

RESOLUTION NO. 22-

A RESOLUTION OF THE CITY COUNCIL APPROVING A SPECIAL USE PERMIT AND A REGULATORY USE PERMIT, RELATIVE TO THE ESTABLISHMENT AND OPERATION OF A CANNABIS MANUFACTURING / BUSINESS FACILITY LOCATED AT 2857 NIAGARA AVENUE. IN COLUSA

Whereas, 5D1S Patrick Barros (the “Owner”) has applied to the City to develop and open a cannabis manufacturing facility at 2857 Niagara Avenue, Colusa, CA consistent with California laws regulating cannabis manufacturing (the “Project”); and

Whereas, the Project will include cannabis manufacturing activities in compliance with state and local law, but would not include the dispensing or sale to individual qualified persons at the facility.

Whereas, the City of Colusa has adopted City Code Article 21-5, and added Section 33.03 to the City of Colusa Zoning Code, setting forth requirements for cannabis manufacturing regulations and a requirement to obtain a Cannabis Special Use Permit respectively; and

Whereas, the City of Colusa also added a new Chapter 12F to the City of Colusa Municipal Code setting forth requirements for a Cannabis Regulatory Permit; and

Whereas, the Owner must be granted both a Cannabis Special Use Permit and a Cannabis Regulatory Permit by the City of Colusa City Council.

Now therefore, the City Council of the City of Colusa does resolve as follows:

Section 1. The City Council finds that the establishment, maintenance and operation of the Project applied for is consistent with the City’s General Plan and zoning for the site.

Section 2. The City Council finds that the establishment, maintenance, and operation of the Project applied for will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or to be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city.

Section 3. All procedures of the California Environmental Quality Act (“CEQA”), California Public Resources Code §21000 et seq., and the CEQA guidelines, title 14 of the California Code of Regulations, chapter 3, §15000 et seq. have been satisfied as development of the Project Site with agricultural cultivation, processing and

manufacturing land uses was anticipated within past and current Colusa County General Plans. As a result, the proposed Project is considered an anticipated use that is consistent with the analysis of such uses that have already undergone extensive environmental documentation within the *County of Colusa 2030 General Plan Update Environmental Impact Report certified by Colusa County in 2012*.

Section 4. The City Council hereby approves a cannabis special use permit for the Project,

1. A diagram and floor plan of the entire Premises, denoting all the use of areas proposed for Cannabis Operations, including, but necessarily limited to, cultivation, processing, manufacturing, testing, transportation, deliveries, and storage. The diagram and floor plan need not be prepared by a licensed design professional, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the Premises to an accuracy of plus or minus six (6) inches.
2. A Security and Safety Plan for insuring the safety of persons and to protect the Premises from theft meeting all of the requirements of Article 21-5.06 subsections (q) and (r) to be reviewed and approved by the City of Colusa Police Chief.
3. Odor Control Plan. Cannabis Operations shall provide sufficient odor absorbing ventilation and exhaust system so that odor generated inside the facility that is distinctive to its operation is not detected outside the Premises, outside the building housing the Cannabis Operations, or anywhere on adjacent property or public rights-of-way. As such, Cannabis Operations must install and maintain the following equipment or any other equipment which the City's Building Official determines has the same or better effectiveness:
 - a. An exhaust air filtration system with odor control that prevents internal odors and pollen from being emitted externally; or
 - b. An air system that creates negative air pressure between the cannabis facility's interior and exterior so that the odors generated inside the cannabis facility are not detectable outside the cannabis facility.
4. Hazardous Materials Safety Plan. Butane and other flammable materials are permitted to be used for extraction and processing provided the Operator complies with all applicable fire and building codes, and any other laws and regulations relating to the use of those products, to ensure the safety of that operation. Submit a hazardous materials safety plan depicting the location and safety measures to be used for review and approval by the City of Colusa Fire Chief.
5. Proof of Insurance meeting the requirements of Colusa Municipal Code Article 21.5. Section 14.

Section 5. The City Council hereby approves a cannabis manufacturing regulatory permit for the Project.

PASSED AND ADOPTED this 6 day of September 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TOM REISCHE, MAYOR

ATTEST:

Shelly Kittle, City Clerk

ATTACHEMENTS:

None