

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

LAND USE AND TRANSPORTATION COMMITTEE SAN FRANCISCO BOARD OF SUPERVISORS

TO: Supervisor Aaron Peskin, Chair, Land Use and Transportation Committee

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: April 14, 2020

SUBJECT: **COMMITTEE REPORT, BOARD MEETING**
Tuesday, April 14, 2020

The following file should be presented as a **COMMITTEE REPORT** at the Board meeting, Tuesday, April 14, 2020. This item was acted upon at the Committee Meeting on Monday, April 11, 2020, at 1:30 p.m., by the votes indicated.

Item No. 28 **File No. 200087**

Ordinance amending the Planning Code and Zoning Map to create the Bayview Industrial Triangle Cannabis Restricted Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

RECOMMENDED AS A COMMITTEE REPORT

Vote: Supervisor Aaron Peskin - Aye
Supervisor Ahsha Safai - Aye
Supervisor Dean Preston - Aye

c: Board of Supervisors
Angela Calvillo, Clerk of the Board
Alisa Somera, Legislative Deputy
Anne Pearson, Deputy City Attorney

File No. 200087 Committee Item No. 7
 Board Item No. 28

COMMITTEE/BOARD OF SUPERVISORS
 AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date April 13, 2020

Board of Supervisors Meeting Date April 14, 2020

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
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Completed by: Erica Major Date April 10, 2020
 Completed by: Erica Major Date April 14, 2020

1 [Planning Code, Zoning Map - Bayview Industrial Triangle Cannabis Restricted Use District]

2
3 **Ordinance amending the Planning Code and Zoning Map to create the Bayview**
4 **Industrial Triangle Cannabis Restricted Use District; affirming the Planning**
5 **Department's determination under the California Environmental Quality Act; and**
6 **making findings of consistency with the General Plan, and the eight priority policies of**
7 **Planning Code, Section 101.1, and findings of public necessity, convenience, and**
8 **welfare under Planning Code, Section 302.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. Environmental and Land Use Findings.

18 (a) The Planning Department has determined that the actions contemplated in this
19 ordinance are excluded from review under the California Environmental Quality Act (California
20 Public Resources Code Sections 21000 et seq.) because CEQA applies only to projects
21 which have the potential for causing a significant effect on the environment under CEQA
22 Guidelines section 15061(b)(3). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 200087 and is incorporated herein by reference. The Board affirms
24 this determination.

25 (b) On February 20, 2020, the Planning Commission, in Resolution No. 20662,
adopted findings that the actions contemplated in this ordinance are consistent, on balance,

1 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
2 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
3 the Board of Supervisors in File No. 200087, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, the Board finds that this ordinance will
5 serve the public necessity, convenience, and welfare for the reasons set forth in Planning
6 Commission Resolution No. 20662, and incorporates such reasons by this reference thereto.
7 A copy of said resolution is on file with the Clerk of the Board of Supervisors in File No.
8 200087.

9
10 Section 2. General Findings.

11 (a) Since cannabis-related uses were permitted in California, the City has
12 experienced an influx of applications for cannabis-related uses, including retail,
13 manufacturing, and cultivating, especially in the Bayview neighborhood. Although cannabis-
14 related use applications exist in other areas of San Francisco, applications are heavily
15 concentrated in the SoMa and downtown areas, the Mission, and Bayview neighborhoods.
16 Bayview neighborhood community members have expressed concern over the impacts of
17 cannabis-related uses on the neighborhood and its residents, and the disproportionate
18 concentration of cannabis-related uses in their neighborhood.

19 (b) The City is currently reviewing multiple applications for retail cannabis permits,
20 and has already approved multiple cannabis retail permits. According to the City's Cannabis
21 Retail Map, prepared by the Office of Cannabis, in the Bayview neighborhood, seven retail
22 cannabis permits have been submitted for review, three permits are processing, and two are
23 under construction. The only other neighborhoods in San Francisco with greater amounts of
24 Cannabis Retail permits and applications than the Bayview, including the Mission and SoMa,
25 have higher residential, office, and commercial density. Areas of San Francisco with high

1 concentration of cannabis retail establishments have, as a result, experienced health, safety,
2 and general welfare problems, including increased youth cannabis usage, and undesirable
3 odors and loitering near cannabis establishments. These problems negatively impact the
4 quality of life for residents of nearby single- and multiple-family homes, as well as patrons of
5 nearby recreation and community facilities. The high concentration of cannabis-related
6 storefronts and the associated problems discourage more neighborhood-serving businesses
7 that are also needed and desired in the Bayview.

8 (c) Due to the demand and desire to maintain the Bayview Industrial Triangle for
9 Production, Distribution and Repair (PDR) and community-serving establishments, limiting the
10 use of vacant property for cannabis-related uses will benefit local residents by preserving
11 retail and other types of space for these other purposes. In particular, Bayview residents have
12 requested more neighborhood-serving, family-friendly businesses, such as grocery stores,
13 community centers, movie theaters, health clinics, and space for nonprofit organizations in the
14 neighborhood, all of which are permitted or conditionally permitted in the proposed zoning
15 districts.

16
17 Section 3. The Planning Code is hereby amended by adding new Section 249.88, to
18 read as follows:

19
20 **SEC. 249.88. BAYVIEW INDUSTRIAL TRIANGLE CANNABIS RESTRICTED USE DISTRICT.**

21 (a) Purpose and findings. As of January 2020, there are a large number of establishments
22 applying for cannabis-related use permits in Bayview Neighborhood. Further, the number of already-
23 permitted cannabis-related establishments in Bayview, compared to other areas of San Francisco, is a
24 health, safety, and equity concern. In order to preserve the neighborhood-serving commercial uses of
25 the area, the Bayview Industrial Triangle Cannabis Restricted Use District is hereby established, the

1 boundaries of which are shown on Sectional Map SU10 of the Zoning Map and are stated in Section 4
2 of the ordinance in Board File No. 200087 enacting this Section 249.88.

3 (b) **Controls.** No new Cannabis Retail establishment shall be permitted in the Bayview
4 Industrial Triangle Cannabis Restricted Use District.

