

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

ORDINANCE OF THE CITY OF CHULA VISTA APPROVING  
THE SECTIONAL PLANNING AREA (SPA) PLANNED  
COMMUNITY DISTRICT (FORM BASED CODE)  
REGULATIONS FOR OTAY RANCH VILLAGE EIGHT WEST

WHEREAS, the property which is the subject matter of this Ordinance is identified as Exhibit “A” attached hereto and incorporated herein by this reference and commonly known as Otay Ranch Village Eight West, which consists of approximately 300.7 acres generally located south of the existing terminus of La Media Road, and southwest of the intersection of Magdalena Avenue and Main Street (Property); and

WHEREAS, an application (MPA19-0011) to consider an amendment to the Sectional Planning Area (SPA) Plan, including Planned Community District Regulations / Development Code (Form Based Code) for Village Eight West (Project) was filed with the City of Chula Vista Development Services Department on May 13, 2019, by HomeFed Village 8, LLC (“Applicant” and “Owner”); and

WHEREAS, the Project ensures that the Otay Ranch Village Eight West SPA Plan is prepared in accordance with the Otay Ranch 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 Otay Ranch GDP and to establish conditions which will enable Otay Ranch Village Eight West to exist in harmony within the community; and

WHEREAS, the development of the Property has been the subject matter of a General Plan Amendment MPA19-0009, and an Otay Ranch General Development Plan Amendment MPA19-0010, approved by the City Council immediately prior to this action, by Resolution No. 2020-\_\_B\_\_ (GPA/GDPA Resolution); and

WHEREAS, the Project is established pursuant to Title 19 of the Chula Vista Municipal Code, specifically Chapter 19.48 (PC) Planned Community Zone, which is applicable to the Otay Ranch Village Eight West SPA Land Use Plan; and

WHEREAS, the Project amends the Form Based Code applicable to the Open Space Preserve District, Open Space District, Neighborhood Edge District, Neighborhood General District, Neighborhood Center District, Town Center District, Park District, Community Purpose Facility District, and Basin District, located in the Otay Ranch Village Eight West SPA Land Use Plan; and

WHEREAS, the City’s Development Services Director has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and determined that the Project is substantially covered in the previously certified Final Environmental Impact Report for Village 8 West (FEIR 10-03/SCH #2010062093), 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 caused the preparation of an Addendum to FEIR 10-03 (IS19-0002) for consideration; and

WHEREAS, the Planning Commission set the time and place for a hearing on said 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 Project site at least ten days prior to the hearing; and

WHEREAS, the hearing was held at the time and place as advertised, and the Planning Commission voted to approve Planning Commission Resolution MPA19-0011 recommending that the City Council approve the Otay Ranch Village 8 SPA Plan Amendment, including the Project; and

WHEREAS, a duly noticed public hearing was scheduled before the City Council of the City of Chula Vista to approve the Project; and

Whereas, the proceedings and any documents submitted to the City Council as the decision-makers shall comprise the entire record of the proceedings.

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

#### Section I. Action

The City Council hereby adopts an Ordinance approving the Otay Ranch Village Eight West SPA Planned Community District Regulations (Form Based Code), finding that they are consistent with the City of Chula Vista General Plan, the Otay Ranch General Development Plan and all other applicable Plans, as set forth in Resolution 2020-\_\_\_\_\_, adopting the Village Eight West SPA Plan, and that the public necessity, convenience, general welfare and good planning and zoning practice support their approval and implementation.

#### 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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Kelly G. Broughton  
Development Services Director

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Glen R. Googins  
City Attorney