

PLANNING COMMISSION MINUTES
February 16, 2023

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

2. Pledge of Allegiance

3. Roll Call:

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

4. ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments – None

5. CONSENT CALENDAR

Approval of Prior Minutes: December 15, 2022, and January 19, 2023

ACTION: Commissioner Lazorko moved, seconded by Commissioner Romano to approve consent calendar as presented. Motion carried unanimously by a voice vote, 5-0.

6. PUBLIC HEARING

A. Tentative Parcel Map: TPM 2022-01 – Byron and Donna Royce (Applicant[s]/Landowner[s]) at 611 Papst Avenue. APN 041-090-007.

City Planner Scott Friend presented a request to approve a tentative parcel map that would subdivide an existing 3.07-acre parcel into two (2) lots. The parcel is located immediately east of and directly adjacent to Papst Avenue at the western terminus of E Tehama Street. The parcel is zoned *R-1 Residential One-Family* and has a designation of *R-L Residential Low Density*. Mr. Friend stated that there is no construction being proposed with this application. Mr. Friend shared that currently the site is vacant/undeveloped with the exception of a single-family dwelling located on the southwestern corner of the property. Mr. Friend explained the parcel owner would like to divide the lot so that the existing house is on its own parcel. Mr. Friend shared that without the tentative parcel map the house cannot be sold without selling the acreage around the house as well.

Mr. Friend reported that the house is currently connected to City water and sewer. Mr. Friend shared with the Commission that the action tonight would allow for a new parcel 2 which would result in 2.85 acres leaving parcel 1 with the house approximately 9,700 square feet.

Mr. Friend shared that the City Engineer has been working with the surveyor and noted that the Right of Way of Papst Avenue has a slight increase in width beyond what is delineated on the TPM. As a result of the modified right-of-way width, Mr. Friend noted that the proposed lot sizes will reduce slightly, but

reminded the Commission that the parcel sizes will still meet Orland Municipal Code (OMC) zoning requirements.

Commissioner Romano asked if there were any plans in the future to add an easement on Swift Street. Mr. Friend stated there were no plans to add an easement at that location as far as he was aware.

Chairperson Nordbye opened the Public Hearing at 5:41 PM.

With no comments, Chairperson Nordbye closed the Public Hearing at 5:41 PM.

Vice Chairperson Elliott asked if the current property is all zoned R-1, Mr. Friend concurred. Vice Chairperson Elliott asked if the newly created parcel could also be developed if it fit within the R-1 zone, Mr. Friend concurred.

ACTION: Vice Chairperson Elliott moved, seconded by Commissioner Romano that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15315, Minor Land Division, and §15061(b)(3), the “Common Sense” exemption and that the Planning Commission approve Resolution 2023-03 approving TPM#2023-01 as presented. Motion carried, 5-0 by a voice vote.

B. Zoning Ordinance Text Amendment (ZCA 2023-01) – Joint Tenant Pole Signs.

Mr. Friend presented an amendment to the Orland Municipal Code (OMC) Title 17, Chapter 17.78 *Sign Ordinance* to incorporate the Conditional Use of “joint tenant” signs for tenants that are on separate parcels. Mr. Friend shared that the proposed addition to the Ordinance would apply to commercial uses in the “Freeway Influence Area” (FIA) exclusively. Mr. Friend reminded the Commission that the request from the Planning Commission was directed toward City Staff to review the code and make necessary changes and updates to avoid confusion for future projects.

Mr. Friend shared with the Commission that currently the OMC does not allow for business signs to advertise use located off-site from the actual business location. Mr. Friend stated that it does happen, it just isn’t permitted in the code. Mr. Friend informed the Commission members that the current code only allows one (1) off-site multi-tenant sign in each of the six (6) freeway Interchange districts around the two main interchange areas in Orland. Mr. Friend noted that the code does not have a clearly defined section in Chapter 17.78 that specifically allows an applicant to apply for a Conditional Use Permit (CUP) that would permit the use of a “joint tenant” pole sign to provide advertising space for other businesses on separate and adjacent parcels, but still in the freeway interchange districts, to be advertised on the sign.

