

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA

11 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
(619) 521-8036

January 13, 1997

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TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: CHARLES DAMM, SOUTH COAST DEPUTY DIRECTOR
DEBORAH N. LEE, DISTRICT MANAGER
ELLEN LIRLEY, COASTAL PLANNER, SAN DIEGO AREA OFFICE

SUBJECT: CITY OF CORONADO LOCAL COASTAL PROGRAM AMENDMENT NO. 2-96
(various Land Use Plan and Implementation Plan amendments)
(For Public Hearing and Possible Final Action at the Meeting
of February 4-7, 1997)

SYNOPSISSUMMARY OF AMENDMENT REQUEST

This submittal consists of amendments to both the certified land use plan and implementing ordinances addressing several elements of the City's Local Coastal Program. One land use plan amendment would modify/clarify the parking standard for various types of restaurants; another would update the Land Use Map for the Coronado Cays; and the third would modify the land use designation of the Eighth Street sewer pump station from "Civic Use" to "Residential: Single-Family up to 8 dwelling units per acre." Also, the proposal would amend the certified LCP Implementation Plan to modify the approval process and clarify the parking standard for various types of restaurants.

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending approval as submitted of the land use plan amendments as submitted. Staff recommends denial of the proposed implementation plan amendment addressing the approval process and parking standards for various types of restaurants. Staff then recommends approval of the implementation plan amendment with a suggested modification incorporating various related portions of the City's Off-Street Parking Ordinance into the certified LCP. The appropriate resolutions and motions may be found beginning on Page 4. The suggested modification is on Page 6. The findings for approval, as submitted, of the land use plan amendment begin on Page 6. Findings for denial, as submitted, of the proposed implementation plan amendment begin on Page 11, and findings for approval of the implementation plan amendment if modified begin on Page 14.

BACKGROUND

On June 23, 1981, the City of Coronado's Land Use Plan (LUP) was deemed effectively certified, following the incorporation of suggested modifications from the Coastal Commission's March 13, 1981 action. The Implementation Plan

was certified with suggested modifications on September 28, 1983. The ordinances were amended and the City assumed permit authority on January 11, 1984. The Land Use Plan has been amended on several occasions and there have been five previous amendments to the implementing ordinances.

ADDITIONAL INFORMATION

Further information on the City of Coronado LCP Amendment 2-96 may be obtained from Ellen Lirley at the San Diego Area Office of the Coastal Commission, 3111 Camino del Rio North, Suite 200, San Diego, CA, 92108, (619) 521-8036.

PART I. BACKGROUND

A. LCP History. On June 23, 1981, the City of Coronado's Land Use Plan was deemed effectively certified, following the incorporation of modifications suggested in the Coastal Commission's March 13, 1981 action. Those modifications applied to the Shoreline Access, Recreation and Visitor-Serving Facilities, Visual Resources and Special Communities, Public Works and Locating and Planning New Development components of the City's Land Use Plan. The Implementation Plan was certified with suggested modifications on September 28, 1983. The suggested modifications addressed exemptions from coastal permit requirements, definitions of several terms, procedures for recordation of documents, minor corrections to the Coastal Permit Ordinance and the removal of the Tidelands Overlay Zone from the ordinance package, as this area is under San Diego Unified Port District control, rather than being under the City of Coronado's authority. The ordinances were amended and the City assumed permit authority on January 11, 1984. The Land Use Plan has been amended on several occasions, and there have been five previous amendments to the implementing ordinances.

B. Geographic Area Description. Although often referred to as an island, Coronado is actually connected to the mainland by the Silver Strand, a narrow strip containing beaches and wetland areas, with a highway running down its center. The City of Coronado's jurisdiction extends from the Imperial Beach border at the southern end of the Silver Strand Highway to the northern end of the peninsula. Much of the land is under Federal control, as there are several Naval installations located within Coronado's political boundaries. Also, much of the shoreline and adjacent water areas are under San Diego Unified Port District authority. The entire peninsula is within the coastal zone, but the City's certified LCP has exempted a lot of routine development from coastal development permit requirements.

The City is divided into two geographic areas - the "Village" at the northern end of the peninsula, which includes the bulk of the residential, commercial and municipal improvements, and the "Cays" which are located about halfway along the Silver Strand, on the San Diego Bay side of the peninsula. The "Cays" is a major subdivision, mostly residential with some commercial uses on Port District lands, which was approved on filled tidelands several years before the Coastal Commission came into being. The development that had already occurred, including land divisions, public works improvements and home construction, were considered vested at the time of Proposition 20, and thereby exempt from coastal development permit review. The last few phases of buildout have required City of Coronado and Coastal Commission review, as the specific development details were not available at the time the exemption was granted.

B. STANDARD OF REVIEW

The standard of review for land use plans, or their amendments, is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP or LUP amendment if it finds that it meets the requirements of Chapter 3 of the Coastal Act. Specifically, it states:

Section 30512

(c) The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present.

C. PUBLIC PARTICIPATION

The City has held numerous local workshops, Planning Commission and City Council meetings with regard to the parking standard modifications proposed herein. All of these local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

PART II. LOCAL COASTAL PROGRAM SUBMITTAL - RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

A. RESOLUTION I (Resolution to approve certification of the City of Coronado LCP Land Use Plan Amendment #2-96, as submitted)

MOTION I

I move that the Commission certify the City of Coronado Land Use Plan Amendment #2-96, as submitted.

Staff Recommendation

Staff recommends a YES vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the appointed Commissioners is needed to pass the motion.

Resolution I

The Commission hereby approves certification of the amendment request to the City of Coronado Land Use Plan, and adopts the findings stated below on the grounds that the amendment will meet the requirements of and conform with the policies of Chapter 3 (commencing with Section 30200) of the California Coastal Act to the extent necessary to achieve the basic

state goals specified in Section 30001.5 of the Coastal Act; the land use plan, as amended, will contain a specific access component as required by Section 30500 of the Coastal Act; the land use plan, as amended, will be consistent with applicable decisions of the Commission that shall guide local government actions pursuant to Section 30625(c); and certification of the land use plan amendment meets the requirements of Section 21080.5(d)(2)(i) of the California Environmental Quality Act, as there are no feasible mitigation measures or feasible alternatives which would substantially lessen significant adverse impacts on the environment.

- B. RESOLUTION II (Resolution to reject the City of Coronado LCP Implementation Plan Amendment 2-96, as submitted)

MOTION II

I move that the Commission reject the City of Coronado Implementation Plan Amendment #2-96, as submitted.

Staff Recommendation

Staff recommends a YES vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

Resolution II

The Commission hereby denies certification of the amendment to the City of Coronado's Local Coastal Program on the grounds that the amendment does not conform with, and is inadequate to carry out, the provisions of the certified land use plan. There are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval would have on the environment.

- C. RESOLUTION III (Resolution to approve certification of the City of Coronado LCP Implementation Plan Amendment 2-96, if modified)

MOTION III

I move that the Commission approve the City of Coronado Implementation Plan Amendment 2-96, if it is modified in conformity with the suggested modifications set forth in this report.

Staff Recommendation

Staff recommends a YES vote and the adoption of the following resolution and findings. An affirmative vote by a majority of the Commissioners present is needed to pass the motion.

