



## PLANNING COMMISSION REGULAR MEETING MINUTES

### Thursday, March 21, 2024

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

#### **ORAL AND WRITTEN COMMUNICATIONS** - None

#### **CONSENT CALENDAR**

Approval of Prior Minutes: January 18, 2024

Chairperson Nordbye requested a minor adjustment to ensure the accurate spelling of his name in the minutes.

**ACTION:** Chairperson Nordbye moved, seconded by Vice Chairperson Romano to approve consent calendar with the noted changes. Motion carried unanimously by a voice vote, 4-0.

#### **PUBLIC HEARING**

- A.** Rezoning (Z2023-01), Tentative Subdivision Map (TSM 2022-01/2023-02) and Mitigated Negative Declaration Addendum (MND) - Penbrook Subdivision Project Applicant: Precision Surveying/Schellinger Brothers LLC. TSM 2022-01/Zoning 2022-01) *Continued from the November 16, 2023 and will be continued onto the April 18, 2024 Planning Commission Meeting.*

Chairperson Nordbye announced that the Penbrook item will be postponed to the meeting scheduled for April 18, 2024. City Planner Scott Friend provided a brief update on the Penbrook project, indicating that he has been in communication with the developers, who are currently engaged in revising the design.

**B. General Plan Amendment (GPA) #2023-02: Supplement to the 2021-2029 6th Cycle Housing Element Update - CONTINUED FROM THE DECEMBER 21, 2023 PLANNING COMMISSION MEETING**

Mr. Friend brought back the discussion about the 2021-2029 6<sup>th</sup> Cycle Housing Element, reminding the Commission that at the January 18<sup>th</sup> meeting they had conducted the public hearing and deliberated with staff, expressing concerns about the document's accuracy and alignment with the city's policy direction. The Commissioners unanimously decided to defer the item to the next regular meeting in February, which was later canceled.

Mr. Friend presented a supplementary report focusing on the adoption of a revised version of the City of Orland 6th Cycle Housing Element. Mr. Friend clarified that no changes had been made to the previous materials presented to the Commission but introduced new attachments to address public comments and comments made by the Commissioners and to provide additional information. He also shared details about the Housing Element's journey, highlighting its adoption by the Orland City Council on March 1, 2022, and subsequent revisions to comply with state regulations.

Mr. Friend addressed concerns raised by both City staff and Commissioners and provided a brief overview of revisions, shared potential consequences for the City including explaining the "Builder's Remedy" and financial ramifications not only for Orland but also the City of Willows and Glenn County.

Mr. Friend shared that if passed the revised Housing Element is slated for re-adoption by the City Council at a future public hearing, with the date yet to be determined.

Vice Chairperson Romano expressed concerns about the City potentially ceding too much power to the State, leading to a situation where the State dictates all decisions without giving the City a meaningful voice. She felt that this dynamic could be perceived as the State government coercing the City into compliance by withholding autonomy, effectively constraining the City's ability to make independent decisions.

Chairperson Nordbye expressed a sentiment of frustration, highlighting the efforts made by Orland to support its community through initiatives such as establishing senior housing, low-income housing, and CHIP housing. He conveyed disappointment that the State continues to demand more from the City. Chairperson Nordbye likened this situation to feeling coerced or blackmailed by the State but questioned the point at which the City must stand firm on its principles.

Commissioner Lazorko echoed Chairperson Nordbye's concerns and questioned whether it is worthwhile for the City to continue resisting the State's demands. She also inquired about the success rate of other cities that have taken legal action against the State. Mr. Friend responded that he was unaware of any successful legal challenges by any City against the State.

Commissioner Montague echoed the concerns raised by his fellow commissioners about feeling compelled to comply with State mandates. He expressed doubt about the City of Orland's capacity to effectively oppose the State due to its small size. He then asked whether the League of California Cities could provide assistance. Mr. Friend acknowledged the League's efforts in advocating for cities but noted that ultimately, any significant changes would likely depend on voters.

**ACTION:** Commissioner Lazorko moved, seconded by Chairperson Nordbye that the Planning Commission determine that the project is categorically exempt from further review under the California Environmental Quality Act (CEQA) pursuant to Section §15061(b)(3). Motion carried by a roll call vote,

3-1. (Ayes: Chairperson Nordbye, Commissioners Lazorko and Montague; Noe: Vice Chairperson Romano)

Chairperson Nordbye voiced his personal opposition to the Housing Element update but shared that it is his duty to do what is best for the interest of the Citizens of Orland.

**ACTION:** Chairperson Nordbye moved, seconded by Commissioner Lazorko that the Planning Commission make a recommendation to the City Council to approve the draft 6<sup>th</sup> Cycle Housing Element via the adoption Resolution 2024-01 approving GPA #2023-02 as presented. Motion carried by a roll call vote, 3-1. (Ayes: Chairperson Nordbye, Commissioners Lazorko and Montague; Noe: Vice Chairperson Romano)

## **STAFF REPORT**

Mr. Friend provided an update on the Multi-Jurisdiction Hazard Mitigation Plan (MJHMP), informing the Commission that it had been submitted to the state on March 15<sup>th</sup>. He further explained that during a City Council meeting on March 5<sup>th</sup>, the discussed the potential of moving future meetings of the Planning Commission and City Council from the current location (Carnegie building) to Glenn Success Center. Mr. Friend suggested that it is likely that the Planning Commission meeting will also move, citing the Commission's legislative approval authority and the necessity for public hearings as reasons for the potential relocation.

## **COMMISSIONERS REPORTS**

- Commissioner Montague: Nothing to Report.
- Commissioner Lazorko: inquired about the progress of the new build market on 8th street, to which Mr. Friend responded that infrastructure improvements were underway to facilitate the business's opening. Commissioner Lazorko then empathized with Commissioner Romano's sentiments, drawing from her own experiences working with the State in the past.
- Commissioner Romano: Nothing to Report
- Chairperson Nordbye: expressed appreciation for the new sign approved by the Planning Commission, noting that it was satisfying to witness the results of the Commission's efforts.

City Councilmember Jeffery Tolley requested a brief update on item 5.B, the Housing Element, due to arriving late to the meeting and sensing the significance of the discussion. Chairperson Nordbye advised that a brief recap would be difficult due to the depth and complexity of the subject and suggested that Councilman Tolley watch the recorded meeting from the City website along with the Planning Commission Meeting from January 18th for a more comprehensive understanding of the item. Mr. Friend also volunteered to have a conversation with Councilman Tolley if he wanted to pursue that option.

## **FUTURE AGENDA ITEMS - None**

## **ADJOURNMENT – 6:34 PM**

Respectfully submitted,

Jennifer Schmitke, City Clerk

Stephen Nordbye, Chairperson