

CALIFORNIA COASTAL COMMISSION

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**Addendum****Th 13a**

August 3, 2012

To: Commissioners and Interested Persons

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to the original staff report.

From: California Coastal Commission
 San Diego Staff

Subject: Addendum to **Item 13a**, City of Chula Vista Local Coastal Program #1-11
(Chula Vista Bayfront Master Plan), for the Commission Meeting of
 August 9, 2012.

Staff recommends the following revisions be made to the above-referenced staff report (single underline and single strikethrough are additions and deletions proposed by the City to the certified LCP; double underlines and double strike-outs are changes recommended by staff):

1. On Page 10, the first subheading titled PART III. SUGGESTED MODIFICATIONS and the paragraph following it is a duplicate and shall be deleted.
2. On Page 25, Suggested Modification #19 shown below, shall be deleted and replaced entirely with a new Suggested Modification #19 as shown:

[delete below]

19. On Page III-26, the proposed Policy AC.2 shall be revised as follows:

Policy AC.2.~~BC~~ Circulation facilities shall be designed, constructed, and maintained according to State and local standards to ensure that safe and efficient circulation systems are provided. The protection of sensitive habitats may require roadways to be built to lesser standards in order to reduce environmental impacts, ~~provided that such reduced standards do not threaten public safety and~~ preserve wetlands and ESHA.

[replace with below]

19. On Page III-26, the proposed Policy AC.2 shall be revised as follows:

Policy AC.2.~~BC~~ Circulation facilities shall be designed, constructed, and maintained according to State and local standards to ensure that safe and efficient circulation systems are provided. The protection of sensitive habitats may require roadways to be built to ~~lesser standards in order to reduce environmental impacts,~~ preserve wetlands and ESHA. ~~provided that such reduced standards do not threaten public safety~~

3. On Page 58, Suggested Modification #106, Table 1: BUILDINGS HEIGHT LIMITS BY PARCEL AREA, shall be corrected as follows:

Under the Harbor District subheading, for parcel 2-f, under the second column Maximum Building Height from Pad, “220” shall be shown in double-strike out.

4. On Page 51, a new Suggested Modification #88.5 shall be added after Suggested Modification #88 as follows:

88.5. The City of Chula Vista has requested that a series of administrative revisions to the LUP be made to replace incorrect or outdated references to agencies such as the Redevelopment Agency, committees, and/or applicable building officials. These revisions are shown on Exhibit #18, and are hereby incorporated as suggested modifications.

5. A new Exhibit #18, Administrative Revisions Requested by the City, is attached to this addendum and shall be incorporated into the staff report.
6. Suggested Modification #1 requires that updated exhibits reflecting the suggested modifications be inserted into the LUP, including the addition of a new Exhibit #14, “Land Exchange Illustrative.” However, the exhibit attached to the staff report (staff report Exhibit #13) did not reflect all of the suggested modifications. Therefore, the new Exhibit #14 attached to this addendum shall replace the previous city Exhibit #14.

Administrative Revisions to LUP requested by the City of Chula Vista

EXHIBIT NO. 18

Administrative Revisions from City



Chula Vista LCP #1-11 CVBMP

California Coastal Commission

The Chula Vista Coastal Zone totals approximately 1,345 acres, of which 722 acres are within the LCP Planning Area (local coastal zone), 536 acres are within the Port's jurisdiction (Port Master Plan), and 87 acres are outside of the Bayfront area (West Fairfield Planning Area).¹ Five major ownerships dominate the Planning Area: (1) Goodrich, Inc. (Goodrich), which purchased the land previously owned by Rohr, Inc., in the Harbor District with 79 acres; (2) the U.S. Fish & Wildlife Service (USFWS), which owns 316 acres in two parcels (Sweetwater Marsh and the "F&G" Street Marsh), which comprise the National Wildlife Refuge; (3) a private entity, which controlled approximately 97 acres in the Sweetwater District that was exchanged for approximately 30 acres of Port lands in the Harbor District; (4) Chula Vista Redevelopment Agency Successor Agency, which owns approximately 16 acres, also in the Sweetwater District of the Bayfront; and SDG&E, which purchased approximately 12 acres of land from the Port District.

The National Wildlife Refuge includes the majority of the area known as Gunpowder Point, "D" Street Fill, the entire Paradise Creek area, and the Sweetwater Marsh Complex (including the "F&G" Street Marsh). As stated above, the Port holds jurisdiction of over 536 acres within the Bayfront area. Although the Port area is within the City limits, it is included in the Port's Master Plan, rather than the City's LCP.

The Bayfront is characterized by a land use mix that balances coastal development and protected coastal open space. Development associated with the land exchange will enhance this goal by facilitating the movement of development having more intensive land uses to those less environmentally sensitive parcels and placing less intensive land uses in the Sweetwater District. This exchange also allows for large protected open spaces and buffer zones adjacent to sensitive environmental resources associated with the National Wildlife Refuge. Many of the Bayfront developed areas are also a part of the Chula Vista Bayfront Master Plan (CVBMP) and the provisions in the City's LCP and the Port Master Plan establish the guidelines for redevelopment of these areas.

Land parcels in the Sweetwater District currently zoned as open space USFWS property, Parcel Area 1-g, and a portion of Parcel Area 3-k (see Exhibit 7 in Section III.A) are planned to remain as open space and the City Park (Parcel Area 1-f) is to remain zoned as Parks and Recreation. Thoroughfare and visitor commercial uses have been developed along Bay Boulevard, between "E" Street and "F" Street. South of "F" Street, the Goodrich corporate headquarters and industrial facility extend to "H" Street. The South Bay Power Plant and smaller industrial users are located south of "J" Street to Palomar Street. In addition to these areas located west of I-5, one parcel east of the freeway is within the Bayfront and LCP Planning Area and is known as the Faivre Street Inland Area. This inland parcel is located south of the western end of Faivre Street and is currently used as a lumber yard distribution facility and open space.

To facilitate the planning and development of parcels within the Chula Vista Bayfront under the jurisdiction of the City, the overall LCP Planning Area has been divided into three "subareas" to focus on the issues specific to each area. These subareas, which correlate to the Port's districts, are indicated in Exhibit 6, and are described below:

Subarea 1
Sweetwater District

This subarea is located generally north of "F" Street. The National Wildlife Refuge is located in the northwest corner of the Sweetwater District. This subarea also consists of several parcels on the easternmost edge of the Sweetwater District (owned by the Redevelopment Agency— Successor Agency of the City of Chula Vista, San Diego Gas and Electric (SDG&E), San Diego and Arizona Eastern Railway, and private owners) located outside of Port properties acquired as a part of the land exchange, and four parcels located in a peninsular area on the west side of Marina Parkway.

¹ LCP acreages are approximate values used for large-scale planning purposes.

Subarea 2
Harbor District

south of "F" Street (owned by the Redevelopment Agency Successor Agency of the City of Chula Vista and Goodrich).

This subarea is located generally between "F" Street and "J" Street (including "F" Street and "J" Street). Most of the properties within this subarea are developed with industrial or related uses. This area contains four parcels transferred to a private entity as a part of the land exchange that were previously under Port jurisdiction but are now under City jurisdiction. The exchanged parcels are also part of the CVBMP area.

Subarea 3
Otay District

This subarea, known as the Otay District, is located south of "J" Street and includes parcels located along Bay Boulevard which are primarily developed with light industrial and related commercial uses under City jurisdiction.

This subarea also consists of the small southern inland parcel on Faivre Street annexed to the City from the County of San Diego in 1985. This parcel is located adjacent to wetlands associated with the Otay River. The undeveloped portion of the property characterized by native habitat is zoned as Open Space.

The Chula Vista Coastal Zone contains parcels under either Port or City jurisdiction. Only those parcels within the Bayfront area under City jurisdiction are included in the City's LCP Planning Area and are subject to the provisions of this Land Use Plan.

4. Related Projects

There are two major projects adjacent to the LCP area which affect the Bayfront. They have been combined in the Route 54/Sweetwater River Flood Control Channel Joint CalTrans/U.S. Army Corps of Engineers Project. The Route 54/Sweetwater River Flood Control Channel is a joint California Department of Transportation (Caltrans) and United States Army Corps of Engineers project, with the Corps of Engineers acting as the lead agency. The project combines the construction of State Highway Route 54, from I-805 to I-5, with the construction of a flood control channel from Bonita Mesa Road (immediately upstream of I-805) to San Diego Bay. The flood control channel generally occupies the median between the eastbound and westbound lanes of SR-54. The configuration of lanes and ramps is incorporated into the base map for the Land Use Plan. The freeway interchange is located along the northeastern edge of the Bayfront. Access to the Bayfront is provided from the I-5/54 interchange via an off-ramp to "E" Street/Marina Parkway.

Wildlife habitat protection issues associated with this project resulted in a lawsuit by the Sierra Club in 1986. The associated settlement agreement was entered into in 1998. It resulted in the conveyance of a large portion of the Bayfront to the U.S. Fish & Wildlife Service and creation of the Sweetwater Marsh National Wildlife Refuge. The upland areas were retained by the property owner for future development. This significantly changed the development potential of the Bayfront and is one of the factors leading to the current LCP Re-submittal.

There is one major project adjacent to the LCP Planning Area that affects the Chula Vista Local Coastal Zone and LCP provisions: the CVBMP and the associated Port Master Plan Amendment. The Port Master Plan update and proposed CVBMP area project encompass properties adjacent to, and within, the City's LCP Planning Area. The Port Master Plan and CVBMP proposed plan of development also involve the land exchange and the resulting transfer of jurisdiction of six parcels previously under a private entity's control from the City to the Port, and four parcels previously under Port ownership from Port jurisdiction to City jurisdiction and a private entity's control. The properties

the project to ensure that projects are fully integrated with adjacent areas, thereby creating a unified project in appearance and function.

Policy FA.1.E All development projects shall be required to undergo a design review process (which includes architectural, site plan, landscape, and signage design), prior to the issuance of building permits, to ensure compliance with objectives and specific requirements of the City's Design Manual, General Plan, and appropriate zone or Area Development Plan.

Objective FA.2 Improvements to the public realm should be made in conjunction with improvements to individual parcels through private development.

Policy FA.2.A Concurrent with the preparation of Phase I infrastructure design plans for E and H Streets, a Gateway plan shall be prepared for E and H Streets. Prior to issuance of occupancy for any projects within the Port's jurisdiction in Phase I, the E and H Street Gateway plan shall be approved by the Port and City's Directors of Planning and Building. The E and H Street Gateway plan shall be coordinated with the Gateway plan for J Street.

Policy FA.2.B Concurrent with development of Parcel 2f, the applicant shall submit a Gateway plan for J Street for City Design Review consideration. Prior to issuance of any building permits, the J Street Gateway plan shall be approved by the ~~Director of Planning and Building~~ Development Services Director in coordination with the Port's Director of Planning. The J Street Gateway plan shall be coordinated with the Gateway plan for E and H Streets. Further policies guiding Gateway design are provided in the following section (III.C.3)

Policy FA.2.C The City shall create unique landscape designs and standards for medians for each major thoroughfare to distinguish each from the other and to provide a special identity for districts and neighborhoods.

Policy FA.2.D The landscape designs and standards shall include a coordinated street furniture palette including waste containers and benches, to be implemented throughout the community at appropriate locations.

Policy FA.2.E Prior to the approval of projects that include walls that back onto roadways, the City shall require that the design achieves a uniform appearance from the street. The walls shall be uniform in height, use of materials, and color, but also incorporate elements that add visual interest, such as pilasters.

Policy FA.2.F Prior to issuance of Coastal Development Permits for projects within the City's jurisdiction, the project developer shall ensure that design plans for any large scale projects (greater than two stories in height) shall incorporate standard design techniques such as articulated facades, distributed building massing, horizontal banding, stepping back of buildings, and varied color schemes to separate the building base from its upper elevation and color changes such that vertical elements are interrupted and smaller scale massing implemented. These plans shall be implemented for large project components to diminish imposing building edges, monotonous facades and straight-edge building rooflines and profiles. This shall be done to the satisfaction of the City of Chula Vista Planning Director.

Roofs – Flat roofs without varied parapets are discouraged. Variation in roof forms and parapet treatments shall be encouraged. To discourage avian predators, roof designs shall incorporate anti-perching elements as stipulated in the design requirements developed in cooperation with the USF&WS and to be incorporated in the Natural Resources Management Plan.

Policy FA.3.I The following basic guidelines shall be followed in regard to streetscape and pedestrian features:

Architectural and street furniture detailing shall contribute to the ambience of the new development. This is most effective at the pedestrian level where such details can readily be seen. Detailing opportunities include:

- Floor paving patterns
- Monuments
- Fountains
- Bollards
- Railings
- Window shape and window pane mullions
- Door treatments
- Light standards and lighting fixtures in general
- Public outdoor seating
- Trash/ash receptacles
- Textile amenities – banners, awnings, umbrellas
- Community sign boards
- Planting urns and areas
- Niches in walls and wall decorations in general

All of the above-cited elements shall be chosen and placed in a manner consistent for all new development to “compose” an overall theme or character reflecting the goal of a vibrant, coastal atmosphere.

Objective FA.4 Development shall have a unifying, high quality architectural character and design.

Policy FA.4.A The siting and orientation of major high-rise buildings shall respect environmental issues. Such buildings shall be set back from the marsh to preclude their shadows from falling on the sensitive wetlands. In addition, the shall have non-reflective surface materials and be of muted colors.

Policy FA.4.B A Bayfront Cultural and Design Committee (“BCDC”) shall be formed to advise the District in addressing the design of parks, cultural facilities, and development projects. The public participation process for the BCDC will include broad community representation and will be modeled after the Community Advisory Committee (CAC) process. Membership will include at least one member each from the District, Chula Vista Planning Commission, Design Review Committee, and Resource Conservation Committee. The BCDC will advise the District in the establishment of CVBMP design guidelines to address cohesive development and streetscape design standards, walkways and bikeways design to promote safe walking and biking, standards for design of park areas, and cultural facilities but will not address NRMP and Wildlife Habitat Areas design guidelines described above. A minimum of three public meeting/workshops will be held to establish the design guidelines.

The balance of land within the Harbor Subarea is owned by the USFWS, Foster Properties, Pacific Trust Bank, the City of Chula Vista Redevelopment Agency Successor Agency, the State of California, and a private entity as a result of the land exchange.

Land Exchange Parcels

The six parcels that transferred from a private entity's control and City jurisdiction to Port ownership and jurisdiction include CVBMP Parcels S-1, S-2, S-3, SP-1, SP-2, and SP-3, which are covered by the provisions of the Port Master Plan. The four parcels that transferred from Port ownership and jurisdiction to a private entity's ownership and City jurisdiction, and are covered by the provisions of this LCP, include CVBMP Parcels H-13, H-14, H-15, and HP-5. A cross-reference of the LCP Planning Area parcel numbers and CVBMP parcel numbers is summarized below in Table 4-2 and shown in Exhibit 13. The parcels involved in the land exchange are shown in Exhibit 5.

Table 4-2 Cross-Reference of LCP Planning Area Parcel Numbers and Chula Vista Bayfront Master Plan Parcel Numbers

<u>LCP Planning Area Parcel Numbers</u>	<u>Chula Vista Bayfront Master Plan Parcel Numbers</u>
<u>1-a</u>	<u>S-4</u>
<u>1-f</u>	<u>S-5</u>
<u>2-f</u>	<u>H-13, H-14 and HP-5</u>
<u>2-h</u>	<u>H-15</u>
<u>SDG&E Easement</u>	<u>SP-4, SP-6</u>
<u>Railroad Easement</u>	<u>SP-5, SP-7</u>

Parcel Area 2-f is located just east of the Chula Vista Marina in Subarea 2 (Exhibit 7). This parcel area covers approximately 23 acres. The existing land use is entirely undeveloped. Proposed development of Parcel Area 2-f consists of mixed residential with a maximum of 1500 units and supporting ancillary retail uses up to 15,000 square feet. Residential buildings range from 4 to 19 stories and a maximum of 220 feet in height. Parcel Area 2-f zoned as R-MH will contain development blocks that will have individual building footprints and towers of varying heights. Off-street parking spaces will be provided for Parcel Area 2-f in accordance with Policy A.PK1 for residences. The required parking will be located in parking structures both below- and above-grade. The above-grade parking structures will be generally located in the center of the residential structures, generally surrounded and enclosed by the residential and ancillary retail uses in order to minimize their visibility.

Parcel Area 2-h is located directly east of Parcel Area 2-f in Subarea 2. These two parcel areas are divided by the new road, Street A. Parcel Area 2-h is approximately 10 acres. Existing land use is industrial with multiple buildings. Proposed development includes office, retail, and a hotel. This parcel area includes up to 420,000 square feet (excluding structured parking) of mixed use office and commercial/retail use, and a 250-room hotel. The hotel is a maximum of 233,000 square feet (excluding structured parking) with a maximum height of 130 feet. Parcel Area 2-h off-street parking spaces will be provided in accordance with Policy A.PK1 for hotels and professional/office space. The required parking will be located in parking structures both above- and below-grade. The above-grade parking structures will be generally located in the center of the commercial structures, surrounded and enclosed by the office, retail, and hotel uses in order to minimize their visibility.



 Potential Location of
Required Retail Nodes

Land Exchange Illustrative

Chula Vista Bayfront Local Coastal Plan
 Chula Vista, California

Exhibit 14

Land Use Plan

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



July 27, 2012

Th 13a

TO: COMMISSIONERS AND INTERESTED PERSONS

**FROM: SHERILYN SARB, DEPUTY DIRECTOR, SAN DIEGO COAST DISTRICT
DEBORAH LEE, DISTRICT MANAGER, SAN DIEGO COAST DISTRICT
DIANA LILLY, COASTAL PROGRAM ANALYST, SD COAST DISTRICT**

**SUBJECT: STAFF RECOMMENDATION ON CITY OF CHULA VISTA MAJOR
AMENDMENT 1-11 (BAYFRONT MASTER PLAN) for Commission Meeting
of August 8-10, 2012**

SYNOPSIS

The subject LCP Land Use Plan (LUP) and Implementation Plan (IP) Amendment was filed as complete on July 11, 2011. A one-year time extension was granted on October 6, 2011. As such, the last date for Commission action on this item is October 8, 2012.

EXECUTIVE SUMMARY

Staff recommends that the Commission first deny the proposed City of Chula Vista Land Use Plan Amendment #1-11 as submitted, then approve the amendment with suggested modifications. Staff also recommends that the Commission deny the proposed Implementation Plan Amendment #1-11 as submitted, then approve it with suggested modifications.

The City's LCP addresses a wide range of issues and planning concerns relevant to the City of Chula Vista. Although only a small portion of the City is within the coastal zone, the LCP planning area is surrounded by a rich and diverse assortment of marine and biological resources, primarily due to its proximity to San Diego Bay and the San Diego Bay National Wildlife Refuge. The planning area itself has been largely developed, but there are some sensitive natural resources identified within the planning area, including the wetlands of the Refuge, the F and G Street marsh, and seasonal ponds located south of the power plant site.

The bayfront is also a highly scenic environment, with public views to Coronado and downtown San Diego available from various shoreline and inland locations. Unlike most coastal cities, the Chula Vista shoreline has historically been developed with light industrial, office, and other low-priority uses that discourage public access and limit recreational opportunities.

As such, there are many important Coastal Act issues to be addressed regarding development within the City and along the shoreline. As submitted, a number of Coastal Act issues and priority concerns are not sufficiently addressed in either the LUP or IP amendments, and are either missing, unclear or incomplete. However, Commission staff has worked closely with City staff on the subject amendment and with Port representatives on the companion Port Master Plan amendment to supplement and refine the amendments. Building on the City's and Port's efforts to attract both local residents, visitors and the broader public to the Chula Vista bayfront and their plan to re-orient the development intensity of the currently certified LCP to the harbor area, the following plan revisions have been achieved working cooperatively with the City and Port:

- Relocation of a 250 room hotel resort from the Sweetwater District to the harbor and commitment of the northern area to lower intensity public recreational and visitor uses;
- Establishment and protection of critical public view corridors at E, F, H, J, L and Palomar Streets;
- Retention of the existing commercial boatyard within the planning district;
- Commitment to re-establish the existing RV park facility within the bayfront and have it open and operating before the existing park is closed;
- Redesign of the Resort Conference Center development concept to incorporate an expanded area for public amenities and visitor uses across from Harbor Park to create additional buffering of the immediate shoreline;
- Institution of alternate transit measures to capitalize on the two nearby trolley stations and the Bayshore Bikeway, the density of proposed uses and the extensive public trail system;
- Limits on any reduction in the number of small slip sizes in the marina;
- Creation of public view corridors through the Pacifica site and site development revisions to preserve more of the expansive public views from Interstate 5 down J Street to San Diego Bay; and
- Reduction of heights on structures between the bay and the first public roadway to no more than 25 feet.

For the City's proposed LUP and IP amendments, suggested modifications are recommended to address the following critical Coastal Act issues:

- **Visual Resources and View Protection**

As submitted, the Pacifica development will be a significant addition to the bulk and scale of the shoreline environment. This development will be highly visible from the freeway, the harbor, surrounding public streets, and shoreline parks. Mitigation measures such as public view corridors are part of the project description, but specific requirements for the width of public view corridors, setbacks, stepbacks, and public amenities are not included as mandatory requirements in the LCP. While there are not public views of the water across most of the Pacifica parcel, there are brief and periodic glimpses of the open bayfront from southbound Interstate 5 north of J Street. These public views open up into an expansive bay view at the J Street overpass. As submitted, these public views would

be severely encroached upon by the proposed high rise development on Parcel Areas 2-f and 2-h. In particular, both the 70-foot high residential building and the 50-foot high hotel structure adjacent to J Street will encroach into existing public views of the bay from the freeway.

Suggested modifications require maximum heights on the site be corrected from 220 feet to 200 feet to reflect the actual development proposal, specify that public view corridors through the development must be between 70 and 95 feet in width, require a 65-foot setback from J Street, reduce the 70-foot high residential tower to 40 feet adjacent to J Street and eliminate the 50-foot high hotel structure on the J Street side of Parcel Area 2-f. Other suggested modifications lower the height of the commercial office-designated parcel in the Sweetwater District from 125 to 44 feet, and identify street end public views of the Bay from D Street, E Street, F Street, L Street, Palomar Street, and the public views of the Bay that will be created from the H Street corridor as protected public view corridors (reference Suggested Modification #s 17, 41, 47, 48, 77, 80, 105, 106 and 111).

- **Environmentally Sensitive Habitat and Water Quality Protection**

The LUP as submitted contains an Environmental Resource Map, but does not make a determination whether any of these resources are considered Environmentally Sensitive Habitat Area (ESHA). The plan also fails to include a definition or description of ESHA or establish ESHA preservation policies. The proposed LUP includes detailed policies addressing domestic animal control, restrictions on lighting and window design, bird strike monitoring, and public education programs to educate residents and visitors about caring for and protecting the natural resources of the bayfront. However, the LUP and the IP lack specific policies that define and protect wetlands or limit permitted uses in wetlands consistent with Section 30233 of the Coastal Act. The plan does not require mitigation for impacts to sensitive habitat, require buffers between development and sensitive resources, or prohibit the use of invasive plants, pesticides and rodenticides. In addition, many of the LCP policies are phrased as suggestions, rather than mandatory requirements.

Suggested Modification #1 requires the addition of a revised Environmental Resources Map that identifies ESHA based on the studies done in the Environmental Impact Report for the CVBMP. Suggested Modification #55 adds a new policy defining ESHA. In addition, Suggested Modification #10, #55, 56, #57, #129, and #131 add a substantial number of new policies designed to ensure that both wetlands and ESHA are protected. These policies include defining permitted uses allowed in wetlands; requiring that only uses dependent on sensitive resources be allowed within those areas, defining requirements for buffers from sensitive habitat, requiring specific mitigation when impacts are permitted, and prohibiting the use of insecticides, herbicides, rodenticides or any toxic chemical substance which has the potential to significantly degrade habitat areas. Suggested Modification #59 adds detailed and specific water quality standards to the LUP to ensure that long-term protection and enhancement of water quality is provided through watershed planning and requirements that new development implement water quality protection policies. The Commission's ecologist has reviewed the LUP and

visited the Chula Vista bayfront, and determined that as modified, the LUP is consistent with the natural resource protection policies of the Coastal Act.

- **Public Access**

The proposed CVBMP includes many roadway improvements that are expected to maintain or increase public access and circulation to and around the bayfront, most of which will occur within the Port District, but all of which will directly affect public mobility within City boundaries. Nevertheless, the scale and density of development proposed in this amendment request raises the potential for adverse impacts upon traffic that could result in impediments to public access. To address traffic and circulation impacts, the LUP includes adoption of a Public Access Plan (PAP) (also part of the companion Port Master Plan Amendment; see attachment to that submittal), that requires implementation of a shuttle service that will service the master plan area with a key focus on connecting general users to and from: downtown areas east of I-5, the resort conference center, the Pacifica residential project, park areas, and the City's existing trolley stops. The plan also includes parking reduction demand strategies. However, at the time the LCP was submitted, this plan was only in draft form, and the final Access Plan has not been incorporated into the LCP. In addition, there are several circulation element policies in the LUP and IP that are inconsistent with the goals of the final Access Plan.

Suggested Modification #23 revises proposed Policy AC.6.A, and Suggested Modification #s27 and #28 add new language to the plan to reflect the current status of the Access Plan and incorporate the final plan as a required policy document and attachment to the LUP. Suggested modifications #29 – #31 revise the LUP policies on shuttle service requirements to be consistent with the final Access Plan. While traffic on the adjacent I-5 corridor is expected to increase as a result of the plan, public access to the shoreline will be maintained and enhanced by the provision of road improvements and the attraction of visitor-serving uses proposed in the LCP.

- **Recreation and Protection of Priority Uses**

The LUP provides for one new 250-room hotel. It is unknown at this time what the room rates for the proposed hotel will be; however, it is reasonable to assume that a new bay view hotel will be moderate to high cost. At this time, the City of Chula Vista has demonstrated that there are a large number of low and moderate cost hotels and motels near the shoreline in Chula Vista (although not actually within the Coastal Zone). Nevertheless, in order to ensure that a range of accommodations continue to be available in the region, there should be policies in the LUP that require that where a new hotel or motel development would consist of entirely high cost overnight accommodations, the City should do a supply/demand analysis within the Chula Vista Master Plan and South Bay area, to determine whether in-lieu fees or comparable mitigation should be required as a condition of approval for a coastal development permit.

Therefore, suggested modifications require that in order to ensure that a range of overnight accommodations continue to be available in the region, where a new hotel or

motel development would consist of entirely high cost overnight accommodations, in-lieu fees or comparable mitigation may be required as a condition of approval for a coastal development permit. Suggested modifications also prohibit Limited Use Overnight Visitor Serving Accommodations within the Visitor Commercial designated land areas within the coastal zone and add a policy permitting short-term vacation rentals in all residential zones consistent with City code enforcement regulations (reference Suggested Modification #12).

SUMMARY OF AMENDMENT REQUEST

The City's existing certified LCP covers the portion of the Chula Vista bayfront west of Interstate 5 to the mean high tide line where Port jurisdiction begins, from the Sweetwater Marsh unit of the San Diego Bay National Wildlife Refuge south to Palomar Avenue. The LCP contains land use and zoning designations as well as specific planning policies and regulations for the entire LCP area, but the majority of the certified LCP's focus is the northern portion of the planning area identified as the MidBayfront area. The certified LCP provides for the development of approximately 1,000 residential units; 1,906,000 sq.ft. of visitor commercial, (including 1,860 hotel rooms); 60,000 sq.ft. of professional/office; and 75,000 sq.ft. of cultural arts development in this area located south of the Refuge.

The proposed LUP and IP Amendment essentially replace the existing certified LCP. Since the time the existing LCP was certified, the City and Port have undertaken a joint planning effort to develop a long-term, comprehensive plan for the Chula Vista bayfront encompassing both City and Port lands, and the land previously occupied by the now decommissioned South Bay Power Plant. The Chula Vista Bayfront Master Plan (CVBMP) is one of the largest land use plan and specific development proposals ever undertaken in the County of San Diego. The CVBMP is intended to guide development of an approximately 556-acre planning area covering 497 acres of land and 59 acres of water area over the next 24 years. The CVBMP, which includes both the Port's and the City of Chula Vista's land use jurisdiction, is divided into three geographic segments for planning purposes—the northernmost segment is the Sweetwater District, the middle segment is the Harbor District, and the southern segment is the Otay District. The proposed LCP amendment similarly organizes the LCP planning area into these three subsections.

The CVBMP includes a land swap removing approximately 97 acres of privately owned land at the north end of the bayfront from the City's land use jurisdiction and placing it into the Port's trusteeship and permitting jurisdiction, and removing approximately 33 acres of land from the Port Master Plan and the public trust and converting it to City land use jurisdiction and incorporating it into the City's LCP. The newly acquired area in City jurisdiction is located on the northeast corner of J Street and Marina Parkway, immediately across the street from the Chula Vista Harbor and Marina.

As a result of the land swap, only a relatively small portion of the City's LCP land area is included within the boundaries of the CVBMP; the bulk of the CVBMP area is contained within the Port's jurisdiction. However, the proposed amendment includes new and

revised policies that would apply to development located anywhere within the LCP boundaries, as well as some policies that apply only to specific areas within and outside of the CVBMP boundaries. LUP policies address circulation, public access, parking, public views, visual quality, landscaping, building heights, visitor-serving uses, wetlands, environmentally sensitive habitat, and runoff. IP policies include coastal development permit procedures, land use zones, development intensity and height, infrastructure, parking, environmental management, water quality, and infrastructure financing and funding.

Although both the City's Land Use Plan policies and the Implementation Plan policies are being substantially revised and expanded, the majority of parcels within the LCP will retain their existing land use and zoning designations; most of which are designated for industrial or retail uses. City land use designations proposed within the CVBMP include Professional and Administrative Commercial, Open Space, Park, Quasi-Public, High-density Residential, and Visitor Commercial.

In contrast to the currently certified LUP, which concentrates density and intensity of use land on the northern portion of the bayfront (which will now be almost entirely public Port property), the proposed plan includes a specific high-density development proposal in the Harbor District, on the newly acquired land upland of the harbor. The LUP and IP contain specific requirements for development of this parcel, known as the Pacifica project, allowing for a mix of residential, retail, hotel, and office, with provisions for public accessways, plazas, and view corridors. As originally proposed, the bayward side of this development would have 1,500 residential units in eleven towers ranging in height from 80 feet to 220 feet, 45-foot high townhomes fronting Marina Parkway, and 15,000 sq.ft. of retail in 25 – 35-foot high podiums. The inland portion of the site would be developed with a 250-room hotel and up to 420,000 sq.ft. of office space in three towers ranging in height from 92 to 130 feet. (As described below, suggested modifications require certain revisions to the maximum allowed heights).

The various land swaps will require an amendment to the City's approved post-certification map, which will be reviewed at a later date.

The appropriate resolutions and motions begin on Page 8. The suggested modifications begin on Page 10. The findings for denial of the Land Use Plan Amendment as submitted and approval if modified begin on Page 72. The findings for denial of the Implementation Plan Amendment as submitted begin on Page 100. The findings for approval of the plan, if modified, begin on Page 103.

ADDITIONAL INFORMATION

Further information on the Chula Vista LCP amendment #1-11 may be obtained from Diana Lilly, Coastal Planner, at (619) 767-2370.

PART I. OVERVIEW**A. SUMMARY LCP HISTORY**

After two initial submittals which resulted in approval with suggested modifications, the Commission certified the City of Chula Vista Local Coastal Program Land Use Plan (LUP), as submitted, on March 27, 1984. On January 25, 1985, the Commission certified the bayfront LCP Implementation Program in the form of the Bayfront Specific Plan, Subdivision Ordinance, and Coastal Permit Processing Ordinance. Shortly after this certification, the City began issuing its own coastal development permits. Since the certification of the LCP, approximately ten LCP amendments have been submitted for certification by the Commission. The most significant amendment came in 1993 when the City submitted a new land use plan and bayfront specific plan and rescinded its originally certified documents. Similarly, the subject amendment would replace the existing certified Land Use Plan and Implementation Plan in their entirety.

B. STANDARD OF REVIEW

The standard of review for land use plans, or their amendments, is found in Section 30512 of the Coastal Act. This section requires the Commission to certify an LUP or LUP amendment if it finds that it meets the requirements of and conforms to Chapter 3 of the Coastal Act. Specifically, it states:

Section 30512

(c) The Commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200). Except as provided in paragraph (1) of subdivision (a), a decision to certify shall require a majority vote of the appointed membership of the Commission.

Pursuant to Section 30513 of the Coastal Act, the Commission may only reject zoning ordinances or other implementing actions, as well as their amendments, on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. The Commission shall take action by a majority vote of the Commissioners present. (14 CCR § 13542.)

In those cases when a local government approves implementing ordinances in association with a land use plan amendment and both are submitted to the Commission for certification as part of one LCP amendment, pursuant to Section 13542(c) of the Commission's regulations, the standard of review of the implementing actions shall be the land use plan most recently certified by the Commission. Thus, if the proposed land use plan amendment is conditionally certified subject to local government acceptance of the suggested modifications, the standard of review shall be the conditionally certified land use plan.

C. PUBLIC PARTICIPATION

Section 30503 of the Coastal Act requires local governments to provide the public with maximum opportunities to participate in the development of the LCP amendment prior to its submittal to the Commission for review. The City has held Planning Commission and City Council meetings with regard to the subject amendment request. All of those local hearings were duly noticed to the public. Notice of the subject amendment has been distributed to all known interested parties.

PART II. LOCAL COASTAL PROGRAM SUBMITTAL - RESOLUTIONS

Following a public hearing, staff recommends the Commission adopt the following resolutions and findings. The appropriate motion to introduce the resolution and a staff recommendation are provided just prior to each resolution.

- I. MOTION I:** *I move that the Commission certify Land Use Plan Amendment 1-11 for the City of Chula Vista as submitted.*

STAFF RECOMMENDATION OF DENIAL OF CERTIFICATION:

Staff recommends a **NO** vote on the motion. Failure of this motion will result in denial of the land use plan amendment as resubmitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO DENY CERTIFICATION OF LAND USE PLAN AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the Land Use Plan Amendment for the City of Chula Vista as submitted and finds for the reasons discussed below that the submitted Land Use Plan Amendment fails to meet the requirements of and does not conform to the policies of Chapter 3 of the California Coastal Act. Certification of the plan would not comply with the California Environmental Quality Act because there are feasible alternatives or mitigation measures that would substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

- II. MOTION II:** *I move that the Commission certify Land Use Plan Amendment 1-11 for the City of Chula Vista if modified in accordance with the suggested changes set forth in the staff report.*

STAFF RECOMMENDATION: CERTIFICATION IF MODIFIED AS SUGGESTED:

Staff recommends a **YES** vote on the motion. Passage of the motion will result in certification with suggested modifications of the submitted land use plan amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

RESOLUTION TO CERTIFY SUBMITTED LAND USE PLAN AMENDMENT IF MODIFIED AS SUGGESTED:

Subject to the following modifications, the Commission hereby certifies the Land Use Plan Amendment for the City of Chula Vista and finds for the reasons discussed herein that, if modified as suggested below, the submitted Land Use Plan Amendment will meet the requirements of and conform to the policies of Chapter 3 of the California Coastal Act. Certification of the plan if modified as suggested below complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no further feasible alternatives or mitigation measures which could substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.

III. MOTION III: *I move that the Commission reject Implementation Program Amendment 1-11 for the City of Chula Vista as submitted.***STAFF RECOMMENDATION OF REJECTION:**

Staff recommends a **YES** vote. Passage of this motion will result in rejection of Implementation Program Amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM AMENDMENT AS SUBMITTED:

The Commission hereby denies certification of the Implementation Program Amendment submitted for the City of Chula Vista and adopts the findings set forth below on grounds that the Implementation Program Amendment as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan as amended. Certification of the Implementation Program Amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program Amendment as submitted

IV. MOTION IV: *I move that the Commission certify Implementation Program Amendment 1-11 for the City of Chula Vista if it is modified as suggested in this staff report.*

STAFF RECOMMENDATION:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Program Amendment with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY THE IMPLEMENTATION PROGRAM AMENDMENT WITH SUGGESTED MODIFICATIONS:

The Commission hereby certifies the Implementation Program Amendment for the City of Chula Vista if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program Amendment with the suggested modifications conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan as amended. Certification of the Implementation Program Amendment if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program Amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

PART III. SUGGESTED MODIFICATIONS

Staff recommends the following suggested revisions to the proposed LCP amendment be adopted. The underlined sections represent language that the Commission suggests be added, and the ~~struck-out~~ sections represent language which the Commission suggests be deleted from the language as originally submitted.

PART III. SUGGESTED MODIFICATIONS

Staff recommends the following suggested revisions to the proposed LCP be adopted.

Land Use Plan Modifications:

The underlined sections represent language that the City of Chula Vista proposes be added to the certified LUP, and the ~~struck-out~~ sections are language the City proposes be deleted from the certified LUP. The double-underlined sections represent language the Commission suggests be added, and the ~~double-struck-out~~ sections are language which the Commission suggests be deleted from the existing plan and/or the proposed text.

1. The following proposed exhibits in the LUP shall be replaced with the new exhibits attached to this staff report as Exhibit #15: Exhibit 1 Regional Location; Exhibit 5

Land Exchange; Exhibit 7 Parcel Areas; Exhibit 8 Land Use Map; Exhibit 8a Land Exchange Development – Cross Section 1; Exhibit 8b Land Exchange Development – Cross Section 2; Exhibit 9a Circulation Map – Road and Public Transportation Network; Exhibit 9b Circulation Map – Pedestrian Network; Exhibit 9c Circulation Map – Bicycle Network; Exhibit 10 Form and Appearance Map; Exhibit 11 Utility Systems Map; Exhibit 12a Environmental Management Map; Exhibit 12b Environmental Resources Map; and Exhibit 13 LCP and CVBMP Overlap. In addition, the new Exhibit 14 Land Exchange Illustrative shall be added. These Exhibits may be re-titled as appropriate to be re-numbered sequentially.

2. On Page iii at the beginning of the LUP, the proposed LIST OF EXHIBITS shall be revised as follows:

[...]

Exhibit 12a

Exhibit 12b

Exhibit 13

Exhibit 14

3. On the unnumbered Page titled **Preface** located before Page I-1, the following definitions shall be added in alphabetical order under the **Definitions** heading:

Development: 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.

Wetland: lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.

4. On Page I-8, the following additions shall be made to the top of the page, before heading **2. Area Location and Description:**

California Coastal Commission. The LCP must be sufficiently detailed to indicate the kind, location, and intensity of land uses and the applicable resource protection

policies for development within the local coastal zone. The Land Use Plan component of the LCP must provide land use and development policies, which will ensure that development within the local coastal area will be consistent with the provisions of the Coastal Act. Both the “Objectives” and the “Policies” of the LUP are the standard of review for coastal development permits.” In addition, the LCP must contain implementing ordinances to carry out the policy provisions of the Land Use Plan. These are provided in the Chula Vista Bayfront Specific Plan, which serves as the implementation plan for the Chula Vista LCP.

Second, this LCP must be consistent with, and implement, the City of Chula Vista General Plan, which is the primary local land use and development policy document. The Bayfront Specific Plan is a component of the City’s General Plan and represents a step toward systematic implementation of the General Plan in the Bayfront.

If there is a conflict between a provision of this LCP and a provision of the General Plan, or any other City-adopted plan, resolution, or ordinance not included in the LCP, and it is not possible for the development to comply with both the LCP and such other plan, resolution or ordinance, the LCP shall control and take precedence and the development shall not be approved unless it complies with the LCP provision.

5. On Page I-12, the fourth paragraph shall be revised as follows:

Land parcels in the Sweetwater District currently zoned and designated as open space USFWS property, Parcel Area 1-g, and a portion of Parcel Area 3-k (see Exhibit 7 in Section III.A) are planned to remain as open space and the City Park (Parcel Area 1-f) is to remain zoned and designated as Parks and Recreation. Thoroughfare and visitor commercial uses have been developed along Bay Boulevard, between “E” Street and “F” Street. South of “F” Street, the Goodrich corporate headquarters and industrial facility extend to “H” Street. The South Bay Power Plant and smaller industrial users are located south of “J” Street to Palomar Street. In addition to these areas located west of I-5, one parcel east of the freeway is within the Bayfront and LCP Planning Area and is known as the Faivre Street Inland Area. This inland parcel is located south of the western end of Faivre Street and is currently used as a lumber yard distribution facility and open space.

6. On Page I-13, the second paragraph under the heading Subarea 3 Otay District, shall be revised as follows:

This subarea also consists of the small southern inland parcel on Faivre Street annexed to the City from the County of San Diego in 1985. This parcel is located adjacent to wetlands associated with the Otay River. The undeveloped portion of the property characterized by native habitat is zoned and designated as Open Space.

7. On Page II-3, the first paragraph under b. Existing Conditions, shall be corrected as follows:

There is currently limited physical, public access to Chula Vista's shoreline. The only direct public access to the bay is outside the LCP Planning Area on Port property. This includes a boat launch, marina, and park that are located off the westerly extension of "J" Street. Also on Port property is a park and public beach located immediately west of the Goodrich facility. Public access is also provided via a shuttle bus that serves the Chula Vista Nature Center, located on Gunpowder Point, and within the boundaries of the National Wildlife Refuge.

8. On Page II-6, the first proposed (not struck-out) paragraph on the page under Plan Provisions, shall be revised as follows:

Wildlife populations (primarily birds) using the National Wildlife Refuge will be protected from physical and visual intrusion by (1) implementing the arrangement of uses resulting from the land exchange depicted in the Land Use Plan, including the placement of more intensive land uses farther from environmentally sensitive areas such as the National Wildlife Refuge and the incorporation of buffer zones and other adjacency measures around sensitive habitat, and (2) through siting and design of buildings according to the design and environmental protection requirements of the LCP.

9. On Page II-7, the first section at the top of the page, c. Plan Provisions, shall be revised as follows:

~~Except as permitted by the Coastal Commission, no~~ No significant diking, dredging, or filling of wetlands is associated with the development concept within this LCP. As noted above, the Land Use Plan provides for the major restoration and enhancement of wetlands, primarily areas of severely degraded wetlands within the National Wildlife Refuge, specifically as the "F G" Street Marsh, Gunpowder Point, and the "D" Street Fill area of the Wildlife Refuge.

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, 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:

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

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

(3) 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.

(4) 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.

(5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(6) Restoration purposes.

(7) Nature study, aquaculture, or similar resource dependent activities.

The preclusion of significant diking, dredging, or filling, beyond the limited conditions allowed by the Coastal Act, ensures consistency with these Coastal Act policies.

10. On Page II-8, the following shall be inserted immediately after c. Plan Provisions:

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.

11. On Page III-5, III-6, and III-9 the following addition shall be made to the sections **Developed Parcel Areas**, **Undeveloped Parcel Areas**, and **Land Exchange Parcel Areas** [see Exhibit #4 of staff report for map showing parcel areas]:

Developed Parcel Areas: The majority of parcel areas are currently developed. There is potential for these parcel areas to be redeveloped within the limits of the existing zoning and land use designations and provisions of the LCP; however, the existing uses of these parcel areas are expected to remain the same.

- Parcel Areas 1-b through 1-e are currently developed with commercial land uses including Anthony's Fish Grotto, Good Nite Inn, El Torito, and the Highland Partnership office building, from north to south, respectively. These parcels are zoned and designated Commercial-Thoroughfare (C-T).

- Parcel Area 1-f is a small City park. The park is accessed from “F” Street and consists of grassy landscaped areas, benches/seating areas, and parking areas. This parcel is zoned and designated Parks and Recreation (P-R).
- Parcel Area 1-g is existing open space characterized by wetlands and native habitat. There are four parcels within this area. Three of the parcels are owned by the City and one is owned by Goodrich. This area is zoned and designated as Open Space (O-S).
- Parcel Area 1-h is characterized as developed with industrial uses with a portion of the parcel as open spaces uses. This parcel is privately owned. This area is zoned and designated for Industrial- General (I-G).
- Parcel Area 1-i is characterized as developed with commercial uses with a portion of the parcel as open spaces uses. This parcel is privately owned. This area is zoned and designated for Commercial – Thoroughfare (C-T).
- Parcel Area 2-a is existing open space characterized by wetlands and native habitat. There are two parcels within this area, both of which are owned by the USFWS and encompass the “F&G” Street Marsh. This area is zoned and designated as O-S.
- Parcel Area 2-b is owned by Goodrich. The area consists of existing industrial and commercial land uses, including warehouses, office, and parking structures. The Goodrich facility has been involved in aircraft manufacturing since the early 1940s. Parcel Area 2-b became known as the Goodrich North Campus Facility following sale of the South Campus (south of “H” Street) to the Port in the late 1990s. The North Campus facility is generally bounded by Bay Boulevard to the east, Marina Parkway to the west, the Sweetwater Marsh National Wildlife Refuge to the northwest, “F” Street and the National Wildlife Refuge to the north, and “H” Street to the south. The Goodrich North Campus area is the largest ownership within the City’s jurisdiction, encompassing approximately 78 acres. The Goodrich North Campus includes three zones/land use designations: Industrial-Limited and Research (I-RL), Industrial-General (I-G), and Commercial-Professional and Administrative (C-P).
- Parcel Area 2-c is commercial land use and consists of a Pacific Trust Bank and associated parking areas. This parcel is zoned and designated as I-G.
- Parcel Area 2-d is a small retail complex, Gateway Business Park, which includes the West Marine shop, Kelly Paper, and Fleet Pride. The retail area includes parking areas and access from Bay Boulevard. This parcel is zoned and designated as I-G.
- Parcel Area 2-e is a commercial office land use that includes a National University campus. This parcel is zoned and designated as I-G.

- Parcel Area 3-b contains the Community Health Group building and associated surface parking areas located at 740 Bay Boulevard. This area is zoned and designated as I-G.
- Parcel Area 3-c contains the PIMA Medical Group building and associated surface parking areas. This area is zoned and designated as I-G.
- Parcel Area 3-d contains the LAING office building and associated surface parking areas. This area is zoned and designated as I-G.
- Parcel Area 3-e contains the Furniture Warehouse on the east side of Bay Boulevard and associated parking and loading areas. This area is zoned and designated as I-G.
- Parcel Areas 3-f, 3-g, and 3-h are currently commercial/retail and light industrial uses with various businesses such as pest control, antique sales, clothing sales, produce sales, and offices. The business complex is characterized by multiple single-story buildings, storefronts, loading docks, and parking areas. These areas are zoned and designated as I-G.
- Parcel Area 3-i consists of the Bayside Business Park with several different leasers. This area is zoned and designated as I-G.
- Parcel Area 3-j includes the Grainger building. This area is zoned and designated as I-RL.
- Parcel Area 3-k consists of the Faivre Street industrial area. This area includes industrial land uses in addition to some undeveloped areas within the floodplain of the Otay River. This area was annexed from the County of San Diego and contained the County's zoning of Manufacturing with a floodplain overlay (M-54). In the late 1990s, the M-54 zoning designation was changed to the City's Industrial-Limited (I-L) zone and the floodplain overlay in the City's General Plan was changed to the O-S land use designation.

Undeveloped Parcel Areas: A few parcel areas, which are currently undeveloped, are also within the LCP Planning Area and have the potential for development within the limits of the designated zoning and land use provisions of the LCP.

- Parcel Area 1-a is owned by the City. The land is currently vacant and is zoned and designated as C-P. The parcel is located just north of "E" Street and west of a freeway off-ramp. A portion of the property is under the jurisdiction of the California Department of Transportation (Caltrans) and is not included in the LCP Planning Area. The portion of the property located outside the Caltrans area is approximately 5 acres and is planned for office development in the CVBMP. This parcel has restricted access.

- Parcel Area 2-g is owned by the City of Chula Vista. This site has an area of 1.81 acres; it is currently vacant and is designated as Public/Quasi-Public (P-Q). This site is planned for construction of Chula Vista Fire Station Number 11.
- Parcel Area 3-a includes a surface parking lot adjacent to “J” Street and undeveloped lands located between Bay Boulevard and I-5 south of “J” Street. These parcels have the potential for additional development based on existing zoning. The surface parking lot parcel is currently zoned and designated as C-V. The remaining parcels in Parcel Area 3-a are zoned and designated I-G.
- Parcel Area 3-l includes approximately 18 acres of land previously disturbed and currently vacant. It is currently under the ownership of SDG&E and the Port District and it could potentially be used for the relocation of the electrical substation. Parcel Area 3-l is zoned and designated I-G.

Land Exchange Parcel Areas: Four parcel areas have been transferred to a private entity as a part of the land exchange with the Port. These parcel areas are located in the Harbor District and have a specific proposal for development per the CVBMP. Please see Exhibit 8a and 8b for the permitted height and massing of the proposed private development. Also please refer to Table 3-2 for permitted development intensity, as well as the Subarea 2 Harbor District section for special conditions including height limitations.

- Parcel Area 2-f is currently undeveloped land and includes CVBMP Parcels H-13 and H-14. This parcel area is zoned and designated as Residential-Mixed Harbor District (R-MH).
- Parcel Area 2-h consists of industrial properties that were previously part of the Goodrich South Campus and includes CVBMP Parcel H-15. This parcel area includes two zoning/land use categories: the southern portion is zoned and designated as Commercial-Visitor (C-V) and the northern portion is zoned and designated C-P.

12. On Page III-10, the following additions shall be made under *Objective LU.5*:

Objective LU.5.5 Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided.

Policy LU.5.5.A Visitor Commercial designated land that supports visitor serving commercial land uses and activities, such as hotels/motels, entertainment attractions, restaurants, and shopping within the City of Chula Vista shall be encouraged and provided. Visitor-serving commercial areas have been and shall be designated in the vicinity of primary coastal access routes, particularly in proximity to the bay. Development standards for the Visitor Commercial designation shall

encourage pedestrian activity through the design and location of building frontages and parking provisions. Visitor serving commercial uses shall fit the character and scale of the surrounding community.

Policy LU.5.5.B Public recreational facilities to support both local resident and visitor needs within the City of Chula Vista shall be encouraged and provided.

Policy LU.5.5.C Existing land planned and zoned for Visitor and Thoroughfare Commercial retail and services, and visitor serving commercial land uses located along major transportation routes and freeway intersections, shall be maintained and protected.

Policy LU.5.5.D Limited Use Overnight Visitor Serving Accommodations (e.g., Fractional ownership condominium hotels and timeshares) shall be prohibited within the Visitor Commercial designated land areas within the coastal zone.

Policy LU.5.5.E Lower cost visitor and recreational facilities shall be protected, encouraged and provided where feasible. Priority shall be given to the development of visitor serving and commercial recreational facilities designed to enhance public opportunities for coastal recreation over private residential, general industrial, or general commercial development. A range of room types, sizes, and room prices should be provided in order to serve a variety of income ranges. On land designated Commercial Visitor, only Commercial Visitor uses shall be permitted.

Policy LU.5.5.F Short-term vacation rentals are permitted in all residential zones consistent with City code enforcement regulations. A short-term vacation rental is rental of any portion of a building in a residential district for 1 to 30 consecutive days regardless of building size, including multiple-family buildings, duplexes, and single-family residences.

Policy LU.5.5.G Where a new hotel or motel development would consist of entirely high cost overnight accommodations, after thorough consideration of a supply/demand analysis within the Chula Vista Bayfront Master Plan and South Bay area, in-lieu fees or comparable mitigation may be required as a condition of approval for a coastal development permit, to ensure a range of overnight accommodations are provided within the Chula Vista Bayfront Master Plan and South Bay area. High cost is defined as those hotels with daily room rates 25% higher than the statewide average for coastal areas.

The mitigation payment would be to provide funding for the establishment of lower cost overnight visitor accommodations within the City of Chula Vista or South Bay coastal area. The monies and accrued interest shall be used for the above-stated purpose, in consultation with the CCC Executive Director. Any development funded by this account will require review and approval by the Executive Director of the Coastal Commission and a coastal development permit.

Policy LU.5.5.H: If removal or conversion of lower or moderate cost overnight accommodations is proposed in the City's coastal zone, the inventory shall be replaced with units that are of comparable cost with the existing units to be removed or converted. The City shall proactively work with hotel/motel operators and offer incentives to maintain and renovate existing properties.

If replacement of lower or moderate cost units is not proposed (either on-site or elsewhere in the City within 5 miles of the coast), then the new development shall be required to pay, as a condition of approval for a coastal development permit, a mitigation payment to provide significant funding for the establishment of lower cost overnight visitor accommodations within Chula Vista, preferably, or within South San Diego County, for each of the low or moderate units removed/converted on a 1:1 basis.

13. On Page III-10, the following additions shall be made after Policy LU.6.A:

Objective LU.6.5 Ensure telecommunications facilities are planned and integrated into Bayfront consistent with the visual and environmental goals of the LCP.

Policy LU.6.5.A Communication processing, storage, and transmission facilities, and lines shall be sited, designed, and operated to avoid, or minimize impacts to ESHA, and scenic resources consistent with all provisions of the LCP. No facility can be located within an area mapped as ESHA. If there is no feasible alternative that can eliminate all impacts, the alternative that would result in the fewest or least impacts shall be selected.

Policy LU.6.5.B All facilities and related support structures shall be sited, designed, and operated to minimize visibility from public viewing areas. Co-location of facilities is required where feasible to avoid the impacts of facility proliferation, and inoperable facilities shall be removed.

Policy LU.6.5.C New communication transmission lines shall be sited and designed to be located underground, except where it would present or contribute

to geologic hazards. All facilities should place support facilities underground, where feasible. Existing communication transmission lines should be relocated underground when they are replaced or when funding for undergrounding is available.

Policy LU.6.5.D Any application for the placement, construction and/or modification of personal wireless telecommunication service facility shall include a report, prepared by an appropriately licensed wireless telecommunication service facility engineer/technician, that documents whether or not the proposed facility is necessary to fill a significant gap in the service-provider applicant's service network.

14. On Page III-13, the following addition shall be made to the last proposed paragraph on the page:

Residential – Mixed Harbor District (R-MH). This land use zone and designation refers to residential areas in the Harbor District with a mix of residential units including high-rise and mid-rise development (as defined below) within combined or separate building structures. Residential uses include multiple-family dwellings in clusters of varying size and configuration to provide a range of housing types. Retail uses will be included at the street level to create a village atmosphere and pedestrian-friendly area.

15. On Page III-15, the following revisions shall be made to the proposed new Commercial – Visitor (C-V) paragraph in the middle of the page:

Commercial – Visitor (C-V). This land use ~~zone~~ designation provides uses for the needs of tourists, travelers, and local residents. This use is primarily located in proximity to the freeway. The regulations of this ~~zone~~ designation 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. Permitted uses include:

1. Hotels and inns

2. Retail, including:

- Restaurants with a cocktail lounge as an integral part;
- Art galleries;
- Retail shops;
- Parking garages;
- Bonafide antique shops;
- Markets;
- Restaurants and snack bars;
- Service businesses; and
- Any other establishment serving visitors determined to be of the same general character as the above-permitted uses.

Allocation: approximately 6 acres.

16. Starting with the last proposed new paragraph on Page III-15 and continuing through to Page III-17, the following additions shall be made:

Commercial – Thoroughfare (C-T). This land use ~~zone~~ designation includes primarily motel and restaurant facilities similar to the existing developments that principally serve auto- oriented traffic ~~and require clear visibility from the I-5 corridor.~~ Additional permitted uses would include gas stations and similar traveler-oriented goods and services. Land uses not permitted within this designation (except as noted below for tourist oriented development) are those that would principally serve pedestrian traffic. These non-permitted uses include convenience retail, food and beverage retail sales, business and personal services. Allocation: approximately 42 acres. However, in order to promote high-priority visitor-serving uses, commercial retail and restaurant uses oriented towards tourist or visitor uses are permitted in the Commercial – Thoroughfare land use designation.

Commercial – Professional and Administrative (C-P). Three areas of Professional and Administrative Commercial are provided. The locations are indicated on ~~Zoning~~ Land Use Map, Exhibit 8, and include Parcel Area 1-a within the CVBMP proposed for office use, new parcels within the Harbor District, and an existing parcel within the Goodrich Parcel Area 2-b. The permitted uses include administrative office and support uses for the adjacent industrial uses. Allocation: approximately 26 acres.

INDUSTRIAL. Three types of industrial uses are designated on the ~~Zoning~~ Land Use Map: Limited, Research and Limited, and General. These land uses are confined to an area generally south of “F” Street, plus the inland parcel east of I-5. Existing uses will continue to be permitted and to expand within the limits of the LCP. Allocation: approximately 134 acres.

Industrial – Limited (I-L). This zone and land use designation includes light industrial activities (manufacturing, laboratory, wholesale businesses, storage and warehousing, etc.) and is defined by the provisions of the Chula Vista Municipal Code (CVMC) Chapter 19.44. Allocation: approximately 8 acres.

Industrial – Research and Limited (I-RL). This zone and land use designation includes research and development, light manufacturing, warehousing, and flexible use buildings that combine these uses with office. Allocation: approximately 14 acres.

Industrial – General (I-G). This zone and land use designation provides for large-scale and more intensive industrial uses such as manufacturing and public utility plants. The Goodrich facilities are within this zone. Allocation: approximately 112 acres.

PUBLIC AND OPEN SPACE. This zone and land use designation includes a variety of uses ranging from a Fire Station, landscaped parking within the SDG&E right-of-way (ROW) to the dedicated Open Space of the National Wildlife Refuge. Allocation: approximately ~~339~~ 368 acres.

Public and Open Space – Public and Quasi-Public (P-Q). This zone and land use designation provides regulations for uses in appropriate locations that are maintained by public or publicly controlled agencies such as municipal and county agencies, school districts, and utility companies (e.g., water, gas, electricity, fire station, etc.)

The site at the northeast corner of J Street and Bay Boulevard (Parcel 2g) is planned for the construction of a Chula Vista Fire Station. Portions of the SDG&E ROW within the LCP Planning Area may be physically improved at the ground level with landscaped parking areas. To encourage landscape improvements to these areas, development bonuses are permitted for projects adjacent to the ROW that implement the improvements. These bonuses allow the development to increase permitted densities and to use the ROW for parking lot expansion. Bonuses are calculated by applying the permitted land use intensity of the parcel to the adjacent portion of the ROW to be in the project and transferring this added development of the ROW onto the project site. To qualify for the bonus development, a long-term lease agreement between the project proponents and SDG&E, for parking on the ROW, is required. Any landscaped parking in the SDG&E ROW north of "F" Street shall be available on weekends and evenings for use by coastal visitors. Allocation: approximately 28 acres.¹

Public and Open Space – Parks and Recreation (P-R). This zone and land use designation refers to all physically and/or visually accessible open lands intended for local public ownership. This category includes parks to be developed for public recreation. Parks intended for passive recreational activities will be linked via continuous, publicly accessible pedestrian and bicycle trail systems. One area is zoned and designated as Parks and Recreation and consists of an existing park located within the LCP Planning Area. Allocation: approximately 1 acre.

Public and Open Space – Open Space/ Wildlife Refuge Overlay (O-S). This zone and land use designation applies to the National Wildlife Refuge, which is owned and operated by the USFWS. Uses are limited to wildlife habitat preservation and enhancement, scientific study, and educational uses. Other areas with significant habitat value that are not a part of Federal ownership are shown as Open Space without an overlay designation. In addition to the areas designated by this overlay, Section III-E, Environmental Management, provides specific policies and programs for responding to environmental resources within Parcel Area 3-k (Faivre Street). Determination and administration of permitted uses within the National Wildlife Refuge shall be the responsibility of the USFWS with Coastal Commission Review. Allocation: approximately 339 acres.

¹ Approximately 12 acres are presently used for parking by Goodrich.

17. On Page III-17, the following additions shall be inserted after *Objective DI.1*:

Policy DI.1.5A Height limits shall be established by Parcel Area as follows:
[reference Staff Report Exhibit #4 for map of Parcel Areas]

Table 3-1.5: Building Height Limits by Parcel Area

<u>Parcel Area</u>	<u>Maximum Building Height from Pad (feet)*</u>
<u>Sweetwater District</u>	
<u>1-a</u>	<u>44</u>
<u>1-b</u>	<u>35</u>
<u>1-c</u>	<u>35</u>
<u>1-d</u>	<u>35</u>
<u>1-e</u>	<u>35</u>
<u>1-f</u>	<u>30</u>
<u>1-g¹</u>	<u>0</u>
<u>1-h</u>	<u>44</u>
<u>1-i</u>	<u>44</u>
<u>Harbor District</u>	
<u>2-a</u>	<u>0</u>
<u>2-b²</u>	<u>44-95</u>
<u>2-c</u>	<u>44</u>
<u>2-d</u>	<u>44</u>
<u>2-e</u>	<u>44</u>
<u>2-f⁴</u>	<u>200</u>
<u>2-g³</u>	<u>30⁵</u>
<u>2-h⁴</u>	<u>140</u>
<u>Otay District</u>	
<u>3-a³</u>	<u>30⁵</u>
<u>3-b</u>	<u>44</u>
<u>3-c</u>	<u>44</u>
<u>3-d</u>	<u>44</u>
<u>3-e</u>	<u>44</u>
<u>3-f</u>	<u>44</u>
<u>3-g</u>	<u>44</u>
<u>3-h</u>	<u>44</u>
<u>3-i</u>	<u>44</u>
<u>3-j</u>	<u>44</u>

<u>Parcel Area</u>	<u>Maximum Building Height from Pad (feet)*</u>
<u>3-k</u>	<u>45</u>

*All heights as measured from finished grade. Building pads shall not be raised from existing grade more than 8 feet.

Notes:

1.Parcel Area 1-g is zoned and designated Open Space; therefore the building height limit is 0 feet.

2.Specific requirements for minimum setbacks from F Street, the F&G Marsh and the SDG&E right-of-way to protect public access, public views, environmental quality, and provide landscaping to soften views of the structures are contained in the Specific Plan for the portion of Parcel Area 2b located south of F Street and west of the SDG&E ROW (19.85.012 Special Condition A). Compliance with these requirements may result in approval of structures up to 95 feet in height.

3.Specific requirements for development standards for building setbacks from J Street, Bay Boulevard, adjacent to Interstate 5, and from the intersection of J Street and Bay Boulevard to maintain and enhance view corridors, are contained in the Specific Plan for Parcel Areas 2-g and 3a (19.85.012 Special Condition B).

4.Specific requirements for development standards for building setbacks from J Street, Bay Boulevard, view corridor requirements, and building coverage, are contained in the Specific Plan for Parcel Areas 2-h and 2-f (19.85.012 Special Condition 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.

18. On Page III-26, the following new policy shall be added after Policy AC.2.A:

Policy AC.2.B The Port and the City shall participate in a multi-jurisdictional effort conducted by Caltrans and SANDAG to assist in developing a detailed I-5 corridor-level study that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources, and phasing that would reduce congestion ~~management~~ and improve traffic management consistent with Caltrans standards on the I-5 South corridor from the SR-54 interchange to the Otay River. Local funding sources identified in the Plan shall include fair-share contributions related to private and/or public development

based on nexus, as well as other mechanisms. The I-5 corridor segment lies within the LCP planning area and is shown on the City's circulation system. Any alterations to the I-5 segment or associated improvements that impact wetlands or ESHA shall be limited to incidental public services in the wetlands context or resource dependent activities in the ESHA context and shall be subject to approval of an LCPA by the Coastal Commission.

19. On Page III-26, the proposed Policy AC.2 shall be revised as follows:

Policy AC.2.~~BC~~ Circulation facilities shall be designed, constructed, and maintained according to State and local standards to ensure that safe and efficient circulation systems are provided. The protection of sensitive habitats may require roadways to be built to lesser standards in order to reduce environmental impacts, ~~provided that such reduced standards do not threaten public safety~~ and preserve wetlands and ESHA.

20. On Page III-26, the proposed Objective AC.4 shall be revised as follows:

Objective AC.3 ~~AC.4~~ Route and design roadways in a manner which ~~minimizes~~ avoids adverse ~~effects on valuable marshlands~~ impacts to wetlands, protects lands with high recreation value, and avoids fragmentation of developable lands into inadequately sized or located parcels.

21. On Page III-26, the proposed Policy AC.4.A shall be revised as follows:

Policy AC.3.A ~~AC.4.A~~ Major roadways shall follow the alignments depicted on ~~Exhibit 5, Page II 12, in Exhibit 9a, which have been carefully determined with regard to~~ consistent with the Objective.

22. On Page III-27, the following new policy shall be inserted after the proposed Policy AC.5:

Policy AC.5.A Major employment, retail, and entertainment districts and major coastal recreational areas should be well served by public transit and easily accessible to pedestrians and bicyclists. Residential, commercial, and recreational uses should be located in relationship to each other so as to encourage walking, bicycling, and transit ridership.

23. On Page III-27, the proposed Policy AC.6.A shall be revised as follows:

Policy ~~AC.5.A~~ AC.6.A A comprehensive Transit Service Plan Public Access Plan (PAP) shall be has been prepared and approved for the CVBMP and is

incorporated herein, for the Midbayfront development as a part of the “master plan.” The plan shall address the use of private intraproject transit, as well as connection/coordinate with public bus and trolley transit services. The plan shall demonstrate that public/private transit services provide a viable alternative to private vehicles for access and travel within the Midbayfront bayfront area, provides for a pedestrian circulation plan, integration of the Bayshore Bikeway, public transit linkages, implementation of a new Chula Vista Bayfront public shuttle, roadway improvements, and parking requirements.

24. On Page III-27, the following new policy shall be inserted after the proposed Policy AC.6.A:

Policy AC.6.B New commercial and higher density residential development shall be located and designed to facilitate provision or extension of transit service to the development and must provide non-automobile circulation within the development to the extent feasible. Higher density and mixed-use residential development shall be encouraged within walking distance of the trolley stations, adjacent to major employment centers; along high-frequency bus routes, and at intersections of major bus routes. Residential density adjacent to commercial development should be sufficient to support neighborhood serving businesses.

25. On Page III-28, the proposed Policy AC.9.F shall be revised as follows:

Policy AC.9.F For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including (for example) showers, lockers, locked bicycle storage or covered or indoor bicycle parking.

26. On Page III-30, the proposed Policy RI.1.K shall be revised as follows:

Policy RI.1.K Additional access shall be constructed to the Bayfront from the I-5 off-ramps, including (1) an exclusive southbound right-turn lane for the “E” Street/I-5 southbound off-ramp and (2) an exclusive southbound right-turn lane for the “H” Street/I-5 southbound off-ramps. This access shall not be permitted to impact wetlands.

27. On Page III-31, the second paragraph under **4. Public Transit Objective/Policies**, shall be revised as follows:

There are ~~three~~ two major public transit objectives for the Bayfront: ~~They are~~ (1) maximize use of the two trolley stops adjacent to the Bayfront area and (2) provide future shuttle bus service to interconnect the Bayfront with the trolley stations and the adjacent community and 3) ~~the development of privately supported jitneys serving~~

~~concentrated employment centers such as Rohr, Inc. and the proposed destination resort/hotel conference facilities within the Midbayfront. As noted above, a comprehensive Chula Vista Bayfront Master Plan Public Access Program (PAP) has been developed, and is herein incorporated by reference. The Plan provides for a pedestrian circulation plan, integration of the Bayshore Bikeway, public transit linkages, implementation of a new Chula Vista Bayfront public shuttle, roadway improvements, and parking requirements.~~

28. On Page III-31 continuing onto Page III-32, the proposed Objective PT.2 shall be revised as follows:

Objective PT.2 Use of public transit services by visitors and residents of the Bayfront ~~should~~ shall be promoted and private ~~transit~~ shuttle services ~~should~~ shall be encouraged where feasible.

The Port and City shall explore the operating and funding potential for ~~a~~ the shuttle service that ~~would~~ will link various destinations within the western portions of Chula Vista, including the Chula Vista Bayfront plan area as described in the Public Access Plan.

29. On Page III-32, proposed Policy PT.2.D shall be revised as follows:

Policy PT.2.D Plan the initial general route of the transit shuttle to travel along Third Avenue between F Street and H Street, along F Street between Woodlawn Avenue and Third Avenue, along Woodlawn Avenue between E Street and F Street, along E Street, Marina Parkway, Street C, and Street A within the Bayfront development area, and along H Street between the Bayfront and Third Avenue.

30. On Page III-32, proposed Policy PT.2.F shall be revised as follows:

Policy PT.2F ~~Plan for shuttles to run every 15 to 30 minutes depending upon ridership and funding availability.~~ To initially encourage public use of the shuttle, shuttles would typically run every 15 minutes. After the shuttle service has been established, it may be prudent to reevaluate shuttle frequency based on the ridership that is achieved to determine changes in headways.

31. On Page III-32, the following new policy shall be added after proposed Policy PT.2.F:

Policy PT.2.G Shuttle service shall be phased concurrent with development. At a minimum, service shall be provided upon the issuance of certificate of occupancy for either the H-3 resort conference center hotel or the

500th residential unit in the City of Chula Vista Bayfront. Additional stops shall be provided at the Signature Park, the Recreational Vehicle Park, and the Park in Otay District as these uses are developed.

32. Starting on Page III-32 and continuing to Page III-32, proposed policy Objective PB.1 and proposed Policy PB.1.A shall be revised as followed:

Objective PB.1 Pedestrian access to the shoreline ~~should~~ shall be provided as well as bicycle routes for alternative access and circulation within the Bayfront area.

Policy PB.1.A Existing bikeway corridors along roads and highways ~~should~~ shall be upgraded, as feasible, to reduce, minimize or eliminate any potential hazards between motor vehicles and bicycles, consistent with sensitive environmental resource and visual resource protection policies. Improvements to any roadway containing a bikeway ~~should~~ shall not adversely affect the provision of bicycle use, to the extent feasible.

33. On Page III-34, proposed Objective PK.1 shall be revised as follows:

Objective PK.1 ~~Provide a~~ Adequate parking ~~should~~ shall be provided for all developed uses in the Bayfront, including parking for all public, park, and open space uses in the Bayfront. Parking should be provided in an efficient manner, sharing spaces among uses when practical, and in a manner that does not intrude upon the scenic qualities of the Bayfront. Parking within the SDG&E ROW parcels should be provided to meet parking requirements, provided the ROW parking is landscaped to improve the overall appearance of the Bayfront, while preserving public views to the Bay.

34. On Page III-34, proposed Policy PK.1.B shall be revised as follows:

Policy PK.1.B Adequate parking ~~should~~ shall be provided to serve coastal access and recreation uses. Existing parking areas serving recreational uses may not be displaced unless a comparable replacement area is provided.

35. On Page III-35, proposed Policy PK.1.D shall be revised as follows:

Policy PK.1.BD Bicycle parking spaces shall 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.:

[...]

Residential in Harbor: bicycle racks shall be provided for 5 percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack.

36. On Page III-36, proposed Policy PK.1.G shall be deleted:

~~Policy PK.1.A-PK.1.G In order to maintain views from the major roadways to the shoreline and major development sites, street side parking shall not be permitted along any of the major roadways identified in the Circulation Plan, including Marina Parkway, Tideland Avenue, “E” Street, “F” Street, Lagoon Drive, or Bay Boulevard.~~

37. On Page III-37, proposed Policy PK.1.I shall be revised as followed:

Policy ~~PK.5.A~~PK.1.I Where parking is incorporated into the SDG&E ROW, ~~through the use of bonus provisions of the plan,~~ the parking areas shall be landscaped with a perimeter planting of trees and ground cover. The tree planting will be tightly spaced to provide a dense canopy at eye level. Tree species will be limited to those that will not interfere with the overhead power lines and trimmed as necessary to meet standards of SDG&E. Due to environmental management requirements, this policy does not apply to Subarea 1: Sweetwater District. Tree plantings shall not encroach into identified view corridors.

38. On Page III-38, proposed Objective FA.2, Policies FA.2.A and FA.2.B shall be revised as follows:

Objective FA.2 Improvements to the public realm ~~should~~ shall be made in conjunction with improvements to individual parcels through private development.

Policy FA.2.A Concurrent with the preparation of Phase I infrastructure design plans for E and H Streets, a Gateway plan shall be prepared for E and H Streets. Prior to issuance of occupancy for any projects within the Port’s jurisdiction in Phase I, the E and H Street Gateway plan shall be approved by the Port and City’s Directors of Planning and Building. The E and H Street Gateway plan shall be coordinated with the Gateway plan for J Street. All Gateway plans must conform with the setback policies and height limits in the LUP.

Policy FA.2.B Concurrent with development of Parcel 2f, the applicant shall submit a Gateway plan for J Street for City Design Review consideration. Prior to issuance of any building permits, the J Street Gateway plan shall be approved by the Director of Planning and Building in coordination

with the Port's Director of Planning. The J Street Gateway plan shall be coordinated with the Gateway plan for E and H Streets. Further policies guiding Gateway design are provided in the following section (III.C.3) All Gateway plans must conform with the setback policies and height limits in the LUP.

39. On Page III-38, proposed Policy FA.2.F shall be revised as follows:

Policy FA.2.F Prior to issuance of Coastal Development Permits for projects within the City's jurisdiction, the project developer shall ensure that design plans for any large scale projects (greater than two stories in height) shall incorporate standard design techniques such as articulated facades, distributed building massing, horizontal banding, stepping back of buildings, and varied color schemes to separate the building base from its upper elevation and color changes such that vertical elements are interrupted and smaller scale massing implemented. These plans shall be implemented for large project components to diminish imposing building edges, monotonous facades and straight-edge building rooflines and profiles, and to avoid the appearance or effect of "walling off" the bayfront. ~~This shall be done to the satisfaction of the City of Chula Vista Planning Director.~~

40. On Page III-40, proposed Policy FA.3.E shall be corrected as follows:

Policy FA.3.E In addition to the wetlands ~~setback~~ buffer policies ~~(S2.C1E)~~ (EM.1.E.2 & 3) and building height policies ~~(S2.C1E)~~ (DI.1.5A) of this Land Use Plan, the Bayfront Specific Plan shall establish building setbacks from public streets and lot boundaries to ensure appropriate building placement.

41. The single paragraph on Page III-42 shall be revised as follows:

To promote these objectives and policies, ~~the Form and Appearance provisions of the Land Use Plan acknowledge~~ three major components have been identified that comprise the physical form of the area: (1) natural resource areas to be preserved; (2) an accessible open space system including walkways, bicycle ways, and park areas; and (3) development units having common usage and/or qualities, which should be treated as distinctive, but closely interrelated, visual entities. To reinforce the physical quality of these three components, the Form and Appearance Map, ~~Exhibit 7, Page III —>~~ Exhibit 10, identifies ~~1) major gateways; 2) architectural edges; 3) views and 4) landscape character and function.~~ major gateways and views. These are graphically depicted on Exhibit 10, and include street end views of the Bay from D Street, E Street, F Street, L Street, and Palomar Street, and the public views of the Bay that will be created from the H Street corridor.

42. The first paragraph on Page III-44 shall be revised as follows:

Certain points of access to the Bayfront will, by use, become major entrances to the different parts of the area. A significant portion of the visitors' and users' visual impressions are influenced by conditions at these locations. Hence, special consideration ~~should~~ shall be given to roadway design, including signage and lighting, landscaping, the protection of public views, and the siting and design of adjoining structures. These special gateway locations are shown on the Form and Appearance Map, ~~Exhibit 7, Page III —>~~ Exhibit 10.

43. On Page III-44, proposed Objective GT.1 shall be revised as follows:

Objective GT.1 Gateways plans shall be established at major access points to the Bayfront area. These gateways shall enhance the sense of arrival and invitation to the Bayfront through the use of prominent landscaping and signage that protects and enhances public views to the waterfront.

44. Starting on Page III-45 and continuing onto Page III-46, proposed Policy VW.1.A shall be revised as follows:

Policy VW.1.A ~~Public views should be protected and provided from freeways, major roads, Bayfront perimeter, and high-rise residential developments.~~ Policies regarding each of these categories are provided below.

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[...]

Views from Roadways within the Site (particularly from Bay Boulevard and Marina Parkway to the marshlands, San Diego Bay, parks, and other bay-related development.) Development and activity sites shall preserve a sense of proximity to the bay and marshlands.

45. On Page III-46, proposed Policy VW.1.D shall be revised as follows:

Policy VW.1.D Buildings and structures ~~should~~ shall be sited to provide unobstructed public view corridors from the nearest scenic highway or public view corridor road. These criteria may be modified when necessary to mitigate other overriding environmental considerations such as protection of habitat or wildlife corridors.

46. On Page III-46, proposed Policy VW.1.E shall be revised as follows:

Policy VW.1.E Public views of the Bay and access along the waterfront ~~should~~ shall be provided via a proposed "Baywalk" promenade. This pedestrian path ~~would~~ will also connect to the Signature Park, and the

pathway system within the Sweetwater District, ultimately linking the two districts and “enabling viewers to experience visual contact at close range with the Bay and marshlands.”

47. On Page III-47, proposed Policy VW.1.M shall be revised as follows:

Policy VW.1.M Public v~~Views~~ Views of the Bay from ~~the D Street, E Street, F Street, L Street, and Palomar Street and E Street~~ corridors shall be preserved and public views of the Bay would be created from the H Street corridor.

48. On Page III-47, proposed Policy VW.1.N shall be revised as follows:

Policy VW.1.N There are existing public bay views from Bay Boulevard between E Street and F Street, and between L Street and Palomar Street. At the time development is proposed in these locations, the City shall identify public view corridors that will ensure public views of the bay from Bay Boulevard are protected and preserved. The City shall coordinate with the Port District to protect public views from development on parcels within the Port District’s jurisdiction.

49. On Page III-47, proposed Policy VW.3.B shall be revised as follows:

Policy VW.3.B Panoramic public views across park and open space areas to San Diego Bay ~~should~~ shall be protected and provided. Major massing of trees shall be avoided along this portion of the shoreline to protect the view. Plant species and spacing shall be selected and designed to protect and enhance public views.

50. Starting on Page III-47 on continuing to Page III-48, proposed Policy VW4.1.A shall be revised as follows:

Policy VW.4.A Signs shall be designed and located to minimize impacts to visual resources. Signs approved as part of commercial development shall be incorporated into the design of the project. Permitted monument signs shall not exceed eight feet in height. Free-standing pole or roof signs are prohibited. ~~and shall be subject to height and width limitations as set forth in Section 19.85.005 (Sign Regulations) of the Specific Plan to ensure that signs are visually compatible with surrounding areas and protect scenic views.~~

51. On Page III-49, proposed Policy LS.1.B shall be revised as follows:

Policy LS.1.B ~~Parking Area Planting~~. Automobile parking has been recognized by SDG&E as a compatible joint use of their 150-foot-wide ROW that ~~bisects~~ transects the entire Bayfront. The Port Master Plan and CVBMP also designate this ROW as a linear greenbelt. In order to diminish the visual impact of the power lines To strengthen the ground plane connection between both sides of the ROW and provide an appropriate greenbelt character, an aggressive greenbelt planting program shall be implemented ~~with parking improvements beneath the power lines~~ within the ROW. SDG&E criteria will only permit planting that can be maintained at no more than 15 feet in height, 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. This policy does not apply in Subarea 1: Sweetwater District. All landscaping will be designed to ensure that identified public view corridors are maintained.

52. On Page III-55, proposed Objective GD.1 shall be revised as follows:

Objective GD.1—~~Provide for an adequate on-site storm drainage system to preclude storm water run-off development from~~ An adequate on-site storm drainage system should shall be provided to preclude development's storm water runoff from draining directly into wetland habitat or San Diego Bay without adequate filtering of sediments and/or pollutants. The import of soil should shall be minimized to the maximum extent practicable for the protection of developable areas from flooding during the 100-year design storm.

53. On Page III-57, the last sentence of the second paragraph on the page shall be revised as follows:

The USFWS refuge lands and other open space areas, including potentially Environmental Sensitive Habitat Areas (ESHAs) are shown in the Environmental Management Map (Exhibit 12a).

54. On Page III-63, proposed Policy EM.1.D shall be corrected as follows:

Policy EM.1.D: Environmentally s~~Sensitive habitats~~ areas exist in areas not delineated, including, but not limited, to Parcel Area 3-k (Faivre Street) and the "F&G" Street Marsh, and the northern inland sites Parcel Area 1h and 1i. All environmental resources shall be analyzed by an environmental professional ~~qualified biologist or ecologist, and an Environmental Management Plan shall be adopted to protect any environmentally sensitive habitats~~ areas discovered prior to the

commencement of any additional development. Environmental resources are depicted on Exhibit 12**ab** Environmental Resources Map.

55. The following new policies shall be inserted at the top of Page 111-65, before proposed Policy EM.1.E.

Policy EM.1.D.1: Environmentally sensitive habitat area” means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. Areas that shall be considered ESHA, unless there is compelling site-specific evidence to the contrary, include, but are not limited to, the following:

- Any habitat area that is rare or especially valuable from a local, regional, or statewide basis.
- Areas that contribute to the viability of plant or animal species designated as rare, threatened, or endangered under State or Federal law.
- Areas that contribute to the viability of species designated as Fully Protected or Species of Special Concern under State law or regulations.
- Areas that contribute to the viability of plant species for which there is compelling evidence of rarity, for example, those designated by the California Native Plant Society as 1b (Rare or endangered in California and elsewhere), such as Nuttall’s scrub oak or “2” (rare, threatened or endangered in California but more common elsewhere), such as wart-stemmed Ceanothus.

Policy EM.1.D.2: New development shall be sited and designed to avoid impacts to environmentally sensitive habitat areas (ESHA). 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. These uses include enhancement/restoration work, passive recreational parks and public access or recreational facilities such as trails and bike paths integrated into the natural environment and sited and designed to preserve, and be compatible with, native habitat.

Policy EM.1.D.3: At the time of adoption of this plan, the Coastal Sage Scrub on the berm in the S-1 and S-2 parcel areas and the non-native grasslands

located in various locations within the CVBMP were not identified as ESHA. Site specific studies to assess the extent and quality of natural resources on a site will be required at the time development is proposed.

Policy EM.1.D.4: In the 1-g parcel area, a pedestrian bridge is proposed to create a linkage over a tidal inlet associated with the F and G Street Marsh. Tidal habitats should be treated as ESHA and the bridge crossing must be designed to enhance the habitat values present and reduce erosion. This bridge span must be extended and the existing incised channel slope should be cut back, reducing the slope and then creating additional salt marsh habitat on the created floodplain. Site specific studies to assess the extent and quality of natural resources at the site will be required at the time development is proposed.

Policy EM.1.D.5 Areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments are ESHAs and are generally shown on the LUP ESHA Maps. The ESHAs in the City of Chula Vista are shown on Exhibit 12b. Regardless of whether sensitive resources, including but not limited to streams or wetlands are mapped and designated as ESHA, the policies and standards in the LCP applicable to such sensitive resources shall apply.

Policy EM.1.D.6 If a site-specific biological study contains substantial evidence that an area previously mapped as ESHA does not contain habitat that meets the definition of ESHA, the City's Development Services Director shall review all available site-specific information to determine if the area in question should no longer be considered ESHA and not subject to the ESHA protection policies of the LUP. If the area is determined to be adjacent to ESHA, LUP ESHA buffer policies shall apply. If the City Council finds that an area previously mapped as ESHA does not meet the definition of ESHA, a modification shall be made to the LUP ESHA Maps, as part of an LCP map update and LCP Amendment.

Policy EM.1.D.7: New development shall be sited and designed to avoid impacts to ESHA. For development permitted pursuant to Policy EM.1.D.2, if there is no feasible alternative that can eliminate all impacts to ESHA, then the alternative that would result in the fewest or least significant impacts to ESHA shall be selected. Impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective. Mitigation shall not substitute for implementation of the

project alternative that would avoid impacts to ESHA. Mitigation for impacts to ESHA shall be provided at a 3:1 ratio.

Policy EM.1.D.8: If located in, or adjacent to, ESHA, new development shall include an inventory conducted by a qualified biologist of the plant and animal species present on the project site. If the initial inventory indicates the presence or potential for sensitive species or habitat on the project site, a detailed biological study shall be required. Sensitive species are those listed in any of three categories: federally listed, state listed, and California Native Plant Society (CNPS) categories 1B and 2.

Policy EM.1.D.9: The use of fertilizers, insecticides, herbicides, rodenticides or any toxic chemical substance which has the potential to significantly degrade ESHA, shall be prohibited within and adjacent to ESHAs, except where necessary to protect or enhance the habitat itself, such as eradication of invasive plant species, or habitat restoration. Application of such chemical substances shall not take place during the winter season or when rain is predicted within a week of application.

Policy EM.1.D.10 Development adjacent to ESHAs shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation buffer areas shall be provided around ESHAs to serve as transitional habitat and provide distance and physical barriers to human intrusion. Buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect.

Policy EM.1.D.11 All buffers around (non-wetland) ESHA shall be a minimum of 100 feet in width, or a lesser width may be approved by the City if findings are made that a lesser buffer would adequately protect the resource. However, in no case can the buffer size be reduced to less than 50 feet.

Policy EM.1.D.12: Protection of ESHA and public access shall take priority over other development standards and where there is any conflict between general development standards and ESHA and/or public access protection, the standards that are most protective of ESHA and public access shall have precedence.

Policy EM.1.D.13 Wetlands shall be defined and delineated consistent with the Coastal Act and the Coastal Commission Regulations, and shall include, but not be limited to, lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Any unmapped areas that meet

these criteria are wetlands and shall be afforded all of the protections provided for wetlands in the LUP.

Wetland shall be further defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.

Policy EM.1.D.14 Where the required initial site inventory indicates the presence or potential for wetland species or indicators, the City shall require the submittal of a detailed biological study of the site, with the addition of a delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations.

Policy EM.1.D.15 The biological productivity and the quality of wetlands shall be protected and, where feasible, restored.

56. On Page III-65, Policy EM.1.E shall be revised as follows:

~~Policy EM.1.M EM.1.E Diking, dredging, or filling of wetland areas consistent with the provisions of this environmental management plan shall be limited to the specific projects incorporated into this plan for related to the creation of new or enhanced wetlands areas. Mitigation for all disturbance of wetland areas shall be provided at a ratio of 4:1 with an approved combination of creation and enhancement and for riparian resources, 3:1 replacement for impacted areas. No other diking, dredging, or filling of wetlands or other wet environmentally sensitive habitat areas shall be permitted without prior Coastal Commission approval through the LCP amendment process.~~

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, 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:

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

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

(3) 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.

(4) 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.

(5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(6) Restoration purposes, and

(7) Nature study, aquaculture, or similar resource dependent activities.

57. On Page III-65, the following new policies shall be inserted after proposed Policy EM.1.E:

Policy EM.1.E.1 Where wetland fill or development impacts are permitted in wetlands in accordance with the Coastal Act and any applicable LCP policies, mitigation measures shall include, at a minimum, creation or substantial restoration of wetlands of the same type lost. Adverse impacts will be mitigated at a ratio of 4:1 for all types of wetland, and 3:1 for non-wetland riparian areas. At a minimum, a 1:1 new creation component is required to assure no net loss of wetland resources. Replacement of wetlands on-site or adjacent to the project site, within the same wetland system, shall be given preference over replacement off-site or within a different system. Areas subjected to temporary wetland impacts shall be restored to the pre-project condition at a 1:1 ratio. Temporary impacts are disturbances that last less than 12 months and do not result in the physical disruption of the ground surface, death of significant vegetation within the development footprint, or negative alterations to wetland hydrology.

Policy EM.1.E.2 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. 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.

Policy EM.1.E.3 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.

58. On Page III-65, proposed Policies EM.1.F and EM.1.G shall be deleted as shown:

~~Policy EM.1.M EM.1.F Direct impacts to wetlands from site development and/or infrastructure shall be prohibited. Potential indirect shading impacts from pedestrian/bicycle and roadway crossings to allow for necessary access shall be minimized to the greatest extent feasible.~~

~~Policy EM.1.G Buffer zones of 100 feet in width shall be maintained around all identified wetland areas with the exception of any wetlands that are~~

~~adjacent to existing roadways. All buffers shall be as designated above unless the applicant demonstrates that a buffer of lesser width will protect the identified resources, based on site-specific information. Such information shall include, but is not limited to, the type and size of the development, the specific impact, and proposed mitigation (such as planting of vegetation or the construction of fencing), that will also achieve the purposes of the buffer.~~

59. On Page III-65, before heading 3. Natural Resources Management Plan (NRMP), the following Objectives and Policies shall be inserted:

Objective EM.2 Long-term protection and enhancement of water quality shall be provided through watershed planning and requirements that new development implement water quality protection policies.

