



Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA
Planning, Building, and Code Enforcement
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MARIJUANA USE PERMIT APPLICATION FORM PHASE 3

The Marijuana Use Permit Application Form is not an application for a development project for purposes of the Permit Streamlining Act (Government Code § 65920 et seq.)

Marijuana Business Application Checklist

Phase 1: Application Period Closed 1/10/2018
Phase 1 applications approved/denied by 2/9/2018

Phase 2: Application Period Begins 2/12/2017 (Deadline 2/26/2018)

- \$400 Security Plan review fee to Police Department (fee due for each applicant at a site)
- Submit one Security Plan for each proposed business site to Police Department (each applicant must prepare a Security Plan for each site). Security plans must satisfy the conditions of PMC § 4-16.03(c)(1).

Phase 2 applications/plans approved/denied by 3/21/2018

Phase 3: Application Period Begins Upon Police Chief Transmittal of Qualified Marijuana Registration List to Planning Dept., Not Later Than 3/21/2018 (Application Deadline 4/20/2018)

- Complete Marijuana Use Permit (MUP) Application Form and submit to Planning Dept. with all required materials by application deadline
- Submit \$10,000 deposit for processing required with each MUP application
- Random independent ranking process ("Lottery") completed by 5/30/2018
- First public hearings at Planning Commission estimated for July 2018

Phase 4: Police Chief Issues Marijuana Public Safety License

- Police Chief verifies continued compliance with Phase 1 & Phase 2 Requirements, and confirms MUP issuance
- Police Chief issues Marijuana Public Safety License
- Marijuana Operation must obtain State License before commencing operation

Additional application requirements are outlined on the following pages.

MUP Application Type (select one only)

- Marijuana Manufacturing Operation
- Marijuana Testing Operation
- Marijuana Retail Operation

I. Applicant Information

Applicant Identification					
Applicant's Legal Business Name (Please Print)				Qualified Marijuana Registration Applicant ID	
Trade Name (DBA)				Website Address	
Entity Type	<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> LLC Other _____				
Entity ID number (as shown on Secretary of State Registration)			State of Incorporation or Creation of Business Entity		
If a Corporation/LLC, List all States Where the Corporation/LLC is Authorized to Conduct Business					
Attach copies of all articles of incorporation, bylaws, articles of organization, or a true copy of any partnership or trust agreement, including any and all amendments to such.					
Applicant Address (Office of Record)					
Street Address				Phone Number ()	
City	State	ZIP	Email Address		
Mailing Address (if different from Applicant Address)					
Street Address			City	State	ZIP
Applicant Point of Contact for Application Processing ("Applicant POC")					
Name of Applicant POC			Title		Applicant POC Phone Number ()
Applicant POC Physical Address (street address, city, state, ZIP)				Applicant POC Email	
Is the Applicant POC an agent for the Applicant? <input type="checkbox"/> Yes <input type="checkbox"/> No					
Note: If Applicant POC is an agent, an authorized representative of the Applicant must complete the Authorization for Agent below.					
Authorization for Agent					
As Applicant for this permit, I hereby authorize _____ to act as my Agent and to bind me in all matters concerning this application and to act as my agent for service of process.					
Applicant Signature: _____				Date: _____	

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II. ACKNOWLEDGEMENT AND AGREEMENT BY APPLICANT AND OWNER

NOTICE TO APPLICANT AND OWNER: FAILURE TO SIGN THIS PART OF THE APPLICATION SHALL RESULT IN THE APPLICATION BEING WITHHELD FROM FURTHER PROCESSING.

