

ORDINANCE NO. 2719

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING SECTION II, RESIDENTIAL DISTRICTS, AND LAND USE DISTRICTS MAP OF THE EASTLAKE II PLANNED COMMUNITY DISTRICT REGULATIONS.

I. RECITALS

A. Project Site

WHEREAS, the properties which the subject matter of this Resolution are diagrammatically represented in Exhibits A and B attached hereto and incorporated by this reference, identified as Lots 01, 36,37,38,39 and 40 of Parcel R-2, and Parcel R-10 of the EastLake Greens Sectional Planning Area (SPA) plan ("Project Site"); and

B. Project; Application for Discretionary Approval

WHEREAS, on October 16, 1997, The EastLake Company ("Developer") filed applications for an amendment to the EastLake Greens Sectional Planning Area (SPA) plan and Eastlake II (Eastlake I Expansion) Planned Community District Regulations and Land Use District Map ("Project"); and

WHEREAS, the proposed amendments to the SPA Plan, Planned Community District Regulations and Land Use District plan consist of changing Parcel R-10 Land Use District designation from RP-8, Residential Planned Concept to RC-10, Residential Condominium, and establishing a Guest House Land Use District Overlay (GH) and corresponding development standards for lots 01, 36-40, Chula Vista Tract 88-03 (1078, 1079, 1082, 1086, 1090, 1094 Augusta Place), within the Eastlake Greens Parcel R-2. ("Project"); and

C. Prior Discretionary Approvals

WHEREAS, the development of the Project Site has been the subject matter of the following: (1) a General Development Plan, EastLake II (EastLake I Expansion) previously approved by City Council Resolution No. 15198 ("GDP"); and (2) the EastLake Greens Sectional Planning Area Plan, previously adopted by City Council Resolution No. 15199 both approved on July 18, 1989; and (3) an Air Quality Improvement Plan (EastLake Greens Air Quality Improvement Plan) and (4) a Water Conservation Plan (EastLake Greens Water Conservation Plan) and Public Facilities Financing Plan (Eastlake Greens Public Facilities Financing Plan) both previously approved by the City Council on November 24, 1992, by Resolution No. 16898; and

D. Planning Commission Record on Application

WHEREAS, the Planning Commission held an advertised public hearing on said Project on December 10, 1997, and voted to recommend that the City Council approve the Project, based upon the findings listed below; and

E. City Council Record of Applications

WHEREAS, a duly called and noticed public hearing was held before the City Council of the City of Chula Vista on January 20, 1998 on the Project, received the recommendations of the Planning Commission, and heard public testimony with regard to same.

II. NOW, THEREFORE, the City of Chula Vista does hereby find, determine and ordain as follows:

A. CERTIFICATION OF COMPLIANCE WITH CEQA

The Environmental Review Coordinator has determined that this Project falls under the purview of previous environmental analysis conducted under FSEIR-86-04 (B), Eastlake Greens. Thus, no further environmental action is necessary.

B. FINDINGS FOR P-C PLANNED COMMUNITY ZONE AMENDMENTS

The City Council hereby finds that the proposed amendment to the EastLake II (EastLake I Expansion) Planned Community District Regulations and Land Use Districts Plan are consistent with the City of Chula Vista General Plan, and public necessity, convenience, the general welfare, and good zoning practice support the amendments.

C. APPROVAL OF ZONE AMENDMENTS

The City Council does hereby approve the amendments to the Planned Community District Regulation as shown on Attachment 1, attached hereto and incorporated herein by this reference, and Land Use District Plan amendments as diagrammatically represented in Exhibit B and C, attached hereto and incorporated herein by this reference.

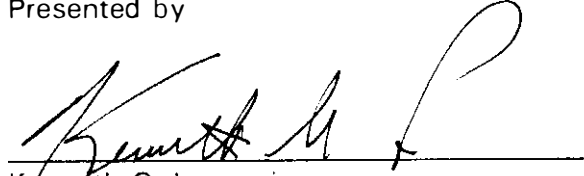
III. INVALIDITY; AUTOMATIC REVOCATION

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 resolution shall be deemed to be automatically revoked and of no further force and effect ab initio.

