



## City of Colusa California

### STAFF REPORT

**DATE:** November 7, 2023  
**TO:** Mayor and Members of the City Council  
**FROM:** Jesse Cain City Manager

#### **AGENDA ITEM:**

Proposed Development Agreement (“D.A.”) in support of cannabis manufacturing uses in the northeast corner of the city, bordered by the Sacramento River on the north, Clay Street on the south and D street on the west in Colusa on property zoned in the Light Industrial (M1) District

**Recommendation:** Open the public hearing and introduce, read by title only and waive the full first reading of the proposed Ordinance approving a Development Agreement.

#### **BACKGROUND ANALYSIS:**

The property in question was originally zoned R1. In 2019, at the request of the City Council after public input, the property owner and the City of Colusa went through the process to do a general plan amendment and rezone the property to Planned Development / Light Industrial for the purpose of cannabis production. As required by the City’s zoning code for Planned Development areas, a General Development Plan was prepared and approved by the City Council by Ordinance 537.

To obtain a Cannabis Special Use Permit and Cannabis Business Regulatory Permit, the City and applicant are required to enter into a Development Agreement (“DA”). As drafted, the term of the DA would last forty years. The DA contains mutually agreeable terms and provisions defining the obligations and contributions applicable to the City and the Owner. The DA establishes performance requirements, reporting and auditing procedures, monetary compensation to the City, regulations, “City Covenants,” and specific development criteria for the project.

At the August 10<sup>th</sup> 2022 planning commission meeting the planning commission voted 4-0 recommending to the City Council to enter into a Development Agreement with Colusa Riverbend Estates L.P and Pomona Rio property, LLC. Since that time the Development that is now in front of the City Council has had some minor changes that better suites the City of Colusa, I have include both DA’s, the amended DA and the DA that the planning commission recommended to the City Council for Council review.

**BUDGET IMPACT:** none

**STAFF RECOMMENDATION:** Approve an Ordinance of the City Council approving a development agreement between the City of Colusa and Colusa Riverbend Estates and Pomona Rio Property, LLC

**ATTACHMENT:**

Draft Ordinance

Draft DA

Draft DA from Planning Commission