



Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA
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MEMORANDUM

April 19, 2018

To: Marijuana Use Permit Applicants
From: Tina Wehrmeister, Planning Director

Subj: Marijuana Use Permit (MUP) Application Processing Procedures

Marijuana Use Permit applications are due on April 20, 2018. This memo is intended to provide MUP applicants with guidance about the City of Pacifica's application and lottery processes.

The following are key references from Ordinance No. 819-C.S. ("Ordinance") regarding the MUP application process:

- Pursuant to Section 9-4.4804(a)(2), the Planning Director shall hold a random independent ranking process ("Lottery") in an open and public location and shall randomly rank all applications on the qualified marijuana registration list within 170 days of the effective date of the Ordinance. The Planning Commission shall consider MUP applications submitted by persons on the qualified marijuana registration list in the order assigned during the Lottery.
- Pursuant to Section 9-4.4803(a)(2), an Owner or Operator of a Marijuana Operation shall be prohibited from owning or operating more than one Marijuana Operation within the City.
- Pursuant to Section 9-4.4803(a)(3), not more than one Marijuana Operation may be conducted on a lot or parcel of property.
- Pursuant to Section 9-4.1755, not more than six Marijuana Retail Operations (MROs) may be permitted within the City, and not more than two MROs may be permitted within any of the five Marijuana Operation Overlay Districts.

In consideration of the provisions above, the following Lottery and application process will be implemented:

1. An applicant must submit an MUP application for each proposed Marijuana Operation location.
2. The Lottery will be conducted at 4 PM on May 9, 2018 at the Pacifica Community Center, 540 Crespi Drive. The Lottery will be open to the public. Applicants are encouraged but not required to attend. In the unexpected event the Lottery must be rescheduled, each applicant will receive written notice at least 10 days prior to the rescheduled Lottery date.
3. City staff will conduct an initial review of MUP applications prior to the Lottery to determine minimum qualifications. The main purpose of the limited review is to minimize applicant expenses and also investment of City staff resources to review applications which may not

eventually be considered due to their Lottery ranking. A full review for application completeness will occur after the Lottery as provided in Section 9-4.4804(a)(2)(ii).

The initial review will be limited to confirming the following:

- An applicant is listed on the Qualified Marijuana Registration List in accordance with the Ordinance.
- Business location is as listed on the Qualified Marijuana Registration List and is within an eligible zoning district as of the MUP application deadline.
- Application includes property owner authorization to file the application.

4. MUP applications will be processed in order of Lottery ranking (from first to last selection). To ensure conformity to the Ordinance's numerical limitations, MUP applications will be processed as follows:

- Only as many MUP applications will be processed for a public hearing as could be permitted to operate pursuant to applicable Overlay District and/or citywide numerical limitation(s).
- Only one MUP application will be processed for any single lot or parcel. Therefore, if more than one application is submitted for a single lot or parcel, the application with the highest Lottery ranking will be processed first, and the remainder of the applications will not be processed until final disposition of all higher ranked applications.
- Only one MUP application will be processed per owner or operator. Therefore, if an owner or operator submits more than one application, the application with the highest Lottery ranking will be processed first, and the remainder of its applications will not be processed until final disposition of all higher ranked applications.
- Subsequent processing of applications next in line in the Lottery ranking will only occur after decisions on prior applications are final and all appeals have been exhausted, including but not limited to any appeal of a Coastal Development Permit associated with an MUP application (e.g., "final disposition"). As noted above, this approach shall apply even if earlier Lottery rankings include multiple applications from a single applicant or multiple applications from different applicants for a single lot or parcel, until final disposition of those applications is known.

5. In some instances, the Pacifica Municipal Code may require other discretionary permits prior to commencement of a Marijuana Operation. Examples include, but are not limited to, permits for a parking exception, signage, or physical modifications to a structure. An applicant shall submit its application(s) for any other required discretionary permit(s) concurrently with its application for an MUP.

I look forward to working with each applicant to achieve a fair and transparent MUP application process. Please contact Senior Planner Christian Murdock with any questions about this memorandum at (650) 738-7444 or murdockc@ci.pacifica.ca.us.