

## **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

# CITY OF ORANGE

## SMALL LOT SUBDIVISION GUIDELINES



**JULY 2021**



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## INTRODUCTION

The City of Orange has a distinct community identity and a strong sense of place, attributable to the community's efforts to preserve significant physical features, such as buildings, parks, and landscapes, that communicate the City's cultural, historical, and architectural past. Yet Orange is also a forward-thinking city that looks to adapt and innovate with respect to land development, while ensuring the preservation of its community character.

In 2019, the City was awarded a SB 2 Planning Grant by the California Department of Housing and Community Development (HCD) for the preparation of a small lot subdivision ordinance to accommodate non-traditional residential development, specifically on smaller infill sites. In concert with these guidelines, the ordinance is intended to streamline the design review and entitlement process for small lot subdivision development to create efficiencies for housing production in the City by reducing the time, uncertainty, and complexity of approval and permitting for such projects.

The small lot subdivision ordinance allows for the development of smaller fee simple, single-family residential lots in the multi-family residential zones (R-3 and R-4) and in the NMU-24 mixed use zone. The single-family residential lots created through the ordinance are less than the typical minimum area of a standard single-family lot (e.g., 5,000 sf. and minimum lot width of 50 ft. for an R1-5 lot). The ordinance amended Title 17 (Zoning) of the Orange Municipal Code (OMC) to establish new development standards for small lot subdivisions. These new development standards include regulations for lot frontage, setbacks, height, private open space, and parking. Furthermore, under the ordinance, small lot subdivision development is subject to final approval by either the Community Development Director or the Planning Commission.

Small lot subdivisions provide a space-efficient and economical alternative to traditional options for homeownership in the City of Orange. They reduce the amount of land required for new single-family residences, which potentially creates opportunities for more affordable homeownership through lower land costs. In addition, small lot subdivisions allow a greater variety in lot sizes and flexibility in lot configuration, which promote urban infill, a diversity of housing types, and neighborhood stability.



These potential benefits can come with development complexities. Small lot design and layout require unique considerations with respect to small lot sizes and irregular lot configurations, parking and vehicle access, adequate access to air and light, and outdoor space and privacy. In addition, a small lot subdivision's relationship with surrounding existing developments in an established neighborhood and public areas, such as streets and sidewalks, also plays a critical role in shaping its design and layout. The purpose of this document is to address these spatial complexities and ensure neighborhood compatibility through design guidelines. These guidelines are intended to be used to support the implementation of the small lot subdivision ordinance.

## **PURPOSE, GOALS, AND APPLICABILITY**

### **Purpose of the Guidelines**

These guidelines are intended to convey to property owners and developers the fundamental expectations the City has for the development of small lot subdivisions. This document offers guidance to promote context-sensitive small lot subdivision development.

### **Goals**

These guidelines provide direction for the design of a small lot subdivision project. They illustrate options, solutions, and techniques to achieve high-quality design in new small lot subdivision development. The guidelines aim to accomplish the following goals:

- » Ensure that new small lot subdivisions fit into the existing neighborhood context.
- » Introduce new dwellings and a new housing typology that maintains and responds to the existing urban form.
- » Promote walkable urbanism through infill development.
- » Achieve high-quality new urban design.

### **Applicability**

These guidelines shall apply to all small lot subdivision development that is subject to design review as outlined in OMC Section 17.14.270.

Small lot subdivision development located within the boundaries of a historic district is also subject to compliance with the relevant historic preservation design standards. Where these guidelines conflict or overlap with the historic preservation design standards, the historic

preservation standards shall prevail. Likewise, small lot subdivision development located within the Single Story Overlay District is also subject to the development standards of the overlay, and therefore the height of all buildings within the Single Story Overlay District shall be limited to one story or 20 feet, whichever is less.

## RELATIONSHIP TO GENERAL PLAN

The General Plan provides the blueprint for long-term development in the City of Orange. It identifies a number of goals and policies related to housing production, preserving community character, and encouraging and accommodating new development. Included in the Land Use Element of the General Plan are the following policies:

- » Policy 1.3: Provide a range of housing densities and types to meet the diverse needs and lifestyles of residents.
- » Policy 1.6: Minimize effects of new development on the privacy and character of surrounding neighborhoods.
- » Policy 6.1: Ensure that new development is compatible with the style and design of established structures and the surrounding environment.