- A. I the undersigned, hereby agree to defend (with counsel approved by the City), indemnify, and hold harmless the City, its officials, officers, employees, volunteers, and agents (collectively, the "City Parties") from and against any claims, liability, loss, damage, costs (including reasonable attorney fees), or expenses, suits, and damages of every kind, nature, and description, directly or indirectly arising from, or relating to this application or the project (collectively, the "Claims"). I shall have no right to seek reimbursement from the City Parties for the Claims. I understand that the applicant and the employees of any marijuana operation may be subject to prosecution under federal laws relating to controlled substances, and that the City accepts no legal liability in connection with the approval and the subsequent operation of any marijuana operation. These obligations shall survive the termination or expiration of this Acknowledgement and Agreement.
- B. I, the undersigned, hereby agree to pay any and all City costs incurred in connection with the application or the project ("Fees"), and will enter into a reimbursement agreement with the City for the payment of such Fees. The Fees may include, but are not limited to, costs associated with City staff time, processing costs, consultant costs, and legal fees associated with processing the application, implementing any project approvals, or defending any project approvals. Consultant costs may include, but are not limited to, environmental consultants, biologists, wetlands specialists, traffic consultants, geotechnical consultants, and legal consultants, as may be determined to be necessary in the sole discretion of City staff. I hereby acknowledge and agree that I shall deposit funds to cover the Fees as determined by City staff, that such deposit may not be adequate to fully reimburse the City for all Fees, and that periodically, as the need arises, I may be called upon to make further deposit of funds to cover the Fees. In the event, for any reason, a City request for further deposit of funds is not fully satisfied within thirty (30) calendar days, the City may cease processing this application and the related project, and shall treat the failure to make the requested deposit of funds as my request to cease processing the application. The advance of Fees shall not be dependent upon the City's approval or disapproval of my application, or upon the result of any action, and shall in no way influence the project. Neither myself, nor any other person providing funding for the project shall, as a result of such funding, have any expectation as to the results of the application process or the selection of an alternative favorable to or benefiting me.
- C. I, the undersigned, hereby acknowledge, consent, and agree that project application forms, plans, and any other documents and materials submitted to the City are public records under the California Public Records Act (Gov. Code section 6250, *et seq.*). All project application forms, plans, and any other documents and materials submitted to the City are a public record and are subject to public inspection.
- D. It shall be the Applicant's responsibility to provide all of the information and materials required to comply with the marijuana use permit application submittal requirements of Pacifica Municipal Code Section 9-4.4804(c). The filing date of the marijuana use permit application shall be the date when the Director of Planning officially receives the last submission of information or materials required by Section 9-4.4804(c). If the Director of Planning determines an application submittal is incomplete, an Applicant shall be granted an extension of time to submit all materials required to complete the application within ten (10) days. If the application remains incomplete in excess of the ten (10) days following notification that an application submittal is incomplete, the application shall be deemed incomplete.
- E. After the random independent ranking process has taken place, the Director of Planning shall schedule a hearing before the Planning Commission at which hearing the Commission shall consider marijuana use permit applications timely submitted by persons on the marijuana qualified registration list and in the order established through the independent ranking process. The Planning Commission shall only review and approve as many marijuana use permit applications as permitted by Marijuana Operation Overlay District as set forth in Pacifica Municipal Code Section 9-4.1755. The Planning Commission shall utilize the criteria for review, issuance and denial of marijuana use permit applications set forth in Section 9-4.4805. After reviewing an application, the Planning Commission shall determine whether to issue the marijuana use permit, issue the marijuana use permit with conditions, or deny the marijuana use permit.
- F. Applicant hereby provides written authorization for the City, its agents and employees to seek verification of the information contained within the application.

