

CITY COUNCIL

CITY OF ORLAND



ORDINANCE NO.

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)”

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 Planning Commission held a duly noticed public hearing to consider the staff report, recommendation by staff, and public testimony concerning this Ordinance. Following the public hearing, the Planning Commission voted to forward the Ordinance to the City Council with a recommendation in favor of its adoption; and

WHEREAS, 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 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 CITY COUNCIL OF THE CITY OF ORLAND DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. 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 Ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLAND ADOPTING AN AMENDMENT OF THE ORLAND MUNICIPAL CODE TO UPDATE CHAPTER 17.43 RESIDENTIAL DENSITY BONUS CONSISTENT WITH GOVERNMENT CODE 65915 – 65918 (CALIFORNIA DENSITY BONUS LAW)

SECTION 3. Chapter 17.40 – C-2 COMMUNITY COMMERCIAL ZONE of Title 17 "ZONING" of the Orland Municipal Code is amended and replaced to read as follows:

Chapter 17.40 C-2 COMMUNITY COMMERCIAL ZONE

Sections:

17.40.010 Purpose and applicability.

The community commercial or C-2 zone is intended to apply to areas where more complete commercial facilities are necessary for community convenience. Typically this zone will be applied in downtown Orland and in shopping centers. The regulations of this chapter and the provisions of Chapter 17.76 shall apply in all community commercial or C-2 zones.

17.40.020 Principal permitted uses.

Principal permitted uses in the C-2 zone are as follows:

A. The following uses conducted entirely within an enclosed building:

1. Alcoholic beverage sales, on- and off-site;
2. Art galleries and studios;
3. Bakery, retail;
4. Banks other financial institutions;
5. Barber and beauty shops;
6. Bike sales/repair;
7. Book store;
8. Clothing and apparel sales;
9. Computer sales;
10. Drug stores, over five thousand (5,000) square feet;
11. Fire stations;

12. Food stores;
 13. Government offices;
 14. Hardware stores;
 15. Health clubs;
 16. Nursery;
 17. Offices, administrative, professional and business;
 18. Party rentals;
 19. Pet stores;
 20. Photography studios;
 21. Post office;
 22. Public utility buildings;
 23. Restaurants;
 24. Senior center;
 25. Tailor shops.
- B. Other uses which the city planner determines by written findings are similar to the above.

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;
 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.

17.40.050 Lot requirements.

Lot requirements in the C-2 zone are as follows:

- A. Minimum lot area: six thousand (6,000) square feet for parcels located within a C-2 zone district existing at the time of adoption of the ordinance codified in this chapter on July 7, 2003. Six thousand (6,000) square feet for parcels being rezoned and located adjacent to an existing C-2 zone. Twenty thousand (20,000) square feet for parcels being rezoned to C-2 not adjacent to an existing C-2 zone.
- B. Minimum lot width: one hundred (100) feet (except those parcels existing at the time of the adoption of the ordinance codified in this chapter). Those preexisting parcels with a width less than one hundred (100) shall not be reduced to less than sixty (60) feet.

17.40.060 Design requirements.

New development shall adhere to the character of the existing neighborhood and be integrated into the surrounding development. New development shall not dominate or interfere with the established character of its neighborhood. Site design of projects shall be cohesive both functionally and visually.

Design requirements for structures in the C-2 zone are as follows:

- A. Compliance with parking and landscaping requirements of Sections 17.76.100 and 17.76.110, except in the area bounded by the Union Pacific Railroad tracks to the west, Tehama Street to the north, Third Street to the east and Yolo Street to the south.
- B. Within this area known as downtown Orland, compliance with the parking provisions of Sections 17.76.100 and 17.76.110 is temporarily waived until one of the following actions occurs:
 - 1. A parking district is formed within this area providing financing for public off-street parking; or
 - 2. The city initiates and adopts an ordinance repealing the exception for this area and/or adopts other standards for the downtown area. (Note: This exception is currently provided since ample on-street parking exists to serve the businesses in the area, and numerous buildings are vacant, not creating a parking demand. Further, the exception may encourage some redevelopment of this area.)
- C. Maximum building coverage: sixty (60) percent and up to one hundred (100) percent coverage by parking/paved areas.
- D. When the subject site is immediately adjacent to a residential zone district, the following standards shall apply:

1. A solid six-foot masonry wall shall be placed on the property line, reduced to three feet within the required front setback area of the adjacent residential area.
2. All exterior lighting shall be designed to reflect away from the adjacent residential area, or down to the ground within the commercial site.

