

ORDINANCE NO. 20-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT 20-001 AMENDING AND RESTATING SECTION 9.03.090 (BUSINESS PARK DISTRICT) OF CHAPTER 9.03 (ZONING DISTRICTS AND STANDARDS) OF TITLE 9 (PLANNING AND ZONING) OF THE RANCHO SANTA MARGARITA MUNICIPAL CODE, INCLUDING A FINDING UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER PUBLIC RESOURCES CODE SECTION 21166 AND CEQA GUIDELINES SECTION 15162

WHEREAS, on December 10, 2002, the City of Rancho Santa Margarita adopted the Rancho Santa Margarita General Plan; and

WHEREAS, On April 11, 2007, the City Council of the City of Rancho Santa Margarita adopted Title 9 of the Rancho Santa Margarita Municipal Code (the "Rancho Santa Margarita Zoning Code"), establishing standards for development within all zoning districts; and

WHEREAS, On March 11, 2020, the City Council of the City of Rancho Santa Margarita adopted the Rancho Santa Margarita General Plan Update; and

WHEREAS, the City of Rancho Santa Margarita has initiated Zoning Code Text Amendment 20-001 in accordance with Section 9.08.080 of the Rancho Santa Margarita Municipal Code, to amend the Rancho Santa Margarita Municipal Code to update and modernize the regulations for the Business Park Zoning District; and

WHEREAS, the Planning Commission on May 6, 2020 held a duly noticed public hearing and, after considering public comments and the written and oral information and testimony presented by City staff, community residents and other interested parties, voted to recommend that the City Council approve Zoning Code Text Amendment CA 20-001; and

WHEREAS, the City Council on May 27, 2020 held a duly noticed public hearing and considered public comments and the written and oral information and testimony presented by City staff, community residents and other interested parties.

THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. In accordance with Section 9.08.080(d) of the Zoning Code, the following findings for approving Zoning Code Text Amendment 20-001 are hereby made:

(A) GENERAL PLAN

Finding: That the proposed Zoning Code text amendment is consistent with the goals, policies, programs, and land uses of applicable elements of the General Plan.

The proposed Zoning Code Amendment is consistent with the goals, policies, programs and land uses of applicable elements of the General Plan because the proposed Zoning Code Text Amendment will update and clarify the uses allowed in the Business Park district and increase the allowable height for buildings within the district to 50 feet. These changes are consistent with the 2020 update to the General Plan and support the following General Plan goals and policies.

Economic Development Element Policy 2.7: Attract, retain, and support expansion of industry that complements Rancho Santa Margarita's character and takes advantage of the City's supply of quality housing and locational advantage for goods movement and corporate mobility. ZCTA 20-001 supports this goal by providing for expansion of existing businesses and for development of new industry supporting uses.

Land Use Element Policy 1.1: Attract and retain research and development, light industrial, and high technology developments that are compatible with the character and existing land uses in the City in order to improve the generation of sales tax and property tax and maintain access to high-paying employment opportunities within the community. ZCTA 20-002 supports this goal by providing opportunities for existing businesses to expand in a way which is compatible with the character of the business park.

(B) COMPATIBILITY

Finding: That the proposed Zoning Code text amendment will not adversely affect surrounding properties or the surrounding environment.

The proposed Zoning Code Text Amendment 20-001 will update and clarify the uses allowed in the Business Park district and increase the allowable height for buildings within the district to 50 feet. The Zoning Code Text Amendment is consistent with the purpose of the Business Park district, which is to: *Provide for and maintain an employment center in the Rancho Santa Margarita Business Park that includes employment generating uses such as general office, light industrial, light manufacturing, warehousing, and research and development. Service and retail commercial uses that primarily support the businesses in the business park may also be appropriate.* The proposed Amendment adds industry-supporting uses such as employer-sponsored childcare and hotels and would allow for increased height of buildings which would support business expansion. These changes would be consistent with the character of the Business Park district. The Ordinance does not authorize any changes to the environment and will have no impacts to properties in the City or the surrounding environment.

(C) GENERAL WELFARE

Finding: That the proposed Zoning Code text amendment promotes public health, safety, and general welfare and serves the goals and purposes of Title 9.

Zoning Code Text Amendment 20-001 will promote public health, safety and general welfare and serve the goals and purposes of Title 9 by providing updated regulations for building height and a clearer list of allowable uses in support of the purpose of the Business Park district.

SECTION 2. Section 9.03.090 (Business Park District) of Chapter 9.03 (Zoning Districts and Standards) of Title 9 (Planning and Zoning) of the Rancho Santa Margarita Municipal Code is hereby amended and restated in its entirety to read as follows:

Section 9.03.090
Business park district

(a) *Purpose of business park district.* The purpose of these business park district regulations is to:

- (1) Provide for and maintain an employment center in the Rancho Santa Margarita Business Park that includes employment generating uses such as general office, light industrial, light manufacturing, warehousing, and research and development. Service and retail commercial uses that primarily support the businesses in the business park may also be appropriate.
- (2) Provide adequate space to meet the needs of business park uses including off-street parking and loading.
- (3) Protect adjacent uses from excessive noise, illumination, odor, smoke, traffic, surface water runoff and other objectionable effects.