Policy EM.2.A

1. Watershed Planning.

- a. 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:
- 1) Pursue funding to support the development of watershed plans.
 - 2) Identify priority watersheds where there are known water quality problems or where development pressures are greatest.
 - 3) Assess land uses in the priority areas that degrade coastal water quality.
 - 4) Ensure full public participation in the plan's development.

2. New Development.

- a. 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:
- 1) Protect beneficial uses of waters, areas necessary to maintain riparian and aquatic biota, and/or areas that are susceptible to erosion and sediment loss.
 - 2) Limit increases of impervious ground surfaces to the maximum extent practicable.
 - 3) Limit land disturbance activities such as clearing and grading, and cut-and-fill to reduce erosion and sediment loss to the maximum extent practicable.
 - 4) Limit disturbance of natural drainage features and vegetation to the maximum extent practicable.
- b. 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.

- c. 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.
- d. New development must comply with the requirements of the City's SUSMP and the City's Development Storm Water Manual, including the preparation of required water quality documents and the implementation of source control, site design, and treatment Best Management Practices (BMPs).
- e. Post-development peak flow discharge rates for the 100-year storm event shall not exceed the pre-development rate.
- f. Post-construction treatment BMPs shall be designed to treat, infiltrate, or filter runoff produced by the 85th percentile, 24-hour storm event for volume-based BMPs and the 85th percentile, 1-hour storm event for flow-based BMPs, as required by the City's SUSMP.
- g. 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.
- h. The City should develop and implement a program to detect and remove illicit connections and to stop illicit discharges.
- i. 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.

Policy EM.2.B Low Impact Development Site Design BMPs

- All development shall be designed so as to minimize direct physical connections of impervious surfaces and to promote infiltration using LID techniques to the maximum extent practicable.
- Projects as defined in the current NPDES Municipal Permit for the San Diego Region shall, to the maximum extent practicable, minimize the introduction of Pollutants of Concern that may result in significant impacts, generated from site runoff to the storm drainage system.
- All development shall also control post-development peak storm water runoff discharge rates and velocities to maintain or reduce pre-development downstream erosion and to protect stream habitat in accordance with the City of Chula Vista hydromodification control requirements included in the City's SUSMP.
- All development can address these objectives through the creation of a hydrologically functional project design that attempts to mimic the natural hydrologic regime.

Policy EM.2.C Minimize Projects' Impervious Footprint & Conserve Natural Areas

- Conserve natural areas, soils, and vegetation where feasible.
- Use natural drainage systems to the maximum extent practicable.
- Minimize soil compaction in landscaped areas and open space.

Policy EM.2.D If a new development, substantial rehabilitation, redevelopment, or related activity poses a threat to the biological productivity and the quality of coastal waters, or wetlands; and if compliance with all other applicable legal requirements does not alleviate that threat, the City shall require the applicant to take additional feasible actions, and provide necessary mitigation to minimize or eliminate the threat, and if the preceding measures fail, then deny the project.

Policy EM.2.E In planning, siting, designing, constructing, and maintaining grounds, landscapes, and structures owned and managed by the City, site objectives should include management and maintenance practices that protect and enhance natural ecosystems. City grounds designers, planners, managers, crews, and their contractors should give priority to:

- A. Practicing the principles of Integrated Pest Management including the reduced use of toxic products.
- B. Selecting and using fertilizers that minimize negative impacts on soil organisms and aquatic environments;
- C. Designing new and renovating existing landscaped areas to suit the site conditions, protect water quality, and support sustainable maintenance.
- D. Using drought-tolerant native and non-invasive plant species.
- E. Incorporating low impact development design techniques.

Policy EM.2.F Design and manage new development to eliminate or minimize dry weather flow where it will be discharged in a manner that may adversely impact the biological productivity or diversity of intertidal or marine organisms; especially where the dry weather flow discharges to water bodies with poor circulation or tide pools.

Policy EM.2.G 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 groundwater, the ocean, coastal streams, or wetlands, consistent with the requirements of the RWQCB's municipal storm water permit and the Water Quality Control Policy for the Enclosed Bays and Estuaries of California.

Policy EM.2.H Permits for new Priority Development Projects as defined in the current NPDES Municipal Permit for the San Diego Region shall be conditioned to require ongoing water quality maintenance where such maintenance is necessary for effective operation of required BMPs.

Verification of treatment control maintenance shall include the permittee's signed statement accepting responsibility for all structural and treatment control BMP maintenance until such time as the property is transferred and another party takes responsibility, at which time the new owner will be obligated to comply with all permit conditions, including on-going water quality maintenance.

Policy EM.2.I The City, property owners, or homeowners associations, as applicable, shall be required to maintain any drainage device to insure it functions as designed and intended. All structural treatment control BMPs shall be inspected, cleaned, and if necessary, repaired prior to the beginning of each rainy season (October 1st of each year). Owners of these devices will be responsible for insuring that they continue to function properly and additional inspections should occur after storms as needed throughout the rainy season. Repairs, modifications, or installation of additional BMPs, as needed, should be carried out prior to the next rainy season.

Policy EM.2.J New development shall, to the maximum extent practicable, protect the absorption, purifying, and retentive functions of natural systems that exist on the site. Where feasible, drainage plans shall be designed to complement and utilize existing drainage patterns and systems, conveying drainage from the developed area of the site in a non-erosive manner. Disturbed or degraded natural drainage systems shall be restored, where feasible, except where there are geologic or public safety concerns.

60. On Page III-65, the first paragraph under the heading 3. Natural Resources Management Plan (NRMP) shall be revised as follows:

In recognition of the sensitivity of the natural resources and the importance of protection, restoration, management and enforcement in protecting those resources, the Port and City shall prepare a Natural Resources Management Plan (NRMP) for the Chula Vista Bayfront. The NRMP will be designed to achieve the Management Objectives (defined below) for the Wildlife Habitat Areas. The NRMP will be an adaptive management plan, reviewed and amended as necessary by the District and City in coordination with the Wildlife Advisory Group. Because it will be frequently revised and updated, the NRMP has not been incorporated into the LUP. If there are any conflicts between the NRMP and any portion of the LUP, the provisions of the LUP shall control and take precedence.

61. On Page III-65, Objective NR.1 shall be revised as follows:

Objective NR.1: A NRMP will be created ~~and submitted to the Coastal Commission as a condition of this Plan~~ and will meet the management objectives below.

62. On Page III-67, the following new Objective shall be inserted after Policy NR.2.E:

Objective NR.2.5.A The following Objectives and Policies may be considered and reviewed when developing the NRMP, but shall be mandatory for new development in the Coastal Zone. No changes to the below standards shall occur without an amendment to the LUP.

63. On Page III-68, Policy NR.4.A shall be revised as follows:

Policy NR.4.A Designate “No Touch” Buffer Areas as defined and described in Exhibit 12a. Such areas will contain fencing designed specifically to limit the movement of domesticated, feral, and ~~nuisance~~ small predators (e.g. dogs, cats, skunks, opossums and other small terrestrial animals [collectively, “Small Predators”]) and humans between developed park and No Touch Buffer Areas and Wildlife Habitat Areas. The fence will be a minimum 6-foot high, black vinyl chain link fence or other ~~suitable~~ equally effective barrier designed to take into consideration public views of the bay and the need to protect natural resources and ensure wildlife mobility of larger predators that feed on small predators (built to the specifications described in the ~~FEIR~~). Fence design may include appropriate locked access points for maintenance and other necessary functions. Installation of the fence will include land contouring to minimize visual impacts of the fence.

64. On Page III-69, Policy NR.5.C shall be revised as follows

Policy NR.5.C All street and walkway lighting ~~should~~ shall be shielded to minimize sky glow.

65. On Page III-68, Policy NR.5.D shall be revised as follows:

Policy NR.5.D ~~To the maximum extent feasible, a~~ All external lighting ~~will~~ shall be designed to minimize any impact on Wildlife Habitat Areas, and operations and maintenance ~~will~~ shall be devised to ensure appropriate long-term education and control of light impacts. ~~To the maximum extent feasible, a~~ Ambient light impacts to the Sweetwater or J Street Marshes will be minimized.

66. On Page III-70, Policy NR.8.B shall be revised as follows:

Policy NR.8.B ~~The NRMP will include provisions designed to manage~~ Management of Predator impacts on Wildlife Habitat Areas ~~which will~~ shall include and comply with the following: [...]

67. On Page III-71, Policy NR.9.A shall be revised as follows:

Policy NR.9.A ~~Vegetation-based storm water treatment facilities, such as natural berms, swales, and detention areas are appropriate uses for Buffer Areas so long as they are designed using native plant species and serve dual functions as habitat areas.~~ Provisions for access for non-destructive maintenance and removal of litter and excess sediment ~~will~~ shall be integrated into these facilities. In areas that provide for the natural treatment of runoff, cattails, bulrush, mulefat, willow, and the like are permissible.

68. On Page III-71, Policy NR.9.C is duplicative with Suggested Modification #55, Policy EM.1.D.10, and shall be deleted as follows:

~~Policy NR.9.C The use of persistent pesticides or fertilizers in landscaping that drains into Wildlife Habitat Areas is prohibited.~~

69. On Page III-72, the first paragraph of Policy NR.11.B shall be revised as follows:

Policy NR.11.B The following guidelines ~~should~~ shall be followed when designing glass and reflective surfaces in the Bayfront Development. [...]

70. On Page III-73, the second bullet item under Policy NR.11.C shall be revised as follows:

Policy NR.11.C Buildings heights, massing and set-backs shall be designed to minimize bird strikes.

- Design features that increase the potential for bird strikes, such as walkways constructed of clear glass and "see through" pathways through lobbies, rooms and corridors, shall be avoided ~~to the extent feasible~~ except for minor features intended to enhance view opportunities at grade level and only when oriented away from large open expanses.

71. On Page III-74, Policy NR.11.F shall be revised as follows:

Policy NR.11.F Project applicants shall develop a bird strike monitoring program for their proposed projects. For Phase I projects, the project applicant shall retain a qualified biologist to design a protocol and schedule, in consultation with the U.S. Department of Fish and Wildlife Service and subject to the approval of the Port or City, as appropriate depending on jurisdiction, to monitor bird strikes which may occur during the first 12 months after the completion of construction. Within 60 days after completion of the monitoring period, the qualified biologist shall submit a written report to the Port or the City, which shall state the biologist's findings and recommendations regarding any bird strikes that occurred. Based on the findings of those reports, the Port or the City, as appropriate depending on jurisdiction, in coordination with the U.S. Department of Fish and Wildlife Service, will evaluate whether further action is required, which may include further monitoring or redesign of structures for future phases.

72. On Page IV-76, the first paragraph on the page under section **IV. SUBAREA DEVELOPMENT OBJECTIVES AND POLICIES**, shall be revised as follows:

In addition to the area wide objectives and plan provisions, this Land Use Plan provides site-specific development and design provisions that are unique to each of the ~~eight~~ three individual subareas within the local coastal zone. In the event of a conflict, the subarea provisions shall supersede area wide provisions. A summary of the subareas and land uses identified within each subarea is provided in Table 4-1.

73. On Page IV-89, Policy SA1.PF.1.B shall be revised as follows:

Policy SA1.PF.1.B The Bay Boulevard and "E" Street entry shall be a primary northern entry into the Bayfront. This gateway shall provide a memorable image of the Bayfront. Landscape framing and architectural elements flanking the entry that protect and enhance public views must reflect the importance of this entrance.

74. On Page IV-89, Policy SA1.P1.D shall be deleted as follows:

~~Policy SA1.P.1.D Segregate pedestrian and bike trails where feasible.~~

75. On Page IV-90, Policy SA1.P.2 shall be revised as follows

Objective SA1.P.2 Sweetwater District Public Parks ~~should~~ shall be designed to minimize impacts on adjacent wildlife areas.

76. On Page IV-91, the following new paragraph shall be inserted immediately after Table 4-2:

The LUP Policies for Parcel Areas 2-f and 2-h are precise and mandatory. Any proposed revisions to the limitations on development described below, including proposed uses, maximum square footage, density, building heights, building massing, or required design features and elements, will require an LUP amendment.

77. On Page IV-91, the first and second proposed paragraphs after Table 4-2 shall be revised as follows:

Parcel Area 2-f is located just east of the Chula Vista Marina in Subarea 2 (Exhibit 7). This parcel area covers approximately 23 acres. The existing land ~~use~~ is entirely undeveloped. Proposed development of Parcel Area 2-f consists of mixed residential with a maximum of 1500 units and supporting ancillary retail uses up to 15,000 square feet. Residential buildings range from 4 to 19 stories and a maximum of ~~220~~ 200 feet in height. Parcel Area 2-f zoned and designated as R-MH will contain development blocks that will have individual building footprints and towers of varying heights. Off-street parking spaces will be provided for Parcel Area 2-f in accordance with Policy A.PK1 for residences. The required parking will be located in parking structures both below- and above-grade. The above-grade parking structures will be generally located in the center of the residential structures, generally surrounded and enclosed by the residential and ancillary retail uses in order to minimize their visibility.

Parcel Area 2-h is located directly east of Parcel Area 2-f in Subarea 2. These two parcel areas are divided by the new road, Street A. Parcel Area 2-h is approximately 10 acres. Existing land use is industrial with multiple buildings. Proposed development ~~includes~~ consists of office, retail, and a hotel. This parcel area includes up to 420,000 square feet (excluding structured parking) of mixed use office and commercial/retail use, and a 250-room hotel. The hotel is a maximum of 233,000 square feet (excluding structured parking) with a maximum height of ~~130~~ 140 feet. Parcel Area 2-h off-street parking spaces will be provided in accordance with Policy A.PK1 for hotels and professional/office space. The required parking will be located in parking structures both above- and below-grade. The above-grade parking structures will be generally located in the center of the commercial structures, surrounded and enclosed by the office, retail, and hotel uses in order to minimize their visibility.

78. On Page IV-93, proposed Policy SA2.LU.1.A shall be revised as follows:

Policy SA2.LU.1.A Parcel Areas 2-f, and 2-h ~~include general~~ will be developed with land uses in the pattern indicated on the Land Use Map, Exhibit 8. These parcels include up to 1500 residential units, 420,000 square feet of mixed use office and commercial/retail use, a 250-room hotel, and off-street parking structure spaces.

79. On Page IV-93, the following new policies shall be inserted after proposed Policy SA2.LU.1.D:

Policy SA2.LU.1.D.1 Development within Parcel Area 2-f shall be designed with public spaces and visual connections that will relate the new development to the surrounding environment and encourage public access. Exhibit #14 shows the location of these required elements, including features such as a “woonerf walk,” that is, a pedestrian corridor where pedestrians and cyclists are given priority. This walk shall connect through the site in an east–west orientation to the marina. The project shall also include a north–south garden walk that connects through the site and is intersected by several publically accessible plazas including a plaza near “J” Street that incorporates ground-level retail such as a cafe and two other large plazas with public art and water features. The garden walk shall be located so as to connect up with the pedestrian promenade envisioned to extend through the mixed-use development planned to be built north of the site in future phases of the CVBMP. The woonerf and garden walks shall be designed to bring the public into the project site to avoid the feeling of a “private” community. On the west side of the project, a “marina walk” also brings the pedestrian into the site.

Policy SA2.LU.1.D.2 Development within Parcel Area 2-f shall also incorporate ground-level retail or other pedestrian friendly commercial recreational uses interspersed between residential units and on street corners, including along Marina Parkway, at the northeast corner of J Street and Marina Parkway, and at key corners in the interior of the project where the plazas are located in order to draw the public in and make the public feel welcome within the development.

80. On Page IV-93, Policy SA2.LU.1.E shall be revised as follows:

Policy SA2.LU.1.E New residential development within Parcel Area 2-f shall be subject to a ~~220~~ 200-foot height limit.

81. On Page IV-93, the following new policy shall be inserted after proposed policy SA2.LU.1.K:

Policy SA2.LU.1.L In order to maintain existing view corridors within the Harbor District, development on Parcels 2-f and 2-h (refer to Exhibit 8a) shall be designed to meet the following standards:

- Development shall incorporate building set-backs and step-backs to reduce the visual impact of building massing and to further widen the public view corridor. Set-backs and step-backs shall result in a 70' wide minimum public view corridor width at podium level and 95' wide minimum public view corridor width at tower level.
- Residential development on Parcel 2-f adjacent to J Street shall be set back 65 feet from the curb. This will enable an enhanced public view corridor and public streetscape for café and restaurant street seating.
- Proposed residential towers on Parcel 2-f 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.
- The building set-back for the hotel on Parcel 2-h at ground level along J Street between the I-5 Corridor and A Street shall be 65 feet measured from the north curb of J Street. This will result in an enhanced public view corridor from Interstate 5. Uses such as a hotel pool will be permitted in the set-back so long as the public view to the bay from the J Street I-5 Overpass is not impeded.
- The public view corridors identified in Exhibit 8a 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.

82. On Page IV-94, proposed Policy SA2.C2.B shall be revised as follows:

Policy SA2.C2.B Public access and other path-finding signage ~~should~~ shall be placed at strategic locations throughout the hotel complexes and to guide guests and visitors to and from public use areas, shops and restaurants, restrooms, and other facilities.

83. On Page IV-94, proposed Policy SA2.C2.C shall be revised as follows:

Policy SA2.C2.C To help integrate all publicly accessible areas and provide convenience and low cost services for the general public, the ground floor of the hotel development and associated outdoor areas ~~should~~ shall contain a variety of pedestrian-oriented amenities, which may include reasonably priced restaurants, newspaper stands, outdoor cafes with sit down and walkup service, informational kiosks, ATMs, public art or gift shops easily accessible to the public.

84. On Page IV-94, proposed Policy SA2.C2.C shall be revised as follows:

Policy SA2.P.1.A The intersections of Bay Boulevard with “H” Street, and “J” Street shall be primary entries into the Bayfront. These gateways shall establish a memorable image for the Bayfront. Landscape framing and architectural elements flanking the entry that protect and enhance public views to the bay shall reflect the importance of these entrances.

85. On Page IV-96, the second bullet under proposed Policy SA2.E2 shall be revised as follows:

Policy SA2. E.2 As part of its specific residential building designs focusing on the building elevations along J-Street facing south and along Marina Parkway facing west, developers will: [...]

- To the extent significant bird strike potential remains notwithstanding the design techniques described above, make a good faith effort to investigate and incorporate other economically feasible design and/or construction measures identified as potential mitigation measures in the Final EIR such that bird strike impacts are considered mitigated ~~by the Port and City.~~

86. On Page IV-97, Objective SA2.E.6 shall be revised as follows:

Objective SA2.E.6 Construction and development of Parcels 2-f and 2-h ~~should~~ shall be carefully managed to reduce impacts from dewatering on adjacent wildlife habitat.

87. On Page IV-97, Policy S3.C.1.B shall be revised as follows:

Policy S3.C.1.B The Bay Boulevard and “J” Street entry shall be a primary southern entry into the Bayfront. This gateway shall provide a memorable image of the Bayfront. Landscape framing and architectural elements flanking the entry that protect and enhance public views of the bay must reflect the importance of this entrance.

88. When the final LUP including all suggested modifications as adopted by the Commission is prepared for final certification, any of the above new or revised policies may be reformatted and appropriately re-numbered if desired by the City, as long as they remain in the same location within the LUP, and no revisions are made to the text, table, or exhibit itself.

Implementation Plan Modifications:

89. The following proposed exhibits in the Specific Plan shall be replaced with the new exhibits attached to this staff report as Exhibit #16: Exhibit 1 Regional Location; Exhibit 3 Jurisdictional Boundaries; Exhibit 5 Zoning Map; Exhibit 6 Form and Appearance Map; Exhibit 7a Circulation Map – Road and Public Transportation Network; Exhibit 7b Circulation Map – Pedestrian Network; Exhibit 7c Circulation Map – Bicycle Network; Exhibit 8 Utility Systems Map. These Exhibits may be re-titled as appropriate to be re-numbered sequentially.

CHAPTER 19.82 BAYFRONT SPECIFIC PLAN – GENERAL PROVISIONS

90. On Page 8, Section 19.82.001 shall be revised as follows:

19.82.001 Zoning

The Chula Vista coastal program implementation program is adopted as a specific plan by ordinance, 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. 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. XXXX, 200X).

91. On Page 8, Section 19.82.002 shall be revised as follows:

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, Zoning and Specific Plans, hereinafter referred to as the “Chula Vista Zoning Code”) or whenever the provisions reflect an internal conflict, the following rules shall apply: The Bayfront Specific Plan provisions shall supersede those of the Chula Vista Zoning ordinance Code and the subarea provisions shall supersede areawide provisions, as set forth in Sections IV and III, respectively, of the LUP (adopted by City Council Ordinance No. XXXXX on XXXXXXX, 200X). In the event that a map specification or illustration is found to be infeasible, then the nearest to the original that is deemed feasible and practicable shall apply. In all cases, whenever provisions require interpretation, the Chula Vista Bayfront Land Use Plan LUP shall provide clarification or amplification. (Ord. 2532, 1992; Res. 11903, 1985).

92. Starting on Page 8 and continuing to Page 9, Section 19.82.004 shall be revised as follows:

19.82.004 Incorporation by Reference

Whenever this Bayfront Specific Plan refers to another article, section, or subsection of the Chula Vista zoning ordinance, Title 19 of the Municipal Code, Zoning Code, such reference shall be deemed incorporated herein, by reference. Such Article, Section, or Subsection of the Chula Vista zoning code is in force as of the date of the adoption of this Implementation Program. Subsequent Amendments to the Chula Vista Zoning Code shall also be applicable, but only to the extent that such amendments are not in conflict with the Chula Vista Coastal Program Land use Plan and Bayfront Specific Plan. adopted after the effective date of this Specific Plan shall apply to properties within the LCP Planning Area in accordance with the provisions of Section 19.82.002, above, shall not be effective in the Coastal Zone until and unless A subsequent amendment to the Chula Vista Zoning Code that is in conflict with this Bayfront Specific Plan shall not be applicable without an amendment to this plan is approved by the Coastal Commission. The applicability of provisions incorporated by reference may also be affected by development agreements which may also be entered into by the City and property owners within the plan area (Ord. 2532, 1992; Res. 11903, 1985). No provisions of the Chula Vista Zoning Code shall be incorporated by reference to the extent prohibited by development agreements entered into by the City and property owners within the LCP Planning Area. (Ord. xxxx, 200X).

Chapter 19.83
Bayfront Specific Plan – Coastal Development Permit Procedures

93. Starting on Page 10 and continuing onto Page 11, subsection D of the definition of “Appealable development” shall be deleted as follows:

~~D. Developments approved by the local government not included within paragraph (A) or (B) that are located in a sensitive coastal resource area.~~

94. On Page 12, the following definition shall be corrected as follows:

“Development permit procedures” ~~means access, open space, and conservation requirements~~ are instructions regarding how to process plans, proposals and permits through the City’s entitlement process.

95. On Page 12, the following duplicative policy located after “Development permit procedures,” shall be deleted:

~~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.~~

96. On Page 12, the following new definition shall be inserted in alphabetical order:

“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.

97. Starting on Page 14, Section 19.83.006 shall be revised as follows:

19.83.006 Exemptions.

1. The following shall be considered exemptions from a Coastal Development Permit:

- a. 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 ~~Subchapter 7, Title 14, Division 5.5 of the California Administrative Code of Regulations~~, and any amendments thereafter adopted.

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- b. 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.
- c. 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.

98. On Page 18, Section 19.83.16 shall be revised as follows

19.83.016 Final City Action – Notice.

Within ~~seven~~ 7 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. 2532, 1992; Res. 11903, 1985~~) (Ord. XXXX, 200X).

99. Starting on Page 19 and continuing to Page 20, Section 19.83.020 shall be deleted as follows:

~~19.83.020 Appeal Fee~~

~~The fee for filing and processing an appeal within the city Of Chula Vista shall be \$125. (Ord. 2532, 1992; Res. 11903, 1985)~~

~~The fee for filing and processing an appeal to the California Coastal Commission within the City shall be in accordance with the City of Chula Vista Fee Schedule. (Ord. XXXX, 200X).~~

CHAPTER 19.84 BAYFRONT SPECIFIC PLAN – LAND USE ZONES

100. On Page 24, proposed subsection h (permitted uses in the Commercial Visitor zone), shall be deleted:

~~h) Customer serving offices; and~~

101. On Page 24, subheading 3) Commercial recreation, shall be revised as follows:

3) Commercial recreation, including:

~~(a) Ice Rink~~

(a) Tennis clubs and facilities;

(b) Health clubs;

(c) Sports and health classes and clinics;

(d) Professional sports facilities;

(e) Sports medicine facilities;

(f) Sports training facilities;

(g) Boat rentals and rentals of other water recreational items;

~~(h)~~ (h) Swimming and diving facilities and;

~~(i)~~ (i) Any other business or facility determined to be of the same general character of the above-permitted uses

102. On Page 25, proposed subheading a. under section 2. Commercial – Thoroughfare shall be revised as follows:

2. Commercial – Thoroughfare (C-T). ~~All lands on Exhibit #3, Land Use Districts, designated as Thoroughfare Commercial shall be permitted to accommodate the following uses:~~

~~a For Subarea 1 — Midbayfront Subarea~~

~~——— Refer to Chapter 19.87~~

- d. 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.

103. On Page 29, proposed Section 3. Limited Industrial, shall be corrected as follows:

3. Limited Industrial (I – L)

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

104. Beginning on Page 31 and continuing to Page 32, the formatting of proposed subsection 1. (c) of Section 19.84.005 Residential Zones, shall be corrected as follows:

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

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

~~e. Unclassified uses, see Chapter 19.54 CVMC; and~~

~~f. Small family day care homes, as defined in CVMC 19.04.095.~~

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

2) Unclassified uses, see Chapter 19.54 CVMC; and

3) Small family day care homes, as defined in CVMC 19.04.095.

**CHAPTER 19.85
BAYFRONT SPECIFIC PLAN – DEVELOPMENT CRITERIA**

105. On Page 51, proposed Section 3. Residential Land Use shall be revised as follows:

3. Residential Land Use.

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

1) 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.

- b. Building height within the R-MH zoning shall range from 4 to 19 stories and a maximum of ~~220~~ 200 feet. [...]

106. On Page 54, the following table shall be revised as follows [see Exhibit #4 of the staff report for parcel area exhibit]:

TABLE 1: BUILDING HEIGHT LIMITS BY PARCEL AREA

<u>Parcel Area</u>	<u>Maximum Building Height from Pad (feet)*</u>	<u>Existing LCP Heights</u>
<u>Sweetwater District</u>		
<u>1-a</u>	<u>125 44</u>	<u>44</u>
<u>1-b</u>	<u>35</u>	<u>35</u>
<u>1-c</u>	<u>35</u>	<u>35</u>
<u>1-d</u>	<u>35</u>	<u>35</u>
<u>1-e</u>	<u>35</u>	<u>35</u>
<u>1-f</u>	<u>30</u>	<u>30</u>
<u>1-g¹</u>	<u>0</u>	<u>30</u>
<u>1-h</u>	<u>44</u>	<u>44</u>
<u>1-i</u>	<u>44</u>	<u>44</u>
<u>Harbor District</u>		
<u>2-a</u>	<u>0</u>	<u>30</u>
<u>2-b²</u>	<u>44-95</u>	<u>44-95</u>
<u>2-c</u>	<u>44</u>	<u>44</u>
<u>2-d</u>	<u>44</u>	<u>44</u>
<u>2-e</u>	<u>44</u>	<u>44</u>
<u>2-f</u>	<u>220 200</u>	<u>N/A</u>
<u>2-g³</u>	<u>N/A 44-60 or 27 30⁵</u>	<u>45-60</u>
<u>2-h⁴</u>	<u>130 140</u>	<u>44</u>
<u>Otay District</u>		
<u>3-a⁴³</u>	<u>N/A 44-60 30⁵</u>	<u>44-60</u>
<u>3-b</u>	<u>44</u>	<u>44</u>
<u>3-c</u>	<u>44</u>	<u>44</u>
<u>3-d</u>	<u>44</u>	<u>44</u>
<u>3-e</u>	<u>44</u>	<u>44</u>
<u>3-f</u>	<u>44</u>	<u>44</u>
<u>3-g</u>	<u>44</u>	<u>44</u>
<u>3-h</u>	<u>44</u>	<u>44</u>
<u>3-i</u>	<u>44</u>	<u>44</u>
<u>3-j</u>	<u>44</u>	<u>44</u>
<u>3-k</u>	<u>45</u>	<u>60</u>

Still working with Marisa on some clarifications to the

*All heights as measured from finished grade. Building pads shall not be raised from existing grade more than 8 feet.

Notes:

1. Parcel Area 1-g is zoned Open Space; therefore the building height limit is 0 feet.
2. See Section 19.85.0124 Special Condition A.
3. See Section 19.85.0124 Special Condition B.
4. See Section 19.85.0124 Special Condition 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.

N/A Not applicable

107. On Page 55, subsection b. Private Signs, shall be revised as follows:

b. Private Signs.

- 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 (except additional signage for high- and mid-rise hotels is permitted per subsection 2(c)(5) of this section). Signs may be wall signs and/or ground signs. Ground signs may be single- or double-faced but may not exceed ~~10~~ 8 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.

108. On Page 56, proposed subsection c. Special Private Signs, shall be revised as follows:

c. ~~b. Private Signs.~~ Special Private Signs

- 1) 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 8 feet in height.

109. On Page 59, the following shall be added after the last sentence on the page:

Tree plantings shall not encroach into identified view corridors.

110. On Page 61, the first proposed subsection c. Special Area Planting, shall be revised as follows:

c. ~~Parking Area Planting.~~ Special Area Planting. All areas ~~designated~~ zoned as Public-Quasi Public (Landscaped Parking Areas) (Exhibit 5) for parking area planting in Exhibit 7 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 ~~right-of-way ROW~~ ROW that ~~bisects~~ 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 ~~right-of-way 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 should 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 right of way (see Section D in Map 3, Circulation). 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:

111. On Page 63, the first subsection 2) at the top of the page shall be revised as follows:

- 2) Views from Roadways within the ~~site~~ 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.

112. On Page 64, subsection b. under section 1. Circulation Standards shall be revised as follows:

b. Pedestrian Route:

- 1) The major pedestrian routes shown in Exhibit 7b, Circulation Map, shall be a minimum of 6 feet in width. The filling of wetlands for pedestrian

paths is not permitted. ~~Minimal shading impacts may be allowed for pedestrian paths with approval from the Coastal Commission.~~

113. On Page 70, Section 19.85.008, Parking Requirements subsection 3. Bicycle Parking Standards, shall be revised as follows:

Bicycle Parking Standards. Bicycle parking facilities shall also be provided for developed uses according 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.

- a. Business and professional offices (over 20,000 square feet of gross floor area): 5 spaces;
- b. Shopping centers (over 50,000 square feet of gross floor area): 1 space per 33 automobile spaces required;
- c. Fast-food restaurant, coffee shop, or delicatessen: 5 spaces;
- d. Other eating and drinking establishments: 2 spaces; ~~and~~
- e. Commercial recreation: 1 space per 33 automobile spaces required; ~~and~~;
- f. Residential in Harbor: bicycle racks shall be provided for 5 percent of visitor motorized vehicle parking capacity, with a minimum of one two-bike capacity rack

114. On the bottom of Page 72, proposed section 2. Commercial Visitor, shall be revised as follows:

- 2. Commercial-Visitor (C-V) (~~Except F~~for Parcel Area 2-h, refer to Special Condition D in Section 19.85.012):

115. On Page 73, proposed section 3. Commercial-Professional and Administrative, shall be revised as follows:

- 3. Commercial-Professional and Administrative (C-P) (~~Except F~~for Parcel Area 2-b, refer to Special Condition A, and for Parcel Area 2-h refer to Special Condition D in Section 19.85.012):

116. On Page 74, proposed section 7. Commercial-Professional and Administrative, shall be revised as follows:

Residential- Mixed Harbor District (R-MH) (Except for Parcel Area 2-f, refer to Special Condition E, in Section 19.85.012):

117. On Page 79, the **Height Limitation** section shall be revised as follows:

The ~~ten~~ 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.

118. On Page 80, the **Restrictions and Prohibited Signs** section shall be revised as follows:

The following signs shall be prohibited or restricted as noted:

- a. Pole signs, ~~excluding pole signs for which the supports are integrally designed as an aesthetic component of the sign character.~~
- 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, ~~except as defined by bayfront promotional signs.~~
- f. Temporary signs, banners, sale notices, etc., shall be displayed behind the glass of the structure.

119. On the top of Page 82, subsection c. Bayfront Promotional Signs and the three paragraphs following this subsection shall be deleted as follows:

~~c. **Bayfront Promotional Signs:** Bayfront promotional signs are designed to help establish the new bayfront community's identity. They will be located along Interstate 5, two minimum: one for each for north and southbound traffic; additional signs as necessary; five maximum quantity. Space will be rented, leased, or existing structures purchased outright.~~

~~Promotional signs, and especially landscaped areas around them, will provide a unique, attractive logo design in a theme setting frame and limited changeable copy which will be subject to design review board approval. (Refer to Exhibits Four a, b, c, and d for examples; and to Exhibit Five for proposed locations.)~~

~~These signs, if appropriately used, will establish the redevelopment area's identity and functions for freeway travelers.~~

~~Promotional signs are intended to be temporary, and it is anticipated that they will be retired when the Bayfront Redevelopment Project is substantially complete. Their utilization will be reviewed in 1985 and subject to the redevelopment agency's discretion.~~

120. On Page 84, the first paragraph under **Allowable Copy Area**, shall be revised as follows

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 ~~40~~ 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.

121. On Page 84, the first paragraph under **INTERIM PHASE: BAYFRONT DEVELOPMENT STAGE**, shall be revised as follows:

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.

122. On Page 87, the definition of **Promotional Sign** shall be deleted as follows:

~~**Promotional Sign**~~

~~A promotional sign is public sign which identifies the bayfront and has changeable copy for information, announcements, or identification of private businesses and services in the area.~~

123. Starting on Page 88 and continuing to Page 89, proposed Special Condition “A” of Section 19.85.012 shall be corrected as follows:

19.85.012 Special Conditions

1. Special Condition “A”. Specific development plans for the development of Parcel Area 2b property located south of “F” Street and west of the SDG&E ROW shall be subject to CVRC review and Redevelopment Agency approval based on the following guidelines:

a. Building setbacks shall be:

- 1) For buildings 44 feet or less in height, as specified in CVMC
~~19.85.009~~ 19.85.010.

124. On Page 89, proposed Special Condition “B” of Section 19.85.012 shall be revised as follows:

2. 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 CVRC review and Redevelopment Agency approval based on the following guidelines:

a. The maximum FAR shall be 0.50.

b. Maximum building height shall be ~~45~~ 30 feet.

e. Building setbacks shall be:

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

Notes:

~~* 50 foot setback required for construction exceeding a building height of 28 feet.~~

~~f. Architectural features, such as a tower, with floor areas not exceeding 10 percent of the ground floor area, may exceed the 45-foot height limit by 15 feet. (Note: For calculation of the tower area, land over the drainage channel shall be included in ground floor calculations to the extent the second floor spans the channel.) One architectural tower shall be allowed on the combined Parcel Area 3-a.~~

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

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

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

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

~~k. 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. (Ord. xxxx, 200X).~~

125. On Page 90, proposed Special Condition “B” of Section 19.85.012 shall be revised as follows:

4. Special Condition “D”. The following special conditions shall apply to Commercial – Visitor and Commercial – Administrative & Professional land uses on Parcel Area 2-h:

a. Building setbacks for office shall be:

- 1) To all exterior boundaries: none. At a podium height of 35 feet, building ~~Tower~~ stepback shall be 10 feet minimum.
- 2) To interior boundaries that do not abut another land use: none.

b. Building setbacks for hotel shall be:

- 1) To all exterior boundaries: 0 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.

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

- 3) Public view corridors.

- (a) Setbacks and stepbacks shall generally result in a 70' wide minimum public view corridor width at podium level and 95' wide minimum public view corridor width at tower level.
 - (b) The public view corridors identified in Exhibit 8a 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 2h shall not exceed 65% of the total site area
- ~~e~~ d. Building FAR. A maximum FAR of 3.0 (excluding structured parking) on the subject site is allowed, provided that (i) the setbacks on the subject site specified above are met and (ii) the buildings are stepped back to preserve public view corridors.
- ~~e~~ e. Development plans shall include a comprehensive landscaping plan.
- ~~e~~ f. Pedestrian or other off-street circulation connections to the residential buildings in Parcel Area 2-f and other adjacent Bayfront areas shall be provided.
- ~~f~~ g. Project shall comply with all citywide threshold standards for infrastructure improvements and public services.
- ~~e~~ ~~e~~ h. All buildings on-site shall reflect a common, high-quality architectural design and construction standard.
- i. Height limitation.
 - 1) Buildings on the Commercial – Visitor site shall not exceed 140 feet.
 - 2) Buildings on the Commercial – Administrative & Professional site shall not exceed 106 feet.
 - 3) For specific building heights refer to Exhibit 8a
 - 4) Maximum podium heights shall not exceed 30 feet

126. On Page 90, new Special Condition “E” shall be added after proposed Special Condition “D” as follows:

5. Special Condition “E”. The following special conditions shall apply to Residential – Mixed Harbor District land uses on Parcel Area 2-f:

a. Building setbacks for residential shall be:

- 1) To all exterior boundaries: 0 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.
- 2) Building setbacks 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.

b. Public view corridors.

- 1) Setbacks and setbacks shall generally result in a 70’ wide minimum public view corridor width at podium level and 95’ wide minimum public view corridor width at tower level.
- 2) The public view corridors identified in Exhibit 8a 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.

c. Site coverage. The total building coverage shall not exceed 62% of the total site area

d. Height limitation.

- 1) The residential buildings shall not exceed 200 feet.
- 2) For specific building heights refer to Exhibit 8a
- 3) The podiums shall not exceed 35 feet.
- 4) Row housing along Marina Parkway shall not exceed 45 feet

**CHAPTER 19.86
BAYFRONT SPECIFIC PLAN – ENVIRONMENTAL MANAGEMENT
PROGRAM**

127. On Page 91, the Section headings at the top of the page shall be corrected as follows:

Sections:

- 19.86.001 **Purpose and scope.**
- 19.86.002 **Resource elements.**
- 19.86.003 **Environmental management requirements.**
- 19.86.004 ~~Midbayfront Subarea requirements~~ **Parcel Area Specific Environmental Management Requirements. Environmental Management of Delineated Resources**
- 19.86.005 ~~Environmental management of undelineated resources.~~ **Additional diking, dredging, or filling of wetland areas.**
- 19.86.006 ~~Additional diking, dredging, or filling of wetland areas.~~ **Water Quality Requirements**
- 19.86.007 ~~Interpretive center funding~~ **Water quality requirements.**

128. On Page 92, Section 19.86.003 shall be revised as follows:

- 1. Coordination.
 - a. Coordination with the ~~San Diego Unified Port District~~ in the development of plans and programs for areas adjacent to the ~~Chula Vista Bayfront LCP Planning Area~~ shall be maintained to ~~assure~~ ensure that environmental management objectives in the Bayfront LUP can be successfully implemented.
 - b. Coordination with the USFWS shall be maintained for the development of plans and programs adjacent to the Sweetwater Marsh National Wildlife Refuge. (~~Ord. 2532, 1992; Res. 11903, 1985~~). (Ord. xxxx, 200X).

~~All developments shall comply with the Chula Vista Multiple Species Conservation Program (MSCP) Subarea Plan.~~

129. Starting on Page 98, and continuing to Page 99, proposed Section 19.86.004 shall be revised as follows:

19.86.004 Environmental Management of Delineated Resources.

Sensitive habitats exist in areas not delineated, including, but are 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 ~~W~~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 Section 19.86.006 5). No development (i.e., structures, pathways) shall be allowed in the buffer zone. The buffer zone may include a fence to preclude residents and pets from entering sensitive habitat. Wetlands will be mitigated per Section 19.86.006.

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 Section 19.86.005. Uses in the ~~The~~ buffer zone ~~is~~ are limited to pathways and fencing to protect the area and provide pedestrian view points of the marsh and coastal area as provided for Section 19.86.005. Fences around the pond must be visually appealing and protect view corridors toward the waterfront and marshes.

130. On Page 99, Section 19.86.005 is duplicative of Suggested Modification Policy 19.86.004 and shall be deleted as follows:

~~19.86.005 Environmental Management of Undelineated Resources.~~

~~Sensitive habitats exist in areas not delineated, including, but are not limited to, the Faivre Street Subarea, the Inland Parcel Subarea and the "J" Street Marsh 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. (Ord 2546, 1993; Ord 2532, 1992; Ord 2168 §1 (part), 1986; Res. 11903, 1985). (Ord. XXXX, 200X).~~

131. Starting on Page 99 and continuing to Page 100, Section 19.86.006 shall be revised as follows:

19.86.0065 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 division, 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:

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

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

(3) 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.

(4) 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.

(5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(6) Restoration purposes.

(7) Nature study, aquaculture, or similar resource dependent activities.

~~or filling of wetland areas consistent with the provisions of this environmental management plan shall be limited to the specific projects incorporated into this plan, and future projects that may be proposed in areas containing wetlands within the Inland Parcel Subarea, for related to the creation of new or enhanced wetlands areas, very minor incidental public facilities, and restorative measures, and nature study. Mitigation for all disturbance of wetland areas shall be provided at the ratio of 4:1 of new wetland areas created to areas disturbed with an approved combination of creation and enhancement, and for riparian resources, 3:1 replacement for impacted areas. Direct impacts to wetlands from site development and/or infrastructure shall be prohibited. Potential indirect shading impacts from pedestrian/bicycle and roadway crossings to allow for necessary access shall be minimized to the greatest extent feasible.~~

Open space preservation in perpetuity of sensitive resource areas will also be required pursuant to an appropriate mechanism. ~~No other diking, dredging or filling of wetlands or other wet environmentally sensitive habitat areas shall be permitted without prior Coastal Commission approval through the LCP amendment process.~~ A maximum of one Sweetwater River crossing shall be permitted to provide access to the developable portions of the inland parcel. The crossing shall be designed as a bridge to minimize adverse impacts to the habitat value of the wetland corridor. All mitigation required shall be located on site and contiguous with the existing wetland corridor.

~~Buffer zones of 100 feet in width shall be maintained around all identified wetland areas and 50 feet in width shall be maintained around all identified riparian areas, unless the applicant demonstrates that a buffer of lesser width will protect the identified resources, based on site specific information. with the exception of any wetlands that are adjacent to existing roadways. All buffers shall be as designated above unless the applicant demonstrates that a buffer of lesser width will protect the identified resources, based on site specific information. Such information shall include, but is not limited to, the type and size of the development, the specific impact, and proposed mitigation (such as planting of vegetation or the construction of fencing), that will also achieve the purposes of the buffer.~~

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.

Development within the buffer zone shall be limited to construction of a pedestrian pathway within the upper half of the buffer with fencing or other improvements deemed necessary to protect sensitive habitat in the upper half of the buffer. The buffer shall be measured landward of the delineated resource. The California Department of Fish and Game and the United States Fish and Wildlife Service shall be consulted in such buffer determinations. Passive recreational uses are restricted to the upper half of the buffer zone. If the project involves substantial improvements or increased human impacts, such as subdivisions, a wider buffer may be required. (Ord. 2626 §3, 1995; Ord 2556, 1993; Ord 2546, 1993; Ord 2532, 1992; Ord 2168 §1 (part), 1986; Res. 11903, 1985)

132. On Page 100, proposed Section 19.86.007 shall be revised to 19.86.006 to accurately reflect the sequential numbering of the plan as modified.

PART IV. FINDINGS FOR DENIAL OF CERTIFICATION OF THE CHULA VISTA LAND USE PLAN AMENDMENT, AS SUBMITTED

A. GEOGRAPHIC SETTING AND EXISTING LCP

The City of Chula Vista is located in southern San Diego County, on the east side of San Diego Bay, approximately seven miles south of downtown San Diego and seven miles north of the Mexican border. It is the second largest city in San Diego County, after the City of San Diego. The vast majority of the City is inland of the coastal zone; in this area, the Coastal Zone boundary follows the inland extent of Interstate 5, except at the northern border of the City, around the mouth of Sweetwater River, and at the southern border of the City at the mouth of the Otay River Valley, where the coastal zone extends slightly further inland.

The San Diego Port District currently maintain jurisdiction over all land bayward of the Mean High Tide Line (MTHL), which includes all of the land fronting the bay from roughly G Street south to J Street (see Exhibit #2). The existing LCP planning area encompasses approximately 1,013 acres, of which 748 acres are uplands or filled areas, and 265 are marsh or wetlands. The Sweetwater Marsh National Wildlife Refuge is located on the northernmost portion of the planning area. The planning area also includes one of the last remaining large blocks of undeveloped land on San Diego Bay, immediately south of the Refuge. The developed areas south of the Refuge consist of light industrial and office buildings.

The City's certified LCP planning area does not include all of the land within the boundaries of Chula Vista that falls within the coastal zone. There is an area at the southernmost portion of the city, south of Palomar Street, which was previously part of the Montgomery Area, a formerly unincorporated community of San Diego County that the City annexed in 1985. Although within the coastal zone, the City does not currently have plans to develop a specific plan for this area or incorporate it into the LCP; and, as such, it remains subject to the Commission's permit jurisdiction.

On January 16, 1993, the Commission reviewed and approved a major amendment to the certified City of Chula Vista Local Coastal Program. The amendment replaced the previous LCP with a new one that substantially modified the allowable uses in the City's Midbayfront area. Although the City of Chula Vista has had a certified LCP since 1985, many portions of the certified LCP were rendered moot as a result of a 1988 stipulated settlement agreement of the *Sierra Club v. Marsh* lawsuit. (*Sierra Club v. Marsh* (1988) 692 F.Supp. 1210.) This agreement placed significant portions of the City's bayfront, including the D Street Fill and the majority of Gunpowder Point, into the newly formed Sweetwater Marsh National Wildlife Refuge.

The 1993 Midbayfront LCPA acknowledged the incorporation of these lands into the refuge, and designated them for open space. In addition, the plan contained a significant new development concept for the remaining plan area, focusing mainly on the undeveloped property within the Midbayfront on the northern portion of Chula Vista's bayfront. This plan, which constitutes the existing certified LCP, provides for the development of approximately 1,000 residential units; 1,906,000 sq.ft. of visitor commercial, (including 1,860 hotel rooms); 60,000 sq.ft. of professional/office; and 75,000 sq.ft. of cultural arts development. Highway commercial and visitor-serving commercial land use designations are applied to the east side of Bay Boulevard, on both sides of J Street, and on the east side of Bay Boulevard, north and south of E Street. The majority of the developable area south of Lagoon Drive (F Street) is designated for industrial or office uses (see Exhibit #3).

The existing certified LCP authorizes significant building heights. Immediately adjacent to the Sweetwater Refuge, the plan requires a 200-foot wide buffer, and the developable areas next to the buffer then have height limits beginning at 30 ft., then 35 ft and rising to 60 feet. Within these three zones adjacent to the buffer, in the vicinity of the northwest corner of Bay Boulevard and E Street, two high-rise residential structures up to 299 feet in height are allowed. The Central Resort District, the core development focus of the plan, provides for a basic building height of 75 feet, with two high-rise hotels of up to 229 feet, a third 100-foot high hotel, and a cultural arts facility up to 69 feet in height. A 95-foot high office tower would be located on the southwest corner of Bay Boulevard and F Street. The remaining mostly industrial-zoned properties south of F Street are generally designated for a maximum of 44 feet heights (Exhibit #3).

B. AMENDMENT DESCRIPTION

As with the 1993 Bayfront LCPA, the proposed Chula Vista Bayfront Master Plan (CVBMP) amendment essentially replaces both the existing LUP and Implementation Plan (IP) with a new development plan. The CVBMP was designed in conjunction with the Port, and also involves a Port Master Plan Amendment being processed concurrently with the LCPA for the properties within the Port's jurisdiction (PMPA #6-PSD-MAJ-41-11). The proposed LCP would significantly change the proposed uses, policies and the configuration of the City's planning area.

1. Land Exchanges

Exhibit #3 shows the current boundaries of the City's LCP. Currently, Port has jurisdiction over only the land area bayward of the historic MHTL around the existing harbor. Exhibit #2 shows the proposed jurisdictional boundaries that would be finalized upon Commission approval of the LCP and PMP Amendments.

Exhibit #5 shows the land exchanges and acquisitions proposed and required by the proposed LCPA. The first is for the site of the South Bay Power Plant, which is currently designated for General Industrial uses in the certified City of Chula Vista LCP. Title to this property was transferred to the Port District in 1999. The area is proposed to be designated Industrial Business Park, Commercial Recreation and RV Park, Park/Plaza, Open Space, and Street in the PMP.

The second site that has been acquired by the Port District is the J Street Park. This 2.71 acre site is currently designated Parks & Recreation in the City's LCP, and would be designated Park/Plaza in the PMP. The site was purchased by the Port in 2002.

The third site is the land exchange commonly referred to as the Pacifica Land Exchange. A private developer previously controlled a 6-parcel, 97-acre block of land located in the northern portion of the Bayfront area adjacent to Sweetwater Marsh National Wildlife Refuge. In the existing plan, this area is designated for the Central Resort District and the high-density residential and visitor-commercial uses described above. This land area will be transferred to the Port District in exchange for an approximately 35-acre area (designated on the LUP map as Parcel Area 2-f) located on the northeast corner of J Street and Marina Parkway, just inland of the Chula Vista Marina, which will now be under private ownership within the City of Chula Vista (see Exhibit #6). This exchange required the authorization of the State Lands Commission, which has approved the transfer. However, the property will not actually be legally transferred until after approval of the LCPA, the companion PMPA and various mandatory legislative actions. The proposed land uses for the 97-acres transferred to the Port District are Park, Open Space, and Commercial Recreation including an RV parking/camping site and mixed use/commercial buildings of up to 120,000 sq.ft. in size and 45 feet in height.

The fourth site is another land exchange which also required a transfer of the public trust and approval by the State Lands Commission. The 14-acre Goodrich parcel is currently designated for Industrial Business Park in the PMP, and has been exchanged for

approximately 25 acres of land that are currently designated General Industrial in the City. The new City parcel will be designated for General Industrial uses, and the area newly transferred into the Port District is proposed to be developed with a variety of commercial recreation uses, including a hotel, retail, parking, and other commercial recreation uses.

2. Development Program and Land Use Plan Amendment

The Chula Vista Bayfront Master Plan, including both the proposed LCPA and the concurrent PMPA, is intended to provide a development program for the Chula Vista Bayfront for the next approximately 24 years. While the subject amendment is referred to as the Chula Vista Bayfront Master Plan amendment, the boundaries of the CVBMP redevelopment area—including both Port and City land—only cover a relatively small portion of the City's LCP total land area. In addition, a result of the land exchange, very little land area within the City's LCP jurisdiction will remain within the boundaries of the CVBMP. However, the proposed amendment includes new and revised policies that would apply to development located anywhere within the LCP boundaries, (as well as some policies that apply only to specific areas within the CVBMP boundaries).

Although both the City's Land Use Plan policies and the Implementation Plan policies are being substantially revised and expanded, the majority of parcels within the LCP will retain their existing land use and zoning designations. Exhibit #4 shows the proposed land use map and the boundary of the Bayfront Master Plan. As proposed, after the land exchanges, only six parcels of land within the City's jurisdiction (Parcel Areas 1-a, 1-f, 1-g, 2-f, 2-g and 2-h) will remain within the boundaries of CVBMP. All of the other parcels covered by the LCP (but outside the boundaries CVBMP) are proposed to retain their existing land use and zoning designations.

The CVBMP is divided into three geographic segments for planning purposes—the northernmost segment is the Sweetwater District, the middle segment is the Harbor District, and the southern segment is the Otay District (Exhibit #7). In the LCPA, these segments are also referred to as Subarea 1, 2, and 3, respectively. The proposed LUP is organized into four sections: the Introduction; Planning Context; Areawide Development Objectives and Policies; and Subarea Development Objectives and Policies. The Planning Context and Areawide Development Objectives and Policies chapters contain broad policies and area-wide regulations. The Planning Context section addresses thirteen specific Coastal Act issue areas: Shoreline Access; Recreational and Visitor-Serving Facilities; Water and Marine Resources; Diking, Dredging, Filling, and Shoreline Structures; Commercial Fishing and Recreational Boating; Environmentally Sensitive Habitat Areas; Agriculture; Hazard Areas; Forestry and Soil Resources; Locating and Planning New Development; Coastal Visual Resources and Special Communities; Public Works; and Industrial Development and Energy Facilities. The Areawide Development Objectives and Policies section addresses area-wide objectives and policies for the following categories: Land Use; Circulation, Public Access, and Parking; Physical Form and Appearance; Utilities and Areawide Grading and Environmental Management. The Subarea Development Objectives and Policies chapter consists of a subarea plan for each

of the three geographic segments in the CVBMP, with specific policies and objectives that apply only to the parcels within each particular segment.

In addition to assigning land uses to specific parcels and establishing policies and regulations governing development, the LUP describes specific anticipated uses for most individual parcels. However, actual build-out of any parcel will be governed by the underlying land use which could allow any or all the permitted uses in the assigned categories. All relevant policies covering environmental and development standards such as height, setbacks, floor area ratio, etc. would also apply. One exception is the Pacifica site (Parcel Areas 2-f and 2-h). The City has developed a specific set of standards and requirements for development of these parcels which includes the precise building layout and uses that must occur on the site. The City has stated that any deviations to the policies or diagram illustrating the site requirements would require an LCP Amendment.

Because all of the land use changes proposed in the subject amendment occur within the boundaries of the CVBMP planning area, and the proposed LUP includes policy revisions that apply only to specific segments within the CVBMP planning area, a detailed description of the proposed revisions to and anticipated development scenario for each of the three districts is provided below.

a. **Sweetwater District (Subarea 1)**

The Sweetwater District, including both the Port and City jurisdictional land, covers approximately 369 acres of land, plus 39 acres of land covered by the northern inland parcel located east of I-5. The majority of the land within this subarea is owned by the Federal Government and is operated by the USFWS as the Sweetwater Marsh National Wildlife Refuge. Other uses include SDG&E, San Diego and Arizona Eastern Railway Company, and Union Pacific Railroad Company easements, and various private vacant and developed lots, including a small hotel, restaurants, an office building, and several other commercial and industrial uses.

The proposed land uses and planned development projects in Sweetwater District would be significantly revised from the existing certified LCP due to the Sweetwater land swap described above. In the current plan, the majority of the planning area is designated for high-rise, high-density residential, commercial, and visitor-serving uses, described above under **A. Geographic Setting and Existing LCP**. This area will now be transferred to the Port District, and is proposed to be developed with low-scale commercial recreation uses (a campground/RV park), commercial recreation/office, parks, and wetland preservation. Development of this area is discussed in detail in the companion PMPA.

As proposed, after the land swap, only three parcel areas within the CVBMP Sweetwater District would remain within the City's jurisdiction. The parcel area numbers referenced in this staff report are those designated on the City's proposed Land Use Map (Exhibit #4), and not the parcel area numbers used in the areawide CVBMP planning in the PMPA and EIR, although the LUP does include a table that cross-references the City's parcel area numbers with those used in these related documents. Parcel Area 1-a, located on the north side of E Street and currently designated for Commercial Visitor, would be

redesignated Commercial Professional and Administrative. This 5-acre vacant parcel is owned by the City, and planned for office development at a maximum height limit (specified only in the IP) of 125 feet.

Parcel Area 1-f, located on the north side of F Street, is an existing small City park. It is proposed to remain as a park. Parcel Area 1-g, is located on the south side of the western terminus of F Street, and contains some wetlands and native habitat, as well as upland area proposed to be developed as part of the Sweetwater Signature Park. As proposed, this will be the only parcel in the City's LCP with direct frontage on San Diego Bay, other than the large open space parcel at the northern border of the City that is within the Wildlife Refuge. In the existing plan, this parcel area is designated for Open Space and Park uses. As proposed, it would remain designated Open Space. The plan area also includes a public easement running along the railroad tracks, parallel to the freeway.

All of the other land use designations in the Sweetwater District of the LCP, (outside of the CVBMP boundaries) which include Professional Office Commercial, Commercial Thoroughfare, General Industrial and Research and Limited Industrial, would remain the same as in the existing plan.

b. Harbor District (Subarea 2)

The Harbor District is the area roughly from what would be a western extension of G Street, south to J Street. In the existing LUP, the area is designated for Thoroughfare Commercial, Industrial, and Open Space uses, a public easement running along the railroad tracks, parallel to the freeway, and a Commercial Visitor/Highway node north of J Street on the bayward side of the freeway. None of the parcel areas north of H Street are within the boundaries of the CVBMP, and no changes to these existing land uses are proposed. One of the new additions to the City's LCP jurisdiction is the western portion of Parcel Area 2-b. Currently, this area is bayward of the MHTL, and is designated Industrial Business Park in the Port Master Plan. This area will be transferred to the City, and designated Industrial General along with the rest of the existing parcel.

South of H Street, a parcel of industrial-designated land currently in the City's jurisdiction is being transferred to the Port District, (Parcel H-23 in the CVBMP parcel designations) and is proposed to be developed with a variety of commercial recreation uses, including a 300-foot high, 500+ room hotel, and 200,000 sq.ft. of retail and cultural uses.

The most significant proposal in the Harbor District, and in the City's portion of the CVBMP, is on the Pacifica site, which includes the approximately 23-acre Parcel Area 2-f, which was transferred from the Port District (currently designated Industrial Business Park) to private ownership within the City's jurisdiction as part of the Sweetwater land swap, and the adjacent approximately 9.5 acre Parcel Area 2-h, which is currently designated General Industrial in the City's certified LCP.

Parcel Area 2-f is located just east of the Chula Vista Marina, on the northeast corner of J Street and Marina Parkway. Parcel Area 2-f is proposed to be designated Residential-

Mixed Harbor District. This land use designation permits a mix of high-rise and mid-rise development within combined or separate building structures, housing multiple-family dwellings in clusters of varying size and configuration to provide a range of housing types. Retail uses must be included at the street level to create a village atmosphere and pedestrian friendly area. The Pacifica parcel is the only parcel in the City's LCP with this land use designation.

The LUP includes a specific, mandatory development proposal for this site consisting of mixed residential with a maximum of 1,500 units and up to 15,000 sq.ft. of supporting ancillary retail uses. The residential development would be located in eleven towers ranging in height from 70 to 200 feet, with 45 foot high townhomes along Marina Boulevard, and retail "podiums" throughout the development approximately 35 feet high, (see Exhibit #8a and #8b). The LUP also includes maximum dwelling units, floor area ratios, and open space requirements for the residential units in this subarea.

Parcel Area 2-h is located directly east of Parcel Area 2-f. These two parcel areas would be divided by a new road, currently designated as Street A. This approximately 10-acre vacant site was previously part of the Goodrich South Campus. As proposed, the northern portion of the parcel area would be designated Commercial Professional-Administrative, and the southern portion Commercial Visitor. Proposed development, which is also part of the mandatory Pacifica development plan, consists of office, retail, and a hotel. Specifically, the development would consist of up to 420,000 sq.ft. of mixed use office and commercial/retail use (excluding structured parking), and a 250-room hotel. The hotel would be a maximum of 233,000 sq.ft. (excluding structured parking) with a maximum height of up to 130 feet. New office/retail development within Parcel Area 2-h would be subject to a 110-foot height limit.

Parcel Area 2-g is a 1.8 acre vacant site located on the north side of J Street between Bay Blvd. and the freeway that is currently designated Commercial Visitor/Highway. The site is owned by the City and will be designated Public/Quasi-Public. The site is planned for construction of the Chula Vista Fire Station Number 11. The maximum building height proposed on this site is not specified in the LUP, but the IP specifies a height limit of 45-60 feet, with architectural features such as a tower allowed to exceed the 45-foot height limit by 15 feet.

c. Otay District (Subarea 3)

The Otay District is located generally from J Street south to Orange Avenue/Palomar Street, with an additional 10-acre inland parcel (Parcel Area 3-k) located south of the western end of Faivre Street, adjacent to the San Diego MTDB Trolley tracks. Currently, with the exception of some open space area and a Commercial Visitor/Highway node south of J Street, the entire Otay District is designated for Industrial uses. The largest area in the Otay District is comprised of the South Bay Power Plant. This entire parcel is being transferred to the Port District. With this land transfer completed, there will no longer be any land within the City's jurisdiction in the Otay District within the boundaries of the CVBMP. The remaining properties in LCP in the Otay District are

located between the Port's jurisdiction and the freeway, and south of the Power Plant. These lands are proposed to remain designated for industrial uses.

d. Public Access Plan (PAP)

The LUP also includes a separate Public Access Plan as an attachment. This plan, the final version of which is also being incorporated in the Port Master Plan, contains a description of the proposed circulation improvements for the entire CVBMP including both City and Port lands, detailing the roadways, the Bayshore Bikeway, public transit improvements, and parking requirements. The Access Plan also includes a description of the proposed Chula Vista Bayfront shuttle, which would service the master plan area with a key focus on connecting general users to and from: downtown areas east of I-5, the resort conference center, the residential project, park areas, and existing trolley stops. This shuttle service will be phased concurrent with development. At a minimum, service will be provided upon the issuance of certificate of occupancy for either the H-3 resort conference center hotel or the 500th residential unit in the City of Chula Vista bayfront. Additional stops will be provided at the Signature Park, the Recreational Vehicle Park, the parking structure in the Harbor District, and the park in Otay District as these uses are developed.

After the LCPA was submitted to the Commission for review, the Port, City and Commission staff worked together to make updates and revisions to the Public Access Plan to reflect various revisions that have been made to the PMPA since it was first submitted to the Commission. Because all of the changes made to the Access Plan are acceptable to the City, rather than address each individual change in the plan as a suggested modification, the City has withdrawn the original "draft" version of the Access Plan, in order to allow the Commission to adopt the revised final plan. Suggested Modification #23 adds the new Public Access Plan as an attachment to the LUP. The final Access Plan is attached to the companion Port Master Plan Amendment staff report.

**C. FINDINGS FOR DENIAL OF THE CITY OF CHULA VISTA'S LAND
USE PLAN AMENDMENT #1-11 AND APPROVAL IF MODIFIED**

The Commission finds, for the specific reasons detailed below, that the land use plan does not conform to Chapter 3 of the Coastal Act with regards to this City of Chula Vista LUP Amendment.

1. Visual Resources and View Protection

a. Applicable Coastal Act Policies

Section 30251

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be

visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. [...]

Section 30253

New development shall: [...]

(e) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

b. Plan Summary and Findings for Denial

In the Coastal Zone, the City's scenic resources mostly consist of public views towards the bay and shoreline. Because Interstate 5 is generally located lower than the surrounding topography, there are brief and limited public views towards the bay from the freeway. However, there are direct public water views from several street ends, including D, E, F, L and Palomar Streets and there are some public bay views from southbound on the freeway between H and J Streets which become quite expansive at the J Street overpass.

In addition to the importance of protecting existing public views to and along the shoreline, the visual protection policies of the Coastal Act require development to be sited and designed to be visually compatible with the character of surrounding areas. The Chula Vista Bayfront is surrounded by highly sensitive natural resources and has historically been developed with low-density uses. The bayfront is bordered by the Sweetwater Marsh National Wildlife Refuge to the north and the South San Diego Bay National Wildlife Refuge to the south, and there are sensitive resources at the F & G Street Marsh and the shoreline mudflats south of J Street. The northernmost side of the bayfront consists mainly of currently undeveloped historic agricultural land, while the southern portion is comprised of the South Bay Power Plant. While a highly visible feature of the waterfront, the Power Plant is also surrounded by a great deal of open land, as are the South Bay Salt Works, a salt factory on the southern end of the City's bayfront, outside of the LCP planning area.

In the middle of the bayfront, the developed parcels west of Interstate 5, including both the City and Port lands, have historically been developed with general industrial uses, including manufacturing, office, and some limited retail. Structures have typically been fairly large warehouse-style development. Many of these buildings have been demolished in the past several years, creating opportunities for establishing new public view corridors and preventing new development from physically or visually walling off the shoreline.

The major new developments proposed in the LCP are the residential development on Parcel Area 2-f and the hotel and office development on Parcel Area 2-h, (the Pacifica proposal), 125-foot high office buildings on Parcel Area 1-a, and a fire station proposed on Parcel Area 2-g that could be as high as 60 feet. The Pacifica development in

particular, including the eleven residential towers 70 to 200 feet high, the retail podiums and townhomes 25 to 45 feet high, and the 92 to 130 foot high hotel and office buildings, would involve a density and intensity that is unprecedented in San Diego County outside of downtown San Diego, which has historically had a pattern of high-rise development long before passage of the Coastal Act.

Since passage of the Coastal Act, most cities in San Diego County have strictly limited building heights in the coastal zone, particularly in the areas nearest the shoreline. For example, excepting the downtown region and some individual projects at SeaWorld and the former Naval Training Center, the City of San Diego imposes a 30-foot height limit in the Coastal Zone. The City of Imperial Beach has a height maximum of 40 feet. Maximum heights in the City of Coronado range between 40 and 50 feet. In National City's coastal zone, permitted uses have a height limit of between 50 and 60 feet.

However, as described previously, the City of Chula Vista's existing certified LCP stands in notable contrast to the standards of these other local jurisdictions. The current certified plan allows for concentrated development in the area just south of the Sweetwater Refuge, including basic building heights of 60 and 75 feet, two 229-foot high residential towers, a hotel of up to 100 feet, a cultural arts facility up to 69 feet in height, and a 95-foot high office tower.

The City's plan to construct high rise development on currently vacant parcels, in a low-density, low-intensity, light-industrial setting, next to a wildlife reserve, was and remains unique for San Diego County. Since that time, over the past nearly 20 years, many members of the environmental community have raised serious concerns about the potential impact build-out of these high density, tall structures would have on the adjacent Sweetwater Refuge. In particular, the 1,000 residential units, and the noise, foot traffic, and domestic animals associated with residential development, could have significant adverse impacts on the sensitive species at the reserve. Locating high rise buildings so close to the reserve could also result in a significant number of bird strikes.

Thus, the City, the Port, and the community determined that development of the Chula Vista Bayfront should be reconsidered and planned comprehensively, looking at the entire Chula Vista Bayfront, including both Port and City properties, the area around the harbor and the South Bay Power Plant lands. The intent of the proposed CVBMP is to shift the intensity of development and high rise buildings away from the natural resources on both northern and southern portions of the bayfront to the Harbor District, which is more suitable for high-density, high-intensity development. The various land exchanges described above, particularly the Pacifica land swap, have been designed to accommodate this shift in intensity away from the Sweetwater Reserve.

The Commission agrees that the Harbor District is unquestionably the most appropriate location on the bayfront for high-intensity uses. However, the heights and intensity of uses proposed in the current LCPA within the CVBMP are nevertheless extraordinary for an area not historically developed with tall, dense structures.

It is difficult to do an exact comparison of the total number of “tall” buildings that might occur in the City under the proposed plan versus the existing plan. The existing plan provides for six towers between 95 and 229 feet, but under the current plan, any number of buildings might have been constructed between 60 and 75 feet in height, which is still much higher than most structures permitted in the Coastal Zone. The current LCP amendment includes a specific development plan for the Pacifica parcel, which is intended to be binding as far as building heights, development types, setbacks and setbacks. Development of these parcels will have eleven residential towers 70 to 200 feet high, retail podiums and townhomes 25 to 45 feet high, a hotels with a 50 foot high element, a 130 foot high tower, and two commercial office towers between 92 and 106 feet high.

Thus, in total, it is likely that a larger number of extremely tall buildings would result from the proposed plan compared to the existing plan. This is in part due to the Pacifica land swap exchanging 97 acres of private land in the Sweetwater District for 35 acres of formerly public land in the Harbor District. The result of this swap was to concentrate essentially the same amount of development into a smaller area, resulting in taller buildings. Furthermore, when looking at the CVBMP as a whole and including the Port District property, many additional high rise structures (from 65 to 300 feet in height) are proposed north, northwest, and northeast of the Pacifica site.

In addition, the plan does include one high rise building outside of the Harbor District, at the northernmost end of the CVBMP, in the Sweetwater District. This vacant parcel (1-a), would be designated Professional and Administrative Commercial, with a proposed 125 foot height limit (which is only specified in the IP). This site is adjacent to the southbound E Street freeway off ramp and development on the site is currently largely screened from nearby roadways by existing tall landscaping. While development on this site would not be expected to result in any direct public view blockage, 125-foot high structures would tower over the landscape as seen from the E Street freeway off ramp, which will be one of the main entries into the bayfront. Heights over 100 feet in this location would also be incompatible with the open nature of the adjacent Refuge. The Port District had originally proposed a 100 foot hotel on the area bayward of Parcel Area 1-a, but this has been removed from the plan and the area is now designated for low-scale development consisting of an RV park/campground. As proposed, the heights on this parcel would be the only high-rise building in the Sweetwater District, inconsistent with the visual resource policies of the Coastal Act.

There is no question that the LUP, particularly in conjunction with the development planned in the Port, will profoundly change the visual character of the Chula Vista Bayfront. The proposed residential/retail uses on the Pacifica parcel will be located approximately 300 feet inland of the shoreline and harbor, and will be a huge addition to the general bulk and scale of the shoreline environment. This development will be highly visible from the freeway, the harbor, San Diego Bay, surrounding public streets and shoreline parks. While there are not public views of the water across most of the Pacifica parcel, there are brief and periodic glimpses of the open bayfront from southbound Interstate 5 north of J Street. These public views open up into an expansive bay view at the J Street overpass. As proposed, these public views will be severely encroached upon

by the proposed high rise development on Parcel Areas 2-f and 2-h. In particular, both the 70-foot high residential building and the 50-foot high hotel structure adjacent to J Street will encroach into existing public views of the bay from the freeway.

While the proposed LCPA includes an exhibit with proposed heights for each of the proposed towers on the Pacifica parcels, and provides some setback and visual protection policies, many of the proposed policies and exhibits included in the LUP do not clearly identify the required uses, the visual mitigation measures such as building step-backs are not well defined, and they are not clearly mandatory. For example, the proposed public walkways and retail nodes associated with the development have not been incorporated as mandatory requirements in the LUP, and the width of the proposed public view corridors and setbacks is not defined in the plan.

As proposed, it is not clear that the public view corridors located through the Pacifica project would line up with the openings between the existing buildings east of the Pacifica development, west of Bay Boulevard. If these open corridors do not align, it would result in a solid massive of structures as seen from Bay Boulevard. While there are no public shoreline views from the stretch of Bay Boulevard inland of the Pacifica parcel, without contiguous view corridors, the bulk and scale of the 100+ foot high buildings on the nearby Pacifica development would be visually overwhelming.

As proposed, public views directly down the J Street corridor would be available, but the plan does not establish clear, mandatory building setbacks from J Street to preserve this street end view corridor to the maximum extent feasible, and does not require building setbacks from the south side of J Street. In addition, maximum heights for parcels other than on the Pacifica parcel are specified in the IP, but not in the LUP, which would ensure the visual protection policies of the Coastal Act remain the standard of review. In addition, the specified heights do not indicate whether heights are measured from existing or proposed grade. Preliminary studies on the Pacifica parcel indicate that for engineering purposes, the existing grade may have to be increased by as much as 8 feet. Without limits on the amount that building pads can be raised, the heights of proposed structures could be significantly greater than currently noted in the LUP.

In addition to the heights on Pacifica parcel, it is particularly important that the height of any future structures on the two parcels flanking J Street immediately adjacent to the west side of the freeway (Parcel Areas 2-g and 3-a), be limited to no greater than freeway height. The LUP does not identify any height limits for these parcels (the IP allows height of between 45 and 60 feet). These parcels are the closest development parcels to the freeway; and, as proposed, existing public bay views down J Street could be blocked regardless of what occurred on the Pacifica parcel.

Most of the shoreline development will be in the Port District's jurisdiction, and the Port District has identified several street ends as public view corridors. However, it is important that upland public views from the City to the shoreline also be specifically identified and protected, to ensure that future development proposals in the Port District will be aware of and be able to accommodate these public view corridors and view protection policies when approving new development. There are direct public water

views from several street ends, including D, E, F, L, and Palomar Streets. However, the proposed plan does not identify or require public view protection of these corridors, nor are scenic roadways clearly protected from encroachment from structures and landscaping. In addition, many of the proposed policies regarding public view protection and the scenic quality of the bayfront are described in terms of suggestions rather than mandatory requirements. The LUP does not contain adequate limitations on the size and type of signage that would ensure the visual quality of the coastal zone is maintained.

In addition, the plan does not include any policies to reduce and mitigate the visual impact of and proliferation of telecommunication facilities (e.g., cell phone towers). These structures, if not carefully designed, could block public views and adversely impact the visual quality of the bayfront. Therefore, as submitted, the proposed LUP cannot be found consistent with the visual protection policies of the Coastal Act, and must be denied.

c. Findings for Approval

While there is no doubt that the proposed LUP would allow the development of buildings that would be of a scale and density that would completely transform the visual environment of the bayfront, the CVBMP was undertaken as a comprehensive planning effort by the Port and the City of Chula Vista for a more than 500-acre area specifically so that existing development potential could be transferred away from environmentally sensitive habitat to a more appropriate location. The LUP amendment has been designed to make a specific trade-off prioritizing protection of the environmental resources by locating the high-intensity, dense development that was previously approved in the Sweetwater District to the Harbor District. Because the area is being planned comprehensively, high density development has been able to be concentrated in one area, with large open spaces preserved elsewhere. As a result, the LUP, when viewed in conjunction with the companion CVBMP Port Master Plan Amendment, has the potential to provide for the preservation of more open space and lower densities in highly scenic areas than if the plan area were built out either under the existing LUP and/or in a piecemeal manner with various mid-range structures spread out through the bayfront.

Suggested modifications ensure that while the LUP allows for a substantial revision to the appearance of the bayfront, the plan contains numerous and substantial mitigation measures, including revising the heights of several key buildings on the Pacifica and other parcels, ensuring public plazas, retail nodes, and adequate public view corridors are provided through the Pacifica development and on surrounding streets, requiring building setbacks from public view corridors, establishing and protecting scenic roadways, limiting signage and telecommunication facilities.

Suggested Modification #81 requires revisions to the proposed Exhibits 8a, which sets forth the requirements for development on Parcel Areas 2-f and 2-h (Pacifica). On Parcel Area 2-f, maximum heights have been lowered from 220 feet to 200 feet to reflect the actual development proposal. Public view corridors through the development must be between 70 and 95 feet in width. Along J Street, a 65-foot setback from the curb is required. (Suggested Modification #124 requires that a 65-foot setback also be

established for development on Parcel Areas 2-g and 3-a to similarly protect public views down J Street). These modifications will ensure that the mass and bulk of the proposed high rises are broken up, include some visual relief and that the J Street public view corridor is preserved. The 70-foot high residential tower on the southwest side of Parcel Area 2-f along J Street has been reduced to 40 feet, and the 50-foot high hotel structure on the J Street side of Parcel Area 2-f has been eliminated. In order to make up for the removal of the 50-foot high hotel wing, the maximum allowable height of the hotel tower has been increased from 130 feet to 140. This minor addition in height is not expected to have a significant effect on public views, while the removal of the 50-foot high podium will result in more of the existing expansive public views of the bayfront from the freeway approach J Street being maintained.

As noted above, the proposed LUP describes various planned development scenarios throughout the planning area, but the underlying land use designation (along with any other relevant development standards such as environmental or visual protection policies), will govern what type of development may actually be permitted on a site. However, the specific described uses, building layout, maximum floor area, etc. on the Pacifica site are mandatory. Suggestion Modifications #76 and #77 clearly identify these policies as mandatory for Parcel Areas 2-f and 2-h.

Suggested Modification #81 adds a new policy SA2.LU.1.L that further describes the setback, setbacks and visual protection measures illustrated on Exhibits 8a and 8b, including the requirement that public view corridors identified in Exhibit 8a align with the existing corridors between the buildings that are currently located east of Parcel Area 2-h and west of Bay Boulevard.

Suggested Modification #17 inserts building height limitations for each Parcel Area within the LCP. As shown on the new height table, the 125-foot height limit for the Professional and Administrative Commercial designated parcel area in the Sweetwater District (1-a) has been modified to be no more than 44 feet. This will reduce the impact on public views of this structure from the freeway, and will be more compatible with the scale of the surrounding buildings.

On the north and south side of J Street, next to the freeway, Parcel Areas 2-g and 3-a have been limited to a maximum of 30 feet and 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. Suggested Modifications #41, 47, and 48, identify street end public views of the Bay from D Street, E Street, F Street, L Street, Palomar Street and the public views of the Bay that will be created from the H Street corridor as protected public view corridors, require that tree plantings not encroach into identified public view corridors, and require scenic “Gateway” entryways conform with setback policies and height limits in the LUP.

Suggested Modification #13 adds policies that require telecommunication facilities to be planned and integrated into the Bayfront consistent with the visual and environmental goals of the LCP, including designing all facilities to minimize visibility from public viewing areas. Suggested Modification #50 prohibits free-standing pole and roof signs,

and limits permitted monument signs to no more than eight feet in height. Suggested Modification #63 requires that the fencing proposed around the identified buffers in the plan take into considering public views of the bay. In order to limit the potential for bird strikes, Suggested Modification #70 requires that design features that increase the potential for bird strikes, such as walkways constructed of clear glass and "see through" pathways through lobbies, rooms and corridors, shall be avoided except for minor features intended to enhance public view opportunities at grade level and only when oriented away from large open expanses.

In summary, the proposed LUP provides for numerous tall buildings and high density development that will significantly change the character of the existing bayfront environment. However, concentrating high density development in the Harbor District, as proposed, will allow for lower density and more open space on the north and south ends of the CVBMP where sensitive coastal resources are situated. While the character of the community will change, suggested modifications ensure that impacts to public views will be minimized and the bay will not be "walled off" from upland areas. Therefore, as modified, the LUP can be found consistent with the visual protection policies of the Coastal Act.

2. Environmentally Sensitive Habitat and Water Quality Protection

a. Applicable Coastal Act Policies

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30233

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, 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:

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

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

(3) 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.

(4) 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.

(5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(6) Restoration purposes.

(7) Nature study, aquaculture, or similar resource dependent activities.

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems. [...]

(d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects

that shall be considered before issuing a coastal development permit for these purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

Section 30235

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply....

Section 30240

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) 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.

b. Plan Summary and Findings for Denial

The LUP contains various policies related to resource protection policies throughout the LUP, but most are contained within the Environmental Management section of the Areawide Development Objectives and Policies section. This section contains policies which are designed to protect and preserve the City's natural resources. The majority of the sensitive resources or potentially sensitive resources within the CVBMP are in the Port District's jurisdiction; however, there are several existing and potential wetland and sensitive habitats within the City's LCP area. In addition, upland development activities within the LCP area have the potential to adversely impact the resources in the surrounding Refuges and bay waters, without adequate water quality protection policies.

The City's proposed Environmental Resource Map (proposed Exhibit 12) identifies areas of disturbed Diegan coastal sage scrub and eucalyptus woodland on Parcel Area 1-g, non-native grasslands on Parcel Areas 2-f, 2-h, and 2-g. There is existing wetland habitat or sensitive habitat areas on the F&G Street Marsh, and potentially in the unimproved areas/open space on the two northern Inland Parcels (Parcel Areas 1-h and 1-i) and the Faivre Street parcel on the southern portion of the City, east of the freeway (Parcel Area 3-k).

However, the proposed map does not make a determination whether any of these resources are considered Environmentally Sensitive Habitat Area (ESHA). In addition, the plan does not contain a definition or description of ESHA or prohibit the disruption of

ESHA. The Coastal Act policies prohibiting the disruption of ESHA are very strict and reflect a statewide concern for conserving diminishing habitat areas. Without identifying areas of existing habitat and providing policies for the protection of ESHA, the plan cannot be found consistent with Section 30240 of the Coastal Act.

The proposed LUP includes detailed policies addressing domestic animal control, restrictions on lighting and window design, bird strike monitoring, and public education programs to educate residents and visitors about caring for and protecting the natural resources of the bayfront. However, the LUP lacks specific policies that define and protect wetlands or limit permitted uses in wetlands consistent with Section 30233 of the Coastal Act. The plan does not require mitigation for impacts to sensitive habitat, require buffers between development and sensitive resources, or prohibit the use of invasive plants, pesticides and rodenticides. In addition, many of the LUP policies are phrased as suggestions, rather than mandatory requirements. The proposed LUP calls for preparation of a Natural Resources Management Plan to address various wildlife and habitat protection issues, but this plan has not yet been developed.

As proposed, the plan would permit “minimal [wetland/open water] shading impacts for pedestrian impacts with approval from the Coastal Commission,” although the process by which the Commission would authorize such approval under the City LCP is unclear. The plan would also allow new roadways to impact sensitive habitat under circumstances where building roadways to lesser standards could impact safety (rather than requiring a revised project that could accommodate a different road standard and avoid impacts to wetlands and ESHA). To meet the resource protection standards of the Coastal Act, the plan must specifically identify the narrowly permitted uses in wetlands, and provide standards under which impacts to resources such as wetlands and open water might be allowable, along with required mitigation. Furthermore, the plan includes very limited policies requiring the protection of water quality or requiring the use of best management practices to protect water resources from urban runoff and other pollutants.

The Commission is also concerned that development of the Chula Vista Bayfront not result in pressure to expand Interstate 5 or SR 54 in a manner that would result in impacts to the sensitive resources around the Sweetwater Channel or the Otay River Valley. Policy AC.2.B states that the Port and the City shall participate in a multi-jurisdictional effort conducted by Caltrans and SANDAG to assist in developing a detailed I-5 corridor-level study that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources, and phasing that would provide congestion management on the I-5 South corridor from the SR-54 interchange to the Otay River. As submitted, this policy could be interpreted as authorizing any change to I-5 or SR-54, regardless of any associated resource impacts. This policy should make clear that any alterations to the I-5 segment or associated improvements that impact wetlands or ESHA must first be reviewed and approved as an LCPA. In that manner, any impacts to sensitive habitats could be properly evaluated in the context of current development phasing and buildout, along with a rigorous analysis of available alternatives. In addition, the policy as drafted does not make it clear that proposed improvements would have to be limited to incidental public services or resource

dependent uses. As submitted, the proposed LUP amendment is therefore not consistent with the resource protection policies of the Coastal Act.

While the City's LCP area only includes two areas actually on the shoreline, and those consist of the Sweetwater Refuge, and Parcel Area 1-g, an open space parcel proposed to be a connecting part of the Signature Park in the PMPA, as a shoreline and nearshore planning area, it is important that the amended LUP contain policies that acknowledge that sea level rise should be accounted for in planning and land use decisions, particularly where buffers around sensitive resources are located on the shoreline where impacts from sea level rise and inundation are likely to occur. However, no discussion of the impact of sea level on habitat buffers has been included in the LUP. As submitted, the LUP, does not contain adequate policies requiring the protection of marine resources, ESHA, wetlands or the biological productivity and quality of coastal waters. Therefore, the LUP amendment must be denied as submitted.

c. Findings for Approval

Suggested modifications have been added defining wetlands, listing the permitted uses as set forth by Section 30233 of the Coastal Act, and deleting new roadways and "shading impacts" as a permitted use." and (see SM #3, #9, 19, 20, and 26). Suggested Modification #55 clarifies that the proposed pedestrian bridge is a resource dependent use, as long as long as the project is designed to avoid or minimize impacts to environmental resources and necessary mitigation is provided.

Suggested Modification #1 requires the addition of a revised Environmental Resources Map that identifies ESHA based on the studies done in the Environmental Impact Report for the CVBMP. Suggested Modifications #10 and #55 add policy language defining ESHA. In addition, Suggested Modification #55, #56 and #57 add a substantial number of new policies designed to ensure that both wetlands and ESHA are protected. These policies include defining permitted uses allowed in wetlands; requiring that only uses dependent on sensitive resources be allowed within those areas; defining requirements for buffers from sensitive habitat; requiring specific mitigation when impacts are permitted and prohibiting the use of insecticides, herbicides, rodenticides or any toxic chemical substance which has the potential to significantly degrade habitat areas. The Commission's ecologist has reviewed the LUP and visited the bayfront, and determined that as modified, the LUP is consistent with the natural resource protection policies of the Coastal Act.

Suggested Modification #59 adds detailed and specific water quality standards to the LUP to ensure that long-term protection and enhancement of water quality is provided through watershed planning and requirements that new development implement water quality protection policies. These include prohibiting urban runoff pollutants from being discharged or deposited such that they adversely impact water resources, requiring pre- and post-construction BMPs, designing and managing new development to eliminate or minimize dry weather flow where it may adversely impact the biological productivity of resource areas, and practicing the principles of Integrated Pest Management including the reduced use of toxic products. The Commission's water quality technical staff have

reviewed the LUP and determined that, as modified, the LUP amendment is consistent with the water quality protection policies of the Coastal Act.

With regard to future impacts resulting from the expansion of I-5 or SR-54, Suggested Modification #18 adds policy language to the LUP amendment to clarify that the I-5 corridor segment lies within the City of Chula Vista's LCP planning area, and any alterations to the I-5 segment or associated improvements that impact wetlands or ESHA are be limited to incidental public services in the wetlands context or resource dependent activities in the ESHA context, and must first be reviewed and approved as an LCP amendment. Review of any such amendment would require a detailed alternatives analysis that looked at ways in the which the project could be redesigned or downsized to avoid environmental impacts, including a reassessment of development phasing and buildout. Approval of this PMPA does not authorize any future alteration or expansion of I-5 or SR-54 that would impact sensitive habitat.

The resource buffers around the shoreline shown on Exhibit 12a of the LUP have been designed to take into account sea level rise. Suggested Modification #57 acknowledges that this analysis has occurred, but also requires that in cases where buffers have not yet been 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. However, consistent with Section 30235 of the Coastal Act, construction of shoreline protective devices such as seawalls or other form of armoring to protect new development would not be considered an appropriate strategy and would not be approvable. Therefore, if modified as described herein, ESHA, wetlands, and water quality will be protected and preserved as required by the natural resource protection policies of the Coastal Act.

3. Public Access

a. Applicable Coastal Act Policies

Section 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) adequate access exists nearby, or,

[...]

Section 30252

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation....

b. Plan Summary and Findings for Denial

The proposed CVBMP includes many roadway improvements that are expected to maintain or increase public access and circulation to and around the bayfront, most of which will occur within the Port District, but all of which will directly affect circulation within City boundaries. In the Sweetwater District, E Street would be realigned and extended. A new bridge and bike path would be built over the inlet that flows into the F & G Street Marsh. F Street/Lagoon Drive would terminate in a new cul-de-sac, and a new F Street segment would be constructed. The abandoned segment of the existing F Street would remain in place but would be accessible to only emergency vehicles, pedestrians, and bicycles. The realignment of Gunpowder Point Drive and a new parking lot for the Chula Vista Nature Center are also proposed.

In the Harbor District, E and H Streets would be extended and H Street would serve as the primary entry to the RCC. J Street/Marina Parkway and Marina Way would be realigned. Bay Boulevard would remain open. A newly constructed Street A and Street C would provide access to the proposed Pacifica development in the Harbor District. Intersections throughout the project site and off site would be improved during all phases of the CVBMP. These improvements would include through lanes and turning lanes, all-way and two-way stop-controlled intersections, and traffic signals. In addition, the project proposes enhanced pedestrian access within developed and open space areas, enhanced public access to the waterfront, and a bikeway loop connecting the Bayshore Bikeway with the various elements of the PMPA.

The Pacifica residential and commercial project, while fairly high traffic generating uses, will be located within close proximity to a variety of public and commercial recreational uses, which will encourage the use of walking and biking instead of personal vehicles. The LUP has policies requiring the provision of bicycle parking and facilities that support bicycle commuting.

Nevertheless, the scale and density of development proposed in this amendment request raises the potential for adverse impacts upon traffic that could result in impediments to public access. The traffic impacts of most concern are those at the shoreline access streets E, H, and J Streets. In response to traffic concerns, a detailed traffic study was prepared for the EIR associated with the CVBMP. The traffic analysis determined that all of the impacts to road segments and intersections could be mitigated to a level less than significant with the required road upgrades, with the exception of impacts to I-5 all along the eastern border of the CVBMP in both directions during AM and PM peak segments, and the E and H Street intersections affected by the at-grade trolley crossings could experience significant delays.

