

ORDINANCE NO. 2532

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING, ON CONDITIONS, THE BAYFRONT SPECIFIC PLAN, RECERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT ON THE MIDBAYFRONT LOCAL COASTAL PROGRAM RESUBMITTAL NO. 8 AMENDMENT (EIR 89-08) AND ADDENDUM THERETO, AND MAKING CERTAIN FINDINGS WITH REGARD THERETO, RE-ADOPTING THE MITIGATION MONITORING PROGRAM AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR THE BAYFRONT SPECIFIC PLAN

WHEREAS, the Midbayfront Land, as the term is used herein, shall refer to the shaded area of land as shown on the attached Exhibit C; and,

WHEREAS, the owner of the Midbayfront Land has applied to the City for various entitlements described herein; and,

WHEREAS, on February 4, 1992, the Chula Vista City Council adopted Resolution No. 16467, which approved the Midbayfront Conceptual Development Plan (Subcommittee Alternative) with modifications made by the Council ("Council Alternative") which operated as direction to staff to process and return to Council for approval of an LCP Resubmittal for the territory of the Midbayfront, a Redevelopment Plan Amendment and a General Plan Amendment that provides a plan for the development of the Midbayfront consistent with the Midbayfront LCP Conceptual Development Plan (Subcommittee Alternative), with certain designated changes, conditions, information and additional processing direction contained therein and incorporated herein by reference; and,

WHEREAS, the implementation of Resolution No. 16467 and the Midbayfront Conceptual Development Plan (Subcommittee Alternative), with modifications, will require, among other things,

(1) General Plan Amendment

the approval of a General Plan Amendment amending the General Plan Land Use Element, Land Use and Circulation Diagram, Parks and Recreation Element, Bayfront Area Plan, all of which is more particularly articulated in Resolution No. 16838 under the Section entitled "General Plan Amendment" ("Midbayfront GPA"); and,

(2) Local Coastal Program Resubmittal No. 8

the approval of Local Coastal Program Resubmittal No. 8 ("LCPR No. 8"), consisting of

(A) a land use plan (considered a "specific plan" in the syntax of the Chapter 19.07 of the Municipal code) which is more particularly articulated in that document accompanying the October 13, 1992 Council Agenda Bill entitled "Chula Vista

Local Coastal Program-Land Use Plan-Draft-September 23, 1992 (Planning Commission Recommendation)" ("Midbayfront Land Use Plan" or alternatively ("Midbayfront LUP"); and,

- (B) a specific plan (Implementation Plan) (considered "plan effectuation standards incorporated within the text of an individual specific plan" or a "zoning" in the syntax of Section 19.07.030), which is more particularly articulated in that document accompanying the October 13, 1992 Council Agenda Bill entitled "Chula Vista Local Coastal Program Implementation Plan-Bayfront Specific Plan-Draft-September 23, 1992 (Planning Commission Recommendation)" ("Midbayfront Specific Plan" or alternatively ("Midbayfront SP"); and,

WHEREAS, the approval of the Midbayfront SP is, for the purposes of this ordinance, considered the "CEQA Project"; and,

WHEREAS, concurrent with the first reading of this Ordinance, the City Council has adopted Resolution No. 16838 adopting and approving the General Plan Amendment and the LCPR No. 8; and,

WHEREAS, that portion of the LCPR No. 8 constituting the Midbayfront SP is required to be adopted by ordinance inasmuch as it constitutes, under the ordinances of the City of Chula Vista, a zoning activity; and,

WHEREAS, the Final Environmental Impact Report, Midbayfront Local Coastal Program Resubmittal No. 8 Amendment (EIR-89-08), dated July 1991 ("FEIR"), consisting of:

- A. Final Environmental Impact Report (EIR-89-08) SCH# 89062807, dated July 1991, which contains: 1) Volume I - Comments and Responses of Draft and Recirculated EIR, Summary of new project information, and analysis of two new alternatives; 2) Volume II - text changes to the Draft and Recirculated EIR, and re-analysis incorporating new project information; and, 3) one Addendum; and,
- B. Appendices (A through H) to Environmental Impact Report dated April, 1991 was the FEIR for the Council Alternative, and is also the FEIR for this CEQA Project; and,

WHEREAS, by the adoption of Resolution No. 16467, the Council declared that the FEIR was reviewed, analyzed, and considered by the City Council of the City of Chula Vista; that the FEIR reflects the independent judgement of the City of Chula Vista City Council; and by their adoption of Resolution No. 16466, adopted January 14, 1992, certified that the FEIR was completed in compliance with the California Environmental Quality Act and all applicable guidelines; and,

WHEREAS, Resolution No. 16467 describes the history of the preparation of the FEIR which is incorporated herein by reference; and,

WHEREAS, the FEIR identified certain significant and potentially significant adverse effects on the environment caused by the Council Alternative; and,

WHEREAS, at a public hearing on February 4, 1992, the City Council adopted all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant environmental effects; and,

WHEREAS, at a public hearing on February 4, 1992, the City Council declared that, despite the occurrence of certain significant and potentially significant effects that cannot be substantially lessened or avoided through the adoption of feasible mitigation measures or feasible alternatives, there exist certain overriding economic, social, and other considerations for approving the Project that the City Council believes justify the occurrence of those impacts; and,

WHEREAS, at their meeting of September 23, 1992 the Chula Vista Planning Commission voted to recommend to the City Council to certify the Final EIR (EIR 89-08) and Addendum thereto; to amend the General Plan and adopt the LCP Resubmittal No. 8 Amendment and adopt the Midbayfront SP, if it is presented to the City Council in conjunction with an economic feasibility analysis by Williams-Kuebelbeck & Associates, Inc., or some other competent economist, evaluating the economic feasibility of the Project.

WHEREAS, the CEQA Project is in all respects and concerns substantially identical with, and does not substantially vary from, the Council Alternative approved on February 4, 1992; and,

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CHULA VISTA DOES HEREBY CERTIFY, FIND, DETERMINE, RESOLVE, ORDER AND ORDAIN AS FOLLOWS:

#### **CEQA Certification**

Section 1. FEIR Adequately Addresses the CEQA Project.

The City Council finds that the FEIR was written specifically to address the CEQA Project.

Section 2. Certification: Compliance with CEQA and Final EIR Reviewed and Considered.

The City Council, as the lead agency, again certifies that the FEIR has been completed in compliance with CEQA; and has been presented to the City Council, and the City Council has reviewed, analyzed and considered the information contained in the FEIR prior to approving the Project.

Section 3. Independent Judgement of City Council.

The City Council finds that the FEIR reflects the independent judgement of the City of Chula Vista City Council.

### Conditions of Entitlements

#### Section 4. Conditions of Entitlements; Effective Date.

Upon the occurrence of, and not sooner than, all of the following conditions ("Conditions of Entitlements"), which shall be deemed to have been satisfied only at such time as the City Council certifies in writing to their compliance, reasonably determined:

A. A development agreement in a form satisfactory to the City has been irrevocably tendered to, and accepted by, the City by the owner or owners of the Midbayfront Land that provides, at a minimum, for the following:

a. Commits the Developer and secures the City that the Midbayfront Land will be fully improved in the manner specified by the LCPR No. 8 and specifically containing the Visitor Commercial, Cultural Arts Facility, Park, Lagoon, and Tennis Courts all in the manner therein specified as amended by the conditions of Resolution No. 16838 and this Ordinance.

b. Commits the Developer and secures the City that all mitigation measures approved and adopted by the City for the CEQA Project have been or will be satisfied.

B. Phasing of Residential.

Phasing of residential shall occur in compliance with the requirement of Chapter VII of the Bayfront SP, Section B.2.b.6.

C. Phasing in relation to Cultural Facility.

No building permits may be applied for or issued as to any residential or commercial improvements within the Midbayfront Land until the City Council has approved an implementation plan assuring the City of the financing, design and construction of the Cultural Arts Facility.

C. Phasing in relation to Nature Interpretative Center.

No building permits may be applied for or issued as to any residential or commercial improvements within the Midbayfront Land until the City Council has approved an implementation plan assuring the City of the financing of the maintenance, improvement and continued operations of the Nature Interpretative Center.

- D. Phasing for other Public Benefits omitted.
- E. An indemnity agreement in a form satisfactory to the City has been irrevocably tendered to, and accepted by, the City by the owner of owners of the Midbayfront Land that provides for the complete indemnification and, at the City's option, legal defense or payment of legal fees incurred, resulting from any and all actions taken by the City in connection with providing environmental review and approving the Project; and,
- F. Irrevocable Offer of Dedication of land to the City for use as a park in the same or greater size and in the approximate configuration of the park shown on the Midbayfront LUP herein approved.
- G. Irrevocable Offer of Dedication of land to the City for use as a cultural facility in the same or greater size and in the approximate configuration of the "cultural arts facility" shown on the Midbayfront LUP herein approved.
- H. All mitigation measures found by the City to be feasible shall be implemented, or assurances satisfactory to the City shall have been given that all such mitigation measures will be implemented prior to the issuance of building permits for any improvements on the project.
- I. The owner of the Midbayfront Land performs all acts necessary on said owners part to cause the Mitigation Monitoring and Reporting Program, attached to Resolution No. 16838 as Exhibit F, to be instituted, maintained and implemented according to its terms.

the Midbayfront Specific Plan herein approved and adopted shall be deemed to be effective and shall thereupon constitute the zoning for the Bayfront pursuant to the provisions of Chapter 19.07 as "plan effectuation standards incorporated within the text of an individual specific plan, under the authority of Section 19.07.030 (A); unless such conditions occur and are deemed by the City Council in writing to have occurred within 10 years from the date of adoption of this Ordinance, unless extended, this Ordinance may, at the option and full and unfettered discretion of the City Council, be revoked without compensation and be deemed to be of no force and effect ab initio, except as to those improvements which are constructed in a manner consistent with the provisions of this Ordinance, and the approved and certified LCPR No. 8, as same may, from time to time be amended by the Council.

### Conditional Entitlements

Section 5. Midbayfront Specific Plan.

Upon the occurrence of the Conditions of Entitlements, and subject to Coastal Commission certification of this Ordinance, the Midbayfront Specific Plan shall be as set forth on the attached Exhibit G as the Specific Plan for the Bayfront Area, under the authority of Chapter 19.07 of the Chula Vista Municipal Code.

Section 6. Coastal Commission Policies Satisfied.

The City Council finds that the policies of the California Coastal Act are satisfied by the proposed Midbayfront SP in the manner articulated in City Council Resolution No. 16838, in the section therein entitled "Coastal Commission Policies Satisfied", which section is incorporated herein by reference.

Section 7. CEQA Findings, Mitigation Monitoring Program, and Statement of Overriding Considerations.

A. Adoption of Findings.

The City Council does hereby approve and incorporate as if set forth full herein, and make each and everyone of the CEQA Findings attached to Resolution No. 16838 as Exhibit E ("Findings").

B. Certain Mitigation Measures Feasible and Adopted.

Included in said Findings is the findings by the Council that, pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, the mitigation measures described in the Findings are feasible and have or will become binding upon the appropriate entity such as the Applicant, the City, or other special districts, which has to implement these specific mitigation measures.

C. Infeasibility of Mitigation Measures and Alternatives.

As further set forth in the Findings, the City Council finds that the certain proposed mitigation measures identified therein as infeasible are in fact infeasible, and none of the proposed Project alternatives set forth in the Final EIR feasibly substantially lessen or avoid the potentially significant effects that will not be substantially lessened or avoided by adoption of all feasible mitigation measures.

D. Adoption of Mitigation Monitoring Program.

As required by the Public Resources Code Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program ("Program"), attached to Resolution No. 16838 as Exhibit F, incorporated by reference as set forth in full. The City Council finds the Program is designed to ensure that, during the project implementation and operation, the Applicant and other responsible parties implement the project components and comply with the feasible mitigation measures identified in the Findings and in the Program.

E. Statement of Overriding Considerations.

Even after the adoption of all feasible mitigation measures, certain significant environmental effects caused by the project will remain. Therefore, the City Council of the City of Chula Vista issues, pursuant to CEQA Guidelines Section 15093 as set forth, attached to Resolution No. 16838 as Exhibit E, Findings, commencing at page 72 thereof, a Statement of Overriding Considerations identifying the specific economic, social, and other considerations that render the unavoidable significant adverse environmental effects still significant, but acceptable.

Section 8. Submission to Commission.

- A. The City Council hereby certifies, after a duly called and duly noticed public hearing, that the Midbayfront SP, as an integral part of the LCPR No. 8, is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976.
- B. The City Council finds that the Midbayfront SP, as an integral part of LCPR No. 8, complies with the guidelines established by the Coastal Commission, and contains materials sufficient for a thorough and complete review.
- C. After a duly called and noticed public hearing, the City does hereby submit the Midbayfront SP, as part of the LCPR No. 8, to the Coastal Commission in a single phase, and recommends that the Coastal Commission certify same.
- D. The City Manager, or his designee, is directed to submit this Ordinance and the Midbayfront SP, along with the LCPR No. 8, to the Coastal Commission at his earliest possible convenience.

Section 9. Invalidity; Automatic revocation.

It is the intention of the City Council that its adoption of this Ordinance is dependent upon the enforceability of each and every term, provision and condition herein stated; and that in the event that any one or more terms, provisions or conditions are determined by a Court of competent jurisdiction to be invalid, illegal or unenforceable, this ordinance shall be deemed to be automatically revoked and of no force and effect ab initio.

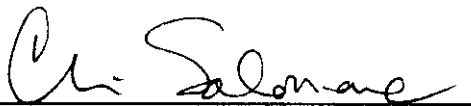
Section 10. Repeal of Municipal Code Section 19.07.035.

Section 19.07.035 of the Chula Vista Municipal Code is hereby amended to read, word for word, as set forth in the attached Exhibit G.

Section 11. Effective Date of Ordinance.

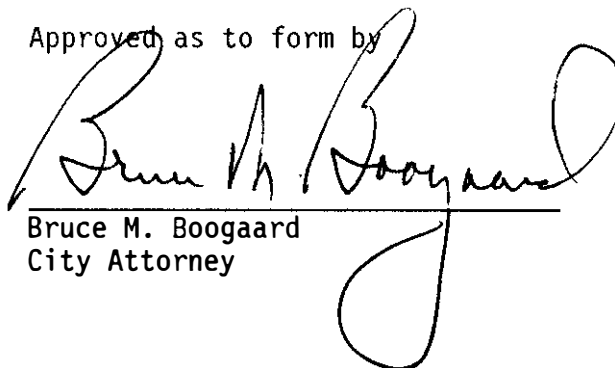
This ordinance shall take effect automatically upon Coastal Commission approval pursuant to Coastal Commission Regulation 13551(b), but not sooner than 30 days after adoption hereof by the City Council.

Presented by



Chris Salomone  
Community Development Director

Approved as to form by



Bruce M. Boogaard  
City Attorney





**NORTH**

PROPOSED  
LAND USE PLAN

PCM 92-09

LOCATOR  
MID-BAYFRONT

EXHIBIT C

**CHULA VISTA LOCAL COASTAL PROGRAM**  
**-IMPLEMENTATION PLAN-**  
**BAYFRONT SPECIFIC PLAN**

**CITY OF CHULA VISTA, CALIFORNIA**

**Adopted by the City of Chula Vista on  
October 13, 1992 as Ordinance No. 2532**

**Certified by the California Coastal Commission on  
\_\_\_\_\_, 1992**

**EXHIBIT G**

**CITY OF CHULA VISTA**

Tim Nader, Mayor

**CITY COUNCIL MEMBERS**

David Malcolm  
Leonard Moore  
Jerry Rindone  
Shirley Horton

**PLANNING COMMISSION**

Joe Casillas, Chairperson  
Laverne Decker, Vice Chairperson  
Joanne Carson  
Susan Fuller  
Thomas Martin  
John Ray  
William C. Tuchscher II

**CITY MANAGER**

John Gross, City Manager  
George Krempf, Deputy City Manager

**COMMUNITY DEVELOPMENT DEPARTMENT**

Chris Salomone, Director

**CITY ATTORNEY**

Bruce M. Boogaard, Esq., City Attorney

**MAJOR OWNERSHIP INTERESTS**

Chula Vista Redevelopment Agency

San Diego Gas & Electric Company (SDG&E)

Rohr, Inc.

U.S. Fish & Wildlife Service (USF&WS)

Chula Vista Investors (CVI)

**PROJECT CONSULTANTS**

**Chula Vista Local Coastal Program**

**PLANNERS**

Cinti & Associates

Gary P. Cinti  
Jay Kniep

**Midbayfront Project**

**ARCHITECTS**

Jerde Partnership, Inc.

Carl Worthington  
Ralph Yanagawa

**LEGAL COUNSEL**

Peterson & Price

Paul A. Peterson, Esq.  
Matthew A. Peterson, Esq.

**LANDSCAPE ARCHITECTS**

Wimmer, Yamada & Associates

Joseph Y. Yamada  
Pat Caughay

**ENVIRONMENTAL CONSULTANTS**

Keller Environmental Associates, Inc.

Christine Keller

A.D. Hinshaw Associates

Philip Hinshaw

David D. Smith and Associates

David D. Smith

**STATE and FEDERAL AGENCIES**

California Coastal Commission  
3111 Camino del Rio North, Suite 200  
San Diego, California 92108-1725  
Attention: **Deborah Lee**, Assistant District Director

California Department of Fish & Game  
P.O. Box 944209  
Sacramento, California 94244-2090  
Attention: **Pete Bontadelli**, Director

U.S. Fish & Wildlife Service  
2730 Loker Avenue West  
Carlsbad, California 92008  
Attention: **Martin Kenny**, Fish & Wildlife Biologist

U.S. Army Corps of Engineers  
Regulatory Branch  
300 N. Los Angeles Street  
P.O. Box 2711  
Los Angeles, California 90053-2325  
Attention: **John A. Gill**, Chief

**CHULA VISTA BAYFRONT LOCAL COASTAL PROGRAM  
-BAYFRONT SPECIFIC PLAN-**

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**I. PURPOSE AND SCOPE**

**A. Purpose**

The Chula Vista Local Coastal Program Implementation Program ("Bayfront Specific Plan") is adopted to protect and promote the health, safety, morals, peace, comfort, convenience, prosperity and general welfare. It is intended to implement the Chula Vista General Plan and the Chula Vista Local Coastal Program Land Use Plan, which are also being implemented by the Chula Vista Redevelopment Plan.

**B. Scope**

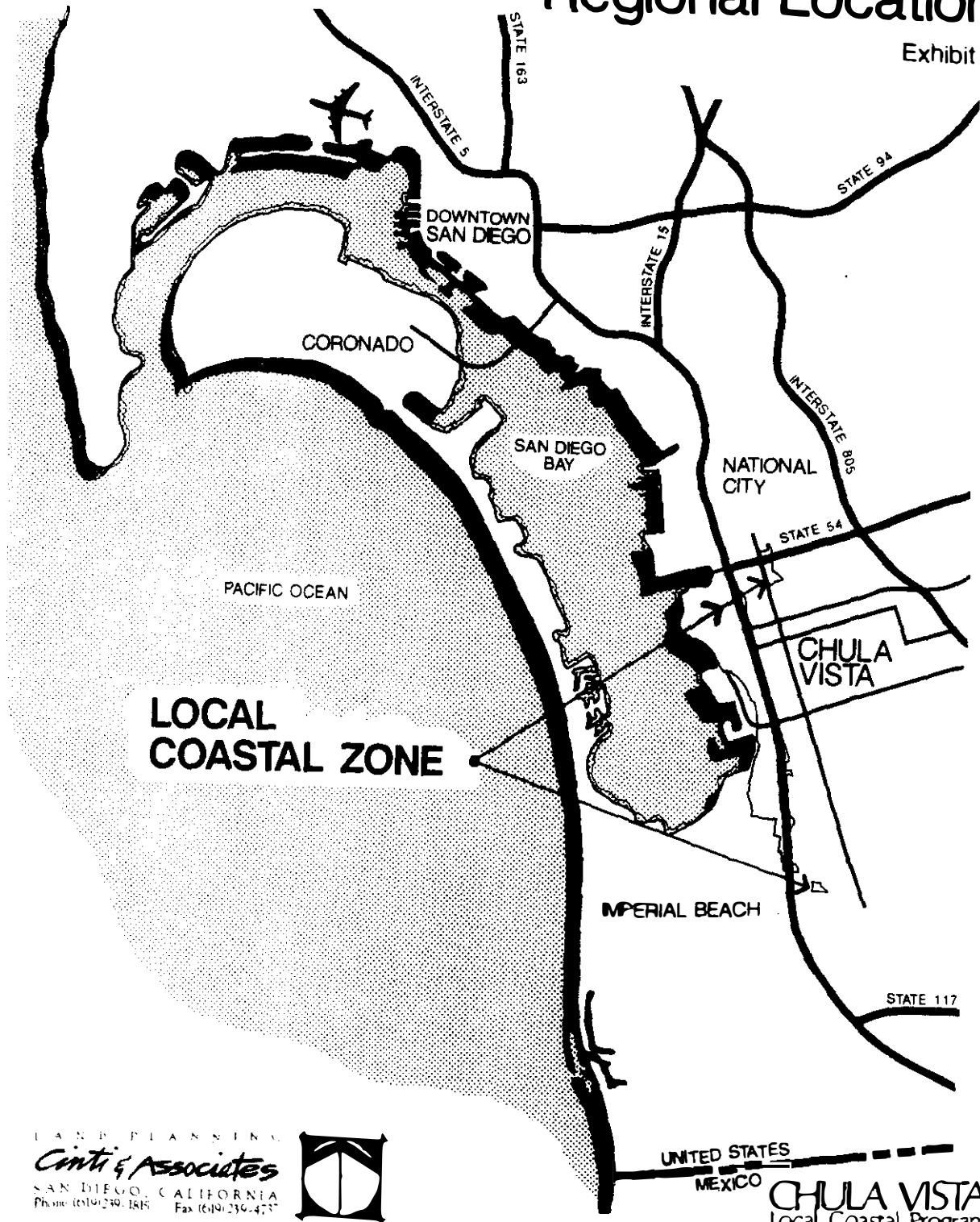
The Chula Vista Local Coastal Program Implementation Program shall govern and regulate all development within the Chula Vista Local Coastal Program boundary as depicted on Exhibit #2, entitled Coastal Zone with Subareas, herein.

