

Chapter 70.130

REQUESTS FOR REASONABLE ACCOMMODATIONS UNDER THE FAIR HOUSING ACT

Sections:

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- 70.130.020 Definitions.
- 70.130.030 Applicability.
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70.130.010 Purpose.

This chapter provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the “Acts”) in the application of zoning laws and other land use regulations, policies and procedures. (Ord. 2063 § 18 (Exh. P), 2016)

70.130.020 Definitions.

“Acts” shall mean the Federal Fair Housing Act and the California Fair Employment and Housing Act.

“Building Official” means the Director of Community Development of the City of Coronado.

“Decision-making body” shall mean the City body which is authorized to approve the discretionary permit or other entitlement required to carry out the proposed project.

“Person with a disability” is: a person who has a physical or mental impairment that limits or substantially limits one or more major life activities; anyone who is regarded as having such impairment; or anyone who has a record of such impairment. (Ord. 2063 § 18 (Exh. P), 2016)

70.130.030 Applicability.

A. A request for reasonable accommodation may be made by any person with a disability, or by an entity acting on behalf of a person or persons with disabilities, to provide or secure equal access to housing to prevent the application of any zoning law or other land use regulation, policy, or practice of the City from acting as a barrier to fair housing opportunities. This section is intended to apply to those persons who are defined as disabled under the Acts.

B. A request for reasonable accommodation may include an application for a modification or exception to the application of zoning and building standards and use of housing or housing-related facilities in order to eliminate identifiable regulatory barriers to provide a person with a disability an equal opportunity to housing. Requests for reasonable accommodation shall be made in the manner prescribed by CMC 70.130.040. (Ord. 2063 § 18 (Exh. P), 2016)

70.130.040 Application requirements.

A request for reasonable accommodation shall be submitted to the Community Development Department on application forms prescribed by the Community Development Department to include, but not be limited to, the following items:

- A. Application form signed by the property owner or authorized agent;
- B. The applicant’s name, address and telephone number;
- C. The street address and assessor’s parcel number of the property for which the request is being made;
- D. The current and proposed use of the property;

- E. The basis for the claim that the individual (or group of individuals, if application is made by an entity acting on behalf of a person or persons with disabilities) is considered disabled under the Acts;
- F. The zoning law, provision, building regulation or policy from which reasonable accommodation is being requested;
- G. Why the requested accommodation is necessary to make the specific property accessible to the individual or group of individuals;
- H. Credible documentation shall be provided with respect to each element described above so that the City can fully evaluate the application and verify the factual basis underlying the need for the accommodation. The documentation shall be provided in a manner to permit the City to independently make this assessment;
- I. Application fee established by City Council resolution. (Ord. 2063 § 18 (Exh. P), 2016)

70.130.050 Review authority and procedure.

- A. An application request for reasonable accommodation must be submitted with and processed concurrently with an application for the associated land use, building, or similar determination, whether such determination is ministerial or discretionary.
- B. An application request for reasonable accommodation associated with a ministerial land use, building, or similar determination shall be reviewed by the Building Official. The Building Official shall make a written determination within 30 days and either grant, grant with modifications, or deny such a request for reasonable accommodation in accordance with CMC 70.130.060.
- C. An application for reasonable accommodation associated with a discretionary land use, building, or similar determination shall be reviewed by the decision-making body which is authorized to approve the discretionary permit for the project. Notice and hearing shall be as required for the associated discretionary land use, building, or other determination. The decision-making body shall make a written determination and either grant, grant with modifications, or deny such a request for reasonable accommodation in accordance with CMC 70.130.060. (Ord. 2063 § 18 (Exh. P), 2016)

70.130.060 Reasonable accommodation criteria and findings.

- A. The Building Official or decision-making body may grant the requested accommodation or grant it with modifications if all of the following findings can be made:
 1. The housing which is the subject of the request will be used by an individual or a group of individuals considered disabled under the Acts;
 2. The accommodation requested is reasonable and necessary to make specific housing available to the individual or group of individuals with disability or disabilities under the Acts;
 3. The requested reasonable accommodation would not impose an undue financial or administrative burden on the City; and
 4. The requested reasonable accommodation would not require a fundamental alteration in the nature of a City program or law including, but not limited to, land use and zoning.
- B. The following criteria, among other factors, may be considered by the decision-making body or Building Official regarding the reasonableness of the requested accommodation:
 1. Whether there are alternative reasonable accommodations available that would provide an equivalent level of benefit; and
 2. Whether the requested reasonable accommodation substantially affects the physical attributes of the property.

C. The decision-making body or Building Official may impose any conditions of approval needed to ensure that the project complies with the required findings in subsection A of this section. Conditions may include, but are not limited to, ensuring that any removable structures or physical design features that are constructed or installed in association with a reasonable accommodation shall be removed once those structures or physical design features are no longer necessary to provide access to the dwelling unit for the current occupants.

D. If an application for reasonable accommodation is approved, the request shall be granted to an individual and shall not run with the land unless it is determined that: (1) the modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with the code, or (2) the accommodation is to be used by another individual with a disability. (Ord. 2063 § 18 (Exh. P), 2016)

70.130.070 Appeal of determination.

The decision of the Building Official or decision-making body to grant, grant with modifications, or deny a request for reasonable accommodation shall become final 10 calendar days after the notice of decision unless a notice of appeal to the City Council is filed with the City Clerk in accordance with Chapter 1.12 CMC. (Ord. 2063 § 18 (Exh. P), 2016)

Chapter 80.00

DESIGN REVIEW

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- 80.00.140 Appeals.
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80.00.010 Purpose.

The City Council finds that a design review process will support and assist in the implementation of the Coronado General Plan which has as its goal "...to preserve and improve Coronado principally as a beautiful, pleasant, residential community in which to live, work, shop and pursue leisure time activities." The City Council further finds that certain commercial, institutional, industrial, manufacturing, high density and other nonresidential developments and uses have substantial impact on the visual appeal, environmental soundness, economic stability, and property values of the City. It is therefore the purpose of this chapter to achieve a beautiful, pleasant, principally residential community by fostering and encouraging good design, harmonious colors and materials, good proportional relationships and generous landscaping, and to protect the health, safety, comfort and general welfare of the citizens of Coronado by providing for a design review process as hereinafter described. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.020 Jurisdiction.

No building permit or occupancy permit shall be issued or given unless and until the proposed construction, exterior alteration, exterior remodeling, relocation or exterior repainting has been referred to the Design Review Commission for review as heretofore established, and a final disposition made by the Commission or, on appeal, by the City Council as hereafter provided. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.030 Scope of authority.

The Commission has design review authority over the following and related landscaping:

- A. Construction, exterior alteration, addition to or an exterior repainting of any public building or structure including street furniture;
- B. Relocation of any nonresidential building or multiple-family dwelling;

- C. All development requiring a special use permit, planned unit development, or similar proceeding as exists now or as may in the future be established by the City;
- D. Any exterior alteration, addition, new construction or exterior repainting in the C-R or H-M Zones, or Orange Avenue Corridor Specific Plan with the exception of single-family development;
- E. All multiple-family dwelling units;
- F. Any exterior alteration, addition, new construction or exterior repainting in the R-3 Zone except for single-family or duplex development which meets the minimum requirements of the R-3 Zone, excluding floor area ratio and structural coverage which shall comply with the R-1B Zone standards as provided in CMC 86.10.035 and 86.10.100;
- G. Signs and advertising structures except as provided in CMC 86.60.100, 86.60.115 and 86.60.140;
- H. Any matter referred to the Design Review Commission by the Planning Commission or City Council consistent with the purposes of this chapter;
- I. Any matter referred to the Design Review Commission by the Community Development Department as provided in CMC 86.56.820, Vacant premises;
- J. Any exterior alteration, addition, new construction, or exterior repainting of all nonconforming professional, commercial and manufacturing uses in Residential Zones;
- K. Satellite antennas larger than three feet in diameter;
- L. Any roof deck or balcony whose walking surface is 14 feet or greater above “grade” in the R-1A and R-1A Subzones, R-1B, R-3 and R-4 Zones. Design review shall be limited to features of the roof deck and how the deck and access to said deck is integrated into the building roof and building architecture and impacts to neighbors;
- M. Single-family or duplex development in the R-1A and R-1A Subzones, R-1B and R-4 Zones when the property owner has voluntary elected Design Review Commission approval for a floor area ratio design feature bonus point in accordance with CMC 86.08.035, 86.09.050, 86.10.035 and the Orange Avenue Corridor Specific Plan Chapter V.B.13, respectively;
- N. Any building with one or more “structural nonconformity” or “floor area ratio nonconformity” that is proposed to be enlarged by 150 percent or greater of the existing building gross floor area without correcting the nonconformities and the property owner has voluntary elected Design Review Commission approval in accordance with CMC 86.50.105(B). (Ord. 2062 § 2 (Exh. A), 2016)

80.00.032 Design review exemption.

A resource that has been designated as a historic resource by the City and listed on the historic resource inventory shall be exempt from the Design Review Commission process. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.035 Previously approved design and color schemes.

Design review shall not be required for maintenance and repair of any improvement previously reviewed and approved by the Design Review Commission when such work will not result in a change of color or design, unless such approval was expressly conditioned otherwise, and when such work is not otherwise in conflict with existing ordinances. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.037 Predesign meetings.

Predesign meetings are recommended with a Design Review Commission subcommittee prior to formal design review submittal. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.040 Procedure.

The following procedure shall govern the submission and review of site and building plan:

A. The following items must be submitted to the Community Development Department at least 21 days prior to a regularly scheduled meeting of the Commission:

1. An application for design review on forms prescribed by the Community Development Department and accompanied by the required fees established by City Council resolution.
2. Nine copies of each of the following:
 - a. Plot plan drawn to a scale of not less than one-eighth inch equals one foot showing dimensions and size of each lot to be built upon or otherwise used; the size, shape and location of existing and proposed buildings; and the location and layout of parking areas, parking spaces, and driveways.
 - b. A landscaping plan including location of proposed plantings and screenings and proposed location of fences, signs, and advertising structures. The Director of the Community Development Department may, at his discretion, waive this requirement when such applications as required in subsection (A)(1) of this section apply to other such minor changes where the submission of landscape plans would not, in his opinion, assist in describing the proposed change.
 - c. Exterior elevations of all sides of proposed new buildings and additions to existing buildings; exterior elevations of proposed remodeling or face lifting. In the case of additions to existing buildings, exterior elevations of both the addition and the existing building are required.
 - d. Exterior color samples.
 - e. Such other information, drawings, plans, material samples, models or renderings that may be required by the Community Development Department to assist the Commission in arriving at a decision. The use of color renderings and photographs is encouraged.

B. The Community Development Department shall determine whether the application is complete, and shall refer complete submittals, with its comments, to the Commission at its next available regular meeting. The Commission shall act on the application within 30 days after such referral, unless applicant requests, and the Commission grants, an extension of time.

C. The Department shall notify the applicant in writing within 30 days of the application submittal if (and why) the application is incomplete. The applicant may appeal to the Planning Commission the Department's determination that the application is incomplete up to 10 days after receiving notice of the Department's decision. The Community Development Department shall refer the appeal, with its comments, to the Planning Commission at its next available regular meeting. The Planning Commission shall act on the appeal within 60 days after the appeal is received by the City unless the appellant and the City agree to a time extension of no more than 60 days.

D. The Community Development Department shall advise the applicant in writing of the time, date and place of the Commission's consideration of the application, or appeal to the Planning Commission, and the final disposition thereof.

E. The decision of the Design Review Commission is final unless appealed as provided for in CMC 80.00.140. The decision of the Planning Commission on whether an application is complete is final. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.045 Hotels and motels in the Orange Avenue Corridor Specific Plan.

Notwithstanding the other provisions of this chapter, an application for design review involving the establishment, or expansion by more than 1,000 square feet of floor area, of a hotel or motel in the Orange Avenue Corridor Specific Plan shall be submitted to the Design Review Commission for approval. The decision of the Design Review Commission is final unless appealed to the City Council. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.050 Approval criteria.

The Design Review Commission may approve, approve with conditions, or disapprove any project or item under its review authority after considering whether the criteria are complied with. Projects located in Commercial and R-4 (Multiple-Family Residential) Zones shall also comply with the design criteria, contained in CMC Title 88, of the

Orange Avenue Corridor Specific Plan. These criteria are not intended to restrict imagination, innovation, or variety, but rather to assist in focusing on design principles that can result in creative solutions to assist in promoting the purpose of this chapter. The issuance of a building permit or occupancy permit by the Community Development Department in any matter subject to the Commission's scope of authority shall be subject to the Commission's actions on the project or item. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.060 Relationship of building to site.

- A. The site shall be planned to accomplish a desirable transition with the streetscape, and to provide for adequate planting, pedestrian movement, and parking areas.
- B. Site planning in which setbacks and yards which exceed current regulations are encouraged to provide an inviting streetscape.
- C. Parking areas shall be treated with decorative elements, building wall extension, plantings, berms or other innovative means so as to largely screen parking areas from view from public ways.
- D. The height and scale of each building of different architectural styles shall be made compatible by such means as screens, site breaks, colors, and materials. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.070 Relationship of building and site to surrounding area.

- A. Adjacent buildings of different architectural styles shall be made compatible by such means as screens, site breaks, colors, and materials.
- B. Attractive landscape transition to surrounding properties shall be provided.
- C. Harmony in texture, lines, and masses is required. Monotony shall be avoided.
- D. Buildings shall have compatible scale to those in the surrounding area. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.075 Findings for denial for commercial development.

- A. The purpose of the standards in this section is to regulate Commercial Zones in order to maintain the City's unique village character, the vitality of our commercial districts, and the quality of life of Coronado residents.
- B. The Design Review Commission shall deny the application for a design review permit for property in the Central Commercial, Limited Commercial, or Hotel-Motel Zones if one or more of the following is found:
 - 1. Proposed improvements will conflict with other development in the area, in terms of design, landscape, or scale;
 - 2. Proposed improvements will result in visual clutter or garish color, or cause a building facade to have inappropriate, conflicting design elements;
 - 3. Proposed improvements will fail to achieve human scale, will be excessively massive, or will dominate the neighborhood;
 - 4. Proposed signage:
 - a. Is not in keeping with the design of the structure;
 - b. Is not in scale with the size of the building facade and adjacent properties;
 - c. Emphasizes corporate logos; or
 - d. Incorporates unnatural or fluorescent colors, or intense lighting that intrudes on the nightscape; and
 - 5. Proposed improvements will adversely impact the quality of life in Coronado by:
 - a. Discouraging business vitality and diversity;

- b. Detracting from the village ambiance;
- c. Detracting from the pedestrian-friendly environment; or
- d. Detracting from the rhythm of the street (i.e., incompatibility with the scale, facade plane offsets, detailing, fenestration, etc., of existing store facades of the streetscape). (Ord. 2062 § 2 (Exh. A), 2016)

80.00.080 Landscape and site treatment.

Landscape elements included in these criteria consist of all forms of planting and vegetation, ground forms, rock groupings, water patterns, and all visible construction except buildings and utilitarian structures.

- A. Where natural or existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Modification to topography will be permitted where it contributes to good appearance.
- B. Grades of walks, parking spaces, terraces, and other paved areas shall provide an inviting and stable appearance for walking and, if seating is provided, for sitting.
- C. Landscape treatment shall be provided to enhance architectural features, strengthen vistas and important areas, and provide shade.
- D. Unity of design shall be achieved by repetition of certain plant varieties and other materials, and by correlation with adjacent developments.
- E. Plant material shall be selected for interest in its structure, texture, and color and for its ultimate growth.
- F. In locations where plants will be susceptible to injury by pedestrians or motor traffic, they shall be protected by appropriate curbs, tree guards, or other devices.
- G. Parking areas and trafficways shall be enhanced with landscaped spaces containing trees or tree groupings which shall be adequately irrigated and maintained. Shrubs shall be used only where they will not obscure vision.
- H. The placement of trees in parkways or paved areas is encouraged.
- I. Service yards, and other places which tend to be unsightly, shall be screened by use of walls, fencing, plantings, or combinations of these.
- J. In areas where general planting does not prosper, other materials, such as fences, walls, and paving of wood, brick, stone, gravel or cobbles, shall be used. Carefully selected plants shall be combined with such materials where possible.
- K. Exterior lighting, when used, shall enhance the building design and the adjoining landscape. Lighting standards and fixtures shall be of a design and size compatible with the building and adjacent areas. Lighting shall be restrained in design, color, and brilliance. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.085 Water conservation.

The semi-arid climate zone in which the City of Coronado is located requires the appropriate use of landscape materials and irrigation methods to conserve water.

- A. Xeriscape principles shall be used in the design of a landscape and irrigation plan to ensure water conservation.
- B. Drought-tolerant landscape materials which will demand less water and will continue to flourish in drought conditions shall be planted wherever possible.
- C. Low volume irrigation, moisture sensors, and rain sensors are water-conserving irrigation methods which shall be included in irrigation systems and plans wherever possible. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.090 Building design.

- A. Evaluation of the appearance of a project shall be based on the quality of its design and its relationship to its surroundings.
- B. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.
- C. Materials shall have good architectural character, be of durable quality, and shall be selected for harmony of the building with surrounding buildings. In any design in which the structural frame is exposed to view, the structural materials shall meet the other criteria for materials.
- D. New building components, such as windows, doors, eaves, and parapets, shall have good proportions and relationship to one another.
- E. Colors shall be harmonious.
- F. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be located so as not to be visible from any public ways.
- G. Exterior lighting shall be part of the architectural concept. Fixtures, standards and all exposed accessories shall be harmonious with building design.
- H. Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from view from public ways, using materials as stated in criteria for equipment screening.
- I. Monotony of design in single- or multiple-building projects shall be avoided. Variation of detail, form, and siting shall be used to provide visual interest. In multiple-building projects, variable siting or individual buildings may be used to prevent a monotonous appearance. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.100 Signs.

- A. Wall signs shall be part of the architectural concept. Size, color, lettering, location, and arrangement shall be harmonious with the building design, and shall be compatible with approved signs on adjoining buildings. Signs shall have good proportions.
- B. Ground signs shall be designed to be compatible with the architecture of the building. The same criteria applicable to wall signs shall apply to ground signs.
- C. Materials used in signs shall have good architectural character and be harmonious with building design and surrounding landscape.
- D. Every sign shall have good scale in its design and in its visual relationship to buildings and surroundings.
- E. Colors shall be used harmoniously and with restraint. Lighting shall be harmonious with the design. If external spot or floodlighting is used, it shall be arranged so that the light source is shielded from view. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.110 Miscellaneous structures and street furniture.

- A. Miscellaneous structures include any structures, other than buildings, visible to view from any public way or ways. Street furniture includes all objects not commonly referred to as structures and located in streets and public ways and outside of buildings.
- B. Miscellaneous structures and street furniture located on private property shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with buildings, scale shall be good, colors shall be in harmony with buildings and surroundings, and proportions shall be attractive.
- C. Lighting in connection with miscellaneous structures and street furniture shall meet the criteria applicable to site, landscape, buildings, and signs. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.113 Formula fast food restaurants.

A. The purpose of the standards in this section is to regulate the construction of formula fast food restaurants in order to maintain the City's unique village character, the vitality of our commercial districts, and the quality of life of Coronado residents.

B. In addition to the other regulations in this code, the regulations in this section shall be used to review an application for a design review permit for proposed improvements to a formula fast food restaurant.

C. The Design Review Commission shall deny the application for a design review permit if one or more of the following is found:

1. Proposed improvements will conflict with other development in the area, in terms of design, landscape, or scale;
2. Proposed improvements will result in visual clutter or garish color, or cause the formula fast food restaurant to have conflicting design elements;
3. Proposed improvements will fail to achieve human scale, will be excessively massive, or will dominate the neighborhood;
4. Proposed signage:
 - a. Is not in keeping with the design of the resulting formula fast food restaurant;
 - b. Is not in scale with the size of the building facade and adjacent properties;
 - c. Emphasizes corporate logos; or
 - d. Incorporates unnatural or fluorescent colors, or intense lighting that intrudes on the nightscape; and
5. Proposed improvements will adversely impact the quality of life in Coronado by:
 - a. Discouraging business vitality and diversity;
 - b. Detracting from the village ambiance;
 - c. Detracting from the pedestrian-friendly environment; or
 - d. Detracting from the rhythm of the street (i.e., incompatibility with the scale, facade plane offsets, detailing, fenestration, etc., of existing store facades of the streetscape). (Ord. 2062 § 2 (Exh. A), 2016)

80.00.115 Satellite antennas.

A. An apparatus capable of receiving communications from a transmitter or a transmitter relay located in a planetary orbit or a dish microwave antenna shall be subject to the applicable regulations of this title, subject to such conditions as may be necessary to accomplish the purposes of this title.

B. The proposal will be approved so long as the location, size, design and operating characteristics of the proposed apparatus is compatible with and does not adversely affect, in a material manner, adjacent uses, residences, structures or natural resources, with consideration given to, among other things, the following:

1. The effect on the character of the neighborhood;
2. The effect upon views from public and private vantage points;
3. The effect upon environmental quality or natural resources; and
4. The susceptibility of the site for the type and intensity of use or development which is proposed.

C. Satellite antennas shall be located and designed and screened so as to cause the least visual impact on views from surrounding properties and from public areas.

D. Notwithstanding the above, the regulations of this section shall not be administered so as to:

1. Prevent reception of satellite-delivered signals from major communication satellites that, when viewed on a conventional television set, are at least equal in picture quality to those received from local commercial television stations; or
2. Impose costs on the potential user of the antenna that are excessive in light of the purchase and installation costs of the equipment.

E. If an applicant claims that an imposed regulation violates one or both of the provisions of subsection D of this section, the applicant shall deposit with the City a sum determined by the Director of Community Development sufficient to obtain an expert evaluation and opinion. Any unused portion of the deposit shall be refunded to the applicant upon a final determination on the application.

F. Upon the acceptance of an application, the Community Development Department shall cause the application to be set for a public hearing before the Design Review Commission no less than 14 days nor more than 60 days from the date of acceptance.

G. Notice shall be mailed to all owners of property within 100 feet of the site of the proposed project, as shown in the latest tax rolls. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.120 Maintenance – Planning and design factors.

A. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep.

B. Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage, and abuse.

C. Provision for washing and cleaning of new buildings and structures, and control of dirt and refuse, shall be included in the design. Such configurations that tend to catch and accumulate debris, leaves, trash, dirt, and rubbish shall be avoided. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.130 Other applicable provisions.

Applicable provisions of this code, including but not limited to the zoning, subdivision, and sign ordinances, shall be a part of these criteria. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.140 Appeals.

Any person may appeal a decision of the Design Review Commission to the City Council by filing with the City Clerk a written notice of appeal within 10 calendar days after a decision of the Commission in accordance with Chapter 1.12 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.150 Recognition for exceptional design.

The Commission may establish a procedure whereby outstanding developments or projects receive public recognition and an appropriate certificate issued on behalf of the City. (Ord. 2062 § 2 (Exh. A), 2016)

80.00.160 Expiration of design review approval.

Unless extended pursuant to this provision, approval of a design review application shall expire if substantial work on the project has not commenced within three years of the date of final City approval. The Director of Community Development, upon a written request of the applicant, may grant an extension of an approval up to an additional year. The Design Review Commission, upon a written request of the applicant, may grant or extend an approval for a determinant period greater than what would otherwise be allowed, if the Commission's motion or resolution incorporates a finding of the ongoing nature of the project, and specifically states the duration of the approval. (Ord. 2062 § 2 (Exh. A), 2016)

Title 86

ZONING

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Chapter 86.02

GENERAL PROVISIONS

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86.02.010 Citation.

This title shall be known as the “zoning regulations of the City of Coronado” and may be cited as such, or as the “zoning ordinances” and will be referred to hereinafter as “this title,” and sections or portions hereinafter referred to shall refer to sections, chapters, or portions of this title unless otherwise specifically identified. (Ord. 1791)

86.02.020 Purpose.

This title is hereby adopted to regulate the use of buildings, structures and land as between industry, business, residents and open space; to regulate the location, height, bulk, number of stories and size of buildings and structures; the size and use of lots, yards, courts and other open spaces; the percentage of a lot which may be occupied by a building or structure; the intensity of land use; and to establish requirements for off-street parking and loading; to establish and maintain building setback lines; to provide for the request and disposition of zone boundaries; and further, to otherwise implement the adopted General Plan of the City to serve and protect the public health, welfare and general safety of the citizens of Coronado pursuant to applicable provisions of laws of the State of California. (Gov. Code § 65000 et seq.; Gov. Code § 65850 et seq.)

86.02.030 To implement General Plan.

It is also intended that the adoption of this title will implement a substantial portion of the adopted General Plan of the City of Coronado; that the adoption of this title is deemed to be one of several formal actions necessary to preserve and improve Coronado as a beautiful, pleasant, residential community in which to live, work, shop, and pursue leisure time activities; that the adoption of this title is deemed to be necessary in carrying out the total community growth objectives, residential development objectives, commercial development objectives, service development objectives, community facilities objective and the circulation system objectives of the adopted General Plan; that the adoption of this title does not restrict the desirability or necessity of amending the General Plan and the provisions of this title related to the General Plan amendments, from time to time and as the situation may warrant, to ensure consistency between the General Plan and the provisions of this title. (Gov. Code § 65300)

86.02.040 Application and interpretation.

In interpreting and applying the provisions of this title, the Department and the Commission shall construe the provisions to be minimum requirements. Where this title imposes greater restrictions than are imposed or required by other rules, regulations or ordinances, the provisions of this title shall control.

86.02.050 Permitted uses only.

Except as otherwise expressly provided pursuant to other provisions of this title, no building or part thereof or other structure shall be erected, altered, added to or enlarged, nor shall any land, building, structure or premises be used, designated or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the zoning district in which such building, land or premises is located.

86.02.060 Height limits.

Except as otherwise expressly provided pursuant to other provisions of this title, no building or part thereof or structure shall be erected, reconstructed or structurally altered to exceed in height the limit hereinafter designated for the district in which such building is located.

86.02.070 Open space – Encroachment.

Except as otherwise expressly provided pursuant to other provisions of this title, no building or part thereof or structure shall be erected, nor shall any existing building be altered, enlarged or rebuilt or moved into any district, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area, and building location regulations hereinafter designated for the district in which such building or open space is located.

86.02.080 Open space – Other building.

Except as otherwise expressly provided pursuant to other provisions of this title, no yard or other open space provided about any building for the purpose of complying with the provisions of this title shall be considered as providing a yard or open space for any other building, and no yard or other open space on one building site shall be considered as providing a yard or open space for a building on any other building site.

86.02.090 Yards – Obstructions.

Except as otherwise expressly provided pursuant to other provisions of this title, every required front, side or rear yard shall be open and unobstructed from the ground to the sky.

86.02.100 School, church, institution.

Except as otherwise expressly provided pursuant to provisions of this title, in any R Zone, no building shall be hereafter erected, structurally altered or used for a school, church, institution or other regulations of this title, unless such buildings are removed at least 15 feet from every boundary line of a property included in any R Zone; and provided, that no front yard, as required in the zone, nor any side yard as required above, shall be used for recreation or parking purposes.

86.02.110 Manufacturing or Commercial Zones – Allowing nonprincipal or nonaccessory uses.

Except as otherwise expressly provided pursuant to other provisions of this title, where a use is not specifically contained in the list of principal or accessory uses allowed in any Commercial or Manufacturing Zone, but is of the same character and intensity as other uses listed, the Planning Commission may allow the establishment of that use, upon request, provided the Commission makes the following determinations:

- A. That the establishment of the use will be in accordance with the purposes of the zone in which it is proposed.
- B. That the use will be an appropriate addition to the zone because the use possesses the same basic characteristics as the permitted uses in the zone.
- C. That the use will not be detrimental to the public health, safety, or welfare.
- D. That the use will not create more traffic, odor, dust, dirt, smoke, noise, vibration, glare, illumination, unsightliness, or any other objectionable influence than the amount normally created by any of the uses permitted in the zone.

86.02.115 Zoning walls.

- A. "Zoning wall" means a required wall providing a relatively substantial separation of one land use from another more intensive or noxious land use.
- B. A 10-foot high (or less) solid masonry zoning wall (or fence) may be required to be erected to separate any Commercial Zone or use from an adjoining Residential Zone or use as a condition precedent to granting of a special use permit, variance, coastal permit, or subdivision map. (Ord. 1717)

86.02.120 Determination of use.

- A. A determination of whether a particular use is within the scope of permitted uses and allowable accessory uses in a particular zone shall constitute a "determination of use."
- B. A person with an interest in real property located within a particular zone who intends to develop such real property with a use not expressly allowed in such zone shall be entitled to apply to the Planning Commission for a determination of use.
- C. Upon the making of the application and the payment of fees set by resolution of the City Council, the Planning Commission shall set a public hearing and publish notice at least 10 days prior to such hearing indicating the property, zone and particular use designated in the application.
- D. The determination of use by the Planning Commission shall become final and thereafter control development within the particular zone unless the determination of use is appealed to the City Council in accordance with Chapter 1.12 CMC. (Ord. 2025 § 26, 2011; Ord. 1525; Ord. 1408)

86.02.124 Determination of development.

- A. A determination of whether a particular project complies with the development standards applicable to the particular project shall constitute a "determination of development standards."
- B. A determination of development standards rendered by the Director of Community Development or authorized representative may be appealed to the Planning Commission for determination. The appeal must be filed within 10 calendar days of such determination.
- C. Upon application, the Planning Commission shall make a determination of development standards which shall become final and thereafter govern the particular project unless the determination is appealed to the City Council in accordance with Chapter 1.12 CMC.
- D. A determination of development standards shall not substitute for an application to the board of appeals for relief from applicable minimum construction standards prescribed by the Uniform Building Code. (Ord. 2025 § 28, 2011; Ord. 1525)

86.02.128 Interpretation.

- A. When, in the opinion of the Director of Community Development, it becomes necessary for the City of Coronado to render an administrative interpretation of the provisions or terms of this title, the Director of Community Development may cause a noticed, public hearing to be conducted by the Planning Commission.
- B. After hearing, the Planning Commission may render an interpretation which shall thereafter control development with the City unless an appeal is filed to the City Council with the City Clerk in accordance with Chapter 1.12 CMC. (Ord. 2025 § 30, 2011; Ord. 1525)

86.02.130 Lot size reduction.

- Except as otherwise expressly provided pursuant to other provisions of this title, no lot shall be reduced in size where the area of such lot is no greater than the minimum area required for a lot in the zone in which it is located except when such reduction results from partial acquisition for public use.

86.02.140 Repealed.

Repealed by Ord. 1809.

86.02.150 Repealed.

Repealed by Ord. 1809.

86.02.160 Coastal permit.

Except as otherwise expressly provided pursuant to other provisions of this title, no activity requiring a coastal permit (as explained in Chapter 86.70 CMC) shall be allowed to occur prior to coastal permit approval (including the expiration of all permit appeal deadlines) unless the City Manager (or his duly appointed agent) rules that an emergency situation exists that is an immediate significant threat to life, health or property, and that such preventive or ameliorative activities are necessary to adequately address the emergency situation. (Ord. 1534)

86.02.180 Fees and deposits.

Prior to the processing of any planning-related application, permit, plan check or other related service, the applicant shall pay to the City a fee/deposit equal to the estimated cost of processing said service. The City Council shall adopt by resolution a “planning fee schedule” to recover the cost for providing said planning-related services. The “planning fee schedule” shall list the “standard fee” (as provided for in Chapter 8.02 CMC) or the deposit amount in the amount that is estimated to be the reasonable cost borne by the City or its designated contractors for each service. The “planning fee schedule” may be revised from time to time by Council resolution. The “planning fee schedule” is on file in the Office of the City Clerk. (Ord. 1808)

86.02.190 Multiple permit applications.

When a single project requires multiple land, use permits or approvals and any of the permits requires action from the City Council, all permits shall be approved, modified, or denied by City Council, with other decision makers providing a recommendation. (Ord. 2020-07 § 3, 2020)

Chapter 86.04

DEFINITIONS

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86.04.010 General.

Unless the context requires otherwise, the following definitions shall be used in the interpretation and construction of this title, and words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word "building" shall include the word "structure" and the word "shall" is mandatory and not discretionary. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.015 Officials, departments and commissions.

Whenever the following terms are used, it shall mean the corresponding officer, department, council or commission of the City of Coronado, herein referred to as the City, Building Official, City Council or Council, Planning

Commission or Commission, Community Development Department or Department, Planning Director, City Attorney, City Engineer, Police Department, Public Services. In each case, the term shall be deemed to include an employee of any such officer or department of the City who is lawfully authorized to perform any duty or exercise any power as his or its representative or agent. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.020 Definitions.

In this title, the definitions set forth in this chapter shall apply. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.025 Abatement.

“Abatement” means the modification or removal of any building, structure or use that causes it to conform with the requirements of this title. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.030 Abatement period.

“Abatement period” means that time span between the official notification to a property owner of the requirement to cease, alter, modify, decrease or remove any building, structure or use that is nonconforming or illegal, and the final date given by which the property owner shall make such change. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.035 Abut.

“Abut” means the same as “adjoining.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.040 Access.

“Access” means an opening in a fence, wall or structure, or a walkway or driveway permitting pedestrian or vehicular approach to or within any structure or use. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.045 Accessory building or structure.

“Accessory building or structure” means a structure or building subordinate to the main building on the same lot. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.050 Accessory dwelling unit or ADU.

“Accessory dwelling unit” or “ADU” shall have the meaning defined in Government Code Section 65852.2. (Ord. 2020-03 § 3 (Exh. A), 2020; Ord. 2067 § 5 (Exh. A), 2017)

86.04.055 Accessory use.

“Accessory use” means a use subordinate to the principal use of a building on the same lot, and serving a purpose customarily incidental to the permitted use of the main building. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.060 Act of God.

“Act of God” means a destructive natural event that cannot reasonably be foreseen or prevented. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.065 Addition.

“Addition” means the result of any work that increases the volume of an existing structure or replaces a demolished portion. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.070 Adjacent.

“Adjacent” means two or more lots or parcels of land, buildings or structures that are not in contact with each other but share a common separation composed of another lot, a parcel of land, a building, a structure or a right-of-way. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.075 Adjoining.

“Adjoining” means two or more lots or parcels of land sharing a common boundary line, or two or more structures, buildings or objects in contact with each other. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.077 Adult video cassette activities.

A. “Adult video cassette activity” is a place of business where video cassettes are offered for sale, lease, loan or rent whose dominant theme is the depiction of specified anatomical areas or specified sexual activities.

B. “Specified anatomical areas” means:

1. Less than completely and opaquely covered human genitalia, pubic region, anus, mature buttocks, or mature female breasts below a point immediately above the top of the areola; or
2. Human male genitalia in a discernibly turgid state, even if completely and opaquely covered.

C. “Specified sexual activities” means:

1. The fondling or other erotic touching of human genitalia, pubic region, anus or female breasts; or
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, sodomy, bestiality, or necrophilia; or
3. Masturbation, actual or simulated; or
4. Erotic or sexually oriented torture, beating, masochism, mutilation, flagellation or the infliction of pain; or
5. Excretory functions as a part of or in connection with any of the activities set forth in subsections (C)(1) through (4) of this section. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.080 Alley.

“Alley” means a public or private way not more than 30 feet wide, which serves only as secondary access to abutting property. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.085 Alteration.

“Alteration” means any work on a structure that does not result in any addition to the structure. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.087 Amusement device.

An “amusement device” is defined as any machine, device or apparatus, the operation or use of which is permitted, controlled, allowed or made possible by the deposit or placing of any coin, plate, disc, slug or key into any slot, crevice or other opening or by the payment of any fee or fees, for use as a game, contest, or amusement of any description, or which may be used for any such game, contest or amusement, and the use or possession of which is not prohibited by any law of the State of California. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.088 Amusement device center.

An “amusement device center” is a commercial establishment that contains five or more “amusement devices.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.090 Apartment complex.

“Apartment complex” means a building or a group of buildings on one lot under single ownership, with at least one building containing three or more dwelling units. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.093 Aquaculture.

For the purpose of this title, “aquaculture” is defined as the culture and husbandry of aquatic organisms, including, but not limited to, fish, shellfish, mollusks, crustaceans, kelp, algae, and eel grass. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.094 Architectural projection.

An “architectural projection” is a “bay, bow, or garden window”; a fireplace, chimney, cornice, roof eave, roof gutter and down spout; a sill, window and door awning; and architectural features projecting a maximum of four inches into a required side, front, or rear yard. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.095 Attic.

An “attic” is that part of the interior of a building immediately below a roof, above the ceiling of a story, and within the roof framing. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.110 Automobile service station.

“Automobile service station” means a place where gasoline, or any other motor fuel, lubricating oil or grease for the operation of a motor vehicle is offered for sale to the public and delivered and/or minor repairs are made directly into motor vehicles. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.112 Bay, bow, or garden window.

A “bay, bow, or garden window” is a window which is glazed on at least 60 percent of the total area of the exterior vertical faces and the bottom of the exterior vertical face area is at least 12 inches above the adjacent finished floor level. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.115 Bench.

“Bench” means a fixed seat accommodating two or more persons. One seat is equal to 18 inches of clear bench space. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.120 Block.

“Block” means a tract of land bounded by streets, dead ends of streets, watercourses, large tracts of land in uses such as dedicated parks and golf courses, or a City boundary. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.125 Block face.

“Block face” means all property facing upon one side of a street in a block. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.128 Boarding house.

“Boarding house” means a building containing two or more habitable units with common kitchen and dining facilities. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.130 Boat trailer.

“Boat trailer” means a vehicle designed to be drawn by a motor vehicle for the purpose of transporting a boat, ship or other watercraft. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.135 Building.

“Building” means a permanently located structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals or property. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.140 Building bulk or building volume.

“Building bulk” or “building volume” means the total amount of three-dimensional space occupied by a building. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.150 Building, enclosed.

“Enclosed building” means a building whose occupants, animals or property cannot be visually or otherwise exposed to any person off the premises except by the incidental or customary use of doors, windows, or balconies. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.153 Building envelope.

“Building envelope” means the three-dimensional spatial configuration of a building’s volume and mass. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.155 Building height.

“Building height” is the vertical distance above “grade” to one of the following:

A. For all buildings in the R-1A, R-1A(BF), R-1B, R-3 and R-4 Zones: the highest point of the roof, top of parapet wall, guardrail, mechanical equipment or similar feature of a building with a flat, false mansard or sloped roof with a pitch of less than 3:12 and the highest point of a roof’s ridge for roofs with a pitch equal to or greater than 3:12;

B. For all buildings located in zones other than R-1A, R-1A(BF), R-1B, R-3 and R-4 Zones: the average midpoint between the ridge and eave of a sloped roof with a pitch equal to or greater than 3:12 and to the highest point of the roof, top of parapet wall, guardrail, mechanical equipment or similar feature of a building with a flat, false mansard or sloped roof with a pitch less than 3:12. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.160 Building, main.

“Main building” means a building where the principal use of the property occurs. In any residential zone, any dwelling, other than an “accessory dwelling unit,” shall be deemed to be a main building on the property. (Ord. 2067 § 5 (Exh. A), 2017; Ord. 2062 § 2 (Exh. A), 2016)

86.04.165 Building Official.

“Building Official” means the Director of Department of Community Development of the City of Coronado. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.170 Building or structure, permanent.

“Permanent building or structure” means a building or structure that conforms to all of the following requirements:

A. Requires a building permit;

B. By construction or design has not been intended to be moved once located;

C. The exterior walls of the building are in continuous contact with the ground or foundation, except where structural supports are required due to special site conditions. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.175 Building separation, space between buildings.

“Building separation, space between buildings” means the horizontal distance between buildings measured from the nearest point of one building wall to the nearest point of another building wall. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.180 Building valuation.

“Building valuation” means the estimated cost to replace the building in kind, based on current replacement costs, as determined by the Building Official. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.185 Business or commerce.

“Business or commerce” means the purchase, sale or other transaction involving the handling or disposition of any article, service, substance or commodity for livelihood or profit; or the management of office buildings, offices, recreational or amusement enterprises; or the maintenance and use of offices, structures and premises by professions and trades rendering services. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.190 Camp car.

“Camp car” means a vehicle with its own motive power and is designed for human habitation. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.195 Camper.

“Camper” means a portable dwelling unit designed to be transported on a motor vehicle. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.197 Carriage house.

“Carriage house” means a two-story “accessory building or structure” containing an enclosed garage on the first story and a “habitable unit” on the second story and is detached from the “main building.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.200 Church.

“Church” means a nonprofit organization, as determined by the Internal Revenue Service, which uses buildings, structures, or land for the teaching or practice of religious doctrine or related social functions. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.205 City.

“City” means the City of Coronado. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.210 City Council or Council.

“City Council” or “Council” means the City Council of the City of Coronado. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.213 Clubs and lodges.

“Clubs and lodges” means institutions promoting good will and support services for its members and one that distributes or is supported by donated funds or member fees and has received a determination letter from the Internal Revenue Service stating that the organization’s income is exempt from taxation. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.215 Cluster house.

“Cluster house” means three or more detached buildings used for dwelling purposes located on a parcel of land and having any yard or court in common. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.216 Combined use development.

“Combined use development” means development of a site in the R-4 Zone in an integrated, compatible and comprehensively planned manner with two or more uses, each of which are permitted in the underlying zone by right or with a special use permit. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.217 Commercial condominium complex.

“Commercial condominium complex” means a building or a group of buildings containing two or more commercial or professional office units, each unit being separately owned, or held by a stock cooperative. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.218 Commercial vehicle.

“Commercial vehicle” means any mode of transportation displaying identification or advertising for the purpose of “business or commerce” as defined by CMC 86.04.185, or that is primarily utilized in the conduct of “business or commerce.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.220 Commission.

“Commission” means the Planning Commission of the City of Coronado. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.225 Community Development Department.

“Community Development Department” means the Department of Community Development of the City of Coronado. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.230 Contiguous.

“Contiguous” means the same as “adjoining.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.235 Convalescent hospital.

“Convalescent hospital” means any premises with sleeping rooms where persons are lodged and furnished with meals, dietary or nursing care, and may include persons suffering from contagious diseases, mental disease, alcoholism, drug addiction or nonambulatory conditions. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.240 Court.

“Court” means a yard on the same lot with a building which is bounded on two or more sides by the exterior walls of buildings on the same lot. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.245 Daylight plane.

“Daylight plane” means a height limitation that, when combined with the maximum height limit, defines the “building envelope” within which all new structures or additions must be contained. The daylight plane is an inclined plane, beginning at 18 feet above grade at the side property line, and extending into the site at 45 degrees from the vertical up to the maximum height limit. The daylight plane may further limit the height or horizontal extent of the building at any specific point where the daylight plane is more restrictive than the height limit applicable at such point on the site. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.250 Day nursery.

“Day nursery” means the same as “nursery school.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.255 Department.

“Department” means the Community Development Department of the City of Coronado. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.257 Dormer.

“Dormer” means a projecting structure built out from a sloping roof. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.260 Driveway.

“Driveway” means a private road, the use of which is limited to persons residing, employed or otherwise using or visiting the parcel on which located. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.265 Duplex.

“Duplex” means any development with two dwelling units on one lot. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.270 Dwelling, multiple-family.

“Multiple-family dwelling” means an “apartment complex” or a “residential condominium complex” containing three or more dwelling units, or a dwelling unit in one of these types of housing complexes or a development of three or more dwelling units on one lot. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.280 Dwelling, single-family.

“Single-family dwelling” means any building designed for use exclusively as a dwelling unit for one family, except for accessory dwelling units. The “term single-family dwelling” includes employee housing for six or fewer persons as defined in Health and Safety Code Section 17008.

(Ord. 2067 § 5 (Exh. A), 2017; Ord. 2062 § 2 (Exh. A), 2016)

86.04.285 Dwelling unit.

“Dwelling unit” means a habitable unit with a kitchen or kitchenette or cooking facility within the unit. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.286 Facade.

“Facade” means the exterior wall of a building exposed to view from sites not on the same property. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.287 Facade plane offset.

“Facade plane offset” is the intersections of two approximately parallel vertical exterior surfaces of a building with a third (usually short) vertical exterior surface. A facade plane offset forms a stepped building wall, or an indentation in, or a protrusion from, the building wall or veneer. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.288 False mansard.

“False mansard” means a decorative structure at the edge of a building which has a flat roof. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.290 Family.

“Family” means one or more persons, whether or not related by blood, marriage or adoption, living together in a single residential unit, with common access to, and common use of, all living areas and all areas and facilities for the preparation and storage of food.

86.04.295 Fences, walls and hedges, height of.

Repealed by Ord. 2068. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.300 Fire escape.

“Fire escape” means a ladder or other device designed and intended to furnish an emergency means of escape from a burning building. Fire escapes shall not be considered as a required exit under the Uniform Building Code, and shall be designed so that the lower section would normally be raised aboveground preventing casual use as other than an emergency exit. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.305 Fixed seat.

“Fixed seat” means a chair, stool or other device intended to be sat in or on by not more than one person as part of the principal allowed use of the premises. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.307 Floor area equivalent.

“Floor area equivalent” includes:

- A. “Phantom floors,” defined as the area of any portion of a building or enclosed space above an interior height of 14 feet as measured from the floor of the enclosed space.
- B. The area of uncovered patios, courtyards, balconies, decks, and other similar areas bounded by walls on three or more sides where more than two of said walls exceed 14 feet above “grade” of which only one story is counted. Such areas are excluded from “floor area equivalent” if the cumulative lot total of such areas is 100 square feet or less, or they face a public street.
- C. The area of covered patios, porches, courtyards, balconies, decks and other similar areas unless either:
 1. The roof is 65 percent or more permanently open to the passage of light and air to the sky; or
 2. At least 50 percent of the perimeter between the floor and the underside of the roof of said area is 65 percent or more permanently open to the passage of light and air.
- D. Attics if any portion of the attic is accessible by permanent stairs and contains an exterior door or roof dormer open to the attic or other opening in the roof surface that admits light into the attic or provides exterior access to or from the attic. If an attic meets these qualifications, 50 percent of the “gross floor area” of the story immediately below the attic shall be considered as “floor area equivalent.”
- E. The area of mezzanines and interior balconies.
- F. The floor area of second and third story covered balconies or decks which project greater than eight feet from the exterior facade and are enclosed or covered with any material that is less than 100 percent permanently open on the three exterior sides and to the sky. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.308 Floor area ratio or FAR.

“Floor area ratio” or “FAR” is the total of the “gross floor area” plus the “floor area equivalent” of all buildings on a lot divided by the “gross lot area” excluding:

- A. A cumulative total of one and one-half percent of lot area with a maximum of 100 square feet within the surrounding exterior walls of fireplaces, chimneys, and “bay, bow, and garden windows” of which 50 percent shall be limited to each “story”;
- B. The floor area of underground parking and basements where the finished floor level directly above said area is 30 inches or less above “grade”;
- C. For multiple-family or commercial development: the floor area of underground parking, building maintenance facilities or incidental storage designed as an integral part of these two uses where the finished floor level directly above said area is six feet or less above “grade”; and
- D. For residential development in all multiple-family residential zones: up to 200 square feet of floor area for a one-car garage and 400 square feet of floor area for a two-car garage, per dwelling, utilized for parking purposes, building maintenance facilities, or incidental storage designed as an integral part of said parking or maintenance facilities. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.309 Formula business.

“Formula business” means any type of commercial business establishment that uses a trademark, logo, service mark or other mutually identifying name or symbol that is shared by 15 or more commercial businesses (other than a “formula fast food restaurant”) and which maintains any standardized (“formula”) array of service and/or merchandise, decor, business method, architecture, layout, uniform, or similar, standardized feature. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.310 Frontage.

“Frontage” means that portion of a lotline adjoining and running parallel to a street or alley. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.315 General Plan.

“General Plan” means the comprehensive declaration of purposes, policies and programs for the development of the City including, where applicable, diagrams, maps, and texts setting forth objectives, principles, standards, and other features, which has been adopted by the City Council and known as the “Coronado General Plan.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.318 Grade.

“Grade” is the preexisting or proposed finished ground level, whichever is lower, excluding under-ground basements or underground parking garages and driveways to said garages, in-ground swimming pools, or other unusual topographical features which are not consistent with the natural topography of the site. For portions of the site covered by a structure, “grade” underlying the structure shall be an assumed plane connecting “grade” at each point on the structure’s perimeter. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.320 Gross floor area.

“Gross floor area” is the sum of the area included within the outside of the surrounding exterior walls of a building, fireplace, chimney, bay, bow, and garden window at each floor level. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.325 Gross lot area.

“Gross lot area” means the square footage within the boundary lines of a lot exclusive of: (A) the area of any street right-of-way or vehicle access easement; (B) any flood control easement or walkway which must be fenced; and (C) any portion of the lot which is less than 12 feet wide for a distance of 50 feet or more and which is designated or used to provide vehicular or pedestrian access to the part of such lot that is designed for use as a building site. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.330 Guest.

“Guest” means any person who occupies a dwelling unit or habitable unit with the permission of the owner and/or resident of the property, and who does not provide consideration for such permission. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.335 Habitable room.

“Habitable room” means any structure containing at least 90 square feet of clear floor space (exclusive of fixed or built-in cabinets or appliances) with at least 45 square feet having a minimum ceiling height of seven feet, six inches. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.337 Habitable unit.

“Habitable unit” means one or more connected habitable rooms, not containing kitchen, kitchenette or cooking facilities, but designed for use by a single family as a separate accommodation for living or sleeping purposes. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.340 Hearing.

“Hearing” means any recognition of public appeal, comment, testimony or similar procedure by an authorized commission, committee, council or staff of the City and public notice is not required under the provisions of this title and/or the California Government Code. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.345 Home for the aged.

“Home for the aged” means the same as “nursing home.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.350 Home occupation.

“Home occupation” means any conduct for pecuniary gain by an art or profession, the offering of a service or conduct of a business, or handicraft manufacture of products within or from a dwelling in a Residential Zone, which is clearly incidental and secondary to the use of the structure for a dwelling purpose, and which use does not change the character of the residential use. It is permitted under the regulations of Chapter 20.08 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.355 Hospital.

“Hospital” means an institution in which patients are given medical or surgical care and which is licensed by the State to use the title “hospital” without qualifying descriptive word. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.360 Hotel.

“Hotel” or “motel” means a building or group of buildings on one site containing two or more habitable or dwelling units available for “transient rental,” which is neither a “boarding house” nor a “lodging house,” and may include such integrated amenities as meeting halls, and dining, retail and recreation facilities. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.365 Improved land.

“Improved land” means a parcel, lot or other land description assessed with an improvement by the San Diego County Assessor and/or which contains structures. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.370 Industry.

“Industry” means the production, processing or servicing of goods by hand or by machinery. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.375 Inoperable motor vehicle.

“Inoperable motor vehicle” means any motor vehicle that is incapable of being transported by its own motive power. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.380 Inoperable vehicle.

“Inoperable vehicle” means any vehicle that is incapable of being transported or carried as designed. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.382 Junior accessory dwelling unit or JADU.

“Junior accessory dwelling unit” or “JADU” shall have the meaning defined in Government Code Section 65852.22. An interior unit that is 500 square feet or less and built entirely within a single-family home shall be considered a junior accessory dwelling unit. (Ord. 2020-03 § 3 (Exh. A), 2020).

86.04.385 Junkyard.

“Junkyard” means a place where waste, discarded, or salvaged materials are bought, sold, exchanged, baled, packed, disassembled, handled, stored or abandoned, including auto wrecking yards, house wrecking yards, used lumberyards and places or yards for storage of salvaged house wrecking materials and equipment, but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawnshops and establishments for the sale, purchase or storage of used furniture and household equipment when conducted entirely within a completely enclosed building, and not including the sale of used cars in operable condition, or salvaged materials incidental to manufacturing operations. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.390 Kennel.

“Kennel” means any use which involves the temporary or permanent keeping of: four or more dogs, four months in age or older; four or more cats, four months in age or older; or any combination of dogs and cats totaling four or more, four months in age or older. The term “kennel” does not include an animal shelter operated or established by the Department or a veterinary hospital operated by a veterinarian licensed by the State of California. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.395 Kitchen or kitchenette.

“Kitchen” or “kitchenette” means any room or part of a room which is designed, built, used or intended to be used for the preparation of food and contains one or more of the following within said room or part of room:

- A. Oven, range top, stove, microwave or other appliance designed to warm or cook food;
- B. Dishwasher;
- C. Sink greater than two and one-half square feet; or
- D. Refrigerator greater than six cubic feet. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.400 Landscape accessory structures, height of.

The “height of landscape accessory structures” and entries such as decks, planters, fountains, arbors, trellises, arches, and similar structures means the vertical distance from the ground level of public property closest to the property line on which such structure is to be built to the highest point on said structure. The height of such structures not adjoining public property shall be measured from the ground level immediately below the structure at any one point – following the contours. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.403 Landscaping.

“Landscaping” means planting (including trees, shrubs, lawn areas (including artificial turf), ground covers, etc., provided either in the ground or in containers) and water features suitably designed, selected, installed and maintained so as to be permanently attractive. Decorative screens, fences, ornamental post lamps, decorative rock or other paved surfaces, decks, fixed seating, fire pits and similar garden hard surface features are considered as elements of landscape development. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.406 Legal nonconforming.

“Legal nonconforming” means that a use or some aspect of a use, lot or building does not conform to the development standards presently in the Municipal Code, but was legally established in accordance with the Municipal Code standards then in effect. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.410 Loading space.

“Loading space” means an off-street space or berth on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of vehicles while loading or unloading merchandise or materials. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.412 Lodging house.

“Lodging house” means a dwelling unit containing common kitchen and dining facilities and two to six habitable units utilized for transient rental. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.415 Lot.

“Lot” means a piece, plot or parcel of land, or assemblage of contiguous parcels of land, as established by survey, plat or deed and occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, or utilized for a principal use and uses accessory thereto, together with such open space as required by this title, and having frontage on a public or an approved private street or alley. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.420 Lot, corner.

“Corner lot” means a lot abutting upon two or more streets at their intersection or upon two parts of the same street, such streets or parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street right-of-way lines is the “corner.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.425 Lot coverage.

“Lot coverage” means the total area or percentage of a lot occupied by buildings and/or structures that diminishes the yard and/or court area. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.430 Lot, depth of.

“Depth of lot” means the maximum distance between the center of the front and rear lot lines, or between the center of the front lot line and the center of the calculated rear lot line in accordance with CMC 86.04.450 if there should be no rear lot line. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.435 Lot, interior.

“Interior lot” means a lot other than a corner lot. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.440 Lot line, front.

“Front lot line” means the line separating the lot from the street (or alley if the lot does not front on a street). In the case of a corner lot, the front lot line is the shorter of any two adjoining street lot lines, providing the line is a minimum of 20 feet. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.445 Lot line, interior.

“Interior lot line” means any lot line other than a front or rear lot line which intersects a front or rear lot line. An interior lot line separating a lot from a street is called a side street lot line. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.447 Lot line, northerly side.

“Northerly side lot line” means a “side lot line” which has a compass bearing between north 60 degrees east and south 60 degrees east and is located on the northerly side of the lot. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.450 Lot line, rear.

“Rear lot line” means a lot line which is opposite and most distant from the front lot line. For the purpose of establishing the rear lot line of a triangular or trapezoidal lot, or of a lot the rear line of which is formed by two or more lines, the following shall apply:

A. For a triangular, gore-shaped, or irregular-shaped lot, the rear lot line shall be a straight line drawn parallel to the front lot line or parallel to the chord of a curved front lot line, and farthest removed from the front lot line which is 10 feet in length within the lot and intersects two side property lines; or

B. In the case of a trapezoidal or quadrilateral lot, the lot line of which is not parallel to the front lot line, the rear lot line shall be deemed to be the line which is opposite and most distant from the front lot line, providing the line is a minimum length, the rear line shall be a line 10 feet in length drawn parallel to but farthest removed from the front lot line; or

C. In the case of a pentagonal lot, the rear boundary of which includes an angle formed by two lines, such angle shall be employed for determining the rear lot line in the same manner as prescribed for triangular lots. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.455 Lot line, reversed corner.

“Reversed corner lot line” means a corner lot the side street line of which is substantially a continuation of the front lot line of the lot upon which it rears. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.460 Lot lines.

“Lot lines” mean the property lines bounding the lot. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.465 Lot line, side.

“Side lot line” means the same as “interior lot line.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.467 Lot line, southerly side.

“Southerly side lot line” means a “side lot line” which has a compass bearing between north 60 degrees east and south 60 degrees east and is located on the southerly side of the lot. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.470 Lot line, street or alley.

“Street or alley lot line” means a lot line separating the lot from a street or alley. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.473 Lot, panhandle.

“Panhandle lot” means a lot where a portion of the lot is 12 feet or less in width for a distance of 50 feet or more. (Ord. 2068 § 2 (Exh. A), 2017)

86.04.475 Lot, through.

“Through lot” means a lot having frontage on two parallel or approximately parallel streets. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.480 Lot width.

“Lot width” means the horizontal distance between the side lot lines, measured at right angles to the lot depth. For irregular or triangular-shaped lots, the lot width will vary depending upon the point of measurement along the lot depth line. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.482 Manufactured housing.

“Manufactured housing” is a type of housing unit that is largely assembled in factories and then transported to sites of use and installed on a foundation system, pursuant to Section 18551 of the Health and Safety Code, and certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et seq.). (Ord. 2062 § 2 (Exh. A), 2016)

86.04.485 Massage.

“Massage” means any method of treating the external parts of the body by means of pressure on or friction against, or stroking, kneading, rubbing, tapping, pounding, or stimulating the external parts of the body with the hand or other parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances; or with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.490 Massage establishment.

“Massage establishment” means any establishment having a fixed place of business where any person, firm, association, partnership or corporation engages in, conducts, or carries on, or permits to be engaged in, conducted or carried on, any business of giving massages. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.491 Medical clinic.

