. Therefore, the Project would not result in the loss of availability of a known mineral resource delineated on a local general plan, specific plan, or other land use plan as there are no known mineral resources or mineral resource recovery sites on or near the Project Site. No impact would occur with regard to mineral resources.

## XII. NOISE

*Would the project result in:*

**a. Exposure of persons to or generation of noise level in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

**Less Than Significant Impact.** The City’s noise standards are developed from those of several Federal and State agencies including the Federal Highway Administration (FHA), the Environmental Protection Agency (EPA), the Department of Housing and Urban Development (HUD), the American National Standards Institute (ANSI), and the State of California Department of Health Services. These standards set limits on the noise exposure level for various land uses. **Table B-1**, *Culver City Interior and Exterior Noise Standards*, lists interior and exterior noise level standards and the type of occupancy to which they should be applied.

**Table B-1**  
**Culver City Interior and Exterior Noise Standards**

Zone	Interior Standard dBA (CNEL)	Exterior Standard dBA (CNEL)
Residential	45	65
Commercial Retail	55	--
Office Building	50	--
Open Space – Parks	--	65

*Source: Culver City Noise Element.*

**Table B-2**, *Noise and Land Use Compatibility Matrix*, illustrates land use compatibility with regard to noise. These standards and criteria will be incorporated into the land use planning process to reduce future noise and land use incompatibilities. This table is the primary tool that allows the City to ensure integrated planning for compatibility between land uses and outdoor noise. Community Noise Equivalent Level (CNEL) for specific land uses are classified into four categories: (1) “Clearly Compatible” (2) “Compatible with Mitigation” (3) “Normally Incompatible” and (4) “Clearly Incompatible”.

Policy 2.A of the City’s General Plan Noise Element pertains to stationary noise sources and directs the City to create a comprehensive ordinance establishing noise regulation criteria and standards for noise sources and receptors. Title 9: General Regulations, Chapter 9.07: Noise Regulations, of the CCMC provides specific noise restrictions and exemptions for noise sources within Culver City.

With regard to vibration, Culver City has not adopted policies or guidelines relative to ground-borne vibration. However, California Department of Transportation (Caltrans) has developed a guidance manual for evaluating potential vibration impacts (“Transportation and Construction Vibration Guidance Manual” dated September 2013). The manual gathers data from multiple sources including the Federal Transit Administration (FTA). The manual provides thresholds for potential impacts on human comfort and damage to buildings, as well as guidance for reducing potential vibration impacts and addressing vibration issues. The potential for annoyance from vibration activity is measured in inches per second PPV. For example, 0.035 inches per second (PPV) is identified as a level that is “barely” perceptible, 0.24 is “distinctively” perceptible, 0.9 is “strongly” perceptible and 2.0 is “severe.”

**Table B-2**  
**Noise and Land Use Compatibility Matrix – California**

<b>Land Use Category</b>	<b>Normally Acceptable</b>	<b>Conditionally Acceptable</b>	<b>Normally Unacceptable</b>	<b>Clearly Unacceptable</b>
Residential – Low density, Single-Family, Duplex, Mobile Homes	50 – 60	55 – 70	70 – 75	75 – 85
Residential – Multiple Family	50 – 65	60 – 70	70 – 75	70 – 85
Transient Lodging – Motel, Hotels	50 – 65	60 – 70	70 – 80	80 – 85
Schools, Libraries, Churches, Hospitals, Nursing Homes	50 – 70	60 – 70	70 – 80	80 – 85
Auditoriums, Concert Halls, Amphitheaters	NA	50 – 70	NA	65 – 85
Sports Arenas, Outdoor Spectator Sports	NA	50 – 75	NA	70 – 85
Playgrounds, Neighborhood Parks	50 – 70	NA	67.5 – 75	72.5 – 85
Golf Courses, Riding Stables, Water Recreation, Cemeteries	50 – 70	NA	70 – 80	80 – 85
Office Buildings, Business Commercial and Professional	50 – 70	67.5 – 77.5	75 – 85	NA
Industrial, Manufacturing, Utilities, Agriculture	50 – 75	70 – 80	75 – 85	NA

**Normally Acceptable** – Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

**Conditionally Acceptable** – New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning, will normally suffice.

**Normally Unacceptable** – New construction or development should be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.

**Clearly Unacceptable** – New construction or development should generally not be undertaken.

**NA:** Not Applicable

*Source: Office of Planning and Research, State of California General Plan Guidelines, October 2003.*

The Project would allow commercial cannabis activities within commercial and industrial zones within the City as well as residential cultivation on the ground of a private residence in accordance with State law. The City, including the commercial and industrial zoned areas, is highly urbanized and the commercial and industrial areas are generally located along major roadways. The commercial cannabis facilities would likely locate within existing structures, or in the event a property were to be redeveloped, new construction would comply with applicable building codes and regulations regarding noise. Commercial cannabis uses would result in similar noise and vibration levels that result from other commercial and industrial uses. As with all uses, commercial cannabis activities would be required to comply with the City's noise standards. Therefore, impacts would be less than significant.

