

PLANNING COMMISSION RESOLUTION NO. PC 2025-__

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORLAND,
RECOMMENDING APPROVAL OF ZONING TEXT AMENDMENT (ZCA) 2025-05 TO
UPDATE SECTION 17.40.040(D) – CONDITIONAL USES REQUIRING USE
PERMITS TO INCLUDE TEXT CLARIFYING PERMITTING REQUIREMENTS OF
RESIDENTIAL USES**

WHEREAS, the proposed ordinance amending section 17.40.040(D) of the Orland Municipal Code pertaining to residential conditional uses was considered by the Planning Commission of the City of Orland at a public hearing during its regular meeting of October 16, 2025; and

WHEREAS, a conflict was identified in the Community Commercial (C-2) zone district of the Orland Municipal Code regarding the permitting requirements for second floor dwellings and the permitting requirements for all residential uses resulting in conflicting regulations which generally requires the more restrictive rule to be enforced; and

WHEREAS, the City of Orland Planning Commission directed staff to bring a recommendation amending section 17.40.040(D) of the Orland Municipal Code pertaining to residential conditional uses to clarify the specific permitting requirement for section 17.40.030(A)(7) second floor dwellings; and

WHEREAS, on October 16, 2025, the City of Orland Planning Commission held a duly noticed public hearing and considered all testimony, information, evidence and recommended that the Orland City Council adopt the proposed Ordinance amending Chapter 17.40.040(D) to clarify the permitting requirements of residential uses; and

WHEREAS, the Planning Commission finds that this Ordinance is not a “project” according to the definition set forth in the California Environmental Quality Act (“CEQA”), and, pursuant to CEQA Guidelines sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment).

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF ORLAND DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Incorporation of Recitals: The recitals in this Resolution are true and correct and incorporated herein.

SECTION 2. Recommended approval of the proposed ordinance based on the entire record before the Planning Commission, all written and oral evidence presented to the Planning Commission, and the findings made in the staff reports and this Resolution, the Planning Commission of the City of Orland hereby recommends that the City Council adopt the attached Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND ADOPTING AN AMENDMENT OF THE ORLAND MUNICIPAL CODE TO UPDATE CHAPTER 17.40 – COMMUNITY COMMERCIAL (C-2), SECTION 17.40.040(D) TO INCLUDE “EXCEPT AS OTHERWISE IDENTIFIED IN SECTION 17.40.030(A)(7)”

APPROVED AND ADOPTED by the members of the Planning Commission of Orland this 16th day of October 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Stephan Nordbye, Chair

ATTEST:

Jennifer Schmitke, City Clerk