To address these impacts, the LUP includes public access and circulation improvement measures that will help reduce the impact of traffic congestion on coastal access. The LUP requires that circulation routes and public transit services that exist within the urban core of Chula Vista shall be extended to and through the Bayfront to integrate the coastal area with the overall community. Development projects within the LCP Planning Area must incorporate and/or extend the use of these transportation facilities as a part of the development concept. Although for the most part, the City jurisdiction does not extend to the shoreline the sidewalks and bike paths in the LCP area will connect with the Port's existing and proposed public access ways to ensure that lateral public pedestrian access is provided all along the shoreline.

In addition, the LUP includes adoption of a Public Access Plan (PAP) (also part of the Port Master Plan Amendment, and included as an attachment to that submittal), that requires implementation of a shuttle service that will service the master plan area with a key focus on connecting general users to and from: downtown areas east of I-5, the resort conference center, the Pacifica residential project, park areas, and the City's existing trolley stops. The Plan specifically requires that the shuttle system shall be designed with the following design considerations:

1. Ensure that it has fewer stops than a conventional bus and is located as close as possible to the major traffic generators.
2. Plan the general route of the transit shuttle to travel along Third Avenue between F Street and H Street, along F Street between Woodlawn Avenue and Third Avenue, along Woodlawn Avenue between E Street and F Street, along E Street, Marina Parkway, Street C, and Street A within the Bayfront development area, and along H Street between the Bayfront and Third Avenue
3. Plan the route to operate as a two-way loop with stops in both directions.
4. Plan for shuttles to initially run every 15 minutes.
5. Consider a private shuttle system to transport employees between the Port's H-18 parking structure and the H-3 parcel in the Harbor District.

In addition, the Access Plan requires that shuttle service be phased concurrent with development. At a minimum, service must be provided upon the issuance of certificate of occupancy for either the Port's H-3 resort conference center hotel or the City's 500th residential unit in the bayfront. Additional stops will be provided at the Port's Signature Park, the Recreational Vehicle Park, parking structure, and the park in Otay District as these uses are developed.

The LUP also contains a number of trip demand reduction strategies, such as promoting ride sharing policies (Policy AC.9.C); providing public transit incentives, such as free or low-cost monthly transit passes (Policy AC.9.E); requiring bicycle parking (Policy AC.9.F); instituting telecommute work programs (Policy AC.9.G); and providing education and information to residents and visitors about public transportation (Policy AC.9.H).

In numerous past actions, including the Commission's action adopting the existing LCP, the Commission has found that the generation of traffic that has peaks at the morning and evening commuter peaks is not likely to result in significant impacts to coastal visitor access, demand for which peaks on weekend and holidays. The CVBMP, when looked at as whole including both the City and Port proposals, includes numerous improvements to the roadway system, along with mitigation measures to help reduce the traffic and circulation impacts associated with the uses proposed in the Plan.

In addition, while there are adverse impacts associated with the bulk and scale of high-rise developments, there can also be positive impacts to the coastal environment. High density development concentrates public infrastructure into a defined area, rather than sprawling over a larger region. The density proposed in the plan will help support the provision of public transit. The influx of people will help activate the shoreline and support the public recreational uses proposed in the Port District.

Therefore, the Commission finds that for the most part, with respect to traffic generated by the proposed development under the LCPA, the proposed density and intensity will not result in inconsistencies with Chapter 3 policies. However, there are some revisions and additional policies that are required to ensure that the Coastal Act requirements to protect public access are met.

However, as originally submitted to the Commission, several policies of the proposed LUP amendment indicate that a public transit plan had not yet been completed, although the City did have a draft Public Access Plan at the time the LUP was submitted. Since then, the Public Access Plan has been finalized and contains the policies and requirements as described above. Since the final plan has not been formally incorporated into the LUP, the mitigation measures, conditions and requirements of the Access Plan are not yet part of the LUP. In addition, the LUP does not have specific policies requiring new commercial and higher density residential development to be located and designed to facilitate provision or extension of transit service to the development, and non-automobile circulation within the development, consistent with Section 30252 of the Coastal Act.

Therefore, as submitted, the LUP amendment is inconsistent with the public access policies of the Coastal Act, and must be denied.

c. Findings For Approval

Suggested Modification #23 revises proposed Policy AC.6.A, and Suggested Modification #27 and #28 add new language to the plan to reflect the current status of the Access Plan and incorporate the final plan as a required policy document and attachment to the LUP. Suggested modifications #29 – #31 revise the LUP policies on shuttle service requirements to be consistent with the final Access Plan.

Suggested Modifications #22 adds a policy encouraging major employment, retail, and entertainment districts and major coastal recreational areas to be well served by public transit and easily accessible to pedestrians and bicyclists. Suggested Modification #24 requires new commercial and higher density residential development to be located and designed to facilitate the provision or extension of transit service to the development, and support non-automobile circulation within the development.

Suggested Modification #25 requires that commercial projects provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, facilities must be provided to encourage bicycle commuting, including (for example) showers, lockers, locked bicycle storage and covered or indoor bicycle parking. Suggested Modification #35 adds a new policy requiring the provision of bicycle racks for projects in the Residential in Harbor designated land use (e.g., the Pacifica development). Suggested Modification #34 requires that adequate parking be provided to serve coastal access and recreation uses. Therefore, as modified, the amended LUP will be consistent with the public access policies of the Coastal Act.

3. Recreation and Protection of Priority Uses

a. Applicable Coastal Act Policies

Section 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30221

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30223

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

b. Plan Summary and Findings For Denial**Public and Commercial Recreation**

As described above, most of the developed Chula Vista LCP area is designated for and developed with Industrial uses. The LCP area also includes a major retail center on the north, which is designated for Thoroughfare Commercial uses. Under the existing certified LCP, the northern portion of the plan is designated for a variety of high density uses, including some high priority uses (hotels, commercial retail, and cultural uses), and some low priority uses, including residential. The mid and southern portions of the Bayfront are designated for industrial uses, except for planned visitor-commercial nodes on both the north and south sides of J Street on the west side of the freeway. In total, the plan provided for approximately 11 acres of high priority Visitor Commercial designated land. The current plan also designates several areas in the plan, including the inland retail shopping center as Thoroughfare Commercial, a land use designation which also allows for various high priority uses such as motel and restaurant facilities that principally serve auto-oriented traffic, gas stations and similar traveler-oriented goods and services.

As noted, none of the land areas outside the CVBMP boundaries are proposed to be revised in the subject amendment. After the land swap, only six parcels within the CVBMP would remain within the City's jurisdiction. These consist of Parcel Area 1-a, located on the north side of E Street and currently designated Commercial Visitor, which would be redesignated Commercial Professional and Administrative; Parcel 1-g, which is currently and would remain designated Open Space; Parcel Area 1-f, an existing park to remain a park; Parcel Areas 2-f and 2-h, the Pacifica Residential, Professional and Administrative Commercial, and Visitor Commercial development; and Parcel Area 2-g, located on the north side of J Street, immediately west of the freeway, which is being redesignated from Visitor Commercial to Public - Quasi-Public. The proposed plan would have a total of 6 acres of land designated for high-priority visitor commercial uses. No change to any Thoroughfare Commercial designated lands is proposed.

Thus, the amount of land area designated in the LCP for high priority Visitor Commercial uses is being reduced from 12 acres to 6 acres. However, as discussed previously, the land swap involves an exchange of 97 acres of private land for 35 acres public trust lands. Although by no means identical to the development envisioned under the existing LUP, the intent with the land swap was to allow roughly the same amount of "development potential" on the smaller parcel as might have occurred on the larger parcel in the Sweetwater District. Thus, the Pacifica development includes residential, commercial office, and a hotel.

As noted in the previous sections of this report, the CVBMP has been planned comprehensively with the Port District in order to allow the many visual and

environmental benefits of the land swap to occur. The existing PMP designates most of the Chula Vista bayfront for Industrial uses. It is important to recognize that while the proposed LUP would result in a reduction in land area designated Visitor Commercial, overall, including the proposed PMPA, there will be a significant increase in Commercial Recreation and public recreational designated uses compared to what would have been allowed under the existing LCP and PMP.

Thus, the proposed conversion of Parcel Areas 1-a and 2-g to non-visitor serving uses is not expected to have a significant adverse impact on the availability of visitor-serving land in the bayfront. Nevertheless, the impacts could be reduced even further if the LUP allowed more flexibility in where high-priority uses could be located within the planning area. For example, some LUPs allow high priority uses in any commercial zone. The Thoroughfare Commercial designation, which actually includes some visitor-oriented uses, provides a prime opportunity to expand the availability of land area for high-priority commercial retail and restaurant uses. However, as submitted, the Thoroughfare Commercial designation specifically prohibits uses that would principally serve pedestrian traffic including convenience retail and food and beverage retail sales, which are typically found in visitor-serving areas. Thus, as proposed, the LUP amendment unnecessarily restricts the availability of land for high-priority visitor serving uses and it cannot be found consistent with the recreational policies of the Coastal Act.

The residential uses proposed on Parcel Area 2-f are intended to have some visitor-serving amenities, including retail nodes and public plazas. However, the LUP policies do not clearly require that these features be provided. Therefore, as proposed, the LUP amendment cannot be found consistent with the requirements of the Coastal Act to protect and encourage visitor and recreational facilities.

Overnight Accommodations

The LUP amendment provides for one new 250-room hotel in the City's jurisdiction. It is unknown at this time what the room rates for the proposed hotel will be; however, it is reasonable to assume that a new bay view hotel will be moderate to high cost.

Section 30213 of the Coastal Act requires that lower cost visitor and recreational facilities be protected (i.e., retained), encouraged and, where feasible, provided. The Commission has the responsibility to both protect existing lower-cost facilities, and to ensure that a range of affordable facilities be provided in new development along the coastline of the state. In light of current trends in the marketplace and along the coast, the Commission is increasingly concerned with the challenge of providing lower-cost overnight accommodations consistent with the Coastal Act. Recent research in a Commission workshop concerning hotel-condominiums showed that only 7.9% of the overnight accommodations in nine popular coastal counties were considered lower-cost. Although statewide demand for lower-cost accommodations in the coastal zone is difficult to quantify, there is no question that camping and hostel opportunities are in high demand, and that there is an on-going need to provide more lower-cost and even affordable (mid-range) overnight opportunities along California's coast. For example, the Santa Monica hostel occupancy rate was 96% in 2005, with the hostel being full more

than half of the year. State Parks estimates that demand for camping has increased 13% between 2000 and 2005. Nine of the ten most popular State Parks campgrounds are along the coast.

When exclusive high cost visitor accommodations are located on the waterfront, they occupy area that would otherwise be available for lower cost visitor and public recreational facilities. The problem with exclusivity of shoreline accommodations has become increasingly acute throughout California. There is a place for higher-end facilities, but it should be as one component of a wide range of overnight accommodations available to serve all segments of the population, to ensure the shoreline is available to everyone.

There is only one existing hotel in the City of Chula Vista's coastal zone, (the Good Nite Inn on Bay Boulevard), and it does provide lower-cost accommodations. However, the Coastal Zone is fairly narrow in this region, and there are many overnight accommodations located just inland of the City's Coastal Zone. The Port and the City of Chula Vista have submitted a survey for the South Bay region indicating that there are approximately 1,208 lower-cost hotel and motel rooms in the City of Chula Vista within 3-4 miles of the Chula Vista Bayfront. Including the nearshore areas of National City and Imperial Beach, the study determined that there are over 3,000 lower cost rooms available. Thus, while they are not on the bayfront, there is an large quantity of affordable accommodations in the nearby area, close to the bayfront.

When no lower cost units are proposed as part of a project or plan amendment that involves the construction of a new overnight accommodation project, the Commission has typically required mitigation to ensure a range of accommodation rates are made available to visitors. If development cannot provide for a range of affordability on-site, the Commission requires off-site mitigation. However, as noted, unlike many coastal cities, Chula Vista does have an existing abundance of existing lower cost accommodations within close access to the coast. The proposed project will not result in the removal of any of these existing lower-cost hotel rooms, but will rather significantly increase the overall availability of (moderate to high cost) rooms on the bayfront.

Nevertheless, in order to ensure that a range of accommodations continue to be available in the region, there should be policies in the LUP that require that where a new hotel or motel development would consist of entirely high cost overnight accommodations, the City should do a supply/demand analysis within the Chula Vista Master Plan and South Bay area, to determine whether in-lieu fees or comparable mitigation should be required as a condition of approval for a coastal development permit.

In addition, the LUP should include policies that protect any lower-cost accommodations that should be constructed in the LCP area in the future. The City has expressed interest in gradually relocating the various industrial uses on the bayfront to a more inland location to increase opportunities for more visitor-serving uses in the nearshore area. Eventually, a range of overnight accommodations could be present in the LCP areas and any lower cost visitor facilities or accommodations should be protected. However, no such policies are presented in the proposed plan.

In addition, the plan does not specifically allow short-term vacation rentals in the proposed residential development, which can provide an additional source of overnight accommodations that may be more reasonably priced than a high-end hotel. The plan also does not include a prohibition on limited use overnight accommodations (e.g., condo-hotels) in the Commercial Visitor zone, which could thus allow the proposed Pacifica hotel to convert to this lower-priority, more exclusive form of hotel use in the future. Therefore, as submitted, the proposed LUP amendment does not adequately protect and encourage lower cost visitor and recreational facilities, and must be denied.

c. Findings For Approval

Suggested Modification #16 revises the permitted use section of the Commercial – Thoroughfare designation to allow commercial retail and restaurant uses oriented towards tourist or visitor uses within the coastal zone in order to supplement those high priority uses. Suggested Modification #79 adds a new policy describing the public spaces, features, and amenities that must be provided on the Pacifica residential development, including public art, public walkways, and ground level retail nodes. Suggested Modification #1 requires a new Exhibit #14 illustrating these features.

In order to ensure that a range of overnight accommodations continue to be available in the region, Suggested Modification #12 requires that where a new hotel or motel development would consist of entirely high cost overnight accommodations, after thorough consideration of a supply/demand analysis within the Chula Vista Master Plan and South Bay area, in-lieu fees or comparable mitigation may be required as a condition of approval for a coastal development permit to mitigate for the loss of high-priority low-cost visitor-serving accommodations. High cost is defined as those hotels with daily room rates 25% higher than the statewide average for coastal areas. Any such a mitigation payment would be for providing funding for the establishment of lower cost overnight visitor accommodations within the City of Chula Vista or South Bay coastal area.

Suggested Modification #12 also adds a number of policies to the LUP ensuring that visitor-commercial land uses and activities be encouraged and provided. New policies requires that once lower or moderate cost accommodations are developed within the CVBMP, these units must be protected from removal or conversion to higher cost accommodations. If removal or conversion of lower or moderate cost overnight accommodations is proposed in the City's LCP area, the inventory must be replaced with units that are of comparable cost with the existing units to be removed or converted on site or, if feasible, within the coastal zone in Chula Vista. If replacement units cannot feasibly be built in Chula Vista's coastal zone, then the units may be built elsewhere in the South Bay coastal zone or within 5 miles of the bayshore in Chula Vista. The City must proactively work with hotel/motel operators and offer incentives to maintain and renovate rather than replace these properties.

If replacement of lower or moderate cost units is not proposed (either on-site or elsewhere in Chula Vista or the South Bay), then the new development is required to pay, as a condition of approval for a coastal development permit, a mitigation payment to

provide significant funding for the establishment of lower cost overnight visitor accommodations within Chula Vista, preferably, or within the South Bay, for each of the low or moderate units removed/converted on a 1:1 basis.

Suggested Modification #12 also prohibits Limited Use Overnight Visitor Serving Accommodations within the Commercial-Visitor designated land areas within the coastal zone, and adds a policy that permits short-term vacation rentals in all residential zones consistent with City code enforcement regulations. The policy defines short-term vacation rentals as rental of any portion of a building in a residential district for 1 to 30 consecutive days. Therefore, as modified, the Land Use Plan amendment can be found consistent with the public recreation and high priority use policies of the Coastal Act.

PART VI. FINDINGS FOR REJECTION OF THE CHULA VISTA IMPLEMENTATION PLAN AMENDMENT, AS SUBMITTED

A. AMENDMENT DESCRIPTION

The Implementation Plan for the LCP is called the Bayfront Specific Plan, and consists of seven separate chapters of the City's Zoning Code:

- **Chapter 19.81 Bayfront Specific Plan – Scope and Purpose**

This chapter briefly describes and updates the proposed Bayfront planning area covered by the LCP to include the various land swaps and revised jurisdictional boundaries.

- **Chapter 19.82 Bayfront Specific Plan – General Provisions**

This brief section explains several procedural processes regarding conflicts with other sections and amendments, and is largely unchanged from the existing Plan.

- **Chapter 19.83 Bayfront Specific Plan – Coastal Development Permit Procedures**

This chapter sets forth the process for City-issued coastal development permits, and is largely unchanged from the existing Plan.

- **Chapter 19.84 Bayfront Specific Plan – Land Use Zones**

This chapter describes the various types of land uses in the City (Commercial; Industrial; Public and Open Space; Residential; and Circulation and other) and defines what uses are permitted within each category. Most of the proposed revisions to this chapter are minor clarifications and revisions to the purpose and intent of each category, and the removal of the high-intensity, mixed use “Central Resort District” designation that was previously proposed in the midbayfront area that will now be subject to Port jurisdiction. The types of permitted uses in each type of land use designation are not being substantially altered.

- **Chapter 19.85 Bayfront Specific Plan – Development Criteria**

This chapter provides specific development requirements for different land uses categories, including floor area ratios, heights, and parking requirements. Building appearance and setbacks, landscaping and sign regulations, circulation elements, and grading standards are included in this section.

- **Chapter 19.86 Bayfront Specific Plan – Environmental Management Program**

This section of the Specific Plan contains a limited number of policies designed to protect sensitive resources; the bulk of the environmental protection policies are located in the LUP, as modified. This section also includes water quality protection policies.

- **Chapter 19.87 Bayfront Specific Plan – Infrastructure Financing and Funding Mechanism**

This chapter was previously named “Bayfront Specific Plan – Subarea Specific Development Standards, and contained specific development standards for each of the following subareas: Midbayfront Subarea; Industrial Subarea; Inland Parcels Subarea; Faivre Street Subarea; Palomar/Bay Boulevard Subarea. As proposed, specific development standards that apply to the CVBMP and throughout the LCP planning area are now covered in the Land Use, Development, and Environmental Management sections. This chapter instead covers various types of funding mechanisms, fees, and grants that could be used to assist in the implementation of the plan.

B. SPECIFIC FINDINGS FOR REJECTION

The standard of review for LCP implementation submittals or amendments is their consistency with and ability to carry out the provisions of the certified LUP.

1. Visual Resources and View Protection

As modified, the LUP policies require very specific development standards for the Pacifica development, including setbacks, stepbacks or offsets, view corridors and height limitations to ensure public views towards the bay are protected and the visual impact of the development is minimized. As submitted, the Specific Plan either does not include these standards, or in some cases, the standards are not fully consistent with the LUP requirements as modified.

Similarly, the height requirements for the other LUP parcels have been modified in the LUP to ensure that visual quality is protected and enhanced. The height requirements in the IP are not consistent with the LUP as modified.

As described above, as modified, the LUP requires that permitted monument signs not exceed eight feet in height, and prohibits free-standing pole or roof signs. However,

several policies of the IP allow 10 foot high ground signs, and some pole signs, inconsistent with the LUP as modified. Therefore, as submitted, the IP is neither consistent with nor adequate to carry out the visual resource protection requirements of the LUP.

2. Biological Resources

Because the IP sets forth the standards under which the LUP will actually be implemented, it is important the Specific Plan include the same detailed standards and requirements for wetlands and ESHA contained in the LUP. The LUP as modified prohibits the filling of wetlands for any uses other than those allowed by Section 30233 of the Coastal Act. However, Chapter 19.86, the Environmental Management Program, does not limit permitted uses in wetlands, or set minimum required buffers from wetlands or ESHA, other than those shown on Exhibit 12a of the LUP amendment.

Furthermore, the Infrastructure section of the Specific Plan 19.85.007 (1) (b) (1), states that minimal shading impacts [to wetland/open water] may be allowed for pedestrian paths with approval from the Coastal Commission. As with this same policy in the LUP, the process by which the Commission would authorize such approval under the City LCP is unclear. To meet the resource protection standards of the Coastal Act, the plan must specifically identify the limited permitted uses in wetlands, and provide standards under which impacts to resources such as wetlands and open water might be allowable, along with required buffers and mitigation ratios where necessary. As proposed, the Specific Plan also does not have detailed policies addressing the protection of ESHA.

Several policies in the LUP refer to sea level, but the Specific Plan does not include a definition of sea level, which could lead to misinterpretation of the LUP requirements to ensure that buffers and new development take into account sea level rise. Therefore, as submitted, the IP amendment is neither consistent with nor adequate to carry out the resource protection requirements of the amended LUP.

3. Public Access and Recreation; Planning and Locating New Development, Priority Uses, and Transit and Circulation

Many policies of the LUP require the provision of bicycle paths and adequate bicycle parking. Policy PK.1.D, as modified, specifically requires that the Residential in Harbor land use (the Pacifica development) provide bicycle racks for 5 percent of visitor vehicle parking capacity, with a minimum of one bike rack. However, as submitted, the IP does not include Residential in Harbor as a land use that is required to provide bicycle parking, inconsistent with the amended LUP.

The proposed shuttle route map included in the Specific Plan (Exhibit 7a) shows the proposed shuttle stops that will initially be part of the required route, but the route map does not make clear that these stops are only the initial shuttle route. As required by the Public Access Plan, the shuttle will be expanded to other areas, including the Port's Signature Park, Recreational Vehicle Park, the H-18 parking structure, and the Park in

Otay District in the future. As proposed, the Specific Plan does not accurately reflect the public transit requirements of the amended LUP.

The Specific Plan includes several administrative changes that would conflict with the intent of certified LUP, as modified. The City has made revisions to Section 19.82.002 “Conflicts, Interpretation, and Applicability of Provisions,” that are unclear as submitted, and suggest that the policies of the Specific Plan supersede those of the LUP. The City has amended the definition of “Appealable development” to add subsection D of Section 30603(a) of the Coastal Act, which includes developments approved by the local government that are located in a sensitive coastal resource area as an appealable development. However, this subsection refers only to sensitive coastal resource areas specifically identified by the Commission based on a legislative deadline that lapsed years ago. Since no such sensitive coastal resource areas were identified in Chula Vista, this reference should be deleted.

In addition, the Specific Plan references several other City documents and incorporates these documents by reference, such as the setback requirements for Industrial uses, and the Sign Code. However, the language of the IP does not clearly explain that if any of these other documents should be amended in the future, the amendment is not effective in the Coastal Zone until an amendment to the Specific Plan is approved. Without this requirement in the IP, these other documents could be amended and potentially applied in the Coastal Zone in a manner inconsistent with the amended LUP.

In Chapter 19.84, the City has made several revisions to the permitted uses in the Commercial Visitor zone, including allowing “customer-serving offices.” However, this would allow many non-priority uses in the Commercial Visitor zone, such as banks, doctors offices, real estate offices, etc., which is inconsistent with the LUP policies protecting high priority visitor serving uses such as hotels on land area designated and reserved for Commercial Visitor. Therefore, as submitted, the IP amendment is neither consistent with nor adequate to carry out the public access and recreation, planning and locating new development, priority uses, and transit and circulation requirements of the amended LUP.

PART VII. FINDINGS FOR APPROVAL OF THE CHULA VISTA IMPLEMENTATION PLAN AMENDMENT, IF MODIFIED

1. Visual Resources and View Protection

Suggested modifications have been added incorporating the height, setback, stepback, and view protection requirements of the amended LUP (SM #106, #123, 124, 125, 126). Suggested Modifications #117 and #118 revise the proposed Sign Regulations in the Specific Plan to prohibit free-standing pole or roof signs and limit permitted monument signs to those not exceeding eight feet in height, as required by the LUP as modified.

Other view protection policies have been modified consistent with the amended LUP to identify and protect public 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. Suggested Modifications similarly prohibit structures or landscaping from encroaching into public view corridors as required by the amended LUP.

Suggested Modification #106 revises TABLE 1: BUILDING HEIGHT LIMITS BY PARCEL AREA to correspond with the height limits established in the amended LUP. Therefore, as modified, the Specific Plan can be found consistent with and adequate to carry out the visual protection policies of the amended LUP.

2. Biological Resources

Suggested Modifications have been added to the Specific Plan with specific requirements defining permitted uses in wetlands, requiring buffer areas that consider sea level rise, and policies to protect and enhance ESHA (see Suggested Modifications #129, 131). Suggested Modification #96 adds a definition of sea level rise. Therefore, as modified, the Specific Plan can be found consistent with and adequate to carry out the environmental resource protection policies of the amended LUP.

3. Public Access and Recreation; Planning and Locating New Development, Priority Uses, and Transit and Circulation

Section 19.85.008, Parking Requirements, has been modified to require that the Residential in Harbor land use (the Pacifica project) provide bicycle racks for 5 percent of visitor motorized vehicle parking capacity, with a minimum of one (two-bike capacity) rack (Suggested Modification #113).

The proposed shuttle route map (Exhibit 7a) has been modified to indicate these stops are only the initial shuttle route, as the Public Access Plan requires that it be expanded to other areas, including the Port's Signature Park, Recreational Vehicle Park, the H-18 parking structure, and the Park in Otay District, in the future.

Section 19.82.002, the "Conflicts, Interpretation, and Applicability of Provisions" has been modified to clarify that should any provisions of the Specific Plan supersede those of the Chula Vista Zoning Code, the Specific Plan policies supersede the Zoning Code. Whenever provisions require interpretation, the LUP provides clarification or amplification. An unclear reference explaining that the policies of the LUP subareas plans supersede those of the areawide LUP policies have been removed from the Implementation Plan, and inserted into the LUP (Suggested Modification #91).

Section 19.82.004, which outlines the procedures for documents incorporated by reference, has been modified to clarify that if any document that is incorporated by reference into this Specific Plan is amended in the future, those revisions are not effective in the Coastal Zone until and unless an amendment to the Specific Plan is first approved by the Commission (Suggested Modification #92).

Section 19.83.006 has been modified to clarify that only occupancy permits that do not involve a change in intensity of use are exempt from a Coastal Development Permit (Suggested Modification #97).

Consistent with the policies of the amended LUP protecting and encouraging high-priority visitor-serving uses, Suggested Modification #100 deletes “customer-serving offices” from the list of permitted uses in the Commercial Visitor zone; Suggested Modification #101 adds boat rentals and rentals of other water recreational items to the list of permitted Commercial Recreation uses, and Suggested Modification #102 adds commercial retail and restaurant uses oriented towards tourist or visitor uses as permitted uses in the Commercial – Thoroughfare land use designation within the coastal zone. Therefore, as modified, the Specific Plan can be found consistent with and adequate to carry out the public access and recreation, planning and locating new development, priority uses, and transit and circulation requirements of the amended LUP.

PART VIII. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The proposed amendment was the subject of an Environmental Impact Report under CEQA. The EIR was subject to public review and hearing and was adopted by the Board of Port Commissioners and the Chula Vista City Council. The Port of San Diego is the lead agency and the City of Chula Vista is the responsible agency for purposes of CEQA. Both the City and the Port jointly certified a final EIR for the projects in their jurisdictions. In the final EIR, the Port identified that even after adopting all feasible mitigation measures, there would be the following unavoidable significant environmental impacts: direct significant impacts on Land/Water Use Compatibility, Traffic and Circulation, Aesthetics/Visual Quality, Air Quality, and Public Services (Library Services); and cumulative significant impacts on Traffic and Circulation, Aesthetics/Visual Quality, Air Quality, Public Services (Library Services), and Energy. The Port determined that specific economic, social, and other benefits of the proposed project outweigh the project’s unavoidable adverse environmental effects. In making this determination, the Port made statements of overriding considerations also adopted by the City. For example, the Port identified the following overriding considerations: the project’s improvements to recreation, open space, public access and connectivity between upland Chula Vista and the bay; economic and social sustainability; the provision of new low-cost visitor public facilities, new recreational boating opportunities, a new pier, and improvements to the navigation channel; and the project’s protection of environmental resources. Therefore, the Port determined that the benefits of the project outweigh its significant environmental impacts, and therefore, such impacts are considered acceptable.

As described above, the Commission has reviewed and evaluated the proposed amendment, and finds that the impacts have been mitigated, and that the amendment does not have the potential to result in significant individual or cumulative impacts to sensitive resources, recreation, or the visual quality of the environment of the coastal zone. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the amendment may have on the

environment. The Commission agrees that the benefits of the project include improvements to public access, recreation, visitor serving amenities, and that these outweigh any remaining impacts. The Commission therefore finds the amendment is consistent with the California Environmental Quality Act.

National City

Coronado

0
0.25
0.5
0.75 Miles

San Diego Bay

Chula Vista

Chula Vista Bayfront
Master Plan Boundary
(Port & City)

Mean High Tide Line

South Bay
Power Plant

Imperial Beach

EXHIBIT NO. 1


Vicinity Map




Chula Vista LCP #1-11 CVBMP
California Coastal Commission



 City Jurisdiction

 Chula Vista Bayfront Master Plan
Redevelopment Area (CVBMP)

 Port Jurisdiction

 City of Chula Vista

This map is for illustrative purposes only and does not provide precise design details.

EXHIBIT NO. 2

Proposed City/Port Jurisdiction



Chula Vista LCP #1-11 CVBMP
California Coastal Commission

EXHIBIT 3

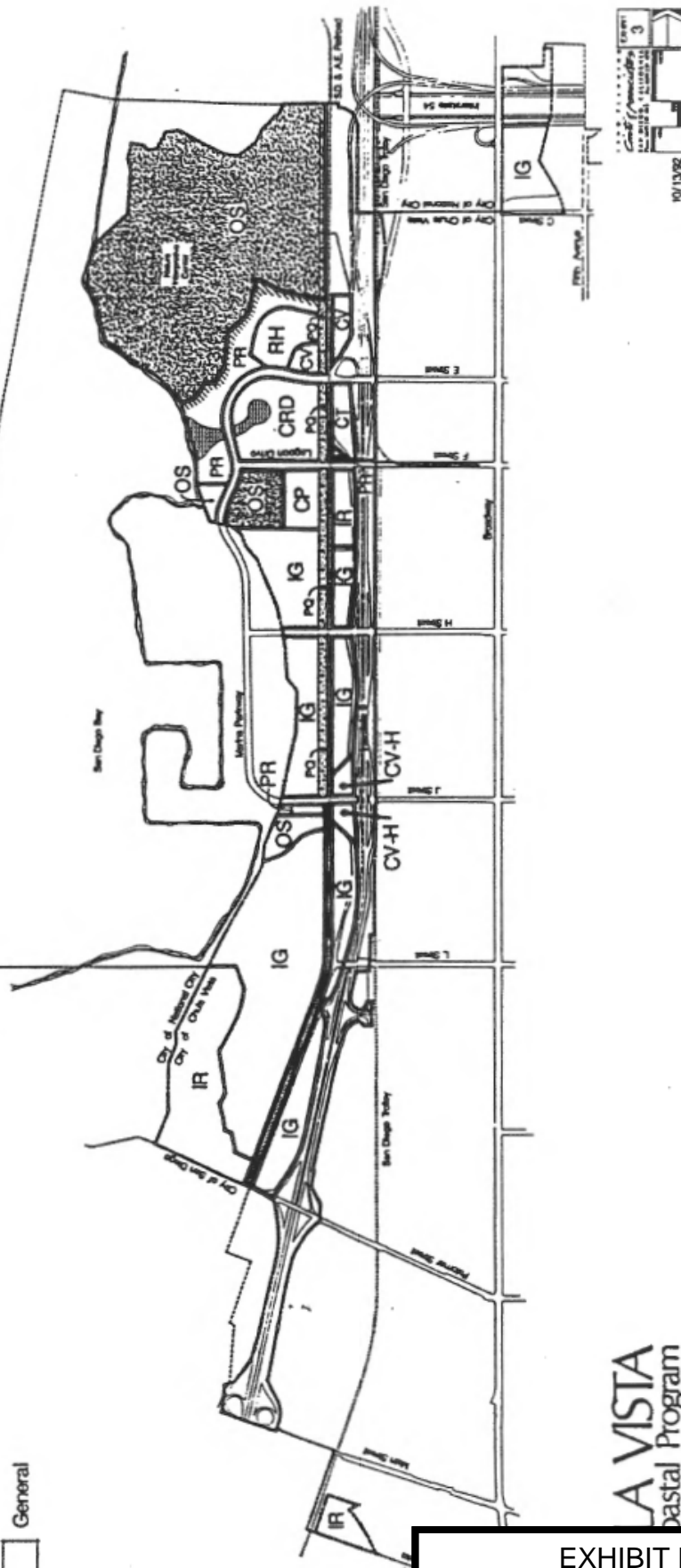
LA VISTA
Coastal ProgramChula Vista LCP #1-11 CVBMP
California Coastal Commission



EXHIBIT NO. 4

Proposed Land Use Plan



Chula Vista LCP #1-11 CVBMP
California Coastal Commission

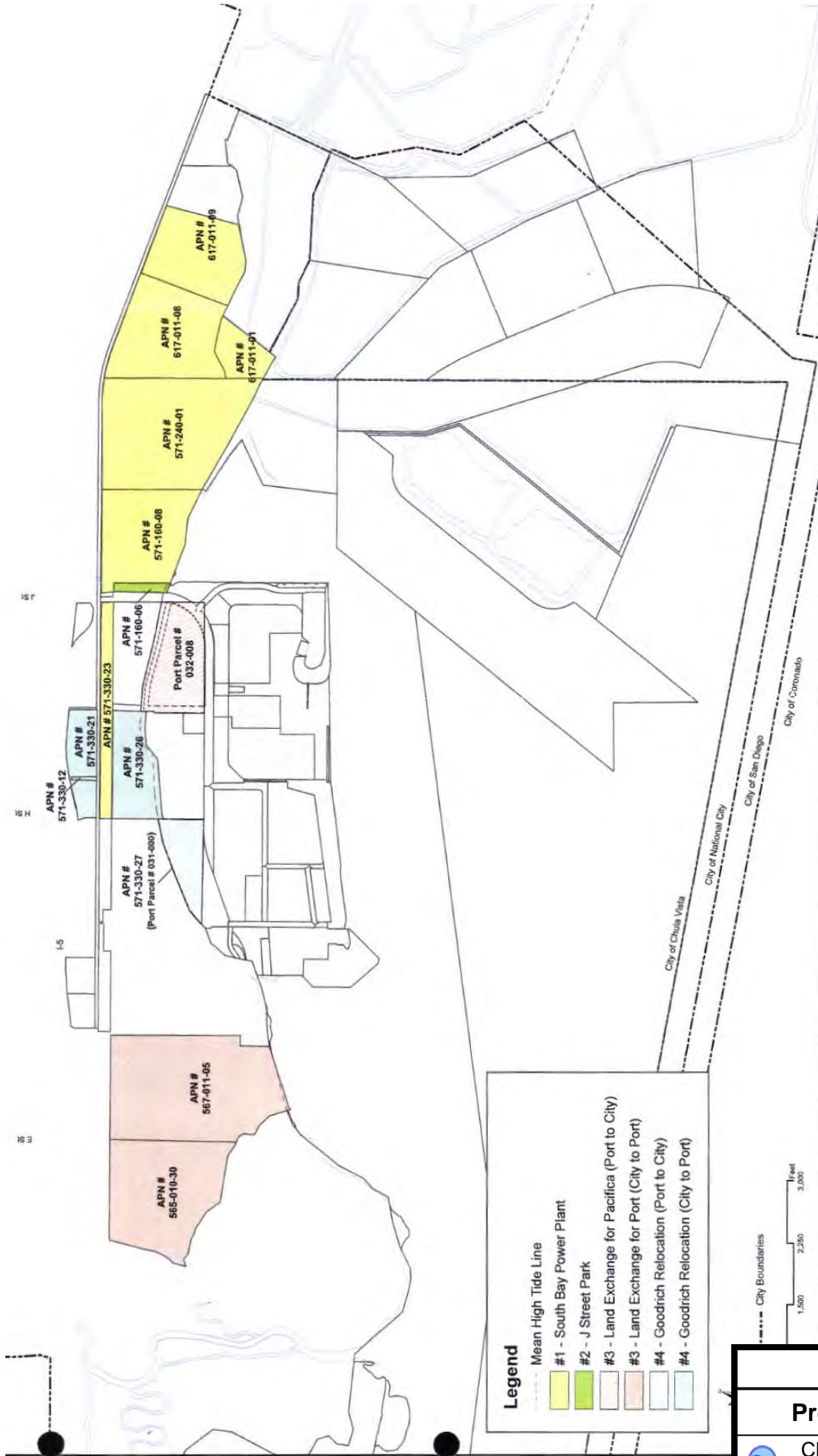


EXHIBIT NO. 5

Proposed Land Transfers



Chula Vista LCP #1-11 CVBMP
California Coastal Commission



Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

- LCP Planning Area
- Current Pacifica Parcels
- Future Pacifica Parcels
- Project Roads
- City of Chula Vista

This map is for illustrative purposes only and does not provide precise design details.

EXHIBIT NO. 6

Pacifica Land Swap



Chula Vista LCP #1-11 CVBMP
California Coastal Commission



0 500 1,000 2,000 3,000 4,000 Feet

- | | |
|---------------------|------------------------------------|
| City of Chula Vista | LCP Subarea 1: Sweetwater District |
| LCP Planning Area | LCP Subarea 2: Harbor District |
| | LCP Subarea 3: Otay District |

This map is for illustrative purposes only and does not provide precise design details.

Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

EXHIBIT NO. 7

Proposed Subarea Districts



Chula Vista LCP #1-11 CVBMP
California Coastal Commission



Port Projects

City Projects
(per suggested modifications)

Chula Vista Bayfront Master Plan
used PMPA & LCPA Illustrative Projects



0 900 1,800 3,600 5,400 7,200 Feet

LCP Planning Area

Firm Architectural Edge

Project Roads

Views

Major Gateways

City of Chula Vista

This map is for illustrative purposes only and does not provide precise design details.

Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

Exhibit 10

EXHIBIT NO. 9

Public Viewpoints



Chula Vista LCP #1-11 CVBMP
California Coastal Commission



EXHIBIT NO. 10

Environmental Management Map



Chula Vista LCP #1-11 CVBMP
California Coastal Commission

Building Heights

Exhibit 5

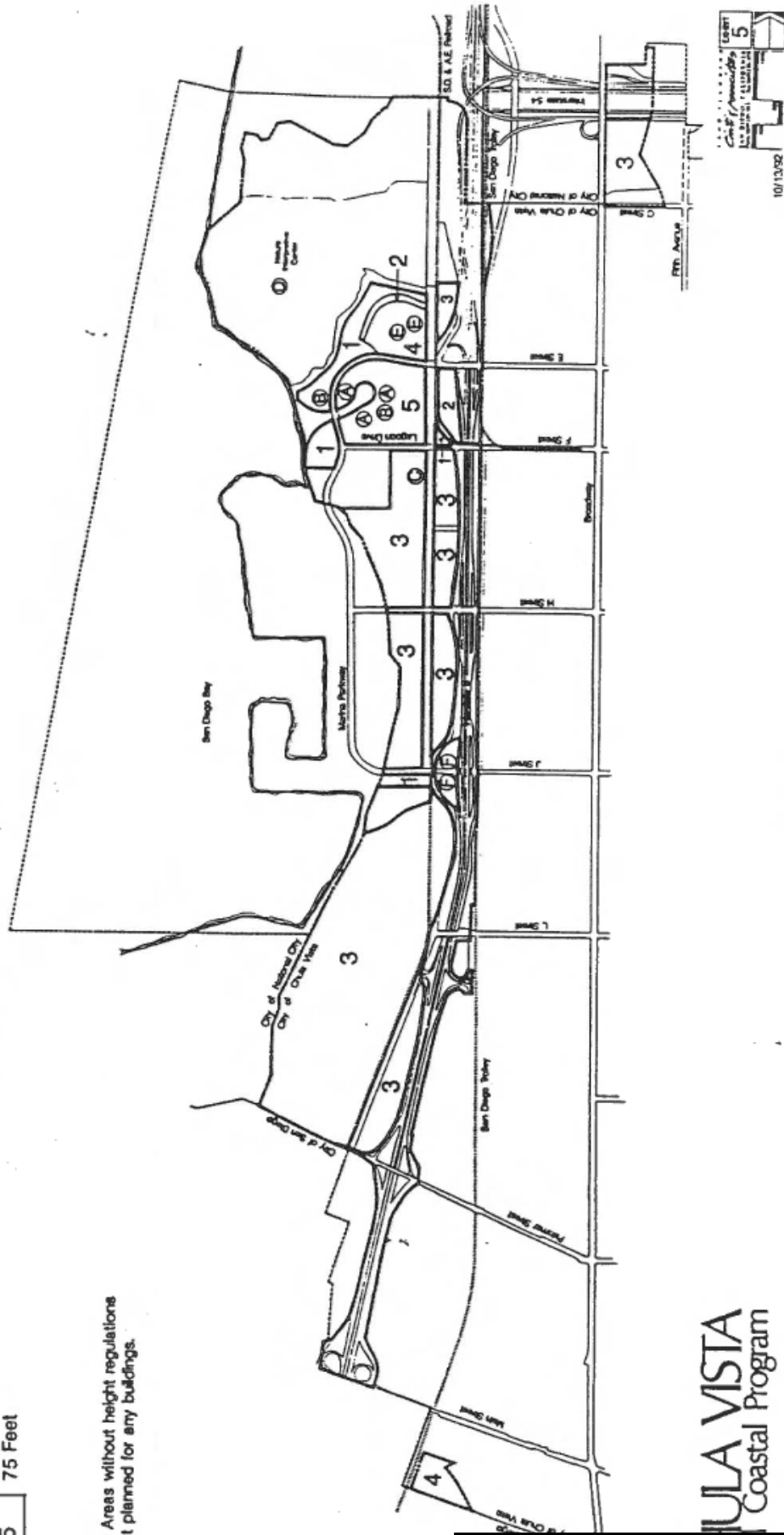
MAXIMUM BUILDING HEIGHTS

1	30 Feet
2	35 Feet
3	44 Feet
4	60 Feet
5	75 Feet

SPECIAL HEIGHT CONDITIONS

- A 2 High-Rise and 1 Mid-Rise Hotel Sites
- B 1 Mid-Rise Cultural Arts Facility Site (up to 69')
- C 1 Mid-Rise Office Site (up to 95')
- D Viewing Tower Site/Nature Interpretive Center
- E 2 High-Rise Residential Sites (up to 229')
- F Special Architectural Feature

NOTE: Areas without height regulations are not planned for any buildings.



CHULA VISTA
Coastal Program

EXHIBIT NO. 11

Environmental Management Map



Chula Vista LCP #1-11 CVBMP
California Coastal Commission

Proposed Residential Project

(shown as modified per staff recommendation)

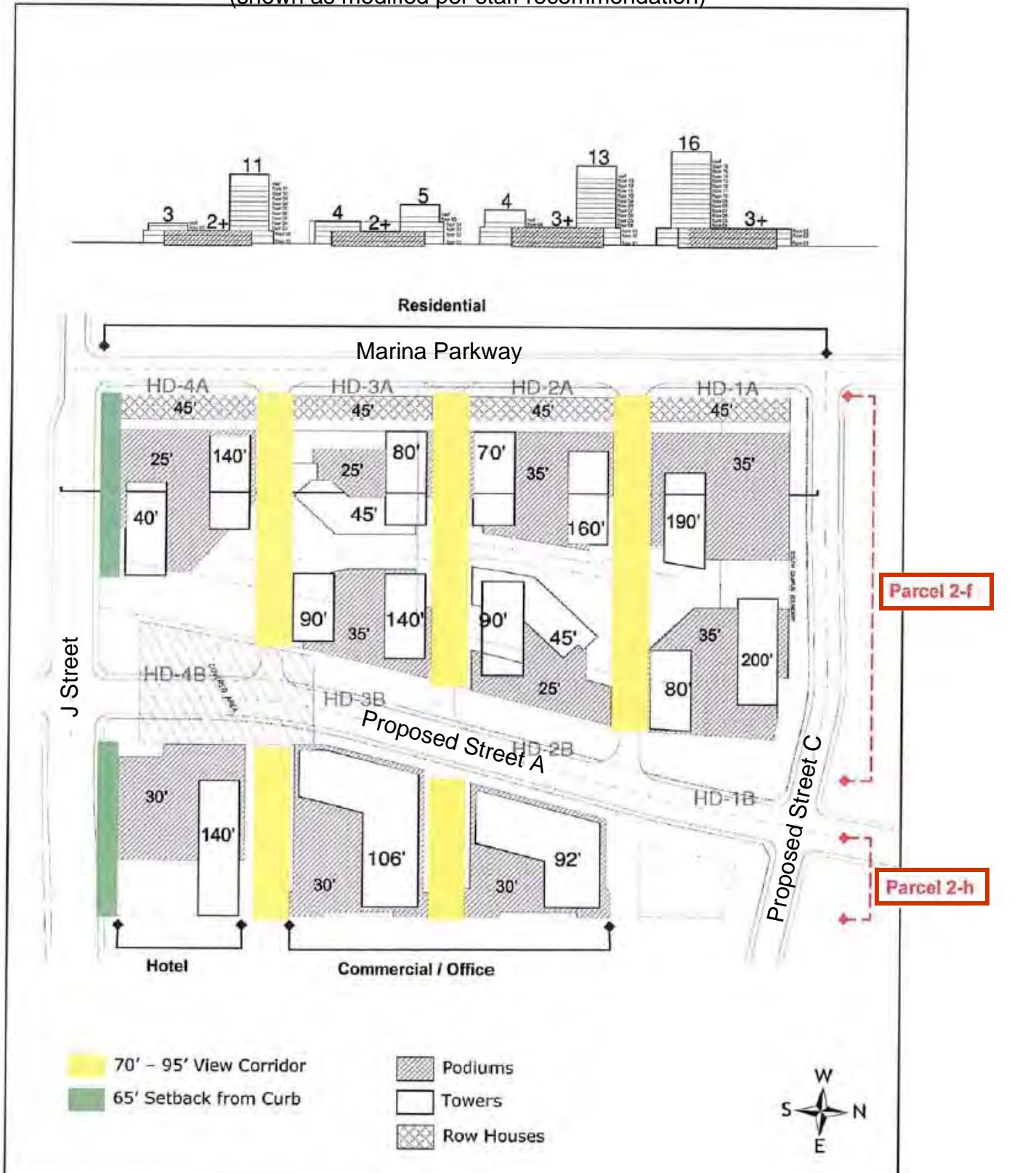
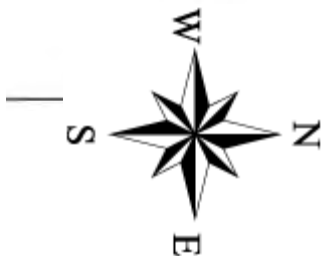


EXHIBIT NO. 12

Proposed Pacifica Project



Chula Vista LCP #1-11 CVBMP
California Coastal Commission



Potential Location of
Required Retail Nodes

EXHIBIT NO. 13

Pacifica Public Amenities



Chula Vista LCP #1-11 CVBMP
California Coastal Commission

Land Exchange Illustrative

Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

Exhibit 14

Land Use Plan

Illustration of Proposed City of Chula Vista Residential Project



EXHIBIT NO. 14

Pacifica Visual Representation



Chula Vista LCP #1-11 CVBMP
California Coastal Commission

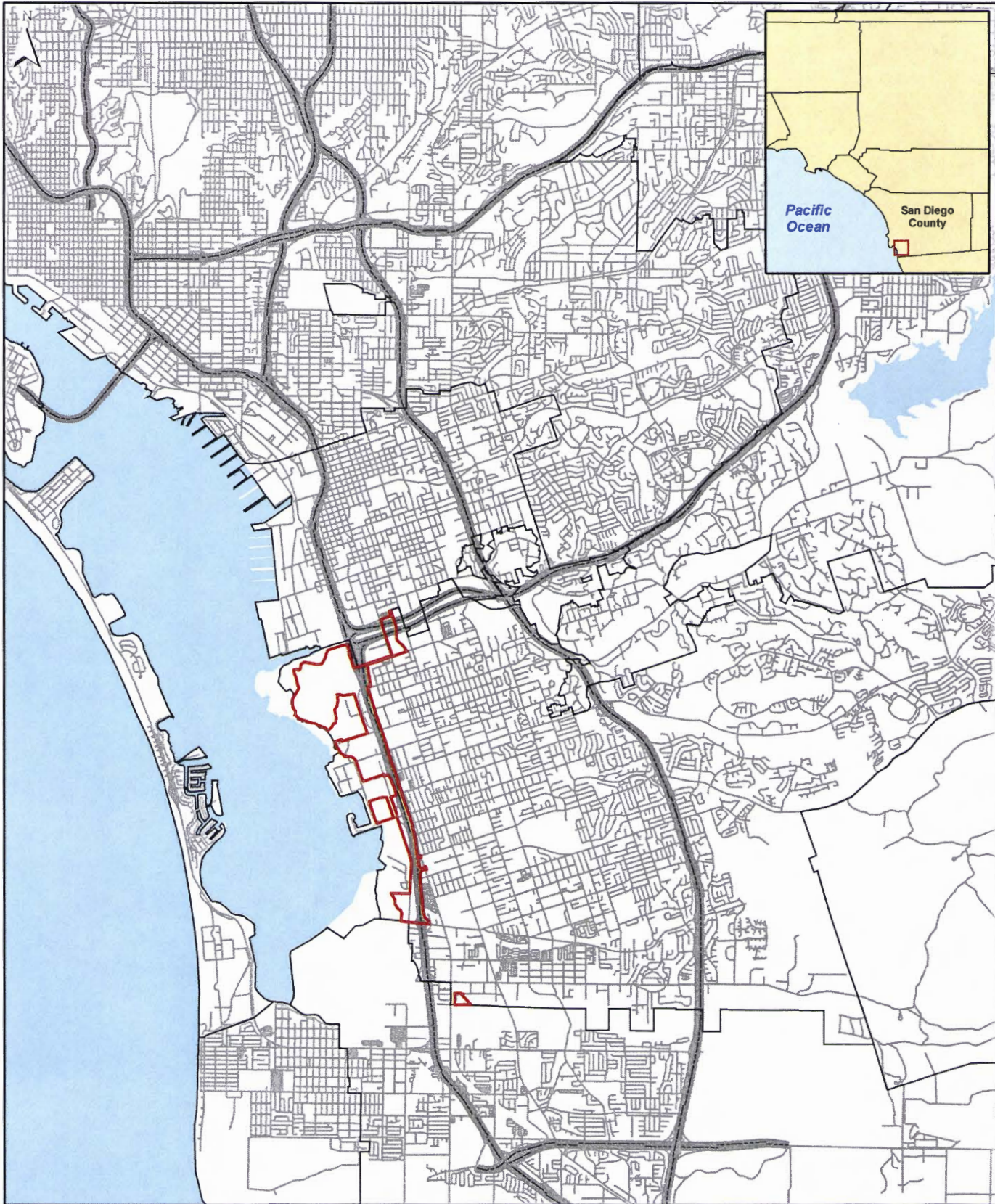
Exhibits to be Replaced in Land Use Plan

EXHIBIT NO. 15

LUP Relacement Exhibits



Chula Vista LCP #1-11 CVBMP
California Coastal Commission



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

Land Use Plan



0 500 1,000 2,000 3,000 4,000 Feet

 LCP Planning Area
 City of Chula Vista

 Current Pacifica Parcels
 Future Pacifica Parcels
 Project Roads

Chula Vista Bayfront Local Coastal Plan
 Chula Vista, California

Exhibit 5

Land Exchange

Land Use Plan

This map is for illustrative purposes only and does not provide precise design details.



0 550 1,100 2,200 3,300 4,400 Feet

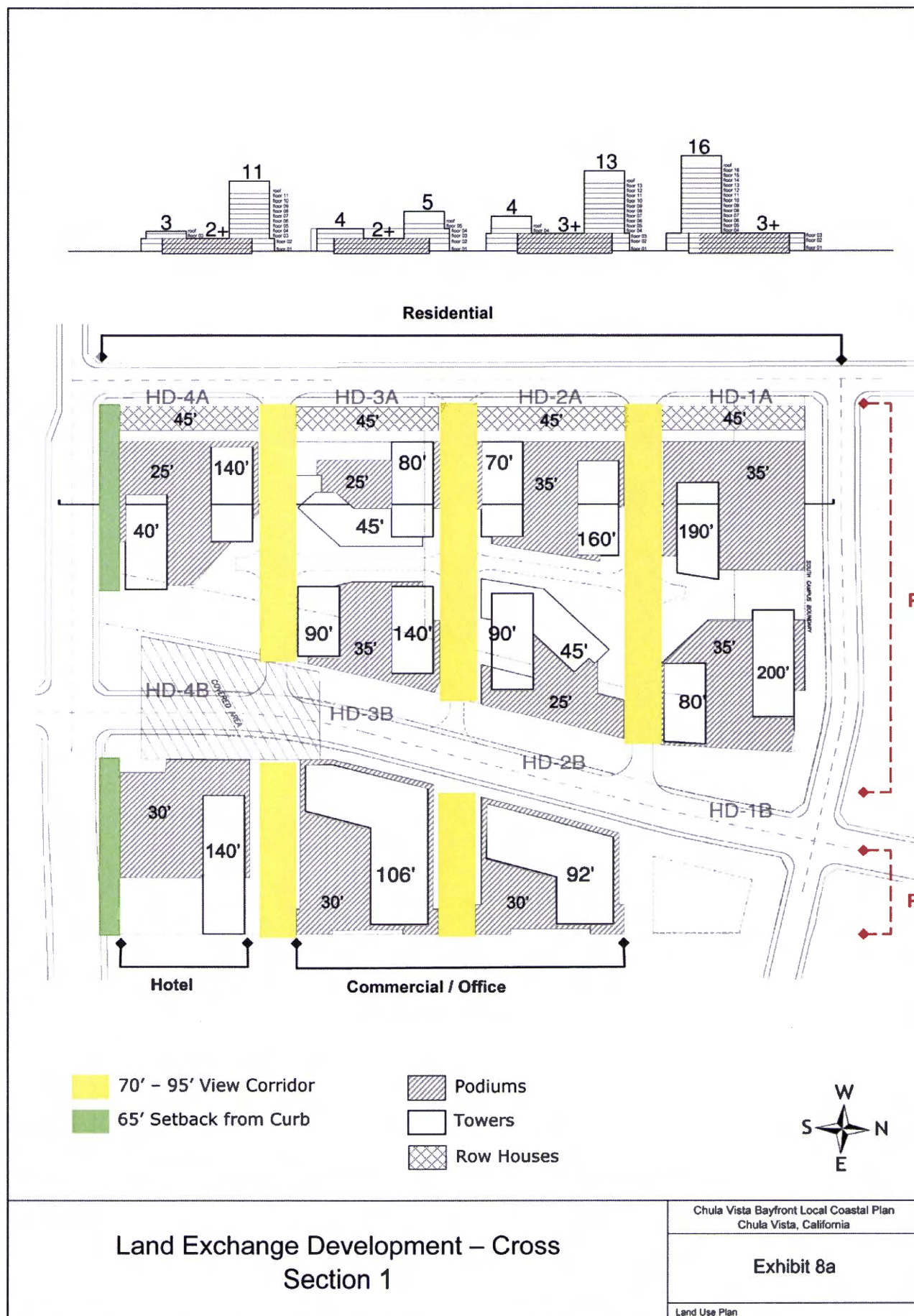
- LCP Planning Area
- City of Chula Vista
- Bayfront Master Plan Redevelopment Area

Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

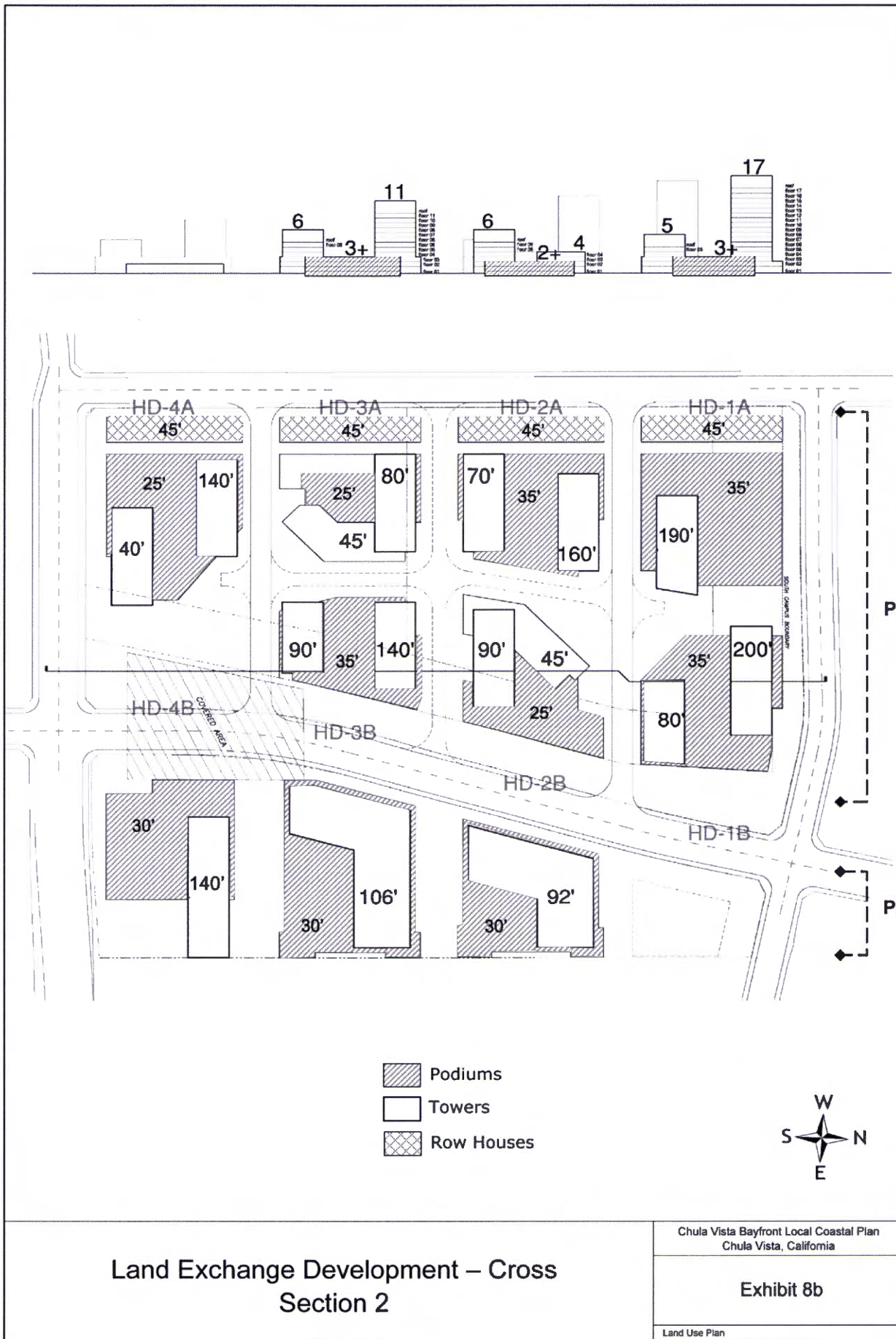
Exhibit 8

Land Use Map

Land Use Plan



Land Exchange Development – Cross Section 1





Land Use Plan

This map is for illustrative purposes only and does not provide precise design details.

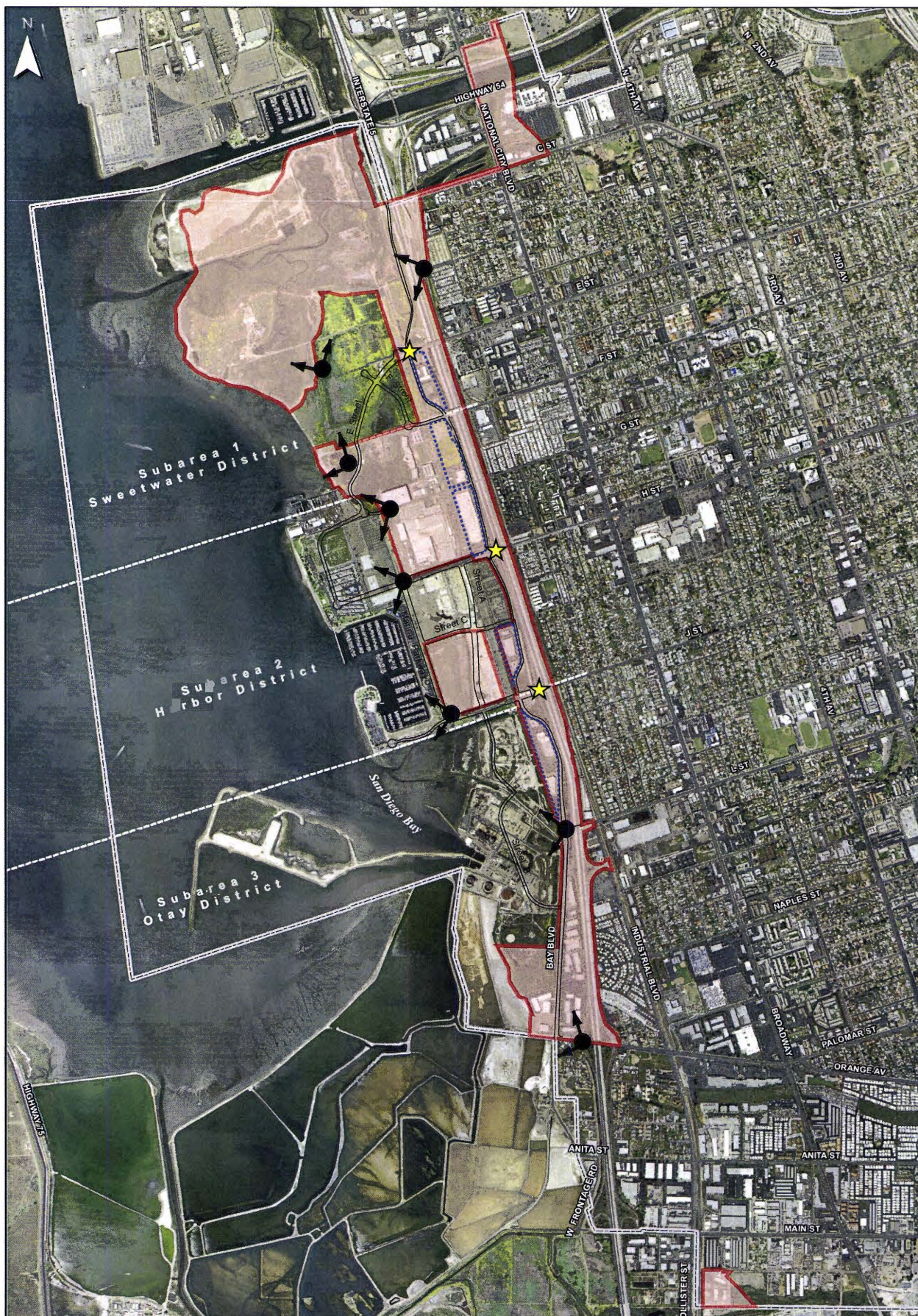


Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

Exhibit 9c
Circulation Map -
Bicycle Network

Land Use Plan

This map is for illustrative purposes only and does not provide precise design details.



0 900 1,800 3,600 5,400 7,200 Feet

LCP Planning Area

Firm Architectural Edge

Project Roads

Views

★ Major Gateways

City of Chula Vista

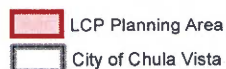
Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

Exhibit 10

Form and Appearance Map

Land Use Plan

This map is for illustrative purposes only and does not provide precise design details.





0 550 1,100 2,200 3,300 4,400 Feet

 LCP Planning Area
 City of Chula Vista

 Open Space
 Environmentally Sensitive Habitat Areas (USFWS)
★ Potential Environmentally Sensitive Habitat Areas

Chula Vista Bayfront Local Coastal Plan
 Chula Vista, California

Exhibit 12a
 Environmental Management
 Map

Land Use Plan

This map is for illustrative purposes only and does not provide precise design details.

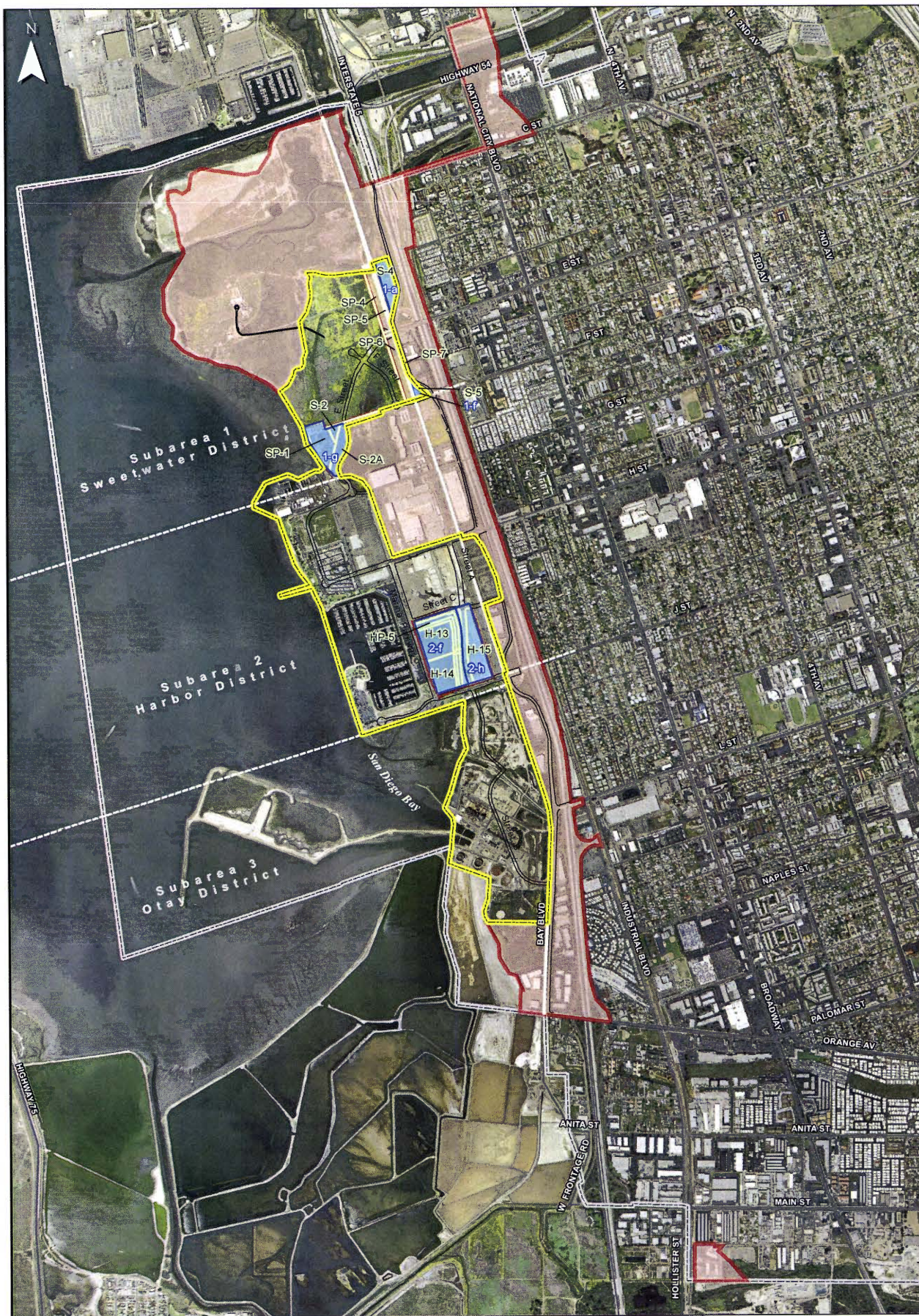


Environmental Resources Map

Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

Exhibit 12b

Land Use Plan



- | | |
|--|---|
| <p>0 650 1,300 2,600 3,900 5,200 Feet</p> <p> LCP Planning Area</p> <p>20 LCP Parcel Areas Within the CVBMP</p> <p>HP-5 CVBMP Parcel Areas Within the LCP</p> <p>— CVBMP Parcels</p> | <p> Rail Road Easement</p> <p> City of Chula Vista</p> <p> Chula Vista Bayfront Master Plan</p> <p> Redevelopment Area (CVBMP)</p> <p> Project Roads</p> |
|--|---|

This map is for illustrative purposes only and does not provide precise design details.

Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

Exhibit 13

LCP and CVBMP
Overlap

Land Use Plan

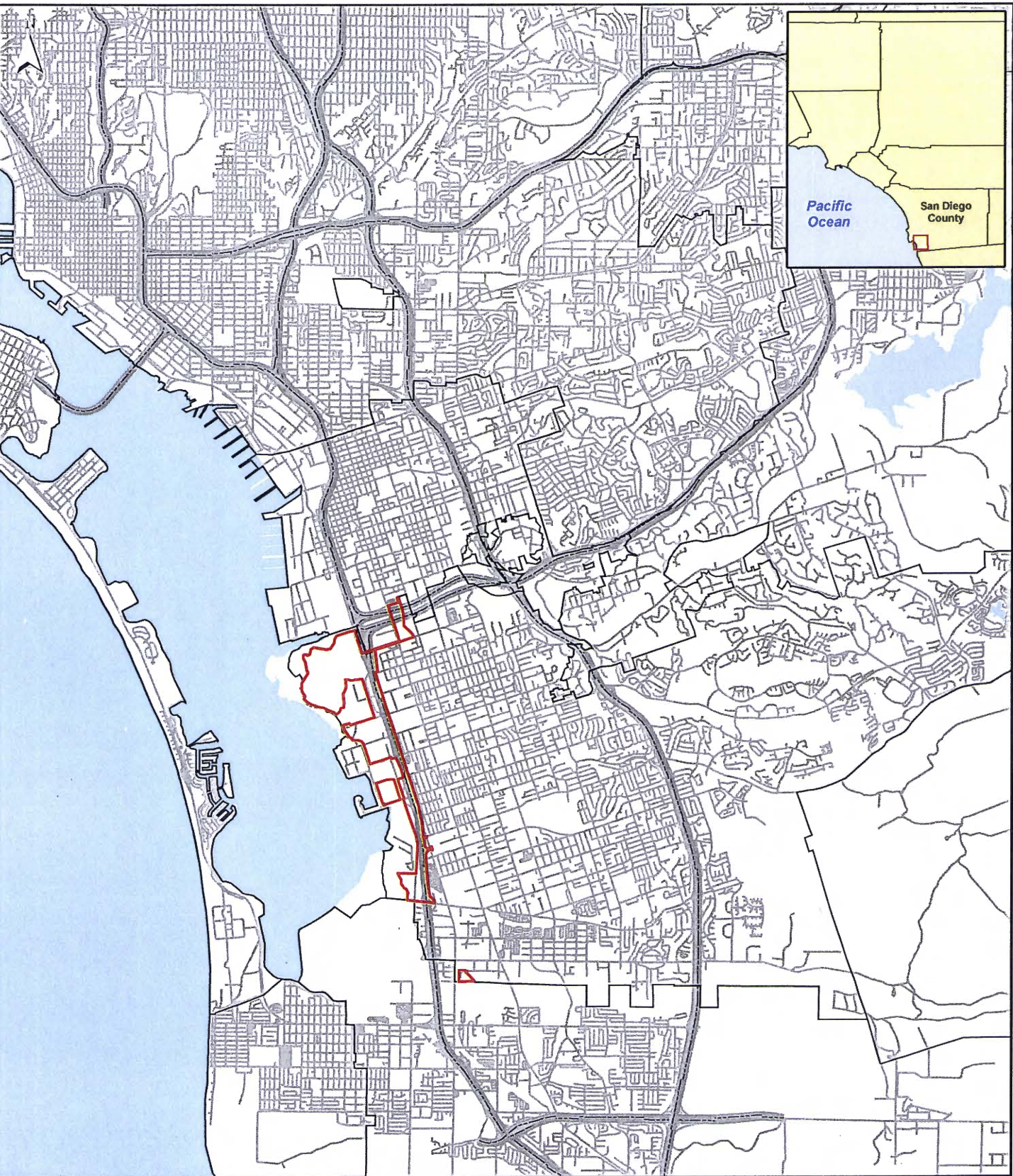
Exhibits to be Replaced in Specific Plan

EXHIBIT NO. 16

IP Relacement Exhibits



Chula Vista LCP #1-11 CVBMP
California Coastal Commission



0 3,250 6,500 13,000 19,500 26,000 Feet

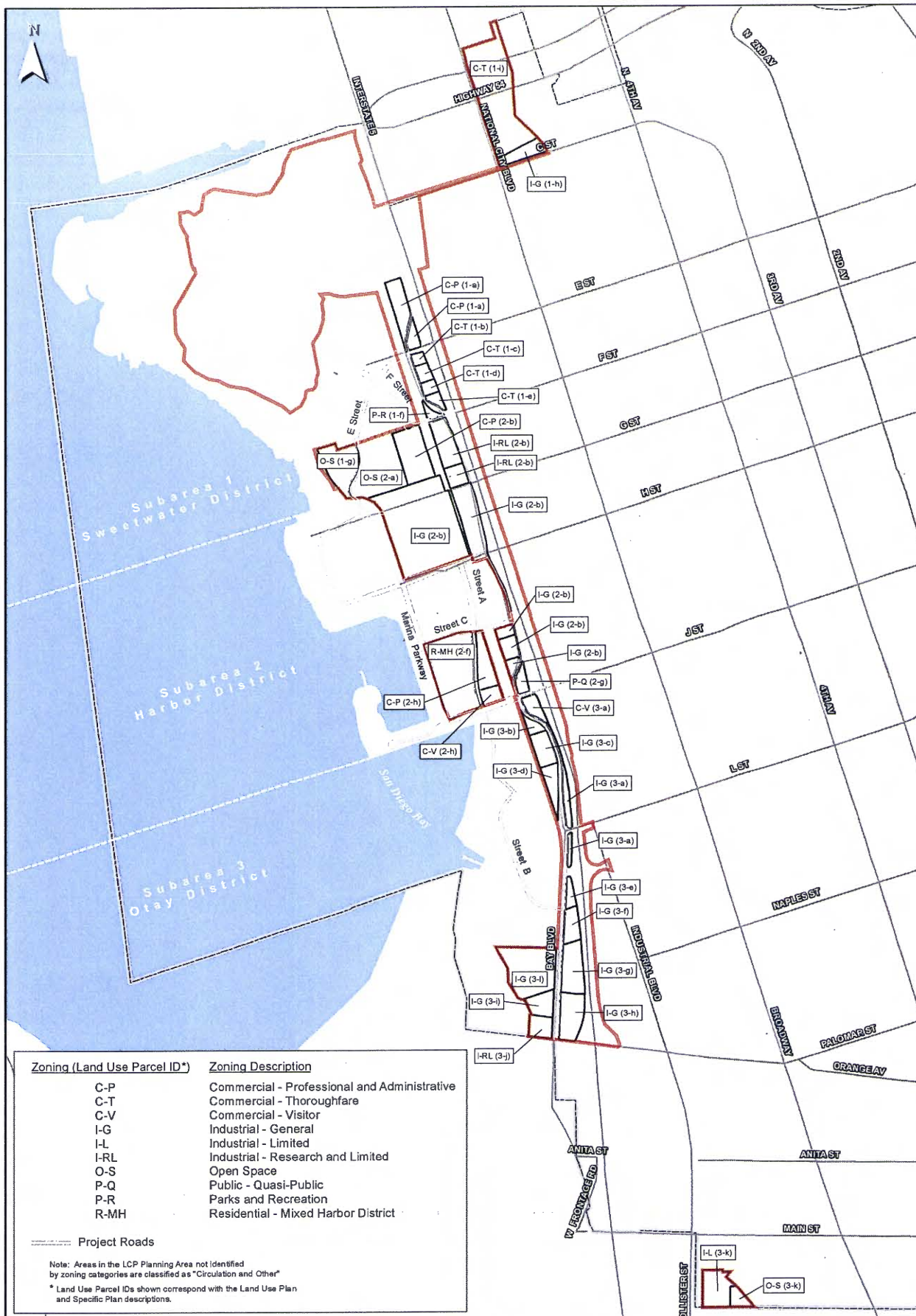
 LCP Planning Area

Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

Exhibit 1

Regional Location

Specific Plan



0 550 1,100 2,200 3,300 4,400 Feet



Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

Exhibit 5 Zoning Map

Specific Plan



0 900 1,800 3,600 5,400 7,200 Feet

LCP Planning Area

Firm Architectural Edge

Project Roads



Views



Major Gateways



City of Chula Vista

Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

Exhibit 6

Form and Appearance Map

Specific Plan

This map is for illustrative purposes only and does not provide precise design details.



Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

Exhibit 7a
Circulation Map -
Road and Public
Transportation Network

Specific Plan



- Bicycle Network Inside LCP
- Bicycle Network Outside LCP
- Project Roads Inside LCP
- Project Roads Outside LCP

0 650 1,300 2,600 3,900 5,200 Feet

- LCP Planning Area
- City of Chula Vista

Chula Vista Bayfront Local Coastal Plan
Chula Vista, California

Exhibit 7c Circulation Map - Bicycle Network

Specific Plan

This map is for illustrative purposes only and does not provide precise design details.

City of Chula Vista Resolution of Approval

EXHIBIT NO. 17

Resolution of Approval



Chula Vista LCP #1-11 CVBMP
California Coastal Commission

RESOLUTION NO. 2010-115

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA MAKING CERTAIN FINDINGS, APPROVING
THE AMENDED LAND USE PLAN OF THE CHULA VISTA
LOCAL COASTAL PROGRAM AND DIRECTING STAFF TO
FORWARD THE SAME TO THE CALIFORNIA COASTAL
COMMISSION FOR CERTIFICATION

WHEREAS, the City of Chula Vista (City) and the San Diego Unified Port District (Port District), in a collaborative effort with the community began working on a comprehensive Chula Vista Bayfront Master Plan in 2002 (Proposed Project); and

WHEREAS, the land area, which is the subject matter of this resolution, is represented in Exhibit A attached hereto and incorporated herein by this reference, and for the purpose of general description is the Chula Vista Bayfront generally located west of Interstate 5, south of the Sweetwater Marsh, east of the San Diego Bay, and north of Palomar Street, including two territory islands one generally located south of State Route 54 between Broadway and Fifth Avenue, and the other generally located on the west end of Faivre Street (LCP Area); and

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

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

WHEREAS, the current Chula Vista LCP was certified by the California Coastal Commission on January 15, 1993 and amended by City of Chula Vista City Council Resolution No. 17036 and Ordinance No. 2546 on March 23, 1993; and

WHEREAS, in 2005 the City of Chula Vista embarked on a process to amend the 1993 LCP as a result of updates to the San Diego Unified Port District Bayfront Master Plan during the past few years and a proposed land exchange between the San Diego Unified Port District and a private land owner; and

WHEREAS, these conditions resulted in changes to 1) the Port District's and City's jurisdictional boundaries, 2) proposed development project, 3) land use designation, and 4) circulation/public access system within the Bayfront area which together constitute the "Proposed LCP Amendment"; and

WHEREAS, the Proposed LCP Amendment is contained in a document known as Local Coastal Program Amendment (attached in the staff report as Attachment 14 and on file at the Office of the City Clerk); and

WHEREAS, on May 18, 2010, a Planning Commission hearing time and place was set to consider said Proposed LCP Amendment and make a recommendation to the City Council and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, and its mailing to property owners and residents within 1,000 feet of the exterior boundaries of the LCP Area, at least ten (10) days prior to the hearing; and

WHEREAS, a hearing at the time and place as advertised, namely May 18, 2010, at 1:00 p.m. in the Council Chambers, 276 Fourth Avenue, was held before the Planning Commission and said hearing was thereafter closed; and

WHEREAS, the Planning Commission reviewed and considered the amendment; and

WHEREAS, the Planning Commission after considering all evidence and testimony presented recommended that the City of Chula Vista City Council approve the Proposed LCP Amendment; and

WHEREAS, a hearing time and place was set by the Chula Vista Redevelopment Corporation for consideration of the Proposed LCP Amendment; and

WHEREAS, notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, and its mailing to property owners and residents within 1,000 feet of the exterior boundaries of the LCP Area, at least ten (10) days prior to the hearing; and

WHEREAS, the Chula Vista Redevelopment Corporation held a duly noticed public hearing to consider said amendment at the time and place as advertised, namely May 18, 2010 at 1:00 p.m. in the Council Chambers, 276 Fourth Avenue, said hearing was thereafter closed; and

WHEREAS, the Chula Vista Redevelopment Corporation reviewed and considered the amendment; and

WHEREAS, the Chula Vista Redevelopment Corporation after considering all evidence and testimony presented recommended that the City of Chula Vista City Council approve the Proposed LCP Amendment.

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

I. ENVIRONMENTAL DETERMINATION

Pursuant to Section 15096 (f) and (i) of the California Environmental Quality Act (CEQA) Guidelines, after having taken into account both oral and written testimony at the subject public hearing and after having utilized its independent judgment the City Council has considered the Final Environmental Impact Report (EIR) SCH No. 2005081077 as prepared by the San Diego Unified Port District and determined that the Final EIR was adequately prepared pursuant to the provisions of CEQA. The City Council has also made the requisite CEQA Findings of Fact pursuant to Section 15096 (h) of the CEQA Guidelines, adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Proposed Project all of which is on file at the Office of the City Clerk and in the Development Services Department located at 276 Fourth Avenue, Chula Vista, CA 91910.

II. CONSISTENCY WITH GENERAL PLAN AND THE COASTAL ACT

The City Council finds that the proposed amendments to the LCP Land Use Plan are consistent with the City of Chula Vista General Plan and the policies of the Coastal Act. The proposed amendment is based on sound planning principles and practices that will provide for the protection and conservation of sensitive natural resources. The amendment allows the transfer of development from the Sweetwater District to the Harbor District, which is a previously developed and less sensitive area of the Bayfront, leading to the development of a project that will minimize potential negative impacts. The amendment will also contribute to provide more direct access to the Bayfront and create better connection to the rest of the City and the region. This will open up the Bayfront for the enjoyment of residents and visitors. The proposed amendment will be conducive to the development of the Bayfront and the creation of a world-class destination for residents and visitors.

BE IT FURTHER RESOLVED that the City Council, after considering all evidence and testimony presented, does hereby approve the Proposed LCP Amendment contained in a document known as Local Coastal Program Amendment (attached in the staff report as Attachment 14 and on file at the office of the City Clerk) incorporated herein by this reference.

III. SUBMISSION TO COASTAL COMMISSION

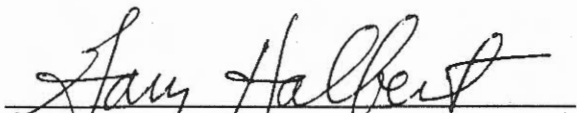
BE IT FURTHER RESOLVED that the City Council does hereby certify after a duly called and duly noticed public hearing that the LCP is intended to be carried out in a manner fully in conformity with the California Coastal Act of 1976 (Public Resources Code Section 30510(a)).

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

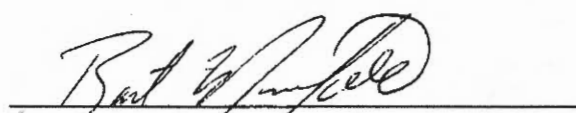
BE IT FURTHER RESOLVED that after a duly called and noticed public hearing the City Council does hereby direct the City Manager or his designee to submit this subject Resolution and the Proposed LCP Amendment, consisting of both the LUP and the Specific Plan, to the Coastal Commission and that the Coastal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

Presented by

Approved as to form by



Gary Walbert, P.E., AICP
Deputy City Manager/Development Services
Director



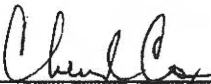
Bart C. Miesfeld
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 18th day of May 2010 by the following vote:

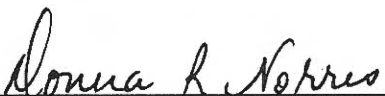
AYES: Councilmembers: Bensoussan, Castaneda, Ramirez, Thompson and Cox

NAYS: Councilmembers: None

ABSENT: Councilmembers: None


Cheryl Cox, Mayor

ATTEST:


Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Resolution No. 2010-115 was duly passed, approved, and adopted by the City Council at a regular meeting of the Chula Vista City Council held on the 18th day of May 2010.

Executed this 18th day of May 2010.