“Medical clinic” is a small-scale facility for diagnosis and treatment of outpatients and does not include overnight stay of patients or ambulance services. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.492 Mezzanine or mezzanine floor.

“Mezzanine” or “mezzanine floor” is an intermediate floor placed within a room as defined and regulated by the California Building Code. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.493 Mixed use development.

“Mixed use development” means the development of a site in an integrated, compatible and comprehensively planned manner with two or more different land uses.

86.04.494. Mixed use residential.

“Mixed use residential” means a land use or development project consisting of both multiple-family residential and nonresidential uses.

86.04.495 Mobile home.

“Mobile home” means a vehicle, other than a motor vehicle, designed for human habitation. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.500 Modifying or overlay zone.

“Modifying or overlay zone” means a designation to permit special regulations to be invoked where appropriate or necessary in lieu of or in addition to the regulations of the basic zone with which the modifying or overlay zone is combined. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.505 Motel.

“Motel” or “hotel” means a building or group of buildings on one site containing two or more habitable or dwelling units available for “transient rental,” which neither is a “boarding house” nor a “lodging house,” and may include such integrated amenities as meeting halls, and dining, retail and recreation facilities. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.510 Reserved.

(Ord. 2062 § 2 (Exh. A), 2016)

86.04.515 Net floor area.

“Net floor area” means the clear floor space, exclusive of fixed or built-in cabinets or appliances, included with the surrounding exterior walls or a building or portion thereof. The net floor area of a building, or portion thereof, not

provided with surrounding exterior walls shall be the clear floor space under the horizontal projection of the roof or floor above. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.520 Reserved.

(Ord. 2062 § 2 (Exh. A), 2016)

86.04.530 Nonconforming use.

“Nonconforming use” is defined in CMC 86.50.020. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.535 Nursery school.

“Nursery school” means the supervisory care and educational development of children under the age of 16 for profit or nonprofit and required to be licensed by the State of California Department of Social Services for such purpose. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.540 Nursing home.

“Nursing home” means any premises with sleeping rooms where persons are lodged and furnished with meals, dietary or nursing care, and may include nonambulatory persons but not include persons suffering from contagious disease, mental disease, alcoholism or drug addiction. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.543 Nursing unit.

“Nursing unit” means a habitable room in a skilled nursing facility, not containing a kitchen, kitchenette or cooking facilities, and designed to accommodate three beds or less. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.545 Office.

“Office” means a building, room, or department, wherein a business or service is transacted, but not including the storage or sale of merchandise on the premises as a primary function. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.550 Open space.

“Open space” means any portion of a lot unoccupied and unobstructed from the ground upward. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.553 Parapet.

“Parapet” means a low wall or railing system at the edge of a roof, porch, or terrace. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.555 Parcel.

“Parcel” means a quantity of land recognized by the San Diego County Assessor as constituting a parcel. (Ord. 2062 § 2 (Exh. A), 2016)

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. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.560 Parking, covered and enclosed.

“Covered and enclosed parking” means any parking space completely concealed, within walls or doors and a roof, or capable of being concealed within a building or structure such as a totally enclosed garage with operable doors. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.563 Parking, open and unenclosed.

“Open and unenclosed parking” means any parking space which is open on two or more sides with no fence, wall or gate separating the access to the parking space from the alley or street. Group open parking and below grade parking shall qualify as open and unenclosed, and gates or doors on common driveways are permitted. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.565 Parking, off-street.

“Off-street parking” means any parking facility meeting the requirements of this title and not located on a street or alley. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.570 Parking, on-street.

“On-street parking” means any legally authorized parking space located on a street or alley. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.575 Parking space.

“Parking space” means a permanently surfaced area meeting the requirements of this title and located within a structure or in the open, excluding area necessary for access and designed or used for the parking of a motor vehicle. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.580 Parking space, confined.

“Confined parking space” means a parking space abutting a wall or structure on at least one stall side or as determined by the Community Development Department to have special site conditions so as to make parking modifications applicable. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.585 Parking stall depth or length.¹

“Parking stall depth or length” means the longest side of a parking space. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.590 Parking, tandem.

“Tandem parking” means two or more parking spaces aligned so that both parking stall length stripes are substantially a continuation of contiguous parking stall length stripes and designed so as to accommodate front to back parking of vehicles. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.595 Parking, valet.

“Valet parking” means a parking procedure whereby the operator of a motor vehicle submits the parking of the vehicle to a person employed for that purpose. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.600 Patio.

“Patio” means a one-story roofed structure having not more than 500 square feet of floor area and completely open on at least 25 percent of the total amount of wall surface and designed or intended for recreational or outdoor living use. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.615 Plant nursery.

“Plant nursery” means an area where plants (as trees, vines, shrubs, or herbs) are grown, kept or maintained for transplanting, for use as stocks for budding and grafts, or for sale. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.617 Porch.

“Porch” means a one-story covered but “unenclosed” structure abutting an enclosed structure. Portions of the perimeter of said porch that do not abut an enclosed structure shall have vertical support columns that extend from the porch roof to the floor of the porch. There shall be a minimum of two such vertical support columns with a minimum of one column on each corner or each end of the porch. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.618 Porte-cochere.

“Porte-cochere” means a roofed structure extending from a building over an adjacent driveway, intended to shelter those getting in or out of vehicles. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.620 Premises.

“Premises” means a lot including all buildings or structures thereon. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.625 Preschool.

“Preschool” means the same as “nursery school.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.630 Prezoning.

“Prezoning” means a City of Coronado zone classification assigned to any territory lying outside the City limits. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.635 Profession or professional.

“Profession” or “professional” means the following categories of occupations: architect, attorney, dentist, engineer, judge, natural scientist, optometrist, physician, psychiatrist, social scientist, surgeon or other occupation the Commission deems as constituting a profession and meets the following requirements:

- A. Serves clients rather than customers. The client cannot diagnose his specific needs or discriminate among the range of possibilities for meeting them due to his lack of theoretical background and professional training;
- B. The professional has been conferred a title and/or license by an accredited professional school or board;
- C. The professional is bound to the profession’s written code of ethics. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.645 Public hearing.

“Public hearing” means an authorized meeting of any commission, committee, council or staff of the City during which a period of time is allowed for public comment or discussion and public notice has been given as required under the provisions of this title and/or the California Government Code. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.650 Quasi-public.

“Quasi-public” means public use, in some sense or degree, of land, buildings or structures under private ownership or control. For the purposes of this title, electrical substations shall be considered quasi-public uses of a public service type. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.655 Rear side property line.

“Rear side property line” means that portion of the side property line extending into the required rear yard. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.660 Resident.

“Resident” means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of 26 consecutive calendar days or more, counting portions of a calendar day as full days. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.661 Residential care facility.

“Residential care facility” means a licensed or unlicensed family care home, foster home, or group home serving six or fewer mentally disordered or otherwise handicapped persons or dependent and neglected children where care is provided on a 24-hour-a-day basis. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.662 Residential care facility, large.

“Residential care facility, large” means a State-authorized, certified, or licensed family care home, foster home, or group home serving seven or more mentally disordered or otherwise handicapped persons or dependent and neglected children where care is provided on a 24-hour-a-day basis. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.663 Residential condominium complex.

“Residential condominium complex” means a building or a group of buildings containing two or more dwelling units, each unit being separately owned, or held by a stock cooperative. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.665 Residential density.

“Residential density” means the total number of dwelling units on one acre of land in a given area. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.670 Restaurant.

“Restaurant” means any establishment whose principal business is the sale of food to the public in a ready-to-consume state for consumption on or off the premises. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.672 Restaurant, drive-thru.

“Drive-thru restaurant” means any food establishment that provides service directly from a building or structure to persons in motor vehicles. (Ord. 2062 § 2 (Exh. A), 2016)

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:

- A. Food is usually served with disposable utensils.
- B. Food is usually packaged or served in disposable containers.
- C. Facilities, such as tables, seats and benches, for on-premises consumption of food are insufficient for volume of food sold.
- D. Food is usually ordered and paid for at a walk-up counter.
- E. Food is usually paid for prior to consumption. (Ord. 2062 § 2 (Exh. A), 2016)

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 15 or more restaurants; and
- B. Serves a prescribed (“formula”) menu that is substantially the same as 15 or more restaurants that shares its trademark, logo, service mark or other mutually identifying name or symbol. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.675 Restaurant, full service.

“Full service restaurant” means any establishment wherein food is regularly prepared for and served to customers primarily for consumption on the premises and whose design or operation includes three or more of the following characteristics:

- A. The establishment is not specifically designed to accommodate high customer volume.
- B. Facilities, such as tables, seats and benches, for on-premises consumption of food are provided and are sufficient for the volume of food sold and customers serviced.
- C. Customers predominately order and receive food while seated at tables on the premises.
- D. Food is paid for after consumption on site.
- E. Food is not typically packaged for transport off site. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.680 Rest home.

“Rest home” means the same as “nursing home,” which is defined in CMC 86.04.540. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.685 Roof.

“Roof” means the completely covered top of a building or structure, except patios, which may have 50 percent of the roof area uncovered. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.687 Roof pitch or slope.

“Roof pitch or slope” means the angle that a roof surface makes with the horizontal. Expressed in units of vertical rise to 12 units of horizontal run. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.690 Sanatorium.

“Sanatorium” means the same as “convalescent hospital,” which is defined in CMC 86.04.235. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.695 Schools, elementary, junior high and high.

“Elementary, junior high and high schools” shall mean an institution of learning which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of California. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.700 Semi-public.

“Semi-public” means the same as “quasi-public” as defined in CMC 86.04.650. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.705 Setback.

“Setback” means that area back from and parallel to the property line on which no building, structure or portion thereof shall be permitted, erected, constructed or placed unless specifically permitted by this title. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.710 Reserved.

(Ord. 2062 § 2 (Exh. A), 2016)

86.04.713 Skilled nursing facility.

“Skilled nursing facility” means the same as “convalescent hospital” as defined in CMC 86.04.235. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.717 Shelter, emergency.

“Emergency shelter” means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. The term “emergency shelter” includes other interim interventions for persons experiencing homelessness, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.720 Single-room occupancy unit.

“Single-room occupancy unit” means living or efficiency quarters, as defined by California Health and Safety Code Section 17958.1, intended or designed to be used as a residence by not more than two persons and having either individual or shared bathroom and kitchen facilities. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.725 Specialty shop.

“Specialty shop” means a retail business offering a line of specialty goods and having less than 1,000 square feet of retail floor area. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.730 State.

“State” means the State of California. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.735 Store.

“Store” means a building, room or department wherein the sale of merchandise is transacted. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.740 Story.

“Story” is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. For a portion of a building to be considered a “story,” there must be a vertical clear space between the referenced surfaces of at least four feet. The following shall be excluded from the definition of “story”:

A. Attics, so long as:

1. The roof above has a 3:12 or greater pitch;
2. The roof rafters or roof trusses are adjacent to or attached to the ceiling joists of the floor below and to the double top plate; and
3. No walls are placed between the double top plate or the ceiling joists of the floor below and the roof rafters or roof trusses;

B. Mezzanines and interior balconies;

C. Underground parking garages or basements where the finished floor level directly above a usable or unused underfloor space is not greater than 30 inches above “grade”; and

D. For development in all zones, except the single-family zones and single-family subzones: underground parking, building maintenance facilities or incidental storage designed as an integral part of these two uses where the finished floor level directly above a usable or unused underfloor space is not greater than six feet above “grade.” (Ord. 2062 § 2 (Exh. A), 2016)

86.04.750 Street.

“Street” means a public right-of-way more than 30 feet in width, which provides a public principal means of access to abutting property. The term “street” shall include avenue, drive, circle, road, parkway, boulevard, highway, or any other similar term. The term shall include the total width of the dedicated right-of-way. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.755 Structural alteration.

“Structural alteration” means any change or modification in construction of exterior walls or other exterior portions of a building. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.760 Structural coverage.

“Structural coverage” means the ratio (expressed as a percentage) of the grade level coverage of a lot by “structures” including architectural features projecting outward from the building facade whether they extend to grade level or not to the gross lot area. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.763 Structural nonconformity.

“Structural nonconformity” is defined in CMC 86.50.030. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.765 Structure.

“Structure” means anything over two feet in height above “grade” constructed or erected, which requires location on the ground or attached to something having a location on the ground, but not including signs, fences or walls used as fences eight feet or less in height above “grade,” ornamental post lights eight feet or less in height above “grade,” and aboveground facilities, including, but not limited to, transformers and meter boxes, associated with and appurtenant to underground utility distribution facilities. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.767 Structure height.

For all structures, other than a “building,” “structure height” is the vertical distance above “grade” to the top of the highest element of the structure. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.768 Supportive housing.

“Supportive housing” means housing with no limit on length of stay, that is occupied by low income adults with disabilities, and that is linked to on-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.770 Tourist.

“Tourist” means any person travelling for pleasure and not a resident of the City of Coronado. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.780 Trailers.

See “Boat trailer” in CMC 86.04.130, “Camp car” in CMC 86.04.190, “Camper” in CMC 86.04.195 and “Travel trailer” in CMC 86.04.800. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.785 Transient.

“Transient” means any tourist or traveler. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.790 Transient occupant.

“Transient occupant” for purpose of this chapter means any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of 25 consecutive calendar days or less, counting portions of a calendar day as full days. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.793 Transitional housing.

“Transitional housing” means temporary housing, generally provided for a few months to two years, with supportive services that prepare individuals or families to transition from emergency or homeless shelters to permanent housing. Such housing may be configured for specialized needs groups such as people with substance abuse problems, mental illness, domestic violence victims, veterans, or people with illnesses such as AIDS/HIV. Such housing could be provided in apartment complexes, boarding house complexes, or in single-family homes. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.795 Traveler.

“Traveler” means any person traveling for commercial, industrial or professional dealings and not a resident of the City of Coronado. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.800 Travel trailer.

“Travel trailer” means a vehicle designed to be drawn by a motor vehicle for the propose of transporting cargo or for habitation. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.802 Uncovered.

“Uncovered” means a roof where at least 65 percent or more of the roof area is permanently open to the passage of light and air. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.803 Unenclosed.

“Unenclosed” means an area where at least 50 percent of the perimeter is 65 percent or more permanently open to the passage of light and air. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.805 Unimproved land.

“Unimproved land” means a parcel, lot or other land description containing no structures. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.810 Vacant premises.

“Vacant premises” shall mean a lot, plot, or parcel of land including any structures thereon, which has not been occupied for more than 90 consecutive days, whether made vacant by voluntary action, fire or other accident, or as a result of enforcement action by the City. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.815 Variance.

“Variance” means a modification of the specific regulations of this title granted by resolution of the Planning Commission or City Council in accordance with the terms of this title for the purpose of assuring that no property, because of special circumstances applicable to it, shall be deprived of privileges that may be enjoyed by other properties in the same vicinity and zone. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.820 Wall.

“Wall” means a solid vertical barrier attached to or part of a building, or a solid fence. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.825 Yard.

“Yard” means any portion of a lot unoccupied and unobstructed from the ground upward. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.830 Zone.

“Zone” means a portion of the territory of the City of Coronado within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this title. (Ord. 2062 § 2 (Exh. A), 2016)

86.04.835 Zoning map.

“Zoning map” means the official zoning map or maps of the City of Coronado together with all amendments subsequently adopted. (Ord. 2062 § 2 (Exh. A), 2016)

¹ Code reviser’s note: Ord. 2062 defined this term as the “shortest side of a parking space.” It has been corrected at the direction of the city to reflect the city’s intent.

Chapter 86.06

ZONE CLASSIFICATIONS

Sections:

- 86.06.010 Names of zones.
- 86.06.020 Modifying or overlay zones.
- 86.06.030 Establishment of zones by map.
- 86.06.040 Division of zoning map.
- 86.06.050 Changes in zone boundaries.
- 86.06.060 Location of boundaries, uncertain boundaries.
- 86.06.070 Unclassified property as R-1A – Annexed property as R-1A.
- 86.06.080 Annexed territory – Prezoning.

86.06.010 Names of zones.

In order to classify, regulate, restrict and segregate the uses of land and buildings, to regulate and restrict the height and bulk of buildings and to regulate the area of yards and other open spaces about buildings, and to regulate the density of population, several classes of zones are established to be known as follows:

R-1A; R-1A(E); R-1A(CC); R-1A(CC1); R-1A(CC2); R-1A(CC3); R-1A(BF)	Single-Family Residential Zone (six to eight dwelling units per acre)
R-1B	Single-Family Residential Zone (12 dwelling units per acre)
R-3	Multiple-Family Residential Zone (31 dwelling units per acre)
R-4	Multiple-Family Residential Zone (40 dwelling units per acre)
R-5	Multiple-Family Residential Zone (47 dwelling units per acre)
C	Commercial Zone
SP	The Orange Avenue Corridor Specific Plan contains the C, R-4, C-U and OS Zones as depicted on the zoning map
C-R	Commercial Recreation Zone
H-M	Hotel-Motel Zone
C-U	Civic Use Zone
OS	Open Space Zone
R-PCD	Residential-Planned Community Development Zone
R-SCD	Residential-Special Care Development Zone
MZ	Military Prezone

(Ord. 1954 § 6, 2003; Ord. 1742; Ord. 1675; Ord. 1666; Ord. 1560)

86.06.020 Modifying or overlay zones.

The zones set forth below are termed modifying or overlay zones. The regulations of each such zone shall apply in addition to the regulations of the basic zone listed in CMC 86.06.010 with which the modifying or overlay zone is combined.

P	Parking Overlay Zone
SH	Scenic Highway Modifying Zone
TOZ	Tidelands Overlay Zone
WP	Wildlife Preserve Zone
PCD	Planned Community Development Zone
HE	Housing Element Opportunity Site

(Ord. 1869; Ord. 1675; Ord. 1560)

86.06.030 Establishment of zones by map.

The location and boundaries of the various zones are hereby established and shown and delineated on the “Official Zoning Map of the City of Coronado,” which is adopted hereby and made a part hereof, on file in the Community Development Department.

86.06.040 Division of zoning map.

The zoning map may, for convenience, be divided into parts and each such part may, for purposes of more readily identifying areas within such zoning map, be subdivided into units and each such part and units may be separately employed for purposes of amending the zoning map or for any official reference to the zoning map.

86.06.050 Changes in zone boundaries.

Changes in the boundaries of the zones shall be made by ordinance adopting an amended zoning map, or part thereof, or unit of a part thereof, which ordinance, when so adopted, shall be published in the manner prescribed by law and become a part of this chapter by reference.

86.06.060 Location of boundaries, uncertain boundaries.

Where uncertainty exists as to the boundary of any zone shown upon the zoning map, the following rules shall apply:

A. Whenever the zone boundary is indicated as being approximately following street, alley, block or property lines, then, unless otherwise definitely indicated on the map, the center line of such street, alley, block or property line shall be construed to be the boundary of such zone.

B. Where the application of the above rules do not clarify the zone boundary location, the Commission shall interpret the zoning map as to the location of the zone boundary.

86.06.070 Unclassified property as R-1A – Annexed property as R-1A.

Any property which, for any reason, is not designated on the zoning map as being classified in any of the several zones established by this chapter, or any property hereafter annexed or consolidated to the City subsequent to the effective date of the ordinance codified in this title shall be deemed to be classified R-1A (Single-Family Residential Zone) until such classification shall have been changed pursuant to CMC 86.54.020 through 86.54.060.

86.06.080 Annexed territory – Prezoning.

Any territory lying outside the City limits, but being adjacent to or within its sphere of influence, may be “prezoned” with any one of the several zoning classifications adopted by this chapter in accordance with the provisions of CMC 86.54.020 through 86.54.060 and in compliance with applicable provisions of the planning and zoning laws of the State of California. If any territory has been “prezoned” in such manner, the assigned zoning shall become effective at the time the annexation of the property becomes effective.

Chapter 86.08

R-1A – SINGLE-FAMILY RESIDENTIAL ZONE

Sections:

- 86.08.010 Purpose and intent.
- 86.08.020 Permitted and accessory uses.
- 86.08.030 Daylight plane and height regulations.
- 86.08.035 Floor area ratio.
- 86.08.037 Lot frontage required for CC-1 Subzone.
- 86.08.040 Front yard required.
- 86.08.050 Rear yard required.
- 86.08.060 Side yards – Interior or corner lots.
- 86.08.070 Reversed corner lots – Side and rear yards.
- 86.08.080 Dormers.
- 86.08.090 Roof decks and balconies above 14 feet.
- 86.08.100 Lot area.
- 86.08.110 Maximum structural coverage allowed.
- 86.08.120 Off-street parking required.
- 86.08.130 Development landscaping required.
- 86.08.140 Facade treatment required.
- 86.08.150 Courtesy notice.
- 86.08.160 Nonconforming uses and structural nonconformities.
- 86.08.170 Special provisions.
- 86.08.180 Lot and building certification required.
- 86.08.190 Undergrounding of utilities.
- 86.08.200 Mechanical equipment.

86.08.010 Purpose and intent.

The purpose and intent of this chapter is to provide regulations that preserve and enhance the residential characteristics for those areas so designated on the zoning map of the City. The R-1A Zone is intended to provide for communities consisting of single-family dwelling buildings with a minimum gross lot size of 7,500, 6,600, 6,000 or 5,500 square feet of lot area per dwelling unit (six to eight dwelling units per acre), except that single-family dwelling buildings or duplexes may be placed on a minimum lot size of 5,250 square feet of lot area per dwelling unit in those areas more specifically described in this chapter. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.020 Permitted and accessory uses.

The following principal uses shall be allowed in the R-1A Zone:

- A. One single-family dwelling building (to include manufactured housing), on one lot, which conforms to minimum lot area requirements.
- B. One duplex or two single-family dwelling buildings are allowed in areas zoned R-1A(E), but only on a lot of no less than 10,500 square feet. Condominiums, stock cooperatives, common interest subdivisions, or any similar form of multiple ownership of more than one unit on one lot are prohibited within this zone.
- C. The following accessory uses are allowed in conjunction with the single-family dwelling building or duplex:
 1. Incidental home occupations subject to the provisions of Chapter 20.08 CMC.
 2. Accessory buildings subject to the provisions of Chapter 86.56 CMC.
 3. Off-street parking in conformance with Chapter 86.58 CMC.
- D. Small residential care facility, supportive housing, and transitional housing.

E. Two-unit residential developments subject to CMC 86.56.180. (Ord. 2021-06 § 3, 2021; Ord. 2062 § 2 (Exh. A), 2016)

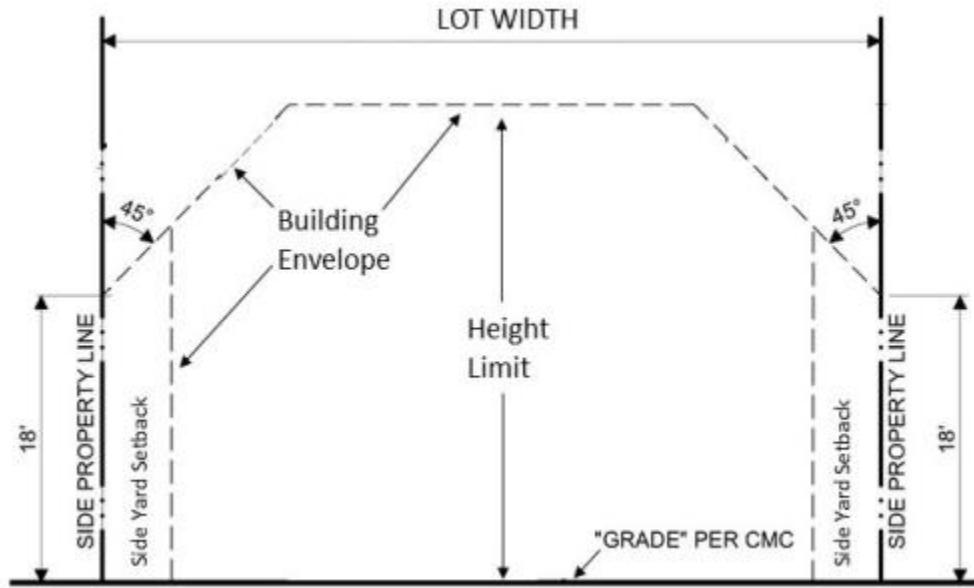
86.08.030 Daylight plane and height regulations.

A. No building shall have a finished first-story floor or a finished floor directly above an underground parking garage or basement greater than 30 inches above “grade.”

B. Main Buildings. “Daylight plane” is intended to provide for light and air, and to limit the impacts of bulk and mass on adjacent properties. The daylight plane restriction, when combined with the maximum height limit, defines the “building envelope” within which all new structures or additions must be contained. The daylight plane is an inclined plane, beginning at 18 feet above grade at the side property line, and extending into the site at 45 degrees from the vertical up to the maximum height limit. Main buildings shall not contain more than two stories and shall comply with the height limits and daylight plane restrictions depicted in the following table and graphic illustration:

Lot Width	Height limit for roof pitch less than 3:12 including the top of any wall surrounding a roof with a pitch of less than 3:12	Height limit for roof pitch 3:12 and greater
< 27 feet	25 feet	26 feet
27 – 27.9 feet	25 feet	27 feet
28 – 28.9 feet	25 feet	28 feet
29 – 29.9 feet	25 feet	29 feet
30 feet & greater	25 feet	30 feet

Daylight Plane



1. The following are exempt from the daylight plane requirements:

- a. The 45-degree offset shall not be required along a side property line which is adjoining and parallel to a public street, public alley or public open space.
- b. The following features may extend beyond the daylight plane provided they are below the height limit:

- i. Dormers, gables, cupolas, domes, skylights, parapet walls or similar architectural features; provided, that such features shall not exceed the height limit and the sum of the actual or implied volume of such features which project beyond the daylight plane shall not exceed a maximum of 100 cubic feet when both sides are combined. Furthermore, no one side shall exceed 50 cubic feet except when along a “southerly side lot line” which shall be allowed a maximum of 100 cubic feet. The area of parapet walls, roof decks behind parapet walls and similar design features shall include the volume bounded by the daylight plane, the vertical face of the parapet wall and a level plane at the top of the parapet;
- ii. Cornices, eaves, and similar architectural features, provided such features do not extend past the daylight plane more than two feet (flat roofs, flat eaves, continuous walls or enclosures of usable interior space are prohibited to extend past the daylight plane except as permitted above).
- c. Chimneys and flues that do not exceed five feet in width; provided, that chimneys do not extend past the required daylight plane a distance exceeding the minimum required by building codes.
- d. Architectural features permitted by CMC 86.56.050(C)(1)(a) through (d).
- e. Antennas.

C. Accessory Buildings. Accessory buildings shall not contain more than one story (except for a “carriage house” in accordance with CMC 86.56.110) and shall comply with the following height restrictions:

Accessory Building Maximum Height Limit		
< 3:12 Roof Pitch	3:12 – < 6:12 Roof Pitch	≥ 6:12 Roof Pitch
11 feet. Parapet walls may extend to 14 feet.	14 feet, 4 inches.	14 feet, 4 inches. 15% of the roof plan area may extend to 15 feet, 7 inches.

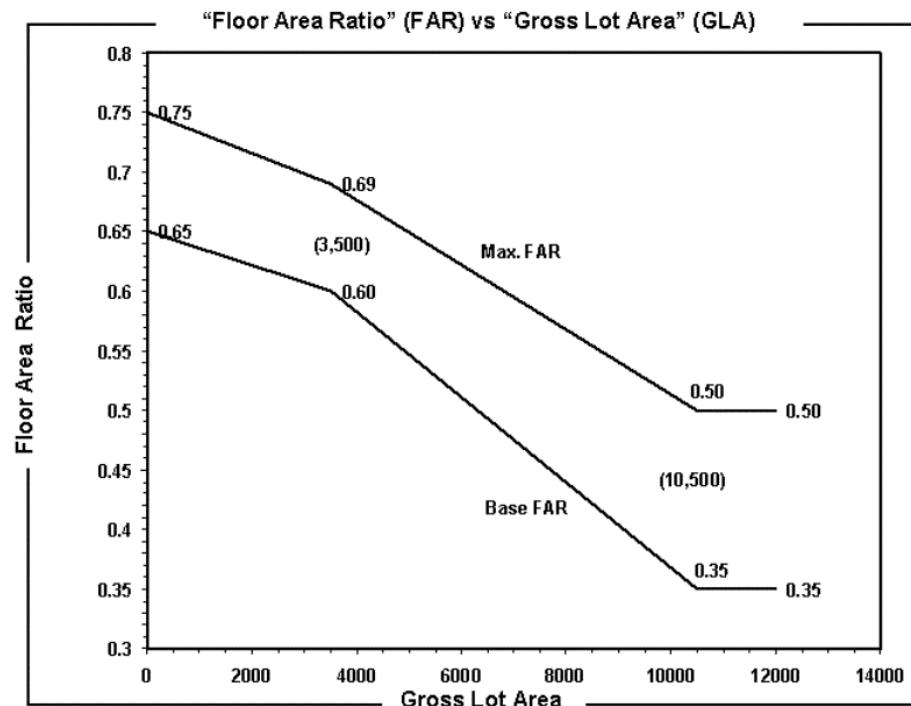
Carriage House Maximum Height Limit	
< 3:12 Roof Pitch	≥ 3:12 Roof Pitch
20 feet. Parapet walls may extend to 21 feet.	22 feet.

That portion of a “carriage house” which does not contain a second story “habitable room” shall be limited to the above height restrictions for one-story accessory buildings and no roof dormers or other roof projections (except eaves) shall be permitted.

(Ord. 2062 § 2 (Exh. A), 2016)

86.08.035 Floor area ratio.

Development shall not exceed a base and maximum “floor area ratio” (FAR) in accordance with the following chart and table:



Allowable Base “Floor Area Ratio” (FAR) and Maximum FAR vs. “Gross Lot Area” (GLA)

GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR
600	0.641	0.740	3100	0.606	0.697	5600	0.525	0.633	8100	0.436	0.565
700	0.640	0.738	3200	0.604	0.695	5700	0.521	0.630	8200	0.432	0.562
800	0.639	0.736	3300	0.603	0.693	5800	0.518	0.628	8300	0.429	0.560
900	0.637	0.735	3400	0.601	0.692	5900	0.514	0.625	8400	0.425	0.557
1000	0.636	0.733	3500	0.600	0.690	6000	0.511	0.622	8500	0.421	0.554
1100	0.634	0.731	3600	0.596	0.687	6100	0.507	0.619	8600	0.418	0.552
1200	0.633	0.729	3700	0.593	0.685	6200	0.504	0.617	8700	0.414	0.549
1300	0.631	0.728	3800	0.589	0.682	6300	0.500	0.614	8800	0.411	0.546
1400	0.630	0.726	3900	0.586	0.679	6400	0.496	0.611	8900	0.407	0.543
1500	0.629	0.724	4000	0.582	0.676	6500	0.493	0.609	9000	0.404	0.541
1600	0.627	0.723	4100	0.579	0.674	6600	0.489	0.606	9100	0.400	0.538
1700	0.626	0.721	4200	0.575	0.671	6700	0.486	0.603	9200	0.396	0.535
1800	0.624	0.719	4300	0.571	0.668	6800	0.482	0.600	9300	0.393	0.533
1900	0.623	0.717	4400	0.568	0.666	6900	0.479	0.598	9400	0.389	0.530
2000	0.621	0.716	4500	0.564	0.663	7000	0.475	0.595	9500	0.386	0.527

GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR
2100	0.620	0.714	4600	0.561	0.660	7100	0.471	0.592	9600	0.382	0.524
2200	0.619	0.712	4700	0.557	0.657	7200	0.468	0.590	9700	0.379	0.522
2300	0.617	0.711	4800	0.554	0.655	7300	0.464	0.587	9800	0.375	0.519
2400	0.616	0.709	4900	0.550	0.652	7400	0.461	0.584	9900	0.371	0.516
2500	0.614	0.707	5000	0.546	0.649	7500	0.457	0.581	10000	0.368	0.514
2600	0.613	0.705	5100	0.543	0.647	7600	0.454	0.579	10100	0.364	0.511
2700	0.611	0.704	5200	0.539	0.644	7700	0.450	0.576	10200	0.361	0.508
2800	0.610	0.702	5300	0.536	0.641	7800	0.446	0.573	10300	0.357	0.505
2900	0.609	0.700	5400	0.532	0.638	7900	0.443	0.571	10400	0.354	0.503
3000	0.607	0.699	5500	0.529	0.636	8000	0.439	0.568	≥10500	0.350	0.500

The base FAR may be cumulatively increased to the maximum FAR shown in the above chart and table if the development is designed:

- A. With a different front elevation compared to all other development on both the subject block face and the block face immediately across the street from the front of the subject property if new construction, replacement, or 50 percent or more reconstructed or restored; and
- B. With one or more of the following additional design features incorporated into the project. Each additional design feature has a corresponding FAR bonus, which is cumulatively added to the base FAR up to the maximum FAR permitted above. In addition, the following list is succeeded by a list of FAR deductions, which cumulatively reduce the allowable FAR, but in no case shall the allowable FAR be reduced below the above base FAR:

ADDITIONAL DESIGN FEATURES		FAR BONUS	
LANDSCAPE (A maximum of 0.03 FAR bonus points permitted.)			
1. Preserve an existing tree (with a minimum diameter of eight inches for a shade tree or 16 inches for a palm tree, measured four feet, six inches above the root crown, and a height of no less than 20 feet) and its root system in the required front yard, and install an automatic irrigation system for all landscaping in the front yard, including the adjoining public property.		.02	
2. Preserve an existing shade tree (with a minimum diameter of eight inches, measured four feet, six inches above the root crown, and a height of no less than 20 feet) and its root system on the subject property, other than within the required front yard, and install an automatic irrigation system for all landscaping in the rear yard.		.01	
FRONT PORCH			
3. An unenclosed front porch with a minimum of 50 percent of the perimeter walls of said porch at least 65 percent or more permanently open to the passage of light and air (porches on corner lots may wrap a maximum of 60 percent of the required length around the corner of the dwelling from the front to the street side yard so long as required setbacks are satisfied):			
	A. Raised a minimum of 12 inches above the ground, has a length of at least 65 percent of the width of the dwelling, projects out a minimum of eight feet from the dwelling (eaves may project an additional 12 inches) and a minimum of 50 percent is covered with a permanent, solid, waterproof roof and the remaining portion covered by a minimum 10 percent solid trellis; or		.02
	B. Has a length of at least 50 percent of the width of the dwelling, projects out a minimum of six feet from the dwelling (eaves may project an additional 12 inches) and is 100 percent covered with a permanent, solid, waterproof roof.		.01
ROOFS (A maximum of 0.02 FAR bonus points permitted.)			

ADDITIONAL DESIGN FEATURES		FAR BONUS
4. A roof on the main building having a slope of at least 4:12 but less than 6:12 for at least 80 percent of the total building area with eaves projecting a minimum of 12 inches for the entire sloped roof perimeter.		.01
5. A roof on the main building with a pitch of 6:12 or greater for at least 80 percent of the total building area with eaves projecting a minimum of 12 inches for the entire sloped roof perimeter and the 6:12 portion of the roof's ridge axis perpendicular to the street.		.02
6. On lots which are 40 feet or less in width: a main building with a variation of roof lines visible from all adjoining street rights-of-way.		.01
7. A roof on the main building having a slope of 4:12 or greater for at least 80 percent of the total building area with eaves equivalent to at least five percent of the width of the front facade for the entire sloped roof perimeter with a minimum of 24 inches.		.01
WINDOWS		
8. All windows along both side facades of the main building, at the second story, offset horizontally at least 12 inches (edge to edge) from windows of immediately adjoining main buildings. Windows with a sill height of 66 inches or more above the floor or separated by 20 feet or more horizontally are not required to be offset.		.01
STRUCTURAL COVERAGE		
9. A maximum total structural coverage of 40 percent with exceptions otherwise permitted:		
A. For lots with a gross lot area of 5,650 square feet or less; or		.02
B. For lots with a gross lot area greater than 5,650 square feet.		.01
10. A main building where the second-story gross floor area and floor area equivalent is 50 percent or less of the gross floor area and floor area equivalent of the first story.		.02
GARAGES AND DRIVEWAYS (A maximum of 0.02 FAR bonus points permitted.)		
11. An on-grade detached garage adjacent to the rear property line with the following garage and site restrictions: (a) limited to a depth of 26 feet from the rear property line; (b) a maximum of 11 feet in height for flat roofs or 13 feet in height for sloped roofs of 4:12 or greater; and (c) a minimum rear yard setback of 66 feet to any main building (the separation between the garage and main building shall be open from the ground to the sky except for projections or landscape accessory structures otherwise permitted).		.02
12. A garage with the following garage and site restrictions: (a) on a lot that does not abut an alley, or due to the location of the lot or physical attributes of the land the garage may only be accessed by vehicles through the front yard; (b) the garage provides the required covered parking; and (c) the lot is not a corner lot:		
A. All on-grade garages located in the rear 50 percent of the lot depth with a driveway maximum width of 10 feet in the first 30 percent of the lot depth.		.02
B. All on-grade attached garages with parking garage doors which are visible from the street with a maximum cumulative door width of 18 feet, set back four feet or more from the dominant adjoining building facade and which are wood and contain architectural details.		.01
C. All parking garages with vehicle access doors turned 90 degrees or more from the street or which are otherwise not visible from the street, provided the garage door(s) are facing the adjacent side yard setback and the garage wall facing toward the street does not extend beyond the adjacent front facade of the building.		.01
SETBACKS AND HEIGHT		
13. A main building limited to one story with a maximum height of 14 feet to top of a flat roof and 20 feet to the ridge or peak of sloped roofs (otherwise permitted exceptions allowed).		.03
14. A main building with a maximum flat or ridge roof height of 150 percent of the flat or sloped roof ridge height of the shortest of the immediately adjoining next door main building, provided at least one of the neighboring main buildings does not exceed one story or 14 feet in height (may not be combined with other height features).		.02
15. A main building with a roof height limited to 90 percent of otherwise allowable height (may not be combined with other height features).		.01
16. A second-story front facade set back a minimum of eight feet from the dominant first-story facade for a minimum of 70 percent of the width of the first story.		.01
17. A courtyard on the side facade of the main building which is along a "northerly side lot line," open to the side yard, of at least 15 feet in width (parallel to the side property line), and a minimum depth of 30 percent of the lot width from the side property line. Said courtyard shall be open to the sky, except for architectural features which may project into the courtyard up to a maximum of 10 percent of the lot width. Said courtyard shall be an integral part of the main building and not open to the front or rear yards.		.01

ADDITIONAL DESIGN FEATURES		FAR BONUS								
18. A main building with one increased side yard setback above 16 feet in height which slopes away from the vertical plane of the required side yard setback line by at least 45 degrees:										
	A. With the increased side yard provided along a “northerly side lot line”; or	.02								
	B. With the increased side yard located other than along the “northerly side lot line.”	.01								
	Dormers shall be permitted to encroach into the 45-degree setback; provided, that they comply with CMC 86.56.130, Roof dormers.									
19. A main building with increased side yard setbacks on both sides above 16 feet in height which slope away from the vertical plane of the required side yard setback lines by at least 45 degrees. Dormers shall be permitted to encroach into the 45-degree setbacks; provided, that they comply with CMC 86.56.130, Roof dormers (may not be combined with number 18).		.02								
20. One side yard setback above the first story which is at least 33 percent greater than the minimum required side yard setback.		.01								
21. Both side yard setbacks above the first story which are at least 33 percent greater than the minimum required side yard setback (may not be combined with number 20).		.02								
22. On lots which are 30 feet or less in width: two or more attached dwellings and covered parking constructed with a common zero side yard setback on two or more lots having contiguous interior lot lines. The remaining side yards shall not be less than 20 percent of the width of each respective lot. All side street lot lines and interior lot lines adjoining property not part of the development shall not be permitted to have such a reduced side yard.		.02								
ARCHITECT AND DESIGN REVIEW										
23. Plans drawn, stamped and signed by a California licensed architect with the architect-of-record's title block on all sheets of the plans and an affidavit signed by the architect stating that the plans were drawn by or under the direct supervision and approval of him or her.		.01								
24. Approval from the Design Review Commission of the exterior design of all proposed structures on the property.		.04								
HISTORIC DESIGNATION										
25. Approval of a historic alteration permit by the City of Coronado.		.02								
FAR DEDUCTIONS										
26. FAR Deductions.										
	A. More than 18 lineal feet (cumulative) of garage door(s) or garage doors over 8 feet in height on the front facade of the main building;	-.01								
	B. For existing dwellings, a deck or balcony on any building adjoining a building facade or on or above the roof which is above the finished floor of the second story or 14 feet above grade, which does not have all of the following minimum setbacks:	-.01								
	1. A front and street side setback of five feet from the adjoining front or street side facade;									
	2. An interior side setback from the side facade of the structure as follows:									
<table border="1"> <thead> <tr> <th>Lot Width</th> <th>Facade Setback Required</th> </tr> </thead> <tbody> <tr> <td>25 feet or less</td> <td>3 feet</td> </tr> <tr> <td>26 – 50 feet</td> <td>5 feet</td> </tr> <tr> <td>51 feet and greater</td> <td>8 feet</td> </tr> </tbody> </table>		Lot Width	Facade Setback Required	25 feet or less	3 feet	26 – 50 feet	5 feet	51 feet and greater	8 feet	
Lot Width	Facade Setback Required									
25 feet or less	3 feet									
26 – 50 feet	5 feet									
51 feet and greater	8 feet									
	3. A rear setback of 50 percent of the lot depth;									
	C. A main building whose front and side elevations have architectural elements such as, but not limited to, windows, doors and columns that are higher than 14 feet;	-.01								
	D. For existing dwellings, a finished first-story floor or a finished floor directly above an underground parking garage or basement greater than 30 inches above grade;	-.01								

ADDITIONAL DESIGN FEATURES			FAR BONUS
	E. For existing dwellings, landscaping with plant material or water features between the front of the main building and the front property line which is less than 40 percent of said area for lots with a frontage less than 50 feet in width, and less than 60 percent for lots with a frontage of 50 feet or greater;		-.01
	F. A main building with facades of the same color, style, and texture as the main building of either adjoining property;		-.01
	G. Construction of a new main building with the same roof pitch as the main building of either adjoining property as viewed from the street (a minimum roof pitch of 1:12 difference is required). The following roofs are excluded:		-.01
	1. Roofs with the main ridge line oriented 90 degrees to the ridge line of both adjoining roofs; and		
	2. Roofs with the main ridge line having an eight-foot or greater vertical height difference as compared to the ridge line of both adjoining roofs (e.g., one story vs. two story).		

(Ord. 2062 § 2 (Exh. A), 2016)

86.08.037 Lot frontage required for CC-1 Subzone.

The lot frontage of CC-1 Subzone lots shall be at least 65 feet in length, on at least one public street. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.040 Front yard required.

There shall be a front yard of not less than 25 feet.

The following are exceptions to this requirement:

A. Lots having a depth of 60 feet or less shall have a front yard of not less than 15 percent of the depth of the lot.

B. Lots with a “front lot line” solely along an alley shall provide a first-story front yard of no less than five feet and a second-story front yard of no less than 10 feet. No portion of a structure within 10 feet of the alley front lot line shall exceed the height limit for accessory buildings.

C. Where the average front yard setback of a block face is less than 25 feet, the required setback may be computed based on said average in accordance with CMC 86.56.630. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.050 Rear yard required.

A. There shall be a first-story rear yard of not less than 20 percent of the depth of the lot; provided, however, such rear yard need not exceed 15 feet (the handle portion of a panhandle lot shall be excluded from lot depth calculations).

B. 1. There shall be a setback of five feet from any rear property line for accessory structures and for covered parking which is attached to the main building, except that for lots without vehicle access from an alley or that front solely on an alley, a maximum of three feet shall be required for rear yards of single-story detached garages limited to 24 feet in width and located in the rear 26 feet of the lot depth.

2. That portion of the covered parking which is in the required rear yard and is attached to the main building shall comply with the allowable height for accessory buildings.

C. For all lots except those with a rear property line adjoining a public park or bay, there shall be a second-story rear yard of not less than 40 percent of the depth of the lot, except for lots that are 110 feet or less in depth, for which there shall be a second-story rear yard of not less than 30 percent of the lot depth. However, in no case would the lot area of the required second-story rear yard be required to exceed 40 percent or 30 percent of the gross lot area, respectively (the handle portion of a panhandle lot shall be excluded from lot depth calculations).

1. The height of a single story within the required second-story rear yard shall comply with the allowable height for accessory buildings.

2. Roof decks and second-story balconies are prohibited in the second-story rear yard except as otherwise permitted to project from said increased second-story setback line.

D. For lots 110 feet or less in depth without alley access, single-story additions to existing single-family dwelling buildings or duplexes may extend into the required rear yard a distance of five feet provided the area of such extension does not exceed 25 percent of the required rear yard. In no case shall the rear yard be less than 10 feet at any point and the height of said addition shall comply with the allowable height for accessory buildings.

E. Rear yards for reversed corner lots shall be as provided in CMC 86.08.070.

F. Rear yards for a carriage house shall be as provided in CMC 86.56.110. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.060 Side yards – Interior or corner lots.

A. There shall be a minimum side yard on each side of a building in accordance with the following table; provided, however, that such side yard shall not be less than three feet in width:

Lot Size (Square Feet)	Side Yard (Percent of Lot Width)
<8,000	10%
8,000 – 8,999	11%
9,000 – 9,999	12%
10,000 – 10,999	13%
11,000 – 11,999	14%
>11,999	15%

The following are exceptions to this requirement:

1. For side yards adjoining an alley a maximum of five feet shall be required;
2. For single-story detached accessory structures located in the rear 26 feet of the lot depth, side yards of not less than 10 percent of the width of the lot shall be provided; however, such side yards shall not be less than three feet and need not exceed five feet;
3. For lots without vehicle access from an alley or that front solely on an alley, a single-story detached garage limited to 24 feet in width and located in the rear 26 feet of the lot depth shall be required to provide a maximum three-foot side yard; and
4. For lots 50 feet or less in width, regardless of lot size, side yards of not less than 10 percent of the width of the lot shall be provided; however, such side yards shall not be less than three feet and need not exceed five feet.

B. Where two single-family dwelling buildings, duplex development, or detached garages are proposed for two or more lots having contiguous interior lot lines, one side yard of each lot may be reduced to a zero setback upon site approval. The remaining side yard shall not be less than 20 percent of the width of the lot; provided, however, that such side yard shall not be less than six feet. All side street lot lines and interior lot lines adjoining property not part of the development shall not be permitted to have a reduced side yard. In the case of duplex units, no more than two such units may be attached where allowed in the R-1A Zone. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.070 Reversed corner lots – Side and rear yards.

A. There shall be a side yard on the side street lot line of a reversed corner lot of not less than 50 percent of the average of the front yards required on the first five building sites on the block face that are adjoining or adjacent to the rear lot line of the reversed corner lot or as required in CMC 86.08.060(A), whichever is greater. The remaining side yard and the first-story rear yard shall not be less than 10 percent of the width or depth of the lot respectively;

provided, however, that such side yard width or first-story rear yard depth shall not be less than three feet and need not exceed five feet. The front yard shall be as provided in CMC 86.08.040.

B. There shall be a second-story rear yard for a reversed corner lot of not less than 20 percent of the depth of the lot. However, in no case shall the lot area of the required second-story rear yard exceed 20 percent of the total lot size, respectively.

1. The height of a single story within the required second-story rear yard shall comply with the allowable height for accessory buildings.
2. Roof decks and second-story balconies are prohibited in the second-story rear yard except as otherwise permitted to project from said increased second-story setback line.

C. Where a single-family dwelling building or duplex development is proposed for two or more lots having contiguous interior lot lines, the reduced side yard as provided under CMC 86.08.060(B) shall apply only to the interior lot line of a reversed corner lot. The side yard on the side street lot line shall be increased by the width of the setback required for the interior lot line prior to reduction.

D. Reversed corner lots having one side lot line on a street and the remaining side lot line on a street or alley shall maintain a setback on the side street lot line of not less than 10 percent of the width of the lot and no less than 25 feet. CMC 86.56.630 (Exceptions – Average front yard setback rule) may be applied to the setback on this side street lot line. The remaining side yard shall be no less than 10 percent of the width (for the front and rear yards) of the lot, respectively; provided, however, that such side yard width or front, or rear yard depth, shall not be less than three feet and need not exceed five feet. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.080 Dormers.

Dormers shall be in accordance with CMC 86.56.130. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.090 Roof decks and balconies above 14 feet.

Roof decks and balconies above 14 feet shall be in accordance with CMC 86.56.140. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.100 Lot area.

Lots in the R-1A Zone shall have a lot size of no less than 5,500 square feet, except lots designated as R-1A(E) on the zoning map shall have a lot size of no less than 5,250 feet, lots designated as R-1A(CC-1) on the zoning map shall have a lot size of no less than 7,500 square feet, lots designated as R-1A(CC-2) on the zoning map shall have a lot size of no less than 6,600 square feet, and lots designated as R-1A(CC-3) on the zoning map shall have a lot size of no less than 6,000 square feet. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.110 Maximum structural coverage allowed.

The total structural coverage shall not exceed 50 percent of the gross lot or building site area and the gross floor area of the second story shall not exceed the gross floor area of the first story (attached enclosed garages shall be considered as part of the first-story gross floor area).

The following are exceptions to this requirement:

A. The total structural coverage may be increased to 60 percent of the gross lot or building site area so long as the main building is limited to one story with a maximum height of 14 feet to the top of a flat roof with a pitch less than 3:12 and 20 feet to the ridge of a sloped roof with a pitch of 3:12 or greater. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.120 Off-street parking required.

Off-street parking shall be provided in accordance with Chapter 86.58 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.130 Development landscaping required.

A. A minimum of 35 percent of the total site area of new residential developments and 15 percent of the total site area of new commercial developments (in both cases excluding waterways and required streets and sidewalks) shall be landscaped. Required parking spaces shall not be considered as a portion of the required landscaping;

B. A maximum of 50 percent of the landscaping required by this title may be provided by the use of either water features or by the use of water features and decorative rock, decorative paved surfaces, fixed seating, planter walls, open decks, barbecues, fire pits, arbors or gazebos limited to 50 square feet, and similar garden hard surface features;

C. For lots with a “frontage” less than 50 feet, a minimum of 40 percent of the area between the front of the main building and the front property line shall be landscaped with plant material or water features;

D. For lots with a “frontage” of 50 feet or greater, a minimum of 60 percent of the area between the front of the main building and the front property line shall be landscaped with plant material or water features;

E. When new construction or additions over 500 square feet in size are constructed, the property owner shall plant street trees in all public rights-of-way adjacent to said property, if space is available. It shall be the responsibility of the adjoining property owner to provide an automatic irrigation system for said trees. All shade trees shall have a minimum two-inch diameter trunk (measured four feet, six inches above the root crown) and palm trees shall have a minimum six-foot brown trunk. The tree species, spacing, planting, and/or removal of existing trees shall be at the direction of the City of Coronado in accordance with City specifications and the City’s approved street tree list.
(Ord. 2062 § 2 (Exh. A), 2016)

86.08.140 Facade treatment required.

A. The side facades of all stories of main buildings and carriage houses shall incorporate design components to provide relief and visual and architectural interest and variety. Such components may consist of facade plane offsets, vertical and/or horizontal articulation of the facade, architectural projections, recessed windows, varied texture and materials, and similar design features. Long, uninterrupted exterior walls shall be avoided.

B. The facade treatment shall not encroach into the required side yards except as permitted elsewhere in this title.
(Ord. 2062 § 2 (Exh. A), 2016)

86.08.150 Courtesy notice.

Courtesy notice shall be in accordance with CMC 86.56.632. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.160 Nonconforming uses and structural nonconformities.

Nonconforming uses and structural nonconformities shall be in accordance with Chapter 86.50 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.170 Special provisions.

Special provisions (additional regulations, exceptions and lot and building certification requirements) shall be in accordance with Chapter 86.56 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.180 Lot and building certification required.

Property corners, lot dimensions, gross lot area, grade, building height, front, side and rear yard setback certification shall be in accordance with CMC 86.56.635. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.190 Undergrounding of utilities.

Undergrounding of utilities shall be in accordance with CMC 86.56.840. (Ord. 2062 § 2 (Exh. A), 2016)

86.08.200 Mechanical equipment.

Mechanical equipment shall be in accordance with CMC 86.56.120. (Ord. 2062 § 2 (Exh. A), 2016)

Chapter 86.09

R-1A(BF) – SINGLE-FAMILY RESIDENTIAL BAY FRONT SUBZONE

Sections:

- 86.09.010 Purpose and intent.
- 86.09.020 Permitted and accessory uses.
- 86.09.030 Measurement standards for “building height,” “grade,” “structural coverage,” “floor area ratio (FAR),” and “depth of lot.”
- 86.09.040 Height regulations.
- 86.09.050 Floor area ratio.
- 86.09.060 Lot width required.
- 86.09.070 Front yard required.
- 86.09.080 Rear yard required.
- 86.09.090 Side yards.
- 86.09.100 Height restrictions within side yards.
- 86.09.110 Dormers.
- 86.09.120 Roof decks and balconies above 14 feet.
- 86.09.130 Lot area.
- 86.09.140 Maximum structural coverage allowed.
- 86.09.150 Off-street parking required.
- 86.09.160 Development landscaping required.
- 86.09.170 Facade treatment required.
- 86.09.180 Undergrounding of utilities.
- 86.09.190 Noticing requirements.
- 86.09.200 Nonconforming uses and structural nonconformities.
- 86.09.210 Special provisions.
- 86.09.220 Lot and building certification required.
- 86.09.230 Mechanical equipment.

86.09.010 Purpose and intent.

The purpose and intent of this chapter is to provide regulations that preserve and enhance the residential characteristics for those areas so designated on the zoning map of the City. The R-1A(BF) Subzone is a subzone of the R-1A Zone with unique development standards due to the subzone’s unusual location relative to the San Diego Bay and public rights-of-way; topography; lot configurations; and unbuildable portions of the lots. The R-1A(BF) Subzone is intended to provide for neighborhoods consisting of single-family dwelling buildings with a minimum gross lot size of 7,500 square feet of lot area per dwelling unit. Density is six dwelling units per acre. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.020 Permitted and accessory uses.

The following principal uses shall be allowed in the R-1A(BF) Subzone:

- A. One single-family dwelling building (to include manufactured housing), on one lot, which conforms to minimum lot area requirements.
- B. The following accessory uses are allowed in conjunction with the single-family dwelling building:
 1. Incidental home occupations subject to the provisions of Chapter 20.08 CMC.
 2. Accessory buildings subject to the provisions of Chapter 86.56 CMC.
 3. Off-street parking in conformance with Chapter 86.58 CMC.
- C. Small residential care facility, supportive housing, and transitional housing.

D. Two-unit residential developments subject to CMC 86.56.180. (Ord. 2021-06 § 4, 2021; Ord. 2062 § 2 (Exh. A), 2016)

86.09.030 Measurement standards for “building height,” “grade,” “structural coverage,” “floor area ratio (FAR),” and “depth of lot.”

A. Lots Adjoining the Bay. The property owner of a lot adjoining the bay shall have the option of selecting either the “gross lot area” (as defined in CMC 86.04.325) or the “adjusted lot area,” for the combined purposes of “grade” determination, “structural coverage,” “floor area ratio” (or “FAR”), and “depth of lot” calculation. The “adjusted lot area” of a lot abutting the bay shall be the computed area contained within the lot lines less any panhandle area and less the area bayward from a line across the lot which is established at the discretion of the property owner on natural grade not created by landfill. If the property owner selects the “gross lot area” option, “grade” shall be the average ground level of the center line of First Street and the rear property line. If the property owner of a lot without street frontage selects the “gross lot area” option, “grade” shall be the average ground level of the front and rear property lines. If the property owner selects the “adjusted lot area” option, “grade” shall be the average ground level of the front and rear boundary lines of the “adjusted lot area,” and the “adjusted lot area” shall be used as “gross lot area” for FAR calculation (CMC 86.04.308 and 86.09.050) and structural coverage calculation (CMC 86.04.760 and 86.09.120).

B. Lots Not Adjoining the Bay but Adjoining the Frontage Road. For lots not adjoining the bay but adjoining the frontage road which runs parallel to and north of First Street, the “adjusted lot area” shall be used as “gross lot area” in the calculation of FAR (CMC 86.04.308 and 86.09.050) and structural coverage calculation (CMC 86.04.760 and 86.09.120). The “adjusted lot area” of said frontage road lots shall be the area bounded by the northerly curb of the said frontage road and the side and rear lot lines. However, if the entire lot area is 7,500 square feet or less and the calculated “adjusted lot area” is less than 70 percent of the entire lot area, then 70 percent of the entire lot area shall be used as the “adjusted lot area” for the calculation of FAR and “structural coverage.” “Grade” for said frontage road lots shall be the average ground level of the center line of First Street and the rear property line.

C. Lots Not Adjoining the Bay or the Frontage Road but Adjoining First Street. For lots not adjoining the bay or the frontage road but adjoining First Street, “grade,” “structural coverage” and FAR shall be determined as prescribed by CMC 86.04.308, 86.04.318, 86.04.760, 86.09.050 and 86.09.120. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.040 Height regulations.

A. No building shall have a finished first-story floor or a finished floor directly above an underground parking garage or basement greater than 30 inches above “grade” as defined in CMC 86.04.318.

B. Main Buildings. Main buildings shall not contain more than two stories and shall comply with the following height restrictions:

Main Building Maximum Height Limit		
< 3:12 Roof Pitch	3:12 – < 6:12 Roof Pitch	≥ 6:12 Roof Pitch
23 feet. Parapet walls may extend to 23.5 feet with 30% of the roof perimeter parapet walls up to 25 feet. A maximum of 60% of the front parapet wall may extend to 25 feet.	27.5 feet.	27.5 feet. 15% of the roof plan area may extend to 30 feet.

