

CITY COUNCIL

Dennis Hoffman, Mayor
Jeffrey A. Tolley, Vice-Mayor
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CITY OFFICIALS

Jennifer Schmitke
City Clerk

Leticia Espinosa
City Treasurer

CITY OF ORLAND

INCORPORATED 1909

815 Fourth Street
ORLAND, CALIFORNIA 95963
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CITY MANAGER

Peter R. Carr

**Meeting Place: Carnegie Center
912 Third Street
Orland CA 95963**

AGENDA

SPECIAL MEETING, ORLAND PLANNING COMMISSION

Thursday, June 9, 2022 at 5:30 P.M.

Public comments are welcomed and encouraged in advance of the meeting by emailing the City Clerk at jtschmitke@cityoforland.com or by phone at (530) 865-1610 by 4:00 p.m. on the day of the meeting. This meeting will be conducted pursuant to the provisions of the AB361 which suspends certain requirements of the Ralph M. Brown Act.

1. CALL TO ORDER – 5:30 PM
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments:

Members of the public wishing to address the Commission on any item(s) not on the agenda may do so at this time when recognized by the Chairperson; however, no formal action or discussion

will be taken unless placed on a future agenda. Public is advised to limit discussion to one presentation per individual. While not required, please state your name and address for the record. **(Oral communications will be limited to three minutes).**

5. CONSENT CALENDAR

- A. Approval of Prior Meeting Minutes: February 17, 2022
- B. Approval of Prior Meeting Minutes: April 21, 2022
- C. Compliance with AB361

6. ITEMS FOR DISCUSSION

Traffic Control Plan During Emergency Situations

7. PUBLIC HEARING

A. Zoning Assignment / Pre-zoning: *PZ 2022-01*:

Adoption of City of Orland zoning (pre-zoning) of six (6) total parcels, four (4) are privately owned properties as follows:

| <u>Assessor's Parcel Number:</u> | <u>Pre-zoning District:</u> |
|----------------------------------|-----------------------------|
| 045-170-013 | M-L, Limited Industrial |
| 045-170-014 | M-L, Limited Industrial |
| 045-170-015 | M-L, Limited Industrial |
| 045-170-016 | M-L, Limited Industrial |
| 045-170-017-9 | P-F, Public Facilities |
| 040-131-005-9 | P-F, Public Facilities |

Specifically, the four (4) privately owned parcels would be zoned with the *M-L, Limited Industrial* zoning district and the two (2) publicly owned (State of California) parcels would be zoned with the *P-F, Public Facilities* zoning district.

The City of Orland General Plan designates all four (4) of the privately owned parcels with the *I-L/C, Light Industrial / Commercial* land use designation and does not designate the privately owned parcels with a land use designation. The Glenn County General Plan designates all four (4) privately owned parcels of land with the Highway and Service Commercial land use designation and the parcels are zoned with Highway and Service Commercial Zoning District. The City of Orland General Plan Land Use and Zoning Compatibility (Table 2-6) establishes the zoning to be placed on the parcels.

B. Annexation: *ANNEX 2022-01* – Authorization and direction to staff to file the annexation application with the Glenn County Local Agency Formation Commission (LAFCo).

Proposal to annex a total of six (6) existing parcels, totaling approximately 17.55, to the City of Orland. The properties are generally located south of Ide Street/County Road 13; east of Commerce Lane/County Road HH; north of County Road 14; and, west of the existing City Limits.

This proposal would allow the City of Orland to provide municipal services to the subject properties. The subject parcels are currently either vacant or partially developed. No additional development is proposed as part of this project. This action is being taken pursuant to the direction given by the Glenn County Local Agency Commission (LAFCO).

8. COMMISSIONER REPORTS

9. ADJOURN

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on June 2, 2022. A complete agenda packet is available for public inspection during normal business hours at City Hall, 815 Fourth Street, Orland, CA. In compliance with the Americans with Disabilities Act, the City of Orland will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's Office at (530) 865-1610 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

**PLANNING COMMISSION MINUTES
February 17, 2022**

1. Call to Order – The meeting was called to order by Vice Chairperson Nordbye at 5:31 PM

2. Pledge of Allegiance – Commissioner Doris Vickers

3. Roll Call:

| | |
|--------------------------|--|
| Commissioner's present – | Stephen Nordbye, Doris Vickers, Michelle Romano and Sharon Lazorko |
| Commissioners absent - | Wade Elliott |
| Councilmember present - | Dennis Hoffman |
| Also present - | Scott Friend, City Planner; Jennifer Schmitke, Planning Commission Secretary/City Clerk; Rebecca Pendergrass, Assistant City Manager/Director of Administrative Services; Paul Rabo, City Engineer |

4. ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments – None

5. APPROVAL OF THE MINUTES FROM PRIOR MINUTES

Vice Chairperson Nordbye stated there are no meeting notes currently available for approval.

6. ITEMS FOR DISCUSSION OR ACTION

A. Compliance with AB361

City Planner Scott Friend presented to the Planning Commission that AB361 was signed into law in 2021, AB361 amends Government Code section 54953 to provide authority and specific requirements for public agencies to hold virtual meetings during a proclaimed state of emergency and remain in compliance with the Brown act. Mr. Friend shared that the Resolution presented tonight will be renewed every 30 days until the state of emergency is over.

ACTION: Upon motion made by Commissioner Vickers and seconded by Commissioner Romano, the Planning Commission approved adopting AB361 the motion carried 4-0 by the following roll call vote.

AYES: Commissioners Lazorko, Vickers, Romano, and Vice Chairperson Nordbye

NOES: None

ABSENT: Chairperson Elliott

ABSTAIN: None

7. PUBLIC HEARING

A. Public Hearing: Zoning Code Text Amendment (Electric Vehicle Charging)

Zoning Ordinance Text Amendment: ZCA 2022-03 – Electric Vehicle Charging. The proposed action is the adoption of standards within the Zoning Code of the City of Orland to allow the creation of an expedited, streamlined permitting process that complies with AB 1236 and Government Code section 65850.7 to achieve timely and cost-effective installation of electric vehicle (EV) charging stations. The proposed code amendment would provide design standards for EV charging stations in the R-1 zone and allow EV charging stations as administratively permitted uses in the R-2, R-3, C-1, C-2, DT-MU, C-H, M-L, M-H, and P-F zoning districts.

Vice Chairperson Nordbye asked City Planner Scott Friend for the staff report.

Mr. Friend presented to the commission that the State of California passed Assembly Bill 970 in October 2021 and it went into effect January 2022. Assembly Bill 970 states all public agencies within California need to have ordinances addressing electric charging facilities. Mr. Friend stated that staff is recommending that the Orland Municipal Code (OMC) be revised to include electric vehicle (EV) charging stations, allowing for review of location, number, and design of EV charging stations prior to the submittal for building permits.

Commissioners Romano asked if even when installing a new carport, you would be required to install a 240-volt electrical outlet. Mr. Friend stated in all R1, R2 and R3 zones it will be a requirement.

Vice Chairperson Nordbye asked how the requirements fall in line with the state's requirements. Mr. Friend stated that Orland is 100% in line with AB970 to adopt EV charging with one major exception which is requiring the installation of the outlet in a garage.

Public Comment opened at 5:46 PM.

Dennis G. Hoffman, 932 Trinity St., Directed a question to Mr. Friend about generators, asking if he could use his solar panels as a generator since they produce energy. Mr. Friend stated that it was his understanding that it was possible but that he couldn't comment on individual situations.

Public Comment closed at 5:47 PM.

ACTION: Commissioner Vickers moved and seconded by Commissioner Romano, that the Planning Commission adopt Resolution # 2022-XX recommending to the City Council to approve the Municipal Code Amendment as presented and approve the Categorical Exemption. Motion carried 4-0 by the following roll call vote.

AYES: Commissioners Lazorko, Vickers, Romano, and Vice Chairperson Nordbye

NOES: None

ABSENT: Chairperson Elliott

ABSTAIN: None

B. Public Hearing: Zoning Code Text Amendment (Small Home Overlay) – required by our SB2 grant.

Zoning Ordinance Text Amendment: ZCA 2022-04 – Small Home Overlay District. The proposed action is the adoption of standards within the Zoning Ordinance of the City of Orland

to allow the creation of a new overlay zoning district to establish standards, design guidelines, a plan review and approval process to permit the development of multiple small or "minimal size" dwelling units in multi-family residentially zoned areas. The proposed R-SHO district would allow small homes that shall be used for independent living quarters, designed as a permanent, year-round residence and be of 400 square feet in maximum size. The proposed amendment to Title 17-Zoning of the OMC would amend Title 17 Zoning add §17.30 *Residential – Small Home Overlay Zone (R-SHO)*.

Vice Chairperson Nordbye asked City Planner Scott Friend for the staff report.

Mr. Friend presented both an approval resolution and denial resolution as back in December 2021 the planning commission did not support the small home overlay topic. Mr. Friend shared that the SB2 grant that the City was approved for needs a conclusion with planning commissions recommendations to be sent to City Council so that the SB2 grant can be closed out.

Commissioner Romano asked the difference in an overlay zoning district and a normal zoning district. Mr. Friend stated the overlay district is laid over another base zone such as R2 or R3. Commissioner Romano stated she understood that the proposed district would establish a minimum areas size of 1 acre for use of the overlay district and asked if there was a proposed maximum acreage. Mr. Friend shared they only set a base level size for the projects to be workable and didn't want to set an upper limit that may potentially limit a future unknown project.

Commissioner Lazorko asked if the City could still do a small home project without the overlay district. Mr. Friend stated that a small home project could be done without the small home overlay district.

Vice Chairperson Nordbye clarified that if the Commission votes against this that the City will have more control over where these districts are laid out. Mr. Friend verified that City would continue to have control over where the specific districts are allowed.

Public Comment opened at 5:58 PM.

Marjorie Palmer, 716 Shasta St., asked if the small homes can be put into people's backyards. Mr. Friend stated that yes if the site is zoned multi-family or was an Accessory Dwelling Unit (ADU). Mrs. Palmer also asked if the small homes would have to have their own electricity and water. Mr. Friend stated that he understood that small homes would not need to have their own water meter or electric meter. Mr. Friend clarified that the requirements for electric service are set by PGE and not the City of Orland.

Public Comment closed at 6:00 PM.

ACTION: Commission Lazorko moved that the Planning Commission adopt Planning Commission Resolution #2022-XX recommending for denial to the City Council, the Municipal Code Amendment as presented herein and denial of the Categorical Exemption as presented, and Commissioner Vickers seconded the motion, the motion carried 4-0 by the following roll call vote.

