

ORDINANCE 2613

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING THE CERTIFIED CHULA VISTA LOCAL COASTAL PROGRAM AND BAYFRONT SPECIFIC PLAN IN ACCORDANCE WITH AMENDMENT #12 RECLASSIFYING 31.63 ACRES OF THE INLAND PARCEL, SUBAREA 4 FROM INDUSTRIAL GENERAL TO A COMMERCIAL THOROUGHFARE LAND USE DISTRICT SUBJECT TO CENTRAL COMMERCIAL WITH PRECISE PLAN MODIFYING DISTRICT PURSUANT TO SECTIONS 19.36 AND 19.56 OF THE CHULA VISTA MUNICIPAL CODE

WHEREAS, a proposal for the development of 31.63 acres of the Inland Parcel, Subarea 4 of the Chula Vista Coastal Zone into the Channelside Shopping Center as such project is more particularly described in the Final Environmental Impact Report, EIR-94-02, has been reviewed and found to require a land use amendment to the certified Chula Vista Local Coastal Program (LCP); and,

WHEREAS, the Community Development Department prepared an amendment to the LCP ("Amendment #12") which entails a land use change for 31.63 acres of the Inland Parcel from Industrial General to Commercial Thoroughfare subject to Central Commercial zoning with a Precise Plan Modifying District and said land use change has been found to be consistent with the policies and objectives of the certified LCP; and,

WHEREAS, the reorganization and clarification of land use sections of the Bayfront Specific Plan and associated sections of the Land Use Plan for consistency has been found to be desirable; and,

WHEREAS, the Community Development Department prepared and disseminated a Notice of Availability of LCP Amendment #12 in accordance with Title 14, Division 5.5 of the California Code of Regulations at least six weeks prior to the scheduled City Council public hearing on said amendment; and,

WHEREAS, the Planning Director set the time and place for a Planning Commission public hearing on said amendment; and,

WHEREAS, the Community Development Director gave notice of the said hearing, together with its purpose, by publication in a newspaper of general circulation in the city and said notice was distributed in accordance with Title 14, Division 5.5 of the California Code of Regulations; and,

WHEREAS, said public hearing considering LCP Amendment #12 was held at the time and place as advertised, namely 7:00 p.m. on September 28, 1994 in the City of Chula Vista City Council Chambers located at 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed, and,

WHEREAS, the City Clerk set the time and place for a City Council public hearing on said amendment; and,

WHEREAS, the Community Development Director gave notice of the said hearing, together with its purpose, by publication in a newspaper of general circulation in the city and said notice was distributed in accordance with Title 14, Division 5.5 of the California Code of Regulations; and,

WHEREAS, the Planning Commission, at a public hearing held on September 28, 1994, considered FEIR 94-02, the Discretionary Approvals Applications and the LCP Amendment, took evidence as set forth in the record of its proceedings, made certain findings as set forth in their Recommending Resolution GPA-94-02/PCZ-94-C, and recommended that City Council certify FEIR 94-02 and approve the Discretionary Approvals Applications and the LCP Amendment subject to certain terms and conditions; and,

WHEREAS, an Addendum to FEIR 94-02 ("Addendum 94-02A") was prepared in accordance with Section 15164 of the CEQA Guidelines; and,

WHEREAS, a duly called and noticed public hearing was held before the City Council of the City of Chula Vista on November 1, 1994 on FEIR 94-02, Addendum 94-02A (collectively "FEIR 94-02"), the Discretionary Approvals Applications, the LCP Amendment and the CDP to receive the recommendations of the Planning Commission, and to hear public testimony with regard to same; and,

WHEREAS, the City Council of the City, as the Responsible Agency, and the Redevelopment Agency, as the Lead Agency, have reviewed, analyzed and considered FEIR 94-02, the environmental impacts therein identified for this Project; the Findings of Fact ("CEQA Findings"), Mitigation Monitoring and Reporting Program and Statement of Overriding Considerations attached hereto; and,

