

ORDINANCE NO. 25-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT (ZCA) 25-001 AMENDING AND RESTATING SECTION 9.04.190 (ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS) OF CHAPTER 9.04 (REGULATIONS FOR SPECIAL USES AND STRUCTURES) IN ACCORDANCE WITH STATE LAW, INCLUDING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTIONS 15060(C)(2) AND (C)(3) AND PUBLIC RESOURCES CODE SECTION 21080.17

WHEREAS, On December 10, 2002, the City Council of the City of Rancho Santa Margarita adopted the Rancho Santa Margarita General Plan; 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, 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 accessory uses and accessory structures within all districts; and

WHEREAS, An "accessory dwelling unit" or "ADU" is an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons. An accessory dwelling unit includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as a single-family dwelling; and

WHEREAS, A "junior accessory dwelling unit" or "JADU" is a small residential dwelling unit contained entirely within a single-family residence. A junior accessory dwelling unit may include separate sanitation facilities, or may share sanitation facilities with the single-family residence; and

WHEREAS, In 2016, the State Legislature adopted two bills pertaining to accessory dwelling units, Assembly Bill 2299 and Senate Bill 1069, which modified Government Code Section 65852.2; the State Legislature further modified Government Code Section 65852.2 with the adoption of Assembly Bill 494 and Senate Bill 229 in 2017, and again in 2020 with the adoption of Senate Bill 13, Assembly Bill 68, Assembly Bill 881 and Assembly Bill 3182 (Collectively, the "State ADU Law"); and

WHEREAS, On May 26, 2021, the City Council of the City of Rancho Santa Margarita adopted Ordinance No. 21-02 amending and restating Section 9.04.190

(Accessory Dwelling Units and Junior Accessory Dwelling Units) to Chapter 9.04 (Regulations for Special Uses and Structures) of Title 9 (Planning and Zoning) of the Rancho Santa Margarita Municipal Code to update and clarify the City's regulations related to ADUs in accordance with the State ADU Law; and

WHEREAS, In July 2022, the California Department of Housing and Community Development (HCD) issued an updated Accessory Dwelling Unit Handbook, providing guidance on implementation of the State ADU Law; and

WHEREAS, During its 2021-2022 Regular Session, the State Legislature approved two bills modifying the State ADU Law, Senate Bill 897 and Assembly Bill 2221 (Collectively, the "2022 Revisions to the State ADU Law"); and

WHEREAS, The 2022 Revisions to the State ADU Law required amendment and restatement of Section 9.04.190 (Accessory Dwelling Units and Junior Accessory Dwelling Units) of the Rancho Santa Margarita Municipal Code; and

WHEREAS, On August 10, 2022, the State Department of Housing and Community Development (HCD) issued a letter to the City indicating that the regulations in Ordinance No. 21-02 did not comply with State ADU Law with respect to the minimum allowable size of efficiency units and allowable building height; and

WHEREAS, On April 12, 2023, the City of Rancho Santa Margarita City Council adopted Zoning Code Text Amendment (ZCA) 23-001 in accordance with Section 9.08.080 of the Rancho Santa Margarita Municipal Code, to update and clarify regulations related to the construction of ADUs and JADUs in accordance with the 2022 Revisions to the State ADU Law, which were intended to further streamline local regulations for the construction of new accessory dwelling units and junior accessory dwelling units; and

WHEREAS, The City submitted Ordinance No. 23-001 to HCD for their review and approval on April 12, 2023 as required by State law; and

WHEREAS, On March 25, 2024, Senate Bill (SB) 477 revised sections of the Government Code relevant to State ADU and JADU law; and

WHEREAS, On October 11, 2024, HCD provided the City with a letter advising that Government Code sections cited in Section 9.08.080 need to be renumbered to comply with SB 477, and identifying other minor edits that are required to Section 9.08.080 of the Rancho Santa Margarita Municipal Code, to update and clarify regulations to ensure compliance with State law; and

WHEREAS, The Planning Commission on July 2, 2025 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, and recommended that the City Council approve and adopt Zoning Code Text Amendment (ZCA) 25-001; and

WHEREAS, The City Council of the City of Rancho Santa Margarita 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 at a public hearing held on August 13, 2025.

