

ORDINANCE NO. 2019-7

AN ORDINANCE OF THE CITY COUNCIL OF THE CHARTERED CITY OF VISTA, CALIFORNIA, APPROVING A ZONE CHANGE FROM A-1 AGRICULTURAL ZONE TO E-1 ESTATES ZONE FOR A 3.028-ACRE PARCEL LOCATED AT 1160 BRANDING IRON DRIVE (APN 169-080-01-00)

APPLICANT: BRANDING IRON, LLC
PLANNING CASE NO. P18-0109

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

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

A. The applicant, Branding Iron, LLC, filed an application for a Zone Change and Vesting Tentative Parcel Map to change the zoning from Agricultural Zone (A-1, minimum 1-acre lots) to Estates Zone (E-1, minimum 1/2 acre lots) to create a four lot subdivision on a 3.028-acre parcel located at 1160 Branding Iron Drive (APN 169-080-01-00) (Proposed Project).

B. On April 16, 2019, the Vista Planning Commission held a duly noticed public hearing on the proposed project and adopted Planning Commission Resolutions 2019-05 and 2019-06, recommending City Council approval the Zone Change and Vesting Tentative Parcel Map (respectively). The Planning Commission's written recommendations to the City Council regarding the project are included in Planning Commission Resolution No. 2019-05 and 2019-06, consistent with Government Code Section 65855.

C. Pursuant to California Public Resources Code § 21083.3, and State CEQA Guidelines Section 15183, the proposed project qualifies for an exemption from additional environmental review because it is consistent with the development density and use characteristics established by the City of Vista General Plan 2030 Update (GPU) (adopted 2/2012, City Council Reso. # 2012-42), as analyzed by the City of Vista GPU Program EIR (SCH # 2009121028) (certified 2/2012, City Council Reso. # 2012-41), and all required findings can be made.

D. 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 Zone Change on May 14, 2019, 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.

E. This Ordinance shall not be codified.

2. Zone Map Change. The City Council approves the proposed Zone Change from the existing A-1 zone to the proposed E-1 zone, and the Zoning Map is hereby amended, as reflected in Exhibit A, to conform to this Zone Change.

3. Severability. If any word, sentence, paragraph, or other portion of this ordinance (other than an invalidation of the entire Covenant Agreement) 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 or Covenant Agreement

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 May 14, 2019, by the following vote:

AYES: Mayor Ritter, Rigby, Franklin, Green, Contreras

NOES: None

ABSTAIN: None

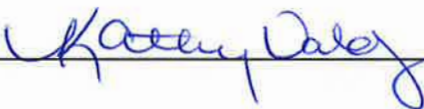
APPROVED AS TO FORM:
DAROLD PIEPER, CITY ATTORNEY

