

**CITY OF ORLAND
PLANNING COMMISSION ORDINANCE PC 2022-___**

**APPROVAL OF CONDITIONAL USE PERMIT #2021-01
AT 4463, 4473, and 4483 COMMERCE LANE (APNs: 045-170-040, -041, AND -042)
TO PERMIT THE ESTABLISHMENT OF A *TRUCK STOP* ON EXISTING PARCELS
LOCATED IN THE C-H, HIGHWAY SERVICE COMMERCIAL ZONING DISTRICT**

WHEREAS, Christie Hutchings (Applicant) acting on behalf of Maverick convenience stores has requested a Conditional Use Permit on behalf of Land Developers Inc. and RCM Investments, LLC (collectively landowners) to approve and permit the establishment of a convenience store, quick stop restaurant with 14 automobile fueling stations and 6 commercial vehicle fueling stations on an existing commercially zoned property located at 4463, 4473, and 4483 Commerce Lane consistent with Section 17.44.030(A)(29) of the Orland Municipal Code; 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, notice of the meeting was mailed to all property owners within three hundred (300) feet of the property, 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, the Orland Zoning Map and the standards of the Orland Municipal Code; and

WHEREAS, an Initial Study and Mitigated Negative Declaration (IS/MND) (State Clearinghouse #2021120299) was prepared and considered by the Planning Commission at a duly noticed public hearing on February 17, 2022; 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 (C-H, Highway Service Commercial).
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 findings, conditions of approval and mitigation measures contained in the project CEQA study.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

Wade Elliot, Chair

ATTEST:

Jennifer Schmitke, City Clerk