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

SECTION 1. The City Council of the City of Rancho Santa Margarita hereby finds, determines, and declares as follows:

In accordance with Section 9.08.080(d) of the Zoning Code, the following findings for approving Zoning Code Text Amendment (ZCA) 25-001 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 Text 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 clarifies and updates the regulations for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in accordance with the requirements of Government Code Sections 66314 and 66333, which the Legislature adopted with the intent to streamline local regulations for the construction of new Accessory Dwelling Units. The State has long held that Accessory Dwelling Units are an important source of affordable housing in California. The City's adopted General Plan Housing Element contains policies which encourage development of Accessory Dwelling Units, and the City's Regional Housing Needs Allocation (RHNA) is supported by the addition of Accessory Dwelling Units to the City's housing stock.

(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 clarifies and updates the regulations for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADU's) in accordance with the requirements of Government Code Sections 66314 and 66333, which the legislature adopted with the intent to streamline local regulations. The proposed Zoning Code Text Amendment will not adversely affect properties in the City or the surrounding environment because the State legislature has determined that ADUs are an essential component of California's housing supply and deemed ADUs to be a residential use consistent with the zoning designation applicable to the primary residential use.

(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 (ZCA) 25-001 will promote public health, safety and general welfare and serve the goals and purposes of Title 9 by clarifying and streamlining the regulations applicable to development of new Accessory Dwelling Units and Junior Accessory Dwelling Units. The proposed regulations require compliance with all applicable building and safety codes to ensure all life safety requirements are met.

SECTION 2. Section 9.04.190 (Accessory Dwelling Units and Junior Accessory Dwelling Units) of Chapter 9.04 (Regulations for Special Uses and Structures) of Title 9 (Planning and Zoning) of the City of Rancho Santa Margarita Municipal Code is amended and restated to read as follows:

Sec. 9.04.190. - Accessory Dwelling Units and Junior Accessory Dwelling Units

- (a) *Purpose and intent.* The purpose of this Section is to provide for and regulate the development of accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) in a manner consistent with State law.
- (b) *Definitions.* As used in this Section, the following terms shall have the following meanings:

Accessory dwelling unit, accessory structure, efficiency unit, living area, nonconforming zoning condition, passageway, proposed dwelling, public transit, and tandem parking all have the same meaning as that stated in Government Code § 66313(a) as that section may be amended time to time. The terms "accessory dwelling unit" and "ADU" shall have the same meaning.

Attached ADU means an ADU, other than a converted ADU, that is physically attached to a primary dwelling structure.

Converted ADU means an ADU that is constructed within all or a portion of the permitted existing interior space of an accessory structure or within a portion of the permitted existing interior space of a dwelling structure, including bedrooms, attached or detached garages, storage areas, or similar uses. A converted ADU also includes an ADU that is constructed in the same location and to the same dimensions as a permitted existing structure or portion of a permitted existing structure.

Detached ADU means an ADU, other than a converted ADU, that is physically separated from, but located on the same lot as, a primary dwelling structure.

Director means the Development Services Director, or their designee.

Junior accessory dwelling unit shall have same meaning as that stated in Government Code § 66313(d) as that section may be amended time to time. The terms "junior accessory dwelling unit" and "JADU" shall have the same meaning.

State exempt ADUs means the four categories of ADUs or JADUs that are created pursuant to Government Code § 66323 including (1) one converted ADU and JADU per single-family lot as described in Government Code § 66323(a)(1), (2) one detached ADU per single-family lot as described in Government Code § 66323(a)(2), (3) one or more converted ADUs on multifamily lots as described in Government Code § 66323(a)(3), and (4) one or more detached ADUs on multifamily lots as described in Government Code § 66323(a)(4). State exempt ADUs shall be approved ministerially and are not subject to certain development standards as required by State law and as specified in Subsection (h)(6) below.