WHEREAS, pursuant to Joint/City Agency Resolution No. 17705, (the "CEQA" Resolution), the City Council and the Redevelopment Agency have jointly certified FEIR 94-02, and Addendum EIR 94-02A thereto, made the necessary CEQA Findings, and adopted the Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations attached to the CEQA Resolution; and,

WHEREAS, said public hearing was held at the time and place as advertised, namely 4:00 p.m. on November 1, 1994 in the City of Chula Vista City Council Chambers located at 276 Fourth Avenue, before the City Council and said hearing was thereafter closed, and,

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

**SECTION I. Certification of Compliance with CEQA.**

The City Council does hereby adopt and incorporate herein Resolution Nos. [Council] 17705 and [Agency] 1430 of the City Council and Redevelopment Agency certifying FEIR 94-02, and adopting Addendum EIR 94-02A, the

CEQA Findings, the Mitigation Monitoring and Reporting Program, and the Statement of Overriding Considerations.

**SECTION II. Consistency with General Plan Findings.**

The City Council does hereby find that the LCP, as amended by Amendment #12, is consistent with the City of Chula Vista General Plan as amended.

**SECTION III. California Coastal Act Findings.**

The City does hereby find that the subject Amendment #12 complies with Chapter 3, Coastal Resources Planning and Management Policies, of Public Resources Code, Division 20 in accordance with the following findings:

The Inland Parcel is not located within the Chula Vista Bayfront. The Parcel is located approximately 1/2 mile (north east) traveling distance from the Bayfront's main, "E" Street entry. The land use designation of the Inland Parcel, therefore, will not directly affect Bayfront "coastal resource" planning. The Inland Parcel does not have access to coastal resources such as: the sea, the bay, or dry sand and rocky coastal beaches, therefore, the change in land use designation will not affect such access. The Inland Parcel has no oceanfront land suitable for water-oriented recreational activities or coastal dependent aquacultural uses.

A portion of the Historic Sweetwater River is located along a portion of the western edge of the Inland Parcel. This is considered potentially sensitive habitat and will be enhanced and protected when development occurs on the Inland Parcel. The proposed Amendment #12 is a change in land use only and will not affect the site's sensitive habitat designation or the site's sensitive habitat. The Inland Parcel is visible from the north (State Route 54), however, therefore no coastal views or vistas from or to the Inland Parcel. The land use change will include a Precise Plan Modifying District which will require the development of specific design and land development criteria to ensure the visual quality of the Inland Parcel.

**SECTION IV. The City Council hereby directs the Mayor to submit Amendment #12 to the certified Chula Vista Local Coastal Program to the California Coastal Commission in accordance with Section 13552 of Title 14 of the California Code of Regulations.**

SECTION V. Amendment #12.

Exhibit #3 - Land Use Districts, Sections 19.84, 19.85, 19.87 of the certified Chula Vista Local Coastal Program - Bayfront Specific Plan and Exhibit #3 - Land Use, Table 3-1, Policy L.U.6.B, Table 3-2, Table 3-2A, Section IV.D. of the certified Chula Vista Local Coastal Program - Land Use Plan are amended in accordance with Local Coastal Program Amendment #12 attached hereto as Exhibit A and incorporated herein by this reference.

SECTION VI. This ordinance shall take effect and be in full force on the 31st day after its adoption or immediately following approval of Amendment #12 of the certified Local Coastal Program by the California Coastal Commission, whichever is later.

SECTION VII. Invalidation; Revocation

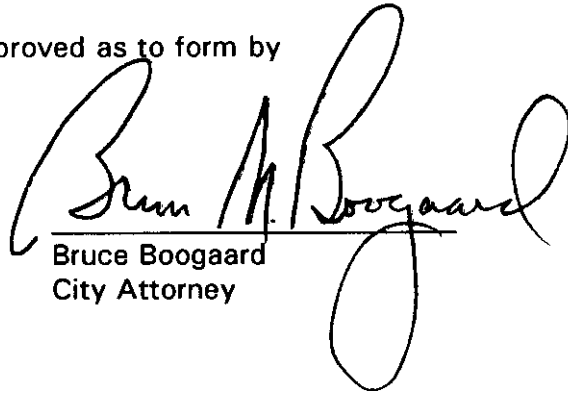
It is the intention of the City Council at its adoption of this ordinance is dependent upon the enforceability of each and every term, provision and condition herein stated; and that in the event that any one or more terms, provision or conditions are determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable, this ordinance shall be deemed at City's election fully revoked and of no further force and effect.