In addition, a specific Housing Element policy supports small lot subdivision development:

- » Policy Action 7: Facilitate Infill Construction

The Small Lot Subdivision Guidelines are consistent with and further the General Plan goals and objectives.

## PROCESS

Any small lot subdivision development involving four or fewer lots and to which the parcel map provisions of the Subdivision Map Act and City of Orange Subdivision Ordinance apply, is subject to review and approval by the City's Design Review Committee (DRC) and the Community Development Director prior to the issuance of building permits.

For small lot subdivisions involving five or more lots, the tract map provisions of the Subdivision Map Act and City of Orange Subdivision Ordinance apply. In this case, the project requires approval by the DRC and the Planning Commission.

Furthermore, some small lot subdivision projects may also require approval by the Planning Commission if they involve the need for a variance, conditional use permit, or major site plan review in accordance with Chapter 17.10 of the Orange Municipal Code (OMC). City staff will work with

applicants to determine the appropriate approval process for your project. The review process is initiated through the filing of a Land Use Application with the Planning Division of the Community Development Department. Application materials and submittal requirements can be obtained from City staff or by visiting the Planning Division webpage at: <https://www.cityoforange.org/287/Planning-Division>.

## DESIGN GUIDELINES

### A. Neighborhood Context

The successful fit of a new small lot subdivision project into an existing context depends on how well it relates to neighboring buildings and with the public realm, such as the street and the sidewalk. New small lot development needs to occur through compatible massing and thoughtful design. When considering neighborhood compatibility, the focus should be on basic patterns, which are defined by recurring characteristics such as building scale and massing in the vicinity, and the streetscapes in the neighborhood.



#### 1. Scale and Massing

Buildings within a small lot subdivision should respect adjacent buildings by responding to their scale, massing, and need for light, natural ventilation, and views. Small lot subdivision development should follow the established size, shape, and form of the surrounding neighborhood through the use of similar proportions and details.

- a. Design small lot homes to be similar in scale and to have similar forms and shapes to nearby and surrounding buildings to avoid the appearance of being



**Figure 1:** Small lot subdivision development should follow the established size, shape, and form of the surrounding neighborhood through the use of similar proportions and details. In this example, the house in color is disproportionate in scale compared to the surrounding houses.



overwhelming or disproportionate in comparison and to maintain existing massing patterns.

- b. Where the scale of proposed small lot homes exceeds that of the immediately surrounding lots, use transitional design elements, such as architectural elements and features, stepping back upper floors, varied forms or articulated massing, or vertical and horizontal projections to provide a human scale and visual relief.
- c. Provide variation in building massing and placement to create contrast in the façades and to allow for more articulated building design.
- d. Small lot homes shall be unique in design so that there is variety between the dwellings within a subdivision. Variations in building design may include changes in building orientation, primary entryways, façade articulation, doors and windows, varied roofline, etc.

## 2. Access and Connectivity

An important determinant of whether a small lot subdivision development fits into the existing context is how it connects to the public realm and completes the streetscape. The character of the public realm is compromised when parking, driveways, and garages dominate the streetscape and undermine the aesthetic quality and walkability of the street. Access to a small lot subdivision should be designed to reinforce the residential and pedestrian-friendly character of the street.

- a. Coordinate the placement of curb cuts to minimize the width and frequency of curb cuts, to maximize the number and size of on-street parking spaces available, and to promote continuity of the sidewalk.
- b. When an alley is present, utilize the alley for vehicular access.
- c. Provide pedestrian pathways from the public street (or right-of-way) to all primary entryways and common areas, such as common open space areas, guest parking, mailboxes, and centralized trash enclosures. Pathways shall be a minimum width of 3 feet.
- d. Provide pedestrian pathways separate from the driveway whenever possible. When the driveway provides pedestrian access to individual dwellings, a distinguishable path shall be provided and treated with a change of materials, finishes, pattern, or paving that differentiates the pathway from vehicular traffic.





