



City of Chula Vista

Staff Report

File#: 14-0604, **Item#:** 19.

CONSIDERATION OF AMENDMENTS TO THE URBAN CORE SPECIFIC PLAN AND RELATED REZONING ACTIONS

- A. ORDINANCE OF THE CITY OF CHULA VISTA ADOPTING AMENDMENTS TO THE URBAN CORE SPECIFIC PLAN TO: 1) REZONE CERTAIN APARTMENT RESIDENTIAL (R-3) ZONED PARCELS AND CERTAIN COMMERCIAL ZONED PARCELS FOR CONSISTENCY WITHIN THEIR UCSP SUBDISTRICT AREA EXCLUDING THE FOLLOWING SUBDISTRICTS: V-1; V-2; V-3; UC-12; AND UC-14; 2) REMOVE THE MINIMUM FLOOR AREA RATIO IN CERTAIN SUBDISTRICTS; 3) REMOVE LOT COVERAGE AS A MANDATORY DEVELOPMENT STANDARD; AND 4) MAKE MINOR MODIFICATIONS TO ENSURE CONSISTENCY WITH CITY POLICIES, PROCEDURES, AND PROCESSES (FIRST READING)
- B. ORDINANCE OF THE CITY OF CHULA VISTA ADOPTING AMENDMENTS TO THE URBAN CORE SPECIFIC PLAN TO: 1) REZONE CERTAIN APARTMENT RESIDENTIAL (R-3) ZONED PARCELS AND CERTAIN COMMERCIAL ZONED PARCELS FOR CONSISTENCY WITHIN THEIR UCSP AREA; 2) REMOVE THE MINIMUM FLOOR AREA RATIO IN CERTAIN SUBDISTRICTS; 3) REMOVE LOT COVERAGE AS A MANDATORY DEVELOPMENT STANDARD; AND 4) MAKE MINOR MODIFICATIONS TO ENSURE CONSISTENCY WITH CITY POLICIES, PROCEDURES, AND PROCESSES (FIRST READING)
- C. ORDINANCE OF THE CITY OF CHULA VISTA ADOPTING AMENDMENTS TO THE URBAN CORE SPECIFIC PLAN LAND USE MATRIX TO ALLOW CERTAIN DELETIONS AND ADDITIONS OF LAND USES AND PERMIT PROCESSES (FIRST READING)
- D. RESOLUTION NO. 2015-078 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA FINDING THAT THE REZONING OF PROPERTIES CURRENTLY BEING OPERATED AS TRAILER PARKS HAVE COMPLIED WITH REQUIRED PROVISIONS OF LUT SECTION 7.17 OF THE CHULA VISTA GENERAL PLAN

RECOMMENDED ACTION

- 1) Council conduct the public hearing, place the ordinances on first reading, and adopt the resolution;
- 2) provide direction to staff as to whether or not to pursue additional zoning changes as recommended by the Planning Commission.

SUMMARY

The Urban Core Specific Plan (UCSP) was adopted by City Council in April 2007. As an implementing plan for the 2005 General Plan, the UCSP contains land use regulations and design guidelines for both private and public development to facilitate the visions provided by the General

Plan. In 2011, the City Council approved amendments to the UCSP including:

- Re-designation of portions of Third Avenue in the Village to a two-lane Downtown Promenade; and
- Revisions to the residential parking standard in the Corridor subdistricts to be consistent with the citywide multi-family residential standard; and
- Addition of the “Third Avenue Outdoor Dining Guidelines” as Appendix E.

The UCSP requires periodic review of the Plan to ensure proper functioning and implementation over time. In 2013, the City Council requested staff to conduct the 5-year review of the UCSP. This is consistent with the administration of the UCSP which anticipates periodic reassessment of the Plan’s implementation as it is intended to be a document which responds to changing development trends in the urban core area.

Over the last few years, several projects have benefited from the UCSP’s form-based code development standards and design guidelines. Projects such as Urbana, The Colony and Lofts on Landis have been approved, with the Lofts on Landis project currently undergoing construction. During the review and approval process of these projects staff identified several development issues that needed to be addressed to better facilitate urban development. With the exception of these recent projects, staff found limited development activity had actually occurred likely due in large part to the economy.

