

CITY COUNCIL

Dennis Hoffman, Mayor
Jeffrey A. Tolley, Vice-Mayor
Bruce T. Roundy
William "Billy" Irvin
Chris Dobbs

CITY OFFICIALS

Jennifer Schmitke
City Clerk

Leticia Espinosa
City Treasurer

CITY OF ORLAND

INCORPORATED 1909

815 Fourth Street
ORLAND, CALIFORNIA 95963
Telephone (530) 865-1600
Fax (530) 865-1632



CITY MANAGER

Peter R. Carr

Meeting Place: Carnegie Center
912 Third Street
Orland CA 95963

AGENDA

REGULAR MEETING, ORLAND PLANNING COMMISSION

Thursday, July 21, 2022 at 5:30 P.M.

Public comments are welcomed and encouraged in advance of the meeting by emailing the City Clerk at jschmitke@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
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. Compliance with AB361

6. PUBLIC HEARING - Continued

Variance: VAR#2022-01 – Green: 1001 Benson Drive. Glenn County Assessor's Parcel Number - 040-092-007. A request has been received from the property owner seeking approval of a Variance pursuant to Orland Municipal Code Chapter 17.84 for building setback Variance as follows:

Orland Municipal Code Requirement:

F. Patio covers and shade structures shall meet the following criteria. Those not meeting this criteria shall meet the yard, height and design criteria for main buildings:

1. Set back a minimum of five feet from the rear and side yard property line;
2. Open on at least two sides;
3. Maximum height: twelve (12) feet; and
4. Minimum six-foot spacing on support posts shall be provided.

Request:

1. A request to reduce the westerly side-yard setback for a detached shade structure from five (5) feet to three (3) feet to accommodate the existing setback of an existing shade structure utilized to the outdoor storage of a recreation vehicle.

7. ITEMS FOR DISCUSSION OR ACTION

Lot Line Adjustment: LLA#2022-03 – Reed: 120/128 Frances Lane. Glenn County Assessor's Parcel Number - 040-131-016/-015. A request to adjust one (1) lot line involving two (2) existing parcels of land located south of Newville Road/SR32/Interstate 5 northbound freeway offramp, north Frances Lane, east of Interstate 5, and west of Ninth Street (APN: 040-131-015 and 040-131-016). The proposed action would modify the western-most lot line of parcel 040-013-015 by shifting it approximately 20'-25' to the west of its existing location thereby adding approximately 6,102 square feet to "Adjusted Parcel B". No additional lots are being created or extinguished.

Orland Municipal Code Requirement - OMC Section 16.12.070 states:

The planning commission may approve a lot line adjustment pursuant to Section 66412(d) of the California Government Code.

Staff Recommended Action:

Staff recommends that the Planning Commission find that the project is categorically exempt from further review pursuant to Section 15315 – *Minor Land Divisions* of the California Environmental Quality Act (CEQA) and, approve LLA#2022-03 as presented herein.

8. STAFF REPORT

A. Department Activity Report / Project Updates

9. COMMISSIONER REPORTS

10. ADJOURN

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on July 18, 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.

**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 July 21, 2022 and shall remain in effect for thirty (30) days thereafter (until August 18, 2022), provided the conditions set forth in Section 2 remain.

PASSED AND ADOPTED by the City of Orland Planning Commission this 21st day of July, 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 21st day of July, 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: July 21, 2022; 5:30 p.m.
Carnegie Center, 912 Third Street, Orland, CA 95963

SUBJECT: Lot Line Adjustment #2022-03 (Reed Land Holdings, LLC)

A request to adjust one (1) lot line involving two (2) existing parcels of land located south of Newville Road/SR32/Interstate 5 northbound freeway offramp, north Frances Lane, east of Interstate 5, and west of Ninth Street (APN: 040-131-015 and 040-131-016). The proposed action would modify the western-most lot line of parcel 040-131-015 by shifting it approximately 20'-25' to the west of its existing location thereby adding approximately 6,102 square feet to "Adjusted Parcel B". No additional lots are being created or extinguished.

Environmental Review: Staff recommends that the Planning Commission determine that the proposed action is *exempt* from further CEQA review pursuant to Section §15315, Minor Land Divisions, a class 15 CEQA exemption.

