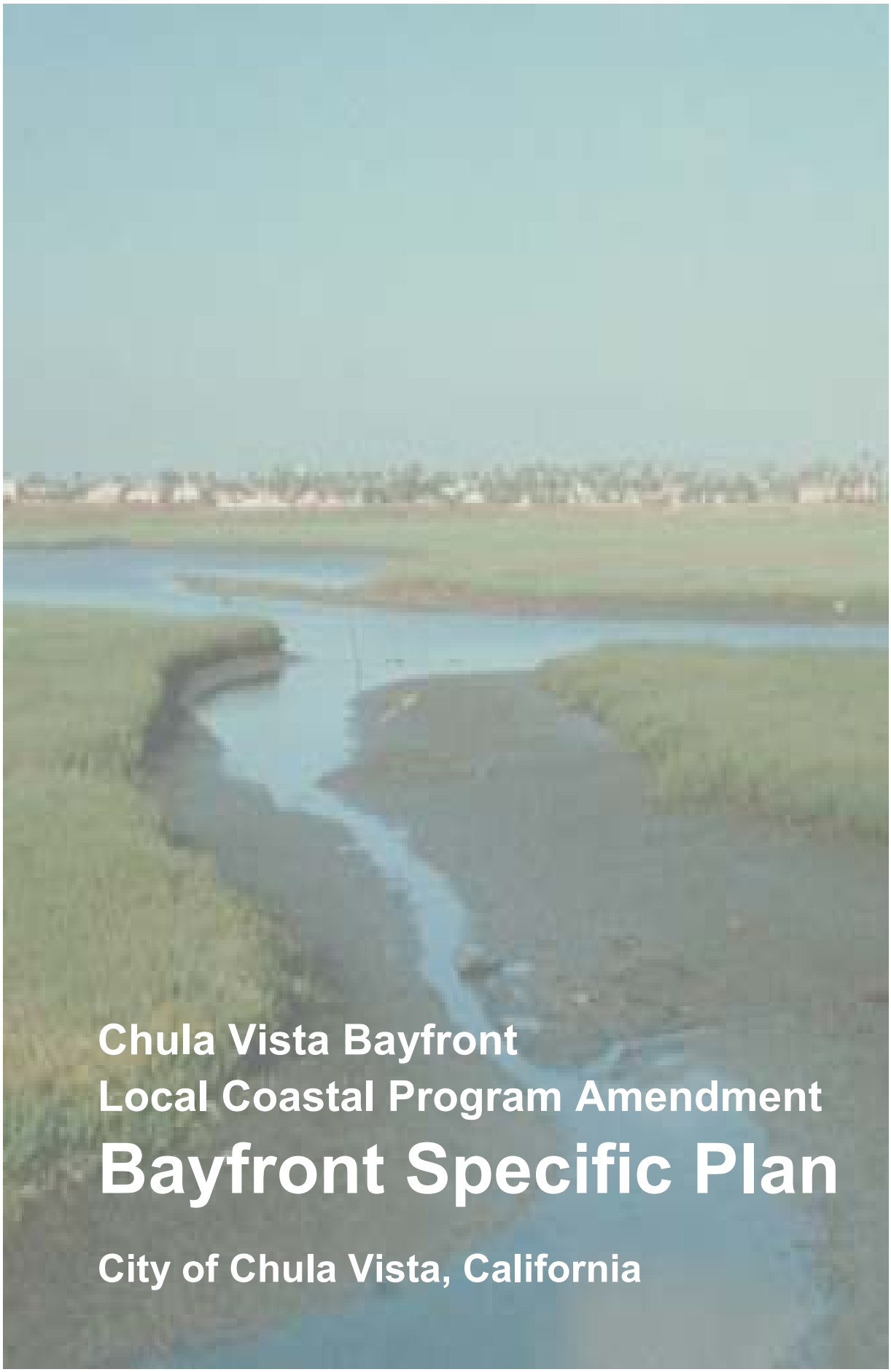

Chula Vista Bayfront
Local Coastal Program Amendment

Bayfront Specific Plan

City of Chula Vista, California

Chula Vista Bayfront
Local Coastal Program Amendment
Bayfront Specific Plan

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CHAPTER 19.81
BAYFRONT SPECIFIC PLAN – SCOPE AND PURPOSE

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19.81.001 Purpose.
19.81.002 Scope.
19.81.003 Authority.

19.81.001 Purpose.

The Chula Vista local coastal program (LCP) implementation program (hereinafter referred to as the Bayfront Specific Plan) is adopted by City Council Ordinance No. 3238, to protect and promote the health, safety, morals, peace, comfort, convenience, prosperity and general welfare. The Bayfront Specific Plan is intended to implement the Chula Vista General Plan and the Chula Vista LCP Land Use Plan (LUP) and their goals, objectives, and policies, which are also being implemented by the Bayfront Redevelopment Plan prepared by the Redevelopment Agency of the City of Chula Vista, California and Successor Agency (Agency) thereto pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000, et seq. and 34173, respectively), the California Constitution, and all applicable laws and ordinances, and last amended on September 25, 2012 by City Council Ordinance No. 3238 and Resolution No. 2012-189. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.81.002 Scope.

The Chula Vista coastal zone (coastal zone) is located in the City of Chula Vista (City) in San Diego County, California (Exhibit 1). The City is bounded by the cities of National City to the north and San Diego and Imperial Beach to the south. The Chula Vista Bayfront coastal area (Bayfront) is located within the coastal zone and encompasses the coastal lands from the City's northern boundary south to Palomar Street and west of and including Interstate 5. The Bayfront area also includes two inland parcels of land located east of I-5, one located on the south of the west end of Faivre Street and the other located in the northern part of the City. The portion of the coastal zone located south of Palomar Street, known as the West Fairfield Planning Area, is not included in the Bayfront area (Exhibit 2).

The Bayfront area consists of lands under the jurisdiction of the San Diego Unified Port District (Port) and lands under the jurisdiction of the City (Exhibit 3). The subject of the LCP amendment (Chula Vista LCP Planning Area) is non-Port parcels under the jurisdiction of the City, including privately owned lands and City-owned lands, within the Bayfront area. A large block of land located in the northern portion of the Bayfront area near the Sweetwater Marsh National Wildlife Refuge (LUP Subarea 1, Sweetwater District), owned by a private entity, was part of a land exchange with the Port for more developable parcels located in the central portion of the Bayfront area (LUP Subarea 2, Harbor District) and southern portion of the Bayfront area (LUP Subarea 3, Otay District). The land exchange included the transfer, after approval of the land exchange by the California State Lands Commission, of six parcels in the Sweetwater District from the private owner to the Port in exchange for four parcels in the Harbor District from the Port to the private owner. This land transfer shifted the jurisdiction of the four parcels in the Harbor from the Port to the City.

Pacific Ocean
San Diego County
0
3,200
6,400
12,800
19,200
25,600
Feet
LCP Planning Area
Chula Vista Bayfront Local Coastal Plan
Chula Vista, California
Exhibit 1
Regional Location
Specific Plan

Greenwater District
Harbor District
Otay District
Chula Vista Coastal Zone
Chula Vista Bayfront Area
City of Chula Vista
Fairfield Planning Area
Chula Vista Bayfront Local Coastal Plan
Chula Vista, California
Exhibit 2
Coastal Zone

Sweetwater District
Harbor District
Otay District
City Jurisdiction
Chula Vista Bayfront Master Plan Redevelopment Area (CVBMP)
Port Jurisdiction
City of Chula Vista
Chula Vista Bayfront Local Coastal Plan
Chula Vista, California
Exhibit 3
Jurisdictional Boundaries

The Bayfront Specific Plan shall govern and regulate all development within the Chula Vista LCP Planning Area boundary as depicted in Exhibit 4, herein. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992).

19.81.003 Authority.

The Bayfront Specific Plan is adopted pursuant to Section 30500(a) of the California Public Resources Code, relating to the requirements of a city to implement the provisions and policies of the California Coastal Act. This Bayfront Specific Plan is further adopted pursuant to Sections 65450 through 65457 of the California Government Code, and Chapter 19.07 CVMC, relating to specific plans.

(Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992).

CHAPTER 19.82
BAYFRONT SPECIFIC PLAN – GENERAL PROVISIONS

Sections:

19.82.001 Zoning.
19.82.002 Conflicts, interpretation, and applicability of provisions.
19.82.003 Plan amendment.
19.82.004 Incorporation by reference.
19.82.005 Issues not covered.

19.82.001 Zoning.

The Bayfront Specific Plan is adopted, pursuant to Government Code Section 65451(b), as a specific plan by ordinance to implement applicable provisions of the General Plan and LUP, in accordance with Chapter 19.07 CVMC, Specific Plans, and therefore serves as the zoning for all property within the scope of the plan area. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2532, 1992).

19.82.002 Conflicts, interpretation, and applicability of provisions.

Whenever the provisions of this Bayfront Specific Plan conflict with the provisions of the Chula Vista zoning provisions (CVMC Title 19, Planning and Zoning, hereinafter referred to as the "Chula Vista Zoning Code") or whenever the provisions reflect an internal conflict, the Bayfront Specific Plan provisions shall supersede those of the Chula Vista Zoning Code. In all cases, whenever provisions require interpretation, the LUP shall provide clarification or amplification. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.82.003 Plan amendment.

Amendments to this Bayfront Specific Plan shall require an amendment to the Chula Vista Zoning Code and shall be subject to the applicable sections of the California Coastal Act relating to amendments to LCPs. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.82.004 Incorporation by reference.

Whenever this Bayfront Specific Plan refers to another article, section, or subsection of the Chula Vista Zoning Code, such reference shall be deemed incorporated herein. Amendments to the Chula Vista Zoning Code shall not be effective in the coastal zone until and unless an amendment to this plan is approved by the Coastal Commission. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.82.005 Issues not covered.

In the event that an issue is not covered by any provisions or regulations provided for herein, then the issue shall be governed by the applicable regulations of the Chula Vista Zoning Code. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992).

CHAPTER 19.83
BAYFRONT SPECIFIC PLAN – COASTAL DEVELOPMENT PERMIT PROCEDURES

Sections:

19.83.001 Purposes.
19.83.002 Definitions.
19.83.003 Development permit conditions.
19.83.004 Applicability.
19.83.005 De minimis development.
19.83.006 Exemptions.
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19.83.018 Local government action – Effective date.
19.83.019 Exhaustion of local appeals.
19.83.020 *Repealed.*

19.83.001 Purposes.

This chapter establishes the permit procedures for developments located in the coastal zone as defined in Section 30150 of the Public Resources Code. This chapter is based on the LCP implementation regulations adopted by the California Coastal Commission pursuant to Public Resources Code Sections 30333 and 30501, and as such shall constitute the procedural requirements for review of developments in the coastal zone pursuant to Public Resources Code Section 30600(d). (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.83.002 Definitions.

“Aggrieved person” means any person who, in person or through a representative, appeared at a public hearing of the City in connection with the decision or action appealed, or who, by other appropriate means prior to a hearing, informed the City of the nature of his concerns, or who for good cause was unable to do either.

“Allowable use” means any use allowed by right that does not require a public hearing or any discretionary or nondiscretionary permit of the approving authority.

“Appealable development” means, in accordance with Public Resources Code Section 30603(a), any of the following:

1. Developments approved by the local government between the sea and the first public road, or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.

2. Developments approved by the local government, not included within subsection (1) of this definition, located on tidelands, submerged lands, or public trust lands; within 100 feet of any wetland, estuary, or stream; or within 300 feet of the top of the seaward face of any coastal bluff.

3. Any development that constitutes a major energy facility. The phrase "major public works project or a major energy facility" is as used in Public Resources Code Section 30603(a)(5), or "energy facility," as defined by Public Resources Code Section 30107, with a value exceeding $100,000, as adjusted from the 1982 base year per the Engineering News Record Construction Cost Index.

"Appellant" means any person who may file an appeal and includes an applicant, any aggrieved person, or any two members of the Coastal Commission.

"Applicant" means the person, partnership, corporation, or state or local government agency applying for a coastal development permit.

"Approving authority" means the City officer, Planning Commission, or Council approving a coastal development permit.

"Categorically excluded development" means a development (upon request of the City, public agency, or other person) that the Coastal Commission has determined, pursuant to Section 30610(e) of the Public Resources Code, to have no potential for significant adverse environmental effects and therefore has been issued an exclusion from the coastal development permit requirements in accordance with the applicable regulations.

"Coastal Commission" means the California Coastal Commission.

"Coastal development permit" means a letter or certificate issued by the City, in accordance with the provisions of this chapter, after the applicant has submitted all necessary supplementary documentation required to satisfy the conditions precedent in the notice to issue a coastal development permit.

"Conditional use" means any use that requires a public hearing.

"Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code); and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, and kelp harvesting.

"Development permit procedures" are instructions regarding how to process plans, proposals and permits through the City's entitlement process.

“Emergency” means a sudden, unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

“Emergency development” means work undertaken to resolve problems resulting from a situation falling within the definition of “emergency.”

“Local coastal program” means the City’s Land Use Plan, zoning ordinances, zoning maps, and other implementing actions certified by the Coastal Commission as meeting the requirements of the California Coastal Act of 1976.

“Notice to issue coastal development permit” means a letter or certificate issued by the City, in accordance with the provisions of this chapter, approving a development, subject to fulfillment of conditions prior to issuance of a coastal development permit, but if such conditions are fulfilled, as being in conformance with and adequate to carry out the LCP.

“Other permits and approvals” means permits and approvals, other than a coastal development permit, required to be issued by the approving authority before a development may proceed.

“Permitted use” means any use allowed by right that does not require a public hearing, but does require a discretionary or nondiscretionary permit (e.g., building permit) to be issued by the approving authority.

“Sea level rise” means a change in the mean level of the ocean. Accepted sea level rise scenarios shall be based on best available science (such as the 2010 Sea Level Guidance from the California Ocean Protection Council) and are presently projected at a range of between 10 and 17 inches for 2050.

“Structure,” as used in this chapter, includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2532, 1992; Ord. 2168 § 1, 1986; Res. 11903, 1985).

19.83.003 Development permit conditions.

Wherever reservation of an interest in land for public access, open space, or conservation is required by the LCP, it shall be a condition of the coastal development permit.

A. Legal Instruments Required. Prior to issuance of a coastal development permit, where a public access way or open space or conservation restriction on land is required by this LCP, each applicant shall record one of the following legal documents as specified in the conditions of approval:

1. Irrevocable Offer of Dedication. The applicant shall submit a preliminary title report and record an irrevocable offer to dedicate the access way, open space, or conservation easement or to convey such interest in property in fee as described in the permit conditions, free of prior liens or encumbrances, except for tax liens. This offer can be accepted within 21 years by a nonprofit organization or governmental agency subject to approval by the Executive Director of the Coastal Commission. Until this offer is accepted or until the landowner allows, the public has no right to use the access way; provided, that the landowner shall not interfere with established existing public use.

2. Outright Grant of Fee Interest or Easement. If the project is important in and of itself for public access, open space, or conservation needs, and the size and scope of the proposed development are such that an outright conveyance interest is appropriate, or there is an

accepting agency approved by the Executive Director of the Coastal Commission available to accept the easement or fee interest, it can be required prior to issuance of the coastal development permit. Until such a grant is accepted or until the landowner allows, the public has no right to use the access way; provided, that the landowner shall not interfere with established existing public use.

3. Required Information. As a condition of the issuance of a coastal development permit, title information and all necessary subordination agreements shall be required. Title insurance may also be required when extensive interests inland are being granted. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Ord. 2168 § 1, 1986; Res. 11903, 1985).

19.83.004 Applicability.

Except as provided in CVMC 19.83.005 and 19.83.006, any person wishing to undertake a development in the coastal zone shall obtain a coastal development permit in accordance with the provisions of this chapter, in addition to any other permit required by law. Development undertaken pursuant to a coastal development permit shall conform to the plans, specifications, terms, and conditions approved in granting the permit. The procedures prescribed herein may be used in conjunction with other procedural requirements of the City; provided, that the minimum requirements as specified herein are met. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2613, 1994; Ord. 2532, 1992; Res. 13957, 1989; Res. 11903, 1985).

19.83.005 De minimis development.

The Director of Development Services may issue a written waiver from the coastal development permit requirements of this chapter for any development that is de minimis. A proposed development is de minimis if the Director of Development Services determines, based on a review of an application for a coastal development permit, that the development involves no potential for any adverse effect, either individually or cumulatively, on coastal resources and that it will be consistent with all applicable objectives, policies, and standards of the certified LCP. The determination shall be made in writing and based upon factual evidence.

