



Legislation Text

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**PLANNING AND HOUSING COMMISSION
STAFF REPORT**

DATE: 05/08/2023

TO: Honorable Chair and Commissioners

FROM: Planning & Development Department

APPLICATION REQUEST:

SPA2023-0002: Amendment to various specific plans to amend the commercial and business park zoning designations to allow residential land uses pursuant to Senate Bill 6 and Assembly Bill 2011. (Applicant: City of Corona)

RECOMMENDED ACTION:

That the Planning and Housing Commission recommend **ADOPTION OF SPA2023-0002** to the City Council, based on the findings contained in the staff report.

BACKGROUND

California Senate Bill 6 (SB 6) is named the Middle-Class Housing Act of 2022 and California Assembly Bill 2011 (AB 2011) is named the Affordable Housing and High Road Jobs Act of 2022. Both bills were signed by the Governor on September 28, 2022 and become effective July 1, 2023.

Both bills allow high density residential housing on property zoned to allow office, retail or parking. High density residential housing would be allowed by-right and does not require the zoning or the General Plan of the property to be changed. There are subtle differences between the bills and the following table describes the requirements of each bill.

SB 6	AB 2011
Allowed on property zoned to allow office, retail and parking	Allowed on property zoned to allow office, retail and parking
NO affordable housing required	Affordable housing required

Housing developments can include: a) Residential only, and b) Mixed Use, if 50% or more square feet is designated residential and no lodging uses like a hotel.	Housing developments can include: a) 100% affordable residential units, and b) Mixed income housing (rental housing requires 8% and 5% of units for low income and extremely low income, respectively; owner occupied housing requires 30% of units for moderate income or 15% for low income)
Property is 20 acres or less	Property is 20 acres or less for mixed income housing.
Residential density is at least 30 dwelling units/acre	Residential density is at least 30 dwelling units/acre if the site is less than one acre, but the minimum density increases if the size and width of the site is greater.
The city's zoning standards of the applicable residential density shall apply.	The city's zoning standards of the applicable residential density shall apply; however, other objective development standards under the bill apply to mixed income housing.
Not on a site adjacent to a site where one-third of the square footage is dedicated to industrial	Not on a site adjacent to a site where one-third of the square footage is dedicated to industrial
--	Property shall not be within 500 feet of a freeway.
--	75% of the perimeter of the site adjoins parcels that are developed with urban uses.
--	Property deed restricted to maintain affordable housing units: a) Rental units: 55 years b) Owner-occupied: 45 years
--	Requires ministerial streamlined review.
Requires the use of skilled and trained workforce (prevailing wage) for construction.	Requires the use of skilled and trained workforce (prevailing wage) for construction, and for projects with more than 50 units, an apprenticeship program must be provided.

Additional Development Standards

Mixed-income housing proposed using AB 2011 also requires property to abut a commercial corridor and have a property frontage of 50 feet or more on a commercial corridor. As defined by the bill, a commercial corridor means a highway that is not a freeway defined by the Vehicle Code and has a right-of-way of at least 70 feet and no greater than 150 feet.

Because Corona is within a Metropolitan Statistical Area that has a population greater than 2.0 million, the minimum residential density that shall be allowed is 30 dwelling units per acre (du/ac) for SB 6 and for 100% affordable housing using AB 2011.

The density for a housing development project that is mixed income using AB 2011 is 30 du/ac on sites less than one acre but increases to 40 du/ac if the site is equal to or greater than one acre and

has a site width less than 100 feet, and increases to 60 du/ac if the site is equal to or greater than one acre and has a site width of 100 feet or greater. However, all mixed income sites within a ½ mile of a major transit stop are allowed 80 du/ac regardless of the size.

AB 2011 regulates the building height of a mixed income project which allows a building height of 35 feet on sites that have a width less than 100 feet. The building height increases to 45 feet on sites that have a width of 100 feet or greater, and increases to 65 feet on sites within a ½ mile of a major transit stop and in a city with a population greater than 100,000.

A mixed income project using AB 2011 requires parking to have a minimum setback of 25 feet from a commercial corridor, but the building is allowed a minimum setback of 0 feet. In situations where the property line abuts property that contains residential the setback of the ground floor shall be no less than 10 feet and the second and subsequent floors shall be stepped back in an amount equal to seven feet multiplied by the floor number. If the site is along a property line that abuts a site with no residential use, the setback shall be a minimum of 15 feet and the amount required to be stepped back may be decreased by the city.

