

ORDINANCE NO. 3387

**AN ORDINANCE OF THE CITY OF CORONA,
CALIFORNIA, AMENDING SECTION 17.74.040(A) OF
TITLE 17 (ZONING) OF THE CORONA MUNICIPAL CODE
TO PERMIT DIRECTIONAL SIGNAGE FOR PROPERTIES
AFFECTED BY PUBLIC IMPROVEMENT PROJECTS
INITIATED BY THE CITY (ZTA2023-0006)**

WHEREAS, Article XI, § 7 of the California Constitution authorizes cities to make and enforce within their jurisdictional limits ordinances and regulations not in conflict with general laws to protect and promote the public health, safety, and welfare of its citizens; and

WHEREAS, the City is in the process of completing a large public improvement project to construct a new four-lane overhead grade separation at the McKinley Street/BNSF railroad south of the intersection of Sampson Avenue (“McKinley Grade Separation Project”); and

WHEREAS, the City may be required to acquire portions of private property through eminent domain proceedings in order to complete public improvement projects such as the McKinley Grade Separation Project; and

WHEREAS, in connection with the McKinley Grade Separation Project, the City, through eminent domain proceedings, has acquired a portion of real property on McKinley Street that was owned by CPI Properties (“Applicant”); and

WHEREAS, a portion of the real property acquired from Applicant has been bifurcated from the remainder of the Applicant’s property and is separated by a newly established public street; and

WHEREAS, the McKinley Grade Separation Project, which will result in an elevated bridge with a solid concrete support wall extending in front of the Applicant’s property, will change the size, access to, and visibility of the remainder of the Applicant’s property; and

WHEREAS, while Corona Municipal Code (“CMC”) Section 17.74.040(A) permits the placement of directional signs which give directions to traffic or pedestrians or give instructions as to special conditions, the size of such directional signs is limited to six (6) square feet in area; and

WHEREAS, the Applicant has submitted an application for a zone text amendment to establish regulations for directional signs on properties affected by public improvement projects initiated by the City that are different from the current regulations set forth in CMC Section 17.74.040(A); and

WHEREAS, on January 22, 2024, the Planning and Housing Commission of the City of Corona (“Planning Commission”) conducted a duly noticed public hearing and

recommended that the City Council amend subsection (A) of CMC Section 17.74.040 (Exemptions) of Chapter 17.74 (Signs) of Title 17 (Zoning) of the CMC to permit one directional sign up to one hundred (100) square feet in area and forty (40) feet in height on non-residential property that has been bifurcated as a direct result of an eminent domain proceeding in connection with a public improvement project initiated by the City, if that project will directly and significantly obstruct the visibility of the property to which the directional sign pertains (ZTA 2023-0006) (“Zone Text Amendment”); and

WHEREAS, the Planning Commission based its recommendation to adopt the Zone Text Amendment on the findings set forth below and a determination that there is no possibility that the Amendment will have a significant effect on the environment and, thus, is exempt from the requirements of the California Environmental Quality Act; and

WHEREAS, on February 7, 2024, the City Council held a duly noticed public hearing at which all persons wishing to testify in connection with this Zone Text Amendment were heard and this Zone Text Amendment was comprehensively reviewed.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA Findings. As the decision-making body for this Zone Text Amendment, the City Council has reviewed and considered the information contained in the preliminary exemption assessment and the administrative records for this Zone Text Amendment, including all written and oral evidence. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds this action 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 is merely a text amendment to the City’s Zoning Code to permit the placement of one directional sign on property that has been affected by a public improvement project initiated by the City and there is no possibility that adopting this Ordinance will have a significant effect on the environment. Therefore, no environmental analysis is required, and staff will file a Notice of Exemption with the County of Riverside.

SECTION 2. Zoning Findings. Based on the entire record before the City Council and all written and oral evidence presented to the City Council, the City Council hereby makes and adopts the following findings:

A. The proposed Zone Text Amendment is consistent with the General Plan and applicable specific plans for the following reasons:

(i) ZTA 2023-0006 is consistent with General Plan Land Use Policy LU-11.4 in that it provides development standards for areas with heavy commercial uses that

respects the operational characteristics of these uses while promoting aesthetic improvements and traffic safety and minimizing impacts.

(ii) ZTA 2023-0006 is consistent with General Plan Economic Development Policy ED-1.2 in that it extends efforts at business retention.

