



ORLAND PLANNING COMMISSION REGULAR MEETING AGENDA

Thursday, January 22, 2026 at 5:30 PM
Carnegie Center, 912 Third Street and via Zoom

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

Commission: Stephen Nordbye | Sharon Lazorko

Vernon Montague | Tyler Rutledge

City Clerk: Jennifer Schmitke

City Staff: Lisa Lozier, City Planner

Virtual Meeting Information:

<https://us02web.zoom.us/j/88954855000>

Webinar ID: 889 5485 5000 | Zoom Telephone: 1 (669) 900-9128

Public comments are welcomed and encouraged in advance of the meeting by emailing the City Clerk at itschmitke@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. OATH OF OFFICE**
- 4. ROLL CALL**
- 5. IDENTIFY CHAIRPERSON AND VICE CHAIRPERSON FOR 2026**
- 6. 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).

- 7. CONSENT CALENDAR**
 - A.** Approve Planning Commission Minutes from October 16, 2025
- 8. ITEMS FOR DISCUSSION OR ACTION**
 - A.** Tree Ordinance – Discussion and Direction
- 9. STAFF REPORTS**
- 10. COMMISSIONER REPORTS**

11. FUTURE AGENDA ITEMS

12. ADJOURN

CERTIFICATION: Pursuant to Government Code Section 54954.2(a), the agenda for this meeting was properly posted on January 16, 2026.

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, October 16, 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:	None
Staff present:	City Planner Lisa Lozier and City Clerk Jennifer Schmitke

ORAL AND WRITTEN COMMUNICATIONS: None

CONSENT CALENDAR: None

PUBLIC HEARING

- A. Zone Amendment: ZCA 2025-05: Title 17 Zoning Ordinance Text Amendment – Review and Recommend the addition of text to General Commercial (C-2) Section of the Orland Municipal Code (OMC) Title 17 to differentiate the difference between residential uses generally (17.40.040(D) and Dwellings located on the second floor 17.40.030(A)(7)) of commercial structures specifically.**

City Planner Lisa Lozier presented a proposed amendment to Orland Municipal Code Section 17.04.040(D) – Residential Uses. The amendment would add the clarifying language:

“except as otherwise identified in Section 17.40.030(A)(7)”

Ms. Lozier shared the purpose of the amendment is to resolve conflicting provisions within the zoning code regarding residential uses in the C-2 (Community Commercial) District—specifically distinguishing between general residential uses and dwellings located on the second floor of commercial buildings.

Ms. Lozier explained that in March 2025, the Planning Commission approved Conditional Use Permit (CUP 2024-02) for a second-floor residential unit at 715 4th Street (APN 040-157-004). During that meeting, questions were raised regarding which residential uses require a Conditional Use Permit versus those that may be administratively approved. In August 2025, the Commission directed staff to prepare a zoning code amendment to clarify these provisions.

Ms. Lozier further explained that OMC Section 17.40.020 does not list residential uses as principal permitted uses in the C-2 District. Section 17.40.030(A)(7) allows second-floor dwellings in conjunction with commercial uses as administratively permitted uses, while Section 17.40.040 identifies general residential uses and ground-floor dwellings as conditional uses requiring a permit.

To eliminate inconsistencies between administrative and conditional approvals for residential uses in the C-2 District, Ms. Lozier recommended adding clarifying language to Section 17.40.040(D). The amendment would ensure that second-story residential dwellings are treated as administratively approved uses, consistent with Section 17.40.030(A)(7).

Commissioner Enriquez questioned the wording regarding second floor only and suggested correcting the wording to the proposed amendment. Ms. Lozier suggested that the Commissioner could suggest adding language to the administrative uses to include floors above.

Chairperson Nordbye opened the public hearing at 5:41 pm.

With no comments Chairperson Nordbye closed the public hearing at 5:41 pm

ACTION: Commissioner Montague moved, seconded by Commissioner Enriquez, to adopt that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guideline section 15061(b)(3). Motion carried by a voice vote 4-0.

ACTION: Vice Chairperson Lazorko moved, seconded by Commissioner Montague the Planning Commission adopt PC Resolution 2025-06 recommending the proposed text change to City Council for review and approval to include the language presented to include second floor and above. Motion carried by a voice vote 4-0.

ITEMS FOR DISCUSSION OR ACTION

A. The Planning Commission will consider a change to the regular Planning Commission meeting date which is currently held on the third Thursday of each month.