- (c) *Conforming ADUs.* An ADU that conforms to this Section and all applicable provisions of Section 9.04.020 (accessory structures) shall:
 - (1) Be deemed an accessory use or an accessory building and shall not be considered to exceed the allowable density for the lot upon which it is located;
 - (2) Be deemed a residential use that is consistent with the existing General Plan and zoning designation for the lot upon which it is located; and
 - (3) Not be considered in the application of any local ordinance, policy, or program to limit residential growth.
- (d) *Locations Permitted.*
 - (1) *Permitted ADU Locations.* ADUs conforming to the provisions of this Section may be located on any lot in the City zoned to allow single-family or multifamily residential uses and that includes a proposed or existing legally developed single-family or multifamily dwelling.
 - (2) *Permitted JADU Locations.* JADUs conforming to the provisions of this Section may be located within a proposed or existing legally developed single-family dwelling on any lot in the City that is zoned to allow single-family residential uses.

(e) *ADU Requirements.*

- (1) Legal Lot/Residence. An ADU shall only be allowed on a lot that contains a proposed or legally developed existing single-family or multifamily residence.
- (2) An ADU shall either be:
 - a. Attached to, or located within, the proposed or existing primary dwelling, including attached garages, storage areas or similar uses, or an accessory structure; or
 - b. Detached from the proposed or existing primary dwelling and located on the same lot as the proposed or existing primary dwelling including detached garages.
- (3) *Number of Units Per Lot.*
 - a. For lots with a proposed or existing single-family dwelling:
 - i. One attached, or converted ADU, and one JADU shall be permitted on the lot; and
 - ii. One detached, new construction ADU, that does not exceed four-foot side and rear setbacks.
 - b. For lots with an existing multifamily dwelling:
 - i. At least one ADU, and up to 25 percent of the number of the existing units may be constructed within portions of the existing multifamily dwelling structure that are not used as livable space (e.g., storage rooms, boiler rooms, passageways, attics, basements, or garages) provided all applicable building code standards are met; and
 - ii. Not more than eight detached ADUs shall be permitted on the lot provided the number of detached ADUs shall not exceed the number of existing units on the lot.
 - c. For lots with a proposed multifamily dwelling:
 - i. Not more than two detached ADUs shall be permitted.
- (4) *Unit Size, Height and Design.*
 - a. Maximum Size.

- i. Attached ADUs. The total floor area of an attached ADU shall not exceed (i) 1,200 square feet, or (ii) 50 percent of the floor area of the existing primary dwelling unit, whichever is less. However, in no case shall this limitation be imposed to require an ADU with a total floor area of less than 800 square feet.
- ii. Detached ADUs. The total floor area of a detached ADU shall not exceed 1,200 square feet.
- iii. Converted ADUs. The maximum size limitations set forth in this Subsection do not apply to converted ADUs that do not increase the existing floor area of a structure. In addition, a converted ADU created within an existing accessory structure may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure to extent necessary to accommodate ingress and egress.

b. Minimum Size. The total floor area of an attached or detached ADU shall be at least 150 square feet.

c. Height.

- i. Except as provided below, the height of a detached ADU on a lot with an existing or proposed single-family or multifamily dwelling unit shall not exceed 16 feet.
- ii. The height of a detached ADU located on a lot with an existing or proposed single-family or multifamily dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in § 21155 of the Public Resources Code, shall not exceed 18 feet. However, an additional two feet of height, for a maximum of 20 feet, is allowed when necessary to align the roof pitch on the ADU to the roof pitch of the primary dwelling.
- iii. The height of a detached ADU on a lot with an existing or proposed multifamily, multistory dwelling shall not exceed 18 feet.
- iv. The height of an attached ADU shall not exceed the height limitation of the zoning district applicable to the primary dwelling or 25 feet, whichever is lower. In no event shall any such ADU exceed two stories.

- d. To facilitate the development of ADUs in a manner that ensures reasonable consistency and compatibility of design, the Director is authorized to develop standard design plans and criteria for ADUs. ADUs developed in conformance with such standard plans and criteria shall be deemed to comply with this Subsection.

