



FY20-21 CITY COUNCIL POLICY PRIORITY #7

Cannabis Land Use and Regulation

Community and Economic Development Committee Meeting

June 28, 2021

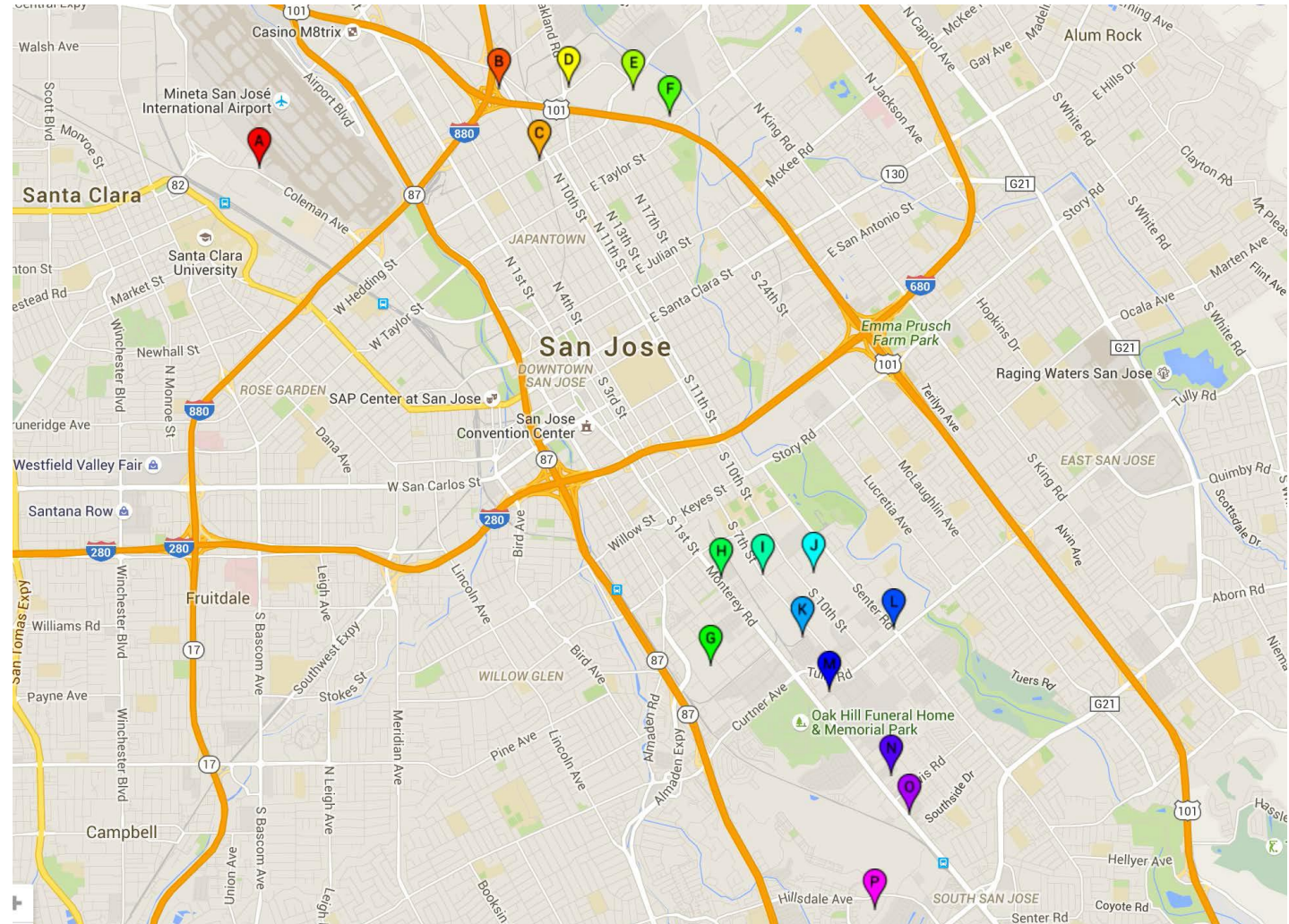
Wendy Sollazzi, SJPD Division Manager

Martina Davis, PBCE Supervising Planner

Current Program

16 Registered Dispensaries

- 1 retail location (open to public)
- Up to 2 cultivation/manufacturing sites (not public)
- Annual City Registration required
- Annual State License required
- Delivery allowed



Direction from last Committee Meeting

1. Assessing allowing current cannabis businesses to open a second retail location;
2. Maintaining a 1,000-foot setback from sensitive areas;
3. Analyzing options for setback from residential housing, including options for Downtown Core and Urban Villages;
4. Prohibiting new cannabis retail storefronts from opening in police beats with crime reports 20% above the average of reported crimes, including options for Downtown Core;
5. Requiring a 1,000-foot separation between new retail storefronts; and
6. Assessing allowing five new equity owned businesses.

