

LEGISLATIVE DIGEST

[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.

Existing Law

Applications for a change of use from a Medical Cannabis Dispensary to Cannabis Retail are subject to the zoning controls for the district in which the Medical Cannabis Dispensary is located, and the requirements of Section 311 and Section 202.2 of the Planning Code.

Section 311 of the Planning Code provides that a change of use to Cannabis Retail is subject to neighborhood notification and review requirements.

Section 202.2 of the Planning Code provides that a Cannabis Retail use is subject to location restrictions.

Amendments to Current Law

The ordinance would add Section 190 to the Planning Code to exempt qualifying Medical Cannabis Dispensaries applying to convert to Cannabis Retail use from (1) a Conditional Use Authorization for Cannabis Retail Uses; (2) the location restrictions for Cannabis in Section 202.2(a); (3) the requirements of Section 311; and (4) any Mandatory Discretionary Review and public-initiated discretionary review, while providing that the Planning Commission and Planning Department staff may still initiate discretionary review.

An establishment qualifies for these exemptions if it (a) holds a valid permit from the Office of Cannabis to operate as a Storefront Cannabis Retailer issued on or before January 1, 2025; and (b) submitted a complete application to the Planning Department to convert to a Cannabis Retail Use on or before December 31, 2024.

Background Information

Former Section 190 of the Planning Code expired on December 31, 2024. The ordinance is intended to provide a short extension of Section 190 to facilitate the conversion of qualifying cannabis businesses that narrowly missed the 2024 deadline.

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