Donna R. Norris, CMC, City Clerk



CHULA VISTA BAYFRONT | LOCAL COASTAL PROGRAM

Proposed LCP Planning Area



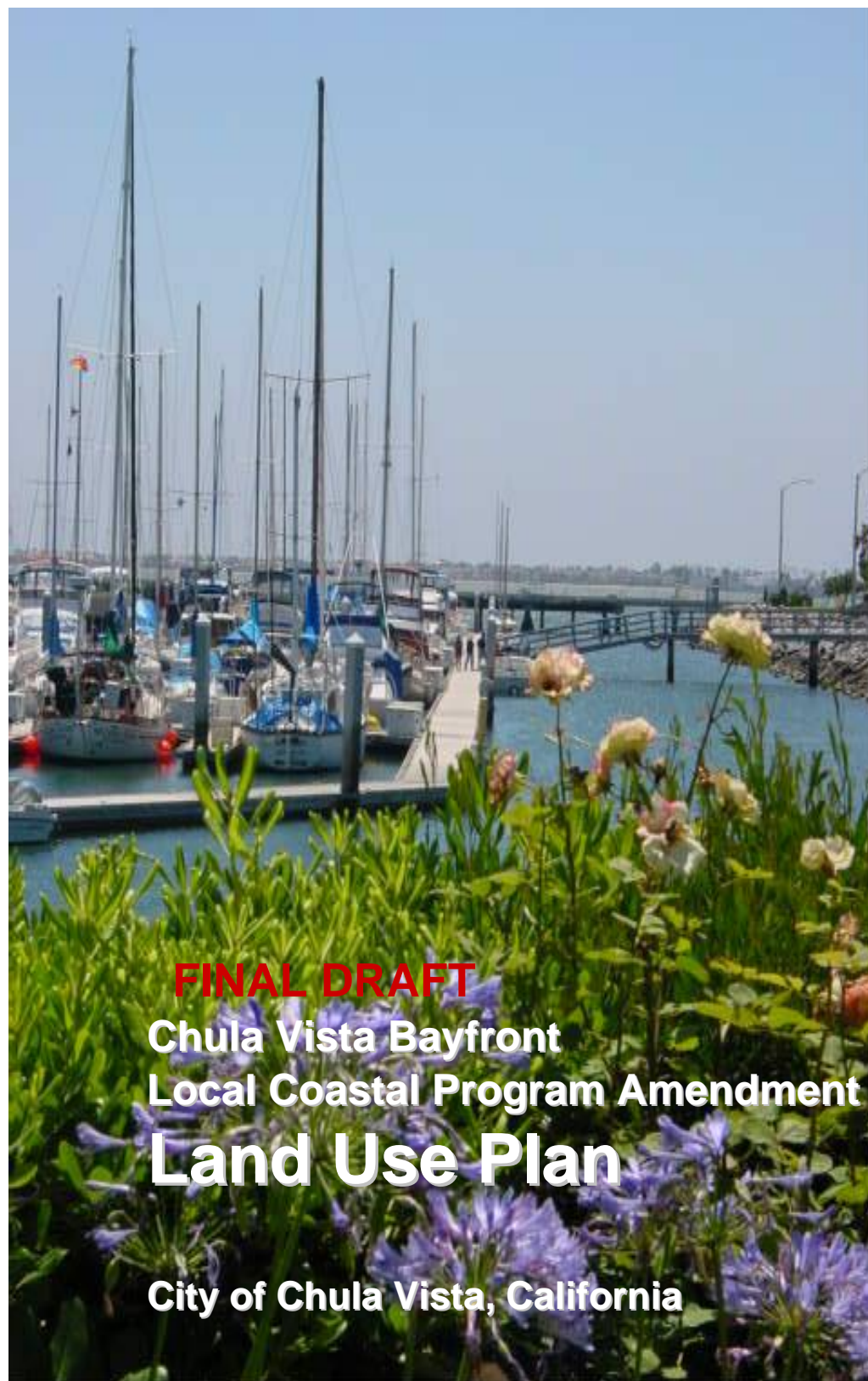
Exhibit A

Public Access Plan

The Public Access Plan, which is being incorporated into the LCP as modified, is a joint document of the City of Chula Vista and the Port of San Diego. The full Public Access Plan is attached to the companion staff report for Port Master Plan Amendment #41

Letters of Support and Opposition

All letters of support and opposition for the joint LCPA/PMPA have been attached to the companion staff report for Port Master Plan Amendment #41



FINAL DRAFT

**Chula Vista Bayfront
Local Coastal Program Amendment
Land Use Plan**

City of Chula Vista, California



**Chula Vista Bayfront
Local Coastal Program Amendment**

Land Use Plan



Planners

City of Chula Vista

Miguel Z. Tapia, AICP
Marisa Lundstedt

P&D Consultants, Inc./EDAW*

John E. Bridges, FAICP
Jennifer Guigliano, E.I.T, CPSWQ, CPESC, REA
Yara Fisher, AICP
Jason Erlich
Nick Larkin
Kimberlee Harvey

*prepared original draft dated August 2006

STATE AND FEDERAL AGENCIES

California Coastal Commission
San Diego Coast District Office
7575 Metropolitan Drive Ste 103
San Diego, CA 92108-4402

California Department of Fish & Game
4949 Viewridge Avenue
San Diego, CA 92123

U.S. Fish & Wildlife Service
6010 Hidden Valley Road
Carlsbad, CA 92011

U.S. Army Corps of Engineers
Los Angeles District
Regulatory Branch
915 Wilshire Blvd.
Los Angeles, CA 90017



**Chula Vista Bayfront
Local Coastal Program Amendment
Land Use Plan**



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Five major landscape components are utilized to establish strong visual continuity in response to various functional needs. These are Dense Landscape Planting for screening, Special Planting within the SDG&E ROW, Informal Planting in public parkland, Formal Planting at major entries, and Buffer Zone Planting at areas adjacent to sensitive habitats. The characteristics for the various landscape functions are shown in Table 3-3.	
III-41	
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a) Long term protection, conservation, monitoring, and enhancement of: 1) Wetland habitat, with regard to gross acreage as well as ecosystem structure, function, and value; 2) Coastal sage and coastal strand vegetation; and 3) Upland natural resources for their inherent ecological values, as well as their roles as buffers to more sensitive adjacent wetlands.....	III-52
b) Upland areas in the Sweetwater and Otay Districts will be adaptively managed to provide additional habitat or protection to create appropriate transitional habitat during periods of high tide and taking into account future sea level rise.	III-53
c) Preservation of the biological function of all Bayfront habitats serving as avifauna for breeding, wintering, and migratory rest stop uses.	III-53
d) Protection of nesting, foraging, and rafting wildlife from disturbance.	III-53
e) Avoidance of actions within the Chula Vista Bayfront area that would adversely impact or degrade of water quality in San Diego Bay or watershed areas or impair efforts of other entities for protection of the watershed.	III-53
f) Maintenance and improvement of water quality where possible and coordination with other entities charged with watershed protection activities.	III-53
Policy NR.1.B In addition to the standards described above, the NRMP will include:	
III-53	
a) All elements which address natural resource protection in the FEIR Mitigation Monitoring and Reporting Program ("MMRP") including but not limited to those which assign responsibility and timing for implementing mitigation measures consistent with the City's MSCP Subarea Plan;	III-53

- b) Pertinent sections of the MSCP Subarea Plan; III-53
- c) References to existing District policies and practices, such as Predator management programs and daily trash collections with public areas and increase service during special events; III-53
- d) Establishment of design guidelines to address adjacency impacts, such as storm water, landscape design, light and noise and objectives as discussed in this plan. III-53
- e) Establishment of baseline conditions and management objectives; and III-53
- f) Habitat enhancement objectives and priorities. III-53

Policy NR.1.C The NRMP will be a natural resource adaptive management and monitoring plan initially prepared in consultation with the Wildlife Advisory Group and regularly reviewed and amended in further consultation with the Wildlife Advisory Group. Periodic Review will address, among other things, monitoring of impacts of development as it occurs and monitoring the efficacy of water quality improvement projects (if applicable) and management and restoration actions needed for resource protection, resource threats, management (i.e., sea-level rise, trash, window bird strikes, lighting impacts, bird flushing, water quality, fireworks, human-wildlife interface, education and interpretation programs, public access, involvement, and use plan, management of the human-wildlife interface, wildlife issues related to facilities, trails, roads, overlooks planning, and watershed coordination) and other issues affecting achievement of Management Objectives and related to Adaptive Management Review. III-53

- a) On-site management and enforcement for parks and Wildlife Habitat Areas as necessary to enforce restrictions on human and Predator access regarding Wildlife Habitat Areas; III-54
- b) Enforcement of mitigation measures including, but not limited to, trash collection, noise restrictions, removal of invasive plants, habitat restoration, and park use restrictions; III-54
- c) Coordination, development, implementation and evaluation of effectiveness of education and mitigation programs, including implementation of NRMP; III-54
- d) Evaluation of effectiveness of bird strike mitigation and design measures; III-54
- e) Water quality protections; and III-54
- f) Coordination of injured animal rehabilitation activities. III-54

Policy NR.2.C The initial unit sale contribution shall be directed to the JPA and placed into the community benefits fund that will be non-wasting, with interest revenues committed to the specific broad categories of: Natural Resources; Affordable Housing; Sustainability/Livability; and Community Impacts and Culture. The community benefits fund revenues shall be spent within the Chula Vista Bayfront and Western Chula Vista, subject to applicable law. III-54

POLICY NR.3.A DEVELOPMENT SHALL CONSIDER THE POTENTIAL CHANGES IN FUNCTIONALITY OF WILDLIFE HABITAT AREA DUE TO RISING SEA LEVELS AND COORDINATE MANAGEMENT WITH THE PORT AND CITY CLIMATE MITIGATION AND ADAPTATION PLANS. III-55

POLICY NR.3.B UPLAND AREAS IN THE SWEETWATER AND OTAY DISTRICTS WILL BE ADAPTIVELY MANAGED TO PROVIDE ADDITIONAL HABITAT OR PROTECTION TO CREATE APPROPRIATE TRANSITIONAL HABITAT DURING PERIODS OF HIGH TIDE AND TAKING INTO ACCOUNT FUTURE SEA LEVEL RISE. III-55

Policy NR.4.A Designate “No Touch” Buffer Areas as defined and described in Exhibit 12. Such areas will contain fencing designed specifically to limit the

movement of domesticated, feral, and nuisance predators (e.g. dogs, cats, skunks, opossums and other small terrestrial animals [collectively, "Predators"]) and humans between developed park and No Touch Buffer Areas and Wildlife Habitat Areas. The fence will be a minimum 6-foot high, black vinyl chain link fence or other suitable barrier (built to the specifications described in the FEIR). Fence design may include appropriate locked access points for maintenance and other necessary functions. Installation of the fence will include land contouring to minimize visual impacts of the fence. III-55

Policy NR.4.B Prohibit active recreation, construction of any road (whether paved or not), within No Touch Buffer Areas and "Transition Buffer Areas" with the exception of existing or necessary access points for required maintenance. III-55

Policy NR.4.C Protect the No Touch Buffer Areas from the impacts of the Chula Vista Bayfront project including, without limitation, fencing necessary to protect the Sweetwater Marsh and the Sweetwater parcel tidal flats..... III-55

Policy NR.4.D Include additional controls and strategies restricting movement of humans and Predators into sensitive areas beyond the boundaries of the designated Buffer Areas. III-55

Policy NR.4.E Require the Recreational Vehicle Park to install fencing or other barriers sufficient to prevent passage of predators and humans into sensitive adjacent habitat. III-55

Policy NR.4.F Require all dogs to be leashed in all areas of the Chula Vista Bayfront at all times except in any designated and controlled off-leash areas..... III-55

Policy NR.4.G Impose and enforce restrictions on all residential development to keep cats and dogs indoors or on leashes at all times. Residential developments will be required to provide education to owners and/or renters regarding the rules and restrictions regarding the keeping of pets. III-55

Policy NR.5.E Sweetwater and Otay District parks will open and close in accordance with District Park Regulations. III-56

Policy NR.5.F Laser light shows will be prohibited. III-56

- Year-round, funded Predator management will be implemented for the life of the Chula Vista Bayfront project with clearly delineated roles and responsibilities for the District, City and Resource Agencies. The primary objective of such provisions will be to adequately protect terns, rails, plovers, shorebirds, over-wintering species, and other species of high management priority as determined by the Resource Agencies. III-57

- Predator management will include regular foot patrols and utilize tracking techniques to find and remove domestic or feral animals. III-57

- Predator attraction and trash management shall be addressed for all areas of the Chula Vista Bayfront project by identifying clear management measures and restrictions. Examples of the foregoing include design of trash containers, including those in park areas and commercial dumpsters, to be covered and self-closing at all times, design of containment systems to prevent access by sea gulls, rats, crows, pigeons, skunks, opossums, raccoons, and similar animals and adequate and frequent servicing of trash receptacles. III-57

- All buildings, signage, walkways, overlooks, light standards, roofs, balconies, ledges, and other structures that could provide line of sight views of Wildlife Habitat Areas will be designed in a manner to discourage their use as raptor perches or nests. III-57

Objective NR.10 Form a South Bay Wildlife Advisory Group to advise the Port District and City on the creation and implementation of the NRMP, restoration plans and management issues. III-58

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Preface

Although the land exchange between the Port of San Diego and private property owner described in this Land Use Plan (LUP) has not yet occurred, it must occur before this project can be implemented. Therefore, this LUP describes the exchange as if it has already been consummated to reflect an ownership condition that will exist following LUP adoption.



Definitions

Adaptive Management Review: This will mean review of the adopted Natural Resources Management Plan (NRMP) and its achievement of Management Objectives with the goal of adjusting implementation measures to enhance the management objectives.

FEIR: Final Environmental Impact Report for the Chula Vista Bayfront Master Plan (SCH 2005081077, UPD Number 83356-EIR-658).

PWCs: A motorboat less than sixteen length which uses an inboard motor powering a jet pump as its primary motive power and which is designed to be operated by a person sitting, standing or kneeling on, rather than in the conventional manner of sitting or standing inside the vessel.

Wildlife Advisory Group: A group to be formed to advise the District and City in the creation of a Natural Resources Management Plan (NRMP), cooperative management agreements, Adaptive Management Review and any related wildlife management and restoration plans or prioritizations.

Wildlife Habitat Areas: Wildlife Habitat Areas (WHA) s are defined as:

- All National Wildlife refuge lands, currently designated and designated in the future, in the South San Diego Bay and Sweetwater Marsh National Wildlife Refuge Units. These areas are included in the definition of Wildlife Habitat Areas for the sole purpose of addressing adjacency impacts and not for the purpose of imposing affirmative resource management obligations with respect to the areas within the National Wildlife Refuge lands.
- All District designated lands and open water areas in the Conservation Land Use Designations of Wetlands, Estuary, and Habitat Replacement as depicted in the Draft Precise Plan for Planning District 7.
- Parcels 1g and 2a from the City's Bayfront Specific Plan.

I. INTRODUCTION/OVERVIEW

A. INTRODUCTION

This document is an amendment to the Chula Vista Local Coastal Program (LCP) certified by the California Coastal Commission on January 15, 1993 and amended by City of Chula Vista City Council Resolution No. 17036 and Ordinance No. 2546. City Council Resolution No. 17036 and Ordinance No. 2546 adopted the California Coastal Commission's January 15, 1993 actions and incorporated modifications to the Land Use Plan/General Plan Land Use Element/Land Use Circulation Diagram/Parks and the Recreation Element/Bayfront Area Plan and Specific Plan, respectively. This LCP Amendment is the result of two primary conditions: (1) changes to jurisdictional boundaries for the Port of San Diego (Port) and the City of Chula Vista (City) resulting from a Port Master Plan Update and (2) changes to existing conditions and proposed land uses resulting from a land exchange between the Port and a private land owner. As described in Section B(2), the LCP amendment includes both this Land Use Plan and the implementing ordinance (Bayfront Specific Plan).

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Deleted: This document is the 1992 Chula Vista Local Coastal Program (LCP) Re-submittal which includes a re-formatted text and improved exhibits which are intended to make the document more readable and useful as a development regulation and planning tool. Although new in appearance, the substantial revisions in the LCP Re-Submittal are associated with two major events which significantly diminished the viability of the previous Local Coastal Program. The first was the creation of the Sweetwater Marsh National Wildlife Refuge within the planning area, incorporating properties which were previously designated for a significant amount of development. The second was the preparation of a new development concept for Midbayfront, which is the major undeveloped sector within the planning area. Because these actions affected most of the property available for development within the Chula Vista Bayfront, an opportunity for a comprehensive update of the Chula Vista LCP was created.

The Re-submittal focuses primarily on the undeveloped property within the Midbayfront, while the regulations and standards for other areas are essentially unchanged, although re-stated and re-formatted.

The Chula Vista Coastal Zone (Coastal Zone) is located in the City of Chula Vista, San Diego County, California (Exhibit 1). Chula Vista 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 City's northern boundary south to Palomar Street and west of, and including, Interstate 5 (I-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).

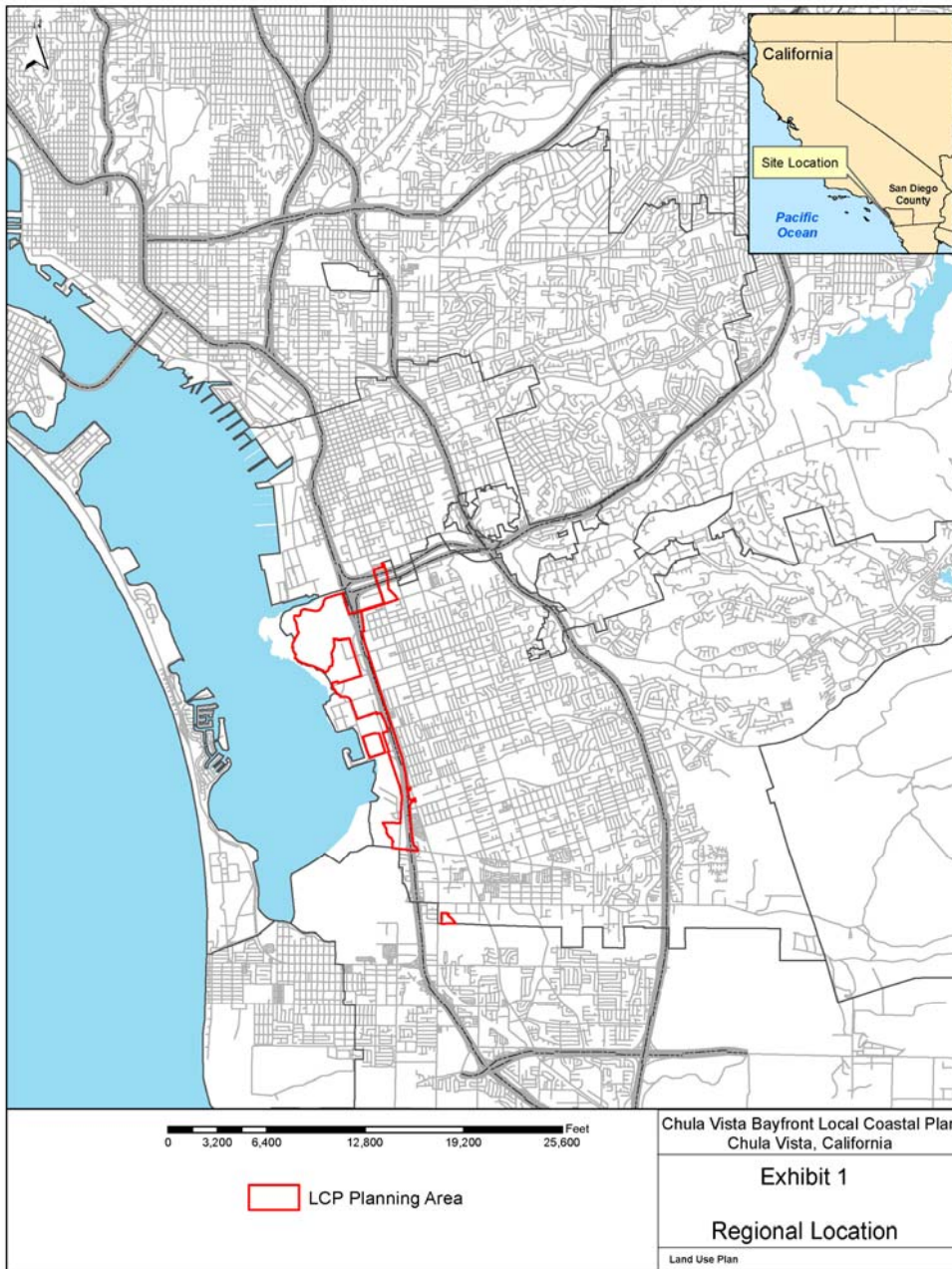
The Bayfront area consists of lands under the jurisdiction of the Port and lands under the jurisdiction of the City (Exhibit 3). The subject of the LCP Amendment (Chula Vista LCP Planning Area) is non-Port parcels that are under the jurisdiction of the City, including privately owned lands and City-owned lands, within the Bayfront area (Exhibit 4). A private entity controlled a large block of land located in the northern portion of the Bayfront area near Sweetwater Marsh National Wildlife Refuge (LCP Subarea 1, Sweetwater District), which was part of a land exchange with the Port for parcels located in the central portion of the Bayfront area (LCP Subarea 2, Harbor District) that were deemed more suitable for residential development. The land exchange included the transfer of six parcels in the Sweetwater District from the private entity to the Port in exchange for four parcels in the Harbor District from the Port to the private entity. This land transfer shifted the jurisdiction of the four parcels in the Harbor District from the Port to the City and jurisdiction of the six parcels in the Sweetwater District from the City to the Port. Parcels involved in the land exchange are shown in Exhibit 5.

The parcels within the Bayfront area, but outside of the Port's jurisdiction, are within the jurisdiction of the City and are included within the LCP Planning Area. Properties under the jurisdiction of the Port are addressed by the Port Master Plan. Although the jurisdictional areas have changed, the objectives and policies have been modified only to the extent necessary to reflect the modified land uses.

1. Purpose of Plan

The purpose of the Chula Vista LCP is to provide a detailed plan for the orderly growth, development, redevelopment, and conservation of the City jurisdictional parcels located within the Chula Vista Bayfront coastal area.

The LCP must be consistent with both local and state land use policies. First, every coastal city and county is required to prepare an LCP, pursuant to the California Coastal Act, to be approved by the







California Coastal Commission. The LCP must be sufficiently detailed to indicate the kind, location, and intensity of land uses and the applicable resource protection policies for development within the local coastal zone. The Land Use Plan component of the LCP must provide land use and development policies, which will ensure that development within the local coastal area will be consistent with the provisions of the Coastal Act. In addition, the LCP must contain implementing ordinances to carry out the policy provisions of the Land Use Plan. These are provided in the Chula Vista Bayfront Specific Plan, which serves as the implementation plan for the Chula Vista LCP.

Second, this LCP must be consistent with, and implement, the City of Chula Vista General Plan, which is the primary local land use and development policy document. The Bayfront Specific Plan is a component of the City's General Plan and represents a step toward systematic implementation of the General Plan in the Bayfront.

2. Area Location and Description

The City of Chula Vista was incorporated in 1911 and became a charter city in 1949. The City currently has a population of approximately 209,133 and covers an area of about 52 square miles. Geographically, the City is located adjacent to the east side of San Diego Bay, 8 miles south of San Diego's downtown and 7 miles north of the International Border (see Exhibit 1). The Chula Vista Coastal Zone currently includes a large amount of industrial development and the National Wildlife Refuge (Sweetwater Marsh and F&G Street Marsh). It also contains one of the last remaining large blocks of undeveloped land on San Diego Bay.

Regionally, the area is served by I-5, the major freeway connection between San Diego and Mexico. State Route 54 (SR-54) and its interchange with I-5 in the Bayfront enhance the site's locational advantage. The Bayfront area is located 10.8 miles south of the San Diego International Airport.

3. Chula Vista Bayfront and Subareas

The boundary of the Chula Vista Bayfront area extends from the coast to just immediately east of I-5, except in the northerly portion of the City where it turns east (inland) along the prolongation of C Street to a point approximately midway between Broadway and Fifth Avenue and then north of the City boundary. The Coastal Zone and Bayfront boundaries are shown in Exhibit 2.

Subarea 7 -- This subarea consists of the majority of the National Wildlife Refuge which is located at the north and west of the Midbayfront (subarea 1).

The Chula Vista Coastal Zone was previously defined by subareas, comprising: (a) the Bayfront Planning Area (Subareas 1, 2, 3, and 7), in which the City had permit jurisdiction; (b) the annexed coastal areas (Subareas 4 and 6), in which the California Coastal Commission had jurisdiction; and (c) one inland parcel located outside of the Coastal Zone (Subarea 5). Due to changes in land ownership resulting from the land exchange, and in an effort to clarify jurisdictional authorities in a manner consistent with the Port Master Plan, the Chula Vista Bayfront area, covered by this LCP amendment, has been redefined into three districts (Sweetwater, Harbor, and Otay). The Sweetwater District includes the northern properties and generally extends south to "F" Street/Lagoon Drive (hereinafter referred to as "F" Street) and a small peninsular area at the southwest corner. The Harbor District is the central area and includes the majority of Port lands. The Otay District includes the southern portion of the Chula Vista Bayfront area and is defined on the southern boundary by Palomar Street, with the addition of the inland coastal zone parcel at Faivre Street. The districts are shown in Exhibit 6.

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Deleted: The Chula Vista Coastal zone is comprised of the Bayfront Planning Area (Subareas 1, 2, 3, and 7), in which the City has permit jurisdiction, and the annexed coastal areas, in which the California Coastal Commission has jurisdiction. The provisions contained in the plan will only thus apply to the Bayfront Planning Area.¶

¶ The LCP planning area (local coastal zone) encompasses approximately 1,013 acres of which 748 acres are uplands or filled areas above mean high tide and 265 are in marsh or wetlands. (Note: LCP acreages are provided to the nearest acres and are approximate values utilized for large scale planning purposes.) Four major ownerships dominate the planning area: 1.) San Diego Gas & Electric Company (SDG&E) at the south end with 92 acres; 2.) Rohr, Inc. in the central area with 99 acres (and an additional 66 acres of San Diego Unified Port District-owned land plus SDG&E ROW and SDG&E/MTDB ROW); 3.) the U.S. Fish and Wildlife Service which owns 316 acres (some of which is outside the City of Chula Vista) in two parcels which comprise the National Wildlife Refuge; 4.) Chula Vista Investors which owns 116 acres in the central portion of the Bayfront; and 5) Chula Vista Redevelopment Agency which owns approximately 16 acres, also in the central portion of the Bayfront.¶

¶ The wildlife refuge includes the majority of Gunpowder Point, "D" Street Fill, the entire Paradise Creek area, and the Sweetwater Marsh Complex (including the "F-G" Street Marsh). The Port District holds jurisdiction and ownership of all the tidelands lying between mean high tide line and the City's western boundary. Although the Port District area is within the City Limits, it ... [1]

Deleted: ¶ In order to facilitate the planning and development of the Bayfront, the overall planning area has been divided into eight "sub-areas" to focus on the issues which are specific to various local areas. These areas are indicated in Exhibit 2, pages I-4, and are described below:¶ ... [2]

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The three districts are further defined into three subareas within the LCP Planning Area for land use planning purposes. The three subareas generally coincide with the boundaries of the three districts and are described in more detail below. Only properties within the districts that are under the City's jurisdiction are within the LCP Planning Area subareas and are subject to the provisions contained in this Plan. The Chula Vista LCP Planning Area (City jurisdiction) is shown in Exhibit 4.

The Chula Vista Coastal Zone totals approximately 1,345 acres, of which 722 acres are within the LCP Planning Area (local coastal zone), 536 acres are within the Port's jurisdiction (Port Master Plan), and 87 acres are outside of the Bayfront area (West Fairfield Planning Area).¹ Five major ownerships dominate the Planning Area: (1) Goodrich, Inc. (Goodrich), which purchased the land previously owned by Rohr, Inc., in the Harbor District with 79 acres; (2) the U.S. Fish & Wildlife Service (USFWS), which owns 316 acres in two parcels (Sweetwater Marsh and the "F&G" Street Marsh), which comprise the National Wildlife Refuge; (3) a private entity, which controlled approximately 97 acres in the Sweetwater District that was exchanged for approximately 30 acres of Port lands in the Harbor District; (4) Chula Vista Redevelopment Agency, which owns approximately 16 acres, also in the Sweetwater District of the Bayfront; and SDG&E, which purchased approximately 12 acres of land from the Port District.

The National Wildlife Refuge includes the majority of the area known as Gunpowder Point, "D" Street Fill, the entire Paradise Creek area, and the Sweetwater Marsh Complex (including the "F&G" Street Marsh). As stated above, the Port holds jurisdiction of over 536 acres within the Bayfront area. Although the Port area is within the City limits, it is included in the Port's Master Plan, rather than the City's LCP.

The Bayfront is characterized by a land use mix that balances coastal development and protected coastal open space. Development associated with the land exchange will enhance this goal by facilitating the movement of development having more intensive land uses to those less environmentally sensitive parcels and placing less intensive land uses in the Sweetwater District. This exchange also allows for large protected open spaces and buffer zones adjacent to sensitive environmental resources associated with the National Wildlife Refuge. Many of the Bayfront developed areas are also a part of the Chula Vista Bayfront Master Plan (CVBMP) and the provisions in the City's LCP and the Port Master Plan establish the guidelines for redevelopment of these areas.

Land parcels in the Sweetwater District currently zoned as open space USFWS property, Parcel Area 1-g, and a portion of Parcel Area 3-k (see Exhibit 7 in Section III.A) are planned to remain as open space and the City Park (Parcel Area 1-f) is to remain zoned as Parks and Recreation. Thoroughfare and visitor commercial uses have been developed along Bay Boulevard, between "E" Street and "F" Street. South of "F" Street, the Goodrich corporate headquarters and industrial facility extend to "H" Street. The South Bay Power Plant and smaller industrial users are located south of "J" Street to Palomar Street. In addition to these areas located west of I-5, one parcel east of the freeway is within the Bayfront and LCP Planning Area and is known as the Faivre Street Inland Area. This inland parcel is located south of the western end of Faivre Street and is currently used as a lumber yard distribution facility and open space.

To facilitate the planning and development of parcels within the Chula Vista Bayfront under the jurisdiction of the City, the overall LCP Planning Area has been divided into three "subareas" to focus on the issues specific to each area. These subareas, which correlate to the Port's districts, are indicated in Exhibit 6, and are described below:

<u>Subarea 1</u> <u>Sweetwater District</u>	<u>This subarea is located generally north of "F" Street. The National Wildlife Refuge is located in the northwest corner of the Sweetwater District. This subarea also consists of several parcels on the easternmost edge of the Sweetwater District (owned by the Redevelopment Agency of the City of Chula Vista, San Diego Gas and Electric (SDG&E), San Diego and Arizona Eastern Railway, and private owners) located outside of Port properties acquired as a part of the land exchange, and four parcels located in a peninsular area on the west side of Marina Parkway, south of "F" Street (owned by</u>
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¹ LCP acreages are approximate values used for large-scale planning purposes.

the Redevelopment Agency of the City of Chula Vista and Goodrich).

Subarea 2
Harbor District

This subarea is located generally between "F" Street and "J" Street (including "F" Street and "J" Street). Most of the properties within this subarea are developed with industrial or related uses. This area contains four parcels transferred to a private entity as a part of the land exchange that were previously under Port jurisdiction but are now under City jurisdiction. The exchanged parcels are also part of the CVBMP area.

Subarea 3
Otay District

This subarea, known as the Otay District, is located south of "J" Street and includes parcels located along Bay Boulevard which are primarily developed with light industrial and related commercial uses under City jurisdiction.

This subarea also consists of the small southern inland parcel on Faivre Street annexed to the City from the County of San Diego in 1985. This parcel is located adjacent to wetlands associated with the Otay River. The undeveloped portion of the property characterized by native habitat is zoned as Open Space.

The Chula Vista Coastal Zone contains parcels under either Port or City jurisdiction. Only those parcels within the Bayfront area under City jurisdiction are included in the City's LCP Planning Area and are subject to the provisions of this Land Use Plan.

4. Related Projects

~~✓ River Flood Control Channel Joint Caltrans/U.S. Army Corps of Engineers Project. The Route 54/Sweetwater River Flood Control Channel is a joint California Department of Transportation (Caltrans).~~

There is one major project adjacent to the LCP Planning Area that affects the Chula Vista Local Coastal Zone and LCP provisions: the CVBMP and the associated Port Master Plan Amendment. The Port Master Plan update and proposed CVBMP area project encompass properties adjacent to, and within, the City's LCP Planning Area. The Port Master Plan and CVBMP proposed plan of development also involve the land exchange and the resulting transfer of jurisdiction of six parcels previously under a private entity's control from the City to the Port, and four parcels previously under Port ownership from Port jurisdiction to City jurisdiction and a private entity's control. The properties within the Bayfront area not covered by the provisions of this LCP are within the jurisdiction of the Port and will be governed by the provisions of the Port Master Plan.

B. LOCAL COASTAL PROGRAM OVERVIEW

1. Coastal Act Provisions

As provided in section 30500(a) of the Public Resources Code, "Each local government lying, in whole or in part, within the coastal zone shall prepare a local coastal program for that portion of the coastal zone within its jurisdiction." The Local Coastal Program is defined as "A local government's land use plans, zoning ordinances, zoning district maps, and implementing actions which, when together, meet the requirements of, and implement the provisions and policies of, the Coastal Act at the local level. The Coastal Act divides the LCP process into three documented phases: (1) Coastal Act Provisions/Issue Identification; (2) Land Use Plan; and (3) Implementing Ordinances. Issue Identification was completed in connection with the original LCP approval in 1986 and has not been included in this resubmittal. This revised LCP includes (1) the Land Use Plan and (2) the Implementing Ordinances (the Bayfront Specific Plan).

Deleted: There are two major projects adjacent to the LCP area which affect the Bayfront. They have been combined in the Route 54/Sweetwater

Deleted: and United States Army Corps of Engineers project, with the Corps of Engineers acting as the lead agency. The project combines the construction of State Highway Route 54, from I-805 to I-5, with the construction of a flood control channel from Bonita Mesa Road (immediately upstream of I-805) to San Diego Bay. The flood control channel generally occupies the median between the eastbound and westbound lanes of SR-54. the configuration of lanes and ramps is incorporated into the base map for the Land Use Plan. The freeway interchange is located along the northeastern edge of the Bayfront. Access to the Bayfront is provided from the I-5/54 interchange via an off-ramp to "E" Street/Marina Parkway.¶

¶ Wildlife habitat protection issues associated with this project resulted in a lawsuit by the Sierra Club in 1986. The associated settlement agreement was entered into in 1998. it resulted in the conveyance of a large portion of the Bayfront to the U.S. Fish & Wildlife Service and creation of the Sweetwater Marsh National Wildlife Refuge. The upland areas were retained by the property owner for future development. This significantly changed the development potential of the Bayfront and is one of the factors leading to the current LCP Re-submittal.

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2. Organization and Format of LCP

This LCP consists of the Land Use Plan and Implementation Plan described in further detail below.

Land Use Plan

The first portion of the LCP is the Land Use Plan. The Land Use Plan includes three major components: (1) Introduction, Planning Context, and Coastal Act Policies Summary; (2) Areawide Development Objectives and Policies; and (3) Subarea Specific Development Objectives and Policies. The policies of the Land Use Plan will be reviewed by the California Coastal Commission (Coastal Commission) to ensure that they are consistent with the requirements of the Coastal Act.

After this introductory chapter, the Land Use Plan presents a discussion of the Coastal Act policies relevant to the LCP Planning Area, identifies existing conditions pertaining to each policy category, and outlines the LCP provisions that implement the coastal policies. These policies are specifically identified to aid in supporting the finding of Coastal Act consistency.

The second component of this Plan consists of the objectives and policies that are intended to be applied throughout the LCP Planning Area. These Areawide Objectives and Policies are organized into five elements:

Land Use and Intensity
Circulation and Public Access
Physical Form and Appearance
Utilities and Areawide Grading
Environmental Management

Each element contains a survey of existing conditions, objectives for development, and specific policies relative to that element. This section is intended to describe the composition of the LCP properties within the Bayfront and ensure both conformance with the Coastal Act Policies as well as consistency with the City's General Plan. Because of the importance of the "mandatory and controlling" policies of the LCP, they are numbered separately.

The third component of the Land Use Plan contains an analysis of conditions, development objectives, and policies, which are responsive to the unique needs of each subarea. The subarea Specific Development Objectives and Policies focus the areawide policies on the unique characteristics and needs of each planning subarea and provide greater policy detail for site specific development issues.

Implementation Plan

The second portion of this LCP is the Implementation Plan. The Implementation Plan is intended to implement the policies of the Land Use Plan through development regulations and standards for the LCP Planning Area. The implementing ordinance for the Chula Vista Bayfront LCP is the Bayfront Specific Plan, which is adopted pursuant to Title 19 of the Chula Vista Municipal Code (Zoning Ordinance). As provided in Section 30513 of the Coastal Act, the zoning ordinances, zoning district maps, or other implementing actions shall be reviewed by the Coastal Commission to ensure they conform with, or are adequate to carry out the provisions of the Land Use Plan.

The Bayfront Specific Plan specifies, in detail, the permitted land uses, and the standards and criteria for development and conservation of resources. It contains the implementation plan for the LCP Bayfront properties (LCP Planning Area), as well as specific development standards unique to each

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Deleted: The initial portion of this LCP text is the Land Use Plan. The Land Use Plan includes three major components: 1) Introduction, Planning Context and Coastal Act Policies Summary; 2) Areawide Development Objectives and Policies and 3) Subarea Specific Development Objectives and Policies. The policies of the Land Use Plan will be reviewed by the State Coastal Commission to insure that they are consistent with the requirements of the Coastal Act.¶ After this introductory chapter, the Land Use Plan presents a discussion on the Coastal Act Policies which are relevant to the Bayfront, identifies existing conditions which pertain to that policy category, and outlines the LCP provisions which implement the coastal policies. These policies are specifically identified to aid in supporting the findings of Coastal Act Consistency.¶ The second component of this Plan consists of the objectives and policies which are intended to be

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Deleted: applied throughout the Bayfront are identified. These Areawide Objectives and Policies are organized into five elements: 1) Land Use and Intensity; 2) Circulation and Public Access; 3) Physical Form and Appearance; 4) Utilities and Areawide Grading; and 5) Environmental Management. Each element contains a survey of existing conditions, objectives for development, and specific policies relative to that element. This section is intended to describe the composition of the overall Bayfront and ensure both conformance with the Coastal Act Policies as well as consistency with the City's General Plan. Because of the importance of the "mandatory and controlling" policies of the LCP, they are numbered separately and indicated with bold type (policy typeface). ¶ The third component of the Land Use Plan contains an analysis of conditions, development objectives and policies which are responsive to the unique needs of each subarea. The Subarea Specific Development Objectives and Policies focus the areawide policies on the unique characteristics and needs of each planning subarea and provide a greater policy detail for site specific development issues.¶ The second portion of the LCP Re-submittal is the Implementation Program. The Implementation Program is intended to implement ... [3]

subarea, where required. The Bayfront Specific Plan is consistent with, and will carry out, the provisions of both the LCP Land Use Plan and the City's General Plan.

The Implementation Plan (Bayfront Specific Plan) includes seven major divisions:

1. Scope and Purpose
2. General Provision
3. Coastal Development Permit Procedures
4. Land Use Zones
5. Development Criteria
6. Environmental Management Program
7. Infrastructure Financing and Funding Mechanisms

3. History of Chula Vista Coastal Program

This LCP ~~Amendment~~ is the latest in a series of studies and plans that have been prepared for the Chula Vista Bayfront. In 1972, the City initiated a program to evaluate development options and prepare a master plan for the area. In 1972, Proposition 20, the Coastal Initiative, was passed by the voters of California. Proposition 20 mandated the preparation of the California Coastal Plan, which was issued in 1975. The California Coastal Plan and subsequent legislation established stringent review requirements for projects in the Coastal Zone. To respond to blighting conditions in some areas of the Bayfront, in 1974 the City established the Bayfront Redevelopment Project Area, which includes a majority of property within the Bayfront area. Many of the blighted conditions have been removed or redeveloped through the successful implementation of the Redevelopment Plan.

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The City began the Coastal Commission review process in 1976. A lengthy process that included additional environmental review and analysis, several lawsuits, and reconfiguration of portions of the plan extended to March 1984, at which time the Chula Vista Bayfront Land Use Plan was approved by the Coastal Commission. Subsequently the implementing ordinances (specific plan) were also approved in June 1985. Certification was challenged by lawsuits regarding the adequacy of endangered species habitat protection within the Bayfront and mitigation of on-site and off-site impacts. The settlement agreement concluding the lawsuit resulted in the creation of the Sweetwater Marsh National Wildlife Refuge, which includes property designated for the principal visitor-serving use in the Bayfront. The settlement agreement required that Gunpowder Point (designated resort hotel site), the "D" Street Fill (designated for marina, commercial, and residential development), and the entire Paradise Creek and Sweetwater Marsh complex be deeded to the ~~USFWS~~.

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Eliminating these uses from the Bayfront Plan resulted in an imbalance in the land use allocation for the remaining developable upland property. Because of this, the City re-initiated a planning program to formulate a new plan for the Bayfront in 1988. This effort was curtailed when the major undeveloped portion of the property was sold and the new landowner expressed an interest in working with the City to prepare a new plan emphasizing a mixed-use, visitor-serving development. ~~The current LCP Amendment reflects the changes to jurisdictional boundaries resulting from the land exchange between the Port and a private entity and the associated new development concept formulated in partnership by the City, the Port, and a private entity. This amendment is the second comprehensive major amendment to the LCP. The previous amendment to the LCP was certified in 1993. This resubmittal follows Resolution No. 17036 of the City Council of the City of Chula Vista, which amended resolution No. 16838, and Ordinance No. 2546 of the Redevelopment Agency of the City of Chula Vista, which amended Ordinance No. 2532.~~

Deleted: This LCP Re-submittal reflects the new development concept formulated by the City and Chula Vista Investors, and this is the first comprehensive major amendment to the LCP which was certified in 1986

4. Coordinated Planning Efforts

The LCP establishes the conservation and development requirements for coastal zone lands that lie within the jurisdiction of the City and excludes properties within the jurisdiction of the Port (see Exhibits 3 and 4). ~~The National Wildlife Refuge, under USFWS ownership, is part of the LCP Planning Area.~~

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Close cooperation between the City, the Port, and Federal agencies is necessary to ensure:

- Coordination of road, water, sewer, and storm drainage improvements;
- Effective management of coastal environmental resources;
- Harmonious land use and development, which permits all portions of the Bayfront lands to benefit from the economic, visual, and recreational values of the waterfront site; and
- Provision of public access to coastal resources.

Deleted: In addition, now that the National Wildlife Refuge is part of the planning area, coordination with appropriate Federal Agencies is required.

State law and good planning practice require that the Bayfront Land Use Plan address the relationship between the lands within the LCP boundaries and the adjoining Port lands. This is done by indicating where the continuity of public facilities (roads, water lines, sewers, storm drainage provisions, and pedestrian and bicyclist routes) is to be maintained, where protection of economic and aesthetic values provided by water-oriented views are to be protected, and where safeguards are necessary to prevent conflicts in land use and development.

Specific aspects requiring coordinated action include:

- ~~Rerouting and design of Marina Parkway in the Midbayfront area;~~
- Maintenance of a protected habitat for the least tern and other sensitive species within the National Wildlife Refuge;
- Integration of pedestrian waterfront access;
- Protection of existing water-oriented views from inland areas; and
- A balanced mix of developed land uses within the coastal area of the City.

C. IMPLEMENTATION

As indicated previously, the Chula Vista Bayfront Land Use Plan will be implemented by the Bayfront Specific Plan per the California Government Code Sections 65460 et seq. The Specific Plan, ~~will be~~ adopted by Ordinance, ~~and will~~ meet the Implementing Ordinance requirements of the Coastal Act. The implementation provisions will include:

1. Land use and development regulations and standards ("zoning" including permitted uses, parking requirements, development and performance standards, signs, etc., plus provisions addressing roadway standards, grading and drainage regulations to control impacts to wetlands, landscaping standards, and design review requirements)
2. Environmental management regulations
3. Design regulations and standards controlling specific projects
4. Administrative and permitting procedures

II. PLANNING CONTEXT

A. LOCAL PLANNING PROGRAMS

Adopted local plans and State law create the planning context for the Chula Vista Bayfront LCP. The LCP must be consistent with both the City's General Plan and the provisions of the California Coastal Act.

State law (Code Section 65300) requires each city to adopt a comprehensive, long-term general plan for the physical development of the city. The State requires general plans based on the belief that the future growth of the State is determined largely through local actions. By requiring general plans, the State can be ensured of a consistent framework for decisions while still allowing local control. In a similar manner, an approved LCP provides assurance that the specific interest of the State, as expressed in the Coastal Act, will be met within the Coastal Zone while still allowing local decision-making.

1. General Plan Bayfront Vision Statement

The 2010 Chula Vista General Plan includes a description of "The Vision" for the development of the City. The City considers the Bayfront an important development area due to its location and potential to create a unique image for Chula Vista. The following statement from the General Plan describes the vision for the Bayfront:

The Bayfront Master Plan envisions a world-class Bayfront in the City of Chula Vista to benefit citizens and visitors to the region, and to compliment existing and proposed development within the City's corporate boundaries. A major component of the Bayfront Master Plan is the protection of natural areas and sensitive biological resources. The Bayfront Master Plan supports the implementation of a variety of uses including office, residential, retail, entertainment, recreation, other visitor-serving uses, and reconfiguration of the harbor.

Deleted: *The continuing redevelopment of the Bayfront will create a water-oriented focal point for the entire City. With an emphasis on public recreation activities, tourism and conservation, it will emerge as the premier waterfront experience in the South Bay. The development standards and quality will equal those of similar redevelopment projects in the northern section of San Diego Bay. The diversity of uses will exceed that many similar projects and contribute to its vitality and use by all citizens.*

2. Goals for Development

The preceding vision statement can be expressed as a series of goals for Bayfront development as listed below:

- Create a water oriented focal point for the entire city Of Chula Vista which includes uses which are attractive to visitors and residents alike.
- Establish linkages between the Bayfront Planning Area and the Northwest Planning Area for pedestrians, bicycles, and transit.
- Provide for the extension of the downtown urban core into the Bayfront to emphasize a strong east-west connection.
- Establish roadways in the Bayfront Planning Area that respond to the special operating characteristics of roadways within a more urbanized environment, accommodate slower speeds in pedestrian-oriented areas, and facilitate multi-modal design elements and amenities.
- Provide continuous open space network which links the Bayfront to the planned "Chula Vista Greenbelt" incorporating the Sweetwater River Valley to the north and the Otay River Valley to the south.

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- Increase mobility for residents and visitors in the Bayfront Planning Area.
- Promote integrated land uses in the Bayfront and create an identifiable image for the Bayfront.
- Create park and recreational opportunities in the Bayfront Planning Area that protect the natural beauty of the Bay and improve access and usage by area residents and visitors.
- Provide good regional access to encourage visitors to the Bayfront.
- Provide for natural open space conservation in the Bayfront Planning Area.
- Provide for the long-term protection of important natural resources, including those within the National Wildlife Refuge.
- Encourage redevelopment and new development activities within the Sweetwater Subarea that will minimize impacts to environmentally sensitive lands adjacent to the Sweetwater Marsh National Wildlife Refuge.
- Promote opportunities for public coastal success, open space, park and recreational uses adjacent to the natural resources of the Bayfront.
- Provide for the redevelopment and new development of the Harbor Subarea that will reinforce its identity as the City's Bayfront focal point.
- Encourage redevelopment and new development activities within the Otay Subarea that will provide employment, recreational and visitor-serving opportunities, and energy utility needs
- The Chula Vista Bayfront contains scenic resources of local and regional importance. The scenic and visual qualities of these areas shall be protected and, where feasible, enhanced.

Deleted: Retain Rohr, Inc. as a major employer and industrial business in Chula Vista, but limit the extent of any new general industrial and commercial uses to assure development of unique visitor oriented uses within the coastal zone.

B. CALIFORNIA COASTAL ACT

This section is organized following the policy categories identified in the California Coastal Commission LCP Manual. This section provides three types of information for each category:

- a. A summary of applicable Coastal Act policies
- b. A discussion of existing conditions for each policy category
- c. A summary of the LCP provisions that address the coastal issue

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1. Shoreline Access

a. Coastal Act Policies

Sections 30210-30212 of the Coastal Act require that public and recreational opportunities be provided for all the people, that development not interfere with the public's right of access, and that new development provide public access to the shoreline.

b. Existing Conditions

There is currently limited physical, public access to Chula Vista's shoreline. The only direct public access to the bay is outside the LCP Planning Area on Port property. This includes a boat launch,

marina, and park that are located off the westerly extension of "J" Street. Also on Port property is a park and public beach located immediately west of the Goodrich facility. Public access is also provided via a shuttle bus that serves the Chula Vista Nature Center, located on Gunpowder Point, and within the boundaries of the National Wildlife Refuge.

The lack of adequate public access is due partly to the types of land uses that currently exist along the shoreline. ~~Refr~~ Goodrich's major industrial/manufacturing facility, boats yards, SDG&E ~~property utility infrastructure, power plant operations,~~ the National Wildlife Refuge, and undeveloped property all have resulted in very limited direct public access opportunities. ~~Access is also limited due to the environmental sensitivity of the shoreline within the planning area. Limited or restricted access is necessary in some areas to preserve the habitat value of the shoreline itself.~~ Due to the environmental sensitivity of the shoreline within the Bayfront area, limited or restricted access is necessary in some areas to preserve the habitat value of the shoreline itself.

c. Plan Provisions

Public access to the shoreline, consistent with habitat preservation, is one of the key provisions of this Land Use Plan. The Land Use Plan designates approximately 26 acres of public and quasi-public areas and parks and recreation, with over 30 additional acres of public areas and parks and recreation being designated within the Bayfront area on Port lands. The areas within the Port's jurisdiction provide the adjacency of public spaces to the bay and National Wildlife Refuge, thereby greatly enhancing public access to coastal resources. These areas are governed by the provisions of the Port Master Plan. All of the public, park, and open space lands will be permanently dedicated and maintained to ensure future access.

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The Port Master Plan includes public accessibility in the Bayfront through a series of public shoreline parks and open space areas adjacent to the National Wildlife Refuge that offer both pedestrian and bicycle paths. Development on parcels within the LCP Planning Area will ensure continuity with such access defined in the Port Master Plan. In addition, shuttle bus operations from the Bayfront to the Chula Vista Nature Center will continue to provide public access to a unique educational and wildlife resource. ▼

Deleted: The Land Use Plan provides for public accessibility through a series of public shoreline parks and open space adjacent to the National Wildlife Refuge which offer both pedestrian and bicycle paths.

Deleted: Public parking is provided in the Midbayfront to serve the Nature Interpretive Center along with streets to link the Interpretive Center and parking area.

Implementation of the policies in this Land Use Plan will ensure that public access and recreational opportunities will be provided, that new development will not interfere with the public's right of access, and that new development will not conflict with Port plans to provide public access to the shoreline.

2. Recreation and Visitor-Serving Facilities

a. Coastal Act Policies

Sections 30212.5 and 30213 [part, 30220-30223 and 30250(c)] of the Coastal Act requires the provision of public and low-cost recreation and visitor-serving facilities, and encourages the provision of commercial recreational and visitor-serving facilities by requiring that suitable land be reserved for such uses and that uses be given priority over other uses.

b. Existing Conditions

Limited visitor-serving facilities are located adjacent to I-5 along Bay Boulevard, including a small motel and four restraints. The Port District Marina and boat launch facilities contain restaurants, boat slips, and a marina. Marina View Park and the Port District's fishing pier are adjacent to the bay and provide low cost public recreational facilities. A yacht club facility and excursion pier have been constructed to provide additional recreational opportunities.

Within the LCP Planning Area, limited visitor-serving facilities are located adjacent to I-5 along Bay Boulevard, including a small motel and two restaurants.

The adjacent Port Master Plan ~~Port District Marina and boat launch facilities~~ area includes a marina and boat launch facilities containing two restaurants, boat slips, and a marina. Marina View Park and the fishing pier, also within the Port Master Plan area, are adjacent to the bay and provide low cost public recreational facilities. A yacht club facility provides additional recreational opportunities.

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c. Plan Provisions

In addition to the existing facilities provided within the Bayfront within both the LCP Planning area and the Port Master Plan area, as mentioned above, the Land Use Plan designates new visitor-serving facilities within the Harbor District. Future facilities within the LCP Planning area include a hotel and ancillary retail establishments such as restaurants, shops, and shared public plazas. Although the Land Use Plan specifically provides new facilities within the Harbor District, other new facilities are provided within all districts through the Port Master Plan.

Deleted: In addition to the existing recreation and visitor-serving facilities, the Land Use Plan provides a variety of recreational opportunities including a total of approximately 37 acres of Parks and Recreation Use, the vast majority of which will be parkland open to the public without cost. The Land Use Plan also provides a total of approximately 18 acres of public and quasi-public open space, and water, including an eight acres lagoon within the Midbayfront which will have access for limited recreational use

Deleted: In addition, the Central Resort District of the Midbayfront is designated for mixed-use, visitor serving development. Uses with the Midbayfront include hotels, conference center, a cultural arts facility, restaurants, specialty retail, and commercial recreation uses.

Deleted: As listed above, the policies of the LCPR provide for public and low-cost recreation. The Midbayfront project is intended to maximize visitor serving facilities with the Coastal Zone and includes major commercial recreational uses..

3. **Water and Marine Resources**

a. Coastal Act Policies

Sections 30230, 30231, and 30236 of the Coastal Act require the preservation and, where feasible, the enhancement and restoration of water and marine resources including coastal water, streams, wetlands, estuaries, and lakes. Special protection shall be given to areas and species of special biological or economic significance.

b. Existing Conditions

The Bayfront contains marshes, mudflats, and uplands and includes one of the last remaining major wetlands in San Diego Bay. These wetland areas provide habitat and nesting sites for a wide range of avian species, which are of special concern due to diminishing habitat throughout their range.

~~all of~~ Many of the important wetlands are located within the National Wildlife Refuge (Subarea 1). Establishment of this refuge has assured ensured the preservation of the important wetland and biologically valuable upland resources. The long-term protection and enhancement of these resources are now the essential objectives for environmental management in the Bayfront area.

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Plan Provisions

~~Wildlife populations (primarily birds) using the National Wildlife Refuge will be protected from physical and visual intrusion by (1) implementing the arrangement of uses resulting from the land exchange depicted in the Land Use Plan, including the placement of more intensive land uses farther from environmentally sensitive areas such as the National Wildlife Refuge and the incorporation of buffer zones and other adjacency measures around sensitive habitat, and (2) through siting and design of buildings according to the design requirements of the LCP.~~

The Environmental Management policies of the LCP provide for preservation, enhancement, and restoration of the important water and marine resources within the Bayfront area. Establishment of the National Wildlife Refuge ensures protection of the sensitive species/ habitat areas, while the policies of the LCP require mitigation of impacts to wildlife areas from development on adjacent uplands parcels.

4. Diking, Dredging, Filling, and Shoreline Structures

a. Coastal Act Policies

Sections 30233 and 30235 of the Coastal Act establish the limited conditions under which diking, dredging, filling of wetlands, restoration of wetlands, and construction of shoreline structures may occur. Section 30411(b) provides additional provisions for the filling of wetlands, provided it is accompanied by substantial restoration of degraded wetland.

b. Existing Conditions

In the past, there has been considerable alteration of the Bayfront. Filling to some degree has occurred along much of the shoreline. By far the most significant, in terms of total fill and amount of shoreline affected, is the "D" Street Fill. A railroad has also been constructed across the Sweetwater Marsh using fill material. ~~The majority of lands potentially impacted by existing diking, dredging, or filling of wetlands are within the Port Master Plan area.~~

c. Plan Provisions

~~Except as permitted by the Coastal Commission~~, no significant diking, dredging, or filling of wetlands is associated with the development concept within this LCP. ~~The preclusion of significant diking, dredging, or filling, beyond the limited conditions allowed by the Coastal Act, ensures consistency with these Coastal Act policies.~~

5. Commercial Fishing and Recreational Boating

a. Coastal Act Policies

Sections 30224, 30234, and 30255 of the Coastal Act encourage increased recreational boating, require the preservation of boating facilities, and give precedence to coastal-dependent development, except in wetlands.

Deleted: This LCP provides for wetland restoration and enhancement of degraded habitat in several areas of the National Wildlife Refuge. This will included the formation of new wetlands by converting uplands or fill to wetlands.¶

At "F-G" Street Marsh, the Land Use Plan provides for the restoration of new wetlands and the enhancement of degraded wetlands, and for the construction of a destialtion basin adjacent to the marsh. Except for the destiliation basin, all the restoration acreage will be located within the Wildlife Refuge.

Deleted: Wildlife populations (primarily birds) utilizing the Wildlife Refuge will be protected from physical and visual intrusion by implementing the arrangement of uses depicted in the Land Use Plan and through careful siting and design of buildings according to the design requirements of the LCP. Detailed criteria have been developed for the Midbayfront addressing placement, height, and design of future structures in consideration of the wildlife populations. In addition, along the entire length of the northern and northwestern boundary of the Midbayfront, adjacent to the National Wildlife Refuge, the Lnad Use Plan provides a substantial parkland/open space buffer landward of the Wildlife Refuge.

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Deleted: In the "D" Street Fill Area, within the Wildlife Refuge, the Environmental Management Element provides for restoration of approximately 15 acres of slat marsh. On the Gunpowder Point uplands, also within the Wildlife Refuge, the Land Use Plan provides for creation of approximately two acres of freshwater marsh.

Deleted: As noted above, the Land Use Plan provides for the major restoration and enhancement of wetlands, primarily areas of severely degraded wetlands withing the National Wildlife Refgure, specifically as the "F-G" Street Marsh, Gunpowedr Point, and the "D" Street Fill area of the Wildlife Refugre.¶

b. Existing Conditions

All properties associated with commercial fishing and recreational boating are within Port jurisdiction and outside the LCP Planning Area. Boat launch and marina facilities are located on the Port property within the Bayfront. Additional recreational boating berths were constructed on the Port property, along with a yacht club facility and excursion pier to expand the initial marina facilities.

c. Plan Provisions

Due to the sensitive environmental resources associated with the Bayfront shoreline, access for fishing or boating is not currently permitted or proposed in the LCP Planning Area. ~~Limited public recreational boating on the man-made lagoon in the Midbayfront area may be permitted.~~ In addition, boating and fishing are limited to areas within the Port's jurisdiction and will be governed by the provisions of the Port Master Plan. Because of the environmental sensitivity of the ~~planning~~ Bayfront area, increased major recreational boating facilities within the LCP Planning Area are precluded. This general policy is consistent with the provisions of the Coastal Act.

6. **Environmentally Sensitive Habitat Areas**

a. Coastal Act Policies

Section 30240 of the Coastal Act provides for the protection of environmentally sensitive habitat areas by restricting uses within, or adjacent, to such areas.

b. Existing Conditions

In addition to the marsh and mudflat areas discussed under the Water and Marine Resources category, some upland areas have been identified as environmentally sensitive habitat areas. A minimum of 13 vegetation communities and land cover types have been identified within the Bayfront, including Diegan coastal sage scrub (disturbed), non-native grassland, eucalyptus woodland, ornamental vegetation, disturbed habitat, ruderal, southern coastal salt marsh, mule fat scrub, coastal brackish marsh, seasonal pond, disturbed riparian, bay, and urban/developed. The marsh environment within the Bayfront is critical feeding and nesting habitat for three Federal and/or State listed endangered species: California least tern, light-footed clapper rail, and Belding's savannah sparrow. ~~Virtually all of the environmentally sensitive habitat areas are located in the National Wildlife Refuge, though other sensitive habitat areas are scattered throughout the LCP Area.~~ Other special status species that have been identified within the Bayfront include osprey, western burrowing owl, and northern harrier. In addition, there are several other special status species that have the potential to occur within the Bayfront. Virtually all of the environmentally sensitive habitat areas are located in the National Wildlife Refuge or in the Port Master Plan area. Several potential wetland areas have been identified within the LCP Planning Area: (1) a drainage ditch, degraded due to contamination, located within the Harbor District (Parcel Area 2-g); (2) in the open space on the Faivre Street parcel (3-k); (3) the "F&G" Street Marsh (south of "F" Street); and (4) USFWS property and Parcel Area 1-g within the Sweetwater District.

c. Plan Provisions

In response to the need to protect these environmentally sensitive areas from the potential impact of adjacent development, the Land Use Plan provides for ~~extensive~~ extending setbacks and buffering land uses adjacent to the National Wildlife Refuge and other sensitive habitat areas. ~~The National Wildlife Refuge open space areas shall include a 400-foot-wide buffer adjoining the~~

Deleted: This open space shall include a 100-foot wide (minimum) buffer adjoining the refuge boundary which will be characterized by native vegetation, a berm and fence, and a nature trail with interpretative signage.

refuge boundary, with the 200 foot buffer area closest to the refuge as a no-touch zone characterized by native vegetation.

Public access to the National Wildlife Refuge is limited to a shuttle bus that serves the Chula Vista Nature Center. Humans and domestic pets are prohibited direct access to the National Wildlife Refuge through the use of fences and perimeter signage. ▼

Deleted: In addition, Midbayfront developments will provide and enforce CC&R's to prohibit dogs and cats.

Special setbacks are required adjacent to the "F&G" Street Marsh. The design and use of both the "F&G" Street Marsh setback and the park/open space area adjacent to the National Wildlife Refuge are consistent with Army Corps Permit No. 88-267-RH.

As summarized above, the LCP policies protect environmentally sensitive habitat areas by restricting uses within, or adjacent, to such areas.

7. Agriculture

a. Coastal Act Policies

Sections 30241 and 30242 of the Coastal Act provide for the preservation of prime agricultural land in order to ensure the protection of an area's agricultural economy. The policies establish criteria for the conversion of lands to non-agricultural uses. The criteria minimize conflicts between agricultural and urban land uses.

b. Existing Conditions

A major portion of the Bayfront was once used for agriculture production. However, agricultural operations were discontinued years ago and none of the area is considered prime agricultural land.

c. Plan Provisions

The Land Use Plan does not provide for the preservation of the agricultural land within the Bayfront because it is not considered high-quality agricultural land. In addition, agricultural activities would not be compatible with the type and scale of development proposed, nor with the enhancement of wetland resources and habitat areas.

The absence of prime agricultural lands precludes any conflict between the designation of lands for development and the agricultural preservation provisions of the Coastal Act.

8. Hazard Areas

a. Coastal Act Policies

Section 30253(1)(2) of the Coastal Act requires new development to minimize risks in areas of high geologic, flood, and fire hazard and to prevent structural damage to bluffs and cliffs.

b. Existing Conditions

There are three potential sources of hazards within the Bayfront. They are land settlement hazards, seismic hazards, and flood hazards. The settlement hazards are attributable to the presence of relatively shallow surficial deposits of soft compressible bay mud throughout the historic marsh lands and tidal flats, as well as in deeper water areas. Two major faults have been mapped near the Chula Vista waterfront area: the north-northwest-trending Rose Canyon / San Diego Bay/ Tijuana fault, and the east-west Otay fault.

Parts of the Bayfront area were within the standard project flood area of the Army Corps Sweetwater River Flood Control Project. However, at the completion of the flood control project, these flood hazards were eliminated.

c. Plan Provisions

To address flooding, settlement, and seismic hazards, the Bayfront Land Use Plan contains provisions to require engineering investigations to minimize potential hazards to development. Buildings will be designed and constructed to meet earthquake safety requirements as required by the Uniform Building Code. Soil conditions will be monitored and evaluated for geologic conditions related to possible liquefactions.

The LCP Utilities and Area Wide Grading (Section III.D) policies will minimize risks from the known geologic and flood hazards associated with the LCP Planning Area.

9. **Forestry and Soil Resources**

This category of Coastal Act policies is not applicable to the Bayfront area.

Deleted: a. Coastal Act Policies

10. **Locating and Planning New Development**

a. Coastal Act Policies

Sections 30244, 30250 (a), and 30253 (3)(4) of the Coastal Act provide criteria for the location of new development. Generally, new development should be concentrated in areas of existing development with adequate public services. New development should provide adequate support facilities, including provisions for recreation facilities and for public transit, and should preserve archaeological or paleontological resources.

b. Existing Conditions

The Chula Vista Bayfront is characterized by a land use mix that balances coastal development and protected coastal open space. The area north of "F" Street and scattered smaller parcels are currently undeveloped parcels. The large vacant parcel north of "F" Street is adjacent to urban development to the south and east, with the National Wildlife Refuge to the north (the heavily industrialized National City waterfront is immediately farther to the north) and San Diego Bay to the west. This parcel north of "F" Street is within Port jurisdiction following the land exchange and is covered by the provisions of the Port Master Plan. One previously recorded archaeological site (CA-SDI-5512) and one historical site, the Coronado Belt Line Railroad line (CA-SDI-13.073H), is present within the LCP Planning Area.

Deleted: The Chula Vista Bayfront is essentially developed except for the area north of "F" Street (Lagoon Drive) and scattered smaller parcels. The large vacant parcel north of "F" street is adjacent to urban development to the south and east, with the National Wildlife Refuge to the north (the heavily industrialized National City waterfront is immediately further north) and San Diego Bay to the west. A minor archaeological sit within the planning area has been identified and salvaged.

c. Plan Provisions

The Land Use Plan provides specific locations for a wide range of uses including commercial recreation, residential, visitor-serving commercial, manufacturing, retail, office, public facilities, parks and open space. An overall grading concept and performance standards to ensure the provision of adequate public services are established in the policies of this Land Use Plan. Interconnection of existing and proposed public transit will integrate Bayfront circulation patterns into the San Diego Trolley, the Chula Vista Transit System, and the regional bicycle/pedestrian circulation system (see Exhibits 9a, 9b, and 9c.in Section III.B).

The Land Use Plan policies take into consideration the unique relationship between new development and sensitive environmental areas (biological, archaeological, and paleontological). The Land Use Plan integrates the Chula Vista Nature Center with the Bayfront via the shuttle and through the provision of public parking ~~for the Center~~ within the ~~Midbayfront~~ Bayfront.

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New development is concentrated in an area of existing development. ~~Adequate facilities will be included within the Bayfront to provide expanded services including recreation and fire station facilities and public transit. Development within the LUP Planning Area is in balance with proposals contained in the Port Master Plan. Overall, these uses are complimentary, meet the needs of users and visitors, and are supportive of the maintenance of open space. This is accomplished through balancing traffic patterns, providing transit and walking paths, and providing an array of financially and fiscally sustainable uses which generate the revenues necessary for the maintenance of public access, facilities, and open space.~~

Deleted: The new development envisioned in this LCP includes, as a part of the conceptual development plan, or will be required to provide support facilities including recreation facilities and public transit

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11. Coastal Visual Resources and Special Communities

a. Coastal Act Policies

Sections 30251 and 30253 (5) of the Coastal Act require the protection of scenic and visual qualities of coastal areas, and the preservation of unique visitor destination communities.

b. Existing Conditions

The potential visual and scenic qualities of the Bayfront are currently not being fully realized. The views of the area from adjacent I-5 are impaired by the lower elevation of I-5, and in some locations are marred by visual blight, including abandoned buildings, open storage, vegetation overgrowth, non-landscaped transmission line corridors, ~~and aboveground transmission lines.~~

c. Plan Provisions

The Land Use Plan provides for the removal of existing blight from the Bayfront ~~LCP Planning Area~~. ~~The removal of this blight will allow the public to experience views from the Bayfront outward toward the coast.~~ The removal of this blight will also enhance the views of the coastline from the east. In addition, the Land Use Plan requires that view corridors from the freeway and roadways be preserved, framed, or uncluttered, ~~pursuant to the provisions outlined in Section III (C) of this plan,~~ to ensure an attractive view of, and to establish a visual relationship with, the marshes and bay-related activities. ~~A Fire Station is planned to be developed within the Bayfront to provide added public services to the Bayfront area.~~

Deleted: and for increasing public access to allow the public to experience the views from the perimeter of the Bayfront outward

Entrances to the Bayfront have been designed to form visual gateways to the water's edge to support the sense of the City's proximity to the bay. Landscaping and architectural edges are used to form sequences of views throughout the Bayfront. ~~New~~ buildings ~~have~~ will be sited to create view corridors. Buildings are to be stepped back from the bay to preserve views as set forth in the Land Use Plan.

The policies of this LCP will enhance the existing scenic and visual qualities of the local coastal zone and accommodate development of a unique coastal community.

12. Public Works

a. Coastal Act Policies

Section 30254 of the Coastal Act limits the construction or expansion of public works facilities to the capacity required to provide service to only those users permitted by the Coastal Act.

b. Existing Conditions

Adequate water, sewage, and other utility services are currently present to serve existing uses; ~~however they will need to be extended to serve specific development sites.~~

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c. Plan Provisions

The Land Use Plan requires adequately sized utility lines to serve development of the Bayfront within the capacity of the utility services. These lines will be extended and upgraded where necessary to serve future development as planned in this LCP.

13. Industrial Development and Energy Facilities

a. Coastal Act Policies

Sections 30255, 30260-30264, 30232, and 30250 (b) of the Coastal Act provide guidelines for the development of new or the expansion of existing coastal dependent industrial facilities, tanker facilities, liquefied natural gas terminals, oil and gas development, refineries, and electrical generating plants.

b. Existing Conditions

~~Goodrich facilities and transmitter lines represent the only major industrial facilities currently within the LCP Planning Area.~~ ~~The South Bay Power Plant is located outside of the LCP Planning Area.~~

Deleted: Rohr Inc. facilities and the SDG&E Generating Plant and transmitter lines represent the only two major industrial and energy facilities currently with the Bayfront.

c. Plan Provisions

The Land Use Plan allows for the expansion of existing industrial facilities but does not allow additional ~~non-coastal dependent~~ industrial development to occur beyond the areas shown as industrial use on the ~~Land Use Plan~~ Zoning Map ~~(see Exhibit 8 in Section III.A).~~ Expansion of the existing ~~Goodrich~~ facility is permitted, including industrial and office uses, research and development, and light manufacturing within their existing property boundaries. These provisions are consistent with the Coastal Act requirements.

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III. AREAWIDE DEVELOPMENT OBJECTIVES AND POLICIES

This chapter is organized into five separate sections: Land Use; Circulation; Public Access, and Parking; Physical Form and Appearance, Utilities and Areawide Grading, and Environmental Management. Each of these sections includes a brief description of existing conditions and then provides basic objectives for development in the Chula Vista Bayfront area. The objective for each section is italicized for quick identification. Associated specific policy provisions are defined to guide development and resource enhancement in the LCP Planning Area for each topical area of concern. These policies, which are key to the consistency between this Land Use Plan and the Coastal Act, are numbered ~~and identified by a sans-serif typeface (policy typeface)~~ to aid in making reference to and application of the policies. In some cases, the areawide plan provisions are supplemented with policy diagrams and exhibits keyed to the text to clarify the intent of the specific provisions.

A. LAND USE

The LCP Planning Area (local coastal zone) totals approximately 722 acres. Five major ownerships dominate the LCP Planning Area: ~~(1) San Diego Gas and Electric Company (SDG&E) at the south end with 92 acres; (1) Rohr Inc. Goodrich in the central area Harbor District (Subarea 1) with 99 92 acres (and an additional 66 acres of San Diego Unified Port District owned land plus SDG&E ROW and SD&AE/MTDB ROW which are leased by Rohr); (2) the USFWS, which owns 316 acres in two parcels (Sweetwater Marsh and the "F&G" Street Marsh), which comprise the National Wildlife Refuge (some of which is outside the City); (4) Chula Vista Investors which owns 116 acres in the central portion of the bayfront. (3) a private entity, which controls approximately 97 acres in the Sweetwater District that will be exchanged for approximately 30 acres of Port lands in the Harbor and Otay Districts; (4) City of Chula Vista which owns approximately 16 acres, also in the Sweetwater District of the Bayfront; and SDG&E, which purchased approximately 12 acres of land from the Port District.~~

1. Existing Conditions

A total of 29 ownerships and leaseholds have been identified in the Bayfront area, including Federal, State, and local government entities; local agencies; and private owners. The parcels within the Port Master Plan area are under the jurisdiction of the Port. Parcels within the Bayfront area, but outside of the Port Master Plan area, are within the jurisdiction of the City and are included within the LCP Planning Area. The majority of developed use areas accessible by the public are located within the Harbor District. The Otay District is characterized by industrial uses and primarily closed to the public. The Sweetwater District is generally undeveloped. The majority of the upland areas within the LCP Planning Area are currently developed with urban uses. The major land user is Goodrich, with manufacturing activities ranging from research and development to assembly. Goodrich's operations straddle the Chula Vista LCP Planning Area and the adjacent Port lands. Other existing land uses within the LCP Planning Area include commercial, retail, industrial, warehousing, natural open space preserve, active parks and passive parks, visitor-related uses, bikeways, transit corridors, and roads. SDG&E transmission lines and 40-foot Coronado Railroad track easements extend the entire length of the Bayfront area on its eastern edge.

The LCP Planning Area includes 29 parcel areas. Descriptions of Parcel Areas 1-a through 3-l, within the City's jurisdiction, are summarized below. The descriptions are based on parcel areas that define land use areas and include a summary of existing conditions and Bayfront Specific Plan zoning. There are three general categories for parcel areas within the LCP Planning Area: Developed Parcels, Undeveloped Parcels, and Land Exchange Parcels. These categories and associated parcel areas are summarized below. The parcel areas are numbered based on district (Sweetwater, Harbor, and Otay) and a sequential lettering system and are shown in Exhibit 7. Zoning per the LCP is shown in Exhibit 8.

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Deleted: of which 748 acres are uplands or filled areas above mean high tide and 265 are wetlands

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Deleted: Chula Vista Redevelopment Agency,

Deleted: ¶ Existing Land Uses and Development Intensity

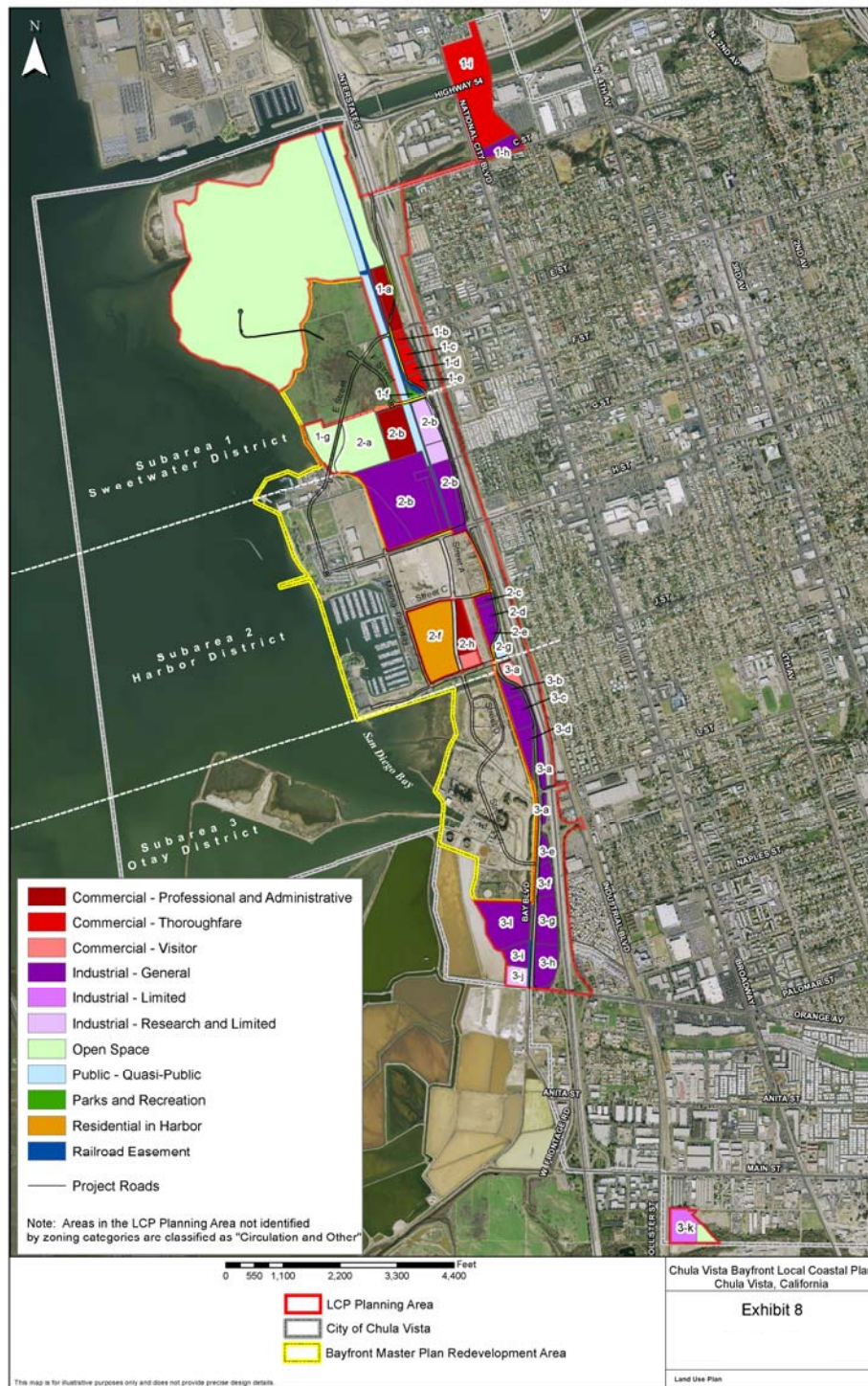
Deleted: The majority of the upland areas within the planning area is currently developed with urban uses. The major land-user is Rohr Inc. with manufacturing activities ranging from research and development to assembly. Rohr's operations straddle the Chula Vista LCP area and the adjacent San Diego Unified Port District lands.¶

A small group of buildings, including an unoccupied restaurant and convention facility now used for boat building, are located at the west end of Lagoon Drive ("F" Street). The Swath Boat Repair Facility is located on Port District Property just south of the Midbayfront subarea. In the eastern portion of the Midbayfront subarea, between the San Diego and Arizona Eastern Railroad tracks and the freeway, smaller property holdings include three highway-related restaurant facilities and a 118 unit motel.¶

The remainder of the planning area is either vacant or used for smaller industrial, storage, and commercial purposes.¶

The intensity of development is essentially suburban with low-rise buildings and open parking areas. The northern end of the Rohr, Inc., facility, adjacent to the Midbayfront subarea, is becoming more urban in character with structured parking, mid-rise office buildings and a building floor area to site areas ratio (FAR) approaching 0.75. existing building heights vary throughout the Bayfront but are primarily 1 to 2 stories tall. The tallest existing building is Rohr Building 61 which is 74 feet high and Rohr is preparing to construct a building approximately 94 feet high on a site adjacent to the Midbayfront. The tallest structures within the Bayfront area are the stacks of the SDG&E generating plant which are 187 feet height.





Developed Parcel Areas: The majority of parcel areas are currently developed. There is potential for these parcel areas to be redeveloped within the limits of the existing zoning and provisions of the LCP; however, the existing uses of these parcel areas are expected to remain the same.

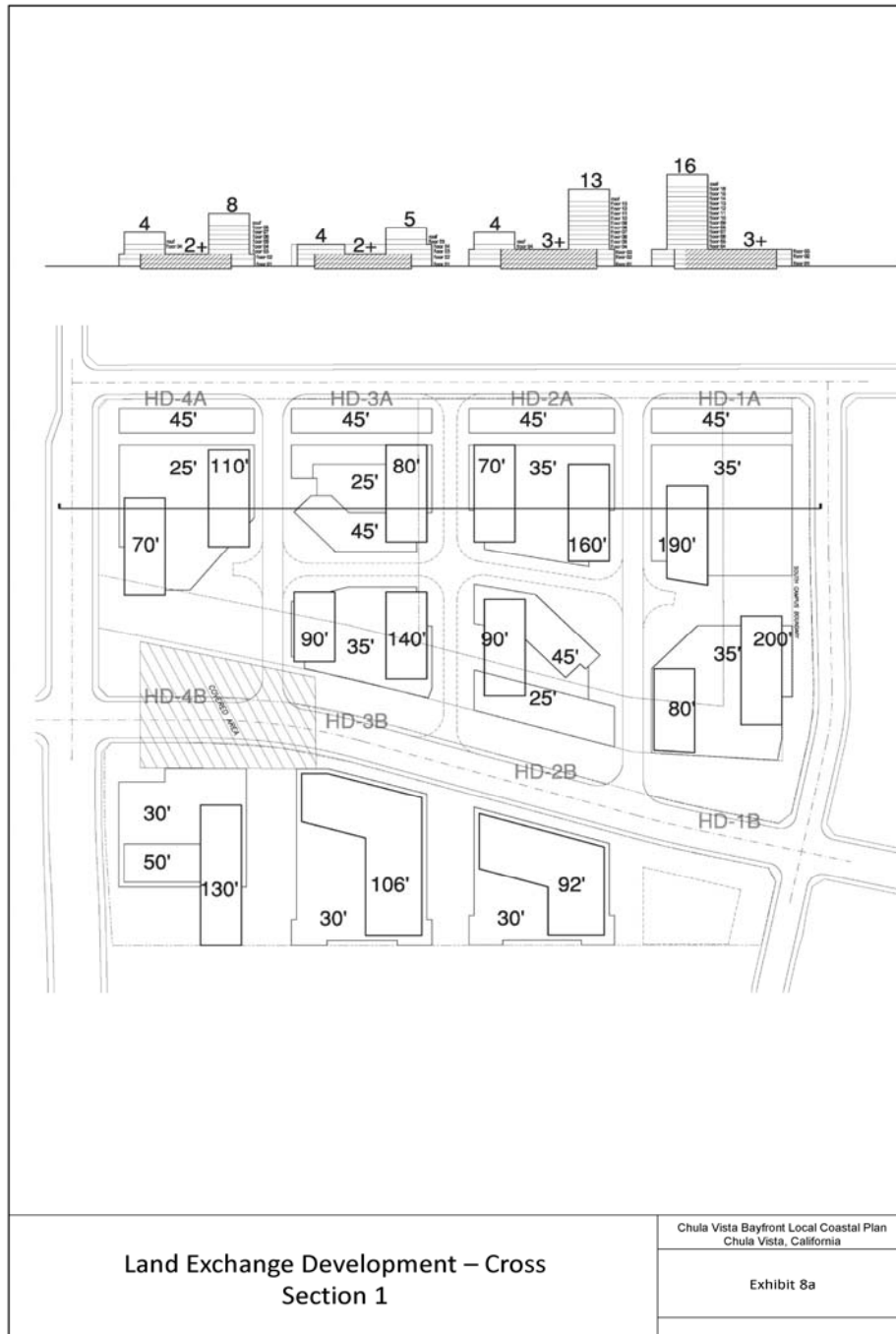
- Parcel Areas 1-b through 1-e are currently developed with commercial land uses including Anthony's Fish Grotto, Good Nite Inn, El Torito, and the Highland Partnership office building, from north to south, respectively. These parcels are zoned Commercial-Thoroughfare (C-T).
- Parcel Area 1-f is a small City park. The park is accessed from "F" Street and consists of grassy landscaped areas, benches/seating areas, and parking areas. This parcel is zoned Parks and Recreation (P-R).
- Parcel Area 1-g is existing open space characterized by wetlands and native habitat. There are four parcels within this area. Three of the parcels are owned by the City and one is owned by Goodrich. This area is zoned as Open Space (O-S).
- Parcel Area 1-h is characterized as developed with industrial uses with a portion of the parcel as open spaces uses. This parcel is privately owned. This area is zoned for Industrial- General (I-G).
- Parcel Area 1-i is characterized as developed with commercial uses with a portion of the parcel as open spaces uses. This parcel is privately owned. This area is zoned for Commercial – Thoroughfare (C-T).
- Parcel Area 2-a is existing open space characterized by wetlands and native habitat. There are two parcels within this area, both of which are owned by the USFWS and encompass the "F&G" Street Marsh. This area is zoned as O-S.
- Parcel Area 2-b is owned by Goodrich. The area consists of existing industrial and commercial land uses, including warehouses, office, and parking structures. The Goodrich facility has been involved in aircraft manufacturing since the early 1940s. Parcel Area 2-b became known as the Goodrich North Campus Facility following sale of the South Campus (south of "H" Street) to the Port in the late 1990s. The North Campus facility is generally bounded by Bay Boulevard to the east, Marina Parkway to the west, the Sweetwater Marsh National Wildlife Refuge to the northwest, "F" Street and the National Wildlife Refuge to the north, and "H" Street to the south. The Goodrich North Campus area is the largest ownership within the City's jurisdiction, encompassing approximately 78 acres. The Goodrich North Campus includes three zones: Industrial-Limited and Research (I-RL), Industrial-General (I-G), and Commercial-Professional and Administrative (C-P).
- Parcel Area 2-c is commercial land use and consists of a Pacific Trust Bank and associated parking areas. This parcel is zoned as I-G.
- Parcel Area 2-d is a small retail complex, Gateway Business Park, which includes the West Marine shop, Kelly Paper, and Fleet Pride. The retail area includes parking areas and access from Bay Boulevard. This parcel is zoned as I-G.
- Parcel Area 2-e is a commercial office land use that includes a National University campus. This parcel is zoned as I-G.
- Parcel Area 3-b contains the Community Health Group building and associated surface parking areas located at 740 Bay Boulevard. This area is zoned as I-G.

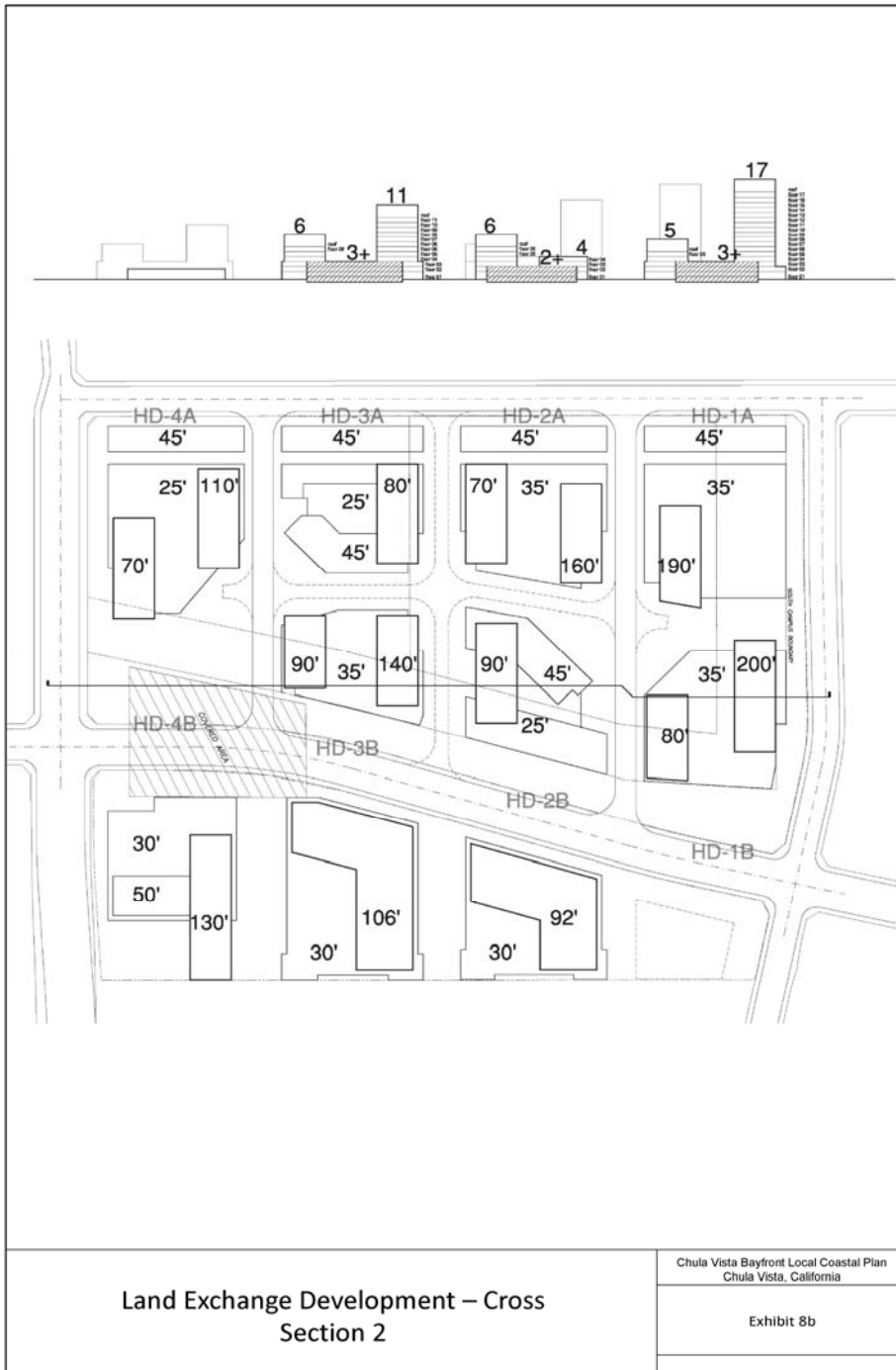
- Parcel Area 3-c contains the PIMA Medical Group building and associated surface parking areas. This area is zoned as I-G.
- Parcel Area 3-d contains the LAING office building and associated surface parking areas. This area is zoned as I-G.
- Parcel Area 3-e contains the Furniture Warehouse on the east side of Bay Boulevard and associated parking and loading areas. This area is zoned as I-G.
- Parcel Areas 3-f, 3-g, and 3-h are currently commercial/retail and light industrial uses with various businesses such as pest control, antique sales, clothing sales, produce sales, and offices. The business complex is characterized by multiple single-story buildings, storefronts, loading docks, and parking areas. These areas are zoned as I-G.
- Parcel Area 3-i consists of the Bayside Business Park with several different leasers. This area is zoned as I-G.
- Parcel Area 3-j includes the Grainger building. This area is zoned as I-RL.
- Parcel Area 3-k consists of the Faivre Street industrial area. This area includes industrial land uses in addition to some undeveloped areas within the floodplain of the Otay River. This area was annexed from the County of San Diego and contained the County's zoning of Manufacturing with a floodplain overlay (M-54). In the late 1990s, the M-54 zoning designation was changed to the City's Industrial-Limited (I-L) zone and the floodplain overlay in the City's General Plan was changed to O-S.

Undeveloped Parcel Areas: A few parcel areas, which are currently undeveloped, are also within the LCP Planning Area and have the potential for development within the limits of the designated zoning and provisions of the LCP.

- Parcel Area 1-a is owned by the City. The land is currently vacant and is zoned as C-P. The parcel is located just north of "E" Street and west of a freeway off-ramp. A portion of the property is under the jurisdiction of the California Department of Transportation (Caltrans) and is not included in the LCP Planning Area. The portion of the property located outside the Caltrans area is approximately 5 acres and is planned for office development in the CVBMP. This parcel has restricted access.
- Parcel Area 2-q is owned by the City of Chula Vista. This site has an area of 1.81 acres; it is currently vacant and is designated as Public/Quasi-Public (P-Q). This site is planned for construction of Chula Vista Fire Station Number 11.
- Parcel Area 3-a includes a surface parking lot adjacent to "J" Street and undeveloped lands located between Bay Boulevard and I-5 south of "J" Street. These parcels have the potential for additional development based on existing zoning. The surface parking lot parcel is currently zoned as C-V. The remaining parcels in Parcel Area 3-a are zoned I-G.
- Parcel Area 3-l includes approximately 18 acres of land previously disturbed and currently vacant. It is currently under the ownership of SDG&E and the Port District and it could potentially be used for the relocation of the electrical substation. Parcel Area 3-l is zoned I-G.

Land Exchange Parcel Areas: Four parcel areas have been transferred to a private entity as a part of the land exchange with the Port. These parcel areas are located in the Harbor District and have a specific proposal for development per the CVBMP. Please see Exhibit 8a for the permitted height and massing of the proposed private development. Also please refer to Table 3-2 for permitted





development intensity, as well as the Subarea 2 Harbor District section for special conditions including height limitations.

- Parcel Area 2-f is currently undeveloped land and includes CVBMP Parcels H-13 and H-14. This parcel area is zoned as Residential-Mixed Harbor District (R-MH).
- Parcel Area 2-h consists of industrial properties that were previously part of the Goodrich South Campus and includes CVBMP Parcel H-15. This parcel area includes two zoning categories: the southern portion is zoned as Commercial-Visitor (C-V) and the northern portion is zoned C-P.