City Planner Lisa Lozier shared that at the September Planning Commission meeting, the Commission expressed interest in changing its regular meeting date. Staff was directed to prepare a discussion item outlining the procedures for modifying the Commission's regular meeting schedule. Ms. Lozier also reviewed the section of the Orland Municipal Code (Chapter 2.32) that defines the purpose and guidelines for the Planning Commission.

Following discussion, the Commissioners agreed that the fourth Thursday of each month would work best for future meetings.

ACTION: Commissioner Enriquez moved, seconded by Commissioner Montague to change all future Planning Commission meetings to the Fourth Thursday of each month. Motion carried by a voice vote 4-0.

Chairperson Nordbye noted that the meeting date change would take effect in November 2025 but realized that the next two scheduled meetings would fall on holidays. Ms. Lozier explained that the Commission could set alternate dates for November and December, and the Commissioners discussed implementing the new regular meeting schedule beginning in January 2026.

ACTION: Chairperson Nordbye moved, seconded by Commissioner Enriquez to amend the previous vote and to change all future Planning Commission meetings to Fourth Thursday of each month beginning January 2026. Motion carried by a voice vote 4-0.

STAFF REPORT

Ms. Lozier shared a few updates, including:

- The potential discussion of the Westside Annexation.
- Possible amendments to a few older subdivision maps.

COMMISSIONERS REPORTS

- **Commissioner Montague:** No report.
- **Commissioner Enriquez:** No report.
- **Vice Chairperson Lazorko:** asked if the 5th Street Apartments are ready for occupancy, Chairperson Nordbye explained that the City is still waiting on the contractor and that no residents have moved in yet.
- **Chairperson Nordbye:** No report.

ADJOURNMENT – 5:57 PM

Respectfully submitted,

Jennifer Schmitke, City Clerk

Stephen Nordbye, Chairperson

Article

I. GENERAL PROVISIONS

ARTICLE I: GENERAL PROVISIONS

Section

- 23A.1 Short title of chapter
- 23A.2 Purpose of chapter
- 23A.3 Definitions
- 23A.4 Enforcement of chapter
- 23A.5 Master tree plan; public hearing prior to approval
- 23A.6 Duties of the Public Works Director relative to master tree plan; right of property owners to petition for certain types
- 23A.7 Permission to cut and the like; required
- 23A.8 Must file written request with Public Works Director; cost to petitioner
- 23A.9 To be granted to public utility; term of permit
- 23A.10 Who may cut trees
- 23A.11 Interference with Public Works Director prohibited
- 23A.12 Prohibitive acts
- 23A.13 Protection for trees to be provided during erection and the like of buildings
- 23A.14 Application for moving of building required; trees along designated route to be protected; conditions to approving application
- 23A.15 Certain trees declared a public nuisance; written notice to abate; right of objection and appeal by owner
- 23A.16 Development plans
- 23A.17 Removal
- 23A.18 Tree replacement plans
- 23A.19 Replacement of heritage or mature native tree
- 23A.20 Exempt trees
- 23A.21 Removal without prior written city approval
- 23A.22 Exceptions
- 23A.23 Appeals

§ 23A.1 SHORT TITLE OF CHAPTER.

This chapter shall be known as the “Tree Chapter” and may be cited as such.

(‘61 Code, § 23A.1) (Ord. 419, passed 2-5-1963)

§ 23A.2 PURPOSE OF CHAPTER.

It is for the best interests of the city and of the citizens and public thereof that a comprehensive plan for planting and maintenance of trees, plants and shrubs within the city should be developed and established. This chapter is adopted, therefore, for the purpose of developing and providing a plan and program and for the purpose of establishing rules and regulations relating to the planting, care, removal and maintenance of trees, plants and shrubs within or adjacent to public streets and rights-of-way, and heritage trees and mature native trees (as defined herein) located within the city.

(‘61 Code, § 23A.2) (Ord. 419, passed 2-5-1963; Am. Ord. 946, passed 10-7-2003)

§ 23A.3 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DEVELOPED. When describing land, the value of on-site improvements exceeding \$10,000.

DIAMETER AT BREAST HEIGHT. The diameter of a tree trunk, calculated by measuring the circumference at a point of four feet-six inches above grade on the uphill side of the tree and then dividing the circumference by 3.0.

