

CITY COUNCIL

Chris Dobbs, Mayor
Bruce T. Roundy, Vice-Mayor
Jeffrey A. Tolley
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Mathew Romano

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, January 19, 2023 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.

The public is encouraged to participate in the meeting via Zoom or can participate at Carnegie Center.

ZOOM Link: www.zoom.us

WEBINAR ID# 863 3762 5544

ZOOM Telephone - Please call: 1 (669) 900-9128

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. ELECTION OF COMMISSION CHAIR AND VICE CHAIR FOR 2023
6. CONSENT CALENDAR

Approval of Prior Minutes: November 17, 2022 (p.1)

7. ITEMS FOR DISCUSSION OR ACTION:

- A. Conditional Use Permit CUP#2022-10: A request to approve a Conditional Use Permit (CUP) to permit the erection of a “Digital Display Monument Sign” on an existing parcel identified as 129 East Walker Street and further as Glenn County APN 041-071-050. The parcel is currently occupied by the Glenn County Office of Education and Papa Murphy’s Pizza. The subject parcel is designated Commercial C) on the General Plan land use map and is in the C-2 (Community Commercial) zoning district. (p. 8)**
- B. Conditional Use Permit CUP#2022-11: A request to approve a Conditional Use Permit (CUP) to permit the erection of a “Digital Display Pole Sign” on an existing parcel identified as 1366 Cortina Drive and further as Glenn County APN 040-310-013. The parcel is currently occupied by the Butte College Glenn County Center. The subject parcel is designated Commercial (C) on the General Plan land use map and is in the P-D (Planned Development) zoning district. (p. 34)**

8. STAFF REPORT: Verbal Update

- A. Development Activity Update**
- B. Annexation Status Update**
- C. DWR Project Update**
- D. 2022 City Council Commission and Committee Appointments**

9. COMMISSIONER REPORTS

10. FUTURE AGENDA ITEMS

11. ADJOURN

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on January 13, 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
November 17, 2022**

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

2. Pledge of Allegiance – Led by Commissioner Romano

3. Roll Call:

Commissioner's present –	Chairperson Wade Elliott, Vice Chairperson Stephen Nordbye, Commissioners Doris Vickers, and Michelle Romano
Commissioner's absent -	Commissioner Sharon Lazorko
Councilmember present -	None
Staff present-	City Planner Scott Friend and City Clerk Jennifer Schmitke

4. ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments - None

5. CONSENT CALENDAR

- A. Compliance with AB361
- B. Approval of Prior Minutes: August 18, 2022
- C. Approval of Prior Minutes: October 20, 2022

ACTION: Commissioner Vickers moved, seconded by Commissioner Romano to approve consent calendar items 5B and 5C. Motion carried unanimously by voice vote, 4-0.

ACTION: Vice Chairperson Nordbye moved, seconded by Commissioner Vickers to approve consent calendar item 5A. Motion carried unanimously by a voice vote, 4-0.

Chairperson Elliott asked the Commission for permission to move agenda item number 7 ahead of the Public Hearing items. Commission was in consensus to present the agenda item early.

7. ITEMS FOR DISCUSSION OR ACTION

Conditional Use Permit: CUP 2022-06 – Hidden Treasures Sanctuary and Rescue (33 East Walker Street).

A public hearing will be held to consider a request for a Conditional Use Permit (CUP) to permit the use of a "Animal Hospital/Veterinary Office" as required by Orland Municipal Code Section 17.40.040(A)(2). The project is proposed to be located at 33 East Walker Street (APN 041-072-002) in the City of Orland. The property is currently owned by Ricky Quezada and Monica Mojica.

The subject parcel is designated *Commercial (C)* on the City's General Plan land use diagram and is zoned in the C-2, *Community Commercial* zoning district. Pursuant to Orland Municipal Code (OMC) section 17.40.040(A)(2), Animal Hospitals and Veterinary Clinics are permitted on the ground floor in a C-2 zone with approval of a CUP. The proposed Veterinary Clinic consists of a clinic limited to

spaying/neutering, animal vaccine injections, micro-chip implants, and simple procedures such as mite and flea prevention for dogs and cats.

Mr. Friend stated that Conditional Use Permit (CUP) 2022-06 was a continued Public Hearing from the October 20th Planning Commission meeting and explained that the staff report had been amended. Mr. Friend shared that at the previous meeting the Commission directed staff to amend the conditions of approval and work with the applicant to make sure everyone was in agreement with the amended conditions. Mr. Friend went over the amended conditions with the commission addressing occupancy, overnighting of animals and the understanding that the CUP runs with the land.

Mr. Friend stated he wanted on the record that information was sent to the City sharing that there was a possibility of someone living on the site, he shared that he spoke with Ms. Johnson, applicant, and she confirmed that no one will be living on the site.

The Commission shared approval of the amended conditions and Chairperson Elliott thanked the applicant.

ACTION: Vice Chairperson Nordbye moved, seconded by Commissioner Vickers to approve Planning Commission Resolution PC 2022-15, approving Conditional Use Permit application #2022-06 subject to the Conditions of Approval provided in attachments and determining that the proposed action is exempt from further review pursuant to Section 15061.b.3 of the Government Code. Motion carried, 4-0 by a voice vote.

6. Public Hearing

A. Conditional Use Permit: CUP 2022-07 – McDonald's Pole Sign (128 Frances Lane).

A public hearing will be held to consider a request for a Conditional Use Permit (CUP) to permit the construction of a "Pole Sign" as defined by Orland Municipal Code Section 17.78.250(B)(9). The project is proposed at 901 Newville Road (APN 040-131-008). The property is identified as being owned by Reed Land Holdings, LP.

The subject parcel is designated *Commercial (C)* on the City's General Plan land use diagram and is zoned in the C-H, *Highway Service Commercial* zoning district. Pursuant to Orland Municipal Code (OMC) section 17.78.250(A), Pole Signs are permitted on a site with no development in a C-H zone with approval of a CUP. A quick-service restaurant has been approved previously on the site and building plans have been approved prior to this action. Pursuant to OMC 17.78.250(B)(9) a CUP may be granted to exceed the allowable advertising surface area; to permit the construction of a new pole sign within 330 feet of an existing pole sign, and to exceed the maximum permitted pole sign height of seventy feet. The proposed request is for both additional signage height and advertising area.

Mr. Friend presented a request for a Conditional Use Permit (CUP) to permit the erection of a "Pole Sign" on an existing parcel identified as 128 Frances Lane. Mr. Friend noted that the parcel is designated *Commercial (C)* on the General Plan land use map and is in the C-H (*Highway Service Commercial*) zoning district. Mr. Friend reminded the Commission that pursuant to Orland Municipal Code (OMC) Chapter 17.78.250(A), the proposed action requires the approval of a CUP by the Planning Commission due to the request involving an increase in the permitted sign advertising square footage, located within 330 feet from an existing pole sign, and total sign height. Pursuant to OMC 17.78.250 (B)(9) and further

17.78.450(C)(a), a CUP may be granted to exceed the allowable advertising surface for pole signs, to exceed the maximum permitted pole sign height, and to construct a pole sign within 330 feet of an existing pole sign if the sign is located within a freeway interchange property.

Mr. Friend provided background and pictures for the project stating that the proposed Pole Sign would have approximately 250 square feet of total advertising space composed of two individual signs and would be 110 feet in height (total, actual height of pole under sign would be 100 feet). Mr. Friend shared that the applicant (McDonald's USA, LLC) submitted plans indicating a multi-tenant use of the sign, with the second space on the sign being for an unknown future tenant of the adjacent property, which is not permitted by the OMC 17.78.050 (A).

Mr. Friend stated that staff recommends that the Planning Commission determine that the proposed action is exempt from additional CEQA review, and that they approve the additional sign height and sign area for a Pole Sign.

Drew Sanchez, McDonald's Representative clarified that the sign being proposed should be a dual tenant sign. Mr. Sanchez stated that he understands that the OMC does not allow for offsite advertisement and that is why a letter was sent to the Planning Department proposing that the property owner owns both parcels and that the adjacent property would be the sole use for the other side of the sign. Mr. Friend stated that the OMC does not allow for a dual sign on one site for two tenants on different sites, sharing that tonight's meeting is to approve one sign on a single piece of property. Mr. Friend stated that if the applicant wants the sign to be an offsite sign the City would need to either amend its Municipal Code or issue a Variance. Mr. Friend explained that the City Attorney has recommended changing the OMC and not issuing a Variance.

Mr. Friend spoke to the Commission about code amendments sharing that he would like to expedite the process as quickly as possible to get the signed approved so McDonald's can begin work. Mr. Friend stated that neither a code amendment nor Variance can be approved through a CUP.

Chairperson Elliott explained that tonight the only action that can be taken is the approval of the height of the sign and size of the sign with conditions. Chairperson Elliott asked Mr. Sanchez to follow up with a request for a Variance or code change to result in the dual tenant sign for a future meeting. Mr. Sanchez stated he would like at a minimum to have the sign height and square footage approved for a sole tenant and he would at a future meeting come back to get the code amended to get a dual tenant sign.

Mr. Sanchez spoke about the importance of the McDonald's Pole Sign and shared why the pole sign height and location will help with future success for the restaurant located along I5 in Orland.

Chairperson Elliott opened the Public Hearing at 5:51 PM.

With no comments, Chairperson Elliott closed the Public Hearing at 5:51 PM.

Commissioners and staff discussed code changes that were made in the past having to do with sign improvements, improvements they will want to discuss amending in the future and discussed heights and sizes of other businesses and restaurants in Orland off I5.

Chairperson Elliott thanked Mr. Sanchez for his request and stated that the Planning Commission is prepared to approve the request as submitted minus the approval for a secondary tenant, but adding to

the record that the Planning Commission anticipates that the applicant will work with the Planning Department and choose a course of action, either a request to work with the City in a Code change or a Variance.

ACTION: Commissioner Romano moved, seconded by Commissioner Vickers to approve the project (CUP 2022-07) and determine that the proposed action is exempt from further review pursuant to Section 15061.b.3 of the Government Code and Resolution PC 2022-16 approving Conditional Use Permit application #2022-07 subject to the Conditions of Approval as presented. Motion carried, 4-0 by a voice vote.

Mr. Friend asked for clarification from the Commission that they are asking staff to move forward with the code amendment on the dual tenant signage to bring back at a future meeting. The Commission stated that pursuant to a conversation with the applicant they hope to have this item back at a future meeting.

B. Conditional Use Permit: CUP 2022-08 – Bill Schnoebelen (Applicant), Arbuckle Donnan SUC TRS (Landowner) at 500 5th Street. APN 040-115-001 and -002.

A public hearing will be held to consider a request for a Conditional Use Permit (CUP) to permit the use of the existing structures for the purposes of a Metal Working Shop (OMC 17.40.040(27) for the fabrication of metal parts. The project is proposed at 500 Fifth Street. The property is identified as being owned by the Arbuckle Donnan SUS Trust. The existing buildings on the site were previously used for a retail commercial use

The subject parcel is designated with the Light Industrial – Commercial (I-L/C) Land Use Designation on the City's General Plan land use diagram and is zoned with the C-2, *Community Commercial* zoning designation. Pursuant to Orland Municipal Code (OMC) section 17.40.040(27), The proposed use, Metal Working Shop, is permitted on the site subject to the approval of a Conditional Use Permit (CUP).

Mr. Friend presented a request for Conditional Use Permit (CUP) to permit the operation of a metal working shop on an existing parcel identified as 500 & 508 5th Street. Mr. Friend noted that the subject parcel is designated Light Industrial/Commercial (I-L/C) on the General Plan land use map and located in the C-2 (Community Commercial) zoning district. Mr. Friend reminded the Commission that pursuant to OMC Chapter 17.40, the proposed action requires the approval of a CUP by the Planning Commission.

