

Development Services Department

Update on Cannabis Permitting

PLANNING COMMISSION
September 26, 2019





Staff Team

- **PJ FitzGerald, Asst. Deputy Director, Project Submittal & Management**
- **Firouzeh Tirandazi, Development Project Manager 3**
- **Sammi Ma, Development Project Manager 2**
- **Gary Geiler, Deputy Director, Land Development Review**
- **Tyler Sherer, Associate Planner, Land Development Review**
- **Kyle Goossens, Associate Planner, Land Development Review**
- **Morris Dye, Program Manager, Code Enforcement**
- **Denney Bryan, Zoning Investigator, Code Enforcement**



- **1996: Proposition 215 (Compassionate Use Act)**
- **2003: California Senate Bill 420 (Medical Marijuana Program Act)**
- **2014: City of San Diego adopts MMCC zoning regulations**
- **2016: Proposition 64 (Adult Use Of Marijuana Act)**
- **2017: City of San Diego**
 - Marijuana Outlets (MOs), Marijuana Production Facilities (MPFs)

State Agencies



Bureau of Cannabis Control

- Licensing
- Dispensaries
- Transportation
- Distributors
- Testing



Manufactured Cannabis Safety Branch

- Manufacturing



CalCannabis Cultivation Licensing

- Cultivation

How Are They Regulated?

SDMC Chapter 4

- Marijuana Outlets and Marijuana Production Facilities defined
- Operational Permit required (valid one year)
- No customer/employee under 21, medical 18
- Regulatory Actions (warning, NOV, suspension)
- Delivery only allowed by licensed facilities

SDMC Marijuana Uses:

- Marijuana Outlets
- Marijuana Production Facilities
- Marijuana Testing Facilities

How Are They Regulated?

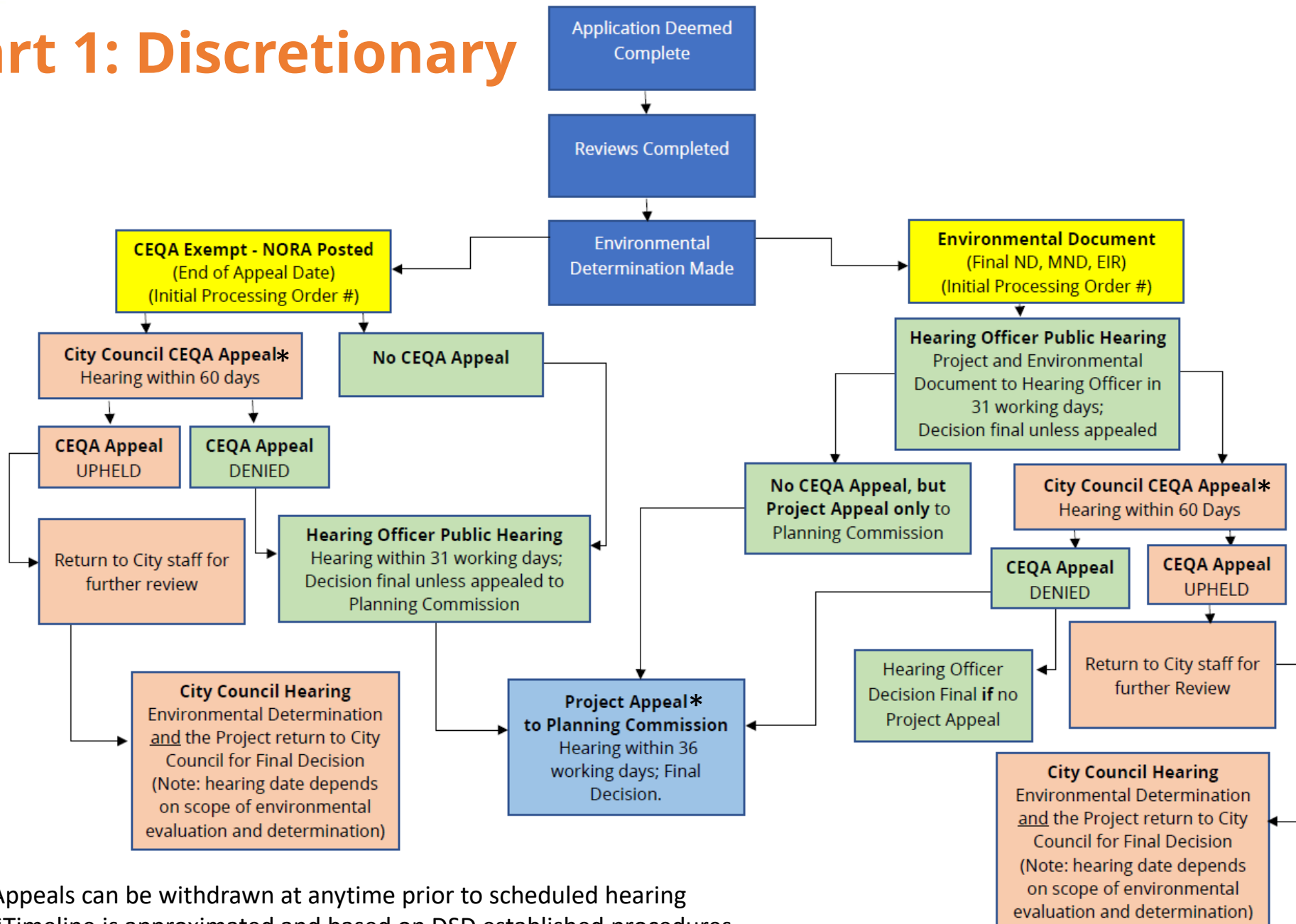
Conditional Use Permit - Process 3 (Hearing Officer)