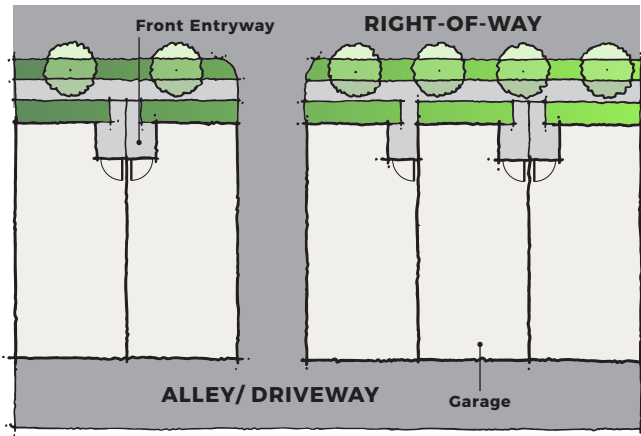
## B. Site Planning

A small lot subdivision's site layout and circulation, the façades and entryways of the dwellings, and the landscaping along the development's perimeter all contribute to the overall quality of the streetscape and to the subdivision's relationship with the street. Yet by its very nature, small lot design is confronted with spatial challenges. A small lot subdivision's topography, geometry, location, and orientation are all factors that must be considered when site planning.

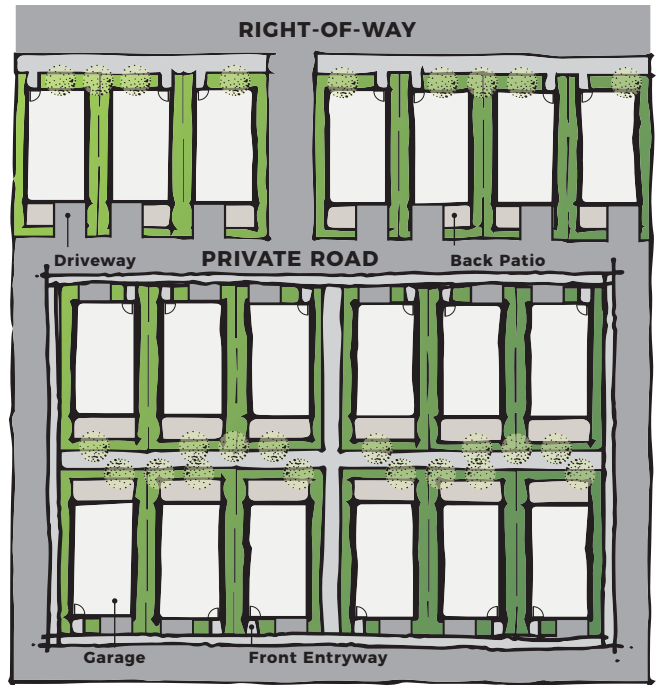
### 1. Building Orientation

Buildings should have a strong relationship to the street they front and should be oriented to positively define and frame adjacent public streets. However, the dimensions of a project site play a critical role in determining the layout of a small lot subdivision.

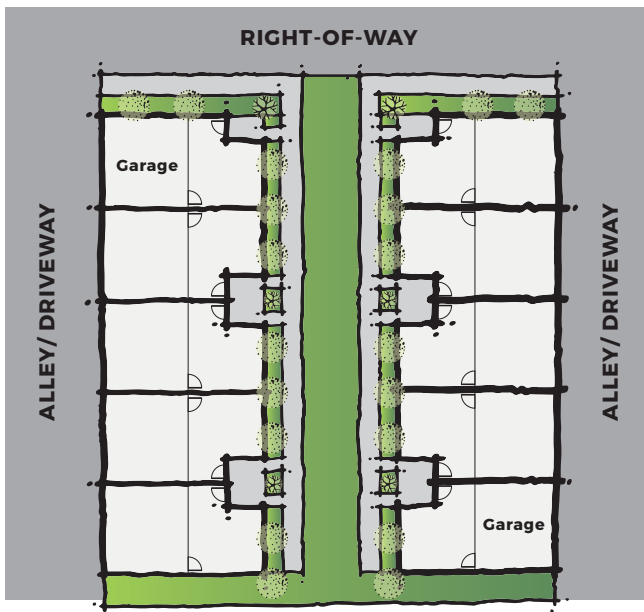
- a. Small lot homes that have street frontage shall be oriented toward and have direct pedestrian access to the public right-of-way. Where there is a physical site constraint, a clearly identifiable entry to the site shall be provided from the right-of-way (Figure 2).
- b. Small lot homes located in the interior of the subdivision shall orient the primary entryway toward and be visible from a pedestrian pathway that is connected to the public right-of-way or private street (Figure 3).
- c. Small lot homes that front an alley shall orient the primary entryway toward the alley, or shall be connected to a pedestrian pathway that leads directly to a public right-of-way (Figure 4 and Figure 5).
- d. Creation of a safe environment should be considered when planning the orientation of buildings in a small lot subdivision. Primary entryways should be easily identifiable and accessible to emergency services, and windows, lighting, and landscaping should be designed and properly placed to allow for maximum visibility and natural surveillance of the site.