**C. Authority**

The Chula Vista Bayfront Local Coastal Program Implementation Program is adopted pursuant to Section 30500 (a) of the Public Resources Code, relating to the requirements of a City to implement the provisions and policies of the California Coastal Act. This Implementation Program is further adopted pursuant to Sections 65450 through 65507 of the Government Code of the state; and, Chula Vista Municipal Code Title 19, Zoning, chapter 19.07, relating to Specific Plans.

# Regional Location

Exhibit 1



LAND PLANNING  
*Cinti & Associates*  
SAN DIEGO, CALIFORNIA  
Phone (619) 239-1815 Fax (619) 239-4737



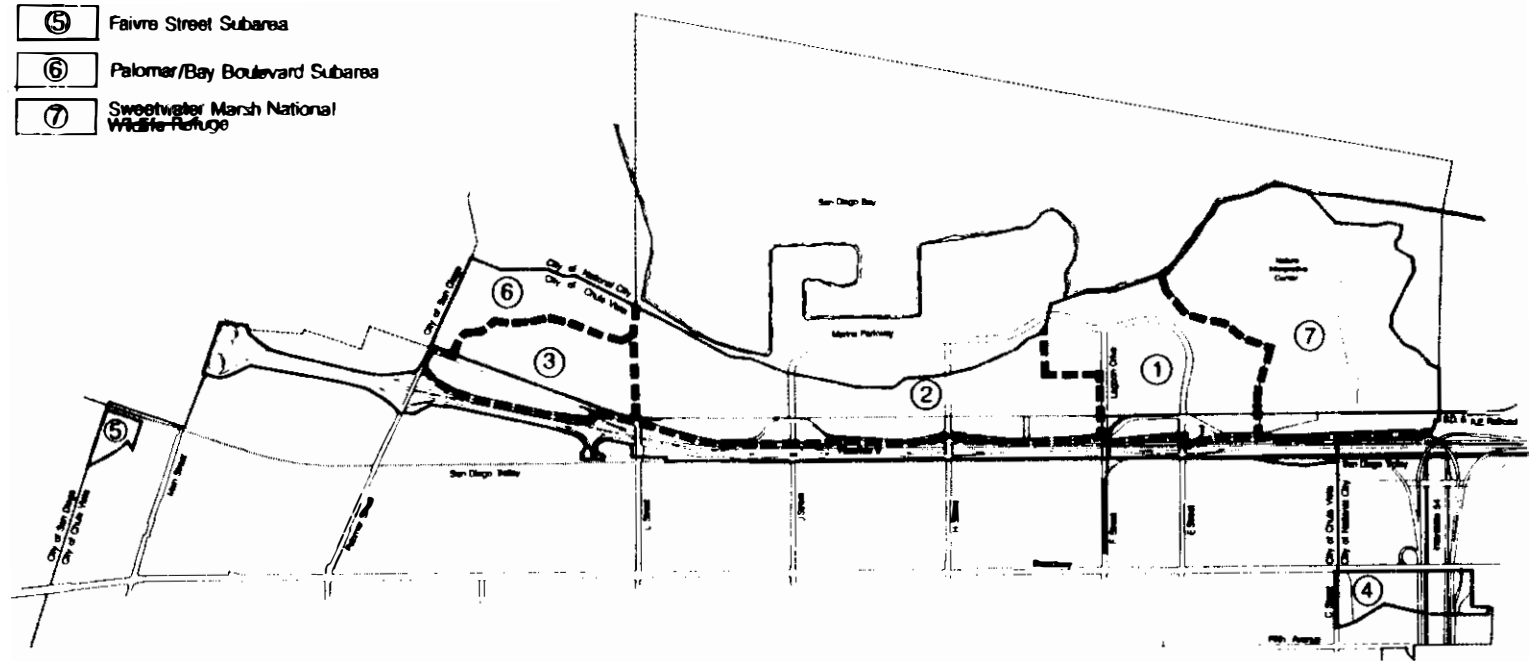
UNITED STATES  
MEXICO

**CHULA VISTA**  
Local Coastal Program  
Exhibit 1

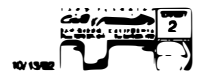
# Coastal Zone With Subareas

## Exhibit 2

- |   |   |  |                       |
|---|---|--|-----------------------|
| ① | Midbayfront Subarea                       |  | Coastal Zone Boundary |
| ② | Industrial Subarea                        |  | Subarea Boundary      |
| ③ | Southern Parcel Subarea                   |  | City Limit Line       |
| ④ | Inland Parcel Subarea                     |  |                       |
| ⑤ | Fairve Street Subarea                     |  |                       |
| ⑥ | Palomar/Bay Boulevard Subarea             |  |                       |
| ⑦ | Sweetwater Marsh National Wildlife Refuge |  |                       |



**CHULA VISTA**  
Local Coastal Program



## **II. GENERAL PROVISIONS**

### **A. Zoning**

The Chula Vista Local Coastal Program Implementation Program is adopted as a Specific Plan by ordinance, in accordance with Chapter 19.07, Specific Plans, of Title 19 - Zoning, of the Chula Vista Municipal Code, and therefore serves as the zoning for all property within the scope of the plan area.

### **B. Conflicts, Interpretation, and Applicability of Provisions**

Whenever the provisions of this Specific Plan conflict with the provisions of the Chula Vista Zoning provisions or whenever the provisions reflect on internal conflict, the following rules shall apply: the Specific Plan provisions shall supersede those of the Zoning Ordinance and the subarea provisions shall supersede area-wide provisions. In the event that a map specification or illustration is found to be infeasible, then the nearest to the original that is deemed feasible and practical shall apply. In all cases, whenever provisions require interpretation, the Chula Vista Local Coastal Program Land Use Plan shall provide clarification and amplification.

### **C. Plan Amendment**

Amendments to this Specific Plan shall require an amendment to the Chula Vista Zoning Ordinance and shall be subject to the applicable sections of the California Coastal Act relating to amendments to Local Coastal Programs.

### **D. Incorporation by Reference**

Whenever this Specific Plan refers to another Article, Section, or Subsection of the Chula Vista Zoning Ordinance, Title 19 of the Chula Vista Municipal Code, such reference shall be deemed incorporated herein by reference. Such reference shall be to the Article, Section, or Subsection of the Chula Vista Zoning Code in force as of the date of the adoption of this Implementation Program. Subsequent amendments to the Chula Vista Zoning Code shall also be applicable, but only to the extent that such amendments are not in conflict with the Chula Vista Local Coastal Program Land Use Plan and Bayfront Specific Plan. A subsequent amendment to the Chula Vista Zoning Ordinance which is in conflict with this Specific Plan shall not be applicable without an amendment to this Plan. The applicability of provisions incorporated by reference may also be affected by Development Agreements which may be entered into by the City and property owners within the plan area.

### **E. Issues Not Covered**

In the event that an issue is not covered by any provisions or regulation provided for herein, then the issue shall be governed by the applicable regulations of the Chula Vista Zoning Ordinance.

### III. COASTAL DEVELOPMENT PERMIT PROCEDURES

#### A. Purposes

This part establishes the permit procedures for developments located in the coastal zone as defined in Section 30150 of the Public Resources Code. This article is based on the Local Coastal Program Implementation Regulations adopted by the California Coastal Commission pursuant to Public Resources Code Sections 30333 and 30501, and as such shall constitute the procedural requirements for review of developments in the coastal zone pursuant to Public Resources Code Section 30600(d).

#### B. Definitions

1. "Aggrieved Person" means any person who, in person or through a representative, appeared at a public hearing of the City in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing, informed the City of the nature of his concerns, or who for good cause was unable to do either.
2. "Allowable Use" means any use allowed by right which does not require a public hearing or any discretionary or non-discretionary permit of the approving authority.
3. "Appealable Development" means, in accordance with Public Resources Code Section 30603(a), any of the following:
  - a. Developments approved by the local government between the sea and the first public road, or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
  - b. Developments approved by the local government, not included within paragraph (a) above, located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, stream or within 300 feet of the top of the seaward face of any coastal bluff.
  - c. Any development which constitutes a major energy facility. The phrase "major public works project or a major energy facility" as used in Public Resources Code Section 30603(a)(5) or energy facility as defined by Public Resources Code Section 30107, with a value exceeding \$100,000, as adjusted from the 1982 base year per the Engineering News Record Construction Cost Index.
4. "Appellant" means any person who may file an appeal and includes an applicant, any aggrieved person, or any two members of the Coastal Commission.
5. "Applicant" means the person, partnership, corporation, or state or local government agency applying for a coastal development permit.
6. "Approving Authority" means the City officer, planning commission or council approving a coastal development permit.

7. "Categorically excluded development" means a development (upon request of the City, public agency or other person) which the Coastal Commission has determined, pursuant to Section 30610(e) of the Public Resources Code, to have no potential for significant adverse environmental effects and therefore has been issued an exclusion from the coastal development permit requirements in accordance with the applicable regulations.
8. "Coastal Commission" means the California Coastal Commission.
9. "Coastal Development Permit" means a letter or certificate issued by the City in accordance with the provisions of this chapter, after the applicant has submitted all necessary supplementary documentation required to satisfy the conditions precedent in the notice to issue a coastal development permit.
10. "Conditional Use" means any use which requires a public hearing.
11. "Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, and help harvesting.
12. "Structure", as used in this section, includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.
13. "Development Permit Procedures" means access, open space, and conservation requirements.
14. "Emergency" means a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.
15. "Emergency Development" means work undertaken to resolve problems resulting from a situation falling within the definition of "emergency."
16. "Local Coastal Program" means the City's land use plan, zoning ordinances, zoning maps, and other implementing actions certified by the Coastal Commission as meeting the requirements of the California Coastal Act of 1976.
17. "Notice to Issue Coastal Development Permit" means a letter or certificate issued by the City in accordance with the provisions of this chapter, approving a development subject to fulfillment of conditions prior to issuance of a coastal development permit, but if such

conditions are fulfilled, as being in conformance with and adequate to carry out the Local Coastal Program.

18. "Permitted Use" means any allowed by right which does not require a public hearing, but does require a discretionary or non-discretionary permit (e.g., building permit) to be issued by the approving authority.
19. "Other Permits and Approvals" means permits and approvals, other than a coastal development permit required to be issued by the approving authority before a development may proceed.

### **C. Development Permit Conditions**

Wherever reservation of an interest in land for public access, open space, or conservation is required by the LCP, it shall be a condition of the coastal development permit.

#### **1. Legal Instruments Required**

Prior to issuance of a coastal development permit where a public accessway, or open space or conservation restriction on land is required by this Local Coastal Program, each applicant shall record one of the following legal documents as specified in the conditions of approval:

##### **a. Irrevocable Offer of Dedication.**

The applicant shall submit a preliminary title report and record an irrevocable offer to dedicate the access, open space, or conservation easement or to convey such interest in property in fee the accessway, as described in the permit conditions, free of prior liens or encumbrances, except for tax liens. This offer can be accepted within 21 years by a non-profit organization or governmental agency subject to approval by the executive director of the Coastal Commission. Until this offer is accepted or until the landowner allows, the public has no right to use the accessway, provided that the landowner shall not interfere with established existing public use.

##### **b. Outright Grant of Fee Interest or Easement.**

If the project is important in and of itself for public access, open space, or conservation needs, and the size and scope the proposed development is such that an out-right conveyance interest is appropriate, or there is an accepting agency approved by the Executive Director of the Coastal Commission available to accept the easement or fee interest, it can be required prior to issuance of the permit. Until such a grant is accepted or until the land-owner allows, the public has no right to use the accessway, provided that the landowner shall not interfere with established existing public use.

2. Required Information

As a condition of the of a permit, title information and all necessary subordination agreements shall be required. Title insurance may also be required when extensive interests inland are being granted.

D. Applicability

Except as provided in Sections E and F, any person wishing to undertake a development in the coastal zone shall obtain a coastal development permit in accordance with the provisions of this article, in addition to any other permit required by law. Development undertaken pursuant to a coastal development permit shall conform to the plans, specifications, terms and conditions approved in granting the permit. The procedures prescribed herein may be used in conjunction with other procedural requirements of the City, provided that the minimum requirements as specified herein are assured.

E. De Minimis Development

The Director of Planning may issue a written waiver from the coastal development permit requirements of this article for any development that is de minimis. A proposed development is de minimis if the Director of Planning determines, based on a review of an application for a coastal development permit, that the development involves no potential for any adverse effect, either individually or cumulatively, on coastal resources and that it will be consistent with all applicable objectives, policies, and standards of the certified Local Coastal Program. The determination shall be made in writing and based upon factual evidence.

1. De minimis waivers shall be permitted only in the non-appealable area of the City's coastal development permitting jurisdiction when no local public hearing is required.
2. The Director of Planning will consider the following types of projects for possible permit waivers:
  - a. Projects which would have been placed on the consent calendar without special conditions;
  - b. Projects fully consistent with the certified Local Coastal Program (LCP) and for which all applicable policies of the LCP are objective in nature, such that staff does not have to exercise its judgment as to satisfaction of subjective criteria;
  - c. Projects located in areas where similar projects have been approved as a routine matter without conditions or opposition.
3. The following projects will not be considered for possible waivers:
  - a. Projects which involve questions as to conformity with the certified LCP, or which may result in potential impacts on coastal resources and public access;



- b. Projects with known opposition or probable public controversy;
  - c. Projects which involve divisions of land including condominiums.
4. If, upon review of the coastal development permit application, the Director of Planning determines that the development is de minimis, the applicant, shall post public notice of the de minimis waiver on the property for at least seven calendar days prior to the final decision granting the waiver. Notice of intent to issue a de minimis waiver shall also be made to the Coastal Commission and to persons known to be interested in the proposed development in the following manner:

Within ten (10) calendar days of accepting an application for a de minimis waiver or at least seven (7) calendar days prior to the decision on the application, the Director of Planning shall provide notice, by first class mail, of pending waiver of permit requirements. This notice shall be provided to all persons who have requested to be on the mailing list for that development project or site or for coastal decisions within the local jurisdiction, to all property owners and residents within 100 feet of the perimeters of the parcel on which the development is proposed, and to the Coastal Commission.

5. The notice shall contain the following information:
- a. A description of the proposed project and location;
  - b. A statement that the development is within the coastal zone;
  - c. The date of filing of the application and the name of the applicant;
  - d. The number assigned to the application;
  - e. The date of the hearing at which the waiver may become effective;
  - f. The general procedure concerning the submission of public comments either in writing or orally prior to the decision;
  - g. A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the decision.

The Director of Planning shall report to the City Council at its next available public meeting those projects for which waivers are proposed, with sufficient description to give notice of the proposed development to the City Council. A list of waivers issued by the Director of Planning shall be available for public inspection at the public counter of the Community Development Department and at the City Council meeting during which any waivers are reported. A waiver shall not take effect until after the Planning Director makes his/her report to the City Council. If one-third of the City Council (two members) so request, such issuance shall not be effective and, instead, the application for a coastal development permit shall be processed in accordance with the provisions of this article.

**F. Exemptions**

1. The following shall be considered exemptions:

- a. Repair and maintenance activities which do not result in an addition to or enlargement or expansion of the object of such activities, except as otherwise specified by the Coastal Commission in Subchapter 7, Title 14, California Administrative Code, and any amendments thereafter adopted.
- b. Activities of public utilities as specified in the Repair, Maintenance and Utility Hook-Up Exclusion adopted by the Coastal Commission on September 5, 1978.
- c. Occupancy permits.
- d. Improvements to single-family residences, except as otherwise specified by the Coastal Commission in Subchapter 6, Title 14, California Administrative Code, and any amendments thereafter adopted.
- e. Improvements to any structure other than a single-family residence or a public works facility, except as otherwise specified by the Coastal Commission in Subchapter 7.5, Title 14, California Administrative Code, and any amendments thereafter adopted.

2. Notice of Exempt Development shall be as follows:

A permit issued by the City for a development which is exempt from the coastal development permit requirements shall be exempt from the notice and hearing requirements of this article. The City shall maintain a record for all permits issued for exempt developments which shall be made available to the Coastal Commission or any interested person upon request. This record may be in the form of any record of permits issued currently maintained by the City provided that such record includes the applicant's name, the location of the project, and a brief description of the project.

**G. Emergency Development Permit**

Application for and issuance of an Emergency Development Permit shall comply with requirements set forth in Article 2, Sections 13329, 13329.1, 13329.2, 13329.3, and 13329.4 of the California Administrative Code. An application and permit form prepared in compliance with said Article shall be adopted by the City of Chula Vista.

**H. Notice of Appealable Developments**

Within ten (10) calendar days of accepting an application for an appealable coastal development permit or at least seven (7) calendar days prior to the first public hearing on a development proposal, the City shall provide notice by first class mail of pending application for appealable development. This notice shall be provided to each applicant, to all persons who have requested to be on the mailing list for that development project or for coastal decisions within the City, to all property

owners and residents within 100 feet of the perimeter of the parcel on which the development is proposed, and to the Coastal Commission. The notice shall contain the following information:

1. a statement that the development is within the coastal zone;
2. the date of filing of the application and the name of the applicant;
3. the number assigned to the application;
4. a description of the development and its proposed location;
5. the date, time, and place at which the application will be heard by the local governing body or hearing officer;
6. a brief description of the general procedure of local government concerning the conduct of hearing and local actions; and
7. the system for local and Coastal Commission appeals, including any local fees required.

Costs of notice which are not reimbursed to local governments through grants or SB90 reimbursement pursuant to Public Resources Code Section 30353.

**I. Public Hearing on Appealable Developments**

At least one public hearing shall be held on application for an appealable development, thereby affording any persons the opportunity to appear at the hearing and inform the City of the nature of his or her concerns regarding the project. Such hearing shall occur no earlier than seven (7) calendar days following the mailing of the notice required in Section H above and shall normally be conducted by the Planning Director or his/her designee. The public hearing may be conducted in accordance with existing local procedures or in any other manner reasonably calculated to give interested persons, including the applicant, an opportunity to appear and present their viewpoints, either orally or in writing.

The hearing officer's decision may be appealed to the City Council within 10 days following the hearing officer's decision. Said appeal shall be processed by the City Council in the same manner as a public hearing on appealable development described herein. The fee for filing said appeal shall be in accordance with Section T below.

**J. Notice of Local Government Action Where Hearing Continued**

If a decision on a coastal development permit is continued by the City to a time which is neither (a) previously stated in the notice provided pursuant to Section H above, nor (b) announced at the hearing as being continued to a time certain, the City shall provide notice of the further hearings (or action on the proposed development) in the same manner, and within the same time limits, as established in Section I above

**K. Notice of Non-Appealable Developments that Require a Public Hearing: Conditional Uses**

Notice of such developments shall be given at least ten (10) calendar days before a hearing in the following manner:

1. Notice in the manner prescribed in Section H above; or
2. Notice as prescribed herein:
  - a. If the matter is heard by the planning commission, notice shall be published in a newspaper of general circulation or (if there is none) posted in at least three public places in the local jurisdiction;
  - b. Notice by first class mail to any person who has filed a written request therefor;
  - c. Notice by first class mail to property owners within 300 feet of the proposed project;
  - d. Notice by first class mail to residents within 100 feet of the proposed project;
  - e. Notice by first class mail to the Coastal Commission; and
  - f. The notice shall contain a statement that the proposed development is within the coastal zone

**L. Public Hearing on Non-Appealable Developments: Conditional Uses**

At least one public hearing shall be held on each application for a non-appealable development involving a conditional use, thereby affording any persons the opportunity to appear at the hearing and inform the City of the nature of his or her concerns regarding the project. Such hearing shall occur no earlier than ten (10) calendar days following the mailing of the notice required in Section H above and shall be conducted in accordance with local procedures or in any other manner reasonably calculated to give interested persons, including the applicant, an opportunity to appear and present their viewpoints, either orally or in writing

**M. Notice of Non-Appealable Developments that Do Not Require a Public Hearing: Permitted Uses**

Notice of such developments shall be provided in the manner prescribed in Section F.2 above.

**N. Determination of Applicable Notice and Hearing Procedures**

The determination of whether a development is categorically excluded or appealable for purposes of notice, hearing and appeals shall be made by the City at the time the application for development is submitted. This determination shall be made with reference to the certified Local Coastal Program, including maps, categorical exclusions, land use designations, and zoning ordinances adopted as a

part of the certified Local Coastal Program. Where an applicant, interested person, or the City has a question as to the appropriate procedures, the following procedures shall be followed.