ENVIRONMENTAL REVIEW

The Development Services Department Director reviewed the proposed action for compliance with the California Environmental Quality Act (CEQA) and has determined that the proposed amendments to the UCSP are minor and/or have already been considered and would not result in new, significant, adverse environmental impacts not previously considered in Final Environmental Impact Report (FEIR) 06-01 prepared for the UCSP and certified on April 26, 2007.

BOARD/COMMISSION RECOMMENDATION

On August 27, 2014 the Planning Commission held a public hearing to consider the proposed amendments. Staff received a letter from Crossroads II dated August 26, 2014 requesting the letter be included as public testimony at the August 27th Planning Commission hearing (see Attachment 9). In summary, the letter stated that the one space/unit minimum parking requirement for the UC-10, UC-12, and UC-15 subdistricts is inadequate, and urged increase in the requirement for these areas; and that the zero-foot rear yard setback at Roosevelt Street in the UC-3 subdistrict would create a “shadow” effect on residential units along Vance Street, and requested consideration of adding a building stepback requirement for rear property lines. The Planning Commission received and considered the requests, but did not recommend them. Staff is not proposing any amendments at this time, as further presented in the Discussion section.

The Commissioners conveyed their support for the rezones and amendments, and voted 5-0-1-1 recommending that the City Council approve the draft Resolution and Ordinance presented amending the UCSP and rezoning certain properties based on the findings.

The Commission also passed a separate motion (5-0-1-1) recommending that Council consider

directing staff to explore the following two additional changes: rezoning the R-3 area north of the H Street trolley station to the UC-12 designation to provide an area of more sufficient size to achieve future TFA development; and, rezoning the nearby MHP area to UC-14 given their observation that the MHP area is surrounded by the UC-14 zone and creates a void in the density concept. Should Council desire to direct staff to pursue these additional amendments, the effort would require a thorough analysis of the conditions and variables originally studied for the 2007 and 2011 versions of the UCSP and potentially new conditions and variables, as well as additional environmental review.

DISCUSSION

The hearing is intended to provide the City Council with recommendations regarding changes to the UCSP including rezoning certain R-3 and commercially zoned trailer park sites, removing certain development standards to facilitate development, allow additional commercial/office businesses in the East Village (V-1) subdistrict, ensure the UCSP is consistent with policies established by the General Plan for "Complete Streets" and the Bikeway Master Plan, and make minor text edits to update information. Staff did the reassessment over the last year and recommends the following items be approved:

- Rezone Apartment Residential (R-3) zoned parcels and certain commercial zoned parcels developed with trailer parks to provide consistency with the City's General Plan and existing adjacent land use subdistricts in the UCSP, making all parcels in the UCSP area uniformly and properly zoned. This action was deferred by Council with the original adoption of the Plan in 2007. The rezone would not result in the requirement to change the current use of property (Attachment 4).
- Remove the minimum floor area ratio to allow less intense property development in areas other than Transit Focus Areas (TFAs) (Attachment 5).
- Remove lot coverage as a mandatory development standard to allow more flexibility in form-based development.
- Allow some commercial/office uses by right in the East Village (V-1) subdistrict in addition to residential uses (Attachment 6).
- Modify the Land Use Matrix for the Village District to reflect changes in uses and permit processing.
- Add text to ensure the UCSP is consistent with the City's Bikeway Master Plan and adequately addresses Complete Streets policies.
- Make minor text edits to clarify and update information relative to the processes that have been implemented in the last five plus years (full text amendments provided on compact disc).
- Provide a map which clearly identifies the zoning for the Northwest Urban Core area which includes the urban core subdistricts as well as adjacent Single-Family (R-1); Two-Family (R-2) and Mobile Home Park (MHP) zones (Attachment 1).

Crossroads II:

As mentioned under the Board/Commission Recommendation section, staff received a letter from

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Crossroads II dated August 26, 2014 requesting their letter be included as public testimony at the August 27th Planning Commission (Attachment 10), which it was. The Crossroads II letter explained two issues of concern: minimum parking requirements; and no required rear yard setbacks in a select area.

