

ORDINANCE NO. 945

**AN ORDINANCE OF THE CITY OF BELL GARDENS, CALIFORNIA
AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF BELL GARDENS AND STIIIZY BELL
GARDENS, LLC, AND EASTERN GAGE, LLC RELATING TO REAL
PROPERTY LOCATED AT 5726 GAGE AVENUE IN THE CITY OF BELL
GARDENS**

WHEREAS, the City of Bell Gardens (“City”) is a general law city, incorporated under the laws of the State of California; and

WHEREAS, the City Planning Commission, on June 19, 2024, considered and recommended that the City Council of Bell Gardens approve the development agreement by and between the City, Stiiizy Bell Gardens, LLC, and Eastern Gage, LLC (Development Agreement), which Development Agreement is hereby incorporated by reference, and which is hereby incorporated into the provisions of this Ordinance; and

WHEREAS, after due notice, the City Planning Commission and the City Council did conduct public hearings on this matter; and

WHEREAS, pursuant to Government Code Section 65864, *et. seq*, and City Council Resolution No. 2023-043, the City Planning Commission transmitted to the City Council its findings and recommendations; and

WHEREAS, the Development Agreement is in the public interest and is consistent with the City’s General Plan; and

WHEREAS, Policy 1 of the General Plan’s Land Use Element emphasizes the City’s commitment to open communication and seeking public input; and

WHEREAS, the deliberation of the ordinance has been subject to a public hearing process that has been duly noticed for the purpose of seeking public input and participation and community members will continue to provide public input for individual projects resulting from ordinance implementation and is therefore consistent with Policy 1; and

WHEREAS, Policy 3 of the General Plan’s Land Use Element promotes compatible commercial development to emphasize commercial identity and to enhance the appearance, potential economic vitality, and revitalization of commercial areas in the City; and

WHEREAS, the Project proposes to reactivate a currently vacant commercial building resulting in a cannabis retail storefront thereby enhancing the economic viability of the surrounding commercial areas and is therefore consistent with Policy 3; and

WHEREAS, Policy 4 of the General Plan's Land Use Element asserts that the City shall encourage private investment in the City's industrial economic base while ensuring compliance with necessary environmental requirements; and

WHEREAS, the Development Agreement encourages long term investment by permitting a cannabis retail use for a term of up to ten (10) years and has otherwise complied with all applicable state and local environmental requirements and is therefore consistent with Policy 4; and

WHEREAS, Policy 5 of the General Plan's Land Use Element emphasizes the provision of an environment to stimulate local employment, property values, community stability, and the economic vitality of existing local businesses; and

WHEREAS, the introduction of a cannabis retail use will promote an economic diversity of the City's commercial zone in order to ensure community stability and economic vitality of existing businesses and is therefore consistent with Policy 5; and

WHEREAS, the City Council has reviewed and considered the Development Agreement and the Findings and recommendations of the City Planning Commission.

NOW THEREFORE, THE PEOPLE OF THE CITY OF BELL GARDENS DO ORDAIN AS FOLLOWS:

SECTION 1. The recitals set forth above are true and correct and hereby incorporated by reference, in full, herein.

SECTION 2. The City Council finds, with respect to the Development Agreement, that it:

- (i) Is consistent with the objectives, policies, general land uses and programs specified in the General Plan;
- (ii) Promotes the public health, safety, and general welfare;
- (iii) Is just, reasonable, fair, and equitable under the circumstances; and
- (iv) Provides sufficient benefit to the community to justify entering into the agreement.

SECTION 3. The City Council hereby approves DA No. 2023-077 and authorizes the City Attorney to approve as to form and make clarifying changes and further authorizes and directs the Mayor to execute the development agreement in the name of the City of Bell Gardens.

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 the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted

this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions might subsequently be declared invalid or unconstitutional.

SECTION 5. The City Clerk shall certify the passage and adoption of this Ordinance and shall cause this Ordinance to be published and/or posted as required by law, which shall take full force and effect thirty days from its adoption.

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2024.

THE CITY OF BELL GARDENS

Gabriela Gomez, Mayor

APPROVED AS TO FORM:

ATTEST:

Stephanie Vasquez
City Attorney

Daisy Gomez
City Clerk

_____, City Clerk of the City of Bell Gardens, hereby CERTIFY that **Ordinance No. 945** was introduced and placed upon its first reading at a regular meeting of the Bell Gardens City Council held on July 22, 2024, and that thereafter said ordinance was duly adopted at a regular meeting of the Bell Gardens City Council held on _____ and was approved and passed by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Daisy Gomez, City Clerk