

Convenience Market with Tobacco Sales

CUP #25-0015

1277 V Street Suite B



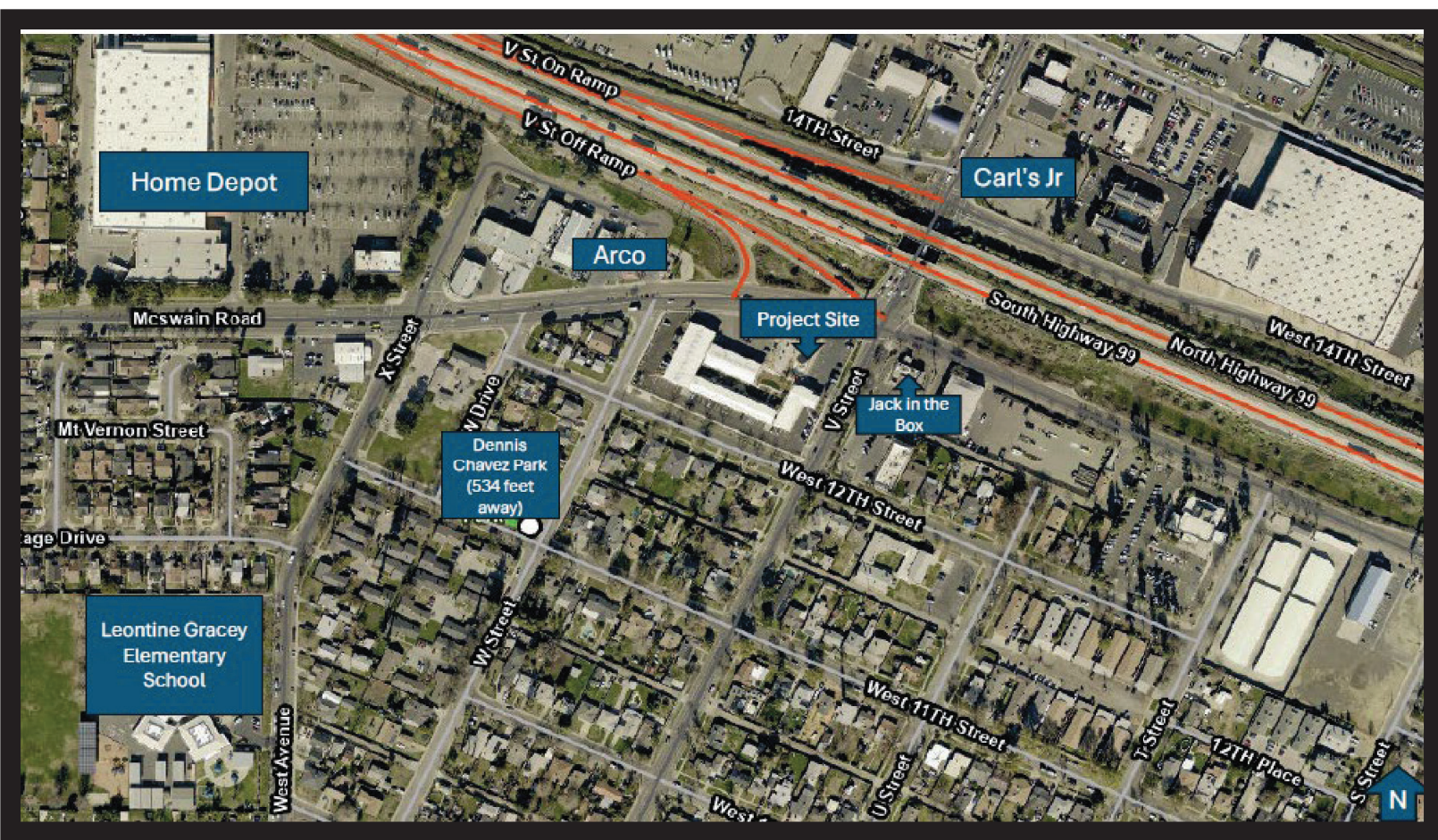
Request and Consideration

- Convenience markets are principally permitted within Zoning classification of Thoroughfare Commercial (C-T) and General Plan designation or Thoroughfare Commercial (CT)
- Per MMC 20.44.160, a Conditional Use Permit is required for tobacco sales within 600 feet of a youth-oriented facility