IV. EFFECTIVE DATE

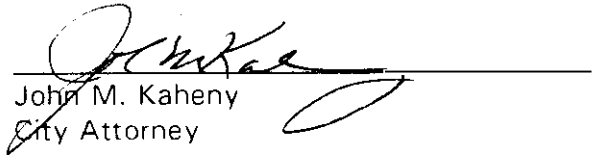
This ordinance shall take effect and be in full force on the thirtieth day from and after its adoption.

Presented by

A handwritten signature in black ink, appearing to read "Kenneth G. Lee", written over a horizontal line.

Kenneth G. Lee
Planning Director

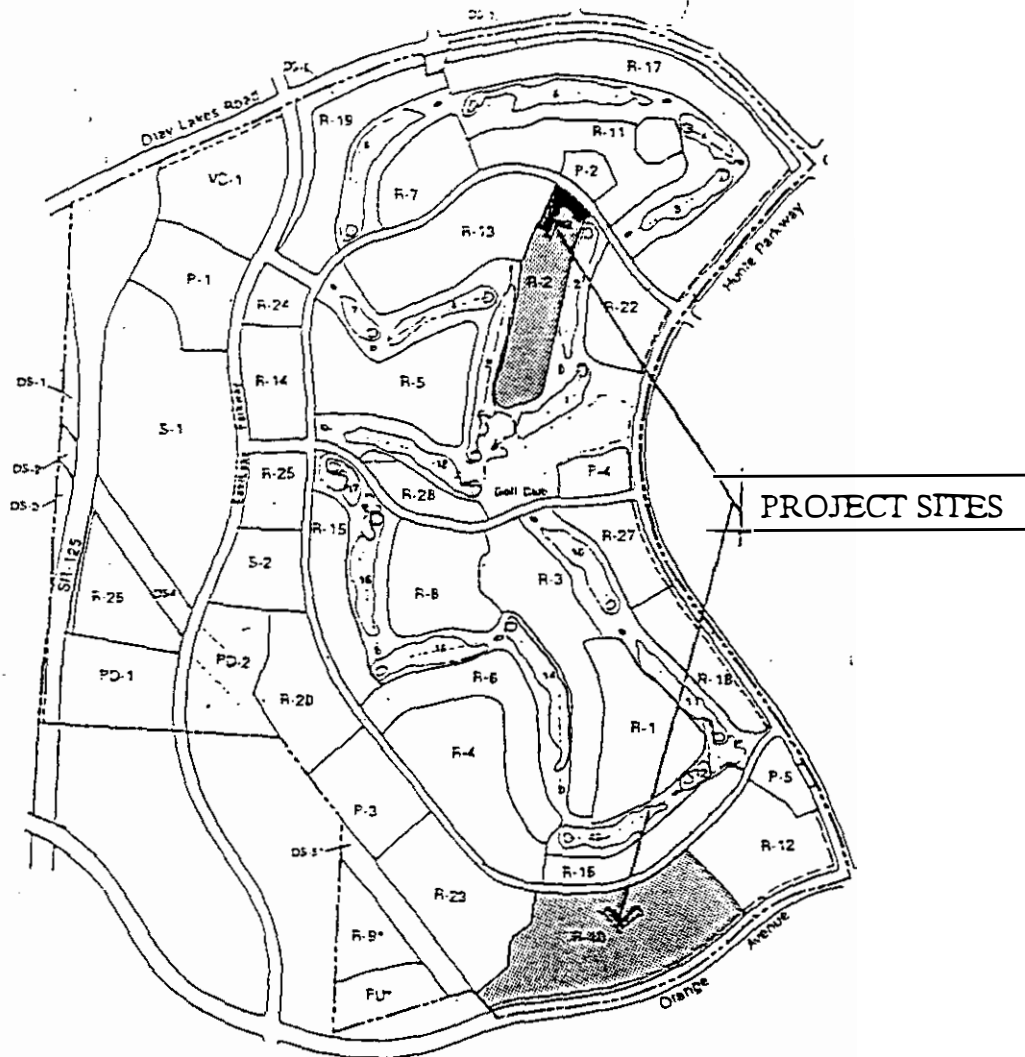
Approved as to form by

A handwritten signature in black ink, appearing to read "John M. Kaheny", written over a horizontal line.