AYES: Commissioners Lazorko, Vickers, Romano, and Vice Chairperson Nordbye
NOES: None

ABSENT: Chairperson Elliott

ABSTAIN: None

C. Public Hearing: Zoning Code Text Amendment (Accessory Dwelling Units) – required by State Statute changes

Zoning Ordinance Text Amendment: ZCA 2022-02 – Accessory Dwelling Units / Junior Accessory Dwelling Units. The proposed action is the adoption of standards within the Zoning Ordinance of the City of Orland addressing new, State-mandated accessory dwelling unit (ADU) and junior accessory dwelling unit (JADU) requirements. The proposed amendment to Title 17- *Zoning* of the OMC would amend Title 17 Zoning §17.76.130 *Accessory Dwelling Units and Junior Accessory Dwelling Units* to comply with Government Code Sections 65852.2 and 65852.22. Amendments to OMC Section §17.76.130 would also add photovoltaic requirements for ADUs as required by the 2019 California Energy Code.

Vice Chairperson Nordbye asked City Planner Scott Friend for the staff report.

Mr. Friend presented a request to amend the zoning code for Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) to be consistent with the states regulations and to comply with SB13, AB68 and AB881 as well as the solar photovoltaic requirements established in the Energy Code. Mr. Friend stated that the law was updated on how solar systems on ADU are categorized. Previously you could not have solar panels on an ADU to power a primary home and now you could. Mr. Friend clarified that for parking requirements on JADU, there is no replacement parking required if you convert your garage. Mr. Friend explained the City cannot require replacement parking.

Commissioner Romano questioned if solar panels are required on the ADU units. Mr. Friend informed the Commission that a builder had to meet energy code requirements for any home, and that he's been informed that it was easiest to meet the code by using solar panels.

Vice Chairperson Nordbye questioned what the parking requirements are for brand new R1 single family home. Mr. Friend reported two parking spaces off the street. Vice Chairperson Nordbye challenged that statement by saying someone could build a brand-new house, be required to provide two parking spaces, and a month later turn the two parking spaces into a JADU and not have to provide parking. Mr. Friend confirmed. Vice Chairperson Nordbye clarified his statement by adding the opportunity for more people, more cars, more drivers, and you are taking away the requirements to park those cars. Mr. Friend again confirmed the statement.

Public Comment opened at 6:12 PM.

Public Comment closed at 6:12 PM with no comments.

ACTION: Commissioner Romano moved and seconded by Commissioner Vickers that the Planning Commission adopt Planning Commission Resolution #2022-XX recommending for approval to the City Council the Municipal Code Amendment as presented and approval of the Categorical Exemption. Motion carried 4-0 by the following roll call vote.

AYES: Commissioners Lazorko, Vickers, Romano, and Vice Chairperson Nordbye

NOES: None
ABSENT: Chairperson Elliott
ABSTAIN: None

D. Public Hearing: Zoning Code Text Amendment (Tiny Home Overlay Zoning District.)

Zoning Ordinance Text Amendment: ZCA 2022-01 – Objective Design Standards: The proposed action is the adoption of Objective Design Standards into the Orland Municipal Code. The Objective Design Standards serve as minimum requirements for qualifying multi-family residential development. The standards will be mandatory for any qualifying residential project for which a streamlined approval process is requested by an applicant. Qualifying residential projects are those that comply with Government Code Section 65913.4(a) which requires certain provisions for affordable housing. These Objective Design Standards apply within the following zoning districts within the city: R-1, R-2, R-3, C-1, C-2, and DT-MU.

Vice Chairperson Nordbye asked City Planner Scott Friend for the staff report.

Mr. Friend presented an amendment to the City's zoning ordinance, to reconcile Orland's Code with legislation that was passed at the State level. Mr. Friend pointed out that SB35 was adopted a few years back and what it does is require cities to have a streamlined or ministerial approach to approving certain types of multi family projects. Mr. Friend explained that if a qualifying project, met state statute objectives for SB35 it cannot be subject to a discretionary hearing.

Mr. Friend stated that at the State level multi-family projects were getting denied in Cities and housing wasn't getting constructed in California. With SB35, the legislature took away the ability of local government agency's discretion for certain types of multi-family projects. Mr. Friend explained that the State was allowing City's that have Objective Development Standards in place, involving no discretion, a city could apply standards to qualifying multi-family project. Mr. Friend stated that currently the City does not have Objective Development Standards so currently if a qualifying SB35 project came into the city, nothing could be applied to the project.

Mr. Friend stated that the City applied for money through the SB2 grant to help create Objective Design Development Standards so that the City would have something to apply to future projects.

Commissioners went over certain standards they had concerns about, and Mr. Friend gave explanations for each concern and the Commission was satisfied with the answers.

Public Comment opened at 6:21 PM.

Public Comment closed at 6:22 PM with no comments.

City Engineer Paul Rabo asked if the standards could be challenged by developers. Mr. Friend stated that developers can object to anything.

ACTION: Commissioner Vickers moved and seconded by Commissioner Lazorko that the Planning Commission adopt Planning Commission Resolution #2022-XX recommending for approval to the City Council the Municipal Code Amendment as presented and approval of the Categorical Exemption. Motion carried 4-0 by the following roll call vote.

AYES: Commissioners Lazorko, Vickers, Romano, and Vice Chairperson Nordbye

NOES: None
ABSENT: Chairperson Elliott
ABSTAIN: None

E. Public Hearing – Variance. DR Horton. Setbacks reduction on six (6) existing lots for homes in the Orland Park Phase I project.

Variance: V#2022-06 – DR Horton. The proposed action is a request by D.R. Horton (applicant) for approval of a Variance pursuant to Orland Municipal Code Section 17.20.070 to modify the existing rear-yard setback for six (6) lots in Phase I of the Orland Park project. The proposed rear-yard setback variances would occur on the following parcels:

| Address | APN | Lot |
|--------------------|-------------|-----|
| 700 Jackson Street | 045-370-003 | 173 |
| 701 Moraga Street | 046-370-002 | 172 |
| 703 Moraga Street | 046-370-011 | 171 |
| 802 Ellis Street | 046-370-061 | 151 |
| 804 Ellis Street | 046-370-060 | 152 |
| 769 Oakwood Drive | 046-370-059 | 153 |

The project site is designated as Low Density Residential (LDR) on the Orland General Plan land use diagram and zoned R-1, Residential One-Family Pursuant to Orland Municipal Code (OMC) Chapter 17.20. A final subdivision map to create the subject lots was approved by the city via a prior action.

Vice Chairperson Nordbye asked City Planner Scott Friend for the staff report.

Mr. Friend presented Variance 2022-01; a request by D.R. Horton for a Variance from setback standards for six lots within the Phase I of the Orland Park Estates. Mr. Friend stated that there are concerns on six corner lots, the standards need to be varied because the three different designs of home do not all fit. The Variance is asking for all the homes to fit on all the lots.

Commissioner Romano asked if the lots were approved. Mr. Friend stated that the lots were approved years ago and that the projects final map was also approved years ago.

Public Comment opened at 6:30 PM.

Mayor Dennis Hoffman, 932 Trinity St., stated he was asking on behalf of a real estate agent, the lots on the knuckles, normally have six-foot setbacks from back line, if asking for a Variance is to shorten that what will the distance be in the rear. Mayor Hoffman also asked will this create an issue in the future for the homeowner to get a burndown letter. Mr. Friend explained that the standard rear setbacks in R1 zone is 20 feet. Mr. Friend gave an example of lot 173 the setback would go from 20 feet to 9 feet, 9 inches; lot 172 from 20 feet to 13.5 feet; lot 171 from 20 feet to 14 feet 2 inches; lot 151 from 20 feet to 5 feet 5 inches, lot 152 from 20 to 9 feet 8 inches and lot 153 from 20 feet to 14 feet 5 inches. Mr. Friend clarified that the distance usually reflects the corner. As per the burn letter Mr. Friend stated that the City Municipal Code states that if the building is involuntarily destroyed and it is at a level of less

than 75% you can build back without a burn letter, if the burn is greater than 75% you would need direct council action.

The Commissioners were in agreeance that lot 151 was the lot they had the most issue with.

Bonnie Chiu, DR Horton, reiterated that when it comes to encroaching on the rear yard setback that it is just a small portion and, in most cases, just the corner. Ms. Chui explained that Lot 151 does encroach quite a bit into the 20-foot setback, leaving 5.5 feet which is rare setback but not inconsistent with the width of the side yard. Ms. Chiu explained that the corner lots are the biggest lots, while there is some encroachment to the 20-foot rear setback, these rare cases the side yards are rear yards are much bigger than the typical rectangular lots.

Public Comment closed at 6:40 PM.

Commission Vickers asked if the house on lot 151 could be limited. Mr. Friend stated that the Commission could say no on lot 151 all together or they could choose appropriate setback amounts.

Vice Chairperson Nordbye expressed that he felt that the developers is taking the risk to have the setback smaller.

Commissioner Lazorko asked if the Variance was not allowed on 151 would it accommodate the two other smaller corner units.

Ms. Chiu clarified that if the Variance is denied on lot 151 then none of the house plans that have been submitted would fit and new house plans would need to be created and re-submitted to the City Planner.

Mr. Friend explained to the Commission that they could change front yard setback also to offer more setback in the rear yard.

ACTION: Commissioner Vickers moved, and seconded by Commissioner Romano, that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section 15305 and approve the requested Variance (V#2022-01) with up to a 10 foot encroachment forward in the front leaving minimum on 10 feet in the rear yard, the motion failed 2-2 by the following roll call vote.

AYES: Commissioners Vickers and Romano

NOES: Commissioner Lazorko and Vice Chairperson Nordbye

ABSENT: Chairperson Elliott

ABSTAIN: None

ACTION: Commissioner Lazorko moved, and seconded by Vice Chairperson Nordbye, that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section 15305, Minor Alterations in Land Use Limitations, make the required findings for the action, and approve the requested Variance (V#2022-01. Motion failed 2-2 by the following roll call vote.

AYES: Commissioners Vickers and Romano
NOES: Commissioner Lazorko and Vice Chairperson Nordbye
ABSENT: Chairperson Elliott
ABSTAIN: None

Discussion was held with staff and Commission trying to figure out the amount of space that would work best to for the developer as well as future homeowners.