5
6 Section 4. The Planning Code is hereby amended by revising Sectional Map SU10 of
7 the Special Use District Map of the City and County of San Francisco to establish the
8 boundaries of the Bayview Industrial Triangle Cannabis Restricted Use District. The following
9 block and lots shall be the complete list of blocks and lots included in the Bayview Industrial
10 Triangle Cannabis Restricted Use District:

11 Assessor's Block 5235, Lot 003; Assessor's Block 5242, Lots 015, 016, 020, 021, 022,
12 023, 024, 042; Assessor's Block 5253, Lots 008, 009, 013, 015, 016, 017, 018, 020, 028, 029,
13 030, 031, 032, 033, 034, 039; Assessor's Block 5260, Lots 001, 004, 010, 019, 030, 031, 032,
14 034, 035, 036, 037, 038, 041, 042; Assessor's Block 5272, Lots 011, 014, 015, 016, 017, 018,
15 019, 020, 043, 044, 045, 048; Assessor's Block 5278, Lot 015; Assessor's Block 5279, Lots
16 001, 002, 003, 004, 033, 034, 035, 036, 037, 039, 041, 042, 043, 044, 045, 048, 049, 051,
17 053, 054.

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Section 5. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
AUDREY W. PEARSON
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code, Zoning Map - Bayview Industrial Triangle Cannabis Restricted Use District]

Ordinance amending the Planning Code and Zoning Map to create the Bayview Industrial Triangle Cannabis Restricted Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302

Existing Law

Currently, the zoning in the Bayview Industrial Triangle Redevelopment Area permits cannabis related uses.

Amendments to Current Law

The ordinance creates the Bayview Industrial Triangle Cannabis Restricted Use District. Cannabis retail uses are prohibited in the district.

Background Information

This legislation responds to Bayview community member concerns regarding the growing number of cannabis-related establishments operating and applying for permits to operate in the Bayview.

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San Francisco 94102-4689
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TDD/TTY No. 554-5227

February 5, 2020

File No. 200087

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On January 28, 2020, Supervisor Walton submitted the following legislation:

File No. 200087

Ordinance amending the Planning Code and Zoning Map to create the Bayview Industrial Triangle Cannabis Restricted Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

Joy Navarrete 2/12/2020



SAN FRANCISCO PLANNING DEPARTMENT

March 2, 2020

Ms. Angela Calvillo, Clerk
Honorable Supervisor Walton
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: **Transmittal of Planning Department Case Number 2020-000585PCA/MAP:
Bayview Industrial Triangle Cannabis Restricted Use District
Board File No. 200087
Planning Commission Recommendation: Approval**

Dear Ms. Calvillo and Supervisor Walton,

On February 20, 2020, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance, introduced by Supervisor Walton that would amend the Planning Code establish the Bayview Industrial Triangle Cannabis Restricted Use District (RUD) and incorporating all of the parcels in the Bayview Industrial Triangle Redevelopment project area into RUD; and amend Special Use District Map SU10 to include the new Bayview Industrial Triangle Cannabis Restricted Use District. At the hearing the Planning Commission recommended approval.

The proposed amendments are not defined as a project under CEQA Guidelines Section 15378 and 15060(c)(2) because they do not result in a direct or indirect physical change in the environment.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron D. Starr".

Aaron D. Starr
Manager of Legislative Affairs

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Transmittal Materials

CASE NO. 2020-000585PCA/MAP
Bayview Industrial Triangle (BIT) Cannabis Restricted Use Special Use District

cc:

Audrey Pearson, Deputy City Attorney
Percy Burch, Aide to Supervisor Walton
Erica Major, Office of the Clerk of the Board

Attachments :

Planning Commission Resolution
Planning Department Executive Summary



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20662 HEARING DATE: FEBRUARY 20, 2020

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: Bayview Industrial Triangle Cannabis Restricted Use District
Case Number: 2020-000585PCA/MAP [Board File No. 200087]
Initiated by: Supervisor Walton / Introduced January 28, 2020
Staff Contact: Reanna Tong, Citywide
reanna.tong@sfgov.org, (415) 575-9193
Reviewed by: Susan Exline, Principal Planner
susan.exline@sfgov.org, (415) 558-6332

RESOLUTION APPROVING A PROPOSED ORDINANCE THAT WOULD AMEND THE SAN FRANCISCO PLANNING CODE BY AMENDING SECTIONAL MAP SHEET SU10 TO ESTABLISH THE BAYVIEW INDUSTRIAL TRIANGLE CANNABIS RESTRICTED USE DISTRICT UNDER NEW SECTION 249.88; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on January 28, 2020, Supervisor Walton introduced a proposed ordinance under Board of Supervisors (hereinafter "Board") File number 200087, which would amend Sheet SU10 of the Special Use District Map to establish the Bayview Industrial Triangle Cannabis Restricted Use District under new section 249.88; and,

WHEREAS, the Planning Commission (hereafter "Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to consider the proposed Ordinance on February 20, 2020; and,

WHEREAS, the proposed Ordinance has been determined not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment; and,

WHEREAS, the Planning Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and,

WHEREAS, all pertinent documents may be found in the files of the Department, as the Custodian of Records, at 1650 Mission Street, Suite 400, San Francisco; and

WHEREAS, the Planning Commission has reviewed the proposed Ordinance; and,

WHEREAS, the Planning Commission finds the facts presented that the public necessity, convenience, and general welfare require the proposed amendment; and,

MOVED, that the Commission hereby approves the proposed Ordinance.

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

The Commission finds the proposed Ordinance is in accordance with the General Plan as it will maintain and enhance a sound and diverse economic base and fiscal structure for the city.

COMMERCE AND INDUSTRY ELEMENT

1. In the City's FY 12-13 budget, responsibility for providing strategic direction, planning and oversight of early care and education programs was consolidated in the new agency, OECE.
2. The proposed Ordinance will correct the Planning Code so that it is in line with the City's current practices and adopted budget.
3. **General Plan Compliance.** The proposed Ordinance is consistent with the following Objectives and Policies of the General Plan:

OBJECTIVE 1

MANAGE ECONOMIC GROWTH AND CHANGE TO ENSURE ENHANCEMENT OF THE TOTAL CITY LIVING AND WORKING ENVIRONMENT

Policy 1.1

Encourage development which provides substantial net benefits and minimizes undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

OBJECTIVE 2

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 2.3

Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

OBJECTIVE 6

MAINTAIN AND ENHANCE A SOUND AND DIVERSE ECONOMIC BASE AND FISCAL STRUCTURE FOR THE CITY.

Policy 6.1

Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

Policy 6.10

Promote neighborhood commercial revitalization, including community-based and other economic development efforts where feasible.

The proposed Ordinance would create the Bayview Industrial Triangle Cannabis Restricted Use District in order to address concerns of an increasing number of applications for cannabis-related uses in the Bayview. The proposal would provide oversight for certain cannabis-related uses within a specific and limited geographic area. With the proposed modifications, the proposed Ordinance will prohibit Industrial Agriculture, which includes cannabis cultivation, and Cannabis Retail within the Bayview Industrial Triangle.

