



ORLAND PLANNING COMMISSION REGULAR MEETING AGENDA

Thursday, March 20, 2025 at 5:30 PM
Carnegie Center, 912 Third Street and via Zoom

P: (530) 865-1600 | www.cityoforland.com

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/82588054111>

Webinar ID: 825 8805 4111 | **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 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. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. 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).

5. CONSENT CALENDAR

A. Approve Planning Commission Minutes from January 16, 2024

6. PUBLIC HEARING

A. **Conditional Use Permit CUP#2024-02:** A request to approve a Conditional Use Permit (CUP) to permit the residential use on the second floor of an existing structure located at 715 4th Street, on Glenn County Assessor's Parcel Number (APN) 040-157-004.

B. **Conditional Use Permit CUP#2025-01:** A request to approve a Conditional Use Permit (CUP) to permit the professional office (Cabrera's Income Tax) use at an existing structure located at 909 3rd Street, on Glenn County (APN) 040-218-001.

- C. General Plan Amendment/Zone Change GPA/Z#2024-02:** A request to approve a General Plan Amendment (GPA) and Zone Change (Z) located at 1310 Papst Avenue, on Glenn County Assessor's Parcel Number (APN) 041-262-028...(This item will be continued to the next Planning Commission Meeting: April 17, 2025)

- 7. STAFF REPORTS**
- 8. COMMISSIONER REPORTS**
- 9. FUTURE AGENDA ITEMS**
- 10. ADJOURN**

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on March 17, 2025.

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 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, January 16, 2025

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, Alex Enriquez and Vern Montague
Commissioner absent:	Commissioner Wade Elliott
Councilmember(s) present:	None
Staff present:	City Planner Scott Friend; City Clerk Jennifer Schmitke

IDENTIFY CHAIRPERSON AND VICE CHAIRPERSON FOR 2025

City Clerk Jennifer Schmitke requested nominations for Chairperson for 2025. Vice Chairperson Lazorko nominated Commissioner Stephen Nordbye. With no further nominations, the nomination period was closed. Commissioner Nordbye accepted the nomination and a vote on the motion was conducted. The motion carried 4-0 by a voice vote. Commissioner Nordbye was declared Chairperson for 2025.

City Clerk Schmitke requested nominations for Vice Chairperson for 2025. Chairperson Nordbye nominated Commissioner Sharon Lazorko. With no further nominations, the nomination period was closed. Commissioner Lazorko accepted the nomination and a vote on the motion was conducted. The motion carried 4-0 by a voice vote. Commissioner Lazorko was declared Vice Chairperson for 2025.

ORAL AND WRITTEN COMMUNICATIONS

Orland resident Jan Walker highlighted several key topics during her remarks. She emphasized the importance of installing electrical charging stations in Orland and stressed the significance of having a clear vision for the City's future. She also expressed concerns about the loss of trees in the community and the potential implications of adding the Carnegie Building to the historical register. Additionally, she proposed the idea of a mural on the new water tank to enhance its visual appeal.

CONSENT CALENDAR

Approval of Prior Minutes: December 19, 2024

ACTION: Commissioner Montague moved, seconded by Commissioner Enriquez to approve consent calendar as presented. Motion carried unanimously by a voice vote, 4-0.

ITEMS FOR DISCUSSION OR ACTION

A. Special Event Follow-up Discussion

City Planner Scott Friend initiated a discussion on special events, referencing a concern raised by resident Mike Gleason during the public comment period of the January 7th City Council meeting. Mr. Gleason, who was present at the meeting and who provided a presentation to the Planning Commission documenting his concerns about the event and the concerns of various neighbors in his area, expressed frustration about a circus tent that appeared behind his home on Benson Drive without prior notice. He detailed the issues the neighborhood experienced, including disruptive lighting, loud noise, and music that continued past 9 p.m. Mr. Gleason also raised concerns about the lack of communication with residents, questioning why the tent in an was allowed to be placed in this location and questioning the notification process for this activity. He thanked City Manager Pete Carr and City Planner Scott Friend for explaining the city's code requirements and processes and expressed a desire to collaborate with the city to enhance regulations for special events.

Mr. Friend acknowledged Mr. Gleason's concerns, thanking him for bringing the issue to light. He noted that this was the first time such an issue had been raised, highlighting gaps in the current approval process regarding noticing and buffering standards for special events. While the circus tent was installed with the correct approval, Mr. Friend agreed that updates to the special events permit and possibly the Orland Municipal Code (OMC) might be necessary to address the concerns that were expressed. He shared that City staff have already begun researching potential improvements, including revising the permit process to include clearer standards for items potential to include noticing and spacing.

Orland resident Ron Lane asked about state standards for the fairgrounds and whether the City might consider adopting similar guidelines. Mr. Friend explained that the State of California generally leaves such regulations to the discretion of local entities. Chairperson Nordbye suggested that the fairgrounds might have their own regulations and requested City staff to reach out to the fairgrounds for more information.

The Planning Commission deliberated on the issue, highlighting the need to address gaps in the special events permit process which would provide a solution but also explored the possibility of also amending the OMC. These changes would aim to enhance communication, improve oversight, and prevent similar issues with future events. Mr. Friend stated that City staff could conduct further research, consult with other entities, and return to the Commission with a proposed set of parameters for their review and consideration.

PUBLIC HEARING

A. Title 17 Zoning Ordinance Amendment – Accessory Structures

City Planner Scott Friend introduced Ruby Triguero, who presented proposed amendments to the standards for accessory structures outlined in Title 17 of the Orland Municipal Code (OMC) to the Planning Commission. Ms. Triguero provided context from the December 19th Planning Commission meeting, where City staff had initially address the concept of modifying the City's existing standards. At that time, the Planning Commission directed staff to revise the standards, focusing on the maximum height of accessory structures and setback requirements.

Ms. Triguero highlighted that accessory structures—including detached garages, storage buildings, and patio covers—are designed to complement primary residential structures and must meet specific design and placement criteria.

Ms. Triguero provided an overview of the proposed text amendments which included:

1. **Storage Building Height.** The draft amendment would modify the maximum 15-foot structure height to permit accessory buildings up to a maximum of 25 feet for certain structures. Currently, primary structures in the R-1 and R-2 zones are allowed a 35-foot maximum building height and up to 45-feet in the R-3 zone. Additionally, the maximum height of an ADU structure is applicable according to the designated residential zone in which the property is located.

Considering the greater height limits for primary structures and ADUs, the proposed increase of maximum building height for storage and, or shop buildings would allow for increased flexibility and maximization of yard area. Structure setbacks dependent on building height would apply.