A. De minimis waivers shall be permitted only in the nonappealable area of the City's coastal development permitting jurisdiction when no local public hearing is required.

B. The Director of Development Services may consider the following types of projects for possible permit waivers:

1. Projects that would have been placed on the consent calendar of the City Council agenda without special conditions;

2. Projects fully consistent with the certified LCP and for which all applicable policies of the LCP are objective in nature, such that staff does not have to exercise its judgment as to satisfaction of subjective criteria; and

3. Projects located in areas where similar projects have been approved as a routine matter without conditions or opposition.

C. The following projects will not be considered for possible waivers:

1. Projects that involve questions as to conformity with the certified LCP, or that may result in potential impacts on coastal resources and public access;

2. Projects with known opposition or probable public controversy; and

3. Projects that involve divisions of land including condominiums.

D. If, upon review of the coastal development permit application, the Director of Development Services determines that the development is de minimis, the applicant shall post public notice of the de minimis waiver on the property for at least seven calendar days prior to the final decision granting the waiver. Notice of intent to issue a de minimis waiver shall also be made to the Coastal Commission and to persons known to be interested in the proposed development in the following manner:

Within 10 calendar days of accepting an application for a de minimis waiver or at least seven calendar days prior to the decision on the application, the Director of Development Services shall provide notice, by first class mail, of pending waiver of permit requirements. This notice shall be provided to all persons who have requested to be on the mailing list for that development project or site or for coastal decisions within the local jurisdiction, to all property owners and residents within 300 feet of the perimeters of the parcel on which the development is proposed, and to the Coastal Commission.

E. The notice shall contain the following information:

1. A general description of the proposed project and location;

2. A statement that the development is within the coastal zone;

3. The date of filing of the application and the name of the applicant;

4. The number assigned to the application;

5. The date at which the waiver may become effective;

6. The general procedure concerning the submission of public comments either in writing or rally prior to the decision; and

7. A statement that a public comment period of sufficient time to allow for the submission of comments by mail will be held prior to the decision.

The Director of Development Services shall report to the City Council at its next available public meeting those projects for which waivers are proposed, with sufficient description to give notice of the proposed development to the City Council. A list of waivers issued by the Director of Development Services shall be available for public inspection at the public counter of the Development Services Department and at the City Council meeting during which any waivers are reported. A waiver shall not take effect until after the Director of Development Services makes his/her report to the City Council. If one-third of the City Council (two members) so request, such issuance shall not be effective and, instead, the application for a coastal development permit shall be processed in accordance with the provisions of this chapter. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2790, 1999; Ord. 2532, 1992; Res. 13957, 1989; Res. 11903, 1985).

19.83.006 Exemptions.

A. The following shall be considered exemptions from a coastal development permit:

1. Repair and maintenance activities that do not result in an addition to or enlargement or expansion of the object of such activities, except as otherwise specified by the Coastal Commission in Title 14, Division 5.5 of the California Code of Regulations, and any amendments thereafter adopted.

2. Activities of public utilities as specified in the repair, maintenance, and utility hook-up exclusion adopted by the Coastal Commission on September 5, 1978, unless a proposed activity will have a risk of substantial adverse impact on public access, environmentally sensitive habitat area, wetland, or public views to the ocean.

3. Occupancy permits that do not constitute development, including but not limited to occupancy permits that do not involve a change in the density or intensity of use of land and/or the change in the intensity of access to the coast.

4. Improvements to single-family residences, except as otherwise specified by the Coastal Commission in Subchapter 6, Title 14, California Administrative Code, and any amendments thereafter adopted.

5. Improvements to any structure other than a single-family residence or a public works facility, except as otherwise specified by the Coastal Commission in Subchapter 7.5, Title 14, California Administrative Code, and any amendments thereafter adopted.

B. Notice of exempt development shall be as follows: a permit issued by the City for a development that is exempt from the coastal development permit requirements shall be exempt from the notice and hearing requirements of this chapter. The City shall maintain a record for all permits issued for exempt developments that shall be made available to the Coastal Commission or any interested person upon request. This record may be in the form of any record of permits issued currently maintained by the City; provided, that such record includes the applicant's name, the location of the project, and a brief description of the project. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2532, 1992; Ord. 2168 § 1, 1986; Res. 11903, 1985).

19.83.007 Emergency development permit.

Application for and issuance of an emergency development permit shall comply with requirements set forth in Article 2, Sections 13329, 13329.1, 13329.2, 13329.3, and 13329.4 of the California Administrative Code (California Code of Regulations Title 14). An application and permit form prepared in compliance with said article shall be adopted by the City. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Ord. 2168 § 1, 1986; Res. 11903, 1985).

19.83.008 Notice of appealable developments.

Within 10 calendar days of accepting an application for an appealable coastal development permit or at least 10 calendar days prior to the first public hearing on a development proposal, the City shall provide notice by first class mail of pending application for appealable development. This notice shall be provided to each applicant, to all persons who have requested to be on the mailing list for that development project or for coastal decisions within the City, to all property owners and residents within 300 feet of the perimeter of the parcel on which the development is proposed, and to the Coastal Commission. The notice shall contain the following information:

A. A statement that the development is within the coastal zone;

B. The date of filing of the application and the name of the applicant;

C. The number assigned to the application;

D. A general description of the development and its proposed location;

E. The date, time, and place at which the application will be heard by the local governing body or hearing officer;

F. A brief description of the general procedure of local government concerning the conduct of hearings and local actions;

G. The system for local and Coastal Commission appeals, including any local fees required; and

H. Costs of the notice that are not reimbursed to local governments through grants or SB90 reimbursement pursuant to Public Resources Code Section 30353. (Ord. 3238 § 2 (Exh. B),2012; Ord. 2532, 1992; Res. 11903, 1985).

19.83.009 Public hearing on appealable developments.

At least one public hearing shall be held on application for an appealable development, thereby affording any persons the opportunity to appear at the hearing and inform the City of the nature of his or her concerns regarding the project. Such hearing shall occur no earlier than 10 calendar days following the mailing of the notice required in CVMC 19.83.008 and shall normally be conducted by the Development Services Director or his/her designee. The public hearing may be conducted in accordance with existing local procedures or in any other manner reasonably calculated to give interested persons, including the applicant, an opportunity to appear and present their viewpoints, either orally or in writing.

The hearing officer's decision may be appealed to the City Council within 10 days following the hearing officer's decision. Said appeal shall be processed by the City Council in the same manner as a public hearing on appealable development described in this section. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2613, 1994; Ord. 2532, 1992; Res. 13957, 1989; Res. 11903, 1985).

19.83.010 Notice of local government action where hearing continued.

If a decision on a coastal development permit is continued by the City to a time that is neither (A) previously stated in the notice provided pursuant to CVMC 19.83.008 nor (B) announced at the hearing as being continued to a time certain, the City shall provide notice of the further hearings (or action on the proposed development) in the same manner, and within the same time limits, as established in CVMC 19.83.009. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2613, 1994; Ord. 2532, 1992; Res. 11903, 1985).

19.83.011 Notice of nonappealable developments that require a public hearing - Conditional uses.

Notice of nonappealable developments that require a public hearing involving conditional uses shall be given at least 10 calendar days before a hearing in the following manner:

A. Notice in the manner prescribed in CVMC 19.83.008; or

B. Notice as prescribed herein:

1. If the matter is heard by the Planning Commission, notice shall be published in a newspaper of general circulation or (if there is none) posted in at least three public places in the local jurisdiction;

2. Notice by first class mail to any person who has filed a written request;

3. Notice by first class mail to property owners within 300 feet of the proposed project;

4. Notice by first class mail to residents within 300 feet of the proposed project;

5. Notice by first class mail to the Coastal Commission; and

6. The notice shall contain a statement that the proposed development is within the coastal zone. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.83.012 Public hearing on nonappealable developments – Conditional uses.

At least one public hearing shall be held on each application for a nonappealable development involving a conditional use, thereby affording any persons the opportunity to appear at the hearing and inform the City of the nature of his or her concerns regarding the project. Such hearing shall occur no earlier than 10 calendar days following the mailing of the notice required in CVMC 19.83.008 and shall be conducted in accordance with local procedures or in any other manner reasonably calculated to give interested persons, including the applicant, an opportunity to appear and present their viewpoints, either orally or in writing. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2613, 1994; Ord. 2532, 1992; Res. 13957, 1989).

19.83.013 Notice of nonappealable developments that do not require a public hearing Permitted uses.

Notice of nonappealable developments that do not require a public hearing involving permitted uses shall be provided in the manner prescribed in CVMC 19.83.005. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2613, 1994; Ord. 2532, 1992; Res. 11903, 1985).

19.83.014 Determination of applicable notice and hearing procedures.

The determination of whether a development is categorically excluded or appealable for purposes of notice, hearing, and appeals shall be made by the City at the time the application for development is submitted. This determination shall be made with reference to the certified LCP, including maps, categorical exclusions, land use designations, and zoning ordinances adopted as a part of the certified LCP. Where an applicant, interested person, or the City has a question as to the appropriate procedures, the following procedures shall be followed:

A. The City shall make its determination as to what type of development is being proposed (i.e., exempt, categorically excluded, appealable, or nonappealable) and shall inform the applicant of the notice and hearing requirements for that particular development. The local determination may be made by the designated approving authority.

B. If the determination of the City is challenged by the applicant or an interested person, or if the City wishes to have a Coastal Commission determination as to the appropriate designation, the City shall notify the Coastal Commission by telephone of the dispute/question and shall request an Executive Director's opinion.

C. The Executive Director shall, in writing, within two working days of the City's request (or upon

completion of a site inspection where such an inspection is warranted), transmit a determination as to whether the development is exempt, categorically excluded, nonappealable, or appealable.

D. Where, after the Executive Director's investigation, the Executive Director's determination is not in accordance with the City determination, the Coastal Commission shall hold a hearing for the purpose of determining the appropriate designation for the next Coastal Commission meeting in the appropriate geographic region following the City's request. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.83.015 Finality of City action.

A local decision on an application for a development shall be deemed final when (A) the local decision on the application has been made and all required findings have been adopted, including specific factual findings supporting the legal conclusions that the proposed development is or is not in conformity with the certified LCP, and that the required conditions of approval adequate to carry out the certified LCP as required in the implementing ordinances have been imposed, and (B) all rights of appeal have been exhausted as defined in CVMC 19.83.019. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2613, 1994; Ord. 2532, 1992; Res. 11903, 1985).

19.83.016 Final City action – Notice.

Within seven calendar days of a final decision on an application for any development (except categorically excluded or exempt developments), the City shall provide notice of its action by first class mail to the Coastal Commission and to any persons who specifically requested notice of such final action by submitting a self-addressed, stamped envelope to the City (or, where required, who paid a reasonable fee to receive such notice). Such notice shall include the name and address of the applicant, conditions of approval, written findings, and the procedures for appeal to the Coastal Commission. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.83.017 Failure to act – Notice.

A. Notification by Applicant. If the City has failed to act on an application within the time limits set forth in Government Code Sections 65950 through 65957.1, thereby approving the development by operation of law, the person claiming a right to proceed pursuant to Government Code Sections 65950 through 65957.1 shall notify, in writing, the City and the Coastal Commission of his or her claim that the development has been approved by operation of law. Such notice shall specify the application that is claimed to have been approved.

B. Notification by City. When the City determines that the time limits established pursuant to Government Code Sections 65950 through 65957.1 have expired, the City shall, within seven calendar days of such determination, notify any person entitled to receive notice pursuant to CVMC 19.83.016 that it has taken final action by operation of law pursuant to Government Code Sections 65950 through 65957.1.

   The appeal period for projects approved by operation of law shall begin to run only upon the receipt of the City's notice in the Coastal Commission office. (This section shall apply equally to a City determination that the project has been approved by operation of law and to a judicial determination that the project has been approved by operation of law.) (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.83.018 Local government action – Effective date.

A final decision of the City on an application for an appealable development shall become effective after the 10-working-day appeal period to the Coastal Commission has expired or after the twenty-first calendar day following the final local action unless any of the following occur:

A. An appeal is filed in accordance with the Coastal Commission's regulations; or

B. The notice of final local government action does not meet the requirements of CVMC 19.83.016 and 19.83.017.

Where either of the circumstances above occurs, the Commission shall, within five calendar days of receiving notice of that circumstance, notify the City and the applicant that the effective date of the City action has been suspended. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.83.019 Exhaustion of local appeals.

A. An appellant shall be deemed to have exhausted local appeals for purposes of filing an appeal under the Coastal Commission's regulations and be an aggrieved person where the appellant has pursued his appeal to the local appellate body as required by the City's appeal procedures; except, that exhaustion of all local appeals shall not be required if any one of the following occurs:

1. The City requires an appellant to appeal to more local appellate bodies for permits in the coastal zone in the implementation section of the LCP;

2. An appellant is denied the right of the initial local appeal by a local ordinance that restricts the class of persons who may appeal a local decision;

3. An appellant is denied the right of local appeal because local notice and hearing procedures for the development did not comply with the provisions of this chapter; or

4. The City charges an appeal fee for the filing or processing of appeals. Where the local government would ordinarily require a fee for the processing of appeals within the appealable areas of the coastal zone, the City may apply to the Coastal Commission for a reimbursement of that fee through an SB90 claim or similar reimbursement process.

B. Where a project is appealed by any two members of the Coastal Commission, there shall be no requirement of exhaustion of local appeals; provided, however, that notice of Coastal Commission appeals shall be transmitted to the local appellate body (which considers appeals from the local body that rendered the final decision), and the appeal to the Coastal Commission shall be suspended pending a decision on the merits by that local appellate body. If the decision of the local appellate body modifies or reverses the previous decision, the Commissioners shall be required to file a new appeal from that decision. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.83.020 Appeal fee.

Repealed by Ord. 3238 § 2 (Exh. C), 2012. (Ord. 2532, 1992; Res. 11903, 1985).

Chapter 19.84
BAYFRONT SPECIFIC PLAN – LAND USE ZONES

Sections

19.84.001 Purpose and scope.
19.84.002 Commercial zones.
19.84.003 Industrial zones.
19.84.004 Public/quasi-public and open space zones.
19.84.005 Residential zones.
19.84.006 Circulation and other designations.

19.84.001 Purpose and scope.

The Bayfront Specific Plan provides for the classification of land use and the regulation of development by land use zoning and parcel. These classifications, zones, are depicted in Exhibit 5, herein. Each zone contains a set of regulations setting forth the allowable uses and standards for development within that district. This chapter provides the development standards relating to land use activities for each zone. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2613, 1994; Ord. 2532, 1992).

19.84.002 Commercial zones.

A. Commercial – Visitor (C-V).

1. Purpose and Intent. The purpose of the commercial – visitor zone is to provide regulations of uses serving the needs of tourists, travelers, and local residents. The regulations of this zone are designed to encourage the provision of transient housing facilities, restaurants, service stations, and other activities providing for the convenience, welfare, or entertainment of the traveler.

2. Permitted Uses. The following uses are permitted:

   a. Hotels and inns;

   b. Retail, including:
      i. Restaurants with a cocktail lounge as an integral part;
      ii. Art galleries;
      iii. Stores and retail shops;
      iv. Parking garages;
      v. Antique shops;
      vi. Markets;
      vii. Restaurants and snack bars; and
      viii. Any other establishment serving visitors determined to be of the same general character of the above-permitted uses;

   c. Commercial recreation, including:
      i. Tennis clubs and facilities;
      ii. Health clubs;
      iii. Sports and health classes and clinics;
      iv. Professional sports facilities;
      v. Sports medicine facilities;
      vi. Sports training facilities;
      vii. Boat rentals and rentals of other water recreational items;

viii. Swimming and diving facilities; and
ix. Any other business or facility determined to be of the same general character of the above-permitted uses.

3. Conditionally Permitted Uses. Any of the above-permitted uses whose parking requirement can only be met by shared parking may be permitted subject to approval of a conditional use permit.

4. Prohibited Uses. Any of the above-permitted or conditionally permitted business or activity that produces noise above 60 CNEL at the exterior boundaries of this zone.