Residential Setback Measurement

Current Measurement:

- 150-foot setback measured parcel-to-parcel (approximately 120 sites)

Alternative Measurement Options:

- Parcel-to-building envelope
- Pedestrian path of travel from business entrance to residential property line
- No setback requirement (approximately 1,200 sites)

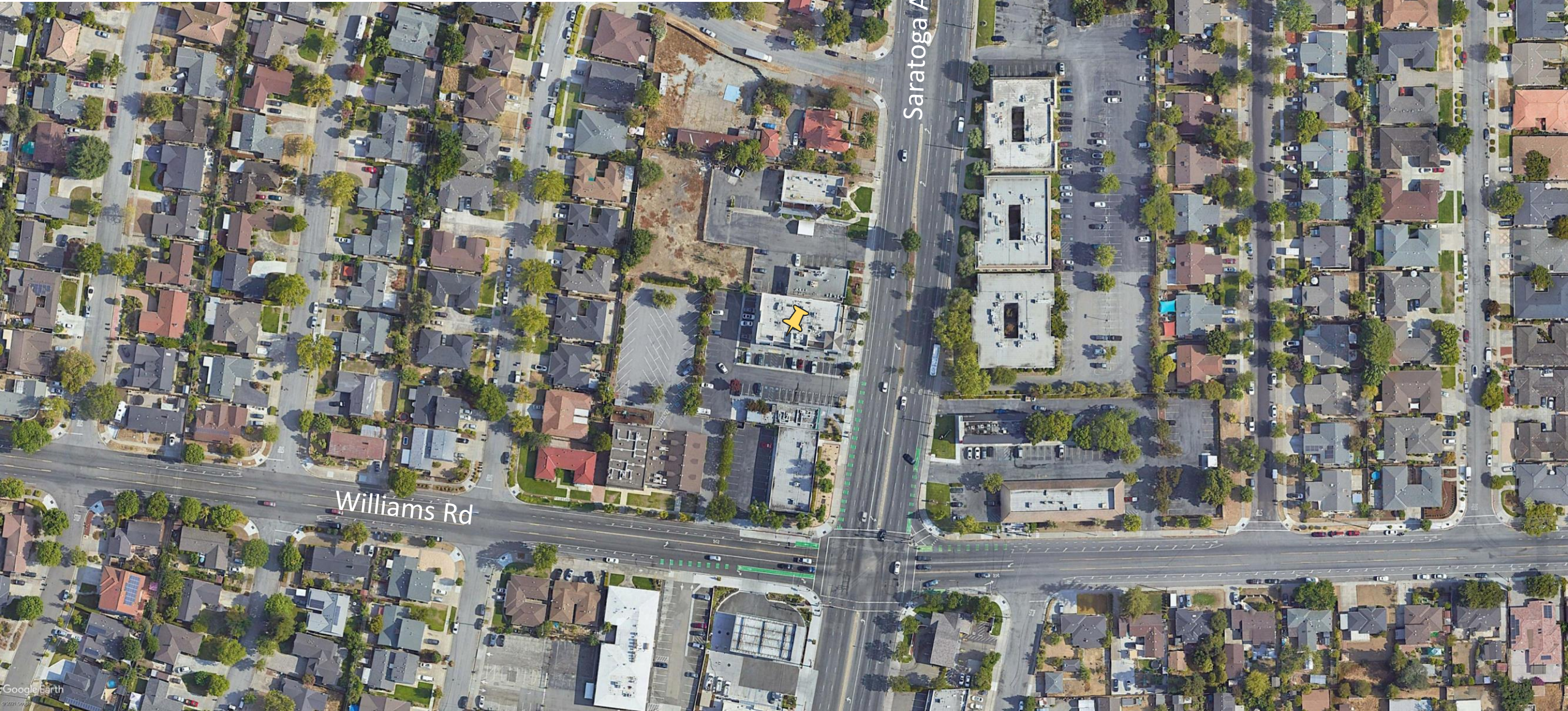
Example sites (for illustration/discussion purposes only):

- 991 Saratoga Ave
- 1641 W San Carlos
- 1620 Saratoga Ave

Residential Setback

Example 1: 991 Saratoga Ave

(for illustration/discussion purposes only)








