

Planned Community District Regulations

Village of Montecito & Otay Ranch Business Park

VILLAGE TWO

NOTE: ONLY A PORTION OF VILLAGE THREE SOUTH OF MAIN STREET IS PART OF THIS SPA PLAN



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1. General Provisions

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I. GENERAL PROVISIONS

A. PURPOSE & SCOPE

The Montecito and Otay Ranch Business Park Planned Community District Regulations are intended to:

- Promote and protect the public health, safety and welfare of the people of the City of Chula Vista.
- To safeguard and enhance the appearance and quality of development in the Montecito and Otay Ranch Business Park Sectional Planning Area (SPA) of the Otay Ranch General Development Plan (GDP) area.
- To provide the social, physical and economic advantages resulting from comprehensive and orderly planned use of land resources.
- Ensure that the SPA Plan is prepared and implemented in accordance with the provisions of the Otay Ranch GDP.
- Implement the Chula Vista General Plan for the Eastern Territories.
- Promote the orderly planning and long term phased development of the Montecito and Otay Ranch Business Park portion of the Otay Ranch GDP area.
- Establish conditions which will enable the Montecito and Otay Ranch Business Park SPA to exist in harmony within the larger community.

B. PRIVATE AGREEMENTS

The provisions of this ordinance are not intended to abrogate any easements, covenants, or other existing agreements which are more restrictive than the provisions contained within this ordinance.

C. CONFLICTING ORDINANCES

Whenever the provisions of this ordinance impose more, or less, restrictive regulations upon construction or use of buildings and structures, or the use of lands/premises than are imposed or required by other ordinances previously adopted, the provisions of this ordinance or regulations promulgated hereunder shall apply.

D. ESTABLISHMENT OF ZONING DISTRICTS

In order to classify, regulate, restrict and separate the use of land, buildings and structures, and to regulate and limit the type, height and bulk of buildings and structures in the various districts, and to establish the areas of yards and other open space areas abutting and between buildings and structures, and to regulate the density of population, the Montecito and Otay Ranch Business Park SPA is hereby divided into the following Zoning Districts:

Table I - Montecito and Otay Ranch Business Park SPA Zoning Districts Definitions

SYMBOL	GENERAL DESCRIPTION
SF2	Single Family Two: District which permits single family housing located on lots > 8,750 square feet.
SF3	Single Family Three: District which permits single family housing located on lots 5,000 square feet to 8,749.
SF4	Single Family Four: District which permits single family housing located on lots < 5,000 square feet.
RM1	Residential Multi-Family One: District which permits housing ranging from 8 units/acre up to 14.9 units/acre including small lot single family, alley, duplex, townhouse and stacked flats product types
RM2	Residential Multi-Family Two: District which permits housing at densities from 15+ units/acre.
CPF	Community Purpose Facility: District which permits uses established pursuant to the Community Purpose Facilities requirements of the P-C Planned Community Zone
C/MU	Commercial/Mixed use: District which permits commercial uses such as, but not limited to, retail shops, professional offices and service commercial within a village core. Transfer of residential uses into this district may be permitted above or connected to the commercial uses.
BP1	Business Park: District which permits light manufacturing, warehousing, flexible use buildings, retail, entertainment and public utilities. Very limited amounts of restaurant and office oriented commercial use are also permitted.
BP2	Business Park: District which permits industrial, light manufacturing, warehousing, flexible use buildings, and public utilities. Very limited amounts of restaurant, retail and office oriented use are also permitted.
P	Parks: District which permits allowable open space and park uses including community parks, neighborhood parks, pedestrian parks, town squares, and private parks.
OS1	Open Space One: District which permits developed or usable open space and park uses, and may include naturalized open space.
OS2	Open Space Two: District which permits natural, undisturbed and/or restored open space which is part of the Otay Ranch Preserve.

I. Adoption of Zoning Districts Maps

Land Use Districts and boundaries are established and adopted as shown, delineated and designated on the Exhibit 1, Village of Montecito Zoning District Map and Exhibit 2, Otay Ranch Business Park Zoning Districts Map of the City of Chula Vista and San Diego County. These maps, together with all notations, references, data, district boundaries and other information thereon, are made a part of the Montecito and Otay Ranch Business Park SPA Plan and adopted concurrently herewith. The boundaries are intended to align with physical and legal features such as, property boundaries, top or toe of slopes, streets. Refinements to these boundaries are expected during the detail planning and design phases and will not require an amendment providing the refinement does not alter the intent.

2. Amendments to the Zoning Districts Maps

Changes to the boundaries of the zoning districts shall be made by Ordinance and shall be reflected on the official Village of Montecito Zoning District Map and the Otay Ranch Business Park Zoning District Map, as provided in Exhibit 1. Minor changes resulting from the approval of a tentative or final map may be made to the Zoning Districts Maps as an administrative matter.

E. CLARIFICATION OF AMBIGUITY

If ambiguity arises concerning the proper classification of a particular land use within the meaning and intent of this Ordinance, or if ambiguity exists with respect to height, yard requirements, area requirements or zoning district boundaries as set forth herein, it shall be the duty of the Zoning Administrator to ascertain all pertinent facts concerning such ambiguity and forward said findings and recommendations to the Planning Commission, or on appeal, to the City Council. If approved by the Commission, or on appeal, by the City Council, the established interpretation shall govern thereafter.

Should any provision of these regulations conflict with the regulations of the Municipal Code, the requirements herein shall apply.

F. EFFECT OF REGULATIONS

The provisions of this Ordinance governing the use of land, buildings, structures, the size of yards abutting buildings and structures, the height and bulk of buildings, the density of population, the number of dwelling units per acre, standards of performance, and other provisions are hereby declared to be in effect upon all land included within the boundaries of each and every zoning district established by this Ordinance.

G. ENFORCEMENT

See Section XIV for the enforcement provisions of this Ordinance.

H. DEFINITIONS OF TERMS

For the purposes of this ordinance, certain words, phrases and terms used herein shall have the meaning, assigned to them by Title 19 – Zoning & Specific Plans of the City of Chula Vista Municipal Code. The following additional definitions are provided specifically for the Montecito and Otay Ranch Business Park SPA:

- Accessory Second Unit: An independent residential living area, also commonly referred to as a "Granny Flat", is an accessory use to a primary single family residential use, with cooking facilities and bath, that occupies the same single family detached lot as the main residence, and is intended to provide affordable rental housing in single family detached neighborhoods.
- Hollywood Drive: A driveway which leads to a garage located behind the front elevation of the main residence, often narrow and sometimes consisting of two paved driving strips with enhanced hardscape or turf between.
- Porch: A structure attached to the front and/or side of the main dwelling, has a minimum of two open sides, is covered by a roof and oriented towards the street.
- Semi-private Courtyard: An outdoor seating area that may project into the front yard setback, oriented to the house entry; and surrounded on three sides by either the building or low walls/fences.
- Veranda: A roofed open structure attached to the exterior of a residence creating a wrap-around style porch, typically orienting to both the front and side streets of a corner lot. Said porch/veranda element will encroach into the sight distance triangle (see Exhibit 3).
- Neighborhood: A Neighborhood is a land use area identified on the Site Utilization Plan in the Specific Planning Area Plan (SPA) as a Parcel. References to Parcel or Neighborhood are interchangeable within the Montecito and Otay Ranch Business Park SPA Plan and its component documents.

When consistent with the context, words used in the present tense include the future; words in the singular number include the plural; and those in the plural number include the singular. The word "shall" is mandatory; the word "may" is permissive.

Any aspect of zoning regulation within Montecito and Otay Ranch Business Park SPA not covered by these district regulations or subsequent plan approvals, shall be regulated by the applicable section of the Chula Vista Municipal Code (CVMC). In the event of a conflict, these regulations supersede other City zoning regulations.

99. Zoning Districts Map

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II. ZONING DISTRICTS MAP

This chapter consists of the Zoning District Map for the Village of Montecito and the Otay Ranch Business Park included as Exhibit 1. The original, official Zoning Districts Map shall be kept on file with the City Clerk and shall constitute the original record. Copies of said map shall also be filed with the City Planning Department.

A. DISTRICT BOUNDARIES

The Zoning District boundaries shown on the maps coincide with proposed streets, alleys or lot lines. Minor amendments to these boundaries resulting from the relocation of a boundary street, alley or lot line by the approval of a tentative or final subdivision map shall be incorporated in the Zoning Districts Maps as an administrative matter.

III. Residential Districts

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III. RESIDENTIAL DISTRICTS

A. PURPOSE

The purpose of the Village Two Residential Districts is to achieve the following:

- To implement the residential policies of the Otay Ranch General Development Plan.
- To reserve appropriately located areas for family living at a broad range of dwelling unit densities consistent with the Otay Ranch General Development Plan and with sound standards of public health, safety and welfare.
- To ensure adequate light, air, privacy and open space for each dwelling unit.
- To minimize the effects of traffic congestion and to avoid the overloading of public services and utilities by phasing construction of buildings in relation to the land area around them and available infrastructure.
- To protect residential properties from noise, illumination, unsightliness, odors, smoke and other objectionable influences.
- To facilitate the provision of utility service and other public facilities commensurate with anticipated population, dwelling unit densities and service requirements.

B. RESIDENTIAL DISTRICT CATEGORIES/INTENT

Two basic residential unit types are anticipated in the Montecito and Otay Ranch Business Park SPA: single family detached homes and attached/multi-family units. Three single family land use districts, SF2, SF3 and SF4, are utilized to distinguish single family detached units in three density ranges (see lot size development criteria). Two attached or detached multi-family districts are also established, RM1 and RM2. The RM1 is intended to accommodate typical single family attached and multi-family units ranging from duplexes to townhouses, as well as innovative detached housing products, falling in the range of 8 to 14.9 dwelling units per acre (du/ac). The typical housing product in the RM2 district is expected to have stacked units and group parking which would be expected at densities greater than 15 du/ac. The General Development Plan also authorizes small lot single family detached in multi-family designations.

C. PERMITTED AND CONDITIONAL USES

The matrix of land uses on the following pages indicates the relative permissive status using the following symbols:

"P" = Permitted.

"C" = Permitted subject to Conditional Use Permit.

"A" = Permitted subject to Administrative Approval.

"N" = Use Not Permitted.

Table 2 - Permitted Use Matrix - Residential Districts

	LAND USE DISTRICT				
	SF2	SF3	SF4	RM1	RM2
Residential Uses:					
Single-family dwelling, detached	P	P	P	P	A
Single-family dwelling, attached	N	N	A	P	P
Mobile home which is certified under the National Mobile Home Construction and Safety Standards Act of 1974 on individual lots	P	P	P	P	P
Group residence or residential dwelling, operated by an organization, association or individual with a paid professional staff, uses may include, but are not limited to, boarding or rooming homes, dormitories and retirement homes	N	N	N	C	C
Multiple dwellings (3 units and above)	N	N	N	P	P
Townhouse dwellings	N	N	N	P	P
Accessory Second Unit (see Accessory Use Section)	P	P	P	P	N
Agricultural Uses:					
All types of horticulture	P	P	P	P	P
Agricultural crops	A	A	A	A	A
Community garden	A	A	A	A	A
Public and Semi-public Uses:					
Daycare center and nursery schools	N	N	N	N	N
Essential public services, including but not limited to: library, museum, park, public works facility and other civic uses.	A	A	A	A	A
Family daycare home, large (subject to Section 19.58.147 CVMC – Uses: Family Daycare Homes, Large)	A	A	A	A	A
Public safety facility such as police or fire station	A	A	A	A	A
Public utility and public service sub-stations, reservoirs, pumping plants and similar installations	P	P	P	P	P
Public and private educational facilities, including but not limited to: elementary schools, secondary and high schools and adult schools.	A	A	A	A	A

Table 2 - Permitted Use Matrix - Residential Districts

	LAND USE DISTRICT				
	SF2	SF3	SF4	RM1	RM2
Recreation facility less than 2 acres in size	A	A	A	A	A
Recreation facility over 2 acres in size	C	C	C	C	C
Home Occupations:					
Home occupations (subject to "Home Occupations" Section)	A	A	A	A	A
Other Uses:					
Model homes (subject to Temporary Uses Section)	A	A	A	A	A
Accessory uses and accessory buildings customarily appurtenant to a permitted use (subject to Section 19.58.20 CVMC – Uses: Accessory Building)	P	P	P	P	P
Other temporary uses as prescribed in Temporary Uses Section	A	A	A	A	A
Temporary tract offices and tract signs (subject to Temporary Uses Section)	A	A	A	A	A
Unclassified uses (subject to Chapter 19.54 CVMC – Unclassified Uses)	C	C	C	C	C

D. RESIDENTIAL PROPERTY DEVELOPMENT STANDARDS

I. Design Goals, Principles, and Guidelines

The residential property development standards are intended to implement specific design goals and principles established in the Otay Ranch GDP. The intent of the GDP village concept land use goals are to “produce a cohesive pedestrian friendly community that encourages non-vehicular trips and fosters interaction amongst residents.” To implement this goal, the land use policies encourage a pedestrian scale and a pedestrian friendly village environment.

Pedestrian-oriented development in residential neighborhoods has several basic components. In single-family neighborhoods, homes may be located closer to the sidewalk and have pedestrian-oriented features such as porches, courtyards and other seating areas to promote interaction between neighbors and provide focus on the street. “Veranda” style porches on corner lots, balconies and semi-private courtyards further promote this interaction. The appearance of garage doors fronting on the street should be minimized through a variety of design solutions. For example, living space in residences can be located forward of the garage on a lot so that the view from the street is the architectural design of the building, not the garage door. The pedestrian street experience is enhanced by limiting curb cut widths, thereby reducing driveway paving and increasing landscaping across the front of the residential lots. “Hollywood” driveways are another recommended design solution. Hollywood driveways are often narrow (sometimes consisting of two pavement strips separated by turf or decorative landscape) and lead to garages that are deeply recessed behind the front elevation of the residence. Entries to the residences should be visible from the street and must have strong architectural features facing the street that enhance the pedestrian experience. Walkways that go directly from the front door to the sidewalk instead of the driveway emphasize the pedestrian orientation of the house to the street. Side street entry garages separate the pedestrian-oriented front of the house from the auto entrance. In some neighborhoods, access to garages is provided from 20’ wide alleys, improving the streetscape by eliminating garages along front elevations.

Multi-family neighborhoods surrounding the Village Core must be designed to enhance the Core as a focal point, discourage use of automobiles and create a “walkable,” inviting environment, both within and outside the boundaries of the development. Pedestrian-oriented features include orienting the front doors toward the streets, plotting the buildings so garages are not visible from the public or commonly used streets; integrating strong, well designed pedestrian connections to the public or commonly used streets, paseos and adjacent trail systems; providing well designed, inviting common usable open space areas and unique, yet compatible, architecture.

These design features are intended to apply to both single-family and multi-family developments and are more fully developed in the Village Design Plan and the Village Master Precise Plan(s). The intent of PC District Regulations is to fully implement these types of design features for every neighborhood within

the Village. For further understanding of these goals, refer to the Village Design Plan and the Master Precise Plan(s).

2. General Standards

The general standards found in this section are based on the Otay Ranch General Development Plan/Subregional Plan. Where the Specific Standards listed below are silent on an issue, the Zoning Administrator is authorized to define a standard based on the Otay Ranch General Development Plan/Subregional Plan, the Chula Vista General Plan, Zoning Ordinance, Design Manual and/or Landscape Manual, as may be appropriate.

3. Specific Standards

The following Property Development Standards shall apply to all land and buildings, other than accessory buildings, permitted in their respective residential land use district. The use of the symbol "DR" indicates that the standard is established through Zoning Administrator (ZA) approval or the Design Review process.

Dimensions and standards are minimums, and minor variations may be permitted subject to Administrative Design Review or tract map approval. Lot widths and depths are typical minimums but may vary slightly with irregularly shaped lots and site-specific conditions. Refer to Section 9 Administrative Procedures, for further information regarding processing requirements.

The GDP/SPA Plan identifies the school as having an alternative land use of Residential.

Table 3 - Property Development Standards - Residential Districts

	Land Use Districts					Notes
	SF2	SF3	SF4	RM1	RM2	
Lot Criteria						
Average Lot Area (Square Feet)	8,750	5,000	3,800	DR	DR	As calculated for an entire SPA Neighborhood. May be reduced with Design Review approval. Average lot area is the sum of all lot areas within a SPA Neighborhood, divided by the number of lots in that Neighborhood.
Minimum Lot Area (Square Feet)	7,500	4,000	3,000	DR	DR	Lot sizes within SF2, SF3, SF4, RM1 & RM2 may be reduced with Design Review approval. Lots within R-4B, R-23, R-24, R-25A, and R-24B will require a SPA Amendment for any lot split or subdivision.
Maximum floor area to lot area ratio (FAR)	.65	.65	.65	DR	DR	
Minimum Lot Depth (Feet)	95	75	60	DR	DR	
Minimum Lot Width (Feet)						
Measured at setback line	50	45	40	DR	DR	Lot width may be reduced for alley and z-lot lot plans
Flag lot street frontage	20	20	20	DR	DR	
Knuckle or cul-de-sac street frontage	30	30	20	DR	DR	
Building Heights						
Maximum Building Height (feet)	35'	35'	35'	45' 3 story max.	60' 4 story max.	
Yards & Setbacks						
Minimum Front Yard Setback (Feet):						
To direct entry garage	22	22	22	DR	DR	Measured from back of sidewalk. At least one model, within any SF3 and SF4 neighborhood (SPA Neighborhood), shall have the garage setback 5 feet further than face of main residence.