- G. Upon notification of the Director of Planning, a qualified Applicant shall place a legible, visible sign not less than two (2) square feet on the front of the premises indicating that a marijuana use permit has been filed and how to contact the Planning Department to obtain more information.
- H. Where the Planning Commission denies a marijuana use permit or an application is withdrawn before consideration by the Planning Commission, applications on the qualified marijuana registration list shall be considered by the Planning Commission at a future public hearing in the order of ranking as established by the random independent ranking process. The Planning Commission shall continue to review applications until all applications have been reviewed or until the Planning Commission can issue no further marijuana use permits based on the criteria of Article 48 and Article 17.5 of the Pacifica Municipal Code.
- I. Every application for a marijuana use permit shall be accompanied by an application fee, in an amount established by resolution of the City Council and calculated to recover the City's full cost of reviewing, issuing, and administering the permit, and the filing of a complete marijuana use permit application pursuant to this article. The application fee shall be in addition to any other business license fee, permit fee, or tax imposed by this Code or other governmental agencies.
- J. I, the undersigned, hereby acknowledge and agree that the comments of staff regarding the project are for guidance purposes but the final decision on the project rests with the Planning Commission and/or Pacifica City Council.
- K. I, the undersigned, hereby acknowledge and agree that my failure to provide complete, truthful, and accurate information necessary to process the application, or to provide public notice as required, may result in a delay in processing the application, or may constitute grounds for denial or revocation of the permit requested herein, and may result in the City ceasing processing this application and the related project, and treating the failure as my request to cease processing the application.
- L. I, the undersigned, hereby acknowledge and agree that any documents approving the project and/or conditions of approval may be recorded with the San Mateo County Recorder's Office. If requested, I agree to sign a document to allow such documents to be recorded.
- M. I, the undersigned, hereby acknowledge and agree that any permit issued pursuant to this application will not grant any right or privilege to use any building or land contrary to the provisions of state or local law. All provisions of law applicable to the project shall be in force whether specified or not.
- N. I, the undersigned, hereby acknowledge and agree that all projects are subject to all applicable fees authorized or required by law.
- O. I, the undersigned, hereby declare under penalty of perjury, that I have personal knowledge of the information contained in the application, that the information contained therein is true and correct.

Applicant Signature: _____

Date: _____

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III. Proposed Marijuana Operation Location

Street Address	Assessor Parcel Number(s)	Floor (e.g., 1 st , 2 nd , 3 rd)
Is the Applicant the owner of the property? <input type="checkbox"/> Yes <input type="checkbox"/> No Note: If the Applicant is not the legal owner of the property, the property owner must complete and sign the Property Owner Authorization below; or, this application must be accompanied with a signed acknowledgment from the property owner indicating that the named Applicant may seek permits to operate a Marijuana Operation of the type indicated in this application on his/her/its property.		
Property Owner Authorization		
Property Owner Name	Title	Property Owner Phone Number ()
Property Owner Mailing Address (street address, city, state, ZIP)		Property Owner Email
Declaration: As owner (or an authorized representative of the owner) of the property indicated above, I authorize the Applicant to seek permits to operate a Marijuana Operation (of the type identified below) at my property:		
<input type="checkbox"/> Marijuana Manufacturing Operation <input type="checkbox"/> Marijuana Testing Operation <input type="checkbox"/> Marijuana Retail Operation (<input type="checkbox"/> Medical <input type="checkbox"/> Non-medical <input type="checkbox"/> Combined)		
Property Owner Signature: _____		Date: _____

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IV. Phase 3 Application Requirement Checklist

The list below constitutes the minimum informational requirements for submittal of a Marijuana Use Permit (MUP) application. An MUP application shall include the following:

<i>Date Received by City</i>	<i>Application Item</i>
	Deposit: \$ 10,000.00
	Reimbursement Agreement
	Environmental Information Form
	Title Report (prepared within 6 months of application) – Two (2) copies
	The full name (including any current or prior aliases, or other legal names the Applicant is or has been known by, including maiden names), present address, and telephone number of the Applicant (if an individual), the Applicant's corporate officers (if a corporation or limited liability company), or the Applicant's partners (if a partnership)
	Previous addresses. Previous addresses for the past five (5) years immediately prior to the present address of the Applicant (if an individual), the Applicant's corporate officers (if a corporation or limited liability company), or the Applicant's partners (if a partnership)
	Verification of age. Written proof that the applicant is at least twenty-one (21) years of age.
	Photographs. Two passport-quality photographs of the Applicant (if an individual), the Applicant's corporate officers (if a corporation or limited liability company), or the Applicant's partners (if a partnership)
	Employment history. All business, occupation, or employment of the Applicant or Applicant's corporate officers or partners for the five (5) years immediately preceding the date of the application
	Tax history. The tax history of the Applicant, including whether such person or entity, in previously operating in this or another city, county or state under license has had a business license revoked or suspended, the reason therefor, and the business or activity or occupation subsequent to such action of suspension or revocation
	Management information. The name or names and addresses of the person or persons having the management or supervision of Applicant's marijuana operation
	Neighborhood context map. An accurate straight-line drawing depicting the property line of the building to be occupied by the marijuana operation and the property lines of any of the following uses: a school providing instruction in kindergarten or any grades 1 through 12 within six hundred (600') feet of the marijuana operation; a youth center within six hundred (600') feet of the marijuana operation property line; and a day care center within two hundred (200') feet of the marijuana operation

