ORDINANCE NO. _____
(Uncodified)

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUSA APPROVING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF COLUSA AND COLUSA TRIPLE CROWN (DA 25-01)

WHEREAS, Colusa Triple Crown ("Developer") applied to the City to enter into a Development Agreement between the City of Colusa and Developer (the "Development Agreement" or "DA") to facilitate development of a cannabis operation on a portion of property identified as Assessor's Parcel Number 017-020-026 (Portion of) ("Project"); and

WHEREAS, following a duly noticed public hearing on March 18, 2026, the Planning Commission has recommended approval of the DA by this Council; and

WHEREAS, the Council has reviewed the Development Agreement and finds and declares that the City has complied with all notices, hearings, and procedural requirements as set forth by law, thus allowing the City Council to review and consider the approval of the Development Agreement; and

WHEREAS, in connection with its approval of the DA, this Council finds that the development provided for is consistent with the City's General Plan, is in the best interest of the City, and will promote public interest and welfare; and

WHEREAS, in accordance with the provisions of the California Environmental Quality Act (CEQA), the City Council adopted an Initial Study resulting in a Mitigated Negative Declaration (IS/MND) and a mitigation monitoring reporting program for the Project; and

WHEREAS, the Council has considered the DA, the recommendations of the staff report, the Planning Commission's recommendations, and comments at a public hearing, duly noticed and held in a manner required by law.

NOW, THERE, BE IT ORDAINED by the Council of the City of Colusa that:

Section 1: The City Council of the City of Colusa hereby determines and finds that the facts as set forth in the recitals are true and correct and are hereby added as substantive findings.

Section 2: The Development Agreement, as set forth in Exhibit "A" attached hereto, is hereby approved, based on the following specific findings, and conditioned upon completion of annexation of the portions of the Project site now located within the unincorporated areas of the County of Colusa:

A. The DA is in the best interests of the City and will promote the public interest, welfare, and safety of the City because it would: (i) provide economic opportunities within the city consistent with the General Plan policies noted below; (ii) ensure that the project is more-self-

sustaining and does not overburdened City resources; (iii) provide for a physical location for a cannabis operation that will be within limits but not near residential nor commercial uses; and

B. The DA supports implementation and is consistent with the 2007 General Plan goals, actions, and policies pertaining to the development of projects. In that the project would occur in an orderly, efficient manner so that municipal services and infrastructure can service the project (Goal LU-5), particularly reclaimed purple pipe water from the Wastewater Treatment Plant. Growth shall be limited to lands within the city's sphere of influence (Policy LU 6-1) while ensuring adequate public facilities and services, while protecting the public's health, safety, and welfare (LU 6-3). The project would promote an expanding, diverse local economy to meet the employment needs of local residents, create new jobs while maximizing economic benefits for residents, and strengthen the local tax base (LU-10 and LU-10.1). The project has been conditioned to be in compliance with night sky requirements to minimize glare, light spillage, and confining illumination to the property in which the project is located (CCD-9.5 and CDD 9.7). The project has further been conditioned to join a Community Facilities District (CFD) to ensure the facility maintains and improves the standard of living for the entire community (Goal MFS-1).

Section 3. The Development Agreement is consistent with the provisions of the California Government Code §65864 -§65869.5 and with Appendix A - Article 21.5 Cannabis Regulations of the Colusa Municipal Code.

Section 4. The effectiveness of the Development Agreement is contingent upon completion of the annexation of the portions of the Project site now located within the unincorporated area of the County of Colusa.

Section 5. On or after the effective date of this ordinance, the City Manager is authorized and directed to execute the Development Agreement on behalf of the City of Colusa.

Section 6. Within 10 days after the Development Agreement has been fully executed, the Clerk is authorized and directed to cause it to be recorded in the Office of the Colusa County Recorder.

Section 7. If any section, subsection, sentence, clause, or phrase of this Ordinance, or the application thereof to any person or circumstances, is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other provisions or clauses of this Ordinance or application thereof which can be implemented without the invalid provisions, clause, or application, and to this end such provisions and clauses of the Ordinance are declared to be severable.

Section 8. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted at the duly designated posting places within the City and published once within fifteen (15) days after passage and adoption as required by law, or in the alternative, the City Clerk may cause to be published a summary of this Ordinance and a certified copy of the text of this Ordinance shall be posted in the Office of the City Clerk five (5) days prior to the date of adoption of this Ordinance, and, within fifteen (15) days after adoption, the City Clerk shall cause to be published the aforementioned summary and shall post a certified copy of this Ordinance, together with the vote for and against the same, in the Office of City Clerk.

Section 9. This ordinance shall be effective thirty (30) days following its adoption.

FOREGOING ORDINANCE was adopted by the City Council of the City of Colusa at its meeting held on _____, 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

DISQUALIFIED:

_____

DENISE CONRADO, MAYOR

ATTEST

_____

SHELLY KITTLE, City Clerk

Exhibit I - Development Agreement by and between the City of Colusa and Triple Crown Development