

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF CHULA VISTA APPROVING AMENDMENTS TO THE EASTERN URBAN CENTER PLANNED COMMUNITY DISTRICT REGULATIONS AND DESIGN PLAN (FORM BASED CODE) FOR 207 ACRES OF LAND IN THE EASTERN URBAN CENTER PORTION OF THE OTAY RANCH RELATING TO THE RELOCATION OF THE MILLENIA ELEMENTARY SCHOOL SITE, DELETION OF A PORTION OF MONTAGE AVENUE, REVISING THE PARKING RATES AND STANDARDS AND CLARIFYING THE APPROVAL PROCESS FOR THE PARKING MANAGEMENT PLAN, SUBSEQUENT PARKING RATES, AND FUTURE STREET DELETIONS

I. RECITALS

A. Project Site

WHEREAS, the area of land that is the subject of this Ordinance is diagrammatically represented in Exhibit A attached hereto and incorporated into this Ordinance, and commonly known as the Eastern Urban Center (EUC), and for the purpose of general description herein consists of 207 acres located adjacent to and east of SR-125, adjacent to and west of Eastlake Parkway, south of Birch Road and the Otay Ranch Town Center, and north of the future extension of Main Street (“Project Site”); and

B. Project; Application for Discretionary Approvals

WHEREAS, a duly verified application was filed with the City of Chula Vista Development Services Department on June 29, 2015 by SLF IV-Millenia, LLC (the “Applicant,” “Owner” and “Developer” requesting 1) approval of an EUC Sectional Planning Area (SPA) Plan and Form Based Code (FBC) amendment to relocate the primary school site from District 9 to District 5: and 2) clarifying the approval process for the deletion of street segments and for the approval of the Parking Management Plan within Millenia; and

C. Prior Discretionary Approvals

WHEREAS, the SPA plan approved by the City in September of 2009 included two potential school sites: A preferred six acre site in the South-Central Residential District (District 9) and an alternative site in the Southwestern Neighborhood District (District 10) should the primary site be rejected by the School District. In September 2012, the School District provided formal confirmation that the alternative site in District 10 was no longer needed; therefore, in March 2013 a SPA plan amendment

included the elimination of the alternative school site (Resolution 2013-038 and ordinance 3257); and

D. Environmental Determination

WHEREAS, The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project was covered in previously adopted Final Second Tier Environmental Impact Report, EIR 07-01. The Director of Development Services has determined that only minor technical changes or additions to this document are necessary and that none of the conditions described in Section 15162 and 15164 of the State CEQA Guidelines calling for the preparation of a subsequent document have occurred; therefore, the Director of Development Services has prepared an addendum to the Final Second Tier Environmental Impact Report, EIR 07-01; and

WHEREAS, the City Council finds that the Addendum (IS 15-0003) to EIR 07-01 has been prepared in accordance with the requirements of CEQA, and the Environmental Procedures of the City of Chula Vista; and

E. Planning Commission Record of Application

WHEREAS, the Director of Development Services set the time and place for a hearing on the Project, and notice of the 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 boundary of the Project Site at least ten (10) days prior to the hearing; and

WHEREAS, the Planning Commission held an advertised public hearing on July 13, 2016 on the Project to adopt Resolution MPA15-0009 recommending that the City Council amend the EUC SPA Plan; and

WHEREAS, the proceedings and all evidence introduced before the Planning Commission at the public hearing on the Project and the minutes and Resolution resulting therefrom, are incorporated into the record of this proceeding; and

F. City Council Record of Application

WHEREAS, the City Clerk set the time and place for the hearing on the Project application and notices of said hearing, together with its purposes 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 Project Site at least ten (10) days prior to the hearing; and

WHEREAS, the duly noticed and called public hearing on the Project was held before the City Council in the Council Chambers in the City Hall, Chula Vista Civic Center,

276 Fourth Avenue, to receive the recommendations of the Planning Commission, and to hear public testimony with regard to the same.

II. NOW THEREFORE, the City Council of the City of Chula Vista does hereby find, determine and ordain as follows:

A. CONSISTENCY WITH GENERAL PLAN

The City Council finds that the proposed amendment to the EUC Planned Community District Regulations and Form Based Code are consistent with the City of Chula Vista General Plan. The General Plan contains a “floating” location for a required elementary school within the overall 207-acre EUC. The proposed amendment is to allow for the relocation of the primary school site from District 9 to District 5. The deletion of a segment of Montage Avenue is consistent with the General Plan in that it is not considered a circulation element road. The approval authority for future street deletions and for the Parking Management Plan is administrative in nature and therefore is also consistent with the General Plan. The adoption of parking rates will replace existing parking rates already established in the SPA.

B. APPROVAL OF PROPOSED AMENDMENTS

The City Council hereby approves the amendments to the Eastern Urban Center Planned Community District Regulations and Design Guidelines (Form Based Code) as represented in Exhibit B attached hereto and incorporated herein by this reference.

III. EFFECTIVE DATE

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

Presented by

Approved as to form by:

Kelly Broughton
Director of Development Services

Glen R. Googins
City Attorney