John M. Kaheny
City Attorney

Exhibit A

SITE UTILIZATION PLAN



Proposed Amendment

Land Use Districts

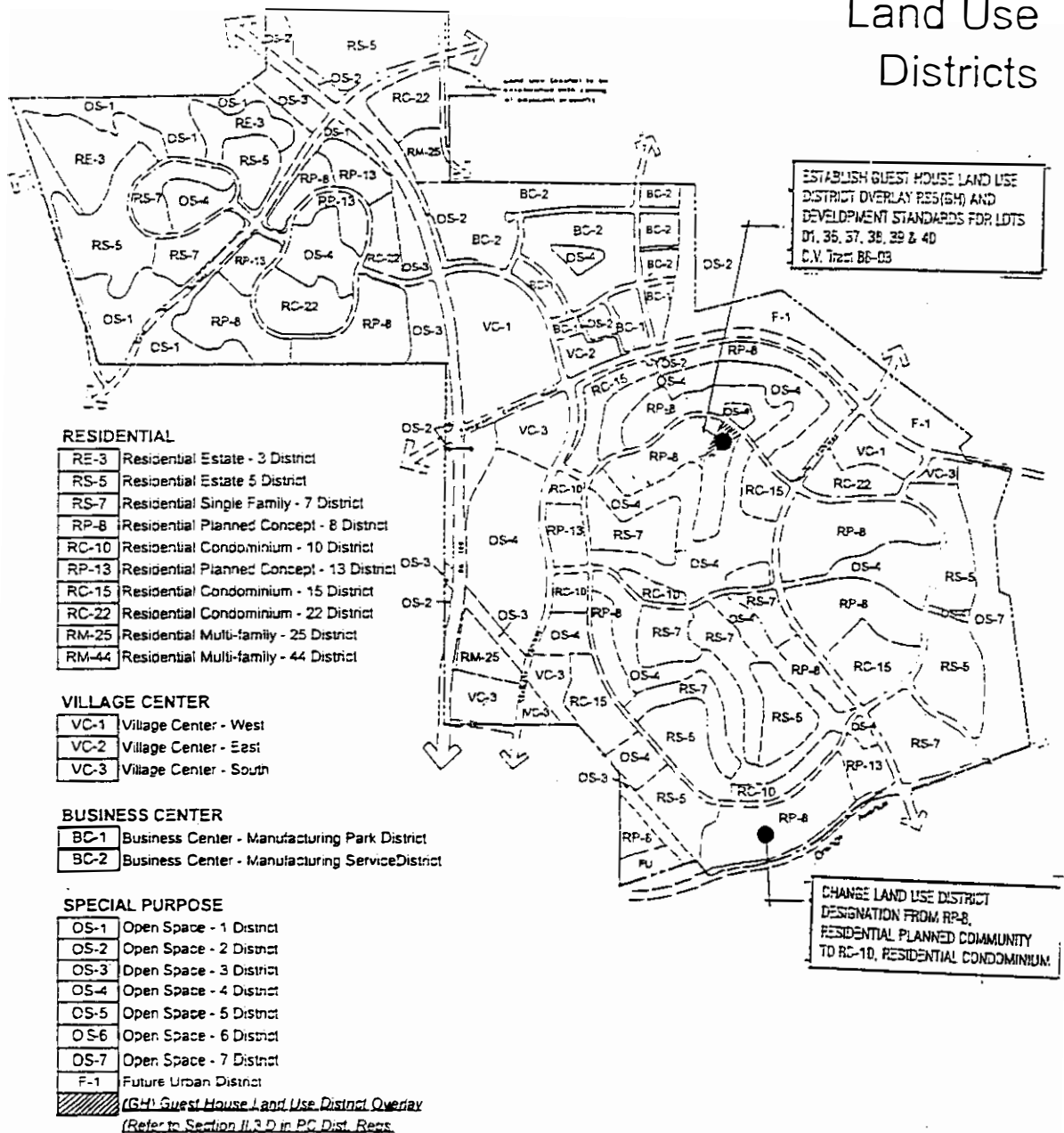
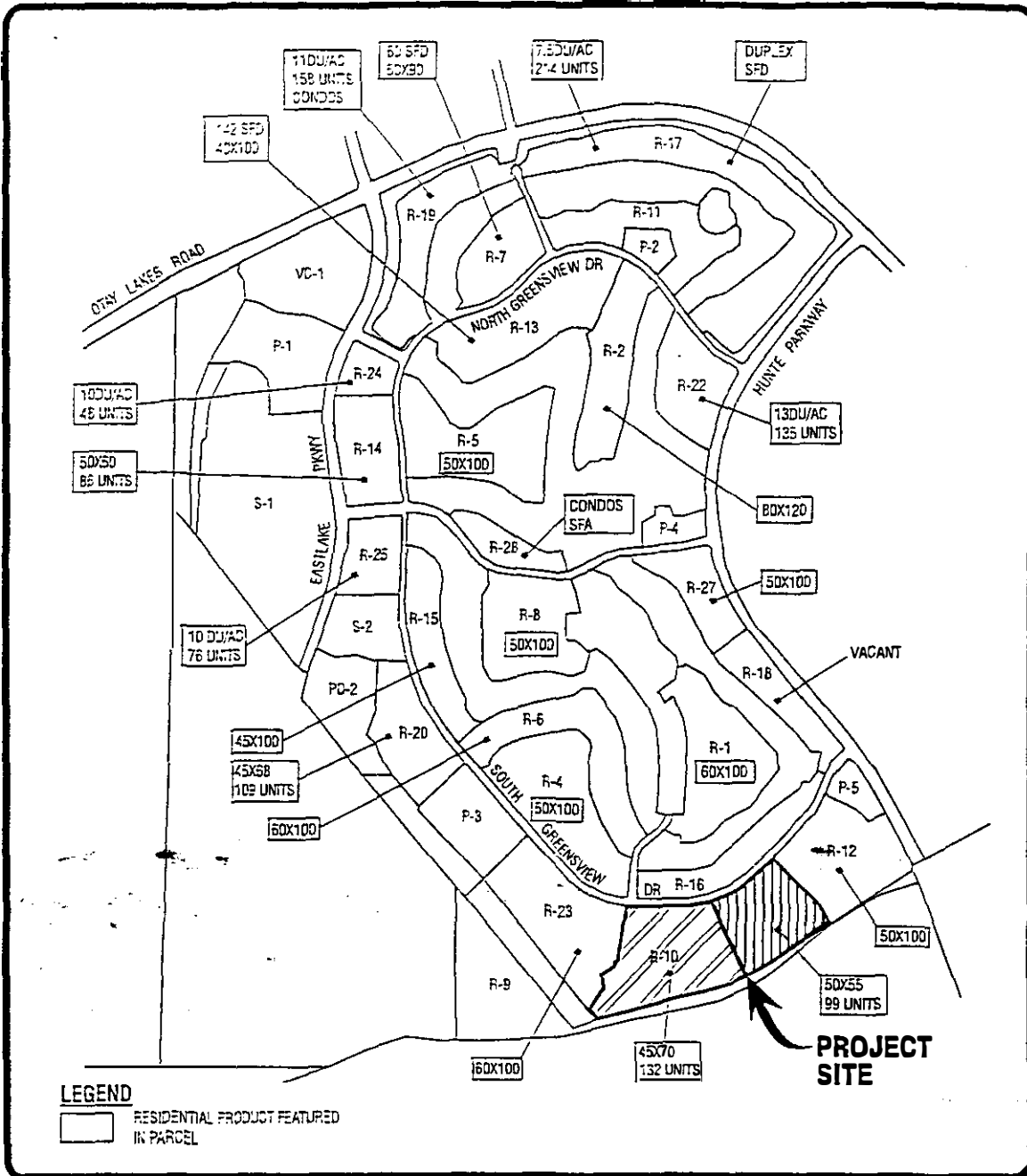