4. **Planning Code Section 101 Findings.** The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

The proposed amendments will not have a negative effect on existing neighborhood-serving retail uses in the area and will not decrease opportunities for resident employment in and ownership of neighborhood-serving retail.

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

The proposed amendments will help preserve existing neighborhood character by prohibiting cannabis-related uses within the Bayview Industrial Triangle Cannabis Restricted Use District.

3. That the City's supply of affordable housing be preserved and enhanced;

The proposed amendments will have no adverse effect on the City's supply of affordable housing.

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

The proposed Ordinance would not result in commuter traffic impeding MUNI transit service or overburdening the streets or neighborhood parking.

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

The proposed amendments would not cause displacement of the industrial or service sectors due to office development, and future opportunities for resident employment or ownership in these sectors would not be impaired. Indeed, the reason for this proposed legislation is to ensure these uses can continue.

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

The proposed Ordinance would not have an adverse effect on City's preparedness against injury and loss of life in an earthquake.

7. That the landmarks and historic buildings be preserved;

The proposed Ordinance would not have an adverse effect on the City's Landmarks and historic buildings.

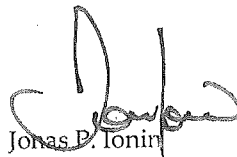
8. That our parks and open space and their access to sunlight and vistas be protected from development;

The proposed Ordinance would not have an adverse effect on the City's parks and open space and their access to sunlight and vistas.

5. **Planning Code Section 302 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 302.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on February 20, 2020.



Jonas P. Ionin

Commission Secretary

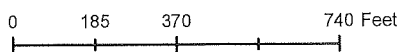
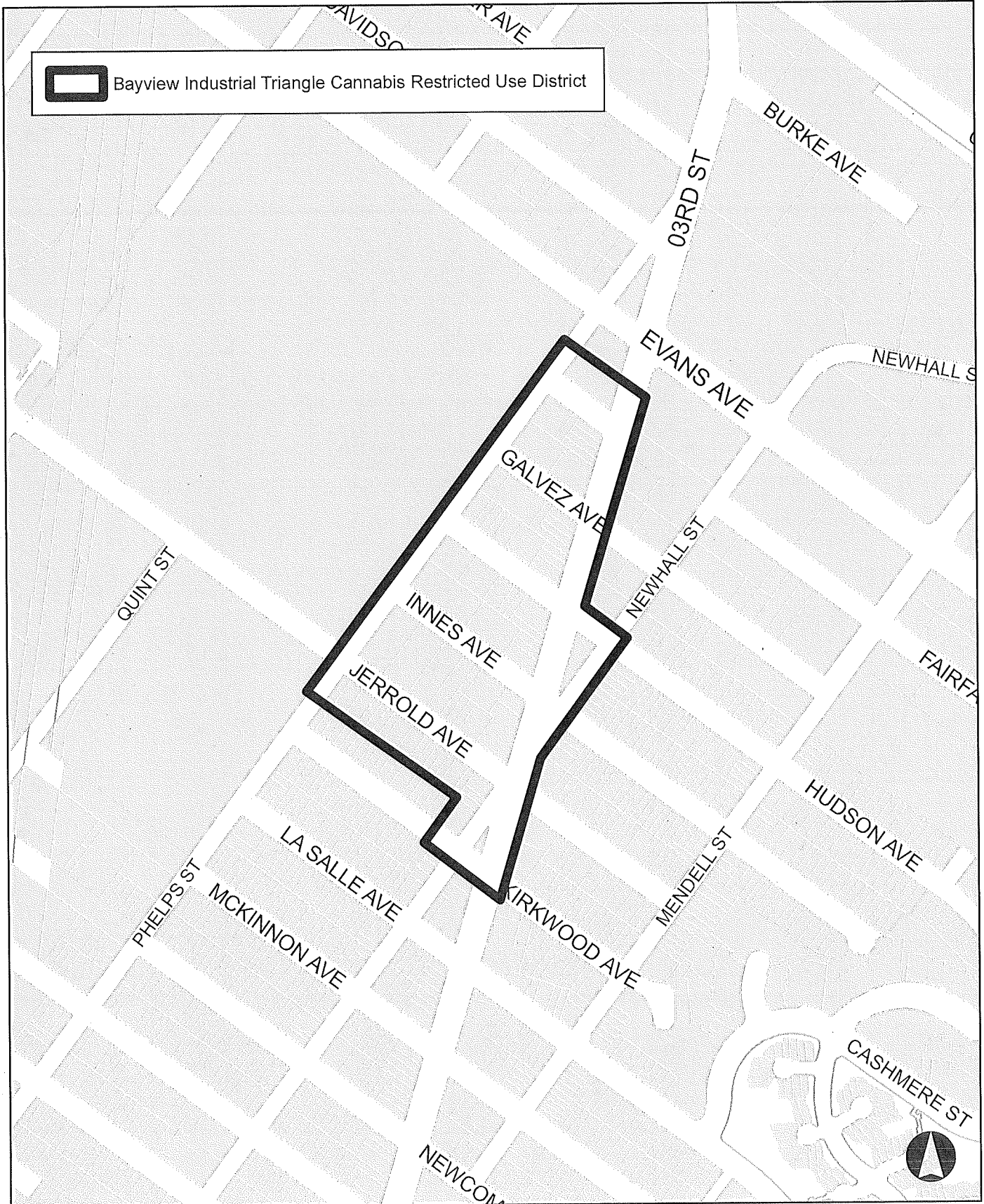
AYES: Diamond, Fung, Imperial, Johnson, Koppel, Moore

NOES: None

ABSENT: Richards

ADOPTED: February 20, 2020

Bayview Industrial Triangle - Cannabis Restricted Use District
(Lot Area: 9.7 acres)
San Francisco





SAN FRANCISCO PLANNING DEPARTMENT

Executive Summary Planning Code Text & Special Use District Map Amendment

HEARING DATE: FEBRUARY 20, 2020
90-DAY DEADLINE: APRIL 27, 2020

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

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Project Name: Bayview Industrial Triangle Cannabis Restricted Use District
Case Number: 2020-000585PCA/MAP / [Board File No. 200039]
Initiated by: Supervisor Walton / Introduced January 28, 2020
Staff Contact: Reanna Tong, Planner
reanna.tong@sfgov.org, 415-575-9193
Reviewed by: Susan Exline, Principal Planner
susan.exline@sfgov.org, 415-558-6332
Recommendation: **Approval**

PLANNING CODE AMENDMENT

The proposed ordinance would amend the San Francisco Planning Code to establish the Bayview Industrial Triangle Cannabis Restricted Use District (RUD) and incorporating all of the parcels in the Bayview Industrial Triangle Redevelopment project area into RUD; amend Special Use District Map SU10 to include the new Bayview Industrial Triangle Cannabis Restricted Use District; and making and adopting environmental findings and findings of consistency with the general plan and the priority policies of planning code section 101.1.

