



## ORLAND PLANNING COMMISSION REGULAR MEETING AGENDA

Thursday, August 21, 2025 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:** Lisa Lozier City Planner

**Virtual Meeting Information:**

<https://us02web.zoom.us/j/83559416133>

**Webinar ID: 835 5941 6133 | 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. 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 July 17, 2025

6. PUBLIC HEARING

A. **General Plan Amendment GPA#2024-01:** Review and Recommendation to adopt and incorporate the updated Multi-Jurisdiction Hazard Mitigation Plan 2025 into the Safety Element of the City of Orland General Plan: The proposed General Plan Amendment (GPA) 2025-01 is intended to amend the City of Orland General Plan by including an update to the Multi-Jurisdiction Hazard Mitigation Plan (MJHMP) prepared in conjunction Glenn County

7. ITEMS FOR DISCUSSION OR ACTION

A. Follow Up Discussion: CUP 2024-02 - Zoning

**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 August 14, 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](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, July 17, 2025

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

### PLEDGE OF ALLEGIANCE

#### ROLL CALL:

Commissioners present:	Chairperson Stephen Nordbye, Vice Chairperson Sharon Lazorko, Alex Enriquez and Vern Montague
Commissioner absent:	None
Councilmember(s) present:	Terrie Barr
Staff present:	City Planner Lisa Lozier and City Clerk Jennifer Schmitke

### ORAL AND WRITTEN COMMUNICATIONS:

Orland resident Ron Lane inquired about a previously proposed project at the corner of Papst Avenue and South Street. Chairperson Nordbye responded that the project is expected to be revisited in the coming months.

### CONSENT CALENDAR

Approval of Prior Minutes: April 17, 2025

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

### ITEMS FOR DISCUSSION OR ACTION

Chairperson Nordbye welcomed Ms. Lisa Lozier and introduced her as the City's new Planner. Ms. Lozier provided a brief overview of her professional background and experience. She noted that she has already begun addressing the Planning Department's backlog and expressed her enthusiasm for contributing to the community's future projects.

Orland resident Jan Walker and Councilmember Barr also extended welcomes to Ms. Lozier.

## COMMISSIONERS REPORTS

- **Commissioner Montague** welcomed Ms. Lozier and expressed appreciation for her efforts in addressing the department's backlog. He added that he hopes to see the City take a more developer- and community-friendly approach moving forward.
- **Commissioner Enriquez** expressed interest in reviewing the City's parking minimums and bicycle parking requirements at a future meeting, to explore potential updates.
- **Vice Chairperson Lazorko** had no formal report but shared her appreciation for Ms. Lozier's immediate efforts in tackling the department's project backlog.
- **Chairperson Nordbye** welcomed Ms. Lozier to the Commission and expressed his enthusiasm for making progress on several pending projects.

**FUTURE AGENDA ITEMS** – Chairperson Nordbye stated he would like the Commission to revisit Conditional Use Permit CUP 2024-02 at the next meeting, focusing on the initial presentation and its alignment with Downtown Mixed-Use (DT-MU) zoning regulations. He also proposed a follow-up discussion for a future meeting to clarify the three types of conditional use permits, with the goal of preventing similar issues going forward.

## ADJOURNMENT – 5:41 PM

Respectfully submitted,

Jennifer Schmitke, City Clerk

Stephen Nordbye, Chairperson



## CITY OF ORLAND STAFF REPORT

**MEETING DATE: August 21, 2025**

**TO:** City of Orland Planning Commission

**FROM:** Lisa Lozier, AICP – City Planner

**SUBJECT:** **General Plan Amendment GPA#2024-01:** Review and Recommendation to adopt and incorporate the updated Multi-Jurisdiction Hazard Mitigation Plan 2025 into the Safety Element of the City of Orland General Plan: The proposed General Plan Amendment (GPA) 2025-01 is intended to amend the City of Orland General Plan by including an update to the Multi-Jurisdiction Hazard Mitigation Plan (MJHMP) prepared in conjunction Glenn County.

**Environmental Review:** The proposal action is exempt from environmental review as required by CEQA through the use of the “General Rule” Section 15061(b) (3) that is applied to proposals, which will have no potential adverse impact on the environment.

