

LEGISLATIVE DIGEST

[Planning Code - Cannabis Uses]

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.

Existing Law

Planning Code Code Section 190 provides a process for Medical Cannabis Dispensaries to convert a Medical Cannabis Dispensary Use to a Cannabis Retail Use. That Section has a sunset date of January 1, 2021.

Amendments to Current Law

This ordinance would extend the sunset date of Planning Code Section 190 from January 1, 2021, to January 1, 2022.

Background Information

All Medical Cannabis Dispensaries holding permits under Article 33 of the Health Code, and wishing to continue cannabis retail operations, were required to apply for Cannabis Business Permits under Article 16 of the Police Code within 30 days after Article 16 permit applications were first made available in 2018. Planning Code Section 190's current sunset date of January 1, 2021, was set with the expectation that the Office of Cannabis would have completed processing of Article 16 permit applications from Medical Cannabis Dispensaries seeking such permits by January 1, 2021. The Office of Cannabis has experienced unanticipated delays in processing Article 16 permit applications, and will not have completed processing of Article 16 permit applications from Medical Cannabis Dispensaries by January 1, 2021. Therefore, this ordinance seeks to extend the sunset date of Planning Code Section 190 to January 1, 2022, to allow for continued conversion of Medical Cannabis Dispensary Uses to Cannabis Retail Uses while the Office of Cannabis completes processing of Article 16 permit applications from Medical Cannabis Dispensaries. Sections 191 and 205.2 of the Planning Code were previously amended to extend authorization of Temporary Cannabis Sales Uses for Medical Cannabis Dispensaries until January 1, 2022.

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