17.40.065 Site design.

- A. New projects shall be compatible with their surrounding development in intensity, setbacks, building forms, material, color, and landscaping:
 1. Site design shall respect existing roadway patterns and driveways. New curb cuts shall be aligned with existing driveways and streets, when applicable.
 2. Develop transition between projects with different uses and intensities to provide a cohesive visual and functional shift. Create transition by using appropriate setbacks, gradual building height, bulk, and landscaping.
 3. Integrate perimeter landscaping with the landscaping of adjacent developments.
 4. Minimize paved areas for curb cuts and parking on the street frontage of projects to maintain a continuous and attractive streetscape.
 5. Preserve natural site features such as mature trees, views, etc., and incorporate into the site design of the new project.
 6. Site design of projects shall be compatible with and protect existing nearby heritage structures and trees.
 7. Link on-site walkways to the public sidewalk system outside the project site for ease of pedestrian access.
 8. Provide pedestrian links between residential developments and nearby employment and shopping center, schools, and parks to encourage pedestrian activities.

17.40.070 Site organization.

- A. Locate site components such as structures, parking driveways, walkways, landscaping and open spaces to maximize visual appeal and functional efficiency. Security kiosks and gates shall be located to allow queuing for at least three cars.
- B. Emphasize the pleasant components of the project such as existing trees and views, and disguise its less desirable scenes such as parking areas, loading and service areas through placement and design of structures and landscaping.
- C. Siting of noise and odor generating functions on a site shall not create a nuisance for the adjacent properties.
- D. Orientation of buildings on a site shall relate to each other and to buildings on adjacent sites for aesthetic organization. The front of one building shall not face the back of another. In these instances, an increased setback between buildings may be required to meet the standards of the California Building Code.
- E. Street frontages shall not be dominated by surface parking to encourage pedestrian orientation and a continuous streetscape. Limit paved areas on street frontages to one double row of parking and locate the rest of the parking elsewhere on the site.
- F. Where half or more of the parking is located at the rear of a retail/office building, provide main entries in the front and rear of buildings for convenient access.

- G. Site design of projects shall have external orientation for a positive street experience. Orient buildings toward public streets and provide view corridors into the project site. View corridors may be provided by controlling the spacing and angles of building on the site and by providing open vistas and plazas.
- H. Building facades shall be lively and include windows and main entries which face public streets for a pedestrian friendly environment.
- I. Provide convenient and safe pedestrian and automobile access to the site from adjacent streets.
- J. Define site boundaries by landscaping and bands of decorative paving to announce entry into the site.
- K. Every project shall have a main entry, defined by landscaping and other decorative features. Main entrances to all buildings shall be well defined.
- L. Design and locate a project's internal circulation pattern for maximum ease of movement and a minimum of safety hazards.
- M. Consider energy efficiency in the siting of buildings. Shading of structures and parking areas is recommended.

17.40.075 Open space.

- A. Design each project site for maximum utility of open space for ventilation, sunlight, recreation, and views for both new and existing buildings.
- B. In business parks and strip shopping centers, open space areas are recommended.
- C. Open space areas may include benches, art, landscape, water, and hardscape features, as approved by the city.
- D. Provide direct access to common useable open space from all buildings. Common open spaces shall be useable for recreational purposes (landscaping strips of less than fifty (50) feet in width between buildings does not constitute useable common open space).

17.40.080 Scale and character.

- A. Break up large buildings into groups of smaller segments whenever possible, to appear smaller in mass and bulk. This may require increasing setbacks to comply with the standards of the California Building Code.
- B. Adjacent buildings shall be compatible in height and scale.
- C. Buildings and additions shall not shade more than ten (10) percent of the structures or open space areas on adjacent properties for proper solar access.
- D. Buildings shall maintain similar horizontal and vertical proportions with the adjacent facades to maintain architectural unity.
- E. Step back upper stories of buildings three stories or taller from public roads and adjacent low scale development to reduce the bulk impact.
- F. Maintain the dominant existing scale of an area.
- G. Placement of windows and openings on second story additions shall not create a direct line of sight into the living space or the back yard of adjacent properties to maintain privacy.
- H. Buildings shall maintain visually interesting activities at the street level by placing active facades with windows and openings on the street side to promote pedestrian activities.
- I. Interrupt front facades on large structures by various architectural elements such as trellises, balconies, steps, openings, etc., about every thirty (30) feet to appear smaller in scale.

- J. Choose inset, multi-pane windows over a continuous band of single pane windows, to create a sense of scale.
- K. Maintain the scale and character of the existing main structure in building additions by retaining similar proportions and rhythm present on the main structures.

