
OPEN HOUSE
2021:

CANNABIS
RETAIL
APPLICATION



December 1, 2021

WELCOME/OBJECTIVES

Merced has one retail cannabis permit available.

Applicants will be scored based on merit-based criteria; the highest-scoring application will be presented to the Planning Commission for approval.

At this open house, Staff will go through the changes from the 2018 application cycle, the updated requirements for submittal, and other updates.

Q&A will take place after the presentation.



QUESTIONS

If you are not present at the open house to ask a question, or think of one after the meeting, send email questions to:

planningweb@cityofmerced.org

Or call:

209-385-6858





HISTORY

- Merced approved four permits in 2018 and a fifth in 2019, using a merit-based process
 - One permittee has abandoned their permit
 - Ordinance dictates that up to five permits are allowed and previous applications are no longer usable
 - Applications will be accepted starting on January 10, 2022.
 - The application period will end on January 31, 2022.
-

PROCESS

- Application Submittal
 - Phase 1 Review
 - Phase 2 Fees & Live Scans
 - Background Checks
 - Merit Scoring
 - Highest-Scoring Application Presented to Planning Commission at a Public Hearing
-



TAX/FEE CHANGES

- Medicinal Retail Tax Reduced from 4% to 2%
- Inspections reduced to 2/year; annual fee reduced from \$22,741 to \$7,907 (subject to annual CPI update)
- Background check fees now scale to the number of owners, also applies to ownership modifications. Current fee is \$1,617.20 (subject to annual CPI update)



NEW FOR 2022 CYCLE

A. LABOR PEACE AGREEMENT:

Mandatory if 5+ employees.

B. QUALIFIED LIST:

1 year retention.

C. BUSINESS PARK:

Suitable for all cannabis business types.

D. THOROUGHFARE COMMERCIAL:

Suitable for retail dispensaries.

E. DISPENSARY HOURS:

Until 10pm.

F. STAFF:

To begin enforcement of points given during merit process.





NEW FOR 2022 CYCLE, CONTINUED

G. LOCAL OWNERSHIP PRESERVATION:

If an application receives points for local ownership, the City will reject modifications that would reduce local ownership below the level it received points for. Would not apply retroactively to existing permittees.

H. CLEAN-UP:

Outdated regulations stating what to do regarding the Qualified Applicant List that was established on September 20, 2018, have been removed.

APPLICATION CHECKLIST

- **The application packet at a glance**
- **Useful upon completion/prior to submittal**

City of Merced Commercial Cannabis Business Application Package - Retail Sales

Your initial application packet must include four (4) hardcopies of everything required below plus any attachments required. You must also submit all documents to <http://merced.seamlessdocs.com/f/planningweb>

Included

Fees

- Phase 1 Application Fee of \$1,048 (Phase 2 Fee to be collected if Phase 1 is passed).
- Environmental Review Fee of \$133 (Discuss with Planning staff if new construction is involved).
- Filing fee of \$50 in the form of a check made out to "Merced County".

Section 1

- Section 1 information completed.
- Site Plan/Floor Plan, including all requested attachments.
- Ownership list, including residency verification for all owners the applicant wishes to receive merit points for.
- For each owner a completed Live Scan check (within last 14 days) or receipt from Live Scan check.

Section 2

- Section 2 information completed and tabbed or otherwise organized for review.

Section 3

- Property Owner Affidavit wet-signed in blue ink
- Building Owner Affidavit wet-signed in blue ink (if applicable)
- Property Manager Affidavit wet-signed in blue ink (if applicable)
- Proof of possession of the premises and approval of use
- Documentation showing that the signatory authorized to sign on behalf of the applicant entity (if applicable)
- Signed Indemnification Agreements for all "owners" of the cannabis business of 5% or more.

Section 4

- Environmental Review Checklist
- Copy of Seller's Permit issued by appropriate State of California Agency (if available).
- A list of types and numbers of licenses already received (or applied for) by the applicant from the California Bureau of Cannabis Regulation including the date the license was obtained and the licensing authority that issues the license.
- A copy of all documents filed with the California Secretary of State including but not limited to business formation documents. If applicant is a foreign corporation, a certificate of qualification issued by the California Secretary of State pursuant to Section 2105 of the Corporations Code.
- Proof of Bond (\$5,000) for destruction of product (if available, will be required prior to permit issuance).
- Proof of General Liability Policy (if available, will be required prior to permit issuance).

Section 5

- Applicant Certification saying all information contained on all application documents is true and accurate

Merit-Based Criteria

- A signed copy of the Merit Based Selection Criteria form along with supporting documentation.

Please attach additional pages as needed to provide the information.

**INFORMATION ON THE
BUSINESS**

**PRIMARY POINT OF
CONTACT
INFORMATION**

**SITE PLAN
REQUIREMENTS**

**LIST OF OWNERS &
PERCENTAGES OF
INTEREST**



- **OWNERSHIP
AFFIDAVITS**

- **APPLICANT
SIGNATURE**



SIGNATURES

- **BLUE INK**

- **WET
SIGNATURES**

- **LETTER OF
AUTHORIZATION
FOR LLCs**

Property Owner Affidavit:

I hereby authorize the applicant to use the property at the following address, _____, as a Commercial Cannabis facility, as those terms are defined in the City of Merced Municipal Code, should the applicant obtain a Permit. I further understand that I am responsible for, and subject to, enforcement actions regarding any violations and/or nuisance activity that may occur at this property.

Printed Name: _____ Signature: _____ Date: _____

Building Owner Affidavit (if applicable):

I hereby authorize the applicant to use the property at the following address, _____, as a Commercial Cannabis facility, as those terms are defined in the City of Merced Municipal Code, should the applicant obtain a Permit. I further understand that I am responsible for, and subject to, enforcement actions regarding any violations and/or nuisance activity that may occur at this property.

