

**CITY OF ORLAND
CITY COUNCIL ORDINANCE NO. 2024-02**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND APPROVING THE
PREZONING OF AN EXISTING PARCEL OF LAND IDENTIFIED AS 125 MODOC STREET
(APN 046-080-016) WITH THE R-1 – RESIDENTIAL ONE FAMILY ZONING DISTRICT**

WHEREAS, the City proposes to prezone one parcel located at 125 Modoc Street (APN 040-080-016) to R-1 – Residential One Family zoning district; and

WHEREAS, the parcel is currently developed with a structure used as a church and has a General Plan land use designation of *R-L – Low Density Residential*; and

WHEREAS, pre zoning the parcel along with the issuance of a Conditional Use Permit (CUP 2023-01) would provide consistency between the zoning and General Plan designation; and

WHEREAS, the existing use of the parcel as a church has been determined to be compatible with the proposed pre zoning of the site via the approval of a Conditional Use Permit allowing for the continued use of the church structure; and

WHEREAS, the proposed pre zoning action is consistent with the policies, standards, density range and land use type specified in the General Plan; and

WHEREAS, the proposed pre zoning and annexation action is consistent and compatible with the uses authorized in, and the regulations prescribed for, the zoning district for which it is proposed; and

WHEREAS, The Planning Commission of the City of Orland held a duly noticed public hearing to consider the request at their regularly scheduled meeting on December 21, 2023 and following the conduct of the public hearing has recommended approval of the matter to the City Council by a unanimous vote of 5-0; and

WHEREAS, The Planning Commission has made a recommendation to the City Council that the proposed action is *exempt* from further environmental review pursuant to California Public Resources Code Sections 15301 and 15319 (b)(3), as the Commission determined that the proposed action meets the definitions provided for the use of the exemptions and that it can be seen with certainty that there is no possibility that the proposed pre zoning of the parcel would have a significant effect on the environment; and

NOW, THEREFORE, BE IT RESOLVED, That the City Council of the City of Orland does hereby determine that the proposed action is exempt from further CEQA review pursuant to Public Resources Code Sections 15301 and 15319 and does hereby approve project number PZ 2023-01 rezoning the subject parcel to the *R-1 – Residential One Family* zoning district and making findings for the action.

The foregoing Ordinance was adopted by the Orland City Council on the 6th day of February 2024, by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Chris Dobbs, Mayor
City of Orland

ATTEST:

Jennifer Schmitke, City Clerk

Greg Einhorn, City Attorney