The Way It Is Now:

1. All parcels within the Bayview Industrial Triangle Redevelopment Area allow for Cannabis Retail uses in the underlying M-1 and NC-3 zoning districts, and in the PDR-1-G and NCT-3 zoning proposed under Board File No. 200086.

The Way It Would Be:

1. **Planning Code Text Amendment** establishing the Bayview Industrial Triangle Cannabis Restricted Use Special Use District under Section 248.88 of the Planning Code, prohibiting Cannabis Retail in the Bayview Industrial Triangle.
2. **Special Use District Map Amendment** applying the Bayview Industrial Triangle Cannabis Restricted Use District to the Bayview Industrial Triangle Redevelopment Area on sectional map sheet SU10.

BACKGROUND

The Bayview Industrial Triangle Redevelopment Area ("BIT"), comprised of approximately 75 parcels, was adopted on June 30, 1980 for a forty year time period. All real property in the Redevelopment Area is subject to the controls and requirements of the Redevelopment Plan. The intent of the Bayview Industrial Triangle

Redevelopment Plan was to preserve and expand industrial uses and activities, limit office and residential uses, and allow for limited retail uses.

On June 30, 2020, the Bayview Industrial Triangle Redevelopment Plan will expire. As a result, the underlying M-1 and NC-3 zoning uses, and 65-foot height districts will take effect and all planning and entitlement responsibilities will transition from the Office of Community Infrastructure and Investment to the Planning Department. A separate ordinance, introduced by Supervisory Walton under Board of Supervisors File number 20008, is being proposed and pending approval to reclassify all parcels in the Bayview Industrial Triangle from M-1 and NC-3 to PDR-1-G and NCT-3.

This legislation aims to respond to Bayview community member concerns by restricting cannabis-related uses in the Bayview Industrial Triangle. A growing number of cannabis-related establishments are operating in San Francisco and applying for permits to operate in the Bayview. A Cannabis Restricted Use District would be applied to all parcels in the Bayview Industrial Triangle and prohibit certain cannabis-related uses within the Bayview Industrial Triangle.

ISSUES AND CONSIDERATIONS

Neighborhood and Community Concerns of Cannabis Uses

Since cannabis-related uses have generally become permitted in California, the Bayview neighborhood has experienced an influx of applications for cannabis-related uses, including retail, manufacturing, and cultivation. While cannabis applications exist in other areas of San Francisco, they are heavily concentrated in the SoMa and downtown areas, Mission, Downtown, and Bayview. Bayview community members have expressed concern over the disproportionate land use impacts on the neighborhood and its residents.

The Bayview neighborhood is currently reviewing and has approved multiple retail cannabis permits. According to the City's Cannabis Retail Map, seven retail cannabis permits have been submitted for review, three permits are processing, and two are under construction. The only other neighborhoods in San Francisco with greater amounts of Cannabis Retail permits and applications than the Bayview, such as Mission and SoMa, are also neighborhoods with higher residential, office, and commercial density.

Due to the demand and desire to maintain the Bayview Industrial Triangle for PDR and community-serving establishments, limiting the use of vacant property for cannabis-related uses would benefit local residents by allowing the land to be used for these other purposes. In particular, Bayview residents have requested more neighborhood-serving, family-friendly businesses, such as grocery stores, health clinics, and space for nonprofit organizations in the neighborhood, all of which are permitted or conditionally permitted in the proposed zoning districts.

General Plan Compliance

The proposed Ordinance is supported by the following General Plan Objectives and Policies in the Commerce and Industry Element:

- Objective 1: Manage Economic Growth and Change to Ensure Enhancement of the Total City Living and Working Environment
Policy 1.1: Encourage development which provides substantial net benefits and minimizes

undesirable consequences. Discourage development which has substantial undesirable consequences that cannot be mitigated.

- Objective 2: Maintain and Enhance a Sound and Diverse Economic Base and Fiscal Structure for the City.

Policy 2.3: Maintain a favorable social and cultural climate in the city in order to enhance its attractiveness as a firm location.

- Objective 6: Maintain and Strengthen Viable Neighborhood Commercial Areas Easily Accessible to City Residents.

Policy 6.1: Ensure and encourage the retention and provision of neighborhood-serving goods and services in the city's neighborhood commercial districts, while recognizing and encouraging diversity among the districts.

Racial and Social Equity Analysis

This restriction on cannabis-related uses in the Bayview Industrial Triangle Redevelopment Area is in direct response to requests from residents of the Bayview community. While owning and operating a cannabis business can now provide economic mobility for Bayview residents who have been negatively impacted by the War on Drugs, this proposed legislation also considers the concerns of the Bayview community over the large number of cannabis establishments in the neighborhood. Some cannabis-related business owners, particularly equity program participants, may be burdened by the proposed changes. This Ordinance will reduce the geographic boundaries within which they can apply for and operate certain types of cannabis-related establishments. The overall community will benefit from fewer allowed cannabis-related establishments, as this will allow for a greater diversity of land uses in the Bayview Industrial Triangle and Bayview

Implementation

The Department has determined that this ordinance will not impact our current implementation procedures.

RECOMMENDATION

The Department recommends that the Commission *approve* the proposed Ordinance and adopt the attached Draft Resolution to that effect.

BASIS FOR RECOMMENDATION

Recommendation 1: Amend Special Use District Map SU10. Staff recommends amending Special Use District Map SU10 with a Cannabis Restricted Use District for the Bayview Industrial Triangle Redevelopment Area because the restrictions will allow for a greater diversity of commercial and industrial land uses in a neighborhood that is increasingly receiving applications for cannabis-related uses. The ordinance is in direct response to community member concerns that were expressed over the course of outreach for the Bayview Industrial Triangle Zoning Update Project, which discussed land use and zoning issues in depth for the Redevelopment Area.

Recommendation 2: Add Section 249.88 to Planning Code. Section 249.88 outlines the basic parameters for the Bayview Industrial Triangle Cannabis Restricted Use District, which is staff supports as part of Recommendation 1: Amend Special Use District Map SU10.

REQUIRED COMMISSION ACTION

The proposed Ordinance is before the Commission so that it may approve it, reject it, or approve it with modifications.

