

CORONADO PLANNING COMMISSION  
MEETING MINUTES

Regular Meeting

July 27, 2010

The regular meeting of the Coronado Planning Commission was called to order at 3:05 p.m., Tuesday, July 27, 2010, at the Coronado City Hall Council Chambers, 1825 Strand Way, Coronado, by Chairperson Grimes.

MEMBERS PRESENT: Gaylord, Grimes, Jensen (arrived at 3:13 p.m.), Santos, and St. Denis

MEMBERS ABSENT: None

STAFF PRESENT: Rachel A. Hurst, Director  
Ann McCaull, Senior Planner  
Martha L. Alvarez, Recording Secretary/Minutes Preparer

APPROVAL OF MINUTES

The minutes of the regular meeting of May 25, 2010, were approved as submitted.

DIRECTOR'S REPORT

Director Hurst reported that the Commission meeting of August 10 is cancelled; the next scheduled meeting will be on August 24.

COMMITTEE REPORTS

Historic Resource Commission

Vice Chair St. Denis reported that the City Council, at their meeting of June 15, upheld the Commission's decision to deny a demolition request permit for the property located at 826 Tolita Avenue based on the Commission's findings that the property is historically significant. She also reported that on July 7, the Commission approved a Notice of Intent to Demolish permit application for the property addressed as 1112 Isabella Avenue; recommended to the City Council approval of a Historic Alteration Permit with a zoning exception for the property addressed as 1043 Ocean Boulevard, excluding a second story master suite addition proposed as part of the application.

RSIP Subcommittee

Vice Chair St. Denis reported that the Subcommittee held a public workshop on June 24, at the direction of Council, to receive public input on the proposed RSIP recommendations. Ms. Hurst added that the Planning Commission will consider same prior to City Council review.

## ORAL COMMUNICATIONS AND OTHER MATTERS

### NON AGENDA ITEMS

There were no members of the public wishing to speak at this time.

### LISTED AGENDA ITEMS

There were no members of the public wishing to speak at this time.

## APPLICATIONS FOR REVIEW

**PC 2010-05** **CITY OF CORONADO** – Consideration of an Ordinance amending the Municipal Code to address required implementation programs for the City’s Certified Housing Element to include (1) Emergency shelters in the Civic Use and Commercial Zone with a Minor Special Use Permit; (2) Transitional Housing in the R-3 and R-4 zones; (3) Manufactured Housing in the Single Family and R-3 zones; (4) Licensed residential care facilities in residential zones; and (5) Reasonable accommodation requests (for persons with disabilities) in all zones. The following chapters will be amended or added to achieve the changes summarized above 86.04, 86.08, 86.09, 86.10, 86.14, 86.18, 86.55, and 86.56 of Title 86; Chapter 70.84 of Title 70; and amending Chapters IV and V of the Orange Avenue Corridor Specific Plan.

Ms. McCaull introduced the agenda item as outlined in the staff report.

Chairperson Grimes said he was pleased with the staff report and presentation.

Vice Chair St. Denis asked about the owner’s responsibility to meet Americans with Disabilities Act (ADA) requirements.

Ms. McCaull replied that the Ordinance requires a property owner’s authorization in order for the City to proceed with an application and/or any reasonable accommodation request. She added that ultimately, the land use decision is binding on the property owner.

Vice Chair St. Denis read into the record the Ordinance language, “The requested reasonable accommodation would not impose an undue financial or administrative burden on the City.” She asked if this language requires a property owner to make single R-1A houses accessible.

Ms. McCaull said she would consider this a landlord-tenant issue.

Ms. Hurst commented that the Ordinance is addressing the issue of allowing a process should someone apply, rather than requiring action on the part of a property owner or occupant. The Ordinance does not address landlord-tenant or Fair Housing issues. She reiterated that any application submitted to the City must have the property owner’s authorization.

Vice Chair St. Denis asked for the definition of an “emergency shelter.” She asked if emergency shelters are also intended for battered women as well as homeless persons.

Ms. McCaull said that homeless shelters are intended to cover individuals such as battered women.

Vice Chair St. Denis commented that there is more likely a greater need for Transitional Housing in Coronado than there is for a homeless shelter. She asked if “Transitional Housing” could be included in the language.

Ms. McCall stated that the Ordinance was written based on the City’s commitment to the State in making available limited Transitional Housing in the R-3 and R-4 zones whereas emergency shelters would be made available in a Commercial and Civic Use Zone.

Vice Chair St. Denis said this issue has been discussed in the Soroptimist meetings she attends, and she recognizes the need for this type of shelter in Coronado.

Ms. Hurst said the definition used to describe the services being offered to individuals who are “out of the home” refer more to the type of housing and permanency of occupancy rather than the description of a potential occupant. She added that a homeless shelter is meant for short-term stays whereas Transitional Housing is more of an apartment setting where an individual may be transitioning from being homeless to a permanent housing situation. The latter generally provides on-site assistance with more permanent living arrangements. Ms. Hurst said a shelter would potentially be able to accommodate both homeless and/or battered women.

Chairperson Grimes said there are three services being offered: emergency shelters, licensed residential care facilities, and Transitional Housing.

Vice Chair St. Denis asked about the type of materials allowed for use in Manufactured Housing.

Ms. McCaull responded that legislation allows the City to regulate allowed materials.

Vice Chair St. Denis asked if these standards can be stricter than the City’s building standards.

Ms. McCaull said yes. The law allows the City to regulate the use of exterior materials which is why staff is suggesting using natural materials limited to wood, stucco and siding and prohibiting pre-fabricated siding. This recommendation is subject to Commission approval.