2. **Utility Restriction.** The draft amendment would remove the electrical and plumbing restriction stated in OMC Section 17.20.060(E)(6). The current restriction on installation of electrical and plumbing only applies to accessory structures within the R-1 zone. The proposed draft amendment would remove the limitation to provide consistency amongst the design standards for accessory structures in the R-2 and R-3 zones.
3. **Restricted Dwelling Use.** The draft amendment would insert a new standard to restrict residential occupation of an accessory structure. Despite the proposed amendment to remove the installation of electrical and plumbing, the permitted uses of an accessory structure shall be distinguished from those of an Accessory Dwelling Unit (ADU). Shall a structure be intended for living purposes, the structure shall comply with the ADU standards of OMC Section 17.76.130.
4. **Runoff Prevention.** The draft amendment would add a design standard for all accessory structures to be constructed to prevent stormwater runoff onto adjacent properties. Regardless of structure setbacks, proper construction and maintenance of drainage shall be the responsibility of the property owner.
5. **Minimum Structure Setbacks.** The draft amendment would modify the minimum setback requirement to 4 feet from the side and rear property line in all residential zoning districts. Currently, it is codified that accessory structures shall have a minimum 5-foot side and 20-foot rear setback. The proposed setback amendment provides consistency with the 4-foot side and rear setback standard for ADUs as prescribed in GOV § 66314, subd. (d)(7) and stated in OMC Section 17.76.130.

Additionally, the proposed draft amendment would clarify the minimum front setback of accessory structures to 20 feet and would add and clarify the standard that no accessory structure shall exist in front of the front plane of the primary structure. The modification from 35 feet to a 20-foot front setback provides consistency with the setback requirements of a primary structure and would provide flexibility and maximization for use of side yard areas. It was noted that not all accessory structures are permitted within a front yard. As accessory structures refer to the assortment of buildings that are incidental to a primary structure, some structures (garage/carport) are permitted in the front yard while others (storage/shop building, pool/spa) are restricted.

6. **Setback Exceptions.** The amendment would codify accessory structures under 120 square feet in size, 6 feet or less in height, and not requiring a building permit would have zero side and rear setbacks. Currently, the setback standards within the OMC state that structures less than 120 square feet and less than or equal to 6 feet tall shall have a zero rear setback standard. The proposed text amendment would streamline incidental structures and provide consistency with exempted structures identified in the California Building Code. Additionally, the proposed 6-foot height limit would maintain consistency with the residential fence standard stated in OMC Section 17.76.190(C) as permitted by right.

It was noted that a building permit shall continue to be required on all installations of plumbing and electrical within a structure and that the proposed code amendment would not modify anything in the California Building Code or the City's adoption of that Code. In the case of a proposed accessory structure that does not meet all 3 requirements to qualify for zero side and rear setbacks, the minimum 4-foot side and rear setbacks would apply.

Additionally, the proposed action would require that all accessory structures, regardless of size, would be required to comply with the stormwater runoff prevention design standard. Shall a proposed accessory structure qualify for zero side and rear setbacks, the structure should be constructed to maintain proper drainage to prevent runoff to adjacent properties.

7. **Accessory Structure Setbacks Table.** Based upon the Planning Commission's feedback and to ensure clarity, the Structure Setbacks Table is proposed to be updated as follows:
- a. The side, interior lot, setback requirement for accessory structures would be amended to distinguish tiers, specific to the height of the structure. Establishing setback tiers allows for increased flexibility amongst homeowners when determining the appropriate sized structure while maximizing the amount of yardage. The three setback tiers are as follows:
 1. Accessory structures 120 square feet or less, below 6 feet in height, and not requiring a building permit shall have a zero-foot setback from the side property line.
 2. Accessory structures between 6 feet and less than 15 feet shall have a 4-foot side setback.
 3. Accessory structures that have a height between 15 feet and 25 feet shall have a minimum 4-foot side setback and shall add an additional foot for every foot above 15 feet. In the example of a proposed 18-foot accessory structure, the structure shall maintain a minimum 7-foot side setback.
 - b. The side, corner lot, setback requirement for accessory structures would be amended as follows:
 - i. Accessory structures, located on the same plane as the primary structure, would be amended to maintain a 10-foot setback.
 - ii. Accessory structures, located behind the rear plane of the primary structure, would be amended from a 10-foot setback to a four-foot side setback.
 - c. The rear setback requirement for accessory structures would be amended as follows:
 - i. It is currently codified that accessory structures not located on an alley shall maintain rear setbacks specific to the material and height of the structure (see **Figure 4**).

Accessory structure (no alley):	
Less than or equal to 120 square foot footprint, and less than or equal to six feet tall	Zero
Metal sided and roofed	
Structure less than or equal to six feet tall	Zero
Metal sided and roofed	
Structure greater than six feet tall	1' for each foot of height above six feet, up to ten feet

FIGURE 4 – REAR ACCESSORY STRUCTURE SETBACKS

The proposed amendment removes the specificity of material and establishes tiers based upon the height of the structure. Consistent with the proposed amendment to the side setbacks of accessory structures, the three tiers are described as follows:

1. Accessory structures 120 square feet or less, below 6 feet in height, and not requiring a building permit shall have a minimum zero-foot setback from the rear property line.
2. Accessory structures between 6 feet and less than 15 feet shall have a 4-foot rear setback.
3. Accessory structures that have a height between 15 feet and 25 feet shall have a minimum 4-foot rear setback and shall add an additional foot for every foot above 15 feet. In the example of a proposed 18-foot accessory structure, the structure shall maintain a minimum 7-foot rear setback.

Chairperson Nordbye opened the public hearing at 6:43 PM.

Mr. Ron Lane questioned what would happen to people who already sheds in their backyards and Mr. Friend have shared that they would be considered grandfathered as constructed.

Chairperson Nordbye closed the public hearing at 6:44 PM.

Commissioners discussed, shared concerns and asked questions regarding accessory structures including concerns about adding utilities such as water and electricity and set back concerns for emergency personnel and pre-existing structures.

Vice Chairperson Lazorko moved that the Planning Commission recommend to the City Council for their approval Planning Commission Resolution #2025-XX recommending for approval to the City Council, the Municipal Code Amendment addressing accessory structures as presented herein and determine that the proposed action (Municipal Code Amendment) is determined to be categorically exempt pursuant to CEQA guidelines section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed revisions to the City of Orland Municipal code would have a significant effect on the environment, and therefore the proposed revision is not subject to CEQA. The motion carried 4-0 by a voice vote.

