



## Legislation Text

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**File #:** 19-148, **Version:** 1

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*Report Prepared by: Michael Hren, Principal Planner, Development Services Dept.*

**SUBJECT:** Public Hearing - Adoption of Resolution Identifying Sites Meeting the Definition of "School" per City of Merced Cannabis Regulations

### REPORT IN BRIEF

Identifies locations meeting the definition of "school" per the direction of City Council in its approval of Ordinance 2498, which modifies the Zoning Ordinance pertaining to cannabis businesses. Locations identified in this Resolution are the only sites to be considered "schools" for the purpose of locating cannabis businesses; cannabis dispensaries must be more than 1,000 feet from schools and non-dispensary cannabis businesses must be more than 600 feet from schools.

### RECOMMENDATION

**City Council** - Adopt a motion approving **Resolution 2019-12**, a Resolution of the City Council of the City of Merced, California establishing the City's official list of schools in accordance with the Merced Cannabis Regulations.

### ALTERNATIVES

1. Approve the Resolution, as recommended by staff; or,
2. Approve the Resolution, subject to modification by City Council (identify specific items to be amended in the motion); or,
3. Deny; or,
4. Refer to staff for reconsideration of specific items (to be addressed in the motion); or,
5. Continue to a future City Council meeting (date and time to be specified in the motion).

### AUTHORITY

Ordinance 2498 of the City Council of the City of Merced indicates that "schools" shall be determined at the sole discretion of the City Council.

### CITY COUNCIL PRIORITIES

Not applicable.

### DISCUSSION

At the City Council meeting of March 18, 2019, the City Council approved the second reading of Ordinance 2498, in which the definition of "school" was updated. This definition indicates that the City Council has the sole discretion of determining what constitutes a "school" for the purposes of locating cannabis businesses; cannabis dispensaries must be more than 1,000 feet from schools and non-dispensary cannabis businesses must be more than 600 feet from schools.

City staff have created a list of known school sites and reached out to representatives from the Merced City School District, Weaver School District, Merced County Office of Education, and Merced Union High School District for comments. The list of schools is provided as Attachment 1, and a map showing these locations is provided as Attachment 2.

In the correspondence with school representatives, a number of locations were suggested that staff did not feel met the definitions and conditions provided in Ordinance 2498. These sites, along with staff rationale, have been provided as Attachment 3.

## **IMPACT ON CITY RESOURCES**

No appropriation of funds is needed.

## **ATTACHMENTS**

1. List of Schools
2. Map of Schools
3. List of Sites Not Recommended by Staff
4. Draft Resolution
5. Staff Presentation