HERITAGE TREE. Those oak trees, located on private property, with a single trunk diameter greater than 36 inches d.b.h., or in the case of an oak tree with multiple trunks, any such tree where the sum of the diameters of its two largest trunks exceeds 40 inches d.b.h.

IMPROVED LOT. Any lot or parcel of land with one or more buildings having a combined value exceeding \$30,000, prior to the effective date of Ordinance 946, as determined by the Tehama County Assessor.

MATURE NATIVE TREE. Any sycamore, oak, or cottonwood tree, located on private property, with a trunk diameter greater than ten inches d.b.h. and not classified as a heritage tree.

PUBLIC STREETS or **STREETS.** All roads, streets, avenues, boulevards, alleys, parks and public places and public rights-of-way or any portion thereof, of the city.

TREE. Trees, shrubs and plants and shall apply to such as are within the public right-of-way.

(`61 Code, § 23A.3) (Ord. 419, passed 2-5-1963; Am. Ord. 946, passed 10-7-2003)

§ 23A.4 ENFORCEMENT OF CHAPTER.

The Public Works Director or the Planning Director or their duly authorized representatives shall be charged with the enforcement of this chapter as specified below. Generally, the Public Works Director shall be responsible for enforcement of this chapter as it relates to trees, and any portion of mature native trees or heritage trees located within the public streets and/or rights-of-way. Generally, the Planning Director shall be responsible for the enforcement of this chapter as it relates to mature native trees or heritage trees located on private property. The owner of the private property where mature native trees or heritage trees are located is responsible for complying with the provisions of this chapter.

(`61 Code, § 23A.4) (Ord. 419, passed 2-5-1963; Am. Ord. 946, passed 10-7-2003)

§ 23A.5 MASTER TREE PLAN; PUBLIC HEARING PRIOR TO APPROVAL.

(A) The Public Works Director is hereby charged with the duty of promptly determining the types and species of trees suitable and desirable for planting and the areas in which and conditions under which the trees shall be planted or which may overhang the public streets within the city. The determination shall be made by the Public Works Director, who shall consult with those familiar with the subject of the plantings, such as landscape architects, arborists, nurserymen and park executives.

(B) When the determination has been made, the Public Works Director shall report his or her findings in writing to the Parks and Recreation Commission who shall recommend the plan to the city Council. The City Council shall hold an advertised public hearing. The hearing shall be advertised once in a daily paper ten days prior to the hearing. When approved by the City Council, the report shall be known as the master tree plan, shall be placed on file in the Office of the City Clerk and shall thereafter be the official determination of the Public Works Director. Revisions or changes in the master tree plan may be made from time to time by the Public Works Director, in the manner described hereinabove for the development, approval and filing of the original master tree plan.

(`61 Code, § 23A.5) (Ord. 419, passed 2-5-1963)

§ 23A.6 DUTIES OF THE PUBLIC WORKS DIRECTOR RELATIVE TO MASTER TREE PLAN; RIGHT OF PROPERTY OWNERS TO PETITION FOR CERTAIN TYPES.

(A) (1) It shall be the duty of the Public Works Director, with the assistance from the Public Works Department to plant, trim and prune all trees within the city right-of-way and to remove all objectionable or unsafe tree(s). Prior to removal of any tree(s) within the right-of-way, the Public Works Director will:

(a) Post a notice on the tree for ten calendar days which states: "This tree is scheduled for removal. Concerned citizens may file an appeal with the Public Works Director until 5 p.m. on (state date)." The appeal shall include the name and contact number of the person filing the appeal and the reason for the appeal.

(b) Notice shall also be mailed to owners of property immediately adjacent to the tree proposed for removal and to all such persons or entities requesting such notice. Notice of proposed tree removal shall also be posted at City Hall.

(c) If a timely appeal is not submitted, the tree may be scheduled for removal.

(d) If an appeal is filed, the Public Works Director shall consult with a licensed arborist as to whether the roots can be cut without killing the tree or causing a hazard to falling or in the case of disease or structural problems whether the tree can be treated for the disease or trimmed in such a way as to remove the structural problems. The Public Works Director shall consider the licensed arborist's recommendation before ruling on the appeal.

(e) The Public Works Director shall make a written determination regarding any appeal, and a copy thereof shall be mailed to the appellant. The appellant may appeal the Public Works Director's determination to the City Council by

submitting a written statement of appeal within ten calendar days of the Public Works Director's determination. The decision of the City Council shall be final.