B. Commercial – Thoroughfare (C-T).

1. Purpose and Intent. The purpose and intent of the commercial – thoroughfare zone is to provide regulations for areas adjacent to major public roadways where activities dependent upon or catering to thoroughfare traffic may be established and maintained. The regulations of this zone are designed to encourage the centers for retail, commercial, entertainment, automotive, and other appropriate highway-related activities. In addition, in order to promote high-priority visitor-serving uses, commercial retail and restaurant uses oriented towards tourist or visitor uses are also permitted in the commercial – thoroughfare land use designation.

2. Permitted Uses. The following uses are permitted:

a. Food sales commercial;

b. Convenience sales and service commercial;

c. Transient habitation commercial;

d. Automotive servicing commercial;

e. Automotive repair and cleaning commercial;

f. Automotive fee parking commercial;

g. Group assembly commercial;

h. Parking services civic;

i. Community assembly civic;

j. Administrative civic; and

k. Utility and vehicular civic.

C. Commercial – Professional and Administrative (C-P).

1. Purpose and Intent. The purpose and intent of the commercial – professional and administrative zone is to provide regulations for development of professional and administrative office uses. The regulations of this zone are designed to promote a suitable environment for business administration, and professional and government activities.

2. Permitted Uses. The following uses are permitted:

a. Administrative and executive offices;

b. Professional offices;

c. Financial offices, including banks, real estate, and other general business offices;

d. Medical care facilities;

e. Research offices;

f. General business offices;

g. Fire stations;

h. Commercial – up to 120,000 sq. ft. of retail commercial shall be allowed on Parcel 2-h; and

i. Any other office use determined to be of the same general character of the above-permitted uses. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2613, 1994; Ord. 2532, 1992).

19.84.003 Industrial zones.

A. Industrial – Research and Limited Industrial (I-R).

1. Purpose and Intent. The purpose and intent of the industrial – research and limited industrial zone is to provide regulations for the development and protection of modern, large-scale research and specialized manufacturing organizations of a non-nuisance type. These regulations are also designed to provide for the creation of areas for limited industrial development by providing an environment free from nuisances created by some industrial uses.

2. Permitted Uses. The following uses are permitted:

a. Administrative commercial;

b. Food service commercial;

c. Convenience sales and service commercial;

d. Business and communication service commercial;

e. Retail business supply commercial;

f. Research development commercial;

g. Automotive fee parking commercial;

h. Custom industrial;

i. Essential service civic;

j. Parking service civic; and

k. Community assembly civic.

B. Industrial – General (I-G).

1. Purpose and Intent. The purpose and intent of the industrial – general zone is to provide regulations for areas designated for the exclusive use of industrial development. This development will be subject to the necessary regulations to ensure the purity of the airs and waters in Chula Vista and San Diego County, and the protection of nearby residential, commercial, and industrial uses of the land from hazards, noise, and other disturbances.

2. Permitted Uses. The following uses are permitted:

   a. Food service commercial;

   b. Convenience sales and service commercial;

   c. Business and communication service commercial;

   d. Retail business supply commercial;

   e. Research and development commercial;

   f. General wholesale sales commercial;

   g. Transportation and warehousing commercial;

   h. Automotive fee parking commercial;

   i. Custom industrial;

   j. Light industrial;

   k. General industrial; and

   l. Essential service civic.

3. Conditionally Permitted Uses. The following uses may be allowed subject to the approval of a conditional use permit:

   a. Automotive sales (new), rental and delivery, and accessory commercial activities;

   b. Automotive servicing commercial activities;

   c. Automotive repair and cleaning commercial activities;

   d. Boat sales or rental commercial activities;

   e. Boat servicing commercial activities;

   f. Educational services commercial activities; and

g. Child-care activities.

C. Limited Industrial (I–L).

1. For Parcel Area 3-k refer to Chapter 19.44 CVMC. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2545 § 1, 1993; Ord. 2532, 1992).

19.84.004 Public/quasi-public and open space zones.

A. Public and Quasi-Public (P-Q).

1. Purpose and Intent. The purpose and intent of the public and open space – public and quasi-public zone is to provide regulations for uses in appropriate locations that are maintained by public or publicly controlled agencies such as municipal and/or county agencies, school districts, or utility companies (e.g., water, gas, electricity, fire station, etc.).

2. Permitted Uses. The following uses are permitted:

a. Parking services civic;

b. Fire station;

c. Automotive fee parking commercial; and

d. Utility transmission systems.

B. Parks and Recreation (P-R)

1. Purpose and Intent. The purpose and intent of the public and open space – parks and recreation category is to provide regulations for public spaces for recreational activities, open air meeting places, and other outdoor activities.

2. Permitted Uses. The following uses are permitted:

a. Public parks and facilities to serve park users; and

b. Public parking.

C. Open Space (O-S). All parcels designated as open space shall be permitted to accommodate the restoration or enhancement of wetlands and other existing natural conditions, with development or construction limited to the existing Chula Vista Nature Center or its expansion, within the Sweetwater Marsh National Wildlife Refuge. All other uses or activities within this zone shall be to preserve natural resources and habitat value. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992).

19.84.005 Residential zones.

A. Residential – Mixed Harbor District (R-MH).

1. Purpose and Intent. The purpose and intent of the residential – mixed harbor zone is to provide appropriate locations for a mix of mid-rise and high-rise residential towers in the Harbor District. “Mid-rise development” is defined as four- to seven-story buildings. “High-rise development” is defined as eight-story and above buildings. All mid- and high-rise

buildings include multiple-family condominium style residences and central garage structures. Residential uses include multiple-family dwellings in clusters of varying size and configuration to provide a range of housing types. Retail uses shall be located at the street level to create a village atmosphere and pedestrian orientation.

2. Permitted Uses. The following uses are permitted:

   a. Dwellings, multiple, mid-rise;

   b. Dwellings, multiple, high-rise;

   c. Short-term vacation rentals;

   d. Retail commercial uses at street level;

   e. Incidental services, such as restaurants, retail sales, fitness clubs, and other such services, provided such activities are conducted in spaces that are integral parts of a main building;

   f. Private, noncommercial recreational facilities, such as swimming pools, tennis courts, and clubhouses (for additional provisions, see CVMC 19.58.100 and 19.58.270);

   g. Day care/nursery facilities; and

   h. Accessory uses and buildings including:

      i. Customary incidental home occupations, subject to the provisions of CVMC 19.14.490;
      ii. Other accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of CVMC 19.58.020;
      iii. Full-time foster homes as defined in CVMC 19.04.098;
      iv. Satellite dish antennas per the provisions of CVMC 19.22.030(F).

3. Conditionally Permitted Uses. The following uses may be allowed subject to the approval of a conditional use permit:

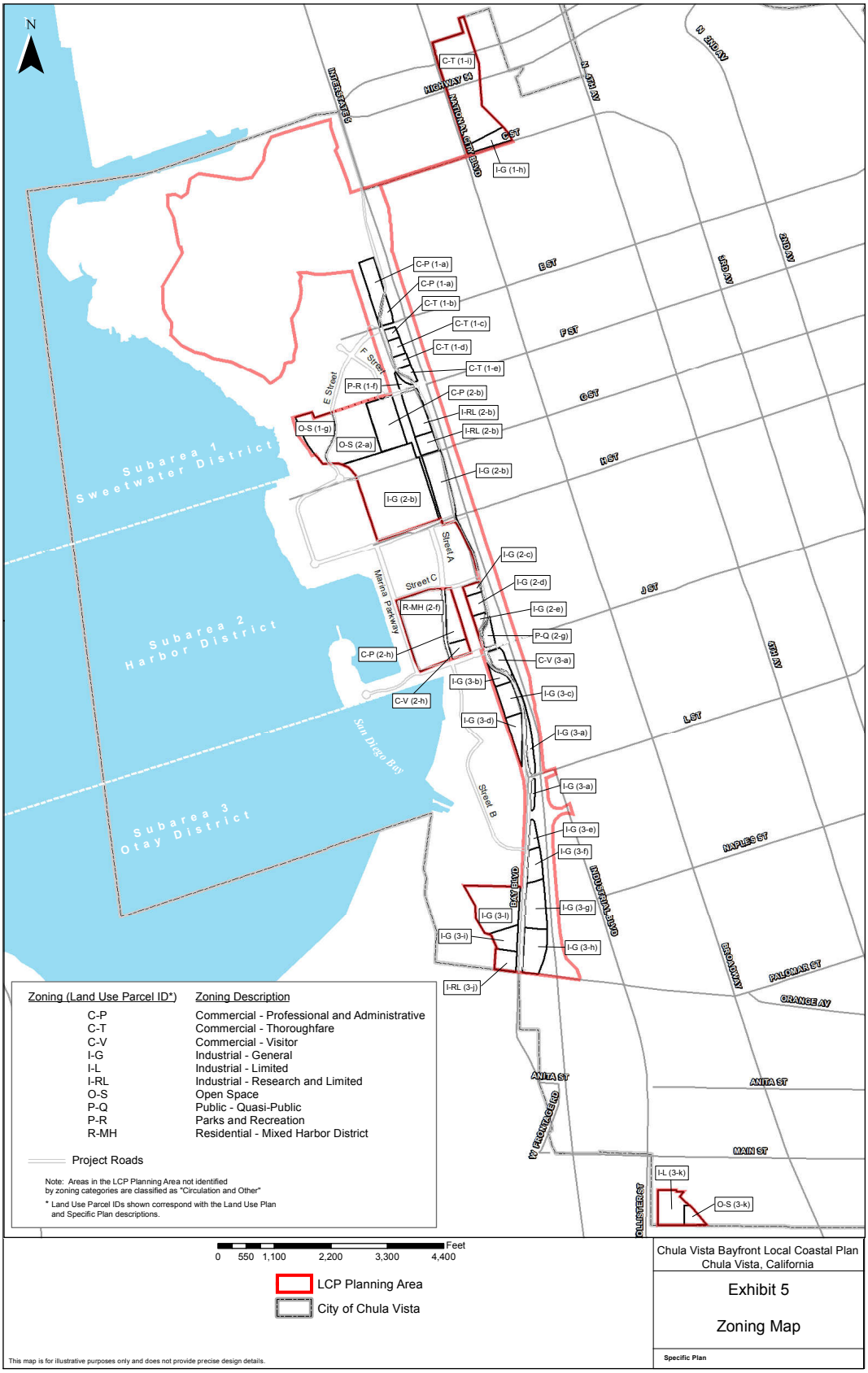
   a. Commercial parking garages and off-street parking lots, in accordance with the provisions of CVMC 19.62.010 through 19.62.130;

   b. Unclassified uses; see Chapter 19.54 CVMC; and

   c. Small family day care homes, as defined in CVMC 19.04.095. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2532, 1992).

19.84.006 Circulation and other designations.

All lands in Exhibit 5, Zoning Map, indicated as “Circulation and Other” are for those uses associated with major circulation elements, including Interstate 5, Bay Boulevard, and the railroad easement. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992. Formerly 19.84.007).



(Ord. 3238 § 2 (Exh. B), 2012).

APPENDIX A
USE CLASSIFICATION SYSTEM – ADMINISTRATIVE GUIDELINES

The following listing is presented as an illustrative guide to the application of the use classifications. However, these are for administrative guidance only, and in the event that there is a conflict between an appropriate application of the use classification description in the text of this Specific Plan and the strict application of a common name, the former shall apply.

RESIDENTIAL

Family

Dwellings, multiple
Dwellings, single-family
Dwellings, two-family

Group

Apartment hotels
Dwellings, multiple
Dwellings, single-family
Dwellings, two-family

Group Care

Children, boarding of (not greater than eight)
Convalescent homes (intermediate care only)
Dwellings, multiple
Dwellings, single-family
Dwellings, two-family
Family care homes (not greater than eight)
Foster homes (not greater than eight)
Group homes (not greater than eight)
Nurseries (not greater than eight)
Nursing homes (intermediate care only)
Orphanages
Resident care facilities (not greater than eight)
Rest homes (intermediate care only)

COMMERCIAL

Food Sales

Bakeries
Butcher shops
Candy stores
Cheese shops
Dairy stores
Delicatessens
Donut shops
Fish and seafood markets
Food catering (retail)
Fruit and vegetable markets
Grocery stores
Health food stores
Ice, sales
Liquor stores

Markets, retail

Food Service

Bars
Cabarets
Coffee shops
Delicatessens
Nightclubs
Parlors, frozen custard/ice cream
Refreshment stands
Restaurants
Short-order eating places
Snack bars
Take-out restaurants
Taverns

Medical Service

Acupuncture services
Blood banks
Chiropodist offices
Chiropractor offices
Dental offices, clinics or laboratories
Dietician and nutritionist offices and clinics
Group medical centers
Health maintenance organizations
Home health and nursing agencies
Laboratories, biochemical, dental, medical, optometrical and X-ray
Medical offices, clinics or laboratories
Medical testing and analysis services
Optometric offices, clinics and centers
Podiatrist offices
Psychiatrist offices and clinics
Psychologist offices and clinics
Psychotherapist offices and clinics

General Retail Sales

Air conditioning (auto)
Aircraft equipment, parts and supplies
Antique stores
Apparel and accessories stores
Appliance stores
Art equipment and supplies
Art galleries, commercial
Athletic goods stores
Auction rooms, public
Auto parts (tools)
Auto upholstery
Bait and tackle (live)
Bicycle stores
Bookstores
Camera and photographic supplies
Candle shops
China or glassware shops

Cigars and cigarettes
Cosmetics shops
Costume shops, including repair, limited as to floor area
Department stores
Discount department stores
Drapery and curtain shops
Drugstores
Dry goods (yarn, fabrics, etc.)
Fixtures
Floor coverings (carpet, rug, linoleum, etc.)
Flower stores and plant shops
Furniture and home appliances
Furriers and fur apparel
Gifts, novelties, and souvenirs
Gourmet shops
Greeting card shops
Hardware stores
Hearing aid supply shops
Hobby supplies
Interior decorating
Jewelry stores
Landscape supplies and equipment
Lawn care products and garden supplies
Leather goods
Linen shops
Luggage stores
Magazine stores or stands
Mail order houses
Marine crafts and accessories
Medical appliances
Metalware shops
Millinery shops
Monuments
Mufflers
Newsstands
Novelty shops
Nurseries, retail
Optical goods
Orthopedic stores
Paint stores
Parts for motorcycles, campers and trailers
Pet supply stores
Piano stores
Picture frames
Plant shops
Plumbing
Radios
Record and sheet music shops
Rubber stamp stores
Sewing machines
Shoe stores
Spice shops
Sporting goods stores

Stamp and coin collectors
Stationery and supplies
Stereos
Sundries
Super drugstores with variety goods
Surgical supplies
Televisions
Tires and tubes
Tobacco stores
Toiletry stores
Trophy stores
Toy stores
Uniforms
Upholstery shops
Variety stores
Watch or clock stores
Wigs
Window shades, awnings

General Personal Service

Apparel laundering and dry cleaning
Art studios
Babysitting services
Barber shops
Beauty shops
Body-building studios
Correspondence schools
Dance studios
Dog grooming
Drama studios
Driving schools
Dry cleaning, pick-up stations
Income tax services
Maid and butler services
Photo-finishing
Photography studios
Weight clinics
Reducing salons
Schools
Service organizations
Shoeshine stands
Tailors (alterations and restyling)
Theatrical agencies
Ticket sales offices
Travel bureaus

Consultative/Financial

Advertising consulting
Architectural services
Attorneys
Banks
Business consulting and research
Check-cashing agencies

Clearinghouses
Commodity brokerages
Consultants
Credit institutions
Currency exchanges
Designers
Economic consulting and research
Educational consulting and research
Engineering and surveying
Escrow services
Farm management offices
Holding and investment services
Hospital insurance organizations
Insurance companies
Landscape architects
Lending institutions
Management consultants
Medical insurance organizations
Mortgage loan offices
Property management offices
Real estate offices
Safety deposit companies
Savings and loan associations
Securities brokerages
Security and commodity exchanges
Stock and bond brokerage offices
Title abstracting services

Consumer Laundry and Repair Service

Apparel repairs
Bicycle repairs
Camera repairs
Carpet cleaning firms
Diaper services
Drape cleaning
Dry cleaners
Dyeing establishments
Electrical appliance repairs
Fix-it shops
Furniture repairs and cleaning
Fur repairs and storage
Hat repairs
Institutional and commercial linen supply firms
Jewelry repairs
Laundries and laundromats
Laundry services
Lawnmower and tool sharpening and repairs
Leather item repairs
Piano tuning and repairs
Plating (small household items only)
Radio and television repairs
Rug cleaning establishments
Saw, knife, lawnmower and tool sharpening and repairs

