



CITY OF ORLAND PLANNING COMMISSION

MEETING DATE: October 17, 2024

TO: City of Orland Planning Commission

FROM: Scott Friend, AICP – City Planner

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

Summary:

The proposed action is a Lot Line Adjustment where a portion of land is taken from one parcel and added to an adjacent parcel. Project applicants Jason and Lindsay Mower and Teri Scofield submitted a Lot Line Adjustment request involving two (2) existing parcels generally located north of Bryant Street, west of Papst Avenue, east of Byron Way, and south of Stony Creek Drive (APN: 046-340-003 and 041-020-024). The proposed project would re-orient the property lines of the two (2) existing parcels, transferring approximately 451 sq. ft. from Parcel 2 to Parcel 1 (see **Attachment A – Proposed Lot Line Adjustments**).

The proposed lot line adjustment would modify the western-most lot line of Parcel 2 by shifting half of its rear lot line approximately 11 feet to the west of its existing location as seen in **Attachment A – Proposed Lot Line Adjustments**. The proposed lot line adjustment would modify the total square footage of Parcel 2 from the existing 7,035 sq. ft. to 7,486 sq. ft. and the existing 8,156 sq. ft. of Parcel 1 to 7,705 sq. ft. No new lots would be created with this action.

Parcel 1 (APN 041-020-024) is owned by *Shirley and Teri Scofield*, while Parcel 2 (APN 046-340-003) is owned by *Jason and Lindsay Mower*. Both parcels are occupied by single-family residences, are designated by the City of Orland General Plan as Low Density Residential (R-L) land use designation and are within the R-1 (Residential One-Family Zone) zoning district. Surrounding the project site to the north, east, south, and west is land zoned R-1, with a land use designation of R-L.

Findings of Approval:

Setbacks within the R-1 zone are stated within Orland Municipal Code 17.20.070 and shall comply with the following:

- Front: twenty (20) feet
- Rear: twenty (20) feet
- Side: five (5) feet

The proposed lot line adjustment will maintain the setback requirements for both parcels. Lot requirements within the R-1 zone are as follows:

- Minimum lot area: 6,000 sq. ft.
- Minimum lot width: 60 feet
- Maximum building coverage: 40%

The proposed lot line adjustment will maintain consistency with the lot requirements stated within Section 17.20.050 of the Orland Municipal Code. Additionally, staff finds that the proposed lot line adjustment will not impact the zoning or land use designation of the two parcels.

Review Criteria:

The content, form, and processing requirements for Lot Line Adjustments within the City Limits are set forth in Orland Municipal Code (OMC) Title 16 *Subdivisions*, 16.12.070. The Subdivision Map Act (California Government Code Section 66410 *et seq.*) is the primary regulation for the subdivision of land in California. Pursuant to the Subdivision Map Act, proposed lot line adjustments between four or fewer existing adjoining parcels, where the land taken from one parcel is added to an adjoining parcel, and where a greater number of parcels than originally existed is not thereby created, can be approved by the local agency so long as the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

State of California – Government Code:

California Government Code Section 66412(d) guides lot line adjustments at the local level:

A local agency or advisory agency shall limit its review and approval to a determination of whether or not the parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

An advisory agency or local agency shall not impose conditions or exactions on its approval of a lot line adjustment except to conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances, to require the prepayment of real property taxes prior to the approval of the lot line adjustment, or to facilitate the relocation of existing utilities,

infrastructure, or easements. No tentative map, parcel map, or final map shall be required as a condition to the approval of a lot line adjustment.

The lot line adjustment shall be reflected in a deed, which shall be recorded. No record of survey shall be required for a lot line adjustment unless required by Section 8762 of the Business and Professions Code. A local agency shall approve or disapprove a lot line adjustment pursuant to the Permit Streamlining Act (Chapter 4.5 (commencing with Section 65920) of Division 1).

City of Orland Lot Line Adjustment Criteria:

OMC Section 16.12.070 states:

The planning commission may approve a lot line adjustment pursuant to Section 66412(d) of the California Government Code. The commission will require submission of a tentative map and other information it deems necessary to evaluate the proposed change and may impose such conditions as it deems necessary relative to such lot line adjustment and in response to current or proposed uses.

