

ORDINANCE NO. 2958

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA AMENDING SECTION 19.54.020 AND
ADDING SECTIONS 19.58.148 AND 19.58.245 TO THE
CHULA VISTA MUNICIPAL CODE TO ALLOW AND
REGULATE CERTIFIED FARMERS' MARKETS AND
AMBULANCE SERVICES

WHEREAS, the City of Chula Vista has been approached by an organizer of farmer's markets who is interested in establishing such an event at Southwest College; and

WHEREAS, the Chula Vista Municipal Code does not currently have specific regulations for this unique method of selling food; and

WHEREAS, the City Council believes that well regulated certified farmers' markets can be of benefit to the community; and

WHEREAS, small scale ambulance dispatch service offices disbursed to a variety of locations are necessary to provide an adequate emergency response system for the City of Chula Vista; and

WHEREAS, the Environmental Review Coordinator has determined that the proposed ordinance amendment is exempt pursuant to Section 15060(c)(3) of the State California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the Planning Commission held a duly noticed public hearing on March 10, 2004, and has forwarded a recommendation to the City Council to adopt the proposed amendments and additions to the City's Zoning Ordinance.

NOW, THEREFORE, the City Council of the City of Chula Vista does hereby ordain:

SECTION I. That Section 19.54.020 of the Chula Vista Municipal Code is amended to read as follows:

19.54.020 Designated - Limitations and Standards.

The following uses may be considered for location in any zone, subject to the provisions set forth herein, and additional conditions set forth in Chapter 19.58 CVMC (references indicated for uses):

- A. Borrow pits and quarries for rock, sand and gravel;
- B. Campgrounds: See CVMC 19.58.040;
- C. Cemeteries: See CVMC 19.58.080;
- D. Colleges, universities, private schools, and elementary and secondary public schools;

- E. Columbariums, crematoriums and mausoleums; provided, that these uses are specifically excluded from all R zones unless inside of a cemetery: See CVMC 19.58.080;
- F. Churches: See CVMC 19.58.110;
- G. Dumps, public or private;
- H. Hospitals, including, but not limited to, emergency, general, convalescent, rest homes, nursing homes (for the aged, crippled, and mentally retarded of all ages), psychiatric, etc.: See CVMC 19.58.110.

Further, approval shall not be granted until the following findings can be made (homes for mentally retarded children):

- 1. The size of the parcel to be used shall provide adequate light and air in proportion to the number of residents,
 - 2. The location of windows and open play areas shall be so situated as to not adversely impact adjoining uses,
 - 3. Spacing between these facilities shall be such that the character of the neighborhood is not affected by the grouping of these homes;
- I. Mortuaries: See CVMC 19.58.080;
 - J. Establishments or enterprises involving large assemblages of people or automobiles, as follows; provided, that these uses shall be deemed to be generally undesirable in the R zones:
 - 1. Airports and heliports: See CVMC 19.58.180,
 - 2. Amusement parks and amusement enterprises: See CVMC 19.58.040,
 - 3. Arenas: See CVMC 19.58.040,
 - 4. Fairgrounds: See CVMC 19.58.040,
 - 5. Museums,
 - 6. Open air theaters, except drive-in theaters: See CVMC 19.58.120(B),
 - 7. Race tracks and rodeos: See CVMC 19.58.040,
 - 8. Recreational centers, commercially operated: See CVMC 19.58.040,
 - 9. Stadiums,
 - 10. Shooting clubs: See CVMC 19.58.290,
 - K. Golf courses: See CVMC 19.58.090;

- L. Passenger stations for rail or bus travel;
- M. Public and quasi-public uses;
- N. Radio or television transmitters;
- O. Trailers (commercial coaches): See CVMC 19.58.330;
- P. Senior housing developments: See CVMC 19.58.390;
- Q. Recreational vehicle storage yards: See CVMC 19.58.400;
- R. Off-site advertising signs: See CVMC 19.58.225;
- S. Water distribution facilities: See CVMC 19.58.420.
- T. Certified farmers' markets: See CVMC 19.58.148.
- U. Ambulance Services: See CVMC 19.58.245.

Conditional use permit applications for the uses listed in this section shall be considered and approved by the following body or official. The zoning administrator shall approve all ambulances services uses. The planning commission shall approve campgrounds, recreational vehicle storage yards, churches, amusement arcades and centers, trailers (commercial coaches), water distribution facilities and borrow pits of not more than two acres. The City Council, subsequent to its receipt of recommendations thereon from the planning commission, shall approve all other unclassified uses not mentioned in this paragraph.