Borina Dr


Saratoga Ave


Williams Rd

Parcel to Parcel
Measurement

108 ft

 Location

 Residential Use

 Tenant Space






Borina Dr

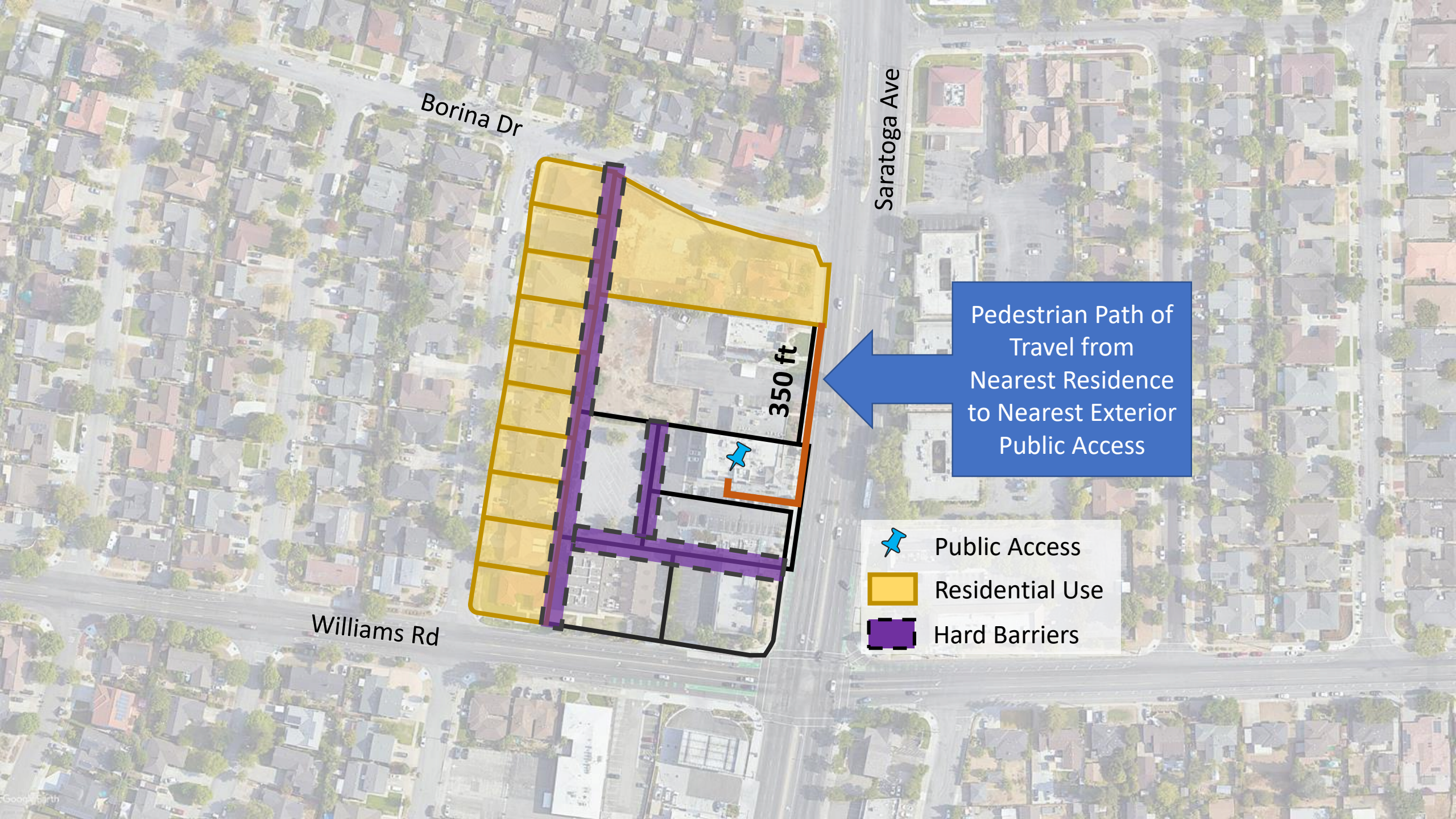
Saratoga Ave

Parcel to Building
Envelope

168 ft

Williams Rd

-  Location
-  Residential Use
-  Tenant Space






Borina Dr

Saratoga Ave

Williams Rd

350 ft

Pedestrian Path of
Travel from
Nearest Residence
to Nearest Exterior
Public Access