Presented by



Chris Salomone  
Community Development Director

Approved as to form by



Bruce Boogaard  
City Attorney

## ATTACHMENT 1

## LCP Amendment #12

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Bayfront Specific Plan

**19.84 LAND USE CLASSIFICATION****19.84.001 Purpose and Scope**

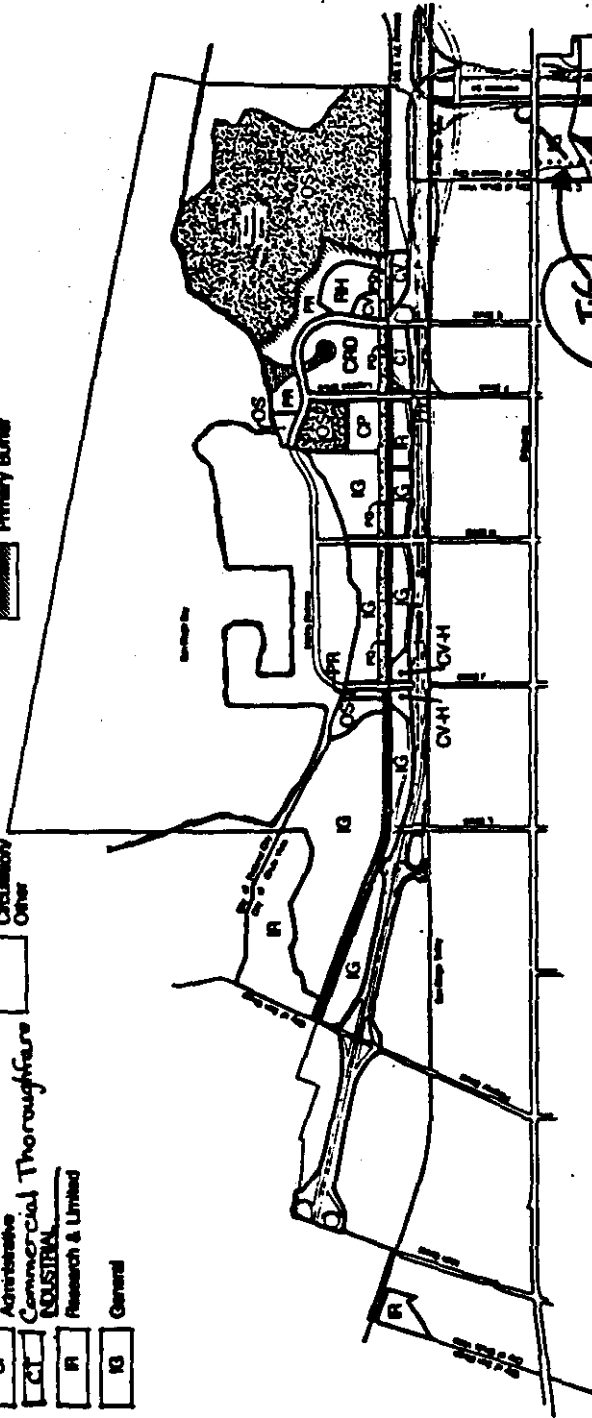
The Chula Vista Bayfront Specific Plan provides for the classification of land use and the regulation of development by Land Use District. These classifications, "Districts", are depicted on Exhibit #3, herein. Each Land Use District contains a set of regulations setting forth the standards for development within that District. This section provides the development standards relating to permitted uses within each District. Additional specific use regulations are included in Chapter 19.87, Subarea Specific Development Standards, herein.