17.40.085 Architecture and design.

- A. Maintain diversity and individuality in style but be compatible with the character of the neighborhood.
- B. In areas where no prevailing architectural style exists, maintain the general neighborhood character by the use of similar scale, forms and materials providing that it enhances the neighborhood. The scale, forms, and materials shall be approved by the city.
- C. Develop a comprehensive architectural theme for multi-building complexes. Unify various site components through the use of similar designs, material, and colors. The designs, material, and colors shall be approved by the city.
- D. "Corporate architecture" and generic designs are not recommended. Design each project specifically with respect to its own surrounding environment.
- E. Buildings shall have three distinct components: base, middle, and top. Define each component by horizontal and vertical articulation.
- F. Link buildings and sites together by proper building orientation, landscaping, and similarly designed building and site components.
- G. Buildings on corner lots shall demonstrate a strong tie to the public streets. Enhance street corners by special design features such as celebrated main entrances, or landscape features.
- H. Include decorative building elements in the design of all buildings. Add more interest to buildings by incorporating changes in wall plane and height, arcades, porticos, trellises, porches, balconies, dormers, windows, openings, etc.
- I. Repeat design and decorative building elements in all elevations and the roof as well as the front facade.
- J. Windows and openings shall be consistent with the architectural style of buildings and maintain similar proportions and rhythm with those on adjacent buildings.
- K. Provide clear windows on street level on retail buildings to create interest for pedestrians.
- L. Define building entries by use of human scale architectural elements such as arches, posts, awnings, etc. Orient main entries toward public streets.
- M. Awnings and canopies shall be compatible with the building design and shall conform to Section 17.78.200 (Sign Ordinance) of this title.
- N. Awnings shall not cover or replace facade articulation by wrapping around buildings in continuous bands. Place awning only on top of doors, windows, and other openings.
- O. Design fire escapes and exterior stairs, elevator shafts, and balconies as part of the building, not as separate elements.
- P. Exterior remodeling of older buildings being occupied by new tenants is strongly encouraged.

17.40.090 Accessory utility buildings.

- A. The style, material, and color of accessory buildings visible from public streets shall be the same as those of the main building.

- B. Accessory buildings shall be proportional to the main structures in size and bulk. Accessory buildings may not dominate any site areas.

17.40.095 Roof.

- A. New roofs shall be consistent in form and shape with the dominant roof form in the neighborhood.
- B. Buildings in, or adjacent to, residential neighborhoods, with predominately gabled roofs, shall have gabled roofs to create a residential scale and character.
- C. Long horizontal roof lines are not allowed. Interrupt roof line by architectural treatment and features. The maximum allowable unbroken roof line is thirty (30) feet.
- D. Vary roof levels and forms on a large building to create diversity and to decrease the apparent scale of the building.
- E. Include roofs on all elevations, not just on the front facades of buildings. Roof forms shall express entrances to buildings.
- F. Roofs shall be an integral part of building design. False mansard roofs are not allowed.
- G. Include architectural elements such as projecting cornices in design of flat roofs to define the edge of the roof.
- H. Parapets and roof screens shall be integrated architecturally into building designs. Placement, material, and color of roof screens shall not impact the building architecture or roof form.

17.40.100 Material and color.

- A. Develop a comprehensive material and color scheme for each project to tie in the various parts of the project. Choose variety of colors and materials to add interest to buildings. Colors and materials shall be approved by the city.
- B. Avoid large expanses of smooth surfaces such as concrete or glass. Use materials with a sense of scale and texture.
- C. Avoid large expanses of highly reflective surfaces and mirror glass exterior walls to prevent heat and glare impacts on the adjacent public streets and properties.
- D. Choose high quality materials and paint to prevent degradation and for ease of maintenance.
- E. Use wrought iron, cast iron, or high quality wood for decorative features and trims. Vertical sliding panels (i.e. T-111) are prohibited.
- F. Coordinate exterior colors of adjacent structures on the same or adjacent sites.
- G. Strong, bright contrasting colors shall be used for ornaments and accent only.
- H. Coordinate color and material of building additions with those of the principal structure.
- I. Wall and ground sign design material and color shall be compatible with the principal building on the site and shall comply with Chapter 17.78, Sign Ordinance, of the Orland Municipal Code.

17.40.105 Service facilities.

- A. Locate service areas and drives away from public streets and nearby residential uses. Place service facilities in the least visible areas.
- B. Provide convenient access for all service and emergency vehicles. Separate service drives from other on-site circulation patterns when possible.

- C. Fully screen all service facilities from the public street and adjoining properties. Doors for service facilities shall be recessed and integrated into the overall design of the building.
- D. Screening devices shall have a similar design and material to the main structures on the site, and shall be incorporated into the site design of the project.
- E. Fences, walls, dense landscaping, berming, or any combination of the above, may be used to screen service areas and facilities.
- F. In multi-building complexes, service areas shall be combined or located next to each other to minimize the visual and noise impact on the surrounding uses.
- G. Service facilities shall be easily accessible for service vehicles and tenants. Service yards shall be located so as to minimize interaction between service vehicles and automobiles.
- H. Service facilities shall be separated from pedestrian walkways to increase safety.

