

## **RESOLUTION NO. 11354**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE APPROVING SMALL LOT SUBDIVISION GUIDELINES**

**WHEREAS**, small lot subdivision development provides an alternative housing type to larger scale condominiums and apartments in multi-family residential zones and some mixed use zones, and is particularly well-suited in transitional areas between established neighborhoods developed with single-family homes and other more intensive residential or commercial uses; and

**WHEREAS**, the Small Lot Subdivision Guidelines have been prepared as a companion document to the Small Lot Subdivision Ordinance to articulate City expectations for site layout, building scale, unit orientation, building height, privacy and contextual compatibility for infill residential development with surrounding established neighborhoods; and

**WHEREAS**, the Small Lot Subdivision Guidelines are intended to uphold the goals of introducing new dwellings and a new housing typology that maintains and responds to the existing urban form, achieves high quality urban design, and promotes walkability through infill development; and

**WHEREAS**, the Planning Commission considered the proposed Small Lot Subdivision Guidelines at a duly advertised public hearing on July 19, 2021, and voted 4-0 to recommend that the City Council approve the Guidelines; and

**WHEREAS**, the City Council considered the proposed Small Lot Subdivision Guidelines at a duly advertised meeting held on September 14, 2021.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council approves the Small Lot Subdivision Guidelines, shown as Attachment 1, attached hereto, based on the following:

#### **SECTION 1 – FINDING**

The Small Lot Subdivision Guidelines are consistent with the goals and policies stated in the City's General Plan Land Use, Housing, and Urban Design Elements by supporting diverse residential environments, contextually compatible infill residential development, and integration of new development with the established urban form.

#### **SECTION 2 - ENVIRONMENTAL REVIEW**

- The proposed Small Lot Subdivision Guidelines are exempt from the provisions of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15060(c)(2) and 15060(c)(3), because the guidelines provide guidance for site planning and building design for infill residential development sites. The guidelines provide parameters for neighborhood compatibility, privacy, and internal cohesiveness of small lot subdivisions. The guidelines will not cause changes to the residential density established

in the General Plan for the multi-family and Neighborhood Mixed Use land use districts. They do not involve a specific site or development project, and do not otherwise result in a physical change that could cause an impact to the environment. Approval of the Small Lot Subdivision Guidelines is therefore not a "project" as defined in CEQA Guideline 15378.

- The proposed Small Lot Subdivision Guidelines are exempt from CEQA per CEQA Guideline 15061(b)(3) because it can be seen with certainty, after review and evaluation of the facts regarding the Small Lot Subdivision Guidelines, that there is substantial evidence that approval of the guidelines would not have a significant effect on the environment and the common sense exemption applies.
- In the unlikely event approval of the Small Lot Subdivision Guidelines would constitute a project under CEQA, it is categorically exempt from the provisions of CEQA per CEQA Guideline 15321(a) (Class 21, Enforcement Actions by Regulatory Agencies) because said approval is an action taken by the City as a regulatory agency and involves "enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency."

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mark A. Murphy, Mayor, City of Orange

**ATTEST:**

\_\_\_\_\_  
Pamela Coleman, City Clerk, City of Orange

STATE OF CALIFORNIA    )  
COUNTY OF ORANGE     )  
CITY OF ORANGE         )

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Resolution was duly and regularly adopted by the City Council of the City of Orange at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2021 by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

\_\_\_\_\_  
Pamela Coleman, City Clerk, City of Orange