

ORDINANCE NO. 1806

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTIONS 17.10.010, 17.10.030 AND 17.10.040, REPEALING SECTION 17.010.050 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO DEDICATION OF PARK LANDS AND PUBLIC FACILITIES

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

SECTION I: That Sections 17.10.010, 17.10.030 and 17.10.040 of the Chula Vista Municipal Code be, and the same are hereby amended to read as follows:

CHAPTER 17.10 PARKLANDS AND PUBLIC FACILITIES.

Sec. 17.10.010 Dedication for Park and Recreational Purposes.

Pursuant to the authority granted by Section 66477 of the Government Code of the state, every subdivider shall, for the purpose of providing park and recreational facilities directly benefiting and serving the residents of the regulated subdivision, dedicate a portion of the land or in lieu thereof pay a fee for each dwelling unit in the subdivision or do both, as required by this chapter. The dedication or payment of fees in lieu thereof shall be applicable to all residential subdivisions of any type allowed under the various and several residential zones of the city and shall be in addition to any residential construction tax required to be paid pursuant to Chapter 3.32 of this Code.

Sec. 17.10.030 Application.

The provisions of this chapter shall apply to all subdivisions and divisions created by parcel maps which increase the number of permissible dwelling units as that phrase is defined in Title 19 of the Chula Vista Municipal Code, excepting therefrom industrial and completely commercial subdivisions and those subdivisions or divisions of land for which tentative subdivision or parcel maps have been filed within thirty days after the effective date of this chapter.

Sec. 17.10.040 Area to be Dedicated-Required When-Amounts for Certain Uses.

The amount of park land dedication required in accordance with Sections 17.10.010 through 17.10.130 shall be as follows:

- A. Single family dwelling units, 3.7 persons per dwelling unit, three hundred twenty-two square feet per unit, or one acre per one hundred thirty-five units.
- B. Attached, cluster housing or planned unit developments under either condominium or subdivided ownership, 3.1 persons per dwelling unit, two hundred seventy-two square feet per unit, or one acre per one hundred sixty units;

- C. Duplexes, 2.5 persons per dwelling unit, two hundred eighteen square feet per unit, or one acre per two hundred units;'
- D. Multiple family dwelling units, 2.0 persons per dwelling unit, one hundred seventy-four square feet per unit, or one acre per two hundred fifty units;
- E. Mobile homes, 1.8 persons per dwelling unit, one hundred fifty-seven square feet per unit, or one acre per two hundred seventy-eight units.

These amounts of land shall be offered at the time of filing of the final map. If, in the judgment of the city, suitable land does not exist within the subdivision, or for subdivisions containing fifty lots or less, only the payment of fees in lieu of land and improvements may be required. In such cases, the amount of the fee shall be the amount established by the City Council in the master fee schedule by resolution plus the value of the improvements required in Section 17.10.070. Where the city deems that a combination of dedication and payment, as provided in this section, would better serve the public and the park and recreation needs of the future residents of a particular subdivision, it may require such combination; provided, however, the City Council may, by resolution waive all or any portion of said dedication or in lieu fee requirements in the interests of stimulating the construction of housing for low and moderate income families.

SECTION II: That Section 17.10.050 of the Chula Vista be, and the same is hereby repealed.

SECTION III: This ordinance shall become effective upon first reading and adoption as an urgency measure requiring a 4/5's vote.

Presented and Approved as to Form by



George D. Lindberg, City Attorney

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, AT FIRST READING THIS 29TH DAY OF JUNE, 1978, by the following vote, to-wit:

AYES: Councilmen COX, EGDAHL, HYDE, GILLOW, SCOTT
NAYES: Councilmen NONE
ABSTAIN: Councilmen NONE
ABSENT: Councilmen NONE

Will T. 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, 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 ORDINANCE NO. 1806, and that the same has not been amended or repealed.

DATED _____

(seal) _____ City Clerk