17.40.110 Mechanical equipment.

- A. Mechanical equipment shall not be located in any front setback area between the public street and building.
- B. Mechanical equipment shall be located far enough from adjacent properties to not cause noise impacts. Noise level at property line may not exceed fifty (50) dBA in or adjacent to residential areas and seventy-five (75) dBA in all commercial and industrial zones.
- C. Fully screened roof top equipment by parapet walls or a roof well on all four sides.
- D. Avoid individual screening of a group of equipment on a single roof. Contain all equipment within same roof screen.

17.40.115 Lighting.

- A. Light fixture design shall be compatible with the design and the use of the principal structure on the site. Light fixtures shall be equipped with appropriate reflectors and shielded to prevent illumination of the adjacent properties.
- B. Incorporate placement of light fixtures into the landscape scheme of the project. Show location and type of all exterior lights on the landscape plans.
- C. Height of any light poles shall be appropriate for the project and surrounding environment. Height of the light poles shall not exceed that of the main building.
- D. Use bollard type luminaries, maximum of eight feet high for pedestrian areas.
- E. Shield light sources to prevent any glare or direct illumination on public streets, adjacent properties, highways, or Interstate "5."
- F. All area lights shall be energy efficient type (High Pressure Sodium or equivalent).
- G. All on-site pedestrian and automobile traffic areas shall be well lit for safety and security.

17.40.120 Trash enclosures.

- A. All development in this zoning district shall provide for adequate storage of trash and recyclable materials in containers in enclosed areas.
- B. Trash enclosures shall be conveniently accessible by collection trucks. Access driveways shall be a minimum of sixteen (16) feet in width.
- C. Enclosures shall not be located in setback, landscaped, or parking areas.

- D. Adequate turn around areas for collection trucks shall be provided.
- E. A concrete pad in front of and within enclosures to prevent damage to pavement is required.
- F. Trash enclosures shall screen trash containers on all four sides. The height of enclosures shall fully screen the containers.
- G. A roof shall be provided for trash enclosures when visible from any upper story.
- H. The style, material, and color of enclosures shall be similar to those of the main structure.
- I. Enclosures shall be made of masonry or wood and match the main building in finish and color. Enclosures may be masonry or wood, painted to match the main building.
- J. Steel enclosure gates are required as a minimum standard.
- K. When visible from public rights-of-way, redwood slatted cyclone fencing may be acceptable, but depending on the design of the main buildings, wood, concrete, or stucco is encouraged.

17.40.125 Professional offices and buildings.

- A. Professional office buildings shall have the highest quality architecture and be oriented toward streets.
- B. For office buildings, a combination of hardscape such as textured paving, water fountains, and landscaping shall be used to provide strong emphasis to focal points and entrances to the buildings.
- C. In multi-building complexes, buildings and offices shall be most visible from a public right-of-way.
- D. When there are two or more buildings located on site, buildings shall be oriented toward public streets and provide view corridors into the project site. View corridors may be provided by controlling the spacing and angles of buildings on the site and by providing vistas and plazas.
- E. The site boundaries and main entrances shall be defined by both landscaping and decorative paving.

17.40.130 Fences and walls.

See Section 17.76.190 - Fence standards for fence height and setback regulations.

17.40.135 Setbacks.

Minimum yards in the C-2 zone are as follows:

- A. Front: none, except when the front yard is across the street from a residential zone, then a ten (10) foot setback is required;
- B. Rear: none, except where a rear yard abuts a residential zone the minimum setback shall be fifteen (15) feet. If the rear yard abuts an alley, such rear yard shall not be less than five feet;
- C. Side: none, except that a side yard of an interior lot abutting a residential zone shall be not less than the front yard required in such residential zone;
- D. Adjacent buildings shall have compatible front setbacks to maintain visual continuity of the streetscape. Setback infill projects in areas with different front setbacks at a distance equal to the average setbacks of buildings on either side not to exceed fifty (50) percent of the minimum setback requirements of the zoning code.

17.40.140 Height.

Maximum building height in the C-2 zone is forty-five (45) feet.

17.40.145 Site plan review.

Prior to application for a building permit, the applicant shall submit to the city of Orland a complete site plan application with all applicable fees and all other documents necessary for review by the city to ensure compliance with all requirements of the Orland Municipal Code (OMC). A "site plan" application may be approved by the city manager or his/her nominee, without the necessity of public notice, a public hearing or planning commission action if findings required for approval (Section 17.82.050 of this title) can be made.