Mr. Friend provided background on the business, pictures of the site and an explanation of the site plan. Mr. Friend spoke about requirements of the applicant to work with Public Works department to address any required improvements to the curb, gutter, sidewalks along the east and northern property boundaries, as well as any improvements to the onsite dirt parking lot.

Chairperson Elliott welcomed the applicant to come forward to speak about his Metal Working business.

Mr. Bill Schnoebelen explained to the Commission his vision for the location which entails high variance low volume machining. Mr. Schnoebelen stated that many of his manufactured parts are shipped out of the country.

Commissioners asked about the quantity and type of machines that will be used in the shop and how many employees he planned on hiring. Mr. Schnoebelen answered all Commissioner questions.

Chairperson Elliott opened the Public Hearing at 6:12 PM.

Austin Barron, Chico Realtor spoke about the history of the 508 5th Street building and on Mr. Schnoebelen's behalf, stating that the applicant would be an asset to the community.

Patrick Astarita, Mr. Schnoebelen's employee, stated he is excited to bring this type of manufacturing to Orland.

Chairperson Elliott closed the Public Hearing at 6:15 PM.

Vice Chairperson Nordbye asked if the business would be running 24 hours a day. Mr. Schnoebelen stated that the machines will run 24 hours a day. Vice Chairperson Nordbye also asked about how loud the noises will be from the running machines. Mr. Schnoebelen stated that the machines are quiet enough for you to have a conversation next to it, the louder machine will be the compressor at 85 decibels. He stated that the building is cinder block and with the doors closed you cannot hear the machines or generators from the outside.

ACTION: Vice Chairperson Nordbye seconded by Commissioner Vickers to recommend that the Planning Commission approve the project (CUP 2022-08) and determine that the proposed action is exempt from further review pursuant to Section 15061.b.3 of the Government Code and approve Planning Commission Resolution 2022-17, approving Conditional Use Permit application #2022-08 subject to the Conditions of Approval that was provided in Attachment C and Attachment D as well as paving the delivery area and repairing the sidewalk and gutter. Motion carried, 4-0 by a voice vote.

C. Zoning Ordinance Amendments – Accessory Dwelling Unit Proportional Development Impact Fee Reduction Program.

A proposed amendment to Orland Municipal Code (OMC) Section 17.76.130, *Accessory Dwelling Units and Junior Accessory Dwelling Units* to establish a proportional Development Impact Fee (DIF) for Accessory Dwelling Units as required by California Government Code Section 65852.2(3)(A). The proposed action would result in the adoption of a methodology for the reduction of DIF's for ADU's and JADU's.

Mr. Friend presented a request for an update to the City's Development Impact Fees (DIFs) for new construction in the city. California Government Code Section 65852.3(3)(A) requires a reduced DIF for Accessory Dwelling Units (ADUs). The fee is to be based on proportional relationship between the square footage of the primary dwelling and the ADU. Mr. Friend stated that the City of Orland does not have a provision in the current fee structure, so this will establish what the law requires which is a proportionate share fee.

Mr. Friend stated that currently the City charges a DIF for a new residential, commercial, and industrial construction in the City as permitted by California Government Code Section 66000.

Mr. Friend shared that currently the impact fee program is not based on square footage but total units. Mr. Friend explained that staff had to formulate a methodology on how the City could achieve a proportionate relationship allocation cost as the City's current fee is based upon total units and not square footage.

Mr. Friend asked the Commission to give a recommendation to City Council to amend the City code via the fee program to establish a percentage share relationship.

Mr. Friend stated that the goal was to reduce the proportionate shared cost for new ADU's reviewed the proposed single family and Multi-family ADU DIF tables. Mr. Friend stated that the action for the Commission is not to set the fee but establish the methodology via a recommendation to the City Council.

Chairperson Elliott opened the Public Hearing at 6:26 PM.

With no comments, Chairperson Elliott closed the Public Hearing at 6:26 PM.

Commissioners discussed the proposed costs and shared thoughts on the amounts and stated concerns with the amendment. Mr. Friend stated the proposed fees are some of the lowest in the state.

ACTION: Commissioner Vickers moved, seconded by Commissioner Romano that the Planning Commission adopt Planning Commission Resolution #2022-18 recommending for approval to the City Council, the ADU DIF as presented herein and approval of the Categorical Exemption as presented, Motion carried, 4-0 by a voice vote.

8. STAFF REPORT

Mr. Friend shared that on October 17, 2022 LAFCo approved the Westside annexation. December 5, 2022 will be when the protest hearing is held. The Kraemer annexation will held in December and will have an update at the next planning meeting in December.

Mr. Friend shared that the City has received a general plan amendment and a rezone for a multi-family project south of Penbrook on County Road M opposite the Baldwin Minkler Facilities.

Mr. Friend shared that he was informed that DR Horton has backed out of the Orland Park Phase I property. The property is still owned by Visioni Brothers who is still looking to develop that area residential. There are currently 37 lots that will be completed but any future expansion in that area is on hold.

Mr. Friend shared that the Department of Water Resources (DWR) project is moving along.

Mr. Friend shared that two Conditional Use Permits will be brought forward at the December 15, 2022 meeting.

Mr. Friend shared that the 2022 Elections have been completed for City Council but the official names have not be released as of yet, January Planning Commission will most likely have a new liaison at the meetings.

9. COMMISSIONERS REPORTS

- Vice Chairperson Nordbye reported that he likes driving thru town and seeing all the new projects around town.
- Commissioner Romano had nothing to report.
- Commissioner Vickers had nothing to report.
- Chairperson Elliott had nothing to report.

10. ADJOURNMENT – 7:24 PM

Respectfully submitted,

Jennifer Schmitke, City Clerk

Wade Elliott, Chairperson



CITY OF ORLAND Staff Report

TO: City of Orland Planning Commission
FROM: Scott Friend, AICP – City Planner
MEETING DATE: January 19, 2023; 5:30 p.m., Carnegie Center, 912 Third Street, Orland, CA 95963

SUBJECT: **Conditional Use Permit CUP#2022-10**: A request to approve a Conditional Use Permit (CUP) to permit the erection of a “Digital Display Monument Sign” on an existing parcel identified as 129 East Walker Street and further as Glenn County APN 041-071-050. The parcel is currently occupied by the Glenn County Office of Education and Papa Murphy’s Pizza. The subject parcel is designated *Commercial (C)* on the General Plan land use map and is in the *C-2 (Community Commercial)* zoning district.

Pursuant to Orland Municipal Code (OMC) Chapter 17.78.405(A), the proposed action requires the approval of a Conditional Use Permit (CUP) by the Planning Commission due to the request involving an increase in the permitted sign advertising square footage and total sign height. Pursuant to OMC 17.78.405(A)(10) and further 17.78.450(C)(i), a CUP may be granted to exceed the allowable advertising surface for pole signs and to exceed the maximum permitted sign height.

Environmental Review: Staff recommends that the Planning Commission determine that the proposed action is *exempt* from further review pursuant to Sections 15303 and 15311 of the Public Resources Code, also known as the “New Construction” and “Accessory Structures” Exemptions.

Summary:

The City of Orland has received a request for a Conditional Use Permit (CUP#2022-10) on an existing parcel of land identified as 129 East Walker Street and further as Glenn County APN 041-071-050. The parcel is currently occupied by the Glenn County Department of Education and Papa Murphy’s Pizza.

The subject parcel is designated *Commercial (C)* on the General Plan land use map and located in the *C-2 (Community Commercial)* zoning district. The property is currently developed. The parcel is owned by the Glenn County Department of Education. The proposed action is only applicable to the Digital Monument Sign request and does not affect or otherwise alter any prior approvals or actions on the site.

Project Background:

The proposed action would result in the approval of a new Digital Monument Sign on the site. The existing parcel is approximately 1.38 acres in size. The proposed project would permit the installation of a Digital Display Monument Sign onsite to be seen by passenger vehicles traveling on East Walker Street (Hwy 32). The proposed sign would exceed advertisement space and height standards found in the Orland Municipal Code section 17.78.405(A). OMC provides a maximum advertisement space of 24 square feet and maximum Sign height of 8 feet.

The proposed Sign, as indicated on *Attachment B2, CUP Application*, would have approximately 34 square feet of total advertisement space, and would be 8.3 feet in height. As displayed on *Attachment B2* are photo rendering pictures indicating the approximate size of the sign, as seen from approximately 65 feet to the south, along E Walker Street (Hwy 32).

The submitted Digital Display Monument Sign site plans indicate the proposed sign would be erected along the southern boundary of the project site, partially within the parking lot and partially within the landscaping area fronting E Walker Street. Pursuant to OMC Section 17.76.100, standard parking spaces shall be 10'x20' in size, private and employee parking spaces shall be 9'x18' in size, and compact spaces shall be 8.5'x16' in size. The current parking space dimensions in which the proposed sign would be located is 10'x18'.

After receiving comments from the City's engineer noting irregularities in the site plan, staff have included Conditions of Approval to address these irregularities. To ensure the sign is placed in a way that would not encroach on the public ROW, nor disrupt existing landscaping spaces, the applicant is prohibited from encroaching into the Caltrans ROW and any landscaped area between the parking space and the sidewalk. It is Staff's understanding that this condition would require using up a space within the parking lot that would result in the space having inadequate dimensions to meet OMC standards.

Most recently, Staff received updated information from the applicant indicating there is adequate space to erect the proposed sign within the parking lot and keep the same number of current parking spaces. At the easternmost end of the parking row was an additional 5'4" of space not being used. That additional space would be shifted over and utilized by the proposed sign. To accomplish this, the applicant would have to restripe the parking spaces in the vicinity of the proposed sign, which would result in standard parking spaces pursuant to OMC Section 17.76.100.

The OMC Design and Construction requirements for a Digital Display Monument Sign (17.78.405[A]) include:

1. A maximum height of (8) feet above finished grade, including base, and a maximum total sign advertising space shall be (24) square feet. Only one sign is permitted for each street frontage. When practical, landscaping shall be provided around the base of sign;
2. Digital display monument signs shall have monument-type bases of masonry construction. A comparable alternate basic material may be used upon approval by the city;
8. Any digital displays shall display unanimated images and/or copy. For the purposes of this section, unanimated images and/or copy shall be defined as those which are changed no more than once per eight seconds;

9. Digital displays shall not be brighter than the illumination limit recommended by the International Sign Association (ISA) for electronic message center signs, or 0.3 footcandles above ambient light when measured at the recommended distance as set forth by the ISA. Digital display signs shall be equipped with a photocell, timer, or other similar device which automatically dims the display during nighttime hours to prevent glare impacts to motorists;
10. Pursuant to the provisions of Section 17.78.450, exceptions, a conditional use permit may be granted by the planning commission to exceed the allowable height and advertising surface for digital display sign(s).

Pursuant to OMC Section 17.78.450(C)(i) *Height and Size Exceptions – Conditions for Granting*, the Planning Commission, through a CUP, may grant exceptions upon the verified application of any property owner as to the maximum overall height of any sign above natural ground level or as to the maximum square feet of advertising surface, whenever one or more of the conditions hereinafter set forth exist.

The proposed use has been reviewed by all City reviewing parties including the City of Orland Fire Chief, Public Works Director, City Engineer and Police Chief. All concerns and issues expressed by the reviewing parties have been addressed to their satisfaction. No written or verbal opposition to the project has been presented nor is known.