Exhibit C



CHULA VISTA PLANNING DEPARTMENT

LOCATOR 	PROJECT APPLICANT: Eastlake Development	PROJECT DESCRIPTION: MISCELLANEOUS
	PROJECT ADDRESS: Eastlake Greens Parcel R-10	
	SCALE: No Scale	FILE NUMBER: PCM-98-14

EXHIBIT C

CHANGES TO EASTLAKE PC DISTRICT REGULATIONS TEXT

SECTION II: RESIDENTIAL DISTRICTS

II.0 Purpose

In addition to the objectives outlined in Section I.0 (Purpose and Scope), the Residential Districts are included in the Planned Community District Regulations to achieve the following purposes:

To reserve appropriately located areas for family living at a broad range of dwelling unit densities consistent with the General Plan and with sound standards of public health, safety and welfare;

To ensure adequate light, air, privacy and open space for each dwelling;

To minimize traffic congestion and avoid the overloading of public services and utilities by preventing construction of buildings of excessive bulk or number in relation to the land area around them;

To protect residential properties from noise, illumination, unsightliness, odors, smoke and other objectionable influences; and,

To facilitate the provision of utility services and other public facilities commensurate with anticipated population, dwelling unit densities and service requirements.

II.1 Land Use District Grouping

To facilitate the establishment of permitted use and development standards which are applicable to more than one land use district, land use groups are herein established. The following land use groups are established and shall be identified by the designation indicated below:

<u>Land Use Group Designation</u>	<u>Land Use District Included in Group</u>
RE	RE-3
RS	RS-5 and RS-7
RP	RP-8 and RP-13
RC	RC-10, RC-15 and RC-22
RM	RM-25 and RM-44

II.2 Permitted Uses

The following uses shall be permitted where the symbol "P" appears and shall be permitted subject to a Conditional Use Permit where the symbol "C" appears. Uses where the symbol "A" appears shall be permitted subject to an Administrative Review.

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	<u>Land Use</u>	<u>Land Use Group</u>				
		<u>RE</u>	<u>RS</u>	<u>RP</u>	<u>RC</u>	<u>RM</u>
A.	<u>Residential Uses</u>					
1.	Single family dwellings	P	P	P	P	P
2.	Duplex dwellings			P	P	P
3.	Guest dwellings or accessory living quarters	A				
4.	Mobile homes on individual lots which are certified under the National Mobile home Construction and Safety Standards Act of 1974	P	P	P	P	P
5.	Group residential, including but not limited to, boarding or rooming homes, dormitories, and retirement homes			C	A	A
6.	Multiple dwellings			A	P	P
7.	Townhouse dwellings			P	P	P
B.	<u>Agricultural Uses</u>					
1.	All types of horticulture	P	P	P	P	P
2.	Agricultural crops	A	A	A	A	A
3.	Animal raising or grazing	A				
4.	Keeping of three (3) dogs and/or three (3) cats (over the age of four months)	P	P	P	P	P
C.	<u>Public and Quasi-Public Uses</u>					
1.	Day nurseries, day care schools and nursery schools (over 12 children)*	C	C	C	C	C
2.	Convalescent homes	C	C	C	C	C
3.	Churches, convents, monasteries and other religious places of worship (subject to requirements of Section 19.58.110 CVMC)	C	C	C	C	C
4.	Essential public services including but not limited to: schools, libraries, museums, parks, public works facilities and other civic uses	C	C	C	C	C
5.	Public utility and public service substations, reservoirs, pumping plants and similar installations	C	C	C	C	C

* Under 12 children subject to City standards.