Resolution III

The Commission hereby approves certification of the amendment to the City of Coronado's Local Coastal Program, if modified, on the grounds that, the amendment conforms with, and is adequate to carry out, the provisions of the certified land use plan. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impacts which the approval would have on the environment.

PART III. SUGGESTED MODIFICATION

Staff recommends the following suggested revision to the City of Coronado LCP Implementation Plan be adopted.

1. Municipal Code Additions to the LCP. The following subsections, as specifically detailed in the attached Exhibit A, of Chapter 86.04/Definitions and Chapter 86.58/Off-Street Parking shall be incorporated into the City of Coronado's certified local coastal program in their entirety. Any modification to these sections in the future shall require an amendment to the LCP. The following municipal code sections are hereby incorporated into the certified Coronado LCP:

From Chapter 86.04 -- Definitions:

Section 86.04.557 Parking Allocation Credit
Section 86.04.673 Restaurant, Fast Food
Section 86.04.674 Restaurant, Formula Fast Food

From Chapter 86.58 -- Off-Street Parking:

Section 86.58.180 Separate Nonresidential Lots
Section 86.58.210 Joint Use
Section 86.58.220 Common Facilities

PART IV. FINDINGS FOR APPROVAL OF THE LAND USE PLAN AMENDMENT, AS SUBMITTED

A. AMENDMENT DESCRIPTION

The City of Coronado proposes three amendments to the certified Land Use Plan. These would modify two paragraphs of text in the Land Use Plan addressing the Coronado Cays development, would amend Goal I8.N. of the Land Use Plan addressing parking standards for restaurants and would incorporate two changes to the Land Use Plan Maps, one associated with the Coronado Cays and one redesignating an existing pump station site. These are described more fully as follows.

The Coronado Cays amendment component is intended to update the Land Use Plan text and associated map to reflect the area's now fully-built development.

This residential subdivision, which is built on filled tidelands in San Diego Bay south of the "Village" area of Coronado and several military installations, was approved, and construction began, prior to the Coastal Commission's existence. The last several phases of development occurred after 1972, and were subject to coastal development permits, although the initial grading, subdivision improvements, channel dredging, and several phases of home construction were all completed, or local permits vested, by 1972. However, the City's land use plan has remained virtually unchanged over the years, and refers to much of the Cays development in future terms. The subject amendment will modify the pertinent language to reflect that the development is now complete, and an "as-built" map reflecting the development of Sub-areas 13, 14 and 15 is incorporated herein. There are no changes in land use designations or site layout, other than those previously reviewed and approved by the local government and the Coastal Commission as either LCP amendments or coastal development permits.

Also proposed is a revision to the certified land use plan map to delete the "Civic Use" designation of an existing pump station site on Eighth Street, and replace it with the designation of "Residential: Single-Family up to 8 dwelling units per acre." The site was one of many public works facilities addressed in the City of Coronado LCP Amendment #1-96, but was incorrectly identified at that time as being public land, and was designated "Civic Use." The pump station is actually built on an easement covering portions of two existing, developed residential lots. Thus, the proposed residential designation more accurately reflects the underlying property status, and is consistent with current zoning as well.

Finally, the proposed amendments would modify LUP Action Goal I8, which contains a listing of land uses and their associated off-street parking requirements. Specifically, the amendment would modify Paragraph N., which addresses restaurants, bars and nightclubs. The change does not modify the underlying requirement, but would allow the stated parking requirements to be fulfilled through a number of alternative methods for fast food and formula fast food restaurants.

B. CONFORMANCE WITH SECTION 30001.5 OF THE COASTAL ACT.

The Commission finds, pursuant to Section 30512.2b of the Coastal Act, that the LCP amendment comprised in Resolution No. 7252, as set forth in the resolution for certification, is consistent with the policies and requirements of Chapter 3 of the Coastal Act to the extent necessary to achieve the basic state goals specified in Section 30001.5 of the Coastal Act which states:

The Legislature further finds and declares that the basic goals of the state for the coastal zone are to:

a) Protect, maintain and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources.

b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.

c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.

d) Assure priority for coastal-dependent and coastal-related development over other developments on the coast.

e) Encourage state and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the coastal zone.

C. CONFORMITY OF THE PROPOSED LAND USE PLAN AMENDMENTS WITH CHAPTER 3 POLICIES OF THE COASTAL ACT.

As more specifically described above, the proposed LUP amendments would modify Section V. of the Land Use Plan, which provides the descriptive text for land use plan maps, would modify one existing action goal in the LUP and would modify the Land Use Plan Maps themselves, to reflect the existing Coronado Cays development and land use redesignation of an existing pump station site. In support of these changes, following are the Chapter 3 findings for the applicable policy groups.

1. Parking/Coastal Access

Section 30252

The location and amount of new development should maintain and enhance public access to the coast by ... (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation

This Coastal Act citation is really pertinent only to the proposed change to Action Goal I8, the list of parking standards by use in the certified LUP. The language of Paragraph N. of Action Goal I8 is proposed to be changed as follows:

Old Language -- "N. Restaurants, Bars, Nightclubs. One space for each three seats and one space for each fifty-four inches of clear bench space, excluding dance floors and assembly areas without fixed seats which shall be calculated separately as one space for each fifty square feet of floor area; drive-in/take-out restaurants shall have a minimum of ten spaces;"

New Language -- "N. Restaurants, Bars, Nightclubs. One space for each three seats and one space for each fifty-four inches of clear bench space, excluding dance floors and assembly areas without fixed seats which shall be calculated separately as one space for each fifty square feet of floor

area; plus one parking space per two employees determined at the month, day and hour when the greatest number of employees are on duty; fast food and formula fast food restaurants shall have parking requirements calculated by the above standard, however, a minimum of ten (10) parking spaces shall be provided for these uses either on site, or, but not limited to, via parking allocation credits, joint use, common facilities or facilities on private property on the same block within 200 feet of the site;"

The last clause of the old language has thus been replaced with two new clauses, one adding a parking requirement for employees and one specific to fast food and formula fast food establishments only, allowing their parking requirement to be met by several alternative methods. The potential concern under Chapter 3 of the Coastal Act would be whether or not the proposed alternative methods, including off-site parking arrangements or parking credits, would reduce the amount of off-street parking and potentially result in adverse impacts on public access due to restaurant patrons parking on the public streets and usurping parking otherwise available for beach visitors.

The City included in its amendment submittal a map of the entire City showing the location of all existing restaurants and designating which ones are fast food/formula fast food restaurants. Most of Coronado's restaurants are located in areas relatively near public recreational facilities (i.e., near the Ferry Landing commercial site and bayfront beaches or near the oceanfront beaches and the Hotel del Coronado complex). Others are scattered along Orange Avenue, more removed from the immediate shoreline; however, it should be noted that there is no part of Coronado which is not within walking distance of either the ocean or the bay.

Although it is understood that these modified regulations would only apply to new restaurants seeking to locate in Coronado, conversions of lower-intensity uses to restaurants or enlargement of existing restaurants, conversations with the City would indicate that most existing restaurants are currently deficient in parking. At the same time, there is no identified public parking shortage with respect to beach visitors. The Commission is concerned, however, with changes over time and is aware that regional growth will increase the number of people seeking to recreate in Coronado in the future. Thus, the proposed LUP amendment has been carefully analyzed to assure that new restaurants won't contribute further to the existing parking deficiencies and possibly create a public access problem.

