

West of Twin Peaks Central Council

P. O. Box 27112 • San Francisco, CA 94127
Since 1936

May 10, 2005

The Honorable Aaron Peskin, President
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
Room 244
San Francisco, CA 94102-4689

**Re: Moratorium/Distribution of Medical Marijuana
Board of Supervisors May 10, 2005 Agenda, Items 29 & 30**

Dear President Peskin & Supervisors:

The West of Twin Peaks Central Council (WTPCC), comprised of the seventeen homeowner organizations listed below, has unanimously resolved as follows:

We request that you consider the moratorium extension separately from the reclassification of uses described in File No. 050773. We agree with the extension of the moratorium, but ask that you refer consideration of the classification and zoning issues to the Planning Commission to allow public input. We are concerned that the notice provisions and classifications of MCDs contained within this proposed ordinance are inconsistent with existing land-use regulations and inconsistent with Zoning Administrator Badiner's April 22, 2005 report. A full public process before the Planning Commission is necessary to the resolution of these issues.

We urge you to establish a regulatory system to ensure that the distribution of medical cannabis is carried out in a manner consistent with Proposition 215. We therefore ask that medical cannabis be distributed only by **City operated medical facilities** to ensure compliance with the provisions of Health and Safety Code Section 11362.5 *et seq.* and to avoid adverse impact on the people, neighborhoods and business districts of our City.

In view of the above, we further request that you not "grandfather" any existing marijuana clubs that were not originally established pursuant to applicable use, zoning and building regulations.

Sincerely,

David Bisho
President

P.S. Item 34-File No. 050774 Adoption of Badiner Report

Please note that we request the Board **not approve** this motion without committee reference but rather refer the **matter back to committee** for further consideration and public input. Existing land-use regulations of MCDs, as noted in Mr. Badiner's Memorandum to the Board of April 22, 2005 in item 3A, were based on an interpretation of the Planning Code rendered in 1997 by a single planner. There are significant policy implications of potential zoning regulations for MCDs. The wide proliferation of MCDs raise safety issues for residential and neighborhood commercial areas. These issues should be subject to full investigation and reconsideration by the Planning Department and Planning Commission, at one or more hearings, with full public input.

**MEMBER ORGANIZATIONS: Balboa Terrace • Forest Hill • Forest Knolls
Greater West Portal • Ingleside Terraces • Lakeshore Acres • Lakeside Property Owners
Merced Manor • Midtown Terrace • Miraloma Park • Monterey Heights • Pinelake Park
St. Francis Homes • Sherwood Forest • Twin Peaks Improvement • Westwood Highlands • Westwood Park**