Crossroads II stated that the one space/unit minimum parking requirement for the UC-10, UC-12, and UC-15 subdistricts is inadequate, and urged staff to increase the requirement for these areas. These subdistricts are classified as Transit Focus Areas (TFAs) with higher density as they are located adjacent to the existing trolley stations at E Street and H Street. Consistent with contemporary urban parking standards, the UC-10 residential parking requirement is 1.5 spaces/du, and the UC-12, and UC-15 subdistricts require 1 space/du. These minimum parking requirements are intended to discourage typical automobile use, and encourage usage of the available multi-modal options. Chula Vista's urban core was established to encourage new urban development using urban land use principles. The General Plan (LUT 30.1) also states *"A neighborhood or district's parking supply should be appropriate for the area's land uses and level of transportation service. Parking facilities should fit well within the area and not negatively affect its pedestrian-oriented environment..."*, and the General Plan's Urban Core Circulation element states *"...that the automobile is just one of several modes of transportation that can move people in urbanized environments, and more intensive developments in built-up areas that should not be constrained by policies that focus exclusively on moving vehicular traffic."*

Crossroads II also stated a concern about the potential "shadow" effect on residential units along Vance Street since properties have a zero-foot rear yard setback on Roosevelt Street in the UC-3 subdistrict. Crossroads recommends that staff consider a building stepback requirement along rear property lines. New development that includes tall buildings is subject to the UCSP Section D - Special Provisions for Neighborhood Transition Combining Districts and Transit Focus Areas in Chapter VI Land Use and Development Regulations. Application of these development regulations and design standards would consider a tall building's potential effect on existing one or two-story buildings. Accordingly, reasonable measures would be taken to ensure the potential effect of tall buildings is addressed. Given the above reasons, staff is not proposing these two items as amendments at this time.

Planning Commission Additional Zoning Input:

The Commission passed a separate motion for City Council to consider directing staff to explore rezoning the R-3 area north of the H Street trolley (Holiday Gardens) to the UC-12 designation in order to create an area of sufficient size to achieve meaningful future TFA development. In 2007, the area was originally proposed for the UC-12 designation however, City Council removed that R-3 zoned area from consideration because some residents of the existing condominium complex raised concerns at that time. The 164 residential units are individually owned condominiums and therefore the likelihood of the complex being comprehensively redeveloped seemed speculative. The motion also included the Commission's observation that the MHP area surrounded by UC-14 creates a void in the density concept, and recommends Council similarly consider directing staff to explore rezoning this MHP area to UC-14. Staff did not include the MHP zoned areas in the original UCSP zoning recommendations as the MHP is a mobile home-exclusive zone viewed as a source of affordable housing.

Public Outreach:

On February 5, 2014 staff met with the Third Avenue Village Association (TAVA) Executive Board and Design Committee. Subsequently, TAVA provided staff with recommended modifications that include adding/removing uses and use limitations, and modifying permit requirements from the Village District. On February 26, 2014 staff presented the proposed amendments to the Chamber of Commerce Executive Board; no issues were raised and the Board unanimously supports the amendments. On May 7, 2014, staff presented the recommended updates to the Development Services Oversight Committee comprised of developers, business owners, community organizations, engineers, architects, and contractors. The Oversight Committee recommended approval of the proposed amendments. On May 8, 2014, staff held a public information meeting to inform attendees about the proposed amendments. During the meeting, a few property owners raised concern about the affect the rezoning would have on their property, and the transition of new development to existing development. On July 17, 2014, staff explained the proposed amendments and rezone at the Mobile Home Park Rent Review Commission meeting. Commission members support the rezone and no residents raised objections or concerns. Staff also reached out to Crossroads II to offer a briefing on the proposed changes, but they declined.

ANALYSIS

Rezone:

The adopted UCSP includes three land use districts: the Village, Urban Core, and Corridor which are further broken down into 26 subdistricts. The Village subdistricts allow multi-family residential, mixed-uses, institutional, office, and commercial uses; the Urban Core subdistricts allow a variety of uses including multi-family residential, mixed-uses, office and commercial uses; and the Corridor subdistricts allow a variety of mixed-uses, residential, commercial, retail, and auto-related uses.

Several commercially zoned areas with trailer parks and numerous parcels zoned R-3 were deferred for rezoning by the City Council with the adoption of the UCSP in 2007. These areas are now proposed to be rezoned to the appropriate UCSP subdistrict, making the zones consistent with residential and/or mixed use land use districts described above. The rezoned parcels will have expanded development opportunities if the property owner chooses to redevelop them with other allowed uses, or the existing uses may remain. The trailer parks currently operating within the Urban Core area include Broadway, Caravan, Flamingo, Fogerty Brothers, Mohawk, Rose Arbor, and Trailer Villa. These trailer parks were established many years ago under commercial or higher residential density zones prior to the adoption of the UCSP and are considered previously conforming uses. Although these trailer parks will be rezoned, they may continue operating, and the proposed rezone action would not require any change to the current use of the trailer parks. In addition, the existing R-1 and R-2 zones within the UCSP will not be rezoned, and mobile home parks, currently zoned Mobile Home Park (MHP), are not proposed to be rezoned and would retain their single family and/or MHP zoning designation.

