File No.	190973	Committee I	tem No.	11
		Board Item N	Vo.	

### COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee:	Land Use and Transportation Committee Date December 9, 2019					
Board of Su	pervisors Meeting Date					
<b>Cmte Board</b>						
	Motion					
	Resolution					
	Ordinance					
	Legislative Digest					
	Budget and Legislative Analyst Report					
	Youth Commission Report					
	Introduction Form					
	Department/Agency Cover Letter and/or Report					
	MOU Grant Information Form					
	Grant Budget					
	Subcontract Budget					
	Contract/Agreement					
	Form 126 – Ethics Commission					
	Award Letter					
	Application					
	Public Correspondence					
OTHER	(Use back side if additional space is needed)					
$\square$	Referral FYI 100419					
	Referral CEQA 100419					
	Referral SBC 100419					
	SBC Response					
	CEQA Determination 120519					
Completed by: Erica Major Date December 6, 2019						
Completed k	· · · · · · · · · · · · · · · · · · ·					

[Health Code - Approving a New Location for a Permittee's Medical Cannabis Dispensary Permit]

Ordinance amending the Health Code to authorize the Director of the Department of Public Health to allow an existing Medical Cannabis Dispensary permittee to operate under that permit at a new location, provided the permittee has been verified by the Office of Cannabis as an Equity Applicant under the Police Code, the permittee has been evicted from the location associated with the permit or been notified by the landlord that the lease would be terminated or not renewed, the new location has an existing authorization for Medical Cannabis Dispensary Use, the permittee has complied with all requirements of Article 33 of the Health Code (the Medical Cannabis Act) with respect to the new location, and the permittee satisfies the provisions of Article 33 regarding authorization by the Office of Cannabis to sell Adult Use Cannabis; and affirming the Planning Department's determination under the California Environmental Quality Act.

NOTE: Unchanged Code text and uncodified text are in plain Arial font.

Additions to Codes are in single-underline italics Times New Roman font.

Deletions to Codes are in strikethrough italics Times New Roman font.

Board amendment additions are in double-underlined Arial font.

Board amendment deletions are in strikethrough Arial font.

Asterisks (\* \* \* \*) indicate the omission of unchanged Code subsections or parts of tables.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Environmental Findings.

The Planning Department has determined that the actions contemplated in this ordinance comply with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.). Said determination is on file with the Clerk of the Board of

1	Supervisors in File No. $\underline{^{190973}}$ and is incorporated herein by reference. The Board affirms
2	this determination.
3	
4	Section 2. Article 33 of the Health Code is hereby amended by revising Section 3311,
5	to read as follows:
6	SEC. 3311. TRANSFER OF PERMIT; CHANGE IN OWNERSHIP; RELOCATION OF
7	PERMIT.
8	* * * *
9	(c) Permits Portable.
10	(1) The Director shall amend an Article 33 permit to allow an Article 33 permittee
11	operating as a Grandfathered MCD pursuant to Planning Code Section 190 ("Grandfathered MCD
12	Permittee") to operate as a Medical Cannabis Dispensary under that permit at a different location,
13	provided all the following criteria are met:
14	(A) The Grandfathered MCD Permittee submits a written request to the Director seeking
15	a change in location for the permit and identifying the new proposed location (the "New Location").
16	(B) The Grandfathered MCD Permittee has been verified by the Office of Cannabis as
17	an Equity Applicant under the criteria set forth in Police Code Section 1604(b). If the Grandfathered
18	MCD Permittee is a corporation or other non-natural person, it must establish that a natural person
19	who has been verified by the Office of Cannabis as an Equity Applicant exercises ownership and/or
20	control with respect to the Grandfathered MCD Permittee in accordance with one of the criteria
21	enumerated in Section 1604(b)(3) of the Police Code.
22	(C) The Grandfathered MCD Permittee was evicted from the location associated with
23	the permit (the "Permitted Location"), or was notified by the landlord that the lease at the Permitted
24	Location has been or will be terminated or not renewed

25

ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM: DENNIS J. HERRERA, City Attorney

By:

SARAH A. CROWLEY Deputy City Attorney

n:\legana\as2019\2000061\01394467.docx

### LEGISLATIVE DIGEST

[Health Code - Approving a New Location for a Permittee's Medical Cannabis Dispensary Permit]

Ordinance amending the Health Code to authorize the Director of the Department of Public Health to allow an existing Medical Cannabis Dispensary permittee to operate under that permit at a new location, provided the permittee has been verified by the Office of Cannabis as an Equity Applicant under the Police Code, the permittee has been evicted from the location associated with the permit or been notified by the landlord that the lease would be terminated or not renewed, the new location has an existing authorization for Medical Cannabis Dispensary Use, the permittee has complied with all requirements of Article 33 of the Health Code (the Medical Cannabis Act) with respect to the new location, and the permittee satisfies the provisions of Article 33 regarding authorization by the Office of Cannabis to sell Adult Use Cannabis; and affirming the Planning Department's determination under the California Environmental Quality Act.

