



## CITY OF RANCHO SANTA MARGARITA

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March 25, 2021

The Honorable Toni Atkins  
President pro Tempore, California State Senate  
State Capitol Building, Room 205  
Sacramento, CA 95814

### **RE: SB 9 (Atkins) Increased Density in Single-Family Zones**

Dear Senate President pro Tempore Atkins,

The City of Rancho Santa Margarita writes to express our strong opposition to SB 9, which would require a local government to ministerially approve urban lot splits and allow housing developments containing multiple residential units in single-family residential zones. While we understand the goals regarding housing construction, this legislation directly erodes local control and decision-making, which are the hallmarks of a democratic political system.

Assuredly, Rancho Santa Margarita is a Master Planned Community with a wide mix of residential types geared toward a variety of income levels, and it was purposefully designed to create a balance of recreation, institutional, commercial and business park uses. In fact, its balanced approach was the focus of a 20/20 television program highlighting the benefits of responsible urban planning. There are 8,390 single-family lots in the City of Rancho Santa Margarita to which this bill would apply. Accordingly, this bill could result in additional housing units under the parameters set forth in SB 9 in most neighborhoods throughout the City. Currently, there are 17,766 homes and just under 49,000 residents in Rancho Santa Margarita, which, in accordance with the original Master Planned Community, is precisely what the original plan called for over two decades ago.

SB 9 would not promote housing construction in a manner that supports local flexibility, decision-making and community input. Instead, state-driven ministerial or by-right housing approval processes would allow properties in residential neighborhoods to be exploited by investors and builders to the detriment of communities while failing to recognize the housing elements that are certified by the California Department of Housing and Community Development (HCD).

SB 9 would let an owner or developer take a single family zoned parcel with one home on it, subdivide it into two equal size lots and then build two homes on each lot producing four residences on what had been a single family home lot. Garages and yards would not be required. This scenario does not prevent a housing developer or speculator from acquiring lots and then never building homes. It does not allow local governments to require adequate access for police, fire, and other public safety vehicles and equipment. It may endanger lives by furthering density in very high fire hazard severity zones, and it does not take into account local conditions such as hillsides, lot dimensions, natural hazards, available infrastructure, and parking standards when approving or denying housing project applications.

The City of Rancho Santa Margarita recognizes the current housing needs for all income levels but, for the reasons listed above, must respectfully oppose SB 9 (Atkins). As such, on March 24,

**Mayor**  
L. Anthony Beall

**Mayor Pro Tempore**  
Anne D. Figueroa

**Council Member**  
Carol A. Gamble

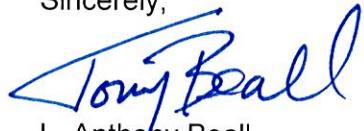
**Council Member**  
Jerry Holloway

**Council Member**  
Bradley J. McGirr

**City Manager**  
Jennifer M. Cervantez

2021, the City Council unanimously voted in favor of Resolution No. 21-03-24-04 (Attached) opposing Senate Bill 9. This resolution indicates that the City Council opposes Senate Bill 9 and any other attempts to legislatively remove local land use control.

Sincerely,

A handwritten signature in blue ink that reads "L. Anthony Beall". The signature is fluid and cursive, with "L. Anthony" on the first line and "Beall" on the second line.

L. Anthony Beall  
Mayor

Cc:

Senator Pat Bates

Assembly Member Laurie Davies

Tony Cardenas, League of California Cities Regional Public Affairs Manager (via email) League of California Cities (Via email: [citiletters@cacities.org](mailto:citiletters@cacities.org).)

Attachment

RESOLUTION NO. 21-03-24-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
RANCHO SANTA MARGARITA, CALIFORNIA, OPPOSING  
SENATE BILL 9 (ATKINS)

The City Council of the City of Rancho Santa Margarita, California, hereby finds, determines, declares and resolves as follows:

WHEREAS, the legislature of the State of California each year proposes, passes, and has signed into law a number of bills addressing a range of housing issues; and

WHEREAS, Senate Bill 9 (Atkins) ("SB 9") was introduced in the 2021-2022 session of the legislature on December 7, 2020; and

WHEREAS, SB 9 would require ministerial approval of construction of two units on any parcel zoned for single-family residential; and

WHEREAS, SB 9 would require cities to ministerially approve "urban lots splits" to subdivide any residential lot into two lots of equal size no smaller than 1,200 square feet; and

WHEREAS, SB 9 would allow for new development in single-family neighborhoods without the opportunity for neighborhood input or public hearings; and

WHEREAS, SB 9 would preempt local zoning provisions; and

WHEREAS, the City Council of the City of Rancho Santa Margarita opposes legislation which removes local land use control.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. That the City Council hereby opposes Senate Bill 9 and any other attempts to legislatively remove local land use control.

SECTION 2. That the City Council hereby authorizes the Mayor to sign a letter opposing Senate Bill 9, and further directs staff to send a copy of this resolution and the opposition letter to Senator Atkins and other interested parties.

PASSED, APPROVED, AND ADOPTED THIS 24<sup>TH</sup> DAY OF MARCH, 2021.

  
L. ANTHONY BEALL, MAYOR

**CERTIFICATE OF ATTESTATION AND ORIGINALITY**

I, Amy Diaz, City Clerk of the City of Rancho Santa Margarita, hereby attest to and certify that the foregoing resolution is the original resolution adopted by the Rancho Santa Margarita City Council at its regular meeting held on the 24<sup>th</sup> day of March, 2021 by the following vote:

AYES: Council Members Gamble, McGirr, Mayor Pro Tempore Figueroa and Mayor Beall (4)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Council Member Holloway (1)

  
\_\_\_\_\_  
AMY DIAZ, CITY CLERK