

ORDINANCE NO. 2672

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA TO AMEND TITLE 19 OF THE MUNICIPAL CODE
TO CREATE THE PUBLIC/QUASI-PUBLIC (PQ) ZONE (PCA 96-03)

WHEREAS, an application for an amendment to the Municipal Code to create the PQ Zone was filed with the City of Chula Vista Planning Department on October 10, 1995 by the City of Chula Vista ("Applicant"); and

WHEREAS, the Municipal Code does not presently have a PQ Zone; and

WHEREAS, the annexation of Planning Areas 1 and 3 and the Ranch House will produce a need for a new zone with regulations for properties that contain public and quasi-public land uses ("Project"); and

WHEREAS, the wording of said amendment to Title 19 is attached as Exhibit I to this ordinance; and

WHEREAS, the Planning Commission set the time and place for hearings on said Project and notice of said hearings, together with its purpose, was given by its publication in a newspaper of general circulation in the City and its mailing to property owners and tenants within 1,000 feet of the exterior boundaries of the property at least 10 days prior to the hearing; and

WHEREAS, the hearings were held at the time and place as advertised on November 8, 1995 and November 15, 1995 in the Council Chambers, 276 Fourth Avenue, before the Planning Commission. Said hearings were continued to March 27, 1996, April 10, 1996 and April 24, 1996 by a motion of the Planning Commission at which time, said hearings were thereafter closed; and

WHEREAS, the Environmental Review Coordinator has conducted a Second-tier Draft Environmental Impact Report (EIR) EIR 95-01, a Recirculated Second-tier Draft EIR and Addendum, and Findings of Fact and a Mitigation Monitoring and Reporting Program have been issued to address environmental impacts associated with the implementation of the Project; and

WHEREAS, the Second-tier EIR, the Recirculated EIR incorporates and Addendum, by reference, two prior EIRs: the Otay Ranch General Development Plan/Subregional Plan (GDP/SRP) EIR 90-01 and the Chula Vista Sphere of Influence Update EIR 94-03 as well as their associated Findings of Fact and Mitigation Monitoring and Reporting Program. Program EIR 90-01 was certified by the Chula Vista City Council and San Diego County Board of Supervisors on October 28, 1993, and the Sphere of Influence Update EIR 94-03 was certified by the Chula Vista City Council on March 21, 1995; and

WHEREAS, to the extent that these findings conclude that proposed mitigation measures outlined in the Final EIR and Addendum are feasible and have not been modified, superseded or withdrawn, the City of Chula Vista hereby binds itself and the Applicant and its successors in interest, to implement those measures. These findings are not merely

informational or advisory, but constitute a binding set of obligations that will come into effect when the City adopts the ordinance approving the Project. The adopted mitigation measures are express conditions of approval. Other requirements are referenced in the Mitigation Monitoring and Reporting Program adopted concurrently with these Findings and will be effectuated through the process of implementing the Project.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL of the City of Chula Vista does hereby find, determine, resolve and order as follows:

I. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearings on the Draft EIR, the Recirculated EIR and Addendum held on November 8, 1995, November 15, 1995, March 27, 1996 and March 28, 1996, their public hearings held on this Project on November 15, 1995, March 27, 1996, April 10, 1996 and April 24, 1996, and the minutes and resolutions resulting therefrom, are hereby incorporated into the record of this proceeding. These documents, along with any documents submitted to the decision makers, shall comprise the entire record of the proceedings for any California Environmental Quality Act (CEQA) claims.

II. ACTION

The City Council hereby approves the amendment to create the PQ Zone attached as Exhibit I finding that it is consistent with the City of Chula Vista General Plan and that the public necessity, convenience, general welfare and good zoning practice supports the amendment the Public/Quasi-Public Zone.

III. CERTIFICATION OF COMPLIANCE WITH CEQA

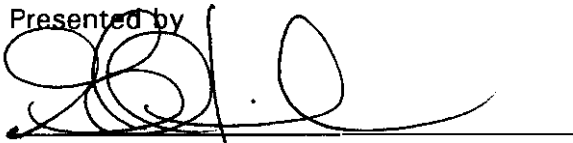
That the City Council does hereby find that FEIR 95-01, the Findings of Fact, the Mitigation Monitoring and Reporting Program and the Statement of Overriding Considerations are prepared in accordance with the requirements of the CEQA, the State EIR Guidelines and the Environmental Review Procedures of the City of Chula Vista.

IV. A. The ordinance amendment to create the PQ zone shall take effect and be in full force the thirtieth day from its adoption.