**19.84.002 Commercial Land Use Districts**

1. Visitor - Commercial: This use is permitted only in the Midbayfront, Subarea 1. Refer to Chapter 19.87, 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 19.87, 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
  - c. For Subarea 4 - Inland Parcel  
Refer to Section 19.87, Subarea Specific Development Standards
3. 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:

**Land Use Districts**  
**EXHIBIT 3**

<b>RESIDENTIAL</b>	<b>PUBLIC &amp; OPEN SPACE</b>	<b>SPECIAL PLAN AREA</b>
RI High	PO Public & Quasi Public	Central Resort District
<b>COMMERCIAL</b>	PR Parks & Recreation	<b>OVERLAY DESIGNATIONS</b>
CV Visitor	Water	Sweetwater Marsh National Wildlife Refuge
CV-H Visitor/Highway	OS Open Space	Landscaped Parking
CP Professional & Administrative	Circulation/Other	Primary Buffer
<b>COMMERCIAL THOROUGHFARE</b>		
CT-1 Commercial Thoroughfare		
R Research & Limited		
IG General		



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Local Coastal Program

LAND USE - Exhibit 3

**LCP Amendment #12**

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Specific Plan

**19.85 DEVELOPMENT CRITERIA****19.85.001 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 19.87, Subarea Specific Development Standards, herein.

**19.85.002 Permitted Uses**

Permitted Uses for each Land Use District are listed in Chapter 19.84, Land Use Classification.

**19.85.003 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 19.87 herein.
2. Subarea 2 - Industrial Area:
  - a. Industrial - General: Maximum FAR 0.5
  - b. Industrial - Research & Limited: Maximum FAR 0.5
  - c. Public-Quasi Public: Area designated for landscaped parking may be incorporated into the adjacent land use area for FAR calculations.
  - d. Parks & Recreation: Development intensity limited by minimally permitted uses.
  - e. Open Space: none
  - f. Special conditions "C" and "F" on Exhibit 4, Building Heights: see special standards in Chapter 19.87 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: For the Industrial General land use in this subarea, the maximum development intensity is established by the Height Regulations, Section 19.85.004, and Site Development Standards, Sections 19.85.009, and Section 19.83.005. For the Commercial Thoroughfare land use in this subarea, development is subject to the Central Commercial Zone with Precise Plan Modifying District as described in Chapters 19.36 and 19.56 of the Chula Vista Municipal Code except as modified by this Specific Plan.
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 19.85.004; and, Site Development Standards, Chapter 19.85.009 and Chapter 19.85.005.

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**Bayfront Specific Plan**

- 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) Highrise 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.
2. Inland Parcel, Subarea 4 - For land designated as Industrial General, signs shall be subject to the Industrial General zone, Section 19.46 of the Chula Vista Municipal Code except as modified by the provisions of this Specific Plan and for land designated as Commercial Thoroughfare, signs shall be subject to the Central Commercial Zone with Precise Plan Modifying District as described in Sections 19.36 and 19.56 of the Chula Vista Municipal Code except as modified by this Specific Plan.

**19.85.006 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.



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- 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.

**19.87.004 Inland Parcel Subarea**

Development of land designated as Industrial General 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.

Development of land designated as Commercial Thoroughfare in this Subarea is subject to the Central Commercial Zone with Precise Plan Modifying District as described in Chapters 19.36 and 19.56 of the Chula Vista Municipal Code except as modified by this Specific Plan.

