



## ORLAND PLANNING COMMISSION REGULAR MEETING AGENDA

Thursday, December 19, 2024 at 5:30 PM  
Carnegie Center, 912 Third Street and via Zoom

P: (530) 865-1600 | [www.cityoforland.com](http://www.cityoforland.com)

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**Commission:** Stephen Nordbye | Wade Elliott

Sharon Lazorko | Vernon Montague | Alex Enriquez

**City Clerk:** Jennifer Schmitke

**City Staff:** Scott Friend, City Planner

**Virtual Meeting Information:**

<https://us02web.zoom.us/j/84857941270>

**Webinar ID: 848 5794 1270 | Zoom Telephone: 1 (669) 900-9128**

Public comments are welcomed and encouraged in advance of the meeting by emailing the City Clerk at [jtschmitke@cityoforland.com](mailto:jtschmitke@cityoforland.com) or by phone at (530) 865-1610 by 4:00 p.m. on the day of the meeting

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

**Public 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. The public is advised to limit discussion to one presentation per individual. While not required, please state your name and place of residence for the record. (Public Comments will be limited to three minutes).

6. **CONSENT CALENDAR**

A. Approve Planning Commission Minutes from October 17, 2024

7. **ITEMS FOR DISCUSSION OR ACTION**

A. Zoning Code Amendments - Accessory Structures. (DISCUSSION/DIRECTION)

8. **STAFF UPDATE**

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 December 12, 2024.

A complete agenda packet is available for public inspection during normal business hours at City Hall, 815 Fourth Street, in Orland or on the City's website at [www.cityoforland.com](http://www.cityoforland.com) where meeting minutes and video recordings are also available.

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 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 REGULAR MEETING MINUTES

Thursday, October 17, 2024

**CALL TO ORDER** – The meeting was called to order by Chairperson Stephen Nordbye at 5:30 PM.

### PLEDGE OF ALLEGIANCE

#### ROLL CALL:

Commissioner’s present:	Chairperson Stephen Nordbye, Vice Chairperson Sharon Lazorko and Commissioner Vern Montague
Commissioner present via zoom:	Commissioner Wade Elliott
Councilmember(s) present:	Bruce Roundy
Staff present:	City Planner Scott Friend; City Clerk Jennifer Schmitke

### ORAL AND WRITTEN COMMUNICATIONS - None

### CONSENT CALENDAR

Approval of Prior Minutes: September 19, 2024

**ACTION:** Commissioner Montague moved, seconded by Vice Chairperson Lazorko to approve consent calendar as presented. Motion carried unanimously by a voice vote, 3-0.

### ITEMS FOR DISCUSSION OR ACTION

#### A. Lot Line Adjustment – LLA #2024-01: Mower & Scofield

City Planner Scott Friend presented a proposed Lot Line Adjustment that involves transferring a portion of land from one parcel to an adjacent parcel. The applicants, Jason and Lindsay Mower, and Teri Scofield, have requested this adjustment for two parcels located north of Bryant Street, west of Papst Avenue, east of Byron Way, and south of Stony Creek Drive (APN: 046-340-003 and 041-020-024).

The project would shift approximately 451 square feet from Parcel 2 to Parcel 1, adjusting the property lines between the two. Specifically, the westernmost boundary of Parcel 2 would move about 11 feet to the west. As a result, Parcel 2 would increase from 7,035 sq. ft. to 7,486 sq. ft., while Parcel 1 would decrease from 8,156 sq. ft. to 7,705 sq. ft. No new parcels would be created through this adjustment (see Attachment A for a detailed map of the proposed changes).

Parcel 1 (APN 041-020-024) is owned by Shirley and Teri Scofield, and Parcel 2 (APN 046-340-003) is owned by Jason and Lindsay Mower. Both parcels contain single-family homes and are

designated as Low-Density Residential (R-L) under the City of Orland General Plan. The zoning for both parcels, and the surrounding area, is R-1 (Residential One-Family Zone), ensuring the consistency of land use within the neighborhood.

Commissioners didn't have any questions or issues regarding the item

**ACTION:** Commissioner Montague moved, seconded by Vice Chairperson Lazorko that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15315, Minor Land Divisions and Move that the Planning Commission approve Resolution 2024-04 approving Lot Line Adjustment #2024-01 as presented herein. Motion carried unanimously by a voice vote, 3-0.

**STAFF REPORT**

Mr. Friend noted that the Commission has recently had a few discussions on zoning code amendments. He requested the Commission review OMC 17.20.60, particularly focusing on sections 5 (setbacks) and 6 (plumbing and electricity) related to accessory structures, to determine if any updates are necessary. He also inquired if the Commission would like to consider this topic for a future agenda.

