

Selected Applicant Questions & Answers

THE FOLLOWING QUESTIONS HAVE BEEN SUBMITTED BY APPLICANTS AFTER INITIAL RANKINGS WERE POSTED. PLEASE REVIEW THIS SECTION FREQUENTLY AS RELEVANT APPLICANT QUESTIONS AND CITY RESPONSES WILL BE POSTED AND UPDATED.

UPDATE MARCH 29, 2023

What is the appeal process for an applicant?

There is no appeal process for cannabis business license applications. Please review Ordinance 2236 for more information regarding the admin appeal process https://content.gcode.us/lib/hawthorne_ca/alerts/documents/ordinance_2236.pdf. Please note that Section 5.100 is the Cannabis Business License ordinance for which appeals do not apply.

Can you provide information on what parking requirements will apply to cannabis retail and lounge locations? Which, if any, of these will apply to our location? Are there exceptions for locations that are grandfathered in? It seems that most of the locations we've identified don't have sufficient parking to satisfy the requirements in Section 17.58.030 of the Hawthorne Municipal Code.

The Planning Department will review each application individually to determine which standards apply and/or if the property is excepted from any standards. Each site will require a Conditional Use Permit which will allow the city to determine if any parking variances or other exceptions apply. Existing sites and buildings will be evaluated based on existing conditions. You may submit multiple zoning verifications if you need additional feedback on a location. There is no additional charge for zoning verifications. We are happy to help you with any zoning or other code standards as you move forward.

Where do I find approved site locations to measure the 150-foot setback from other retailers?

The city will update the buffer map with approved retail sites as they are approved. The map will be posted on the city's cannabis webpage.

I was selected as a Top Applicant for retail. Now what?

As a top applicant, you have been selected to move forward in the cannabis business license process for the activities you applied for. Please be advised that the notice of selection does NOT grant you a license to operate. You must meet additional criteria, including approval of a Conditional Use Permit (CUP) Application. To begin the CUP process, please complete a zoning verification form **within 6 months of the date of the Top Applicant notice** and submit it via email. Once the zoning verification has been approved, you will receive a "next steps" letter with instructions on how to submit a CUP application for your cannabis retail business.

****Please note the 6-month period will expire 180 calendar days from the date of this notice, including weekends and holidays****

I was NOT selected as a Top Applicant for retail. Now what?

If your business application has been reviewed and deemed substantially complete to move forward in the cannabis business license process, you have been notified and the results are posted on the city's cannabis webpage. Please be advised that the notification does NOT grant you a license at this time. You must meet additional criteria, including completing a zoning verification form **within 12 months of the date of the notice**. Once the zoning verification has been approved, you will receive a "next steps" letter with instructions on how to obtain your cannabis business license.

If your application score qualifies, you will be placed on the city's retail license waiting list unless you request in writing to be removed.

If you applied for a delivery license and wish to operate a delivery service business without storefront retail, please notify the city of your request to be added to the delivery waiting list via email by April 1, 2023. At this time, the city has authorized three of the maximum eight delivery licenses allowed by ordinance.

If you do not wish to continue processing your non-retail application, please submit a termination/withdrawal request via email.

Please note the 12-month period will expire 365 calendar days from the date of the notice, including weekends and holidays

How does a Tie and Tie breaker work regarding our application? Why are we still tied?

The city has a tie breaking process outlined in the ordinance which is applied when the tie affects the Top Applicant ranking. If your ranking does not qualify you as a Top Applicant (not in the top 6), the tie is inconsequential based on current raking.

Is the Distro license we have been approved for still have to be located in an industrial area or can it be commercial ?

Please refer to the zoning text amendment (Ord 2237) on the city's cannabis homepage for detailed zoning information. Distribution is allowed in M zones.

17.90.030 Zoning.

A. The table below summarizes the allowed commercial cannabis businesses within the Hawthorne Municipal Code, Chapter 5.100. No commercial cannabis activities are allowed unless explicitly expressed in this chapter.

CANNABIS USE	ZONE	
	All C-zones	All M-zones
Retail with or without consumption lounge or ancillary delivery service	CSA & CUP*	CSA & CUP*
Commercial indoor cultivation, delivery service not ancillary to retail, distribution, manufacturing, or testing laboratory	NP	CSA
Commercial outdoor cultivation (greenhouses included)	NP	NP

Key: CUP – Conditional Use Permit; CSA – Cannabis Screening Application; NP – Not Permitted

* Only one CUP is required for retail. Delivery or consumption that is ancillary to retail is covered by the retail CUP.