The new requirement to provide parking based on the number of employees increases the requirement for all types of restaurants, and thus can only improve the situation. Of greater concern, therefore, is whether or not the alternative compliance methods offered to fast food and formula fast food restaurants could be detrimental in the long run. Of the listed options, the use of common facilities or off-site private parking lots is not a concern, since neither of these options reduces the total number of parking spaces required for a new use. Moreover, the use of joint-use facilities is probably not a problem, since the City's ordinance restricts this to very specific combinations of uses with non-competing hours of operation. Of greatest

concern would be the application of parking allocation credits, which would allow existing parking deficiencies to continue, so long as a new use did not generate a greater parking requirement than the prior use on the same site. Even in this instance, however, the existing parking deficiency would not be increased but only maintained at the current level.

The Commission found in a recent LCP amendment which reduced parking standards for hotels and motels that Coronado is a pedestrian-oriented community, which provides downtown trolley service and transit service to the public as well, and is thus less dependent on parking facilities than some other communities. It also found that no public parking shortage exists at this time, even during the summer months. Again, the larger concern is that this situation will change over time as regional population increases put greater pressure on all oceanfront communities in Southern California. However, since Coronado is largely dependent on its tourist trade as a significant source of revenue, it will be in the City's best interest to closely monitor the situation and proposes changes if any public parking shortages appear to be developing in the future. The Commission finds that, at best, the newly proposed parking standards may increase the off-street parking reservoir in the City due to the employee requirement; at worst, the proposed amendment will not increase parking deficiencies beyond their current level. Therefore, the Commission finds the proposed LUP revision consistent with Section 30252 of the Act, and with other Chapter 3 policies related to public access and recreation.

2. New Development

Section 30250

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. [...]

The land use plan modifications associated with updating the map for the Coronado Cays do not raise any issue of consistency with Chapter 3 of the Coastal Act. They are actually housekeeping measures to bring the existing planning document up to date by reflecting the current conditions within the Cays. The modifications incorporate the more recent housing phases which have been built intermittently over the past ten or so years, along with reflecting an LCP amendment from several years ago, which deleted a previously proposed channel and replaced it with housing. The Commission approved the changes but never formally adopted a new map. Those previous revisions were found consistent with Section 30250 of the Coastal Act and other applicable Chapter 3 provisions. Thus, the incorporation of the updated Cays map, along with the associated changes in LUP text, remains fully consistent with the Coastal Act.

Likewise, the proposed redesignation of the existing pump station site on Eighth Street from "Civic Use" to "Residential: Single-Family up to 8 dwelling

units per acre" does not raise any concerns under Chapter 3 of the Coastal Act. A few months ago, the City proposed redesignation of most of its public works and park sites to either "Civic Use" or "Open Space." The subject site was included in the list of properties to be designated "Civic Use" to reflect the existence of the pump station, and in the belief that it was public land. However, it was discovered that this particular public works facility is built within an easement over private land, rather than on a City-owned parcel. The easement covers a portion of two adjacent private lots. Both are currently developed with single-family residences and the underlying zoning is residential. Therefore, the City proposes to modify the LUP map to reflect the pre-existing residential designation, which will more accurately reflect the private nature of ownership and existing development. The Commission finds that redesignating this site does not change any underlying uses or intensity of uses, and has no affect on public access throughout the City. Thus, the proposed map modification is fully consistent with Chapter 3 of the Coastal Act.

PART V. FINDINGS FOR DENIAL OF THE IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED

A. AMENDMENT DESCRIPTION

The City is proposing to modify two sections of the Municipal Code to incorporate changes specific to the approval process and parking standards for various types of restaurants. These are described below.

1. Special Use Permits

a) Purpose and Intent of the Ordinance. Chapter 86.55 of the Municipal Code establishes procedures for the discretionary review of designated uses which involve special site or design requirements.

b) Major Provisions of the Ordinance. The ordinance contains a number of provisions, including the following:

- Application procedures for minor and major permits
- Denial, appeal, extension, amendment and revocation procedures
- List of uses requiring Special Use Permits, by zone and type (major or minor)
- List of special requirements for specific uses

c) Adequacy of the Ordinance to Implement the Certified Land Use Plan.

This ordinance is not presently part of the City of Coronado's certified Implementation Plan. However, in LCP Amendment #1-96, the City proposed changes to its Coastal Development Permit ordinance which would exempt development requiring a Minor Special Use Permit from coastal development permit requirements. Although that request was atypical as an LCP amendment, rather than being submitted as a bonafide categorical exclusion request, it was based on the original certification of the City's LCP which exempted development not requiring any local discretionary review from needing coastal development permits to a large extent. Historically, the only kinds of

development which necessitated a minor special use permit were various antennae installations. In approving that amendment request and recognizing the unique construction of the City's original LCP certification, the Commission adopted, and the City accepted, a suggested modification which requires any additions to the list of uses requiring a Minor Special Use Permit to be approved by the Coastal Commission as an LCP amendment because it essentially results in an additional exemption from coastal development permit review.

The subject amendment modifies the list of uses requiring a Special Use Permit with respect to certain types of restaurants. Specifically, it will require applicants for "Formula Fast Food" restaurants to obtain a Minor Special Use Permit, but not a coastal development permit. Currently, most restaurants are not required to obtain any discretionary permits, including a coastal development permit, and are allowed by right in most commercial zones. Thus, adding Formula Fast Food restaurants to the list of uses requiring a Minor Special Use Permit is adding a level of discretionary review, not diminishing local oversight or the opportunity for public participation.

At the same time the City was reviewing the subject LCP amendment request at the local level, it was also making a series of amendments to other provisions of the Municipal Code which are not part of the certified LCP. Examples of related actions on non-LCP ordinances are modifications the City made to Section 86.56.035, wherein drive-thru restaurants are now prohibited in the City, and to Section 86.55.130, wherein restaurants defined as Drive-Thru/Take Out no longer require a Major Special Use Permit. The latter may be somewhat moot, since drive-thru facilities are now prohibited by the former action, and since no existing restaurants qualify as "take-out," which specifies that more than 50% of food sold is consumed off premises.

More importantly, these other code modifications, which were submitted as background and explanatory information for the subject LCP amendment, point out deficiencies in the certified LCP. The concern raised in this amendment proposal is that the City is modifying its definitions of various restaurant types, but said definitions are not part of the LCP. The City is virtually eliminating a definition for Drive-Thru/Take Out restaurants, but adding new definitions for Fast Food and Formula Fast Food, which in many jurisdictions all mean roughly the same thing. Furthermore, it is requesting that the Commission endorse a permit process for Formula Fast Food without providing, in the LCP, a definition of what the term means. The Commission cannot find the proposed Implementation Plan amendment consistent with, or adequate to carry out, the policies of the certified Land Use Plan without the inclusion of all associated definitions.