ACTION: Commissioner Romano moved, and seconded by Commissioner Lazorko that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section 15305, Minor Alterations in Land Use Limitations, and make the required findings for the action, and approve the requested Variance (V#2022-01) as requested with the exception that the rear setback be changed to 10 feet and the front setback be adjusted to 15 feet on lot 151. Motion carried 4-0 by the following roll call vote.

AYES: Commissioners Vickers, Lazorko, Romano and Vice Chairperson Nordbye
NOES: None
ABSENT: Chairperson Elliott
ABSTAIN: None

F. Public Hearing – Conditional Use Permit. Habitat for Humanity – Yuba/Sutter. Issuance of a Residential dwelling’s units on the ground-floor building level, and establishment of a residential land use in a Commercial zoning district.

Habitat for Humanity – Yuba/Sutter: Conditional Use Permit 2022-01; 2) Site Plan Review 2021-04; 3) Lot Line Adjustment 2021-04 – The proposed action involves the consideration of the issuance of Conditional Use Permit to permit the establishment of residential dwelling units on the ground-floor level, and the establishment of a residential and use in a Commercial zoning district pursuant to Orland Municipal Code Section 17.40.040.16 and 17.40.040.D and Orland Municipal Code Section 17.44.030.B on an existing +/- 0.5-acre site addressed as 827 Newville Road and located in the C-H and C-2 zoning districts.

Vice Chairperson Nordbye asked City Planner Scott Friend for the staff report.

Mr. Friend presented a request from Yuba Sutter Habitat for Humanity for a Conditional Use Permit (CUP) to allow development of a residential use in a commercial zoning district. Mr. Friend explained that the Orland Municipal Code allows the Planning Commission to issue a use permit for a use residential that is specifically allowed by the code commercial. Mr. Friend also stated that the City Code requires that if you allow residential in a commercial zone that you reserve the ground floor for commercial use. The CUP has two parts; the first part is to all residential and the second part is to allow the ground floor for residential also.

Mr. Friend reminded the Commission that the property is an existing parcel that is currently occupied as the Orlanda Hotel. The proposed project is a two story, 33-unit affordable residential community. This is not a shelter this is permanent long term supportive housing with an onsite manager, which also include services through Glenn County.

Mr. Friend stated a correction to the staff report, that this CUP does not go to Council and that the motion made this evening unless failed is the final decision.

Mr. Friend added that he received a letter from Cal Trans that he would like entered into the record, that basically is their review comments and stated an encroachment permit would be required.

Commissioner Romano asked as far as zoning how is the zoning for this project different from a hotel. Mr. Friend explained that a hotel is transitory, and this project is permanent housing.

Commissioners showed concern about additional traffic on Newville and Walker Streets, Mr. Friend and Mr. Rabo discussed their research on the traffic concerns.

Public Comment opened at 7:19 PM.

Joseph Hale, 202 D Street, Marysville, (Habitat for Humanity) stated that the target population for this project are elderly and disabled persons who would be primary residents with many of them not operating vehicles and he felt the traffic would be very limited as a result.

Public Comment closed at 7:23 PM.

ACTION: Commissioner Lazorko moved, seconded by Commissioner Romano, that the Commission approve Planning Commission Resolution PC 2022-XX making the determination that the project is exempt from further CEQA review pursuant to Section 15332 infill development projects of the Public Resources Code and approving Conditional Use Permit application# 2022-01 subject to the conditions of approval provided as attachment C and findings shown on attachment D on the report package. Motion carried 4-0 by the following roll call vote.

AYES: Commissioners Vickers, Lazorko, Romano and Vice Chairperson Nordbye

NOES: None

ABSENT: Chairperson Elliott

ABSTAIN: None

G. Public Hearing – Conditional Use Permit. Maverik Fueling Station. 4463, 4473, and 4483 Commerce Lane (APNs 045-170-040, 041, and 042).

Maverik Fueling Station: 1) Conditional Use Permit 2021-01; 2) Site Plan Review 2021-04; 3) Lot Line Adjustment 2021-04 – The proposed action involves the consideration of and land use entitlement action (Lot Line Adjustment) and permit action (Conditional Use Permit) to permit the construction of a convenience store, quick stop restaurant and fueling station with 14 automobile fueling stations and 6 commercial truck fueling stations on a 5.56-acre site comprised of three parcels - 4463, 4473, and 4483 Commerce Lane (APNs 045-170-040, 041, and 042). Approval of a lot merger is also being requested to merge the three subject parcels into one site. The parcels are currently vacant and designated C, Commercial on the Orland General Plan land use diagram and located in the C-H, Highway Service Commercial zoning district.

Vice Chairperson Nordbye asked City Planner Scott Friend for the staff report.

Mr. Friend presented a request for approval of Conditional Use Permit (CUP) 2021-04, a lot line adjustment 2021-04 and a site plan for the Maverik project.

Mr. Friend described to the Commission that site was an empty field to the west of pilot, the project would involve two driveways, the project involves 9,084 sq foot convenience store building which could include a fast-food restaurant, outside eating area, 7 automobile gas dispensers, 6 high flow high volume in the rear of the building. Mr. Friend stated that high flow dispenser is typically for commercial vehicles because the volume is greater. In the rear of the building there are two 30-minute truck parking spaces. This project is not a truck stop but has truck fuel capabilities. The City Code does not define the word truck stop so staff determined a CUP was necessary for this project, without the rear high flow fueling and parking spots this project could be built today without a CUP.

Mr. Friend stated that the City prepared a CEQA evaluation and that the document was an Initial Study / Mitigated Negative Declaration. Within that document three mitigations were identified. The first is if during construction something cultural, archeological, or paleontological was found that the contractor you must call the sheriff, coroner, or a paleontologist. The most site-specific mitigation called for a sound wall along the western and northern property lines due to noise attenuation needs of the project.

Mr. Friend stated a requirement of this project is to put in a stop light at the Newville and Commerce corner and is currently under design. Also, a left turn lane from south bound off ramp will also need to be widened after traffic studies which is something Caltrans will have to take care of.

Commissioners discussed with Mr. Friend the wall height the driveways into the Maverik and landscaping.

Public Comment opened at 7:39 PM.

Christie Hutchins, Maverik Inc, Ms. Hutchins verified that Maverik is doing a Lot Merger.

Mr. Friend stated the City is calling this a lot line adjustment because there are three lots but two different landowners (2 lots owned by one person and 1 lot owned by another person).

Ms. Hutchins stated the station will have a free RV dumping station at the North end of the parking lot.

Public Comment closed at 7:44 PM.

ACTION: Commissioner Vickers moved and seconded by Commissioner Romano, that the Commission approve Planning Commission Resolution #2022-XX approving and adopting the "Initial Study and Mitigated Negative Declaration for the Maverik Fueling Center Project, and to approve Planning Commission approve Resolution 2022-XX approving Lot Line Adjustment# 2021-04 as presented and approve Planning Commission Ordinance# 2022-XX approving Use Permit #2021-01 as presented. The motion carried 4-0-1 by the following roll call vote.

AYES: Commissioners Lazorko, Vickers, Romano, and Vice Chairperson Nordbye

NOES: None
ABSENT: Chairperson Elliott
ABSTAIN: None

8. STAFF REPORT – Department Activity report

A. Department Activity Report/Project Updates

Mr. Friend stated he had received a brand-new subdivision map; the proposal is called Quiet Creek with over 100 units. The review process is just beginning, and it will most likely be seen by Commission at the end of 2022.

Mr. Friend stated City Hall staff is managing list of people being connected and the map was recently released to show where the project is going.

The next meeting will be annual report for General Plan and Housing Element.

B. Housing Element

The Housing Element has been reviewed by Housing Community Department (HCD), the City received their letter, and the changes will be taken to the March 1, 2022, City Council meeting.

10. COMMISSIONER REPORTS

Commissioner Romano stated she would like to still do a workshop with City Council or other Commissions. Mr. Friend stated that he will speak with the City Council to see who would be interested in meeting up and Mr. Friend will report back at the next meeting.

Vice Chairperson Nordbye had nothing to report.

Commissioner Lazorko had nothing to report.

Commissioner Vickers had nothing to report.

11. ADJOURNMENT – 7:55 PM

Respectfully submitted,

Jennifer Schmitke, City Clerk

Stephen Nordbye, Vice Chairperson

PLANNING COMMISSION MINUTES
April 21, 2022

1. Call to Order – The meeting was called to order by Vice Chairperson Nordbye at 5:30 PM

2. Pledge of Allegiance – Led by City Clerk Jennifer Schmitke

3. Roll Call:

| | |
|--------------------------|---|
| Commissioner's present – | Chairperson Wade Elliott, Vice Chairperson Stephen Nordbye, Commissioner Doris Vickers, and Commissioner Sharon Lazorko |
| Commissioners absent - | Commissioner Michelle Romano |
| Councilmember present - | Mayor Dennis Hoffman, Bruce Roundy |
| Also present - | Mike Martin, ECORP Representative; Jennifer Schmitke, Planning Commission Secretary/City Clerk |

4. ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments – None

5. CONSENT CALENDAR

- A. Approval of Prior Meeting Minutes: January 20, 2022
- B. Approval of Prior Meeting Minutes: February 17, 2022
- C. Compliance with AB361

Chairperson Elliott requested to pull item 5.B. from the consent calendar for further review, all commissioners were in favor of pulling the minutes from February 17, 2022.

ACTION: Commissioner Vickers moved to approve items A and C, seconded by Commissioner Lazorko to approve items A and C, the motion carried 4-0 by the following roll call vote.

| | |
|----------|--|
| AYES: | Commissioners Lazorko, Vickers, Vice Chairperson Nordbye and Chairperson Elliott |
| NOES: | None |
| ABSTAIN: | None |

6. ITEMS FOR DISCUSSION OR ACTION

A. Mixed – Use Zoning District

Chairperson Elliott introduced ECORP representative Mike Martin to present the staff report.

Mr. Martin presented a brief background on the Local Early Action Grant Program (LEAP) the City applied to and was approved for in 2021. LEAP provides one-time grant funding to cities and counties to update their planning documents and implement process improvements that will facilitate the acceleration of housing production. Mr. Martin explained that the City applied for LEAP funding to be used for the creation of a new mixed-use zoning district for the City. Mr. Martin stated that the mixed-use zone is intended to encourage efficient and affordable development with a mixture of vertical and horizontal density and uses. It will allow for flexibility in uses, promote design creativity, augment city and state housing policies and goals, all while decreasing the reliance on vehicles for transportation by promoting walkable neighborhoods.

Mr. Martin shared two possible mixed-use zoning scenarios; version 1 is based on the City's existing planned development Zoning district but modified to better accommodate a mixture of land-uses and version 2 is an entirely new mixed-use district for the City.

