

1 [Planning Code - Cannabis Uses]

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3 **Ordinance amending the Planning Code to extend from January 1, 2021, to January 1,**
4 **2022, the sunset date for the provision allowing for the conversion of Medical Cannabis**
5 **Dispensaries with Planning Commission approval to a Cannabis Retail Use; affirming**
6 **the Planning Department’s determination under the California Environmental Quality**
7 **Act; making findings of consistency with the General Plan and the eight priority**
8 **policies of Planning Code, Section 101.1; and making public necessity, convenience,**
9 **and welfare findings under Planning Code, Section 302.**

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

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

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19 Section 1. Findings.

20 (a) The Planning Department has determined that the actions contemplated in this
21 ordinance comply with the California Environmental Quality Act (California Public Resources
22 Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of
23 Supervisors in File No. 201261 and is incorporated herein by reference. The Board affirms
24 this determination.

25 (b) On November 12, 2020, the Planning Commission, ~~in Resolution No. _____,~~
~~adopted findings that~~ waived its authority to review this ordinance. The Board hereby finds
that the actions contemplated in this ordinance are consistent, on balance, with the City’s

1 General Plan and eight priority policies of Planning Code Section 101.1. ~~In this Resolution,~~
2 ~~the Planning Commission also adopted findings and~~ that the actions contemplated in this
3 ordinance will serve the public necessity, convenience, and welfare, pursuant to Planning
4 Code Section 302. ~~The Board adopts these findings as its own. A copy of said Resolution is~~
5 ~~on file with the Clerk of the Board of Supervisors in File No. _____, and is incorporated~~
6 ~~herein by reference.~~

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8 Section 2. The Planning Code is hereby amended by revising Section 190 to read as
9 follows:

10 **SEC. 190. CONVERSION OF MEDICAL CANNABIS DISPENSARIES TO**
11 **CANNABIS RETAIL ESTABLISHMENTS.**

12 * * * *

13 (d) This Section 190 shall expire by operation of law on January 1, ~~2021~~2022. Upon
14 its expiration, the City Attorney shall cause this Section 190 to be removed from the Planning
15 Code.

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17 Section 3. Effective Date; Retroactivity.

18 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
19 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
20 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
21 Mayor's veto of the ordinance.

22 (b) It is the intention of the Board of Supervisors that the option to convert a Medical
23 Cannabis Dispensary Use to a Cannabis Retail Use continue uninterrupted until January 1,
24 2022. Accordingly, upon the effective date of this ordinance, the ordinance shall be
25 retroactive to January 1, 2021.

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Section 4. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors intends to amend only those words, phrases, paragraphs, subsections, sections, articles, numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal Code that are explicitly shown in this ordinance as additions, deletions, Board amendment additions, and Board amendment deletions in accordance with the “Note” that appears under the official title of the ordinance.

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

By: /s/ Sarah A. Crowley
SARAH A. CROWLEY
Deputy City Attorney

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City and County of San Francisco

Tails
Ordinance

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 201261

Date Passed: January 05, 2021

Ordinance amending the Planning Code to extend from January 1, 2021, to January 1, 2022, the sunset date for the provision allowing for the conversion of Medical Cannabis Dispensaries with Planning Commission approval to a Cannabis Retail Use; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and welfare findings under Planning Code, Section 302.

December 14, 2020 Land Use and Transportation Committee - AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

December 14, 2020 Land Use and Transportation Committee - RECOMMENDED AS AMENDED AS A COMMITTEE REPORT

December 15, 2020 Board of Supervisors - PASSED ON FIRST READING

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

January 05, 2021 Board of Supervisors - FINALLY PASSED

Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

File No. 201261

I hereby certify that the foregoing Ordinance was FINALLY PASSED on 1/5/2021 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

1/15/21

Date Approved