Printed Name: _____ Signature: _____ Date: _____

Property Manager Affidavit (if applicable):

I hereby authorize the applicant to use the property at the following address, _____, as a Commercial Cannabis facility, as those terms are defined in the City of Merced Municipal Code, should the applicant obtain a Permit. I further understand that I am responsible for, and subject to, enforcement actions regarding any violations and/or nuisance activity that may occur at this property.

Printed Name: _____ Signature: _____ Date: _____

Attach the following:

- Proof of ownership of the premises
- If the property is owned by an entity, please attach documentation that shows that the person signing on behalf of the entity above is authorized to sign on its behalf.

At least one copy of the application must include all applicable signatures on this page, wet-signed in blue ink.

- **BUSINESS
OPERATIONS
AND SECURITY
PLAN**



Section 3 – Business Operations and Security Plan - *Applicants must use tabs for all lettered items to ensure that all responses are easily found during review. Additional inclusion of a table of contents, index, or other organizational tools is strongly encouraged.*

General Description

- A) A description of the operating hours of the facility.
- B) A description of the hours/days of the week the facility is open to the public.
- C) Estimated number of employees (at start-up and at full build-out).

Records and Inventory

- D) A description of how and where inventory will be kept, including the specific manner of securing the inventory, and how records will be maintained.
- E) A description of how any transaction information including patient records, reports, manifests and any other documents will be stored.
- F) A description of the auditing methods for product and financial transactions.
- G) A description of the Track and Trace system the applicant will employ.

DETAILED DESCRIPTION OF OPERATIONS

- **SUPPORTING DOCUMENTS FOR MERIT-BASED CRITERIA**

- **ADDITIONAL INFORMATION**



4

MERIT-BASED CRITERIA UPDATES

REMOVAL OF CRITERIA

- A. Business open >5 hours per day
- B. Proposal shows how all products meet State testing requirements
- C. Proposal participates in web-based public safety application

CRITERIA UPDATES, CONTINUED

NEW CRITERIA

A. Applications more than 1,000 feet from an existing retail dispensary (1 pt.)

B. Applications with $>30\%$ local ownership (2 pts.)

C. Applications with $>50\%$ local ownership (2 pts.; cumulative with *B*)



CRITERIA UPDATES, CONTINUED

REALLOCATION OF POINTS (REDUCTIONS FROM PREVIOUS)

A. Security Measures now 0-3
points (-1 possible)

B. Discretionary points from
Selection Committee now 0-14
points (-6 possible)





CRITERIA UPDATES, CONTINUED

REALLOCATION OF POINTS (+1 EACH)

- A. At least one owner is a military veteran
- B. Is a Disadvantaged Business Enterprise per USDOT
- C. Promotes/incentivizes local hiring
- D. Ownership residence in County of Merced
- E. Ownership residence in City of Merced



**Merit Based Selection Criteria for Commercial Cannabis Business Permits
(Limited Number of Permits Available)**

Section 6: Qualifications of Principals/Business Plan		
a) At least one owner is a military veteran with an honorable discharge		2
b) At least one owner is a full-time resident of the County of Merced		2
c) At least one owner is a full-time resident of the City of Merced		3
d) More than 30% of the ownership is full-time residents of the City of Merced		2
e) More than 50% of the ownership is full-time residents of the City of Merced		2
f) Does the business qualify as a Disadvantaged Business Enterprise (DBE) as defined by the U.S. Department of Transportation?		2
g) Does the business have documented proof of access to at least \$150,000 in capital (or enough capital to pay all startup costs plus at least 3 months of operating costs)?		3
h) Does the business have documented proof of access to at least \$300,000 in capital (or enough capital to pay all startup costs plus at least 6 months of operating costs)?		3
i) Business Plans contain a valid pro forma for at least 3 years of operation		2
j) Business has documented agreements with cannabis distributors to supply products to their business		2
Section 6: Sub-Total of Points Possible		23



**CITY OF MERCED
CANNABIS WEBTOOL**

www.cityofmerced.org

- 1. Click “Departments”
- 2. Hover to “Planning Division”
- 3. Click “Cannabis Businesses”



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I am looking for...



About Merced

Departments

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Building Division

What's New
Applications
Electronic Plan Review
Solar
Electric Vehicle Charging Stations
Demolition Permit
Downloads
Inspection Requests

Engineering

City of Merced LBE List
FEMA National Flood Insurance Program
GPS Reference Data
Parsons Avenue Bridge Over Bear Creek
Projects
Request for Proposals
Sewer Master Plan
Standard Designs

Housing Division

Fair Housing Resources and Services
Community Development Block Grant (CDBG) Program/Notices of Funding Availability
CDBG Coronavirus Response Supplement (CDBG-CV)
Other Housing Programs
Public Notices
Housing Reports & Plans
Housing Division Projects



Planning Division

Merced Zoning Ordinance
Cannabis Businesses ← 3
North Merced Annexation Feasibility Study
Application Forms and Fees
Planning Commission
Bicycle Advisory Commission
Bicycling in Merced
Merced Vision 2030 General Plan



Manufacturing, Distribution, Cultivation, and Testing Application Materials

Retail (Merit-Based) Application Materials

Tax Measure Materials

Renewals

Historic Documents

California Bureau of Cannabis - Get Weed Wise

Updates to the Commercial Cannabis Ordinance

North Merced Annexation Feasibility Study

Application Forms and Fees

Planning Commission

Bicycle Advisory Commission

Bicycling in Merced

Merced Vision 2030 General Plan

Documents and Handouts

Business License

FAQ's

Happenings/Current Projects

Zoning, Sign, & Subdivision Ordinances and Zoning & General

Cannabis Businesses

Font Size: + - + [Share & Bookmarks](#)

Welcome to the City of Merced's Commercial Cannabis Business Landing Page. Please use the links navigation window to the left to find the information you are looking for.