Mr. Friend spoke with the Commission about allowing for the Conditional Use of “joint tenant” pole signs in the “Freeway Influence Area”(FIA). Mr. Friend shared that Staff had reviewed several other cities’ special sign districts to provide the Planning Commission a few suggestions for the FIA defined boundaries. Many cities have chosen to define the boundaries of the special sign districts by a distance from the center line of major roadways. Staff suggested that the City of Orland Freeway Interchange Area (FIA) be defined as, “being within 1,000 feet from the center line of I-5, and zoned with the C1, C2, CH, ML, MU, or PD zoning districts and not in any *R (Residential)* zoning districts.” Mr. Friend presented two other options which were to extend the FIA out to 1,200 ft or 1,500 ft from the center line of I-5 to

capture and include additional commercial and industrial areas. Mr. Friend stated that Staff believes there are benefits to advertising a business where the advertisement can be seen from major roadways, like Interstate 5 (I-5), and noted that without an advertising device, such as a joint-tenant pole sign, traveling vehicles would not know such businesses existed within the City. Mr. Friend gave examples of different business along the freeway and into town giving the Commission an idea of the distances so they could determine the appropriate distance for such signs. Mr. Friend stated the existing code does not have either a definition of an FIA nor does it contemplate this idea. It is a new concept. Mr. Friend recommended that the Commission consider addition the concept into the Code along with a definition of what the FIA is.

Mr. Friend addressed with the Commission some idea about the appropriate number of off-site tenants that should be on one sign. Mr. Friend presented pictures of other multi-tenant signs to assist the Commission with the task of deciding what a reasonable number of tenants on one sign might be. Mr. Friend shared that City Staff was recommending no more than 3 off-site tenants (4 total) be allowed on one pole sign. Mr. Friend also addressed the topic of upkeep and maintenance of the sign and offered considerations regarding what could happen if one tenant on a multi-tenant sign closes shop. Mr. Friend asked the Planning Commission for suggestions regarding what provisions might be included in the ordinance to ensure the maintenance and upkeep task do not fall short in the case of a vacancy.

Mr. Friend asked the Planning Commission to join in a conversation with each other to decide whether what was brought forward needs more work or if the Commission liked the ordinance as it was presented.

Chairperson Nordbye opened the Public Hearing at 5:55 PM.

With no comments, Chairperson Nordbye closed the Public Hearing at 5:55 PM.

Commissioner Lazorko asked for clarification on if only one joint-tenant sign was allowed per the six highway business areas. Mr. Friend stated there could multiple such signs in each FIA. Mr. Friend shared that in the city code currently only permitted one large multiple tenant sign in each of the six (6) approved freeway interchange areas.

Commissioner Romano asked if the sign spacing limit was still in place. Mr. Friend stated the way the code reads currently, if an application was “conforming” with the requirements of the Code, the applicant does not have to come before the Commission to get a CUP. However, if an applicant wanted to go bigger in size, taller in height or to locate a freeway sign closer together that was allowed by the Code, the applicant would have to get a CUP from the Commission. Commissioner Romano asked if there was a square footage limit on the multi-tenant signs. Mr. Friend stated, yes. He noted however that if an applicant wanted to go bigger than the Code allowed, that they will have to go through the Planning Commission and get a CUP. Commissioner Romano asked is a 4-tenant sign would be allowed 400 square feet. Mr. Friend shared that the sign would be 250 square feet divided by the 4 proposed tenants. If additional square footage was desired, an applicant would then need to come to the Commission with a CUP request to ask for more sign area.

Chairperson Nordbye stated he like the idea of the 1,500 feet width for the Freeway Influence Area and noted that making the area as wide as possible would likely prevent City from needing to keep going back to change the code. Chairperson Nordbye noted that he believed that the Commission should add

something to the code stating that it was the responsibility of the property owner where the sign is located to be the person responsible for the upkeep and maintenance on the sign. Chairperson Nordbye also asked that wording be added to draft amendment to require that a sign be removed if a business was closed for more than a specific number of days.

Commissioner Romano asked about the “blue” directional signs located along the freeway that usually just say gas, food, or lodging. Mr. Friend noted that the blue signs are State endorsed signs that are maintained by Caltrans, and he noted that the City code did not apply to those signs.

Commissioner Lazorko asked if there were any downsides to selecting the 1,500 feet width for a FIA. Mr. Friend shared that one potential downside could be the potential for more multi-tenant signs if one felt that more signs were a downside.