- b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**
- c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**
- d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

**(b, c & d) Less Than Significant Impact.** The existing noise environment in the City is primarily generated by traffic noise, light rail trains on the Metro Expo line, and typical activity that occurs in an urban environment. The Project would establish regulations for commercial cannabis activities and their location in commercial and industrial zones. The principal sources of noise from commercial cannabis activities would be generated by heating, ventilation, and air conditioning (HVAC) systems, vehicle trips by employee and customer trips to and from a facility, and delivery of goods and equipment. No increase in noise is anticipated from the residential cultivation as the Ordinance would limit activity to the cultivation of up to six plants on the grounds of a private residence within a residential zone. Noise generated by commercial cannabis activities would be similar to other commercial and industrial uses and would be characteristic of and included within the existing noise environment. Any future commercial cannabis facilities would be required to comply with the City's noise ordinance. The retail and manufacturing of commercial cannabis that would be allowed by the Project would not generate groundborne vibration or noise. Thus, the Project would not result in activity that would expose people to or generate excessive groundborne vibration or groundborne noise levels. In addition, the Project would not result in a substantial permanent increase in ambient noise levels above levels existing without the Project. While it is anticipated that commercial cannabis activities would likely locate within existing structures, some construction activities could occur that could generate temporary or periodic increase in ambient noise levels. However, any construction activities would be required to comply with applicable City noise regulations. Therefore, noise impacts and vibration would be less than significant.

- e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**
- f. For a project within the vicinity of a private airstrip, heliport or helistop, would the project expose people residing or working in the project area to excessive noise levels?**

**(e & f) No Impact.** The City is not located within an airport land use plan area or within two miles of a public airport or public use airport. Therefore, the Project would not expose people to excessive airport related noise levels. No impact would occur in this regard. The City is not located within an airport land use plan or within two miles of a public or private airport, airstrip, heliport or helistop. The nearest airports are the Santa Monica Municipal Airport and the Los Angeles International Airport (LAX), located approximately three miles to the northwest and 5 miles to the southwest of the City, respectively. Therefore, the Project would not result in an airport-related safety hazard for people residing or working in the City, and no impact would occur in this regard.

### XIII. POPULATION AND HOUSING

*Would the project:*

- a. **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**
- b. **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**
- c. **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

**(a, b, & c) Less Than Significant Impact.** The Project would not directly induce growth by proposing new residential structures and does not include the extension of any roads or similar expansion of infrastructure. The Project would not displace housing given that the eligible zones are limited to commercial and industrial districts. It is anticipated that commercial cannabis activities would locate in existing buildings. Redevelopment of parcels could occur or a facility could be developed on a vacant parcel. However, redevelopment or construction on vacant parcels would not displace existing housing or people necessitating the construction of replacement housing elsewhere.

In terms of potential employment, as commercial cannabis activities would likely located in existing buildings, and the array of uses that could occupy those spaces would result in employment, the future commercial cannabis uses that could occur as a result of the Project would not result in a substantial increase in employees within the City. According to the Southern California Association of Governments (SCAG), Culver City's forecast population and household growth of 1,100 persons and 500 households and 5,000 jobs are predicted between 2008 and 2035.<sup>16,17</sup> Regional employment projections are based on General Plan buildout for jurisdictions. The Project would not amend General Plan designations and therefore, would not change regional growth projections. While precise employment numbers are not available, the net growth in employment that would result from the Project would be within the SCAG projections. As such, the Project would not induce substantial population growth in the area either directly or indirectly and impacts would be less than significant.

### XIV. PUBLIC SERVICES

*Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

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<sup>16</sup> 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy, Table 18, Proposed 2012-2035 RTP/SCS Growth Forecast, page 31, prepared by Southern California Association of Governments, adopted April 2012, [http://rtpscs.scag.ca.gov/Documents/2012/final/SR/2012fRTP\\_GrowthForecast.pdf](http://rtpscs.scag.ca.gov/Documents/2012/final/SR/2012fRTP_GrowthForecast.pdf), accessed October 2017 and the Culver City October 2013-2021 Housing Element, <http://www.culvercity.org/home/showdocument?id=790>, accessed April 2016.

<sup>17</sup> 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy, Table 18, Proposed 2012-2035 RTP/SCS Growth Forecast, page 36, prepared by Southern California Association of Governments, adopted April 2012, [http://rtpscs.scag.ca.gov/Documents/2012/final/SR/2012fRTP\\_GrowthForecast.pdf](http://rtpscs.scag.ca.gov/Documents/2012/final/SR/2012fRTP_GrowthForecast.pdf), accessed October 2017.