Cummings Analysis:

The proposed rezones were evaluated for compliance with the “Controlled Residential Development” provisions in Chula Vista Municipal Code (CVMC) Chapter 19.80 (aka the “Cummings Initiative”), and have been determined to be in compliance. The Cummings Initiative (Ordinance 2309) provides a means of controlling residential growth relative to infrastructure needs. Rezoning properties designated for residential development is permitted to occur to the next highest residential density category in any two-year period according to the following schedule:

| | |
|-----|---------------------------------------|
| A | Agricultural |
| R-E | Residential Estate Zone |
| R-1 | Single Family Residential Zone |
| R-2 | One- and Two- Family Residential Zone |
| R-3 | Apartment Residential Zone |

When the UCSP was approved in April 2007, the City Council deferred the rezoning of select properties that were residentially zoned or had mobile home or trailer parks located on the property. Since the deferral, staff has conducted an analysis of the residentially zoned properties and their potential rezoning for compliance with the Cummings Initiative. The Cummings Initiative did not identify a higher residential zone than R-3, nor did it address the fact that within R-3, there are various levels of density allowed. For example, R-3H allows densities of approximately 55 units per acre, which is roughly equivalent to an Urban Core zone (allows up to 60 units per gross acre). Also, the Cummings Initiative did not account for mixed-use zoning. Mixed-use zones currently exist in the City's Urban Core that allow residential densities of 28-60 units per gross acre.

Since the Cummings Initiative was established in 1988, several changes have taken place that ensures the City's growth does not impact environmental quality or the quality of life in general. The changes include:

- Development Impact Fees have been instituted (and are updated regularly); ensuring new development pays its fair share of infrastructure costs in a timely manner. Impact fees are based on anticipated infrastructure needs such as roads, police, libraries, sewers and parks.
- In 2005, the City of Chula Vista's General Plan was updated, redefining the City's vision for the Urban Core Subarea portion of the General Plan.
- In 2007, the Urban Core Specific Plan was adopted, and its EIR made provisions for mitigation and infrastructure programs.
- Pursuant to Cummings Initiative CVMC section 19.80.030 the City enacted a specific element to the City's General Plan identified as Chapter 8, Public Facilities and Services Element which ensures that development shall not occur in the City that would degrade existing public services and facilities below acceptable standards until all additional necessary public services and facilities required for that development are assured or scheduled for timely completion. In addition to the General Plan Public Facilities and Services Element, the City also enacted General Plan Chapter 10, Growth Management and CVMC Chapter 19.09, Growth Management all of which provide that public facilities and services are adequate to meet the present and future needs of the City.

The tools are in place to plan for and control the rate of residential growth; however, since the Controlled Residential Development Ordinance is still in place, an analysis is done for zoning modifications to ensure compliance with the CVMC.

Areas Subject to Rezone:

The General Plan Update in 2005 foresaw the need for new more dense land use designations for the Urban Core to allow a mix of residential, office and retail uses in areas that are pedestrian-friendly and have a strong linkage to provision of transit within the context of a changing urban

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environment surrounded by single-family and two-family zones. The proposed rezone includes certain commercial zones with trailer parks and R-3 zones within the various subdistricts. The areas proposed to be rezoned are urban in character, with surrounding uses including commercial, retail, office, high density multi-family residential and institutional uses such as churches and schools. The subject properties are all within the UCSP boundary. In order to ensure compliance with CVMC Chapter 19.80, staff has analyzed the impact of the rezone shown on the following table:

Comparison of Village and Urban Core Subdistricts to the R-3 Zone:

| Zone or Subdistrict | Land Use | Maximum Building Height | Minimum Open Space Requirement Per Unit | Minimum Parking Requirement | Front Yard Setback | Rear Yard Setback |
|---------------------|---|-------------------------|---|---|--------------------|-------------------|
| R-3 | Residential | 45' | 400 s.f. | 2:1(no guest) | 15' | 10' |
| V-1 | Mixed-Use, Residential, Office (proposed) | 45' | 200 s.f. | 1.5:1 + guest | 0 | 0 |
| V-3 | Mixed-Use, Residential, Office, Retail | 84' | 200 s.f. | 1.5:1 + guest | 0 | 0 |
| V-4 | Mixed-Use, Residential, Office, Retail, Public/Quasi-Public | 60' | 100 s.f. | 1.5:1 + guest | 15' | 0 |
| UC-1 | Mixed-Use, Residential, Office, Retail | 84' | 100 s.f. | 1:1 (Res) + guest 2/1000 s.f. (Non-res) | 0 | 0 |
| UC-2 | Mixed-Use, Residential, Office, Retail | 84' | 100 s.f. | 1:1 (Res) + guest 2/1000 s.f. (Non-res) | 8' | 0 |
| UC-3 | Residential | 60' | 200 s.f. | 1.5:1 + guest | 15' | 0 |
| UC-5 | Office, Retail | 60' | NA | 2/1000 s.f. (Non-res) | 8' | 0 |
| UC-10 | Mixed-Use, Residential, Office, Retail | 72' | NA | 1:1 (Res) 2/1000 (Non-res) | 16' | 0 |
| UC-12 | Mixed-Use, Residential, Office, Retail, Hospitality | 210' | 100 s.f. | 1:1 (Res) 1/1000 s.f. (Non-res) | 16' | 0 |
| UC-14 | Residential | 84' | 200 s.f. | 1.5:1 + guest | 15' | 0 |

| | | | | | | |
|-------|--|------|----------|---------------------------------------|-----|---|
| UC-15 | Mixed-Use, Residential, Office, Retail, Hospitality | 210' | 100 s.f. | 1:1 (Res) 1/1000 s.f. (Non-res) | 11' | 0 |
| UC-16 | Retail, Hospitality | 60' | NA | 2/1000 s.f. (Non-res) | 20' | 0 |

As shown above, there are differences in development standards for the zoning classifications. The regulations for the Village and Urban Core are urban in nature and appropriate for the location - in proximity to the downtown village and close to transit hubs. The Village and Urban Core subdistricts allow taller buildings, more compact open space and less parking to encourage alternatives forms of mobility such as walking and bicycling. The rezone of the R-3 and commercial zones to these subdistricts is compatible with the existing zoning on the adjacent properties.

General Plan Consistency: The proposed rezoning is in compliance with the General Plan's Urban Core Residential, Mixed-Use Residential, Mixed-Use Transit Focus Area and Mixed-Use Commercial designations.

Conformance with Chapter 19.80 of the Chula Vista Municipal Code: The proposed rezone would result in the area converting to a residential intensity that is the next level of density. The proposed action is in compliance with this provision, as follows:

19.80.070 Chula Vista Zoning Code Modification:

A. Rezoning of property designated for residential development under the City's zoning code shall be permitted only to the next highest residential density category in any two year period according to the following schedule:

- A Agricultural Zone
- RE Residential Estates Zones
- R-1 Single Family Residential
- R-2 One and Two-Family Residential Zone
- R-3 Apartment Residential Zone

This proposal would rezone the properties to the next highest residential density level, as detailed below:

1. Some of the subject properties are currently zoned R-3 as shown on Attachment 5. Pursuant to the General Plan designation, a high density R-3 zoning has a density range of 18 to 27 dwelling units per acre.
2. The General Plan Update (GPU) designates all Transit Focus Areas (TFA) within the Urban Core subdistricts, for transit-focused mixed uses and mixed-use development. According to GPU policies (LUT 53.2; 53.3; 55.6; 55.7; 57.3; 57.4), the residential component of the Mixed Use Transit Focus Area designations are intended to have a TFA wide gross density of 60 dwelling units (du) per acre (72 du/net acre) in addition to a commercial FAR of 1.5 - 2.0. This density would be the next highest residential density category as identified and approved in General Plan Land Use. Designation and Zoning Table 5-4 and is consistent with adjacent properties that have already been rezoned.

