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ORDINANCE NO. 1500

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS 33.502 33.503, 33.601 AND 33.1312, AND DELETING SECTION 33.602, OF THE ZONING ORDINANCE, CHAPTER 33 OF THE CHULA VISTA CITY CODE, ALL RELATING TO PLANNED UNIT DEVELOPMENT PROCEDURE

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

SECTION 1: That Section 33.502 I, paragraph 2 be, and the same is hereby amended to read as follows:

2. *Regulatory Provisions.* The minimum floor area per main dwelling unit in R-E (Residential Estates Zone) shall be as follows:

(a) 1,000 square feet for each dwelling unit containing one bedroom, two bedrooms, or one bedroom and den, family room or any other such room designated for miscellaneous purposes.

(b) 1,200 square feet for each dwelling unit containing three bedrooms or two bedrooms and den, family room or any other such room designated for miscellaneous purposes.

(c) 1,300 square feet for each dwelling containing four bedrooms or three bedrooms and den, family room or any other such room designated for miscellaneous purposes, or more.

SECTION 2: That Section 33.503 H, paragraph 1 be, and the same is hereby amended to read as follows:

1. *R-1-7.* The R-1-7 zone classification and the minimum dimensions requirement prescribed for said classification shall be considered to be the basic or standard lot size throughout the City of Chula Vista; provided, however, that in those areas placed in the R-1-7 classification, if a subdivision map is filed, the minimum lot sizes for twenty percent (20%) of the lots created by said subdivision may be reduced to 6,000 square feet, and ten percent (10%) of the lots thus created may be reduced to 5,000 square feet, said lots being subject to those minimum dimensional requirements as set forth hereinabove for such lot areas, provided that the average lot size of all the lots within the subdivision shall equal a minimum of 7,000 square feet.

SECTION 3: That Section 33.503 J, be, and the same is hereby amended to read as follows:

J. *Floor Area per Unit.* Minimum floor area shall be as follows:

1. 1,000 square feet for each dwelling unit containing one bedroom, two bedrooms or one bedroom and den, family room or any other such room designated for miscellaneous purposes.

2. 1,200 square feet for each dwelling unit containing three bedrooms or two bedrooms and den, family room or any other such room designated for miscellaneous purposes.

3. 1,300 square feet for each dwelling containing four bedrooms or three bedrooms and den, family room or any other such room designated for miscellaneous purposes, or more.

Exception: Except in the case of the 1,000 sq. ft. dwelling units, an applicant may reduce the above minimums by 200 sq. ft. per unit for thirty percent (30%) of the dwellings within an approved subdivision provided the average house size within the development conforms to the minimum requirements specified above.

SECTION 4: That Section 33.601 A, be, and the same is hereby amended by adding thereto a new subparagraph 6 to read as follows:

6. *PUD Planned Unit Development Modifying District.*

(a) *Purpose.* The purpose of planned unit developments is to allow diversification in the relationships of various uses, building, structures, and open spaces in planned building groups and the allowable heights of buildings and structures, while insuring substantial compliance to the intent of the zone regulations and other provisions of this chapter, in order that the intent of this chapter in requiring adequate standards related to the public health, safety and general welfare shall be observed without unduly inhibiting the advantages of large-scale site planning for residential, commercial, industrial or institutional purposes.

(b) *Required Conditions.*

(1) No planned unit development should have an area of less than five (5) acres for a proposed C-O, I-R, I-L or I zone use, or an area of less than two (2) acres for any other proposed use.

(2) A planned unit development application, pursuant to Section 33.1312, which will require a change of zone shall be accompanied by an application for zoning amendment pursuant to Section 33.1201.

(c) *Planned Unit Development Plan.* Application shall be accompanied by a Planned Unit Development Plan, showing the use or uses to be reserved for vehicular and pedestrian circulation, parking, public uses such as schools, playgrounds, parks, landscaping, and other open spaces; undisturbed natural land, erosion control and fire control planting; and architectural drawings and sketches demonstrating the general design and character of the proposed uses and physical relationship of the uses. Such other pertinent information, including density of dwelling units, coverage, and open space characteristics shall be included as may be necessary to a determination that the contemplated

arrangement of buildings and uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this chapter.

(d) *Subdivision Map Required.* A tentative subdivision map shall accompany all applications for a Planned Unit Development. The tentative subdivision map shall be in complete conformance with the Planned Unit Development plan and the requirements of Chapter 28 of the City Code and the State Subdivision Map Act.

(e) *Review by Planning Commission and City Council.* In order to approve a Planned Unit Development, the Planning Commission and City Council shall find the following:

(1) *Consistency with the General Plan.* That the proposed Planned Unit Development is consistent with the Chula Vista General Plan.

(2) *Residential Developments.* In the case of proposed residential development: that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with or complimentary to the character of the surrounding neighborhood and will result in standards of open space at least as high as permitted or specified otherwise for such development in this chapter.

(3) *Commercial Developments.* In the case of proposed commercial development: that such development is needed at the proposed location to provide adequate commercial facilities of the type proposed; that traffic congestion will not likely be created by the proposed development, or will be obviated by presently projected improvements and by demonstrable provision in the plan for proper entrances and exists, and by internal provisions for traffic and parking; that in such development transient residential units will not result in an intensity of land utilization more than the intensities specified or permitted by applicable zoning provisions; that said development will be an attractive and efficient center which will fit harmoniously into and will have no adverse effects upon the adjacent or surrounding neighborhood.

(4) *Industrial Developments.* In the case of proposed industrial developments: that such development is in conformity with the applicable performance standards, and will constitute an efficient and well organized development, with adequate provisions for railroad and/or truck access service and necessary storage; such development will have no adverse effect upon adjacent or surrounding neighborhoods.

(5) *Institutional Developments.* In the case of proposed institutional developments, such as colleges, hospitals, etc.: that said development is appropriate in type, area and location where proposed in the community and that proper provisions are made for service access, staff or employee parking, student or visitor parking, etc.; that surrounding thoroughfares have been or will be developed to have adequate capacity to accommodate such institutional use; that the capacity of the institution and density

and coverage of said use is not excessive for the area of the site; and that said use will fit harmoniously into and have no adverse effects upon the surrounding area and will be properly screened and landscaped to avoid such adverse effects in accordance with the Landscape Policy.

(6) *Exceptions Justified.* That the development of a harmonious, integrated plan justifies exceptions, if such are required, to the normal requirements of this chapter.

(f) *Density Incentive Provisions.* The minimum lot size and maximum residential density in any PUD Modifying District shall be that allowed in the underlying zoning district as specified in the Zoning Ordinance, provided, however, that City Council may authorize a higher density or a smaller lot size by permitting density to be calculated as specified in the PUD Policy. Such increased density or any portion thereof may be authorized by City Council in accordance with standards established in the PUD Policy.