Self-service laundries or dry cleaners
Shoe repairs
Uniform renting and cleaning establishments
Upholstery shops
Watch and clock repairs
Welding (small articles)

Group Assembly

Amateur baseball fields
Amphitheaters
Archery ranges
Arenas, sports
Auditoriums
Ballrooms
Boat rentals
Bowling alleys
Clubs
Commercial sport and recreational enterprises
Exhibition halls
Fishing areas
Gem hunts
Golf driving ranges
Gun and rifle ranges
Health clubs and spas
Legitimate theaters
Little League, organized baseball, permanent bleachers
Meeting halls for rent
Miniature golf
Motion picture theaters
Nature reserves
Nature resorts
Picnicking areas
Riding and hunting areas
Rodeo arenas
Skating rinks
Skating rinks (with seating areas)
Skiing
Spectator sports facilities
Sport fishing
Stadiums
Swimming beaches
Swimming pools
Table tennis halls
Tennis courts
Tennis courts (permanent bleachers)
Theaters (motion picture, legitimate)
Trap and skeet ranges
Water sports
Wildlife areas
Yacht basins

Administrative

Accounting and auditing services

Administrative offices
Business organizations, offices
Contractors, offices only
Organizations, civic, labor, political, veterans, welfare and charitable services (offices only)
Professional organizations, offices
Public utility corporation offices
Telegraph offices
Telephone company offices

Business and Communication Services

Addressing and mailing services
Advertising services (outdoor or aerial)
Assaying services
Bookkeeping services
Clerical services
Commercial photography (aerial and map service)
Commercial testing laboratories
Common carriers
Data processing
Drafting studios
Employment agencies
Inventory services
Messenger services
Microfilming services
Minor processing services
Multicopy and blueprint services
Protective agencies
Radio studios
Safe repair shops
Secretarial and stenographic services
Telecommunications services
Telegraph service centers
Telephone answering services
Telephone service centers
Television studios

Retail Business Supply

Barber equipment and supply firms
Dental equipment supply and service firms
Drafting supply firms
Engineering supply firms
Equipment and supplies for service establishments
Hospital equipment and service firms
Hotel or office equipment supply and service firms
Laboratory equipment supply firms
Nursery equipment supply firms
Office equipment and supply firms
Office equipment repair shops
Optical equipment and supply firms
Professional equipment and supply firms
Research instruments supply and service firms
Restaurant equipment and service firms
Shoe repair equipment firms

Undertakers' equipment and supply firms

Research and Development

Applied research
Electronics research
Industrial research
Laboratory research, experimental or testing
Medical research laboratories
Oceanographic research
Pharmaceutical research
Scientific laboratories
Space research and development
Technical laboratories

General Wholesale Sales

Markets, wholesale
Wholesale distributors
Wholesale establishments
Wholesale offices or showrooms

Construction Sales and Services

Air conditioning equipment
Building contractors
Building maintenance materials
Building materials (tile, cement, fencing, roofing materials, etc.)
Burglar alarm systems
Carpenters
Concrete services
Contractors' equipment storage yard
Ditching services
Electrical contractors
Electrical supplies
Explosive contractors (not storage of explosives)
Fire fighting equipment and supplies
Fixture sales (wholesale)
Floor covering installations
Glass and glazing contractors
Glass sales
Hardware sales (wholesale)
Heating and air conditioning contractors
Heating equipment
House or building wreckers or movers
Janitorial supplies
Lumber (sales, yards, etc.)
Metal works contractors
Ornamental ironworks
Painting contractors
Paint sales (wholesale)
Paving contractors
Plumbing equipment
Remodeling contractors
Roofing contractors
Sheet metal contractors

Sprinkler and landscaping contractors
Swimming pool equipment and supplies
Swimming pool installation and services
Tools, rentals or sales
Wallpaper sales and services
Water well drilling

Transient Habitation
Boatels
Group camps (overnight)
Health resorts
Hotels
Motels
Motor lodges
Recreational vehicle parks
Resort hotels
Resort and recreation facilities
Retreat houses
Tourist cabins
Trailer round-ups
Travel trailer parks

Automotive Sales, Rental and Delivery
Agricultural equipment dealers
Bus sales
Camp trailers, sales or rentals
Construction material and delivery
Farm equipment dealers
Firewood or fuel delivery
Forklifts, sales or rentals
Garden supplies delivery
Heavy construction equipment, sales or rentals
Mail order houses
Mobilehomes, sales
Motor homes, sales or rentals
Tractors and equipment dealers
Trailers, sales or rentals
Trucks, sales or rentals
Water delivery

Automotive Servicing
Automotive service stations
Automotive supply stores
Tire stores

Automotive Repair and Cleaning
Aircraft service and maintenance
Auto air conditioning equipment, installation and services
Auto alignment services
Auto electrical services
Auto glass, installation and services
Auto laundries
Auto mufflers, installation and services

Auto repair garages
Auto tires, installation and services
Auto upholstery, installation and services
Body and paint shops
Car washes
Motor freight maintenance garages
Motorcycle/motor scooter repairs
Recreational vehicle repairs
Steam cleaning, automotive
Towing services (no storage)
Truck equipment and parts, installation and services
Truck, painting and lettering
Truck, repairs and services
Truck, washing

Automotive Fee Parking
Auto parking lots
Auto storage lots
Garages, parking
Off-street parking

Boat Sales or Rental
Boat sales
Boat rental
Ship chandleries

Boat Servicing
Boat repairs, servicing or cleaning
Boat works or yards
Drydocks
Maritime centers
Ship chandleries

Animal Sales
Animal auctions
Animal sales yards
Livestock auction yards
Stockyards

Animal Services
Animal hospitals (large animals)
Animal hospitals (small animals)
Boarding kennels
Dog bathing
Dog clipping
Dog training services
Dog and cat hospitals
Guard dog training
Horse training services
Pet clinics
Pet grooming
Pet motels
Public corrals

Public stables
Riding clubs
Veterinary hospitals (large animals)
Veterinary hospitals (small animals)

Transport and Warehousing
Auto storage garages
Distributing plants
Freight handling
Moving and storage firms
Parcel delivery truck fleets
Private storage
Public warehouses
Refrigerated warehouses
Storage yards
Storage, cold and food
Trucking terminals
Warehouses

Athletic and Recreational
Commercial sport and recreational enterprises
Golf driving ranges
Batting cages
Open space areas (of an active use)
Recreational centers

Building Maintenance Services
Disinfecting and/or exterminating services
Gardeners (landscape maintenance)
Janitorial services
Maintenance and custodial services
Sewer and drain cleaning
Sweeping services
Window cleaning services

Funeral and Interment Services
Cinerariums
Columbariums
Crematories
Crematoriums
Funeral parlors
Mausoleums
Mortuaries
Undertaking establishments

Educational Services
Colleges and universities
Trade, vocational and technical schools

AGRICULTURAL

Plant Nurseries
Floricultural stock

Flowers, commercial cut and decorative
Herb growing
Horticultural stock
Mushroom growing
Nurseries, wholesale or retail
Potted plant growing
Sod and grass

Crop Raising

Alfalfa
Berries
Citrus fruit trees or bushes, cotton
Field and seed crops
Fruit trees
Grain
Hay (includes alfalfa)
Melons
Nut trees
Tobacco
Truck crops
Vegetables
Vines (grapes, etc.)

Small Animal Raising

Chinchillas
Hamsters
Poultry
Rabbits
Turkeys

Large or Specialty Animal Raising

Amphibians
Apiaries
Aviaries
Bears
Beef cattle
Birds
Bovine animals
Buffalo
Cougars
Dairies
Feed lots
Fish
Foxes
Goats
Hog ranches
Horse ranches
Insects
Lions
Monkeys
Mountain lions
Ocelots
Pig farms

Sheep
Skunks
Snakes, venomous, or dangerous swine
Tigers
Wildcats
Worm farms
Zoos, private

Agricultural Packing and Processing
Contract sorting, grading and packaging
Egg processing
Fisheries
Flower packing
Grain cleaning
Milking
Nut shelling and cooking
Sheep shearing

Agricultural Supplies and Services
Crop dusting
Farm advisory
Feed and grain
Fertilizers
Harvesting services and equipment storage
Hay
Pesticides and herbicides
Tree services
Weed control

CIVIC

Essential Service
Electric distribution lines and poles
Gas distribution lines
Open space (of a passive use)
Parks, public (passive use only)
Sewer collection lines
Storm drainage collection lines
Telephone distribution lines and poles
Water distribution lines

Limited Child Care
Public day care centers (for eight or fewer children)
Public nurseries (for eight or fewer children)

Child Care
Day/night child-care centers (for more than eight children)
Child nurseries (for more than eight children)

Community Assembly
Amusement parks
Aquariums
Auditoriums

Bandstands (public)
Birth control clinics
Botanical gardens
Camping areas (nonprofit)
Carnivals
Churches
Circuses
Community centers
Community health clinics
Convalescent hospitals
Exhibition halls
Extended care facilities
Fairgrounds
Golf courses
Historic sites
Hospitals
Marinas (public)
Meeting halls
Monument sites
Neighborhood centers
Nursing homes
Open space areas (of an active use)
Parks
Picnicking areas (public)
Places of worship
Playgrounds and playing fields (of an active outdoor use)
Public health services
Recreation centers
Refreshment buildings (in public parks, playgrounds or golf courses)
Religious assembly
Religious complexes
Religious reading rooms
Sport fishing (public)
Sports arenas (public)
Stadiums
Swimming beaches or pools (public)
Synagogues
Temples
Universities
Zoological gardens

Nonassembly, Cultural
Art galleries
Libraries (nonprofit)
Private museums

Community Education
Colleges
Correspondence schools (public)
Elementary schools
High schools (junior or senior)
Junior colleges
Junior high schools

Military academies
Schools (elementary, and junior and senior high)
Schools for the handicapped (including the blind)
Senior high schools

Nonassembly, Scientific
Observatories
Planetariums

Administrative
Civic centers
Government centers
Government office buildings

Parking
Public parking garages
Public parking lots

Utility and Vehicular
Airports
Bus stations (passenger or freight)
Cinerariums
Columbariums
Communication equipment installations and exchanges
Community antenna television systems
Corporation yards (public or public utility)
Electric transmission lines
Electrical substations
Fire stations
Funeral parlors
Gas substations
Heliports and helistops
Mail processing centers (major)
Mortuaries
Police stations
Post offices
Power plants (steam or fossil)
Pumping stations (sewage or water)
Radio transmission facilities (including booster and relay)
Rail stations (passenger or freight)
Reservoirs (water)
Service buildings (in public parks, playgrounds or golf courses)
Telephone exchange or switching facilities
Television transmission facilities (including booster and relay)
Transportation terminals
Undertaking establishments
Water tanks
Water treatment facilities

(Ord. 3238 § 2 (Exh. B), 2012

CHAPTER 19.85
BAYFRONT SPECIFIC PLAN – DEVELOPMENT CRITERIA

Sections:

19.85.001 Purpose and scope.
19.85.002 Permitted uses.
19.85.003 Development intensity.
19.85.004 Height regulations.
19.85.005 Sign regulations.
19.85.006 Form and appearance.
19.85.007 Infrastructure.
19.85.008 Parking requirements.
19.85.009 Usable open space standards.
19.85.010 Site development standards.
19.85.011 Grading and drainage.
19.85.012 Special conditions.

19.85.001 Purpose and scope.

This chapter of the Bayfront Specific Plan provides development criteria within the Bayfront Planning Area. Special conditions are located at the end of the chapter in CVMC 19.85.012. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2613, 1994; Ord. 2532, 1992).

19.85.002 Permitted uses.

Permitted uses for each land use district are listed in Chapter 19.84 CVMC, Land Use Zones. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2613, 1994; Ord. 2532, 1992).

19.85.003 Development intensity.

The development intensity is established by using a floor area ratio (FAR) calculated as set forth in CVMC 19.04.097, a specific maximum square footage allowance, or through a combination of setback and height controls, depending on the land use. Following are the applicable development intensities for each land use category:

A. Industrial Land Use.

1. Industrial – General (I-G).

    a. Maximum FAR 0.5.

2. Industrial – Research and Limited Industrial (I-R).

    a. Maximum FAR 0.5.

3. Limited Industrial (I-L).

    a. Refer to the Chula Vista Zoning Code, CVMC 19.44.080.

B. Commercial Land Use.

1. Commercial – Visitor (C-V).

   a. See CVMC 19.85.012 for Special Condition B pertaining to Parcel Area 3-a, as depicted on Exhibit 5.

   b. See CVMC 19.85.012 for Special Condition D pertaining to Parcel Area 2-h, as depicted on Exhibit 5.

2. Commercial – Thoroughfare (C-T).

   a. Maximum development intensity is established by the height regulations listed in Table 1 of CVMC 19.85.004 and site development standards detailed in CVMC 19.85.010.

3. Commercial – Professional and Administrative (C-P).

   a. See CVMC 19.85.012, Special Conditions A and D, for commercial – professional and administrative land use special conditions.

   b. Development intensity for commercial – professional and administrative Parcel Area 1-a, as depicted on Exhibit 5, is determined by height regulations and site development standards.

C. Residential Land Use.

1. Residential – Mixed Harbor District (R-MH).

   a. Residential development within the R-MH zoning shall consist of a mix of mid-rise and high-rise development with a maximum development intensity of 105 dwelling units per acre.

2. Building height within the R-MH zoning shall range from four to 19 stories and a maximum of 200 feet.

   a. Retail use on Parcel Area 2-f, as depicted on Exhibit 5, shall not exceed 15,000 square feet. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2613, 1994; Ord. 2532, 1992; Ord. 2168 § 1, 1986; Res. 11903, 1985).

19.85.004 Height regulations.

A. U.S. Fish and Wildlife Service. The U.S. Fish and Wildlife Service (USFWS) parcel in the Sweetwater District is permitted a viewing tower in the Chula Vista Nature Center of up to 45 feet in height.

B. National Wildlife Refuge Buffers. Notwithstanding the height limits described in subsection (A) of this section, the following height restrictions shall be enforced according to proximity to the USFWS property line west of the San Diego Gas and Electric (SDG&E) right-of-way (ROW):

1. Parcel Areas. Maximum building heights and associated parcel areas are summarized in Table 1 below.

Table 1: Building Height Limits by Parcel Area

Parcel Area	Maximum Building Height from Pad (feet)*
Sweetwater District	
1-a	44
1-b	35
1-c	35
1-d	35
1-e	35
1-f	30
1-g[1]	0
1-h	44
1-i	44
Harbor District	
2-a	0
2-b[2]	44 – 95
2-c	44
2-d	44
2-e	44
2-f	200
2-g[3]	30[5]
2-h[4]	140
Otay District	
3-a[3]	30[5]
3-b	44
3-c	44
3-d	44
3-e	44
3-f	44
3-g	44
3-h	44
3-i	44
3-j	44
3-k	45
3-l	44

* All heights as measured from finished grade. Building pads shall not be raised from existing grade more than eight feet.

Notes:

[1] Parcel Area 1-g is zoned open space; therefore, the building height limit is zero feet.

[2] See CVMC 19.85.012, Special Condition A.

[3] See CVMC 19.85.012, Special Condition B.

[4] See CVMC 19.85.012, Special Conditions D and E.

[5] Height limit is a maximum of 30 feet or no higher than the elevation of I-5 from the J Street Overpass adjacent to the site to maintain existing public views toward the Bay over any structure.

(Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2613, 1994; Ord. 2532, 1992; Res. 13957, 1989; Ord. 2168 § 1, 1986; Res. 11903, 1985).

19.85.005 Sign regulations.

The size, location, and design of all signs in the LCP Planning Area shall be subject to the following:

A. No freestanding sign shall be greater than eight feet in height and signs shall be subject to the regulations of Chapter 19.60 CVMC, Signs, incorporated herein by reference, unless modified by the provisions of this Bayfront Specific Plan.

