

ORDINANCE NO. 2016-18

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CHARTERED CITY OF VISTA, CALIFORNIA, AMENDING
THE VISTA BUSINESS PARK SPECIFIC PLAN TO CREATE
A NEW MIXED USE OVERLAY FOR 17.16 ACRES
LOCATED AT 2100 W. SAN MARCOS BOULEVARD**

The City Council of the City of Vista does ordain as follows:

1. Findings. The City Council hereby finds and declares that:

A. The applicant has submitted an application for a General Plan Amendment, Specific Plan Amendment, Development Agreement, Special Use Permit (inclusive of a Site Development Plan), Condominium Housing Permit, and Tentative Subdivision Map (Proposed Project).

B. The amendment to the Vista Business Park Specific Plan creates a new Mixed Use Overlay for the subject site.

C. On November 16, 2016, the Vista Planning Commission held a duly noticed public hearing on the proposed project and adopted Planning Commission Resolution No. 2016-15, recommending City Council approval of the proposed Specific Plan Amendment. The Planning Commission's written recommendations to the City Council regarding the project are included in Planning Commission Resolution No. 2016-14, consistent with Government Code Section 65855.

D. On November 16, 2016, the Planning Commission adopted Planning Commission Resolution 2016-13, recommending City Council approval of the Mitigated Negative Declaration for this project with the finding that the project, if properly mitigated, will not have a significant impact on the environment.

E. Pursuant to Vista Development Code chapters 18.48, 18.50 and 18.80, the City Council held a duly noticed public hearing regarding the proposed Specific Plan Amendment on December 13, 2016, and at said hearing, staff reports both written and oral were received in evidence and all persons wishing to speak on the proposed project were heard. At the conclusion of the hearing, after consideration of all evidence presented, the City Council made certain findings and reached a decision on the matter as hereinafter set forth.

2. Specific Plan Amendment.

A. The Planning Area Map of the Vista Business Park Specific Plan is hereby amended, as reflected in Exhibit "A".

B. The Vista Business Park Specific Plan is hereby amended to incorporate text as reflected in Exhibit "B" to the end of the RESEARCH LIGHT INDUSTRIAL AND BUSINESS SUPPORT GROUP (USE AREA "B") section on page 31 within Chapter V (LAND USE AND ZONING).

3. Severability. If any word, sentence, paragraph, or other portion of this ordinance is deemed to be invalid or unenforceable for any reason by a court of competent jurisdiction, the City Council declares its intent that all remaining words, sentences, paragraphs or portions of the ordinance not held to be invalid or unenforceable shall remain in full force and effect, and shall, be so construed, as if the original ordinance did not contain the invalid or unenforceable language.

4. Effective Date. This Ordinance shall be effective on the thirty-first day following the date of its adoption. The City Clerk is authorized and directed to publish a copy in the manner provided by law.

5. Adoption. INTRODUCED AND ADOPTED at a meeting of the City Council held on December 13, 2016 by the following vote:

AYES: Mayor Ritter, Aguilera, Franklin, Green

NOES: Rigby

ABSTAIN: None

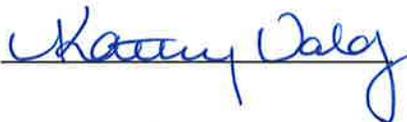


JUDY RITTER, Mayor

APPROVED AS TO FORM:
Darold Pieper, City Attorney

ATTEST:
Kathy Valdez, City Clerk

By: 

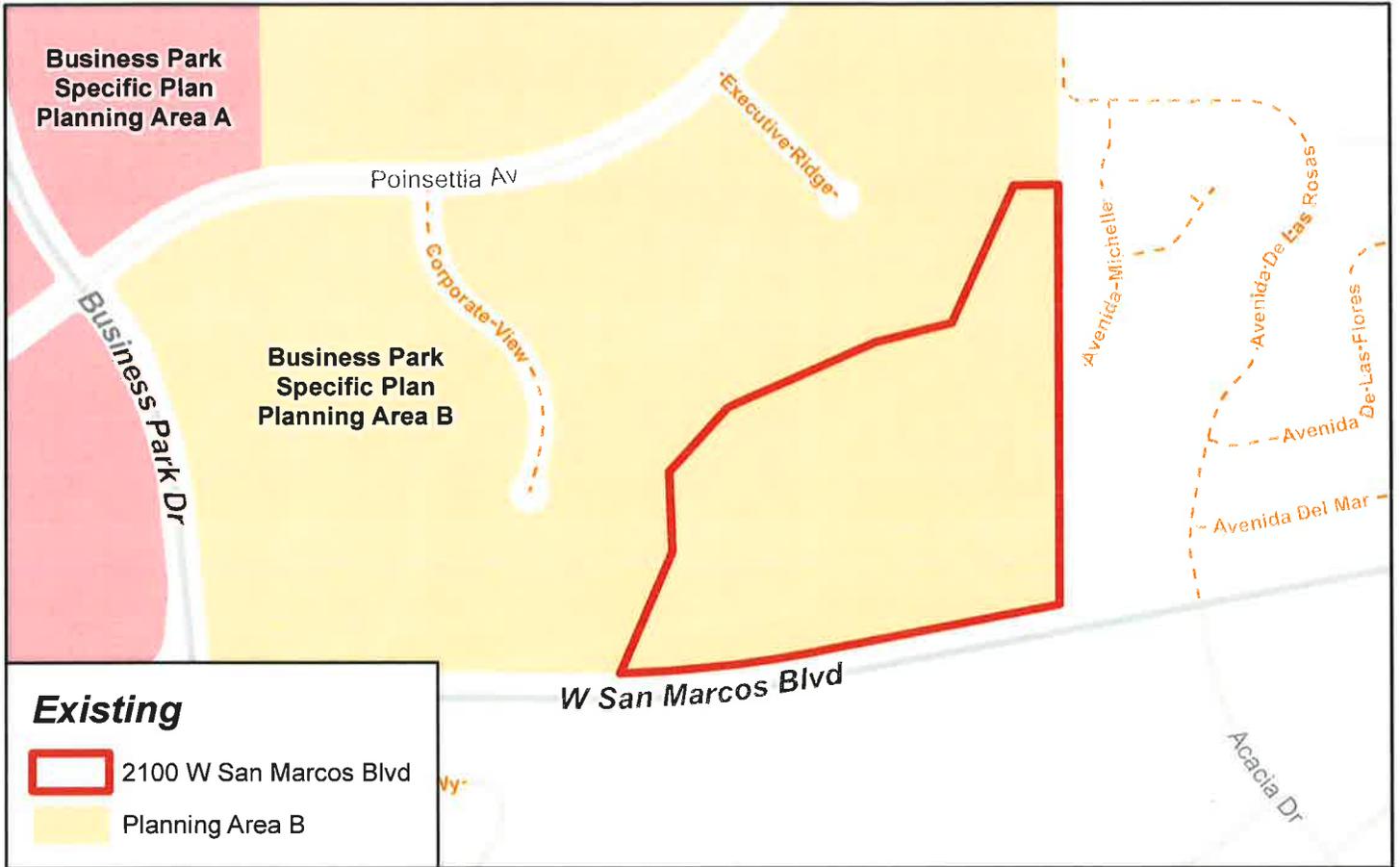
By: 