1. The City shall make its determination as to what type of development is being proposed (i.e., exempt, categorically excluded, appealable, non-appealable) and shall inform the applicant of the notice and hearing requirements for that particular development. The local determination may be made by the designated approving authority.
2. If the determination of the City is challenged by the applicant or an interested person, or if the City wishes to have a Coastal Commission determination as to the appropriate designation, the City shall notify the Coastal Commission by telephone of the dispute/question and shall request an Executive Director's opinion.
3. The Executive Director shall, within two (2) working days of the City's request (or upon completion of a site inspection where such an inspection is warranted), transmit a determination as to whether the development is exempt, categorically excluded, non-appealable, or appealable.
4. Where, after the Executive Director's investigation, the Executive Director's determination is not in accordance with the City determination, the Coastal Commission shall hold a hearing for the purpose of determining the appropriate designation for the next Coastal Commission meeting in the appropriate geographic region following the City's request.

**O. Finality of City Action**

A local decision on an application for a development shall be deemed final when (1) the local decision on the application has been made and all required findings have been adopted, including specific factual findings supporting the legal conclusions that the proposed development is or is not in conformity with the certified Local Coastal Program, and that the required conditions of approval adequate to carry out the certified Local Coastal Program as required in the implementing ordinances have been imposed, and (2) all rights of appeal have been exhausted as defined in Section S below.

**P. Final City Action - Notice**

Within seven (7) calendar days of a final decision on an application for any development (except categorically excluded or exempt developments), the City shall provide notice of its action by first class mail to the Coastal Commission and to any persons who specifically requested notice of such final action by submitting a self-addressed, stamped envelope to the City (or, where required, who paid a reasonable fee to receive such notice). Such notice shall include conditions of approval, written findings, and the procedures for appeal to the Coastal Commission.

**Q. Failure to Act - Notice**

1. Notification by Applicant: If the City has failed to act on an application within the time limits set forth in Government Code Sections 65950-65957.1, thereby approving the development by operation of law, the person claiming a right to proceed pursuant to Government Code Section 65950-65057.1 shall notify, in writing, the City and the Coastal

Commission of his or her claim that the development has been approved by operation of law. Such notice shall specify the application which is claimed to have been approved.

2. Notification by City: When the City determines that the time limits established pursuant to Government Code Sections 65950-65957.1 have expired, the City shall, within seven (7) calendar days of such determination, notify any person entitled to receive notice pursuant to Section P above that it has taken final action by operation of law pursuant to Government Code Sections 65950-65957.1. The appeal period for projects approved by operation of law shall begin to run only upon the receipt of the City's notice in the Coastal Commission office. (This section shall apply equally to a City determination that the project has been approved by operation of law and to a judicial determination that the project has been approved by operation of law.)

**R. Local Government Action - Effective Date**

A final decision of the City on an application for an appealable development shall become effective after the ten (10)-working-day appeal period to the Coastal Commission has expired or after the twenty-first (21st) calendar day following the final local action unless any of the following occur.

1. An appeal is filed in accordance with the Coastal Commission's regulations; or
2. The notice of final local government action does not meet the requirements of Sections P and Q above.

Where either of the circumstances above occur, the Commission shall, within five (5) calendar days of receiving notice of that circumstance, notify the City and the applicant that the effective date of the City action has been suspended.

**S. Exhaustion of Local Appeals**

1. An appellant shall be deemed to have exhausted local appeals for purposes of filing an appeal under the Coastal Commission's regulations and be an aggrieved person where the appellant has pursued his appeal to the local appellate body as required by the City's appeal procedures, except that exhaustion of all local appeals shall not be required if any of the following occur.
  - a. The City requires an appellant to appeal to more local appellate bodies for permits in the coastal zone in the implementation section of the Local Coastal Program;
  - b. An appellant is denied the right of the initial local appeal by a local ordinance which restricts the class of persons who may appeal a local decision;
  - c. An appellant is denied the right of local appeal because local notice and hearing procedures for the development did not comply with the provisions of this article; or
  - d. The City charges an appeal fee for the filing or processing of appeals.

Where the local government would ordinarily require an appeal fee for the processing of appeals within the appealable areas of the coastal zone, the City may apply to the Coastal Commission for a reimbursement of that fee through an SB90 claim or similar reimbursement process.

2. Where a project is appealed by any two (2) members of the Coastal Commission, there shall be no requirement of exhaustion of local appeals, provided, however, that notice of Coastal Commission appeals shall be transmitted to the local appellate body (which considers appeals from the local body that rendered the final decision), and the appeal to the Coastal Commission shall be suspended pending a decision on the merits by that local appellate body. If the decision of the local appellate body modifies or reverses the previous decision, the Commissioners shall be required to file a new appeal from that decision.

**T. Appeal Fee**

The fee for filing and processing an appeal within the City of Chula Vista shall be that specified in the current Master Fee Schedule.

#### **IV. LAND USE CLASSIFICATION**

##### **A. Purpose and Scope**

The Chula Vista Bayfront Specific Plan provides for the classification of land use and the regulation of development by Land Use District. These classifications, "Districts", are depicted on Exhibit #3, herein. Each Land Use District contains a set of regulations setting forth the standards for development within that District. This section provides the development standards relating to permitted uses within each District. Additional specific use regulations are included in Chapter VII, Subarea Specific Development Standards, herein.

##### **B. Commercial Land Use Districts**

1. **Visitor - Commercial:** This use is permitted only in the Midbayfront, Subarea 1. Refer to Chapter VII, Subarea Specific Development Standards for Subarea 1.
2. **Thoroughfare Commercial:** All lands on Exhibit #3, Land Use Districts, designated as Thoroughfare Commercial shall be permitted to accommodate the following uses:
  - a. **For Subarea 1 - Midbayfront Subarea**  
  
Refer to Chapter VII, Subarea Specific Development Standards.
  - b. **For Subarea 2 - Industrial Subarea**
    - 1) Food Sales Commercial
    - 2) Convenience Sales and Service Commercial
    - 3) Transient Habitation Commercial
    - 4) Automotive Servicing Commercial
    - 5) Automotive Repair and Cleaning Commercial
    - 6) Automotive Fee Parking Commercial
    - 7) Group Assembly Commercial
    - 8) Parking Services Civic
    - 9) Community Assembly Civic
    - 10) Administrative Civic
    - 11) Utility and Vehicular Civic
    - 12) Special Signs
    - 13) Development Signs
    - 14) Realty Signs
    - 15) Civic Signs
    - 16) Business Signs
2. **Commercial - Professional and Administrative:** All lands on Exhibit #3, Land Use Districts, designated on Professional and Administrative (including portions within the Central Resort District), shall be permitted to accommodate the following uses:



- a. For subarea 1 - Midbayfront subarea refer to Chapter VII, Subarea Specific Development Standards.
- b. For subarea 2 - Industrial subarea:
  - 1) Administrative and executive offices;
  - 2) Professional offices;
  - 3) Research offices;
  - 4) General business offices; and
  - 5) Any other office use determined to be of the same general character of the above permitted uses.

**C. Industrial Land Use Districts**

- 1. Research and Limited Industrial: All lands on Exhibit #3, Land Use Districts, designated as Research and Limited-Industrial shall be permitted to accommodate the following permitted uses:
  - a. For Subarea 2 - Industrial Subarea:
    - 1) Administrative Commercial
    - 2) Food Service Commercial
    - 3) Convenience Sales and Service Commercial
    - 4) Business and Communication Service Commercial
    - 5) Retail Business Supply Commercial
    - 6) Research Development Commercial
    - 7) Automotive Fee Parking Commercial
    - 8) Custom Industrial
    - 9) Essential Service Civic
    - 10) Parking Services Civic
    - 11) Community Assembly Civic
    - 12) Special Signs
    - 13) Development Signs
    - 14) Realty Signs
    - 15) Civic Signs
    - 16) Business Signs
  - b. For other Subareas: Refer to Chapter VII Subarea Specific Development Standards, herein
- 2. General - Industrial: All lands on Exhibit #3, Land Use Districts, designated as General - Industrial shall be permitted to accommodate uses as follows:

a. **Permitted Uses:**

- 1) **Food Service Commercial**
- 2) **Convenience Sales and Service Commercial**
- 3) **Business and Communication Service Commercial**
- 4) **Retail Business Supply Commercial**
- 5) **Research and Development Commercial**
- 6) **General Wholesale Sales Commercial**
- 7) **Transportation and Warehousing Commercial**
- 8) **Automotive Fee Parking Commercial**
- 9) **Custom Industrial**
- 10) **Light Industrial**
- 11) **General Industrial**
- 12) **Essential Service Civic**
- 13) **Special Signs**
- 14) **Development Signs**
- 15) **Realty Signs**
- 16) **Civic Signs**
- 17) **Business Signs**

b. **Conditionally Permitted Uses:**

- 1) **Automotive Sales (New), Rental & Delivery and Accessory Commercial Activities**
- 2) **Automotive Servicing Commercial Activities**
- 3) **Automotive Repair and Cleaning Commercial Activities**
- 4) **Boat Sales or Rental Commercial Activities**
- 5) **Boat Servicing Commercial Activities**

c. **The following are conditionally permitted uses only within the Inland Parcel, Subarea 5:**

- 1) **Commercial - group assembly**
- 2) **Commercial - sport and recreational enterprise**
- 3) **Golf driving range**

**D. Public and Open Space Districts**

1. **Public and Quasi-Public:** All lands on Exhibit #3, Land Use Districts, designated as Public and Quasi-Public, shall be permitted to accommodate the following permitted uses:

a. **For Subarea 1 - Midbayfront Subarea:** Refer to Chapter VII Subarea Specific Development Standards, herein.

b. **For all Subareas with a Landscaped Parking Overlay Designation:**

- 1) **Parking Services Civic**

- 2) Automotive Fee Parking Commercial
  - 3) Special Signs
  - 4) Civic Signs
  - 5) Utility Transmission Systems
2. **Parks and Recreation:** All lands on Exhibit #3, Land Use Districts, designated as Parks and Recreation, shall be permitted to accommodate the following permitted uses:
- a. For Subarea 1 - Midbayfront Subarea: Refer to Chapter VII - Subarea Specific Development Standards, herein.
  - b. For all other Subareas:
    - 1) Public parks and facilities to serve park users
    - 2) Public parking.
3. **Water:** Refer to Chapter VII - Subarea Specific Development Standards for Subarea 1 - Midbayfront Subarea for permitted uses.
4. **Open Space:** All lands on Exhibit #3, Land Use Districts, designated as Open Space, shall be permitted to accommodate the restoration or enhancement of wetlands and other existing natural conditions, with development or construction limited to the existing Nature Interpretive Center, within the Sweetwater Marsh National Wildlife Refuge. All other use or activities shall be to preserve natural resources and habitat value.
5. **Circulation/Other:** All lands on Exhibit #3, Land Use Districts, designated as Circulation/Other is to be used for major circulation facilities, their adjacent right-of-ways, and landscaped areas adjacent thereto.

**E. Residential Districts**

Refer to Chapter VII - Subarea Specific Development Standards for Subarea 1 - Midbayfront Subarea for permitted uses.

**F. Central Resort District**

Refer to Chapter VII - Subarea Specific Development Standards for Subarea 1 - Midbayfront Subarea for permitted uses.

**G. Circulation and Other District**

All lands on Exhibit #3, Land Use Districts, indicated as Circulation and other are for those uses associated with major circulation elements including; Interstate 5, State Route 54, SD&AE Railroad line, Marina Parkway, Lagoon Drive, "H" Street, and the rights-of-ways/adjacent open space associated with these circulation elements.

Table IV-1

**TABLE OF LAND USE STATISTICS**

The following statistics are provided as a general reference for the overall Chula Vista LCP. The acreages indicated are approximate gross acreages based on planimeter calculations from Exhibit #3, Land Use Districts. These statistics are not intended to indicate an allowance nor a restriction of permitted development.

| <u>Land Use</u>                            | <u>Approximate<br/>Gross Acres</u> |
|--|------------------------------------|
| Residential - High                         | 18 ac                              |
| Commercial - Visitor                       | 11                                 |
| Commercial - Thoroughfare                  | 12                                 |
| Commercial - Professional & Administration | 12*                                |
| Industrial - Research & Limited            | 81                                 |
| Industrial - General                       | 289                                |
| Public & Quasi-Public                      | 18                                 |
| Parks & Recreation                         | 37                                 |
| Water                                      | 8                                  |
| Open Space                                 | 301                                |
| Circulation/Other                          | 186                                |
| Central Resort District                    | <u>40</u>                          |
| TOTAL                                      | 1,013 ac                           |

\* Use also included in Central Resort District

# Land Use Districts

## EXHIBIT 3

**RESIDENTIAL**  
RH High

**COMMERCIAL**  
CV Visitor

CV-H Visitor/Highway

CP Professional & Administrative

**INDUSTRIAL**  
IR Research & Limited

IG General

**PUBLIC & OPEN SPACE**  
PO Public & Quasi Public

PR Parks & Recreation

Water

OS Open Space

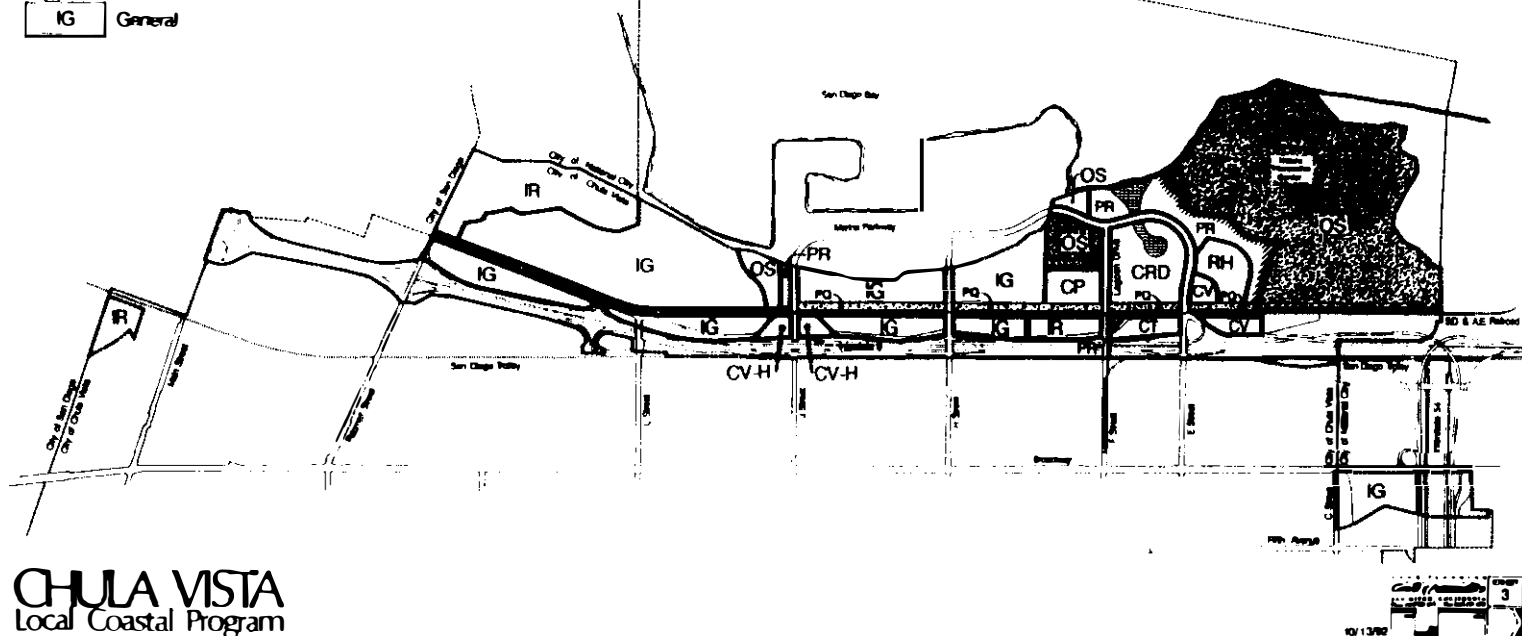
Circulation/  
Other

**SPECIAL PLAN AREA**  
CRD Central Resort District

**OVERLAY DESIGNATIONS**  
Sweetwater Marsh National Wildlife Refuge

Landscaped Parking

Primary Buffer



**CHULA VISTA**  
Local Coastal Program

**V. DEVELOPMENT CRITERIA**

**A. Purpose and Scope**

This Chapter of the Chula Vista Bayfront Specific Plan provides development criteria for each Land Use District with the plan area. Additional development criteria are included in Chapter VII, Subarea Specific Development Standards, herein.

**B. Permitted Uses**

Permitted Uses for each Land Use District are listed in Chapter IV, Land Use Classification.

**C. Development Intensity**

The development intensity is established by using a Floor Area Ratio (FAR), a specific maximum square footage allowance, or through setback and height controls, depending on the subarea. Following are the applicable development intensities for each land use category listed by subarea:

1. Subarea 1 - Midbayfront: The development intensity for the Midbayfront subarea is established by the specific square footage allowances described in Chapter VII herein.
2. Subarea 2 - Industrial Area:
  - a. Industrial - General: Maximum FAR 0.5
  - b. Industrial - Research & Limited: Maximum FAR 0.5
  - c. Commercial - Thoroughfare: Maximum FAR 0.25
  - d. Public-Quasi Public: Area designated for landscaped parking may be incorporated into the adjacent land use area for FAR calculations.
  - e. Parks & Recreation: Development intensity limited by minimally permitted uses.
  - f. Open Space: none
  - g. Special conditions "C" and "F" on Exhibit 4, Building Heights: see special standards in Chapter VII for Subarea 2.
3. Subarea 3 - Southern Parcel: The only land use in this subarea is Industrial - General which is limited to an FAR of 0.5.
4. Subarea 4 - Inland Parcel: The only land use in this subarea is Industrial - General. The maximum development intensity is established by the Height Regulations Chapter V-D; and, Site Development Standards, Chapter V-I and Chapter VII-E.
5. Subarea 5 - Faivre Street subarea: The only land use in this subarea is Industrial - General. The maximum development intensity is established by the Height Regulations Chapter V-D; and, Site Development Standards, Chapter V-I and Chapter VII-E.
6. Subarea 6 - Palomar/Bay Boulevard Subarea: The land use permitted in this subarea is Industrial - Research & Limited. The maximum development intensity is established by the

6. **Subarea 6 - Palomar/Bay Boulevard Subarea:** The land use permitted in this subarea is Industrial - Research & Limited. The maximum development intensity is established by the Height Regulations Chapter V-D; and, Site Development Standards, Chapter V-I and Chapter VII-E.
7. **Subarea 7 - Sweetwater Marsh National Wildlife Refuge:** Development intensity is limited to the existing Nature Interpretative Center facilities and other structures which are approved by the United States Fish & Wildlife Service.

**D. Height Regulations**

The maximum building heights are as shown on Exhibit #4, Building Heights, herein. This exhibit also identifies certain specific locations for special height conditions for specific buildings. The location of the symbol for the special height condition is intended to provide an approximate, but not an exact location of the building regulated by the special height condition. Following are the height regulations for these special height condition locations keyed to the Building Heights exhibit.

1. **Special Condition "A":** Three symbols are depicted. These three symbols represent hotel sites, two of which permit hotel buildings up to 229 feet in height and the third permits a hotel building up to 100 feet in height.
2. **Special Condition "B":** This symbol permits a Cultural Arts Facility up to 100 feet in height. (Site west of Marina Parkway is primary site; site in Central Resort District is alternative site.)
3. **Special Condition "C":** This symbol permits an Commercial - Professional & Administrative use in a building up to 96 feet in height, subject to special conditions listed in Chapter VII for Subarea 2.
4. **Special Condition "D":** This symbol permits a viewing tower in the Nature Interpretative Center up to 45 feet in height.
5. **Special Condition "E":** These two symbols permit two residential buildings up to 229 feet each.
6. **Special Condition "F":** The two parcels identified by this symbol shall be subject to the special conditions listed in Chapter VII for Subarea 2.

