



CITY OF ORLAND Staff Report

TO: City of Orland Planning Commission
FROM: Scott Friend, AICP – City Planner
MEETING DATE: February 17, 2022 5:30 p.m., Carnegie Center, 912 Third Street, Orland, CA 95963

SUBJECT: **Conditional Use Permit CUP#2022-01**: A request by staff of the City of Orland, Glenn County and the Yuba-Sutter Habitat for Humanity organization for Planning Commission approval of a Conditional Use Permit to permit the residential use of a commercially zoned existing parcel as authorized by Orland Municipal Code Section 17.40.040.D and 17.44.030.B, and, to permit the establishment of ground-floor residential dwelling units on the parcel pursuant to Orland Municipal Code Section 17.40.040.16.

Environmental Review: Staff recommends that the Planning Commission determine that the proposed action is exempt from further review pursuant to Section 15332, *Infill Development Projects*, a class 32 exemption of the Public Resources Code.

Summary:

The City of Orland, in partnership with Glenn County and the Yuba-Sutter chapter of the Habitat for Humanity organization is requesting approval of a Conditional Use Permit (CUP#2022-01) to permit the residential use of an existing commercially zoned parcel as permitted via Orland Municipal Code Sections 17.40.040.D and 17.44.030.B and to authorize the use of the ground-floor for residential dwelling units pursuant to Orland Municipal Code Section 17.40.040.16. The proposed project would be located on an existing parcel of land currently identified as 827 Newville Road and having the Glenn County Assessor's parcel number 040-144-025 and being occupied by the Orlanda Inn hotel/motel. The subject parcel is currently occupied by a single-story hotel/motel use.

The zoning on the project site (parcel) is split with the northerly portion of the parcel zoned with the *C-H, Highway Service Commercial* zoning district and the southernly portion of the property zoned with the *C-2, Community Commercial* zoning district. The parcel is identified as *C-Commercial* on the City's General Plan land use map. The parcel is identified as being owned by Khalasi Ganpatbhai and Khalasi Kamlaben, et.al.

Project Background:

Project applicants (jointly: City of Orland, Glenn County, and Yuba/Sutter Habitat for Humanity) along with the property owner Khalasi Ganpatbhai and Khalaki Kamlaben are requesting that the Planning Commission consider and approve a Conditional Use Permit to permit the *residential* use of an existing commercially zoned parcel as authorized by Orland Municipal Code Section (OMC)

sections 17.40.040.D and 17.44.030.B and to permit the establishment of ground-floor residential dwelling units on the parcel pursuant to Orland Municipal Code Section 17.40.040.16.

The project site is currently developed with a commercial use described as the Olanda Inn hotel/motel.

The subject property is bordered on the west by an existing residential dwelling; vacant property occupied by a surface elevation retention/storm water basin and a Dollar General retail store, and a *subway* restaurant; on the north by Newville Road / SR32; on the south by West Walker Street; and, on the east by a residential dwelling, an unused parcel formerly occupied by a plant nursery, and a residential tri-plex unit (Silver Creek Terrace).

Discussion/Analysis:

The subject parcel is proposed to be developed with a new two-story, 33-unit affordable housing project consisting of 14 studio units, 14 accessible studio units, 4 two-bedroom units and one manager's unit. The project proposes the demolition of the existing structure and re-construction of the new structure in the substantially same footprint / location as the structure to be removed.

Primary access to the facility is provided by existing driveways on both West Walker Street (driveway currently unused) and Newville Road / SR32. Utilities are currently existing on the parcel and will remain and be used by the proposed use. The project proposes the installation of access control gates at both points of entry, will improve the exiting parking/access areas, will install a new storm drainage element to convey storm water from the site, installation of new fire hydrants, and will provide landscape and open space appropriate for resident use. The project is not requesting any modifications to existing development standards beyond what is outlined in this request and will comply with all adopted City Code requirements and construction standards as applied by the city.

Conditional Use Permit:

The Orland Municipal Code (OMC) establishes that the Planning Commission is authorized to consider and approve Conditional Use Permits subject to the making of Findings and the approval of Conditions of Approval as necessary and appropriate (Chapter 17.80). Orland Municipal Code Section 17.40.040.D and 17.44.030.B authorize the Planning Commission to issue a use permit to allow the *residential* use of a Commercially zoned parcel, and, to permit the establishment of ground-floor residential dwelling units on the parcel pursuant to Orland Municipal Code Section 17.40.040.16.

