



City of Port Hueneme

Community Development Department

Cannabis Businesses Q & A

Thank you for your interest in the City's cannabis-related business process. The purpose of this document is to acquaint you with the City's application process and provide answers to questions generally asked about it. However, it is also recommended that you review the City's website at: <http://www.ci.port-hueneme.ca.us/DocumentCenter/Index/133> to review the other documents, such as application forms and submittal requirements, and the City's Cannabis Ordinance and Implementing Resolution, which are applicable to the City's application process.

Q: *Is the City still accepting applications for cannabis businesses?*

A: Effective July 21, 2021 and March 21, 2022, the following caps are implemented on cannabis businesses in the City of Port Hueneme:

- Not more than twelve (12) retail cannabis dispensaries;
- Not more than six (6) approved delivery-only cannabis businesses with a combined total of not more than eighteen (18) delivery businesses within the City;
- Not more than five (5) cannabis lounges (must be located within or immediately adjacent to, AND be operated by, an existing retail dispensary);
- Not more than ten (10) manufacturing businesses; and
- Not more than eight (8) distribution businesses.

Since there are 12 applications for retail dispensaries either approved and operating or in the process and since there are six approved delivery-only cannabis businesses in the City, the City is not accepting applications for dispensaries or delivery-only businesses at this time. Please check back periodically to see if an application spot has opened up.

Q: *Under what authority is cannabis legal within the City of Port Hueneme?*

A: Per Port Hueneme Municipal Code (PHMC) Article III, Chapter 12, effective December 4, 2017.

Q: *Can an individual personally cultivate cannabis plants for medicinal purposes in Port Hueneme?*

A: Yes, per PHMC Section 3993, up to six plants per parcel may be cultivated as long as the property is located in the single-family residential (R-1) zone and per the requirements of this PHMC Section 3993.

Q: *What types of cannabis-related businesses can be operated in the City of Port Hueneme?*

A: Upon approval, dispensaries (including lounges), transportation/distribution, deliveries (non-retail dispensaries), cultivation and manufacturing and microbusinesses.

Q: *In what zones may I operate a cannabis-related business in the City of Port Hueneme?*

A: Commercial (C-1), Light Industrial (M-1) and Mixed-Use (R4). However, retail uses are not allowed in the M-1 zone and manufacturing uses (including distribution) are not allowed in the C-1 or R4 zones.

Q: *What is the approval process to open a cannabis-related business in the City of Port Hueneme?*

A: A cannabis-related business may only be operated after approval of the following: A Certificate of Approval from the City Manager (this includes all documents, studies and physical plans required by the Cannabis Ordinance and Implementing Resolution), as well as a substantial background check of each principal and employee affiliated with the business), followed by approval of a Conditional Use Permit and Development Agreement by the City Council.

Q: *Where can I obtain an application packet?*

A: Application packages are available online at the City's website: <http://www.ci.port-hueneme.ca.us/>, either on the Home Page or under Departments/Community Development/Planning/Planning Applications, or in person at the Community Development Department, Port Hueneme City Hall, 250 N. Ventura Road, Port Hueneme.

Q: *Can I submit a partial application to "start the process" and submit the rest of the application at a later date?*

A: No. Only complete applications will be accepted for processing.

Q: *Where do I submit my application package?*

A: Please submit your complete application package IN PERSON to the Community Development Department in the Port Hueneme City Hall, 250 N. Ventura Road, Port Hueneme. **AN APPOINTMENT IS REQUIRED** in order to submit your application. Please contact either Yvonne Nava at Ynava@cityofporthueneme.org or (805) 986-6512, to make an appointment.

Q: *What are the fees to submit for a Certificate of Approval Application?*

A: A deposit of \$10,000, payable in cash, a certified check or a cashier's check is required to be paid for Certificate of Approval Application. Additionally, an applicant must pay the full costs of processing background check applications for EACH business Principal AND employee. This fee is currently \$445.56 and includes a flat \$300 fee for each application checked as well as the costs of performing a LiveScan check. Since LiveScan fees may change, check with staff on the current background check fee amount prior to submittal. Please also note that separate fees for the Conditional Use Permit and Development Agreement applications and environmental review fees will be required at the time of submittal of the Conditional Use Permit and Development Agreement applications. Please confirm the actual submittal cost with staff prior to submittal. Finally, for all deposits paid, any unused fees will be refunded; however, if projects require additional review costs above the initial deposit amount, then the additional costs will be required to be paid by the applicant.

Q: *Once I submit an application, is approval guaranteed?*

A: No. Approval is based on a number of factors including, but not limited to, the background check, business acumen, location, etc.

Q: *How long does the process take after application submittal before I can open my business?*

A: The length of time to complete the process depends on a number of factors including, but not limited to, completeness of the application, the time in which an outside agency requires to process the background checks, the amount of review per the California Environmental Quality Act (CEQA), plan check and building permitting requirements, etc.

Q: *Will the City Council take action on my application?*

A: Yes, the City Council will review and take action upon the Conditional Use Permit and Development Agreement at a noticed public hearing.

Q: *Are there distance requirements between cannabis-related businesses?*

A: The City Council decided to allow the market to decide the number and distances between cannabis-related businesses. Therefore, the only mandated distance requirement is that a cannabis-related business must be located at least 600 feet from a school. However, applicants should take into consideration distances from parks, community facilities and other medicinal cannabis-related businesses to avoid over-concentration, since these factors may arise during review of the Conditional Use Permit application by the City Council.

Q: *In addition to obtaining a Certificate of Approval and Conditional Use Permit/Development Agreement, will I be required to obtain any other approvals before I can open my business?*

A: Yes. A City of Port Hueneme Business License will be required, as will any required building permits, permits from the Ventura County Health Department, State of California, etc.

Q: *I currently operate a cannabis delivery service from a location outside of Port Hueneme. May I deliver to clients who reside in Port Hueneme even though my business is located outside the city limits?*

A: No. In order to deliver cannabis to clients living in Port Hueneme, you must obtain a Certificate of Approval, Conditional Use Permit and Development Agreement from the City of Port Hueneme and you must operate from a physical location in either the C-1 or R-4 zone.