-  Public Access
-  Residential Use
-  Hard Barriers

Hard Barrier/Landscaping

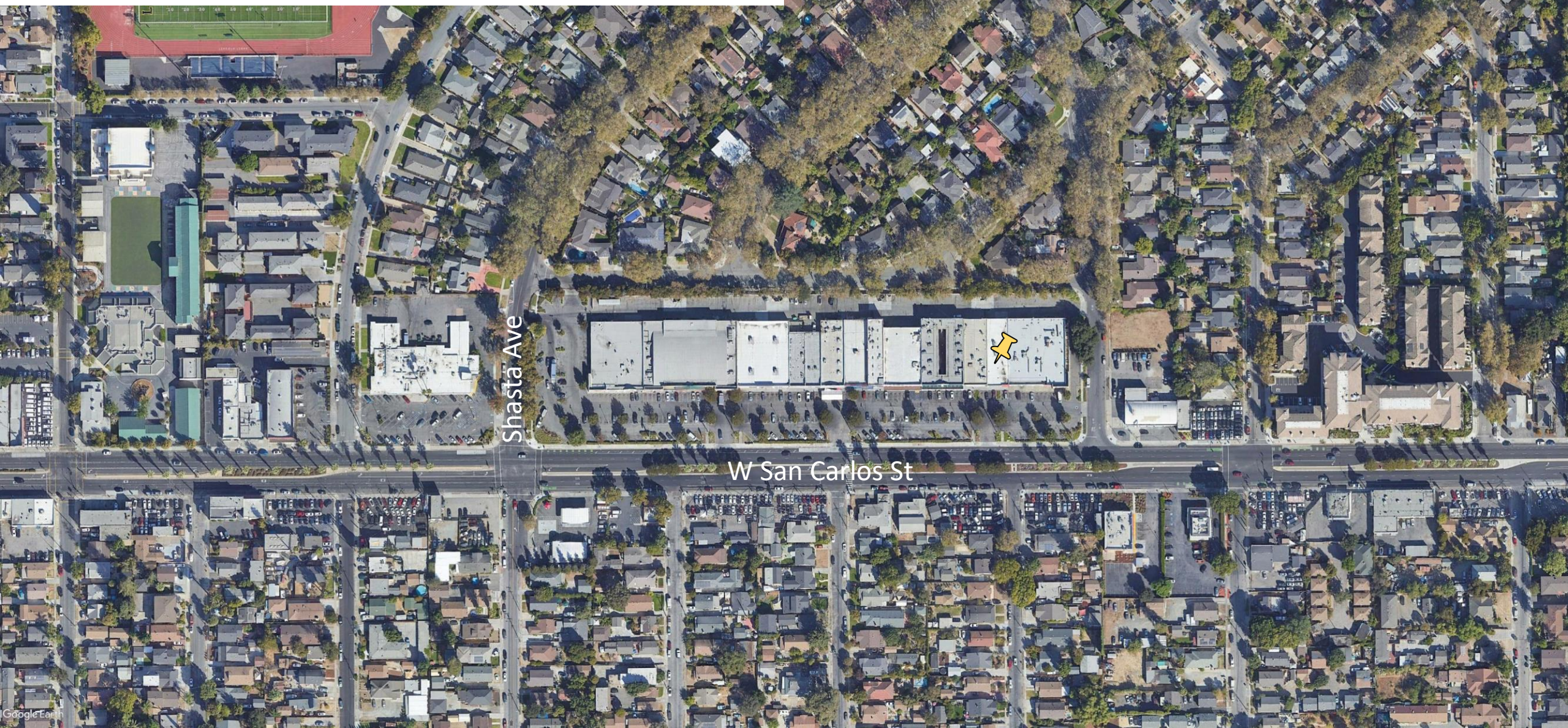
Tenant Space



Residential Setback

Example 2: 1641 W San Carlos

(for illustration/discussion purposes only)