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 or 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.

Upon review of the application, staff believes that the establishment, maintenance, or operation of the proposed project 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 or improvements in the neighborhood or to the general welfare of the City.

Environmental determination:

The City of Orland, as the Lead Agency for the project pursuant to the requirements of the California Environmental Quality Act (CEQA), has reviewed the proposed project and determined that the project is *exempt* from further review under the California Environmental Quality Act (CEQA). This project is exempt from environmental as it has been determined that the project meets with the criteria established in Section 15332 of the Public Resources Code for *Infill Development Projects*. PRC Section 15332 establishes a class 32 exemption from further CEQA analysis. Further, it has been determined by the lead agency that the project does not have the potential for causing a significant effect on the environment nor does the project location suggest or exhibit any unusual, exceptional or extraordinary traits that would nullify the application of a class 32 exemption.

Staff has determined that this project meets the requirements for this exemption and is recommending a determination of such to the Planning Commission.

Recommendation:

Based upon the information contained in this report and after consideration of the proposed project and the attributes specific to the proposed site, staff is recommending that the Planning Commission approve Conditional Use Permit #2022-01 subject to the Conditions of Approval contained in Attachment C and making the Findings contained in Attachment D, consisting of a request to permit a residential project on an existing commercially zoned piece of property identified as 827 Newville Road and having the Glenn County Assessor’s parcel number 040-144-025 and utilizing the ground-floor of the parcel for a residential purpose.

Specifically, staff recommends that the following actions take place:

1. *California Environmental Quality Act (CEQA)*: Staff is recommending that the Planning Commission approve the project (CUP 2022-01) and determine that the proposed action is *exempt* from further review pursuant to Section 15332 of the Public Resources Code.
2. *Conditional Use Permit*: Move to approve Planning Commission Resolution PC 2022-**XX**, approving Conditional Use Permit application #2022-01 subject to the Conditions of Approval provided as **Attachment C** and Findings shown on **Attachment D**.

ATTACHMENTS

- **Attachment A – Project Location Map**
- **Attachment B – CUP #2022-01 Application**
- **Attachment C – Conditions of Approval**
- **Attachment D – Required CUP Findings**
- **Attachment E – Notice of Exemption**
- **Attachment F – Planning Commission Resolution PC 2022-XX**
- **Attachment G – Site Renderings and Architectural Drawings**

Attachment A – Location Map



Date Filed: 1/12/22

Site Plan Review # SPR 2021-01

CITY OF ORLAND

815 Fourth Street
Orland, CA 95963
530.865.1600
530.865.1632 (Fax)

APPLICATION FOR SITE PLAN REVIEW (Failure to answer applicable questions and required attachments could delay the processing of your application).

1. APPLICANT(S):

Name: Joseph Hale, CEO Habitat for Humanity, Yuba/Sutter, Inc.
Address: 202 D Street Marysville, CA 95901
Business Phone: (530) 742-2727, Ext. 211
Fax: _____
Mobile: (530) 845-8354
Email Address: jhale@yubasutterhabitat.org

2. LANDOWNER(S):

Name: HARRY RAMBAS
Address: 827 NEWVILLE ROAD, ORLAND, CA 95963
Business Phone: (530) 863-0942
Fax: N/A
Mobile: (530) 863-0942
Email Address: harry.ram4911@gmail.com

3. **REQUEST:** Review of site plan for Orlanda Inn to be demolished and replaced with new construction of 34 units of affordable housing. Project submitted in conjunction with application to HCD for Homekey 2.0 funding.
4. Address of the Site: 827 Newville Road, Orland, CA 95963
5. Current Assessor's Parcel Number: 040-14-4-025
6. Existing Zoning: C-2; Community Commerical
7. Existing Use of Property: Motel

It is understood that any permit issued pursuant to this application will not grant any right or privilege to use any building or land either contrary to the provisions of law or of any ordinance of the City of Orland. All provisions of law or of any ordinance governing the use of the aforesaid building or land will be complied with whether specified herein or not.

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 applicants 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.

