

REVISED LEGISLATIVE DIGEST

(Substituted, 5/22/2018)

[Planning Code - Cannabis Retail and Medical Cannabis Dispensaries in Chinatown]

Ordinance amending the Planning Code to prohibit Cannabis Retail and Medical Cannabis Dispensaries in the Chinatown Mixed Use Districts; 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 and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Existing Law

The Planning Code regulates cannabis land uses in the City, including Cannabis Retail establishments and Medical Cannabis Dispensaries (MCDs). The Code establishes location and operating conditions for these cannabis uses.

Article 8 of the Planning Code sets forth the zoning controls for Mixed Use Districts in San Francisco, including the three Chinatown Mixed Use Districts: Chinatown Community Business District, Chinatown Visitor Retail District, and Chinatown Residential Neighborhood Commercial District.

In both the Chinatown Community Business District and the Chinatown Visitor Retail District, Cannabis Retail Uses are conditionally permitted on the first and second story, and MCDs are permitted on the first story.

In the Chinatown Residential Neighborhood Commercial District, Cannabis Retail Uses are conditionally permitted on the first story, and MCDs are permitted on the first story.

MCDs are not permitted as Accessory Uses or Temporary Uses in any Chinatown Mixed Use District. Cannabis Retail Uses may be permitted as Accessory Uses in Chinatown Mixed Use Districts where the Office of Cannabis has issued a permit to operate a Cannabis Retail Use accessory to another activity on the same premises. Cannabis Retail Uses may be permitted as Temporary Uses for up to one year between January 1, 2018 and January 1, 2019, if they are authorized as MCDs in the Chinatown Mixed Use Districts.

In addition to the Planning Code's zoning controls and other conditions regulating cannabis uses, the City has recently amended the Administrative, Business and Tax Regulations, Health, and Police Codes to comprehensively regulate commercial activities relating to the cultivation, manufacture, distribution, testing, sale, and delivery of medicinal and adult use cannabis.

FILE NO. 180319

Amendments to Current Law

This legislation would prohibit all Cannabis Retail Uses and Medical Cannabis Dispensaries in Chinatown Mixed Use Districts.

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