

## **ORDINANCE NO. 3302**

### **AN ORDINANCE OF THE CITY OF CORONA, CALIFORNIA, AMENDING CHAPTERS 17.04 AND 17.99 OF TITLE 17 OF THE CORONA MUNICIPAL CODE TO ESTABLISH DEFINITIONS FOR ARTISAN MARKETPLACE, MICRO DISTILLERY/WINERY AND LIQUOR LOUNGE AND TO REQUIRE AN ALCOHOLIC BEVERAGE PERMIT FOR A MICRO DISTILLERY/WINERY AND LIQUOR LOUNGE TO BE REVIEWED BY THE ZONING ADMINISTRATOR (ZTA2019-0002)**

**WHEREAS**, Title 17 (Zoning) of the Corona Municipal Code (“CMC”) is silent when it comes to identifying and allowing artisan marketplaces and micro distilleries in the Downtown area; however, in conjunction with this Ordinance, the City Council will consider approving an ordinance to amend the Downtown Revitalization Specific Plan (SP98-01) to allow, among other land uses, artisan marketplaces, micro distilleries/winery and liquor lounge in the Downtown area; and

**WHEREAS**, this Ordinance will make Title 17 of the CMC consistent with the Downtown Revitalization Specific Plan by: 1) establishing definitions for artisan marketplace, micro distillery/winery and liquor lounge and 2) requiring the alcoholic beverage permit for micro distillery, winery and liquor lounge be reviewed by the Zoning Administrator; and

**WHEREAS**, on September 9, 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”) amend Chapter 17.04 of the CMC to add definitions for artisan marketplace, micro distillery/winery, and liquor lounge and amend Chapter 17.99 to allow the Zoning Administrator to review alcoholic beverage permit applications for a micro distillery, winery and liquor lounge (“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 Zone Text 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 October 2, 2019, 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, CALIFORNIA, 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 entire record for this Zone Text Amendment, including all written and oral evidence provided during the comment period. Based upon the facts and information in the entire record, including all written and oral evidence presented to the City Council, 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 states 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 Ordinance is solely a Zoning Code text revision to establish definitions for artisan marketplaces and micro distilleries and there is no possibility that adopting this Ordinance will have a significant effect on the environment. Therefore, no further environmental analysis is required, and staff will file a Notice of Exemption with the County of Riverside.

**SECTION 2. Zone 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 for the following reasons:

i. This Zone Text Amendment is consistent with General Plan as it creates retail and commercial service opportunity by defining land uses that are not currently described in the municipal code.

ii. This Zone Text Amendment is consistent with the land use policies in the General Plan as it accommodates uses that support the diverse needs of Corona's residents including opportunities for commerce, employment, recreation and entertainment; and emphasizes the development of land uses that sustain Corona as a cohesive, distinct and self-sustaining community and minimizes the need for Corona's residents to travel to surrounding communities for retail goods, services and employment.

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

i. This Zone Text Amendment provides standards for the City to use when assessing certain land uses which is consistent with the intent of Title 17 to regulate land use, development standards for properties and definitions specific to the City.

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

i. This Zone Text 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.

**SECTION 3.** Section 17.04.058 (Artisan Marketplace) is hereby added to Chapter 17.04 (Definitions and Construction) of the CMC to read as follows:

**“17.04.058 Artisan Marketplace.**

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

**SECTION 4.** Section 17.04.208 (Distillery/Winery, Micro) is hereby added to Chapter 17.04 (Definitions and Construction) of the CMC to read as follows:

**“17.04.208 Distillery/Winery, Micro.**

**Distillery/Winery, Micro**” means an establishment where the distilling of liquor or wine 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.”

**SECTION 5.** Section 17.04.337 (Liquor Lounge) is hereby added to Chapter 17.04 (Definitions and Construction) of the CMC to read as follows:

**“17.04.337 Liquor lounge.**

**Liquor lounge** means an establishment where alcoholic beverages are sold and consumed. Liquor lounge is the same as a bar or tavern.”

**SECTION 6.** Section 17.99.20 (Alcoholic beverage permits) of Chapter 17.99 (Zoning Administrator and Temporary Use Permit) of the CMC is hereby amended in its entirety to read as follows:

**“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 beverages 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.”

**SECTION 7. 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 Community Development Director of the City of Corona.

**SECTION 8. 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 9. 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 newspaper of general circulation in the City of Corona, and thereupon and thereafter this Ordinance shall take effect and be in force according to law.

**ADOPTED** this 16<sup>th</sup> day of October, 2019.

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Mayor, City of Corona, California

**ATTEST:**

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City Clerk, 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 2nd day of October, 2019, and thereafter at a regular meeting held on the 16th day of October, 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 16th day of October, 2019.

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City Clerk of the City of Corona, California

## **SUMMARY**

On October 16, 2019, the Corona City Council will consider adopting an ordinance to amend Chapters 17.04 and 17.99 of Title 17 of the Corona Municipal to establish definitions for artisan marketplace, micro distillery/winery and liquor lounge and require alcoholic beverage permits for a micro distillery, winery and liquor lounge to be reviewed by the Zoning Administrator.

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 p.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.