**SAN FRANCISCO**

**CANNABIS OVERSIGHT COMMITTEE**

**Notice of Hearing & Agenda**

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| **This Meeting Will be Hybrid**  **Members of the public have two options for attending:**  **In-Person**  **This meeting can be attended in person at the following address:**  **49 South Van Ness, Room 196**  **San Francisco, CA 94103**  **Please speak with the attendants at the front desk if you have trouble finding the room.**  **Webex**   1. [**View the meeting**](https://ccsf.webex.com/ccsf/onstage/g.php?MTID=eed54bd8bb95405751203050bcdf840cc) **(access to a computer or smart mobile device required):** 2. <https://sfgov.webex.com/sfgov/j.php?MTID=mcdbcf1a638c6fd1032a37bb84b762425> 3. **Listen to the meeting by dialing: 1-415-655-0001 (2488 735 7187)**   **To Provide Public Comment: Dial 1-415-655-0001, input the access code above, and Press \*3 to raise your hand. Once prompted to do so, please press \*6 to unmute.** |

**March 6, 2024**

**1:00 PM - 4:00 PM**

**Regular Meeting**

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|  | **Committee Members:** | |
| **Voting Members** | | **Non-Voting Members** |
|  | * Drakari Donaldson * Shay Gilmore * Adam Hayes * Ali Jamalian * Antoinette Mobley * David Nogales Talley * Apollo Wallace | * Mohanned Malhi or rep. from SFPDH * Lieutenant Lange or rep. of SFPD * Steven Kwong or rep. of DBI * Mathew Chandler or rep. of SF Planning * Quarry Pak or rep. from SFUSD * Dylan Rice or rep. of SF Entertainment Commission * Victor Wong or rep. from SFFD |

**Meeting materials are available at:**

Website: [www.officeofcannabis.sfgov.org](http://www.officeofcannabis.sfgov.org/)

Disability and language accommodations available upon request to: [officeofcannabis@sfgov.org](mailto:officeofcannabis@sfgov.org) or 415-554-4420 at least 48 hours in advance, except for Monday meetings, for which the deadline is 4pm the previous Friday.

**Know Your Rights Under the Sunshine Ordinance**

(Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 409; phone (415) 554-7724; fax (415) 554- 7854; or e-mail at sotf@sfgov.org. Copies of the Sunshine Ordinance can be obtained from the Clerk of the Sunshine Task Force, the San Francisco Library and on the City’s website at [www.sfbos.org/sunshine](http://www.sfbos.org/sunshine).

**Meeting Materials**

Any materials distributed to the members of the Committee within 72 hours of the meeting or after the agenda packet has been delivered to the members are available for inspection at the Office of Cannabis, 49 South Van Ness, 6th Fl., San Francisco, CA 94103, during regular office hours. Please note that this practice has been temporarily suspended as members of the Office of Cannabis are working remotely due to the ongoing COVID-19 pandemic. This practice will resume after the OOC team transitions to the office.

**Ringing and Use of Cell Phones**

The ringing of use of cell phones, pagers, and similar sound-producing electronic devices are prohibited at this meeting. The Chair may order the removal from the meeting room of any person responsible for any ringing or use of a cell phone, pager, or other similar sound-producing electronic device.

**Privacy Policy Personal**

Information that is provided in communications to the Office of Cannabis is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted.

Members of the public are not required to provide personal identifying information when they communicate with the Cannabis Oversight Committee. All written or oral communications that members of the public submit to the Department regarding projects or hearings will be made available to all members of the public for inspection and copying. The Department does not redact any information from these submissions. This means that personal information including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Office and its committee may appear on the Office’s website or in other public documents that members of the public may inspect or copy.

**San Francisco Lobbyist Ordinance**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign and Governmental Conduct Code Section 21.00-2.160] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; phone (415) 252-3100; fax (415) 252-3112; and online http://www.sfgov.org/ethics.

**Accessible Meeting Information**

Committee hearings are held in **49 South Van Ness, San Francisco, CA 94103, Room 192 – 196.** The location is accessible to persons using wheelchairs and other assistive mobility devices.

**Disability Accommodations**: To request assistive listening devices, real time captioning, sign language interpreters, readers, large print agendas or other accommodations, please contact the Office of Cannabis at www.officeofcannabis.sfgov.org or 415-554-4420 at least 72 hours in advance of the hearing to help ensure availability.