If you are looking for information regarding Retail Commercial Cannabis Business

Retail (Merit-Based) Application Materials ***This application is currently being updated***

If you are looking for information regarding Distribution, Manufacturing, Cultivation, and Testing Businesses:

Manufacturing, Distribution, Cultivation, and Testing Application Materials

If you are looking for information regarding Tax Measures:

[Tax Measure Materials](#)

If you are looking for Historic Documents related to Commercial Cannabis Businesses:

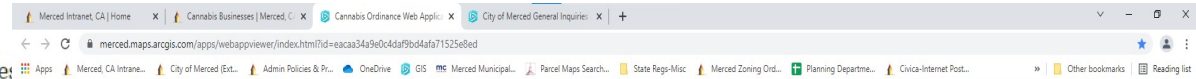
[Historic Documents](#)

If you are looking for information regarding the Renewal of your Commercial Cannabis Business:

[Renewals](#)

If you are looking for the Sensitive Uses Web Tool:

[Sensitive Uses Web Tool](#)



Terms of City of Merced Cannabis Ordinance (No. 2480)

- Specific commercial cannabis business types are allowed as special uses in the City of Merced within certain commercial and industrial zoning districts. This also applies within Planned Development zones that have equivalent General Plan land use designations to those zones listed in Table 20.44-1 (provided as a downloadable PDF and as a widget located in the upper left within the mapping application). Those business types that are permitted in each listed zone are noted with a "P", and those businesses not allowed in a listed zone are noted with an "X"
- All commercial cannabis businesses must obtain a Commercial Cannabis Business Permit (CCBP) from the City. The number of dispensaries/retail sales businesses is limited to a maximum of four (4). CCBPs must be renewed each year and annual regulatory fees must be paid to ensure monitoring and enforcement.
- The process for obtaining a Commercial Cannabis Business Permit is as follows:
 - For dispensaries/retail sales CCBPs, there is a limit of 4 permits. Because of this, these applications will undergo a 2-Phase review, consisting of:
 - A Phase 1 application review including confirmation of zoning compliance and completion of all required documents; and,
 - A Phase 2 detailed background check of all owners to the satisfaction of the Police Chief and a merit-based review of applications that passed Phase 1. This review will be overseen by a panel consisting of the City Manager, Police Chief, and the Director of Development Services or their assigns. The panel will recommend the top 4 applications to the Planning Commission; and,
 - The top 4 applications will have Planning Commission public hearings held, and the CCBP permit will be approved or denied.
 - For all other cannabis businesses with no limitation on the number of permits:
 - There is no merit-based process and all applications that pass Phase 1 and extensive background checks will go to the Planning Commission for public hearings.
- Specific operating requirements that address security, product storage, operating hours, disposal, etc., are provided for all the different types of cannabis businesses (cultivation, manufacturing, distribution, testing, deliveries, and retail sales/dispensaries). In general, all cannabis activities, including cultivation, must take place indoors.
- Distance requirements from sensitive land uses are also required as follows:
 - A Cannabis Business that involves a Dispensary/Retail Sales is not allowed within 1,000 feet of a school;
 - A Cannabis Business of any other type (not retail sales) is not allowed within 600 feet of a school.
 - A Cannabis Business of any type is not allowed within 600 feet of a day care center, a youth center, a public park (not including bike paths), or a library.
- Specific regulations are imposed on the cultivation of cannabis for personal use in private residences in residential zones. In general, the cultivation of cannabis for personal use is only permitted indoors and is limited to six (6) plants as per State law.

Disclaimers Regarding Use of this Mapping Tool

- Use of this online tool is intended for informational purposes and is not binding confirmation that a property complies with any or all aspects of the City of Merced's requirements to obtain a Commercial Cannabis Business Permit. Determinations of zoning compliance, distance from sensitive uses, and other requirements will be made by the Planning Department of the City of Merced in accordance with the regulations set forth by the Merced City Council in Ordinance 2480.
- The City of Merced does not have jurisdiction over properties outside its City Limits. To avoid confusion, any property that is searched for outside of the Merced City Limits will return no results.
- Please note that all properties within 1,000 feet of a school are shown as "Properties with Inappropriate Zoning for Cannabis Activities" at this time. Because Dispensaries/Retail Sales are impermissible at this distance, while some other Cannabis Activities are permissible so long as they are not within 600 feet of a school, this may mean that another Cannabis Activity (Manufacturing, Testing, Cultivation or Distribution) may still be appropriate based on distance from other sensitive uses and the information in Table 20.44-1, Commercial Cannabis Businesses, from the Merced Cannabis Ordinance, #2480. For any questions regarding this web application, the information contained herein, or regarding the Commercial Cannabis Business Permit application process, please contact the City of Merced's Planning Department at planning@merced.gov, by calling 209-385-6858, or in-person on the 2nd Floor of City Hall at 678 West 18th Street, Merced, CA 95340 between the hours of 10AM to Noon and 1PM to 5PM Monday through Friday.

I have read, understood, and agree to the terms of the City of Merced's Ordinance 2480 and the Disclaimers regarding the use of this mapping tool.