# Building Heights

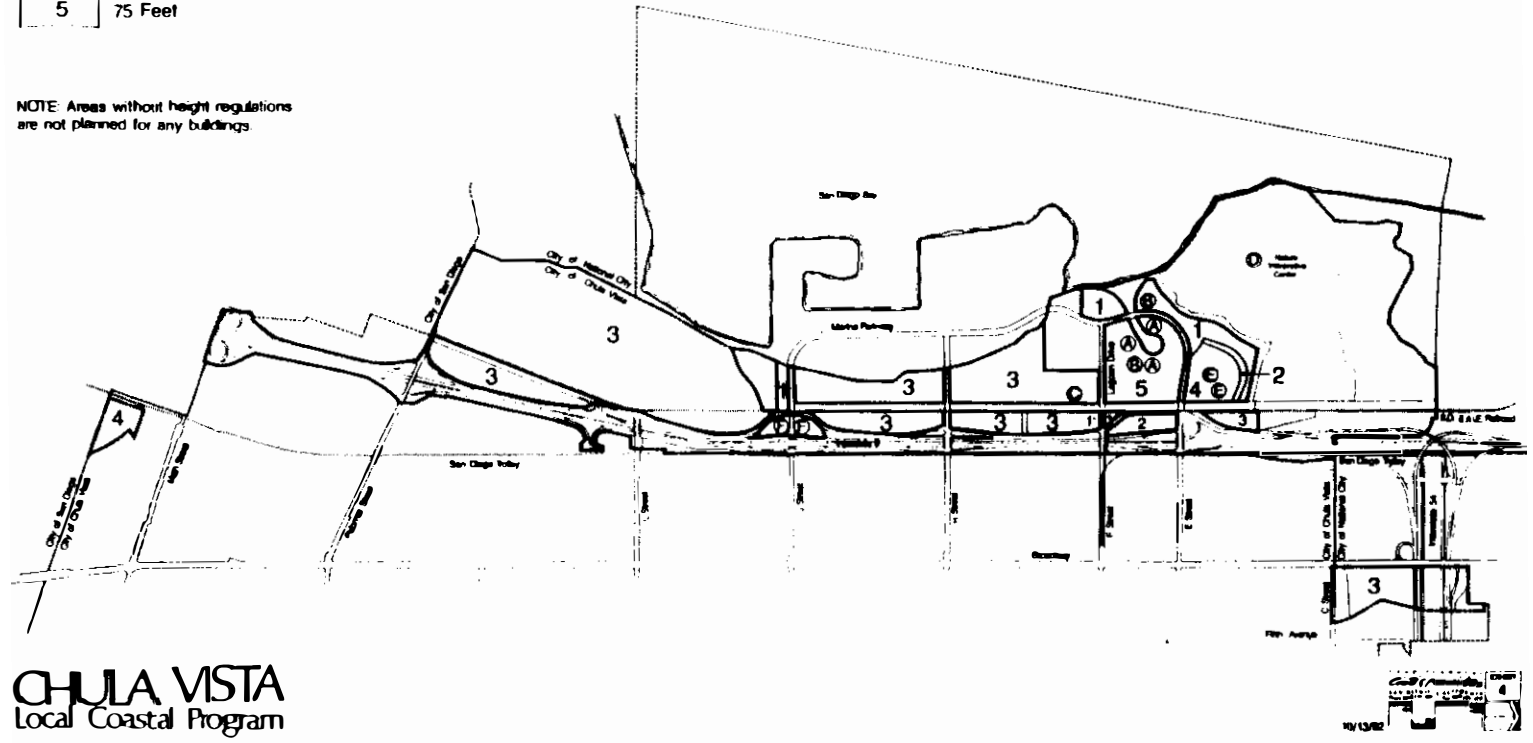
## Exhibit 4

**MAXIMUM BUILDING HEIGHTS**

|   |         |
|---|---------|
| 1 | 30 Feet |
| 2 | 35 Feet |
| 3 | 44 Feet |
| 4 | 60 Feet |
| 5 | 75 Feet |

- SPECIAL HEIGHT CONDITIONS**
- (A) 2 High-Rise and 1 Mid-Rise Hotel Sites
  - (B) 1 Mid-Rise Cultural Arts Facility Site (up to 69')
  - (C) 1 Mid-Rise Office Site (up to 95')
  - (D) Viewing Tower Site/Nature Interpretive Center
  - (E) 2 High-Rise Residential Sites (up to 229')
  - (F) Special Architectural Feature

NOTE: Areas without height regulations are not planned for any buildings



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7. **Wildlife Refuge Buffers - Midbayfront Subarea 1**

Notwithstanding the height limits described above, the following height restrictions shall be enforced according to proximity to the USF&WS property line west of the SDG&E ROW:

- a. **Primary Zone** - within 100 feet of USF&WS property line: Limited public access (paths and overlooks only, no structures)
- b. **Park Land/Open Space Zone** - next 100 feet landward from Primary Zone: public access and limited structures permitted (e.g., park pavilions, pedestrian and bicycle paths); landscaping and structures over 6 feet (including signs, light standards, etc.) must be screened from view of the wetland to the satisfaction of USF&WS and California Department of Fish and Game; building height limit 30 feet.
- c. **Limited Development Zone "A"** - next 100 feet landward from Parkland/Open Space Zone: building height limit 35 feet, except the Cultural Arts Facility site where structures to 100 feet in height are permitted as indicated in the Building Heights Map, Exhibit #4.
- d. **Limited Development Zone "B"** - next 100 feet landward from Limited Development Zone "A": building height limit 44 feet, except that portion of the Central Core Sector which may be within 300 feet of the USF&WS boundary where the height limit shall be 75 feet and a single high-rise hotel site (up to 229 feet) as indicated in the Building Heights Map, Exhibit #4.
- e. **Development Zone** - Property more than 400 feet from the National Wildlife Refuge property line shall be subject to the heights limits depicted on the Building Heights Map, Exhibit 4.
- f. Notwithstanding the policy above, the horizontal zones for the "F-G" Street Marsh shall be controlled by the provisions of the approved 404 Permit (Army Corps Permit No. 88-267-RH)

**E. Sign Regulations**

The size, location and design of all signs in the Chula Vista Bayfront LCP shall be subject to the following:

1. For all areas: no freestanding sign shall be greater than 10 feet in height and signs shall be subject to the regulations of the Chula Vista Municipal Code, Title 19, Zoning, Chapter 19.60, Signs, incorporated herein by reference, unless modified by the provisions of this Specific Plan.
2. For the Midbayfront and Industrial Subareas, Subareas 1 and 2, the following regulations shall also apply:

- a. **Public Signs.**
- 1) **Street Name Signs:** Street name signs shall have special mountings and frames to identify streets as being a part of the new Bayfront community. The sign copy and construction shall reflect a unified style and colors.
  - 2) **Directional Signs:** Directional signs at intersections will help establish gateways to the redevelopment area, and may include such generic information as Convention Center, Marina, Special-Use Park, Wildlife Refuge, etc., as necessary. Directional information for private developments may be included also at the discretion of the Design Review Board. Information will be clustered on one sign per intersection. Signs will have standardized mountings and trip. Each sign location shall include specially designed landscaped areas to create a setting.
  - 3) **Information Signs:** Public information signs are designed for public facilities and services such as parks, marshes, marinas, trim, and colored to be unified with the basic public sign theme.
  - 4) **Traffic and Parking Control Signs:** Traffic control and parking signs shall be designed with standard copy faces, and shall be trimmed in a manner consistent with Bayfront motif. Exact sizes and locations are required by state regulation.
- b. **Private Signs**
- 1) **Commercial Uses Adjacent to Freeway:** Commercial uses with freeway exposure shall be allowed either wall or low-profile monument signs with name and/or logo. If the business logo is well-established as an identity mark, then use of logo alone is preferable. Each lot may have two wall signs or one ground sign only. Only one wall sign shall be visible at a time. Maximum total copy area shall be 100 square feet. Ground signs may be doubled-faced or parallel to the roadway and are intended to be low-profile monument signs.
  - 2) **Automotive Service:** Service stations with freeway exposure shall be allowed freeway identification signs. Sizes shall be as small as possible and still have freeway identity, in no case to exceed 50 square feet total sign area. Such signs shall be subject to strict review by the Design Review Board.
  - 3) **Corner Lots:** The identification allowance for sign development on corner lots may be divided to provide for a sign on each frontage; however, the total allowance for both signs combined is not to exceed 50 square feet.
  - 4) **Multi-Tenant Buildings or Complexes:** Office, retail-commercial and industrial uses which are multi-tenant shall be allowed additional tenant identification signs: each tenant shall be allowed a maximum of three square

feet on or adjacent to the entry door. These tenant signs shall be visible from on-site parking and/or pedestrian walkways, but not intended to be readable from public streets.

- 5) **Directional and Information Signs:** These signs shall be allowed on a need basis. They shall be directional in nature and not intended as identification signs. Their maximum height shall be four feet with four square feet maximum copy area per side.
- 6) **Special Event Signs (Temporary):** Special events such as grand openings shall be allowed temporary signs. Such signs shall have a limited life as determined by the Design Review Board.
- 7) **Construction Signs (Temporary):** Signs for owners, contractors and subcontractors, architects, etc., for new projects under construction shall be subject to Design Review Board approval.

c. Allowable Copy Area

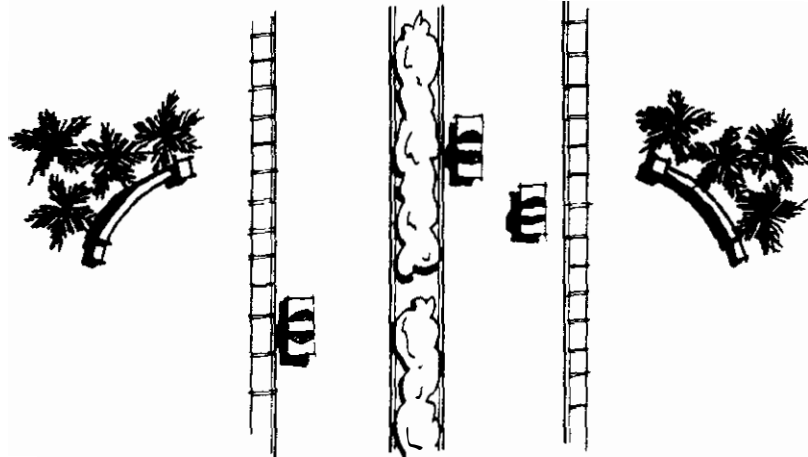
- 1) **Hotel/Motel, RV Parks, Restaurants, and Retail-Commercial:** Total copy area for all identification signs combined shall be limited to not more than 50 square feet per parcel (except additional signage for high- and mid-rise hotels is permitted per Section E.3.b, below). Signs may be wall signs and/or ground signs. Ground signs may be single- or double-faced but may not exceed ten feet in height. An additional changeable copy area of 25 square feet maximum shall be allowed for uses which include entertainment or convention facilities. Changeable copy area shall be single-faced only.
  - 2) **Automotive Service:** Service stations shall be allowed one identification sign (non-freeway) per lot. Signs shall be ground signs or wall signs and shall have no more than 40 square feet of copy area, six feet maximum height.
  - 3) **Industrial and Office Uses:** Industrial or office uses shall be allowed one identification sign per lot, visible from the internal street. Signs shall not exceed 40 square feet in area or six feet maximum in height. Total sign area may include a directory or tenant listing if the project is multi-tenant.
3. For the Midbayfront Subarea only: In addition to the provisions above, the following shall apply in Subarea 1:
- a. **Midbayfront Sign Program:** In addition to the regulations provided by this Specific Plan and the Chula Vista Zoning Code for signs, additional more specific and restrictive regulations shall be required for the Midbayfront Subarea in the Midbayfront Sign Program. This sign program shall be approved by the City of Chula Vista prior to the issuance of the first building permit in this subarea. The purpose of the Midbayfront Sign Program is to provide a sign plan for the

Midbayfront subarea consistent with the goals and policies of the Local Coastal Program, and to meet these specific objectives:

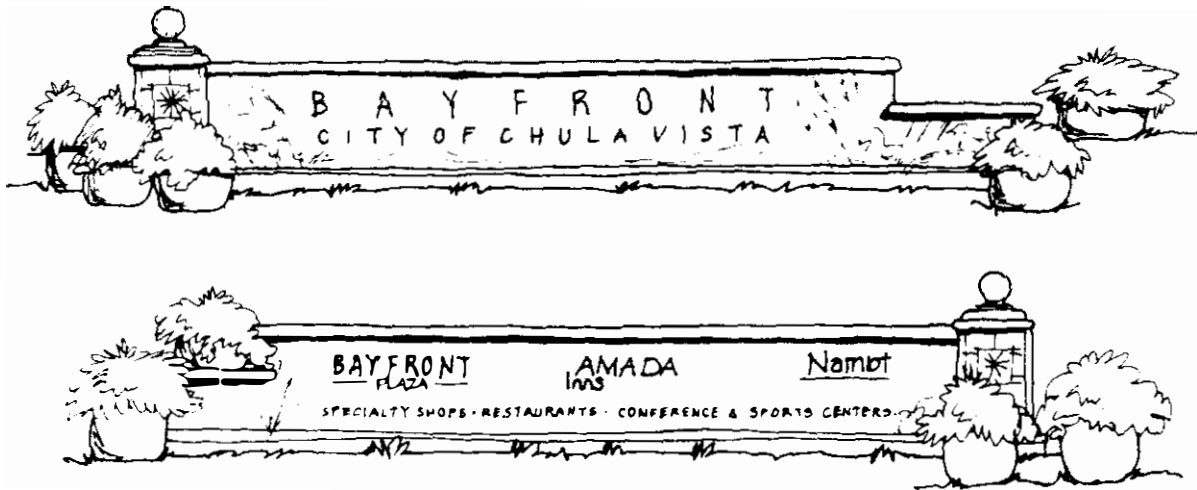
- 1) To create a system of signs which serves as an important design element in establishing an identifiable image for the area.
  - 2) To provide identification for the special components which make up the Midbayfront area.
  - 3) To reduce visual competition between signs, balancing the needs for identification and aesthetic harmony.
  - 4) To integrate signage with architectural and landscape design themes, thereby reducing the prominence of signs.
  - 5) To provide standards of acceptability for signs in order to facilitate the review and approval process by the City of Chula Vista.
- b. Scale of Signs for the Midbayfront subarea: The two most prominent signs in the Midbayfront will be the Midbayfront gateway monument and the high- and mid-rise hotel building wall signs. Because of the importance of these signs, the following specific regulations are provided:
- 1) Midbayfront Gateway Monument: The sign element containing copy shall not exceed a maximum height of 5'-6". The architectural element containing the sign shall not exceed 12 feet in height. The maximum copy area per sign face shall not exceed 50 square feet. Illustrations of a gateway monument meeting these standards follow as a guideline.
  - 2) High-rise Hotel Building Wall Signs: Only allowed on hotel buildings greater than eight stories in height. Two signs per building, 300 square feet maximum each sign. Individual letters or logo only; maximum sign height shall be 7 feet. An illustration of this type of sign follows as a guideline. Sign design and lettering shall not permit perching by avian predators of the California least tern, light-footed clapper rail, or Belding's Savannah sparrow.

# Midbayfront Gateway Monumentation

Exhibit 5

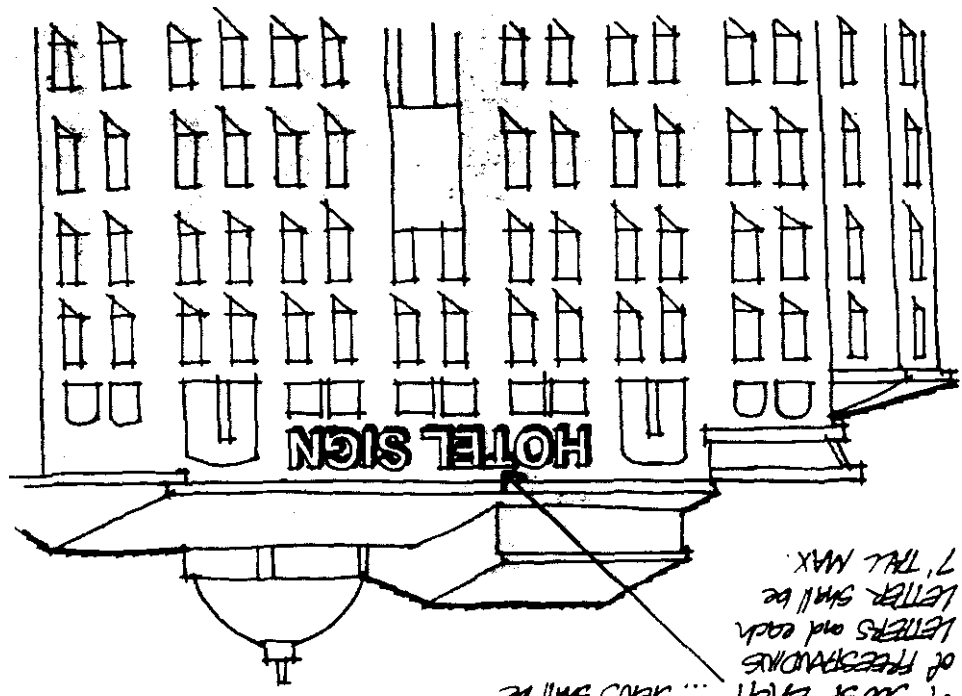


Plan View



Elevations

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Local Coastal Program  
EXHIBIT 5



BUILDING MOUNTED SIGNS SHOULD  
BE ON BUILDINGS EXHIBIT STORIES OR  
TRAILER and SHALL BE A MAXIMUM  
of 300 SF EACH ... SIGNS SHALL BE  
LETTERS and each  
LETTER shall be  
7' TALL MAX.

# High Rise Building Wall Sign

Exhibit 6

**F. Form and Appearance**

**1. Form and Appearance Objectives**

The following objectives shall serve as guidelines for use of land and water resources to preserve a sound natural environment:

- a. Preserve existing wetlands in a healthy state to ensure the aesthetic enjoyment of marshes and the wildlife which inhabit them.
- b. Change the existing industrial image of the Bayfront, and develop a new identity consonant with its future prominent public and commercial recreational role.
- c. Improve the visual quality of the shoreline by promoting public and private uses which provide proper restoration, landscaping, and maintenance of shoreline areas.
- d. Remove, or mitigate by landscaping, structures or conditions which have a blighting influence on the area.
- e. Develop a readily understandable and memorable relationship of the Bayfront (and the areas and elements which comprise it) to adjoining areas of Chula Vista and to the freeway and arterial approaches to the Bayfront.

**2. Specific Provisions**











To promote these policies, the Form and Appearance provisions of the Land Use Plan acknowledges three major components which comprise the physical form of the area: natural resources areas to be preserved; an open space system including walkways, bicycle ways, and park areas; and development units having common usage and/or qualities, which should be treated as distinctive, but closely interrelated, visual entities. To reinforce the physical quality of these three components, Exhibit #7, Form and Appearance, identifies: landscape character and function; major gateways; architectural edges; and views.

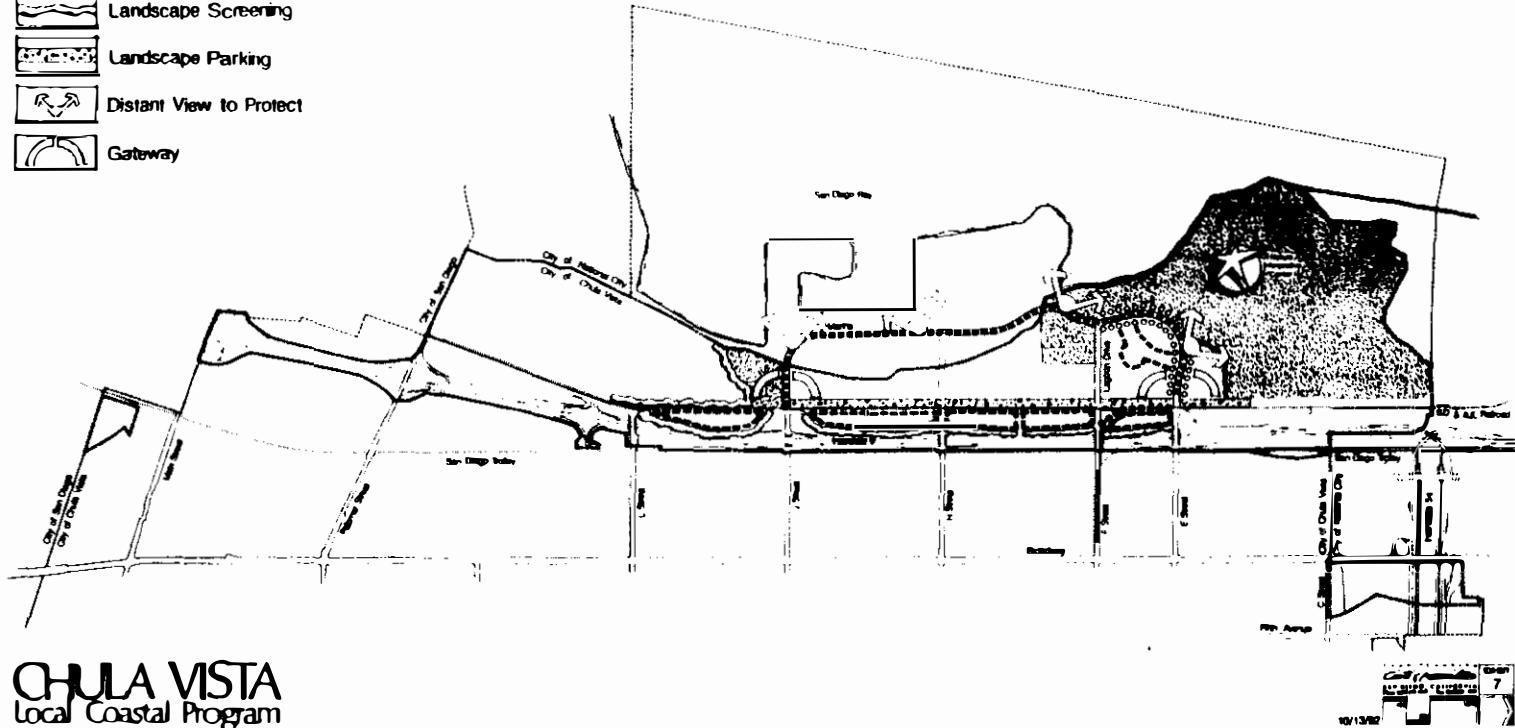
**a. Landscape Character and Function**

Major landscape components shall adhere to Exhibit #7, Form and Appearance, to establish strong visual continuity in response to varied functional needs.