PRESENTATION

A. Planning Department Annual Presentation

City Planner Scott Friend provided an overview of the Planning Department's activities for 2024, outlining their key responsibilities, including managing General Plan Amendments, Zoning Code Amendments, Environmental Compliance (CEQA/NEPA), project processing, and staffing Planning Commission meetings. He emphasized the department's role in ensuring statutory and regulatory compliance, assisting City staff with project tasks, and engaging with the public and City clients.

Mr. Friend also summarized the department's 2024 accomplishments and special projects, including the final certification of the 6th Cycle Housing Element, updates to the Zoning Code (Accessory Uses/Structures), and ongoing efforts to improve informational handouts and website updates. These updates include planning applications, a notification page, and a dedicated page for Accessory Dwelling Units (ADUs). Additionally, the Planning Department is collaborating with Glenn County on the Glenn County Multi-Jurisdiction Hazard Mitigation Plan (GCMJHMP). He highlighted several approved projects for the year.

Looking ahead, Mr. Friend detailed ongoing projects extending into 2025, such as the DWR/City of Orland/Glenn County Drought Relief Project, a potential Phase 2 expansion for Butte College, and the Glenn County Health and Human Services Center. Anticipated residential and infrastructure projects for 2025 include Orland Park – Phase I, additional General Plan and Zoning Code Amendments, water tank and well projects, and the Road M ½ Rehabilitation Project.

Mr. Friend expressed his gratitude to City Hall staff, department heads, and city employees for their support in helping the Planning Department achieve another successful year.

Ms. Jan Walker shared her appreciation for the city, expressing her deep love for Orland and reaffirming her enthusiastic support for the community.

Mr. Ron Lane shared an exciting moment for the community, mentioning that Orland was featured in Episode 4 of the Hulu show *High Potential*.

Mr. Mike Gleason expressed his gratitude to Mr. Friend and Mr. Carr for their openness and willingness to assist him in addressing his concerns.

Commission members expressed their appreciation to Scott for dedicating time and effort to assist both the Commission and the community with various projects.

STAFF REPORT

Mr. Friend shared that on January 13th Glenn LAFCo met to reconsider its previous action on the City of Orland request for annexation for the Modoc Street Annexation. Mr. Friend shared that the LAFCo declined to reconsider the matter thus resulting in the denial of the Modoc Street Annexation action as it was requested. Mr. Friend noted that the City has received a number of applications; 1 for a senior apartment complex on 8th Street, he noted that approximately 40 permits have been applied for in the Orland Park phase 1 (8 slabs poured) effort, he shared that the City Manager, Mr. Carr and he had met with a hotel that is interested in coming to Orland, and that they continually meet with developers that are interested in properties around town. Mr. Friend reminded the Commission that he is a contracted employee and only in the office on Thursdays.

COMMISSIONERS REPORTS

- **Commissioner Montague**: Nothing to report.

- **Commissioner Enriquez**: Nothing to report.
- **Vice Chairperson Lazorko**: Shared her appreciation for City Staff's availability to the community.
- **Chairperson Nordbye**: Thanked City Staff for all they do for the community.

FUTURE AGENDA ITEMS - Nothing

ADJOURNMENT – 7:23 PM

Respectfully submitted,

Jennifer Schmitke, City Clerk

Stephen Nordbye, Chairperson



CITY OF ORLAND STAFF REPORT

MEETING DATE: March 20, 2025

TO: City of Orland Planning Commission

FROM: Scott Friend, AICP – City Planner

SUBJECT: **Conditional Use Permit CUP#2024-02:** A request to approve a Conditional Use Permit (CUP) to permit the residential use on the second floor of an existing structure located at 715 4th Street, on Glenn County Assessor's Parcel Number (APN) 040-157-004. The ground floor of the two-story existing structure is currently utilized as a retail business, Roots. Pursuant to Orland Municipal Code Chapter 17.40, the proposed action requires the approval of a Conditional Use Permit by the Planning Commission.

Environmental Review: Staff recommends that the Planning Commission determine that the project is exempt from further environmental review pursuant to CEQA Guidelines Section 15301 "Existing Facilities" as the proposed Project involves no expansion of the existing structure.

Summary:

The City of Orland has received a request for a Conditional Use Permit (CUP#2024-02) on an existing parcel of land identified as 715 4th Street and further as Glenn County APN 040-157-004. The ±0.09-acre parcel (Project Site) is the location of a two-story structure where an existing retail business, Roots, is located on the ground floor. The subject parcel is designated *Mixed Use* (M) on the Orland General Plan land use map and located in the C-2 *Community Commercial* zoning district and Downtown Area/Special Parking overlay zoning district. The current owner(s), Reyes Alejandro and Adame Patricia A J/T, have submitted a request for a Conditional Use Permit, proposing to permit residential use on the second floor of the existing structure. No requests to modify development standards have been requested or are being proposed.

Background:

The Project Site is designated *Mixed Use* (M) on the Orland General Plan land use map. The *Mixed Use* designation is utilized in the Downtown District and other areas as deemed appropriate by the City to "provide for a pedestrian-oriented live/work/play environment", according to the Orland 2008-2028 General Plan. Similarly, the Project Site is located within the Downtown Area/Special Parking overlay zone which waives compliance with on-site parking and landscaping requirements of Sections 17.76.100 and 17.76.110 of the Orland Municipal Code (OMC), as stated in Section 17.42.080. The Downtown Area/Special Parking overlay zone

applies to the Project Site in addition to the standards and regulations of the primary zoning district, *C-2 Community Commercial*. Pursuant to OMC Section 17.40.040, residential uses not located on the ground floor are considered a conditional use and require a Conditional Use Permit within the C-2 zoning district.

Analysis:

The proposed Project is seeking the approval of a Conditional Use Permit by the Planning Commission that would result in the approval of residential use on the second floor of an existing parcel. As proposed, the Project would result in a mixed-use structure featuring residential apartments on the second floor and the continued occupancy of a retail business on the ground floor.

The proposed second-story dwelling(s) would feature two units. One unit would have three bedrooms, and the adjacent unit would have two bedrooms. Each unit would feature an individual entrance, accessed from an interior stairwell leading up from the ground floor. As a Condition of Approval, all necessary building permits will be obtained to maintain compliance with the Orland Building Code. A site plan for the proposed Project has been prepared and submitted by the applicants, please refer to **Attachment A**.

