

**CIRCUMSTANCES UNDER WHICH TOLLING MAY BE REQUESTED PURSUANT
TO VMC § 5.94.070.A FOR THE PURPOSE OF EXTENDING THE STANDARD 30-
DAY REVIEW PERIOD, AND THE MANNER TO MAKE SUCH REQUESTS**

Measure Z enacted Vista Municipal Code ("VMC") Chapter 5.94 in its entirety, and further references to Measure Z will be to the provisions of that Chapter.

Authority

VMC §5.94.070.A requires the City to complete its review of an application for a medical cannabis business within thirty days of submission of an application unless the City receives a qualifying request from an applicant to toll the review period (i.e., extend the review period) beyond the standard thirty days. Tolling is unavailable under the five conditions described in subparagraphs VMC §5.94.070.A.1-5.

Purpose

To describe the circumstances which allow for a tolling request, the purpose of tolling, and the manner in which requests may be made.

Rules

1. Tolling extends the review period for an application so that the application, with additional time, might qualify for approval. The instances eligible for tolling requests are limited to instances in which:
 - a. the submitted application included a receipt evidencing a timely "live-scan" pursuant to VMC §5.94.050.B.14, but the City has not received delivery of the live-scan results and additional time is needed to permit such a delivery;¹
 - b. the submitted application included certified Articles of Incorporation or the Articles of Association pursuant to VMC §5.94.050.B.10 or 11, but additional time is required to satisfy the six-month rule described in VMC §5.94.050.A.16; or
 - c. the submitted application included a Seller's Permit pursuant to VMC §5.94.050.B.17, but additional time is required to satisfy the six-month rule described in that subsection.
2. Tolling shall not be granted when a condition exists which mandates the denial of an application (other than those described in subparagraphs (a) – (c), above).
3. A tolling request must in a writing signed by the applicant. The tolling request may be included with the application or made within fifteen days of submission of the application.

APPROVED PER VMC § 5.94.170.B:



PATRICK JOHNSON, City Manager
January 14, 2019

¹ Tolling is not available if the untimely delivery is attributable to the fault of the applicant.