

ORDINANCE NO. 07-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, ADOPTING ZONING CODE AMENDMENT CA 07-001 TO THE RANCHO SANTA MARGARITA ZONING CODE RELATING TO SIGNS, PARKING REGULATIONS AND OTHER ADMINISTRATIVE MATTERS

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

WHEREAS, on May 11, 2007, Rancho Santa Margarita Zoning Code became effective; and

WHEREAS, several businesses, community facilities and residents have been directly and indirectly impacted by unforeseen effects from the adoption of the Rancho Santa Margarita Zoning Code; and

WHEREAS, these impacts have resulted in difficulties in interpreting and applying the Rancho Santa Margarita Zoning Code; and

WHEREAS, the proposed Ordinance is considered a "project" pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, an Initial Study has been performed and it has been determined that the project will have no long-term significant effects and a Negative Declaration is appropriate under CEQA; and

WHEREAS, a notice of Intent to Adopt a Negative Declaration in conjunction with the proposed Ordinance was provided to the public, responsible agencies, trustee agencies, and the Orange County Clerk, sufficiently prior to adoption by the lead agency to allow the public and agencies a sufficient review period in accordance with CEQA guidelines; and

WHEREAS, in accordance with Section 9.8.080 of the Rancho Santa Margarita Zoning Code, the Planning Commission of the City of Rancho Santa Margarita conducted a Public Hearing on CA 07-001 and adopted a Resolution recommending approval of the proposed Negative Declaration and Ordinance to the City Council at a public hearing on August 15, 2007; and

WHEREAS, the City Council of the City of Rancho Santa Margarita has considered information presented on the proposed Ordinance by City Staff, the Planning Commission, the public and other interested parties at a Public Hearing held on September 12, 2007, and October 24, 2007.

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

Section 1. Environmental Determination

- A) Pursuant to Section 15070 of the State CEQA Guidelines, the Ordinance has been reviewed through an Initial Study and a Negative Declaration has been prepared. Based on the information contained in the environmental review the project is not anticipated to have impacts that will be significant.
- B) Pursuant to State CEQA Guidelines, it is determined that the Negative Declaration has been completed in compliance with CEQA and that this document has been presented to the City Council who has reviewed and considered all information contained therein prior to approving this project. As a result, the proposed project will not have significant environmental impact.

Section 2. All references in Title 9 to "Community Development Director" or "Planning Director" shall be amended to read "Development Services Director."

Section 3. All references in Title 9 to "Planning Department" shall be amended to read "Development Services Department."

Section 4. All references in Title 9 to "Zoning Ordinance" or "Rancho Santa Margarita Zoning Ordinance" shall be amended to read "Zoning Code" or Rancho Santa Margarita Zoning Code."

Section 5. Title 9 (Planning and Zoning), Chapter 9.1 (General Provisions), Section 9.1.040.A (Effective Date) is hereby amended to read as follows:

A. Effective Date

Chapters 9.1 through 9.11 of this Title shall take effect and be in force on and after 30 days following the date of adoption.

Section 6. Title 9 (Planning and Zoning), Chapter 9.3 (Zoning Districts and Standards), Table 9.3.9 (Public/Quasi-Public Development Standards) is hereby amended to read as follows:

**Table 9.3.9
Public/Quasi-public Development Standards**

Development Standard	Community Facility
Minimum Lot Size (square feet [sf])	N/A
Maximum Building Height (feet)	35 feet
Front, Side and Rear Yard Setbacks (feet)	All buildings and structures shall be setback from all property lines a distance equal to or greater than the height of the building or structure, unless otherwise regulated through a Conditional Use Permit.
Maximum Floor Area Ratio	0.6
Off-Street Parking	Subject to <i>Chapter 9.6 Parking</i>

Loading	Subject to <i>Chapter 9.6 Parking</i>
Lighting	Subject to <i>Section 9.5.080 Lighting Standards</i>
Landscaping and Screening	Subject to <i>Section 9.5.070 Landscape and Screening</i>
Noise Levels	Subject to <i>Section 9.5.090 Noise Standards</i>

Section 7. Title 9 (Planning and Zoning), Chapter 9.6 (Parking), Table 9.6.3 (Non-Residential Parking Requirements) is hereby amended to add the following:

Land Use Type	Required Off-Street Parking	Notes and Comments
Commercial Uses		
Shopping Centers	1.0 off-street parking space per each 200 square feet of gross floor area.	Shopping centers may require additional parking and may be evaluated on a case-by-case basis by the Development Services Director if it is determined that the cumulative impact of the uses would require additional parking.