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### Summary:

The proposed General Plan Amendment (GPA) 2025-01 is to amend the City of Orland General Plan to include the updated Glenn County Multi-Jurisdiction Hazard Mitigation Plan 2025. The Multi-Jurisdiction Hazard Mitigation Plan update was submitted for review by the California Governor’s Office of Emergency Services (CalOES) and the Federal Emergency Management Agency (FEMA). CalOES and FEMA have conditionally approved the Multi-Jurisdiction Hazard Mitigation Plan, pending adoption and approval by the City of Orland City Council.

Additionally, Assembly Bill (AB) 2140 authorizes a city or county to adopt within its safety element a hazard mitigation plan. The state share for projects eligible under the California Disaster Assistance Act, is limited unless a local jurisdiction has adopted a local hazard mitigation plan in accordance with the Federal Disaster Mitigation Act as part of its safety element.

In order for City of Orland to comply with AB 2140, the City Council must adopt a resolution integrating the updated Multi-Jurisdiction Hazard Mitigation Plan 2025 into the safety element of the General Plan. The proposed approval and adoption of the Multi-Jurisdiction Hazard

GPA #2025-01  
PC Staff Report

Mitigation Plan 2025 recognizes The City of Orland's commitment to reducing the impacts of natural hazards.

The proposed General Plan Amendment will integrate with the existing Safety Element of the General Plan. The project does not directly involve revisions to the environment and therefore will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity. Therefore, staff proposes that the Multi-Jurisdiction Hazard Mitigation Plan 2025 be recommended for approval and adoption by reference into the General Plan.

## **GENERAL PLAN AMENDMENT**

### **General Plan Safety Element:**

CalOES, via AB 2140 requires an amendment to the General Plan in order to integrate the Glenn County Multi-Jurisdiction Hazard Mitigation Plan 2025 update into the Safety Element of the City of Orland General Plan.

A Planning Commission Resolution is provided for signature by the Chair and will be forwarded to the City Council as a recommendation by the Commission.

### **Summary of Amendment Process:**

General plan amendment procedures are similar to the General Plan adoption process, at least one public hearing is required before both the Planning Commission and the City Council. An environmental finding must be prepared pursuant to the California Environmental Quality Act. The Planning Commission's approval or denial of a general plan amendment is forwarded as a recommendation to the City Council, which makes the final decision to approve or deny the requested amendment.

### **General Plan Consistency:**

This proposal to amend the City of Orland General Plan to include and implement the Multi-Jurisdiction Hazard Mitigation Plan 2025 can be considered consistent with the General Plan for City of Orland as it is an update to the Multi-Jurisdictional Hazard Mitigation Plan approved by City Council on January 7, 2019.

### **General Plan, Safety Element:**

The safety element establishes policies and programs to protect the community from risks associated with seismic, geologic, flood, and fire hazards. The Safety Element of the General Plan addresses topics related to public health and safety: law enforcement, fire hazards and fire protection, geologic hazards, air quality, flooding, water quality, noise, and solid and hazardous waste. The focus is on the impact natural and human-created hazards may have on development and future population, and on programs and ways to direct, enhance and serve development to be safe and cost-effective.

### **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), This project will result in no Potentially Significant Impacts to the environment and is considered exempt from environmental review as

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PC Staff Report

required by CEQA through the use of the “General Rule” Section 15061(b) (3) that is applied to proposals which will have no potential adverse impact on the environment.

### **FINDINGS:**

#### **Finding for General Plan Amendment**

City of Orland is vulnerable to natural hazards that may result in loss of life and property, economic hardship, and threats to public health and safety. The Multi-Jurisdiction Hazard Mitigation Plan 2025 recommends mitigation activities that will reduce losses to life and property affected by natural hazards. Therefore, it is in the public interest to approve the proposal.

#### **Finding for Notice of Exemptions**

The amending of the General plan will not result in any on the ground activity without additional environmental review. Therefore, the project is exempt from environmental review as required by CEQA through the use of the “General Rule” Section 15061(b) (3) that is applied to proposals, which will have no potential adverse impact on the environment.