**Language Assistance**: To request an interpreter for a specific item during the hearing, contact the Office of Cannabis at www.officeofcannabis.sfgov.org or 415-554-4420 at least 48 hours in advance of the hearing.

**Allergies**: In order to assist the City in accommodating persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, please refrain from wearing scented products (e.g. perfume and scented lotions) to Committee hearings.

**SPANISH**: Agenda para la Oficina de Canabis. Si desea asistir a la audiencia, y quisiera obtener información en Español o solicitar un aparato para asistencia auditiva, llame al 415-554-4420. Por favor llame por lo menos 48 horas de anticipación a la audiencia.

**CHINESE:** 規劃委員會議程。聽證會上如需要語言協助或要求輔助設備，請致電415-554-4420 請在聽證會舉行之前的 至少48個小時提出要求。

**TAGALOG:** Adyenda ng Komisyon ng Pagpaplano. Para sa tulong sa lengguwahe o para humiling ng Pantulong na Kagamitan para sa Pagdinig (headset), mangyari lamang na tumawag sa 415-554-4420. Mangyaring tumawag nang maaga (kung maaari ay 48 oras) bago sa araw ng Pagdinig.

**RUSSIAN:** Повестка дня Комиссии по планированию. За помощью переводчика или за вспомогательным слуховым устройством на время слушаний обращайтесь по номеру 415-554-4420. Запросы должны делаться минимум за 48 часов до начала слушания.

