



# CITY OF LONG BEACH

OFFICE OF CANNABIS OVERSIGHT

333 West Ocean Boulevard 7<sup>th</sup> Floor • Long Beach, CA 90802 • (562) 570-5250

June 19, 2019

## **RE: Exemption from the California Environmental Quality Act for Businesses Applying for a Long Beach Medical Cannabis Business License**

To Whom It May Concern:

This letter is intended for the sole purpose of documenting that medical cannabis business license applications within the City of Long Beach are exempt from further environmental review in accordance with the California Environmental Quality Act. Applications for a medical cannabis business license are approved by the City of Long Beach (“City”) ministerially due to a voter-sponsored initiative, Measure MM, that was drafted by the people and enacted as Chapter 5.90 of the Long Beach Municipal Code (LBMC) on November 6, 2016.

Pursuant to the Public Resources Code Section 21080(b)(1) and CEQA Guidelines Section 15268, ministerial projects are exempt from the requirements of CEQA. “Ministerial” is defined as a governmental decision made using a fixed standard that involves little or no personal judgment by a public official as to the wisdom or manner of carrying out the project.

Chapter 5.90 of the LBMC, which regulates the licensing of medical cannabis businesses, does not necessitate permits that require discretionary approval, such as a conditional use permit or an accessory use permit. Projects approved pursuant to Chapter 5.90 of the LBMC are ministerial because those facilities that meet the criteria in the LBMC are issued a medical cannabis business license. Thus, pursuant to the CEQA’s ministerial project exemption, projects approved pursuant to Chapter 5.90 of the LBMC are statutorily exempt from the requirements of CEQA. Additionally, Chapter 5.90 of the LBMC is not considered a “project” subject to CEQA’s guidelines because Chapter 5.90 was submitted to a vote of the people of Long Beach through a voter-sponsored initiative. (14 CCR § 15378(b)(3)).

Notwithstanding this local exemption from CEQA, **applicants may be subject to additional review and regulations when applying for a medical cannabis business license with the State of California (the State)**. For more information on CEQA requirements with the State, applicants should contact the appropriate State Agency.

If you have any questions, please contact the Office of Cannabis Oversight (562) 570-5250 or [marijuanalicense@longbeach.gov](mailto:marijuanalicense@longbeach.gov).

Sincerely,

Ajay Kolluri  
Cannabis Program Manager