(b) *Business park district use regulations.*

- (1) Table 9.03.6 identifies the uses permitted in the business park (BP) district.
- (2) Uses listed as conditionally permitted uses are subject to the review requirements and conditions contained in Section 9.08.110. Accessory uses are subject to the review requirements and conditions contained in Section 9.04.020.
- (3) The "notes and exceptions" column of Table 9.03.6 indicates more precisely the use regulations for specific uses or operating characteristics. The notes and exceptions must be reviewed in conjunction with the other information for the class of use.
- (4) Certain permitted uses and conditionally permitted uses may be subject to special conditions regarding location, operation, or the design of the use. The Sections of this Title governing these uses are identified in the "notes and exceptions" column of Table 9.03.6.
- (5) In addition to the use regulations listed in Table 9.03.6, the combined total of the gross square footage for commercial recreation uses within the business park district shall be

limited to five percent or 175,000 square feet of the overall usable building square footage in the business park district, whichever is less.

- (c) *Business park district development standards.* Table 9.03.7 indicates the development standards for the business park district.
- (d) *Landscaping for business park district.* Landscaping is required pursuant to Sections 9.05.070 and 9.08.140.
- (e) *Site development permit for business park developments.* Projects shall require site plan review per the site development permit process and standards described in Section 9.08.170.
- (f) *Other applicable regulations in business park district.* Other applicable regulations in the business park district include, but are not limited to, the supplemental district regulations identified in Chapters 9.04 and 9.05 and the administrative processes identified in Chapter 9.08.

*Table 9.03.6
Uses in Business Park District*

Use	Classification	Notes and Exceptions
Adult Business	P	Subject to Section 9.04.030.
Animal day care	C	a. No overnight boarding. b. Maximum number of animals permitted established through CUP.
Animal hospital	C	Subject to Section 9.04.040.
Auditorium (private)	A	Not for public or community use
Auto dealerships	—	
Auto repair	C	
Automated teller machines (ATMs)	C	a. No drive-thru facilities. b. No stand-alone walk up facilities. c. Indoor facilities only.
Brewery pub	C	May include sale of alcoholic beverages for on- and off-site consumption, as well as dining facilities.
Catering establishments	P	May also include the sale of items manufactured on-site as an accessory use.
Child day care centers	A	On-site employer-sponsored childcare centers are a permitted accessory use for employers with more than 500 employees and must be State licensed and limited to enrollment by employees' children.
Commercial recreation (indoor)	C	a. Includes private gymnasiums, racquet clubs, weight loss centers, and fitness classes such as yoga, aerobics, kick-boxing, martial arts, Pilates, dancing, fitness, drama

Use	Classification	Notes and Exceptions
		and other similar uses. b. Subject to Section 9.03.090.B.
Commercial recreation (outdoor)	—	Includes public and private tennis and racquet facilities/clubs and swimming pools.
Community Event Space (indoor, public)	--	
Emergency/homeless shelter	C	Temporary, seasonal and transitional shelters for homeless families and individuals. May include meals and services subject to the conditions in the CUP.
Financial services	P	a. Includes banks, savings and loan associations, and credit unions. b. Excludes check cashing facilities. c. Drive-through requires a CUP.
Gas or fuel dispensing stations	C	Subject to Section 9.04.100. May include a mini-mart, food convenience store or restaurant.
Hookah bars	—	
Hotel	C	
Kennels	C	a. Must be completely contained within a sound-attenuated building. b. Subject to Section 9.04.040.
Light industrial	P	Light manufacturing, distribution, and wholesaling activities that do not involve substantial noise or other nuisances, such as obnoxious odors or vibrations. All work must be completed indoors, and all equipment and materials must be screened pursuant to Section 9.04.110.
Medical and dental offices	P	
Marijuana business	—	
Office uses (general)	P	Includes business, financial, professional, real estate, travel agencies, weight loss centers without exercise equipment, and similar office uses.
Public buildings and facilities	C	Excludes public schools.
Radio and television towers and installations, radar installations, microwave relay stations, and cellular towers and installations (commercial)	C	a. Subject to Section 9.04.050. b. No stand alone/freestanding towers allowed.