Agree

Cannabis Business Use Table – 20.44-1

TABLE 20.44-1—COMMERCIAL CANNABIS BUSINESSES

Commercial Cannabis Business Activities Use Type	City of Merced Municipal Code Table 20.44-1									
	Land Use Classification [4] [5]	C-C Zone	C-O Zone	C-G Zone	C-N Zone	C-T Zone	B-P Zone	I-L Zone	I-H Zone	Additional Specific Use Standards
Cultivator	Greenhouse, Type A	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Cultivator	Greenhouse, Type B	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Cultivator	Greenhouse, Type C	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Nursery	Greenhouse, Type D	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Manufacturing	Manufacturing, non-volatile	X	X	X	X	X	P	P	P	Sec. 20.44.170(H)
Manufacturing	Manufacturing, volatile	X	X	X	X	X	P	P	P	Sec. 20.44.170(H)
Dispensary [1][2]	Pharmaceutical, medical	P	P	P	P	P	P	P	X	Sec. 20.44.170(F)
Dispensary [1][2]	Retail, non-medical/combined	P	P	P	P	P	P	P	X	Sec. 20.44.170(F)
Testing Laboratory	No Retail	P	P	P	X	X	P	P	P	Sec. 20.44.170(J)
Distribution [3]	Freight/Transport	X	X	P	X	X	P	P	P	Sec. 20.44.170(K)

Example of Property within General Commercial Zone (C-G) and Outside School Sensitive Use Buffer (1000 Ft)

