

ORDINANCE NO. 3343

AN ORDINANCE OF THE CITY OF CORONA, CALIFORNIA, AMENDING SECTIONS 17.04.244, 17.44.130, AND 17.98.072 OF TITLE 17 (ZONING) OF THE CORONA MUNICIPAL CODE TO MODIFY THE DEFINITION AND STANDARDS FOR EMERGENCY SHELTERS IN THE M-1, M-2 AND M-3 ZONES (ZTA2022-0001).

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, pursuant to Corona Municipal Code (“CMC”) Section 17.44.130, emergency shelters, as defined in CMC Section 17.04.244, are permitted in the M-1 zone and are permitted with Board of Zoning Adjustment approval in the M-2 and M-3 zones; and

WHEREAS, CMC Sections 17.04.244, 17.44.130(G) and 17.98.072(C)(1) limit occupancy in emergency shelters to 180 days or less within any one year period; and

WHEREAS, the City’s 2021-2029 Housing Element, approved by the City Council on November 3, 2021, pursuant to Resolution No. 2021-121, contains 27 programs, with qualitative and quantitative objectives intended to achieve the City’s housing goals; and

WHEREAS, Program 21 in the 2021-2029 Housing Element, which concerns housing for persons experiencing homelessness, includes an objective to establish a maximum length of stay at emergency shelters of no more than 180 consecutive days instead of a total of 180 days in a one year period; and

WHEREAS, on May 23, 2022, 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 several sections of Title 17 (Zoning) of the CMC to permit occupancy in emergency shelters for up to 180 consecutive days (ZTA 2022-0001) (“Zone Text Amendment”); and

WHEREAS, the Planning Commission based its recommendation to adopt the Zone Text Amendment on the findings set forth below; and

WHEREAS, on July 6, 2022, 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 finds that 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 minor text changes that will facilitate the City's efforts to provide services to persons experiencing homelessness. This action involves no physical impacts and does not modify density or capacity. As such, there is no possibility that adopting this Ordinance will have a significant effect on the environment. Therefore, no environmental analysis is required.

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 2022-0001 is consistent with General Plan Goal H-2 in that it will promote and preserve suitable housing and shelter for the unhoused because it will permit persons experiencing homelessness to remain at emergency shelters for up to 180 consecutive days rather than a total of 180 days in a one year period.

(ii) ZTA 2022-0001 is consistent with General Plan Policy H-2.4 in that it will provide a greater opportunity for persons experiencing homelessness to receive transitional support and other assistance.

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

(i) CMC Title 17 regulates land use, development standards and performance standards within the City, and is a tool for implementing the City's General Plan (Government Code Section 65800), which includes the City's Housing Element. ZTA 2022-0001 creates consistency between CMC Title 17 and the City's Housing Element by allowing persons experiencing homelessness to remain at emergency shelters for up to 180 consecutive days rather than a total of 180 days in a one year period.

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

(i) ZTA 2022-0001 provides more opportunities and flexibility for sheltering persons experiencing homelessness.

SECTION 3. Section 17.04.244 (Emergency Shelter) of Chapter 17.04 (Definitions and Construction) of Title 17 (Zoning) of the Corona Municipal Code is hereby amended in its entirety to read as follows:

17.04.244 Emergency shelter.

“**Emergency shelter**” means housing with minimal supportive services for target populations that is limited to occupancy of 180 consecutive days or less. No individual or household may be denied emergency shelter because of an inability to pay.

SECTION 4. Subsection (G) of Section 17.44.130 (Standards for emergency shelters in the M-1 zone) of Chapter 17.44 (Industrial Zones) of Title 17 (Zoning) of the Corona Municipal Code is hereby amended in its entirety to read as follows:

“(G) The length of stay for any client shall be a maximum of 180 consecutive nights;”

SECTION 5. Subsection (C) of Section 17.98.072 (Emergency shelter for the homeless) of Chapter 17.98 (Board of Zoning Adjustment and Special Use Permits) of Title 17 (Zoning) of the Corona Municipal Code is hereby amended in its entirety to read as follows:

(C) Any approval by the Board of Zoning Adjustment for an emergency shelter shall be subject to conditions of approval which must include, but are not limited to, the following:

- (1) No person will be allowed to sleep at the same shelter for more than a total of 180 consecutive nights.
- (2) The maximum number of beds or persons permitted to be served nightly by the facility shall be based upon California Building Code Occupancy limits for the building in which the shelter is to be housed or developed.
- (3) On-site management is provided on a 24 hour basis.
- (4) Adequate exterior lighting must be provided and maintained for security purposes.

SECTION 6. 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 7. 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 8. 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 in the City of Corona. This Ordinance shall take effect and be in force 30 days after its adoption.

PASSED, APPROVED AND ADOPTED this 3rd day of August 2022.

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 6th day of July, 2022, and thereafter at a regular meeting held on the 3rd day of August, 2022, 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 3rd day of August, 2022.

City Clerk of the City of Corona, California

[SEAL]

SUMMARY

On July 6, 2022, the Corona City Council will consider amending Sections 17.04.244 (Emergency Shelters), 17.44.130 (Standards for Emergency Shelters in the M-1 Zones) and 17.98.072 (Emergency shelter for the homeless) of Title 17 (Zoning) of the Corona Municipal Code to permit occupancy in emergency shelters for up to 180 consecutive days/nights. 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.