Summary:

Project applicant Colby Thomason submitted a request for a Lot Line Adjustment involving two (2) existing parcels generally located south of Newville Road/SR32/Interstate 5 northbound freeway offramp, north Frances Lane, east of Interstate 5, and west of Ninth Street (APN: 040-131-015 and 040-131-016). The proposed action would modify the western-most lot line of parcel 040-131-015 by shifting it approximately 20'-25' to the west/southwest of its existing location thereby adding approximately 6,102 square feet to "Adjusted Parcel B". No additional lots are being created or extinguished. The newly reconfigured lots would have lots sizes as follows:

	<u>Area Before Adjustment</u>	<u>Area After Adjustment</u>
Parcel A	46,516 sq.ft.	40, 414 sq.ft.
Parcel B	43,560 sq.ft.	49, 662 sq.ft.

Attachment A – Proposed Lot Line Adjustment graphically depicts the details noted above.

Both of the existing parcels are owned or controlled by the Reed Land Holding, LLC (previously Orland Retail, LLC). Both involved parcels are currently vacant. The proposed action is being undertaken to facilitate the approval of a request to approve a site plan for a new McDonalds quick-serve restaurant on the parcel (Parcel B) receiving the additional square footage.

The City of Orland General Plan designates both parcels with the C-*Commercial* land use designation and both parcels are zoned with the C-H – *Highway Service Commercial* zoning district.

Surrounding the project site to the east is the existing Burger King quick-serve restaurant, to the west/southwest is the Starbucks coffee use, the parcel is bounded on the north by Newville Road / SR32 and a vacant parcel is located to the south across Frances Lane.

Review Criteria:

The content, form, and processing requirements for Lot Line Adjustments within the City Limits are set forth in Orland Municipal Code (OMC) Title 16 *Subdivisions*. The Subdivision Map Act (California Government Code Section 66410 *et seq.*) is the primary regulation for the subdivision of land in California. Pursuant to the Subdivision Map Act, proposed lot line adjustments between four or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created, can be approved by the local agency so long as the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

State of California – Government Code:

California Government Code Section 66412(d) guides lot line adjustments at the local level:

A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities, infrastructure, or easements. No tentative map, parcel map, or final map shall be required as a condition to the approval of a lot line adjustment.

The lot line adjustment shall be reflected in a deed, which shall be recorded. No record of survey shall be required for a lot line adjustment unless required by Section 8762 of the Business and Professions Code. A local agency shall approve or disapprove a lot line adjustment pursuant to the Permit Streamlining Act (Chapter 4.5 (commencing with Section 65920) of Division 1).

City of Orland Lot Line Adjustment Criteria:

OMC Section 16.12.070 states:

The planning commission may approve a lot line adjustment pursuant to Section 66412(d) of the California Government Code. The commission will require submission of a tentative map and other information it deems necessary to evaluate the proposed change and may impose such conditions as it deems necessary relative to such lot line adjustment and in response to current or proposed uses.

OMC Section 17.44.040 - Lot Requirements

17.44.040 - Lot requirements.

Lot requirements in the C-H district are as follows:

A. Minimum lot area: six thousand (6,000) square feet; for parcels located within a C-H zone district existing at the time of adoption of the ordinance codified in this chapter. Six thousand (6,000) square feet for parcels being rezoned and located adjacent to an existing C-H zone. Twenty thousand (20,000) square feet for parcels being rezoned to C-H not adjacent to an existing C-H zone, and for parcels created after adoption of the ordinance codified in this chapter.

B. Minimum lot width: one hundred (100) feet except those parcels existing at the adoption of the ordinance codified in this chapter with a width less than one hundred (100) feet, shall not be reduced to less than sixty (60) feet.

Resultant parcel A would be 40,414 square feet and resultant parcel B would be 49,662 square feet.

The proposed resultant parcels are in conformance with OMC Section 17.44.040.

Access

Access to both of the involved parcels is provided via Frances Lane, a fully-developed existing commercial roadway for ingress, egress and public utilities.

Utilities

The project is located within the incorporated area of the City and can be adequately served by all required utilities and public services. Water and sewer are available now in Frances Lane and have adequate capacity to serve the parcels.

Frontage Improvements

Prior to construction of any future development, frontage improvements (curb, gutter, and sidewalk) will be required.

