

PLANNING COMMISSION MINUTES
August 19, 2021

1. Call to Order – The meeting was called to order by Chairperson Elliott at 5:30 PM
2. Pledge of Allegiance – led by Commissioner Vickers
3. Roll Call: Commissioners present – Wade Elliott, Doris Vickers and Sharon Lazorko
Commissioners absent - Stephen Nordbye
Councilmember present - Dennis Hoffman
Also present - City Planner Scott Friend, James Coles of Housing Tools and Admin. Support Janet Wackerman

4. ORAL AND WRITTEN COMMUNICATIONS
Citizen Comments – None

5. APPROVAL OF THE MINUTES FROM APRIL 15, 2021

Upon motion made by Commissioner Lazorko and seconded by Chairperson Elliott, the minutes of April 15, 2021 were approved as presented. The motion carried unanimously by voice vote, 3-0-1 with Commissioner Nordbye absent.

6. ITEMS FOR DISCUSSION OR ACTION
A. Housing Element Update

Mr. Friend introduced James Coles, Principal for Housing Tools, the company that is assisting with the update of the City's Housing Element. Mr. Coles gave a presentation on the progress of the current Housing Element and provided quantitative data to be used for the update.

Commissioner Lazorko asked what a low barrier navigation center would entail. Mr. Coles stated it would be a place focused on moving people to permanent housing while providing temporary living facilities and connections to case managers. The center would be allowed in a residential area by right. Mr. Coles added this would be a volunteer program. Mr. Friend stated the City has to provide the opportunity to build this kind of housing.

Chairperson Elliott stated that the State recognizes step up housing but what can be done to encourage it? Mr. Friend stated streamlining the development process, having affordable land and mindful of costs would help.

Chairperson Elliott asked if wrap around services in supportive living facilities would only be for persons who are homeless. Mr. Coles stated the services would not just be for homeless persons. Chairperson Elliott stated he thinks there will be community support for homeless, seniors and supportive housing for them.

B. Presentation on LEAP and SB2 Projects

Mr. Friend stated SB2 and Local Early Action Program (LEAP) funding has been provided to advance housing in communities.

LEAP projects to date are - updating the General plan, Safety and Circulation Elements and developing a Mixed-Use Land Use Designation. A draft will be presented to Commissioners for their review and comments.

SB2 projects to date are updating the Housing Element, Accessory Dwelling Units (ADU) Fee Reduction and the Tiny Home Overlay District.

Mike Martin, ECorp Consultants, has developed guidelines for ADUs to make it easier for developers.

Commissioner Vickers stated she liked the idea of a tiny home district. Chairperson Elliott asked if the district was mandated or optional. Mr. Martin stated it was optional but ADUs are mandated. Chairperson Elliott stated he does not like the concept of tiny homes for this community and focus should be made on ADU and Junior Accessory Dwelling Units (JADU).

Councilmember Hoffman stated City Council meetings are now held on the first and third Tuesdays of the month.

Richard Harriman, property owner, stated he is in favor of the development at Swift and East Streets. This improvement for the City signals to developers that they want to do something. He asked Mr. Friend if the City was required to have a Conservation Element. Mr. Friend stated they were not.

7. STAFF REPORT

A. Department Activity Report (verbal)

Mr. Friend reported:

- There are a few property owners on County Road KK that are considering annexation to the City due to dry wells;
- Water Master Plan is being updated;
- Discussion on development adjacent to Orland Unit Water Users Association canals will go before City Council in October. Something besides undergrounding will be proposed;
- City Engineer is working on the design for a lift station to serve Butte Community College's Cortina Street site;
- A large corporate fueling business is coming to the west side of Orland;
- Truck wash project is going forward with a lot line adjustment;
- Linwood Phase II developers have reapplied with the original map but have to go through the same process again. This project and Orland Park to the east have been told by PG&E that it will take 52 weeks before they can provide them power;

- Liberty Bell Apartments, 32 units and Woodward Family Apartments, 36 units are still going forward;
- Shasta Garden Apartments will be undergoing a rehabilitation to increase the size of some of their units;
- A market-rate builder is interested in a multi-family project.

8. COMMISSIONER REPORTS

Chairperson Elliott stated it was good to be back to regular meetings and glad to hear about the senior and multi-family units.

9. ADJOURNMENT – 7:05 PM

Respectfully submitted,

Janet Wackerman, Secretary

Wade Elliott, Chairperson



CITY OF ORLAND Staff Report

TO: **City of Orland Planning Commission**

FROM: Scott Friend, AICP – City Planner

MEETING DATE: November 18, 2021; 5:30 p.m.
Carnegie Center, 912 Third Street, Orland, CA 95963

SUBJECT: **Cortina Court - TPM #2021-01 and CUP #2021-01 (Rios):** The Project consists of a Tentative Parcel Map (TPM) to subdivide a 0.99-acre parcel into three lots for future residential uses. No construction is proposed as part of this application. The parcel is located immediately east of and directly adjacent to Interstate-5 at the western terminus of Cortina Court (existing dead-end cul-de-sac). The Glenn County Assessor's Parcel Number is 040-170-006. The Parcel is zoned "P-D" - *Planned Development* and has a City of Orland General Plan land use designation of R-L (Residential Low Density). The resulting parcels would be as follows:

Parcel 1: 12,575 sq. ft.
Parcel 2: 10,009 sq. ft.
Parcel 3: 16,913 sq. ft.

This request also includes approval of a Planned Development Use Permit as required by Orland Municipal Code Section 17.60.030.

Environmental Review: Staff recommends that the Planning Commission determine that the proposed action is *exempt* from further California Environmental Quality Act (CEQA) review pursuant to State CEQA Guidelines Section 15315 (Minor Land Divisions) and Section 15061(b)(3) (the General Rule).

Project Summary:

The proposed action is the approval of a parcel map that would subdivide a 0.99-acre parcel into three (3) lots (see **Attachment A – TPM Exhibit**). The project site is located east of and directly adjacent to Interstate-5 at the western terminus of Cortina Court (existing dead-end cul-de-sac) on an existing parcel also described as APN 040-170-006. The project site is currently vacant/undeveloped and zoned "P-D" - *Planned Development* and has a City of Orland General Plan land use designation of R-L (Residential Low Density). The three resultant lots will be approximately 12,575 sq. ft. (resultant parcel 1), 10,009 sq. ft. (resultant parcel 2), and 16,913 sq. ft. (resultant parcel 3) (see **Attachment B – TPM Application**).

The applicant/property owner (Frank Rios) and their representative have indicated that the current plan for the develop of the parcel would include the construction of three (3) single-family homes. One of the proposed residences is currently under construction at this time on the "middle" parcel (proposed parcel 2).

Pursuant to Orland Municipal Code Section 17.60.030, a Planned Development Use Permit is required upon the approval of a project in the Planned Development Zone (See **Attachment C – CUP Application**).

Adjacent land uses and designations are as follows:

North: "P-D" (Planned Development) Zoning District - Vacant land

East: "R-1" (Residential One-Family) Zoning District – Single-family residences

South: "P-D" (Planned Development) Zoning District - Single-family residences

West: "I-L/C" (Light industrial/Commercial) Zoning District - I-5 Corridor

Regulatory Framework:

Tentative Parcel Map

The primary regulation concerning the subdivision of land is the Subdivision Map Act (California Government Code Section 66410 *et seq.*). Under the Subdivision Map Act, proposed divisions of land into four or fewer parcels that are to be sold, leased or financed require a parcel map, as opposed to a final subdivision map.

The local ordinance regulating land division in the City of Orland is Chapter 16 of the Orland Municipal Code (OMC). Subdivision submittals shall also conform to the City's Land Division Standards and Improvement Standards. Section 16.24 delineates procedures for the submission of parcel maps. Section 16.28 sets forth standards and requirements for the design of subdivisions and for the installation of improvements within subdivisions.

The subject Tentative Parcel Map (TPM) proposes to subdivide the project site into three parcels. The TPM has been reviewed in accordance with the City's General Plan and the development standards of Title 16 (Subdivisions) and Title 17 (Zoning) of OMC. Staff has determined the proposed project is consistent with these standards. There are no minimum lot area, lot depth, or lot frontage requirements for parcels in the P-D zone.

