



PLANNING COMMISSION REGULAR MEETING MINUTES

Thursday, December 21, 2023

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 Wade Elliott, Commissioners Sharon Lazorko, and Vern Montague
Commissioner's absent -	Commissioner Michelle Romano
Councilmember(s) present -	Councilmember John McDermott
Staff present -	City Planner Scott Friend; City Clerk Jennifer Schmitke

ORAL AND WRITTEN COMMUNICATIONS

Citizen Comments - None

5. CONSENT CALENDAR

Commissioner Elliott asked for a correction to his motion for the Quiet Creek TSM and Chairperson Nordbye wanted to note that the Commission discussed with the developer for the Penbrook proposed subdivision the plot plan and that the Commission asked the developer to go through and make some changes. Chairperson Nordbye reminded the Commission that the developer stated they would bring back the changes at a later date. City Planner Scott Friend noted that he has not spoken with the developer since the previous meeting.

ACTION: Vice Chairperson Elliott moved, seconded by Commissioner Montague to approve consent calendar with the identified amendment. Motion carried unanimously by a voice vote, 4-0.

6. PUBLIC HEARING

- A. Request to Annex Property; #ANX 2023-01 – Modoc Street #1 / Church of Jesus Christ of Latter-Day Saints (Property Owner): APN 046-080-016**
Zoning Code Amendment #2023-01: Application of City of Orland Zoning:
- **Pre-zoning of APN 046-080-016 (Z #2023-03) to the “R-1” (One-Family Residential) zoning district.**
Use Permit #2023-03: Chapter 17.20.040(C) – A request to approve a Conditional Use Permit (CUP) to permit the continued use of an existing “Church” on the parcel proposed for annexation.

City Planner Scott Friend presented a request to annex an existing +/-5.7 -acre parcel of land into the City limits of Orland, to pre-zone the parcel with the City of Orland "R-1" zoning district (Residential One-Family) in anticipation of the annexation, and, to approve a Conditional Use Permit to allow for the continued use of the existing "church" (Church of Jesus Christ of Latter-Day Saints) as specified in Section 17.20.040 (C) of the Orland Municipal Code (OMC).

The project site is located just beyond the northern edge of the Orland City Limits at the northernmost end (cul-de-sac) of Modoc Street, in the unincorporated area of Glenn County. The site is bordered on the north by a single-family residence, with Stony Creek beyond; Modoc Street to the west with a vacant parcel used as a cattle pasture beyond; the U.S. Bureau of Reclamation (BoR) / Orland Unit Water Users Association (OUWUA) Lateral 40 canal abuts the southern border of the site, with a single-family residential neighborhood beyond; and a vacant parcel to the east, that has been previously proposed for a single-family residential development (Creeside Estates) with a single-family residential neighborhood beyond. The property is currently zoned "RE-5" in the County of Glenn and is designated in the City of Orland General Plan as "R-L". The property is located within the City Council adopted and Glenn LAFCo approved Sphere of Influence of the City of Orland. Currently, the site contains the existing church on the northern half of the parcel, with vacant land making up the majority of the southern half (adjacent to the US BoR/OUWUA Lateral 40 canal).

Mr. Friend noted that the Public Hearing was published and mailed out, and that only one written reply was received. City Staff provided a copy of the written public comment to all Commissioners to review. Mr. Friend stated that no development was being proposed at this meeting, clarifying that the only action was to annex the property into the City Limits. Mr. Friend shared that Staff recommends the adoption of the (two) categorical exemptions (15301 existing structures and 15319 annexation of exempt facilities).

Chairperson Nordbye opened the Public Hearing at 5:44 PM.

Orland resident and neighbor to the proposed project Ms. Kristina Hutson, shared concerns about the proposed project including water contamination, environment impacts, parking, and traffic on the road. Ms. Hudson asked questions about the egress and ingress of property and water drainage.

Orland resident and neighbor to the proposed project Mr. Jake Hutson, shared his concerns including the legality of the project, adding homes in the area and water lines going under the ditch on his property.

Chairperson Nordbye closed the Public Hearing at 5:47 PM.

