

ORDINANCE NO. 2732

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA AMENDING CHAPTERS 19.04, DEFINITIONS,  
AND 19.48, P-C PLANNED COMMUNITY ZONE OF THE CHULA  
VISTA MUNICIPAL CODE

I. RECITALS

A. Application for Discretionary Approval

WHEREAS, a duly verified application for an amendment to the Chula Vista Municipal Code was filed with the Planning Department of the City of Chula Vista on January 12, 1998 as a co-sponsored application between The Eastlake Company and the City of Chula Vista ("Applicant"); and,

WHEREAS, said application requests certain amendments to Chapter 19.04, Definitions, and 19.48, P-C Planned Community Zone, specifically modification of Chapter 19.04, Definitions to add recreational ball fields as a "typical use" for consideration in a CPF land use district and to reference the listed uses as "typical uses", modification of Chapter 19.48, P-C Planned Community Zone, to consolidate the regulations pertaining to community purpose facilities into one section, conversion of the list of permitted uses into Conditional use permit uses, and expansion of Section 19.48.040, outlining the requirements of a CPF Master Plan as part of the Planned Community GDP(s) whenever recreational ball fields are included as conditional uses in the corresponding Sectional Planning Area plans ("Discretionary Approvals"); and,

B. Environmental Determination

WHEREAS, the Environmental Review Coordinator has determined that the project is exempt from environmental review under CEQA as a Class 4(a) and 4(b) exemption; and,

C. Planning Commission Record on Application

WHEREAS, the Planning Commission held an advertised public hearing on said project on April 8, 1998, and voted 6-0 to recommend that the City Council approve the Project, based upon the findings listed below.

D. 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 April 28, 1998, on the Discretionary Approval Application, received the recommendations of the Planning Commission, and heard public testimony with regard to same; and,

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby find, determine and resolve as follows:

II. PLANNING COMMISSION RECORD

The proceedings and all evidence introduced before the Planning Commission at their public hearing on this project held on April 8, 1998, and the minutes and resolutions resulting therefrom, are hereby incorporated into the record of this proceeding.

III. CERTIFICATION OF COMPLIANCE WITH CEQA

The Environmental Review Coordinator has determined that this project is exempt from environmental review under CEQA as a Class 4(b) exemption.

IV. FINDINGS

The City Council hereby finds that the proposed amendments to the Chula Vista Municipal Code will address a need for additional non-profit sports leagues within the eastern territories of the City, and provide additional flexibility for developers in marketing their Community Purpose Facility sites. The proposed amendments are consistent with the City of Chula Vista General Plan and public necessity, convenience, general welfare, and good zoning practice support the amendments.

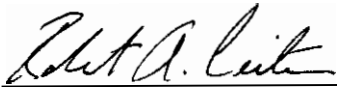
V. APPROVAL

Based on the above, the City Council hereby approves the proposed amendments to the Chula Vista Municipal Code, specifically to Chapter 19.04 and Chapter 19.48 as depicted in Exhibit "A", attached hereto.

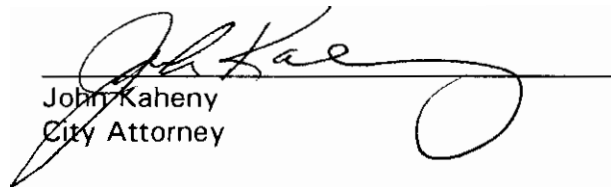
This ordinance shall take effect and be in full force and effect on the thirtieth day from and after its adoption.

Presented by

Approved as to form by



Robert A. Leiter  
Planning Director



John Kaheny  
City Attorney

EXHIBIT A

Community Purpose Facilities - Proposed Amendment Text

**Chapter 19.04  
DEFINITIONS**

**19.04.055 Community Purpose Facility**

"Community Purpose facility" means a structure or site for certain non-profit assembly or recreation purposes, as well as ancillary uses such as a parking lot, within a planned community. Typical uses include: Boy Scouts, Girl Scouts and other similar organizations, social and human services such as Alcoholics Anonymous, services for homeless, services for military personnel during the holidays, senior care and recreation, and worship, spiritual growth and development and teaching of traditional family values, and recreational ball fields. See Section 19.48.025(C) for a complete listing of Community Purpose Facility uses. (Ord 2452A §1, 1991).