(5) *Applicability of Development Standards.* Except as modified by this Section or as otherwise provided by State law, an ADU must conform to the development standards applicable to the lot on which it is located as set forth in this Title 9, the development standards for accessory structures set forth in Section 9.04.020(c)(2), and/or in an applicable specific plan or planned unit development ordinance or resolution. Notwithstanding the foregoing, when the application of a development standard related to floor area ratio, lot coverage, open-space, front setbacks, or minimum lot size would prohibit the construction of an attached or detached ADU of at least 800 square feet, such standard shall be waived to the extent necessary to allow construction of an ADU of up to 800 square feet.

(6) *Setbacks.*

- a. *Front Yard Setbacks.* New attached and detached ADUs are subject to the same minimum front yard setback requirements applicable to other structures on the lot on which the ADU is located.
- b. *Side and Rear Yard Setbacks.* Minimum setbacks of no less than four (4) feet from the side and rear lot lines are required for new attached and detached ADUs.
- c. *Converted ADUs.* No setbacks are required for converted ADUs, provided the side and rear yard setbacks of the existing converted structure are sufficient for fire and safety, as determined by the City's building official.

(7) *Off-street Parking.*

- a. One off-street parking space must be provided for an attached or detached ADU. The required parking space may be permitted in setback areas, or through tandem parking on a driveway, unless specific findings are made by the Director that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety concerns.
- b. When a garage, carport, covered parking structure, or uncovered parking space is demolished in conjunction with the construction of an ADU, or converted to an ADU, those off-street parking spaces are not required to be replaced.
- c. Off-street parking is not required in the following instances:
 - i. The ADU is located within one-half mile walking distance of public transit, including transit stations and bus stations;
 - ii. The ADU is located within an architecturally and historically significant historic district;
 - iii. The ADU is part of the proposed or existing primary residence or accessory structure (i.e., a converted ADU);
 - iv. When on-street parking permits are required but not offered to the occupant of the ADU;
 - v. When there is a car share vehicle station located within one block of the ADU; and/or
 - vi. When a permit application for an ADU is submitted with a permit application to create a new single-family dwelling or a new multi-family dwelling on the same lot, provided the ADU or the parcel satisfies any other criteria listed in this Section.

- (8) *Exterior Access.* An attached or converted ADU must have independent exterior access from the proposed or existing primary dwelling.
- (9) *Passageway.* No passageway shall be required in conjunction with the construction of an ADU.

(f) *JADU Requirements.*

- (1) *Footprint.* A JADU may only be constructed within the walls of a proposed or existing single-family residence, including an existing attached garage.
- (2) *Size.* A JADU shall not be less than 150 square feet and shall not exceed 500 square feet in size.
- (3) *Separate Entrance.* A JADU located within a proposed or existing single-family residence must include a separate entrance from the main entrance of the residence.
- (4) *Kitchen Requirements.* A JADU must include an efficiency kitchen, including a cooking facility with appliances, and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.
- (5) *Bathroom Facilities.* A JADU may include separate sanitation facilities or may share sanitation facilities with the proposed or existing single-family residence in which it is located. If a JADU does not include separate sanitation facilities, the JADU must include an interior entrance to the primary dwelling's main living area.
- (6) *Parking.* No additional off-street parking is required for a JADU beyond that required at the time the existing primary dwelling was constructed.
- (7) *Fire Protection.* For purposes of any fire or life protection ordinance or regulation, a JADU shall not be considered a separate new dwelling unit.
- (8) *Utility Service.* For purposes of providing service for water, sewer, or power, including a connection fee, a JADU shall not be considered a separate or new dwelling unit.
- (9) *Deed Restriction.* Prior to the issuance of a building permit for a JADU, the owner shall record a deed restriction against the title of the property in the County Recorder's office with a copy filed with the Director. The deed restriction shall run with the land and shall bind all future owners, heirs, successors, or assigns. The form of the deed restriction shall be provided by the City and shall provide that:
 - a. The property shall include no more than one JADU.

- b. The JADU may not be sold, mortgaged, transferred separately from the primary residence; this deed restriction may be enforced against future purchasers.
- c. The owner of the property shall occupy either the primary residence or the JADU as his or her domicile. In the event owner occupancy of the property ceases, the JADU shall not be used as a separate dwelling unit, and shall not be separately rented or leased for any purpose.
- d. A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this Section.