### **RECOMMENDATION:**

The Planning Commission will hold a Public Hearing in consideration of recommending that the City Council of the City of Orland take the following actions:

- (A) Adopt the Glenn County Multi-Jurisdiction Hazard Mitigation Plan 2025 update as the official Hazard Mitigation Plan of the County.
- (B) Approve General Plan Amendment 2025-01, thereby amending the County General Plan Safety Element to include the Multi-Jurisdictional Hazard Mitigation Plan 2025 update.
- (C) Find that the proposal is exempt from environmental review as required by CEQA through the use of the “General Rule” Section 15061(b) (3) that is applied to proposals, which will have no potential adverse impact on the environment.

### **ATTACHMENTS**

- Attachment A – Planning Commission Resolution PC 2025-
- Attachment B– Glen County Multi-Jurisdictional Hazard Mitigation Plan 2025: available at the following link on the City Website:

<https://www.cityoforland.com/wp-content/uploads/2025/08/Glenn-County-Hazard-Mitigation-Plan-Update-2025-draft-to-be-adopted.pdf>

- Attachment C – Assembly Bill 2140 (AB 2140) Fact Sheet



### PLANNING COMMISSION RESOLUTION PC 2025-05

**A RESOLUTION BY THE PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL ADOPT THE MULTI-JURISDICTION HAZARD MITIGATION PLAN 2025 AS THE OFFICIAL HAZARD MITIGATION PLAN OF THE COUNTY AND AMEND THE GENERAL PLAN TO INCORPORATE THE MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

**WHEREAS**, the Multi-Jurisdiction Hazard Mitigation Plan has been developed by the Glenn County Planning Division, in cooperation with other County departments, the City of Orland, the City of Willows, and the citizens of Glenn County, and

**WHEREAS**, the Multi-Jurisdiction Hazard Mitigation Plan 2025 identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the County of Glenn from the impacts of future hazards and disasters; and

**WHEREAS**, the City of Orland Planning Commission conducted a public hearing on August 21, 2025, on the proposed General Plan Amendment in order to integrate by reference the Multi-Jurisdiction Hazard Mitigation Plan 2025 into the Safety Element of the City of Orland General Plan; and

**WHEREAS**, the Federal Emergency Management Agency (FEMA) has reviewed and determined that the Multi-Jurisdiction Hazard Mitigation Plan 2025 is eligible for final approval pending its adoption by City of Orland and participating jurisdictions; and

**WHEREAS**, the Planning Commission considered the matter of amending the City of Orland General Plan and conducted a public hearing on the matter on August 21, 2025, and after review and consideration found that the project is in conformance with State and local environmental guidelines; and

**WHEREAS**, following the public hearing the Planning Commission finds that this amendment is exempt from environmental review as required by CEQA through the use of the "General Rule" Section 15061(b)(3) that is applied to proposals, which will have no potential adverse impact on the environment; and

**WHEREAS**, the Planning Commission recommends to the City Council that it adopts the Commission's recommended finding that the General Plan amendment is in the public interest and approve the amendment to amend the Safety Element of the City of Orland General Plan; and



**WHEREAS**, a recommended adoption by the City Council demonstrates its commitment to hazard mitigation and achieving the goals outlined in the Glenn County Multi-Jurisdiction Hazard Mitigation Plan 2025; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing to accept public comments and to review and consider General Plan Amendment (GPA 2025-01) on August 21, 2025; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Commission to recommend that the City Council for the City of Orland:

- Adopt the Multi-Jurisdiction Hazard Mitigation Plan 2025 update as the official Hazard Mitigation Plan of the City of Orland.
- Approve General Plan Amendment 2025-01, thereby amending the City General Plan Safety Element to include the Multi-Jurisdictional Hazard Mitigation Plan 2025.
- Find that the proposal is exempt from environmental review as required by CEQA through the use of the “General Rule” Section 15061(b) (3).

