

CITY OF ORLAND

CITY COUNCIL ORDINANCE NO. 2022-01

AN ORDINANCE OF THE CITY OF ORLAND CITY COUNCIL AMENDING TITLE 17, ZONING, OF THE CITY OF ORLAND MUNICIPAL CODE BY INCLUDING CHAPTER 17.18 – OBJECTIVE DESIGN STANDARDS TO COMPLY WITH STATE LAW REGARDING OBJECTIVE DESIGN STANDARDS

WHEREAS, On January 1, 2021, the State of California adopted revisions to Government Code Section 65913.4 requiring ministerial approval of qualifying multifamily developments; and

WHEREAS, adoption of revisions of Government Code Section 65913.4 by the State results in a necessary amendment to the City's Municipal Code to include Objective Design Standards; and

WHEREAS, the City of Orland, California did complete the necessary studies thereon, as provided by law, and;

WHEREAS, Title 1 *General Provisions* of the City Code does allow for amendment to the City Code; and

WHEREAS, the Planning Commission of the City of Orland, California held a duly noticed Public Hearing to consider the matter on February 17th, 2022, as provided by law; and

WHEREAS, no public comment was received as a result of the public hearing and upon the closing of the public hearing and deliberation on the matter, the Planning Commission recommended approval of the proposed Code amendment to the Council as presented; and

WHEREAS, the City Council of the City of Orland, California considered the Amendment to the Municipal Code Title 17 *Zoning* and the recommendation of the Planning Commission at a regular meeting of the City Council held on March 15, 2022; and

WHEREAS, the City Council held a duly noticed public hearing on the proposed amendments to Title 17, *Zoning*, in order to provide the community and interested parties the opportunity to comment on the proposed amendments; and

WHEREAS, Title 17- *Zoning* has been revised to include *Chapter 17.18 Objective Design Standards* as shown in **Exhibit A**; and

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Orland approve the associated CEQA Exemption and approves the Orland Municipal Code Amendments reflected in Exhibit A and incorporated herein by reference.

This Ordinance was introduced at the regular meeting of the City Council for a Public Hearing of the first reading (by title only) on **March 15, 2022.**

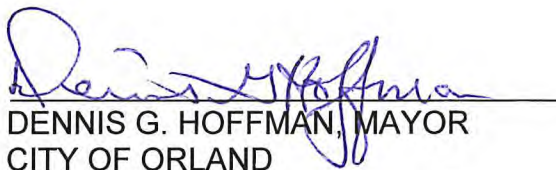
PASSED AND ADOPTED by the Orland City Council on this fifth day of April, by the following vote:

Ayes: Councilmembers Roundy, Irvin, Dobbs, Vice Mayor Tolley and Mayor Hoffman

Noes: None

Abstain: None

Absent: None


DENNIS G. HOFFMAN, MAYOR
CITY OF ORLAND

ATTEST:


JENNIFER SCHMITKE,
CITY CLERK

CODIFY ☒

APPROVED AS TO FORM:


GREG EINHORN, ESQ.
CITY ATTORNEY

UNCODIFY ☐



CHAPTER 17.18 – OBJECTIVE DESIGN STANDARDS

Sections:

17.18.010 – Purpose.

California State Senate Bill 35 (Government Code Section 65913.4), which went into effect on January 1, 2018, requires the availability of a streamlined ministerial approval process for multifamily residential developments in jurisdictions that have not yet made sufficient progress toward meeting their regional housing need allocation (RHNA) as determined by the California Department of Housing and Community Development.

Included in the streamlining process, cities are required to establish objective design standards for multifamily residential development. SB 35 defines an objective design standard as one that involves "no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant... and the public official prior to submittal."

This chapter establishes Objective Design Standards that serve as minimum requirements for residential development in the City. Compliance with these standards will remove subjective or discretionary review of a proposed residential project. For any developer of a qualifying project seeking exceptions to these standards, or any of the City's applicable design guidelines, the City's existing discretionary design review process is available.

17.18.20 – Applicability

These standards are mandatory for any qualifying residential project that requests streamlined processing and ministerial approval pursuant to state law provisions that reference objective design standards. Qualifying residential projects are those that comply with Government Code Section 65913.4(a).

Section 65913.4(a)(2)(C) provides that Section 65913.4 applies to areas within a jurisdiction that is zoned for residential use or residential mixed-use development or has a general plan designation that allows residential use or a mix of residential and nonresidential uses, and at least two-thirds of the square footage of the development is designated for residential use. As such, these Objective Design Standards apply to developments meeting these requirements within the following zoning districts: R-1, R-2, R-3, C-1, C-2, and DT-MU. Section 65913.4(a)(1) defines a multifamily development as a development that contains two or more residential units.