The deed restriction may not be modified or terminated without the prior written consent of the Director.

(g) Other Requirements.

- (1) No Separate Conveyance. Except as otherwise provided in Government Code § 66341 or by other applicable law, an ADU or JADU may be rented separate from the primary residence, but may not be sold or otherwise conveyed separate from the primary residence, and a lot shall not be subdivided in any manner which would authorize such separate sale or ownership.
- (2) No Short-Term Rental Permitted. An ADU that is rented shall be rented for a term that is longer than thirty (30) days. Short-term rental (i.e., 30 days or less) of an ADU is prohibited.
- (3) Owner Occupancy Requirements.
 - a. ADUs. Owner occupancy of either the primary dwelling or ADU is not required.
 - b. JADUs. The property owner of the lot upon which a JADU is located must occupy either the JADU or the primary residence as his or her domicile.

(h) Permit Application and Review Procedures.

- (1) Building Permit Required. A building permit is required prior to construction of an ADU or JADU. Except as otherwise provided in this Section or by State law, all building, fire, and related code requirements applicable to habitable dwellings apply to ADUs and JADUs. However, fire sprinklers shall not be required if they are not required for the primary dwelling.

- (2) Application. Prior to the issuance of a building permit for an ADU or JADU, the applicant shall submit an application on a form prepared by the City, along with all information and materials proscribed by such form. No application shall be accepted unless it is completed as prescribed and is accompanied by payment for all applicable fees.
- (3) Review. The Director shall consider and approve or disapprove a complete application for an ADU or JADU ministerially without discretionary review or public hearing within the time prescribed by law. Review is limited to whether the proposed ADU or JADU complies with the requirements of this Section. If an applicant requests a delay, the time period for the City to review of an application shall be tolled for the period of the requested delay. If the application to create an ADU or a JADU unit is submitted with an application to create a new single-family dwelling on the lot, the Director may delay acting on the application for the ADU or the JADU until the City acts on the application to create the new single-family dwelling, but the application to create the ADU or JADU will still be considered ministerially without discretionary review or a hearing.
- (4) Zoning Conformity. The City shall not require, as a condition of approval of a permit application for the creation of an ADU or JADU, the correction of nonconforming zoning conditions.
- (5) Demolition Permits. A demolition permit for a detached garage that is to be replaced with an ADU shall be reviewed with the application for the ADU and issued at the same time.
- (6) State exempt ADUs and conformity with State law. The City shall not apply any requirement or development standard provided for in this Chapter to an ADU or a JADU to the extent prohibited by any provision of State law, including, but not limited to, Government Code § 66323. State exempt ADUs shall be approved ministerially and are not subject to the standards set forth in Government Code §§ 66314-66322. For example, and without limitation, state exempt ADUs do not have to comply with Subsection (e)(4)(a)(ii) size limits for new construction multifamily detached ADUs; Subsection (e)(6)(a) front setback requirements, Subsection (e)(6)(b) side and rear setback requirements for single-family converted ADUs and JADUs, or Subsection (e)(7) off-street parking requirements.
 - (i) *Utilities.*
 - (1) ADUs. Unless otherwise mandated by applicable law or the utility provider or determined by the City's Public Works Director to be necessary, an ADU may be served by the same water, sewer, and

other utility connections serving the primary dwelling on the property, and the installation of a new or separate utility connection directly between an ADU and a utility is not required. However, separate utility connections and meters for ADUs may be installed at the property owner's option, when permitted by the utility provider, and subject to the payment of all applicable fees.

(2) JADUs. A JADU shall be served by the same water, sewer, and other utility connections serving the primary single-family dwelling in which it is located, and no separate utility meters shall be permitted for a JADU.

(j) **Fees.**

(1) No impact fee is required for an ADU measuring less than 750 square feet. Any impact fees charged for an ADU of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling.

(2) Construction of an ADU is subject to any applicable fee adopted under the California Government Code, Title 7, Division 1, Chapter 5 (commencing with § 66000) and Chapter 7 (commencing with § 66012).