(g) *Residential Planned Unit Development Standards.* Development standards shall be in conformance with the requirements specified in the PUD Policy adopted by the City of Chula Vista; however, the City Council may grant exceptions from the standards or other sections of the Zoning Ordinance in areas relating to height regulations, lot area, lot width, setbacks, frontage requirements, and coverage requirements on any single lot in the review of a Planned Unit Development based on the development of a harmonious, integrated plan. To grant an exception from any other code requirement, such as floor area or parking, the following procedure shall be required:

(1) Application for any exception shall be made at the time of application for the Planned Unit Development on a form prescribed for that purpose by the City of Chula Vista.

(2) Any requested exceptions shall be outlined in the public hearing notice for the Planned Unit Development and shall be considered by the Planning Commission and City Council during the public hearing on the Planned Unit Development. The City Council may approve, conditionally approve, or deny, any requested exception based on the following findings:

(a) The exception is necessary in order that the intent of this chapter in requiring adequate standards related to the public health, safety and general welfare shall be observed without unduly inhibiting the advantages of large scale residential planning.

(b) The granting of the exception will not impair the intent of any requirement from which an exception is requested.

(c) The granting of the exception will not result in substantial detriment to the subject property or any adjacent properties.

(d) The authorizing of this exception will not adversely affect the General Plan of the City of Chula Vista or the adopted plan of any governmental agency.

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(h) *Scope of Planning Commission and City Council Action.* In carrying out this section, the Planning Commission and City Council shall consider the following principles:

(1) It is the intent of this section that site and building plans prepared for a Planned Unit Development shall be done by a professional designer or team of professional designers qualified to prepare said plans which shall be functionally and aesthetically suitable for the use proposed in the application and the Commission and City Council shall have the authority to require the applicant to engage such a qualified designer or design team.

(2) It is not the intent of this section that control of the design of a Planned Unit Development by the Planning Commission and City Council be so rigidly exercised that individual initiative be stifled and substantial additional expense incurred; rather, it is the intent of this section that the control exercised be the minimum necessary to achieve the purpose of this section.

(3) The Planning Commission and City Council, in carrying out this section, shall also observe such of the principles set forth in Section 33.1313, "Site Plan and Architectural Approval," as are appropriate to the review of a Planned Unit Development.

SECTION 5: That Section 33.602 of Chapter 33, of the Chula Vista City Code be, and the same is hereby deleted.

SECTION 6: That Section 33.1312 of Chapter 33, of the Chula Vista City Code be, and the same is hereby amended by adding thereto a new subsection A and deleting therefrom old subsection B, to read as follows:

A. *Approval.* Where use is made of the Planned Unit Development procedure, as provided in this chapter, a zoning permit shall not be issued for such development or part thereof until the Planning Commission and City Council have approved a Planned Unit Development application for said development as provided in this section.

1. *Application.* Application shall be made on a form prescribed for this purpose by the City of Chula Vista not less than three (3) weeks prior to a regularly scheduled meeting of the Planning Commission. Application shall be accompanied by a zone change application establishing the modifying district.

2. *Multiple Ownership.* Where property is held by more than one (1) owner, the application for the Planned Unit Development must be accompanied by the written consent of all property owners or initiated by the City Council of Chula Vista.

3. *Fee.* The fee for Planned Unit Development shall be as follows, no part of which shall be refundable:

Non-Residential (Minimum for projects
up to and including 10 acres) \$100.00

Additional fee per acre for project
in excess of 10 acres \$ 5.00

Residential:

1 to 20 units	\$150.00
21 to 50 units	\$150.00 plus \$3/unit
51 to 100 units	\$240.00 plus \$2/unit
101 to 200 units	\$340.00 plus \$1/unit
201 or more	\$440.00 plus \$.50/unit

4. *Public Hearings.* A public hearing shall be held by the Planning Commission and City Council as provided herein:

(a) Such hearing before the Planning Commission shall be held not more than thirty (30) days from date of application.

(b) Such hearing before the City Council shall be set for public hearing by the City Clerk within twenty (20) days after Planning Commission action.

(c) The secretary of the Commission and City Clerk shall publish notice of hearings in a newspaper of general circulation in the City of Chula Vista not less than (10) days prior to the date of said hearings. Failure of owners to receive notice of hearing shall in no way affect the validity of action taken.

5. *Planning Commission Action.* The Planning Commission shall act upon an application for Planned Unit Development approval within thirty (30) days, pending any necessary zoning amendment. In taking action the Commission may recommend to the City Council denial of a Planned Unit Development, may recommend approval of the Planned Unit Development as submitted, or may recommend approval of a Planned Unit Development subject to additional conditions. Any Planned Unit Development as authorized shall be subject to all conditions imposed, and shall be excepted from other provisions of this chapter only to the extent specified in said permit or shown by an approved plan.

6. *City Council Action.* The City Council, after the public hearing and consideration of the matter, may affirm the action of the Planning Commission, deny the action of the Planning Commission, or modify conditions recommended by the Planning Commission. An affirmative vote of at least three members of the City Council shall be necessary to change or modify the recommendations of the Planning Commission.

7. *Zoning Administrator.* Following the approval of a Planned Unit Development by the City Council, the Zoning Administrator shall issue a zoning permit as provided in Section 33.1316 of this article, and the Building Inspector shall ensure that development is undertaken and completed in conformance with the approved plans.

8. *Revocation of Permit.* A zoning permit may be revoked in any case where the conditions of such permit have not been or are not being substantially complied with; the Planning Commission shall give the permittee notice of intention to revoke such permit at least ten (10) days prior to review of said permit by said Commission. After conclusion of such review, the Planning Commission may recommend to the City Council that the permit be revoked. The City Council shall then review the permit and may uphold or reverse the action of the Planning Commission.

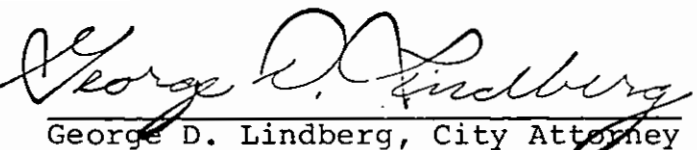
Subsection B. (Appeals) is deleted in its entirety.

SECTION 7: This ordinance shall take effect and be in full force on the thirty-first day from and after its adoption.

