

Planning Department 1650 Mission Street Suite 400 San Francisco, CA 94103-9425

T: 415.558.6378 F: 415.558.6409

#### **APPLICATION PACKET TO OPERATE A**

# Medical Cannabis Dispensary

A complete application is necessary for the Planning Department to process your application. Planning Department staff are available to advise you in the preparation of this application. Call (415) 558-6377 for further information.

Please note that all medical cannabis dispensaries must provide full wheelchair accessibility to the same level required as a new construction proposal (Chapter 11B of the California Building Code; Title 24 of the California Code of Regulations).

# WHAT IS AN APPLICATION TO OPERATE A MEDICAL CANNABIS DISPENSARY?

In 1992 California voters passed the Compassionate Use Act, legalizing marijuana for medical use. Locally, San Francisco's Medical Cannabis Act became effective on December 30, 2005. The Act established a comprehensive regulatory framework for Medical Cannabis Dispensaries (MCD) in San Francisco. The Act designates the Department of Public Health (DPH) as the lead agency for permitting MCDs. DPH conducts its own review of all applications and also refers applications to other involved City Agencies, including the Planning Department, in order to verify compliance with relevant requirements. The Planning Department's review is generally limited to the locational and physical characteristics of MCDs, although it considers operational issues.

An Application to Operate a Medical Cannabis Dispensary begins the Planning Code entitlement process to legally establish an MCD. Current regulations require that the Planning Commission hold a public hearing on all proposed MCDs in San Francisco. This Application outlines the application process, required materials, and other information necessary to operate a Medical Cannabis Dispensary in San Francisco.

# WHEN IS AN APPLICATION TO OPERATE A MEDICAL CANNABIS DISPENSARY NECESSARY?

Applications to operate a MCD are required in all instances. An MCD cannot open without full licensing and approval from DPH.

#### HOW DOES THE PROCESS WORK?

A proposed MCD operator must first file with DPH which conducts preliminary background checks and processes the application payment. Once that is complete, DPH sends a referral letter to those agencies that must complete review before final authorization. The Planning Department, the Department of Building Inspection (DBI), and Mayor's Office of Disability (MOD) all receive referrals that they may proceed with their review.

MCDs will be required to complete a pre-operational feasibility review by the MOD prior to the project's referral by DPH to Planning. The applicant is required to submit a Site Permit application through DBI, before taking the project to the Planning Commission. If approved by the Planning Commission, the applicant will need to convert the Site Permit to a Building Permit

To start the process with the Planning Department, there are two concurrent steps:

A) An applicant must submit architectural drawings (2 sets) and a Site Permit application to DBI, located at 1660 Mission Street.

B) An applicant must file an entitlement application with the Planning Department, which is the submission of this completed Application to Operate a Medical Cannabis Dispensary, plus required materials and fees.

The application and permit will be assigned to a planner on a specific Quadrant Team, dependent upon the location of the subject property. The assigned planner will review the application and once it is deemed complete, will schedule the proposed MCD for a public hearing at the Planning Commission. Prior to the Planning Commission hearing, a 30-day notification must be conducted to all owners and occupants of properties located within 300 feet from the subject property, regardless if this is reviewed by the Commission as a Mandatory Discretionary Review or a Conditonal Use. At the public hearing, the Commission will review all materials, listen to public testimony, and make a formal decision.

After this process is completed, and if the project is approved, the Department will release the application to the other City Agencies for review. DBI ensures final review for MOD requirements and the permitting and licensing is overseen by DPH.

# WHO MAY APPLY TO OPERATE A MEDICAL CANNABIS DISPENSARY?

Applications must be completed by the owner of the property or an authorized agent of the owner.

# INSTRUCTIONS ON APPLICATION SUBMISSION

Please provide the following materials with this application:

- Department of Public Health Application: Prior to filing the Application to Operate a Medical Cannabis Dispensary, the applicant must provide evidence of having successfully submitted an application with the San Francisco Department of Public Health. Please submit this evidence as part of your Application to Operate a Medical Cannabis Dispensary.
- Architectural Drawings: The application must be accompanied by architectural drawings sufficient for proper determination of the case and meeting the minimum standards for architectural drawings as established by the San Francisco Department of Building Inspection.

