



PLANNING COMMISSION REGULAR MEETING MINUTES

Thursday, January 16, 2025

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 Sharon Lazorko, Alex Enriquez and Vern Montague
Commissioner absent: Commissioner Wade Elliott
Councilmember(s) present: None
Staff present: City Planner Scott Friend; City Clerk Jennifer Schmitke

IDENTIFY CHAIRPERSON AND VICE CHAIRPERSON FOR 2025

City Clerk Jennifer Schmitke requested nominations for Chairperson for 2025. Vice Chairperson Lazorko nominated Commissioner Stephen Nordbye. With no further nominations, the nomination period was closed. Commissioner Nordbye accepted the nomination and a vote on the motion was conducted. The motion carried 4-0 by a voice vote. Commissioner Nordbye was declared Chairperson for 2025.

City Clerk Schmitke requested nominations for Vice Chairperson for 2025. Chairperson Nordbye nominated Commissioner Sharon Lazorko. With no further nominations, the nomination period was closed. Commissioner Lazorko accepted the nomination and a vote on the motion was conducted. The motion carried 4-0 by a voice vote. Commissioner Lazorko was declared Vice Chairperson for 2025.

ORAL AND WRITTEN COMMUNICATIONS

Orland resident Jan Walker highlighted several key topics during her remarks. She emphasized the importance of installing electrical charging stations in Orland and stressed the significance of having a clear vision for the City's future. She also expressed concerns about the loss of trees in the community and the potential implications of adding the Carnegie Building to the historical register. Additionally, she proposed the idea of a mural on the new water tank to enhance its visual appeal.

CONSENT CALENDAR

Approval of Prior Minutes: December 19, 2024

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

ITEMS FOR DISCUSSION OR ACTION

A. Special Event Follow-up Discussion

City Planner Scott Friend initiated a discussion on special events, referencing a concern raised by resident Mike Gleason during the public comment period of the January 7th City Council meeting. Mr. Gleason, who was present at the meeting and who provided a presentation to the Planning Commission documenting his concerns about the event and the concerns of various neighbors in his area, expressed frustration about a circus tent that appeared behind his home on Benson Drive without prior notice. He detailed the issues the neighborhood experienced, including disruptive lighting, loud noise, and music that continued past 9 p.m. Mr. Gleason also raised concerns about the lack of communication with residents, questioning why the tent in an was allowed to be placed in this location and questioning the notification process for this activity. He thanked City Manager Pete Carr and City Planner Scott Friend for explaining the city's code requirements and processes and expressed a desire to collaborate with the city to enhance regulations for special events.

Mr. Friend acknowledged Mr. Gleason's concerns, thanking him for bringing the issue to light. He noted that this was the first time such an issue had been raised, highlighting gaps in the current approval process regarding noticing and buffering standards for special events. While the circus tent was installed with the correct approval, Mr. Friend agreed that updates to the special events permit and possibly the Orland Municipal Code (OMC) might be necessary to address the concerns that were expressed. He shared that City staff have already begun researching potential improvements, including revising the permit process to include clearer standards for items potential to include noticing and spacing.

Orland resident Ron Lane asked about state standards for the fairgrounds and whether the City might consider adopting similar guidelines. Mr. Friend explained that the State of California generally leaves such regulations to the discretion of local entities. Chairperson Nordbye suggested that the fairgrounds might have their own regulations and requested City staff to reach out to the fairgrounds for more information.

The Planning Commission deliberated on the issue, highlighting the need to address gaps in the special events permit process which would provide a solution but also explored the possibility of also amending the OMC. These changes would aim to enhance communication, improve oversight, and prevent similar issues with future events. Mr. Friend stated that City staff could conduct further research, consult with other entities, and return to the Commission with a proposed set of parameters for their review and consideration.

PUBLIC HEARING

A. Title 17 Zoning Ordinance Amendment – Accessory Structures

City Planner Scott Friend introduced Ruby Triguero, who presented proposed amendments to the standards for accessory structures outlined in Title 17 of the Orland Municipal Code (OMC) to the Planning Commission. Ms. Triguero provided context from the December 19th Planning Commission meeting, where City staff had initially address the concept of modifying the City's existing standards. At that time, the Planning Commission directed staff to revise the standards, focusing on the maximum height of accessory structures and setback requirements.

Ms. Triguero highlighted that accessory structures—including detached garages, storage buildings, and patio covers—are designed to complement primary residential structures and must meet specific design and placement criteria.

Ms. Triguero provided an overview of the proposed text amendments which included:

1. **Storage Building Height.** The draft amendment would modify the maximum 15-foot structure height to permit accessory buildings up to a maximum of 25 feet for certain structures. Currently, primary structures in the R-1 and R-2 zones are allowed a 35-foot maximum building height and up to 45-feet in the R-3 zone. Additionally, the maximum height of an ADU structure is applicable according to the designated residential zone in which the property is located.

Considering the greater height limits for primary structures and ADUs, the proposed increase of maximum building height for storage and, or shop buildings would allow for increased flexibility and maximization of yard area. Structure setbacks dependent on building height would apply.