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<u>Land Use</u>	<u>Land Use Group</u>				
	<u>RE</u>	<u>RS</u>	<u>RP</u>	<u>RC</u>	<u>RM</u>
6. Recreational facilities including but not limited to: country clubs, tennis and swim clubs, golf courses, racquetball and handball. (Sites for such facilities which are 2 acres or less in size shall be subject to Administrative Review only.)	C	C	C	C	C
7. Recreational courts, including but not limited to: tennis, basketball, and similar uses	A	A	A	A	A
D. <u>Home Occupations</u>					
1. Home occupations subject to the provisions of Section VI.1	A	A	A	A	A
E. <u>Accessory Uses</u>					
1. Accessory structures and uses located on the same site as a permitted use	A	A	A	A	A
2. Accessory structures and uses located on the same site as a conditional use	A	A	A	A	A
F. <u>Temporary Uses</u>					
1. Temporary uses as prescribed in Section VI.0	A	A	A	A	A

II.3 Property Development Standards: Residential Districts

A. The following Property Development Standards shall apply to all land and buildings, other than accessory buildings, permitted in their respective residential land use districts. The use of the symbol "SP" indicates that the standard is established by the approval of a Site Plan. Dimensions and standards are minimums. Minor variations may be permitted subject to site plan or tract map approval providing that the minimums specified herein are maintained as average minimums. Lot widths and depths are herein maintained as average minimums. Lot widths and depths are typical minimums but may vary slightly with irregularly shaped lots and site specific conditions. The parking standards for a planned Senior Citizen or "affordable" residential development may be reduced from those specified herein for the district in which it is located by the Director of Planning.

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Residential Property Development Standards

	Land Use Group				
	RE	RS ⁵	RP	RC	RM
1. Lot area (in net 000's square feet)	8	5	3 ¹	SP	SP
2. Lot width (in feet) (attached products in RP district)	70	50	38 25	SP	SP
3. Lot depth (in feet)	100	100	90 (RP-8) 50 (RP-13)		SPSP
4. Lot coverage (percent)	40	50	SP	SP	SP
5. Front yard setback:					
a) to direct entry garage	20	20	SP	SP	SP
b) to side entry garage (single story garage in RS district)	20	15 10	SP	SP	SP
6. To main residence	20	20	SP	SP	SP
7. Side yard setback:					
a) to adjacent residential lot (min. total/one side)	15/5	10/5 ²	SP	SP	SP
b) to adjacent street (corner lot)	10	10	10	SP	SP
8. Rear yard setback	20	15	SP	SP	SP
9. Building height, maximum (2 1/2 story max. RE, RS & RP districts)	28 ³	28 ³	28 ³	45	45
10. Parking spaces per unit	2	2	2 ⁴	1.5 1 bdrm. unit	1.5 1 bdrm. unit
				2.0 2bdrm. unit	2.0 2 bdrm. unit
				2.5 3bdrm. unit +	2.5 3 bdrm. unit +

¹ May be modified for attached units with Site Plan approval

² RS-5 District only; 13/3 in RS-7 District

³ May be increased to 35 feet with Site Plan approval

⁴ Two car garage for RP detached units; one car garage and one carport for RP attached units

⁵ Refer to paragraph II.3 D for Detached Structure Overlay Standards.

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B. Group Parking Standards for RC and RM Land Use Groups

The parking requirements include 0.5 spaces for guest parking. This requirement may be reduced to 0.3 space per unit by the Zoning Administrator which would result in a reduction of the standards set forth in the table. If more than one space per dwelling unit is assigned to the dwelling unit, then the required guest parking spaces shall be marked and clearly identified as guest parking. The guest parking spaces shall not be permitted to be assigned to individual dwelling units.

