

ORDINANCE NO. 1367

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING CHAPTER 2 OF THE CHULA VISTA CITY CODE BY ADDING THERETO A NEW ARTICLE 10, SECTION 2.1001 THROUGH 2.1010, ALL RELATING TO THE ESTABLISHMENT OF PROCEDURES FOR CREATING COMMUNITY PLANNING COMMITTEES

The City Council of the City of Chula Vista does ordain as follows:

SECTION I: That Chapter 2 of the Chula Vista City Code be, and the same is hereby amended by adding thereto a new Article 10, Sections 2.1001 through 2.1010, to read as follows:

Sec. 2.1001. Purpose and Intent.

It is the purpose of the City Council of the City of Chula Vista to establish procedures for the creation of advisory groups in the various communities of the City of Chula Vista having particular community identification and cohesion to be known as Community Planning Committees. Said Committees would participate at all stages in the formulation of the community's element of the General Plan of the City of Chula Vista, and in the implementation of said community element through the adoption of zoning regulations and the imposition of such regulations upon property within the community and the granting of variances and conditional use permits.

It is the intent of the City Council in encouraging the creation of such Community Planning Committees to develop a more immediate representative and responsive voice in the democratic governmental process by those citizens in areas within the City of Chula Vista which can truly be called distinctive communities facing problems peculiar to said communities. The primary purpose of such Community Planning Committees is intended to be, but not limited to, direct participation in the planning process of the City of Chula Vista as it relates to their own community.

Sec. 2.1002. Community Planning Committees; Created; Initiated by Petition.

The City Council of the City of Chula Vista does hereby authorize the electors of the several communities of the City of Chula Vista to create Community Planning Committees which will be recognized by the City Council for the purposes set forth herein and shall be granted duties and powers prescribed hereinafter.

1. Formation Within Incorporated Area.

Said Committees shall be initiated by submission of a petition to the City Council delineating the territory of the community, which territory should be based upon demographic considerations providing for some well defined geographic area as well as a community of interests. Said petition shall affirm that at least 5,000 persons reside within the proposed community and must be signed by twenty-five percent (25%) of the electors within said territory. Upon receipt

of said petition, the City Council shall set a public hearing publishing notice of said hearing twice prior thereto, the second publication being not less than ten (10) days prior to the day and hour set for the hearing, and notice shall also be posted in any commercial centers located within the proposed community territory.

2. Formation in Territory Proposed to be Annexed to the City.

If the area wherein a Community Planning Committee to be formulated is an area proposed to be annexed to the City of Chula Vista, the petition for annexation signed by twenty-five percent (25%) of the registered voters of the territory as required by the Government Code of the State of California may also serve as the petition initiating the formation of a Community Planning Committee. The City Council upon receipt of said petition, and in the event that no majority protest is filed at the public hearing on the question of annexation, shall consider the question of the formation of a Community Planning Committee at said public hearing and shall place the issue of annexation and the formation of a Community Planning Committee on the ballot. The selection of the Governing Board, which shall be designated as the Community Planning Committee, may at the option of the City Council also be included on the ballot as an alternative method of selection to that of appointment by the City Council as provided herein. The Council shall designate the method of selection at the public hearing.

Sec. 2.1003. Community Planning Committees; Created; Public Hearing.

The purpose of said public hearing shall be to receive testimony from all persons residing within the territory proposed to be established for a Community Planning Committee. Said testimony shall be required in order that the City Council may determine the necessity and desirability of creating such a Committee. At the close of said hearing, the City Council shall consider all testimony and determine said necessity and desirability for creating the Committee, which shall be done by resolution.

Sec. 2.1004. Community Planning Committees; Resolution Creating Committee.

If the City Council determines that it is necessary and desirable to create a Community Planning Committee within the territory as defined in the initiative petition, they shall adopt a resolution which shall:

1. Fix the boundary of the territory to be represented by the Community Planning Committee after receiving a recommendation on said boundaries from the Planning Commission of the City of Chula Vista.
2. Adopt the name of the Community Planning Committee and establish a time and place for the convening of a meeting of the Community Planning Committee, which shall be open to all residents and property owners of the community defined in the resolution.

The Community Planning Committee Governing Board, which shall be known as the Community Planning Committee shall be composed of seven (7) members to be selected by one of the following procedures as directed by the City Council after hearing testimony at the public hearing as provided in Section 2.1003:

1. *Formation Within Incorporated Area.*
  - a) Election at initial meeting of the residents and property owners of the Community Planning territory called by the City Council and noticed in the manner provided by the Government Code of the State of California.
  - b) Appointment by City Council.
2. *Formation in Territory Proposed to be Annexed to the City.*
  - a) Election on annexation ballot.
  - b) Appointment by City Council.

In order to qualify for membership on the Community Planning Committee, it shall be required that Committeemen be at least eighteen (18) years of age and an elector in the Community Planning area at the time of their appointment or election. Committeemen shall serve for two (2) year terms, provided, however, that the initial Committee members shall upon election or appointment draw lots to provide that initially four (4) of the Committeemen shall serve for a term of two (2) years and three (3) of the Committeemen shall serve for a term of one (1) year. Upon its formation, the Community Planning Committee shall select from among its members a Chairman, Vice-Chairman, Secretary and Treasurer, who shall serve for a period of one (1) year from the date of the initial meeting. The Community Planning Committee shall possess those powers and duties set forth herein. They shall conduct their meetings in public at a regularly scheduled time and place to be designated by the Community Planning Committee and shall be subject to all rules and regulations related to the conduct of the public's business as contained in the Government Code of the State of California, provided, however, that they shall not be required to publish notices of public hearings except in those cases where it is determined by the Committee that the public interest would be best served by said publication.

The Chula Vista City Council may review the procedures established by this Article on the method of operation of a Community Planning Committee after a period of not less than one (1) year from the date of formation of the first Community Planning Committee in the City of Chula Vista in order to make such changes and modifications as may be deemed necessary or desirable, e.g. change in method of selection of members of Committee by appointment to election of said members by the electors of the territory. Said review shall be undertaken at a public hearing to be called by the City Council. It is the intent of this provision to provide a sufficient test period for the operation of a Community Planning Committee.

Sec. 2.1006. Community Planning Committee - Powers.

1. The primary and initial function of the Community Planning Committee shall be the development of the Community Element of the General Plan of the City of Chula Vista for the area encompassed by the Community Planning Committee.
2. In addition to the development of the Community element of the General Plan, the Community Planning Committee shall have the power to review and recommend upon, as provided herein, all of the following items:
  - a) Precise Community Plans, including but not limited to all land uses, population density, transportation network planning, including streets and trails (equestrian, bicycle and hiking), open space, park lands, and all other items of a Community Plan.
  - b) Zoning regulations in terms of the comprehensive zoning ordinance, including planned community and planned unit development programs, and the incorporation of properties within the territory of the Community Planning Committee into particular zones.
  - c) Variances.
  - d) Conditional use permits.
  - e) Subdivision of land including the review of tentative and final subdivision maps submitted to the City of Chula Vista Subdivision Advisory Committee and Planning Commission and the review of the subdivision development standards relating to, but not exclusive of the following:
    1. local street design
    2. landscaping
    3. grading and hillside development
    4. open space
  - f) Architectural review.
  - g) All other police regulations affecting land use, e.g., animal regulations, trees, etc.

Sec. 2.1007. Community Planning Committee - Duties.

The Planning Department of the City of Chula Vista and/or the Department of Public Works of the City of Chula Vista shall upon receipt of any plans or maps or any proposed changes in the comprehensive zoning ordinance or the subdivision ordinance forthwith transmit copies thereof to

any established Community Planning Committee and it shall be the duty of said Committee to forthwith review said plans or changes in the comprehensive zoning ordinance or subdivision ordinance and any requests for zonings, variances and conditional use permits and transmit their findings in writing or be present at the hearings before the Planning Commission of the City of Chula Vista or the City Council and make known the conclusions of the Community Planning Committee at said hearings. In the event that the Committee deems it advisable, it shall call a public meeting, noticed in the manner set forth herein, to discuss said items and to arrive at a determination for recommendation to the Planning Commission or the City Council of the City of Chula Vista.

Sec. 2.1008. Community Planning Committee -  
Procedures.

1. *Community Planning Element of the General Plan, Zonings, Subdivision Developments, Comprehensive Zoning Ordinance and Subdivision Ordinance.*

The Community Planning Committee shall review all items listed hereinabove related to changes within the territory of the Community Planning Committee and shall report their findings and recommendations to the appropriate body within twenty-one (21) days of receipt of the information from the City of Chula Vista or at the time said bodies are conducting a public hearing. Said bodies shall include the Subdivision Advisory Committee, the Planning Commission and the City Council shall recognize the representative of the Community Planning Committee as a duly selected representative of the community interests of the territory designated as a Community Planning Committee.