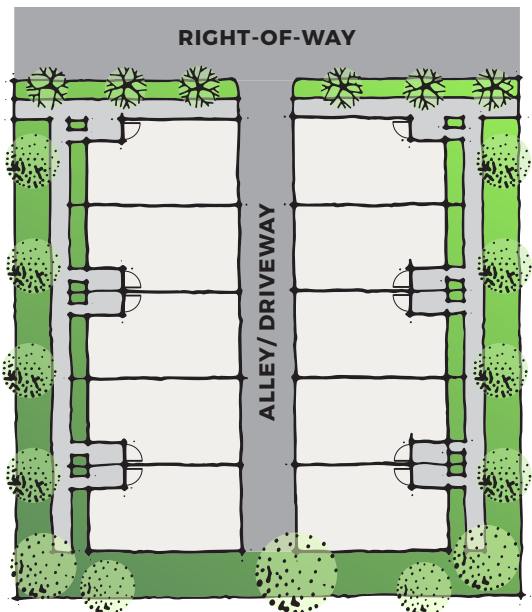
**Figure 2:** Small lot homes that have street frontage shall be oriented toward and have direct pedestrian access to the public right-of-way.



**Figure 3:** Small lot homes located in the interior of the subdivision shall orient the primary entryway toward and be visible from a pedestrian pathway.



**Figure 4:** Small lot homes that front an alley shall orient the primary entryway toward the alley, or shall be connected to a pedestrian pathway that leads directly to a public right-of-way.



**Figure 5:** Small lot homes shall be connected to a pedestrian pathway that leads directly to a public right-of-way.





## 2. Primary Entryways

Building entrances are an important building feature, providing the connection between the public realm of the street and sidewalk, and the private realm of the dwelling. A well-designed building entrance will appear welcoming and inviting to the pedestrian, making the neighborhood a pleasant place to live. In addition to the doorway itself, the entry may be comprised of stairways, landings, porches, and other elements.

- a. Place the primary entryways of street-fronting small lot homes on the front façades so that the entryways face the street.
- b. Incorporate transitions such as landings, porches, and patios in the articulation of the primary entryways.
- c. Primary entryways shall provide the address or unit identification, and ornamental low-level lighting to illuminate the entry area.
- d. Primary entryways shall be well-articulated in order to enhance the overall quality of the entrance. Elements may include raised landings, recessed doorways, overhangs, side window panels, decorative hardscaping in the landing area, etc.

## 3. Existing Site Features

Unique natural characteristics, such as mature trees and topography, on both the project site and adjacent sites should be respected and taken into account in new building design and subdivision layout.

## 4. Privacy

As with any infill development, some loss of privacy to existing neighboring buildings can be expected with the introduction of a small lot subdivision in an urban setting. To mitigate against any unusual impact on privacy to neighboring interior living spaces, design modifications can be integrated to minimize the impacts

- a. Incorporate landscaping and green screens, where appropriate, between buildings on adjacent properties.
- b. Use solid railings on upper-level balconies and decks.
- c. Arrange window configurations that break the line of sight between houses.
- d. Use translucent glazing such as glass block or frosted glass on windows and doors facing openings on abutting structures.