- Public hearing – public notice/local community input
- CEQA review; determinations appealable to the City Council
- HO decision appealable to Planning Commission

Time Extensions

- 5 year increments
- Process 2, appealable to Planning Commission
- Changes in circumstances not a factor

Part 1: Discretionary



*Appeals can be withdrawn at anytime prior to scheduled hearing

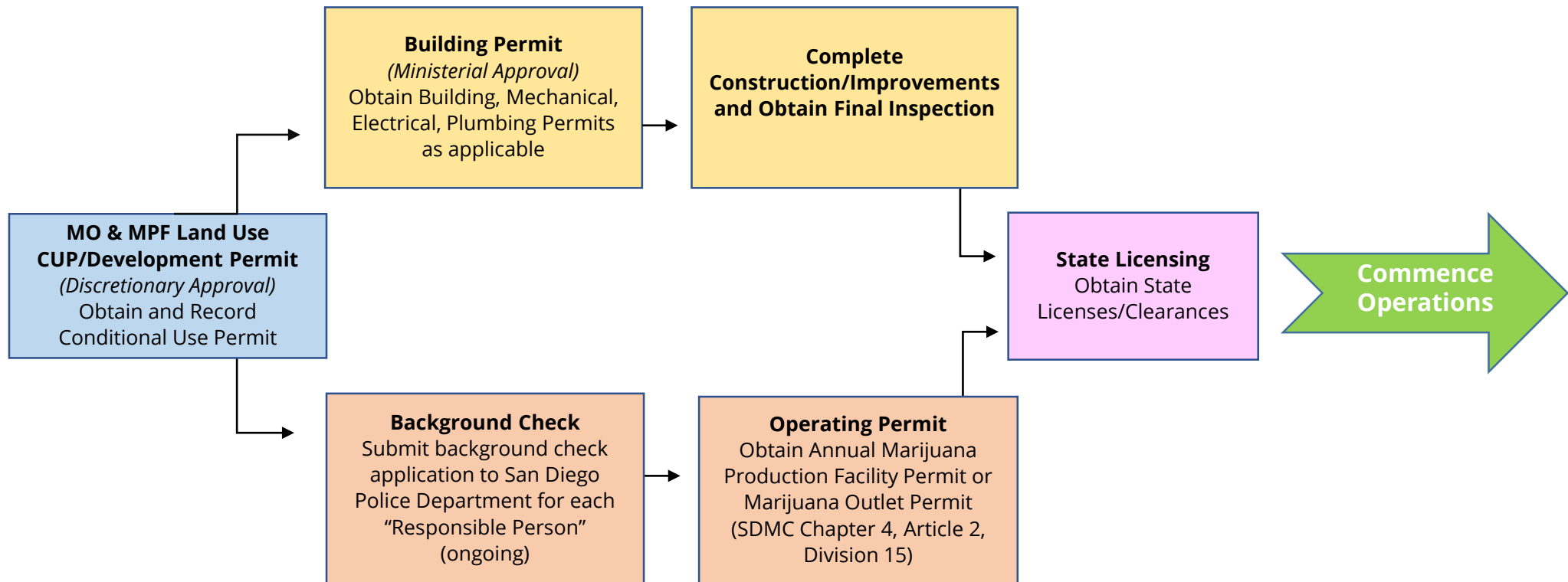
**Timeline is approximated and based on DSD established procedures