Use	Classification	Notes and Exceptions
Recycling facilities	C	
Religious, fraternal, or service organizations (non-profit)	—	Includes churches, temples, synagogues, monasteries, religious retreats, and other places of religious worship and other fraternal and community service organizations.
Research and development	P	Includes research and development of computer software, information systems, communication systems, transportation, geographic information systems, multi-media and video technology. Development and construction of proto-types may be associated with this use.
Retail sales (small-scale and/or accessory)	C	a. Includes office cafeterias, delicatessens, snack bars, newsstands, mail services, and other small-scale accessory retail uses without the sale of alcohol. May also include the sale of items manufactured on-site. b. Square footage devoted to retail sales may not exceed 500 square feet or ten percent of gross building square footage, whichever is larger.
Schools (business, vocational and professional schools only)	C	Public and private primary, secondary and higher education schools are prohibited.
Storage and display (outside)	A	Allowed only as an accessory use subject to Section 9.04.110.

P = Principal use permitted

— = Not permitted

A = Accessory use permitted (subject to Section 9.4.020).

C = Conditional use permit required (subject to Section 9.08.110).

Unless a use is specifically identified, it is not permitted in the District. Uses prohibited by Federal, State or local law are not permitted (see Section 9.03.050).

Table 9.03.7
Business Park Development Standards

Development Standard	Business Park District
Minimum lot size (square feet [sf])	10,000 square feet
Maximum building height (feet)	50 feet ^A
Setbacks	
Adjacent to residential use or district	40' ^a
Adjacent to non-residential use ^b	10'
Adjacent to street ^c	20'

Maximum floor area ratio (FAR)	1.0
Off-street parking	Subject to Chapter 9.06
Loading	Subject to Chapter 9.06
Lighting	Subject to Section 9.05.080
Landscaping and screening	Subject to Section 9.05.070
Noise levels	Subject to Chapter 5.04 of the Municipal Code
Outdoor storage and display	Subject to Section 9.04.110

Notes:

- a. Or height of nearest building/structure on site, whichever is greater.
 - b. Setback measured from back of curb when adjacent land use is a parkway. Otherwise, setback is measured from the property line.
 - c. Setback measured from back of curb.
- A—Maximum height of building may be increased through the alternative development standards process described in Section 9.08.050.

SECTION 3. The City Council of the City of Rancho Santa Margarita hereby determines that the environmental impacts of this Ordinance were analyzed in the Rancho Santa Margarita General Plan Update Environmental Impact Report (EIR), which was certified on March 11, 2020, and for which a Notice of Determination was filed on March 19, 2020. The proposed zoning text amendments for the Business Park District implement the General Plan Update, thus the environmental impacts of the proposed zoning text amendments were analyzed in the EIR and no further environmental review is required. (Public Resources Code § 21166; CEQA Guidelines § 15162.)

SECTION 4. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more section, subsection, subdivision, sentence, clause, phrase, or portion thereof be declared invalid or unconstitutional.

SECTION 5. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption. The City Clerk shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published as required by law.

PASSED, APPROVED AND ADOPTED THIS 10TH DAY OF JUNE, 2020, BY
VOTE AS FOLLOWS:

AYES: Council Members Figueroa, Gamble, Holloway, Mayor Pro Tempore
Beall and Mayor McGirr (5)

NOES: None (0)

ABSENT: None (0)

ABSTAIN: None (0)



BRADLEY J. MCGIRR, MAYOR

ATTEST:



AMY DIAZ, CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF RANCHO SANTA MARGARITA)

I, Amy Diaz, City Clerk of the City of Rancho Santa Margarita, California, DO
HEREBY CERTIFY that the foregoing Ordinance No. 20-03 was regularly introduced and
placed upon its first reading at a regular meeting of the City Council on the 27th day of
May, 2020, and that thereafter, said Ordinance was duly adopted and passed at a regular
meeting of the City Council on the 10th day of June, 2020.



AMY DIAZ, CITY CLERK

AFFIDAVIT OF POSTING
AND PUBLICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF RANCHO SANTA MARGARITA)

AMY DIAZ, being first duly sworn, deposes and says:


That she is the duly appointed and qualified City Clerk of the City of Rancho Santa Margarita;

That in compliance with State Laws of the State of California, ORDINANCE NO. 20-03, being:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT 20-001 AMENDING AND RESTATING SECTION 9.03.090 (BUSINESS PARK DISTRICT) OF CHAPTER 9.03 (ZONING DISTRICTS AND STANDARDS) OF TITLE 9 (PLANNING AND ZONING) OF THE RANCHO SANTA MARGARITA MUNICIPAL CODE, INCLUDING A FINDING UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER PUBLIC RESOURCES CODE SECTION 21166 AND CEQA GUIDELINES SECTION 15162

on the 19th day of June, 2020, was published in the Coto De Caza News; and was in compliance with City Resolution No. 00-01-06-07, on the 20th day of June, 2020, caused to be posted in three places in the City of Rancho Santa Margarita, to wit:

Rancho Santa Margarita City Hall
Fire Station 45
Trabuco Canyon Water District



AMY DIAZ, CITY CLERK
Rancho Santa Margarita, California