The existing structure is a two-story, ±6,464 square foot structure, built in 1935. The ground floor of the structure extends from the frontage on 4th Street to a rear alleyway. However, it is noted that the second floor only extends approximately 75 feet from the frontage and does not reach the rear alleyway, creating a distinctive stepped appearance. **Figure 1** shows an aerial of the Project Site depicting where the second floor extends to only half the length of the ground floor. Additionally, the Site Plan illustrates a rear access entrance for the second story units, however the rear entrance does not provide exterior accessibility to the alley. No exterior stairwell from the second story rear entrance to the alley exists as existing HVAC units and infrastructure is located atop of the ground floor, creating a hazard for exterior access. **Figures 2-3** show the Project Site as seen from the alley.

Additionally, it is noted that the structure is fully equipped with existing utility connections, including provisions for water, sewer, fire protection services, and stormwater drainage, ensuring all necessary infrastructure is in place for its continued operation and safety. The application was routed to responsible agencies by City Staff and no comments were received.

Parking:

As previously stated, the project site is located within the Downtown Area/Special Parking overlay zone which exempts parcels from adhering to the on-site parking standards of Section 17.76.100. Thus, the project site is not subject to any additional on-site parking standards with the proposed action. Similarly, the surrounding land uses of the project area are all within the *C-2 Community Commercial* zoning district and Downtown Area/Special Parking overlay zone which similarly exempt parcels from on-site parking standards.

Surrounding the Project Site existing parking facilities feature street parking along the eastern and western sides of 4th Street, including two ADA parking spaces. Additionally, parking within the center median is available along the length of the 700 block on 4th Street (**see Figures 3-4**). In the rear of the Project Site, an existing alley provides short-term parking for no more than a consecutive period of seventy-two (72) hours, pursuant to Section 10.24.080.

Surrounding Uses:

The Project Site is located within the 700 block of 4th Street in Downtown Orland. Within the C-2 Community Commercial Project Area, there are similar existing mixed-use structures with residential occupation on the second and third floor of the structure located at 403 Walker Street and 428 Walker Street.

To the north, south, east, and west of the proposed Project, the following existing structures surround the Project Site:

- Retail Business (Terry's TV & Satellite), 717 4th Street
- Retail Business (Gloria's Market), 709 4th Street
- Utility Building (Pacific Telesis Corp), 712 3rd Street
- Single-Family Residence, 720 3rd Street

As previously mentioned, an existing alley is situated in the rear of existing structures on 4th Street and 3rd Street, serving as a spatial buffer and access way.

Figure 1 – Project Site Aerial



Figure 2 – Project Site (alley)



Figure 3 – Project Site (rear entrance)

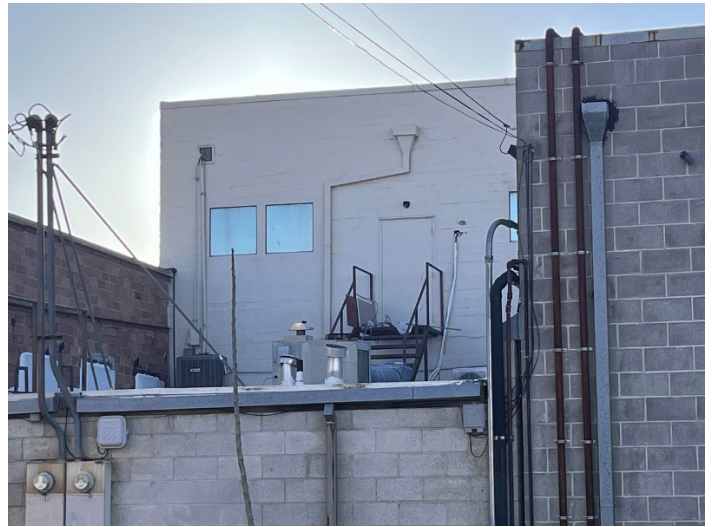
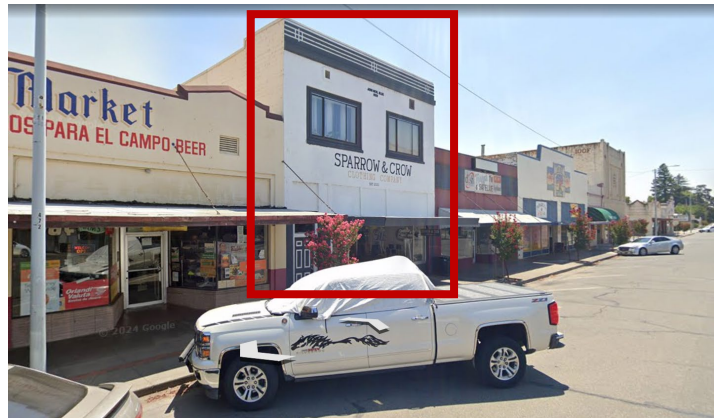
Figure 2 – Project Site (4th Street Parking)

Figure 3 – Project Site (frontage)



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 of 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 and its Conditions of Approval 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, acting as the Lead Agency for the project pursuant to the requirements of the California Environmental Quality Act (CEQA), has reviewed the proposed project and its Conditions of Approval 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 “Existing Facilities” of the Public Resource Code, §15301, as it has been determined that this project does not have the potential for causing a significant effect on the environment. Staff has determined that this project meets the requirements for this exemption 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 and the Conditions of Approval, Staff is recommending that the Planning Commission **approve** Conditional Use Permit #2024-02 subject to the attached Conditions of Approval (**Attachment C**), thereby permitting the request of residential use on the second floor of an existing structure located on Glenn County Assessor’s parcel number 040-157-004.

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 2024-02) and determine that the proposed action is *exempt* from further review pursuant to Section 15301 of the Public Resource Code.
2. *Conditional Use Permit*: Move to approve Planning Commission Resolution PC 2025-__, approving Conditional Use Permit application #2024-02 subject to the Conditions of Approval provided as **Attachment C** and Findings shown on **Attachment D**.