**Chapter 19.48  
P-C - PLANNED COMMUNITY ZONE**

**Sections:**

**19.48.010 Purpose.**

**19.48.020 Regulations generally-Minimum acreage-Ownership restrictions.**

**19.48.025 Community Purpose Facilities - Minimum Acreage Required - Permitted Uses**

**19.48.030 Application-Method-Documents required.**

**19.48.040 Application-General development plan required-Contents required.**

**19.48.050 Findings required for recommendation of establishment.**

**19.48.060 P-C zone-Planning commission action.**

**19.48.070 P-C zone-City council action-Compliance with general development plan required.**

**19.48.080 General development plan-Modification requests and procedures.**

**19.48.090 Sectional planning areas and sectional planning area plans-Requirements and contents.**

**19.48.100 Sectional planning area plans-Finding required for recommendation of approval.**

**19.48.110 Sectional planning area plans-Actions of planning commission and city council.**

**19.48.120 Sectional planning area plans-Effect of plan approval.**

**19.48.130 Sectional planning area plans-Modification requests and procedures.**

**19.48.140 P-C Zone-Residential areas not subject to design review.**

**19.48.150 Recycling collection centers.**

**19.48.160 P-C zone-Exceptions.**

**19.48.010 Purpose.**

The purposes of the planned community zone are to:

- A. Provide for the orderly preplanning and long-term development of large tracts of land which may contain a variety of land uses, but are under unified ownership or development control, so that the entire tract will provide an environment of stable and desirable character;
- B. Give the developer reasonable assurance that sectional development plans prepared by him in accordance with an approved general development plan will be acceptable to the city. Sectional development plans may include subdivision plans and/or planned unit development plans as provided for in this title;
- C. Enable the city to adopt measures providing for the development of the surrounding area compatible with the planned community zone.

(Ord 1854 §5 (part), 1979; Ord 1826 §1 (part), 1978; Ord 1281 §2 (part), 1970; Ord 1212 §1 (part), 1969; prior code §33.5201(A)).

**19.48.020 Regulations generally-Minimum acreage-Ownership restrictions.**

- A. P-C zones may be established on parcels of land which are suitable for, and of sufficient size to be planned and developed in a manner consistent with the purpose of this chapter and the objectives of this division. No P-C zone shall include less than fifty acres of contiguous lands;
- B. All land in each P-C zone, or approved section thereof, shall be held in one ownership or under unified control unless otherwise authorized by the planning commission, except as provided for in Section 19.48.160. For the purposes of this chapter, the written consent or agreement of all owners in a P-C zone to the proposed general development plan and general development schedule shall be deemed to indicate unified control.

(Ord 2673, 1996; Ord 2452A §2, 1991; Ord 1854 §5 (part), 1979; Ord 1826 §1 (part), 1978; Ord 1281 §2 (part), 1970; Ord 1212 §1 (part), 1969; prior code §33.520(B)).

**19.48.025 Community Purpose Facilities - Minimum Acreage Required - Permitted Uses**

- A. All land in each P-C zone, or any section thereof, shall provide adequate land designated as "Community Purpose Facilities (CPF)", as defined in Section 19.04.055.
- B. A total of 1.39 acres of net usable land (including setbacks) per 1,000 population shall be so designated for such facilities in any planned community, and shall be so designated in the Sectional Planning Area (SPA) Plan(s) and Planned Community District Regulations of each planned community. This total acreage requirement may be reduced only if the City Council determines, in conjunction with its adoption of a SPA Plan, that a lesser amount of land is needed, based on availability of shared parking with other facilities, or other community purpose facilities that are guaranteed to be made available to the community. Any shared parking arrangements pursuant

to this section shall be guaranteed regardless of any future changes in occupancy of facilities.

- C. The required CPF acreage shall have a CPF, Community Purpose Facilities, land use designation. All uses shall require a conditional use permit; the following land uses can be considered as conditionally permitted uses:

1. Boys Scouts, Girl Scouts, and other similar organizations
2. Social and human service activities, such as Alcoholics Anonymous;
3. Services for homeless;
4. Services for military personnel during the holidays;
5. Senior care and recreation;
6. Worship, spiritual growth and development, and teaching of traditional family values;
7. Day care facilities that are ancillary to any of the above;
8. Private schools that are ancillary to any of the above;
9. Interim uses, subject to the findings outlined in 19.48.025 (E).
10. Recreational facilities, such as ball fields, for non-profit organizations serving the local community, subject to the requirements outlined in 19.48.040 (B)(6)(d).

- D. Criteria outlining the siting, property development standards, and operational parameters such as location, building setbacks, maintenance and design, and hours of operation, shall be incorporated into the SPA's Planned Community District Regulations.

