

**CITY OF ORLAND**  
**PLANNING COMMISSION FINDINGS OF APPROVAL FOR:**  
**CONDITIONAL USE PERMIT #2021-01**  
**FOR: Maverik Fueling Center (Applicant);**

**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 (“C-H”, Highway Service Commercial).
5. All impacts on the physical environment resulting from development of the proposed project can be reduced to a less than significant level with the exception of four impacts. The project’s significant and unavoidable impacts are in the areas of an increase in noise levels and an increase in traffic under cumulative conditions.

**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 new use would include operations typical of the C-H, Highway Service Commercial zoning district and the proposed use would be limited by Conditions of Approval. An Initial Study and Mitigated Negative Declaration was completed for the project and all potential impacts were mitigated to the extent feasible. As conditioned, potential impacts associated with the approved use would be addressed through use and operation conditions. The proposed use would be served by the City water and wastewater systems which has sufficient existing capacity to serve the proposed use of the property. 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, peace, morals, comfort, or general welfare of the project neighborhood.*
2. The proposed use will not be detrimental or injurious to property and improvements in the neighborhood of the proposed use: *The proposed new use would include operations typical of the C-H, Highway Service Commercial zoning district and the proposed use would be limited by Conditions of Approval. An Initial Study and Mitigated Negative Declaration was completed for the project and all impacts were mitigated to the extent feasible. The proposed use would be served by the City water and wastewater systems which has sufficient existing*

*capacity to serve the proposed use of the property. As conditioned, potential impacts associated with the approved project would be addressed; and, the proposed use would serve to enhance an approved land use. 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 new use would include operations typical of the C-H, Highway Service Commercial zoning district and the proposed use would be limited by Conditions of Approval. An Initial Study and Mitigated Negative Declaration was completed for the project and all impacts were mitigated to the extent feasible. As conditioned, potential impacts associated with the approved use would be addressed through use and operation conditions. The new project would result in the use of hazardous substances however, these substances (gasoline, diesel fuel and other vehicle related liquids) are controlled by federal and state regulations specifically pertaining to the health and safety of individuals and communities. Therefore, the project would not 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 the development of a truck stop on the parcel with the approval of a Conditional Use Permit. The proposal would not alter the uses permitted on the site and would potentially contribute positively to the success of the uses within the parcel. With the issuance of a Conditional Use Permit, the project would be consistent with the City's codes and standards.*
5. The project will have a significant and unavoidable impact on the physical environment. *The proposed project was reviewed for potential environmental impacts in the Maverik Fueling Center Initial Study and Mitigated Negative Declaration (IS/MND). The IS/MND determined that implementation of the Maverik Fueling Center could result in a potentially significant impact on the physical environment related to cultural, tribal and paleontological resources and an increase in noise levels. With the implementation of mitigation measures, these potentially significant impact would be reduced to a less than significant level.*