Conditional Use Permit

Pursuant to OMC Section 17.60, a Use Permit is required for project approval in the Planned Development Zone district. The Use Permit would be established for the purpose of the division of the property into three (3) residential lots.

Chapter 17.80 of the OMC provides the legal authority and basis for the issuance of a Conditional Use Permit in the City. Section 17.80.010 establishes that:

"A request for a use permit may be granted, granted subject to conditions, or denied by the planning commission for any use for which a use permit is permitted or required by these regulation, or for any use which, while not specifically enumerated in these

regulation, is, in the opinion of the planning commission, similar to and compatible with the uses permitted in the zone in which the subject property is situated.”

Section 17.80.040 of the OMC states that, “Approval of an application for a use permit shall be based upon a written finding that:

Establishment, maintenance, or operation of the use of building applied for will not, under the circumstances of the particular case, be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be materially detrimental to property of improvements in the neighborhood or to the general welfare of the City.”

As established in OMC Section 17.80.010, the Planning Commission may impose conditions of approval on a use permit that it finds necessary to carry out the purpose of this title.

Discussion/Analysis:

The proposed project was circulated for review to City staff and outside agencies as part of the City’s standard development review process. No comments were received by outside reviewing entities however comments and conditions of approval were received from City staff on the project. The primary items noted in the comments were as follows:

- Driveway access from Cortina Court
- Driveway width(s) on Cortina Court
- Front lot width for each of the three proposed lots
- Masonry sound wall along Interstate 5 frontage (currently in-place)
- Fencing along USID irrigation lateral bordering on proposed parcel 3
- Establishment of a one (1) foot maintenance assessment district along the southerly parcel line of proposed parcel 3 as per the City Council revised City of Orland canal guidelines.

Utilities

The proposed resultant lots would be connected to the City utility system (water and sewer). Information provided by the City of Orland Public Works Department indicates that the City has adequate water and sewer capacity and supply to accommodate the proposed lots. Currently, water is provided to the existing houses on Cortina Court via an existing 6” water line and 6” sewer line. The proposed parcels would be served, and can be served, by the existing lines in Cortina Drive. No storm water facilities currently exist to serve Cortina Drive or Cortina Court. An existing fire hydrant located just east of the proposed lots and on the north side of Cortina Court will provide fire connection service to the proposed lots.

Access

Access to the proposed lots will be taken off of Cortina Court. The City Engineer has noted that a common access driveway is necessary to provide service to the project and the project applicant is in agreement with the inclusion of a Common Access Easement across the frontages of all three lots 1, 2 and 3 for the purpose. The applicant’s representative has been in contact with and is

working with the City Engineer on an access solution amenable to all parties. Conditions of Approval have been included with the project addressing this situation (see **Attachment D**).

Street Access/Improvements

As noted above, primary access to each of the three proposed parcels will be taken from Cortina Court. The City Engineer has included a Condition of Approval addressing the City's need for a public service easement behind the right-of-way of Cortina Court. Additionally, the applicant will be responsible for providing off right-of-way access to each of the three parcels as contemplated in the common access easement on the parcel frontages. No street improvements or new streets are necessary to support the approval of the map as proposed.

Irrigation Canal Treatment

Pursuant to the recently adopted policy of the City of Orland regarding the placement of irrigation lateral canals underground based upon the size of the canal, a six (6) foot solid fence shall be installed along the southern property line of parcel 3 prior to the issuance of a Certificate of Occupancy on any of lots 1, 2 or 3. Additionally, and as per the attached Conditions of Approval, city staff is recommending the establishment of a one-foot (1') no access easement along the southerly property line of proposed parcel 3 along with the establishment of a one-foot (1') maintenance assessment district in the same location.

Front Lot Width

As noted previously in this report, the project site is zoned with the *PD* – Planned Development zoning district. The *PD* zoning district does not provide for pre-determined lot width or depth requirements or standards. Such standards are flexible and are approved by the Planning Commission through the Planned Development Use Permit process. It is noted that as proposed, the three (3) proposed lots have a front lot width of only twenty (20) feet each. While there are no formal development standards for lot frontage width in the *PD* zoning district, it is noted that the dimensions proposed are substantially smaller than the required lot width of sixty (60) foot in the R-1, single family zoning district.

Environmental Determination:

Staff has reviewed the project to determine the required level of review under the California Environmental Quality Act (CEQA). Staff recommends that the Planning Commission determine that the proposed Tentative Parcel Map be categorically exempt pursuant to CEQA Guidelines Sections 15315 (Minor Land Division, Class 15) as the project consists of the division of property into four or fewer parcels and is in conformance with the general plan and zoning, no other variances or exceptions requiring environmental review are required, and all required services and access to the proposed parcels to local standards are available. Staff recommends that the Planning Commission determine that the proposed Conditional Use Permit to be categorically exempt pursuant to CEQA Guidelines Sections 15061(b)(3) (the General Rule) as it has been determined that this project does not have the potential for causing a significant effect on the environment. (see **Attachment E – Notice of Exemption**).

Recommendation:

Staff recommends that the Planning Commission find that the project is categorically exempt from further review pursuant to the California Environmental Quality Act (CEQA) and, recommend approval of TPM #2021-01 and CUP #2021-01 to the City Council.

Staff recommends the following process for the consideration of this matter:

1. Accept report by staff;
2. Open the public hearing and take public testimony;
3. Close the public hearing and initiate consideration of the project; and
4. Motion and vote.

If the Planning Commission determines that it intends to approve the project as proposed and as described in this report, staff offers the following motion for the Commission's consideration:

1. California Environmental Quality Act:

Move that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15315, Minor Land Divisions, and §15061(b)(3), the General Rule.

2. Tentative Parcel Map:

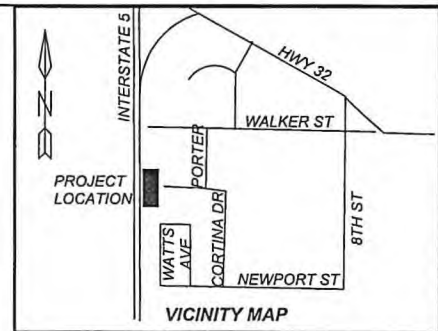
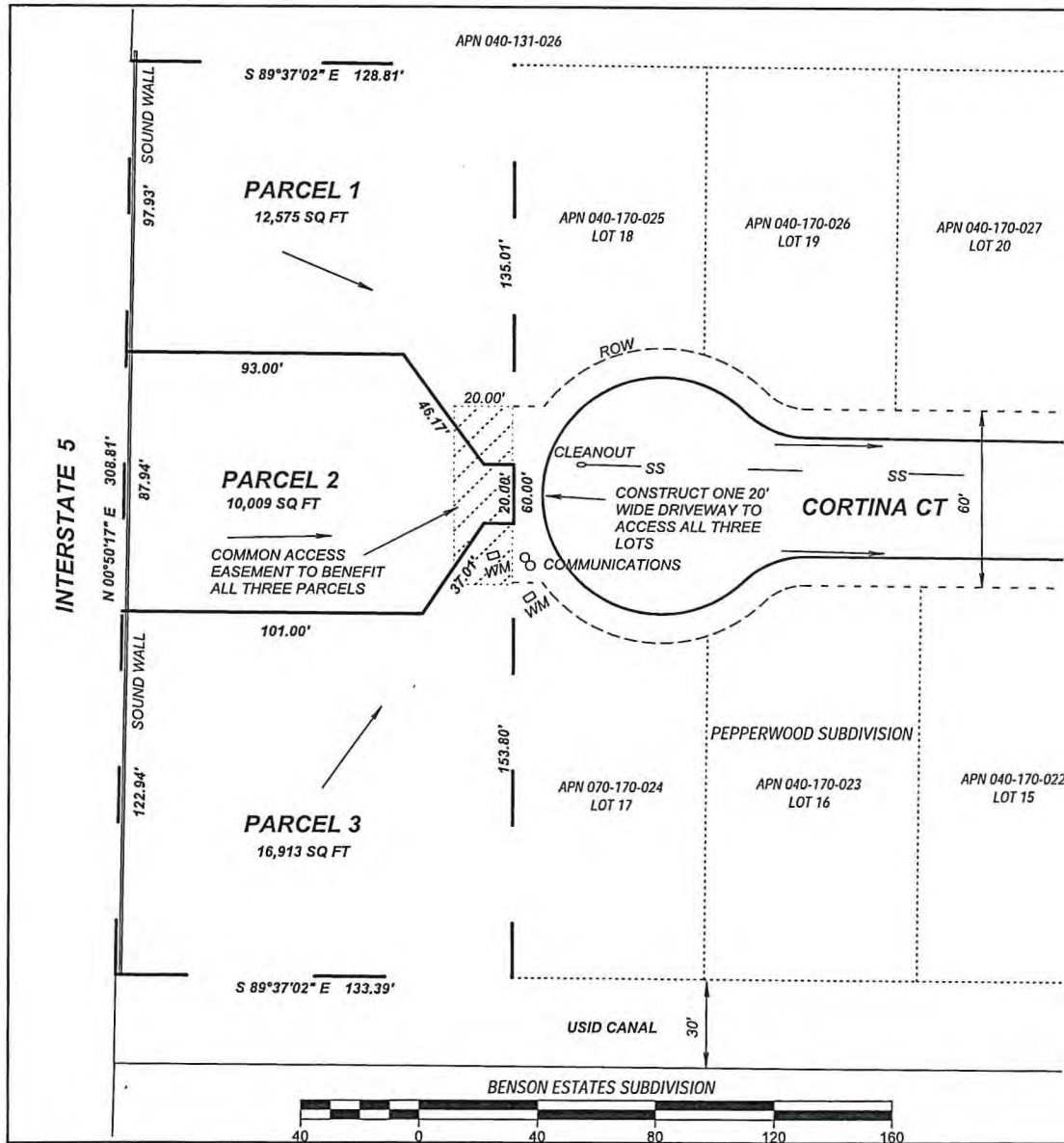
Move that the Planning Commission make a recommendation the City Council to adopt Resolution 2021-01 approving TPM #2021-01 as presented herein.