ENVIRONMENTAL REVIEW

The proposal to create Section 249.88 (Bayview Industrial Triangle Cannabis Restricted Use District), and amending Sectional Map Sheet SU10 is not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment. Therefore environmental review is not required. This determination was made on February 12, 2020.

PUBLIC COMMENT

As of the date of this report, the Planning Department has received one email in support of the proposed Ordinance.

Attachments:

- Exhibit A: Draft Planning Commission Resolution
- Exhibit B: Full-sized map of Bayview Industrial Triangle Cannabis Restricted Use District boundaries
- Exhibit C: Board of Supervisors File No. 200039
- Exhibit D: Letters of Support/Opposition or other supporting documentation, etc.

1 [Planning Code, Zoning Map - Bayview Industrial Triangle Cannabis Restricted Use District]

2
3 **Ordinance amending the Planning Code and Zoning Map to create the Bayview**
4 **Industrial Triangle Cannabis Restricted Use District; affirming the Planning**
5 **Department's determination under the California Environmental Quality Act; and**
6 **making findings of consistency with the General Plan, and the eight priority policies of**
7 **Planning Code, Section 101.1, and findings of public necessity, convenience, and**
8 **welfare under Planning Code, Section 302.**

9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
12 **Board amendment additions** are in double-underlined Arial font.
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.
14 **Asterisks (* * * *)** indicate the omission of unchanged Code
15 subsections or parts of tables.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. Environmental and Land Use Findings.

18 (a) The Planning Department has determined that the actions contemplated in this
19 ordinance are excluded from review under the California Environmental Quality Act (California
20 Public Resources Code Sections 21000 et seq.) because CEQA applies only to projects
21 which have the potential for causing a significant effect on the environment under CEQA
22 Guidelines section 15061(b)(3). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. _____ and is incorporated herein by reference. The Board affirms
24 this determination.

25 (b) On _____, the Planning Commission, in Resolution No. _____,
adopted findings that the actions contemplated in this ordinance are consistent, on balance,

1 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
2 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
3 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

4 (c) Pursuant to Planning Code Section 302, the Board finds that this ordinance will
5 serve the public necessity, convenience, and welfare for the reasons set forth in Planning
6 Commission Resolution No. _____, and incorporates such reasons by this reference
7 thereto. A copy of said resolution is on file with the Clerk of the Board of Supervisors in File
8 No. _____.

9
10 Section 2. General Findings.

11 (a) Since cannabis-related uses were permitted in California, the City has
12 experienced an influx of applications for cannabis-related uses, including retail,
13 manufacturing, and cultivating, especially in the Bayview neighborhood. Although cannabis-
14 related use applications exist in other areas of San Francisco, applications are heavily
15 concentrated in the SoMa and downtown areas, the Mission, and Bayview neighborhoods.
16 Bayview neighborhood community members have expressed concern over the impacts of
17 cannabis-related uses on the neighborhood and its residents, and the disproportionate
18 concentration of cannabis-related uses in their neighborhood.

19 (b) The City is currently reviewing multiple applications for retail cannabis permits,
20 and has already approved multiple cannabis retail permits. According to the City's Cannabis
21 Retail Map, prepared by the Office of Cannabis, in the Bayview neighborhood, seven retail
22 cannabis permits have been submitted for review, three permits are processing, and two are
23 under construction. The only other neighborhoods in San Francisco with greater amounts of
24 Cannabis Retail permits and applications than the Bayview, including the Mission and SoMa,
25 have higher residential, office, and commercial density. Areas of San Francisco with high

1 concentration of cannabis retail establishments have, as a result, experienced health, safety,
2 and general welfare problems, including increased youth cannabis usage, and undesirable
3 odors and loitering near cannabis establishments. These problems negatively impact the
4 quality of life for residents of nearby single- and multiple-family homes, as well as patrons of
5 nearby recreation and community facilities. The high concentration of cannabis-related
6 storefronts and the associated problems discourage more neighborhood-serving businesses
7 that are also needed and desired in the Bayview.

8 (c) Due to the demand and desire to maintain the Bayview Industrial Triangle for
9 Production, Distribution and Repair (PDR) and community-serving establishments, limiting the
10 use of vacant property for cannabis-related uses will benefit local residents by preserving
11 retail and other types of space for these other purposes. In particular, Bayview residents have
12 requested more neighborhood-serving, family-friendly businesses, such as grocery stores,
13 community centers, movie theaters, health clinics, and space for nonprofit organizations in the
14 neighborhood, all of which are permitted or conditionally permitted in the proposed zoning
15 districts.

16
17 Section 3. The Planning Code is hereby amended by adding new Section 249.88, to
18 read as follows:

19
20 **SEC. 249.88. BAYVIEW INDUSTRIAL TRIANGLE CANNABIS RESTRICTED USE DISTRICT.**

21 (a) Purpose and findings. As of January 2020, there are a large number of establishments
22 applying for cannabis-related use permits in Bayview Neighborhood. Further, the number of already-
23 permitted cannabis-related establishments in Bayview, compared to other areas of San Francisco, is a
24 health, safety, and equity concern. In order to preserve the neighborhood-serving commercial uses of
25 the area, the Bayview Industrial Triangle Cannabis Restricted Use District is hereby established, the

1 boundaries of which are shown on Sectional Map SU10 of the Zoning Map and are stated in Section 4
2 of the ordinance in Board File No. _____ enacting this Section 249.88.

3 (b) Controls. No new Cannabis Retail establishment shall be permitted in the Bayview
4 Industrial Triangle Cannabis Restricted Use District.

5
6 Section 4. The Planning Code is hereby amended by revising Sectional Map SU10 of
7 the Special Use District Map of the City and County of San Francisco to establish the
8 boundaries of the Bayview Industrial Triangle Cannabis Restricted Use District. The following
9 block and lots shall be the complete list of blocks and lots included in the Bayview Industrial
10 Triangle Cannabis Restricted Use District:

11 Assessor's Block 5235, Lot 003; Assessor's Block 5242, Lots 015, 016, 020, 021, 022,
12 023, 024, 042; Assessor's Block 5253, Lots 008, 009, 013, 015, 016, 017, 018, 020, 028, 029,
13 030, 031, 032, 033, 034, 039; Assessor's Block 5260, Lots 001, 004, 010, 019, 030, 031, 032,
14 034, 035, 036, 037, 038, 041, 042; Assessor's Block 5272, Lots 011, 014, 015, 016, 017, 018,
15 019, 020, 043, 044, 045, 048; Assessor's Block 5278, Lot 015; Assessor's Block 5279, Lots
16 001, 002, 003, 004, 033, 034, 035, 036, 037, 039, 041, 042, 043, 044, 045, 048, 049, 051,
17 053, 054.