Table 3 - Property Development Standards - Residential Districts

	Land Use Districts					Notes
	SF2	SF3	SF4	RM1	RM2	
						Maximum driveway width shall be 16 feet. Variations to driveway width in order to accommodate turning movements for certain garage configurations may be approved, subject to Design Review.
To side entry (swing in) garage with or without residential above.	10	10	10	DR	DR	Maximum driveway approach shall be 16 feet.
To main residence	15	15	15	DR	DR	May be reduced to 10' for alley product.
To porch, patio, entry feature, or veranda	8	8	8	DR	DR	Minimum 66%, depending on number of models, shall have at least one pedestrian oriented feature (see page 18)
To semi-private courtyard	6	6	6	DR	DR	
Minimum Side Yard Setback (Feet):						
To adjacent residential lot	5	5	5	DR	DR	May be reduced for Zero Lot Line concepts
Distance between detached residences	10	10	10	DR	DR	May be reduced to zero for certain building types. Refer to Village Design Plan.
To porch, patio or veranda on corner lot	4	4	4	DR	DR	Measured from back of sidewalk.
To property line	10	10	10	DR	DR	RM1 shall have a minimum 5 foot setback from the property line; however, porches and verandas may encroach into 5 ft. setback subject to Design Review.
To garage with minimum 30 foot driveway setback	0	0	0	0	0	

Minimum Rear Yard Setback (Feet):

To main residence	20	15	10	DR	DR	Second story (and above) may project 3 feet into rear yard setback. In conditions where single family detached residential dwelling units are plotted on irregular or non-standard shaped lots, side yard setbacks may be observed in rear yards where rear yard requirements are satisfied in side yards.
To garage with 30 foot front yard setback and with living area above	5	5	5	DR	DR	Second story (and above) may project 3 feet into rear yard setback.
To garage off an alley	5	5	5	DR	DR	Second story (and above) may project 3 feet into rear yard setback.
Single family dwellings	2	2	2	2 ¹	2 ²	Three-car garages shall be tandem, split (separate 2 and 1 car garages), or side entry ("swing in") Three-car street facing or split garages are allowed on lots 60 feet wide or greater and limited to 25% of the total dwelling units within the development, provided the main residence or entry feature is forward of the garage. Such garages shall utilize offsets, overhanging balconies, trellises, or similar features as described in the Village Design Plan.
Multi-family dwellings:						Parking requirements may be reduced at Design Review for affordable and senior housing.
Studio Unit	-	-	-	1.0	1.0	Guest space included.
One bedroom unit	-	-	-	1.5	1.5	Guest space included.
Two bedroom unit	-	-	-	2.0	2.0	Guest space included.
Three bedroom unit	-	-	-	2.25	2.25	Guest space included.

¹ Tandem 2 car garage permitted with Design Review

² One garage and one carport space may fulfill the requirement with Design Review.

4. Pedestrian Oriented Features:

Porches/Verandas, Balconies & Semi-private Courtyards

Sixty six percent (66%) of all homes within single family detached neighborhoods (SPA Neighborhoods) shall have at least one of the following pedestrian oriented features: porch, veranda, porch/veranda combination, and/or semi-private courtyard or any alternative pedestrian oriented feature of a similar character that is approved by the Zoning Administrator. Additional models shall include at least one pedestrian oriented feature, such as; a balcony, gateway, trellis, porte-cochere, featured window, or any alternative pedestrian oriented feature of a similar character that is approved as a part of Design Review.

Each of the minimum porch/veranda sizes in the table outlined below shall be defined as Sitting Area and shall be free and clear of any structural supports or other building forms. Porch setbacks shall be measured to the clear area rather than the structural supports.

a) Porches

All porches shall be oriented towards the street. Porches shall not be enclosed. Porches shall be provided at the following schedule according to lot width measured at the front setback:

Table 4 - Required Porch Size

Minimum Neighborhood Lot Width ³ (Pad Width)	Minimum Porch Size ³
Less than 40 feet ⁴	60 square feet (6 foot clear minimum dimension)
40 – 60 feet ⁴	60-70 square feet (6 foot clear minimum dimension)
Greater than 60 feet	70-80 square feet (6 foot clear minimum dimension)

Exhibit 2 depicts the wrap-around porch/veranda design on corner lots. In addition, Exhibit 3 depicts the sight distance condition and requirements for alley homes plotted on corner lots.

³ Dimension shall be free and clear of obstructions.

⁴ Alley corner lots 5' clear dimension on porch or veranda side elevation.

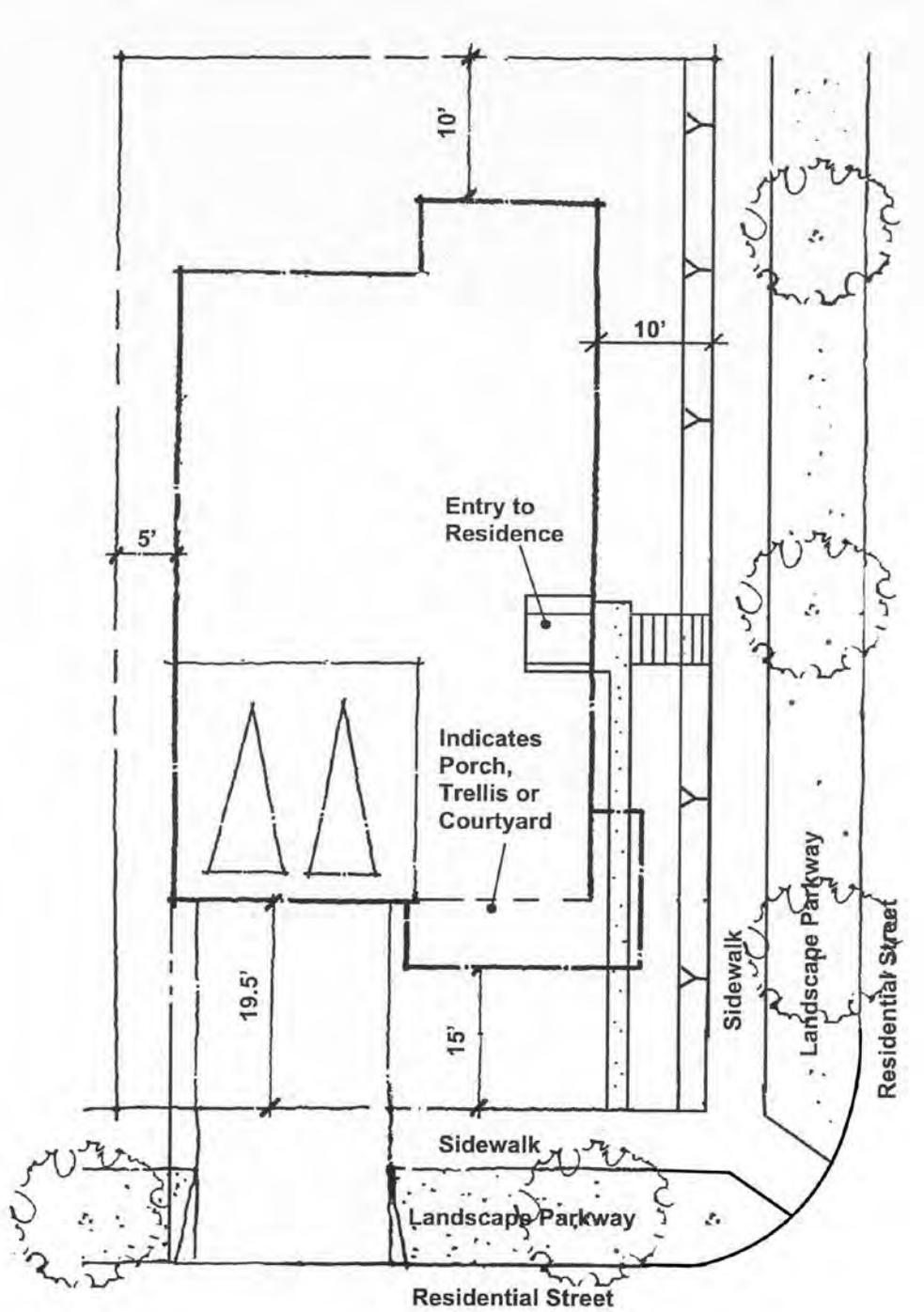


Exhibit 2

Typical Wrap Around Porch / Veranda Design at Corner Lots

Not to Scale

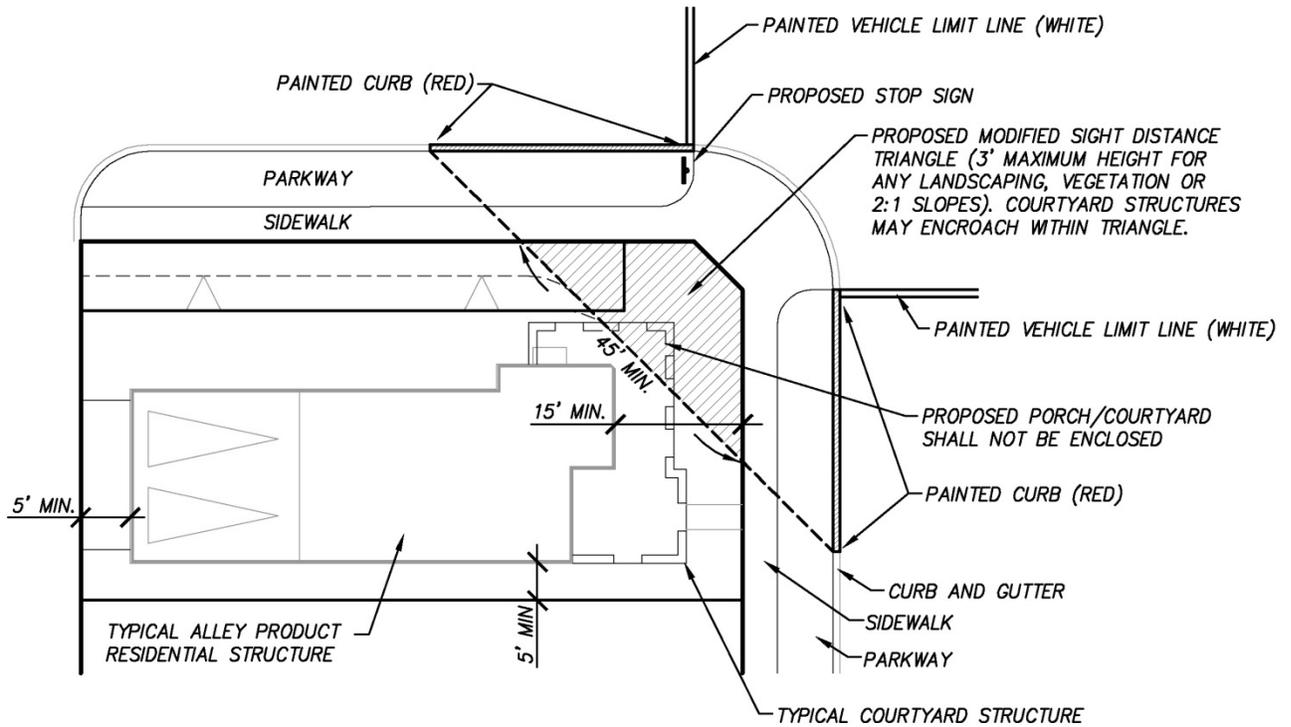


Exhibit 3
Typical Corner Alley Lot Detail with Modified Site Distance

Not to Scale

b) Verandas

On at least sixty six percent (66%) of corner lots, Veranda wrap-around style porches are required where the elevation of the house pad is less than 3 feet from the adjacent pedestrian walk. Verandas shall have the same minimum dimensions as found in the above table for porches. Exhibit 2 depicts the wrap around porch/veranda design at corner lots.

Exhibit 3 demonstrates the sight distance requirements for alley homes placed on corner lots.

c) Balconies

Balconies shall be oriented to view and be viewed from the pedestrian circulation system whenever possible. If balconies are intended to satisfy the requirement to provide private useable open space, they shall have a minimum dimension of six (6) by ten (10) feet clear and shall be parallel to the front property line, unless located on a flag or cul-de-sac lot. Balconies may be located over the first floor or may project into the front yard setback up to six (6) feet or into the side yard no more than 50% of the setback dimension. Smaller balconies are encouraged in single family homes as architectural features.

d) Semi-Private Courtyards

A semi-private courtyard is an outdoor area in a single family detached home with usable seating area similar to a porch with no dimension less than six feet clear; oriented to the house entry; and surrounded on three sides by either the building, elevation change, or low walls/fences. Semi-private courtyards shall be designed such that they are an architecturally significant element of the front elevation of the house. It shall open on the street side and incorporate strong architectural styling that emphasizes the pedestrian entry over the garage and driveway. Courtyard walls may be up to 42" in height, if appropriate.

e) Featured Windows

Large picture windows, bay windows and glass-paneled doors oriented towards the street provide a sense of openness and a visual connection between the interior living space and the street. This visual connection enhances neighborhood security and provides an indoor seating option to porches, verandas, and courtyards. The window/doors should be proportional in scale to the wall plane and no less than four feet in width.

f) Gateways, Trellises and Porte-cocheres

Gateways, trellises, porte-cocheres and similar architectural elements may be used to designate residential entries. Such features should be visually distinctive and may be free standing or attached to the residence.

5. Maximum Floor Area Ratio

The allowable building area for each lot shall be as permitted in the table below. The maximum building area for single-family detached and attached products shall be permitted by percentage of floor area to lot area (Floor Area Ratio - FAR). Homeowner additions shall be permitted only where consistent with these standards on an individual lot basis. The following are excluded from FAR calculations:

- The first 300 square feet of a covered rear yard patio (open on two sides). A patio of up to 300 square feet shall be permitted on each residential lot within setbacks described in Table 3. Any square footage above 300 square feet shall count toward the FAR. Any portion of a covered patio over 300 square feet that exceeds the FAR shall not be permitted;
- The first 400 square feet of the garage shall not count toward the FAR;
- Porches, verandas, balconies, patios, architectural projections and semi-private courtyards.

Table 5 - Allowable Building Area (FAR)

Land Use District	Maximum Percentage of Lot Area
SF2	65%/DR ⁵
SF3	65%/DR ⁵
SF4	65%/DR ⁵
RM1	DR ⁵
RM2	DR ⁵

6. Common Useable Open Space

Common usable open space shall be provided for all multi-family developments in accordance with the Chula Vista Design Manual and the table, which follows:

Table 6 - Multi-Family Common Usable Open Space

Land Use District Classification/Density	Minimum Usable Open Space per DU
RM1	300 sq. ft.
RM2	200 sq. ft.

⁵ Fixed FAR applies to single family attached and detached except alley products; FAR for multi-family and alley products determined with design review approval.

Common useable open space in multi-family developments shall take the form of passive and active recreation areas such as swimming pools, picnic areas, ball courts, view points, paseos, etc. These areas shall not be fragmented or consist of left over land, private front yard areas, driveways, parking areas, areas dedicated exclusively for access or refuse storage areas, and must be pedestrian linked and/or easily accessible to the majority of residents in the development. Some facilities, such as swimming pools, ball courts or play areas must be centrally located. In multi-family developments, any portion of a lot which is relatively level (maximum five percent grade), developed for recreational or leisure use, and which contains 60 square feet with no dimension less than six feet, shall be considered open space. Roof decks and recreation rooms should generally count for no more than 25% of required common open space. Front and exterior side yard setback areas may constitute up to 50% of required common open space, provided they are developed in a usable and attractive manner.

Partial credit may be given to provide a portion of the common usable open space in conveniently located and easily accessible off-site private recreation facilities. The provision of such off-site, shared active recreation facilities shall allow for the reduction of active recreation facilities provided within individual developments. No more than 40% of the combined private and common usable open space requirement for any developments may be satisfied by the provision of off-site facilities within the applicable SPA and/or Village Plan Planning Area. A minimum of 60% shall be provided within the development or neighborhood as shown on the Site Utilization Plan.

Due to the compact design of small lot single family development in multi-family land use districts, supplemental common usable open space areas are warranted to provide passive or active recreation areas and visual relief within the project. Examples of said spaces/amenities include paseos, pocket parks, view areas, seating areas, BBQ areas, tot lots, ball courts, dog runs, par courses, etc. The amount, type, size, and location of these common spaces/amenities can vary depending on the neighborhood's design, and therefore, are subject to the discretion of the Development Services Director.

These supplemental spaces/amenities are a separate requirement from those facilities defined in Section VIII Public Facilities (J) Parks, Recreation, Open Space and Trails Facilities (page VIII-127 of this SPA Plan).

7. Private Usable Open Space

Private usable open space shall take the form of yard area, porches, verandas, courtyards, patios, balconies and shall not consist of left over space, as determined by the Development Services Director.

Within single family zones, driveway areas greater than the minimum setback may also be included in private usable open space calculations. Private usable open space shall be provided for all single family development in the SF-2 thru SF-4 land use districts and for small lot single family development in the RM1 land use districts, as further described below.

In conformance with the Chula Vista Design Manual, 750 square feet of usable open space shall be provided for each single family dwelling, either exclusively in private yards, or in a combination of private yards, landscaped front yards and other common areas as noted in the paragraph above. The private usable fenced yard area shall total not less than 15% of the lot size with no dimension less than 10 feet. Other listed spaces shall have a minimum dimension of 5 feet. Small lot single family developments with lot sizes of 3,000 square feet or less in multi-family land use districts, shall comply with the following additional usable open space standards:

- The private fenced area shall not be less than 15% of the lot or 450 square feet per lot with no dimension less than 10 feet.
- Areas outside the private fenced area, and included within the 750 square feet private usable open space must have one dimension of 10 feet, and a minimum dimension of 5 feet.
- Landscaped areas that are outside of the minimum setbacks, and are adjacent to common driveways, may be included in the calculation of private usable open space provided the adjacent driveway is amenitized through the use of decorative paving materials as deemed appropriate by the Development Services Director. Decorative paving materials may include, but is not limited to the use of precast concrete pavers, colored concrete, stamped concrete or decorative asphalt systems. These areas may have a minimum dimension of 3 feet.
- Where 750 square feet of private usable open space cannot be met per the above allowances, the remainder must be provided as Common Usable Open Space in accordance with the provisions of that section, or to the satisfaction of the Development Services Director.

Private usable open space shall be provided for all residential districts in accordance with the table below. Modifications may be allowed subject to approval by the Development Services Director.

Table 7 - Private Usable Open Space

Type of Dwelling Unit	Minimum Private Usable Open Space per DU
Detached Single Family	750 square feet (private fenced area not less than 15% of the lot area)
Duplex / Attached Single Family	Same as above
Small Lot Single Family (in Multi-Family Land Use Districts)	750 square feet (private fenced area not less than 15% of the lot area, and not less than 450 square feet/lot)
Multi-family w/ 1 bedroom	60 sq. ft.
Multi-family w/ 2 bedrooms	80 sq. ft.
Multi-family w/ 3 or more bedrooms	100 sq. ft.