Conditional Use Permit:

Chapter 17.80 of the OMC provides the legal authority and basis for the issuance of a Conditional Use Permit in the City. Section 17.80.010 establishes that:

“A request for a use permit may be granted, granted subject to conditions, or denied by the planning commission for any use for which a use permit is permitted or required by these regulations, or for any use which, while not specifically enumerated in these regulations, is, in the opinion of the planning commission, similar to and compatible with the uses permitted in the zone in which the subject property is situated.”

Section 17.80.040 of the OMC states that, *“Approval of an application for a use permit shall be based upon a written finding that:*

Establishment, maintenance, or operation of the use of building applied for will not, under the circumstances of the particular case, be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be materially detrimental to property or improvements in the neighborhood or to the general welfare of the City.”

As established in OMC Section 17.80.010, the Planning Commission may impose conditions of approval on a use permit that it finds necessary to carry out the purpose of this title.

Upon review of the application, staff believes that the establishment, maintenance, or operation of the proposed project will not, under the circumstances of the particular case, be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be materially detrimental to property or improvements in the neighborhood or to the general welfare of the City.

Environmental determination:

The City of Orland, as the Lead Agency for the project pursuant to the requirements of the California Environmental Quality Act (CEQA), has reviewed the proposed project and determined that the project is exempt from further review under the California Environmental Quality Act (CEQA). This project is exempt from environmental review under the “New Construction” and “Accessory Structures” Exemptions of the Public Resources Code, §15303 and §15311, as it has been determined to not have a significant impact on the environment. Staff has determined that this project meets the requirements for these exemptions and is recommending a determination of such to the Planning Commission.

Recommendation:

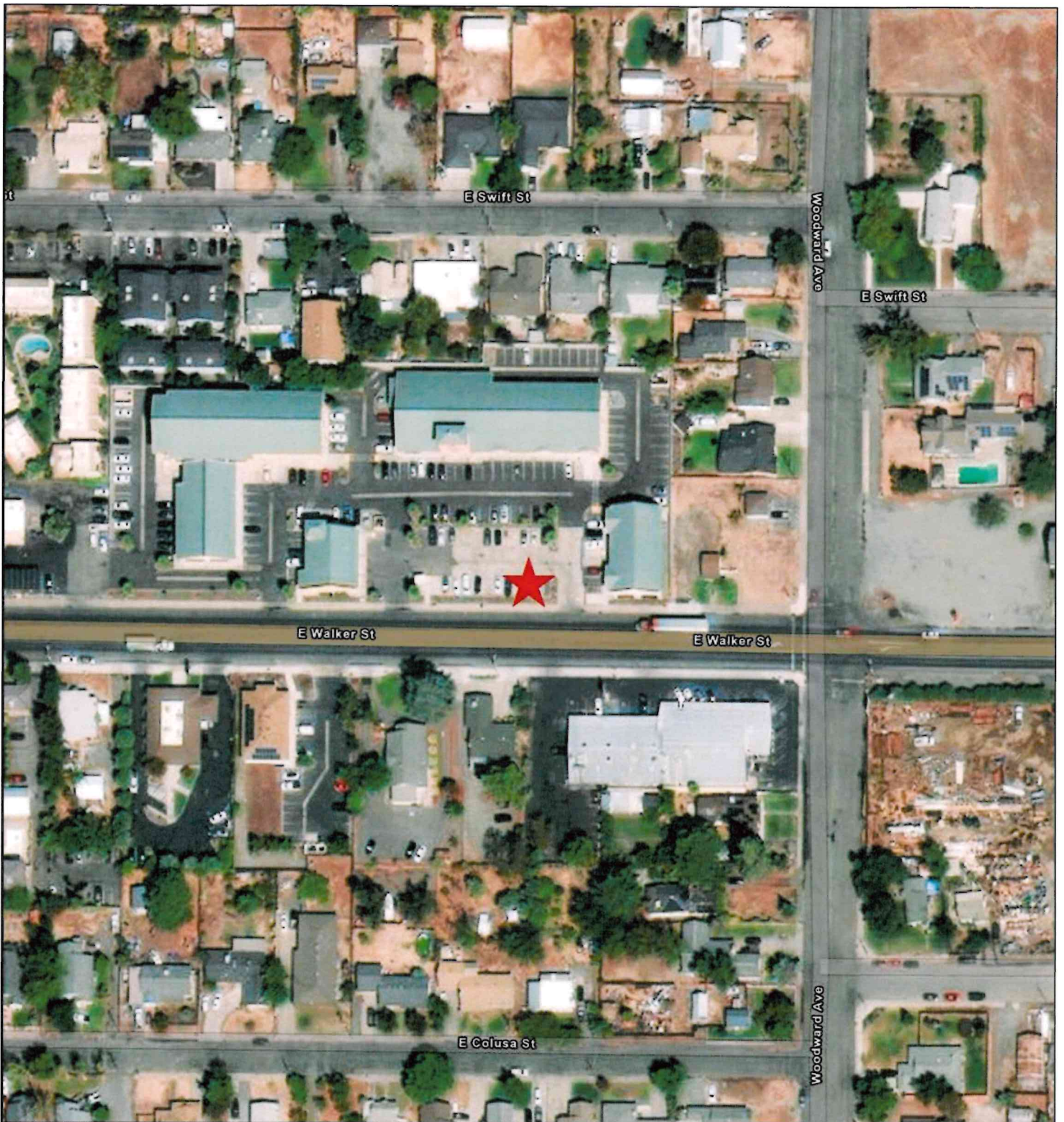
Based upon the information contained in this report and after consideration of the attributes specific to the proposed site, staff is recommending that the Planning Commission **approve** Conditional Use Permit #2022-10 subject to conditions of approval, a request to approve a new Digital Display Monument Sign (with approximately 34 square feet of advertisement space and 8.3 feet in height) on an existing parcel of land identified as Glenn County Assessor’s parcel number 041-071-050.




Specifically, staff recommends that the following actions take place:

1. *California Environmental Quality Act (CEQA)*: Staff is recommending that the Planning Commission approve the project (CUP 2022-10) and determine that the proposed action is *exempt* from further review pursuant to Sections 15303 and 15311 of the Public Resources Code.
2. *Conditional Use Permit*: Move to approve Planning Commission Resolution PC 2022-____, approving Conditional Use Permit application #2022-10 subject to the Conditions of Approval provided as **Attachment C** and Findings shown on **Attachment D**.

ATTACHMENTS

- **Attachment A – Project Location Map**
- **Attachment B1 – Project Site Plan**
- **Attachment B2 – Project CUP Application and Sign Renderings**
- **Attachment C - Conditions of Approval for CUP #2022-10**
- **Attachment D – Required CUP Findings #2022-10**
- **Attachment E – Notice of Exemption for CUP #2022-10**
- **Attachment F – Planning Commission Resolution PC 2022-____**



 Project Boundary		<p>1:1,485</p> <p>0 0.01 0.03 0.05 mi</p> <p>0 0.02 0.04 0.08 km</p> <p><small>Esri, Community Maps Contributors, © OpenStreetMap, Microsoft Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA</small></p>
 ECORP Consulting, Inc. ENVIRONMENTAL CONSULTANTS	<p>12/12/2022</p>	<p>Attachment A— Project Location CUP #2022-10 Glenn County Office of Education</p>

**CITY OF ORLAND
PLANNING DEPARTMENT
815 FOURTH STREET
ORLAND, CA 95963
530.865.1608 (PHONE) 530.865.1632 (FAX)**

APPLICATION FOR A CONDITIONAL USE PERMIT

Please submit the following items. A complete Application will ensure its prompt processing. If you have any questions, please contact the City of Orland Planning Department at 530.865.1608 or by email to nsailsbery@cityoforland.com.

1. APPLICANT(S):

NAME: Glenn County Office of Education
ADDRESS: 311 S. Villa Ave Willows, CA 95988
PHONE:(Business): 530 934-6575
(Home): _____
(Mobile): _____
EMAIL ADDRESS: _____

2. PROPERTY OWNER(S):

NAME: Glenn County Office of Education (Tracey Quarne)
ADDRESS: 311 S Villa Ave Willows, CA 95988
PHONE:(Business): 530 934-6575 ext 3061
(Home): _____
(Mobile): 530 520 9496
EMAIL ADDRESS: traceyquarne@glenncoe.org

3. Name and address of property owner(s) duly authorized agent who is to be furnished with Notice of Hearing (Section 65091 California Government Code):

NAME: Shane Anderson
ADDRESS: 129 E Walker St Orland, CA 95963
PHONE:(Business): 530 865 1267 ext 3101
(Home): _____
(Mobile): 530 624-1081
EMAIL ADDRESS: sanderson@glenncoe.org

City of Orland Conditional Use Permit
Instructions and Application Form

4. **Address and Location of Project:** Glenn Success Square 123-131 E Walker St
5. **Current Assessor's Parcel Number:** 041-071-050-000
6. **Zoning:** C-2
7. **General Plan Land Use Classification:** _____
8. **Existing use of property(ies):** Government/ Community Use
9. **Request:** Install 100"x50" LED monument sign in Portrait Orientation
10. **Provide any additional information that may be helpful in evaluating this request:**
See Attached Narrative
11. **Surrounding Land Uses and Zoning Districts (please be specific):**
North: Residential
South: Commercial
East: Residential
West: Residential
12. **Topography:** _____
13. **Vegetation:** _____
14. **Water Supply:** _____ **Source or Type:** _____ **Provider:** City of Orland
Existing: City of Orland
Proposed: No Change
15. **Sewage Disposal:**
Existing: City of Orland
Proposed: No Change

City of Orland Conditional Use Permit
Instructions and Application Form

16. Fire Protection:

Existing: Sprinklers at all 5 buildings; strobes and horns at 129

Proposed: No Change

17. Storm drainage:

Existing: _____

Proposed: _____

18. School District: Orland Unified

19. Natural Hazards (include past and current uses, if any): _____

None

ENVIRONMENTAL INFORMATION FORM

Date Filed: _____

General Information:

1. Name and address of developer/project sponsor: Glenn County Office of Education

2. Address of PROJECT: Glenn Success Square 123-131 E Walker St

3. Assessor's Parcel Number: 041-071-050-000

4. Name, address and telephone number of person to be contacted concerning this project:

Shane Anderson, Facilities Coordinator, Glenn County Office of Education

129 E Walker St Orland, CA 95963 530 624-1081

5. List and describe any other related permits and other public approvals required for this project, including those required by city, regional, state and federal agencies:

City of Orland Building Permit; will stay back from CalTrans right of Way

6. Existing Zoning District: C-2

7. Proposed use of the site (Project for which this form is filed): Install 100" tall LED sign.

Sign to be used as site Monument Sign, Conference Room events listing,

Advertise available educational classes, and display General Public Service Messages

Project Description:

8. Site size: 74" x 36"

9. Square footage: 18.5 sq ft

10. Number of floors to be constructed: N/A

11. Amount of off-street parking provided: N/A

12. If residential:

Number of units:

Design of units (i.e. single family, multi-family, etc):

Square footage of each unit:

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13. If commercial:

Type of use:

Square footage of each building (existing and proposed):

Number of employees (if applicable):

Number of shifts (if applicable):

Hours of operation:

14. If industrial:

Type of use:

Square footage of each building (existing and proposed):

Number of employees (if applicable):

Number of shifts (if applicable)

Hours of operations:

15. If institutional:

Estimated occupancy:

Type of use: Government/ Education

Square footage of each building (existing and proposed): 123-2640; 125-4183; 127-13785
129-11547; 131-3584; total 35739

Number of employees (if applicable):

Number of shifts (if applicable)

Hours of operations: Monday - Friday 8am-5pm

16. If the project involves a variance, conditional use, request for annexation, or rezoning application, state this and indicate clearly why the application is required. Conditional Use Permit Required due to height of sign and parking density.