2. Off-Street Parking

a) Purpose and Intent of the Ordinance. Chapter 86.58 of the Municipal Code establishes standards for off-street parking and procedures for the design and implementation of parking facilities.

b) Major Provisions of the Ordinance. The ordinance contains a number of provisions, including the following:

- Descriptions of when parking standards apply
- List of uses with associated parking requirements
- Design standards for parking areas
- Alternative methods of compliance

c) Adequacy of the Ordinance to Implement the Certified Land Use Plan.

The majority of this ordinance is not part of the City of Coronado's certified Implementation Plan. However, the list of land uses and their associated parking requirements are included in both the certified Land Use Plan and Implementation Plan LCP components. In fact, the amendment proposed herein to Section 86.58.030.N. is identical to the one discussed in the previous finding regarding the proposed land use plan revisions, and the text of the original and modified language begins on Page 8 of this report.

Again, as with the other code amendment, the concern is not so much with the language the City proposes to modify as it is with existing deficiencies in the overall LCP, which make the proposed amendments unclear. In addition to several pertinent definitions not being included in the LCP, the amendment to the Off-Street Parking Ordinance refers to several alternative methods of complying with the parking requirements; what these methods are and how they are implemented is also not included in the certified LCP. The definitions in question are those for Parking Allocation Credit, Fast Food and Formula Fast Food and the processing deficiencies are those describing Joint-Use facilities, Common facilities, and Separate Nonresidential Lots (which covers off-site parking arrangements).

In its findings on the corresponding Land Use Plan amendment, the Commission found that the proposed parking standards are appropriate for the identified uses, and found the amendment consistent with Chapter 3 of the Coastal Act. That amendment is dependent, however, on an accepted interpretation of several undefined terms and processes, which are normally found in the Implementation Plans of certified LCPs. In this particular case, however, the City's certified document, which was approved more than fifteen years ago, does not include all the pertinent information related to this issue. Moreover, the City could modify said definitions and processes in the future without Commission review, thus changing the entire meaning of the Commission's current action, and possibly negating the Commission's intent to certify a document fully consistent with the Coastal Act. Therefore, the Commission finds that, without the inclusion of all related definitions and processes in the LCP, the proposed Municipal Code revisions are not consistent with, nor adequate to carry out, the corresponding Land Use Plan policy, or other Land Use Plan policies relating to public access and locating new development.

PART VI. FINDINGS FOR APPROVAL OF THE IMPLEMENTATION PLAN AMENDMENTS,
IF MODIFIED

The two proposed Implementation Plan amendments can be addressed together since the identified problems for each are the same. Namely, the certified LCP does not include related definitions of terms and processes which are referenced in the code modifications submitted for Commission review. To remedy this situation, a suggested modification is included which would incorporate the following Municipal Code sections into the certified LCP:

From Chapter 86.04 -- Definitions:

Section 86.04.557 Parking Allocation Credit
Section 86.04.673 Restaurant, Fast Food
Section 86.04.674 Restaurant, Formula Fast Food

From Chapter 86.58 -- Off-Street Parking:

Section 86.58.180 Separate Nonresidential Lots
Section 86.58.210 Joint Use
Section 86.58.220 Common Facilities

The full text of these code sections is given in Exhibit A, attached. The three definitions are simply brief explanations of what the various terms mean. The section on "Separate Nonresidential Lots" is associated with the other two off-street parking sections, and describes the City's method of restricting and preserving off-site parking arrangements. This is particularly important when different property owners are involved, to assure that adequate parking for permitted uses remains available for the life of the project. Specifically, this code section requires recordation of covenants if different property owners are involved on the affected sites and to secure these different parking arrangements.

"Joint Use" facilities are those where two or more separate uses all avail themselves of the same parking supply. Under these provisions, a reduction of up to 50% of the parking requirement for one use may be allowed when its parking is pooled with that for another use with non-competing hours, or days, of operation. This section describes typical "daytime" and "nighttime or weekend" uses to assure that competition for the same spaces will not occur. It further stipulates the approval process necessary for joint use parking and the conditions required to avail oneself of the reduced parking requirement.

"Common Facilities" allows a number of separate uses to pool their parking in a single location. These facilities do not involve any reduction in parking; the total parking provided in the common area must meet the individual requirements of all associated uses. However, the parking may be located on a different site than some or all of the dependent uses, such that recorded agreements consistent with the Separate Nonresidential Lots section would be required.

With the inclusion of the suggested modification, the Commission, the City and

the public are all fully aware of what is being approved herein, with a full explanation of the terms and processes referenced in the City's proposed amendment language. Furthermore, any future modifications to the definitions and processes incorporated herein will require review and certification by the Coastal Commission, to assure that Coronado's LCP remains current and fully consistent with the Coastal Act. As modified herein, the Commission finds the proposed Implementation Plan amendments consistent with, and adequate to carry out, all applicable policies of the certified Land Use Plan.

PART VII. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 21080.5 of the California Environmental Quality Act (CEQA) exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its local coastal program. Instead, the CEQA responsibilities are assigned to the Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be functionally equivalent to the EIR process. Thus, under CEQA Section 21080.5, the Commission is relieved of the responsibility to prepare an EIR for each LCP or amendment thereof.

Nevertheless, the Commission is required in an LCP amendment submittal to find that the LCP, as amended, does conform with CEQA provisions. In the case of the subject LCP amendment request, the Commission finds that approval of the proposed Land Use Plan amendments raises no concerns under CEQA, but that the Implementation Plan amendments, as proposed, could result in significant impacts under the meaning of the California Environmental Quality Act. Without the inclusion of pertinent definitions and adequate descriptions of associated processes, the Municipal Code amendments could be misinterpreted or changed unintentionally through revision of said definitions and processes without Commission review. A suggested modification is included to reduce the potential impacts to below a level of significance, by incorporating the related terms and processes into the LCP. As modified herein, there would not appear to be any feasible, less environmentally-damaging alternatives and no significant environmental impacts would occur if the modification is accepted by the City of Coronado. Therefore, this modified LCP amendment can be found consistent with the provisions of the California Environmental Quality Act.

(1535A)

RESOLUTION NO. 7475

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORONADO, CALIFORNIA,
TO AMEND THE LOCAL COASTAL PROGRAM
LAND USE PLAN TO UPDATE THE LAND USE MAP
FOR THE CORONADO CAYS AND TO DESIGNATE
THE CITY SEWER PUMP STATION ON EIGHTH STREET EXTENDED
AS "RESIDENTIAL: SINGLE-FAMILY
UP TO EIGHT DWELLING UNITS PER ACRE"**

WHEREAS, the City of Coronado has adopted a General Plan and a Local Coastal Program (LCP);

WHEREAS, the City of Coronado has determined to amend its Local Coastal Program Land Use Plan to update the land use map for the Coronado Cays;

WHEREAS, the City of Coronado has determined to amend its Local Coastal Program Land Use Plan map for the "village" portion of the community to designate the City sewer pump station on Eighth Street extended as "Residential: Single-Family up to 8 dwelling units per acre" to match this land's present designation in the General Plan;

WHEREAS, the Coronado City Council and Planning Commission have determined in public hearings that these amendments under review are consistent with the policies and goals of the Coronado Local Coastal Program and the Coronado General Plan; and

WHEREAS, said public hearings were duly noticed as required by law and all persons desiring to be heard were heard at said hearings.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Coronado, California, that the City of Coronado LCP Land Use Plan is amended as follows and requests California Coastal Commission Certification of these said amendments:

SECTION ONE: The second paragraph on page 35 of the LCP Land Use Plan is amended to read:

The "City of Coronado" map depicts the City's existing General Plan (as amended through the years). The "Development Plan Exhibit 1 Coronado Cays" map performs a similar function for the Coronado Cays development that the above "City" map performs for the "Village" and "Coronado Shores" portions of Coronado. However,

the "Cays" map represents the Cays Special Use Permit (SUP) designations, as well as the General Plan designations.

