



Staff Report

File #: 24-0178

REQUEST FOR CITY COUNCIL ACTION

DATE: 03/20/2024

TO: Honorable Mayor and City Council Members

FROM: Planning & Development Department

SUBJECT:

ZONE TEXT AMENDMENT 2024-0001 TO TITLE 17 OF THE CORONA MUNICIPAL CODE TO ADD CHAPTER 17.67 FOR LOW BARRIER NAVIGATION CENTER, AND AMENDMENTS TO CHAPTER 17.87 TO UPDATE REGULATIONS APPLIED TO DENSITY BONUS AGREEMENTS, AND TO CHAPTERS 17.91 AND 17.100 TO UPDATE OUTDATED LANGUAGE AND CRITERIA FOR PRECISE PLAN AND ARCHITECTURAL REVIEW APPLICATIONS (APPLICANT: CITY OF CORONA)

EXECUTIVE SUMMARY:

This staff report asks the City Council to approve Zone Text Amendment 2024-0001 (ZTA2024-0001) to amend [Title 17](#), Zoning Code, of the Corona Municipal Code to update certain regulations regarding density bonus agreements, low barrier navigation centers, and precise plan and architectural review applications to be consistent with state law. The amendments are also being processed according to the City's General Plan Housing Element.

RECOMMENDED ACTION:

That the City Council:

- a. Approve ZTA2024-0001, as recommended by the Planning and Housing Commission.
- b. Introduce, by title only, and waive full reading of consideration of Ordinance No. 3391, first reading of an ordinance amending [Chapter 17.87](#) (Density Bonus Agreements and Development Agreements), [Section 17.91.070](#) (Findings for Approval) of [Chapter 17.91](#) (Precise Plans) and [Chapter 17.100](#) (Architectural Review Board) of [Title 17](#) of the Corona Municipal Code and adding Chapter 17.67 (Low Barrier Navigation Center) to the Corona Municipal Code (ZTA2024-0001).

BACKGROUND & HISTORY:

ZTA2024-0001 will implement certain housing programs adopted in the General Plan Housing Element. The current Housing Element is for planning period 2021-2029. Per State law, the city provides an annual progress report on the Housing Element to the State's Housing and Community

provides an annual progress report on the Housing Element to the State’s Housing and Community Development Department (HCD). The progress report is due annually on April 1 to HCD, and reports on the number of housing units in each income category that have been entitled, issued a building permit, and issued a certificate of occupancy. The annual progress report also provides an update on the city’s progress in meeting the quantified objectives of the city’s housing programs.

The city’s Housing Element has 29 programs that are monitored annually. ZTA2024-0001 specifically implements the requirements of Housing Programs 13 and 14. Below is a summary of Housing Programs 13 and 14 and the reason for ZTA2024-0001.

Housing Element Program	Reason for ZTA2024-0001
Program 13. Density Bonus Program. State law allows residential density bonuses for housing developments that provide low or moderate income housing units. The city’s ordinance is required to reflect changes to the State density bonus law.	The objective of Housing Program 13 is to update the city’s ordinance to integrate changes in the state density bonus law. CMC Chapter 17.87 regulates Density Bonus Agreements and was last updated in 1992. Chapter 17.87 is being updated to reflect current definitions, the content of a Density Bonus Agreement, and other regulatory changes.

<p>Program 14. Zoning Ordinance Monitoring. The city shall continue to monitor its policies, regulations and standards to facilitate residential and mixed-use developments, and emergency shelter regulations.</p>	<p>The objective of Housing Program 14 is to update certain requirements in the Zoning Code to be consistent with state legislation. The Zoning Code provides regulations for emergency shelters but does not specify low barrier navigation centers adopted by AB 101 in 2019. Chapter 17.67 is being added to the Zoning Code to establish regulations for a Low Barrier Navigation Center. This requirement also crosses into Program 21, which is to allow housing for persons experiencing homelessness. The criteria for the granting of design review applications, such as a Precise Plan and Architectural Review, need to be based on objective findings and not subjective findings. Chapter 17.91 covers the requirements for a Precise Plan application and Chapter 17.100 covers the requirements for Architectural Review. Chapters 17.91 and 17.100 are being amended to remove non-objective findings and other language that is outdated due to changes that have occurred over time without the ordinance being updated.</p>
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**ANALYSIS:
PROPOSED AMENDMENT**

Chapter 17.87 Density Bonus Housing Agreements and Development Agreements

Chapter 17.87 covers the city’s procedure for a density bonus agreement. Density bonus is a State law regulated by Government Code Sections 65915 - 65918 and is a mechanism to encourage the development of affordable and senior housing by allowing an increase in the residential density that exceeds the density allowed by a city’s General Plan. The law also allows concessions in site development standards and architectural design requirements if it will result in cost reductions for the project to provide for affordable housing costs and rents.

