

ORDINANCE NO. 1868

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF CHULA VISTA AMENDING CHAPTERS 19.22, 19.24,
AND 19.26 OF THE CHULA VISTA MUNICIPAL CODE
RELATING TO PANHANDLE LOTS, FLAG LOTS AND LOTS
SERVED BY AN EASEMENT

The ordinance was placed on first reading on May 22, 1979 and second reading on June 5, 1979, adopted by a unanimous vote of the City Council (Councilman Scott was absent). It establishes regulations and guidelines governing the development of panhandle lots, flag lots and lots served by an easement. These amendments allow for the processing of the occasional request for development of a lot which lacks frontage on a public street but which has access from an easement without the need to apply for a variance and subject to appropriate conditions of approval. Copies of the ordinance are available in the office of the City Clerk, City Hall, 276 Fourth Avenue.


Jennie M. Fulasz, CMC, City Clerk

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The City Council of the City of Chula Vista finds as follows:

That in accordance with the attached Negative Declaration, IS-79-49 and the findings therein, the amendments to the Municipal Code relating to panhandle lots, flag lots and lots served by an easement will not have a significant impact upon the environment, and the City Council hereby certifies that the Negative Declaration was prepared in accordance with the California Environmental Quality Act of 1970 as amended.

The City Council of the City of Chula Vista ordains as follows:

SECTION I: That Sections 19.22.080 and 19.24.110 of the Chula Vista Municipal Code be, and the same are hereby amended to read as follows:

Sec. 19.22.080 Minimum lot frontage.

Every lot in the R-E zone shall have a minimum frontage upon a dedicated street of one hundred feet, unless such lot fronts upon an approved easement or private road as provided in this chapter (see Section 19.22.150) or unless such lot has been approved by the Planning Commission or City Council pursuant to the provisions of this Code or any ordinance which may hereafter be enacted providing for the subdivision of land or the dedication of public streets.

Sec. 19.24.110 Frontage requirements.

Every lot in the R-1 zone having an area between 5,000 square feet and 5,999 square feet shall have a minimum lot frontage upon a dedicated street of fifty feet, and every lot having an area of 6,000 square feet or greater shall have a minimum lot frontage upon a dedicated street of sixty feet, unless such lots front upon an approved easement or private road as provided for in this chapter (see Section 19.24.170) or unless such lots have been approved by the Planning Commission or City Council pursuant to the provisions of this code or any ordinance which may hereafter be enacted providing for the subdivision of land or the dedication of public streets.

SECTION II: That new Sections 19.22.150, 19.24.170, 19.26.160 and 19.26.170 are hereby added to the Municipal Code to be, and to read as follows:

Sec. 19.22.150 Panhandle lots, flag lots, or lots served by an easement--Requirements and conditions.

- A. Panhandle lots, flag lots or lots served by an easement proposed within a subdivision shall meet the criteria contained herein.
- B. No lot may be created or developed under this provision which could otherwise be served by a public street unless approved by the Director of Planning and the City Engineer.
- C. All development permitted under this provision shall be subject to the regulations and requirements of this title except as otherwise regulated in this section.
- D. The division of any property under this provision shall be subject to the regulations of the State Map Act and Subdivision Ordinance of the City of Chula Vista.
- E. Not more than four lots served by a private road or easement shall be allowed under this provision unless this restriction is waived by the Director of Planning or City Council.
- F. The responsibility for the maintenance and cost of maintenance of all common areas, roads or easements and guest parking areas shall be shared under contractual agreement by the property owner of each lot; this shall be accomplished through the formation of a homeowner's association.
- G. Development criteria:
 - 1. Road and easement widths:
 - one lot - 15 feet*
 - two or more lots - 20 feet*.

*These widths may be increased if it is determined by the Director of Planning that a sidewalk is required.
 - 2. All driveways, guest parking areas and roadways shall be paved with a minimum of 5" of portland concrete cement.
 - 3. Each lot shall contain an area not less than the minimum lot size of the underlying zone exclusive of all private roads, common areas and guest parking areas.
 - 4. All onsite utilities shall be undergrounded.
 - 5. Each dwelling shall be connected to a gravity sewer unless otherwise approved by the City Engineer.
 - 6. An onsite fire hydrant may be required by the Fire Department when such is deemed necessary.

7. Guest parking shall be provided as follows:
one lot - one space
two lots - three spaces
three lots - five spaces
four lots - six spaces

The individual driveways to the garage shall not be construed as meeting the guest parking requirement.

8. Accessory structures shall not be located closer than ten feet to any dwelling located on adjacent property.
9. The following setbacks shall be observed:
Front yard - 15 feet from any access drive and guest parking areas.
Any garage facing an access drive shall be a minimum of 22 feet from the drive.
Side yard - Not less than that required by the underlying zone.
Rear Yard - Not less than that required by the underlying zone upon initial construction.
10. A minimum five foot high fence shall be provided on each side of the private drive behind the front setback and on those property lines abutting adjoining properties. This requirement may be modified or waived by the Director of Planning if it is found that said fence is not necessary for the protection of the adjoining properties.
11. If the property is graded to create a building pad for each lot, the minimum level area (no slope over 5%) of each pad shall be not less than 80% of the minimum lot size of the underlying zone, but in no case shall the minimum area be less than 5,000 square feet. Development proposed on existing natural topography, having an average natural slope of 10% or greater, and with less than 10% of the site to be graded, shall be subject to the approval of the Director of Planning, who shall consider whether such development will adversely affect adjacent properties or development.
12. Guest parking areas shall be adequately screened from onsite and adjacent residential properties.

H. No garage conversions shall be permitted.

I. Development shall be subject to site plan and architectural approval of the Director of Planning.

Sec. 19.24.170 Panhandle lots, flag lots, or lots served by an easement--Requirements and conditions.

Panhandle lots, flag lots, or lots served by an easement shall be provided in the R-1 zone subject to the requirements and conditions of Section 19.22.150.

Every lot in the R-2 and R-2-X zone shall have a minimum frontage upon a dedicated street of sixty feet, unless such lot fronts upon an approved easement or private road as provided in this chapter (see Section 19.26.170) or unless such lot has been approved by the Planning Commission or City Council pursuant to the provisions of this code or any ordinance which may hereafter be enacted provided for the subdivision of land or the dedication of public streets.

Sec. 19.26.170


Panhandle lots, flag lots, or lots served by an easement--Requirements and conditions.

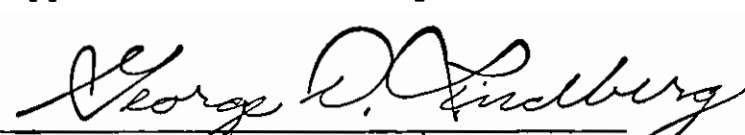
Panhandle lots, flag lots, or lots served by an easement shall be provided in the R-2 and R-2-X zone subject to the requirements and conditions of Section 19.22.150.

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

Presented by

Approved as to form by


D. J. Peterson, Director of Planning

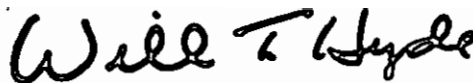

George D. Lindberg, City Attorney

FIRST READ at a regular meeting of the CITY COUNCIL of the CITY OF CHULA VISTA, CALIFORNIA, held May 22, 1979, and finally PASSED AND ADOPTED at a regular meeting thereof held June 5, 1979, by the following vote, to-wit:

AYES: Councilmen: Gillow, Cox, Egdahl, Hyde

NAYES: Councilmen: None

ABSENT: Councilmen: Scott



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. 1868, and that the same has not been amended or repealed. DATED _____.

City Clerk

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