Mr. Friend shared there are currently no pending items for the November meeting.

**COMMISSIONERS REPORTS**

- **Commissioner Montague**: Asked about the parking requirements downtown regarding the Hive and Mr. Friend shared that there has been no application has come in but stated City Staff is working on a resolution.
- **Vice Chairperson Lazorko**: Nothing to report.
- **Chairperson Nordbye**: Attended the City Council meeting October 15<sup>th</sup> and heard the first reading of the Massage Ordinance.

**FUTURE AGENDA ITEMS - Nothing**

**ADJOURNMENT – 5:46 PM**

Respectfully submitted,

Jennifer Schmitke, City Clerk

Stephen Nordbye, Chairperson



## CITY OF ORLAND STAFF REPORT

MEETING DATE: December 19, 2024

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**TO:** City of Orland Planning Commission

**FROM:** Scott Friend, AICP – City Planner

**PREPARED BY:** Ruby Triguero, Associate Planner

**SUBJECT:** Zoning Code Amendments - Accessory Structures. *DISCUSSION AND/OR DIRECTION ONLY.*

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### SUMMARY:

Staff is requesting that the Planning Commission consider and discuss the City of Orland’s standards pertaining to **Accessory Structures** within Title 17 – *Zoning*, of the Orland Municipal Code.

### DISCUSSION:

#### Background:

Accessory structures are defined in the Orland Municipal Code as “...a usual and customary building normally associated with a permitted or conditional use.” (OMC 17.08.040). Accessory structures are intended to be incidental to or accessory to the main residential structure. This includes uses that are normally and customarily associated with an existing permitted or conditional use such as a detached enclosed garage, a storage structure, or a patio cover.

#### Current Standards for Accessory Structures:

Within the Orland Municipal Code (OMC), accessory structures are *conditionally permitted* in the R-1: *Residential One-Family Zone*; R-2: *Residential Two-Family Zone*; and, R-3: *Residential Multiple Family-Professional Zone*. All residential accessory uses and structures are subject to the following design standards:

**Table 1: City of Orland Design Standards for Accessory Structures:**

	<b>Enclosed Detached Garage</b>	<b>Detached Storage/Shop Building</b>	<b>Patio Cover/Shade Structure</b>
<b>Size</b>	Shall be at least 20' x 20'	Shall conform to the maximum building coverage requirements for the lot	n/a
<b>Height</b>	15'	15'	12'
<b>Utilities</b>	Shall be equipped with a 208/240 volt electrical outlet	<b>Shall <u>not</u> be equipped with electrical service or plumbing of any kind</b> <i>(Pertains <u>only</u> to the R-1 Zone)</i>	n/a
<b>Location</b>	Shall be positioned to have proper driveway access	Shall <u>not</u> be located in any required front yard, or in front of the primary structure (whichever is greater)	n/a
<b>Design</b>	Shall have a minimum 16' wide garage door	The roof pitch and construction materials of the building shall be similar to the main residential structure	Shall be open on at least two sides
	The roof pitch and construction materials of the building shall be similar to the main residential structure		

In utilizing, applying and considering the various design standards and considerations noted above, staff has the following observations and seeks input from the Commission on the following:

- 1) The three most common accessory use categories, (garage(s), storage/shop building(s), patio cover/shade structure(s)), present differing design and construction standards. City staff believe that the design standards for accessory structures could be amended to provide clarity and consistency with similar structure standards stated within Title 17 of the Orland Municipal Code.
- 2) Residential accessory structures are subject to minimum setback requirements, unless stated otherwise within the chapter (see Table 2). The minimum structure setback requirements pertain to detached accessory structures. Shall an accessory structure be attached, the setback for the main residential structure shall apply.

**Table 2: Minimum Structure Setback Requirements:**

	<b>R-1 Zone</b>	<b>R-2 Zone</b>	<b>R-3 Zone</b>
<b>Front</b>	35'	35'	35'
<b>Side</b>	5'	5'	5'
<b>Rear</b>	20'	20'	15'

The specific use of an accessory structure can be subject to specific setback standards. For instance, Section 17.20.070 states that an accessory structure that is not located on an alley, is metal sided and roofed, and greater than six feet tall, shall comply with the following setback standard:

*1' for each foot of height above six feet, up to ten feet*

The current setback requirements pose the potential for confusion amongst the Public and Staff believe amendments can be made to clarify these and other requirements for residential accessory structures.