- E. Findings. Approval of interim uses on CPF-designated sites shall require that the approval authority make certain findings, as outlined herein:

Conditional Interim Uses Permitted After 5 Years. The city council, upon receiving the advice and recommendation of the planning commission may, after five (5) years of non-use as a community purpose facility after the issuance of the first certificate of occupancy on a structure in SPA Plan areas, in accordance with the procedures for issuance of conditional use permits contained in Chapter 19.14 of this Code, conditionally permit interim, non-permanent non-residential uses which are not community purpose facility uses that council finds (1) the interim use to be compatible with the surrounding land uses (2) that the community purpose facility use is not imminently likely; and (3) that denial of an interim use would constitute a further hardship to the landowner. If an interim use is permitted by the city council, it shall in no event be terminable within said 5 year period except upon one year's advance notice of intent to terminate said conditional use permit by the city council. City council shall give such one year notice upon being advised of a sale or lease by the owner to purchaser or tenant for use as a community-purpose facility.

- F. Review by City Council. For each approved sectional planning area plan on which is designated one or more community purpose facility uses, the City Council shall review said plan annually for the purpose of determining the actual market interest in the purchase or lease of said land so designated and the marketing activity associated therewith.

**19.48.030 Application-Method-Documents required.**

A P-C zone may be initiated by one or more owners, by a developer representing said owners or by the city upon application made in the manner specified in this chapter. (Ord 2673, 1996; Ord 1854 §5 (part), 1979; Ord 1826 §1 (part), 1978; Ord 1281 §2 (part), 1970; Ord 1212 §1 (part), 1969; prior code §33.520(C)(part)).

**19.48.040 Application-General development plan required-Contents required.**

A. The application shall include a general development plan which shall consist of a plan diagram and text. The application shall be accompanied by the Required Fee(s). The plan diagram shall show the following:

1. The topographic character of the land;
2. Any major grading intended;
3. The general location of all existing and proposed uses of the land;
4. The approximate location of all traffic ways; except those solely serving abutting uses;
5. Any public uses, such as schools, parks, playgrounds, open space and undisturbed natural land; and,
6. The approximate location of different residential densities of dwelling types.

B. The application shall include a text which indicates:

1. Description of the project, including the boundaries and names of proposed sectional planning areas;
2. The anticipated sequential development of each section of the development for which specific uses are intended or for which sectional planning area plans will be submitted;
3. The approximate area of each sectional planning area of the development and the area of each separate land use;
4. For residential development or residential areas of any P-C zone development:
  - a. The approximate number of dwelling units proposed by type of dwelling. This may be stated as a range with maximum and minimum number of units of each type,
  - b. The approximate total population anticipated in the entire development and in each sectional planning area. This may be stated as a range with a maximum and minimum number of persons,

- c. The general criteria relating to height, open space, and building coverage,
  - d. The number of dwelling units per gross acre proposed for each sectional planning area of the development,
  - e. The approximate land area and number of sites proposed for public use of each type,
  - f. Where appropriate, the approximate retail sales area space in square feet and gross area in acres proposed for commercial development with standards of off-street parking and landscaping and circulation for vehicles and pedestrians;
5. For commercial or industrial areas of any proposed P-C zone:
- a. Types of uses proposed in the entire area and each sectional planning area thereof,
  - b. Anticipated employment in the entire development and in each sectional planning area thereof. This may be stated as a range,
  - c. Methods proposed to control or limit dangerous or objectionable elements, if any, which may be caused or emitted by proposed uses. Such dangerous or objectionable elements may include fire, explosion, noise or vibration, smoke, dust, odor, or other form of air pollution, heat, cold, dampness, electric or other disturbance, glare, liquid or solid refuse or waste or other substance, condition or element which might adversely affect the surrounding area,
  - d. The approximate standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading proposed for the intended structures or uses;
6. For institutional, recreational or other nonresidential uses of any P-C zone:
- a. Approximate types of uses proposed in the entire area and each sectional planning area thereof,
  - b. Significant applicable information with respect to enrollment, residence, employment, patients, attendance, and other pertinent social or economic characteristics of development,
  - c. The approximate standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading, proposed for the intended structures or uses.
  - d. Determination of the amount of acreage required to be designated for "community purpose facilities" pursuant to Section 19.48.020(c). Where recreational ball fields are desired as a conditional use in CPF land

use districts, a "CPF Master Plan," showing the specific boundaries of the plan and existing and proposed distribution of CPF uses within a SPA, GDP or overall Planned Community shall be considered and approved by the Director of Planning and incorporated as part of the Planned Community's General Development Plan(s). Ball fields shall not utilize more than 25% of the overall SPA, GDP or Planned Community CPF acreage requirement. No park credit shall be granted for recreational ball fields in developments utilizing this option.

