

AN ORDINANCE OF THE CITY OF CHULA VISTA EXTENDING AN INTERIM MEASURE DECLARING A MORATORIUM ON PLANNING COMMISSION CONSIDERATION OF RESIDENTIAL TENTATIVE SUBDIVISION MAPS WITHIN THE AREA EAST OF I-805 AND AMENDING CHULA VISTA MUNICIPAL CODE SECTION 19.12.130 TO PROVIDE A PROCEDURE FOR ADMINISTRATIVE RELIEF FROM MORATORIUMS

WHEREAS, Section 19.12.130 of the Chula Vista Municipal Code authorizes the City Council to adopt as an urgency measure an interim ordinance prohibiting any use which may be in conflict with a contemplated zoning proposal which the City Council intends to study within a reasonable time, and

WHEREAS, the City Council on July 21, 1987 hereby determined that in order to protect the public safety, health and welfare it was necessary to adopt a moratorium due to the unforeseen traffic circulation problems in the City and the inadequacy of currently planned and existing public improvements, and

WHEREAS, the City Council believes that it is necessary to continue to impose this moratorium in order to more thoroughly complete its studies of these issues, and

WHEREAS, an administrative procedure to provide for relief from moratoriums where they would cause undue hardship on a property owner may assist the City from inadvertently "taking" property as a result of a moratorium.

NOW, THEREFORE, the City Council of the City of Chula Vista does hereby ordain:

SECTION I: That the moratorium is extended on Planning Commission consideration of residential tentative subdivision maps within the area east of I-805 in the City of Chula Vista to December 1, 1987, or until the Council adopts interim growth management policy guidelines and thresholds (developmental service standards); and enacts interim regulations for their implementation, whichever occurs first.

SECTION II: Section 19.12.130 of the Chula Vista Municipal Code entitled "Interim Zoning-Procedure Generally-Time Limit" is amended by adding the following paragraph.

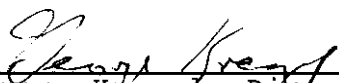
Where property owner alleges that a moratorium would cause undue hardship on his property to the extent that

it would constitute a "taking" of property, the owner may request a public hearing by the City Council to determine if the property owner is entitled to relief from the effects of the moratorium. The City Council shall hold said public hearing within three weeks from receipt of a written request from the property owner. At the public hearing, the property owner shall set forth all reasons why relief is appropriate and the City Council may approve, conditionally approve or deny relief from the restrictions of the interim ordinance.

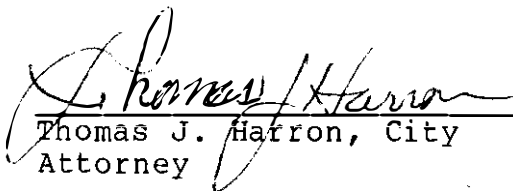
SECTION III: This ordinance shall be effective from October 13, 1987 upon its first reading and adoption if passed by at least four (4) affirmative votes of the City Council as an interim ordinance and an emergency measure.

Presented by

Approved as to form by



George Krempl, Director of Planning



Thomas J. Harron, City Attorney

3120a

FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA, HELD October 13, 19 87, AND FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD October 13, 19 87, BY THE FOLLOWING VOTE, TO-WIT:

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

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. 2235, and that the same has not been amended or repealed.

DATED \_\_\_\_\_

\_\_\_\_\_  
City Clerk