17. Attach site plan(s).

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary):

18. Change in existing features of any bays, tidelands, beaches, or hills, or substantial alteration of ground contours.

Yes _____

No X _____

Environmental Setting:

30. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.
31. Describe the surrounding properties, including information on plant – and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc) intensity of land use (one-family, apartment houses, shops, department stores etc.) and scale of development (height, frontage, set-back, rear yard, etc.) Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Printed Name (Applicant)

Signature (Applicant)

Date

Printed Name (Property Owner)

Signature (Property Owner)

Date

Printed Name (Property Owner)

Signature (Property Owner)

Date

Shane Anderson

Printed Name (Agent/Representative)

[Signature]

Signature (Agent/Representative)

12/8/22

Date

Glenn Success Square spans 549' along Walker St. and is comprised of 3 separate APN's with 5 stand-alone buildings. There are 7 tenants housed in four of the buildings: 123, 125, 127, & 129. 131 E Walker St houses a Public-Use Conference Center.

Sign is sized to accommodate the following:

- Always Present Title "Glenn Success Square" Can change in color and font to compliment slides or season. (approximate size 50"x14")
- Viewing screen will loop through tenants' address blocks, tenant announcements, Conference Center announcements, Public Service announcements, and paid announcements. This size was designed with the intent that the screen size is approximately 6x a standard portrait-oriented, letter-sized paper. The design was implemented for minimizing staff time to add or edit slides. (approximate size 50"x72")
- Always Present addresses "123-131 E Walker St." Will change in color and font to compliment slides or season. (approximate size 50"x14")

See attached computer aided rendering for visual representation.

Parking lot density has been an issue three times in the 5 years that GCOE has occupied the facility. For those occasions GCOE had a lease with Orland Grange for overflow parking. GCOE is attempting to renew this lease.

City of Orland Conditional Use Permit
Instructions and Application Form

Environmental Setting:

30. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site, and the use of the structures. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.
31. Describe the surrounding properties, including information on plant – and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc) intensity of land use (one-family, apartment houses, shops, department stores etc.) and scale of development (height, frontage, set-back, rear yard, etc.) Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

Certification

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Tracey J Quanne

Printed Name (Applicant)

Tracey J Quanne - Glenn County Office of Education

Signature (Applicant)

12/8/22
Date

Tracey J Quanne - Glenn County Office of Education

Printed Name (Property Owner)

Tracey J Quanne

Signature (Property Owner)

12/8/22
Date

Printed Name (Property Owner)

Signature (Property Owner)

Date

Shane Anderson

Printed Name (Agent/Representative)

S. Anderson

Signature (Agent/Representative)

12/8/22
Date



GLENN SUCCESS SQUARE

- SUPPORT LOCAL -
SHOP ORLAND

Buy local & support a business that
keeps money in the community.
Local & high-quality products. Value
added for \$25, \$5, \$10, or \$15.

SCAN ME
Use your phone to scan this QR code.

123-131 E. WALKER ST



GLENN SUCCESS SQUARE

KIDS ARE
BACK TO SCHOOL!
DRIVE SAFE.
WALK SAFE.

123-131 E. WALKER ST



GLENN SUCCESS SQUARE
CONFERENCE CENTER 131
SUCCESS ONE CHARTER SCHOOL 129
GLENN ADULT PROGRAM 129
STUDIO 129
GLENN COUNTY HEALTH
AND HUMAN SERVICES AGENCY
IHSA 127
GLENN COUNTY
COMMUNITY ACTION DEPT. 125
PAPA MURPHY'S
GEAR UP 123
1238
123-131 E. WALKER ST

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT #2022-10, Digital Display Monument Sign
Glenn County Office of Education

Assessor's Parcel Numbers: 041-071-050

Project location: 129 East Walker Street, Orland, Glenn County, CA 95963

Zoning: "C-2" (Community Commercial);

General Plan Land Use Designation: "Commercial".

Conditional Use Permit #2022-10, Glenn County Office of Education (Landowners): A request for approval of a Conditional Use Permit to allow for the erection of a new Digital Display Monument Sign located East of the Woodward Avenue/East Walker Street (Hwy 32) intersection in the C-2, *Community Commercial* zoning district. Pursuant to OMC Sections 17.78.405(A)(10), the Planning Commission may issue a Conditional Use Permit, as defined in the Orland Municipal Code Chapter 17.80, for all digital display signs that exceed the allowable advertising surface and total height for monument signs (24 sq ft and 8 feet in height) as defined in section 17.78.405(A)(1), respectively.

General Conditions of Approval:

1. The applicant shall file a Declaration of Acceptance of the following conditions by submitting a signed copy of the conditions to the Planning Department within ten (10) days of Planning Commission approval.
2. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of permit constitutes cause for the revocation of said permit. Unless otherwise provided for in a special condition to this Use Permit, all conditions must be completed prior to or concurrently with the establishment of the granted use.
3. The use granted by this permit shall be established within one (1) year of the date of approval or the permit shall become null and void.
4. The applicant shall submit a check or money order in the amount of **\$100.00 made payable to the City of Orland** for the preparation of the Notice of Exemption from CEQA within five (5) days of the date of approval.
5. The applicant shall submit a check or money order in the amount of **\$50.00 made payable to the Glenn County Recorder's Office** for the fee to record the Notice of Exemption from CEQA within five (5) days of the date of approval.
6. Neither the applicant, or any agent nor representative of the applicant shall intentionally omit or misrepresent any material fact in connection with the application. Any alleged material misrepresentation shall constitute grounds for the City of Orland to commence a revocation hearing and constitute grounds to revoke the permit.
7. Minor changes to the approved sign may be approved by the City Planner upon receipt of a substantiated written request by the applicant, or their respective designee. Prior to such approval, verification shall be made by each Department that the modification is consistent with the application, fees paid, and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application for amendment by public hearing before the City Council.
8. The project applicant and/or contractor shall obtain all necessary business licenses and permits from the City and pay all appropriate fees for any required utilities modification, construction, and connection work associated with the project. Project shall also obtain permits all necessary and required building permits from the City of

Orland Building Department and pay all appropriate fees for construction work to be undertaken as a result of this approval.

9. The Use Permit is only approving the assignment of parcel specific zoning one parcel of land identified as Glenn County Assessor's parcel number 041-071-050, as requested on CUP application #2022-10. The approved use shall not be expanded or modified beyond the approvals detailed in this document.
10. If changes are requested to the plan or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the Planning Commission prior to implementing the changes.
11. No changes shall be made to any approved plan(s), which would alter the character of the site plan or the use of the property, without prior approval of the City Planner and City Engineer.
12. If changes are requested to the site plan, use of the building/space, or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the City Council, prior to implementing the changes.
13. No exterior storage of any materials, equipment, or vehicles is permitted in such a manner as to constitute a nuisance violation of the Orland Municipal Code.

Use/Site Specific Conditions of Approval:

14. The applicant shall adhere to OMC Section 17.78.405(A)(2) by providing a monument-type base of masonry construction. Comparable alternative base materials may be used upon approval by the City.
15. The applicant shall adhere to OMC sections 17.78.405(A)(8) by displaying unanimated images which are changed no more than once per eight seconds.
16. Pursuant to OMC Section 17.78.405(A)(9) the digital displays shall not be brighter than the illumination limit recommended by the International Sign Association (ISA) for electronic message center signs, or 0.3 footcandles above ambient light when measured at the recommended distance as set forth by the ISA. A photocell, timer, or other similar device which automatically dims the display during nighttime hours to prevent glare impacts to motorists shall be installed.
17. The applicant shall install a parking block between the proposed sign base and the parking space to keep vehicles from backing into the monument sign.
18. The applicant shall not install the proposed sign in a manner that encroaches on either the Caltrans ROW (sidewalk), nor the landscaped space between the sidewalk and parking lot. The proposed sign, in its entirety, shall be installed within the parking lot only.

Statement of Acknowledgement:

I have reviewed the Conditions of Approval associated with the approval of CUP#2022-10 and acknowledge and consent to the Conditions as presented.

Signed,

GCOE, Tracey Quarne (Representative) Applicant

Date

CUP#2022-10: 129 East Walker Street
Glenn County Office of Education
City of Orland Planning Commission Meeting – January 19th, 2022
Page | 3

Shane Anderson (Authorized Agent) Landowner

Date

CITY OF ORLAND
PLANNING COMMISSION FINDINGS OF APPROVAL FOR:
CONDITIONAL USE PERMIT #2022-10
FOR: Glenn County Office of Education (Applicant/Owner);
Assessor's Parcel Number: 041-071-050;
129 East Walker Street, Orland, CA 95963

Findings for adoption of the Conditional Use Permit:

1. The proposal will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use;
2. The proposed use will not be detrimental or injurious to property and improvements in the neighborhood of the proposed use;
3. The proposed use will not be detrimental or injurious to the general welfare of the City of Orland; and
4. The proposed use will be consistent with the policies, standards and intent of any use designations of the general plan, any applicable specific plan and the applicable section of Title 17 of the Orland Municipal Code as applicable ("C-2", Community Commercial Zone and OMC 17.78.405(A)(10), Conditional uses requiring use permits).
5. The project will not have a significant or unmitigable impact on the physical environment.

Staff Analysis of Consistency with Required Findings:

1. The proposal will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use: *The proposed use is permitted with an approved Conditional Use Permit as established by the Orland Municipal Code and the request has been processed consistent with the provisions of Sections 17.78.405(A)(10) of the OMC. The proposed use would not jeopardize or be detrimental to the health, safety or general welfare of person residing or working in the neighborhood as the approval of this request would allow for specific zoning to be assigned to parcel: 041-071-050. The use would not result in any impacts to the existing environment, as the use will not create significant new noise, and there are no scenic vista points or designated scenic roadways in the area that would be affected. As conditioned, potential impacts associated with the approved use would be addressed. Subject to the issuance of a Conditional Use Permit by the Planning Commission, and subject to the Conditions of Approval for the project, uses of the site would remain consistent with the intent of the General Plan designation and zone district. As such, the project will not be detrimental to the health, safety or general welfare of the project area.*
2. The proposed use will not be detrimental or injurious to property and improvements in the neighborhood of the proposed use: *The proposed use would be compatible with the surrounding land uses and would not jeopardize or be detrimental to the health,*

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

3. The proposed use will not be detrimental or injurious to the general welfare of the city: *The proposed use is permitted with an approved Conditional Use Permit as established by the Orland Municipal Code and the request has been processed consistent with the provisions of Sections 17.78.405(A)(10) of the OMC. The proposed use would not jeopardize or be detrimental to the health, safety or general welfare of person residing or working in the neighborhood as the approval of this request would allow for specific zoning to be assigned to parcel: 041-071-050. The proposed Commercial use is compatible with the surrounding environment as the project site is located in an area of predominantly commercial uses. As conditioned, the use would not result in any adverse impacts to the existing environment, as the use will not create new noise, and there are no scenic vista points or designated scenic roadways in the area that would be affected. The proposed use would not result in the use of hazardous substances or create a hazardous condition on the site. As such, the project will not be detrimental to the health, safety or general welfare of the city.*
4. The proposed use will be consistent with the policies, standards and land use designations of the general plan and any applicable specific plan: *The City of Orland Municipal Code allows for specific zoning to be applied to a property zoned C-2 upon the approval of a Conditional Use Permit by the Planning Commission. With the issuance of a Conditional Use Permit, the project would be consistent with the City's codes and standards.*
5. The project will not have a significant or unmitigable impact on the physical environment. *The proposed project meets the criteria for the use of the New Construction and Accessory Structures Exemptions (15303 and 15311), pursuant to the State CEQA guidelines and will not have a significant impact on the physical environment.*

Notice of Exemption**Form D**

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

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

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

Project Title: Conditional Use Permit CUP#2022-10 – A request to approve the Conditional Use of a land parcel space, located on the parcel of land identified as Glenn County Assessor’s parcel number 041-071-050, as a Digital Display Monument Sign for the Glenn County Office of Education.

