

RESOLUTION NO.

RESOLUTION OF THE CITY OF CHULA VISTA PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA AMEND TITLE 19 OF THE CHULA VISTA MUNICIPAL CODE REGULATING PLANNING AND ZONING CONCERNING SEXUALLY ORIENTED BUSINESSES

WHEREAS, the City of Chula Vista has certain permitting provisions found in Title 19 for sexually oriented businesses that are in need of updating and refinement. The Planning Commission takes legislative notice of the full complement of supporting evidence as to the secondary effects of sexually oriented businesses. Accordingly, the Planning Commission makes the findings and enactments in the City Council ordinance accompanying this subject resolution and recommends the same to the City Council; and

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m., May 14, 2014, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and said hearing was thereafter closed; and

WHEREAS, the Planning Commission, as set forth in the record of its proceedings therein, recommends that the City Council amend Title 19 of the Chula Vista Municipal Code concerning sexually oriented businesses.

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION hereby finds and resolves as follows:

That the Planning Commission has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the proposed activity is not a "Project" as defined under section 15378 of the State CEQA Guidelines because the adoption of this ordinance, will not result in a physical change to the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the proposed activity is not subject to CEQA. Notwithstanding the forgoing, the Planning Commission has further determined that there is also no possibility that the proposed activity will have a significant effect on the environment; therefore, pursuant to Section 15061(b)(3) of the State CEQA Guidelines the activity is exempt from the provisions of CEQA.

BE IT FURTHER RESOLVED, that the Planning Commission hereby recommends that the City Council of the City of Chula Vista, California amend Title 19 of the Chula Vista Municipal Code regulating planning and zoning concerning sexually oriented businesses.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the City Council.

Resolution

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Presented by:

Approved as to form by:

Kelly G. Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney

PASSED AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA, CALIFORNIA, this 14 day of May, 2014, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Moctezuma, Chair

ATTEST:

Patricia Laughlin, Board Secretary