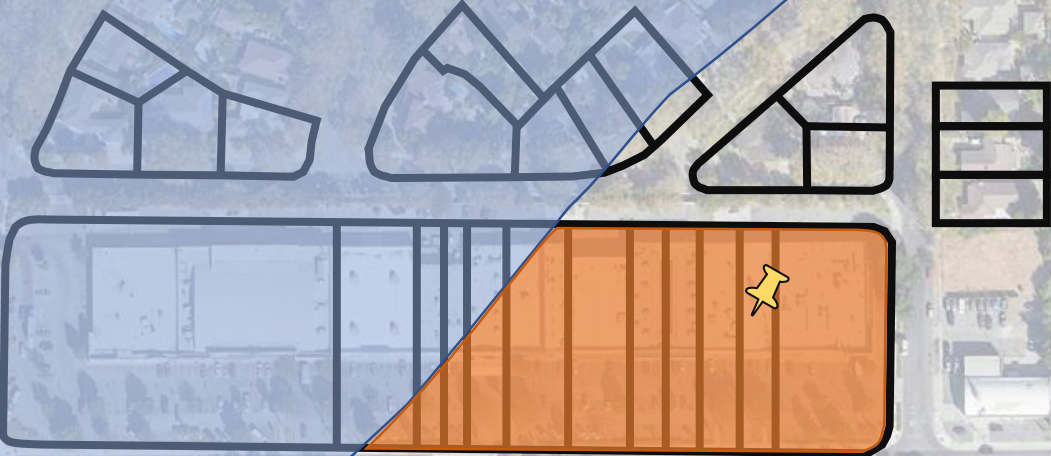




Lincoln High School

Shasta Ave

W San Carlos St








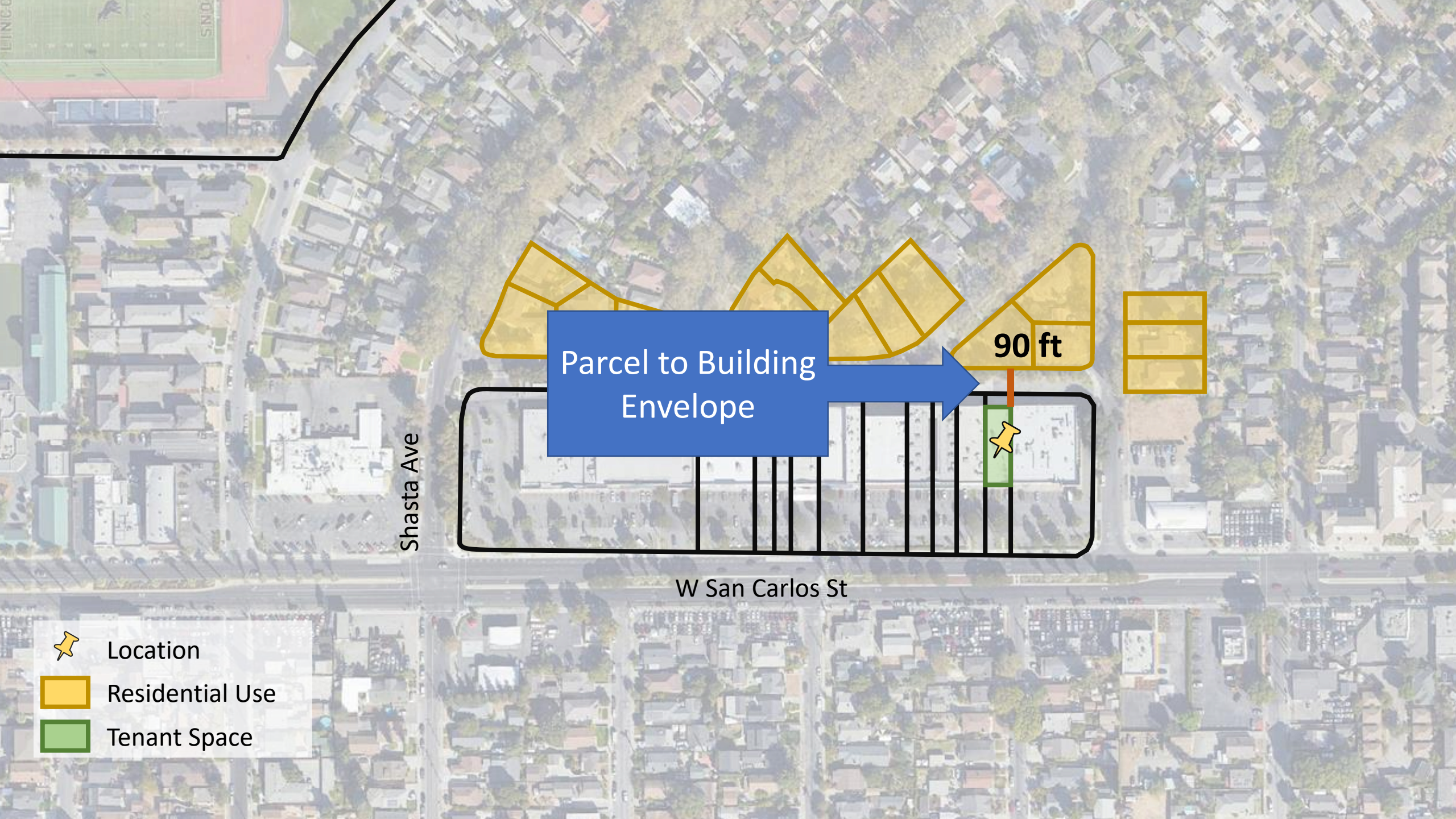
Parcel to Parcel
Measurement

30 ft

Shasta Ave

W San Carlos St

-  Location
-  Residential Use