By:  _____

APPROVED
Darold Pieper
1447 020210

 _____
JUDY RITTER, MAYOR

ATTEST:
KATHY VALDEZ, CITY CLERK

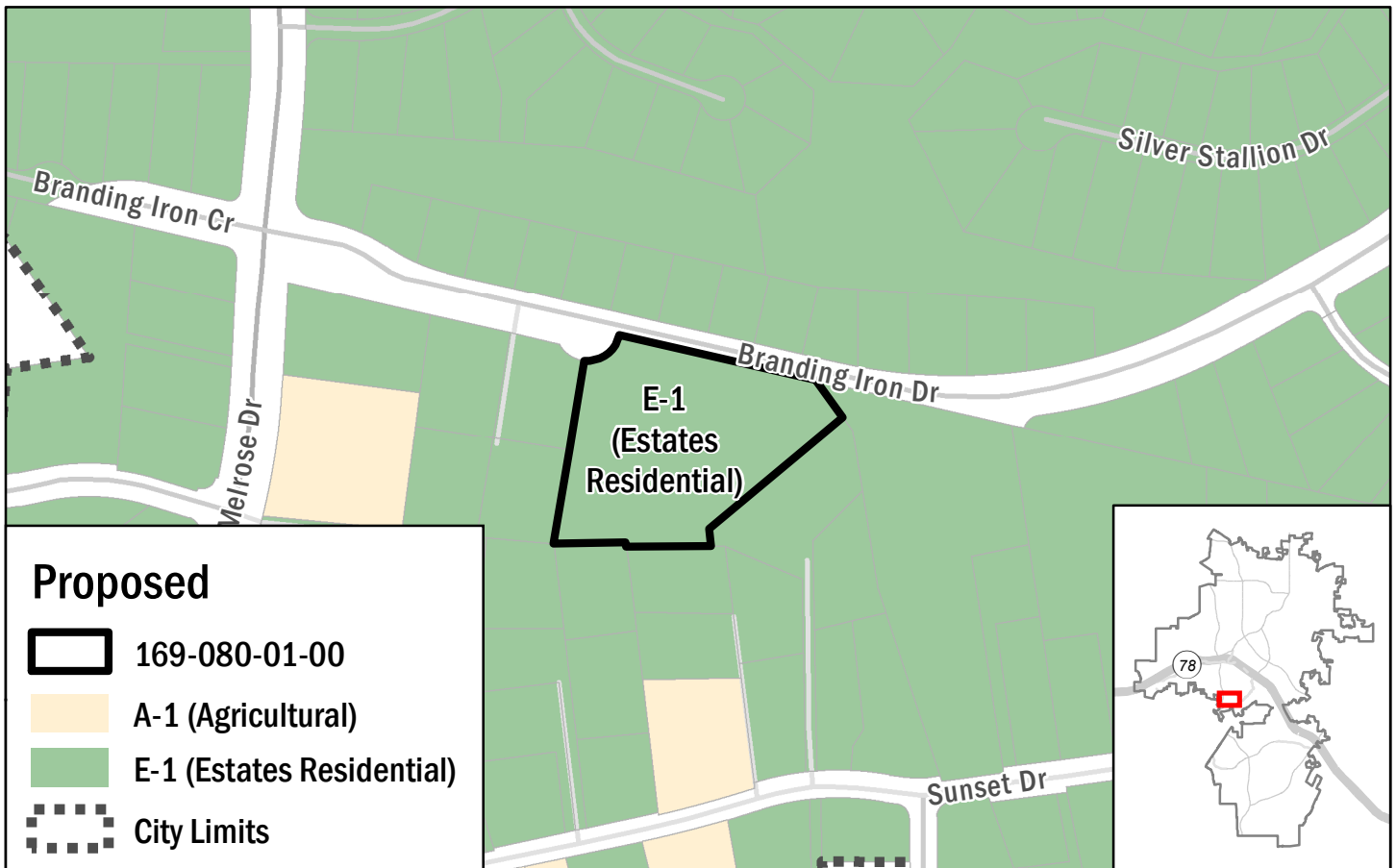
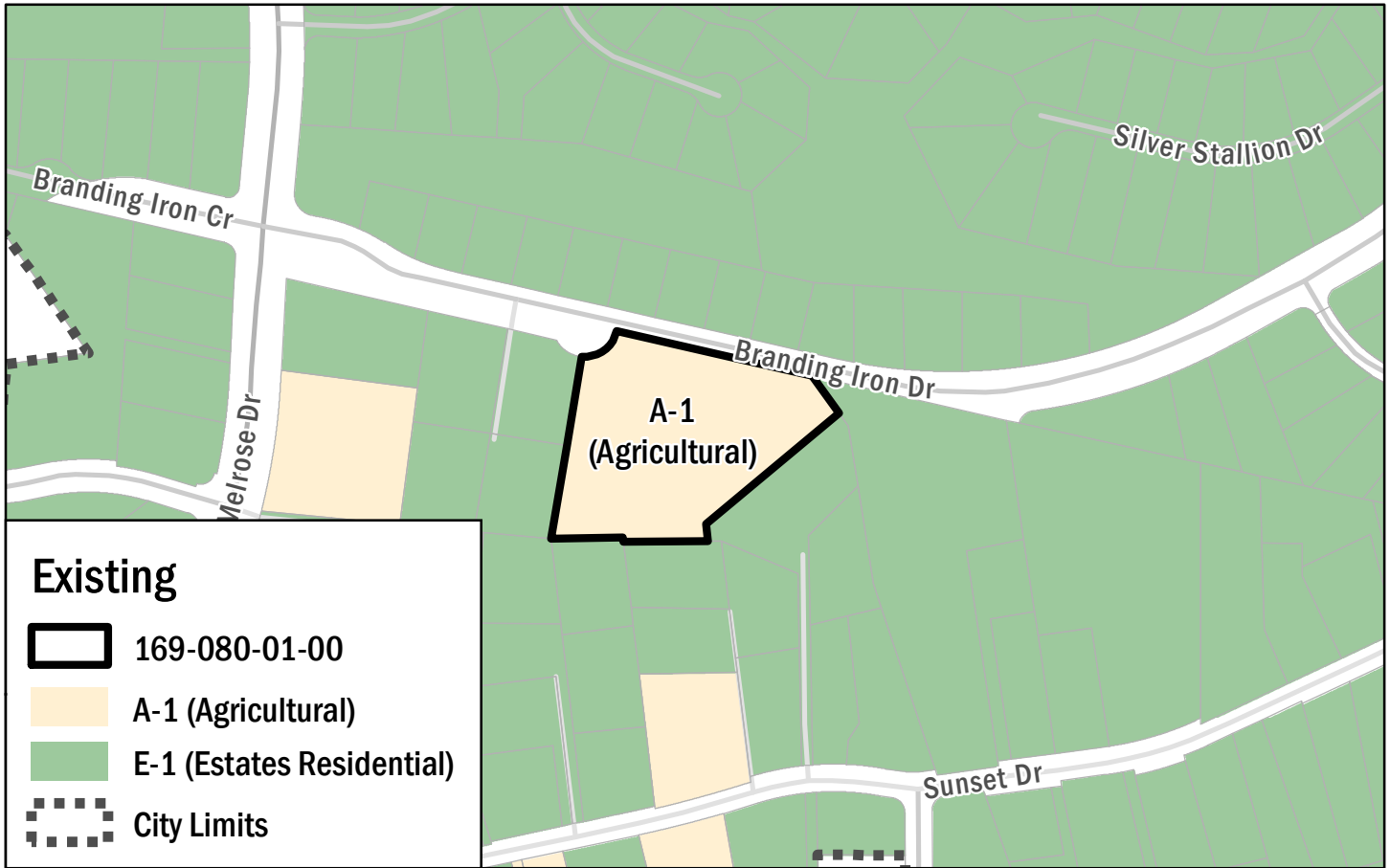
By:  _____

169-080-01-00
Zoning Change

EXHIBIT A



0 250 500 Feet



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Rev 4/3/2018

CERTIFICATION

I, Kathy Valdez, City Clerk of the City of Vista, California, certify that I caused the foregoing Ordinance No. 2019-7 to be posted on May 15, 2019, 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 E. McClellan Senior Center, 1400 Vale Terrace Drive; and 3) the City Clerk's Office, 200 Civic Center Drive.

A handwritten signature in blue ink that reads "Kathy Valdez". The signature is written in a cursive, flowing style.

Kathy Valdez, City Clerk