OMC Section 17.20.010 – Purpose and applicability [R-1 Residential One-Family Zone]

The residential one-family or R-1 zone is intended to be applied in areas of the city where topography, access, utilities, public services and general conditions make the areas suitable and desirable for single-family home development. This district permits a variable minimum lot size to be established upon zoning of the project site, as a means to provide greater variation in residential environments. The regulations of this chapter and the provisions of Chapter 17.76 shall apply in all residential one-family or R-1 zones.

Utilities

The project is located within the incorporated area of the City and can be, or is currently, adequately served by all required utilities and public services. Water and sewer are available in both Byron Way and Papst Avenue with adequate capacity to serve both parcels.

Environmental Determination:

Staff has reviewed the project to determine the required level of review under the California Environmental Quality Act (CEQA). Section 15315, *Minor Land Divisions*, of the CEQA Guidelines allow exemptions for certain actions that involve minor land divisions in “*urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.*” Based upon the application of these criteria, staff has determined that the

project meets the criteria for being *exempt* from further review under the California Environmental Quality Act (see **Attachment C – Notice of Exemption**).

Recommendation:

Staff recommends that the Planning Commission find that the project is categorically exempt from further review pursuant to the California Environmental Quality Act (CEQA) pursuant to Section 15315, *Minor Land Divisions* of the Public Resources Code and approve LLA#2024-01 as presented herein.

Staff recommends that the Planning Commission find that the project is categorically exempt from further review pursuant to the California Environmental Quality Act (CEQA) and, approve LLA#2024-01 as presented herein.

1. Accept report by staff;
2. Discussion;
3. Motion and vote.

If the Planning Commission determines that it intends to approve the project as proposed and as described in this report, staff offers the following motion for the Commission's consideration:

1. California Environmental Quality Act:

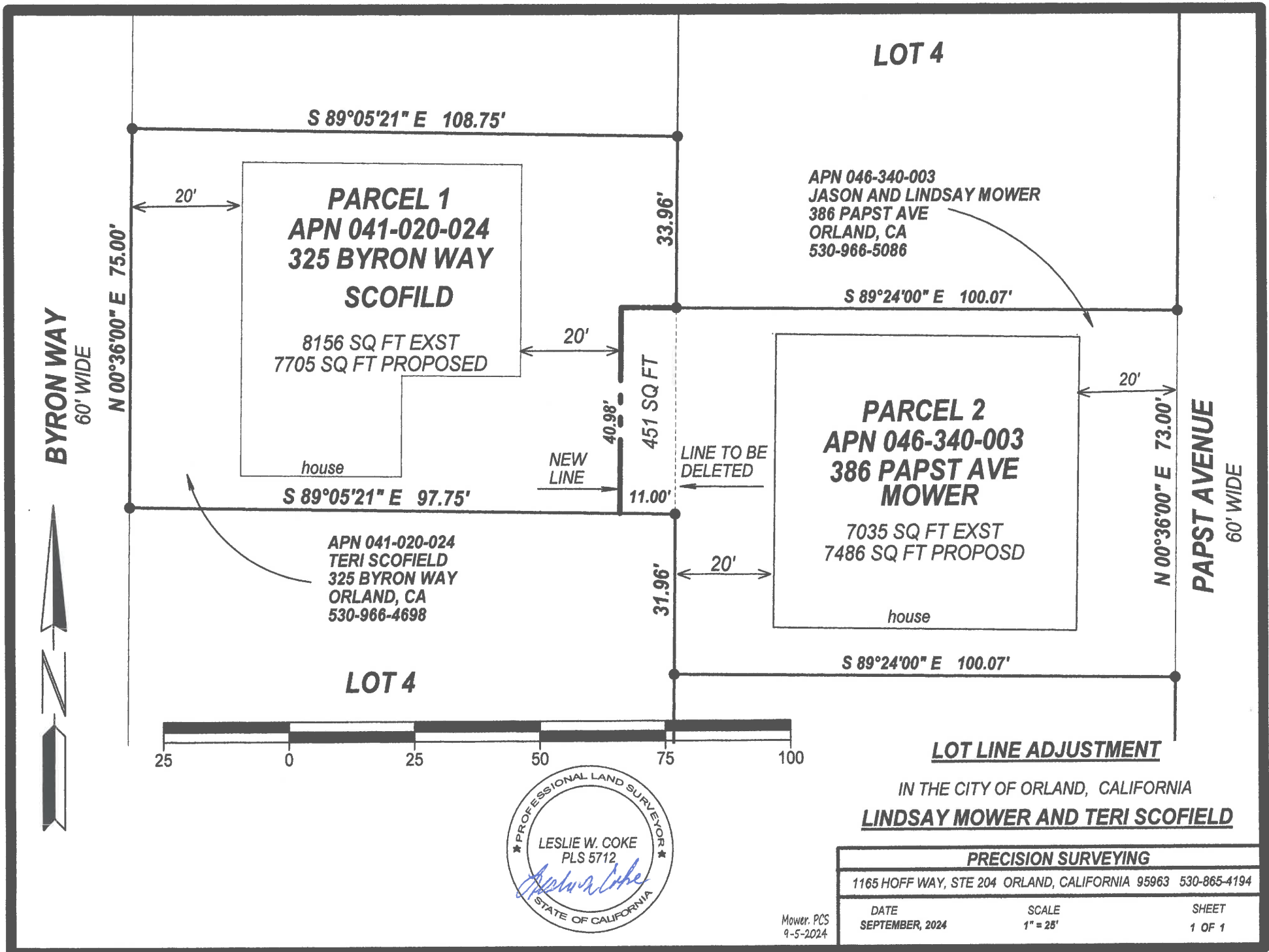
Move that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15315, Minor Land Divisions.