The foregoing Resolution was adopted by the Planning Commission on the 21<sup>st</sup> day of August 2025 by the following vote:

AYES: Commission Members:

NOES: Commission Members:

ABSENT Commission Members:

ABSTAIN: Commission Members:

\_\_\_\_\_  
Stephen Nordbye, Planning Commissioner Chairperson

ATTEST:

\_\_\_\_\_  
Jennifer Schmitke, City Clerk / Clerk of the Planning Commission



## Information for Counties and Cities

### What is AB 2140?

Passed in 2006, [Assembly Bill No. 2140 \(AB 2140\)](#) allows California counties and cities to be considered for additional state cost-share on eligible Public Assistance projects by adopting their current, FEMA-approved local hazard mitigation plans (LHMPs) into the Safety Element of their General Plan. This adoption, along with other requirements, makes the county or city eligible to be considered for part or all of its local-share costs on eligible Public Assistance projects to be provided by the state through the [California Disaster Assistance Act \(CDAA\)](#). For more information regarding Public Assistance, please visit [Cal OES Public Assistance Division](#).

### How Can AB 2140 Help Counties, Cities, and Your Citizens?

For eligible Public Assistance projects, the typical local (non-federal) cost share is 25% of the total project cost. [CDAA](#) can allow the state to pay up to 18.75% of the non-federal share, that would otherwise fall upon the county or city, to pay for eligible Public Assistance projects once the legislature has passed a bill allowing additional state funding after a disaster occurs. Upon approval of the legislature, counties and cities that are AB 2140 compliant are also eligible to be considered for the remaining 6.25% local share to be funded by the state, essentially covering the entire local-share cost for eligible Public Assistance projects. Please note that funding is not guaranteed.

### What Do You Need to Know?

- AB 2140 is **not** a requirement; it is an optional state incentive to help counties and cities become more resilient to natural hazards. Be sure to work with your planning department as the process proceeds.
- There are multiple steps that must be completed before Cal OES can issue a letter of AB 2140 compliance. These steps are listed in detail below in the section *What Are the Steps to Become AB 2140 Compliant?*
- Be aware that adopting the LHMP via a formal resolution is a federal requirement for FEMA to officially “approve” the LHMP and does not make your jurisdiction automatically AB 2140 compliant. AB 2140 is a state incentive which also requires adopting your LHMP into the Safety Element of your General Plan. However, both adoptions can take place at the same time using the same adoption resolution.
- AB 2140 compliance expires when the LHMP expires. You must re-adopt the LHMP itself **AND** adopt the LHMP into the Safety Element of your General Plan each time you update your LHMP in order to continue compliance.
- For multi-jurisdiction hazard mitigation plans (MJHMPs), the county and each city in the MJHMP must adopt its own specific annex into its own General Plan



## Information for Counties and Cities

Safety Element. Annex jurisdictions are not covered under the county's adoption.

- Special districts are not eligible for AB 2140 compliance as they do not have General Plans.
- For additional information on General Plan and Safety Element requirements please contact the [California Office of Planning and Research \(OPR\)](#).

### What Are the Steps to Become AB 2140 Compliant?

1. Complete and submit an LHMP to the Governor's Office of Emergency Services (Cal OES). A jurisdiction must have a current, FEMA-approved LHMP.
  - a. Cal OES will provide an initial review and, if applicable, request required revisions based on the [FEMA LHMP Guidance](#).
  - b. Once Cal OES has determined the plan has met all FEMA LHMP requirements, Cal OES will then forward the LHMP to FEMA for final review and approval.
  - c. For questions or assistance, please contact the Cal OES Local Mitigation Planning Unit at [mitigationplanning@caloes.ca.gov](mailto:mitigationplanning@caloes.ca.gov).
2. LHMP adoption **AND** adoption into the Safety Element of the General Plan
  - a. Adopt the LHMP via a formal resolution following your jurisdiction's typical procedure once FEMA has issued "approvable pending adoption" (APA) status. Once FEMA receives a signed adoption resolution, they can then issue an official "approval" notice for your LHMP.
    - i. A sample adoption resolution for your LHMP is provided in [Appendix B of the FEMA LHMP Policy Guide](#).
  - b. At this time, you may also choose to adopt the LHMP into the Safety Element of your General Plan using the same resolution in order to meet a requirement of AB 2140 compliance (see step 3).
    - i. Within the Safety Element update adoption resolution, there must be language specific to adopting the LHMP into the Safety Element of the General Plan, and the resolution must be signed and approved before the LHMP expires. This adoption can occur at the same time the LHMP is adopted to comply with FEMA requirements, or it can occur after the LHMP is approved but before it expires after five years.
  - c. At any time during the life of an approved LHMP a jurisdiction may choose to adopt the LHMP into the Safety Element of their General Plan, however, when the LHMP expires, AB 2140 compliance will also expire.



