

Zoning Code Text Amendment 25-002

September 10, 2025

Background

- ▶ Continually evaluating Zoning Code for usability, internal consistency, and compliance with State Law
- ▶ Proposed ZCA 25-002
 - ▶ Unintended barriers for daycare uses
 - ▶ Compliance with State law with respect to Thrift Stores
- ▶ Targeted update to address only these two unrelated issues

Background

▶ Allowed Uses

- ▶ Refer to tables entitled “*Uses in XX District(s)*” found at Table 9.03.2, 9.03.4, 9.03.6, 9.03.8, etc.
- ▶ Each table has a footnote which reads: “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 9.03.4
Uses in Commercial Districts

Use	CG	CN	Notes and Exceptions
Alcoholic beverage retail sale (including wine tasting)	C	C	Sale for on premises and off-premises consumption.
Animal day care	C	C	a. No overnight boarding.
			b. Maximum number of animals permitted established through CUP.
Animal hospitals and clinics	C	C	Subject to Section 9.04.040.
Auto repair services, minor	C	—	Excludes major auto repair services.
Automated teller machines (ATMs)	A	A	No drive-thrus or walk-ups allowed unless granted with a CUP as part of a financial institution building. Stand-alone ATMs are subject to a CUP.
Bar/tavern/brewery pub	C	C	a. Includes on-site small-scale brewery for sale for on- and off-premises consumption.
			b. Accessory uses such as billiards, pool tables, darts, and game machines also

FOOTNOTES

P = Principal use permitted

— = Not permitted

A = Accessory use permitted (subject to Section 9.04.020)

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).

Day Care

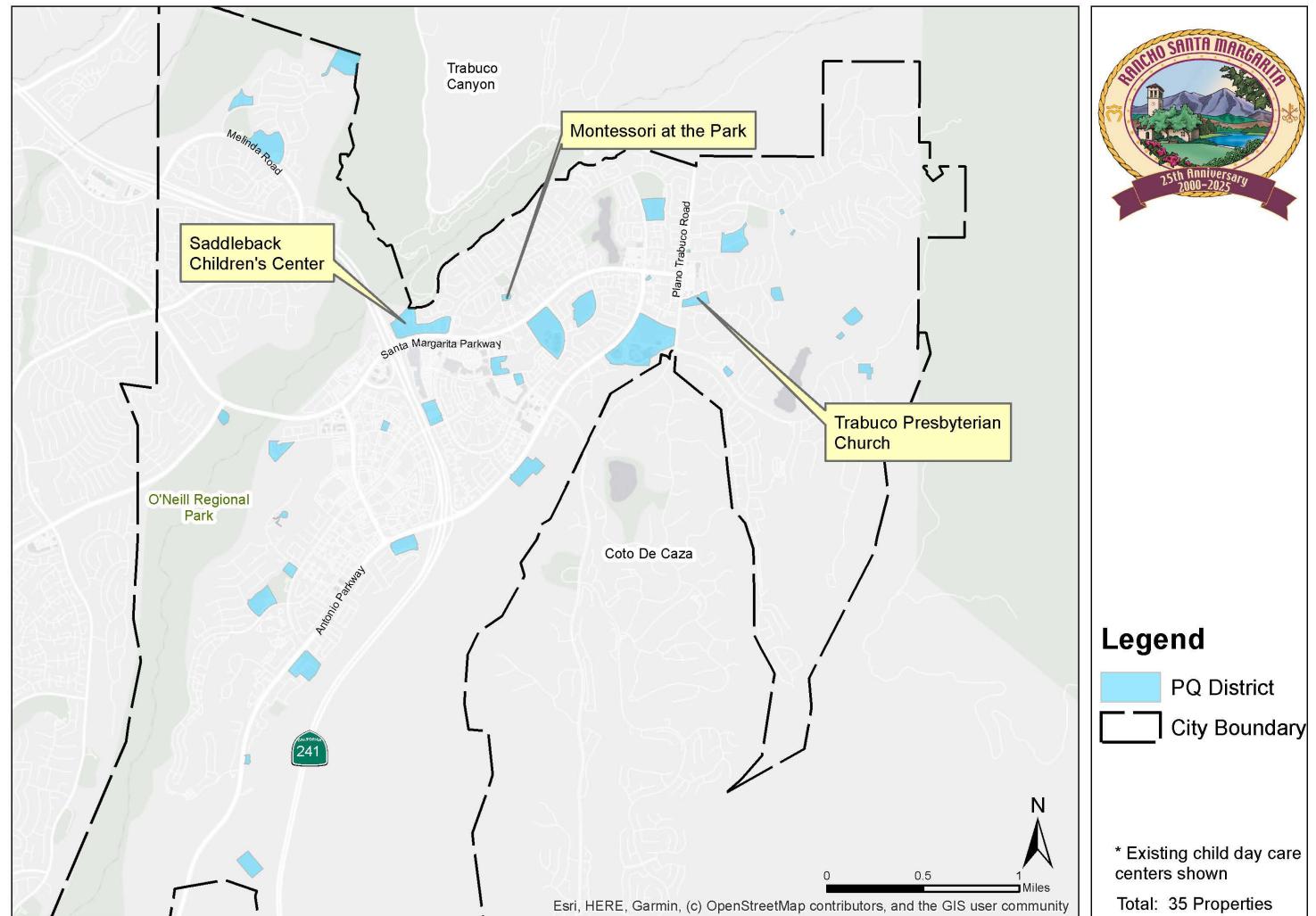
- ▶ “Child day care center” defined (RSMZC 9.01.090)