Project Location - Specific:

129 East Walker Street in Orland, Glenn County, CA 95963. APN 041-071-050

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

Description of Nature, Purpose, and Beneficiaries of Project: The City of Orland received a request for a Conditional Use Permit (CUP) to approve the Conditional Use of land space, located on the parcel of land identified as Glenn County Assessor’s parcel number 041-071-050, as a Digital Display Monument Sign for the Glenn County Office of Education Orland Center. The request includes the erection of an advertisement “Digital Display Monument Sign” onsite to be seen by passenger vehicles and the travelling public traversing East Walker Street (Hwy 32), located directly adjacent to the proposed Monument Sign location. The sign would exceed the allowable advertisement space (24 sq ft) and sign height (8 ft), as specified in the Orland Municipal Code. Pursuant to sections 17.80.010 of the Orland Municipal Code (OMC), the Planning Commission may issue a CUP to establish specific uses requiring a permit in the City of Orland. The primary beneficiary of the project will be the project applicant.

Name of Public Agency Approving Project:

City of Orland

Name of Person or Agency Carrying Out Project:

Shane Anderson

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: §15303 & §15311 New Construction and Accessory Structures Exemptions
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The City of Orland City Council has determined that this project is exempt from CEQA as it can be seen with certainty that the proposed revisions to the City of Orland Municipal Code would not have a significant effect on the environment. Therefore, the project is exempt pursuant to CEQA Guidelines Sections 15303 and 15311.

Lead Agency

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

Signature: _____ **Date:** _____ **Title:** City Clerk

■ Signed by Lead Agency

Date received for filing at OPR: _____ N/A

Attachment E

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

APPROVAL OF CONDITIONAL USE PERMIT #2022-10

**Location: An existing parcel identified as APN: 041-071-050 and located west of
Woodward Avenue, north of Hwy 32, at 129 East Walker Street
APPLICATION: Conditional Use Permit #2022-10**

WHEREAS, Mr. Anderson, on behalf of the Glenn County Office of Education (applicant/Land-owner), has requested a Conditional Use Permit (CUP) to allow for the approval of a new Digital Display Monument Sign pursuant to OMC Chapter 17.78.405; and,

WHEREAS, the Planning Commission held a duly noticed public hearing to accept public comments and to review and consider the application on January 19th, 2023; and

WHEREAS, the Planning Commission deliberated on the proposed request and has determined that, subject to approval of the Conditional Use Permit and the project Conditions of Approval, the request is consistent with the Orland General Plan and the requirements of Orland Zoning Code; and

WHEREAS, the Planning Commission has determined the project is Categorically Exempt from review under the California Environmental Quality Act (CEQA) pursuant to Sections 15303 and 15311 of the State CEQA guidelines further described as the 'New Construction & Accessory Structures' Exemptions; and

WHEREAS, the Planning Commission, in a staff report dated January 19th, 2023, has made the following findings with respect to the requested Conditional Use Permit:

1. The proposal will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use.
2. The proposed use will not be detrimental or injurious to property and improvements in the neighborhood of the proposed use.
3. The proposed use will not be detrimental or injurious to the general welfare of the city.
4. The proposed use will be consistent with the policies, standards and any use designations of the general plan, any applicable specific plan and the C-2, Community Commercial zoning district upon the issuance of the Permit.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Orland does hereby approve Conditional Use Permit #2022-10, subject to the following conditions:

General Conditions of Approval:

1. The applicant shall file a Declaration of Acceptance of the following conditions by submitting a signed copy of the conditions to the Planning Department within ten (10) days of Planning Commission approval.
2. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of permit constitutes cause for the revocation of said permit. Unless otherwise provided for in a special condition to this Use Permit, all conditions must be completed prior to or concurrently with the establishment of the granted use.
3. The use granted by this permit shall be established within one (1) year of the date of approval or the permit shall become null and void.

4. The applicant shall submit a check or money order in the amount of **\$100.00 made payable to the City of Orland** to cover costs associated with the preparation and filing of the Notice of Exemption from CEQA within five (5) days of the date of approval.
5. The applicant shall submit a check or money order in the amount of **\$50.00 made payable to the Glenn County Recorder's Office** for the fee to record the Notice of Exemption from CEQA within five (5) days of the date of approval.
6. Neither the applicant, or any agent nor representative of the applicant shall intentionally omit or misrepresent any material fact in connection with the application. Any alleged material misrepresentation shall constitute grounds for the City of Orland to commence a revocation hearing and constitute grounds to revoke the permit.
7. Minor changes to the approved project may be approved by the City Planner upon receipt of a substantiated written request by the applicant, or their respective designee. Prior to such approval, verification shall be made by each Department that the modification is consistent with the application, fees paid, and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application for amendment by public hearing before the City Council.
8. The project applicant and/or contractor shall obtain all necessary business licenses and permits from the City and pay all appropriate fees for any required utilities modification, construction, and connection work associated with the project. Project shall also obtain permits all necessary and required building permits from the City of Orland Building Department and pay all appropriate fees for construction work to be undertaken as a result of this approval.
9. The Use Permit is only approving the assignment of parcel specific zoning to a parcel of land identified as Glenn County Assessor's parcel number 041-071-050, as requested on CUP application #2022-10. The approved use shall not be expanded or modified beyond the approvals detailed in this document.
10. If changes are requested to the plan or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the Planning Commission prior to implementing the changes.
11. No changes shall be made to any approved plan(s), which would alter the character of the site plan or the use of the property, without prior approval of the City Planner and City Engineer.
12. If changes are requested to the site plan, use of the building/space, or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the City Council, prior to implementing the changes.
13. No exterior storage of any materials, equipment, or vehicles is permitted in such a manner as to constitute a nuisance violation of the Orland Municipal Code.

Use/Site Specific Conditions of Approval:

14. The applicant shall adhere to OMC Section 17.78.405(A)(2) by providing a monument-type base of masonry construction. Comparable alternative base materials may be used upon approval by the City.
15. The applicant shall adhere to OMC sections 17.78.405(A)(8) by displaying unanimated images which are changed no more than once per eight seconds.
16. Pursuant to OMC Section 17.78.405(A)(9) the digital displays shall not be brighter than the illumination limit recommended by the International Sign Association (ISA) for electronic message center signs, or 0.3 footcandles above ambient light when measured at the recommended distance as set forth by the ISA. A photocell, timer, or other similar device which automatically dims the display during nighttime hours to prevent glare impacts to motorists shall be installed.
17. The applicant shall install a parking block between the proposed sign base and the parking space in which a car would occupy to keep cars from backing into the monument sign.
18. The applicant shall not install the proposed sign in a manner that encroaches on either the Caltrans ROW (sidewalk), nor the landscaped space between the sidewalk and parking lot. The proposed sign in its entirety shall be installed within the parking lot only.

The foregoing Resolution was adopted by the Planning Commission on the 19th day of January 2023 by the following vote:

AYES: Commission Members:

NOES: Commission Members:

ABSENT: Commission Members:

ABSTAIN: Commission Members:

Wade Elliott, Chairman

ATTEST:

Jennifer T. Schmitke, City Clerk / Clerk of the Planning Commission



CITY OF ORLAND Staff Report

TO: **City of Orland Planning Commission**

FROM: Scott Friend, AICP – City Planner

MEETING DATE: January 19, 2023; 5:30 p.m., Carnegie Center, 912 Third Street, Orland, CA 95963

SUBJECT: **Conditional Use Permit CUP#2022-11**: A request to approve a Conditional Use Permit (CUP) to permit the erection of a “Digital Display Pole Sign” on an existing parcel identified as 1366 Cortina Drive and further as Glenn County APN 040-310-013. The parcel is currently occupied by the Butte College Glenn County Center. The subject parcel is designated *Commercial (C)* on the General Plan land use map and is in the *P-D (Planned Development)* zoning district.

Pursuant to Orland Municipal Code (OMC) Chapters 17.78.405(A) and 17.78.450(B), the proposed action requires the approval of a Conditional Use Permit (CUP) by the Planning Commission due to the request involving an increase in the permitted sign advertising square footage and located within 310 feet of an existing digital display sign. Pursuant to OMC 17.78.405(A)(10) and further 17.78.450(B)(1), a CUP may be granted to exceed the allowable advertising surface for digital display pole signs and to be erected within 310 feet of an existing digital display pole sign.

Environmental Review: Staff recommends that the Planning Commission determine that the proposed action is *exempt* from further review pursuant to Section 15311 of the Public Resources Code, also known as the “Accessory Structures” Exemption.

Summary:

The City of Orland has received a request for a Conditional Use Permit (CUP#2022-11) on an existing parcel of land identified as 1366 Cortina Drive and further as Glenn County APN 040-310-013. The parcel is currently occupied by the Butte College Glenn County Center.

The subject parcel is designated *Commercial (C)* on the General Plan land use map and located in the *P-D (Planned Development)* zoning district. The property is currently developed. The parcel is owned by Vista La Mesa, LLC. The proposed action is only applicable to the Digital Display Pole Sign request and does not affect or otherwise alter any prior approvals or actions on the site.

Project Background:

The proposed action would result in the approval of a new Digital Display Pole Sign on the site. The existing parcel is approximately 6.17 acres in size. The proposed project would permit the installation of a Digital Display Pole Sign onsite to be seen by passenger vehicles traveling on Interstate 5. The proposed sign would exceed advertisement space, height standards, and distance to existing digital display signs in the vicinity found in the Orland Municipal Code section 17.78.405(A). OMC provides a maximum advertisement space of 100 square feet and not to be located within 310 feet of an existing digital display pole sign.

The proposed Sign, as indicated on *Attachment B Site Plan*, would have approximately 262 square feet of total advertisement space per side and would be located approximately 280 feet southwest of the Speedway Gas Station digital display sign. Displayed on *Attachment B* is photo rendering picture indicating the approximate size of the sign, as seen from approximately 100 feet to the north, along the Interstate 5 NB onramp.

The submitted pole sign site plans indicate the proposed pole sign would be along the eastern boundary of the project site, adjacent to the Interstate 5 NB offramp. As indicated in Section 17.78.405(A)(5), digital display pole signs shall be placed a minimum of 350 feet from existing digital display pole sign when possible. As indicated on *Attachment B2 Existing Pole Sign Locations*, the sign is approximately 280 feet from the Speedway fueling station to the northeast.