In most cases a **plot plan** will be required, accurately showing existing and proposed structures on both the subject property and on immediately adjoining properties, open spaces, driveways, parking areas, trees, and land contours where relevant. Because the size or use of floor areas is material to the case, **floor plans** will also be required. Drawings of building **elevations** must be provided in most cases. Any **landscaping** should be clearly shown on the plans, calling out species type. Note that DPH has specific sign requirements for Medical Cannabis Dispensaries.

A north arrow and scale shall be shown on each plan, and unless an exception is specifically granted by the Zoning Administrator the scale shall be not less than 1'' = 20' for plot plans, 1/8'' = 1' 0" for floor plans, and 1/4'' = 1' 0" for plans showing layout of parking and loading. Planning Department staff are available to advise you regarding the required architectural drawings.

- 300 Foot Radius Map and Address List: See instructions on page 3. This list must include mailing information for property owners and occupants within 300 feet of the property.
- **Photographs:** The application must be accompanied by unmounted photographs, large enough to show the nature of the property but not over 11 X 17 inches. The photographs should show the subject block face and the opposite block face.

All architectural drawings and other materials, including photographs, submitted with this application will be retained as part of the permanent public record for this case.

- Authorization: If the applicant in this case is the authorized agent of the property owner, rather than the owner, a letter signed by the owner and creating or acknowledging that agency must be included.
- CEQA Review: The California Environmental Quality Act (CEQA) and Chapter 31 of the San Francisco Administrative Code implementing that act may require an Environmental Evaluation before the application may be considered. Please consult the Planning Department staff to determine if an Environmental Evaluation application must be submitted with this application. A separate fee is required for environmental review.
- Fees: Please refer to the Planning Department Fee Schedule available at www.sfplanning.org or at the Planning Information Center (PIC) located at 1660 Mission Street, First Floor, San Francisco. For questions related to the Fee Schedule, please call the PIC at (415) 558-6377. Time and materials charges will be added if staff costs exceed the initial fee.

#### **Planning Commission Hearing Material:**

This timeline includes a deadline for project sponsors to submit material to staff to be included in the Commission packet. If the Sponsor does not submit the necessary material by the deadline, the project will be continued to a later hearing date.

- Three weeks prior to hearing: Project Sponsor submits draft project graphics (plans, renderings etc) to project planner.
- Two weeks prior to hearing: Project planner submits Draft staff report (must include draft attachments) to Team Leader for review.
- Two weeks prior to hearing: Deadline for submittal of all sponsor material and public comment to be included in Commission packets
- One week prior to hearing: Project planner delivers complete Commission packets to the Commission Secretary.

To start your Medical Cannabis Dispensary application process (either as a Mandatory Discretionary Review or Conditional Use), there are two steps:

A) submit a Site Permit application (including 2 sets of architectural drawings) with DBI at the Central Permit Bureau, 1660 Mission St, 1st floor; B) submit this completed application with the Planning Department; call (415) 558-6378 in advance to schedule an intake appointment. At your scheduled appointment with a staff planner, please bring your completed application with all required materials.

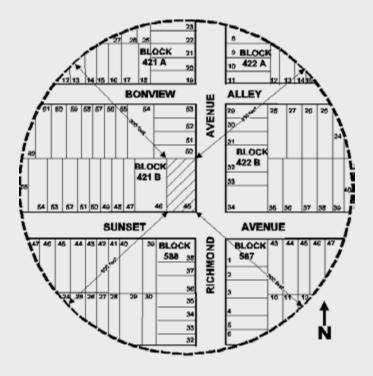
## 300-foot Radius Map Instructions

- 1. The map must show all properties within 300-feet of the EXTERIOR boundaries of the property; a 300-foot radius map, drawn to a scale of 1 inch to 50 feet, either the original on TRACING paper or a blueprint copy (no photocopy accepted) is required for submittal with applications under the Planning Code, including variance, reclassification (rezoning), conditional use, and certain subdivision applications.
- 2. Submit two lists of the names and addresses, including the block and lot for each one, of all owners and occupants of properties within 300 feet of the subject property and self-adhering labels with the same data. Provide a digital, mail-merged version of the list as well. The latest Citywide tax roll is available at the Office of the Treasurer and Tax Collector, City Hall Room 140, 1 Dr. Carlton B. Goodlett Pl., San Francisco, CA 94102, for the preparation of this list. The labels will be used to mail notice of the time and place of the public hearing required.

