

ORDINANCE NO. 3201

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
MUNICIPAL CODE CHAPTER 15.44 BY ADOPTING NEW
MUNICIPAL CODE SECTION 15.44.055 ENTITLED
DEMOLITION, REMOVAL OF HISTORICAL RESOURCES –
PERMIT REQUIRED – FEE

WHEREAS, in 2007, City Council directed staff to develop a Historic Preservation Program that would protect Chula Vista's historical resources; and

WHEREAS, staff developed a Historic Preservation Program that would require a permit to demolish historical resources; and

WHEREAS, the Historic Preservation Program also creates a process to determine eligibility of those resources that are not yet identified as historical resources; and

WHEREAS, those resources that are determined to be eligible historical resources shall also require a permit when proposed for demolition; and

WHEREAS, Municipal Code Section 15.44 establishes the process for moving, relocating, or demolishing buildings in Chula Vista; and

WHEREAS, the adoption of Municipal Code Section 19.44.055 will provide consistency with the City's Historic Preservation Program; and

WHEREAS, the Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for Class 31 and Class 8 Categorical Exemptions pursuant to Section's 15331 and 15308 (Historical Resource Restoration/Rehabilitation and Actions by Regulatory Agency for Protection of the Environment) of the State CEQA Guidelines because it is requiring monitoring by the City before any historic resource may potentially be demolished thereby assuring the protection of historical resources in the City of Chula Vista. Thus, no further environmental review is required.

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

Section I. Environmental Determination

That the project qualifies for Class 31 and Class 8 Categorical Exemptions pursuant to Section's 15331 and 15308 (Historical Resource Restoration/Rehabilitation and Actions by Regulatory Agency for Protection of the Environment) of the State CEQA Guidelines because it is requiring monitoring by the City before any historic resource may potentially be demolished thereby assuring the protection of historical resources in the City of Chula Vista. The City Council further finds that no further environmental review is required.

Section II. Consistency with General Plan

The City Council finds that the adoption of Municipal Code Section 15.44.055 is consistent with the City of Chula Vista General Plan and that the proposed code section is based on sound planning principles and practices that will provide for the protection and conservation of historic resources. The City Council further finds that the adoption of the subject code section allows the City to review proposed demolitions or relocations of potential historical resources and will require a permit for the proposed demolition of historical resources. The City Council further finds that the adoption of the subject code section will also assist the City in protecting historical resources by establishing a review process for demolition permits.

BE IT FURTHER ORDAINED, that the City Council of the City of Chula Vista does hereby adopt Municipal Code Section 15.44.055, as follows:

Section III.

15.44.055 Demolition, removal of Historical Resource – Permit required – Fee.

Before any potential or designated historical resource within the City is demolished or removed, the person, firm or corporation doing the demolishing or removing shall first obtain a permit from the Development Services Department. Potential historical resources shall require a determination of eligibility pursuant to Chula Vista Municipal Code §21.07.020 before issuance of any permits. Eligible and designated historical resources shall require a Certificate of Appropriateness (COA) pursuant to Chula Vista Municipal Code §21.08.040 before issuance of any permits. A separate required permit fee(s) shall be charged for each separate parcel of land where demolishing or removing is taking place.

Section IV. Effective Date

This ordinance shall take effect on the thirtieth day from and after its final adoption.

Presented by

Approved as to form by

Gary Halbert, P.E., AICP
Assistant City Manager/Director of
Development Services

Glen R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 2nd day of August 2011, by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan, Castaneda, Ramirez 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 Ordinance No. 3201 had its first reading at a regular meeting held on the 19th day of July 2011 and its second reading and adoption at a regular meeting of said City Council held on the 2nd day of August 2011; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

Dated

Donna R. Norris, CMC, City Clerk