B. The following regulations shall apply:

1. Public Signs.

a. Street Name Signs. Street name signs shall have special mountings and frames to identify streets as being a part of the new Bayfront community. The sign copy and construction shall reflect a unified style and colors.

b. Directional Signs. Directional signs at intersections will help establish gateways to the redevelopment area and may include such generic information as convention center, marina, special use park, wildlife refuge, etc., as necessary. Directional information for private developments may be included as part of a sign program, subject to the review and approval of the Zoning Administrator. Information will be clustered on one sign per intersection. Signs will have standardized mountings and trim. Each sign location shall include specially designed landscaped areas to create a setting.

c. Information Signs. Public information signs are designed for public facilities and services such as parks, marshes and marinas. Trim and colors are to be unified with the basic public sign theme.

d. Traffic and Parking Control Signs. Traffic control and parking signs shall be designed with standard copy faces and shall be trimmed in a manner consistent with Bayfront motif. Exact sizes and locations are required by state regulation.

2. Private Signs.

a. Hotel/Motel, RV Parks, Restaurants, and Retail-Commercial. Total copy area for all identification signs combined shall be limited to not more than 50 square feet per parcel (except additional signage for high- and mid-rise hotels is permitted per subsection (B)(3)(e) of this section). Signs may be wall signs and/or ground signs. Ground signs may be single- or double-faced but may not exceed eight feet in height. An additional

changeable copy area of 25 square feet maximum shall be allowed for uses that include entertainment or convention facilities. Changeable copy area shall be single-faced only.

b. Automotive Service. Service stations shall be allowed one identification sign (non freeway) per lot. Signs shall be ground signs or wall signs and shall have no more than 40 square feet of copy area, six feet maximum height.

c. Industrial and Office Uses. Industrial or office uses shall be allowed one identification sign per lot, visible from the internal street. Signs shall not exceed 40 square feet in area or six feet maximum in height. Total sign area may include a directory or tenant listing if the project is multi-tenant.

3. Special Private Signs.

a. Commercial Uses Adjacent to Freeway. Commercial uses with freeway exposure shall be allowed either wall signs or monument signs with name and/or logo. If the business logo is well established as an identity mark, then use of logo alone is preferable. Each lot may have two wall signs or one ground sign only. Only one wall sign shall be visible at a time. Maximum total copy area shall be 100 square feet. Ground signs may be doubled-faced or parallel to the roadway and are intended to be low-profile monument signs no greater than eight feet in height.

b. Automotive Service. Service stations with freeway exposure shall be allowed freeway identification signs. Sizes shall be as small as possible and still have freeway identity, in no case to exceed 50 square feet total sign area. Such signs shall be subject to review by the Zoning Administrator.

c. Corner Lots. The identification allowance for sign development on corner lots may be divided to provide for a sign on each frontage; however, the total allowance for both signs combined is not to exceed 50 square feet.

d. Multi-tenant Buildings or Complexes. Office, retail-commercial, and industrial uses that are multi-tenant shall be allowed additional tenant identification signs; each tenant shall be allowed a maximum of three square feet on or adjacent to the entry door. These tenant signs shall be visible from on-site parking and/or pedestrian walkways, but not intended to be readable from public streets.

e. High-Rise Hotel Building Wall Signs. Hotel name signs shall be allowed on hotel buildings greater than eight stories in height. Two signs shall be allowed per building, 300 square feet maximum for each sign. Individual letters or logo only; maximum sign height shall be seven feet. Sign design and lettering shall not permit perching by avian predators of the California least tern, light-footed clapper rail, or Belding's savannah sparrow.

f. Directional and Information Signs. These signs shall be directional in nature and shall not be identification signs. Their maximum height shall be four feet with four square feet maximum copy area per side.

g. Special Event Signs (Temporary). Special events such as grand openings shall be allowed temporary signs. Such signs shall be allowed in accordance with Chapter 19.60 CVMC.

h. Construction Signs (Temporary). Signs for owners, contractors and subcontractors, architects, etc., for new projects under construction shall be allowed in accordance with

Chapter 19.60 CVMC. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2665, 1996; Ord. 2613, 1994; Ord. 2532, 1992; Res. 11903, 1985).

19.85.006 Form and appearance.

A. Form and Appearance Objectives. The following objectives shall serve as guidelines for use of land and water resources to preserve a sound natural environment:

1. Preserve existing wetlands in a healthy state to ensure the aesthetic enjoyment of marshes and the wildlife that inhabits them.

2. Change the existing industrial image of the Bayfront and develop a new identity consonant with its future prominent public and commercial recreational role.

3. Improve the visual quality of the shoreline by promoting public and private uses that provide proper restoration, landscaping, and maintenance of shoreline areas.

4. Remove, or mitigate by landscaping, structures or conditions that have a blighting influence on the area.

5. Eliminate or reduce barriers to linking the Bayfront to the rest of western Chula Vista and establish a memorable relationship between the Bayfront (and the areas and elements that comprise it) and adjoining areas of Chula Vista, the freeway, and arterial approaches to the Bayfront (see Exhibit 6, Form and Appearance Map).

B. Specific Provisions. To promote these requirements, the form and appearance provisions of the LUP acknowledge three major components that comprise the physical form of the area: natural resources areas to be preserved; a public space and recreation system, including walkways, bicycle ways, and park areas; and development units having common usage and/or qualities, which should be treated as distinctive, but closely interrelated, visual entities.

1. Landscape Character and Function. Major landscape components shall establish strong visual continuity in response to varied functional needs. Landscaping will incorporate both hardscape features and softscape (planting).

2. Dense Landscape Planting. All areas designated for dense landscape planting shall include dense planting of trees and shrubs to serve three purposes: diminish the visual impact of large existing industrial structures, such as those of Goodrich and SDG&E's power plant and transmission towers, and extensive parking areas and outdoor storage areas; define major entry points to the Bayfront and frame views; and be used in masses as visual stopping points to limit views and provide natural vertical elements. Heights of trees and shrubs may be limited by USFWS requirements in areas near the wildlife refuge.

   The following standards shall guide dense landscape planting design:

Location	Representative Characteristic
Bay Boulevard	40- to 60-foot height; upright form; evergreen

   Existing pines and other trees shall be preserved to the maximum possible extent. Tree plantings shall not encroach into identified view corridors.

3. Special Area Planting. All areas zoned as public/quasi-public (landscaped parking areas) (Exhibit 5) shall include a planting program coordinated with parking improvements beneath the power lines. The Port Master Plan and the Chula Vista Bayfront Master Plan also designate this ROW as a linear greenbelt. The 150-foot-wide ROW that transects the Bayfront may include landscaped auto parking to diminish the visual impact of the power lines and strengthen the ground plane connection between both sides of the ROW. SDG&E criteria will permit planting that can be kept not more than 15 feet high, thereby maintaining sufficient clearance at the lowest point in the power line catenary. Planting in any parking areas provided shall establish a dense ground plane massing of shrubs and short trees to create a grove effect that screens cars from view and ties together in a strong horizontal line an intersecting mass of foliage on either side of the ROW. Tree plantings shall not encroach into identified view corridors.

   The following standards shall guide parking area planting design for all areas outside of Subarea 1 – Sweetwater District:

Location	Representative Characteristic
SDG&E ROW	10- to 15-foot height; globular or multi-stem; evergreen

4. Informal Groves. All areas designated for informal planting shall consist of groves planted with the same species in informal drifts to provide shade for recreational uses. The groves shall be sited to avoid blocking panoramic views to the wetlands and Bay. The following standards shall guide informal grove design:

Location	Representative Characteristic
City Park	40- to 80-foot height; upright and open branching in contrast with dense, vertical form; mixed deciduous and evergreen

5. Formal Planting. Formal planting has been designated for the major circulation spines of the Bayfront. The planting shall be in regularly spaced intervals using species with predictable form characteristics to achieve strong linear avenues that guide views and establish perspective.

Location	Representative Characteristic
Marina Parkway, “E,” “F,” “H,” “J” Streets	40- to 60-foot height; crown-shaped form; evergreen

6. Buffer Zone Planting. Buffer zone planting has been designated for streetscapes adjacent to sensitive habitats and for transitional buffer zones between ornamental planting areas and sensitive habitats. Planting shall consist of native or naturalized non-invasive plant species. The following standards shall guide buffer zone planting design:

Location	Representative Characteristic
Adjacent to sensitive habitat	Native shrubs, non-invasive species
Transitional buffer	Native or naturalized shrubs, non-invasive species

7. Gateways. Special consideration shall be given at gateways (Exhibit 6) to roadway design, including signing and lighting, landscaping and siting, and design of adjoining structures, to allow for design treatment that conveys an entry character.

8. Architectural Edges. The development shall comply with the following conditions in the specified areas as shown on Exhibit 6:

   a. Habitat Protection. Structures shall be sited a sufficient distance from natural habitat areas to protect the natural setting and prevent direct impacts to wildlife.

   b. Pedestrian and Bicycle Access. Structures shall be sited at a sufficient distance from the water's edge or marsh edge to allow for sidewalks and bicycle paths that ensure unencumbered pedestrian and bicycle access to the waterfront and coastline.

   c. Privacy. Structures shall be designed so that the uses that take place in a structure or private space adjoining the structure do not detract from, or prevent appropriate public use of, adjoining public open spaces. Reciprocally, the public areas shall be designed and their use regulated in a manner that does not diminish the intended private use of adjoining developed lands.

   d. Firm Edges. Firm edges are required where a strong visual form, generally linear, is necessary to provide either for a terminus of views in certain directions or a sense of entry or arrival. These edges should be formed by buildings, but they also may be achieved by use of earth berms or mass plantings.

9. View Points. Development of the Bayfront shall ensure provision of three types of views:

   a. Views from the freeway and major entry: ensure a pleasant view onto the site and establish a visual relationship with San Diego Bay, marshes, and Bay-related development.

   b. Views from roadways within the Bayfront (particularly from Marina Parkway to the marshlands, San Diego Bay, parks, and other Bay-related development, street end views of the Bay from D Street, E Street, F Street, L Street, and Palomar Street, and the views of the Bay that will be created from the H Street corridor): locations shall preserve a sense of proximity to the Bay and marshlands.

   c. Views from the perimeters of the Bayfront outward: views that are primarily pedestrian-oriented, stationary, and more sustained should be experienced from parts of the open space and pathway system and enable viewers to renew visual contact at close range with the Bay and marshlands.

(Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2665, 1996; Ord. 2532, 1992; Ord. 2168 § 1, 1986; Res. 11903, 1985)

19.85.007 Infrastructure.

A. Circulation Standards.

Primary Vehicular Circulation. The primary vehicular routes are identified as “Circulation and Other” in Exhibit 5, Zoning Map, and in Exhibits 7a, 7b, and 7c, Circulation Maps. These consist of Interstate 5, State Route 54, Bay Boulevard, Marina Parkway, E Street, F Street, H Street, J Street, and three new proposed streets: Street A, Street B, and Street C. The filling of wetlands for primary and internal circulation roads under the control of the City is not permitted.

1. Internal Vehicular Circulation. Internal roadways shall be developed to the design and construction standards published by the Department of Engineering, City of Chula Vista.

2. Pedestrian Route. The major pedestrian routes shown in Exhibit 7b, Circulation Map, shall be a minimum of six feet in width. The filling of wetlands for pedestrian paths is not permitted.

3. Bike Routes.

    a. Bike Lane. A bike lane is a lane on the paved area of a street for preferential use by bicycles. These lanes are used for regional bicycle routes. On-street parking, except for emergency stopping, will not be permitted where bike lanes are designed. Bike lanes shall be a minimum of five feet in width. The filling of wetlands for bike paths is not permitted.

    b. Bike Path. A bike path is used for off-street travel by bicycles. These paths shall be a minimum of eight feet in width. All proposed bicycle routes are shown in Exhibit 7c, Circulation Map.

B. Utility Systems. Refer also to Exhibit 8.

1. General Policies.

    a. Provide adequate sizing of utility systems to ensure sufficient capacity for maximum build-out potential of plan.

    b. Protect existing sensitive natural resources from adverse impacts during construction.

Subarea 1
Sweetwater District
Subarea 2
Harbor District
Subarea 3
Otay District
Project Roads Inside LCP
Project Roads Outside LCP
Road to be Removed
Proposed Initial Shuttle Route Inside LCP
Proposed Initial Shuttle Route Outside LCP
Proposed Shuttle Stop
Trolley Route
Trolley Stop
LCP Planning Area
City of Chula Vista
Chula Vista Bayfront Local Coastal Plan
Chula Vista, California
Exhibit 7a
Circulation Map -
Road and Public
Transportation Network

Subarea 1
Sweetwater District
Subarea 2
Harbor District
Subarea 3
Otay District
Pedestrian Circulation Inside LCP
Pedestrian Circulation Outside LCP
Project Roads Inside LCP
Project Roads Outside LCP
LCP Planning Area
City of Chula Vista
Chula Vista Bayfront Local Coastal Plan
Chula Vista, California
Exhibit 7b
Circulation Map -
Pedestrian Network

Subarea 1
Sweetwater District
Subarea 2
Harbor District
Subarea 3
Otay District
Bicycle Network Inside LCP
Bicycle Network Outside LCP
Project Roads Inside LCP
Project Roads Outside LCP
LCP Planning Area
City of Chula Vista
Chula Vista Bayfront Local Coastal Plan
Chula Vista, California
Exhibit 7c
Circulation Map -
Bicycle Network

(Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2532, 1992).

19.85.008 Parking requirements.

A. General Requirements. The provisions of Chapter 19.62 CVMC shall be applicable to off-street parking and loading areas in the Bayfront area. These provisions generally control construction and development and design standards of off-street parking areas. The number of spaces required for designated uses shall be that designated below. In the event that there is no precise correspondence in the use classifications with the common names used in this section, the Director of Development Services shall have the authority to designate the requirements, and the common names for proposed uses shall generally be deemed to control.

B. Vehicle Parking Standards.

1. Business and professional offices: one space per 300 square feet of floor area; minimum of four spaces;

2. Dance, assembly, or exhibition halls without fixed seats: one space per 50 square feet of floor area used for dancing or assembly;

3. Dwellings, multiple: one space per studio, 1.5 spaces per one-bedroom unit; two spaces per two-bedroom or larger unit;

4. Hotels, motels: one space for each living or sleeping unit, plus one space for every 25 rooms or portion thereof;

5. Manufacturing plants, research and testing laboratories: one space per 1.5 persons employed at any one time in the normal operation of the plant or one space per 800 square feet of floor area, whichever is greater;

6. Medical and dental offices and clinics: one space per 200 square feet of floor area; minimum of five spaces;

7. Public park/open space: one parking space for every 10,000 square feet of park or accessible open space;

8. Restaurants, bars, and night clubs: one space per 2.5 permanent seats, excluding any dance floor or assembly area without fixed seats, which shall be calculated separately at one space per 50 square feet of floor area;

9. Restaurants – drive-in, snack stands, or fast-food: 15 spaces minimum, or one space per 2.5 permanent seats, whichever is greater;

10. Retail stores: one space per 200 square feet of floor area;

11. Sports arenas, auditoriums, and theaters: one space per 3.5 seats of maximum seating capacity;

12. Wholesale establishments, warehouses, and service and maintenance centers: one space per 1.5 persons employed at any one time in the normal operation of the plant or one space per 1,000 square feet of floor area, whichever is greater; and

13. Uses not listed: as required by Chula Vista Zoning Code.

C. Bicycle Parking Standards. Bicycle parking facilities shall also be provided for developed uses according to the following schedule. Only those uses listed below are required to provide bicycle parking. Bicycle parking facilities shall be fixed storage racks or devices designed to secure the frame and wheel of the bicycle.

1. Business and professional offices (over 20,000 square feet of gross floor area): five spaces;

2. Shopping centers (over 50,000 square feet of gross floor area): one space per 33 automobile spaces required;

3. Fast-food restaurant, coffee shop, or delicatessen: five spaces;

4. Other eating and drinking establishments: two spaces;

5. Commercial recreation: one space per 33 automobile spaces required; and

6. Residential in harbor: bicycle racks shall be provided for five percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack.

D. Shared Parking. Where uses have predictable time cycle parking demands and where supported by appropriate traffic/parking studies, shared parking may be utilized as a means to reduce total parking lot area. The criteria and standards provided in shared parking published by the Urban Land Institute should be utilized to assess parking needs and formulate shared parking agreements. Any use that intends to meet its parking requirements using shared parking shall be subject to the approval of a conditional use permit as provided for in Chapter 19.14 CVMC and shall be further guaranteed through the execution of a deed restriction and a long-term binding agreement. The approval of the conditional use permit may, among other requirements, require a use, business, or activity to only operate within restricted hours.