### a. Fire protection?

**Less Than Significant Impact.** Fire protection and emergency medical services are provided by the Culver City Fire Department (CCFD). The CCFD has a mutual aid agreement with the City of Los Angeles Fire Department to provide fire and emergency medical services on an as needed basis. The CCFD provides fire protection to an existing population of approximately 39,717 persons.<sup>18</sup> The City is divided into three fire districts, two rescue/emergency medical services (EMS) districts, and 15 fire management zones. The fire districts and EMS districts are evenly distributed by population served and centerline miles (i.e., total length of all the roads in the City, excluding the size and number of lanes on each road). The fire management zones are defined by occupancies within a given geographical area that share common risk. A very high fire hazard severity zone (VHFHSZ) is located primarily in an unincorporated area of Los Angeles County known as Baldwin Hills, but includes a small portion of a residential area in the eastern portion of Culver City.<sup>19</sup>

The CCFD provides a broad range of emergency response and specialized services including: fire suppression response; emergency medical services; technical rescue; hazardous materials response; fire prevention; building plan check services; permit approvals; business inspections; fire investigation services; life safety inspections; emergency preparedness; and public education services. The CCFD includes six divisions: Office of the Fire Chief; Fire Suppression; Emergency Medical Services; Fire Prevention; Emergency Preparedness; and Telecommunications.<sup>20</sup> The CCFD consists of 72 members including 61 sworn personnel and 11 civilian personnel, three fire stations, a telecommunications facility/radio shop, a training drill facility, and City Hall, which includes the fire administration office and fire prevention bureau. The CCFD utilizes a three-shift schedule, staffing each shift for a 24-hour period, seven days a week, and 365 days a year. A minimum on-duty staffing level of 18 personnel has been established for continuous delivery of emergency services. During business hours, sworn administrative personnel are available to augment the on-duty shift and recall procedures are in place to facilitate additional staffing when required. There are four primary response unit types that the CCFD employs during emergencies: engine companies, truck companies, paramedic rescues, and battalion chief command vehicles. According to the CCFD, there are no planned changes to fire protection facilities. However, the CCFD is exploring the idea of implementing a quick response vehicle. This vehicle would be staffed with two personnel Monday thru Friday, 7AM to 7PM, and would be continuously mobile, roaming into areas that are not covered by other CCFD units. This unit would have some firefighting capability with full paramedic capability. The apparatus would be a type 6 engine, similar to a pick-up truck.<sup>21</sup>

The Project would establish regulations for commercial cannabis activities that would be allowed in the commercial and industrial zones. The Ordinance requires that prior to commencing operations all required permits and approvals that would otherwise be required for any business of the same size and intensity operating in that zone be obtained. This review and approval includes those that would typically be necessary from the CCFD. In addition, a building inspection of the facility would be conducted prior to commencement of operation. While it is anticipated that commercial cannabis activities would likely locate in existing buildings, any new development that might occur would be subject to compliance with fire protection design standards, as necessary, per the CBC, CFD, the CCMC, and the CCFD, to ensure adequate fire protection. The Project

<sup>18</sup> U.S. Census Bureau, 2015 population estimate based on 2010 Census data, <http://quickfacts.census.gov/qfd/states/06/0617568.html>, accessed April 2016.

<sup>19</sup> Culver City Fire Department Very High Fire Hazard Severity Zones (VHFHSZ) Map, <http://www.culvercity.org/home/showdocument?id=164>, accessed October 12, 2017.

<sup>20</sup> Annual Compliance Report 8<sup>th</sup> Edition, Culver City Fire Department, prepared by Cara Flores, Management Analyst for the Commission on Fire Accreditation International, Inc., dated June 28, 2016.

<sup>21</sup> Chief Dave White, Culver City Fire Department, written correspondence dated August 9, 2016.



would allow for the cultivation of six plants in residential zones on the grounds of a private residence. The use of gas for residential cultivation would be prohibited. With compliance with CCFD requirements and other applicable City requirements, as well as the limited number of such commercial facilities that could occur within the City, the Project would not require the physical expansion of an existing fire station or a new fire station or require additional staffing to the fire protection facilities servicing the City. Thus, impacts regarding fire services would be less than significant.

#### **b. Police protection?**

**Less Than Significant Impact.** Police protection for the City is provided by the Culver City Police Department (CCPD). The CCPD has mutual aid agreements with the Beverly Hills Police Department, Santa Monica Police Department, Los Angeles Police Department, and Los Angeles County Sheriff's Department on an as needed basis. The CCPD serves a nighttime population of approximately 40,000 persons and a daytime population of approximately 200,000 persons. The CCPD consists of 109 sworn officers, 21 reserve officers and 56 professional staff. In anticipation of recently constructed projects, located within the City's TOD area and Helms Bakery District area, the City has authorized the CCPD to hire an additional four officers.