Current Stats

CUPS	MMCC/MO	MPF	TOTAL
Applications Submitted	69	82	151
Applications Approved	24	40	64
Applications Denied	15	8	23
Applications Withdrawn	23	32	55
Applications Pending	7	2	9
Environmental Determinations	45	52	97
CEQA Appeals	24	14	38
Project Appeals	44	12	56
Public Hearings	110	76	186

Part 2: Ministerial



ON-GOING COORDINATION WITH OTHER STATE, COUNTY & CITY AGENCIES



MO/MMCC Per Council District

36 allowed City-wide, 4 per CD

Approved MO = 9

Approved MMCC = 14

Total Approved Square Feet= 62,823

	APPROVED	PENDING
CD 1	3	1
CD 2	4	0
CD 3	2	0
CD 4	1	0
CD 5	0	1
CD 6	4	1
CD 7	4	1
CD 8	4	1
CD 9	1	2
TOTAL	23	7



MPFs Per Council District

40 allowed City-wide
Approved MPF = 40
Total Approved Square Feet = 654,777

Cultivation only: 1
Manufacturing only: 18
Cultivation + Manufacturing: 21

	APPROVED	Pending
CD 1	3	0
CD 2	2	1
CD 3	0	0
CD 4	0	0
CD 5	0	0
CD 6	22	1
CD 7	0	0
CD 8	12	0
CD 9	1	0
TOTAL	40	2

MPFs with BTC and ZUC

- **33 approved**
- **9 obtained CUPs**
- **Expire: October 17, 2019**
- **24 must cease operations**