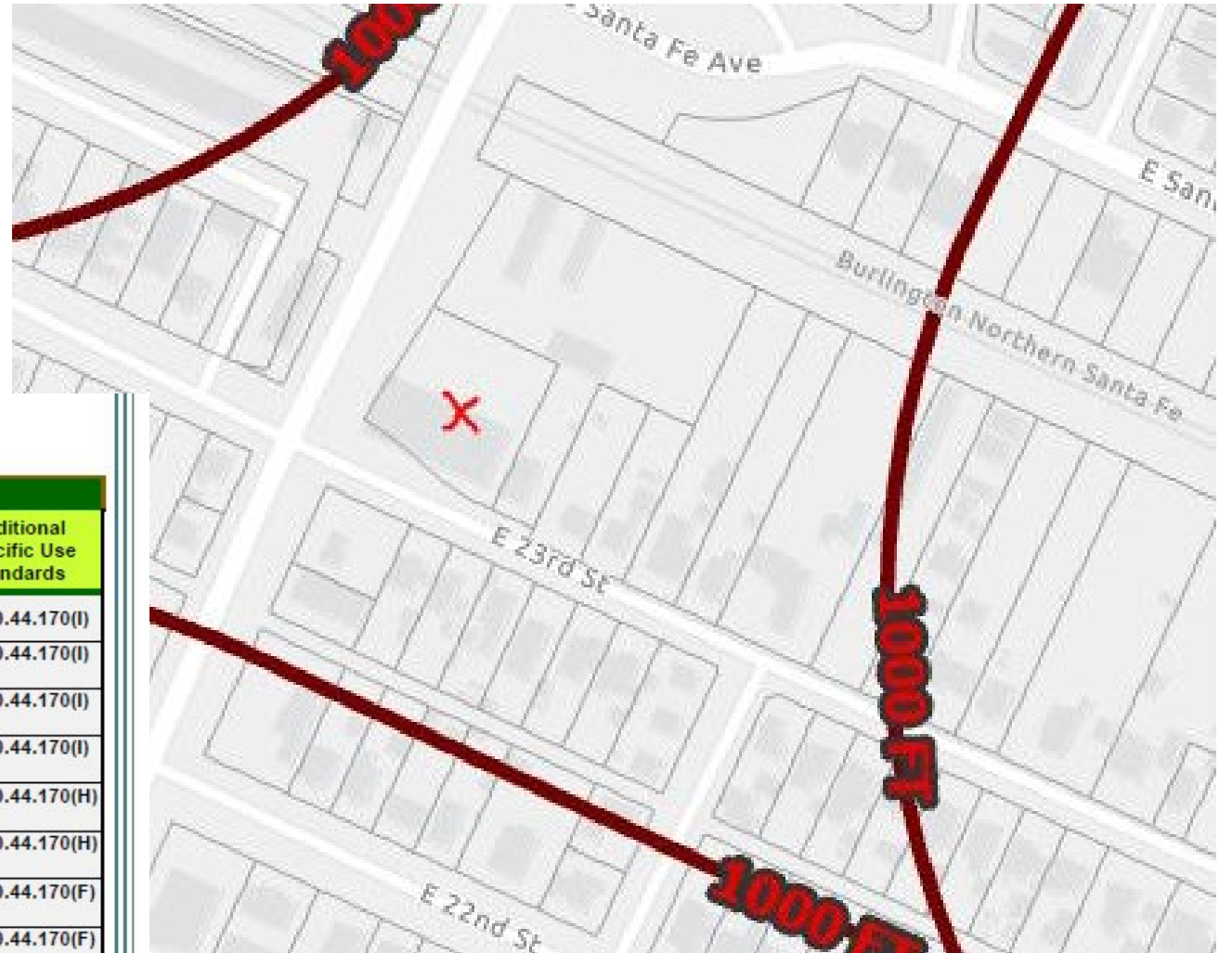


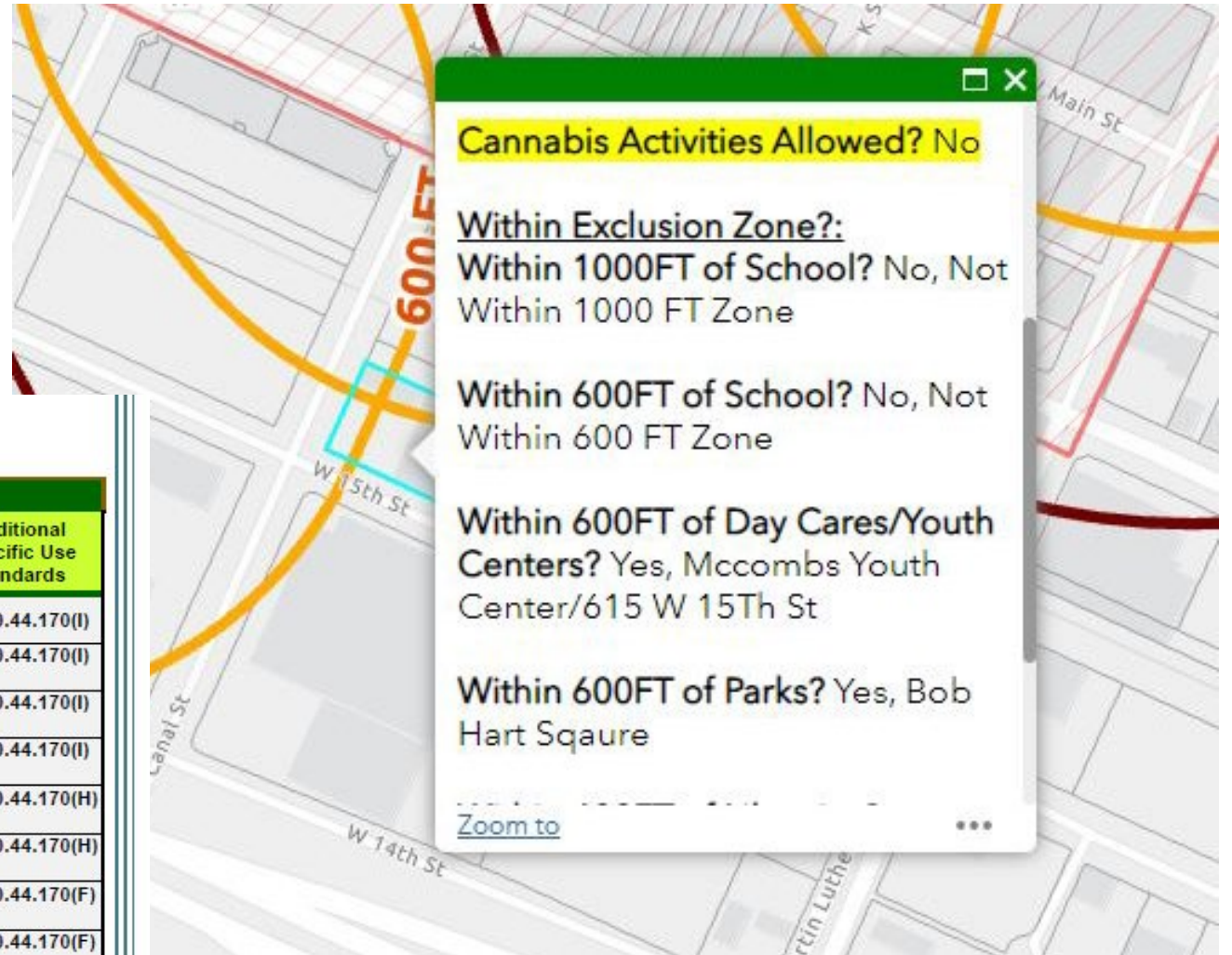
TABLE 20.44-1—COMMERCIAL CANNABIS BUSINESSES

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		C-C Zone	C-O Zone	C-G Zone	C-N Zone	C-T Zone	B-P Zone	I-L Zone	I-H Zone	
Cultivator	Greenhouse, Type A	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Cultivator	Greenhouse, Type B	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Cultivator	Greenhouse, Type C	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Nursery	Greenhouse, Type D	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Manufacturing	Manufacturing, non-volatile	X	X	X	X	X	P	P	P	Sec. 20.44.170(H)
Manufacturing	Manufacturing, volatile	X	X	X	X	X	P	P	P	Sec. 20.44.170(H)
Dispensary [1][2]	Pharmaceutical, medical	P	P	P	P	P	P	P	X	Sec. 20.44.170(F)
Dispensary [1][2]	Retail, non-medical/combined	P	P	P	P	P	P	P	X	Sec. 20.44.170(F)
Testing Laboratory	No Retail	P	P	P	X	X	P	P	P	Sec. 20.44.170(J)
Distribution [3]	Freight/Transport	X	X	P	X	X	P	P	P	Sec. 20.44.170(K)

Example of Property within Thoroughfare Commercial Zone (C-T) and Within 600-Foot Sensitive Use Buffer

TABLE 20.44-1—COMMERCIAL CANNABIS BUSINESSES

Commercial Cannabis Business Activities Use Type	Land Use Classification [4] [5]	City of Merced Municipal Code Table 20.44-1								Additional Specific Use Standards
		C-C Zone	C-O Zone	C-G Zone	C-N Zone	C-T Zone	B-P Zone	I-L Zone	I-H Zone	
Cultivator	Greenhouse, Type A	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Cultivator	Greenhouse, Type B	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Cultivator	Greenhouse, Type C	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Nursery	Greenhouse, Type D	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Manufacturing	Manufacturing, non-volatile	X	X	X	X	X	P	P	P	Sec. 20.44.170(H)
Manufacturing	Manufacturing, volatile	X	X	X	X	X	P	P	P	Sec. 20.44.170(H)
Dispensary [1][2]	Pharmaceutical, medical	P	P	P	P	P	P	P	X	Sec. 20.44.170(F)
Dispensary [1][2]	Retail, non-medical/combined	P	P	P	P	P	P	P	X	Sec. 20.44.170(F)
Testing Laboratory	No Retail	P	P	P	X	X	P	P	P	Sec. 20.44.170(J)
Distribution [3]	Freight/Transport	X	X	P	X	X	P	P	P	Sec. 20.44.170(K)



Example of Property within Heavy Industrial Zone (I-H) and Outside 600-Foot Sensitive Use Buffer

