



## City of Colusa California

### STAFF REPORT

**DATE:** December 13, 2023  
**TO:** Planning Commission – Action Item – Public Hearing  
**FROM:** David Swartz, City Engineer  
Jake Morley, Planning Consultant

#### **AGENDA ITEM: Blue Herron Ridge Inc. – General Plan Amendment, Rezone and Development Agreement Amendment**

**Recommendation:** Planning Commission to open the Public Hearing and review make a recommendation to the City Council for a General Plan Amendment, Rezone and Development Agreement amendment. See attached Resolution and amendment and supporting documentation.

**Proposed Motion:** I move that the Planning Commission adopt Resolution No. 23-\_\_\_, recommending that the City Council adopt the negative declaration and approve the General Plan Amendment, Rezone, Development Agreement amendment.

#### **SUMMARY**

The proposed project is located just north of the Colusa County Airport and includes the following components:

- 1) Modify the existing General Plan designation of Low Density Residential and zoning of R-1 (Single Family) on a 13.31-acre parcel (APN# 017-130-080) to a General Plan designation of Industrial and zoning of M-1 (Light Industrial), and
- 2) Modify the existing General Plan designation of Low Density Residential and zoning of R-1 (Single Family) on a portion of a 1.725-acre parcel (APN# 017-130-116) to a General Plan designation of Parks Recreation Open Space and zoning of O-S (Open Space), and
- 3) Amend the existing Development Agreement to acknowledge the General Plan Amendment and Rezone for the Sunrise Landing project.

The proposal has been reviewed by the Colusa County Airport Land Use Commission (ALUC) on and was found to be consistent with the Airport Land Use Commission Plan (ALUCP).

**BACKGROUND AND ANALYSIS:**

In 2007, the City of Colusa certified an Environmental Impact Report (EIR) (SCH No. 2006052113) as part of the Colusa Industrial Properties project, that consisted of implementation of a General Plan Amendment and Zoning amendment for approximately 138 acres in the northern portion of the Colusa Industrial Park (Park) and 13 acres within the Colusa Golf and Country Club. That project consisted of a mixed-use community with approximately 286 residential units, expansion and modification of the Colusa Golf and Country Club (Club), various commercial and office use along State Route 20 and wastewater treatment facilities to serve the mixed use community and other uses within the Park.

The expansion of the Club to the south of their existing facility never materialized, while portions of the residential build out did. As part of that build out, areas of the site that were anticipated for residential development received Airport Land Use Commission review and were found to be not in compliance with the Airport Land Use Compatibility Plan (Plan). When projects are found not in compliance, local agencies have the authority to override the Commission. As such, the applicant requested and received City Council approval for an override. However, after the decision, the County, the agency who staffs and implements the Compatibility Plan challenged the overrule.

After extensive discussion between the property owner in conjunction with the City and the County, it was determined that through an Settlement Agreement, portions of the area will receive a General Plan Amendment and Rezone that would remove the Low Density Residential designation on approximately 15 acres of land and change them to Industrial and Open Space. Land uses that are compatible with the Plan and the surrounding quasi-built environment.

*General Plan Amendment and Rezone* to change the parcel land use designations and zoning as follows:

Assessor Parcel No.	Existing General Plan	Existing Zoning	Proposed GP	Proposed Zoning
017-130-080	Low Density Residential	R-1 Single Family	Industrial	M-1 Light Industrial
017-130-116 (Portion)	Low Density Residential	R-1 Single Family	Parks Recreation Open Space	O-S Open Space

*Development Agreement Amendment* to reflect the changed development potential associated with the new General Plan designations and rezoning. The Development Agreement amendment acknowledges that the removal of residentially zoned properties and accompany lots are not longer a part of the initial approval (Phase 6).

*Colusa County Airport Land Use Commission*

At the November 6, 2023, Colusa County Airport Land Use Commission (ALUC) reviewed the proposal to amend the General Plan, Rezone the property and to amend the Development Agreement was found to be in compliance with the 2014 Colusa County Airport Land Use Compatibility Plan in that the proposed changes are consistent with the B1, C1 and C2 Compatibility Zones.

Any potential future project within the boundaries of the project will need additional ALUC review by ALUC Staff and potentially Commission to ensure that the intensity and developmental elements of the potential land use are found in compliance with the ALUCP.