# Form & Appearance

Exhibit 7

-  Firm Architectural Edge
-  Irregular Architectural Edge
-  Formal Street Tree Planting
-  Informal Grove/Street Planting
-  Landscape Screening
-  Landscape Parking
-  Distant View to Protect
-  Gateway
-  Focal Point
-  Major Open Space and Protected Areas



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b. Landscape Screening

All areas designated for Landscape Screening on Exhibit #7 shall include dense planting of trees and shrubs to serve three purposes: diminish the visual impact of large existing industrial structures, such as those of Rohr Industries and SDG&E's plant and transmission towers, and extensive parking areas and outdoor storage areas; define major entry points to the Bayfront and frame views; and be used in masses as visual stopping points to limit views and provide natural vertical elements. Heights of trees and shrubs may be limited by USF&WS requirements in areas near the wildlife refuge. The following standards shall guide Landscape Screening design:

| <u>Characteristics</u>                         | <u>Representative Location</u> |
|--|--------------------------------|
| 40' to 60' height<br>upright form<br>evergreen | Bay Boulevard                  |

Existing pines and other trees shall be preserved to the maximum possible extent.

c. Parking Area Planting

All areas designated for Parking Area Planting Exhibit #7 shall include a planting program coordinated with parking improvements beneath the power lines. The 150-foot-wide right-of-way that bisects the Bayfront may include landscaped auto parking to diminish the visual impact of the power lines and strengthen the ground plane connection between both sides of the right-of-way. SDG&E criteria will permit planting that can be kept not more than 15 feet high, thereby maintaining sufficient clearance at the lowest point in the power line catenary. Planting in parking areas should establish a dense ground plane massing of shrubs and short trees to create a grove effect that screens cars from view and ties together in a strong horizontal line an intersecting mass of foliage on either side of the right-of-way (see Section D in Map 3, Circulation). The following standards shall guide Parking Area Planting design:

| <u>Characteristics</u>  | <u>Representative Location</u> |
|---|--------------------------------|
| 10' to 15' height<br>globular or multi-stem form<br>evergreen | SDG&E ROW                      |

d. Informal Groves

All areas designated for Informal Groves in Exhibit #7, shall use a series of Informal Groves to identify the major community or neighborhood parks interconnected by continuous pedestrian circulation along the Bayfront's edge and into its interior.

These Groves shall be planted with the same species in informal drifts to provide shade for recreational uses. The following standards shall guide Informal Grove design:

| <u>Characteristics</u>   | <u>Representative Location</u> |
|--|--------------------------------|
| 40' to 80' height<br>upright and open-branching<br>in contrast with dense,<br>vertical form.<br>mixed deciduous and<br>evergreen | Community Parks                |

e. Formal Street Tree Planting

All areas designated Formal Street Tree Planting in Exhibit #7 have been designated for the major circulation spines of the Bayfront. The planting should be in regularly spaced intervals using species with predictable form characteristics to achieve strong linear avenues that guide views and establish perspective.

| <u>Characteristics</u>                                      | <u>Representative Location</u>   |
|---|--|
| 40' to 60' height<br><br>Crown shaped form<br><br>Evergreen | Marina Parkway,<br>Lagoon Drive<br>E Street and D<br>Street<br>Bay Blvd. &<br>Marina Edge on<br>D Street |

f. Gateways

Special consideration shall be given at Gateways, Exhibit #7, to roadway design, including signing and lighting, landscaping, and siting and design of adjoining structures to allow for design treatment which conveys an entry character. Refer also to Section D, Sign Regulation in this Chapter.

g. Architectural Edges

The development shall comply with the following conditions in the specified areas:

- 1) **Habitat Protection:** Structures shall be sited a sufficient distance from natural habitat areas to protect the natural setting and prevent interference with wildlife.

- 2) **Pedestrian and Bicycle Access:** Structures shall be sited at a sufficient distance from the water's edge or marsh edge to ensure unencumbered pedestrian and bicycle access.
- 3) **Privacy:** Structures shall be designed so that the uses which take place in a structure or private space adjoining the structure do not detract from, or prevent appropriate public use of, adjoining public open spaces. Reciprocally, the public areas shall be designed and their use regulated in a manner which does not diminish the intended use of adjoining developed lands.
- 4) **Firm Edges:** Firm Edges as shown in Exhibit #7, are required where a strong visual form, generally linear, is necessary to provide either for a terminus of views in certain directions, or a sense of entry or arrival. These edges should be formed by buildings, but also may be achieved by use of earth berms or mass plantings.
- 5) **Irregular building Edges:** Irregular building edges are required where it is visually desirable to soften or de-emphasize the distinction between open space areas and adjoining development. This prevents harsh contrasts between different areas, allows visual penetration between areas, and variation in the spatial experiences and qualities in these areas.

h. **View Points**

Development of the Bayfront shall ensure provision of three types of views:

- 1) **Views from the Freeway and Major Entry:** Ensure a pleasant view onto the site and establish a visual relationship with the bay, marshes, and bay-related development.
- 2) **Views from Roadway Within the site:** (particularly from Marina Parkway, to the marshlands, bay, parks and other bay-related development). Locations shall preserve a sense of proximity to the bay and marshlands.
- 3) **Views from the Perimeters of the Bayfront Outward:** Views which are primarily pedestrian-oriented, stationary and more sustained should be experienced from parts of the open space and pathway system and enable viewers to renew visual contact at close range with the bay and marshlands.

**G. Infrastructure**

1. **Circulation Standards**

- a. **Primary Vehicular Circulation:** The primary vehicular routes are identified on the Land Use Districts, Exhibit #3, as Circulation and other; and on Exhibit #8, Circulation Element. These consist of Interstate 5, State Route 54, Marina Parkway, Lagoon Drive, and "H" Street. The majority of these routes currently exist. Those

portions of Lagoon Drive and Marina Parkway, which will be constructed as a component of the Midbayfront Subarea are planned as 4-lane Major Arterials.

b. **Internal Vehicular Circulation:** Internal roadways shall be developed to the Design and Construction Standards, published by the Department of Engineering, City of Chula Vista.

c. **Bike Routes:**

1) **Bike Lane:** A bike lane is a lane on the paved area of a street for preferential use by bicycles. These lanes are used for Regional Bicycle Routes. On street parking, except for emergency stopping will not be permitted where bike lanes are designed. These lanes shall be a minimum of 5 feet in width. The filling of wetlands for bike paths is not permitted, including but not limited to, any expansion of the toe of the CalTrans fill slope for the freeway into the mitigation areas of the connector marsh.

2) **Bike Path:** A bike path is used for off street travel by bicycles. These paths shall be a minimum of 8 feet in width.

d. **Pedestrian Route:** All pedestrian routes depicted on Exhibit #8, Circulation Element, shall be a minimum of 6 feet in width. The filling of wetlands for bike paths is not permitted, including, but not limited to, any extension of the toe of the CalTrans fill slope for the freeway into the mitigation areas of the connector marsh.

2. **Utility Systems:** Refer also to Exhibit #9.

a. **General Policies:**

1) Provide adequate sizing of utility systems to assure sufficient capacity for maximum build out potential of plan.

2) Protect existing sensitive natural resources from significant adverse impacts during construction.

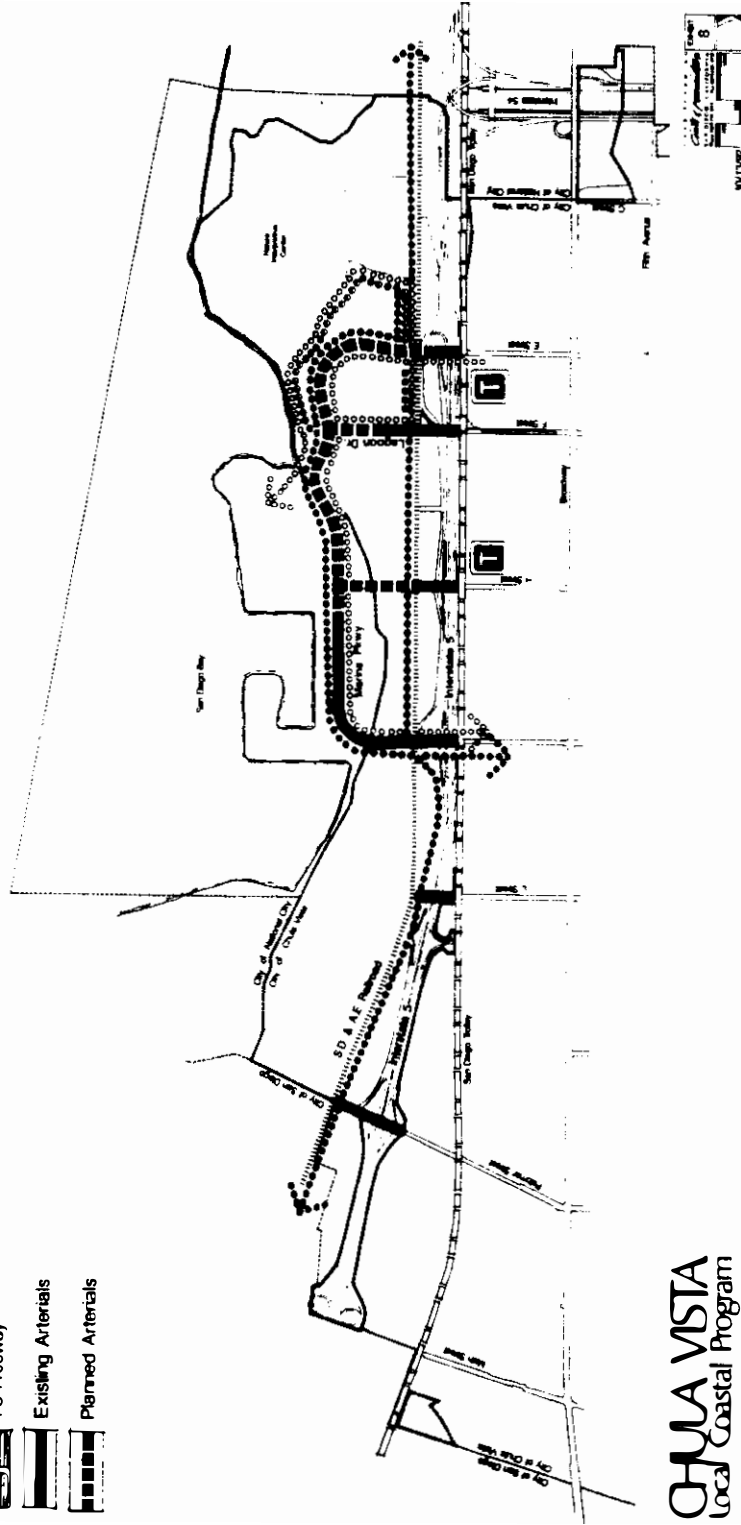
# Circulation Element

Exhibit 8

- OTHER**
- Regional Bicycle Route
  - Local Bicycle Route
  - Pedestrian Route

- RAIL**
- Existing Trolley
  - Existing Trolley Stop
  - S.D. & A.E. Railroad





- VEHICULAR**
- I-5 Freeway
  - Existing Arterials
  - Planned Arterials

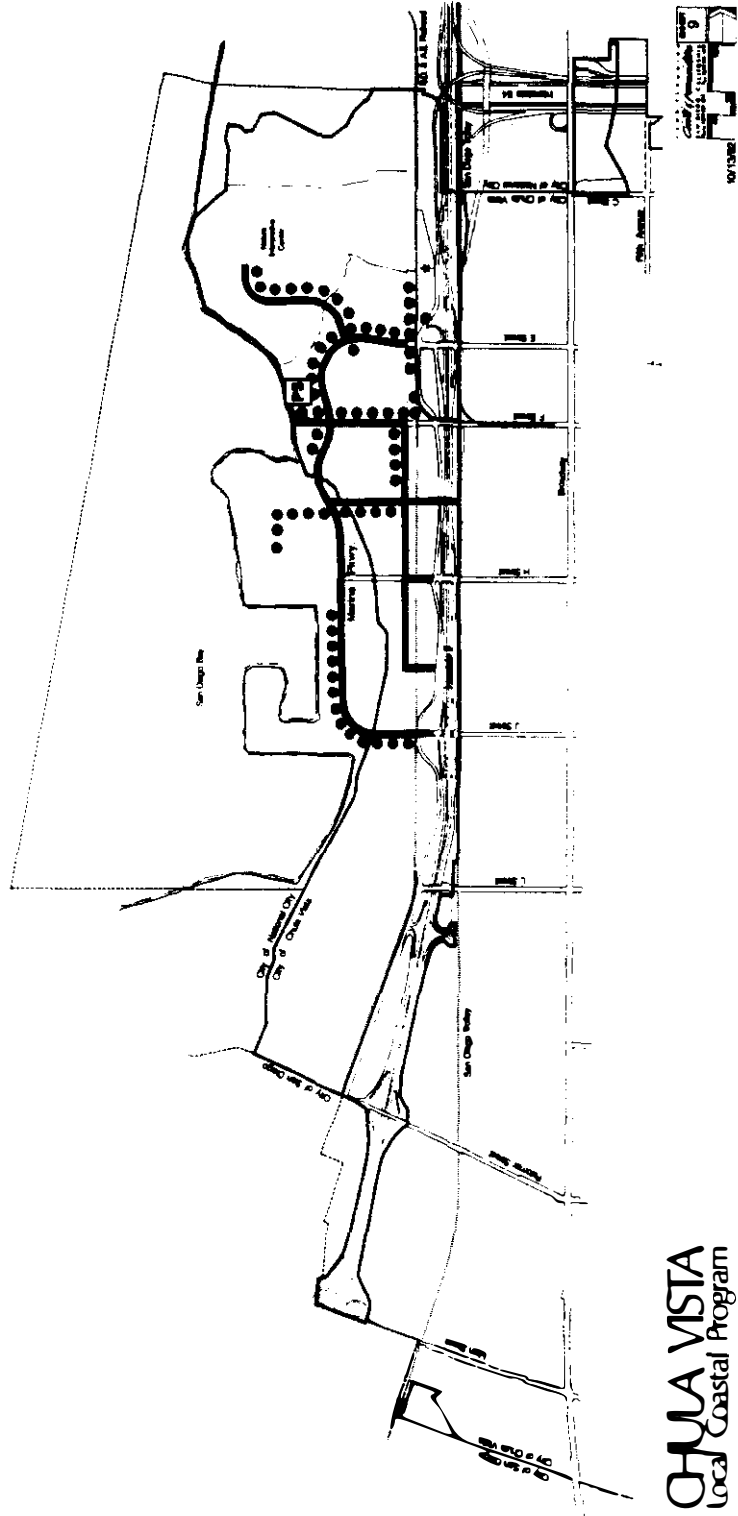


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# Utility Systems

Exhibit 9

-  Water Line
-  Sewer Line
-  Sewer Pump Station
-  \* Possible Sewer Pump Station



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b. Sewer Service:

The Metropolitan Sewage System of San Diego (Metro System), of which Chula Vista is a member, serves the city via a 78-inch diameter trunk sewer which lies easterly of the on-site railroad line and drains northerly to the Point Loma Sewage Treatment Plant.

The project area shall drain to an existing outlet north of Marina Parkway where metering facilities would be constructed.

c. Water Service:

Water service is provided by the Sweetwater Authority which obtains water from local reservoirs and purchased from the San Diego County Water Authority (SDCWA). The SDCWA is furnished water by the Metropolitan Water District of Southern California via aqueduct including a 69-inch pipeline which Sweetwater Authority taps near the Sweetwater Reservoir seven miles east of the project.

Basic water service for the area shall consist of water mains in "E" Street (Marina Parkway), "F" Street (Lagoon Drive), and "G" Street. A waterline in "G" Street shall connect the lines in Bay Boulevard and Marina Parkway. This pipeline is necessary to maintain a looped system during development. An easement for pipeline operation shall be maintained even though the area might be fenced for security reasons by Rohr.

Phased development may require off-site pipeline construction, especially in industrial areas, to maintain adequate pressure and fire flows. Water service which meets the standards of the Water District and Fire Marshall shall be maintained.

**H. Parking Requirements**

1. General Requirements:

The provisions of Chapter 19.62 of the Chula Vista Zoning Ordinance, Title 19 of the Chula Vista Municipal Code, shall be applicable to off-street parking and loading areas in the Bayfront area. These provisions generally control construction and development and design standards of off-street parking areas. The number of spaces required for designated uses shall be that designated below. In the event that there is no precise correspondence in the use classifications with the common names used in this section, the Planning Director shall have the authority to designate the requirements and the common names for proposed uses shall generally be deemed to control.

2. Vehicle Parking Standards:

Business and professional offices: 1 space per 300 square feet of floor area; minimum of 4 spaces:

Dance, assembly or exhibition halls without fixed seats: 1 space per 50 square feet of floor area used for dancing or assembly;

Dwellings, multiple: 1.5 spaces per studio or 1 bedroom unit; 2 spaces per two bedroom ; 2.5 spaces per three bedroom or larger unit (includes 0.3 space per unit guest parking);

Hotels, motels: 1 space for each living or sleeping unit, plus 1 space for every 25 rooms or portion thereof;

Manufacturing plants, research & testing laboratories: 1 space per 1.5 persons employed at any one time in the normal operation of the plant or 1 space per 800 square feet of floor area, whichever is greater;

Medical and dental offices, clinics: 1 space per 200 square feet of floor area; minimum of 5 spaces;

Public park/open space: 1 parking place for every 10,000 square feet of park or accessible open space;

Restaurants, bars, and night clubs: 1 space per 2.5 permanent seats, excluding and dance floor or assembly area without fixed seats which shall be calculated separately at 1 space per 50 square feet of floor area;

Restaurants - drive-in, snack stands or fast food: 15 spaces minimum, or 1 space per 2.5 permanent seats, whichever is greater;

Retail stores: 1 space per 200 square feet of floor area;

Sports arenas, auditoriums, theaters: 1 space per 3.5 seats of maximum seating capacity;

Wholesale establishments, warehouses, service and maintenance centers: 1 space per 1.5 persons employed at any one time in the normal operation of the plant or 1 space per 1000 square feet of floor area, whichever is greater;

Uses not listed: as required by Chula Vista Zoning Ordinance

3. **Bicycle Parking Standards**

Bicycle parking spaces shall be provided for developed uses according the following schedule. Only those uses listed below are required to provide bicycle parking. Bicycle parking facilities shall be fixed storage racks or devices designed to secure the frame and wheel of the bicycle.

Business and professional offices (over 20,000 square feet of gross floor area): 5 spaces;

Shopping center (over 50,000 square feet of gross floor area): 1 space per 33 automobile spaces required;



Fast food restaurant, coffee shop, or delicatessen: 5 spaces;

Other eating and drinking establishments: 2 spaces;

Commercial recreation: 1 space per 33 automobile spaces required.

4. **Shared Parking**

Where uses have predictable time cycle parking demands and where supported by appropriate traffic/parking studies, shared parking may be utilized as a means to reduce total parking lot area. The criteria and standards provided in **Shared Parking** published by the Urban Land Institute (ULI) should be utilized to assess parking needs and formulate shared parking agreements. Any use which intends to meet its parking requirements using shared parking shall be subject to the approval of a Conditional Use Permit as provided for in Chapter 19.14 of the Chula Vista Zoning Ordinance, Title 19 of the Chula Vista Municipal Code. The approval of the Conditional Use Permit, may among other requirements, require a use, business, or activity to only operate within restricted hours.

5. **Concealed Parking**

Within the Central Resort District and the Residential High District of the Midbayfront Subarea 75% of the required parking shall be provided in subterranean or concealed parking structures. Concealed parking is when the parked vehicles can not be seen by the public using public streets, bike lanes and paths, pedestrian walkways, public parks, and public access open spaces.

6. **Landscaped parking in SDG&E Right-of-way**

Any landscaped parking in the SDG&E ROW north of Lagoon Drive shall be available on weekends and evenings for use by coastal visitors. The parking needed for visitor to the Nature Interpretive Center shall be managed as a priority for parking in the SDG&E ROW.