The city's parking requirements for multi-family housing would apply to SB 6 and a 100% affordable housing project using AB 2011 if the project is not in conflict with AB 2097. However, no parking is required for a mixed-income project using AB 2011.

AB 2097 became effective on January 1, 2023, and prohibits minimum parking requirements on a residential, commercial or other development project if the project is located within ½ mile of a major transit stop. A major transit stop means an existing rail or bus rapid transit station and the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during morning and afternoon peak commute periods.

City Council Study Session

At the City Council study session on April 19, 2023, staff provided an overview of SB 6 and AB 2011 to the Council. Staff also recommended that the Council allow staff to apply the city's Affordable Housing Overlay (AHO) zone requirements to a housing development within a commercial zone allowed by SB 6. SB 6 does not prevent the city from requiring inclusionary housing, which is the same as a mixed income housing development where a percentage of the total units are set aside for affordable incomes. The city is proposing to apply its AHO zone requirement to housing developments that would qualify using SB 6, which would require a housing development project to set aside 20% of the total housing units for low-income households. This would be like AB 2011, which requires affordable housing as part of a housing development and with other commercial properties within the city that have been rezoned with an AHO to accommodate the city's regional housing need in the Housing Element. The City Council concurred with staff's recommendation which is the reason for SPA2023-0002.

PROPOSED SPECIFIC PLAN AMENDMENT

SPA2023-0002 will amend 15 specific plans that have commercial zones that could likely accommodate a housing development using SB 6 and AB 2011. The following table lists the specific plans being amended and the corresponding zoning sections to include residential as a permitted

land use per SB 6 and AB 2011.

Specific Plan	Zoning
Green River Ranch SP (SP00-01)	Mixed Use (MU), Commercial- General (C-G)
Sierra Del Oro SP (SP85-02)	Neighborhood Commercial District (NCD), Mixed Use (MU)
Plaza on Sixth Street (SP90-01)	Commercial
Downtown Revitalization Specific Plan (SP98-01)	Downtown (D), Gateway Business (GB), Transitional Commercial (TC), General Commercial (GC), Business Park (BP), Community Services (CS)
Mountain Gate SP (SP89-01)	Commercial (C), Quasi Public (QP)
North Main Street SP (SP99-01)	Commercial Retail (CR), Transitional Retail (TR), Transit Commercial (TC), Mixed Use (MU), Business Park (BP), Business Park Overlay (BPO)
Main Street South SP (SP91-01)	Sub District One, Sub District Two, Sub District Three, Sub District Four, Sub District Five, Sub District Six
Corona Vista SP (SP90-05)	Commercial (C)
Arantine Hills SP (SP09-001)	General Commercial (GC)
Dos Lagos SP (SP99-03)	Commercial (C), Entertainment Commercial (EC)
El Cerrito SP (SP91-02)	Commercial (C), Commercial Center (CC), Business Park/Office (BP)
Cimaron SP (SP95-01)	Neighborhood Commercial (NC)
Corona Ranch SP (SP85-03)	Support Commercial (SC), Public/Quasi Public (QP)
Northeast Corona SP (SP81-02)	Support Commercial (SC), Support Commercial Freeway (SCF), Sub-Regional Shopping Center (SRSC), Business Park (BP)
Corona Magnolia SP (SP01-02)	Commercial (C), Office Park (OP), Business Park (BP), Commercial, Office, Business Park Flex (COBP)

SPA2023-0002 will add language to the permitted land uses section of the zoning designations of the specific plans identified in the above table to permit residential pursuant to SB 6 subject to the requirements set forth in Corona Municipal Code Chapter 17.31, Affordable Housing Overlay Zone. Language will also be added to permit residential pursuant to AB 2011. Residential development allowed per AB 2011 will not be subject to the city's AHO zone since this law already requires affordable housing.

Exhibit 1 shows the redlined changes to the applicable sections of the specific plans. SB 6 is

referenced as Cal Gov't Code §65852.24 and AB 2011 is referenced as Cal Gov't Code §65912.100. Residential is being added as a permitted land use to the commercial and business park zoning designations with the following language.

Residential permitted for a housing development project proposed pursuant to Cal Gov't Code § 65852.24 subject to the requirements set forth in Corona Municipal Code Chapter 17.31.

Residential permitted for a housing development project proposed pursuant to Cal Gov't Code 65912.100.

