

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday November 4, 2013
7:30 p.m.

Meeting called to order by Mayor Gee. Meeting opened with the pledge of allegiance.

ROLL CALL

Councilmembers present: Jim Paschall, Salina Edwards, Bruce Roundy, Vice Mayor Dennis Hoffman and Mayor Charles Gee

Councilmembers absent: None

Staff present: Sergeant Joe Vlach, Recreation Director Joe Fenske, City Planner Scott Friend, City Attorney Greg Einhorn, Assistant City Manager/City Clerk Angie Crook and City Manager Pete Carr

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

None

CITY COUNCIL COMMUNICATIONS AND REPORTS

Councilmember's Paschall and Edwards had no reports.

Councilmember Roundy reported on the following:

- Attended LAFCO meeting; reorganization and review of municipalities;
- Will be attending League of California Cities Leadership Conference Wednesday; several topics to be discussed.

Vice Mayor Hoffman reported on the following:

- Attended GSRMA Annual Conference;
- Christmas Parade and Downtown Tree Lighting to be held Nov 30th at 5:30 p.m.;
- Will attend general meeting of the Orland Chamber of Commerce, Nov 6th, 2013 at Round Table Pizza.

Mayor Gee reported on the following:

- Advised Assemblyman Logue will hold Town Hall meeting Nov. 19th in Yuba City.

CONSENT CALENDAR

- A. Approve Warrant List (payable obligations).
- B. Receive and file Arts Commission minutes for September 18, 2013.
- C. Receive and file Public Safety Commission minutes for September 9, 2013.
- D. Adopt and approve Resolution No. 2013-20 approving the Department of Forestry and Fire Protection Agreement #7FG13120.

- E. Approve second reading of Ordinance No. 2013-04 amending Title 17- Zoning Ordinance; Chapter 17.78 – Sign Ordinance to modify and establish new regulations related to Portable Signs.
- F. Approve appointments to City Business Assistance Revolving Loan Account Committee.

Vice Mayor Hoffman moved, seconded by Councilmember Roundy to approve the consent calendar as presented. Motion carried unanimously with no abstentions.

PUBLIC HEARINGS

A. Zoning Ordinance Text Amendment – Portable Signs (ZCA#2013-01) A second public hearing on a city-initiated text amendment (ZCA#2013-01)to Chapter 17.78, *Sign Ordinance*, of the City of Orland Municipal Code to add definitions for Community Event Signs, Flag Signs, Seasonal Signs, and Special Event Signs and to modify the existing definitions for Advertising Surface, Off-Site Sign and Portable Sign; to add a new signage type for Farmers’ Market Signs to Chapter 17.78.752, *Exempt Signs*; and, to add Chapters 17.28.430, Flag and Banner Signs; and, 17.78.440 Special and Community Event Signs. It is noted that a portion of the original action contemplated as part of ZCA#2013-01addressing *Portable Signs* was approved by the City Council at a public hearing held on Monday, October 21, 2013. This notice is being published again for those portions of the original text amendment action for which no action was taken by the City Council previously.

City Planner Friend gave a review of the proposed amendments to the Sign Ordinance, Chapter 17.78 and summarized the direction that was given from staff at the public hearing held on October 21, 2013. The following revisions in regards to Flag and Banner Signs are listed below:

Topic	Amendment
1. Restrictions on Sign Copy	All restrictions on sign copy have been removed, including all references to signage not being allowed for a specific product or products.
2. Number of Flag Signs	The text is amended to allow one flag sign per fifty (50) feet of street frontage with no maximum and a one (1) sign minimum.
3. Number of Banner Signs	The text is amended to allow one banner sign per fifty (50) feet of street frontage with a maximum of three (3) signs allowed and a minimum of one (1) sign allowed.
4. Administrative Use Permit for Special Event Signs	The requirement for an administrative use permit has been removed. The Special Event Sign standards have been expanded.

Council discussed the revisions and agreed to the changes. The Public Hearing opened for comments at 7:50 p.m. Trish Saint-Evens, 6825 County Road 15, appreciated the changes that were made. With no further comments, the Public Hearing closed at 7:51p.m.

Councilmember Paschall moved, seconded by Councilmember Edwards to approve ZCA#2013-01, and conduct first reading of Ordinance #2013-XX amending Section 17.78 – Sign Ordinance of the City of Orland Municipal Code, and determined that the proposed project is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section 15305. Motion carried unanimously with no abstentions.

B. Zoning Ordinance Text Amendment – Mixed Use Zoning District (ZCA2013-02) a city-initiated amendment to Title 17, *Zoning Ordinance*, of the City of Orland Municipal Code to establish a new *Mixed Use* zoning district. The draft amendment would establish a new zoning district intended to assist the City in implementing the Mixed Use land use designation contained within the General Plan. The draft district would establish principally permitted, administratively permitted, and conditionally permitted uses; development standards to include lot size, lot dimensions, setbacks, landscaping, parking and design requirements for uses within the proposed zone district. The draft amendment is proposed to be codified as Section Chapter 17.62 of Title 17, *Zoning Ordinance* of the Orland Municipal Code.