I. **Site Development Standards**

1. The site development standards for the following subareas are specified in Chapter VII - Subarea Specific Development Standards:

- a. Midbayfront Subarea
- b. West Fairfield Subarea
- c. Inland Parcel Subarea
- d. Faivre Street Subarea
- e. Palomar/Bay Boulevard Subarea
- f. Special Conditions "C" and "F" on the Building Heights Exhibit

2. For all other areas the following site Development Standards apply to the Land Use District specified:
  - a. **Thoroughfare Commercial:**
    - 1) Minimum lot area: 5,000 square feet
    - 2) Front yard setback: 10 feet
    - 3) Exterior side yard setbacks: 0
  - b. **Industrial - Research & Limited:**
    - 1) Minimum lot area: 10,000 square feet
    - 2) Front yard setback: 30 feet
    - 3) Exterior side yard setback: 15 feet
    - 4) Side yard setback 20 feet
  - c. **Industrial - General:**
    - 1) Minimum lot area: 20,000 square feet
    - 2) Front yard setback: 20 feet
    - 3) Exterior side yard setback: 15 feet
    - 4) Side yard setback 20 feet

**J. Grading and Drainage**

1. Special care shall be taken in development proposals adjacent to wetland habitat to avoid or minimize problems of silting and oil or chemical leakage. Some diversion of water is necessary and one or more desilting/retention basins may be required in development projects to protect and enhance the biological and water quality of the wetland habitat. A major siltation basin shall be built in the Midbayfront to accept surface drainage and provide for desilting during and after construction of development projects and for oil and chemical entrapment.
2. All development for properties within the coastal zone shall comply with the following requirements:
  - a. A grading plan that incorporates runoff and erosion control procedures to be utilized during all phases of project development shall be prepared and submitted concurrently with subdivision improvement plans or planned unit development plans where such development is proposed to occur on lands that will be graded or filled. Such a plan shall be prepared by a registered civil engineer and shall be designed to assure that runoff rates will be controlled to minimize the potential for siltation in wetlands. The erosion control measures and hydrology calculations shall be based on the six-hour, ten-year design storm, or on the storm intensity designated in the City of Chula Vista's Subdivision Manual, in the event that the Subdivision Manual requirement is more stringent. Runoff control shall be accomplished by establishing on-site or at suitable nearby locations catchment basins, detention basins, and siltation traps along

with energy dissipating measures at the terminus of storm drains, or other similar means of equal or greater effectiveness.

- b. Sediment basins (debris basins, desilting basins, or silt traps) shall be installed in conjunction with the initial grading operations and maintained through the development process as necessary to remove sediment from runoff waters draining from the land undergoing development. Areas disturbed but not completed prior to November 1 including graded pads and stockpiles, shall be suitably prepared to prevent excessive soil loss during the late fall and winter seasons. All graded areas shall be stabilized prior to November 1, by means of native vegetation, if feasible, or by other suitable means approved by the City. The use of vegetation as a means to control site erosion shall be accomplished pursuant to plans and specifications prepared by a licensed landscape architect or other qualified professional. Erosion control utilizing vegetation may include, but is not limited to, seeding, mulching, fertilization, and irrigation within sufficient time prior to November 1 to provide landscape coverage that is adequate to achieve the provisions of this policy. Temporary erosion control measures, shall include the use of berms, interceptor ditches, filtered inlets, debris basins, silt traps, or other similar means of equal or greater effectiveness. From November 1 to March 31, grading may be permitted provided the applicant conforms to the requirements of subsection C and submits monthly documentation within two weeks following the end of the preceding month to the City Engineer of the condition of the erosion control procedures for graded pads, slopes and stockpiles whenever precipitation during the month exceeds two (2) inches.
- c. From November 1 to March 31, grading may occur in phased increments as determined by the City Engineer provided all of the following requirements have been met. Grading from April 1 through October 31 shall be subject to standard practices.
  - 1) The increments shall be limited to those areas that have been prepared to control the effects of soil erosion. Control measures, such as sedimentation basins, detention basins and other facilities, shall be scheduled and placed in a sequence that shall minimize and control the off-site transportation of sediments. Such erosion control measures shall be installed for such increments prior to commencing any grading that would be performed during the period between November 1 and March 31.
  - 2) The applicant shall post a deposit, for such areas to be graded, which shall remain in force and effect for one year after final inspection approval of grading by the City. The deposit shall be sufficient to cover the costs of any remedial grading and replanting of vegetation, including any restoration of wetlands, or other environmentally sensitive habitat areas adversely affected by the failure of the erosion control measures required herein, as determined by the City Engineer. The deposit will inure to the benefit of the City in case of noncompliance as determined by the City Engineer.
  - 3) The applicant agrees to provide daily documentation to the City Engineer of the condition of the erosion control procedures for any 24-hour period in

which precipitation exceeds 0.25 inches. Such documentation shall be provided within five working days of said 24-hour period. Failure to provide such documentation of the occurrence of any significant discharge of sediments or silts in violation of this policy shall constitute automatic grounds for suspension of the applicant's grading permit(s) during the period of November 1 to March 31.

- d. The following additional safeguards shall be required for grading within the Inland Parcel - Subarea 5 between November 1 and March 31:
  - 1) A 100-foot buffer is required between wetlands and grading activities.
  - 2) A silt fence (or equal) shall be installed between graded areas and wetlands. A distance of 10 feet is required between the silt fence and the toe of any manufactured slope.
  - 3) The maximum slope permitted is 3:1.
3. Erosion Control Monitoring Program for Chula Vista Coastal Zone Areas Draining Directly Into Wetlands.
  - a. Overall field review of grading operations will be performed by the City Engineer on each grading project in the Coastal Zone.
  - b. Field review of erosion control devices, sedimentation basins, detention basins, and landscaping will be made by the City Engineer prior to the advent of the rainy season, and throughout the rainy season as necessary to monitor grading operations phased between November 1 and March 31. The City Engineer shall document non-compliance of projects with the grading and erosion control requirements and correct problems with funds from the deposit posted by the applicant.
  - c. The City Engineer will periodically review and prepare a report on the effectiveness of the runoff and erosion control measures for areas within the Chula Vista Coastal Zone. The initial report shall be completed within two years following February 1989 and thereafter six months prior to any scheduled review by the California Coastal Commission of the Local Coastal Program for the City of Chula Vista. A copy of the report shall be submitted to the Chula Vista City Council and to the Executive Director of the Coastal Commission.
4. All areas disturbed by grading shall be planted within 60 days of the initial disturbance and prior to November 1 with temporary or permanent (in the case of finished slopes) erosion control methods. Such planting shall be accomplished under the supervision of a licensed landscape architect and shall consist of seeding, mulching, fertilization and irrigation adequate to provide 90% coverage within 90 days. Planting shall be repeated if the required level of coverage is not established. This requirement shall apply to all distributed soils including stockpiles.

5. Refer also to Chapter VI, Environmental Management Program for additional requirements concerning grading.

**VI. ENVIRONMENTAL MANAGEMENT PROGRAM**

**A. Purpose and Scope**

Section 30240 of the California Coastal Act provides for the protection of environmentally sensitive habitat areas. The purpose of this chapter is to provide for such protection.

**B. Resource Elements**

The major wetlands and related sensitive habitat areas within the Chula Vista Bayfront area have been acquired by the USF&WS and comprise the majority of the Sweetwater Marsh National Wildlife Refuge. With the preservation of these areas assured through a transfer of ownership, the focus of these regulations is reducing and mitigating impacts on the refuge from new development within the Bayfront.

**C. Environmental Management Requirements**

**1. Coordination:**

- a. Coordination with the San Diego Unified Port District in the development of plans and programs for areas adjacent to the Chula Vista Bayfront shall be maintained to assure that environmental management objectives in the Bayfront Land Use Plan can be successfully implemented.
- b. Coordination with the USF&WS shall be maintained for the development of plans and programs adjacent to the Sweetwater Marsh National Wildlife Refuge.

**D. Midbayfront Subarea Requirements**

The various mitigation features and actions specified for the Midbayfront shall be incorporated in the development design in order to reduce the adverse impacts of development on the adjacent natural resources. Generally, the specified features and actions focus on the interface areas between the Midbayfront Subarea and the adjoining National Wildlife Refuge. Major mitigation features and actions are summarized in Table VI-1.

To assist in the preparation and evaluation of the management plans, specified in Policies EM.1.C. and EM.1.D. required herein, the following background documents are hereby referenced:

1. Final EIR Volume I & II for Midbayfront LCP Resubmittal No. 8 Amendment, adopted by the Chula Vista City Council as Resolution No. 16467, including the Mitigation Monitoring Program, Exhibit B;
2. Corps of Engineers Section 404 Permit No. 88-267 RH, including thirteen special conditions;

3. Chula Vista Investors' (CVI) Proposed Mitigation Measures for Final EIR - CVI Midbayfront Development Plan, December 16, 1990. (Design Requirements USFWS);
  4. Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Merjan (CVI), dated January 15, 1991;
  5. Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Chula Vista Investors, dated March 11, 1991;
  6. Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Chula Vista Investors, dated March 22, 1991;
  7. Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Chula Vista Investors, dated May 8, 1991;
  8. Letter to Douglas D. Reid, City of Chula Vista, from Brooks Harper, U.S. Fish & Wildlife Service, dated May 23, 1991;
  9. Letter to Diana Richardson Reid, City of Chula Vista, from Brooks Harper, U.S. Fish & Wildlife Service, dated January 14, 1992; and;
  10. Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Chula Vista Investors, dated February 6, 1992;
1. Habitat Restoration and Management Plan

To ensure an orderly and efficient implementation of the various restoration and enhancement features and actions specified for the Midbayfront, a comprehensive Habitat Restoration and Management Plan shall be prepared and approved prior to initiation of development within the Midbayfront.

The Habitat Restoration and Management Plan shall address in detail the following considerations associated with implementing the specified restoration and enhancement work as well as the long term management of the areas restored or enhanced:

- a. Engineering design, grading plan, and cost analysis.
- b. Vegetation design, including specifications for planting program, source of plants, etc.
- c. Implementation schedule and phasing.
- d. Management program.
- e. Monitoring program.

- f. Maintenance program.
- g. Funding arrangements: implementation, monitoring, and maintenance.
- h. Contractual agreements.
- i. Ownership transfer where appropriate.

Preparation of this plan will involve participation by the developer, the City, the California Coastal Commission, the USF&WS, and other resource management agencies.

2. **Biological Resources Management Plan**

Additional protection of the biological resources in the Wildlife Refuge shall be provided by the preparation and implementation of a comprehensive Biological Resources Management Plan for the Midbayfront development which will address the following matters:

- a. Architectural Design Requirements
- b. Project Lighting Design Requirements
- c. Landscape Design and Management
- d. Predator Management
- e. Human Activities Management
- f. Mudflat and Wetland Monitoring
- g. Water Quality/Runoff/Drainage Management
- h. Construction Monitoring and Management
- i. CC&R's/Ordinances/Applicable Policies
- j. CEQA Mitigation Monitoring Requirement

Preparation of this plan will involve participation by the Developer, the City, USF&WS, the California Coastal Commission and other resource management agencies as appropriate.

3. **Midbayfront Mitigation Program**

The various mitigation features and actions specified for the Midbayfront shall be incorporated in the development design in order to reduce the adverse impacts of development on the adjacent natural resources. Generally, the specified features and actions focus on the interface areas between the Midbayfront Subarea and the adjoining National Wildlife Refuge. These features and actions are summarized in Table VI-1.



- a. Midbayfront North/Northwest Interface Area. The following design elements shall be employed in this interface area in order to protect the resources in the adjoining portions of the wildlife refuge.

Primary Buffer Zone elements: *(Refer to Exhibits 10 and 11)*

Width: 100 feet (minimum)

Form: Variable height berm to prevent visual disturbance of wildlife in refuge.

Vegetation: Maximum use of coastal sage scrub

Drainage: Away from wildlife refuge

Access Control: Chain link fence screened by vegetation

Lighting: Directed away from refuge

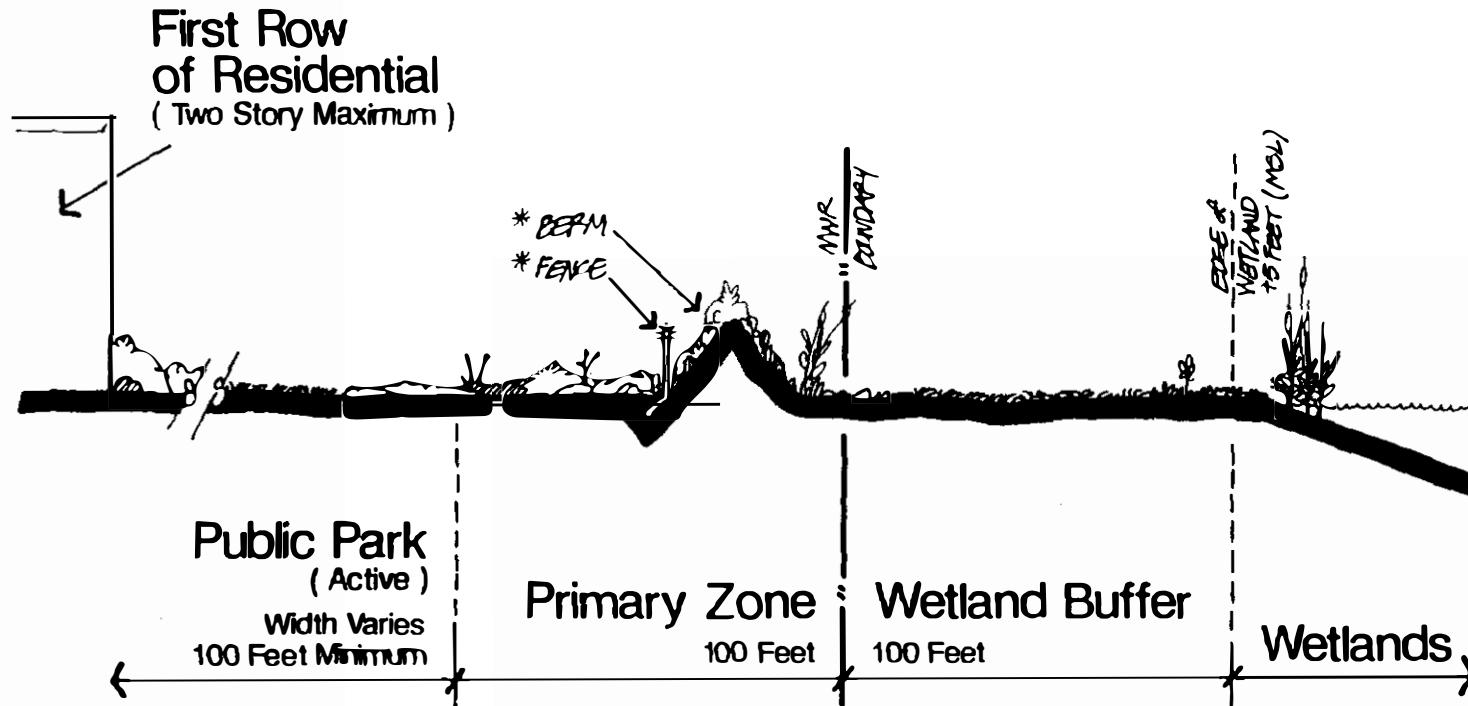
Controls on: Pets, children, picnic & food service areas, trash and garbage, etc.

- b. Midbayfront South Interface Area. Because of pre-existing physical constraints at and adjoining the "F-G" Street Marsh area, a different mitigation approach shall be employed for the South Interface Area. Specifically, along the north and west margins of the "F-G" Street marsh area, the 94 foot ROW road areas of "F" Street (Lagoon Drive) and Marina Parkway, together with dense vegetational screening, shall serve as the buffer area.



# Buffer Zone Section

Exhibit 11



\* Location of Fence and Berm within Primary Zone Varies

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Vegetational screening of "F-G" Street marsh from Lagoon Drive and Marina Parkway will employ native plants including coastal sage scrub and maritime succulents. Chain-link fence will be incorporated in and largely concealed by the vegetational screening. Vegetation shall be sufficiently dense to prevent direct illumination of the marsh by headlights of passing vehicles.

To control quality of storm water and other fresh water runoff entering the "F-G" Street Marsh, the developer shall construct and maintain a desilting basin on the north side of "F" Street. Control structures will include a low flow stage, three-chamber trap for oil, grease, and particulates.

Because the USF&WS anticipates use of the "F-G" Street Marsh for expanding the potential nesting habitat for the endangered Light Footed Clapper Rail, there will be no public access and only one or two pedestrian overlook areas for this unit of the National Wildlife Refuge.

- c. Midbayfront West Interface Area. Along the Bay shoreline between the "E" Street Marsh and the western extension of the "F-G" Street Marsh, an upland are about 100 feet wide by approximately 1,400 feet long (totalling approximately 3 acres) will be excavated and planted to create a corridor of salt marsh habitat immediately landward of the present shoreline. This marsh corridor will be protected from wave erosion by a rip-rap barrier and will facilitate movement of sensitive bird species (e.g., Clapper Rail) between the two marsh areas.

Landward of this marsh corridor, the interface area shall have an elevated walk with screened viewpoints to provide views of the Bay and mudflats. The area farther landward will consist of passive use public parks that will enhance public access to the Bay margins.

To protect the mudflats and eel grass, storm drain outfalls to the Bay will have flow energy dissipators and three-chamber type traps for oil, grease, and particulates. In addition, irrigation and other water sources in the development area shall be managed to achieve minimal to zero freshwater outflows to the Bay during the dry season.

A monitoring program shall be implemented to ensure that Bay mudflats and eel grass are not adversely effected by storm drain outflow.

To protect the biologically-rich mudflat and eelgrass meadows in the areas of the Bay bordering on the National Wildlife Refuge, no recreational boating facilities are permitted in this part of the Bay without specific approval of the USF&WS and the Army Corps of Engineers.

- d. Midbayfront Habitat Restoration and Enhancement Features. The following actions involve habitat restoration and enhancement which shall be incorporated in the development design in order to provide mitigation for development impacts by improving the quality and biological values of wetlands and uplands generally within the Wildlife Refuge.

- 1) **Restoration by Upland Conversion to Wetlands.** At the "F-G" Street site, upland conversion to wetland shall be provided at three locations as follows:
  - a) Upland conversion to provide 3.5 acres of year-round freshwater marsh along the east and northeast margins of the site. This freshwater marsh replaces the roughly 3.0 acres of degraded seasonal wetland that will be removed for construction of the desiltation basin.
  - b) Upland conversion to provide at least 2.3 acres of salt marsh, primarily along the west and north-central margins of the existing salt marsh, thus expanding the "F-G" Street salt marsh.
  - c) Upland conversion to provide 2.0 acres of salt marsh immediately west of Marina Parkway, thus extending the "F-G" Street salt marsh to connect directly with San Diego Bay.

In addition, at the "D" Street Fill, approximately 15 acres of new salt marsh will be constructed by removal of fill, and at Gunpowder Point, about 2 acres of freshwater marsh will be constructed by excavation of upland.

- 2) **Enhancement of Existing Habitat.** At the "F-G" Street site, existing habitat shall be enhanced at three locations as follows:
  - a) Upgrade 0.5 acres of degraded high marsh along the east margin of the "F-G" Street salt marsh.
  - b) Upgrade 0.5 acres of degraded coastal sage scrub bordering the south margin of the "F-G" Street Marsh
  - c) Provide new coastal sage habitat (or upgrade existing severely degraded coastal sage scrub habitat) totaling at 2.0 acres along selected upland margin of the "F-G" Street site and the extension west of Marina Parkway.
- e. **Enhancement of Water Quality.** In order to enhance the quality of wetland habitat at the "F-G" Street site, the supply of water to the site shall be enhanced by the following:
  - 1) Improve quality of upland storm water runoff by construction and operation of a desilting basin of approximately 9.5 acre feet capacity ,located on north side of Lagoon Drive.
  - 2) Improve access of tidal waters to the "F-G" Street salt marsh by increasing the number and size of culverts under the adjoining roadway (i.e., Marina Parkway).