8. A.

(2) The above notice requirements will not apply if the Public Works Director determines that the subject tree constitutes an immediate threat to public safety.

(B) The Public Works Director shall have the power to designate the kind or variety of trees to be planted in conformity with the master tree plan. The owners of property fronting on any street, alley or public place may petition the Parks and Recreation Commission that the trees shall be a certain kind or variety, and the decision of the Commission shall be merely advisory to the action of the City Council which shall make the final decision.

(`61 Code, § 23A.6) (Ord. 419, passed 2-5-1963; Am. Ord. 998, passed 5-19-09)

§ 23A.7 PERMISSION TO CUT AND THE LIKE; REQUIRED.

(A) No person shall cut, trim, prune, plant, remove, injure or interfere with any tree without the prior permission and approval of the Public Works Director. The Public Works Director is authorized to grant permission in accordance with policies established by the Parks and Recreation Commission and may attach the condition that any removed tree be replaced by an official tree in conformity with the master tree plan.

(B) No permission shall be valid for a longer period than 30 days after its date of issuance.

(`61 Code, § 23A.7) (Ord. 419, passed 2-5-1963)

§ 23A.8 MUST FILE WRITTEN REQUEST WITH PUBLIC WORKS DIRECTOR; COST TO PETITIONER.

Any person, maintaining any overhead wires or any pipes or underground conduits along or across any street of the city, or owning any property abutting upon any street, desiring to have any tree cut, trimmed, pruned or removed may file with the Public Works Director a written request that the work be done and the request shall describe the work desired to be done and such shall be within the discretion of the Public Works Director to require a written agreement upon the part of the petitioner to pay the cost thereof and to do the work in the way stipulated by the Public Works Director before the issuance of any permit hereunder.

(`61 Code, § 23A.8) (Ord. 419, passed 2-5-1963)

§ 23A.9 TO BE GRANTED TO PUBLIC UTILITY; TERM OF PERMIT.

Any person doing business as a public utility subject to the jurisdiction of the Public Utilities Commission of the state and any duly constituted public agency authorized to provide and providing utility service, shall be given a permit from the Public Works Director, valid up to one year from the date of issuance, permitting the person to trim, brace, remove or perform other acts with respect to trees growing adjacent to the public streets of the city or which grow upon private property to the extent that they encroach upon public streets as may be necessary to comply with the safety regulations of the Commission and as may be necessary to maintain the safe operation of its business.

(`61 Code, § 23A.9) (Ord. 419, passed 2-5-1963)

§ 23A.10 WHO MAY CUT TREES.

(A) No person other than an owner or his or her authorized employees or public utility may do any act for which permission is required under § 23A.7, except a person whose principal business is tree surgery, trimming or maintenance and who is qualified for the business in accordance with standards to be established by the Parks and Recreation Commission and who has obtained a permit to carry on the business in the city from the Public Works Director.

(B) Permits issued pursuant to this section shall be granted for a period of one year from the date of issuance but may be revoked for good cause by the Public Works Director.

(`61 Code, § 23A.10) (Ord. 419, passed 2-5-1963)

§ 23A.11 INTERFERENCE WITH PUBLIC WORKS DIRECTOR PROHIBITED.

No person shall interfere with the Public Works Director or persons acting under his or her authority while engaged in planting, mulching, pruning, trimming, spraying, treating or removing any tree or in the removing of any stone, cement or other substance from about the trunk of any tree, shrub or plant in any street.

(`61 Code, § 23A.11) (Ord. 419, passed 2-5-1963)

§ 23A.12 PROHIBITIVE ACTS.

(A) (1) No person shall cause, authorize or permit any brine water, oil, liquid dye or other substance deleterious to tree life to lie, leak, pour, flow or drip upon or into the soil about the base of any tree, heritage tree or mature native tree, or onto any sidewalk, road or pavement at a point from which the substance may by lying upon or flowing, dripping or seeping into the soil causing injury to or otherwise harm or kill any tree, heritage tree, or mature native tree.

(2) It shall be unlawful for any person to break, injure, remove, cut or deface, mutilate, kill or destroy any tree or set fire or permit any fire to burn where the fire or the heat thereof will injure any portion of any tree. It shall be unlawful for any

person to break, injure, or deface mutilate, kill or destroy any heritage tree or mature native tree or set fire or permit any to burn where the fire or the heat thereof will injure any portion of any heritage tree or mature native tree without prior written approval of the Planning Director or Planning Commission. 8. A.