Presented by

Approved as to form by


D. J. Peterson, Director of Planning


George D. Lindberg, City Attorney

ADOPTED AND APPROVED by the CITY COUNCIL of the CITY OF CHULA VISTA, CALIFORNIA, this 2nd day of October, 1973, by the following vote, to-wit:

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

NAYES: Councilmen None

ABSENT: Councilmen None


Mayor of the City of Chula Vista

ATTEST 
City Clerk

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

I, _____, City Clerk of the City of Chula Vista, California, DO HEREBY CERTIFY that the above is a full, true and correct copy of Ordinance No. _____, and that the same has not been amended or repealed. DATED _____

City Clerk

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RESOLUTION OF THE CITY PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL THE AMENDMENT OF SECTIONS 33.502, 33.503, 33.601, 33.602 and 33.1312 OF CHAPTER 33 OF THE CITY CODE RELATING TO PLANNED UNIT DEVELOPMENT PROCEDURE

WHEREAS, the utilization of the Planned Unit Development process as adopted in the Comprehensive Zoning Ordinance on July 8, 1969, has indicated a need for guidelines for the development of acceptable plans, and

WHEREAS, numerous meetings and conferences were held to obtain suggestions and recommendations from representatives of interested developers, and

WHEREAS, the Planning Commission set the time and place for a hearing on a proposed amendment to the Zoning Ordinance to revise the Planned Unit Development procedure by making it a modifying district rather than a process, and notice of said hearing, together with its purpose, was given by the publication in a newspaper of general circulation in the City at least 10 days prior to the date of said hearing, and

WHEREAS, a hearing was held at said time and place, namely 7:00 p.m., December 4, 1972, January 15, 1973, February 26, 1973, March 5, 1973, June 13, 1973 and July 11, 1973 in the Council Chamber, Civic Center, 276 Fourth Avenue, before the Planning Commission, and said hearing was thereafter closed.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Commission finds that public necessity, convenience, general welfare and good zoning practice require the amendment of Sections 33.502 I 2, 33.503 H 1, 33.503 J, 33.601 A 6, and 33.1312, to read as follows:

Sec. 33.502. R-E Residential Estates Zone.

I. *Floor Area per Unit.*

2. *Regulatory Provisions.* The minimum floor area per mail dwelling unit in R-E (Residential Estates Zone) shall be as follows:

- (a) 1,000 square feet for each dwelling unit containing one bedroom, two bedrooms, or one bedroom and den, family room or any other such room designated for miscellaneous purposes.
- (b) 1,200 square feet for each dwelling unit containing three bedrooms or two bedrooms and den, family room or any other such room designated for miscellaneous purposes.
- (c) 1,300 square feet for each dwelling containing four bedrooms or three bedrooms and den, family room or any other such room designated for miscellaneous purposes, or more.

Sec. 33.503. R-1 Single-Family Residence Zone.

H. *Standards for Application.*

1. *R-1-7.* The R-1-7 zone classification and the minimum dimensions requirement prescribed for said classification shall be considered to be the basic or standard lot size throughout the City of Chula Vista; provided, however, that in those areas placed in the R-1-7 classification, if a subdivision map is filed, the minimum lot sizes for twenty percent (20%) of the lots created by said subdivision may be reduced to 6,000 square feet, and ten percent (10%) of the lots thus created may be reduced to 5,000 square feet, said lots being subject to those minimum dimensional requirements as set forth hereinabove for such lot areas, provided that the average lot size of all the lots within the subdivision shall equal a minimum of 7,000 square feet.

Sec. 33.503

J. *Floor Area per Unit.* Minimum floor area shall be as follows:

1. 1,000 square feet for each dwelling unit containing one bedroom, two bedrooms or one bedroom and den, family room or any other such room designated for miscellaneous purposes.

2. 1,200 square feet for each dwelling unit containing three bedrooms or two bedrooms and den, family room or any other such room designated for miscellaneous purposes.

3. 1,300 square feet for each dwelling containing four bedrooms or three bedrooms and den, family room or any other such room designated for miscellaneous purposes, or more.

Exception: Except in the case of the 1000 sq. ft. dwelling units, and applicant may reduce the above minimums by 200 sq. ft. per unit for thirty percent (30%) of the dwellings within an approved subdivision provided the average house size within the development conforms to the minimum requirements specified above.

Sec. 33.601. Modifying Districts; Defined.

6. *PUD Planned Unit Development Modifying District.*

(a) *Purpose.* The purpose of planned unit developments is to allow diversification in the relationships of various uses, buildings, structures, and open spaces in planned building groups and the allowable heights of buildings and structures, while insuring substantial compliance to the intent of the zone regulations and other provisions of this chapter, in order that the intent of this chapter in requiring adequate standards related to the public health, safety and general welfare shall be observed without unduly inhibiting the advantages of large-scale site planning for residential, commercial, industrial or institutional purposes.

(b) *Required Conditions.*

(1) No planned unit development should have an area of less than five (5) acres for a proposed C-0, I-R, I-L or I zone use, or an area of less than two (2) acres for any other proposed use.

(2) A planned unit development application, pursuant to Section 33.1312, which will require a change of zone shall be accompanied by an application for zoning amendment pursuant to Section 33.1201.

(c) *Planned Unit Development Plan.* Application shall be accompanied by a Planned Unit Development Plan, showing the use or uses to be reserved for vehicular and pedestrian circulation, parking, public uses such as schools, playgrounds, parks, landscaping, and other open spaces; undisturbed natural land, erosion control and fire control planting; and architectural drawings and sketches demonstrating the general design and character of the proposed uses and physical relationship of the uses. Such other pertinent information, including density of dwelling units, coverage, and open space characteristics shall be included as may be necessary to a determination that the contemplated arrangement of buildings and uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this chapter.

(d) *Subdivision Map Required.* A tentative subdivision map shall accompany all applications for a Planned Unit Development. The tentative subdivision map shall be in complete conformance with the Planned Unit Development plan and the requirements of Chapter 28 of the City Code and the State Subdivision Map act.

(e) *Review by Planning Commission and City Council.* In order to approve a Planned Unit Development, the Planning Commission and City Council shall find the following:

(1) *Consistency with the General Plan.* That the proposed Planned Unit Development is consistent with the Chula Vista General Plan.

(2) *Residential Developments.* In the case of proposed residential development: that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with or complementary to the character of the surrounding neighborhood and will result in standards of open space at least as high as permitted or specified otherwise for such development in this chapter.

(3) *Commercial Developments.* In the case of proposed commercial development: that such development is needed at the proposed location to provide adequate commercial facilities of the type proposed; that traffic congestion will not likely be created by the proposed development, or will be obviated by presently projected improvements; and by demonstrable provision in the plan for proper entrances and exits, and by internal provisions for traffic and parking; that in such development transient residential units will not result in an intensity of land utilization more than the intensities specified or permitted by applicable zoning provisions; that said development will be an attractive and efficient center which will fit harmoniously into and will have no adverse effects upon the adjacent or surrounding neighborhood.

(4) *Industrial Developments.* In the case of proposed industrial developments: that such development is in conformity with the applicable performance standards, and will constitute an efficient and well organized development, with adequate provisions for railroad and/or truck access service and necessary storage; such development will have no adverse effect upon adjacent or surrounding neighborhoods.

(5) *Institutional Developments.* In the case of proposed institutional developments, such as colleges, hospitals, etc.: that said development is appropriate in type, area and location where proposed in the community and that proper provisions are made for service access, staff or employee parking, student or visitor parking, etc.; that surrounding thoroughfares have been or will be developed to have adequate capacity to accommodate such institutional use; that the capacity of the institution and density and coverage of said use is not excessive for the area of the site; and that said use will fit harmoniously into and have no adverse effects upon the surrounding area and will be properly screened and landscaped to avoid such adverse effects in accordance with the Landscape Policy.