2. *Variances and Conditional Use Permits.*

In those circumstances where the Community Planning Committee forwards recommendations relative to variances and conditional use permits to the Planning Commission of the City of Chula Vista, said recommendation shall be accepted by the Planning Commission and weighed with all testimony elicited at the public hearing. The recommendation of a Community Planning Committee made in accordance with the same administrative standards and guidelines required of the Planning Commission may only be overridden by a vote of five (5) of the seven (7) members of the Planning Commission. In the event that the request for a variance or conditional use permit is one heard originally by the Zoning Administrator of the City of Chula Vista, any determination contrary to the recommendation of the Community Planning Committee shall forthwith be forwarded to the Planning Commission for a public hearing in accordance with the procedures set forth in Chapter 33 of this Code.

Sec. 2.1009.

Community Planning Committee - Fiscal  
and Staff Support.

The City Council may from time to time appropriate necessary funds as a portion of the budget of the City of Chula Vista to support the activities of Community Planning Committees established in various areas of the City. Said funds shall be made available for publication of required notices of public hearings or other matters presented to the City Council during the course of consideration of the budget of the City of Chula Vista. Expenditure of all of such funds shall be supervised by the Director of Finance of the City of Chula Vista and the Community Planning Committee shall make a quarterly report of their programs and activities and financial expenditures to the City Council. The members of the Community Planning Committees shall receive compensation for expenditures in the same manner as may be prescribed from time to time for members of other boards and commissions. The Planning Department and the Department of Public Works of the City of Chula Vista shall at all times maintain close liaison with the Community Planning Committee and shall provide to them all information and material received which shall be presented to the appropriate committee, board or commission of the City of Chula Vista as required by this Code.

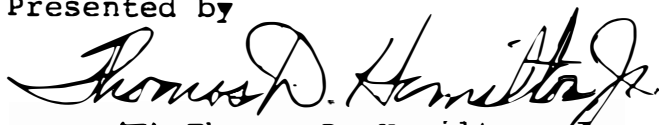
Sec. 2.1010.

Recommendations of the Community Planning  
Committee.


Neither the Planning Commission nor the City Council shall take action on any matters set forth herein concerning the territory lying within the boundaries governed by a Community Planning Committee before receiving a recommendation from said Community Planning Committee of the area thus affected, provided, however, that if no recommendation is forthcoming from the Community Planning Committee within twenty-one (21) days of transmittal of notification to the Community Planning Committee, said bodies may proceed with their consideration of the particular matter without regard to the necessity for the recommendation from the Community Planning Committee. In the event that any of the items to be considered by the Community Planning Committee might require a longer period of time than provided herein, a Community Planning Committee may request an extension of time beyond the twenty-one (21) day limitation provided that such request shall be in writing and submitted to the Planning Commission or the City Council at least twenty-four (24) hours in advance of the scheduled hearing or meeting where said item is to be considered by the appropriate body, provided, however, such extension shall not be granted for a period extending beyond the next regularly scheduled hearing or meeting of the appropriate body nor be in excess of statutory limitations imposed by state or local regulations.

SECTION II: This ordinance shall take effect and be in full force on the thirty-first day from and after its passage and approval.

Presented by

  
Thomas D. Hamilton, Jr.  
Thomas D. Hamilton, Jr., Mayor

Approved as to form by

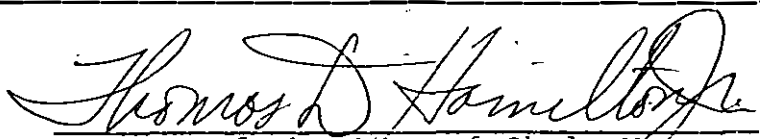
  
George D. Lindberg, City Attorney

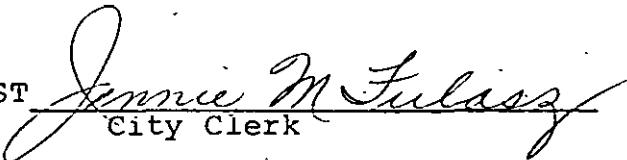
ADOPTED AND APPROVED by the CITY COUNCIL of the CITY OF CHULA VISTA, CALIFORNIA, this 12th day of October, 1971, by the following vote, to-wit:

AYES: Councilmen Scott, Hobel, Hamilton, Hyde, Egdahl

NAYES: Councilmen None

ABSENT: Councilmen None

  
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Mayor of the City of Chula Vista

ATTEST   
City Clerk

STATE OF CALIFORNIA )  
COUNTY OF SAN DIEGO ) ss.  
CITY OF CHULA VISTA )

I, JENNIE M. FULASZ, City Clerk of the City of Chula Vista, California, DO HEREBY CERTIFY that the above and foregoing is a full, true and correct copy of \_\_\_\_\_, and that the same has not been amended or repealed.

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

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