

RESOLUTION NO. 2023-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLUSA – RECOMMENDING APPROVAL AMENDMENT TO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF COLUSA AND COLUSA INDUSTRIAL PROPERTIES, INC. AND GENERAL PLAN AMENDMENT FROM SINGLE FAMILY RESIDENTIAL TO OPEN SPACE (APN 017-130-116, PORTION OF) AND INDUSTRIAL (APN 017-130-080) AND ADOPTION OF A NEGATIVE DECLARATION.

**WHEREAS**, there is a Settlement Agreement (Case no. 34-2022-8000385-I-CU-WMGDS) between the City of Colusa (City) and the County of Colusa (County) to made to Amend the General Plan diagram of certain properties from a Residential designation to Open Space and Industrial, and

**WHEREAS**, an application from Colusa Industrial Properties (CIP), Owner, has been received in a timely manner and in compliance with the Settlement Agreement to amend the General Plan and zoning designations and the Development Agreement which acknowledges the General Plan changes have received by City Staff, and

**WHEREAS**, section 1.4 – Amendment of Agreement, of the Development Agreement provides for CIP and the City to amend provisions of the Development agreement by mutual consent, and

**WHEREAS**, the Colusa County Airport Land Use Commission review the proposal at its November 6, 2023 meeting and found the Project to be in compliance with the Colusa County Airport Land Use Plan, and

**WHEREAS**, the Planning Commission considered the Project, Initial Study and proposed negative declaration which concluded the Project will not result in a significant impact on the environment.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF COLUSA AS FOLLOWS:**

1. With regard to the Negative Declaration, the Planning Commission finds that:
  - A. There is no substantial evidence supporting a fair argument that the project may have a significant effect on the environment.
  - B. That the negative declaration has been prepared in conformance with the provisions of the California Environmental Quality Act.
  - C. The negative declaration prepared for the Project reflects the independent judgement of the City of Colusa.
2. With regard to the general plan amendment the Planning Commission 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 development agreement the Planning Commission finds:
- A. That the amendments are consistent with the City's General Plan, is in the best interest of the City, and will promote the public interest and welfare.
4. Based on all of the above, the Planning Commission hereby recommends that:
- A. The City Council adopt a negative declaration as set forth in Exhibit I, attached hereto;
  - B. The City Council amend the General Plan land use designation and zoning for APN 017-130-080 and APN (017-130-166 portion of) as set forth in Exhibit II, attached hereto;
  - C. The City council amend the Development Agreement as set forth in Exhibit III, attached hereto;

***THE FOREGOING RESOLUTION*** was duly introduced and passed at a regular meeting of the City of Colusa Planning Commission Meeting held on the 13th day of December 2023, by the following vote.

**AYES:** Martin, Cativiela, Roach, Andreotti,


**NOES:** None


**ABSTAIN:** None,

**ABSENT:** Willoh

Signed and approved as to form by me on this 13th day of December 2023

ATTEST: \_\_\_\_\_

Chairman,   
John Martin

  
City Manager, Jesse Cain

ATTACHMENT 1 – Resolution No 23-\_\_\_\_\_

Exhibit I – Negative Declaration

Exhibit II – General Plan and Rezone Plats

Exhibit III – Development Agreement Amendment