

ORDINANCE NO. 3200

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
MUNICIPAL CODE CHAPTER 19.56 BY ADOPTING
MUNICIPAL CODE SECTION 19.56.300 ENTITLED
HISTORIC PRESERVATION MODIFYING DISTRICT-
PURPOSE; AND SECTION 19.56.310 HISTORIC
PRESERVATION MODIFYING DISTRICT- APPLICATION

WHEREAS, in 2007, City Council directed staff to develop a Historic Preservation Program that would protect the City's historical resources; and

WHEREAS, staff developed a Historic Preservation Program and Ordinance that allows for the designation of both individual properties and Historic Preservation Districts; and

WHEREAS, preservation of designated historic districts and the story they tell may be accomplished, in part, by providing flexibility of zoning regulations; and

WHEREAS, the Historic Preservation Program and Ordinance would allow for a Historic Preservation modifying district, to be applied to a designated Historic Preservation District to allow for flexibility of zoning regulations; and

WHEREAS, said modifying district shall take precedence over the otherwise applicable regulations of the underlying zone; and

WHEREAS, the Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for Class 31 and Class 8 Categorical Exemptions pursuant to Section's 15331 and 15308 (Historical Resource Restoration/Rehabilitation and Actions by Regulatory Agency for Protection of the Environment) of the State CEQA Guidelines because it adopts regulations which allow for preservation of designated historic districts resources in the City of Chula Vista. Thus, no further environmental review is required.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Chula Vista does hereby find and determine as follows:

Section I. Environmental Determination

That the project qualifies for Class 31 and Class 8 Categorical Exemptions pursuant to Section's 15331 and 15308 (Historical Resource Restoration/Rehabilitation and Actions by Regulatory Agency for Protection of the Environment) of the State CEQA Guidelines because it adopts regulations which allow for preservation of designated historic districts resources in the City of Chula Vista. The City Council further finds that no further environmental review is required.

Section II. Consistency with General Plan

The City Council finds that the proposed adoption of Municipal Code Sections 19.56.300 and 19.56.310 are consistent with the City of Chula Vista General Plan. The proposed code sections are based on sound planning principles and practices that will provide for the protection and conservation of historic resources. The adoption of the proposed code sections allows for preservation of historic districts through flexibility of zoning regulations. The amendment will also assist the City in protecting historic preservation districts and the story they tell.

BE IT FURTHER ORDAINED, that the City Council of the City of Chula Vista does hereby adopt Municipal Code Section 19.56.300 entitled Historic Preservation Modifying District- Purpose and Section 19.56.310 entitled Historic Preservation Modifying District- Application, as follows:

Section III.

19.56.300 – HP Historic Preservation Modifying District – Purpose

The purpose of the HP Modifying District is to allow for preservation of designated historic districts resources and the story they tell of the city's growth and development, architectural styles and accessory details, historical themes and development patterns of an area by providing flexibility of zoning regulations. The adopted regulations for the HP Modifying District shall take precedence over the otherwise applicable regulations of the underlying zone.

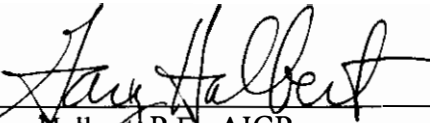
19.56.310- HP Historic Preservation Modifying District- Application

- A. The HP Modifying District may be applied only to properties within those areas designated as Historic Preservation Districts and shall meet the provisions of Chula Vista Municipal Code §21.06.070. A HP Modifier shall apply to all properties within an HPD.
- B. A HP Modifying District may be applied for concurrently with an application for a Historic Preservation District, or may be applied for subsequent to the formation of an HPD.
- C. All applications shall be reviewed by the Historic Preservation Commission and the Planning Commission with recommendations forwarded to City Council in accordance with the findings of fact found in Chula Vista Municipal Code §21.06.080.

Section IV. Effective Date

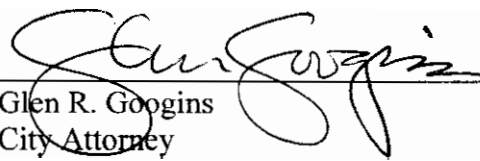
This ordinance shall take effect on the thirtieth day from and after its final adoption.

Presented by



Gary Halbert, P.E., AICP
Assistant City Manager/Director of
Development Services

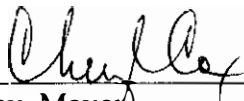
Approved as to form by



Glen R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 2nd day of August 2011, by the following vote:

- AYES: Councilmembers: Aguilar, Bensoussan, Castaneda, Ramirez and Cox
- NAYS: Councilmembers: None
- ABSENT: Councilmembers: None



Cheryl Cox, Mayor

ATTEST:



Donna R. Norris, CMC, City Clerk

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

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3200 had its first reading at a regular meeting held on the 19th day of July 2011 and its second reading and adoption at a regular meeting of said City Council held on the 2nd day of August 2011; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

August 16, 2011
Dated



Donna R. Norris, CMC, City Clerk