Commissioner Lazorko asked if there was any advantage to the City passing either of the versions within the next 25 years. Mr. Martin stated the only advantage would be to landowners and developers.

Chairperson Elliott asked for clarification if there was a requirement or not to adopt an updated version of the mixed-use zoning district. Mr. Martin stated that there was no requirement, but the production of housing would be an improvement for the City. Chairperson Elliott asked if there were any applicants coming to the City asking for a specific mixed-use development option. Mr. Martin stated he had no recollection of any developers passing on projects due to the mixed-use zoning district. Chairperson Elliott inquired if there were other projects the City should be focusing on instead of the mixed-use zoning district. Mr. Martin stated that because this was funded by a grant the process must be completed whether it is approved or denied by the Planning Commission. Mr. Martin explained that the recommendation from the Planning Commission will be brought to the City Council for final action (approve or deny).

Chairperson Elliott, Commissioner Vickers and Commissioner Lazorko were not in favor of the adoption of a new district because there was no immediate advantage to the City. Vice Chairperson Nordbye stated he is in favor of pursuing the mixed-use zoning and asked Mr. Martin how long until the LEAP grant program ends. Mr. Martin stated that the grant closes in June of 2023. Vice Chairperson Nordbye stated that he believes this project is something that can help the City in the future and possibly bring in new developers to Orland and noted that the new district would help to encourage smart growth ideas.

Commissioners discussed the two mixed-use versions that were presented and reviewed current mixed-use zoning areas in town. Chairperson Elliott requested Mr. Martin to bring the topic back at a future meeting for a recommendation as is required by law. Mr. Martin verified that the Planning Department will bring back both versions at a future meeting.

B. Streetscapes Design Standard for Commercial Development

Chairperson Elliott ask to postpone item 6.B. until a future agenda, so that all commissioners could be present for the discussion.

7. STAFF REPORT – Department Activity report

A. Department Activity Report/Project Updates

Mr. Martin briefly reported on department activities which included an update on the status of three subdivisions in the City, the Habitat for Humanity project and staff's work with the Bureau of Reclamation on the undergrounding of canals. Mr. Martin also informed the Commission of two new Administrative Use Permit (AUP) applications and two site plans that the City has received, one being for a McDonald's restaurant.

Chairperson Elliott opened the meeting to any additional public comment.

Councilmember Roundy shared that he is going to speak to the Caltrans representative at the next Transportation and Transit meeting to encourage Caltrans to continue working on the streetscapes project. He noted that it has been approximately seven years since Caltrans initially promoted the project idea in Orland. Councilmember Roundy believes that now is the time to push to get the project started due to the downtown area flourishing.

Councilmember Roundy suggested coordinating with the Economic Development Commission, Planning Commission and City Council to have a workshop so that new councilmembers and commissioners can be informed about the status of projects in City. Councilmember Roundy also stated that the City needs to be proactive and create a criterion for when to hire new employees and when to expand City services, so the City is prepared for the future growth.

Chairperson Elliott thanked Councilmember Roundy for his comments.

8. INFORMATIONAL

A. 2021 General Plan Implementation and Housing Element Annual Report

Chairperson Elliott introduced ECORP representative Mike Martin to present the staff report.

Mr. Martin stated that the General Plan and Housing Element annual report is required by the State every year. Chairperson Elliott clarified that the Housing Element has already been turned in and that this is a courtesy to show the Commission that the report has been submitted. Mr. Martin explained the Housing Element provides the State with information about the amount of housing that has been produced in the City over the past year as well as how the City feels the General plan policies and programs are functioning to meet State and local goals.

9. COMMISSIONERS REPORTS

Chairperson Elliott thanked Vice Chairperson Nordbye for leading the February commission meeting.

Vice Chairperson Nordbye had nothing to report.

Commissioner Lazorko asked who would set up the workshop and provide the materials. Chairperson Elliott stated that the Planning Commission would extend an invitation to the Mayor and asked the Mayor to speak to Council to help set up a joint meeting.

Commissioner Vickers had nothing to report.

10. ADJOURNMENT – 6:45 PM

Respectfully submitted,

Jennifer Schmitke, City Clerk

Wade Elliott, Chairperson

**CITY OF ORLAND
PLANNING COMMISSION
RESOLUTION NO. 2022-01
RESOLUTION TO IMPLEMENT TELECONFERENCING REQUIREMENTS
DURING A PROCLAIMED STATE OF EMERGENCY**

WHEREAS, the Ralph M. Brown Act requires that all meetings of a legislative body of a local agency be open and public, and that any person may attend and participate in such meetings;

WHEREAS, the Brown Act allows for legislative bodies to hold meetings by teleconference, but imposes specific requirements for doing so;

WHEREAS, on March 17, 2020, in order to address the need for public meetings during the present public health emergency, Governor Newsom issued Executive Order No. N-29-20, suspending the Act's teleconferencing requirements; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order No. N-8-21, continuing the suspension of the Brown Act's teleconferencing requirements through September 30, 2021; and

WHEREAS, these Executive Orders allowed legislative bodies to meet virtually as long as certain notice and accessibility requirements were met; and

WHEREAS, the State Legislature amended the Brown Act through Assembly Bill No. 361 (AB 361) on September 16, 2021; and

WHEREAS, AB 361 amended the Brown Act so that a local agency may use teleconferencing without complying with the regular teleconferencing requirements of the Act, where the legislative body holds a meeting during a proclaimed state of emergency and makes certain findings; and

WHEREAS, Government Code section 54953 requires that the legislative body make additional findings every 30 days in order to continue such teleconferencing.

NOW THEREFORE, the City of Orland Planning Commission hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct and incorporates them by this reference.
2. The City of Orland Planning Commission finds, by a majority vote, the following:
 - a. That there exists a proclaimed state of emergency; and

- b. State or local officials have imposed or recommended measures to promote social distancing.

3. This Resolution shall take effect June 9, 2022 and shall remain in effect for thirty (30) days thereafter (until July 21, 2022), provided the conditions set forth in Section 2 remain.

PASSED AND ADOPTED by the City of Orland Planning Commission this 9th day of June, 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Wade Elliott, Chairperson

ATTEST:

Jennifer Schmitke, City Clerk

By: _____

I, Jennifer Schmitke, City Clerk of the City of Orland, hereby certify that the attached is a true and correct copy of a Resolution duly made by the City of Orland Planning Commission at a regular meeting of said Commission, at Orland, California, on the 9th day of June, 2022, the original of which is on file in my office and duly and regularly entered in the official records of proceedings of the City of Orland.

Dated: _____

Jennifer Schmitke, City Clerk



CITY OF ORLAND Staff Report

TO: City of Orland Planning Commission
FROM: Scott Friend, AICP – City Planner
MEETING DATE: June 9, 2022; 5:30 p.m., Carnegie Center, 912 Third Street, Orland, CA 95963

SUBJECT: **Proposed annexation and rezoning of six (6) total parcels with the M-L - Limited Industrial and PF – Public Facility zoning districts:** A City-initiated project, as requested and directed by Glenn County Local Agency Formation Commission (LAFCO), to annex a total of six (6) parcels into the City of Orland and to establish City zoning (rezoning) on the parcels. The City proposes to prezone the four (4) privately owned parcels with the *M-L – Limited Industrial* zoning district consistent with the City’s existing General Plan land use designation of *I-LC – Light Industrial/Commercial*, and, to prezone the two (2) publicly owned parcels with the *PF – Public Facility* zoning district consistent with their use as roadway right-of-way (Interstate 5). The six (6) parcels are currently located in the unincorporated portion of the County of Glenn.

The four (4) privately owned parcels are designated and zoned *SC – Service Commercial* by the County. The County does not provide General Plan or Zoning on publicly owned parcels. The publicly owned parcels are owned by the State of California are developed and utilized as part of the right-of-way for Interstate 5.

Environmental Review: Staff recommends that the Planning Commission determine that the project is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section 15305, *Minor Alterations to Land Use Limitations* as the affected parcels have slopes of less than twenty (20) percent, the action would not affect the existing land uses on the parcels, and the potential impacts of development have been previously considered by the City’s certified Environmental Impact Report (EIR) prepared at the time of the adoption of the City’s General Plan.

Background:

The Glenn County Local Agency Formation Commission (LAFCO) has directed and is requiring the annexation of six (6) parcels into the City of Orland as a condition of approval placed on a prior annexation involving property for the approved Orland Sunny Truck Wash and Service Center.

At the time of the approval of the annexation and incorporation of the previously noted parcels (located on the west side of County Road HH/Commerce Lane, south of County Road 13 and north of County Road 14), LAFCo required the City of Orland to initiate the annexation of six (6) parcels

totaling approximately 17.56 acres located east of County Road HH/Commerce Lane, between Ide Street to the north and County Road 14 to the south, and, located west of the existing City Limits on the east side of Interstate 5. This action is the formal action and process to annex the parcels previously directed by the Glenn LAFCO.

Two (2) of the parcels proposed for annexation are owned by the State of California and consist of lands developed for and operated by the California Department of Transportation (Caltrans) as State-owned roadway right-of-way (see **Attachment A – Proposed Annexation Area**). The four privately owned parcels are currently developed with a combination of single-family dwellings, commercial/industrial businesses and/or are used for pasture area for animals. With annexation of the six (6) subject parcels into to the City of Orland, the area of unincorporated land identified by the Glenn LAFCO as a peninsula will be eliminated.

Summary:

The City of Orland proposes to annex and prezone a total of six (6) parcels (four privately owned and two publicly owned) into the City of Orland as previously described. This staff report and its corresponding resolution and ordinance (Annex #2022-01 and PZ #2021-01) are presented for the purposes of annexing and prezoning the affected parcels as directed.

The four (4) privately owned parcels are currently designated on the County General Plan and zoned *SC – Service Commercial* by Glenn County. The publicly owned parcels are owned by the State of California and managed by the Department of Transportation (Caltrans) and are developed and used as roadway right-of-way for Interstate 5. The two (2) publicly owned parcels possess no County land use designation or zoning. The City proposes to prezone the four (4) privately owned parcels with the City of Orland *M-L – Limited Industrial* zoning and the two (2) State owned parcel with the *PF- Public Facility* zoning to establish consistency with the City’s General Plan land use designation of *I-LC – Light Industrial/ Commercial* designation.