# Assembly Bill 2140 (AB 2140) Fact Sheet

## Information for Counties and Cities

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### 3. Safety Element Language

- a. The local agency must include language specific to the LHMP within the Safety Element of their General Plan **and** make the LHMP easily accessible in its entirety as a weblink, appendices, or attachment (see step 4).
- b. Jurisdictions should follow their own internal procedures for Safety Element language, however, below is sample language that may be used:
  - i. "The Local Hazard Mitigation Plan (LHMP) for the [Add Jurisdiction Name] planning area was developed in accordance with the Disaster Mitigation Act of 2000 (DMA 2000) and followed FEMA's Local Hazard Mitigation Plan guidance. The LHMP incorporates a process where hazards are identified and profiled, the people and facilities at risk are analyzed, and mitigation actions are developed to reduce or eliminate hazard risk. The implementation of these mitigation actions, which include both short and long-term strategies, involve planning, policy changes, programs, projects, and other activities. (Add a web link or language directing to the LHMP attachment or appendix within the Safety Element. Discussed further in step #4 below.)"

### 4. LHMP Accessibility and Links

- a. The current, approved LHMP must be easily accessible and available to the public viewing the Safety Element. This requirement can be met by linking the LHMP electronically to the General Plan Safety Element or by including the LHMP in its entirety as an attachment or appendix in the Safety Element and referencing its location with the plan.
- b. Web links should be monitored so that they are in working condition and bring the viewer to the most recent approved version of the LHMP.

5. E-mail the link to the updated General Plan Safety Element web page along with the signed adoption resolution(s) to the Cal OES AB 2140 inbox [ab2140@caloes.ca.gov](mailto:ab2140@caloes.ca.gov) for review and approval.



## Information for Counties and Cities

### Frequently Asked Questions

- Q: Who do I contact if I have additional questions regarding my LHMP or AB 2140 status?
- A: For questions regarding AB 2140 compliance please contact [ab2140@caloes.ca.gov](mailto:ab2140@caloes.ca.gov). For questions pertaining to your LHMP, please contact the Cal OES Local Hazard Mitigation Planning team at [mitigationplanning@caloes.ca.gov](mailto:mitigationplanning@caloes.ca.gov).
- Q: If a county is AB 2140 compliant, are its cities automatically covered?
- A: No. Each county and city must:
1. Have either your own stand-alone LHMP or have an annex in a MJHMP.
  2. Have adopted your approved stand-alone LHMP or annex into your own General Plan Safety Element.
- Q: Can a jurisdiction obtain AB 2140 compliance before their LHMP is approvable pending adoption (APA) from FEMA?
- A: No. The LHMP must be either APA or officially "approved" by FEMA before you may adopt to obtain AB 2140 compliance.
- Q: Are special districts covered under their county's LHMP since they do not have their own general plan?
- A: No. Special districts are not qualified for additional cost share under AB 2140 because they do not have a General Plan.
- Q: If a county or city becomes AB 2140 compliant, does this compliance last forever?
- A: No. AB 2140 compliance expires on the day the LHMP expires. You must re-adopt your LHMP into your General Plan Safety Element each time you update your LHMP.
- Q: Once a county or city becomes AB 2140 compliant, are they guaranteed funding?
- A: No. You will be eligible to be considered for additional CDAA funding upon approval of the legislature. There is no guarantee of funding.
- Q: Can a city or county adopt their LHMP to obtain AB 2140 compliance at the same time they adopt their LHMP to fulfill the FEMA requirement when the LHMP is approvable pending adoption?
- A: Yes, this is a viable option. It is crucial, however, that Cal OES receives a copy of the adoption resolution to ensure compliance. Your jurisdiction is



# Assembly Bill 2140 (AB 2140) Fact Sheet

## Information for Counties and Cities

6. A.

not compliant until Cal OES has documentation and has issued a compliance letter.

