



CITY OF CORONADO
COMMUNITY DEVELOPMENT

November 3, 2016

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**PROJECTS WITH NONCONFORMING
SETBACKS**

This handout is provided to architects, designers, contractors and homeowners who are involved with a remodel project involving a structure with nonconforming setbacks or other structural nonconformities. It is important that you review this material prior to initiating a remodel project so that you understand how the Community Development Department administers and applies regulations pertaining to nonconformities.

Coronado Municipal Code Section 86.50.070 Prohibition on increasing a nonconformity states: *“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.”*

Section 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.*

Section 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.*

Planning Department Guidelines:

1. Setbacks from property lines shall be shown for all remaining walls and projections. Measurements are to be shown on a survey plat from a Licensed Surveyor or Civil Engineer.
2. Each detached main or accessory building is treated individually and separately calculated.
3. If an alteration, addition or enlargement is planned where the proposed “gross floor area” is 150% or more of the existing gross floor area then all elements of the existing and proposed structure shall be required to conform to all City regulations in effect at the time of building permit issuance unless the project qualifies for an exemption under CMC Section 86.50.105.B.1.
4. If an alteration is planned where the proposed “gross floor area” is less than 150% of the existing gross floor area then the following guidelines are applied:
 - a. Plans shall detail all proposed revisions to remaining walls.
 - b. The length, height or surface area of a nonconforming wall cannot be increased.
 - c. A nonconforming wall cannot be removed and reconstructed in kind.
 - d. If more than 50% of a building's perimeter walls are removed, then the structure is required to be modified to comply with all City regulations in effect at the time of building permit issuance.
 - e. More than 50% of a building's 1st floor perimeter walls shall remain.
 - f. More than 50% of a building's 2nd floor perimeter walls shall remain.
 - g. All of the remaining walls shall retain a minimum of 50% or more of the original studs and top and bottom plates.
 - h. Each floor is treated separately and each floor must retain more than 50% of its exterior perimeter walls.
 - i. The wall is considered to be the bare studs (skeleton) of the building structure, including existing top and bottom plates.
 - j. The roof of a nonconforming structure may be removed. The roof includes the exterior material and roof framing e.g. trusses.
 - k. The foundation should remain but may be replaced in kind to comply with latest structural codes. The building can be lifted to accomplish the replacement. The footprint of the nonconforming foundation cannot be increased.
 - l. The ability to retain a nonconforming setback wall is considered a privilege. An architect or structural engineer must certify that the nonconforming wall(s) and foundation of a nonconforming structure to be retained are for the majority, in acceptable condition. This certification shall be provided as part of the building permit application.
 - m. The ceiling height or rooms located in a setback cannot be increased, and cripple walls are not allowed above the existing top plates of nonconforming walls.

See Chapter 86.50 of the Municipal Code for additional information.

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