2. Lot Line Adjustment:

Move that the Planning Commission approve Resolution 2024-XX approving Lot Line Adjustment #2024-01 as presented herein.

ATTACHMENTS:

- **Attachment A – Proposed Lot Line Adjustment**
- **Attachment B – Conditions of Approval**
- **Attachment C – Notice of Exemption**
- **Attachment D – Planning Commission Resolution 2024-XX**



CONDITIONS OF APPROVAL
LOT LINE ADJUSTMENT #2024-01 (Mower & Scofield)

Assessor's Parcel Numbers: 041-020-024 and 046-340-003

Project location: North of Bryant Street, West of Papst Avenue, East of Byron Way, and South of Stony Creek Drive, in the City of Orland, Glenn County, CA 95963

Zoning: "R-1" (Residential One-Family Zone)

General Plan Land Use Designation: "R-L" (Low Density Residential)

Lot Line Adjustment #2024-01 (Mower & Scofield): A request to adjust one (1) lot line involving two (2) existing parcels of land located north of Bryant Street, west of Papst Avenue, east of Byron Way, and south of Stony Creek Drive (APN: 046-340-003 and 041-020-024). The proposed action would modify the western-most lot line of parcel 046-340-003 by shifting it approximately 11' to the west of its existing location thereby adding approximately 451 square feet to parcel 046-340-003. No additional lots are being created or extinguished.

General Conditions of Approval:

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. Minor changes to the approved use may be approved by the City Planner upon receipt of a substantiated written request by the applicant, or their respective designee. Prior to such approval, verification shall be made by each Department that the modification is consistent with the application, fees paid, and environmental determination as conditionally approved. Changes deemed to be major or significant in nature shall require a formal application for amendment by public hearing before the City Council.
8. The project applicant and/or contractor shall obtain all necessary business licenses and 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.

9. 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.
11. 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.
12. If changes are requested to the site plan, use of the building/space, 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.
13. No exterior storage of any materials, equipment, or vehicles is permitted in such a manner as to constitute a nuisance violation of the Orland Municipal Code.

Use/Site Specific Conditions of Approval:

Engineering -

14. Parcels resulting from the lot line adjustment shall comply with Section 66412(d) of the Subdivision Map Act and conform to local zoning and building ordinances.
15. Deeds and plats (if needed) and appropriate checking fees shall be submitted to the City Engineer for review and approval, as evidenced by the recordation of a Certificate of Compliance by the City.
16. Any deed shall contain the following note: “The purpose of this deed is to effect Lot Line Adjustment No. 2024-01 as approved by the City of Orland Planning Commission on October 17th, 2024, and no additional parcels are thereby created. The scope of review of said lot line adjustment was limited as specified in Government Code Section 66412(d), and approval does not constitute assurance that future applications for building permits or other land use entitlements on the modified parcels will be approved by the City of Orland.”
17. Any plat shall contain the following note: “This plat does not constitute a legal description of the lots or parcels depicted and does not show all easements of record on or affecting said lots or parcels.”
18. Provide documentation from a title company of the applicant’s choice verifying any deed of trust affected has been partially re-conveyed or modified to reflect the lot line adjustment and to prevent the creation of any additional lot or parcel.
19. Prior to recordation of deeds, provide documentation verifying payment of taxes as specified in Article 8 of Chapter 4 of Division 2 of Title 7 of the Government Code, commencing with Section 66492.
20. No record of survey shall be required unless required by Section 8762 of the Business and Professions Code.