2. **Utility Restriction.** The draft amendment would remove the electrical and plumbing restriction stated in OMC Section 17.20.060(E)(6). The current restriction on installation of electrical and plumbing only applies to accessory structures within the R-1 zone. The proposed draft amendment would remove the limitation to provide consistency amongst the design standards for accessory structures in the R-2 and R-3 zones.
3. **Restricted Dwelling Use.** The draft amendment would insert a new standard to restrict residential occupation of an accessory structure. Despite the proposed amendment to remove the installation of electrical and plumbing, the permitted uses of an accessory structure shall be distinguished from those of an Accessory Dwelling Unit (ADU). Shall a structure be intended for living purposes, the structure shall comply with the ADU standards of OMC Section 17.76.130.
4. **Runoff Prevention.** The draft amendment would add a design standard for all accessory structures to be constructed to prevent stormwater runoff onto adjacent properties. Regardless of structure setbacks, proper construction and maintenance of drainage shall be the responsibility of the property owner.
5. **Minimum Structure Setbacks.** The draft amendment would modify the minimum setback requirement to 4 feet from the side and rear property line in all residential zoning districts. Currently, it is codified that accessory structures shall have a minimum 5-foot side and 20-foot rear setback. The proposed setback amendment provides consistency with the 4-foot side and rear setback standard for ADUs as prescribed in GOV § 66314, subd. (d)(7) and stated in OMC Section 17.76.130.

Additionally, the proposed draft amendment would clarify the minimum front setback of accessory structures to 20 feet and would add and clarify the standard that no accessory structure shall exist in front of the front plane of the primary structure. The modification from 35 feet to a 20-foot front setback provides consistency with the setback requirements of a primary structure and would provide flexibility and maximization for use of side yard areas. It was noted that not all accessory structures are permitted within a front yard. As accessory structures refer to the assortment of buildings that are incidental to a primary structure, some structures (garage/carport) are permitted in the front yard while others (storage/shop building, pool/spa) are restricted.

6. **Setback Exceptions.** The amendment would codify accessory structures under 120 square feet in size, 6 feet or less in height, and not requiring a building permit would have zero side and rear setbacks. Currently, the setback standards within the OMC state that structures less than 120 square feet and less than or equal to 6 feet tall shall have a zero rear setback standard. The proposed text amendment would streamline incidental structures and provide consistency with exempted structures identified in the California Building Code. Additionally, the proposed 6-foot height limit would maintain consistency with the residential fence standard stated in OMC Section 17.76.190(C) as permitted by right.

It was noted that a building permit shall continue to be required on all installations of plumbing and electrical within a structure and that the proposed code amendment would not modify anything in the California Building Code or the City's adoption of that Code. In the case of a proposed accessory structure that does not meet all 3 requirements to qualify for zero side and rear setbacks, the minimum 4-foot side and rear setbacks would apply.

Additionally, the proposed action would require that all accessory structures, regardless of size, would be required to comply with the stormwater runoff prevention design standard. Shall a proposed accessory structure qualify for zero side and rear setbacks, the structure should be constructed to maintain proper drainage to prevent runoff to adjacent properties.

7. **Accessory Structure Setbacks Table.** Based upon the Planning Commission's feedback and to ensure clarity, the Structure Setbacks Table is proposed to be updated as follows:
- a. The side, interior lot, setback requirement for accessory structures would be amended to distinguish tiers, specific to the height of the structure. Establishing setback tiers allows for increased flexibility amongst homeowners when determining the appropriate sized structure while maximizing the amount of yardage. The three setback tiers are as follows:
 1. Accessory structures 120 square feet or less, below 6 feet in height, and not requiring a building permit shall have a zero-foot setback from the side property line.
 2. Accessory structures between 6 feet and less than 15 feet shall have a 4-foot side setback.
 3. Accessory structures that have a height between 15 feet and 25 feet shall have a minimum 4-foot side setback and shall add an additional foot for every foot above 15 feet. In the example of a proposed 18-foot accessory structure, the structure shall maintain a minimum 7-foot side setback.
 - b. The side, corner lot, setback requirement for accessory structures would be amended as follows:
 - i. Accessory structures, located on the same plane as the primary structure, would be amended to maintain a 10-foot setback.
 - ii. Accessory structures, located behind the rear plane of the primary structure, would be amended from a 10-foot setback to a four-foot side setback.
 - c. The rear setback requirement for accessory structures would be amended as follows:
 - i. It is currently codified that accessory structures not located on an alley shall maintain rear setbacks specific to the material and height of the structure (see **Figure 4**).