**Regular Agenda:**

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| Please note that public comment will be held during every agenda item. If a member of the public would like to comment on a topic that is not on the agenda but is within the jurisdiction of the Committee, they may do so during the “General Public Comment” portion of the meeting. | | | |
| **1.** | **Call to Order / Roll Call**   * Upon roll call, the following Committee Members were noted present [(v)= voting member]   + Ali Jamalian (v)   + Adam Hayes (v)   + Apollo Wallace (v)   + Drakari Donaldson (v)   + David Nogales Talley (v)   + Shay Gilmore (v)   + Antoinette Mobley (v)   + Mathew Chandler, Planning Department   + Victor Wong, Fire Department (Remote) * The following Committee Members were not present:   + Mohanned Malhi, Department of Public Health   + Lieutenant Lange, SFPD   + San Francisco Unified School District Representative   + Dylan Rice, Entertainment Commission * 7 members present and quorum is established |  | **5 min** |
| **2.** | **Land Acknowledgement**   * Scott Dennis recognizes the origins and traditions of the land on which the OOC operates and on which the meeting and COC guests attend. |  | **1 min** |
| **3.** | **General Public Comment** *Members of the public may address the Committee on topics that are not on the agenda but are within the jurisdiction of the Committee, for a maximum of 3 minutes per individual.*   * Bram Goodwin provides public comment in person:   I would like to mention to everybody that April 13th-20th, SF will have SF Weed Week and I want everyone to be involved. Please go to [www.sfweedweek.com](http://www.sfweedweek.com) to see the schedule and also [Eventbrite](https://www.eventbrite.com/e/sf-weed-week-opening-day-with-sunset-connect-at-mission-cannabis-club-tickets-849946461747) to participate. It was created by David Downs, Senior Editor of Leafly. I’d love to see the COC endorse it and be involved. Brownie Mary is a sponsor as well as Sunset Connect and Sense. We want a lot of support and reach out to the media and talk during something like Weed Week. The media is lazy and may package things only that people are interested in. We have to create a bigger market to incorporate the stores and brands. I want to encourage everyone and would love to hear from the people here about the ideas. I am going to send my 20 seconds back to someone else.   * No other comments. |  | **15 min** |
| **4.** | **Review and Consideration of Regular Agenda**  *Committee members will review and amend the meeting agenda as necessary and vote to approve.*   * Chair Jamalian brings up eliminating item #8 from previous agenda. Requests other suggestions and opens up for Public Comment. * Bram Goodwin provides Public Comment in person:   I would like to mention that SB34, which allows us to give free cannabis to medical patients, is due to sunset this summer. Assembly Member Quirk-Silva (Anaheim) has introduced AB2515. Please support it, send an email to your local assembly person that this is coming through. There is never a guarantee and we need your support. No other product gives away free medicine other than cannabis. We should be proud and continue to do it.   * Ali concludes public comment and asks if we have motion to amend agenda. Adam motions and Drakari seconds. * Scott takes vote to remove item 8 from agenda. * Al present COC members vote to remove this item from agenda. * Scott will incorporate this into agenda. | Discussion, Action | **5 min** |
| **5.** | **Review and Approve Minutes from 1/17/2024 Meeting** *Committee members will review minutes from a previous Committee meeting, amending as necessary, and vote to approve.**Explanatory Document: SF-COC\_Meeting-Minutes-January-17*   * Chair Jamalian opens for Public Comment. * No hands online or in-person. * Chair Jamalian opens to motion to adopt minutes as written and a second. All COC members in attendance vote to adopt minutes as written. | Discussion, Action | **5 min** |
| **6.** | **Office of Cannabis Update** *The Office of Cannabis will provide a general update on the status of their work.*   * Chair Jamalian introduces Director Patel * Director Patel projects to provide updates: * OOC has issued four more permits and include MCDs from Article 33 to Article 16. * Grants update: the LOIs have been distributed and responded to. Applications sent to those with LOIs. Distribution cycles will be split up into two periods. * 1st: March-June and 2nd will be July-October. End of grant period is October 2024. * 23 eligible grantees. * On enforcement: * The OOC works with 311 and are taking steps to be responsive. Can’t say much about other active investigations. OOC is responding to complaints. * The DCC has been issuing recall notices. Please review the industry updates the OOC sends. * The DCC is enforcing against businesses who are not complying with recalls. Heavy fines have been levied. Do not ignore the notices. * On the legislative front: * 600 ft buffer rule has been moved to inactive status. It will remain lodged but it is inactive. The moratorium also went inactive and then reinstated. We do not anticipate movement, but the legislation can be revitalized. * Chair Jamalian asks if anyone has questions. * Chair Jamalian asks about enforcement if it was retail or supply? Director Patel says supply-side. * Chair Jamalian opens up for Public Comment. Scott provides instructions for Public Comment in person or remote. * No Public Comment. | Discussion | **10 min** |