3. Conditional Use Permit:

Move that the Planning Commission make a recommendation the City Council to adopt Resolution 2021-02 approving PDUP #2021-01 as presented herein.

ATTACHMENTS:

- **Attachment A – Tentative Parcel Map Exhibit**
- **Attachment B – TPM #2021-01 Application**
- **Attachment C – CUP #2021-01 Application**
- **Attachment D – Conditions of Approval**
- **Attachment E – Notice of Exemption**
- **Attachment F – TPM - PC Resolution 2021-01**
- **Attachment G – CUP - PC Resolution 2021-02**



OWNER AND APPLICANT

FMR, INC
 FRANK RIOS
 866 WATTS AVE
 ORLAND, CA 95963
 530-514-8509

ASSESSORS PARCEL NO.

040-170-006

PROPOSED USE

RESIDENTIAL



TENTATIVE PARCEL MAP

A PORTION OF LOT 6 OF
 ORANGE PARK SUB NO 2
 PER 1 MS 139

IN THE CITY OF ORLAND
 GLENN COUNTY, CALIFORNIA
 FRANK RIOS

PRECISION SURVEYING

1165 HOFF WAY #204 ORLAND, CALIFORNIA 95963 530-865-4194

DATE	SCALE	SHEET
AUGUST, 2021	1" = 40'	1 OF 1

R105.pcs
 8-4-2021
 Revised
 11-4-2021

Attachment A

CITY OF ORLAND
 815 Fourth Street
 Orland, CA 95963
 530.865.1600
 530.865.1632 (fax)

APPLICATION FOR TENTATIVE MAP

Please check one: PARCEL MAP ☒ SUBDIVISION MAP ☐

Check Box if Application is for a Vesting Map ☐

1. Applicant:

Name: FRANK RIOS
 Address: 866 Watts Ave
 Phone: (Business): _____ (Home): _____
 Mobile: (530) 514-8509 (Email): _____

2. Landowner:

Name: FMR SERVICES INC
 Address: 866 Watts Ave
 Phone: (Business): _____ (Home): _____
 Mobile: 530-514-8509 (Email): Frank.m.rios66.fr@gmail

3. Agent (Engineer, Surveyor, etc):

Name: LESLIE COKE
 Address: 1165 HUIF WAY #204
 License Number: PLS 5712
 Phone: (Business): 865-4194 (Home): _____
 Mobile: 949-1729 (Email): les-coke@yahoo.com

4. Request (Please explain in detail the specific project for this tentative map):

5. Address of the Site for this tentative map:

6. Current Assessor's Parcel Number: 040-170-006

7. Number of proposed lots: 3 Average Lot Size: 13,000 SF

8. Project acreage: 0.9 AC Within City limits? Yes (☒) No ()

9. Existing Zoning: Existing Land Use: VACANT

10. Existing Use of Property: VACANT

11. Proposed Use of Property: SINGLE FAMILY RES

12. Related Applications: NONE

all

FOR OFFICE USE ONLY

SUBMITTAL INFORMATION:

Application Received by: _____ Date: _____

FEES:

Receipt Number: _____

Application Fee: _____

Environmental Review: _____

Total Fee: _____

PLANNING COMMISSION ACTION:

Approved () Denied () Date: _____ Vote: _____

CITY COUNCIL ACTION:

Approved () Denied () Date: _____ Vote: _____

Resolution Number: _____

PRECISION SURVEYING

1165 Hoff Way Suite 204
Orland, CA 95963

Phone 530-865-4194
Mobile 530-949-1729

LETTER OF TRANSMITTAL

August 19, 2021

City of Orland Planner
815 4th Street
Orland, CA 95963

RE: TPM and CUP for FMR, Inc

Enclosed are the following:

1. Copies of the Tentative Map
2. Corporate resolution
3. Application forms
4. EIR form
5. Application fee

Sincerely,

Leslie W. Coke
PLS 5712

**CORPORATE RESOLUTION FOR
FMR Services Inc**

A CALIFORNIA CORPORATION

A meeting was called on Jan 1st 2021, in Glenn County, FMR Services Inc., a California corporation.

The following matter(s) were decided:

Frank M. Rios is the President of FMR Services Inc. , a California corporation. Frank Rios as President, is hereby authorized to sign on behalf of FMR Services Inc, a California corporation, on documents pertaining to permitting , purchasing of real estate, and any applications for 0 Cortina Dr.

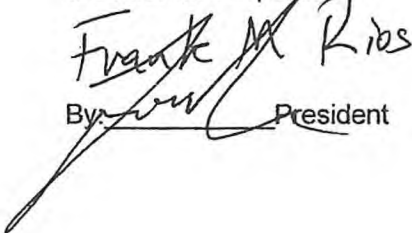
APN 040-170-006-000

Furthermore, Frank Rios the President, has full capacity and authority to execute any and all documentation required and hereby adopt the following resolution by written consent:

RESOLVED that Frank Rios the President, is authorized to execute any documents pertaining to permitting, purchasing of real estate, and any applications for the above 0 Cortina Dr. the above mentioned property.

Dated this 1st day of January, 2021

FMR Services Inc.
a California Corporation


By: _____ President

TIMIOS

PRELIMINARY REPORT

To:

TIMIOS TITLE
750 MAIN ST
RED BLUFF CA, 96080-3342

Title Officer:

TITLE OFFICER: DEBBIE FALTESEK
TIMIOS TITLE
750 MAIN STREET
RED BLUFF, CA 96080
PHONE NO.: 530-988-5532
EMAIL: dfaltesek@timios.com

ESCROW NO: 71-00209960

Property Address:

040-170-006-000
ORLAND, CA, 95963

Title No:

71-00209959

In response to the above referenced application for a policy of title insurance, this company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said Policy Forms.

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Exhibit A attached. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Exhibit A. Copies of the policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a binder or commitment should be requested.

The form of Policy of title insurance contemplated by the report is:

ALTA STANDARD OWNER'S POLICY 2006

ALTA LOAN POLICY 2006

Issued by: FIRST AMERICAN TITLE INSURANCE COMPANY

Dated as of: May 02, 2021 at 8:00 a.m.

