

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF COLUSA CITY COUNCIL ADOPTING A NEGATIVE  
DECLARATION, APPROVING GENERAL PLAN AMENDMENT, AND APPROVING  
AMENDMENT TO COLUSA INDUSTRIAL PROPERTIES DEVELOPMENT AGREEMENT  
(2018-0001584)  
(BLUE HERON RIDGE INC)**

**BE IT RESOLVED**, By the City Council of the City of Colusa (“City”), that

*WHEREAS*, this Council, has considered a General Plan Amendment to change the land use designations on 13.31 acres from Low-Density Residential to Industrial and 1.75 acres from Low-Density Residential to Open Space on property identified as Assessor’s Parcel No. 017-130-080 and 017-130-116 (portion of) (“the Project”); and

*WHEREAS*, in response to the General Plan Amendment, the applicant is also requesting an amendment the Colusa Industrial Properties Development Agreement (2018-001584) to reflect the land use changes as approved; and

*WHEREAS*, The Planning Commission considered the Project, staff report, and comments submitted at a noticed public hearing held on December 13, 2023 and recommended adoption of a negative declaration and approval of the Project; and

*WHEREAS*, the City Council has considered the Initial Study and negative declaration which concludes that the Project will not result in a significant impact on the environment.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COLUSA DOES  
HEREBY RESOLVE:**

1. With regard to the negative declaration the City Council finds that:
  - a. A negative declaration as set forth in Exhibit I attached hereto are appropriate and that there are no impacts upon the environment as part of the Project;
  - b. There is no substantial evidence supporting a fair argument that the Project may have a significant effect on the environment;
  - c. The negative declaration has been prepared in conformance with the California Environmental Quality Act;
  - d. The negative declaration prepared for the Project reflects the independent judgement of the City of Colusa
2. With regards to the General Plan Amendment the City Council finds that;
  - a. 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.

- b. 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.
3. With regards to the Amendment to the Colusa Industrial Properties, Inc. Development Agreement the City Council finds that:
    - a. That the amendment follows Section 1.4 – Amendment of Agreement, in that the amendment is by mutual consent between the landowner and the City.
    - b. That the amendment reflects the land use changes as agreed upon in the Settlement Agreement between the City of Colusa and the County of Colusa
  4. Based on all of the above, the City Council hereby adopts the negative declaration as set forth in Exhibit I, attached hereto; amends the General Plan land use diagram for APNs 017-130-080 and 017-130-166 (portion of) as set forth in Exhibit II, attached here too, and amends the Colusa Industrial Park Development Agreement as set forth in Exhibit III, attached here too.
  5. The City Council hereby specifies that the materials and documents which constitute the records of proceedings upon which its decisions is based are located and under the custody of the City of Colusa.

The City Clerk shall certify the passage and adoption of this Resolution and enter it into the book of original resolutions.

Passed and adopted this 6<sup>th</sup> day of February 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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DANIEL VACA, MAYOR

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Shelly Kittle, City Clerk