

**CITY OF CLEARLAKE**  
**ORDINANCE NO. 258-2022**  
**AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE**  
**APPROVING A DEVELOPMENT AGREEMENT (DA 2021-04) WITH OGULIN HILLS, LLC FOR**  
**PROPERTY LOCATED AT 2185 OGULIN CANYON ROAD, CLEARLAKE FURTHER DESCRIBED AS**  
**ASSESSOR'S PARCEL NUMBER 010-044-017**

**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**, Ogulin Hills, LLC., represented by Brian Pensack, (OWNER), who intends to operate commercial cannabis businesses at subject property, located at 2185 Ogulin Canyon Road, City of Clearlake, County of Lake, State of California ("Site") that is the subject of this agreement; and

**WHEREAS**, the OWNER presently intends to develop commercial cannabis operations (*Cannabis Cultivation, Processing, Manufacturing, Distribution, and Retail Delivery*) 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 Use Permit Applications to allow Cannabis Cultivation, Processing, Manufacturing, Distribution, and Retail Delivery on November 9<sup>th</sup>, 2021 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 January 6, 2022 and, 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 15 days after its adoption.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2022.

**AYES:**

**NOES:**

**ABSENT OR NOT VOTING:**

Attest:

\_\_\_\_\_  
Dirk Slooten, Mayor

\_\_\_\_\_  
Melissa Swanson, City Clerk