

ORDINANCE NO. 1632

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING TITLE 19 OF THE CHULA VISTA CITY CODE BY AMENDING SECTIONS 19.56.040, 19.14.450 AND 19.12.120; AND BY ADDING SECTIONS 19.56.041 THROUGH 19.56.047 AND 19.14.570 THROUGH 19.14.578; AND BY REPEALING SECTIONS 19.58.250, 19.58.300, 19.04.186, 19.04.270, AND 19.12.120 C, ALL RELATING TO THE "P" PRECISE PLAN MODIFYING DISTRICT

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

SECTION I: That Sections 19.56.040, 19.14.450 and 19.12.120 of Title 19 of the Chula Vista City Code be, and the same are hereby amended to read as follows:

19.56.040 P Precise plan modifying district--Purpose.

See also Sections 19.12.120 and 19.14.570 through 19.14.578. The purpose of the P precise plan modifying district is to allow diversification in the spatial relationship of land uses, density, buildings, structures, landscaping and open spaces, as well as design review of architecture and signs through the adoption of specific conditions of approval for development of property in the City of Chula Vista. Within the boundaries of the P district, the location, height, size and setbacks of buildings or structures, open spaces, signs and densities indicated on the precise plan shall take precedence over the otherwise applicable regulations of the underlying zone. (Ord. 1356 §1 (part), 1971; Ord. 1212 §1 (part), 1969: prior code §33.601(A)(3).)

19.14.450 Site plan and architectural approval--Accompanying maps and drawings required.

The application shall be accompanied by the information required in Section 19.56.042 for a precise plan and other drawings as are necessary to enable the Zoning Administrator to make the determinations under this section. (Ord. 1212 §1 (part), 1969: prior code § 33.1313 (A)(3).)

19.12.120 Attachment of conditions--Public improvements and precise plan requirements.

A. (No change.)

B. In addition to the requirement for the installation of public improvements in necessary dedications, the planning commission or the city council may require that a precise plan be submitted for the development of the property by attaching the P precise plan modifying district to the underlying zoning. The precise plan includes, but is not limited to the location, height, size, and setbacks of buildings or structures, open spaces, signs, and densities. The requirements and circumstances for applying the P precise plan modifying district are set forth in full in Sections 19.56.040 through 19.56.047. The procedures for submission and approval of a precise plan are set forth in Sections 19.14.570 through 19.14.578. (Ord. 1975; Ord. 1222 § 1 (part), 1969 prior code § 33.1204.)

SECTION II: That Title 19 of the Chula Vista City Code be, and the same is hereby amended by adding thereto new Sections 19.56.041 through 19.56.047 and new Sections 19.14.570 through 19.14.578, to read as follows:

19.56.041 P Precise plan modifying district--Application.

The P modifying district may be applied to areas within the City of Chula Vista only when one or more of the following circumstances is evident:

- A. The subject property, or the neighborhood or area in which the property is located, is unique by virtue of topography, geological characteristics, access, configuration, traffic circulation, or some social or historic situation requiring special handling of the development on a precise plan basis.
- B. The property or area to which the P modifying district is applied is an area adjacent and contiguous to a zone allowing different land uses, and the development of a precise plan will allow the area so designated to coexist between land usages which might otherwise prove incompatible.
- C. The basic or underlying zone regulations do not allow the property owner and/or the City appropriate control or flexibility needed to achieve an efficient and proper relationship among the uses allowed in the underlying zone or between such uses permitted on the property and the uses allowed in the adjacent zones.
- D. The area to which the P modifying district is applied consists of two or more properties under separate ownership wherein coordination regarding access, onsite circulation, site planning, building design and identification is necessary to enhance the public convenience, health, safety and general welfare.

19.56.042 P Precise plan modifying district--Required maps and information

An application for approval of a precise plan shall be accompanied by a detailed dimensioned drawing of the project on a scale of sufficient size so as to readily indicate all dimensions of the various elements of the development. The required elements are as follows:

- A. Legal description, legend, scale, north arrow, vicinity map, and identification of designer.
- B. The boundary lines of subject property, fully dimensioned together with the name and dimensions of adjoining streets.
- C. Existing topography and proposed grading plan, showing slope, retaining walls, pad elevations, and percent of slope on streets, driveways and other graded areas.
- D. Existing and proposed streets, utilities, and easements.
- E. Access: pedestrian, vehicular and service; points of ingress and egress, with driveway locations and dimensions.
- F. Loading and trash areas, walls and/or fences (including height).
- G. Proposed location, height, and dimensions of buildings, including color and materials on all elevations. The floor area, number of stories, number of units and bedrooms (when applicable) shall be given. Proposed uses shall be indicated including floor area devoted to each use.
- H. Parking layout, including dimensions, number of stalls, and circulation flow.
- I. Location, height, and size of signs proposed on the property.

- J. All landscaped areas. Such areas shall be defined with a written proposal outlining the landscaping concept, as well as the proposed method of irrigation. In addition all existing trees on site shall be identified with a note as to proposed disposition.
- K. Lighting, including location, type and hooding devices to shield adjoining properties.
- L. Location and design of recreational areas.

19.56.043 P Precise plan modifying district--Plan review.

Plans shall be reviewed by the Planning Commission with recommendations forwarded to the City Council in accordance with the provisions of Section 19.14.570.

19.56.044 P Precise plan modifying district--Exceptions.

Exceptions to the code requirements of the underlying zone may be granted by the City Council provided that these exceptions are so noted in the public hearing notice and findings are made as specified in Section 19.14.570.

