

[Planning Code - Conversion of Medical Cannabis Dispensary Uses to Cannabis Retail Uses]

**Ordinance amending the Planning Code to establish a process for the conversion of certain Medical Cannabis Dispensaries to Cannabis Retail establishments; 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 pursuant to Planning Code, Section 302.**

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

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

Section 1. Environmental and Land Use Findings.

(a) The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of Supervisors in File No. 250809 and is incorporated herein by reference. The Board affirms this determination.

(b) On \_\_\_\_\_, the Planning Commission, in Resolution No. \_\_\_\_\_, adopted findings that the actions contemplated in this ordinance are consistent, on balance, with the City's General Plan and eight priority policies of Planning Code Section 101.1. The

1 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of  
2 the Board of Supervisors in File No. \_\_\_\_\_, and is incorporated herein by reference.

3 (c) Pursuant to Planning Code Section 302, the Board of Supervisors finds that this  
4 ordinance will serve the public necessity, convenience and welfare for the reasons set forth in  
5 Planning Commission Resolution No. \_\_\_\_\_.  
6

7 Section 2. Article 1.7 of the Planning Code is hereby amended by adding Section 190,  
8 to read as follows:  
9

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

12 (a) An establishment may convert from a Medical Cannabis Dispensary Use to a Cannabis  
13 Retail Use by obtaining a building permit authorizing the change of Use, if the establishment:

14 (1) Holds a valid permit from the Office of Cannabis to operate as a Storefront  
15 Cannabis Retailer, as defined in Section 1602 of the Police Code, issued on or before January 1, 2025;

16 and

17 (2) Submitted a complete application to the Planning Department to convert to a  
18 Cannabis Retail Use on or before December 31, 2024.

19 (b) An application for a change of use submitted by an eligible establishment under subsection  
20 (a) of this Section 190 is subject to all Planning Code requirements except:

21 (1) Any requirement to obtain a Conditional Use Authorization for Cannabis Retail  
22 Uses in the zoning district in which it is located;

23 (2) Locational restrictions for Cannabis Retail set forth in Section 202.2(a);

24 (3) The requirements of Section 311; and  
25

1                   (4) Any Mandatory Discretionary Review and public-initiated discretionary review;  
2 provided however, that the Planning Commission or Planning Department staff may initiate  
3 discretionary review.

4                   (c) Applications for a change of use from a Medical Cannabis Dispensary Use to a Cannabis  
5 Retail Use not covered by subsection (a) of this Section 190 shall be subject to the zoning controls for  
6 the district in which the Medical Cannabis Dispensary is located.

7                   (d) This Section 190 shall expire by operation of law on December 31, 2026. Upon its  
8 expiration, the City Attorney is authorized to cause this Section 190 to be removed from the Planning  
9 Code.

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11               Section 3. Effective Date. This ordinance shall become effective 30 days after  
12 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the  
13 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board  
14 of Supervisors overrides the Mayor's veto of the ordinance.

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17 APPROVED AS TO FORM:  
18 DAVID CHIU, City Attorney

19 By: /s/ Kathy J. Shin  
20 KATHY J. SHIN  
21 Deputy City Attorney

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