8. Site Plan Review for Residential Districts

Notwithstanding the property development standards listed herein, development within any land use district may be approved with specific site standards through the Site Plan and Design Review process. See Section XII Administrative Procedures.

9. Model Home Complexes

Model homes, their garages, parking lots and private recreation facilities are temporary uses and may be used as offices for the first sale of homes within a recorded tract and subsequent similar tracts utilizing the same architectural designs, subject to the regulations of the City of Chula Vista governing said uses and activities. Unless otherwise determined by the Zoning Administrator, an administrative Conditional Use Permit and administrative Design Review shall be required for model home sites. Refer to Special Uses and Conditions, Section X for specific requirements for subdivision sales offices.

10. Building Elevations

A minimum of three front elevations shall be provided for each floor plan on all single-family detached residential housing. Elevations for any accessory second units (granny flats) shall be submitted at the same time as elevations for the main structure for administrative Design Review.

11. Architectural Projections

Architectural features on single family homes which constitute non-usable floor space such as fire places, media niches or book shelf areas on exterior walls, eaves, awnings, chimneys, balconies, stairways, bay windows, wing walls, etc., shall not be included in building area calculations and shall not extend more than 50% into any required setback in accordance with Section III, herein.

On houses with a trellis over a “Hollywood drive”, the trellis may be as close as 10’ behind the sidewalk and encroach no more than 50% into a side yard.

12. Energy Conservation Features

The City of Chula Vista requires that all SPA Plans include an Air Quality Improvement Plan. As detailed in the “Montecito & Otay Ranch Business Park Sectional Planning Area Plan Non-Renewable Energy Conservation Plan,” 50% of homes within the SPA area will be required to exceed California 2001 Title 24 Energy Efficiency Standards by 15%. This requirement may be met through participation in a building efficiency program such as ComfortWise or Energy Star.

E. ACCESSORY BUILDINGS, STRUCTURES AND USES

Accessory uses and accessory buildings customarily appurtenant to a permitted use are allowed subject to the requirements of Section 19.58.020 CVMC (Uses: Accessory Buildings).

Accessory buildings and structures, except accessory second units, attached or detached, used either wholly or in part for living purposes, shall meet all of the requirements for location of the main structure as constructed or required by the district, whichever is less restrictive, except as herein provided:

- Enclosed accessory buildings or open structures attached to the main building are subject to approval by the Zoning Administrator. Such accessory buildings shall not be allowed to encroach into required setbacks; except as otherwise permitted herein.
- Detached accessory structures are subject to the approval of the Zoning Administrator and shall meet the setback requirements of the main building, for the front and street side yard areas.
- Detached accessory structures may be located within an interior side yard or rear yard, provided that such a structure is located no closer than five feet to an interior side or rear lot line and is at least six feet from the main structure, and does not exceed one story in height.
- Open structures may be allowed to encroach into the rear yard setback subject to the approval of the Development Services Director. The design and type of open structure will be determined by the Development Services Director.

- Attached and detached accessory buildings and open structures are permitted pursuant to the site plan and architectural review requirement specified in Section XII. Administrative Procedures, Conditional Uses & Variances.
- A covered rear yard patio of up to 300 square feet shall be permitted on each residential lot. Any square footage above 300 square feet shall be added to the total building area and count toward the FAR. Any portion of a covered rear yard patio over 300 square feet that exceeds the FAR shall not be permitted.
- Architectural features which constitute non-useable floor space such as fire places, media niches or book shelf areas on exterior walls, eaves, awnings, chimneys, balconies, stairways, wing walls, etc. up to twelve (12) feet in length may project not more than fifty percent (50%) into any required side yard setback or four (4) feet into any required front or rear yard setback.

Accessory Second Units as defined in Section I herein are permitted subject to the following requirements:

I. Design Requirements

- Size: 400 sq. ft. minimum to 650 sq. ft. maximum (studio to one bedroom maximum)
- Setbacks: Same as for a garage.
- Kitchen and Bath Facilities: Must have independent kitchen and bath facilities.
- Entry: Must have a separate entry from that of main residence.
- Common Walls: Living area of the Accessory Second Unit may not abut the living area of the main residence without air space separation and sound proofing. A closet, garage, or similar separation may be used as adequate separating space and sound proofing between the living areas of a Accessory Second Unit and the Main Residence. An Accessory Second Unit abutting the main residence on more than two sides is prohibited.
- Yard or Balcony: A balcony (30 sq. ft. minimum) or an assigned fenced or unfenced yard area (no less than 40 sq. ft.) shall be provided.

- FAR: Area of a Accessory Second Unit shall not be included in the FAR calculations.

2. Operational Requirements

- Mail & Address: May assign separate address, utility metering and mailbox.
- Contract: An Accessory Second Unit may not be sold independent of the main residence, nor have any rental term, including pre-specified options for renewal, in excess of three years.

F. WALLS & FENCES

In any required front yard adjacent to a street, the wall, fence, or hedge shall not exceed forty-two inches in height, except as provided herein:

1. Walls, fences, or hedges not more than six feet in height (measured from the top of the slope) may be maintained along the interior side or rear lot lines, provided that such wall, fence, or hedge does not extend into a required front yard or side yard setbacks adjacent to a street, except as required by a site specific noise study or as shown on the Wall and Fencing Plan in the Village Design Plan. Corner cut-off shall be provided whenever necessary for line-of-sight visibility and safety and may be adjusted to accommodate "veranda" porches required on corner lots, as depicted in Exhibit 3.
2. Walls, fences or hedges adjacent to a driveway or street providing vehicular access to an abutting lot or street shall not exceed forty-two inches in height within the front yard setback area of the lot. Walls in the front yard setback shall be no closer than five feet to the back of front sidewalk. Corner cut-offs may be required to maintain a reduced height in special circumstances for safety and visibility as determined by the City Engineer.
3. Fiberglass, bamboo sheeting, chain link, chicken wire or similar temporary material shall not be permitted as a fencing material. Plexiglass is permitted for view purposes subject to approval of the Zoning Administrator.
4. Walls adjacent to corner lot side yards shall be constructed of masonry or stucco in accordance with community fencing standards. Where view fencing is appropriate, fencing consisting of wrought iron or a combination of masonry and wrought iron may be utilized. Wood fences are prohibited in this location.
5. Noise barriers in excess of eight feet in height shall consist of a wall and berm combination. The wall height in this combination barrier shall not exceed eight and one-half (8.5) feet with the remaining portion of the overall height constructed through berming.

6. A minimum three (3) foot wide clear, level area shall be maintained between a wall and top of slope where abutting publicly maintained open space.
7. A two and one-half (2.5) foot retaining wall may be combined with a six (6) foot free-standing wall for a total maximum height of eight and one-half (8.5) feet. Where combined retaining and freestanding walls would exceed the maximum allowable height, a minimum of two (2) foot horizontal separation shall be provided between wall elements.
8. No rear yard retaining wall shall be greater than four and one-half (4.5) feet in height. If a second retaining wall is utilized, the minimum horizontal separation between the two walls shall be four and one half (4.5) feet.

G. RESIDENTIAL SIGN REGULATIONS

No sign or outdoor advertising structure shall be permitted in any residential district except as provided in the Sign Regulations, Special Uses and Conditions section and the Comprehensive Sign Regulations section of this document.

All signage will also comply with the Montecito and Otay Ranch Business Park Planned Sign Program that shall be prepared subsequent to SPA Plan approval.

H. PERFORMANCE STANDARDS

The following performance standards shall be met in all Residential Districts:

1. Equipment

Air conditioners, antennas, satellite dishes, ham radio antennas, solar panels, heating, cooling, ventilating, equipment and all other mechanical lighting, or electrical devices shall be operated and located so that they do not disturb the peace, quiet and comfort of neighboring residents. The location of such equipment shall require the prior approval of the Zoning Administrator. This equipment shall be screened, shielded and/or sound buffered from surrounding properties and streets. All equipment shall be installed and operated in accordance with all other applicable ordinances. Heights of said equipment shall not exceed the maximum height of the zone in which they are located.

2. Landscaping

Front and exterior side yards requiring landscaping shall consist predominantly of trees, plant materials, ground cover and decorative rocks, except for necessary walks, drives and fences. Drought tolerant landscaping is encouraged. All required landscaping shall be permanently maintained in a healthy and thriving condition, free from weeds, trash and debris. Landscaping requirements shall be met by either builder or developer installation, or for single-family development, by requiring through CC&Rs or other restrictions that individual homeowners install their front yard landscaping within one year of occupancy.

3. Utilities

All utility connections shall be coordinated with the site's architectural elements so as not to be exposed, except where required by utility provider. Pad-mounted transformers and/or meter box locations shall be included in the site plan with any appropriate screening treatment as approved by each utility provider. Power lines and cables, except for temporary use, shall be installed underground. The Landscape Master Plan shall include a utility plan, prepared by a professional utility consultant, outlining the exact type and location of above-ground utility boxes, cabinets, etc.

4. Exterior Noise

The acceptable outdoor noise exposure level, measured at the receiving property line, for each residential district is given below. (See Section 19.68.030 CVMC – Performance Standards and Noise Control: Exterior Noise Limits for definitions and additional details.) It should also be noted that as a matter of practice, the City of Chula Vista also implements the noise compatibility guidelines and CNEL thresholds of the City of San Diego.

Table 8 - Exterior Noise Limits

Receiving Land Use District	7 a.m. to 10 p.m.	10 p.m. to 7 a.m.
SF2, SF3, SF4	55 dBA	45 dBA
RM 1, RM2	60 dBA	50 dBA

Note: environmental noise value is Leq in any hour and nuisance noise value is not to be exceeded at any time.

5. Interior Noise

No person shall operate or cause to operate, any source of sound, or allow the creation of any noise which causes the noise level, when measured inside a neighboring receiving dwelling unit to exceed the limits as follows:

Table 9 - Interior Noise Limits

Time Interval	1 Min. in 1 Hour	5 Min. in 1 Hour
7 a.m. to 10 p.m.	50 dBA	45 dBA
10 p.m. to 7 a.m.	40 dBA	35 dBA

6. Energy Conservation

Buildings shall be located on the site to provide adjacent buildings adequate sunlight for solar access, when practical. Buildings should be designed to minimize energy consumption requirements, including, but not necessarily limited to, conservation considerations such as window placement, eave coverage, dual glazing and insulation. More information is provided in the Montecito & Otay Ranch Business Park Air Quality Improvement Plan.

7. Parked Vehicles

In any residential zone, the parking of motorized and non-motorized vehicles shall be subject to the following requirements:

- a. No motorized or non-motorized vehicle shall be parked, stored or kept in the front yard, except in the driveway or on a paved area adjacent to the driveway.
- b. If motorized or non-motorized vehicles are parked, stored or kept on the lot, other than as permitted above, they must be for the resident's or a guests personal use. No storage or display of vehicles for sale by a motor vehicle dealer is permitted in a residential driveway or on a residential street.

8. Special Standards - RM Districts

All attached multi-family projects in the RM districts are subject to the Design Review Process.

In the RM Districts, including the conversion of apartments to condominiums where permitted, the following performance standards shall be met:

- a. Masonry walls or fences six feet in height, from the highest finished grade, shall be required where needed for noise attenuation as shown on the Wall and Fencing Plan in the Village Design Plan or as required by a site specific noise study.
- b. When SF residential districts are adjacent to the RM2 district, a minimum of fifteen feet of landscaped area shall be provided between such uses. Parking or common trash receptacles may be permitted within this area, subject to Design Review.
- c. Conveniently located common laundry facilities shall be provided for units which do not have individual hook-ups.
- d. Conveniently located and well-screened enclosures for trash and recyclables shall be provided for all dwelling units, unless provided for each unit. Projects shall conform to the City's solid waste and recycling guidelines.
- e. Recreational vehicle (including campers, boats and trailers) parking areas fully screened from view of the development, shall be provided in all multi-family developments or these developments shall prohibit all parking of recreational vehicles.
- f. Lockable, enclosed storage shall be provided in the carport area; storage substitutions may be approved by the Zoning Administrator.
- g. Mailbox kiosks shall be conveniently located and distributed throughout the complex.

IV. Mixed Use/Village Core Districts

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IV. MIXED USE / VILLAGE CORE DISTRICT

A. PURPOSE

Commercial uses in the SPA Plan area are concentrated in the Village Core area which is intended to function as the social, commercial and activity center for the village as mandated in the Otay Ranch GDP. In order to serve this function, mixed commercial/residential, public and quasi-public and community purpose uses, as well as purely commercial uses are permitted in the Village Core Districts.

The Mixed Use/Village Core Districts are included in the Planned Community District Regulations to achieve the following:

- To provide areas for office uses, retail stores and service establishments offering commodities and services required by residents of the village or adjacent villages.
- To provide an opportunity for mixed use and quasi-public community support facilities.
- To encourage mixed use and residential uses concentrated for the convenience of the public and for a more mutually beneficial relationship to each other.
- To provide adequate space to meet the needs of modern commercial activity, including off-street parking and loading areas.
- To protect village core properties from noise, odor, smoke, unsightliness, and other objectionable influences incidental to industrial uses.
- To promote high standards of site planning, architectural and landscape design for office and commercial developments within the city of Chula Vista.

B. PERMITTED AND CONDITIONAL USES

The matrix of land uses on the following pages indicates the relative permissive status using the following symbols:

“P” = Permitted.

“C” = Permitted subject to Conditional Use Permit

“A” = Permitted subject to Administrative approval.

“N” = Use Not Permitted.

A use not listed shall be subject to a use determination by the Zoning Administrator to determine substantial conformance with the purpose, intent and goals of this SPA Plan.

Table 10 - Permitted Use Matrix – Mixed Use/Commercial

	LAND USE DISTRICT
	MU/C
Administrative and Professional Services:	
Business & professional office	P
Financial institution or office	P
Medical, dental & health services	A
Real estate sales office	P
General Commercial Uses:	
Antique shop (no outdoor storage)	P
Apparel store	P
Appliance store, including repair (no outdoor storage)	P
Art, music and photographic studio and supply store	P
Arcade and electronic games (subject to Section 19.58.40 CVMC – Uses: Amusement and Entertainment Facilities)	C
Athletic and health club	P
Automobile and/or truck services, sales, rental agencies, car wash (subject to Property Development Standards)	C
Bakery - retail	P
Barber and beauty shop	P
Bicycle shop, non-motorized	P
Blueprint and photocopy services	P
Books, gifts and stationery store	P
Candy store and confectioner	P
Carwash (subject to Section 19.58.060 CVMC – Uses: Automobile Car Wash Facilities)	C
Catering establishment	P
Cleaners	P
Cocktail lounge, bar or tavern, including, related entertainment	C
Commercial recreation facilities not otherwise listed	C
Electronics store, including sales and repair	P
Equipment rental (enclosed in building)	P
Fast food restaurants with drive-in or drive-through (subject to Section 19.58.120 CVMC – Uses: Drive-in Establishments)	C

Table 10 - Permitted Use Matrix – Mixed Use/Commercial

	LAND USE DISTRICT
	MU/C
Feed and tack store (no outside storage); (subject to Section 19.58.175 CVMC – Uses: Hay and Feed Stores)	P
Florist shop	P
Food store, market, drug store	P
Furniture store	P
Gasoline service station (subject to Section 19.58.280 CVMC – Uses: Service Station)	C
Hardware store	P
Hobby shop	P
Hotel or motel (subject to Section 19.58.210 CVMC – Uses: Motels and Hotels)	P
Janitorial services/supplies	P
Jewelry store	P
Junior department or department store, discount or membership department store	C
Kiosk, including photo sales, located in parking lot	A
Laundry (coin-operated)	P
Liquor store	C
Medical and dental offices, clinics	P
Mortuary	N
Motorcycle sales and services, including motorized bicycles (subject to Property Development Standards)	A
Newspaper and magazine store	P
Nursery or garden supply store in enclosed area	P
Office suites, general	P
Office supplies/stationery store	P
Parking facilities (commercial) (subject to Section 19.58.230 CVMC – Uses: Parking Lots and Public Garages)	C
Pharmacy	P
Printing shop	P
Recycling drop-off bins	A
Residential	P

Table 10 - Permitted Use Matrix – Mixed Use/Commercial

	LAND USE DISTRICT
	MU/C
Restaurant with entertainment and serving alcoholic beverages	C
Restaurant with incidental serving of beer/wine but without cocktail lounge, bar, entertainment or dancing	A
Restaurant, coffee shop, delicatessen	P
Retail store or shop	P
Sign painting shop (enclosed building)	P
Snack bar or refreshment stand contained within a building	P
Stamp and/or coin shop	P
Swimming pool supply store	P
Television, stereo, radio store, including sales and repair	P
Temporary uses as prescribed in Temporary Use Section	P
Theater, movie or live shows	C
Tire sales and service	C
Travel agency	P
Veterinary office and/or animal hospital	C
Video rental stores	A
Residential Use:	
Mixed-use residential units over commercial or attached to storefront use	P
Public and Semi-public Uses:	
Day nursery, daycare school or nursery school (for profit or non-profit)	A
Educational institution	C
Essential public services, including but not limited to: library, museum, park, public works facility, post office and other civic use as determined by the Zoning Administrator	C
Group care facility and/or residential retirement hotel	C
Hospital, medical care facilities	C
Libraries	P
Public safety facility such as police or fire station	A
Public utility and/or public service sub-station, reservoir, pumping plant and similar installation	C

Table 10 - Permitted Use Matrix – Mixed Use/Commercial

	LAND USE DISTRICT
	MU/C
Public or private recreational facilities, including but not limited to: tennis and swim clubs, basketball, racquetball and handball courts. Sites 2 acres or less in size are subject to Administrative review only	C/A
Home Occupations:	
Home occupations subject to the provisions of Home Occupations Section of these regulations	P
Other Uses:	
Unclassified uses (subject to Section 19.54 CVMC)	C
Accessory Uses	P

C. ACCESSORY USES AND BUILDINGS

Accessory uses and accessory buildings customarily appurtenant to a permitted use are allowed subject to the requirements of Section 19.58.020 CVMC – Uses: Accessory Buildings.

D. SIGN REGULATIONS

Sign regulations are provided in Section IX, Comprehensive Sign Regulations. All signage will also comply with the Montecito and Otay Ranch Business Park Planned Sign Program that shall be prepared subsequent to SPA Plan approval.