The six (6) parcels total approximately 17.56 acres and are currently located within the unincorporated County area and are bounded by Ide Street/County Road 13 on the north, Commerce Lane/County Road HH on the west, County Road 14 on the south, and I-5 and the Orland City Limits on the east. The APN, address, and acreage for each parcel is shown in **Table 1** below.

| APN | Ownership | Address | Acreage | Use |
|-------------|------------------|--------------------------------------|----------------|--|
| 045-170-013 | Private | 4426 County Road HH, Orland CA 95963 | 7.82 | Commercial-Industrial: Automotive repair business |
| 045-170-014 | Private | 6409 County Road 13, Orland CA 95963 | 0.97 | Single-family residence, pasture |
| 045-170-015 | Private | 6408 County Road 14, Orland CA 95963 | 0.97 | Single-family residence, pasture |
| 045-170-016 | Private | 6412 County Road 14, Orland CA 95963 | 4.97 | Residences, pasture |
| 045-170-017 | Public | NA | 0.93 | Government (I-5 Corridor) |

| | | | | |
|---------------|--------|----|-------|---------------------------|
| 040-131-005 | Public | NA | 1.89 | Government (I-5 Corridor) |
| Total Acreage | | | 17.55 | |

Utility Services:

Wastewater disposal and potable water on all four (4) of the privately owned parcels are currently provided via private potable water wells and septic systems. The City of Orland has municipal utility service lines providing potable water and wastewater disposal services in Commerce lane/County Road HH to the west. A wastewater disposal (sewer) line is located in a portion of County Road 14 and a City of Orland domestic water line is located in the portion of County Road 14 between Commerce Lane/County Road HH and Interstate 5. Both utility lines have adequate service capacity to provide service based upon the uses existing and the uses identified as permitted principal uses for the proposed zoning districts. It is noted that no requirement for connection is being made with this action and no connection to City utilities will be required or is being proposed. No connections to City utility services will be considered until a subsequent action *by the landowner* triggering a connection requirement is taken.

Storm water drainage is accommodated via on-site disposal on each parcel. A U.S. Bureau of Reclamation owned irrigation lateral canal operated by the Orland Unit Water Users Association is located underground along the southern portion of the existing right-of-way of Ide Street/County Road 13.

No specific project(s) is proposed on any of the parcels associated with this action at this time. All properties are proposed for annexation in their current capacity and are annexed based upon the current land uses in place at the time of this action.

Review Criteria:

LAFCo Annexation Criteria:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Act) establishes procedures for local government changes of organization, including city incorporations, annexations to a city or special district, and city and special district consolidations. Local agency formation commissions (LAFCos) have numerous powers under the Act, but those of primary concern are the power to act on local agency boundary changes and to adopt spheres of influence for local agencies. Among the purposes of LAFCos are the discouragement of urban sprawl and the encouragement of the orderly formation and development of local agencies.

LAFCo's policies and procedures on incorporations include a list of criteria which LAFCo will use in evaluating boundaries. When considering an incorporation proposal, LAFCo is required to consider the following factors (Government Code §56668):

- The population, population density, and potential for growth.
- The need for organized community services, and effect on adequacy of services.
- The effect of the proposal on adjacent areas and local government structure.
- The conformity of the proposal with adopted LAFCo policies and priorities.
- The effect of the proposal on integrity of agricultural lands.

- The definiteness and certainty of the proposed physical boundaries.
- Consistency with county General Plan and specific plans.
- The sphere of influence of any affected local agency.
- The comments of any affected agency.
- The ability of the new city to provide services, including sufficiency of revenues.
- Timely availability of adequate water supplies.
- The extent to which the proposal helps achieve its allocation of regional housing needs.
- Comments from land owners.
- Any information relating to existing land use designations.

LAFCo may approve, approve with conditions, or disapprove the plan for incorporation based on its findings.

City of Orland Annexation Criteria:

The content, form, and processing requirements for Annexations within the City Limits are set forth in Orland Municipal Code (OMC) Title 1 *General Provisions*. OMC Section 1.08.010 states:

Annexation to the city will be processed pursuant to 56000 of the California Government Code. The application fee for annexation shall be in addition to all actual California State Board of Equalization fees, actual engineering costs, and actual Glenn County LAFCo fees.

Discussion:

The purpose of the proposed action is to comply with the conditions imposed by Glenn County LAFCo as a condition for a prior project site to be annexed into the City. This prior site is the site of the proposed and approved Orland Sunny Truck Wash and Service Center. As stated previously, the City proposes to annex six (6) parcels and prezone the four privately owned parcels with the *M-L- Limited Industrial* zoning district. No change in General Plan land use designation is proposed. **Attachment B** summarizes the principal permitted uses, administratively permitted uses, and conditionally permitted uses within the *M-L* zone as established in the City's Zoning Code.

As stated previously, no specific development is proposed with this action. Any and all future development will be required to undertake subsequent compliance analysis with the California Environmental Quality Act (CEQA) as applicable.

Prezone:

Pursuant to OMC Section 17.12.060 and State law, annexation requires that area be prezoned prior to annexation approval. Prezoning is the act of assigning a City zoning designation to an unincorporated areas or parcel prior to its annexation. The prezoning action is subject to the requirements applicable to zoning in the city, including the requirement for consistency with the General Plan. City of Orland zoning shall become effective at the time that the annexation action becomes effective.

Table 2 below lists the current County and City General Plan and Zoning Designations of each parcel. The City proposes to prezone the parcel to "*M-L*" *Limited Industrial*. This designation

would be consistent with the City of Orland's current General Plan Land Use Designation of "I-L/C" *Light Industrial/Commercial*.

| Table 2: Current and Proposed Land Use Designations | | | | |
|--|--|--|--|-----------------------------|
| APN | Current County General Plan Designation | Current County Zoning Designation | Current City General Plan Designation | Proposed City Zoning |
| 045-170-013 | Service Commercial | SC – Service Commercial Zone | I-L/C – Light Industrial/Commercial | M-L – Limited Industrial |
| 045-170-014 | Service Commercial | SC – Service Commercial Zone | I-L/C – Light Industrial/Commercial | M-L – Limited Industrial |
| 045-170-015 | Service Commercial | SC – Service Commercial Zone | I-L/C – Light Industrial/Commercial | M-L – Limited Industrial |
| 045-170-016 | Service Commercial | SC – Service Commercial Zone | I-L/C – Light Industrial/Commercial | M-L – Limited Industrial |
| 045-170-017 | Service Commercial | SC – Service Commercial Zone | None assigned | PF – Public Facility |
| 040-131-005 | Service Commercial | SC – Service Commercial Zone | None assigned | PF – Public Facility |

Glenn County's General Plan states that the *Service Commercial* Designation is intended to be suitable for heavier commercial uses involving outdoor storage, display and work activity. The City of Orland General Plan states that the *Light Industrial/Commercial* (I-L/C) designation is intended to provide for a range of uses including processing, packaging, machinery, repair, fabricating, distribution, warehousing and storage, research and development, and similar uses which omit limited amounts of smoke, noise, light, or pollutants. **Attachment B** lists the uses permitted within the City's Limited Industrial zone district.

Proposed City of Orland Zoning District:

The intent of the *M-L Limited Industrial Zone* is to apply to areas in which light manufacturing and heavy commercial uses of the non-nuisance type and large administrative facilities are the desirable predominant uses. Land use designations and uses on the adjacent parcels include:

| Table 3: Surrounding Designations and Uses | | | |
|---|---|-------------------------------------|---|
| Location | Current Use | Land Use Designation | Zoning Designation |
| Project Site | | I-L/C (Light Industrial/Commercial) | No zoning assigned |
| North | Pilot/Flying J Truck Stop | C (Commercial) | C-H (Highway Service Commercial) |
| South | Rural residential uses/Commercial Use | I-L/C (Light Industrial/Commercial) | No zoning assigned (outside city limits) |
| East | Commercial uses, vacant | C (Commercial) | C-H (Highway Service Commercial) and C-2 (Community Commercial) |
| West | Vacant/Single Family Residential/Sunny Truck Wash | C (Commercial) | C-2 (Community Commercial) |

Municipal Services:

As previously noted, domestic water for the uses within the territory is obtained from private wells and wastewater disposal is handled by septic systems. A City of Orland 10-inch potable waterline is currently located in County Road 14 and County Road HH adjacent to a portion of the annexation area. A City of Orland 10-inch sanitary sewer line is located in County Road HH and a portion of County Road 14 adjacent to portions of the annexation area. The parcels on which this action is proposed can be served by existing water and sewer lines located in the adjacent roadway rights-of-way, however, expansion of water and sewer onto and for each parcel would likely be necessary to serve potential future use(s). It is again noted that the extension of municipal (City of Orland) utilities to provide service to existing uses is not being proposed with this action.

| Table 4: Current and Proposed Service Providers | | | |
|--|-----------------------------------|----------------------------------|--|
| Subject/Service Area | Current Provider | Proposed Provider | Comment/Notes |
| Water | Private well | City of Orland | Existing 10" potable waterline located in County Road 14 and County Road HH adjacent to project site. Adequate capacity in place to provide service. |
| Wastewater | Septic | City of Orland | Existing 10" sewage line located in County Road HH and a portion of County Road 14. Adequate capacity in place to provide service. Wastewater treatment plan has adequate capacity to treat sewer discharge. |
| Law Enforcement/Police | Glenn County Sheriff's Department | City of Orland Police Department | Adequate resources currently in place to provide service. Within response time standards |
| Fire Suppression Services | Orland Rural Fire District | Orland Volunteer Fire District | Adequate resources currently in place to provide service. Within response time standards |
| Streets/Circulation | Glenn County | City of Orland | Road Improvements will be required upon development. Adequate staffing/resources currently in place for new development. |
| Storm Drainage | Glenn County / None | City of Orland | City of Orland has adopted storm drainage standards and requirements for new development. |
| Electricity | Private Provider | Private Provider | Private provider. No change proposed. |
| Natural Gas | Private Provider | Private Provider | Private provider. No change proposed. |
| Dry Utilities (teleco) | Private Provider | Private Provider | Private provider. No change proposed. |
| Educational Services | Orland Unified School District | Orland Unified School District | No change proposed. No new students anticipated from development (non-residential development) |
| Governmental Services | Glenn County | City of Orland | Adequate resources currently in place to provide services. |

| | | | |
|--|---------------------|----------------|---|
| Recreational Services | Glenn County / None | City of Orland | Adequate resources currently in place to provide services. |
| Other: Library, Planning, Solid Waste Collection, Special Service Districts, other | Glenn County / None | City of Orland | Adequate resources are currently in-place to provide all listed services. No special services districts are currently known to be attached the property. No change of service proposed. |

Street Improvements:

Street improvements will be required of future projects consistent with the requirements for all new projects in the City. If no new development is proposed, no street improvements will be required. If a project is proposed in the future, street improvements consistent with City roadway standards will be required.

