

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, FINDING THAT THIS ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND TERMINATING DEVELOPMENT AGREEMENT 20-01 BETWEEN THE CITY OF LA HABRA AND PINNACLE WELLNESS GROUP, LLC FOR A CANNABIS DISTRIBUTION FACILITY AT 536 WEST MOUNTAIN VIEW AVENUE

WHEREAS, California Government Code Section 65865 provides that any city may enter into a Development Agreement with any person having a legal authority or equitable interest in real property for the development of such property; and

WHEREAS, the City approved a Development Agreement with Pinnacle Wellness Group, LLC by adoption of Ordinance 1829 on February 16, 2021 (“Development Agreement”) whereby Pinnacle Wellness was authorized to operate a cannabis distribution business at 536 West Mountain View Avenue (“Property”); and

WHEREAS, Section 18.2 of the Development Agreement requires Pinnacle Wellness to operate at the site throughout the term of the Agreement; and

WHEREAS, on February 19, 2025 the Development Agreement expired without Pinnacle Wellness completing the development or operating at the Property; and

WHEREAS, pursuant to Section 3 of the Development Agreement, the City desires to terminate the Agreement because the Agreement expired and Pinnacle Wellness has failed to complete the development and operate at the site as required by the Agreement; and

WHEREAS, this project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorically Exempt pursuant to 14 CCR Section 15060(c)(2) and 15061(b)(3) because it can be seen with certainty that there is no possibility that the project will have a significant impact on the environment for which the subject Development Agreement 18-03 applies.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LA HABRA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that all the aforementioned facts, findings, and conclusions set forth in this Ordinance are correct.

SECTION 2. The City Council of the City of La Habra does hereby terminate the Development Agreement and directs the City Clerk to record a copy of this ordinance with the Orange County Recorder pursuant to Section 11.2 of the Development Agreement.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2025.

Rose Espinoza
Mayor

ATTEST:

Rhonda J. Barone, CMC
City Clerk

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS.
CITY OF LA HABRA }

I, Rhonda j. Barone, CMC, City Clerk of the City of La Habra, do hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2025-__ introduced at a regular meeting of the City Council of the City of La Habra held on the 21st day of July, 2025, and was thereafter adopted at a regular meeting held on the ____ of _____, 2025, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Said ordinance has been published or posted pursuant to law.

Witness my hand and the official seal of the City of La Habra this ____ day of _____, 2025.

Rhonda J. Barone, CMC
City Clerk