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Section 5. Effective Date. This ordinance shall become effective 30 days after enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:
DENNIS J. HERRERA, City Attorney

By: 
AUDREY W. PEARSON
Deputy City Attorney

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LEGISLATIVE DIGEST

[Planning Code, Zoning Map - Bayview Industrial Triangle Cannabis Restricted Use District]

Ordinance amending the Planning Code and Zoning Map to create the Bayview Industrial Triangle Cannabis Restricted Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302

Existing Law

Currently, the zoning in the Bayview Industrial Triangle Redevelopment Area permits cannabis related uses.

Amendments to Current Law

The ordinance creates the Bayview Industrial Triangle Cannabis Restricted Use District. Cannabis retail uses are prohibited in the district.

Background Information

This legislation responds to Bayview community member concerns regarding the growing number of cannabis-related establishments operating and applying for permits to operate in the Bayview.

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BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

February 5, 2020

File No. 200087

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On January 28, 2020, Supervisor Walton submitted the following legislation:

File No. 200087

Ordinance amending the Planning Code and Zoning Map to create the Bayview Industrial Triangle Cannabis Restricted Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment.

Joy Navarrete 2/12/2020



1615 Jerrold Avenue
San Francisco, CA 94124
Phone: (888) LAT-STIX

FILE 00086 570087
RECEIVED VIA EMAIL
03/12/2020

February 12, 2020

To: Mayor London Breed, San Francisco Mayor's Office
State Senator Scott Wiener
District 10 Supervisor Shamann Walton
San Francisco Planning
Sue Exline
Reanna Tong

RE Re-zoning the Bayview Industrial Triangle from M-1 to PDR

To Whom It May Concern,

In spite of near unanimous opposition from BIT property owners and businesses, it seems that Planning is marching ahead with PDR zoning for the off-Third St area of the BIT. I would like to outline why this is bad for industrial businesses (like my own), for the Bayview, and for San Francisco as a whole. We have seen the future of the BIT under PDR. *It is the present. A series of 70 year-old dilapidated metal warehouse in filled with vacant lots and chain-link fences, and an ever expanding population of camper vans.

Zoning that works for BIT business and property owners:

But first, a review of what I believe are the solution parameters. From the very first Planning meeting at Sam Jordan's last July, many of the business and property owners have asked for zoning that provides:

Increased Density

- More space creates more economic activity and supports business expansion.
- Expanded floor space creates room for more employees producing more jobs.
- Greater foot traffic improves neighborhood and reduces camper problem.
- 65 foot height as planned.

Maximum Flexibility

- Usage flexibility that addresses a rapidly changing economy.
- Add capacity for housing and/or office space and/or retail.

Retains Industrial Capacity

- 1:1 replacement of all industrial space.
- Retain ground floor industrial usage - upper floor industrial space is impractical.

Incentivizes Investment in Buildings

- Expand uses on upper floors to generate higher average rental yields to justify development.
- Development creates construction jobs and supports local economy.
- Create an attractive pedestrian experience.

And is driven by a rigorous planning process, that addresses the following questions:

- Is BIT more suitable for industrial, office, or housing? And how do you measure that?
- What would a mix look like?
- What is the current surplus/deficit of industrial space and what should it be?
- What is the direct and indirect economic impact of BIT industrial/housing/office usages?
- What usage creates the most direct / indirect jobs?
- Why does the Bayview always end up with the short end of the stick?

The Problem with Zoning Off-Third-BIT as PDR.

PDR formalizes the BIT as a low rent industrial ghetto. – Zoning exclusively PDR effectively caps today's rents at \$1.75/psf. With no incentive for improvements, lots empty for the past 40 years will remain empty. Seventy year-old, single story metal buildings will remain unimproved. Campers will continue to move-in. Voila! A ghetto segregated not by ethnicities, but by activity, in this case, industrial activity.

Industrial ghettos lack facilities for many modern businesses. Cheap rent and modern buildings are mutually exclusive. Exclusive PDR zoning will not provide financial incentives to upgrade buildings capable of increasingly popular uses such as food manufacturing(no floor drains), or electronics and robotics (clean room facilities). The BIT will be the city's repository of space for dirty, noisy, and the most price sensitive businesses.

BIT zoning to PDR creates a visual eyesore at the North gateway to the Bayview. As you travel South on Third from the gleaming Mission Bay buildings, past the modernist Chase Center, you enter first the revitalized Dogpatch. Renovated industrial buildings team with activity, and restaurants, galleries, and shops are a draw for people throughout San Francisco, and beyond. Further South is the India Basin area with tidy, 1980's modern warehouses. And then you cross Evans. On your left is a dated shopping center with dwindling businesses. And on the right are 5 blocks of dilapidated metal buildings, chainlink fences, empty lots, camper vans, and a generally scary environment . Welcome to the Bayview! From a strictly aesthetic perspective, zoning such an important location right on the Muni T with failed, Reagan-era redevelopment planning demonstrates a complete lack of imagination, and is nothing short of planning mal-practice.

PDR eliminates opportunity for 1000+ housing units. Housing is the humanitarian crisis of our time. And we are zoning 300,000 sq. ft. of space right on a tram-line for auto-body shops? This plan clearly demonstrates SF government's indifference to the misery on our streets, and the misery that this creates in the rest of us.

Mixing PDR and housing -the horse has left the barn. Planning has said that housing doesn't mix with PDR. Well, there is already housing surrounding and in the BIT, and the NCT zoning on third will put most industrial businesses within 100 feet of a six story residence. So if they don't mix, then shouldn't Third Street also be PDR? Or maybe the rest of the BIT should have a housing component, and just recognize that we are not talking about petroleum refining. All over the city people are living above PDR businesses, and if Planning is worried about residents' complaints, put up a sign, "Welcome to Butchertown Makers District. Yield to loading trucks".

Do we even need more PDR? After almost nine months, Planning can still not answer this basic question. This is a (paper) investment on \$150 million real estate parcel, and little analytical work has been performed. What has been done, is demonstrably wrong(average PDR wages: is it 60k, 78k, or 123k?). Shouldn't we have some sort of rigorous cost benefit analysis that compares outcomes? And if PDR is in such great demand, why are one in four lots in the BIT vacant? And is the justification that we need to zone the BIT to PDR "because we lost it in the Mission" a valid reason?