Environmental determination:

Staff recommends that the Planning Commission determine that the project is *exempt* from further review under the California Environmental Quality Act (CEQA) pursuant to Section 15305, *Minor Alterations to Land Use Limitations* as the affected parcels have slopes of less than twenty (20) percent, the action would not affect the existing land uses on the parcels and the potential impacts of development have been previously considered by the City's certified Environmental Impact Report (EIR)(SCH#2008102073) prepared at the time of the adoption of the City's General Plan.

Recommendation:

Staff requests that the Planning Commission consider the proposed annexation and rezoning, of six parcels to the *M-L Limited Industrial and PF Public Facility* zoning districts, consistent with the existing *I-L/C Light Industrial/Commercial* General Plan land use designation. Staff recommends the Planning Commission recommend approval of the proposed rezoning to the City Council and adopt PC Resolutions Annex #2022-01 and PZ #2022-01 (**Attachments F & G**).

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 (CEQA):

Move that the Planning Commission determine that the project is exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section 15305, *Minor Alterations to Land Use Limitations* as the affected parcels have slopes of less than twenty (20) percent, the action would not affect the existing land uses on the parcels and the potential impacts of development have been previously considered by the City's certified Environmental Impact Report (EIR) prepared at the time of the adoption of the City's General Plan

2. Pre-zoning:

Move that the Planning Commission make a recommendation the City Council to adopt Resolution PZ 2022-01 recommending to the City Council approval of an Ordinance to rezone the area to be annexed as describe herein and as presented on Attachment F.

3. Annexation:

Move that the Planning Commission make a recommendation the City Council to adopt Resolution 2022-01 approving Annexation #2022-01 as described herein and as presented on Attachment G.

ATTACHMENTS

- **Attachment A** – Proposed Annexation Area
- **Attachment B¹** – City of Orland Zone District Uses / Zoning Details (*M-L, Limited Ind.*)
- **Attachment C** – Glenn County General Plan / Zoning
- **Attachment D²** – Ownership Map / Table
- **Attachment E³** – Prezoning Legal Description
- **Attachment F** – Planning Commission Resolution Annex #2022-01
- **Attachment G** – Planning Commission Resolution PZ #2022-01

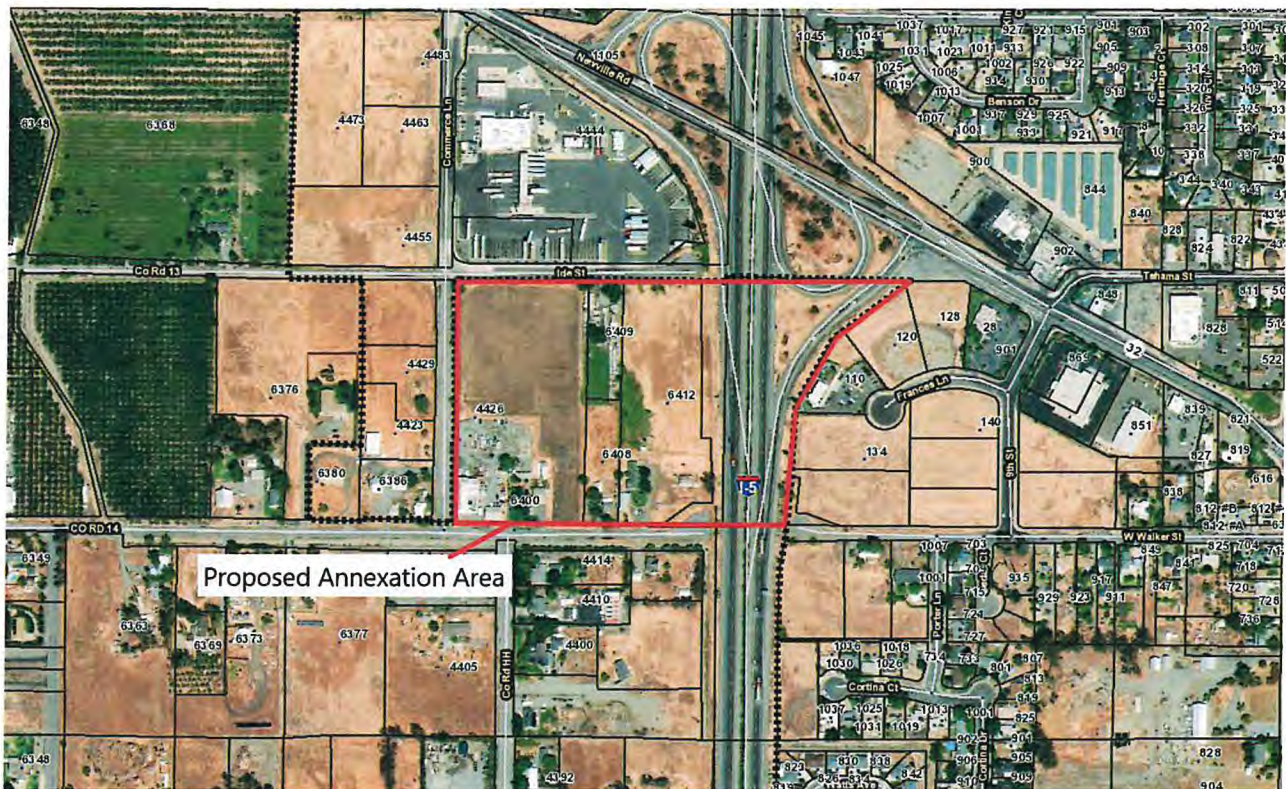
Attachment Notes:

1- 3 pages in length

2 - 2 pages in length

3- 2 pages in length

Attachment A – Proposed Annexation Area / Annexation Area Map



Attachment A – Proposed Annexation Area / Annexation Area Map
June 9, 2022

Attachment B – City of Orland Uses Permitted / Zoning Details (M-L, Limited Industrial Zone)

17.48.020 - Principal permitted uses.

A. Principal permitted uses in the M-L zone are as follows:

1. Administrative, business and professional offices;
2. Agricultural product processing;
3. Agricultural supplies and equipment sales;
4. Alcoholic beverage sales, on-site;
5. Automotive repair;
6. Automobile service stations;
7. Bottling plant;
8. Carpentry and cabinet making shops;
9. Clothing manufacture;
10. Contractor's yards;
11. Crop and tree farming;
12. Electric component assembly and manufacturing;
13. Equipment rental yards;
14. Fabrication of wood, metal and fiber products;
15. Fire station;
16. Government vehicle repair/storage yards;
17. Handicraft manufacture;
18. Light industrial uses within an enclosed building with no noticeable noise, odors or vibrations at the property line;
19. Manufacturing within enclosed buildings of electrical and electronic equipment and of household effects and appliances; metal working shops;
20. Motor repair;
21. Paint booth;
22. Plumbing shops;
23. Propane sales;
24. Public utility buildings;
25. Pump sales and repair;
26. Research and development facilities;
27. Recycling facility;
28. Recreational vehicle storage;

Attachment B – City of Orland Uses Permitted / Zoning Details (M-L, Limited Industrial Zone) (page 2)

- 29. Restaurants and outdoor eating areas;
- 30. Storage warehouses;
- 31. Towing services;
- 32. Tractor sales equipment yards;
- 33. Truck storage, repair and distribution centers.
- 34. Accessory dwelling units and junior accessory dwelling units.

B. Other uses which the city planner determines by written findings are similar to the above.

(Ord. 2007-05 § 3 (part))

(Ord. No. 2020-06, (Exh. B))

17.48.025 - Administratively permitted uses.

A. Administratively permitted uses in the M-L zone are as follows:

- 1. Catering trucks;
- 2. Food trucks;
- 3. Produce stand(s);
- 4. Fireworks sales.

B. Other uses which the city planner determines by written findings are similar to the above pursuant to Section 17.04.030.

(Ord. 2007-05 § 3 (part))

(Ord. No. 2012-06, § 1; Ord. No. 2015-01, § 1 (Exh. A))

17.48.030 - Conditional uses requiring use permits.

A. Conditional uses requiring use permits in the M-L zone are as follows:

- 1. Airports, heliports and landing strips;
- 2. Animal hospitals and kennels;
- 3. Bowling alley;
- 4. Catering truck(s)/food truck(s);
- 5. Churches;
- 6. Day care;
- 7. Dry cleaning plants;
- 8. Dwellings, motels and mobile home parks;
- 9. Explosives, sale and storage;

Attachment B – City of Orland Uses Permitted / Zoning Details (M-L, Limited Industrial Zone) (page 3)

- 10. Flea market(s);
- 11. Health club;
- 12. Manufacturing uses not within an enclosed building;
- 13. Mini-storage;
- 14. Printing and lithography.
- B. Special regulations: all manufacturing and fabricating areas shall be enclosed in buildings, and all equipment and materials storage areas adjacent to R zones shall be screened by walls, fences or adequate plantings to a height of not less than six feet.
- C. Storage of gasoline and other petroleum products emitting a flammable vapor at less than one hundred (100) degrees Fahrenheit.
 - 1. Surplus sales.
- D. Other uses which the city planner determines by written findings are similar to the above pursuant to Section 17.04.030.

