

ORDINANCE NO. 2020-

ORDINANCE OF THE CITY OF CHULA VISTA APPROVING
AMENDMENTS TO THE EASTLAKE II PLANNED COMMUNITY
DISTRICT REGULATIONS FOR A 9.35-ACRE SITE LOCATED
SOUTH OF EASTLAKE DRIVE, IMMEDIATELY WEST OF SR-125

WHEREAS, the parcel, that is the subject matter of this Ordinance, is represented in Exhibit A, attached hereto and incorporated herein by this reference, and for the purpose of general description is located south of Eastlake Drive and west of SR-125 within the Eastlake community; and

WHEREAS, on December 8, 2016, a duly verified application was filed with the City of Chula Vista Development Services Department by Mid-City, LLC (Applicant) requesting approval of amendments to the Eastlake II Sectional Planning Area (SPA) Plan (MPA 16-0019), including the Planned Community (PC) District Regulations; and

WHEREAS, the project is intended to ensure that the Eastlake II SPA Plan is prepared in accordance with the Eastlake II 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 Eastlake II GDP and to establish conditions, which will enable the proposed self-storage facility to exist in harmony within the community; and

WHEREAS, the Director of Development Services has reviewed the proposed Project for compliance with the California Environmental Quality Act and has conducted an Initial Study, IS16-0004 in accordance with the California Environmental Quality Act (CEQA). Based upon the results of the Initial Study, the Director of Development Services has determined that the implementation of the Project could result in significant effects on the environment. However, revisions to the Project made by or agreed to by the Applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, the Director of Development Services has caused the preparation of a Mitigated Negative Declaration (MND), IS16-0004 and associated Mitigation Monitoring and Reporting Program (MMRP); and

WHEREAS, the Planning Commission set the time and place for a hearing on said amendments 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 mailing to property owners within 500 feet of the exterior boundaries of the Property at least ten days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised in the Council Chambers, 276 Fourth Avenue, and the Planning Commission voted xxx to recommend to the City Council approval of the subject amendments; and

WHEREAS, the City Clerk set the time and place for a hearing on the 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 mailing to property owners within 500 feet of the exterior boundaries of the property, at least 10 days prior to the hearing; and

WHEREAS, a duly noticed public hearing was held before the City Council of the City of Chula Vista to approve the project.

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

I. PLANNING COMMISSION RECORD

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. COMPLIANCE WITH CEQA

The Director of Development Services has reviewed the proposed Project for compliance with the California Environmental Quality Act and has conducted an Initial Study, IS16-0004 in accordance with the California Environmental Quality Act (CEQA). Based upon the results of the Initial Study, the Director of Development Services has determined that the implementation of the Project could result in significant effects on the environment. However, revisions to the Project made by or agreed to by the Applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; therefore, the Director of Development Services has caused the preparation of a Mitigated Negative Declaration (MND), IS16-0004 and associated Mitigation Monitoring and Reporting Program (MMRP); and

III. ACTION

The City Council hereby adopts an Ordinance approving the amendment to the Eastlake II SPA Planned Community District Regulations as represented in Attachment 4 on file at the office of the City Clerk, finding that they are consistent with the City of Chula Vista General Plan, the Otay Ranch GDP and all other applicable plans; as set forth in Resolution MPA xxxxx amending the Eastlake II SPA Plan Amendment, and that the public necessity; convenience, general welfare and good planning and zoning practice support their approval and implementation.

IV. 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.

V. 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.

VI. EFFECTIVE DATE

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

VII. 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, FSALA
Director of Development Services

Glen R. Googins
City Attorney