EXAMPLE OF MAILING LABEL

Block # / Lot #	#9331 / #07
Name	JOHN DOE
Address	123 South Street #2 San Francisco, CA 94100

- 3. If you wish to prepare the materials yourself, block maps may be traced at the office of the Assessor, 81 Dr. Carlton B. Goodlett Place, City Hall, Room 190. The width of the public right-of-way for the streets separating the blocks may be determined at the Department of Public Works, Bureau of Street Use and Mapping, 875 Stevenson Street, Room 460, 554-5810.
- You may, for a fee that varies by firm, have a private drafting service prepare these materials.



NOTE: THIS EXAMPLE IS NOT TO REQUIRED SCALE

The following businesses have indicated that they provide professional notification services. This listing does not constitute an endorsement. Other professionals can also perform this work and can be added to this list upon request.

#### **Build CADD**

3515 Santiago Street San Francisco, CA 94116 (415) 759-8710

#### Javier Solorzano

3288 - 21st Street #49 San Francisco, CA 94110 (415) 724-5240 Javier131064@yahoo.com

#### Jerry Brown Designs

619 - 27th Street, Apt. A Oakland, CA 94612 (415) 810-3703 jbdsgn328@gmail.com

#### **Ted Madison Drafting**

P.O. Box 8102 Santa Rosa, CA 95407 (707) 228-8850 tmadison@pacbell.net

#### Notificationmaps.com

Barry Dunzer (866) 752-6266 www.notificationmaps.com

#### Radius Services

1221 Harrison Street #18 San Francisco, CA 94103 (415) 391-4775 radiusservices@aol.com

#### Notice This

(650) 814-6750

# APPLICATION TO OPERATE A Medical Cannabis Dispensary

1. Owner/Applicant Information

PROPERTY OWNER'S NAME:				
PROPERTY OWNER'S ADDRESS:		TELEPHO		
		( )	)	
		EMAIL:		
APPLICANT'S NAME:				
				Same as Above
APPLICANT'S ADDRESS:		TELEPHO		
		( )	)	
		EMAIL:		
CONTACT FOR PROJECT INFORMATION:				
				Same as Above
ADDRESS:		TELEPHO	NE:	
		( )		
		EMAIL:		
I				
2. Location and Dispensary Int	formation			
			ZIP CODE:	
CROSS STREETS:				
ASSESSORS BLOCK/LOT: ZON	IING DISTRICT:			
/				
<u>'</u>				
DISPENSARY SQ FT:	SQ FT. ACCESSIBLE TO PATRONS:		FLOOR ON WHICH DISPE	ENSARY IS LOCATED::
PROPOSED BUSINESS NAME (IF KNOWN):				
PRESENT OR PREVIOUS USE:				

### 3. Dispensary Proximity

PROXIMITY TO SCHOOLS	(Initial Below)
I have used all reasonable resources available to me, including maps and zoning information made available by the Planning Department and a personal and thorough inspection of the broader vicinity of the subject property and have found that, to the best of my knowledge, the property is not within 1,000 feet of an elementary or secondary school, public or private.	
PROXIMITY TO RECREATION BUILDINGS	(Initial Below)
I have used all reasonable resources available to me, including maps and zoning information made available by the Planning Department and a personal and thorough inspection of the broader vicinity of the subject property and have found that, to the best of my knowledge, the property is not within 1,000 feet of a recreation building, as defined in the Planning Code.	
PROXIMITY TO SUBSTANCE ABUSE TREATMENT FACILITIES	( Initial Below )
I have used all reasonable resources available to me, including a personal inspection of the subject property and have found that, to the best of my knowledge, the property does not contain a substance abuse treatment facility.	