Child day care center or *child care nursery* means a facility that provides nonmedical care to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. Child day care facility includes day care centers, employer-sponsored child care centers, and family child day care homes.

- ▶ Allowed with a CUP in residential, commercial, and mixed-use zones
- ▶ PQ zoning intended for public-serving uses including schools, churches, public utility structures, and City Hall
 - ▶ Allows schools and adult daycare
 - ▶ “child day care center” not a listed use
 - ▶ Several currently operating (in place before current zoning adopted in 2007)
 - ▶ Unintended omission

Table 9.03.8
Uses in Public/Quasi-Public (PQ) District

Use		Notes and Exceptions
Child day care centers	C	



Properties in Public/Quasi-Public Zoning District (PQ)
ZCTA 25-002

Thrift Stores

- ▶ “Second hand store defined (RSMZC 9.01.250)

Second hand store means a profit or non-profit business or organization that engages in, or specializes in, the sale or resale of second hand merchandise or goods, and whose goods may be principally donated or sold on consignment. This classification does not include antique shops.

- ▶ Not listed as a permitted use in any district, therefore prohibited

- ▶ AB 2632 prohibits cities from “classifying or otherwise treating thrift retail establishments differently from nonthrift retail establishments, subject to certain limitations”

- ▶ Allows operational standards to address collection/receipt of used and donated items

- ▶ Proposal:

- ▶ Replace Second hand store definition with State definition of Thrift store
 - ▶ Allow Thrift stores in Commercial General and Commercial Neighborhood zones subject to operational standards

Thrift Stores

► Proposed Operational Standards (consistent with GC 65631) new Section 9.04.200

- The delivery and storage of goods or donations must be conducted entirely indoors.
- Donations may only be accepted during business hours; no drop-off of donated goods may occur outside of business hours; thrift stores may not operate between 10:00 p.m. and 7:00 a.m.
- The donation process must be supervised and operated by employees of the thrift store.
- Any donated, discarded, or illegally dumped items left outside the building must be removed immediately.
- Signs and outdoor display must comply with Chapters 9.07 and Section 9.04.110 of the RSMZC, respectively.
- Donation acceptance areas shall be clearly marked and must provide vehicular circulation which does not interfere with shopping center ingress, egress, or parking, and may not queue onto adjacent property or the public right-of-way.
- Equipment utilized in the collection, receipt, processing or disposal of used and donated goods is subject to the restrictions of Chapter 5.04 (Noise Control) and shall be operated in accordance with all applicable noise standards; equipment shall not be operated between 10:00 p.m. and 7:00 a.m. or on Sundays or Federal Holidays.

*Table 9.03.4
Uses in Commercial Districts*

Use	CG	CN	Notes and Exceptions
Thrift store	P	P	Subject to regulations in 9.04.200

Staff Recommendation

- ▶ Introduce for first reading, read by title only and waive further reading of an ordinance entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA ADOPTING ZONING CODE TEXT AMENDMENT (ZCA) 25-002 AMENDING VARIOUS PROVISIONS OF CHAPTERS 9.01 (GENERAL PROVISIONS), 9.03 (ZONING DISTRICTS AND STANDARDS), AND 9.04 (REGULATIONS FOR SPECIAL USES AND STRUCTURES) OF THE RANCHO SANTA MARGARITA MUNICIPAL CODE RELATED TO THE REGULATION OF CHILD DAY CARE CENTERS, AND THRIFT STORES, INCLUDING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTIONS 15060(C)(2) AND (C)(3)