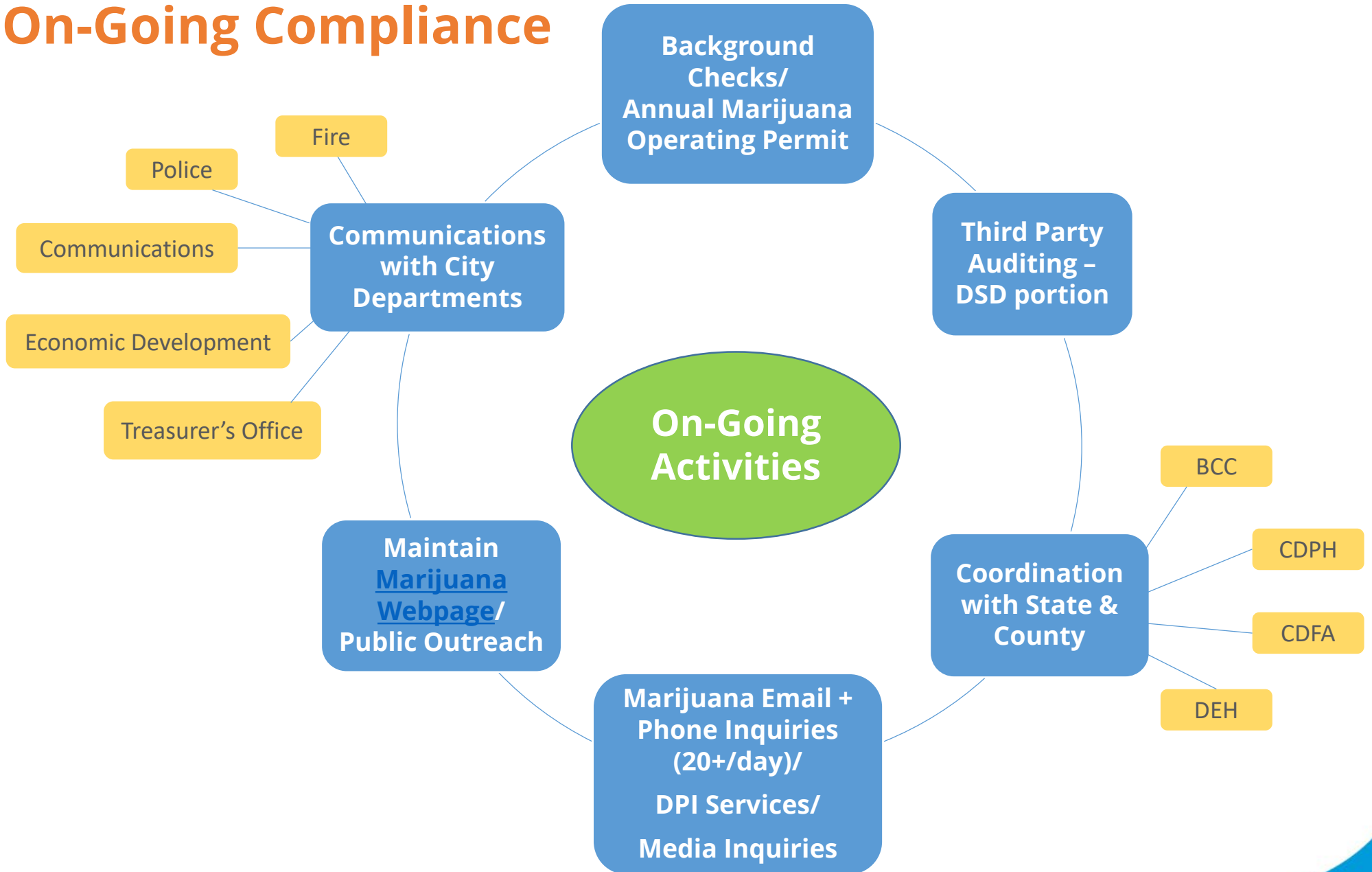


Allowed Signage

- **MO Primary Sign** - name of the business containing only alphabetic characters, maximum two colors
 - ✓ SDMC 142.1220
 - ✓ Calculated by street frontage and width of street
- **MO Secondary Signs** - compliance with City-wide sign regulations
 - ✓ Not to exceed 30 percent of window area
 - ✓ Letters may not be greater than 6 inches in average height
 - ✓ Logos may not exceed 16 inches in any dimension
- **No primary signs for MPFs**
- **Billboards are regulated by the State**



On-Going Compliance



Code Amendments – 12th Update (Phase 2)

- Cannabis-related items are being considered
- Planning Department targeting late October 2019



On The Horizon

- **MMCC CUP Amendments**
- **Monitoring State regulatory changes**
- **Removing/Modifying cap**
- **Consumption Lounges**
- **Delivery Businesses**
- **Infused Food/Beverages**
- **Special Events Permits**
- **Evaluating Other Cities**
- **Fee Revisions**
- **Centralized City Bureau**



Cannabis Outreach/Tools

DSD Marijuana/Cannabis Website

- Regulations for MOs, MPFs, and Testing Facilities
- Monthly updates on approved facilities/pending applications
- Information Bulletins 170 and 171
 - ✓ process, submittal requirements and fees.
- Established email account for inquiries:
 - ✓ DSD_Marijuanainfo@san Diego.gov

Observations/Reflections

- **Lottery system for submittal worked better than 1st come, 1st served**
- **On-going Policy and Code discussions**
- **State regulations/process continually changes**
- **Working partnerships with State and County**
- **Administrative process worked = parity/fair process**
- **Business regulations beyond DSD**
- **Need resources (staff, revenue source for operations)**

Resources



Marijuana/Cannabis
Information

City of San Diego
[DSD Marijuana/Cannabis
Information](#)



State of California
<http://cannabis.cdfa.ca.gov>