



Staff Report

File #: 23-0664

REQUEST FOR CITY COUNCIL ACTION

DATE: 09/06/2023

TO: Honorable Mayor and City Council Members

FROM: Planning & Development Department

SUBJECT:

CHANGE OF ZONE 2022-0002 TO CHANGE THE ZONING FROM R-1-20 TO R-1-14.4 ON 1.59 ACRES LOCATED AT 2425 GARRETSON AVENUE (APPLICANT: MOHAMMED S. BAIG AND ISLAMIC SOCIETY OF CORONA-NORCO)

EXECUTIVE SUMMARY:

This staff report asks the City Council to approve Change of Zone 2022-0002 (CZ2022-0002), which will change the zoning on 1.59 acres from R-1-20, a single family residential zone requiring a minimum lot size of 20,000 square feet to R-1-14.4, a single family residential zone requiring a minimum lot size of 14,400 square feet. The purpose of the change of zone is to accommodate a lot split that would separate the existing single family dwelling on the property from the remaining portion of the property that is vacant.

RECOMMENDED ACTION:

That the City Council:

- a. Approve Change of Zone 2022-0002 as recommended by the Planning and Housing Commission.
- b. Introduce by title only and waive full reading for consideration of Ordinance No. 3376, first reading of an ordinance approving a change of zone to change the zoning on 1.59 acres located at 2425 Garretson Avenue from R-1-20 (Single Family Residential, 20,000 sq. ft. minimum Lot size) to R-1-14.4 (Single Family Residential, 14,400 sq. ft. minimum lot size). (CZ2022-0002)

BACKGROUND & HISTORY:

The project site is a portion of a 4.66-acre residential property located at 2425 Garretson Avenue, south of Santana Way. Mr. Mohammed Baig and the Islamic Society of Corona-Norco, a nonprofit organization, are currently the owners of the property and the applicants of this application. A

portion of the property is currently developed with a single-family dwelling with the remainder of the site undeveloped. The property is a split-zoned parcel, in that the western 1.59-acre portion which fronts Garretson Avenue is zoned R-1-20, and the remaining balance of the site, which is approximately 3.0 acres, is zoned R-1-14.4. Both zones permit the development of single-family dwellings. However, the R-1-20 zone requires a minimum lot size of 20,000 square feet for newly created lots, whereas the R-1-14.4 zone requires a minimum lot size of 14,400 square feet.

The intention of the applicants is to subdivide the property into two separate parcels. The subdivision is being reviewed as Parcel Map 37949. The existing single-family dwelling would be located on one parcel and the vacant portion of the parcel would be on a separate parcel. This would allow Mr. Baig to retain the residence under his sole ownership; and provides the Islamic Society with sole ownership of the other parcel. The development of the parcel by the Islamic Society is not under consideration with this change of zone request. Future development of the vacant parcel would be reviewed separately from this request.

ANALYSIS:

The request is to change the zoning on the western 1.59 acres of the property from R-1-20 to R-1-14.4 to match the eastern portion's current zoning of R-1-14.4. The change of zone would allow the parcel boundary associated with PM 37949 to align with one zoning designation on the entire property.

Per the City's General Plan and South Corona Community Facilities Plan (CFP), the subject property is designated Estate Residential (ER). The ER designation under the General Plan permits a density range of 0-3 dwelling units per acre (du/ac). The ER designation under the South Corona CFP permits a maximum allowable target density of 1.47 du/ac. The subdivision proposed by companion application PM 37949 results in a density of 0.42 du/ac, which is consistent with the General Plan and the South Corona CFP.

The change of zone is compatible with the surrounding zoning and land uses, as described in the following:

North: The property to the north is zoned Agricultural and contains a religious institution (mosque). Religious institutions are allowed in residential and agricultural zones with the approval of a conditional use permit. CZ2022-0002 does not change the existing residential use on the property, which was established before the mosque was constructed. The residential use would continue to be a permitted use under the R-1-14.4 zone proposed for the western portion of the project site. Therefore, CZ2022-0002 is compatible with the property to the north.

East: The zoning to the east of the project site is R-1-14.4. CZ2022-0002 proposes an R-1-14.4 zoning for the western side of the project site, consistent with the zoning of the eastern side of the project site; and is therefore compatible with the zoning in the immediate area.