SECTION TWO: The two paragraphs on Local Coastal Program Land Use Plan page 37 are deleted, and replaced by the following footnote paragraph:

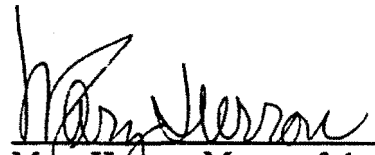
* Note: The Coronado City Council deleted the "Proposed Changes to the Coronado Cays Special Use Permit" presented on Page 37 on October 15, 1996, because these changes had all been incorporated into the revised map adopted at that time by the City Council for the Coronado Cays.

SECTION THREE: The Coronado Cays land use designation map (as amended) that was submitted with the City's Local Coastal Program Land Use Plan is superseded by the attached "Development Plan Exhibit 1 Coronado Cays" map.

SECTION FOUR: The Local Coastal Program Land Use Plan map for the "village" portion of the community is amended to designate the City sewer pump station on Eighth Street extended as "Residential: Single-Family up to 8 dwelling units per acre".

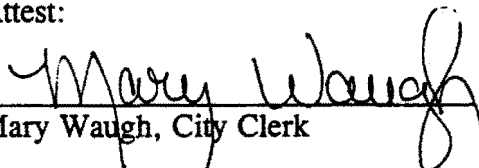
PASSED AND ADOPTED by the City Council of the City of Coronado, California, this 15 day of Oct, 1996, by the following vote, to wit:

AYES: BLUMENTHAL, SCHMIDT, SMISEK, WILLIAMS AND HERRON
NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE



Mary Herron, Mayor of the
City of Coronado

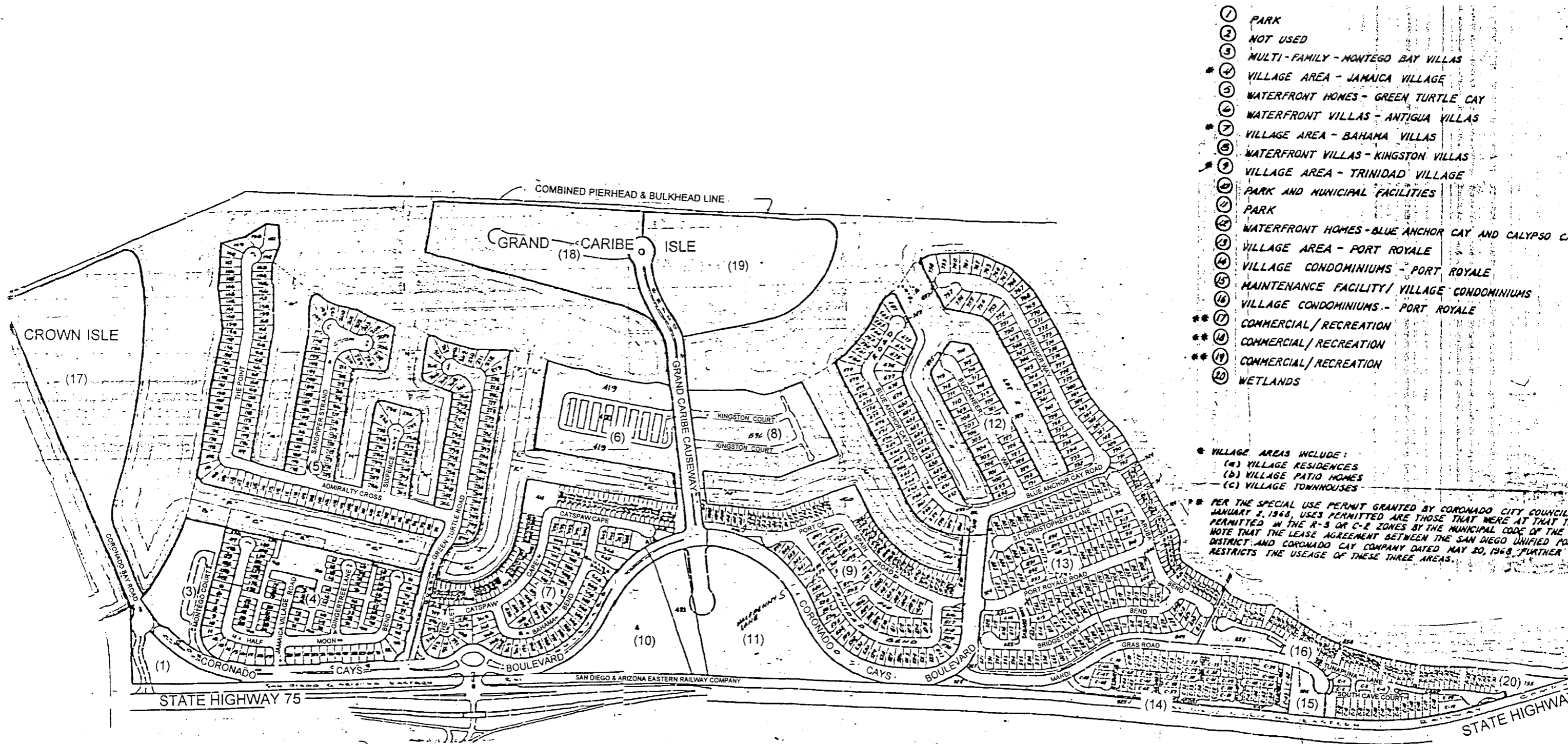
Attest:



Mary Waugh, City Clerk

i/cd/ed/LCP296

City Council Meeting of October 15, 1996



- ① PARK
- ② NOT USED
- ③ MULTI-FAMILY - MONTEGO BAY VILLAS
- * ④ VILLAGE AREA - JAMAICA VILLAGE
- ⑤ WATERFRONT HOMES - GREEN TURTLE CAY
- ⑥ WATERFRONT VILLAS - ANTIGUA VILLAS
- * ⑦ VILLAGE AREA - BAHAMA VILLAS
- ⑧ WATERFRONT VILLAS - KINGSTON VILLAS
- * ⑨ VILLAGE AREA - TRINIDAD VILLAGE
- ⑩ PARK AND MUNICIPAL FACILITIES
- ⑪ PARK
- ⑫ WATERFRONT HOMES - BLUE ANCHOR CAY AND CALYPSO CA
- ⑬ VILLAGE AREA - PORT ROYALE
- ⑭ VILLAGE CONDOMINIUMS - PORT ROYALE
- ⑮ MAINTENANCE FACILITY/ VILLAGE CONDOMINIUMS
- ⑯ VILLAGE CONDOMINIUMS - PORT ROYALE
- ** ⑰ COMMERCIAL/RECREATION
- ** ⑱ COMMERCIAL/RECREATION
- ** ⑲ COMMERCIAL/RECREATION
- ⑳ WETLANDS

* VILLAGE AREAS INCLUDE:
 (a) VILLAGE RESIDENCES
 (b) VILLAGE PATIO HOMES
 (c) VILLAGE TOWNHOUSES

** PER THE SPECIAL USE PERMIT GRANTED BY CORONADO CITY COUNCIL JANUARY 2, 1968, USES PERMITTED ARE THOSE THAT WERE AT THAT TIME PERMITTED IN THE R-3 OR C-2 ZONES BY THE MUNICIPAL CODE OF THE DISTRICT. NOTE THAT THE LEASE AGREEMENT BETWEEN THE SAN DIEGO UNIFIED PORT DISTRICT AND CORONADO CAY COMPANY DATED MAY 20, 1968 FURTHER RESTRICTS THE USAGE OF THESE THREE AREAS.