(3) No person, without the approval of the Public Works Director, shall place or maintain any stone, cement or other substance so that it shall impede the free access of water or air to the roots of any tree. No person, without approval of the Planning Director, shall place or maintain any stone, cement or other substance so that it shall impede the free access of water or air to the roots of any heritage tree or mature native tree without prior written approval of the Planning Director or Planning Commission.

(B) No person shall place, apply, attach or keep attached to any tree, or to the guard or stake intended for the protection thereof, any wire, rope, sign, paint or any other substance, structure, thing or device of any kind or nature whatsoever without first obtaining written permission of the Public Works Director. No person shall place, apply, attach, or keep attached to any heritage tree or mature native tree, or to the guard or stake intended for protection thereof, any wire, rope, sign, paint or any substance, structure, thing, or device of any kind or nature whatsoever without first obtaining written permission of the Planning Director.

(`61 Code, § 23A.12) (Ord. 419, passed 2-5-1963; Am. Ord. 946, passed 10-7-2003)

§ 23A.13 PROTECTION FOR TREES TO BE PROVIDED DURING ERECTION AND THE LIKE OF BUILDINGS.

During the erection, repair, alteration or removal of any building, house or structure, no person in charge of the work shall leave any tree in the vicinity of the building or structure without the good and sufficient guards or protectors as shall prevent injury to the tree arising out of or by any reason of the erection, repair, alteration or removal.

(`61 Code, § 23A.13) (Ord. 419, passed 2-5-1963)

§ 23A.14 APPLICATION FOR MOVING OF BUILDING REQUIRED; TREES ALONG DESIGNATED ROUTE TO BE PROTECTED; CONDITIONS TO APPROVING APPLICATION.

(A) No person shall move any building, house or portion thereof on the streets without obtaining approval from the Public Works Director at least three days in advance of the moving. The application shall designate the route to be followed and all other details pertinent to the work. The Public Works Director shall have the authority to change the route and designate one which in his or her opinion will cause less damage to trees along and adjacent to the route.

(B) If necessary to protect the trees, the Public Works Director may require that the house, building or portions thereof be cut into segments small enough to fit the available width between trees along the designated route.

(C) As a condition to approving any route for the moving of any building, house or portion thereof the Public Works Director may require the person doing the work to enter into an agreement to pay all costs incurred for any labor, equipment or material used to protect or preserve the trees, shrubs or plants either before or after the moving.

(`61 Code, § 23A.14) (Ord. 419, passed 2-5-1963)

§ 23A.15 CERTAIN TREES DECLARED A PUBLIC NUISANCE; WRITTEN NOTICE TO ABATE; RIGHT OF OBJECTION AND APPEAL BY OWNER.

(A) The Public Works Director may inspect any tree adjacent to or overhanging any public street to determine whether the same or any portion thereof is in a condition as to constitute a hazard or impediment to the progress or vision of anyone traveling on the public street. Any tree or part thereof growing upon private property but overhanging or interfering with the use of any street that in the opinion of the Public Works Director endangers the life, health, safety or property of the public shall be declared a public nuisance. If the owner of the private property does not correct or remove the nuisance within ten days after receipt of written notice thereof from the Public Works Director, the Public Works Director shall cause the nuisance to be corrected or removed and the cost shall be assessed to the owner. If the owner, occupant or agent of the private property within seven days after receipt of the notice has filed his or her objection to the removal with the Public Works Director, the tree shall not be cut down or removed unless the Public Works Director shall give the owner, occupant or agent a reasonable opportunity to be heard in support of the objection.

(B) If the objection be not sustained, the Public Works Director shall thereafter approve in writing the cutting down or removal of the hazardous or impeding tree, plant or shrub. Any decision of the Public Works Director may be appealed within ten days to the Parks and Recreation Commission and, if still not sustained, then to the City Council. Nothing contained herein shall be deemed to impose any liability upon the city, its officers or employees, nor to relieve the owner of any private property from the duty to keep any tree upon his or her property or under his or her control in a condition as to prevent it from constituting a hazard or an impeding to travel or vision upon any street.