19.56.045 P Precise plan modifying district--Density.

The P modifying district may be used to limit densities within the underlying zone range. However, densities may not be increased above the maximum range within the underlying zone. When the City Council deems it necessary to establish a density limitation in conjunction with the P Modifying District, the density established shall be expressed by a number following the P designator. The number assigned will represent the maximum number of dwelling units allowed per net acre of land. (Net acreage is the total land area remaining after dedication of public right of way.)

19.56.046 P Precise plan modifying district--Phasing.

Precise plans may be submitted in phases for projects within the P district. However, the submission of the first phase must include all of the required submissions for site plan approval for that portion of the project included within the boundaries of phase I. The submission of elevations and proposed building materials may be deferred in the first phase until specific architectural concepts are developed.

In addition, a skeletal plan of closely related future phases must be submitted and approved concurrent with the submittal of phase I. Such skeletal plans shall indicate circulation, building locations, preliminary grading, areas devoted to landscaping, density, and parking.

The submission of each phase of the precise plan will require a new application and fee together with the required site plans.

19.56.047 P Precise plan modifying district--Scope of Planning Commission and City Council Action.

In carrying out this section the Planning Commission and City Council shall consider the principles set forth in Section 19.14.470 (Site plan and architectural approval--Principles to be observed) appropriate to the review of a precise plan.

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19.14.570 Precise plan approval.

Where use is made of the precise plan procedure, as provided in this title, a zoning permit shall not be issued for such development or part thereof until the Planning Commission and City Council have approved a precise plan application for said development as provided herein.

19.14.571 Precise plan approval--Application and fee.

Application shall be made on a form prescribed for this purpose by the City of Chula Vista and shall be accompanied or preceded by a zone change application establishing the P modifying district.

19.14.572 Precise plan approval--Required information.

- A. The application shall include the name and address of the applicant and of all persons owning any or all of the property proposed to be used. The application must be signed by the owner/option holder, or written permission must be given authorizing an agent to sign the application.
- B. All data and maps as specified in Section 19.56.042.

19.14.573 Precise plan approval--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 forty-five (45) days from date of application.
- B. Such hearing before the City Council shall be set by the City Clerk within thirty (30) days after Planning Commission action.
- C. The secretary of the Planning Commission and City Clerk shall publish notice of hearings in a newspaper of general circulation in the City of Chula Vista not less than ten (10) days prior to the date of said hearings. Failure of owners to receive notice of hearings shall in no way affect the validity of action taken. Any requested exceptions to the requirements of the underlying zone shall be specified in the public hearing notice.

19.14.574 Precise plan approval--Planning Commission action.

The Planning Commission shall act upon an application for precise plan approval within forty-five (45) days, pending any necessary zoning amendment. In taking action the Commission may recommend to the City Council denial of a precise plan, approval of the precise plan as submitted, or approval of a precise plan subject to additional conditions. The Planning Commission may recommend approval if, from the facts presented, the Commission can make the necessary findings noted in Section 19.14.576. Recommendation for approval shall require the affirmative vote of not less than a majority of the total membership of the Planning Commission. Any precise plan, as authorized, shall be subject to all conditions imposed, and shall be excepted from other provisions of this title only to the extent specified in the resolution of approval or shown by an approved plan.

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19.14.575 Precise plan approval--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 (3) members of the City Council shall be necessary to change or modify the recommendations of the Planning Commission.

19.14.576 Precise plan approval--Findings.

The Planning Commission may recommend approval of the plan and the City Council may grant approval of the plan if all of the following facts are found:

- A. That such plan will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
- B. That such plan satisfies the principle for the application of the P modifying district as set forth in Section 19.56.041.
- C. That any exceptions granted which deviate from the underlying zoning requirements shall be warranted only when necessary to meet the purpose and application of the P precise plan modifying district.
- D. That approval of this plan will conform to the General Plan and the adopted policies of the City of Chula Vista.

19.14.577 Precise plan approval--Modifications of the precise plan.

Requests for modifications shall be submitted to the Planning Director in written form and shall be accompanied by such additional maps, statements or other information as may be required to support the modification. If the proposed modification is deemed by the Director of Planning to be insignificant in nature, the changes may be approved by the Director subject to the filing of a written report to the Planning Commission and City Council. If, in the opinion of the Director of Planning, the proposed changes are significant in scope, the applicant will be notified within ten (10) days of the written request that a new application and hearing will be required.

19.14.578 Precise plan approval--Zoning Administrator.

Following the recommendation by the Planning Commission and approval of a precise plan by the City Council, the Zoning Administrator shall issue a zoning permit as provided in Sections 19.14.500 through 19.14.550 of this title, and the Building Inspector shall ensure that development is undertaken and completed in conformance with the approved plans.

SECTION III: That Sections 19.58.250, 19.58.300, 19.04.186, 19.04.270 and 19.12.120 C of the Chula Vista City Code be, and the same are hereby repealed.

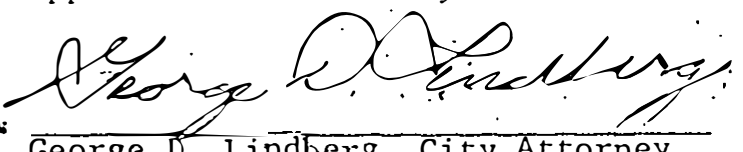
SECTION IV: This ordinance shall take effect and be in full force on the thirty-first day from and after its passage and approval.

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 5th day of August,
1975, by the following vote, to-wit:

AYES: *Councilmen* Egdahl, Scott, Hamilton, Hyde
NAYES: *Councilmen* None
ABSENT: *Councilmen* Hobel

Thomas D. Hamilton Jr.

Mayor of the City of Chula Vista

ATTEST

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 and foregoing is a full,
true and correct copy of _____ and
that the same has not been amended or repealed.

DATED _____

(SEAL)

City Clerk