



SAN FRANCISCO PLANNING DEPARTMENT

Letter of Determination

January 17, 2018

Highwayz Co.
1067 Market Street, Suite 5008
San Francisco, CA 94103

Site Address:	1067 Market Street
Assessor's Block/Lot:	3703/063
Zoning District:	C-3-G (Downtown—General)
Staff Contact:	Nicholas Foster, (415) 575-9167 or nicholas.foster@sfgov.org
Record No.:	2017-016480ZAD

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

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415.558.6409

Planning
Information:
415.558.6377

Dear Letter of Determination Requestor:

This letter is in response to your request for a Letter of Determination regarding the property ("Property") at 1067 Market Street, Suite 5008. This parcel is located in the C-3-G (Downtown—General) Zoning District and 90-X Height and Bulk District. The letter requested whether the Property meets the requirements of the Planning Code such that a Medical Cannabis Dispensary (MCD) Use (delivery-only) may be established at this location.

Per Planning Code Sections 210.2 and 202.2(e)(1), an MCD is considered to be an Institutional Use and is allowed as a principally permitted use at the Property. These sections require a Mandatory Discretionary Review for the use with associated neighborhood notification and public hearing before the Planning Commission. Additionally, Section 202(e)(1) requires MCDs meet the following location-based conditions:

1) (Section 202(e)(1)(B)): The parcel containing the Medical Cannabis Dispensary Use shall not be located within a 600-foot radius of a parcel containing: an existing School, public or private, unless a State licensing authority specifies a different radius, in which case that different radius shall apply. In addition, the parcel containing the Medical Cannabis Dispensary shall not be located within a 600-foot radius of a parcel for which a valid permit from the City's Office of Cannabis for a Cannabis Retailer or a Medicinal Cannabis Retailer has been issued, except that a Medical Cannabis Dispensary Use may be located in the same place of business as one or more other establishments holding valid permits from the City's Office of Cannabis to operate as Cannabis Retailers or Medicinal Cannabis Retailers, where the place of business contains a minimum of 350 square feet per Cannabis Retail or Medical Cannabis Dispensary Use, provided that such locations are permitted by state law. There shall be no minimum radius from a Medical Cannabis Dispensary Use to an existing day care center or youth center unless a State licensing authority specifies a minimum radius, in which case that minimum radius shall apply.

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1067 Market Street, Suite 5008
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2) (Section 202(e)(1)(D)): The parcel containing the Medical Cannabis Dispensary shall not be located on the same parcel as a facility providing substance abuse services that is licensed or certified by the State of California or funded by the Department of Public Health.

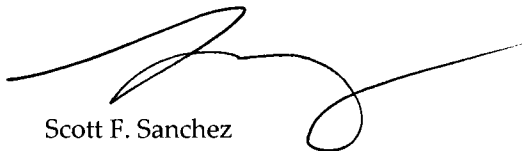
Based upon available information, it appears that the Property does not meet the location requirements set forth in Planning Code Section 202.2(e)(1)(B). A private school (De Marillac Academy), located at 175 Golden Gate Avenue, is located within 600 feet of the Property. As such, an MCD cannot be established on the Property.

It should be noted that pursuant to Planning Code Section 210.2, a Parcel Delivery Service is permitted with Conditional Use Authorization on the subject property. Per Planning Code Section 102, Parcel Delivery Service is defined as "a Non-Retail Automotive Use limited to facilities for the unloading, sorting, and reloading of local retail merchandise for deliveries, including but not limited to cannabis and cannabis products, where the operation is conducted entirely within a completely enclosed building, including garage facilities for local delivery trucks, but excluding repair shop facilities. Where permitted in PDR Districts, this use is not required to be operated within a completely enclosed building." It should also be noted that a Parcel Delivery Service is not subject to the location requirements of Planning Code Section 202.2.

Please note that a Letter of Determination is a determination regarding the classification of uses and interpretation and applicability of the provisions of the Planning Code. This Letter of Determination is not a permit to commence any work or change occupancy. Permits from appropriate Departments must be secured before work is started or occupancy is changed.

APPEAL: If you believe this determination represents an error in interpretation of the Planning Code or abuse in discretion by the Zoning Administrator, an appeal may be filed with the Board of Appeals within 15 days of the date of this letter. For information regarding the appeals process, please contact the Board of Appeals located at 1650 Mission Street, Room 304, San Francisco, or call (415) 575-6880.

Sincerely,



Scott F. Sanchez
Zoning Administrator

cc: Nicholas Foster, Planner
Property Owner
Neighborhood Groups
BBN Requestor (if any)

600 ft Radius Map for LOD Request: Case No. 2017-016480ZAD



R# 2017-016480 ZAD
M/O # 24719754868 \$ 678.50
M. LUELLEN (NE)

Office of the Zoning Administrator
1650 Mission Street, Suite 400
San Francisco, CA 94103

I am writing this letter for the purpose of obtaining a written determination as to whether or not a Medical Cannabis-Delivery Only Dispensary may be established at the following address under the new zoning regulations passed by the SF-Board of Supervisors in recent weeks.

