

**PLANNING COMMISSION RESOLUTION NO. PC 2024-02  
ZONING TEXT AMENDMENT ZA-2023-0007**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
HAWTHORNE, CALIFORNIA, AMENDING SECTION 17.87.050  
(USES PROHIBITED) OF CHAPTERS 17.87 (MIXED USE OVERLAY  
ZONE (MU)) TO REMOVE CANNABIS-RELATED USES FROM LIST  
OF USES PROHIBITED, AND APPROVING AN EXEMPTION UNDER  
SECTION 15061(b)(3) OF CEQA**

**WHEREAS**, in 2016 California voters passed Proposition 64, The Adult Use of Marijuana Act or AUMA which legalized the adult (21 years and over) use of cannabis; and

**WHEREAS**, in 2016 the City Council adopted Ordinance No. 2106 which amended Title 17 of the Zoning Code to prohibit all forms of cannabis cultivation, processing, and delivery within the City of Hawthorne except where the City is prohibited by state or federal law from such prohibitions; and

**WHEREAS**, in 2017, SB 93 or Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) became law which merged the medicinal licensing with the adult use laws; and

**WHEREAS**, in 2017 the City Council adopted Ordinance No. 2148 which prohibited all forms of non-medical cannabis businesses from operating within the City of Hawthorne; and

**WHEREAS**, in November 2020, the registered voters of the City of Hawthorne passed Measure CC which approved a 5% tax on gross revenue of cannabis business; and

**WHEREAS**, in October 2021, the City passed Resolution No. 8305 which created the Cannabis Working Committee that endeavored to implement the City's cannabis program while holding several town-hall meetings and regular open meetings to discuss and inform the community residents regarding the cannabis program; and

**WHEREAS**, based on the series of Cannabis Working Committee meetings and City Council meetings, a direction was given to author a comprehensive Commercial Cannabis Business ordinance, and

**WHEREAS**, the City Council held a public hearing on October 25, 2022, on the Commercial Cannabis Business ordinance and adopted the same at the regular meeting of November 8, 2022; and

**WHEREAS**, on November 16, 2022, the Planning Commission of the City of Hawthorne considered Ordinance 2237 to removed cannabis businesses from lists of uses prohibited in each commercial and industrial zone, and adopted Resolution No. PC2022-15 recommending approval of the ordinance to the City Council; and

**WHEREAS**, Ordinance 2237 specifically addressed cannabis businesses in commercial and industrial zones, it did not include overlay zones; and

**WHEREAS**, on February 14, 2023, the City Council considered the Planning Commission's recommendation and, after a duly noticed public hearing where all persons in support and in opposition were heard, introduced Ordinance No. 2237; and

**WHEREAS**, the City Council of the City of Hawthorne adopted Ordinance No. 2237 in furtherance of the City's objective to provide appropriate zoning and separation regulations for cannabis businesses, and

**WHEREAS**, Ordinance No. 2240 contained an incorrect cross-reference in Section 17.58.040, leading the reader to Chapter 17.102 while the correct destination is Chapter 17.100, and

**WHEREAS**, on February 7, 2024, the Planning Commission of the City of Hawthorne considered Ordinance 2249 to remove cannabis businesses from lists of uses prohibited in the Mixed Use Overlay Zone, and recommends approval of the ordinance to the City Council.

**THE PLANNING COMMISSION OF THE CITY OF HAWTHORNE DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:**

**SECTION 1.** All of the facts set forth in the Recitals are true and correct, and are incorporated herein by reference.

**SECTION 2.** Planning Commission hereby recommends approval of Zoning Text Amendment ZA-2023-0007 to the City Council that proposes to modify the aforementioned Section to the Hawthorne Municipal Code as set forth in Exhibit A of this PC Resolution, incorporated herein by this reference.

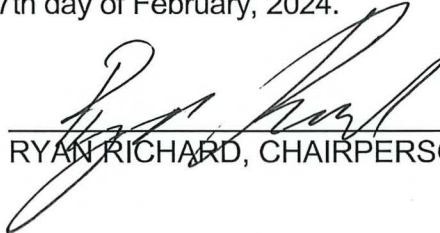
**SECTION 3.** All necessary public meetings and opportunities for public testimony and comment were conducted in compliance with State law and the HMC.

**SECTION 4.** This ordinance is a project as defined by the California Environmental Quality Act (CEQA) and qualifies for an exemption from CEQA pursuant to Section 15061(b)(3) (Common Sense Exemption) of the State CEQA Guidelines (Chapter 3 of Division 6 of Title 14 of the California Code of Regulations). The activities are covered by the Common Sense Exemption because CEQA applies only to projects which have the potential for causing a significant effect on the environment. The amendments to Title 17 of the Hawthorne Municipal Code relate to the siting of commercial cannabis activities in the MU overlay zone. There is no possibility that the change to the municipal code may have a significant effect to the environment, therefore the activity is not subject to CEQA. No special circumstances exist that the proposed change would create a significant adverse effect on the environment. Retail cannabis establishments are subject to discretionary permits and assessed individually to ensure CEQA is applied accordingly. A Notice of Exemption will be completed and filed in compliance with CEQA and CEQA Guidelines.

**SECTION 5.** The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's recommendations are based, which include, but are not limited to, the staff reports for the Project and all of the materials that support the staff reports for the Project, are located in the office of the Planning Director of the City of Hawthorne, at 4455 West 126th Street, Hawthorne, California 90250. The custodian of these documents is the Planning Director of the City of Hawthorne.

**SECTION 6.** The Planning Commission Secretary shall certify to the adoption of this Resolution and shall forward a copy to the City Council, City Clerk, City Manager, and City Attorney.

**PASSED, APPROVED and ADOPTED** this 7th day of February, 2024.

  
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RYAN RICHARD, CHAIRPERSON

ATTEST:

  
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GREGG MCCLAIN, SECRETARY