

ORDINANCE NO. 526

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUSA AMENDING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF COLUSA AND BIG MOON SKY

The City Council of the City of Colusa does ordain as follows:

Section 1. The City Council of the City of Colusa finds and determines that:

A. All procedures of the California Environmental Quality Act (“CEQA”), California Public Resources Code §21000 et seq., and the CEQA guidelines, title 14 of the California Code of Regulations, chapter 3, §15000 et seq. have been satisfied as the proposed project is categorically exempt under CEQA guidelines sec. 15303(c) because the Project involves the conversion of an existing small commercial structure totaling under 10,000 square feet in size, is located within the Colusa urbanized area on a site zoned for such cannabis uses and where all necessary public services are available, does not involve the use of any hazardous substances; and since the surrounding area is not environmentally sensitive.

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

C. The development agreement is compatible with the land uses and development regulations prescribed by the zoning for the site;

D. 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;

E. The development agreement will not adversely affect the orderly development of property or the preservation of property, on or off the project site;

F. The agreement is consistent with the provisions of Government Code Sections 65864 through 65869.5.

G. The original development agreement was executed on October 3, 2017, following duly noticed public hearings before the Planning Commission and the City Council.

Section 2. The City Council of the City of Colusa hereby amends the Development Agreement (“AGREEMENT”), attached hereto and incorporated by reference herein, by and between the City of Colusa and Big Moon Sky relative to the development of an internet-based distribution and dispensary business.

Section 3. The City Council of the City of Colusa hereby directs the Mayor to sign the amended AGREEMENT on behalf of the City of Colusa and directs the City Clerk to record said document with the Colusa County Recorder.

Section 4. Within fifteen days of passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Council members voting for and against the ordinance, to be published in a newspaper of general circulation circulated in the City. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within fifteen days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Council members voting for and against the ordinance, to be published in a newspaper of general circulation circulated in the City, and shall post in the office of the City Clerk a certified copy of the City Council members voting for and against the ordinance. The publication of a summary of the ordinance in lieu of the full text of the ordinance is authorized only where the requirements of Government Code section 36993 (c) (1) are met.

INTRODUCED at a regular meeting of the City Council of the City of Colusa held on the 20th day of March, 2018, by the following vote:

AYES: Hill, Womble, Markss, Reische and Ponciano.

NOES: None.

ABSENT: None.

ABSTAIN: None.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Colusa held on 3rd day of April, 2018, by the following vote:

AYES: Hill, Womble, Markss, Reische and Ponciano.

NOES: None.

ABSENT: None.

ABSTAIN: None.

GREG PONCIANO, MAYOR

ATTEST:

SHELLY KITTLE, City Clerk

EXHIBITS

Development Agreement by and between the City of Colusa and Big Moon Sky