V. ATTACHMENTS

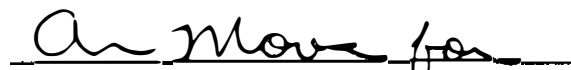
All attachments and exhibits are incorporated herein by reference as set forth in full.

Presented by



Gerald Jamriska, Manager
Special Planning Projects

Approved as to form by



Bruce M. Boogaard
City Attorney

Exhibit I

**PROPOSED AMENDMENT TO TITLE 19 TO CREATE
A NEW PUBLIC/QUASI-PUBLIC ZONE**

Chapter 19.47

P-Q - PUBLIC/QUASI-PUBLIC ZONE

Sections:

- 19.47.010 Purpose.**
- 19.47.020 Permitted uses.**
- 19.47.030 Accessory uses and buildings.**
- 19.47.040 Conditional uses.**
- 19.47.050 Performance standards.**
- 19.47.060 Siting standards.**
- 19.47.070 Area, lot coverage, yard requirements.**
- 19.47.080 Site plan and architectural approval.**
- 19.47.090 Landfill closure.**
- 19.47.100 Exceptions.**

19.47.010 Purpose.

The purpose of the public/quasi-public zone is to provide a zone with uses in appropriate locations which are maintained by public or publicly controlled agencies such as municipal and/or county agencies, school districts, or utility companies (e.g., water, gas, electricity, etc.), including but not limited to uses such as the county landfill and various water reservoir sites. The regulations of this district also provide for the appropriate closure of existing landfill sites.

19.47.020 Permitted uses.

Permitted uses in the PQ zone are as follows:

- A. Agricultural uses including grazing and livestock raising;
- B. Water reservoirs; and
- C. Public parks.

19.47.030 Accessory uses and buildings.

Accessory uses permitted in the PQ zone include the following:

- A. Caretakers units, as accessory to the principal permitted or conditionally permitted use; and
- B. Public utility service and corporation yards.

19.47.040 Conditional uses.

Conditional uses permitted in the PQ zone include:

- A. Sanitary landfills unless excepted by section 19.47.100;
- B. Schools;
- C. Utility substations;
- D. Cellular facilities;
- E. Fire stations;
- F. Post offices;
- G. Land reclamation projects;
- H. Recycling collection centers, subject to the provisions of recycling collection centers standards in Section 19.58.345;
- I. Golf driving ranges, with or without lighting;
- J. Hazardous waste facilities, subject to the provisions of Section 19.58.178;
- K. Unclassified uses, as provided in Chapter 19.54; and
- L. Any other use which is determined by the planning commission to be of the same general character as the above uses.

19.47.050 Performance standards.

All existing and future uses permitted by this use title shall be subject to initial and continued compliance with the performance standards in Chapter 19.66.

19.47.060 Siting standards.

The following standards shall govern the siting of facilities in the public/quasi-public zone:

- A. All solid waste management operations within the PQ zone shall comply with all applicable federal, state, and local regulations, including regulations of the State Water Resources Control Board, the California Waste Management Board, and the Department of Health Services.
- B. The distance from the site to the nearest residential structure shall be in compliance with all of the state minimum standards for solid waste management. The distance of such sites to residences shall be sufficient to permit adequate control of noise levels, odor nuisances, traffic congestion, litter nuisances and vectors.

19.47.070 Area, Lot Coverage, Yard requirements.

The area, lot coverage and yard requirements will be established through the site plan and architectural permit process

19.47.080 Site plan and architectural approval.

Site plan and architectural approval are required for all uses in the PQ zone, as provided in Sections 19.14.420 through 19.14.480.

19.47.090 Landfill closure.

Any sanitary landfill existing within the PQ zone which is subject to closure shall be terminated in a manner which complies with any and all applicable federal, state, and local regulations, including regulations of the State Water Resources Control Board, the California Waste Management Board, and the Department of Health Services and in accordance with any agreements entered into with the city.

19.47.100 Exceptions.

Any sanitary landfill use existing prior to May 21, 1996 shall be permitted to continue operating as a legally permitted use provided that the property owner has entered into an agreement with the city that establishes specific regulations and/or guidelines.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 21st day of May, 1996, by the following vote:

AYES:	Councilmembers:	Alevy, Moot, Rindone, Horton
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	Padilla
ABSTAIN:	Councilmembers:	None



Shirley Horton, 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. 2672 its first reading at a regular meeting held on the 14th day of May, 1996 and its second reading and adoption at a regular meeting of said City Council held on the 21st day of May, 1996.

Executed this 21st day of May, 1996.



Beverly A. Authelet, City Clerk