## C. Building Character

Thoughtful architectural design means that buildings are conceived holistically. Once a small lot subdivision has been fitted into its neighborhood context, and its relationship to the streetscape has been set, the various architectural issues of the small lot homes can be resolved. There are many opportunities in the building design, including the selection of materials, window and door assemblies, colors, finishes, balcony orientation, and landscaping where architects and builders can offer creative solutions to further enhance the overall character of a building and improve the livability within a small lot subdivision.

### 1. Building Articulation

A building's architectural details, openings, and materials provide the finishing touches that convey a sense of quality and define the building's character. Architectural details have a great impact on how a building is perceived, and provide visual interest, texture, and richness. Small lot homes with virtually identical forms can appear dramatically different due to their details. Meanwhile, the use of compatible details visually unifies a small lot subdivision with neighboring buildings, providing continuity and reinforcing the architectural character of an area.

- a. All building façades and exterior building elevations facing a street or the project perimeter shall be treated with an equal level of detail and articulation.
- b. Use a combination of materials, textures, colors, architectural treatments, and details to accentuate variations in building massing and to add visual interest to the building elevations.
- c. Avoid the creation of uninterrupted blank wall surfaces on the building elevations, especially those facing a street or common open space area, by breaking the wall plane a minimum of 6 inches in depth at least every 20 linear feet and employing varied massing and architectural elements.
- d. Strategically place doors, windows, and other openings to create visual interest and provide visibility from the street-fronting small lot homes to the street.
- e. Use porticos, awnings, terraces, balconies, or trellises to provide variations in the building plane.
- f. Apply additional architectural enhancements to the ground floor at the primary entryway, so as to create



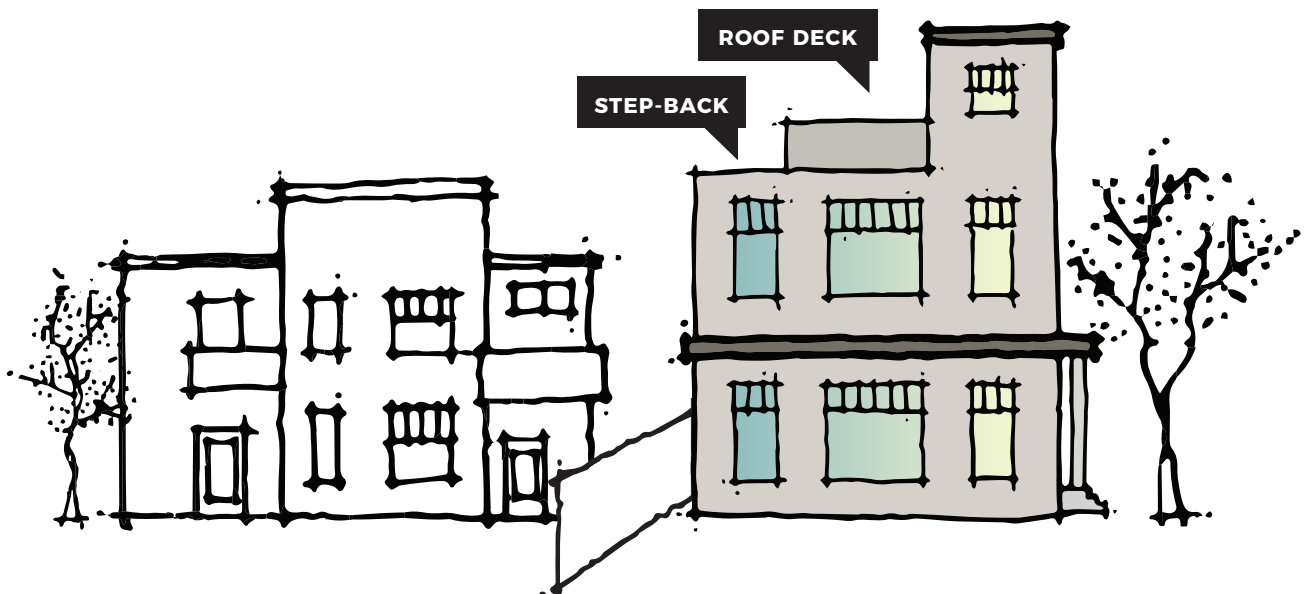


a human scale to the building. Enhancements may include handrails, fixed planters, and ornamental details, such as lighting, molding, or tiles.