The OMC Design and Construction requirements for a Digital Display Pole Sign (17.78.405.A) include:

3. Digital display pole signs maximum total sign area shall be one hundred (100) square feet for a single (one use) sign and seven hundred fifty (750) square feet for a multi-use sign and a maximum height of the sign shall not exceed thirty (30) feet above the finished grade, including the sign with the exception of poles signs within six hundred (600) feet of Interstate 5. Digital display signs in this area are allowed a maximum height of seventy (70) feet above the finished grade, not including the sign;
5. No digital display pole sign(s) shall be allowed to be constructed within three hundred thirty (330) feet of any existing digital display pole sign unless otherwise permitted by the planning commission pursuant to the provisions of this section and Section 17.78.450, exceptions;
8. Any digital displays shall display unanimated images and/or copy. For the purposes of this section, unanimated images and/or copy shall be defined as those which are changed no more than once per eight seconds;
9. Digital displays shall not be brighter than the illumination limit recommended by the International Sign Association (ISA) for electronic message center signs, or 0.3 footcandles above ambient light when measured at the recommended distance as set forth by the ISA. Digital display signs shall be equipped with a photocell, timer, or other similar device which automatically dims the display during nighttime hours to prevent glare impacts to motorists;

The OMC Design and Construction requirements for a Digital Display Pole Sign (17.78.250.B) include:

6. All such signs shall be required to provide an architecturally enhanced treatment for the sign base, pole and supports compatible with the individual business or the

complex/center. Pole covers and sign base shall be a minimum of twenty-five (25) percent of the full sign width;

7. Engineering plans shall be required in accordance with Section 17.78.050(J) for all pole signs
8. The grounds surrounding the pole base shall be clear of all brush, vegetation, weeds and debris within a (15) foot perimeter at all times;

Pursuant to OMC Section 17.78.450(C)(i) *Height and Size Exceptions – Conditions for Granting*, the Planning Commission, through a CUP, may grant exceptions upon the verified application of any property owner as to the maximum overall height of any sign above natural ground level or as to the maximum square feet of advertising surface, whenever one or more of the conditions hereinafter set forth exist.

The proposed use has been reviewed by all City reviewing parties including the City of Orland Fire Chief, Public Works Director, City Engineer and Police Chief. All concerns and issues expressed by the reviewing parties have been addressed to their satisfaction. No written or verbal opposition to the project has been presented nor is known.

Conditional Use Permit:

Chapter 17.80 of the OMC provides the legal authority and basis for the issuance of a Conditional Use Permit in the City. Section 17.80.010 establishes that:

“A request for a use permit may be granted, granted subject to conditions, or denied by the planning commission for any use for which a use permit is permitted or required by these regulations, or for any use which, while not specifically enumerated in these regulations, is, in the opinion of the planning commission, similar to and compatible with the uses permitted in the zone in which the subject property is situated.”

Section 17.80.040 of the OMC states that, *“Approval of an application for a use permit shall be based upon a written finding that:*

Establishment, maintenance, or operation of the use of building applied for will not, under the circumstances of the particular case, be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be materially detrimental to property or improvements in the neighborhood or to the general welfare of the City.”

As established in OMC Section 17.80.010, the Planning Commission may impose conditions of approval on a use permit that it finds necessary to carry out the purpose of this title.

Upon review of the application, staff believes that the establishment, maintenance, or operation of the proposed project will not, under the circumstances of the particular case, be materially detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be materially detrimental to property or improvements in the neighborhood or to the general welfare of the City.

Environmental determination:

The City of Orland, as the Lead Agency for the project pursuant to the requirements of the California Environmental Quality Act (CEQA), has reviewed the proposed project and determined

that the project is exempt from further review under the California Environmental Quality Act (CEQA). This project is exempt from environmental review under the “Accessory Structures” Exemption of the Public Resources Code, §15311, as it has been determined to not have a significant impact on the environment. Staff has determined that this project meets the requirements for these exemptions and is recommending a determination of such to the Planning Commission.

Recommendation:

Based upon the information contained in this report and after consideration of the attributes specific to the proposed site, staff is recommending that the Planning Commission **approve** Conditional Use Permit #2022-11 subject to conditions of approval, a request to approve a new Digital Display Pole Sign (with approximately 262 square feet of advertisement space per side) on an existing parcel of land identified as Glenn County Assessor’s parcel number 040-310-013.

Specifically, staff recommends that the following actions take place:

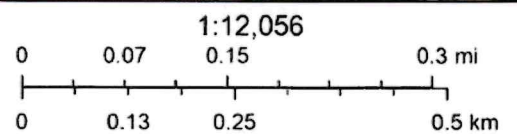
1. *California Environmental Quality Act (CEQA)*: Staff is recommending that the Planning Commission approve the project (CUP 2022-11) and determine that the proposed action is *exempt* from further review pursuant to Section 15311 of the Public Resources Code.
2. *Conditional Use Permit*: Move to approve Planning Commission Resolution PC 2022-____, approving Conditional Use Permit application #2022-11 subject to the Conditions of Approval provided as **Attachment C** and Findings shown on **Attachment D**.

ATTACHMENTS

- **Attachment A – Project Location Map**
- **Attachment B1 – Site Plan**
- **Attachment B2 – Existing Pole Sign Locations within 310 Feet**
- **Attachment B3 – Pole Sign Specs**
- **Attachment C - Conditions of Approval for CUP #2022-11**
- **Attachment D – Required CUP Findings #2022-11**
- **Attachment E – Notice of Exemption for CUP #2022-11**
- **Attachment F – Planning Commission Resolution PC 2022-____**



Project Boundary



Esri Community Maps Contributors, © OpenStreetMap, Microsoft
Esri, HERE, Garmin, SafeGraph, INCREMENT P, METANASA
USGS, Bureau of Land Management, EPA, NPS, US Census
Bureau, USDA



ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

12/13/2022

Attachment A— Project Location
CUP #2022-11 Butte College Glenn Center Sign

SIGN	DESCRIPTION	SQFT
A	ILLUMINATED POLE SIGN W/ ELECTRONIC MESSAGE BOARD	262.2
		262.2

Applicant and Landowner:

-Vista La Mesa LLC
3083 Southgate Lane
Chico CA 95928

-James Seegert - Managing Partner

-Ph. 530-518-7200

Agent:

-Shirah Builders
730 Medallion Ct
Lincoln CA 95648

-Nick Trover - Project Manager

-Ph. 530-519-7132

APN:

-040-310-009



3707 ELECTRO WAY
REDDING, CA 96002
(530) 223-2030
FAX (530) 223-2060

mchalesign.com

OWNERSHIP OF THIS
DESIGN IS HELD BY
McHALE SIGN INC. THIS
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OUTSIDE YOUR
ORGANIZATION NOR IS
TO BE COPIED,
REPRODUCED, OR
EXHIBITED IN ANY
MANNER.

BUTTE COLLEGE
1366 CORTINA DR
ORLAND, CA 95963

WO# _____

SCALE _____

APPROVED BY: _____

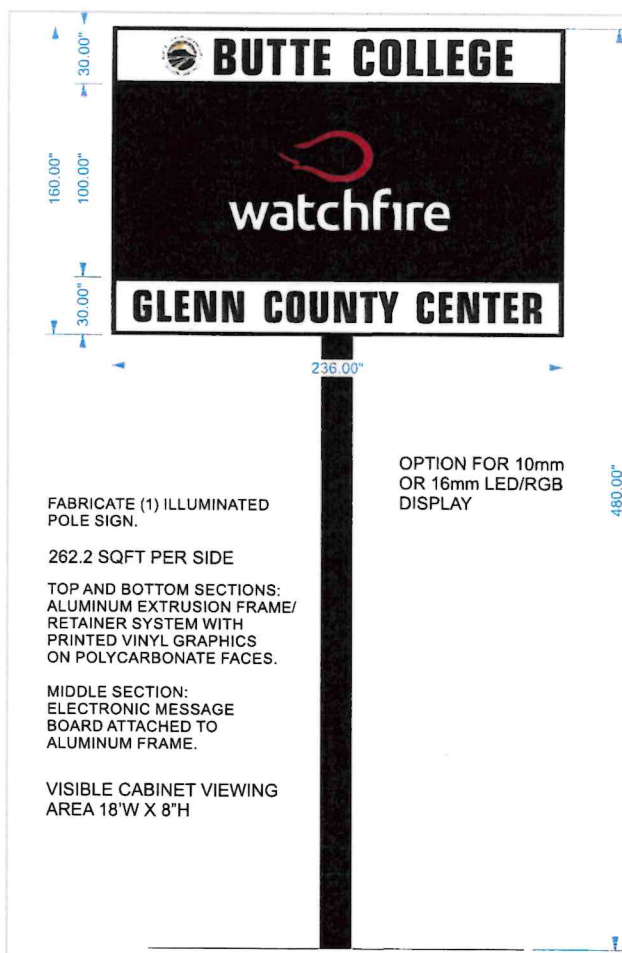
DATE: _____

THIS SIGN IS INTENDED TO
BE INSTALLED IN
ACCORDANCE WITH THE
REQUIREMENTS OF
ARTICLE 600 OF THE
NATIONAL ELECTRICAL
CODE INCLUDING PROPER
GROUNDING AND BONDING
OF THE SIGN

(A thorough site survey is
required to obtain exact
sizes for correct install. Clear
and unobstructed access
required behind wall for remote
wiring but adequate blocking
behind wall required for
support. Primary 120 volt
electric feed done by others.)

The location of the
disconnect switch after
installation shall comply
with Article 600.6(A)(1) of
the National Electric Code.

11/16/22



3707 ELECTRO WAY
REDDING, CA 96002
(530) 223-2030
FAX (530) 223-2060

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BUTTE COLLEGE
1356 CORTINA DR
ORLAND, CA 95963

WO# _____

SCALE _____

APPROVED BY: _____

DATE: _____

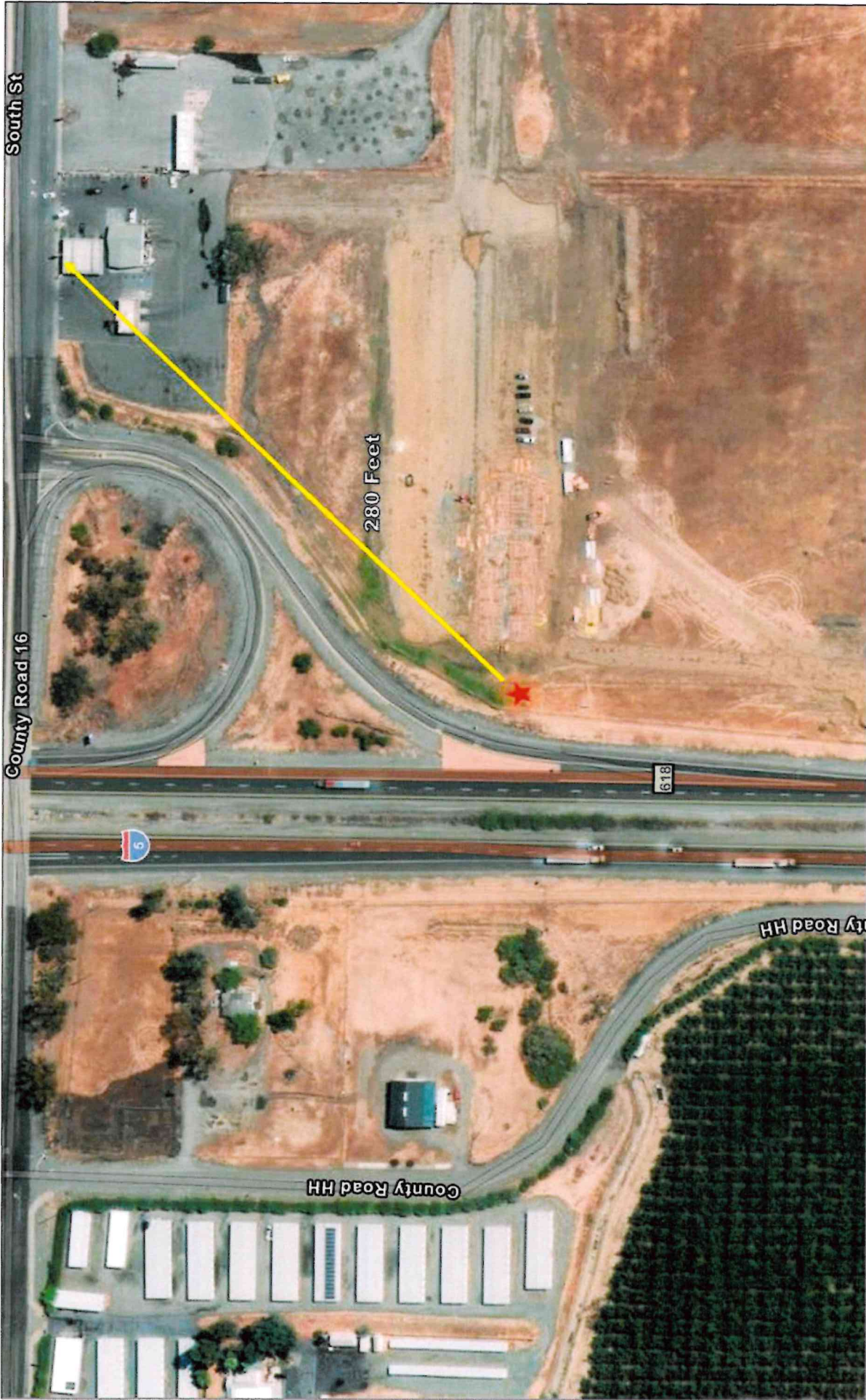
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE INCLUDING PROPER GROUNDING AND BONDING OF THE SIGN

(A thorough site survey is required to obtain exact sizes for correct install. Clear and unobstructed access required behind wall for remote wiring but adequate blocking behind wall required for support. Primary 120 volt electric feed done by others.)

