

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA

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DATE: February 18, 1998

TO: COMMISSIONERS AND INTERESTED PARTIES

FROM: PETER DOUGLAS, EXECUTIVE DIRECTOR

SUBJECT: CITY OF CORONADO LOCAL COASTAL PROGRAM AMENDMENT NO. 1-98 (DE MINIMIS)--EXECUTIVE DIRECTOR'S DETERMINATION THAT THE AMENDMENT IS DE MINIMIS (For Commission review at its meeting of March 10-13, 1998)

The Coastal Act was amended January 1, 1995 to provide for a more streamlined method to review amendments to local coastal programs. Section 30514(d) allows the Executive Director to make a determination that a proposed LCP amendment is de minimis in nature. The Executive Director must determine that the proposed amendment: 1) has no impact, either individually or cumulatively, on coastal resources; 2) is consistent with the policies of Chapter 3; and 3) does not propose any change in land use or water use or any change in the allowable use of property. Section 30514(d) requires the local government to notice the proposed de minimis LCP amendment 21 days prior to submitting it to the Executive Director either through: 1) publication in a newspaper of general circulation; 2) posting onsite and offsite the area affected by the amendment; or 3) direct mailing to owners of contiguous property. If the Executive Director makes the determination that the proposed amendment qualifies as a "de minimis" amendment and finds the public notice measures have been satisfied, such determination is then reported to the Commission for its concurrence.

PROPOSED AMENDMENT

The City of Coronado De Minimis LCP Amendment (1) amends existing parking standards in the land use plan portion of the certified LCP and (2) amends the expiration date for coastal development permits in the implementation component of the certified LCP. The two adopted resolutions that convey the proposed amendments are as follows: 1) Resolution No. 7543 amends Action Goal "I-8" of the Coronado LCP Land Use Plan by the addition of a parking standard for employees in several use categories, making the land use plan requirements fully consistent with the existing parking requirements in the Municipal Code; and 2) Resolution No. 7542 amends Section 86.70.130 of the Coronado Municipal Code deleting a sentence addressing the expiration of coastal development permits for continuous uses, such as churches, dance studios, inns, etc. which operate under special use permits.

The amendment was approved by the City Council on January 6, 1998. The amendment was properly noticed through newspaper publication and there are no known interested parties. No public comments in letter or in person were received. The amendment request was received in the Commission office on January 23, 1998.

INTRODUCTION

The Coronado Local Coastal Program consists of the land use plan establishing types, locations and intensities of uses throughout the City, all of which is in the coastal zone, and an implementation program made up of only those portions of the City's Municipal Code required to carry out the policies of the land use plan. The LCP has been effectively certified, and the City of Coronado issuing its own coastal development permits, since 1983. There have been several amendments to the LCP since that time, addressing a wide range of issues including, but not limited to, redesignations of land uses, establishment of a residential decal parking program, changes in parking standards for restaurants, hotels and motels and adoption of tour bus regulations. Most amendments have been certified, some as submitted and some with suggested modifications.

The revisions currently proposed by the City are de minimis in nature. They do not change land uses, they have no impact on coastal resources and they are consistent with Chapter 3 of the Coastal Act. The amendments to the land use plan will augment the parking standards for several commercial uses by requiring additional parking for employees. This is a "clean-up" action to make the land use plan fully consistent with existing ordinances, which already require employee parking for these uses. In processing past LCP amendments addressing specific uses (restaurants, hotels and motels, parking garages, etc.) the employee provision was added to the land use plan. It was recently noted that the land use plan and ordinance standards differed for a few uses which had not been the subject of recent City Council or Coastal Commission review. Thus, the proposed amendment will bring the two LCP components into strict conformance with respect to parking requirements, and is fully consistent with Section 30252 of the Coastal Act, which requires that adequate parking be provided in new development.

The other amendment request addresses coastal development permit processing procedures, specifically the permit expiration date. As originally certified, the City's Coastal Development Permit (CDP) Ordinance included a provision stating "In no case shall a Coastal Permit be issued for a period longer than ten years (not including possible renewal periods)..." In most certified jurisdictions, and for those permits issued by the Commission, a permit must be vested (i.e., activity authorized by the permit must commence) within a given timeframe (two years for Commission-issued CDPs). Once vested, the permit remains in force in perpetuity and is completely independent of other discretionary permits unless other specifications were imposed; thus, even if a Special Use Permit or Conditional Use Permit for an ongoing activity must be periodically renewed, the Coastal Development Permit, once vested, remains operative indefinitely for said ongoing use.

Under Coronado's certified ordinances, CDPs for projects in non-appealable areas are only required in conjunction with some other local discretionary permit, and are considered necessary by the City not only for the establishment of a use but for its ongoing operation. Although the City could issue Special Use Permits, or other discretionary permits, for indefinite periods of time, the associated CDP was limited by the above-cited language to

a maximum of ten years. For instance, for a church originally constructed under a CDP to continue operation as a church for more than ten years, it would have to reapply to the City for a new CDP. The current amendment request is to delete that language and allow CDPs to be issued for the same timeframe as the associated local discretionary permit. This does not change the provision of the certified ordinance that actions authorized by CDPs must commence within one year of permit approval. Thus, with the proposed amendment, the City's CDP ordinance will be more like those of other certified jurisdictions and similar to the Commission's regulatory process. Moreover, the modified ordinance will be fully consistent with, and able to carry out, the certified land use plan.

DETERMINATION

The Executive Director determines that the City of Coronado LCP Amendment is de minimis. Based on the information submitted by the City, the proposed LCP amendment will have no impact, either individually or cumulatively, on coastal resources. It is consistent with the policies of Chapter 3 of the Coastal Act. The amendment does not propose any change in land use or any change in the allowable use of property. The City has properly noticed the proposed amendment. As such, the amendment is de minimis pursuant to Section 30514(d). The Executive Director recommends that the Commission concur in this determination. Unless three or more members of the Commission object to this determination, the amendment shall become effective and part of the certified LCP ten (10) days after the date of the Commission meeting.

(2089A)

RESOLUTION NO. 7542

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORONADO, CALIFORNIA,
TO AMEND THE CORONADO LOCAL COASTAL PROGRAM
IMPLEMENTATION ORDINANCES SECTION 86.70.130

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

WHEREAS, the Coronado City Council and Planning Commission have determined in public hearings that the amendment under review would provide the City the flexibility to issue Coastal Permits for durations longer than ten years when circumstances warrant it;


WHEREAS, the Coronado City Council and Planning Commission have determined in public hearings that the amendment under review is 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.

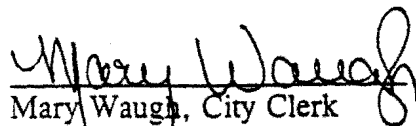
NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Coronado, California, that the City of Coronado hereby amends the Coronado Local Coastal Program Implementation Ordinances to delete the sentence "*In no case shall a Coastal Permit be issued for a period longer than ten years (not including possible renewal periods)....*" from Municipal Code Sub-section 86.70.130 (B) so that this Sub-section reads as depicted in Attachment "A", and requests the California Coastal Commission to Certify this LCP Amendment.

PASSED AND ADOPTED by the City Council of the City of Coronado, California, this 6th day of January, 1998, by the following vote, to wit:

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


Tom Smisek, Mayor of the
City of Coronado

Attest:


Mary Waugh, City Clerk

RESOLUTION NO. 7543

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF CORONADO, CALIFORNIA,
TO AMEND THE CORONADO LOCAL COASTAL PROGRAM
LAND USE PLAN PARKING STANDARDS

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

WHEREAS, the Coronado City Council and Planning Commission have determined in public hearings that these amendments under review would update the LCP Land Use Plan to reflect the parking regulations currently in effect in the Municipal Code and LCP Implementation Ordinances;

WHEREAS, the Coronado City Council and Planning Commission have determined in public hearings that the amendment under review is 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 hereby amends the Coronado Local Coastal Program Land Use Plan Action Goal "I-8" to read as follows and requests the California Coastal Commission to Certify this LCP Amendment:

That the number of off-street parking spaces required shall be no less than hereinafter listed:

A. Non-specified land uses. Where the minimum number of parking spaces for a use are not specifically provided for herein, the minimum number of parking spaces for such use shall be established by the Planning Commission, and such determination shall be based upon the requirements for the most comparable uses herein described.

B. Business or commerce uses. Business or commerce uses shall provide additional off-street parking spaces for all their commercial vehicles that are stored within the City when not in use.

C. Tidelands Overlay Zone. All development within the Tidelands Overlay Zone shall provide the number of parking spaces required by this Title, or the number of spaces required by California Department of Boating and Water Ways, or the San Diego

Unified Port District, or the California Coastal Commission, which-ever parking standard requires the greater number of parking spaces.

D. Dwellings.

1. Single family dwelling buildings or duplexes (new construction) two spaces, covered, per dwelling unit;
2. Single family dwelling buildings or duplexes (existing construction) two spaces, one of which is to be covered per dwelling unit;
3. For multiple dwellings, there shall be provided no less than two parking spaces for each dwelling unit; and
4. Multiple dwellings, R-5 zone, one and one-half spaces per dwelling unit.

E. Limited residential special care facilities in the Residential-Special Care Development Zone. One space per two habitable units.

F. Nursing homes Convalescent Homes or other than General Hospitals. One space for each three patient beds.

G. General Hospitals. One space per patient bed; one space per three hundred square feet of gross floor area of medical or dental office space; plus one parking space per two employees, determined at the month, day and hour when the greatest number of employees are on duty.

H. Trailer or Mobile Home Parks. (Repealed)

I. Hotels or Motels. One space per two habitable or dwelling units; one space per two employees, determined at the month, day and hour when the greatest number of employees are on duty; 20 percent of the parking spaces required by this Chapter for meeting halls; and 30 percent of the parking spaces required by this Chapter for all other uses on the site (e.g., restaurants, bars, nightclubs, general commercial or retail use, et cetera).

J. Repealed.

K. Business Office, Service, Professional or Retail Use. One space per five hundred square feet of gross 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, with a minimum of five spaces required for Banks and Savings and Loan Associations.

L. Banks, Business and Professional Offices, Medical and Dental Offices.
(Repealed)

M. Furniture Stores. One space per six hundred square feet of gross floor area, plus one parking space per two employees, determined at the month, day and hour when the greatest number of employees are an duty.

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.

O. Churches, Mortuaries, Funeral Homes, Theaters, Assembly Halls, Auditoriums, Meeting Halls. One space for each five fixed seats, one space for each ninety inches of clear bench space, and one space for each fifty square feet of floor area used for assembly purposes.

P. Service Stations. There shall be a minimum of five off-street parking spaces or one off-street parking space for each pump island and two off-street parking spaces for each service bay whichever is greater; plus one parking space per two employees, determined at the month, day and hour when the greatest number of employees are on duty.

Q. Wholesale Establishments, Warehouses, Service and Maintenance Centers, Research Laboratories, Manufacturing Plants. One parking space for each one and one-half employees, determined at the month, day and hour when the greatest number of employees are on duty, or one for each one thousand square feet of floor area.

R. Massage Establishments. One parking space per employee, determined at the month, day and hour when the greatest number of employees are on duty, and one space for each one hundred square feet of gross floor area.

S. Marinas, Yacht Clubs and dry boat storage yards. Three car parking spaces for every four boat slips and three car parking surfaces for every seven dry boat storage spaces for marinas, yacht clubs and for dry boat storage yards that contain boat launching facilities.

T. Schools and Classrooms. One parking space per two employees, determined at the month, day and hour when the greatest number of employees are on duty; plus, for high school or adult education classes, one parking space per five students, determined at the month, day and hour when the greatest number of students are enrolled.

U. Drive-Up Windows. Facilities with drive-up windows shall not have vehicle drive-up window queuing lines in the turning radius of required parking spaces. Such facilities located on Orange Avenue shall provide five percent more parking spaces than would otherwise be required for the site's land uses. Required queue lines shall be no less than forty-five feet long for ingress from the public right-of-way to the drive-up window.

V. Parking Lots or Structures. One parking space per two employees, determined at the month, day and hour when the greatest number of employees are on duty.

W. Mixed Use Developments. Two Parking spaces per dwelling, and that parking that would otherwise be required for the other uses on the site, except:

1. For Mixed Use Development incorporating as residential component single room occupancy housing, a boarding house or housing provided for, and maintained as, affordable housing for low or very low income households or affordable senior housing for low, very low or moderate income households, the parking standard for these aforementioned uses shall be one parking space per dwelling or one parking space per two habitable units, and that parking that would otherwise be required for the other uses on the site; and

2. For Mixed Use Development incorporating housing for managers or employees of commercial portions of the development, the parking required for the development's commercial portions shall be reduced by one space for each dwelling permanently assigned to a manager or employee of a business within the development.

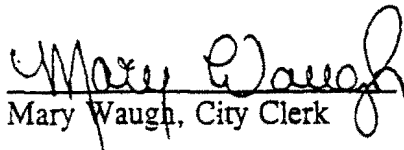
PASSED AND ADOPTED by the City Council of the City of Coronado, California,
this 6THday of JANUARY, 1998, by the following vote, to wit:

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



Tom Smisek, Mayor of the
City of Coronado

Attest:


Mary Vaughn, City Clerk

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