The Estate or Interest in the land hereinafter described or referred to covered by this report is:

Fee Simple

Title to said estate of interest at the date hereof is vested in:

FMR SERVICES, INC., A CALIFORNIA CORPORATION

At the date hereof exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy form would be as follows:

1. PROPERTY TAXES, INCLUDING ANY ASSESSMENTS COLLECTED WITH TAXES, TO BE LEVIED FOR THE FISCAL YEAR 2021-2022 THAT ARE A LIEN NOT YET DUE.
2. PROPERTY TAXES INCLUDING ANY PERSONAL PROPERTY TAXES AND ANY ASSESSMENTS COLLECTED WITH TAXES, FOR THE FISCAL YEAR 2020-2021.

1 ST INSTALLMENT:	\$202.79	PAID 11/06/2020
2 ND INSTALLMENT:	\$202.79	PAID 11/06/2020
ASSESSMENT NO.:	040-170-006-030	

3. THE LIEN OF SUPPLEMENTAL OR ESCAPED ASSESSMENTS OF PROPERTY TAXES, IF ANY, MADE PURSUANT TO THE PROVISIONS OF PART 0.5, CHAPTER 3.5 OR PART 2, CHAPTER 3, ARTICLES 3 AND 4 RESPECTIVELY (COMMENCING WITH SECTION 75) OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA AS A RESULT OF THE TRANSFER OF TITLE TO THE VESTEE NAMED IN SCHEDULE A; OR AS A RESULT OF CHANGES IN OWNERSHIP OR NEW CONSTRUCTION OCCURRING PRIOR TO THE DATE OF THE POLICY.
4. RIGHTS OF THE UNITED STATES OF AMERICA AND THE ORLAND UNIT WATER USERS' ASSOCIATION IN AND TO THE LAND HEREINAFTER DESCRIBED AND WATER RIGHTS APPURTENANT THERETO AND ALL TRUSTS, AGREEMENTS, EASEMENTS, RIGHTS OF WAY, CHARGES AND LIENS OF EVERY NATURE ARISING OUT OF THE CONSTRUCTION, OPERATION AND MAINTENANCE OF THE UNITED STATES AND ORLAND IRRIGATION PROJECT, WITHIN WHICH PROJECT SAID LAND IS SITUATE. SUBJECT TO FUNDED AND DEFERRED CHARGES.

FOR ANY AMOUNTS DUE CONTACT:
ORLAND UNIT WATER USERS' ASSOCIATION
828 EIGHTH STREET
ORLAND, CA 95963
PHONE: 530-865-4126

5. RELINQUISHMENT OF ALL ABUTTERS RIGHTS, INCLUDING ACCESS RIGHTS EXCEPT THE RIGHT OF ACCESS TO A PUBLIC ROAD OVER AND ACROSS COURSES 1, 2 AND 3 IN THE DESCRIPTION SET FORTH IN DEED FROM MARGARET A. BLOSSER, AN UNMARRIED WOMAN AND MARY ELIZABETH MERRILL WHO ACQUIRED TITLE AS MARY ELIZABETH WAGNER, AN UNMARRIED WOMAN TO STATE OF CALIFORNIA, DATED DECEMBER 6, 1962 AND RECORDED APRIL 24, 1963 IN BOOK 447 OF OFFICIAL RECORDS, AT PAGE 270.
- 6.. PRIOR TO THE ISSUANCE OF ANY POLICY OF TITLE INSURANCE, THE COMPANY WILL REQUIRE:
WITH RESPECT TO FMR SERVICES, INC., , A CORPORATION:
A. A CERTIFICATE OF GOOD STANDING OF RECENT DATE ISSUED BY THE SECRETARY OF STATE OF THE CORPORATION'S STATE OF DOMICILE.
B. A CERTIFIED COPY OF A RESOLUTION OF THE BOARD OF DIRECTORS AUTHORIZING THE CONTEMPLATED TRANSACTION AND DESIGNATING WHICH CORPORATE OFFICERS SHALL HAVE THE POWER TO EXECUTE ON BEHALF OF THE CORPORATION.
C. OTHER REQUIREMENTS WHICH THE COMPANY MAY IMPOSE FOLLOWING ITS REVIEW OF THE MATERIAL REQUIRED HEREIN AND OTHER INFORMATION WHICH THE COMPANY MAY REQUIRE.

LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE CITY OF ORLAND, COUNTY OF GLENN, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

The Southwest quarter of Lot 6 of Orland Orange Park No. Two, according to the map or plat thereof filed in the office of the County Recorder of the County of Glenn, State of California, on January 4, 1909 in Book 1 of Maps, at page 194.

EXCEPTING THEREFROM that portion deeded to the United States of America by Deed recorded October 15, 1909 in Book 29 of Deeds, at page 325.

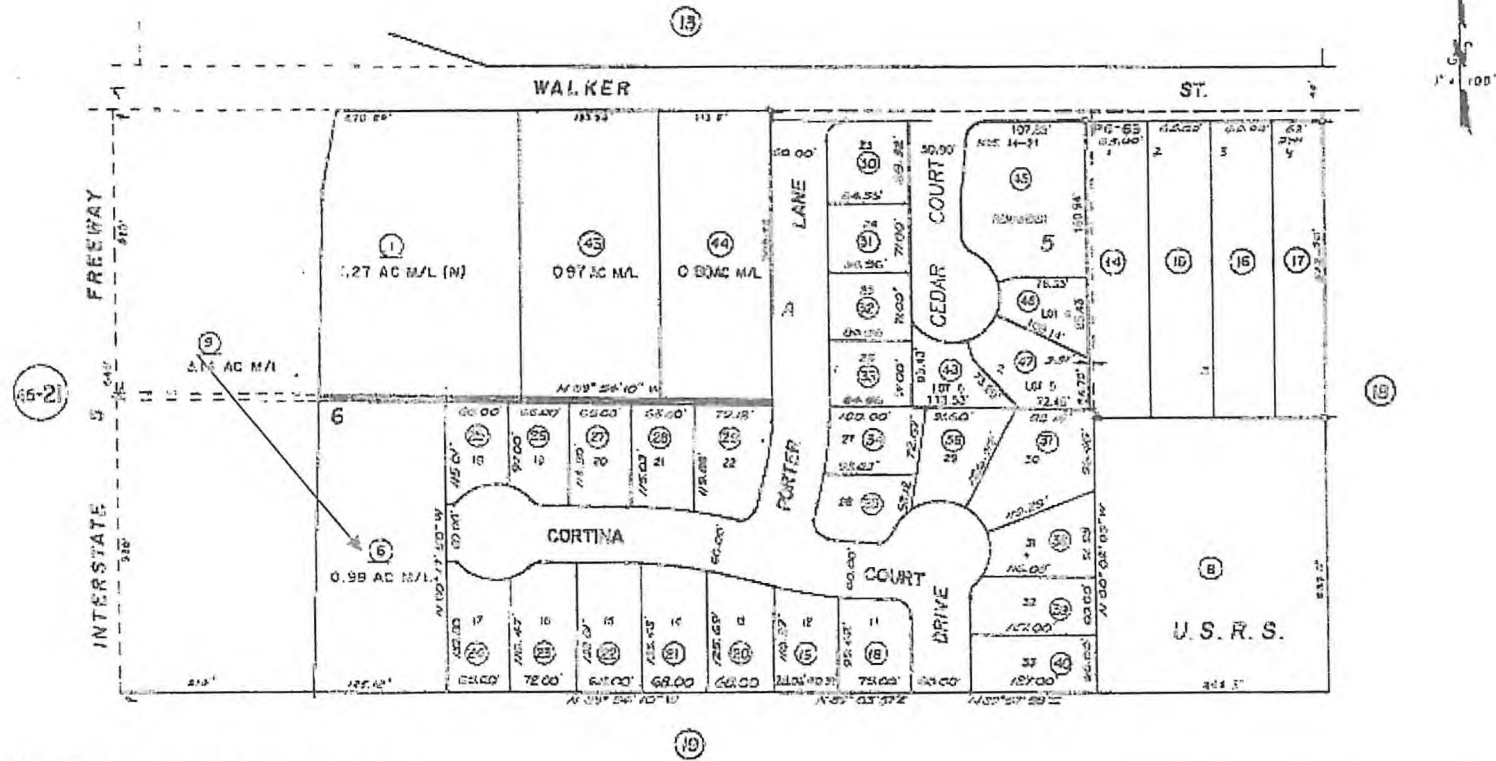
ALSO EXCEPTING THEREFROM that portion sold to the State of California by deed recorded April 24, 1963 in Book 447 of Official Records, at page 270, more particularly described as follows:

