

APPEAL OF CATEGORICAL EXEMPTION 1719 WALLACE AVENUE



Tania Sheyner
Board of Supervisors CEQA Appeal Hearing – December 17, 2024



San Francisco
Planning

■ Project Site

- One-story, vacant 2,500 sf industrial building
- Extends the full lot
- PDR-1-B zoning district

■ Project Overview

- Establish Industrial Agriculture use for cannabis cultivation (no retail)
- Install mechanical equipment
- Remove seven skylights
- Legalize storage space and restrooms
- Install security gates
- No excavation or ground disturbance
- No back-up generator



Appeal Responses Summary

- Project qualifies for a categorical exemption
- Air quality/odors adequately addressed
- Assembly Bill 617 not applicable

- Non-CEQA concerns (will not be covered):
 - Violation of intent of PDR-1-B zoning district
 - Inconsistency with CU requirements
 - Misrepresentation/lack of transparency

Project Qualifies for Categorical Exemption

- Project meets criteria:
 - Class 1: minor alterations of existing facilities
 - Class 3: new construction and change of use in small structures
- No unusual circumstances:
 - Project is of small scope
 - Location is appropriate and project area contains similar uses
 - Existing regulations would avoid significant environmental impacts
 - No project-specific or cumulative impacts

Air Quality & Other Environmental Concerns

- Project subject to City's Office of Cannabis and State of CA Department of Cannabis Control requirements:
 - Odor Mitigation Plan
 - Good Neighbor Policy
 - Renewable Energy Mandate
 - DCC's Environmental Compliance regulations
 - Building code requirements
- Project operation is small in scope and scale
- No unusual circumstances

Assembly Bill 617

- Addresses communities disproportionately impacted by air pollution.
- Bayview Hunters Point/Southeast San Francisco Community selected in SF
- Community Emissions Reduction Plan currently being prepared
- No conflicts exist

Conclusion

- Project meets definition of Class 1 and Class 3 categorical exemptions
- No exceptions prohibiting use of a categorical exemption apply
- Appellant has not met burden of proof demonstrating that department's determination was not supported by substantial evidence

Recommendation: Reject appeal and uphold Categorical Exemption