### Summary of Proposed Code Amendments

Staff has analyzed the Design Requirements pertaining to accessory structures within Chapters 17.20 – R-1 Residential One-Family Zone, 17.24 – R-2 Residential Two-Family Zone, and 17.28 – R-3 Residential Multiple Family-Professional Zone, which all include similar standards for accessory structures. During the comprehensive analysis, several opportunities for text amendments arose. The proposed text strikethrough amendments can be seen in Attachment A and are summarized below:

- Remove the utility restriction for detached storage or shop buildings in the R-1 zone  
Section 17.20.060(E)(6):  
~~*The storage building shall not be equipped with electrical service or plumbing of any kind.*~~
- Add a standard for detached storage/shop buildings restricting the dwelling use within the structure  
Section 17.20.060(E)(7), Section 17.24.060(E)(6), and Section 17.28.060(E)(6):  
*Shall not be occupied for living purposes.*
- Amend the minimum side and rear structure setbacks of an accessory structure to four feet  
Section 17.20.070, Section 17.24.070, and Section 17.28.070:  
*Side: four feet, unless specified herein*  
*Rear: four feet, unless specified herein*
- Add the exception for accessory structures under 120 square feet to be excluded from design and setback requirements  
Section 17.20.070(B), Section 17.24.070(B), and Section 17.28.070(B):  
*Detached accessory buildings under one hundred-twenty (120) square feet in size not requiring a building permit are not subject to the regulations of this chapter.*
- Amend the Accessory Structure Setbacks requirements table
  - Eliminate the specificity of material and amend side and rear setback requirements
  - Amend minimum side setbacks of accessory structures to four feet
  - Amend side setbacks of accessory structures and garages with a street side lot to ten feet
  - Amend minimum rear setbacks of accessory structures to four feet. Accessory structures greater than six feet in height shall add an additional foot for each foot above six foot, fifteen foot maximum.

### Additional Items for Consideration

Amongst the amendments to the design standards and setback requirements of accessory structures, staff is interested in seeking the Planning Commission's input to provide clarification of the front setback requirement of residential storage/shop accessory structures.

The Orland Municipal Code currently states that garages are the only type of accessory structure allowed within the front yard and are subsequently subject to a twenty (20) foot yard setback. Single detached storage/shop buildings and pools/spas are explicitly restricted from being located in any front yard.

Orland Municipal Code 17.20.060(E)(4): *Shall not be located in any required front yard (closest to the front property line) or in front of the primary structure, whichever distance is greater;*

In an unusual case where a nonconforming lot is seeking to construct a storage shed but has more front yardage than in the rear, shall exceptions be made or shall the code allow accessory structures in front yards upon conditions? If permitted, what distance setbacks shall be set from the front property line?

Image 1 exemplifies an existing lot in Orland whose main residential structure is pushed to the rear, restricting construction of an accessory structure in the rear yard.

**ENVIRONMENTAL DETERMINATION:** None / Not Applicable

**FISCAL IMPACTS:** None / Not Applicable

**RECOMMENDATIONS:**

No recommendation or action is requested or determined to be necessary. However, if the Planning Commission desires additional information or requests an action on the topic occur, staff would recommend that the Planning Commission provide direction to staff in the form of a recommendation for action.

**ATTACHMENTS:**

**Images 1 – 4.**

**Attachment A.** Proposed Text Amendments to City of Orland Municipal Code Title 17: Zoning.



**IMAGE 1 – Accessory Structure, Front Setbacks**



**IMAGE 2 – Accessory Structure, Storage/Shed**



**IMAGE 3 – Accessory Structure, Patio Cover**



**IMAGE 4 – Accessory Structure, Detached Garage**



**ATTACHMENT A**

**CITY OF ORLAND MUNICIPAL CODE AMENDMENTS**

***Proposed Revisions to Title 17 Zoning***

**Chapter 17.08 – Definitions**

**17.08.040 – Accessory use, structure.**

- A. “Accessory use” means a land use that is associated with an existing permitted or conditional use ~~within a zoning district.~~
- B. “Accessory structure” means a usual and customary building normally associated with a permitted or conditional use.

**Chapter 17.20 – R-1 Residential One-Family Zone**

**17.20.060 – Design Requirements**

- E. A single detached storage or shop building shall meet the following criteria:
  1. The storage or shop building shall conform to the maximum building coverage requirements;
  2. The height of the storage building shall not exceed fifteen (15) feet;
  3. The roof pitch and construction materials of the building shall be similar to that of the dwelling unit;
  4. Shall not be located in any required front yard (closest to the front property line) or in front of the primary structure, whichever distance is greater;
  5. Consistent with setbacks for this zone district; and
  6. ~~The storage building shall not be equipped with electrical service or plumbing of any kind.~~
  7. Shall not be occupied for living purposes.