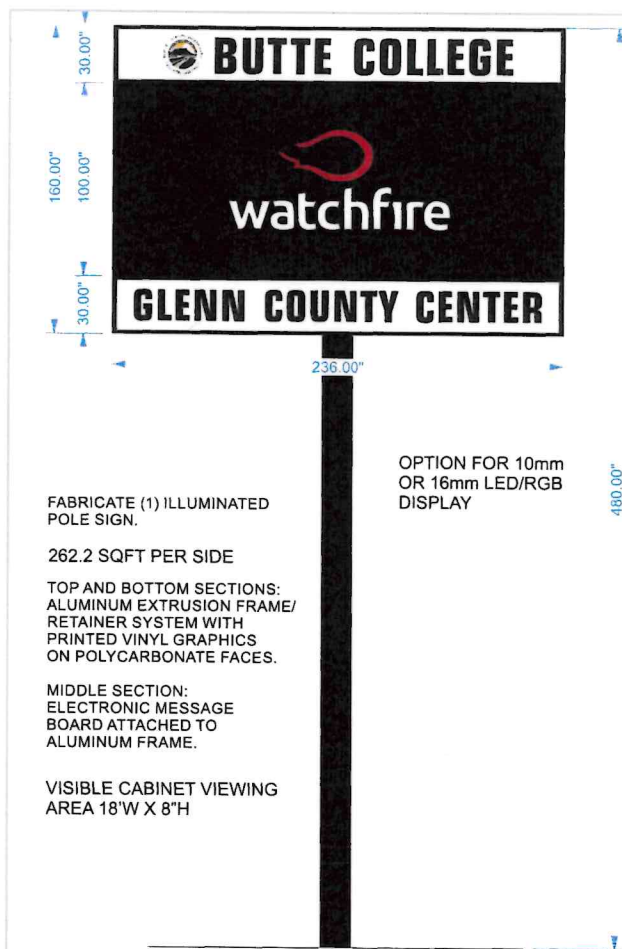
The location of the disconnect switch after installation shall comply with Article 600.6(A)(1) of the National Electric Code.

11/16/22

Graphics\Butte College\Orland Campus Message Center\Permit\butteCollegePoleSignPermitCDR01



<p>Esri Community Maps Contributors, © OpenStreetMap, Microsoft Esri, HERE, Garmin, SwireGraph, INCREMENT P, METI/ASA USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA</p>	<p>Project Boundary</p>	<p>Pole Sign Location</p>	<p>Attachment B2. Existing Pole Sign Locations CUP 2022-11 Butte College Digital Display Pole Sign</p>
<p>12/13/2022</p>	<p>12/13/2022</p>	<p>ECORP Consulting, Inc. ENVIRONMENTAL CONSULTANTS</p>	<p>12/13/2022</p>



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BUTTE COLLEGE
1386 CORTINA DR
ORLAND, CA 95963

WO# _____

SCALE _____

APPROVED BY: _____

DATE: _____

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE INCLUDING PROPER GROUNDING AND BONDING OF THE SIGN

(A thorough site survey is required to obtain exact sizes for correct install. Clear and unobstructed access required behind wall for remote wiring but adequate blocking behind wall required for support. Primary 120 volt electric feed done by others.)

The location of the disconnect switch after installation shall comply with Article 600.6(A)(1) of the National Electric Code.

11/16/22

Graphics\Butte College\Orland Campus Message Center\Permit\ButteCollegePoleSignPermitCDR01

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT #2022-11, Digital Display Monument Sign
Butte College Glenn County Center

Assessor's Parcel Numbers: 040-310-013

Project location: 1366 Cortina Drive, Orland, Glenn County, CA 95963

Zoning: "P-D" (Planned Development);

General Plan Land Use Designation: "Commercial".

Conditional Use Permit #2022-11 – Vista La Mesa, LLC (Landowners): A request for approval of a Conditional Use Permit to allow for the erection of a new Digital Display Monument Sign located south of the South Street/Interstate 5 NB Offramp intersection in the P-D, *Planned Development* zoning district. Pursuant to OMC Sections 17.78.405(A)(10) and 17.78.450(B)(1), the Planning Commission may issue a Conditional Use Permit, as defined in the Orland Municipal Code Chapter 17.80, for all digital display pole signs that exceed the allowable advertising surface and total height (100 sq. ft. and 30 feet in height) as defined in section 17.78.405(A)(3), and pole signs that are erected within 330 feet of an existing digital display sign, respectively.

General Conditions of Approval:

1. The applicant shall file a Declaration of Acceptance of the following conditions by submitting a signed copy of the conditions to the Planning Department within ten (10) days of Planning Commission approval.
2. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of permit constitutes cause for the revocation of said permit. Unless otherwise provided for in a special condition to this Use Permit, all conditions must be completed prior to or concurrently with the establishment of the granted use.
3. The use granted by this permit shall be established within one (1) year of the date of approval or the permit shall become null and void.
4. The applicant shall submit a check or money order in the amount of **\$100.00 made payable to the City of Orland** for the preparation of the Notice of Exemption from CEQA within five (5) days of the date of approval.
5. The applicant shall submit a check or money order in the amount of **\$50.00 made payable to the Glenn County Recorder's Office** for the fee to record the Notice of Exemption from CEQA within five (5) days of the date of approval.
6. Neither the applicant, or any agent nor representative of the applicant shall intentionally omit or misrepresent any material fact in connection with the application. Any alleged material misrepresentation shall constitute grounds for the City of Orland to commence a revocation hearing and constitute grounds to revoke the permit.
7. Minor changes to the approved sign may be approved by the City Planner upon receipt of a substantiated written request by the applicant, or their respective designee. Prior to such approval, verification shall be made by each Department that the modification is consistent with the application, fees paid, and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application for amendment by public hearing before the City Council.
8. The project applicant and/or contractor shall obtain all necessary business licenses and permits from the City and pay all appropriate fees for any required utilities modification, construction, and connection work associated with the project. Project shall also obtain permits all necessary and required building permits from the City of

Orland Building Department and pay all appropriate fees for construction work to be undertaken as a result of this approval.

9. The Use Permit is only approving the assignment of parcel specific zoning one parcel of land identified as Glenn County Assessor's parcel number 040-310-013, as requested on CUP application #2022-11. The approved use shall not be expanded or modified beyond the approvals detailed in this document.
10. If changes are requested to the plan or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the Planning Commission prior to implementing the changes.
11. No changes shall be made to any approved plan(s), which would alter the character of the site plan or the use of the property, without prior approval of the City Planner and City Engineer.
12. If changes are requested to the site plan, use of the building/space, or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the City Council, prior to implementing the changes.
13. No exterior storage of any materials, equipment, or vehicles is permitted in such a manner as to constitute a nuisance violation of the Orland Municipal Code.

Use/Site Specific Conditions of Approval:

14. The applicant shall adhere to OMC sections 17.78.250(B)(6) and 17.78.050(J) and provide engineering plans for the required enhanced architectural features at the base of the pole, with pole and supports compatible with the Butte College Glenn Center Campus onsite.
15. The applicant shall adhere to OMC Section 17.78.405(A)(4) by providing architectural pole enclosures for the length of the pole to add to the aesthetics of the design.
16. The applicant shall adhere to OMC sections 17.78.405(A)(8) by displaying unanimated images which are changed no more than once per eight seconds.
17. Pursuant to OMC Section 17.78.405(A)(9) the digital displays shall not be brighter than the illumination limit recommended by the International Sign Association (ISA) for electronic message center signs, or 0.3 footcandles above ambient light when measured at the recommended distance as set forth by the ISA. A photocell, timer, or other similar device which automatically dims the display during nighttime hours to prevent glare impacts to motorists shall be installed.
18. Pursuant to OMC Section 17.78.250(B)(8) the grounds surrounding the pole base shall be clear of all brush, vegetation, weeds, and debris within a (15) foot perimeter at all times.

Statement of Acknowledgement:

I have reviewed the Conditions of Approval associated with the approval of CUP#2022-11 and acknowledge and consent to the Conditions as presented.

Signed,

Vista La Mesa, LLC, James Seegert (Representative) Applicant

Date

Shirah Builders, Nick Trover (Authorized Agent) Landowner

Date

Attachment C

CITY OF ORLAND
PLANNING COMMISSION FINDINGS OF APPROVAL FOR:
CONDITIONAL USE PERMIT #2022-11
FOR: Vista La Mesa, LLC (Applicant/Owner);
Assessor's Parcel Number: 040-310-013;
1366 Cortina Drive, Orland, CA 95963

Findings for adoption of the Conditional Use Permit:

1. The proposal will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use;
2. The proposed use will not be detrimental or injurious to property and improvements in the neighborhood of the proposed use;
3. The proposed use will not be detrimental or injurious to the general welfare of the City of Orland; and
4. The proposed use will be consistent with the policies, standards and intent of any use designations of the general plan, any applicable specific plan and the applicable section of Title 17 of the Orland Municipal Code as applicable ("P-D", Planned Development Zone and OMC 17.78.405[A][10] and 17.78.450[B][1], Conditional uses requiring use permits).
5. The project will not have a significant or unmitigable impact on the physical environment.