SECTION II. That Section 19.58.148. is hereby added to Chapter 19 of the Chula Vista Municipal Code to read as follows:

19.58.148 Certified Farmers' Markets

"Certified farmers' market" means a retail sales operation, generally outdoors, selling predominantly fresh produce and/or flowers which is subject to the certification regulations of the State of California Department of Agriculture, Weights and Measures, and the County of San Diego's Department of Environmental Health.

A certified farmers' market shall operate under the following rules:

- A. Operational requirements.
 - 1. A farmers' market shall operate no more than once a week, with the day and hours of operation established by the conditional use permit.
 - 2. The sales area shall maintain a 25-foot setback from the street.
 - 3. The market shall be located on a paved surface, except for areas used for animal rides.
 - 4. The sales area shall be kept in a neat and well-kept manner at all times.

- B. Signs. The operator of a farmers' market shall obtain approval of a planned sign program for all signs. The development and approval of the planned sign program shall comply with the provisions of CVMC 19.60.050 and the following:
1. Temporary signs, whether a part of or not part of the planned sign program, identifying the farmers' market and hours thereof may only be displayed during the event, and not more than four (4) hours before and one (1) hour after said event.
 2. Pennants may be used only for safety and precautionary purposes.
 3. Price signs may be used only when of a size and location as to benefit the pedestrian shopper and not passing vehicles.
- C. Required conditions. The conditional use permit shall include requirements or standards for the following:
1. Live animals, live entertainment or rides if any are proposed.
 2. On- and off-site security and traffic controls.
 3. Emergency access provisions.
 4. Restrooms.
 5. Waste management and recycling.
 6. The initial term of a certified farmers' market use permit shall be for a period not to exceed one year. Any extension or renewal of said use permit must be heard and acted upon by the City Council, unless the City Council expressly delegates such authority to the planning commission.
- D. Parking. A certified farmer's market shall provide customer parking at a ratio of one space per 200 square feet of the maximum shopping area proposed. The term "shopping area" includes the area occupied by produce stands, vendor storage, walkways and aisles. If adequate parking is not available on-site, the operator shall provide off-site parking within 300 feet of the market area as measured along permanently available pedestrian routes. Said off-site parking shall be clearly identified as parking for the farmers market, including signs at the market directing patrons to the offsite parking location.
- E. If a certified farmers' market is located in a residential zone, it must be on property used primarily for public or quasi-public uses.
- F. Any other conditions of approval set forth in the conditional use permit.

SECTION III. That Section 19.58.245. is hereby added to Chapter 19 of the Chula Vista Municipal Code to read as follows:

19.58.245 Ambulance Services

Ambulance services may be located in any zone. Ambulance services can be incorporated into a hospital complex or other governmental facility. When approving a conditional use permit for ambulance services in a residential zone that is not part of a hospital complex and not located in a federal, state or local government facility, the planning commission shall incorporate the following conditions:

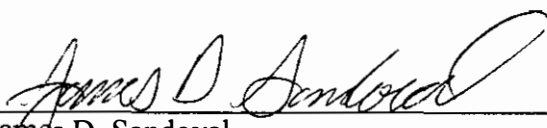
- A. The service must be limited to the staging and dispatching of one ambulance from a residential structure or unit.
- B. At least three dedicated parking spaces for an ambulance and two employees are required. The parking spaces shall be on-site and meet City standards for size, paving, access and screening.
- C. Except for shift changes and periodic inspections by managers, no more than three employees shall be on-site at any given time.
- D. Any other requirements the planning commission deems appropriate to minimize impacts on the residential neighborhood.

Fleet maintenance or the storing of multiple ambulances shall not be allowed in a residential zone, even if the use is part of a hospital complex or located at a government facility. Vehicles that are on-call shall not be considered "stored."

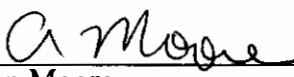
SECTION IV. This ordinance shall take effect and be in full force on the thirtieth day from and after its adoption.

Submitted by

Approved as to form by




James D. Sandoval
Planning and Building Director



Ann Moore
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 20th day of April, 2004, by the following vote:

AYES:	Councilmembers:	Davis, McCann, Rindone, Salas and Padilla
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	None



Stephen C. Padilla, Mayor

ATTEST:



Susan Bigelow, CMC, City Clerk

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

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2958 had its first reading at a regular meeting held on the 6th day of April, 2004 and its second reading and adoption at a regular meeting of said City Council held on the 20th day of April, 2004.

Executed this 20th day of April, 2004.



Susan Bigelow, CMC, City Clerk