1067 Market St., Ste 5008 (3703/063)
San Francisco, CA 94103

1067 Market St. is a mixed use downtown-general building in the C-3-G zoning category-Parcel 3703/63.

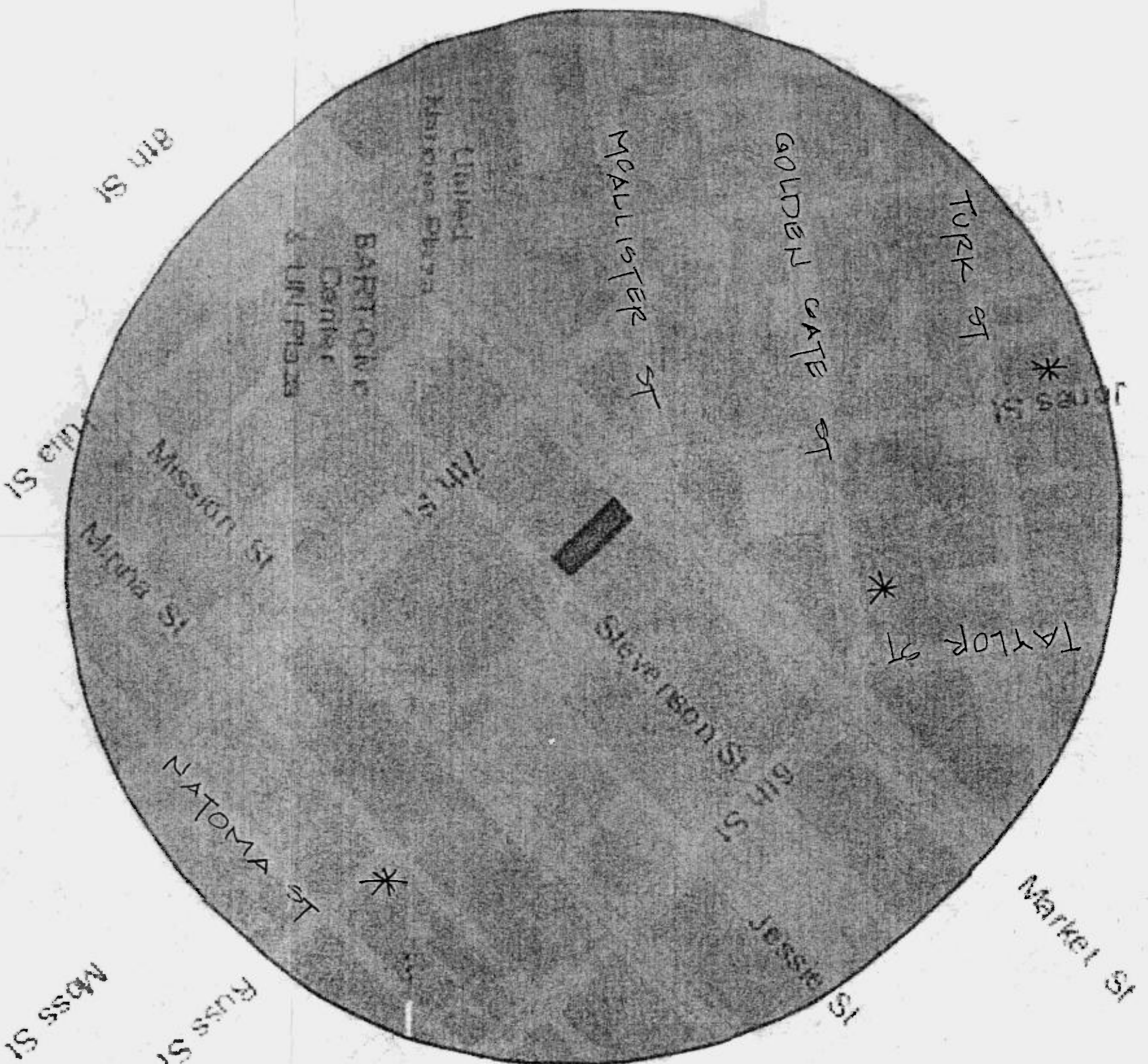
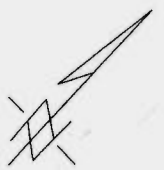
The parcel has been reviewed, mapped, and approved by Javier (an outside zoning provider) to be more than 600 feet from any K-12 schools (and other points of interest) and more than 300 feet from any other dispensary. Please confirm that the property is a sufficient distance from all sensitive uses as required by San Francisco regulations. Please provide any information that is relevant to the eligibility for an MCD at the subject property.

Sincerely,
Highway2 Co.
1067 Market St., Ste 5008
San Francisco, CA 94103

Boys & Girls Club of SF
Tenderloin Clubhouse
115 Jones St
San Francisco, CA 94102

Larkin Street Youth Services
134 Golden Gate Ave
San Francisco, CA 94102

SF Rec and Parks
Re: Tutubi Plaza
501 Stanyan St
San Francisco, CA 94117



1000 RADIUS MAP FOR
1067 MARKET STREET
BLOCK 3703 , LOT 63
SCALE: 1"=50'

* DENOTES POINTS OF INTEREST