(6) *Exceptions Justified.* That the development of a harmonious, integrated plan justifies exceptions, if such are required, to the normal requirements of this chapter.

(f) *Density Incentive Provisions.* The minimum lot size and maximum residential density in any PUD Modifying District shall be that allowed in the underlying zoning district as specified in the Zoning Ordinance, provided, however, that City Council may authorize a higher density or a smaller lot size by permitting density to be calculated as specified in the PUD Policy. Such increased density or any portion thereof may be authorized by City Council in accordance with standards established in the PUD Policy.

(g) *Residential Planned Unit Development Standards.* Development standards shall be in conformance with the requirements specified in the PUD Policy adopted by the City of Chula Vista, however, the City Council may grant exceptions from the standards or other sections of the Zoning Ordinance in areas relating to height regulations, lot area, lot width, setbacks, frontage requirements, and coverage requirements on any single lot in the review of a Planned Unit Development based on the development of a harmonious, integrated plan. To grant an exception from any other code requirement, such as floor area or parking, the following procedure shall be required:

(1) Application for any exception shall be made at the time of application for the Planned Unit Development on a form prescribed for that purpose by the City of Chula Vista.

(2) Any requested exceptions shall be outlined in the public hearing notice for the Planned Unit Development and shall be considered by the Planning Commission and City Council during the public hearing on the Planned Unit Development. The City Council may approve, conditionally approve, or deny, any requested exception based on the following findings:

(a) The exception is necessary in order that the intent of this chapter in requiring adequate standards related to the public health, safety and general welfare shall be observed without unduly inhibiting the advantages of large scale residential planning.

(b) The granting of the exception will not impair the intent of any requirement from which an exception is requested.

(c) The granting of the exception will not result in substantial detriment to the subject property or any adjacent properties.

(d) The authorizing of this exception will not adversely affect the General Plan of the City of Chula Vista or the adopted plan of any governmental agency.

(h) *Scope of Planning Commission and City Council Action.* In carrying out this section, the Planning Commission and City Council shall consider the following principles:

(1) It is the intent of this section that site and building plans prepared for a Planned Unit Development shall be done by a professional designer or team of professional designers qualified to prepare said plans which shall be functionally and aesthetically suitable for the use proposed in the application and the Commission and City Council shall have the authority to require the applicant to engage such a qualified designer or design team.

(2) It is not the intent of this section that control of the design of a Planned Unit Development by the Planning Commission and City Council be so rigidly exercised that individual initiative be stifled and substantial additional expense incurred; rather, it is the intent of this section that the control exercised be the minimum necessary to achieve the purpose of this section.

(3) The Planning Commission and City Council, in carrying out this section, shall also observe such of the principles set forth in Section 33.1313, "Site Plan and Architectural Approval," as are appropriate to the review of a Planned Unit Development.

Sec. 33.1312. Planned Unit Development Approval.

A. *Approval.* Where use is made of the Planned Unit Development procedure, as provided in this chapter, a zoning permit shall not be issued for such development or part thereof until the Planning Commission and City Council have approved a Planned Unit Development application for said development as provided in this section.

1. *Application.* Application shall be made on a form prescribed for this purpose by the City of Chula Vista not less than three (3) weeks prior to a regularly scheduled meeting of the Planning Commission. Application shall be accompanied by a zone change application establishing the modifying district.

2. *Multiple Ownership.* Where property is held by more than one (1) owner, the application for the Planned Unit Development must be accompanied by the written consent of all property owners or initiated by the City Council of Chula Vista.

3. *Fee.* The fee for Planned Unit Development shall be as follows, no part of which shall be refundable:

Non-Residential (Minimum for projects up to and including 10 acres)	\$100.00
Additional fee per acre for project in excess of 10 acres	\$ 5.00
Residential:	
1 to 20 units	\$150.00
21 to 50 units	\$150.00 plus \$3/unit
51 to 100 units	\$240.00 plus \$2/unit
101 to 200 units	\$340.00 plus \$1/unit
201 or more	\$440.00 plus \$.50/unit

4. *Public Hearings.* A public hearing shall be held by the Planning Commission and City Council as provided herein:

(a) Such hearing before the Planning Commission shall be held not more than thirty (30) days from date of application.

(b) Such hearing before the City Council shall be set for public hearing by the City Clerk within twenty (20) days after Planning Commission action.

(c) The secretary of the Commission and City Clerk shall publish notice of hearings in a newspaper of general circulation in the City of Chula Vista not less than (10) days prior to the date of said hearings. Failure of owners to receive notice of hearing shall in no way affect the validity of action taken.

5. *Planning Commission Action.* The Planning Commission shall act upon an application for Planned Unit Development approval within thirty (30) days, pending any necessary zoning amendment. In taking action the Commission may recommend to the City Council denial of a Planned Unit Development, may recommend approval of the Planned Unit Development as submitted, or may recommend approval of a Planned Unit Development subject to additional conditions. Any Planned Unit Development as authorized shall be subject to all conditions imposed, and shall be excepted from other provisions of this chapter only to the extent specified in said permit or shown by an approved plan.

6. *City Council Action.* The City Council, after the public hearing and consideration of the matter, may affirm the action of the Planning Commission, deny the action of the Planning Commission, or modify conditions recommended by the Planning Commission. An affirmative vote of at least three members of the City Council shall be necessary to change or modify the recommendation of the Planning Commission.

7. *Zoning Administrator.* Following the approval of a Planned Unit Development by the City Council, the Zoning Administrator shall issue a zoning permit as provided in Section 33.1316 of this article, and the Building Inspector shall ensure that development is undertaken and completed in conformance with the approved plans.

8. *Revocation of Permit.* A zoning permit may be revoked in any case where the conditions of such permit have not been or are not being substantially complied with; the Planning Commission shall give the permittee notice of intention to revoke such permit at least ten (10) days prior to review of said permit by said Commission. After conclusion of such review, the Planning Commission may recommend to the City Council that the permit be revoked. The City Council shall then review the permit and may uphold or reverse the action of the Planning Commission.

B. *Appeals.* (Delete entire subsection.)

2. That Section 33.602 be deleted entirely.

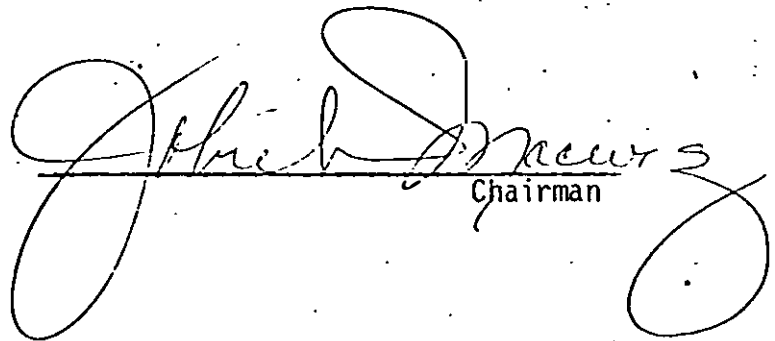
3. The Planning Commission recommends to the City Council that said amendments to the Zoning Ordinance be adopted.