C. Special Requirements

1. Front yard setbacks shall be measured from the right-of-way of the fronting street. The front yard setback may be reduced, subject to site plan approval, within the RP, RC and RM districts. If the front yard setback is reduced to less than twenty (20) feet, and the dwelling unit is located on a street, cul-de-sac, or court containing more than twelve (12) dwelling units, then the garage shall be equipped with an automatic garage door opener.
2. The allowable building area for each lot shall be as permitted in the table below. The maximum building area for single family detached and attached products shall be the square footage listed or that permitted by the percentage of lot area, whichever is greater. Homeowner additions shall be allowed only where consistent with these standards. A 300 square foot open patio (covered but open on three sides) shall be permitted on each residential lot and shall be exempt from inclusion in this calculation.

Permitted Building Area

<u>District</u>	<u>Square Footage</u>	<u>Lot Area Percentage (FAR)</u>
RS-5	4,500	50%
RS-7	3,900	50%
RP-8	2,900	55%
RP-13	2,000	55%

All residential development north of Telegraph Canyon Road, within the EastLake I SPA, shall be exempt from this maximum building area standard.

D. Detached Structure Overlay Standards

1. The Guest House District Overlay District shall only apply to those areas depicted on the Land Use Districts map as RS-5 (GH), and more specifically identified as EastLake Greens Tract Map No. 88-3, Unit 2, lots 1, and 36-40 (Map No. 12725).
2. Uses Permitted: A Guest House as defined in Section 10.04.106 CVMC, except as further defined as follows: A "Guest house" means detached living quarters of a permanent type of construction, without kitchen or cooking facilities and intended for use by occasional guests and occupants of the main building. Use by occasional guests shall not exceed 90 days for any one guest over a one year period. A guest house shall not be separately rented, let, or leased, whether compensation is direct or indirect.

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- 3. Site Development Standards: Shall be the same as for Accessory Structures, except that the front yard setback may be as indicated for side entry garages and the building separation may be reduced to 6' with Site Plan approval.

II.4 Performance Standards: Residential Districts

In all Residential Districts, the following performance standards shall be met:

- A. Air conditioners, antennas, ham radio antennas, solar panels, heating, cooling, ventilating equipment and all other mechanical, lighting or electrical devices shall be so operated and located so that they do not disturb the peace, quiet and comfort of neighboring residents and shall be screened, shielded and/or sound buffered from surrounding properties and streets. All equipment shall be installed and operated in accordance with all other applicable ordinances. Heights of said equipment shall not exceed the required height of the zone in which they are located. Private, individual satellite dish antennas greater than three (3) feet in diameter are prohibited. Community or association operated satellite dish antennas may be allowed subject to a Conditional Use Permit.
- B. Required front and exterior side yards shall be landscaped and shall consist predominantly of trees, plant materials, ground cover and decorative rocks, except for necessary walks, drives and fences. All required landscaping shall be permanently maintained in a healthy and thriving condition, free from weeds, trash and debris. Landscaping requirement may be met by either installation by the builder or developer, or for single family development, requirements through CC&R's that individual homeowners install their front yard landscaping within one year of occupancy, or sooner if required by CC&R's.
- C. All utility connections shall be designed to coordinate with the architectural elements of the site so as not to be exposed except where required by utility provider. Pad-mounted transformers and/or meter box locations shall be included in the site plan with any appropriate screening treatment. Power lines and cables shall be installed underground.
- D. The acceptable outdoor noise exposure level, measured at the property line, for each residential district is provided in the table below. (See amended Chapter 19.66 CVMC for definitions and additional details).

Exterior Noise Limits*

<u>Receiving Land Use District</u>	<u>7 a.m. - 10 p.m.</u>	<u>10 p.m. - 7 a.m.</u>
RE, RS, RP	55 dbA	45 dbA
RC, RM	60 dbA	50 dbA

*Environmental Noise - 1_{eq} in any hour
 *Nuisance Noise - not exceed at any time

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E. The maximum permissible dwelling unit interior noise levels are provided in the table below.