(Ord. 2007-05 § 3 (part))

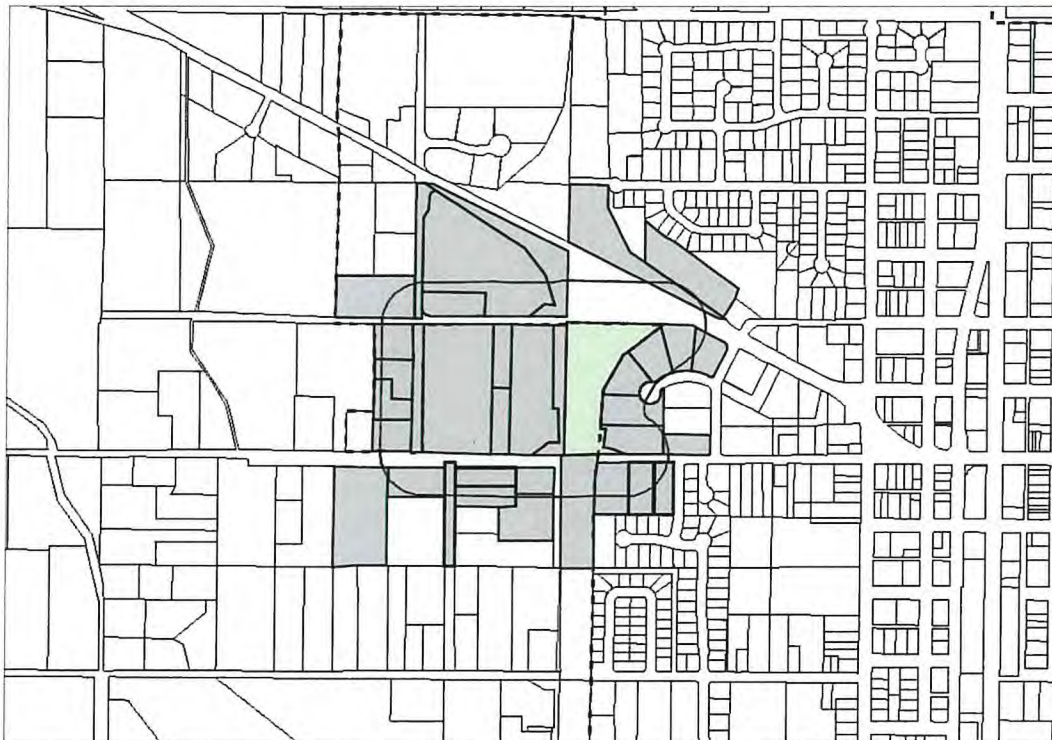
Attachment C – Glenn County General Plan/Zoning Details (SC / SC Service Commercial Zone)



Attachment D – Property Ownership Map / Table

City of Orland Parcel Notification

City of Orland Pre-zone PZ 2022-01



Note(s): 325' radius used for mailing list/map generation; PRC Section 65091(4) requirements/compliance

Attachment D – Property Ownership Map / Table

| Mailier Recipients | | | | |
|--------------------|--|--------|-----------------------|----------------------|
| apn | owner | owner2 | street_address | city_state_zip |
| 043-210-053-000 | NYHAN DENNIS F | | 4396 CO RD HH | ORLAND, CA 95963 |
| 043-210-046-000 | GERMAN DALE D & % GERMAN ANGELINA R J/T | | 4410 CO RD HH | ORLAND, CA 95963 |
| 043-210-038-000 | SMITH PRESTON ROY | | 6411 CO RD 14 | ORLAND, CA 95963 |
| 043-210-009-000 | DUTY NATHAN R | | 6393 CO RD 14 | ORLAND, CA 95963 |
| 043-210-043-000 | URRUTIA FELIPE & ROSARIO J/T | | 4414 CO RD HH | ORLAND, CA 95963 |
| 043-210-008-000 | FINA SONIA VELAZQUEZ | | 6377 CO RD 14 | ORLAND, CA 95963 |
| 040-170-001-000 | LEWIS GEORGE STEVEN TRS | | 1001 WALKER ST | ORLAND, CA 95963 |
| 040-170-043-000 | LEWIS GEORGE STEVEN TRS | | 1001 WALKER ST | ORLAND, CA 95963 |
| 040-170-044-000 | LEWIS GEORGE STEVEN TRS | | 1001 WALKER ST | ORLAND, CA 95963 |
| 043-210-011-000 | CALIFORNIA STATE OF | | F O BOX | SACRAMENTO, CA 95800 |
| 040-170-009-000 | CALIFORNIA STATE OF C/O DIVISION OF HIGHWAYS | | F O BOX | SACRAMENTO, CA 95800 |
| 040-131-031-000 | IUAN MUSTAFA TRS | | 683 E WALKER ST | ORLAND, CA 95963 |
| 040-131-026-000 | SILACCI STEVE & % SILACCI ANN TRS | | 2249 LA QUINTA | CHICO, CA 95928 |
| 040-131-026-000 | SILACCI STEVE & % SILACCI ANN TRS | | 2249 LA QUINTA | CHICO, CA 95928 |
| 043-170-013-000 | FRUITT KATHERINE & % EVEREST CRYSTAL J/T | | 6408 CO RD 14 | ORLAND, CA 95963 |
| 040-131-014-000 | POSKARIS LLC | | 3421 E MANDEVILLE PL | ORANGE, CA 92667 |
| 040-131-008-000 | BKCA LLC | | 1640 TIBURON BLVD #13 | TIBURON, CA 94920 |
| 040-131-013-000 | ORLAND RETAIL LLC | | 7090 N MARKS STE 102 | FRESNO, CA 93711 |
| 043-170-017-000 | CALIFORNIA STATE OF | | F O BOX | SACRAMENTO, CA 95800 |
| 040-131-016-000 | ORLAND RETAIL LLC | | 7090 N MARKS STE 102 | FRESNO, CA 93711 |
| 043-170-012-000 | CALIFORNIA STATE OF | | F O BOX | SACRAMENTO, CA 95800 |
| 043-170-016-000 | MALDONADO BRANDY E | | 6412 CO RD 14 | ORLAND, CA 95963 |
| 043-170-013-000 | SHAHI MANJIT | | 968 WOODBRIDGE CT | YUBA CITY, CA 95993 |
| 043-170-014-000 | MUNEZ ALVARO C | | 433 YOLO ST | ORLAND, CA 95963 |
| 040-131-003-000 | CALIFORNIA STATE OF | | F O BOX | SACRAMENTO, CA 95800 |
| 040-090-006-000 | IUAN MOHAMMAD TRS ETAL | | 683 E WALKER ST | ORLAND, CA 95963 |
| 040-090-001-000 | CALIFORNIA STATE OF | | F O BOX | SACRAMENTO, CA 95800 |
| 043-170-037-000 | PILOT TRAVEL CENTERS LLC | | F O BOX 54470 | LEXINGTON, KY 40555 |
| 043-170-006-000 | CALIFORNIA STATE OF | | F O BOX | SACRAMENTO, CA 95800 |
| 043-170-004-000 | CALIFORNIA STATE OF | | F O BOX | SACRAMENTO, CA 95800 |
| 043-170-039-000 | SINGH GURDARSHAN S/S T/C ETAL | | 1178 EARLTON LN | LINCOLN, CA 95748 |
| | OCCUPANT | | | ORLAND CA 95963 |
| | OCCUPANT | | | ORLAND CA 95963 |
| | OCCUPANT | | | ORLAND CA 95963 |
| | OCCUPANT | | | ORLAND CA 95963 |
| | OCCUPANT | | | ORLAND CA 95963 |
| 043-210-008-000 | OCCUPANT | | 6377 CO RD 14 | ORLAND CA 95963 |
| 043-210-046-000 | OCCUPANT | | 4410 CO RD HH | ORLAND CA 95963 |
| 040-170-044-000 | OCCUPANT | | 1001 WALKER ST | ORLAND CA 95963 |
| 043-210-009-000 | OCCUPANT | | 6393 CO RD 14 | ORLAND CA 95963 |
| 043-210-043-000 | OCCUPANT | | 4414 CO RD HH | ORLAND CA 95963 |
| 040-170-044-000 | OCCUPANT | | 1007 WALKER ST | ORLAND CA 95963 |
| 043-170-013-000 | OCCUPANT | | 6400 CO RD 14 | ORLAND CA 95963 |
| 043-170-013-000 | OCCUPANT | | 6408 CO RD 14 | ORLAND CA 95963 |
| 040-131-026-000 | OCCUPANT | | 134 E SHASTA ST | ORLAND CA 95963 |
| 043-170-013-000 | OCCUPANT | | 4426 CO RD HH | ORLAND CA 95963 |
| 043-170-016-000 | OCCUPANT | | 6412 CO RD 14 | ORLAND CA 95963 |
| 040-131-014-000 | OCCUPANT | | 110 E SHASTA | ORLAND CA 95963 |
| 040-131-013-000 | OCCUPANT | | 120 E SHASTA ST | ORLAND CA 95963 |
| 040-131-008-000 | OCCUPANT | | 901 NEWVILLE RD | ORLAND CA 95963 |
| 043-170-014-000 | OCCUPANT | | 6408 CO RD 13 | ORLAND CA 95963 |
| 040-131-008-000 | OCCUPANT | | 28 SHASTA ST | ORLAND CA 95963 |
| 040-131-016-000 | OCCUPANT | | 128 E SHASTA ST | ORLAND CA 95963 |
| 040-090-006-000 | OCCUPANT | | 900 NEWVILLE RD | ORLAND CA 95963 |
| 043-170-039-000 | OCCUPANT | | 4433 COMMERCE LN | ORLAND CA 95963 |
| 040-131-026-000 | OCCUPANT | | 1040 WALKER ST | ORLAND CA 95963 |

Note(s) 325' radius used for mailing list/map generation; PRC Section 65091(4) requirements/compliance

Attachment E – Legal Description and Map

Exhibit "A"
Westside Addition No. 2

All that real property situate in the County of Glenn, State of California, being a portion of Section 21, Township 22 North, Range 3 West, Mount Diablo Meridian, more particularly described as follows:

Beginning at the northeast corner of City of Orland Annexation 2019-01, said point also being the intersection of the south line of Ide Street with the east line of Commerce Lane and a point on the south line of the City of Orland Westside Annexation;

Course 1: THENCE along the south line of said Ide Street and the south line of said Westside Annexation, South 89°26'00" East, a distance of 1,435.04 feet to an angle point on the westerly line of the City of Orland Island Addition No. 2, said point also being on the east line of Interstate 5 and being the northwesterly angle point of Parcel 1 as shown on that certain Parcel Map recorded in the office of the Glenn County Recorder in Book 12 of Parcel Maps, page 53;

Course 2: THENCE along the west line of said Island Addition No. 2 and the east line of said Interstate 5, South 54°15'11" West, a distance of 298.87 feet;

Course 3: THENCE continuing along the west line of said Island Addition No. 2 and the east line of said Interstate 5, South 30°07'46" West, a distance of 235.02 feet;

Course 4: THENCE continuing along the west line of said Island Addition No. 2 and the east line of said Interstate 5, South 05°18'13" West, a distance of 435.04 feet to a point of intersection with the extension of the south line of County Road 14:

Course 5: THENCE leaving the west line of said Island Addition line No. 2 and the east line of said Interstate 5, North 89°26'00" West, along the south line of said County Road 14, a distance of 1,495.18 feet to a point that bears South 00°34'00" West, a distance of 52.50 feet from the southwest corner of said Annexation 2019-01;

Course 6: THENCE leaving said south line of County Road 14, North 00°34'00" East, a distance of 52.50 feet to the southwest corner of said Annexation 2019-01, also being a point on the north line of said County Road 14;