| **7.** | **Legacy Operator Processing Update (TMPs & MCDs)** *The Office of Cannabis will provide an update concerning Temporary and Medical Cannabis Business Permits. This update will include information on the transition process for these permits, as well as the equity commitments made by MCDs. This update is important for these ‘Legacy’ Operators as it concerns deadlines which may disrupt their ability to conduct cannabis business. The Committee may vote on recommendations regarding the various code sections that will expire at the end of calendar year 2024.*   * Scott Dennis starts conversation about legacy permits. Provides an overview on what that means.   + Provides history on pieces of legislation and authorization that give these businesses permits to operate as well as permitting process.   + Transition to Article 16 and shot-clock.   + There is quite a bit of administrative items today. OOC wants make sure the public and committee are aware and also reach any legacy operators’ information about the upcoming deadlines.   + Scott Dennis runs through the history on the movements and ordinances that created Article 33 (Medical Cannabis Act).   + In 2015, Gov. Brown signed the MMRSA, establishing the state-level licensing and regulatory framework for medical cannabis.   + 2016, California voters passed prop 64 (MUMA), creating regulatory framework for adult-use sales.   + OOC establishment in 2017   + Transition from Article 33 to Article 16.   + There are still authorizations such as Article 33.   + Multiple authorizations for cannabis businesses.   + Two OOC are discussing are MCDs and TEMPS which represent legacy businesses that existed before Article 16. These two facilitated adult-use sales.   + These provided a pathway for unpermitted businesses, but also granted operators a pathway to get a permit as well as a permanent permit.   + Article 16 governs more of cannabis now.   + Article 33 governed MCDs and is administrated by DPH.   + We will talk about why these code changes are causing ---- down the line.   + MCDs and TEMPS are facing similar deadlines from different sources.   + When Article 16 was passed, these businesses were granted a temp retail use from Planning. This designates the use a parcel can be used for from the Planning code’s perspective.   + Land use was set to expire 1/1/24. We were able to work with Planning and the Board of Supervisors (BOS) to extend the date to 12/31/24.   + MCDs also have authorization under Article 33.   + Article 33 will also expire 12/31/24.   + Since medical and retail will expire 12/31/24, they will not be able to conducts sales unless they hold an article 16 permit. * Director Patel: The codes have been extended by the BOS twice already. We do not expect for these dates to be extended further as they were already extended twice.   + Every legacy operator must receive an article 16 if they want to continue business.   + We have already worked with Planning and DBI to carve out streamlined process without any significant changes to their operation or building. These operators will not have too many obstacles.   + This does not apply to every candidate. MCDs may encounter fewer DBI inspections vs. TEMPS who have not gone through this process before.   + Every single legacy application has been assigned to an analyst.   + Shot-clock: All legacy operators have received extensive notices and outreach from the OOC to ensure their awareness about their deadlines. * Chair Jamalian asks what is the total pool of those? Scott Dennis and Director Patel say the pool is about 70. * Chair Jamalian asks if about 20-30 will not transition? * Director Patel: TEMPS have the ability to port, if they can find a location. If you have a temp permit and anticipate you cannot come into compliance, you can port the permit. If there are 70- and why we are being so aggressive- then we are on justifiable grounds regarding our outreach. The objective is not to push applications to be abandoned, but to clear up those that cannot move forward. For the businesses that are being responsive, there is a pathway. Those that are not responsive, we will clear from our queue. Those businesses who want to port their permit will be the most heavily affected. They may need to cease operations. If you are changing locations, then you may not be able to operate anyway.   + If we get to the point when COC needs to make a recommendation to the BOS regarding another extension, then we will be * Member Nogales-Talley asks how many are not responsive. * Director Patel: MCDs are most up to code and are responsive. * Chair Jamalian: A lot of TEMPS are not willing to convert and there are different interests between MCDs and TEMPS. * Scott Dennis: It is technically possible for MCDs and TEMPS to move locations.   + Different categories of legacy MCDs. MCDs/PENCOS and FEDs (small universe). Those businesses have an authorization to apply or open a business somewhere. IF we have 70-80 temp/MCD combined. We can bring harder numbers to future meetings.   + MCD applicants received expiration information months ago and consistently since then. Shot-Clock info was sent out. We are informing them on deadlines and who their analyst is. * Director Patel: We scheduled meetings with every MCD. * Scott Dennis: Those who were completely unresponsive were those who did not show up to these meetings. We will distribute shot-clock expiration info shortly.   + As long as applicants continue to work with us, we will help them. If unresponsive, we will withdraw their application and clear applications from our queue.   + For operators, please ensure your contact information is up-to-date. Check your inboxes and voicemails regularly and reach out to your analyst. Failure to do this may result in the denial of your application. If unsure of the status of your application, please reach out to us. * Public Comment   Bram Goodwin provides comment:  Building on what Ali was talking about, I noticed on the list there were compassion programs. I would like to see more compassion programs and encourage anyone who is listening to please be part of one of the programs. I think it is tremendous publicity and our history. MCDs used to be provide cannabis to compassion programs on Sunday morning. Thank you for doing it, but increase your number.   * No other Public Comment. |  | **40 min** |