E. PROPERTY DEVELOPMENT STANDARDS

The property development standards that shall apply to all land and buildings permitted in the Village Core Districts shall be those indicated on an approved Design Review application pursuant to Section 19.14.420 *et. seq.* CVMC (Site Plan and Architectural Approval Purpose – Prerequisite for Certain Uses).

An approved Master Precise Plan, the contents of which are to be determined by the Zoning Administrator, will be required for all areas in the Village Core. The master precise plan shall be prepared for the entire village core area and updated with each significant new project. This master precise plan will establish specific design districts within the village core and may further limit the location of certain uses (*e.g.*, fast food, auto repair, *etc.*). This master precise plan shall be prepared in accordance with the Montecito and Otay Ranch Business Park SPA Plan, Village Design Plan and City standards.

F. STREET PARKING & LOADING FACILITIES

The requirements for off-street parking and loading are provided in Section VIII.

G. OUTDOOR STORAGE

Except where otherwise approved on a site plan, outdoor storage and/or sales areas shall be entirely enclosed by solid walls not less than six feet in height to adequately screen outdoor storage areas. Stored materials shall not be visible above the required walls.

H. TRASH STORAGE

- All projects shall conform with the City's "Recycling and Solid Waste Planning Manual (Section 19.58.340 CVMC – Uses: Recycling and Solid Waste Storage)."
- Trash areas shall be kept neat and clean.
- The precise location of any trash area(s) shall be approved on the site plan.
- The trash enclosure shall be permanently maintained.

I. WALL REQUIREMENTS

A six-foot high minimum solid masonry wall subject to the provisions of Section 19.58.150 CVMC (Uses: Fences, Walls and Hedges) may be erected along the property line to separate any village core district from adjacent residential districts unless it is determined that such a wall is not necessary or another design is more appropriate on an approved site plan.

Noise barriers in excess of eight and one half feet in height shall consist of a wall and berm combination. The wall height in this combination barrier shall not exceed eight and one half feet with the remaining portion of the overall height constructed through berming.

J. LANDSCAPE

Required front and street side yards shall be landscaped. Said landscaping shall consist predominantly of plant materials except for necessary walks and drives. All planting and irrigation shall be in accordance with the City Landscape Manual. All required landscaping shall be permanently maintained in a healthy and thriving condition, free from weeds, trash and debris.

K. PERFORMANCE STANDARDS

1. Commercial within Village Core zoning districts shall comply with the provisions of Chapter 19.66 Performance Standards and Chapter 19.68 Performance Standards and Noise Control, CVMC.
2. All ground mounted mechanical equipment, including heating and air conditioning units shall be completely screened from public view and surrounding properties by use of a wall or fence, or shall be enclosed within a building. No material or equipment so screened shall have a height greater than that of the enclosing wall, fence or building. Structural and design plans for any screening required under the provisions of this section shall be approved by the Zoning Administrator.
3. All roof appurtenances including, but not limited to, air conditioning units, and mechanical equipment shall be shielded and architecturally screened from view from on-site parking areas, adjacent public streets and residential uses within the Village Core.
4. Reciprocal ingress and egress, circulation and parking arrangements shall be required to facilitate the ease of vehicular movement between adjoining properties.
5. All light sources shall be shielded in such a manner that the light is directed away from streets or adjoining properties. Illuminators should be integrated within the architecture of the building. The intensity of light at the boundary of any Village Core District shall not exceed seventy-five foot-lamberts from a source of reflected light.
6. All utility connections shall be designed to coordinate with the architectural elements of the site so as not to be exposed to public view except where required by utility provider. Pad mounted transformers

- and/or meter box locations shall be included in the site plan with an appropriate screening treatment such as berms, walls and/or landscaping.
7. There shall be no emission on any site, for more than one minute in any hour, of air contaminants which, at the emission point or within a reasonable distance of the emission point, are as dark or darker in shade as that designated as No. 1 on the Ringelman Chart as published by the United States Bureau of Mines Information Circular #7718.
 8. No use shall be permitted which creates odor in such quantities as to be readily detectable beyond the boundaries of the site.
 9. Buildings should be located on the site to provide adjacent buildings adequate sunlight for solar access when practical. Buildings should be designed to minimize energy consumption, including but not necessarily limited to the following conservation measures:
 - Co-generation
 - South facing windows
 - Eave coverage for windows
 - Earth berming against exterior walls
 - Deciduous shade trees on southerly or westerly orientations
 - Refer to the Village Design Plan for additional design guidelines and criteria
 10. All development shall be reviewed and required to conform to the Development and Redevelopment Projects Storm Water Management Standards/Requirements of the City of Chula Vista.

V. Business Park District

V. BUSINESS PARK DISTRICT

A. PURPOSE

Business Park uses in Villages Two and Three are intended to provide for a high-quality working environment and to achieve a harmonious mixture of land uses. Activities are intended to promote employment opportunities in manufacturing, service, research and development, engineering and wholesale trade. The Business Park Districts are included in the Planned Community District Regulations to achieve the following:

- To reserve appropriately located areas for business and industrial use and protect those areas from intrusion by dwellings and other non-harmonious uses.
- To protect residential and commercial uses from noise, odor, smoke, light intrusion, truck traffic and other objectionable influences incidental to Industrial/Business Park uses.
- To promote sufficient open space around industrial structures to protect them from hazard and to minimize the impact of industrial operations on nearby residential or commercial districts; and
- To minimize traffic congestion and avoid overloading utilities by restricting construction of buildings of excessive size in relation to the amount of land around them.

1. Business Park Manufacturing Park District (BP-1)

This District is intended as an area for light industrial, manufacturing and limited service commercial uses which can meet high performance and development standards.

2. Business Park Manufacturing Service District (BP-2)

This District is intended as an area for modern industrial, research, and administrative facilities which can meet high performance or development standards.

B. PERMITTED AND CONDITIONAL USES

The matrix of land uses on the following pages indicates the relative permissive status using the following symbols:

“P” = Permitted.

“C” = Permitted subject to Conditional Use Permit

“A” = Permitted subject to Administrative approval.

“a” = Permitted Accessory Use to a Permitted or Conditional Use.

“N” = Use Not Permitted.

A use not listed shall be subject to a use determination via by the Zoning Administrator to determine substantial conformance with the purpose, intent and goals of this SPA Plan.

Table 11 - Permitted Use Matrix - Business Park Districts

LAND USE DISTRICT	BP-1	BP-2
Manufacturing:		
Manufacturing, compounding, assembly or treatment of articles or merchandise from the following previously prepared typical materials such as canvas, cellophane, cloth, cork, felt, fiber, fur, glass, leather, paper (no milling), precious or semi-precious stones or metals, plaster, plastics, shells, textiles, tobacco, wood and yarns; novelty items (not including fireworks or other explosive type items).	P	C
Electrical and related parts; electrical appliances, motors and devices; radio, television, phonograph and computers; electronic precision instruments; medical and dental instruments; timing and measuring instruments; audio machinery; visual machinery; cosmetics, drugs, perfumes, toiletries and soap (not including refining or rendering of fat or oils).	P	C
Furniture upholstery	P	C
Rubber and metal stamp manufacturing	P	C
Laboratories; chemical	P	C
Laboratories; dental, electrical, optical, mechanical and medical	P	P
Bottling Plants	P	P
Cement products manufacturing	C	N
Pharmaceuticals; laboratories and manufacturing	P	P
Storage and Wholesale Trades:		
Mini-storage, public storage and storage warehouses	P	P
Moving and storage firms	P	P
Building materials and lumber storage yards and/or contractors' yards	C	C
Building equipment storage, sales, rentals	N	C
Automobile fleet storage	C	C
Trailer, truck or bus terminal	C	C
Nursery (growing, sales & distribution)	P	P
Services:		
Cleaning and dyeing plant	C	N
Distributors, showrooms and automobile offices	P	P

Table 11 - Permitted Use Matrix - Business Park Districts

LAND USE DISTRICT	BP-1	BP-2
Commercial/Retail Uses:		
Eating and drinking establishments:		
Bars	C	C
Restaurants, coffee shops, delicatessens		
Without alcoholic beverages	A	A
Snack bars, take-out only; refreshment stands within a building	P	P
Fast food restaurants with drive-in or drive-through	C	C
Furniture sales; new and used (no outdoor sales or displays)	P	P
Gasoline dispensing and/or automobile service station	C	C
Kennels	N	C
Heliports	C	C
Motels, hotels and convention centers	C	C
Newspaper publishing, printing, and distribution, general printing and lithography	P	P
Offices, business, medical, professional, real estate and research	P	P
Retail commercial/mixed use/entertainment	P	P
Mobil Home which is certified under the National Mobile Home Construction and Safety Standards Act of 1974 on individual lots	P	P
High-Technology Uses:		
Research, development and manufacturing of advanced technology products (such as but not limited to systems, subsystems, components, peripherals and accessories), inclusive of prototype and experimental products, utilized in the fields of aerospace, avionics, computers, electronics, advanced materials, defense industries, communications, energy and environmental systems, transportation, telecommunication, optics/laser, fiber optics, optoelectrics, video, imaging, magnetics, oceanography, and other related fields.	P	P
Bio-Technical Uses:		
Research, development and manufacturing of health care, food safety, nutrition, agriculture productivity and industrial and environmental improvement products, inclusive of prototype and experimental products involving use of organic, chemical, and biological processes.	P	P
Bio-Medical Uses:		
Research, development and manufacturing of organic drug delivery systems and diagnostic and therapeutic products, inclusive of prototype and experimental products, utilized in the field of medical care.	P	P

Table 11 - Permitted Use Matrix - Business Park Districts

LAND USE DISTRICT	BP-1	BP-2
Public and Semi-Public Uses:		
Day nurseries, day care schools and nursery schools	A	A
Post offices and post office terminals	C	C
Public utility pumping stations, equipment building and installation	a	a
Public utility service yards	C	C
Educational institutions, public or private including vocational schools	C	C
Temporary Uses:		
Temporary uses as described in Temporary Use section of these regulations.	P	P

C. ACCESSORY USES AND BUILDINGS

Accessory uses and accessory buildings customarily appurtenant to a permitted use are allowed subject to the requirements of Chapter 19.58 CVMC (Uses).

D. SIGN REGULATIONS

Sign regulations are provided in Section IX, Comprehensive Sign Regulations. All signage will also comply with the Montecito and Otay Ranch Business Park Planned Sign Program that shall be prepared subsequent to SPA Plan approval.

E. PROPERTY DEVELOPMENT STANDARDS

The property development standards that shall apply to all land and buildings other than accessory buildings authorized in this District. Any legal lot may be used as a building site, except no building permit shall be issued for any lot having a lot size less than 6,000 square feet.

F. GENERAL REQUIREMENTS

The following requirements are minimum unless otherwise stated:

Table 12 - Property Development Standards – Business Park Districts

	Land Use District		Notes
	BP-1	BP-2	
Lot Criteria			
Minimum Lot Size	½ Acre	½ Acre	
Front Yard Setback (in feet)	10 Feet	10 Feet	Increased setback shall be provided for buildings over 30' in height, subject to Design Review.
Side Yard Setback (in feet)	10 Feet	15 Feet	
Public Street Setback (in feet)	10 Feet	10 Feet	
Rear Yard Setback (in feet)	10 Feet	10 Feet	May be reduced to zero (0) with Site Plan approval. For the purpose of this provision.
Building Height, maximum	35 feet or 2 stories, whichever is less		Height limit for buildings may be increased subject to project specific Design Review.
Lot Coverage (percent, net)	60%	70%	

G. PARKING FACILITIES

The requirements for off-street parking are provided in Section VIII.

- Any parking lot for five or more vehicles shall include a landscape strip, ten (10) feet minimum width, between the parking area and the public right-of way. This strip shall effectively screen the parking lot from the public right-of-way to a minimum height of 4 feet. Screening berms and walls may be incorporated into the design.
- A minimum of 10% of the interior of any parking area shall be devoted to landscaping, in addition to the required 10 foot landscape area described above.
- Shade trees shall be planted at the perimeter and within the parking lots to reduce heat and glare and soften the appearance of the parking lot. One tree for every ten (10) parking stalls is recommended.
- Tree wells shall have a minimum inside dimension of 4 feet.
- Planters, walls and fences shall have a protective 6-inch concrete curb to protect against damage to plants and irrigation heads. Planting areas that abut vehicle stalls shall have a minimum concrete paved strip 18 inches wide (including curb) to provide for access to and from parked vehicles. Appropriate paving should be used where pedestrians are likely to cross landscaped areas.
- Protective concrete curbs or standard concrete wheel stops are required where walls and fences abut driveways and parking stalls.

H. LOADING AND DELIVERY FACILITIES

1. Loading and delivery service areas shall be located and designed to minimize their visibility, circulation conflicts and adverse noise impacts to the maximum extent feasible.
2. Loading and delivery service areas shall be screened with portions of the building, architectural wing walls, freestanding walls and landscape planting.
3. Loading and delivery areas shall not be located in required setbacks and shall not be adjacent to residential uses.
4. Loading and unloading shall be accommodated entirely on site.

I. OUTDOOR STORAGE

Except where otherwise approved on a site plan, outdoor storage and/or sales areas shall be entirely enclosed by solid walls not less than six feet in height to adequately screen outdoor storage areas. Stored materials shall not be visible above the required walls.

J. TRASH STORAGE

1. All developments in the Business Park Districts shall comply with the City's "Recycling and Solid Waste Planning Guide."
2. Trash areas shall be kept neat and clean.
3. The precise location of any trash area(s) shall be approved on the site plan.
4. The trash enclosure shall be permanently maintained.
5. Wood fence enclosures may be substituted if acceptable to the Zoning Administrator.

K. WALL REQUIREMENTS

A six-foot high minimum solid masonry wall subject to the provisions of Section 19.58.150 CVMC (Uses: Fences, Walls and Hedges) shall be erected along the property line to separate any Business Park District from adjacent residential districts unless it is determined that such a wall is not necessary or another design is more appropriate on an approved site plan.

- All fencing or walls shall provide a sight clearance distance as required by the City.
- Fences or walls not exceeding eight and one-half (8 ½) feet in height may be located within a side or rear yard setback area.
- Fences or walls not exceeding three and one-half (3 ½) feet in height may be located within a front or street side yard setback area.
- All screening shall be a minimum of six (6) feet high with a maximum not to exceed twelve (12) feet.
- Masonry walls visible from the public right-of-way shall be six (6) foot maximum height, compatible in materials and colors to the Otay Ranch theme wall design.
- Fences and walls shall be designed to be compatible with on-site buildings in terms of color and/or materials.
- Solid fences may be constructed of wood, brick, decorative block and stone, or framed stucco with decorative metal.
- Open style fencing shall be constructed of wood, ornamental iron or other similar decorative material.
- Open style fences shall be landscaped with vines, shrubs and /or trees to soften the appearance.
- The use of vinyl coated chain link is only permitted along interior side and rear property lines where not visible from the public right-of-way.

- Chain link, barbed wire, concertina wire or similar security devices are discouraged and are not acceptable in view of the public right-of-way.
- All gates shall be constructed of solid view-obscuring material except vehicular gates.

L. LANDSCAPE

Required front and street side yards shall be landscaped. Said landscaping shall consist predominantly of plant materials except for necessary walks and drives. All planting and irrigation shall be in accordance with the City Landscape Manual. All required landscaping shall be permanently maintained in a healthy and thriving condition, free from weeds, trash and debris.

- A minimum 7-foot or larger landscape strip, including a 6" curb and 12" concrete strip, shall be provided between parking areas and the front portion of the building.

M. UTILITY AND MECHANICAL EQUIPMENT

- Utility and mechanical equipment (electric and gas meters, electrical panels, transformers and junction boxes) should be screened from view. All screening devices should be compatible with the architecture, materials and colors of adjacent structures.
- No material or equipment so screened shall have a height greater than that of the enclosing wall, fence or building. Structural and design plans for any screening required under the provisions of this section shall be approved by the Zoning Administrator.
- Transformers shall not dominate the streetscape. When transformers are required to be installed adjacent to the street, they shall be undergrounded, whenever possible.
- All roof appurtenances including, but not limited to, air conditioning units, and mechanical equipment shall be shielded and architecturally screened from view from on-site parking areas, adjacent public streets and residential uses.

N. PERFORMANCE STANDARDS

1. Commercial/Retail land uses within Business Park Districts shall comply with the provisions of Chapter 19.66 Performance Standards and Chapter 19.68 Performance Standards and Noise Control, CVMC.

2. Reciprocal ingress and egress, circulation and parking arrangements shall be required to facilitate the ease of vehicular movement between adjoining properties.
3. All light sources shall be shielded in such a manner that the light is directed away from streets or adjoining properties. Illuminators should be integrated within the architecture of the building. The intensity of light at the boundary of any Business Park District shall not exceed seventy-five foot-lamberts from a source of reflected light.
4. There shall be no emission on any site, for more than one minute in any hour, of air contaminants which, at the emission point or within a reasonable distance of the emission point, are as dark or darker in shade as that designated as No. 1 on the Ringelman Chart as published by the United States Bureau of Mines Information Circular #7718.
5. No use shall be permitted which creates odor in such quantities as to be readily detectable beyond the boundaries of the site.
6. Buildings shall be located on the site to provide adjacent buildings adequate sunlight for solar access when practical. Buildings should be designed to minimize energy consumption, including but not necessarily limited to the following conservation measures:
 - Co-generation
 - South facing windows
 - Eave coverage for windows
 - Earth berming against exterior walls
 - Deciduous shade trees on southerly or westerly orientations
 - Refer to the Village Design Plans for additional design guidelines and criteria
9. All development shall be reviewed and required to conform to the Development and Redevelopment Projects Storm Water Management Standards/Requirements of the City of Chula Vista. All projects shall meet the following minimum requirements to prevent or reduce primary and secondary pollutants of urban runoff to the Maximum Extent Practicable during the post construction phase of the project:
 - Incorporate the Water Quality and Watershed Protection Principles into the conceptual planning process, precise grading plans and site improvement plans for each development project.
 - Design the site to reduce overall imperviousness and directly connected impervious areas; maintain natural drainage courses in the storm water conveyance system; provide runoff storage measures dispersed uniformly throughout a site's landscape with the use of a variety of detention and retention practices and implements hydrologically functional landscape design and management practices.

- Provide source control measures that prevent storm water contact with outdoor storage and trash collection areas; use the efficient irrigation and Integrated Pest Management Principles; education measures appropriate to the district.