PASSED and APPROVED by the CITY PLANNING COMMISSION of CHULA VISTA, CALIFORNIA, this 11th day of July, 1973, by the following vote, to-wit:

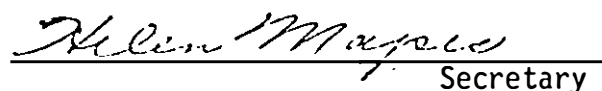
AYES: Members Rice, Chandler, Wilson, Macevicz, Rudolph and Swanson

NOES: None

ABSENT: Member Whitten


Chairman

ATTEST:


Secretary

PUD POLICY

A GUIDE FOR PLANNED UNIT DEVELOPMENTS

CITY OF CHULA VISTA

Adopted by Planning Commission Resolution PCM-73-4 on July 11, 1973

Adopted by City Council Resolution on

It is the intent of these development standards to provide an applicant for a Planned Unit Development with minimal guidelines to be utilized in the design of a Planned Unit Development for submission to the Planning Commission and City Council of Chula Vista for approval.

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P.U.D. STANDARDS

1. Setbacks, Lot Coverage and Floor Area Requirements.

(a) Setbacks.

(1) Exterior boundary of P.U.D.: 10 feet minimum, 20 feet average, for single story structures. Setback shall be increased 5 feet for each story in excess of one.

(2) Interior: Minimum separation between structures shall be 10 feet, however, the average setback shall be computed in accordance with the following formulas and definitions, where:

A = Average separation in distance

S = Total stories of both structures, divided by 2.

L = Total length of building faces opposite each other.

The wall containing living room window shall be considered front, the opposite side shall be the back, and the narrowest portion of complex or building shall be the end.

Back to back	}	A = 5·S + $\frac{L}{8}$
or		
End to end		
or		
End to back		

End to face	A = 10·S + $\frac{L}{8}$
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Face to face	}	A = 20·S + $\frac{L}{16}$
or		
Back to face		

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(3) Individual lots: Setbacks for front, side and rear areas of individual lots shall be established by the Planning Commission upon review of the plans. The use of staggered setbacks on front and rear elevations shall be utilized to avoid monotonous architecture.

(4) Recreational facilities designated for intensive use shall avoid conflict with adjoining property by use of landscaping, mounding or other acceptable forms of buffering.

(5) Miscellaneous: Open balconies, bay windows, uncovered porches, etc., may project into the common and required yard areas not to exceed a distance of 6 feet and occupy in aggregate no more than one-half the length of the building wall where it is attached.

(b) Lot coverage.

(1) Aggregate coverage: The maximum coverage by all structures in a P.U.D. shall not exceed, in aggregate, that which would be allowed on a single lot in the underlying zone. The square footage of dedicated rights of way, private drives, and open parking bays shall not be included in computing lot area regardless of zoning.

(c) Floor area. No building within a P.U.D. shall have a floor area less than that required by the underlying zone.

2. Open Space.

Open space constitutes any area that is not improved with any structure or area designed for use by automobiles. Open space may be left in its natural state, landscaped in accordance with the Landscape Policy, or improved for passive or active recreational activity. All landscaped areas shall be irrigated with a sprinkler system or its equivalent; natural topography may require irrigation for fire protection and/or erosion control. Manufactured slopes which do not blend with the topographical layout of the project will not be accepted. Any manufactured slopes of significant proportions should not exceed a 4:1 slope ratio, to provide for ease of maintenance.

(a) Common Usable Open Space. Applicants are encouraged to retain as much of the natural terrain as possible, however, a minimum of 400 square feet of common usable open space (5% grade or less) shall be required for each dwelling unit.

(1) Common usable open space shall not include private usable open space, land occupied by buildings (other than recreational), driveways, streets, or parking areas.

(2) Usable open space adjacent to streets or driveways shall not count toward satisfaction of the requirement for common usable open space unless it is screened with landscaping or fencing to buffer such areas from the traffic.

(3) Within any given complex active recreational areas, such as swimming pools, tennis courts, basketball courts, children's play areas, etc., shall be developed. A minimum area of 10,000 square feet shall be required for any development up to 100 units, increasing by 100 square feet per unit thereafter.

(4) Park land dedicated in excess of that required by Chula Vista City Standards may be credited as common usable open space. The exact amount of credit will be determined by the City Council.

(b) Private usable open space shall include private patios, balconies, or roof areas designated and equipped for recreational or leisure activity. These areas shall be as follows:

	<u>Minimum Area</u>	<u>Minimum Dimension</u>
* 1 bedroom units	250 sq. ft.	12 ft.
* 2 bedroom units	300 sq. ft.	12 ft.
* 3 or more bedroom units	400 sq. ft.	15 ft.

Note: Private usable open space of 300 square feet or more may be split into two locations (minimum of 100 square feet and 7 foot dimension for smallest area).

* Multistoried projects may include this in their common open space area.

(c) Phasing. Common open space proposed for active recreational use shall be installed with the first unit of development. If said development is phased into more than one increment, and said active use is proposed in more than one area of the development, the Planning Commission and City Council shall determine the phasing of said recreational areas. Usable open space areas shall be provided in increments in proportion with the total development.

3. Parking and Circulation.

(a) The internal circulation and parking system shall not be the dominant feature in the overall design of a P.U.D. It should be designed to provide efficient and safe vehicular access to dwelling units, garages, and parking stalls without being disruptive influence on pedestrians, open spaces or the livability of any dwelling unit.

(b) Access roads shall adhere to the following minimum standards:

	<u>One way</u>	<u>Two way</u>
(1) Access with no parking	12 ft.*	24 ft.

* Said driveway shall be increased in width to 15 feet to serve emergency vehicles, when deemed necessary by the staff.

(2) Access with parking shall be developed in accordance with the parking table standards adopted by the City, except the minimum aisle width shall be increased from 24 feet to 28 feet for 90° parking stalls.

(3) Minimum turning radius for a cul de sac without parking shall be 24 feet, however, "T" type turnarounds will be considered for those areas serving a limited number of dwelling units.

(4) No drive or common parking area shall be closer than 10 feet to any building or portion thereof used for human habitation.

(c) Parking for the residential areas shall consist of two assigned spaces per unit, one of which shall be covered and designed to be an integral part of the overall architectural theme. In addition, one guest space per unit shall be provided in parking bays or onstreet in areas convenient to the residences.

(d) The applicant shall offer for dedication all areas designated for primary access within the project. The City may reject the offer of dedication, whereby the applicant shall then grant an easement to the City for traffic enforcement and access rights over said areas as well as all private areas of vehicular travel or parking, and further, shall request that the City adopt a resolution imposing all provisions of the California Vehicle Code and traffic code of the City of Chula Vista as regulations upon all private road and parking areas.