3. The General Plan Density for Urban Core Residential is 28-60 units per gross acre (or 72 du/net acre). The proposed change in zoning from R-3 to various Urban Core Residential subdistricts is consistent with the above provision of the Cummings Initiative, since the change would be to the next highest residential density category as identified and approved in General Plan Land Use Designation and Zoning Table 5-4.
4. High (and very high) density multi-family residential already exists within the Urban Core including Congregational Towers (an affordable senior facility) located at 288 F Street, is zoned R-3H with a density of 248 units per acre, and Parkwoods (market-rate condominiums) located at 376 Center Street, is zoned R-3HP with a density of 31 units per acre.

B. Any annexation of lands within the City's sphere of influence shall conform to the purposes, intent and requirements of this ordinance.

This proposal does not involve the annexation of any lands.

C. After property is annexed by the City, the pre-zoning approved for the subject property cannot be amended or changed in any way for a two-year period. The provision shall apply only to pre-zones approved after the effective date of this ordinance.

This proposal does not involve the annexation of any lands.

D. Rezoning commercial or industrial property to a residential zone shall be permitted only to the maximum residential density corresponding to the potential traffic generation that was applicable prior to the rezoning to residential. In addition, property which is rezoned from residential to commercial or industrial may not be rezoned to a residential category of higher density than that which was applicable prior to the rezoning to commercial or industrial.

Several parcels currently zoned Commercial Thoroughfare (CT) and developed with trailer parks are proposed to be rezoned to UC-13 (mixed-use residential, residential, office, retail, hospitality) and UC-14 (residential) districts. This would be a rezone from commercial to mixed uses, including residential and is consistent with CVMC 19.80.070(D). The rezone to mixed use would result in less traffic compared to commercial development. For the proposed rezone, the comparison would be between the potential traffic generation associated with future development under the existing CT zone and the corresponding maximum residential density that could be permitted under the rezone.

Based on standard traffic generation rates (SANDAG 2002), commercial and office uses generate greater traffic than residential uses. For example, a one acre parcel zoned CT would have the potential to develop up to 65,340 square foot commercial building. This is based on the CT development standards, which allow 50% of lot coverage, and up to three stories. Based on the trip generation rates for commercial uses (e. g. 40 trips/1000 square feet), a total of 2,614 trips would be generated. Based on CVMC 19.80.070(D) criteria, the maximum residential density could not be more than the potential traffic generated by the commercial use. By comparison, SANDAG's standard traffic generation rates for multi-family development (six trips/du), this degree of trip generation would equate to about 435 dwelling units on the one acre parcel.

The UC-13 district has a maximum floor area ratio (FAR) of 2.0 which could allow up to 48 du/acre and the UC-14 district has a maximum FAR of 3.0 which could allow up to 72 du/net acre resulting in significantly less traffic than a commercial use. Because commercial and office uses generate greater traffic volume, the rezone from commercial to a mixed use or multi-family residential category could never result in residential traffic volumes greater than the corresponding potential traffic generation from a commercial development. Therefore, the rezone from commercial to residential and/or mixed use that allows residential development would not conflict with CVMC 19.80.070(D).

Floor Area Ratio:

Floor Area Ratio (FAR) is a development standard that regulates the size and bulk of development on a property. It is the ratio of building size to parcel size. For example, a FAR of 1.0 on a 10,000 square foot (sf) parcel would allow a 10,000 sf building. In the past, the city's zoning regulations have typically contained maximum FAR. To encourage more urban development, the UCSP also included a minimum FAR to discourage underdeveloped lots. However, implementing the UCSP's minimum FAR has been a challenge for property owners who want to develop, or sell their property because the minimum FAR requires a building to be a certain size, at a minimum, which may not be feasible or practical in the current market as this area transitions to more urban development. Therefore, the proposal is to remove the "Minimum" floor area ratio development requirement for all subdistricts where it applies except for the TFAs. It is anticipated that this will encourage less intense property development in some subdistricts while requiring more intense development in the transit focus areas such as Third/H Street, and the E and H Street Transit sites. The maximum FAR would remain for all subdistricts (Attachment 5).

Lot Coverage:

Lot coverage was another issue that was evaluated to determine if it was a necessary development standard. Lot coverage is the area of the lot covered by the building footprint represented as a percentage. As a form-based code, the UCSP emphasizes the physical form of development focusing on building placement; rather than how much building can occupy space on a lot. Site development relies on other development standards, such as FAR, street wall frontage, setbacks, building height, open space, and parking requirements to shape new development and guide its placement on a lot. Staff researched several jurisdictions with form-based land use codes including Escondido and National City, and found that lot coverage is not a development standard used in these codes. In Chula Vista, this standard has been applied primarily to residential and industrial zones. Other citywide commercial zones such as the Central Commercial (CC) and Commercial Office (CO) zones do not use lot coverage as a development standard, but rely on setbacks and parking requirements to facilitate design.

