

ORDINANCE NO. 3293

**AN ORDINANCE OF THE CITY OF CORONA, CALIFORNIA
APPROVING A CHANGE OF ZONE ON 0.61 ACRES FROM A
(AGRICULTURAL) TO R-1-9.6 (SINGLE FAMILY
RESIDENTIAL) ON PROPERTY GENERALLY LOCATED
ON THE NORTH SIDE OF OTHELLO LANE,
APPROXIMATELY 840 FEET WEST OF BUENA VISTA
AVENUE (CZ2017-0101)**

WHEREAS, on February 25, 2019, the Planning and Housing Commission of the City of Corona ("Planning Commission") conducted a duly noticed public hearing and recommended that the City Council of the City of Corona ("City Council") approve a change of zone ("Change of Zone") of 0.61 acres generally located on the north side of Othello Lane, approximately 840 feet west of Buena Vista Avenue ("Subject Property"), from A (Agricultural) to R-1-9.6 (Single Family Residential, minimum lot size 9,600 sq. ft.) to facilitate future single family residential development on the Subject Property; and

WHEREAS, the proposed Change of Zone will allow the Subject Property to be developed in a manner consistent with the properties immediately north and west of the Subject Property and, along with companion application PM 37357 (PM2017-0103), will facilitate the division of a larger parcel totaling 6.8 acres into one 6.19 acre parcel which is developed for public use and consists of a main church building, ancillary buildings associated with the church's operations, a parking lot and landscaping and one 0.61 acre parcel which can be sold for single family residential use; and

WHEREAS, on the basis of the initial study, which indicated that all potential environmental impacts from the Change of Zone were less than significant or could be mitigated to a level of insignificance, a Mitigated Negative Declaration ("MND") was prepared pursuant to California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"), the State CEQA Guidelines and the City of Corona Local CEQA Guidelines; and

WHEREAS, the MND was made available to the public and to all interested agencies for review and comment on January 23, 2019, pursuant to CEQA, the State CEQA Guidelines and the City of Corona Local CEQA Guidelines; and

WHEREAS, the Planning Commission based its recommendation to approve the Change of Zone on certain conditions of approval, the findings set forth below and adoption of the MND; and

WHEREAS, on March 20, 2019, the City Council conducted a duly noticed public hearing at which all persons wishing to testify in connection with the Change of Zone were heard and the Change of Zone was comprehensively reviewed.

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

SECTION 1. CEQA Findings. As the decision-making body for this Change of Zone, the City Council has reviewed and considered the information contained in the MND, the initial study and the administrative record for this Change of Zone, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the MND, the initial study and the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

A. The MND, initial study and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines and the City of Corona Local CEQA Guidelines.

B. The MND and initial study contain a complete and accurate reporting of the environmental impacts associated with this Change of Zone and reflects the independent judgment and analysis of the City Council.

C. There is no substantial evidence in the administrative record supporting a fair argument that the Change of Zone may result in significant environmental impacts.

D. All environmental impacts of the Change of Zone are less than significant.

SECTION 2. Adoption of Mitigated Negative Declaration. The City Council hereby approves and adopts the MND prepared for this Change of Zone.

SECTION 3. Change of Zone Findings. Pursuant to Corona Municipal Code (“CMC”) section 17.104.120 and based on the entire record before the City Council, including all written and oral evidence presented to the City Council, the City Council hereby makes and adopts the following findings:

A. This proposed Change of Zone is in conformity with the General Plan map and text for the following reasons:

(i) CZ2017-0101 is consistent with the Low Density Residential designation of the General Plan which prescribes a maximum density of six dwelling units per acre and the South Corona Community Facilities Plan, the boundaries of which include the Subject Property, which prescribes a target density of 2.96 dwelling units per acre. The R-1-9.6 zone being proposed on the 0.61 acres will result in a density of 1.6 du/ac to allow for one single family dwelling unit on the Subject Property.

(ii) The R-1-9.6 is primarily for single family residential use and is consistent with the Low Density Residential designation of the General Plan.

(iii) CZ2017-0101 is consistent with Policy 1.8.1 of the General Plan as it promotes the conservation of existing residential neighborhoods by permitting the infill of housing that is compatible in density and scale with existing uses.

B. The Subject Property is suitable for the uses permitted in the R-1-9.6 zone in terms of access, size of parcel and relationship to similar or related uses for the following reasons:

(i) The Subject Property is located in an area that has existing land uses that are similar and compatible with the proposed use of the Subject Property and has access from a public street.

(ii) The Subject Property is larger than the minimum lot size required by the R-1-9.6 zone and future development of the site would be capable of meeting the development standards of the zone.

C. This proposed Change of Zone is necessary and proper at this time and is not likely to be detrimental to the adjacent property or residences for the following reasons:

(i) The R-1-9.6 zone proposed for the Subject Property will not be detrimental to the adjacent properties because the surrounding zoning and land uses to the north, west and south are single family residential and have the same or similar residential zoning.

