

# San Francisco Bay Conservation and Development Commission

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May 4, 2018

**TO:** Commissioners and Alternates

**FROM:** Lawrence J. Goldzband, Executive Director (415/352-3653; larry.goldzband@bcdc.ca.gov)  
Shannon Fiala, Planning Manager (415/352-3665; shannon.fiala@bcdc.ca.gov)

**SUBJECT: Listing of Pending Administrative Matters**  
(For Commission consideration on May 17, 2018)

This report lists the administrative permit applications, federal consistency actions, marsh development permits in the Secondary Management Area of the Suisun Marsh, regionwide permit actions, minor amendments to the Suisun Marsh Local Protection Program and White Slough Specific Area Plan, and emergency permits that are pending with the Commission. The staff members to whom the matters have been assigned are indicated at the end of the projects' description. Inquiries should be directed to the assigned staff member prior to the Commission meeting.

## White Slough Specific Area Plan Amendment

The following White Slough Specific Area Plan Amendment has been filed and is presently pending with the Commission. The Executive Director will take the action indicated on the matter unless the Commission determines that it is necessary to hold a public hearing.

**Applicant:** City of Vallejo  
Planning Division  
555 Santa Clara Street  
P.O. Box 3056  
Vallejo, CA 94590

**BCDC Inquiry File No. SL.NV.7032.1**

Filed: 04/05/18  
60th Day: 06/04/18

**Location:** In the area around South White Slough, north of Redwood Street, west of Sonoma Boulevard and State Route 29, south of State Route 37, within the Development Zones 1a and 2a, of the White Slough Specific Area Plan, in the City of Vallejo, Solano County.

**Description:** The amendment would change the allowed uses within Development Zones 1 and 2 to add "Marijuana – retail" and "Marijuana – cultivation, manufacturing, and distribution" to Zone 1A, and "Marijuana – retail" to Zone 2A. No changes to current zoning or the boundaries of the zones are proposed. This amendment would not change any public access and would not add any new fill into the bay resources.

BCDC staff finds that the proposed amendment requested by the City of Vallejo is consistent with the White Slough Protection and Development Act, the McAteer-Petris Act and with the San Francisco Bay Plan in that it will not adversely affect the Bay nor public



access to and enjoyment of the Bay. BCDC staff also finds that the proposed amendment is consistent with the Commission's Amended Management Program for the San Francisco Bay, as approved by the Department of Commerce under the Federal Coastal Zone Management Act of 1972, as amended.

The City of Vallejo City Council concluded that the adoption of the Code Text Amendment is exempt from the California Environmental Quality Act (CEQA). California Business & Professions Code Section 26055(h), as amended by the Medicinal and Adult-Use Cannabis Regulation & Safety Act of 2017, provides that the California Environmental Quality Act does not apply to the adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity. The discretionary review in the proposed Code Text Amendment includes any applicable environmental review pursuant to CEQA.

The Commission staff agrees with the City's CEQA exemption determination.

*Tentative Staff Position: Recommend Approval.* (Shannon Fiala, 415/352-3665 or [shannon.fiala@bcdc.ca.gov](mailto:shannon.fiala@bcdc.ca.gov))