E. Concealed Parking. Within Parcel Areas 2-f and 2-h of the LCP Planning Area, 75 percent of the required parking shall be provided in subterranean or concealed parking structures. “Concealed parking” is when the parked vehicles cannot be seen by the public using public streets, bike lanes and paths, pedestrian walkways, public parks, and public access open spaces.

F. Landscaped Parking in SDG&E ROW. Any landscaped parking in the SDG&E ROW north of “F” Street/Lagoon Drive (hereinafter referred to as “F” Street) shall be available on weekends and evenings for use by coastal visitors. The parking needed for visitors to the Chula Vista Nature Center or for any park or public open space areas shall be provided in areas assigned and exclusively reserved for such visitors. This restriction must be enforced during the operating hours of the Chula Vista Nature Center and public parks. Parking for park and public open space use shall be provided at the rate of one space per each 10,000 square feet of park or open space area, excluding the National Wildlife Refuge. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2790, 1999; Ord. 2546, 1993; Ord. 2532, 1992; Ord. 2168 § 1, 1986; Res. 11903, 1985).

19.85.009 Usable open space standards.

The following site development standards apply to residential land uses on Parcel Areas 2-f and 2-h:

A. Usable open space standards shall be:

1. One hundred forty (140) square feet per dwelling unit. This standard is appropriate for a highly urbanized environment and a redevelopment area. It is similar to, but even lower than, the standard for the Chula Vista Urban Core Specific Plan. It is in keeping with similar types of cities including Santa Barbara and Granville Island (a bayfront development in British Columbia). A total of five cities were surveyed and 140 sf/du is more conservative than the standard in each of the others. The result of applying a standard of 140 square feet is the elimination of the need for sound walls at the ground plane. This will preserve view corridors.

2. Open space areas shall be any portion of a lot which has a minimum dimension of six feet, and not less than 60 square feet in area, that is landscaped and/or developed for recreational and leisure use, and is conveniently located and accessible to all the units. The following areas shall contribute to a required open space:

   a. Private balconies and patios;

   b. Roof areas designed and equipped to accommodate recreational and leisure activities;

   c. Recreation rooms.

3. The following areas shall not contribute to required open space:

   a. Driveways and parking areas;

   b. Refuse storage areas;

   c. Clothes-drying areas. (Ord. 3238 § 2 (Exh. B), 2012).

19.85.010 Site development standards.

The following site development standards apply to the specified land use unless a special condition has been established in CVMC 19.85.012, in which case the special condition overrides the site development standards below:

A. Commercial – Thoroughfare (C-T).

1. Minimum lot area: 5,000 square feet;

2. Front yard setback: 10 feet;

3. Exterior side yard setbacks: zero feet; and

4. Rear yard setback: zero feet.

Development of land designated as commercial – thoroughfare is subject to the central commercial zone with precise plan modifying district as described in Chapters 19.36 and 19.56 CVMC, except as modified by this Specific Plan.

B. Commercial – Visitor (C-V) (Except for Parcel Area 2-h, refer to Special Condition D in CVMC 19.85.012).

1. Minimum lot area: 20,000 square feet;

2. Setbacks:

   a. To all exterior boundaries: 20 feet minimum;

   b. To interior boundaries that do not abut another land use: none;

3. Landscaping shall be required at a rate of 15 percent site coverage.

C. Commercial – Professional and Administrative (C-P) (Except for Parcel Area 2-b, refer to Special Condition A, and for Parcel Area 2-h refer to Special Condition D in CVMC 19.85.012).

1. Minimum lot area: 20,000 square feet;

2. Setbacks:

   a. To all exterior boundaries: 20 feet minimum;

   b. To interior boundaries that do not abut another land use: none;

3. Landscaping shall be required at a rate of 15 percent site coverage.

D. Industrial – General (I-G).

1. Minimum lot area: 20,000 square feet;

2. Front yard setback: 20 feet;

3. Exterior side yard setbacks: 15 feet;

4. Side yard setbacks: 20 feet; and

5. Rear yard setback: 20 feet.

6. Landscaping shall be required at a minimum rate of 15 percent site coverage.

E. Industrial – Research and Limited (I-R).

1. Minimum lot area: 10,000 square feet;

2. Front yard setback: 30 feet;

3. Exterior side yard setbacks: 15 feet;

4. Side yard setbacks: 20 feet; and

5. Rear yard setback: 20 feet.

6. Landscaping shall be required at a minimum rate of 15 percent site coverage.

Development of land designated as industrial general is subject to the I – general industrial zone, Chapter 19.46 CVMC, except as modified by the provisions of this Specific Plan.

F. Limited Industrial (I-L).

1. For Parcel Area 3-k refer to the Chula Vista Zoning Code, CVMC 19.44.080.

G. Residential – Mixed Harbor District (R-MH) (Except for Parcel Area 2-f, refer to Special Condition E, in CVMC 19.85.012).

1. Setbacks for residential – mixed harbor district are zero feet on all sides from the parcel boundary in order to achieve an urban street environment and provide the flexibility to maximize view corridors and public areas between buildings within the residential zone. The architectural designs shall blend with the aesthetics of surrounding structures.

2. Landscaping shall be required at a rate of 15 percent site coverage. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2532, 1992; Res. 11903, 1985. Formerly 19.85.009).

19.85.011 Grading and drainage.

A. Special care shall be taken in development proposals adjacent to sensitive habitat to avoid or minimize problems of silting and oil or chemical leakage. Some diversion of water is necessary and one or more desilting/retention basins may be required in development projects to protect and enhance the biological and water quality of the habitat.

B. All development for properties within the coastal zone shall comply with the following requirements:

1. A grading plan that incorporates runoff and erosion control procedures to be utilized during all phases of project development shall be prepared and submitted concurrently with subdivision improvement plans or planned unit development plans where such development is proposed to occur on lands that will be graded or filled. Such a plan shall be prepared by a registered civil engineer and shall be designed to ensure that runoff rates will be controlled to minimize the potential for siltation in wetlands. The erosion control measures and hydrology calculations shall be based on the six-hour, 10-year design storm, or on the storm intensity designated in the subdivision manual, in the event that the subdivision manual requirement is more stringent. Runoff control shall be accomplished by establishing on-site, or at suitable nearby locations, catchment basins, detention basins, and siltation traps along with energy dissipating measures at the terminus of storm drains, or other similar means of equal or greater effectiveness.

2. Sediment basins (debris basins, desilting basins, or silt traps) shall be installed in conjunction with the initial grading operations and maintained through the development process as necessary to remove sediment from runoff waters draining from the land undergoing development. Areas disturbed but not completed prior to November 1st, including graded pads and stockpiles, shall be suitably prepared to prevent excessive soil loss during the late fall and winter seasons. All graded areas shall be stabilized prior to November 1st, by means of native vegetation, if feasible, or by other suitable means approved by the City.

   The use of vegetation as a means to control site erosion shall be accomplished pursuant toplans and specifications prepared by a licensed landscape architect or other qualified professional. Erosion control utilizing vegetation may include, but is not limited to, seeding, mulching, fertilization, and irrigation within sufficient time prior to November 1st to provide landscape coverage that is adequate to achieve the provisions of this policy. Temporary erosion control measures shall include the use of berms, interceptor ditches, filtered inlets, debris basins, silt traps, or other similar means of equal or greater effectiveness.

From November 1st to March 31st, grading may be permitted, provided the applicant conforms to the requirements of subsection (B)(3) of this section and submits monthly documentation within two weeks following the end of the preceding month to the City Engineer of the condition of the erosion control procedures for graded pads, slopes, and stockpiles whenever precipitation during the month exceeds two inches.

3. From November 1st to March 31st, grading may occur in phased increments as determined by the City Engineer, provided all of the following requirements have been met. Grading from April 1st through October 31st shall be subject to standard practices.

    a. The increments shall be limited to those areas that have been prepared to control the effects of soil erosion. Control measures, such as sedimentation basins, detention basins and other facilities, shall be scheduled and placed in a sequence that shall minimize and control the off-site transportation of sediments. Such erosion control measures shall be installed for such increments prior to commencing any grading that would be performed during the period between November 1st and March 31st.

    b. The applicant shall post a deposit for such areas to be graded, which shall remain in force and effect for one year after final inspection approval of grading by the City. The deposit shall be sufficient to cover the costs of any remedial grading and replanting of vegetation, including any restoration of wetlands, or other environmentally sensitive habitat areas adversely affected by the failure of the erosion control measures required herein, as determined by the City Engineer. The deposit will inure to the benefit of the City in case of noncompliance as determined by the City Engineer.

    c. The applicant agrees to provide daily documentation to the City Engineer of the condition of the erosion control procedures for any 24-hour period in which precipitation exceeds 0.25 inches. Such documentation shall be provided within five working days of said 24-hour period. Failure to provide such documentation of the occurrence of any significant discharge of sediments or silts in violation of this policy shall constitute grounds for suspension of the applicant's grading permit(s) during the period of November 1st to March 31st.

4. The following additional safeguards shall be required for grading between November 1st and March 31st:

    a. A 100-foot buffer is required between permanent open space wetlands associated with the nature reserves and grading activities.

    b. A silt fence (or equal) shall be installed between graded areas and all wetlands. A distance of 10 feet is required between the silt fence and the toe of any manufactured slope.

    c. The maximum slope permitted is 3:1.

C. Erosion Control Monitoring Program for Chula Vista Coastal Zone Areas.

1. Overall field review of grading operations will be performed by the City on each grading project in the coastal zone.

2. Field review of erosion control devices, sedimentation basins, detention basins, and landscaping will be made by the City Engineer prior to the advent of the rainy season, and throughout the rainy season as necessary to monitor grading operations phased between

November 1st and March 31st. The City Engineer shall document noncompliance of projects with the grading and erosion control requirements and correct problems with funds from the deposit posted by the applicant.

3. The City Engineer will periodically review and prepare a report on the effectiveness of the runoff and erosion control measures for areas within the Chula Vista coastal zone. The initial report shall be completed within two years following February 1989 and thereafter six months prior to any scheduled review by the California Coastal Commission of the LCP for the City. A copy of the report shall be submitted to the Chula Vista City Council and to the Executive Director of the Coastal Commission.

D. All areas disturbed by grading shall be planted within 60 days of the initial disturbance and prior to November 1st with temporary or permanent (in the case of finished slopes) erosion control methods. Such planting shall be accomplished under the supervision of a licensed landscape architect and shall consist of seeding, mulching, fertilization, and irrigation adequate to provide 90 percent coverage within 90 days. Planting shall be repeated if the required level of coverage is not established. This requirement shall apply to all distributed soils including stockpiles.

E. Refer also to Chapter 19.86 CVMC, Environmental Management Program, for additional requirements concerning grading. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 13957, 1989; Res. 11903, 1985. Formerly 19.85.010).

APPENDIX B
BAYFRONT SIGN PROGRAM

GOAL AND OBJECTIVES

Goal

The goal of the Chula Vista Bayfront Sign Program is to control signs – eliminating those which are obtrusive and encouraging those that are creative and interesting while establishing a sense of place for the area.

Objectives

1. To establish guidelines and criteria for all signs within the Chula Vista Bayfront Redevelopment Project area.
2. To establish a Planning Commission charged with the following tasks:
   (a) to make decisions regarding appropriateness of private signs;
   (b) to preserve the integrity of the Bayfront; and
   (c) to encourage creative sign design.
3. To encourage vitality within a development through the use of sign design.
4. To avoid the proliferation of private business signs along the freeway.
5. To incorporate into the design of public signs the elements of the bayfront logo.
6. To promote bayfront development progress, special events, and to identify, discreetly but effectively, new businesses coming into the area.
7. To assure equality in sign impact.
8. To establish “Bayfront” identity through a cooperative program with Caltrans.

DESIGN REVIEW

The City of Chula Vista’s Planning Commission shall review all parts of the bayfront project – the architecture, landscaping proposals, and each sign proposed for the area. This mechanism will ensure the regulation and control needed to create a distinctive atmosphere for the bayfront.

Chula Vista Planning Commission – Appointed

The Chula Vista Planning Commission has been appointed to function as the Planning Commission herein described and has been charged with the responsibility of interpreting and applying sign design guidelines contained in this document. The board is specifically directed to encourage creative sign design and diversity. The City Council shall retain ultimate authority for fair and equitable application.

Submittal and Review Procedures

Submittal of a complete program of all desired signs shall be required for every development proposed within the bayfront. Sign plans should be submitted coincidentally with development plans scheduled for architectural review.

The minimum submittal shall include a plot plan with property lines, building footprints, curb and center lines of adjacent streets, building and sign elevations, and location of each proposed sign. Each sign will be drawn to scale indicating colors, materials, typestyles, dimensions of lettering, copy areas, sign height and width, methods and intensity of lighting, and means of installation.

The Planning Commission has established its own requirements and procedures for submittals and has the discretion to change these from time to time as it deems necessary.

The Planning Commission also has the authority to allow an individual project to deviate from established guidelines if the character of the bayfront will be enhanced by its action.

GUIDELINES: IN GENERAL

Design Intent and Rationale

This sign program strives to ensure that graphics in general, and each sign in particular, becomes a viable, integral part of the concept of Chula Vista bayfront redevelopment. The intent of this program is to establish a format for imaginative sign design which is appropriate for the bayfront.

Every effort must be made to create graphic identifications that are integral and consistent with the bayfront theme and with the architecture of each particular project. Graphic identifications which are symbolic of the business or service rather than standard “letter copy” are encouraged, i.e., logo. The design of signing for a project within this area should consider using pictorial imagery in combination with well-considered typefaces, spacing, colors, and material. (Refer to Exhibit Two for rule of good sign design.)

Two-Phase Program

Because the needs of businesses in the bayfront will be different in its early stages and in the final development, guidelines have been adopted to accommodate their needs during both these phases. During the interim phase (early in bayfront development), developments will receive liberal signing.

Once the bayfront is sufficiently developed, the need for abundant signing will be lessened because the bayfront’s identity will be established and will help to attract business traffic. A more “low-key” sign program has been adopted for the final development phase.

The Influence of Bayfront Topography

The general topography of the bayfront is flat and open. The natural color of the area is muted. Therefore, signing must be discreet in order to avoid an overwhelming impact.

A. Low-Key Sign Program

These guidelines establish a sign program which is “low-key.” Signs are intended to be adequate for identification, but not for advertising. Harmony of materials, textures, forms, colors, scale, and feeling is intended for the Chula Vista Bayfront Redevelopment Project.

The Necessity for Size Regulation

Uniform sign parameters are created to ease competition among private interests. This assures more equal distribution of the right to identify a place of activity.

Height Limitation

The eight-foot height limitation proposed in this criteria is in accordance with the intent of the California Coastal Commission's guidelines, and also maintains a sense of scale to bayfront topography and the intent of achieving a "low-key" sign program.

Roof Signs

Signs mounted on the roofs or mechanical penthouses of any building are prohibited. Such signs violate the intended bayfront scale and are not in keeping with a distinctive bayfront sign program.

Ground Signs Encouraged

Low ground signs are encouraged. They should be integrated with the landscape, complementary to the architecture, incorporated into retaining walls or other landscape features. The objective is to reduce visual clutter.

Wall Signs

Wall signs must be compatible with and proportionate to the architecture, and maintain harmony of materials and form. The purpose of these signs is to identify the business or private development; whole wall areas are not intended to be "read" as sign structures or sign backgrounds. Only one wall sign shall be visible at one time.

Support Structure

Support structures should be integral parts of entire sign design and have aesthetic as well as structural importance.

Lighting

Lighting methods should be considered a part of each sign. The intensity and color of light should be harmonious with the building architecture and sign design. In any lighted sign, the intensity should be no more than that required for nighttime reading, flashing/strobe light shall not be used. Signs must be modified after installation if lighting proves too intense.

Guideline Jurisdiction

The guidelines specified herein shall govern signs within the Chula Vista Bayfront Redevelopment Project. Since every possibility cannot be anticipated by this report, details which might be omitted shall be governed by the Chula Vista Zoning Ordinance. Where there is a conflict between the Bayfront Redevelopment Sign Program and the Chula Vista Zoning Ordinance, the more restrictive regulation shall govern.

Restrictions and Prohibited Signs

The following signs shall be prohibited or restricted as noted:

a. Pole signs.

b. Flashing, oscillating, animated or moving signs, or signs with moving parts shall be prohibited.

c. The use of fluorescent-type paints is prohibited.

d. Signs advertising goods shall be prohibited.

e. All billboard signs shall be prohibited.

f. Temporary signs, banners, sale notices, etc., shall be displayed behind the glass of the structure.