	<p>A detailed site plan, to scale and dimensioned, for the proposed marijuana operation describing how the marijuana operation will operate consistent with the provisions of Section 9-4.4803(d)(1)(iv).</p> <p>Applicant shall submit 8 full-sheet (min. 24" X 36") copies of the site plan for initial submittal. 15 copies of the final version will be necessary prior to hearing. The site plan shall include the following minimum information:</p> <ul style="list-style-type: none"> • Exterior boundaries of the subject property and property dimensions. • Exterior boundaries of the subject building and dimensions. • Dimensions of setbacks and building separations. • Distance from nearest adjacent buildings. • Location, design, dimensions of proposed parking and loading facilities. • Location, height, design and type of fencing and retaining walls. • Location and dimensions of existing and proposed street improvements, including sidewalks and seating areas. • Location, dimensions of existing and proposed legal and physical access to the site. • Indicate the address and Assessor Parcel Number of adjacent properties. • Indicate all lot data including the lot area, existing and proposed lot coverage, and the existing and proposed landscape coverage, expressed in square feet and percentage of total lot area; existing and proposed floor area (excluding garage); and, existing and proposed garage area. • On-site circulation plan, including directional and regulatory signage. • Customer queuing area (indoor and/or outdoor). • Existing and proposed fire service features in the building including fire exits and fire sprinkler systems. • Occupancy group, type of construction, total number of parking stalls, number of accessible parking stalls, exit analysis, allowable area calculation.
	<p>A detailed floor plan and section plans, to scale and dimensioned, for the proposed marijuana operation describing how the marijuana operation will operate consistent with the provisions of Section 9-4.4803(d)(1)(iv).</p> <p>Applicant shall submit 8 full-sheet (min. 24" X 36") copies of the floor plan and section plans for initial submittal. 15 copies of the final version will be necessary prior to hearing.</p>
	<p>Lighting plan. A lighting plan showing existing and proposed exterior premises and interior lighting levels that would be the minimum necessary to provide adequate security lighting for the use and comply with all City standards regarding lighting design and installation</p>
	<p>Operations plan. A detailed operations plan for the proposed marijuana operation describing all operational characteristics including but not limited to number of staff (employees, volunteers, and other persons who will work at the marijuana operation), hours of operation, merchandise to be sold, window/door plan, and fences/gates, as well as how the marijuana operation will operate consistent with the provisions Section 9-4.4803(d)(1)(xiii). For a Marijuana Retail Operation, indicate whether it will operate as a medical, non-medical, or combined operation.</p>