Environmental Determination:

Staff has reviewed the project to determine the required level of review under the California Environmental Quality Act (CEQA). Section 15315, *Minor Land Divisions*, of the CEQA Guidelines allow exemptions for certain actions that involve minor land divisions in “*urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.*” Based upon the application of these criteria, staff has determined that the project meets the criteria for being *exempt* from further review under the California Environmental Quality Act (see **Attachment D – Notice of Exemption**).

Recommendation:

Staff recommends that the Planning Commission find that the project is categorically exempt from further review pursuant to Section 15315 – *Minor Land Divisions* the California Environmental Quality Act (CEQA) and, approve LLA#2022-03 as presented herein.

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

1. Accept report by staff;
2. Motion and vote.

(note: This item does not require the conduct of a public hearing.)

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

1. California Environmental Quality Act:

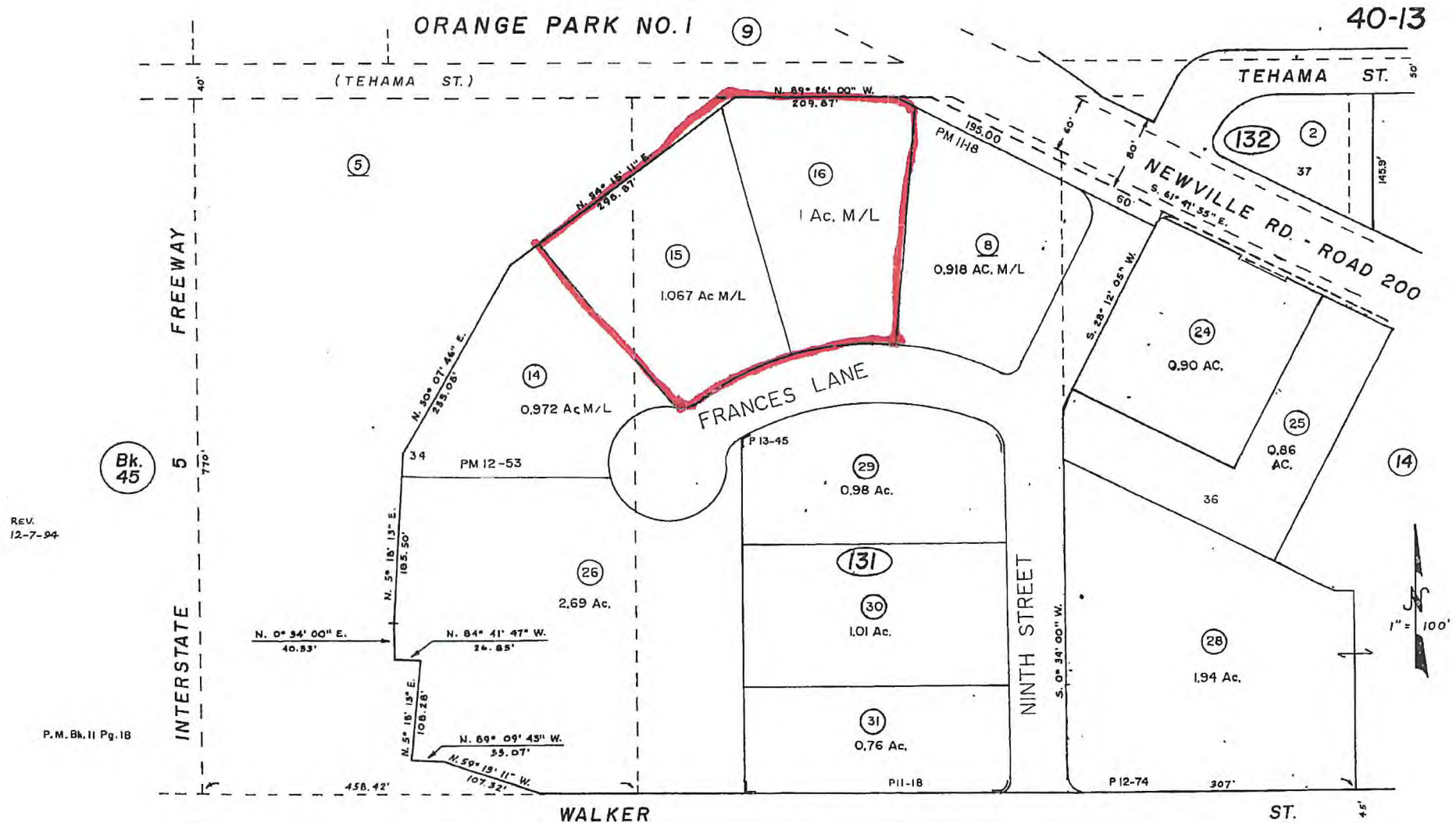
Move that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15315, Minor Land Divisions.