Accessory structure (no alley):	
Less than or equal to 120 square foot footprint, and less than or equal to six feet tall	Zero
Metal sided and roofed	
Structure less than or equal to six feet tall	Zero
Metal sided and roofed	
Structure greater than six feet tall	1' for each foot of height above six feet, up to ten feet

FIGURE 4 – REAR ACCESSORY STRUCTURE SETBACKS

The proposed amendment removes the specificity of material and establishes tiers based upon the height of the structure. Consistent with the proposed amendment to the side setbacks of accessory structures, the three tiers are described as follows:

1. Accessory structures 120 square feet or less, below 6 feet in height, and not requiring a building permit shall have a minimum zero-foot setback from the rear property line.
2. Accessory structures between 6 feet and less than 15 feet shall have a 4-foot rear setback.
3. Accessory structures that have a height between 15 feet and 25 feet shall have a minimum 4-foot rear setback and shall add an additional foot for every foot above 15 feet. In the example of a proposed 18-foot accessory structure, the structure shall maintain a minimum 7-foot rear setback.

Chairperson Nordbye opened the public hearing at 6:43 PM.

Mr. Ron Lane questioned what would happen to people who already sheds in their backyards and Mr. Friend have shared that they would be considered grandfathered as constructed.

Chairperson Nordbye closed the public hearing at 6:44 PM.

Commissioners discussed, shared concerns and asked questions regarding accessory structures including concerns about adding utilities such as water and electricity and set back concerns for emergency personnel and pre-existing structures.

Vice Chairperson Lazorko moved that the Planning Commission recommend to the City Council for their approval Planning Commission Resolution #2025-XX recommending for approval to the City Council, the Municipal Code Amendment addressing accessory structures as presented herein and determine that the proposed action (Municipal Code Amendment) is determined to be categorically exempt pursuant to CEQA guidelines section 15061(b)(3) as it can be seen with certainty that there is no possibility that the proposed revisions to the City of Orland Municipal code would have a significant effect on the environment, and therefore the proposed revision is not subject to CEQA. The motion carried 4-0 by a voice vote.

PRESENTATION

A. Planning Department Annual Presentation

City Planner Scott Friend provided an overview of the Planning Department's activities for 2024, outlining their key responsibilities, including managing General Plan Amendments, Zoning Code Amendments, Environmental Compliance (CEQA/NEPA), project processing, and staffing Planning Commission meetings. He emphasized the department's role in ensuring statutory and regulatory compliance, assisting City staff with project tasks, and engaging with the public and City clients.

Mr. Friend also summarized the department's 2024 accomplishments and special projects, including the final certification of the 6th Cycle Housing Element, updates to the Zoning Code (Accessory Uses/Structures), and ongoing efforts to improve informational handouts and website updates. These updates include planning applications, a notification page, and a dedicated page for Accessory Dwelling Units (ADUs). Additionally, the Planning Department is collaborating with Glenn County on the Glenn County Multi-Jurisdiction Hazard Mitigation Plan (GCMJHMP). He highlighted several approved projects for the year.

Looking ahead, Mr. Friend detailed ongoing projects extending into 2025, such as the DWR/City of Orland/Glenn County Drought Relief Project, a potential Phase 2 expansion for Butte College, and the Glenn County Health and Human Services Center. Anticipated residential and infrastructure projects for 2025 include Orland Park – Phase I, additional General Plan and Zoning Code Amendments, water tank and well projects, and the Road M ½ Rehabilitation Project.

Mr. Friend expressed his gratitude to City Hall staff, department heads, and city employees for their support in helping the Planning Department achieve another successful year.

Ms. Jan Walker shared her appreciation for the city, expressing her deep love for Orland and reaffirming her enthusiastic support for the community.

Mr. Ron Lane shared an exciting moment for the community, mentioning that Orland was featured in Episode 4 of the Hulu show *High Potential*.

Mr. Mike Gleason expressed his gratitude to Mr. Friend and Mr. Carr for their openness and willingness to assist him in addressing his concerns.

Commission members expressed their appreciation to Scott for dedicating time and effort to assist both the Commission and the community with various projects.

STAFF REPORT

Mr. Friend shared that on January 13th Glenn LAFCo met to reconsider its previous action on the City of Orland request for annexation for the Modoc Street Annexation. Mr. Friend shared that the LAFCo declined to reconsider the matter thus resulting in the denial of the Modoc Street Annexation action as it was requested. Mr. Friend noted that the City has received a number of applications; 1 for a senior apartment complex on 8th Street, he noted that approximately 40 permits have been applied for in the Orland Park phase 1 (8 slabs poured) effort, he shared that the City Manager, Mr. Carr and he had met with a hotel that is interested in coming to Orland, and that they continually meet with developers that are interested in properties around town. Mr. Friend reminded the Commission that he is a contracted employee and only in the office on Thursdays.

COMMISSIONERS REPORTS

- **Commissioner Montague**: Nothing to report.

- **Commissioner Enriquez**: Nothing to report.
- **Vice Chairperson Lazorko**: Shared her appreciation for City Staff's availability to the community.
- **Chairperson Nordbye**: Thanked City Staff for all they do for the community.

FUTURE AGENDA ITEMS - Nothing

ADJOURNMENT – 7:23 PM

Respectfully submitted,

Jennifer Schmitke, City Clerk

Stephen Nordbye, Chairperson