



City Council Agenda Item Staff Report

CITY OF SAN BRUNO

DATE: April 11, 2023

TO: Honorable Mayor and Members of the City Council

FROM: Jovan D. Grogan, City Manager

PREPARED BY: Peter Gilli, Community and Economic Development Director

SUBJECT: Adopt an Ordinance of the City of San Bruno Amending Article III (Zoning) of Title 12 (Land Use) of the San Bruno Municipal Code by Amending Section 12.300.070 to Limit Commercial Cannabis Retail Sales (Storefront Sales) to the Transit Corridors Plan Area MX-R, TOD-1, TOD-2, and PD Zones, Reduce the Number of Commercial Cannabis Retail Sales Permits From Three to One, Allow a Maximum of Two Cannabis Distribution Facility Permits in the M-1 Zone North of San Bruno Avenue and East of El Camino Real, and Deleting Section 4.70.070 and Making a Finding of Exemption Under the California Environmental Quality Act

BACKGROUND:

At the January 24, 2023 City Council meeting, the City Council directed staff to prepare an amendment to the City's commercial cannabis regulations to:

1. Reduce the total number of allowed businesses from a maximum of four to a maximum of two, with one being for distribution use only, and the second being retail and/or distribution; and
2. Remove the downtown (Central Business District) and The Shops at Tanforan from permitted locations for commercial cannabis operations.

On March 28, 2023, at a duly noticed Public Hearing, the City Council received the Planning Commission recommendation from February 21, 2023, and considered all public input on the matter. The City Council introduced, read by title only, and waived further reading of an ordinance amending the San Bruno Municipal Code to reflect the proposed changes.

The purpose of this consent item is to serve as action for adoption of the Ordinance.

DISCUSSION:

The ordinance, if adopted, would amend San Bruno Municipal Code Chapter 4.70 and 12.300 to reduce the total number of allowed businesses from a maximum of four to a maximum of two, with one being for distribution use only, and the second being retail and/or distribution; and remove the downtown (Central Business District) and The Shops at Tanforan from permitted locations for commercial cannabis operations.

The ordinance recommended for adoption is provided in Attachment 1. If adopted, the ordinance will go into effect 30 days after adoption, after which the application period for

commercial cannabis applications will be opened. Legal noticing was published as required.

FISCAL IMPACT:

Adoption of this ordinance reduces the number of potential retail cannabis locations from three to at most one, which would reduce the potential tax revenues that could be realized under the existing ordinance.

ENVIRONMENTAL IMPACT:

The proposed ordinance could not result in a significant environmental impact pursuant to the California Environmental Quality Act (CEQA), and as such are exempt from further environmental consideration per CEQA Guidelines Section 15061(b)(3).

RECOMMENDATION:

Adopt an ordinance amending Article III (Zoning) of Title 12 (Land Use) of the San Bruno Municipal Code by amending Section 12.300.070 to limit commercial cannabis retail sales (storefront sales) to the transit corridors plan area MX-R, TOD-1, TOD-2, and PD zones, reduce the number of commercial cannabis retail sales permits from three to one, allow a maximum of two cannabis distribution facility permits in the M-1 zone north of San Bruno Avenue and east of El Camino Real, and deleting Section 4.70.070.

ALTERNATIVES:

Do not adopt the ordinance, which would retain the existing ordinance allowing up to three retail sales permits and allow locations in the downtown and at The Shops at Tanforan.

ATTACHMENTS:

1. Ordinance