2. Lot Line Adjustment:

Move that the Planning Commission approve Resolution 2022-XX approving Lot Line Adjustment #2022-03 as presented herein.

ATTACHMENTS:

- **Attachment A – Site Location Map / Assessor’s Parcel Map**
- **Attachment B - Lot Line Adjustment Exhibit**
- **Attachment C – LLA#2021-01 Application**
- **Attachment D – Site Aerial**
- **Attachment E – Notice of Exemption**
- **Attachment F – Planning Commission Resolution 2022-XX**



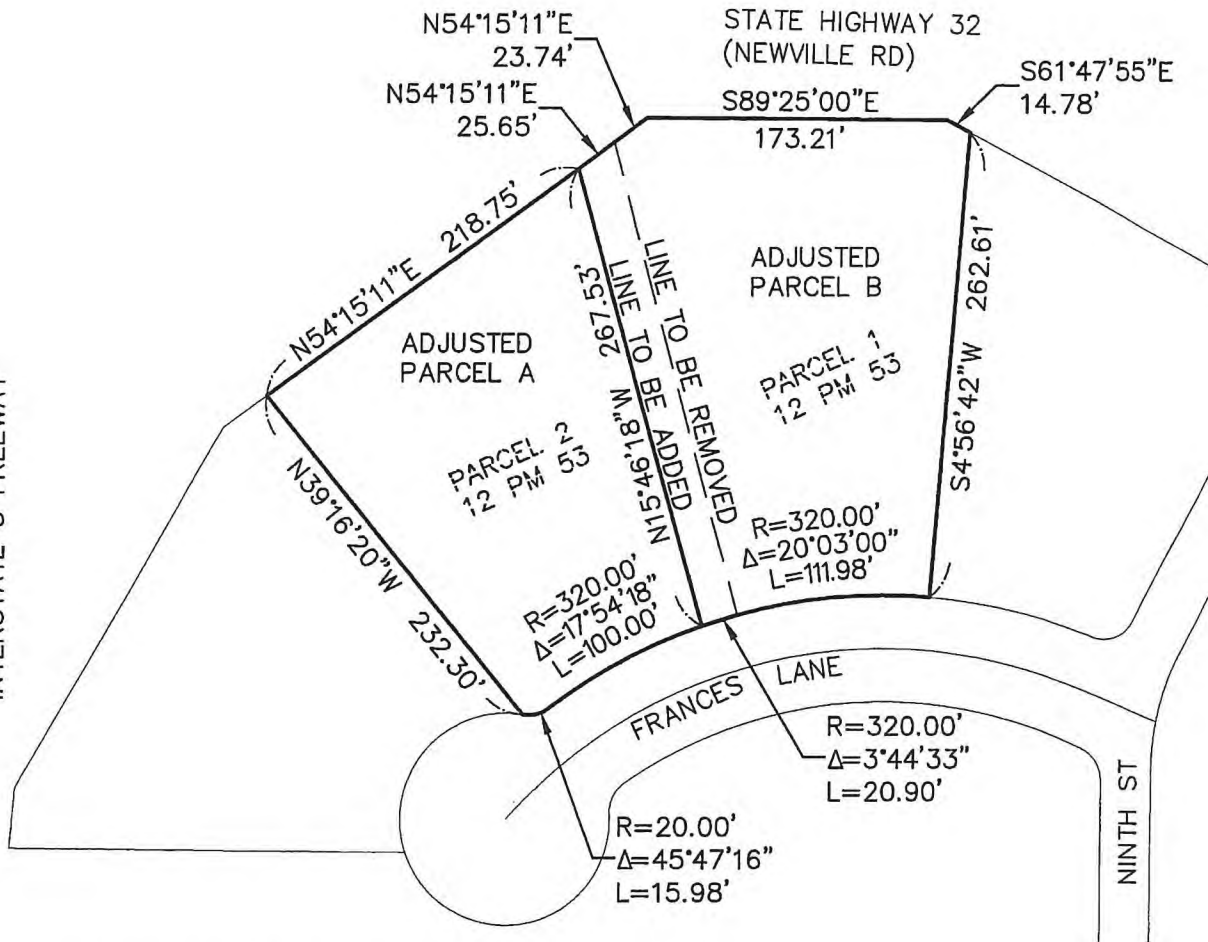
M. & S. Bk. I, Pg. 116 - Orland Orange Park No. 1
PM Bk. 12, Pg. 53 PM Bk. 13, Pg. 45 M & S Bk. 14, Pg. 89
P.M. Bk. 12, Pg. 74 M & S Bk. 14, Pg. 61