(`61 Code, § 23A.15) (Ord. 419, passed 2-5-1963)

§ 23A.16 DEVELOPMENT PLANS.

All development plans and applications for development submitted to the city, including maps, subdivision maps, construction plans, and grading plans, shall indicate the size and location of all mature native trees and all heritage trees located on the property to be developed. Development plans and applications for development shall include descriptions of measures to protect mature native and heritage trees from damage or destruction during and after construction or

excavation activities. All development plans must include details showing that the areas within five feet of the drip line of mature native and heritage trees to be preserved shall not be disturbed during construction or grading activities. A barrier shall be constructed at least five feet outside the drip line of mature native and heritage trees to be preserved. The Planning Director is allowed to reduce this to a five-foot setback. 8. A.

(Ord. 946, passed 10-7-2003)

§ 23A.17 REMOVAL.

The city may approve requests to remove mature native trees or heritage trees only when said removal is found to comply with these standards.

(Ord. 946, passed 10-7-2003)

§ 23A.18 TREE REPLACEMENT PLANS.

(A) Prior to the city approving the removal of any mature native or heritage trees, an applicant shall provide to the Planning Department a plan to mitigate the loss of the trees. Mitigation shall be, on-site or off-site replacement within the city as specified below, or other method approved by the Planning Commission.

(B) A "Tree Replacement Plan" (TRP) shall accompany all requests for removal of any mature native or heritage trees and shall be submitted to and subject to approval of the Planning Director. The TRP shall be implemented within a period of time specified by Planning Director. The TRP shall include the following information:

- (1) A site plan indicating the locations, species and d.b.h. of all heritage and mature native trees on the lot. A site plan indicating the locations, species and d.b.h. of all heritage and mature native trees to be removed and the proposed locations, species and size of all replacement trees. Replacement trees shall be the same species as those removed. However, unique circumstances may make same species replacement impractical. In those cases, when approved by the City Planning Director, replacement trees may be from the City's Master Plan Tree Plan;
- (2) A property owner's or authorized agent's statement guaranteeing to irrigate and maintain all replacement trees in a healthy manner for a duration of not less than three years shall be attached to the site plan;
- (3) Planting and irrigation details; and
- (4) The schedule for implementing the TRP.

(Ord. 946, passed 10-7-2003)

§ 23A.19 REPLACEMENT OF HERITAGE OR MATURE NATIVE TREE.

Each removed heritage or mature native tree shall be replaced as follows:

- (A) For mature native trees proposed to be removed from a lot that is developed and has an area of less than 10,000 square feet, replacement shall be at the rate of not fewer than one 15-gallon replacement tree for each mature native tree removed.
- (B) For mature native trees proposed to be removed from a lot that is not developed and has an area of less than 10,000 square feet, replacement shall be at the rate of not fewer than two 15-gallon replacement trees for each mature native tree removed.
- (C) For mature native trees proposed to be removed from a lot with an area equal to or greater than 10,000 square feet, replacement shall be at the rate of not fewer than three 15-gallon replacement trees for each mature native tree removed.
- (D) For heritage trees proposed to be removed from any lot, replacement shall be as directed by the Planning Commission.

(Ord. 946, passed 10-7-2003)

§ 23A.20 EXEMPT TREES.

(A) mature native trees on improved lots with an area of one acre (43,560 square feet) or less are exempt from the provisions of this chapter.

(B) The following trees are exempt from replacement standards: heritage and mature native trees of any trunk diameter found in writing to be dead or hazardous to life or property by city staff, a Certified Arborist, a Registered Professional Forester (RPF), a State Licensed Tree Service Contractor (D-49), or equivalent state licensed professional.

(Ord. 946, passed 10-7-2003)

§ 23A.21 REMOVAL WITHOUT PRIOR WRITTEN CITY APPROVAL.

(A) Each mature native tree removed without prior written approval of the city shall be replaced with not fewer than five 15-gallon trees at locations approved by the city within a period of time specified by the Planning Director.

(B) Each heritage tree removed without prior written approval of the city shall be replaced with not fewer than ten 15-

gallon trees at locations approved by the city within a period of time specified by the Planning Director.

8. A.

(Ord. 946, passed 10-7-2003)

§ 23A.22 EXCEPTIONS.

The Planning Commission may grant exceptions to the standards found in this chapter.

(Ord. 946, passed 10-7-2003)

§ 23A.23 APPEALS.

