



# CITY OF MERCED

## Meeting Agenda

City Council Chamber  
Merced Civic Center  
2nd Floor  
678 W. 18th Street  
Merced, CA 95340

### City Council/Public Finance and Economic Development Authority/Parking Authority

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Monday, December 3, 2018

3:00 PM

City Council Chamber, 2nd Floor, Merced Civic  
Center, 678 W. 18th Street, Merced, CA 95340

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#### NOTICE TO PUBLIC

##### WELCOME TO THE SPECIAL MEETING OF THE MERCED CITY COUNCIL

At least 72 hours prior to each regular City Council meeting, a complete agenda packet is available for review on the City's website at [www.cityofmerced.org](http://www.cityofmerced.org) or at the City Clerk's Office, 678 W. 18th Street, Merced, CA 95340. All public records relating to an open session item that are distributed to a majority of the Council will be available for public inspection at the City Clerk's Office during regular business hours.

##### **PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK**

Members of the audience who wish to address the City Council are requested to complete a speaker card available at the podium against the right-hand side of the Council Chamber. Please submit the completed card to the City Clerk before the item is called, preferably before the meeting begins.

##### **INDIVIDUALS WITH DISABILITIES**

Accommodation for individuals with disabilities may be arranged by contacting the City Clerk at (209) 388-8650. Assisted hearing devices are available for meetings held in the Council Chamber.

##### **A. CALL TO ORDER**

A.1. Pledge of Allegiance to the Flag

##### **B. ROLL CALL**

##### **C. PUBLIC HEARINGS**

Members of the public who wish to speak on public hearings listed on the agenda will be heard when the Public Hearing is opened, except on Public Hearing items previously heard and closed to public comment. After the public has commented, the item is closed to further public comment and brought to the Council for discussion and action. Further comment will not be received unless requested by the Council.

**C.1. [18-604](#) SUBJECT: Public Hearing and Appeal of Planning Commission Denial**

of Commercial Cannabis Business Permit #18-14R

**REPORT IN BRIEF**

Request by Harvest of Merced to appeal and reverse the Planning Commission's denial of Commercial Cannabis Business Permit #18-14R.

**RECOMMENDATION**

Option A - Adopt Resolution (Attachment 4) affirming the Planning Commission's denial of Commercial Cannabis Business Permit #18-14R.

Option B - Adopt Resolution (Attachment 5) reversing the Planning Commission's denial of Commercial Cannabis Business Permit #18-14R.

Option C - Adopt Resolution (Attachment 6) modifying the Planning Commission's denial of Commercial Cannabis Business Permit #18-14R.

**City Council** - Adopt a motion:

A. Adopt **Resolution 2018-\_\_**, A Resolution of the City Council of the City of Merced, California, affirming the Planning Commission's Denial of Commercial Cannabis Business Permit #18-14R, denying an appeal by Harvest of Merced, LLC. and causing the next highest-scoring application for a Commercial Cannabis Business Permit using the city's merit-based scoring criteria, to be heard for one of the available four Commercial Cannabis Business Permits to operate a retail dispensary of cannabis and cannabis-based products at a future public hearing at a meeting of the Planning Commission; or,

B. Adopt **Resolution 2018-\_\_**, A Resolution of the City Council of the City of Merced, California, reversing the Planning Commission's Denial of Commercial Cannabis Business Permit #18-14R, causing Commercial Cannabis Business Permit #18-14R to be issued allowing Harvest of Merced, LLC. to operate a retail dispensary for medicinal and adult use cannabis and cannabis-related products, including delivery services, at 863 W. 15th Street; or,

C. Adopt **Resolution 2018-\_\_**, A Resolution of the City Council of the City of Merced, California, modifying the Planning Commission's Denial of Commercial Cannabis Business Permit #18-14R, denying an appeal by Harvest of Merced, LLC., and causing the next highest-scoring application for a Commercial Cannabis Business Permit using the city's merit-based scoring criteria, to be heard for one of the available four Commercial Cannabis Business Permits to operate a retail dispensary of cannabis and

cannabis-based products at a future public hearing at a meeting of the Planning Commission.

**D. ADJOURNMENT**