Vice Chairperson Elliott shared that he liked the idea of creating a FIA and noted that he felt that the FIA being added and defined in the code would allow for other things to be determined in the future that the City may want. Vice Chairperson Elliott asked if the FIA could help set certain standards for future developers in the area. Mr. Friend stated that it could. Chairperson Elliott stated that he believed that the City wanted fewer pole signs when and where possible and that allowing more tenants on a single pole sign could possibly reduce the overall number of signs along the freeway. Vice chairman Elliott noted that in situations where a multiple tenant sign was to “by-right”, that no CUP would be required and that he believed that the responsibilities of the property owner on which the sign was located could and should be clearly addressed in the Code.

Commissioner Montague shared that he felt 1,500 ft was very business friendly and that adopting a wider area for such signs would only serve to benefit the City.

Commissioner Romano addressed her concern for the signs getting close to residential areas.

Commissioner Romano asked if digital signs will be held to the same code standards. Mr. Friend shared that digital signs were currently addressed separately in the code, but he noted that he will be coming back to the Commission to discuss digital signs a future meeting at which time the Commission could provide direction in that regard.

ACTION: Vice Chairperson Elliott moved, seconded by Commissioner Lazorko that the Planning Commission adopt Planning Commission Resolution 2023-04 with the following additions or clarifications to the draft Code amendment: 1) make the size of the proposed FIA 1,750 feet from the center line of I-5 as presented in the staff recommendation in the staff report, and, 2) add clear language to the Code regarding maintenance responsibilities and necessary upkeep of the signage that it will be the responsibility of the property owner on which the sign is located. The motion further noted that the proposed action is exempt from further review pursuant to Sections 15311 of the Public Resources Code. Motion carried, 4-1 (Commissioner Romano voted no) by a voice vote.

C. Rezoning and Tentative Subdivision Map: RZ 2022-01 and TSM 2022-01 – Lakeport Parkside, LLC / Schellinger Brothers (Applicant[s]/Landowner[s]) the southwest corner of Papst Avenue and South Street. APN 041-262-028.

Chairperson Nordbye stated that this item will be continued to the March 16, 2023, Planning Commission Meeting as requested by the applicant.

7. ITEMS FOR DISCUSSION

Mr. Friend let the Commission know that he had been informed that there were no formal meeting notes from the special meeting held between the City Council, Planning Commission, and the Economic Development Commission from July 14, 2022. Mr. Friend noted that if there is a topic that the Commission would like to request staff to follow-up on from the meeting, that he would be happy to have the topic added to a future Commission agenda.

Vice Chairperson Elliott recalled that that at the meeting the group discussed design standards in select areas, zones or districts where development is active such as the west side of I-5. Vice Chairperson Elliott shared that at the meeting he recalled that street and light standards and architectural standards were specific topics discussed. Mr. Friend asked if the Commission would like him to prepare a staff report on these items for the March Planning Commission meeting and the Commission was in consensus to do so.

8. STAFF REPORT

Mr. Friend shared a copy of the Planning Department's Annual Review presentation with the Commission and noted that he wanted the Commission to have the same information that he shared with the Council.

Commissioners discussed SB9 with Mr. Friend and asked questions about the new building inspector. Mr. Friend shared that various SB9 projects were continuing and/or beginning in 2023. The Commission thanked Mr. Friend for all that he does for the City.

9. COMMISSIONERS REPORTS

- Chairperson Nordbye nothing to report.
- Commissioner Romano nothing to report.
- Commissioner Montague nothing to report.
- Vice Chairperson Elliott reported he was anxious to hear about the Governors emergency orders in healthcare facilities on the mask mandate.
- Commissioner Lazorko had nothing to report.

10. FUTURE AGENDA ITEMS

Chairperson Nordbye asked to have the bike lane proposal that Commission Romano put together added to a future agenda. Commissioner Romano shared that in General Plan policy 2.3, the Plan talks about walkable neighborhoods, pedestrian traffic and bike paths and she would like to have a discussion on this at a future meeting. Mr. Friend stated he would add this item as requested to a future agenda that he would prepare a presentation addressing complete streets at a future meeting.

11. ADJOURNMENT – 6:49 PM

Respectfully submitted,

Jennifer Schmitke, City Clerk

Stephen Nordbye, Chairperson