DECLARATION UNDER PENALTY OF PERJURY
(Application SHALL be signed by the Property Owner and the Applicant)

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 applicants 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 Owners(s):

HARRY RAMDAS
Print Name


Signature

12/2/2021
Date

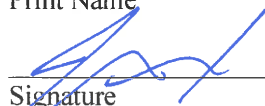
KHALASI RANPATBIAI L
Print Name


Signature

12/17/2021
Date

Applicant(s):

Joseph Hale, CEO Habitat for Humanity Yuba/Sutter, Inc.
Print Name


Signature

12/2/2021
Date

Agent:

Print Name

Signature

Date

Property Owners(s):

HARRY RAMDAS

Print Name



Signature

12/2/2021

Date

KHALASI GANPAT BHAI. L.

Print Name



Signature

12/4/2021

Date

Applicant(s):

Joseph Hale, CEO Habitat for Humanity, Yuba/Sutter, Inc.

Joseph Hale

Print Name



Signature

12/2/2021

Date

Print Name

Signature

Date



DECEMBER 31, 2021

City of Orland
Attn: Planning Department
815 Fourth Street
Orland, CA 95963

Re: Regarding Submission of Site Review Plans

To Whom It May Concern,

I am writing in response to Question 3 on your Site Plan Review Requirements that requests a written statement explaining why the establishment, maintenance or operation of the use of building applied for will not, under the circumstances of this particular case be detrimental to the health, safety and/or welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property improvements in the neighborhood or the general welfare of the City of Orland.

The subject property, 827 Newville Road, Orland, CA 95963 will be overseen by professionally trained contractors and will provide all safety measures need to ensure that workers and those living near the site will be safe throughout the course of construction.

Any families living at the site will be relocated to other sites while the work is being completed which will create a vacant building, removing any potential harm to tenants.

Furthermore, the building will be rebuilt to current code and meet all ADA and health and safety requirements.

We anticipate the facility will create no additional impact on the city and help reduce criminal activity as well. The community will be a gated community that will come equipped with security cameras, on site staff and require guest check in to reduce the potential for tenants and community members alike.

If you have any further questions, please feel free to contact me at 530-845-8354 or by email at jhale@yubasutterhabitat.org.

Thank you,

A handwritten signature in black ink, appearing to be "J. Hale", written over a horizontal line.

Joseph Hale, CEO

Habitat for Humanity Yuba/Sutter

"Habitat for Humanity brings people together to build homes, communities and hope."

Habitat for Humanity Yuba/Sutter is a non-profit 501(C)(3), Tax ID: 68-0301692

202 D Street

Marysville, CA 95901

530-742-2727

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT #2022-01, Yuba-Sutter Habitat for Humanity

Assessor's Parcel Numbers: 040-144-025

Project location: 827 Newville Road

Zoning: "C-2, Community Commercial" and "C-H, Highway Service Commercial";

General Plan Land Use Designation: "C - Commercial".

Proposed Use: no change

Conditional Use Permit #2022-01, Yuba-Sutter Habitat for Humanity (Applicant); Khalasi Ganpatbhai and Khalasi Kamlaben (Property Owners): A Conditional Use Permit to permit the residential use of a commercially zoned existing parcel of land pursuant to Orland Municipal Code Section 17.40.040.D and 17.44.030.B, and, to permit the establishment of ground-floor residential dwelling units on the parcel pursuant to Orland Municipal Code Section 17.40.040.16.

The proposed project is to be located on an existing parcel of land currently identified as 827 Newville Road and having the Glenn County Assessor's parcel number 040-144-025 and being occupied by the Orlanda Inn hotel/motel.

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 the assignment of parcel specific zoning to two (2) parcels of land identified as Glenn County Assessor's parcel numbers 040-310-013 and 040-350-003, as requested on CUP application #2020-01. 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.

Statement of Acknowledgement:

I have reviewed the Conditions of Approval associated with the approval of CUP#2022-01 and acknowledge and consent to the Conditions as presented.

Signed,

Yuba-Sutter Habitat for Humanity, Applicant
Mr. Joseph Hale, Representative

Date

Khalasi Ganpatbhai and Khalasi Kamlaben, Landowners

Date

CITY OF ORLAND
PLANNING COMMISSION FINDINGS OF APPROVAL FOR:
CONDITIONAL USE PERMIT #2022-01
FOR: Yuba-Sutter Habitat for Humanity (Applicant)
Khalasi Ganpatbhai and Khalasi Kamlaben (Land Owners);
Assessor's Parcel Numbers: 040-144-025:
827 Newville Drive, Orland, CA 95963

Findings for adoption of the Conditional Use Permit:

1. The proposal will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use;
2. The proposed use will not be detrimental or injurious to property and improvements in the neighborhood of the proposed use;
3. The proposed use will not be detrimental or injurious to the general welfare of the City of Orland; and
4. The proposed use will be consistent with the policies, standards and intent of any use designations of the general plan, any applicable specific plan and the applicable section of Title 17 of the Orland Municipal Code as applicable ("P-D", Planned Development Zone and OMC 17.60.020, Establishment – Master plan and use permit approval required).
5. The project will not have a significant or unmitigable impact on the physical environment.