(3) For purposes of this Subsection, "impact fee" does not include any planning application fee, plan check fee, or building permit fee.

SECTION 3. Table 9.03.2 (Uses in Residential Districts) in Section 9.03.070 (Residential Districts) of Chapter 9.03 (Zoning Districts and Standards) of Title 9 (Planning and Zoning) of the City of Rancho Santa Margarita Municipal Code is amended to include Accessory Dwelling Unit as a use permitted in the Residential – High Density (RH) District:

Use	RL (all lot sizes)	RLM (all lot sizes)	RM (all lot sizes)	RH (all lot sizes)	Notes and Exceptions
Residential					
Accessory Dwelling Unit	P	P	P	P	Subject to Sections 9.04.020 and 9.04.190

SECTION 4. The City Council of the City of Rancho Santa Margarita determines that Zoning Code Text Amendment (ZCA) 25-001 is not subject to the California Environmental Quality Act (CEQA) pursuant to the California Code of Regulations, Title 14, Chapter 3, Sections 15060 (c) (2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) because it has no potential for resulting in

physical change to the environment, directly or indirectly. Approval of Zoning Code Text Amendment (ZCA) 25-001 would not approve any development project. Approval of Zoning Code Text Amendment (ZCA) 25-001 would amend the Rancho Santa Margarita Municipal Code in accordance with the requirements of Government Code Sections 66310-66342 to streamline local regulations for the construction of new Accessory Dwelling Units and Junior Accessory Dwelling Units; Pursuant to Section 21080.17 of the California Public Resources Code, CEQA does not apply to the adoption of an ordinance by a city to implement the provisions of Government Code Sections 66314 and 66333.

SECTION 5. The City Council of the City of Rancho Santa Margarita determines that, pursuant to Section 711.4 of the California Fish and Game Code, this Ordinance is exempt from the required fees as it has been determined that no impacts to wildlife resources will result from the project.

SECTION 6. The City Council of the City of Rancho Santa Margarita determines that this Ordinance will not have any adverse impacts to any subregional Natural Communities Conservation Planning (NCCP) Program.

SECTION 7. 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 8. The City Council hereby authorizes the Development Services Director to cause a copy of this Ordinance to be submitted to the California Department of Housing and Community Development within 60 days after adoption, in accordance with Government Code Section 66326.

SECTION 9. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted as required by law.

PASSED, APPROVED AND ADOPTED THIS 8TH DAY OF OCTOBER 2025.



L. ANTHONY BEALL, 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. 25-03 was regularly introduced and placed upon its first reading at a Regular Meeting of the City Council on the 10th day of September, 2025, and that thereafter, said Ordinance was duly adopted and passed at a Regular Meeting of the City Council on the 8th day of October 2025, by the following vote, to wit:

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

NOES: None (0)

ABSTAIN: None (0)

ABSENT: Council Member Holloway (1)



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:

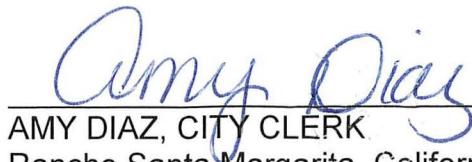
That she is the duly appointed and qualified City Clerk of the City of Rancho Santa Margarita;

That in compliance with State Laws of the State of California, ORDINANCE NO. 25-03, being:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO SANTA MARGARITA, CALIFORNIA, ADOPTING ZONING CODE TEXT AMENDMENT (ZCA) 25-001 AMENDING AND RESTATING SECTION 9.04.190 (ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS) OF CHAPTER 9.04 (REGULATIONS FOR SPECIAL USES AND STRUCTURES) IN ACCORDANCE WITH STATE LAW, INCLUDING AN EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PER CEQA GUIDELINES SECTIONS 15060(C)(2) AND (C)(3) AND PUBLIC RESOURCES CODE SECTION 21080.17

on the 3rd day of October 2025, was published in the Coto De Caza News; and was in compliance with City Resolution No. 00-01-06-07, on the 3rd day of October 2025, 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