In some cases, the above language may be shown as a footnote to the permitted residential use.

ENVIRONMENTAL ANALYSIS:

The California Legislature has determined that a local ordinance adopting the provisions of Senate Bill 6 and Assembly Bill 2011 is not considered a project under Division 13 (commencing with Section 21000) of the Public Resources Code and therefore not subject to review by the California Environmental Quality Act (CEQA).

FISCAL IMPACT

SPA2023-0002 is a city-initiated application. No application fee was paid to process this request.

PUBLIC NOTICE AND COMMENTS

A 10-day public notice advertised in the Sentinel Weekly News. Since the preparation of this staff report, staff has not received correspondence from the public.

STAFF ANALYSIS:

The city's General Plan Housing Element focuses on housing programs that would support the development of various housing types and provide housing for all economic segments of the city. Providing adequate sites is one way to achieve a variety and diversity of housing. SPA2023-0002 allows the city to require mixed-income housing as part of a housing development using SB 6 in the city's commercial zones. The city is not prevented from requiring inclusionary housing with the enactment of SB 6 and the amendment would ensure adequate sites and the city's housing sites inventory are set aside to provide a balance of housing types for all income levels. The application of the AHO zone requirement on commercial sites is also consistent with the commercial properties that were rezoned by the city to include an AHO for the city's housing sites inventory. As such, the commercial properties not part of the city's housing sites inventory would bear some responsibility in providing affordable housing like the sites identified on the city's housing sites inventory for affordable housing.

FINDINGS OF APPROVAL FOR SPA2023-0002

1. Pursuant to CMC Section 17.53.090(B)(1)(a) the plan systematically implements and is consistent with the General Plan for the following reasons:
 - a. *The amendment supports the General Plan Housing Element goal of maintaining a balance of housing types and corresponding affordability levels to provide for the community's demands for housing within all economic segments of the City by having the zoning of sites available for*

the production of affordable housing units in conjunction with market rate units.

2. Pursuant to CMC Section 17.53.090(B)(1)(b) the Plan provides for the development of a comprehensively planned project that is superior to development otherwise allowed under the conventional zoning classifications for the following reason:

- a. *This amendment requires that the zoning standard of the AHO zone be used on commercially zoned properties that are allowed to be developed with high density residential using SB 6, which is to encourage well planned environments capable of supporting the intended use and capacity.*

3. Pursuant to CMC Section 17.53.090(B)(1)(c) the Plan provides for the construction, improvement, or extension of transportation facilities, public utilities and public services required by the long-term needs of the project and/or other area residents, and complements the orderly development of the City beyond the project's boundaries for the following reason:

- a. *This amendment permits residential granted by SB 6 and AB 2011 in zoning designations that allow office, retail or parking, and further requires the zoning standards of the AHO zone on a housing development pursuant to SB 6, which includes objective development standards for high density residential to encourage orderly development.*

4. Pursuant to CMC Section 17.53.090(B)(1)(d), the Plan provides for the appropriate orientation and relationship between land uses within and adjacent to the project for the following reason:

- a. *This amendment permits residential granted by SB 6 and AB 2011 in zoning designations that allow office, retail or parking, which supports the development of high density residential in urban settings and near commercial centers.*

5. In addition to the findings made in reference to CMC Section 17.53.090, the following additional findings are made in reference to the amendments to SP90-05 (Corona Vista) per Section V.A:

- a. *The amendment is consistent with the General Plan and South Corona Community Facilities Plan (CFP) because:*

- i. *The amendment supports the General Plan Housing Element goal of maintaining a balance of housing types and corresponding affordability levels to provide for the community's demands for housing within all economic segments of the City by having the zoning of sites available for the production of affordable housing units in conjunction with market rate units.*

- ii. *The amendment supports the adoption of state legislation that permits residential on properties that are zoned to allow retail, office or parking and is therefore consistent with the land use plan adopted in the CFP which already identifies the location of properties that are designated commercial.*

- b. *The amendment is consistent with the intent of the Corona Vista Specific Plan because the permitted land uses of the Plan's commercial zone will include residential that is allowed by adopted state legislation.*

- c. *The amendment maintains consistency with the village concept because the land use plan is*

not being amended and remains in harmony with the land uses already provided in the Specific Plan.