(e) Paving, ramping, and clearance requirements of the Parking Table, as adopted by the Planning Commission, shall be followed. Paving for all roadways (public or private) shall be in accordance with standard street sections on file with the Department of Public Works.

4. Grading.

The Planned Unit Development shall relate harmoniously to the natural topography of the site, make suitable provisions for the retention of natural topography and natural features of the site, and shall otherwise be designed to use such natural features and amenities to the best advantage of the P.U.D. The creation of large manmade slopes shall be avoided where feasible. Any slopes that are created shall be sculptured into the natural topography; toes and tops rounded, variable slopes utilized, etc., in accordance with the City grading ordinance.

5. Architecture.

The Planned Unit Development shall relate harmoniously with the natural features of the site, any permanent adjacent structures, and with the overall design concept of the project. To objectively satisfy this intent the Planning Commission and City Council shall base their reviews of the architecture on the following:

(a) The general appearance of the proposed P.U.D. shall relate harmoniously to the natural features of the site or area and to any permanent existing development in the following manner:

- (1) Size, bulk and height of the structures.
- (2) Materials proposed to be used on the exterior of all structures.
- (3) Building setbacks.
- (4) Style of architecture.
- (5) Colors.
- (6) General standards of site development.
- (7) Landscaping materials.
- (8) Fence and/or wall design and materials.

(b) Any architectural theme established shall be utilized on all elevations of the structure facing the following areas:

- (1) The exterior boundary of the P.U.D.
- (2) Areas of vehicular circulation.
- (3) Areas of pedestrian circulation.
- (4) Areas of usable open space.

(c) It is recognized that architectural compatibility can be produced by the utilization of landscaping breaks, grade separations, etc., and that under these conditions the architecture of a proposed P.U.D. may not in itself have to be as harmonious as would normally be required.

(d) At the time of submission of an application for a P.U.D., a preliminary policy and standards for room additions or other architectural modifications shall be submitted for approval by the Planning Commission and City Council. The approved standards shall be included in the deed restrictions.

6. Landscaping.

Landscaping shall be in conformance with the Landscape Manual and the following guidelines:

(a) All manmade slopes shall be covered with a variety of ground cover materials. Slopes over 6 feet in height shall, in addition to the ground cover, utilize a shrub or tree per 100 square feet of slope area.

(b) Level areas (as defined in the usable open space section) shall be predominantly covered with a ground cover such as grass, to promote recreational use. A minimum of two trees shall be utilized for each unit; at least 10% shall be boxed or containered specimen size, minimum of 14 feet in height, and 2½" caliper when planted; of the remainder, at least 70% shall be 15 gal. size, 6 feet in height and 1½" caliper when planted, and at least 20% shall be 5 gal. size. Additional trees shall be required in open space areas; they shall be a minimum of 5 gal. A variety of trees shall be utilized, columnar, wide and medium spreading, etc. Additional 5 gal. shrubs and trees shall be used throughout the project in adequate number to accent open areas, buildings and screen parking areas.

(c) Additional specimen materials shall be utilized near the entrance to the project and along dedicated streets. Street trees shall be a minimum of 15 gal., 6 feet tall and 1½" caliper when planted.

7. Miscellaneous Requirements.

(a) A lighting system shall be provided on all walkways, usable open space, circulation areas, parking areas, maintenance facilities, and all other similar facilities. No point on any area requiring illumination shall be illuminated by less than .2 foot candles. A lighting plan shall be submitted indicating by graphic illustration the following for each fixture:

- (1) Location and lamp wattage.
- (2) Mounting height.

(b) A system of pedestrian walkways shall be provided to link all residential units with open space areas, recreational facilities, public facilities, commercial areas, guest parking, and all other areas that pedestrian links are needed. No point of the walk shall be closer than 5 feet to any building or portion of a building used for human habitation. All walkways shall be designed to eliminate any conflict with vehicular circulation. Walkways linking a single living unit to the overall walk system shall be a minimum of 36" in width; all other walks shall be a minimum of 5 feet in width.

(c) Storage facilities.

(1) Private storage areas with a minimum dimension in any direction of 4 feet, within garages or accessory storage structures, shall be provided in accordance with the following table:

1 bedroom	20 sq. ft.
2 bedrooms	40 sq. ft.
3 or more bedrooms	60 sq. ft.

(2) Private trash storage enclosures or common trash bin enclosures shall be provided. Private trash storage areas shall be 3 ft. X 6 ft. minimum and enclosed with a solid enclosure 4 ft. high with a solid gate; however, they may be designed as an integral part of the private storage area. Common trash areas shall be of construction compatible with the architecture of the development and built in accordance with Sec. 33.901 B, paragraph 34 of the Zoning Ordinance.

(3) A common storage area for the parking of trailers, campers, boats and other recreational vehicles shall be provided. The storage area shall be screened by a combination of 6 ft. solid wall or fence and landscaping. One space per 10 units shall be required unless it is determined by the Planning Commission that the characteristics of the units generate the need for additional spaces or fewer spaces. The spaces shall be a minimum of 12 ft. X 22 ft.; if more than 10 spaces are provided, 10% may be reduced to 10 ft. X 20 ft.

(4) Facilities for the storage of maintenance equipment and supplies shall be provided.

(d) Antennas. A common central television antenna or cable TV service shall be utilized. No other exterior radio or TV antenna shall be permitted and the deed restrictions shall prohibit the placement of any such antenna within a P.U.D.

8. Density Incentive Standards.

Pursuant to Sec. 33.601 A (6) (F) of the Zoning Ordinance, the Planning Commission and City Council may authorize densities in P.U.D. Modifying Districts above those normally permitted in the underlying district. Such density increases may be allowed only in cases where the Planning Commission and City Council determine that the streets and other public facilities in the area are adequate to serve the number of dwelling units proposed and that the increased density proposed will not be detrimental to existing potential surrounding uses, but rather will have a beneficial effect which could not be achieved under standard zoning districts.

For purposes of determining the base density allowed under conventional development and the maximum density permitted in the P.U.D. Modifying District, the following table shall be used:

Zoning District	Base Density (D.U./Acre)	Maximum Density Allowed under P.U.D. Modifying Dist. (D.U./Acre)
R-E-40	.8	1.1
R-E	1.7	2.2
R-1-15	2.2	2.9
R-1-10	3.3	4.4
R-1	4.6	6.2
R-1-5	6.5	8.7

(a) Density Incentive Features. The amount of density increase granted shall be in proportion to the degree to which the applicant's plan incorporates the following desirable features in excess of the level normally required. Generally the amount of the density increase for the provision of any one feature should be no greater than 30% of the difference between the base density and the maximum density; however, the Planning Commission and City Council shall have the authority to adjust this percentage where such adjustment better achieves the purposes of the P.U.D. Ordinance and Policy, or better protects the public health, safety and general welfare.