APPROVED
Jonathan B. Stone
1013 112116

Specific Plan Amendment



0 500 1,000 Feet



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Rev 9/27/2016

MIXED USE OVERLAY

The intent and purpose of this mixed use overlay is to provide mixed use opportunities to support existing commercial, industrial, and residential land uses within the area. This land use envisions condominiums, restaurants, office, hotel, retail, and other related service uses:

1. The following uses may be established and maintained in the Mixed Use Overlay only if authorized by, constructed pursuant to, and operated in a manner consistent with, a Development Agreement under Government Code §65864 et seq. which is first approved.
 - a. Multi-family dwellings
 - b. Live/work units
 - c. Retail sales, general
 - d. Restaurant, excluding drive through facilities
 - e. Hotel (but only with an approved special use permit)
 - f. Other uses allowed in the Area B unless the use would be inconsistent with the terms of a Development Agreement.

2. Other Development Regulations

Development regulations and standards can be found in Chapter III of this text, except as modified below.

3. Building Height
 - (a) The height of all residential structures shall be limited to a maximum of three (3) stories, not to exceed forty-five (45) feet in height, unless additional height is granted under the provisions of a special use permit.

 - (b) The height of all commercial structures shall be limited to a maximum of four (4) stories, not to exceed fifty (50) feet in height, unless additional height is granted under the provisions of a special use permit.

4. Setbacks
 - a. Buildings and structures shall maintain a minimum setback of 35 feet from W. San Marcos Boulevard measured from the ultimate street right-of-way line.

 - b. Buildings and structures shall maintain a minimum setback of 25 feet from residentially zoned properties.

5. Parking

Off-street parking shall be provided in accordance with the following standards:

(a) Residential. All residential uses must provide off street parking at the following minimum ratios:

1. Studio: 1 space per unit plus 0.25 guest space per unit
2. One bedroom: 1 space per unit plus 0.5 guest space per unit
3. Two bedroom: 2 spaces per unit
4. Three or more bedrooms: 2 spaces per unit plus 0.5 space for each additional bedroom above three, plus 0.25 guest space per unit.

(b) Commercial. All commercial uses must provide off street parking in accordance with Chapter 18.54 of the Vista Municipal Code.

(c) Hotel. 1 parking space per guest room

(d) Shared parking. Any required guest parking may be shared parking and may be shared with onsite commercial spaces, upon approval of the Planning Commission at a public hearing.

6. Outdoor Space

A minimum outdoor space of 140 square feet shall be provided per dwelling unit. Outdoor space may be provided as common open space or private outdoor space. Any required common outdoor space shall have minimum surface level dimensions of 20 feet and a minimum area of 400 square feet. Landscaping and seating shall be permanently integrated into all required outdoor spaces. The developer may pay a fee in lieu of providing the required outdoor space, in the amount of the City's park fee per dwelling unit. This fee shall be paid in addition to the standard park fee assessed per unit.

7. Laundry Facilities

Laundry facilities, consisting of working washer and dryer utility connections, shall be provided within each residential dwelling unit.

8. Storage space, private

A minimum of 90 cubic feet of storage space shall be provided for each residential unit outside such unit unless a private attached garage, serving only the dwelling unit, is provided. Such private storage space shall have a minimum horizontal surface area of 24 square feet and shall be fully enclosed and lockable.

9. Refuse Collection and Storage

Areas designated for the collection of refuse and storage of solid waste shall conform to the provisions of Section 18.58.590 of the Vista Development Code.

CERTIFICATION

I, Kathy Valdez, City Clerk of the City of Vista, California, certify that I caused the foregoing Ordinance No. 2016-18 to be posted on December 19, 2016, at the following locations within the City of Vista: 1) the Reference Desk of the Vista Branch of the San Diego County Public Library, 700 Eucalyptus Avenue; 2) the Lobby Counter at the Gloria McClellan Adult Activity & Resource Center, 1400 Vale Terrace Drive; and 3) the City Clerk's Office, 200 Civic Center Drive.



Kathy Valdez, City Clerk