- f. **Other Enhancement Features/Actions.** Other enhancement features and actions that shall be provided at or adjoining the "F-G" Street site are:
- 1) **Enhancement of habitat quality and wildlife value by providing perimeter fencing to control human access and screening the marsh from street-level view (except at selected pedestrian viewpoints) by massed plantings of coastal sage scrub in association with the perimeter fencing.**
  - 2) **Facilitating movement of Clapper Rails and other marsh fauna by construction of a passage under Marina Parkway.**

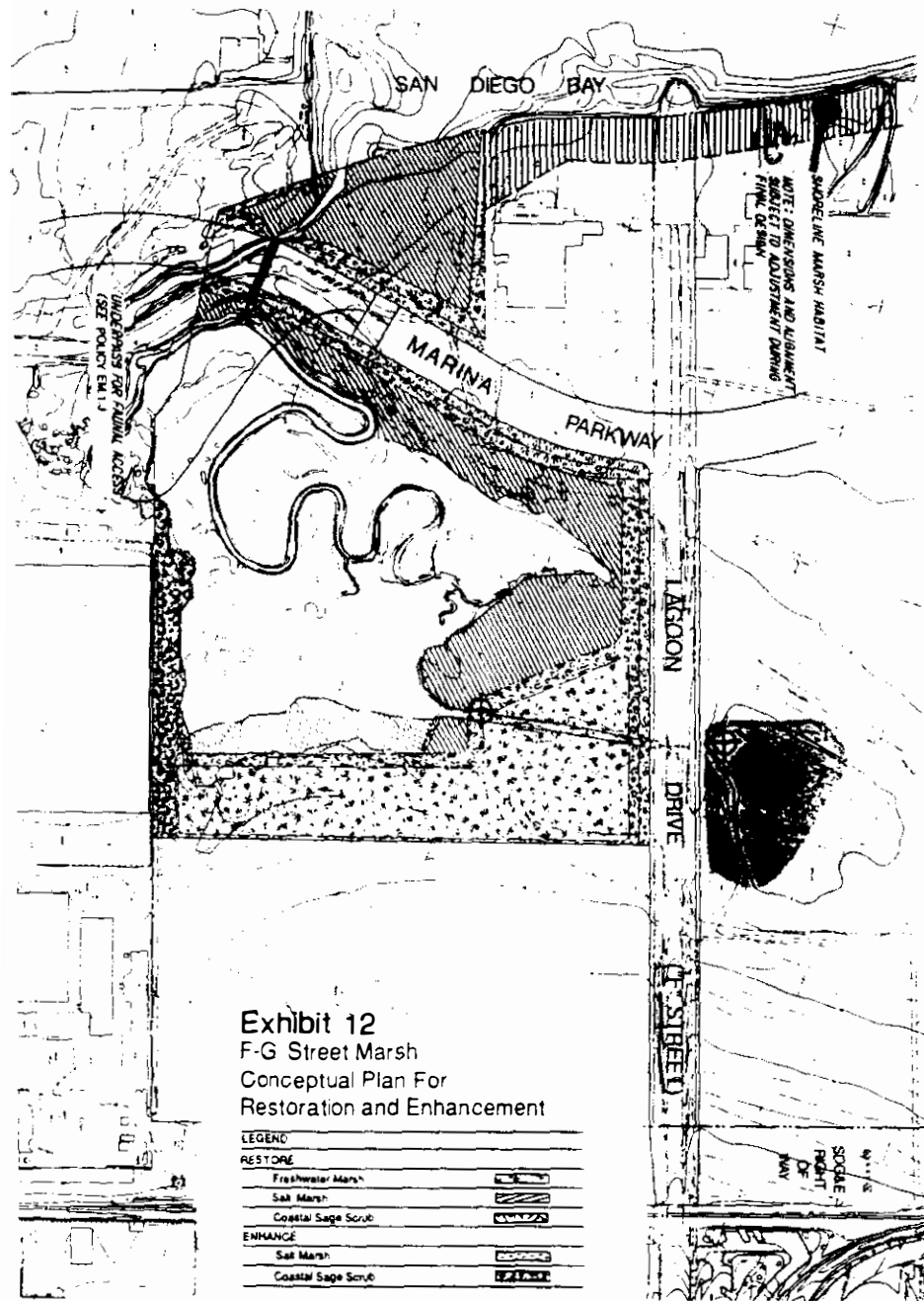
Additionally, the 100-foot wide Primary Zone along the northern and northwestern interface with the Wildlife Refuge (i.e., "E" Street, Vener and Sweetwater marshes), will constitute a major enhancement feature. This buffer will have a length greater than 3500 feet and will provide approximately 8.5 acres of new coastal sage scrub/succulent scrub habitat.

TABLE VI-1

**SUMMARY OF RESTORATION/ENHANCEMENT FEATURES  
AND ACTIONS FOR MIDBAYFRONT AREA**

| <u>Habitat Restoration (New)</u>  | <u>Approximate Area (Acres)</u> |
|---|---------------------------------|
| <u>Wetland</u>  |                                 |
| 1) Freshwater Marsh   | 3.5                             |
| 2) Salt Marsh (expansion)   | 2.3                             |
| 3) Salt Marsh (extension)   | 2.0                             |
| 4) Salt Marsh at "D" Street Fill  | 15.0                            |
| 5) Fresh Water Marsh on Gunpowder Point                                       | 2.0                             |
| 6) Salt Marsh at Bay Margin   | 3.0                             |
| <u>Upland</u>   |                                 |
| 7) Coastal Sage Scrub   |                                 |
| a) Perimeter screening  | 2.0                             |
| b) Berm   |                                 |
| <u>Habitat Enhancement (Upgrade)</u>  |                                 |
| <u>Wetland</u>  |                                 |
| 8) Salt Marsh (high)  | 0.5                             |
| <u>Upland</u>   |                                 |
| 9) Coastal Sage Scrub   | 0.5                             |
| <u>Water Quality Enhancement</u>  |                                 |
| 10) Desilting Basin   |                                 |
| 11) Improved Tidal Flushing -<br>(3 @ 48 inch diameter culverts)              |                                 |
| <u>Other Enhancement</u>  |                                 |
| 12) Access Control  |                                 |
| 13) Visual Screening  |                                 |
| 14) Bridge structure to provide underpass for Fauna                           |                                 |
| 15) New coastal sage scrub/succulent scrub habitat<br>in primary buffer zone. | 8.5                             |

-----  
NOTE For location and supplemental information regarding "F-G" Street Marsh restoration see following exhibit



**Exhibit 12**  
F-G Street Marsh  
Conceptual Plan For  
Restoration and Enhancement

| LEGEND                |  |
|-----------------------|--|
| RESTORE               |  |
| Freshwater Marsh      |  |
| Salt Marsh            |  |
| Coastal Sage Scrub    |  |
| ENHANCE               |  |
| Salt Marsh            |  |
| Coastal Sage Scrub    |  |
| Detritation Basin     |  |
| Discharge Control     |  |
| Improved Tidal Access |  |
| Berm                  |  |

SOURCE: Rick Engineering and David Smith & Associates

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10/13/92

EXHIBIT 12

North



- E. Environmental Management of Undelineated Resources. Sensitive habitats exist in areas not delineated, including but not limited to the Faivre Street Subarea, the Inland Parcel Subarea, and the "J" Street Marsh. It is required that all environmental resources are analyzed by an environmental professional, and that an Environmental Management Plan is adopted to protect any sensitive habitats discovered, prior to the commencement of any additional development.

## **VII. SUBAREA SPECIFIC DEVELOPMENT STANDARDS**

### **A. Purpose and Scope**

This Chapter is intended to apply specific development standards to subarea, as identified on Exhibit #2, Planning Boundaries. The development standards herein are in addition to the areawide standards contained in other Chapters of this Specific Plan.

### **B. Midbayfront Subarea**

#### **1. Central Resort District**

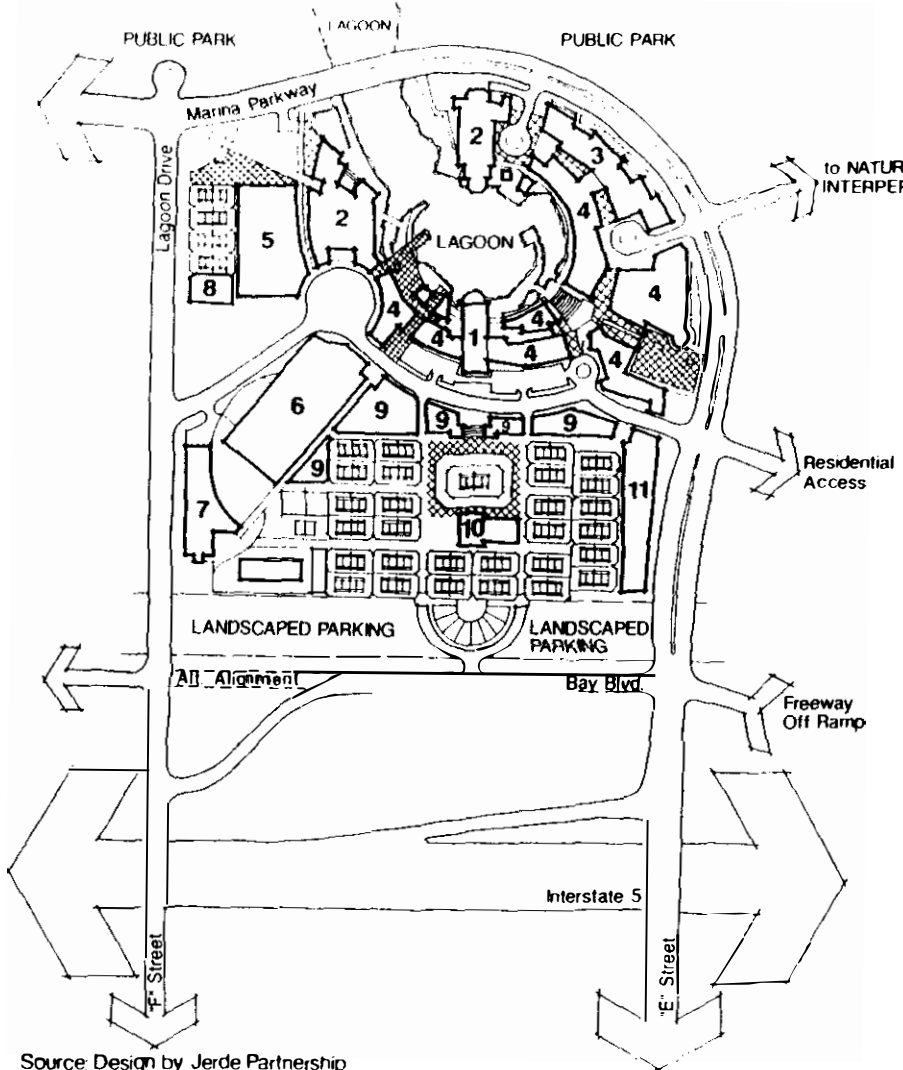
##### **a. Purpose and Intent**

The purpose of the Central Resort District (CRD) is to provide an area within the Midbayfront subarea for a mixture of uses intended to serve tourists, travelers, and local residents. The regulations of this district are intended to encourage innovative designs and combination of uses to create a high quality resort core for the Midbayfront subarea.

A conceptual illustration of the Central Resort District is depicted on the following page. It graphically portrays one of many "design solutions" that would be consistent with the purpose and intent of this category. This conceptual illustration is provided herein as an example of intent, but is not intended to indicate a specific location, number, size, or configuration of buildings, parking, or other developed site features.

# Central Resort District Concept

Exhibit 13



## KEY

- ① Mid-Rise Hotel (up to 100')
- ② High Rise Hotel (up to 229')
- ③ Retail/Residential Above
- ④ Retail/Residential Above
- ⑤ Conference Facilities
- ⑥ Ice Rink (Park, or alt. Cult. Arts Fac. Site)
- ⑦ Child Care
- ⑧ Co-Generation Facility
- ⑨ Sports Facility
- ⑩ Tennis Club
- ⑪ Office

Source: Design by Jerde Partnership

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b. **Master Plan Process**

The Central Resort District is expected to be developed in phases. In order to insure that each phase is in compliance to an overall plan, intended to implement the LCP and local standards, a Master Plan shall be required to be approved.

- 1) **When Required:** The Central Resort Master Plan must be approved by the City Council prior to the issuance of the first Coastal Development Permit within the Central Resort District.
- 2) **Application and Fee:** Application shall be made on a form prescribed for this purpose by the City, and shall be accompanied by a fee as prescribed by the City.
- 3) **Contents of the Master Plan:** The application shall be accompanied by all information necessary to convey the ultimate design and development proposal of the Central Resort; including, but not limited to the following:
  - a) A written report describing how the proposed development is consistent with all applicable policies of the Local Coastal Program - Land Use Plan.
  - b) Dimensioned drawing(s) of the project on a scale of sufficient size so as to readily indicate all dimensions of the various elements of the development. The required elements are as follows:
    - (1) Legal description, legend, scale, north arrow, vicinity map, and identification of designer;
    - (2) The boundary lines of subject property, fully dimensioned together with the name and dimensions of adjoining streets;
    - (3) Existing topography and proposed grading plan, showing slope, retaining walls, pad elevations, and percent of slope on streets, driveways and other graded areas;
    - (4) Existing and proposed streets, utilities, and easements;
    - (5) Access: pedestrian, vehicular and service; points of ingress and egress; with driveway locations and dimensions;
    - (6) Loading and trash areas, walls and/or fences (including height);
    - (7) Proposed location, height, and dimensions of buildings, including color and materials on all elevations. The floor area, number of stories, number units and bedrooms (when applicable) shall be given. Proposed uses shall be indicated including floor area devoted to each use. (the exact level of detail required for subsequent phases of a phase project may be deferred, subject to City approval, where the purpose and intent of this district and LCP are better served)

- (8) **Parking Layout**, including dimensions, number of stalls and circulation flow;
  - (9) **Location, height and size of signs** proposed on the property;
  - (10) **All landscaped areas**: Such areas shall be defined with a written proposal outlining the landscaping concept, as well as the proposed method of irrigation. In addition, all existing trees on the site shall be identified with a note as to proposed disposition.
  - (11) **Lighting**, including the location, type and hooding devices to shield adjoining properties;
  - (12) **Location and design of recreation areas**.
- c) **Supporting documents as may be required**; including, but not limited to: soils report, traffic report, air quality maintenance report, water conservation report, public facility financing report, sign program, environmental studies, phasing report, and reports indicating consistency with other relevant City policies and regulations.
- 4) **Procedures for plan review and approval**: Shall be provided for Precise Plan in the City Vista Municipal Code, Title 19.
  - 5) **Site Plan, Landscape and Architectural Review**: A coastal development permit shall not be issued until site plan and architectural approval has been obtained for any use within the Central Resort District as provided for in Section 19.14 of the Chula Vista Municipal Code, Title 19, except where the level of detail provided in the Master Plan is of sufficient detail to satisfy the requirement of Site Plan, Landscape and Architectural Review.

c. **Land Use Categories**

Several land use categories are permitted within the Central Resort district. A group of uses and regulations are applicable to each category. These regulations are outlined herein by land use category. Notwithstanding the permitted uses within each category, the following limitations are indicated on Table VII-1 are applicable within the Central Resort District:

Table VII-I

**Central Resort District Building Allowance**

| <u>Land Use Category</u>               | <u>Minimum Building Sq.Ft. Req'd.</u> | <u>Target Building Sq. Ft.*</u> | <u>Maximum du/Hotel Rooms</u> |
|--|---------------------------------------|---------------------------------|-------------------------------|
| Residential-Mixed Use                  | 100,000                               | 406,000                         | 300 du                        |
| Commercial-Visitor                     | 1,000,000                             | 2,503,000                       | 1,360 rm                      |
| Comm.-Prof. & Admin.                   | 20,000                                | 60,000                          | N/A                           |
| Public & Open Space                    |                                       | **                              |                               |
| <b>Maximum Building Area Permitted</b> |                                       | <b>2,969,000 sq. ft.</b>        |                               |

\* The target building sq. ft. in any category may be exceeded by up to 20% provided that the increase is offset by a corresponding reduction in other categories, and that the increase will not produce additional unmitigatable environmental impacts. The maximum building square feet for the entire Central Resort shall not be exceeded. Changes in building sq. ft. from one category to another that lowers the level of service for arterials shall not be permitted.

\*\* Limited by limited permitted uses.

d Land Use Regulations:

1) Residential - Mixed Use

- a) Purpose and Intent: The purpose of the residential - mixed use category is to provide for non-transient residents within the Central Resort. It is the intent that these residential dwellings will be integrated into the design of the Central Resort as a whole, rather than considered an independent segment.
- b) Permitted Uses:
  - (1) Dwellings, multiple;
  - (2) Dwellings, within buildings of another land use category; and,
  - (3) Private, non-commercial recreational facilities or convenience facilities intended to serve residents of the dwellings only.
- c) Conditionally Permitted Uses: The following uses are permitted subject to the approval of a Conditional Use Permit.
  - (1) Residential:
    - (a) Residential units whose parking requirement will be met by a shared parking agreement;
    - (b) Extended stay residential;
    - (c) Retail sales/leasing offices within a residential project;

- (d) Retail sales or personal service businesses intended to primary serve the residents of the project;
    - (e) Day care facilities intended to primary serve the residents of the project.
    - (f) Timeshare condominium units.
  - d) **Site Development Standards:** As indicated on the approved Master Plan.
  - e) **Sign Regulations:** As provided for in this LCP and as may be supplemented by the approved Master Plan.
  - f) **Height Regulations:** As indicated on the Height Regulations Exhibit #4, and as specified in Chapter V-D, herein.
  - g) **Floor Area Per Unit:** The minimum floor area per dwelling unit in the Residential - mixed use category shall be as follows:
    - (1) Four hundred square feet for each efficiency dwelling unit;
    - (2) Five hundred square feet for each dwelling unit having one bedroom;
    - (3) Six hundred fifty square feet for each dwelling having two bedrooms;
    - (4) Seven hundred fifty square feet for each dwelling unit having three bedrooms; and an additional one hundred square feet is required for each additional bedroom exceeding three.
  - h) **Off-Street Parking:** Off-site parking is required in the Residential - mixed use category for all uses as provided in Chapter V-H, herein.
- 2) **Commercial - Visitor**
- a) **Purpose and Intent:** The purpose of the Commercial - Visitor category is to provide regulations of uses for the needs of tourists, travelers, and local residents.
  - b) **Permitted Uses:** The following principal uses are permitted within the following sub-categories designated on an approved Master Plan.
    - (1) **Hotel-High Rise:** Buildings designated as Hotel-High Rise are permitted to include:
      - (a) Hotels; and
      - (b) Incidental business within the hotel complex to serve the patrons including restaurants, cocktail lounges, meeting areas, recreation facilities, retail shops, conferencing facilities, communication center, parking

**structures, and other similar businesses or facilities determined to be of the same general character of the above primary permitted use.**

- (2) **Hotel: Buildings designated as Hotel are permitted the same uses as Hotel - High Rise.**
- (3) **Retail: building areas designated as retail are permitted to include:**
  - (a) **Restaurants with a cocktail lounge as an integral part;**
  - (b) **Theaters;**
  - (c) **Art Galleries;**
  - (d) **Retail shops;**
  - (e) **Parking garages;**
  - (f) **Bonafide antique shops;**
  - (g) **Markets;**
  - (h) **Restaurants and snack bars;**
  - (i) **Ticket sales;**
  - (j) **Meeting halls;**
  - (k) **Service businesses; and**
  - (l) **Any other establishment serving visitors determined to be of the same general character of the above permitted uses.**
- (4) **Commercial Recreation: Building areas designated as commercial Recreation are permitted to include:**
  - (a) **Ice Rink;**
  - (b) **Tennis Clubs and facilities;**
  - (c) **Health clubs;**
  - (d) **Sports and health classes and clinics;**
  - (e) **Courts, arenas, and other sports facilities;**
  - (f) **Sports medicine facilities;**
  - (g) **Sports training facilities;**
  - (h) **Pool and swimming/diving facilities; and,**
  - (i) **Any other business or facility determined to be of the same general character of the above permitted uses.**
- (5) **Conference/Convention: Buildings designated as conference/convention are permitted to include:**
  - (a) **Conference and Convention facilities; and,**
  - (b) **Incidental businesses within the conference and convention facilities intended to serve the uses of the facility.**



- (c) **Conditionally Permitted Uses:** The following Commercial - Visitor uses are permitted subject to the approval of a Conditional Use Permit:
    - (i) Any establishment whose parking requirement will be met by a shared parking agreement;
    - (ii) Any business or activity that produces noise beyond outside of the establishment and is within 250 feet of a residential dwelling and is open between the hours of 10:00 pm and 6:00 am;
    - (iii) Outdoor uses including amphitheaters, vending carts, kiosks, and outdoor sales and displays;
    - (iv) Nightclubs, except within hotels;
    - (v) Video arcades; and,
    - (vi) Special events and tournaments that will exceed the parking requirement of the primary permitted use.
  
  - d) **Site Development Standards:** As indicated on the approved Master Plan.
  
  - e) **Sign Regulations:** as provided for in this LCP and as may be supplemented by the approved Master Plan.
  
  - f) **Height Regulations:** As indicated on the Height Regulations Exhibit #4 and Chapter V-D, herein.
  
  - g) **Off-Street Parking:** Off-street parking is required in the Commercial - Visitor category for all uses as provided in Chapter V-H, herein.
- 3) **Commercial - Professional & Administrative:**
- a) **Purpose and Intent:** The purpose of the Commercial - Professional & Administrative category is to provide regulations for the development of professional and administrative office uses.
  
  - b) **Permitted Uses:** Building designated as Commercial - Professional & Administrative are permitted to include:
    - (1) Administrative and executive office;
    - (2) Professional offices;
    - (3) Financial offices, including banks, real estate, and other general business offices;
    - (4) Medical care facilities; and,

- (5) Any other office use determined to be of the same general character of the above permitted use.
  - c) Site Development Standards: As indicated on the approved Master Plan.
  - d) Sign Regulations; As provided for in this LCP and as may be supplemented by the approved Master Plan.
  - e) Height Regulations: As indicated on the Height Regulations Exhibit #4 and Chapter V-D, herein.
  - f) Off-Street Parking: Off-site parking is required in the Commercial - Professional & Administrative category for all uses as provided in Chapter V-H, herein.
- 4) Public and Open Space:
- a) Purpose and Intent: The purpose and intent of the Public and Open Space category is to provide regulations for the use and development of areas designated as Public and Open Space.
  - b) Permitted Uses: The following uses are permitted in all areas whether designated as public and open space or not.
    - (1) Public & Quasi-Public: In areas designated as Public Quasi-Public the following uses are permitted:
      - (a) Parking garages, structures, and lots;
      - (b) Day nurseries;
      - (c) Schools for arts and crafts;
      - (d) Places of worship;
      - (e) Electrical substations and gas regulators;
      - (f) Transit and other public transportation facilities; and
      - (g) Any other use determined to be of the same general character of the above permitted uses.
    - (2) Parks & Recreation: In areas designated as Parks & Recreation the following uses are permitted:
      - (a) Public parks & recreation;
      - (b) Business and facilities intended to serve the users of the parks and recreation facilities; and,
      - (c) Cultural Arts facility, including associated accessory commercial uses; and,
      - (d) Any other use determined to be of the same general character of the above permitted uses.