City Planner Friend presented the proposed new Downtown Mixed Use zoning district which is intended to assist the City in implementing the Mixed Use land use designation of the General Plan. The land use designation would accommodate development in the City's exiting Downtown area and other areas determined to be suitable in the future in having commercial/residential zoning. The new zone district requires that at least 50% of the ground floor and 100% of the street frontage area be retained as and used for commercial purposes to keep the commercial feel of the Downtown area. The Public Hearing opened for comments at 8:01 p.m. No comments were received; therefore, the Mayor closed the Public Hearing at 8:02 p.m.

Councilmember Edwards moved, seconded by Councilmember Paschall to approve ZCA#2013-02, and conduct the first reading of Ordinance 2013-XX amending Title 17, Zoning, adding Chapter 17.42 DT-MU Downtown Mixed Use Zone of the Orland Municipal Code and determine that the proposed project is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section 15305. Motion carried unanimously with no abstentions.

Councilmember Roundy requested the City Planner bring forward a visual presentation at the next regularly scheduled meeting showing the value this type of zoning district has for a community.

C. Zoning Ordinance Text Amendment – Nonconforming Structures and Uses (ZCA2013-03) a city-initiated amendment to Chapter 17.96, *Administration and Enforcement*, of the City of Orland Municipal Code. The draft amendment would modify the regulations for nonconforming uses, structures, and lots. The draft amendment would add Section 17.96.005 *Purpose*, Section 17.96.015 *Nonconforming Structures*, and modify Section 17.96.020 *Nonconforming uses*.

City Planner Friend gave a brief summary on an amendment to Chapter 17.96 of the OMC modifying the City's regulations for nonconforming uses and structures. The proposed text amendment would allow for accidentally destroyed nonconforming structures or uses to be rebuilt if established criteria are met. The amendment would also establish a purpose narrative to clarify the intent of the City's regulation and would remove the threshold on the maintenance and repair of the nonconforming structures and uses (currently 25% of the actual value per year). The amendment would assist property owners in making it easier to refinance, purchase or sell existing properties. Mayor Gee stated the amendment is long overdue. The Public Hearing opened for comments at 8:10 p.m. Dwight Foltz, 70 E. Walker Street, advised having three parcels in this type of zoning will definitely make it easier. With no further comments, the Public Hearing was closed at 8:11 p.m.

Councilmember Roundy moved, seconded by Vice Mayor Hoffman to approve ZCA#2013-03 and conduct the first reading of Ordinance 2013-XX amending Chapter 17.96 to add section 17.96.005 Purpose and to modify 17.96.020 Nonconforming uses of the Orland Municipal Code and determine that the proposed project is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section 15061(b) (3). Motion carried unanimously with no abstentions.

D. Municipal Code Amendment – Title 15 – Buildings and Construction a city-initiated amendment to Title 15, Buildings and Construction, of the City of Orland Municipal Code to adopt the 2013 California Building Standards Codes and 2013 California Fire Code. The California Building Standards Code establishes statewide codes and regulations for building construction and fire safety and is published every three years by order of the California legislature. The draft amendment would adopt the 2013 California Building Standards Code and Fire Code for use within the incorporated area of the City of Orland.

City Manager Carr announced Building Inspector Brian Elder will be leaving the City; his skills will be missed. City Planner presented to Council an update of the current 2010 Building Standards Code to the 2013 edition of the Code which will become effective throughout California on January 1, 2014. The Mayor opened the Public Hearing at 8:15 p.m. No comments were received; therefore the Mayor closed the Public Hearing at 8:16 p.m.

Councilmember Edwards moved, seconded by Councilmember Paschall to conduct a first reading of Ordinance 2013-XX which would amend Title 15 – Buildings and Construction to repeal the 2010 California Building Code and adopt the 2013 California Building Code and determine that the proposed project is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section 150614 (b) (3) of the State CEQA guidelines. Motion carried unanimously with no abstentions.

ADMINISTRATIVE COMMUNICATIONS

City Manager:

City Manager Carr brought forward request to proceed with the publication of Request for Proposals (RFP) for a spray park feature in Lely Park. The Parks and Recreation Commission recommended proceeding with an RFP to be published this month for anticipated construction in the spring, at a budget under \$100,000. It is envisioned to have a simple spray park, utilizing fresh

MINUTES OF REGULAR MEETING, ORLAND CITY COUNCIL, Monday November 4, 2013 -5-

water. Councilmember Paschall advised he likes the spray park idea, but not spending \$100,000. Councilmember Paschall stated the spray park idea should be reviewed again. Vice Mayor Hoffman advised the City should get some proposals on cost. Councilmember Roundy stated the spray park would be used by a large number of people and has had discussion over the past year.

Councilmember Roundy moved, seconded by Councilmember Edwards to authorize staff to proceed with publication of an RFP to solicit competitive proposals for a spray park feature at Lely Park. Motion carried unanimously with no abstentions.

City Manager Carr requested Council to consider the solid waste hauler annual cost-based fee adjustment per existing service contract and provide annual citywide clean-up day in lieu of other services. Mr. Carr advised the proposed increase is 1.19%, amounting to an increase of 22 cents per month, effective December 1, 2013. Waste Management has agreed to provide a one-day citywide clean-up at no extra charge in lieu of the bag and tag program which is not widely used.

Councilmember Roundy moved, seconded by Councilmember Paschall to approve the Waste Management Fee Adjustment per the previously agreed contract formula and provide a one-day citywide clean-up day event instead of the bag and tag program. Motion carried unanimously with no abstentions.

ADJOURN

Meeting adjourned at 8:36 p.m.

_____ Clerk

_____ Mayor