## 2. Roof Form

The roof is one of the most distinguishing elements on a building or home, and the collection of roofs in a small lot subdivision or along a streetscape create a “roofline,” which is the profile of the buildings against the sky. To design a visually stimulating house, varied roof types may be used together or the same roof type may be utilized in different ways. This creates a home that uniquely responds to both its interior function and its exterior individuality. Small lot home roofs should be well-articulated and should consider the types of rooflines found on surrounding buildings.

- a. Rooflines and roof shapes should be consistent with the design and structure of the building itself as well as with the rooflines found in the surrounding established neighborhood.
- b. Roof forms should reflect the facade articulation and building massing, as opposed to a single-mass roof over an articulated facade.
- c. Roof articulation may incorporate varying roof planes, sloped roofs, open decks, corner balconies, step backs, or any form of roof modulation that adds visual interest and decreases the perceived scale of the residence.



**Figure 6:** All roof decks along the project perimeter and abutting residential uses shall be stepped back a minimum of 5 feet from the roof edge, so that they are oriented away from and screened to prevent direct views of abutting residential neighbors.



### 3. Private Open Space and Roof Decks

Outdoor living spaces can make a small lot home feel more like a traditional single-family residence and provide a number of other benefits toward creating healthy and livable communities. Private open space in a small lot subdivision can be in the form of a fenced yard or patio at ground level, or balconies or decks above ground level. Private open spaces should be designed to be inviting and usable for seating, dining, play equipment, gardening, and other outdoor living activities.

- a. When feasible, locate private usable open space next to primary living areas so that the private usable open space functions as an outdoor extension of the adjacent living room, family room, dining room, or kitchen.
- b. Provide ground level private usable open space that is directly accessible from an indoor living space with a door that opens onto it. Ground level open space should have a minimum width and length of 10 feet.
- c. Provide upper-level private usable open space, such as balconies or decks, that is large enough to accommodate several chairs. Balconies and decks should have a minimum dimension of 7 feet.
- d. Roof decks are a way to maximize access to private outdoor space, light, and air in a small lot subdivision. Roof decks must, however, be designed with the privacy of residential neighbors in mind.
  - i. All roof decks along the project perimeter and abutting residential uses shall be stepped back a minimum of 5 feet from the roof edge, so that they are oriented away from and screened to prevent direct views of abutting residential neighbors. Roof decks facing a right-of-way are not required to be stepped back (Figure 6).
  - ii. Rooftop guardrails, trellises, and other structures should be designed in a manner that is consistent with the architectural language of the rest of the building.
  - iii. Rooftop structures, including guardrails, shall be counted towards building height.





#### 4. Landscape and Hardscape

Landscape and hardscape within a small lot development should add to the character of the new buildings, facilitate sustainable water use, and be relatively easy to maintain. The landscape design should be integrated with the small lot homes and enhance the natural environment of the neighborhood.

- a. All setback and open areas not used for buildings, parking areas, driveways, pedestrian pathways, and utilities shall be attractively landscaped and maintained.
- b. All yards abutting the street shall be improved with landscaping (combination of groundcover, shrubs, and trees) and amenities. Amenities may include: decorative fencing, garden walls, pedestrian pathways, uncovered patios, seating areas, and/or decorative bike racks.
- c. Plants adapted to the local climate, soil, and hydrology should be used to reduce the need for irrigation. For suggested plant and tree species, please refer to the City of Orange Landscape Standards and Specifications.
- d. Landscaping should be used to soften walls and fences and provide a green screen, where appropriate, between buildings on adjacent properties.
- e. Walls and fences exposed to public view (e.g., along the street or common open space areas) are subject to the following:
  - i. The form of walls and fences and their materials should be consistent with the architectural style of the homes within the small lot subdivision.
  - ii. Walls and fences should be articulated in a manner that adds architectural interest.
- f. Trash containers should be screened from public view by opaque walls or fences subject to the rest of the recommendations under these guidelines and to OMC Section 17.14.270(I).