-  Tenant Space






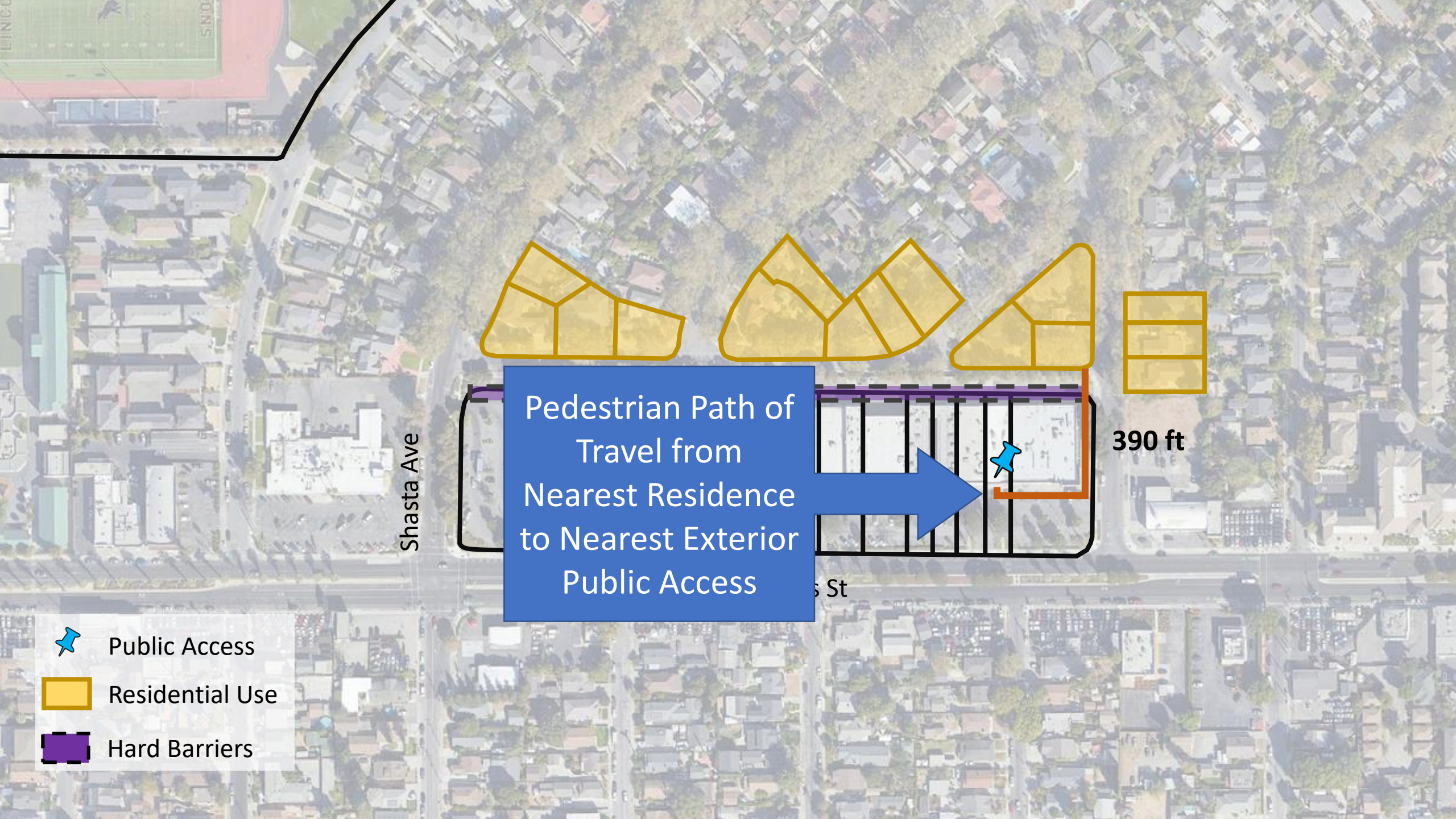
Shasta Ave

W San Carlos St

Parcel to Building Envelope

90 ft

-  Location
-  Residential Use
-  Tenant Space



Pedestrian Path of
Travel from
Nearest Residence
to Nearest Exterior
Public Access

