

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA CONSIDERING ADDENDUM TO ENVIRONMENTAL IMPACT REPORT UPD#83356-EIR-65B/SCH#2005081077, MAKING CERTAIN FINDINGS AND APPROVING THE AMENDED 2005 GENERAL PLAN AND LAND USE PLAN OF THE LOCAL COASTAL PROGRAM AND DIRECTING STAFF TO FORWARD THE SAME TO THE CALIFORNIA COASTAL COMMISSION

WHEREAS, the land area that is covered by the Bayfront Local Coastal Program (LCP) and the particular property that is the subject matter of this resolution is represented in Exhibit A attached hereto and incorporated herein by this reference; and

WHEREAS, the property that is the subject of the proposed amendment is located at 789 E Street, consists of two legal lots comprising approximately 4.81 acres in area and is located on Bay Boulevard north of E Street, between the SDG&E Right of Way and the Interstate 5 freeway, and is designated and labeled in the LCP as Parcel 1a; and

WHEREAS, California State law requires that coastal cities adopt a LCP and said LCP must be certified by the California Coastal Commission before the LCP can become effective and implemented by the local jurisdiction; and

WHEREAS, the LCP is composed of a Land Use Plan and a Specific Plan; and

WHEREAS, in 2012 the City of Chula Vista (City) and the San Diego Unified Port District (Port District), in a collaborative effort with the community approved and adopted the California Coastal Commission-certified LCP and in September 2015 made some minor amendments to the LCP, which is the LCP that is currently in effect today; and

WHEREAS, in January 2015 the development firm of Land Developers and Associates Corporation (LDA), operating under the name of City of Chula Vista Property, LLC (Property Owner), and owner of the property located at 789 E Street, submitted an application to amend the General Plan and the LCP; and

WHEREAS, said application proposes to change the 2005 General Plan land use designation for the subject site from Professional & Office to Commercial Visitor and the LCP Land Use Plan/Specific Plan zoning designation from Commercial - Professional and Administrative to Commercial - Visitor Limited (Amendment); and

WHEREAS, the proposed changes do not cause substantial changes to the objectives, policies, and regulations contained in the documents nor the Coastal Act policies; and

WHEREAS, the proposed changes to the General Plan and LCP documents are included in Exhibit B attached to this Resolution and are hereby made a part hereof by this reference; and

WHEREAS, the Development Services Director has reviewed the proposed Amendment for compliance with the California Environmental Quality Act (CEQA) and has determined that the Amendment was covered in previously adopted Environmental Impact Report UPD#83356-EIR-65B/SCH#2005081077 (the "FEIR"). The Development Services Director has determined that only minor technical changes or additions to this document are necessary and that none of the conditions described in Section 15162 of the State CEQA Guidelines calling for the preparation of a subsequent document have occurred; therefore, the Development Services Director has prepared an Addendum to the FEIR; and

WHEREAS, the Development Services Director set the time and place for a hearing of the Planning Commission on the proposed General Plan and LCP Amendment, 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 the exterior boundaries of the LCP Area, at least 10 days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely 6:00 p.m., October 25, 2017, in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and the hearing was thereafter closed; and

WHEREAS, the Planning Commission considered all reports, evidence, and testimony presented at the public hearing with respect to the draft 2005 General Plan and LCP Amendment and Addendum; and

WHEREAS at said public hearing the Planning Commission recommended through a vote of 5-0-0-2 that the City Council approve the Resolution considering the Addendum to the FEIR, make the findings contained therein, and approve the Amendment to the 2005 General Plan and LCP Land Use Plan; and

WHEREAS, the City Clerk set the time and place for a hearing of the City Council on the proposed 2005 General Plan and LCP Amendment, 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 the exterior boundaries of the LCP Area, at least ten days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, namely on December 5, 2017, at 5:00 p.m. in the City Council Chambers, located at 276 Fourth Avenue, before the City Council and said hearing was thereafter closed; and

WHEREAS, the City Council considered all reports, evidence, and testimony presented at the public hearing with respect to the Addendum and 2005 General Plan and LCP Amendment.

I. NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Chula Vista does hereby find and determine as follows:

A. ENVIRONMENTAL DETERMINATION

That the proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and City Council has determined that the project was covered in previously adopted Environmental Impact Report UPD#83356-EIR-65B/SCH#2005081077. The City Council has further determined that only minor technical changes or additions to the FEIR are necessary and that none of the conditions described in Section 15162 of the State CEQA Guidelines calling for the preparation of a subsequent document have occurred; therefore, consistent with section 15164 of the State CEQA Guidelines the City Council has considered the Addendum to Environmental Impact Report UPD#83356-EIR-65B/SCH#2005081077.

B. GENERAL PLAN AND COASTAL ACT CONSISTENCY:

That the proposed amendment to the 2005 General Plan and Local Coastal Program, consisting of the Land Use Plan (LUP) and Specific Plan (SP), is consistent with the City of Chula Vista General Plan and the policies of the Coastal Act. The proposed changes to the LUP and SP are minor and unsubstantial and leave all of the provisions of the LUP and SP intact. With the changes in place the provisions of the documents are still based on sound planning principles and practices that will provide for the protection and conservation of sensitive natural resources. The proposed changes to the land use and zoning designations affect only the property located at 789 E Streets and the rest of the properties within the LCP area will remain unchanged. Furthermore, the rest of the development standards and regulations, such as building height, setbacks, Floor Area Ratio and lot coverage, as well as others, will remain the same and will continue to regulate the future development of the site. The proposed changes are consistent with the goals and objectives of the 2005 General Plan and LCP. The proposed changes will contribute to open up and provide more direct access to the Bayfront and create better connection to the rest of the city and the region. This will open up the Bayfront for the enjoyment of residents and visitors. The new provisions of the General Plan and LUP and SP will be conducive to the development of the Bayfront and the creation of a world-class destination for residents and visitors.

II. BE IT FURTHER RESOLVED that the City Council of the City of Chula Vista does hereby adopt the Proposed 2005 General Plan and LCP Amendment contained in a document known as Local Coastal Program Amendment attached to this Resolution and incorporated herein by this reference.

III. SUBMISSION TO COASTAL COMMISSION

BE IT FURTHERRESOLVED, that the City Council does hereby certify after a duly called and duly noticed public hearing that the LCP is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976 (Public Resources Code Section 30510(a)).

BE IT FURTHER RESOLVED, that the City Council finds that the LCP complies with the guidelines established by the California Coastal Commission and contains materials sufficient for a thorough and complete review (Public Resources Code Section 30510(b)).

BE IT FURTHER RESOLVED, that after a duly called and noticed public hearing the City Council does hereby direct the City Manager or his designee to submit this subject Resolution and the LCP, consisting of both the LUP and the SP, to the California Coastal Commission and that the Coastal Commission certify the same (Public Resources Code Section 30514).

Presented by:

Approved as to form by:

\_\_\_\_\_  
Kelly Broughton, FLSA  
Director of Development Services

\_\_\_\_\_  
Glen R. Googins  
City Attorney

Exhibit A – LCP Area & Parcel 1a Map

Exhibit B – 2005 General Plan and LCP Land Use Plan Amendment