



City of Port Hueneme

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BY THE CITY COUNCIL OF THE CITY OF PORT HUENEME TO CONSIDER APPROVAL OF DEVELOPMENT PERMIT/CONDITIONAL USE PERMIT PHCU-885 AND DEVELOPMENT AGREEMENT PHDA-886, TO OPERATE A CANNABIS DISPENSARY, LOCATED AT 455 W. CHANNEL ISLANDS BLVD.

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City Council of the City of Port Hueneme to consider an application by Robert DiVito, doing business as PH Investments Group, LLC, DBA Element 7 Port Hueneme, 645 W. 9th Street, #110-631, Los Angeles, CA 90015, for a Development Permit/Conditional Use Permit and a Development Agreement. The Conditional Use Permit would allow the operation of a retail cannabis dispensary with ancillary delivery services. No changes are proposed to the project site in conjunction with this application. The Development Agreement will regulate the operation of a cannabis dispensary by the applicant, and will set forth certain rights and obligations of both parties relating thereto, including the right of the City to receive certain revenues. The Development Agreement requires that the facility be operated in accordance with all applicable laws of the State of California and all applicable ordinances of the City. The Development Agreement requires the applicant's compliance with the Development Agreement, including payment of the City's revenues, be reviewed on an annual basis. If the applicant is found by the City not to be in compliance with the Development Agreement, a variety of remedies are available to the City, up to and including revoking the applicant's right to operate the cannabis facility.

SAID PUBLIC HEARING will be held on April 5, 2021, at 6:30 p.m., or as soon as possible thereafter. Interested persons are invited to attend via the electronic link provided in the published agenda for this meeting, which can also be accessed on the City's website. Due to the closure of the City Council Chamber and in compliance with Executive Order N-29-20, testimony for Public Hearing items may be submitted via US Mail or by email to the City Clerk. Testimony must be submitted in written form prior to 5:00 p.m. on the date of the Hearing and will be read into the record by the Mayor and made part of the Hearing Record in accordance with Executive Order N-29-20.

ENVIRONMENTAL REVIEW: Categorically Exempt from the California Environmental Quality Act (CEQA) by operation of Section 15301 of the State CEQA Guidelines (Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination).

ADDITIONAL INFORMATION on this project may be obtained by contacting the Department of Community Development, City of Port Hueneme, 250 North Ventura Road, California 93041, telephone (805) 986-6500. Be advised, if you challenge the actions taken on the project described in this Notice in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this Notice, or in written correspondence delivered to the Department of Community Development of the City of Port Hueneme by 5:00 p.m. prior to the public hearing.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate at this meeting, please contact the office of the City Clerk, at (805) 986-6501, or the California TDD Relay Service, at (800) 585-1800. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to allow participation.

Kristy Buxkemper, City Clerk
Date: March 26, 2021