(17)

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

Assessor's Map Bk. 40 - Pg. 13
County of Glenn, Calif.
2012

INTERSTATE 5 FREEWAY



OWNER: ORLAND RETAIL LLC

	AREA BEFORE	AREA AFTER
ADJ PARCEL A	46516 SQ FT	40,414 SQ FT
ADJ PARCEL B	43560 SQ FT	49,662 SQ FT



SIGNED: _____ DATE: _____

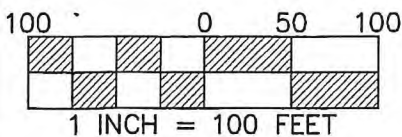


EXHIBIT A

LOT LINE ADJUSTMENT

PARCELS 1 AND 2 PER 12 PM 53,
LOCATED IN SECTION 21, TOWNSHIP
22 NORTH, RANGE 3 WEST, M.D.M., IN
THE CITY OF ORLAND, COUNTY OF
GLENN, CALIFORNIA

FOR
THOMASON
BY

SHARRAH DUNLAP SAWYER, INC.



Civil Engineering • Land Planning • Surveying & Mapping
Landscape Architecture • Presentation Graphics

320 Hartnell Avenue, Redding, CA 96002
530.221.1792 voice • 530.221.8369 fax • info@sdsengineering.com

TO BE USED AS A VISUAL AID ONLY. LINEWORK DOES NOT REPRESENT, NOR
IS IT INTENDED TO REPLACE SURVEY OR RECORDED PROPERTY INFORMATION.

DATE: FEBRUARY, 2022 SCALE: 1"=100' SHEET 1 OF 1

P:\proj\p\22102\dwg\22102 PLA Version 2.dwg JOB# 22.102

Case Number M # OR LLA # 2022-03
Date Application Received 5/19/22

MERGER or LOT LINE ADJUSTMENT APPLICATION

Please submit completed application form and fees to:

City of Orland
Planning Department
815 Fourth Street
Orland, CA 95963
530.865.1600
530.865.1632 (fax)

NOTE: APPLICATIONS THAT ARE NOT COMPLETELY FILLED OUT AND WHICH DO NOT HAVE ALL REQUIRED SUBMITTALS WILL NOT BE ACCEPTED FOR FILING.

Contact Information:

1. Applicant Name (s): Reed Land Holdings, LLC (formerly Orland Retail, LLC)
Address: 7090 N. Marks Avenue, #102, Fresno, CA 93711
Street _____ City/State/Zip _____
Phone: 559-432-1600
Business _____ Home _____ Cell _____
Fax: _____
Email: michael@thomasondevelopment.com & colby@thomasondevelopment.com
2. Property Owner(s): Reed Land Holdings, LLC (formerly Orland Retail, LLC)
Address: 7090 N. Marks Avenue, #102, Fresno, CA 93711
Street _____ City/State/Zip _____
Phone: 559-432-1600
Business _____ Home _____ Cell _____
Fax: _____
Email: michael@thomasondevelopment.com & colby@thomasondevelopment.com
3. Property Owner(s): _____
Address: _____
Street _____ City/State/Zip _____
Phone: _____
Business _____ Home _____ Cell _____
Fax: _____
Email: _____
4. Engineer/Surveyor: Sharrah Dunlap Sawyer, Inc.
Address: 320 Hartnell Avenue, Redding, CA 96002
Street _____ City/State/Zip _____
Phone: 530-221-1792
Business _____ Home _____ Cell _____
Fax: _____
Email: martin@sdsengineering.com