V9. Open Space & Parks District

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VI. OPEN SPACE & PARKS DISTRICT

A. PURPOSE

This district is intended for open space, landscaping, recreation and public uses. Only those additional uses which are complementary to, and can exist in harmony with open space, park and recreation uses are permitted. There is no lot size limitation and it is intended that this district may be applied to a portion of a lot, provided that the remainder of the lot meets the requirements for the district which it is designated.

Open Space/Park District is included in the Planned Community District Regulations to achieve the following purposes:

- Provide focal points for community and neighborhood activities.
- Provide for public/quasi-public and recreational uses.
- Promote natural community linkages among Otay Ranch villages.
- Preserve, enhance and manage natural resources.
- Preserve vistas and conserve viewpoint areas for the enjoyment of future generations.
- Establish edges to help define communities.
- Promote public health and safety.
- Provide recreation and public use opportunities, such as trails and pathways.

B. PERMITTED & CONDITIONAL USES

The matrix of land uses below indicates the relative permissive status using the following symbols:

“P” = Permitted.

“C” = Permitted subject to Conditional Use Permit

“A” = Permitted subject to Administrative approval.

“N” = Use Not Permitted.

Table 13 - Permitted Use Matrix - Open Space/Park Districts

	LAND USE DISTRICT	
	P	OS/P1
Agricultural Uses:		
All types of horticulture	A	A
Arboreta - horticultural garden	A	A
Agricultural corps	A	A
Community gardens	A	A
Public and Semi-public Uses:		
Essential public services, including but not limited to: schools, libraries, museums, public libraries, public works facilities, cultural arts, interpretive centers and other civic uses	A	N
Facilities per Parks, Recreation, Open Space and Trails Master Plan	P	P
Commercial recreation	C	N
Unclassified uses	N	N
Temporary uses as prescribed in Section II.3.6.2.	P	N
Incidental concessions	A	N

C. PROPERTY DEVELOPMENT STANDARDS

I. Site Planning

All development proposals in the Open Space/Park District shall be reviewed on a case-by-case basis to determine appropriate buffering and setbacks. All permanent signs, including any required signs (such as monument and dedication signage, etc.), shall be included in the review and specifically approved. Neighborhood and community-level signs included in the Montecito and Otay Ranch Business Park SPA Plan shall be permitted in areas designated in the SPA Plan.

2. Landscaping

All landscaping shall meet the requirements of the City of Chula Vista Landscape Manual.

D. ACCESSORY USES & BUILDINGS

Accessory uses and accessory buildings customarily appurtenant to a permitted use are allowed subject to the requirements of Chapter 19.58 CVMC (Uses).

E. PERFORMANCE STANDARDS

All uses in the Open Space/Parks district shall conform to the performance standards provided in Chapter 19.66 (Uses: Performance Standards) and 19.68 (Uses: Performance Standards and Noise Control) CVMC and other pertinent City ordinances and policies.

V99. Community Purpose Facility Sites

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VII. COMMUNITY PURPOSE FACILITY SITES

A. PURPOSE

The City of Chula Vista Municipal Code Section 19.04.055 (Definitions: Community Purpose Facility) defines “Community Purpose Facility” as “...a structure or site for certain non-profit assembly, or recreation purposes, as well as ancillary uses such as a parking lot within a planned community.” The Otay Ranch GDP provides that the total acreage required for CPF facilities “may be reduced, if approved at the SPA level, based on the availability of guaranteed shared parking with other facilities or other community purpose facilities that are guaranteed to be made available to the community.” The GDP further provides that “site acreage requirements may be reduced through the use of multi-story structures, if appropriately sited and floor space is guaranteed for community purpose use.”

B. PERMITTED & CONDITIONAL USES

The matrix of land uses on the following pages indicates the relative permissive status using the following symbols:

- “P” = Permitted.
- “C” = Permitted subject to Conditional Use Permit
- “A” = Permitted subject to Administrative approval.
- “a” = Permitted accessory use to a permitted or conditional use.
- “N” = Use Not Permitted.

Table 14 - Permitted Use Matrix Community Purpose Facility District

Land Use	Land Use District CPF
Public and Semi-Public Uses:	
Community meeting or recreation facilities (i.e. private swim clubs and parks) owned and maintained by non-profit organizations serving the local community (i.e. Little League fields)	P
Day nursery, daycare school or nursery school (for-profit)	C
Day nursery, daycare school or nursery school (non-profit)	A
Educational institution	A
Essential public services, including but not limited to library, museum, public works facility, post office and other civic uses as determined by the Zoning Administrator	A
Group facility and/or residential retirement hotel	C

Table 14 - Permitted Use Matrix Community Purpose Facility District

Land Use	Land Use District CPF
Public safety facility such as police or fire station	A
Public utility and/or public service sub-station, reservoir, pumping plant and similar installation, except those regulated by the State of California	A
Worship, spiritual growth and development	C
Schools ancillary to uses below	
Senior care and recreation	C
Social and human services	C
Services for the homeless	C
Services for the military	C
Worship, spiritual growth and development	C
Youth organizations	C
General Commercial Uses:	
Recycling drop-off center	a
Snack bar or refreshment stand contained within a building	a
Temporary uses as described in “Temporary Use Section”	P
Theater, movie or live show	A

C. PROPERTY DEVELOPMENT STANDARDS

Property Development Standards for Community Purpose Facility sites shall be determined through the design review process.

D. PERFORMANCE STANDARDS

- Front and street side yards shall be landscaped. Said landscaping shall consist predominantly of plant materials except for necessary walks and drive. All planting and irrigation shall be in accordance with the City’s Landscape Manual. All required landscaping shall be maintained in a healthy and thriving condition, free from weeds, trash and debris.

- All ground mounted mechanical equipment, including heating and air conditioning units and trash receptacle areas, shall be completely screened from surrounding properties by a wall or fence, or shall be enclosed within a building. No material or equipment so screened shall have a height greater than the enclosing wall, fence or building. Structural and design plans for any screening required under the provisions of this section shall be approved by the Director of Planning and Building.
- All roof appurtenances including, but not limited to, air conditioning units, and mechanical equipment shall be shielded and architecturally screened from view from on-site parking areas, adjacent public streets and residential uses within the Village Core.
- Reciprocal ingress and egress, circulation and parking arrangements shall be required to facilitate the ease of vehicular movement between adjoining properties.
- All light sources shall be shielded in such a manner that the light is directed away from streets or adjoining properties. Illuminators should be integrated within the architecture of the building, wherever possible.
- All utility connections shall be designed to coordinate with the architectural elements of the site so as not to be exposed except where required by utility providers. Pad mounted transformers and/or meter box locations shall be included in the site plan with an appropriate screening treatment.
- Except where otherwise approved on a site plan, outdoor storage areas shall be entirely enclosed by solid walls not less than six (6) feet in height to adequately screen outdoor areas. Stored materials shall not be visible above the required walls.
- No use shall be permitted which creates odor in such quantities as to be readily detectable beyond the boundaries of the site.
- Buildings shall be located to provide adjacent buildings adequate sunlight for solar access when practical. Buildings should be designed to minimize energy consumption through the placement of windows, eave coverage, dual glazing and insulation.
- Criteria and standards for design and hours of operation shall be addressed during review of the Conditional Use Permit, when required, and/or the Site Plan.
- Parking spaces for electric carts and bicycle rack spaces are required and will be determined during Design Review.

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VIII. Parking Regulations

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VIII. PARKING REGULATIONS

A. PURPOSE

All regulations set forth in this section are for the purpose of providing convenient parking spaces for vehicles. The parking requirements of this Section are to be considered as the minimum necessary for such uses permitted by the respective zone.

The intent of these regulations is to provide adequately designed parking areas with sufficient capacity and adequate circulation to minimize traffic congestion and promote public safety. It shall be the responsibility of the developer, owner, or operator of the specific use to provide and maintain adequate parking.

B. GENERAL PROVISIONS

- On-street parking shall comply with the requirements of the Chula Vista Municipal Code. Should the City standards not adequately address on-street parking, particularly in terms of maintaining access for public safety on private streets and drives, special requirements shall be determined through site plan review and approved by the City Engineer.
- Off-street parking facilities, for both motor vehicles and bicycles, shall be provided for any new building constructed, for any new use established, for any addition or enlargement of an existing building or use, and for any change in the occupancy of an existing building.
- For additions or enlargement of any existing building or use, or any change of occupancy or manner of operation that would increase the number of parking spaces required, the additional parking spaces shall be required only for such addition, enlargement, or change and not for the entire building or use, unless required as a condition of approval of a Conditional Use Permit.
- When possible, the required parking facilities needed for any development shall be located on the same site, or if an irrevocable access and/or parking easement is obtained, the parking may be on an adjacent site. Property within the ultimate right-of-way of a street or highway may be used to provide required parking or loading or unloading facilities, subject to Design Review.
- The requirements of this ordinance shall apply to temporary as well as permanent uses.
- All required off-street parking spaces shall be designed, located, constructed and maintained so as to be fully usable during workday periods or as needed by the use of the premises.
- The parking requirement for uses not specifically listed in the matrix shall be determined by reference to CVMC Chapter 19.62 (Off-Street

Parking and Loading), or if not included therein, the approving authority may determine the parking requirement for the proposed use on the basis of requirements for similar uses, and on any traffic engineering and planning data that is appropriate to the establishment of a minimum requirement.

- In situations where a combination of uses are developed on a site, parking shall be provided for each of the uses on the site according to the schedule given in this section.
- A maximum of 25 percent of the parking spaces required on any site may be provided as “compact” spaces for non-residential uses, subject to the approval of the Planning Commission.
- The design of parking spaces and lots shall comply with the City of Chula Vista’s adopted parking table (PL-30) which establishes stall sizes relative to parking angle and aisle width.
- Where the application of these schedules results in a fractional parking space, the fraction shall be rounded to the higher whole number.
- All parking facilities required by this section shall be maintained in good operating condition for the duration of the use requiring such facilities. Such facilities shall be used exclusively for the parking of vehicles. Parking facilities shall not be used for the storage of merchandise, or, for the storage or repair of vehicles or equipment. Parking facilities shall not be used for the sale of merchandise, except on a temporary basis, pursuant to the Temporary Uses and Special Events section of these regulations.

C. SCHEDULE OF OFF-STREET PARKING REQUIREMENTS

The off-street parking requirements are shown in the following table:

Table 15 - Off-Street Parking Requirements

Land Use	Minimum Off-Street Parking Required
Administrative and Professional Services	1 space/300 square feet of gross floor area; minimum of 4 spaces. 5 bicycle spaces for over 20,000 square feet of gross floor area
Commercial – General and Shopping Center Uses except as noted below:	1 space/200 square feet of gross floor area. 1 bicycle space/33 automobile spaces required
Eating and drinking establishments	1 space/each 2.5 seats or 1 space/50 square feet of seating area where there are no fixed seats. 2 bicycle spaces.
Fast food restaurants with drive-in or drive through	1space/each 7 seats plus 1 space per employee, minimum 15 spaces and an on-site queue line for at least eight (8) vehicles when drive through is included. 5 bicycle spaces.
Gasoline dispensing and/or automotive service stations	2 spaces plus four (4) for each service bay.
Appliance and/or furniture stores	1 space/600 square feet of gross floor area.
Hotels and motels	1 space per unit plus 1 space for every 25 rooms or portion thereof provided on the same lot.
Auto and/or truck sales	1/10 the car storage capacity of the facility.
Medical and dental offices or clinics, veterinary offices or clinics	1 space/200 square feet of gross floor area; minimum of 5 spaces. 2 bicycle spaces.
Mixed Use Commercial	To be determined during Design Review and approval based on specific uses, per Zoning Ordinance standard parking requirements.
Commercial recreation facilities:	Automobile spaces as listed below. 1 bicycle space/33 automobile spaces.
Bowling alleys, billiard halls	5 spaces/alley plus 2 for each billiard table plus required parking for other uses on the site.
Commercial stables	1 space/5 horses boarded on-site.
Driving range (golf)	1 space/tee plus required parking for any other uses on the site.
Miniature golf	3 spaces/hole plus required parking for any other uses on the site.
Skating rinks	1 space/100 square feet of gross floor area.

Table 15 - Off-Street Parking Requirements

Land Use	Minimum Off-Street Parking Required
Tennis, handball and racquetball facilities	3 spaces/court plus required parking for any other uses on the site.
Theaters: Motion picture	1 space/3.5 seats
Playhouse	1 space/3.5 seats
Educational Institutions, Public or Private:	
Elementary and middle school	1 space per employee, plus 5 spaces
Senior high school	1 space per 4 students
Colleges and vocational schools	0.5 spaces/faculty member and employee plus 1 space/3 students
Places of public assembly including places of worship.	1 space/3.5 seats within the main auditorium or 1 space/45 square feet of gross floor area within the main auditorium where there are no fixed seats
Manufacturing Uses:	
Manufacturing	1 space per 1.5 employees or 1 space/800 square feet of gross floor area devoted to manufacturing plus the required parking for square footage devoted to other uses, whichever is greater. Ten (10) percent of the spaces provided must be designed for use by carpools.
Research and Development	1 space/300 square feet of gross floor area. Ten (10) percent of the spaces provided must be designed for use by carpools.
Storage	1 space/1,000 square feet of gross area for the first 20,000 square feet devoted to storage plus the required parking for square footage devoted to other use. 1 space/2,000 square feet for the second 20,000 square feet. 1 space/4,000 square feet for area in excess of 40,000 square feet.
Parks:	
Parks (public or private)	To be evaluated based on proposed facilities and determined by the Development Services Director and Director of General Services and Director of Recreation
Recreational courts (tennis, handball, racquetball and others)	To be evaluated based on proposed facilities and determined by the Director of General Services and Director of Recreation
Public and Semi-Public Uses:	
Day nurseries, daycare schools, nursery schools	1 space/staff member plus 1 space/5 children or 1 space/10 children if adequate drop off facilities are provided and designed to accommodate a continuous flow of passenger

Table 15 - Off-Street Parking Requirements

Land Use	Minimum Off-Street Parking Required
	vehicles to safely load and unload children. The adequacy of proposed drop off facilities shall be determined by the Director of General Services and Director of Recreation
Public Utilities	To be determined by the Development Services Director
Residential ⁶	
SF2, SF3, SF4	2 garage spaces/unit
RM1	To be determined by Design Review Recommend 2 assigned spaces/unit (1 covered) and minimum 0.33 guest spaces/unit. Tandem garage spaces are permitted.
RM2	1.0 spaces per studio 1.5 spaces per 1 bedroom unit 2.0 spaces per 2 bedroom unit 2.25 spaces per 3 bedroom unit or larger or as determined by Design Review Tandem spaces are permitted. Above requirements include 0.33 guest spaces/unit.
Senior, Congregate Care, or Affordable Housing	To be determined by Design Review. Tandem spaces are permitted. Parking requirements may be reduced for developments restricted to Affordable and Senior Citizens at the discretion of Planning Commission through a Conditional Use Permit procedure.

Handicapped Parking Requirements

Handicapped parking for residential uses shall be provided at the rate of one space for each dwelling unit that is designed for occupancy by handicapped persons.

Handicapped parking spaces shall be provided for all uses other than residential at the following rate:

Number of Parking Spaces Provided	Number of Handicapped Spaces Required
1 – 25	1
26 – 50	2
51 – 75	3
76 – 100	4
101 – 150	5

⁶ See Property Development Standards (page 64) for parking space sizes.

Table 15 - Off-Street Parking Requirements

Land Use	Minimum Off-Street Parking Required
151- 200	6
201 – 300	7
301 – 400	8
401 – 500	9
501 – 1000	2% of total
1001 and over	20 plus 1/100 spaces provided over 1000

Handicapped parking spaces required by this section shall count toward fulfilling automobile parking requirements.

Bicycle Parking Requirements

The following matrix contains the minimum bicycle parking requirements. Only those uses identified in the matrix are required to install bicycle parking. Bicycle parking facilities shall be stationary storage racks or devices designed to secure the frame and wheel of the bicycle. If not specified by use, the number and location to be determined during Design Review.

Mixed Use, Community Purpose Facility and Multi-family Residential	To be determined through Design Review
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Motorcycle Off-Street Parking Requirements

Motorcycle parking shall be provided for all uses except residential at the following rate:

Uses with 25 to 100 automobile parking spaces	1 motorcycle space
Uses with more than 100 automobile parking spaces	1 motorcycle space for every 100 automobile spaces
Motorized Cart Spaces	To be determined during Design Review and approval based on specific uses.

D. PROPERTY DEVELOPMENT STANDARDS

The following property development standards shall apply to all parking areas:

The following are minimums unless otherwise stated:

1. Residential
 - a. Standard
 - Covered in a garage or carport – 10’ x 20’ each space
 - Uncovered – 9’ x 19’ each space
 - b. Compact parking space 8’ x 18’
10. Motorcycle parking space 4’ x 8’
11. Bicycle parking space 2’ x 6’

12. Automobile, handicapped, motorcycle, and bicycle: All parking stalls and maneuvering areas shall be paved and permanently maintained with asphalt, concrete or any other all-weather surfacing approved by the Zoning Administrator and subject to current City standards.
13. Motorized cart parking space dimensions shall be determined during Design Review.
14. Striping and Identification
 - a. Automobile: All parking stalls shall be clearly outlined with double lines on the surface of the parking facility.
 - b. Handicapped: All handicapped spaces shall be striped and marked according to the applicable State standards.
 - c. Motorcycle: All motorcycle spaces shall have bollards installed and appropriately spaced to prevent automobile usage of the motorcycle area. Motorcycle spaces shall be marked so that they can be clearly identified for motorcycle usage.
 - d. Bicycle: All bicycle spaces shall be clearly identified.
 - e. Motorized carts: All motorized cart spaces shall be clearly identified and striped.

E. PERFORMANCE STANDARDS

1. Parking Screening Requirements

Off-street parking areas for more than five vehicles shall be effectively screened by a ten-foot wide landscaped strip and a masonry wall or fence of acceptable design. Such wall or fence shall be not less than three and one-half feet or more than six feet in height and shall be maintained in good condition without any advertising thereon. The requirements specified herein may be eliminated in whole or in part where, in the opinion of the Zoning Administrator, such requirements are not necessary for the proper protection of abutting property because of substantial grade differentials, the existence of adequate walls or other equally valid reasons.

