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ORDINANCE NO. 1697

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING THE
CHULA VISTA MUNICIPAL CODE TO DEFINE "GROUP RESIDENCE"
AND ESTABLISH STANDARDS FOR GROUP RESIDENCES

WHEREAS, an application for an Environmental Impact Report was filed by the Planning Department of the City of Chula Vista, and

WHEREAS, after independent review and analysis of said application, the Environmental Review Committee of the City of Chula Vista issued the Draft Environmental Impact Report, and

WHEREAS, legal notice of the availability of said Draft Environmental Impact Report for review was given, and said draft was available for public review and scrutiny for a period in excess of thirty days, and

WHEREAS, the Planning Commission of the City of Chula Vista held a public hearing for the purpose of taking public testimony on said Draft Environmental Impact Report, and

WHEREAS, the Environmental Review Coordinator prepared a final Environmental Impact Report considering the Draft Environmental Impact Report and public comment on said draft, and

WHEREAS, the final Environmental Impact Report was considered by the Planning Commission of the City of Chula Vista.

NOW, THEREFORE, the City Council of the City of Chula Vista finds as follows:

That the City Council of the City of Chula Vista does hereby certify that EIR-75-2 has been reviewed and the information considered, and that it has been prepared in accordance with CEQA, the California Administrative Code and the Environmental Review Policy of the City of Chula Vista.

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

SECTION I: That Sections 19.04.032; 19.04.092; 19.26.040; 19.28.030; 19.28.040 and 19.54.020, subsection J of the Chula Vista Municipal Code be, and the same are hereby amended to read as follows:

Sec. 19.04.032 Boarding or lodging house.

 Delete existing definition and insert:

 See "Group residence" (Section 19.04.105).

Sec. 19.04.092 Family.

 "Family" means an individual, or two or more persons all of whom are related by blood, marriage, or adoption, or a group of not more than three persons, excluding servants, who need not be related, living in a dwelling unit as a single housekeeping unit and using common cooking facilities.

Sec. 19.26.040 Conditional Uses.

Site plan and architectural approval as provided in Sections 19.14.420 through 19.14.480 shall be required for the following conditional uses in the R-2 zone:

- A. Off-street parking areas subject to the provisions of Chapter 19.62;
- B. Electrical substations and gas regulators, subject to the provisions of Section 19.58.140;
- C. Unclassified uses, see Chapter 19.54;
- D. Family day care homes, as defined in Section 19.04.094.

Sec. 19.28.030 Accessory uses and buildings.

Accessory uses and buildings in the R-3 zone include:

- A. Rooming and boarding of not more than two persons per dwelling unit provided off-street parking space is available for automobiles owned and operated by any roomer or boarder, in addition to any space required for the principal residents of the dwelling;
- B. Customary incidental home occupations subject to provisions of Section 19.14.490;
- C. Other accessory uses and accessory buildings customarily appurtenant to a permitted use subject to requirements of Section 19.58.020;
- D. Temporary tract offices and tract signs subject to the provisions of Section 19.58.320 and Section 19.60.470;
- E. Full time foster homes as defined in Section 19.04.098.

Sec. 19.28.040 Conditional Uses.

Site plan and architectural approval as provided in Sections 19.14.420 through 19.14.480 shall be required for all of the following conditional uses in the R-3 zone:

- A. Single-family homes;
- B. Group residence subject to the requirements of Section 19.58.172;
- C. Except in R-3-T, day nurseries;
- D. Except in R-3-T, incidental services, such as restaurants and retail sales to serve residents, provided there is no exterior display or advertising and such activities are conducted in spaces which are integral parts of a main building;
- E. Commercial parking garages and off-street parking lots, in accordance with the provisions of Sections 19.62.010 through 19.62.130;

- F. Electric substations and gas regulators subject to the provisions of Section 19.58.140;
- G. Unclassified uses, see Chapter 19.54;
- H. Family day care homes, as defined in Section 19.04.094.

Sec. 19.54.020 Designated-Limitations and Standards.

- J. Establishments or enterprises involving large assemblages of people or automobiles, as follows, provided that these uses shall be deemed to be generally undesirable in the R zones:
 1. Airports and heliports: See Section 19.58.180;
 2. Amusement parks and amusement enterprises: See Section 19.58.040;
 3. Arenas: See Section 19.58.040;
 4. Circuses, carnivals or fairgrounds (other than temporary uses): See Section 19.58.040;
 5. Museums;
 6. Open air theaters, except drive-in theaters: See Section 19.58.120B;
 7. Race tracks and rodeos: See Section 19.58.040;
 8. Recreational centers, commercially operated: See Section 19.58.040;
 9. Stadiums;
 10. Shooting clubs: See Section 19.58.270;
 11. Ambulance service (excluded from all residential zones unless located within a hospital complex).

SECTION II: That Title 19 of the Chula Vista Municipal Code be, and the same is hereby amended by adding thereto new Sections 19.04.105 and 19.58.172 to be, and to read as follows:

Sec. 19.04.105. Group Residence.

"Group residence" shall mean a dwelling or part thereof where meals and/or lodging are provided or shared by more than three persons, excluding servants, who are not related by blood, marriage, or adoption.

Sec. 19.58.172 Group Residence.

- A. Density. The maximum number of residents allowed in a group residence shall be determined by calculating the number of dwelling units which would be allowed on the site under R-3 district regulations and multiplying that number by the average family household size per unit (1.94 based on 1975 census data).

Note: Calculations shall be rounded to the nearest whole number.

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- B. \Parking. Parking requirements shall be calculated on the basis of R-3 standards for one bedroom apartment units (resident and guest). The Planning Commission may increase the number of spaces required based on the facts presented in the conditional use permit application. Tandem parking shall be prohibited.
- C. Separation. Upon review of each conditional use permit application, the Planning Commission shall consider the number of group residences and the distances between them in determining the need for an additional group residence.
- D. Garage conversions. In structures used for group residence, garage conversions shall be prohibited.
- E. Compliance with R-3 standards. Group residences shall comply with all of the ordinance requirements as set forth in the R-3 zone. Open space shall be calculated on the basis of 400 sq. ft. times the number of units which could be constructed under R-3 regulations.
- F. Code compliance (other). A structure used as a group residence shall comply with the requirements of the latest effective Uniform Housing Code and Fire Code.
- G. \License. Proper licenses shall be obtained by anyone living in the group residence.
- H. Bathrooms. There shall be a minimum of one bathroom for every three bedrooms or fraction thereof, but not less than one for every six persons or fraction thereof.
- I. Periodic Inspection. City inspectors (building, fire and zoning) shall inspect each group residence from time to time, but at least twice yearly, to determine compliance with the conditional use permit and code requirements.
- J. Time period. The issuance of a conditional use permit shall be valid for a period of three years, at the end of which time the Planning Commission shall review the operation of the use for compliance with all conditions. In the interim period, violations of any condition cited, or receipt of verified complaints, will constitute grounds for review and possible revocation of the permit by the Planning Commission.


SECTION III: This ordinance shall take effect and be in 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

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ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
CHULA VISTA, CALIFORNIA this 27th day of July,
1976, by the following vote, to-wit:

AYES: Councilmen Hobel, Cox, Hamilton, Egdahl
NAYES: Councilmen None
ABSENT: Councilmen Hyde

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, CMC, 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

(SEAL)