(ii) The R-1-9.6 zone accommodates the applicant's parcel map application (PM 37357), which would allow a parcel smaller than five acres to be created, but still be compatible with the surrounding residential land uses.

D. This proposed Change of Zone is in the interest of the public health, safety, necessity, convenience and general welfare and in accordance with good zoning practice for the following reasons:

(i) CZ2017-0101 is consistent with the Low Density Residential designation of the City's General Plan Land Use Map.

(ii) CZ2017-0101 will help facilitate development of a single family residence on excess land that is not being used by the property owner and improve undeveloped property in accordance with City standards.

SECTION 4. Approval of Change of Zone (CZ2017-0101). CZ2017-0101 is hereby approved to change 0.61 acres of real property located the north side of Othello Lane, approximately 840 feet west of Buena Vista Avenue, as described and depicted in Exhibit "A" attached hereto and incorporated herein by reference, from A (Agricultural) to R-1-9.6 (Single Family Residential, minimum lot size 9,600 sq. ft.) as described in Chapter 17.24 of Title 17 of the Corona Municipal Code.

SECTION 5. Modification of Zoning Map. The Community Development Director shall modify the Official Zoning Map of the City of Corona in accordance with this Ordinance to indicate thereon the zoning applicable to the Subject Property as set forth on the map attached as Exhibit "B" attached hereto and incorporated by reference.

SECTION 6. Custodian of Records. The documents and materials that constitute the record of proceedings on which the findings set forth in this Ordinance 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 Joanne Coletta, Community Development Director.

SECTION 7. Effective Date of Ordinance. 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 on the 30th day after its adoption.

ADOPTED this 3rd day of April, 2019.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, City 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 on the 20th day of March, 2019, and thereafter at regular meeting held on the 3rd day of April, 2019, 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 April, 2019.

City Clerk of the City of Corona, California

SUMMARY

On April 3, 2019, the Corona City Council will consider approving a Change of Zone to change the zone on 0.61 acres from A (Agricultural) to R-1-9.6 (Single Family Residential, minimum lot size 9,600 sq. ft.) on property generally located on the north side of Othello Lane, approximately 840 feet west of Buena Vista Avenue. A certified copy of the full text of this proposed ordinance is posted in the City Clerk's office.

The City Council meets at 6:30 a.m. in the Council Chambers in the Corona City Hall, located at 400 South Vicentia Avenue. The City Clerk's office is located in City Hall near the Council Chambers.

EXHIBIT "A"

LEGAL DESCRIPTION AND DEPICTION

**(THE LEGAL DESCRIPTION AND DEPICTION ARE ATTACHED AS PAGES A-1
THROUGH A-2 BEHIND THIS PAGE)**

EXHIBIT "A"

LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF CORONA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 3 OF PARCEL MAP NO. 36250, AS SHOWN BY PARCEL MAP ON FILE IN BOOK 232, PAGES 57 AND 58, INCLUSIVE, OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

APN: 113-420-009-2

EXHIBIT A1

CHANGE OF ZONE MAP

LEGAL DESCRIPTION: PARCEL 1 OF PARCEL MAP 37357

EASEMENT NOTES:

1. A RIGHT OF WAY RESERVED TO THE SOUTH RIVERSIDE LAND AND WATER COMPANY, AND ITS ASSIGNS FOR CONSTRUCTION AND MAINTENANCE OF ALL NECESSARY WATER PIPES AND DITCHES, FLUMES AND CONDUITS FOR ALL PURPOSES OF IRRIGATION AND DOMESTIC USE IN A DOCUMENT RECORDED DECEMBER 26, 1895 IN BOOK 28, PAGE 385 PF DEEDS. (NOT PLOTTABLE BY RECORD)
2. AN EASEMENT FOR LANDSCAPING AND INCIDENTAL PURPOSES IN FAVOR OF THE CITY OF CORONA, AS DEDICATED PER PARCEL MAP NO. 30425, ON FILE IN BOOK 202, PAGE 75 AND 78 OF PARCEL MAPS.
3. AN EASEMENT FOR DITCHES, AND A RIGHT TO LAY AND MAINTAIN WATER PIPES OVER AND ACROSS THE HEREIN AND INCIDENTAL PURPOSES, IN FAVOR OF ORANGE HEIGHTS WATER COMPANY, RECORDED FEBRUARY 1, 1910 IN BOOK 265 OF DEEDS, PAGE 382. (NOT PLOTTABLE PER RECORD)
4. AN EASEMENT FOR UNDERGROUND ELECTRICAL SUPPLY SYSTEMS AND INCIDENTAL PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED OCTOBER 8, 1988 AS INSTRUMENT NO. 88-290255 OF OFFICIAL RECORDS. (RESERVED HEREON)
5. AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, IN FAVOR OF SOUTHERN CALIFORNIA EDISON COMPANY, RECORDED NOVEMBER 30, 2005 AS INSTRUMENT NO. 05-985939 OF OFFICIAL RECORDS. (RESERVED HEREON)
6. AN EASEMENT FOR PARKING AND INGRESS/EGRESS PURPOSES IN FAVOR OF PARCEL 2 OF PARCEL MAP NO. 38250, FILED IN BOOK 232, PAGES 57 AND 58 OF PARCEL MAPS, RECORDED MAY 13, 2011 AS INSTRUMENT NO. 2011-021243 OF OFFICIAL RECORDS.