- (3) **Water Feature:** In areas designated as Water Feature the following uses are permitted:
  - (a) Man-made lakes, ponds, and water features, which are available for access by the general public on the same terms and conditions as for access by customers and patrons of other businesses within the Central Resort District; and,
  - (b) Businesses intended to provide recreation opportunities of the water feature such as, boating rental facilities and boat storage facilities.
  
- (4) **Other Open Space:** In areas designated as other Open Space the following uses are permitted:
  - (a) Open Space; and,
  - (b) Trails, plazas, sculpture gardens, and other similar uses.
  
- c) **Site Development Standards:** As indicated on the approved Master Plan.
  
- d) **Sign Regulations:** As provided for in this LCP and as may be supplemented by the approved Master Plan.
  
- e) **Height Regulations:** As indicated on the Height Regulations Exhibit #4, and as specified in Chapter V-D, herein.
  
- f) **Off-Street Parking:** Off-street parking is required in the Public and Open Space category for all uses as provided in Chapter V-H, herein.

2. **Residential - High District**

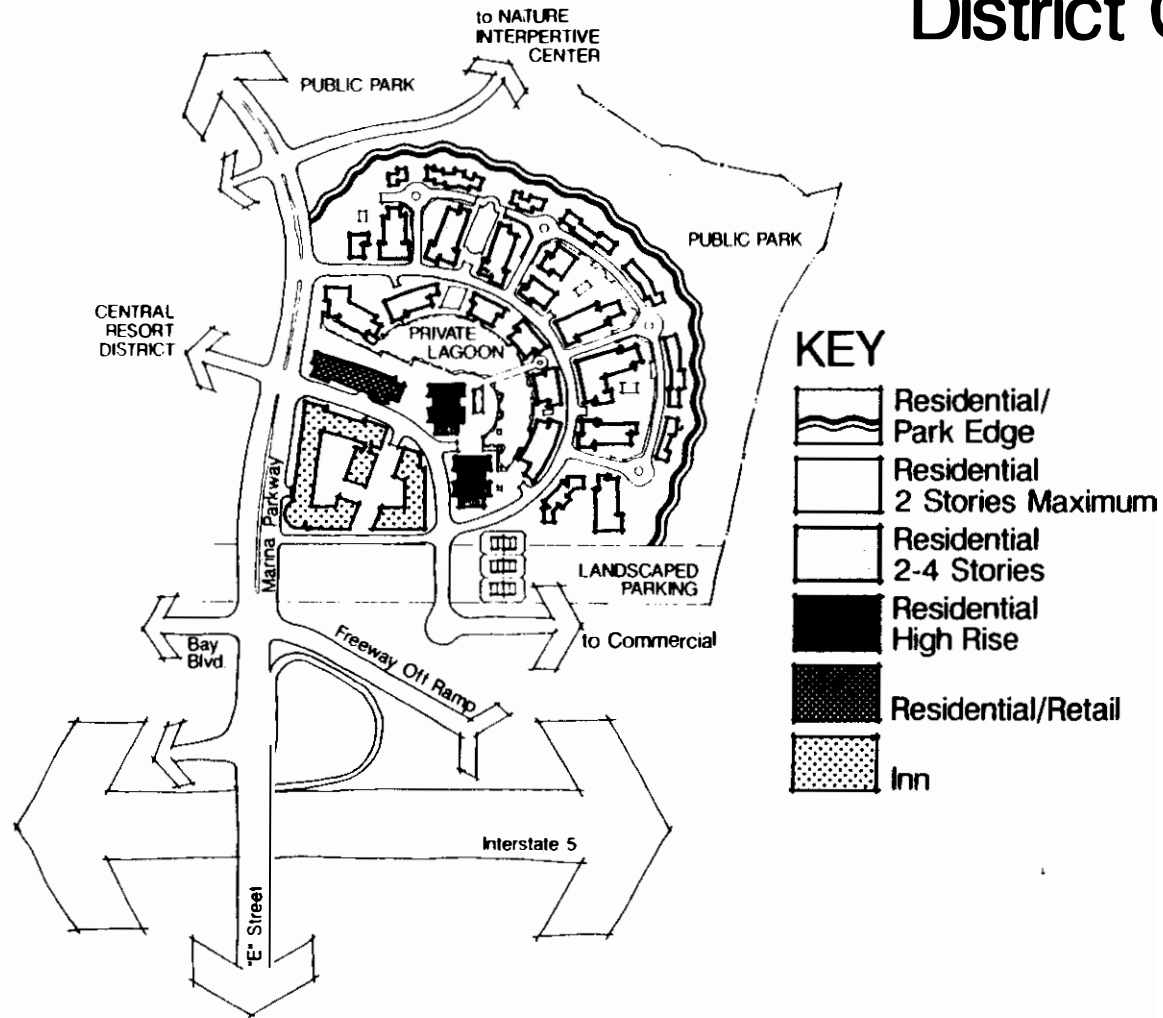
a **Purpose and Intent**

The regulations of this district are intended to encourage innovative designs to create a high quality residential community for the Midbayfront subarea.

A conceptual illustration of the Residential - High District is depicted on the following page. It graphically portrays one of many "design solutions" that would be consistent with the purpose and intent of this category. This conceptual illustration is provided herein as an example of intent, but is not intended to indicate a specific location, number, size, or configuration of buildings, parking, or other developed site features.

# Residential District Concept

Exhibit 14



Source: Design by Jerde Partnership

CHULA VISTA  
Local Coastal Program

b. **Master Plan Process**

The Residential - High District is expected to be developed in phases. In order to insure that each phase is in compliance to an overall plan, intended to implement the this Specific Plan and local standards, a Master Plan shall be required to be approved.

- 1) **When Required:** The Residential Master Plan must be approved by the City Council prior to the issuance of the first Coastal Development Permit within the Residential High District.
- 2) **Application and Fee:** Application shall be made on a form prescribed for this purpose by the City, and shall be accompanied by a fee as prescribed by the City.
- 3) **Contents of the Master Plan:** The application shall be accompanied by all information necessary to convey the ultimate design and development proposal of the Residential Community including, but not limited to the following:
  - a) A written report describing how the proposed development is consistent with all applicable policies of the Local Coastal Program - Land Use Plan.
  - b) Dimensioned drawing(s) of the project on a scale of sufficient size so as to readily indicate all dimensions of the various elements of the development. The required elements are as follows:
    - (1) Legal description, legend, scale, north arrow, vicinity map, and identification of designer;
    - (2) The boundary lines of subject property, fully diminished together with the name and dimensions of adjoining streets;
    - (3) Existing topography and proposed grading plan, showing slope, retaining walls, pad elevations, and percent of slope on streets, driveways and other graded areas;
    - (4) Existing and proposed streets, utilities, and easements;
    - (5) Access: pedestrian, vehicular and services; points of ingress and egress; with driveway locations and dimensions;
    - (6) Loading and trash areas, walls and/or fences (including height);
    - (7) Proposed location, height, and dimensions of buildings, including color and materials on all elevations. The floor area, number of stories, number of units and bedroom (when applicable) shall be given. Proposed uses shall be indicated including floor area devoted to each use. (The level of detail required for subsequent phases of a phased project may be

limited, subject to City approval, where the purpose and intent of this district and LCP are better served.)

- (8) **Parking Layout**, including dimensions, number of stalls, and circulation flow;
  - (9) **Location, height and size of signs** proposed on the property;
  - (10) **All landscaped areas**: Such areas shall be defined with a written proposal outlining the landscaping concept, as well as the proposed method of irrigation. In addition, all existing trees on the site shall be identified with a note as to proposed disposition.
  - (11) **Lighting**, including the location, type and hooding devices to shield adjoining properties;
  - (12) **Location and design of recreation areas.**
- c) Supporting documents as may be required; including, but not limited to: soils report, traffic report, air quality maintenance report, water conservation report, public facility financing report, and reports indicating consistency with other relevant City policies and regulations.
- 4) **Procedures for plan review and approval**: Shall be as provided for a Precise Plan in the Chula Vista Municipal Code, Title 19.
  - 5) **Site Plan, Landscape and Architectural Review**: A coastal development permit shall not be issued until site plan and architectural approval has been obtained for any use within the Residential - High District as provided for in Section 19.14 of the Chula Vista Municipal Code, Title 19, except where the level of detail provided in the Master Plan is of sufficient detail to satisfy the requirements of Site Plan, Landscape and Architectural Review.

c. **Land Use Regulations:**

1) **Permitted Uses:**

- a) **Dwellings, duplexes;**
- b) **Dwellings, town houses;**
- c) **Dwellings, multiple;**
- d) **Apartments;**
- e) **Incidental Service, such as restaurants and retail sales to serve residents;**
- f) **Recreation facilities and amenities such as private clubhouse, tennis courts, pools and uses of a similar nature;**
- g) **Parking garages, structures, and lots;**
- h) **Transit and other public transportation facilities;**
- i) **Parks and recreation;**
- j) **Open space, trails, plazas, sculpture gardens, and other similar uses;**

- k) Man-made lakes, ponds, and water features;
- l) Electrical substations and gas regulations
- m) Any other use determined by the City to be at the same general character of the above permitted uses.

2) Conditionally Permitted Uses:

- a) Restaurants and retail shops;
  - b) Any use whose parking requirement will be met by shared parking;
  - c) Day nurseries/child care facilities;
  - d) Places of worship; and,
  - e) Timeshare condominium units.
- d. Site Development Standards: As indicated on the approved Master Plan.
- e. Sign Regulations: As provided for in this LCP and as may be supplemented by the approved Master Plan, except that, no building identification signing is permitted above the second story, or thirty feet, whichever is less, of any building in this district.
- f. Height Regulations: As indicated on the Height Regulations Exhibit #4, and as specified in Chapter V.D, herein.
- g. Off-Street Parking: Off-street parking shall be as provided for in Chapter V-H, herein.
- h. Development Intensity: The maximum number of dwelling units permitted in this land use district is 700, totalling no more than 949,000 square feet of building area.

3 Commercial - Visitor:

- a. Purpose and Intent: The purpose of the Commercial-Visitor Category is to provide regulations of uses for the needs of tourists, travelers, and local residents.
- b. Permitted Uses: The following principal uses are permitted:
  - 1) Hotels and Inns (within height limits specified on the Building Heights Exhibit);
  - 2) Retail, including:
    - (a) Restaurants with a cocktail lounge as an integral part;
    - (b) Art Galleries;
    - (c) Retail shops;
    - (d) Parking garages;
    - (e) Bonafide antique shops;
    - (f) Markets;

- (g) Restaurants and snack bars;
- (h) service businesses; and,
- (i) Any other establishment serving visitors determined to be of the same general character of the above permitted uses.

3) Commercial Recreation; including:

- (a) Tennis Clubs and facilities;
- (b) Health clubs;
- (c) Sports and health classes and clinics;
- (d) Courts, arenas, and other sports facilities;
- (e) Sports medicine facilities;
- (f) Sports training facilities;
- (g) Swimming and diving facilities; and,
- (h) Any other business or facility determined to be of the same general character of the above permitted uses.

4) Public-Quasi Public, including:

- (a) Public parks, recreation, open space, trails, and other similar uses;
- (b) Places of worship;
- (c) Day nurseries and child care facilities;
- (d) Transit and other public transportation facilities; and,
- (e) Electrical substations and gas regulators

c Conditionally Permitted Uses: Any use whose parking requirement will be met by shared parking;

d Prohibited Uses: Any business or activity that produces noise above 60 CNEL at the exterior boundaries of this land use district.

e Site Development Standards:

- 1) Minimum lot area: 20,000 square feet.
- 2) Setbacks:
  - (a) To Marina Parkway: 25 feet minimum
  - (b) To other exterior boundaries of this land use district: 20 feet minimum
  - (c) To interior boundaries which do not abut another land use district: none.

f Sign Regulations: As provided for in this LCP and as may be supplemented by an approved Sign Program.

g Height Regulations: As indicated on the Height Regulations Exhibit #4, herein.



- h. **Off-Street Parking:** Off-street parking is required in the Commercial - Visitor category for all uses as provided in Chapter V-H, herein.
- i. **Development Intensity:**
  - 1) **Maximum number of hotel rooms:** 500 rooms
  - 2) **Maximum building square footage of all uses in this district:** 403,000 square feet.

4. **Parks and Recreation**

- a. **Purpose and Intent:** These regulations are intended to provide for the regulation of uses and activities designated as Park and Recreation on the Land Use District, Exhibit #3, within the Midbayfront subarea.
- b. **Land Use Regulations:**
  - 1) **Permitted Uses:**
    - a) **Public Parks and Recreation;**
    - b) **Open space trails, plazas, sculpture gardens, amphitheatres, and other similar uses;**
    - c) **Man-made lakes, ponds, and water features;**
    - d) **Restaurants, snack bars, restroom facilities, and minor retail shops primarily intended to serve the visitors of a public park;**
    - e) **Public parking lots; and,**
    - f) **Recreation facilities including, ball fields, courts, and playgrounds;**
    - g) **electrical substations, gas regulators.**
  - 2) **Conditionally Permitted Uses:**
    - a) **Cultural Arts Facility, including integral meeting areas, art display areas, restaurants, retail sales facilities relating to Cultural Arts activities, and theaters.**
    - b) **Parking garages;**
    - c) **Any use whose parking requirement will be met by shared parking.**
    - d) **Retail uses intended to serve the users of park and recreation areas.**
  - 3) **Prohibited Uses:** Any use which is inconsistent with the Environmental Management Program described in Chapter VI, herein.
- c. **Site Development Standards:**
  - 1) **Master Plan Requirements:** Master Plans for the Parks and Recreation areas abutting the San Diego Bay and the Sweetwater Marsh National Wildlife Preserve as follows:

- a) For the Parks and Recreation area west of the Central Resort District abutting San Diego Bay and south of the access road to the Nature Interpretive Center: This Master Plan for Parks and Recreation uses shall be prepared and approved by the City prior to, or concurrently with, the Master Plan required for the Central Resort District.
  - b) For the Parks and Recreation area west and north of the Residential-High land use district: this Master Plan shall be prepared and approved by the City prior to, or concurrently with the Master Plan required for the Residential-High District. The Master Plan for this Parks and Recreation area may not be approved prior to the approval of the Master Plan for 1) a) above.
  - c) Level of detail: The level of detail of the Parks and Recreation Master Plan(s) shall be as described for the Master Plan requirement for the Central Resort District.
- 2) Development Standards: All development within the Parks and Recreation District shall be consistent with the standards adopted in the Master Plan.
- d. Sign Regulations: As provided for in this LCP and as may be supplemented by an approved Sign Program.
  - e. Height Regulations: As indicated on the Height Regulations Exhibit #4 and Chapter V-D, herein.
  - f. Off-Street Parking: Off-street parking in the Parks and Recreation category for all uses as provided for in Chapter V.H, herein.
5. Open Space: The regulation of uses and activities designated as Open Space on the Land Use District Exhibit #3, within the Midbayfront shall be as described in Chapter VI, Environmental Management Program.
6. Public - Quasi-Public:
- a Purpose and Intent: These regulations are intended to provide for the regulation of uses and activities designated as Public - Quasi-Public on the Land Use District, Exhibit #3, within the Midbayfront subarea.
  - b. Land Use Regulations:
    - 1) Permitted Uses:
      - a) Landscaped Parking;
      - b) Open Space & Trail facilities;
      - c) Tennis Courts;
      - d) Electric Transmission towers;

- e) Parks and Recreation;
- f) Entry Monumentation; and,
- g) Transit and other public transportation facilities.

- 2) Conditionally Permitted Uses: Parking facilities to meet the off-street parking requirements of uses other than those permitted in this land use district and the Parks and Recreation land use district.

7. Water

- a. Purpose and Intent: The purpose of these regulations is to provide for those uses and activities designated on the Land Use Districts Exhibit #3, for the Midbayfront subarea.
- b. Permitted Uses:
  - 1) Man-made lakes, ponds, swimming lagoon, and water features;
  - 2) Public park and recreational uses as defined in this Chapter, Section B4.
  - 3) Businesses to serve the public access and use of man-made water features such as, docks, boat rental and maintenance facilities, and other similar uses.

C. Industrial Subarea

The following special conditions shall apply to the specified sites within Subarea 2 - Industrial Subarea.

1. Special Condition "C"

Specific development plans for the development of property located south of Lagoon Drive ("F" Street) and west of the SDG&E ROW shall be subject to Design Review Committee review and Redevelopment Agency approval based on the following guidelines:

- a. Building setbacks shall be:
  - 1) For buildings 44 feet or less in height: as specified in Chapter V.I
  - 2) For buildings 44 to 95 feet in height:
    - a) from Lagoon Drive: 200 feet
    - b) from USF&WS property (F&G Street Marsh): 200 feet
    - c) from SDG&E ROW: 50 feet

b. **Building FAR**

A maximum FAR of 0.75 (including SDG&E landscaped parking area bonus) on the subject site is allowed with one (1) new building permitted on such site to exceed the 44 foot height limit, provided that (i) a reduction in the total gross square footage of structures presently located on the Rohr campus south of the subject site is effected through the demolition or removal of such existing structures selected by Rohr totalling 125,000 square feet (which is commensurate with the additional allowed FAR on the subject site), (ii) such demolition or removal is completed within one (1) year following occupancy of such new building, (iii) the footprint of such new building does not exceed five percent (5%) of the total area of the subject site (excluding the area encompassed within that portion of the SDG&E right-of-way adjacent to the subject site), and (iv) the setbacks on the subject site specified above are met.

c. Development plans shall include a Comprehensive Landscaping Plan which indicates enhanced landscaping at the project edges and within the SDG&E landscaped parking area.

d. Pedestrian or other off-street circulation connections to adjacent industrial and business park uses shall be provided.

e. Project shall comply with all City-wide threshold standards for infrastructure improvements and public services; specifically, associated traffic impacts will be mitigated to a Level-of-Service "D" or better at the Bay Boulevard/"E" Street/I-5 interchange.

f. All buildings on-site shall reflect a common, high quality architectural design and construction standard.

2 **Special Condition "F"**

Specific development plans for the development of property located at the northeast and southeast corners of Bay Boulevard and "J" Street shall be subject to Design Review Committee recommendation and Agency approval based on the following guidelines:

- a. Building setbacks shall be:
- |   | <u>Parcel 2<br/>(Northeast<br/>Corner)</u> | <u>Parcels 3/4<br/>(Southeast<br/>Corner)</u> |
|---|--|---|
| 1) "J" Street (to maintain view corridor)   | 50 ft.                                     | 30 ft.*                                       |
| 2) Bay Boulevard  | 30 ft.                                     | 30 ft.  |
| 3) Adjacent to I-5 Freeway  | 50 ft.                                     | 25 ft.  |
| 4) From intersection of "J" Street and Bay Boulevard (measured perpendicular to angular corner property line) | 60 ft.                                     | 60 ft.  |
- \* 50 ft. setback required for construction exceeding a building height of 28 feet
- b. Maximum building height shall be 45 feet.
- c. Architectural features such as a tower, with floor areas not exceeding 10% of the ground floor area, may exceed the 45 ft. height limit by 15 ft. (Note: For calculation of the tower area, land over the drainage channel between Lots 3 and 4 and on Lot 2 shall be included in ground floor calculations to the extent the second floor spans the channel.) One architectural tower shall be allowed on Parcel 2 and one on the combined Parcels 3/4.
- d. Landscaping of the site shall be 15 - 20% of the total lot area.
- e. Minimum landscaping depths along street frontages shall be 15 ft. in width.
- f. Elevations facing the freeway shall be articulated in massing or architectural treatment.
- g. Pedestrian linkages shall be provided to connect both sides of "J" Street as well as linking the projects to the Bayfront development.
- h. The maximum FAR for Lot 2 and the adjoining lot to the east ("the channel") when combined shall be 0.55.
- i. The maximum FAR for Lots 3 and 4 (the southeast parcel) when combined with the adjoining parcel ("the channel") shall be 0.50.

- j. Compact parking stalls shall be permitted with dimensions of 7.5 feet wide by 16 feet in length. The number of these stalls may be authorized to a maximum of 20% of the required parking.

**D. Inland Parcel Subarea**

Development in this Subarea is subject to the I - General Industrial Zone, Chapter 19.46 of the Chula Vista Municipal Code, except as modified by the provisions of this Specific Plan.

**E. Faivre Street Subarea**

Development in this subarea is subject to the regulations of the San Diego County Zoning ordinance for, General Impact Industrial use, zoned M-54 (FP), manufacturing industrial zone with flood plain overlay zone, except as modified by this Specific Plan.

**F. Palomar/Bay Boulevard Subarea**


Development in this subarea is subject to the I-L-P, Limited Industrial Zone with Precise Plan Modifying District, as described in Chapters 19.44 and 19.56 of the Chula Vista Municipal Code, except as modified by this Specific Plan.

PASSED, APPROVED and ADOPTED by the City Council of the City of Chula Vista, California, this 27th day of October, 1992, by the following vote:

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

  
\_\_\_\_\_  
Tim Nader, Mayor


ATTEST:

  
\_\_\_\_\_  
Beverly A. Authelet, City Clerk

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

I, Beverly A. Authelet, City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2532 had its first reading on October 13, 1992, and its second reading and adoption at a regular meeting of said City Council held on the 27th day of October, 1992.

Executed this 27th day of October, 1992.

  
\_\_\_\_\_  
Beverly A. Authelet, City Clerk