Commissioner Gaylord asked about the Ordinance language that reads, “...provided that emergency shelters are not required to be more than 300 feet apart...”

Ms. McCall said the language is taken verbatim from the State law that allows the City to regulate these items. She explained that if multiple applications are received by the City, they are not required to be more than 300 feet apart.

Commissioner Gaylord asked if this applies to both Commercial and Civic Use zones.

Ms. McCaull replied that the Standards listed under Emergency Shelters, Subsections A, B, C, would apply to emergency shelters in a Commercial or Civic Use Zone, and would be submitted with a Minor Special Use Permit.

Chairperson Grimes noted that if these type of items are not implemented, there could be financial repercussions for the City. He added that the Planning Commission will make a recommendation to the City Council for their approval.

Commissioner Jensen asked about possible sanctions imposed if the City does not conform to State requirements.

Ms. McCaull said sanctions are unknown. However, she said it would be in the best interest of the City to have a Certified Housing Element as required by State law. She added that it is better to have an Ordinance in place that allows the City the flexibility to implement and regulate its own Housing Element.

Vice Chair St. Denis asked if this Ordinance supersedes the City's current Housing In Lieu Ordinance.

Ms. McCaull said the Housing In Lieu Ordinance is a separate Ordinance which will be kept in place.

Commissioner Gaylord commented that the City has done a wonderful job in providing housing for its residents in the last several years.

Commissioner Jensen asked what factors are considered by each City when making a determination on affordability.

Ms. Hurst said that factors are considered by each county not by individual cities.

Commissioner Jensen asked about the criteria used by the City when processing applications.

Ms. McCaull responded that applications received by the City are administered through the Minor Special Use Permit process. Applications are evaluated based on their appropriateness.

Commissioner Jensen said that if the Ordinance is designed to clear impediments from the City, what flexibility is allowed.

Ms. McCaull said that during its approval process of the Special Use Permit, findings would need to be made by the City if it believes that approval of the permit would create a hardship to surrounding neighbors and residents. Ms. McCaull read into the record an excerpt from the State's statute: "The City has the flexibility to regulate these shelters as follows...maximum

number of beds or persons permitted to be served nightly by the facility; off-street parking, based upon demonstrated need; the size and location of exterior and interior on-site waiting and client in-take; revision of on-site management; proximity to other emergency shelters provided that emergency shelters are not required to be more than 300 feet..." Ms. McCaull read the criteria used for denial of a Special Use Permit, "The use will be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity; the use as proposed will be injurious to property or improvements in the vicinity; the use is inconsistent with the General Plan and applicable Specific Plan or Zoning Regulation; the location or operating characteristics of the use will be incompatible with or will adversely affect or will materially be detrimental to the impacted uses, resident's buildings, structures and natural resources with consideration given to inadequacy of public facilities, services and utilities; the harmful effect of any, upon a desirable neighborhood character; the inability of the capacity or the physical character of surrounding streets to safely deal with traffic; the unsuitability of the site for the type or intensity of use which is proposed; enough harmful effect, if any, upon the environmental quality and natural resources of the City."

Chairperson Grimes said the criteria are specifically intended for the Emergency Shelter Element.

Commissioner Gaylord asked if residential care facilities house individuals affected with AIDS and/or HIV, parolees, or do they solely assist disabled persons.

Chairperson Grimes asked if residential care facilities house registered sex offenders.

Ms. McCaull said that registered sex offenders are housed by different regulatory agencies.

Vice Chair St. Denis read into the record the Ordinance language under Transitional Housing, as follows: "Transitional Housing can also be provided in what would otherwise be considered single-family homes, and under such cases, the Municipal Code definition of 'family' would not apply to, or regulate, the Transitional Housing use."

Ms. McCaull said Transitional Housing can be provided in a single-family residence but only in an R-3 or R-4 zone. The City is suggesting a minor modification to the State's definition of "family" to protect against misuse of Transitional Housing in the R-3 or R-4 zones.

Ms. Hurst said that the City is adopting the Ordinance in order to exercise its flexibility allowed by State law in requiring some type of discretionary review to evaluate the proposed uses.

Commissioner Santos asked if reasonable accommodation requirements are restricted to a specific zone, and if they are submitted concurrently with a Special Use Permit.

Ms. McCaull replied that it would be included for all zones, and a Special Use Permit would not necessarily be submitted. The decision to issue a reasonable accommodation request would only be associated with a discretionary permit. There may be some cases when the Community Development Director would make a decision about a reasonable accommodation request.

Ms. Hurst stated that the ADA is federal law. The State Building Code has accessibility regulations which apply to all construction. The subject Ordinance addresses regulations that are not included in the Building Code.

Commissioner Santos said there is no substitute for preparedness.

PUBLIC COMMENT

There were no members of the public wishing to speak at this time.

COMMISSION DISCUSSION

None.

COMMISSION ACTION

COMMISSIONER SANTOS MADE A MOTION TO RECOMMEND TO CITY COUNCIL APPROVAL OF THE PROPOSED ORDINANCE.

VICE CHAIR ST. DENIS SECONDED THE MOTION.

AYES: Gaylord, Grimes, Santos, and St. Denis

NAYS: None.

ABSENT: None.

ABSTAIN: Jensen.

The motion passed 4-0.

ADJOURNMENT

There being no further business, the meeting adjourned at 4:35 p.m.

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Rachel A. Hurst, Director of Community Development,  
Redevelopment & Housing Services