



Legislation Text

File #: 18-2231, Version: 1

PLANNING AND HOUSING COMMISSION STAFF REPORT

DATE: 11/13/2018

TO: Honorable Chair and Commissioners

FROM: Community Development Department

APPLICATION REQUEST:

ZTA2018-0001: Proposal to amend various sections of, and add a new subsection to, Title 17 pertaining to: 1) lot coverage for legal non-conforming smaller lots in residential zones with larger minimum lot size standards (CMC Sections 17.06.120; 17.08.120; 17.10.120; 17.11.120; 17.12.120; 17.20.120; 17.64.010[E] (new); and 2) amend Sections 17.85.040(B)(2) and (C)(3) pertaining to parking requirements for accessory dwelling units in order to conform with recent state legislation (Applicant: City of Corona).

RECOMMENDED ACTION:

That the Planning and Housing Commission recommend **APPROVAL OF ZTA2018-0001** to the City Council, based on the findings contained in the staff report.

BACKGROUND

ZTA2018-0001 features two components within the same zone text amendment. The first involving the lot coverage limitations on smaller lots within larger lot zones has been precipitated by a circumstance involving the potential development of a single-family home on a residential lot that is located in a zone that requires a larger estate-sized minimum lot area. In this particular situation, the vacant residential lot and many like it are located in the southeast portion of the city known as the Overlook Addition that was a very old subdivision that created lots most of which approximate 50 feet wide by 130 or 135 feet deep with total lot areas of 6,500 to 6,750 square feet (Exhibit D). However, these lots are zoned R-1-14.4 which is a residential estate zoning with a minimum lot size of 14,400 square feet reflective of the zoning in the greater area that implements the underlying General Plan designation of ER (Estate Residential, 1-3 du/ac).

The R-1-14.4 Zone imposes a maximum lot coverage limit of 40% for single story residences and 30% for two-story residences. With legal lots that are significantly smaller than the 14,400 square feet per the zone, a distinct disadvantage is imposed upon these smaller lots with this coverage limitation.

This amendment will enable these types of smaller lots to develop at standards more at parity with

the R-1-7.2 Zone which establishes a minimum lot size of 7,200 square feet but provides for a coverage requirement of 45% for single story residences, and 35% for two-story residences. This will result in a more equitable standard for lots that are themselves less than 7,200 square feet by virtue of the older subdivisions.

The reason that a variance was not the best approach to the challenge is because of the numerous such lots in the general vicinity of the southeast portion of the city that have the same circumstance of being smaller, legally subdivided lots that fall within a zone for larger lots. It should be noted that there could be other areas of the city where this same situation exists, and any qualifying lots would benefit from this provision, not just those in the Overlook Addition.

The second component of this zone text amendment is a simple change to Chapter 17.85 to conform the Accessory Dwelling Unit development standards to somewhat minor refinements made at the state level that became effective as of January 2018. The Accessory Dwelling Unit (ADU) code chapter was approved in April 2017 and established provisions in the municipal code to conform to state legislation intended to facilitate the provision of affordable housing in various forms of secondary units on residential lots. Whereas that amendment extensively introduced the types and standards for such ADUs, this amendment consistently reflects minor revisions that have been made to the California Government Code Section 65852.2 as hereinafter described in the second component of the amendment.

Essentially, parking for ADUs is required based on a per-bedroom ratio. This amendment asserts *per unit or bedroom, whichever is less*, as it was likely recognized that the per-bedroom standard could be more stringent, and the intent is to make the ADU provisions less stringent. The amendment also revises text to recognize that accessory buildings do not necessarily have to be *existing* as the current statute provides. It could also pertain theoretically to future accessory buildings, thus, the refinement to the language.

PROPOSED AMENDMENT

Part 1

The following text features added verbiage shown in red and underlined. Black text is existing to remain.

CHAPTER 17.64 - LOTS AND YARDS

17.64.010(E) Lots - Area, dimension, and coverage.

Legal lots in residential zones that are substandard in area based on the requirements of the respective zone and are 9,600 square feet in area or smaller are allowed to have a building lot coverage of 45% for single-story residences and 35% for two-story residences.

17.06.120 Coverage. (Agriculture Zone, 5 acre minimum lot size)

Lot area coverage by buildings or structures shall not exceed 30% of the total lot area, except for special provisions for legal, non-conforming lots in CMC 17.64.010(E).

17.08.120 Coverage. (A-14.4 Zone, Single Family Residential, 14,400 s.f. min. lot size)

Lot area coverage by buildings or structures shall not exceed 30% of the total lot area, except for special provisions for legal, non-conforming lots in CMC 17.64.010(E).

17.10.120 Coverage. (R-1A Zone, Single Family Residential, 40,000 s.f. min. lot size)

Lot area coverage by buildings or structures shall not exceed 30% of the total lot area, except for special provisions for legal, non-conforming lots in CMC 17.64.010(E).

17.11.120 Coverage. (R-1-20 Zone, Single Family Residential, 20,000 s.f. min. lot size)

Lot area coverage by buildings or structures shall not exceed 30% of the total lot area, except for special provisions for legal, non-conforming lots in CMC 17.64.010(E).

17.12.120 Coverage. (R-1-12 Zone, Single Family Residential, 12,000 s.f. min. lot size)

Lot area coverage by buildings or structures shall not exceed 30% of the total lot area, except for special provisions for legal, non-conforming lots in CMC 17.64.010(E).