Q: If the actual LHMP is added to the General Plan, but not within the Safety Element, is language still required in the Safety Element?

A: Yes, language specific to the LHMP and a web link, appendix, or language within the Safety Element that directs the public to the most current, approved LHMP in its entirety is required to be in the Safety Element.

### **AB 2140 Compliance Checklist**

In order to issue a letter of AB 2140 compliance, Cal OES will review and verify that your jurisdiction has performed the following:

- ✓ Has a current, FEMA-approved or approvable pending adoption (APA) LHMP.
- ✓ Formally adopted the LHMP via resolution.
- ✓ Formally adopted the most current, approved LHMP into the Safety Element of your General Plan via resolution.
- ✓ Included language within the Safety Element of your General Plan that references your LHMP.
- ✓ Included a web link, appendix, or language within the Safety Element that directs the public to the most current, approved LHMP *in its entirety*.
- ✓ E-mailed the link to the updated General Plan Safety Element web page along with the signed, adoption resolution(s) to the Cal OES AB 2140 inbox [ab2140@caloes.ca.gov](mailto:ab2140@caloes.ca.gov) for review and approval.

**For AB 2140 Questions:** [ab2140@caloes.ca.gov](mailto:ab2140@caloes.ca.gov)

**For LHMP Questions:** [mitigationplanning@caloes.ca.gov](mailto:mitigationplanning@caloes.ca.gov)

**For Public Assistance and CDAA Questions:** [DisasterRecovery@caloes.ca.gov](mailto:DisasterRecovery@caloes.ca.gov)



## CITY OF ORLAND STAFF REPORT

### MEETING DATE: August 21, 2025

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**TO:** Planning Commission

**FROM:** Lisa Lozier, City Planner

**SUBJECT:** Follow Up Discussion: CUP 2024-02 - Zoning

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At the July 17, 2025 Planning Commission meeting Chairperson Nordbye tasked staff to prepare a discussion to revisit Conditional Use Permit CUP 2024-02 at the next meeting, focusing on the initial presentation and its alignment with Downtown Mixed-Use (DT-MU) zoning regulations.

#### **Background:**

At the March 20, 2025, Regular Planning Commission Meeting, A request to approve a Conditional Use Permit (CUP#2024-02) to approve a 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 was presented to the Planning Commission for review and action.

The Planning Commission opened a public hearing and received public comment and project clarification from the applicant. Concerns raised during the public hearing included parking and a question OMC Section 17.40.030 – Administratively permitted uses in the Community Commercial zone district versus the recommendation OMC Section 17.40.040 – Conditional uses requiring use permits. After closing the public hearing and Planning Commission discussion, the Planning Commission voted unanimously to approve the project.

#### **Analysis:**

Based on the Staff Report provided at the March 20, 2025, Planning Commission Meeting, the following General Plan designation and Zoning Codes were used to interpret the policies and regulations applicable to the proposed project.