2. Parking Area Landscaping

- a. Parking areas shall be landscaped in accordance with the City's landscape manual, the Montecito and Otay Ranch Business Park Design Plan and Master Landscape Plan.
- b. Any unused space resulting from the design of the parking area shall be used for landscaping purposes, if determined to be of appropriate size and location. Refer to the Montecito and Otay Ranch Business Park Design Plan for additional guidelines relating to parking lot landscaping.
- c. All landscaped parking lot islands shall have a minimum inside dimension of three feet and shall contain a twelve inch wide walk adjacent to the parking stall and be separated from vehicular areas by a six inch high by six inch wide concrete curb.

- d. All landscaped areas shall be irrigated automatically and kept in a healthy and thriving condition free from weeds, debris and trash.
- e. A minimum of one tree shall be provided for every 10 parking spaces within the parking lot landscaping (exclusive of required setback area landscaping). Said parking lot trees shall be evenly distributed throughout the parking lot and in no case shall the trees be further than 100' apart.
- f. Parking lots within the Business Park shall be separated from buildings by a raised walkway (minimum 4 feet wide) and landscape strip (minimum 7 feet wide).

3. Parking Area Lighting

All parking facilities shall have lighting in accordance with City of Chula Vista standards. The lighting shall be designed and installed to confine direct rays to the site. Parking lot lights shall be a maximum height of eighteen feet from the finished grade of the parking surface and directed away from the property lines.

4. Parking Area Front Setback

No part of any front yard or exterior side yard (*i.e.*, street side of a corner lot) shall be used for off-street parking or access, except driveways, unless authorized by the Zoning Administrator, pursuant to an approved site plan.

IX. Comprehensive Sign Regulations

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IX. COMPREHENSIVE SIGN REGULATIONS

A. PURPOSE

The provisions of this Section shall establish the Comprehensive Sign Regulations. It is the purpose of these provisions to establish a comprehensive system for the regulation of on-site and off-site signs. These sign regulations are intended to achieve the following:

- Protect the general public health, safety and welfare of the community by reducing possible safety and traffic hazards through good signage.
- Direct people to various activities and uses in order to provide for maximum public convenience.
- Provide a reasonable system of regulations that ensure the development of a high quality visual environment.
- Encourage signs which are well designed and pleasing in appearance.
- Encourage a desirable visual character which has a minimum of clutter and is compatible with the desired character of the community.
- Enhance the economic value of the community and each development area through the regulation of such elements as size, number, location, design and illumination of signs.
- Encourage signs which are well located and compatible with the function and use of adjacent areas.
- Encourage a sign program with a consistent theme, which visually complements and blends with the landscape program.
- Discourage proliferation of non-conforming signs which can be a visual blight to neighborhoods.

These Comprehensive Sign Regulations are intended to supplement the provisions of Chapter 19.60 of the Chula Vista Municipal Code (Signs). Signs which are permitted under the CVMC which are not expressly prohibited by this Section II.3.9 shall be permitted. Similarly, signs which are prohibited under the CVMC, unless expressly permitted herein shall be prohibited.

B. PERMIT REQUIREMENTS AND REVIEW PROCEDURES

- No person, except a public officer or employee in performance of a public duty, shall post, paint, erect, place or otherwise fasten any sign, pennant or notice of any kind, visible from a public street except as provided herein. To ensure compliance with this section, a sign permit shall be required for any sign, pursuant to Sections 19.60.020 (Signs: Balancing) and 19.60.030 (Signs: Intent) of the Chula Vista Municipal Code, except as provided in these PC Regulations.
- Any sign, monument, tablet, plaque or markers which are over 42 inches high and located within a public street right-of-way, or within a front yard or exterior side yard setback area as defined in the PC District Regulations, must have approval of the Zoning Administrator and City Engineer to ensure that architectural, pedestrian and vehicle access and safety issues are addressed.
- A building permit is required for every sign, including those exempt from obtaining a sign permit. Building permits for signs must comply with all SPA signage regulations.
- A Planned Signage Program shall be provided for the business park, commercial, mixed use, community purpose facility and multi-family land uses in accordance with these PC District Regulations.

I. Sign Permit Exceptions

The following signs shall be exempt from the sign permit requirements, however, an electrical and/or building permit may be required pursuant to the CVMC:

- Real estate signs for residential sales: No more than one sign for interior lots and two for corner lots (one sign per street frontage) not exceeding four (4) square feet in area and four and one-half (4-1/2) feet in height, provided it is unlit and is removed within fifteen (15) days after the close of escrow. Signs placed on the rear street frontage are prohibited. No more than five (5) off-site "Open House" signs not exceeding four (4) square feet in area and five (5) feet in height are permitted for directing prospective buyers to property offered for sale and must be removed on the same day as placed. Signs shall be located a minimum of three (3) feet from the sidewalk or 10 feet from the curb or edge of pavement, where no sidewalk exists.
- Temporary construction sign sites: Two (2) directory signs shall be permitted on the construction listing all contractors (may include financial institutions, real estate agents, subcontractors, etc.) not exceeding thirty-two (32) square feet each, unless legally required by government contracts to be larger. No sign shall exceed eight (8) feet in overall height and shall be located no closer than ten (10) feet to any property line. Such sign shall be removed upon the granting of occupancy by the City.

- Permanent window signage: may not exceed 20% of the window area of a commercial business frontage and is limited to the name of the business, service, or use, hours of operation, address and emergency information, except exposed neon tubing signs advertising products for sale on the premises, are permitted as permanent signs.
- Temporary advertising signage: Signs painted on the window or constructed of paper, cloth, or similar expendable material affixed on the window, wall or building surface, provided that all of the following conditions are met:
 - The total area of such signs shall not exceed twenty-five (25) percent of the window area; however, in all cases, twelve (12) square feet per business frontage is permitted.
 - Such signs shall be affixed to the surface for no more than thirty (30) continuous calendar days but for not more than sixty (60) days each calendar year, to promote a particular event or sale of product or merchandise.
- Future tenant identification sign: Future tenant identification signs may be placed on vacant or developing property to advertise the future use of an approved project on the property and where information may be obtained. Such signs shall be limited to one (1) per fronting street and to a maximum of ninety-six (96) square feet in area and twelve (12) feet in overall height each. Further, such signs shall be placed no closer than ten (10) feet to any property line. Any such sign shall be removed upon finalization of building permits. Where a project has in excess of 600 lineal feet of frontage, one additional sign for each 600 lineal feet is allowed.

2. Prohibited Signs and Lighting

All signs not expressly permitted are prohibited in all zones, including but not limited to the following:

- Roof signs.
- Flashing lights or signs.
- Animated signs or lights that convey the illusion of motion.
- Revolving or rotating signs.
- Vehicle signs (when parked or stored on property to identify a business or advertise a product).
- Portable signs (except where permitted in this section).
- Off-site signs (except temporary subdivision or real estate signs and political signs).

- Signs within the public right-of-way (except those required by a governmental agency). No sign shall be placed, erected or constructed on a utility pole, traffic device, traffic sign, warning sign, or so as to impede access to any public improvement, or to obstruct the vision of any such signs.
- Signs located on public property except as may be permitted in these regulations or required by a governmental agency.
- Signs within the public right-of-way prohibited by the Streets and Highway Code (Sec. 101 et. seq. and Sec. 1460 et. seq), the Vehicle Code (Sec. 21400 et. seq.) and the Public Utilities Code (Sec. 7538 et. seq.).
- Signs blocking doors or fire escapes.
- External light bulb strings and exposed neon tubing outside of building (except for temporary uses such as Christmas tree lots, carnivals and other similar events with prior approval of the City).
- Inflatable advertising devices of a temporary nature, including hot air balloons (except for special events as provided for in these regulations).
- Advertising structures including billboards (except as otherwise permitted in these regulations).
- Statuary (statues and sculptures) advertising products or logos of the business located outside of the structure that houses the business.
- Flags, pennants and banners as defined in Section 19.60.060 CVMC – Signs: Definitions (except those approved as temporary special event or promotional signs.
- Freestanding signs mounted on poles exceeding 10 feet in total height.
- The use of decals, stick-on or transfer letters, or tape on the walls of parapets of buildings, fences, walls or other structures.
- Readerboard/changeable copy signs, either electronic or non-electric except as permitted in this Section.
- Signs displayed as an imitation or to resemble official traffic warning devices or signs, that by color, location or lighting may confuse or disorient vehicular or pedestrian traffic. This does not include traffic or directional signs installed on private property to control on-site traffic.

3. Signs Relating to Inoperative Activities

Signs pertaining to activities or businesses which are no longer in operation, except for temporary closures for repairs, alteration or similar situations, shall be removed from the premises or the sign copy shall be removed within thirty (30) days after the premises have been vacated. Any such sign not removed within the specified time shall constitute a nuisance and shall be subject to removal under the provisions of these regulations and local ordinance.

4. Enforcement, Legal Procedures and Penalties

Enforcement, legal procedures and penalties shall be in accordance with the enforcement procedures established by Chapter 19.06 (General Plan) of the Chula Vista Municipal Code. Unauthorized illegal signs may be abated by the City in accordance with local ordinance. If said sign is stored by the City, the owner may recover said sign from the City upon payment to the City of any storage and/or removal charge incurred by the City. The minimum charge shall be no less than three dollars (\$3.00) per sign. All signs removed by the City may be destroyed thirty (30) calendar days following removal. If any sign, in the opinion of the Planning Director/Zoning Administrator, is an immediate threat to public health and safety, said sign shall be immediately and summarily removed with the cost of said removal charged to the property owner in accordance with local ordinances.

5. Construction and Maintenance

Every sign and all parts, portions and materials shall be manufactured, assembled and erected in compliance with all applicable State, Federal and City regulations and the Uniform Building Code.

Every sign and all parts, portions and materials shall be maintained and kept in proper repair and safe structural condition at all times. The display surface of all signs shall be kept clean, neatly painted and free from rust and corrosion. Any cracked or broken surfaces, and malfunctioning or damaged portions of a sign shall be repaired or replaced within thirty (30) calendar days following notification of the business by the City. Noncompliance with such a request will constitute a nuisance and will be abated. Any maintenance, except a change of copy, which does not involve structural change, is permitted.

C. SIGN REGULATIONS

Sign permits may be issued for signs included under this Section, provided the signs are in compliance with all other applicable laws and ordinances.

I. Signs Permitted in Any Land Use District

The following signs may be permitted in any land use district and are subject to the provisions listed below:

- Convenience Signs: On-site signs no greater than four (4) square feet necessary for public convenience or safety may be approved by the Planning Director or his designee. Signs containing information such as “entrance,” “exit,” or directional arrows shall be designed to be viewed from on-site or from an area adjacent to the site by pedestrians or motorists. Signs that convey advertising or products shall not be considered a convenience sign.
- Public and Quasi-Public Signs: Places of worship, schools, community centers and any other public or institutional building, on any mixed use, community purpose facility, school, park or residential district, shall be allowed signs as provided by Section 19.60.595 (Signs: Other Zones) of the Chula Vista Municipal Code.
- Special Event Signs: Special Event signs may be approved for a limited period of time as a means of publicizing special events such as grand openings, new management, inventory sales, Christmas tree lots, parades, rodeos, and fairs that are to take place within the community. No more than four off-site signs up to thirty-two square feet in size and eight feet in height are allowed. Such signs shall be consistent with the provisions for temporary signs as described by the Chula Vista Municipal Code Section 19.60.500 (Signs: Sign Rules - All Commercial Zones).
- Temporary On-Site Subdivision Signs:
 - One (1) temporary, on-site subdivision sign not to exceed 64 square feet in total area for two (2) sides or 32 square feet for one (1) side and a total overall height of twelve (12) feet may be permitted on each Circulation Element street frontage of each neighborhood, not to exceed two (2) such signs per street at any one time.
 - Such sign shall be for the identification of a subdivision, price information and the developer’s name, address and telephone number.
 - Such signs shall be removed after thirty-six months. Twelve month extension requests may be submitted by the developer for consideration by the Zoning Administrator prior to the expiration date.

- Such signs shall be removed within ten (10) calendar days from the date of the final sale of the land and/or residences.
- Signs shall be maintained in good repair at all times by the applicant developer or property owner.
- **Off-Site Subdivision Directional Sign:** Directional signage to subdivision development projects located off-site shall comply with the City of Chula Vista Kiosk Sign Program, pursuant to CVMC Section 19.60.450 (Signs: P-C Zone). The provisions of this program address the location, size and design of kiosk structures and panels, administration, maintenance and removal of such signage. It is intended to provide a uniform, coordinated method for directional signage to residential projects in the City of Chula Vista east of Interstate 805.
 - Each sign may contain the name of the subdivision and directional arrow.
 - Any sign approved for a particular subdivision within the Villages shall not be changed to another subdivision without prior approval of the Development Services Director/Zoning Administrator.
 - No other directional signage may be used, including posters, portable signs, vehicle signs, trailer signs or temporary subdivision signs.
 - Said signage shall be allowed until the units within the subdivision are sold out, or a period of twenty-four months, whichever comes first. Extensions of twelve (12) months may be approved by the Development Services Director/Zoning Administrator.
 - The placement of each sign structure and its copy shall be reviewed and approved

2. Commercial, Community Purpose and Multi-Family Signs

A Planned Signage Program is required to be approved concurrently with or as a condition of approval of the Site Plan and Design Review for business park, commercial, mixed use, community purpose facility and multi-family residential land uses. The purpose of the program is to integrate signs with the proposed architectural and landscaping design guidelines. This shall be achieved by requiring signs that:

- Use the same background color.
- Utilize no more than three different colors per sign for lettering.
- Utilize consistent structural support and materials for signs.
- Utilize a landscape setting, logos, color scheme or other methods consistent with the SPA Plan and approved by the Zoning Administrator to convey a unique theme.

- Use the same form of illumination for all signs, or by using varied forms of illumination determined to be compatible by the Zoning Administrator.
- Vary from the above standards if the signage can be determined by the Zoning Administrator to be compatible with the surrounding community character.

The planned signing program must comply with the above criteria. Some reference is made to the Chula Vista Municipal Code. Where there is a conflict, these regulations shall take precedence.

D. BUSINESS PARK (INDUSTRIAL)

A Comprehensive Sign Program shall be developed for all commercial and industrial developments consisting of four or more tenant spaces to ensure a unified design integrated with the project architecture and shall conform to the following guidelines.

I. Monument Signage

Monument signage shall adhere to the following guidelines:

- The sign location shall conform to all City requirements for site lines and sidewalk clearances.
 - The maximum sign dimensions shall be thirty(30) square feet.
- The copy area shall not exceed fifteen (15) square feet.
- Text and logos must fit proportionally into the face of the sign.
- Signs may be externally illuminated by ground lighting.
- A permanent business identification sign may be located at the entrance to the business park.
- Street address numbers shall be incorporated into the face or structure of the monument sign.
- The materials and colors of the sign shall utilize the same style, materials and colors of the project architecture.

2. Building Wall Signage

- One business identification sign four (4) square feet in size or less is allowed per building wall.
- Wall sign copy shall be limited to the identification of the business name or logo.
- The materials and colors of the sign shall be compatible with the style, materials and colors of the project architecture.
- Address number signs shall be of an appropriate size and location to be clearly visible to visitors and emergency responders.

3. Prohibited Signs

- Roof mounted signs
- Flashing lights or signs
- Animated signs or lights that convey the illusion of motion.

E. MIXED USE/COMMERCIAL

1. Types and Numbers of Permitted Signs:

- Two ground or monument signs identifying the name of the mixed use center and no more than two anchor tenants. Monument signs for individual businesses are not permitted.
- One wall or marquee sign per street frontage, identifying the mixed use center and each individual tenant, consistent with Section 19.60.530 CVMC (Signs: Neighborhood Commercial). Marquee signs are limited to use in conjunction with an entry to a suite of tenants.
- One hanging sign per tenant per street frontage. Hanging signs, utilizing a decorative sign suspended from a structure above a walkway or sidewalk on a decorative horizontal pole or awning. These signs are attractive as an alternative or supplement to wall signs in pedestrian walkways. Where they are used, wall and other types of signage should be reduced an equivalent amount to reduce sign clutter.

2. General Size and Locations of Signs:

- Sign sizes and locations are regulated pursuant to Section 19.60.530 CVMC (Signs: CN – Neighborhood Commercial Zone).
- Ground or monument center identification sign maximum size is 50 square feet per side, and six feet in height. Sign locations are limited to one per street frontage.

- Hanging sign maximum size is 12 square feet per side, but should not interfere with or obstruct pedestrians, vehicle site distance or required landscaping. Hanging signs are to be located near the public entrance.

The Master Precise Plan to be prepared for the Village Core will incorporate more detailed design criteria for the Mixed Use District.

F. COMMUNITY PURPOSE FACILITY

1. Types and Numbers of Permitted Signs:

- One ground or monument and one wall or marquee sign per street frontage, consistent with Section 19.60.595 CVMC (Signs: Other Zones).
- One non-illuminated, freestanding symbol.

2. General Size and Locations of Signs:

- Size of signs or symbols not to exceed 6 feet in height or 32 square feet. Each sign face may not exceed 32 square feet.
- Locations pursuant to Section 19.34.040 CVMC (Signs: Other Zones) and limit of one sign per street frontage.

G. MULTI-FAMILY RESIDENTIAL

1. Types, Numbers, Size and Locations of Permitted Signs:

- Ground or monument signs, wall signs, managers sign and vacancy signs pursuant to Section 19.60.410 CVMC (Signs: R-3 Zone) are permitted with the following exceptions:
 - One ground or monument and one wall sign per street frontage is permitted.
 - Ground/monument signs shall be a maximum of 24 square feet of sign face per side and a maximum of 4 feet in height.
 - Separate vacancy signs are not permitted, but must be combined with monument or wall signs.
 - Freestanding signs are not permitted

H. SIGN DESIGN STANDARDS

Each sign shall be designed with the intent and purpose of complementing the architectural style of the main building or buildings, or the type of business, institution or residential use on the site, and to the extent possible, compatibility with adjacent land uses.

