

RESOLUTION NO.- 24____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COLUSA –
RECOMMENDING ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND
APPROVAL OF A DEVELOPMENT AGREEMENT, GENERAL PLAN AMENDMENT,
REZONE AND TENTATIVE SUBDIVISION MAP KNOWN AS WESCOTT SUBDIVISION
(APN 017-130-170 and 017-030-050 – Portion of).

WHEREAS, applications have been received to amend the General Plan land use designation and zoning, and to subdivide the 90.95-acre site into 170 single family lots, 53 medium density lots, 1 high density lot totaling 7.45 acres, 1 commercial lot totaling 1.17 acres, 2 open space lots totaling 14.03 acres and 1 park lot totaling 3.51 acres on property east of Wescott Road, south of Birchwood Place and west of Kittyhawk Road, identified as Assessor's Parcel Nos. 017-130-170 and 017-030-050 (portion of) (the "Project"); and

WHEREAS, Section 17-15 of the Colusa Municipal Code (CMC) allows the Planning Commission to make a written recommendation to the City Council to approve a proposed tentative subdivision map; and

WHEREAS, the Planning Commission considered the Project, staff report, conditions of approval and comments submitted at a noticed public hearing held on June 26, 2024; and

WHEREAS, the Planning Commission has considered the Initial Study and proposed Mitigated Negative Declaration (MND) and Modified Mitigation Monitoring Reporting Program (MMRP), which concluded that the Project, with mitigation included, 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 Modified Mitigated Negative Declaration, the Planning Commission finds that:
 - A. The modified mitigation measures set forth in Exhibit I attached hereto are appropriate and will substantially reduce or avoid the described environmental impacts to a less than significant level if included as part of the Project; and
 - B. There is no substantial evidence supporting a fair argument that the Project may have a significant effect on the environment; and
 - C. The MND has been prepared in conformance with the provisions of the California Environmental Quality Act and the Colusa Municipal Code 17-10; and
 - D. The MND prepared for the Project reflects the independent judgement of the City of Colusa.

- E. That the modified mitigation measures added to the Initial Study/Mitigated Negative Declaration as a result of public comment, is more effective in mitigation to reduce a significant effect to at least the same degree or greater degree than the original measure and will create no more adverse effect of its own than would have the original measure.
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 Low Density, Medium Density, High Density, Commercial, Open Space and Park would result in designations that are compatible with the surrounding areas as well as the Colusa County Airport Land Use Compatibility Plan, specifically based upon their location within the boundary of the project. With Low Density abutting existing Low Density. The park area is intermixed in an accessible location for all future residence, while Open Space corridor is placed to acknowledge crop dusters who leave the airport and fly out to the west (N-1.7). The change in lands uses designations permits the city to provide additional holding capacity for a variety of housing types (HSG: 1, HSG: 1.1, HSG: 1.4, HSG: 5.1, HSG: 5.2, HSG: 7.4). This project serves to further the cities implementation of the housing element. The location of the project is with existing infrastructure and access to goods and services (LU: 6.1, LU: 6.3), while intensifying the existing boundary of the city between Highway 20 and 45 (LU: 5.2). The layout of the various land designations and its associated road network creates a street pattern that permits multiple routes in and out of the area and promotes pedestrian connectivity through bicycle paths (CCD-3.2, CCD-3.3 and CCD-3.4).
 - B. There are no physical or environmental constraints on the property which would prohibit use of the site as Low Density, Medium Density, High Density, Commercial, Open Space or Park land use designations. The proposed designations are consistent with the surrounding land uses as discussed above. Utilities and infrastructure are present and stubbed to the site to the north, west and east.
3. With regards to the rezone amendment the Planning Commission finds that:
- A. The proposed rezones of the site will be internally consistent with the General Plan Amendment and the associated land uses for the same reasons as cited above. There are no applicable neighborhood or area plans in which the site is subject to, other than the General Plan and the policies within it.
 - B. There are no physical or environmental constraints on the property which would prohibit use of the land consistent with the zoning for residential uses, commercial use, open space, or park land zoning regulations. The project site is flat, with infrastructure and utilities abutting the site from three sides. The site does not contain any unique features or elements that would prohibit orderly development. The project has been found to be consistent with the Colusa County Airport Land Use Compatibility Plan.
4. With regards to the tentative subdivision map the Planning Commission finds:

- A. That the proposed subdivision, together with the provisions for its design and improvements, is consistent with the Subdivision Map Act, the General Plan and all applicable provisions of the Colusa Municipal Code as well as the Conditions of Approval.
5. With regards to 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.
 6. Based on all of the above, the Planning Commission hereby recommends that:
 - A. The City Council adopt a Mitigated Negative Declaration as set forth in Exhibit I, attached hereto; and
 - B. The City Council amend the General Plan land use designation and zoning for APN 017-130-107 and APN 017-030-050 (portion of) as set forth in Exhibit II, attached hereto; and
 - C. The City Council approve the Development Agreement as set forth in Exhibit III, attached hereto; and
 - D. The City Council approve the Conditions of Approval as set forth in Exhibit IV, attached hereto; and
 - E. The City Council approve the Tentative Subdivision Map as set forth in Exhibit V, 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 26th day of June 2024, by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

Signed and approved as to form by me on this _____ day of _____ 2024

ATTEST: _____

City Manager, Jesse Cain

Mayor , _____
Daniel Vaca

Exhibit I – Modified Mitigation Monitoring Reporting Plan

Exhibit II – General Plan and Rezone Plats

Exhibit III – Development Agreement

Exhibit IV – Conditions of Approval

Exhibit V – Tentative Subdivision Map