TABLE 20.44-1—COMMERCIAL CANNABIS BUSINESSES

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		C-C Zone	C-O Zone	C-G Zone	C-N Zone	C-T Zone	B-P Zone	I-L Zone	I-H Zone	
Cultivator	Greenhouse, Type A	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Cultivator	Greenhouse, Type B	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Cultivator	Greenhouse, Type C	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Nursery	Greenhouse, Type D	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
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Manufacturing	Manufacturing, volatile	X	X	X	X	X	P	P	P	Sec. 20.44.170(H)
Dispensary [1][2]	Pharmaceutical, medical	P	P	P	P	P	P	P	X	Sec. 20.44.170(F)
Dispensary [1][2]	Retail, non-medical/combined	P	P	P	P	P	P	P	X	Sec. 20.44.170(F)
Testing Laboratory	No Retail	P	P	P	X	X	P	P	P	Sec. 20.44.170(J)
Distribution [3]	Freight/Transport	X	X	P	X	X	P	P	P	Sec. 20.44.170(K)

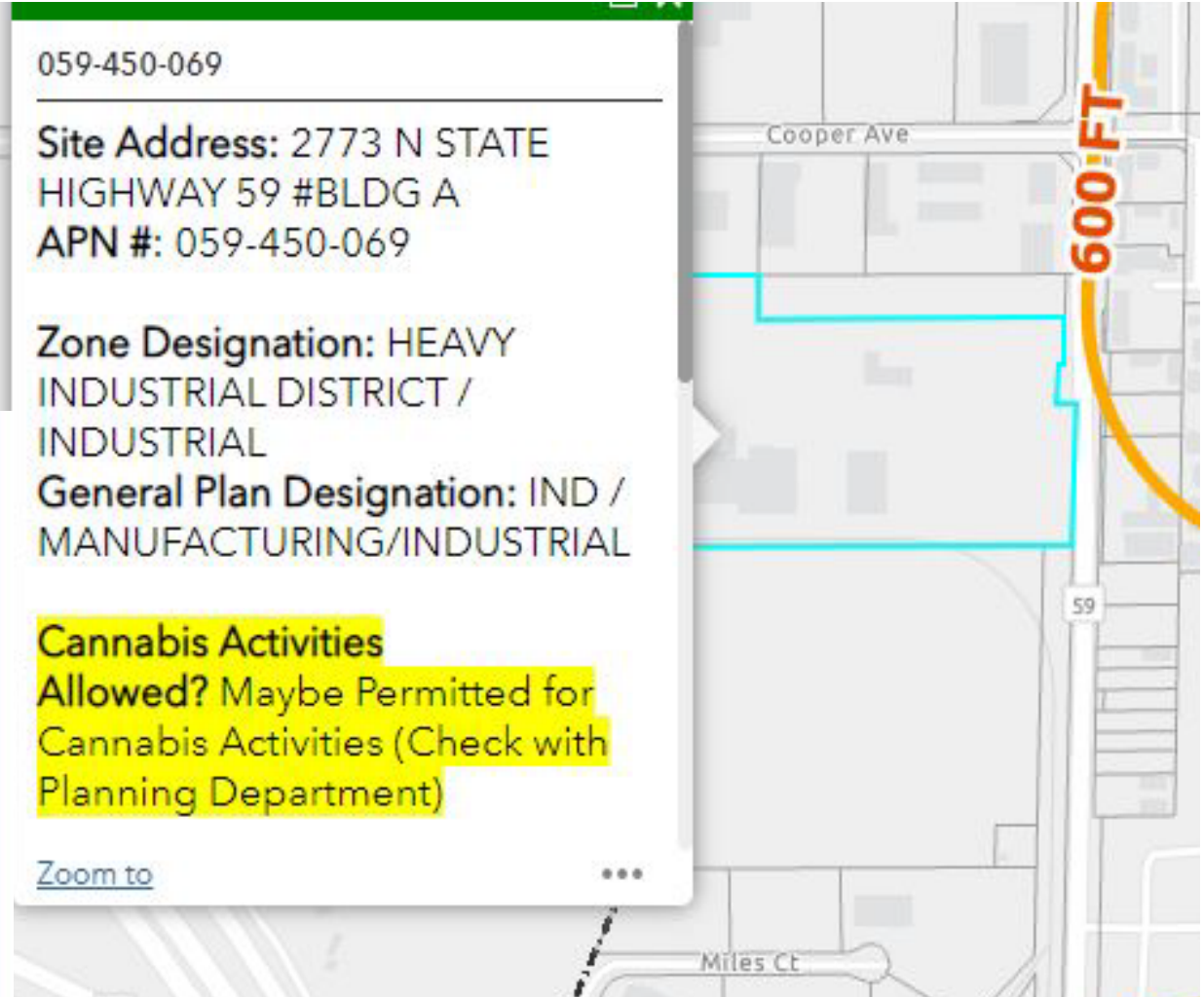
059-450-069

Site Address: 2773 N STATE HIGHWAY 59 #BLDG A
APN #: 059-450-069

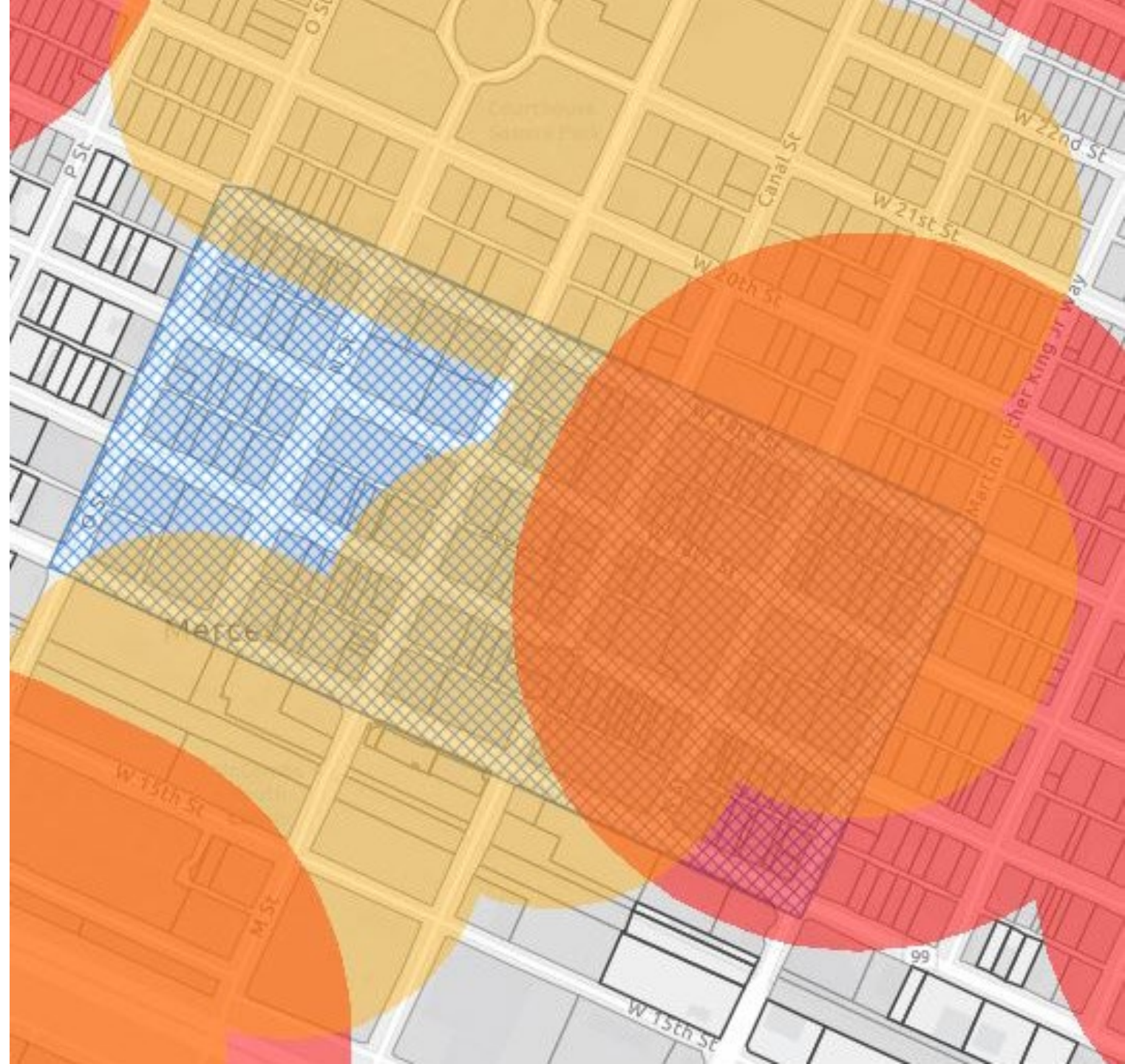
Zone Designation: HEAVY INDUSTRIAL DISTRICT / INDUSTRIAL
General Plan Designation: IND / MANUFACTURING/INDUSTRIAL

Cannabis Activities Allowed? Maybe Permitted for Cannabis Activities (Check with Planning Department)

[Zoom to](#)



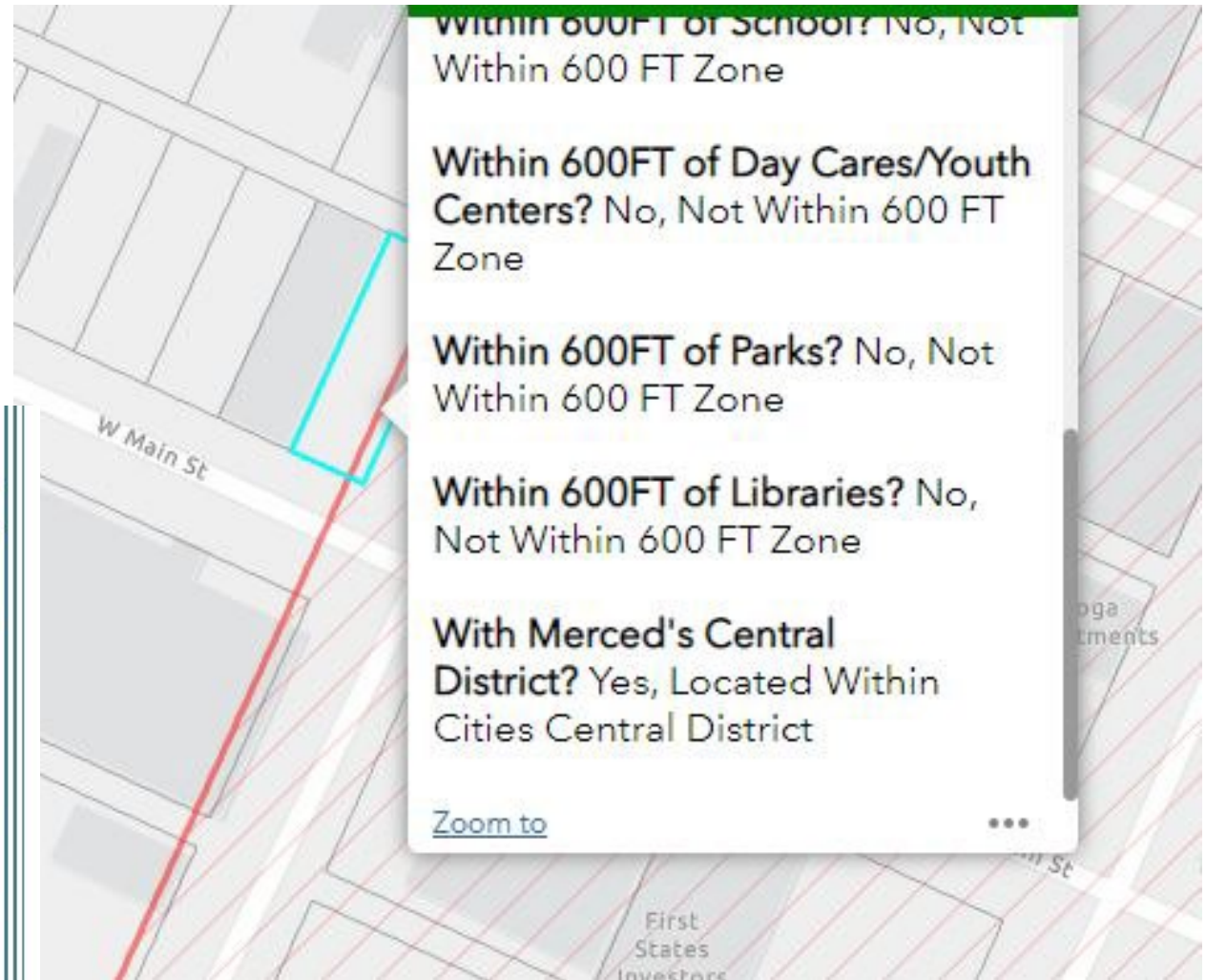
**City
Center
W. 16 St to
W. 19th St &
MLK Jr Wy
to O St**



