

RESOLUTION NO. 2022-

**A RESOLUTION OF THE COLUSA PLANNING COMMISSION
RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COLUSA
ADOPT AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF COLUSA
AND COLUSA RIVERBEND ESTATES L.P. AND COURTNEY DUBAR
RELATIVE TO THE DEVELOPMENT OF A CANNABIS
MANUFACTURING FACILITY.**

WHEREAS, Mike Olivas of Colusa Riverbend Estates, LP and Courtney Dubar (Owner) initiated Application # 02-22 (C.U.P.) requesting Planning Commission site and design approval of cannabis business, manufacturing, and cultivation facilities ("Project"); and

WHEREAS, on October 30, 2007, the City of Colusa in its capacity as CEQA Lead Agency certified a Master Environmental Impact Report for the City of Colusa General Plan (SCH 2005072145), which document was prepared in accordance with CEQA Guidelines section 15175 and 15176; 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 Planning Commission has duly called, advertised and conducted a Public Hearing required by law concerning; and

WHEREAS, the City of Colusa Planning Commission has considered public and staff input.

NOW, THEREFORE, BE IT RESOLVED by the City of Colusa Planning Commission,

1. The development agreement is consistent with and implements the policies of the City of Colusa's General Plan, including the Housing Element.

2. The development agreement is compatible with the land uses and development regulations prescribed by the zoning for the site.
3. The development agreement will not be detrimental to the health, safety, and welfare of persons residing in the immediate area nor be detrimental or injurious to property or persons in the general neighborhood or to the general welfare of residents of the city as a whole;
4. The development agreement will not adversely affect the orderly development of property or the preservation of property, on or off the project site;
5. The agreement is consistent with the provisions of Government Code Sections 65864 through 65869.5.
6. The Development Agreement is in the best interests of the City, promoting the public interest and welfare;
7. The Planning Commission recommends that the City Council of the City of Colusa ADOPT the following (attached hereto as Exhibit A):

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUSA APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF COLUSA AND COLUSA RIVERBEND ESTATES, LP AND COURTNEY DUBAR RELATIVE TO THE DEVELOPMENT OF A CANNABIS MANUFACTURING FACILITY.

THE FOREGOING RESOLUTION was duly introduced and passed at a regular meeting of the City of Colusa Planning Commission held on the 24th day of August, 2022, by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

Signed and approved as to form by me on this 24 day of August, 2022.

ATTEST:

Planning Commission Chair

Planning Clerk

EXHIBIT A - Proposed Ordinance approving a Development Agreement with Colusa Riverbend Estates, LP and Courtney Dubar