## **GENERAL PLAN**

Re-designating and rezoning the subject property from R-1 Single Family Residential to M-1 Light Industrial and O-S Open Space, would increase the potential for development compatible with the Colusa County Airport Land Use Plan, as well as the surrounding land uses which are predominately open space/recreation to the north and industrial to the south. Boarded with single family residential to the west and additional industrial and Highway 20 to the east.

The following General Plan Goals, Policies and Actions are applicable to the project:

Policy LU-6.1: Growth shall provide a strong diversified economic base and a reasonable balance between employment and housing for all income groups.

Policy LU-6.3: Growth shall be managed to ensure that adequate public facilities and services are planned for and provided in a manner that protects the public's health, safety, and welfare.

Policy LU-6.5: The City shall actively encourage employment-intensive industrial, service, research and development, and manufacturing uses from previously prepared materials (assembly or value added industry) in the Industrial and Office Professional/Light Industrial land use districts.

Policy LU-10.1: The City shall make every effort to attract new jobs-producing businesses that will maximize economic benefits to current and new residents and businesses.

Policy LU-10.5: Industrial and light industrial uses shall be concentrated in two areas of the City: on the west side of Colusa along Fourteenth Street, the SR 20 corridor south of Vann property and the Colusa County Fairgrounds, and the Pirelli property; and on the southeast side of the City along the SR20/45 corridor, between Country Club Estates/Golf Course and the airport.

### Environmental Review

Based on the results of an Initial Study, a Negative Declaration was prepared for the project and circulated for a 30-day comment period, commencing on November 13<sup>th</sup>, 2023, and ending on December 12<sup>th</sup>, 2023. The Negative Declaration is Exhibit I of the resolution.

## **FINDINGS**

### General Plan Amendment Findings

The Planning Commission must make a written recommendation to the Council whether to approve, approve in modified form, or deny the proposed General Plan Amendment based on the required findings noted below.

1. *The proposed amendment is internally consistent with the plan being amended.*

The General Plan will remain internally consistent because the proposed land designation amendment from Low Density to Industrial and Open Space would result in designations that are compatible with the surrounding areas as well as the Colusa County Airport Land

Use Compatibility Plan. The change from Low Density designations does not impact the ability for the City to provide future housing to the community, as development potential of the site is limited due to the proximity to the airport. Further, the City has annexed and zoned approximately 85 acres to the west of the project that can accommodate a significant number of residential units that were not anticipated in the Housing Elements most recent update and adoption.

- 2. The site is physically suitable, including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints, for the proposed land use or development.*

There are no physical or environmental constraints on the property which would prohibit use of the site as Industrial or Open Space land use designations. The proposed designations would be consistent with surrounding Industrial and Open Space designations, maximizing the potential for development and non-development of the site.

### Rezone Findings

The Planning Commission must make a written recommendation to the Council whether to approve, approve in modified form, or deny the proposed zoning map amendment based on the required findings noted below.

- 1. The proposed amendment is consistent with the General Plan, any applicable specific plan, and any applicable neighborhood and area plans.*

The proposed rezone from R-1 Single Family to M1 Light Industrial and O-S Open space would be consistent with the General Plan designation of Industrial and Parks Recreation Open Space. The rezone would be internally consistent with the General Plan for the same reasons cited above.

- 2. The site is physically suitable, including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints, for the requested zoning designations and anticipated land use and development.*

There are no physical or environmental constraints on the property which would prohibit use of the land consistent with the M-1 Light Industrial or the O-S Open Space zoning regulations. The project sites are suitable for development and non-development that would be compatible with existing adjacent land uses and the Airport Land Use Compatibility Plan

### **PUBLIC CONTACT**

A 30-day public hearing notice as mailed to all landowners and residents within 300 feet of the site, and a legal notice was published in News Paper of Record. Tribal Consultation was completed in compliance with AB 52 and SB18 as part of the California Environmental Quality Act review.

**BUDGET IMPACT:** None Expected

**ATTACHMENTS:**

1. Planning Commission Resolution 23 - \_\_\_  
Exhibit I – Negative Declaration  
Exhibit II - General Plan Amendment and Rezone Plats  
Exhibit III – Development Agreement Amendment
2. Location Map