

**CITY OF MERCED**  
**Planning Commission**

**Resolution #3068**

**WHEREAS**, the Merced City Planning Commission at its regular meeting of May 18, 2016, held a public hearing and considered **Zoning Ordinance Amendment #16-02**, initiated by the City of Merced. This application involves changes to the Merced Zoning Ordinance (Title 20 of the Merced Municipal Code) which would amend Chapter 20.84, “Medical Marijuana and Cultivation,” and Chapter 20.20, “Professional/Commercial Office,” to the Merced Municipal Code to allow commercial medical marijuana/cannabis dispensaries in the Professional/Commercial Office (C-O) zones and Planned Developments with Commercial Office designations by Conditional Use Permit subject to certain restrictions; allow commercial deliveries of medical marijuana in the City; and to allow the cultivation of 12 immature plants or 6 mature plants per parcel/lot, either indoors or outdoors, of marijuana/cannabis for personal medical use by a qualified patient or primary caregiver in all zones and specific plan areas in the City of Merced, with certain restrictions regarding visibility and distance from the property line; and,

**WHEREAS**, the Merced City Planning Commission concurs with Findings A through I of Staff Report #16-11; and,

**NOW THEREFORE**, after reviewing the City’s Draft Environmental Determination, and fully discussing all the issues, the Merced City Planning Commission does resolve to hereby recommend to City Council adoption of a Negative Declaration regarding Environmental Review #16-12, and approval of Zoning Ordinance Amendment #16-02, as shown in Attachment A (Proposed Ordinance) of Staff Report #16-11, modified as follows:

Prohibit outdoor growing of marijuana/cannabis for personal use, reduce the number of plants allowed for personal cultivation to 6 plants (immature or mature), and to allow commercial marijuana/cannabis dispensaries in the Light Industrial (I-L), Heavy Industrial (I-H), Professional/Commercial Office (C-O) zones and Planned Development (with Commercial Office designations) zones, by Conditional Use Permit subject to certain restrictions.

Upon motion by Commissioner Smoot, seconded by Commissioner Padilla, and carried by the following vote:

AYES: Commissioners Dylina, McLeod, Padilla, Smoot and Acting Chairperson Baker  
NOES: Commissioner Smith  
ABSENT: None  
ABSTAIN: Chairperson Colby

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Adopted this 18<sup>th</sup> day of May 2016

  
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Chairperson, Planning Commission of  
the City of Merced, California

ATTEST:

  
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Secretary

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