17.20.120 Coverage. (R-1-14.4 Zone, Single Family Residential, 14,400 s.f. min. lot size)

Lot area coverage by buildings or structures shall not exceed 30% of the total lot area, except for special provisions for legal, non-conforming lots in CMC 17.64.010(E).

Part 2

Part 2 of the amendment features the existing text shown below with added text in red underline and text removed in strike-out.

17.85.040 Development Standards. (For Accessory Dwelling Units)

(B) (2) An accessory dwelling unit attached or detached from the primary unit shall provide one parking space per unit or one parking space per bedroom, whichever is less. Parking may be provided on an existing driveway in the front yard setback area of the lot on which the accessory dwelling unit is located, provided that the driveway is at least 20 feet in depth

(C)(3) The accessory dwelling unit is contained within the existing primary unit or **existing** accessory building.

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for Implementing the California Environmental Quality Act (CEQA) and Section 3.07 of the City's Local CEQA Guidelines, which state that a project is exempt from CEQA if the activity is covered by the general rule 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 amends language in the municipal code, and there is no possibility that adopting the referenced ordinance will have a significant effect on the environment. Therefore, a Notice of Exemption has been prepared for the project (Exhibit E).

FISCAL IMPACT

This amendment is city-staff initiated, and therefore, no fees were collected for the processing of this application.

PUBLIC NOTICE AND COMMENTS

A 10-day public notice was advertised in *The Sentinel Weekly News* and posted at city hall and on the city's website. As of the preparation of this report staff has received no contact in relation to the code changes.

STAFF ANALYSIS

The rationale for this amendment is to create a fair standard by which smaller lots can benefit from the same basic privilege of comparable lot coverage limitations as that which exists for similar sized lots located in smaller lot zones. The amendment creates parity between lot coverage limitations for legal smaller single-family residential lots and similar sized lots in the R-1-7.2 Zone. This provision is not inconsistent with General Plan goals and policies related to the infill development of single-family residential lots as detailed in the Findings below.

The amendment also maintains consistency with state statutes as they relate to the provision of Accessory Dwelling Units. Consistency with the city's General Plan was established with the implementation of the ADU ordinance in 2017, and this amendment does not compromise but rather extends that consistency. This amendment makes minor revisions that establish parking requirements based on the lessor of unit count or bedroom count. The amendment also recognizes that accessory structures may not necessarily be *existing* for the purposes of establishing an ADU related to that structure allowing for the same with any future accessory structures on residential lots.

FINDINGS FOR APPROVAL OF ZTA2018-0001

1. A preliminary exemption assessment has been prepared by the City of Corona and it has shown that this project does not require further environmental assessment because under CEQA Guidelines Section 15061(b)(3), General Rule exemptions apply to actions that have no possibility of significant environmental effect. This action amends language in the municipal code, and there is no possibility that the adoption of the ordinance will have a significant effect on the environment.
2. The proposed amendment is consistent with the General Plan for the following reasons:
 - a. *The General Plan includes a Growth and Development Policy Map (Figure 4) which identifies the infill and urban expansion areas across the city and includes the smaller Overlook Addition properties which will benefit from the lot coverage provisions provided by this amendment. The policy map recognizes vacant lands on which new development will be permitted including small undeveloped parcels within existing developed neighborhoods which this amendment will facilitate.*
 - b. *The amendment is consistent with Policy 1.8.1 promoting the conservation of existing residential neighborhoods and permitting the infill of housing that is compatible in density and scale with existing uses.*
 - c. *The amendment maintains consistency with General Plan Policy 1.7.1 by accommodating the development of a diversity of residential housing types that meet the needs of and is affordable for Corona's residents in accordance with the applicable design*

and development standards.

- d. The amendment maintains consistency with General Plan Policy 1.7.3 allowing for the development of second units in appropriate residential zones, provided that parking, design and other neighborhood impacts are fully addressed, in accordance with state statutory requirements.*

- 3. The proposed amendment is consistent with intent of Title 17 of the Corona Municipal Code for the following reasons:

- a. This amendment is consistent with the intent of Title 17 of the Corona Municipal Code to regulate properties for the purpose of protecting the public health, safety and welfare, to create and maintain an attractive city, and to improve the quality of life for the residents of Corona.*

- 4. The proposed amendment will provide for the public health, safety, and welfare for the following reasons:

- a. The amendment enables special lot coverage standards that are appropriate for substandard legal lots that exist in larger lot zones that otherwise are subject to excessive coverage limitations not at parity with similarly sized lots; this poses no threat to public health, safety or welfare.*
- b. The amendment retains necessary development standards that ensure single family residential development is done in an orderly and safe manner.*
- c. The amendment continues the necessary compliance with state statutory requirements for accessory dwelling units.*

PREPARED BY: TERRI MANUEL, AICP, PLANNING MANAGER

SUBMITTED BY: JOANNE COLETTA, COMMUNITY DEVELOPMENT DIRECTOR

EXHIBITS

- 1. Exhibit A - Proposed zone text amendment to CMC Chapter 17.64 (Lots and Yards)
- 2. Exhibit B - Proposed zone text amendment to CMC Chapters 17.06, 17.08, 17.10, 17.11, 17.12 and 17.20 (Agriculture and Single Family Zones).
- 3. Exhibit C - Proposed zone text amendment to Chapter 17.85 (Accessory Dwelling Units).
- 4. Exhibit D - Aerial depicting small lot development in the Overlook Addition.
- 5. Exhibit E - Environmental documentation.
- 6. Exhibit F - Letter of support from Ms. Melissa Hendrickson.

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