City-Scale Context



Location Map



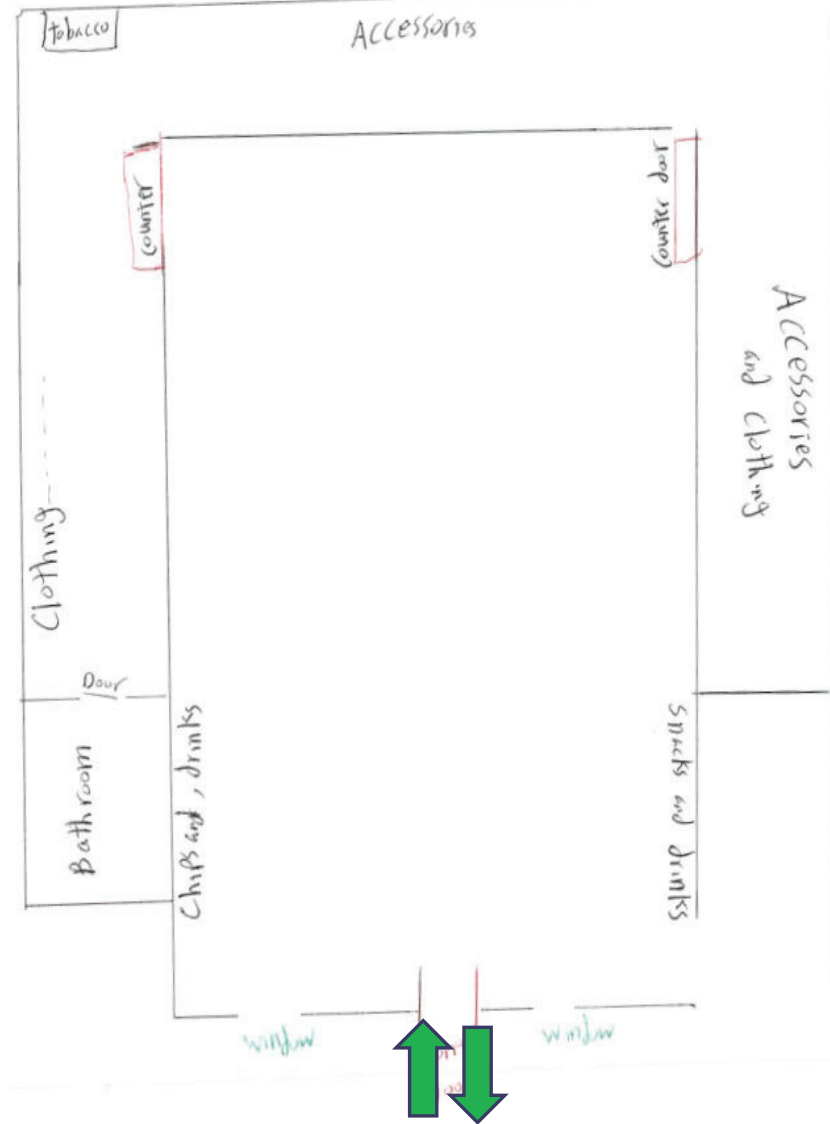
Nearby Sensitive Use



- Within 600 feet from parcel to parcel
- However, from the business to the park, there is approximately 650 feet of space and is located across West 12th Street and W Street.

Floor Plan

Tobacco Products stored
behind counter
(inaccessible to public)



Operation Details

- Hours of operation
 - Daily 8:00 a.m. – 10:00 p.m.
- Products for Sale
 - Alcohol will not be sold
 - Alcohol sales require a CUP and possibly a Finding of Public Convenience or Necessity
 - Shop will sell tobacco and tobacco products, snacks, drinks, and clothing items

Background

- MMC 20.44.160 – Tobacco Sales Prohibited Near Schools was adopted in 2016 through the City’s comprehensive Zoning Ordinance Amendment.
- As such, there are several businesses throughout the community that were in operation prior to the adoption of the ordinance, selling tobacco products near schools and youth-oriented facilities.
- Due to community feedback, it became apparent that it was extremely difficult to open a new business with tobacco sales as there is a variety of schools and youth-oriented facilities throughout the City.
- In 2022, the City Council approved an amendment to this section of the code to allow tobacco sales within 600 of youth-oriented facility with CUP approval.
- The sale of tobacco within 1,000 feet of a school is still prohibited.

POLICE DEPARTMENT



- The Police Department does not have any issues with this request.
- The conditions of approval are typical for this use.

Conditions

- **Condition #11:** The applicant shall obtain proper permits from the Merced County Health Department.
- **Condition #17:** Tobacco products and associated paraphernalia shall be kept inaccessible from the general public, stored behind the employee counter.



Planning Commission Action

After Holding the Public Hearing, the Commission may:

Approve/Disapprove/Modify

- Environmental Review #25-0021 (Cat. Ex.)
- Conditional Use Permit #25-0015 (Subject to the 19 Conditions in the Staff Report)