C. Accessory Buildings. Accessory buildings shall not contain more than one story and shall comply with the following height restrictions:

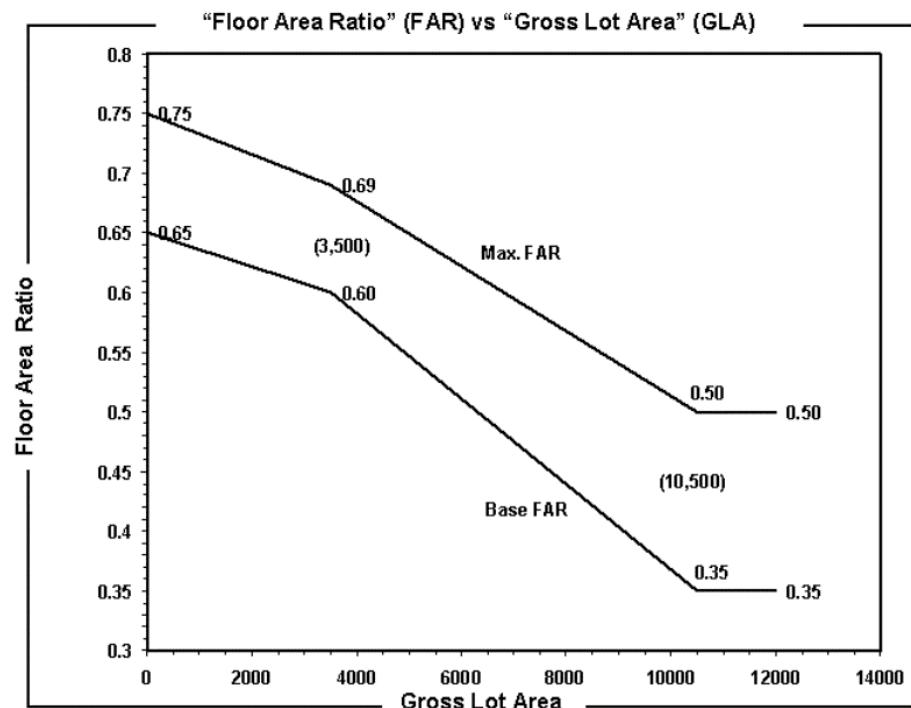
Accessory Building Maximum Height Limit		
< 3:12 Roof Pitch	3:12 – < 6:12 Roof Pitch	≥ 6:12 Roof Pitch
11 feet.	14 feet, 4 inches.	14 feet, 4 inches.

Accessory Building Maximum Height Limit		
< 3:12 Roof Pitch	3:12 – < 6:12 Roof Pitch	≥ 6:12 Roof Pitch
Parapet walls may extend to 14 feet.		15% of the roof plan area may extend to 15 feet 7 inches.

(Ord. 2062 § 2 (Exh. A), 2016)

86.09.050 Floor area ratio.

Development shall not exceed a base and maximum “floor area ratio” (FAR) in accordance with the following chart and table:



Allowable Base “Floor Area Ratio” (FAR) and Maximum FAR vs.
“Gross Lot Area” (GLA) or “Adjusted Lot Area” (ALA) per CMC 86.09.030

GLA or ALA (sq. ft.)	Base FAR	Max FAR	GLA or ALA (sq. ft.)	Base FAR	Max FAR	GLA or ALA (sq. ft.)	Base FAR	Max FAR	GLA or ALA (sq. ft.)	Base FAR	Max FAR
600	0.641	0.740	3100	0.606	0.697	5600	0.525	0.633	8100	0.436	0.565
700	0.640	0.738	3200	0.604	0.695	5700	0.521	0.630	8200	0.432	0.562
800	0.639	0.736	3300	0.603	0.693	5800	0.518	0.628	8300	0.429	0.560
900	0.637	0.735	3400	0.601	0.692	5900	0.514	0.625	8400	0.425	0.557
1000	0.636	0.733	3500	0.600	0.690	6000	0.511	0.622	8500	0.421	0.554
1100	0.634	0.731	3600	0.596	0.687	6100	0.507	0.619	8600	0.418	0.552
1200	0.633	0.729	3700	0.593	0.685	6200	0.504	0.617	8700	0.414	0.549
1300	0.631	0.728	3800	0.589	0.682	6300	0.500	0.614	8800	0.411	0.546

GLA or ALA (sq. ft.)	Base FAR	Max FAR	GLA or ALA (sq. ft.)	Base FAR	Max FAR	GLA or ALA (sq. ft.)	Base FAR	Max FAR	GLA or ALA (sq. ft.)	Base FAR	Max FAR
1400	0.630	0.726	3900	0.586	0.679	6400	0.496	0.611	8900	0.407	0.543
1500	0.629	0.724	4000	0.582	0.676	6500	0.493	0.609	9000	0.404	0.541
1600	0.627	0.723	4100	0.579	0.674	6600	0.489	0.606	9100	0.400	0.538
1700	0.626	0.721	4200	0.575	0.671	6700	0.486	0.603	9200	0.396	0.535
1800	0.624	0.719	4300	0.571	0.668	6800	0.482	0.600	9300	0.393	0.533
1900	0.623	0.717	4400	0.568	0.666	6900	0.479	0.598	9400	0.389	0.530
2000	0.621	0.716	4500	0.564	0.663	7000	0.475	0.595	9500	0.386	0.527
2100	0.620	0.714	4600	0.561	0.660	7100	0.471	0.592	9600	0.382	0.524
2200	0.619	0.712	4700	0.557	0.657	7200	0.468	0.590	9700	0.379	0.522
2300	0.617	0.711	4800	0.554	0.655	7300	0.464	0.587	9800	0.375	0.519
2400	0.616	0.709	4900	0.550	0.652	7400	0.461	0.584	9900	0.371	0.516
2500	0.614	0.707	5000	0.546	0.649	7500	0.457	0.581	10000	0.368	0.514
2600	0.613	0.705	5100	0.543	0.647	7600	0.454	0.579	10100	0.364	0.511
2700	0.611	0.704	5200	0.539	0.644	7700	0.450	0.576	10200	0.361	0.508
2800	0.610	0.702	5300	0.536	0.641	7800	0.446	0.573	10300	0.357	0.505
2900	0.609	0.700	5400	0.532	0.638	7900	0.443	0.571	10400	0.354	0.503
3000	0.607	0.699	5500	0.529	0.636	8000	0.439	0.568	≥10500	0.350	0.500

The base FAR may be cumulatively increased to the maximum FAR shown in the above chart and table if the development is designed:

- A. With a different front elevation compared to all other development on both the subject block face and the block face immediately across the street from the front of the subject property if new construction, replacement or 50 percent or more reconstructed or restored; and
- B. With one or more of the following additional design features incorporated into the project. Each additional design feature has a corresponding FAR bonus, which is cumulatively added to the base FAR up to the maximum FAR permitted above. In addition, the following list is succeeded by a list of FAR deductions, which cumulatively reduce the allowable FAR, but in no case shall the allowable FAR be reduced below the above base FAR:

ADDITIONAL DESIGN FEATURES		FAR BONUS
FRONT PORCH		
1. For lots with a front property line of 40 feet or more in width, a covered and unenclosed front porch with a minimum of 50 percent of the perimeter walls of said porch at least 65 percent or more permanently open to the passage of light and air:		
	A. Raised a minimum of 12 inches above the ground, has a length of at least 65 percent of the width of the dwelling and projects out a minimum of eight feet from the dwelling (eaves may project an additional 12 inches) and a minimum of 50 percent is covered with a permanent, solid, waterproof roof and the remaining portion covered by a minimum 10 percent solid trellis; or	.02

ADDITIONAL DESIGN FEATURES		FAR BONUS
	B. Has a length of at least 50 percent of the width of the dwelling and projects out a minimum of six feet from the dwelling (eaves may project an additional 12 inches) and is 100 percent covered with a permanent, solid, waterproof roof.	.01
	GARAGES AND DRIVEWAYS (A maximum of 0.02 FAR bonus points permitted.)	
2.	All on-grade attached garages with parking garage doors which are visible from the street with a maximum cumulative door width of 18 feet, set back four feet or more from the dominant adjoining building facade, and which are wood and contain architectural details.	.01
3.	All parking garages that have doors turned 90 degrees or more from First Street or are otherwise not visible from First Street.	.02
	ROOFS	
4.	A roof on the main building with a ridge axis perpendicular to the street and having a slope or pitch of at least 4:12 but less than 6:12 for at least 80 percent of the total building area with eaves projecting a minimum of six inches for the entire sloped roof perimeter, but a maximum of six inches into required side yards.	.02
5.	Roofs with a ridge axis perpendicular to the street and having a slope or pitch between 4:12 and 12:12 for at least 80 percent of the total building area which projects into the structure of the building a minimum of five feet and with a top plate no higher than six feet above the finished floor elevation for the entire length of the roof along one side yard (permitted for one- or two-story buildings).	.01
	STRUCTURAL COVERAGE	
6.	A maximum total structural coverage of 40 percent of the gross lot area or the adjusted lot area, as applicable in accordance with CMC 86.09.030 (exceptions otherwise permitted).	.02
7.	A main building where the second-story gross floor area and floor area equivalent is 50 percent or less of the gross floor area and floor area equivalent of the first story.	.03
	EXTERIOR RAILINGS AND GUARDRAILS	
8.	All exterior railings and guardrails over eight feet above grade which do not exceed the minimum height standard contained in the Uniform Building Code at decks, balconies, and stairs, are 70 percent transparent above the lower six inches (i.e., 70 percent total railing area each 10-foot increment is air, 30 percent is solid, meaning support posts, vertical and horizontal members, etc.). Clear glass meeting Uniform Building Code standards, but not plastic-related materials, can be used to meet this transparency criterion.	.01
	SETBACKS AND HEIGHT	
9.	A main building limited to one story with a maximum height of 14 feet to top of a flat roof and 20 feet to the ridge or peak of sloped roofs (otherwise permitted exceptions allowed).	.03
10.	A main building with a maximum flat or ridge roof height of 150 percent of the flat or sloped roof ridge height of the shortest of the immediately adjoining next door main building, provided at least one of the neighboring main buildings does not exceed one story or 14 feet in height (may not be combined with other height features).	.02
11.	A main building with a roof height limited to 90 percent of otherwise allowable height (may not be combined with other height features).	.01
12.	Increase view corridor side yard (CMC 86.09.090) setback by five feet for the entire length of both stories (normal exceptions permitted):	
	A. Lots adjoining the bay; or	.01
	B. Lots not adjoining the bay.	.02
13.	Increase nonview corridor side yard setback by five percent or more of lot width for the entire length of both stories (e.g., 50 feet lot width x 0.05 percent = two and one-half feet additional) (normal exceptions permitted).	.01
14.	Both of numbers 12 and 13 above (bonus points are cumulative).	.01
15.	Second-story front set back from the first-story facade by six feet or more (normal exceptions permitted) for 50 percent or more of front facade width, provided the roofline of the first-story facade (below said setback) or 70 percent transparent railings (see number 8) do not exceed the second-story finished floor height by three feet.	.01
16.		

ADDITIONAL DESIGN FEATURES		FAR BONUS								
	A. Second-story side yard setback from the first-story facade, for its entire length on the view corridor side yard, for each of up to three increments equal to five percent of lot width (e.g., 50 feet lot width x 0.05 percent = two and one-half feet additional per increment) (normal exceptions permitted); or	.01 (.01 x 3 = 0.03 max)								
	B. All buildings with one increased side yard setback above 16 feet in height which slopes away from the vertical plane of the required side yard setback line by at least 45 degrees. Dormers shall be permitted to encroach into the 45-degree setback; provided, that they shall be set back from the side property line a minimum of 150 percent of the required side yard, shall not exceed eight feet in width and a cumulative width of 25 percent of the length of the roof abutting the side yard and shall maintain a minimum of eight-foot separation between dormers. The highest point of each such dormer shall be a minimum of 12 inches lower than the ridge of the abutting main roof.	.01								
	(16A and B may not be combined on one side but are permitted on opposite sides for additional bonus points.)									
17.	A courtyard along the side facade of the main building, open to the side yard, of at least 15 feet in width (parallel to the side property line), and a minimum depth of 30 percent of the lot width from the normal setback line. Said courtyard shall be open to the sky, except for architectural features which may project into the courtyard up to a maximum of 10 percent of the lot width. Said courtyard shall be an integral part of the main building and not open to the front or rear yards.	.01								
ARCHITECT AND DESIGN REVIEW										
18.	Plans drawn, stamped and signed by a California licensed architect with the architect-of-record's title block on all sheets of the plans and an affidavit signed by the architect stating that the plans were drawn by or under the direct supervision and approval of him or her.	.01								
19.	Approval from the Design Review Commission of the exterior design of all proposed structures on the property.	.04								
HISTORIC DESIGNATION										
20.	Approval of a historic alteration permit by the City of Coronado.	.02								
FAR DEDUCTIONS										
21.	FAR Deductions:									
	A. More than 18 lineal feet (cumulative) of garage door(s) or garage doors over 8 feet in height on the front facade of the main building;	-.01								
	B. For existing dwellings, a deck or balcony on any building adjoining a building facade or on or above the roof which is above the finished floor of the second story or 14 feet above grade, which does not have all of the following minimum setbacks:	-.01								
	1. A front setback of five feet from the adjoining front facade;									
	2. An interior side setback from the side facade of the structure as follows:									
	<table border="1"> <thead> <tr> <th>Lot Width</th> <th>Facade Setback Required</th> </tr> </thead> <tbody> <tr> <td>25 feet or less</td> <td>3 feet</td> </tr> <tr> <td>26 – 50 feet</td> <td>5 feet</td> </tr> <tr> <td>51 feet and greater</td> <td>8 feet</td> </tr> </tbody> </table>	Lot Width	Facade Setback Required	25 feet or less	3 feet	26 – 50 feet	5 feet	51 feet and greater	8 feet	
Lot Width	Facade Setback Required									
25 feet or less	3 feet									
26 – 50 feet	5 feet									
51 feet and greater	8 feet									
	C. A main building whose front and side elevations have architectural elements such as, but not limited to, windows, doors and columns that are higher than 14 feet;	-.01								
	D. For existing dwellings, a finished first-story floor or a finished floor directly above an underground parking garage or basement greater than 30 inches above grade;	-.01								
	E. For existing dwellings, landscaping with plant material or water features between the front of the main building and the front property line which is less than 40 percent of said area for lots with a frontage less than 50 feet in width and less than 60 percent for lots with a frontage of 50 feet or greater;	-.01								
	F. A main building with facades of the same color, style, and texture as the main building of either adjoining property;	-.01								

ADDITIONAL DESIGN FEATURES		FAR BONUS
	G. Construction of a new main building with the same roof pitch as the main building of either adjoining property as viewed from the street (a minimum roof pitch of 1:12 difference is required). The following roofs are excluded:	-.01
	1. Roofs with the main ridge line oriented 90 degrees to the ridge line of both adjoining roofs; and	
	2. Roofs with the main ridge line having an eight-foot or greater vertical height difference as compared to the ridge line of both adjoining roofs (e.g., one story vs. two story).	

(Ord. 2062 § 2 (Exh. A), 2016)

86.09.060 Lot width required.

There shall be a lot width of not less than 50 feet, except for panhandle portions of lots which shall be permitted in accordance with the Coronado Municipal Code Subdivision Ordinance. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.070 Front yard required.

There shall be a front yard of not less than 25 feet or as may be otherwise specified on a recorded subdivision, record of survey or parcel map recorded prior to the effective date of this title.

The following are exceptions to this requirement:

A. Lots having a depth of 60 feet or less shall have a front yard of not less than 15 percent of the depth of the lot.

B. Where the average front yard setback of a block face is less than 25 feet, the required setback may be computed based on said average in accordance with CMC 86.56.630. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.080 Rear yard required.

A. There shall be a rear yard of not less than 20 percent of the depth of the lot; provided, however, such rear yard need not exceed 15 feet. In addition thereto, there shall be a setback of five feet from any rear property line for accessory buildings and for covered parking which is attached to the main building. That portion of the covered parking which is in the required rear yard and is attached to the main building shall comply with the allowable height for accessory buildings.

B. For lots 110 feet or less in depth and not adjoining the bay, single-family dwelling buildings may extend into the required rear yard a distance of five feet provided the area of such extension does not exceed 25 percent of the required rear yard. In no case shall the rear yard be less than 10 feet at any point. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.090 Side yards.

The following minimum side yards and restrictions shall apply:

A. Lots Adjoining the Bay. There shall be a side yard on one side of a building of not less than 10 percent of the width of the lot; provided, however, that such side yard shall not be less than three feet wide and need not exceed five feet. The opposite side yard shall be designated as a view corridor side yard and shall be not less than 12 feet in width. The view corridor side yard shall, when possible, be on the same side as the adjoining lot's view corridor or wider side yard and continuous with the view corridor of the adjoining lot located between the subject lot and First Street (if one exists). If the subject lot is of a panhandle shape, said view corridor side yard shall be provided on the panhandle side of the lot. The goal of said view corridor shall be to provide a minimum 20- to 24-foot-wide (depending on lot location) view corridor from First Street to the bay between every two adjacent dwellings. Where an interior side property line is also the rear property line of a lot adjoining the frontage road, a minimum 15-foot side yard shall be provided from said common lot line except for single-story garages limited to 14 feet in height which shall maintain a minimum five-foot side yard from the common lot line.

B. Lots Not Adjoining the Bay. There shall be a side yard on one side of a building of not less than 10 percent of the width of the lot; provided, however, that such side yard shall not be less than three feet wide and need not exceed five feet. The opposite side yard shall be designated as a view corridor side yard. If the subject lot adjoins one or more panhandle-shaped lots which extend to the bay, said view corridor side yard shall be provided on the side of

the lot adjoining said panhandle lot and shall be no less than 10 feet in width measured from the midpoint of the combined (one or more) adjoining panhandles with a minimum side yard (from the subject lot's side property line to the building) of no less than 10 percent of the width of the lot and no less than three to five feet wide (depending on lot width). If not adjoining a panhandle-shaped lot, the view corridor side yard shall be on the same side as the adjoining lot's view corridor or wider side yard and continuous with the view corridor of the adjoining lot located between the subject lot and the bay and shall be not less than 10 feet in width. The goal of said view corridor shall be to provide a minimum 20- to 24-foot-wide (depending on lot location) view corridor from First Street to the bay between every two adjacent dwellings.

C. Lots Adjoining a Public Park or Perpetual Public Access Easement. There shall be a side yard on each side of a building of not less than 10 percent of the width of the lot; provided, however, that such side yard shall not be less than three feet wide and need not exceed five feet so long as when the side yard adjoining a public park or perpetual public access easement is combined with the open space of said park or easement that the total width is at least 24 feet for lots adjoining the bay and 20 feet for lots not adjoining the bay. To qualify, said park or easement must extend from First Street to the bay, and must run parallel to and for the entire length of the subject property's side property line. The side yard adjoining said park or easement shall be designated as a view corridor side yard. If the total minimum combined view corridor side yard and open space is not achieved, both side yard requirements shall be as prescribed in the relevant subsection A or B of this section. The goal of said view corridor shall be to provide a minimum 20- to 24-foot-wide (depending on lot location) view corridor from First Street to the bay between every two adjacent dwellings.

D. Lots Less Than 50 Feet in Width, Excluding Any Panhandle Portion. There shall be a side yard on each side of a building of not less than 10 percent of the width of the lot; provided, however, that such side yard shall not be less than three feet wide and need not exceed five feet. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.100 Height restrictions within side yards.

View corridor side yards required above shall be open to the sky and maintained free of all visual obstructions (e.g., fences/walls, plants or vegetation, accessory buildings, etc.) above six feet in height above natural ground level. Said view corridor side yards shall be open from the street frontage, or property line closest to the street, through to the bay except for architectural projections from the building permitted elsewhere in this title. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.110 Dormers.

A. A dormer with its lowest point of the vertical face above the ceiling joists of a second story or greater than 18 feet in height above "grade," as determined by CMC 86.09.030, or a dormer with window openings into an attic above a second story, and which faces a side, front, or rear yard, shall be subject to the following requirements:

1. Each dormer facing a side property line shall be set back from the exterior side facade of the wall below a minimum of 50 percent of the required side yard setback and need not exceed three feet;
2. Each dormer facing a front or rear property line shall be set back from the exterior front or rear facade of the wall below a minimum of three feet;
3. Each dormer shall not exceed a width of eight feet, and there shall be a minimum separation between each dormer of no less than one and one-half times the width of the narrowest dormer along each respective front, side or rear of a building;
4. The total cumulative width of all dormers on any one front, side or rear of a building shall not exceed 35 percent of the length of the roof abutting the given front, side or rear yard, with a minimum cumulative width of eight feet permitted;
5. The highest point of any dormer shall be no higher than one foot lower than the ridge of the abutting main roof for roofs of less than 6:12 slope, or one foot, six inches lower than the ridge for roofs of 6:12 or greater slope;

6. Gable dormers shall be exempt from subsection A of this section if said dormers have a minimum roof pitch equal to or greater than the main roof, the exterior vertical face is continuous with the exterior facade of the story below and if the dormer contains windows they must open to the first or second story.

B. Each dormer shall contain vertical windows or vents of at least four square feet in cumulative size facing the adjoining front, side or rear yard (excluding gable dormers with a minimum roof pitch equal to or greater than the main roof and where the exterior vertical face is continuous with the exterior facade of the story below). (Ord. 2062 § 2 (Exh. A), 2016)

86.09.120 Roof decks and balconies above 14 feet.

Roof decks and balconies above 14 feet shall be in accordance with CMC 86.56.140. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.130 Lot area.

Lots in the R-1A(BF) Subzone shall have a lot size of no less than 7,500 square feet. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.140 Maximum structural coverage allowed.

The total structural coverage shall not exceed 50 percent of the “gross lot area” or of the “adjusted lot area” required per CMC 86.09.030(A) and (B) and the gross floor area of the second story shall not exceed the gross floor area of the first story (attached enclosed garages shall be considered as part of the first-story gross floor area).

The following are exceptions to this requirement:

A. The total structural coverage may be increased to 60 percent of the “gross lot area” or of the “adjusted lot area” required per CMC 86.09.030(A) and (B), so long as the main building is limited to one story with a maximum height of 14 feet to the top of a flat roof with a pitch less than 3:12 and 20 feet to the ridge of a sloped roof with a pitch of 3:12 or greater. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.150 Off-street parking required.

Off-street parking shall be provided in accordance with Chapter 86.58 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.160 Development landscaping required.

A. A minimum of 35 percent of the total site area of new residential developments and 15 percent of the total site area of new commercial developments (in both cases excluding waterways and required streets and sidewalks) shall be landscaped. Required parking spaces shall not be considered as a portion of the required landscaping;

B. A maximum of 50 percent of the landscaping required by this title may be provided by the use of either water features or by the use of water features and decorative rock, decorative paved surfaces, fixed seating, planter walls, open decks, barbecues, fire pits, arbors or gazebos limited to 50 square feet, and similar garden hard surface features;

C. For lots with a “frontage” less than 50 feet, a minimum of 40 percent of the required front yard shall be landscaped with plant material or water features;

D. For lots with a “frontage” of 50 feet or greater, a minimum of 60 percent of the required front yard shall be landscaped with plant material or water features;

E. When new construction or additions over 500 square feet in size are constructed, the property owner shall plant street trees in all public rights-of-way adjacent to said property, if space is available. It shall be the responsibility of the adjoining property owner to provide an automatic irrigation system for said trees. All shade trees shall have a minimum two-inch diameter trunk (measured four feet, six inches above the root crown) and palm trees shall have a minimum six-foot brown trunk. The tree species, spacing, planting and/or removal of existing trees shall be at the direction of the City of Coronado in accordance with City specifications and the City’s approved street tree list. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.170 Facade treatment required.

A. The side facades of main buildings shall incorporate design components to provide relief, to assure visual and architectural interest and variety. Such components may consist of facade plane offsets, vertical and/or horizontal

articulation of the facade, architectural projections, recessed windows, varied texture and materials, and similar design features. Long, uninterrupted exterior walls shall be avoided.

B. The facade treatment shall not encroach into the required side yards except as permitted elsewhere in this title. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.180 Undergrounding of utilities.

Undergrounding of utilities shall be in accordance with CMC 86.56.840. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.190 Noticing requirements.

A. A courtesy notice shall be provided in accordance with CMC 86.56.632.

B. In addition to applicable City, State, or Federal requirements, all property owners within the R-1A(BF) Subzone and within 300 feet of a subject property shall receive written notification of all public hearings regarding discretionary permits requested from the City of Coronado for property within said subzone. The property owner of said requested permit shall provide the list of said owners and the addressed and stamped envelopes to the City of Coronado, if available, or compensate the City for providing this service. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.200 Nonconforming uses and structural nonconformities.

Nonconforming uses and structural nonconformities shall be in accordance with Chapter 86.50 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.210 Special provisions.

Special provisions (additional regulations, exceptions and lot and building certification requirements) shall be in accordance with Chapter 86.56 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.220 Lot and building certification required.

Property corners, lot dimensions, gross lot area, grade, building height, front, side and rear yard setback certification shall be in accordance with CMC 86.56.635. (Ord. 2062 § 2 (Exh. A), 2016)

86.09.230 Mechanical equipment.

Mechanical equipment shall be in accordance with CMC 86.56.120. (Ord. 2062 § 2 (Exh. A), 2016)

Chapter 86.10

R-1B – SINGLE-FAMILY RESIDENTIAL ZONE

Sections:

- 86.10.010 Purpose and intent.
- 86.10.020 Permitted uses.
- 86.10.030 Daylight plane and height regulations.
- 86.10.035 Floor area ratio.
- 86.10.040 Front yard required.
- 86.10.050 Rear yard required.
- 86.10.060 Side yards required – Interior or corner lots.
- 86.10.070 Reversed corner lots – Side and rear yards.
- 86.10.080 Dormers.
- 86.10.085 Roof decks and balconies above 14 feet.
- 86.10.090 Lot area per dwelling.
- 86.10.100 Maximum structural coverage allowed.
- 86.10.110 Off-street parking required.
- 86.10.120 Development landscaping required.
- 86.10.130 Facade treatment required.
- 86.10.140 Courtesy notice.
- 86.10.150 Nonconforming uses and structural nonconformities.
- 86.10.160 Special provisions.
- 86.10.170 Lot and building certification required.
- 86.10.180 Undergrounding of utilities.
- 86.10.190 Mechanical equipment.

86.10.010 Purpose and intent.

The purpose and intent of this chapter is to provide regulations that preserve and enhance the residential characteristics for those areas so designated on the official zoning map of the City. The R-1B Zone is intended to provide for communities consisting of single-family dwelling buildings and duplexes with a minimum gross lot size of 3,500 square feet per dwelling such as townhouses, patio houses, and cluster houses. Density is 12 dwelling units per acre. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.020 Permitted uses.

The following principal uses shall be allowed in the R-1B Zone:

- A. One single-family dwelling building (to include manufactured housing), on one lot, which conforms to minimum lot area requirements.
- B. One duplex or two single-family dwelling buildings under common ownership are allowed on a lot of no less than 7,000 square feet. Condominiums, stock cooperatives, common interest subdivisions, or any similar form of multiple ownership of more than one unit on one lot are prohibited within this zone.
- C. The following accessory uses are allowed in conjunction with the single-family dwelling building or duplex:
 - 1. Incidental home occupations subject to the provisions of Chapter 20.08 CMC.
 - 2. Accessory buildings subject to the provisions of Chapter 86.56 CMC.
- D. Small residential care facility, supportive housing, and transitional housing.
- E. Two-unit residential developments subject to CMC 86.56.180. (Ord. 2021-06 § 5, 2021; Ord. 2062 § 2 (Exh. A), 2016)

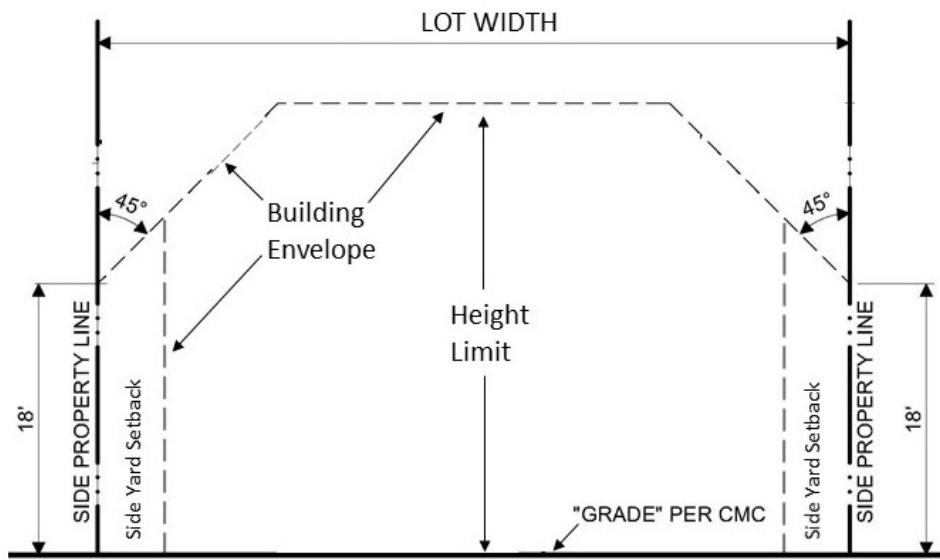
86.10.030 Daylight plane and height regulations.

A. No building shall have a finished first-story floor or a finished floor directly above an underground parking garage or basement greater than 30 inches above “grade.”

B. Main Buildings. “Daylight plane” is intended to provide for light and air, and to limit the impacts of bulk and mass on adjacent properties. The daylight plane restriction, when combined with the maximum height limit, defines the “building envelope” within which all new structures or additions must be contained. The daylight plane is an inclined plane, beginning at 18 feet above grade at the side property line, and extending into the site at 45 degrees from the vertical up to the maximum height limit. Main buildings shall not contain more than two stories and shall comply with the height limits and daylight plane restrictions depicted in the following table and graphic illustration:

Lot Width	Height limit for roof pitch less than 3:12 including the top of any wall surrounding a roof with a pitch of less than 3:12	Height limit for roof pitch 3:12 and greater
< 27 feet	25 feet	26 feet
27 – 27.9 feet	25 feet	27 feet
28 – 28.9 feet	25 feet	28 feet
29 – 29.9 feet	25 feet	29 feet
30 feet & greater	25 feet	30 feet

Daylight Plane



The following are exempt from the daylight plane requirements:

1. The 45-degree offset shall not be required along a side property line which is adjoining and parallel to a public street, public alley or public open space.
2. The following features may extend beyond the daylight plane provided they are below the height limit:
 - a. Dormers, gables, cupolas, domes, skylights, parapet walls or similar architectural features; provided, that such features shall not exceed the height limit and the sum of the actual or implied volume of such features which project beyond the daylight plane shall not exceed a maximum of 100 cubic feet when both sides are combined. Furthermore, no one side shall exceed 50 cubic feet except when along a “southerly side lot line” which shall be allowed a maximum of 100 cubic feet. The area of parapet walls, roof decks

behind parapet walls and similar design features, shall include the volume bounded by the daylight plane, the vertical face of the parapet wall and a level plane at the top of the parapet;

b. Cornices, eaves, and similar architectural features provided such features do not extend past the daylight plane more than two feet (flat roofs, flat eaves, continuous walls or enclosures of usable interior space are prohibited to extend past the daylight plane except as permitted above).

3. Chimneys and flues that do not exceed five feet in width; provided, that chimneys do not extend past the required daylight plane a distance exceeding the minimum required by building codes.

4. Architectural features permitted by CMC 86.56.050(C)(1)(a) through (d).

5. Antennas.

C. Accessory Buildings. Accessory buildings shall not contain more than one story (except for a “carriage house” in accordance with CMC 86.56.110) and shall comply with the following height restrictions:

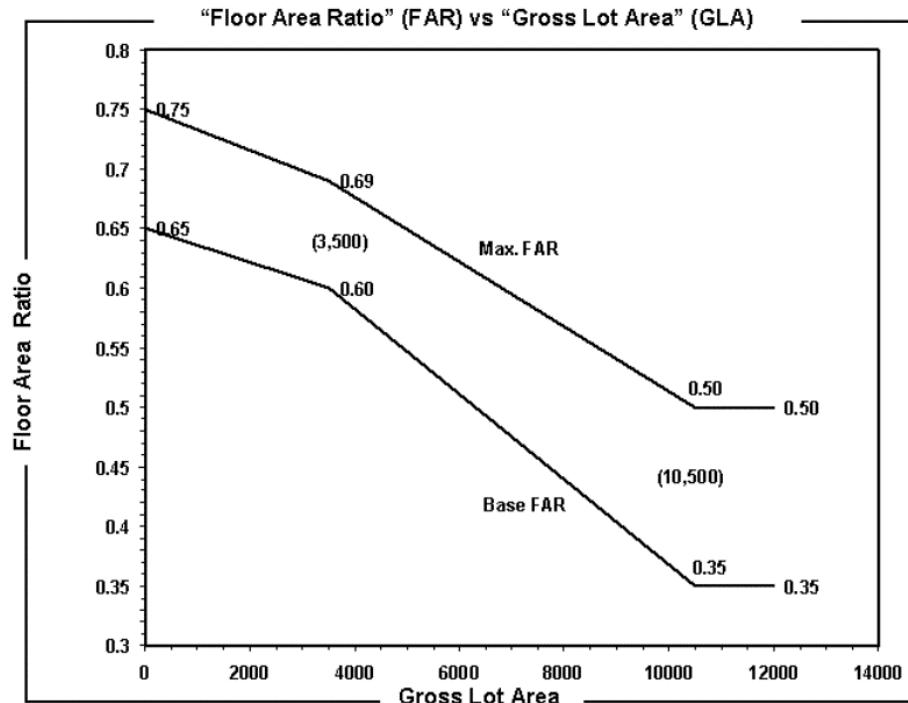
Accessory Building Maximum Height Limit		
< 3:12 Roof Pitch	3:12 – < 6:12 Roof Pitch	≥ 6:12 Roof Pitch
11 feet. Parapet walls may extend to 14 feet.	14 feet, 4 inches.	14 feet, 4 inches. 15% of the roof plan area may extend to 15 feet, 7 inches.

Carriage House Maximum Height Limit	
< 3:12 Roof Pitch	≥ 3:12 Roof Pitch
20 feet. Parapet walls may extend to 21 feet.	22 feet.
That portion of a “carriage house” which does not contain a second-story “habitable room” shall be limited to the above height restrictions for one-story accessory buildings and no roof dormers or other roof projections (except eaves) shall be permitted.	

(Ord. 2062 § 2 (Exh. A), 2016)

86.10.035 Floor area ratio.

Development shall not exceed a base and maximum “floor area ratio” (FAR) in accordance with the following chart and table:



Allowable Base “Floor Area Ratio” (FAR) and Maximum FAR vs. “Gross Lot Area” (GLA)

GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR
600	0.641	0.740	3100	0.606	0.697	5600	0.525	0.633	8100	0.436	0.565
700	0.640	0.738	3200	0.604	0.695	5700	0.521	0.630	8200	0.432	0.562
800	0.639	0.736	3300	0.603	0.693	5800	0.518	0.628	8300	0.429	0.560
900	0.637	0.735	3400	0.601	0.692	5900	0.514	0.625	8400	0.425	0.557
1000	0.636	0.733	3500	0.600	0.690	6000	0.511	0.622	8500	0.421	0.554
1100	0.634	0.731	3600	0.596	0.687	6100	0.507	0.619	8600	0.418	0.552
1200	0.633	0.729	3700	0.593	0.685	6200	0.504	0.617	8700	0.414	0.549
1300	0.631	0.728	3800	0.589	0.682	6300	0.500	0.614	8800	0.411	0.546
1400	0.630	0.726	3900	0.586	0.679	6400	0.496	0.611	8900	0.407	0.543
1500	0.629	0.724	4000	0.582	0.676	6500	0.493	0.609	9000	0.404	0.541
1600	0.627	0.723	4100	0.579	0.674	6600	0.489	0.606	9100	0.400	0.538
1700	0.626	0.721	4200	0.575	0.671	6700	0.486	0.603	9200	0.396	0.535
1800	0.624	0.719	4300	0.571	0.668	6800	0.482	0.600	9300	0.393	0.533
1900	0.623	0.717	4400	0.568	0.666	6900	0.479	0.598	9400	0.389	0.530
2000	0.621	0.716	4500	0.564	0.663	7000	0.475	0.595	9500	0.386	0.527

GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR	GLA (sq. ft.)	Base FAR	Max FAR
2100	0.620	0.714	4600	0.561	0.660	7100	0.471	0.592	9600	0.382	0.524
2200	0.619	0.712	4700	0.557	0.657	7200	0.468	0.590	9700	0.379	0.522
2300	0.617	0.711	4800	0.554	0.655	7300	0.464	0.587	9800	0.375	0.519
2400	0.616	0.709	4900	0.550	0.652	7400	0.461	0.584	9900	0.371	0.516
2500	0.614	0.707	5000	0.546	0.649	7500	0.457	0.581	10000	0.368	0.514
2600	0.613	0.705	5100	0.543	0.647	7600	0.454	0.579	10100	0.364	0.511
2700	0.611	0.704	5200	0.539	0.644	7700	0.450	0.576	10200	0.361	0.508
2800	0.610	0.702	5300	0.536	0.641	7800	0.446	0.573	10300	0.357	0.505
2900	0.609	0.700	5400	0.532	0.638	7900	0.443	0.571	10400	0.354	0.503
3000	0.607	0.699	5500	0.529	0.636	8000	0.439	0.568	≥10500	0.350	0.500

The base FAR may be cumulatively increased to the maximum FAR shown in the above chart and table if the development is designed:

- A. With a different front elevation compared to all other development on both the subject block face and the block face immediately across the street from the front of the subject property if new construction, replacement or 50 percent or more reconstructed or restored; and
- B. With one or more of the following additional design features incorporated into the project. Each additional design feature has a corresponding FAR bonus, which is cumulatively added to the base FAR up to the maximum FAR permitted above. In addition, the following list is succeeded by a list of FAR deductions which cumulatively reduce the allowable FAR, but in no case shall the allowable FAR be reduced below the above base FAR:

ADDITIONAL DESIGN FEATURES		FAR BONUS	
LANDSCAPE (A maximum of 0.03 FAR bonus points permitted.)			
1. Preserve an existing tree (with a minimum diameter of eight inches for a shade tree or 16 inches for a palm tree, measured four feet, six inches above the root crown, and a height of no less than 20 feet) and its root system in the required front yard, and install an automatic irrigation system for all landscaping in the front yard, including the adjoining public property.		.02	
2. Preserve an existing shade tree (with a minimum diameter of eight inches, measured four feet, six inches above the root crown, and a height of no less than 20 feet) and its root system on the subject property, other than within the required front yard, and install an automatic irrigation system for all landscaping in the rear yard.		.01	
FRONT PORCH			
3. An unenclosed front porch with a minimum of 50 percent of the perimeter walls of said porch at least 65 percent or more permanently open to the passage of light and air (porches on corner lots may wrap a maximum of 60 percent of the required length around the corner of the dwelling from the front to the street side yard so long as required setbacks are satisfied):			
	A. Raised a minimum of 12 inches above the ground, has a length of at least 65 percent of the width of the dwelling, projects out a minimum of eight feet from the dwelling (eaves may project an additional 12 inches) and a minimum of 50 percent is covered with a permanent, solid, waterproof roof and the remaining portion covered by a minimum 10 percent solid trellis; or		.02
	B. Has a length of at least 50 percent of the width of the dwelling, projects out a minimum of six feet from the dwelling (eaves may project an additional 12 inches) and is 100 percent covered with a permanent, solid, waterproof roof.		.01
ROOFS			

ADDITIONAL DESIGN FEATURES		FAR BONUS
(A maximum of 0.02 FAR bonus points permitted.)		
4. A roof on the main building having a slope of at least 4:12 but less than 6:12 for at least 80 percent of the total building area with eaves projecting a minimum of 12 inches for the entire sloped roof perimeter.		.01
5. A roof on the main building with a pitch of 6:12 or greater for at least 80 percent of the total building area with eaves projecting a minimum of 12 inches for the entire sloped roof perimeter and the 6:12 portion of the roof's ridge axis perpendicular to the street.		.02
6. On lots which are 40 feet or less in width: a main building with a variation of roof lines visible from all adjoining street rights-of-way.		.01
7. A roof on the main building having a slope of 4:12 or greater for at least 80 percent of the total building area with eaves equivalent to at least five percent of the width of the front facade for the entire sloped roof perimeter with a minimum of 24 inches.		.01
WINDOWS		
8. All windows along both side facades of the main building, at the second story, offset horizontally at least 12 inches (edge to edge) from windows of immediately adjoining main buildings. Windows with a sill height of 66 inches or more above the floor or separated by 20 feet or more horizontally are not required to be offset.		.01
STRUCTURAL COVERAGE		
9. A maximum total structural coverage of 40 percent with exceptions otherwise permitted:		
A. For lots with a gross lot area of 5,650 square feet or less; or		.02
B. For lots with a gross lot area greater than 5,650 square feet.		.01
10. A main building where the second-story gross floor area and floor area equivalent is 50 percent or less of the gross floor area and floor area equivalent of the first story.		.02
GARAGES AND DRIVEWAYS		
(A maximum of 0.02 FAR bonus points permitted.)		
11. An on-grade detached garage adjacent to the rear property line with the following garage and site restrictions: (a) limited to a depth of 26 feet from the rear property line; (b) a maximum of 11 feet in height for flat roofs or 13 feet in height for sloped roofs of 4:12 or greater; and (c) a minimum rear yard setback of 66 feet to any main building (the separation between the garage and main building shall be open from the ground to the sky except for projections or landscape accessory structures otherwise permitted).		.02
12. A garage with the following garage and site restrictions: (a) on a lot that does not abut an alley, or due to the location of the lot or physical attributes of the land, the garage may only be accessed by vehicles through the front yard; (b) the garage provides the required covered parking; and (c) the lot is not a corner lot:		
A. All on-grade garages located in the rear 50 percent of the lot depth with a driveway maximum width of 10 feet in the first 30 percent of the lot depth.		.02
B. All on-grade attached garages with parking garage doors which are visible from the street with a maximum cumulative door width of 18 feet, set back four feet or more from the dominant adjoining building facade and which are wood and contain architectural details.		.01
C. All parking garages with vehicle access doors turned 90 degrees or more from the street or which are otherwise not visible from the street, provided the garage door(s) are facing the adjacent side yard setback and the garage wall facing toward the street does not extend beyond the adjacent front facade of the building.		.01
SETBACKS AND HEIGHT		
13. A main building limited to one story with a maximum height of 14 feet to top of a flat roof and 20 feet to the ridge or peak of sloped roofs (otherwise permitted exceptions allowed).		.03
14. A main building with a maximum flat or ridge roof height of 150 percent of the flat or sloped roof ridge height of the shortest of the immediately adjoining next door main building, provided at least one of the neighboring main buildings does not exceed one story or 14 feet in height (may not be combined with other height features).		.02
15. A main building with a roof height limited to 90 percent of otherwise allowable height (may not be combined with other height features).		.01
16. A second-story front facade set back a minimum of eight feet from the dominant first-story facade for a minimum of 70 percent of the width of the first story.		.01
17. A courtyard on the side facade of the main building which is along a "northerly side lot line," open to the side yard, of at least 15 feet in width (parallel to the side property line), and a minimum depth of 30 percent of the lot width from the side property line.		.01

ADDITIONAL DESIGN FEATURES		FAR BONUS								
Said courtyard shall be open to the sky, except for architectural features which may project into the courtyard up to a maximum of 10 percent of the lot width. Said courtyard shall be an integral part of the main building and not open to the front or rear yards.										
18. A main building with one increased side yard setback above 16 feet in height which slopes away from the vertical plane of the required side yard setback line by at least 45 degrees:										
	A. With the increased side yard provided along a “northerly side lot line”; or	.02								
	B. With the increased side yard located other than along the northerly side property described above.	.01								
	Dormers shall be permitted to encroach into the 45-degree setback; provided, that they comply with CMC 86.56.130, Roof dormers.									
19.	A main building with increased side yard setbacks on both sides above 16 feet in height which slope away from the vertical plane of the required side yard setback lines by at least 45 degrees. Dormers shall be permitted to encroach into the 45-degree setbacks; provided, that they comply with CMC 86.56.130, Roof dormers (may not be combined with number 18).	.02								
20.	One side yard setback above the first story which is at least 33 percent greater than the minimum required side yard setback.	.01								
21.	Both side yard setbacks above the first story which are at least 33 percent greater than the minimum required side yard setback (may not be combined with number 20).	.02								
22.	On lots which are 30 feet or less in width: two or more attached dwellings and covered parking constructed with a common zero side yard setback on two or more lots having contiguous interior lot lines. The remaining side yards shall not be less than 20 percent of the width of each respective lot. All side street lot lines and interior lot lines adjoining property not part of the development shall not be permitted to have such a reduced side yard.	.02								
ARCHITECT AND DESIGN REVIEW										
23.	Plans drawn, stamped and signed by a California licensed architect with the architect-of-record's title block on all sheets of the plans and an affidavit signed by the architect stating that the plans were drawn by or under the direct supervision and approval of him or her.	.01								
24.	Approval from the Design Review Commission of the exterior design of all proposed structures on the property.	.04								
HISTORIC DESIGNATION										
25.	Approval of a historic alteration permit by the City of Coronado.	.02								
FAR DEDUCTIONS										
26.	FAR Deductions:									
	A. More than 18 lineal feet (cumulative) of garage door(s) or garage doors over 8 feet in height on the front facade of the main building;	-.01								
	B. For existing dwellings, a deck or balcony on any building adjoining a building facade or on or above the roof which is above the finished floor of the second story or 14 feet above grade, which does not have all of the following minimum setbacks:	-.01								
	1. A front and street side setback of five feet from the adjoining front or street side facade;									
	2. An interior side setback from the side facade of the structure as follows:									
		<table border="1"> <thead> <tr> <th>Lot Width</th> <th>Facade Setback Required</th> </tr> </thead> <tbody> <tr> <td>25 feet or less</td> <td>3 feet</td> </tr> <tr> <td>26 – 50 feet</td> <td>5 feet</td> </tr> <tr> <td>51 feet and greater</td> <td>8 feet</td> </tr> </tbody> </table>	Lot Width	Facade Setback Required	25 feet or less	3 feet	26 – 50 feet	5 feet	51 feet and greater	8 feet
Lot Width	Facade Setback Required									
25 feet or less	3 feet									
26 – 50 feet	5 feet									
51 feet and greater	8 feet									
	3. A rear setback of 50 percent of the lot depth;									
	C. A main building whose front and side elevations have architectural elements such as, but not limited to, windows, doors and columns that are higher than 14 feet;	-.01								

ADDITIONAL DESIGN FEATURES		FAR BONUS
	D. For existing dwellings, a finished first-story floor or a finished floor directly above an underground parking garage or basement greater than 30 inches above grade;	-.01
	E. For existing dwellings, landscaping with plant material or water features between the front of the main building and the front property line which is less than 40 percent of said area for lots with a frontage less than 50 feet in width and less than 60 percent for lots with a frontage of 50 feet or greater;	-.01
	F. A main building with facades of the same color, style, and texture as the main building of either adjoining property;	-.01
	G. Construction of a new main building with the same roof pitch as the main building of either adjoining property as viewed from the street (a minimum roof pitch of 1:12 difference is required). The following roofs are excluded: 1. Roofs with the main ridge line oriented 90 degrees to the ridge line of both adjoining roofs; and 2. Roofs with the main ridge line having an eight-foot or greater vertical height difference as compared to the ridge line of both adjoining roofs (e.g., one story vs. two story).	-.01

(Ord. 2062 § 2 (Exh. A), 2016)

86.10.040 Front yard required.

There shall be a front yard of not less than 25 feet.

The following are exceptions to this requirement:

- A. Lots having a depth of 60 feet or less shall have a front yard of no less than 15 percent of the depth of the lot.
- B. Lots with a “front lot line” solely along an alley shall provide a first-story front yard of no less than five feet and a second-story front yard of no less than 10 feet. No portion of a structure within 10 feet of the alley front lot line shall exceed the height limit for accessory buildings.
- C. Where the average front yard setback of a block face is less than 25 feet, the required setback may be computed based on said average in accordance with CMC 86.56.630. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.050 Rear yard required.

A. There shall be a first-story rear yard of not less than 10 percent of the depth of the lot; provided, however, such rear yard need not exceed 10 feet (the handle portion of a panhandle lot shall be excluded from lot depth calculations).

- B. 1. There shall be a setback of five feet from any rear property line for accessory structures and for covered parking which is attached to the main building, except that for lots without vehicle access from an alley or that front solely on an alley, a maximum of three feet shall be required for rear yards of single-story detached garages limited to 24 feet in width and located in the rear 26 feet of the lot depth.

2. That portion of the covered parking which is in the required rear yard and is attached to the main building shall comply with the allowable height for accessory buildings.

C. For all lots except those with a rear property line adjoining a public park or bay, there shall be a second-story rear yard of not less than 40 percent of the depth of the lot, except for lots that are both 110 feet or less in depth, for which there shall be a second-story rear yard of not less than 30 percent of the lot depth. However, in no case would the lot area of the required second-story rear yard be required to exceed 40 percent, or 30 percent of the gross lot area, respectively (the handle portion of a panhandle lot shall be excluded from lot depth calculations).

- 1. The height of a single story within the required second-story rear yard shall comply with the allowable height for accessory buildings.
- 2. Roof decks and second-story balconies are prohibited in the second-story rear yard, except as otherwise permitted to project from said increased second-story setback line.

D. Rear yards for a reversed corner lot shall be as provided in CMC 86.10.070.

E. Rear yards for a carriage house shall be as provided in CMC 86.56.110. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.060 Side yards required – Interior or corner lots.

A. There shall be a minimum side yard on each side of a building in accordance with the following table; provided, however, that such side yard shall not be less than three feet in width:

Lot Size (Square Feet)	Side Yard (Percent of Lot Width)
<8,000	10%
8,000 – 8,999	11%
9,000 – 9,999	12%
10,000 – 10,999	13%
11,000 – 11,999	14%
>11,999	15%

The following are exceptions to this requirement:

1. For side yards adjoining an alley, a maximum of five feet shall be required;
2. For single-story detached accessory structures located in the rear 26 feet of the lot depth, side yards of not less than 10 percent of the width of the lot shall be provided; however, such side yards shall not be less than three feet and need not exceed five feet;
3. For lots without vehicle access from an alley or that front solely on an alley, a single-story detached garage limited to 24 feet in width and located in the rear 26 feet of the lot depth shall be required to provide a maximum three-foot side yard; and
4. For lots 50 feet or less in width, regardless of lot size, side yards of not less than 10 percent of the width of the lot shall be provided; however, such side yards shall not be less than three feet and need not exceed five feet.

B. Where two single-family dwelling buildings, duplex development, or detached garages are proposed for two or more lots having contiguous interior lot lines, one side yard of each lot may be reduced to a zero setback upon site plan approval. The remaining side yard shall not be less than 20 percent of the width of the lot; provided, however, that such side yard shall not be less than six feet. All side street lot lines and interior lot lines adjoining property not part of the development shall not be permitted to have such a reduced side yard. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.070 Reversed corner lots – Side and rear yards.

A. There shall be a side yard on the side street lot line of a reversed corner lot of not less than 50 percent of the average of the front yards required on the first five building sites on the block face that are adjoining or adjacent to the rear lot line of the reversed corner lot or as required in CMC 86.10.060(A), whichever is greater. The remaining side yard and the first-story rear yard shall not be less than 10 percent of the width or depth of the lot respectively; provided, however, that such side yard width or first-story rear yard depth shall not be less than three feet and need not exceed five feet. The front yard shall be as provided in CMC 86.10.040.

B. There shall be a second-story rear yard for a reversed corner lot of not less than 20 percent of the depth of the lot. However, in no case shall the lot area of the required second-story rear yard exceed 20 percent of the total lot size, respectively.

1. The height of a single story within the required second-story rear yard shall comply with the allowable height for accessory buildings.

2. Roof decks and second-story balconies are prohibited in the second-story rear yard except as otherwise permitted to project from said increased second-story setback line.

C. Where a single-family dwelling building or duplex development is proposed for two or more lots having contiguous interior lot lines, the reduced side yard as provided under CMC 86.10.060(B) shall apply only to the interior lot line of a reversed corner lot. The side yard on the side street lot line shall be increased by the width of the setback required for the interior lot line prior to reduction.

D. Reversed corner lots having one side lot line on a street and the remaining side lot line on a street or alley shall maintain a setback on the side street lot line of not less than 10 percent of the width of the lot and no less than 25 feet. CMC 86.56.630 (Exceptions – Average front yard setback rule) may be applied to the setback on this side street lot line. The remaining side yard shall be no less than 10 percent of the width (for the front and rear yards) of the lot, respectively; provided, however, that such side yard width or front, or rear yard depth, shall be not less than three feet and need not exceed five feet. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.080 Dormers.

Dormers shall be in accordance with CMC 86.56.130. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.085 Roof decks and balconies above 14 feet.

Roof decks and balconies above 14 feet shall be in accordance with CMC 86.56.140. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.090 Lot area per dwelling.

Each single-family dwelling building hereafter erected or structurally altered shall have a minimum total gross lot area of 3,500 square feet. One single-family dwelling building shall be permitted on a lot or parcel of less area than required by this chapter, provided such lot or parcel was a legal lot or parcel of record and is a lot or parcel under one ownership on July 1, 1973, and provided the owner of such lot or parcel has not owned or purchased any adjoining property since July 1, 1973. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.100 Maximum structural coverage allowed.

The total structural coverage shall not exceed 50 percent of the gross lot or building site area and the gross floor area of the second story shall not exceed the gross floor area of the first story (attached enclosed garages shall be considered as part of the first-story gross floor area).

The following are exceptions to this requirement:

A. The total structural coverage may be increased to 60 percent of the gross lot or building site area so long as the main building is limited to one story with a maximum height of 14 feet to the top of a flat roof with a pitch less than 3:12 and 20 feet to the ridge of a sloped roof with a pitch of 3:12 or greater. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.110 Off-street parking required.

Off-street parking shall be provided in conformance with Chapter 86.58 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.120 Development landscaping required.

A. A minimum of 35 percent of the total site area of new residential developments and 15 percent of the total site area of new commercial developments (in both cases excluding waterways and required streets and sidewalks) shall be landscaped. Required parking spaces shall not be considered as a portion of the required landscaping;

B. A maximum of 50 percent of the landscaping required by this title may be provided by the use of either water features or by the use of water features and decorative rock, decorative paved surfaces, fixed seating, planter walls, open decks, barbecues, fire pits, arbors or gazebos limited to 50 square feet, and similar garden hard surface features;

C. For lots with a “frontage” less than 50 feet, a minimum of 40 percent of the area between the front of the main building and the front property line shall be landscaped with plant material or water features;

D. For lots with a “frontage” of 50 feet or greater, a minimum of 60 percent of the area between the front of the main building and the front property line shall be landscaped with plant material or water features;

E. When new construction or additions over 500 square feet in size are constructed, the property owner shall plant street trees in all public rights-of-way adjacent to said property, if space is available. It shall be the responsibility of the adjoining property owner to provide an automatic irrigation system for said trees. All shade trees shall have a minimum two-inch diameter trunk (measured four feet, six inches above the root crown) and palm trees shall have a minimum six-foot brown trunk. The tree species, spacing, planting and/or removal of existing trees shall be at the direction of the City of Coronado in accordance with City specifications and the City's approved street tree list. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.130 Facade treatment required.

A. The side facades of all stories of main buildings shall incorporate design components to provide relief and visual and architectural interest and variety. Such components may consist of facade plane offsets, vertical and/or horizontal articulation of the facade, architectural projections, recessed windows, varied texture and materials, and similar design features. Long uninterrupted exterior walls shall be avoided.

B. The side facade treatment shall not encroach into the required side yards except as permitted elsewhere in this title. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.140 Courtesy notice.

Courtesy notice shall be in accordance with CMC 86.56.632. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.150 Nonconforming uses and structural nonconformities.

Nonconforming uses and structural nonconformities shall be in accordance with Chapter 86.50 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.160 Special provisions.

Special provisions (additional regulations, exceptions and lot and building certification requirements) shall be in accordance with Chapter 86.56 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.170 Lot and building certification required.

Property corners, lot dimensions, gross lot area, grade, building height, front, side and rear yard setback certification shall be in accordance with CMC 86.56.635. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.180 Undergrounding of utilities.

Undergrounding of utilities shall be in accordance with CMC 86.56.840. (Ord. 2062 § 2 (Exh. A), 2016)

86.10.190 Mechanical equipment.

Mechanical equipment shall be in accordance with CMC 86.56.120. (Ord. 2062 § 2 (Exh. A), 2016)

Chapter 86.14

R-3 – MULTIPLE-FAMILY RESIDENTIAL ZONE

Sections:

- 86.14.010 Purpose.
- 86.14.020 Permitted and accessory uses.
- 86.14.025 Density.
- 86.14.027 Lot area minimum.
- 86.14.030 Height regulations.
- 86.14.035 Floor area ratio.
- 86.14.040 Front yard required.
- 86.14.050 Rear yard required.
- 86.14.060 Side yards required.
- 86.14.070 Interior or corner lots.
- 86.14.080 Reversed corner lots.
- 86.14.085 Dormers.
- 86.14.090 Roof decks and balconies above 14 feet.
- 86.14.100 Off-street parking required.
- 86.14.110 Maximum structural coverage allowed.
- 86.14.120 Design review required.
- 86.14.130 Development landscaping required.
- 86.14.140 Facade treatment.
- 86.14.150 Courtesy notice.
- 86.14.160 Lot and building certification required.
- 86.14.170 Undergrounding of utilities.
- 86.14.180 Mechanical equipment.