Case Number M # OR LLA # _____
Date Application Received _____

APPLICANT(S)/OWNER(S) DECLARATION UNDER PENALTY OF PERJURY
(Must be signed by ALL applicants and property owners)

I am (we are) the owner(s) of the property that is the subject of this application and I (we) have completed this application and all other documents and maps required herein, or have permitted the person(s) identified as the Applicant to do so on my (our) behalf. Owner(s) and/or Applicant(s) hereby certify that the information and statements made herein are, in all respects, true and correct to the best of my (our) knowledge and belief.

I (we) also declare under penalty of perjury that the foregoing is true and correct as evidenced by my (our) signature(s) below.

1. *Property Owner(s): Reed Land Holdings LLC, Previously Orland Retail, LLC*
Print: Colby Thomason Signed: CJT Date: 5/10/22

Property Owner(s):

Print: _____ Signed: _____ Date: _____

2. *Applicant(s): Reed Land Holdings LLC, formerly Orland Retail, LLC*
Print: Colby Thomason Signed: CJT Date: 5/10/22

Applicant(s):

Print: _____ Signed: _____ Date: _____

**Note: If the owner or applicant is other than an individual(s), a copy of a Resolution from the corporation or partnership agreement authorizing this application must be attached hereto.*



Attachment D – Site Photo / Aerial Photo

Notice of Exemption

Form D

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

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

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

Project Title: LLA #2022-03 – Reed Land Holdings, LLC

Project Location - Specific: South of Newville Road/SR32/Interstate 5 northbound freeway offramp, north Frances Lane, east of Interstate 5, and west of Ninth Street (APN: 040-013-015 and 040-013-016).

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

Description of Project: The proposed project is a request by Reed Land Holdings, LLC (applicant) to adjust the lot lines of two (2) existing parcels described as Glenn County Assessor's Parcel Number 040-013-015 and 040-013-016 into three (3) lots of 2.13 acres (Lot 1), 5.22 acres (Lot 2) and 4.52 acres (Lot 3). Both of the two involved lots are vacant. No additional lots are being created.

Name of Public Agency Approving Project:

City of Orland

Name of Person or Agency Carrying Out Project:

City of Orland

Exempt Status: (check one)

- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State type and section number: §15315 Minor Land Divisions
☐ Statutory Exemptions. State code number:

Reasons why project is exempt: The proposed Tentative Parcel Map is exempt from the California Environmental Quality Act under §15315, *Minor Land Divisions*. The exemption applies to certain actions that involve minor land divisions in "urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent." The project qualifies for a Class 1 exemption and no further environmental review is required.

Lead Agency

Contact Person: Scott Friend, AICP **Area Code/Telephone/Extension:** (530) 894-3469 ext. 13214

Signature: _____ Date: _____ Title: City Planner

☒ Signed by Lead Agency

☐ Signed by Applicant

Date received for filing at OPR: _____

Attachment E

**CITY OF ORLAND
PLANNING COMMISSION RESOLUTION #2022-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORLAND
APPROVING LOT LINE ADJUSTMENT #2022-03 (Reed Land Holdings, LLC)**

WHEREAS, Reed Land Holdings, LLC (*applicant*) has filed an application with the City of Orland to approve a Lot Line Adjustment to modify existing parcel lines affecting two (2) existing parcels under common ownership and generally located south of Newville Road/SR32/Interstate 5 northbound freeway offramp, north Frances Lane, east of Interstate 5, and west of Ninth Street (APN: 040-013-015 and 040-013-016); and

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

WHEREAS, the proposed parcel map conforms with the development standards of the C-H Highway Service Commercial zoning district; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Orland does hereby approve Lot Line Adjustment #2022-03 (Reed), subject to the conditions of approval identified in the staff report.

The foregoing Resolution was adopted by the Planning Commission on the 21st day of July, 2022 by the following vote:

AYES: Commission Members:

NOES: Commission Members:

ABSENT:

ABSTAIN:

Wade Elliot, Chair

ATTEST

Jennifer T. Schmitke, City Clerk