MONUMENT DESCRIPTION:

- M1 2" BRASS CAP IN WELL, TAG LIES, CL INTERSECTION, WELL CAN FLUSH WITH SURFACE.
- M2 1" IRON PIPE, TAG LIES, FLUSH, CL INTERSECTION.
- M3 1" IRON PIPE, TAGGED L.S. 4311, FLUSH.
- M4 1" IRON PIPE, TAGGED L.S. 4311, FLUSH.
- M5 1-1/2" IRON PIPE WITH PLASTIC PLUG, LIES, ON 0.2' NELD FOR LINE, 508.0711" W 0.25' FROM CORNER.
- M6 NAIL AND TAG IN TOP OF PLASTER, TAGGED L.S. 5821, N274518"W 0.14' FROM CORNER.
- M7 1" IRON PIPE, TAGGED L.S. 5821, ON 0.3' CL INTERSECTION.
- M8 1" IRON PIPE, TAGGED L.S. 5821, FLUSH.
- M9 1" IRON PIPE, TAGGED L.S. 5821, CL INTERSECTION OF OTHELLO LANE WITH EAST LINE LOT 301, M.B. 2/2.
- M10 1-1/2" IRON PIPE, TAGGED L.S. 5821, CL INTERSECTION OF OTHELLO LANE WITH EAST LINE OF TRACT 24272-4.
- M11 1" IRON PIPE, TAGGED L.S. 5821, FLUSH, CL INTERSECTION.
- M12 1" IRON PIPE, WITH PLASTIC PLUG TAGGED L.S. 1937, ON 0.2'.
- M13 3/4" IRON PIPE, TAGGED R.C.E. 19640, FLUSH.

PARCEL 1
25,474 S.F.
0.586 ACPARCEL 2
268,438 S.F.
6.185 ACPARCEL 3
PARCEL MAP NO. 38250
P.M.B. 232/57-58PARCEL 2
PARCEL MAP NO. 30425
P.M.B. 202/75-76PARCEL 2
PARCEL MAP NO. 38250
P.M.B. 232/57-58TRACT NO. 29336-1
M.B. 313/45-48

BUENA VISTA AVENUE

SAINT CROIX LANE

MONTROYA DRIVE

EXISTING ZONING IS A
(AGRICULTURE)PROPOSED ZONING IS
R1-9.8DETAIL "A"
SEE BELOW

OTHELLO LANE

DETAIL "A"
SCALE: 1"=40'

SURVEYOR'S NOTES:

- () DENOTES RECORD DATA FROM PARCEL MAP NO. 38250, FILED IN BOOK 232 OF PARCEL MAPS, PAGES 57 AND 58.
- INDICATES MONUMENT SET PER PARCEL MAP NO. 26250, FILED IN BOOK 232 OF PARCEL MAPS, PAGES 57 AND 58. 1-1/2" IRON PIPE, TAGGED RICE 26928.
- INDICATES MONUMENT FOUND PER PARCEL MAP NO. 26250, FILED IN BOOK 232 OF PARCEL MAPS, PAGES 57 AND 58.

THIS MAP CONSISTS OF 2 PARCELS.



BASIS OF BEARINGS:

THE BASIS OF BEARINGS SHOWN ON THIS MAP IS THE CENTERLINE OF OTHELLO AVENUE, PER PARCEL MAP NO. 26250, FILED IN BOOK 232 OF PARCEL MAPS, PAGES 57 AND 58.

BEING NORTH 81°55'22" WEST

EXHIBIT A2

EXHIBIT "B"

PROPOSED CHANGES TO OFFICIAL ZONING MAP

**(THE PROPOSED OFFICIAL ZONING MAP IS ATTACHED AS PAGE B-1 BEHIND
THIS PAGE)**

CHANGE OF ZONE EXHIBIT



ZONING LEGEND

A: Agriculture Zone
R1-7.2: Single Family Residential Zone
R1-8.4: Single Family Residential Zone
R1-9.6: Single Family Residential Zone
R1-A: Single Family Residential Zone
C-3: General Community Commercial Zone



Date: 01/30/2019

988 W. Ontario Avenue
CZ2017-0101 & PM 37357 (PM2017-0103)



EXHIBIT B