390 ft



Public Access



Residential Use



Hard Barriers

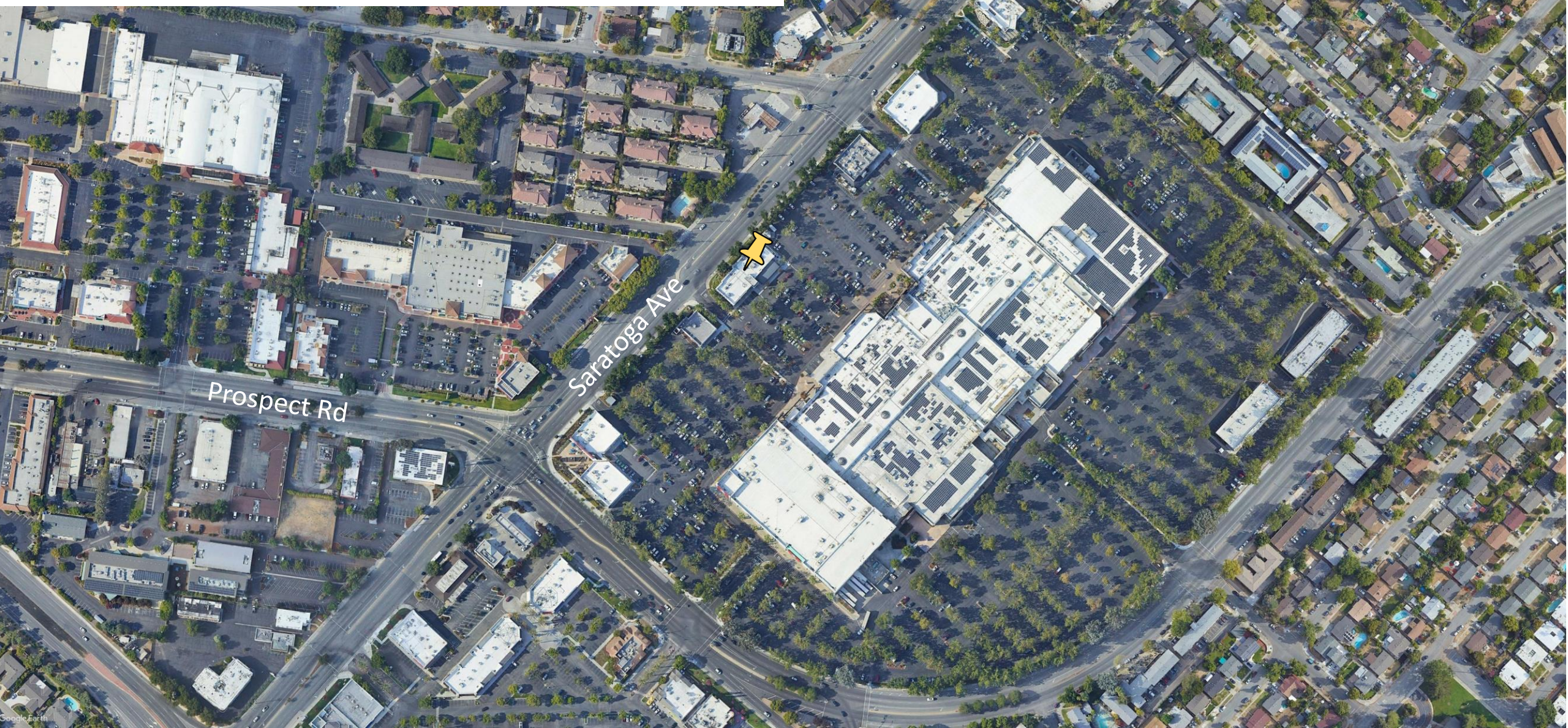




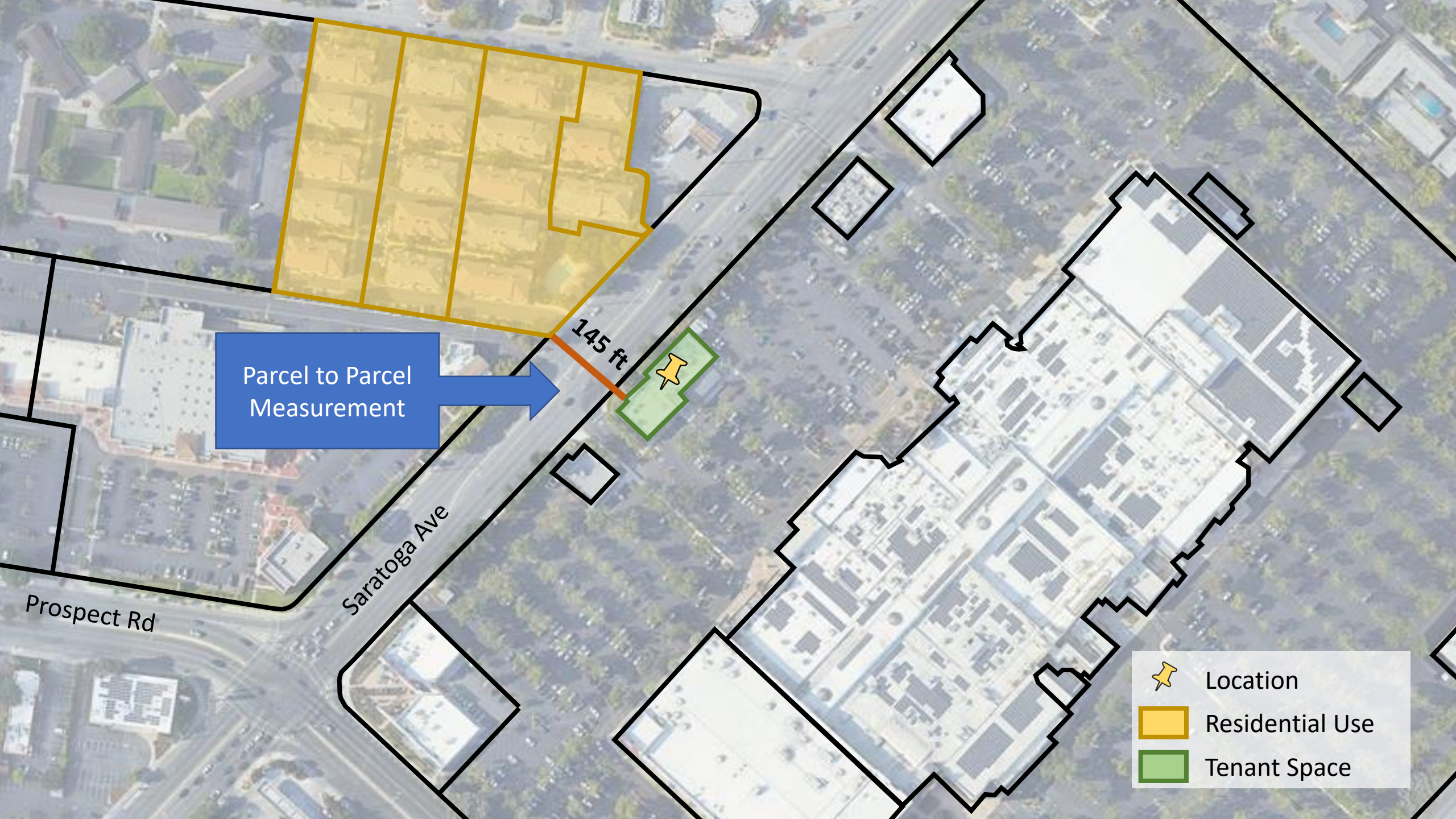
Residential Setback

Example 3: 1620 Saratoga Ave

(for illustration/discussion purposes only)










Parcel to Parcel
Measurement

145 ft

Prospect Rd

Saratoga Ave

-  Location
-  Residential Use
-  Tenant Space






Parcel to Building
Envelope

145 ft

Saratoga Ave

Prospect Rd




-  Location
-  Residential Use
-  Tenant Space



No Pedestrian
Crossing

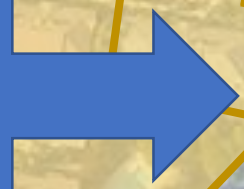
Prospect Rd

Saratoga Ave

-  Location
-  Residential Use
-  Tenant Space

No Pedestrian Crossing




Pedestrian Path of
Travel from
Nearest Residence
to Nearest Exterior
Public Access