2. Land Use Regulation Objectives/Polices

Objective LU.1 New Bayfront development should encourage a mixed-use development combining visitor serving commercial/recreational uses, public parks, and residential. The mixed use character of the Bayfront will: 1) minimize the traffic impact of development on the surrounding roadway system by splitting the peak hour traffic between trip origins and destinations; and 2) significantly expand public access and use of the Bayfront.

Objective LU.2 Integrate new development with the existing National Wildlife Refuge in a manner which permits public enjoyment/access to the resources while protecting sensitive habitat areas from intrusion or adverse impacts due to development and/or human activities.

Policy LU.2 Public parks and open space are designated on the Land Use Plan Map, Exhibit 8 to buffer the wetlands from development and to provide visual access to the coastal resources. Public trails with interpretive signage shall be provided within the buffer adjacent to the Wildlife Refuge to allow public enjoyment of the refuge without distributing its inhabitants.

Objective LU.3 General industrial uses are permitted and may expand in the areas designated for Industrial use on the Land Use Plan Map, Exhibit 8, these areas correspond to those areas which are already committed to industrial uses. New industrial development in other areas shall not be permitted.

Objective LU.4 Preserve and enhance the existing saltwater marshes, ponds, and mudflats to protect the many natural resource values of the habitat and contribute to the visual quality of the Bayfront.

Policy LU.4.A Most sensitive habitat areas have been placed within the Sweetwater Marsh National Wildlife Refuge, though other sensitive areas exist in the LCP area adjacent to the Sweetwater and Otay River. The land use area designations and locations indicated on the Land Use Plan Map have been selected to allow for development while buffering sensitive environmental areas. In addition, the Environmental Management section of this plan sets forth numerous policies which shall ensure the preservation and enhancement of these resources and areas discovered during plan implementation.

Policy LU.4.B Permitted uses in the wetlands, wetland buffers and upland areas of the National Wildlife refuge shall be under the primary jurisdiction of the U.S. Fish and Wildlife Service which owns and operates the refuge. The California Coastal Commission will participate in the review of improvements in these areas through "consistency" process for Federal activities.

Objective LU.5 Provide ample opportunities for public open space and adjacent to the natural resources of the Bayfront to increase public access to the waterfront.

Deleted: Policy LU.1.A The Midbayfront shall be developed as a mixed-use project with primarily visitor serving commercial and recreation uses, and residential uses, to balance existing industrial development in the remainder of the Bayfront. A special land use category, Central Resort District, is designated within the Midbayfront Subarea to accommodate mixed-use development.¶

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Deleted: Public access to the Nature Interpretative Center, located within the National Wildlife Refuge, shall be provided only via shuttle bus.

Deleted: Objective LU.3. General industrial uses should be specifically excluded from the Midbayfront area but permitted in the existing industrial areas adjacent to Rohr, Inc., the SDG&E facilities, and the inland parcel. The reasons for this objective include the following:¶
Water Related Lands. The water-related lands of the Chula Vista Bayfront are a unique resource and should be reserved for public and private uses which can benefit from, as well as protect the location.¶
General Industrial Use. There are no overriding functional reasons for using Bayfront land for general industrial use; the industrial growth of San Diego County is not likely to be impeded if the Bayfront lands are not developed for this use.¶
Economic Base. The overall economic welfare of Chula Vista would be better served by uses of this land which broaden the economic base of the community.¶
Policy

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Objective LU.6 Permit a balanced and well defined mix of land uses which will be responsive to the development and conservation goals of the Bayfront LCP.

Policy LU.6.A The Land Use Plan Map, Exhibit 8, indicates the location of the various permitted uses. The permitted use categories include: general industrial, research and limited industrial, Harbor District mixed residential (including combinations of high-rise residential and mid-rise residential), visitor commercial, thoroughfare commercial, professional and administrative commercial, public; and quasi-public uses: parks and recreation; and open space. A more detailed mapping of public open space is provided in the Environmental Management Map, Exhibit 12, in Section III.E. Table 3-1 summarizes the land use distribution within the Bayfront.

Policy LU.6.B The description of the permitted uses is as follows:

RESIDENTIAL. Residential uses are allowed within the LCP Planning Area. Total allocation: approximately 23 acres.

Residential – Mixed Harbor District (R-MH). This land use zone refers to residential areas in the Harbor District with a mix of residential units including high-rise and mid-rise development (as defined below) within combined or separate building structures. Residential uses include multiple-family dwellings in clusters of varying size and configuration to provide a range of housing types. Retail uses will be included at the street level to create a village atmosphere and pedestrian-friendly area.

Deleted: Policy LU.5.A . Public parks and open space totaling approximately 34 acres shall be provided along the perimeter of the Midbayfront development area, as depicted on Exhibit 3, page III-3. these areas will contain pedestrian and bicycle trails, opportunities for visual access to the adjacent bicycle trails. Opportunities for visual access to the adjacent wetlands, and passive recreation opportunities. Polices are included in the Environmental Management section to assure that such access will not disrupt the wildlife habitat. ¶

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Deleted: high density residential, four types of commercial, public and quasi-public uses, the central resort district, and wildlife refuge

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Deleted: Residential. Residential uses are limited to high density multiple-family dwellings in clusters of varying size and configuration to provide a range of housing types. Lower scaled town-house-type construction can be generally provide a transition at the critical waterfront edges to higher, more dense structures further inland. This configuration will afford maximum views and vertically integrate the proposed new uses into their natural setting. Allocation: approximately 18 acres (2 percent of development area, not including major circulation).¶ Commercial. A number of specific commercial uses are permitted in the Bay front. Total Allocation: approximately 35 acres, not including uses located in the Central Resort District (4 percent of development area, not including major circulation).¶ Visitor Serving Commercial. This land use designation refers to resort hotel uses and accessory conference facilities. This use is primarily located in proximity to the freeway. Included in the permitted land uses are recreational facilities necessary to support the hotel function. This land use designation also includes r... [4]

Deleted: A development agreement shall be accepted by the City which provides for development for all visitor commercial uses, the cultural arts facility, all parks and open space areas, and for the provision of ... [5]

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TABLE 3-1

SUMMARY OF PERMITTED LAND USES BY SUBAREA
(Approximate area - In acres)

LAND USE	TOTAL	SUBAREA						
		1	2	3	4	5	6	7
Residential, high	18	18						
Commercial								
- Visitor	11	11						
- Thoroughfare	12	8	4					
- Professional & Administrative	12	*	12					
Industrial								
- Research & Limited	81		10			8	63	
- General	289		155	98	36			
Public & Open Space								
- Public & Quasi-Public	18		12					
- Parks & Recreation	37	34	3					
- Water	8	8						
- Open Space	3	22	1					268
- Circulation/Other	17	14	8	3				2
Special Plan Area								
- Central Resort District	40	40						
Major Circulation	159							
TOTALS	1013	161	215	101	36		63	270

* Allocated within Central Resort District as a permitted use

NOTE: Allages are indicated to the nearest acre based on planimeter readings and available information. Minor refinements that may result from the development permit and subdivision process shall not require an amendment to this LCP provided that the character of development and approximate proportion of land uses is maintained.

<u>Industrial Subtotal</u>	<u>134</u>
<u>Residential</u>	
<u>Mixed Harbor District (R-MH)</u>	<u>23</u>
<u>Residential Subtotal</u>	<u>23</u>
<u>Public and Open Space</u>	
<u>Public and Quasi-Public (P-Q)</u>	<u>28</u>
<u>Parks and Recreation (P-R)</u>	<u>1</u>
<u>Open Space (O-S)</u>	<u>310</u>
<u>Public and Open Space Subtotal</u>	<u>339</u>

- Mid-rise development is defined as 4- to 7-story buildings with condominium style residences and central garage structures.
- High-rise development is defined as 8-story and above buildings with condominium style residences and central garage structures.

Allocation: approximately 23 acres.

COMMERCIAL. A number of specific commercial uses are permitted in the LCP Planning Area. Total allocation: approximately 74 acres.

Commercial – Visitor (C-V). This land use zone provides uses for the needs of tourists, travelers, and local residents. This use is primarily located in proximity to the freeway. 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. Permitted uses include:

1. Hotels and inns

2. Retail, including:

- Restaurants with a cocktail lounge as an integral part;
- Art galleries;
- Retail shops;
- Parking garages;
- Bonafide antique shops;
- Markets;
- Restaurants and snack bars;
- Service businesses; and
- Any other establishment serving visitors determined to be of the same general character as the above-permitted uses.

Allocation: approximately 6 acres.

Commercial – Thoroughfare (C-T). This land use zone includes primarily motel and restaurant facilities similar to the existing developments that principally serve auto- oriented traffic and require clear visibility from the I-5 corridor. Additional permitted uses would include gas stations and similar traveler-oriented goods and services. Land uses not permitted within this designation are those that would

principally serve pedestrian traffic. These non-permitted uses include convenience retail, food and beverage retail sales, business and personal services. Allocation: approximately 42 acres.

Commercial – Professional and Administrative (C-P). Three areas of Professional and Administrative Commercial are provided. The locations are indicated on Zoning Map, Exhibit 8, and include Parcel Area 1-a within the CVBMP proposed for office use, new parcels within the Harbor District, and an existing parcel within the Goodrich Parcel Area 2-b. The permitted uses include administrative office and support uses for the adjacent industrial uses. Allocation: approximately 26 acres.

INDUSTRIAL. Three types of industrial uses are designated on the Zoning Map: Limited, Research and Limited, and General. These land uses are confined to an area generally south of "F" Street, plus the inland parcel east of I-5. Existing uses will continue to be permitted and to expand within the limits of the LCP. Allocation: approximately 134 acres.

Industrial – Limited (I-L). This zone includes light industrial activities (manufacturing, laboratory, wholesale businesses, storage and warehousing, etc.) and is defined by the provisions of the Chula Vista Municipal Code (CVMC) Chapter 19.44. Allocation: approximately 8 acres.

Industrial – Research and Limited (I-RL). This zone includes research and development, light manufacturing, warehousing, and flexible use buildings that combine these uses with office. Allocation: approximately 14 acres.

Industrial – General (I-G). This zone provides for large-scale and more intensive industrial uses such as manufacturing and public utility plants. The Goodrich facilities are within this zone. Allocation: approximately 112 acres.

PUBLIC AND OPEN SPACE. This zone includes a variety of uses ranging from a Fire Station, landscaped parking within the SDG&E right-of-way (ROW) to the dedicated Open Space of the National Wildlife Refuge. Allocation: approximately 339 acres.

Public and Open Space – Public and Quasi-Public (P-Q). This zone provides regulations for uses in appropriate locations that are maintained by public or publicly controlled agencies such as municipal and county agencies, school districts, and utility companies (e.g., water, gas, electricity, fire station, etc.) The site at the northeast corner of J Street and Bay Boulevard (Parcel 2g) is planned for the construction of a Chula Vista Fire Station." Portions of the SDG&E ROW within the LCP Planning Area may be physically improved at the ground level with landscaped parking areas. To encourage landscape improvements to these areas, development bonuses are permitted for projects adjacent to the ROW that implement the improvements. These bonuses allow the development to increase permitted densities and to use the ROW for parking lot expansion. Bonuses are calculated by applying the permitted land use intensity of the parcel to the adjacent portion of the ROW to be in the project and transferring this added development of the ROW onto the project site. To qualify for the bonus development, a long-term lease agreement between the project proponents and SDG&E, for parking on the ROW, is required. Any landscaped parking in the SDG&E ROW north of "F" Street shall be available on weekends and evenings for use by coastal visitors. Allocation: approximately 28 acres.²

Public and Open Space – Parks and Recreation (P-R). This zone refers to all physically and/or visually accessible open lands intended for local public ownership. This category includes parks to be developed for public recreation. Parks intended for passive recreational activities will be linked via continuous, publicly accessible pedestrian and bicycle trail systems. One area is zoned as Parks and Recreation and consists of an existing park located within the LCP Planning Area. Allocation: approximately 1 acre.

² Approximately 12 acres are presently used for parking by Goodrich.

Public and Open Space – Open Space/ Wildlife Refuge Overlay (O-S). This zone applies to the National Wildlife Refuge, which is owned and operated by the USFWS. Uses are limited to wildlife habitat preservation and enhancement, scientific study, and educational uses. Other areas with significant habitat value that are not a part of Federal ownership are shown as Open Space without an overlay designation. In addition to the areas designated by this overlay, Section III-E, Environmental Management, provides specific policies and programs for responding to environmental resources within Parcel Area 3-k (Faire Street). Determination and administration of permitted uses within the National Wildlife Refuge shall be the responsibility of the USFWS with Coastal Commission Review. Allocation: approximately 339 acres.

CIRCULATION/OTHER. This category includes acreage within the major public street ROW (including I-5) and railroad ROWs within the LCP Planning Area. This acreage is not part of the “development area” within the LCP Planning Area.

3. **Development Intensity Objective/Policies**

The intensity of development is determined by height limitations, parking requirements, on-site open space or landscape provisions, traffic and infrastructure capacity, and economic feasibility. The intensity of development consequently varies by land use type.

Objective DI.1 Allow development intensity that provides for the economic development of the Bayfront within the capacity of public service and infrastructure systems.

Policy DI.1.A The allowed development intensity for the LCP Planning Area is shown in Table 3-2. Generally, the permitted building heights, parking standards, and traffic and infrastructure capacity will determine the permitted intensity.

Table 3-2 Permitted Development Intensity

Zoning	Maximum Development Intensity^{1,3}
<u>Commercial</u>	
<u>Visitor (C-V)</u>	<u>0.5 FAR² plus Special Conditions B and D</u>
<u>Thoroughfare (C-T)</u>	<u>0.5 FAR²</u>
<u>Professional and Administrative (C-P)</u>	<u>0.75² FAR plus Special Condition A and D</u>
<u>Industrial</u>	
<u>General (I-G)</u>	<u>0.5² FAR</u>
<u>Research and Limited (I-RL)</u>	<u>0.5² FAR</u>
<u>Limited (I-L)</u>	<u>Per CVMC Chapter 19.44</u>
<u>Residential</u>	
<u>Mixed Harbor District (R-MH)</u>	<u>105 DU per acre</u>

Notes:

1 Special Conditions have been established for several parcel areas within the LCP Planning Area (refer to Section 19.85.12 of the Bayfront Specific Plan). The special conditions are provided in the Bayfront Specific Plan and include provisions for development on the Goodrich parcel (Parcel Area 2-b), Parcel Area 3-a, and land exchange Parcel Area 2-h.

Deleted: Policy DI.1.A . Height limits.

The permitted height of the development in the Resort Core area ranges up to 229 feet for two high-rise hotel structures (Special Condition “A” in exhibit 5, page III-13) and up to 100 feet for a Mid-rise hotel structure. Also in the Midbayfront Subarea is a site for a Cultural Arts Facility up to 69 feet in height west of Marina Parkway and an alternative site with the Central Resort District (Special Condition “B” in exhibit 5, page III-13). This limit allows for extensive open space and landscape provisions without exceeding the traffic capacity of the circulation system. There are areas in which the height limit varies from prevailing provisions, calling for both reduced and increased height limits, due to program requirements, environmental management objectives, or physical form and appearance objectives. These variances includes the following:¶

¶ Gateways. To achieve a “gateway”, or sense of entry to the Bayfront and relate it to the existing new development along Bay Boulevard. The areas immediately adjacent to the “E” Street and “JJ Street bridges over I-5 shall be between one and two stories.¶

¶ Midbayfront Development. The permitted height of the development in the Resort Core Area ranges up to 229 feet for two high-rise hotel structures (Special Condition A in exhibit 4, page III-.) and up to 100 feet for the mid-rise hotel structure. Also in the Midbayfront Subarea, a single mid-rise building (up to 100 feet) for a Cultural Arts Facility is permitted west of marina Parkway (Special Condition “B”)/ Two high-rise residential building (up to 229 feet) are designated for the area north of Marina Parkway (Special Condition “E”). the taller buildings are intended to create focal points and an identifiable skyline for the Midbayfront project. Such buildings are permitted because of the increased park and open space uses designated within the Midbayfront and the utilization of subterranean parking. All structures will be subject to detailed review and approval to ensure that open space is provided, view corridors are maintained, and that the buildings are designed to minimize impacts to nearby wildlife habitats. (See also Environmental Management section and Form and Appearance Section).¶

¶ Research and Limited Manufacturing. A single building up to 95 feet in height is permitted, subject to s ... [6]

-
- 2 Actual achievable development intensity on any given parcel is a function of site design, landscaping requirements, parking requirements, height limits, setbacks, and environmental constraints.
- 3 FAR excludes parking structures.
- CVMC Chula Vista Municipal Code
- DU dwelling units
- FAR floor area ratio

TABLE 3-2

PERMITTED DEVELOPMENT INTENSITY

AREA/LAND USE	DEVELOPMENT INTENSITY
Subarea 1 - Midbayfront Central Resort District	(See Table 3-2A)
Residential - High	Residential: 949,000 sq. ft./700 du
Visitor Commercial	Western Parcel: 204,000 sq. ft./70 hotel rooms; Eastern Parcel: 200,000 sq. ft./50 hotel rooms
Public & Open Space	Uses Intensity limited by minimum permitted uses; except Cultural Arts Facility 75,000 sq. ft. (2,000 seats)
Subarea 2 - Industrial Industrial (IR & IG)	FAR 0.5 except Special Condition "C" (see notes)
Commercial - Visitor/Highway	FAR 0.25 except Special Condition "F" (see notes)
Commercial - Prof. & Admin.	Special Condition "C" (see notes)
Landscaped Parking	May be included in adjacent parcel for FAR calculation with required improvements and use agreement.
Parks & Recreation	Intensity limited by minimal permitted uses
Subarea 3 - Southern Parcel Industrial	FAR 0.5
Subareas 4, 5, and 6 Industrial	Existing Zoning
Subarea 7 - Sweetwater Marsh National Wildlife Refuge Open Space	Determined by USF&WS

NOTES: FAR = Floor area ratio or ratio of gross building area to net developable land area.

Special Condition "C": FAR of 0.75 permitted subject to special conditions. See Special Condition "C" (Bayfront Specific Plan Sec. V.D) and Subarea 2 Standards of the Bayfront Specific Plan, provided that the corresponding demolition/removal of existing structures elsewhere on the Rohr campus commensurate with the allowed bonus will occur in a timely fashion and associated traffic impacts will be mitigated to LOS "D" or better at the Bay Blvd./"E" Street/I-5 interchange.

Special Condition "F": In the event additional land area is gained for development of properties located at the northeast and southeast corners of Bay Boulevard and "J" Street, covering adjacent drainage channels, the on-site FAR and setbacks may vary in accordance with Special Condition "F" (Bayfront Specific Plan Sec. V.D) and Subarea 2 Standards of the Bayfront Specific Plan.

Policy DI.1.B Parcel Areas with development intensities greater than the maximum permitted shall be permitted only if the proposed intensity and site development standards are consistent within the Bayfront Specific Plan by Special Conditions (refer to Section 19.85.12 of the Bayfront Specific Plan) and consistent with resource, public access and view protection policies of the Land Use Plan.

B. CIRCULATION, PUBLIC ACCESS, AND PARKING

The identified circulation improvements to serve the Bayfront result from a number of basic objectives, including convenient vehicular and pedestrian access, natural habitat protection, traffic capacity

constraints, parking, and incorporation of public transit via the trolley stations located east of I-5 at "E" Street and "H" Street.

1. Existing Conditions

The I-5/SR 54 interchange has been completed and provides regional access to the Bayfront. The regional entries to the Bayfront are limited by the off-ramp configurations of Interstate 5 and the location of wetland resources. At the present time, access is available at "E" Street, "H" Street, and "J" Street. One additional bridge at "F" Street provides a local connection to the east side of I-5 but no freeway on- or off-ramps are provided. The southerly and inland portions of the Chula Vista Coastal Zone are adequately served by existing local streets. The "H" Street ramps ~~primarily serve the Rohr, Inc. facilities, because of their location, primarily serve the Goodrich facilities,~~ and the "J" Street ramps primarily serve Port lands and the marina westerly of ~~Rohr~~ Goodrich. "J" Street also serves as the ~~southerly termination of Marina Parkway, which is constructed from the "J" Street/ Bay Boulevard intersection west and north to the Midbayfront within the Port District Jurisdiction..~~ Marina Parkway is the main street through the Bayfront and runs from the "J" Street/Bay Boulevard intersection west toward the marina, then north-south parallel to the marina within the Port jurisdiction. Marina Parkway has been constructed as a divided roadway with a landscaped median.

Bay Boulevard is an improved frontage road serving the areas easterly of the railroad ROW. The improved portions extend from "L" Street to "E" Street.

Deleted: It is proposed to be extended north into the Midbayfront and curve east to connect the "E" Street/Bay Boulevard intersection west and north to the Midbayfront and curve east to connect to the "E" Street/Bay Boulevard intersection. The proposed new development is concentrated in the Midbayfront which will take access from the I-5 and SR-54 via the "E" Street ramps.

Deleted: . "F" Street (Lagoon Drive) is currently being improved in conjunction with the Rohr, Inc. expansion, from Bay Boulevard to the "F-G" Street Marsh

TABLE 3-2

PERMITTED DEVELOPMENT INTENSITY

<u>AREA/LAND USE</u>	<u>DEVELOPMENT INTENSITY</u>
Subarea 1 - Midbayfront Central Resort District	(See Table 3-2A)
Residential - High	Residential: 949,000 sq. ft./700 du
Visitor Commercial	Western Parcel: 204,000 sq. ft./70 hotel rooms; Eastern Parcel: 200,000 sq. ft./60 hotel rooms
Public & Open Space	Uses Intensity limited by minimum permitted uses; except Cultural Arts Facility 75,000 sq. ft. (2,000 seats)
Subarea 2 - Industrial Industrial (IR & IG)	FAR 0.5 except Special Condition "C" (see notes)
Commercial - Visitor/Highway	FAR 0.25 except Special Condition "F" (see notes)
Commercial - Prof. & Admin.	Special Condition "C" (see notes)
Landscaped Parking	May be included in adjacent parcel for FAR calculation with required improvements and use agreement.
Parks & Recreation	Intensity limited by minimal permitted uses
Subarea 3 - Southern Parcel Industrial	FAR 0.5
Subareas 4, 5, and 6 Industrial	Existing Zoning
Subarea 7 - Sweetwater Marsh National Wildlife Refuge Open Space	Determined by USF&WS

NOTES: FAR = Floor area ratio or ratio of gross building area to net developable land area.

Special Condition "C": FAR of 0.75 permitted subject to special condition. See Special Condition "C" (Bayfront Specific Plan Sec. V.D) and Subarea 2 Standards of the Bayfront Specific Plan, provided that the corresponding demolition/removal of existing structures elsewhere on the Rohr campus commensurate with the allowed bonus will occur in a timely fashion and associated traffic impacts will be mitigated to LOS "D" or better at the Bay Blvd./"E" Street/I-5 interchange.

Special Condition "F": In the event additional land area is gained for development of properties located at the northeast and southeast corners of Bay Boulevard and "J" Street, covering adjacent drainage channels, the on-site FAR and setbacks may vary in accordance with Special Condition "F" (Bayfront Specific Plan Sec. V.D) and Subarea 2 Standards of the Bayfront Specific Plan.

TABLE 3-2A

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PERMITTED DEVELOPMENT INTENSITY
Subarea 1 - Midbayfront

Central Resort District Building Allowance

<u>Land Use Category</u>	<u>Minimum Building Sq. Ft. Req'd.</u>	<u>Target Building Sq. Ft.*</u>	<u>Maximum DU/Hotel Rooms</u>
Residential-Mixed Use	1,000	406,000	300 du
Commercial-Visitor	1,000	1,503,000	1,360 rm
Commercial-Prof. & Admin.	20,000	60,000	N/A
Public & Open Space		**	
Maximum Building Area Permitted		1,969,000 sq. ft.	

* The target building sq. ft. in any category may be exceeded by up to 20% provided that the increase is offset by a corresponding reduction in other categories, and that the increase will not produce additional unmitigatable environmental impacts. The maximum building square feet for the entire Central Resort District shall not be exceeded. Changes in building square footage from one category to another that decreases the level of service below the Traffic Service Threshold shall not be permitted.

** Limited by limited permitted uses.

The San Diego Trolley operates on the railroad ROW on the east side of I-5. Both stations adjacent to the Bayfront (at "H" Street and "E" Street) are developed with "park and ride" lots. The trolley schedule creates frequent gate closures that result in traffic interruptions at these major street/freeway on- and off-ramps.

2. General Circulation and Public Access Objective/Policies

The following objectives and policies relate to the general issues of circulation and public access. These following sections provide specific policy language for roadway improvements, public transit, bicycle/pedestrian circulation, and parking. More detailed application of these general objectives are graphically shown in Exhibits 9a, 9b, and 9c, the Circulation Maps and are described below in the discussion of specific circulation components. Recognition must be given to the fact that the proposed improvements along with and associated diagrams are schematic and typical. Additional engineering analysis, environmental review and coordination with Caltrans and the Port will be required during the design and construction phases of some roadway improvements projects.

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~~Policy AC.1.A Policy A.C1 Completion of the CalTrans I-5/SR-54 interchange project will provide the required regional access to the Midbayfront, while existing facilities provide access to other portions of the Bayfront.~~

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Deleted: Objective AC.1 . Provide good regional access to the Bayfront from I-5 and SR-54¶

Objective AC.1 All facilities within the jurisdiction of Caltrans shall be designed and operated in a manner consistent with State standards.

Objective AC.2 Good regional access should be provided to the Bayfront, I-5 and SR-54 as well as convenient access to the Bayfront for visitors and residents of community areas east of I-5.

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Policy AC.2.A Convenient access shall be maintained by assuring that traffic congestion does not fall below the City's established threshold standards for road segments: Level of Service (LOS) "C" at all signalized intersections on all street classifications, except for 2 hours per day (typically during peak travel periods) when LOS "D" is permitted. Also, LOS "D" is permitted for Urban Core Circulation Element roadways. In addition, a minimum standard of LOS "D" or better is required at all signalized and unsignalized intersections. The City's threshold standards recognize that the management of the freeway system is under the control of State ~~and Federal~~ agencies and therefore signalized intersections at freeway ramps are not included in the City's threshold standards. Any proposed development project that has the potential to adversely affect compliance with this threshold standard shall be evaluated with a traffic study and may be approved only if the standards are maintained. All traffic facility improvements assumed or proposed as mitigation for project impacts shall be provided concurrent with or prior to project development.

Policy AC.2.B The Port and the City shall participate in a multi-jurisdictional effort conducted by Caltrans and SANDAG to assist in developing a detailed I-5 corridor-level study that will identify transportation improvements along with funding, including federal, state, regional, and local funding sources, and phasing that would reduce congestion management with Caltrans standards on the I-5 South corridor from the SR-54 interchange to the Otay River. Local funding sources identified in the Plan shall include fair-share contributions related to private and/or public development based on nexus, as well as other mechanisms.

Policy AC.2 C Circulation facilities shall be designed, constructed, and maintained according to State and local standards to ensure that safe and efficient circulation systems are provided. The protection of sensitive habitats may require roadways to be built to lesser standards in order to reduce environmental impacts, provided that such reduced standards do not threaten public safety.

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Objective AC.4 Route and design roadways in a manner which minimizes adverse affects on valuable marshlands, protects lands with high recreation value, and avoids fragmentation of developable lands into inadequately sized or located parcels.

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Policy ~~AC.3.A~~ AC.4.A Major roadways shall follow the alignments depicted on Exhibit 5, page II-12, in Exhibit 9a, which have been carefully determined with regard to the Objective.

Policy ~~AC.3.B~~ AC.4.B Minor roadways that serve ~~local~~ proposed development areas shall be evaluated with submittal of project development plans. Such roadways shall not be

permitted outside of areas designated for development on the ~~Land Use Plan Map, Exhibit 3, page III-3~~ Zoning Map, Exhibit 8.

Policy ~~AC.3.C~~ AC.4.C All road construction and improvements shall be designed and constructed in accordance with the applicable Environmental Management policies (Section III.E).

Objective ~~AC.5~~ Create auto-free zones along the shoreline and other areas which have unique environmental conditions or potential, and make provision for pedestrians and bicyclists.

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Objective ~~AC.6~~ Reduce dependency upon the private automobile by providing for complementary public transit service, including smaller "mini-sit" vehicles or private jitneys.

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Policy AC.4.A . The circulation Element Map designates pedestrian and bicycle routes along the perimeter of the Midbayfront, separate from the vehicle access routes. These shall be implemented concurrent with adjacent development. Public access to the Nature Interpretive Center within the Wildlife Refuge shall be limited to shuttle bus and transport to minimize impacts to environmentally sensitive areas.¶

Policy ~~AC.6.A~~ A comprehensive Public Access Plan shall be prepared and approved. The plan shall address the use of private intraproject transit, as well as connection/coordinate with public bus and trolley transit services. The plan shall demonstrate that public/private transit services provide a viable alternative to private vehicles for access and travel within the bayfront area.

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Deleted: AC.5.A

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Objective ~~AC.7~~ Avoid congestion of the freeways and connection arterials by maintaining a mix of land uses where peak traffic generating periods are staggered throughout the day.

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Policy ~~AC.6.A~~ AC.7.A The land use mix identified in this Land Use Plan has been selected to ~~meet this objective avoid congestion of the freeways and connection arterials. The emphasis on visitor serving, recreational, and residential uses within the Midbayfront will balance travel demands of the employment oriented development throughout other areas of the Bayfront.~~ All development within the Bayfront LCP Planning Area shall be consistent with the land use policies of this Plan.

Objective ~~AC.8~~ Provide for convenient pedestrian, bicycle, and vehicular access to the Bayfront from community areas east of Interstate 5.

Policy ~~AC.7.A~~ AC.8.A Local access to the Bayfront shall be provided along the same routes that provide regional access.

Deleted: . In addition, the "F" street bridge over I-5 shall be utilized to provide Midbayfront access for local residents. Provision for pedestrians and bicyclists, as well as motor vehicles, shall be made within the bridge travelway

Policy ~~AC.7.B~~ AC.8.B Circulation routes and public transit services that exist within the urban core of Chula Vista shall be extended to and through the Bayfront to integrate the coastal area with the overall community. Development projects within the LCP Planning Area shall incorporate and/or extend the use of these transportation facilities as a part of the development concept.

Objective ~~AC.9~~ Implement measures to reduce transportation-related air quality impacts.

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Policy ~~AC.9.A~~ Limit idling time for commercial vehicles, including delivery and construction vehicles.

Policy ~~AC.9.B~~ Use low- or zero-emission vehicles, including construction vehicles.

Policy ~~AC.9.C~~ Promote ride sharing programs, for example, by designating a certain percentage of parking spaces for ride sharing vehicles, designating adequate passenger loading and unloading and waiting areas for ride sharing vehicles, and providing a web site or message board for coordinating rides.

Policy AC.9.D Provide the necessary facilities and infrastructure to encourage the use of low- or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling).

Policy AC.9.E Provide public transit incentives, such as free or low-cost monthly transit passes.

Policy AC.9.F For commercial projects, provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including (for example) locked bicycle storage or covered or indoor bicycle parking.

Policy AC.9.G Institute a telecommute work program. Provide information, training, and incentives to encourage participation. Provide incentives for equipment purchases to allow high-quality teleconferences.

Policy AC.9.H Provide information on all options for individuals and businesses to reduce transportation-related emissions. Provide education and information about public transportation.

3. Roadway Improvement Objective/Policies

The following objectives/policies relate to the construction and improvement of roadways within the Bayfront LCP Planning Area. All onsite roadways in the Chula Vista Bayfront Master Plan are proposed to be in the Port's jurisdiction.

Objective RI.1 Improve Bayfront access through improvements to Marina Parkway, the "E" Street bridge, "H" Street, "J" Street, and on- and off-ramps to I-5. Public access to the Chula Vista Nature Center on the National Wildlife Refuge shall be maintained.

Policy RI.1.A The alignment of Marina Parkway within the Port property will move westerly to bypass the edge of the existing "F&G" Street Marsh. This alignment will introduce major views of the waterfront from the roadway. Marina Parkway will become a 3-lane Class II collector street running north-south between "E" Street (north of "H" Street) and "J" Street.

Policy RI.1.B "E" Street shall be extended west as a 4-lane Class I collector street from Bay Boulevard westerly to the new "F" Street intersection. This will provide additional capacity to maintain adequate traffic flow at the major northern project entry. "E" Street shall then change to a 2-lane Class II collector street through the remainder of the Sweetwater District and into the Harbor District. "E" Street will turn into Marina Parkway at "H" Street.

Policy RI.1C "F" Street (Lagoon Drive) shall be removed from the west end of the Goodrich property west, adjacent to the "F&G" Street Marsh. "F" Street shall terminate at a cul-de-sac. The road will be redirected north as a Class II 2-lane collector street and

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Deleted: Objective RI.1 . Marina Parkway and Tidelands Avenue are to be constructed to serve development within the Midbayfront subarea.

Deleted: Policy RI.1.A . Marina Parkway will be extended as a Four-Lane Major Street (except for the eastern most segment described below) from its improved terminus at the north edge of the Chula Vista Marina on Port District property to provide continuous Bayfront parway to the "E" Street gateway. Tidelands Avenue or equivalent access shall extend from Marina Parkway north to serve the small development parcel located east of the SDG&E ROW. To maintain traffic capacity and safety, and create a parkway character for Marina Parkway, no curbside parking should be permitted, since the off-street parking standards herein will provide adequate parking for coastal visitors. Landscaped parking in the SDG&E ROW north of Lagoon Drive shall be available for overflow and special event parking demands.

Deleted: Policy RI.1.B . Specific segments of Marina Parkway will be designed and constructed to respond to significant environmental issues¶

¶
"F-G" Street Marsh Area. The alignment of Marina Parkway at the Port District property will move westerly to by-pass the edge of the existing "F-G" Street Marsh. This alignment will: completely by-pass the existing "F-G" Street Marsh and introduce major views of the waterfront from roadway.¶
Eastern End. The eastern port ... [7]

Deleted: Objective RI.2 . Improve Bayfront access through improvements to the "E" Street bridge and on- and off-ramps to I-5.¶

¶
Policy RI.2.A . New on- and off-ramps, and re-striping of the "E" Street bridge traffic lanes are being completed by CalTrans in conjunction with the I-5/AR-54 interchange project. When complete, these ... [8]

Deleted: Objective RI.3 . Extend "F" Street westerly as Lagoon Drive to serve as secondary/local access route into the Bayfront.¶

¶
Policy RI.3.A . Lagoon Drive will function as an important internal circulation element in the Bayfront to the east side of the free. Extending it as a Class I Collector Street (four lands), to intersect with Marina ... [9]

intersect with the extension of "E" Street to facilitate the movement of traffic into the Bayfront. "F" Street shall cross "E" Street to access facilities in the Sweetwater District, including parking for the Chula Vista Nature Center located in the Sweetwater Marsh National Wildlife Refuge.

Policy RI.1.D Public access to the Chula Vista Nature Center shall be restricted to shuttle bus operation to minimize disturbance to the sensitive resources of the refuge. The shuttle bus access route shall be a controlled access 20-foot roadway on the existing southern levee. This existing route has been integrated into the levee without undue impact on the adjacent marshes. A small public parking lot and bus shelter shall be provided in the Sweetwater District at the entry to the Sweetwater Marsh National Wildlife Refuge. Supplemental parking shall be provided in the landscaped SDG&E ROW as part of the parking for parks and recreational purposes required under Policy A.PK3.

Policy RI.1.E "H" Street shall be extended west to Street A (a new street) as a 5-lane major street. "H" Street will serve as a major central entrance to the Bayfront area. "H" Street shall continue west from Street A to Marina Parkway as a 4-lane major street, at which point it shall continue west as a 3-lane Class II collector street until it intersects with "E" Street.

Policy RI.1.F Street A will be a new street that will run north-south between Parcel Areas 2-f, and 2-h. Street A shall be constructed as a 4-lane Class I collector street.

Policy RI.1.G Bay Boulevard will continue to serve as a 2-lane Class II collector street south of "J" Street. Bay Boulevard will serve as a 2-lane Class III collector street north of "J" Street to "F" Street. The portion of Bay Boulevard located north of "F" Street will be a 2-lane Class II collector street. Bay Boulevard will cross "E" Street and become a 3-lane Class II collector to serve parcels just west of the I-5 off-ramp and north of "E" Street.

Policy RI.1.H Street C is a proposed new street that extends from Street "A" between "J" Street and "H" Street to Marina Parkway. Street C shall be constructed as a 2-lane Class III collector street that runs along the north side of Parcel Areas 2-f, and 2-h.

Policy RI.1.I "J" Street shall be extended west from Bay Boulevard at the Gateway entrance to the intersection with Street A as a 6-lane major street. "J" Street shall continue west from Street A to Marina Parkway as a 4-lane major street, following which it shall continue west as a 2-lane Class III collector street until it terminates at the south end of the marina.

Policy RI.1.J Street B is a proposed new street that will extend from the intersection of Street A and "J" Street with a connection back to Bay Boulevard. Street B shall be constructed as a 2-lane Class III collector street.

Policy RI.1.K Additional access shall be constructed to the Bayfront from the I-5 off-ramps, including (1) an exclusive southbound right-turn lane for the "E" Street/I-5 southbound off-ramp and (2) an exclusive southbound right-turn lane for the "H" Street/I-5 southbound off-ramps.

Policy RI.1.L Rebuild the portion of Marina Parkway fronting 2F between Sandpiper Way and J Street as a 3-lane Class II Collector with excess ROW used for pedestrian facilities.

Deleted: Objective RI.4. Maintain public access to the Nature Interpretive Center on Gunpowder Point.¶

¶
Policy RI.4.A. Public access to the Nature Interpretive Center shall be restricted to shuttle bus operations in order to minimize disturbance to the sensitive resources of the refuge. The access route shall be on a controlled access 20 foot roadway on the existing southern levee. This existing route has been integrated into the levee without undue impact on the adjacent marshes. A small public parking lot and bus shelter shall be provided in the Midbayfront at the entry to the National Wildlife Refuge. Supplemental parking will be provided in the landscaped SDG&E ROW in addition to the parking for park purposes required under policy PK.2.A.

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4. Public Transit Objective/Policies

The Bayfront's transportation system was developed to focus vehicular activity on the eastern edges of the property, near I-5 and its interchanges, by placing a majority of the common parking areas on the eastern properties, while designing for pedestrian connections and transit service. This will result in narrower, more pedestrian-friendly streets along the waterfront. Strong public transit support is needed to ensure access to the western portion of the bayfront while still limiting vehicular trips.

There are two major public transit objectives for the Bayfront: ~~They are~~ (1) maximize use of the two trolley stops adjacent to the Bayfront area and (2) provide future shuttle bus service to interconnect the Bayfront with the trolley stations and the adjacent community ~~and ed~~.

Objective PT.1 Maximize use of the public transit services by visitors and residents of the Bayfront.

Policy PT. 1.A Bus Improvements. Provide for convenient bus stop locations on convenient travel loops within the Bayfront and at areas of concentrated activity.

Policy PT.1.B Pedestrian Access. Provide for convenient, direct pedestrian access to the Bayfront from the "E" and "H" Street Trolley Stations. Encourage the use of alternate transportation by also including bike and pedestrian pathways, water taxis, and a private employee parking shuttle.

Policy PT.1.C The project shall include connections to the planned Bayshore Bikeway and provide an additional local bikeway loop that will be safer and more scenic as it is located closer to the water.

Objective PT.2 Use of public transit services by visitors and residents of the Bayfront should be promoted and private shuttle services should be encouraged where feasible. The Port and City shall explore the operating and funding potential for a shuttle service that would link various destinations within the western portions of Chula Vista, including the Chula Vista Bayfront plan area.

Policy PT.2.A The LCP recognizes that the connections to the trolley system are significant benefits to development in the Bayfront. Opportunities for interconnecting the Bayfront with the existing trolley stations are included in the Bayfront area. These opportunities shall include convenient shuttle bus stop locations on major travel loops within the Bayfront and at areas of concentrated activity (Exhibit 9a).

Policy PT.2.B The Circulation Element provides for roadway ROWs with sufficient capacity and opportunities for shuttle bus stop locations to facilitate convenient shuttle bus services into the Bayfront along Marina Parkway, "E" Street, "F" Street, "H" Street, Street A, and Street C. This capacity shall be maintained to provide the greatest flexibility in the routing of future shuttle bus service into the Bayfront and to achieve an effective connection to the trolley system.

Policy PT.2.C Ensure that the shuttle has fewer stops than a conventional bus and is located as close as possible to the major traffic generators.

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Deleted: jitneys serving concentrated employment centers such as Rohr, Inc. and the proposed destination resort/hotel conference facilities within the Midbayfront..

Deleted: Policy PT.1.A . The Bayfront Plan Recognizes that connection to the trolley system are significant benefits to the feasibility of development in the Bayfront. Opportunities for interconnecting the Bayfront, especially the Midbayfront, with the existing trolley stations are included in the Plan. These opportunities , which shall be addressed in the Comprehensive Transit Service Plan for the Midbayfront, Include: ¶

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Deleted: Policy PT.1.B . The Circulation Element provides for roadway right-of-ways with sufficient capacity and opportunities for bus stop location to facilitate convenient bus service into the Bayfront along Marina Parkway, "E" Street, Lagoon Drive, and Bay Boulevard. This capacity shall be maintained to provide the greatest flexibility in the routing of future bus service into the Bayfront to achieve an effective connection to the trolley system.¶

¶ Objective PT.2 Encourage private transit services where feasible.¶

¶ Policy PT.2.A . The concentrations of land use intensity provide opportunities for private jitney service to supplement public transit service. Where it is determined that private service will not compete with public services, the evaluation of jitney-type services provided by the private sector shall be evaluated as a part of all development proposals associated with Rohr, Inc. facilities or within the Midbayfront.

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Deleted: he Chula Vista Bayfront shuttle service would service the master plan area and should be designed with the following design considerations:

Policy PT.2.D Plan the general route of the transit shuttle to travel along Third Avenue between F Street and H Street, along F Street between Woodlawn Avenue and Third Avenue, along Woodlawn Avenue between E Street and F Street, along E Street, Marina Parkway, Street C, and Street A within the Bayfront development area, and along H Street between the Bayfront and Third Avenue

Policy PT.2.E Plan the route to operate as a two-way loop with stops in both directions.

Policy PT.2F Plan for shuttles to run every 15 to 30 minutes depending upon ridership and funding availability.

5. Pedestrian and Bicycle Circulation Objective/Policies

~~The~~ Major pedestrian circulation routes and a regional bicycle route are included on the Circulation Map, ~~Exhibit 5, page III—~~ Maps, Exhibits 9b and 9c. ~~The~~ Provision of these routes will provide significant public access to the waterfront and within the Bayfront ~~development area, implementation of these routes~~ and will result in a substantial increase in both the quantity and quality of available public access ~~to the shoreline.~~

~~Objective PB.1 Provide pedestrian access to the shoreline.~~

~~Objective PB.1 Pedestrian access to the shoreline should be provided as well as bicycle routes for alternative access and circulation within the Bayfront area.~~

~~Policy PB.1.A Existing bikeway corridors along roads and highways should be upgraded, as feasible, to reduce, minimize or eliminate any potential hazards between motor vehicles and bicycles, consistent with sensitive environmental resource and visual resource protection policies. Improvements to any roadway containing a bikeway should not adversely affect the provision of bicycle use, to the extent feasible.~~

Policy ~~PB.1.A~~ PB.1.B ~~No pedestrian or bicycle paths are to be located on the southern or eastern edges of the “F&G” Street Marsh due to the limited setback area.~~

Policy ~~PB.1.B~~ PB.1.C ~~In order~~ To provide continuity with adjacent planning areas, pedestrian shoreline access shall interconnect with other existing or proposed circulation routes within the Port Master Plan (Exhibit 9b). Project level planning and coordination shall provide for:

~~Connection to Port Lands. In the Marina Parkway area, Throughout the Bayfront,~~ public access will be integrated with ~~other existing or proposed circulation routes Port development.~~ This will result in a continuous public access routes with intermittent exposure to the water's edge within the Port lands.

~~Connection North to Sweetwater River Project.~~ Pedestrian and bicycle routes in the Bayfront shall interconnect with the recreational improvements included in the Caltrans/Army Corps of Engineers project, and/or the Chula Vista Greenbelt trail system proposed in the Sweetwater River Valley. The filling of wetlands for bike paths is not permitted, including, but not limited to, any extension of the toe of the Caltrans freeway fill slope into the mitigation areas of the connector marsh.

Deleted: Continuous shoreline access is provided adjacent to the 100 foot primary buffer as designated in the Environmental Management section. An improved public path shall be provided within the park and open space improvements in the area. The combinations of landscape will provide major recreational opportunities without undue impact on wildlife resources.

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Connection with Chula Vista Neighborhoods. Pedestrian routes will interconnect major open spaces in the Bayfront area to adjacent Chula Vista neighborhoods via “E” Street, “F” Street, “H” Street, and “J” Street.

Policy PB.1.D Provide a continuous open space system, fully accessible to the public, which would seamlessly connect the Sweetwater, Harbor, and Otay Districts through components such as a continuous shoreline promenade or baywalk and a continuous bicycle path linking the parks and ultimately creating greenbelt linkages.

~~Objective PB.2 Provide bicycle routes for alternative access and circulation in the bayfront.~~

~~Policy A-PB.2.A. PB.1.E~~ The Circulation Map (Exhibit 9c) indicates extensive bicycle routes incorporated with the pedestrian and vehicular circulation systems. ~~The bicycle routes will consist of constructing a segment of the planned Bayshore Bikeway regional bicycle route, in addition to constructing a bicycle spur that creates a loop through the Bayfront and back to the Bayshore Bikeway (“Bayfront Loop”).~~

Deleted: In indicated locations, the bicycle route will consist of an on-street bike lane while along the perimeter of the Midbayfront it will be a part of the pedestrian/bicycle trail system.

Policy PB.1.F The Bayshore Bikeway shall be constructed as a Class I bike path facility within the existing SDG&E utility corridor running north-south from “E” Street to Main Street. The Bikeway shall be designed and constructed in accordance with the applicable Environmental Management policies (Section III.E) The construction of this segment of the Bayshore Bikeway shall occur following undergrounding of the high-voltage powerlines. In addition, agreement from Goodrich for access through their site is required.

Policy PB.1.G The “Bayfront Loop” shall be constructed through the Bayfront with connections to the Bayshore Bikeway. The Bayfront Loop shall begin at the “E” Street/Bayshore Bikeway intersection, traverse through the proposed Bayfront area, and rejoin the Bayshore Bikeway south of L Street. The Bayfront Loop shall be an off-street Class I bike path (12-foot total width) with minimal crossings of vehicular roadways.

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6. Parking Objective/Policies

Parking will generally be incorporated into the private development in the Bayfront with some additional off-street and on-street public parking to serve the community parks and other open space resources. While provision of adequate parking for all uses in the Bayfront is an important issue, undergrounding utility lines or providing landscaping/screening to improve the appearance of large parking areas is also important. Utilizing “shared parking” among uses that have predictable and opposite peak parking demands is encouraged.

~~Objective PK.1 Provide adequate parking for all developed uses in the Bayfront.~~

Objective PK.1 Provide adequate parking should be provided for all developed uses in the Bayfront, including parking for all public, park, and open space uses in the Bayfront. Parking should be provided in an efficient manner, sharing spaces among uses when practical, and in a manner that does not intrude upon the scenic qualities of the Bayfront. Parking within the SDG&E ROW parcels should be provided to meet parking requirements, provided the ROW parking is landscaped to improve the overall appearance of the Bayfront.

Policy PK.1.A New development shall provide off-street parking sufficient to serve the approved use in order to minimize impacts to public street parking available for coastal access and recreation.

Policy PK.1.B Adequate parking should be provided to serve coastal access and recreation uses. Existing parking areas serving recreational uses may not be displaced unless a comparable replacement area is provided.

Policy PK.1 C Off-street parking spaces shall be provided for developed uses according to the following schedule:

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Business and professional offices: 1 space per 300 square feet of floor area; minimum of 4 spaces.

Dance, assembly, or exhibition halls without fixed seats: 1 space per 50 square feet of floor area used for dancing or assembly.

Dwellings, multiple: 1 space per studio ~~or one-bedroom unit~~; 1.5 spaces per 1 bedroom unit; 2 spaces per two-bedroom ~~or larger unit~~.

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Deleted: 2.5 spaces per three bedroom or larger unit (includes 0.3 space per unit guest parking);

Hotels, motels: 1 space for each living or sleeping unit, plus 1 space for every 25 rooms or portion thereof. ~~(Hotels and motels shall not be used for long-term residence.)~~

Manufacturing plants, research and testing laboratories: 1 space per 1.5 persons employed at any one time in the normal operation of the plant or 1 space per 800 square feet of floor area, whichever is greater.

Medical and dental offices and clinics: 1 space per 200 square feet of floor area; minimum of 5 spaces.

Public park/open space: 1 parking place for every 10,000 square feet of park or accessible open space.

Restaurants, bars, and night clubs: 1 space per 2.5 permanent seats, excluding any dance floor or assembly area without fixed seats, which shall be calculated separately at 1 space per 50 square feet of floor area.

Restaurants – drive-in, snack stands, or fast food: 15 spaces minimum, or 1 space per 2.5 permanent seats, whichever is greater.

Retail stores: 1 space per 200 square feet of floor area; retail uses located on Parcel Areas 2-f and 2-h shall provide a minimum of 4 parking spaces per 1,000 square feet of retail space.

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Sports arenas, auditoriums and theaters: 1 space per 3.5 seats of maximum seating capacity.

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

Uses not listed: as required by ~~Chula Vista Zoning Ordinance~~ CVMC.

Policy PK.1 D Bicycle parking spaces shall 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.:

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Business and professional offices (over 20,000 square feet of gross floor area): 5 spaces.

Shopping center (over 50,000 square feet of gross floor area): 1 space per 33 automobile spaces required.

Fast food restaurant, coffee shop, or delicatessen: 5 spaces.

Other eating and drinking establishments: 2 spaces.

Commercial recreation: 1 space per 33 automobile spaces required.

Only those uses listed above are required to provide motorcycle parking and bicycle parking facilities. Bicycle parking facilities shall be fixed storage racks or devices designed to secure the frame and wheel of the bicycle.

~~Objective PK.2 Provide adequate parking for all public parks and open space uses in the Bayfront.~~

Policy ~~PK.2.A~~ PK.1.E ~~Off-street~~ public parking areas shall be provided for community parks. The parking areas shall be integrated into the open space areas close to the roadways and, where possible, screened from view. ~~With the exception of the National Wildlife Refuge, for which no separate parking is required, one parking place for every 10,000 square feet of park or accessible open space shall be provided. No additional parking is required for the one public park that exists within the LCP Planning Area (1-f) and no new public parks are proposed; however, potential future public parks shall require one parking space for every 10,000 square feet of park or accessible open space. New public parks will be located within the Port's jurisdiction and will be governed by the provisions of the Port Master Plan. No separate parking is required for the National Wildlife Refuge. Parking for public parks shall be provided in areas designated and exclusively reserved for public park users. This restriction shall be enforced during the operating hours of the public park. Public parks shall be open in accordance with City standard operating hours.~~ After-hours parking will not be restricted and may be shared with private development in accordance with other parking policies in ~~the LCP,~~ this specific plan.

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~~Objective PK.3 Provide parking in an efficient manner, sharing spaces among users when practical.~~

Policy ~~PK.3.A~~ PK.1.F Implementation of the "shared parking" concept shall be permitted where it can be demonstrated that the proposed mix of uses have predictable parking demands that do not significantly overlap. The methods and criteria set forth in Shared Parking published by the Urban Land Institute shall be used to calculate the parking reduction permitted within a mixed-use project. No reduction shall be permitted without specific justification. No reduction in residential parking or public recreational parking shall be permitted. Any parking that is shared among uses shall be available for use during normal operating hours and shall not be reserved or otherwise restricted. Control of uses intended to use shared parking shall be by Conditional Use Permit and shall require the execution of deed restrictions and other long-term commitments for the provision of parking.

~~Objective PK.4 Parking should be provided in a manner which does not intrude on the scenic qualities of the bayfront.~~

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Policy ~~PK.4.A~~ PK.1.G ~~In order~~ To maintain views from the major roadways to the shoreline and major development sites, street side parking shall not be permitted along any of the major roadways identified in the Circulation Plan, including Marina Parkway, Tidelands Avenue, "E" Street, ~~"F" Street~~, Lagoon Drive, or Bay Boulevard.

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Policy ~~PK.4.B~~ **PK.1.H** Parking included as part of private development shall provide for the following:

Location: Parking shall be located in areas away from the shoreline and public open space corridors.

Screening. ~~Where feasible~~ To the greatest extent possible, open parking will be screened from view from the major arterials by the use of landscaped berms, tree planting, and building placement

Type. To the greatest extent ~~Where~~ possible, open, large-scale parking will be avoided in favor of underground, podium, or smaller disaggregated parking areas separated by buildings or landscaping. Parking structures shall be encouraged where additional open space or other public benefit can be provided.

Objective PK.5 Utilize the SDG&E ROW to meet parking requirements, if it is landscaped to improve the appearance of the bayfront.

Policy ~~PK.5.A~~ **PK.1.I** Where parking is incorporated into the SDG&E ROW, ~~through the use of bonus provisions of the plan~~, the parking areas shall be landscaped with a perimeter planting of trees and ground cover. The tree planting will be tightly spaced to provide a dense canopy at eye level. Tree species will be limited to those that will not interfere with the overhead power lines and trimmed as necessary to meet standards of SDG&E. Due to environmental management requirements, this policy does not apply to Subarea 1: Sweetwater District.

Deleted: A minimum 75% of the required parking for the Resort Core District and residential uses in the Midbayfront shall be provided in subterranean or concealed parking structures.

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C. PHYSICAL FORM AND APPEARANCE

The Bayfront provides a unique opportunity to establish a harmonious relationship between the natural setting and the man-made environment. The area's natural resources and scenic quality provide a setting that has a distinctive appearance and, in turn, can promote economic success for activities located in proximity to it. Moreover, development that is properly sited and designed can support these natural areas in permanent reserve and provide for controlled access and enjoyment of them by the public.

1. Existing Conditions

The Bayfront, by virtue of its location on San Diego Bay, represents a visual resource for the City and the region. Given the visibility of the coastal zone from major highways and streets, the Bayfront has the potential to create a defining City image.

The Bayfront is characterized, from north to south, by the National Wildlife Refuge and the Chula Vista Nature Center, a relatively flat upland area that is currently vacant ~~major office and~~ industrial facilities associated with Goodrich, the SDG&E ~~switchyard~~, the South Bay Power Plant, salt ponds, and a variety of smaller commercial and industrial uses to the south and parallel to the west side of I-5.

Existing landmarks in the Bayfront are the Chula Vista Nature Center, the ~~Rohr~~ Goodrich facilities, and the SDG&E South Bay Power Plant with tall stacks.

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Deleted: . Electrical transmission towers extend northward from the SDG&E switchyard, through the Bayfront and across the Sweetwater River to National City and beyond.

Deleted: There are plans, subject to Public Utilities Commission approval, to underground the high-voltage (230kV) transmission lines.

2. General Form and Appearance Objective/Policies

The basic objective to integrate man's use of the land and water resources into a sensitive natural environment is provided through the implementing policies below. The following sections provide specific policy language for architectural edges, views, and landscape.

~~Objective FA.1 The existing substandard industrial image of the Bayfront should be changed by developing a new identity consonant with its future public and commercial recreational role. The visual quality of the shoreline should be improved by promoting both public and private uses that will provide for proper restoration, landscaping, and maintenance of shoreline areas. Structures or conditions that have a blighting influence on the area should be removed or mitigated through façade enhancements and landscaping. Finally, a readily understandable and memorable relationship of the Bayfront (and the areas and elements that comprise it) to adjoining areas of Chula Vista, including the freeway and arterial approaches to the Bayfront, should be developed.~~

Deleted: Objective FA.1 . Preserve existing wetlands in a healthy state to ensure the aesthetic enjoyment of marshes and the wildlife which inhabit that. ¶

~~Objective FA.2 Change the existing substandard industrial image of the Bayfront, and develop a new identity consonant with its future public and commercial recreational role.~~

Policy ~~FA.2.A~~ **FA.1.A** New development within the ~~Bayfront~~ **LCP Planning Area** shall be consistent with the land use designations permitted in the Land Use section. The majority of new development shall be visitor-serving commercial, ~~park, recreation, commercial professional and administrative,~~ and residential, with only a very limited amount of additional industrial development permitted. The scale of these new uses, combined with improved landscaping and screening of existing industrial development, will benefit the image of the Bayfront as a whole.

Deleted: Policy FA.1.A . The provisions of the Environmental Management Section of the Land Use Plan shall be implemented to assure that existing wetlands, most of which are located within the National Wildlife refuge, are protected and maintained in a healthy state while construction and development occurs in adjacent areas.

~~Objective FA.3 Improve the visual quality of the shoreline by promoting both public and private uses which will provide for proper restoration, landscaping, and maintenance of shoreline areas.~~

Policy ~~FA.3.A~~ **FA.1.B** The Land Use Plan designates improved parkland and **open space** along the shoreline area of the ~~Bayfront~~. Landscape and improvement standards for these areas will result in a major improvement in the visual quality of the shoreline.

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~~Objective FA.4 Remove, or mitigate by landscaping, structures or conditions which have a blighting effect on the area.~~

Policy ~~FA.4.A~~ **FA.1.C** New development within the ~~Bayfront~~ **LCP Planning Area** shall be constructed according to the high-quality and aesthetic standards set forth in the Land Use Plan. Continuing development and/or redevelopment will displace abandoned and substandard structures that have a blighting influence. Any **vegetative** areas disturbed by development shall be ~~completely~~ **re-**landscaped. ~~However,~~ The landscaping shall be consistent with the Environmental Management policies herein and shall give priority to the use of drought-tolerant plant materials.

~~Objective FA.5 Develop a readily understandable and memorable relationship of the Bayfront (and the areas and elements which comprise it) to adjoining areas of Chula Vista and to the freeway and arterial approaches to the Bayfront.~~

Policy ~~FA.5~~ FA.1.D New ~~projects within the Midbayfront~~ shall be controlled by policies herein, including specific height, use, parking, and development intensity restrictions. In addition, ~~development~~ shall be further reviewed by the City for consistency with the LUP policies ~~a master plan to ensure that projects are fully integrated~~ with adjacent areas, thereby creating a unified project in appearance and function.

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Policy FA.1.E All development projects shall be required to undergo a design review process (which includes architectural, site plan, landscape, and signage design), prior to the issuance of building permits, to ensure compliance with objectives and specific requirements of the City's Design Manual, General Plan, and appropriate zone or Area Development Plan.

Objective FA.2 Improvements to the public realm should be made in conjunction with improvements to individual parcels through private development.

Policy FA.2.A Concurrent with the preparation of Phase I infrastructure design plans for E and H Streets, a Gateway plan shall be prepared for E and H Streets. Prior to issuance of occupancy for any projects within the Port's jurisdiction in Phase I, the E and H Street Gateway plan shall be approved by the Port and City's Directors of Planning and Building. The E and H Street Gateway plan shall be coordinated with the Gateway plan for J Street.

Policy FA.2.B Concurrent with development of Parcel 2f, the applicant shall submit a Gateway plan for J Street for City Design Review consideration. Prior to issuance of any building permits, the J Street Gateway plan shall be approved by the Director of Planning and Building in coordination with the Port's Director of Planning. The J Street Gateway plan shall be coordinated with the Gateway plan for E and H Streets. Further policies guiding Gateway design are provided in the following section (III.C.3)

Policy FA.2.C The City shall create unique landscape designs and standards for medians for each major thoroughfare to distinguish each from the other and to provide a special identity for districts and neighborhoods.

Policy FA.2.D The landscape designs and standards shall include a coordinated street furniture palette including waste containers and benches, to be implemented throughout the community at appropriate locations.

Policy FA.2.E Prior to the approval of projects that include walls that back onto roadways, the City shall require that the design achieves a uniform appearance from the street. The walls shall be uniform in height, use of materials, and color, but also incorporate elements that add visual interest, such as pilasters.

Policy FA.2.F Prior to issuance of Coastal Development Permits for projects within the City's jurisdiction, the project developer shall ensure that design plans for any large scale projects (greater than two stories in height) shall incorporate standard design techniques such as articulated facades, distributed building massing, horizontal banding, stepping back of buildings, and varied color schemes to separate the building base from its upper elevation and color changes such that vertical elements are interrupted and smaller scale massing implemented. These plans shall be implemented for large project components to diminish imposing building edges.

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monotonous facades and straight-edge building rooflines and profiles. This shall be done to the satisfaction of the City of Chula Vista Planning Director.

Objective FA.3 To provide aesthetic improvements to existing and new development, including establishing clearly identifiable gateways to the Bayfront, preserving existing views and creating enhanced views with development, and encouraging high-quality, well-integrated, mixed-use development with a harmonious relationship between sensitive habitats and the built environment. The factors that are important to achieve this objective are:

- Landscape Character
- Bayfront Gateways
- Architectural Edges
- Views
- Building Placement
- Architectural Character
- Wildlife Protection

Policy FA.3.A Landscaping shall be used to screen those elements of the existing built environment where necessary. New development within the Chula Vista Bayfront Master Plan area shall also be accompanied by a comprehensive landscape plan.

Policy FA.3.B Landscaping shall provide visual connections that integrate the surrounding environment to the new development.

Policy FA.3.C The landscape pattern and Bayfront Gateways shall be coordinated with the landscape form and appearance requirements of the Port Master Plan.

Policy FA.3.D Soft architectural edges shall be used where development meets public parks and open space. Soft edges are generally composed of smaller increments of change from building mass to open area. Such edges emphasize a transition instead of an abrupt change.

Policy FA.3.E In addition to the wetlands setback policies (S2.C1E) and building height policies (S2.C1E) of this Land Use Plan, the Bayfront Specific Plan shall establish building setbacks from public streets and lot boundaries to ensure appropriate building placement.

Policy FA.3.F To increase view opportunities through developments, high- and mid-rise residential towers shall be oriented with their long sides parallel to the major view corridors.

Policy FA.3.G A unifying, high-quality architectural character and design shall be established for all new buildings and façade enhancements.

Policy FA.3.H The following basic guidelines shall be followed in the design of buildings and structures:

Colors – Coloration shall be perceived as a single thematic impression made up of subtle variations.

Materials – Reflective materials shall not be used. The use of reflective glass is prohibited. Sheet metal finish surfaces shall be discouraged. The use of stucco, wood, and concrete shall be encouraged.

Window Openings –Window openings or patterns, especially in the mid-rise and high-rise buildings, shall avoid monotonous patterning. Smaller units of glazing and openings shall be favored over larger, single-paned openings.

Roofs – Flat roofs without varied parapets are discouraged. Variation in roof forms and parapet treatments shall be encouraged. To discourage avian predators, roof designs shall incorporate anti-perching elements as stipulated in the design requirements developed in cooperation with the USF&WS and to be incorporated in the Natural Resources Management Plan.

Policy FA.3.I The following basic guidelines shall be followed in regard to streetscape and pedestrian features:

Architectural and street furniture detailing shall contribute to the ambience of the new development. This is most effective at the pedestrian level where such details can readily be seen. Detailing opportunities include:

- Floor paving patterns
- Monuments
- Fountains
- Bollards
- Railings
- Window shape and window pane mullions
- Door treatments
- Light standards and lighting fixtures in general
- Public outdoor seating
- Trash/ash receptacles
- Textile amenities – banners, awnings, umbrellas
- Community sign boards
- Planting urns and areas
- Niches in walls and wall decorations in general

All of the above-cited elements shall be chosen and placed in a manner consistent for all new development to “compose” an overall theme or character reflecting the goal of a vibrant, coastal atmosphere.

Objective FA.4 Development shall have a unifying, high quality architectural character and design.

Policy FA.4.A The siting and orientation of major high-rise buildings shall respect environmental issues. Such buildings shall be set back from the marsh to preclude their shadows from falling on the sensitive wetlands. In addition, the shall have non-reflective surface materials and be of muted colors.

Policy FA.4.B A Bayfront Cultural and Design Committee (“BCDC”) shall be formed to advise the District in addressing the design of parks, cultural facilities, and development projects. The public participation process for the BCDC will include broad community representation and will be modeled after the Community Advisory Committee (CAC) process. Membership will include at least one member each from the District, Chula Vista Planning Commission, Design Review Committee, and Resource Conservation Committee. The BCDC will advise the District in the establishment of CVBMP design guidelines to address cohesive development and streetscape design standards, walkways and bikeways design to promote safe walking and biking, standards for design of park areas, and cultural facilities but will not address NRMP and Wildlife

Habitat Areas design guidelines described above. A minimum of three public meeting/workshops will be held to establish the design guidelines.

To promote these objectives and policies, ~~the Form and Appearance provisions of the Land Use Plan acknowledge~~ three major components have been identified that comprise the physical form of the area: (1) natural resource areas to be preserved; (2) an accessible open space system including walkways, bicycle ways, and park areas; and (3) development units having common usage and/or qualities, which should be treated as distinctive, but closely interrelated, visual entities. To reinforce the physical quality of these three components, the Form and Appearance Map, ~~Exhibit 7, page III —> Exhibit 10,~~ identifies ~~1) major gateways; 2) architectural edges; 3) views and 4) landscape character and function—~~major gateways and views.



3. Bayfront Gateway Objective/Policies

Certain points of access to the Bayfront will, by use, become major entrances to the different parts of the area. A significant portion of the visitors' and users' visual impressions are influenced by conditions at these locations. Hence, special consideration should be given to roadway design, including signage and lighting, landscaping, and the siting and design of adjoining structures. These special gateway locations are shown on the Form and Appearance Map, ~~Exhibit 7, page III—>~~ Exhibit 10.

Objective GT.1 Gateways plans shall be established at major access points to the Bayfront area. These gateways shall enhance the sense of arrival and invitation to the Bayfront through the use of prominent landscaping and signage.

Policy GT.1.A A Gateway shall be established at "E" Street concurrent with development occurring between "C" and "F" Streets.
A Gateway shall be established at "H" Street concurrent with development occurring between "G" and "I" Streets.
A Gateway shall be established at "J" Street concurrent with development occurring between "I" and "L/Moss" Streets.

Policy GT.1.B Intersections should be enhanced with landscaping, signage, lighting, paving, and other features that will identify them as pedestrian and vehicular gateways to the Bayfront.

4. Architectural Edges Objective/Policies

The interface of open spaces, such as parks and natural habitats, with developed areas, constitutes functionally and visually critical areas deserving special design attention.

Objective AE.1 Design Development to appropriately respond to the functional requirements (e.g., buffer, transition, etc.) of each structure's location within the Bayfront.

Policy AE.1.A Structures shall be sited a sufficient distance from natural habitat areas, as indicated in the Environmental Management section to protect the natural setting and prevent interface with wildlife.

Policy AE.1.B Structures shall be sited a sufficient distance from the marsh edge or open space edge to ensure unencumbered pedestrian and bicycle access.

Policy AE.1.C Structures shall be designed to ensure 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 spaces. In turn, the public areas shall be designed and uses regulated in a manner that does not diminish the intended private use of adjoining developed lands.

~~Policy AE.2.A~~ AE.1.D Firm edges shall be implemented where there is a readily distinguishable and abrupt change from open space to building mass. Firm edges are shown in the Form and Appearance Map, Exhibit 10. ~~Firm edges should be applied in These are areas~~ where a strong visual form, generally linear, is necessary to provide either for a

Deleted: Objective GT.1 . Maximize the sense of arrival and invitation to the Bayfront via the "E" Street entry.¶

¶ Policy GT.1.A . "E" Street Entry from east I-5. A dense canopy of trees on both sides of Marina Parkway shall be provided to obscure views of the SDG&E power lines and focus views on the immediate landscape of the street and down the street towards the water's edge. The street trees shall be closely spaced and in a regular pattern to achieve this objective. However, plant species and spacing shall be selected and designed to protect and enhance public views to the bay. Immediately west of the freeway future buildings on the north side should be sited and designed to reinforce the sense of entry created by the street tree and existing buildingmass of the restaurant on the south side.¶

¶ Southbound I-5 off-ramp to "E" Street/Bay Boulevard. A similar sense of entry shall be created as this entry. A canopy of trees shall be provided along both sides of Bay Boulevard to screen the power lines and transmission towers from view and direct motorists to the "E" Street/Marina Parkway intersection. The intersection should be enhanced with landscaping, signage, paving, and other features which will identify it as a pedestrian and vehicular gateway to the Bayfront.¶

¶ "E" Street (Marina Parkway)/Bay Boulevard intersection. When approaching and crossing Bay Boulevard, the continuation of street trees and landscaping will create a view corridor to the Bay, framed by buildings on either side of Marina Parkway. Special attention will be required to ensure that adequate building setbacks and siting criteria will locate buildings to frame and not block the long range view to the water.¶

¶ Policy GT.1.B . Marina Parkway/Tidelands Avenue intersection. To the west of the Marina Parkway/Tidelands Avenue intersection, views will open up to the bay, park and wetlands. The residential area on the north s... [10]

Deleted: Objective AE.2 . Utilize firm and irregular appearing development edges to enhance the appearance and function of development in the Bayfront.

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terminus of views, visual distinctions between areas, channeled or controlled views in certain directions, or a sense of entry or arrival. These edges generally would be formed by buildings but also may be achieved through use of earth berms or mass plantings.

5. Views Objective/Policies

Objective VW.1 Plan and develop the Bayfront to ensure provision of important views to, from, and within the project area.

Policy VW.1.A Views should be provided from freeways, major roads, Bayfront perimeter, and high-rise residential developments. Policies regarding each of these categories are provided below.

Views from the Freeway and Major Entry. Development shall provide an attractive view onto the site and establish a visual relationship with San Diego Bay, marshes, and bay-related development. High-rise structures shall be oriented to minimize view obstruction.

Views from Roadways within the Site (particularly from Marina Parkway to the marshlands, San Diego Bay, parks, and other bay-related development.) Development and activity sites shall preserve a sense of proximity to the bay and marshlands.

Views from the Perimeters of the Bayfront Outward. This view is primarily a pedestrian-oriented stationary view and more ~~sustainable~~ sustained. These views will be experienced from various parts of open space and pathway system locations and will enable persons to renew visual contact at close range with San Diego Bay and marshlands. Some close-range pedestrian views may be blocked to protect sensitive species in the National Wildlife Refuge.

High-rise Development Vistas. The limited high-rise development within the ~~Midbayfront~~ LCP Planning Area shall maximize the panoramic view opportunities created with increased height.

Policy VW.1.B Public views to the shoreline as well as to other scenic resources from major public viewpoints, as identified in Exhibit 10 shall be protected. Development that may affect an existing or potential public view shall be designed and sited in a manner so as to preserve or enhance designated view opportunities. Street trees and vegetation shall be chosen and sited so as not to block views upon maturity.

Policy VW.1.C The impacts of proposed development on existing public views of scenic resources shall be assessed by the Port or City prior to approval of proposed development or redevelopment to preserve the existing character of the area.

Policy VW.1.D Buildings and structures should be sited to provide unobstructed view corridors from the nearest scenic highway or view corridor road. These criteria may be modified when necessary to mitigate other overriding environmental considerations such as protection of habitat or wildlife corridors.

Deleted: Policy AE.2.B. Irregular edges shall be used where open spaces and buildings are more intricately intertwined at a small scale. Irregular edges are used where it is visually desirable to soften or de-emphasize the distinction between open space areas and adjoining development. This prevents harsh contrasts between different areas, allows visual penetration between areas, and variation in the spatial experiences and qualities in these areas.¶

Deleted: High-rise structures shall be sited in the general locations indicated on the Building Heights exhibit to minimize view obstruction

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Policy VW.1.E Public views of the Bay and access along the waterfront should be provided via a proposed "Baywalk" promenade. This pedestrian path would also connect to the Signature Park, and the pathway system within the Sweetwater District, ultimately linking the two districts and "enabling viewers to experience visual contact at close range with the Bay and marshlands."

Policy VW.1.F Fences, walls, and landscaping shall not block major public views of scenic resources or views of other public viewing areas.

Policy VW.1.G The entry to the Bayfront from "F" Street shall emphasize the view down "F" Street to the bay as this shall be a major pedestrian access point to the "F&G" Street Marsh.

Policy VW.1.H Firm architectural edges shall be used to emphasize various view corridors along "H" Street, "J" Street, and Marina Parkway. Firm edges are identified by an abrupt and usually linear change from building mass to open area. These edges shall help to define an urban environment

Policy VW.1.I The panoramic view of the bay shall be emphasized at the "E" Street gateway.

Policy VW.1.J A dense canopy of trees on both sides of the "E" Street Entry from east of I-5 shall be provided to focus views on the immediate landscape westerly along the street toward the water's edge. The street trees shall be closely spaced and in a regular pattern to achieve this objective. However, plant species and spacing shall be selected and designed to protect and enhance public views to the bay. Immediately west of the freeway, future buildings on the north side should be sited and designed to reinforce the sense of entry created by the street trees and existing building mass of the restaurant on the south side.

Policy VW.1.K Building setbacks and coordinated signage shall be provided along Marina Parkway (a scenic roadway; City of Chula Vista General Plan).

Policy VW.1.L Landscaping shall be planted along Marina Parkway to frame and enhance this scenic corridor, as well as on E Street and Bay Boulevard, adjacent to the project site.

Policy VW.1.M Views of the Bay from the F Street and E Street corridors shall be preserved and views of the Bay would be created from the H Street corridor.

Objective VW.2 Locate buildings in a manner that enhances views. The following view types have been identified.

- Panoramic views- Typically views in the far distance (bay views).
- Framed views- Views between landscape elements, natural forms, or architectural elements; usually characterized as a view corridors.
- Axial Views- Views on axis sometimes with a focal element, usually architectural and vertically oriented.

Objective VW.3 Locate buildings in a manner which enhances views and minimizes impacts to adjacent wildlife habitat area.

Policy VW.3.A Views shall be locally focused within the urban areas to enhance the sense of arrival at the center of urban activity. Special attention should be given to plazas,

architectural elements, plantings, and other landscape features to reinforce the area as a focal point.

Policy VW.3.B Panoramic views across park and open space areas to San Diego Bay should be provided. Major massing of trees shall be avoided along this portion of the shoreline to protect the view. Plant species and spacing shall be selected and designed to protect and enhance public views.

Objective VW.4 Signs should be sensitively placed throughout the plan area to ensure the protection of the visual resources.

Policy VW.4.A Signs shall be designed and located to minimize impacts to visual resources. Signs approved as part of commercial development shall be incorporated into the design of the project and shall be subject to height and width limitations as set forth in Section 19.85.005 (Sign Regulations) of the Specific Plan to ensure that signs are visually compatible with surrounding areas and protect scenic views.

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Policy VW.4.B Placement of signs other than traffic or public safety signs that obstruct views to the Bay, parks, or other scenic areas from public viewing areas, and scenic roads shall be prohibited.

6. Landscape Character and Function Objective/Policies

Five major landscape components are utilized to establish strong visual continuity in response to various functional needs. These are Dense Landscape Planting for screening, Special Planting within the SDG&E ROW, Informal Planting in public parkland, Formal Planting at major entries, and Buffer Zone Planting at areas adjacent to sensitive habitats. The characteristics for the various landscape functions are shown in Table 3-3.

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Deleted: These are Landscape Screening, Parking Area Planting beneath the SDG&E power lines, Informal Groves in public parkland, and Formal Street Planting on major circulation spines. The characteristics and representative species for the various landscape function are shown in Table 3-3, page III-____. Conceptual locations for each type of landscape treatment are indicated on the Form and Appearance Pam, Exhibit 7, page III-____.

Objective LS.1 Various landscape design treatments shall be used to improve the aesthetics of the Bayfront, help define land use and circulation patterns, and transition from the urbanized environment to natural open space areas.

Policy LS.1.A Dense plantings of trees and shrubs shall be used in certain locations throughout the Bayfront to serve three purposes: (1) to diminish the visual impact of large existing industrial structures, such as those of Rehr, Inc. Goodrich, the SDG&E power plant and transmission towers supporting structures, and extensive parking and outdoor storage areas; (2) to help define major entry points to the Bayfront and to frame views; and (3) to be used in masses as visual stopping points to limit views and provide natural vertical elements.

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Table 3-3 Landscape Functions

Deleted: Tree Planting Schedule

Function	Characteristics ¹	Representative Species	Representative Locations ²
Dense Landscape Planting	40 to 60 feet high	Melaleuca Sp.	Bay Boulevard
landscape screening	Upright form	Eucalyptus Sp.	
	Evergreen		

<u>Special Area Planting</u>	10 to 15 feet high	<u>Ligustrum</u> <u>Nerium</u> <u>Oleander</u>	SDG&E ROW
<u>Parking Area Planting</u>	Globular or multi-stem form Evergreen		
Informal Planting	40 to 80 feet high	<u>Patanus acerfolia</u> (to match existing park) <u>Pine sp.</u>	<u>City Park</u>
<u>Informal Groves</u>	Up-right and open branching to contrast with dense vertical form <u>Mixed deciduous and evergreen</u>		
<u>Formal Planting</u>	<u>40 to 60 feet high</u> <u>Crown-shaped form</u>	<u>Ficus nitida</u> <u>Ficus rubiginosa</u>	<u>Tidelands Avenue</u> <u>Marina Parkway</u> <u>"E" Street</u> <u>"F" Street</u> <u>"H" Street</u> <u>"J" Street</u>
<u>Formal street tree</u>			
<u>Buffer Zone Planting</u>	<u>Native species</u>		<u>Streets adjacent to sensitive habitat</u> <u>Transitional buffer areas</u> ³

Notes:

- 1 Height may be limited in areas adjacent to the National Wildlife Refuge (see Environmental Management).
- 2 Representative locations are not approved locations. Buffer Zone Planting will override other plantings for areas adjacent to sensitive habitat.
- 3 Transitional buffer zones between ornamental plantings and sensitive habitats may use native and/or non-invasive naturalized plant species.

Policy LS.1.B ~~Automobile parking has been recognized by SDG&E as a compatible joint use of their 150-foot-wide ROW that bisects transects the entire Bayfront. The Port Master Plan and CVBMP also designate this ROW as a linear greenbelt. To strengthen the ground plane connection between both sides of the ROW and provide an appropriate greenbelt character, an aggressive greenbelt planting program shall be implemented with parking improvements beneath the power lines within the ROW. SDG&E criteria will only permit planting that can be maintained at no more than 15 feet in height, 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. This policy does not apply in Subarea 1: Sweetwater District.~~

Deleted: Parking Area Planting

Deleted: In order to diminish the visual impact of the power lines

Policy LS.1.C ~~Informal Groves. A series of informal groves have been identified in the Form and Appearance Map, Exhibit 7, page III, which identify the major public parks interconnected by continuous pedestrian circulation along the Bayfront's edge and~~

~~into its interior. These groves shall be planted for recreational uses. The groves shall be sited to avoid blocking panoramic views to wetlands and bay.~~
~~Informal planting has been designated for the public park (Parcel Area 1-e). 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.~~

Policy LS.1.D Formal ~~street tree~~ planting has been designated for the major circulation spines of the Bayfront. The planting should be in regularly spaced intervals using species with predictable form characteristics to achieve strong linear avenues that guide views and establish perspective.

Deleted: Formal Street Tree Planting

Policy ~~LS.2.A~~ LS.1.E Landscaping shall be required to be provided in conjunction with all private development ~~through the preparation of a landscape plan by a registered landscape architect.~~ Drought-tolerant native or naturalizing plant materials shall be used to the maximum extent ~~possible~~ feasible. Landscape coverage shall include planted areas, decorative paving, and water features.

Deleted: Minimum Landscape Requirements.

Policy LS.1.F Invasive plant species (as listed in the California Invasive Plant Inventory list or California Invasive Plant Inventory Database or updates) will not be used in the Chula Vista Bayfront area. Any such invasive plant species that establishes itself within the Chula Vista Bayfront area will be immediately removed to the maximum extent feasible and in a manner adequate to prevent further distribution into Wildlife Habitat Areas. A condition of approval for Coastal Development Permits will require applicants to remove any such invasive plant species that established itself within the Chula Vista Bayfront area.

Deleted: Landscaping for residential uses shall be 35% site coverage. Landscaping for commercial uses shall be required at 15% site coverage.¶

Objective LS.2 Buffer Zone Planting for streetscapes adjacent to sensitive habitats shall consist of native, non-invasive plant species. Buffer Zone Planting for transitional buffer zones between ornamental planting areas and sensitive habitats shall consist of native or naturalized non-invasive plant species.

Policy LS.2A Non-native plants will be prohibited adjacent to Wildlife Habitat Areas and will be strongly discouraged and minimized elsewhere where they will provide breeding of undesired scavengers.

Policy LS.2B No trees will be planted in the No Touch Buffer Areas or directly adjacent to a National Wildlife Refuge and J Street Marsh areas where there is no Buffer Area.

Objective LS.3 Improve the appearance of the current uses and establish a land use designation and development regulations which are consistent with the City's land use planning and regulatory structure.

Policy LS.3.A The City shall endeavor to improve the screening and landscaping of the site and shall require such improvements to current City standards with any new use or development permit approved for the site.

D. UTILITIES AND AREAWIDE GRADING

Deleted:

The utility improvements proposed to serve the Bayfront are interrelated to provide the most cost-effective means for servicing the developable areas. Extension of existing utilities and upgrading in mainline sizes is required for water and sewer. Additionally, electrical service, telephone, and gas services will be provided but are not included on the schematic Utilities Systems Map, Exhibit ~~11~~.

Deleted: 8

Grading and drainage concepts incorporated into the street plans to ~~utilize the streets in the~~ use the streets with a curb and gutter system as the primary storm water collection system. Building pad grades and generalized design grades for streets are designated to ensure protection from concurrent storm and high tide events and to provide sufficient cover over underground utilities.

1. Existing Conditions

Soils and Geology.

Surface and sub-surface conditions vary throughout the Bayfront. The Bayfront is situated within the western portion of the Peninsular Ranges geomorphic province of southern California. According to published geologic maps and available geologic reports, the Bayfront area is underlain by fill materials, topsoils, bay deposits/alluvium, the Bay Point Formation, and the San Diego Formation. Fill soils underlie several portions of the site and can range in depth from a few feet to on the order of 10 feet in depth. Topsoil is present on undeveloped areas within the Bayfront at depths of roughly 1 to 3 feet. Areas near the western edge of the Bayfront appear to be characterized by bay deposits/alluvium. These surface soils are typically underlain by the Bay Point Formation and at depth, by the San Diego Formation. Groundwater within the Bayfront is expected from 2 to 15 feet below existing surface grades.

The Bayfront area is subject to settlement hazards attributable to the presence of relatively shallow surficial deposits of soft compressible bay deposits/alluvium, minor to moderate thicknesses of fill soils, and topsoils. The bay deposits/alluvium consist of an organic sandy silt to silty clay that is typically loose and not suitable for structural support. In addition, minor to moderate thicknesses of fill soils are present and, due to the age of the materials, it is considered unlikely that information on the compaction of fill materials is unavailable. Uncompacted fill material that may shift and settle and is not suitable for structural support. Topsoil was also identified on-site and is not considered suitable for support of structural fill, buildings, or other improvements. All of these existing conditions contribute to settlement hazards within the Bayfront and indicate the need for further site-specific geotechnical investigations for proposed developments.

Deleted: Surface and sub-surface conditions vary throughout the Bayfront. Portions of the site consist of original dry uplands. Within these areas, no difficult or unusual land development problems are anticipated for standard building construction. However, in the balance of the area, settlement hazards exist.¶

¶ The settlement hazards are attributable to the presence of relatively shall surficial deposits of soft compressible bay mud throughout the historic marsh lands and the tidal flats, as well as in deeper water areas. This mud, an organic silty clay, has an almost liquid consistency and makes a poor foundation material. It tends to ooze out from beneath heavy loads, or when confined, to compress over a period of years under the weight of fill or structures. Within the study area, the thickness of this mud layer is typically between 5 and 10 feet, but it can be found in thickness of up to 20 feet. There appears little correlation between mud thickness and distance from shoreline. Mud thickness of 8 feet are common one mile from shore, while deposits up to 17 feet thick were found in the filled Chula Vista Marina area. Mud thickness tends to be highly variable near the shoreline. This fact makes near shore land development particularly difficult since the irregular settlement associated with such deposits is detrimental to structures and utilities. ¶

¶ Two major faults have been mapped near the Chula Vista waterfront area: the north-northwest trending Rose Canyon/San Diego Bay/Tijuana fault, and the east-west Otay fault. Although the exact trace of each is not known, the San Diego Bay/Tijuana fault alignment is probably situated approximately in the center of the Bay, about one-half mile west of the Chula Vista waterfront. The Otay fault is thought to underlie alluvial fill in the Otay River valley approximately three miles south of the Chula Vista waterfront. There is no evidence that indicates the San Diego Bay/Tijuana fault system is presently active, although it has apparently undergone repeated movements within the last 100,000 years. While there is little reason to expect additional movements along this fault within the usual economic life of most engineering projects (50 to 100 years), the possibility of renewed activity cannot be disregarded in evaluating the safety critical structures such as power... [11]



The Bayfront area is considered to be a seismically active area, as is much of southern California. The Bayfront is not underlain by any known active or potentially active fault nor is the site located within a State of California Earthquake Fault (Alquist-Priolo) Zone. However, one major fault has been mapped near the Chula Vista coastal zone: the north-northwest-trending Rose Canyon fault. Strands of the Rose Canyon fault have been mapped approximately 0.5 to 2 miles west of the Bayfront. While there is no active fault underlying the Bayfront, segments of the Rose Canyon fault are considered active and the possibility of seismic activity cannot be disregarded in evaluating the safety of critical structures such as power plants, public assembly buildings, etc. The probable effect of renewed activity along the Rose Canyon, or other nearby faults would be moderate to severe ground shaking, with surface rupture in the LCP Planning Area unlikely.

The planning implications of these soils and geologic conditions relate to public safety and the economics of development. There is the possibility of soil liquefaction during a severe earthquake. This is of special concern in tideland areas reclaimed by hydraulically-placed fills. The potential for liquefaction and seismically induced settling within the Bayfront is considered to be moderate to high. A detailed evaluation of liquefaction should be made for any future major Bayfront engineering project.

Utility and Roadway Improvements

The northern portion of the Chula Vista Bayfront (north of "F" Street) is primarily vacant at this time. Utilities have been stubbed to the boundaries of the site and a major sewer line passes along the eastern edge of the property. Most of the utility lines are at the edge of a utility district and lack a complete network to provide sewer and water service to initial projects without looping utilities or building off-site improvements.

Marina Parkway has been constructed from "J" Street at I-5 westerly and northerly to the north end of ~~Rehr Industries~~ the Goodrich parcel (at the prolongation of "G" Street). The majority of that street, together with the Chula Vista Marina and RV Park, are on ~~Unified Port District property~~ within Port jurisdiction. Existing streets and utility systems provide service to the southern portions and inland parcel of the Bayfront.

~~The project is served water by~~ The Sweetwater Authority, which obtains water from local reservoirs and purchases from the San Diego County Water Authority (SDCWA), provides water to the Bayfront area. The Metropolitan Water District of Southern California furnishes water to the SDCWA via aqueducts, including a 69-inch pipeline that Sweetwater Authority taps near the Sweetwater Reservoir 7 miles east of the project area.

The Metropolitan Sewerage System of San Diego (Metro System), of which Chula Vista is a member agency, serves the City via a 78-inch-diameter trunk sewer, which lies easterly of the on-site railroad line and drains northerly to the Point Loma Sewage Treatment Plant.

2. Utility Service **Objective/Policies**

Objective US.1 ~~Provide adequate sizing of utility lines to assure~~ Utility lines should be adequately sized to ensure sufficient capacity for the most intensive uses allowed by this Plan.

Policy US.1.A The schematic water, drainage, and sewer systems to serve the proposed development are depicted in Exhibit ~~8~~ 11, Utility Systems Map.

Policy US.1.B The basic water service for the area shall be water mains located in all streets within the Bayfront. Connections to the existing system will occur in "E" Street/ ~~Marina Parkway~~, "F" Street/ ~~Lagoon Drive~~, "G" Street, "H" Street, "I" Street, "J" Street, and "Moss" Street. Water main sizes will be determined through detailed engineering

Deleted: Future improvements to the regional system may include a pump station at the northeastern edge of the Midbayfront. ¶

studies for the proposed new development. Static water pressure within the system shall be maintained to the satisfaction of the Water District and Fire Marshall. A water main in "G" Street connects the lines in Bay Boulevard and Marina Parkway. This pipeline is necessary to maintain a looped system for development of the project. An easement for pipeline operation should be maintained even though the area may be fenced by or conveyed to ~~Rohr Inc.~~ Goodrich.