Course 7: THENCE along the south line of said Annexation 2019-01 and the north line of said County Road 14, South 89°26'00" East, a distance of 454.33 feet to the southeast corner of said Annexation 2019-01, also being a point on the east line of said Commerce Lane;

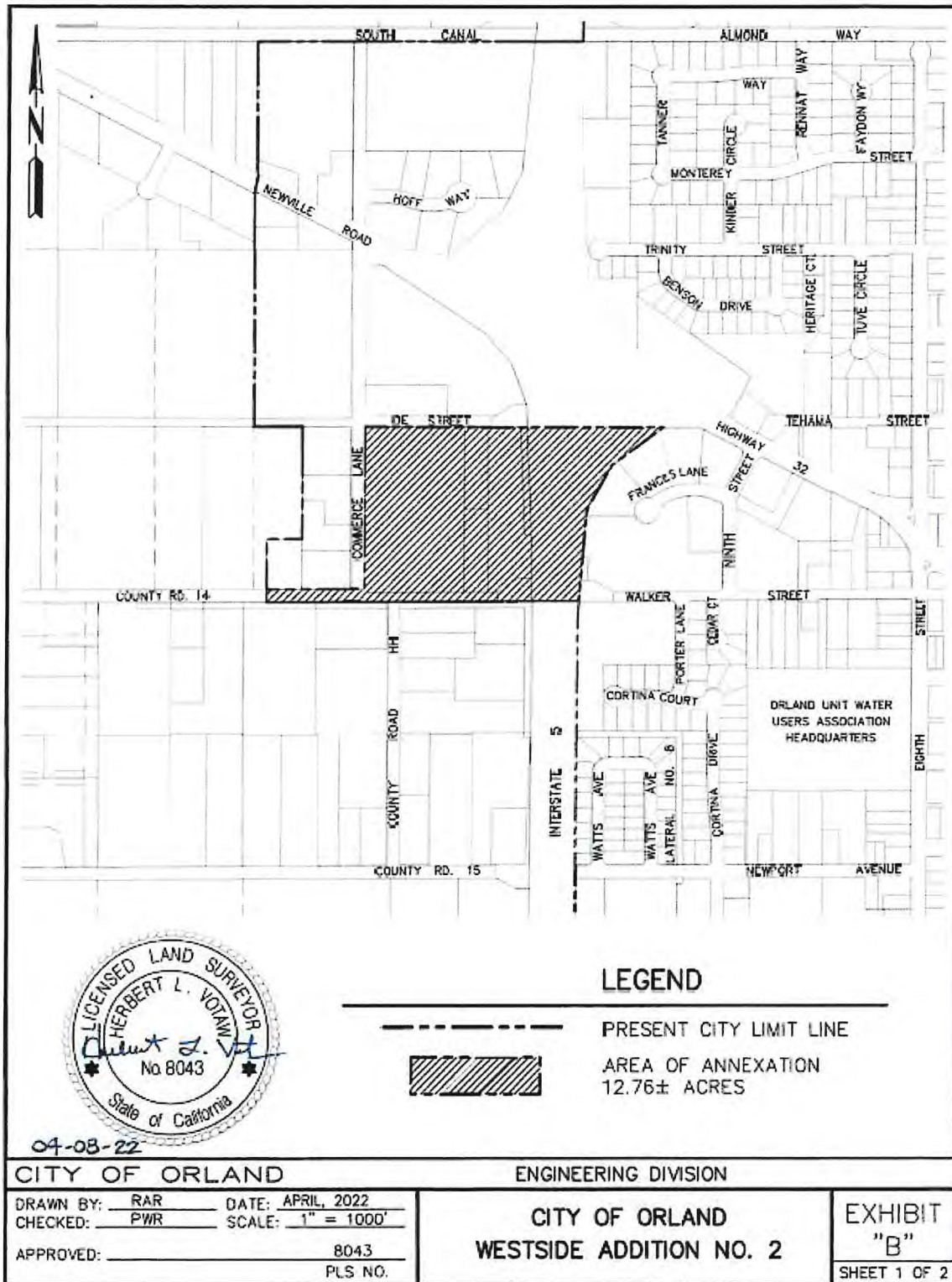
Course 8: THENCE along the east line of said annexation 2019-01 and east line of said Commerce Lane, a distance of 762.47 feet to the Point of Beginning;

Containing 21.76 acres, more or less



Herbert L. Votaw
PLS 8043
Date: 04-08-22

Attachment E – Legal Description and Map



**CITY OF ORLAND
PLANNING COMMISSION RESOLUTION PZ #2022-____**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORLAND
RECOMMENDING THAT THE ORLAND CITY COUNCIL ADOPT AN ORDINANCE
PREZONING ASSESSOR PARCEL NUMBERS 045-170-013, 045-170-015, 045-170-014, 045-
170-016 TO THE M-L (LIMITED INDUSTRIAL) ZONING DISTRICT AND ASSESSOR
PARCEL NUMBERS 045-170-017 AND 040-131-005 TO THE PF (PUBLIC FACILITY)
ZONING DISTRICT**

WHEREAS, The City of Orland proposes to annex six (6) total parcels addressed as 4426 County Road HH, 6408 County Road 14, 6409 County Road 13, 6412 County Road 14 and two (2) parcels not assigned addresses and owned by the State of California (Interstate 5 right-of-way). The affected parcels are located east of County Road HH/Commerce Lane, south of County Road 13/Ide Street, north of County Road 14 and west of the existing City Limits on the eastside of Interstate 5; and

WHEREAS, the City of Orland intends to assign the affected parcels with City of Orland zoning consistent with the City's adopted General Plan land use designation of I-L/C (Light Industrial/Commercial) as established in the City's adopted General Plan and as outlined in the General Plan and Zoning compatibility table (Table 2-6) contained in the Land Use Element of the City's adopted General Plan; and

WHEREAS, the affected parcels are located within the City of Orland's Sphere of Influence boundary as approved by the Glenn County Local Agency Formation Commission (LAFCO); and

WHEREAS, the affected parcels were included in and considered in the Environmental Impact Report (EIR)(SCH #2008102073) certified by the Orland City Council; and

WHEREAS, the privately owned parcels (4) are currently developed with a combination of single family residences, commercial and industrial business services and are used for pasture for animal keeping and the publicly owned parcels (2) are used for and developed as roadway right-of-way for the operation of Interstate 5; and

WHEREAS, the affected parcels have a Glenn County General Plan Designation of *Service Commercial* and *Glenn County Zoning Designations of SC-Service Commercial*; and

WHEREAS, the prezoning of the subject parcels would not result in an inconsistency between the zoning and general plan of the City of Orland; and

WHEREAS, the prezoning of the subject parcels would not result in an inconsistency between the zoning and General Plan designations of the City of Orland or County of Glenn; and

WHEREAS, the proposed change is consistent and compatible with the uses authorized in, and the regulations prescribed for, the zoning district for which it is proposed; and

WHEREAS, the subject parcel meets the minimum lot size and dimension requirements for the proposed zoning districts; and

WHEREAS, the Planning Commission determined that the proposed Municipal Code Amendment is exempt from CEQA under Section 15305, *Minor Alterations to Land Use Limitations* as the affected parcels have slopes of less than twenty (20) percent, the action would not affect the existing land uses on the parcels and the potential impacts of development have been previously considered by the City's certified Environmental Impact Report (EIR) prepared at the time of the adoption of the City's General Plan; and

WHEREAS, the Planning Commission finds that it can be seen with certainty that there is no possibility that the proposed rezoning of the parcel would have a significant effect on the environment; and

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission of the City of Orland does hereby recommend to the City Council of the City of Orland, approval of the rezoning of APN's 045-170-013, 045-170-015, 045-170-014, 045-170-016 to the *M-L- Limited Industrial* zoning district and APN's 045-170-017 and 040-131-005 to the *PF – Public Facility* zoning district and recommend approval of the associated CEQA exemption.

The foregoing Resolution was adopted by the Planning Commission on the 9th day of June 2022 by the vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: APPROVED AS TO FORM

Jennifer T. Schmitke, City Clerk

Gregory Einhorn, City Attorney

**CITY OF ORLAND
PLANNING COMMISSION RESOLUTION OF INTENTION
TO ANNEX PROPERTY #2022-01**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORLAND
RECOMMENDING THAT THE ORLAND CITY COUNCIL REQUEST THE GLENN COUNTY
LOCAL AGENCY FORMATION COMMISSION (LAFCO) TO TAKE PROCEEDINGS FOR
THE ANNEXATION OF ACCESSORS PARCEL NUMBERS 045-170-013, 045-170-015, 045-
170-014, 045-170-016, 045-170-017 AND 040-131-005 INTO THE CITY OF ORLAND**

WHEREAS, The City of Orland has been directed by the Glenn County Local Agency Formation Commission (LAFCO) to prepare and submit an application for the annexation to the affected parcels into the City of Orland and desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation of such; and

WHEREAS, the City of Orland has initiated this annexation for the purposes of complying with the direction of the Glenn County Local Agency Formation Commission (LAFCO); and

WHEREAS, the boundaries of the territory to be annexed are described as Glenn County Assessor Parcel Numbers 045-170-013, 045-170-015, 045-170-014, 045-170-016, 045-170-017 AND 040-131-005 along with the roadway rights-of-ways adjacent to the parcels; and

WHEREAS, this proposal is consistent with and within the City adopted Sphere of Influence of the City of Orland and the City's General Plan as approved by the Glenn Local Agency Formation Commission (LAFCO) and the City of Orland; and

WHEREAS, The total acreage of six parcels affected by the action is 17.56 acres (excluding roadway rights-of-ways); and

WHEREAS, the Planning Commission has determined the project is Categorically Exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15305, *Minor Alterations to Land Use Limitations* as the affected parcels have slopes of less than twenty (20) percent, the action would not affect the existing land uses on the parcels and the potential impacts of development have been previously considered by the City's certified Environmental Impact Report (EIR) prepared at the time of the adoption of the City's General Plan; and

NOW, THEREFORE, BE IT RESOLVED, That the Planning Commission of the City of Orland does hereby recommend to the City Council of the City of Orland, approval of the proposed annexation of APN's 045-170-013, 045-170-015, 045-170-014, 045-170-016, 045-170-017 AND 040-131-005 as described above.

The foregoing Resolution was adopted by the Planning Commission on the 9th day of June 2022 by the vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: APPROVED AS TO FORM

Jennifer T. Schmitke, City Clerk

Gregory Einhorn, City Attorney