86.14.010 Purpose.

- A. This chapter provides regulations governing property designated on the City's official zoning map as R-3.
- B. The R-3 Zone provides an area for the development of multiple-family dwellings. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.020 Permitted and accessory uses.

The following uses shall be allowed in the R-3 Zone:

- A. Multiple-family dwelling structures on a minimum 3,500-square-foot lot or building site;
- B. Single-family dwelling buildings (to include manufactured housing) and duplexes of a permanent character located on a minimum 3,500-square-foot lot or building site;
- C. The following accessory uses are allowed in conjunction with the uses specified in subsection A of this section:
 1. Incidental home occupations subject to the provisions of Chapter 20.08 CMC;
 2. Accessory buildings subject to the provisions of Chapter 86.56 CMC;

D. Small and large residential care facility, supportive housing, and transitional housing. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.025 Density.

Density shall not exceed one dwelling unit for each 1,556 square feet of lot area. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.027 Lot area minimum.

Each lot shall have no less than 3,500 square feet. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.030 Height regulations.

A. Multiple-Family Dwellings or Nonresidential Main Buildings. Multiple-family dwellings or nonresidential main buildings shall not contain more than two stories and shall comply with the following height restrictions:

Multiple-Family Main Building Maximum Height Limit	
< 4:12 Roof Pitch	≥ 4:12 Roof Pitch
30 feet.	30 feet. 15% of the roof plan area may extend to 33 feet.
For all roofs, 30% of the building's roof plan area shall be limited to 26 feet.	

B. Single-Family or Duplex Main Buildings. Single-family or duplex main buildings shall not contain more than two stories and shall comply with the following height restrictions:

Single-Family or Duplex Main Building Maximum Height Limit		
< 4:12 Roof Pitch	4:12 – < 6:12 Roof Pitch	≥ 6:12 Roof Pitch
23 feet. Parapet walls, guardrails, mechanical equipment or similar features may extend to 25 feet.	27.5 feet.	27.5 feet. 15% of the roof plan area may extend to 30 feet.

C. Accessory Buildings. Accessory buildings shall not contain more than one story and shall comply with the following height restrictions:

Accessory Building Maximum Height Limit		
< 3:12 Roof Pitch	3:12 – < 6:12 Roof Pitch	≥ 6:12 Roof Pitch
11 feet. Parapet walls may extend to 14 feet.	14 feet, 4 inches.	14 feet, 4 inches. 15% of the roof plan area may extend to 15 feet, 7 inches.

(Ord. 2062 § 2 (Exh. A), 2016)

86.14.035 Floor area ratio.

A. All multiple-family dwelling or nonresidential development shall not exceed a floor area ratio of 0.90.

B. Single-Family or Duplex Development.

1. With Design Review Commission approval shall not exceed a floor area ratio of 0.70;
2. Without Design Review Commission approval shall not exceed a floor area ratio as permitted by the R-1B Zone standard CMC 86.10.035. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.040 Front yard required.

There shall be a front yard of not less than 25 percent of the depth of the lot; provided, however, such front yard need not exceed 25 feet.

The following are exceptions to this requirement:

A. Lots having a depth of 60 feet or less shall have a front yard of no less than 15 percent of the depth of the lot.

B. Lots with a “front lot line” solely along an alley shall provide a first-story front yard of no less than five feet and a second-story front yard of no less than 10 feet. No portion of a structure within 10 feet of the alley front lot line shall exceed the height limit for accessory buildings.

C. Where the average front yard setback of a block face is less than 25 feet, the required setback may be computed based on said average in accordance with CMC 86.56.630. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.050 Rear yard required.

There shall be a rear yard of not less than 10 percent of the depth of the lot; provided, however, such rear yard need not exceed 10 feet. There shall be a minimum setback of five feet from any rear property line for accessory buildings and for covered parking which is attached to the main building. That portion of the covered parking which is in the required rear yard and is attached to the main building shall comply with the allowable height for accessory buildings. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.060 Side yards required.

The minimum side yards shall be required as set forth in CMC 86.14.070 and 86.14.080. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.070 Interior or corner lots.

A. There shall be a side yard of not less than 10 percent of the width of the lot; provided, however, that such side yard shall not be less than three feet and need not exceed five feet in width.

B. Where a single-family dwelling building or duplex development is proposed for two or more lots having contiguous interior lot lines, one side yard of each lot may be reduced to a zero setback upon site plan approval. The remaining side yard shall not be less than 20 percent of the width of the lot; provided, however, that such side yard shall not be less than six feet and need not exceed 10 feet in width. All side street lot lines and interior lot lines adjoining property not part of the development shall not be permitted to have such a reduced side yard. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.080 Reversed corner lots.

A. There shall be a side yard on the side street lot line of a reversed corner lot of not less than 50 percent of the front yards required by this title on the first five building sites on the block face that are adjoining or adjacent to the rear lot line of the reversed corner lot. The remaining side yard and rear yard shall be not less than 10 percent of the width or depth of the lot respectively; provided, however, that such side yard width or rear yard depth shall not be less than three feet and need not exceed five feet. The front yard shall be as provided in CMC 86.14.040.

B. Where a single-family dwelling building or duplex development is proposed for two or more lots having contiguous interior lot lines, the reduced side yard as provided under CMC 86.14.070 shall apply only to the interior lot line of a reversed corner lot. The side yard on the side street lot line shall be increased by the width of the setback required for the interior lot line prior to the reduction.

C. Reversed corner lots having both side lot lines on a street and alley shall maintain a setback on the side street lot line of not less than 10 percent of the width of the lot and no less than 25 feet. The remaining side yard shall be no less than 10 percent of the width of the lot; provided, however, that such side yard need not exceed five feet. The front yard shall be no less than 10 percent of the depth of the lot but need not exceed five feet. CMC 86.56.630, Exception – Average front yard setback rule, may be applied to the setback on the side street lot line. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.085 Dormers.

Dormers shall be in accordance with CMC 86.56.130. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.090 Roof decks and balconies above 14 feet.

Roof decks and balconies above 14 feet shall be in accordance with CMC 86.56.140. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.100 Off-street parking required.

Off-street parking shall be provided in conformance with Chapter 86.58 CMC. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.110 Maximum structural coverage allowed.

A. The total structural coverage of multiple-family dwelling or nonresidential development shall not exceed 60 percent of gross lot area.

B. The total structural coverage of single-family dwelling building or duplex development shall not exceed 50 percent of gross lot area.

The following are exceptions to this requirement:

1. The total structural coverage of single-family or duplex development may be increased to 60 percent of the gross lot area so long as all main buildings are limited to one story with a maximum height of 14 feet to the top of a flat roof with a pitch less than 3:12 and 20 feet to the ridge of a sloped roof with a pitch of 3:12 or greater. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.120 Design review required.

Design review is required in conformance with this code. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.130 Development landscaping required.

A. A minimum of 25 percent of the total site area of new residential developments and 15 percent of the total site of new nonresidential developments shall be landscaped. Required parking spaces shall not be considered as a portion of the required landscaping.

B. When new construction or additions over 500 square feet in size are constructed, the property owner shall plant a street tree in the public right-of-way adjacent to said property, if space is available. All shade trees shall have a minimum two-inch diameter trunk (measured four feet, six inches above the root crown) and palm trees shall have a minimum six-foot brown trunk. The tree species and planting shall be at the direction of the City of Coronado in accordance with City specifications and the City's approved street tree list. Irrigation of said tree shall be the responsibility of the adjoining property owner. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.140 Facade treatment.

A. The front and side facades of main buildings shall incorporate design components to assure visual interest and relief. Such components may consist of architectural projections, balconies, facade plane offsets and similar design features.

B. In no case shall a main building's front or side facade plane have less than one facade plane offset, or have a continuous facade plane greater than 55 percent of the building's length (for side facades) or width (for the front facade).

C. Required facade plane offsets shall be no less in depth than 20 percent of the required side yard setback for the lot. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.150 Courtesy notice.

Courtesy notice shall be in accordance with CMC 86.56.632. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.160 Lot and building certification required.

Property corners, lot dimensions, gross lot area, grade, building height, front, side and rear yard setback certification shall be in accordance with CMC 86.56.635. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.170 Undergrounding of utilities.

Undergrounding of utilities shall be in accordance with CMC 86.56.840. (Ord. 2062 § 2 (Exh. A), 2016)

86.14.180 Mechanical equipment.

Mechanical equipment shall be in accordance with CMC 86.56.120. (Ord. 2062 § 2 (Exh. A), 2016)

Chapter 86.16

R-4 – MULTIPLE-FAMILY RESIDENTIAL ZONE

See CMC Title 88, Orange Avenue Corridor Specific Plan, for land use, development regulations and design criteria for this zone.

Prior legislation: Ords. 1392, 1559, 1586, 1649, 1675, 1716, 1756, 1765, 1817, 1834, 1865, 1870, 1910, 1938 and 1954.

Chapter 86.18

R-5 – MULTIPLE-FAMILY RESIDENTIAL ZONE

Sections:

- 86.18.010 Purpose and intent.
- 86.18.020 Permitted and accessory uses.
- 86.18.030 Height regulations.
- 86.18.040 Front yard required.
- 86.18.050 Rear yard required.
- 86.18.060 Side yard required.
- 86.18.070 Building site area per family.
- 86.18.080 Maximum structural coverage allowed.
- 86.18.090 Off-street parking required.
- 86.18.100 Design review required.
- 86.18.110 Deviation from standards.
- 86.18.120 Development landscape required.

86.18.010 Purpose and intent.

The purpose and intent of this chapter is to provide regulations for residential land development at an overall maximum density of 47 dwelling units per acre consisting of high quality multiple-family dwelling structures and supporting facilities consisting of noncommercial recreation facilities and maintenance and operational facilities essential to the development. (Ord. 1559)

86.18.020 Permitted and accessory uses.

A. The following uses shall be allowed in the R-5 Zone:

1. Multiple-family dwelling structures.

B. The following accessory uses are allowed in conjunction with the uses specified in subsection A of this section:

1. Incidental home occupations subject to the provisions of Chapter 20.08 CMC.
2. Accessory buildings subject to the provisions of Chapter 86.56 CMC.
3. Appropriate condominium sales offices are authorized, subject to the requirement that one such office is permitted in each of several buildings of a development, and all such sales offices must cease upon initial sale of 90 percent of the units in that building; and provided further, that such office may be used only for the initial sale of new condominiums and not for rentals of 30 days or less and not for resales except as may be incident to an exchange for a new unit.

C. Small and large residential care facility, supportive housing, and transitional housing. (Ord. 2040 §§ 6, 11, 2014; Ord. 2022 §§ 5, 10, 2011; Ord. 2015 § 9, 2010; Ord. 1559)

86.18.030 Height regulations.

All multiple-family dwelling structures shall be no more and no less than 150 feet in height. No accessory building shall exceed two stories and 25 feet in height. (Ord. 1559)

86.18.040 Front yard required.

There shall be a front yard of 25 percent of the depth of the lot; provided, however, that no such front yard need exceed 25 feet.

86.18.050 Rear yard required.

There shall be a rear yard of not less than 25 percent of the depth of the lot; provided, however, that no such rear yard need exceed 25 feet.

86.18.060 Side yard required.

There shall be a side yard of not less than 10 percent of the width of the lot or building site, however, such side yards shall be no less than five feet, and in cases where the building or structure is more than two stories in height, each such side yard shall be increased one foot in width for each additional story above the second story.

86.18.070 Building site area per family.

Subject to the provisions of this chapter, the overall density of the R-5 Zone as shown in the adopted General Plan shall not exceed 47 dwelling units per acre or an average of 725 square feet of building site area per dwelling unit.

86.18.080 Maximum structural coverage allowed.

The total structural coverage shall not exceed 33 percent of the total gross building site area.

86.18.090 Off-street parking required.

Off-street parking shall be provided in conformance with Chapter 86.58 CMC. (Ord. 1544)

86.18.100 Design review required.

Design review is required in conformance with this code.

86.18.110 Deviation from standards.

If any structure deviates from this chapter, it shall be subject to review and approval pursuant to Chapter 86.54 CMC, Administration and Enforcement.

86.18.120 Development landscape required.

A minimum of 35 percent of the total site area of new residential developments and 15 percent of the total site area of new commercial developments (in both cases excluding waterways, and required street and sidewalks) shall be landscaped. Required parking spaces shall not be considered as a portion of the required landscaping. (Ord. 1586)

Chapter 86.20

R-SCD – RESIDENTIAL-SPECIAL CARE DEVELOPMENT ZONE

Sections:

- 86.20.010 Purpose and intent.
- 86.20.020 Permitted and accessory uses.
- 86.20.030 Height regulation.
- 86.20.040 Front yard required.
- 86.20.050 Side yard required.
- 86.20.060 Rear yard required.
- 86.20.070 Off-street parking required.
- 86.20.080 Maximum structural coverage allowed.
- 86.20.090 Design review required.
- 86.20.100 Development landscaping required.

86.20.010 Purpose and intent.

The purpose and intent of this chapter is to provide regulations governing limited residential special care facilities located in close proximity to hospital services. Such facilities are intended to provide the ambulatory elderly a care and housing opportunity within the community that addresses their unique needs and facilitates their continued participation in community activities. This chapter is also intended to provide regulations governing skilled nursing facilities for either the ambulatory or nonambulatory in such a location. (Ord. 1684; Ord. 1507)

86.20.020 Permitted and accessory uses.

The following uses shall be allowed in the Residential-Special Care Development Zone:

- A. A limited residential special care facility located in close proximity to hospital service on a lot not less than one acre in size. Such a facility shall be designed for, and operated at, a resident population density of not more than 64 habitable units per acre and two occupants per habitable unit.
- B. Special care may include nursing (excluding on-site medical), centralized kitchen and dining facilities, recreational facilities, noise control features, special ingress and egress, internal communication systems, transportation services, and similar supportive services benefiting from close proximity to a medical complex.
- C. A skilled nursing facility on a lot not less than 0.9 acres containing not more than 90 beds in a total of not more than 32 nursing units.
- D. The following accessory uses are allowed in conjunction with the residential special care facility or skilled nursing facility:
 1. Accessory buildings subject to the provisions of Chapter 86.56 CMC (with the exception of CMC 86.56.100(D) and (E));
 2. Off-street parking in conformance with Chapter 86.58 CMC;
 3. Supportive special services or facilities, solely for resident use or care, that would conform to the permitted use of the zone. Such uses may include:
 - a. Group dining facilities;
 - b. Barber and beauty salon facilities;
 - c. Office space for management, dietician, and visiting doctor use;
 - d. Storage facilities for medicine;

- e. Group meeting, activity or recreation facilities;
- f. Chapel;
- g. Any other use determined by the Planning Commission to be of the same general character as the above accessory uses.

86.20.030 Height regulation.

No structure shall exceed 30 feet in height and shall not contain more than two stories.

86.20.040 Front yard required.

There shall be a front yard of not less than 25 feet for skilled nursing facilities and 20 feet for residential special care facilities.

86.20.050 Side yard required.

There shall be side yards of not less than seven and one-half feet.

86.20.060 Rear yard required.

There shall be a rear yard of not less than 20 feet.

86.20.070 Off-street parking required.

Off-street parking shall be provided in conformance with Chapter 86.58 CMC.

86.20.080 Maximum structural coverage allowed.

The total structural coverage shall not exceed 55 percent of the gross lot area. (Ord. 1821)

86.20.090 Design review required.

Design review is required in conformance with this code.

86.20.100 Development landscaping required.

A minimum of 35 percent of the total site area of new residential developments and 15 percent of the total site area of new commercial developments (in both cases excluding waterways, and required streets and sidewalks) shall be landscaped. Required parking spaces shall not be considered as a portion of the required landscaping.

Chapter 86.22
C – COMMERCIAL ZONE

See CMC Title 88, Orange Avenue Corridor Specific Plan, for land use, development regulations and design criteria for this zone.

Prior legislation: Ords. 1544, 1586, 1773, 1870 and 1954.

Chapter 86.24

P – PARKING OVERLAY ZONE

Sections:

- 86.24.010 Parking Overlay Zone.
- 86.24.020 Permitted uses.
- 86.24.030 Development standards.

86.24.010 Parking Overlay Zone.

The regulations set forth in this chapter shall apply in the Parking Overlay Zone.

86.24.020 Permitted uses.

Open air, temporary parking of transient automobiles and similar passenger type trucks; provided, that the areas so classified and used shall conform to the provisions of Chapter 86.58 CMC. No such land in the Parking Overlay Zone shall be used for the purpose of sales of new or used motor vehicles.

86.24.030 Development standards.

Development occurring on any property designated Parking Overlay for the purpose of constructing a parking lot or structure will comply with the development provisions of the underlying zone. (Ord. 1675)

Chapter 86.26
L-C – LIMITED COMMERCIAL ZONE

(Repealed by Ord. 1954)

Chapter 86.28

C-R – COMMERCIAL RECREATION ZONE

Sections:

- 86.28.010 Purpose and intent.
- 86.28.020 Permitted uses – Special use permit required.
- 86.28.025 Height regulations.
- 86.28.030 Design review required.
- 86.28.040 Off-street parking.
- 86.28.050 Development landscaping required.

86.28.010 Purpose and intent.

The purpose and intent of the regulations contained in this chapter are to accommodate and promote the location of privately owned commercial-recreational activities in the shoreline areas of Coronado as identified in the General Plan so that limited tourist and recreational activities can be controlled and encouraged without the possibility of opening up such areas to commercial activities allowed in other Commercial Zones.

86.28.020 Permitted uses – Special use permit required.

Uses as listed in CMC 86.55.160 are subject to the provisions as set forth in Chapters 86.54 and 86.55 CMC. (Ord. 1675)

86.28.025 Height regulations.

No building or structure hereafter erected or structurally altered shall exceed 40 feet. (Ord. 1482)

86.28.030 Design review required.

Design review is required in conformance with this code.

86.28.040 Off-street parking.

Off-street parking shall be provided in conformance with Chapter 86.58 CMC.

86.28.050 Development landscaping required.

A minimum of 15 percent of the total site area of new developments shall be landscaped. Required parking spaces shall not be considered as a portion of the required landscaping. (Ord. 1870; Ord. 1586)

Chapter 86.32
H-M – HOTEL-MOTEL ZONE

Sections:

- 86.32.010 Purpose and intent.
- 86.32.020 Principal uses permitted.
- 86.32.030 Accessory uses.
- 86.32.040 Height regulations.
- 86.32.050 Front yard.
- 86.32.060 Side yard – Interior lot.
- 86.32.070 Side yard – Corner lot.
- 86.32.080 Rear yard.
- 86.32.090 Other required conditions.
- 86.32.100 Development landscaping required.
- 86.32.110 Special use permit required.

86.32.010 Purpose and intent.

It is the purpose and intent of this chapter to provide for areas in appropriate locations where centers providing for the needs of tourists, travelers and transient occupants may be established, maintained and protected. The regulations contained herein are designed to encourage the provision of “transient rental” facilities (other than “time-share complexes”), restaurants, and other activities providing for the convenience, welfare or entertainment of the transient. (Ord. 1856; Ord. 1809)

86.32.020 Principal uses permitted.

The following uses shall be allowed in the H-M Zone:

- A. Hotels and motels which provide habitable or dwelling units of which not more than six units or 15 percent (whichever is greater) shall be occupied by a resident occupant;
- B. Restaurants with entertainment facilities subject to the provisions of CMC 86.56.030;
- C. Restaurants serving food and beverages only within buildings and/or adjoining patios;
- D. Assembly halls, theaters, or other public or semi-public buildings subject to the provisions of CMC 86.55.280;
- E. Private clubs and lodges except those the chief activities of which are a service customarily carried on as a business subject to the provisions of CMC 86.55.280;
- F. Art galleries;
- G. Gift shops;
- H. Other uses that, in the opinion of the Planning Commission, are consistent with the intent and purpose of this chapter. (Ord. 1956 § 11, 2004; Ord. 1856; Ord. 1559; Ord. 1495)

86.32.030 Accessory uses.

An accessory use may be located in a main building containing a principal use or may be in one or more accessory buildings on the same lot. An accessory use may also occupy a lot without a principal use, provided the principal use is located on an adjoining lot. The following accessory uses are permitted:

- A. Hairstyling;
- B. Clothing sales (new);
- C. Convenience stores (offering tobacco, magazines, books, liquor, etc.);

- D. Health conditioning;
- E. Commercial or public parking lots and parking garages, subject to the provisions of Chapter 86.58 CMC;
- F. Storage buildings or garages;
- G. Facilities for the repairing, cleaning or maintenance of materials associated with the accessory or primary use subject to the provisions of CMC 86.56.020;
- H. Offices;
- I. Florist; and
- J. Any other establishment determined by the commission to be of the same general character as the above accessory uses. (Ord. 1856)

86.32.040 Height regulations.

No building or structure shall exceed 40 feet in height and shall not contain more than three stories.

86.32.050 Front yard.

Each lot shall maintain a front yard setback of 25 feet unless stated otherwise by Resolution 1944 adopted February 7, 1950.

86.32.060 Side yard – Interior lot.

On interior lots, buildings shall maintain a five-foot setback.

86.32.070 Side yard – Corner lot.

On corner lots, buildings shall maintain a 10-foot setback unless stated otherwise by Resolution 1944 adopted February 7, 1950.

86.32.080 Rear yard.

There shall be a rear yard of not less than 10 feet.

86.32.090 Other required conditions.

A. Design review and approval is required for all uses as provided for this code.

B. Trash storage areas are subject to the conditions of CMC 86.56.040.

C. Off-street parking required for all uses as provided for in Chapter 86.58 CMC.

D. All uses shall be conducted with a completely enclosed building or courtyard, except for recreational facilities, patio restaurants, florists and off-street parking.

E. Outdoor storage of merchandise (other than plants and flowers), material or equipment shall be permitted only when incidental to a permitted or accessory use located on the same premises, and provided that:

1. Storage area shall be completely enclosed by walls, fences or buildings, and shall be part of an approved site plan;

2. No outdoor storage of materials or equipment shall be permitted to exceed a height greater than that of any enclosing wall, fence, or building.

F. Information shall be provided and/or posted in a location visible and accessible to the public concerning the availability of public transit and alternative modes of transportation. (Ord. 1856)

86.32.100 Development landscaping required.

A. A minimum of 25 percent of the total site area of new residential developments and five percent of the total site of new nonresidential developments shall be landscaped. Required parking spaces shall not be considered as a portion of the required landscaping.

B. When new construction occurs resulting in the addition of over 500 square feet of floor area, or when property is improved or renovated with a building permit valuation for the improvement or renovation of \$50,000 or more, the developer, property owner or tenant of said site shall plant one or more street trees in the public right-of-way adjacent to said property, if space is available. All shade trees shall have a minimum four-inch diameter trunk (measured four feet, six inches above the root crown) and palm trees shall have a minimum six-foot brown trunk. The specific number of trees, species, location, irrigation system, and planting methods shall be at the direction of the City of Coronado in accordance with City specifications and the City's approved street tree list. Irrigation of said tree(s) shall be the responsibility of the adjoining property owner. (Ord. 1870; Ord. 1586)

86.32.110 Special use permit required.

A special use permit is required in conformance with this code for development consisting of a floor area ratio of greater than 1.8. (Ord. 1856)

Chapter 86.34

HOUSING ELEMENT OPPORTUNITY SITE OVERLAY ZONE

Sections:

- 86.34.010 Purpose.
- 86.34.020 Permitted Uses
- 86.34.030 Development Standards
- 86.34.040 By-Right Approval Process

86.34.010 Purpose

The purpose of the Housing Element Opportunity Site (HE) Overlay Zone is to facilitate housing production on opportunity sites identified in the General Plan Housing Element. The HE Overlay Zone aims to encourage new housing that is affordable to lower-income households with alternative development standards for projects that meet affordability criteria. There are two HE Subzones (HE-1 and HE-2), each with unique land use regulations and development standards.

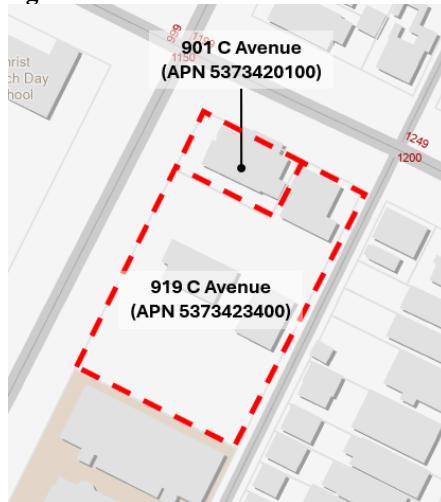
86.34.020 Permitted Uses

Allowed uses in the HE Overlay Zone are the same as the underlying basic zone except as provided below.

A. **All HE Subzones.** Multiple-family residential development is allowed in the HE Overlay Zone.

B. **HE-1 Subzone.** On 919 C Avenue (APN 5373423400) and 901 C Avenue (APN 5373420100), as shown in Figure 86.34-1, a church, church-related thrift store, and school programming may continue as an allowed use if the site is developed with new residential uses.

Figure 86.34-1: 919 and 901 C Avenue



86.34.030 Development Standards

Development standards in the HE Overlay Zone are the same as the underlying basic zone except as provided below.

A. Standards for Qualifying Affordable Projects.

1. The standards in Table 86.34-1 apply to residential development that provides on-site affordable units (number of units and affordability levels) specified in Chapter 82.21 CMC. The minimum number of affordable units is calculated as the percentage of newly constructed units.

2. All standards in the underlying basic zone not modified by Table 86.34-1 continue to apply to qualifying affordable projects.

Table 86.34-1: Development Standards for Qualifying Affordable Projects

	HE-1	HE-2
Minimum lot area per unit	1,089 sq. ft.	1,089 sq. ft.
Height		
Stories	3 stories	3 stories
Feet	35 ft.	35 ft. [1]
FAR	1.6	No max.
Structural Coverage	75%	No max.
Setbacks		
Front	15 ft.	No min.
Side	As required by CMC 86.14.060	No min.
Rear	As required by Orange Avenue Corridor Specific Plan V.B.4.A	No min.

Notes:

[1] Additional 5 ft. height permitted for vertical mixed-use development. The additional 5 ft. is permitted only if the ground-floor height is 14 feet or more measured floor to ceiling.

B. All Other Projects. All projects that do not qualify for alternative development standards pursuant to CMC 86.34.040.A. must comply with the standards in the underlying basic zone.

C. Minimum Density. For a project that creates one or more new dwelling units on a development site, the minimum density is 16 dwelling units per acre, with the exception that no minimum density standard applies to 517 Orange Avenue (APN 5363810500).

86.34.040 By-Right Approval Process

A. Pursuant to Government Code Section 65583.2, a proposed multiple-family residential development project with 20 percent or more of units affordable to lower-income households on the following sites shall be reviewed by the City through a by-right approval process:

1. 919 C Avenue (APN 5373423400, 5373420100)
2. 517 Orange Avenue (APN 5363810500)
3. 1224 10th Street (APN 5374521300)
4. 1001 C Avenue (APN 5374521400)
5. 150 B Avenue (APN 5361022800, 5361022000, 5361023100, 5361023200, 5361023300)
6. 700 Orange Avenue (APN 5370822700, 5370822500, 5370821500)
7. 201 6th Street (APN 5364111100, 5364111000, 5364110900, 5364110800, 5364110700, 5364110600, 5364110500, 5364110400, 5364110300, 5364110200, 5364110100, 5360100500)

B. As used in this section, “Lower income households” are defined in Health and Safety Code Section 50079.5. “By-right approval” means that the project does not require a special use permit, planned unit development permit, or other discretionary City review or approval. A by-right approval process may include ministerial design review.

Chapter 86.36

C-U – CIVIC USE ZONE

Sections:

- 86.36.010 Purpose and intent.
- 86.36.015 Height regulations.
- 86.36.020 Planning Commission review required.
- 86.36.030 Design review.
- 86.36.040 Development landscaping required.
- 86.36.050 City Hall and Community Center location.
- 86.36.060 Community Center gymnasium.

86.36.010 Purpose and intent.

The purpose and intent of this chapter is to provide for the identification of property owned, leased or otherwise controlled by any public agency including the City, any other city, County, City and County, school district, special district, State of California, United States government, or any quasi-public agency or institution whose property is used by the general public such as a hospital. Such property will most often be used for parks, recreation areas, beaches, civic centers, public schools and hospitals. It is the further purpose of this chapter to provide for review prior to the location of such uses as hereinafter provided.

86.36.015 Height regulations.

No building or structure hereafter erected or structurally altered shall exceed 40 feet, except as noted in CMC 86.36.060. (Ord. 1482)

86.36.020 Planning Commission review required.

Prior to the construction, exterior alteration or addition to any building in the C-U Zone, the Planning Commission shall review the construction, exterior alteration or addition for conformance with the General Plan or any adopted specific plan.

86.36.030 Design review.

Design review is required in conformance with this code.

86.36.040 Development landscaping required.

A minimum of 25 percent of the total site area of new residential developments and 15 percent of the total site of new nonresidential developments shall be landscaped. Required parking spaces shall not be considered as a portion of the required landscaping. (Ord. 1870)

86.36.050 City Hall and Community Center location.

The Coronado City Hall and the Coronado Community Center shall be located within the area under study for the Glorietta Bay Master Plan, as presented to and accepted by the Coronado City Council on June 2, 1998, and cannot be relocated from that area without approval of a majority vote of the citizens of Coronado. (Ord. 1905)

86.36.060 Community Center gymnasium.

The Community Center gymnasium basketball courts shall be designed and constructed to allow for the playing of regulation league basketball mandating a basketball court of not less than 88 feet in length by 50 feet in width. The Glorietta Bay Master Plan shall have a height limitation not to exceed 35 feet. (Ballot measure passed November 5, 2002)

Chapter 86.37

CIVIC USE OVERLAY ZONE

Sections:

- 86.37.010 Civic Use Overlay Zone.
- 86.37.020 Permitted uses.
- 86.37.030 Development standards.

86.37.010 Civic Use Overlay Zone.

The regulations set forth in this chapter shall apply in the Civic Use Overlay Zone. (Ord. 1954 § 33, 2003)

86.37.020 Permitted uses.

Uses permitted in the Civic Use Zone or the underlying zoning designation. (Ord. 1954 § 33, 2003)

86.37.030 Development standards.

Development occurring on any property designated Civic Use Overlay for the purpose of constructing a civic facility shall comply with the development regulations contained in Chapter 86.36 CMC. (Ord. 1954 § 33, 2003)

Chapter 86.38

OS – OPEN SPACE ZONE

Sections:

- 86.38.010 Purpose and intent.
- 86.38.020 Permitted uses.
- 86.38.030 Uses permitted – Special use permit required.
- 86.38.040 Height regulations.
- 86.38.050 Off-street parking.
- 86.38.060 Design review.
- 86.38.070 Development landscaping required.

86.38.010 Purpose and intent.

This chapter provides for the protection and preservation of open space areas within the City which are unique due to natural resources, visual amenities, public safety purposes, or recreational opportunities. (Ord. 1839)

86.38.020 Permitted uses.

The following uses shall be allowed in the Open Space Zone and shall be allowed for open space purposes only:

- A. Public facilities (such as beaches, parks, recreational areas, open space and wildlife preserves) but limited to:
 - 1. Steps, stairways or ramps that facilitate public access;
 - 2. Restrooms;
 - 3. Lifeguard towers, stations or other facilities for lifesaving or security purposes;
 - 4. Fire rings and other picnic facilities;
 - 5. Trash receptacles;
 - 6. Landscaping;
 - 7. Animal exercise area (dog run);
 - 8. Beach cleaning equipment and structures appurtenant thereto;
 - 9. Recreational, exercise, or sport equipment, facilities, or fields;
 - 10. Nature interpretive facilities;
- B. Pedestrian and bicycle trails or paths;
- C. Tennis courts and tennis centers;
- D. Golf courses and related facilities;
- E. Parking facilities for any permitted use in the overlay zone;
- F. Utility and lighting facilities;
- G. Boat launching ramps;
- H. Uses expressly permitted by this title with a special use permit; and

I. Other uses, including limited military operations, that in the opinion of the Planning Commission are fully consistent with the intent and purpose of this chapter.

86.38.030 Uses permitted – Special use permit required.

Uses as listed in, and subject to the provisions as set forth in, Chapter 86.55 CMC.

86.38.040 Height regulations.

No building or structure hereafter erected or structurally altered shall exceed 40 feet. (Ord. 1482)

86.38.050 Off-street parking.

Off-street parking shall be provided in accordance with Chapter 86.58 CMC.

86.38.060 Design review.

Design review is required in conformance with this code.

86.38.070 Development landscaping required.

A minimum of 15 percent of the total site area of new developments shall be landscaped or habitat preserved for native ecosystems. Required parking spaces shall not be considered as a portion of the required landscaping or habitat. (Ord. 1870; Ord. 1586)

Chapter 86.39
TOZ – TIDELANDS OVERLAY ZONE

Sections:

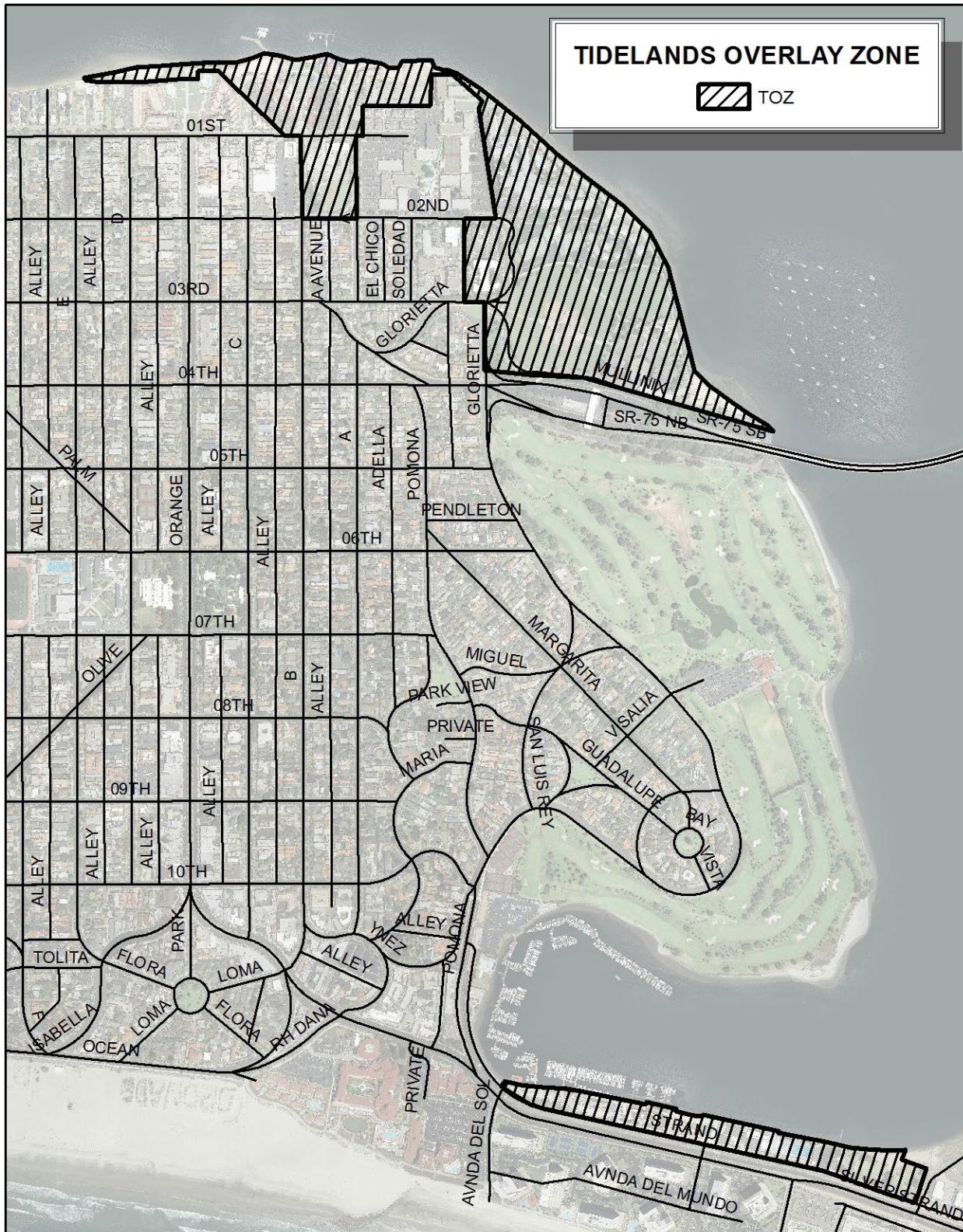
- 86.39.010 Purpose.
- 86.39.020 Properties designated.
- 86.39.030 Development criteria.
- 86.39.040 Inclusion in local coastal program.
- 86.39.050 Exceptions.
- 86.39.060 Amendment.
- 86.39.070 Severability.

86.39.010 Purpose.

The purpose of the Tidelands Overlay Zone (TOZ) is to specify development criteria for certain unique tideland areas and other properties in the City. These criteria are in addition to the requirements of underlying zoning and are designed to permit and encourage development in the TOZ in a balanced manner that preserves their unique open space and recreational potential while permitting new economically viable coastally dependent commercial/recreation use. For the purpose of this chapter, “open space” shall be defined by CMC 86.04.550, except that “open space” shall not include areas not open for public access, roads, parking areas, or other similar facilities. In the event of conflict between the provisions of this chapter and the Coronado Municipal Code and zoning ordinance, the provisions of this chapter shall prevail. If any of the numbered section headings of this chapter are unavailable for use, other appropriate designations shall be assigned by the City Council. (Ord. 1438)

86.39.020 Properties designated.

All those properties shown on the map attached to the measure codified in this chapter shall be subject to the provisions of the TOZ.



Tidelands Overlay Zone Map

86.39.030 Development criteria.

All development in the TOZ shall comply with the following requirements in addition to the provisions of underlying zoning:

- A. The total ratio for development of the entire TOZ shall not be less than 65 percent public parkland and public open space nor more than 35 percent commercial/recreation.
- B. A minimum of 20 contiguous acres of the TOZ, exclusive of parking areas, roads, nonplaying facilities, and public shoreline accessways shall be improved and maintained for public park and playing facilities.
- C. No more than one motel or hotel shall be permitted in the TOZ. Said motel or hotel shall be of the nonconvention type, shall be low rise, and shall contain a maximum of 300 rooms.
- D. Public access to the existing shoreline shall be preserved throughout the TOZ by, at minimum, a 30-foot public accessway along the shoreline suitable for pedestrian and bicycle use.
- E. No structure in the TOZ shall exceed 40 feet in height.
- F. No development in the TOZ shall have a floor area ratio (the numerical value obtained by dividing the total floor area of a structure by the total lot area on which it sits) of greater than 100 percent, nor a structural coverage of greater than 60 percent. For purposes of computing floor area ratio and structural coverage, the acreage included in the 20 contiguous acre park and the acreage included in the 30-foot public accessway along the existing shoreline throughout the TOZ shall not be counted as part of any lot area.
- G. Coastally dependent commercial/recreation development shall be preferred over other forms of new commercial/recreation development.
- H. All new development in the TOZ shall be pursuant to a plan for development of the entire property owned or controlled by the applicant within the TOZ, and shall provide for the concurrent development of parks, public open space, and public facilities with any other permitted new development on property owned or controlled by the applicant.
- I. Parking for new development in the TOZ shall conform to the standards of the Coronado Code, the San Diego Unified Port District, the Department of Navigation and Ocean Development, or the Coastal Commission, whichever is more restrictive.
- J. Landscaping in the TOZ shall blend commercial/recreational areas with the public park and public open space areas, and all new development in the TOZ shall require a landscape plan approved by the Coronado Design Review Board or a City Council appointed community committee.
- K. Pursuant to the authority of Section 87 of Appendix I of the Harbors and Navigation Code of California, direct vehicular access shall be provided, if feasible, from the Coronado Bridge toll station area to adjacent tideland area within the TOZ so that traffic impacts on City streets and services will be minimized. Such direct access shall be infeasible only if the City Council makes such finding supported by substantial evidence that specific economic, social or other factors make direct access infeasible.
- L. Existing view corridors from City streets ends shall be preserved in all new development in the TOZ. (Ord. 1469)

86.39.040 Inclusion in local coastal program.

The provisions of this TOZ shall be included in Coronado's local coastal program for approval by the Coastal Commission. (Ord. 1438)

86.39.050 Exceptions.

The provisions of this TOZ shall not apply to any development which has received all required discretionary approvals and building permits and on which substantial liabilities incurred in good faith as of the effective date of the initiative measure codified in this chapter.

86.39.060 Amendment.

The TOZ may be amended, repealed, or modified only by majority vote of the voters of Coronado voting at an election thereon.

86.39.070 Severability.

If any provision of this chapter shall be found invalid by a court of law, said determination shall not affect the remaining portions of this chapter which shall remain in full force and effect. The initiative measure codified in this chapter shall, if passed by the voters, or enacted by the City Council, become effective according to law. For purposes of determining qualification for exception pursuant to CMC 86.39.050 only, the effective date of the initiative measure codified in this chapter shall be deemed to be the date upon which the measure codified in this chapter passed at the polls or was enacted by the City Council, whichever occurs first.

Chapter 86.42

R-PCD – RESIDENTIAL, PLANNED COMMUNITY DEVELOPMENT ZONE

Sections:

- 86.42.010 Purpose and intent.
- 86.42.020 Precise development plan (PDP).
- 86.42.030 Nonresidential uses.
- 86.42.040 Planning Commission and City Council action.
- 86.42.050 Minimum standards.
- 86.42.055 Housing Element Opportunity Sites
- 86.42.060 Development landscaping required.

86.42.010 Purpose and intent.

The purpose and intent of the R-PCD Zone regulations contained in this chapter are to provide for orderly, comprehensively planned residential development, including related open space and accessory community services consisting of desirable recreational and commercial facilities, as well as maintenance and operational facilities essential to the development. Such residential land development normally requires deviation from the normal zoning regulations and standards regarding lot size, yard requirements, bulk and structural coverage in an effort to maximize the benefits accruing to the citizens of the City especially for the preservation of site, view and physical access. (Ord. 1482)

86.42.020 Precise development plan (PDP).

Prior to any development occurring on any property designated R-PCD on the zoning map, the property owner or his authorized representative shall submit to the Community Development Department a precise development plan (PDP) prepared by a licensed engineer or architect which shall include the following information:

- A. Legal description and boundary survey map of the exterior boundaries of land to be developed;
- B. A topographic map indicating anticipated grading or fill areas and all groupings of existing trees and other natural features. A topographic map shall indicate two-foot contour intervals;
- C. A preliminary report describing provisions for storm drainage, sewage disposal, water supply and other utilities and their location;
- D. The number of dwelling units proposed by type of dwelling. This may be stated as a range with maximum and minimum number of units of each type;
- E. The approximate total population anticipated in the entire development;
- F. The proposed standards of height, number of stories, open space, structural coverage, pedestrian and traffic circulation and number of dwelling units per acre of residential development;
- G. Pertinent social or economic characteristics of the development such as school enrollment, residents, employment, etc.;
- H. The location, area, and type of sites proposed for public and private open space, recreational facilities, and schools (if any). For purposes of this section, open space may include, but is not limited to, swimming pools, pedestrian walkways, bicycle paths, boardwalks, driveways, arbors or shade structures designed as an integral part of the site's landscaping. Open space shall not include dedicated or private streets, structures used for residential, commercial, professional or operational maintenance purposes, covered or uncovered required parking area or garages, but these must be shown on the precise development plan;
- I. The anticipated time for each phase, if any, of the development, including approximate starting and completion dates;

J. Offers to dedicate those areas shown on the precise development plan as “public access area” in a form acceptable to the City Attorney.

86.42.030 Nonresidential uses.

For the commercial, commercial recreational or other nonresidential development portion of any proposed R-PCD Zone development, the following information is required:

- A. Types of uses proposed in the entire area;
- B. Anticipated total number of persons employed; may be stated as a range;
- C. Methods proposed to control or limit dangerous or objectionable elements, if any, which may be caused or emitted by such proposed uses. Such dangerous or objectionable elements may include fire, explosion, noise or vibration, smoke, dust, odor, or other forms of air pollution, heat, cold, dampness, electrical or other disturbances, glare, or other substance or element which might adversely affect the surrounding area;
- D. The proposed standards of height, number of stories, open space, buffering, pedestrian and traffic circulation, off-street parking and loading.

86.42.040 Planning Commission and City Council action.

The Planning Commission and City Council shall act upon the precise development plan in the manner prescribed by Chapter 86.55 CMC relating to special use permits. (Ord. 1956 § 18, 2004)

86.42.050 Minimum standards.

The following minimum development standards shall apply to any project in the R-PCD Zone:

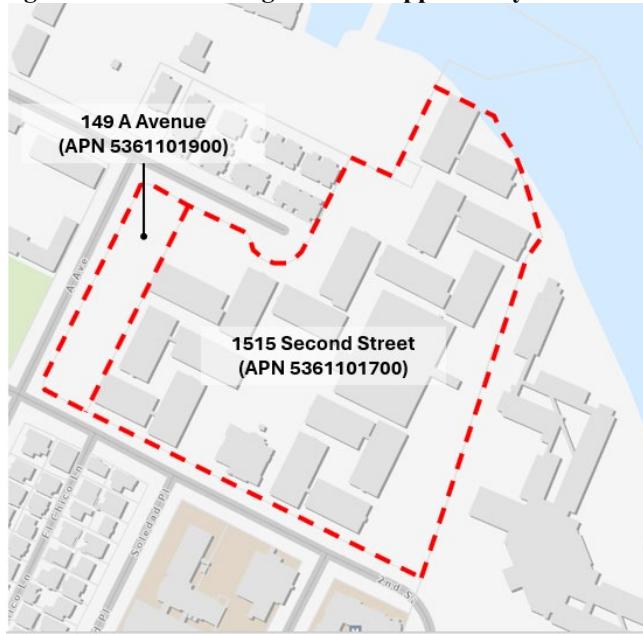
- A. All utility distribution facilities within the boundaries of the zone shall be located underground.
- B. Off-street parking requirements shall be in accordance with the off-street parking performance standards of this title.
- C. Design review shall be required in conformance with the provisions of this code.
- D. In order to protect and preserve the scenic view of San Diego Bay and the metropolitan skyline beyond, and in order to provide for public access through the property identified in the General Plan as R-PCD, and in order to provide a buffer between more intense residential use and adjacent less intense residential use as identified in the General Plan, the precise development plan shall indicate the methods used to protect, provide or preserve such view and access.
- E. No building or structure hereafter erected or structurally altered shall exceed 40 feet. (Ord. 1482)
- F. For a project that creates one or more new dwelling units on a development site, the minimum density is 16 dwelling units per acre.

(Ord. 1482)

86.42.055 Housing Element Opportunity Sites

The standards in this section apply to 1515 Second Street (APN 5361101700) and 149 A Avenue (APN 5361101900) as shown in Figure 86.42-1.

Figure 86.42-1: Housing Element Opportunity Sites



A. Development Standards. The following standards apply to residential development that provides on-site affordable units (number of units and affordability levels) specified in Chapter 82.21 CMC. The minimum number of affordable units is calculated as the percentage of newly constructed units.

1. **Minimum Lot Area per Unit:** 726 square feet, calculated with both new and existing units.
2. **Maximum Height:** 4 stories and 45 feet, except that a street-facing building wall shall not exceed three stories within 50 feet of 1st Street and 2nd Street west of Soledad Place. See Figure 86.42-2.
3. **Minimum Property Line Setbacks:** None, except for minimum 10-foot setback from property lines abutting A Avenue and 1st Street and 2nd Street west of Soledad Place. See Figure 86.42-2.

Figure 86.42-2: Height and Setback Standards



H. Precise Development Plan Amendment. The construction of new residential units requires an amendment to the precise development plan for the site. The amended precise development plan shall be consistent with the standards in CMC 86.42.060.

86.42.060 Development landscaping required.

A minimum of 35 percent of the total site area of new residential developments and 15 percent of the total site area of new commercial developments (in both cases excluding waterways, and required streets and sidewalks) shall be landscaped. Required parking spaces shall not be considered as a portion of the required landscaping. (Ord. 1586)

Chapter 86.44

S-H – SCENIC HIGHWAY OVERLAY ZONE

Sections:

- 86.44.010 Purpose and intent.
- 86.44.020 Permitted uses.
- 86.44.030 Prohibited uses.
- 86.44.040 Prohibited signs.
- 86.44.050 Regulation of permitted uses.
- 86.44.060 Height regulations.
- 86.44.070 Site plan required.
- 86.44.080 Application for site plan approval.
- 86.44.090 Review of site plan approval applications.
- 86.44.100 Approval, disapproval of site plan.
- 86.44.110 Building permit pursuant to site plan.
- 86.44.120 Waiving requirements.
- 86.44.130 Modification of site plan.
- 86.44.140 Expiration of site plan – Extension.
- 86.44.150 Grading.
- 86.44.160 Boundaries.

86.44.010 Purpose and intent.

To assist in the implementation of the Scenic Highway Element of the General Plan, this chapter provides regulations that apply within the boundaries of a scenic highway corridor adjacent to a scenic highway designated by the State of California and the City. The regulations are designed to eliminate unsightly conditions which may distract or impair the safety of highway users, to protect views from scenic highways and to retain unusual and attractive natural and manmade features within the scenic corridor. The S-H Overlay Zone provisions will overlay the provisions of the underlying basic zone. The provisions of this chapter shall govern where there is a conflict or where there is no underlying City zone for the area.

86.44.020 Permitted uses.

The following shall be allowed in the S-H Overlay Zone:

- A. Uses permitted in the underlying zone classification of the land except those that are expressly prohibited by this chapter;
- B. Informational, directional or historical markers, shelters or kiosks regarding directions, points of interest of historical or environmental significance, noncommercial in nature, and combined with automobile turnout facilities;
- C. Emergency public telephones combined with automobile turnout facilities; and
- D. Within the Wildlife Preserve (Modifying) Zone, those uses permitted by that overlay zone.

86.44.030 Prohibited uses.

The following shall not be allowed in the S-H Overlay Zone:

- A. Junkyards, dumps, or auto dismantling yards;
- B. Shipyards, including boat building or repair; and
- C. Any other use which is determined by the Planning Commission to be of the same general character of other prohibited uses and whose presence would similarly conflict with the intent of this zone.

86.44.040 Prohibited signs.

The following shall not be allowed in the S-H Overlay Zone:

- A. Off-premises outdoor advertising signs, structures or displays;
- B. Temporary signs such as banners, pennants, streamers or posters;
- C. Animated, revolving, or rotating signs; and
- D. Freestanding signs.

86.44.050 Regulation of permitted uses.

- A. Every business and commercial use of whatever nature shall be consistent with the intent of this title.
- B. On-premises signs for business and commercial uses shall be limited to an aggregate area of 25 square feet per use or to the standard required by the underlying zone, whichever is more restrictive.

86.44.060 Height regulations.

No building or structure hereafter erected or structurally altered shall exceed 40 feet in height, or the standard required by the underlying zone, whichever is more restrictive. (Ord. 1482)

86.44.070 Site plan required.

Prior to the issuance of any building permit or commencement of any construction of any building or structure, except one- and two-family dwellings and structures appurtenant thereto which meet all requirements of this chapter, a site plan of the proposed development shall be reviewed and approved by the Planning and Design Review Commissions.

86.44.080 Application for site plan approval.

Applications for site plan approval shall be submitted to the Community Development Department and shall be accompanied by such maps, plans, drawings, and sketches as are necessary to show:

- A. Boundaries and existing topography of the property and adjoining or nearby streets;
- B. Location and height of all existing buildings and the proposed disposition or use thereof;
- C. Location, height, proposed use of all proposed structures, including walls, fences and location and extent of individual building sites;
- D. Location and dimensions of ingress and egress points, interior roads, and driveways, parking areas, and pedestrian walkways;
- E. Location and proposed treatment of important drainage ways;
- F. Proposed grading and removal or placement of natural materials, including finished topography of the site; and
- G. Proposed landscaping plan.

86.44.090 Review of site plan approval applications.

The Planning and the Design Review Commissions shall review applications for site plan approval and in carrying out such review, the Planning Commission shall consider whether the proposed uses and development design would be consistent with the intent of the S-H Overlay Zone, and the Design Review Commission shall consider, but not be limited to, the following criteria:

- A. All elements of the proposed development shall be consistent with the intent and all requirements of the S-H Overlay Zone;
- B. Buildings and structures shall be so designed and located on-site as to create a harmonious relationship with surrounding development and the natural environment;

C. Buildings, fences, walls or structures and plant materials shall be constructed, installed or planted so as not to unnecessarily obstruct scenic view visible from the scenic highway, but rather to enhance such scenic views. Fences and walls shall be constructed to allow see-through wherever possible;

D. Potentially unsightly features shall be located so as to be inconspicuous from the scenic highway or effectively screened from view by planting and/or fences, walls or grading;

E. Insofar as feasible, natural topography, vegetation and scenic features of the site shall be retained and incorporated into the proposed development;

F. Any grading or earth moving operation in connection with the proposed developments shall be planned and executed so as to blend with the existing terrain both on and adjacent to the site, and vegetative cover shall be provided to hide scars on the land resulting from such operations.

86.44.100 Approval, disapproval of site plan.

The Planning and Design Review Commissions shall each approve, conditionally approve or disapprove the site plan. Such action may be appealed within 10 working days to the City Council.

86.44.110 Building permit pursuant to site plan.

No building permit shall be issued, except for a one- or two-family dwelling or structure appurtenant thereto, for the construction of any building or structure in the S-H Overlay Zone except pursuant to a site plan which has been approved by the Planning and Design Review Commissions or by the City Council on appeal as provided for in this chapter.

86.44.120 Waiving requirements.

The Planning Commission may waive the requirements of this chapter when it finds that provisions of this chapter have been or will be fulfilled by the conditions of a special use permit or by other means.

86.44.130 Modification of site plan.

Upon request of the applicant, modification of an approved site plan may be made by the Planning and Design Review Commissions if they find that the modification is consistent with the intent and requirements of the S-H Overlay Zone.

86.44.140 Expiration of site plan – Extension.

Any approval of a site plan shall expire one year from the date of the Planning Commission approval except where construction and/or use in reliance on such site plan has commenced prior to its expiration. If construction and/or use in reliance thereupon has not commenced within a one year period, that period may be extended by the Planning Commission at any time prior to the original expiration date for additional three-month periods.

86.44.150 Grading.

No grading, removal or deposit of natural materials shall take place on any lot or parcel in the S-H Overlay Zone except by a grading permit in connection with a building permit issued for construction which conforms to the provisions of this title; or by a grading permit not in connection with construction that is issued with the concurrence of the Design Review Commission. Minor excavation or placement of natural materials, incidental to the planting of trees, shrubs and other plant materials, and to the installation of minor structural features not requiring a grading permit such as fences, walls, walkways, patios and similar elements customarily accessory to a permitted use, are activities exempt from the requirements of this chapter, provided such excavation or placement of materials does not alter the general overall topographical configuration of the land.

86.44.160 Boundaries.

The boundaries of the Scenic Highway Overlay Zone shall extend from the edge of the scenic highway right-of-way for 200 feet or to the nearest ocean or bay shoreline, whichever is less.

Chapter 86.46

PCD – PLANNED COMMUNITY DEVELOPMENT OVERLAY ZONE

Sections:

- 86.46.010 Purpose and intent.
- 86.46.020 Application – Precise development plan (PDP).
- 86.46.030 Planning Commission and City Council action.
- 86.46.040 Minimum standards.
- 86.46.050 Repealed.

86.46.010 Purpose and intent.

The purpose and intent of the Planned Community Development Overlay Zone regulations contained in this chapter is to provide for residential land development consisting of a related group of residential housing types including but not limited to single-family dwelling buildings or duplexes, cluster housing, patio homes, townhouses, apartments, condominiums or cooperatives or any combination thereof and including related open spaces and community services consisting of recreational, commercial, professional and maintenance and operational facilities essential to the development, all comprehensively planned as a three-dimensional entity. Such residential land development normally requires deviation from the normal zoning regulations and standards regarding lot size, yard requirements, bulk and structural coverage in an effort to maximize the benefits accruing to the citizens of Coronado. (Ord. 1559)

86.46.020 Application – Precise development plan (PDP).

Once a property has been rezoned to place a PCD overlay on it, a PDP may be initiated in the manner prescribed by Chapter 86.55 CMC.

- A. Legal description and boundary survey map of the exterior boundaries of land to be developed in the proposed Planned Community Development.
- B. A topographic map indicating anticipated grading or fill areas and all groupings of existing trees and other natural features. The topographic map shall indicate two-foot contour intervals.
- C. A preliminary report describing provisions for storm drainage, sewage disposal, water supply and other utilities.
- D. For the residential development position of any proposed PCD development:
 - 1. The number of dwelling units proposed by type of dwelling. This may be stated as a range with maximum and minimum number of units of each type but shall not exceed the previous residential density and height limit of the most recent zone designation prior to any proposed Planned Community Development;
 - 2. The approximate total population anticipated in the entire development;
 - 3. The proposed standards of number of stories, open space, structural coverage, pedestrian and traffic circulation and number of dwelling units per acre of residential development.
- E. For commercial, professional, institutional or commercial recreational or other nonresidential development portion of any proposed PCD development:
 - 1. Types of uses proposed in the entire area;
 - 2. Anticipated total number of persons employed; may be stated as a range;
 - 3. Methods proposed to control or limit dangerous or objectionable elements, if any, which may be caused or emitted by such proposed uses. Such dangerous or objectionable elements may include fire, explosion, noise or vibration, smoke, dust, odor, or other forms of air pollution; heat, cold, dampness, electrical or other disturbances; glare, or other substance or element which might adversely affect the surrounding area;

4. The proposed standards of number of stories, open space buffering, pedestrian and traffic circulation, off-street parking and loading;
5. Pertinent social or economic characteristics of the development such as enrollment, residence, employment, etc.