Policy US.1.C Phased development may require off-site pipeline construction, especially in industrial areas, to maintain adequate pressure and fire flows. The major factor in sizing pipelines shall be fire flows, especially commercial or industrial buildings.

Deleted: Policy US.1.D . Sewers in the Midbayfront development area shall drain to an existing manhole north of Marian Parkway where sewage metering facilities would be constructed.

3. Areawide Grading Objective/Policies

Objective GR.1 Protect existing natural resources from any significant adverse impacts during grading and construction.

Policy GR.1.A Special care shall be taken in development proposals adjacent to wetland habitat to avoid or minimize problems of silting and oil or chemical leakage.

Deleted: . A major siltation basin shall be built in the Midbayfront to accept surface drainage and provide for desilting during and after construction of development projects and for oil and chemical entrapment.

Policy GR.1.B All grading and stockpiling of earthen materials ~~is prohibited between November 1 and March 31, except where proposed land development meets the requirements of section V.J.2 of the Bayfront Specific Plan.~~ shall be subject to standard practice and storm water runoff best management practices (BMPs). Grading from April 1 through October 31 shall be subject to standard practice.

Policy GR.1.C All grading shall comply with the environmental protection policies of the Environmental Management section.

Policy GR.1.D All development proposals shall demonstrate that proposed improvements are located outside of the 100 year frequency storm flood hazard zone.

Deleted: Refer to the two background documents referenced in Section III-E, Environmental Management, Background/Existing Conditions, herein, which provide relevant information for the design and evaluation of grading in the Midbayfront.

4. Utility and Grading Design Objective/Policies

~~*Objective GD.1 Provide for an adequate on-site storm drainage system to preclude storm water runoff development from . An adequate on-site storm drainage system should be provided to preclude development's storm water runoff from draining directly into wetland habitat or San Diego Bay without adequate filtering of sediments and/or pollutants. The import of soil should be minimized to the maximum extent practicable for the protection of developable areas from flooding during the 100-year design storm.*~~

Policy GD.1.A Design to accommodate drainage of storm flows shall consider the elevation of highest high tide and require gravity pipe or street flow to the satisfaction of the City Engineer.

Policy GD.1.B ~~Because all drainage in the Chula Vista bayfront will drain~~ Drainage in the Chula Vista Bayfront area that drains directly to sensitive marsh habitat areas requires special

design criteria, including filtration of oils and sediments, ~~shall be required~~ to reduce problems of silting and oil or chemicals entering wetlands in storm water runoff.

Policy GD.1.C Development within the Bayfront shall comply with all applicable regulations and guidelines established by the Environmental Protection Agency as set forth in the National Pollutant Discharge Elimination System (NPDES) permit requirements for storm water discharges and in the Chula Vista Multiple Species Conservation Program (MSCP) Subarea Plan, as required by the City.

~~Objective GD.2 Minimize the import of soil to that necessary for the protection of developable areas from flooding during the 100-year design storm.~~

~~Policy GD.1.D~~ Habitable areas shall be located above the 100-year flood level (approximately elevation 10), as required by the City's Floodplain Ordinance and above the highest high tide level ~~and above higher high tide level~~. Sufficient cover to prevent flooding of underground utility systems during concurrent storm and high-tide events shall also be provided. Excavation of underground parking or other subterranean structures shall provide fill material for other components of the project. Any additional fill shall be minimized ~~to that required to meet flooding protection requirements~~.

Deleted: Policy GD.2.A

~~Policy GD.1.E~~ Water table elevations shall be carefully considered in the design of all subterranean building components and related features. Final design shall ensure that no permanent de-watering systems are required.

Deleted: Policy GD.2.A

Objective GD.2 Utilities serving the bayfront shall be undergrounded.

Policy GD.2.A The City will require undergrounding of utilities on private property and develop a priority based program of utility undergrounding along public ROWs.

ENVIRONMENTAL MANAGEMENT

1. Background/Existing Conditions

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 5 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 and Otay Districts 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 area on the Pacific Flyway for a wide variety of resident and migratory shorebirds and water fowl, as well as a fertile breeding ground for a range of aquatic and land species.

A continuing major objective of the Chula Vista LCP is the preservation, protection, and enhancement of sensitive wetlands and upland wildlife habitat resources in the Bayfront. With the 1988 establishment of the 316-acre National Wildlife Refuge, a substantial portion of this objective was achieved. Virtually all the wetlands and biologically valuable upland resources identified in the 1984 LCP are now incorporated in the National Wildlife Refuge under Federal ownership and management. Now that preservation of these resources is ensured, it is appropriate that the environmental management focus on long-term protection and enhancement. Accordingly, the primary environmental management objective of the Land Use Plan is the ongoing, long-term protection of critical natural habitat areas. In addition, a major secondary objective is the enhancement of natural resources in the Chula Vista Bayfront area, with particular emphasis on the resources in the National Wildlife Refuge. The USFWS refuge lands and other open space areas, including potentially Environmental Sensitive Habitat Areas (ESHAs) are shown in the Environmental Management Map (Exhibit 12).

Thus, the Environmental Objectives and Policies focus primarily on protection of natural resources by ensuring that development is planned and implemented in a manner that is compatible with the resources of the Wildlife Refuge. By implementing the land exchange between the Port and a private entity, future development leaving the greater intensity will be placed farther away from the National Wildlife Refuge and other land owned by the USFWS. Less intensive development will be located near USFWS lands. The lands outside of the LCP Planning Area and closest to the National Wildlife Refuge are governed by the Port Master Plan.

Deleted: of the Midbayfront (Subarea 1))

Deleted: Toward this end, the majority of the Environmental Management Policies speak to mitigation of impacts of anticipated development in the Midbayfront.



ment Objective/Policies

protection and enhancement of critical natural habitat areas should be cooperating in a multi-jurisdictional planning and implementation plan with safeguards and guarantees.

on with the Port in the development of plans and programs for areas in the Bayfront shall continue to ensure that environmental management in the Land Use Plan and Port Master Plan can be successfully

nd.

on with the USFWS shall continue for the development of plans and adjacent to the National Wildlife Refuge.

ldlife Service.

Objective EM.1 Long-term protection and enhancement of critical natural habitat areas should be provided by cooperating in a multi-jurisdictional planning and implementation plan with adequate safeguards and guarantees.

Policy EM.1.B Coordination with the USFWS shall continue for the development of plans and programs adjacent to the National Wildlife Refuge.

Policy EM.1.C Any new development within the Bayfront LCP Planning Area shall comply with all the requirements of the Clean Water Act and NPDES.

Policy EM.1.D Sensitive habitats exist in areas not delineated, including, but not limited, to Parcel Area 3-k (Faivre Street) and the "F&G" Street Marsh. All environmental resources shall be analyzed by an environmental professional, and an Environmental Management Plan shall be adopted to protect any sensitive habitats discovered prior to the commencement of any additional development. Environmental resources are depicted on Exhibit 12a Environmental Resources Map.

Deleted: To assist in the preparation and evaluation of the management plans, specified in Polices EM.1.C and EM.1.D. required herein, the following background documents are hereby referenced:¶

Final EIR Volume I & II for Midbayfront LCP Resumbittal No. 8 Amendment, adopted by the Chula Vista City Council as Resolution No. 16467, including the Mitigation Monitoring program, Exhibit B;¶

<#>Corps of Engineers Section 404
Permit No. 88-267 RH, including
thirteen special conditions;¶

<#>Chula Vista Investors' (CVI)
Proposed Mitigation Measures for
Final EIR-CVI Midbayfront
Development Plan, December 16,
1990. (Design Requirements
USFWS);¶

<#>Letter to Brooks Harper, U.S Fish & Wildlife Service, from Merjan (CVI), dated January 15, 1001;¶

<#>Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Cula Vista Inverstor, dated March 11, 1991;¶

<#>Letter to Brooks Karper, U.S. Fish & Wildlife Service, from Chula Vista Investors, dated March 22, 1991;¶

<#>Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Chula Vista Investors, dated May 8, 1991.¶

<#>Letter to Douglas D. Reid, [12]

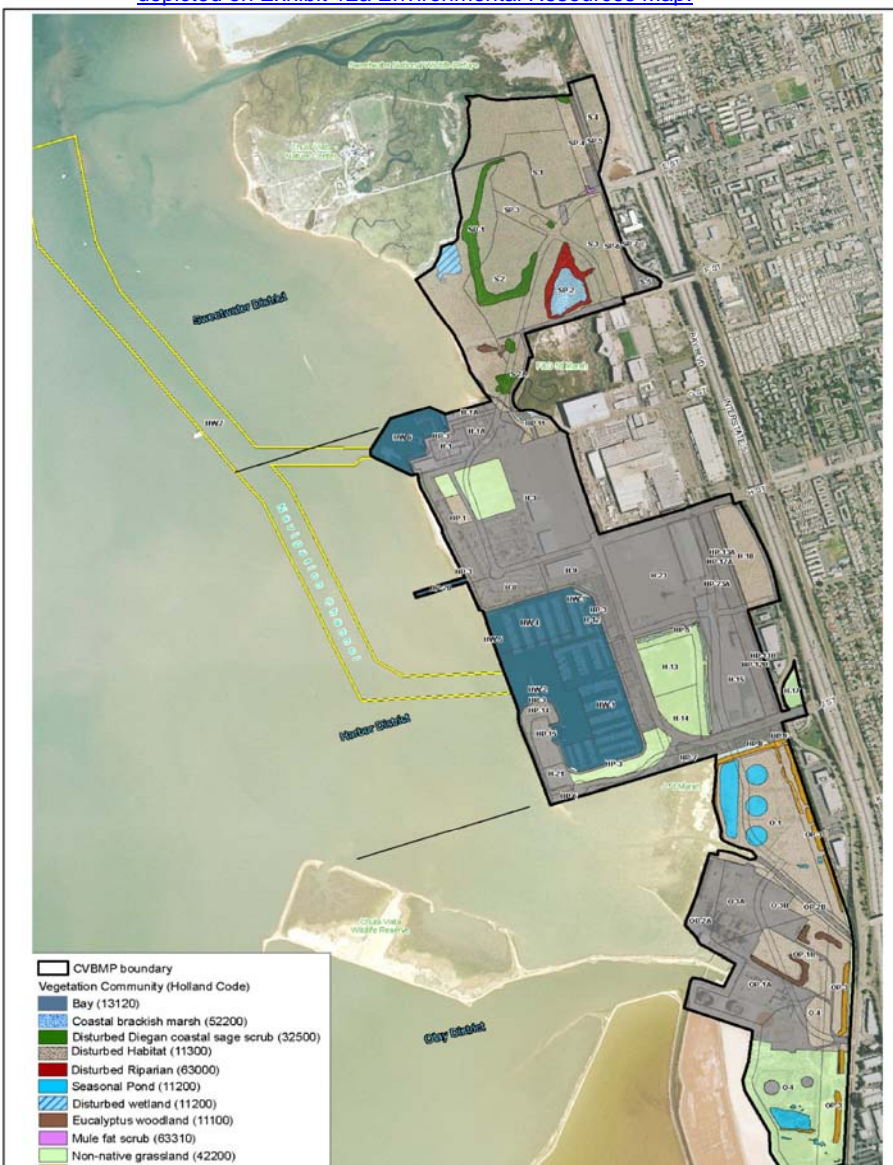
Deleted: *Provide for*

Deleted: San Diego Unified Port District

Deleted: U.S. Fish and Wildlife Service (USF&WS)

Deleted: Policy EM.1.C - Habitat Restoration and Management Plan. To ensure an orderly and efficient implementation of the various restoration and enhancement features and actions specified for the Midbayfront, a comprehensive Habitat Restoration and Management Plan shall be prepared and approved [13]

Deleted: Policy EM.1.K . Phasing of Environmental Mitigation Measures/Improvements for the Midbayfront Subarea. The preparation of management plans and the implementation of mitigation measures/- improvements shall be required prior to the issuance of the first building permit in any are [14]



Policy ~~EM.1.M~~ EM.1.E Diking, dredging, or filling of wetland areas consistent with the provisions of this environmental management plan shall be limited to the specific projects related to the creation of new or enhanced wetlands areas. Mitigation for all disturbance of wetland areas shall be provided at a ratio of 4:1 with an approved combination of creation and enhancement and for riparian resources, 3:1 replacement for impacted areas. No other diking, dredging, or filling of wetlands or other wet environmentally sensitive habitat areas shall be permitted without prior Coastal Commission approval through the LCP amendment process.

Deleted: incorporated into this plan for

Policy ~~EM.1.M~~ EM.1.F Direct impacts to wetlands from site development and/or infrastructure shall be prohibited. Potential indirect shading impacts from pedestrian/bicycle and roadway crossings to allow for necessary access shall be minimized to the greatest extent feasible.

Policy EM.1.G Buffer zones of 100 feet in width shall be maintained around all identified wetland areas with the exception of any wetlands that are adjacent to existing roadways. All buffers shall be as designated above unless the applicant demonstrates that a buffer of lesser width will protect the identified resources, based on site-specific information. Such information shall include, but is not limited to, the type and size of the development, the specific impact, and proposed mitigation (such as planting of vegetation or the construction of fencing), that will also achieve the purposes of the buffer.

Policy EM.1.H The siting and orientation of major high-rise buildings shall respect environmental issues. Such buildings shall be set back from the marsh to preclude their shadows from falling on the sensitive wetlands. In addition, they shall have non-reflective surface materials and be of muted colors.

~~Policy EM.1.N Prior to the issuance of any coastal development permits for the proposed Midbayfront development, a funding mechanism for the maintenance, improvement and continued operation of the Nature Interpretative Center incorporating a benefit assessment district of other long-term method of funding shall be implemented.~~

~~Table 3-4 Summary of Restoration/Enhancement Features and Actions for Midbayfront Area~~

3. Natural Resources Management Plan (NRMP):

In recognition of the sensitivity of the natural resources and the importance of protection, restoration, management and enforcement in protecting those resources, the Port and City shall prepare a Natural Resources Management Plan (NRMP) for the Chula Vista Bayfront. The NRMP will be designed to achieve the Management Objectives (defined below) for the Wildlife Habitat Areas. The NRMP will be an adaptive management plan, reviewed and amended as necessary by the District and City in coordination with the Wildlife Advisory Group.

Objective NR.1: A NRMP will be created and submitted to the Coastal Commission as a condition of this Plan and will meet the management objectives below.

Policy NR.1.A Taking into consideration the potential changes in functionality of Wildlife Habitat Areas due to rising sea levels, the NRMP will promote, at a minimum, the following objectives ("Management Objectives") for the Wildlife Habitat Areas:

- a) Long term protection, conservation, monitoring, and enhancement of: 1) Wetland habitat, with regard to gross acreage as well as ecosystem structure, function,

- and value; 2) Coastal sage and coastal strand vegetation; and 3) Upland natural resources for their inherent ecological values, as well as their roles as buffers to more sensitive adjacent wetlands.
- b) Upland areas in the Sweetwater and Otay Districts will be adaptively managed to provide additional habitat or protection to create appropriate transitional habitat during periods of high tide and taking into account future sea level rise.
- c) Preservation of the biological function of all Bayfront habitats serving as avifauna for breeding, wintering, and migratory rest stop uses.
- d) Protection of nesting, foraging, and rafting wildlife from disturbance.
- e) Avoidance of actions within the Chula Vista Bayfront area that would adversely impact or degrade of water quality in San Diego Bay or watershed areas or impair efforts of other entities for protection of the watershed.
- f) Maintenance and improvement of water quality where possible and coordination with other entities charged with watershed protection activities.

Policy NR.1.B In addition to the standards described above, the NRMP will include:

- a) All elements which address natural resource protection in the FEIR Mitigation Monitoring and Reporting Program ("MMRP") including but not limited to those which assign responsibility and timing for implementing mitigation measures consistent with the City's MSCP Subarea Plan;
- b) Pertinent sections of the MSCP Subarea Plan;
- c) References to existing District policies and practices, such as Predator management programs and daily trash collections with public areas and increase service during special events;
- d) Establishment of design guidelines to address adjacency impacts, such as storm water, landscape design, light and noise and objectives as discussed in this plan.
- e) Establishment of baseline conditions and management objectives; and
- f) Habitat enhancement objectives and priorities.

Poilcy NR.1.C The NRMP will be a natural resource adaptive management and monitoring plan initially prepared in consultation with the Wildlife Advisory Group and regularly reviewed and amended in further consultation with the Wildlife Advisory Group. Periodic Review will address, among other things, monitoring of impacts of development as it occurs and monitoring the efficacy of water quality improvement projects (if applicable) and management and restoration actions needed for resource protection, resource threats, management (i.e., sea-level rise, trash, window bird strikes, lighting impacts, bird flushing, water quality, fireworks, human-wildlife interface, education and interpretation programs, public access, involvement, and use plan, management of the human-wildlife interface, wildlife issues related to facilities, trails, roads, overlooks planning, and watershed coordination) and other issues affecting achievement of Management Objectives and related to Adaptive Management Review.

Objective NR.2 *Funding for the implementation of the NRMP and for the enforcement and implementation measures shall be provided by the Port and City.*

Policy NR.2.A *The Port and City will commit revenues or otherwise provide funding to joint powers authority ("JPA") formed pursuant to the California Marks-Roos Act, Articles 1, 2, 3 and 4 of Chapter 5 of Division 7 of Title 1 of the California Government Code.*

Policy NR.2.B *The Port and City will ensure the Joint Powers Authority (JPA) is specifically charged to treat the financial requirements described in this policy as priority expenditures that must be assured as project-related revenues are identified and impacts initiated. The Port and City expressly acknowledge the funding commitments contemplated herein*

will include, but not be limited to, funding for personnel and overhead or contractor(s)/consultant(s) to implement and ensure the following functions and activities:

- a) On-site management and enforcement for parks and Wildlife Habitat Areas as necessary to enforce restrictions on human and Predator access regarding Wildlife Habitat Areas;
- b) Enforcement of mitigation measures including, but not limited to, trash collection, noise restrictions, removal of invasive plants, habitat restoration, and park use restrictions;
- c) Coordination, development, implementation and evaluation of effectiveness of education and mitigation programs, including implementation of NRMP;
- d) Evaluation of effectiveness of bird strike mitigation and design measures;
- e) Water quality protections; and
- f) Coordination of injured animal rehabilitation activities.

Policy NR.2.C The initial unit sale contribution shall be directed to the JPA and placed into the community benefits fund that will be non-wasting, with interest revenues committed to the specific broad categories of: Natural Resources; Affordable Housing; Sustainability/Livability; and Community Impacts and Culture. The community benefits fund revenues shall be spent within the Chula Vista Bayfront and Western Chula Vista, subject to applicable law.

Policy NR.2.D A Bayfront Community Benefits Foundation (CBF) shall be established as a non-profit foundation. The purpose of the CBF will be to gather funds, as both endowments and operating funds, from development activity contributions within the Chula Vista Bayfront, public and private grants and gifts, and other funds as may become available; and, to distribute funds to specific public benefit projects and activities within the Chula Vista Bayfront and western Chula Vista as determined by the CBF Board of Directors within each of the following categories of activities:

- Natural Resources
- Affordable Housing
- Sustainability / Livability
- Community Impacts & Culture

Policy NR.2.E Additional funding shall be secured in an independent community foundation from the following sources:

- To support and endow the CBF, the residential developer will obligate residential homebuyers within H13 and H-14 parcels to contribute ½ of 1% of the net sale proceeds (including any loan repayments) to be distributed to such homeowner from the subsequent resale of any residential unit sold within 7-years from the date of the initial Pacifica sale of that unit other than residential units designated as affordable.
- Developer of hotel and commercial on H-15 will contribute \$2,000.00 for each hotel room developed on the H-15, with such contributions to the CBF to be made in five (5) equal annual payments commencing on the first annual anniversary date of the opening of any such hotel.

Objective NR.3 Potential sea level rise impacts due to climate change shall be considered when developing the NRMP.

Policy NR.3.A Development shall consider the potential changes in functionality of Wildlife Habitat Area due to rising sea levels and coordinate management with the Port and City Climate Mitigation and Adaptation Plans.

Policy NR.3.B Upland areas in the Sweetwater and Otay Districts will be adaptively managed to provide additional habitat or protection to create appropriate transitional habitat during periods of high tide and taking into account future sea level rise.

Objective NR.4 Designate *appropriate buffer areas and protective barriers* between developed area and wildlife areas.

Policy NR.4.A Designate “No Touch” Buffer Areas as defined and described in Exhibit 12. Such areas will contain fencing designed specifically to limit the movement of domesticated, feral, and nuisance predators (e.g. dogs, cats, skunks, opossums and other small terrestrial animals [collectively, “Predators”]) and humans between developed park and No Touch Buffer Areas and Wildlife Habitat Areas. The fence will be a minimum 6-foot high, black vinyl chain link fence or other suitable barrier (built to the specifications described in the FEIR). Fence design may include appropriate locked access points for maintenance and other necessary functions. Installation of the fence will include land contouring to minimize visual impacts of the fence.

Policy NR.4.B Prohibit active recreation, construction of any road (whether paved or not), within No Touch Buffer Areas and “Transition Buffer Areas” with the exception of existing or necessary access points for required maintenance.

Policy NR.4.C Protect the No Touch Buffer Areas from the impacts of the Chula Vista Bayfront project including, without limitation, fencing necessary to protect the Sweetwater Marsh and the Sweetwater parcel tidal flats

Policy NR.4.D Include additional controls and strategies restricting movement of humans and Predators into sensitive areas beyond the boundaries of the designated Buffer Areas.

Policy NR.4.E Require the Recreational Vehicle Park to install fencing or other barriers sufficient to prevent passage of predators and humans into sensitive adjacent habitat.

Policy NR.4.F Require all dogs to be leashed in all areas of the Chula Vista Bayfront at all times except in any designated and controlled off-leash areas.

Policy NR.4.G Impose and enforce restrictions on all residential development to keep cats and dogs indoors or on leashes at all times. Residential developments will be required to provide education to owners and/or renters regarding the rules and restrictions regarding the keeping of pets.

Policy NR.4.H Habitat buffers shall include a 400-foot combined buffer in the Sweetwater District.

Objective NR.5 Design lighting such that it minimizes negative impacts on wildlife.

Policy NR.5.A All roadways will be designed, and where necessary edges bermed, to ensure penetration of automobile lights in the Wildlife Habitat Areas will be minimized subject to applicable City and Port roadway design standards.

Policy NR.5.B Explicit lighting requirements to minimize impacts to Wildlife Habitat Areas will be devised and implemented for all Bayfront uses including commercial, residential, municipal, streets, recreational, and parking lots. Beacon and exterior flood lights are

prohibited where they would impact a Wildlife Habitat Area and use of this lighting should be minimized throughout the project.

Policy NR.5.C All street and walkway lighting should be shielded to minimize sky glow.

Policy NR.5.D To the maximum extent feasible, all external lighting will be designed to minimize any impact on Wildlife Habitat Areas, and operations and maintenance will be devised to ensure appropriate long-term education and control of light impacts. To the maximum extent feasible, ambient light impacts to the Sweetwater or J Street Marshes will be minimized.

Policy NR.5.E Sweetwater and Otay District parks will open and close in accordance with District Park Regulations.

Policy NR.5.F Laser light shows will be prohibited.

Policy NR.5.G Construction lighting will be controlled to minimize Wildlife Habitat Areas impacts.

Policy NR.5.H In Sweetwater and Otay District parks, lighting will be limited to that which is necessary for security purposes. Security lighting will be strictly limited to that required by applicable law enforcement. All lighting proposed for the Sweetwater and Otay District parks and the shoreline promenade will be placed only where needed for human safety. Lights will be placed on low-standing bollards, shielded, and flat bottomed, so the illumination is directed downward onto the walkway and does not scatter. Lighting that emits only a low-range yellow light will be used to minimize ecological disruption. No night lighting for active sports facilities will be allowed.

Objective NR.6 Limit noise impacts on wildlife.

Policy NR.6.A Construction noise shall be controlled to minimize impact to Wildlife Habitat Areas.

Policy NR.6.B A maximum of three (3) fireworks events per year can be held, all outside of Least Tern nesting season except 4th of July, which may be allowed if in full regulatory compliance and if the nesting colonies are monitored during the event and any impacts reported to the South Bay Wildlife Advisory Group so they can be addressed. All shows must comply with all applicable water quality and species protection regulations. All shows must be consistent with policies, goals, and objectives in NRMP.

Objective: NR.7 Develop and implement an environmental education program to educate residents, visitors, tenants and workers about the natural condition of the Bay, the ecological importance of the Chula Vista Bayfront area and the public's role in the restoration and protection of wildlife resources of the Bay.

Policy NR.7.A The program must continue for the duration of the Chula Vista Bayfront project and must target both residential and commercial uses as well as park visitors.

Policy NR.7.B The environmental education program will include educational signage, regular seminars and interpretive walks on the natural history and resources of the area, regular stewardship events for volunteers (shoreline and beach cleanups, exotic plant removal, etc.).

Policy NR.7.C The environmental education program will include adequate annual funding for personnel or contractor/consultant and overhead to ensure implementation of the following functions and activities in collaboration with the Chula Vista Nature Center or USFWS:

- Coordination of volunteer programs and events;
- Coordination of Interpretive and educational programs;
- Coordination of tenant, resident and visitor educational programs;
- Docent educational; and
- Enhancements and restoration events.

Objective NR.8 Implement design and maintenance strategies for predator management control

Policy NR.8.A Walkways, paths, and overlooks near Wildlife Habitat Areas outside of the No Touch Buffer Areas will be designed in accordance with the following:

- Alignment, design, and general construction plans of walkways and overlooks will be developed to minimize potential impacts to Wildlife Habitat Areas.
- Path routes will be sited with appropriate setbacks from Wildlife Habitat Areas.
- Paths running parallel to shore or marsh areas that will cause or contribute to bird flushing will be minimized throughout the Chula Vista Bayfront.
- Walkways and overlooks will be designed to minimize and eliminate, where possible, perching opportunities for raptors and shelter for skunks, opossums or other Predators.
- Walkways and overlooks that approach sensitive areas must be blinded, raised, or otherwise screened so that birds are not flushed or frightened. In general, walkway and overlook designs will minimize visual impacts on the Wildlife Habitat Areas of people on the walkways.

Policy NR.8.B The NRMP will include provisions designed to manage Predator impacts on Wildlife Habitat Areas which will include and comply with the following:

- Year-round, funded Predator management will be implemented for the life of the Chula Vista Bayfront project with clearly delineated roles and responsibilities for the District, City and Resource Agencies. The primary objective of such provisions will be to adequately protect terns, rails, plovers, shorebirds, over-wintering species, and other species of high management priority as determined by the Resource Agencies.
- Predator management will include regular foot patrols and utilize tracking techniques to find and remove domestic or feral animals.
- Predator attraction and trash management shall be addressed for all areas of the Chula Vista Bayfront project by identifying clear management measures and restrictions. Examples of the foregoing include design of trash containers, including those in park areas and commercial dumpsters, to be covered and self-closing at all times, design of containment systems to prevent access by sea gulls, rats, crows, pigeons, skunks, opossums, raccoons, and similar animals and adequate and frequent servicing of trash receptacles.
- All buildings, signage, walkways, overlooks, light standards, roofs, balconies, ledges, and other structures that could provide line of sight views of Wildlife

Habitat Areas will be designed in a manner to discourage their use as raptor perches or nests.

Objective NR.9 *Implement measures to limit urban runoff from development into wildlife areas.*

Policy NR.9.A Vegetation-based storm water treatment facilities, such as natural berms, swales, and detention areas are appropriate uses for Buffer Areas so long as they are designed using native plant species and serve dual functions as habitat areas. Provisions for access for non-destructive maintenance and removal of litter and excess sediment will be integrated into these facilities. In areas that provide for the natural treatment of runoff, cattails, bulrush, mulefat, willow, and the like are permissible.

Policy NR.9.B Storm water and non-point source urban runoff into Wildlife Habitat Areas must be monitored and managed so as to prevent unwanted ecotype conversion or weed invasion. A plan to address the occurrence of any erosion or type conversion will be developed and implemented, if necessary. Monitoring will include an assessment of stream bed scouring and habitat degradation, sediment accumulation, shoreline erosion and stream bed widening, loss of aquatic species, and decreased base flow.

Policy NR.9.C The use of persistent pesticides or fertilizers in landscaping that drains into Wildlife Habitat Areas is prohibited.

Policy NR.9.D Integrated Pest Management must be used in all outdoor, public, buffer, habitat, and park areas.

Policy NR.9.E Fine trash filters are required for all storm drain pipes that discharge toward Wildlife Habitat Areas.

Policy NR.9.G In order to ensure that sensitive resources are protected from adjacent development, fencing shall be required for the 100-foot buffer on the north side of parcel 1-a prior to any physical alterations of the site. In addition, at the time project specific development is proposed on parcels 1-a shading impacts, appropriate setbacks, step backs, and/or height reductions, will be analyzed as part of the necessary subsequent environmental review for those projects.

Objective NR.10 *Form a South Bay Wildlife Advisory Group to advise the Port District and City on the creation and implementation of the NRMP, restoration plans and management issues.*

Policy NR.10.A A South Bay Wildlife Advisory Group ("Wildlife Advisory Group") will be formed to advise the District and City in the creation of the NRMP, cooperative management agreements, Adaptive Management Review and any related wildlife management and restoration plans or prioritizations. The Wildlife Advisory Group will also address management issues and options for resolution. The Wildlife Advisory Group will initiate and support funding requests to the District and City, identify priorities for use of these funds and engage in partnering, education, and volunteerism to support the development of the Chula Vista Bayfront in a manner that effectively protects and enhances the fish, wildlife, and habitats of the area and educates and engages the public. The Wildlife Advisory Group will meet as needed, but at a minimum of every six (6) months for the first ten (10) years and annually thereafter.

Policy NR.10.B The Wildlife Advisory Group will meet to: (i) determine the effectiveness of the NRMP in achieving the Management Objectives; (ii) identify any changes or adjustments to the NRMP required to better achieve the Management Objectives; (iii) identify any changes or adjustments to the NRMP required to respond to changes in the man-made and natural environments that are affecting or, with the passage of time may affect, the effectiveness of the NRMP in achieving the Management Objectives; and (iv) review priorities relative to available funding. At its periodic meetings, the Wildlife Advisory Group may also consider and make recommendations regarding (a) implementation of the NRMP as needed, (b) Adaptive Management Review and (c) NRMP Amendments.

Policy NR.10.C The Wildlife Advisory Group will advise the JPA on expenditure of the Community Benefits Fund consistent with this plan subject to applicable law. Written recommendations from the Wildlife Advisory Group will be forwarded to the District and City for consideration on key decisions as the build-out of the Chula Vista Bayfront project occurs.

Objective NR.11 Prior to issuance of any building permits, building plans shall be reviewed by a qualified biologist retained by the developer and approved by the Port or the City, to verify that the proposed building has incorporated specific design features to avoid or to reduce the potential for bird strikes.

Policy NR.11.A The following lighting design guidelines shall be followed in order to prevent bird strikes:

- No solid red or pulsating red lights shall be installed on or near the building unless required by the Federal Aviation Administration (FAA).
- Where lighting must be used for safety reasons (FAA 2000 Advisory Circular), minimum intensity, maximum off-phased (3 seconds between flashes) white strobes shall be used.
- No solid spot lights or intense bright lights shall be used during bird migration periods in the spring (from March to May) and Fall (from August to October). All event lighting shall be directed downward and shielded, unless such directed and shielded minimized light spills beyond the area for which illumination is required.
- Exterior lighting shall be limited to that which is necessary and appropriate to ensure general public safety and way finding, including signage for building identification and way finding.
- Exterior lighting shall be directed downward and shielded to prevent upward lighting and to minimize light spill beyond the area for which illumination is required.
- Office space, residential units, and hotel rooms shall be equipped with motion sensors, timers, or other lighting control systems to ensure that lighting is extinguished when the space is unoccupied.
- Office space, residential units, and hotel rooms shall be equipped with blinds, drapes, or other window coverings that may be closed to minimize the effects of interior night lighting.

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Policy NR.11.B The following guidelines should be followed when designing glass and reflective surfaces in the Bayfront Development.

- Use of reflective coatings on any glass surface is prohibited.

- Buildings shall incorporate measures to the satisfaction of the Port or the City to indicate to birds that the glass surface is solid by creating visual markers and muting reflection.
- Project design standards will encourage window stencilling and angling.

These measures may include but are not limited to the following:

- Glass surfaces which are non-reflective
- Glass surfaces which are tilted at a downward angle
- Glass surfaces which use fritted or patterned glass
- Glass surfaces which use vertical or horizontal mullions or other fenestration patterns
- Glass surfaces which are fitted with screening, decorative grills, or louvers
- Glass surfaces which use awnings, overhangs, bris sole, or other exterior sun-shading devices
- Glass surfaces which use external films or coatings perceivable by birds
- Artwork, drapery, banners, and wall coverings that counter the reflection of glass surfaces or block "see through" pathways.

Policy NR.11.C Buildings heights, massing and set-backs shall be designed to minimize bird strikes.

- Structure design will include secondary and tertiary setbacks and, to the maximum extent possible, stepped back building design, protruding balconies, recessed windows, and mullioned glazing systems, shall be incorporated to the extent feasible. Balconies and other elements will step back from the water's edge.
- Design features that increase the potential for bird strikes, such as walkways constructed of clear glass and "see through" pathways through lobbies, rooms and corridors, shall be avoided to the extent feasible.
- Buildings shall be sited and designed to minimize glass and windows facing Wildlife Habitat Areas to the maximum extent possible.
- Parcels containing surface parking, such as those depicted for the Sweetwater District, will be designed with parking lots located nearer to the Wildlife Habitat Areas. Site plans on parcels adjacent to Wildlife Habitat Areas will maximize distance between structures and such areas.

Policy NR.11.D Landscaping shall be designed to minimize bird strikes on surrounding buildings.

- Exterior trees and landscaping shall be located and glass surfaces shall incorporate measures so that exterior trees and landscaping are not reflected on building surfaces.
- In small exterior courtyards and recessed areas, the building's edge shall be clearly defined with opaque materials and non-reflective glass.
- Interior plants shall be located a minimum of 10 feet away from glass surfaces to avoid or reduce the potential for attracting birds.

Policy NR.11.E Owners and operators of buildings will conduct ongoing public education programs to ensure that bird-strike avoidance policies are followed by building users.

- The owner or operator of each building shall implement an ongoing procedure to the satisfaction of the Port or the City to encourage tenants, residents, and guests to close their blinds, drapes, or other window coverings to reduce or avoid the potential for bird strikes.

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- The owner or operator of each building shall enroll in the Fatal Light Awareness Program's "Bird-Friendly Building Program" and shall implement ongoing tenant, resident, and guest education strategies, to the satisfaction of the Port or the City, to reduce or avoid the potential for bird strikes, such as elevator and lobby signage and educational displays, e-mail alerts and other bulletins during spring and fall migratory seasons, and other activities designed to enlist cooperation in reducing bird collisions with the building.

Policy NR.11.F Project applicants shall develop a bird strike monitoring program for their proposed projects. For Phase I projects, the project applicant shall retain a qualified biologist to design a protocol and schedule, in consultation with the U.S. Department of Fish and Wildlife and subject to the approval of the Port or City, as appropriate depending on jurisdiction, to monitor bird strikes which may occur during the first 12 months after the completion of construction. Within 60 days after completion of the monitoring period, the qualified biologist shall submit a written report to the Port or the City, which shall state the biologist's findings and recommendations regarding any bird strikes that occurred. Based on the findings of those reports, the Port or the City, as appropriate depending on jurisdiction, in coordination with the U.S. Department of Fish and Wildlife, will evaluate whether further action is required, which may include further monitoring.

Policy NR.11.G Bird strikes must be monitored and measures developed to address persistent problem areas in accordance with the Natural Resources Management Plan (NRMP). Nighttime lighting in tower buildings must be addressed and evaluated through adaptive management such that impacts on birds are avoided or minimized. Minimization of impacts of buildings on birds and the Wildlife Habitat Areas will be a priority in the selection of window coverings, glass color, other exterior materials, and design of exterior lighting and lighting of signs.

TABLE 3-4

SUMMARY OF RESTORATION/ENHANCEMENT FEATURES
AND ACTIONS FOR MIDBAYFRONT AREA

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<u>Habitat Restoration (New)</u>	<u>Approximate Area (acres)</u>
<u>Wetland</u>	
1) Freshwater Marsh	3.5
2) Salt Marsh (expansion)	2.3
3) Salt Marsh (extension)	2.0
4) Salt Marsh at "D" Street Fill	15.0
5) Fresh Water Marsh on Gunpowder Point	2.0
6) Salt Marsh at Bay Margin	3.0
<u>Upland</u>	
7) Coastal Sage Scrub	
a) Perimeter screening	2.0
b) Berm	
<u>Habitat Enhancement (Upgrade)</u>	
<u>Wetland</u>	
8) Salt Marsh (high)	0.5
<u>Upland</u>	
9) Coastal Sage Scrub	0.5
<u>Water Quality Enhancement</u>	
10) Desilting Basin	
11) Improved Tidal Flushing - (3 x 48 inch diameter culverts)	
<u>Other Enhancement</u>	
12) Access Control	
13) Visual Screening	
14) Bridge structure to provide underpass for Fauna	
15) New Coastal sage scrub/succulent scrub habitat in primary buffer zone.	8.5

NOTE: For location and supplemental information regarding "F-G" Street Marsh restoration, see Exhibit 10, page III-____.

IV. SUBAREA DEVELOPMENT OBJECTIVES AND POLICIES

In addition to the areawide objectives and plan provisions, this Land Use Plan provides site-specific development and design provisions that are unique to each of the ~~eight~~ three individual subareas within the local coastal zone. A summary of the subareas and land uses identified within each subarea is provided in Table 4-1.

Table 4-1 Subarea Zoning Types

<u>Subarea</u>	<u>Zoning</u>
<u>Subarea 1: Sweetwater District</u>	<u>Commercial – Visitor (C-V)</u>
	<u>Commercial – Thoroughfare (C-T)</u>
	<u>Parks and Recreation (P-R)</u>
	<u>Open Space (O-S)</u>
	<u>Industrial – General (I-G)</u>
<u>Subarea 2: Harbor District</u>	<u>Commercial – Visitor (C-V)</u>
	<u>Commercial – Professional and Administrative (C-P)</u>
	<u>Industrial – General (I-G)</u>
	<u>Industrial – Research and Limited (I-RL)</u>
	<u>Residential – Mixed Harbor District (R-MH)</u>
	<u>Public/Quasi - Public (P-Q)</u>
<u>Subarea 3: Otay District</u>	<u>Open Space (O-S)</u>
	<u>Commercial – Visitor (C-V)</u>
	<u>Industrial – General (I-G)</u>
	<u>Industrial – Research and Limited (I-RL)</u>
	<u>Industrial – Limited (I-L)</u>

This subarea component of the Land Use Plan focuses the areawide policies on the unique characteristics and needs of each planning subarea and provides greater policy detail for site-specific development issues, where applicable. Some of the development issues may not have Subarea specific conditions and would therefore be guided by the areawide objectives and policies.

Deleted: <#>Subarea 1- Midbayfront¶
¶ In this section, objectives and policies are arranged under the same five issue categories: Land Use Intensity, Circulation and Public Access, Physical Form and Appearance, Utilities and Areawide Grading ... [15]

Deleted: Along Marina Parkway with Type 2 on both sides of the street¶
¶ ... [16]

Deleted: Objective S1.E
Encourage high quality and well integrated mixed-use develop ... [17]

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Policy S1.E.4 . Marina Parkway shall be identified with formal street ... [18]

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Deleted: Policy S1.E.5 . Landscaping shall provide visual connections which relat ... [19]

Deleted: Objective S1.H . Preserve important existing views and create enhanced views with develop ... [20]

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Policy S1.H.1 . . At the "E" Street gateway, a termination view to ... [21]

Deleted: Objective S1.I . Locate buildings in a manner which enhances views and minimize ... [22]

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Deleted: Colors – Coloration of the Midbayfront shall be perceived as a single thematic impression ma ... [23]

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5. Utilities and Grading Objectives/Policies¶ ... [24]

Deleted: Policy S1.L.2 . The siting and orientation of major high-rise buildings shall respect environ ... [25]

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B. Subarea 2 – Industrial Area ... [26]

Deleted: C. Special Subarea Conditions¶
¶ ... [27]

Deleted: Objective S6.A . Improve the appearance of the current uses and establish a land use desig ... [28]

Deleted: ¶
Policy S6.A.2 . On an interim basis, the County zoning regulations ... [29]

Deleted: Policy S6.A.1 . All development proposals shall demonstrate that proposed ... [30]

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F. Subarea 6 – Palomar Bay/Boulevard Reorganization ... [31]

The three subareas are addressed below in two sections. The first section is the Special Subarea Conditions and the following section is the Subarea Objective/Policies discussion. The first section provides a general description of existing Subarea conditions. The second section provides basic objectives as well as specific policy provisions used to guide development and resource enhancement within each Subarea of the Chula Vista Bayfront area. Within the three subarea discussions, the objectives and policies consist of the same five issue categories addressed in the Areawide Section (Section III) of the Land Use Plan. The five issue categories are Land Use; Circulation, Public Access, and Parking; Physical Form and Appearance; Utilities and Areawide Grading; and Environmental Management.

A. SUBAREA 1 – SWEETWATER DISTRICT

1. Special Subarea Conditions

Subarea 1, Sweetwater District covers approximately 369 acres of land, plus 39 acres of land covered by the northern inland parcel. The majority of the land within this subarea is owned by the Federal Government and is operated by the USFWS as the Sweetwater Marsh National Wildlife Refuge. USFWS lands include approximately 316 acres of important salt marsh and coastal uplands wildlife habitat within the LCP Planning Area (Sweetwater and F&G Street Marshes). Government ownership ensures that any development under that ownership will be consistent with Federal environmental protection laws.

The remainder of the ownerships in this subarea, within the LCP Planning Area, consists of SDG&E, San Diego and Arizona Eastern Railway Company, and Union Pacific Railroad Company easements; a City of Chula Vista parcel; and four parcels located along the eastern edge of the Sweetwater District that are owned by CVAFG LLC, Good Nite Inn Chula Vista Incorporated, El Torito Restaurants Incorporated, and Bay Boulevard Associates LLC, respectively. Two parcels in the Sweetwater District (inland parcel) are also owned by private entities including Wal Mart and Best Buy, as well as other various industrial owners. The remaining six Sweetwater District parcels were previously owned by a private entity but were transferred to the Port as part of the land exchange, which is addressed in the land exchange parcels discussion under Subarea 2, and as such are governed by the provisions set forth in the Port Master Plan.

The primary use of the Sweetwater Subarea parcels within the LCP Planning Area, but outside of the Sweetwater Marsh National Wildlife Refuge, is commercial and industrial (inland parcel), including a small motel, restaurants, an office building Wal Mart, Best Buy and other industrial uses.

2. Subarea Objective/Policies

Land Use

Objective SA1.LU.1 Implement the land exchange to minimize impact to environmentally sensitive lands from potential development adjacent to the Sweetwater Marsh National Wildlife Refuge and place more intensive development on less environmentally sensitive lands in Subarea 2. Development of parcels under Port jurisdiction in the Sweetwater District is governed by the provisions of the Port Master Plan.

Policy SA1.LU.1.A Development intensity within this area is determined by building heights and site development standards. Development in this area shall be coordinated with the Port and other regulatory agencies.

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Circulation, Public Access, and Parking

Areawide policies apply. No additional subarea specific policies have been identified.

Physical Form and Appearance

Objective SA1.PF.1 Maximize the sense of arrival to the Bayfront via the “E” Street entry and provide clearly identifiable gateways to the Bayfront.

Policy SA1.PF.1.A Provide a clearly identifiable gateway to the Bayfront at the intersection of Bay Boulevard and "E" Street concurrent with the development occurring between "C" and "F" Streets.

Policy SA1.PF.1.B The Bay Boulevard and "E" Street entry shall be a primary northern entry into the Bayfront. This gateway shall provide a memorable image of the Bayfront. Landscape framing and architectural elements flanking the entry must reflect the importance of this entrance.

Policy SA1.PF.1.C A canopy of trees shall be provided along both sides of Bay Boulevard at the Southbound I-5 off-ramp to "E" Street/Bay Boulevard. The "E" Street/Bay Boulevard intersection shall be enhanced with landscaping, signage, lighting, paving, and other features, which will identify it as a northern pedestrian, vehicular, and bicycle gateway to the Bayfront.

Utilities and Areawide Grading

Areawide policies apply. No additional subarea specific policies have been identified.

Environmental Management

Objective SA1.EM.1 Protect, maintain, and enhance wildlife habitat within the Sweetwater Marsh National Wildlife Refuge while allowing public enjoyment of coastal resources.

Policy SA1.EM.1 The environmental management policies established in this Land Use Plan, and in the future Natural Resources Management Plan, which protect and enhance the wetlands and habitat areas, shall be implemented to ensure that any development permitted on adjacent parcels will be consistent with the needs of the adjacent National Wildlife Refuge.

Park Development

Objective SA1.P.1 Ensure strong pedestrian access to parks in the Sweetwater Subarea and between these parks and other areas of the bayfront.

Policy SA1.P.1.A The concept approval for the Signature Park will include a refined plan to address the linkage between parks over the F and G Street channel. The design will ensure that the linkage between the two areas of the Signature Park is easily accessed, obvious, and allows visitors to flow naturally and safely between the two areas of the park. A pedestrian bridge will be evaluated and, if necessary, a supplemental environmental review will be performed to address any necessary issues prior to the concept approval being forwarded to the Board of Port Commissioners.

Policy SA1.P.1.B Create a meandering pedestrian trail constructed of natural material that is easily maintained and interwoven throughout the Signature Park.

Policy SA1.P.1.C Create, as part of the E Street Extension, a pedestrian pathway/bridge to provide a safe route for pedestrians to walk and to transition from the Sweetwater District to the Harbor Park Shoreline Promenade and park in the Harbor District.

Policy SA1.P.1.D Segregate pedestrian and bike trails where feasible.

Policy SA1.PD.1.E Provide a meandering public trail along the entire length of the Bayfront. Leave unpaved the meandering trail within the Sweetwater Park and adjacent to Buffer Areas

Objective SA1.P.2 Sweetwater District Public Parks should be designed to minimize impacts on adjacent wildlife areas.

Policy SA1.P.2.A The parks will be Passive in nature and encourage Passive recreation, be low-impact and contain minimal permanent structures. Structures will be limited to single-story heights and will be limited in function to restrooms, picnic tables, shade structures and overlooks. The term "Passive" will mean that which emphasizes the open-space aspect of a park and which involves a low level of development, including picnic areas and trails. In contrast, active recreation is that which requires intensive development and includes programmable elements that involve cooperative or team activity, including, ball fields and skate parks.

Policy SA1.P.2.B The parks will be constructed using low water-use ground cover alternatives where possible.

Policy SA1.P.2.C Pedestrian and bike trails will be segregated where feasible. A meandering public trail will be provided along the entire length of the Bayfront. The meandering trail within the Sweetwater Park and adjacent to Buffer Areas will not be paved.

Policy SA1.P.2.D The parks will not include athletic field amenities.

Policy SA1.P.2.E No unattended food vending will be allowed.

Policy SA1.P.2.F The parks will include enforcement signage that prohibits tenants, employees, residents, or visitors from feeding or encouraging feral cat colonies and prevents feral cat drop-off or abandonment of pets; and prohibits leash free areas near buffers.

Policy SA1.P.2.G The use of amplified sound equipment will be prohibited.

Policy SA1.P.2.F Reservations for group events and activities will be prohibited.

SUBAREA 2 – HARBOR DISTRICT

1. Special Subarea Conditions

Subarea 2, Harbor District generally extends from the north side of "F" Street to the south side of "J" Street and contains approximately 195 acres of land. The primary land use in the Harbor Subarea is the Goodrich industrial and manufacturing facility. This was an existing use at the time the Chula Vista Bayfront LCP was first adopted. When the facilities were constructed, landscaping and building aesthetics were not an issue of concern. This use is anticipated to remain, and limited expansion is permitted under the provisions of this Plan. However, landscaping and other aesthetic improvements for the existing, as well as new development, is desirable. A Fire Station is planned to be built on Parcel 2g in the Harbor District.

The balance of land within the Harbor Subarea is owned by the USFWS, Foster Properties, Pacific Trust Bank, the City of Chula Vista Redevelopment Agency, the State of California, and a private entity as a result of the land exchange.

Land Exchange Parcels

The six parcels that transferred from a private entity's control and City jurisdiction to Port ownership and jurisdiction include CVBMP Parcels S-1, S-2, S-3, SP-1, SP-2, and SP-3, which are covered by the provisions of the Port Master Plan. The four parcels that transferred from Port ownership and jurisdiction to a private entity's ownership and City jurisdiction, and are covered by the provisions of this LCP, include CVBMP Parcels H-13, H-14, H-15, and HP-5.. A cross-reference of the LCP Planning Area parcel numbers and CVBMP parcel numbers is summarized below in Table 4-2 and shown in Exhibit 13. The parcels involved in the land exchange are shown in Exhibit 5.

Table 4-2 Cross-Reference of LCP Planning Area Parcel Numbers and Chula Vista Bayfront Master Plan Parcel Numbers

<u>LCP Planning Area Parcel Numbers</u>	<u>Chula Vista Bayfront Master Plan Parcel Numbers</u>
<u>1-a</u>	<u>S-4</u>
<u>1-f</u>	<u>S-5</u>
<u>2-f</u>	<u>H-13, H-14 and HP-5</u>
<u>2-h</u>	<u>H-15</u>
<u>SDG&E Easement</u>	<u>SP-4, SP-6</u>
<u>Railroad Easement</u>	<u>SP-5, SP-7</u>

Parcel Area 2-f is located just east of the Chula Vista Marina in Subarea 2 (Exhibit 7). This parcel area covers approximately 23 acres. The existing land use is entirely undeveloped. Proposed development of Parcel Area 2-f consists of mixed residential with a maximum of 1500 units and supporting ancillary retail uses up to 15,000 square feet. Residential buildings range from 4 to 19 stories and a maximum of 220 feet in height. Parcel Area 2-f zoned as R-MH will contain development blocks that will have individual building footprints and towers of varying heights. Off-street parking spaces will be provided for Parcel Area 2-f in accordance with Policy A.PK1 for residences. The required parking will be located in parking structures both below- and above-grade. The above-grade parking structures will be generally located in the center of the residential structures, generally surrounded and enclosed by the residential and ancillary retail uses in order to minimize their visibility.

Parcel Area 2-h is located directly east of Parcel Area 2-f in Subarea 2. These two parcel areas are divided by the new road, Street A. Parcel Area 2-h is approximately 10 acres. Existing land use is industrial with multiple buildings. Proposed development includes office, retail, and a hotel. This parcel area includes up to 420,000 square feet (excluding structured parking) of mixed use office and commercial/retail use, and a 250-room hotel. The hotel is a maximum of 233,000 square feet (excluding structured parking) with a maximum height of 130 feet. Parcel Area 2-h off-street parking spaces will be provided in accordance with Policy A.PK1 for hotels and professional/office space. The required parking will be located in parking structures both above- and below-grade. The above-grade parking structures will be generally located in the center of the commercial structures, surrounded and enclosed by the office, retail, and hotel uses in order to minimize their visibility.

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Subarea Objective/Policies

Land Use

Objective SA2.LU.1 Provide a well-planned and well-designed, mixed-use, pedestrian-oriented development with amenities within Parcel Areas 2-f, and 2-h.

Policy SA2.LU.1.A Parcel Areas 2-f, and 2-h include general land uses in the pattern indicated on the Land Use Map, Exhibit 8. These parcels include up to 1500 residential units, 420,000 square feet of mixed use office and commercial/retail use, a 250-room hotel, and off-street parking structure spaces.

Policy SA2.LU.1.B Development within Parcel Areas 2-f and 2-h shall be subject to the provisions of the LUP, Specific Plan regulations and City site plan review. Development within these areas are also subject to a Coastal Development Permit, which must be approved prior to any development within these parcel areas.

Policy SA2.LU.1.C The following shall be the allocation of maximum permitted land uses/major development intensity for the Harbor Subarea:

Residential	105 Dwelling Units per Acre
Retail	15,000 square feet
Commercial Visitor	250 Rooms
Commercial Professional/Administrative	420,000 square feet

Policy SA2.LU.1.D Development within Parcel Area 2-f shall include mixed residential development with a combination of high-rise, mid-rise, and low-rise residential development with ancillary retail uses and public spaces. Parcel Area 2-h will include hotel, retail, and professional office uses. By combining these uses into one development area with the facets of numerous activities, the area will become a more active, economically viable, and desirable location. The development will be pedestrian-oriented and will ultimately consume less energy than if these activities were separate and discrete.

Policy SA2.LU.1.E New residential development within Parcel Area 2-f shall be subject to a 220-foot height limit.

Policy SA2.LU.1.F New hotel development within Parcel Area 2-h shall be subject to a 130-foot height limit.

Policy SA2.LU.1.G New office/retail development within Parcel Area 2-h shall be subject to a 110-foot height limit.

Policy SA2.LU.1.H Residential development within the R-MH zoning shall have a maximum development intensity of 105 dwelling units per acre.

Policy SA2.LU.1.I Residential development shall provide usable open space at a rate of 140 sf / unit.

Policy SA2.LU.1.J Commercial – Professional and Administrative development on Parcel Area 2-h shall have a maximum floor area ratio (FAR) of 2.0.

Policy SA2.LU.1.K Commercial – Visitor development on Parcel Area 2-h shall have a maximum FAR of 2.0.

Circulation, Public Access, and Parking

Objective SA2.C.1 Provide vehicular access that integrates with the Port Master Plan; provide pedestrian-oriented development with access to coastal and other local amenities; provide bicycle circulation routes; and provide parking that accommodates the proposed new development.

Policy SA2.C.1.A Pedestrian and bicycle connections shall be provided from all residential parcels, with access across public roads to the primary Bayfront pedestrian and bicycle routes (Exhibits 9c and 9d).

Policy SA2.C.1.B Vehicle parking areas within the Harbor District should be visually obscured to achieve a pedestrian-oriented, village-scale atmosphere with connected open space areas.

Policy SA2.C.1.C On-street parking shall be provided to encourage patronage of retail establishments, slow traffic, and enhance the village-scale atmosphere.

Policy SA2.C.1.D Subterranean parking shall be located at or below existing grade. Parking structures at grade shall be screened or partially screened by residential, commercial, office, retail, or hotel uses; or by earth bermed-up against the structure to a minimum of 4 feet in height where the parking structure exterior wall is otherwise exposed. Maximum slope for the berm shall be 2:1 or less, as required by City streetscape standards. To the extent that all or a portion of the structure is below the new finish grade, that portion of the structure shall be considered "subterranean."

Policy SA2.C.1.E Any portion of a parking structure 4 feet or more above finish grade shall be considered a building for setback purposes. Such structures shall be given special architectural/landscaping treatment to reduce visual impacts. Above-grade parking shall be constructed of permanent materials (dismountable steel structures are not allowed).

Objective SA2.C.2 Ensure that the hotel development in the Harbor Subarea accommodates and is accessible to the broader Chula Vista community.

Policy SA2.C.2.A Open spaces integrated into the hotel must include activating uses such as restaurants, outdoor sitting and dining areas and retail shops, which would be open to the public as well as hotel patrons.

Policy SA2.C.2.B Public access and other path-finding signage should be placed at strategic locations throughout the hotel complexes and to guide guests and visitors to and from public use areas, shops and restaurants, restrooms, and other facilities.

Policy SA2.C.2.C To help integrate all publicly accessible areas and provide convenience and low cost services for the general public, the ground floor of the hotel development and associated outdoor areas should contain a variety of pedestrian-oriented amenities, which may include reasonably priced restaurants, newspaper stands, outdoor cafes with sit down and walkup service, informational kiosks, ATM's, public art or gift shops easily accessible to the public.

Policy SA2.C2.D Ensure that the residential portion of the plan is designed to encourage public access and “feet on the street” with features such as a “woonerf walk,” where pedestrians and cyclists are given priority.

Policy SA2.C2.E Ensure that the residential portion of the plan invites the public into the project to avoid the feeling of a “private” community by including a north–south garden walk that connects through the site and is intersected by several plazas including a plaza near “J” Street that incorporates ground-level retail such as a cafe and two other large plazas with public art and water features. Locate the garden walk so as to connect up with the pedestrian promenade to extend through the mixed-use development planned to be build north of the site in future phases of the master plan.

Policy SA2.C2.F Ensure that the residential portion of the development includes a “marina walk” on the west side of the project that brings the pedestrian into the site. Further enhance the experience by creating an interspersing of ground-level retail between residential units and on street corners.

Physical Form and Appearance

Objective SA2.P.1 Provide clearly identifiable gateways to the Bayfront, preserve existing views and create enhanced views with development, and encourage high-quality, well-integrated, mixed-use development.

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Policy SA2.P.1.A The intersections of Bay Boulevard with “H” Street, and “J” Street shall be primary entries into the Bayfront. These gateways shall establish a memorable image for the Bayfront. Landscape framing and architectural elements flanking the entry shall reflect the importance of these entrances.

Utilities and Areawide Grading

Objective SA2.U.1 Allow development intensity that provides for the economic development of the Bayfront, within the capacity of public service and infrastructure systems. Grading design shall result in (1) all habitable spaces situated above the 100-year flood level, (2) to the extent possible, parking spaces obscured from view, (3) adequate slopes for surface drainage; and (4) project balance with on-site grading.

Policy SA2.U.1.A New development within Harbor District shall locate, to the extent possible, first level parking slabs on or near existing grades. This will ensure that (1) all activity levels (vs. parking levels) are above the 100-year flood line, (2) the major circulation arteries coincide with these activity levels, and (3) most parking is hidden.

Policy SA2.U.1.B No new development that requires excavations to a ground level requiring permanent de-watering shall be permitted.

Policy SA2.U.1.C No import or export of soil that will have significant environmental impacts shall be permitted to balance grading quantities, without an environmental analysis and mitigation program.

Policy SA2.U.1.D Cut and fill activity shall be consistent with the Army Corps of Engineers requirements.

Policy SA2.U.1.E The provision of all utilities and service shall be achieved and timed to serve new development through public facilities programs or by agreements with the City and the Port, or some combination thereof.

Environmental Management

Objective SA2.E.1 Protect environmentally sensitive lands in the Harbor District while implementing a land exchange option that places more intensive residential development on disturbed lands.

Policy SA2.E.1.A Activity along most sensitive areas adjoining wetlands shall be restricted per land use designations. Intense development shall be set back from sensitive edges and clustered toward the central portion of the site.

Policy SA2.E.1.B The siting and orientation of major high-rise buildings shall respect the adjacent environmentally sensitive issues.

Policy SA2.E.1.C New development shall obtain all necessary permits to minimize impacts to, or from, environmental conditions such as required hazardous site assessments and wetland impact analyses.

Objective SA2.E.2 Consistent with the requirements of the NRMP referenced above, developments on 2h and 2f must be designed to be sensitive to adjacent wildlife areas.

Policy SA2. E.2 As part of its specific residential building designs focusing on the building elevations along J-Street facing south and along Marina Parkway facing west, developers will:

- Make a good faith effort to incorporate fenestration designs that obviate significant bird strike potential. Appropriate designs may include such features as stepped back building designs, protruding balconies, recessed windows, window cut-ups and/or other fenestration design techniques, with any technique to be considered in light of restricting raptor perching potential; and,
- To the extent significant bird strike potential remains notwithstanding the design techniques described above, make a good faith effort to investigate and incorporate other economically feasible design and/or construction measures identified as potential mitigation measures in the Final EIR such that bird strike impacts are considered mitigated by the Port and City.
- Limit exterior lighting within the residential project to only that necessary and appropriate for resident and general public safety and for informational signage. Walkway lights will be located on low pedestals;
- Ensure its projects contain no residential building accent lighting, beacon or flood lighting;
- Shield exterior lighting within its residential project to restrict intrusion into the J-Street habitat areas; and,
- Install only non-invasive plant species within its residential, office and hotel projects.

Objective SA2.E.3 Development in the Harbor District should be designed in a sustainable and energy efficient manner as possible.

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<u>Policy SA2.E.3.A</u>	<u>Buildings should meet a LEED Standard of Energy Design, the specific standard level to be determined through subsequent investigations, analyses and discussions in good faith between developers of parcels 2-f and 2-h and the Bayfront Coalition;</u>
<u>Policy SA2.E.3.B</u>	<u>Construction should meet an enhanced energy efficiency standard of Title 24 2008 Plus 20%.</u>
<u>Policy SA2.E.3.C</u>	<u>Development should utilize solar pool heating and solar hot water heating systems for all common area facilities to the fullest extent feasible given design limitations on appropriate solar panel locations.</u>
<u>Policy SA2.E.3.D</u>	<u>Projects should utilize C-10 licensed contractors for installation of PV systems.</u>
<u>Policy SA2.E.3.E</u>	<u>Developers should install Energy "Star" qualified products where such products are generally equivalent in quality and cost to competing products.</u>
<u>Policy SA2.E.3.F</u>	<u>Make a good faith effort to investigate and incorporate other products, materials and techniques to reduce energy consumption and generate energy on-site where such products, materials and techniques are deemed by the project developer to be cost effective.</u>
<u>Objective SA2.E.4</u>	<u>Development in the Harbor District should be placed at an adequate distance from existing hazardous material generators to protect the health of residents.</u>
<u>Policy SA2.E.4</u>	<u>Development of residential units shall maintain the following minimum separations from its residential developments: (a) 1,000-foot distance from the BF Goodrich facilities north of H-Street; (b) 1,000-foot distance from the existing power plant south of J Street; and, (c) 500-foot distance from the existing I-5 freeway main lanes.</u>
<u>Objective SA2.E.5</u>	<u>Development in the Harbor Subarea should protect the health of residents and wildlife areas by remediating any contamination before construction begins.</u>
<u>Policy SA2.E.5.A</u>	<u>Parcels contaminated with hazardous materials will be remediated to levels adequate to protect human health and the environment</u>
<u>Policy SA2.E.5.B</u>	<u>Secure the approval of all agencies having jurisdiction over contaminated soil and/or soil gas remediation activities required in conjunction with the development by NCVW of the Exchange Properties.</u>
<u>Policy SA2.E.5.C</u>	<u>Ensure no development of 2-f and 2-h will occur prior to required contamination remediation and approval of agencies having such jurisdiction.</u>
<u>Objective SA2.E.6</u>	<u>Construction and development of parcels 2-f and 2-h should be carefully managed to reduce impacts from dewatering on adjacent wildlife habitat.</u>
<u>Policy SA2.E.6.A</u>	<u>Prepare and submit a Plan for approval of all agencies having jurisdiction to address groundwater contamination issues associated with temporary construction dewatering.</u>

Policy SA2.E.6.B Secure the approval of all agencies having jurisdiction to regulate foundation designs that penetrate groundwater.

Policy SA2. E.6.C Design development on 2-f and 2-h such that it will not result in any permanent dewatering discharges into San Diego Bay or other water courses;

SUBAREA 3 – OTAY DISTRICT

1. Special Subarea Conditions

The Otay District is located generally south of "J" Street and west of I-5. The Otay River is this subarea's southern boundary. This area is within the Coastal Zone but only a limited number of parcels are within the LCP Planning Area, Subarea 3. Approximately 158 acres and 13 parcel areas are within the Subarea 3 LCP boundary. An additional inland parcel area (Parcel Area 3-k) within Subarea 3 is located south of the western end of Faivre Street, adjacent to the San Diego Trolley tracks. The site was annexed to Chula Vista in December 1985 as a part of the Montgomery Annexation. It is approximately 10 acres in size and is primarily used as a lumber yard distribution facility and open space. These current uses are unsightly and are especially visible from the trolley tracks, which are elevated along the western edge of the parcel. None of the parcels in the Otay District are part of the land exchange; therefore no changes in land use occur as a result of the implementation of the CVBMP.

2. Subarea Objective/Policies

Land Use

Areawide policies apply. Additional subarea specific policies have been identified below for the Faivre Street parcel (3-k).

Objective S3.LU.1 Improve the appearance of the current uses and establish a land use designation and development regulations which are consistent with the City's land use planning and regulatory structure.

Policy S3.LU.1.A The City shall endeavor to improve the screening and landscaping of the site and shall require such improvements to current City standards with any new use or development permit approved for the site.

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Policy S3.LU.1.B All development proposals shall demonstrate that proposed improvements are located outside of the 100 year frequency storm flood hazard zone.

Circulation, Public Access, and Parking

Areawide policies apply. No additional subarea specific policies have been identified.

Physical Form and Appearance

Objective S3.C.1 Maximize the sense of arrival to the Bayfront via the "J" Street entry and provide clearly identifiable gateways to the Bayfront.

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- Policy S3.C.1.A Provide a clearly identifiable gateway to the Bayfront at the intersection of Bay Boulevard and “J” Street concurrent with the development occurring between “I” and “L/Moss” Streets.
- Policy S3.C.1.B The Bay Boulevard and “J” Street entry shall be a primary southern entry into the Bayfront. This gateway shall provide a memorable image of the Bayfront. Landscape framing and architectural elements flanking the entry must reflect the importance of this entrance.
- Policy S3.C.1.C Immediately west of the freeway, future buildings on the south side should be sited and designed to reinforce the sense of entry created by landscaping.
- Policy S3.C.1.D The “J” Street/Bay Boulevard intersection shall be enhanced with landscaping, signage, lighting, paving, and other features, which will identify it as a southern pedestrian, vehicular, and bicycle gateway to the Bayfront.

Utilities and Areawide Grading

Areawide policies apply. No additional subarea specific policies have been identified.

Environmental Management

Areawide policies apply. No additional subarea specific policies have been identified.

The Chula Vista Coastal zone is comprised of the Bayfront Planning Area (Subarea 1, 2, 3, and 7), in which the City has permit jurisdiction, and the annexed coastal areas, in which the California Coastal Commission has jurisdiction. The provisions contained in the plan will only thus apply to the Bayfront Planning Area.

The LCP planning area (local coastal zone) encompasses approximately 1,013 acres of which 748 acres are uplands or filled areas above mean high tide and 265 are in marsh or wetlands. (Note: LCP acreages are provided to the nearest acres and are approximate values utilized for large scale planning purposes.) Four major ownerships dominate the planning area: 1.) San Diego Gas & Electric Company (SDG&E) at the south end with 92 acres; 2.) Rohr, Inc. in the central area with 99 acres (and an additional 66 acres of San Diego Unified Port District-owned land plus SDG&E ROW and SDG&E/MTDB ROW); 3.) the U.S. Fish and Wildlife Service which owns 316 acres (some of which is outside the City Of Chula Vista) in two parcels which comprise the National Wildlife Refuge; 4.) Chula Vista Investors which owns 116 acres in the central portion of the Bayfront; and 5) Chula Vista Redevelopment Agency which owns approximately 16 acres, also in the central portion of the Bayfront.

The wildlife refuge includes the majority of Gunpowder Point, "D" Street Fill, the entire Paradise Creek area, and the Sweetwater March Complex (including the "F-G" Street Marsh). The Port District holds jurisdiction and ownership of all the tidelands lying between mean high tide line and the City's western boundary. Although the Port District area is within the City Limits, it is included in the Port District's Master Plan, rather than the LCP for the City.

Except for The Chula Vista Investors (CVI) ownership, north of "F" street and west of the SDG&E ROW, the majority of the Bayfront is either developed or is expected to remain as open space. The north, west, and south of this vacant area is the National Wildlife Refuge.

To the east, high and visitor commercial uses have been developed along Bay Boulevard, between Marina Parkway and Lagoon Drive. South of Lagoon Drive, the Rohr corporate headquarters and industrial facility extend to south of "H" Street, with additional office development extending to near "J" Street to Palomar Street. In addition to these areas located west of I-5, two parcels east of the freeway are within the Bayfront: the Faiver Street inland parcel is located east of Broadway and north of "C" street.

In order to facilitate the planning and development of the Bayfront, the overall planning area has been divided into eight "sub-areas" to focus on the issues which are specific to various local areas. These areas are indicated in Exhibit 2, pages I-4, and are described below:

Subarea 1 – The Midbayfront is the Bayfront area generally between "F" Street (Lagoon Drive) and "D" Street, including the largest currently vacant parcel (CVI ownership). This subarea is adjacent to the National Wildlife Refuge and includes the "F-G" Street Marsh which is also part of the USF&WF ownership.

Subarea 2 – This is the industrial area between "G" Street and "L" Street, most which is developed with industrial or related uses.

Subarea 3 – This area is known as the southern [parcel and is located south of "L" Street. This area is also primarily developed with light industrial and related commercial uses.

Subarea 4 – This subarea consists of the northern parcel located adjacent to the Sweetwater River.

Subarea 5 – This subarea consists of the small southern inland parcel on Faivre Street recently annexed to the City from the County of San Diego. It is located adjacent to wetlands associated with the Otay River.

Subarea 6 – This is a parcel annexed from the City of San Diego in the Palomar/Bay Boulevard Reorganization. It is utilized primarily for salt evaporation ponds associated with the Western Salt operations to the south, but also includes a small portion upland.

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pplied throughout the Bayfront are identified. These Areawide Objectives and Policies are organized into five elements: 1) Land Use and Intensity; 2) Circulation and Public Access; 3) Physical Form and Appearance; 4) Utilities and Areawide Grading; and 5) Environmental Management. Each element contains a survey of existing conditions, objectives for development, and specific policies relative to that element. This section is intended to describe the composition of the overall Bayfront and ensure both conformance with the Coastal Act Policies as well as consistency with the City's General Plan. Because of the importance of the "mandatory and controlling" policies of the LCP, they are numbered separately and indicated with bold type (policy typeface).

The third component of the Land Use Plan contains an analysis of conditions, development objectives and policies which are responsive to the unique needs of each subarea. The Subarea Specific Development Objectives and Policies focus the areawide policies on the unique characteristics and needs of each planning subarea and provide a greater policy detail for site specific development issues.

The second portion of the LCP Re-submittal is the Implementation Program. The Implementation Program is intended to implement the policies of the Land Use Plan through development regulations and standards for the Bayfront. The implementing ordinance for the Chula Vista Bayfront is the Bayfront Specific Plan which is adopted pursuant to Title 19 of the Chula Vista Municipal Code (Zoning Ordinance). As provided in Section 30513 of the Coastal Act, the zoning ordinances, zoning district maps, or other implementing actions, shall be reviewed by the Coastal Commission to ensure they conform with, or are adequate to carry out the provisions of the Land Use Plan.

The Bayfront Specific Plan specifies, in detail, the permitted land uses, and the standards and criteria for development and conservation of resources. It contains the implementation program for the Bayfront, as well as, specific development standards unique to each subarea, where required. The Specific Plan is consistent with and adequate to carry out the provisions of both the LCP Land Use Plan and the General Plan.

The Implementaion Program (Specific Plan) includes seven major divisions: 1) Purpose and Scope; 2) General Provisions; 3) Coastal Development Permit Procedures; 4) Land Use Classifications; 5) Development Criteria; 6) Environmental Management Program; and, 7) Subarea Specific Development Standards.

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Residential. Residential uses are limited to high density multiple-family dwellings in clusters of varying size and configuration to provide a range of housing types. Lower scaled town-house-type construction can be generally provide a transition at the critical waterfront edges to higher, more dense structures further inland. This configuration will afford maximum views and vertically

integrate the proposed new uses into their natural setting. Allocation: approximately 18 acres (2 percent of development area, not including major circulation).

Commercial. A number of specific commercial uses are permitted in the Bay front. Total Allocation: approximately 35 acres, not including uses located in the Central Resort District (4 percent of development area, not including major circulation)

Visitor Serving Commercial. This land use designation refers to resort hotel uses and accessory conference facilities. This use is primarily located in proximity to the freeway. Included in the permitted land uses are recreational facilities necessary to support the hotel function. This land use designation also includes retail uses which support the hotel-conference facility, adjacent office park uses, and adjacent residential uses. Additional uses may include those that would provide a regional attraction for visitor, but not compete with the general, community-serving commercial services of the Chula Vista downtown. The intent of these uses permitted include: 1) hotels and inns; 2) retail uses and shops serving visitors and residents; 3) commercial recreation uses; 4) limited business and personal services (business services shall be defined as ancillary support services which serve the traveling businessperson [i.e., copy centers, postal outlet, etc.]); and, 5) public and quasi-public uses such as public transportation facilities, places of worship, and day care facilities. Allocation: approximately 11 acres (1 percent of development area, not including the major circulation).

PolicyThoroughfare Visitor Highway. This land use designation includes primarily motel and restaurant facilities similar to the existing development that principally serve auto-oriented traffic and require clear visibility from the I-5 corridor. Additional permitted uses would include gas stations and similar traveler directed goods and services. Land uses not permitted within this designation are those which would principally serve pedestrian traffic or those that would be more appropriate in connection with the Central Resort District provided for elsewhere in the Plan. These non-permitted uses include: convenience retail, food and beverage retail sales, business and personal services, and entertainment facilities. Allocation: approximately 12 acres (1 percent of development area, not including major circulation).

Processional and Administrative Commercial. Two areas for Professional and Administrative Commercial are provided. The first is indicated on Land Use Map, Exhibit 3, page III-3, within the Industrial subarea. This area is approximately 12 acres. The permitted uses include administrative office and support uses for the adjacent industrial uses. The second area is a permitted use within the Central Resort District of the Midbayfront subarea, which permits 60,000 sq. ft. of Professional Administrative, including, administrative and executive office, financial offices and services and medical offices.

INDUSTRIAL. Two types of industrial uses are designated on the Land Use Map: Research & Limited and General. These land uses are confined to an area generally south of "G" Street, plus the inland parcels east of I-5. existing uses will be permitted to continue and expand. Allocation: approximately 370 acres (43 percent of development area, not including major circulation.)

Research & Limited Industrial. This category includes research and development, light manufacturing, warehousing, and flexible use buildings which combine these uses with office space. Allocation: approximately 81 acres (9 percent of development area, not including major circulation).

General Industrial. This category provides for large scale and more intensive industrial uses such as manufacturing and public utility plants. The SDG&E powerplant and Rorh, Inc. facilities are within this category. Allocation: approximately 289 acres (34 percent of development area, not including major circulation.)

PUBLIC & OPEN SPACE. This category includes a variety of uses ranging from landscaped parking in the SDG&E ROW to the Open Space of the National Wildlife Refuge. (Allocation: approximately 391 acres (44 percent of development areas, not including major circulation).)

Public & Quasi-Public/Landscaped Parking Overlay. Portions of the SDG&E power line right-of-way (ROW) within the Bayfront are to be physically improved at the ground level with landscaped parking areas. In order to encourage landscape improvements to these areas, development bonuses are permitted for projects adjacent to the ROW. These bonuses allow the development to increase permitted densities and utilize the ROW for parking lot expansion. Bonuses are calculated by applying the permitted land use intensity of the adjacent parcel to the portion of the ROW included in the project site. In order to qualify for these added development bonuses, a long-term lease agreement for parking on the ROW between the project proponents and SDG&E is required. Any landscaped parking in the SDG&E ROW north of Lagoon Drive shall be available on weekends and evenings for use by coastal visitors. Allocation: approximately 18 acres (2 percent of development area, not including major circulation). [Note: approximately 12 acres are presently used for parking by Rorh, Inc.]

Parks & Recreation. This designation refers to all physically and/or visually accessible open lands intended for local public ownership. This land use designation includes the Primary Buffer zone adjacent to the wetland areas required for habitat protection and preservation of the health and vitality of the adjacent wetland ecosystem. Permitted uses in the buffer zones include provisions for controlled public access, minor grading and landscaping (consistent with the grading and environmental management policies of Section II-E herein), and minor scientific or education uses. The Environmental Management Plan Map, Exhibit 9, page __, depicts the specific location of the open space uses. This category also includes series of parks to be developed for public recreation which are not to be constructed throughout the Bayfront. These are intended for passive recreation activities and will be linked via a continuous, publicly accessible pedestrian and bicycle trail system. Development of a publicly owned Cultural Arts Facility is also permitted within this land use designation. Allocation: approximately 37 acres (4 percent of development area, not including major circulation).

Open Space/Wildlife Refuge Overlay. This designation is applied to the Sweetwater Marsh National Wildlife Refuge which is owned and operated by the U.S. Fish and Wildlife Service. Uses will be limited to wildlife habitat preservation and enhancement, scientific study and educational uses. Other areas with significant habitat value which are not a part of the Federal ownership are shown as Open Space without an overlay designation. In addition to the areas designated by this overlay, Section III-E Environmental Management, provides specific policies and programs for responding to environmental resources within the Inland and Favier Street subareas, and the "J" Street marsh. Determination and administration of permitted uses within the Wildlife Refuge shall be the responsibility of the Fish and Wildlife Service with Coastal Commission Review. Total Open Space Allocation: approximately 301 acres (25 percent of development area, not including major circulation).

Circulation/Other. This category includes acreage within the major public street right-of-ways (including I-5) and railroad right-of-ways within the planning area. Table 3-1 (page III-6) identifies a separate category for the I-5 acreage (approximately 159 acres), which is not within any of the subareas. This acreage is not part of the "development area" within the coastal zone. Allocation: approximately 27 acres, not including major circulation (3 percent of development area, not including major circulation.)

SPECIAL PLAN AREA. This designation includes the Central Resort District which provides an area within the Midbayfront for a mixture of uses intended to serve tourists, travelers, and local residents. Special use and development regulations shall be provided to encourage innovative designs and combinations of uses to create a high quality resort core for the Midbayfront. In order to evaluate the proposed development in this area, prior to any development a Master Plan shall be prepared and approved to allocate uses and describe the buildings and spatial

relationships within the buildings, and parking allocation. The preparation of a Master Plan for the Central Resort District is a requirement in addition to compliance with other development regulations and policies of this Land Use Plan. The purpose of the Master Plan is to insure that the intent and concept of a visitor serving Central Resort is implemented in a manner consistent with this LCP, as well as, other policies and standards of the City.

A conceptual illustration of the vision for the Central Resort District is depicted in Exhibit 4, page III-____. It graphically portrays one of many “design solutions” that would be consistent with the purpose and intent of this land use category. This conceptual illustration is provided herein as an example of intent, but not to indicate a specific location, number, size, or configuration of buildings, parking, or other developed site features.

There is an overall limitation of 1,969,000 sq. ft. maximum building area permitted in the Central Resort District. Within this square footage, there are maximums of 300 residential dwelling units and 1,360 hotel rooms within the CRD. Allocation: approximately 40 acres (5 percent of development area, not including major circulation).

Policy LU.7.A Prior to the issuance of any coastal development permits for the Midbayfront development, the following conditions shall be satisfied:

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A development agreement shall be accepted by the City which provides for development for all visitor commercial uses, the cultural arts facility, all parks and open space areas, and for the provision of all mitigation measures as described in the Environmental Management and Biological Resource policies of this Plan.

Adoption of a phasing plan for the Midbayfront development by the City. Phasing of a residential development shall occur in compliance with the requirements of Chapter VII of the Bayfront Specific Plan, Section B.2.b.6

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Policy DI.1.A Height limits. The permitted height of the development in the Resort Core area ranges up to 229 feet for two high-rise hotel structures (Special Condition “A” in exhibit 5, page III-13) and up to 100 feet for a Mid-rise hotel structure. Also in the Midbayfront Subarea is a site for a Cultural Arts Facility up to 69 feet in height west of Marina Parkway and an alternative site with the Central Resort District (Special Condition “B” in exhibit 5, page III-13). This limit allows for extensive open space and landscape provisions without exceeding the traffic capacity of the circulation system. There are areas in which the height limit varies from prevailing provisions, calling for both reduced and increased height limits, due to program requirements, environmental management objectives, or physical form and appearance objectives. These variances include the following:

Gateways. To achieve a “gateway”, or sense of entry to the Bayfront and relate it to the existing new development along Bay Boulevard. The areas immediately adjacent to the “E” Street and “JJ” Street bridges over I-5 shall be between one and two stories.

Midbayfront Development. The permitted height of the development in the Resort Core Area ranges up to 229 feet for two high-rise hotel structures (Special Condition A in exhibit 4, page III-..) and up to 100 feet for the mid-rise hotel structure. Also in the Midbayfront Subarea, a single mid-rise building (up to 100 feet) for a Cultural Arts Facility is permitted west of marina Parkway (Special Condition “B”)/ Two high-rise residential building (up to 229 feet) are designated for the

area north of Marina Parkway (Special Condition “E”). the taller buildings are intended to create focal points and an identifiable skyline for the Midbayfront project. Such buildings are permitted because of the increased park and open space uses designated within the Midbayfront and the utilization of subterranean parking. All structures will be subject to detailed review and approval to ensure that open space is provided, view corridors are maintained, and that the buildings are designed to minimize impacts to nearby wildlife habitats. (See also Environmental Management section and Form and Appearance Section).

Research and Limited Manufacturing. A single building up to 95 feet in height is permitted, subject to special review and development standards, to create a landmark building as part of the Rohr corporate facility. The standards shall include increased building setbacks, a comprehensive landscaping plan and pedestrian or other off-street circulation connections to adjacent uses as described in the Subarea 2 Standards of the Bayfront Specific Plan.

Policy DI.1.B Permitted Intensity. The allowed development intensity for the Bayfront is shown in Table 3-2 (page-___). Generally, the permitted building heights, parking standards, and traffic capacity will determine the permitted intensity. For the Central Resort District, a separate table describing the flexible allocation of uses and intensity is provided as Table 3-2A (Page III-___). The construction of housing in the residential-high category shall be limited to 25% of the maximum permitted until the Central resort District has been substantially implemented.

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Policy RI.1.B Specific segments of Marina Parkway will be designed and constructed to response to respond to significant environmental issues

“F-G” Street Marsh Area. The alignment o Marina Parkway at the Port District property will move westerly to by-pass the edge of the existing “F-G” Street Marsh. This alignment will: completely by-pass the existing “F-G” Street Marsh and introduce major views of the waterfront from roadway.

Eastern End. The eastern portion of Marina Parkway will be developed as a six-lane major street from Bay Boulevard westerly to the first Midbayfront intersection. This will provide additional capacity to maintain adequate traffic flow at the major project entry.

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Objective RI.2 Improve Bayfront access through improvements to the “E” Street bridge and on- and off-ramps to I-5.

Policy RI.2.A New on- and off-ramps, and re-striping of the “E” Street bridge traffic lanes are being completed by CalTrans in conjunction with the I-5/AR-54 interchange project. When complete, these improvements shall represent the ultimate improvements to these facilities. Land uses and intensity of development within the Bayfront shall be limited to that which can be served by these improvements, within the traffic threshold standard.

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Objective RI.3 Extend “F” Street westerly as Lagoon Drive to serve as secondary/local access route into the Bayfront.

Policy RI.3.A Lagoon Drive will function as an important internal circulation element in the Bayfront to the east side of the free. Extending it as a Class I Collector Street (four lands), to intersect with Marina Parkway, will permit the maximum flexibility for providing area-serving bus loop routes through the Bayfront that connect to the regional serving trolley system. It will also provide for necessary service loops for underground utilities. The road will also function as a

major pedestrian route to the city and provide a direct bicycle connection from the residential areas east of I-5 with the regional coastal bicycle trail.

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Objective GT.1 Maximize the sense of arrival and invitation to the Bayfront via the "E" Street entry.

Policy GT.1.A "E" Street Entry from east I-5. A dense canopy of trees on both sides of Marina Parkway shall be provided to obscure views of the SDG&E power lines and focus views on the immediate landscape of the street and down the street towards the water's edge. The street trees shall be closely spaced and in a regular pattern to achieve this objective. However, plant species and spacing shall be selected and designed to protect and enhance public views to the bay. Immediately west of the freeway future buildings on the north side should be sited and designed to reinforce the sense of entry created by the street tree and existing building mass of the restaurant on the south side.

Southbound I-5 off-ramp to "E" Street/Bay Boulevard. A similar sense of entry shall be created as this entry. A canopy of trees shall be provided along both sides of Bay Boulevard to screen the power lines and transmission towers from view and direct motorists to the "E" Street/Marina Parkway intersection. The intersection should be enhanced with landscaping, signage, paving, and other features which will identify it as a pedestrian and vehicular gateway to the Bayfront.

"E" Street (Marina Parkway)/Bay Boulevard intersection. When approaching and crossing Bay Boulevard, the continuation of street trees and landscaping will create a view corridor to the Bay, framed by buildings on either side of Marina Parkway. Special attention will be required to ensure that adequate building setbacks and siting criteria will locate buildings to frame and not block the long range view to the water.

Policy GT.1.B Marina Parkway/Tidelands Avenue intersection. To the west of the Marina Parkway/Tidelands Avenue intersection, views will open up to the bay, park and wetlands. The residential area on the north side of Marina Parkway marks the urban edge of the bayfront and help direct views towards the open spaces. Street trees and landscaping along the parkway will also direct and frame views.

Policy GT.1.D Views to Vener Pond (wildlife refuge). The above described views should be followed by panoramic views across park and open space areas to Vener Pond, Gunpowder Point and San Diego Bay. Major massing of trees shall be avoided along this portion of the shoreline to protect the view.

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Surface and sub-surface conditions vary throughout the Bayfront. Portions of the site consist of original dry uplands. Within these areas, no difficult or unusual land development problems are anticipated for standard building construction. However, in the balance of the area, settlement hazards exist.

The settlement hazards are attributable to the presence of relatively shallow surficial deposits of soft compressible bay mud throughout the historic marsh lands and the tidal flats, as well as in deeper water areas. This mud, an organic silty clay, has an almost liquid consistency and makes a poor foundation material. It tends to ooze out from beneath heavy loads, or when confined, to compress over a period of years under the weight of fill or structures. Within the study area, the thickness of this mud layer is typically between 5 and 10 feet, but it can be found in thickness of up to 20 feet. There appears little correlation between mud thickness and distance from shoreline. Mud thickness of 8 feet are common one mile from shore, while deposits up to 17 feet

thick were found in the filled Chula Vista Marina area. Mud thickness tends to be highly variable near the shoreline. This fact makes near shore land development particularly difficult since the irregular settlement associated with such deposits is detrimental to structures and utilities.

Two major faults have been mapped near the Chula Vista waterfront area: the north-northwest trending Rose Canyon/San Diego Bay/Tijuana fault, and the east-west Otay fault. Although the exact trace of each is not known, the San Diego Bay/Tijuana fault alignment is probably situated approximately in the center of the Bay, about one-half mile west of the Chula Vista waterfront. The Otay fault is thought to underlie alluvial fill in the Otay River valley approximately three miles south of the Chula Vista waterfront. There is no evidence that indicates the San Diego Bay/Tijuana fault system is presently active, although it has apparently undergone repeated movements within the last 100,000 years. While there is little reason to expect additional movements along this fault within the usual economic life of most engineering projects (50 to 100 years), the possibility of renewed activity cannot be disregarded in evaluating the safety critical structures such as power plants, public assembly buildings, etc. the probable effect of renewed activity along the San Diego Bay/Tijuana or other nearby faults would be moderate to severe ground shaking, with surface rupture on the Chula Vista site unlikely.

The planning implications of these soils and geologic conditions relate to public safety and the economics of development. There is the possibility of soil liquefaction during a severe earthquake. This is of special concern in tideland areas reclaimed by hydraulically-placed fills. Extensive evaluations of the soil conditions have been made. However a detailed evaluation of liquefaction should be routinely made for any future major Bayfront engineering project. With the exception of original Upland areas, geotechnical conditions will have a major effect on site and building construction costs due to foundation and seismic problems.

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To assist in the preparation and evaluation of the management plans, specified in Policies EM.1.C and EM.1.D. required herein, the following background documents are hereby referenced:

Final EIR Volume I & II for Midbayfront LCP Resubmittal No. 8
Amendment, adopted by the Chula Vista City Council as Resolution
No. 16467, including the Mitigation Monitoring program, Exhibit B;

Corps of Engineers Section 404 Permit No. 88-267 RH, including
thirteen special conditions;

Chula Vista Investors' (CVI) Proposed Mitigation Measures for Final
EIR-CVI Midbayfront Development Plan, December 16, 1990.
(Design Requirements USFWS);

Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Merjan
(CVI), dated January 15, 1991;

Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Chula Vista
Investors, dated March 11, 1991;

Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Chula
Vista Investors, dated March 22, 1991;

Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Chula
Vista Investors, dated May 8, 1991;

Letter to Douglas D. Reid, City of Chula Vista, from Brooks Harpers, U.S. Fish & Wildlife Service, dated May 23, 1991;

Letter to Diana Richardson, Reid, City of Chual Vista, from Brooks Harper, U.S. fish & Wildlife Service, dated January 14, 1992; and;

Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Chula Vista Investors, dated February 6, 1992;

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Policy EM.1.C Habitat Restoration and Management Plan. To ensure an orderly and efficient implementation of the various restoration and enhancement features and actions specified for the Midbayfront, a comprehensive Habitat Restoration and Management Plan shall be prepared and approved prior to initiation of development within the Midbayfront. Said Plan shall be the subject of a future Local Coastal Program amendment, which shall be certified by the Commission prior to the issuance of any coastal development.