The CCPD is currently divided into four patrol districts. Due to the recent and anticipated growth in the City, the City has further authorized the CCPD to establish a fifth patrol district to ensure the CCPD would meet the Department's goals by maintaining an average emergency response time of three minutes or less for emergency calls and a 20 minute response time for non-emergency calls.<sup>22</sup>

The Project would establish regulations for commercial cannabis activities that would be allowed in the commercial and industrial zones. In addition, the number of commercial cannabis activities would be limited within the City.<sup>23</sup> Section 11.17.260, Security Measures, of the Ordinance requires the implementation of sufficient security measures to deter and prevent the unauthorized entrance into areas containing cannabis or cannabis products and to deter and prevent the theft of cannabis or cannabis products at the commercial cannabis businesses. The Ordinance contains a menu of measures, including installation of a 24-hour security surveillance camera and the use of sensors to detect entry and exit from all secure areas. Retail commercial cannabis businesses would require a CUP and CCPD, as with other CUP applications, would review the application and provide input to ensure that, if approved, the business would provide sufficient security. The CCPD would review applications for commercial cannabis activities as part of the City's review process. In addition, the commercial cannabis activities would likely occur in existing buildings and would be located where other similar uses could locate. The Project would not increase the overall development potential of the City. In terms of residential cultivation, compliance with Health and Safety Code Section 11362.2 would be required. This section requires that the living plants and any cannabis produced by the plants in excess of 28.5 grams are in a locked space, and are not visible by normal unaided vision from a public place. With implementation of the City's procedures, impacts regarding police services would be less than significant.

#### **c. Schools?**

**No Impact.** Under the Project, a limited number of commercial cannabis facilities could be developed within the City. The City is generally built out and as such any commercial cannabis facilities would likely be located

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<sup>22</sup> Captain Ron Iizuka, Culver City Police Department, written correspondence dated September 21, 2016.

<sup>23</sup> The City would establish a specific number of facilities by resolution. Currently, numbers anticipated Citywide are for: no more than three (3) retail facilities and five (5) home delivery uses, up to three (3) cultivation facilities, up to six (6) manufacturing uses; up to six (6) distribution facilities, and up to four (4) testing facilities. The Ordinance would allow the City Council to reassess the number of commercial cannabis business permits at any time.

on already developed parcels. Such uses would likely replace a different commercial or industrial use. Therefore, the Project would not result in substantial population growth in the City. However, as discussed in Section XIII, Population and Housing above, any growth that might occur would be within the assumed growth rates for other commercial and industrial uses. As such, it is unlikely that an increase in students would result. However, any new development that might occur would be subject to the payment of development fees required by Senate Bill 50 (SB 50) pursuant to Section 65995 of the California Government Code. In accordance with SB 50, the payment of these fees are deemed to provide full and complete mitigation for impacts to school facilities. Therefore, no impacts to school services and facilities would occur.

**d. Parks?**

**No Impact.** The Culver City Parks, Recreation and Community Services (PRCS) division oversees the maintenance and operations of 11 City parks totaling approximately 79 acres, a community garden, community and recreational facilities, senior centers, swimming pools, and a theater facility. A joint-use partnership between Culver City and CCUSD provides additional open space and park facilities for use by residents of Culver City during non-school hours. The Project would allow a limited number of commercial cannabis activities to locate within industrial and commercial zones within the City. The Project would not result in a substantial increase in population that would increase the demand for parks. The Project is not anticipated to result in substantial adverse physical impacts to parks that would alter existing park facilities or result in the need for new facilities, construction of which could cause significant environmental impacts. Therefore, no impacts on parks would occur.

**e. Other public facilities?**

**No Impact.** The Los Angeles County Public Library (LACPL) provides library services to Culver City. Similar to park services, the introduction of new daytime employees and a nominal indirect population increase would not substantially affect the provision of library services. Any employees and visitors to commercial cannabis facilities would likely be from within the area and currently use the public facilities, including roads. The Project would establish regulations for the operation of commercial cannabis activities within the industrial and commercial zones. The number of facilities would be limited. The Project would not significantly increase the use of government services beyond current levels. The Project would result in no impacts to governmental services, including roads.

**XV. RECREATION**

- a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**
- b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?**

**No Impact (a-b).** As discussed under Response XIV.d, the use of existing parks is not expected to substantially increase as a result of the Project. The Project would allow a limited number of commercial cannabis activities to locate within industrial and commercial zones within the City. The Project would not directly involve any new housing or similar influx of population or park users that may contribute to an increased use of existing neighborhood or regional parks or substantial physical deterioration of a recreational area or facility. In addition, because there would not be an influx of new population or associated park users,

no construction or recreational facilities are required as a result of the Project that may have an adverse physical effect on the environment. Therefore, no impact on recreational resources would occur.

