

ORDINANCE NO. \_\_\_\_\_

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING SECTION 15.04.018 OF THE CHULA VISTA MUNICIPAL CODE RELATING TO “ADDITIONAL PLANNING, DESIGN, CONSTRUCTION, AND POST CONSTRUCTION REQUIREMENTS FOR ALL LAND DEVELOPMENT AND REDEVELOPMENT PROJECTS” (FIRST READING)

WHEREAS, on May 08, 2013, the San Diego Regional Water Quality Control Board (Regional Board) adopted Order No. R9-2013-0001 (Municipal Permit); and

WHEREAS, the Municipal Permit regulates discharges to storm drain systems within 18 municipalities in San Diego County, the County of San Diego, the San Diego County Regional Airport Authority, and the San Diego Unified Port District, as well as 13 Copermittees in Orange County and 5 Copermittees in Riverside County (collectively referred to as “Copermittees”); and

WHEREAS, on June 16, 2015, City Council approved an amendment to the Chula Vista Municipal Code (CVMC) Chapter 14.20 to bring the Code into compliance with the Municipal Permit; and

WHEREAS, the proposed amendment to CVMC Section 15.04.018 relating to “Additional planning, design, construction and post construction requirements for all land development and redevelopment projects” will provide consistency with the previous Chapter 14.20 Ordinance amendment; and

WHEREAS, furthermore, the proposed amendment to CVMC Section 15.04.018 would incorporate by reference the City of Chula Vista Best Management Practice Design Manual “BMP Design Manual December 2015” approved by Council on January 12, 2016, and

WHEREAS, the BMP Design Manual December 2015 establishes new requirements and guidelines for development and redevelopment projects in the City of Chula Vista to comply with the City’s storm water and non-storm water requirements on new development and redevelopment projects, during both the construction and post-construction phases of projects.

NOW THEREFORE the City Council of the City of Chula Vista does ordain as follows:

Section I. That Section 15.04.018 of the Chula Vista Municipal Code is amended as follows:

**15.04.018 Additional planning, design, construction, and post-construction requirements for all land development and redevelopment projects.**

No land owner or development project proponent in the City of Chula Vista shall receive any City permit or approval for land development activity or significant redevelopment activity unless the project meets or will meet the requirements of this chapter, Chapter 14.20 and the City of Chula Vista BMP Design Manual December 2015.

**Section II. 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 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.

**Section III. 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.

**Section IV. Effective Date**

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

**Section V. 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

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Richard A. Hopkins  
Director of Public Works

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Glen R. Googins  
City Attorney