F. The location, area, and type of sites proposed for public and private open space, recreational facilities, and schools. For purposes of this section, open space may include swimming pools, pedestrian walkways, driveways, arbors or shade structures designed as an integral part of the site's landscaping. Open space shall not include dedicated or private streets, structures used for residential, commercial, professional or operational maintenance purposes, covered or uncovered required parking area or garage.

G. The anticipated timing for each phase, if any, of the development, including approximate starting and completion dates.

H. Offers to dedicate those areas shown on the precise development plan as public property in a form acceptable to the City Attorney. (Ord. 1869)

86.46.030 Planning Commission and City Council action.

The Planning Commission and City Council shall act upon the PCD application in the manner prescribed by Chapter 86.55 CMC for special use permits. (Ord. 1869)

86.46.040 Minimum standards.

The following minimum development standards shall apply to projects within a Planned Community Development:

- A. All utility distribution facilities within the boundaries of the zone shall be located underground.
- B. Off-street parking requirements shall be in accordance with the off-street parking performance standards of this title.
- C. The number of units proposed within a Planned Community Development shall not exceed the maximum residential density allowed by the underlying zone.
- D. The maximum height limit shall not exceed the height limits of the underlying zone.
- E. The project shall comply with the landscaping requirement of the underlying zone. (Ord. 1869)

86.46.050 Repealed.

Repealed by Ord. 1869.

Chapter 86.48

MZ – MILITARY ZONE

Sections:

86.48.010 Purpose and intent.

86.48.010 Purpose and intent.

The purpose of the Military Zone classification shall be to identify on the zoning map those properties within the City under Federal control and available exclusively for military operations, housing, personnel, recreation, and similar ancillary military facilities or environmental habitat preservation. (Ord. 1666)

Chapter 86.50

NONCONFORMING USES AND STRUCTURAL NONCONFORMITIES

Sections:

- 86.50.010 Purpose.
- 86.50.015 Establishment of nonconformity.
- 86.50.020 Nonconforming use defined.
- 86.50.030 Structural nonconformity.
- 86.50.032 Floor area ratio nonconformity.
- 86.50.035 Dwelling density nonconformity.
- 86.50.050 Nuisance.
- 86.50.070 Prohibition on increasing a nonconformity.
- 86.50.075 Lot area less than required.
- 86.50.080 Building permit.
- 86.50.090 Alteration of structures with nonconforming setbacks or height.
- 86.50.095 Reconstruction of damaged nonresidential buildings with structural nonconformities.
- 86.50.100 Involuntarily destroyed or damaged single-family and multifamily dwellings with structural nonconformities.
- 86.50.105 Voluntarily destroyed, damaged or altered buildings with structural or floor area ratio nonconformities.
- 86.50.120 Nonconforming rental dwelling or habitable unit use.
- 86.50.130 Nonconforming guest dwelling use.
- 86.50.140 Nonconforming commercial, office or manufacturing use.
- 86.50.150 Other nonconforming uses.
- 86.50.160 Termination upon enlargement of nonconforming use.
- 86.50.165 Alteration of structures nonconforming due to density.
- 86.50.170 Relief from strict application to nonconforming use.
- 86.50.180 Timing of required removal or alteration of structures containing nonconforming uses.
- 86.50.200 Two or more nonconforming main buildings on one lot having different abatement schedules – Abatement.
- 86.50.210 Value of \$10,000 or less – Abatement.
- 86.50.220 Uses subject to special use permit.
- 86.50.230 Nonconforming hotels and motels.
- 86.50.240 Nonconforming professional offices and commercial uses.
- 86.50.250 Nonconforming residential condominiums.
- 86.50.260 Nonconforming historic resource.

86.50.010 Purpose.

This chapter is enacted to accomplish the regulation and possible elimination of nonconforming uses, structures, floor area ratios and dwelling densities. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.015 Establishment of nonconformity.

A “nonconformity” is a condition which was lawfully established prior to the enactment of current zoning restrictions, standards or procedures with which the condition does not comply. A use or design aspect inconsistent with current zoning restrictions may be legally continued within the provisions of this chapter; provided, that the person asserting a claim of nonconformity can establish that the use or design aspect was lawful and continuing at the time of the enactment of the applicable zoning restriction. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.020 Nonconforming use defined.

A “nonconforming use” is a use that:

- A. Is not within the scope, either expressly or implicitly, of zoning restrictions set forth in current zoning ordinance provisions announcing the purpose, intent, permissible uses, and allowable accessory uses for the zone in which the particular use is located; and

B. Has not been issued a special use permit, if applicable, under the provisions of this chapter. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.030 Structural nonconformity.

A “structural nonconformity” is an aspect of a building, fence or wall, structure or improvement that does not conform to the current zoning restrictions or design standards to include, without limitation, height, setbacks, parking, type of building, or coverage of lot by structures. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.032 Floor area ratio nonconformity.

A “floor area ratio nonconformity” is a building that does not conform to the current zoning restrictions or design standards establishing a floor area ratio for the property. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.035 Dwelling density nonconformity.

A “density nonconformity” is a residential property containing one or more dwelling units that does not meet the minimum lot area requirements per dwelling within the zone. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.050 Nuisance.

Nothing in this chapter shall preclude the City from declaring a building, structure, improvement or use to constitute nuisance and a danger to the safety, health or welfare of the public and to take lawful action to remedy the danger. The following shall be defined as “nuisance”:

A. Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.

B. Any attractive nuisance that may prove detrimental to children whether in a building or on an unoccupied lot. This includes any abandoned well, shaft, basement or excavation; abandoned refrigerators and motor vehicles; any structurally unsound fences or structures; or any lumber, trash, fences, debris or vegetation that may prove a hazard for inquisitive minors.

C. Whatever is dangerous to human life or is detrimental to health, as determined by the Health Officer.

D. Overcrowding a room with occupants.

E. Insufficient ventilation or illumination.

F. Inadequate or unsanitary sewage or plumbing facilities.

G. Uncleanliness, as determined by the Health Officer.

H. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the Health Officer. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.070 Prohibition on increasing a nonconformity.

Except as otherwise provided in this chapter, neither a nonconforming use nor a structural nonconformity shall be enlarged, extended, expanded or in any other manner changed to increase its inconsistency with the current zoning restrictions. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.075 Lot area less than required.

One single-family dwelling building shall be permitted on a lot of less area than required by this chapter, provided such lot was a legal lot of record and is a lot under one ownership on July 1, 1973, and provided the owner of such lot has not owned or purchased any adjoining property since July 1, 1973. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.080 Building permit.

Nothing in this chapter shall preclude the City from requiring an owner of a structure constructed, expanded or altered, either without required building permits or contrary to the specification of the building permits issued, to modify or remove said structure or to obtain the required inspections and final approval for it. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.090 Alteration of structures with nonconforming setbacks or height.

A building or structure which does not conform to the yard or height regulations applicable to the land on which such building or structure is located may be structurally altered, added to, or enlarged, only when:

- A. The alteration, addition or enlargement does not increase the nonconformity and the “proposed gross floor area” is less than 150 percent of the existing “gross floor area”; or
- B. The alteration, addition or enlargement causes the building or structure to conform with the general regulations of this title; or
- C. A nonconforming accessory building may be attached to a main building, if said attachment does not increase the nonconformity; or
- D. Any structure that is nonconforming due to setback or height requirements may be altered and/or enlarged by approval of the Zoning Administrator on the basis that such alteration and/or enlargement shall conform to the provisions of CMC 86.54.070 through 86.54.200. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.095 Reconstruction of damaged nonresidential buildings with structural nonconformities.

A. Any nonresidential building with one or more structural nonconformities that is damaged by 50 percent or more of its gross floor area, as established by the Building Official at the time of damage by fire, flood, explosion, wind, earthquake, war, riot, or other calamity or act of God, shall be required to conform to all City regulations, as contained herein, upon completion of any restoration or reconstruction project.

B. Any nonresidential building with one or more structural nonconformities that is damaged by less than 50 percent of its gross floor area, as established by the Building Official at the time of calamity or act of God, may be restored or reconstructed as before such happening. However, if the reconstruction is less than 25 percent completed within 12 consecutive months of the issuance of required permits, it shall not be restored or reconstructed as before such calamity or regulations as contained herein. Total reconstruction shall be accomplished within five years from the issuance of required permits. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.100 Involuntarily destroyed or damaged single-family and multifamily dwellings with structural nonconformities.

A. The reconstruction, restoration, or rebuilding of any single-family and multifamily dwelling with one or more structural nonconformities that, as the result of a catastrophic event(s) or public enemy, is involuntarily destroyed or suffers involuntary damage of 50 percent or more of its gross floor area shall conform with all City zoning ordinances and regulations.

B. Notwithstanding the requirements in subsection A of this section, any structurally nonconforming single-family and multifamily dwelling that, as the result of a catastrophic event(s) or public enemy, is involuntarily destroyed or suffers involuntary damage of 50 percent or more of its gross floor area may be reconstructed, restored, or rebuilt up to its predamaged size and number of dwelling units; provided, that the building permit is applied for within two years from the date of the damage or destruction. The reconstruction, restoration, or rebuilding of such a dwelling shall otherwise conform with all other City zoning ordinances and regulations.

C. Any single-family and multifamily dwelling that suffers involuntary damage of less than 50 percent of its gross floor area as a result of a catastrophic event(s) may be reconstructed, restored, or rebuilt with any structural nonconformities that existed prior to the damage, unless the building permit is obtained more than two years after the date of the damage, or the reconstruction, restoration, or rebuilding is completed more than three years after the date of the damage. The reconstruction, restoration, or rebuilding of such a dwelling shall otherwise conform with all other City zoning ordinances and regulations.

D. For purposes of this section, “catastrophic event” includes fire, flood, explosion, wind, earthquake, war, riot, or other calamity or act of God.

E. For purposes of this section, “multifamily dwelling” is defined as any structure designed for human habitation that is divided into two or more independent living quarters. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.105 Voluntarily destroyed, damaged or altered buildings with structural or floor area ratio nonconformities.

- A. Any building with a “structural nonconformity” or “floor area ratio nonconformity” that is proposed to be structurally altered or demolished where more than 50 percent of the exterior walls are removed shall be required to conform to all City regulations as contained herein, upon completion of any restoration or reconstruction project.
- B. Any building with one or more “structural nonconformity” or “floor area ratio nonconformity” that is proposed to be enlarged where the proposed “gross floor area” is 150 percent or greater than the existing building “gross floor area” shall be required to conform to all City regulations in effect at the time of building permit issuance.

The following are exceptions to this requirement:

1. Approval from the Design Review Commission or Historic Resource Commission (if a designated historic resource); provided, that:
 - a. The existing architectural style shall be preserved and applied to the enlarged building; and
 - b. The existing front facade shall be preserved in place. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.120 Nonconforming rental dwelling or habitable unit use.

A. A nonconforming rental dwelling or habitable unit use is inactive if the dwelling or habitable unit is not occupied and is not subject to being occupied in accordance with an existing lease or rental agreement:

1. Entered into for a fair market rent; and
2. Entered into with the intention of the tenant to occupy the unit.

B. A nonconforming rental dwelling or habitable unit use is terminated if it is inactive for 120 consecutive days.

C. Exception. Dwelling or habitable units in motels, hotels, hospitals, in facilities governed by special use permits or in the Residential-Special Care Development Zone are exempted from regulation by this section. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.130 Nonconforming guest dwelling use.

A. A nonconforming guest dwelling use is inactive if the dwelling is not occupied by a guest.

B. A nonconforming guest dwelling use is terminated if it is inactive for more than 350 days during the preceding 365 days.

C. A nonconforming guest dwelling use is terminated if it is the subject of a rental or lease agreement. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.140 Nonconforming commercial, office or manufacturing use.

A. A nonconforming commercial, professional office, manufacturing or industrial use is inactive if business is not being conducted or City licenses and permits required for such business have not been obtained.

B. A nonconforming commercial, professional office, manufacturing or industrial use is terminated if it is inactive for 120 consecutive days or if it is inactive for more than 180 days during the preceding 365 days.

C. Any nonconforming commercial, professional office, manufacturing or industrial use of a residential building or residential accessory building in any Residential Zone shall be terminated two years from the date the property owner receives notification from the City to terminate such use. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.150 Other nonconforming uses.

Unless otherwise specified, a nonconforming use terminates if inactive for 180 consecutive days. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.160 Termination upon enlargement of nonconforming use.

If a nonconforming use is enlarged, extended, expanded or in any other manner changed to increase its inconsistency with the current zoning restrictions, the nonconforming use shall be terminated in its entirety in the event that:

- A. The City notifies the property owner of the enlargement of the nonconforming use; and
- B. The property owner fails to restore the nonconforming use to its previous level within 60 days of such notice. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.165 Alteration of structures nonconforming due to density.

Properties nonconforming due to density may have a building, structure or improvement structurally altered, added to, or enlarged, only when:

- A. The alteration, addition or enlargement does not increase the number of dwellings or other nonconforming aspects of the property; or
- B. The alteration, addition or enlargement causes the building or structure to conform with the general regulations of this title. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.170 Relief from strict application to nonconforming use.

A. Upon timely application by a person with an interest in a nonconforming use, the Planning Commission may determine whether the operation of the provisions of this chapter conflict with such person's rights under the Constitution and applicable statutes of the United States or of the State of California or in some manner produce an inequitable result.

B. In the event of an affirmative determination reached under the provisions of subsection A of this section, the Planning Commission may, by resolution, adjust the impact of this chapter on such person to alleviate the conflict or inequity.

C. The determination of the Planning Commission shall be final and shall thereafter control the operation of this chapter on such nonconformity unless within 15 days of such determination an appeal is filed with the City Council. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.180 Timing of required removal or alteration of structures containing nonconforming uses.

Every building in any R Zone, except residential buildings, churches and schools; and hotels, motels and professional offices (existing prior to the adoption of the ordinance codified in this title) on Block 16 within the R-3 Zone, and in Blocks 68, 69, 108, 109, 121, 122, 142, 143, 152, and 153 within the R-4 Zone and commercial uses located in Block 139 within the R-1B Zone, which were designed or intended for a use not permitted in the R Zone in which it is located, shall be completely removed or altered to structurally conform to the uses permitted in the zone, and the use of such building shall be changed to conform with the uses permitted in the zone within the time period as fixed by the appropriate sections of this chapter. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.200 Two or more nonconforming main buildings on one lot having different abatement schedules – Abatement.

Where two or more nonconforming main buildings located on one lot have different abatement schedules, the abatement schedule for the nonconforming main building existing on the lot which provides the longest abatement period shall apply to all main buildings to be abated on the lot. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.210 Value of \$10,000 or less – Abatement.

Nonconforming structures having a valuation made by the Building Official of \$10,000 or less shall be abated within one year from the date of notification of the property owner. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.220 Uses subject to special use permit.

A. Property owners voluntarily applying for a special use permit for an existing use shall not be required to submit a fee for the SUP application.

B. Any existing use that is subject to a special use permit shall not be expanded or increased in the intensity of use requiring additional off-street parking nor change the type of use to a category requiring a special use permit without first obtaining a special use permit under the provisions of this title. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.230 Nonconforming hotels and motels.

Any provisions of this title to the contrary notwithstanding:

A. Existing structures and uses of nonconforming motels and hotels shall be allowed to be reconstructed and retain existing nonconformities so long as the replacement project does not expand the prior structural nonconformities.

B. Existing structures and uses of nonconforming motels and hotels shall not be enlarged, extended, reconstructed, structurally altered or increased in the intensity of use such as to require additional off-street parking under the provisions of this title without a minor special use permit allowing such enlargement, extension, reconstruction, alteration or increase in intensity of use. Subsequent enlargements or other structural changes shall comply with the requirements of Chapter 86.32 CMC, except that such construction shall comply with the underlying zoning requirements concerning height, setback, structural coverage, landscaping, floor area ratio, facade treatment, off-street parking and design review regulations. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.240 Nonconforming professional offices and commercial uses.

A. Professional offices located on Block 16 within the R-3 Zone and on Blocks 68, 69, 108, 109, 122, 142, 152 and 153 within the R-4 Zone and commercial uses located in Block 139 within the R-1B Zone existing prior to the adoption of the ordinance codified in this title shall be allowed to be reconstructed and retain existing nonconformities so long as the replacement project does not expand the prior structural or use nonconformities. In the case of professional offices described herein, the reconstruction shall be accomplished within the applicable provisions of R-3 Zone (CMC 86.14.030, 86.14.040, 86.14.050, 86.14.070, 86.14.080, 86.14.100, and 86.14.110) and R-4 Zone (sections found in the Specific Plan). In the case of the commercial uses described herein, the reconstruction shall be accomplished within the provisions of the Commercial Zone sections found in CMC Title 88, Orange Avenue Corridor Specific Plan.

B. Nonconforming professional offices and commercial uses described herein shall not be enlarged, extended, reconstructed, structurally altered or increased in intensity of use such as to require additional off-street parking, under the provisions of this title, without a major special use permit allowing such enlargement, extension, reconstruction, alteration, or increase in intensity of use. Subsequent enlargements or other structural changes shall comply with the underlying zoning requirements described in subsection A of this section. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.250 Nonconforming residential condominiums.

Nonconforming residential condominiums may be reconstructed or structurally altered so long as neither the number of dwelling units for each complex nor the number of bedrooms for each unit is increased, the height of a structure is not increased, existing building profiles are maintained, and the number and size of existing parking spaces are not reduced. (Ord. 2062 § 2 (Exh. A), 2016)

86.50.260 Nonconforming historic resource.

A structure designated as a National, State, or City historic resource or pending such designation shall not be subject to the abatement and regulatory provisions of this chapter. (Ord. 2062 § 2 (Exh. A), 2016)

Chapter 86.52

VARIANCES

Sections:

- 86.52.010 Purpose.
- 86.52.020 When granted.
- 86.52.030 Planning Commission – Powers, duties.
- 86.52.040 Application – Contents, fee.
- 86.52.050 Notice and hearing on variance application.
- 86.52.060 Planning Commission hearing – Findings and decisions by resolution.
- 86.52.070 Repealed.
- 86.52.080 Repealed.
- 86.52.090 Repealed.
- 86.52.100 Repealed.
- 86.52.110 Continuation of hearings.
- 86.52.120 Notice of decision of Council on appeal.
- 86.52.130 Revocations – Expiration of variance, appeal.

86.52.010 Purpose.

The sole purpose of any variance shall be to prevent discrimination, and no variance shall be granted which would have the effect of granting a special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated. No variance shall be granted for a parcel of property which authorizes a use or activity which is not otherwise expressly authorized by the zone regulation or regulations governing the parcel of property.

86.52.020 When granted.

Variances from regulations set forth in this title applicable to the particular zone in which the property is located shall be granted only when, because of special circumstances applicable to the property including size, shape, topography, location or surroundings, the strict application of the regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

86.52.030 Planning Commission – Powers, duties.

The Planning Commission shall have the power and the responsibility to perform the duties relating to the hearing of and applications for variances from the requirements of this title pursuant to applicable provisions of the Government Code of the State of California and this code. Variances may be granted upon such conditions and limitations as the Planning Commission or City Council shall deem reasonable and necessary or advisable under the circumstances so that the objectives of this title shall be achieved. The Planning Commission shall have continuing jurisdiction over any variance which is or has been granted and may terminate it at any time in whole or in part for failure to comply with any condition or requirement imposed at the time of approval, but any such condition of limitation shall be subject to appeal as hereinafter provided.

86.52.040 Application – Contents, fee.

Applications for a variance shall be in writing on forms provided for that purpose by the Community Development Department and shall contain such information as may be required by the Community Development Department to adequately provide for the research, hearing and final disposition of the variance request. All applications shall be signed and dated by the property owner or his authorized representative. A filing fee as required by City Council resolution shall be paid and made payable to the City at the time a completely executed application form is submitted to the Community Development Department. Such fee is for the purpose of defraying the expenses of publication of legal notices of public hearing, postage and other costs incidental to the proper conduct of the proceedings herein provided. No application shall be accepted unless and until it complies with the requirements of this chapter. Variance applications filed pursuant to this chapter shall become a part of the permanent public record of the City and there shall be attached and filed therewith copies of all notices, affidavits, resolutions and minute actions pertaining thereto. (Ord. 1808; Ord. 1408)

86.52.050 Notice and hearing on variance application.

Upon the filing of a verified application for a variance and payment of the required fee, the Community Development Department shall cause to be published a notice of public hearing entitled "notice of proposed variance." The notice shall be published one time in a newspaper of general circulation in the City of Coronado not less than 10 days prior to the date of the public hearing and shall contain a description of the property under consideration and the nature of the variance requested. In addition, the Department shall mail the notice to each owner of property contiguous to the property that is the subject to the variance.

86.52.060 Planning Commission hearing – Findings and decisions by resolution.

Not later than 21 days following the close of a public hearing on any variance request, the Planning Commission shall render its decision by formal resolution stating therein the reasons and facts, which, in the Commission's judgment, make the granting of the variance necessary to carry out the provisions of this title. If the variance is granted, the resolution shall also recite such conditions and limitations as the Commission may impose. The decision of the Commission shall become final 10 calendar days after the adoption of the resolution unless a notice of appeal to the City Council is filed with the City Clerk in accordance with Chapter 1.12 CMC. (Ord. 2025 § 32, 2011)

86.52.070 Appeals to Council – Time, filing of notice.

Repealed by Ord. 2025.

86.52.080 Appeals to Council – Hearing, notice.

Repealed by Ord. 2025. (Ord. 1570)

86.52.090 Decision of Council after hearing on appeal.

Repealed by Ord. 2025.

86.52.100 Council to announce findings and decision of appeal by resolution.

Repealed by Ord. 2025.

86.52.110 Continuation of hearings.

Any hearing provided for in this chapter may be continued from time to time; provided, that the presiding officer at the hearing shall, prior to adjournment, publicly announce the time and place of the continuance. No further notice shall be required.

86.52.120 Notice of decision of Council on appeal.

Immediately upon adoption of a resolution rendering a final decision on a variance, the City Clerk shall mail a copy of the resolution to the applicant for the variance and any other parties requesting such resolution. The City Clerk shall send one copy to the Community Development Department which shall be attached to the Commission's file of the case, and the file shall be returned to the Commission for permanent filing.

86.52.130 Revocations – Expiration of variance, appeal.

The Planning Commission may, after a public hearing held pursuant to this chapter, revoke or modify any variance issued upon any one or more of the following grounds:

- A. Failure to comply with any condition, requirement or limitations imposed at the time of approval of the variance;
- B. That no substantial construction has taken place under such variance;
- C. That there has been a lapse of work for six months under such variance;
- D. That the variance granted is being or has recently been exercised contrary to or in violation of any condition of approval, statute, law, ordinance or regulation;
- E. That the variance granted when exercised is found to be detrimental to the public health, safety or welfare by the Commission or Council, and shall become null and void if not exercised within one year from the date of final approval of the variance. Any person aggrieved by a decision of the Commission on any revocation may appeal to the Council as provided for in this chapter;

F. Upon final denial of any variance applied for pursuant to this chapter, no identical, subsequent application shall be accepted for filing for a period of six months commencing on the effective date of the final denial.

Chapter 86.53

DENSITY BONUS FOR AFFORDABLE HOUSING DEVELOPMENTS

Sections:

- 86.53.010 Purpose and intent.
- 86.53.020 Applicability.
- 86.53.030 Definitions.
- 86.53.040 Density bonus affordability and longevity.
- 86.53.050 Density bonus calculations, justifications, incentives, concessions and location.
- 86.53.060 Donation of land.
- 86.53.070 Child care facilities.
- 86.53.080 Development standards.
- 86.53.090 Parking standards.
- 86.53.100 Appeals.

86.53.010 Purpose and intent.

The purpose of these regulations is to: (A) comply with State density bonus law (California Government Code Section 65915); (B) implement the Housing Element of the Coronado General Plan; and (C) better provide a broad range of affordable housing opportunities for the City's residents. The regulations are intended to materially assist the housing industry in providing adequate and affordable shelter for all economic segments of the community and to provide a balance of housing opportunities for low-income, very low-income, and senior households, as well as moderate-income owners of condominium or planned developments as defined in Civil Code Section 1351, Subdivisions (f) and (k), respectively, throughout the City. It is intended that the affordable housing density bonus and any additional development incentive be available for use in all types of residential developments. It is also intended that these regulations implement the provisions of California Government Code Sections 65915 through 65918. It is further intended that these regulations will require any increase in density of residential developments to be distributed and constructed within the same development site as the market rate housing. Any amendments to the provisions of California Government Code Section 65915 shall be deemed to supersede and govern any conflicting provisions contained herein. (Ord. 2023-01 § 3 (Exh. A), 2023; Ord 1973 § 1, 2005)

86.53.020 Applicability.

This chapter applies to any residential development of five or more dwelling units when the written request of an applicant proposes density beyond that permitted by the underlying zone in exchange for an agreement that a portion of the total dwelling units in the proposed development is reserved for low- or very low-income households, senior citizens or moderate-income families in a condominium or planned development. (Ord. 2023-01 § 3 (Exh. A), 2023; Ord 1973 § 1, 2005)

86.53.030 Definitions.

The following terms are hereby defined for the purposes of this chapter:

A. "Affordable housing agreement" means an agreement between the applicant and the City guaranteeing the affordability of rental or ownership units to applicable income households for a period specified by California Government Code Section 65915, and is in accordance with the provisions of this chapter.

B. "Affordable housing costs" are those amounts set forth in Section 50052.5 of the Health and Safety Code, as the same may be amended from time to time, or any State law replacing or modifying Health and Safety Code Section 50052.5.

C. "Appreciation" means the increase in value of a moderate-income unit in a condominium or planned development project approved as a density bonus unit as determined by the difference between the original market value of the unit minus the price of the unit as sold to the first moderate-income purchaser. If the value of the unit increases, the City and the initial purchaser shall divide the appreciation by respective percentage share with the City's share equal to the percentage that the original sales price was less than fair market price at the time of original sale. So, if the

original sales price was \$200,000 for a unit with a fair market price of \$300,000, the original unit sold for two-thirds or 66.67 percent of its fair market price and the City's share of appreciation would be 33.33 percent.

D. "Child care facility" means a day nursery as defined in CMC 86.04.250.

E. "Concession" or "incentive" means:

1. A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions;
2. Approval of mixed use development in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located; or
3. Other regulatory incentives or concessions proposed by the developer or the City that result in identifiable, financially sufficient and actual cost reductions.

F. "Condominium project" means a project as defined by Section 1351(f) of the Civil Code, as the same may be amended from time to time.

G. "Density bonus," for housing projects that have the requisite percentage of housing reserved for lower-income households, very low-income households or senior citizen housing developments, means a density increase as specified by California Government Code Section 65915, unless a lesser percentage is elected by the applicant, over the otherwise maximum allowable residential density under the applicable zoning ordinance and Land Use Element of the General Plan as of the date of application by the applicant to the City.

"Density bonus," for housing projects that are condominium projects or planned developments in which at least 10 percent of the total dwelling units are reserved for persons and families of moderate income, means a density increase as specified by California Government Code Section 65915, unless a lesser percentage is elected by the applicant, over the otherwise maximum allowable residential density under the applicable zoning ordinance and Land Use Element of the General Plan as of the date of application.

H. "Development standard" includes site or construction conditions that apply to a residential development pursuant to any ordinance, General Plan element, specific plan, or other local condition, law, policy, resolution, or regulation.

I. "Families of low or moderate income" means persons or families whose income meets the requirements set forth in Health and Safety Code Section 50093, as the same may be amended from time to time, or any State law replacing Health and Safety Code Section 50093.

J. "Housing development" means one or more groups of projects for residential units with a minimum of five residential units, including a condominium project and a planned development. "Housing development" also includes either (1) a project to substantially rehabilitate and convert an existing commercial building to residential use, or (2) the substantial rehabilitation of an existing multifamily dwelling, as defined in Subdivision (d) of Government Code Section 65863.4, as the same may be amended from time to time, or any State law replacing Government Code Section 65863.4, where the result of the rehabilitation would be a net increase in available residential units.

K. "Lower-income households" means households defined in Section 50079.5 of the Health and Safety Code, as the same may be amended from time to time, or any State law replacing Health and Safety Code Section 50079.5. At the time of the adoption of this chapter, Health and Safety Code Section 50079.5 defines "lower-income households" as those whose income is equal to or less than 80 percent of the San Diego County area median income ("AMI").

L. "Maximum allowable residential density" means the density allowed under the zoning ordinance, or if a range of density is permitted, means the maximum allowable density for the specific zoning range applicable to the project.

M. "Persons and families of moderate income" means persons and families defined in Section 50093 of the Health and Safety Code, as the same may be amended from time to time, or any State law replacing Health and Safety Code Section 50093. At the time of the adoption of this chapter, Health and Safety Code Section 50093 defines "moderate-income households" as those whose income does not exceed 120 percent of the area median income.

N. "Planned development," "planned unit development" or "planned residential development" means a project as defined by Section 1351(k) of the Civil Code, and as defined by a planned community development in this title.

O. "Senior citizen housing development" means a project as defined by Section 51.3 of the Civil Code as the same may be amended from time to time, or any State law replacing Civil Code Section 51.3.

P. "Very low-income households" means households defined in Section 50105 of the Health and Safety Code, as the same may be amended from time to time, or any State law replacing Health and Safety Code Section 50105. At the time of the adoption of this chapter, Health and Safety Code Section 50105 defines "very low-income households" as those whose income is equal to or less than 50 percent of the area median income. (Ord. 2023-01 § 3 (Exh. A), 2023; Ord 1973 § 1, 2005)

86.53.040 Density bonus affordability and longevity.

A. Affordability in General. The affordable dwelling units proposed or constructed as defined in this chapter shall be subject to an affordable housing agreement, and such deed restrictions and other applicable documents, approved by the City Attorney, ensuring continued affordability of the dwelling units for a period as required by California Government Code Section 65915 or longer (if required by the construction or mortgage financing assistance program, mortgage insurance program, first-time home buyer's program, rental subsidy program or any local, State and Federal laws, regulations or statutes). Affordability limits are established as follows:

1. Rental units targeted for lower-income households shall be affordable at a rent that does not exceed 30 percent of 60 percent of AMI.
2. Rental units targeted for very low-income households shall be affordable at a rent that does not exceed 30 percent of 50 percent of AMI.

Ownership units shall be made available only to households whose income does not exceed the limits for the targeted households for the duration of the affordable housing agreement.

B. Affordability for Moderate-Income Condominium or Planned Community Development Units. The City shall ensure that the initial occupant of each moderate-income unit that is directly related to the receipt of the density bonus in a condominium project or planned community development is a person or family of moderate income as defined in CMC 86.53.020(M). Upon resale, the seller of the unit shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The City shall recapture its proportionate share of appreciation, which shall be used as required by Government Code Section 65915, as the same may be amended from time to time, or any applicable State law replacing Government Code Section 65915. The City's share shall be equal to the percentage by which the initial sales price of the moderate-income household was less than the fair market value of the home at the time of initial sale. If there is any direct financial contribution from the City through participation in the cost of infrastructure, write-down of land costs, or subsidizing the cost of construction, the City may limit the amount of the appreciation upon resale for at least as required by California Government Code Section 65915 or more if required by the project funding source.

C. Affordability Covenants. Affordability shall be ensured by requiring that the applicant enter into an affordable housing agreement which shall be reviewed by the City Community Development Department and approved by the City Attorney and shall be recorded and run with the land. The affordability period shall commence from the date that the final certificate of occupancy is issued, or the date of the recording of the affordable housing agreement, whichever shall last occur. For for-sale units, the affordability period shall be 55 years. (Ord. 2023-01 § 3 (Exh. A), 2023; Ord 1973 § 1, 2005)

86.53.050 Density bonus calculations, justifications, incentives, concessions and location.

A. Density Bonus Calculations. Upon written request of an applicant through the processing of density bonus request in the manner of a “determination of development standards” per CMC 86.02.124, the Planning Commission shall grant a density bonus as specified by California Government Code Section 65915, and incentives or concessions as provided in this section when the applicant for the housing development agrees or proposes to construct at least any one of the following (note: the applicant shall also simultaneously process each and every other development application required by this title for the proposed project):

1. Ten percent of the total units of a housing development for lower-income households;
2. Five percent of the total units of a housing development for very low-income households;
3. A senior citizen housing development or mobilehome park that limits residency based on age requirements for housing older persons; or
4. Ten percent of the total dwelling units in a condominium project or planned development for persons and families of moderate income; or
5. Ten percent of the total units of a housing development for transitional foster youth, disabled veterans, or homeless persons;
6. Twenty percent of the total units of a housing development dedicated to full-time students at an accredited college are for low-income students;
7. The project donates at least one acre of land to the City for very low-income units, and the land has the appropriate General Plan designation, zoning, permits and approvals, and access to public facilities needed for such housing;
8. One hundred percent of the housing units (other than manager's units) are restricted to very low-, lower- and moderate-income residents (with a maximum of 20 percent moderate).

B. Additional Density Bonus.

1. If an applicant exceeds the percentages set forth in subsection A of this section, the applicant shall be entitled to an additional density bonus, the amount of which shall be as specified in Government Code Section 65915(f).
2. The density bonus units shall not be included when calculating the total number of housing units that qualify the housing development for a density bonus, except as otherwise required by Government Code Section 65915.
3. The amount of the density bonus shall not exceed the percentages established in Government Code Section 65915.
4. An applicant shall not receive a density bonus or any other incentive or concession if the housing development would be excluded under Government Code Section 65915, which includes projects that fail to “replace” existing housing units, as required by State law. “Replace” shall have the same meaning as defined in Government Code Section 65915(c)(3)(B).

C. Justification for Concessions and Incentives. In addition to all other requirements of the “determination of development standards” process per CMC 86.02.124, an applicant requesting a density bonus and/or development standard concession(s) or incentive(s) shall also show, using one of the following methods, that the waiver or modification is necessary to make the housing units economically feasible:

1. A development pro forma with the capital costs, operating expenses, return on investment, loan-to-value ratio and the debt coverage ratio, including the contribution(s) provided by any applicable subsidy program(s), and the economic effect created by the minimum-year use and income restrictions on the affordable housing units; or

2. An appraisal report indicating the value of the density bonus and of the incentive(s)/concession(s); or
3. A use of funds statement identifying the projected financing gap for the project with the affordable housing units. The analysis shall show how much of the funding gap is covered by the density bonus and how much by the incentive(s)/concession(s).

D. Concessions and Incentives.

1. When the Planning Commission grants a density bonus in accordance with this section, the Planning Commission shall grant the additional concession or incentive requested by the applicant and make all of the following findings, based upon substantial evidence, that:
 - a. The concession or incentive is required in order to provide for affordable housing costs or rents for the targeted units to be set as specified in CMC 86.53.040; and
 - b. The concession or incentive would not have a specific adverse impact (as defined in Government Code Section 65589.5(d)(2), as the same may be amended from time to time, or any applicable State law replacing Government Code Section 65589.5) upon the public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households; and
 - c. The concession or incentive would not have a specific adverse impact on any real property that is listed in the California Register of Historical Resources.
2. Number of Incentives/Concessions. The applicant shall be entitled to receive the number of incentives or concessions as specified in Government Code Section 65915(d)(2).

E. The granting of a density bonus, incentive or concession shall not be interpreted, in and of itself, to require a General Plan amendment or zoning change. The request for such items shall be processed in the manner of a "determination of development standards" per CMC 86.02.124, in addition to every other applicable planning application as described in this title.

F. An applicant may submit a written request to the Community Development Department detailing the specific incentives or concessions that the applicant requests pursuant to this section.

G. This section does not limit or require the provision of direct financial incentives for the housing development, including the provision of publicly owned land, by the City, or the waiver of fees or dedication requirements.

H. All affordable units shall be of similar design and quality as the market rate units, including exteriors and floor plans.

I. All affordable units shall be dispersed throughout the housing development rather than clustered in a single area or building. (Ord. 2023-01 § 3 (Exh. A), 2023; Ord 1973 § 1, 2005)

86.53.060 Donation of land.

When an applicant for a tentative subdivision map, parcel map, or other residential development donates land to the City that meets the requirements of this section, the applicant shall be entitled to an increase above the otherwise maximum allowable residential density under the applicable zoning ordinance and Land Use Element of the General Plan for the entire development. The percent increase shall be as specified in California Government Code Section 65915.

- A. The developable acreage and zoning classification of the land must be sufficient to permit construction of units in an amount not less than 10 percent of the number of residential units of the proposed development;
- B. The units shall be affordable to very low-income households; and

C. Any increase in the density required by this section shall be in addition to any increase in density provided to the applicant under CMC 86.53.050; provided, however, that the project shall not be allowed density bonuses under this section and under CMC 86.53.050 in excess of the maximum specified by California Government Code Section 65915. (Ord. 2023-01 § 3 (Exh. A), 2023; Ord 1973 § 1, 2005)

86.53.070 Child care facilities.

When an applicant proposes to construct a housing development that conforms to the requirements of this title and includes a child care facility that will be located on the premises of, as part of, or adjacent to the project, the following shall apply:

A. The Planning Commission shall grant either of the following, unless a finding is made in accordance with subsection C of this section:

1. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square feet in the child care facility; or
2. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.

B. The Planning Commission shall require the following as conditions of approving the housing development; these requirements shall be included in the affordable housing agreement:

1. The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the density bonus units are required to remain affordable pursuant to CMC 86.53.040; and
2. Of the children who attend the child care facility, the children of very low-income households, lower-income households, or families of moderate income shall equal a percentage that is equal to or greater than the percentage of dwelling units that are required for very low-income households, lower-income households, or families of moderate income in the proposed housing development pursuant to CMC 86.53.050(A) and (B).

C. The Planning Commission shall not be required to provide a density bonus or concession for a child care facility if it finds, based upon substantial evidence, that the City already has adequate child care facilities.

D. The density bonus allowed under this section shall be in addition to any density bonuses already given to the applicant pursuant to CMC 86.53.050 and 86.53.060. (Ord. 2023-01 § 3 (Exh. A), 2023; Ord 1973 § 1, 2005)

86.53.080 Development standards.

A. The City shall not apply any development standard that will have the effect of precluding the construction of a development meeting the criteria of this title while at the same time at the densities or with the concessions or incentives permitted by this chapter.

B. All development standards of the underlying zone shall apply to density bonus projects unless one or more concessions have been granted.

C. Any discretionary actions for modification or waiver shall be processed as a “determination of development standards” per CMC 86.02.124 and each and every other development application required by this title for the proposed housing project.

D. Nothing in this chapter shall be interpreted to require the City to waive or reduce development standards if the waiver or reduction would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), as the same may be amended from time to time, or any applicable State law replacing Government Code Section 65589.5, upon the health, safety, or the physical environment, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact.

E. Nothing in this section shall be interpreted to require the City to waive or reduce development standards that would have an adverse impact on any real property that is listed in the California Register of Historical Resources. (Ord. 2023-01 § 3 (Exh. A), 2023; Ord 1973 § 1, 2005)

86.53.090 Parking standards.

- A. Upon request of the applicant for any housing development qualifying for a density bonus under this chapter, the maximum parking standards shall apply as specified by California Government Code Section 65915, inclusive of handicapped and guest parking, for the entire housing development.
- B. All parking calculations for the development resulting in a fraction shall be rounded up to the next whole number.
- C. Parking may be provided by tandem parking and need not be covered or garaged, but may not be on-street parking.
- D. An applicant may request additional parking incentives or concessions beyond those provided in this section pursuant to CMC 86.53.050(D).

E. This section does not supersede or in any way alter or lessen the effect or application of the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code). Any density bonus, concessions, incentives, waivers or reductions of development standards, and parking ratios to which the applicant is entitled under this section shall be permitted in a manner that is consistent with this section and Division 20 (commencing with Section 30000) of the Public Resources Code. (Ord. 2023-01 § 3 (Exh. A), 2023; Ord 1973 § 1, 2005)

86.53.100 Appeals.

The decision of the Commission shall become final 10 calendar days after the adoption of a resolution unless a notice of appeal to the City Council is filed with the City Clerk in accordance with Chapter 1.12 CMC. (Ord. 2023-01 § 3 (Exh. A), 2023; Ord. 2025 § 35, 2011)

Chapter 86.54

ADMINISTRATION AND ENFORCEMENT

Sections:

- 86.54.010 Purpose and intent.
- 86.54.020 Zone boundary amendments authorized.
- 86.54.030 Initiation of amendments.
- 86.54.040 Application for zone boundary change or reclassification by property owner.
- 86.54.050 Procedure – Hearing, notice.
- 86.54.060 Limitation on filing subsequent identical application.
- 86.54.070 Creation of Zoning Administrator – Purpose.
- 86.54.080 Authority and duties of Zoning Administrator.
- 86.54.090 Variances.
- 86.54.100 Application for variance.
- 86.54.110 Notice of variance application.
- 86.54.120 Findings and decisions by Zoning Administrator.
- 86.54.130 Variance – Appeal procedure.
- 86.54.140 Appeals to Planning Commission – Hearing.
- 86.54.150 Site plan approval.
- 86.54.160 Repealed.
- 86.54.170 Temporary structures.
- 86.54.180 Fences, hedges, walls.
- 86.54.190 Referral to Planning Commission.
- 86.54.200 Limitation on filing subsequent, identical application.
- 86.54.210 –
- 86.54.309 Reserved.
- 86.54.310 Enforcement.
- 86.54.320 Violations declared public nuisances.
- 86.54.330 Penalty for violation.

86.54.010 Purpose and intent.

The purpose and intent of this chapter is to refer to regulations that apply in addition to the regulations of this title. These regulations are contained in Chapter 70.08 CMC and are incorporated hereby by reference.

86.54.020 Zone boundary amendments authorized.

Boundaries of any of the several zones established by this title or the classification or reclassification of property therein may be amended whenever public necessity, convenience and general welfare require.

86.54.030 Initiation of amendments.

A. Such zone boundary or reclassification amendments may be initiated by:

1. A verified application of one or more owners of property proposed to be so changed or reclassified;
2. Resolution of intention of the City Council;
3. Resolution of intention of the Planning Commission.

B. Such other amendments to this title may be initiated by:

1. Resolution of intention of the City Council;
2. Resolution of intention of the Planning Commission.

86.54.040 Application for zone boundary change or reclassification by property owner.

Whenever the owner of any land desires a zone boundary change or reclassification of his property, he shall file with the Community Development Department an application on forms provided for by the Department and duly verified by him requesting such change or reclassification. Such application shall be accompanied by a fee as established by City Council resolution. (Ord. 1586; Ord. 1408)

86.54.050 Procedure – Hearing, notice.

Upon the filing of such verified application, or passage of such resolution of intention, the Commission shall hold such public hearings, duly noticed, as required by applicable provisions of the "Planning and Zoning Law" of the State of California for such zone boundary changes or reclassification. The Planning Commission and City Council shall take such action hereon as may be requested by the "Planning and Zoning Law" of the State of California and this title.

86.54.060 Limitation on filing subsequent identical application.

Upon final denial of any zone boundary amendment applied for pursuant to CMC 86.54.030(A), no identical, subsequent application shall be accepted for filing for a period of six months commencing on the effective date of the final denial.

86.54.070 Creation of Zoning Administrator – Purpose.

A Zoning Administrator is hereby created under Article 3, Section 65900 of the California Government Code so as to relieve the Planning Commission of certain routine functions and to properly administer the City zoning ordinances with such authority as granted to him by this chapter.

86.54.080 Authority and duties of Zoning Administrator.

The functions set forth in CMC 86.54.090 through 86.54.200 are considered either minor in nature or proper zoning enforcement duties and the Zoning Administrator is authorized to approve, deny, or conditionally approve such applications as may be required.

86.54.090 Variances.

The Zoning Administrator shall be authorized to grant variances for limited relief in the case of:

- A. Modification of distance regulations not to exceed 10 percent of the requirements applicable in the appropriate zone;
- B. Modification of area regulations not to exceed five percent of the requirements applicable in the appropriate zone;
- C. Walls or fences to exceed permitted heights due to special site conditions not to exceed 10 percent of the requirements set forth in the ordinance;
- D. Any structure that is nonconforming due to setback or height requirements may be altered and/or enlarged by approval of the Zoning Administrator, pursuant to Chapter 86.50 CMC, and subject to the percentage limitations herein; provided, that such alteration or enlargement shall not exceed the maximum height limit of the zone in which the property is located.

86.54.100 Application for variance.

Applications for a variance shall be submitted on forms provided for that purpose to the Community Development Department, and shall be accompanied by plot plans, elevations, or other data as may reasonably be required by the director of the Community Development Department to show the detail of the proposed use or structure. The application shall be accompanied with a filing fee as established by City Council resolution. (Ord. 1586; Ord. 1408)

86.54.110 Notice of variance application.

Upon the filing of a verified application, the Zoning Administrator shall notify, by mail, all property owners within 300 feet of the property that is the subject of the variance. The notice shall describe the nature of the variance requested and the period of time the variance will be under consideration and appeal procedures available to the public concerning such variance.

86.54.120 Findings and decisions by Zoning Administrator.

Not later than 10 calendar days following the mailing of the notices, any interested party may notify the Community Development Department, in writing, articulating any substantial objections to the variance requested. The Zoning Administrator shall, at the end of the 10-calendar-day period, render a decision by written statement explaining the reasons for and facts substantiating the decision. The Zoning Administrator shall mail a copy of the statement to the applicant, members of the Planning Commission, and any other interested party requesting a copy of the decision. The statement shall be filed with the Community Development Department and will become effective 10 calendar days after the decision by the Zoning Administrator. (Ord. 2025 § 37, 2011)

86.54.130 Variance – Appeal procedure.

The applicant or other interested parties may appeal the decision of the Zoning Administrator to the Planning Commission within 10 calendar days after the decision is filed with the Community Development Department. The appeal shall be in writing and filed with the Community Development Department and shall specify the reason(s) for appealing the decision of the Zoning Administrator. The appeal fee shall be as set forth by resolution by the City Council. (Ord. 2025 § 38, 2011)

86.54.140 Appeals to Planning Commission – Hearing.

The Zoning Administrator shall provide public notice of the appeal hearing to consider the variance request as outlined in Government Code Section 65091. The Planning Commission will consider the variance application, Zoning Administrator determination, appeal letter, along with written or oral testimony provided at the hearing, and adopt a resolution to affirm, modify or overturn the Zoning Administrator. The decision of the Commission shall become final 10 calendar days after the adoption of a resolution unless a notice of appeal to the City Council is filed with the City Clerk in accordance with Chapter 1.12 CMC. (Ord. 2025 § 39, 2011)

86.54.150 Site plan approval.

The Zoning Administrator shall be authorized to grant site plan approval as provided herein.

86.54.160 Home occupations.

Repealed by Ord. 2022.

86.54.170 Temporary structures.

The Zoning Administrator shall be authorized to permit temporary structures for the housing of tools, equipment, building assembly operations and supervisory or engineering offices in connection with major construction projects; provided, however, that such temporary structures are located within or adjacent to the development or construction site to which they are incidental.

86.54.180 Fences, hedges, walls.

In any Commercial or Industrial Zone, fences, walls, or hedges may be allowed or required to a maximum of eight feet if it is determined by the Zoning Administrator that the increase in height is necessary to protect public health, safety or welfare and would have no detrimental effect upon the surrounding neighborhood.

86.54.190 Referral to Planning Commission.

The Zoning Administrator may, at his discretion, refer any of the matters on which he is authorized to rule to the Planning Commission for review and disposition pursuant to the procedures set forth in Chapter 86.52 CMC.

86.54.200 Limitation on filing subsequent, identical application.

Upon final denial of any variance applied for pursuant to this chapter, no identical, subsequent application shall be accepted for filing for a period of six months commencing on the effective date of the final denial.

86.54.210 – 86.54.309 Reserved.

86.54.310 Enforcement.

All department directors, officials or other employees of the City vested with the duty or authority to issue any permit, license or certificate shall conform to the provisions of this title and shall issue no permit, license or certificate for uses, buildings, structures or purposes in conflict with the provisions contained in this title, and any such permit, license or certificate so issued, intentionally or otherwise, shall be null and void. It shall be the duty of the director of the Community Development Department to enforce the provisions of this title.

86.54.320 Violations declared public nuisances.

Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this title and any use of any land, building, or premises established, conducted, operated or maintained contrary to the provisions of this title shall be and the same are hereby declared to be unlawful and a public nuisance, and the City Attorney shall immediately take actions or proceedings for the abatement and removal and injunction therein in the manner provided by law, and shall take such steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building, structure or use, and restrain and enjoin any person, firm or corporation from setting up, erecting, constructing, altering, enlarging, converting, moving, maintaining or using such building, structure or property contrary to the provisions of this title. The remedies provided for herein shall be cumulative and not exclusive.

86.54.330 Penalty for violation.

Any person, firm or corporation, whether as principal, agent, employee, employer or otherwise, who violates or causes the violation of any provision of this title shall be guilty of an infraction. Each separate day or any portion thereof during which the above-referenced violation occurs shall constitute a separate offense. (Ord. 1400)

Chapter 86.55

SPECIAL USE PERMITS

Sections:

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- 86.55.160 Special uses by permit – C-R Zone.
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- 86.55.210 Antenna tower and antenna mast.
- 86.55.215 Wireless communication facilities (WCFs).
- 86.55.220 Aquaculture.
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- 86.55.250 Automobile service station.
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- 86.55.280 Clubs, lodges, assembly halls, and public buildings.
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- 86.55.310 *Repealed.*
- 86.55.320 *Reserved.*
- 86.55.330 *Repealed.*
- 86.55.340 Lodging houses.
- 86.55.350 Mixed use development.
- 86.55.360 Formula fast food restaurants.
- 86.55.370 Formula business.
- 86.55.380 *Repealed.*

86.55.010 Purpose.

It is the purpose of this chapter to provide procedures for the review and, where necessary, the imposition of special conditions on the creation and maintenance of designated uses which involve special site or design requirements, operating characteristics or potential adverse effects on the surrounding area. (Ord. 1745)

86.55.020 Prohibitions.

- A. Without first having obtained a special use permit, it is unlawful for any person to create or maintain a use when the provisions of this code require that a special use permit be obtained before such use is created or obtained.
- B. It is unlawful for any person to create or maintain a use contrary to the provisions of a special use permit issued for such use.
- C. Until a special use permit is obtained, no building permit or other development permit shall be issued relating to a use for which a special use permit is required by this code.

86.55.030 Application.

- A. An application shall be filed with the Community Development Department on forms provided by the City.
- B. The applicant shall provide envelopes (affixed with sufficient first class postage) addressed to each applicant, to all persons who have requested to be on a mailing list for the specific project, and to all owners of property within 300 feet of the perimeter of the site proposed for a use requiring a special use permit.
- C. The application shall not be complete until the applicant has provided all information deemed necessary by the Community Development Department to properly administer this title and the applicant has paid the processing fee established by the City Council.
- D. Upon final denial of any application, no subsequent application for the same use at the same site shall be accepted for filing for a period of six months from the effective date of the final denial.

86.55.040 Procedure for permit issuance.

- A. Special Use Permit (Minor). For uses identified in this title as requiring a special use permit (minor), the Planning Commission is the agency authorized to grant the special use permit, subject to an appeal to the City Council.
 1. Upon the filing of an application, the Community Development Department shall cause the application to be set for public hearing before the Planning Commission no less than 14 days nor more than 60 days from the date of filing.
 2. Notice shall be published one time in a newspaper of general circulation in the City of Coronado not less than 14 days prior to the date of consideration and shall contain a description of the property under consideration and the nature of the use proposed.
 3. Notice shall be mailed to all owners of property within 300 feet of the site of the proposed use, as shown on the latest tax rolls.
 4. Notice shall be accomplished in accordance with Government Code Section 65091.

- B. Special Use Permit (Major). For uses identified in this title as requiring a special use permit (major), the City Council is the agency authorized to grant the special use permit.

- 1. Upon the filing of an application, the Community Development Department shall cause the application to be set for a public hearing before the Planning Commission no less than 14 days nor more than 60 days from the date of filing, noticed in accordance with subsection A of this section.
 2. The Planning Commission's recommendation shall be set for a public hearing before the City Council at the next available meeting, noticed in accordance with subsection A of this section.

86.55.050 Imposition of conditions.

- A. The agency authorized to grant a special use permit may impose those conditions and exactions necessary to mitigate the impacts of the proposed use found by the agency to be reasonably likely to be contrary to the provisions of this title or to cause an adverse impact upon the environment or upon the health, safety, or welfare of the community without the imposition of those conditions or exactions.

B. The granting of a special use permit shall be conditioned upon obtaining environmental design review in accordance with this code.

86.55.060 Basis for denial.

A special use permit shall be granted unless the authorized agency makes findings of fact based upon the information presented in the application or during the consideration of the application which support one or more of the following conclusions:

A. The use as proposed will be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity;

B. The use as proposed will be injurious to property or improvements in the vicinity;

C. The use as proposed is inconsistent with the General Plan, any applicable specific plan, or a zoning regulation; or

D. The location or operating characteristics of the proposed use will be incompatible with or will adversely affect or will be materially detrimental to impacted uses, residences, buildings, structures or natural resources, with consideration given to, but not limited to:

1. The inadequacy of public facilities, services and utilities to serve the proposed use;
2. The harmful effect, if any, upon a desirable neighborhood character;
3. The inability of the capacity and physical character of surrounding streets to safely deal with traffic that will be generated by the proposed use;
4. The unsuitability of the site for the type or intensity of use which is proposed; and
5. The harmful effect, if any, upon the environmental quality and natural resources of the City.

86.55.070 Final determination – Appeal.

The decision of the Commission shall become final 10 calendar days after the adoption of a resolution unless a notice of appeal to the City Council is filed with the City Clerk in accordance with Chapter 1.12 CMC. (Ord. 2025 § 41, 2011)

86.55.080 Expiration/extension/amendment of permit.

A. A special use permit shall expire upon the end of the term contained in the special use permit.

B. The date of expiration of any special use permit may be extended for one or more periods, the total of which is no greater than one year, upon application to the Planning Commission at least 30 days prior to the date of expiration. The Planning Commission shall not extend the term of any permit unless it is demonstrated by the permittee to the satisfaction of the Planning Commission that extending the use poses no danger to the health, safety or welfare of the community. The determination of the Planning Commission must be by resolution which contains the reasons for making the determination. The Planning Commission determination is appealable to the City Council.

C. A special use permit may be amended at the request of the permittee. The amendment procedures shall be identical to the process then in effect for applying for a permit. A fee as required by Council resolution shall be paid at the time the application is submitted. (Ord. 1808)

86.55.090 Revocation of permit.

A. A special use permit may be revoked by the City Council upon no less than 30 working days' notice to the permittee setting forth the basis of the intention to revoke and giving the permittee the opportunity to present information at an administrative hearing before the City Council.

B. In the event that the identified basis is not corrected forthwith by the permittee, the City Council may suspend, impose new conditions, modify existing conditions or revoke the permit if it makes findings of fact based upon the information presented during the administrative hearing which support one or more of the following conclusions:

1. As a result of any principal or employee of the permittee being found guilty by a court of law of having criminally violated local, State or Federal law, it is reasonably likely that the continuing conduct of the permitted use by the permittee will threaten the public health or safety;
2. The permittee's conduct of the use is contrary to local, State or Federal law;
3. The permittee's conduct of the use constitutes a public nuisance;
4. The permittee's conduct of the use is contrary to any condition or restriction previously established in the special use permit;
5. The permittee has not substantially initiated the use within one year from the date of the issuance of the special use permit or the time otherwise specified in the special use permit; or
6. After commencing the use, the permittee's conduct of the use has been abandoned for a period of 180 consecutive days or more.

86.55.100 Emergency suspension.

A. At any time when the conduct of the use is in violation of the terms and conditions of the permit or in some other manner immediately threatens the public health or safety, any City official responsible for enforcing this code may immediately suspend the special use permit by so notifying the permittee or the permittee's responsible employee or agent involved in the threatening conduct.

B. The City official suspending the permit shall reinstate the permit when the threat is removed. The actions of the suspending City official may be appealed orally to the City Manager during the suspension. The City Manager shall determine whether an existing threat requires the continuation of the suspension and thereafter advise the permittee of the determination.