A portion of the West 1/2 of Lot 3 in the Southwest 1/4 of Lot 6 of "Orland Orange Park No. 2" according to the map thereof filed in the office of the County Recorder of the County of Glenn, State of California, on January 4, 1909 in Book 1 of Maps, at page 194. Said portion is all that part lying Southwesterly from the line described as follows: Beginning at a point from which the Southwest corner of Section 21, T. 22 N., R. 3 W., M.D.B. & M., bears S. 68° 04' 18" W. 3,293.06 feet, said point also being distant 244.82 feet Easterly, measured at right angles from the base line at Engineer's Station "C" 233 + 97.66 of the Department of Public Works' 1958 Survey from Artois to the Tehama County line, Road III-Gle-7-C; THENCE (1) from said point of beginning N. 00° 34' 00" E. 60.00 feet; thence (2) N. 54° 05' 17" W. 91.07 feet; thence (3) N. 89° 09' 48" W. 63.00 feet; thence (4) N. 00° 50' 17" E. 1,090.00 feet to a point that is 107 feet Easterly, measured at right angles from the base line at Engineer's Station "C" 246 + 00.00 of said Survey.

APN: 040-170-006-000

ORANGE PARK NO. 2

40-17



M.B.S. Dk. 1, Pg. 139 - Grand Orange Park No. 2
 P.M., Dk. 5, Pg. 44
 P.M., Dk. 6, Pg. 18
 M.B.S., Dk. 9, Pg. 1 - Pepperwood Subdivision

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles

Assessor's Map Dk. 40 - Pg. 17

County of Glenn, Calif.

2008

City of Orland Conditional Use Permit
Instructions and Application Form

CITY OF ORLAND
PLANNING DEPARTMENT
815 FOURTH STREET
ORLAND, CA 95963
530.865.1608 (PHONE) 530.865.1632 (FAX)

APPLICATION FOR A CONDITIONAL USE PERMIT

Please submit the following items. A complete Application will ensure its prompt processing. If you have any questions, please contact the City of Orland Planning Department at 530.865.1608 or by email to nsailsbery@cityoforland.com.

1. **APPLICANT(S):**

NAME: FMR Services Inc / Frank Rios
ADDRESS: 866 Watts Ave Orland Ca 95963
PHONE:(Business): (530) 514 8509
(Home): -
(Mobile): -
EMAIL ADDRESS: Frankrios66.Fr@gmail.com

2. **PROPERTY OWNER(S):**

NAME: Frank Rios
Same as above
ADDRESS: 866 Watts Ave Orland Ca 95963
PHONE:(Business): 530-514 8509
(Home): -
(Mobile): -
EMAIL ADDRESS: -

3. Name and address of property owner(s) duly authorized agent who is to be furnished with Notice of Hearing (Section 65091 California Government Code):

NAME: Leslie Coke
ADDRESS: 1165 Huff Way #204
PHONE:(Business): 530-865-4194
(Home): -
(Mobile): 949-1729
EMAIL ADDRESS: les.coke@yahoo.com

City of Orland Conditional Use Permit
Instructions and Application Form

4. Address and Location of Project: 0 Cortina Drive
5. Current Assessor's Parcel Number: _____
6. Zoning: _____
7. General Plan Land Use Classification: P/D
8. Existing use of property(ies): Vacant lot
9. Request: _____
10. Provide any additional information that may be helpful in evaluating this request:

11. Surrounding Land Uses and Zoning Districts (please be specific):
North: Vacant land
South: Residential / Water Users
East: Residential
West: Interstate 5 / caltrans
12. Topography: Flat
13. Vegetation: Grass
14. Water Supply: Source or Type: City Provider: Orland
Existing: yes
Proposed: _____
15. Sewage Disposal:
Existing: None
Proposed: Orland City

City of Orland Conditional Use Permit
Instructions and Application Form

16. Fire Protection:

Existing: OFD

Proposed: _____

17. Storm drainage:

Existing: None

Proposed: None

18. School District: Orland

19. Natural Hazards (include past and current uses, if any): None

ENVIRONMENTAL INFORMATION FORM

Date Filed: _____

General Information:

1. Name and address of developer/project sponsor: FMR Services Inc
2. Address of PROJECT: 0 Cortina Drive Orland, Ca 9596
3. Assessor's Parcel Number: 040-170-006-000
4. Name, address and telephone number of person to be contacted concerning this project:
Frank Rios 530-514-8509
5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:
Conditional Use Permit
6. Existing Zoning District: P/D
7. Proposed use of the site (Project for which this form is filed): Residential

Project Description:

8. Site size: .9 Acre
9. Square footage: 40,500
10. Number of floors to be constructed: 1
11. Amount of off-street parking provided: 12

12. If residential:

Number of units: 4

Design of units (i.e. single family, multi-family, etc):

Square footage of each unit:

2 Single Family 1 Duplex
1350, 1504, 2400

13. If commercial:

Type of use:

Square footage of each building (existing and proposed):

Number of employees (if applicable):

Number of shifts (if applicable):

Hours of operation:

14. If industrial:

Type of use:

Square footage of each building (existing and proposed):

Number of employees (if applicable):

Number of shifts (if applicable)

Hours of operations:

15. If institutional:

Estimated occupancy:

Type of use:

Square footage of each building (existing and proposed):

Number of employees (if applicable):

Number of shifts (if applicable)

Hours of operations:

16. If the project involves a variance, conditional use, request for annexation, or rezoning application, state this and indicate clearly why the application is required.

17. Attach site plan(s).

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary):

18. Change in existing features of any bays, tidelands, beaches, or hills, or substantial alteration of ground contours.

Yes _____

No X

City of Orland Conditional Use Permit
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19. Change in scenic views or vistas from existing residential areas or public lands or roads.

Yes _____ No X

20. Change in pattern, scale or character of general area of project.

Yes _____ No X

21. Significant amounts of solid waste or litter.

Yes _____ No X

22. Change in dust, ash, smoke, fumes or odors in the vicinity.

Yes _____ No X

23. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.

Yes _____ No X

24. Substantial change in existing noise or vibration levels in the vicinity.

Yes _____ No X

25. Site on filled land or on slope of 10 percent or more.

Yes _____ No X

26. Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.

Yes _____ No X

27. Substantial change in demand for municipal services (police, fire, water, sewage, etc.),

Yes _____ No X

28. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.)

Yes _____ No X

29. Relationship to a larger project or series of projects.

Yes _____ No X

Environmental Setting:

30. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.
31. Describe the surrounding properties, including information on plant – and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc) intensity of land use (one-family, apartment houses, shops, department stores etc.) and scale of development (height, frontage, set-back, rear yard, etc.) Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

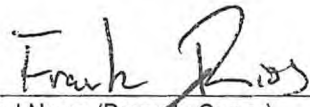
Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Printed Name (Applicant)

Signature (Applicant)

Date



Printed Name (Property Owner)



Signature (Property Owner)



Date

Printed Name (Property Owner)

Signature (Property Owner)

Date

Printed Name (Agent/Representative)

Signature (Agent/Representative)

Date

DECLARATION UNDER PENALTY OF PERJURY
(Must be signed by the applicant and the property owner)

I am (we are) the owner(s) and/or applicant(s) of property involved in this application, and I (we) have completed this application and all other documents required.

I am (we are) the owner(s) and/or applicant(s) of the property consenting to the preparation and submission of this application.

I (we) also shall agree to abide by the conditions of approval as issued by the Planning Commission. I (we) declare under penalty of perjury that the foregoing is true and correct.

The property owner(s) and/or applicant(s) by signing this application, shall be deemed to have agreed to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void, or null the approval of this development entitlement or approval or certification of the environmental document which accompanies it, or to obtain damages relating to such action(s). This indemnification agreement shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of the entitlement, whether or not there is concurrent passive or active negligence on the part of the City.

Property Owner:

FMR Services Inc / Frank MRios
Printed Name
[Signature]
Signature
4 Aug 2021
Date

**Please Note: If the Property Owner is a corporation, partnership, etc., a signed Resolution from the corporation, partnership, etc., shall be submitted as part of this application to the City of Orland denoting the authority for this signature.

