



Agenda Report

File #: 19-0784

**PLANNING AND HOUSING COMMISSION
STAFF REPORT**

DATE: 9/9/2019

TO: Honorable Chair and Commissioners

FROM: Community Development Department

APPLICATION REQUEST:

ZTA2019-0002: Zone text amendment to Title 17 of the Corona Municipal Code to add definitions for artisan marketplace and micro distillery to Chapter 17.04 and amend the review of alcoholic beverage permits by the Zoning Administrator to include micro distillery, winery and liquor lounge in Section 17.99.020 (Applicant: City of Corona).

RECOMMENDED ACTION:

That the Planning and Housing Commission recommend **APPROVAL OF ZTA2019-0002** to the City Council, based on the findings contained in the staff report.

BACKGROUND

ZTA2019-0002 is being done in conjunction with an amendment to the Downtown Revitalization Specific Plan (SPA2019-0003) to include additional land uses that focus on entertainment, retail, eating and drinking establishments in the city's downtown area. The specific plan amendment is adding artisan marketplace and micro distillery as new land uses. Therefore, definitions for these land uses are necessary and are being included in the city's zoning ordinance under Title 17 of the Corona Municipal Code. Also, alcoholic beverage permits are reviewed by the city's Zoning Administrator under Chapter 17.99. This chapter is being amended to include micro distillery, winery and liquor lounge. All of these uses are being added to the Downtown Revitalization Specific Plan and therefore need to be included as part of the city's review for alcoholic beverage permits.

PROPOSED AMENDMENT

The following shows the language being added to Title 17 of the Corona Municipal Code. The added text is shown in the underlined to Chapter 17.04 - Definitions and Chapter 17.99 - Zoning Administrator and Temporary Use Permit.

Chapter 17.04 Definitions

17.04.058 **Artisan Marketplace** means multiple tenants within a common area that sell handcrafted products in small quantities, such as furniture, clothing, soap, stationery, jewelry, artistic renderings and other similar type uses. Artisan market place is not the same as an open-air market.

17.04.208 **Distillery, Micro** means an establishment where the distilling of liquor is done and produced in limited quantities and usually done in single batches. The finished product may be consumed on the premise or purchased for off-site consumption.

Chapter 17.99 Zoning Administrator and Temporary Use Permit

17.99.020 Alcoholic beverage permits.

(A) The Zoning Administrator shall hear and decide applications for permits for the sale of alcoholic beverages, as defined in Cal. Business and Professions Code § 23004, for on-premises consumption.

(B) The Zoning Administrator may grant an alcoholic beverage permit under this chapter if he or she makes a finding that the following four conditions exist:

(1) The site for the proposed sale of alcoholic beverages is designated for restaurant, craft brewery, micro distillery or winery, liquor lounge, café or eating place uses as defined in this title;

(2) The sale of alcoholic beverages is necessary or desirable for the development of the community, is in harmony with the various elements and objectives of the General Plan and is not detrimental to existing uses or to uses specifically permitted in the zone in which the proposed use is to be located;

(3) The site for the sale of alcoholic beverages is adequate in size and shape to accommodate said use and all of the yards, setbacks and walls or fences, landscaping and other features are adequate to buffer said use from existing or permitted future uses on other land in the neighborhood; and

(4) The site for the sale of alcoholic beverages relates properly to streets and highways and said streets and highways are designed and improved to carry the type and quantity of traffic generated by the proposed use.

ENVIRONMENTAL ANALYSIS:

Per Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA), a Notice of Exemption has been prepared for the project because Section 15061(b)(3) states that a project is exempted 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 amendment solely involves text revisions to the city's Zoning Ordinance to include definitions for certain land uses and to include land uses that would reasonably fall under the review of the Zoning Administrator for an

alcoholic beverage permit. Therefore, there is no possibility that this activity will have a significant effect on the environment. The Notice of Exemption is attached as Exhibit B.

FISCAL IMPACT

No application fees are associated with this amendment because the City of Corona is the applicant.

PUBLIC NOTICE AND COMMENTS

ZTA2019-0002 was advertised in the Sentinel Weekly News and posted on the city's website for a period of 10 days. As of the preparation of this report no public correspondence was received.

STAFF ANALYSIS

The amendment establishes definitions to clarify certain land uses that may be allowed in the Zoning Ordinance or specific plans. The definitions prevent ambiguity for certain land uses and establish a clear understanding for not only staff but for the general public. This same rationale is also applicable to the review of applications by the Zoning Administrator. The Zoning Administrator is responsible for reviewing alcoholic beverage permits based on the types of land uses described in Section 17.99.020. Therefore, to ensure the review of alcoholic beverage permits that would reasonably fall under the review of the Zoning Administrator, the amendment provides additional land uses not currently mentioned in Section 17.99.020.

1. Per Section 15061(b)(3) of the State Guidelines for the California Environmental Quality Act (CEQA), a Notice of Exemption has been prepared for the project because Section 15061(b)(3) states that a project is exempted 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 amendment solely involves text revisions to the city's Zoning Ordinance to include definitions for certain land uses and to include land uses that would reasonably fall under the review of the Zoning Administrator for an alcoholic beverage permit. Therefore, there is no possibility that this activity will have a significant effect on the environment.
2. The proposed amendment is consistent with the General Plan for the following reason:
 - a. *The amendment creates retail and commercial service opportunity by defining land uses that are not currently described in the municipal code. This is consistent with the land use policies in the General Plan as the amendment accommodates uses that support the diverse needs of Corona's residents including opportunities for commerce, employment, recreation and entertainment; and emphasize the development of land uses that sustain Corona as a cohesive, distinct and self-sustaining community and minimize the need for Corona's residents to travel to surrounding communities for retail goods, services and employment.*
3. The proposed amendment is consistent with intent of Title 17 of the Corona Municipal Code for the following reason:

- a. The amendment provides standards for the city to use when assessing certain land uses which is consistent with other similar regulations established in the city's Zoning Ordinance as Title 17 of the CMC governs land uses, development standards for properties and definitions specific to the city.*
4. The proposed amendment will provide for the public health, safety, and welfare for the following reason:
 - a. The amendment provides standards for the city to use in determining certain land uses to ensure the orderly development of properties which is intended to promote public health, safety and welfare for residents and patrons of the city.*

PREPARED & SUBMITTED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

EXHIBITS

1. Exhibit A - Proposed Code Section
2. Exhibit B - Environmental documentation