Without building expansion there will be no new jobs, and few "good jobs" at all. To create new jobs, you need additional space. Enshrining a \$1.75 rent will minimize the addition of floor space, and with no new floor space, no new jobs. And because the old buildings lack modern facilities(mentioned above), jobs will be limited to low tech, poorly paid, and generally unattractive employment.

Does Down (M-1 to PDR) Zoning 1% of SF industrial area contain industrial rents? The policy intent is that zoning for PDR will provide little incentive for new buildings, so rents will stay low. Really? SF has 24+ million sq.ft. of industrial space and the BIT has 200,000 sq.ft. In what market will discounting a product with 1% market share impact the overall market pricing?

Who Benefits from PDR zoning in the BIT?

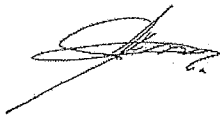
It's pretty clear that lot's of people are hurt by this policy, but surely there is someone who benefits?
Three groups come to mind:

- A handful of tenants(most property in the BIT is owner occupied) employing a handful of employees may benefit a little on rent(\$1.75 vs. \$2+ psf).
- Scofflaws who can cleverly disguise activities from Planning enforcement.
- The Planning Department. Zoning to PDR is quicker and easier than the alternative.

Of all of the great things that could be done with this key part of the Bayview, we have settled on a lazy policy that is anti-density, anti-industrial business expansion, anti-job creation, anti-Bayview, and the most despicable of all, anti-housing.

Should you want to discuss this in greater detail, I and a group of my neighbors would love to have an opportunity to sit down with you.

Sincerely Yours



John Moffly
Co-Founder



1615 Jerrold Avenue
 San Francisco, CA 94124
 Phone: (888) LAT-STIX

March 18, 2020

To: Land Use Sub-Committee, San Francisco Board of Supervisors

RE: Bayview Industrial Triangle (BIT) Planned Re-Zoning to PDR-G is a Sham(e)

Dear Land Use Committee Supervisors,

With a pandemic-triggered recession imminent, I believe it is incumbent upon San Francisco government to take advantage of every opportunity to encourage new economic activity and housing for citizens. Zoning changes for the Bayview Industrial Triangle (BIT) provide a singular opportunity to create economic activity and increase housing supply without cost to the government.

I have argued in previous letters(attached) to the Planning Department and Supervisor Walton that zoning the BIT to PDR-G is a failure of imagination that helps no one. It is anti-housing, anti-job creation, anti-density, and anti-economic development in an area that sorely needs it. It is a waste of a blighted but high potential location right on the Third St rail. And, ironically, it is anti-PDR because it fails to increase the quantity and quality of industrial space, which directly impacts my company's ability to expand and remain in San Francisco.

Chart 1 - Comparison of PDR-G and Generic Mixed Use Impact			
<u>Impact</u>	<u>Mixed Use</u>	<u>PDR-G</u>	<u>Comments</u>
Total Industrial Space Added (sq.ft.)	115,000	0	
Develop empty Lots	45,000	0	Develop empty lots w/ industrial on ground floor. New buildings use full lot on ground.
Build out full ground floor	30,000	0	Build out full lot (yard space)
2nd floor supporting offices.	40,000	0	Frees up more valuable ground floor production space by moving management offices upstairs, @ 1000 sq. ft. per lot.
New Housing (units)	330	0	Assume 4 units /2500 sq.ft lot size.
Modernize Manufacturing Space	275,000	0	New facilities with HVAC / Electric / Floor Drains to handle modern manufacturing for high tech / foods.
Total New Jobs	905	0	Permanent jobs in and outside of BIT.
New jobs - direct	115	0	Assumes 1 job / 1000 sq. ft. of new industrial space.
New jobs - indirect	460	0	Assume 4.0 indirect and induced jobs per each direct job (1)
New jobs -construction	330	0	Assumes 5.5 jobs / \$ 1 mil of investment. (1)
Construction Investment	\$ 60,000,000	0	Triple Square Footage @ \$300 psf.
Increase Tax Base	\$ 750,000	0	Annual increase in tax base based upon 1.125% of \$60 mil.
Added Density (head)	775	0	Assumes 2.0 head / unit res, and 1.0 / 1000 sq.ft. industrial.

[1] Josh Bevins, Updated employment multipliers for the U.S. economy, EPI, 2003.

Enlightened mixed-use – Have your cake and eat it too.

What the property and business owners have suggested is zoning that maintains industrial activity on the ground floor, while allowing other higher yielding activities (housing) on the upper floors. Effectively, the lower rents of industrial activity on the ground floor (such as my business) might be subsidized by the

higher rents on the upper floors. By defraying the high cost of construction, the scheme will incent development. A creative mixed-use scheme has the opportunity to solve many problems at once, without cost to the city. And of course it allows LatticeStix to expand in the city I love.

Finally, I want to provide some insight into the zoning process that as a citizen and taxpayer, I find disappointing.

San Francisco Government Competence and Attitude.

I am disappointed in our government. To disagree is one thing, but to get this far and realize there is still no clear cost-benefit analysis just seems incompetent. Of the dozens and dozens of people I've talked to, no one can understand this policy. After 9 months the PDR-G decision is just as unpopular and unsupported as it was in June 2019. Contributing to the poor policy is what I consider to be unprofessionalism and arrogance on the part of the government:

- Planning is unable to perform very basic economic analysis necessary for zoning changes. Outreach sessions were spin sessions with bad data, misleading graphics and messaging, a dismissive attitude towards property owners ("you've made your money"), and a clear desire to tamp down dissent. Presentations depended heavily upon data and messaging from special interests (SFMade, of which I am a proud member) that was presented as objective.
- The Planning Commission is essentially a rubber stamp politburo, unwilling to execute oversight. Commissioner comments were frankly pathetic ("Housing and PDR can't co-exist". Look around, large portions of the city have a PDR business on the ground floor, with housing above. Any complaints? The better question is, given the housing crisis, why isn't BIT 100% housing?). There was greater concern expressed for new planning staff than there was for citizen time and effort to improve our neighborhoods. To me this is an indication of a cozy relationship that undermines accountability and good policy.
- Supervisor Walton has decided to demean and ignore business and property owners rather than engage us. His most recent newsletter branded BIT business and property owners as "outsiders" who shouldn't dictate policy. As someone who spends 60 hours a week in the BIT, I find his characterization offensive. He has refused to meet with us despite numerous requests. He has NEVER been to a CAC or Planning meeting on BIT (in nine months he has spent more time in cigar bars than he has discussing BIT constituent zoning concerns). And he manipulated CAC out of the process wasting all of our time. This is anti-democratic behavior.