B. The proposed Zone Text Amendment is consistent with Title 17 of the Corona Municipal Code for the following reason:

(i) CMC Title 17 governs the development standards of land uses in the city. ZTA 2023-0006 will enhance the City's development standards to ensure the public health, safety and welfare of uses, which is the intent of Title 17. ZTA 2023-0006 will ensure that specialized criteria for permitting directional signs are applied to properties that experience visibility impacts as a result of a public improvement project initiated by the city.

C. The proposed Zone Text Amendment will provide for the public health, safety and welfare for the following reason:

(i) ZTA 2023-0006 establishes specialized criteria to permit directional signs in narrowly defined situations for properties that experience visibility impacts as a result of a public improvement project initiated by the city and provides such properties opportunities for visible signage provided to other commercial properties. The proposed Zone Text Amendment is not expected to cause any visual, noise, glare, pollution, dust, odor, or traffic impacts to a business site or its surroundings. Therefore, ZTA 2023-0006 will protect the well-being of public health, safety, and welfare of the general public.

SECTION 3. Zoning Text Amendment. ZTA2023-0006 is hereby approved.

SECTION 4. Subsection (A) of Section 17.74.040 (Exemptions) of Chapter 17.74 (Signs) of Title 17 (Zoning) of the Corona Municipal Code is hereby amended in its entirety to read as follows:

“17.74.040 Exemptions.

Except as expressly provided in this Section, tThe provisions and regulations of this chapter and title shall not apply to the following signs, nor shall the area of such signs be counted toward the maximum allowable sign area for any premises or use.

(A) **Directional sign.** The city has a compelling interest in permitting directional signs in order to promote traffic safety. Directional sSigns shall be permitted on-site in addition to the other signs listed in this section.

(1) A directional sign used to give directions to traffic or pedestrians or to give instructions as to special conditions

shall not exceed a total of six square feet in area per sign ~~and shall be permitted on site in addition to the other signs listed in this section.~~

(2) A parcel of land which meets all of the following criteria may have one directional sign up to a maximum area of one hundred (100) square feet and a maximum height of forty (40) feet:

(a) The parcel of land to which the directional sign pertains is bifurcated as a direct result of an eminent domain proceeding in connection with a public improvement project initiated by the city.

(b) The visibility of the parcel of land to which the directional sign pertains is directly and significantly affected by the public improvement project initiated by the city.

(c) The directional sign is located on land which had been a part of the parcel of land that was bifurcated as a direct result of the public improvement project initiated by the city.

(d) The directional sign is located within 175 feet of the closest edge of the parcel of land to which the directional sign pertains and gives directions only to the parcel.

(e) The directional sign identifies no more than 2 nonresidential tenants or businesses operating on the parcel to which the directional sign pertains.

(f) A maximum of one directional sign shall be permitted per parcel to which the directional sign pertains.

(g) No part of the parcel of land to which the directional sign pertains is zoned or used for residential purposes.

~~(a)~~(h) A sign permit has been issued for the directional sign pursuant to Section 17.74.050.”

SECTION 5. Official Record. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Corona City Hall, 400 S. Vicentia Avenue, Corona, California 92882. The custodian for these records is the Planning and Development Director of the City of Corona.

SECTION 6. Severability. If any provision or clause of this Ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such

invalidity shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

SECTION 7. Effective Date. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force 30 days after its adoption.

PASSED, APPROVED AND ADOPTED this 21st day of February 2024.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California, duly held the 7th day of February 2024, and thereafter at a regular meeting held on the 21st day of February 2024, it was duly passed and adopted by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 21st day of February 2024.

City Clerk of the City of Corona, California

(SEAL)

SUMMARY

On February 7, 2024, the Corona City Council will consider amending Section 17.74.040(A) of Chapter 17.74 (Signs) of Title 17 (Zoning) of the Corona Municipal Code to permit one directional sign up to 100 square feet in size and 40 feet in height on non-residential property that has been bifurcated as a direct result of an eminent domain proceeding in connection with a public improvement project initiated by the City that will directly and significantly obstruct the visibility of the property to which the directional sign pertains. A certified copy of the full text of this proposed ordinance amendment is posted at the City Clerk's Office.

The City Council meets at 6:30 p.m. in the Council Chambers in the Corona City Hall located at 400 South Vicentia Avenue. The City Clerk is located in Suite 115 of the City Hall near the north entrance.