

# Council Policy Prioritization: Early Consideration Response Form

Department Police and PBCE  
 Department Rep. Name/Ext. Wendy Sollazzi 408-535-9890  
 Policy/Ordinance Subject Cannabis Business Ordinance Amendments

Rules Date 10/19/2022 Item C.1  
 Council Member Sponsorship Jones, Peralez, Carrasco, and Foley

Staff Recommendation														
<input type="checkbox"/> GREEN Adopt based on tradeoffs outlined on next page				<input checked="" type="checkbox"/> YELLOW Refer to Priority Setting or to Budget Process				<input type="checkbox"/> RED Recommend Council not adopt nominated idea				<input type="checkbox"/> NEEDS CLARIFICATION OR MORE TIME TO EVALUATE		
Staff Evaluation														
Is this aligned with City Roadmap?				Is this already underway in a Department work plan?				Is this time critical or an emergency?				Will this require substantial resources, staffing, budget, or strategic support?		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Criterion to Determine Scale of Project Complexity														
Project complexity is determined by scoring the project in each of the 3 criteria below and then summing the score.														
a. Low Complexity is a sum of 6 or less. b. Medium Complexity is a sum of 7 – 9. <span style="float: right;">Total Score = 9</span> c. High Complexity is a sum of 10 or greater.														
Scoring Criterion			Low Complexity				Medium Complexity				High Complexity			
	Estimated Duration		6 – 9 months <input checked="" type="checkbox"/> = 1				9 - 18 months <input type="checkbox"/> = 2				More than 18 months <input type="checkbox"/> = 3			
	Organizational Complexity (Internal)		Can Easily be Absorbed into Existing Work Plan <input type="checkbox"/> = 1				Planned Work (Future) <input checked="" type="checkbox"/> = 2				Work Not Currently Proposed <input type="checkbox"/> = 3			
			Have staff with required skillset/knowledge <input checked="" type="checkbox"/> = 1				Have staff with required skillset/ requires moderate research <input type="checkbox"/> = 2				Do not have staff with required skillset/requires significant research <input type="checkbox"/> = 3			
			Less than or equal 2 staff required <input type="checkbox"/> = 1				3 - 4 staff required <input checked="" type="checkbox"/> = 2				More than 5 staff required <input type="checkbox"/> = 3			
(External)		1 Additional Department <input type="checkbox"/> = 1				2 Other Departments Involved <input type="checkbox"/> = 2				3 or more Departments Involved <input checked="" type="checkbox"/> = 3				
DEPT. Required	<input type="checkbox"/> Airport	<input type="checkbox"/> Auditor	<input type="checkbox"/> CMO	<input type="checkbox"/> CMO – Communications	<input type="checkbox"/> OED/CA	<input type="checkbox"/> ESD	<input type="checkbox"/> Fire	<input type="checkbox"/> HR	<input type="checkbox"/> IT	<input type="checkbox"/> PRNS	<input checked="" type="checkbox"/> Police	<input type="checkbox"/> Retirement		
	<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Clerk	<input type="checkbox"/> CMO – Budget	<input checked="" type="checkbox"/> CMO – IGR	<input type="checkbox"/> Community Energy	<input type="checkbox"/> Finance	<input type="checkbox"/> Housing	<input type="checkbox"/> IPA	<input type="checkbox"/> Library	<input checked="" type="checkbox"/> PBCE	<input type="checkbox"/> PW	<input type="checkbox"/> DOT		

CMO Approval: Lee Wilcox /s/ Date 10/17/22

Analysis
<p><b>Explain the rationale for staff recommendation, including any mitigating factors that need to be considered (recent legislative action, significant work plan changes, etc.). Please address the following as well.</b></p>
<p>GREEN LIGHT: The Administration can implement this Nominated Idea under its current work plan. Item should be sent to Council to add to Department work plan. (1) How will the Idea be approached? (2) If adopted, what is its impact and/or tradeoff to the City Roadmap or to a Department work plan, including strategic support? (3) What is the minimum viable scope to move the Idea forward and reduce its complexity?</p>
<p>YELLOW LIGHT: The Administration recommends Council send this Nominated Idea to the Priority Setting Process due to (describe cost implications, workload impacts, or other factors).</p>
<p>The City Council approved amendments to the San José Municipal Code Business Licenses and Regulations (Title 6, Chapter 6.88, Medical and Non-Medical Cannabis), the Zoning Ordinance (Title 20), and directed updates to the City Manager Regulations for Cannabis Businesses on February 15, 2022. Staff issued an Info Memo on September 23, providing a six-month status update on implementation.</p> <p>Additional amendments to the Cannabis business ordinance is not currently in PBCE and Police work plans but would require staff resources. The ordinance changes detailed in the memo to the Rules Committee will require referrals to the Airport Land Use Commission and Planning Commission. While staff anticipates limited environmental review (likely a staff-prepared Addendum to the Initial Study/Mitigated Negative Declaration) public outreach will also be required, adding to the timeline. Given other current priority work plan items for Citywide Planning Division in PBCE, it is recommended that the cannabis ordinance amendments go to the Council's Roadmap process for prioritization.</p>
<p>RED LIGHT: The Administration recommends Council not adopt this Nominated Idea due to (describe reason implementation would be difficult if not impossible – conflict with other laws, etc.).</p>