

## **RESOLUTION NO. 23-**

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT / CANNABIS SPECIAL USE PERMIT TO ALLOW CONSTRUCTION OF A CANNABIS BUSINESS, MANUFACTURING AND CULTIVATION FACILITIES AND RELATED STREET AND INFRASTRUCTURE IMPROVEMENTS OVER AN APPROXIMATELY 32-ACRE SITE ZONED (PD) PLANNED DEVELOPMENT DISTRICT, LOCATED AT THE NORTHEAST CORNER OF D STREET AND EAST CLAY STREET

**WHEREAS**, Colusa Farms Pomona Rio Property, LLC Colusa Riverbend Estates (Owner) initiated Application # 01-23 (C.U.P.) requesting Planning Commission site and design approval of cannabis business, manufacturing, and cultivation facilities (“Project”); and

**WHEREAS**, the City of Colusa, as “Lead Agency,” commissioned the preparation of an Initial Study/Mitigated Negative Declaration (“IS/MND”), dated February 2019, and incorporated herein by reference, to evaluate the potential environmental impacts associated with the Colusa Triple Crown Cannabis Business Park; and

**WHEREAS**, the IS/MND was prepared in compliance with CEQA Guidelines Sections 15152 & 15168, and identified mitigation measures that would avoid or mitigate the potential environmental effects of the Project to a point where clearly no significant effects would occur, and such mitigation measures are incorporated to the Project herein by reference.; and

**WHEREAS**, on July 16, 2019, in compliance with to CEQA Guidelines Section 15074, the City Council passed Resolution 19-19, adopting a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the Colusa Triple Crown Cannabis Business Park; and

**WHEREAS**, on August 6, 2019, the City Council adopted Ordinance 537, rezoning the Project site to Planned Development (PD) District and approving a General Development Plan for the Triple Crown Cannabis Business Park; and

**WHEREAS**, the City of Colusa has reviewed the Project against, and has determined consistency with, the scope of the original Environmental Initial Study and Mitigated Negative Declaration for the Colusa Triple Crown Cannabis Business Park; and

**WHEREAS**, The City of Colusa Planning Commission has been delegated by the City Council the responsibility of meeting, holding public hearings, reviewing, and deciding upon all applications for a conditional use permit, in accordance with the *City of Colusa Zoning Ordinance*; and

**WHEREAS**, the Project with conditions of approval is consistent with the land-use goals and policies in the *City of Colusa General Plan*, and would comply with the use standards, rules, and regulations of the *City of Colusa Zoning Ordinance* and other City ordinances and regulations; and

**WHEREAS**, the establishment, maintenance or operation of the use or building 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; and

**WHEREAS**, the Planning Commission has duly called, advertised and conducted a Public Hearing required by law concerning Application # 02-22 (C.U.P.), and the opportunity to submit input; and

**WHEREAS**, the Planning Commission has considered public testimony, and a Planning Department staff report at their meetings of May 11, 2022 and June 22, 2022 and August 10<sup>th</sup> 2022: and

**WHEREAS**, the Planning Commission could not determine that the site designs, with the attached conditions of approval, are consistent with the scope of the General Development Plan for Colusa Farms Pomona Property, LLC Colusa Riverbend Estates; and

**WHEREAS**, appeals to the Planning Commission's decisions may be made to the City of Colusa City Council within ten days of the Commission's decision by filing an appeal at City Hall and paying a fee.

**WHEREAS**, the IS/MND prepared for the Project concluded that groundwater elevations beneath the Property were heavily influenced by surface water elevations in the Sacramento River; and

**WHEREAS**, the Project with all conditions of approval is consistent with the sustainability goals and objectives of the *State of California Sustainable Groundwater Management Act (SGMA)*, effective January of 2015, to avoid chronic lowering of groundwater levels, reduction of groundwater storage, seawater intrusion, land subsidence, water quality degradation, and depletions of interconnected surface water;

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

1. Recitals. The foregoing recitals are true and correct and made part of this Resolution.
2. Approval. The City of Colusa City Council approves this Resolution granting a conditional use permit and cannabis special use permit to the applicant subject to the conditions of approval attached to this Resolution and incorporated herein.
3. Effective Date. This Resolution shall be effective immediately.

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 21st day of November 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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GREG PONCIANO, MAYOR

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Shelly Kittle, City Clerk