The Planning Commission shall establish requirements and procedures for submittals.

New Signs

The sign owner shall be responsible for the fulfillment of all requirements of these criteria. Conformance will be strictly enforced and nonconforming or unapproved signs or any part thereof shall be brought into conformance at the expense of the owner.

Existing Signs

Existing (nonconforming) signs shall be brought into conformance either:

(1) when any change of land use occurs, or

(2) by the final development phase, or whichever occurs first.

Approvals for signs and their installation shall be obtained by the owner or his representative prior to installation. All signs shall be constructed, installed, and maintained in as-new condition at the owner's expense. All current building and electrical codes shall govern the construction of signs.

GUIDELINES: SPECIFIC

Public Signs

Public signs are those built and maintained by the city or other public agency through an adopted financial plan. They are divided into subsections according to function and location.

Freeway-Oriented Signs

The signs are located in the freeway right-of-way or on private property. All signs in the freeway right-of-way must be approved by Caltrans.

a. Caltrans Signs: Caltrans signs, designed and maintained by the state, include all signs identifying exits and general directions. These signs will be designed by Caltrans per state regulations.

b. Caltrans Signs with Bayfront Identity: The City of Chula Vista is considering a joint project with Caltrans to develop a bayfront identity sign to supplement the standard Cal-

trans signs which give generic service information (i.e., “FUEL, FOOD, LODGING,” etc.). Costs will be borne by the city, and installation coordinated with Caltrans. (Refer to Exhibit Three for example.)

Internal Signs

Signs within the bayfront, not oriented to the freeway.

a. Street Name Signs: Street name signs shall have special mountings and frames to identify streets as being a part of the new bayfront community. The sign copy will be the bayfront letter style (Bookman Bold, upper and lower case) and colors. The support will be constructed of wood. (Refer to Exhibit Six for example.)

b. Directional Signs: Directional signs at intersections will help establish gateways to the redevelopment area and may include such generic information as convention center, marina, special-use park, wildlife refuge, etc., as necessary. Directional information for private developments may be included also at the discretion of the Planning Commission, but for the interim development phase only. Information will be clustered on one sign per intersection. Signs will have standardized mountings and trip. (Refer to Exhibit Seven for example.)

   A minimum of six directional signs will be necessary for adequate information. Each shall include specially designed landscaped areas to create a setting.

c. Information Signs: Public information signs are designed for public facilities and services such as parks, marshes, marinas, trim, and colored to be unified with the basic public sign theme. (Refer to Exhibit Eight for example.)

d. Traffic and Parking Control Signs: Traffic control and parking signs shall be designed with standard copy faces, and shall be trimmed with the wood frames and supports of the bayfront motif. Exact sizes and locations are required by state regulation. It is suggested that the minimal number of signs necessary for effectiveness be used. (Refer to Exhibit Eight for example.)

   To help establish the new bayfront identity, natural-signed (olympic semitransparent 901) cedar frames shall enclose all public signs. The bayfront logo and Bookman bold typestyle shall be used throughout. Specific reds, yellows, and browns are the principal logo colors (Frazee Z57-23, 3, 29).

Private Signs

Guidelines for private signs are organized according to location and project type. A somewhat more liberal criteria is established to serve business needs during the bayfront’s initial development phase. The signs approved in this phase are called “interim signs.”

When the bayfront is substantially built out, interim signs must be replaced, modified, or removed entirely to comply with the more restrictive sign criteria established for the final development phase.

The redevelopment agency shall determine when this changeover will occur based on their appraisal of the bayfront’s progress. Developers submitting signs for approval for projects to be built close to the changeover date will be given the notice of complying with the final-

phase criteria or building interim signs which would be removed or modified at their expense in the near future.

The rationale for this phased system is that when the bayfront development is beginning and a bayfront identity is being established, certain private projects will need additional signs to attract business.

When the area nears completion and a bayfront identity is clearly established, the bayfront itself will attract business traffic. At this time, more restrictive sign criteria can be implemented.

FINAL PHASE: ULTIMATE BAYFRONT DEVELOPMENT STATE

Freeway Signs: Private signs which are oriented to the freeway shall not be allowed, except as provided during the interim phase.

Corner Lots: The identification allowance for sign development on corner lots may be divided to provide for a sign on each frontage; however, the total allowance for both signs combined is not to exceed 50 square feet.

Multi-tenant Buildings or Complexes: Office, retail-commercial, and industrial uses which are multi-tenant shall be allowed additional tenant identification signs: each tenant shall be allowed a maximum of three square feet on or adjacent to the entry door. These tenants signs shall be visible from on-site parking and/or pedestrian walkways, but not intended to be readable from public streets.

Directional and Information Signs: These signs shall be allowed on a need basis. They shall be directional in nature and not intended as identification signs. Their maximum height shall be four feet with four square feet maximum copy area per side.

Special Event Signs (Temporary): Special events such as grand openings shall be allowed temporary signs. Such signs shall have a limited life as determined by the Planning Commission.

Construction Signs (Temporary): Signs for owners, contractors and subcontractors, architects, etc. for new projects under construction shall be subject to Planning Commission approval.

Allowable Copy Area

1. Hotel/Motel, RV Parks, Restaurants, and Retail-Commercial: Total copy area for all identification signs combined shall be limited to not more than 50 square feet per parcel. Signs may be wall signs and/or ground signs. Ground signs may be single- or double-faced but may not exceed 8 feet in height. An additional changeable copy area of 25 square feet maximum shall be allowed for uses which include entertainment or convention facilities. Changeable copy area shall be single-faced only.

2. Automotive Service: Service stations shall be allowed one identification sign per lot. Signs shall be ground signs or wall signs and shall have no more than 40 square feet of copy area, six feet maximum height.

3. Industrial and Office Uses: Industrial and office uses shall be allowed one identification sign per lot, visible from the internal street. Signs shall not exceed 40 square feet in

area or six feet maximum in height. Total sign area may include a directory or tenant listing if the project is multitenant.

INTERIM PHASE: BAYFRONT DEVELOPMENT STAGE

1. Commercial Uses Adjacent to Freeway: Commercial businesses will require some identification from the freeway during the bayfront development period. Such uses with freeway exposure shall be allowed either wall or low-profile monument signs with name and/or logo only during the bayfront development phase, and such signs shall have a specific date by which they must be removed. If the business logo is well-established as an identity mark, then use of logo alone is preferable. Each lot may have two wall signs or one ground sign only. No pole signs or roof signs are permitted. One wall sign shall be visible at a time. Maximum total copy area shall be 100 square feet. Ground signs may be double-faced or parallel to the roadway and are intended to be low-profile monument signs.

2. Automotive Service: Service stations with freeway exposure shall be allowed freeway identification during the initial redevelopment of the bayfront. Sizes shall be as small as possible and still have freeway identity, in no case to exceed 50 square feet total sign area. Such signs shall be subject to strict review and shall have a limited and specific retirement date at the discretion of the Planning Commission.

DEFINITIONS

Background Area of Sign

The background of the sign shall be considered the entire area in which copy can be placed. In computing the area of sign background, only the face or faces which can be seen from any one direction at one time shall be counted.

Billboard

A billboard is any sign usually designed for use with changing advertisement copy, which is normally used for the advertisement of goods or services rendered at locations other than the premises on which the sign is located.

Changeable Copy Sign

A changeable copy sign is one that is characterized by changeable copy regardless of method of attachment.

Copy Area

Copy area is that portion of the total sign area devoted to lettering and/or symbolic communication. The copy area shall be determined by circumscribing the smallest possible rectangle around the copy, letters or symbol.

Directional Signs

A directional sign is one that contains directional information for pedestrian or vehicular traffic or location.

Directory Signs

Directory signs are signs that list businesses, services, room numbers, or employees.

Externally Illuminated Signs

An externally illuminated sign is a sign whose face is artificially illuminated by an external light source.

Flashing, Animated, or Moving Signs

Flashing, animated or moving signs are defined as signs that:

a. Intermittently reflect light from either an artificial source or from the sun; or

b. Have an illumination which is intermittent, flashing, oscillating, or of varying intensity; or

c. Have any visible portion in motion, either constantly or at intervals, which motion may be caused by either artificial or nature sources; or

d. Utilize whirligigs or any similar item which uses wind as its source of power.

Freeway Signs or Freeway-Oriented Signs

Freeway signs or freeway-oriented signs are those signs that have copy directed for freeway visibility either in the freeway right-of-way or on a property adjacent to the freeway.

Freestanding Sign

A freestanding sign is one which is supported by one or more columns, uprights, or braces in or upon the ground.

Ground Sign

A ground sign is supported by the ground, by a continuous base (monument sign), or by poles or posts.

Height of Sign

The height of a sign is the distance measured from finished grade to the highest projection of the sign. On sloping ground, finished grade is defined as the average elevation between the high and low points of adjacent grade.

Identification Sign

An identification sign is one that identifies a business name or principal service only. The sign should not serve as an advertisement device.

Information Sign

An information sign provides information for public and private facilities or services, and the use thereof.

Internally Illuminated Signs

Internally illuminated signs are signs that have characters, letters, figures, design, or outline illuminated by electrical lights contained behind the sign face.

Monument Sign

A monument sign is a ground sign which is supported by a visually continuous base.

Multiple Copy Sign

A multiple copy sign is one that advertises other than the name of the business and the principal product or service.

Pole Sign

A pole sign is a sign supported by the use of one or multiple poles or columns.

Public Sign

A public sign is any sign that is owned by government. Examples: bike routes, bus stop, or speed limit signs, or park or public facility identifications.

Sign

A sign is defined as any structure or device, logo, electric or non-electric, and all parts thereof which are used for advertising purposes upon or within which any poster, bill, bulletin, printing, lettering, painting, device, or other advertising of any kind whatsoever is placed. A sign shall not include any support frame or standard used exclusively for displaying the flag of the United States of America, the state, or the city, nor shall these flags be considered signs.

Sign Area

Sign area shall include the background area of the copy. In the case of individual cut-out letters, sign area will include the exposed surface of the panel on which the letters are mounted.

Temporary Sign

A temporary sign is intended to advertise community or civic projects, construction projects, real estate for sale or lease, other special events on a temporary basis.

Traffic Control Sign

Traffic control signs are directional signs which direct traffic flow including pavement arrows and signs. Examples: loading zone, handicapped parking, no parking.

Wall Sign

A wall sign is one that is in any manner affixed to any wall of a building or structure.

(Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2665 Appx. B, 1996).

19.85.012 Special conditions.

A. Special Condition "A." Specific development plans for the development of Parcel Area 2-b property located south of "F" Street and west of the SDG&E ROW shall be subject to Planning Commission review City Council approval based on the following guidelines:

1. Building setbacks shall be:

   a. For buildings 44 feet or less in height, as specified in CVMC 19.85.010.

   b. For buildings 44 to 95 feet in height:

      i. From "F" Street: 200 feet;
      ii. From USFWS property ("F&G" Street marsh): 200 feet; and
      iii. From SDG&E ROW: 50 feet.

2. Building FAR. A maximum FAR of 0.75 (including SDG&E landscaped parking area bonus) on the subject site is allowed with one new building permitted on such site to exceed the 44-foot height limit; provided, that (a) a reduction in the total gross square footage of structures presently located on the Goodrich campus south of the subject site is effected through the demolition or removal of such existing structures selected by Goodrich totaling 125,000 square feet (which is commensurate with the additional allowed FAR on the subject site), (b) such demolition or removal is completed within one year following occupancy of such new building, (c) the footprint of such new building does not exceed five percent of the total area of the subject site (excluding the area encompassed within that portion of the SDG&E ROW adjacent to the subject site), and (d) the setbacks on the subject site specified above are met.

3. Development plans shall include a comprehensive landscaping plan that indicates enhanced landscaping at the project edges and within the SDG&E landscaped parking area.

4. Pedestrian or other off-street circulation connections to adjacent industrial and business park uses shall be provided.

5. Project shall comply with all City-wide threshold standards for infrastructure improvements and public services; specifically, associated traffic impacts will be mitigated to a level-of-service (LOS) "D" or better at the Bay Boulevard/E Street/Interstate 5 interchange.

6. All buildings on site shall reflect a common, high-quality architectural design and construction standard.

B. Special Condition "B." Specific development plans for the development of Parcel Areas 2-g and 3-a properties located at the northeast and southeast corners of Bay Boulevard and J Street shall be subject to Planning Commission review and City Council approval based on the following guidelines:

1. The maximum FAR shall be 0.50.

2. Maximum building height shall be 30 feet.

3. Building setbacks shall be:

Location	Setback
J Street (to maintain view corridor)	65 ft.
Bay Boulevard	30 ft.
Adjacent to Interstate 5 freeway	25 ft.
From intersection of J Street and Bay Boulevard (measured perpendicular to angular corner property line)	60 ft.

4. Landscaping of the site shall be 15 to 20 percent of the total lot area.

5. Minimum landscaping depths along street frontages shall be 15 feet in width.

6. Elevations facing the freeway shall be articulated in massing or architectural treatment.

7. Pedestrian linkages shall be provided to connect both sides of J Street as well as linking the projects to the Bayfront development.

8. Compact parking stalls shall be permitted with dimensions of 7.5 feet wide by 16 feet in length. The number of these stalls may be authorized to a maximum of 20 percent of the required parking.

C. Special Condition "C." Sweetwater Marsh National Wildlife Refuge: Development intensity is limited to the existing Chula Vista Nature Center facilities and other structures that are approved by the USFWS.

D. Special Condition "D." The following special conditions shall apply to commercial – visitor and commercial – administrative and professional land uses on Parcel Area 2-h:

1. Building setbacks for office shall be:

   a. To all exterior boundaries: none. At a podium height of 35 feet, building stepback shall be 10 feet minimum.

   b. To interior boundaries that do not abut another land use: none.

2. Building setbacks for hotel shall be:

   a. To all exterior boundaries: zero feet minimum, except at ground level on the south side of the building along J Street between the I-5 corridor and A Street where it shall be 65 feet measured from the north curb of J Street. Uses such as a hotel pool will be permitted in the setback so long as the view from the J Street I-5 overpass to the Bay is not impeded.

3. The following standards shall apply to all uses within Parcel Area 2-h:

   a. Public View Corridors.

      i. Setbacks and stepbacks shall generally result in a 70-foot-wide minimum public view corridor width at podium level and 95-foot-wide minimum public view corridor width at tower level.

ii. The public view corridors identified in Exhibit 8a of the LUP shall align with the existing corridors between the buildings that are currently located east of 2-h and west of Bay Boulevard (630 Bay Boulevard, 660 Bay Boulevard, and from 660 Bay Boulevard to the hotel). From north to south, these existing buildings are currently occupied by Pacific Trust Bank, Fresenius Medical Care/JP Motor Sports, and National University/Intuitive Innovations.

4. Site Coverage. The total building coverage on Parcel 2-h shall not exceed 65 percent of the total site area.

5. Building FAR. A maximum FAR of 3.0 (excluding structured parking) on the subject site is allowed; provided, that (a) the setbacks on the subject site specified above are met and (b) the buildings are stepped back to preserve public view corridors.

6. Development plans shall include a comprehensive landscaping plan.

7. Pedestrian or other off-street circulation connections to the residential buildings in Parcel Area 2-f and other adjacent Bayfront areas shall be provided.

8. Project shall comply with all City-wide threshold standards for infrastructure improvements and public services.

9. All buildings on site shall reflect a common, high-quality architectural design and construction standard.

10. Height Limitation. Buildings on the commercial – visitor site shall not exceed 140 feet.

    a. Buildings on the commercial – administrative and professional site shall not exceed 106 feet.

    b. For specific building heights refer to Exhibit 8a of the LUP.

    c. Maximum podium heights shall not exceed 30 feet.

E. Special Condition "E." The following special conditions shall apply to residential – mixed harbor district land uses on Parcel Area 2-f:

1. Building setbacks for residential shall be:

    a. To all exterior boundaries: zero feet minimum except at ground level on the south side of the development along J Street where it shall be 65 feet measured from the north curb of J Street.

    b. Building stepbacks for residential shall be: towers shall be sited to gradually step downward in height from north to south reflecting the more intensive proposed land uses to the north and the environmental preserve to the south.