86.55.110 Special uses by permit – Any zone except Commercial.

The following uses may be established and maintained in any zone except Commercial only if the designated type of special use permit is first obtained and thereafter the permittee complies with all of the provisions therein:

Use	Type of Permit
Antenna tower	Minor
Antenna mast	Minor
Publicly owned	Major
Public utility/service Uses and structures, including but not limited to reservoirs, tanks, pumping stations, telephone exchanges, power and transformer stations or facilities, but not including distribution lines	Major
Transmitters Radio/television Similar facilities	Major

(Ord. 1954 § 9, 2003; Ord. 1827; Ord. 1817)

86.55.120 Special uses by permit – Any zone except C-U, OS, Commercial, and R-4.

The following uses may be established and maintained in any zone, except the C-U, OS, Commercial, and R-4 Zones, unless specifically authorized in other sections of the Municipal Code, and only if the designated type of special use permit is first obtained and thereafter the permittee complies with all of the provisions therein:

Use	Type of Permit
Church	Major
Philanthropic institution	Major
Planned community development	Major
School College Elementary Nursery Day nursery Preschool Private Secondary University	Major

(Ord. 1981 § 6, 2006; Ord. 1954 § 10, 2003; Ord. 1817)

86.55.130 Special uses by permit – H-M Zone.

The following uses may be established and maintained in the H-M Zone only if the designated type of special use permit is first obtained and thereafter the permittee complies with all of the provisions therein:

Use	Type of Permit
Aquaculture	Major
Assemblages of many people/ automobiles, open-air theaters, sport/recreational enterprises	Major
Automobile car wash, whether or not in conjunction with any other use	Major
Boarding house	Major
Clinic, medical	Major
Dumps/landfills Public Private	Major
Formula fast food restaurants	Minor
Formula retail	Major
Hospitals General Convalescent	Major
Nursing home	Major
Rest home	Major
Sanitarium	Major

(Ord. 1954 § 11, 2003; Ord. 1919; Ord. 1910; Ord. 1881)

86.55.140 Special uses by permit – C Zone.

See CMC Title 88, Orange Avenue Corridor Specific Plan, for uses allowed in the Commercial Zone with a special use permit. (Ord. 1954 § 12, 2003; Ord. 1868)

86.55.150 Special uses by permit – L-C Zone.

Repealed by Ord. 1954. (Ord. 1868)

86.55.160 Special uses by permit – C-R Zone.

The following uses may be established and maintained in the Commercial Recreation Zone only if the designated type of special use permit is first obtained and thereafter the permittee complies with all of the provisions therein:

Use	Type of Permit
Art galleries	Major
Cocktail lounge	Major
Marine oriented activities Boat/yacht sales Not refueling facilities	Major
Meeting halls Clubs Lodges Assembly halls	Major
Restaurant Full service, fast food or formula fast food	Major
Theater for the performing arts	Major
Tourist oriented specialty shops	Major
Compatible uses determined by the Planning Commission to be closely related to uses in this section	Major

(Ord. 1910)

86.55.170 Special Uses by Permit – R-4 Zone.

A. The following uses may be established and maintained in the R-4 Zone only if the designated type of special use permit is first obtained and thereafter the permittee complies with all of the provisions therein:

Stand Alone Uses	Type of Permit
Hotel and motel	Major
Professional	Major
Boarding house	Major
Single-room occupancy units	Major
Combined Use Development	Type of Permit
Boarding house with residential	Major
Nursing home with residential	Major
Professional with residential	Major

B. A maximum of three professional sites are permitted in the R-4 Zone including new and existing facilities.

C. Professional office space as part of a combined use development is limited to the first floor of a building. (Ord. 2040 § 14, 2014; Ord. 1981 § 7, 2006; Ord. 1910)

86.55.175 Special uses by permit – R-4 Zone existing nonresidential facilities.

Existing nonresidential uses and facilities located in the R-4 Zone are permitted subject to one of the following:

- A. To be maintained as stand alone uses.
- B. To be reconstructed as stand alone uses subject to the issuance of a major special use permit.
- C. To be reconstructed as a combined use development with professional and residential uses, provided professional office space is limited to the first floor and the total number of professional sites in the R-4 Zone does not exceed three, and subject to the issuance of a major special use permit. (Ord. 1981 § 8, 2006)

86.55.178 Special uses by permit – R-4 Zone clubs, lodges and churches.

Existing clubs, lodges, and churches in nonresidential facilities located in the R-4 Zone can be changed to different clubs, lodges and churches within an existing facility subject to a major special use permit. (Ord. 1981 § 8, 2006)

86.55.180 Special uses by permit – R-3 Zone.

The following uses may be established and maintained in the R-3 Zone only if the designated type of special use permit is first obtained and thereafter the permittee complies with all of the provisions therein:

Use	Type of Permit
Boarding house	Major
Lodging house (Note: Allowed only in "P" Overlay Zone)	Major

(Ord. 1788)

86.55.190 Special uses by permit – Open Space Zone.

The following uses may be established and maintained in the Open Space Zone only if the designated type of special use permit is first obtained and thereafter the permittee complies with all of the provisions therein:

Use	Type of Permit
Aquaculture	Major
Campground, public and private	Major
Commercial use incidental to the operation of public or private recreational facilities Sale of food and refreshments Boat refueling services	Major
Permanent structure necessary for and accessory to a permitted use	Major
Private recreational facility	Major
Compatible uses determined by the Planning Commission to be closely related to uses in this section	Major

(Ord. 1839)

86.55.193 Special uses by permit – Civic Use (C-U) Zone.

Repealed by Ord. 2040. (Ord. 2015 § 17, 2010)

86.55.195 Historic resources and special uses by permit – Residential Zones.

In addition to the aforementioned sections contained within this chapter, in any Residential Zone a historic resource may be used as a residential use, a combined residential and commercial use, solely as a commercial use, or any other use permitted by the Planning Commission and City Council through a major special use permit. (Ord. 1918)

86.55.200 Veterinarian hospital.

An animal hospital or veterinarian facility shall be subject to the applicable zoning regulations of this title, subject to the following:

- A. The use shall be located no closer than 100 feet to any Residential Zone, or existing restaurant, hotel, or motel.
- B. The use must have measures and controls that prevent offensive noise and odor. (Ord. 1954 § 13, 2003)

86.55.210 Antenna tower and antenna mast.

A. An antenna tower or antenna mast shall be subject to the applicable zoning regulations of this title, subject to such conditions as may be necessary to accomplish the purposes of this title.

B. No special use permit is required for a tower or mast which complies with each of the following:

1. Does not exceed 66 feet in height measured from grade level;
2. The first eight feet above grade level shall be visually screened by appropriate fences, walls or hedges;
3. No portion of the tower or mast is located within a setback area; and
4. Required building permits have been approved.

C. This section does not apply to antenna tower or masts associated with a wireless communications facility. (Ord. 2083 § 3 (Exh. A), 2018)

86.55.215 Wireless communication facilities (WCFs).

A. “Wireless communications facility” is defined as a facility that sends and/or receives radio frequency signals, AM/FM, microwave, and/or electromagnetic waves for the purpose of providing voice, data, images or other information, including, but not limited to, cellular and/or digital telephone service, personal communications services, and paging services. Wireless communications facilities include antennas and all other types of equipment for the transmission or receipt of such signals; towers or similar structures built to support such equipment; equipment cabinets, base stations, and other accessory development; and screening and concealment elements.

B. All wireless communication facilities, and any modifications, collocations, expansions or other changes to existing WCFs, are subject to review and applicable permits as specified in City Council procedures and all WCFs shall comply with said procedures.

C. “Wireless communication facility (WCF)” means any component, including antennas and all related equipment, buildings and improvements for the provision of personal wireless services defined by the Federal Telecommunications Act of 1996 and as subsequently amended. Personal wireless services include, but are not limited to, cellular, personal communication services (PCS), enhanced specialized mobile radio (ESMR), paging, ground-based repeaters for satellite radio services, micro-cell antennas and similar systems which exhibit similar technological characteristics. (Ord. 2083 (Exh. A), 2018)

86.55.220 Aquaculture.

Aquaculture shall be subject to the applicable zoning regulations of this title subject to the following: Mitigation of all significant environmental impacts into insignificance.

86.55.230 Automobile car wash.

An automobile car wash shall be subject to the applicable zoning regulations of this title, subject to the following:

A. All equipment used for the facility shall be soundproofed so that any noise emanating therefrom, as measured from any point on adjacent property, shall be no more audible than the noise emanating from the normal street traffic at a comparable distance;

B. Hours of operation shall be as specified in the special use permit;

- C. Vacuuming facilities shall be located to discourage the stacking of vehicles entering the car wash area and causing traffic congestion adjacent to any areas used for ingress or egress; and
- D. The minimum setback from the car wash structure to the front property line shall be determined by the Zoning Administrator, upon submission of plans for design review and architectural approval.

86.55.240 Automobile sales facilities, new and/or used.

Repealed by Ord. 1954.

86.55.250 Automobile service station.

A special use permit shall be required for an automobile service station under the following conditions:

1. Construction of a new service station;
2. Reopening of a service station that has been vacant for a period of at least six months; or
3. Renovation, alteration or addition to an existing service station when such change, within a 12-month period, exceeds 50 percent of the value of the existing building or structure as officially established by the latest records of the County Assessor of San Diego County.

When an automobile service station is proposed, then, in addition to the applicable zoning regulations and the regulations of this chapter, the proposed use shall be subject to the following:

A. Application Procedure. The applicant shall submit the following information:

1. A full dimensioned plot plan of the property drawn to scale, showing location of all buildings, canopies, points of vehicular access, pump islands, storage facilities, landscape planters, exterior lighting standards, signs, walls, parking spaces, trash enclosures, curb cuts and driveway approaches;
2. An engineered on-site grading plan, which shows compliance with all requirements of the City governing grading and drainage;
3. A landscape and irrigation plan showing the size, location, number and variety of plant materials to be used, including the botanical or common plant names and the location, type and design of all irrigation facilities;
4. Architectural elevations of all buildings, walls, signs and trash enclosures including a description of the materials, textures and colors to be used; and
5. A list of services and operations intended to be provided.

B. Activities and Services. In addition to the sale of motor fuel, activities and services shall be permitted, limited or precluded as follows:

1. Rental of trucks, trailers and similar vehicles may be permitted; provided, that the site contain adequate space for display and/or parking and that such rentals be displayed and/or parked only in an area so designated as part of the special use permit. Unless expressly stated otherwise as part of the special use permit, displaying and/or parking of rentals shall not be within 20 feet of any street frontage property line.
2. All new and used merchandise shall be stored and displayed within the service station building, except new and reconditioned tires, batteries, accessories and lubrication items which are maintained in enclosable cabinets or racks designed for the display and sale of said merchandise. The location of enclosable cabinets and racks shall be designated on the special use permit.
3. No used or discarded automotive parts or equipment or permanently disabled, junk or wrecked vehicles shall be located outside the service station building except within an enclosed trash storage area screened from public view.

4. All major auto repair, as defined herein, including but not limited to painting, welding, body and fender repair, tire recapping and the rental of heavy equipment and the sale and rental of other merchandises other than that specified in this section and in the special use permit, is expressly prohibited.
5. Public telephones are permitted, provided they shall observe the same front and side yard setbacks as any adjoining property and are located so as to be visible from the public right-of-way and accessible on a 24-hour basis.
6. Products which render an express convenience of service to the customer, such as pump island racks containing oil cans and additives, may be displayed under the pump island canopy when maintained in a cabinet or display rack. Such cabinets or racks shall not obstruct vehicular access to pump islands.
7. The sales and rental of any type of merchandise not related to the motoring public is prohibited except vending machines shall be permitted only within an enclosed building and shall not be visible from off the premises, and such proprietary items as road maps, highway flares, insecticides or other small items incidental and related to the convenience of the motoring public.
8. Tow trucks and similar service vehicles may be allowed if approved as part of the special use permit and shall be parked only in an area expressly provided and approved as part of the special use permit.
9. The use of a service station as a commercial parking lot is prohibited unless expressly approved as part of the special use permit.
10. Storage and trash shall be kept only in areas approved as part of the special use permits and shall not be placed higher than the walls enclosing such areas. Trash may be collected in containers at the pump islands or inside buildings and service bays. Any such containers visible from off the premises shall be designed as an integral part of the building architecture.
11. Hours of operation may be designated as part of the special use permit if exceptional circumstances exist such as close proximity to Residential Zones.
12. The removal, overhaul, and replacement of motors, differentials and transmissions is permitted, provided these activities occur within a completely enclosed building, and on vehicles with a rated capacity not to exceed one and one-half tons. These activities shall constitute only an accessory and incidental use of the service station operation and shall not create obnoxious odors, smoke, noise, vibration or otherwise create a nuisance.

C. Combination Uses. Service stations combined with another use may be approved as part of the special use permit providing the other use is permitted within the zone district, parking and access is provided for the customers in an area additional to the area required for the service station and access to the other use is safe and not in conflict with the service station.

D. Development Standards. The architectural design of service station development shall be compatible with the character of development of the area in which it is to be located. However, innovative architectural design and site layout which would contribute to the efficiency and appearance of the station and minimize adverse effects on adjacent property is encouraged.

E. Access.

1. Two driveways on each street frontage may be permitted with the approval of the City Engineer. Access driveways shall be no closer than 35 feet from the point of intersection of the ultimate right-of-way lines of the adjoining street, but in no case closer than five feet to the point of curb return. Such driveways shall be at least 25 feet apart and they may be no closer than five feet to the side property line.
2. Whenever possible, a combined driveway for both the service station and adjacent shopping center or commercial property shall be designated and provided.
3. Access to lube bays shall be from the side or rear of the station except in cases where the Planning Commission finds that front access will best preserve the interests of adjacent land users, will serve the

interests of the public and the station operation from the standpoint of safety and convenience, and will foster the development of desirable circulation patterns. Stations where front access to lube bays is permitted shall have landscaping and/or related screening devices to reduce the view into the lube room work areas.

F. Lot Grading and Drainage. Grading of service station sites shall provide a minimum rise, in order to ensure required fall for drainage, and shall be engineered in a compatible manner with the surrounding properties. All drainage to the street shall be by underground structures to avoid drainage across City sidewalks or drive aprons, and shall be subject to the approval of the Director of Public Services.

G. Utilities. All on-site utilities (electrical and communication) shall be installed underground. Existing off-site abutting utility lines shall be converted to underground if street widening necessitates relocation of such utility facilities.

H. Setbacks. All buildings shall be set back from interior and street frontage property lines a minimum of 30 feet, pump islands parallel to the adjacent street shall be situated a minimum of 20 feet from all property lines, pump islands perpendicular to the adjacent street shall be a minimum of 24 feet from all property lines, and canopies shall be a minimum of 10 feet from any street frontage property line.

I. Canopy Structure. Every pump shall be covered by a canopy structure designed and constructed of material to blend with the main building. Where design permits, the pump island canopy structure shall be attached to and made an integral part of the main building structure.

J. Storage Area. Each service station shall have a storage area. The required storage area may be constructed outside of the main building providing that it be enclosed by an eight-foot high solid masonry wall, containing an opening enclosed with a view obscuring gate made of a durable material, and be roofed and contiguous to the main building unless approved otherwise as part of the special use permit.

K. Trash Enclosure. Each service station shall have at least one trash enclosure. All outside trash areas shall have a minimum area of 100 square feet with a minimum dimension of five feet by eight feet, have a concrete floor, be constructed to accommodate a refuse container, and except for one entrance, are to be surrounded by an eight-foot high solid wall constructed of masonry or steel and shall be constructed in a manner so that the materials used will blend architecturally with the design of the main structure. The entrance shall be enclosed with a view obscuring gate made of a durable metal material.

L. Restrooms. All restroom entrances shall be situated either to the side, to the rear or within the main building. The restroom area may be situated in a location other than above if approved by the Planning Commission as part of the special use permit. All outside restroom entrances shall be screened by not less than a five-foot high decorative structure and screen landscaping conforming to the design of the station.

M. Lighting. All exterior lighting, including canopy lighting and perimeter lighting, shall be located, arranged and shielded so as to prevent substantial glare or reflection onto adjacent properties or public right-of-way.

N. Perimeter Walls. Whenever a service station abuts property in a Residential Zone, there shall be constructed along the property line abutting the Residential Zone a solid decorative masonry wall not less than six feet nor more than eight feet in height, measured from finished grade elevation of abutting residential property. Walls need not be installed when building walls or other acceptable walls already exist on such property lines, or the service station is part of a shopping center development. The wall requirement may be modified as part of the special use permit.

O. Walls as Landscaped Separation. A wall constructed on the interior property lines shall make provisions for three wells or landscaped planting areas not less than 16 square feet in area. When included as part of the wall design, the wells or plantings shall be spaced not less than eight feet nor more than 16 feet apart. Continuous planters or planters of uneven length may satisfy this requirement if they are at least four feet deep, extending at least one-third of the length of the wall, and include trees planted not more than 16 feet apart.

P. Landscaping. At least 10 percent of the site shall be landscaped with plant materials designed to provide beautification and screening. Planting areas shall include but are not limited to the following:

1. All landscaped planters shall be enclosed with a brick or concrete curb not less than six inches high above the finished grade of the site.
2. A minimum five-foot wide (inside dimension) raised planter, with six-inch curb face made of concrete or brick, for purposes of separating pump islands from the sidewalk. Landscaped planters may be rounded at driveway entrances utilizing a minimum 10-foot radius.
3. A minimum of 150 square feet of raised planter with curb, minimum six inches in height, shall be provided at the street frontage of the intersecting corner of the site, from curb cut to curb cut.
4. All planting other than trees shall be so maintained so as not to exceed a height greater than 30 inches, shall not be thorny or spiked and shall not extend over the sidewalk or public right-of-way.
5. Fifteen-gallon trees shall be placed in the parkway area (between curb face and back of sidewalk) with spacing and variety of trees to be approved by the Director of Public Services and the Design Review Commission.
6. The main structure of each service station shall be provided with masonry enclosed planters adjacent to all building areas not occupied by doorways, trash areas, by opening, or other such reasonable areas of deletion, or possess a 42-inch high masonry veneer wall. This provision shall apply in such cases where metal buildings are constructed.
7. Except for common traffic movement drives, service stations within shopping centers or tourist centers shall be delineated from the remainder of the property by a landscaped buffer with minimum inside dimensions of four feet and enclosed by a six-inch concrete or brick curb. Common and integrated traffic movement drives between the service station and the remainder of the property shall be encouraged.
8. All planting areas shall be provided with a permanent irrigation system of a design suitable for the type and arrangement of the plant materials selected.
9. All planted areas shall be maintained so as not to constitute a health or fire hazard.

86.55.260 Auto repair.

An auto repair facility shall be subject to the applicable zoning regulations of this title, subject to the following:

- A. The repair activity shall be enclosed in a building.

86.55.270 Building materials retail sale.

A building materials retail sales use shall be subject to the applicable zoning regulations of this title, subject to the following:

- A. Outdoor storage yard activity shall be completely screened from public view.

86.55.280 Clubs, lodges, assembly halls, and public buildings.

A club, lodge, assembly hall or public building shall be subject to the applicable zoning regulations of this title, subject to the following:

- A. Any such use shall provide access without causing heavy traffic congestion on adjacent residential streets;
- B. They will not be a nuisance to residences or other adjacent uses; and
- C. Incidental commercial activity shall be confined completely within the building.

86.55.290 Industrial/manufacturing.

An industrial or manufacturing use involving the manufacture, repair or processing of materials or goods shall be subject to the applicable zoning of this title, subject to the following:

- A. The use shall be conducted within an enclosed building; and

B. Where materials or goods are to be stored outside, such materials or goods shall be completely screened from public view.

86.55.300 Hospital or convalescent hospital.

A hospital or convalescent hospital shall be subject to the applicable zoning regulations of this title, subject to the following. In any R Zone, other than the R-SCD Zone, the use:

A. Shall be located on a collector street or thoroughfare;

B. Shall be located on a parcel of one acre or more;

C. Shall maintain a 10-foot wide minimum landscaped strip or solid eight-foot fence or masonry zoning wall on all property lines abutting any R Zone (except that the fence or wall may be reduced to three and one-half feet in a landscaped front setback area not containing parking facilities); and

D. Shall have side yard and rear yard setbacks of at least 20 feet.

86.55.310 Kennels for dogs/cats.

Repealed by Ord. 1954. (Ord. 1885)

86.55.320 Reserved.

86.55.330 Repealed.

Repealed by Ord. 1827.

86.55.340 Lodging houses.

A lodging house shall be subject to the applicable zoning regulations of this title, subject to the following:

A. The use shall occur in a structure constructed prior to 1900 for which City of Coronado historic resource designation must be obtained and maintained per CMC Title 84.

B. The historic dwelling unit shall be maintained on its original site in a manner to reflect the dwelling's original architecture, massing and bulk. (Ord. 2018 §§ 6, 7, 2010; Ord. 1788)

86.55.350 Mixed use development.

A. Mixed use development incorporating residential uses may be allowed in the Central Commercial or Limited Commercial Zones as a "Planned Community Development" per the standards and procedures of Chapter 86.46 CMC and the residential density permitted in the R-4 Zone.

B. *Repealed by Ord. 1954. (Ord. 1954 § 16, 2003; Ord. 1868)*

86.55.360 Formula fast food restaurants.

A. Purpose. The purpose of the standards in this section is to regulate the number, location and operation of formula fast food restaurants in order to maintain the City's unique village character, the vitality of our commercial districts, and the quality of life of Coronado residents.

B. Regulations.

1. The formula fast food restaurant shall fully comply with all applicable regulations in this code.

2. The regulations in this section shall be used by the Planning Commission in reviewing an application or amendment for a minor special use permit concerning a formula fast food restaurant, and by staff when reviewing a building permit application, an application for occupancy or a Design Review or Planning Commission application.

3. A formula fast food restaurant may only be established on a site after obtaining a minor special use permit from the City for the operation of that use on said site. Similarly, a formula fast food restaurant may only relocate or physically expand in a manner to increase its seating capacity after obtaining a minor special use permit or minor SUP amendment as applicable.

4. Change of ownership shall not, by itself, require obtaining a minor special use permit or minor SUP amendment as applicable.

C. Establishment or Relocation. A formula fast food restaurant may only be established or relocated:

1. On a site that is not located on a street corner; except such a restaurant may be located on a street corner where the immediate prior use was a formula fast food restaurant;

2. Where it would not result in two or more formula fast food restaurants operating on that site (i.e., two or more formula fast food restaurant business entities requiring separate business licenses, or displaying in a manner visible from public property separate business trademarks, logos, service marks or other mutually identifying names or symbols, for the daily or weekly conducting of business on the same site);

3. When it would not result in formula fast food restaurants operating at more than 10 sites under the jurisdiction of this title; and

4. So long as the Planning Commission finds that establishing or relocating the formula fast food restaurant will not increase the intensity of use on the site to a level that will adversely impact:

a. Land uses in the area;

b. Pedestrian or motor vehicle traffic; or

c. The public welfare.

D. Physical Expansion. An existing formula fast food restaurant may only be physically expanded in a manner to increase seating capacity:

1. Onto a site other than a corner;

2. Where it would not result in two or more formula fast food restaurants operating on that site (i.e., two or more formula fast food restaurant business entities requiring separate business licenses, or displaying in a manner visible from public property separate business trademarks, logos, service marks or other mutually identifying names or symbols, for the daily or weekly conducting of business on the same site); and

3. So long as the Planning Commission finds that physically expanding the formula fast food restaurant will not increase the intensity of use on the site to a level that will adversely impact:

a. Land uses in the area;

b. Pedestrian or motor vehicle traffic; or

c. The public welfare.

E. Trash. The formula fast food restaurant will operate in accordance with a “trash disposal plan,” approved by the Planning Commission. The plan shall address litter control, trash collection, on-site storage, and pick up on a regular basis. The plan shall include proof of a contract with the City disposal contractor, and specify that such a contract shall be maintained as a requirement for the issuance and retention of the minor use permit.

F. Design Review. Establishment or external alteration of a formula fast food restaurant is subject to Design Review Commission review. (Ord. 1901; Ord. 1881)

86.55.370 Formula business.

A. Purpose. The purpose of the standards in this section is to regulate the location and operation of formula business establishments in order to maintain the City’s unique village character, the diversity and vitality of the community’s commercial districts, and the quality of life of Coronado residents. It is presumed that establishing or preserving an appropriate and balanced mix of local, regional, and national-based businesses and small, medium or large-sized

businesses will more effectively serve to achieve this purpose as a strategy to maintain the economic health of the community's business districts and the small-scale eclectic ambiance.

B. Regulations.

1. A formula business establishment may be allowed in the Hotel-Motel Zone with a major special use permit;
2. The cumulative expansion of a formula business establishment by 500 or more square feet of floor area shall require a minor special use permit amendment or a minor SUP if the establishment does not already have a major special use permit;
3. A formula business establishment (except for grocery stores, banks, savings and loans, full service restaurants and theaters) shall not have a street level frontage of greater than 50 linear feet on any street or have its retail space occupy more than two stories;
4. A formula business establishment shall fully comply with all applicable regulations of this code including environmental design review; and
5. Change of ownership of an existing formula business establishment shall not, by itself, require obtaining a major special use permit or major SUP amendment as applicable.

C. Required Findings for Approval.

1. The formula business establishment will be compatible with existing surrounding uses, and has been designed and will be operated in a nonobtrusive manner to preserve the community's character and ambiance;
2. Approval of the formula business establishment will be consistent with the policies and standards of the General Plan and the local coastal program, and that the proposed intensity of uses on the sites is appropriate given the uses permitted on the site and on adjoining sites by these documents;
3. Approval of the formula business establishment will contribute to an appropriate balance of local, regional or national-based businesses in the community; and
4. Approval of the formula business establishment will contribute to an appropriate balance of small, medium and large-sized businesses in the community. (Ord. 1954 § 14, 2003; Ord. 1919)

86.55.380 Emergency shelters.¹

Repealed by Ord. 2040. (Ord. 2015 § 17, 2010)

¹ Code reviser's note: Ordinance No. 2015 adds these provisions as CMC 86.55.370. This section has been editorially renumbered to prevent duplication of numbering.

Chapter 86.56

SPECIAL PROVISIONS

Sections:

- 86.56.005 Family day care home.
- 86.56.010 Low Barrier Navigation Centers.
- 86.56.020 Repairing, cleaning, maintenance associated with permitted use.
- 86.56.030 Restaurants with entertainment facilities, night clubs and similar recreation facilities.
- 86.56.035 Drive-thru restaurants.
- 86.56.040 Trash storage.
- 86.56.045 Exception – Building height limits for development located in all zones except R-1A, R-1A(BF), R-1B, R-3 and R-4 Zones.
- 86.56.048 Exception – Building height limits for multiple-family and nonresidential development in the R-4 Multiple-Family Residential Zone.
- 86.56.050 Exceptions – Height limits.
- 86.56.070 Trailers, mobile homes, travel trailers, camp cars, campers.
- 86.56.080 Boats, ships or other watercraft.
- 86.56.090 Main buildings.
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- 86.56.105 Accessory dwelling unit and junior accessory dwelling units.
- 86.56.110 Carriage house.
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- 86.56.160 Fences, walls or hedges – Height limit, side or rear yard.
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- 86.56.600 Setback exceptions – Stairways, balconies, and decks except for multiple-family residential development in the R-4 Zone.
- 86.56.602 Setback exceptions – Stairways, balconies, decks, and bay windows for multiple-family development in the R-4 Zone.
- 86.56.604 Setback exceptions – Encroachment of main building into required front and rear yards except for multiple-family residential development in the R-4 Zone.
- 86.56.606 Setback exceptions – Encroachment of main building into required front yard for multiple-family residential development in the R-4 Zone.
- 86.56.608 Exceptions – Porte-cochere except for multiple-family residential development in the R-4 Zone.
- 86.56.610 Exceptions – Porches and landing places except for multiple-family residential development in the R-4 Zone.
- 86.56.615 Exceptions – Porches and landing places for multiple-family residential development in the R-4 Zone.
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- 86.56.640 Exceptions – Alley splits.
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- 86.56.670 Massage establishment.
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- 86.56.730 Amusement device center – Location.
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- 86.56.770 Private storage space for residential condominium complexes.
- 86.56.780 *Reserved.*
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- 86.56.800 Development landscaping required.
- 86.56.810 Historic resources.
- 86.56.820 Vacant premises.
- 86.56.830 Manufactured housing requirements.
- 86.56.840 Undergrounding of utilities for residential zones.

86.56.005 Family day care home.

A. “Family day care home” means a home which regularly provides care, protection, and supervision of 12 or fewer children in the provider’s own home, for periods of less than 24 hours per day, while the parents or guardians are away, of which there are two types:

- 1. “Large family day care home” means a home which provides family day care to seven to 12 children, inclusive, including children who reside at the home; and
- 2. “Small family day care home” means a home which provides family day care to six or fewer children, including children who reside at the home.

B. A large family day care home shall be subject to the applicable zoning regulations of this title including the general regulations of residential uses, subject to the following:

- 1. An application for a large family day care home shall be processed by the Director of Community Development in accordance with the standards presented in Section 1597.46(a)(3) of the State of California Health and Safety Code;
- 2. Large family day care homes shall have available for use one parking space per two employees and/or resident adults, calculated for that month, day and hour of operation when the greatest number of such employees and/or adults could be on site, but shall not be required to provide parking in excess of that required by this code for the underlying residential land use;
- 3. Large family day care homes shall provide a zoning wall acceptable to the Director of Community Development around rear or side yards utilized for play areas. In nonresidential zones, a zoning wall may also be required by the Director of Community Development for the front yard if it is to be utilized as a play area. Such a front yard zoning wall shall also be subject to Director review;
- 4. Large family day care homes shall not be permitted in the following locations in Residential Zones unless a finding is made by the Director of Community Development that closer proximity of such facilities to each other will not negatively effect the character of the specific neighborhood surrounding the proposed site for such a facility:
 - a. On the same block face as any other large family day care home; or
 - b. Within 300 feet of any other large family day care home. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.010 Low Barrier Navigation Centers.

A low barrier navigation center, as defined in Government Code Section 65660, is allowed by right in areas zoned for mixed use and in nonresidential zones permitting multifamily uses, provided that the use meets the requirements specified in Government Code Section 65662.

(Ord. 2062 § 2 (Exh. A), 2016)

86.56.020 Repairing, cleaning, maintenance associated with permitted use.

Facilities for the repairing, cleaning or maintenance of materials associated with the primary or accessory use shall be subject to the following minimum requirements:

- A. All buildings and equipment shall observe the same yard requirements applicable to all buildings within the zone.
- B. Such facilities shall be surrounded by a solid masonry wall or chain link fence subject to Community Development Department approval, not less than six feet in height, with lockable gates at all access points.
- C. The wall or fence shall be set back not less than 15 feet from the principal street frontage and the space between the wall and street lot line provided with permanent landscaping and adequate sprinklers or appropriate automatic irrigation devices.
- D. The wall or fence may be waived by the Planning Commission if they find there would be no detrimental effect on the adjacent areas by elimination of this requirement. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.030 Restaurants with entertainment facilities, night clubs and similar recreation facilities.

Restaurants with entertainment facilities, nightclubs, and similar recreation facilities shall comply with the following provisions:

- A. Any such use shall show that adequate controls or measures will be taken to prevent offensive noise or vibration in conformance with the noise ordinance of the City.
- B. They will not be a nuisance to residences or other adjacent uses. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.035 Drive-thru restaurants.

Drive-thru restaurants are prohibited. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.040 Trash storage.

Any change of land use or buildings constructed, reconstructed, enlarged, added to or structurally altered in all Multiple-Family, Commercial and Industrial Zones shall provide for adequate trash storage as follows:

- A. All trash areas shall be enclosed within a minimum five-foot-high masonry wall or fence.
- B. At no time shall the trash exceed the height of the fence or wall.
- C. The precise location of any trash area shall be approved by the Community Development Department upon review of the site plan.
- D. The trash enclosure shall be permanently and continuously maintained. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.045 Exception – Building height limits for development located in all zones except R-1A, R-1A(BF), R-1B, R-3 and R-4 Zones.

For all zones except R-1A, R-1A(BF), R-1B, R-3 and R-4 Zones, in no case shall the average height of a roof's highest ridge or the average height of a parapet exceed by more than 10 percent the maximum building height permitted in the zone. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.048 Exception – Building height limits for multiple-family and nonresidential development in the R-4 Multiple-Family Residential Zone.

A. For multiple-family and nonresidential development in the R-4 Multiple-Family Residential Zone with a flat roof and parapet, mansard, or sloped roof less than 2:12, cable railing systems that are 90 percent transparent may extend two feet beyond the allowable building height.

B. For multiple-family and nonresidential development in the R-4 Multiple-Family Residential Zone, a maximum of 20 percent of allowable lot coverage (building footprint) can be increased to 40 feet in building height if the following criteria are met:

1. The roof increased beyond 35 feet has a pitch equal to or greater than 2:12.
2. The building volume of the main building adjoining or adjacent to the building bulk of the structure increased beyond 35 feet is reduced in a proportionate fashion so that the net result is that the total building volume of all structures is not increased.
3. The increased building height shall be compatible with adjoining properties as determined by the Design Review Commission. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.050 Exceptions – Height limits.

Height limitations imposed in this title shall not apply to:

- A. Church spires, flagpoles and monuments erected on public property, and similar architectural features when approved by the Design Review Commission;
- B. Vents and chimneys. In no case shall the height or bulk of said items exceed the minimum height or bulk required by the Uniform Building Code;
- C. Cupolas, domes, towers, sky lights, spires, flagpoles or masts, and similar architectural features (excluding enclosed or covered structures providing access to roofs or roof decks, which are not allowed to exceed height limits, e.g., enclosed or covered stairwells or elevators) in accordance with the following limits:

1. Single-family dwelling or duplex main buildings in all zones except for the R-1A(BF) Subzone:
 - a. The total of said features shall not exceed 100 square feet and 10 feet in width or diameter on any one side up to a maximum of 25 feet in height;
 - b. The total of said features shall not exceed 36 square feet and six feet in width or diameter on any one side up to a maximum of 28 feet in height;
 - c. The total of said features shall not exceed 16 square feet and four feet in width or diameter on any one side up to a maximum of 33 feet in height;
 - d. The total of said features shall not exceed one square foot and one foot in width or diameter on any one side up to a maximum of 35 feet in height.
2. Multiple-family dwellings or nonresidential main buildings in the R-3 Zone:
 - a. The total of said features shall not exceed 100 square feet and 10 feet in width or diameter on any one side up to a maximum of 30 feet in height;
 - b. The total of said features shall not exceed 36 square feet and six feet in width or diameter on any one side up to a maximum of 33 feet in height;
 - c. The total of said features shall not exceed 16 square feet and four feet in width or diameter on any one side up to a maximum of 38 feet in height;

d. The total of said features shall not exceed one square foot and one foot in width or diameter on any one side up to a maximum of 40 feet in height.

3. Multiple-family dwellings or nonresidential main buildings in nonresidential zones:

a. The total of said features shall not exceed 100 square feet and 10 feet in width or diameter on any one side up to a maximum of 40 feet in height;

b. The total of said features shall not exceed 36 square feet and six feet in width or diameter on any one side up to a maximum of 43 feet in height;

c. The total of said features shall not exceed 16 square feet and four feet in width or diameter on any one side up to a maximum of 48 feet in height;

d. The total of said features shall not exceed one square foot and one foot in width or diameter on any one side up to a maximum of 50 feet in height;

D. Elevator shafts and mechanical equipment associated with multiple-family residential development in the R-4 Zone cannot exceed 35 feet in height subject to the following conditions:

1. Mechanical equipment shall not exceed an area of 25 square feet per dwelling unit.

2. Mechanical equipment shall be architecturally compatible with the building and be approved by the Design Review Commission. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.070 Trailers, mobile homes, travel trailers, camp cars, campers.

A. It is unlawful to use a trailer, travel trailer, mobile home, camp car, camper, or similar vehicle for living or sleeping purposes on private property, except for temporary period(s) not to exceed 10 days during any 90-day period by guests or visitors of residents and/or homeowners of the City, subject to the locational restrictions specified for unoccupied vehicles of this type in subsection B of this section.

B. A trailer, travel trailer, mobile home, camp car, camper or similar vehicle may be stored only upon the rear of the property owned or rented by the owner of said motor vehicle or trailer.

C. It is unlawful to park or store a trailer, travel trailer, mobile home, camp car, camper or similar vehicle greater than 18 feet in length, 95 inches in width, or six feet in height (including its cargo) on any portion of the lot between the main building and the front property line including a driveway in said area, except for temporary period(s) not to exceed 10 days during any 90-day period.

D. It is unlawful to use a trailer, travel trailer, mobile home, camper or similar vehicle for office purposes in any zone, except that a general contractor and/or property owner or lessee may obtain a temporary permit for the parking of one or more such vehicles described above for watchmen, supervisory or other personnel, or for use as a temporary office at or immediately adjoining a major construction site upon commencement of such construction. Any such permit shall be issued by the Director of Community Development, after an application, in writing, is submitted by the general contractor specifying the following:

1. The number of such vehicles and number of personnel to occupy such vehicles;

2. The hours during which such personnel will occupy such vehicles;

3. The total period for which such permit is sought; and

4. All trailers for which a permit is issued shall be removed from the premises within 10 days from notification of expiration of the temporary permit or an extension thereof. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.080 Boats, ships or other watercraft.

A. It is unlawful to use a boat, ship or any other watercraft for living or sleeping purposes except when moored at an authorized water berth designed for such purpose.

B. Boats or boat trailers shall be placed, kept or maintained only upon the rear of the property of the resident if accessible for such use, and if not accessible, the side yard (except one of the required side yards shall remain unobstructed) area may be utilized for such purpose and screening from public view is encouraged.

C. It is unlawful to park or store a boat, boat trailer, or a boat on a trailer greater than 18 feet in length, 95 inches in width, or six feet in height on any portion of the lot between the main building and the front property line, including a driveway in said area, except for temporary period(s) not to exceed 10 days during any 90-day period. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.090 Main buildings.

There shall be a minimum 10-foot separation between all main buildings on a lot except for main buildings in the R-1A Zone and R-1A Subzones which shall maintain a minimum 20-foot separation. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.100 Accessory buildings.

A. An accessory building may be erected detached from the main building on a lot.

B. Any accessory building attached to the main building shall be made structurally a part of the main building and shall comply in all respects with the requirements of this title applicable to the main building prior to said attachment. A structural attachment shall consist of the following minimum standards:

1. It shall be made an integral part of the structure of the main building by providing an adjoining foundation as well as vertical and horizontal building elements.
2. It shall constitute an enclosed or enclosable space for the purpose of providing a functional use for the attachment, such as, but not limited to, a habitable room, storage or laundry facility. Roof connections, fences, walls, patio covers, and aboveground utilities shall not be considered as structural attachments.

C. Accessory buildings shall be separated from all other accessory buildings, patios, covered parking and similar structures by a distance of at least six feet or may be attached.

D. Accessory buildings may occupy not more than 25 percent of a required rear yard, provided such buildings are located at least 10 feet from the nearest part of a main building, are not more than one story (except for a "carriage house") and comply with the zone height limit for accessory buildings.

E. Detached garages and/or covered parking required to comply with Chapter 86.58 CMC (Off-Street Parking) shall not be limited by the foregoing 25 percent structural coverage requirement and may be located at least six feet from the nearest part of a main building or may be attached to the main building. That portion extending into the required rear yard shall not exceed one story and shall comply with the zone height limit for accessory buildings.

F. Metal storage buildings not exceeding 100 square feet in area must maintain required side and rear yard setbacks for accessory buildings but shall not be required to meet any building separation requirements. Metal storage buildings exceeding 100 square feet shall comply with all requirements pertaining to accessory buildings.

G. In any case where a through lot has a depth of not more than 140 feet, accessory buildings may be located in one of the required front yards; provided, every portion of such building is at least 10 feet from the nearest lot line, does not exceed one story and complies with the zone height limit for accessory buildings.

H. An accessory building shall not constitute a separate dwelling unit unless it is established as an ADU in accordance with CMC 86.56.105. Accessory buildings that are "habitable units" shall not contain a kitchen and shall be only for use by the resident of the main building or such resident's guests. Accessory buildings or "habitable units" within accessory buildings shall not be rented, let or leased independent of the main building for any lot. Except as otherwise provided herein, no building or portions of buildings shall be leased apart from the entire parcel, and any agreement to rent, let, or lease any portion of a building, home, or lot contrary to the provisions of this subsection shall be a violation of this chapter unless it includes all buildings and all habitable units on the lot or parcels comprising the residential lot as the defined tenancy under the lease.

A covenant prepared by the City of Coronado, signed by the property owner and recorded by the San Diego County Recorder's Office outlining the regulations of accessory buildings and habitable units shall be required prior to

construction plans being approved and a building permit being issued for conversion to, or construction of, a habitable unit or carriage house.

1. Notwithstanding the restrictions on the lease of portions of buildings provided in this subsection H, an owner of a property may enter into a lease for any habitable unit in a home in which the property owner is also residing, which is not located in an accessory building or structure.
2. Nothing herein shall permit the lease of a room as a “habitable unit” where the room is separated from the home or building by means of walls or doors locked, or lockable, from the main building or home in order to prevent entry, and where the tenant is required to access the unit from an exterior door not shared by the owner or any other occupants of the building or home. (Ord. 2067 § 5 (Exh. A), 2017; Ord. 2062 § 2 (Exh. A), 2016)

86.56.105 Accessory dwelling unit and junior accessory dwelling units.

A. Purpose and Findings.

1. The purpose of this section is to provide regulations for the establishment of accessory dwelling units in residential zones and to define an approval process for such accessory dwelling units consistent with Government Code Sections 65852.2 and 65852.22, or any successor statute. The intent of this section is to provide opportunities for more affordable housing in areas where adequate public facilities and services are available, and impacts upon the residential neighborhoods directly affected would be minimized. It is also the goal to provide development standards to ensure the orderly development of these units in appropriate areas of the City. It is the goal of the Council that accessory dwelling units be equitably distributed throughout the City.
2. The City of Coronado is located entirely within the Coastal Zone and the City’s Local Coastal Program Land Use Plan was certified by the California Coastal Commission in December of 1983. The City is an isolated dense community established in a tight “grid pattern” over 100 years ago and is bordered almost entirely by the San Diego Bay and Pacific Ocean, with access to the City being only from State Route 75 from the south or the Coronado Bay Bridge. The City has numerous coastal resources that attract over 2,000,000 annual visitors, including public beaches, the San Diego Bay, Glorietta Bay, and the Hotel del Coronado. The annual visitors, coupled with historic development patterns of the City has created a significant impact on the City’s limited parking supply in the Coastal Zone that would be exacerbated by allowing accessory dwelling units and junior accessory dwelling units to be built without certain parking requirements, including replacement parking, as it would shift residential parking from on-site to on-street. The City’s Certified Local Coastal Program mandates certain parking requirements to be met, including the number of off-street parking spaces for dwellings, to ensure and maintain public access to the coast. The California Coastal Act of 1976 is neither superseded nor in any way altered or lessened as provided for in Government Code Section 65852.2(I).
3. Junior and accessory dwelling units are residential uses consistent with the uses permitted in zones that allow for residential and mixed use residential development.
4. Junior and accessory dwelling units developed pursuant to the requirements of this subsection shall not cause the lot upon which the accessory dwelling unit is located to exceed the allowable density otherwise permitted for the lot. Therefore, the accessory dwelling unit/junior accessory dwelling unit shall not count as units when calculating density of the lot.

B. Junior and accessory dwelling units shall be permitted in zones which allow residential and mixed use residential development and shall comply with the following standards:

1. A detached primary single-family dwelling unit shall exist or be proposed on the lot, or existing multifamily dwelling units shall exist on the lot.
2. The accessory dwelling unit may be created within the existing walls of a primary residence or accessory structure (an “interior” accessory unit), may be created by an addition attached to an existing or proposed primary residence (an “attached” accessory dwelling unit), or may be a new structure detached from the primary residence (a “detached” accessory dwelling unit). It must be located on the same lot as the existing or proposed single-family home or multifamily dwelling.

3. Any construction of a junior or accessory dwelling unit shall conform to all property development regulations of the zone in which the property is located including, but not limited to, height limits, setback, lot coverage, landscape, and floor area ratio (FAR), as well as all fire, health, safety and building provisions of this title, subject to the following exceptions:

- a. No setback is required for an existing living area converted to a junior or accessory dwelling unit or for an existing accessory structure converted to an accessory dwelling unit, or for a new accessory dwelling unit constructed in the same location and built to the same dimensions as a legally approved existing structure. Verification of size and location of the existing and proposed structure by City staff requires pre- and post-construction surveys by a California licensed land surveyor.
- b. For all other accessory dwelling units, a minimum setback of four feet, or the applicable setback for the zone district, whichever is less, is required from the rear and side property lines.
- c. Limits on lot coverage, floor area ratio, open space, front setbacks, and size (“specified standards”) must permit at least an 800-square-foot detached or attached accessory dwelling unit 16 feet high with four-foot side and rear yards (“baseline ADU”) if the proposed accessory dwelling unit is in compliance with all other development standards. The Community Development Director shall grant an exception to a specified standard if:
 - i. The specified standard would physically preclude the creation of a baseline ADU otherwise allowed by this section;
 - ii. The exception is the minimum necessary to allow for a baseline ADU; and
 - iii. There is no feasible alternative to achieve a baseline ADU without the exception.

4. Proposed development projects that include a new single-family residence and an accessory dwelling unit or a junior accessory dwelling unit are required to comply with floor area ratio limits and other applicable development standards contained in the City’s Zoning Ordinance.

5. No more than one junior accessory dwelling unit or one accessory dwelling unit shall be permitted per single-family lot, except as permitted in subsection (C)(2) of this section.

6. For a junior or accessory dwelling unit that is contained within or attached to the primary dwelling, there shall be an independent exterior access.

7. The floor area of an attached or detached accessory dwelling unit shall not exceed 850 square feet for a studio or one bedroom or 1,000 square feet for a unit that contains more than one bedroom. No accessory dwelling unit may be smaller than the size required to allow an efficiency unit as defined in Section 17958.1 of the Health and Safety Code.

8. Height.

a. A new detached structure or an addition to an existing detached structure for an accessory dwelling unit shall not exceed 16 feet in height, except as follows:

- i. A maximum height of 18 feet is allowed for a detached accessory dwelling unit on a lot with an existing or proposed single family or multiple-family dwelling unit that is within one-half of one mile walking distance of a major transit stop or a high-quality transit corridor, as those terms are defined in Section 21155 of the Public Resources Code. An additional 2 feet in height is allowed to accommodate a roof pitch on the accessory dwelling unit that is aligned with the roof pitch of the primary dwelling unit.
- ii. A maximum height of 18 feet is allowed for a detached accessory dwelling unit on a lot with an existing or proposed multiple-family, multistory dwelling.

b. Accessory dwelling units attached to the primary dwelling are subject to the height requirements of the primary dwelling.

c. Height is measured from preexisting grade or finished grade, whichever is lower, to the highest point of the roof.

9. The junior and accessory dwelling unit shall not be owned, sold, transferred, or otherwise conveyed sold separate from the primary residence.

10. Junior and accessory dwelling units shall only be used for rentals of terms of six consecutive months or more.

11. The following provisions are applicable to junior accessory dwelling units:

a. A junior accessory dwelling unit shall not exceed 500 square feet in size and shall contain at least an efficiency kitchen which includes cooking appliances (i.e., stove, oven, and microwave), refrigerator, a sink with garbage disposal, and a food preparation counter and storage cabinets that are of reasonable size in relation to the junior accessory dwelling unit.

b. The junior accessory dwelling unit shall include access to sanitation facilities.

c. One of the dwellings on the lot must be the bona fide principal residence of at least one legal owner of the lot, as evidenced at the time of approval and upon demand thereafter of the junior accessory dwelling unit by appropriate documents of title and residency.

d. Prior to issuance of a building permit for a junior accessory dwelling unit, the owner shall record a covenant in a form prescribed by the City Attorney, which shall run with the land and provide for the following:

i. A prohibition on the separate ownership, sale, transfer, or other conveyance of the junior accessory dwelling unit separate from the sale of the single-family residence;

ii. A restriction on the size and attributes of the junior accessory dwelling unit consistent with this section;

iii. A prohibition against renting the junior accessory dwelling unit for fewer than six consecutive months; and

iv. A requirement that either the primary residence or the junior accessory dwelling unit be the owner's bona fide principal residence, unless the owner is a governmental agency, land trust, or housing organization.

12. To ensure compliance with the provisions of the California Coastal Act of 1976 and the approved Land Use Plan of the City's Certified Local Coastal Program, the following parking requirements apply:

a. A maximum of one parking space shall be required for each accessory dwelling unit, except that no spaces are required for accessory dwelling units deed restricted to be affordable to low, very low, and extremely low income households as defined in the City's General Plan Housing Element.

b. No additional parking is required for a junior accessory dwelling unit.

c. When additional parking is required for an ADU, the parking may be provided as tandem parking, may be covered or uncovered, and may be located in side and rear yard setback areas. ADU parking within the front yard setback area is limited to within an existing driveway.

d. If an ADU or JADU replaces an existing garage or other required parking, replacement spaces shall be provided. When required parking is removed in conjunction with the establishment of an ADU, required

replacement spaces may be covered or uncovered and may be located within side and rear yard setback areas. Parking within the front yard setback area is limited to within an existing driveway.

e. A maximum of one parking space shall be required for a carriage house converted to an accessory dwelling unit, except that no space is required for a converted unit deed restricted to be affordable to low, very low, and extremely low income households as defined in the City's General Plan Housing Element.

13. Design. A junior or accessory dwelling unit, whether attached or detached, shall utilize the same architectural style, exterior materials, and colors as the existing or proposed primary dwelling, and the quality of the materials shall be the same or exceed that of the primary dwelling.

14. Except as provided in subsection (B)(16) of this section, accessory dwelling units shall provide a new or separate utility connection directly between the accessory dwelling unit and the utility. The connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed accessory dwelling unit, based upon either its size in square feet or the number of its plumbing fixtures, upon the water or sewer system; provided, however, that this fee or charge shall not exceed the reasonable cost of providing this service. A submeter may be allowed to meet this requirement.

15. The installation of a new or separate utility connection directly between the accessory dwelling unit and the utility shall not be required, and a related connection fee or capacity charge shall not be imposed for the following:

a. Junior accessory dwelling unit.

b. Accessory dwelling unit meeting the requirements of subsection (C)(1) of this section.

16. Accessory dwelling units shall not be required to provide fire sprinklers if they are not required for the primary residence. The construction of an accessory dwelling unit shall not trigger a requirement for fire sprinklers to be installed in the existing primary residence.

17. No impact fees may be imposed on a junior or accessory dwelling unit that is less than 750 square feet in size. For purposes of this section, "impact fees" include the fees specified in Sections 66000 and 66477 of the Government Code, but do not include utility connection fees or capacity charges. For accessory dwelling units that have a floor area of 750 square feet or more, impact fees shall be charged proportionately in relation to the square footage of the primary dwelling unit.

C. The following types of accessory dwelling units are required to be permitted. Other accessory dwelling units, including attached and detached accessory dwelling units, are also permitted if they conform to the requirements of subsection B of this section:

1. One junior accessory dwelling unit or accessory dwelling unit within the existing space of a single-family dwelling or accessory structure or the proposed space of a single-family structure if all the following apply:

a. In an accessory structure an expansion beyond the existing physical structure is limited to 150 square feet and is permitted solely to accommodate ingress and egress.

b. The unit has exterior access separate from the existing or proposed single-family dwelling.

c. The side and rear setbacks are sufficient for fire and safety.

d. Any junior accessory dwelling unit complies with subsection (B)(12) of this section.

2. One new accessory dwelling unit not larger than 800 square feet or more than 16 feet high, with side and rear yard setbacks of at least four feet on a lot with an existing or proposed single-family dwelling. A junior accessory dwelling unit complying with subsection (B)(12) of this section may be developed on the same lot.

3. Accessory dwelling units within the portions of an existing multiple-family dwelling structure that are not used as livable space; provided, that each unit complies with State building standards for dwellings. An

accessory dwelling unit shall not be created within any portion of the habitable area of an existing dwelling unit in a multiple-family structure. Up to 25 percent of the number of existing multiple-family units in the building, but at least one unit, shall be allowed.

4. Up to two detached accessory dwelling units on a lot with an existing multiple-family dwelling structure, provided that the height does not exceed 16 feet and that four-foot side and rear yard setbacks are maintained. If the existing multiple-family dwelling structure has a rear or side setback of less than four feet, the City shall not require any modification of the existing multiple-family dwelling as a condition of approving the application to construct the accessory dwelling unit.

D. An existing carriage house that complies with the standards in CMC Section 86.56.110 may be converted to an accessory dwelling unit by installing permanent provisions for living, sleeping, eating, cooking, and sanitation. A carriage house converted to an accessory unit must continue to comply with all standards in CMC Section 86.56.110.

E. A separate application is required for every junior and accessory dwelling unit. Applications for junior and accessory dwelling units conforming to the requirements of subsection B or C of this section shall be considered ministerially without discretionary review or a hearing and the director of community development shall approve or deny such applications within 60 days after receiving a complete application. Incomplete applications will be returned with an explanation of what additional information is required. If the City denies an application for an accessory dwelling unit or junior accessory dwelling, the City shall, within the 60-day review period, return in writing a full set of comments to the applicant with a list of items that are defective or deficient and a description of how the application can be remedied by the applicant. The City shall grant a delay in processing if requested by the applicant. If the permit application for a junior or accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot, the application for the junior or accessory dwelling unit shall not be acted upon until the City acts on the permit application for the new single-family dwelling, but thereafter shall be ministerially processed within 60 days of receipt of a complete application and approved if it meets the requirements of this section. A demolition permit for a detached garage that is to be replaced with an accessory dwelling unit shall be reviewed by the City with the application for the accessory dwelling unit and issued at the same time. Replacement parking for the demolished garage shall be provided pursuant to subsection (B)(12)(d) of this section. Occupancy of the junior or accessory dwelling unit shall not be allowed until the City approves occupancy of the primary dwelling.

E. Prior to the issuance of a building permit for a junior or accessory dwelling unit, the property owner shall record a covenant with the County Recorder's Office, the form and content of which is satisfactory to the City Attorney. The covenant shall notify future owners of the owner occupancy requirements, prohibition on the separate conveyance, the approved size and attributes of the unit, and minimum rental period restrictions. This covenant shall remain in effect so long as the junior or accessory dwelling unit exists on the lot.

F. In cases of conflict between this section and any other provision of this title, the provisions of this section shall prevail. To the extent that any provision of this section is in conflict with State law, the applicable provision of State law shall control, but all other provisions of this section shall remain in full force and effect. (Ord. 2021-02 § 3 (Exh. A), 2021; Ord. 2020-03 § 3 (Exh. A), 2020; Ord. 2075 § 3 (Exh. A), 2018; Ord. 2072 § 3 (Exh. A), 2017; Ord. 2067 § 5 (Exh. A), 2017)

86.56.120 Mechanical equipment.

A. Setbacks. New or replacement mechanical equipment such as, but not limited to, air conditioning and pool equipment, whether below or above grade, shall not be permitted in any required front, side or rear yards except that the front yard need not exceed 20 feet, the side yard 10 feet and the rear yard five feet. If located on a roof, the equipment shall be positioned a minimum of two feet from an exterior facade. Transformers, gas or electric meters, tankless water heaters designed as an architectural projection in accordance with CMC 86.56.580, and similar equipment shall be exempt from this section.

B. Required Screening. In all zones, all mechanical equipment where the top of said equipment is greater than six feet above grade shall be screened on all sides. The required screening shall be part of the building architecture and not a freestanding wall and said equipment or screening shall not protrude above the daylight plane or building

height limit. Mechanical equipment located in a front yard shall be screened on all sides. (Ord. 2068 § 2 (Exh. A), 2017)

86.56.130 Roof dormers.

A. A dormer with its lowest point of the vertical face above the ceiling joists of a second story, or greater than 18 feet in height above "grade," or a dormer with window openings into an attic above a second story, and which faces a side, front, or rear yard, shall be subject to the following requirements:

1. Each dormer facing a side property line shall be set back from the exterior side facade of the wall below a minimum of 50 percent of the required side yard setback and need not exceed three feet;
2. Each dormer facing a front or rear property line shall be set back from the exterior front or rear facade of the wall below a minimum of three feet;
3. Each dormer shall not exceed a width of eight feet, and there shall be a minimum separation between each dormer of no less than one and one-half times the width of the narrowest dormer along each respective front, side or rear of a building;
4. The total cumulative width of all dormers on any one front, side or rear of a building shall not exceed 35 percent of the length of the roof abutting the given front, side or rear yard, with a minimum cumulative width of eight feet permitted;
5. The highest point of any dormer shall be no higher than one foot lower than the ridge of the abutting main roof for roofs of less than 6:12 slope, or one foot, six inches lower than the ridge for roofs of 6:12 or greater slope;
6. Gable dormers shall be exempt from subsection A of this section if said dormers have a minimum roof pitch equal to or greater than the main roof, the exterior vertical face is continuous with the exterior facade of the story below and if the dormer contains windows they must open to the first or second story.

B. Each dormer shall contain vertical windows or vents of at least four square feet in cumulative size facing the adjoining front, side or rear yard (excluding gable dormers with a minimum roof pitch equal to or greater than the main roof and where the exterior vertical face is continuous with the exterior facade of the story below). (Ord. 2062 § 2 (Exh. A), 2016)

86.56.140 Roof decks and balconies above 14 feet.

A. A deck or balcony with a walking surface 14 feet or greater above "grade" shall be subject to the following requirements:

1. Design Review Commission approval shall be required;
2. Access to decks or balconies shall not be enclosed or covered unless the access is incorporated into the roof of the building, shall not be through a roof dormer, and shall not have the appearance of a separate structure;
3. No portion of decks or balconies shall be covered and shall be 100 percent permanently open;
4. No portion of decks or balconies or the top of structures or equipment placed on said decks or balconies (e.g., fireplaces and associated chimneys, spas, barbecues, storage cabinets, mechanical equipment, or similar) shall project beyond the daylight plane or exceed the allowable building height limit.

B. Design Review Commission approval shall not be required for a roof deck if all of the following is satisfied:

1. Does not exceeding 40 square feet;
2. Is solely for mechanical equipment;
3. Is located below the daylight plane and building height limit;

4. Is screened by the building architecture, not a freestanding wall and positioned a minimum of two feet from an exterior facade;
5. Is not accessed by permanent stairs or a permanent ladder;
6. Is not covered and is 100 percent permanently open to the sky. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.159 Fences, walls or hedges – Measurement of height.

The height of a fence, wall or hedge separating private property shall be measured from grade to the highest point on the fence, wall, or hedge. Where a fence, wall or hedge is located within a required front, side or rear yard where adjoining properties have unequal ground levels, the lower grade shall be used to measure the height.

The height of a fence, wall or hedge separating public and private property shall be measured from grade or the surface level of the public property closest to the property line on which the fence, wall or hedge is located, whichever is lower, to the highest point on the fence, wall or hedge. (Ord. 2068 § 2 (Exh. A), 2017)

86.56.160 Fences, walls or hedges – Height limit, side or rear yard.

Any fences, walls or hedges located in Residential Zones shall not exceed eight feet in height in a required side or rear yard and six feet in the area between the front or side lot line and the nearest building located on the lot when no front or side yard is required.

