

1 [Affirming the categorical exemption issued for the Medical Cannabis Dispensary ordinances.]

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3 **Motion affirming the determination by the Planning Department that the Medical**
4 **Cannabis Dispensary ordinances are categorically exempt from environmental review**
5 **under the California Environmental Quality Act.**

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7 WHEREAS, The Environmental Review Office of the San Francisco Planning
8 department issued a certificate of determination of exemption/exclusion from environmental
9 review for the Medical Cannabis Dispensary ordinances on August 25, 2005 (the
10 "determination). A copy of said document is on file with the Clerk of the Board of Supervisors
11 in File No. 051801, and is incorporated by reference herein; and,

12 WHEREAS, By letter to the Clerk of the Board of Supervisors dated October 21, 2005,
13 Bill Barnes ("Appellant") filed an appeal of the determination to the Board of Supervisors,
14 which the Clerk of the Board of Supervisors received on or around October 21, 2005; and,

15 WHEREAS, On November 15, 2005, this Board held a duly noticed public hearing to
16 consider the appeal of the determination; and,

17 WHEREAS, This Board has reviewed and considered the determination, the appeal
18 letter, the responses to concerns document that the Planning Department prepared, and
19 public testimony; and,

20 WHEREAS, The determination files and all correspondence and other documents have
21 been made available for review by this Board and the public. These files are available for
22 public review by appointment at the Planning Department offices at 1660 Mission Street, and
23 are part of the record before this Board by reference herein; now, therefore, be it

24 Moved, That this Board of Supervisors affirms the determination by the Planning
25 Department that the Project is exempt/excluded from environmental review.