



# SAN FRANCISCO PLANNING DEPARTMENT

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## Letter of Determination

February 27, 2017

Albert Finch  
100 Bush Street, Suite 900  
San Francisco, CA 94104  
[afinch@ericksenarbuthnot.com](mailto:afinch@ericksenarbuthnot.com)

<b>Site Address:</b>	685 3 <sup>rd</sup> Street
<b>Assessor's Block/Lot:</b>	3788 / 015
<b>Zoning District:</b>	SLI (SOMA Service – Light Industrial)
<b>Staff Contact:</b>	Michael Christensen, (415) 575-8742 or <a href="mailto:Michael.christensen@sfgov.org">Michael.christensen@sfgov.org</a>
<b>Record No.:</b>	2017-000894ZAD

Dear Mr. Finch,

This letter is in response to your request for a Letter of Determination regarding the property at 685 Third Street. This parcel is located in the SLI (SOMA Service – Light Industrial) Zoning District and 65-X Height and Bulk District. The request is to determine if the subject property may be used as a Medical Cannabis Dispensary (MCD).

Per Planning Code Section 817.23, only those MCDs that can demonstrate to the Planning Department they were in operation as of April 1, 2005 and have remained in continuous operation or that were not in continuous operation since April 1, 2005, but can demonstrate to the Planning Department that the reason for their lack of continuous operation was not closure due to an actual violation of federal, state or local law, may apply for a MCD permit in the SLI Zoning District.

Based upon our review of available information (including permit records), no MCD has ever operated or been permitted to operate at 685 3<sup>rd</sup> Street. Further, no evidence has been provided to demonstrate that either 1) an MCD was in operation as of April 1, 2005 and has remained in continuous operation since that time or 2) an MCD was in operation as of April 1, 2005, but has not been in continuous operation since that time for reasons other than an actual violation of federal, state or local law. Given these facts, an MCD may not locate at 685 3<sup>rd</sup> Street based on the provisions of the SLI Zoning District.

**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.**

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CA 94103-2479

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**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: Property Owner  
Neighborhood Groups  
Michael Christensen, Planner

To: Planning Dept

R# 2017-000894ZAD

CK# 2091 \$ 664.-

R. SUCRE (SE)

Date: 1/18/2017

Request for Letter of Determination  
for 685 3<sup>rd</sup> St, SF, CA 94107  
(3788/015)

I am submitting a letter of determination  
for a proposed MCD and/or MCD delivery  
for the subject on 685 3<sup>rd</sup> St.

My contact info is:

Albert Finch  
100 Bush Street  
Suite 900  
SF, CA 94104

Tel: 415 367 7126

a.finch@ericksenarbuttnot.com

Does this specific provision for  
SLI ~~SLI~~ District (817.23, 890.133)  
mean that our business would have  
been in this existence at this exact  
address since 4/1/2005 or will  
it ~~be~~ we have been in existence  
and operating since 4/1/2005 ~~at~~