Section 8. Title 9 (Planning and Zoning), Chapter 9.6 (Parking), Section 9.6.080.B(1) (Size of Parking Spaces) is hereby amended to read as follows:

- (1) All covered or uncovered off-street parking spaces, except as otherwise noted in this Section, shall be a minimum clear unobstructed nine (9) feet in width and eighteen (18) feet in length.

Section 9. Title 9 (Planning and Zoning), Chapter 9.6 (Parking), Figure 9.6.4 (Dead End Maneuvering Areas) is hereby amended as follows:

Parking stall width shall be depicted as nine (9) feet and parking stall length shall be depicted as eighteen (18) feet.

Section 10. Title 9 (Planning and Zoning), Chapter 9.7 (Signs), Table 9.7.6 (Signs Permitted in All Districts) is hereby amended to read as follows:

Table 9.7.6
Signs Permitted in All Districts

Class	Type	Permit Required	Maximum Number	Maximum Area	Maximum Height	Additional Standards
1. Real Estate – Commercial or Business Park Leasing or Sales (for residential real estate signs, please see signs permitted in residential districts)	Wall or monument (temporary)	Yes	One sign per street frontage	16 sq. ft.	Monument: 5 ft.	<p>(a) Copy shall pertain only to the sale, rent or lease of the building or property.</p> <p>(b) For alternative sign, see future facility sign.</p> <p>(c) Shall be located within a landscaped planter at least 25 feet from any permanent sign.</p> <p>(d) Shall be removed within 10 days in the event that the building or center is 100% occupied or leased.</p> <p>(e) Permit shall not be valid for longer than 364 days within any calendar year.</p> <p>(f) Real estate signage may be permitted for buildings with no street frontage provided the building is part of an integrated commercial center. Such signage shall adhere to the same standards within this sign class.</p>
2. Temporary Signs for Businesses Impacted by Construction Projects, Road Widening, and Remodels	Monument or fence (temporary)	Yes	One sign per street frontage per impacted business	16 sq. ft.	<p>Monument: 5 ft.</p> <p>Fence: shall not exceed top of construction fence</p>	<p>(a) Copy limited to business name, project name, and street address. Copy must include 24-hour emergency contact information, including phone numbers.</p> <p>(b) May be erected when construction begins.</p> <p>(c) Shall be removed immediately upon completion of construction.</p> <p>(d) Sign must be constructed professionally and shall not be hand-painted or hand-drawn.</p> <p>(e) Sign program must be provided indicating all temporary signage proposed.</p>
3. Future Facility	Wall or monument (temporary)	Yes	One per building or street frontage	50 sq. ft.	Monument: 8 ft.	<p>(a) Buildings that are already constructed and which are granted a change in use may be issued a future facility sign permit after issuance of a building permit.</p> <p>(b) Sign shall be removed prior to occupancy of 50% of the building on the subject site</p>

Table 9.7.6
Signs Permitted in All Districts

Class	Type	Permit Required	Maximum Number	Maximum Area	Maximum Height	Additional Standards
4. Directional	Wall or monument (permanent)	No	Minimum number necessary to provide adequate information and direction	6 sq. ft.	Wall: shall not exceed eave line or parapet of building Monument: 4 ft.	<p>or within 6 months of the first occupancy, whichever comes first.</p> <p>(c) Copy may include sales or leasing information in lieu of real estate sign. May also contain name of architect or engineer.</p> <p>(a) Copy limited to information, such as "no parking," "entrance," "loading only," and other similar activities.</p> <p>(b) Signs shall be designed to be viewed on-site by pedestrians and/or motorists.</p>
5. Campaign Sign	Wall or stake (temporary)	No	One non-illuminated, non-mechanical campaign sign per street frontage per candidate or proponent/opponent of a ballot measure for a maximum of three signs allowed per parcel.	n/a	n/a	<p>Locational requirements:</p> <p>(1) Shall not be located in the public right-of-way or upon any City property.</p> <p>(2) Shall not be affixed to any traffic signal, utility box, or traffic control device.</p> <p>(3) Shall be placed so that the top of the sign is not above the eave or parapet of the building.</p> <p>(4) Shall be placed so that the edge of the sign is at least two (2) feet from the edge of the curb or street where there is no curb.</p> <p>(5) Shall not impede pedestrian walkways, hinder disabled access or constitute a hazard to or endanger persons using sidewalks.</p> <p>(6) Shall not be located in any area which the City Engineer, acting pursuant to generally accepted engineering standards, determines that such sign would constitute a safety or traffic hazard.</p> <p>(7) Shall not be placed upon the property of another without the approval of the owner</p>