#### 4. Dispensary Services

ON SITE MEDICATING	
Will you allow patrons or employees to smoke or vaporize medical cannabis, or otherwise medicate with medical cannabis, on the premises?	□ NO □ YES
MEDICAL CANNABIS EDIBLES	
Will you offer medical cannabis in the form of food or drink or will medical cannabis edibles be produced on-site? If so, please check the appropriate boxes and, if applicable, declare the proposed square footage to be dedicated to on-site production of edibles.  (Note that Planning Code standards may prohibit [1] the dedication of more than 1/4 of the total floor area of the dispensary for the production of food and/or [2] the off-site dispensing of any products that are made on-site. Also please note that if food is provided or produced, additional permits will be required from the Department of Public Health.)	NO YES Dispensing Production SQ FT
ON-SITE MEDICAL CANNABIS CULTIVATION	
Will any live marijuana plants be kept on the premises for purposes of harvesting medical product? If so, please declare the proposed square footage to be dedicated to growing activities.  (Note that additional safety measures may be required. Consult with the Department of Public Health regarding the use and storage of chemicals associated with the growing process and with the Department of Building Inspection regarding associated building safety issues. Also note that the Planning Code may prohibit the use of more than 1/4 of the total area of the dispensary for such purpose.)	□ NO □ YES SQ FT
OFF-SITE MEDICAL CANNABIS CULTIVATION	
Will any medical cannabis distributed on the premises have been grown elsewhere than on the premises? If so, please declare whether medical cannabis cultivation will occur within or outside the City and County of San Francisco.  (Note that any off-site growing facility located in San Francisco must be properly permitted under applicable state and local law.)	NO YES Within San Francisco Outside San Francisco

CASE NUMBER: For Staff Use only

#### 5. Applicant's Statement

Please discuss:				
1.	1. The business plan for the proposed Medical Cannabis Dispensary;			
•				
•				
•				
2.	Specific factors which contribute to the compatibility and appropriateness of the Medical Cannabis Dispensary with the immediate neighborhood and broader City environment;			

3.	3. Neighborhood outreach efforts made and the results/input from those efforts;		
4.	Any other circumstances applying to the property involved which you feel support your application.		
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# Priority General Plan Policies Findings

Proposition M was adopted by the voters on November 4, 1986. It requires that the City shall find that proposed projects and demolitions are consistent with eight priority policies set forth in Section 101.1 of the City Planning Code. These eight policies are listed below. Please state how the project is consistent or inconsistent with each policy. Each statement should refer to specific circumstances or conditions applicable to the property. Each policy must have a response. IF A GIVEN POLICY DOES NOT APPLY TO YOUR PROJECT, EXPLAIN WHY IT DOES NOT.

1.	That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;		
2.	That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;		
3.	That the City's supply of affordable housing be preserved and enhanced;		

4.	That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking;
5.	That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;
6.	That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;
7.	That landmarks and historic buildings be preserved; and
8.	That our parks and open space and their access to sunlight and vistas be protected from development.

# Applicant's Affidavit

Under penalty of perjury the following declarations are made:

- a: The undersigned is the owner or authorized agent of the owner of this property.
- b: The information presented is true and correct to the best of my knowledge.
- c: The other information or applications may be required.

Signature:	Date:
Print name, and indicate whether owner, or authorized agent:	
Owner / Authorized Agent (circle one)	
For Department Use Only Application received by Planning Department:	
Ву:	Date:



FOR MORE INFORMATION: **Call or visit the San Francisco Planning Department** 

#### **Central Reception**

1650 Mission Street, Suite 400 San Francisco CA 94103-2479

TEL: **415.558.6378** FAX: **415 558-6409** 

WEB: http://www.sfplanning.org

#### Planning Information Center (PIC)

1660 Mission Street, First Floor San Francisco CA 94103-2479

TEL: 415.558.6377

Planning staff are available by phone and at the PIC counter. No appointment is necessary.