**19.87.005 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.

**19.87.006 Palmar/Bay Boulevard Subarea**

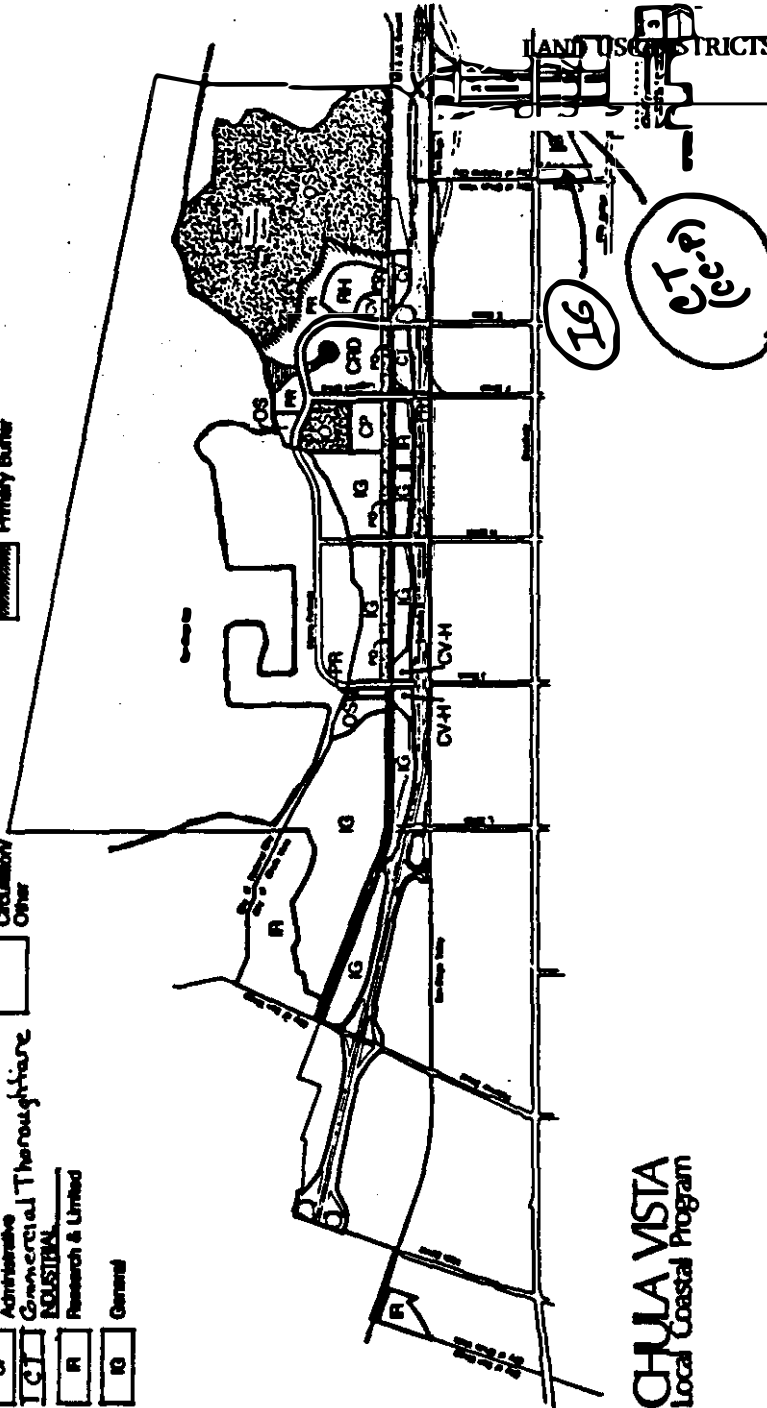
Development in this subarea is subject to the I-L-P, Limited Industrial Zone with Precise Plan Modifying District, as described in Sections 19.44 and 19.54 of the Chula Vista Municipal Code except as modified by this Specific Plan.

# Land Use

## EXHIBIT 3

LAND USE DISTRICTS - Exhibit 3

<b>RESIDENTIAL</b>	<b>PUBLIC &amp; OPEN SPACE</b>	<b>SPECIAL PLAN AREA</b>
RM High	PO Public & Quasi Public	CPD Central Resort District
<b>COMMERCIAL</b>	PR Parks & Recreation	<b>OVERLAY DESIGNATIONS</b>
CV Visitor	Water	Specialwater Marsh National Wildlife Refuge
CVH Visitor/Highway	OS Open Space	Landscape Parking
CP Professional & Administrative	Circulation/Other	Primary Buffer
TCT Commercial Thoroughfare		
R Research & Limited		
IG General		



