

ORDINANCE NO. 2449

AN ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 19.54.020, AND ADDING SECTIONS 19.58.360, 19.58.420 TO THE CHULA VISTA MUNICIPAL CODE RELATING TO WATER DISTRIBUTION FACILITIES, AND DECLARING THE URGENCY THEREOF

WHEREAS, unprecedented weather conditions have resulted in four consecutive years of below normal precipitation and run-off result in in a severe drought; and

WHEREAS, the Metropolitan Water District which serves the Chula Vista area, determined as of March 4, 1991, that Stage VI of its Incremental Interruption and Conservation Plan shall become effective on April 1, 1991; and

WHEREAS, on March 14, 1991, the San Diego County Water Authority declared that a Water Shortage Emergency Condition exists in its service area, including Chula Vista; and

WHEREAS, a private well exists adjacent to Second and Orange Avenues in Chula Vista which cannot sell available water under current zoning; and

WHEREAS, temporary authorization to sell such water is exempt from environmental review under CEQA Guidelines Section 15269(c).

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

SECTION I: Section 19.54.020 of the Chula Vista Municipal Code is amended to read:

Sec. 19.54.020 Designated-Limitations and standards.

The following uses may be considered for location in any zone, subject to the provisions set forth herein, and additional conditions set forth in Chapter 19.58 (references indicated for uses):

- A. Borrow pits and quarries for rock, sand and gravel;
- B. Campgrounds: See Section 19.58.040;
- C. Cemeteries: See Section 19.58.080;

- D. Colleges, universities, private schools, elementary and secondary public schools;
- E. Columbariums, crematoriums and mausoleums, provided that these uses are specifically excluded from all R zones unless inside of a cemetery: See Section 19.58.080;
- F. Churches: See Section 19.58.110;
- G. Dumps, public or private;
- H. Hospitals, including, but not limited to, emergency, general, convalescent, rest homes, nursing homes (for the aged, crippled, mentally retarded of all ages), psychiatric, etc.: See Section 19.58.110. Further, that approval shall not be granted until the following findings can be made (homes for mentally retarded children):
 - 1. The size of the parcel to be used shall provide adequate light and air in proportion to the number of residents.
 - 2. The location of windows and open play areas shall be so situated as to not adversely impact adjoining uses.
 - 3. Spacing between these facilities shall be such that the character of the neighborhood is not affected by the grouping of these homes;
- I. Mortuaries: See Section 19.58.080;
- J. Establishments or enterprises involving large assemblages of people or automobiles, as follows, provided that these uses shall be deemed to be generally undesirable in the R zones:
 - 1. Airports and heliports: See Section 19.58.180,
 - 2. Amusement parks and amusement enterprises: See Section 19.58.040,
 - 3. Arenas: See Section 19.58.040,
 - 4. Fairgrounds: See Section 19.58.040,
 - 5. Museums,
 - 6. Open air theaters, except drive-in theaters: See Section 19.58.120B,
 - 7. Race tracks and rodeos: See Section 19.58.040,

- 8. Recreational centers, commercially operated: See Section 19.58.040,
- 9. Stadiums,
- 10. Shooting clubs: See Section 19.58.200,
- 11. Ambulance service (excluded from all residential zones unless located within a hospital complex);
- K. Golf courses: See Section 19.58.090;
- L. Passenger stations for rail or bus travel;
- M. Public and quasi-public uses;
- N. Radio or television transmitters;
- O. Trailers (commercial coaches): See Section 19.58.330;
- P. Senior housing developments: See Section 19.58.390.
- Q. Recreational vehicle storage yards: See Section 19.58.400.
- R. Offsite advertising signs: See Section 19.58.225.
- S. Water Distribution Facilities: See Section 19.58.420.

Conditional use permit applications for the uses listed in this section except campgrounds, recreational vehicle storage yards, churches, amusement arcades and centers, trailers (commercial coaches), water distribution facilities and borrow pits of not more than two acres, shall be considered by the city council subsequent to its receipt of recommendations thereon from the planning commission.

SECTION III: Section 19.58.420 is added to the Chula Vista Municipal Code to read:

Sec. 19.58.420 Water Distribution Facilities.

Water Distribution Facilities shall be limited by permit in their scope of activities and operations to a level commensurate with the nature and character of the surrounding area. Permits shall be further limited to a duration of six (6) months, subject to zoning administrator extension of not to exceed one (1) additional year, in six (6) month increments, as necessary to meet a continuing water state of emergency. Permits shall be expressly conditioned to expire automatically upon the effective date that the Metropolitan Water District declares the drought severity falls below Stage VI of its Incremental Interruption and Conservation Plan.

SECTION IV: Effective Date; Urgency.

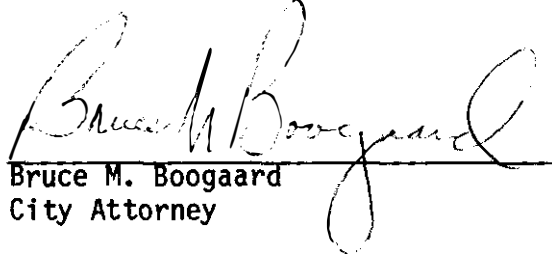
If approved by a four-fifth's majority, this ordinance shall become effective immediately upon adoption as an urgency ordinance. Pursuant to Charter Section 311, the reasons for the urgency are: The Metropolitan Water District has ordered substantially reduced water deliveries to areas including Chula Vista effective April 1, 1991. The San Diego County Water Authority has declared a Water Shortage Emergency Condition. Private water sources may be available to alleviate the drought conditions by sale pursuant to a conditional use permit. Such permits may not be considered or granted unless this ordinance becomes effective immediately.

Presented by



Robert A. Leiter
Director of Planning


Approved as to form by



Bruce M. Boogaard
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 9th day of April, 1991, by the following vote:

AYES:	Councilmembers:	Malcolm, Moore, Nader, Rindone
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None



 Leonard M. Moore
 Mayor, Pro-Tempore

ATTEST:

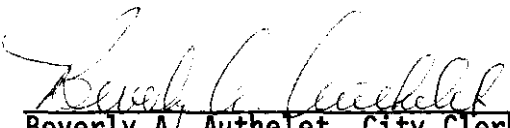


 Beverly A. Authalet, City Clerk

STATE OF CALIFORNIA)
 COUNTY OF SAN DIEGO) ss.
 CITY OF CHULA VISTA)

I, Beverly A. Authalet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2449 had its first reading on April 2, 1991, and its second reading and adoption at a regular meeting of said City Council held on the 9th day of April, 1991.

Executed this 9th day of April, 1991.



 Beverly A. Authalet, City Clerk