Applicant:

Frank MRios
Printed Name
[Signature]
Signature
Single Member Corp
4 Aug 2021
Date

Agent:

[Signature]
Printed Name
[Signature]
Signature
[Date]
Date

Conditions of Approval for CUP#2021-01:**General Conditions of Approval:**

1. The applicant shall file a Declaration of Acceptance of the following conditions by submitting a signed copy of the conditions to the Planning Department within ten (10) days of Planning Commission approval.
2. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of permit constitutes cause for the revocation of said permit. Unless otherwise provided for in a special condition to this Use Permit, all conditions must be completed prior to or concurrently with the establishment of the granted use.
3. The use granted by this permit shall be established within one (1) year of the date of approval or the permit shall become null and void.
4. The applicant shall submit a check or money order in the amount of **\$100.00 made payable to the City of Orland** to cover costs associated with the preparation and filing of the Notice of Exemption from CEQA within five (5) days of the date of approval.
5. The applicant shall submit a check or money order in the amount of **\$50.00 made payable to the Glenn County Recorder's Office** for the fee to record the Notice of Exemption from CEQA within five (5) days of the date of approval.
6. Neither the applicant, or any agent nor representative of the applicant shall intentionally omit or misrepresent any material fact in connection with the application. Any alleged material misrepresentation shall constitute grounds for the City of Orland to commence a revocation hearing and constitute grounds to revoke the permit.
7. Minor changes to the approved project may be approved by the City Planner upon receipt of a substantiated written request by the applicant, or their respective designee. Prior to such approval, verification shall be made by each Department that the modification is consistent with the application, fees paid, and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application for amendment by public hearing before the City Council.
8. The project applicant and/or contractor shall obtain all necessary business licenses and permits from the City and pay all appropriate fees for any required utilities modification, construction, and connection work associated with the project. Project shall also obtain permits all necessary and required building permits from the City of Orland Building Department, and pay all appropriate fees for construction work to be undertaken as a result of this approval.
9. The Use Permit is only approving Residential use on the site as requested on CUP application #2021-01. The approved use shall not be expanded or modified beyond the approvals detailed in this document.
10. If changes are requested to the plan or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the Planning Commission prior to implementing the changes.
11. No changes shall be made to any approved plan(s), which would alter the character of the site plan or the use of the property, without prior approval of the City Planner and City Engineer.
12. If changes are requested to the site plan, use of the building/space, or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the City Council, prior to implementing the changes.

13. No exterior storage of any materials, equipment, or vehicles is permitted in such a manner as to constitute a nuisance violation of the Orland Municipal Code.

Use/Site Specific Conditions of Approval:

City Engineer Conditions of Approval:

Streets

14. The Subdivider shall construct a single residential driveway to allow access to all three proposed parcels. Street frontage improvements shall be in conformance with the Land Division Standards and Improvement Standards (LDSIS).

Accessway

15. The Subdivider shall construct an accessway (including No Parking - Fire Lane signage) over portions of Parcels 1, 2 and 3 in a manner acceptable to the City Engineer.

Storm Drainage

16. A storm drainage plan shall be submitted to the City Engineer for review and approval prior to the start of any work. The Subdivider shall design and install storm drain conveyance and detention systems with all appurtenances to serve Parcels 1, 2 and 3 as depicted on the Tentative Map. The storm drain conveyance and detention systems shall be designed per Orland LDSIS.
17. Operation and maintenance of the storm drain conveyance and detention systems will be the responsibility of the subdivider. This requirement shall be noticed by a statement on the Parcel Map or a separate instrument, and shall be recorded on, concurrently with or prior to the Parcel Map being filed for record.
18. Coverage under the stormwater Construction General Permit (GCP) will be required by the State Water Resources Control Board if development activities result in ground disturbance, including clearing, excavation, filling, and grading of one or more acres or disturb less than one acre but are part of a larger common plan or development. Coverage under this General Permit must be obtained from the State Water Resources Control Board prior to starting construction. If coverage under the CGP is required, provide the City with the Waste Discharge Identification number assigned by the State.
19. Implement post-construction Best Management Practices (BMPs) consistent with State Water Resources Control Board Order 2013-0001-DWQ (Order) to control the volume, rate, and potential pollutant load of stormwater runoff, including, but not limited to, requirements to minimize the generation, transport and discharge of pollutants. Provide stormwater treatment system(s) designed to reduce or eliminate stormwater pollutant discharges through the construction, operation and maintenance of source control measures, low impact development design, site design measure(s), stormwater treatment system(s) and/or hydromodification measures. Design and sizing requirements shall comply with the Post-Construction Stormwater Management Program (Section E.12) requirements of the Order.

Sanitary Sewer

20. The Subdivider shall connect to the City's existing sanitary sewer system and design and install an underground sanitary sewer main extension, with all appurtenances, to the project site. Improvement plans for the sanitary sewer main extension shall be submitted to the City Engineer for review and approval prior to the start of any work.
21. The Subdivider shall design and install sewer laterals with all appurtenances to serve Parcels 1, 2 and 3 as depicted on the Tentative Map.

Water

22. The Subdivider shall connect to the City's existing water system and design and install an underground water main extension, with all appurtenances, to the project site. Improvement plans for the water main extension shall be submitted to the City Engineer for review and approval prior to the start of any work.
23. The Subdivider shall install individual water services with all appurtenances to serve Parcels 1, 2 and 3 as depicted on the Tentative Map.

Well and Septic Abandonment

24. The Subdivider shall obtain all necessary permits from Glenn County Environmental Health Department and abandon all wells and septic systems in accordance with their requirements.

Other Public Services

25. The Subdivider shall install all new utilities serving this subdivision underground.
26. All public utility and/or public service easements shall be kept free and clear of any and all obstructions, including but not limited to, structures, longitudinal fencing and/or soundwalls, which may impede the construction, operation and maintenance of public utility facilities within such easements.
27. The Subdivider shall comply with the requirements of the City of Orland Fire Department.
28. The Subdivider shall comply with the requirements of the local office of the United States Postal Service.
29. The Subdivider shall obtain all required permits from outside agencies having pertinent jurisdiction prior to recordation of the Final Map for this subdivision.

Subdivision Grading

30. The Subdivider shall submit a Geological and/or Soils Report, prepared by a registered engineer, that includes, but is not limited to, the following:
 - a. An investigation of the nature, distribution and strength of existing soils.
 - b. A description of site geology.
 - c. Conclusions and recommendations covering the adequacy of the site for the proposed development, storm drainage disposal, grading procedures and corrective measures.
 - d. Verification that the site is suited to proposed BMPs.
31. A grading plan shall be submitted to the City Engineer for review and approval prior to the start of any work. All subdivision grading shall be in conformance with the LDSIS.

Fencing

32. The Subdivider shall install fencing along the south side of Parcel 3. Fence materials and construction shall be in accordance with the City's municipal code.

Public Property Conveyances

33. In conjunction with recordation of the Final Map, the Subdivider shall:
- a. Dedicate a one foot wide "No Access" easement along the south side of Parcel 3.
 - b. Dedicate a 10 foot wide public service easement adjacent to Cortina Court right-of-way.

Private Property Conveyances

34. In conjunction with recordation of the Final Map the Subdivider shall create a 20 foot wide by 60 foot long non-exclusive easement over portions of Parcels 1, 2 and 3 for ingress, egress, and private utility purposes.
35. The following notation shall be included on the Final Map: *"The Subdivider shall prepare and record the necessary documents to address the maintenance of joint-use private improvements serving Parcels 1, 2 and 3."*
- Prior to recordation of the Final Map, the documents shall be made available for City review. However, the City will not approve the documents as to form and/or content

Design Criteria and Improvement Standards

36. All public and joint-use private improvements shall be designed in accordance with the City of Orland LDSIS.

Administrative Requirements

37. Subdivision Improvement Agreement a. If the public and joint-use private improvements required herein are not satisfactorily completed prior to recordation of the Final Map, the Subdivider shall enter into a subdivision improvement agreement in conformance with Section 16.28.160, of the Orland Municipal Code.
38. Subdivision Fees
- a. Plan Checking Fee
 - i. The Subdivider shall pay to the City of Orland a subdivision plan checking fee upon filing the Final Map and/or improvement plans and specifications for checking in the following amount:
An initial deposit of 1 % of the estimated cost of all public and/or joint use private improvements exclusive of private utility facilities (\$750 minimum). A final fee equal to actual City costs.
 - b. Inspection Fee
 - i. The Subdivider shall pay to the City of Orland an inspection fee prior to commencing construction in the following amount:
An initial deposit of 2% of estimated cost of all public and/or joint use private improvements exclusive of private utility facilities. A final fee equal to actual City costs.
 - c. The Subdivider shall pay a storm drain fee, calculated in accordance with the current fee schedule under the requirements of Section 15.42.030 of the Orland Municipal Code, with the submittal of a building application.

