

ORDINANCE NO. 2074

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 19.14.130 OF CHAPTER 19.14 OF THE CHULA VISTA MUNICIPAL CODE DELETING THE FOUR-FIFTHS VOTE BY THE CITY COUNCIL TO OVERRIDE PLANNING COMMISSION ACTION

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

SECTION I: That Section 19.14.130 of Chapter 19.14 of the Chula Vista Municipal Code be, and the same is amended to read as follows:

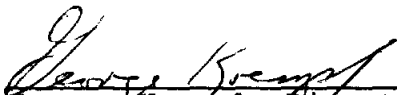
Sec. 19.14.130 Conditional Use Permit - Appeals-
City Council Action - Resolution
Contents and Transmittal


Upon the hearing of such appeal, the city council may, by resolution, affirm, reverse or modify in whole or in part any determination of the planning commission, subject to the same limitations and requirements of findings as are placed upon the planning commission by this chapter. The resolution must contain a finding of facts showing wherein the conditional use meets or fails to meet the requirements of Section 19.14.080 through 19.14.100. Not later than ten days following the adoption of said resolution, the city clerk shall transmit a copy of the resolution and finding to the director of planning to the director of building and housing, and shall mail a copy to the applicant.

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

Presented by

Approved as to form by


George Krempf, Director of
Planning


Thomas J. Harron, City Attorney

FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, HELD August 7, 19 84, AND FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD August 14, 19 84, BY THE FOLLOWING VOTE, TO-WIT:

AYES: Councilmen : Moore, Cox, Malcolm, Scott
NAYES: Councilmen : None
ABSTAIN: Councilmen : None
ABSENT: Councilmen : McCandliss

Gregory R. Cox

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above and foregoing is a full, true and correct copy of ORDINANCE NO. 2074, and that the same has not been amended or repealed.

DATED _____

(seal)

City Clerk

RESOLUTION NO. PCA-84-7

RESOLUTION OF THE CITY OF CHULA VISTA PLANNING
COMMISSION RECOMMENDING TO THE CITY COUNCIL THE
ADOPTION OF AN AMENDMENT TO CHAPTER 19.14
DELETING FOUR-FIFTHS VOTE BY CITY COUNCIL TO
OVERRIDE PLANNING COMMISSION ACTION

WHEREAS, it has been determined that deleting the four-fifths vote requirement on the part of the City Council to override the decision of the Planning Commission will not diminish the authority of the Commission; and

WHEREAS, the Planning Commission set the time and place for a hearing on said amendment and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the city at least ten days prior to the hearing, and

WHEREAS, the hearing was held at the time and place as advertised, namely 7:00 p.m., July 11, 1984, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed, and

NOW, THEREFORE, BE IT RESOLVED THAT FROM THE FACTS PRESENTED AT THE HEARING, THE PLANNING COMMISSION recommends the adoption of amendments to Title 19 of the Municipal Code as listed in Exhibit "A" attached hereto and made a part of.

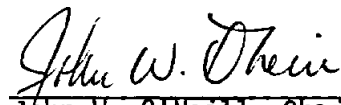
That a copy of this resolution be transmitted to the City Council.

PASSED AND APPROVED BY THE PLANNING COMMISSION OF CHULA VISTA, CALIFORNIA, this 11th day of July, 1984, by the following vote, to-wit:

AYES: Commissioners R. Johnson, Pressutti, Shipe, Cannon and O'Neill


NOES: None

ABSENT: Commissioners Green and Guiles



John W. O'Neill, Chairman

ATTEST:



Ruth M. Smith, Secretary

WPC 1126P

0-2074

EXHIBIT A

PROPOSED AMENDMENT TO §19.14.130 OF THE CHULA
VISTA MUNICIPAL CODE

Sec. 19.14.130 Conditional Use Permit - Appeals
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Upon the hearing of such appeal, the city council may, by resolution, affirm, reverse or modify in whole or in part any determination of the planning commission, subject to the same limitations and requirements of findings as are placed upon the planning commission by this chapter. The resolution must contain a finding of facts showing wherein the conditional use meets or fails to meet the requirements of Section 19.14.080 through 19.14.100. ~~A vote of four members of the council shall be necessary to change or modify the decision of the planning commission.~~ Not later than ten days following the adoption of said resolution, the city clerk shall transmit a copy of the resolution and finding to the director of planning, to the director of building and housing, and shall mail a copy to the applicant.

0-2074

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By a unanimous vote on August 14, 1984 (Councilwoman McCandliss was absent), the Council placed the ordinance on second reading and adoption.

The ordinance states that "upon the hearing of conditional use permit appeals, the Council may, by resolution, affirm, reverse or modify in whole or in part any determination of the Planning Commission, subject to the same limitations and requirements of findings as are placed upon the Planning Commission by this chapter - Sec.19.14.130. The resolution must contain a finding of facts showing wherein the conditional use meets or fails to meet the requirements of Section 19.14.080 through 19.14.100."

Copies of the ordinance are available at the office of the City Clerk, City Hall, 276 Fourth Avenue, Chula Vista, CA.

Dated: 8/16/84


Jennie M. Fulasz, CMC, City Clerk