



## Legislation Details

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<b>File #:</b>	18-604	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Public Hearing Item	<b>Status:</b>		Passed	
<b>File created:</b>	11/9/2018	<b>In control:</b>		City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	
<b>On agenda:</b>	12/3/2018	<b>Final action:</b>		12/3/2018	
<b>Title:</b>	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.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 2480 - Cannabis.pdf, 2. Planning Commission Record from 11-14.pdf, 3. Harvest of Merced LLC Notice of Appeal.pdf, 4. Draft Resolution Affirming CCBP #18-14R.pdf, 5. Draft Resolution Reversing CCBP #18-14R.pdf, 6. Draft Resolution Modifying PC Decision.pdf, 7. Full Agenda Packet - 10-25-2018 (Cannabis Appeal Hearing).pdf, 8. Items provided at 10-25-2018 Meeting.pdf, 9. Staff PowerPoint for CC 12-3-2018 CCBP #18-14R Harvest Appeal 2.pdf

Date	Ver.	Action By	Action	Result
12/3/2018	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass