

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

521-8036

**W 5a**

March 26, 1999

TO: COMMISSIONERS AND INTERESTED PERSONS  
FROM: DEBORAH LEE, SOUTH COAST DEPUTY DIRECTOR  
SHERILYN SARB, DISTRICT MANAGER, SAN DIEGO AREA OFFICE  
DIANA LILLY, COASTAL PROGRAM ANALYST, SAN DIEGO AREA OFFICE  
SUBJECT: **PROPOSED MINOR AMENDMENT (#1-99) TO THE CITY OF CORONADO  
LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN**

**RECORD PACKET COPY**

The City of Coronado is requesting that its certified Local Coastal Program Implementation Plan be amended by revising the definitions of fast food and "formula" fast food restaurants. This amendment was filed on March 12, 1999 pursuant to Section 30514(c) of the Coastal Act and Section 13553 of the Commission's Code of Regulations.

**Procedure**

Pursuant to Section 30514 (c) of the Coastal Act and Section 13554 (a) of the Commission's Code of Regulations, the Executive Director has determined that the proposed amendment is "minor" in nature. Section 13554 (a) defines a minor amendment as changes in wording which make the use as designated in the zoning ordinances, maps or other implementing actions more specific and which do not change the kind, location, intensity or density of use and are consistent with the certified land use plan.

Pursuant to Section 13555, the Executive Director will report this determination to the Coastal Commission at the following date and location:

DATE and TIME: April 14, 1999  
9:00 a.m., Wednesday

LOCATION: Queen Mary  
1126 Queens Highway  
Long Beach, CA 90802-6390

At that time, any objections to this determination, received within ten days of the transmittal of this notice, will also be reported to the Commission. This proposed minor amendment will be deemed approved unless one-third of the appointed members of the Commission request that it be processed in accordance with Section 13555 (b) of the Code of Regulations as a major amendment. Otherwise, the minor amendment will become effective ten days from the date the Commission concurs with the Executive Director's designation.

If you have any questions or need additional information regarding this proposed amendment, please contact Diana Lilly at the above office. Any objections to the "minor" amendment determination must be received within ten working days of the date of this notice.

### **Amendment Description**

The subject request is to amend two definitions in the City's Implementation Ordinance: Fast Food Restaurant; and Formula Fast Food Restaurant. The current "Fast Food Restaurant" (FFR) definition requires that an FFR include three out of five characteristics, such as usually serving food with disposable utensils and disposable containers (see attached Exhibit B). The amendment simply inserts the word "usually" for two of these five characteristics, such that they read "Food is usually ordered and paid for at a walk-up counter" and "Food is usually paid for prior to consumption" (see Exhibit A). This change does not change the kind, location, or intensity of restaurant uses in Coronado, and is consistent with the provisions of the Coastal Act.

The second change involves the definition of a "Formula Fast Food Restaurant" (FFFR). Currently, an FFFR restaurant is any food service establishment that meets three specified criteria, including specializing in quick food service, disposable/take-out containers, and a standardized menu and features (see attached Exhibit B). Thus, all quick service, take-out restaurants with more than one outlet (that share menus and features) fall under the definition of an FFFR. The existing municipal code imposes more regulations on FFFRs than on FFRs, regarding location and design criteria, etc.; however, these regulations are not part of the certified LCP. Only the actual definition of FFFRs and FFRs are contained within the LCP.

The proposed amendment would replace the existing "Formula Fast Food Restaurant" definition with a new definition describing an FFFR as a "Fast Food Restaurant" that shares a menu and identifying name or symbol with fifteen or more other restaurant outlets (see Exhibit A). For example, a "Fast Food Restaurant" with only fourteen outlets would not fall under the definition of an FFFR. Therefore, fewer restaurants will be subject to the additional regulations in the zoning code which apply to FFFRs. The amendment has the potential to increase opportunities in the City of Coronado for fast food restaurants, which are low-cost visitor-serving commercial uses consistent with the Coastal Act. The amendment would not change any underlying zoning or affect the location, intensity or density of use and can be found in conformance with the certified land use plan.

RESOLUTION NO. 7624

RECEIVED

FEB 10 1999

A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF CORONADO, CALIFORNIA,  
TO AMEND THE CORONADO LOCAL COASTAL PROGRAM  
IMPLEMENTATION ORDINANCES  
SECTIONS 86.04.673 AND 86.04.674

CALIFORNIA  
COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

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 amendments under review would contribute to the better regulation of Fast Food and Formula Fast Food Restaurants;

WHEREAS, the Coronado City Council and Planning Commission have determined in public hearings that the 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 hereby amends the Coronado Local Coastal Program Implementation Ordinances as depicted in Sections One and Two below, and requests the California Coastal Commission to Certify this LCP Amendment.

SECTION ONE: That Chapter 86.04, Section 86.04.673 is amended to read as follows:

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: (Ord. 1881)

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 usually ordered and paid for at a walk-up counter.
5. Food is usually paid for prior to consumption.

EXHIBIT A  
City Resolution and  
Proposed Ordinance

CORNADO LCPA #1-99

SECTION TWO: That Chapter 86.04, Section 86.04.674 is amended to read as follows:

86.04.674 Restaurant, Formula Fast Food. "Formula Fast Food Restaurant" means any "Fast Food Restaurant" having both of the following characteristics:

- A. Uses a trademark, logo, service mark or other mutually identifying name or symbol that is shared by fifteen or more restaurants; and
- B. Serves a prescribed ("formula") menu that is substantially the same as fifteen or more restaurants that shares its trademark, logo, service mark or other mutually identifying name or symbol.

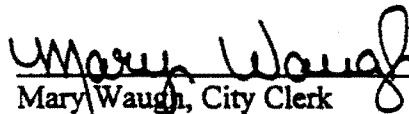
PASSED AND ADOPTED this 2nd day of February, 1999, by the following vote, to wit:

AYES: MARKS, OVROM, SCHMIDT, WILSON AND SMISEK  
NAYS: NONE  
ABSTAINS: NONE  
ABSENT: NONE



Tom Smisek, Mayor of the  
City of Coronado, California

ATTEST:



Mary Waugh, City Clerk

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.

**EXHIBIT B**  
**Existing Ordinance**

**CORNADO LCPA #1-99**