

ORDINANCE 18-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAYWOOD, CALIFORNIA, AUTHORIZING THE CITY OF MAYWOOD TO ENTER INTO A DEVELOPMENT AGREEMENT WITH **NEW AGE II, LLC**, FOR THE OPERATION OF A BUSINESS ENGAGED IN COMMERCIAL CANNABIS ACTIVITY (MANUFACTURING) AT REAL PROPERTY LOCATED AT 3636 FRUITLAND AVENUE, MAYWOOD, CA (APN 6311-016-026)

WHEREAS, the City of Maywood and New Age II, LLC, a California limited liability company ("New Age") desire to enter into a Development Agreement pursuant to the provisions of Government Code Sections 65864 to 65869.5, and Ordinance No.18-01, of the City adopted on January 10, 2018, for a commercial cannabis business project being developed at 3636 Fruitland Avenue, Maywood, CA; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission of the City of Maywood on July 3, 2018, to receive comments and consider recommendation to City Council of the proposed Development Agreement; and

WHEREAS, the Planning Commission at such hearing recommended that the City Council approve the proposed Development Agreement; and

WHEREAS, the City Council held a duly noticed public hearing on the Development Agreement on July 25, 2018; and

WHEREAS, the City Council has reviewed the Development Agreement (attached as Exhibit "A" hereto and incorporated herein by reference) and finds and declares that the City has complied with all notice, hearing and procedural requirements as set forth by law, thus allowing the City Council to review and consider the approval of the Development Agreement; and

WHEREAS, the City Council hereby specifically finds that the provisions of the Development Agreement are consistent with the General Plan of the City of Maywood; and

WHEREAS, the City Council hereby specifically finds that the Development Agreement is in conformance with the public convenience and general welfare of persons residing in the immediate area and will not be detrimental or injurious to property or persons in the general neighborhood or to the general welfare of the residents of the City as a whole; and

WHEREAS, the City Council hereby specifically finds that the Development Agreement is consistent with the provisions of California Government Code §§ 65864 – 65869.5, and Ordinance No. 18-01 of the City; and

WHEREAS, as required by law, the City Council gave first reading to the proposed ordinance on July 25, 2018.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Maywood as follows:

SECTION 1. In accordance with the provisions of the California Environmental Quality Act (CEQA), it has been determined that the proposed Development Agreement Project will not have a significant impact of the environment and is Categorically Exempt pursuant to Article 19, Section 15301, Class 1, "Existing Facilities." Furthermore, the location proposed is within an existing building.

SECTION 2. The City Council hereby adopts the following findings:

1. The Development Agreement is consistent with the General Plan objectives, policies, land uses and implementation programs and any other adopted plans or policies applicable to the Development Agreement. Because the proposed Commercial Cannabis Activity (Manufacturing) is located within the appropriate zone, the use of the property is consistent with the zoning and the uses within the area. The approval of Commercial Cannabis Activity (Manufacturing) is also consistent with the City's Economic Development Element in the General Plan in that the City encourages and facilitates activities that increase the sales tax revenue in the City and promotes the City as an ideal location for the location of businesses in Southern California.

2. The Development Agreement is compatible with the uses authorized in, and the regulations prescribed for the land use district in which the real property is located and is in conformity with good land use planning. Pursuant to Sections 5-45.01 – 5-45.07 of the Maywood Municipal Code, Commercial Cannabis Activity (Manufacturing) is allowed within the City provided all of the development standards in the City's Municipal Code and applicable regulations established by the State are met.

3. The Development Agreement is in conformance with the public convenience and general welfare of persons residing in the immediate area and will not be detrimental or injurious to property or persons in the general neighborhood or to the general health, safety and general welfare of the residents of the City as a whole. The Development Agreement is in conformance with the general area and City as a whole as the proposed development is located within the zone. The use exceeds the distance requirements imposed by the Maywood Municipal Code; it is more than 600 feet from any sensitive uses such as schools, day care centers, parks or youth center. 3C also wants to build on its local relationships by focusing on being an equal opportunity employer and seeks to hire City residents. They are committed to maintaining a neat and orderly operation with no negative impact upon surrounding businesses or residents.

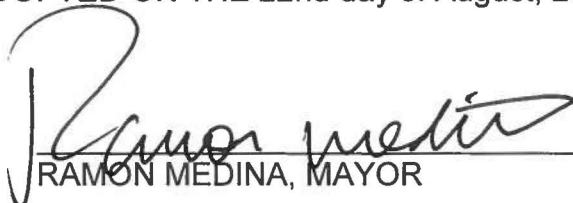
4. The Development Agreement is consistent with the provisions of California Government Code §§ 65864 – 65869.5, and Ordinance No. 18-01.

SECTION 3. The City Council hereby approves and adopts the Development Agreement, in the form as attached hereto as Exhibit "A," and authorizes and directs the Mayor to sign it in the name of the City of Maywood.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remainder of the Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions are declared invalid or unconstitutional.

SECTION 5. This ordinance shall go into effect and be in full force and operation from and after thirty (30) days after its final reading and adoption.

PASSED, APPROVED AND ADOPTED ON THE 22nd day of August, 2018


RAMON MEDINA, MAYOR

ATTEST

(PA) G Padilla
CITY CLERK OR DESIGNEE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss:

I, (PA) Guillermo Padilla, City Clerk, or designee, of the City of Maywood, do hereby certify that the foregoing ordinance was regularly introduced and placed upon its first reading at a regular meeting of the City Council on July 25, 2018. Thereafter, said Ordinance No. 18-13, was duly approved and adopted at a regular meeting of the City Council on August 22, 2018 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

(PA) G Padilla
CITY CLERK OR DESIGNEE