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TABLE 3-1

SUMMARY OF PERMITTED LAND USES BY SUBAREA  
(Approximate area - in acres)

LAND USE	TOTAL	SUBAREA						
		<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>
Residential, high	18	18						
<b>Commercial</b>								
- Visitor	11	11						
- Thoroughfare	12	8	4		32			
- Professional & Administrative	12	*	12					
<b>Industrial</b>								
- Research & Limited	81		10			8	63	
- General	284		155	98	4			
<b>Public &amp; Open Space</b>								
- Public & Quasi-Public	18	6	12					
- Parks & Recreation	37	34	3					
- Water	8	8						
- Open Space	301	22	11					268
- Circulation/Other	27	14	8	3				2
<b>Special Plan Area</b>								
- Central Resort District	40	40						
<b>Major Circulation</b>	159							
<b>TOTALS</b>	<u>1013</u>	<u>161</u>	<u>215</u>	<u>101</u>	<u>36</u>	<u>8</u>	<u>63</u>	<u>270</u>

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\* Allocated within Central Resort District as a permitted use

NOTE: Acreages are indicated to the nearest acre based on planimeter readings and available information. Minor refinements that may result from the development permit and subdivision process shall not require an amendment to this LCP provided that the character of development and approximate proportion of land uses is maintained.

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Policy L.U.6.B.

recreation uses; 4) limited business and personal services (business services shall be defined as ancillary support services which serve the travelling businessperson [i.e., copy centers, postal outlets, etc.]); and, 5) public and quasi-public uses such as public transportation facilities, places of worship, and day care facilities. Allocation: approximately 11 acres (1 percent of development area, not including major circulation). [Note: These uses are also provided with the Central Resort District where allocations among uses may vary.]

**Visitor Highway.** This land use designation includes primarily motel and restaurant facilities similar to the existing development that principally serve auto-oriented traffic and require clear visibility from the I-5 corridor. Additional permitted uses would include gas stations and similar traveler directed goods and services and convenience sales and services to accommodate the marina and RV park residents as well as the highway traveler. Land uses not permitted within this designation are those which would principally serve pedestrian traffic or those that would be more appropriate in connection with the Central Resort District provided for elsewhere in the Plan. Allocation: approximately 4 acres.

**Commercial Thoroughfare.** This land use classification will allow central commercial type uses such as retail stores, and services, specialty shops, personal and business services that are community oriented. Commercial Thoroughfare is limited to 32 acres located in the Inland Parcel - Subarea 4. This subarea is located inland from the Chula Vista Bayfront adjacent to State Route 54 and has no coastal exposure.

**Professional and Administrative Commercial.** Two areas for Professional and Administrative Commercial are provided. The first is indicated on Land Use Map, Exhibit 3, page III-3, within the Industrial subarea. This area is approximately 12 acres. The permitted uses include administrative office and support uses for the adjacent industrial uses. The second area is a permitted use within the Central Resort District of the Midbayfront subarea, which permits 60,000 sq.ft. of Professional and Administrative, including; administrative and executive office, financial offices and services and medical offices.

TABLE 3-2

PERMITTED DEVELOPMENT INTENSITY

<u>SUBAREA/LAND USE</u>	<u>DEVELOPMENT INTENSITY</u>
<b>Subarea 1 - Midbayfront</b>	
Central Resort District	(See Table 3-2A)
Residential - High	Residential: 949,000 sq. ft./700 du
Visitor Commercial	Western Parcel: 204,000 sq. ft./250 hotel rooms; Eastern Parcel: 200,000 sq. ft./250 hotel rooms
Public & Open Space Uses	Intensity limited by minimal permitted uses; except Cultural Arts Facility 75,000 sq. ft. (2,000 seats)
<b>Subarea 2 - Industrial</b>	
Industrial (IR & IG)	FAR 0.5 except Special Condition "C" (see notes)
Commercial - Visitor/Highway	FAR 0.25 except Special Condition "F" (see notes)
Commercial - Prof. & Admin.	Special Condition "C" (see notes)
Landscaped Parking	May be included in adjacent parcel for FAR calculation with required improvements and use agreement.
Parks & Recreation	Intensity limited by minimal permitted uses
<b>Subarea 3 - Southern Parcel</b>	
Industrial	FAR 0.5
<b>Subareas 4, 5, and 6</b>	
Industrial General	Existing Zoning
Commercial Thoroughfare	Existing Zoning (CC-P)
<b>Subarea 7 - Sweetwater Marsh National Wildlife Refuge</b>	
Open Space	Determined by USF&WS

