

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. (415) 554-5184
Fax No. (415) 554-5163
TDD/TTY No. (415) 554-5227

September 23, 2022

Planning Department
Attn: Rich Hillis, Director
49 South Van Ness, Suite 1400
San Francisco, CA 94103

Dear Mr. Hillis:

On September 20, 2022, Supervisor Mandelman introduced the following legislation:

File No. 221002

Ordinance amending the Health Code and Police Code to extend the sunset date for provisions governing Medical Cannabis Dispensaries from December 31, 2022, to December 31, 2024; and to allow the extension of Temporary Cannabis Business Permits for additional 120-day terms through December 31, 2024, rather than December 31, 2022; 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.

The ordinance is pending before the Government Audit and Oversight Committee and will be scheduled for hearing upon receipt of your response.

Angela Calvillo, Clerk of the Board

By: Stephanie Cabrera, Assistant Clerk
Government Audit and Oversight Committee

cc: Corey Teague, Zoning Administrator
Scott Sanchez, Deputy 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

1 [Health, Police Codes - Cannabis Sunset Dates]

2

3 **Ordinance amending the Health Code and Police Code to extend the sunset date for**
4 **provisions governing Medical Cannabis Dispensaries from December 31, 2022, to**
5 **December 31, 2024; and to allow the extension of Temporary Cannabis Business**
6 **Permits for additional 120-day terms through December 31, 2024, rather than December**
7 **31, 2022; affirming the Planning Department’s determination under the California**
8 **Environmental Quality Act; and making findings of consistency with the General Plan,**
9 **and the eight priority policies of Planning Code, Section 101.1.**

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:

18

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. ____ and is incorporated herein by reference. The Board affirms this
24 determination.

25 (b) On _____, the Planning Department determined 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 Board adopts this determination

1 as its own. A copy of said determination is on file with the Clerk of the Board of Supervisors in
2 File No. _____, and is incorporated herein by reference.

3
4 Section 2. Article 33 of the Health Code is hereby amended by revising Section 3323,
5 to read as follows:

6 **SEC. 3323. SUNSET PROVISION.**

7 This Article 33 shall expire by operation of law on December 31, ~~2022~~2024. All
8 permits authorizing the operation of a Medical Cannabis Dispensary issued under this Article
9 33 shall be rendered invalid after December 31, 2018, except for those permits issued under
10 this Article 33 where the permit holder has applied for a Police Code Article 16 permit, which
11 shall be rendered invalid on December 31, ~~2022~~2024. Upon expiration of the Article, the City
12 Attorney shall cause it to be removed from the Health Code.

13
14 Section 3. Article 16 of the Police Code is hereby amended by revising Section 1605
15 to read as follows:

16 **SEC. 1605. TRANSITION PROVISION.**

17 * * * *

18 (h) **Duration.** A Temporary Cannabis Business Permit issued under this Section
19 1605 shall be valid for a period of 120 days and may be extended for additional 120-day
20 periods at the discretion of the Director. Notwithstanding the prior sentence, the Director shall
21 not issue a new temporary permit after January 1, 2019, and shall not extend the term of a
22 Temporary Cannabis Business Permit issued to an applicant for a Cannabis Business Permit
23 under this Article 16 past December 31, ~~2022~~2024.

24 * * * *

1 Section 4. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 Section 5. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
7 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
8 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the Municipal
9 Code that are explicitly shown in this ordinance as additions, deletions, Board amendment
10 additions, and Board amendment deletions in accordance with the "Note" that appears under
11 the official title of the ordinance.

12 APPROVED AS TO FORM:
13 DAVID CHIU, City Attorney

14 By: /s/ Sarah Crowley
15 SARAH CROWLEY
Deputy City Attorney

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LEGISLATIVE DIGEST

[Health, Police Codes - Cannabis Sunset Dates]

Ordinance amending the Health Code and Police Code to extend the sunset date for provisions governing Medical Cannabis Dispensaries from December 31, 2022, to December 31, 2024; and to allow the extension of Temporary Cannabis Business Permits for additional 120-day terms through December 31, 2024, rather than December 31, 2022; 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.

Amendments to Current Law

This ordinance would extend the date beyond which Medical Cannabis Dispensary Permits (issued under Article 33 of the Health Code) can no longer be effective from December 31, 2022, to December 31, 2024.

This ordinance would extend the date beyond which Temporary Cannabis Business Permits (issued under Article 16 of the Police Code) can no longer be effective from December 31, 2022, to December 31, 2024.

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President, District 10
BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
Tel. No. 554-6516
Fax No. 554-7674
TDD/TTY No. 544-6546

Shamann Walton

PRESIDENTIAL ACTION

Date: 9/22/2022

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,

Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No.

221002

Mandelman

(Primary Sponsor)

Title: Health, Police Codes – Cannabis Sunset Dates

Transferring (Board Rule No 3.3)

File No.

(Primary Sponsor)

Title:

From:

Committee

To:

Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor:

Replacing Supervisor:

For:

(Date)

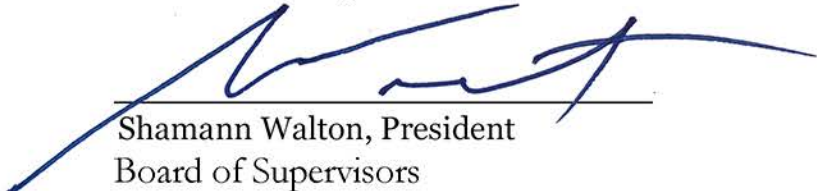
(Committee)

Meeting

Start Time:

End Time:

Temporary Assignment: Partial Full Meeting


Shamann Walton, President
Board of Supervisors

Introduction Form

By a Member of the Board of Supervisors or Mayor

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):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only