ATTACHMENTS

- **Attachment A – Site Plan**
- **Attachment B – CUP #2024-02 Application**
- **Attachment C – Conditions of Approval for CUP #2024-02**
- **Attachment D – Required CUP Findings #2024-02**
- **Attachment E – Notice of Exemption**
- **Attachment F – Planning Commission Resolution PC 2025-__**





**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: Alejandro Reyes & Adame Patricia

ADDRESS: 715 Fourth ST. Orland, CA 95963

PHONE:(Business): (805) 248-1252

(Home): _____

* (Mobile): (805) 248-1252

EMAIL ADDRESS: patriciaaroy085@gmail.com

2. PROPERTY OWNER(S):

NAME: Alejandro Reyes & Patricia Adame

ADDRESS: 715 Fourth ST. Orland, CA 95963

PHONE:(Business): _____

(Home): _____

(Mobile): (805) 248-1252

EMAIL ADDRESS: _____

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: Patricia Adame

ADDRESS: 715 Fourth ST. Orland, CA 95963

PHONE:(Business): _____

(Home): _____

(Mobile): (805) 248-1252

EMAIL ADDRESS: patriciaaroy085@gmail.com

4. Address and Location of Project: 715 Fourth St. Orland, Ca 95963
5. Current Assessor's Parcel Number: 040-157-004-000
6. Zoning: C-2
7. General Plan Land Use Classification: _____
8. Existing use of property(ies): Bottom Floor Business
9. Request: Top Floor Residential.
10. Provide any additional information that may be helpful in evaluating this request:

11. Surrounding Land Uses and Zoning Districts (please be specific):
North: C-2
South: C-2
East: C-2
West: C-2
12. Topography: _____
13. Vegetation: N/A
14. Water Supply: City of Orland Source or Type: _____ Provider: _____
Existing: ☒ _____
Proposed: _____
15. Sewage Disposal:
Existing: ☒ _____
Proposed: _____

16. **Fire Protection:**
Existing: ☒ _____
Proposed: _____
17. **Storm drainage:**
Existing: ☒ _____
Proposed: _____
18. **School District:** _____
19. **Natural Hazards (include past and current uses, if any):** _____
- _____

ENVIRONMENTAL INFORMATION FORM

Date Filed: _____

General Information:

1. Name and address of developer/project sponsor: Patricia Adame & Alejandro Reyes

2. Address of PROJECT: 715 Fourth ST.

3. Assessor's Parcel Number: 040-157-004-000

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

Patricia Adame (805) 248-1252
715 4th ST.
Orland, CA 95963

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:

6. Existing Zoning District: C-2

7. Proposed use of the site (Project for which this form is filed): C-2 Bottom Floor
R Top Floor

Project Description:

8. Site size:

9. Square footage:

10. Number of floors to be constructed.

11. Amount of off-street parking provided.

12. If residential:

Number of units:

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

Square footage of each unit:

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:

Square footage of each building (existing and proposed):

Number of employees (if applicable):

Number of shifts (if applicable)

Hours of operations:

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.

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 _____

19. Change in scenic views or vistas from existing residential areas or public lands or roads.

Yes _____ No _____

20. Change in pattern, scale or character of general area of project.

Yes _____ No _____

21. Significant amounts of solid waste or litter.

Yes _____ No _____

22. Change in dust, ash, smoke, fumes or odors in the vicinity.

Yes _____ No _____

23. Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.

Yes _____ No _____

24. Substantial change in existing noise or vibration levels in the vicinity.

Yes _____ No _____

25. Site on filled land or on slope of 10 percent or more.

Yes _____ No _____

26. Use of disposal of potentially hazardous materials, such as toxic substances, flammables or explosives.

Yes _____ No _____

27. Substantial change in demand for municipal services (police, fire, water, sewage, etc.),

Yes _____ No _____

28. Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.)

Yes _____ No _____

29. Relationship to a larger project or series of projects.

Yes _____ No _____

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.

Alejandro Reyes
Printed Name (Applicant)

ALEJANDRO REXES
Signature (Applicant)

09/16/24
Date

Patricia Adame
Printed Name (Property Owner)

[Signature]
Signature (Property Owner)

[Signature] 09/16/24
Date

Printed Name (Property Owner)

Signature (Property Owner)

Date

Printed Name (Agent/Representative)

Signature (Agent/Representative)

Date

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT #2024-02, 715 4th Street (Reyes/Adame)

Conditional Use Permit #2024-02: A request to approve a Conditional Use Permit (CUP) to permit the residential use on the second floor of an existing structure located at 715 4th Street, on Glenn County Assessor's Parcel Number (APN) 040-157-004. The ground floor of the two-story existing structure is currently utilized as a retail business, Roots. Additionally, the subject parcel is designated *Mixed Use* (M) on the Orland General Plan land use map and located in the C-2 *Community Commercial* zoning district and Downtown Area/Special Parking overlay zoning district. Pursuant to Orland Municipal Code Chapter 17.40, the proposed action requires the approval of a Conditional Use Permit by the Planning Commission.

Conditions of Approval:

General Conditions:

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. The project applicant and/or contractor shall obtain all necessary 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.
8. 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.
9. 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.
10. If changes are requested to the site plan 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.

Use/Site Specific Conditions of Approval:

1. The project shall maintain adequate entrance and exit access to and from all proposed residential units, in compliance with the standards of the Orland Building Code.
2. No additions to the existing structure are permitted with the conditional approval of this request.
3. All project-installed outdoor lighting (wall lights, parking lot lighting, and lighting as depicted in the lighting plan) shall be directed away from adjacent uses and properties and shall be shielded so that no light is emitted above a horizontal plane (parallel to the ground) from the base of the fixture-head and/or so that no exterior lighting is unshielded to the public view.
4. As a condition of approval, all units shall be constructed to include permanent provisions for living, sleeping, eating, cooking and sanitation.
5. Consistent with the provisions for Accessory Dwelling Units (ADUs), the proposed project shall not be listed for short-term rental (30 days or less). Additionally, the proposed project shall not be sold separately from the ground floor unit.

Statement of Acknowledgement:

I have reviewed the Conditions of Approval associated with the approval of CUP#2024-02 and acknowledge and consent to the Conditions as presented.

Signed,

Applicant

Date

CITY OF ORLAND
PLANNING COMMISSION FINDINGS OF APPROVAL FOR:
CONDITIONAL USE PERMIT #2024-02
 715 4th St, Orland, CA 95963
 Assessor's Parcel Number: 040-157-004

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 any use designations of the general plan, any applicable specific plan and the MU, Mixed Use zoning district upon the issuance of the Permit.
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 17.48.030(A)(3) 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: 040-157-004. 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 17.48.030(A)(3) 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: 040-157-004. The proposed dwelling use is compatible with the surrounding environment as the project site is located in an area of predominantly mixed 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 MU 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 Existing Facilities (15301), pursuant to the State CEQA guidelines and will not have a significant impact on the physical environment.*

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Glenn

526 West Sycamore Street

Willows, CA 95988

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

(Address)

Project Title: Conditional Use Permit #2024-02

Project Applicant: Reyes Alejandro and Adame Patricia A J/T

Project Location - Specific:

715 4th Street in Orland, Glenn County, CA 95963. APN 040-157-004.