List of Density Incentive Features:

- (1) Common open space and improvements beyond that normally required for separation of buildings and which serves the recreational and open space needs of the residents.
- (2) Dedication of land for public use, such as fire station sites, library sites, trails, parks, etc.
- (3) A mixture of housing types.
- (4) Installation of plant materials of a size and species beyond that required in paragraph 6 above and the Landscape Policy.
- (5) Special sensitivity in the design of grading plans and the treatment of slopes.
- (6) Special building features which tend to maximize comfort and minimize household maintenance and operation expenses, such as complete insulation, installation of gutters and downspouts, use of soundproofing techniques, and use of quality materials and equipment, such as waste disposals, dishwashers, door locks, furnaces, etc.

9. Convenience Uses.

Applicants shall be encouraged to provide such uses as small convenience markets and service shops, eating places, etc., in central locations so as to encourage pedestrian rather than vehicular traffic.

ORDINANCE NO. 1500

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS 33.502, 33.503, 33.601 AND 33.1312, AND DELETING SECTION 33.602, OF THE ZONING ORDINANCE, CHAPTER 33 OF THE CHULA VISTA CITY CODE, ALL RELATING TO PLANNED UNIT DEVELOPMENT PROCEDURE

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

SECTION 1: That Section 33.501 I, paragraph 2 be, and the same is hereby amended to read as follows:

2. Regulatory Provisions. The minimum floor area per main dwelling unit in R-E (Residential Estates Zone) shall be as follows:

(a) 1,000 square feet for each dwelling unit containing one bedroom, two bedrooms, or one bedroom and den, family room or any other such room designated for miscellaneous purposes.

(b) 1,200 square feet for each dwelling unit containing three bedrooms or two bedrooms and den, family room or any other such room designated for miscellaneous purposes.

(c) 1,300 square feet for each dwelling containing four bedrooms or three bedrooms and den, family room or any other such room designated for miscellaneous purposes, or more.

SECTION 2: That Section 33.503 H, paragraph 1 be, and the same is hereby amended to read as follows:

1. R-1-7. The R-1-7 zone classification and the minimum dimensions requirement prescribed for said classification shall be considered to be the basic or standard lot size throughout the City of Chula Vista; provided, however, that in those areas placed in the R-1-7 classification, if a subdivision map is filed, the minimum lot sizes for twenty percent (20%) of the lots created by said subdivision may be reduced to 6,000 square feet, and ten percent (10%) of the lots thus created may be reduced to 5,000 square feet, said lots being subject to those minimum dimensional requirements as set forth hereinabove for such lot areas, provided that the average lot size of all the lots within the subdivision shall equal a minimum of 7,000 square feet.

SECTION 3: That Section 33.503 J, be, and the same is hereby amended to read as follows:

J. Floor Area per Unit. Minimum floor area shall be as follows:

1. 1,000 square feet for each dwelling unit containing one bedroom, two bedrooms or one bedroom and den, family room or any other such room designated for miscellaneous purposes.

2. 1,200 square feet for each dwelling unit containing three bedrooms or two bedrooms and den, family room or any other such room designated for miscellaneous purposes.

3. 1,300 square feet for each dwelling containing four bedrooms or three bedrooms and den family room or any other such room designated for miscellaneous purposes, or more.

Exception: Except in the case of the 1,000 sq. ft. dwelling units, an applicant may reduce the above minimums by 200 sq. ft. per unit for thirty percent (30%) of the dwellings within an approved subdivision provided the average house size within the development conforms to the minimum requirements specified above.

SECTION 4: That Section 33.601 A, be and the same is hereby amended by adding thereto a new subparagraph 6 to read as follows:

6 PUD Planned Unit Development Modifying District.

(a) Purpose. The purpose of planned unit developments is to allow diversification in the relationships of various uses building structures, and open spaces in planned building groups

and the allowable heights of buildings and structures, while insuring substantial compliance to the intent of the zone regulations and other provisions of this chapter, in order that the intent of this chapter in requiring adequate standards related to the public health, safety and general welfare shall be observed without unduly inhibiting the advantages of large-scale site planning for residential, commercial, industrial or institutional purposes.

(b) Required Conditions.

(1) No planned unit development should have an area of less than five (5) acres for a proposed C-O, I-R, I-L or I zone use, or an area of less than two (2) acres for any other proposed use.

(2) A planned unit development application, pursuant to Section 33.1312, which will require a change of zone shall be accompanied by an application for zoning amendment pursuant to Section 33.1201.

(c) Planned Unit Development Plan. Application shall be accompanied by a Planned Unit Development Plan, showing the use or uses to be reserved for vehicular and pedestrian circulation, parking, public uses such as schools, playgrounds, parks, landscaping, and other open spaces; undisturbed natural land, erosion control and fire control planting; and architectural drawings and sketches demonstrating the general design and character of the proposed uses and physical relationship of the uses. Such other pertinent information, including density of dwelling units, coverage, and open space characteristics shall be included as may be necessary to be a determination that the contemplated arrangement of buildings and uses makes it desirable to apply regulations and requirements differing from those ordinarily applicable under this chapter.

(d) Subdivision Map Required. A tentative subdivision map shall accompany all applications for a Planned Unit Development. The tentative subdivision map shall be in complete conformance with the Planned Unit Development plan and the requirements of Chapter 28 of the City Code and the state Subdivision Map Act.

(e) Review by Planning Commission and City Council. In order to approve a Planned Unit Development, the Planning Commission and City Council shall find the following:

(1) Consistency with the General Plan. That the proposed Planned Unit Development is consistent with the Chula Vista General Plan.

(2) Residential Developments. In the case of proposed residential development: that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with or complementary to the character of the surrounding neighborhood and will result in standards of open space at least as high as permitted or specified otherwise for such development in this chapter.

(3) Commercial Developments. In the case of proposed commercial development, that such development is needed at the proposed location to provide adequate commercial facilities of the type proposed that traffic congestion will not likely be created by the proposed development or will be obviated by presently projected improvements and by demonstrable provision in the plan for proper entrances and exits and by internal provisions for traffic and parking, that in such development transient residential units will not result in an intensity of land utilization more than the intensities specified or permitted by applicable zoning provisions; that said development will be an attractive and efficient center which will fit harmoniously into and will have no adverse effects upon the adjacent or surrounding neighborhood.

(4) Industrial Developments. In the case of proposed industrial developments, that such development is in conformity with the applicable performance standards, and will constitute an efficient and well organized development, with adequate provisions for railroad and/or truck access service and necessary storage; such development will have no adverse effect upon adjacent or surrounding neighborhoods.

(5) Institutional Developments. In the case of proposed institutional developments, such as colleges, hospitals, etc.: that said development is appropriate in type, area and location where proposed in the community and that proper provisions are made for service access, staff or employee parking, student or visitor parking, etc.; that surrounding thoroughfares have been or will be developed to have adequate capacity to accommodate such institutional use; that the capacity of the institution and density and coverage of said use is not excessive for the area of the site; and that said use will fit harmoniously into and have no adverse effects upon the surrounding area and will be properly screened and landscaped to avoid such adverse effects in accordance with the Landscape Policy.

(6) Exceptions Justified. That the development of a harmonious, integrated plan justifies exceptions, if such are required, to the normal requirements of this chapter.

