

RESOLUTION NO. MPA 18-0009

RESOLUTION OF THE CITY OF CHULA VISTA PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPT AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 19 “PLANNING AND ZONING” OF THE CITY OF CHULA VISTA MUNICIPAL CODE TO ADDRESS COMPLIANCE WITH STATE LAWS GOVERNING SUPPORTIVE RESIDENTIAL USES, AS DEFINED IN CHAPTER 19.04 “DEFINITIONS,” AND FOUND IN CHAPTERS 19.14 “ADMINISTRATIVE PROCEDURES – PERMITS – APPLICATIONS – HEARINGS - APPEALS,” 19.16 “EXCEPTIONS AND MODIFICATIONS,” 19.20 “AGRICULTURAL ZONE,” 19.28 “R-3 – APARTMENT RESIDENTIAL ZONE”, 19.38 “C-V – VISITOR COMMERCIAL ZONE,” 19.40 “C-T - THOROUGHFARE COMMERCIAL ZONE,” 19.44 “I-L - LIMITED INDUSTRIAL ZONE,” 19.48 “P-C – PLANNED COMMUNITY ZONE,” 19.54 “UNCLASSIFIED USES,” 19.58 “USES,” AND 19.62 “OFF-STREET PARKING AND LOADING” TO DEFINE AND ESTABLISH PROCEDURES TO PERMIT EMERGENCY SHELTERS, SINGLE ROOM OCCUPANCY RESIDENCES, TRANSITIONAL AND SUPPORTIVE HOUSING, QUALIFIED EMPLOYEE HOUSING AND RESIDENTIAL FACILITIES

WHEREAS, it is the policy of the City of Chula Vista (City), pursuant to the Federal Fair Housing Act Amendments (42 U.S.C. Section 3601), hereinafter “FHAA,” the California Fair Employment and Housing Act, hereinafter “Fair Housing Laws,” and the Housing Element of the City’s General Plan to facilitate housing for individuals with disabilities and those in need of emergency shelter, and to facilitate housing affordable to lower-income households, through reasonable and objective rules, policies, practices and procedures that ensure equal access to housing in accordance with applicable laws; and

WHEREAS, pursuant to Article 10.6 of the Government Code (Article 10.6), the City, on April 23, 2013, adopted its 2013-2020 Housing Element of the General Plan, which specifies its goals, policies, and implementing programs to address the identified needs of the community, including individuals with disabilities and lower-income households; and

WHEREAS, the Housing Element contains programs and policies that require amendments to the City of Chula Vista Municipal Code in compliance with Senate Bill 2 (Chapter 644, Statutes, 2007), Assembly Bill 2634 (Chapter 892, Statutes of 2006) and Sections 17021.5 and 17021.6 of the California Health and Safety Code (qualified employee housing) to address emergency shelters, single room occupancy residences (SROs), transitional and supportive housing, residential facilities and qualified employee housing; and

WHEREAS, the revisions to Title 19 “Planning and Zoning” of the Chula Vista Municipal Code contained in the subject Ordinance address the required amendments and

provide for greater clarification or repeal of other definitions of similar land uses such as hotels, motels, efficiency apartments, and labor camps; and

WHEREAS, the Development Services Director has reviewed the subject Ordinance for compliance with the California Environmental Quality Act (CEQA) and has determined that the adoption and implementation of the Ordinance amending Title 19 of the Chula Vista Municipal Code (Municipal Code) is not a Project pursuant to State CEQA Guidelines Section 15378 because the modifications to the Municipal Code are administrative actions that will not result in physical changes to the environment; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required. In addition, notwithstanding the foregoing, the Director of Development Services has also determined that the adoption and implementation of the Ordinance amending Title 19 of the Municipal Code by adding definitions and procedures for emergency shelters, single room occupancy residences, transitional and supportive housing, residential facilities, and qualified employee housing and providing for greater clarification or repealing of other definitions of similar land uses such as hotels, motels, efficiency apartments and labor camps will not result in any physical development in and of itself, and thus will not cause a significant effect on the environment. Further, the changes implement existing General Plan policies, objectives, and programs contained in the Housing Element, and are required to be adopted to conform to State law. The amendment therefore qualifies for an Exemption pursuant to Section 15061(b)(3) of the CEQA State Guidelines, which means that the activity is not subject to CEQA; and

WHEREAS, a hearing time and place was set by the Planning Commission and the Housing Advisory Commission to consider the Chula Vista Municipal Code amendments and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, at least ten (10) days prior to the hearing; and

WHEREAS, the Planning Commission and Housing Advisory Commission held a duly noticed public hearing to consider said code amendments at the time and place as advertised in the City Council Chambers, 276 Fourth Avenue, and said hearing was thereafter closed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommends that the City Council of the City of Chula Vista adopt the proposed amendments to Title 19 of the Chula Vista Municipal Code related to Emergency Shelters, Single Room Occupancy Residences, Transitional and Supportive Housing, Qualified Employee Housing and Residential Facilities.

BE IT FURTHER RESOLVED THAT a copy of this Resolution be transmitted to the City Council.

Presented by:

Approved as to form by:

Kelly G. Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney

PASSED AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA, CALIFORNIA, this 26th day of September 2018, by the following vote, to-wit:

AYES: Burroughs, Calvo, Milburn, Nava, and Gutierrez

NOES:

ABSENT: Anaya, Zaker

ABSTENTIONS:

Gabe Gutierrez
Chairperson

Patricia Laughlin,
Secretary to Planning Commission