Project Location - City: Orland Project Location - County: Glenn County

Description of Nature, Purpose and Beneficiaries of Project:

A proposal to permit residential use on the second floor of an existing structure where an existing retail store, Roots, is located on the ground floor. The Project applicants, Reyes Alejandro and Adame Patricia A J/T, have submitted a conditional use permit to permit the dwelling use on the second floor of an existing structure. As stated in the Orland Municipal Code, dwelling use must be permitted by a conditional use permit for parcels within the Mixed Use zoning district.

Name of Public Agency Approving Project: City of Orland

Name of Person or Agency Carrying Out Project: Reyes Alejandro and Adame Patricia A J/T, City of Orland

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: §15301 (Existing Facilities)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The City of Orland has determined that this project is exempt from CEQA as it can be seen with certainty that the proposed project would not have a significant effect on the environment as the proposed project involves no expansion of the existing structure. Therefore, the project is exempt pursuant to CEQA Guidelines Section 15301.

Lead Agency
Contact Person: Scott Friend Area Code/Telephone/Extension: (530) 865-1608

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



CITY OF ORLAND STAFF REPORT

MEETING DATE: March 20, 2025

TO: City of Orland Planning Commission

FROM: Scott Friend, AICP – City Planner

SUBJECT: **Conditional Use Permit CUP#2024-01:** A request to approve a Conditional Use Permit (CUP) to permit the commercial of an existing structure located at 909 Third Street, on Glenn County Assessor's Parcel Number (APN) 040-218-001. The existing business is Cabrera's Income Tax service. Pursuant to Orland Municipal Code Chapter 17.60, the proposed action requires the approval of a Conditional Use Permit by the Planning Commission.

Environmental Review: Staff recommends that the Planning Commission determine that the project is *exempt* from further environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15301 "Existing Facilities" as the proposed Project involves no expansion of an existing structure located on an existing parcel of land.

Summary:

The City of Orland has received a request for a Planned Development / Conditional Use Permit (CUP#2024-01) on an existing parcel of land identified as 909 Third Street and further as Glenn County APN 040-218-001. The subject parcel is approximately 10,400 square feet in size and is located at the southeast corner of Third Street and Mill Street. The subject parcel is designated *Residential Low Density (R-L)* on the Orland General Plan land use map and located in the *Planned Development (PD)* zoning district. The parcel is located outside of the formally designated Downtown Area/Special Parking overlay district. The current owner, Susana Cabrera, has submitted a request for a Conditional Use Permit, for the purposes of establishing a non-residential land use on the parcel. No requests to modify development standards have been requested or are being proposed.

Background:

The Project Site is designated *Residential Low Density (R-L)* on the Orland General Plan land use map. The *Residential Low Density* land use designation is utilized in areas where development of up to 6 dwelling units per acre is desired. The City of Orland General Plan establishes the following additional direction, "[t]ypical development in this designation includes single-family attached and detached homes, accessory structures, and occasionally churches, schools, parks and other governmental or quasi-governmental uses."

The subject parcel is zoned with the *Planned Development (PD)* zoning and has been zoned with the *PD* zoning designation for many years and the existing structure located on the parcel has been utilized for a non-residential purpose for many decades. The current use of the parcel (Cabrera's Income Tax services) has been operating on the parcel for many years. According to the Glenn County Assessor's Office, the existing structure on the site is ±985 square feet in size and was built in 1951.

No alterations or modifications to the existing structure or parcel are proposed with this action.

Analysis:

Pursuant to Orland Municipal Code (OMC) section 17.60., uses located in the P-D, *Planned Development* zoning district are subject to the securing of a Use Permit by the City for the use of the parcel.

The existing structure is a one-story, ±985 square foot structure, built in 1951. The historic "front" of the building was oriented toward 3rd Street consistent with the residential uses located in the area surrounding the structure. The current entrance to the existing use is now oriented onto Mill Street. Parking is accommodated by existing diagonally oriented on-street parking, located immediately adjacent to the existing use on both Mill Street and 3rd Street. No off-street parking exists on the parcel currently and none is proposed.

The parcel is provided with City-provided utility services (water, sewer and storm drainage) and is connected to the existing utility grid for electrical service. An existing alleyway is located to the east of the parcel and separates the uses fronting on 3rd street from those fronting onto 2nd street. No changes or alterations to the existing building or the surrounding utilities are proposed with this action.

The application was routed to responsible agencies by City staff and no comments were received.

OMC Chapter 17.60 – P-D Planned Development Zone:

Chapter 17.60 of the OMC provides the legal authority and basis for the issuance of a Use Permit for parcels designated with the Planned Development (P-D) zoning in the City. Section 17.60.010 establishes that:

1. *Submittal of a planned development master plan to the planning commission following the hearing and notification requirements for use permits.*
2. *The detail provided shall be sufficient to show the intended use, density, intensity and plan concepts proposed within the project.*
3. *Within one year of approval of the planned development master plan, an application shall be submitted to rezone the site (or a portion thereof) of to P-D. The P-D zone change request is submitted with a use permit application for the phase(s) of the project included in the*

requested P-D zone change area. If the site has been previously zoned P-D, a rezone application is not necessary.

4. Where lots/parcels are to be sold as part of the planned development, a tentative subdivision or parcel map application shall also accompany the use permit and zone change request.

5. If the project is small and the master plan is sufficiently detailed, the use permit approving the master plan may be all that is necessary to authorize project implementation along with a P-D zone change and tentative map application, if applicable.

In instances where a parcel of land exists which contains an existing developed use that was not being requesting to be modified, the City has historically waived the requirement for the submittal of a detailed Planned Development Master Plan (OMC 17.60.020). As noted previously, no modifications to either the existing built structure or parcel are being pursued or requested with this action. Rather, the proposed action seeks to establish the existing structure as a permitted use of the parcel for a non-residential purpose.

As established in the OMC and State law guiding the issuance of Use Permits, the Planning Commission may impose Conditions of Approval on a use permit that it finds necessary to carry out the purpose of the Code. In this instance, staff has not recommended that the Planning Commission impose any Conditions of Approval specific to this request.

Upon review of the application, Staff believes that the establishment, maintenance, or operation of the proposed project and its Conditions of Approval 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, acting as the Lead Agency for the project pursuant to the requirements of the California Environmental Quality Act (CEQA), has reviewed the proposed project and its Conditions of Approval 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 "Existing Facilities" of the Public Resource Code, §15301, as it has been determined that this project does not have the potential for causing a significant effect on the environment. Staff has determined that this project meets the requirements for this exemption and is recommending a determination of such to the Planning Commission.

