

ORDINANCE NO. 2023-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CHARTERED CITY OF VISTA, CALIFORNIA, AMENDING CHAPTERS 18.34 AND 18.35 OF THE VISTA DEVELOPMENT CODE AND THE DOWNTOWN VISTA SPECIFIC PLAN RELATED TO INCLUSIONARY HOUSING

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

1. Findings. The City Council hereby finds and declares the following:

A. This ordinance is enacted by the City Council pursuant to its authority under the Charter of the City of Vista and Article 11, Section 7 of the California Constitution.

B. The City intends to amend Chapter 18.34, the Multi-Residential (R-M) Zone, and Chapter 18.35, the Mixed-Use (M-U) Zone, of the Development Code, and the Downtown Vista Specific Plan (DVSP) to establish an inclusionary housing program within the City of Vista.

C. The proposed Development Code and DVSP amendments would be consistent with the General Plan Land Use and Community Identity Element, Policy 9.2, as well as the Housing Element, policies 1.2, 2.1 and 2.3.

D. The proposed amendments to chapters 18.34 and 18.35 of the Development Code and the amendment to the DVSP would implement a policy requiring a certain percentage of affordable housing units in specified development projects and, therefore, are exempt pursuant to CEQA Guidelines Section 15061(b)(3), the "Common Sense" exemption, because there is no possibility that the proposed amendments may have a significant effect on the environment.

2. Code Amendment.

A. Chapter 18.34, R-M Multi-Residential Zone, is amended to add Section 18.34.130, as follows:

"Section 18.34.130 Affordable Housing

Any application for a Site Development Plan for 20 or more multiple dwelling residential units, for sale or rent, shall include reservation of nine percent (9%) of the units being built to be made eligible to the City of Vista as affordable housing units. The affordable housing units shall include, at a minimum, four percent (4%) of the units as moderate income units or lower and five percent (5%) of the units as low income units or lower, with "moderate income" and "low income" as defined by the California Department of Housing and Community Development. The City may adopt a fee in lieu of the reservation of the affordable housing units. Such a fee shall be used exclusively for programs providing affordable housing opportunities within the City. The fee shall be based on a formula set by resolution of the City Council as a fair share contribution to the City's Inclusionary Housing Fund as applied to the subject housing project. When affordable units are provided on-site, the property owner shall execute and cause the recordation of a regulatory agreement, in a form approved by the City Attorney, to assure compliance with this paragraph. The City may adopt policies, rules and regulations by

Resolution or administrative action to implement these affordable housing provisions, and such requirements shall apply to qualifying projects.”

B. Chapter 18.35, M-U Mixed Use Zone, is amended to add Section 18.35.110, as follows:

“Section 18.35.110 Affordable Housing

Any application for a Site Development Plan for 20 or more multiple dwelling residential units, for sale or rent, shall satisfy the City’s affordable housing requirements found in Section 18.34.130 of the Vista Development Code.”

C. The provisions of these amendments shall apply to any qualifying project unless the City has deemed the project’s Site Development Plan application complete, or the project has otherwise legally vested, prior to the effective date of this ordinance.

3. Specific Plan Amendment.

A. The Downtown Vista Specific Plan is amended to add Section 3.7, as follows:

“3.7 Affordable Housing

Any application for a Site Development Plan for 20 or more multiple dwelling residential units, for sale or rent, shall satisfy the City’s affordable housing requirements found in Section 18.34.130 of the Vista Development Code,.”

B. The provisions of these amendments shall apply to any qualifying project unless the City has deemed the project’s Site Development Plan application complete, or the project has otherwise legally vested, prior to the effective date of this ordinance.

4. Effective Date. This Ordinance shall be effective on the thirty-first day following the date of its adoption.

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5. Adoption. INTRODUCED AND ADOPTED at a meeting of the City Council held on January 10, 2023 by the following vote:

AYES: Mayor Franklin, Green, Contreras, Melendez, O'Donnell

NOES: None

ABSTAIN: None

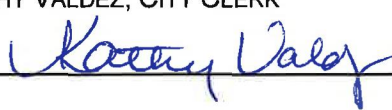


JOHN FRANKLIN, MAYOR

APPROVED AS TO FORM:
WALTER CHUNG, CITY ATTORNEY

By: 

ATTEST:
KATHY VALDEZ, CITY CLERK

By: 

APPROVED
Amanda L. Guy
20221219154405

CERTIFICATION

I, Kathy Valdez, City Clerk of the City of Vista, California, certify that I caused the foregoing Ordinance No. 2023-1 to be posted on January 12, 2023, 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.



Kathy Valdez, City Clerk