## **XVI. TRANSPORTATION AND CIRCULATION**

*Would the project:*

- a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**
- b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

**(a & b) Less Than Significant.** The Project would establish the regulations for commercial cannabis activities. Such uses would be allowed in the commercial and industrial zones. Trips would be generated by commercial cannabis activities, similar to other commercial and industrial uses. It is anticipated that such facilities would likely located within existing buildings, thereby replacing a use that generated trips. Commercial cannabis uses that occur as a result of the Project would be required to adhere to adopted policies and regulations that reduce the number of vehicle trips and associated vehicle miles traveled. The Project would also allow for the cultivation of up to six plants on the grounds of a private residence in residential zones. Such a use would be ancillary to the residential use and would not generate trips. Therefore, the Project is not anticipated to substantially increase the amount of vehicle traffic or conflict with adopted plans or policies establishing measures of effectiveness for the performance of the circulation system. Thus, impacts would be less than significant.

- c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

**No Impact.** As discussed under Responses VIII.e and f, the City is not located within an airport land use plan or within two miles of a public or private airport. The nearest airports are the Santa Monica Municipal Airport and the Los Angeles International Airport (LAX), located approximately three miles to the northwest and five miles to the southwest of the City, respectively. It is anticipated that commercial cannabis activities would most likely locate within existing structures. Any development that might occur would be similar to existing development within commercial and industrial zones and would comply with applicable City development standards. Thus, the Project would not introduce structures substantial enough to interfere with existing flight paths, or result in a measureable increase in airport traffic that would result in substantial safety risks. As such, no impacts would occur.

**d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

**e. Result in inadequate emergency access?**

**(d & e) Less Than Significant Impact.** The Project would establish regulations and locations for commercial cannabis activities within the City. Such facilities would be limited in number and could locate in commercial and industrial zones like other permitted uses. The City is highly urban and essentially built out. All areas of the City are well served by a roadway network. The Project would not alter existing street patterns in the vicinity. It is anticipated that commercial cannabis activities would likely locate within existing structures and that limited, if any, construction would occur. If construction were to occur, plans would be reviewed by the CCFD, as necessary to ensure adequate emergency access would be provided. As such, impacts would be less than significant in this regard.

**f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?**

**Less Than Significant Impact.** As indicated above, the Project would establish regulations and locations for commercial cannabis activities within the City. Such facilities would be limited in number and could locate in commercial and industrial zones like other permitted uses. Any future uses, as with other commercial and industrial uses, would be required to comply with applicable regulations and policies regarding alternate transportation, such as the provision of required vehicle and bicycle parking spaces. Therefore, the Project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

## **XVII. UTILITIES AND SERVICE SYSTEMS**

*Would the project:*

**a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

**Less Than Significant Impact.** The Project would establish regulations for commercial cannabis activities and allow the location of such facilities in commercial and industrial zones. It is anticipated that commercial cannabis businesses would locate in vacant structures or retrofit existing development that is currently serviced by the existing wastewater system. As discussed in Section IX, *Hydrology and Water Quality*, under the LARWQCB NPDES permit system, all existing and future municipal and industrial discharges to surface waters within Culver City are subject to applicable local, State and/or federal regulations. All uses must comply with all provisions of the NPDES program and other applicable waste discharge requirements (WDRs), as enforced by the LARWQCB. Therefore, implementation of the Project would not result in an exceedance of wastewater treatment requirements.

The Culver City Department of Public Works provides wastewater services for the City. The City is within the Hyperion Treatment System, which includes the Hyperion Treatment Plant (HTP), the Tillman Water Reclamation Plant (TWRP), the Los Angeles-Glendale Water Reclamation Plant (LAGWRP), and the Terminal Island Treatment Plant (TITP). Following the secondary treatment of wastewater, the majority of effluent from HTP is discharged into the Santa Monica Bay while the remaining flows are conveyed to the West Basin Water Reclamation Plant for tertiary treatment and reuse as reclaimed water. HTP has two outfalls that presently discharge into the Santa Monica Bay (a one-mile outfall pipeline and a five-mile outfall pipeline). HTP effluent is required to meet the LARWQCB requirements for a recreational beneficial use, which imposes performance

standards on water quality that are more stringent than the standards required under the Clean Water Act permit administered under the system's NPDES permit. Accordingly, HTP effluent to Santa Monica Bay is continually monitored to ensure that it meets or exceeds prescribed standards. The Los Angeles County Department of Health Services also monitors flows into the Santa Monica Bay. Further, the HTP is required to comply with associated WDRs and any updates or new permits issued. WDRs set the levels of pollutants allowable in water discharged from a facility.

Any future uses would be required to comply with applicable wastewater discharge requirements, which would serve to ensure compliance with the standards and regulations of the Regional Water Quality Control Board (RWQCB). Compliance with the requirements would ensure that the Project would not result in an exceedance of the applicable wastewater treatment requirements of the Los Angeles RWQCB with respect to discharges to the sewer system. As such, impacts would be less than significant in this regard.