Statement of Acknowledgement:

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

Signed,

Jason/Lindsay Mower, 386 Papst Avenue (Applicant/Landowner)

Date

Teri Scofield, 325 Byron Way (Applicant/Landowner)

Date

To: ■ Office of Planning and Research
PO Box 3044, 1400 Tenth Street, Room 212
Sacramento, CA 95812-3044

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

■ County Clerk
County of Glenn
526 West Sycamore Street
Willows, CA 95988

Project Title: LLA #2024-01: Mower & Scofield

Project Location - Specific: North of Bryant Street, West of Papst Avenue, East of Byron Way, and South of Stony Creek Drive, in the City of Orland, Glenn County, CA 95963 (APNs: 041-020-024 and 046-340-003)

Project Location – City: Orland Project Location – County: Glenn

Description of Project: A request to adjust one (1) lot line involving two (2) existing parcels of land located north of Bryant Street, west of Papst Avenue, east of Byron Way, and south of Stony Creek Drive (APN: 046-340-003 and 041-020-024). The proposed action would modify the western-most lot line of parcel 046-340-003 by shifting it approximately 11’ to the west of its existing location thereby adding approximately 451 square feet to parcel 046-340-003. The two (2) resulting lots will have the following acreage: 7,705 sq. ft. acres (Lot 1; from 8,156 sq. ft.), 7,486 (Lot 2; from 7,035 sq. ft.), respectively. Both parcels are occupied by single-family residences, are designated by the City of Orland General Plan as Low Density Residential (R-L) land use designation and are within the R-1 (Residential One-Family Zone) zoning district. No additional lots are being created or extinguished.

Name of Public Agency Approving Project:

City of Orland

Name of Person or Agency Carrying Out Project:

City of Orland

Exempt Status: (check one)

- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: §15315 Minor Land Divisions
- Statutory Exemptions. State code number:

Reasons why project is exempt: The proposed Tentative Parcel Map is exempt from the California Environmental Quality Act under §15315, Minor Land Divisions. The exemption applies to certain actions that involve minor land divisions in “urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.” The project qualifies for a Class 1 exemption and no further environmental review is required.

Lead Agency

Contact Person: Scott Friend, AICP Area Code/Telephone/Extension: (530) 894-3469 ext. 13214

Signature: _____ Date: _____ Title: City Planner

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR: _____

**CITY OF ORLAND
PLANNING COMMISSION RESOLUTION #2024-__**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORLAND APPROVING LOT LINE
ADJUSTMENT #2024-01 (Mower & Scofield)**

WHEREAS, the property owners (*Jason & Lindsay Mower and Teri Scofield*), filed an application with the City of Orland to approve a Lot Line Adjustment to modify existing parcel lines affecting two (2) parcels located north of Bryant Street, west of Papst Avenue, east of Byron Way, and south of Stony Creek Drive on parcels further described as Glenn County Assessor's Parcel Numbers 046-340-003 and 041-020-024; and

WHEREAS, the proposed lot line adjustment is consistent with the City of Orland General Plan of the R-L (Low Density Residential) land use designation; and

WHEREAS, the proposed parcel map conforms with the lot standards and setback requirements of the R-1 Residential One-Family zoning district; and

WHEREAS, it has been determined that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15315 "Minor Land Division", a Class 15 exemption; and

WHEREAS, the Planning Commission heretofore makes the required Findings of Approval as identified in the staff report; and

WHEREAS, the Planning Commission is the appropriate authority to hear and take action on this project; and

WHEREAS, the project was considered at a legally noticed public meeting of the Commission.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Orland does hereby approve Lot Line Adjustment #2024-01 (Mower & Scofield).

The foregoing Resolution was adopted by the Planning Commission on the 17th day of October 2024 by the following vote:

AYES: Commission Members:

NOES: Commission Members:

ABSENT:

ABSTAIN:

Stephen Nordby, Chairman

ATTEST

Jennifer Schmitke, City Clerk