Appeals to city staff decisions can be made to the Planning Commission, and appeals to Planning Commission decisions can be made to the City Council, provided the appeal is submitted in writing to the Planning Director, within ten days of the decision, with the appeal fee in effect at the time the appeal is submitted.

(Ord. 946, passed 10-7-2003)



CITY OF ORLAND STAFF REPORT

MEETING DATE: January 22, 2026

TO: Planning Commission

FROM: Lisa Lozier – City Planner

SUBJECT: **Tree Ordinance – Discussion and Direction**

Background

At the January 6, 2026, City Council meeting, staff presented a report including general information and policy considerations related to the development of a Tree Ordinance for the City of Orland.

The purpose of the report was to facilitate discussion and obtain direction from City Council regarding:

- Whether a future tree ordinance should augment existing landscape regulations contained in Title 17 (Zoning) of the Orland Municipal Code, or
- Whether the City should pursue a stand-alone tree ordinance focused on tree conservation, protection, and maintenance for future development and/or existing properties.

City Council directed staff to present a discussion item to the Planning Commission including additional information and direction to prepare a draft ordinance for Planning Commission review and recommendation prior to consideration by the City Council.

Discussion

Existing Regulations -

Title 17 of the Orland Municipal Code currently includes landscape standards applicable to:

- Residential development
- Commercial and industrial development
- Parking lot landscaping

These standards address planting requirements but do not comprehensively regulate tree removal, long-term protection, or maintenance, particularly for mature or significant trees.

Summarized City Council Comments –

- City Code for business landscaping is not regularly enforced for existing landscape areas.
- Currently there are no measures for enforcing maintenance and public safety for existing trees on residential and commercial properties.
- Consider punitive actions for safety considerations such as unsafe trees.
- Update the commercial tree list for trees that would require less maintenance.
- Provide landscape maintenance information to residential and commercial property owners.
- Consider solutions for drought restrictions and water rate increases.

Questions for Planning Commission Consideration -

Is the intent of a future “Tree Ordinance” to:

- Enhance and supplement existing Title 17 landscape regulations, or
- Establish a stand-alone ordinance addressing tree conservation, protection, and maintenance citywide?
- How a tree ordinance would interact with existing Title 17 development standards
- Potential unintended consequences, including:
 - Increased development timelines
 - Additional costs for arborist reports and mitigation
 - Administrative workload for staff

Tree Ordinance vs. Tree Conservation Program

Understanding the distinction between these approaches is important for setting policy direction.

Feature	Tree Ordinance	Conservation Program
Nature	Mandatory legal regulation	Voluntary or incentive-based
Scope	Focused specifically on trees	Broader natural resource management
Authority	Enforced by local government	Administered by agencies, nonprofits, or partnerships
Goal	Protect trees for safety, canopy, and aesthetics	Promote long-term ecological health
Mechanism	Permits, standards, penalties	Education, incentives, grants

In summary: An ordinance emphasizes rules and compliance, while a program focuses on incentives, education, and voluntary participation to achieve broader environmental goals.

Common Elements of Tree Ordinances

If City Council directs staff to pursue a tree ordinance, typical components may include:

- **Permits:** Required for removal or significant pruning of protected trees (often based on size, species, or location).
- **Public Safety:** Clearance requirements for sidewalks, streetlights, traffic signs, and utilities.
- **Protected Trees:** Additional standards for native, heritage, or significant trees.
- **Development Standards:** Tree preservation, replacement, or mitigation requirements during construction.
- **Exemptions:** Emergency removal of dead or hazardous trees, often with documentation by a certified arborist.
- **Enforcement:** Penalties and replacement requirements for unauthorized removal.

Example for Reference

The City of **Red Bluff** has adopted a tree ordinance that:

- Protects Heritage Trees and mature native species
- Requires permits for removal or significant work
- Imposes replacement requirements for unauthorized removal
- Integrates tree protection into development standards

Staff may use similar ordinances as reference points if directed to prepare a draft for Orland.

Staff Recommendation

Receive this report and provide direction to staff regarding whether to:

1. Prepare a Draft Tree Ordinance for review by the Planning Commission; and/or
2. Request additional information or alternatives, including consideration of a broader Tree Conservation Program or amendments to existing zoning regulations.

ATTACHMENT: Red Bluff Ordinance – Chapter 23.A Trees and Shrubs