

1 [Approval of a Retroactive 90-Day Extension for Planning Commission Review of Cannabis
2 Retail Uses (File No. 230988)]

3 **Resolution retroactively extending by 90 days the prescribed time within which the**
4 **Planning Commission may render its decision on an Ordinance (File No. 230988)**
5 **amending the Planning Code to require a minimum distance of 600 feet between a**
6 **Cannabis Retail Use and daycare centers, exempt pending applications from that**
7 **distance requirement, and establish an 18-month period of discontinuance of a**
8 **Cannabis Retail Use as abandonment of the business, preventing its restoration except**
9 **as a new Cannabis Retail Use; and affirming the Planning Department’s determination**
10 **under the California Environmental Quality Act, making findings of consistency with**
11 **the General Plan, and the eight priority policies of Planning Code, Section 101.1, and**
12 **making findings of public necessity, convenience, and welfare pursuant to Planning**
13 **Code, Section 302.**

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15 WHEREAS, On September 19, 2023, Supervisor Stefani introduced legislation
16 amending the Planning Code to require a minimum distance of 600 feet between a Cannabis
17 Retail Use and daycare centers, exempt pending applications from that distance requirement,
18 and establish an 18-month period of discontinuance of a Cannabis Retail Use as
19 abandonment of the business, preventing its restoration except as a new Cannabis Retail
20 Use; and affirming the Planning Department’s determination under the California
21 Environmental Quality Act, making findings of consistency with the General Plan, and the
22 eight priority policies of Planning Code, Section 101.1, and making findings of public
23 necessity, convenience, and welfare pursuant to Planning Code, Section 302; and

24 WHEREAS, On or about September 22, 2023, the Clerk of the Board of Supervisors
25 referred the proposed Ordinance to the Planning Commission; and

1 WHEREAS, The Planning Commission shall, in accordance with Planning Code,
2 Section 306.4(d), render a decision on the proposed Ordinance within 90 days from the date
3 of referral of the proposed amendment or modification by the Board to the Commission; and

4 WHEREAS, Failure of the Commission to act within 90 days shall be deemed to
5 constitute disapproval; and

6 WHEREAS, The Board, in accordance with Planning Code, Section 306.4(d) may, by
7 Resolution, extend the prescribed time within which the Planning Commission is to render its
8 decision on proposed amendments to the Planning Code that the Board of Supervisors
9 initiates; and

10 WHEREAS, Supervisor Stefani has requested additional time for the Planning
11 Commission to review the proposed Ordinance; and

12 WHEREAS, The Board deems it appropriate in this instance to grant to the Planning
13 Commission additional time to review the proposed Ordinance and render its decision; now,
14 therefore, be it

15 RESOLVED, That by this Resolution, the Board hereby retroactively extends the
16 prescribed time within which the Planning Commission may render its decision on the
17 proposed Ordinance for approximately 90 additional days, until March 20, 2024.

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