The following is an exception to this requirement: Hedges located in the rear yard of residentially zoned properties which abut an alley shall not exceed 10 feet in height. (Ord. 2087 § 3 (Exh. A), 2018; Ord. 2062 § 2 (Exh. A), 2016)

86.56.165 Fences, walls or hedges – Height limit, front yard.

A. Fences, walls, or hedges located within the required front yard shall not exceed four feet in height.

The following are exceptions to this requirement:

1. A fence or wall up to six feet in height may be located along the side property lines, within the front yard, and project into the front yard eight feet. Said six foot fence or wall shall extend no closer than 10 feet to the front property line;
2. Those lots which front solely on an alley or the following streets may enclose 100 percent of their front yards with an eight-foot wall, fence, or hedge: Third Street between A Avenue and Alameda Boulevard, all of Fourth Street, Alameda Boulevard between Third and Fourth Street and Pomona Avenue between Third and Fourth Street. Where walls or fences are permitted to be over four feet in height and adjoin public rights-of-way, said wall or fence shall be buffered with landscaping to soften the fence or wall. The proposed landscaping shall be approved by the City of Coronado prior to installation. Walls or fences over four feet in height, adjacent to an alley, are not required to be buffered with landscaping. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.170 Fences, walls or hedges – Height limit, street side yard.

Fences, walls, or hedges shall not exceed six feet in height in any required street side yard required on any corner lot.

Exception: Those lots which are located along the following streets may construct a fence, wall, or hedge not to exceed eight feet in height along the street side yard: Third Street between A Avenue and Alameda Boulevard, all of Fourth Street, Alameda Boulevard between Third and Fourth Street and Pomona Avenue between Third and Fourth Street. Where walls or fences are permitted to be over four feet in height in the street side yard, said fences or walls shall not be located within the sight triangle required in CMC 86.56.175. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.175 Vertical barriers – Fences, walls or hedges – Height limit, sight triangle for residential corner lot.

In the case of corner lots in Residential Zones, vertical barriers, including fences, walls and hedges, shall not exceed three feet in height in a triangle area created by a line connecting points along the street curb lines which are established 50 feet in distance from the intersection of such curb lines at the corner of a block. Exception: Single stem plants or trees without foliage between a height of three and eight feet may be planted and maintained within the corner triangular area and shall be measured from the established curb grade. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.180 Two-unit residential developments in single-family zones.

A. Purpose and Findings.

1. The purpose of this section is to provide regulations for the establishment of two-unit residential developments in single-family residential zones and to define an approval process for such two-unit residential developments consistent with Government Code Section 65852.21, or any successor statute. The intent of this section is to provide opportunities for more housing in existing single-family residential zones as mandated by State law. It is also the goal to provide development standards to ensure the orderly development of these units in appropriate areas of the City.
2. The City of Coronado is located entirely within the Coastal Zone and the City's Local Coastal Program Land Use Plan was certified by the California Coastal Commission in December of 1983. The City is an isolated dense community established in a tight "grid pattern" over 100 years ago and is bordered almost entirely by the San Diego Bay and Pacific Ocean, with access to the City being only from State Route 75 from the south or the Coronado Bay Bridge. The City has numerous coastal resources that attract over 2,000,000 annual visitors, including public beaches, the San Diego Bay, Glorietta Bay, and the Hotel del Coronado. The annual visitors, coupled with historic development patterns of the City, have created a significant impact on the City's limited parking supply in the Coastal Zone that would be exacerbated by allowing two-unit residential developments to be built without certain parking requirements, as it would shift residential parking from on site to on street. The City's Certified Local Coastal Program mandates certain parking requirements to be met, including the number of off-street parking spaces for dwellings, to ensure and maintain public access to the coast. The California Coastal Act of 1976 is neither superseded nor in any way altered or lessened as provided for in Government Code Section 65852.21(k), except that the City shall not be required to hold public hearings for coastal development permit applications for a two-unit residential development pursuant to this section.
3. Two-unit residential developments are residential uses consistent with the uses permitted in zones that allow for single-family residential development.
4. Government Code Section 65852.21 preempts the density limitations established by the General Plan and the underlying zones in which two-unit residential developments created pursuant to the requirements of this subsection are permitted. Incompatibility with the City's density limitations shall not provide a basis to deny a two-unit residential development that otherwise conforms to the requirements of this section.

B. A two-unit residential development containing no more than two residential units within a single-family residential zone shall be considered ministerially, without discretionary review or a hearing, if the proposed housing meets all of the standards set forth below. For purposes of this section, a two-unit residential development contains two residential units if the development proposes two new units or if it proposes to add one new unit to one existing unit.

1. If a parcel includes an existing single-family home, one additional unit of not more than 800 square feet may be developed pursuant to this section. No more than 25 percent of the existing exterior structural walls shall be demolished to create the two-unit residential development, unless the existing single-family home has not been occupied by a tenant in the last three years.
2. If a parcel does not include an existing single-family home, or if an existing single-family home is proposed to be demolished in connection with the creation of a two-unit residential development, two units of not more than 800 square feet each may be developed pursuant to this section.
3. Each unit in a two-unit residential development shall be separated by a distance of at least 10 feet from any other structure on the parcel; however, units may be adjacent or connected if the structures meet building code safety standards and are sufficient to allow separate conveyance.
4. No more than four units – including primary dwelling units, accessory dwelling units, and/or junior accessory dwelling units in any combination – may be created on a parcel. If a parcel was created subject to the urban lot split subdivision provisions of Chapter 82.68 CMC and includes an existing or proposed two-unit development, then no accessory dwelling units or junior accessory dwelling units are permitted on the parcel. If a parcel was not created subject to the urban lot split subdivision provisions of Chapter 82.68 CMC and

includes an existing or proposed two-unit development, then one accessory dwelling unit may be developed for each primary dwelling unit on the parcel. If a parcel was created subject to the urban lot split subdivision provisions of Chapter 82.68 CMC and includes one primary dwelling unit only, then one accessory dwelling unit or one junior accessory dwelling unit for each primary dwelling unit is permitted.

C. A two-unit residential development shall be prohibited in each of the following circumstances:

1. The two-unit residential development would require demolition or alteration of any of the following types of housing:
 - a. Housing that is subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of moderate, low, or very low income.
 - b. Housing that is subject to any form of rent or price control through a public entity's valid exercise of its police power.
 - c. Housing that has been occupied by a tenant in the last three years. An applicant for a two-unit residential development must demonstrate whether any existing housing on the parcel was owner occupied or vacant to Director's satisfaction.
2. The parcel subject to the proposed housing development is a parcel on which an owner of residential real property has exercised the owner's rights under Government Code Section 7060 et seq. to withdraw accommodations from rent or lease within 15 years before the date that the development proponent submits an application.
3. The parcel subject to the proposed housing development is located within a historic district or property included on the State Historic Resources Inventory, as defined in Public Resources Code Section 5020.1, or within a site that is designated or listed as a City or County landmark or historic property or district pursuant to a City or County ordinance.
4. If the two-unit residential development is on a parcel that does not meet the requirements of Government Code Section 65852.21(a)(2) or any successor provision thereof.
5. If the two-unit residential development would cause there to be more than four total units – including primary dwelling units, accessory dwelling units, and/or junior accessory dwelling units – on any single parcel or on any two parcels that were created using the urban lot split subdivision provisions of Chapter 82.68 CMC.
6. If the parcel includes an existing or proposed carriage house or habitable unit, as defined in Chapter 86.04 CMC, other than a primary dwelling unit, accessory dwelling unit, and/or a junior accessory dwelling unit.

D. Any construction of a two-unit residential development shall conform to all property development regulations of the zone in which the property is located including, but not limited to, height limits, stories, setback, lot coverage, landscape, and floor area ratio (FAR), as well as all fire, health, safety and building provisions of this title, subject to the following exceptions:

1. No setback shall be required for an existing structure or a structure constructed in the same location and to the same dimensions as an existing structure. Verification of size and location of the existing and proposed structure by City staff requires the applicant to provide pre- and post-construction surveys by a California licensed land surveyor to the City's satisfaction.
2. For all other dwelling units proposed in connection with a two-unit residential development, a minimum setback of four feet, or the applicable setback for the zone district, whichever is less, is required from the rear and side property lines.
3. Limits on lot coverage, floor area ratio, open space, and size must permit two units of 800 square feet in connection with a two-unit residential development. Any waivers or reductions of development standards shall be the minimum waiver or reduction necessary to avoid physically precluding two units of 800 square feet. No waivers or reductions to applicable requirements regarding stories, off-street parking, or front yard setbacks

shall be approved unless the applicant demonstrates to the Director's satisfaction that there is no other way to physically accommodate two 800-square-foot units on the site.

4. New dwelling units proposed in connection with a two-unit residential development shall not exceed 16 feet and one story in height.

5. New dwelling units proposed in connection with a two-unit residential development shall demonstrate compliance with any applicable Airport Land Use Commission requirements and/or restrictions on density.

6. All dwelling units created in connection with a two-unit residential development shall have independent exterior access.

7. For applications that do not involve an urban lot split subdivision pursuant to Chapter 82.68 CMC, one of the dwellings on the lot must be the bona fide principal residence of at least one legal owner of the lot containing the dwelling, as evidenced at the time of approval of the two-unit residential development by appropriate documents of title and residency. Prior to the issuance of a building permit, the applicant shall provide evidence that a covenant has been recorded stating that one of the dwelling units on the lot shall remain owner occupied.

8. Two-unit residential developments shall only be used for rentals of terms of longer than thirty days.

9. To ensure compliance with the provisions of the California Coastal Act of 1976 and the approved Land Use Plan of the City's Certified Local Coastal Program, the following parking requirements apply:

a. Parking spaces for new units shall be provided in accordance with Chapter 86.58 CMC.

b. If a two-unit residential development replaces an existing garage or other required parking, replacement spaces shall be provided in accordance with the requirements of the underlying zone.

10. Design. When a two-unit residential development dwelling unit is proposed on a parcel with an existing single-family dwelling unit, the new unit shall utilize the same exterior materials and colors as the existing dwelling unit.

11. Two-unit residential developments shall provide a new or separate utility connection directly between each dwelling unit and the utility. The connection may be subject to a connection fee or capacity charge.

12. Two-unit residential developments shall be required to provide fire sprinklers.

E. Applications for two-unit residential developments conforming to the requirements of this section shall be considered ministerially without discretionary review or a hearing by the Director of Community Development. Incomplete applications will be returned with an explanation of what additional information is required.

F. A proposed two-unit residential development may be denied if the Director of Community Development makes a written finding, based upon a preponderance of the evidence, that the proposed housing development project would have a specific, adverse impact, as defined and determined in Section 65589.5(d)(2) of the Government Code, upon public health and safety or the physical environment and for which there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

G. Prior to the issuance of a building permit for a two-unit residential development dwelling unit, the property owner shall record a covenant with the County Recorder's Office, the form and content of which is satisfactory to the City Attorney. The covenant shall notify future owners of the owner occupancy requirements, the approved size and attributes of the units, and minimum rental period restrictions. The covenant shall also reflect the number of units approved and provide that no more than four total units may be created on any single parcel or on any two parcels created using urban lot split subdivision procedures. If an urban lot split subdivision was approved, the covenant shall provide that no variances shall be permitted other than those code deviations expressly allowed by this chapter. This covenant shall remain in effect so long as a two-unit residential development exists on the parcel.

H. In cases of conflict between this section and any other provision of this title, the provisions of this section shall prevail. To the extent that any provision of this section is in conflict with State law, the applicable provision of State

law shall control, but all other provisions of this section shall remain in full force and effect. (Ord. 2021-06 § 2, 2021)

86.56.190 Supportive Housing.

Supportive housing is allowed by right in all zones where multiple-family and mixed uses are permitted, including nonresidential zones permitting multiple-family uses, provided that the use satisfies all requirements in Government Code Section 65651.

(Ord. 2062 § 2 (Exh. A), 2016)

86.56.200 Reserved.

(Ord. 2062 § 2 (Exh. A), 2016)

86.56.210 Repair of vehicles in Residential Zones.

The repair of all motorcycles, motor trucks and motor vehicles, as defined in the Vehicle Code of the State of California, is prohibited in any Residential Zone unless all of the following conditions are met:

- A. All major repair of vehicles shall be conducted within a totally enclosed garage or behind a fence or wall not less than six feet in height.
- B. No more than one vehicle shall be in a state of disrepair or in an inoperable condition at any one time on any lot.
- C. No repair of vehicles shall be conducted as a business.
- D. No vehicle in a state of disrepair or in an inoperable condition may be located outside of a totally enclosed garage or a fence or wall not less than six feet in height for a period of more than 48 hours.
- E. No repair of vehicles shall take place between the hours of 10:00 p.m. and 8:00 a.m.
- F. No storage of vehicle parts shall be located in any place where repair of vehicles is prohibited herein. Any area used for such storage shall not exceed 100 square feet in area.
- G. Nothing in this section is intended to prohibit the making of minor repairs, such as tire changing or repair, replacement of spark plugs and minor engine adjustments, lubrication or battery and brake adjustments by a resident on his or her vehicle anywhere on the lot where the vehicle owner resides. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.220 – 86.56.559 Reserved.

(Ord. 2062 § 2 (Exh. A), 2016)

86.56.560 Zoning wall or fence.

A 10-foot-high (or less) solid masonry zoning wall may be required to be erected to separate any Commercial Zone or use from an adjoining Residential Zone or use as a condition precedent to granting of a special use permit, variance, coastal permit or subdivision map. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.570 Exceptions – Pools.

The waterline of pools, spas, ponds or other water areas shall not encroach into the required side yards except that the side yard need not exceed five feet. Associated equipment shall comply with CMC 86.56.120, Mechanical Equipment. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.575 Exceptions – Basements.

Basements which require dewatering during construction shall observe a minimum three-foot side yard setback. A single basement egress well may encroach into the required side yard setback. (Ord. 2085 § 3 (Exh. A), 2018)

86.56.580 Setback exceptions – Architectural projections.

“Architectural projections” may:

A. Extend or project into a required side yard setback for a distance of not more than one-third of the required side yard setback width up to a maximum of 24 inches (roof eaves are exempt from said 24-inch limitation), subject to the following restrictions and exceptions:

1. No single “architectural projection” into a required side yard shall be greater than eight feet in length along the facade. Cornices, roof eaves, roof gutters and down spouts, a sill, window and door awnings, and architectural features projecting a maximum of four inches are excepted;
2. The minimum horizontal separation along the facade between “architectural projections” into required side yards shall be no less than 10 feet. Cornices, roof eaves, roof gutters and down spouts; a sill, window and door awnings; and architectural features projecting a maximum of four inches are excepted; and
3. The cumulative total linear distance of “architectural projections” into required side yards, measured at their widest point, along a given side facade shall not exceed the lesser of 20 percent of the length of the facade or 16 feet. Cornices, roof eaves, roof gutters and down spouts, a sill, window and door awnings, and architectural features projecting a maximum of four inches are excepted.

B. Extend or project into a required front or rear yard setback not more than four feet. Such projection shall never extend closer than three feet to the front or rear lot line.

C. Accessory buildings constructed in the required rear yard setback may have architectural projections into the rear yard setback so long as such projections never extend closer than three feet to the rear lot line. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.590 Exceptions – Fire escapes.

Subject to the approval of the Director of Fire Services, fire escapes may:

- A. Extend or project into a required side yard setback for a distance of not more than one-third of the required side yard setback.
- B. Extend or project into a required front or rear yard setback not more than four feet. Such projection shall never extend closer than three feet to the front or rear lot line. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.595 Setback exceptions – Landscape accessory structures in front and rear yards.

Landscape accessory structures and entries such as arbors, trellises and arches may be located in the required front or rear yard setbacks so long as said structures maintain the required side yard setback, do not exceed 10 feet in height, and the total based on the outside perimeter of said structures does not exceed five percent of the required or existing front or rear yard area, whichever is less. In no case shall the total structural coverage of such structures exceed 50 square feet in lot coverage per front or rear yard. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.600 Setback exceptions – Stairways, balconies, and decks except for multiple-family residential development in the R-4 Zone.

For all zones except for multiple-family residential development in the R-4 Zone:

- A. Covered, unenclosed stairways structurally attached to the building and covered, unenclosed balconies or decks may extend or project into the required rear yard setback not more than four feet. Such stairways, balconies, or decks shall not extend closer than three feet to the rear property line.
- B. No portion of a covered, unenclosed balcony or deck including roofs, eaves, columns or guardrails may extend or project into a required front yard setback more than four feet. Such projection shall never extend closer than three feet to the front property line.
- C. Covered, unenclosed balconies or decks above and attached to the roof of a porch may extend to the eave of said porch or project a maximum of eight feet into a required front yard setback, whichever is less. That portion projecting greater than four feet shall be 100 percent open to the passage of light and air to the sky and the surrounding guardrail shall be a minimum of 70 percent transparent above the lower six inches. (Clear glass meeting building code standards may be used to satisfy the transparency criterion.). No portion of a roof, eave, column or

guardrail less than 70 percent transparent, above said second-story balcony or deck walking surface, shall project into the required front yard greater than four feet.

D. Covered, unenclosed balconies may extend or project for a distance of not more than one-third of the required side yard setback, up to a maximum of 24 inches, into portions of side yards that adjoin public rights-of-way. Said balconies shall be limited to eight feet in length, shall maintain a minimum horizontal separation between balconies of 10 feet, and the cumulative total linear distance of said balconies along the side facade shall not exceed the lesser of 20 percent of the length of the facade or 16 feet. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.602 Setback exceptions – Stairways, balconies, decks, and bay windows for multiple-family development in the R-4 Zone.

A. Covered, unenclosed stairways structurally attached to the building, and covered, unenclosed balconies, decks or bay windows may extend or project into the required rear yard setback not more than four feet and never extend closer than three feet to the rear property line.

B. Covered, unenclosed balconies, decks, or bay windows may extend or project into a required front yard setback not more than eight feet. Such projection shall be measured from the standard 25-foot setback required front yard setback line and never extend closer than three feet to the front property line.

C. Covered, unenclosed balconies may extend or project for a distance of not more than one-third of the required side yard setback into portions of side yards that adjoin public rights-of-way. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.604 Setback exceptions – Encroachment of main building into required front and rear yards except for multiple-family residential development in the R-4 Zone.

For all zones except for multiple-family residential development in the R-4 Zone:

A. Bay windows, building popouts, and similar design features of main buildings, which extend to the ground and contain floor area, may encroach up to three feet into a required front or rear yard setback. The height of such encroachment shall not extend above the level of the first floor or exceed 13 feet. The length shall not exceed 50 percent of the length of the facade and shall be limited to modules of 10 feet or less. Such encroachment shall be included in the allowable floor area and in no case shall extend closer than three feet to the front or rear property line.

B. Main buildings may encroach up to five feet into the front yard, provided there is an equal or greater volume of building set back the same distance behind the setback line. Such encroachment shall be limited to the first story and 13 feet in height and shall not extend closer than 20 feet to the front property line. Eaves on the portion of the building allowed to encroach by this section may project one foot beyond said building encroachment. The distance that architectural projections, porches, and similar design features are allowed to project shall be measured from the standard 25-foot setback line. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.606 Setback exceptions – Encroachment of main building into required front yard for multiple-family residential development in the R-4 Zone.

For multiple-family residential development in the R-4 Zone, a maximum of 50 percent of the width of a building may encroach up to five feet into the front yard setback, provided there is at least half that building volume set back behind the front setback line. This provision is allowed at the first and second stories of the building. The distance that architectural projections, porches, and similar design features are allowed to project shall be measured from the standard 25-foot setback line. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.608 Exceptions – Porte-cochere except for multiple-family residential development in the R-4 Zone.
For all zones except for multiple-family residential development in the R-4 Zone:

Columns and roofs of covered and unenclosed porte-cocheres may extend or project into a required side yard setback for a distance of not more than one-third of the required side yard setback width but no less than three feet from the side property line. If a front porch is present, the porte-cochere may extend into the front yard setback as provided for in CMC 86.56.610. Said porte-cochere shall be architecturally similar in design and materials to the

attached dwelling, limited to one story and 14 feet in height, attached to the dwelling and open on three sides, and not exceed a depth of 20 feet. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.610 Exceptions – Porches and landing places except for multiple-family residential development in the R-4 Zone.

For all zones except for multiple-family residential development in the R-4 Zone:

Covered, unenclosed porches, platforms, landing places, pergolas or open trellis structures which do not extend above the level of the first floor shall be allowed to project into a required front or rear yard not more than eight feet, with eaves allowed an additional 12-inch projection. Such projection shall never extend closer than three feet to the front or rear property line. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.615 Exceptions – Porches and landing places for multiple-family residential development in the R-4 Zone.

For multiple-family residential development in the R-4 Zone, covered, unenclosed porches, platforms or landing places may extend into a required front yard setback not more than eight feet. Said encroachment shall be measured from the standard 25-foot setback line. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.620 Exceptions – Encroachments into building separation areas.

Encroachments herein provided for rear yards may extend and project into the area separating buildings on the same lot so long as such encroachments or projections never extend closer than five feet to an adjacent building or to any projection from an adjacent building. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.630 Exceptions – Average front yard setback rule.

Where the majority of the parcels on a block face are improved, with structures, the required front yard setback may be computed by taking the average existing front yard setback, measured from the front property line to the outside of the wall of the nearest enclosed habitable space of the main building excluding architectural projections, garages and basements. In no case shall the required front yard be less than five feet. 25 feet shall be used for calculating the average where a lot is developed with an existing front yard greater than 25 feet. 50 percent of the required front yard for the subject property shall be used for calculating the average for those lots developed with an existing front yard of less than one-half of the required front yard for the subject property. Panhandle lots where the panhandle exceeds 50 feet in length shall not be considered in computing any average front yard setback. In the case of reversed corner lots having both side lot lines on a street and alley, this rule may be applied to the setback on the side street line. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.632 Courtesy notice for residential zones.

No building or demolition permit for the demolition or new construction of 200 square feet or more, in any residential zone, except R-5, R-PCD and R-SCD Zones, shall be approved unless the adjacent residents are notified in advance of the permitted work commencing. Addressed and stamped envelopes and letters in a form prescribed by the Community Development Department shall be submitted to the City of Coronado by the applicant at the time of permit application and shall be a minimum of 10 calendar days in advance of the building or demolition permit being approved. Each notice shall be completed by the applicant and mailed by the City. Noticed properties shall include residents of adjoining properties which share a property line with the subject property and those properties, lots, parcels or residences of which all or any part thereof is directly across any adjoining public or private right-of-way or easement from the subject property. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.635 Lot and building certification required.

A. All construction plans for new or replacement buildings or the addition of new square footage to existing buildings, where any portion of the new or replacement building or building addition is over 500 square feet, shall include:

1. The following, provided by a California licensed land surveyor or civil engineer:
 - a. Lot line distances;
 - b. Gross lot area;

- c. Description and location of all corner monuments; and
 - d. Existing and proposed grade, whichever is lower, with one-foot contour lines shown with the benchmark location and data identified.
2. Corner monuments, if not currently set, shall be set, mapped and certified by a California licensed land surveyor or civil engineer.
- B. Prior to a foundation and framing inspection by a building inspector, and upon completion of exterior framing for new or replacement buildings or the foundation or framing for the addition of new square footage to existing buildings where any portion of the new or replacement building or building addition is over 500 square feet or more than 14 feet in height, certification by a California licensed land surveyor or civil engineer shall be provided to the Community Development Department certifying that the following comply with the approved plans:
- 1. Foundation and building height from grade using the same benchmark identified in subsection (A)(1)(d) of this section;
 - 2. Foundation and building setback distances from all property lines; and
 - 3. Foundation and building architectural projections from all setback lines.
- C. Notwithstanding subsection A or B of this section and due to unique lot or site conditions, the Director of Community Development is hereby authorized to require a property owner to provide the information called for in subsections A and B of this section as needed to assure new development is consistent with zoning regulations. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.640 Exceptions – Alley splits.

Except as hereinafter provided in CMC 86.56.650, no lots or parcels in any Residential Zone shall be divided, split or reconfigured in any manner whatsoever so as to result in having frontage solely on an alley. It is the intent of this section to prohibit development that relies on an alley as the sole and hence primary means of access to that development. This section shall not apply to lots fronting on El Chico Lane, Adella Lane or Pendleton Road. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.650 Illegal alley subdivisions.

An owner of any alley parcel created of record prior to July 1, 1973, which was considered illegal by the City shall not be required to submit an application for a division of land pursuant to applicable provisions of this title. It is the intent of this section to recognize all previous recorded divisions of land not approved by the City pursuant to any previously existing division of this title. This section shall not apply to contiguous parcels which are under identical ownership on or after February 19, 1974. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.660 Reserved.

(Ord. 2062 § 2 (Exh. A), 2016)

86.56.670 Massage establishment.

Massage establishments shall not be permitted in the following locations:

- A. Residential Zones;
- B. Within 100 feet of any Residential Zone;
- C. Within 100 feet of any church or grade school; and
- D. Within 100 feet of another massage establishment. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.700 Reserved.

(Ord. 2062 § 2 (Exh. A), 2016)

86.56.730 Amusement device center – Location.

Amusement device centers may be located only on property zoned Central Commercial or Hotel-Motel and shall not be located in any other zone. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.740 Adult video cassette activity.

A. No establishment shall use more than 15 percent of its total floor area for the purpose of an adult video cassette activity.

B. Adult video cassette activity shall not be permitted in the following locations:

1. Residential Zones.

2. Within 100 feet of any Residential Zone, as measured from the nearest boundary of the Residential Zone to the closest, discernible boundary containing the activity, such as, but not limited to, bearing wall, partition wall, glass enclosure, etc.

3. Within 100 feet of any church or grade school, as measured from the nearest property line of the church or grade school to the closest discernible boundary containing the activity, such as, but not limited to, bearing wall, partition wall, glass enclosure, etc.

4. Within 100 feet of another adult video cassette activity establishment, as measured from the closest discernible boundary containing the activities, such as, but not limited to, bearing wall, partition wall, glass enclosure, etc.

C. All openings, entries, and windows of an establishment in which an adult video cassette activity is located shall be positioned, covered or screened in such a manner as to prevent a view of any adult video cassette activity material which has as its dominant theme the depiction of specified sexual activities or specified anatomical areas from any public or semi-public area, including sidewalks, streets, arcades, hallways or passageways.

D. The adult video cassette activity shall be located, covered or screened in such a manner as to prevent an unwarmed view by a member of the public within the establishment of any adult video cassette depiction of specified sexual activities or specified anatomical areas. There must be sufficient notice to allow members of the public to avoid viewing such adult video cassette activity material.

E. No sign, graphic, display or other advertisement relating to an adult video cassette activity shall be erected or maintained at the premises of the adult video cassette activity which is viewable from off-premises. On-site signs, graphics, displays or other advertisements which in no way present, depict, illustrate, or describe specified sexual activities or specified anatomical areas may be erected and maintained so long as they are not viewable from off-site, public areas.

F. If the adult video cassette activity involves the preview of cassettes as part of its operation, soundproof booths or rooms shall be made available, at no charge, for use by customers who desire such preview. Each booth or room shall have:

1. One clear window visible immediately upon entering the premises, covering not less than one-fourth of the wall area into which the window is set, which window shall not be covered or obscured in any manner while the booth or room is in use;

2. Sufficient seating to accommodate the expected number of persons who will occupy the booth or room at any one time;

3. The number of persons who shall occupy the booth or room at any one time shall be clearly stated on or near the door to the booth or room and no more than the posted number shall be permitted inside the booth or room at any one time; and

4. The door or doors opening into such booth or room shall be incapable of being locked or otherwise fastened from the inside of such booth or room. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.750 Prediction of worldly events.

A business activity which provides predictions of worldly events in the life of the client, using palmistry reading, fortune telling, horoscope reading or similar methods, shall comply with the following provisions:

A. Any such business use shall not be permitted in the following locations:

1. Residential Zones.
2. Automobile parking zones.
3. Within 100 feet of any residential or automobile parking zone, as measured from the nearest property line of the residential or automobile parking zone to the closest boundary of the interior space containing the activity, such as, but not limited to, bearing wall, partition wall, glass enclosure, etc.
4. Within 100 feet of any church, grade school or school district property, as measured from the nearest property line of the church, grade school or school district property to the closest boundary of the interior space containing the activity, such as, but not limited to, bearing wall, partition wall, glass enclosure, etc.
5. Within 100 feet of another similar or related activity or establishment, as measured from the closest boundaries of the interior spaces containing the activities, such as, but not limited to, bearing wall, partition wall, glass enclosure, etc.

B. The activity shall not be a nuisance to adjacent uses.

C. All activity shall be confined completely within the building. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.760 Exceptions – Structural coverage.

A. Cornices, roof eaves, roof gutters and down spouts, sills, window and door awnings, and architectural features projecting a maximum of four inches into a required side, front, or rear yard shall not be included in the calculation of structural coverage;

B. The following shall not be included in the calculation of structural coverage as long as the cumulative lot coverage of such features does not exceed five percent of the gross lot area. All such coverage in excess of five percent of the gross lot area shall be included in the calculation of the structural coverage on the lot:

1. Unenclosed steps, landing places, porches, patios, benches, planters, barbecues, fountains, and similar structures which are two or more feet in height;
2. Uncovered and unenclosed balconies and stairways; and
3. Covered unenclosed patios, gazebos, trellises and similar shade structures. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.770 Private storage space for residential condominium complexes.

Residential condominium complexes shall have for each condominium unit at least 200 cubic feet of enclosed private storage space in addition to guest, linen, pantry and closets customarily provided. Such space shall not be divided into two or more locations, but may be provided either in a separate closet within each unit or as storage space exterior to the individual units. If the storage space is provided exterior to the individual units, it must be enclosed, weatherproofed, lockable, separately designated for each unit, and designed to appear as an integral part of the total complex. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.780 Reserved.

(Ord. 2062 § 2 (Exh. A), 2016)

86.56.790 Satellite antennas.

No building permit or any other approval shall be issued for the installation of a satellite antenna until the proposed installation is approved by the Design Review Commission. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.800 Development landscaping required.

A. For commercial and multiple-family dwelling development, not more than three-quarters of the landscaping required by this title may be provided by the use of either water features or by the use of water features and decorative rock, decorative paved surfaces, fixed seating, planter walls, open decks, barbecues, fire pits, small arbors or gazebos, and similar garden hard surface features. However, not more than one-half of the landscaping required by this title may be provided by the use of such garden hard surface features.

B. For commercial development, while some landscaping must be provided between each building facade and the abutting street public right-of-way, such landscaping shall neither unduly separate nor conceal pedestrian views from the street public right-of-way into nonresidential commercial structures.

C. Landscaping provided in accordance with this title for parking areas shall be considered as satisfying a portion of the landscaping requirement of this title for development with each zone. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.810 Historic resources.

An owner of a designated historic resource is eligible to apply for special zoning provisions as outlined in CMC Title 84. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.820 Vacant premises.

A. The owner of any vacant premises shall assure that said lot or structure is maintained in a clean, safe and sanitary condition so as not to cause a blighted condition, or adversely affect the public health or safety.

B. Definitions. The following definitions shall apply in the interpretation and enforcement of this section:

“Blighted condition” shall mean any vacant lot, building or accessory structure that is not being maintained, in which at least one of the following conditions exists:

1. Missing or boarded windows or doors, except boarded openings installed as a temporary security measure for a period of 180 days or less;
2. Walls, roofs or flooring, which are collapsing or missing entirely, or any other condition preventing legal occupancy, as determined by the Building Official;
3. Exterior walls which contain breaks, faded or peeling paint, dirt or mold, loose or rotting materials, or those materials which are not properly surface-coated to prevent deterioration;
4. Dead or dying or otherwise unhealthy landscaping, including dead or dying trees and landscaping in the adjacent public right-of-way;
5. Dirty, broken or missing tiles;
6. Painted signs or other materials which adhere to or cover glass windows, including abandoned or obsolete advertising;
7. Visible obsolete, damaged or inoperable sign supports or brackets, including electrical or plumbing hardware located on the exterior of the building;
8. Faded or ripped awnings and window screens;
9. Broken, missing or inoperable exterior lighting fixtures;
10. The premises are vacant and attracting illegal activity as documented in Police Department records, or are a factor in creating a substantial and unreasonable interference with the use and enjoyment of other properties within the surrounding area, as documented by neighborhood complaints, police reports or the cancellation of insurance on proximate properties.

“Boarded openings” shall mean any opening in the building or structure covered with cut and fit pieces of solid building material, secured at the perimeter with nails and/or screws, painted to match the body color of the building, and used as a temporary security measure for less than one year.

“Building Official” shall mean such officer appointed in accordance with the City of Coronado Municipal Code, or his designee.

“Legal occupancy” shall mean occupancy in accordance with California State building and fire codes, and local zoning and housing codes, and all other pertinent codes.

“Owner” shall mean any person, institution, foundation, entity, or authority, which owns real property within the City of Coronado, or the executor or administrator of any estate containing real property within the City in its inventory, or the trustee of any trust holding legal title to real property within the City for the benefit of others.

“Premises” shall mean a legal parcel of land, building, or accessory structure.

“Proximate properties” shall mean a legal parcel of land located within 1,000 feet of a vacant premises.

“Vacant” shall mean not legally occupied by human beings. Vacant status in and of itself does not constitute a blighted condition.

“Vacant lot” shall mean a legal parcel on which there are no permanent buildings.

C. The owner of a vacant premises or vacant lot with a blighted condition, or a condition otherwise adversely affecting the public health or safety, shall, upon notification of the owner by the City, rehabilitate the premises to remove the blighted condition.

D. Regardless whether or not a blighted condition exists, the property owner of a vacant premises or vacant lot shall maintain their premises with the following standards:

1. The exterior of every vacant premises or vacant lot shall be maintained in a clean, safe and sanitary condition.
 - a. Every vacant premises and vacant lot shall be maintained free from weeds and plant growth in excess of 10 inches. “Weeds” shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided.
 - b. Accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.
 - c. Every vacant lot in a nonresidential zone shall be enclosed with a six-foot-tall opaque fence erected along the property lines screening the lot from view. The adjoining public rights-of-way shall be buffered with landscaping to soften the fence, and shall be irrigated by an automatic irrigation system, at the expense of the owner. The City of Coronado Design Review Commission shall approve the proposed landscaping and fencing prior to installation.
 - d. Except as provided in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored in any vacant building on any vacant premises or vacant lot, where it is open and visible to the public, and neither shall any vehicle be kept at any time in a state of major disassembly, disrepair, or in the process of being stripped or dismantled.
2. The exterior of every vacant premises shall be maintained in good repair, structurally sound and sanitary, so as not to pose a threat to the public health, safety or welfare.
 - a. All exterior finishes, including, but not limited to, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition. Exterior wood and other surfaces shall be protected from the elements by painting or other protective covering or treatment.

b. All exterior windows and skylights shall be kept in sound condition, good repair, clean and free of tape or other adhesives. All windows of a vacant premises in all nonresidential zones shall be painted, covered with opaque film, or in some other manner treated to prevent the public viewing of the interior of the premises. Community information or displays are permitted in lieu of window treatment. All window treatments, displays, or community information shall be approved by the Director of the Community Development Department.

3. Every vacant premises, and the interior of every vacant structure, shall be free from any accumulation of graffiti, rubbish and garbage.

a. It shall be the responsibility of the owner to restore to a clean surface condition any exterior surface of any vacant structure or building wantonly damaged, mutilated or defaced by marking, carving or graffiti.

b. All rubbish or garbage shall be disposed of in a clean and sanitary manner by placing such garbage in approved containers that are regularly emptied in an approved disposal facility.

E. If the owner of a vacant premises has been the recipient of three notice of violation actions for violations of the Coronado Municipal Code during any one period of vacancy, the owner must submit plans to abate the violation(s) to the Design Review Commission for approval as provided in CMC Title 80. (Ord. 2062 § 2 (Exh. A), 2016)

86.56.830 Manufactured housing requirements.

Manufactured housing shall conform to the development standards for the zone in which the structure is located. A manufactured home shall comply with the same development standards which would apply to a conventional single-family residential dwelling on the lot.

86.56.840 Undergrounding of utilities for residential zones.

A. The property owner shall underground all existing and future utilities to the site (except for utilities which are not possible to underground such as backflow valves and transformers) when new construction occurs or when improvements result in more than 50 percent of an existing dwelling being demolished and rebuilt or where the proposed gross floor area exceeds 150 percent of the existing building gross floor area. Said utilities shall be located on private property and shall be screened from public view at the direction of the City of Coronado.

B. Undergrounding Exceptions. Undergrounding of each separate utility shall not be required if any of the following site conditions exist:

1. Access to the utility source would require crossing private property where an existing utility easement is not present; or
2. The undergrounding of the utilities would require over 75 lineal feet of trenching in a public right-of-way or would require the crossing of a public street. (Ord. 2068 § 2 (Exh. A), 2017)

Chapter 86.58

OFF-STREET PARKING

Sections:

- 86.58.010 Purpose and intent.
- 86.58.020 General provisions.
- 86.58.030 Number of spaces required.
- 86.58.040 Access design.
- 86.58.050 Backing onto sidewalk or street.
- 86.58.060 Tandem parking.
- 86.58.070 Minimum size for spaces.
- 86.58.080 Valet parking.
- 86.58.090 Grading and drainage.
- 86.58.100 Maneuvering width.
- 86.58.110 Marking spaces.
- 86.58.120 Wheel stops.
- 86.58.130 Screening.
- 86.58.140 Lighting.
- 86.58.150 Spaces shall be unobstructed.
- 86.58.160 Landscaping.
- 86.58.170 Retention of required parking.
- 86.58.180 Separate nonresidential lots.
- 86.58.190 Location.
- 86.58.200 Mixed occupancies in a building.
- 86.58.210 Joint use.
- 86.58.220 Common facilities.
- 86.58.230 Parking plan required.
- 86.58.240 *Reserved.*
- 86.58.250 Provision of underground parking within the public right-of-way.

86.58.010 Purpose and intent.

It is the purpose and intent of this chapter to provide for regulations governing the number of parking spaces required based on the zone classification and type of use, the design characteristics of such required off-street parking, including but not limited to the configuration of the size of such spaces or stalls, size and configuration of maneuvering spaces, fences or walls, lighting and landscaping. Refer to the Orange Avenue Corridor Specific Plan for the number of parking spaces required for commercial uses located in the Commercial Zone. Further, the City finds that on-street parking does not fulfill parking requirements and that off-street parking is needed to retain traffic capacities on streets and highways and that adequate, well designed off-street parking facilities assist business, lessen traffic congestion, help maintain property values and deter blight and deterioration. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.020 General provisions.

A. When any building is to be constructed or over 50 percent reconstructed at any one time or incrementally, no construction plan shall be approved nor any building permit issued unless the project includes off-street parking in accordance with this chapter.

B. When an existing nonresidential building is proposed to be structurally expanded or to have an expansion of floor area, for occupancy to be allowed, for construction plans to be approved and for a building permit or other entitlement to be issued for the proposed structural modification:

1. The structural or floor area expansion must not reduce existing parking on-site below that which is required for the use or uses on-site; and

2. Additional off-street parking required for the structural or floor area expansion by this chapter must be provided.

C. Additions, enlargements or structural alterations may be made to a residential building that is nonconforming due to residential off-street parking requirements; provided, that there are no means of providing the required number of spaces without removing a portion of the existing main building, excluding porches, carports, patio covers, roof overhangs, sills and other similar projecting architectural features. In the case of multiple-family dwellings, such additions, enlargements or structural alterations shall not include or permit modifications which would increase the number of required off-street parking spaces. If a garage has been converted to living space, before any structural addition is added, this living space must be reconverted to a garage or replacement parking for the main dwelling shall be provided in accordance with this chapter. In no case shall the number of existing off-street parking spaces be reduced.

D. When an existing use of a property is proposed to be added to, changed or replaced by a new use, for occupancy to be allowed and for a building permit or other entitlement to be issued for the existing or proposed use:

1. Single-family Dwelling Buildings or Duplexes (New Construction). Required off-street parking shall be provided in accordance with CMC 86.58.030(D);

2. If possible, the existing number of off-street parking spaces located off-site and required for current and proposed uses on-site must be maintained; and

3. The proposed use must provide the off-street parking required for the use by this chapter, except 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. (Ord. 2020-03 § 3 (Exh. A), 2020); Ord. 2067 § 5 (Exh. A), 2017; Ord. 2062 § 2 (Exh. A), 2016)

86.58.030 Number of spaces required.

A. Nonspecified Land Uses. Where the minimum number of parking spaces for a use is 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. Orange Avenue Corridor Specific Plan. All development within the Commercial Zone shall provide the number of parking spaces required by CMC Title 88.

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, whichever parking standard requires the greater number of parking spaces.

D. Dwellings.

1. Single-Family Dwelling Buildings or Duplexes (New Construction).

Lot Size or Shape	Minimum Number of Off-Street Parking Spaces Required Per Dwelling
4,000 sq. ft. or less	Two: One “covered and enclosed” plus one “open and unenclosed”*
4,001 – 5,599 sq. ft.	Two: One “covered and enclosed” plus one either open or enclosed*
5,600 sq. ft. and greater	Three: Two “covered and enclosed” plus one either open or enclosed*
Less than 50 feet in width and either has no secondary street or alley access or fronts solely on an alley.	Two: One “covered and enclosed” plus one “open and unenclosed”*

*Covered and enclosed spaces are not required for units deed restricted to be affordable to low, very low, and extremely low income households as defined in the City's General Plan Housing Element. Required spaces serving affordable units may be provided as open and unenclosed.

Open and unenclosed parking spaces shall be open on two or more sides and unenclosed with no fence, wall or gate separating the access to the parking space from the alley or street. Parking below grade shall qualify as open and unenclosed and gates or doors on driveways are permitted. If said unenclosed space is covered and the roof is attached to a building, it shall be integrated into the architecture of the adjoining building. Parking spaces adjoining and parallel to a street shall be screened from the street with material which is a minimum of 50 percent solid and six feet in height. Off-street parking which is on-grade and uncovered may be located in the side or rear yard setback.

Where three parking spaces are provided on one site with one uncovered, said uncovered space shall not be required to provide a side or rear yard setback. Driveways providing access to required parking within a front yard or tandem parking (maximum of two spaces) may be used for the uncovered third space, subject to compliance with CMC 86.58.040, Access design, and 86.58.050, Backing onto sidewalk or street.

2. Single-Family Dwelling Buildings or Duplexes (Existing Construction Built Prior to 1973). Two spaces per dwelling unit, one of which is to be a "covered and enclosed parking" space per dwelling unit.

3. For multiple-family dwellings, there shall be provided no less than two parking spaces for each dwelling unit. A minimum of 50 percent of the required parking spaces shall be "open and unenclosed" on two or more sides with no fence, wall or gate separating the access to said parking from the alley or street. Open parking above or below grade shall qualify as "open and unenclosed parking," and gates or doors on common driveways are permitted. If said unenclosed space is covered and the roof is attached to a building it shall be integrated into the architecture of the adjoining building. Parking spaces adjoining and parallel to a street shall be screened from the street with material which is a minimum of 50 percent solid and six feet in height. Off-street parking which is on-grade and uncovered may be located in the side or rear yard setback.

4. Multiple-Family Dwellings, R-5 Zone. One and one-half spaces per dwelling unit.

5. For residential projects with senior housing, there shall be provided one parking space for each senior dwelling unit.

6. For residential projects with affordable housing, there shall be provided one space for each unit affordable to moderate, low, very low, and extremely low income households.

7. Accessory dwelling units. See subsection (B)(12) of CMC Section 86.56.105.

8. Market rate studio and one bedroom units that are part of a housing project where at least 20 percent of the units are income restricted, one space per market rate 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 300 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. 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, etc.).

I. Business Office, Service, Professional or Retail Use. One space per 500 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.

J. Eating and Drinking Establishments, Fast Food and Formula Fast Food Restaurants.

1. One space for each three seats and one space for each 54 inches of clear bench space, excluding dance floors and assembly areas without fixed seats which shall be calculated separately as one space for each 50 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.
2. Fast food and formula fast food restaurants shall have parking requirements calculated by the above standard; however, a minimum of 10 parking spaces shall be provided for these uses. The change of ownership shall not, by itself, require the provision of additional parking.
 - a. For fast food restaurants, required parking shall be provided on site, or by parking allocation credits, joint use, common facilities or facilities on private property on the same block within 200 feet of the site.
 - b. For formula fast food restaurants, parking allocation credits may be applied to satisfy the parking requirement in excess of 10 parking spaces. However, the initial 10 spaces shall be parking spaces provided by means other than utilizing parking allocation credits, and shall be required when:
 - i. A new formula fast food restaurant is established;
 - ii. An existing formula fast food restaurant is relocated; or
 - iii. An existing formula fast food restaurant is physically expanded in a manner to increase the restaurant's seating capacity.

K. Churches, Mortuaries, Funeral Homes, Theaters, Assembly Halls, Auditoriums, Meeting Halls. One space for each five fixed seats, one space for each 90 inches of clear bench space, and one space for each 50 square feet of floor area used for assembly purposes.

L. 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.

M. 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 100 square feet of gross floor area.

N. 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.

O. 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.

P. 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.

Q. Mixed Use Developments. Two parking spaces per dwelling, and that parking that would otherwise be required for the other uses on the site. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.040 Access design.

For new construction or major reconstruction projects for single- or two-family dwellings or duplexes, curb cuts, driveways, and ingress and egress to on-site parking from a street shall be prohibited except for those lots which do not adjoin an alley or are not accessible by vehicles from an alley due to the lot configuration or location of a main building, permanent accessory building, or swimming pool. Access to on-site parking should be functional and compatible with pedestrian sidewalk use. Curb cuts and driveways shall only be permitted if they serve required off-street parking. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.050 Backing onto sidewalk or street.

No parking area, except those required for single- or two-family dwellings, or duplexes on lots which do not adjoin an alley or are not accessible by vehicles from an alley due to the lot configuration or location of a main building, permanent accessory building, or swimming pool, may be located so as to require or encourage the backing of motor vehicles across or into any public sidewalk or streets. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.060 Tandem parking.

A. “Tandem parking” (front to back) with a maximum of two spaces in tandem configuration, for single- or two-family dwellings or duplexes, shall be permitted only on a lot that is less than 50 feet in width and either has no alley access or fronts solely on an alley, or for lots with a “gross lot area” of less than 3,500 square feet, or when it is not reasonably possible to otherwise provide the required off-street parking due to lot configuration or location of a main building, permanent accessory building, or swimming pool.

The following are exceptions to this requirement:

1. Tandem parking for single-family or duplex development shall be permitted when three off-street parking spaces are required in accordance with CMC 86.58.030(D)(1).
- B. All spaces that are in tandem and are serving residential uses shall be designated to serve the same dwelling unit.
- C. In all zones, the first tandem parking space closest to the adjacent street or alley shall be open on two or more sides and unenclosed with no fence, wall or gate separating the access to the parking space from the alley or street. Open underground parking in a tandem configuration shall qualify as open and unenclosed. If said unenclosed space is covered and the roof is attached to a building, it shall be integrated into the architecture of the adjoining building. Parking spaces adjoining and parallel to a street shall be screened from the street with material which is a minimum of 50 percent solid and six feet in height. Off-street parking which is on-grade and uncovered may be located in the side or rear yard setback.
- D. Tandem parking for nonresidential uses may be permitted only as part of an approved valet parking plan. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.070 Minimum size for spaces.

A. Unless otherwise provided in this section, confined parking spaces shall be no less than nine feet wide and 18 feet long and unconfined spaces shall be no less than eight feet, six inches wide and 18 feet long.

B. Whether confined or unconfined, parking spaces:

1. With parking angles of less than 40 degrees from the maneuvering aisle may have a width of no less than eight feet.
 2. Which are “covered and enclosed” and which serve a one- or two-family dwelling shall be no less than nine feet wide and 20 feet long except for “tandem parking” for two vehicles which shall be no less than nine feet wide and 18 feet long per space.
 3. Which serve uses other than dwelling units may be designated, in an amount not to exceed 20 percent of such spaces, as compact car spaces and may be no less than seven and one-half feet wide and 15 feet long except for confined compact spaces which shall be no less than eight feet wide and 15 feet long.
 4. Designated for valet parking shall be no less than seven feet wide and 18 feet long.
 5. Which are parallel to the access road or drive which services the spaces shall be no less than 22 feet long for standard car spaces and 19 feet long for compact car spaces where authorized.
- C. The dimensions contained in this section shall be measured from inside the required parking space. No portion of any structure, equipment, or projection such as but not limited to building support columns, mechanical equipment, or appliances shall be permitted to encroach into a required parking space.

D. Where parking spaces are located at the end of parking aisles which are terminated by landscaping, buildings, or other structures, such spaces shall be 10 feet wide to provide additional room for maneuvering. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.080 Valet parking.

Valet parking may be permitted subject to the following conditions:

- A. All points of ingress shall be marked “valet parking only” or similar language to that effect, in a manner satisfactory to the Community Development Department. Such markings may include pavement markings or both.
- B. Valet parking areas shall be separated from adjacent or adjoining self-parking areas.
- C. Vehicle parking by any person other than a valet shall not be permitted. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.090 Grading and drainage.

All parking spaces and the primary accessway to such spaces shall be paved so as to provide a durable dust-free surface and shall be graded and drained so as to dispose of all surface water that may accumulate thereon. Drainage of surface water will not be permitted over a public sidewalk. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.100 Maneuvering width.

The maneuvering (aisle) width for parking spaces other than those provided for one- and two-family dwellings shall not be less than as follows:

Parking Angle (in degrees)	Maneuvering Aisle Width (in feet)
0	12
20	12
30	12
45	13.5
60	18.5
70	19
80	24
90	24

(Ord. 2062 § 2 (Exh. A), 2016)

86.58.110 Marking spaces.

A. Marking.

1. The perimeter stall length of each off-street parking space provided for uses other than single-family dwelling buildings and duplexes shall be clearly outlined with double lines or striping on the surface of the parking facility in a permanent manner with paint, reflective tape or other means as deemed appropriate by the Department of Community Development to clearly identify the boundaries of each space. Said striping shall be four inches in width with six inches between the double stripes. The required parking space width shall be measured from the center of the double lines.
2. Privately marked parking spaces shall not be located on sidewalks, parkways, driveways, alleys or planted areas.
3. Parking provided for a use, other than specified dwelling units (such as commercial uses, guests, compact car or handicapped parking), or in excess of the parking requirements for the complex, shall be clearly marked.

4. Markings may be coded so long as the code is provided to the initial purchaser of the unit, and to the Department of Community Development.

5. Required off-street parking space or queue lane markings shall be maintained in a legible condition.

B. Assignment.

1. Each off-street parking space for a multiple-family dwelling unit shall be assigned to a specific dwelling unit or use, and clearly marked for such dwelling or use.

2. Each dwelling unit shall be assigned its proportionate share of the required parking for the complex. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.120 Wheel stops.

Each off-street parking space provided for uses other than single-family dwelling buildings and duplexes shall have a concrete parking bumper or wheel stop unless it would hinder vehicle or pedestrian movement or constitute a safety hazard. Each required bumper shall be six inches in height, permanently anchored and located in a manner acceptable to the Department of Community Development. Wheel stops are not required for parallel or zero-degree parking spaces. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.130 Screening.

Off-street parking areas for more than five vehicles shall be effectively screened on each side which adjoins premises in any R Zone or property used for institutional purposes by a fence or wall which shall not be more than six feet in height from the property line to a point equal to the required front yard of the adjoining R Zone. A three-and-one-half-foot-high fence or wall shall be provided along the property lines adjoining dedicated streets and/or alleys. The fences or walls shall be maintained with no advertising thereon. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.140 Lighting.

Lighting shall be arranged in a manner so as to reflect light away from adjoining residential or institutional uses and otherwise located in a manner acceptable to the Community Development Department. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.150 Spaces shall be unobstructed.

All required off-street parking spaces shall be maintained free and unobstructed, with adequate ingress and egress. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.160 Landscaping.

A. Off-street parking areas for more than five vehicles shall maintain a five-foot-wide landscaped strip along the property line adjoining any dedicated street.

B. Total landscaping within and adjoining the parking area shall amount to no less than 15 percent of the parking site area.

C. The landscaping and exterior lighting, if any, shall be subject to CMC Title 80, and lighting shall be designed and installed so as to confine the light's direct rays to the site and all parking lot lights shall be directed away from property lines.

D. One 24-inch box tree (minimum size), per City specifications, shall be provided for every five parking spaces. Said trees shall be distributed throughout the parking spaces and so located to provide shade cover for the vehicles.

E. Any unused space resulting from the design of the parking area shall be used for landscape purposes.

F. All parking lot landscaped islands shall have a minimum inside dimension of four feet and shall be separated from vehicular areas by a six-inch-high, six-inch-wide concrete curb.

G. All landscaping areas shall be irrigated automatically and kept in a healthy condition free from weeds, debris and trash.

H. Projects which are primarily parking structures, that mask their primary use on street frontages at street level by commercial retail or similar uses, shall be required to maintain a minimum of three percent of the total parking site or lot area in landscaping.

I. Primarily residential projects in the Parking Overlay Zone shall be required to maintain no more than 25 percent of the total parking site or lot area in landscaping if the project includes excess alley accessible public parking spaces to number no less than five spaces or 10 percent of the total number of spaces required for the land use on the site (whichever is greater). (Ord. 2062 § 2 (Exh. A), 2016)

86.58.170 Retention of required parking.

Existing required off-street parking shall be retained and maintained for those land uses for which it is required. Parking spaces required for one land use may not be rented, leased, sold or otherwise encumbered for some other use. (Ord. 2062 § 2 (Exh. A), 2016)

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. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.190 Location.

Off-street parking facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be the walking distance measured from the nearest point of the building that such facility is required to serve.

A. For any type of dwelling, parking facilities shall be located on the same lot or building site as the building they are required to serve, except that in single-family zones, required parking may be provided on an adjoining lot if said parking space(s) is accessible by pedestrians from the lot it is required to serve and said pedestrian access, the required parking space(s), and the vehicle access area to said space is described within a recorded easement to the benefit of the property owner of the lot which the parking space(s) is serving and that said easement shall not be amended or revoked without City approval.

B. For hospitals, sanitariums, rest homes, asylums, and orphanages, parking facilities shall be located on the same lot or building site as the buildings they are required to serve.

C. Parking for commercial vehicles in Commercial Zones or the "P" Overlay Zone shall be located, when feasible, in a manner to reduce their visibility from public streets or sidewalks.

D. For uses other than those specified above, not over 200 feet from the buildings they are required to serve, all parking areas are to be located in the same block, and connected to the buildings they are to serve with a direct access way that does not cross a public street.

E. No off-street parking shall be permitted in any residential front yard area except as permitted by CMC 86.58.030(D)(1), number of spaces required, single-family dwelling, and subsection F of this section, location.

F. Where the front yard or side yard setback requirements of this title for single-family dwelling buildings on numbered streets (First through Tenth Streets) eliminates the possibility of providing the required off-street parking spaces outside of the required front or side yards or portions thereof, then such required off-street parking may be provided in such required front or side yards or portions thereof as long as it is "open and unenclosed" and uncovered.

G. No required off-street parking shall be permitted on a slope greater than 14 percent. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.200 Mixed occupancies in a building.

In the case of mixed uses in a building or on a lot, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use except as hereinafter specified for joint use. (Ord. 2062 § 2 (Exh. A), 2016)

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 50 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 considered to be primarily a nighttime use; up to 50 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 subsection C of this section.

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 200 feet of such parking facility and located in accordance with CMC 86.58.190(D).

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 CMC 86.58.180. (Ord. 2062 § 2 (Exh. A), 2016)

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 CMC 86.58.180. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.230 Parking plan required.

A. The plan of a project's proposed parking area shall be submitted to the Community Development Department for processing prior to the issuance of any permit for the project for which the parking area is intended. Each plan shall clearly indicate the proposed developments, including location, size, shape, design, curb cuts, internal traffic circulation, lighting, landscaping and other features and appurtenances of the proposed parking area.

B. The parking plan shall be reviewed by the Design Review Commission in accordance with CMC Title 80.

C. Unless otherwise provided, the Community Development Department shall determine whether the plan is in conformance with this title.

D. Parking plans for property within the C-R and H-M Zones, and parking plans for nonresidential development on property in Residential Zones, or parking plans that involve joint use or common use shall be submitted to the Planning Commission for review and recommendation to the City Council. Thereafter, the plan shall be submitted to

the City Council, which, after a noticed public hearing (as provided for in CMC 86.02.120, Determination of use), will approve, disapprove or conditionally approve the plan. The City Council may refer the plan to the Traffic Operations Committee for review and recommendation. Any parking plan submitted for property within the C Zone shall be reviewed by the Planning Commission for final action unless appealed to the City Council. Plans required to be processed in accordance with this subsection shall be accompanied by a filing fee as required by resolution of the City Council.

