

CITY OF CLEARLAKE
ORDINANCE NO. 273-2024
AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE
APPROVING A DEVELOPMENT AGREEMENT (DA 2024-01) WITH
ELITE CA ENTERPRISES, LLC FOR PROPERTY LOCATED AT 14915 AND 14935 OLYMPIC DRIVE, UNITS C/D/E/F,
CLEARLAKE, CA, FURTHER DESCRIBED AS ASSESSOR’S PARCEL NUMBER 039-550-45 AND 039-550-46.

WHEREAS, the State of California enacted California Government Code Sections 65864, etc. to authorize municipalities to enter into Development Agreements with those having an interest in real property to strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic risk of development in connection with the development of real property within their jurisdiction; and

WHEREAS, Elite CA Enterprises, LLC., (**APPLICANT**) who intends to operate and assume control of an approved commercial cannabis cultivation (*planting, growing, harvesting, drying, curing, grading, or trimming of cannabis*) and distribution and transportation of on-site cannabis products to an off-site state licensed distributor or licensed dispensary at subject property, located at 14915 and 14935 Olympic Drive, further described as Assessor Parcel Number 039-550-45 and 039-550-46.; City of Clearlake, County of Lake, State of California (“Site”) that is the subject of this agreement; and

WHEREAS, the APPLICANT presently intends to develop and continue an approved Commercial Cannabis Operation *as described above* on the site consistent with the California Cannabis Laws, the City’s Municipal Code, and Project Approvals (known as the “Project”); and

WHEREAS, the Planning Commission of the City of Clearlake approved the Use Permits, UP 13-18 (Cultivation) and UP 14-18 (Distribution) to allow a Commercial Cannabis Operation on November 18th, 2018 and;

WHEREAS, the APPLICANT has coordinated with staff and has reviewed the approved project (Use Permit, UP 13-18 (*Cultivation*) and UP 14-18 (*Distribution*) and has agreed to adhere to the approved Terms and Conditions as indicated in a letter dated January 13, 2023, and;

NOW THEREFORE, the City Council of the City of Clearlake does hereby ordain as follows:

SECTION 1. After conducting duly noticed hearings before the City Council on December 5th, 2024, and after independent review and consideration, the City Council approves the execution of the Development Agreement, hereby adopted as Exhibit A to this Ordinance.

SECTION 2. **Severability.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 3. **Execution.** The Mayor shall sign, and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within fifteen (15) days after its adoption.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED this **5th day of December 2024.**

AYES:

NOES:

ABSENT OR NOT VOTING:

City of Clearlake Mayor

Attest:

City Clerk/Deputy Clerk