**b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Less Than Significant Impact.** Existing sewer lines within the City are maintained by the Culver City Department of Public Works. Wastewater is carried to the HTP, where it is treated. The HTP is designed to treat 450 million gallons per day (mgd) with an average dry water flow of approximately 362 mgd, leaving approximately 88 mgd of treatment capacity available.<sup>24,25</sup> The commercial cannabis activities allowed by the Project are not expected to generate a large amount of wastewater. Since cultivation would occur indoors the water would be applied directly to the plant with little to no runoff or wastewater being generated. Any new construction would be required to include all necessary on and off-site sewer pipe improvements and connections to adequately connect a building to the existing City sewer system based on the City requirements. The necessary improvements would be verified through the permit approval process of obtaining a sewer capacity and connection permit from the City. Given the current capacity of the HTP, wastewater generated by commercial cannabis facilities would not exceed the capacity of the treatment plan. Therefore, impacts regarding wastewater facilities would be less than significant.

With regard to water, as indicated previously, the Golden State Water Company (GSWC) provides water to Culver City. GSWC purchases water from the West Basin Municipal Water District (WBMWD). The 2015 WBMWD Urban Water Management Plan (UWMP) provides water demand and water supply projections in five-year increments from 2020 through 2040, which are based on regional demographic data provided by SCAG, as well as billing data for each major customer class, weather, and conservation. Year 2020 WBMWD water demand is 146,105 AFY while projected year 2040 water demand is 151,922 AFY; refer to **Table B-3, Projected West Basin Service Area Water Demand (AFY)**.

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<sup>24</sup> The HTP is an end-of-the-line plant, subject to diurnal and seasonal flow variation. It was designed to provide full secondary treatment for a maximum-month flow of 450 mgd, which corresponds to an average daily waste flow of 413 mgd, and peak wastewater flow of 850 mgd.. (Information regarding peak flow is included in the IRP, Facilities Plan, Volume 1, Wastewater Management, July 2004; page 7-3.)

<sup>25</sup> City of Los Angeles Bureau of Sanitation, Wastewater: Facts & Figures. Available at: <http://www.lacitysan.org/wastewater/factsfigures.htm>. Accessed April 2016.

**Table B-3**  
**Projected West Basin Service Area Water Demand (AFY)**

Year	2020	2025	2030	2035	2040
Baseline Demand <sup>1</sup>	135,719	136,447	136,466	136,706	136,284
Planned Conservation <sup>1</sup>	32,280	35,190	37,928	40,255	42,773
<b>Final Total Retail Demand</b>	<b>167,999</b>	<b>171,637</b>	<b>174,394</b>	<b>176,961</b>	<b>179,057</b>
Recycled Water Demand <sup>2</sup>	21,894	27,135	27,135	27,135	27,135
<b>Final Potable Demand</b>	<b>146,105</b>	<b>144,502</b>	<b>147,259</b>	<b>149,826</b>	<b>151,922</b>

1. Projections based on Metropolitan Demand Forecasting Model.

2. Projections based on the Capital Improvement Plan, 2015, (excludes replenishment deliveries to the Barrier and deliveries outside service area).

Source: West Basin Municipal Water District, 2015 Urban Water Management Plan, Table ES-1: Projected West Basin Service Area Retail Demand (AFY), prepared by Arcadis and prepared by Westamerica Communications, dated June 2016.

According to the water supply section of the UWMP, Year 2020 WBMWD water supply is 189,893 AFY while projected 2040 water supply is 206,192 AFY; refer to **Table B-4, Projected West Basin Service Area Water Supply (AFY)**. Year 2020 has a water supply surplus of 43,788 AFY while projected year 2040 has a projected water supply surplus of 54,270 AFY. The WBMWD is projecting to increase current recycled water supplies as well as invest in over 20,000 AFY of ocean-water desalination supply. Coupled with additional conserved water supply through water use efficiency programs, the overall imported water use is expected to be reduced significantly by 2040. According to the UWMP, the water supplies available to the WBMWD in single dry and multiple dry years, will be sufficient to meet all present and future water supply requirements within the WBMWD's service area for at least the next 20 years.

**Table B-4**  
**Projected West Basin Service Area Water Supply (AFY)**

Year	2020	2025	2030	2035	2040
Groundwater <sup>1</sup>	36,293	36,293	36,293	36,293	36,293
Imported Water <sup>2</sup>	98,426	77,654	77,673	77,913	77,491
Recycled Water <sup>3</sup>	21,894	27,135	27,135	27,135	27,135
Desalination <sup>4</sup>	1,000	22,500	22,500	22,500	22,500
<b>Total</b>	<b>157,613</b>	<b>163,582</b>	<b>163,601</b>	<b>163,841</b>	<b>163,419</b>
Conservation <sup>5</sup>	32,280	35,190	37,928	40,255	42,773
<b>Total</b>	<b>189,893</b>	<b>198,772</b>	<b>201,529</b>	<b>204,096</b>	<b>206,192</b>

1. Groundwater production within West Basin service area only.

2. Imported retail use only; does not include replenishment deliveries (i.e. Barrier).

3. Recycled water does not include replenishment deliveries (i.e. Barrier) and deliveries outside the service area.

4. Desalination includes both brackish and ocean water.

5. Conservation consists of Active and Passive savings according to Metropolitan's projected estimates.

Source: West Basin Municipal Water District, 2015 Urban Water Management Plan, Table ES-3: West Basin's Service Area Projected Retail Water Supplies (AFY), prepared by Arcadis and prepared by Westamerica Communications, dated June 2016.