I. Relationship to Buildings

Signs located upon a lot with only one main building housing the use which the sign identifies, shall be designed to be compatible with the predominate visual elements of the building, such as construction materials, color, or other design details. Each sign located upon a lot with more than one main building, such as a mixed use center, community purpose facility, school or multi-family residential developed in accordance with a common plan, shall be designed to be compatible with predominant visual design elements common or similar to all such buildings or the buildings occupied by the “main tenants” or principal uses.

The Development Services Director may condition approval of any sign to require incorporation of such visual elements into the design of the sign where such an element(s) is necessary to achieve a significant visual relationship between the sign and building or buildings.

2. Landscaping

Each freestanding sign shall be located in a planted landscaped area which is of a shape, design and size (equal to at least the maximum allowable sign area) that will provide a compatible setting and ground definition to the sign. The planted landscaped area shall be maintained in a neat, healthy and thriving condition.

3. Illumination and Motion

Signs shall be non-moving stationary structures (in all components) and illumination, if any, shall be maintained by artificial light which is stationary and constant in intensity and color at all times (non-flashing).

4. Sign Copy

The name of the business, use, service and/or identifying logo shall be the dominant message on the sign. The use of advertising information such as lists of products (more than one product), is prohibited.

5. Relationship to Streets

Signs shall be designed so as not to obstruct any pedestrian, bicyclist or driver’s view of the street right-of-way.

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X. Special Uses & Conditions

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X. SPECIAL USES & CONDITIONS

A. PURPOSE

This section provides additional regulation for special uses and conditions which require special review standards beyond those of the basic land use districts. Temporary uses, home occupations and private recreation/amusement facilities are addressed in this section. Where this section prescribes regulations which are more restrictive than that of the Land Use District, the provisions of this section shall apply.

B. TEMPORARY USES & SPECIAL EVENTS

1. Purpose

The provisions of this section shall apply to uses allowed for a limited amount of time, as specified herein. Temporary uses are subject to administrative approval by the Zoning Administrator, except as noted.

2. Temporary Uses Listed

- a. Circuses, rodeos, parades or similar outdoor entertainment or enterprises, subject to not more than five days of operation in any calendar year. Requests exceeding these time limitations will require the submittal and approval of a Conditional Use Permit.
- b. Christmas tree sales, Halloween pumpkin sales and other holiday sales subject to not more than forty days of site occupation and operation in any calendar year.
- c. Subdivision sales offices, sales information centers, sales pavilions, and model home complexes and signage located within the subdivision, subject to the following minimum requirements:
 - Offices shall be no closer than one vacant lot to an existing dwelling unit not part of the subdivision. Trailers may be used for no more than 120 calendar days or until such time as the subdivision sales offices have been completed, whichever is less.
 - Trailers used as sales offices for lot sales without model homes may be used for a period greater than 120 days, subject to site plan and architectural review approval and the maximum use period listed herein.
 - An asphaltic or concrete paved parking lot shall provide sufficient parking spaces to accommodate said use.
 - Faithful performance bonding, in an amount appropriate to guarantee removal and/or conversion of the sales office and attendant facilities shall be required.
 - Other conditions that the Zoning Administrator deems necessary to ensure that the sales office will not constitute or be objectionable to the residential uses in the neighborhood.

- d. Outdoor art and craft shows and exhibits, subject to not more than three calendar days of operation or exhibition in any sixty calendar day period.
- e. Contractors' offices and storage yards on the site of an active construction project.
- f. Mobile home residences for security purposes on the site of an active construction project.
- g. Seasonal retail sales of agricultural products (fruit and vegetable stands) of periods for less than ninety days, if said products are raised on the premises.
- h. Temporary use of properly-designated mobile trailer units for classrooms, offices, banks, etc., for periods not to exceed ninety days subject to Administrative Review. Requests for such uses of more than ninety days in duration shall require the approval of a Conditional Use permit by the Planning Commission. Such units shall meet all necessary requirements of building, fire and health codes.
- i. For any agricultural and animal husbandry activity or project (4H, FFA or similar) conducted for educational purposes or school districts, a permit may be granted in any district when the Zoning Administrator determines that such use will not cause a public nuisance relative to sanitation and health conditions.
- j. Charitable or school sponsored drop-off bins for recycling of cans, newspapers, or similar items, or for drop-off of clothes and small items. Bins shall be located in the parking lots of businesses or other public or semi-public property on a temporary basis when written permission is granted by the property owner or business owner. Said bins shall be kept in a neat and orderly manner.
- k. Community gardens as developed and operated in accordance with the guidelines in the Montecito and Otay Ranch Business Park Parks, Recreation Open Space and Trails Master Plan.
- l. Temporary tract signs for marketing purposes.
- m. Additional uses determined to be similar to the foregoing in the manner prescribed by these regulations.

3. Permits and Bonds

All temporary uses shall be subject to the issuance of a Temporary Use Permit by the Zoning Administrator and other necessary permits and licenses, including but not limited to, building permits, sign permits and solicitors or vending licenses. In the issuance of such a permit, the Zoning Administrator shall indicate the permitted hours of operation and any other conditions, such as walls, fences or lighting, which are deemed necessary to reduce possible detrimental effects to surrounding developments and to protect the public health, safety and welfare. Prior to the issuance of a permit for a temporary use, a cash deposit may be required to be deposited with the City. This cash deposit shall be used to defray the costs of property cleanup by the City in the event the permittee fails to do same.

4. Extension or Modification of Limits

Upon written application, the Zoning Administrator may extend the time within which temporary uses may be operated, or may modify the limitations under which such uses may be conducted if the Zoning Administrator determines that such extension or modification is in accord with the purposes of the zoning regulations.

5. Condition of Site Following Temporary Use

Each site occupied by a temporary use shall be left free of debris, litter or any other evidence of the temporary use upon completion or removal of the use, and shall thereafter be used only in accord with the provisions of the zoning regulations.

6. Fee

The application shall be accompanied by a fee established by the Master Fee Schedule to cover the cost of processing the application prescribed in this section.

C. HOME OCCUPATIONS

I. General Provisions

Home occupations may be permitted only when in compliance with the conditions listed herein. A permit must be issued by the Zoning Administrator prior to operation of such use. The fee shall be in accordance with the Master Fee Schedule.

- a. There shall be no stock in trade or exterior storage of materials in the conduct of home occupation.
- b. A home occupation shall be conducted entirely within a dwelling; if in an attached or a detached garage, it shall not impede the use of said garage for vehicle storage.
- c. Electrical or mechanical equipment which creates visible or audible interference in radio or television receivers, or causes

- fluctuations in line voltage outside the dwelling unit, shall be prohibited.
- d. No one other than the residents of the dwelling unit may be engaged in the conduct of the home occupation.
 - e. There shall be no sale of goods on the premises.
 - f. The establishment and conduct of a home occupation shall not change the principal character or use of the dwelling unit involved.
 - g. There shall be no signs other than those permitted by these regulations.
 - h. The required residential off-street parking shall be maintained.
 - i. A home occupation shall not create vehicular or pedestrian traffic in excess of that which is normal for the land use district in which it is located.
 - j. No vehicles or trailers (including pick-up trucks and vans) or construction and other equipment, except those normally incidental to residential use, shall be kept on the site.

D. PRIVATE RECREATIONAL FACILITIES

Construction of recreation courts, including necessary fencing and lighting, may be permitted subject to administrative review and a finding that adjacent properties will not be unduly affected (public parks are exempt from these requirements).

Recreation courts shall meet the following minimum standards:

1. A maximum 20-foot high fence (measured from the finished grade of the court) shall be allowed. Fences shall include a screening material which screens the court activity from off-site view and which improves the appearance of the fence.
2. Maximum of eight lights permitted, mounted at a height not to exceed twenty-two feet and may be used between 7 a.m. and 10 p.m. All lights and light fixtures shall be certified by a qualified lighting engineer to:
 - Be designed, constructed, mounted and maintained such that, the light source is cut off when viewed from any point five feet above the ground measured at the lot line.
 - Be designed, constructed, mounted and maintained such that the maximum illumination intensity measured at the wall of any residential building on abutting property shall not exceed 2 foot candle above ambient levels.

3. The surface area of any recreational court shall be designed, painted, colored and/or textured to reduce the reflection from any light incident thereon.
4. Landscaping shall be installed as required between the fence and the property line.
5. The hours of operation of private recreation facilities shall be governed by the appropriate Homeowners Association or property owner, but shall generally be between 7 a.m. and 9 p.m.

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XI. Legislative Procedures

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XI. LEGISLATIVE PROCEDURES

A. PURPOSE

Zoning is a legislative act involving police power asserted in the interests of the public health, safety and general welfare. The zoning process includes the creation and modification of the comprehensive zoning law which establishes designated zones with permitted uses and regulations, as well as the comprehensive and uniform application of said zoning regulations by the classification and reclassification of property into designated zones. It is the purpose of the council to provide a zoning procedure which will offer a clear and definite guide to property owners seeking zoning adjustments. It is intended that these procedures will protect the public welfare and sound community planning and to assure the maximum degree of protection for individual property rights.

Whenever the public necessity, convenience, general welfare or good zoning practice justifies such action and in substantial conformance with the General Plan of the city of Chula Vista, and after due consideration and report on same by the Planning Commission, the City Council may, by ordinance, create, amend, supplement or change the uses and regulations of the comprehensive zoning law or include or place any property within the city into any zone as created and defined in Title 19 Chula Vista Municipal Code. The procedure for adopting such ordinances may be notices by a resolution of intention of the Planning Commission, or of the Council, or by an affirmed application of one or more of the owners or parties having a legal interest in the property to be affected by the proposed action.

B. ADOPTION OF PLANNED COMMUNITY DISTRICT REGULATIONS

These Planned Community (PC) District Regulations are adopted pursuant to Title 19, Zoning, of the Chula Vista Municipal Code and are intended to implement and integrate the Chula Vista General Plan, the Otay Ranch General Development Plan (GDP), and the Montecito and Otay Ranch Business Park Sectional Planning Area (SPA) Plan. The Montecito and Otay Ranch Business Park Specific Planning Area is zoned P-C Planned Community pursuant to the adoption of the Otay Ranch GDP and Chapter 19.48 CVMC (P-C- Planned Community Zone). These regulations provide for the implementation of the GDP and P-C zone by setting forth the development and use standards for all property within the Montecito and Otay Ranch Business Park Specific Planning Area Planned Community District by establishing:

- Setbacks;
- Building heights;
- Parking requirements;
- Landscape requirements;
- Use restrictions;

- Animal regulations;
- Density of development limitations;
- Lot size, width and depth standards;
- Fencing requirements; and,
- Signing regulations.

These PC District Regulations, along with the Montecito and Otay Ranch Business Park Sectional Planning Area Plan, delineate precisely the allowable use of the property.

C. AMENDMENTS

Application for any change in district boundaries, use listing, property development standard or any other provision of these regulations shall be considered a zone change and be processed in accordance with the provisions of Chapter 19.12 CVMC (Legislative Zoning Procedure). Approval of a zone change requires affirmative action following a public hearing by both the Planning Commission and City Council.

*XII. Administrative Procedures,
Conditional Uses & Variances*

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XII. ADMINISTRATIVE PROCEDURES

A. PURPOSE & INTENT

The purpose of this section is to define certain administrative procedures and requirements to provide clear instructions and notice to property owners and developers within The Montecito and Otay Ranch Business Park Sectional Planning Area (SPA) regarding permit and plan approvals. The general intent of these regulations is to use the standard procedures provided in Chapter 19.14 CVMC (Administrative Procedures, Conditional Uses and Variances) except where special procedures are required or defined herein.

For matters relevant to the proper development and use of property within The Montecito and Otay Ranch Business Park Specific Planning Area and not addressed herein, the provisions of Title 19 CVMC (Zoning Ordinance) shall apply. In the event of conflicting standards, these Planned Community District Regulations shall apply.

B. ZONING ADMINISTRATOR - AUTHORITY

The Zoning Administrator is authorized to consider and to approve, disapprove or modify applications on the following subjects and/or issue the following required permits without setting the matter for a public hearing:

I. Conditional Use Permit

The Zoning Administrator shall be empowered to issue Conditional Use Permits, as defined herein, in the following circumstances:

- a.* Where the use to be permitted is designated for Administrative approval of ("A").
- b.* Where the use requiring the permit would make use of an existing building and does not involve substantial remodeling thereof.
- c.* For signs, as defined herein, and temporary tract houses, as limited herein.
- d.* The Zoning Administrator is authorized to consider and to approve, deny or modify applications for Conditional Use Permits for carnivals and circuses. The Zoning Administrator shall set the matter for public hearing in the manner provided herein.
- e.* Churches.
- f.* Establishments that include the sale of alcoholic beverages for off-site use or consumption. The Zoning Administrator shall hold a public hearing in accordance with Section 19.14.060-19.14.090 of the CVMC (Chapter 19.14 Administrative Procedures, Conditional Uses and Variances: sections .060 = Conditional Use Permit - Defined- Purpose and Intent, 090 = Conditional Use Permit - Public Hearing Procedure - Finding Of Facts and .080 =

Conditional Use Permit - Prerequisites For Grading) of the CVMC upon giving notice thereof in accordance with Sections 19.12.070-19.12.080 of the CVMC (Chapter 19.12 Legislative Zoning Procedures: Sections .070 = Hearings - Notices Required - Methods And Additional Contents Of Notice, And .080 = Hearings - Notice Required – Contents) A Conditional Use Permit shall not be granted unless the Zoning Administrator or other issuing authority finds in his/her sole discretion, and based on substantial evidence in view of the entire record, that all of the facts required by Section 19.14.080 of the CVMC (Administrative Procedures, Conditional Uses and Variances: *Conditional Use Permit - Prerequisites for Grading*) of the CVMC exist, and that approval of the permit will not result in an over concentration of such facilities. Over concentration may be found to exist based on: 1) the number and location of existing facilities; 2) compliance with State Alcohol Beverage Control over concentration standards in effect at the time of project consideration; 3) the impact of the proposed facility on crime; and, 4) the impact of the proposed facility on traffic volume and traffic flow. The Police Department or other appropriate City departments may provide evidence at the hearing. A permit to operate may be restricted by any reasonable conditions including but not limited to limitations on hours of operation.

- g. The City Clerk shall inform the City Council of the decision on each such permit when the decision is filed in accordance with Section 19.14.090 of the CVMC (Administrative Procedures, Conditional Uses and Variances: *Conditional Use Permit - Public Hearing Procedure - Finding Of Facts*). The decision of the Zoning Administrator may be appealed.
- h. Such appeal shall be directed to the City Council, rather than the Planning Commission, and must be filed within 10 days after the decision if filed with the City Clerk, as provided in Section 19.14.100 of the CVMC (Administrative Procedures, Conditional Uses and Variances: Conditional Use Permit – Appeals Procedure Generally.) If appealed within the time limit, said appeal shall be considered in a public hearing conducted by the City Council, in the same manner as other appeals pursuant to Sections 19.14.120 and 19.14.130 of the CVMC (Administrative Procedures, Conditional Uses and Variances: sections .120 – Conditional Use Permits – Appeal - City Clerk - Duties and section .130 – Conditional Use Permits – Appeal - City Council Action – Resolution) of the CVMC, except that the Council must make the same written findings required of the Zoning Administrator herein, in order to grant the permit.

2. Variances

The Zoning Administrator shall be authorized to grant variances for limited relief in the case of:

- a. Modification of distance or area regulations.
- b. Additions to structures, which are nonconforming as to side yard, rear yard or lot coverage, providing the additions meet the requirements of the zoning ordinance affecting the property.
- c. Walls or fences to exceed heights permitted by ordinances. Modifications requested in said applications for relief to be administered with the requirement for a public hearing shall be limited to deviations not to exceed 25% of the requirements imposed by ordinances.

3. Site, Architectural and Landscape Plan Approvals

The Zoning Administrator shall be empowered to grant site plan, architectural plan and landscape plan approval as provided herein.

4. Performance Standard Procedure

The Zoning Administrator shall be authorized to issue a zoning permit for uses subject to performance standards procedures, as provided herein.

5. Home Occupations

The Zoning Administrator shall be authorized to grant permits for home occupations, as defined and regulated in Section 19.14.490 of the CVMC (Administrative Procedures, Conditional Uses and Variances: Home Occupations Permit Required when – Restrictions and Requirements).

6. Design Review

The Zoning Administrator (ZA) has the discretion, with the concurrence of the applicant, to act in the place of the Planning Commission (PC) in the case of minor projects, including new construction or additions to signs, commercial, industrial, or institutional projects which constitute less than a 50% increase with a total floor area of 20,000 square feet or less, any single family detached residential project in a single family or multi-family zone, and multi-family residential projects of ten units or less. Single family detached units within the RM1 zone may be subject to PC review at the discretion of the ZA. The Zoning Administrator may also act in the place of the Planning Commission in the case of new community purpose facilities, commercial, or institutional projects in the same manner as set forth in Section 19.14.582 (G) (Planning Commission – Duties and responsibilities). A decision of the Zoning Administrator may be appealed to the City Council as set forth in Section 19.14.583 (Planning Commission – Appeal Procedure) of the CVMC.

Zoning Administrator Design Review for Residential: The Administrative approval process will be used for all single-family detached units on lots of/or

exceeding an average size of 3,000 square feet, including all proposals in the SF3 and SF4 Zone designations which have tentative subdivision map approval.

For development with lots averaging less than 5,000 square feet, submittal of the following is required. Residential development with homes served by alleys shall be subject to Administrative Design Review. For lots over 5,000 square feet, the Tentative Map shall satisfy all requirements except that three typical front elevations and typical enhanced rear and side elevations shall be used to satisfy requirement 'g' described below.

- a. Legal description, legend, scale, north arrow, vicinity map and identification of designer.
- b. The boundary lines of subject property fully dimensioned together with the name and dimensions of adjoining streets.
- c. Existing topography and proposed grading plan showing, slope, retaining walls, pad elevations and percent of slope on streets, driveways and other graded areas.
- d. Existing and proposed streets, utilities and easements
- e. Access: Pedestrian, vehicular and service, points of ingress and egress, with driveway locations and dimensions.
- f. Loading and trash areas, walls and/or fences (including height).
- g. Proposed location, height and dimensions of buildings, including color and materials on all elevations. The floor area, number of stories, number of units and bedrooms (when applicable) shall be given. Proposed uses shall be indicated including floor area devoted to each use.
- h. Parking layout, including dimensions, number of stalls and circulation flow.
- i. Location, height and size of signs proposed on the property.
- j. All Landscape Areas: Such areas shall be defined with a written proposal outlining the landscaping concept, as well as the proposed method of irrigation. In addition, all existing trees on the site shall be identified with a note as to proposed disposition.
- k. Lighting, including the location, type and hooding devices to shield adjoining properties.
- l. Location and design of recreational areas.

