



# CITY OF HAYWARD

Hayward City Hall  
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## Cover Memo

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**File #:** PH 19-014, **Version:** 1

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**DATE:** February 28, 2019

**TO:** Planning Commission

**FROM:** Planning Manager

### **SUBJECT**

Application to Amend Chapter 10, Article 1 (Zoning Ordinance), Section 10-1.3603(B) related to a Proposed Modification of the Required Setbacks for Commercial Cannabis Businesses from certain sensitive land uses; and Chapter 10, Article 1 (Zoning Ordinance), Section 10-1.3607(C).1 related to a Reduction of the Overconcentration Buffer from 1,000 feet to 500 feet for Commercial Cannabis Retail Dispensaries of the Hayward Municipal Code in the City of Hayward, Requiring Approval of a Zoning Text Amendment, Application No. 201900727.

### **RECOMMENDATION**

That the Planning Commission recommend to the City Council approval of the proposed Zoning Text Amendments (Attachment II) to Chapter 10, Article 1, Section 10-1.3600, Cannabis, of the Hayward Municipal Code related to the setback requirements for commercial cannabis businesses and the over-concentration buffer for retail dispensaries in the City of Hayward, based on the required Findings (Attachment III).

### **SUMMARY**

Pursuant to HMC Section 10-1.3600, the City requires a 1,000-foot separation between commercial cannabis retail dispensaries and a 600-foot separation between all commercial cannabis businesses and sensitive land uses that include schools, day care centers and youth centers. The proposed text amendments would reduce the over-concentration buffer between retail dispensaries from 1,000 feet to 500 feet and additionally provide the Planning Commission the ability to reduce the 600-foot buffer for commercial cannabis uses from sensitive land uses, if two additional findings are made.

### **ATTACHMENTS**

Attachment I Staff Report  
Attachment II Draft Text Amendment and Ordinance  
Attachment III Findings  
Attachment IV Cannabis Land Use Maps