Table 9.7.6
Signs Permitted in All Districts

Class	Type	Permit Required	Maximum Number	Maximum Area	Maximum Height	Additional Standards
						<p>of said property. Signs placed upon the property of another shall be removed promptly upon the request of the property owner.</p> <p>Design requirements:</p> <p>(1) Shall not be illuminated, revolve, or otherwise function with mechanical parts or devices.</p> <p>(2) Shall not have flags, valances, pennants, lights, or other similar attraction devices</p> <p>(3) Shall display the name, address and telephone number of the person or organization responsible for the sign.</p> <p>(4) Shall pertain to an election matter on a ballot within the City.</p> <p>Posting/removal requirements, penalties:</p> <p>(1) Shall not be erected more than twenty-one (21) days prior to the pertinent election date and shall be removed on or before three (3) days after the election to which the sign pertains.</p> <p>(2) Should any person or organization or sign be in violation of these regulations, in addition to all other available remedies for violations of the Municipal Code, the City may immediately remove and dispose of such sign and assess the entire cost of said removal and disposal against the responsible person or organization.</p>
6. Public or Institutional Facility Identification	Wall or monument(permanent)	Yes	Wall; one sign per building elevation for a maximum of three signs	Wall; one sq. ft. per lineal foot of tenant frontage	Wall or canopy: shall not exceed eave line or parapet of the	(a) Signs shall not be located closer than 2 feet from any edge of the building.

Table 9.7.6
Signs Permitted in All Districts

Class	Type	Permit Required	Maximum Number	Maximum Area	Maximum Height	Additional Standards
			Monument: one per street frontage	not to exceed an aggregate total of 100 sq. ft. per public facility Monument : 50 sq. ft. per sign	building Monument: 5 ft.	
7. Travel Directory Sign						None
8. Public right-of-way signs for public facilities						-None
9. Community facility banner	Banner sign (temporary)	Yes	As determined by the Development Services Director	24 sq. ft.	6 ft.	<p>(a) Community facility banners are permitted primarily for advertising for registration for community facility events.</p> <p>(b) Temporary banners shall be allowed for a maximum period of 10 days subject to the approval of a temporary banner permit.</p> <p>(c) A maximum of three temporary banner permits shall be issued to the same business or tenant at the same location in any calendar year.</p> <p>(d) A copy of the City-approved temporary banner permit shall be kept on-site at all times and the City banner seal must be on the banner.</p> <p>(e) Appropriate locations shall be determined by the Development Services Director.</p>

Section 11. The City Clerk shall certify the adoption of this Ordinance and shall cause the same to be posted as required by law.

PASSED, APPROVED AND ADOPTED this 14th day of November, 2007, by vote as follows:

AYES: Council Members Blais, Holloway and Thor, and Mayor Pro Tempore Thompson and Mayor Beall

NOES: None

ABSENT: None

ABSTAIN: None



L. ANTHONY BEALL, MAYOR

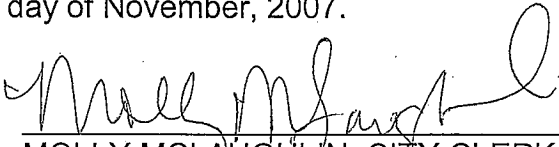
ATTEST:



MOLLY MCLAUGHLIN, CITY CLERK

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

I, Molly McLaughlin, City Clerk of the City of Rancho Santa Margarita, California, DO HEREBY CERTIFY that the foregoing Ordinance No. 07-07 was regularly introduced and placed upon its first reading at a regular meeting of the City Council on the 24th day of October, 2007, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 14th day of November, 2007.



MOLLY MCLAUGHLIN, CITY CLERK