- d. The Subdivider shall pay a sanitary sewer connection fee for each parcel, in accordance with the current fee schedule under the requirements of Section 13.04.150 of the Orland Municipal Code, with the submittal of a building application.
- e. The Subdivider shall pay a water connection fee for each parcel, in accordance with the current fee schedule under the requirements of Section 13.04.150 of the Orland Municipal Code.

NOTICE OF EXEMPTION

CEQA: California Environmental Quality Act

To: ☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: City of Orland
815 Fourth St.
Orland, CA 95963

☒ County Clerk
526 West Sycamore Street
Willows, CA 95988

Project Title: **Tentative Parcel Map and Conditional Use Permit 2021-01:** The Project consists of a Tentative Parcel Map (TPM) to subdivide a 0.99-acre parcel into three lots for future residential uses. The Parcel is zoned "P-D" - *Planned Development* and has a City of Orland General Plan land use designation of R-L (Residential Low Density). This project also includes a Planned Development Use Permit as required by Orland Municipal Code Section 17.60.030 to allow the resultant parcels to be used for residential uses.

Project Location - Specific: The parcel is located immediately east of and directly adjacent to Interstate-5 at the western terminus of Cortina Court (existing dead-end cul-de-sac) (APN 040-170-006).

- City: Orland

- County: Glenn

Description of Nature, Purpose, and Beneficiaries of Project:

A tentative parcel map to subdivide a 0.99-acre parcel into three parcels to be used for residential uses. The beneficiaries of the project will be the landowners and the residents of the City of Orland.

Name of Public Agency Approving Project: City of Orland

Name of Person or Agency Carrying Out Project: City of Orland

- ☐ Ministerial (Sec. 21080 (b) (1); 15268);
- ☐ Declared Emergency (Sec. 21080 (b) (3); 15269 (a));
- ☐ Emergency Project (Sec. 21080 (b) (4); 15269 (b) (c));
- ☒ Categorical Exemption. Type and Section Number: Class 15, Section 15315 and Section 15061(b)(3).
- ☐ Statutory Exemption. Code Number:

Reasons why project is exempt: The City of Orland Planning Commission has determined the project be categorically exempt pursuant to CEQA Guidelines Sections 15315 (Minor Land Division, Class 15) as the project consists of the division of property into four or fewer parcels and is in conformance with the general plan and zoning, no other variances or exceptions requiring environmental review are required, and all required services and access to the proposed parcels to local standards are available. The Conditional Use Permit is categorically exempt pursuant to CEQA Guidelines Sections 15061(b)(3) (the General Rule) as it has been determined that this project does not have the potential for causing a significant effect on the environment.

Lead Agency Contact Person: Scott Friend; City Planner

Area Code/Telephone/Extension: (530) 865-1608, Extension 3059.

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☐ No

Signature: _____ Date _____
☒ Signed by Lead Agency Date Received for Filing At OPR: _____
City Planner _____
Title _____

Attachment E

031

**CITY OF ORLAND
PLANNING COMMISSION RESOLUTION #2021-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORLAND
APPROVING TENTATIVE PARCEL MAP #2021-01 (FRANK RIOS)**

WHEREAS, Frank Rios (owner/applicant), filed an application with the City of Orland to approve a Tentative Parcel Map to divide a 0.99-acre parcel located east of and directly adjacent to Interstate-5 at the western terminus of Cortina Court (existing dead-end cul-de-sac) on an existing parcel, Glenn County Assessor's Parcel Number 040-170-006, into three lots for development of single-family residential uses; and

WHEREAS, the proposed parcel map is consistent with the City of Orland General Plan including the density requirements of the Residential Low Density (R-L) designation; and

WHEREAS, the proposed parcel map conforms with the development standards of the P-D Planned Development zoning district; and

WHEREAS, it has been determined that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 "Minor Land Division", a Class 15 exemption; and

WHEREAS, the Planning Commission has made required Findings of Approval as identified in the staff report; and

WHEREAS, the Planning Commission is the appropriate authority to hear and take action on this project; and

WHEREAS, the project was considered at a legally noticed public meeting of the Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Orland does hereby approve Tentative Parcel Map #2021-01 (Frank Rios), subject to the conditions of approval identified in the staff report.

The foregoing Resolution was adopted by the Planning Commission on the 18th day of November, 2021 by the following vote:

AYES: Commission Members:

NOES: Commission Members:

ABSENT:

ABSTAIN:

Wade Elliot, Chair

ATTEST

Janet Wackerman, City Clerk

**CITY OF ORLAND
PLANNING COMMISSION RESOLUTION #2021-02**

**APPROVAL OF CONDITIONAL USE PERMIT #202101 AT (APN: 040-170-006) TO PERMIT
THE ESTABLISHMENT OF FOUR (4) RESIDENTIAL DWELLING UNITS ON AN EXISTING
PARCEL LOCATED IN THE P-D, PLANNED DEVELOPMENT ZONING DISTRICT**

WHEREAS, Applicant/Owner Frank Rios has requested a Conditional Use Permit to permit the establishment of Residential uses (4 units) on an existing planned development zoned property located east of and directly adjacent to Interstate-5 at the western terminus of Cortina Court (existing dead-end cul-de-sac) on an existing parcel also described as APN 040-170-006.; and

WHEREAS, the Planning Commission held a duly noticed public hearing to accept public comments and to review and consider the application on November 18, 2021; and

WHEREAS, notice of the meeting was posted at City Hall, and all project information was available to the public for review; and

WHEREAS, the Planning Commission has determined that subject to approval of the Conditional Use Permit and the project Conditions of Approval, the request is consistent with the Orland General Plan and the standards of the Orland Zoning Code; and

WHEREAS, the Planning Commission has determined the project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section §15061(b)(3) of the State CEQA guidelines; and

WHEREAS, following the conduct of the public hearing, the Planning Commission made findings with respect to the issuance of the Conditional Use Permit and voted unanimously to approve a Conditional Use Permit for the purpose based upon the following:

1. The establishment, maintenance, or operation of the proposed use will not be materially detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of the proposed use.
2. The proposed use will not be materially detrimental to property and improvements in the neighborhood of the proposed use.
3. The proposed use will not be materially detrimental to the general welfare of the City of Orland.
4. The proposed use will be consistent with the policies, standards, and any use designations of the General Plan, any applicable specific plan, and the applicable section of Title 17 of the Orland Municipal Code (P-D, Planned Development).
5. The project will not have a significant or unmitigable impact on the physical environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Orland does hereby approve Conditional Use Permit #2021-01, subject to the following conditions:

Conditions of Approval for CUP#2021-01:

General Conditions of Approval:

