

SECOND READING AND ADOPTION

ORDINANCE No. _____

ORDINANCE OF THE CITY OF CHULA VISTA
APPROVING THE SECTIONAL PLANNING AREA (SPA)
PLANNED COMMUNITY DISTRICT REGULATIONS
(CHAPTER 3 – DEVELOPMENT CODE) FOR THE
UNIVERSITY INNOVATION DISTRICT

WHEREAS, the property which is the subject matter of this Ordinance is identified as Exhibit "1" attached hereto and incorporated herein by this reference and commonly known as the University Innovation District, which consists of approximately 383 acres on two distinct sites. The Main Campus site is located south of the intersection of Eastlake Parkway and Hunte Parkway, north of the Otay River Valley. The Lake Parcel is located south of the Chula Vista Elite Athlete Training Center, west of Lower Otay Lake and east of Salt Creek (the "Property"); and

WHEREAS, the City (the "Applicant" and "Owner") began processing a new Sectional Planning Area (SPA) Plan, including Planned Community District Regulations (PCM-14-05) for the University Innovation District (the "Project") in 2014; and

WHEREAS, the Project is intended to ensure that the University Innovation District SPA Plan is prepared in accordance with the Otay Ranch General Development Plan (GDP) to implement the City of Chula Vista General Plan for Eastern Chula Vista to promote the orderly planning and long term phased development of the Otay Ranch GDP and to establish conditions which will enable the University Innovation District to exist in harmony within the community; and

WHEREAS, the development of the Property has also been the subject matter of a concurrently processed Otay Ranch General Development Plan Amendment (GDPA) (PCM-14-05), approved by the City Council; and

WHEREAS, the Project is established pursuant to Title 19 of the Chula Vista Municipal Code, specifically Chapter 19.48 Planned Community (PC) Zone, which is applicable to the University Innovation District SPA Plan; and

WHEREAS, the Project establishes a Planned Community District Regulation Code (Chapter 3 – Development Code) applicable to the District Gateway, Urban Core, Town Center, Campus Commons, Campus Vista and Future Development Transects, as well as the Lakes Blocks, Pedestrian Walk, Common Open Space and Open Space located in the University Innovation District SPA Plan; and

WHEREAS, the City's Director of Development Services has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and determined that there is substantial evidence, in light of the whole record before the City of Chula Vista, that the Project may have a significant effect on the environment; therefore, the Development Services Director has caused the preparation of an Environmental Impact Report, EIR 14-001; and

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WHEREAS, the development of the Property relied on the University Innovation District SPA Plan Project Environmental Impact Report No. 14-001, SCH 2014121097 (EIR 14-001); and the Findings of Fact and Mitigation Monitoring and Reporting Program, certified by the City Council; and

WHEREAS, the Planning Commission set the time and place for a hearing on said Project and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City and its mailings to property owners within 500 feet of the exterior boundaries of the Project site at least ten days prior to the hearing; and

WHEREAS; the hearing was held at the time and place as advertised in the City Council Chambers located at 276 Fourth Avenue, and said hearing was thereafter closed; and

WHEREAS; a duly noticed public hearing was scheduled before the City Council of the City of Chula Vista to approve the Project; and

WHEREAS, the proceedings and any documents submitted to the Planning Commission and City Council as the decision makers shall comprise the entire record of the proceedings.

NOW, THEREFORE, THE CITY COUNCIL of the City of Chula Vista does hereby find and ordain as follows:

I. PLANNING COMMISSION RECORD

That the proceedings and all evidence introduced before the Planning Commission at their public hearing 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.

II. ACTION

That the City Council hereby adopts an Ordinance approving the University Innovation District SPA Planned Community District Regulations (Chapter 3 – Development Code), finding that they are consistent with the City of Chula Vista General Plan, the Otay Ranch General Development Plan and all other applicable plans; as set forth in Resolution **PCM-** adopting the University Innovation District SPA Plan, and that the public necessity; convenience, general welfare and good planning and zoning practice support their approval and implementation.

III. SEVERABILITY

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be, invalid, unenforceable or unconstitutional; by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability

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or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

IV. CONSTRUCTION

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

V. EFFECTIVE DATE

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

VI. PUBLICATION

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by:

Approved as to form by:

Kelly Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney

EXHIBIT "1" – LOCATION MAP