The State density bonus law has been amended several times in recent years by state legislators. The city’s ordinance has not been updated since 1992. Housing Program 13 of the Housing Element requires the city’s ordinance to be updated to reflect current state law on density bonus. The proposed amendment will provide definitions that are referenced in the State law when applying density bonus, the city’s application requirements for density bonus, the content of a density bonus agreement, and the review and approval of density bonus agreements by the Planning and Housing Commission and City Council.

Chapter 17.67 Low Barrier Navigation Center

In 2019, AB 101 was approved by the Governor requiring a low barrier navigation center to be a land use allowed by right in areas zoned for mixed uses and nonresidential zones permitting multifamily uses. A low barrier navigation center is defined as a Housing First, low barrier, temporary, service enriched shelter focused on helping homeless individuals and families quickly obtain permanent housing. The requirement for a low barrier navigation center is regulated by Government Code Section 65660 et seq.

The city's Zoning Code already accommodates emergency shelters in the M-1 (Light Industry), M-2 (General Industrial) and M-3 (Heavy Industrial) zones and permanent and supportive housing. However, a low barrier navigation center is not specifically addressed according to State law. A low barrier navigation center is required to: a) offer services to connect people to permanent housing through a services plan that identifies services staffing, b) have a coordinated entry system, c) comply with certain sections of the Welfare and Institutions Code, d) have a homeless management information system, and e) comply with building code occupancy classification requirements. A low barrier navigation center would also be allowed by right on property zoned mixed use and commercial zones that allow multiple family residential.

Program 14 of the Housing Element requires the city to update its Zoning Code to establish requirements for a low barrier navigation center. Chapter 17.67 is a new chapter in the Zoning Code establishing the criteria for a low barrier navigation center according to State law. The new chapter provides definitions that are referenced in the State law for a low barrier navigation center, the zones that would allow a low barrier navigation center as a land use by right, the requirements to qualify as a low barrier navigation center, and the permit requirement.

Chapter 17.91 Precise Plan and Chapter 17.100 Architectural Review

The city's design review for projects is reviewed as either a Precise Plan or an Architectural Review. The requirements of a precise plan are governed by Chapter 17.91 and an architectural review is governed by Chapter 17.100. A precise plan and an architectural review are not "land use" applications, and projects reviewed by these applications are land uses allowed by the zoning on the property but are subject to design review. The design review focuses on the site plan, the architecture of the buildings, and other physical features of the project.

The city is required to make the findings outlined in Section 17.91.070 for the granting of approval of a precise plan or in Section 17.100.040 for the granting of approval of an architectural review. State law requires projects to be reviewed based on the objective development standards adopted for the zoning of the property, master plan, or General Plan. Objective standards are development standards that have quantifiable requirements such as setbacks for buildings, building height, landscaping coverage, parking spaces, architectural requirements, street standards, driveway spacings, and other similar requirements. Objective standards according to the zoning of the property are applied equally to all properties with the same zone and are put in place for the well-being of public health, safety, and welfare. Unlike subjective standards, which are the opinion of a person, objective standards prevent biased decisions in the approval or denial of a project.

Housing Program 14 requires the city to remove the subjective findings from the city's design review process. The findings in Section 17.91.070 and 17.100.070 for the granting of a precise plan or architectural review are being amended to reflect objective development standards related to the zoning requirements of the property, the Zoning Code (Title 17), and other applicable provisions of the Corona Municipal Code (CMC), which include development standards for grading, construction of public improvements, and requirements for off-site improvements. The findings also include adherence to the city's residential development design guidelines, the city's industrial development design guidelines, or the design guidelines outlined in a specific plan, as may be applicable.

The amendments are provided in Exhibit 1 with a redlined version of the changes provided in Exhibit 2.

FINANCIAL IMPACT:

ZTA2024-0001 is a city-initiated application. No application fee was paid to process this request.

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 commonsense 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 amendment solely involves text revisions to the City's Zoning Ordinance in the Corona Municipal Code and there is no possibility that approving this project will have a significant effect on the environment. Therefore, no environmental analysis is required.

PLANNING AND HOUSING COMMISSION ACTION:

At its meeting of February 26, 2024, the Planning and Housing Commission considered the subject matter and took the following action:

Motion was made, seconded (Siqueland/Vernon) and carried unanimously, that the Planning and Housing Commission recommend approval of ZTA2024-0001 to the City Council, based on the findings and conditions contained in the Staff Report. The minutes of the Planning and Housing Commission meeting are included as Exhibit 4.

PREPARED BY: JOANNE COLETTA, PLANNING & DEVELOPMENT DIRECTOR

Attachments:

1. Exhibit 1 - City Ordinance No. 3391 - (Clean Version)
2. Exhibit 2 - City Ordinance No. 3391 - (Redline Version)
3. Exhibit 3 - Planning and Housing Commission Staff Report
4. Exhibit 4 - Minutes of the Planning and Housing Commission meeting of February 26, 2024