E. The parking requirement for a hotel or motel facility may be reduced by the City during parking plan review by up to 20 percent if the hotel or motel is designed and operated in a manner that encourages the use of alternative modes of transportation to the private car. For example, the hotel or motel is sited to be in walking distance of most needed facilities and transit, complimentary limousine or shuttle service is provided customers to the airport, train station and other activity centers, complimentary transit tickets are provided to customers and employees, free use of bicycles is similarly provided, and telephones, faxes, computers with modems, and other business machines are readily available on site. For employees, commuter information, bicycle racks and shower and locker facilities must be provided. Finally, the development operator must maintain membership in the Coronado Transportation Management Association. (Ord. 2062 § 2 (Exh. A), 2016)

86.58.240 Reserved.

(Ord. 2062 § 2 (Exh. A), 2016)

86.58.250 Provision of underground parking within the public right-of-way.

Public parking may be provided within the public right-of-way below ground level under the following conditions:

- A. A City of Coronado or Caltrans encroachment permit is obtained by the applicant;
- B. Such underground facilities would not interfere with the provision or maintenance of public streets or utilities;
- C. The parking spaces provided in the public right-of-way are in excess of the total number of spaces required for the land use, and cannot be utilized to provide off-street parking required for the property or adjacent property; and
- D. The parking spaces shall be maintained for public use, or a like number of spaces elsewhere on the property shall be maintained for public use. (Ord. 2062 § 2 (Exh. A), 2016)

Chapter 86.60

SIGNS

Sections:

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- 86.60.020 Definitions.
- 86.60.024 Definitions – Types of signs.
- 86.60.030 General regulations.
- 86.60.040 Prohibited signs.
- 86.60.050 Signs on public property.
- 86.60.060 Regulation by zone.
- 86.60.065 Signs serving uses requiring a special use permit.
- 86.60.070 Commercial signs for gas station.
- 86.60.075 Commercial signs for theaters and auditoriums.
- 86.60.080 Complex signs.
- 86.60.090 Off-premises sign.
- 86.60.100 Temporary signs.
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- 86.60.140 Approval not required.
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- 86.60.160 Application for approval.
- 86.60.180 Action by Design Review Commission.
- 86.60.190 Appeal.
- 86.60.195 Variance.
- 86.60.200 Enforcement.
- 86.60.210 Historic sign designation.
- 86.60.220 Historic alteration permit.

86.60.010 Purpose.

A. The purpose of this chapter is to reduce visual clutter, preserve the character and quality of the environment, achieve an aesthetically pleasing visual appearance for the community, and provide an adequate opportunity to erect signs. In so doing, this chapter intends to enhance the visual environment of the City, to eliminate traffic hazards caused by improper signs and to ensure that information is presented safely and effectively.

B. This chapter establishes a comprehensive system for the regulation of signs to promote the public safety, health, and welfare. It presents a set of reasonable, nonarbitrary and nondiscriminatory standards and procedures which are intended to facilitate the improvement and protection of the environment by prohibiting the misuse of signs.

C. It is the intention of this chapter to further the greater public interest in allowing a property owner to identify the owner's property and the activities, services, and products available thereon rather than having the property owner use his allowable sign area to identify property, activities, services, and products located elsewhere. (Ord. 1710; Ord. 1657; Ord. 1431)

86.60.020 Definitions.

A. "Sign" shall mean any and all devices, fixtures, structures, construction, cloth, or backing which conveys a message in pictorial, symbolic, or worded form, placed for display to the outdoor public. The term "sign" shall not include church windows, religious symbols, noncommercial flags, or barber poles. Time and temperature devices will not be considered signs if there is no identification or advertising thereon.

B. "Sign area" is the entire area within a single, continuous perimeter enclosing the extreme limits of a sign and not passing between or through any elements of such sign. Said perimeter shall include all elements and ornamentation forming an integral part of the design of the sign. In computing the area of all multiface signs, only the area of the largest surface viewable from any one direction at one time shall be included. Directional signs and signs indicating restrooms and telephones shall not be included in calculating sign area.

C. "Sign height" is the total distance between ground level below the base to the top of the highest sign element, including all structural elements and appendages.

D. "Sign structure" is a structure which supports or is capable of supporting a sign. A sign structure may be a single pole or may be designed as an integral part of the building, or any combination thereof.

86.60.024 Definitions – Types of signs.

A. "Balloon sign" is a sign painted on or affixed to a balloon which in turn is attached to a structure(s) or the ground.

B. "Bench sign" is a sign located on a bench or similar structure.

C. "Civic sign" is a sign serving a public or quasi-public purpose.

D. "Commercial sign" is a sign which serves a business.

E. "Construction sign" is a temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of individuals or firms having a role or interest with respect to the design or construction of the project.

F. "Complex sign" is a sign which denotes the name of and/or lists the tenants or occupants of a residential, commercial or professional development.

G. "Directional sign" is a sign intended to promote safe and efficient vehicle and pedestrian movement.

H. "Flag sign" is a flexible material designed to hang or wave from a structure for the purpose of identifying or calling attention to commercial activities.

I. "Flashing sign" is characterized by illumination whose color, intensity or location is projected in an intermittent manner.

J. "Freestanding sign" is a sign located directly on the ground, or on any support other than a building, whether or not the principal purpose of such support is to display the sign.

K. "Illuminated sign" is a sign in which a source of light is used in order to make the message readable. The definition shall include internally and externally lighted signs.

L. "Multiface sign" is a sign displaying information on at least two surfaces, each having a different orientation.

M. "Moving sign" is a sign which either has a publicly visible portion that by design moves in relationship to the remainder of the sign, or in its entirety is designed to move in relationship to the sign structure.

N. "Off-premises sign" is a sign not located on the property it serves.

O. "Pole sign" is a freestanding sign having a pole(s) greater than five feet in length as its main source of support.

P. "Political sign" is a sign designed to influence the action of the voters, either for the passage or defeat of a measure appearing on the ballot at any State or local election, or which is designed to influence the action of the voters, either for the election or defeat of a candidate for nomination or election to any public office at any national, State, or local election, or designed to influence public opinion.

Q. "Projecting sign" is a sign which uses a building structure as its main source of support and projects more than three feet from the wall surface.

R. "Real estate sign" is a sign which presents a message concerning real property which may advertise:

1. That the property is for sale, lease or exchange by the owner or his or her agent.
2. Directions to the property.
3. The owner's or agent's name.
4. The owner's or agent's address and telephone number.

S. "Roof sign" is a sign placed upon, projecting from, or above the eaves of the roof, or the roof itself. A sign hanging from and below a roof eave is not a roof sign.

T. "Searchlight sign" shall mean an apparatus, usually on a swivel that projects a beam of light in order to attract attention to a site, and it shall also mean the beam of light so projected.

U. "Temporary sign" is a sign of an impermanent nature serving a specific event or purpose.

V. "Wall sign" is a sign which is in any manner affixed to any exterior wall of a building or structure and which projects not more than two feet from the building or structure and does not extend above the roof, parapet, building facade or any outmost edge of the building or structure.

W. "Window sign" is any sign secured to the inside or outside of any window and clearly visible from a public way. (Ord. 1954 § 25, 2003; Ord. 1816)

86.60.030 General regulations.

A. Signs shall be maintained in a good and safe structural condition. All exterior parts shall be painted, or coated, or made of rust inhibitive material. Signs shall be maintained in good appearance.

B. The supporting members of all signs shall be free of any bracing such as guy wires or cables. Supporting columns shall be designed as an architectural feature of the building.

C. Signs shall not be erected so as to obstruct any door or fire escape of any building, or to obstruct free passage over any public right-of-way.

D. No sign shall be erected so as to create a traffic hazard.

E. No sign shall be erected that would unreasonably obscure from public view existing conforming signs on adjacent properties or premises.

F. No sign shall be erected so as to block significant coastal or bay views or detract from the natural beauty of the coast.

G. The design of signs shall be subject to and comply with the design standards in CMC Title 80 applicable to signs and to CMC Title 88, Orange Avenue Corridor Specific Plan, for projects in the Commercial and R-4 Multiple-Family Residential Zones. (Ord. 2018 §§ 16, 17, 2010; Ord. 1954 § 26, 2003)

86.60.040 Prohibited signs.

It is unlawful for any person to erect or maintain within the City of Coronado one or more of the following signs:

A. Animated signs, including changing or blinking time and temperature displays.

B. Balloons.

C. Balloon signs.

D. Bench signs.

E. Flag signs, with the exception of banners advertising nonprofit special events of community-wide interest.

- F. Formed plastic or injection-molded signs.
- G. Freestanding pole signs.
- H. Internally illuminated can signs with translucent copy and field.
- I. Internally illuminated channel letter signs (reverse channel letter signs are permitted).
- J. Movable freestanding signs with the exception of construction signs and real estate signs, and movable commercial signs conforming to CMC 86.60.115.
- K. Paper, cloth or plastic streamers or bunting – except seasonal holiday decorations.
- L. Roof signs.
- M. Rotating, moving, emitting, or flashing signs.
- N. Traffic sign replicas.
- O. Vehicle signs. (Ord. 1954 § 27, 2003; Ord. 1854; Ord. 1831; Ord. 1710)

86.60.050 Signs on public property.

No person except an authorized agent of the City of Coronado or any other appropriate government agency shall paint, mark or write on, impress, attach, erect, post, or otherwise affix or maintain any sign to or upon any public property or public right-of-way. (Ord. 1710)

86.60.060 Regulation by zone.

- A. Only signs for purposes consistent with the uses or activities authorized within the zone or for the particular lot may be erected or maintained.
- B. The total sign area on a lot subject to R-1A or R-1B regulations shall not exceed six square feet.
- C. The total sign area on a lot subject to R-3 regulations shall not exceed 12 square feet.
- D. The total sign area on a lot subject to R-4, R-5, P, R-PCD, or R-SCD Zone regulations shall not exceed 24 square feet.
- E. For lots subject to the C-R or H-M regulations:
 1. Commercial or nonresidential uses shall be allowed a maximum of one square foot per each lineal foot of the use's street frontage. Sign area permitted may not exceed 80 square feet on one side of a building for a single use. A-frame or portable signs are not included in this total.
 2. Total sign area per lot for a lot solely occupied by residential uses shall not exceed 12 square feet.
 3. Total sign area for each dwelling on lots occupied both residential and nonresidential uses shall not exceed six square feet.
 4. Sign height including freestanding signs shall not exceed the height of the tallest building on the lot. Signs applied to the surface of the building shall not exceed the height of the building, and in no case shall a sign exceed 40 feet in height. Freestanding signs shall not exceed a height of 12 feet, except freestanding signs serving hotels or motels in the H-M Zone which shall not exceed a height of 15 feet.
- F. The total sign area for a lot subject to C-U or OS regulations shall not exceed 90 square feet on any street frontage. (Ord. 1954 § 28, 2003; Ord. 1710; Ord. 1675)

86.60.065 Signs serving uses requiring a special use permit.

Signs for those uses requiring a special use permit shall be governed by the special use permit. Only by variance may the sign(s) exceed those standards allowed in the zone where the use would normally be allowed by right. (Ord. 1710)

86.60.070 Commercial signs for gas station.

A. Signs for the inspection of air pollution control devices, lights and brakes shall be permitted only when attached to the service station building.

B. One sign identifying the operator of the premises and address of the building, and not exceeding six square feet in area is allowed.

C. Gasoline stations shall post the full service and/or self service prices (per gallon or per liter) of all grades of fuel that the station sells in a manner visible from all streets that the station fronts. The price sign text shall have the word "gasoline" or words "motor fuel," the trade name or brand, and the grade designation of the motor vehicle fuel. Price numerals shall be at least six inches high. All other letters or numerals shall be no less than one-third the height of the price numerals. The price sign shall be no larger than 15 square feet per face (if the station is only full service or self service) and 17.5 square feet per face (if the station is both full service and self service). No more than one sign shall be permitted per gas pump island per street frontage. All price signs shall be removable, with use of signs required at all times when the station is conducting business.

86.60.075 Commercial signs for theaters and auditoriums.

Signs for theaters and auditoriums may be erected or maintained contrary to the other provisions of this chapter only upon the prior approval of the Design Review Commission upon a showing of special circumstances.

86.60.080 Complex signs.

Complex signs may be erected and maintained only upon the prior approval of the Design Review Commission upon a showing that the complex signs are compatible with the total sign program of the development.

86.60.090 Off-premises sign.

An off-premises sign may be erected or maintained only upon the prior approval of the Design Review Commission upon a showing of extreme hardship due to the unique location of the property which the sign serves. Except, without the approval of the Design Review Commission, an owner of real property or his or her agent may display or have displayed real estate signs:

A. On the real property of such owner; or

B. On real property owned by others with their consent. (Ord. 1816)

86.60.100 Temporary signs.

A. In any zone, temporary signs not exceeding 20 square feet may be erected and maintained for no longer than 30 days upon the prior approval of the Director of Community Development upon a showing of compliance with the general provisions and prohibited sign provisions of this chapter.

B. Design Review Commission approval is required for temporary signs exceeding a size of 20 square feet or a 30-day use period.

C. Temporary "banner" type flag signs advertising nonprofit and nonpolitical special events of community-wide interest may be erected and maintained in any zone for a period not to exceed seven days without City approval. Such signs cannot be relocated from place to place within the City in order to exceed the seven-day limit, nor can they be erected and maintained in place more than seven days in any 30-day period or 14 days during any 365-day period without the appropriate City approval.

D. The applicant shall remove said signs immediately after the event or approved use period. (Ord. 1710)

86.60.105 Searchlight signs.

Searchlight signs may be erected and maintained only upon the prior approval of the Design Review Commission upon a showing of compliance with the general regulations and prohibited sign provisions of this chapter.

86.60.110 Real estate signs.

Real estate signs shall not be illuminated signs, exceed an area of six square feet on any street frontage of a lot, or exceed a height of four feet in the R-1A or R-1B Zones. Such signs shall be located on the premises the sign serves, or may be permitted off-premises as described in CMC 86.60.090(A) and (B), and must be removed within 15 days of close of escrow, or the signing of a rental agreement or lease. Real estate signs are prohibited from all public rights-of-way. (Ord. 1816)

86.60.115 Movable commercial signs.

Movable commercial A-frame, H-frame, or easel type signs may be permitted for businesses to advertise menus, sale items, or other business promotions. These signs shall be designed to complement the decor of the business or building where they occur and shall comply with the following standards:

- A. One movable, freestanding sign shall be permitted for each business.
- B. All signs shall be located on private property and must allow sufficient access to doors/pathways and not impede pedestrian movement. The location on private property shall be verified and approved by the Department of Community Development.
- C. The maximum allowable size of the sign and supporting structure shall not exceed 48 inches height, 30 inches width, and 36 inches depth. The maximum sign area shall not exceed 10 square feet. The square footage of these signs shall not be included within the allowable sign area permitted in CMC 86.60.060(E).
- D. Signs shall not contain illumination.
- E. Signs consisting only of plastic backgrounds and individual plastic interchangeable letters are prohibited.
- F. The design and materials of all signs shall require approval by the Department of Community Development prior to fabrication.
- G. Signs of unique design which deviate from these standards must obtain approval from the Design Review Commission. (Ord. 1854)

86.60.120 Signs on vehicles.

No person shall drive, operate, move in and along, or park on any street or on public or private property any truck, trailer, carriage, wagon, sled, or any other vehicle or portable structure on which is attached or maintained any sign unless:

- A. The sign is painted on or otherwise affixed so as to not project from the usual profile of the vehicle.
- B. The vehicle is not parked in a manner to circumvent the standards of this chapter for the amount or type of signing permissible on a site by either parking on the site or on public rights-of-way immediately adjoining the site in such a manner as to call attention to the sign or vehicle.

86.60.130 Abandoned signs.

No person shall allow any sign to remain on property owned, occupied or controlled by such person which advertises or identifies a business activity which has not been conducted on such property for a period of 90 days or more.

86.60.140 Approval not required.

If in compliance with the design, location, size and other regulations of this chapter, the following signs do not require design review by the City:

- A. No more than three square feet of total, on-site, "window sign" sign area.
- B. Signs not exceeding six square feet and serving on-site residential uses.
- C. Signs on motor vehicles.

D. Political signs.

E. Real estate signs, both on-site and off-site, not exceeding six square feet total on any lot, not adversely affecting public safety, including traffic safety, and not in the public right-of-way.

F. Movable commercial signs. (Ord. 1854; Ord. 1831; Ord. 1816)

86.60.150 Approval required.

Unless otherwise provided, any person erecting, placing, changing color, moving, reconstructing, altering, or displaying any sign must first obtain Design Review Commission approval from the City of Coronado.

86.60.160 Application for approval.

The applicant shall submit to the Department of Community Development at least 12 working days prior to the regularly scheduled meeting of the Design Review Commission an application for design review on forms prescribed by the Department. The application shall include a sign plan with information proscribed by the Department. The applicant shall pay a filing fee as set by City Council resolution.

86.60.180 Action by Design Review Commission.

A. The Design Review Commission shall review the sign plan to ensure that the plan is within the specified standards set forth in CMC Title 80, Design Review, and CMC Title 88, Orange Avenue Corridor Specific Plan.

B. The Commission may approve, conditionally approve, or disapprove a sign plan. Conditional approval may include a requirement that the approval may be revoked and the sign removed upon the happening of a specified event. (Ord. 2018 §§ 10, 11, 2010; Ord. 1954 § 29, 2003)

86.60.190 Appeal.

A decision on an application shall be final 10 calendar days thereafter unless an appeal is filed with the City Clerk in accordance with Chapter 1.12 CMC. (Ord. 2025 § 43, 2011)

86.60.195 Variance.

Variances from standards or regulations set forth in this chapter may be granted by the Planning Commission pursuant to the process provided for in Chapter 86.52 CMC. The fee for sign variance requests for existing legal nonconforming signs will be waived. (Ord. 1710)

86.60.200 Enforcement.

A. Any sign which was lawfully erected prior to the effective date of this chapter and which never received Environment Design Review Commission approval as the sign(s) exists and which does not conform to the standards of this chapter shall be removed or modified so as to bring it into conformance with the standards of this chapter by December 31, 1988.

B. Any sign which was lawfully erected prior to the effective date of this chapter and did receive Environment Design Review Commission approval as it exists and which does not conform to the standards of this chapter shall be removed or modified so as to bring it into conformance with the standards of this chapter within 15 years of the date that the Design Review Commission approved said sign(s).

C. Any sign which is unlawfully erected at any time shall be subject to removal or modification so as to bring it into conformance with the standards of this chapter under the procedures contained in State law (see Section 5490 of the Business and Professions Code); except, any person who lawfully erects a sign on public property or on private property without the consent of the property owner who requests a sign be removed by a City official shall pay a removal and storage fee adopted by resolution of the City Council.

D. If any work is performed on a nonconforming sign which was previously approved by the Design Review Commission (other than required maintenance) involving a structural change in the sign display, such sign shall immediately lose its legal nonconforming status and shall be required to immediately conform to all the regulations within the zone at that time.

E. An owner whose sign is subject to the abatement periods specified in this section may apply to the City Council during such period for an extension. Upon a substantial showing by the owner that the owner has acted lawfully in

developing his property and that a fair return on his financial investment in the subject sign requires the sign to exist beyond the established abatement period, the City Council may extend the abatement period for that sign to any time the Council deems appropriate to allow a fair, financial return.

F. An owner whose sign is subject to the abatement periods specified in this section and feels that the subject sign is historical may apply to the Historic Resource Commission during such period for a historic resource sign designation. This provision allows signs which are historical to continue to be used and maintained which would not otherwise be permitted by this title. The “historic resource” sign designation shall extend the abatement period for 10 years. At the end of this 10-year period the owner of the subject sign may apply to the Historic Resource Commission for an extension. (Ord. 1816; Ord. 1710)

86.60.210 Historic sign designation.

A. Any property owner may apply to the Historic Resource Commission for the designation of a sign on the individual’s property in accordance with Chapter 70.20 CMC.

B. Historic Resource Commission Action.

1. The Commission may approve, disapprove or conditionally approve an application for “historic resource” designation signs;
2. The decision of the Commission shall become final 10 days after unless a notice of appeal to the City Council is filed with the Secretary of the City Council; and
3. If the designation is approved or conditionally approved, the Secretary to the Commission shall cause a notice of designation to be recorded in the Office of the County Recorder. (Ord. 1710)

86.60.220 Historic alteration permit.

A historic alteration permit shall be required as per CMC Title 84 for the removal, demolition, or substantial alteration of any sign that has been designated as a historic resource, unless this sign is governed by an expired abatement period. (Ord. 2018 § 15, 2010)

Chapter 86.64

WP – WILDLIFE PRESERVE ZONE (MODIFYING OVERLAY ZONE)

Sections:

- 86.64.010 Purpose and intent.
- 86.64.020 Uses permitted.
- 86.64.030 Review.
- 86.64.040 Location.

86.64.010 Purpose and intent.

The purpose and intent of the WP Modifying Zone regulations contained in this chapter are to protect and preserve valuable and unique environmental resources for the enjoyment and benefit of present and future generations of Californians. This zone designation is advisory for those areas within the corporate boundaries of the City but not under the zoning jurisdiction of the City of Coronado. This zone is mandatory for those areas under direct jurisdiction of the City of Coronado. This modifying zone is to be superior to all other modifying zones. (Ord. 1481)

86.64.020 Uses permitted.

The following uses shall be allowed in the WP Modifying Zone:

- A. Wildlife preserves.
- B. Botanical gardens or conservation areas.
- C. Archaeological, geological or paleontological excavations by recognized archaeologists, geologists or paleontologists and authorized by the City.
- D. Off-road paved or unpaved walkway or bicycle path.
- E. Salt evaporation ponds, subject to a special use permit.
- F. Aquaculture, subject to a special use permit.
- G. The YMCA Camp at its present site.
- H. The military facilities and activities on the Naval Communication Station property west of State Scenic Highway 75.
- I. Overhead or underground utility transmission/distribution facilities.
- J. The following accessory uses in conjunction with one or more of the above primary uses:
 - 1. Paved or unpaved parking facilities and access roads for those individuals who are utilizing the site for one of the designated primary uses or who maintain the site for one of the designated uses.
 - 2. Small permanent information facility to primarily be used to inform the general public of the unique qualities of the site.
 - 3. Signs intended to inform the general public of the qualities of the site, to protect individuals from harm or inconvenience, and to preserve and protect the habitat qualities of the site and the species that frequent the site.
 - 4. Trash receptacles, seating facilities, drinking fountains, sunken viewing blinds, fences, bicycle racks or any other similar facility deemed necessary to successfully utilize the site in a primary designated use.

86.64.030 Review.

A. The Planning Commission and City Council shall review for approval or disapproval all proposed uses in the WP Modifying Zone for conformance with the purpose and intent of this zone.

B. The Design Review Commission shall review all proposed structures, signs or facilities within the WP Modifying Zone for conformance with the purpose and intent of this zone and for their visual impact on views from any public road or water way.

C. Appeal of a Planning Commission or Design Review Commission decision may be made in writing to the City Council within 15 days after such review.

86.64.040 Location.

The WP Modifying Zone shall include the following areas:

A. That area within the City of Coronado that is encompassed by the City of Imperial Beach; the Pacific Ocean; the southern boundary of Silver Strand State Beach; Highway 75; the boundary between the Coronado Cays residential development and the salt marsh established by the Coronado Cays Company; the southern shoreline of the Coronado Cays; latitude 32° 37'; and the municipal boundary line shared by the Cities of Coronado and San Diego in San Diego Bay.

B. Any other area so designated by the Planning Commission and the City Council after a noticed public hearing is held on the matter at least 10 days prior to such designation. (Ord. 1578)

Chapter 86.70

COASTAL PERMITS

Sections:

- 86.70.010 Purpose and intent.
- 86.70.020 City coastal permit authority.
- 86.70.030 Development defined.
- 86.70.040 Exemption of development categories from City coastal permit requirements.
- 86.70.045 Repealed.
- 86.70.050 Activities requiring a coastal permit.
- 86.70.052 Exempt categories of development.
- 86.70.060 Categorically exempt geographic areas.
- 86.70.070 Coastal Permit Administrator – Purpose.
- 86.70.080 Authority and duties of Coastal Permit Administrator.
- 86.70.090 Application and fee for coastal permit.
- 86.70.100 Application procedure – Hearing, notice.
- 86.70.110 Findings, decision and issuance of coastal permit.
- 86.70.115 By-Right Approval Process.
- 86.70.120 Coastal permit relationship to building permit.
- 86.70.130 Coastal permit time limit and renewal.
- 86.70.135 Coastal permit amendment.
- 86.70.140 Coastal permit revocation.
- 86.70.150 Coastal permit revocation – Notice, appeal.
- 86.70.160 Procedure for open space easements and public access documents.
- 86.70.170 Reserved.
- 86.70.180 Coastal permit appeal procedure.
- 86.70.190 Coastal permit appeal – Hearing, notice.
- 86.70.200 Appeals to the California Coastal Commission.
- 86.70.210 Emergency temporary waiver of coastal permit.

86.70.010 Purpose and intent.

This chapter is enacted to specify the coastal permit process, and the circumstances to which the process applies in order to assure compliance to the California Coastal Act. This chapter recognizes that three areas of jurisdiction exist in the City:

- A. Areas under sole City coastal permit authority;
- B. Areas under City coastal permit authority, but appealable to the California Coastal Commission; and
- C. Areas not under City coastal permit authority (i.e., Federal government military property, areas under San Diego Unified Port District coastal permit jurisdiction and areas that remain within California coastal permit authority).
(Ord. 1588; Ord. 1562)

86.70.020 City coastal permit authority.

Federal government property and areas under San Diego Unified Port District coastal permit jurisdiction are not under City coastal permit authority.

86.70.030 Development defined.

For the purpose of this chapter, “development” means, on land, in or under water, the placement, erection, construction, reconstruction, demolition, or alteration of the size of any solid material, building, structure, road, pipe, conduit, siphon, telephone line, or electrical power transmission and distribution line; the discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to,

subdivisions and other land divisions, including lot splits or the alteration of lot boundaries; change in the intensity of use of water, or of access thereto; and the removal of major vegetation or the harvesting of kelp. (Ord. 1588)

86.70.040 Exemption of development categories from City coastal permit requirements.

The City may permit any category of development, or any category of development within a specifically defined geographic area, that the City, by regulation, after public hearing, has described or identified and with respect to which the City has found that there is no potential for any significant adverse effect either individually or cumulatively on coastal resources or on public access to, or along, the coast. These categorical exemptions shall be approved by the California Coastal Commission and found that no potential for any adverse effect on coastal resources will occur either individually or cumulatively. (Ord. 1751; Ord. 1588)

86.70.045 Repealed.

Repealed by Ord. 1817.

86.70.050 Activities requiring a coastal permit.

A coastal permit is required from the City for all development in areas under City coastal permit authority that are not otherwise categorically exempt. (Ord. 1817; Ord. 1781)

86.70.052 Exempt categories of development.

The City, after public hearings, has identified the following categories of development as having no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast, and has therefore exempted these development categories from City coastal permit requirements (as per CMC 86.70.040):

- A. Improvements to existing single-family dwelling buildings (in accordance with restrictions of Chapter 86.74 CMC);
- B. Improvements to existing duplexes (in accordance with the restrictions of Chapter 86.74 CMC);
- C. Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of such repair or maintenance activities; provided, however, that if the City determines that certain extraordinary methods of repair and maintenance involve a risk of substantial adverse environmental impact, it shall prohibit the use of such methods; and provided, that the activities abide to the restrictions of Chapters 86.72, 86.74 and 86.76 CMC;
- D. The installation, testing, and placement in service of the replacement of any necessary utility connection between an existing services facility and any development approved pursuant to this chapter (in 86.74 and 86.76 CMC);
- E. Maintenance dredging of existing navigation channels or moving dredged material from such channels to a disposal area outside the coastal zone, pursuant to a permit from the United States Army Corps of Engineers;
- F. The replacement of any structure other than a public works facility, destroyed by natural disaster; provided, that such replacement structure or facility shall conform to the applicable requirements of this title, shall be for the same use as the destroyed structure or facility, shall not exceed the floor area, height, or interior cubic volume of the destroyed structure or facility by more than 10 percent, and shall be sited in the same location on the affected property as the destroyed structure or facility;
- G. Demolition of any building except visitor serving commercial uses; provided, however, that if the City determines that certain extraordinary methods of demolition involve a risk of substantial adverse environmental impact, it shall prohibit use of such methods;
- H. Construction of a single-family dwelling building on a legal lot of record in conformance to all applicable requirements of this title;
- I. Construction of a duplex on a legal lot of record in conformance to all applicable requirements of this title;
- J. The removal of major vegetation on municipal property; and

K. Activities not requiring either an initial study under CEQA, an environmental assessment under NEPA, a Planning Commission or City Council interpretation, or issuance of a special use permit or variance; and provided the activities as reviewed within the policies of the Coastal Act shall not create a potential for any adverse effect either individually or cumulatively on coastal resources and the activities conform with all provisions of the LCP land use plan. (Ord. 1588)

86.70.060 Categorically exempt geographic areas.

A. Those uses or activities permitted for a particular zone by the Coronado Municipal Code which do not require a discretionary action on the part of the City (i.e., Planning Commission or City Council interpretation, issuance of a major or minor special use permit, or issuance of a variance to either the regulation of the amount of landscaping required or to any standard in Chapters 86.58, 86.64, 86.70, 86.72, 86.74, and 86.76 CMC) shall be exempt in that zone from the City coastal permit process for those areas that are neither under the California Coastal Commission appeal authority nor within the Coastal Commission's direct permit jurisdiction. Changes to the list of land uses that may be allowed without a discretionary action shall require a local coastal program amendment.

B. The City, after public hearings (as per CMC 86.70.040), has identified the aforementioned uses and activities as categories of development within a specifically defined geographic area, that present no potential for any significant adverse effect, either individually or cumulatively, on coastal resources or on public access to, or along, the coast. (Ord. 1962 § 2, 2004; Ord. 1874; Ord. 1817; Ord. 1781; Ord. 1751)

86.70.070 Coastal Permit Administrator – Purpose.

In order to facilitate administration of the City of Coronado coastal permit process, the Director of Community Development (or his duly authorized agent) is hereby designated Coastal Permit Administrator.

86.70.080 Authority and duties of Coastal Permit Administrator.

The Coastal Permit Administrator shall administer, interpret and enforce the City of Coronado coastal permit process, and is authorized to undertake any action necessary and appropriate to perform these duties. The functions as set forth in this section are considered either ministerial or minor in nature, not requiring initial review by the City Council or any City Commission or Committee, and are indicative but not exhaustive of the Coastal Permit Administrator's authority. The Coastal Permit Administrator may:

- A. Delegate a portion of his duties to a representative;
- B. Gather data, investigate circumstances or determine facts in order to determine whether a specific activity or project is under the purview of this chapter, or to assure compliance with this chapter or with conditions placed upon a City coastal permit;
- C. Determine whether projects are categorically exempt from the City of Coronado coastal permit requirement per CMC 86.70.050 or 86.70.060;
- D. Review coastal permits, as detailed in CMC 86.70.130;
- E. Revoke a coastal permit, as detailed in CMC 86.70.140;
- F. Require an applicant to provide a certification by a civil engineer that proposed activities meet specified criteria, as detailed in Chapters 86.72, 86.74 and 86.76 CMC;
- G. Determine which civil engineers will provide certifications to the City under conditions detailed in Chapters 86.72, 86.74 and 86.76 CMC;
- H. Determine whether a specified coastal permit application, or a civil engineer certification of fact, is complete and acceptable to the City;
- I. Give public notice of a public hearing to review a coastal permit application or application appeal;
- J. Develop coastal permit application forms and processing procedures;
- K. Recommend to the City Council appropriate fees for the coastal permit process, or changes to that process;

L. Represent the City concerning coastal permit matters, coordinating City coastal permit activities with appropriate government agencies; and

M. Waive the City coastal permit appeal fee requirement for sites within the California Coastal Commission appeal jurisdiction. (Ord. 1751; Ord. 1588)

86.70.090 Application and fee for coastal permit.

An application for a coastal permit shall be submitted to the Department of Community Development on a form provided by the Coastal Permit Administrator for the purpose. In addition to whatever items the Coastal Permit Administrator deems necessary for the proper administration of this chapter, an application shall, at minimum, contain the following:

- A. The applicant's name, address and telephone number (if applicant has access to telephone);
- B. The date the application is submitted;
- C. The applicant's signature;
- D. A description of the proposed project or activity;
- E. A description of the site;
- F. A description of the area immediately adjacent to the site;
- G. A plot plan of the site;
- H. A filing fee and a public notice fee as required by resolution of the City Council; and
- I. Envelopes (affixed with sufficient first class postage) addressed to each applicant, to all persons who have requested to be on a mailing list for the specific project, to all occupants and property owners of property within 100 feet of the perimeter of the project site, and to the California Coastal Commission. (Ord. 1586)

86.70.100 Application procedure – Hearing, notice.

A. Upon the filing of a complete coastal permit application, the Coastal Permit Administrator shall, in a timely manner, schedule a public hearing on the request before the Planning Commission, and provide public notice of the public hearing.

B. Public notice shall be provided at least 10 calendar days prior to the first coastal permit public hearing. Public notice shall consist of notice by first class mail to each applicant, to all persons who have requested to be on a mailing list for the specific project, to all occupants and property owners of property within 100 feet of the perimeter of the project site, and to the California Coastal Commission; and publication of a public notice in a newspaper of general circulation in the City of Coronado. In the situation of a continued hearing, additional notice in conformance with the procedure for the original notice shall be mailed out (if not previously stated in the first notice provided, nor announced at the hearings as to a time certain). The public notice shall contain the following information:

1. A statement that the proposed project or activity requires a City coastal permit (as per CMC 86.70.050);
2. The date of filing of the application and the name of the applicant;
3. The number assigned to the application;
4. A description of the proposed development and its location;
5. The date, time and place at which the application will be heard by the Planning Commission or City Council;
6. A brief description of the general procedure of local government concerning the conduct of hearing and local actions*; and

7. The system for City and Coastal Commission appeals, including City fees required.*

*Note: Subsections (B)(6) and (7) of this section will not be required for the newspaper public hearing notice. (Ord. 1588)

86.70.110 Findings, decision and issuance of coastal permit.

After the required Planning Commission public hearing, the Planning Commission shall by resolution approve, deny or approve with conditions the City coastal permit application. This Planning Commission resolution shall incorporate findings of fact to explain and justify the Commission's action. The Coastal Permit Administrator shall issue a coastal permit only after all City coastal permit appeal deadlines have expired for the project or activity. The coastal permit shall have noted on its face whether it was approved with conditions, and either the specific conditions or how the wording of the conditions may be obtained.

86.70.115 By-Right Approval Process

CMC 86.34.040 identifies proposed projects which must be reviewed by the City through a by-right approval process pursuant to Government Code Section 65583.2. For these projects, the Community Development Director shall issue a coastal permit without a public hearing if the project is consistent with applicable objective standards.

86.70.120 Coastal permit relationship to building permit.

If a coastal permit is required for a project or activity, building permits shall not be issued for the project or activity prior to issuance of the coastal permit.

86.70.130 Coastal permit time limit and renewal.

- A. Unless renewed, a coastal permit shall expire after one year from the date of issuance.
- B. The Coastal Permit Administrator, upon a written request from the applicant, may renew the coastal permit in three-month increments for an additional period not to exceed one year. Work must be initiated on the proposed project or the proposed activity must commence while the coastal permit is in effect. An ongoing activity may be issued a coastal permit for a duration longer than one year if the Planning Commission resolution incorporates a finding of the ongoing nature of the activity, and specifically states the duration of the coastal permit issued. (Ord. 1891; Ord. 1586)

86.70.135 Coastal permit amendment.

A City coastal permit may be amended at the request of the permittee. The amendment procedures and fees shall be identical to the City coastal permit process then in effect. (Ord. 1751)

86.70.140 Coastal permit revocation.

After written notice to the permittee with an opportunity to respond, the Coastal Permit Administrator may revoke a City coastal permit if the Administrator determines that:

- A. The permit was originally acquired by the applicant via a fraudulent application; or
- B. The applicant fails to comply with one or more of the conditions contained in the permit.

86.70.150 Coastal permit revocation – Notice, appeal.

If the Coastal Permit Administrator determines to revoke a City coastal permit, the administrator shall immediately notify the applicant in writing that the revocation will be effective 10 days after the Administrator's action unless an appeal is filed with the Coronado Community Development Department prior thereto (as per CMC 86.70.180).

86.70.160 Procedure for open space easements and public access documents.

When the City of Coronado Planning Commission approves a coastal permit that is conditioned with the requirement that an accessway or open space/conservation easement be provided by the applicant, the City shall not issue the permit until the following processing steps are completed:

- A. The City Council shall review, revise and accept the easement or land;

- B. The Department of Community Development shall record the requisite legal documents; and
- C. The Department of Community Development, upon recordation of the documents, shall forward a copy of the permit conditions, findings of approval, the legal documents pertaining to the public access and open space conditions, and a statement as to which private association, public agency or City department shall be responsible for the operation and maintenance of the accessway or open space/conservation area to the Executive Director of the California Coastal Commission. (Ord. 1588)

86.70.170 Reserved.

86.70.180 Coastal permit appeal procedure.

Actions taken in accordance with this chapter by the Coastal Permit Administrator may be appealed to the Planning Commission. Actions by the Planning Commission in accordance with this chapter, including a decision on an appeal from an action by the Coastal Permit Administrator, may be appealed to the City Council. An appeal must be filed in writing with the Coronado Community Development Department within 10 calendar days of the action which is the subject of the appeal. In addition to whatever items the Coastal Permit Administrator deems necessary for the proper administration of this chapter, an appeal shall, at a minimum, contain the following:

- A. The appellant's name, address and telephone number (if appellant has access to telephone);
 - B. The date the appeal is submitted;
 - C. The appellant's signature;
 - D. Information sufficient to denote the City action under this chapter being appealed (e.g., name or address of project, City permit or file number, description of City action, name of coastal permit applicant, etc.);
 - E. The reason for the appeal;
 - F. The appeal fee; and
- G. Envelopes (affixed with sufficient first class postage) addressed to the applicant, to appellant, to the California Coastal Commission, to all persons who have requested to be on a mailing list for the specific project, and to all occupants and property owners of property within 100 feet of the perimeter of the project site.

86.70.190 Coastal permit appeal – Hearing, notice.

Upon the timely filing of a complete appeal of an action taken in accordance with this chapter, the Coastal Permit Administrator shall schedule a public hearing for the next available meeting of the appropriate hearing body; and provide public notice with copies sent to the applicant, to appellant, to the California Coastal Commission, to all persons who have requested to be on a mailing list for the specific project, and to all occupants and property owners of property within 100 feet of the perimeter of the project site to include the following information:

- A. A statement that the proposed project or activity requires a City coastal permit;
- B. The date of filing of the appeal and the name of the appellant;
- C. The number, if any, assigned to the City action being appealed;
- D. A description of the proposed development and its location;
- E. The date, time and place at which, the public hearing on the appeal shall occur;
- F. A statement that all persons are welcome to comment on the matter at the public hearing or by mail prior to the public hearing. (Ord. 1586)

86.70.200 Appeals to the California Coastal Commission.

A. For those actions under California Coastal Commission direct or appeal jurisdiction, upon the taking of final action by the City of Coronado, the Coastal Permit Administrator shall notify the applicant of the action taken and provide an information sheet explaining the California Coastal Commission appeal process which shall include a

statement to the effect that “Appeal to the California Coastal Commission could result in Coastal Commission denial of a City approved project or activity or new conditions being imposed on the project by the Coastal Commission. The Coastal Commission may not eliminate or modify conditions placed upon the permit by the City of Coronado nor can the California Coastal Commission grant permission for a project or activity denied by the City of Coronado.”

B. The City of Coronado Community Development Department shall make readily available to the public an information sheet explaining the California Coastal Commission appeal process.

86.70.210 Emergency temporary waiver of coastal permit.

Under certain emergency conditions detailed in CMC 86.76.030, the City Manager (or his duly appointed agent) may temporarily waive City coastal permit requirements in order to allow preventive or ameliorative activities necessary to adequately address the emergency situation. If emergency action involves areas subject to CMC 86.70.010(C), an emergency permit must be received from the appropriate government agency. (Ord. 1588)

Chapter 86.72

DIKING, DREDGING, FILLING AND DREDGE SPOILS DISPOSAL

Sections:

- 86.72.005 Definitions.
- 86.72.010 Diking, dredging, filling and dredge spoils disposal – Coastal permit required.
- 86.72.020 Diking, filling or dredging – When permitted.
- 86.72.030 Dredging and dredge spoils disposal regulated.
- 86.72.040 Diking, filling and dredging regulated.
- 86.72.050 Alteration of coastal wetlands in Wildlife Preserve Zone regulated.

86.72.005 Definitions.

A. “Estuaries” means coastal water bodies usually semi-enclosed by land, but which have open, partially obstructed, or intermittent exchange with the ocean and in which ocean water is at least occasionally diluted by fresh water runoff from the land. The salinity may be periodically increased above the open ocean by evaporation. In general, the boundary between “wetland” and “estuary” is the line of extreme low water.

B. “Open coastal waters” refers to the open ocean overlaying the continental shelf and its associated coastline, including bays, canals, etc. Salinities exceed 30 parts per 1,000 with little or no dilution except opposite mouths of estuaries.

C. “Wetlands” means lands within the coastal zone which may be covered periodically or permanently with shallow water and include salt water marshes, fresh water marshes, open or closed brackish water marshes, swamps, mudflats and fens. (Ord. 1588; Ord. 1531)

86.72.010 Diking, dredging, filling and dredge spoils disposal – Coastal permit required.

Diking, dredging, filling and dredge spoils disposal in open coastal waters and wetlands shall require City issuance of a coastal permit. The coastal permit shall only be issued after verification that the activities are necessary, appropriate and designed to minimize or mitigate resultant adverse environmental impact. The applicant, at the determination of the City Coastal Permit Administrator, shall provide a certification by a civil engineer acceptable to the City that the proposed activities meet these criteria. (Ord. 1588)

86.72.020 Diking, filling or dredging – When permitted.

A. The diking, filling, or dredging of open coastal waters and wetlands shall be permitted only where there is no feasible, less environmentally damaging alternatives and where feasible mitigation measures have been provided to minimize adverse environmental effects, and when limited to the following:

1. New or expanded port, energy, and coastal-dependent industrial or visitor serving facilities including commercial fishing facilities.
2. Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps, or moving dredged material from such sites to a disposal area outside the coastal zone, pursuant to a permit from the United States Army Corps of Engineers.
3. Repair or maintenance activities that do not result in an addition to, or enlargement or expansion of, the object of such repair or maintenance activities; provided, however, that if the City determines that certain extraordinary methods of repair and maintenance involve a risk of substantial adverse environmental impact, it shall, by regulation, prohibit the use of such methods.
4. In open coastal waters, other than wetlands, new or expanded boating facilities.
5. Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

6. Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
7. Restoration purposes.
8. Nature study, aquaculture, or similar resource-dependent activities.

B. The applicant, at the request of the City Coastal Permit Administrator, shall provide a certification by a civil engineer acceptable to the City that the proposed activities meet the above criteria.

86.72.030 Dredging and dredge spoils disposal – Regulated.

Dredging and dredge spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable longshore current systems.

86.72.040 Diking, filling and dredging regulated.

A. Where feasible, diking, filling, dredging, and construction activities shall be timed to minimize their impact on the mating, nesting, or hatching of endangered birds, or the spawning of grunion. Diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary.

B. Where any dike and fill development is permitted in wetlands in conformity with these policies, mitigation measures shall include, at a minimum, either acquisition of equivalent areas of equal or greater biological productivity or opening up equivalent areas to tidal action. If no appropriate restoration site is immediately available, an in-lieu fee sufficient to provide an area of equivalent productive value shall be paid to the City. Surface areas shall be dedicated to the City, or such replacement site shall be purchased by the City before the dike or fill development may proceed. Such mitigation measures shall not be required for temporary or short-term fill or diking; provided, that a bond or other evidence of financial responsibility is provided to assure that restoration will be accomplished in the shortest feasible time.

86.72.050 Alteration of coastal wetlands in Wildlife Preserve Zone regulated.

Any alteration of coastal wetlands in the Wildlife Preserve Zone shall be limited to very minor incidental public facilities, restorative measures, nature study and development in already developed parts of the bay, if otherwise in accordance with requirements of this chapter.

Chapter 86.74

WATERFRONT DEVELOPMENT

Sections:

- 86.74.010 Waterfront development.
- 86.74.020 Public sandy beaches.
- 86.74.030 Waterfront development setbacks.
- 86.74.040 Accessway standards.
- 86.74.050 Public access along the shore.
- 86.74.060 Public prescriptive rights.
- 86.74.070 Prohibitions for Glorietta Bay.

86.74.010 Waterfront development.

Development involving waterfront properties shall be required to satisfy the standards of this chapter. (Ord. 1532)

86.74.020 Public sandy beaches.

No new development shall occur on existing public sandy beach areas. An exception would be allowed for new or expanded permanent lifeguard facilities, restroom facilities, bikepaths or similar public recreation facilities, if it can be determined by the City that adverse impacts to public beaches are negligible or when public safety or health requires it; and provided, that no less environmentally damaging alternatives exist. This prohibition shall not be construed to restrict or regulate the maintenance, repair, rehabilitation or replacement of existing public facilities, or the activities of any governmental agency other than the City of Coronado on property under that agency's jurisdiction.

86.74.030 Waterfront development setbacks.

A. Development setbacks shall be calculated from the parcel's property line subject to the provisions of subsections B and C of this section, which may require a greater setback.

B. New development shall assure coastal stability and structural integrity, and neither create nor contribute significantly to erosion or geologic instability.

C. Permanent buildings, or other structures proposed for construction (excluding refurbishment, renovation or addition to existing structures that do not extend the structures seaward or bayward) shall be set back from an eroding beach or coastline a distance sufficient to assure that the development will not require mitigation measures to protect the development from the natural erosion process during the economic lifetime of the structures. The builder, at the request of the City Coastal Permit Administrator, shall provide a certification by a civil engineer acceptable to the City that the proposed construction site meets these criteria.

D. The City Coastal Permit Administrator may request through the City Council, the opinion of the Corps of Engineers, Scripps Oceanography Institute, or other qualified experts with regard to the possible erosion of beach area in the vicinity of the proposed construction in making a determination of required setbacks.

86.74.040 Accessway standards.

Unless otherwise provided in this title, the following pedestrian accessway standards shall apply to the provision of pathways to or along the City's shoreline:

Accessways shall be at least four feet wide, with a preferred width of at least 10 feet. At least four feet of the accessway's width shall be hard surfaced and shall have a maximum gradient of 70 percent (i.e., a seven-foot vertical drop for every 10 feet of horizontal distance). Gradients of greater than 12 percent shall require stairs. The preferred gradient for pedestrian accessways shall be 20 percent or less. Wheelchair ramps shall meet all Uniform Building Code standards. Minimum structure setback from an accessway (excluding fences, boundary walls or hedges) shall be five feet; preferred setback shall be at least 10 feet. Setbacks shall be determined and the path shall be designed to assure both a functional accesspath and the privacy and security of adjoining land owners. Not more than one access path to the shoreline shall be required for each 500 lineal feet of shoreline.

86.74.050 Public access along the shore.

Offers of dedication of easements to local or State agencies or private associations for public access along the shoreline (lateral access) shall be required in association with new development fronting on the ocean or bay except for repair and maintenance activities or replacement of structures destroyed by natural disaster. In addition, improvements to any structure or demolition and reconstruction of single-family residences would be exempted from lateral access easement requirements unless such improvements interfere with currently existing public views, block a public accessway, or causes further encroachment of the structure seaward or toward the edge of a bluff. Specifically, easements would be required:

A. Seaward of the toe of existing bluff or vegetation lines where new development is proposed on existing developed lots; and

B. Seaward of proposed new sea walls or other shoreline protective devices.

86.74.060 Public prescriptive rights.

A. No portion of this title shall be construed to permit private activities or development to encroach upon public prescriptive rights. A City coastal permit for private activities or development shall not be approved if such activities or development are likely to interfere with public prescriptive rights unless public access is required as a condition of permit approval. Depending upon circumstances, public access may be provided through the use of deed restrictions, grant of fee interest, grant of an easement, or an offer of dedication of either an easement or fee interest. Proposed developments shall be sited and designed in a manner which does not interfere with the area of use, or shall provide for an equivalent area of use on-site. In either situation, prior to issuance of a permit, applicants will be required to record offers of dedication or other suitable documents.

B. Where evidence of public prescriptive rights exist in association with proposed development, review procedures in accordance with the Attorney General's "Implied Dedication and Prescriptive Rights Manual" shall be utilized by the City to further investigate the possibility of prescriptive rights of access in order to protect such rights. A City coastal permit shall not be issued until it is determined by the City Council, upon a public hearing, that public prescriptive rights will be substantially guaranteed by conditions to be placed upon the City coastal permit.

86.74.070 Prohibitions for Glorietta Bay.

No new public school buildings or buildings solely for private use as clubs, lodges or private assembly halls shall be constructed, placed or maintained on land adjacent to Glorietta Bay; nor shall new leases be given nor old leases be extended for such uses in this area.

Chapter 86.76

PROTECTION OF NATURAL OCEAN AND BAY PROCESSES

Sections:

- 86.76.010 Coastal permit required.
- 86.76.020 Repair and maintenance of ocean and bay shore improvements.
- 86.76.030 Maintenance and placement of ocean and bay shore improvements under emergency conditions.
- 86.76.040 Waterfront land – Permitted improvements.

86.76.010 Coastal permit required.

- A. The construction or placement of any improvement which may significantly affect the natural erosion process resultant from the interaction of water bodies upon their shores, or cause significant adverse alteration of the bay or ocean environment shall require a coastal permit from the City. Without limitation, buildings, harbor channels, breakwaters, groins, piers, retaining walls, revetments, riprap, sea walls and similar items shall be governed by this chapter.
- B. An improvement or activity requiring a coastal permit under this chapter shall only be allowed when it serves coastal dependent uses, protects existing structures, removes public hazards, or protects public beaches in danger of erosion.
- C. In order for an improvement or activity requiring a coastal permit under this chapter to qualify for such a permit, the improvement or activity must be designed and constructed as follows:

1. To neither create nor contribute significantly to erosion or geologic instability;
2. To minimize their own breakdown and disintegration;
3. To minimize water pollution and the silting of coastal waterways;
4. To not result in a substantial or potentially substantial, adverse change in any of the physical conditions within the area affected by the coastal permit requiring activity including land, air, water, minerals, flora, fauna, ambient noises and objects of historic or aesthetic significance;
5. To not preclude the public's right of access to (including without limitation) the ocean, bay or public beach where acquired through use, custom, legislative authorization, purchase, condemnation, judicial action, gift, bequeath or escheat;
6. To encourage or facilitate, where feasible, the phasing out or upgrading of marine structures causing water stagnation contributing to pollution problems or fish kills;
7. To minimize their intrusion into public vistas by being unobtrusive and aesthetically pleasing when viewed from public streets, walk or bicycle ways or waterways;
8. To minimize extensions or projections into the bay or ocean;
9. To facilitate public access where appropriate and feasible; and
10. To minimize or mitigate resultant adverse environmental impacts.

- D. The applicant, at the determination of the Coastal Permit Administrator, shall provide a certification by a civil engineer acceptable to the City indicating that the proposed improvement or activity conforms to the above criteria. (Ord. 1533)

86.76.020 Repair and maintenance of ocean and bay shore improvements.

Repair and maintenance activities or ocean and bay shore improvements which require City issuance of a building permit, encroachment permit or City review of an initial study shall require City issuance of a coastal permit. The

coastal permit shall only be issued after certification that the repair or maintenance activities are necessary, appropriate, and designed, when feasible, to minimize or mitigate resultant adverse environmental impacts. The applicant, at the request of the City Coastal Permit Administrator, shall provide a certification by a civil engineer acceptable to the City that the proposed activities meet these criteria.

86.76.030 Maintenance and placement of ocean and bay shore improvements under emergency conditions.

A. In the event that an emergency situation exists that is an immediate significant threat to life, health or property, the City Manager (or his duly appointed agent) is authorized to temporarily waive City coastal permit requirements to allow preventive or ameliorative activities (including filling) necessary to adequately address the emergency situation. However, such activities shall conform as much as practical to the criteria listed in CMC 86.76.010, and shall ultimately require issuance of a City coastal permit. Within 30 days of the commencement of the preventative or ameliorating activities, the property owner shall apply for a coastal permit or shall restore the property to the condition existing prior to the preventative or ameliorating activity by removing the product of such activity.

B. If a City coastal permit is not issued for the preventative or ameliorating emergency activities, then the property owner shall restore the property to the condition existing prior to the preventative or ameliorating activity by removing the product of such activity unless the owner obtains a City coastal permit for alternative ocean or bay shore improvements or activities.

86.76.040 Waterfront land – Permitted improvements.

For waterfront land recorded on Miscellaneous Map 121 (Rancho Peninsula), Record of Survey 563, 2372, and Map 2544 (Bay View Estates), Record of Surveys 5191, 6014 and 6958, retaining walls, revetments, riprap, sea walls and similar development shall be permitted, with a coastal permit, subject to all other standards of this chapter, with the provision that such improvements may be situated in a manner so that the improvements' bayward faces may connect in a straight line the bayward faces of similar improvements on adjoining property.

Chapter 86.78

TRANSIENT OCCUPANCY

Sections:

- 86.78.010 Purpose and intent.
- 86.78.020 Definition – Transient occupancy.
- 86.78.030 Definition – Transient rental.
- 86.78.040 Definition – Transient time-share occupancy.
- 86.78.050 Definition – Time-share complex.
- 86.78.060 Transient rental regulations.
- 86.78.070 Transient time-share occupancy regulations.
- 86.78.080 Nonconforming time-share complexes.

86.78.010 Purpose and intent.

The purpose and intent of this chapter is to regulate various forms of transient occupancy within the City. (Ord. 1809)

86.78.020 Definition – Transient occupancy.

“Transient occupancy” means the right to use, occupy or possess, or the use, occupancy, or possession of, a dwelling unit or a habitable unit for a period of 25 consecutive calendar days or less. (Ord. 1495)

86.78.030 Definition – Transient rental.

“Transient rental” means the renting, letting, subletting, leasing or subleasing of a dwelling unit or a habitable unit for “transient occupancy.” (Ord. 1495)

86.78.040 Definition – Transient time-share occupancy.

“Transient time-share occupancy” means “transient occupancy” when conveyed with consideration through any arrangement where the use, occupancy, or possession of real property circulates among purchasers of intervals of ownership according to a fixed or floating time schedule on a periodic basis for a specific period of time during any given year, regardless of the name used to describe the method of use, occupancy, or possession. (Ord. 1495)

86.78.050 Definition – Time-share complex.

“Time-share complex” is a building or group of buildings containing one or more habitable units with such dwelling units as may be allowed by this code, whose ownership or right to use facilities are conveyed to multiple individuals for “transient time-share occupancy.”

86.78.060 Transient rental regulations.

A. No dwelling or habitable unit in any Residential Zone (except as specified in subsection B of this section) shall be used as a transient rental.

B. Dwelling or habitable units within R-4 Zone motels, or that constitute lodging houses within the “P” Overlay Zone may be utilized as transient rentals. (Ord. 1788; Ord. 1495)

86.78.070 Transient time-share occupancy regulations.

A. For all zones, no dwelling unit or habitable unit shall be established for, or converted to, transient, time-share occupancy use.

B. For all zones, no person shall make a dwelling unit or habitable unit subject to an arrangement which creates a transient, time-share occupancy right.

86.78.080 Nonconforming time-share complexes.

Nonconforming time-share complexes may be reconstructed so long as neither the number of dwelling units or habitable units for each complex nor the number of bedrooms for each unit is increased, the height of a structure is not increased, existing building profiles are maintained, and the number and size of existing parking spaces is not reduced.

Chapter 86.80

PROHIBITION OF COMMERCIAL MARIJUANA ACTIVITY USES

Sections:

- 86.80.010 Legislative findings and statement of purpose.
- 86.80.020 Definitions.
- 86.80.030 Prohibited activities.

86.80.010 Legislative findings and statement of purpose.

A. On November 8, 2016, the State voters approved the Adult Use of Marijuana Act, also identified as Proposition 64 (“Prop 64”). Prop 64 legalized adult nonmedical use of marijuana and established a State licensing scheme for nonmedical marijuana facilities largely patterned on the MCRS Act, and generally: (1) allows adults 21 years and older to possess up to one ounce of marijuana and to cultivate up to six plants for personal use; (2) regulates and taxes the production, manufacture, and sale of marijuana for adult use; (3) allows local regulation and taxation of marijuana; (4) prohibits smoking marijuana in places where smoking tobacco is prohibited; and (5) rewrites criminal penalties so as to reduce the most common marijuana felonies to misdemeanors and allow prior offenders to petition for reduced charges. Prop 64, similar to the MCRS Act, allows cities and counties to prohibit the establishment of nonmedical facilities and licenses that are provided under Prop 64, providing for minimal personal use exceptions.

B. The City Council finds that the State is not authorized to issue licenses for commercial marijuana activities within the city because Business and Professions Code Section 26055(e) provides that the State may not issue a state license for any commercial marijuana activities within a city that prohibits such activities. (Ord. 2071 § 3, 2017)

86.80.020 Definitions.

For purposes of this chapter, the following definitions shall apply:

- A. “Commercial marijuana activity” shall have the same meaning as CMC 36.20.020(B).
- B. “Marijuana” or “cannabis” shall have the same meaning as CMC 36.20.020(E).
- C. “Marijuana dispensary” or “marijuana dispensaries” shall have the same meaning as CMC 36.20.020(G).
- D. “Medical marijuana collective” or “cooperative or collective” shall have the same meaning as CMC 36.20.020(H). (Ord. 2071 § 3, 2017)

86.80.030 Prohibited activities.

A. It is unlawful for any person or business to engage in commercial marijuana activities of any type in any and all zones and in any and all specific plan areas. No person shall establish, operate, conduct, or allow a commercial marijuana activity anywhere within the City.

B. It is unlawful to establish or operate a marijuana dispensary, medical marijuana collective, or any other business establishment associated with any type of commercial marijuana activity within the City.

C. This section is meant to prohibit all commercial or medical marijuana activities in the City except where the City is preempted by Federal or State law from enacting a prohibition on any such activity. Accordingly, the City shall not issue any permit, license, or other entitlement for any commercial or medical marijuana activity for which a State license is required under any State law, and no person shall otherwise establish or conduct such activities in the City, except where the City is preempted by Federal or State law from enacting a prohibition on any such activity for which the use permit, variance, building permit, or any other entitlement, license, or permit is sought. (Ord. 2071 § 3, 2017)