(7) Density Incentive Provisions. The minimum lot size and maximum residential density in any PUD Modifying District shall be that allowed in the underlying zoning district as specified in the Zoning Ordinance, provided, however, that City Council may authorize a higher density or a smaller lot size by permitting density to be calculated as specified in the PUD Policy. Such increased density or any portion thereof may be authorized by City Council in accordance with standards established in the PUD Policy.

(g) Residential Planned Unit Development Standards. Development standards shall be in conformance with the requirements specified in the PUD Policy adopted by the City of Chula Vista; however, the City Council may grant exceptions from the standards or other sections of the Zoning Ordinance in areas relating to height regulations, lot area, lot width, setbacks, frontage requirements, and coverage requirements on any single lot in the review of a Planned Unit Development based on the development of a harmonious, integrated plan. To grant an exception from any other code requirement, such as floor area or parking, the following procedure shall be required:

(1) Application for any exception shall be made at the time of application for the Planned Unit Development on a form prescribed for that purpose by the City of Chula Vista.

(2) Any requested exceptions shall be outlined in the public hearing notice for the Planned Unit Development and shall be considered by the Planning Commission and City Council during the public hearing on the Planned Unit Development. The City Council may approve, conditionally approve, or deny, any requested exception based on the following findings:

(a) The exception is necessary in order that the intent of this chapter in requiring adequate standards related to the public health, safety and general welfare shall be observed without unduly inhibiting the advantages of large scale residential planning.

(b) The granting of the exception will not impair the intent of any requirement from which an exception is requested.

(c) The granting of the exception will not result in substantial detriment to the subject property or any adjacent properties.

(d) The authorizing of this exception will not adversely affect the General Plan of the City of Chula Vista or the adopted plan of any governmental agency.

(h) Scope of Planning Commission and City Council Action. In carrying out this section, the Planning Commission and City Council shall consider the following principles:

(1) It is the intent of this section that site and building plans prepared for a Planned Unit Development shall be done by a professional designer or team of professional designers qualified to prepare said plans which shall be functionally and aesthetically suitable for the use proposed in the application and the Commission and City Council shall have the authority to require the applicant to engage such a qualified designer or design team.

(2) It is not the intent of this section that control of the design of a Planned Unit Development by the Planning Commission and City Council be so rigidly exercised that individual initiative be stifled and substantial additional expense incurred; rather, it is the intent of this section that the control exercised be the minimum necessary to achieve the purpose of this section.

(3) The Planning Commission and City Council, in carrying out this section, shall also observe such of the principles set forth in Section 33.1313, "Site Plan and Architectural Approval," as are appropriate to the review of a Planned Unit Development.

SECTION 5: That Section 33.602 of Chapter 33, of the Chula Vista City Code be, and the same is hereby deleted.

SECTION 6: That Section 33.1312 of Chapter 33, of the Chula Vista City Code be, and the same is hereby amended by adding thereto a new subsection A and deleting therefrom old subsection B, to read as follows:

A. Approval. Where use is made of the Planned Unit Development procedure, as provided in this chapter, a zoning permit shall not be issued for such development or part thereof, until the Planning Commission and City Council have approved a Planned Unit Development application for said development as provided in this section.

1. Application. Application shall be made on a form prescribed for this purpose by the City of Chula Vista not less than three (3) weeks prior to a regularly scheduled meeting of the Planning Commission. Application shall be accompanied by a zone change application establishing the modifying district.

2. Multiple Ownership. Where property is held by more than one (1) owner, the application for the Planned Unit Development must be accompanied by the written consent of all property owners or initiated by the City Council of Chula Vista.

3. Fee. The fee for Planned Unit Development shall be as follows, no part of which shall be refundable:

Non-Residential (Minimum for projects up to and including 10 acres)	\$100.00
Additional fee per acre for project in excess of 10 acres	\$5.00
Residential:	
1 to 20 units	\$150.00
21 to 50 units	\$150.00 plus \$3/unit
51 to 100 units	\$240.00 plus \$2/unit
101 to 200 units	\$340.00 plus \$1/unit
201 or more	\$440.00 plus \$.50/unit

4. Public Hearings. A public hearing shall be held by the Planning Commission and City Council as provided herein:

(a) Such hearing before the Planning Commission shall be held not more than thirty (30) days from date of application.

(b) Such hearing before the City Council shall be set for public hearing by the City Clerk within twenty (20) days after Planning Commission action.

(c) The secretary of the Commission and City Clerk shall publish notice of hearings in a newspaper of general circulation in the City of Chula Vista not less than (10) days prior to the date of said hearings. Failure of owners to receive notice of hearing shall in no way affect the validity of action taken.

5. Planning Commission Action. The Planning Commission shall act upon application for Planned Unit Development approval within thirty (30) days, pending any necessary zoning amendment. In taking action the Commission may recommend to the City Council denial of a Planned Unit Development, may recommend approval of the Planned Unit Development as submitted, or may recommend approval of a Planned Unit Development subject to additional conditions. Any Planned Unit Development as authorized shall be subject to all conditions imposed, and shall be excepted from other provisions of this chapter only to the extent specified in said permit or shown by an approved plan.

6. City Council Action. The City Council, after the public hearing and consideration of the matter, may affirm the action of the Planning Commission, deny the action of the Planning Commission, or modify conditions recommended by the Planning Commission. An affirmative

vote of at least three members of the City Council shall be necessary to change or modify the recommendations of the Planning Commission.

7. Zoning Administrator. Following the approval of a Planned Unit Development by the City Council, the Zoning Administrator shall issue a zoning permit as provided in Section 33.1316 of this article, and the Building Inspector shall ensure that development is undertaken and completed in conformance with the approved plans.

8. Revocation of Permit. A zoning permit may be revoked in any case where the conditions of such permit have not been or are not being substantially complied with; the Planning Commission shall give the permittee notice of intention to revoke such permit at least ten (10) days prior to review of said permit by said Commission. After conclusion of such review, the Planning Commission may recommend to the City Council that the permit be revoked. The City Council shall then review the permit and may uphold or reverse the action of the Planning Commission.

Subsection B. (Appeals) is deleted in its entirety.

SECTION 7: This ordinance shall take effect and be in full force on the thirty-first day from and after its adoption.

ADOPTED AND APPROVED by the CITY COUNCIL of the CITY OF CHULA VISTA, CALIFORNIA, this 2nd day of October, 1973, by the following vote, to-wit:

AYES: Councilmen Hyde, Egdahl, Scott, Habel, Hamilton
 NAYES: Councilmen None
 ABSENT: Councilman None

/s/ Thomas D. Hamilton, Jr.
 Mayor of the City of Chula Vista

ATTEST /s/ Jennie M. Fulasz
 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 is a full, true and correct copy of Ordinance No. 1500, and that the same has not been amended or repealed. DATED October 2, 1973

/s/ Jennie M. Fulasz
 City Clerk

CV 10044 10/14/73