

See also: R-8876

ORDINANCE NO. 1771

AN ORDINANCE OF THE CITY OF CHULA VISTA REPEALING SECTION 19.28.150 OF THE CHULA VISTA MUNICIPAL CODE AND ADDING THERETO NEW SECTIONS 19.28.180, 19.28.190, 19.56.048, 19.14.579 AND 19.14.580 ALL RELATING TO DESIGN CONTROL IN THE R-3 ZONE AND THE P MODIFYING DISTRICT AND ADDING SECTIONS 19.14.581 THROUGH 19.14.589 CREATING A DESIGN REVIEW COMMITTEE AND MAKING RELATED CHANGES

WHEREAS, the Negative Declaration on IS-77-49 has heretofore been reviewed and certified by the City Council in conjunction with the approval of the resolution adopting the Design Manual of the City of Chula Vista.

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

SECTION I: That Section 19.28.150 of the Chula Vista Municipal Code be, and the same is hereby repealed.

SECTION II: That the Chula Vista Municipal Code is hereby amended by adding new Sections 19.28.180, 19.28.190, 19.56.048, 19.14.579 and 19.14.580 relating to design control in the R-3 zone and the P Modifying District to be, and to read as follows:

Sec. 19.28.180            Design Control.

The exterior design and arrangement of all residential uses and structures proposed for establishment, location, expansion, or alteration in the R-3 zones shall be governed by the goal, general objectives, statements of policy, and principles and standards of the Design Manual of the City of Chula Vista.

Sec. 19.28.190            Jurisdiction of the Design Review Committee.

The Design Manual of the City of Chula Vista shall be effectuated and administered by the Design Review Committee, established and governed by Sections 19.14.581 through 19.14.587.

Sec. 19.56.048            P Precise Plan Modifying District--  
Plan Review of Multiple Family  
Dwellings.

Notwithstanding the provisions of Section 19.56.047, plans for multiple family dwelling projects in areas governed by the P Precise Plan Modifying District shall be reviewed by the Design Review Committee, and shall be considered by the Planning Commission and the City Council only upon appeal, pursuant to Section 19.14.583.

Sec. 19.14.579            Precise Plan Approval--Multiple  
Family Dwelling Projects.

Notwithstanding the provisions of other sections of this chapter, the review of precise plans for multiple family dwelling projects shall be procedurally governed by the rules adopted by the Design Review Committee, created under Section 19.14.581.

Sec. 19.14.580            Precise Plan Approval for Multiple  
Family Projects--Zoning Administrator.

Following the approval or conditional approval of a precise plan for a multiple family dwelling project by the Design Review Committee, or upon appeal by the Planning Commission or 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 the development is undertaken and completed in conformance with the approved plans.

SECTION III: That the Chula Vista Municipal Code is hereby amended by adding Sections 19.14.581 through 19.14.589 creating a Design Review Committee to be, and to read as follows:

Sec. 19.14.581            Design Review Committee--Creation.

In order to relieve the Planning Commission of certain routine functions necessary to the proper administration of this chapter, to intensify this municipality's efforts to improve its townscape, and to promote the orderly growth and amenity of the City of Chula Vista and environs, there is hereby established a Design Review Committee with such authority as is granted by this chapter.

Sec. 19.14.582            Design Review Committee--Duties  
and Responsibilities.

- A. The Design Review Committee shall review plans for the establishment, location, expansion, or alteration of residential uses or structures in the R-3 zone, and multiple family dwelling uses or structures governed by the P Precise Modifying District; and, shall approve, conditionally approve, or deny such plans.
- B. The Design Review Committee shall base its findings and action upon the provisions of the Design Manual of the City of Chula Vista.
- C. The Design Review Committee shall prepare and adopt operational procedures, by-laws, and business forms.
- D. The Design Review Committee shall submit annual reports on its operations to the City Planning Commission.

Sec. 19.14.583            Design Review Committee--  
                                 Appeal Procedure.