The CPF Master Plan boundaries may be the SPA, GDP or Planned Community boundaries (more than one GDP) as deemed appropriate by the Director of Planning.

(Ord 2506 §1 (part), 1992; Ord 2452A §3, 1991; Ord 1854 §5 (part), 1979; Ord 1826 §1 (part), 1978; Ord 1281 §2 (part), 1970; Ord 1212 §1 (part), 1969; prior code §33.520(C)(1)).

**19.48.050 Findings required for recommendation of establishment.**

The planning commission, after public hearing as provided in Sections 19.12.010 through 19.12.110 of this title, may recommend the establishment of a P-C zone; provided it finds that the facts submitted with the application and presented at the hearing establish by clear and convincing evidence that:

- A. The proposed development as described by the general development plan is in conformity with the provision of the Chula Vista general plan.
- B. A planned community development can be initiated by establishment of specific uses or sectional planning area plans within two years of the establishment of the planned community zone.
- C. In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; and that it will be in harmony with or provide compatible variety to the character of the surrounding area, and that the sites proposed for public facilities, such as schools, playgrounds and parks, are adequate to serve the anticipated population and appear acceptable to the public authorities having jurisdiction thereof.
- D. In the case of proposed industrial and research uses, that such development will be appropriate in area, location, and over-all design to the purpose intended; that the design and development standards are such as to create a research or industrial environment of sustained desirability and stability; and, that such development will meet performance standards established by this title.
- E. In the case of institutional, recreational, and other similar nonresidential uses, that such development will be appropriate in area, location and over-all planning to the purpose proposed, and that surrounding areas are protected from any adverse effects from such development.



- F. The streets and thoroughfares proposed are suitable and adequate to carry the anticipated traffic thereon.
- G. Any proposed commercial development can be justified economically at the location(s) proposed and will provide adequate commercial facilities of the types needed at such proposed location(s).
- H. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with said development.

(Ord 1854 §5 (part), 1979; Ord 1826 §1 (part), 1978; Ord 1281 §2 (part), 1970; Ord 1212 §1 (part), 1969; prior code §33.520(C)(2)).

**19.48.060 P-C zone-Planning commission action.**

Following a public hearing, and upon making the required findings, the planning commission shall make a recommendation to the city council for approval or modified approval of a proposed P-C zone, and shall also adopt a resolution recommending that the city council adopt the general development plan as submitted or as modified. Such recommendation and the recommended general development plan shall be forwarded to the city council for its consideration. If unable to make the required findings, the planning commission shall deny said application. An appeal from the action of the planning commission may be filed in accordance with Section 19.12.110. (Ord 1854 §5 (part), 1979; Ord 1826 §1 (part), 1978; Ord 1281 §2 (part), 1970; Ord 1212 §1 (part), 1969; prior code §33.520(D)).

**19.48.070 P-C zone-City council action-Compliance with general development plan required.**

Upon receipt of a recommendation by the planning commission for approval or modified approval of any P-C zone, the city council shall set a public hearing on the matter.

- A. Following its public hearing, the city council may adopt an amendment to the zoning ordinance establishing a P-C zone, or may deny the proposed amendment. The city council shall make no modification of the proposed amendment as recommended by the planning commission unless and until such modification has been referred to the planning commission for additional study, report and recommendation. Such additional study, report and recommendation shall be made by the planning commission within forty days of the date of the referral, unless and except as the city council may grant the planning commission additional time for its review of the matter.
- B. At the time of adoption of a P-C zone amendment, the city council shall adopt, by resolution, the general development plan as defined in Section 19.48.040, except as provided for in Section 19.48.160.
- C. Following the adoption of the P-C zone amendment and the general development plan, all development within the district shall thereafter be in substantial conformity with the adopted general development plan or such modifications thereto as may have been approved.

(Ord 2673, 1996; Ord 1854 §5 (part), 1979; Ord 1826 §1 (part), 1978; Ord 1281 §2 (part), 1970; Ord 1212 §1 (part), 1969; prior code §33.520(E)).

**19.48.080 General development plan-Modification requests and procedures.**

- A. From time to time it may be necessary and desirable to modify the approved general development plan. Modification of such a plan may be initiated by the property owner, his authorized agent or developer.
- B. Requests for modifications shall be submitted to the planning commission on a prescribed form and shall be accompanied by such additional maps, statements, or other information as may be required to support the proposed modification and the Required Fee(s).
- C. The planning commission shall conduct a public hearing on all proposed modifications. The planning commission may recommend approval, conditional approval, or denial of a proposed modification to the city council, which shall conduct a public hearing thereon.
- D. Modification to an approved general development plan shall be made only by resolution of the city council. Within thirty days after receipt of a recommendation from the planning commission, the city council shall approve or deny the proposed modification.