Typical water demand for commercial cannabis activities would result primarily from the cultivation of cannabis, which is characterized as being a high water demand activity. Other uses, such as retail sale and manufacturing of cannabis products would be anticipated to have water demands similar to other commercial and industrial uses. However, since cultivation would occur indoors, the application of water would be controlled. Since the commercial cannabis uses would likely locate in existing buildings, the use would replace an industrial or commercial use with its associated water demand. In addition, indoor cultivation facilities would be limited in both number and location. Also, regional projections are used in the Urban Water Management Plan development. The Project would not change any General Plan designations or provide for uses that are extremely different from other industrial and commercial uses that currently operate within the City. Furthermore, Section 11.17.340, Operating Requirements for Cultivation Facilities, would require an applicant to provide a description of a legal water source, irrigation plan, and projected water use. A cultivation and operations plan would also be required that meets or exceeds minimum legal standards for water conservation and use as well as a description of the cultivation activities and schedule of activities. These plans would be reviewed by the City to ensure compliance and confirm that water supply is sufficient. The Project would also allow for the cultivation of up to six plants on the grounds of a private residence in a residential zone. The water demand would not substantially increase water use that currently occurs on a residential property. As such, the Project would not result in a substantial increase in water demand.

All uses would comply with the WBMWD UWMP recommendations regarding drought management and water conservation. In addition, if any development were to occur either as redevelopment of an existing building, addition, or development on vacant land, that development would be required to comply with Title 5: Public Works, Chapter 5.03: Water Conservation and Water Supply Shortage Program, of the CCMC as well as the City's mandatory green building requirements. In addition, with regard to infrastructure, if construction were to occur, all connections and water-related infrastructure improvements would be required to comply with applicable regulations of the GSWC and CCFD. Further, all water line improvements and connections would be provided in consultation with the CCFD to ensure that the minimum fire flow requirements would be provided to serve the future use.

Based on the above, no additional water treatment facilities would be required to meet the water supply demands associated with commercial cannabis facilities and limited residential cultivation that could occur as a result of the Ordinance. Thus, the Project would not require the construction or expansion of water treatment facilities. Therefore, the Project would result in less than significant impacts with regard to water.

**c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

**Less Than Significant Impact.** The Project would establish regulations for commercial cannabis activities and the zones in which such uses could locate. Commercial cannabis facilities could locate in commercial and industrial zones. The City is urban and is built out with a storm water system in place. It is anticipated that commercial cannabis activities would likely locate in existing buildings. However, if construction were to occur, compliance with applicable requirements regarding storm water runoff would be necessary. Therefore, the Project would not require the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.



**d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

**Less Than Significant Impact.** As described in Response XVII.b, above, the Project would fall within the 2015 WBMWD UWMP available and projected water supplies. According to the UWMP, the water supplies available in single dry and multiple dry years would be sufficient to meet all present and future water supply requirements within the applicable service areas for at least the next 20 years, including the Project. As a result, the Project is within the capacity of the GSWC to serve the Project as well as existing and planned future water demands of its service area.

Sections 10910-10915 of the State Water Code (Senate Bill [SB] 610) requires the preparation of a water supply assessment (WSA) demonstrating sufficient water supplies for a project that is: 1) a shopping center or business establishment that will employ more than 1,000 persons or have more than 500,000 square feet of floor space; 2) a commercial office building that will employ more than 1,000 persons or have more than 250,000 square feet of space, or 3) any mixed-use project that would demand an amount of water equal to or greater than the amount of water needed to serve a 500 dwelling unit subdivision. A typical 500 unit subdivision would typically consume 0.3 to 0.5 acre-feet of water per year, or approximately 150 to 250 AFY, depending upon several factors, including the regional climate.<sup>26</sup>

Thus, for the reasons listed above, the Project would have a less than significant impact with respect to water entitlements and supply.

**e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

**Less Than Significant Impact.** The HTP is designed to treat 450 mgd with an average dry water flow of approximately 362 mgd, leaving approximately 88 mgd of treatment capacity available. Given the current capacity of the HTP, there would be ample capacity to treat any increase that would result from commercial cannabis facilities. Therefore, the Project would have a less than significant impact with respect to wastewater treatment capacity.

**f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

**Less Than Significant Impact.** The Culver City Environmental Programs and Operations Division collects all solid waste. Commercial and industrial solid waste is picked up by private haulers. The division also provides a curbside recycling program including paper, cardboard, cans/aluminum, plastic, and glass. The recyclable materials are hauled to private recyclable material companies. Culver City does not own or operate any landfill facilities, and the majority of its solid waste is disposed of at County landfills.