Recommendation:

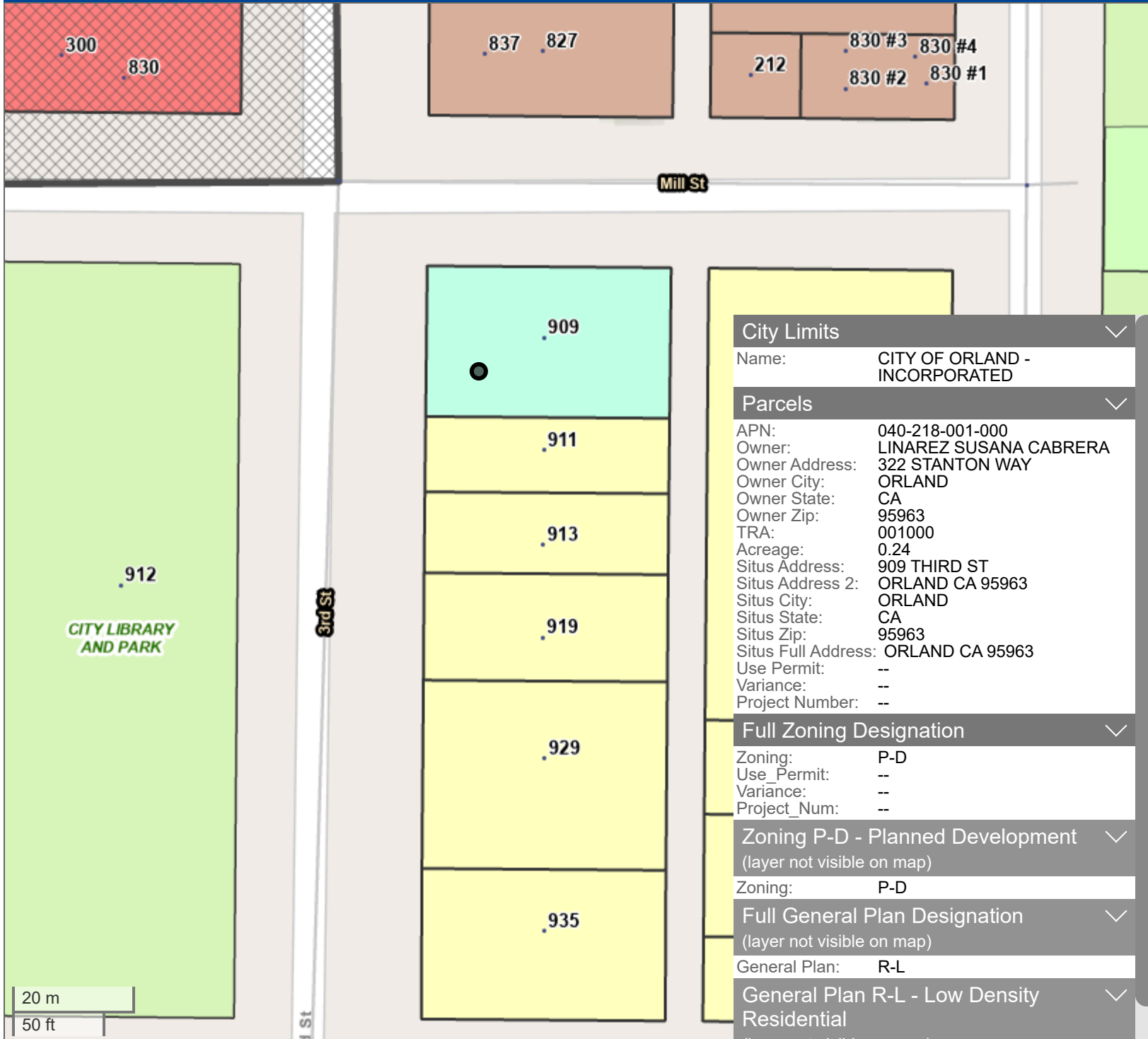
Based upon the information contained in this report, and after consideration of the attributes specific to the proposed site and the Conditions of Approval, staff is recommending that the Planning Commission **approve** Use Permit #2024-01 subject to the attached Conditions of Approval (**Attachment C**), thereby permitting the request for the use and operation of an existing structure for a non-residential purpose located at 909 Third Street on Glenn County Assessor's parcel number 040-218-001.

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 2024-01) and determine that the proposed action is *exempt* from further review pursuant to Section 15301 of the Public Resource Code.
2. *Conditional Use Permit:* Move to approve Planning Commission Resolution PC 2025-__, approving Conditional Use Permit application #2024-01 subject to the Conditions of Approval provided as **Attachment C** and Findings shown on **Attachment D**.

ATTACHMENTS

- **Attachment A – Zoning Site Exhibit**
- **Attachment B – Aerial Photo Exhibit**
- **Attachment C – CUP #2024-01 Application**
- **Attachment D – Conditions of Approval for CUP #2024-01**
- **Attachment E – Required CUP Findings #2024-01**
- **Attachment F – Notice of Exemption**
- **Attachment G – Planning Commission Resolution PC 2025-__**



LEGEND

- Address
- City Limits
- Downtown Area/Special Parking
- Roads
- Railroad
- Places
- Pavement Survey Data
- Parcels
- Full Zoning Designation
 - C-1 - Neighborhood Commercial
 - C-2 - Community Commercial
 - C-H - Highway Service Commercial
 - M-H - Heavy Industrial
 - M-L - Light Industrial
 - MU - Mixed Use
 - O-S - Open Space
 - P-D - Planned Development
 - P-F - Public Facilities
 - R-1 - Residential One-Family
 - R-1/C-2
 - R-2 - Residential Two-Family
 - R-3 - Residential Multiple Family
 - R-E - Residential Estates

20 m

50 ft

CUP 2024-01

Cabreras Income Tax

6. B.

Mill St

3rd St

Mill St

Mill Street Sc

CABRERA'S INCOME TAX

Orland Free Library

Orland Special Programs Center

3rd St

2nd St

Library Park

Google Earth

Image © 2025 Airbus

34

100 ft

**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: Susana Cabrera Linarez
ADDRESS: 909 3rd St, Orland, CA 95963
PHONE:(Business): Cabrera's Income Tax LLC
(Home): 530 988 9068
(Mobile): 530 717 7588
EMAIL ADDRESS: ctaxpreorland@gmail.com