Th3 Habitat Restoration and Management Plan shall address in detail the following considerations associated with implementing the specified restoration and enhancement work as well as the long term management of the areas restored or enhanced:

- Engineering design, grading plan, and cost analysis.
- Vegetation design, including specifications for planting program, source of plants, etc.
- Implementation schedule and phasing.
- Management program
- Monitoring program
- Maintenance program
- Funding arrangement: implementation, monitoring, and maintenance.
- Contractual agreements
- Ownership transfer where appropriate

Preparation of this plan will involve participation by the developer, the City, the California Coastal Commission, the USF&WS, and other resource management agencies.

Policy EM.1.D Biological Resources Management Plan. Additional protection of the biological resources in the Wildlife Refuge shall be provided by the preparation and implementation of a comprehensive Biological Resources Management Plan for the Midbayfront development. Said Plan shall be the subject of a future Local Coastal Program amendment, which shall be certified by the Commission prior to the issuance of any coastal development permits for the proposed Midbayfront development. The plan will address the following matters:

- Architectural Design Requirements
- Project Lighting Design Requirements
- Landscape Design and Management
- Predator Management
- Human Activities Management
- Mudflat and Wetland Monitoring

Water Quality/Runoff/Drainage Management
Construction Monitoring and Management
CC&Rs/Ordinances/Applicable Policies
CEQA Mitigation Monitoring Requirement

Preparation of this plan will involve participation by the Developer, the City, USF&WS, the California Coastal Commission and other resource management agencies as appropriate.

Policy EM.1.E The management provision of the Land Use Plan are indicated graphically on the Environmental Management Map, Exhibit 9, page III-. They provide for specific protection and enhancement measures for the wetland and upland resources with specific design provisions for the critical wetland buffer conditions illustrated in a series of sections.

Policy EM.1.F The various mitigation features and actions specified for the Midbayfront shall be incorporated in the development design in order to reduce the adverse impacts of development on the adjacent natural resources. Generally, the specified features and actions focus on the interface areas between the Midbayfront Subarea and the adjoining National Wildlife Refuge. These features and actions are summarized in Table 3-4 (page III-).

Policy EM.1.G Midbayfront North/Northwest Interface Area. The following design elements shall be employed in this interface area in order to protect the resources in the adjoining portions of the wildlife refuge.

Primary Buffer Zone elements: (refer to exhibits 10 & 11, pages III-___ and III-)

Width: 100 feet (minimum)

Form: Variable height berm to prevent visual disturbance of wildlife in refuge.

Vegetation: Maximum use of coastal sage scrub.

Drainage: Away from wildlife refuge

Access Control: Chain link fence screened by vegetation

Lighting: directed away from refuge

Controls on: Pets, children, picnic & food service areas, trash and garbage, etc;

Policy EM.1.H Midbayfront South Interface Area. Because of pre-existing physical constraints at and adjoining the "F-G" Street Marsh area, a different mitigation approach shall be employed for the South Interface Area. Specifically, along the north and west margins of the "F-G" Street marsh area, the road areas of "F" Street. Control structures will include a low flow stage, three-chamber trap for oil, grease, and particulates.

Because the USF&WS anticipates use of the "F-G" Street Marsh for expanding the potential nesting habitat for the endangered Light Footed Clapper Rail, there will be no public access and only one or two pedestrian overlook areas for this unit of the National Wildlife Refuge.

Policy EM.1.I Midbayfront West Interface Area. Along the Bay shoreline between the "E" Street Marsh and the western extension of the "F-G" Street Marsh, an upland area about 100 feet wide by approximately 1,400 feet long (totaling approximately 3 acres) will be excavated and planted to create a corridor of salt marsh habitat immediately landward of the present shoreline.

This marsh corridor will be protected from wave erosion by rip=rap barrier and will facilitate movement of sensitive bird species (e.g., Clapper Rail) between the two marsh areas.

Landward of this marsh corridor, the interface areas shall have an elevated walk with screened viewpoints to provide views of the Bay and mudflats. The area further landward will consist of passive use public parks that will consist of passive use public parks that will enhance public access to the Bay margins.

To protect the mudflats and eel grass, storm drain outfalls to the Bay will have flow energy dissipaters and three-chamber type traps for oil, grease, and particulates. In addition, irrigation and other water sources in the development area shall be managed to achieve minimal zero freshwater outflows to the Bay during the dry season.

A monitoring program shall be implemented to ensure that Bay mudflats and eel grass shall not be adversely effected by storm drain outflow.

To protect the biologically-rich mudflat and eelgrass meadows in the areas of the Bay bordering on the National Wildlife Refuge, no recreational boating facilities are permitted in this part of the Bay without specific approval of the USF&WS and the Army Corp of Engineers, and the California Coastal Commission.

Policy EM.1.J Midbayfront Habitat Restoration and Enhancement Features. The following actions involve habitat restoration and enhancement which shall be incorporated in the development design in order to provide mitigation for development impacts by improving the quality and biological values of wetlands and uplands generally within the Wildlife Refuge (Refer to Final EIR Midbayfront Local Coastal Program Resubmittal).

Restoration by Upland Conversion to Wetlands. As the "F-G_ Street site, upland conversion to wetland shall be provided at three locations (see Exhibit 10, "F-G" Street Marsh Conceptual Restoration and Enhancement Plan, page III-____) as follows:

Upland conversion to provide 3.5 acres of year-round freshwater marsh along the east and northeast margins of the site. This freshwater marsh replaces the roughly 3.0 acres of degraded seasonal wetland that will be removed for construction of the desiltation basin.

Upland conversion to provide at least 2.3 acres of salt marsh, primarily along the west and north-central margins of the existing salt marsh, thus expanding the "F-G" Street salt marsh.

Upland conversion to provide 2.0 acres of salt marsh immediately west of Marina Parkway, thus extending the "F-G" Street salt marsh to connect directly with San Diego Bay.

In addition, at the "D" Street Fill, approximately 15 acres of new salt marsh will be constructed by removal of fill, and at Gunpowder Point, about 2 acres of freshwater marsh will be constructed by excavation of upland.

Enhancement of Existing Habitat. At the "F-G" Street site, existing habitat shall be enhanced at three locations as follows:

Features Upgrade 0.5 acres of degraded high marsh along the east margin of the "F-G" Street marsh (see Exhibit 10, page III-___)

Upgrade 0.5 acres of new coastal sage habitat (or upgrade existing severely degraded coastal sage scrub habitat) totaling at 2.0 acres along selected upland margin of the "F-G" Street site and the extension west of Marina Parkway as shown in Exhibit 10, page III-___.

Enhancement of Water Quality. In order to enhance the quality of wetland habitat at the "F-G" Street site, the supply of water to the site shall be enhanced by the following:

Improved quality of upland storm water runoff by construction and operation of a desilting basin of approximately 9.5 acres feet compacting, location on north side of Lagoon Drive.

Improve access of tidal waters to the "F-G" Street salt marsh by increasing the number and size of culverts under the adjoining roadway (i.e., Marina Parkway)

Other Enhancements Features/Actions. Other enhancement features and actions that shall be provided at or adjoining the "F-G" site are:

Enhancement of habitat quality and wildlife value by providing perimeter fencing to control human access and screening the marsh from street-level view (except at selected pedestrian viewpoints) by massed plantings of coastal sage scrub in association with the perimeter fencing.

Facilitating movement of Clapper Rails and other marsh fauna by construction of a passage under Marina Parkway.

Additionally, the 100-foot wide Primary Zone along the northern and northwestern interface with the Wildlife Refuge (i.e., "E" Street, Vener and Sweetwater marshes), will constitute a major enhancement feature. This buffer will have a length greater than 3500 feet and will provide approximately 8.5 acres of new coastal sage scrub/succulent habitat.

Policy EM.1.K Phasing of Environmental Mitigation Measures/Improvements for the Midbayfront Subarea. The preparation of management plans and the implementation of mitigation measures/improvements shall be required prior to the issuance of the first building permit in any area designated on the Land Use Plan, Exhibit 2, page ___, as CRD, RH, or PR, in the Midbayfront Subarea, as follows:

Except for the restoration and enhancement features specified above for the "D" Street fill and Gunpowder Point, all restoration and enhancement features called out in Policy EM.1.J. are required.

A funding agreement between the developer and the U.S. Fish & Wildlife Service is required for the "D" Street fill (15 acre salt marsh) and the Gunpowder Point (2 acres freshwater marsh), which are located within the Sweetwater Marsh National Wildlife Refuge. The implementation of these enhancement features shall be the responsibility of the

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Subarea 1- Midbayfront

In this section, objectives and policies are arranged under the same five issue categories: Land Use Intensity, Circulation and Public Access, Physical Form and Appearance, Utilities and Areawide Grading, and Environmental Management, discussed in the Areawide Chapter of the Land Use Plan. To further focus on the unique requirements of various portions of the Subarea, for sectors or development areas are identified:

- Resort Core
- Residential Village/Park Sector
- Park Sector
- City/Highway Sector

These sectors are logical subareas of Subarea 1 and have as boundaries the major plan streets. The Resort Core is bounded by SDG&E ROW on the east, "F" Street (Lagoon Drive) on the south, and Marina Parkway, between Gunpowder Point Drive and the SDG&E ROW, while the Park Sector is located south of Gunpowder Point Drive and west of Marina Parkway. The City/Highway Sector is located north of Marina Parkway, east of the SDG&E ROW and adjacent to I-5.

Special Subarea Conditions

The midbayfront includes approximately 116 acres which is the largest vacant parcel in the Bayfront available for new development. A major mixed-use, visitor oriented development is programmed for the site. Completion of this project will balance the current industrial focus of bayfront development. As the single largest new development area, the goals of improving the aesthetics of the Bayfront and creating an identifiable, attractive image for the coastal area and the City must be achieved through the Midbayfront project. Due to its important role and the unique character of development to be constructed, a comprehensive set of policies and implementation measures are required for the Midbayfront Subarea.

Land Use/Intensity Objectives/Policies

Objective S1.A Provide a well planned and designed, amenitized, mixed-use, visitor oriented development with the Midbayfront which is consistent with the Conceptual Development Plan approved by the City.

Policy S1.A.1 The Conceptual Development Plan for the Midbayfront depicts general land uses in the pattern indicated on the Land Use Plan Map, Exhibit 3, page _____. In addition, it indicates a large public lagoon of approximately 7-10 acres associated with the resort core and adjacent public use areas and a smaller private lagoon of about 3 acres associated with residential development. Three hotels, major commercial recreation facilities, retail and residential uses are

also located within the Resort Core. A large area of public parks and open space, including buffers adjacent to the wildlife refuge are indicated along the northern and western perimeter. Residential uses, support commercial, and an inn are depicted in the Residential Village/Park Sector. Development within the Midbayfront shall be governed by a "Master plan" which is consistent with the Conceptual Development Plan and must be approved prior to any development within the Midbayfront. Although a certain amount of flexibility is required as more of the land uses indicated in the general proportions allocated, in the general locations indicated, and compliance with the development intensity policies for the Subarea and the Bayfront Specific Plan.

Policy S1.A.2 The following shall be the allocation of maximum permitted land uses/major development intensity for the Midbayfront Subarea:

Midbayfront Program

Residential	1,355,000 sf
Visitor Commercial	1,906,00 sf
Professional/	
Administrative	60,000 sf
Cultural Arts Facility	75,000 sf
Parks and Recreation	approximately 34 acres
Water	approximately 8 acres
Open Space	approximately 22 acres

The following is the proposed allocation of permitted land uses among the five sectors, (the maximums for the Central Resort District and defined in Table 3-2A, page III-____)

Central Resort District	1,968,000 sf
Professional &	
Administrative	60,000 sf
Visitor (retail)	150,000 sf
Visitor (non-retail)	1,360 rooms/1,146,000 sf
Visitor (recreation)	206,000 sf
Residential (300 du)	406,000 sf
Residential Village/	
Park Sector	1,968,000 sf
Visitor (non-retail)	250 rooms/204,000 sf
Residential (700 du)	949,000 sf
Park Sector	75,000 sf
Cultural Arts Facility	up to 2,000 seats/75,00 sf
City/Highway Parcel	200,000 sf
Visitor (non-retail)	250 rooms/200,000 sf

Policy S1.A.2 The Midbayfront shall be a mixed-use project which combines into one development the facets of numerous activities so that the whole will be more active, more economically viable, be a more desirable place to be, and ultimately use less energy than if these activities were separate and discrete.

Policy S1.A.3 Active uses such as retail, commercial recreation, and entertainment shall be located away from the edges of the Subarea and focused toward the interior around the large

water feature. Only roadways, residential and minor support commercial uses, park and cultural arts uses shall be located along the edge of development near wetlands.

Policy S1.A.4 The implementation Plan for the Midbayfront Subarea shall require buffer uses, including public parks, along the subarea perimeter which is adjacent to wetlands and the Bay. Where there are no buffer parks (e.g., "F-G" Street Marsh), standards to assure a buffer/separation shall be established consistent with the approved 404 permit (Army Corps Permit No. 88-267-RH).

Policy S1.A.5 In the Central Resort District, where uses shall be integrated vertically as well as horizontally, specific uses shall not be required. The implementation Plan shall provide for appropriate three-dimension integration of permitted uses in this area.

Objective S1.B Allow limited high-rise development in areas which will have minimal impacts to the National Wildlife Refuge and which is consistent with the Conceptual Development Plan.

Policy S1.B.1 The permitted building height zones shall be defined with respect to the wetlands west of SDG&E ROW. Each zone shall reflect increasing sensitivity approaching the wetlands. The zones shall be defined as follows:

Primary Zone – within 100 feet of USF&WS property line: Limited public access (paths and overlooks only, no structures)

Park Lan/Open Space Zone – next 100 feet landward from Primary Zone: public access and limited structures permitted (e.g., park pavilions, pedestrian and bicycle paths); landscaping and structures over 6 feet (including signs, light standards, etc.) must be screened from view of the wetland to the satisfaction of USF&WS and California Department of Fish and Game; building height limit 30 feet.

Limited Development Zone "A" - next 100 feet landwards from parkland/open space zone: building height limit 44 feet, except that portion of the Central Core Sector which may be within 300 feet of the USF&WS boundary where the height limit shall be 75 feet and a single high-rise hotel site (up to 229 feet) as indicated in the Building Heights Map, Exhibit 4, page _____.

Development Zone – Property more than 400 feet from the National Wildlife Refuge Property line shall be subject to the heights limits depicted on the Building Heights Map, Exhibit 4, page _____.

Policy S1.B.2 Notwithstanding the policy above, the horizontal zones for the "F-G" Street Marsh shall be controlled by the provisions of the approved 404 Permit (Army Corps Permit No. 88-267-RH).

Circulation/Public Access Objective/Policies

Objective S1.C Provide adequate public circulation and access routes commensurate with the publicly oriented uses within the Midbayfront, including both vehicular routes and parking, and non-vehicular access.

Policy S1.C.1 The following public streets shall be required for the development planned within the Midbayfront:

Marina Parkway shall be a dedicated 4-lane Major Street for most of its length within the Midbayfront (6-lane major between Bay Boulevard and first intersection west). The width of

Marina Parkway shown on Exhibit 11, page _____ in the vicinity of F&G Street Marsh shall not be widened beyond that indicated therein.

"F" Street (Lagoon Drive) shall be provided between Bay Boulevard and Marina Parkway as a 4-lane Collector.

Gunpowder Point Drive shall be maintained between the Nature Interpretive Center and Marina Parkway.

Policy S1.C.2 The following types of pedestrian/bicycle paths shall be required for the development planned within the Midbayfront:

Type 1 – Bicycle and Pedestrian paths that traverse the buffering parks and one within the SDG&E easement: minimum 8 foot bikeway with adjacent 6 foot pedestrian way (may be combined in a single 14 foot path).

Type 2- Bicycle and pedestrian paths along major vehicular ways: minimum 5 ½ foot sidewalk contiguous to curb and 8 foot bikeway in street.

Type 3 – Pedestrian walkways that connect through privately developed areas: minimum 25 foot promenade (building on one side with lagoon or open space on the other) or 30 foot walkway (buildings on both sides).

Policy S1.C.3 Pedestrian and bicycle routes shall be provided in the following locations:

Along park.open space buffer perimeter with Type 1 path (including overlooks and interpretive signage) adjacent to National Wildlife Refuge.

Within SDG&E ROW with Type 1 path extending from "F" Street (Lagoon Drive) north to connect to perimeter path along northern subarea boundary.

"E" Street Trolley Station to Marina Parkway with Type 2 path along south side of "E" Street and bridge over I-5.

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Along Marina Parkway with Type 2 on both sides of the street

Along "F" Street from east of I-5 with Type 2 path along the north side of the bridge over I-5 to SDG&E ROW.

Along "F" Street (Lagoon Drive) with Type 2 paths on both sides of the street from SDG&E ROW to Marina Parkway.

Along perimeter of lagoon in Resort Core with Type 3 path, also connecting to entryway at SDG&E ROW/"F" Street (Lagoon Drive) and private lagoon in Residential Village/Park Sector. These paths shall be integrated into the architecture/urban design of adjacent development and shall accommodate a variety of pedestrian activities – shopping, strolling, people-watching, outdoor dining, entertainment, special events, etc. Street vendor or outdoor retail/display areas are encouraged adjacent to the pedestrian path.

Objective S1.D Vehicle parking areas within Subarea 2 should be obscured to achieve a pedestrian-oriented, village-scale atmosphere and open space area.

Subterranean parking shall be the preferred parking technique and shall be required for the majority of parking within the Resort Core and Residential Village/Park Sector. A minimum of 75 percent of the required parking for the Central Resort District and Residential Uses shall be provided in subterranean or concealed parking structures. Some surface and structured, above-grade parking is also allowed.

Policy S1.D.2 Subterranean parking shall be located at or below existing grade. Structures at drage shall be screen or partially screen by earth mermed-up against the structure. Maximum slop for the berm shall be 2:1 or less, if required by City streetscape standards. To the extent that all or a portion of the structure shall be considered "subterranean".

Policy D.3 Any portion of a parking structure four feet or more aboce finish grade, shall be considered a building for setback purposes. Such structures shall be given special architectural/landscaping treatment to reduce visual impacts. Above-grade parking shall be constructed or permanent materials (demountable steel structures are not allowed).

Policy D.4 Shared parking shall be encouraged in the Midbayfront, as provided in Areawide Policy PK.3.A.

4. Physical Form and Appearance Objectives/Polices

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Objective S1.E Encourage high quality and well integrated mixed-use development with a harmonious relationship between sensitive wetlands and the built environment. The factors which are important to achieve this objective are:

- Landscape Character
- Bayfront Gateways
- Architectural Edges
- Views
- Building Placement Built From Relationships
- Architectural Character

Policy S1.E.1 Landscaping shall be used to screen those elements of the existing built environment which detract from the intended new image of the Midbayfront as a destination resort. A comprehensive landscaping plan shall be required as a component of the "master plan" for develop,entof the Midbayfront.

Policy S1.E.2 The SDG&E ROW shall be fully landscaped in a manner consistent with its use as a trail corridor and parking area.

Policy S1.E.3 Informal groves of trees shall be planted within the public parks to provide shade and definition and identification for these parks, subject to view considerations and impacts to the wildlife refuge.

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Policy S1.E.4 Marina Parkway shall be identified with formal street planting (regular, evenly spaced trees).

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Policy S1.E.5 Landscaping shall provide visual connections which relate the surrounding environment to the Midbayfront development. At the development perimeter, landscaping shall

provide screening and natural open space areas with a combination of man-made and natural barriers to control access into sensitive wetland areas. The transition of landscape from the perimeter areas into the core of the project shall involve several landscape “zones” comprised of different plant communities. These plant communities shall consist of species selected according to irrigation and maintenance requirements, color, form, and texture, to create compatible themes. Three themes shall focus on the transition from the native wetlands environment to the formal character of streetscapes and urban plazas.

Policy S1.E.6 The following shall be the definition of the plant communities by “zone”, moving from development to the National Wildlife Refuge:

“Active Area” Zone – The landscape character found within the project core shall focus on the higher density activities afforded by the proposed architectural theme. Many of the landscape areas shall consist of the plantings in containers or terraced planters. Limited use of turfgrass shall be permitted as accents to the building forms and to create informal seating areas. Plant material shall be permitted as accents to the building forms and to create informal seating areas. Plant material shall have a more ornamental character and may have higher maintenance requirements due to its proximity to high levels of pedestrian traffic.

“Park Land/Open” Space Zone – The landscape character found within the parkland zone shall establish the first transition area from the project core to the marsh area. Planting design shall focus on lower profile massing of selected species to develop a broader sense of scale in relation to the wetlands. Plant material found in this area shall be selected for its indigenous characteristics for compatibility to the marsh environment. Careful attention shall be made to the maintenance requirements for plant species such as water use, fertilizer, and growth characteristics. These considerations shall provide a framework for long-range maintenance requirements which limit adverse impacts to the more sensitive marshland environment.

“Primary Buffer Zone” – The Primary Buffer Zone will consist of a 100-foot wide buffer area contiguous with the Wildlife Refuge boundary in the area of the “E” Street marsh, the Vener Marsh and the Sweetwater Marsh as shown in Exhibit 9, Environmental Management, page _____. The primary zone will contain a berm and a chain-link fence with underground apron, and will be vegetated with Coastal Sage Scrub/Succulent Scrub. Height of the berm and location of the berm and fence within the Zone will vary. With an overall length greater than 3800 feet, the Primary Zone will provide approximately 8 acres of new scrub habitat.

Objective S1.F Provide clearly identifiable gateways to the Midbayfront at:

- Bay Boulevard/“E” Street
- Bay Boulevard/“F” Street
- Marina Parkway/“F-G” Street Marsh

Policy S1.F.1 The Bay Boulevard and “E” Street Entry shall be the primary entry into the Midbayfront. This gateway shall provide a memorable image of the project. Landscape framing and architectural elements flanking the entry must reflect the importance of this entrance.

Policy S1.F.2 The gateway as Bay Boulevard and “F” Street shall be the major entrance into the project from areas east of I-5. This entry shall emphasize the view down the view from “F” Street to the bay as this shall be a major access point to the parks along the bay and marshes.

Policy S1.F.3 The entry point from the south on Marina Parkway shall include special enhanced landscaping and signage to emphasize the sense of arrival at a high quality destination.

Objective S1.G Use architectural edges to define views and reinforce elements of the land use plan.

Policy S1.G.1 Firm architectural edges shall be used to emphasize various view corridors along Marina Parkway and along the Resort Core lagoon edge. Firm edges are identified by an abrupt and usually linear change from building mass to open area. These edges will help to define an urban environment.

Policy S1.G.2 Soft architectural edges shall be composed of smaller increments of change from building mass to open area. Such edges emphasize a transition instead of an abrupt change. Soft edges shall be utilized where development meets public parks and open space.

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Objective S1.H Preserve important existing views and create enhanced views with development. The following view types have been identified.

-Panoramic views- Typically views in the far distance (bay views).

-Framed views- Views between landscape elements, natural forms, or architectural elements; usually characterized as a view corridors.

-Axial Views- Views on axis sometimes with a focal element, usually architectural and vertically oriented.

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Policy S1.H.1 At the "E" Street gateway, a termination view to a vertical focal point shall be established between the start of Gunpowder Point Drive and the development north of the lagoon.

Policy S1.H.2 A panoramic view of the bay shall be established from the Marina Parkway bridge over the public lagoon to the west.

Policy S1.H.3 Panoramic views of the bay and the "F-G" Street Marsh shall be established south of "F" Street (Lagoon Drive). A framed view to the bay should be created at the "F" Street (Lagoon Drive) gateway to the Midbayfront.

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Objective S1.I Locate buildings in a manner which enhances views and minimizes impacts to adjacent wildlife habitat area.

Policy S1.I.1 In addition to the wetlands setback policy and building height policy of this Land Use Plan, the Implementation Plan shall establish building setbacks from public streets and lot boundaries to assure appropriate building placement.

Policy S1.I.2 High-rise residential towers shall be oriented with their long sides paralleling the major view corridors from "E" Street/Marina Parkway to the wetlands.

Policy S1.I.3 That portion of a residential building facing the wetlands shall have a total length of no more than 150 feet without a separation of at least the same distance as the building width. The plane of a building line facing the wetlands must break (minimum 5 foot offset) at least every 50 feet.

Objective S1.J Have a unifying, high quality architectural character and design to the buildings constructed within the Midbayfront.

Policy S1.J.1 The following basic guidelines shall be followed in the design of buildings and structures within the Midbayfront:

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Colors – Coloration of the Midbayfront shall be perceived as a single thematic impression made up of subtle variations of light pastel tones of off-whites, creams, rose, peach as well as “earth” tones. Bright accent colors shall be reserved for trim and limited surface areas.

Materials – Reflective materials shall not be used. The use of reflective glass is prohibited. Sheet metal finish surfaces shall be discouraged. The use of stucco, wood, and concrete shall be encouraged.

Window openings – Window openings or patterns, especially in the mid-rise and high-rise buildings, shall avoid monotonous patterning. Smaller units of glazing and openings shall be favored over larger, single-paned openings. Window treatments (such as balconies, window boxes, and railing types) shall conform to the design requirements established in cooperation with the USF&WS.

Roofs – Flat roofs without varied parapets are discouraged. Variation in roof forms and parapet treatments shall be encouraged. To discourage avian predators, roof designs shall incorporate anti-perching elements as stipulated in the design requirements developed in cooperation with the USF&WS and to be incorporated in the Biological Resources Management Plan.

Policy S1.J.2 The following guidelines shall be followed in regard to streetscape and pedestrian features:

Architectural and street furniture detailing shall contribute to the ambience of the Midbayfront. This is most effective at the pedestrian level where such details can be readily seen. Detailing options include:

- floor paving patterns
- monuments
- bollards
- railings
- window shape and window pane mullions
- door treatments
- light standards and lighting fixtures in general
- public outdoor seating
- trash/ash receptacles
- textile amenities – banners, awnings, umbrellas
- community sign boards
- planting urns and areas
- niches in walls and wall decorations in general

All the above-cited elements shall be chosen and placed in a coherent manner to “compose” an overall theme or character reflecting the goal of a vibrant, destination resort which is open to the public.

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5. Utilities and Grading Objectives/Policies

Objective S1.K Grading design should achieve: 1) all habitable spaces are situated above the 100-year flood level; 2) most parking spaces are hidden from view; 3) adequate slope exists for surface drainage; and 4) the project balance with on-site grading.

Policy S1.K.1 The Midbayfront project design shall locate most first level parking slabs on or near the structure to reach the first habitable level. This will ensure that: 1) all activity levels (vs. parking levels) are above the 100-year flood line; 2) the major circulation arteries coincide with these activity levels; 3) most parking is hidden; and 4) the soil excavated from the lagoon areas is used on-site to establish the new finish grade.

Policy S1.K.2 No new development which requires excavations to a ground level that would require permanent de-watering shall be permitted.

Policy S1.K.3 No import or export of soil which would have significant environmental impacts is permitted to balance grading quantities, without environmental analysis and a mitigation program.

Policy S1.K.4 Cut and fill activity shall be consistent with the Army Corps of Engineers Permit No. 88-267-RH

6. Environmental Management Objectives/Policies

Objective S1.L Protect and preserve the sensitive wildlife resources within the National Wildlife Refuge while allowing development of public and private uses on the adjacent Midbayfront property.

Policy S1.L.1 Activity along most sensitive areas adjoining wetlands shall be restricted per land use designations. Intense development shall be setback from sensitive edges and clustered toward the central portion of the site.

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Policy S1.L.2 The siting and orientation of major high-rise buildings shall respect environmental issues. Such buildings shall be set back from the marsh to preclude their shadows from falling on the sensitive wetlands. In addition, the shall have non-reflective surface materials and be of muted colors.

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B. Subarea 2 – Industrial Area

1. Special Subarea Conditions

The primary use in this subarea is the Rohr, Inc. industrial and manufacturing facility. This was an existing use at the time the Chula Vista Bayfront LCP was first adopted. When facilities were constructed, landscaping and building aesthetics were not an issue of concern. This use is anticipated to remain and limited expansion is permitted under the provisions of the Land Use Plan. However, landscaping and other aesthetic improvements for the existing, as well as new development, is desirable.

2. Subarea Objectives/Policies

Objective S2.A Provide aesthetic improvements to existing and new industrial development.

Policy S2.A.1 New Development within this subarea shall be accompanied by a landscape master plan and implementation schedule. The City may require the landscape plans to extend beyond the boundaries of the new development where appropriate to upgrade existing areas.

C. Special Subarea Conditions

The southern parcel is located south of "L" Street and west of I-5. this area is within the Coastal Zone but is not covered by the Bayfront Plan. The entire area contains approximately 90 acres. The majority of this area (65 acres) is part of the SDG&E generating plant. In addition, there is small area (4 acres) which is used as part of the salt works, and an area (21 acres) which is developed with light industrial uses.

According to an existing agreement among the State, National City, and the salt marsh operator, the salt works will be incorporated into a State wildlife preserve over a twenty year period. The remaining area is designated for industrial use on the General Plan and is zone I (Industrial), consistent with its use.

It is anticipated that the SDG&E facility will remain in operation on a permanent basis, while the salt works will continue into the foreseeable future. The industrial land is located between Bay Boulevard and I-5 and does not have any direct Bay frontage.

2. Subarea Objectives/Polices

Objective S3.A Provide for maintenance of appropriate existing development and long term conversion of potential habitat areas to protected open space.

Policy S3.A.1 Preclude any visitor-serving facilities here because of the proximity of the freeway and the generating plant. In addition, no uses shall be located on this property which would economically compete with the Bayfront.

D. Subarea 4 – Inland Parcel

1. Special Subarea Conditions

The inland parcel is located north of "C" Street and west of Broadway. This area contains approximately 80 acres. A major portion of this area has been used for SR-54 and the Sweetwater River Channel.

The property is designated for research and limited industrial uses in the General Plan and is zoned F-1 (Flooding_ and I-L (Light Industrial).

This area is not coastal-related, however, changes in the existing designations are planned. It is anticipated that the property will be developed, as an interim use, with a commercial recreational complex that will include a golf driving range, batting cages, and accessory uses such as a club house, pro shop, and delicatessen.

2. Subarea Objectives/Polices

Objective S5.A Allow, as a conditional use, commercial "group assembly" development and accesroy uses with assurance that improvements are adequately protected from flood hazards.

Policy S5.A.1 All development proposals shall demonstrate that proposed improvements are located outside of the 100 year frequency storm flood hazard zone.

E. Subarea 5 – Faivre Street

1. Special Subarea Conditions

This site is located south of the western end of Faivre Street, adjacent to the MTDB Trolley tracks. The Otay River is its south boundary. The site was annexed to Chula Vista in December 1985 as a part of the Montgomery Annexation. It is approximately 10 acres in size and is currently used for a truck terminal and open storage. These current uses are unsightly and are especially visible from the trolley tracks which are elevated along the western edge of the parcel.

The site was previously included in the County of San Diego's LCP. It was designated for General Impact Industrial Use and zoned M-54 (FP), a manufacturing industrial zone with floodway overlay. The project area is depicted in white (a part of the so-called "whitelands") by the Montgomery Specific Plan (a community plan with the City's General Plan). The City-wide General Plan land use map appears to designate the site as open space.

2. Subarea Objective/Polices

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Objective S6.A Improve the appearance of the current uses and establish a land use designation and development regulations which are consistent with the City's land use planning and regulatory structure.

Policy S6.A.1 The City shall endeavor to improve the screening and landscaping of the site and shall require such improvements to current City standards with any new use or development permit approved for the site.

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Policy S6.A.2 On an interim basis, the County zoning regulations in effect at the time of annexation shall be utilized to regulate development.

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Policy S6.A.1 All development proposals shall demonstrate that proposed improvements are located outside of the 100 year frequency storm flood hazard zone.

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F. Subarea 6 – Palomar Bay/Boulevard Reorganization

1. Special Subarea Conditions

The site is approximately 63 acres in size, generally located west of Bay Boulevard, north of Palomar Street, and along the eastern shoreline of San Diego Bay. The City Of Chula Vista initiated a reorganization of the area on behalf of the property owners and the areas was annexed from the City of San Diego in early 1986.

The property is currently used for salt evaporation ponds (Western Salt Co.) and a site for large steel tanks associated with an adjacent power plant (SDG&E). Only a small portion of the

Western Salt Company property is “dry land”. The dry area is located at the southern end of the project site, adjacent to Bay Boulevard and the existing industrial park.

The area was designated Open Space on the City of San Diego's General Plan and was zoned M-2 (Heavy Industrial) in San Diego's LCP. The current City Of Chula Vista General Plan designation for the site is “Research and Limited Industrial” while the site was pre-zoned in “I-L-P” (Limited Industrial with Precise Plan) at the time of annexation. The existing uses are consistent with these current designations. The General Plan Update appears to designate the entire site with Open Space.

2. Subarea Objectives/Policies

Objective S7.A Establish a land use plan and development regulations for this area to integrate it into the City's land use planning and regulatory structure in a manner which is consistent with its development capability and environmental value.

Policy S7.A.1 Any development proposal within this subarea shall require a comprehensive analysis of the entire subarea to determine the appropriate long-term land use pattern and intensity for the subarea.

Policy S7.A.2 On an interim basis, the City's I-L-P zoning designation shall be utilized to regulate development.

G. Subarea 7 – Sweetwater Marsh National Wildlife Refuge

1. Special Subarea Conditions

This area is owned by the Federal Government and is operated by the U.S. Fish and Wildlife Service as the Sweetwater Marsh National Wildlife Refuge. It contains virtually all of the important wildlife habitat and wetlands within the Bayfront Planning Area. Government ownership assures that any development within the subarea will be consistent with federal environmental protection laws. The primary issue for adjacent development sites is avoiding or minimizing impacts to the wildlife habitat.

2. Subarea Objectives/Policies

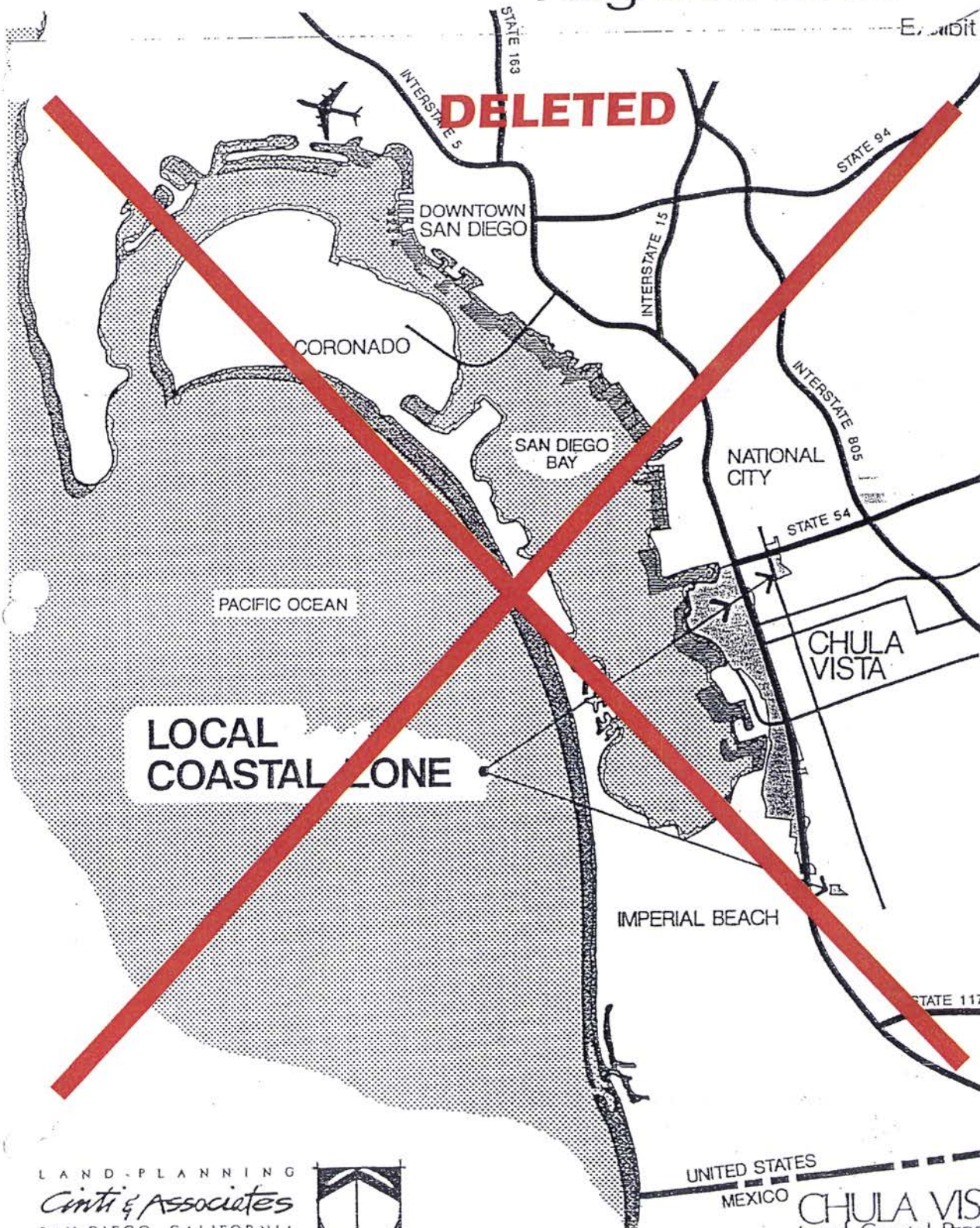
Objective S8.A Maintain and enhance wildlife habitat within the National Wildlife Refuge while allowing public enjoyment of coastal resources while in a manner consistent with habitat protection.

Policy S8.A.1 The environmental management policies established in the Land Use Plan which protect and enhance the wetlands and habitat areas shall be implemented to assure that any development permitted on adjacent parcels will be consistent with the needs of the adjacent National Wildlife Refuge.

Regional Loca

Exhibit 1

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LAND-PLANNING

Cinti & Associates

SAN DIEGO, CALIFORNIA
Phone (619) 239-1815 Fax (619) 239-4737



UNITED STATES
MEXICO

CHULA VISTA
Local Coastal Program

Coastal Zone With Subareas Exhibit 2

- ① Midbayfront Subarea
- ② Industrial Subarea
- ③ Southern Parcel Subarea
- ④ Inland Parcel Subarea
- ⑤ Falvre Street Subarea
- ⑥ Palomar/Bay Boulevard Subarea
- ⑦ Sweetwater Marsh National Wildlife Refuge

- Coastal Zone Boundary
- - - Subarea Boundary
- - - City Limit Line



CHULA VISTA
Local Coastal Program

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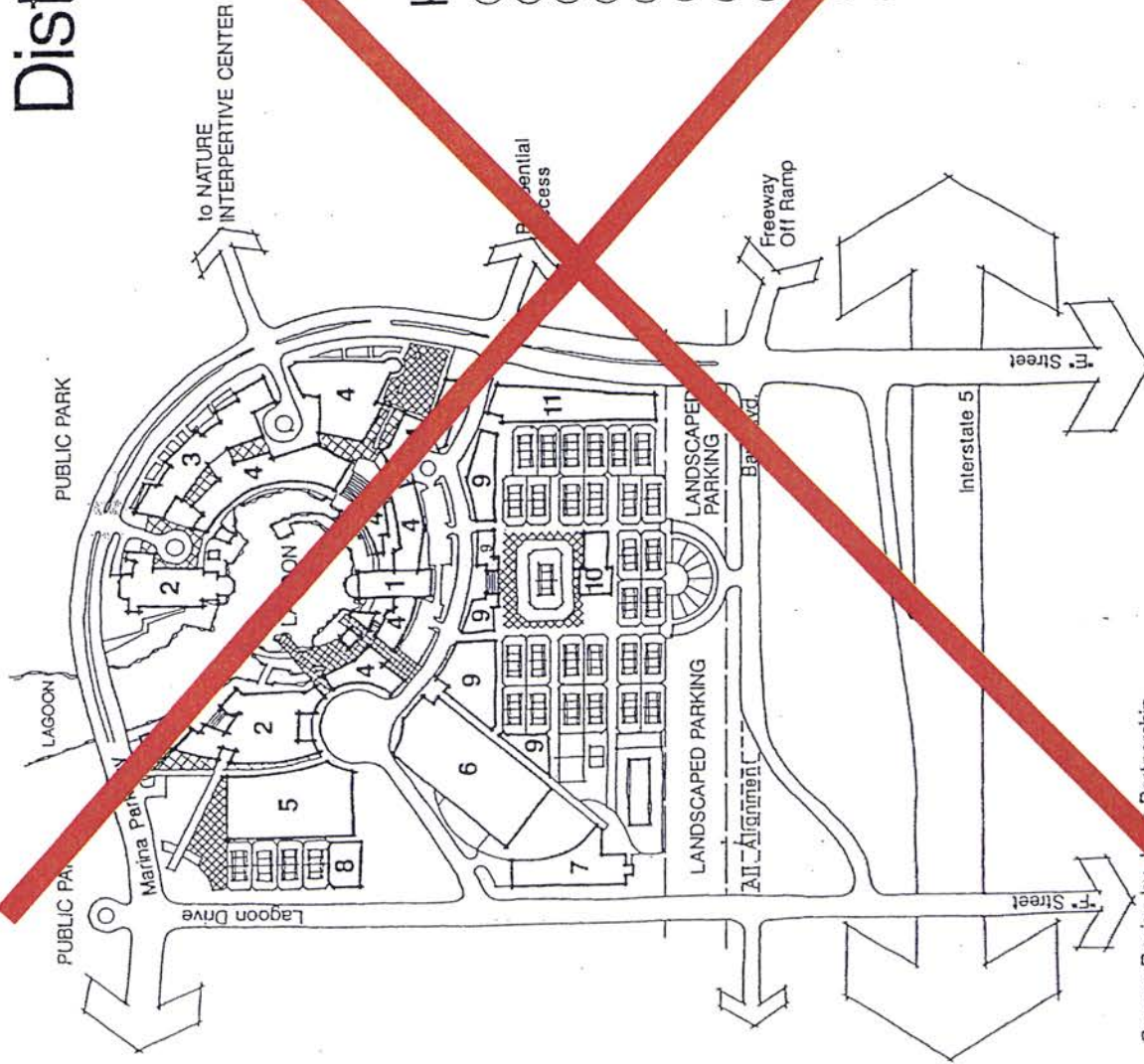
Central Resort District Concept

Exhibit 4

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KEY

- ① Mid-Rise Hotel (up to 100')
- ② High Rise Hotel (up to 229')
- ③ Retail/Residential Above
- ④ Retail/Residential Above
- ⑤ Conference Facilities
- ⑥ Ice Rink (Park, or alt. Cult. Arts Fac. Site)
- ⑦ Child Care
- ⑧ Co-Generation Facility
- ⑨ Sports Facility
- ⑩ Tennis Club
- ⑪ Office



Source: Design by [redacted] Partnership

CHUI VISTA
Local [redacted] Program

Building Heights

Exhibit 5

SPECIAL HEIGHT CONDITIONS

- ④ 2 High-Rise and 1 Mid-Rise Hotel Sites
- ⑤ 1 Mid-Rise Cultural Arts Facility Site (up to 69')
- ⑥ 1 Mid-Rise Office Site (up to 95')
- ⑦ Viewing Tower Site/Nature Interpretive Center
- ⑧ 2 High-Rise Residential Sites (up to 229')
- ⑨ Special Architectural Feature

MAXIMUM BUILDING HEIGHTS

1	30 Feet
2	35 Feet
3	44 Feet
4	60 Feet
5	75 Feet

NOTE: Areas without height regulations are not planned for any buildings.

DELETED



CHULA VISTA
Local Coastal Program

Circulation Element

Exhibit 6

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OTHER

	Regional Bicycle Route
	Local Bicycle Route
	Pedestrian Route

RAIL

	Existing Trolley
	Existing Trolley Stop
	S.D. & A.E. Railroad

VEHICULAR

	I-5 Freeway
	Existing Arterials
	Planned Arterials



CHULA VISTA
Local Coastal Program

Form & Appearance

Exhibit 7

DELETED

- Firm Architectural Edge
- Irregular Architectural Edge
- Formal Street Tree Planting
- Informal Grove/Street Planting
- Landscape Screening
- Landscape Parking
- Distant View to Protect
- Gateway
- Focal Point
- Major Open Space and Protected Areas







CHULA VISTA
Local Coastal Program

Utility Systems

Exhibit 8

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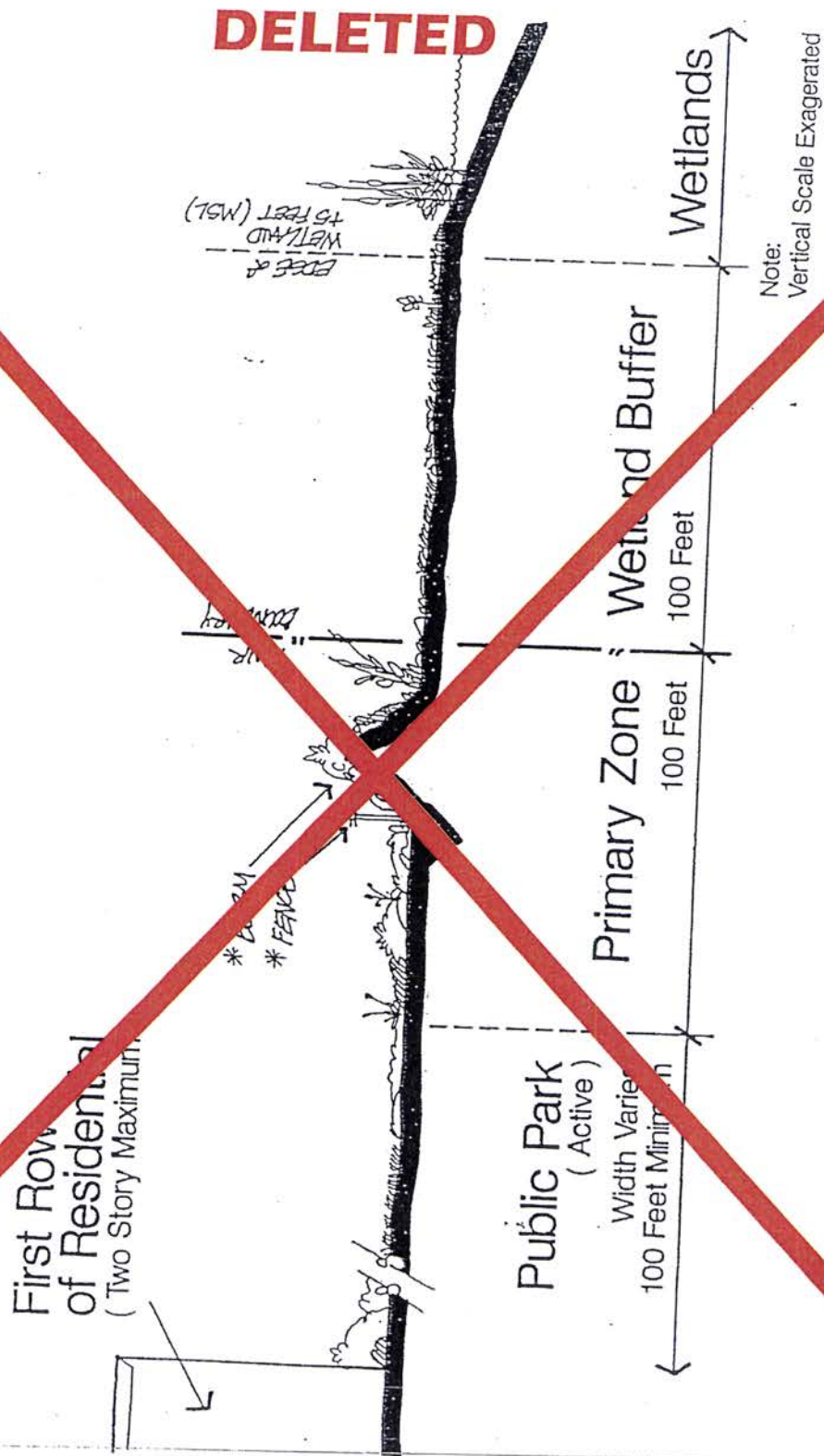
-  Water Line
-  Sewer Line
-  Sewer Pump Station
-  * : Possible Sewer Pump Station



CHULA VISTA
Local Coastal Program

Buffer Zone Section

Exhibit 10



* Location of Fence and Berm with Primary Zone Varies

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Exhibit 11
G Street Marsh
Conceptual Plan For
Restoration and Enhancement

LEGEND:	
RESTORE	
Freshwater Marsh	
Salt Marsh	
Coastal Sage Scrub	
ENHANCE	
Salt Marsh	
Coastal Sage Scrub	
Detention Basin	
Discharge Control	
Improved Tidal Access	
Berm	

SOURCE: Rick Engineering and
David Smith & Associates

CHULA VISTA
Local Coastal Program

10/13/92

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EXHIBIT
11
North



FINAL DRAFT
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

Sections:

- 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. XXXXX, 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 (Agency) pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000, et seq.), the California Constitution, and all applicable laws and ordinances, and last amended on June 23, 1998 by City Council Ordinance No. 2734.~~ 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.

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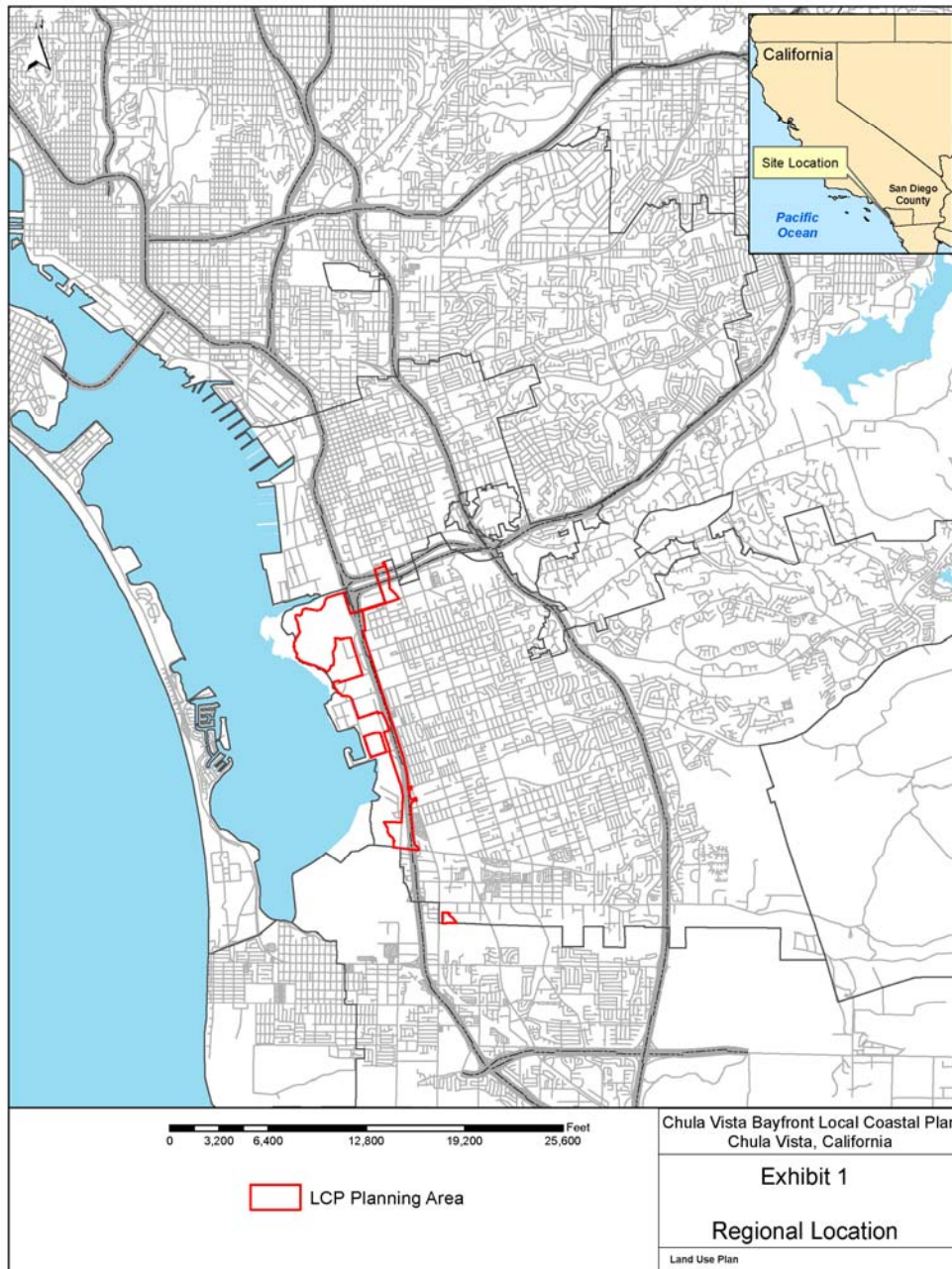
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The Bayfront Specific Plan shall govern and regulate all development within the Chula Vista LCP Planning Area boundary as depicted in Exhibit 4, herein. (Ord. xxxx, 200X).

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 Chula Vista Municipal Code (CVMC), relating to specific plans (Ord. xxxx, 200X).

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Deleted: (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, 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. XXXX, 200X).

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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, Zoning and Specific Plans, hereinafter referred to as the "Chula Vista Zoning Code") or whenever the provisions reflect an internal conflict, the following rules shall apply: The Bayfront Specific Plan provisions shall supersede those of the Chula Vista Zoning Code and the subarea provisions shall supersede areawide provisions, as set forth in Sections IV and III, respectively, of the LUP (adopted by City Council Ordinance No. XXXXX on XXXXXXX, 200X). In all cases, whenever provisions require interpretation, the LUP shall provide clarification or amplification.

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Deleted: Chula Vista Bayfront Land Use Plan

Deleted: (Ord. 2532, 1992; Res. 11903, 1985).

Deleted: zoning ordinance

Deleted: Local Coastal Programs

Deleted: (Ord. 2532, 1992; Res. 11903, 1985).

Deleted: zoning ordinance, Title 19 of the Municipal Code,

Deleted: by reference. Such Article, Section, or Subsection of the Chula Vista zoning code is in force as of the date of the adoption if this Implementation Program.

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Deleted: shall also be applicable, but only to the extent that such amendments are not in conflict with the Chula Vista Coastal Program Land use Plan and Bayfront Specific Plan.

Deleted: The applicability of provisions incorporated by reference may also be affected by development agreements which may also be entered into by the City and property owners within the plan area (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. xxxx, 200X).

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 adopted after the effective date of this Specific Plan shall apply to properties within the LCP Planning Area in accordance with the provisions of Section 19.82.002, above. A subsequent amendment to the Chula Vista Zoning Code that is in conflict with this Bayfront Specific Plan shall not be applicable without an amendment to this plan. No provisions of the Chula Vista Zoning Code shall be incorporated by reference to the extent prohibited by development agreements entered into by the City and property owners within the LCP Planning Area. (Ord. xxxx, 200X).

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. xxxx, 200X).

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Deleted: (Ord.2523,1992)

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.
- 19.83.007 Emergency development permit.
- 19.83.008 Notice of appealable developments.
- 19.83.009 Public hearing on appealable developments.
- 19.83.010 Notice of local government action where hearing continued.
- 19.83.011 Notice of nonappealable developments that require a public hearing – Conditional uses.
- 19.83.012 Public hearing on nonappealable developments – Conditional uses.
- 19.83.013 Notice of nonappealable developments that do not require a public hearing – Permitted uses.
- 19.83.014 Determination of applicable notice and hearing procedures.
- 19.83.015 Finality of City action.
- 19.83.016 Final City action – Notice.
- 19.83.017 Failure to act – Notice.
- 19.83.018 Local government action – Effective date.
- 19.83.019 Exhaustion of local appeals.
- 19.83.020 Appeal fee.

19.83.001 Purposes.

This [section](#) 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). [\(Ord. xxxx, 200X\).](#)

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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:

A. 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.

B. Developments approved by the local government, not included within paragraph (A) ~~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.

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C. 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.

D. Developments approved by the local government not included within paragraph (A) or (B) that are located in a sensitive coastal resource area.

“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.

"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.

"Development permit procedures" means access, open space, and conservation requirements.

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.

"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.

"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.

"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. (Ord. XXXX, 200X).

Deleted: (Ord. 2532,1992;

Deleted: Ord. 2168 §1 (part) 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.

1. 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:

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a. 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.

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b. 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 is 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.

- c. 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. xxxx, 200X).

Deleted: (Ord. 2532, 1992;

Deleted: Ord. 2168 §1 (part) 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. xxxx, 200X).

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Deleted: (Ord. 2613, 1994; Ord. 2532, 1992; Res 13957, 1989; Res. 11903, 1985).

19.83.005 De Minimis Development.

The Director of Planning and Building 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 Planning [and Building](#) 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.

1. 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.
2. The Director of Planning and Building may consider the following types of projects for possible permit waivers:
 - a. Projects that would have been placed on the consent calendar of the City Council agenda without special conditions;
 - b. 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
 - c. Projects located in areas where similar projects have been approved as a routine matter without conditions or opposition.
3. The following projects will not be considered for possible waivers:
 - a. Projects that involve questions as to conformity with the certified LCP, or that may result in potential impacts on coastal resources and public access;

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- b. Projects with known opposition or probable public controversy; and
 - c. Projects that involve divisions of land including condominiums.
4. If, upon review of the coastal development permit application, the Director of Planning and Building determines that the development is de minimis, the applicant shall post public notice of the de minimis waiver on the property for at least 7 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 7 calendar days prior to the decision on the application, the Director of Planning and Building 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.

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5. The notice shall contain the following information:
- a. A general description of the proposed project and location;
 - b. A statement that the development is within the coastal zone;
 - c. The date of filing of the application and the name of the applicant;
 - d. The number assigned to the application;
 - e. The date at which the waiver may become effective;
 - f. The general procedure concerning the submission of public comments either in writing or orally prior to the decision; and
 - g. 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 Planning and Building 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 Planning and Building shall be available for public inspection at the public counter of the community development department and at the City Council meeting during which any waivers are reported. A waiver shall not take effect until after the Director of Planning and Building 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. XXXX, 200X).

Deleted: (Ord. 2532, 1992; Res. 13957, 1989; Res. 11903, 1985).

19.83.006 Exemptions.

1. The following shall be considered exemptions [from a Coastal Development Permit](#):
- a. 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 Subchapter 7, Title 14, California Administrative Code, and any amendments thereafter adopted.

- b. Activities of public utilities as specified in the repair, maintenance, and utility hook-up exclusion adopted by the Coastal Commission on September 5, 1978.
- c. Occupancy permits.
- d. 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.
- e. 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.

2. 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. xxxx, 200X).

Deleted: (Ord. 2532, 1992; Ord. 2168 § 1 (part), 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 Federal Regulations Title 14). An application and permit form prepared in compliance with said article shall be adopted by the City. (Ord. XXXX, 200X).

Deleted: (Ord. 2532, 1992; Ord. 2168 § 1 (part), 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:

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- 1. A statement that the development is within the coastal zone;
- 2. The date of filing of the application and the name of the applicant;
- 3. The number assigned to the application;
- 4. A general description of the development and its proposed location;
- 5. The date, time, and place at which the application will be heard by the local governing body or hearing officer;

6. A brief description of the general procedure of local government concerning the conduct of hearings and local actions; and
7. The system for local and Coastal Commission appeals, including any local fees required.
8. Costs of the notice that are not reimbursed to local governments through grants or SB90 reimbursement pursuant to Public Resources Code Section 30353. (Ord. xxxx, 200X).

Deleted: (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 planning 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.

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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. The fee for filing said appeal shall be in accordance with CVMC 19.83.020. (Ord. xxxx, 200X).

Deleted: (Ord. 2613, 1994; Ord. 2532, 1992; Res. 13957, 1989 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. xxxx, 200X).

Deleted: (Ord. 2613, 1994; Ord. 2532, 1992; Res. 11903, 1985).

19.83.011 Notice of Non-appealable 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:

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1. Notice in the manner prescribed in CVMC 19.83.008; or
2. Notice as prescribed herein:
 - a. 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;
 - b. Notice by first class mail to any person who has filed a written request;
 - c. Notice by first class mail to property owners within 300 feet of the proposed project;
 - d. Notice by first class mail to residents within 300 feet of the proposed project;

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

f. The notice shall contain a statement that the proposed development is within the coastal zone. (Ord. xxxx, 200X).

Deleted: (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. XXXX, 200X).

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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 19.83.005.6. (Ord. XXXX, 200X).

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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:

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1. 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.
2. 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.
3. The executive director shall in writing, within 2 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.
4. 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. xxxx, 200X).

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Deleted: (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 (1) 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 (2) all rights of appeal have been exhausted as defined in CVMC 19.83.019. (Ord. xxxx, 200X).

Deleted: (Ord. 2613, 1994; Ord. 2532, 1992; Res. 11903, 1985)

19.83.016 Final City Action – Notice.

Within 7 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 conditions of approval, written findings, and the procedures for appeal to the Coastal Commission. (Ord. XXXX, 200X).

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19.83.017 Failure to Act – Notice.

1. 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.
2. 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 7 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.

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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. XXXX, 200X).

Deleted: 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:

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1. An appeal is filed in accordance with the Coastal Commission's regulations; or
2. 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 5 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. XXXX, 200X).

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19.83.019 Exhaustion of Local Appeals.

1. 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 anyone of the following occurs:
 - a. 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;
 - b. 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;
 - c. 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
 - d. 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.

2. 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. xxxx, 200X).

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19.83.020 Appeal Fee.

The fee for filing and processing an appeal to the California Coastal Commission within the City shall be in accordance with the City of Chula Vista Fee Schedule. (Ord. XXXX, 200X).

Deleted: The fee for filing and processing an appeal within the city Of Chula Vista shall be \$125. (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 land use designations.
- 19.84.003 Industrial land use designations.
- 19.84.004 Public and open space designations.
- 19.84.005 Residential designations.
- 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.

19.84.002 Commercial Zones.

1. Commercial – Visitor (C-V).

a. 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.

b. Permitted Uses. The following uses are permitted.

- 1) Hotels and inns
- 2) Retail, including:
 - (a) Restaurants with a cocktail lounge as an integral part;
 - (b) Art galleries;
 - (c) Stores and retail shops;
 - (d) Parking garages;
 - (e) Antique shops;
 - (f) Markets;

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Deleted: 1. Visitor – Commercial:
This use is permitted only in the Midbayfront, Subarea 1. Refer to 19.87, Subarea Specific Development Standards for Subarea 1.

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Deleted: within the following sub-categories designated on an approved Master Plan:

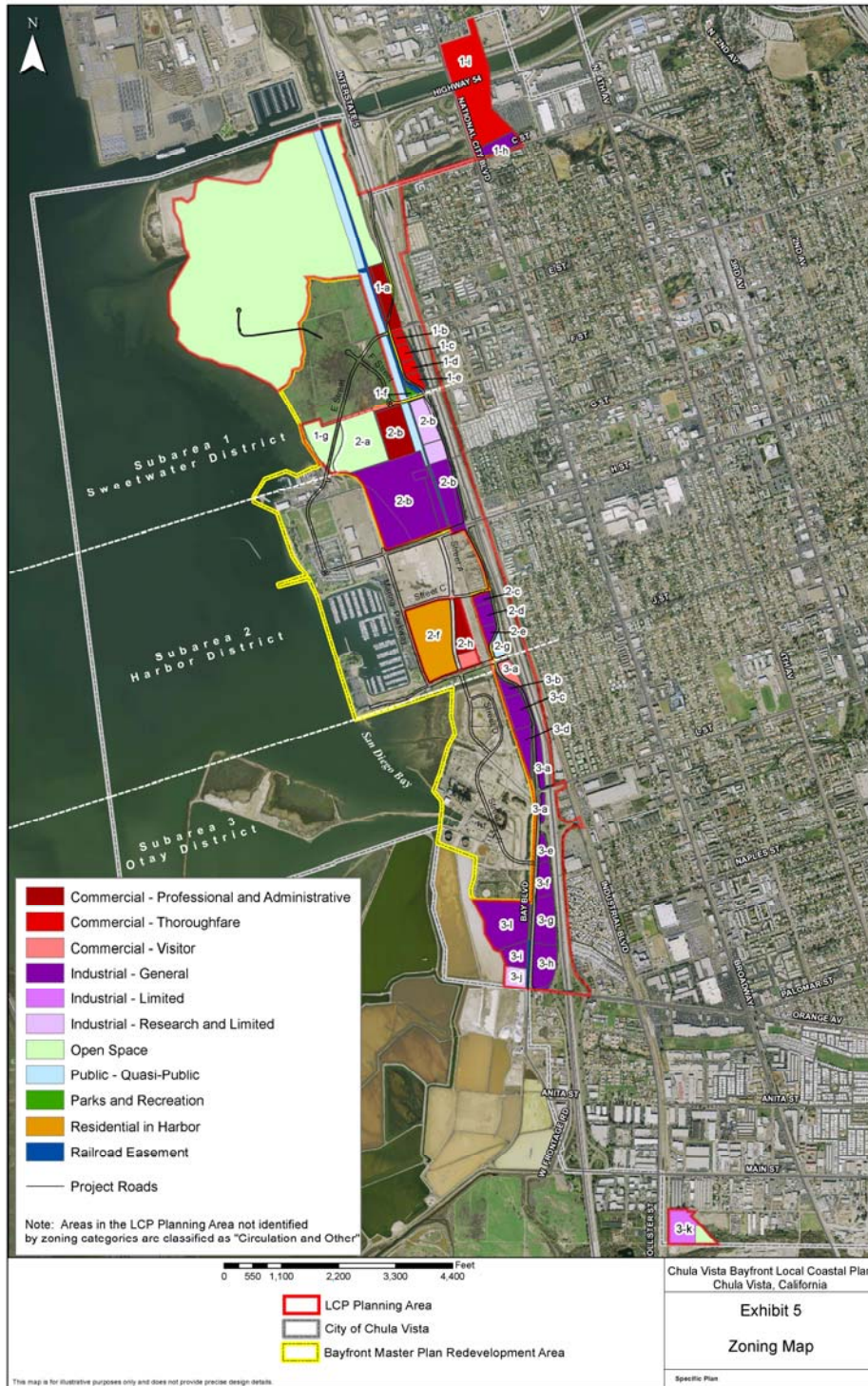
Deleted: <#>Hotel-High Rise:
Buildings designated as Hotel-High Rise are permitted to include: ¶
<#>Hotels; and ¶
<#>Incidental business within the hotel complex to serve the patrons including restaurants, cocktail lounges, meeting areas, recreation facilities, retail shops, conferencing facilities, communication center, parking structures, and other similar businesses or facilities determined to be of the same general character of the above primary permitted use. ¶
<#>Hotel: Buildings designated as Hotel are permitted the same uses as Hotel-High Rise. ¶
¶

Deleted: building areas designated as retail are permitted to include

Deleted: <#>Theaters ¶

Deleted: Bonafide

(g) Restaurants and snack bars;



h) Customer serving offices; and

(i) Any other establishment serving visitors determined to be of the same general character of the above-permitted uses.

3) Commercial recreation, including:

(a) Tennis clubs and facilities;

(b) Health clubs;

(c) Sports and health classes and clinics;

(d) Professional sports facilities;

(e) Sports medicine facilities;

(f) Sports training facilities;

(g) Swimming and diving facilities; and

(h) Any other business or facility determined to be of the same general character of the above-permitted uses.

c. 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.

d. 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.

2. Commercial – Thoroughfare (C-T)

a. 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.

b. Permitted Uses. The following uses are permitted:

1) Food sales commercial;

2) Convenience sales and service commercial;

3) Transient habitation commercial;

4) Automotive servicing commercial;

5) Automotive repair and cleaning commercial;

Deleted: h

Deleted: <#>Ice Rink¶

Deleted: <#>Conference/
Convention: Buildings designated as
conference/convention are permitted
to include: ¶
<#>Conference and Convention
facilities; and,¶
<#>Incidental businesses within the
conference and convention facilities
intended to serve the uses of the
facility¶
<#>Conditionally Permitted Uses: the
following Commercial-Visitor uses are
permitted subject to the approval of a
Conditional User Permit:¶
<#>Any establishment whose parking
requirement will be met by a shared
parking agreement¶
<#>Any business or activity that
produces noise beyond outside of the
establishment and is within 250 feet
of a residential dwelling and is open
between the hours of 10:00pm and
6:00am;¶
<#>Outdoor uses including
amphitheaters, vending cards, kiosks,
and outdoor sales and displays;¶
<#>Nightclubs, except within hotels¶
<#>Video arcades; and¶
<#>Special events and tournaments
that will exceed the parking
requirement of the primary permitted
use.¶

Deleted: <#>Public-quasi public,
including:¶
<#>Public parks, recreation, open
space, trails, and other similar uses;¶
<#>Places of worship;¶
<#>Day nurseries and child-care
facilities;¶
<#>Transit and other public
transportation facilities; and¶
<#>Electrical substations and gas
regulators.¶

Deleted: <#>Site Development
Standards: As indicated on the
approved Master Plan¶
<#>Sign Regulations: as provided for
in this LCP and as may be
supplemented by the approved
Master Plan¶

... [1]

Deleted: will

Deleted: All lands on Exhibit #3,
Land Use Districts, designated as
Thoroughfare Commercial shall be
permitted to accommodate the
following uses:

Deleted: a.. For Subarea 1 –
Midbayfront Subarea¶
Refer to Chapter. 19.87

Deleted: a.

Deleted: For Subarea 2 – Industrial
Subarea

- 6) Automotive fee parking commercial;
- 7) Group assembly commercial;
- 8) Parking services civic;
- 9) Community assembly civic;
- 10) Administrative civic; and
- 11) Utility and vehicular civic.

Deleted: <#>Special Signs¶
<#>Development Signs¶
<#>Realty Signs¶
<#>Civic Signs¶
Business Signs

Deleted: For

Deleted: other subareas refer

Deleted: to Section 19.87, Subarea Development Standards

Deleted: All lands on Exhibit #3, Land Use Districts, designated on Professional and Administrative (including portions within the Central Resort District), shall be permitted to accommodate the following uses

Deleted: For subarea 1 – Midbayfront subarea refer to Chapter 19.87, Subarea Specific Development Standards

Deleted: b. For subarea 2 – Industrial Subarea

Deleted: ¶

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

a) 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.

b) Permitted Uses. The following uses are permitted:

- 1) Administrative and executive offices;
- 2) Professional offices;
- 3) Financial offices, including banks, real estate, and other general business offices;
- 4) Medical care facilities;
- 5) Research offices;
- 6) General business offices;
- 7) Fire Stations; and
- 7) Any other office use determined to be of the same general character of the above-permitted uses. (Ord. xxxx, 200X).

Deleted: and

Deleted: (Ord. 2613, 1994; Ord. 2532, 1992).

Deleted: Industrial Land Use Districts

Deleted: All lands on Exhibit #3, Land Use Districts, designated as Research and Limited

Deleted: General-

Deleted: -Industrial shall be permitted to accommodate to following permitted uses:

Deleted: a. For Subarea 2- Industrial Subarea

19.84.003 Industrial Zones.

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

a. 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.

b. Permitted Uses. The following uses are permitted:

- 1) Administrative commercial;
- 2) Food service commercial;
- 3) Convenience sales and service commercial;
- 4) Business and communication service commercial;
- 5) Retail business supply commercial;
- 6) Research development commercial;
- 7) Automotive fee parking commercial;
- 8) Custom industrial;
- 9) Essential service civic;
- 10) Parking service civic; and
- 11) Community assembly civic.

Deleted: <#>Special Signs¶
<#>Development Signs¶
<#>Reality Signs¶
<#>Civic Signs¶
Business Signs

Deleted: For other subareas: refer to Chapter 19.87 Subarea Specific Development Standards, herein.

2. Industrial – General (I-G).

Deleted: All lands on Exhibit #3, Land Use Districts, designated as General – Industrial shall be permitted to accommodate uses as follows:

a. 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.

b. Permitted Uses. The following uses are permitted:

- 1) Food service commercial;
- 2) Convenience sales and service commercial;
- 3) Business and communication service commercial;

- 4) Retail business supply commercial;
- 5) Research and development commercial;
- 6) General wholesale sales commercial;
- 7) Transportation and warehousing commercial;
- 8) Automotive fee parking commercial;
- 9) Custom industrial;
- 10) Light industrial;
- 11) General industrial; and
- 12) Essential service civic.

Deleted: <#>Special Signs¶
 <#>Development Signs¶
 <#>Realty Signs¶
 <#>Civic Signs¶
 Business Signs

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

- 1) Automotive sales (new), rental and delivery, and accessory commercial activities;
- 2) Automotive servicing commercial activities;
- 3) Automotive repair and cleaning commercial activities;
- 4) Boat sales or rental commercial activities;
- 5) Boat servicing commercial activities;
- 6) Educational services commercial activities; and
- 7) Child-care activities.

Deleted: The following are conditionally permitted uses only within the Inland Parcel, Subarea 5:¶
 Commercial – group assembly¶
 Commercial – sport and recreation enterprise¶
 Gold driving range

3. **Limited Industrial (I – L)**

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

Deleted: Districts

19.84.004 Public/Quasi-Public and Open Space Zones.

1. **Public and Quasi-Public (P-Q).**

- a. 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.).

Deleted: <#> All lands on Exhibit #3, Land Use Districts, designated as Public and Quasi-public shall be permitted to accommodate the following uses:¶
 <#>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.).¶

b. Permitted Uses. The following uses are permitted:

- 1) Parking services civic;
- 2) Fire station;
- 3) Automotive fee parking commercial; and
- 4) Utility transmission systems.

Deleted: <#> For Subarea 1 – Midbayfront Subarea: Refer to Chapter 19.87 Subarea Specific Development Standards, herein

Deleted: For all Subareas with a Landscaped Parking Overlay Designation.

Deleted: 3.)

Deleted:

Deleted: Special Signs

Deleted: 4.) Civic Signs

Deleted: All lands on Exhibit #3, Land Use Districts, designated as Parks and Recreation, shall be permitted to accommodate the following permitted uses:

Deleted: For Subarea 1- Midbayfront Subarea: refer to Chapter 19.87 – Subarea Specific

Deleted: Development Standards, herein

Deleted: For all other Subareas

Deleted: :

2. Parks and Recreation (P-R).

a. 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.

b. Permitted Uses. The following uses are permitted:

- 1) Public parks and facilities to serve park users; and
- 2) Public parking.

Deleted: 3. Water: Refer to Chapter 19.87 – Subarea Specific Development Standards for Subarea 1 – Midbayfront Subarea for permitted uses.

Deleted: All lands on Exhibit #3, Land Use Districts, designated as Open Space, shall be permitted to accommodate

3. 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.

Deleted: 5. Circulation/Other: All lands on Exhibit #3, Land Use Districts, designated as Circulation/Other is to be used for major circulation facilities, their adjacent right-of-ways, and landscaped areas adjacent thereto.

Deleted: (Ord. 2532, 1992).

Deleted: Districts

Deleted: Refer to Chapter 19.87 – Subarea Specific Development Standards for Subarea 1 – Midbayfront Subarea for permitted uses

19.84.005 Residential Zones.

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

a. 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.

b. Permitted Uses. The following uses are permitted:

- 1) Dwellings, multiple, mid-rise;
- 2) Dwellings, multiple, high-rise;
- 3) Short-term vacation rentals;
- 4) Retail commercial uses at street level;
- 5) 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;
- 6) Private, noncommercial recreational facilities, such as swimming pools, tennis courts, and clubhouses (for additional provisions, see CVMC 19.58.100 and 19.58.270);
- 7) Day care/nursery facilities; and
- 8) Accessory uses and buildings including:
 - (a) Customary incidental home occupations, subject to the provisions of CVMC 19.14.490;
 - (b) Other accessory uses and accessory buildings customarily appurtenant to a permitted use, subject to the provisions of CVMC 19.58.020;
 - (c) Full-time foster homes as defined in CVMC 19.04.098;
 - (d) Satellite dish antennas per the provisions of CVMC 19.22.030(F).
- c. Conditionally Permitted Uses. The following uses may be allowed subject to the approval of a conditional use permit:
- d. Commercial parking garages and off-street parking lots, in accordance with the provisions of CVMC 19.62.010 through 19.62.130;
- e. Unclassified uses, see Chapter 19.54 CVMC; and
- f. Small family day care homes, as defined in CVMC 19.04.095.

▼ 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. xxxx, 200X).

APPENDIX A

USE CLASSIFICATION SYSTEM ADMINISTRATIVE GUIDELINES

Deleted: 19.84.006 Central Resort District¶
Refer to Chapter 19.87 CVMV, Subarea Specific Development Standards, for Subarea 1 – Midbayfront Subarea for permitted uses (Ord. 2532, 1992)

Deleted: 19.84.007

Deleted: District

Deleted: All lands in exhibit 3, Land Use Districts, indicated as circulation and other are for those uses associated with major circulation elements including Interstate 5, State Route 54, SDG&E Railroad line, Marina Parkway, Lagoon Drive, H Street, and the rights-of-ways/adjacent open space associated with these circulation elements. (Ord. 2532, 1992).

Deleted: Table IV-1¶

¶
TABLE OF LAND USE STATISTICS. ¶

¶
The following statistics are provided as a general reference for the overall Chula Vista LCP. The acreages indicated are approximate gross acreages based on the planimeter calculations from, Exhibit 3, Land Use Districts. These statistics are not intended to indicate an allowance nor a restriction of permitted development.¶

¶
Land Use . . . Approximate Gross Acres¶

¶
Residential-High . . . 18 ac.¶
Commercial-Visitor . . . 11¶

Deleted: Commercial-Thoroughfare . 12*¶
Commercial-Professional . 12¶
Industrial-Research & Limited 81¶
Industrial-General . . 289¶
Public & Quasi-Public . . 18¶
Parks & Recreation . . 37¶
Water . . . 8¶
Open Space . . . 301¶
Circulation/Other . . 186¶
Central Resort District . . 40¶

... [2]

Deleted: ¶

Deleted: *Use also included in Central Resort District

Deleted: ¶

¶
¶
¶
¶
¶

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.

Deleted: ¶

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 eights)
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
Diary 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
Chiropracist Offices
Chiropractor Office
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, Optometric 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 Good Stores
Auction Rooms, Public
Auto Parts (tools)
Auto Upholstery
Bait and Tackle (live)
Bicycle Stores
Bookstores
Camera and Photographic Supplies
Candles Shops
China or Glassware Shops
Cigars and Cigarettes

Deleted: Convenience Sales and Service¶

¶
Uses permitted by food sales, food service, general personal service and general retail sales, provided it is administratively determined that they meet the convenience description set for in Section 19.87.002

Cosmetics Shops
Costume Shop, 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, Souvenirs
Gourmet Shops
Greeting Cards 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 Metal ware Shops
Millinery Shops
Monuments,
Mufflers
Newsstands
Novelty Shops
Nursery 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
Shoes Stores
Spice Shops
Sporting Goods Stores
Stamp and Coin Collectors
Stationery and Supplies
Stereos
Sundries

Super Drug Stores with Variety Goods
Surgical Supplies
Television
Tires and Tubes
Tobacco Stores
Toiletry Stores
Trophy Stores
Toy Stores
Uniforms
Upholstery Shops
Variety Stores
Watch or Clock Stores
Wigs
Wind Shades, Awnings

General Personal Service

Apparel Laundering and Drycleaning
Art Studios
Babysitting Services
Barber Shops
Beauty Shops
Body-Building studios
Correspondence Schools
Dance Studios
Dog Grooming
Drama Studios
Driving Schools
Drycleaning, 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
Education 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 Office
Safety Deposit Companies
Savings and Loan Associations
Securities Brokerages
Security and Commodity Exchanges
Stock and Bond Brokerage Offices
Title Abstracting Services

Consumer Laundry & Repair Service

Apparel Repairs
Bicycles Repairs
Camera Repairs
Carpet Cleaning Firms
Diaper Service
Drape Cleaning
Drycleaners
Drying 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
Laundries and Laundromats
Lawnmower and Tool Sharpening 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 Drycleaners
Shoe Repairs
Uniform Renting and Cleaning Establishments
Upholstery Shops
Watch and Clock Repairs

Welding (small articles)

Group Assembly

Amateur Baseball Field
Amphitheaters
Archery Ranges
Arena, 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 pictures, legitimate)
Trap and Skeeet 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)
Profession 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
Multi-copy 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 supply firms
Research instruments supply and service firms
Restaurant equipment and service firms
Shoe repair equipment Firms
Undertaker's 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 & 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 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

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 Section 19.85.012.

19.85.002 Permitted Uses.

Permitted uses for each land use district are listed in Chapter 19.84 CVMC, Land Use Classifications. (Ord. xxxx, 200X).

19.85.003 Development Intensity.

The development intensity is established by using a floor area ratio (FAR) calculated as set forth in Section 19.04.097 of this code, 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:

1. Industrial Land Use.

- a. Industrial-General (I-G)
 - 1) Maximum FAR 0.5.
- b. Industrial-Research and Limited Industrial (I-R)
 - 1) Maximum FAR 0.5.
- c. Limited Industrial (I-L)
 - 1) Refer to the Chula Vista Zoning Code, CVMC 19.44.080.

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Deleted: Additional development criteria are included in Chapter 19.87, Subarea Specific Development Standards

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Deleted: 1. Subarea 1 – Midbayfront: the development intensity for the Midbayfront subarea is established by the specific square footage allowances described in Chapter 19.87 herein.

Deleted: Subarea 2 – Industrial Area

Deleted: c. Public – Quasi-Public: Area designated for landscaped parking may be incorporated into the adjacent land use area for FAR calculations.¶
d. Parks and Recreation: Development intensity limited by minimally permitted uses.¶
e. Open Space: None.¶
f. Special Conditions “C” and “F” on Exhibit 4, Building Heights: See special standards in Chapter 19.87 CVMC for Subarea 2.

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Deleted: . Subarea 3 – Southern Parcel. The only land use in this subarea is industrial – general which is limited to an FAR of 0.5.¶
4. Subarea 4 – Inland Parcel. For the industrial – general land use in this subarea, the maximum development intensity is established by the height regulations, CVMC 19.85.004, and site development standards, CVMC 19.85.009 and 19.87.005. For the commercial thoroughfare land use in this subarea, development 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.¶
5. Subarea 5 – Faivre Street Subarea: The only land use in this subarea is industrial – general. The maximum development intensity is established by the height regulations, CVMC 19.85.004, and site development standards, CVMC 19.85.009 and 19.87.005.¶
6. Subarea 6 – Palomar/Bay Boulevard Subarea: The land use permitted in this subarea is industrial – research and limited. The ma... [3]

2. Commercial Land Use

a. Commercial-Visitor (C-V)

- 1) See Section 19.85.012 for Special Condition B pertaining to Parcel Area 3-a, as depicted on Exhibit 5.
- 2) See Section 19.85.012 for Special Condition D pertaining to Parcel Area 2-h, as depicted on Exhibit 5.

b. Commercial-Thoroughfare (C-T)

- 1) Maximum development intensity is established by the height regulations listed in Table 1 of Section 19.85.004 and site development standards detailed in Section 19.85.009 of this Bayfront Specific Plan.

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

- 1) See section 19.85.012 Special Conditions A and D for Commercial – Professional and Administrative land use special conditions.
- 2) 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.

3. Residential Land Use.

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

- 1) 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. .
- b. Building height within the R-MH zoning shall range from 4 to 19 stories and a maximum of 220 feet.
- 1) Retail use on Parcel Area 2-f, as depicted on Exhibit 5, shall not exceed 15,000 square feet.

19.85.004 Height Regulations U.S. Fish and Wildlife Service

1. 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.

National Wildlife Refuge Buffers – Notwithstanding the height limits described in provision 1 above, the following height restrictions shall be enforced according to proximity to the USFWS property line west of the San Diego Gas & Electric (SDG&E) right-of-way (ROW):

Parcel Areas

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

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Deleted: The maximum building heights are as shown on Exhibit 4, Building Heights, herein. This exhibit also identifies certain specific locations for special height conditions for specific buildings. The location of the symbol for the special height condition is intended to provide an approximate, but not an exact, location of the building regulated by the special height condition. Following are the height regulations for these special height condition locations keyed to the building heights exhibit.¶
1. Special Condition "A": Three symbols are depicted. These three symbols represent hotel sites, two of which permit hotel buildings up to 229 feet in height, and the third permits a hotel building up to 100 feet in height.¶
2. Special Condition "B": This symbol permits a cultural arts facility up to 100 feet in height. The site west of Marina Parkway is the primary site; the site in the central resort district is the alternative site.¶
3. Special Condition "C": This symbol permits a commercial – professional and administrative use in a building up to 96 feet in height, subject to special conditions listed in Chapter 19.87 CVMC for Subarea 2.¶
4. Special Condition "D": This symbol permits a viewing tower in the nature interpretative center up to 45 feet in height.¶
5. Special Condition "E": These two symbols permit two residential buildings up to 229 feet each.¶
6. Special Condition "F": The two parcels identified by this symbol shall be subject to the special conditions listed in Chapter 19.87 CVMC for Subarea 2.¶
7. Wildlife Refuge Buffers – Midbayfront Subarea 1: Notwithstanding the height limits described above, the following height restrictions shall be enforced according to proximity to the USF&WS property line west of the SDG&E ROW:¶
a. Primary Zone – Within 100 feet of USF&WS property line: Limited ... [4]

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Deleted: (f) a. Notwithstanding the policy aboveThe horizontal zones for the "F-G" Street Marsh shall be controlled by the provisions of the approved 404 Permit (Army Corps Permit No. 88-267-RH). (Ord. 2613, 1994; Ord. 2532, 1992; Res. 13957, 1989; Ord. 2168 § 1, 1986; Res. 11903, 1985 (Ord. xxxx, 200X).¶

Deleted: TABLE 1: BUILDING HEIGHT LIMITS BY PARCEL AREA¶ Parcel Area ... [5]

TABLE 1: BUILDING HEIGHT LIMITS BY PARCEL AREA

<u>Parcel Area</u>	<u>Maximum Building Height from Pad (feet)</u>	<u>Existing LCP Heights</u>
<u>Sweetwater District</u>		
<u>1-a</u>	<u>125</u>	<u>44</u>
<u>1-b</u>	<u>35</u>	<u>35</u>
<u>1-c</u>	<u>35</u>	<u>35</u>
<u>1-d</u>	<u>35</u>	<u>35</u>
<u>1-e</u>	<u>35</u>	<u>35</u>
<u>1-f</u>	<u>30</u>	<u>30</u>
<u>1-g¹</u>	<u>0</u>	<u>30</u>
<u>1-h</u>	<u>44</u>	<u>44</u>
<u>1-i</u>	<u>44</u>	<u>44</u>
<u>Harbor District</u>		
<u>2-a</u>	<u>0</u>	<u>30</u>
<u>2-b²</u>	<u>44</u>	<u>44-95</u>
<u>2-c</u>	<u>44</u>	<u>44</u>
<u>2-d</u>	<u>44</u>	<u>44</u>
<u>2-e</u>	<u>44</u>	<u>44</u>
<u>2-f</u>	<u>220</u>	<u>N/A</u>
<u>2-g³</u>	<u>44-60 or 27</u>	<u>45-60</u>
<u>2-h⁴</u>	<u>130</u>	<u>44</u>
<u>Otay District</u>		
<u>3-a³</u>	<u>44-60</u>	<u>44-60</u>
<u>3-b</u>	<u>44</u>	<u>44</u>
<u>3-c</u>	<u>44</u>	<u>44</u>
<u>3-d</u>	<u>44</u>	<u>44</u>
<u>3-e</u>	<u>44</u>	<u>44</u>
<u>3-f</u>	<u>44</u>	<u>44</u>
<u>3-g</u>	<u>44</u>	<u>44</u>
<u>3-h</u>	<u>44</u>	<u>44</u>
<u>3-i</u>	<u>44</u>	<u>44</u>
<u>3-j</u>	<u>44</u>	<u>44</u>
<u>3-k</u>	<u>45</u>	<u>60</u>

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Notes:

1. Parcel Area 1-g is zoned Open Space; therefore the building height limit is 0 feet.

2. See Section 19.85.012, Special Condition A.

3. See Section 19.85.012, Special Condition B.

4. See Section 19.85.012, Special Condition D.

N/A Not applicable

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19.85.005 Sign Regulations.