The Zoning Administrator shall determine from data submitted whether the proposed use will meet the development standards and design guidelines

established in the Montecito and Otay Ranch Business Park Planned Community District Regulations and Village Design Plan, and shall approve the application upon making a positive finding. The application may be disapproved, may be approved as submitted or may be approved subject to conditions, specific changes or additions. The approval of the Zoning Administrator shall be noted by endorsement upon two copies of all sketches.

In carrying out the purpose of this division, the Zoning Administrator shall consider in each specific case any or all of the following principles as may be appropriate:

- It is not a purpose of this section to control design character so rigidly that individual initiative is stifled in the layout of any particular building or site and substantial additional expense incurred; rather, it is the intent of this division that any control exercised be the minimum necessary to achieve the over-all objective of the Montecito and Otay Ranch Business Park SPA plan and associated regulatory documents.
- The siting of any structure on the property, as compared to the siting of other structures in the immediate neighborhood, shall be considered.
- The size, location, design, color, number, lighting and materials of all signs and outdoor advertising structures shall be reviewed. No sign shall be approved in excess of the maximum limits set herein.
- Landscaping as provided in accordance with the Montecito and Otay Ranch Business Park SPA Plan and associated regulatory documents shall be required on the site and shall be in keeping with the character or design of the site and existing trees shall be preserved whenever possible.
- Ingress, egress and internal traffic circulation shall be so designed as to promote convenience and safety.

SUBSTANTIAL CONFORMANCE:

The Zoning Administrator may determine a variation in an application from an adopted SPA document or statistic is in substantial conformance to the adopted document, subject to the findings below and providing the statistical variation is less than ten percent.

Zoning Administrator - Required Findings:

1. That the proposed project or use is consistent with the Chula Vista General Plan and adopted policies of the city;
2. That the proposed project or use is consistent with, or found to be in substantial conformance with, the Montecito and Otay Ranch

Business Park SPA Plan, the purpose and intent of these Planned Community District Regulations, and the Village Design Plan;

3. That the proposed project or use will not, under circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity; and,
4. That the proposed project or use is consistent with the principles and overall quality of design established for the Otay Ranch Planned Community.

In regard to applications on any of the aforementioned subjects, the Zoning Administrator shall set a reasonable time for the consideration of the same and give notice thereof to the applicant and to other interested persons as defined in the Chula Vista Municipal Code. In the event objections or protests are received, the Zoning Administrator shall set the matter for public hearing as provided herein.

C. PLANNING COMMISSION

The Planning Commission shall review plans for the establishment, location, expansion or alteration of uses or structures in all attached multi-family, Mixed Use and Public Quasi-Public land use designations and shall approve, conditionally approve or deny such plans. Single-family detached units within the RM1 zone may be subject to PC review at the discretion of the ZA.

The Planning Commission shall review all appeals filed to contest sign design rulings of the Zoning Administrator.

The Planning Commission shall make its findings and action upon the provisions of the Otay Ranch General Development Plan, Montecito and Otay Ranch Business Park Sectional Planning Area Plan, Planned Community District Regulations, Village Design Plan and other associated regulatory documents.

D. PLANNING COMMISSION - APPEALS PROCEDURE

Decision of the Planning Commission may be appealed to the City Council within 10 working days after the decision is filed with the City Clerk. The appeal shall be in writing and filed in triplicate with the Development Services Department on forms prescribed for the appeal, and shall specify therein the argument against the decision of the Planning Commission. If an appeal is filed within the time limit specified, it automatically stays proceedings in the matter until the City Council makes a determination.

Upon the hearing of such appeal, the Planning Commission may, by resolution, affirm, reverse or modify, in whole or in part, any determination of the Planning Commission. The resolution must contain a Finding of Facts showing wherein the project meets or fails to meet the requirements of this Chapter and the provisions of the Otay Ranch General Development Plan, Sectional Planning

Area Plan, Planned Community District Regulations, Village Design Plan and other associated regulatory documents.

E. SITE PLAN & ARCHITECTURAL APPROVAL

The purpose of site plan and architectural approval is only to determine compliance with the Montecito and Otay Ranch Business Park Sectional Planning Area Plan, Planned Community District Regulations, Village Design Plan, and associated regulatory documents. A Building Permit shall not be issued until site plan and architectural approval has been obtained for any land use requiring site plan and architectural approval.

A site plan and architectural approval application shall be accompanied by the following plans. Additional plans or information may be necessary to enable the Zoning Administrator to make the determinations for these applications.

1. Legal description, legend, scale, north arrow, vicinity map and identification of designer.
2. The boundary lines of subject property fully dimensioned together with the name and dimensions of adjoining streets.
3. Existing topography and proposed grading plan showing, slope, retaining walls, pad elevations and percent of slope on streets, driveways and other graded areas.
4. Existing and proposed streets, utilities and easements.
5. Access: Pedestrian, vehicular and service points of ingress and egress, with driveway locations and dimensions.
6. Loading and trash areas, walls and/or fences (including height).
7. Proposed location, height and dimensions of buildings, including color and materials on all elevations. The floor area, number of stories, number of units and bedrooms (when applicable) shall be given. Proposed uses shall be indicated including floor area devoted to each use.
8. Parking layout, including dimensions, number of stalls and circulation flow.
9. Location, height and size of signs proposed on the property.
10. All Landscape Areas: Such areas shall be defined with a written proposal outlining the landscaping concept, as well as the proposed method of irrigation. In addition, all existing trees on the site shall be identified with a note as to proposed disposition.
11. Lighting, including the location, type and hooding devices to shield adjoining properties.
12. Location and design of recreational areas.

The Zoning Administrator shall determine from data submitted whether the proposed use will meet the development standards and design guidelines

established in the Montecito and Otay Ranch Business Park Planned Community District Regulations and Village Design Plan, and shall approve the application upon making a positive finding. The application may be disapproved, may be approved as submitted or may be approved subject to conditions, specific changes or additions. The approval of the Zoning Administrator shall be noted by endorsement upon two copies of all sketches.

In carrying out the purpose of this division, the Zoning Administrator shall consider in each specific case any or all of the following principles as may be appropriate:

- It is not a purpose of this section to control design character so rigidly that individual initiative is stifled in the layout of any particular building or site and substantial additional expense incurred; rather, it is the intent of this division that any control exercised be the minimum necessary to achieve the over-all objective of the Montecito and Otay Ranch Business Park SPA plan and associated regulatory documents.
- The siting of any structure on the property, as compared to the siting of other structures in the immediate neighborhood, shall be considered.
- The size, location, design, color, number, lighting and materials of all signs and outdoor advertising structures shall be reviewed. No sign shall be approved in excess of the maximum limits set herein.
- Landscaping is provided in accordance with the Montecito and Otay Ranch Business Park SPA Plan and associated regulatory documents shall be required on the site and shall be in keeping with the character or design of the site and existing trees shall be preserved whenever possible.
- Ingress, egress and internal traffic circulation shall be so designed as to promote convenience and safety.

F. SITE PLAN & ARCHITECTURAL - APPEALS

Appeals from determinations by the Zoning Administrator shall be to the Planning Commission, upon written request for a hearing before the Commission. In the absence of such request being filed within seven days after determination by the Administrator, the determination shall be final.

The appeal shall be filed with the Development Services Department on the form required by the City, and be accompanied by the non-refundable Required Fee. The appeal shall include a statement of the reasons supporting the appeal, including a demonstration that any issues being raised were raised before the Zoning Administrator. Upon the proper filing of the appeal, the Development Services Director shall cause the matter to be set for public hearing, giving the same notice as required in Sections 19.12.070 and 19.12.080 of the CVMC

(19.12 Legislative Zoning Procedures: .070 = Hearings - Notices Required - Methods And Additional Contents Of Notice and .080 = Hearings - Notice Required – Contents).

Upon the hearing of an appeal, the Planning Commission may by resolution, affirm, reverse or modify, in whole or in any part, any determination of the Zoning Administrator. The resolution shall contain Findings of Facts showing wherein the project meets or fails to meet any applicable site plan and architectural principles or development standards and design guidelines established in the Montecito and Otay Ranch Business Park Sectional Planning Area plan and Village Design Plan. A copy of the decision resolution of the Planning Commission shall be filed with the City Clerk and mailed to the applicant. The decision of the Planning Commission shall be final on the eleventh day after its filing, except where further appeal is taken as provided herein.

The applicant or other interested person may appeal the decision of the Planning Commission granting or denying site plan and architectural approval to the City Council within 10 days after said decision is filed with the City Clerk. Said appeal shall be filed with the City Clerk in writing upon forms provided by the City and be accompanied by the non-refundable Required Fee therefore. The appeal shall include a statement of the reasons supporting the appeal, including a demonstration that any issues being raised were raised during the public hearing. If a proper appeal is filed within the time limits specified, it automatically stays proceedings in the matter until a determination is made by the City Council on the appeal.

After hearing the appeal, the City Council may, by resolution, affirm reverse or modify, in whole or in any part, any determination of the Zoning Administrator or the Planning Commission. The Council resolution by which the appeal is decided shall contain Findings of Facts showing wherein the project meets or fails to meet the applicable site plan and architectural principles in Section 19.14.470 of the CVMC (Administrative Procedures, Conditional Uses and Variances - Site Plan and Architectural Approval – Principles to be Observed), the provisions of the Design Manual, any design standards required for the project, or other non-conformity with the requirements of this Chapter. A copy of the decision resolution of the City Council shall be filed with the City Clerk and mailed to the applicant.

G. CONDITIONAL USE PERMIT

The granting of a Conditional Use Permit is an administrative act to authorize permitted uses subject to specific conditions because of the unusual characteristic or need to give special consideration to the proper location of said uses in relation to adjacent uses, the development of the community and to the various elements of the general plan. The purpose of this section is to set forth the findings necessary for such administrative action and to establish a procedure for granting Conditional Use Permits.

After the public hearing, the Planning Commission or the Zoning Administrator may, by resolution, grant a Conditional Use Permit if the Planning Commission or the Zoning Administrator finds from the evidence presented at said hearing that all of the following facts exist:

1. That the proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the neighborhood or the community.
2. That such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
3. That the proposed use will comply with the regulations and conditions specified in this code for such use.
4. That the granting of this conditional use will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.

The Planning Commission or the Zoning Administrator shall make a written finding which shall specify facts relied upon in rendering said decision and attaching such conditions and safeguards as deemed necessary and desirable not more than 10 days following the decision of the Commission or the Zoning Administrator, and shall fully set forth wherein the facts and circumstances fulfill or fail to fulfill the requirements. A copy of this written Finding of Facts shall be filed with the City Clerk, with the Development Services Director and mailed to the applicant. The decision of the Planning Commission or Zoning Administrator shall be final on the eleventh day following its filing in the office of the City Clerk, except where appeal is taken as provided herein.

H. CONDITIONAL USE PERMIT - APPEALS

The applicant or other interested party may appeal the decision of the Zoning Administrator to the Planning Commission within 10 days after said decision is filed with the City Clerk. Said appeal shall be in writing and filed in triplicate with the Development Services Department on forms provided by said department, and shall specify wherein there was an error in the decision of the Zoning Administrator. If an appeal is filed within the time limit specified, it stays proceedings in the matter until the Planning Commission makes a determination.

Where the Planning Commission denies an application by less than four votes, the applicant shall have the right to either a rehearing at the next Planning Commission meeting or an appeal to the City Council without payment of additional fees. The choice of alternatives shall be discretionary with the applicant. All other proceedings pertaining to appeals shall continue to apply.

I. VARIANCE

The granting of a Variance is an administrative act to allow a variation from the strict application of the adopted Montecito and Otay Ranch Business Park development regulations of the particular zone, and to provide a reasonable use for a Neighborhood of property having unique characteristics by virtue of its size, location, design or topographical features, and its relationship to adjacent or surrounding properties and developments. The purpose of the Variance is to bring a particular Neighborhood up to parity with other property in the same zone and vicinity insofar as a reasonable use is concerned, and it is not to grant any special privilege or concession not enjoyed by other properties in the same zone and vicinity. The Variance may not be used to correct improper zoning. It is the purpose of this section to set forth the findings necessary for such administrative action and to establish a procedure for granting variances. In no case shall a Variance be granted to permit a use other than a use permitted in the district in which the subject property is situated.

The Zoning Administrator shall grant a Variance only when the following facts are found:

That a hardship peculiar to the property and not created by any act of the owner exists. Said hardship may include practical difficulties in developing the property for the needs of the owner consistent with the regulations of the zone; but in this context, personal, family or financial difficulties, loss of prospective profits, and neighboring violations are not hardships justifying a Variance. Further, a previous Variance can never have set a precedent, for each case must be considered only on its individual merits.

1. That such Variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and in the same vicinity, and that a Variance, if granted, would not constitute a special privilege of the recipient not enjoyed by his neighbor.
2. That the authorizing of such Variance will not be of substantial detriment to adjacent property, and will not materially impair the purposes of these regulations or the public interest.
3. That the authorizing of such Variance will not adversely affect the general plan of the City or the adopted plan of any governmental agency.

J. VARIANCE - APPEALS

The applicant or other interested persons may appeal the decision of the Zoning Administrator to the Planning Commission within 10 days after the decision is filed with the City Clerk and the hearing on said appeal shall be processed by the Planning Commission in the same manner as a Conditional Use Permit within the original jurisdiction of the Planning Commission. The applicant or other interested persons shall have the same right of appeal from any determination of the Planning Commission in such instances as set forth in Sections 19.14.110 through 19.14.130 of the Chula Vista Municipal Code

(*Administrative Procedures, Conditional Uses and Variances: .110 = Conditional Use Permit – Appeals Form – Contents – Effects of Filing, .120 = Conditional Use Permit – Appeals – City Clerk Duties and .130 = Conditional Use Permit – Appeals City Council Action – Resolution*) of the Chula Vista Municipal Code.

Upon the hearing of such appeal, the City Council may, by resolution, affirm, reverse or modify in whole or in part any determination of the Planning Commission, subject to the same limitations. The resolution must contain a Finding of Facts showing wherein the conditional use meets or fails to meet the requirements of CVMC Sections 19.14.080 through 19.14.100 of the CVMC (*Administrative Procedures, Conditional Uses and Variances: .080 = conditional use permit - prerequisites for grading, .090 = Conditional Use Permit – Public Hearing Procedure – Finding of Facts and .100 = Conditional Use Permit – Appeals Procedure Generally*). Not later than 10 days following the adoption of said resolution, the City Clerk shall transmit a copy of the resolution and finding to the Development Services Director and shall mail a copy to the applicant.

Any Conditional Use Permit or Zone Variance granted by the City as herein provided shall be utilized within one year after the effective date thereof. A Variance or Conditional Use Permit shall be deemed to be utilized if the property owner has substantially changed his/her position in reliance upon the grant thereof. Evidence of change of position would include completion of construction or any expenditures of money by the property owner preparatory to construction and shall also include the use of the property as granted. If there has been a lapse of work for the three months after commencement, the Conditional Use Permit or Zone Variance shall be void. The Commission may, by resolution, grant an extension of time contained in a currently valid Zone Variance or Conditional Use Permit without a public hearing upon appeal of the property owner, provided that there has been no material change or circumstances since the granting of the Variance or Conditional Use Permit which would be injurious to the neighborhood or otherwise detrimental to the public welfare.

X999. Exceptions & Modifications

XIII. EXCEPTIONS & MODIFICATIONS

A. HEIGHT LIMITATION EXCEPTIONS

Height limitations stipulated in these regulations shall not apply to:

1. Church spires, belfries, cupolas and domes, monuments, electric generating stations and liquefied natural gas tanks, water towers, fire and hose towers, observation towers, distribution and transmission towers, lines and poles, windmills, chimneys, smokestacks, flagpoles, radio towers, masts and aerials, or to parapet walls extending not more than four feet above the limiting height of the building;
2. Places of public assembly in churches, schools and other permitted public and semi-public buildings, provided that these uses are located on the ground floor of such buildings;
3. Bulkheads, elevator and stair penthouses, water tanks, barns, silos, monitors and scenery lofts, provided no lineal dimension of any such structure exceeds fifty percent of the corresponding street lot line frontage; or towers and monuments, fire towers, hose towers, cooling towers, gas holders or other structures where the manufacturing process requires a greater height; provided however, that no such structures above the heights otherwise permitted in the district occupy more than twenty-five percent of the area of the lot and are no less than twenty-five feet from any lot line which is not a street lot line.

B. INTERPRETATION OF YARDS

In conditions where single family detached residential dwelling units are plotted on irregular or non-standard shaped lots, side yard setbacks may be observed in rear yards where rear yard requirements are satisfied in side yards.

XIV. Enforcement

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XIV. ENFORCEMENT

A. ENFORCEMENT BY CITY OFFICIALS

The City Council, City Attorney, City Manager, City Engineer, Director of Public Works, Fire Chief, Chief of Police, Development Services Director, Director of Recreation, City Clerk and all officials charged with the issuance of licenses or permits shall enforce the provisions of this ordinance. Any permit, certificate or license issued in conflict with the provisions of this ordinance shall be void.

B. ACTIONS DEEMED NUISANCE

Any building or structure erected hereafter, or any use of property contrary to the provisions of a duly-approved Design Review, Site Plan, Variance, Conditional Use Permit, or Administrative Review and/or this ordinance shall be declared to be unlawful and a public nuisance *per se* and subject to abatement in accordance with local ordinance.

C. REMEDIES

All remedies concerning this ordinance shall be cumulative and non-exclusive. The conviction and punishment of any person hereunder shall not relieve such persons from the responsibility of correcting prohibited conditions or removing prohibited buildings, structures, signs or improvements, and shall not prevent the enforced correction or removal thereof.

D. PENALTIES

Any person, partnership, organization, firm or corporation, whether as principal, agent, employee or otherwise, violating any provisions of this ordinance or violating or failing to comply any order or regulation made hereunder, shall be guilty of an infraction and, upon conviction thereof, shall be punishable as provided by local ordinance.