2. PROPERTY OWNER(S):

NAME: Susana Cabrera Linarez
ADDRESS: 322 Stanton Way
PHONE:(Business): same
(Home):
(Mobile): 530 717 7588
EMAIL ADDRESS: susanacabrera85@gmail.com

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: Susana Cabrera Linarez
ADDRESS: 322 Stanton Way
PHONE:(Business):
(Home):
(Mobile): 530 717 7588
EMAIL ADDRESS: susanacabrera85@live.com

City of Orland Conditional Use Permit
Instructions and Application Form

4. Address and Location of Project: 909 3rd St
5. Current Assessor's Parcel Number: _____
6. Zoning: _____
7. General Plan Land Use Classification: _____
8. Existing use of property(ies): Office
9. Request: _____
10. Provide any additional information that may be helpful in evaluating this request:

11. Surrounding Land Uses and Zoning Districts (please be specific):
North: _____
South: _____
East: _____
West: _____
12. Topography: _____
13. Vegetation: _____
14. Water Supply: Source or Type: Provider:
Existing: _____
Proposed: _____
15. Sewage Disposal:
Existing: _____
Proposed: _____

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT #2024-01, 909 Third Street (Cabrera)

Conditional Use Permit #2024-01: A request to approve a Conditional Use Permit (CUP) to permit the non-residential use of an existing structure located at 909 Third Street, on Glenn County Assessor's Parcel Number (APN) 040-218-001. Pursuant to Orland Municipal Code Chapter 17.60, the proposed action requires the approval of a Conditional Use Permit by the City.

Conditions of Approval:

General Conditions:

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. The project applicant and/or contractor shall obtain all necessary 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.
8. 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.
9. 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.
10. If changes are requested to the site plan 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.

Use/Site Specific Conditions of Approval:

1. The project shall maintain adequate entrance and exit access to and from the structure in compliance with the standards of the California Building Code.

2. No additions to the existing structure are permitted with the conditional approval of this request.
3. All outdoor lighting (wall lights, interior signage, etc.) shall be directed away from adjacent uses and properties and shall be shielded so that no light is emitted above a horizontal plane (parallel to the ground) from the base of the fixture-head and/or so that no exterior lighting is un-shielded to the public view.

Statement of Acknowledgement:

I have reviewed the Conditions of Approval associated with the approval of CUP#2024-01 and acknowledge and consent to the Conditions as presented.

Signed,

Applicant

Date

CITY OF ORLAND
PLANNING COMMISSION FINDINGS OF APPROVAL FOR:
CONDITIONAL USE PERMIT #2024-01
 909 Third Street, Orland, CA 95963
 Assessor's Parcel Number: 040-218-001

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 any use designations of the general plan, any applicable specific plan and the PD, Planned Unit Development zoning district upon the issuance of the Permit.
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 17.48.030(A)(3) 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: 040-218-001. 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 17.48.030(A)(3) 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: 040-218-001. The proposed dwelling use is compatible with the surrounding environment as the project site is located in an area of predominantly mixed 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 PD, Planned Development, 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 Existing Facilities (15301), pursuant to the State CEQA guidelines and will not have a significant impact on the physical environment.*

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Glenn

526 West Sycamore Street

Willows, CA 95988

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

(Address)

Project Title: Conditional Use Permit #2024-218-01

Project Applicant: Susana Cabrera Linarez

Project Location - Specific:

909 3rd Street in Orland, Glenn County, CA 95963. APN 040--001.

Project Location - City: Orland Project Location - County: Glenn County

Description of Nature, Purpose and Beneficiaries of Project:

A proposal to permit the use of an existing parcel for a non-residential use on an existing legal lot in the City of Orland. The Project applicants, Susana Cabrera Linarez, is requesting that a planned development use permit be issued to validate the existing condition on the site. As stated in Orland Municipal Code Section 17.60, a planned development use permit must be issued by the City for the use. The primary beneficiary of the project is project applicant and subsequent owners/users of the parcel.

Name of Public Agency Approving Project: City of Orland

Name of Person or Agency Carrying Out Project: City of Orland

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: §15301 (Existing Facilities)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The City of Orland has determined that this project is exempt from CEQA as it can be seen with certainty that the proposed project would not have a significant effect on the environment as the proposed project involves no expansion of the existing structure. Therefore, the project is exempt pursuant to CEQA Guidelines Section 15301.

Lead Agency
Contact Person: Scott Friend Area Code/Telephone/Extension: (530) 865-1608

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ■ Yes No

Signature: _____ Date: 3/17/2025 Title: City Planner

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

**CITY OF ORLAND
PLANNING COMMISSION RESOLUTION PC 2025-__**

**APPROVAL OF CONDITIONAL USE PERMIT #2024-01
909 3rd Street, APN: 040-218-001**

WHEREAS, the Planning Commission held a duly noticed public hearing to accept public comments and to review and consider the application on March 20, 2025; and

WHEREAS, the Planning Commission deliberated on the proposed request and has determined, subject to approval of the Planned Development Use Permit being requested and the Conditions of Approval, the request is consistent with the Orland General Plan and the requirements of the 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 15301 of the State CEQA guidelines further described as the 'Existing Facilities' Exemption; and

WHEREAS, the Planning Commission, in a staff report dated March 20th, 2025, 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 MU, Mixed Use 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 #2024-01, subject to the following conditions:

General Conditions:

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. The project applicant and/or contractor shall obtain all necessary 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.
8. 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.
9. 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.
10. If changes are requested to the site plan 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.

Use/Site Specific Conditions of Approval:

1. The project shall maintain adequate entrance and exit access to and from the structure in compliance with the standards of the California Building Code.
2. No additions to the existing structure are permitted with the conditional approval of this request.
3. All outdoor lighting (wall lights, interior signage, etc.) shall be directed away from adjacent uses and properties and shall be shielded so that no light is emitted above a horizontal plane (parallel to the ground) from the base of the fixture-head and/or so that no exterior lighting is un-shielded to the public view.

The foregoing Resolution was adopted by the Planning Commission on the 20th day of March, 2025 by the following vote:

AYES: Commission Members:

NOES: Commission Members:

ABSENT: Commission Members:

ABSTAIN: Commission Members:

ATTEST:

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

**CITY OF ORLAND
PLANNING COMMISSION RESOLUTION PC 2025-__**

**APPROVAL OF CONDITIONAL USE PERMIT #2024-01
909 3rd Street, APN: 040-218-001**

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3. The proposed use will not be detrimental or injurious to the general welfare of the city.
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