Staff Analysis of Consistency with Required Findings:

1. The proposal will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use: *The proposed use is permitted with an approved Conditional Use Permit as established by the Orland Municipal Code Sections 17.40.040.D and 17.44.030.B and Section 17.40.040.16 and the request has been processed and considered consistent with the provisions of Chapter 17.80 of the OMC. The proposed use would not jeopardize or be detrimental to the health, safety or general welfare of person residing or working in the neighborhood. The use would not result in any impacts to the existing environment, as the use will not create significant new noise, and there are no scenic vista points or designated scenic roadways in the area that would be affected. As conditioned, potential impacts associated with the approved use would be addressed. Subject to the issuance of a Conditional Use Permit by the Planning Commission, and subject to the Conditions of Approval for the project, uses of the site would remain consistent with the intent of the General Plan designation and zone district. As such, the project will not be detrimental to the health, safety or general welfare of the project area.*
2. The proposed use will not be detrimental or injurious to property and improvements in the neighborhood of the proposed use: *The proposed use would be compatible with the surrounding land uses and would not jeopardize or be detrimental to the health,*

safety or general welfare of person residing or working in the neighborhood as permit approval would allow for the use of the existing structures on site in a manner permitted by the City Municipal Code and does not include any requests for additional construction or development. The use would not result in any impacts to the existing environment, will not create significant new noise, and there are no scenic vista points or designated scenic roadways in the area that would be affected. As conditioned, potential impacts associated with the approved use would be addressed. Subject to the issuance of a Conditional Use Permit by the Planning Commission, and subject to the Conditions of Approval for the project, uses of the site would remain consistent with the intent of the General Plan designation and zone district. As such, the project will not be detrimental to the health, safety or general welfare of the project area.

3. The proposed use will not be detrimental or injurious to the general welfare of the city: *The proposed use is permitted with an approved Conditional Use Permit as established by the Orland Municipal Code Sections 17.40.040.D and 17.44.030.B and Section 17.40.040.16 and the request has been processed consistent with the provisions of Chapter 17.80 of the OMC. The proposed use would not jeopardize or be detrimental to the health, safety or general welfare of person residing or working in the neighborhood. The proposed residential use is compatible with the surrounding environment as the project site is located in an area of mixed residential and commercial uses and is currently occupied as a residential land use. As conditioned, the use would not result in any adverse impacts to the existing environment, as the use will not create new noise, and there are no scenic vista points or designated scenic roadways in the area that would be affected. The proposed use would not result in the use of hazardous substances or create a hazardous condition on the site. As such, the project will not be detrimental to the health, safety or general welfare of the city.*
4. The proposed use will be consistent with the policies, standards and land use designations of the general plan and any applicable specific plan: *The City of Orland Municipal Code allows for the establishment of a residential land use with a commercial zoning district upon the approval of a Conditional Use Permit by the Planning Commission. With the issuance of a Conditional Use Permit, the project would be consistent with the City's codes and standards.*
5. The project will not have a significant or unmitigable impact on the physical environment. *The proposed project meets the criteria for the use and application of the Infill Development Exemption codified as Public Resources Code Section 15332 and it has been determined pursuant to the State CEQA guidelines and conditions for the use of CEQA categorical exemption 15332, Infill Development that the project will not have a significant impact on the physical environment.*

Notice of Exemption**Form D**

To: ■ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) City of Orland
815 Fourth Street
Orland, CA 95963
(Address)

■ County Clerk
County of Glenn
526 West Sycamore Street
Willows, CA 95988

Project Title: *Conditional Use Permit CUP#2022-01 – Orland Homekey Residential Project*

Project Location - Specific:

827 Newville Drive, Orland, Glenn County, CA 95963. APN 040-144-025

Project Location – City: Orland **Project Location – County:** Glenn

Description of Nature, Purpose, and Beneficiaries of Project: A request by staff of the City of Orland, Glenn County and the Yuba-Sutter Habitat for Humanity chapter for approval of a Conditional Use Permit to permit the residential use of a commercially zoned existing parcel as authorized by Orland Municipal Code Section 17.40.040.D and 17.44.030.B, and, to permit the establishment of ground-floor residential dwelling units on the parcel pursuant to Orland Municipal Code Section 17.40.040.16.. The primary beneficiary of the project will be the project applicant, residents of the City of Orland and Glenn County and unhoused persons seeking shelter/housing in the City.