1. The applicant shall file a Declaration of Acceptance of the following conditions by submitting a signed copy of the conditions to the Planning Department within ten (10) days of Planning Commission approval.
2. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of permit constitutes cause for the revocation of said permit. Unless otherwise provided for in a special condition to this Use Permit, all conditions must be completed prior to or concurrently with the establishment of the granted use.
3. The use granted by this permit shall be established within one (1) year of the date of approval or the permit shall become null and void.
4. The applicant shall submit a check or money order in the amount of **\$100.00 made payable to the City of Orland** to cover costs associated with the preparation and filing of the Notice of Exemption from CEQA within five (5) days of the date of approval.
5. The applicant shall submit a check or money order in the amount of **\$50.00 made payable to the Glenn County Recorder's Office** for the fee to record the Notice of Exemption from CEQA within five (5) days of the date of approval.
6. Neither the applicant, or any agent nor representative of the applicant shall intentionally omit or misrepresent any material fact in connection with the application. Any alleged material misrepresentation shall constitute grounds for the City of Orland to commence a revocation hearing and constitute grounds to revoke the permit.
7. Minor changes to the approved project may be approved by the City Planner upon receipt of a substantiated written request by the applicant, or their respective designee. Prior to such approval, verification shall be made by each Department that the modification is consistent with the application, fees paid, and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application for amendment by public hearing before the City Council.
8. The project applicant and/or contractor shall obtain all necessary business licenses and permits from the City and pay all appropriate fees for any required utilities modification, construction, and connection work associated with the project. Project shall also obtain permits all necessary and required building permits from the City of Orland Building Department, and pay all appropriate fees for construction work to be undertaken as a result of this approval.
9. The Use Permit is only approving Residential use on the site as requested on CUP application #2021-01. The approved use shall not be expanded or modified beyond the approvals detailed in this document.
10. If changes are requested to the plan or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the Planning Commission prior to implementing the changes.
11. No changes shall be made to any approved plan(s), which would alter the character of the site plan or the use of the property, without prior approval of the City Planner and City Engineer.
12. If changes are requested to the site plan, use of the building/space, or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the City Council, prior to implementing the changes.

13. No exterior storage of any materials, equipment, or vehicles is permitted in such a manner as to constitute a nuisance violation of the Orland Municipal Code.

Use/Site Specific Conditions of Approval:

City Engineer Conditions of Approval:

Streets

14. The Subdivider shall construct a single residential driveway to allow access to all three proposed parcels. Street frontage improvements shall be in conformance with the Land Division Standards and Improvement Standards (LDSIS).

Accessway

15. The Subdivider shall construct an accessway (including No Parking - Fire Lane signage) over portions of Parcels 1, 2 and 3 in a manner acceptable to the City Engineer.

Storm Drainage

16. A storm drainage plan shall be submitted to the City Engineer for review and approval prior to the start of any work. The Subdivider shall design and install storm drain conveyance and detention systems with all appurtenances to serve Parcels 1, 2 and 3 as depicted on the Tentative Map. The storm drain conveyance and detention systems shall be designed per Orland LDSIS.
17. Operation and maintenance of the storm drain conveyance and detention systems will be the responsibility of the subdivider. This requirement shall be noticed by a statement on the Parcel Map or a separate instrument, and shall be recorded on, concurrently with or prior to the Parcel Map being filed for record.
18. Coverage under the stormwater Construction General Permit (GCP) will be required by the State Water Resources Control Board if development activities result in ground disturbance, including clearing, excavation, filling, and grading of one or more acres or disturb less than one acre but are part of a larger common plan or development. Coverage under this General Permit must be obtained from the State Water Resources Control Board prior to starting construction. If coverage under the CGP is required, provide the City with the Waste Discharge Identification number assigned by the State.
19. Implement post-construction Best Management Practices (BMPs) consistent with State Water Resources Control Board Order 2013-0001-DWQ (Order) to control the volume, rate, and potential pollutant load of stormwater runoff, including, but not limited to, requirements to minimize the generation, transport and discharge of pollutants. Provide stormwater treatment system(s) designed to reduce or eliminate stormwater pollutant discharges through the construction, operation and maintenance of source control measures, low impact development design, site design measure(s), stormwater treatment system(s) and/or hydromodification measures. Design and sizing requirements shall comply with the Post-Construction Stormwater Management Program (Section E.12) requirements of the Order.

Sanitary Sewer

20. The Subdivider shall connect to the City's existing sanitary sewer system and design and install an underground sanitary sewer main extension, with all appurtenances, to the project site. Improvement plans for the sanitary sewer main extension shall be submitted to the City Engineer for review and approval prior to the start of any work.
21. The Subdivider shall design and install sewer laterals with all appurtenances to serve Parcels 1, 2 and 3 as depicted on the Tentative Map.

Water

22. The Subdivider shall connect to the City's existing water system and design and install an underground water main extension, with all appurtenances, to the project site. Improvement plans for the water main extension shall be submitted to the City Engineer for review and approval prior to the start of any work.
23. The Subdivider shall install individual water services with all appurtenances to serve Parcels 1, 2 and 3 as depicted on the Tentative Map.

Well and Septic Abandonment

24. The Subdivider shall obtain all necessary permits from Glenn County Environmental Health Department and abandon all wells and septic systems in accordance with their requirements.

Other Public Services

25. The Subdivider shall install all new utilities serving this subdivision underground.
26. All public utility and/or public service easements shall be kept free and clear of any and all obstructions, including but not limited to, structures, longitudinal fencing and/or soundwalls, which may impede the construction, operation and maintenance of public utility facilities within such easements.
27. The Subdivider shall comply with the requirements of the City of Orland Fire Department.
28. The Subdivider shall comply with the requirements of the local office of the United States Postal Service.
29. The Subdivider shall obtain all required permits from outside agencies having pertinent jurisdiction prior to recordation of the Final Map for this subdivision.

Subdivision Grading

30. The Subdivider shall submit a Geological and/or Soils Report, prepared by a registered engineer, that includes, but is not limited to, the following:
 - a. An investigation of the nature, distribution and strength of existing soils.
 - b. A description of site geology.
 - c. Conclusions and recommendations covering the adequacy of the site for the proposed development, storm drainage disposal, grading procedures and corrective measures.
 - d. Verification that the site is suited to proposed BMPs.
31. A grading plan shall be submitted to the City Engineer for review and approval prior to the start of any work. All subdivision grading shall be in conformance with the LDSIS.

Fencing

32. The Subdivider shall install fencing along the south side of Parcel 3. Fence materials and construction shall be in accordance with the City's municipal code.

Public Property Conveyances

33. In conjunction with recordation of the Final Map, the Subdivider shall:
- a. Dedicate a one foot wide "No Access" easement along the south side of Parcel 3.
 - b. Dedicate a 10 foot wide public service easement adjacent to Cortina Court right-of-way.

Private Property Conveyances

34. In conjunction with recordation of the Final Map the Subdivider shall create a 20 foot wide by 60 foot long non-exclusive easement over portions of Parcels 1, 2 and 3 for ingress, egress, and private utility purposes.
35. The following notation shall be included on the Final Map: *"The Subdivider shall prepare and record the necessary documents to address the maintenance of joint-use private improvements serving Parcels 1, 2 and 3."*
- Prior to recordation of the Final Map, the documents shall be made available for City review. However, the City will not approve the documents as to form and/or content

Design Criteria and Improvement Standards

36. All public and joint-use private improvements shall be designed in accordance with the City of Orland LDSIS.

Administrative Requirements

37. Subdivision Improvement Agreement a. If the public and joint-use private improvements required herein are not satisfactorily completed prior to recordation of the Final Map, the Subdivider shall enter into a subdivision improvement agreement in conformance with Section 16.28.160, of the Orland Municipal Code.
38. Subdivision Fees
- a. Plan Checking Fee
 - i. The Subdivider shall pay to the City of Orland a subdivision plan checking fee upon filing the Final Map and/or improvement plans and specifications for checking in the following amount:
An initial deposit of 1 % of the estimated cost of all public and/or joint use private improvements exclusive of private utility facilities (\$750 minimum). A final fee equal to actual City costs.
 - b. Inspection Fee
 - i. The Subdivider shall pay to the City of Orland an inspection fee prior to commencing construction in the following amount:
An initial deposit of 2% of estimated cost of all public and/or joint use private improvements exclusive of private utility facilities. A final fee equal to actual City costs.
 - c. The Subdivider shall pay a storm drain fee, calculated in accordance with the current fee schedule under the requirements of Section 15.42.030 of the Orland Municipal Code, with the submittal of a building application.

- d. The Subdivider shall pay a sanitary sewer connection fee for each parcel, in accordance with the current fee schedule under the requirements of Section 13.04.150 of the Orland Municipal Code, with the submittal of a building application.
- e. The Subdivider shall pay a water connection fee for each parcel, in accordance with the current fee schedule under the requirements of Section 13.04.150 of the Orland Municipal Code.

The foregoing Resolution was adopted by the Planning Commission on the 18th day of November 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Wade Elliot, Chair

Janet Wackerman, City Clerk