Coronado Cays Map
 COR LCPA #2-

RESOLUTION NO. 7474

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORONADO, CALIFORNIA,
TO AMEND THE LOCAL COASTAL PROGRAM
IMPLEMENTATION ORDINANCES TO PERMIT
WITH A MINOR SPECIAL USE PERMIT
"FORMULA FAST FOOD RESTAURANTS" TO LOCATE
IN THE COMMERCIAL ZONES (CC, LC, CR, AND HM)
AND TO AMEND THE PARKING STANDARD FOR
"RESTAURANTS, BARS, AND NIGHTCLUBS"
AND ALSO TO AMEND THE LOCAL COASTAL PROGRAM
LAND USE PLAN TO AMEND THE PARKING STANDARDS
FOR "RESTAURANTS, BARS, AND NIGHTCLUBS"**

WHEREAS, the City of Coronado has adopted a General Plan and a Local Coastal Program (LCP);

WHEREAS, the City of Coronado has initiated a process to revise and update the definition and regulation of restaurants;

WHEREAS, the Coronado City Council and Planning Commission have determined in public hearings that "Formula Fast Food Restaurants" shall be required to obtain a Minor Special Use Permit and shall not be required to obtain a Coastal Permit to locate in the City's commercial zones;

WHEREAS, Municipal Code Section 86.70.060 "A" requires that "(a)ddition to the list of land uses that may be allowed with a Minor Special Use Permit shall require a Local Coastal Program amendment";

WHEREAS, the Coronado City Council and Planning Commission have determined in public hearings that "drive-in/ take-out restaurants" concept needs to be modified, adoption of a new series of restaurant type definitions with revised titles and regulations for these definitions;

WHEREAS, the Coronado City Council and Planning Commission have determined in public hearings that these amendments under review are consistent with the policies and goals of the Coronado Local Coastal Program and the Coronado General Plan; and

WHEREAS, said public hearings were duly noticed as required by law and all persons desiring to be heard were heard at said hearings.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Coronado, California, that the City of Coronado **LCP IMPLEMENTATION ORDINANCES** are amended as follows and requests California Coastal Commission Certification of said amendments:

SECTION ONE: That Chapter 86.55, Section 86.55.130 is amended to add "Formula Fast Food Restaurants" as a "USE" that is permitted with a "Minor" Special Use "TYPE OF PERMIT".

SECTION TWO: That Chapter 86.58, Subsection 86.58.030 (N) is amended to read as follows:

N. Restaurants, Bars, Nightclubs. One space for each three seats and one space for each fifty-four inches of clear bench space, excluding dance floors and assembly areas without fixed seats which shall be calculated separately as one space for each fifty square feet of floor area; plus one parking space per two employees determined at the month, day and hour when the greatest number of employees are on duty; fast food and formula fast food restaurants shall have parking requirements calculated by the above standard, however, a minimum of ten (10) parking spaces shall be provided for these uses either on site, or, but not limited to, via parking allocation credits, joint use, common facilities or facilities on private property on the same block within 200 feet of the site;

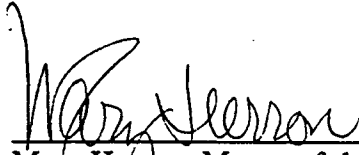
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Coronado, California, that the City of Coronado **LCP LAND USE PLAN** is amended as follows and requests California Coastal Commission Certification of said amendment:

SECTION THREE: That adopted Goal "I8" is amended to read as follows:

N. Restaurants, Bars, Nightclubs. One space for each three seats and one space for each fifty-four inches of clear bench space, excluding dance floors and assembly areas without fixed seats which shall be calculated separately as one space for each fifty square feet of floor area; plus one parking space per two employees determined at the month, day and hour when the greatest number of employees are on duty; fast food and formula fast food restaurants shall have parking requirements calculated by the above standard, however, a minimum of ten (10) parking spaces shall be provided for these uses either on site, or, but not limited to, via parking allocation credits, joint use, common facilities or facilities on private property on the same block within 200 feet of the site;

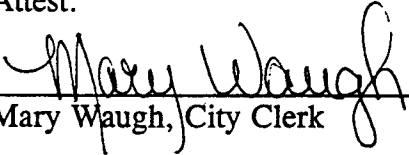
PASSED AND ADOPTED by the City Council of the City of Coronado, California,
this 15th day of October, 1996, by the following vote, to wit:

AYES: BLUMENTHAL, SCHMIDT, SMISEK, WILLIAMS AND HERRON
NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE



Mary Herron, Mayor of the
City of Coronado

Attest:



Mary Waugh, City Clerk

i/cd/ed/LCP296

86.04.557 Parking Allocation Credit. "Parking Allocation Credit" means that when a use is proposed to replace an existing use that is legal-nonconforming in regard to the number of parking spaces provided, the proposed use need not provide additional parking if it has the same or less parking requirement as the existing use. The parking not actually provided for the use replacing the legal-nonconforming use to otherwise comply with the parking standard for the new use is the Parking Allocation Credit.

86.04.673 Restaurant, Fast Food. "Fast food restaurant" means any establishment whose principal business is the sale of food prepared on-site in a ready-to-consume state for consumption on or off the premises and whose design or operation includes three or more of the following characteristics:

1. Food is usually served with disposable utensils.
2. Food is usually packaged or served in disposable containers.
3. Facilities, such as tables, seats and benches, for on-premise consumption of food are insufficient for volume of food sold.
4. Food is ordered and paid for at a walk-up counter.
5. Food is paid for prior to consumption.

86.04.674 Restaurant, Formula Fast Food. "Formula fast food restaurant" means any food service establishment having all of the following characteristics:

1. A specialization in short order or quick food service;
2. Food or beverages primarily served in paper, plastic or other disposable containers in such a manner that customers may customarily remove such food or beverage from the establishment for consumption; and
3. A requirement by contractual or other arrangement to operate with standardized menus, ingredients, food preparation, architecture, decor, uniforms, and/ or similar standardized features.

86.58.180 Separate Nonresidential Lots. If a building, structure or improvement requiring parking is located upon a separately recorded lot from that upon which the required parking is provided, whether in the same or separate ownership, there shall be a recording in the office of the San Diego County Recorder of a covenant by such owner or owners for the benefit of the City in the form first approved by the City, that such owner or owners will continue to maintain such parking space so long as the building, structure or improvement is maintained within the City. The covenant herein required must stipulate that the title to the right to use the lot or lots upon which the parking facilities are to be provided will be subservient to the title to the premises upon which the building is to be erected, and that the lot or lots are not and will not be made subject to any other covenant or contract for use without prior written consent of the City.