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

1. No freestanding sign shall be greater than 8 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.

Deleted: For Subareas 1, 2, 3, 5, 6, and 7, no freestanding sign shall be greater than 10 feet in height and signs shall be subject to the regulations of Chapter 19.60 CVMC, Signs, incorporated herein by reference, unless modified by provisions of this specific plan.

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2. The following regulations shall apply:

a. Public Signs.

- 1) 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.
- 2) 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 Chula Vista Redevelopment Corporation (CVRC). 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.
- 3) 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.
- 4) 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.

b. Private Signs.

- 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 (except additional signage for high- and mid-rise hotels is permitted per subsection 2(c)(5) of this section). Signs may be wall signs and/or ground signs. Ground signs may be single- or double-faced but may not exceed 10 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.
- 2) 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, 6 feet maximum height.
- 3) 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 6 feet maximum in height. Total sign area may include a directory or tenant listing if the project is multitenant.

c. Special Private Signs

Deleted: 2. For the Inland Parcel, Subarea 4 – land designated as industrial general, signs shall be subject to the industrial general zone, Chapter 19.46 CVMC, and for land designated as commercial thoroughfare, signs shall be subject to the central commercial zone with precise plan modifying district as described in Chapters 19.36 and 19.56 CVMC.

Deleted: 3. For the midbayfront and industrial subareas, subareas 1 and e,

Deleted: b. Private Signs.

- 1) 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.
- 2) 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 CVRC.
- 3) 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.
- 4) Multitenant Buildings or Complexes: Office, retail-commercial, and industrial uses that are multitenant shall be allowed additional tenant identification signs; each tenant shall be allowed a maximum of 3 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.
- 5) 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 7 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. (Ord. 2665, 1996; Ord. 2613, 1994; Ord. 2532, 1992; Res. 11903, 1985).
- 6) Directional and Information Signs: These signs shall be directional in nature and shall not be identification signs. Their maximum height shall be 4 feet with 4 square feet maximum copy area per side.
- 7) Special Event Signs (Temporary): Special events such as grand openings shall be allowed temporary signs. Such signs shall be allowed in accordance with the CVMC 19.60.
- 8) Construction Signs (Temporary): Signs for owners, contractors and subcontractors, architects, etc., for new projects under construction shall be allowed in accordance with the CVMC 19.60.

Deleted: c. Allowable Copy Area

Deleted: 4. For the Midbayfront Subarea Only. In addition to the provisions above, the following shall apply in Subarea 1:¶

a. Midbayfront Sign Program: In addition to the regulations provided by this specific plan and the Chula Vista Zoning Code for signs, additional, more specific and restrictive regulations shall be required for the Midbayfront Subarea in the Midbayfront sign program. This sign program shall be approved by the city of Chula Vista prior to the issuance of the first building permit in this subarea. The purpose of the Midbayfront sign program is to provide a sign plan for the Midbayfront Subarea consistent with the goals and policies of the local coastal program, and to meet these specific objectives:¶

- 1) To create a system of signs which serves as an important design element in establishing an identifiable image for the area.¶
- 2) To provide identification for the special components which make up the Midbayfront area.¶
- 3) To reduce visual competition between signs, balancing the needs for identification and aesthetic harmony.¶
- 4) To integrate signage with architectural and landscape design themes, thereby reducing the prominence of signs.¶
- 5) To provide standards of acceptability for signs in order to facilitate the review and approval process by the city of Chula Vista.¶

b. Scale of Signs for the Midbayfront Subarea: The two most prominent signs in the Midbayfront will be the Midbayfront gateway monument and the high- and mid-rise hotel building wall signs. Because of the importance of these signs, the following specific regulations are provided:¶

- 1) Midbayfront Gateway Monument: The sign element containing copy shall not exceed a maximum height of five feet, six inches. The architectural element containing the sign shall not exceed 12 feet in height. The maximum copy area per sign face shall not exceed 50 square feet. Illustrations of a gateway monument meeting these standards follow as a guideline.¶
- 2) High-Rise Hotel Building Wall Signs: Only allowed on hotel buildings greater than eight stories in height. Two signs per building, 300 square feet maximum each sign. Individual letters or logo only; maximum sign height shall be seven feet. An illustration of this type of sign follows as a guideline. Sign design and ... [6]

19.85.006 Form and Appearance.

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

- a. Preserve existing wetlands in a healthy state to ensure the aesthetic enjoyment of marshes and the wildlife that inhabit them.
- b. Change the existing industrial image of the Bayfront and develop a new identity consonant with its future prominent public and commercial recreational role.
- c. Improve the visual quality of the shoreline by promoting public and private uses that provide proper restoration, landscaping, and maintenance of shoreline areas.
- d. Remove, or mitigate by landscaping, structures or conditions that have a blighting influence on the area.
- e. Eliminate or reduce barriers to linking the Bayfront to the rest of western Chula Vista and establishes 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).

2. Specific Provisions.

To promote these requirements, the form and appearance provisions of the LUP acknowledges 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.

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Deleted: To reinforce the physical quality of these three components, Exhibit #7, Form and Appearance, identifies: landscape character and function; major gateways; architectural edges, and views.

- a. 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).

Deleted: a. Landscape Character and Function. Major landscape components shall adhere to Exhibit 7, Form and Appearance, to establish strong visual continuity in response to varied functional needs.

b. 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 USF&WS requirements in areas near the wildlife refuge. The following standards shall guide landscape screening design:

Deleted: b. Landscape Screening.

Deleted: screening on Exhibit 7

Deleted: Rohr Industries

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... [7]

The following standards shall guide dense landscape planting design:

<u>Location</u>	<u>Representative Characteristic</u>
<u>Bay Boulevard</u>	<u>40- to 60-foot height; upright form; evergreen</u>

Existing pines and other trees shall be preserved to the maximum possible extent.



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

Deleted: Parking Area Planting.

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Characteristics

... [8]

<u>Location</u>	<u>Representative Characteristic</u>
SDG&E ROW	10- to 15-foot height; globular or multistem; evergreen

b. 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:

Deleted: Planting

Deleted: Informal Groves in Exhibit 7

Deleted: use a series of Informal Groves to identify the major community or neighborhood parks interconnected by continuous pedestrian circulation along the Bayfront's edge and into its interior.

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

c. 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.

Deleted: Street Tree

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<u>Location</u>	<u>Representative Characteristic</u>
Marina Parkway, <u>"E", "F", "H", "J" Streets</u>	40- to 60-foot height; crown-shaped form; evergreen

Deleted: Lagoon Drive

Deleted: "D" Bay Boulevard and Marina Edge on D Street,

d. 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 noninvasive plant species. The following standards shall guide buffer zone planting design:

<u>Location</u>	<u>Representative Characteristic</u>
Adjacent to sensitive habitat	Native shrubs, Noninvasive species
Transitional Buffer	Native or naturalized shrubs, Noninvasive species

e. 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.

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

- 1) Habitat Protection: Structures shall be sited a sufficient distance from natural habitat areas to protect the natural setting and prevent direct impacts to wildlife.
- 2) 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.
- 3) 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.
- 4) 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.

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

- 1) 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.
- 2) Views from Roadways within the Bay front(particularly from Marina Parkway, to the marshlands, San Diego Bay, parks, and other bay-related development). Locations shall preserve a sense of proximity to the bay and marshlands.
- 3) 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. xxxx, 200X).

19.85.007 Infrastructure.

1. 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 four new proposed streets: Street A, Street B, and Street

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Deleted: Refer also to section on Sign Regulation in this Chapter.

Deleted: as shown in Exhibit 7,

Deleted: ~~Irregular Building Edges: Irregular building edges are required where it is visually desirable to soften or deemphasize the distinction between open space areas and adjoining development. This prevents harsh contrasts between different areas and allows visual penetration between areas, and variation in the spatial experiences and qualities in these areas.~~

Deleted: site

Deleted: (Ord.2532, 1992; Ord 2168 §1 (part), 1986; Res. 11903, 1985).

Deleted: 1. Circulation Standards.¶
a. Primary Vehicular Circulation: The primary vehicular routes are identified on the Land Use Districts, Exhibit 3, as circulation and other; and on Exhibit 8, Circulation Element. These consist of Interstate 5, State Route 54, Marina Parkway, Lagoon Drive, and H Street. The majority of these routes currently exist. Those portions of Lagoon Drive and Marina Parkway which will be constructed as a component of the Midbayfront Subarea are planned as four-lane major arterials.¶

b. Internal Vehicular Circulation: Internal roadways shall be developed to the design and construction standards published by the department of engineering, city of Chula Vista.¶

c. Bike Routes:¶
1) 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. These lanes shall be a minimum of five feet in width. The filling of wetlands for bike paths is not permitted, including, but not limited to, any expansion of the toe of the Caltrans fill slope for the freeway into the mitigation areas of the connector marsh.¶

2) Bike Path: A bike path is used for off-street travel by bicycles. These paths shall be a minimum of eight feet in width.¶

d. Pedestrian Route: All pedestrian routes depicted on Exhibit 8, Circulation Element, shall be a minimum of six feet in width. The filling of wetlands for bike paths is not permitted, including, but not limited to, any extension of the toe of the Caltrans fill slope for the freeway ... [9]

C. The filling of wetlands for primary and internal circulation roads under the control of the City is not permitted.

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

b. Pedestrian Route:

- 1) The major pedestrian routes shown in Exhibit 7b, Circulation Map, shall be a minimum of 6 feet in width. The filling of wetlands for pedestrian paths is not permitted. Minimal shading impacts may be allowed for pedestrian paths with approval from the Coastal Commission.

c. Bike Routes:

- 1) 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 5 feet in width. The filling of wetlands for bike paths is not permitted.
- 2) 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.

2. Utility Systems. Refer also to Exhibit 8.

a. General Policies:

- 1) Provide adequate sizing of utility systems to ensure sufficient capacity for maximum build-out potential of plan.
- 2) Protect existing sensitive natural resources from adverse impacts during construction. (Ord. xxxx, 200X).

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19.85.008 Parking Requirements.

1. 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 Planning Director Director of Planning and Building shall have the authority to designate the requirements, and the common names for proposed uses shall generally be deemed to control.

Deleted: of the Chula Vista Zoning Ordinance, Title 19 of the Chula Vista Municipal Code

2. Vehicle Parking Standards.

- a. Business and professional offices: 1 space per 300 square feet of floor area; minimum of 4 spaces;

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- b. Dance, assembly, or exhibition halls without fixed seats: 1 space per 50 square feet of floor area used for dancing or assembly;
 - c. Dwellings, multiple: ~~1~~ space per studio, ~~1.5 spaces per 1-bedroom unit~~; 2 spaces per 2-bedroom or larger unit; ▼
 - d. Hotels, motels: 1 space for each living or sleeping unit, plus 1 space for every 25 rooms or portion thereof;
 - e. Manufacturing plants, research and testing laboratories: 1 space per 1.5 persons employed at any one time in the normal operation of the plant or 1 space per 800 square feet of floor area, whichever is greater;
 - f. Medical and dental offices and clinics: 1 space per 200 square feet of floor area; minimum of 5 spaces;
 - g. Public park/open space: 1 parking space for every 10,000 square feet of park or accessible open space;

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Deleted: (includes 0.3 space per guest unit parking);



- h. Restaurants, bars, and night clubs: 1 space per 2.5 permanent seats, excluding any dance floor or assembly area without fixed seats, which shall be calculated separately at 1 space per 50 square feet of floor area;
- i. Restaurants – drive-in, snack stands, or fast-food: 15 spaces minimum, or 1 space per 2.5 permanent seats, whichever is greater;
- j. Retail stores: 1 space per 200 square feet of floor area;
- k. Sports arenas, auditoriums, and theaters: 1 space per 3.5 seats of maximum seating capacity;
- l. Wholesale establishments, warehouses, and service and maintenance centers: 1 space per 1.5 persons employed at any one time in the normal operation of the plant or 1 space per 1,000 square feet of floor area, whichever is greater; and
- m. Uses not listed: as required by Chula Vista Zoning Code.

Deleted: Ordinance

3. Bicycle Parking Standards.

Deleted: Motorcycle and

- a. Bicycle parking facilities shall also be provided for developed uses according 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.
- b. Business and professional offices (over 20,000 square feet of gross floor area): 5 spaces;
- c. Shopping centers (over 50,000 square feet of gross floor area): 1 space per 33 automobile spaces required;
- d. Fast-food restaurant, coffee shop, or delicatessen: 5 spaces;
- e. Other eating and drinking establishments: 2 spaces; and
- f. Commercial recreation: 1 space per 33 automobile spaces required.

Deleted: Motorcycle parking spaces shall be provided for developed uses according to the following schedule. Only those uses listed below are required to provide motorcycle parking.

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Deleted: the uses listed below

4. 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.

Deleted: of the Chula Vista Zoning Ordinance

Deleted: Title 19 of the Chula Vista Municipal Code

5. 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.

Deleted: the central resort district and the residential high district of the Midbayfront Subarea

6. 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. xxxx, 200X).

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Deleted: Interpretive

Deleted: Public parks shall be open from dawn until 11pm daily unless the operating hours are revised through the local coastal program amendment process.

Deleted: (Ord. 2546, 1993; Ord. 2532, 1992; Ord. 2168 §1 (part), 1986; Res. 11903, 1985).

Deleted: 19.85.090

Deleted: Site Development Standards.

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) 140 sf 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 5 cities were surveyed and 140 sf/du is more conservative than the standard in the each of the others. The result of applying a standard of 140 sq 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:
 1. Private balconies and patios;
 2. Roof areas designed and equipped to accommodate recreational and leisure activities;
 3. Recreation rooms.
- 3) The following areas shall not contribute to required open space:

1. Driveways and parking areas;
2. Refuse storage areas;
3. Clothes-drying areas.

Deleted: 19.85.090

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 Section 19.85.012, in which case the Special Condition overrides the site development standards below:

1. Commercial-Thoroughfare (C-T) a) Minimum lot area: 5,000 square feet;
- b) Front yard setback: 10 feet;
- c) Exterior side yard setbacks: 0 feet; and
- d) Rear yard setback: 0 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 of the Chula Vista Municipal Code, except as modified by this Specific Plan.

2. Commercial-Visitor (C-V) (For Parcel Area 2-h refer to Special Condition D in Section 19.85.012):

- a. Minimum lot area: 20,000 square feet;
- b. Setbacks:
 - 1) To all exterior boundaries: 20 feet minimum.
 - 2) To interior boundaries that do not abut another land use: none.
- c. Landscaping shall be required at a rate of 15 percent site coverage.

3. Commercial-Professional and Administrative (C-P) (For Parcel Area 2-b refer to Special Condition A, and for Parcel Area 2-h refer to Special Condition D in Section 19.85.012):

- a. Minimum lot area: 20,000 square feet;
- b. Setbacks:
 - 1) To all exterior boundaries: 20 feet minimum.
 - 2) To interior boundaries that do not abut another land use: none.
- c. Landscaping shall be required at a rate of 15 percent site coverage.

Deleted: 1. The site development standards for the following subareas are specified in Chapter 19.87 CVMC – Subarea Specific Development Standards:¶
a. Midbayfront Subarea;¶
b. West Fairfield Subarea;¶
c. Inland Parcel Subarea;¶
d. Faivre Street Subarea;¶
e. Palomar/Bay Boulevard Subarea;¶
f. Special Conditions “C” and “F” on the building heights exhibit.¶
2. For all other areas the following site development standards apply to the land use district specified:¶

Deleted: a. Thoroughfare – Commercial:¶

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4. Industrial-General (I-G):

- a. Minimum lot area: 20,000 square feet;
- b. Front yard setback: 20 feet;
- c. Exterior side yard setbacks: 15 feet;
- d. Side yard setbacks: 20 feet; and
- e. Rear yard setback: 20 feet.
- f. Landscaping shall be required at a minimum rate of 15 percent site coverage.

5. Industrial – Research and Limited (I-R):

- a. Minimum lot area: 10,000 square feet;
- b. Front yard setback: 30 feet;
- c. Exterior side yard setbacks: 15 feet;
- d. Side yard setbacks: 20 feet. e. Side yard setbacks: 20 feet; and
- f. Rear yard setback: 20 feet.
- g. Landscaping shall be required at a minimum rate of 15 percent site coverage.

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6. Development of land designated as Industrial General is subject to the I-General Industrial zone, Chapter 19.46 of the Chula Vista Municipal Code, except as modified by the provisions of this Specific Plan. Limited Industrial (I-L)

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

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Deleted: c(Ord. 2532, 1992; Res. 11903, 1985).¶

7. Residential- Mixed Harbor District (R-MH):

- a. Set backs for Residential – Mixed Harbor district are 0 feeton all sides from the parcel boundary in order to achieve an urban street environment and provide the flie 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.
- b. Landscaping shall be requied at a rate of 15 percent site coverage.

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19.85.011 Grading and Drainage.

Deleted: 19.85.010

- 1. 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.

Deleted: A major siltation basin shall be built in the Midbayfront to accept surface drainage and provide for desilting during and after construction of development projects and for oil and chemical entrapment.

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

-
- a. 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 6-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.
 - b. 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 1, 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 1, 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 to plans 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 1 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 1 to March 31, grading may be permitted, provided the applicant conforms to the requirements of subsection [\(2\)\(c\) of this section](#) and submits monthly documentation within 2 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 2 inches.

- c. From November 1 to March 31, grading may occur in phased increments as determined by the City Engineer, provided all of the following requirements have been met. Grading from April 1 through October 31 shall be subject to standard practices.
 - 1) 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 1 and March 31.
 - 2) The applicant shall post a deposit for such areas to be graded, which shall remain in force and effect for 1 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.

- 3) 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 5 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 1 to March 31.

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

Deleted: within the Inland Parcel – Subarea 5

- 1) A 100-foot buffer is required between permanent open space wetlands associated with the nature reserves and grading activities.
- 2) 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.
- 3) The maximum slope permitted is 3:1.

Deleted: Draining Directly Into Wetlands

3. Erosion Control Monitoring Program for Chula Vista Coastal Zone Areasw.

- a. Overall field review of grading operations will be performed by the City on each grading project in the coastal zone.
- b. 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 1 and March 31. 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.
- c. 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 2 years following February 1989 and thereafter 6 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.

4. All areas disturbed by grading shall be planted within 60 days of the initial disturbance and prior to November 1 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.

5. Refer also to Chapter 19.86 CVMC, Environmental Management Program, for additional requirements concerning grading. (Ord. xxxx, 200X).

Deleted: (Ord 2532, 1992; Res. 13957, 1989; Res. 11903, 1985

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 design review board 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 [Design Review Board](#) 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.

Deleted: The establishment of a design review board for the Chula Vista Bayfront is of primary importance. The board shall be established by the redevelopment agency of the City of Chula Vista, and should

Chula Vista Design Review Board – Appointed

The Chula Vista Design Review Board has been appointed to function as the design review board 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.

Deleted: redevelopment agency

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 Design Review Board 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 Design Review Board 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 ten-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, excluding pole signs for which the supports are integrally designed as an aesthetic component of the sign character.

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- 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, except as defined by bayfront promotional signs.
 - f. Temporary signs, banners, sale notices, etc., shall be displayed behind the glass of the structure.

The design review board 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 exists 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 Caltrans 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.)
- c. Bayfront Promotional Signs: Bayfront promotional signs are designed to help establish the new bayfront community's identity. They will be located along Interstate 5, two minimum: one for each for north and southbound traffic; additional signs as necessary; five maximum quantity. Space will be rented, leased, or existing structures purchased outright.

Promotional signs, and especially landscaped areas around them, will provide a unique, attractive logo design in a theme-setting frame and limited changeable copy which will be subject to design review board approval. (Refer to Exhibits Four a, b, c, and d for examples; and to Exhibit Five for proposed locations.)

These signs, if appropriately used, will establish the redevelopment area's identity and functions for freeway travelers.

Promotional signs are intended to be temporary, and it is anticipated that they will be retired when the Bayfront Redevelopment Project is substantially complete. Their utilization will be reviewed in 1985 and subject to the redevelopment agency's discretion.

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 design review board, 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.

Multitenant Buildings or Complexes: Office, retail-commercial, and industrial uses which are multitenant 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 design review board.

Construction Signs (Temporary): Signs for owners, contractors and subcontractors, architects, etc. for new projects under construction shall be subject to design review board 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 10 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. 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 design review board.

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.

Promotional Sign

A promotional sign is public sign which identifies the bayfront and has changeable copy for information, announcements, or identification of private businesses and services in the area.

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. 2665 Appx. B, 1996).

19.85.012 Special Conditions

1. Special Condition "A". Specific development plans for the development of Parcel Area 2b property located south of "F" Street and west of the SDG&E ROW shall be subject to CVRC review and Redevelopment Agency approval based on the following guidelines:
 - a. Building setbacks shall be:
 - 1) For buildings 44 feet or less in height, as specified in CVMC 19.85.009.

- 2) For buildings 44 to 95 feet in height:
 - (a) From "F" Street: 200 feet;
 - (b) From USFWS property ("F&G" Street marsh): 200 feet; and
 - (c) From SDG&E ROW: 50 feet.
 - b. 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 (i) 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), (ii) such demolition or removal is completed within 1 year following occupancy of such new building, (iii) the footprint of such new building does not exceed 5 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 (iv) the setbacks on the subject site specified above are met.
 - c. Development plans shall include a comprehensive landscaping plan that indicates enhanced landscaping at the project edges and within the SDG&E landscaped parking area.
 - d. Pedestrian or other off-street circulation connections to adjacent industrial and business park uses shall be provided.
 - e. Project shall comply with all citywide 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.
 - f. All buildings on-site shall reflect a common, high-quality architectural design and construction standard.
2. Special Condition "B". Specific development plans for the development of Parcel Areas 2-g and 3-a properties located at the northeast and southeast corner of Bay Boulevard and J Street shall be subject to CVRC review and Redevelopment Agency approval based on the following guidelines:
- a. The maximum FAR shall be 0.50.
 - b. Maximum building height shall be 45 feet.
 - c. Building setbacks shall be:

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

Notes:

* 50-foot setback required for construction exceeding a building height of 28 feet.

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- d. Architectural features, such as a tower, with floor areas not exceeding 10 percent of the ground floor area, may exceed the 45-foot height limit by 15 feet. (Note: For calculation of the tower area, land over the drainage channel shall be included in ground floor calculations to the extent the second floor spans the channel.) One architectural tower shall be allowed on the combined Parcel Area 3-a.
 - e. Landscaping of the site shall be 15 to 20 percent of the total lot area.
 - f. Minimum landscaping depths along street frontages shall be 15 feet in width.
 - g. Elevations facing the freeway shall be articulated in massing or architectural treatment.
 - h. Pedestrian linkages shall be provided to connect both sides of J Street as well as linking the projects to the Bayfront development.
 - i. 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. (Ord. xxxx, 200X).
3. 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. (Ord. xxxx, 200X).
4. Special Condition "D". The following special conditions shall apply to Commercial – Visitor and Commercial – Administrative & Professional land uses on Parcel Area 2-h:
- a. Building setbacks for office shall be:
 - 1) To all exterior boundaries: none. Tower stepback 10 feet minimum.
 - 2) To interior boundaries that do not abut another land use: none.
 - b. Building setbacks for hotel shall be:
 - 1) To all exterior boundaries: 0 feet minimum.
 - c. Building FAR. A maximum FAR of 3.0 on the subject site is allowed, provided that (i) the setbacks on the subject site specified above are met and (ii) the buildings are stepped back to preserve view corridors.
 - d. Development plans shall include a comprehensive landscaping plan.
 - e. Pedestrian or other off-street circulation connections to the residential buildings in Parcel Area 2-f and other adjacent Bayfront areas shall be provided.
 - f. Project shall comply with all citywide threshold standards for infrastructure improvements and public services.
 - g. All buildings on-site shall reflect a common, high-quality architectural design and construction standard.

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 [Parcel Area Specific Environmental Management Requirements](#).
- 19.86.005 Environmental management of undelineated resources.
- 19.86.006 Additional diking, dredging, or filling of wetland areas.
- 19.86.007 [Water quality requirements](#).

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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. XXXX, 200X).

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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 5 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. XXXX, 200X).

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19.86.003 Environmental Management Requirements.

1. Coordination.

a. 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.

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b. Coordination with the USFWS shall be maintained for the development of plans and programs adjacent to the Sweetwater Marsh National Wildlife Refuge. (Ord. xxxx, 200X).

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All developments shall comply with the Chula Vista Multiple Species Conservation Program (MSCP) Subarea Plan.

TABLE 3-4

**SUMMARY OF RESTORATION/ENHANCEMENT FEATURES
AND ACTIONS FOR MIDBAYFRONT AREA**

DELETED

<u>Habitat Restoration (New)</u>	<u>Approximate Area (Acres)</u>
<u>Wetland</u>	
1) Freshwater Marsh	3.5
2) Salt Marsh (expansion)	2.3
3) Salt Marsh (extension)	2.0
4) Salt Marsh at "D" Street Fill	15.0
5) Fresh Water Marsh on Gunpowder Point	2.0
6) Salt Marsh at Bay Margin	3.0
<u>Upland</u>	
7) Coastal Sage Scrub	
a) Perimeter screening	2.0
b) Berm	
<u>Habitat Enhancement (Upgrade)</u>	
<u>Wetland</u>	
8) Salt Marsh (high)	0.5
<u>Upland</u>	
9) Coastal Sage Scrub	0.5
<u>Water Quality Enhancement</u>	
10) Desilting Basin	
11) Improved Tidal Flushing - (3 x 48 inch diameter culverts)	
<u>Other Enhancement</u>	
12) Access Control	
13) Visual Screening	
14) Bridge structure to provide underpass for Fauna	
15) New Coastal sage scrub/succulent scrub habitat in primary buffer zone.	8.5

NOTE: For location and supplemental information regarding "F-G" Street Marsh restoration, see Exhibit 10, page III-____.

19.86.004 Environmental Management of Delineated Resources.

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 Section 19.86.006). No development (i.e., structures, pathways) shall be allowed in the buffer zone. The buffer zone may include a fence to preclude residents and pets from entering sensitive habitat. Wetlands will be mitigated per Section 19.86.006.

A 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.

The buffer zone is limited to pathways and fencing to protect the area and provide pedestrian view points of the marsh and coastal area. Fences around the pond must be visually appealing and protect view corridors toward the waterfront and marshes.

19.86.005 Environmental Management of Delineated Resources.

Sensitive habitats exist in areas not delineated, including, but are 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. (Ord. XXXX, 200X).

19.86.006 Additional Diking, Dredging, or Filling of Wetland Areas.

Diking, dredging, or filling of wetland areas consistent with the provisions of this environmental management plan shall be limited to the specific projects related to the creation of new or enhanced wetlands areas, very minor incidental public facilities, and restorative measures. Mitigation for all disturbance of wetland areas shall be provided at the ratio of 4:1 with an approved combination of creation and enhancement, and for riparian resources, 3:1 replacement for impacted areas. Direct impacts to wetlands from site development and/or infrastructure shall be prohibited. Potential indirect shading impacts from pedestrian/bicycle and roadway crossings to allow for necessary access shall be minimized to the greatest extent feasible.

Open space preservation in perpetuity of sensitive resource areas will also be required pursuant to an appropriate mechanism. No other diking, dredging or filling of wetlands or other wet environmentally sensitive habitat areas shall be permitted without prior Coastal Commission approval through the LCP amendment process.

Buffer zones of 100 feet in width shall be maintained around all identified wetland areas, with the exception of any wetlands that are adjacent to existing roadways. All buffers shall be as designated above unless the applicant demonstrates that a buffer of lesser width will protect the identified resources, based on site-specific information. Such information shall include, but is not limited to, the type and size of the development, the specific impact, and proposed mitigation (such as planting of vegetation or the construction of fencing), that will also achieve the purposes of the buffer.

Deleted: 19.86.004 Midbayfront Subarea Requirements¶

The various mitigation features and actions specified for the Midbayfront shall be incorporated in the development design in order to reduce the adverse impacts of development on the adjacent natural resources. Generally, the specified features and actions focus on the interface areas between the Midbayfront Subarea and the adjoining national wildlife refuge. Major mitigation features and actions are summarized in Table VI-1.¶ To assist in the preparation and evaluation of the management plans, specified in Policies EM.1.C and EM.1.D required herein, the following background documents are hereby referenced:¶

1. Final EIR Volume I & II for Midbayfront LCP Resubmittal No. 8 Amendment, adopted by the C... [10]

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19.86.007 Water Quality Requirements.

1. Watershed Planning.

- a. 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:
 - 1) Pursue funding to support the development of watershed plans.
 - 2) Identify priority watersheds where there are known water quality problems or where development pressures are greatest.
 - 3) Assess land uses in the priority areas that degrade coastal water quality.
 - 4) Ensure full public participation in the plan's development.

2. New Development.

- a. 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:
 - 1) Protect beneficial uses of waters, areas necessary to maintain riparian and aquatic biota, and/or areas that are susceptible to erosion and sediment loss.
 - 2) Limit increases of impervious surfaces.
 - 3) Limit land disturbance activities such as clearing and grading, and cut-and-fill to reduce erosion and sediment loss.
 - 4) Limit disturbance of natural drainage features and vegetation.
- b. 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.
- c. 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.
- d. 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).
- e. Post-development peak flow discharge rates for the 100-year storm event shall not exceed the pre-development rate.

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- f. Post-construction treatment BMPs shall be designed to treat, infiltrate, or filter runoff produced by the 85th percentile, 24-hour storm event for volume-based BMPs and the 85th percentile, 1-hour storm event for flow-based BMPs, as required by the City's SUSMP.
 - g. 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.
 - h. The City should develop and implement a program to detect and remove illicit connections and to stop illicit discharges.
 - i. 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.

Chapter 19.87

Bayfront Specific Plan –Infrastructure Financing and Funding Mechanisms

Sections:

- 19.87.001 Redevelopment Funds.
- 19.87.002 Community Development Block Grants (CDBG).
- 19.87.003 Business Improvement Districts.
- 19.87.004 Development Impact Fees.
- 19.87.005 TransNet.
- 19.87.006 Grant Funding.
- 19.87.007 General Fund.
- 19.87.008 Other Funding Sources.
- 19.87.009 Relation of Funding to Other Bayfront Specific Plan Provisions.

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 Redevelopment Funds

The majority of the LCP Planning Area is within a Redevelopment Project Area. For that portion of the plan area, the following funding mechanisms may be employed.

1. Tax Increment Financing (TIF).

TIF is the increase in property tax revenues resulting from an increase in assessed property values that exceed base year values. Within a redevelopment project area, the Redevelopment Agency collects a substantial majority of the tax increment financing monies accrued in the project area. All tax increment monies generated and adopted in redevelopment project areas are allocated among four basic public uses: schools, neighborhood improvements, affordable housing, and other public agencies. This funding source provides a critical means to revitalization and public improvement activities by enabling redevelopment agencies to issue tax increment bonds without using general fund monies or raising taxes.

2. Set Aside Funds.

State law requires that at least 20 percent of all tax increment financing dollars accrued within a redevelopment project area must be set aside and “used by the agency for the purposes of increasing, improving, and preserving the community’s supply of low- and moderate-income housing ...” (Health and Safety Code §33334.2(a)). The set aside funds must be held in a separate Low and Moderate Income Housing Fund until used, along with any interest earned and repayments to the housing fund (§33334.3). The set aside funds may be used inside or outside of the project area but must benefit the project area. Use of set aside funds for the purposes of

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increasing, improving, and preserving the community's supply of low- and moderate-income housing may include, but is not limited to, the following:

- a. Acquisition and donation of land for affordable housing;
- b. Construction and rehabilitation of affordable housing units;
- c. Financing insurance premiums for the construction and rehabilitation of affordable housing units;
- d. Providing subsidies to, or for the benefit of, extremely low, very low, and lower income households as well as persons and families of low or moderate income;
- e. Paying principal and interest on bonds, loans, advances or other indebtedness, and financing or carrying charges;
- f. Maintaining the supply of mobile homes; and
- g. Preserving "at risk" affordable housing units threatened with imminent conversion to market rate units.

19.87.002 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.

19.87.003 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.

19.87.004 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 citywide 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.

19.87.005 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 expires 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.

19.87.006 Grant Funding

A variety of funding options are available through 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.

19.87.007 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, stormdrains, and other infrastructure maintenance improvements.

19.87.008 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.

19.87.009 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 Section 19.85.007, 19.85.010, and 19.86.007. the remainder of Chapters 19.85 and 19.86 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.

Site Development Standards: As indicated on the approved Master Plan

Sign Regulations: as provided for in this LCP and as may be supplemented by the approved Master Plan

Height Regulations: As indicated on the Height Regulations Exhibit #4 and Chapter 19.85.004 herein.

Off-Street Parking: Off-street parking is required in the Commercial-Visitor category for all uses as provided in Chapter 19.85.008, herein.

Commercial-Thoroughfare	12*
Commercial-Professional	12
Industrial-Research & Limited	81
Industrial-General	289
Public & Quasi-Public	18
Parks & Recreation	37
Water	8
Open Space	301
Circulation/Other	186
Central Resort District	40
TOTAL	1,013 ac.

. Subarea 3 – Southern Parcel. The only land use in this subarea is industrial – general which is limited to an FAR of 0.5.

4. Subarea 4 – Inland Parcel. For the industrial – general land use in this subarea, the maximum development intensity is established by the height regulations, CVMC [19.85.004](#), and site development standards, CVMC [19.85.009](#) and [19.87.005](#). For the commercial thoroughfare land use in this subarea, development 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.

5. Subarea 5 – Faivre Street Subarea: The only land use in this subarea is industrial – general. The maximum development intensity is established by the height regulations, CVMC [19.85.004](#), and site development standards, CVMC [19.85.009](#) and [19.87.005](#).

6. Subarea 6 – Palomar/Bay Boulevard Subarea: The land use permitted in this subarea is industrial – research and limited. The maximum development intensity is established by the height regulations, CVMC [19.85.004](#), and site development standards, CVMC [19.85.009](#) and [19.87.005](#).

7. Subarea 7 – Sweetwater Marsh National Wildlife Refuge: Development intensity is limited to the existing nature interpretative center facilities and other structures which are approved by the United States Fish and Wildlife Service. (Ord. 2613, 1994; Ord. 2532, 1992; Ord. 2168 § 1, 1986; Res. 11903, 1985).

The maximum building heights are as shown on Exhibit 4, Building Heights, herein. This exhibit also identifies certain specific locations for special height conditions for specific buildings. The location of the symbol for the special height condition is intended to provide an approximate, but not an exact, location of the building regulated by the special height condition. Following are the height regulations for these special height condition locations keyed to the building heights exhibit.

1. Special Condition “A”: Three symbols are depicted. These three symbols represent hotel sites, two of which permit hotel buildings up to 229 feet in height, and the third permits a hotel building up to 100 feet in height.
2. Special Condition “B”: This symbol permits a cultural arts facility up to 100 feet in height. The site west of Marina Parkway is the primary site; the site in the central resort district is the alternative site.
3. Special Condition “C”: This symbol permits a commercial – professional and administrative use in a building up to 96 feet in height, subject to special conditions listed in Chapter 19.87 CVMC for Subarea 2.
4. Special Condition “D”: This symbol permits a viewing tower in the nature interpretative center up to 45 feet in height.
5. Special Condition “E”: These two symbols permit two residential buildings up to 229 feet each.
6. Special Condition “F”: The two parcels identified by this symbol shall be subject to the special conditions listed in Chapter 19.87 CVMC for Subarea 2.
7. Wildlife Refuge Buffers – Midbayfront Subarea 1: Notwithstanding the height limits described above, the following height restrictions shall be enforced according to proximity to the USF&WS property line west of the SDG&E ROW:
 - a. Primary Zone – Within 100 feet of USF&WS property line: Limited public access (paths and overlooks only, no structures).
 - b. Park Land/Open Space Zone – Next 100 feet landward from primary zone: public access and limited structures permitted (e.g., park pavilions, pedestrian and bicycle paths); landscaping and structures over six feet (including signs, light standards, etc.) must be screened from view of the wetland to the satisfaction of USF&WS and California Department of Fish and Game; building height limit: 30 feet.
 - c. Limited Development Zone “A” – Next 100 feet landward from park land/open space zone: building height limit 35 feet, except the cultural arts facility site where structures to 100 feet in height are permitted as indicated in the building heights map, Exhibit 4.
 - d. Limited Development Zone “B” – Next 100 feet landward from limited development zone “A”: building height limit 44 feet, except that portion of the central core sector which may be

within 300 feet of the USF&WS boundary, where the height limit shall be 75 feet and a single high-rise hotel site (up to 229 feet) as indicated in the building heights map, Exhibit 4.

e. Development Zone – Property more than 400 feet from the national wildlife refuge property line shall be subject to the heights limits depicted on the building heights map, Exhibit 4.

TABLE 1: BUILDING HEIGHT LIMITS BY PARCEL AREA

Parcel Area	Maximum Building Height from Pad (feet)
Sweetwater District	
1-a	125
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	220
2-g ³	N/A44-60 or 27
2-h ⁴	130
Otay District	
3-a ⁴³	N/A45-60
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

4. For the Midbayfront Subarea Only. In addition to the provisions above, the following shall apply in Subarea 1:

a. Midbayfront Sign Program: In addition to the regulations provided by this specific plan and the Chula Vista Zoning Code for signs, additional, more specific and restrictive regulations shall be required for the Midbayfront Subarea in the Midbayfront sign program. This sign program shall be approved by the city of Chula Vista prior to the issuance of the first building permit in this subarea. The purpose of the Midbayfront sign program is to

provide a sign plan for the Midbayfront Subarea consistent with the goals and policies of the local coastal program, and to meet these specific objectives:

- 1) To create a system of signs which serves as an important design element in establishing an identifiable image for the area.
- 2) To provide identification for the special components which make up the Midbayfront area.
- 3) To reduce visual competition between signs, balancing the needs for identification and aesthetic harmony.
- 4) To integrate signage with architectural and landscape design themes, thereby reducing the prominence of signs.
- 5) To provide standards of acceptability for signs in order to facilitate the review and approval process by the city of Chula Vista.

b. Scale of Signs for the Midbayfront Subarea: The two most prominent signs in the Midbayfront will be the Midbayfront gateway monument and the high- and mid-rise hotel building wall signs. Because of the importance of these signs, the following specific regulations are provided:

- 1) Midbayfront Gateway Monument: The sign element containing copy shall not exceed a maximum height of five feet, six inches. The architectural element containing the sign shall not exceed 12 feet in height. The maximum copy area per sign face shall not exceed 50 square feet. Illustrations of a gateway monument meeting these standards follow as a guideline.
- 2) High-Rise Hotel Building Wall Signs: Only allowed on hotel buildings greater than eight stories in height. Two signs per building, 300 square feet maximum each sign. Individual letters or logo only; maximum sign height shall be seven feet. An illustration of this type of sign follows as a guideline. 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. (Ord. 2665, 1996; Ord. 2613, 1994; Ord. 2532, 1992; Res. 11903, 1985).

Characteristics	Representative Location
•40' to 60' height	•Bay Boulevard
•upright form	
•evergreen	

Characteristics	Representative Location
•10' to 15' height	•SDG&E ROW
•globular or multistem form	
•evergreen	

1. Circulation Standards.

a. Primary Vehicular Circulation: The primary vehicular routes are identified on the Land Use Districts, Exhibit 3, as circulation and other; and on Exhibit 8, Circulation Element. These consist of Interstate 5, State Route 54, Marina Parkway, Lagoon Drive, and H Street. The majority of these routes currently exist. Those portions of Lagoon Drive and Marina Parkway which will be constructed as a component of the Midbayfront Subarea are planned as four-lane major arterials.

b. Internal Vehicular Circulation: Internal roadways shall be developed to the design and construction standards published by the department of engineering, city of Chula Vista.

c. Bike Routes:

1) 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. These lanes shall be a minimum of five feet in width. The filling of wetlands for bike paths is not permitted, including, but not limited to, any expansion of the toe of the Caltrans fill slope for the freeway into the mitigation areas of the connector marsh.

2) Bike Path: A bike path is used for off-street travel by bicycles. These paths shall be a minimum of eight feet in width.

d. Pedestrian Route: All pedestrian routes depicted on Exhibit 8, Circulation Element, shall be a minimum of six feet in width. The filling of wetlands for bike paths is not permitted, including, but not limited to, any extension of the toe of the Caltrans fill slope for the freeway into the mitigation areas of the connector marsh.

2. Utility Systems. Refer also to Exhibit 9.

a. General Policies:

1) Provide adequate sizing of utility systems to assure sufficient capacity for maximum build-out potential of plan.

- 2) Protect existing sensitive natural resources from significant adverse impacts during construction. (Ord. 2532, 1992).

19.86.004 Midbayfront Subarea Requirements

The various mitigation features and actions specified for the Midbayfront shall be incorporated in the development design in order to reduce the adverse impacts of development on the adjacent natural resources. Generally, the specified features and actions focus on the interface areas between the Midbayfront Subarea and the adjoining national wildlife refuge. Major mitigation features and actions are summarized in Table VI-1.

To assist in the preparation and evaluation of the management plans, specified in Policies EM.1.C and EM.1.D required herein, the following background documents are hereby referenced:

1. Final EIR Volume I & II for Midbayfront LCP Resubmittal No. 8 Amendment, adopted by the Chula Vista city council as Resolution No. 16467, including the Mitigation Monitoring Program, Exhibit B;

2. Corps of Engineers Section 404 Permit No. 88-267 RH, including 13 special conditions;

Chula Vista Investors' (CVI) Proposed Mitigation Measures for Final EIR – CVI Midbayfront Development Plan, December 16, 1990 (Design Requirements USF&WS)

Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Merjan (CVI), dated January 1991

Letter to Brooks Harper, U.S. Fish & Wildlife Service from Chula Vista Investors, dated March 11, 1991

Letter to Brooks Harper, U.S. Fish & Wildlife Service from Chula Vista Investors, dated March 22, 1991

Letter to Brooks Harper, U.S. Fish & Wildlife Service from Chula Vista Investors, dated May 8, 1991

Letter to Douglas D. Reid, City of Chula Vista, from Brooks Harper, U.S. Fish & Wildlife Service, dated January 14, 1992

Letter to Diana Richardson Reid, City Of Chula Vista, from Brooks Harper, U.S. Fish & Wildlife Service, dated January 14, 1992; and

Letter to Brooks Harper, U.S. Fish & Wildlife Service, from Chula Vista Investors, dated February 6, 1992

I. Habitat Restoration and Management Plan

To ensure an orderly and efficient implementation of the various restoration and enhancement features and actions specified for the Midbayfront, a comprehensive habitat restoration and

management plan shall be prepared and approved prior to initiation of development within the Midbayfront. Said plan shall be the subject of a future local coastal program amendment, which shall be certified by the commission prior to the issuance of any coastal development permits for the proposed Midbayfront development.

The habitat restoration and management plan shall address in detail the following considerations associated with implementing the specified restoration and enhancement work as well as the long term management of the areas restored or enhanced:

Engineering design, grading plan, and cost analysis

Vegetation design, including specifications for planting program, source of plants, etc.

Implementation schedule and phasing

Management program

Monitoring program

Maintenance program

Funding arrangements: implementation, monitoring, and maintenance

Contractual agreements

Ownership transfer where appropriate

Preparation of this plan will involve participation by the developer, the city, the California Coastal Commission, the USF&WS, and other resource management agencies.

II. Biological Resources Management Plan.

Additional protection of the biological resources in the wildlife refuge shall be provided by the preparation and implementations of a comprehensive biological resources management plan for the Midbayfront development. Said plan shall be the subject of a future local coastal program amendment, which shall be certified by the commission prior to the issuance of any coastal development permits for the proposed Midbayfront development. The plan will address the following matters:

- a. Architectural design requirements
- b. Project lighting design requirements
- c. Landscape design and management
- d. Predator management
- e. Human activities management
- f. Mudflat and wetland monitoring
- g. Water quality/runoff/drainage management
- h. Construction monitoring and management

i. CC&R's/oridnances/applicable polices

j. CEQA mitigation monitoring requirement

Preparation of this plan will involve participation by the developer, the city, the USF&WS, the California Coastal Commission and other resource management agencies as appropriate.

III. Midbayfront Mitigation Program

The various mitigation features and actions specified for the Midbayfront shall be incorporated in the development design in order to reduce the adverse impacts of development on the interface areas between Midbayfront Subarea and the adjoining national wildlife refuge. These features and actions are summarized in Table VI-I.

a. Midbayfront North/Northwest Interface Area. The following design elements shall be employed in this interface area in order to protect the resources in the adjoining portions of the wildlife refuge:

Primary buffer zone elements: Refer to Exhibits 10 and 11.

Width: 100 feet (minimum)

Form: variable height berm to prevent visual disturbance of wildlife in refuge.

Vegetation: Maximum use of coastal usage scrub.

Drainage: Away from wildlife refuge.

Access control: Chain-link fence screened by vegetation

Lighting: Directed away from refuge

Control on: Pets, children, picnic and food service areas

b. Midbayfront South Interface Area. Because pre-existing physical constraints at and adjoining the "F-G" Street marsh area, a different mitigation approach shall be employed for the south interface area. Specifically, along the north and west margins of the "F-G" Street marsh area, the 94-foot ROW road areas of F Street (Lagoon Drive) and Marina Parkway, together with dense vegetational screening shall serve as the buffer area.

Vegetationalscreeing of the "F-G" Street marsh from Lagoon Drive and marina Parkway will employ native plants including coastal sage scrub and maritime succulents. Chain link fence will be incorporated in and largely concealed by the vegetational screening. Vegetation shall be sufficiently dense to prevent direct illumination of themarsh by headlights of passing vehicles.

To control quality of storm water and other fresh water runoff entering the "F-G" Street marsh, the developer shall construct and maintain a desilitng basin on the north side of "F" Street. Control structures will include a low-flow stage, three chamber trap for oil, grease, and particulates.

Because the USF&WS anticipates use of the "F-G" Street marsh for expanding the potential nesting habitat for the endangered light footed clapper rail, there will be no public access and only one or two pedestrian overlook areas for this unit of the national wildlife refuge.

Midbayfront West Interface Area. Along the bay shoreline between the Street marsh and the western extension of the "F-G" Street marsh, an upland area about 100 feet wide and approximately 1,400 feet long (totaling approximately three acres) will be excavated and planted to create a corridor of salt marsh habitat. This marsh corridor will be protected from wave erosion by a rip-rap barrier and will facilitate movement of sensitive bird species (e.g. clapper rail) between the two marsh areas.

Landward of this marsh corridor, the Interface area shall have an elevated walk with screened viewpoints to provide views of the bay and mudflats. The area farther landward will consist of passive use public parks that will enhance public access to the bay.

To protect mudflats and eel grass, storm drain outfalls to the Bay will have flow energy dissipators and three-chamber-type traps for oil, grease and particulates. In addition, irrigation and other water sources in the development area shall be managed to achieve minimal to zero freshwater outflows to the Bay during the dry season.

A monitoring program shall be implemented to ensure that Bay Mudflats and eel grass are not adversely affected by storm drain outflow.

To protect the biologically rich mudflat and eel grass meadows in the areas of the Bay bordering on the national wildlife refuge, no recreational boating facilities are permitted in this part of the Bay without specific approval of the USF&WS and the Army Corps of Engineers.

Midbayfront Habitat Restoration and Enhancement features. The following actions involve habitat restoration and enhancement which shall be incorporated in the development design in order to provide mitigation for development impacts by improving the quality and biological values of wetlands and uplands generally with the wildlife refuge.

1.) Restoration by Upland Conversion to Wetlands. At the "F-G" Street site, upland conversion to wetlands shall be provided at three locations as follows:

Upland conversion to provide 3.5 acres of year-round freshwater marsh along the east and northeast margins of the site. This freshwater marsh replaces the roughly 3.0 acres of degraded seasonal wetland that will be removed for the construction of the desiltation basin

Upland conversion to provide at least 2.3 acres of salt marsh, primarily along the west and north-central margins of the existing salt marsh, thus expanding the "F-G" street marsh

Upland conversion to provide 2.0 acres of salt marsh immediately west of Marina Parkway, thus extending the "F-G" Street saltmarsh to connect directly with San Diego Bay.

In addition, at the "D" Street Fill, approximately 15 acres of new salt marsh will be constructed by removal of fill, and at Gunpowder Point, about 2 acres of freshwater marsh will be constructed by excavation of upland.

2.) Enhancement of Existing Habitat. At the "F-G" Street site, existing habitat shall be enhanced at three locations as follows:

Upgrade .5 acres of degraded high marsh along the east margin of the "F-G" Street salt marsh

Upgrade 0.5 acres of degraded coastal sage scrub bordering the south margin of the "F-G" Street Marsh

Provide new coastal sage habitat (or upgrade existing severely degraded coastal sage scrub habitat) totaling at 2.0 acres along selected upland margin of the "F-G" Street site and the extension of west Marina Parkway.

e. Enhancement of Water Quality. In order to enhance water quality of wetland habitat at the "F-G" Street site, the supply of water to the site shall be enhanced by the following:

Improve quality of upland water runoff by construction and operation of a desilting basin of approximately 9.5 acre feet capacity, located on north side of Lagoon Drive.

Improve access of tidal waters to the "F-G" Street salt marsh by increasing the number and size of culverts under the adjoining roadway (ie Marina Parkway)

f. Other Enhancement Features/Actions. Other enhancement features and actions that shall be provided at or adjoining the "F-G" Street site are:

Enhancement of Habitat quality and wildlife value by providing perimetered fencing to control human access and screening the marsh from street-level view (except at selected pedestrian viewpoints) by massed plantings of coastal sage scrub in association with the perimeter fencing.

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A maximum of one Sweetwater River river crossing shall be permitted to provide access to the developable portions of the inland parcel. The crossing shall be designed as a bridge to minimize adverse impacts to the habitat value of the wetland corridor. All mitigation required shall be located on-site and contiguous with the existing wetland corridor.

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and 50 feet in width shall be maintained around all identified riparian areas, unless the applicant demonstrates that a buffer of lesser width will protect the identified resources, based on site-specific information.

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Development within the buffer zone shall be limited to construction of a pedestrian pathway within the upper half of the buffer with fencing or other improvements deemed necessary to protect sensitive habitat in the upper half of the buffer. The buffer shall be measured landward of the delineated resource. The California Department of Fish and Game and the United States Fish and Wildlife Service shall be consulted in such buffer determinations. Passive recreational uses are restricted to the upper half of the buffer zone. If the project involves substantial improvements or increased human impacts, such as subdivisions, a wider buffer may be required.

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10.86.007 Interpretive Center Funding

Prior to the issuance of any development permits for the proposed Midbayfront development a funding mechanism for the maintenance, improvement and continued operation of the Nature Interpretive center incorporating a benefit assessment district or other long-term method of funding shall be implemented.

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This Chapter is intended to apply specific development standards to subarea, as identified on Exhibit #2, Planning Boundaries. The development standards herein are in addition to the areawide standards contained in other Chapters of this Specific Plan

Midbayfront Subarea

1. Central Resort District

a. Purpose and Intent

The purpose of the Central Resort District (CRD) is to provide an area within the Midbayfront subarea for a mixture of uses intended to serve tourist, travelers, and local residents. The regulations of this district are intended to encourage innovative designs and combination of uses to create a high quality resort core for the Midbayfront subarea.

A conceptual illustration of the Central Resort District is depicted on the following page. It graphically portrays one of many "design solutions" that would be consistent with the purpose and intent of this category. This conceptual illustration is provided herein as an example of intent, but is not intended to indicate a specific location, number, size, or configuration of buildings, parking, or other developed site features.

b. Master Plan Process

The Central Resort District is expected to be developed in phases. In order to insure that each phase is in compliance to an overall plan, intended to implement the LCP and local standards a Master Plan shall be required to be approved.

When Required: The Central Resort Master Plan must be approved by the City Council prior to the issuance of the first Coastal Development Permit within the Central Resort District

Application and Fee: Application shall be made on a form prescribed for this purpose by the City. And shall be accompanied by a fee as prescribed by the City.

Contents of the Master Plan: The applications shall be accompanied by all the information necessary to convey the ultimate design and development proposal of the Central Resort; including but not limited to the following:

A written report describing how the proposed development is consistent with all applicable policies of the Local Coastal Program – Land Use Plan.

Dimensioned drawing(s) of the project on a scale of sufficient size so as to readily indicate all dimensions of the various elements of the development. The required elements are as follows:

Legal description, legend, scale, north arrow, vicinity map, and identification of designer;

The boundary lines of subject property, fully dimensioned together with the name and dimensions of adjoining streets;

Existing topography and proposed grading plan, showing slope, retaining walls, pad elevations, and percent of slope on streets, driveways and other graded areas;

Existing and proposed streets, utilities, and easements.

Access: pedestrian, vehicular and service; points of ingress and egress; with driveway locations and dimensions;

Loading and trash areas, walls and or fences (including height)

Proposed location, height, and dimensions of buildings, including color and materials on all elevations. The floor area, number of stories, number of units and bedrooms (when applicable) shall be given.

Proposed uses shall be indicated including floor area devoted to each use. (the exact level of detail required for subsequent phases of a phase project may be deferred, subject to City approval, where the purpose and intent of this district and LCP are better served)

Parking layout; including dimensions, number of stalls and circulation flow;

Location, height and size of signs proposed on the property;

All landscaped areas: Such areas shall be defined with a written proposal outlining the landscaping concept, as well as the proposed method of irrigation. In addition, all existing trees on the site shall be identified with a note as to proposed disposition.

Lighting, including the location, type and hooding devices to shield adjoining properties;

Location and design of recreation areas

Supporting documents as may be required; including but not limited to: soils report, traffic report, air quality maintenance report, water conservation report, public facility financing report, sign program, environmental studies, phasing report, and reports indicating consistency with other relevant City policies and regulations.

4. Procedures for plan review and approval: shall be provided for Precise Plan in the City Vista Municipal Code, Title 19

5. Site Plan, Landscape and Architecture Review: A coastal development permit shall not be issued until site plan and architectural approval has been obtained for any use within the Central Resort District as provided for in Section 19.14 of the Chula Vista Municipal Code, Title 19, except where the level of detail provided in the Master Plan is sufficient detail to satisfy the requirement of Site Plan, Landscape and Architectural Review.

c. Land Use Categories

Several land use categories are permitted within the Central Resort district. A group of uses and regulations are applicable to each category. These regulations are outlined herein by land use category. Notwithstanding the permitted uses within each category, the following limitations are indicated on Table VII-1 are applicable within the Central Resort District:

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Table VII-1

Central Resort District Building Allowance

<u>Land Use Category</u>	<u>Maximum Building Sq. Ft. Req'd.</u>	<u>Minimum Building Sq. Ft *</u>	<u>Target Du/Hotel Rooms</u>
Residential Mixed Use	100,000	406,000	300
Commercial-Visitor	1,000,000	2,503,000	1,360
Comm-Prof & Admin	20,000	60,000	N/A
Public & Open Space	**		
Maximum Building Area Permitted	2,969,000 sq. ft.		

* The Target building sq. ft. in any category may be exceeded by up to 20% provided that the increase is offset by a corresponding reduction in other categories, and that the increase will not produce any unmitigable environmental impacts. The maximum building square feet for the entire Central Resort shall not be exceeded. Changes in building sq. ft. from one category to another that lowers the level of service for arterials shall not be permitted.

** Limited by limited permitted uses

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d. Land Use Regulations:

Residential – Mixed Use

Purpose and Intent: The purpose of the residential – mixed use category is to provide for non-transient resident within the Central Resort. It is the intent that these residential dwellings will be integrated into the design of the central Resort as a whole, rather than considered an independent segment.

Permitted Uses:

Dwellings, multiple;

Dwellings, within buildings of another land use category; and

Private, non-commercial recreational facilities or convenience facilities intended to serve residents of the dwellings only.

c. Conditionally Permitted uses:

1. Residential:

Residential:

Residential units who parking requirement will be met by a shared parking agreement;

Extended stay residential;

Retail sales/leasing offices within a residential project

Retail sales or personal service business intended to primary serve the residents of the project;

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carlab

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Day care facilities intended to primary serve the residents of the project.f.
Timeshare condominium units

d. Site Development Standards: AS indicated on the approved Master Plan.

e) Sign Regulations: As provided for in this LCP and as may be supplemented by the approved Master Plan.

f) Height Regulations: As indicated on the Height Regulations Exhibit #4, and as specified in Chapter 19.85.004. herein.

g) Floor Area Per Unit: The minimum floor area per dwelling unit in the Residential-mixed use category shall be as follows:

(1) Four hundred square feet for each efficiency dwelling unit;

(2) Five hundred Square feet for each dwelling unit having one bedroom;

(3) Six hundred fifty square feet for each dwelling unit having two bedrooms;

(4) Seven hundred fifty square feet for each dwelling unit having three bedrooms; and an additional one hundred square feet is required for each additional bedroom exceeding three.

h) Off-Street Parking: Off-site parking is required in the Residential- mixed use category for all uses as provided in chapter 19.85.008, herein. 2) Commercial – Visitor

a) Purpose and Intent: The purpose of the Commercial – Visitor category is to provide regulations of uses for the needs of tourists, travelers, and local residents.

b) Permitted Uses: The following principal uses are permitted within the following sub-categories designated on an approved Master Plan.

(1) Hotel-High Rise: Buildings designated as Hotel-High Rise are permitted to include:

(a) Hotels; and

(b) Incidental business within the hotel complex to serve the patrons including restaurants, cocktail lounges, meeting areas, recreation facilities, retail shops, conferencing facilities, communication center, parking structures and other

Page 87: [21] Deleted	courtneyh	12/23/2010 10:42:00 AM
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similar businesses or facilities determined to be of the same general character of the above primary permitted use.

(2) Hotel.: Buildings designated as Hotel are permitted the same uses as Hotel -High Rise.

(3) Retail: building areas designated as retail are permitted to include:

- Restaurants with a cocktail lounge as an integral part;
- Theaters;
- Art Galleries;
- Retail shops;
- Parking garages;
- Bonafide antique shops;
- Markets;
- Restaurants and snack bars;

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j) Meeting halls;

k) Service

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businesses; and

(l)

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other establishment serving visitors determined to be of the same general character of the above permitted uses.

(4) Commercial Recreation: Building areas designated as commercial Recreation are permitted to include:

- Ice Rink;
- Tennis Clubs and facilities;
- Health clubs;
- Sports and health classes and clinics;
- Courts, arenas, and other sports facilities;
- Sports medicine facilities;

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Pool and swimming/diving facilities; and,

(i) Any other business or facility determined to be of the same general character of the above permitted uses.

(5) Conference/Convention: Buildings designated as conference/convention are permitted to include:

- Conference and Convention facilities; and,
- Incidental businesses within the conference and convention facilities intended to serve the uses of

the facility.
Conditionally Permitted Uses: The following Commercial - Visitor uses are permitted subject to the approval of a Conditional Use Permit:

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Any establishment whose parking requirement will be met by a shared parking agreement;
co Any business or activity that produces noise beyond outside of the establishment and is within 250 feet of a residential dwelling and is open between the hours of 10:00 pm and 6:00 am;
Outdoor uses including amphitheaters, vending carts, kiosks, and outdoor sales and displays;
Nightclubs, except within hotels;

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Video arcades; and
Special events and tournaments that will exceed the parking requirement of the primary permitted use.
Site Development Standards: As indicated on the approved Master Plan.

6

Sign Regulations: as provided for in this LCP and as may be supplemented by the approved Master Plan.

Height Regulations: As indicated on the Height Regulations Exhibit #4 and Chapter 19.85.004, herein.

g) Off-Street Parking: Off-street parking is required in the Commercial - Visitor category for all uses as provided in Chapter 19.85.008, herein.

3) Commercial - Professional & Administrative:

a) Purpose and Intent: The purpose of the Commercial - Professional & Administrative category is to provide regulations for the development of professional and administrative office uses.

b) Permitted Uses: Building designated as Commercial - Professional & Administrative are permitted to include:

Administrative and executive office;
Professional offices;
Financial offices, including banks, real estate, and other general business offices;
Medical care facilities; and,
Any other office use determined to be of the same general character of the above permitted use.

c) Site Development Standards: As indicated on the approved Master Plan.

d) Sign Regulations; As provided for in this LCP and as may be supplemented by the approved Master Plan.

e) Height Regulations: As indicated on the Height Regulations Exhibit #4 and Chapter 19.85.004, herein.

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) Off-Street Parking: Off-site parking is required in the Commercial - Professional & Administrative category for all uses as provided in Chapter 19.85.008, herein.

4) Public and Open Space:

Purpose and Intent: The purpose and intent of the Public and Open Space category is to provide regulations for the use and development of areas designated as Public and Open Space.

Permitted Uses: The following uses are permitted in all areas whether designated as public

and open space or not.

- (1) Public & Quasi-Public: In areas designated as Public Quasi-Public the following uses are permitted:

Section Break (Next Page)

Parking garages, structures, and lots;

Day

Page 87: [29] Deleted	Marisa Lundstedt	4/20/2012 9:08:00 AM
(c)	Schools for arts and crafts;	
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	Places of worship;	
	Electrical substations and gas regulators;	
Page 87: [31] Deleted	courtneyh	12/23/2010 10:42:00 AM
	Transit and other public transportation facilities; and	
	(g) Any other use determined to be of the same general character of the above permitted uses.	

(2) **Parks & Recreation:** In areas designated as Parks & Recreation the following uses are — permitted:

Public parks & recreation;
Business and facilities intended to serve the users of the parks and recreation facilities; and,
Cultural Arts facility, including associated accessory commercial uses; and,
Any other use determined to be of the same general character of the above permitted uses.

(3) **Water Feature:** in areas designated as Water Feature the following uses are permitted:

Man-made lakes, ponds, and water features, which are available for access by the general public on the same terms and conditions as for access by customers and patrons of other businesses within the Central Resort District; and,
Businesses intended to provide recreation opportunities of the water feature such as, boating rental facilities and boat storage facilities.

(4) **Other Open Space:** In areas designated as other Open Space the following uses are permitted:

Open Space; and,
Trails, plazas, sculpture gardens, and other similar uses.

Site Development Standards: As indicated on the approved Master Plan.

Sign Regulations: As provided for in this LCP and as may be supplemented by the approved Master Plan.

Height Regulations: As indicated on the Height Regulations Exhibit #4, and as specified in Chapter 19.85.004, herein.

Off-Street Parking: Off-street parking is required in the Public and Open Space category for all uses as provided in Chapter 19.85.008, herein.

2. Residential - High District

a. Purpose and Intent

The regulations of this district are intended to encourage innovative designs to create a high quality residential community for the lividbayfront subarea.

A conceptual illustration of the Residential - High District is depicted on the following page. It graphically portrays one of many 'design solutions' that would be consistent with the purpose and intent of this category. This conceptual illustration is provided herein as an example of

intent, but is not intended to indicate a specific location, number, size, or configuration of buildings, parking, or other developed site features.

b. Master Plan Process

The Residential - High District is expected to be developed in phases. In order to insure that each phase is in compliance to an overall plan, intended to implement the this Specific Plan and local standards, a Master Plan shall be required to be approved.

I) When Required: The Residential Master Plan must be approved by the City Council prior to the issuance of the first Coastal Development Permit within the Residential High District

Application and Fee: Application shall be made on a form prescribed for this purpose by the Qty, and shATI be accompanied by a fee as prescribed by the City.

Contents of the Master Plan: The application shall be accompanied by all information necessary to convey the ultimate design and development proposal of the Residential Community including, but **not** limited to the following:

A written report describing how the proposed development is consistent with all applicable policies of the Local Coastal Program - Land Use Plan.

Dimensioned drawing(s) of the project on a scale of sufficient size so as to readily indicate all dimensions of the various elements of the development. The required elements are as follows:

Legal description, legend, scale, north arrow, vicinity map, and identification of designer;

The boundary lines of subject property, fully diminished together with the name and M eus ions of adjoining streets;

Existing topography and proposed grading plan, showing slope, retaining walls, pad elevations, and percent of slope on streets, driveways and other graded areas;

Existing and proposed streets, utilities, and easements;

Access: pedestrian, vehicular and services; points of ingress and egress; with driveway locations and dimensions;

Loading and trash areas, walls and/or fences (including height);

Proposed location, height, and dimensions of buildings, including color and materials on all elevations. The floor area, number of stories, number of units and bedroom (when applicable) shall be given. Proposed uses shall be indicated including floor area devoted to each use. (The level of detail required for subsequent phases of a phased project may be limited, subject to Qty approval, where the purpose and intent of this district and LCP are better served.)

Parking Layout, including dimensions, number of stalls, and circulation flow;

Location, height and size of signs proposed on the property;

All landscaped areas: Such areas shall be defined with a written proposal outlining the landscaping concept, as well as the proposed method of irrigation. In addition, all existing trees on the site shall be identified with a note as to proposed disposition.

Lighting, including the location, type and hooding devices to shield adjoining properties;

(12) Location and design of recreation areas.

- c) Supporting documents as may be required; including, but not limited to: soils report, traffic report, air quality maintenance report, water conservation report, public facility financing report, affordable housing policy consistency report and implementation program, a report and implementation program on school facilities to serve students generated by the project, and reports indicating consistency with other relevant City policies and regulations.

Procedures for plan review and approval: Shall be as provided for a Precise Plan in the Chula Vista Municipal Code, Title 19.

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Site Plan, Landscape and Architectural Review: A coastal development permit shall not be issued until site plan and architectural approval has been obtained for any use within - the Residential - High District as provided for in Section 19.14 of the Chula Vista Municipal Code, Title 19, except where the level of detail provided in the Master Plan is of sufficient detail to satisfy the requirements of Site Plan, Landscape and Architectural Review.

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Phasing Limitation on Residential Development The construction phasing of residential dwelling units in the Residential-High District shall be limited to a maximum of 25% of the total number of dwelling units permitted by an approved Residential Master Plan, until development within the Central Resort District has been substantially implemented, assuming the land is held by one owner. (If not held by one owner, then as directed by City per adopted phasing plan.) "Substantially implemented" shall be achieved when 50% of the building square footage permitted on an approved Central Resort District Master Plan has been constructed and the completion of the Master Plan has been assured to the satisfaction of the City of Chula Vista.

c. Land Use Regulations:

1) Permitted Uses:

- Dwellings, duplexes;
- Dwellings, town houses;
- Dwellings, multiple;
- Apartments;
- Incidental Service, such as restaurants and retail sales to serve residents;
 - Recreation facilities and amenities such as private clubhouse, tennis courts, pools and uses of a similar nature;
 - Parking garages, *structures*, and lots;
 - Transit and other public transportation facilities;

1) Parks and recreation:

- Open space, trails, plazas, sculpture gardens, and other similar uses;
- Man-made lakes, ponds, and water features;

l) Electrical substations and gas regulations

- m) Any other use determined by the City to be at the same general character of the above permitted uses.

2) Conditionally Permitted Uses:

- Restaurants and retail shops;
- Any use whose parking requirement will be met by shared parking;
- Day nurseries/child care facilities;
- Places of worship; and,
- Timeshare condominium units.

d. Site Development Standards: As indicated on the approved Master Plan.

Sign Regulations: As provided for in this LCP and as may be supplemented by the approved Master Plan, except that, no building identification signing is permitted above the second story, or thirty feet, whichever *is* less, of any building in this district

Height Regulations: As indicated on the Height Regulations Exhibit #4, and as specified in Chapter 19.85.004, herein.

⁹ Off-Street Parking: Off-street parking shall be as provided for in Chapter 19.85.008, herein.

h. Development Intensity: The maximum number of dwelling units permitted in this /and use district is 700, totppling no more than 949,000 square feet of building area.

2. Commercial - Visitor:

a. Purpose and Intent The purpose of the Commercial-Visitor Category is to provide regulations of uses for the needs of tourists, travelers, and local residents.

b. Permitted Uses: The following principal uses are permitted:

1) Hotels and Inns (within height limits specified on the Building Heights Exhibit);

2) Retail; including:

Restaurants with a cocktail lounge as an integral part;

Art Galleries;

(e) Retail shops;

Parking garages;

Bonafide antique shops;

Markets;

Restaurants and snack bars;

service businesses; and,

(1) Any other establishment serving visitors determined to be of the same general character of the above permitted uses.

3) Commercial Recreation; including:

Tenths Clubs and facilities;

Health clubs;

Sports and health classes and clinics;

Courts, arenas, and other sports facilities;

Sports medicine facilities;

Sports training facilities;

Swimming and diving facilities; and,

Any other business or facility determined to be of the same general character of the above permitted *uses*.

4) Public-Quasi Public, including:

Public parks, recreation, open space, trails, and other similar uses;

Places of worship;

Day nurseries and child care facilities;

Transit and other public transportation facilities; and,

Electrical substations and gas regulators

c. Conditionally Permitted Uses: Any use whose parking requirement will be met by shared parking;

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d. Prohibited Uses: Any business or activity that produces noise above 60 CNE.L., at the exterior boundaries of this land use district.

e. Site Development Standards:

Minimum lot area: 20,000 square feet.

Setbacks:

To Marina Parkway: 25 feet minimum

To other exterior boundaries of this land use district: 20 feet minimum

To interior boundaries which do not abut another land use district: none.

f. Sign Regulations: As provided for in this LCP and as may be supplemented by an approved Sign Program.

g. Height Regulations: As indicated on the Height Regulations Exhibit #4, herein.

h. Off-Street Parking: Off-street parking is required in the Commercial - Visitor category for all uses as provided in Chapter 19.85.008, herein.

i. Development Intensity:

1) Maximum number of hotel rooms: SOO rooms

2) Maximum building square footage of all uses in this district: 403,000 square feet.

4. Parks and Recreation

Purpose and Intent: These regulations are intended to provide for the regulation of uses and activities designated as Park and Recreation on the Land Use District, Exhibit #3, within the Midbayfront subarea.

Land Use Regulations:

1) Permitted Uses:

Public Parks and Recreation;

Open space trails, plazas, sculpture gardens, amphitheaters, and other similar uses;

Man-made lakes, ponds, and water features;

Restaurants, snack bars, restroom facilities, and minor retail shops primarily intended to serve the visitors of a public park;

Public parking lots; and,

Recreation facilities including, ball fields, courts, and playgrounds;

electrical substations, gas regulators.

2) Conditionally Permitted Uses:

Cultural Arts Facility, including integral meeting areas, art display areas, restaurants, retail sales facilities relating to Cultural Arts activities, and theaters.

Parking garages;

Any use whose parking requirement will be met by shared parking.

Retail uses intended to serve the users of park and recreation areas.

c. Site Development Standards:

- 1) Master Plan Requirements: Master Plans for the Parks and Recreation areas abutting the San Diego Bay and the Sweetwater Marsh National Wildlife Preserve as follows:

For the Parks and Recreation area west of the Central Resort District abutting San Diego Bay and south of the access road to the Nature Interpretive Center: This Master Plan for Parks and Recreation uses shall be prepared and approved by the City prior to, or concurrently with, the Master Plan required for the Central Resort District.

For the Parks and Recreation area west and north of the Residential-High land use district: this Master Plan shall be prepared and approved by the City prior to, or concurrently with the Master Plan required for the Residential-High District. The Master Plan for this Parks and Recreation area may not be approved prior to the approval of the Master Plan for 1) a) above.

Level of detail: The level of detail of the Parks and Recreation Master Plan(s) shall be as described for the Master Plan requirement for the Central Resort District.

- 2) Development Standards: All development within the Parks and Recreation District shall be consistent with the standards adopted in the Master Plan.

d. Sign Regulations: As provided for in this LCP and as may be supplemented by an approved Sign Program.

-e. Height Regulations: As indicated on the Height Regulations Exhibit #4 and Chapter 19.85.004, herein.

f. Off-Street Parking: Off-street parking in the Parks and Recreation category for all uses as provided for in Chapter 19.85.008, herein.

Open Space: The regulation **of uses** and activities designated as Open Space on the Land Use District Exhibit #3, within the Midbayfront shall be as described in Chapter 19.86, Environmental Management Program.

Public - Quasi-Public:

Purpose and Intent: These regulations are intended to provide for the regulation of uses and activities designated as Public - Quasi-Public on the Land Use District, Exhibit #3, within the Midbayfront subarea.

Land Use Regulations:

1) Permitted Uses:

Landscaped Parking;
Open Space & Trail facilities;
Tennis Courts;
Electric Transmission towers;
Parks and Recreation;
Entry Monumentation; and,
Transit and other public transportation facilities.

- 2) Conditionally Permitted Uses: Parking facilities to meet the off-street parking requirements of uses other than those permitted **in** this land **use** district and the Parks and Recreation land use district.

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7. Water

Purpose and Intent: The purpose of these regulations is to provide for those uses and activities designated on the Land Use Districts Exhibit #3, for the Midbayfront subarea.

Permitted Uses:

Man-made lakes, ponds, swimming lagoon, and water features;

Public park and recreational uses as defined in this Chapter 19.87.002(4).

Businesses to serve the public access and use of man-made water features such as, docks, boat rental and maintenance facilities, and other similar uses.

(Ord. 2546, 1993; Ord. 2532, 1992; Res. 13957, 1989; Ord. 2168 §1 (part), 1986; Res. 11903, 1985).

19-87.003 Industrial Subarea..

The following special conditions shall apply to the specified sites within Subarea 2 - Industrial Subarea_ 1.

Special Condition "C"

Specific development plans for the development of property located south of Lagoon Drive ("r Street) and west of the SDG&E ROW shall be subject to Design Review Committee review and Redevelopment Agency approval based on the following guidelines:

a. Building setbacks shall be:

For buildings 44 feet or less in height: as specified in Chapter 19.85.009.

For buildings 44 to 95 feet in height:

from Lagoon Drive: 200 feet
from USF&WS property (F&G Street Marsh): 200 feet
from SDG&E ROW: 50 feet

b. Building FAR

A maximum FAR of 0.75 (including SDG&E landscaped parking area bonus) on the subject site is allowed with one (1) new building permitted on such site to exceed the 44 foot height limit, provided that (i) a reduction in the total gross square footage of structures presently located on the Rohr campus south of the subject site is effected through the demolition or removal of such existing structures selected by Rohr totaling 125,000 square feet (which is commensurate with the additional allowed FAR on the subject site), (ii) such demolition or removal is completed within one (1) year following occupancy of such new building, (iii) the footprint of such new building does not exceed five percent (5%) of the total area of the subject site (excluding the area encompassed within that portion of the SDG&E right-of-way adjacent to the subject site), and (iv) the setbacks on the subject site specified above are met.

c. Development plans shall include a Comprehensive Landscaping Plan which indicates enhanced landscaping at the project edges and within the SDG&E landscaped parking area.

- e. 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 "D" or better at the Bay Boulevard/"E" Street/I-S interchange.

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

2. Special Condition "F"

Specific development plans for the development of property located at the northeast and southeast corners of Bay Boulevard and "J" Street shall be subject to Design Review Committee recommendation and Agency approval based on the following guidelines:

- a. Building setbacks shall be:

	Parcel 2 (Northeast Corner)	Parcels 3/4 (Southeast Corner)
	50 ft.	30 ft.*
1) "J" Street (to maintain view corridor)		
2) Bay Boulevard	30 ft.	30 ft.
3) Adjacent to 1-5 Freeway	50 ft.	25 ft.
4) From intersection of 'J" Street and Bay Boulevard (measured perpendicular to angular corner property line)	60 ft.	60 ft.

* **\$0 ft setback required for construction exceeding a building height of 28 feet.**

- b• Maximum building height shall be 45 feet.

Architectural features such as a tower, with floor areas not exceeding 10% of the ground floor area, may exceed the 45 ft. height limit by 15 ft. (Note: For calculation of the tower area, land over the drainage channel between Lots 3 and 4 and on Lot 2 shall be included in ground floor calculations to the extent the second floor spans the channel.) One architectural tower shall be allowed on Parcel 2 and one on the combined Parcels 3/4.

Landscaping of the site shall be 15 - 20% of the total lot area.

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

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

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

The maximum FAR for Lot 2 and the adjoining lot to the east ("the channel") when combined shall be 0.55.

The maximum FAR for Lots 3 and 4 (the southeast parcel) when combined with the adjoining parcel ("the channel") shall be 0.50.

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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% of the required parking.

(Ord. 2532, 1992; Res. 11903, 1985).

19.87.004 Inland Parcels Subarea.

Development of land designated as Industrial General in this Subarea is subject to the 1-General Industrial zone, Chapter 19.46 of the Chula Vista Municipal Code, except as modified by the provision's of this Specific Plan.

Development of land designated as Commercial Thoroughfare in this Subarea is subject to the Central Commercial Zone with Precise Plan Modifying District as described in Chapters 19.36 and 19.56 of the Chula Vista Municipal Code except as modified by this Specific Plan.

(Ord. 2613, 1994; Ord. 2532, 1992; Res. 11903, 1985).

19.87.005 Faivre Street Subarea.

Development in this subarea is subject to the regulations of the San Diego County Zoning ordinance for General Impact Industrial Use, zoned M-54 (FP), manufacturing industrial zone with flood plain overlay zone, except as modified by this Specific Plan. (Ord. 2532, 1992).

19.87.006 Palomar/Bay Boulevard Subarea_

Development in this subarea is subject to the I-L-P, Limited Industrial Zone with Precise Plan Modifying District, as described in Chapters 19A-²1 and 19.56 of the Chula Vista Municipal Code, except as modified by this Specific Plan. (Ord. 2532, 1992).

DELETED

Regional Location

Exhibit 1



LAND PLANNING
Cinti & Associates
SAN DIEGO, CALIFORNIA
Phone (619) 239-1815 Fax (619) 239-4757



Coastal Zone With Subareas Exhibit 2

DELETED

----- Coastal Zone Boundary
----- Subarea Boundary
----- City Limit Line

- | | |
|---|---|
| ① | Midbayfront Subarea |
| ② | Industrial Subarea |
| ③ | Southern Parcel Subarea |
| ④ | Inland Parcel Subarea |
| ⑤ | Falmis Street Subarea |
| ⑥ | Pelamar/Bay Boulevard Subarea |
| ⑦ | Sweetwater Marsh National Wildlife Refuge |



CHULA VISTA
Local Coastal Program

Land Use DISTRICTS

EXHIBIT 3

DELETED

- SPECIAL PLAN AREA**
 Central Resort District
- OVERLAY DESIGNATIONS**
 Sweetwater Marsh Habitat
 Wildlife Refuge
 Landscaped Park
 Primary Buffer

- PUBLIC & OPEN SPACE**
 Public & Open Space
 Parks & Recreation
 Water
 Open Space
 Circulation
 Other

- RESIDENTIAL**
 RH
 HH
- COMMERCIAL**
 CV
 VV
 VVH
- PROFESSIONAL & ADMINISTRATIVE**
 OP
- COMMERCIAL THOROUGHFARE**
 CT
- EXISTENTIAL**
 EX
- RESEARCH & LIMITED**
 RL
- GENERAL**
 RG



CHULA VISTA
 Local Coastal Program

Building Heights

Exhibit 4

DELETED

MAXIMUM BUILDING HEIGHTS

1	30 Feet
2	35 Feet
3	44 Feet
4	60 Feet
5	75 Feet

SPECIAL HEIGHT CONDITIONS

- ② 2 High-Rise and 1 Mid-Rise Hotel Sites
- ① 1 Mid-Rise Cultural Arts Facility Site (up to 85')
- ① 1 Mid-Rise Office Site (up to 95')
- ① Viewing Tower Site/Nature Interpretive Center
- ② 2 High-Rise Residential Sites (up to 229')
- ① Special Architectural Feature

NOTE: Areas without height regulations are not planned for any buildings.

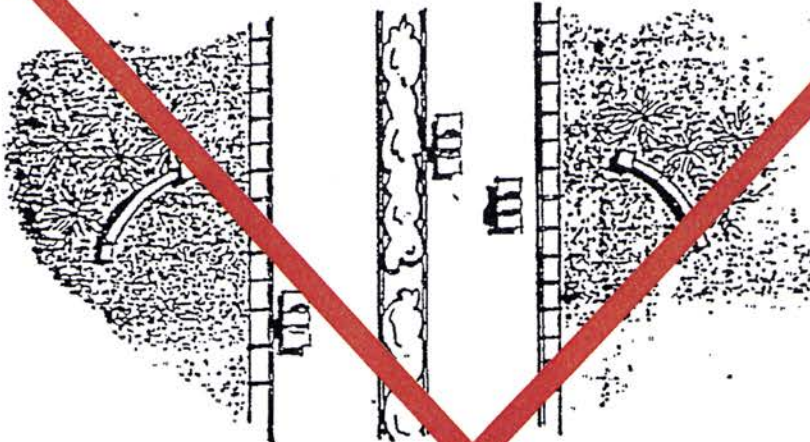


CHULA VISTA
Local Coastal Program

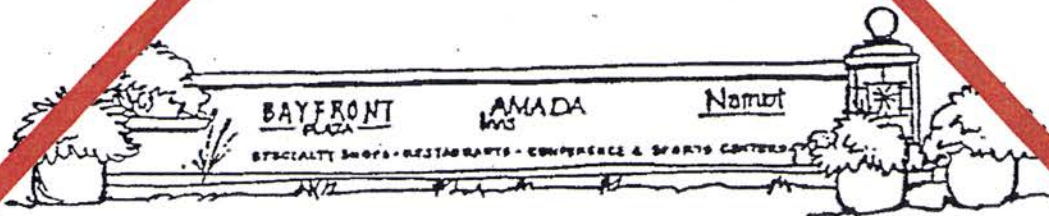
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Midbayfront Gateway Monumentation

Exhibit 5



Plan View



Elevations

CHULA VISTA

Circulation Element

Exhibit 8

DELETED

- ON-EST**
- Regional Bicycle Route
 - Local Bicycle Route
 - Pedestrian Route

- RAIL**
- Existing Trolley
 - Existing Trolley Stop
 - S.D. & A.E. Railroad
- VEHICULAR**
- I-5 Freeway
 - Existing Arterials
 - Planned Arterials



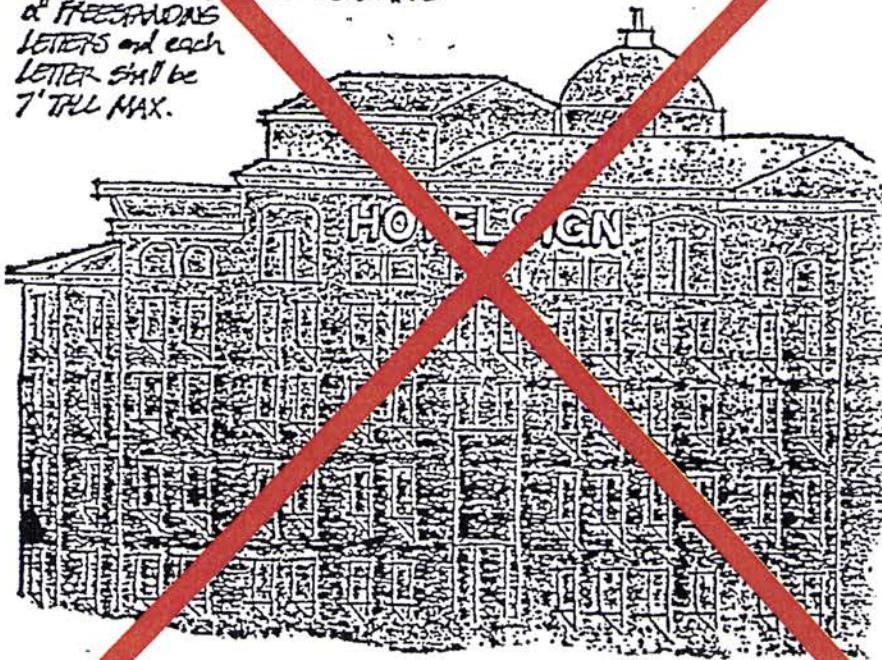
CHULA VISTA
Local Coastal Program

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High Rise Building Wall Sign

Exhibits

BUILDING MOUNTED SIGNS shall only
be on BUILDINGS EIGHT STORIES or
TALLER and shall be a MAXIMUM
of 900 SF EACH. SIGNS shall be
of FREESTANDING
LETTERS and each
LETTER shall be
7' TALL MAX.











CHULA VISTA

Environmental Management Element

Exhibit 10

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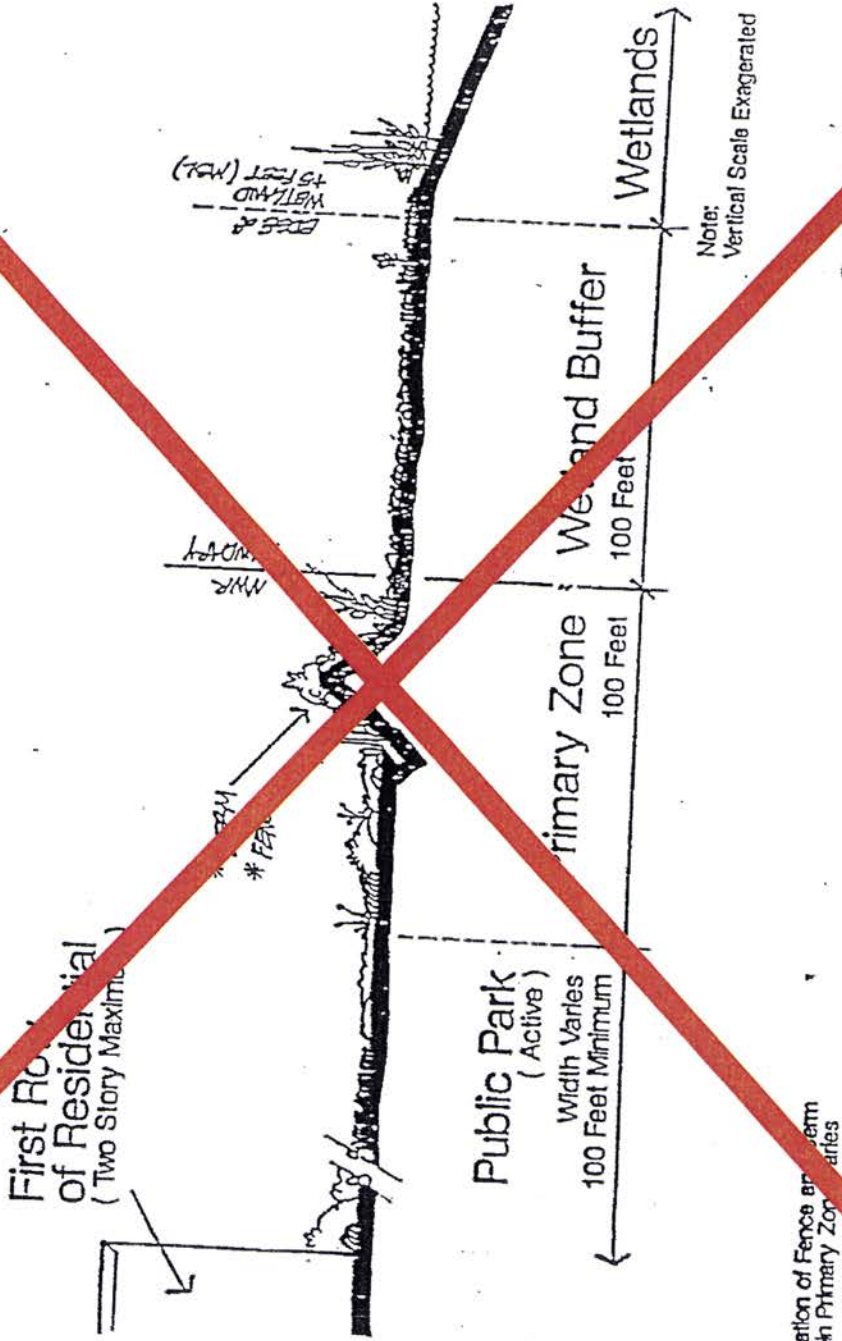
-  Wetlands Buffer Zone
-  Primary Buffer Zone
-  Public Park and Open Space
-  Wetland Enhancement
-  Detention Basin
-  Nature Interpretive Center
-  Savannah Marsh National Wildlife Refuge
-  Potential Environmentally Sensitive Areas



CHULA VISTA
Local Coastal Program

DELETED

Buffer Zone Section Exhibit 11



* Location of Fence and Wetland Buffer within Primary Zone varies