- d. The amendment maintains adequate circulation to and from and within the plan area because the circulation plan is not affected.*
- e. The amendment does not change the geographic area of the specific plan and maintains the public service levels, which adequately serve the specific plan area.*
- f. The amendment maintains the public and private open space system as both resources are neither disrupted nor depleted.*

6. In addition to the findings made in reference to CMC Section 17.53.090, the following additional findings are made in reference to the amendments to SP90-01 (Plaza on Sixth Street):

- a. The amendment systematically implements and is consistent with the General Plan because the amendment supports the General Plan Housing Element goal of maintaining a balance of housing types and corresponding affordability levels to provide for the community's demands for housing within all economic segments of the City by having the zoning of sites available for the production of affordable housing units in conjunction with market rate units.*
- b. The proposed amendment is consistent with the goals and objectives of the Specific Plan because residential is being added as a permitted land use in accordance with adopted state legislation which aligns with the redevelopment efforts of the City of Corona by eliminating an underutilized shopping center site.*
- c. The amendment provides for development that is superior to development otherwise allowed under the conventional zoning classifications because it requires that the zoning standard of the AHO zone be used on commercially zoned properties that are allowed to be developed with high density residential using SB 6, which is to encourage well planned environments capable of supporting the intended use and capacity.*

7. In addition to the findings made in reference to CMC Section 17.53.090, the following additional findings are made in reference to the amendments to SP98-01 (Downtown Revitalization) per Section VIII(9):

- a. The proposed amendment is consistent with the City's General Plan because it supports the General Plan Housing Element goal of maintaining a balance of housing types and corresponding affordability levels to provide for the community's demands for housing within all economic segments of the City by having the zoning of sites available for the production of affordable housing units in conjunction with market rate units.*
- b. The proposed amendment is consistent with the goals, policies and planning concepts of the Downtown Revitalization Specific Plan because it permits residential that enhances housing types within Downtown Corona which enable citizens from varying economic levels and age groups to live within the area and promotes the reinvestment in property to create a revitalized Downtown.*

8. In addition to the findings made in reference to CMC Section 17.53.090, the following additional findings are made in reference to the amendments to SP89-01 (Mountain Gate Specific Plan) per Section 11.3:

- a. The amendment is consistent with the City of Corona General Plan and South Corona*

Community Facilities Plan (CFP) for the following reasons:

- i. The amendment supports the General Plan Housing Element goal of maintaining a balance of housing types and corresponding affordability levels to provide for the community's demands for housing within all economic segments of the City by having the zoning of sites available for the production of affordable housing units in conjunction with market rate units.*
- ii. The amendment supports the adoption of state legislation that permits residential on properties that are zoned to allow retail, office or parking and is therefore consistent with the land use plan adopted in the CFP which already identifies the location of properties that are designated commercial.*
- b. The amendment is consistent with the intent of the Mountain Gate Specific Plan because the permitted land uses of the Plan's commercial zone will include residential that is allowed by adopted state legislation.*
- c. The amendment maintains consistency with the village concept because the land use plan is not being amended and remains in harmony with the land uses already provided in the Specific Plan.*
- d. The amendment maintains adequate circulation to and from and within the plan area because the circulation plan is not affected.*
- e. The amendment does not change the geographic area of the specific plan and maintains the public service levels, which adequately serve the specific plan area.*
- f. The amendment maintains the public and private open space system as both resources are neither disrupted nor depleted.*

9. In addition to the findings made in reference to CMC Section 17.53.090, the following additional findings are made in reference to the amendments to SP99-01 (North Main Street Specific Plan) per Section 6.1.7:

- a. The Plan or amendment systematically implements and is consistent with the General Plan because it supports the General Plan Housing Element goal of maintaining a balance of housing types and corresponding affordability levels to provide for the community's demands for housing within all economic segments of the City by having the zoning of sites available for the production of affordable housing units in conjunction with market rate units.*
- b. The Plan or amendment provides for the development of a comprehensively planned project that is superior to development otherwise allowed under the conventional zoning classifications because it requires that the zoning standard of the AHO zone be used on commercially zoned properties that are allowed to be developed with high density residential using SB 6, which is to encourage well planned environments capable of supporting the intended use and capacity.*
- c. The Plan or amendment provides for the construction, improvement, or extension of transportation facilities, public utilities and public services required by the long term needs of the project and/or other area residents, and complements the orderly development of the City beyond the project's boundaries because adding residential as a permitted land use in the commercial zones is still subject to the city's objective development standards for public improvements required by city ordinances for new development.*