If we decide to drop our distribution license from our application, can our retail application still be on the waiting list for a future dispensary?

Yes. You can withdraw your distribution license and remain on the waiting list for retail. Please be advised that withdrawing your distribution license will result in a score adjustment, which may result in a change in ranking, as there were points awarded for multi-use operations. Please see the MULTIPLE OPERATIONS CERTIFICATION for more information regarding rescoring. Each applicant was to submit a signed certification as a part of their complete application package.

Can you please share or provide us with how the CUP process takes place in the city of Hawthorne for dispensaries?

You can review information regarding the Conditional Use Permit process on the Planning Department Website <https://www.cityofhawthorne.org/departments/planning/planning-forms>

In the ordinance it states that there is an opportunity to have a Delivery- Only license within the City of Hawthorne , is that still the case ? If so, what is the process to do so?

If an applicant applied for a Delivery license (with retail application), they can request to be added to the delivery waiting list. An email was sent to all listed owners/applicants with information on how and when to do this. Please be advised that the final date to request to be added to the delivery waiting list is April 1, 2023.

UPDATE MAY 12, 2023

Could you help clarify if the radius for a school is measured:

- 1. Building to building**
- 2. Property line to property line**
- 3. Property line to cannabis building's entrance**
- 4. Or any combination of those**

Please the city's sensitive use map on the cannabis webpage for mapped radius buffers. These buffer areas have already been measured and identified by the city. Your property must not be located within the mapped buffers.

I also wanted to confirm that any retailer who also won a distribution license will need to be located in industrial areas as opposed to regular retail?

This question has been answered previously. Please see the city zoning ordinance, Applicant Q+A and/or FAQ sheet for questions related to zoning. For your convenience, the table below identifies the zones in which each cannabis use is allowed and what type of permit is required. Non-retail uses are not permitted in retail zones.

CANNABIS USE	ZONE	
	All C-zones	All M-zones
Retail with or without consumption lounge or ancillary delivery service	CSA & CUP*	CSA & CUP*
Commercial indoor cultivation, delivery service not ancillary to retail, distribution, manufacturing, or testing laboratory	NP	CSA
Commercial outdoor cultivation (greenhouses included)	NP	NP

Key: CUP – Conditional Use Permit; CSA – Cannabis Screening Application; NP – Not Permitted
 * Only one CUP is required for retail. Delivery or consumption that is ancillary to retail is covered by the retail CUP.

I would also like to confirm that a pre-school is not considered a school (K-12), but rather grouped as a daycare requiring a 150 ft radius?

The cannabis ordinance section 5.100.040 (F) states **(emphasis added)**:

1. A licensed cannabis retailer or a cannabis area with on-site adult-use retail must be outside of a 600-foot radius of any public park, private or **public K12 school**, and outside of a 150-foot radius of a commercial daycare center, treatment or recovery center, and other licensed cannabis retailers or consumption businesses.
2. A licensed cannabis cultivation, manufacturing, distribution, delivery, or testing business must be outside of a 150-foot radius of any public park, private or **public K-12 school**, commercial daycare center, treatment or recovery center, and other licensed cannabis retailers or consumption businesses.
3. For purposes of this Section, **day care center shall have the same meaning as in Health and Safety Code Section 1596.76; and school shall mean any property containing a structure which is used for education or instruction, whether public or private, at grade levels kindergarten through 12, notwithstanding city jurisdiction.** School does not include: businesses providing online instruction only;

tutoring; martial arts; instruction focused solely on fine arts; dance, or music; or counseling services.

Pre-schools are not K-12 educational institutions. As such, they are not considered a school. The city has identified all schools on the sensitive use map. Your property must be outside of the school buffer. If a Pre-school center meets the definition of day care center as prescribed in HSC Section 1596.76, the facility will be treated as a commercial day care center, thereby requiring a 150ft buffer.

Please be advised, both schools and commercial day care centers are identified on the city's sensitive use map. If a school or day care center (or other sensitive use) is identified during the zoning verification process, you will be notified of such.