Exhibit A - page 1

COR LCPA #2-96

86.58.210 Joint Use. The City may, upon application by the owner or lessee of any property authorize the joint use of parking facilities by the following uses or activities under the conditions specified herein:

A. Up to fifty percent of the parking facilities required by this Chapter for a use considered to be primarily a daytime use may be provided by the parking facilities of a use to be primarily a nighttime use; up to fifty percent of the parking facilities of a use considered to be primarily a nighttime use may be provided by the parking facilities of a use considered to be primarily a daytime use, provided such reciprocal parking area shall be subject to conditions set forth in paragraph C below.

B. The following uses are typical daytime uses: Banks, business offices, retail stores, personal service shops, clothing or shoe repair or service shops, manufacturing or wholesale buildings and similar uses; the following uses are typical of nighttime and/or Sunday uses: Auditoriums incidental to a public or parochial school churches, dance halls, theaters, and bars.

C. Conditions Required for Joint Use.

1. The building or use for which application is being made for authority to utilize the existing off-street parking facilities provided by another building or use shall be located within two hundred feet of such parking facility and located in accordance with Section 86.58.190C.

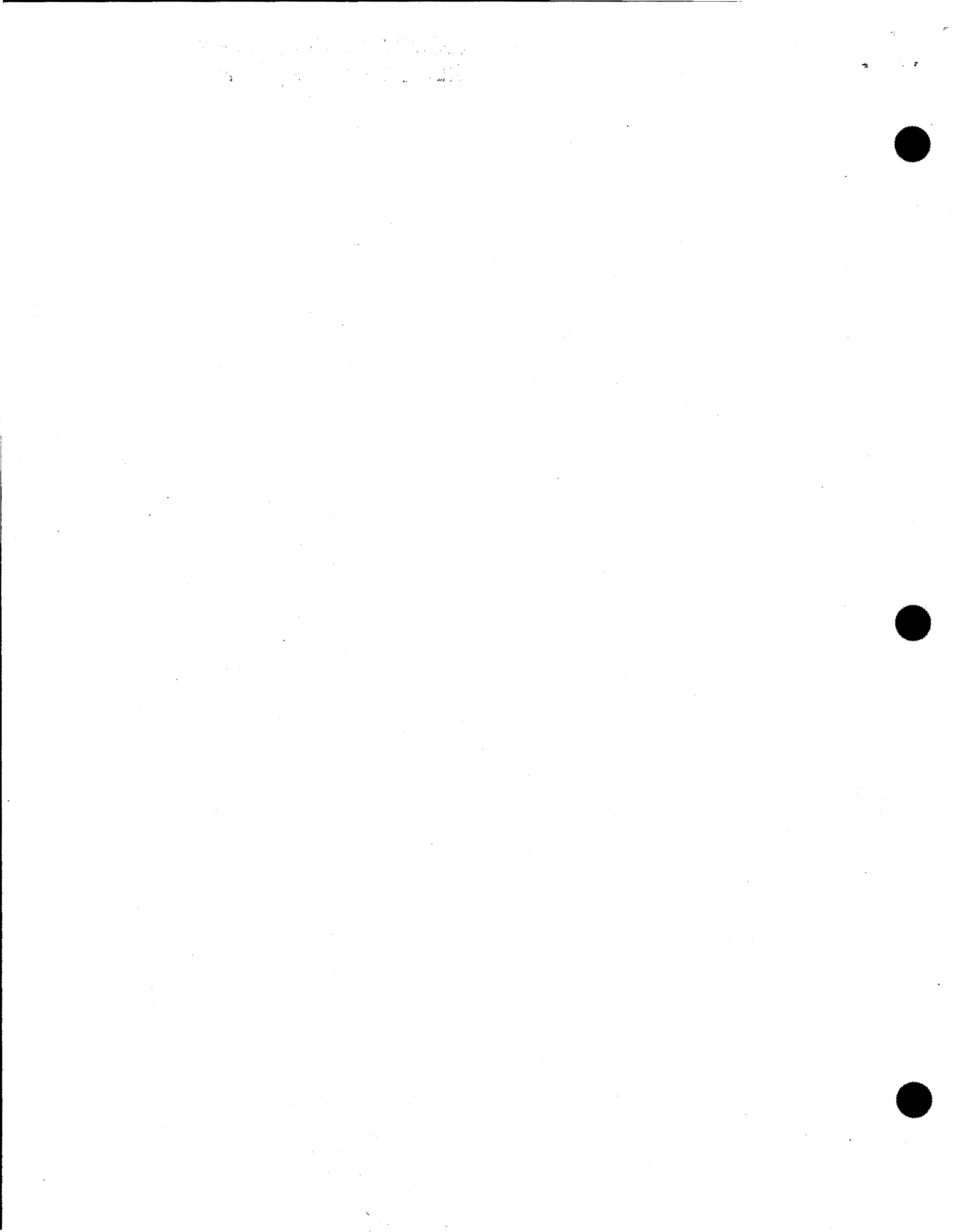
2. The applicant shall show that there is no substantial conflict in the principal operating hours of the building or uses for which the joint use of off-street parking facilities is proposed.

3. If the building, structure or improvement requiring parking space is in one ownership, and the required parking space provided in another ownership, practically or wholly, there shall be a recording in the office of the San Diego County Recorder, of a covenant by such owner or owners as prescribed by Section 86.58.180.

86.58.220 Common Facilities. Common facilities for parking may be provided in lieu of the individual requirements contained herein, but such facilities shall be approved by the City as to size, shape and relationship to business sites to be served, provided the total of such off-street parking spaces when used together, shall not be less than the sum of the various uses computed separately. If the common facilities are located on more than one lot, a covenant for the preservation of the parking facilities must be filed in accordance with the provisions of Section 86.58.180. (Ord. 1544)

Exhibit A - page 2

COR LCPA #2-96



Fr 5a

State of California

California Coastal Commission
San Diego District

M E M O R A N D U M

TO: Commissioners and
Interested Persons

DATE: January 31, 1997

FROM: Staff

SUBJECT: Minor Clarification of the Findings for the Coronado LCP
Amendment #2-96 Staff Report, dated January 13, 1997

After distribution of the above-referenced staff report and discussions with the City of Coronado staff, staff recommends the following clarifications be made (new language is underlined):

The third paragraph on Page 7 of the referenced report should be modified as follows:

Finally, the proposed amendments would modify LUP Action Goal I8, which contains a listing of land uses and their associated off-street parking requirements. Specifically, the amendment would modify Paragraph N., which addresses restaurants, bars and nightclubs. The change does not modify the underlying requirement, but adds a parking standard for employees and would allow the stated parking requirements to be fulfilled through a number of alternative methods for fast food and formula fast food restaurants.

