

1 [Preparation of Findings to Reverse the Categorical Exemption Determination - 2505 Noriega  
2 Street]

3 **Motion directing the Clerk of the Board to prepare findings reversing the determination**  
4 **by the Planning Department that the proposed project at 2505 Noriega Street is**  
5 **categorically exempt from further environmental review.**

6

7 WHEREAS, On July 2, 2017, the Planning Department determined that the proposed  
8 project located at 2505 Noriega Street ("Project") is exempt from environmental review under  
9 the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and San Francisco  
10 Administrative Code, Chapter 31; and

11 WHEREAS, The proposed Project involves a change in use from a retail pharmacy to a  
12 medical cannabis dispensary and associated interior tenant improvements; and

13 WHEREAS, By letter to the Clerk of the Board, received by the Clerk's Office on  
14 August 14, 2017, Zhiming Bi (Appellant), appealed the exemption determination; and

15 WHEREAS, Appellant provided a copy of the Planning Department's Categorical  
16 Exemption Determination, signed July 2, 2017, which found that the proposed Project is  
17 exempt under Class 1 of the CEQA Guidelines (14 Cal. Code Reg. Section 15301), which  
18 provides an exemption for minor alterations to existing facilities; and

19 WHEREAS, The San Francisco Planning Commission, by Motion No. 19961, approved  
20 the proposed Project on July 13, 2017; and

21 WHEREAS, The Planning Department's Environmental Review Officer, by  
22 memorandum to the Clerk of the Board dated August 17, 2017, determined that the appeal  
23 was timely filed; and

24 WHEREAS, On October 3, 2017, this Board held a duly noticed public hearing to  
25 consider the appeal of the exemption determination filed by Appellant and, following the public

1 hearing, reversed the exemption determination subject to the adoption of written findings in  
2 support of such determination; and

3 WHEREAS, In reviewing the appeal of the exemption determination, this Board  
4 reviewed and considered the exemption determination, the appeal letter, the responses to the  
5 appeal documents that the Planning Department prepared, the other written records before  
6 the Board of Supervisors and all of the public testimony made in support of and opposed to  
7 the exemption determination appeal; and

8 WHEREAS, Following the conclusion of the public hearing, the Board of Supervisors  
9 conditionally reversed the exemption determination for the project subject to the adoption of  
10 written findings of the Board in support of such determination based on the written record  
11 before the Board of Supervisors as well as all of the testimony at the public hearing in support  
12 of and opposed to the appeal; and

13 WHEREAS, The written record and oral testimony in support of and opposed to the  
14 appeal and deliberation of the oral and written testimony at the public hearing before the  
15 Board of Supervisors by all parties and the public in support of and opposed to the appeal of  
16 the exemption determination is in the Clerk of the Board of Supervisors File No. 170917, and  
17 is incorporated in this motion as though set forth in its entirety; now, therefore, be it

18 MOVED, That the Board of Supervisors directs the Clerk of the Board to prepare the  
19 findings specifying the basis for its decision on the appeal of the exemption determination  
20 issued by the Planning Department for the project.

21  
22 n:\land\as2017\0400241\01215723.docx