



Staff Report

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**File #:** 21-0966

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**REQUEST FOR CITY COUNCIL ACTION**

**DATE:** 11/03/2021

**TO:** Honorable Mayor and City Council Members

**FROM:** Planning and Development Department

**SUBJECT:**

Variance 2021-0001 is an application from Corona Municipal Code Section 17.66.015 to eliminate the minimum five-foot street side yard setback to accommodate a 380 square-foot patio cover at the Harrison Emergency Shelter property, located at 420 W. Harrison Street.

**EXECUTIVE SUMMARY:**

Variance 2021-0001 (V2021-0001) proposes to remove the minimum five-foot street side yard setback required for a patio cover in order to accommodate a 380 square-foot patio cover at the Harrison Emergency Shelter property.

**RECOMMENDED ACTION:**

**That the City Council:**

- a. Take no action, thereby affirming the Planning and Housing Commission's action granting V2021-0001, based on the findings contained in the staff report and conditions of approval.

OR

- b. Set the item for review at a subsequent

**BACKGROUND & HISTORY:**

The Harrison Emergency Shelter is a City-owned homeless shelter located at 420 W. Sheridan Street. The property is currently undergoing Phase II improvements, which includes interior improvements of the existing shelter, upgrades to the security system, and the addition of a new 380-square-foot patio cover for a dog run. The improvements align with the City's Homeless Strategic Plan to create a facility that will provide homeless individuals (clients) emergency shelter and necessary services, such as medical, behavioral health, dental, workforce development, etc.

**ANALYSIS:**

V2021-0001 is a variance application that seeks to eliminate the proposed patio cover's five-foot setback requirement. The setback requirement can only be eliminated with approval of a variance by the Planning and Housing Commission. Corona Municipal Code (CMC) section 17.96.020 requires the Planning Commission to make the following finding:

*Section 17.96.020*

*(A) Neither the Commission nor the Council may grant a variance from the terms of this title, including any requirement provided therein, unless it has first found from the evidence admitted during the hearing before the Commission or Council that because of special circumstances, applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the terms of the zoning regulations from which the variance is being sought deprives the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.*

Staff supports the variance because the property has a long rectangular shape, which offers limited flexibility in terms of site design and layout. Furthermore, the property is developed with a building and parking lot, which cannot be relocated or reduced in area without impacting project feasibility, utilities, setbacks, or necessary improvements. Additionally, the existing recreation area next to the patio cannot be relocated or reduced in area without diminishing the areas where clients enjoy the outdoors and time with their pets. Any reduction to the recreation area would impact its functionality and useability.

Aside from the setback along Harrison Street, the patio structure complies with all other applicable setbacks. Also, the patio has been reviewed by staff to ensure that its location will not impact or impair vehicle or pedestrian visibility at the driveway on Harrison Street. The variance will not adversely affect the property or uses in the vicinity of the project site.

The proposed patio cover encroaches into an existing six-foot wide city utility easement that extends along the north perimeter of the property. The applicant is aware that the patio structure may be removed if the city needs to access the underground utilities.

Approval of the variance contributes to the Harrison Emergency Homeless Shelter and helps fulfill the City's Homeless Strategic Plan. It also supports General Plan Policy H-2.4, which states:

*Provide emergency shelter with transitional support for city residents, including disadvantage groups.*

**FINANCIAL IMPACT:**

The variance is an application by the City; therefore no fees are associated with this request.

**ENVIRONMENTAL ANALYSIS:**

Per Section 15305(a) of the State Guidelines for the California Environmental Quality Act (CEQA), a

Notice of Exemption has been prepared for the project because the project qualifies as a Class 5 (Minor Alteration in Land Use Limitations including variances) categorical exemption. The variance consists of eliminating the required side-yard setback requirement for patio covers and will not change the site's land use or density, and it does not result in the creation of a new parcel.

**PLANNING AND HOUSING COMMISSION ACTION:**

At its meeting of October 11, 2021, the Planning and Housing Commission considered the subject matter and took the following action:

Motion was made, seconded (Sherman/Meza) and carried unanimously, that the Planning and Housing Commission adopt Resolution No. 2577 granting V2021-0001 based on the findings contained in the staff report and conditions of approval. The minutes of the Planning and Housing Commission meeting are included as Exhibit 4.

**PREPARED BY:** JOANNE COLETTA, PLANNING & DEVELOPMENT DIRECTOR

**Attachments:**

1. Exhibit 1 - Locational and zoning map
2. Exhibit 2 - Site Plan for V2021-0001
3. Exhibit 3 - Planning and Housing Commission Staff Report
4. Exhibit 4 - Draft Minutes of the Planning and Housing Commission meeting of October 11, 2021