South: The adjacent property to the south is a large vacant lot with a split zone of R-1-20 and R-1-14.4. Properties farther south are zoned R-1-20 and fully developed. CZ2022-0002 remains compatible with the zoning that exists adjacent to the project site.

West: The residential developments located to the west, on the opposite side of Garretson Avenue, are located in the R-1-A zone, which requires a minimum lot size of 40,000 square feet. These properties are part of Land Use Policy 6 of the South Corona CFP. This policy was established within the South Corona CFP to ensure that new development adjacent to and across from existing neighborhoods identified by Land Use Policy 6 remains compatible with pre-existing, developed properties. Per Land Use Policy 6(b), *for new development that is located on the same block with existing developed residential lots, the lots for the new residences shall be generally the same average area as the existing lots (within 90 percent) within the block but need not exceed one acre in area. This applies to the frontage on both sides of the street.* The size of the lot eventually created by a future subdivision, which includes a parcel map or tentative tract map, shall adhere to the provisions of Policy 6, regardless of whether the minimum lot size required by the zoning is smaller than would be allowed by Policy 6. As such, CZ2022-0002 remains compatible with the zoning that exists in the immediate area.

For reference purposes, the applicant's companion application, PM 37949, proposes parcel sizes of 2.16 acres and 2.50 acres. Using the most conservative lot size requirement of Policy 6(b), both parcels exceed the minimum size of one acre.

Housing Accountability Act (SB 330)

Staff has reviewed the project for compliance with Government Code Section 66300(b)(1) of the Housing Accountability Act (Senate Bill 330), which applies to the City's action in rezoning the project site from R-1-20 to R-1-14.4. Section 66300(b)(1) states in part:

"(b)(1) ...an affected county or an affected city shall not enact a development policy, standard or condition that would have any of the following effects:

- (A) Changing the general plan land use designation, specific plan land use designation or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district in effect at the time of the proposed change, below what was allowed under the land use designation or zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018, except as otherwise provided in clause (ii) of subparagraph (B) or subdivision (i). For purposes of this subparagraph, "reducing the intensity of land use" includes, but is not limited to, reductions to height, density, or floor area ratio, new or increased open space or lot size requirements, new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, or any other action that would individually or cumulatively reduce the site's residential development capacity."*

CZ2022-0002 does not conflict with this government code section because the R-1-14.4 zone allows a minimum lot size requirement of 14,400 square feet compared to the larger minimum lot size requirement of 20,000 square feet under the R-1-20 zone and therefore does not reduce the density that is currently allowed on the property. Because of the smaller lot size requirement under the R-1-14.4 zone, a subdivision that occurs under the R-1-14.4 zone could potentially yield more lots

compared to a subdivision that occurs under the R-1-20 zone. Although the R-1-14.4 zone can potentially yield more lots, it is important to note that the lots being created adjacent to Garretson Avenue would need to meet the minimum lot size criteria of Land Use Policy 6 of the South Corona CFP.

FINANCIAL IMPACT:

The applicant paid the application processing fee of \$5,212.28 to cover the cost of the Change of Zone.

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action involves the subdivision of an already developed residential parcel into two lots for conveyance purposes. Therefore, no environmental analysis is required.

PLANNING AND HOUSING COMMISSION ACTION:

At its meeting on August 7, 2023, the Planning and Housing Commission considered the subject matter and took the following action:

Motion was made, seconded (Siqueland/Vernon) and carried unanimously, with Commissioner Sherman absent, that the Planning and Housing Commission approve CZ2022-0002, based on the findings contained in the staff report and conditions of approval. The minutes of the Planning and Housing Commission meeting are included as Exhibit 5.

PREPARED BY: JOANNE COLETTA, PLANNING & DEVELOPMENT DIRECTOR

Attachments:

1. Exhibit 1 - Ordinance No. 3376
2. Exhibit 2 - Locational and zoning map
3. Exhibit 3 - Proposed Change of Zone
4. Exhibit 4 - Planning and Housing Commission staff report
5. Exhibit 5 - Minutes of the Planning and Housing Commission meeting of August 7, 2023