

ORDINANCE NO. 2237

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
SECTION 19.26.040 OF THE CHULA VISTA MUNICIPAL CODE
RELATING TO SMALL FAMILY DAY CARE CENTERS IN SINGLE
FAMILY DWELLINGS

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

SECTION I: That Section 19.26.040 of the Chula Vista
Municipal Code be, and the same is hereby amended to read as
follows:

Sec. 19.26.040 Conditional Uses.

Site plan and architectural approval as provided in
Sections 19.14.420 through 19.14.480 shall be required
for the following conditional uses in the R-2 zone:

- A. Off-street parking areas, subject to the provisions
of Chapter 19.62;
- B. Electrical substations and gas regulators, subject
to the provisions of Section 19.58.140;
- C. Unclassified uses, see Chapter 19.54;
- D. Small family day care homes, as defined in Section
19.04.095, if not operating within a single family
dwelling.

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

Presented and Approved as to form by



Ann Moore, Deputy City Attorney

FIRST READ AT A REGULAR MEETING OF THE CITY COUNCIL OF THE
CITY OF CHULA VISTA, CALIFORNIA, HELD October 27, 19 87, AND
FINALLY PASSED AND ADOPTED AT A REGULAR MEETING THEREOF HELD November 3,
19 87, BY THE FOLLOWING VOTE, TO-WIT:

AYES: Councilmen McCandliss, Malcolm, Nader, Moore, Cox
NAYES: Councilmen None
ABSTAIN: Councilmen None
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
2237, and that the same has not been amended or repealed.

DATED _____



CITY OF
CHULA VISTA

City Clerk

RESOLUTION NO. PCA-88-2

RESOLUTION OF THE CITY OF CHULA VISTA PLANNING COMMISSION RECOMMENDING TO THE CITY COUNCIL THE ADOPTION OF AN AMENDMENT TO SECTION 19.26.040D OF THE MUNICIPAL CODE TO ALLOW SMALL FAMILY DAY CARE IN SINGLE FAMILY DWELLINGS IN THE R-2 ZONE

WHEREAS, State law prohibits distinguishing small family day care homes from other single family dwellings, and Section 19.26.040D presently requires a conditional use permit for small family day care in single family dwellings otherwise permitted by right in the R-2 zone;

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., October 14, 1987, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed; and

WHEREAS, the proposal is exempt from environmental review.

NOW, THEREFORE, BE IT RESOLVED THAT FROM THE FACTS PRESENTED AT THE HEARING, THE PLANNING COMMISSION recommends the adoption of an amendment to Title 19 of the Municipal Code as follows:

CHAPTER 19.26 R-2 ONE AND TWO FAMILY RESIDENCE ZONE

19.26.040 Conditional Uses

D. Small family day care homes, as defined in Section 19.04.095, if not operating within a single family dwelling.

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

PASSED AND APPROVED BY THE PLANNING COMMISSION OF CHULA VISTA, CALIFORNIA, this 14th day of October, 1987, by the following vote, to-wit:

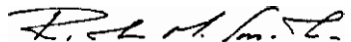
AYES: Commissioners Carson, Casillas, Fuller, Shipe, and Grasser

NOES: None

ABSENT: Commissioners Cannon and Tugenberg (excused)


Joanne E. Carson, Chairman

ATTEST:


Ruth M. Smith, Secretary

WPC 4419P/1595P

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