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NOTES: FAR = Floor area ratio or ratio of gross building area to net developable land area.

Special Condition "C": FAR of 0.75 permitted subject to special conditions - See Special Condition "C" (Bayfront Specific Plan Sec. V.D) and Subarea 2 Standards of the Bayfront Specific Plan, provided that the corresponding demolition/removal of existing structures elsewhere on the Rohr campus commensurate with the allowed bonus will occur in a timely fashion and associated traffic impacts will be mitigated to LOS "D" or better at the Bay Blvd./"E" Street/I-5 interchange.

Special Condition "F": In the event additional land area is gained for development of properties located at the northeast and southeast corners of Bay Boulevard and "J" Street by covering adjacent drainage channels, the on-site FAR and setbacks may vary in accordance with Special Condition "F" (Bayfront Specific Plan Sec. V.D) and Subarea 2 Standards of the Bayfront Specific Plan.

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**C. Subarea 3 - Southern Parcel**

1. Special Subarea Conditions

The southern parcel is located south of "L" Street and west of I-5. This area is within the Coastal Zone but is not covered by the Bayfront Plan. The entire area contains approximately 90 acres. The majority of this area (65 acres) is part of the SDG&E generating plant. In addition, there is a small area (4 acres) which is used as part of the salt works, and an area (21 acres) which is developed with light industrial uses.

According to an existing agreement among the State, National City, and the salt marsh operator, the salt works will be incorporated into a State wildlife preserve over a twenty year period. The remaining area is designated for industrial use on the General Plan and is zoned I (Industrial), consistent with its use.

It is anticipated that the SDG&E facility will remain in operation on a permanent basis, while the salt works will continue into the foreseeable future. The industrial land is located between Bay Boulevard and I-5 and does not have any direct Bay frontage.

2. Subarea Objectives/Policies

Objective S3.A Provide for maintenance of appropriate existing development and long term conversion of potential habitat areas to protected open space.

**Policy S3.A.1 Preclude any visitor-serving facilities here because of the proximity of the freeway and the generating plant. In addition, no uses shall be located on this property which would economically compete with the Bayfront.**

**D. Subarea 4 - Inland Parcel**

1. Special Subarea Conditions

The inland parcel is located north of "C" Street and west of Broadway. This area contains approximately 80 acres. A major portion of this area has been used for SR-54 and the Sweetwater River Channel.

The property is designated for Industrial - General and Commercial Thoroughfare land uses.

This area is not coastal-related. Approximately 4 acres of the Inland Parcel is currently developed with Industrial - General uses and the balance of the subarea is vacant but planned for community oriented retail and service development.

2. Subarea Objectives/Policies

Objective S5.A Allow, community oriented commercial development with assurance that improvements are adequately protected from flood

PASSED, APPROVED and ADOPTED by the City Council of the City of Chula Vista, California, this 22nd day November, 1994, by the following vote:

AYES: Councilmembers: Fox, Horton, Moore, Rindone, Nader


NOES: Councilmembers: None

ABSENT: Councilmembers: None

ABSTAIN: Councilmembers: None

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


ATTEST:

  
\_\_\_\_\_  
Vicki C. Soderquist, Deputy City Clerk

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

I, Vicki C. Soderquist, Deputy City Clerk of the City of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2613 had its first reading on November 15, 1994, and its second reading and adoption at a regular meeting of said City Council on the 22nd day of November, 1994.

Executed this 22nd day of November, 1994.

  
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Vicki C. Soderquist, Deputy City Clerk