Los Angeles County continually evaluates landfill disposal needs and capacity through preparation of County Integrated Waste Management Plan (ColWMP) - Annual Reports. Within each annual report, future landfill disposal needs over the next 15-year planning horizon are addressed in part by determining the available landfill capacity. As indicated in the 2014 Annual Report, the remaining disposal capacity for the County's

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<sup>26</sup> *Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001, prepared by California Department of Water Resources, 2003.*



Class III landfills is estimated at approximately 112 million tons as of December 31, 2014. In addition to in-County landfills, out-of-County disposal facilities are also available. Aggressive waste reduction and diversion programs on a Countywide level have helped reduce disposal levels at the County's landfills, and based on the ColWMP, the County anticipates that future Class III disposal needs can be adequately met through 2029 through some combination of the following strategies (Scenarios II through VII of the 2014 Annual Report): supporting and increasing exportation of waste to out-of-County facilities, meeting CalRecycle's Statewide disposal target of 2.7 pounds per day, create additional alternative technology capacity, and utilizing Waste-by-Rail capacity to export to Out-of-County landfills.

Commercial cannabis activities generate solid waste from materials, containers, equipment, and typical municipal or household waste from workers or customers. In addition, cultivation of cannabis generates green waste or cannabis plant waste which requires special management and disposal of cannabis waste. A cultivation plan requires the holding, management, and disposal of cannabis plant materials in conformance with state law. The draft state regulations would require cultivators to compost onsite or make all cannabis greenwaste unusable and unrecognizable. The cannabis green waste would then be disposed of at a permitted solid waste landfill, composting materials handling facility, or in-vessel digestion facility.

Commercial cannabis businesses operating as a result of the Ordinance would be required to comply with the state regulations that require businesses to compost or recycle their organic waste (Assembly Bill 1826). Any hazardous materials defined in Title 22, Division 4.5, Chapter 11 of the California Code of Regulations that are used or generated during operation of a commercial cannabis business must be managed and disposed of in accordance with state regulations at a permitted hazardous waste facility.

Based on the limited number of commercial cannabis facilities that could locate within the City, the likelihood that such uses would replace similar type uses that generate waste, and the availability of capacity at County landfills, a less than significant impact regarding solid waste would occur.

**g. Comply with federal, state, and local statutes and regulations related to solid waste?**

**Less Than Significant Impact.** All local governments, including the City, are required under Assembly Bill 939 (AB 939), the Integrated Waste Management Act of 1989, to develop source reduction, reuse, recycling, and composting programs to reduce tonnage of solid waste going to landfills. Cities must divert at least 50 percent of their solid waste generation into recycling. If the City's target is exceeded, the City would be required to pay fines or penalties from the State for not complying with AB 939. The waste generated by the commercial cannabis activities that could occur within the City as a result of the Project would be incorporated into the waste stream of the City, and diversion rates would not be substantially altered. The commercial cannabis uses would likely locate in existing buildings in which similar types of uses previously operated. The Project does not include any component that would conflict with state laws governing construction or operational solid waste diversion and would comply pursuant to local implementation requirements. Thus, less than significant impacts regarding compliance with AB 939 would occur with Project implementation.

## **XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

- a. **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

**Less Than Significant Impact.** The preceding analysis does not reveal any significant impacts to the environment. Based on these findings, the Project is not expected to degrade the quality of the environment. The City hereby finds that impacts related to degradation of the environment, biological resources, and cultural resources would be less than significant.

- b. **Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?**

**Less Than Significant Impact.** The Project would establish regulations for commercial cannabis activities as well as the locations in which such facilities could locate. In addition, the Project would allow for residential cultivation of up to six plants in accordance with state law. A limited number of commercial cannabis facilities could occur within the commercial and industrial zones of the City. The City is highly urbanized and is built out with a limited amount of vacant land. The Project would not alter the build out potential of the City. It is anticipated that a commercial cannabis facility would likely locate in an existing building and would replace a similar commercial or industrial use. However, some construction could occur. The Ordinance requires that prior to commencing operations all required permits and approvals that would otherwise be required for any business of the same size and intensity operating in that zone be obtained. Compliance with applicable regulations identified throughout this Initial Study would ensure that the use allowed as a result of the Ordinance would not result in a cumulative impact.

- c. **Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

**Less Than Significant Impact.** Based on the analysis of the Project's impacts in the Responses I thru XVII, there is no indication that this Project could result in substantial adverse effects on human beings. The analysis herein concludes that direct and indirect environmental effects would be less than significant. Based on the analysis in this Initial Study, the City finds that direct and indirect impacts to human beings will be less than significant.

## **XIX. EARLIER ANALYSIS**

None.

## REFERENCES

Culver City General Plan, maps, and Municipal Code were used throughout the preparation of this document. These materials are available on the City's website and are not individually listed below.

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