10. In addition to the findings made in reference to CMC Section 17.53.090, the following additional findings are made in reference to the amendments to SP91-01 (Main Street South Plaza Specific Plan) per Section 8.2:

- a. *The amendment is consistent with the City of Corona General Plan, South Corona Community Facilities Plan (CFP), and objectives of the Main Street South Plaza Specific Plan for the following reasons:*
 - i. *The amendment supports the General Plan Housing Element goal of maintaining a balance of housing types and corresponding affordability levels to provide for the community's demands for housing within all economic segments of the City by having the zoning of sites available for the production of affordable housing units in conjunction with market rate units.*
 - ii. *The amendment supports the adoption of state legislation that permits residential on properties that are zoned to allow retail, office or parking and is therefore consistent with the land use plan adopted in the CFP which already identifies the location of properties that are designated commercial.*
 - iii. *The amendment is consistent with the objectives of the specific plan because new development associated with permitted land uses are required to adhere to the holistic objectives of the plan.*
- b. *The amendment maintains adequate circulation to and from and within the plan area because the circulation plan is not affected.*
- c. *The amendment does not change the geographic area of the specific plan and maintains the public service levels, which adequately serve the specific plan area.*
- d. *The amendment maintains the public and private open space system as both resources are neither disrupted nor depleted.*

11. In addition to the findings made in reference to CMC Section 17.53.090, the following additional findings are made in reference to the amendments to SP91-02 (El Cerrito Specific Plan) per Section 14.5:

- a. *The proposed amendment is consistent with the City of Corona General Plan because it supports the General Plan Housing Element goal of maintaining a balance of housing types and corresponding affordability levels to provide for the community's demands for housing within all economic segments of the City by having the zoning of sites available for the production of affordable housing units in conjunction with market rate units.*
- b. *The proposed amendment is consistent with the intent of the specific plan because the adopted land use plan of the specific plan is not being changed and the required improvements for infill development within established neighborhoods is still a requirement of new development based on permitted land uses.*
- c. *The proposed amendment is consistent with the Preannexation Policy for El Cerrito as set out in Section 2.3 because it does not require the construction of public improvements in existing neighborhoods, nor does it affect the operation or use of the land uses that currently exist within the geographic boundary of the specific plan.*
- d. *The amendment maintains adequate circulation to and from and within the plan area because the circulation plan is not affected.*
- e. *The amendment does not change the geographic area of the specific plan and maintains the public service levels, which adequately serve the specific plan area.*
- f. *The amendment maintains the public and private open space system as both resources are neither disrupted nor depleted.*
- g. *The proposed amendment adheres to adopted state legislation that allows residential on properties that are zoned to allow retail, office and parking and has therefore determined residential at these locations would be compatible with surrounding designations and would not create future land use incompatibilities based on the development criteria established by the*

law for residential in commercial zones.

- h. The amendment includes residential as a permitted land use in commercial zones in accordance with state legislation but does not change the land use designations of the specific plan's Land Use Plan and therefore the amendment is not expected to result in a negative job/housing ratio in the specific plan area.*
- i. The proposed amendment to the permitted land uses in the commercial zones does not jeopardize the City's ability to levy sufficient special taxes on property within the CC-Commercial Center land use district to pay debt service on the outstanding bonds for Community Facilities District No. 2002-4 or alter the security for the payment of principal and interest on the outstanding bonds for Community Facilities District No. 2002-4.*

12. In addition to the findings made in reference to CMC Section 17.53.090, the following additional findings are made in reference to the amendments to SP95-01 (Cimarron Specific Plan) per Section 7.2:

- a. The proposed amendment is consistent with the City of Corona General Plan because it supports the General Plan Housing Element goal of maintaining a balance of housing types and corresponding affordability levels to provide for the community's demands for housing within all economic segments of the City by having the zoning of sites available for the production of affordable housing units in conjunction with market rate units.*
- b. The amendment is consistent with the intent of the specific plan as objective development standards and design guidelines will continue to be applied to ensure the quality of new development.*
- c. The amendment does not change the geographic area of the specific plan and maintains adequate access from Hidden Valley Parkway (formerly Yuma Drive).*
- d. The amendment does not affect open space systems.*

SUBMITTED BY: JOANNE COLETTA, PLANNING & DEVELOPMENT DIRECTOR

EXHIBITS

1. Proposed Amendments to Specific Plans (Redlined Version)

Case Planner: Joanne Coletta, Planning and Development Director (951) 736-2434