**17.20.070 – Setbacks**

- A. Minimum yards in the R-1 zone are as follows:
 

Main Building:  
 Front: twenty (20) feet;  
 Rear: twenty (20) feet;  
 Side: five feet. Side setback on a corner lot facing the street shall not be less than twenty (20) feet.

Accessory Structures:  
 Front: ~~thirty-five (35) feet;~~  
       not allowed.

Rear: ~~twenty (20) feet, unless otherwise specified herein;~~  
       four feet, unless specified herein.

Side: ~~five feet, unless otherwise specified herein.~~  
       four feet, unless otherwise specified herein.
- B. Exceptions to the minimum yards established above are as follows:
  1. Detached accessory buildings shall not be located within five feet of any ~~main building~~ other structure, ~~nor within five feet of a side lot line~~, nor encroach on any easement.

Accessory buildings attached to main buildings shall be structurally a part thereof and shall comply with main building yard and setback requirements.

2. If the property abuts a public alley, the rear setback shall be as detailed in Table: R-1 Structure Setbacks if this section.
3. The rear setback for a detached garage that meets the following requirements shall be as detailed in Table: R-1 Structure Setbacks of this section:
  - a. The height shall not exceed fifteen (15) feet;
  - b. The roof pitch and construction materials of the garage shall be similar to that of the dwelling unit.
4. Where more than one-half of the block is occupied with buildings, the required front yard may be reduced to the average of those of the improved sites, but in no case shall be less than twelve (12) feet.
5. ~~If any building is so located on a lot that the front faces any side lot line, it shall be at least twenty-five (25) feet from such side lot line.~~
6. Outdoor swimming pools and spas located within ten (10) feet of any side yard, rear yard or structure, shall be set back from said side yard, rear yard of structure a distance equal to the depth of the pool within said ten (10) foot area, but in no instance shall the setback be less than five feet. Pools and spas shall not be located in a required front yard.
7. Setbacks for all other garages or accessory structures not otherwise described herein shall be as detailed in Table: R-1 Structure Setbacks of this section.
8. See Section 17.76.190 – Fence standards for fence height and setback regulations.
9. Detached accessory structures under one hundred-twenty (120) square feet in size not requiring a building permit are not subject to the regulations of this chapter.

**R-1 Structure Setbacks**

Yard	Structure	Setback
Front	House/Main Building	20
	Garage	20
	Accessory Structure	Not allowed
	Pool or spa	Not allowed
Side (interior lot)	House/Main Building	5
	Garage	5
	Patio covers and shade structures	5
	Accessory <u>Structure</u>	<u>5</u>
		<u>Greater than 120 square foot footprint, and six feet in height</u>
	<u>Structure greater than six feet in height</u>	<u>Minimum 4', plus 1' for each foot of height above 6', up to 15'</u>
	House facing side yard	25
Side yard facing street (corner lot)	House/Main Building	20
	Garage (at same front plane as house)	20
	Garage (behind rear plane of house, with alley access only)	10
	Accessory structure (same plane as house)	<u>20</u> <u>10</u>

	Accessory structure (behind rear plane of house)	40 <u>5</u>
Rear	House/Main Building	20
	Garage (detached, no alley)	10
	Garage (on alley)	Zero, if min. 24' backup available into alley
	Garage or accessory structure in rear yard abutting land on which no structure can be built (example: abutting US Bureau of Reclamation ditch right-of-way)	Zero
	Accessory structure (on alley)	Zero
	Accessory structure (no alley):	
	<u>Greater than 120 square foot footprint, and six feet tall</u>	4
	<u>Structure greater than six feet tall</u>	<u>Minimum 4', plus 1' for each foot of height above 6', up to 15'</u>
	<del>Metal sided and roofed:</del>	
	<del>Structure less than or equal to six feet tall</del>	<del>Zero</del>
	<del>Metal sided and roofed: _____</del>	
	<del>Structure greater than six feet tall</del>	<del>1' for each foot of height above 6', up to 10'</del>
	<del>Non-metal sided and roofed structure greater than 120 square feet and greater than six feet tall</del>	<del>Minimum 5', plus 1' for each foot of height above 6', up to 10'</del>
	Patio covers and shade structures	10