| **8.** | **Legislative Update: Ordinance #230988**  *Committee members will hear an update from the OOC and Planning Department concerning Ordinance #230988, which aims to expand the 600 ft. buffer rule (among other changes). The Committee may vote on recommendations to the Board of Supervisors concerning this ordinance.*   * Scott Dennis talks about ordinance 23988 to expand 600ft buffer rule. This item has been taken off the agenda. It has been changed from “filed” to “lodged”. It is sitting on the backburner and can be pulled back later. This is the reason our Chairperson has proposed we take this off the agenda for today. * Legislation to require CUA for parcel delivery use. The ordinance would have prohibited parcel delivery. This went to the BOS and passed on second reading. There was an addition to the ordinance which allows accessory use for cannabis delivery. We have Mathew Chandler from the Planning Department. Cannabis delivery is exempt from parcel delivery prohibition. We will pull Mathew Chandler into this conversation. Cannabis storefronts can get authorization for cannabis delivery. If a cannabis business is solely delivery, they will require CUA. * Director Patel and Scott Dennis expand on the legislation: if you want to deliver cannabis, it is considered accessory use. The legislation would have required a CUA. * It would have removed parcel delivery for every business in the city. You would no longer be able to open a new cannabis business with a delivery component. Delivery has always been an authorization for storefront retails. Part of the reason for the carve-out, cannabis was explicitly mentioned in the process of legislation. * Mathew Chandler: it would prohibit parcel delivery service as accessory use. If primary use, it would require CUA. * Member Apollo Wallace indicates that this stems from Waymo and Safeway using driverless cars. Cannabis got caught in the crosshairs. It stems from autonomous vehicles taking jobs from union members. There is a teamster on the department floor. * Mathew: I don’t know which applications, that have been referred to Planning, are going to be subjected to this. * Director Patel: Because accessory use is not impacted by this. If you are seeking delivery only, it is a question of where you are in the process. If determination has not been made (CUA approval), there could be an impact to the business. * Mathew Chandler adds that anyone who has not received land use approval for the business, once that goes into effect, you will be affected by this. The land use is with the parcel. * Chairman Jamalian: If building already has parcel delivery authorization. * Mathew: if something has conditional use, you can continue the use. * Director Patel indicates it depends on land use, if land use has been given, it will not affect you. * Scott Dennis states a fully permitted delivery-only business, already in operation, will not have to go back and do a new process. It seems like the key indicator is if it has gone through that process already. * We are now in the 10-day for the mayor and it was back dated. It would be going into effect March 5th which is when there was an interim ordinance with similar provisions. * Mathew Chandler: We did some analysis whenever Planning took this to the commission. It has been changed over time. At first, all of them would have been impacted. We have not done an analysis on that drastically. * Generally, there is a primary use. Something is an accessory use that is incidental and supported by the primary use. It cannot be more that a certain number of square feet of the total business. 50000f tor more will be subject to the CUA criteria. Will provide more information later. * Chair Jamalian: I don’t think there are a lot of delivery stores with more than 50000 sq. ft. * OOC Permit Analyst, Evelin Ramirez, provides an update on the Equity Commitments made by Medical Cannabis Dispensaries over the last year. * Chair Jamalian and other members ask questions about the commitments and whether is worth the OOC’s time to review and analyze the materials submitted for the Equity Progress Report. * Member Drakari Donaldson provides a statement on his observations as an owner of a storefront retail operation. | Discussion, Possible Action | **30 min** |
|  |  |  |  |
|  | **--------------- BREAK ---------------** |  | **15 min** |
|  |  |  |  |
| **9.** | **Legislative Update: Ordinance #231223**  *Committee members will hear an update form the OOC and Planning Department concerning Ordinance #231223, which aims to prohibit Parcel Delivery Service as an accessory use, and revise the zoning control tables to reflect this (among other changes). The Committee may vote on recommendations to the Board of Supervisors concerning this ordinance.*   * Public Comment * Bram Goodwin provides Public Comment:   I want to comment on this legislation that was withdrawn. I had a meeting with Chief of Staff of Supervisor Stefani. I think it is an indicated that when, in a coordinated way, we can do something very important. It is our understanding that Stefani’s team will push through an ordinance that will request Planning to a study to on the environment. If we can get the City to do a study on the environment, we will find it has improved. We are happy that Supervisor Stefani has withdrawn her ordinance. Kudos to all people and others to conduct a study to show that environment around cannabis retail improves the environment. I asked them if something happened that prompted this and they said, “no.”   * No other Public Comment. * Chair Jamalian concludes this agenda item. | Discussion, Possible Action | **30 min** |
| **10.** | **Proposed Future Agenda Items**  *Committee members will propose future agenda items for the next committee meeting.*   * Public Comment * David: Add a point on reporting suggestions. The COC would like to send a reporting request to Supervisor Stefani. * Chairman Jamalian would also put temp events on the agenda and will be in touch with the OOC to see if there is progress on the State’s side. Chair Jamalian will get in touch with David Downs and see if he wants to give a presentation. David Downs wants to do something that benefits the license community as a whole and how we can mobilize. * Member Shae Gilmore asks if it is possible to get a 10-15 mins presentation on what the process looks like from the moment we actually vote. * Scott Dennis indicates the COC can make a recommendation and vote on it. If so, the OOC can annotate it and send it to the Chairperson who then sends it to the Supervisor’s office and the clerk of the BOS. * Chairman Jamalian notes it is fully at-will. * COC members and OOC discuss the appointments and how long the current appointments will last. * Chairman Jamalian opens up for Public Comment. * Public Comment   + Bram Goodwin provides Public Comment:   + It hit me about the recommendation going to the BOS. CA NORML and ASA have a lobbying event. It is one thing to talk among ourselves, but we need to put it at play. | Discussion, Possible Action | **10 min** |
| **11.** | **Adjournment** |  |  |