2. Public View Corridors.

    a. Setbacks and stepbacks shall generally result in a 70-foot-wide minimum public view corridor width at podium level and 95-foot-wide minimum public view corridor width at tower level.

b. The public view corridors identified in Exhibit 8a of the LUP shall align with the existing corridors between the buildings that are currently located east of 2-h and west of Bay Boulevard (630 Bay Boulevard, 660 Bay Boulevard, and from 660 Bay Boulevard to the hotel). From north to south, these existing buildings are currently occupied by Pacific Trust Bank, Fresenius Medical Care/JP Motor Sports, and National University/Intuitive Innovations.

3. Site Coverage. The total building coverage shall not exceed 62 percent of the total site area.

4. Height Limitation.

   a. The residential buildings shall not exceed 200 feet.

   b. For specific building heights refer to Exhibit 8a of the LUP.

   c. The podiums shall not exceed 35 feet.

   d. Row housing along Marina Parkway shall not exceed 45 feet. (Ord. 3238 § 2 (Exh. B, C), 2012)

CHAPTER 19.86
BAYFRONT SPECIFIC PLAN – ENVIRONMENTAL MANAGEMENT PROGRAM

Sections:

19.86.001 Purpose and scope.
19.86.002 Resource elements.
19.86.003 Environmental management requirements.
19.86.004 Environmental management of delineated resources.
19.86.005 Additional diking, dredging or filling of wetland areas.
19.86.006 Water quality requirements.
19.86.007 *Repealed.*

19.86.001 Purpose and scope.

Public Resources Code Section 30240 (California Coastal Act) provides for the protection of environmentally sensitive habitat areas. The purpose of this chapter is to provide for such protection. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.86.002 Resource elements.

The proposed project site is relatively flat, although a slightly elevated area is located in the Sweetwater District. The surface elevation of the site ranges between approximately five and 25 feet above mean sea level. The Sweetwater District is undeveloped and currently composed primarily of fallow fields. The majority of vegetation is generally ruderal with small areas of disturbed native habitats, including California coastal sage scrub. The Harbor District and Otay District are generally developed and consist of limited areas designated as jurisdictional waters.

Marine and biological resources are abundant in the project area, primarily due to its proximity to San Diego Bay and the estimated 3,940-acre San Diego Bay Natural Wildlife Refuge (SDBNWR) south of the Plan Area. The SDBNWR preserves mudflats, salt marsh, submerged lands, and eelgrass beds that provide a fertile breeding ground for a wide range of species, including many designated threatened and endangered species. The Sweetwater Marsh National Wildlife Refuge, Chula Vista Nature Center, and “F&G” Street Marsh are all components of the larger SDBNWR. The unique ecosystem characteristics of the south San Diego Bay have made the area a resting site on the Pacific Flyway for a wide variety of resident and migratory shorebirds and waterfowl, as well as a fertile breeding ground for a range of aquatic and land species.

The major wetlands and related sensitive habitat areas within the Chula Vista Bayfront area have been acquired by the USFWS and comprise the majority of the Sweetwater Marsh National Wildlife Refuge, in addition to the “F&G” Street Marsh. With the preservation of these areas the focus of these regulations is reducing and mitigating impacts on the refuge from new development within the Bayfront in addition to protection of other wetlands within the LCP Planning Area. (Ord. 3238 § 2 (Exh. B), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.86.003 Environmental management requirements.

A. Coordination.

1. Coordination with the Port in the development of plans and programs for areas adjacent to the LCP Planning Area shall be maintained to ensure that environmental management objectives in the Bayfront LUP can be successfully implemented.

2. Coordination with the USFWS shall be maintained for the development of plans and programs adjacent to the Sweetwater Marsh National Wildlife Refuge. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2532, 1992; Res. 11903, 1985).

19.86.004 Environmental management of delineated resources.

Sensitive habitats exist in areas not delineated, including, but not limited to, Parcel Area 3-k and the "F&G" Street Marsh. It is required that all environmental resources are analyzed by an environmental professional, and that an environmental management plan is adopted to protect any sensitive habitats discovered, prior to the commencement of any additional development.

Environmentally sensitive habitat areas (ESHA) shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Development in wetland habitat(s) is to be avoided and to remain as open space in perpetuity. A buffer zone shall be maintained around the wetland area to minimize impacts to the habitat (see CVMC 19.86.005).

A minimum 100-foot buffer zone shall be maintained around wetlands associated with the "J" Street Marsh in the Otay District to minimize direct impact to the habitat as provided for in CVMC 19.86.005. Uses in the buffer zone are limited to pathways and fencing to protect the area and provide pedestrian view points of the marsh and coastal area as provided for in CVMC 19.86.005. Fences around the pond must be visually appealing and protect view corridors toward the waterfront and marshes. (Ord. 3238 § 2 (Exh. B, C), 2012).

19.86.005 Additional diking, dredging or filling of wetland areas.

Diking, dredging, or filling of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this title, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

A. New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

B. Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

C. In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

D. Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

E. Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

F. Restoration purposes.

G. Nature study, aquaculture, or similar resource dependent activities.

Open space preservation in perpetuity of sensitive resource areas will also be required pursuant to an appropriate mechanism.

Buffers within the local coastal plan area have been designed to accommodate potential areas of future sea level rise inundation and are identified on Exhibit 12a of the certified LUP. The existing plan also provides for an adequate amount of habitat migration within the identified buffer areas based on a projected sea level rise.

In cases where buffers have not yet been established, a buffer of at least 100 feet in width from the upland edge of wetlands and at least 50 feet in width from the upland edge of riparian habitat shall be established. Buffers should take into account and adapt for rises in sea level by incorporating wetland migration areas or other sea level rise adaptation strategies as appropriate. The CDFG and USFWS must be consulted in such buffer determinations and, in some cases, the required buffer, especially for salt marsh wetlands, could be greater than 100 feet. Uses and development within buffer areas shall be limited to minor passive recreational uses, with fencing, desiltation or erosion control facilities, or other improvements deemed necessary to protect the habitat, to be located in the upper (upland) half of the buffer area; however, water quality features required to support new development shall not be constructed in wetland buffers. All wetlands and buffers identified and resulting from development and use approval shall be permanently conserved or protected through the recordation of an open space easement or other suitable device that perpetually prohibits development in wetlands and wetland buffer areas. Such devices shall include attached exhibits that consist of a legal description of the subject parcel upon which development has been approved and a graphic depiction of the easement, or otherwise restricted, area. All development activities, such as grading, buildings and other improvements, in, adjacent to, or draining directly to a wetland must be located and built so they do not contribute to increased sediment loading of the wetland, disturbance of its habitat values, or impairment of its functional capacity.

In some unusual cases, smaller buffers may be appropriate, when conditions of the site as demonstrated in a site specific biological survey, the nature of the proposed development, etc., show that a smaller buffer would provide adequate protection. In such cases, the CDFG must be consulted and agree, in writing, that a reduced buffer is appropriate and the City, or Commission on appeal, must find that the development could not be feasibly constructed without a reduced buffer. However, in no case shall the buffer be less than 50 feet. (Ord. 3238 § 2 (Exh. B, C), 2012; Ord. 2626 § 3, 1995; Ord. 2556, 1993; Ord. 2546, 1993; Ord. 2532, 1992; Ord. 2168 § 1, 1986; Res. 11903, 1985. Formerly 19.86.006).

19.86.006 Water quality requirements.

A. Watershed Planning.

1. The City shall support and participate in watershed-based planning efforts with the County of San Diego and the San Diego Regional Water Quality Control Board. Watershed planning efforts shall be facilitated by helping to:

    a. Pursue funding to support the development of watershed plans.

    b. Identify priority watersheds where there are known water quality problems or where development pressures are greatest.

    c. Assess land uses in the priority areas that degrade coastal water quality.

d. Ensure full public participation in the plan's development.

B. New Development.

1. New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:

   a. Protect beneficial uses of waters, areas necessary to maintain riparian and aquatic biota, and/or areas that are susceptible to erosion and sediment loss.

   b. Limit increases of impervious surfaces.

   c. Limit land disturbance activities such as clearing, grading, and cut-and-fill to reduce erosion and sediment loss.

   d. Limit disturbance of natural drainage features and vegetation.

2. New development shall not result in the degradation of the water quality of groundwater basins or coastal surface waters including the ocean, coastal streams, or wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely impact water resources (groundwater, coastal waters, wetlands, streams) consistent with the local National Pollutant Discharge Elimination System Storm Water Municipal Permit.

3. Development must be designed to minimize, to the maximum extent practicable, the introduction of pollutants of concern (as defined in the City's Standard Urban Storm Water Mitigation Plan [SUSMP]) that may result in significant impacts from site runoff from impervious areas.

4. New development must comply with the requirements of the City's SUSMP and the City's Development and Redevelopment Projects Storm Water Management Standards Requirements Manual, including the preparation of required water quality documents and the implementation of source control, site design, and treatment best management practices (BMPs).

5. Post-development peak flow discharge rates for the 100-year storm event shall not exceed the pre-development rate.

6. Post-construction treatment BMPs shall be designed to treat, infiltrate, or filter runoff produced by the eighty-fifth percentile, 24-hour storm event for volume-based BMPs and the eighty-fifth percentile, one-hour storm event for flow-based BMPs, as required by the City's SUSMP.

7. Public streets and parking lots shall be swept frequently to remove debris and contaminant residue. For private streets and parking lots, the property owner shall be responsible for frequent sweeping to remove debris and contaminant residue.

8. The City should develop and implement a program to detect and remove illicit connections and to stop illicit discharges.

9. New development that requires a grading permit or storm water management document shall include landscaping and revegetation of graded or disturbed areas, consistent with the landscape requirements of the LCP and City requirements. Areas adjacent to preserved

open space shall use native plants to the maximum extent practicable to reduce the potential for invasive species introduction. (Ord. 3238 § 2 (Exh. B, C), 2012).

19.86.007 Interpretive center funding.
Repealed by Ord. 3238 § 2 (Exh. B), 2012. (Ord. 2532, 1992; Ord. 2168 § 1, 1986; Res. 11903, 1985).

CHAPTER 19.87
BAYFRONT SPECIFIC PLAN – INFRASTRUCTURE FINANCING AND FUNDING MECHANISMS*

Sections:

19.87.001 Community development block grants (CDBG).
19.87.002 Business improvement districts.
19.87.003 Development impact fees.
19.87.004 TransNet.
19.87.005 Grant funding.
19.87.006 General fund.
19.87.007 Other funding sources.
19.87.008 Relation of funding to other Bayfront Specific Plan provisions.

* Prior legislation: Ords. 2168, 2532, 2546 and 2613; Resos. 11903 and 13957.

The following is a list of commonly used mechanisms to fund public facilities. The City may currently be utilizing some of these mechanisms, but there may be opportunities for better leveraging of funding or for pursuing new funding sources.

19.87.001 Community development block grants (CDBG).

CDBG is a federal grant program administered by the U.S. Department of Housing and Urban Development. CDBG is administered on a formula basis to entitled cities, urban counties, and states to develop viable urban communities by providing decent housing and a suitable living environment and by expanding economic opportunities, principally for low and moderate income individuals. Eligible activities that may be proposed for funding include, but are not limited to, housing, economic development, and public facilities and improvements. (Ord. 3238 § 2 (Exh. B), 2012).

19.87.002 Business improvement districts.

Business improvement districts (BIDs) or property and business improvement districts (PBIDs) are mechanisms for assessing and collecting fees that can be used to fund various improvements and programs within the district. There are several legal forms of BIDs authorized by California law. The most common types are districts formed under the Parking and Business Improvement Act of 1989. Business improvement areas formed under the 1989 law impose a fee on the business licenses of the businesses operating in the area, rather than the property owners. The collected funds are used to pay for the improvements and activities specified in the formation documents. A similar assessment procedure was authorized by the PBID Law of 1994. The distinction is that the PBID makes the assessment on the real property and not on the business. A PBID is currently in operation in the City's downtown area. Other areas of the Bayfront Specific Plan may also be ideally suited for BID funding.

The range of activities that can potentially be funded through BIDs and PBIDs is broad and includes parking improvements, sidewalk cleaning, streetscape maintenance, streetscape improvements (e.g., furniture, lighting, planting, etc.), promotional events, marketing and advertising, security patrols, public art, trash collection, landscaping, and other functions. Generally speaking, the BID format works well for marketing and other programmatic activities that serve to directly benefit area businesses (i.e., tenants), whereas a PBID may be more appropriate for permanent physical improvements that stand to improve property values in the area. Given the

size and diversity of the LCP Planning Area, it may be appropriate for separate BIDs or PBIDs to be formed for different regions within the plan area. In this way, the collected funding could be more specifically targeted to the unique improvement and programmatic needs of each district. (Ord. 3238 § 2 (Exh. B), 2012).

19.87.003 Development impact fees.

Property tax limitations imposed by Proposition 13, resulting in the decline in property taxes available for public projects, has led local governments to adopt alternative revenue sources to accommodate public facility and infrastructure demands resulting from growth. Development impact fees is one of those sources. AB 1600 (Cortese), which became effective on January 1, 1989, regulates the way that impact fees are imposed on development projects. Impact fees are one-time charges applied to offset the additional public facility provision costs from new development. This may include provision of additional services, such as water and sewer systems, roads, schools, libraries, and parks and recreation facilities. Impact fees cannot be used for operation, maintenance, alteration, or replacement of existing capital facilities and cannot be channeled to the local government's discretionary general funds. An impact fee cannot be an arbitrary amount and must be explicitly linked to the added cost of providing the facility towards which it is collected.

The City already has a range of impact fees that are updated periodically. It is important, however, to realize that there are two primary aspects of capital costs (based on which impacts fees are collected) – land costs and building costs. Though the latter can be estimated at a City-wide level and adjusted periodically using appropriate inflation factors, land cost estimation is more complicated, especially when one considers significant variations in land values within the City and the necessity to provide land intensive public facilities, such as parks. As a result, the land acquisition component of a standardized impact fee may not be consistent with the true costs involved. (Ord. 3238 § 2 (Exh. B), 2012).

19.87.004 TransNet.

In 1987, voters approved the TransNet program – a half-cent sales tax to fund a variety of important transportation projects throughout the San Diego region. This 20-year, $3.3 billion transportation improvement program expired in 2008. In November 2004, 67 percent of the region's voters supported Proposition A, which extends TransNet to 2048, thereby generating an additional $14 billion to be distributed among highway, transit, and local road projects in approximately equal thirds. In addition, it will support a robust public transportation system, including new Bus Rapid Transit services and carpool/managed lanes along many of the major freeways. Two percent of the available funds will be earmarked annually for bicycle paths and facilities, pedestrian improvements, and neighborhood safety projects. The San Diego Association of Governments (SANDAG) sets the priorities and allocates TransNet funds. (Ord. 3238 § 2 (Exh. B), 2012).

19.87.005 Grant funding.

A variety of funding options are available though federal, state, and local grant programs. Many of the grant programs target urban revitalization efforts, smart growth enhancements, and transportation planning and are provided on a competitive basis. Current grant programs, such as the Smart Growth Incentive Pilot Program administered through SANDAG, can provide significant funding toward projects that result in furthering smart growth approaches, such as the elements embodied in the principles of the Bayfront Specific Plan. (Ord. 3238 § 2 (Exh. B), 2012).

19.87.006 General fund.

The City receives revenue from a variety of sources, such as property taxes, sales taxes, fees for recreation classes, and plan checking. Revenue can be generally classified into three broad categories: program revenue, general revenue, and restricted revenue. Depending on the revenue source, the general fund may be used for a variety of purposes, such as capital improvement projects or streets, sewers, storm drains, and other infrastructure maintenance improvements. (Ord. 3238 § 2 (Exh. B), 2012).

19.87.007 Other funding sources.

Examples of other funding sources that may be considered to assist in the implementation of the community benefits outlined in this chapter include ad valorem property taxes, the sales and use tax, the business license tax, and the transient occupancy tax. (Ord. 3238 § 2 (Exh. B), 2012).

19.87.008 Relation of funding to other Bayfront Specific Plan provisions.

The funding mechanisms of this chapter will be used to implement a system of public works as outlined in CVMC 19.85.007. The remainder of Chapters 19.85 and 19.86 CVMC represent a body of standards necessary to carry out the objectives of the Bayfront Specific Plan with regard to regulating development and maintenance of private property. (Ord. 3238 § 2 (Exh. B), 2012).