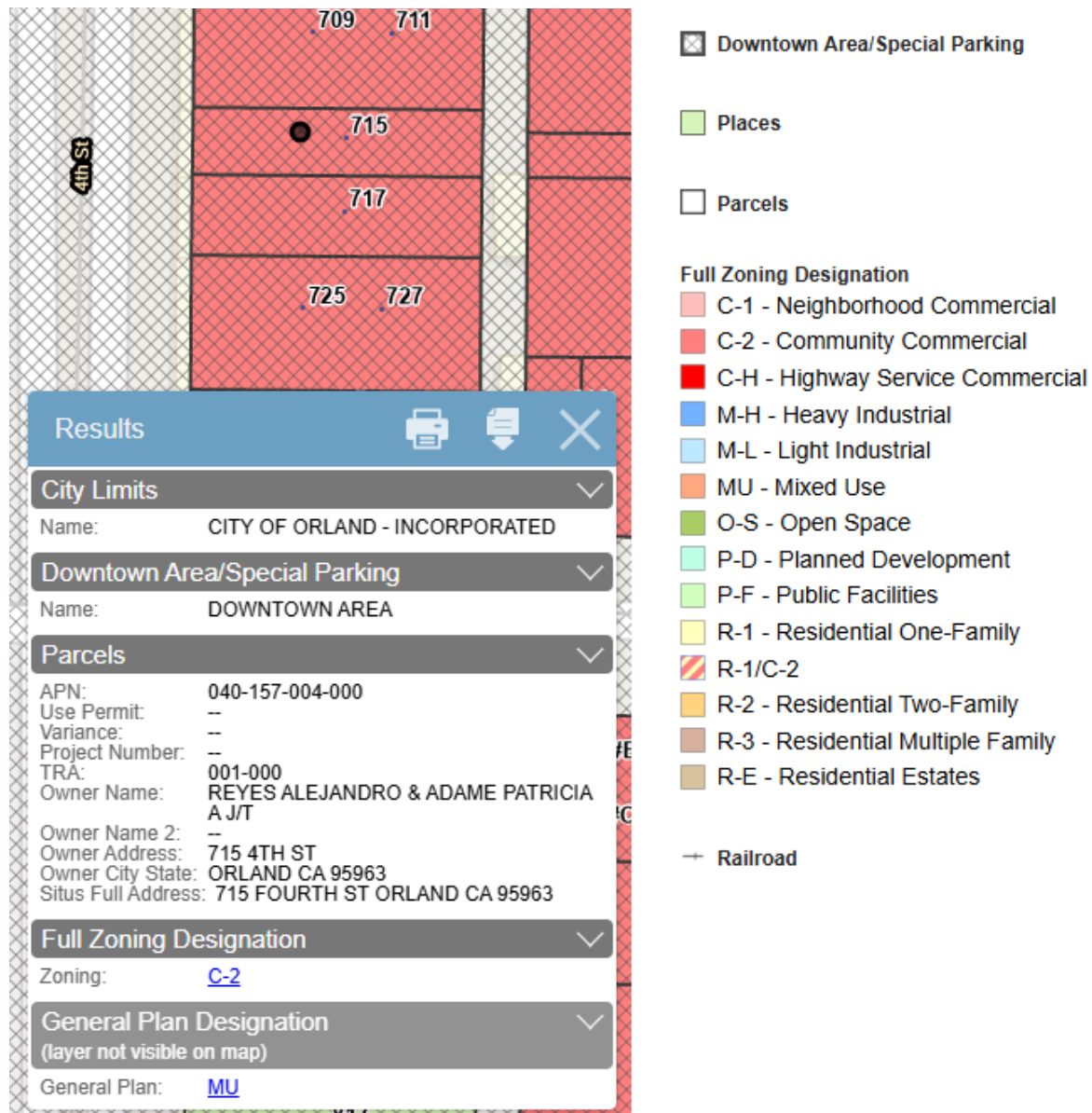
As Indicated in the Staff Report, the Project Site is designated Mixed Use (M) on the Orland General Plan land use map. The Mixed Use designation is utilized in the Downtown District and other areas **as deemed appropriate** by the City to "provide for a pedestrian-oriented live/work/play environment" according to the Orland 2008-2028 General Plan. As indicated in Table 2-6 the Mixed Use General Plan Designation is compatible with the R-2, C-2 and C-H districts, and does not include the MU.



FIGURE 1: City of Orland Parcel Viewer

**TABLE 2-6**  
**GENERAL PLAN/ZONING COMPATIBILITY**

General Plan Designation	Compatible Zoning
Low Density Residential	R-1
Medium Density Residential	R-2
High Density Residential	R-3
Residential Estates	R-E
Mixed Use	R-3, C-2, PD
Commercial	C-1, C-2, C-H
Light Industrial/Commercial	M-L
Heavy Industrial	M-H
Open Space/Resource Conservation	O-S
Public Facility	PF





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 -On-site parking requirements of The Downtown Area/Special Parking overlay zone located in Chapter 17.42-DT-MU Downtown Mixed Use Zone.

Based on the Zone District Map as indicated on the City of Orland Parcel Viewer, the Project Site is also subject to the standards and regulations of the primary zoning district, C-2 Community Commercial.