Name of Public Agency Approving Project:

City of Orland

Name of Person or Agency Carrying Out Project:

Yuba-Sutter Chapter of the Habitat for Humanity and the City of Orland and the County of Glenn

Exempt Status: (check one)

- ☐ 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. State type and section number: §15332 Infill Development Exemption
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The City of Orland City Council has determined that this project is exempt from further review under the CEQA as the project meets the criteria established pursuant to the State CEQA Guidelines Section promulgated at Section 15332 of the Public Resources Code. There are no unique or exceptional attributes of the site or the project that would cause the City to invalidate the use of the aforementioned exemption.

Lead Agency

Contact Person: Scott Friend, AICP Area Code/Telephone/Extension: (530) 865-1608

Signature: _____ Date: _____ Title: City Manager

■ Signed by Lead Agency

Date received for filing at OPR: _____ N/A

Attachment E

**CITY OF ORLAND
PLANNING COMMISSION RESOLUTION PC 2022-__**

APPROVAL OF CONDITIONAL USE PERMIT #2022-01

Location: 827 Newville Road

**APN's: 040-144-025 and located south of Newville Road/SR32, north of West Walker
Street, west of 8th Street and east of 9th Street**

APPLICATION: Conditional Use Permit #2022-01

WHEREAS, Mr. Joseph Hale (applicant agent) acting on behalf of the Yuba-Sutter Habitat for Humanity chapter (applicant) and on behalf of Khalasi Ganpatbhai and Khalasi Kamlaben, etal. (landowners), has requested a Conditional Use Permit to permit the residential use of a commercially zoned existing parcel as authorized by Orland Municipal Code Section 17.40.040.D and 17.44.030.B, and, to permit the establishment of ground-floor residential dwelling units on the parcel pursuant to Orland Municipal Code Section 17.40.040.16.; and,

WHEREAS, the Planning Commission held a duly noticed public hearing to accept public comments and to review and consider the application on February 17, 2022; and

WHEREAS, the Planning Commission deliberated on the proposed request and 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 requirements of 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 15332 of the State CEQA guidelines further described as the 'Infill Development' Exemption; and

WHEREAS, the Planning Commission, in a staff report dated February 17, 2022, has made the following findings with respect to the requested Conditional Use Permit:

1. The proposal will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use.
2. The proposed use will not be detrimental or injurious to property and improvements in the neighborhood of the proposed use.
3. The proposed use will not be detrimental or injurious to the general welfare of the city.
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 C-2, Community Commercial and C-H, Highway Service Commercial zoning districts upon the issuance of the Permit.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Orland does hereby approve Conditional Use Permit #2022-01, subject to the following conditions:

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** for the preparation 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. (*optional*)
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 application 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, County of Glenn and Caltrans 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 the residential use of a commercial property and the approval of residential units on the ground-floor of the site on an existing parcel of land addressed as 827 Newville Road and further identified as Glenn County Assessor's parcel number 040-144-025 as authorized by Orland Municipal Code sections 17.40.040.D and 17.44.030.B, and, Section 17.40.040.16.
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. All signage shall comply with the City of Orland Sign Ordinance (Chapter 17.78 of the Orland Municipal Code).
12. No significant changes shall be made to use permit which would alter the character of the use of the site or property, without prior approval of the City and the Planning Commission.

13. If substantive changes are requested to the Use Permit or the Conditions of Approval associated with the Use Permit, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the Planning Commission, prior to implementing the changes.

14. 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.

