



STAFF REPORT

DATE: 02/19/2025
TO: Honorable Mayor and City Council Members
FROM: Planning and Development Department

2025-54

REQUEST FOR CITY COUNCIL ACTION

SUBJECT:

ZONE TEXT AMENDMENT 2024-0004 TO TITLE 17 OF THE CORONA MUNICIPAL CODE AMENDING CHAPTER 17.85 TO ADD CERTAIN REGULATIONS FOR ACCESSORY DWELLING UNITS CONSISTENT WITH STATE LAW (APPLICANT: CITY OF CORONA)

EXECUTIVE SUMMARY:

This staff report asks the City Council to approve Zone Text Amendment 2024-0004 (ZTA2024-0004) to amend Title 17 of the Corona Municipal Code (CMC) amending Chapter 17.85 to add certain regulations for Accessory Dwelling Units (ADUs). Recently adopted state legislation by Senate Bill 1211 (SB 1211) and Assembly Bill 2533 (AB 2533) established additional regulations for ADUs on properties that include multiple family residential, and added that uncovered parking spaces converted or removed to accommodate the construction of an ADU is not required to be replaced. The amendment to CMC Chapter 17.85 is to keep the City's ADU ordinance consistent with state law.

RECOMMENDED ACTION:

That the City Council:

- a. Approve Zone Text Amendment 2024-0004, as recommended by the Planning and Housing Commission.
- b. Introduce, by title only, and waive full reading of consideration of Ordinance No. 3410, first reading of an ordinance amending Chapter 17.85 of Title 17 (Zoning) of

the Corona Municipal Code to modify the regulations for accessory dwelling units pursuant to Senate Bill 1211 and Assembly Bill 2533.

BACKGROUND & HISTORY:

Chapter 17.85 of the Corona Municipal Code governs the City's regulations for ADUs. California Government Code Section 66310 - 66342 requires local jurisdictions to permit ADUs on single family and multiple family residential properties according to the regulations of state law. Local ordinances governing ADUs that are inconsistent and more restrictive than the requirements of state law are not valid, and the local jurisdiction is required to permit ADUs according to the state law until the jurisdiction adopts an ordinance that is consistent with state law.

CMC Chapter 17.85 was last amended in 2020 to include regulations that were adopted by state legislation regarding ADUs. Recently, SB 1211 and AB 2533 were approved by the California Governor on September 19, and September 28, 2024, respectively, establishing additional regulations for ADUs.

SB 1211

This bill amends the state's ADU law to include the following.

- Prohibits a local agency from requiring the replacement of off-street parking spaces if an uncovered parking space is demolished in conjunction with the construction of, or is converted to, an ADU.
- Adds a definition of livable space for provisions governing ADUs to mean a space in a dwelling intended for human habitation, including living, sleeping, eating, cooking, or sanitation.
- Requires a local agency to ministerially approve up to eight detached ADUs located on a property with an existing multifamily dwelling, provided that the number of ADUs does not exceed the number of existing units on the property, and up to two detached ADUs on a property with a proposed multifamily dwelling.

AB 2533

This bill amends the state's ADU law to prohibit a local agency from denying a permit for an unpermitted ADU or junior ADU that was constructed before January 1, 2020, for those violations, unless the local agency makes a finding that correcting the violation is necessary to comply with the conditions that would otherwise deem a building substandard.

SB 1211 and AB 2533 went into effect on January 1, 2025.

ANALYSIS:

The following identifies the changes to CMC Chapter 17.85.

- Section 17.85.020, Definitions. The definition of livable space is being added to this section.
- Section 17.85.030, General Requirements. The number of ADUs that are permitted on property with multifamily residential dwellings is being updated to reflect that permitted by SB 1211. Other miscellaneous changes involve cleaning up the language of the existing ordinance.
- Section 17.85.040, Development Standards. The parking language is being updated to include an uncovered parking space that is converted to an ADU or demolished in conjunction with the construction of an ADU is not required to be replaced.
- Section 17.85.080, Non-Permitted Accessory Dwelling Units or Junior Accessory Dwelling Units. This is a new section added to Chapter 17.85 to address the requirement of AB 2533 regarding the issuance of a building permit by the local jurisdiction for a previously constructed but nonpermitted ADU or junior ADU subject to the requirements of Government Code Section 66332.

FINANCIAL IMPACT:

ZTA2024-0004 is a City-initiated amendment; therefore, no application fees were paid for the processing of this application.

ENVIRONMENTAL ANALYSIS:

The City Council has reviewed and considered the information contained in the preliminary exemption assessment and the administrative records for this Zone Text Amendment, including all written and oral evidence. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds this action exempt pursuant to Public Resources Code Section 21080.17, which states that the California Environmental Quality Act (CEQA) does not apply to the adoption of an ordinance by a City to implement Article 2 (commencing with Section 66314) of Chapter 13 of Division 1 of Title 7 of the Government Code. This action implements the requirements of SB 1211 and AB 2533, which amended sections included within Article 2 of Chapter 13 of Division 1 of Title 7 of the Government Code. Therefore, no environmental analysis is required.

PLANNING AND HOUSING COMMISSION ACTION:

At its meeting of January 21, 2025, the Planning and Housing Commission considered the subject matter and took the following action:

Motion was made, seconded (Alexander/Siqueland) and carried with Commissioners' Woody and Vernon absent, that the Planning and Housing Commission recommend approval of ZTA2024-0004 to the City Council, based on the findings and conditions contained in the Staff Report. The minutes of the Planning and Housing Commission meeting are included as Exhibit 4.

PREPARED BY: JOANNE COLETTA, PLANNING AND DEVELOPMENT DIRECTOR

ATTACHMENTS:

1. Exhibit 1 – Ordinance No. 3410
2. Exhibit 2 – Redline version of CMC Chapter 17.85
3. Exhibit 3 – Planning and Housing Commission staff report
4. Exhibit 4 – Minutes of the Planning and Housing Commission meeting of January 21, 2025