**Orland Municipal Code (OMC) analysis of - DT-MU DOWNTOWN MIXED USE ZONE**

**17.42.010 - Purpose and applicability.**

*The downtown mixed use or DT-MU zone is intended to apply to areas in the historic downtown area and other areas **as deemed appropriate**. The purpose of the downtown mixed use zoning designation is to allow for and encourage a broader mix of uses and a more urban pattern of development than exists in the city today, while respecting its historic context and creating a vibrant, pedestrian-friendly environment. The regulations of this chapter and the provisions of [Chapter 17.76](#) shall apply in all downtown mixed use or DT-MU zones.*

**17.42.020 - Principal permitted and prohibited uses. (Residential Group)**

A. Permitted and Prohibited Uses:  
P = Primary Permitted Uses; X = Not Allowed; C = Conditional Use; A = Administrative

<u>Type of Use</u>	<u>DT-MU</u>
Bed and breakfast inn	C
Boarding and rooming house	C
Dwelling(s), ground floor	C
Dwelling(s), basement or second floor or above	P
Emergency shelters	P
Live/work dwelling	P

OMC Section 17.42.020 for permitted and prohibited uses for residential groups would allow dwellings in a basement second floor or above as a Primary Permitted Use. Dwellings located on the ground floor would require a Conditional Use Permit for approval.

**Orland Municipal Code (OMC) analysis of C-2 Community Commercial District**

**17.40.010 - Purpose and applicability.**

*The community commercial or C-2 zone is intended to apply to areas where more complete commercial facilities are necessary for community convenience. Typically this zone will be applied in downtown Orland and in shopping centers. The regulations of this chapter and the provisions of [Chapter 17.76](#) shall apply in all community commercial or C-2 zones.*

OMC Section 17.40.020 – Principal permitted uses does not include residential uses (dwellings or associated residential uses) as permitted uses.

OMC Section 17.40.030, particularly item 7. Dwellings second floor only, specifies that dwellings can be considered as a use in conjunction with commercial as the primary use. Section 17.40.030.7 Administratively permitted uses includes Dwellings, second floor only.

OMC Section 17.40.040(A)16 specifically addresses dwellings on the ground floor as a residential use that would require approval of a Conditional Use Permit to be established in the C-2 District. and Section 17.40.040(D) lists Residential uses generally as requiring approval of a use permit.

NOTE: In the Background section Staff report prepared for the March 20, 2025 Planning Commission meeting, the report indicates that the project is subject the standards and regulation of the primary zone district, C-2 Community Commercial. And 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 district.”

Based on the specificity of the Administrative (17.40.030) and Conditional (17.40.040) use of the C-2 community commercial favors the commercial development. As the primary district use, allows for uses that are subordinate to the commercial primary use as Administratively Permitted or Conditionally Permitted

#### **Conflicts identified:**

A finding of consistency between the General Plan land use designations and Zoning Ordinance districts is required for approval of projects. The project site as indicated in Figure 1 – City of Orland Parcel Viewer is Zone District C-2 Community Commercial and Mixed Use General Plan Designation. The parcel viewer does not clearly indicate where or when the DT-MU district is to apply and how it is to be determined to be consistent with the General Plan.

#### **Dwelling versus Residential Use:**

OMC Section 17.08.610 - Dwelling.

A. "Dwelling" means any building or portion thereof designed or used for habitation or residential occupancy.

Are dwellings residential uses?

Yes, dwellings are residential uses, as they are defined as buildings or structures designed for living accommodation for one or more individuals or households. This includes various forms of housing like single-family homes, duplexes, apartments, and accessory dwelling units, all serving as living spaces rather than commercial or business purposes.

Residential uses include a wide range of options from detached single-family homes to multi-family dwellings like duplexes and apartments, as well as specialized housing such as manufactured homes, dormitories, group homes, and senior living communities. Supporting residential uses can also include Accessory Dwelling Units (ADUs), home occupations, and sometimes even small-scale childcare facilities or farm labor housing on the same property.

#### **Conflicts identified:**

A finding of consistency between the General Plan land use designations and Zoning Ordinance districts is required for approval of projects. The project site as indicated in Figure 1 – City of Orland Parcel Viewer is Zone District C-2 Community Commercial and Mixed Use General Plan Designation. The parcel viewer does not clearly indicate where or when the DT-MU district is to apply and how it is to be determined to be consistent with the General Plan.