The recently adopted Palomar Gateway Specific Plan and Eastern Urban Center Sectional Planning Area (SPA) Plan are form-based codes and do not include lot coverage as a mandatory development standard. Several of the mixed use projects that were processed over the last five years had to request and were granted development exceptions from this standard in order to create successful designs. The proposal is to remove lot coverage as a required development standard. Removing this requirement would facilitate infill development, including mixed uses, emphasize pedestrian scale, provide for urban amenities, encourage creative and flexible site design, and help revitalize the area.

New Uses in the East Village (V-1) Subdistrict:

Another area that was evaluated for revision was the V-1 (East Village) subdistrict located to the east of the Third Avenue Village. The UCSP envisioned this area as primarily a residential subdistrict to create feet on the street to support commercial uses along Third Avenue. Towards the end of the UCSP adoption process, requests were made to allow some neighborhood serving commercial or office uses without impacting the Third Avenue Village commercial corridor. Staff surveyed the uses along Church Avenue and Del Mar Avenue between E Street and G Street and found the V-1 subdistrict currently has about a 50/50 mix of residential and commercial/office uses (Attachment 6). The V-1 subdistrict currently prohibits any new nonresidential uses therefore; the proposal is to allow some new commercial/office uses by right in the (V-1) subdistrict in addition to residential uses similar to that which currently exists. The change in the land use matrix would not affect existing uses but would apply as new uses are proposed.

TAVA met with staff on this proposed changes and supports this proposal. Additionally, staff also requested TAVA to review the uses allowed in the Village District and provide any recommendations which they did. Staff reviewed TAVA's recommendations and supports the majority of them, however, some changes to their recommendations are proposed based on state law and provisions of the CVMC regarding Unclassified Uses.

Amend the UCSP Land Use Matrix:

Staff reviewed the UCSP Land Use Matrix and identified some existing uses, mainly in the Village District, that can be permitted without a conditional use permit process, and a few that require this process. The recommended changes are included in (Attachment 7).

Miscellaneous Updates:

Staff is proposing other minor clarifications including providing consistency with the Bikeway Master Plan, "Complete Streets" policies, reorganizations of departments and decision-making bodies, and new permit approval processes that have been implemented since the adoption of the UCSP in 2007.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council and has found a property-related conflict of interest exists, in that Councilmember Salas has real property holdings within 500 feet of the boundaries of some of the properties which are the subject of this action. In addition, staff has conducted a decision maker conflict of interest review concerning Councilmember Miesen and has determined that a potential conflict of interest may exist because it may be reasonably foreseeable that a financial effect on a business entity in which Councilmember Miesen has a financial interest may be material.

Staff is not independently aware, and has not been informed by any Councilmember, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter (Attachment 10).

LINK TO STRATEGIC GOALS

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The amendments and rezones of the UCSP supports the Economic Vitality goal 2.1.2 as it seeks to lower barriers to new development in western Chula Vista.

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CURRENT YEAR FISCAL IMPACT

There are no anticipated current year fiscal impacts to the City associated with the adoption of the amendments and rezone actions.

ONGOING FISCAL IMPACT

As a planning document, the adoption of the UCSP will have no direct fiscal impact to the City. However, as projects, both private and public, are implemented both a revenue stream and cost factors will be realized. As implementation of the UCSP occurs, additional information regarding specific fiscal impacts of future individual projects will be evaluated.

ATTACHMENTS

1. Proposed UCSP Map
2. Draft City Council Resolution
3. Draft Ordinances A, B, C
4. Proposed Rezones to the UCSP Map
5. Proposed TFA FAR Minimum
6. Existing V-1 Non-residential/Residential Parcels
7. Staff - TAVA UCSP Land Use Matrix Recommendations
8. August 27, 2014 Planning Commission Minutes
9. Crossroads II Letter
10. Decision Maker Conflict Map

Staff Contact: Michael W. Walker, Project Manager/Senior Planner, Development Services Department