(Ord 2506 §1 (part), 1992; Ord 1961 §1 (part), 1982; Ord 1854 §5 (part), 1979; Ord 1826 §1 (part), 1978).

**19.48.090 Sectional planning areas and sectional planning area plans- Requirements and content.**

- A. All P-C zones shall be divided into sectional planning areas, except as provided for in Section 19.48.160. These areas of subcommunities shall be depicted on the plan diagram of the general development plan of a P-C zone, and shall be addressed in the text thereof.
- B. Sectional planning areas shall be composed of identifiable planning units, within which common services and facilities, a strong internal unity, and an integrated pattern of land use, circulation, and townscape planning are readily achievable. Where practicable, sectional planning areas shall have discernible physical boundaries.
- C. Prior to any development within a sectional planning area, the developer shall submit a sectional planning area plan, accompanied by the Required Filing Fee(s), and a completed, official application, to the planning commission for public hearing, consideration, and recommendatory action, unless such sectional planning area plans are not required by the text of an adopted general development plan. The sectional planning area plan shall include the following site utilization plan and documents.
  - 1. A site utilization plan of the sectional planning area at a scale of one inch equals two hundred feet minimum or as determined by the director of planning. The

plan shall extend a minimum of three hundred feet beyond the boundaries of the sectional planning area and show the following:

- a. The boundaries of the sectional planning area;
- b. North arrow and scale;
- c. Preliminary grading (including slope ratios and spot elevations where appropriate);
- d. Existing and proposed streets (This shall include all public and private streets as well as their approximate grades and typical widths. The names of the existing streets shall be indicated);
- e. Existing easements (identify);
- f. Existing and proposed riding and hiking trails;
- g. Existing and proposed bicycle routes;
- h. Pedestrian walks;
- i. Permanent physical features (i.e., water towers, transmission towers, drainage channels, etc.);
- j. Land uses (include the acreage of each) for;
  - (1) Parks,
  - (2) Open space,
  - (3) Schools (indicate type),
  - (4) Public and quasi-public facilities (include type),
  - (5) Residential:
    - Dwelling type (i.e., single family, duplex, attached, etc.)
    - Lot lines
    - Lot size
    - Number of units (indicate density for each dwelling type)
    - Parking (covered or open parking and parking ratio)
    - Typical floor plans and site plans at a minimum scale of one inch equals twenty feet. (The site plan shall include sufficient detail of adjacent development to determine the relationship of driveways, landscaping, walks, buildings, etc.)

The building elevations of each type of structure (including exterior colors and materials)

(6) Commercial:

Location and proposed use of each structure;  
The building elevations and floor plans of each structure (include exterior colors and materials)  
Retail floor area (square footage)  
Landscaped areas  
Circulation (vehicular and pedestrian)  
Off-street parking (standards and ratio)

(7) Industrial:

Location and proposed use of each structure;  
The building elevations and floor plans of each structure (include exterior colors and materials)  
Retail floor area (square footage)  
Landscaped areas  
Circulation (vehicular and pedestrian)  
Off-street parking (standards and ratio)

(8) Community Purpose Facilities:

Location and acreage of sites, in conformance with Section 19.48.020C.

A specific listing of types of uses to be included in this category, which are compatible with the permitted uses in the planned community.

Property development standards, including minimum lot size, setbacks, and height limitations.

2. Development standards (i.e., permitted land uses, lot coverage, height and bulk requirements, signs, etc.) for each land use area and designation.
3. Development to occur in phases shall be so indicated on the plan. A skeletal plan shall be prepared for those areas indicated for future development. The skeletal plan shall indicate circulation, building locations, preliminary grading, areas devoted to landscaping, density and parking. The submission of each subsequent phase will require a new application and the required fee(s) for a modification of a sectional planning area plan, together with the required detail plans.

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 5th day of May, 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

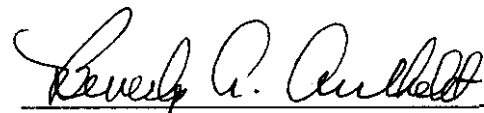
ATTEST:

  
\_\_\_\_\_  
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. 2732 had its first reading at a regular meeting held on the 28th day of April, 1998 and its second reading and adoption at a regular meeting of said City Council held on the 5th day of May, 1998.

Executed this 5th day of May, 1998.

  
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Beverly A. Authelet, City Clerk