17.18.30 – Objective Design Standards

A. Site standards

1. Street connectivity

- a) External Connectivity. Streets within any proposed subdivision or development

site shall be aligned with existing and planned streets in adjacent neighborhoods so as to create a continuous street pattern. All streets, alleys, and pedestrian pathways in any subdivision or development site shall connect to other streets and to existing and planned streets outside the proposed subdivision or development.

- b) Internal connectivity. New streets must form a continuous and linked vehicular and pedestrian network within the development.
 - c) Cul-de-sacs and dead-end streets. Any cul-de-sac or other dead-end street longer than 300 feet shall be connected to other streets by a pedestrian path.
 - d) No gates/barriers. Automobile and pedestrian access points into multi-family residential developments shall not be gated or closed off to the public.
 - e) Block length/mid-block pedestrian connections. Blocks shall not exceed 600 feet in length, measured from street centerline to street centerline, unless mid-block pedestrian connections are provided at intervals of no more than 350 feet apart. Such pedestrian connections shall include a walkway at least 10 feet wide.
2. Parking required.
- a) Pursuant to Government Code Section 65913.4(e), no parking shall be required for those developments located within one-half mile of public transit.
 - b) Pursuant to Government Code Section 65913.4(e), the maximum required parking shall be one (1) space per dwelling unit. A carport or enclosed garage is optional.
3. Parking location, design, and access.
- a) All parking areas shall have adequate ingress and egress to and from a street or alley. Sufficient room for turning and maneuvering vehicles shall be provided on the site. Bumper rails or other barriers shall be provided where deemed necessary by the city to protect property.
 - b) Entrances and exits to parking lots and other parking facilities shall be provided at locations approved by the city engineer and planning director.
 - c) The parking area, aisles, and access drives shall be constructed with a minimum of six-inch base and a double chip and seal so as to provide a durable, dustless surface, and shall be graded and drained as to dispose of surface water, with the design and specification so such work is subject to the approval of the city engineer.
 - d) The use of cluster parking spaces into small parking areas, dispersed around the site, to avoid large paved expanses is required.
 - e) All parking lots shall include appropriately striped spaces for standard and compact cars as well as handicapped spaces.
 - f) No parking is allowed in setback areas along project boundaries.
 - g) A separation of pedestrian and automobile traffic paths is required to minimize conflict areas for safety.
 - h) Walkways to connect parking lots to building entrances shall be provided. Define walkways by landscaping, lighting and paving.

4. Parking lot 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, or highways.
 - 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.
5. Onsite outdoor recreation areas.
 - a) On each multifamily development of five (5) units or more within any district, whether such development is on a single recorded lot or on two or more adjacent recorded lots, such development shall provide usable and accessible open space for the recreation and outdoor living enjoyment of the development's residents and their guests. Such open space shall not be less than twenty-five percent (25%) of the total parcel area.

Open space standards shall be as follows:

 - i. 1. Open space may be provided in more than one location.
 - ii. To qualify as required open space, such area shall have no area less than ten (10) square feet and at least fifty percent (50%) open to the sky and free of any overhead structural or architectural projections.
 - iii. Open space shall be improved. Improvements may consist of planting areas containing living plant materials, walks, patios, swimming and wading pools, arbors, temporary and removable shade elements, recreation equipment and facilities and such other appurtenances as are appropriate to serve the outdoor living needs of people.
 - iv. Garages, carports, open off-street parking areas, vehicular access driveways, trash enclosures, clothes- drying yards and non-landscaped areas shall not be included in calculating required open space.
 - b) In addition to those standards in subdivision (a), any multifamily project of fifteen (15) or more units shall provide the following recreation area:
 - i. A defined and fenced play area which may include fixed play equipment, ball courts, swimming or wading pools and similar child play facilities,
 - ii. The play area shall not be less than five hundred (500) square feet, or twenty-five (25) square feet for each apartment unit, whichever is greater.
 - iii. Be visible from multiple dwelling units within the project.

