

San Francisco Cannabis State Legalization Task Force
Land Use FINAL Task Force Recommendations

Cross-cutting: Technical and Community Engagement

<p>Land Use Types</p>	<p>1. San Francisco should allow sales of cannabis products as an accessory use (i.e. where the selling of cannabis is not the location’s primary use), develop regulations to specify how cannabis products should be separated from non-cannabis products and how accessory levels of cannabis product should be defined, and develop mechanisms to enforce these regulations. Options for regulating the sale of cannabis as an accessory use could include:</p> <ul style="list-style-type: none"> a. Limiting the type of cannabis products sold to pre-packaged cannabis products only b. Restricting cannabis products to an area of a business where minors are prohibited c. Enclosing cannabis products in a locked box that an employee would unlock upon request
<p>Land Use Landscape</p>	<p>2. To create a desired mix of businesses and limit displacement of other land use types (e.g., other businesses and housing), San Francisco should:</p> <ul style="list-style-type: none"> a. Expand locations where new cannabis businesses could operate to include all zoning districts where their conventional equivalents are allowed to operate. b. Establish a buffering distance between primary cannabis retail businesses. c. Allow cannabis business that are in compliance with requirements “as of right” in specifically zoned areas. d. Add cannabis retailers to the formula retail list. <p>3. Cannabis businesses should be subject to review by an appropriate agency to determine the conditions the business would need to comply with.</p> <p>4. San Francisco should also measure this distance with a "path of travel" approach rather than a straight line, parcel to parcel measurement. “Path of travel” is defined as the shortest legal distance travelled on foot from the doorway of the business.</p> <p>5. San Francisco should reduce the distance new cannabis retailers can operate in proximity to sensitive uses to 500 feet. Existing MCDs in good standing would be grandfathered, and not be subject to new distance requirements when applying for adult use licenses.</p>

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Note: The Task Force reached modified consensus on a distance of 500 feet from sensitive uses. Discussion points and concerns related to proximity to sensitive uses were as follows:

- *A distance of 500 feet was proposed to align with San Francisco's current distance requirements for tobacco.*
 - *Some Task Force members expressed concerns that distances less than the State standard of 600 feet would be contrary to public opinion, and cannabis retailers may be more susceptible to federal raids, business closures, and mandatory sentencing, i.e. harsher sentencing for sale of cannabis within school zones.*
 - *Some Task Force members supported a distance less than 500 feet, but agreed to move forward with the aforementioned recommendation.*
- 6.** San Francisco should protect cannabis retailers and other license holders in good standing from the impacts of future sensitive uses that may locate nearby. This means that if a new sensitive use opens within the defined radius of an existing cannabis business, the existing cannabis business should be allowed to continue operation.
 - 7.** Businesses that sell cannabis as an accessory use should undergo a different land use approval process as compared to non-accessory uses.
 - 8.** Existing cannabis businesses should undergo a less restrictive land use approval process as compared to new businesses.

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Technical

<p>Land Use Types</p>	<ol style="list-style-type: none"> 1. San Francisco should establish a cannabis ‘restaurant/food’ license, with guidelines to prevent cross contamination. Examples of possible guidelines: <ol style="list-style-type: none"> a. Restaurant Infusions Onsite: Required Patron Notification of cannabis products, Chef-prepared onsite for retail sale b. Bakery Prepared onsite retail & wholesale sales c. Commercial Kitchen to permit infusions (e.g., baking with non-volatile substances) d. Accessory Use Permit: Existing small business seeking to add retail cannabis products, specific Land Use approval not required, assuming zoning is appropriate 2. San Francisco should consider a land use designation for consumption lounge.
<p>Land Use Landscape</p>	<ol style="list-style-type: none"> 3. In determining the proper distribution of cannabis businesses across the City, the main goal is ensuring even distribution and access throughout the city.
<p>Zoning Application Standards</p>	<ol style="list-style-type: none"> 4. San Francisco should allow existing permitted medical cannabis businesses and cannabis businesses that have been closed (as long as they closed in good standing) to have priority consideration in the adult use approval process.

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Community Engagement

Application Process	<ol style="list-style-type: none">1. Community engagement must be a part of the application review process for cannabis businesses. Policies related to how community engagement is implemented are the charge of the oversight body.2. There should be a clear application and a clear process based on best practices for cannabis permits and/or licenses. This means that there should be a community engagement process as a minimum standard for both medical and adult use.3. The zoning application process for cannabis businesses should require documentation of community engagement activities and maximize opportunities for community engagement early on in the process that are as inclusive as possible.4. Different thresholds and expectations should be established for the level of community engagement and review process required for different types of land uses, e.g., a stand-alone cannabis retail store may require more community engagement than a grow house without a public-facing component.5. The application criteria and standards should be applied consistently across businesses and should include mechanisms to ensure accountability and include a high level of transparency.
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