Chairperson Nordbye emphasized that the Commission is not approving construction, plot plans, or alterations to existing structures at this time. He made it clear that any matters related to drainage modifications, building alterations, or additions would be addressed in a separate meeting for specific approval. Furthermore, Chairperson Nordbye highlighted that there is no change in ownership; the sole approval being granted tonight is the inclusion of the property within the City limits of Orland.

Commissioner Montague articulated historical reservations, specifically citing previous concerns related to circulation, explaining why he voted against the annexation several years ago.

Chairperson Nordbye underscored that prior to any prospective development in the area, the City would rigorously assess various factors to include traffic mitigation, storm drainage, and a mandate for all new constructions to connect to and make connections to City water and sewer utilities. Mr. Friend

explained that, at present, there is no formal proposal for development. Any future development proposal will require thorough consideration of the mentioned factors.

Ms. Hutson stated her concerns about the additional traffic on the road and shared she also owns the property, where her livestock graze, across from the church. Ms. Hutson asked for clarification of who owns the property and who the applicant was. Mr. Friend clarified who the applicant and owners of the property are stating that it was his understanding that the LDS church owns the property and that Mr. Bruce Meyers and Mr. Brien Hamilton (representative) are the applicants.

Developer representative Brien Hamilton stated that the only thing being approved tonight would be the assignment of pre-zoning and annexation into the City and shared his belief that there is no increase in traffic, no increase in water demand nor any increases or changes to drainage.

Vice Chairperson Elliott inquired about road width and parking shoulders, with Mr. Friend clarifying that, despite being private, the road adheres to City standards, specifying dimensions and detailing a vertical curb, gutter and sidewalk on the east side of the street. Vice Chairperson Elliott emphasized that the annexation aims to enhance property value, asserting that City incorporation would lead to a significant increase in property value.

Vice Chairperson Elliott discussed the circulation plan, traffic mitigation, asked about Conditions of Approval and wanted it to be noted to the Council that there were concerns raised and the Commission would like it to be known to the City Council that they desired to see that the access road was brought up to full City-standards. Mr. Elliott also included in his statement that he desired that the Commission would consider factors to include additional ingress/egress, for public safety reasons, before any future development was permitted.

ACTION: Commissioner Lazorko moved, seconded by Commissioner Montague to approve Planning Commission Resolution PC 2022-19, recommending for approval to the City Council the intent to annex a parcel of land into the City of Orland, pre-zoning of that parcel of land otherwise known as APN 046-080-016 with the R-1, one-family residential zoning designation, and, recommending for approval the associated Conditional Use Permit (CUP #2023-03) subject to the Findings provided in the staff report and additionally recommending that the Planning Commission determine that the proposed action was *exempt* from further review pursuant to Sections 15301 and 15319 of the Public Resources C. Motion carried by a roll call vote, 4-0.

Ayes: Commissioners Sharon Lazorko, Vern Montague, Vice Chairperson Wade Elliott and Chairperson Stephen Nordbye
Nays: None

Vice Chairperson Elliott wanted on the record that future development on this property will be by the book.

Chairperson Nordbye thanked the people in the audience that came forward and provided concerns and input that will be brought forward to City Council.

B. Housing Element

Chairperson Nordbye stated that the Housing Element Public Hearing would be postponed until the regular meeting of the Planning Commission on January 18, 2024.

7. STAFF REPORT

Mr. Friend provided a verbal update to the Commission on items that will be coming forward at the January meeting including the annual Planning Department presentation, annual election of chairperson and vice chairperson for the Commission and briefly discussed the County's project to update the Multi-Jurisdictional Multiple-Hazard Mitigation Report. Staff also noted that they will be handing out Planning Commissioner Handbooks, General Plans, and Zoning packets to the Commissioner's at the January meeting.

8. COMMISSIONERS REPORTS

- Vice Chairperson Elliott sought information regarding the closure of Subway, but City Staff was not aware of any information about the matter and was unable to confirm the status of the business.
- Commissioner Montague indicated nothing to report.
- Commissioner Lazorko shared her thoughts on the new street and lane striping on East Street.

9. FUTURE AGENDA ITEMS

None

10. ADJOURNMENT – 6:30 PM

Respectfully submitted,

Jennifer Schmitke, City Clerk

Stephen Nordbye, Chairperson