Interior Noise Limits

<u>Time Interval</u>	<u>Any Time</u>	<u>1 min. in 1 hour</u>	<u>5 min. in 1 hour</u>
7 a.m. - 10 p.m.	55 dbA	50 dbA	45 dbA
10 p.m. - 7 a.m.	45 dbA	40 dbA	35 dbA

F. Energy Conservation. Buildings shall be located on the site to provide adjacent buildings adequate sunlight for solar access when practical. Buildings should be designed to minimize energy consumption requirements, including but not necessarily limited to, the following conservation considerations:

- Co-generation;
- South facing windows;
- Eave coverage for windows;
- Double glazed windows;
- Earth berming against exterior walls;
- Greenhouses; and,
- Deciduous shade trees.

G. In the RC and RM districts, including the conversion of apartments to condominiums where permitted, the following performance standards shall be met:

1. Masonry walls or fences six (6) feet in height, from the highest finished grade, shall be required where needed for noise attenuation and/or privacy.
2. Where a lot fronts on more than one street, it shall be considered to have multiple frontages and shall be required to meet special side yard setbacks.
3. When an RC and/or RM lot is adjacent to any single family zone, a minimum of fifteen (15) feet of landscaping shall be maintained on the RC and/or RM lot between such uses.
4. Lockable, enclosed storage shall be provided in the carport area; substitutions may be approved by the Director of Planning.
5. Conveniently located common laundry facilities shall be provided for units which do not have individual hook-ups.
6. Conveniently located and well screened trash enclosures shall be provided for all dwelling units.
7. Recreation vehicle (including campers, boats and trailers) parking areas shall be provided, fully screened from view or the development CC&R's shall prohibit all parking of recreation vehicles.

II.5 Accessory Structures: Residential Districts

Accessory Buildings and Structures: Accessory buildings and structures, attached or detached, used either wholly or in part for living purposes, shall meet all

Attachment

of the requirements for location of the main structure as constructed or required by the District, whichever is less restrictive; except as herein provided.

- A. Enclosed accessory buildings or structures that are attached to the main building shall not be allowed to encroach into the required rear yard setback. Open structures may be allowed to encroach into the rear yard setback subject to approval by the Director of Planning.
- B. A detached accessory structure shall meet the setback requirements of the main building for the front and street side yard areas.
- C. A detached accessory structure may be located within an interior side or rear yard provided that such structure is located no closer than five (5) feet to an interior side or rear lot line and is at least six (6) feet from the main structure and does not exceed one story in height.
- D. Porches, steps, architectural features such as eaves, awnings, chimneys, balconies, stairways, wing walls or bay windows may project not more than four (4) feet into any required front or rear yard area, and not into any required side yard more than one-half of said required side yard.

I.6 Walls and Fences: Residential Districts

In any required front or side yard adjacent to a street, a wall, fence or hedge shall not exceed forty-two (42) inches in height, except as provided herein.

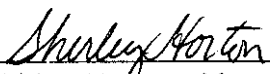
- A. A wall, fence or hedge not more than six (6) feet in height may be maintained along the interior side or rear lot line, provided that such wall, fence or hedge does not extend into a required front or side yard adjacent to a street except for noise attenuation as required by the City and as herein provided.
- B. A wall, fence or hedge adjacent to a driveway or street providing vehicular access to an abutting lot or street shall not exceed forty-two (42) inches in height within the front or side yard setback area of the lot. Corner cut-offs may be required to maintain a reduced height in special circumstances for safety and visibility.
- C. Fiberglass or bamboo sheeting or other similar temporary material shall not be permitted as a fencing material on street frontages.

II.7 Signs: Residential Districts

No sign or outdoor advertising structure shall be permitted in any residential district except as provided in Section VII.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 10th day of February, 1998, by the following vote:

AYES:	Councilmembers:	Moot, Padilla, Rindone, Salas, and Horton
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	None
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. 2719 had its first reading at a regular meeting held on the 20th day of January, 1998 and its second reading and adoption at a regular meeting of said City Council held on the 10th day of February, 1998.

Executed this 10th day of February, 1998.



Beverly A. Authelet, City Clerk