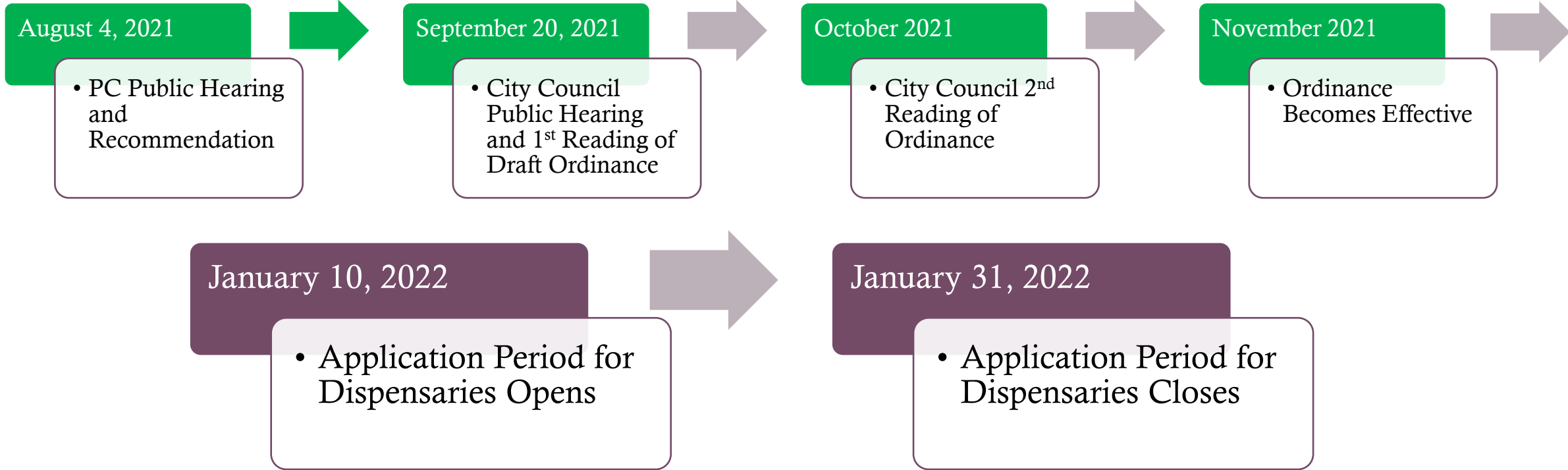
Example of Property within Central Commercial Zone (C-C) and Adjacent to the City Center

TABLE 20.44-1—COMMERCIAL CANNABIS BUSINESSES

Commercial Cannabis Business Activities Use Type	Land Use Classification [4] [5]	City of Merced Municipal Code Table 20.44-1								Additional Specific Use Standards
		C-C Zone	C-O Zone	C-G Zone	C-N Zone	C-T Zone	B-P Zone	I-L Zone	I-H Zone	
Cultivator	Greenhouse, Type A	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Cultivator	Greenhouse, Type B	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Cultivator	Greenhouse, Type C	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Nursery	Greenhouse, Type D	X	X	X	X	X	P	P	P	Sec. 20.44.170(I)
Manufacturing	Manufacturing, non-volatile	X	X	X	X	X	P	P	P	Sec. 20.44.170(H)
Manufacturing	Manufacturing, volatile	X	X	X	X	X	P	P	P	Sec. 20.44.170(H)
Dispensary [1][2]	Pharmaceutical, medical	P	P	P	P	P	P	P	X	Sec. 20.44.170(F)
Dispensary [1][2]	Retail, non-medical/combined	P	P	P	P	P	P	P	X	Sec. 20.44.170(F)
Testing Laboratory	No Retail	P	P	P	X	X	P	P	P	Sec. 20.44.170(J)
Distribution [3]	Freight/Transport	X	X	P	X	X	P	P	P	Sec. 20.44.170(K)



TIMELINE



QUESTIONS

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planningweb@cityofmerced.org

Or call:

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