	Written response to findings for issuance of marijuana use permit. The Applicant shall provide a comprehensive written response identifying how the marijuana operation will comply with the each of the findings for issuance of a marijuana use permit set forth in Section 9-4.4805(a)
	Estimate additional vehicular trips generated by the proposed project. Prepare estimate in accordance with the current edition of the Institute of Transportation Engineers (ITE) "Trip Generation Manual"
	An analysis of existing and proposed off-street parking facilities and their adequacy for the proposed marijuana operation when considering the minimum parking standards contained in the Pacifica Municipal Code and any unique operational characteristics of the Marijuana Operation. The analysis shall be prepared by a qualified professional engineer.
	Describe any physical construction required to operate the Marijuana Operation, including without limitation any interior/exterior demolition, interior/exterior tenant improvements, addition of new floor area, and/or construction of a new building
	Detailed color elevations/renderings of the proposed storefront indicating dimensions, materials and colors, windows/doors, lighting, signage, and seating areas. The elevations/renderings shall include the locations, dimensions, materials, and illumination of all proposed signs, including the required sign which shall be posted at the entrances to the establishment indicating that the premises are under camera/video surveillance. The store front façade shall be primarily glass with glass occupying at least 45% of the entire store front and 60% of the horizontal length of the store. Window and door areas shall not be covered, tinted, or made opaque in any way, or obscured in any way by landscaping, floor displays, equipment, or the like.
	Color and material samples for façade
	Preliminary landscape plan showing, at a minimum, placement of landscaping, plant size, plant species, and irrigation plan.
	"Information Regarding Hazardous Materials" form
	One 8-1/2" x 11" reduction of all plans or maps.
	Electronic version in PDF format of all project plans and documents.
	The plans and other application materials must be sorted, assembled, and folded prior to submission to the Planning Department. Minimum plan sheet size is 24" X 36".

Additional information/analysis required: _____

V. ADDITIONAL INFORMATION MAY BE REQUIRED

The City of Pacifica may require submission of additional information in order to review the marijuana use permit application for completeness and compliance with the Pacifica Municipal Code, or to clarify, amplify, correct or supplement the information submitted with the initial application for purposes of environmental review of the proposed project as required by the California Environmental Quality Act (CEQA). This information may include, but is not limited to, soils and geotechnical reports, surveys, biological reports, special studies, renderings, perspectives, landscaping plans, traffic studies, wastewater flow studies, and arborist reports, or similar supplemental information to adequately review and assess the project.

CITY OF PACIFICA

Agreement for Reimbursement of City Costs

Project Name: _____

Project Location: _____

Initial Deposit Receipt No.: _____ **Date:** _____ **Amount:** _____

I, _____, as the applicant for the above-referenced application, hereby authorize the City of Pacifica to process the above-described application in accordance with the City fee schedule in effect at the time fees are charged. I understand and agree that the City operates on a deposit system. The initial deposit required for this application is \$ _____ based on the estimated staff, consultant and City Attorney time and expenses required to process this application. I further understand that the initial deposit may not be sufficient to cover the time and expenses associated with processing the application, and I agree to make one or more additional deposits as required if the initial deposit is not sufficient to cover costs.

Application processing includes all aspects of project review including review for completeness and conformity with City codes and policies, review by the City arborist, traffic engineer, surveyor, attorney, and other experts and consultants, as needed, including outside legal counsel. Processing costs also include preparation of staff reports, environmental review documents, and public notices, participation in public meetings related to the project, responding to inquiries from applicants and the public, review of any appeals, review of construction drawings for compliance with planning conditions of approval, final planning inspection and all other activities that staff determines are necessary to ensure compliance with applicable law, and City codes and policies.

I understand that the City has the sole discretion to determine which persons it hires as employees and contractors for the review and processing of the above-referenced application, to select which of its employees and contractors are assigned to work on the application, and to direct their work, evaluate their performance, and terminate their employment, at any time. I further understand that the City has the sole discretion to determine the amount and manner of compensation to be paid to its employees and contractors.

I will be notified if staff determines that additional funds will be required to continue processing the application. I agree to provide the additional funds within 30 days of the date of the notice. I hereby request the City to withdraw my project from application review and further consideration or, in the City's sole discretion, to deny this application if I fail to provide the additional required funds within 30 days of the date of the notice. I understand and agree that such withdrawal is irrevocable and any withdrawal or denial is final and that any further consideration of a proposed development project on the property that is the subject of the application referenced above will require filing a new application. I further

understand that at no time will the City be responsible for carrying any costs incurred in the review and processing of the above-referenced application.

Any funds not used will be returned to me by the City within 60 days of a final building inspection approval, which occurs at the end of construction. If the application is denied, unused funds will be returned within 60 days of a final decision. If no construction is involved in the application, funds will be returned within 60 days of a final decision on this application. The final decision typically occurs at the end of the appeal period after application denial or a determination by the approving authority that final plans are in conformance with all applicable City regulations and earlier project approvals. I understand and agree that the deposit will be maintained in a non-interest bearing deposit fund and no interest will be earned or paid on unused funds.