It's not too late

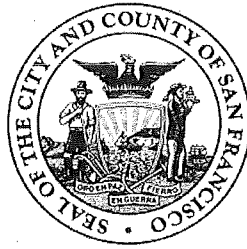
I feel it is not too late to provide integrity to a shoddy process. I think Planning should be required to economically justify the PDR-G plan, and if they can't, amendments should be considered that expand usages that provide benefits to the BIT, Bayview, and the entire city.

Thank you for your attention.



John Moffly
LatticeStix, Inc.

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

February 5, 2020

File No. 200087

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On January 28, 2020, Supervisor Walton submitted the following legislation:

File No. 200087

Ordinance amending the Planning Code and Zoning Map to create the Bayview Industrial Triangle Cannabis Restricted Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Don Lewis, Environmental Planning

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

February 5, 2020

Planning Commission
Attn: Jonas Ionin
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Commissioners:

On January 28, 2020, Supervisor Walton introduced the following legislation:

File No. 200087

Ordinance amending the Planning Code and Zoning Map to create the Bayview Industrial Triangle Cannabis Restricted Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

The proposed ordinance is being transmitted pursuant to Planning Code, Section 302(b), for public hearing and recommendation. The ordinance is pending before the Land Use and Transportation Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

c: John Rahaim, Director
Scott Sanchez, Zoning Administrator
Lisa Gibson, Environmental Review Officer
Devyani Jain, Deputy Environmental Review Officer
Adam Varat, Acting Director of Citywide Planning
Aaron Starr, Manager of Legislative Affairs
Andrea Ruiz-Esquide, Deputy City Attorney
Joy Navarrete, Major Environmental Analysis
Georgia Powell, Planning Misc. Permits Routing

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF CANCELLED MEETING

LAND USE AND TRANSPORTATION COMMITTEE

SAN FRANCISCO BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that, due to the current Local Health Emergency around the Novel Coronavirus Disease 2019 (COVID-19), the meeting of the Land Use and Transportation Committee scheduled for **Monday, March 23, 2020, at 1:30 p.m.**, at City Hall, 1 Dr. Carlton B. Goodlett Place, Legislative Chamber, Room 250, San Francisco, California, has been **CANCELLED**.

Matters listed on the agenda that were previously noticed shall be agendized for the next appropriate meeting:

- **File No. 200086** Planning Code, Zoning Map - Bayview Industrial Triangle Redevelopment Area Rezoning (noticed pursuant to California Government Code Sections 65856 & 65090)
- **File No. 200087** Planning Code, Zoning Map - Bayview Industrial Triangle Cannabis Restricted Use District (noticed pursuant to California Government Code Sections 65856 & 65090)
- **File No. 191302** Street Name Change - Steuart Street to Steuart Lane (noticed pursuant to California Streets and Highways Code Section 970.5)

Angela Calvillo, Clerk of the Board

POSTED: March 19, 2020

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

NOTICE OF PUBLIC HEARING

BOARD OF SUPERVISORS OF THE CITY AND COUNTY OF SAN FRANCISCO LAND USE AND TRANSPORTATION COMMITTEE

NOTICE IS HEREBY GIVEN THAT the Land Use and Transportation Committee will hold a public hearing to consider the following proposals and said public hearing will be held as follows, at which time all interested parties may attend and be heard:

Date: Monday, March 23, 2020

Time: 1:30 p.m.

Location: Legislative Chamber, Room 250, located at City Hall
1 Dr. Carlton B. Goodlett Place, San Francisco, CA

Subject: **File No. 200086.** Ordinance amending the Planning Code by amending the Zoning Map to change the use classification of certain parcels in the Bayview Industrial Redevelopment Project Area (Project Area) from M-1 (Light Industrial) and NC-3 (Moderate-Scale Neighborhood Commercial) to PDR-1-G (General Production, Distribution, and Repair) and NCT-3 (Moderate-Scale Neighborhood Commercial Transit) Districts, and to change the height and bulk classification of certain parcels in the Project Area from 40-X to 65-X; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

File No. 200087. Ordinance amending the Planning Code and Zoning Map to create the Bayview Industrial Triangle Cannabis Restricted Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

In accordance with Administrative Code, Section 67.7-1, persons who are unable to attend the hearing on these matters may submit written comments to the City prior to the time the hearing begins. These comments will be made part of the official public record in these matters, and shall be brought to the attention of the members of the Committee. Written comments should be addressed to Angela Calvillo, Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102. Information relating to these matters can be found in the Legislative Research Center at sfgov.legistar.com/legislation. Meeting agenda information relating to these matters will be available for public review on Friday, March 20, 2020.



Angela Calvillo, Clerk of the Board

DATED/PUBLISHED/POSTED: March 13, 2020

BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Regina Dick-Endrizzi, Director
Small Business Commission, City Hall, Room 448

FROM: Erica Major, Assistant Clerk
Land Use and Transportation Committee

DATE: February 5, 2020

SUBJECT: REFERRAL FROM BOARD OF SUPERVISORS
Land Use and Transportation Committee

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, which is being referred to the Small Business Commission for comment and recommendation.

File No. 200087

Ordinance amending the Planning Code and Zoning Map to create the Bayview Industrial Triangle Cannabis Restricted Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

RESPONSE FROM SMALL BUSINESS COMMISSION - Date: _____

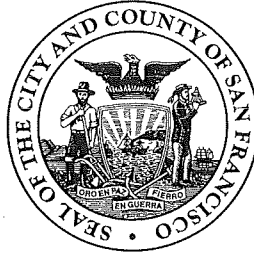
_____ **No Comment**

_____ **Recommendation Attached**

Chairperson, Small Business Commission

cc: Dominica Donovan

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Marisa Rodriguez, Director, Office of Cannabis

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: February 5, 2020

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Walton on January 28, 2020:

File No. 200087

Ordinance amending the Planning Code and Zoning Map to create the Bayview Industrial Triangle Cannabis Restricted Use District; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: erica.major@sfgov.org.

c: Ray Law, Office of Cannabis

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2020 JAN 28 PM 4:41

Time stamp

or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Supervisor Walton

Subject:

Planning Code, Zoning Map - Bayview Industrial Triangle Cannabis Restricted Use District

The text is listed:

Ordinance amending the Planning Code by amending the Zoning Map to create the Bayview Industrial Triangle Cannabis Restricted Use District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code Section 101.1, and findings of public necessity, convenience, and welfare under Planing Code, Section 302

Signature of Sponsoring Supervisor: []

For Clerk's Use Only