



CITY COUNCIL AGENDA STATEMENT



March 16, 2021

File ID: 21-0065

TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING AND CONFIRMING AMENDED EMERGENCY ORDER 004-2020 (EFFECTIVE MARCH 10, 2021) OF THE CHULA VISTA DIRECTOR OF EMERGENCY SERVICES ALLOWING FURTHER TOLLING AND EXTENSION OF DEADLINES FOR LAND USE AND BUILDING PERMIT-RELATED ACTIONS

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

This proposed resolution ratifies and confirms amended Emergency Order 004-2020 (Effective March 10, 2021) issued by the Chula Vista Director of Emergency Services, in accordance with Chula Vista Municipal Code section 2.14.080(F)(1).

ENVIRONMENTAL REVIEW

The proposed resolution ratifying and confirming Emergency Order 004-2020 has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the activity is not a "Project" as defined under Section 15378 of the state CEQA Guidelines because it will not result in a physical change in the environment; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Notwithstanding the foregoing, it has also been determined that the activity qualifies for an Exemption pursuant to Section 15061(b)(3) of the California Environmental Quality Act State Guidelines. Thus, no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

The worldwide COVID-19 pandemic has had a substantial, sustained impact on virtually every community across the globe, including our community here in the City of Chula Vista. Despite increasing rates of vaccination, the pandemic is not yet over and the number of cases in the County of San Diego, including in the South Bay region, continues to rise.

Throughout the pandemic, the City has prioritized the protection of our community by utilizing City resources to respond to the COVID-19 pandemic and protect public health. Due to the restrictions inherent in the State and County COVID-related orders, and the related diversion of resources to address the continuing emergency, the Director of Development Services previously determined that it was appropriate to toll and extend various land use and building-permit related deadlines. On May 21, 2020, the Emergency Director issued Emergency Order 004-2020 (effective May 22, 2020), which tolled and extended for 180 days specified land use and building-permit related actions. Such actions included deadlines to review or take action on land use entitlements, permits, and approvals; deadlines to exercise and continually pursue rights granted under land use entitlements, permits, and approvals; deadlines to review and approve building permit applications and plan approvals; and deadlines for the expiration of building permits and plan approvals. These tolling provisions did not apply to deadlines for complying with code enforcement orders for life safety corrections. The City Council ratified and confirmed Emergency Order 004-2020 (effective May 22, 2020) on May 26, 2020.

The Director of Development Services has determined that, given the continued COVID-related restrictions and extended need to divert resources to the emergency, it is appropriate to further extend the land use and building-permit actions identified in Emergency Order 004-2020 for additional 180-day periods until December 31, 2021. Accordingly, the Emergency Services Director amended Emergency Order 004-2020 (effective March 10, 2021) to further toll and extend such land use and building-permit actions and provide for the waiver of fees associated with applications to toll or extend.

Pursuant to Chula Vista Municipal Code section 2.14.080(F)(1), rules and regulations issued by the Emergency Director must be confirmed by the City Council at the earliest practicable time.

DECISION-MAKER CONFLICT

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the real property holdings of the City Council members do not create a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

The COVID-19 pandemic creates a wide range of potential fiscal impacts to the City; however, the subject resolution to ratify and confirm amended Emergency Order 004-2020 is unlikely to contribute in any significant way to such current-year fiscal impacts. Staff is evaluating the broader fiscal impact of the current public health crisis, and a comprehensive report will be presented to council in the future.

ONGOING FISCAL IMPACT

The COVID-19 pandemic creates a wide range of potential fiscal impacts to the City; however, the subject resolution to ratify and confirm amended Emergency Order 004-2020 is unlikely to contribute in any significant way to such ongoing fiscal impacts. Staff is evaluating the broader fiscal impact of the current public health crisis, and a comprehensive report will be presented to council in the future.

ATTACHMENTS

1. Resolution
2. Attachment A: Amended Emergency Order No. 004-2020 (Effective March 10, 2021)

Staff Contact: Tiffany Allen, Director of Development Services; Glen Googins, City Attorney