I agree to send all requests to the City, in writing, to the following address:

Planning Director
City of Pacifica
Planning Department
1800 Francisco Boulevard
Pacifica, CA 94044

All reports and notices concerning this deposit should be sent to me at the following address:

Telephone: _____

E-mail: _____

I hereby agree to the terms of this reimbursement agreement. If I am not the owner of the property referenced in this application I have included documentation from the owner that I am authorized to agree on my own behalf and on behalf of the owner to the terms of this agreement.

Date: _____ Signature: _____

Printed Name: _____

APPENDIX H

ENVIRONMENTAL INFORMATION FORM
(To Be Completed By Applicant)

Date Filed: _____

General Information

1. Name and address of developer or project sponsor: _____

2. Address of project: _____
Assessor's Block and Lot Number: _____
3. Name, address, and telephone number of person to be contacted concerning this project:

4. Indicate number of the permit application for the project to which this form pertains:

5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

6. Existing zoning district: _____
7. Proposed use of site (Project for which this form is filed):

Project Description.

8. Site size.
9. Square footage.
10. Number of floors of construction.
11. Amount of off-street parking provided.
12. Attach plans.
13. Proposed scheduling.
14. Associated project.

15. Anticipated incremental development.
16. If residential, include the number of units, schedule of unit sizes, range of sale prices or rents and type of household size expected.
17. If commercial, indicate the type, whether neighborhood, city or regionally oriented, square footage of sale area, and loading facilities.
18. If industrial, indicate type, estimated employment per shift, and loading facilities.
19. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project.
20. If the project involves a variance, conditional use or rezoning application, state this and indicate clearly why the application is required.

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

	<u>Yes</u>	<u>No</u>
21. Change in existing features of any bays, tideland, beaches, lakes or hills, or substantial alteration of ground contours.	___	___
22. Change in scenic views or vistas from existing residential areas or public lands or roads.	___	___
23. Change in pattern, scale or character of general area of project.	___	___
24. Significant amounts of solid waste or litter.	___	___
25. Change in dust, ash, smoke, fumes or odors in vicinity.	___	___
26. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.	___	___
27. Substantial change in existing noise or vibration levels in the vicinity.	___	___
28. Site on filled land or on slope of 10 percent or more.	___	___
29. Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.	___	___
30. Substantial change in demand for municipal services (police, fire, water, sewage, etc).	___	___
31. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).	___	___
32. Relationship to a larger project or series of projects.	___	___

Environmental Setting

33. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, any cultural (i.e., archeological, paleontologist, human remains), historical resources on the property, or scenic aspects. Identify any earthquake faults in the area and noise receptors within _____ feet of the project. Indicate whether the property is within a flood hazard area. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.
34. Describe the surrounding properties, including information on plants and animals and any cultural, historical resources on the properties, or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity of land use (one-family, apartment houses, shops, department stores, etc.), and scale of development (height, frontage, set-back, rear yard, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date

Signature

For _____

DEVELOPMENT PERMIT APPLICATION
HAZARDOUS WASTE AND SUBSTANCES STATEMENT

I have been informed by the City of Pacifica of my responsibilities pursuant to California Government Code Section 65962.5 regarding notifying the City of hazardous waste and/or hazardous substance sites. I have consulted the available lists including that consolidated by the State of California, Environmental Protection Agency and find:

The project (is, is not) located on a site contained among the hazardous waste or hazardous substance lists compiled pursuant to Government Code Section 65962.5.

Applicant Name _____
Applicant Address _____
City/State/Zip _____
Phone # _____

Site Address _____ APN: _____
Project Description _____

If the site is on any hazardous waste and/or hazardous substance sites list, provide the following additional information

List consulted _____ Date of list _____
Regulatory Identification Number _____
Type of problem: _____

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct

Dated: _____ Applicant: _____
(Signature)