- A. The applicant or other interested persons may file an appeal from the decision of the Design Review Committee to the Planning Commission within ten (10) working days after the decision is filed with the City Clerk. Said appeal shall be in writing and filed in triplicate with the Planning Department on forms prescribed for said appeal, and shall specify therein the argument against the decision of the Design Review Committee. If an appeal is filed within the time limit specified, it automatically stays proceedings in the matter until a determination is made by the Planning Commission.
- B. Upon the hearing of such appeal, the Planning Commission may, by resolution, affirm, reverse or modify in whole or in part, any determination of the Design Review Committee. The resolution must contain a finding of facts showing wherein the project meets or fails to meet the requirements of this chapter and the provisions of the Design Manual. A simple majority of a quorum of the Planning Commission shall be necessary to change or modify the decision of the Design Review Committee.
- C. The decision of the Planning Commission may be appealed to the City Council in the same manner as set forth in this section for appeals to the Planning Commission.

Sec. 19.14.584            Design Review Committee--  
                                 Membership Qualification.

- A. The Design Review Committee shall consist of five members appointed by the majority vote of the Council. The membership shall be comprised of persons sensitive to design consideration and interested in townscape matters. Persons qualified for membership shall include architects, landscape architects, land planners, apartment builders and other citizens who have demonstrated a genuine interest in the community and a sensitivity to good design.
- B. All members should be familiar with and able to read and interpret architectural drawings, and be able to judge the effect of a proposed project, structure, or sign upon the surrounding neighborhood and community.

Sec. 19.14.585            Design Review Committee--  
                                 Term of Membership.

Any member of the Design Review Committee appointed to succeed the members initially appointed shall serve for a term of three (3) years. Members initially appointed shall serve for the following terms to be determined by lot at the Design Review Committee's first business meeting:

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1. Two (2) members shall serve for a term of three (3) years.
2. Two (2) members shall serve for a term of two (2) years.
3. One (1) member shall serve for a term of one (1) year.

No member shall serve more than two (2) consecutive terms.

Sec. 19.14.586            Design Review Committee--  
Removal or vacancy.

Any member of the Design Review Committee may be removed by a majority vote of the City Council. A vacancy shall be filled in the same manner as an original appointment and the person filling the vacancy shall serve for the remainder of the removed member's unexpired term. If a member is absent without cause from three (3) consecutive regular meetings, the office becomes automatically vacant. A member is not absent without cause if the absence is due to illness, business or vacation.

Sec. 19.14.587            Design Review Committee--Quorum.

Three (3) members shall constitute a quorum. Action by the Design Review Committee requires a majority vote of the quorum.

Sec. 19.14.588            Design Review Committee--  
Schedule of Meetings.

The Design Review Committee shall meet at least twice each month. Special meetings may be held in accordance with provisions of the Government Code of the State of California. The meetings shall not be held on any legal holiday.

Sec. 19.14.589            Design Review Committee--  
Election of Officers.

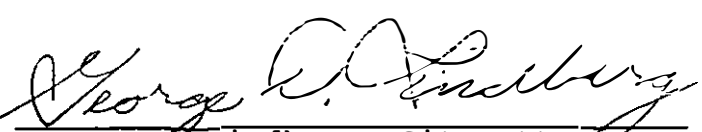
At the first regularly scheduled meeting of the Design Review Committee, and on each July thereafter, the members shall elect a chairman and vice-chairman from among its members to serve a term of one (1) year, and until the successor of each takes office.

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

Presented by

Approved as to form by

  
D. J. Peterson, Director of  
Planning

  
George V. Lindberg, City Attorney

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ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA, CALIFORNIA, this 1st day of November

1977, by the following vote, to-wit:

AYES: Councilmen Egdahl, Hobel, Cox, Hyde, Scott  
NAYES: Councilmen None  
ABSTAIN: Councilmen None  
ABSENT: Councilmen None

Walter Hyde  
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, JENNE 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 \_\_\_\_\_

(seal) \_\_\_\_\_  
City Clerk