- iv. Be protected from any adjacent streets or parking lots with a fence or other barrier at least four feet in height.
 - c) Exemptions. The play area requirement shall not apply to any development that is:
 - i. Age-restricted to senior citizens; or
 - ii. Located within 300 feet of a public park.
 - d) For minimum setback requirements, refer to the zoning district.
6. Landscaping.
- a) At a minimum, the following landscaping is required:
 - i. All areas not occupied by parking, driveways, pedestrian walkways, recreation areas, buildings, structures, and hardscape shall be landscaped.
 - ii. The required front yard shall be landscaped and not used for parking. The only area not landscaped within the required front yard is the driveway access to the required parking area, which shall not exceed twenty-five (25) feet in width,
 - iii. Landscaping within the front setback area shall include one fifteen (15) gallon-sized tree for each fifty (50) feet of frontage, and at least one gallon-sized shrub for each five feet of frontage,
 - iv. In addition to the required trees and shrubs, the landscaped area may also be planted with lawn or ground cover plants. Other decorative, non-plant ground covers may be used as long as they do not exceed twenty-five (25) percent of this landscaped area,
 - v. Parking lot landscaping shall be provided to enhance sites and building parking areas in compliance with the standards identified in Section 17.76.110 of this code.
 - vi. Where landscaping is provided, adequate irrigation and maintenance thereof shall be provided, including replacement of dead trees, shrubs, vines or other ground cover required pursuant to this section.
7. Fencing.
- a) Any perimeter fencing utilized along a public street, shall be constructed of decorative iron, pre-painted welded steel, or wood picket material.
 - b) Fences and walls shall be compatible in style and material with the main structures on a site.
 - c) To avoid the monotony of long, solid walls and fences around the perimeter of projects, variation in height, and depth is encouraged.
 - d) Signs, lights, and other street furniture incorporated into the design of fences and walls are encouraged.
 - e) Barbed wire and chain link fencing is prohibited.
 - f) Fences and walls used for noise control shall be made of materials most suited for noise reduction, and which minimize reflective sound.

- g) Security fencing and gates shall be of an open type to allow for maximum visibility of the secured area. Wrought iron and cast iron fences are recommended for security fences and gates for all uses.
- h) Fencing shall be a maximum of six feet in height. Fencing over six feet in height, excepting subsection B above, shall require a building permit. All corner lots, including corners on alleys, shall be a maximum of three feet in height within the front and exterior side yard setback areas.
- i) All fences shall be made of durable and weather-resistant materials as approved by the city.

8. Refuse containers.

- a) Provide dumpsters for garbage recycling, and green waste containers collection within a screened enclosure design specifically for that use.
- b) Shield all dumpsters within an enclosure a minimum of six feet tall. Allow adequate size to accommodate the needed dumpsters and recycling containers. All enclosures and gates should be detailed to withstand heavy use. Provide wheel stops or curbs to prevent dumpsters from banging into walls of enclosure.
- c) Provide an opening so that pedestrians can access the dumpsters without opening the large gates.
- d) Provide lighting at trash enclosures for nighttime security and use.
- e) Locate dumpster enclosures so that no dwelling is closer than 20 feet (including those on abutting properties), or more than 100 feet from a residential unit. No minimum distance from dwellings is required if dumpsters are located within a fully enclosed room.

B. Building design standards

1. Building mass and articulation.

- a) Building length. Buildings shall not be less than 20 feet or exceed 200 feet in width or length on any side.
- b) Façade articulation. All building facades that face or will be visible from a public street shall include one or more of the following treatments.
 - i. Exterior building walls shall vary in depth through a pattern of offsets, recesses, or projections.
 - ii. The building height shall be varied so that a portion of the building has a noticeable change in height; or roof forms are varied over different portions of the building through changes in pitch, plane, and orientation.
 - iii. The building façades shall incorporate details such as window trim, window recesses, cornices, belt courses, and other design elements.
- c) Maximum building height: 35 feet.
- d) Vertical articulation for tall buildings. In buildings of three or more stories, upper and lower stories shall be distinguished by incorporating one or more of the following features. These features may be applied to the transitions between any floors, except where otherwise specified.

- i. A change in façade materials, along with a change in plane at least one inch in depth at the transition between the two materials.
 - ii. A horizontal design feature such as a water table, belt course, or bellyband.
 - iii. A base treatment at the ground floor consisting of a material such as stone, concrete masonry, or other material distinct from the remainder of the façade and projecting at least one inch from the wall surface of the remainder of the building.
 - iv. Setting back the top floor(s) of the building at least five feet from the remainder of the façade.
- 2. Façade transparency/limitation on blank walls.
 - a) At least 20 percent of the area of each street-facing facade of a residential building must consist of windows, doors, or other openings. No wall that faces a sidewalk, pedestrian walkway, or publicly accessible outdoor space shall run in a continuous plane of more than 30 feet without a window, door, or other opening.
- 3. Roofline
 - a) Minimum roof slope: 3:12.
 - b) Minimum roof eave overhang, twelve (12) inches.
- 4. Exterior theme
 - a) Buildings shall carry the same theme on all elevations. For the purposes of this standard, a theme includes primary (non-accent) materials and colors.
 - b) Affordable units and market rate units in the same development shall be constructed of the same or similar exterior materials and details such that the units are not distinguishable.
- 5. Screening.
 - a) All exterior mechanical and electrical equipment shall be screened or incorporated into the design of buildings so as not to be visible from the street. Equipment to be screened includes, but is not limited to, all roof-mounted equipment, air conditioners, heaters, utility meters, cable equipment, telephone entry boxes, backflow preventions, irrigation control valves, electrical transformers, pull boxes, and all ducting for air conditioning, heating, and blower systems. Screening materials shall be consistent with the exterior colors and materials of the building.