898 ft

Prospect Rd

Saratoga Ave

-  Public Access
-  Residential Use
-  Tenant Space

Residential Setback

Staff Recommendation:

Measure 300 feet using the shortest pedestrian path of travel from a cannabis retail public entrance to a residential property line

Alternatives:

- Maintain 150-foot setback using parcel-to-parcel measurement (most restrictive)
- Measure 150-foot setback using parcel to building envelope measurement
- Remove residential setback distance requirement (least restrictive)

Downtown Core Options

Setback Options from the following locations:

- K-12 Schools
- Daycare and Youth Centers

Other Options to Consider:

- Setbacks to Parks, Community and Recreation Centers, and Libraries, Substance Abuse Rehabilitation Centers, and Emergency Residential Shelters
- Setback to residential
- Removing the police beat crime reporting restriction
- Establishing a distance requirement between cannabis businesses

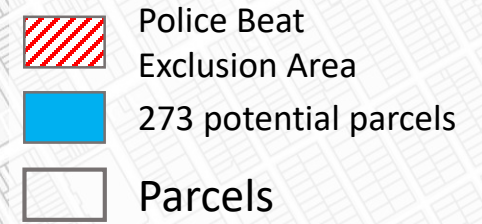
Option 1

1,000 Feet from:

- Schools (K-12)
- Day Care Centers
- Youth Centers

No Distance:

- Parks, Community & Recreation Centers, Substance Abuse Rehabilitation Centers, Emergency Residential Shelters, Libraries, Residences



Option 2

1,000 Feet from:

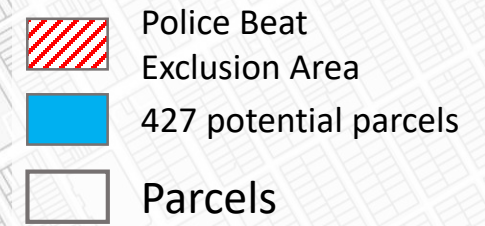
- Schools (K-12)

600 Feet from:

- Day Care Centers
- Youth Centers

No Distance:

- Parks, Community & Recreation Centers, Substance Abuse Rehabilitation Centers, Emergency Residential Shelters, Libraries, Residences



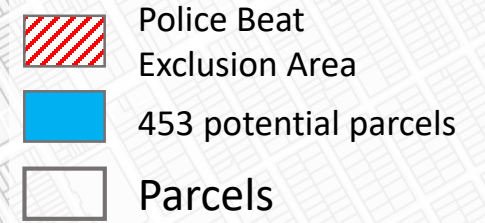
Option 3

600 Feet from:

- Schools (K-12)
- Day Care Centers
- Youth Centers

No Distance:

- Parks, Community & Recreation Centers, Substance Abuse Rehabilitation Centers, Emergency Residential Shelters, Libraries, Residences



Downtown Core Options

Setback	4/26 Meeting	Option 1	Option 2	Option 3
K-12 Schools	1,000 feet	1,000 feet	1,000 feet	600 feet
Daycare and Youth Centers	1,000 feet	1,000 feet	600 feet	600 feet
Parks, Community and Recreation Centers, Libraries	1,000 feet	-	-	-
Substance Abuse Rehabilitation Centers, and Emergency Residential Shelters	500 feet	-	-	-
Residential	150 feet	-	-	-
Approximate # of sites with police beat exclusion	0	73	176	190
Approximate # of sites without police beat exclusion	0	273	427	453

Other Options to Consider:

- Consider establishing a distance requirement between cannabis businesses

Urban Villages Options

Staff Recommendation:

- Modified setback requirements only apply to urban villages with an adopted urban village plan
- No residential setback due to mixed use nature of urban villages

Setback Options from the Following Locations:

- K-12 Schools
- Daycare and Youth Centers
- Parks, Community and Recreation Centers, and Libraries
- Substance Abuse Rehabilitation Centers, and Emergency Residential Shelters

Other Options to Consider:

- Prohibiting in police beats with crime reports 20% or more above average reported crime
- Establishing a distance requirement between cannabis businesses

Urban Village Options

Setback	Recommendation	Alternative 1	Alternative 2	Alternative 3
K-12 Schools	1,000 feet	1,000 feet	1,000 feet	600 feet
Daycare and Youth Centers	1,000 feet	1,000 feet	600 feet	600 feet
Parks, Community and Recreation Centers, Libraries	1,000 feet	-	-	-
Substance Abuse Rehabilitation Centers and Emergency Residential Shelters	500 feet	-	-	-
Residential	-	-	-	-
Approximate # of sites with police beat exclusion	243	643	745	1,025
Approximate # of sites without police beat exclusion	-	903	1,070	1,369

Retail Storefront/Non-Storefront

Staff Recommendation:

- Allow each of the 16 registered businesses to relocate their retail storefront operations to the expanded commercial/retail zoning districts
- Increase distances between retail storefront dispensaries from 50 feet to 1,000 feet
- Allow 5 equity businesses to register for retail storefront/non-storefront

Alternatives:

- Allow each of the 16 registered businesses to open a second retail storefront location
- Allow 5 equity businesses to register for retail non-storefront (delivery) only

Discussion