The foregoing Resolution was adopted by the Planning Commission on the 17th day of February 2022 by the following vote:

AYES: Commission Members:

NOES: Commission Members:

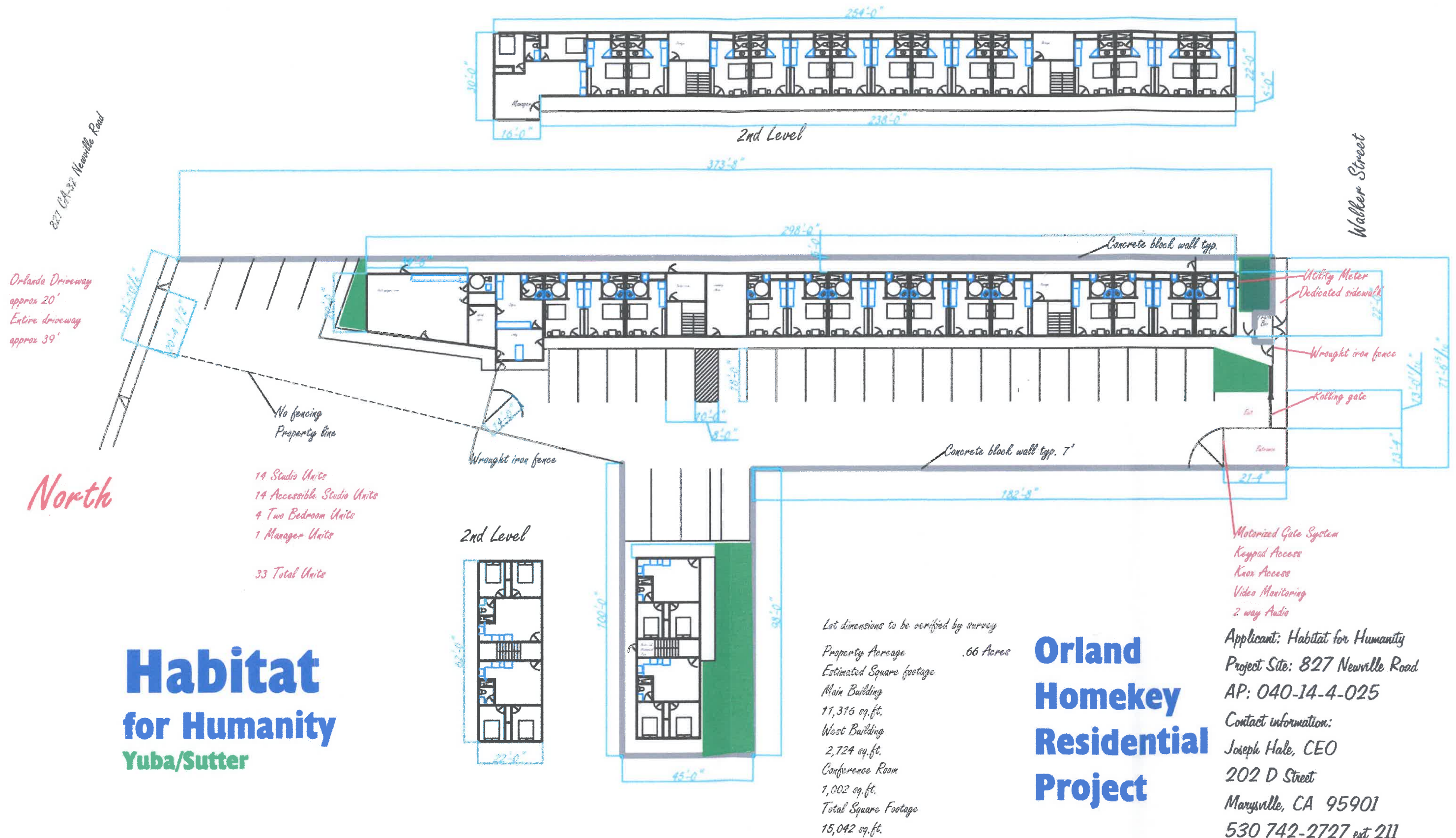
ABSENT: Commission Members:

ABSTAIN: Commission Members:

Wade Elliott, Chairman

ATTEST:

Jennifer Schmitke, Clerk of the Planning Commission





Habitat
for Humanity
Yuba/Sutter

Orland Homekey
Residential Project



Habitat
for Humanity
Yuba/Sutter

Orland Homekey
Residential Project



Applicant: Habitat for Humanity
 Project Site: 827 Newville Road
 AP: 040-14-4-025
 Contact information:
 Joseph Hale, CEO
 202 D Street
 Marysville, CA 95901
 530 742-2727 ext 211

Habitat for Humanity

Orland Homekey Residential Project

Yuba/Sutter



Construction Notes:
 Siding: Concrete Lap Siding
 Roofing: Architectural Grade Asphalt Shingle
 Full Rain Gutters