### Existing Law

Existing law does not allow a Medical Cannabis Dispensary permitted under Article 33 of the Health Code and operating as a Grandfathered MCD pursuant to Planning Code section 190 ("Grandfathered MCD Permittee") to change the location associated with the permit.

### Amendments to Current Law

This ordinance would authorize the Director of the Department of Public Health ("Director") to allow a Grandfathered MCD Permittee to change the location associated with the permit if the following criteria are met: the permittee submits a written request to the Director requesting the change and identifying the proposed new location; the permittee has been verified by the Office of Cannabis as an Equity Applicant under Section 1604(b) of the Police Code; the permittee has been evicted from the location associated with the permit or been notified by their landlord that the lease at that location will be or has been terminated or not renewed; the new location has an existing authorization for Medical Cannabis Dispensary Use under Sections 102 and 202.2 of the Planning Code; the permittee has complied with all applicable requirements of Article 33 of the Health Code, the Planning Code, and the Police Code with respect to the new location; the Planning Department, Department of Building Inspection, Mayor's Office on Disability, Fire Department, and Office of Cannabis ("Referring Agencies") review and inspect the new location as required and report their determinations to the Director; and the Director determines that the permittee has satisfied all of these requirements.

n:\legana\as2019\2000061\01394539.docx



CITY AND COUNTY OF SAN FRANCISCO LONDON BREED, MAYOR

OFFICE OF SMALL BUSINESS REGINA DICK-ENDRIZZI, DIRECTOR

### OFFICE OF SMALL BUSINESS

October 29, 2019

Ms. Angela Calvillo, Clerk of the Board City Hall Room 244 1 Dr. Carlton B. Goodlett Place San Francisco, CA 94102-4689

RE: BOS File No. 190973: Health Code - Approving a New Location for a Permittee's Medical Cannabis Dispensary Permit

Small Business Commission Recommendation to the Board of Supervisors: Approve

Dear Ms. Calvillo,

On October 29, 2019 the Small Business Commission (SBC or Commission) heard BOS File No. 190973: Health Code - Approving a New Location for a Permittee's Medical Cannabis Dispensary Permit. Honey Mahogony, Legislative Aide to Supervisor Matt Haney provided an overview of the legislation. The Commission voted unanimously (6-0 with 1 absent) to recommend that the Board of Supervisors approve the legislation.

The Commission supports this ordinance in its entirety as it would support regulatory streamlining goals that support small equity businesses in the cannabis sector.

Thank you for considering the Commission's comments. Please feel free to contact me should you have any questions.

Sincerely,

Regina Dick-Endrizzi

Director, Office of Small Business

LyDick Ludenzi

cc: Matt Haney, Member, Board of Supervisors,

Sophia Kittler, Mayor's Liaison to the Board of Supervisors

Stephanie Cushing, Director of Environmental Health, Department of Public Health

Marisa Rodriguez, Office of Cannabis

Lisa Pagan, Office of Economic and Workforce Development

John Carroll, Clerk, Public Safety and Neighborhood Services Committee

### BOARD of SUPERVISORS



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

### MEMORANDUM

TO:

Marisa Rodriguez, Director, Office of Cannabis John Rahaim, Director, Planning Department

Tom Hui, Director, Department of Building Inspection Nichole Bohn, Director, Mayor's Office on Disability

Jeanine Nicholson, Chief, Fire Department

Dr. Grant Colfax, Director, Department of Public Health

FROM:

John Carroll, Assistant Clerk,

Public Safety and Neighborhood Services Committee,

Board of Supervisors

DATE:

September 18, 2019

SUBJECT:

LEGISLATION INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following proposed legislation, introduced by Supervisor Haney on September 24, 2019:

File No. 190973

Ordinance amending the Health Code to authorize the Director of the Department of Public Health to allow an existing Medical Cannabis Dispensary permittee to operate under that permit at a new location, provided the permittee has been verified by the Office of Cannabis as an Equity Applicant under the Police Code, the permittee has been evicted from the location associated with the permit or been notified by the landlord that the lease would be terminated or not renewed, the new location has an existing authorization for Medical Cannabis Dispensary Use, the permittee has complied with all requirements of Article 33 of the Health Code (the Medical Cannabis Act) with respect to the new location, and the permittee satisfies the provisions of Article 33 regarding authorization by the Office of Cannabis to sell Adult Use Cannabis; and affirming the Planning Department's determination under the California Environmental Quality Act.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Ray Law, Office of Cannabis
Scott Sanchez, Planning Department
Corey Teague, Planning Department
AnMarie Rodgers, Planning Department
Dan Sider, Planning Department
Aaron Starr, Planning Department
William Strawn, Department of Building Inspection
Patty Lee, Department of Building Inspection
Theresa Ludwig, Fire Department
Greg Wagner, Department of Public Health
Dr. Naveena Bobba, Department of Public Health
Sneha Patil, Department of Public Health

### BOARD of SUPERVISORS



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

October 4, 2019

File No. 190973

Lisa Gibson Environmental Review Officer Planning Department 1650 Mission Street, 4<sup>th</sup> Floor San Francisco, CA 94103

Dear Ms. Gibson:

On September 24, 2019, Supervisor Haney introduced the following legislation:

File No. 190973

Ordinance amending the Health Code to authorize the Director of the Department of Public Health to allow an existing Medical Cannabis Dispensary permittee to operate under that permit at a new location, provided the permittee has been verified by the Office of Cannabis as an Equity Applicant under the Police Code, the permittee has been evicted from the location associated with the permit or been notified by the landlord that the lease would be terminated or not renewed, the new location has an existing authorization for Medical Cannabis Dispensary Use, the permittee has complied with all requirements of Article 33 of the Health Code (the Medical Cannabis Act) with respect to the new location, and the permittee satisfies the provisions of Article 33 regarding authorization by the Office of Cannabis to sell Adult Use Cannabis; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

By: John Carroll, Assistant Clerk
Public Safety and Neighborhood Services Committee

### Attachment

c: Devyani Jain, Deputy Environmental Review Officer Joy Navarrete, Environmental Planner Laura Lynch, Environmental Planner

#### BOARD of SUPERVISORS



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

### MEMORANDUM

TO:

Regina Dick-Endrizzi, Director

Small Business Commission, City Hall, Room 448

FROM:

John Carroll, Assistant Clerk, Public Safety and Neighborhood Services

Committee, Board of Supervisors

DATE:

October 4, 2019

SUBJECT:

REFERRAL FROM BOARD OF SUPERVISORS

Public Safety and Neighborhood Services Committee

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following legislation, which is being referred to the Small Business Commission for comment and recommendation. The Commission may provide any response it deems appropriate within 12 days from the date of this referral.

File No. 190973

Ordinance amending the Health Code to authorize the Director of the Department of Public Health to allow an existing Medical Cannabis Dispensary permittee to operate under that permit at a new location, provided the permittee has been verified by the Office of Cannabis as an Equity Applicant under the Police Code, the permittee has been evicted from the location associated with the permit or been notified by the landlord that the lease would be terminated or not renewed, the new location has an existing authorization for Medical Cannabis Dispensary Use, the permittee has complied with all requirements of Article 33 of the Health Code (the Medical Cannabis Act) with respect to the new location, and the permittee satisfies the provisions of Article 33 regarding authorization by the Office of Cannabis to sell Adult Use Cannabis; and affirming the Planning Department's determination under the California Environmental Quality Act.

Please return this cover sheet with the Commission's response to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, California 94102.

******************	**************				
RESPONSE FROM SMALL BUSINESS COMMISSION - Date:					
No Comment Recommendation Attached					

Member, Board of Supervisors
District 3



RECEIVED
BOARD OF SUPERVISORS
City and County of San Francisco
2019 DEC -5 AM 9: 29

AARON PESKIN 佩斯金 市參事

DATE:

December 2, 2019

TO:

Angela Calvillo, Clerk of the Board of Supervisors

FROM:

Supervisor Aaron Peskin, Chair, Land Use and Transportation Committee

RE:

Land Use and Transportation Committee

**COMMITTEE REPORTS** 

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on Tuesday, December 10, 2019, as Committee Reports:

191085 Interim Zoning Controls - Conditional Use Authorization for Conversion of Unpermitted Residential Care Facilities

Resolution modifying interim zoning controls established in Resolution No. 430-19, which require a Conditional Use authorization for Residential Care Facilities, to clarify that those interim zoning controls apply to certain Residential Care Facilities, including facilities lacking required permits; 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.

