

CITY COUNCIL

CITY OF ORLAND



ORDINANCE NO. 2025-05

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) AND SECTION 17.40.030(A)(7) PERMITTING REQUIREMENTS FOR RESIDENTIAL USES

WHEREAS, amendments to Title 17 of the Orland Municipal Code (Zoning) have been proposed to clarify the permitting standard for residential uses in the Community Commercial (C-2) zone district; 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, Title 17 – Zoning- Chapter 17.40.030(A)(7) has been amended to allow dwellings to be included on the second floor “*and above*” with approval of an administrative permit; and

WHEREAS, Title 17 – Zoning- Chapter 17.40.040(D) has been amended include language, “*except as otherwise permitted in Section 17.40.030*”; and

WHEREAS, on October 16, 2025, the Planning Commission held a duly noticed public hearing to consider the proposed amendments in a staff report, a recommendation by staff, and public testimony concerning amendments to Chapter 17.40 of the City of Orland Municipal Code for residential uses in the Community Commercial (C-2) district. Following the public hearing, the Planning Commission voted to forward an Ordinance to the City Council with a recommendation in favor of its adoption.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ORLAND DOES ORDAIN AS FOLLOWS:

SECTION 1:

The City of Orland City Council 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 section 15061(b)(3) where there is no possibility the activity in question may have a significant effect on the environment.

SECTION 2:

The City of Orland City Council approves the Orland Municipal Code amendments as reflected in **EXHIBIT A** and incorporated herein by reference.

SECTION 3:

The City Clerk shall certify to the adoption of this ordinance and shall cause it to be posted and/or published in accordance with the law.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Orland held on the 18th day of November, 2025, and enacted at a regular meeting of the City Council of the City of Orland held on the _____ day of _____, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

MATTHEW ROMANO, Mayor

ATTEST:

JENNIFER SCHMITKE, City Clerk

EXHIBIT A

ATTACHMENT B

CITY OF ORLAND MUNICIPAL CODE AMENDMENTS
Proposed Text Amendments to Title 17 Zoning -Section 17.40 – Community Commercial (C-2) district

17.40.030 Administratively permitted uses.

- A. Administratively permitted uses in a C-2 zone are as follows:
1. Antique shops;
 2. Appliance sales and repair;
 3. Auto part sales, no repairs;
 4. Carpet/flooring sales;
 5. Catering/food trucks;
 6. Cleaners and Laundromats;
 7. Dwellings, second floor ~~only~~ and above;
 8. Electric appliances repair;
 9. Electric vehicle charging stations. For use in a new automobile service station, see Section 17.40.040;
 10. Fireworks sales;
 11. Food trucks;
 12. Medical clinics and offices;
 13. Medical labs;
 14. Produce stand(s);
 15. Restaurants with outdoor eating areas;
 16. Secondhand store in accordance with the provisions of Section 5.20.060;
 17. Studios and instructional studios;
 18. Video stores.
- B. Other uses which the city planner determines by written findings are similar to the above.

17.40.040 Conditional uses requiring use permits.

- A. Conditional uses requiring use permits in the C-2 zone are as follows:
1. Airports, heliports, and landing strips;
 2. Animal hospital and veterinary office;
 3. Automobile repair and sales;
 4. Automobile service stations;
 5. Bowling alleys;
 6. Carpentry and cabinet making shops;
 7. Catering truck(s)/food truck(s);
 8. Churches;
 9. Clothing manufacturer;
 10. Contractor's yards;

11. Communication towers and support facilities;
 12. Convalescent homes;
 13. Day care centers;
 14. Drive-in restaurants and restaurants with drive-up windows;
 15. Dry cleaning plants;
 16. Dwellings, ground floor;
 17. Electric motor repair;
 18. Equipment rentals with outdoor storage;
 19. Flea market(s);
 20. Handicraft manufacturer;
 21. Homes for the elderly;
 22. Hospitals;
 23. Hotels, motels, boarding and rooming houses;
 24. Kennels, boarding where animals are housed within structures;
 25. Lumberyards;
 26. Lodges and temples;
 27. Metal working shops;
 28. Muffler shops;
 29. Paint booth;
 30. Plumbing shops;
 31. Printing and lithography;
 32. Private institutions including rest homes, sanitariums, and convalescent homes;
 33. Recycling facility;
 34. Schools, public and private;
 35. Sign shops;
 36. Storage warehouses;
 37. Social halls;
 38. Theaters;
 39. Tire sales repair shops.
- B. Uses listed above in Section 17.40.020 which are not entirely enclosed.
- C. Uses that the city planner determines by written findings are similar to the above, pursuant to Section 17.04.030.
- D. Residential uses, except as otherwise identified in Section 17.40.030