

## Chapter 17.04

### GENERAL PROVISIONS

#### Sections:

- 17.04.010 Zoning ordinance adopted.**
- 17.04.020 Purpose.**
- 17.04.030 Interpretation authority.**
- 17.04.040 Limitations on land use and structures.**
- 17.04.050 General plan amendments.**

#### **17.04.010 Zoning ordinance adopted.**

There is adopted a zoning ordinance for the city of Orland, state of California, as provided by Title 7 of the Government Code of the State of California. This ordinance constitutes a specific plan for the use of land and buildings. (Ord. 2003-03 § 3 (part))

#### **17.04.020 Purpose.**

This title is adopted to promote and protect the public health, safety and general welfare, to provide a plan for sound and orderly development, to ensure social and economic stability within the various zones established in this title, to provide for consistency of land use regulations with the adopted general plan. (Ord. 2003-03 § 3 (part))

#### **17.04.030 Interpretation authority.**

A. Additionally, city staff responsible for administering this ordinance may interpret the provisions of all zones. City staff interpretations shall not circumvent other available established procedures such as conditional use permits and variances, and findings shall clearly be set forth by city staff documenting the interpretation. The planning commission shall review any appeals of a staff interpretation.

B. The planning commission, by writing findings adopted by the commission, may interpret any of the provisions of the title and may determine what additional uses may be permitted with or without use permits in any zone because of similarity and compatibility with listed uses. Said findings shall clearly set forth the justification for the interpretation. Such interpretations shall not be used to circumvent other available established procedures such as conditional use permits and variances.

C. The city council, on its own initiative or upon receipt of an appeal from any such interpretation or determination, may confirm, reverse or modify the action of the planning commission. (Ord. 2003-03 § 3 (part))

#### **17.04.040 Limitations on land use and structures.**

Except as otherwise provided in this title:

A. Use Requirements. No building or part thereof or other structure shall be erected, altered, added to or enlarged, nor shall any land, building, structure or premises be used, designated or intended to be used for any purpose or in any manner other than is included among the uses listed in this title as permitted in the zone in which such building, land or premises is located.

B. Height Requirements. No building or part thereof or structure shall be erected, reconstructed or structurally altered to exceed in height the limit designated in this title for the zone in which such building is located except as provided in Chapter 17.76 of this title.

C. Area Requirements. No building or part thereof or structure shall be erected nor shall any existing building be altered, enlarged or rebuilt or moved into any zone, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area, and building location regulations designated in this title for the zone in which such building or open space is located.

D. Duplicate Use of Open Space and Yards. No yard or other spaces provided about any buildings for the purpose of complying with provisions of this title shall be considered as providing a yard or open space for a building on any other building site unless specifically permitted elsewhere in this title.

E. No building other than residential shall be used, occupied, or business license issued to/for without city approval and a safety inspection performed by the building department. (Ord. 2003-03 § 3 (part))

**17.04.050 General plan amendments.**

The city's general plan may be amended pursuant to California Government Code § 65358. The fee for any application for amendment shall be set by resolution of the city council. (Ord. 2003-03 § 3 (part))