Staff Analysis of Consistency with Required Findings:

1. The proposal will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use: *The proposed use is permitted with an approved Conditional Use Permit as established by the Orland Municipal Code and the request has been processed consistent with the provisions of Sections 17.78.405(A)(10) and 17.78.450(B)(1) of the OMC. The proposed use would not jeopardize or be detrimental to the health, safety or general welfare of person residing or working in the neighborhood as the approval of this request would allow for specific zoning to be assigned to parcel: 040-310-013. The use would not result in any impacts to the existing environment, as the use will not create significant new noise, and there are no scenic vista points or designated scenic roadways in the area that would be affected. As conditioned, potential impacts associated with the approved use would be addressed. Subject to the issuance of a Conditional Use Permit by the Planning Commission, and subject to the Conditions of Approval for the project, uses of the site would remain consistent with the intent of the General Plan designation and zone district. As such, the project will not be detrimental to the health, safety or general welfare of the project area.*
2. The proposed use will not be detrimental or injurious to property and improvements in the neighborhood of the proposed use: *The proposed use would be compatible with the surrounding land uses and would not jeopardize or be detrimental to the health,*

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

3. The proposed use will not be detrimental or injurious to the general welfare of the city: *The proposed use is permitted with an approved Conditional Use Permit as established by the Orland Municipal Code and the request has been processed consistent with the provisions of Sections 17.78.405(A)(10) and 17.78.450(B)(1) of the OMC. The proposed use would not jeopardize or be detrimental to the health, safety or general welfare of person residing or working in the neighborhood as the approval of this request would allow for specific zoning to be assigned to parcel: 040-310-013. The proposed Commercial use is compatible with the surrounding environment as the project site is located in an area of predominantly commercial uses. As conditioned, the use would not result in any adverse impacts to the existing environment, as the use will not create new noise, and there are no scenic vista points or designated scenic roadways in the area that would be affected. The proposed use would not result in the use of hazardous substances or create a hazardous condition on the site. As such, the project will not be detrimental to the health, safety or general welfare of the city.*
4. The proposed use will be consistent with the policies, standards and land use designations of the general plan and any applicable specific plan: *The City of Orland Municipal Code allows for specific zoning to be applied to a property zoned P-D upon the approval of a Conditional Use Permit by the Planning Commission. With the issuance of a Conditional Use Permit, the project would be consistent with the City's codes and standards.*
5. The project will not have a significant or unmitigable impact on the physical environment. *The proposed project meets the criteria for the use of the Accessory Structure Exemptions (15311), pursuant to the State CEQA guidelines and will not have a significant impact on the physical environment.*

Notice of Exemption**Form D**

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

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

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

Project Title: Conditional Use Permit CUP#2022-11 – A request to approve the Conditional Use of a land parcel space, located on the parcel of land identified as Glenn County Assessor's parcel number 040-310-013, as a Digital Display Pole Sign for the Butte College Glenn County Center.

Project Location - Specific:

1366 Cortina Drive in Orland, Glenn County, CA 95963. APN 040-310-013

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

Description of Nature, Purpose, and Beneficiaries of Project: The City of Orland received a request for a Conditional Use Permit (CUP) to approve the Conditional Use of land space, located on the parcel of land identified as Glenn County Assessor's parcel number 040-310-013, as a Digital Display Pole Sign for the Butte College Glenn Center. The request includes the erection of an advertisement "Digital Display Pole Sign" onsite to be seen by passenger vehicles and the travelling public traversing Interstate 5, located directly adjacent to the proposed Pole Sign location. The sign would exceed the allowable advertisement space (100 sq ft), sign height (30 ft), and would be erected within (310) feet of an existing Digital Display Sign, as specified in the Orland Municipal Code. Pursuant to sections 17.80.010 of the Orland Municipal Code (OMC), the Planning Commission may issue a CUP to establish specific uses requiring a permit in the City of Orland. The primary beneficiary of the project will be the project applicant.

Name of Public Agency Approving Project:

City of Orland

Name of Person or Agency Carrying Out Project:

Nick Trover, Shirah Builders

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: \$15311 Accessory Structures Exemptions
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The City of Orland City Council has determined that this project is exempt from CEQA as it can be seen with certainty that the proposed revisions to the City of Orland Municipal Code would not have a significant effect on the environment. Therefore, the project is exempt pursuant to CEQA Guidelines Section 15311.

Lead Agency

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

Signature: _____ **Date:** _____ **Title:** City Clerk

■ Signed by Lead Agency

Date received for filing at OPR: N/A

Attachment E

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

APPROVAL OF CONDITIONAL USE PERMIT #2022-11

**Location: An existing parcel identified as APN: 040-310-013 and located south of South Street, east of Interstate 5, at 1366 Cortina Drive
APPLICATION: Conditional Use Permit #2022-11**

WHEREAS, Mr. Seegert, on behalf of the Vista La Mesa, LLC (applicant/Land-owner), has requested a Conditional Use Permit (CUP) to allow for the approval of a new Digital Display Pole Sign pursuant to OMC Chapter 17.78.405; and,

WHEREAS, the Planning Commission held a duly noticed public hearing to accept public comments and to review and consider the application on January 19th, 2023; and

WHEREAS, the Planning Commission deliberated on the proposed request and has determined that, subject to approval of the Conditional Use Permit and the project Conditions of Approval, the request is consistent with the Orland General Plan and the requirements of Orland Zoning Code; and

WHEREAS, the Planning Commission has determined the project is Categorically Exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15311 of the State CEQA guidelines further described as the 'Accessory Structures' Exemption; and

WHEREAS, the Planning Commission, in a staff report dated January 19th, 2023, has made the following findings with respect to the requested Conditional Use Permit:

1. The proposal will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed use.
2. The proposed use will not be detrimental or injurious to property and improvements in the neighborhood of the proposed use.
3. The proposed use will not be detrimental or injurious to the general welfare of the city.
4. The proposed use will be consistent with the policies, standards and any use designations of the general plan, any applicable specific plan and the P-D, Planned Development zoning district upon the issuance of the Permit.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Orland does hereby approve Conditional Use Permit #2022-11, subject to the following conditions:

General Conditions of Approval:

1. The applicant shall file a Declaration of Acceptance of the following conditions by submitting a signed copy of the conditions to the Planning Department within ten (10) days of Planning Commission approval.
2. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of permit constitutes cause for the revocation of said permit. Unless otherwise provided for in a special condition to this Use Permit, all conditions must be completed prior to or concurrently with the establishment of the granted use.
3. The use granted by this permit shall be established within one (1) year of the date of approval or the permit shall become null and void.

4. The applicant shall submit a check or money order in the amount of **\$100.00 made payable to the City of Orland** to cover costs associated with the preparation and filing of the Notice of Exemption from CEQA within five (5) days of the date of approval.
5. The applicant shall submit a check or money order in the amount of **\$50.00 made payable to the Glenn County Recorder's Office** for the fee to record the Notice of Exemption from CEQA within five (5) days of the date of approval.
6. Neither the applicant, or any agent nor representative of the applicant shall intentionally omit or misrepresent any material fact in connection with the application. Any alleged material misrepresentation shall constitute grounds for the City of Orland to commence a revocation hearing and constitute grounds to revoke the permit.
7. Minor changes to the approved project may be approved by the City Planner upon receipt of a substantiated written request by the applicant, or their respective designee. Prior to such approval, verification shall be made by each Department that the modification is consistent with the application, fees paid, and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application for amendment by public hearing before the City Council.
8. The project applicant and/or contractor shall obtain all necessary business licenses and permits from the City and pay all appropriate fees for any required utilities modification, construction, and connection work associated with the project. Project shall also obtain permits all necessary and required building permits from the City of Orland Building Department and pay all appropriate fees for construction work to be undertaken as a result of this approval.
9. The Use Permit is only approving the assignment of parcel specific zoning one parcel of land identified as Glenn County Assessor's parcel number 040-310-013, as requested on CUP application #2022-11. The approved use shall not be expanded or modified beyond the approvals detailed in this document.
10. If changes are requested to the plan or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the Planning Commission prior to implementing the changes.
11. No changes shall be made to any approved plan(s), which would alter the character of the site plan or the use of the property, without prior approval of the City Planner and City Engineer.
12. If changes are requested to the site plan, use of the building/space, or the Conditions of Approval, a Conditional Use Permit Amendment shall be required, with all applicable fees, and approved by the City Council, prior to implementing the changes.
13. No exterior storage of any materials, equipment, or vehicles is permitted in such a manner as to constitute a nuisance violation of the Orland Municipal Code.

Use/Site Specific Conditions of Approval:

14. The applicant shall adhere to OMC sections 17.78.250(B)(6) and 17.78.050(J) and provide engineering plans for the required enhanced architectural features at the base of the pole, with pole and supports compatible with the Butte College Glenn Center Campus onsite.
15. The applicant shall adhere to OMC Section 17.78.405(A)(4) by providing architectural pole enclosures for the length of the pole to add to the aesthetics of the design.
16. The applicant shall adhere to OMC sections 17.78.405(A)(8) by displaying unanimated images which are changed no more than once per eight seconds.
17. Pursuant to OMC Section 17.78.405(A)(9) the digital displays shall not be brighter than the illumination limit recommended by the International Sign Association (ISA) for electronic message center signs, or 0.3 footcandles above ambient light when measured at the recommended distance as set forth by the ISA. A photocell, timer, or other similar device which automatically dims the display during nighttime hours to prevent glare impacts to motorists shall be installed.
18. Pursuant to OMC Section 17.78.250(B)(8) the grounds surrounding the pole base shall be clear of all brush, vegetation, weeds, and debris within a (15) foot perimeter at all times.

The foregoing Resolution was adopted by the Planning Commission on the 19th day of January 2023 by the following vote:

AYES: Commission Members:

NOES: Commission Members:

ABSENT: Commission Members:

ABSTAIN: Commission Members:

Wade Elliott, Chairman

ATTEST:

Jennifer T. Schmitke, City Clerk / Clerk of the Planning Commission

Date Filed: 12/8/22
CUP # 2022-10

CITY OF ORLAND
815 FOURTH STREET
ORLAND, CA 95963
530.865.1600
530.865.1632 (fax)

APPLICATION FOR A CONDITIONAL USE PERMIT (Failure to answer applicable questions and provide required attachments could delay the processing of your application).

1. Applicant:

Name: Vista La Mesa, LLC. James Seegert - Managing Partner
Address: 3083 Southgate Lane, Chico CA 95928
Phone: (Business): _____ (Home): _____
Mobile: 530-518-7200 (Email): _____

2. Landowner:

Name: Vista La Mesa, LLC. James Seegert Managing Partner
Address: 3083 Southgate Lane, Chico CA 95928
Phone: (Business): _____ (Home): _____
Mobile: 530-518-7200 (Email): _____

3. Agent (Engineer, Surveyor, etc):

Name: Shirah Builders, Nick Trover - Project Manager
Address: 730 Medallion Court, Lincoln CA 95648
Phone: (Business): _____ (Home): _____
Mobile: 530-682-0353 (Email): _____

4. **Request (Please explain in detail the specific project for this Use Permit):**

The applicant is requesting approval to install an electronic sign at the new Butte College Glenn

Center located at 1366 Cortina Drive.

5. **Address of the Site for this Use Permit:**

1366 Cortina Drive

Orland CA 95963

6. **Current Assessor's Parcel Number:** 040-310-009

7. **Existing Zoning:** P-D

8. **Existing Use of Property:** Education - School Site

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

DECLARATION UNDER PENALTY OF PERJURY

(Must be signed by the applicant and the property owner)

I am (we are) the owner(s) and/or applicant(s) of property involved in this application, and I (we) have completed this application and all other documents required.

I am (we are) the owner(s) and/or applicant(s) of the property consenting to the preparation and submission of this application.

I (we) also shall agree to abide by the conditions of approval as issued by the Planning Commission.

I (we) declare under penalty of perjury that the foregoing is true and correct.

The property owner(s) and/or applicant(s) by signing this application, shall be deemed to have agreed to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void, or null the approval of this development entitlement or approval or certification of the environmental document which accompanies it, or to obtain damages relating to such action(s). This indemnification agreement shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of the entitlement, whether or not there is concurrent passive or active negligence on the part of the City.

Property Owner:

James Seegert - Managing Partner

Printed Name

Signature

Date

****Please Note:** If the Property Owner is a corporation, partnership, etc., a signed Resolution from the corporation, partnership, etc., shall be submitted as part of this application to the City of Orland denoting the authority for this signature.

Applicant:

James Seegert - Managing Partner

Printed Name

Signature

Date

Agent:

Nick Trover - Project Manager

Printed Name

Signature

Date



12-8-2012