191016 Planning Code - 100% Affordable Housing and Educator Housing Streamlining Program

Ordinance amending the Planning Code to require at least half of residential units in Educator Housing projects to have two or more bedrooms, to eliminate the requirement that Educator Housing projects have a minimum amount of three-bedroom units, conditioned on the passage of Proposition E in the November 5, 2019, Municipal Consolidated Election; 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 adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

191106 Administrative Code - Annual Report on Job Growth and Housing Production

Ordinance amending the Administrative Code to require an annual report analyzing the fit between housing needs associated with job growth by wages in San Francisco and housing production by affordability in the City.

### COMMITTEE REPORT MEMORANDUM

Land Use and Transportation Committee

# 191107 Business and Tax Regulations Code - Extending Temporary Suspension of Business Registration and Fee for Transportation Network Company Drivers and Taxi Drivers

Ordinance amending the Business and Tax Regulations Code to extend through FY2020-2021 the temporary suspension of the application of the business registration and fee requirements to transportation network company drivers and taxi drivers.

### 191017 Housing Code - Heat Requirements in Residential Rental Units

Ordinance amending the Housing Code to revise the requirements for heating in residential rental units; and affirming the Planning Department's determination under the California Environmental Quality Act.

## 190973 Health Code - Approving a New Location for a Permittee's Medical Cannabis Dispensary Permit

Ordinance amending the Health Code to authorize the Director of the Department of Public Health to allow an existing Medical Cannabis Dispensary permittee to operate under that permit at a new location, provided the permittee has been verified by the Office of Cannabis as an Equity Applicant under the Police Code, the permittee has been evicted from the location associated with the permit or been notified by the landlord that the lease would be terminated or not renewed, the new location has an existing authorization for Medical Cannabis Dispensary Use, the permittee has complied with all requirements of Article 33 of the Health Code (the Medical Cannabis Act) with respect to the new location, and the permittee satisfies the provisions of Article 33 regarding authorization by the Office of Cannabis to sell Adult Use Cannabis; and affirming the Planning Department's determination under the California Environmental Quality Act.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, December 9, 2019, at 1:30 p.m.

## President, District 7 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

### Norman Yee

PRESIDENTIAL ACTION					
Date:	12/04/2019		₩		
То:	Angela Calvillo, Clerk of the Boa	ard of Supervisors	109 S		
Madam Cler Pursuant to	k, Board Rules, I am hereby:	· ·	X + 5		
□ Waiving	30-Day Rule (Board Rule No. 3.23)				
File 1	No.				
Title.		(Primary Sponsor)	The state of the s		
ĭ Transfer	ring (Board Rule No 3.3)				
File I	No. 190973	Haney (Primary Sponsor)			
Title.	Health Code - Approving a No Cannabis Dispensary Permit	, , , , , ,	nittee's Medical		
Fron	n: Public Safety & Neighborhood	l Services	_Committee		
To:	Land Use & Transportation		_ Committee		
☐ Assignin	ng Temporary Committee Appoi	ntment (Board Rule No. 3.1)			
Supervi	sor: Rep	placing Supervisor:			
F	<sup>7</sup> or:		Meeting		
Duratio	(Date) n:  Partial Start Time I Until original Committe	(Committee)  End Time te Member returns	Full Meeting		
		Norman Yee, Presider Board of Supervisors	nt		

### **Introduction Form**

RECEIVED

BOARD OF SUPERVISORS
SAN FRANCISCO

By a Member of the Board of Supervisors or Mayor

7919 SEP 24 PM Time Stamp 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: ☐ Youth Commission Small Business Commission Ethics Commission Building Inspection Commission Planning Commission Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form. Sponsor(s): Haney, Subject: Approving a New Location for a Permittee's Medical Cannabis Dispensary Permit The text is listed: Ordinance amending the Health Code to authorize the Director of the Department of Public Health to allow an existing Medical Cannabis Dispensary permittee to operate under that permit at a new location, provided the permittee has been verified by the Office of Cannabis as an Equity Applicant under the Police Code, the permittee has been evicted from the location associated with the permit or been notified by the landlord that the lease would be terminated or not renewed, the new location has an existing authorization for Medical Cannabis Dispensary Use, the permittee has complied with all requirements of Article 33 of the Health Code (the Medical Cannabis Act) with

Signature of Sponsoring Supervisor:

respect to the new location, and the permittee satisfies the provisions of Article 33 regarding authorization by the Office of Cannabis to sell Adult Use Cannabis; and affirming the Planning Department's determination under the



California Environmental Quality Act.