The first full paragraph on Page 9 of the referenced report should be modified as follows:

The last clause of the old language has thus been replaced with two new clauses, one adding a parking requirement for employees and one specific to fast food and formula fast food establishments only, allowing their parking requirement to be met by several alternative methods. Adding the parking standard for employees will provide consistency between the Land Use Plan and the certified Implementation Plan, which already contains the employee parking standard. This additional language does not raise any concerns under the Coastal Act, since it only makes the parking requirements more restrictive than those formerly certified by the Commission. The potential concern under Chapter 3 of the Coastal Act would be whether or not the proposed alternative methods, including off-site parking arrangements or parking credits, would reduce the amount of off-street parking and potentially result in adverse impacts on public access due to restaurant patrons parking on the public streets and usurping parking otherwise available for beach visitors.

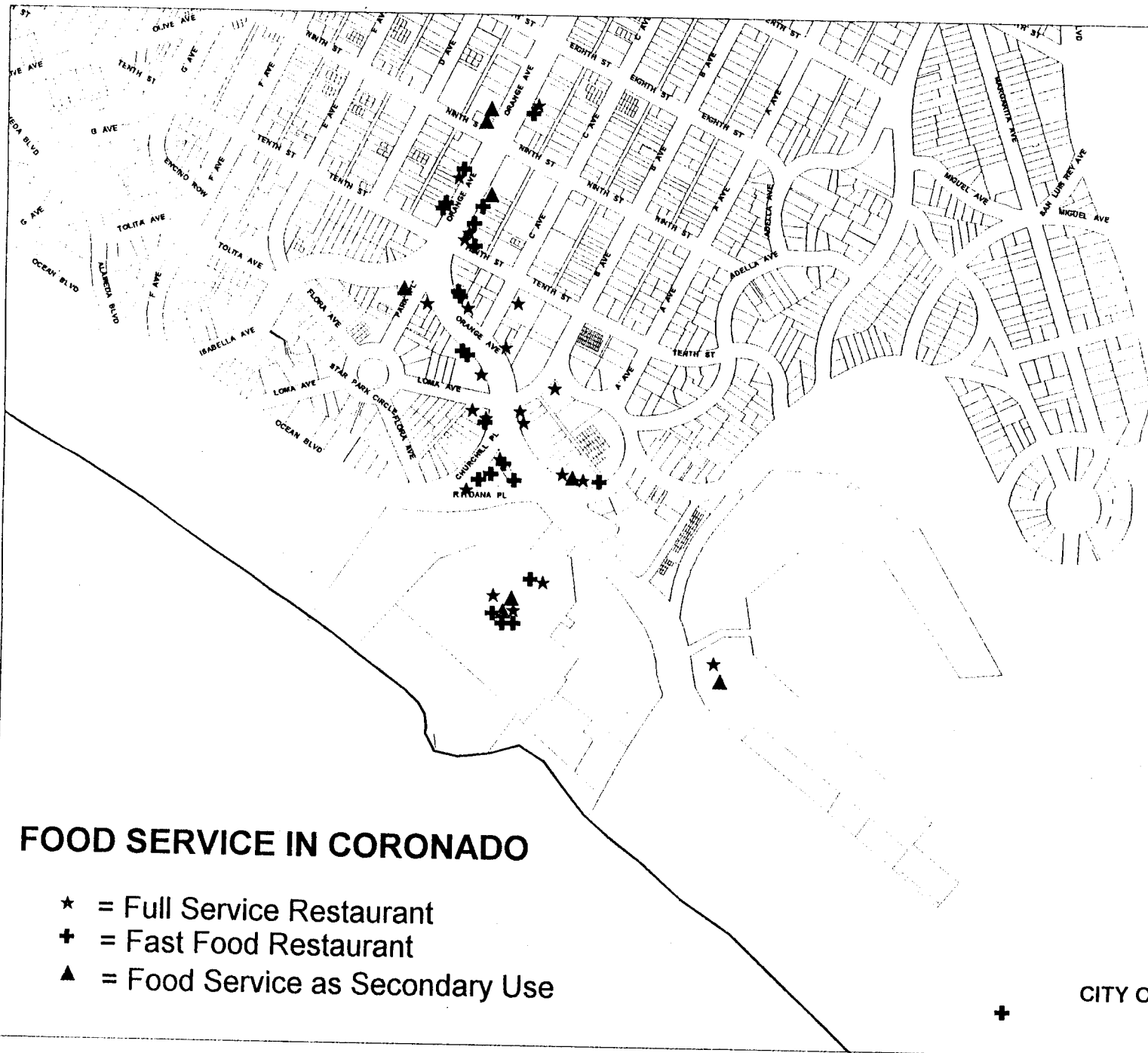
** Also, attached is a new exhibit showing the locations of all existing restaurants in Coronado.

(1558A)



FOOD SERVICE IN CORONADO

- ★ = Full Service Restaurant
- + = Fast Food Restaurant
- ▲ = Food Service as Secondary Use



FOOD SERVICE IN CORONADO

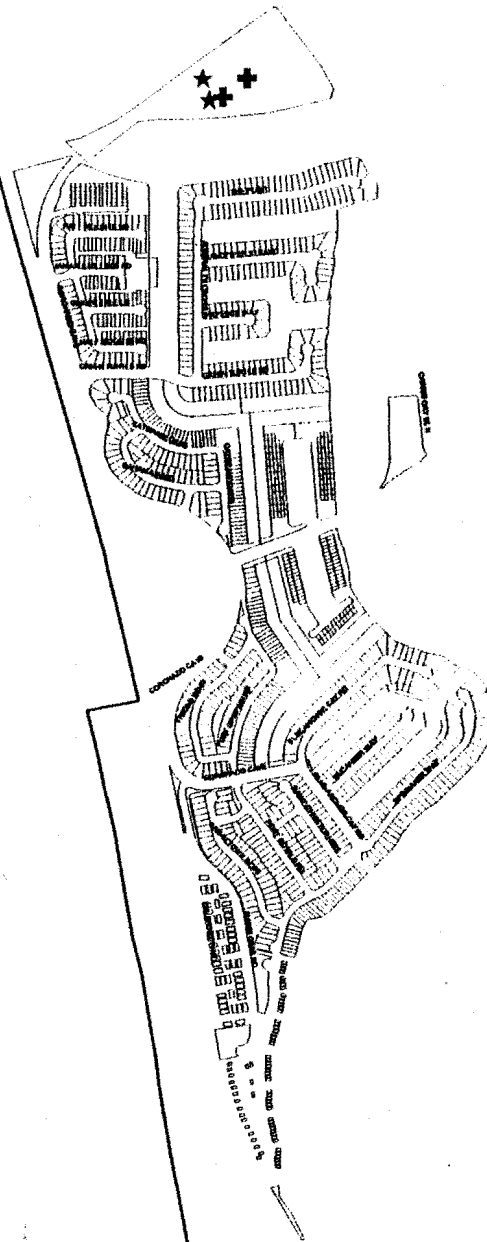
- ★ = Full Service Restaurant
- + = Fast Food Restaurant
- ▲ = Food Service as Secondary Use

CITY OF CORONADO GIS/FAIT



FOOD SERVICE IN CORONADO

- ★ = Full Service Restaurant
- ✚ = Fast Food Restaurant
- ▲ = Food Service as Secondary Use



CITY OF CORONADO GIS/FAIT

Page 3

Coronado LCPA # 2-96