

RESOLUTION NO. MPA20-0002

RESOLUTION OF THE CITY OF CHULA VISTA PLANNING COMMISSION RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPT AN ORDINANCE AMENDING CHULA VISTA MUNICIPAL CODE SECTIONS 19.58.022 (ACCESSORY DWELLING UNITS) AND 19.58.023 (JUNIOR ACCESSORY DWELLING UNITS); AND CHAPTERS 19.22 (RESIDENTIAL ESTATES ZONE); 19.24 (SINGLE-FAMILY RESIDENTIAL); 19.26 (ONE- AND TWO-FAMILY RESIDENCE ZONE); 19.28 (APARTMENT RESIDENTIAL ZONE); 19.30 (ADMINISTRATIVE AND PROFESSIONAL OFFICE ZONE); 19.36 (CENTRAL COMMERCIAL ZONE); 19.48 (PLANNED COMMUNITY ZONE); AND 19.84 (BAYFRONT SPECIFIC PLAN-LAND USE ZONES)

WHEREAS, in January 2020, the State of California enacted the following laws: Senate Bill 13; Assembly Bill 68; and Assembly Bill 881 that established new standards for Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs); and

WHEREAS, in October 2019, November 2018, and April 2018, the City Council the adopted amendments the ADU and JADU ordinance and certain Chula Vista Municipal Code (CVMC) chapters; and

WHEREAS, the ADU and JADU ordinances, and CVMC Chapters 19.22, 19.24, 19.26, 19.28, 19.30, 19.36, 19.48 and 19.84 are not in compliance with the new state laws; and

WHEREAS, staff prepared amendments to the ADU and JADU ordinances, and CVMC Chapters 19.22, 19.24, 19.26, 19.28, 19.30, 19.36, 19.48 and 19.84; and

WHEREAS, the adoption of the amendments to the ADU and JADU ordinances, and CVMC Chapters 19.22, 19.24, 19.26, 19.28, 19.30, 19.36, 19.48 and 19.84 will bring the regulations into compliance with state law; and

WHEREAS, the Director of Development Services reviewed the proposed legislative action for compliance with the California Environmental Quality Act (CEQA) and determined that the action is not a "Project" as defined under Section 15378 of the State CEQA Guidelines; therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines the action is not subject to CEQA. In addition, notwithstanding the foregoing, the Director of Development Services has also determined that the action qualifies for an Exemption pursuant to Section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Therefore, no further environmental review is required; and

WHEREAS, a hearing time and place was set by the Planning Commission to consider the amendments to the ADU and JADU ordinances, and CVMC Chapters 19.22, 19.24, 19.26,

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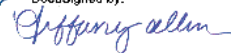
19.28, 19.30, 19.36, 19.48 and 19.84 and notice of said hearing, together with its purpose, was given by its publication in a newspaper of general circulation in the City, at least ten (10) days prior to the hearing; and

WHEREAS, the Planning Commission held a duly noticed public hearing to consider said ADU and JADU ordinance amendments and amendments to CVMC Chapters 19.22, 19.24, 19.26, 19.28, 19.30, 19.36, 19.48 and 19.84 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 ordinance amendments to Chula Vista Municipal Code (CVMC) Sections 19.58.022 (Accessory Dwelling Units) and 19.58.023 (Accessory Dwelling Units); and the amendments to CVMC Chapters 19.22 (Residential Estates Zone); 19.24 (Single-Family Residential); 19.26 (One-and Two-Family Residence Zone); 19.28 (Apartment Residential Zone); 19.30 (Administrative and Professional Office Zone); 19.36 (Central Commercial Zone); 19.48 (Planned Community Zone); and 19.84 (Bayfront Specific Plan - Land Use Zones).


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

Presented by:

DocuSigned by:

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Tiffany Allen
Director of Development Services

Approved as to form by:

DocuSigned by:

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Glen Googins
City Attorney

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PASSED AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA, CALIFORNIA, this 28th day of October, 2020, by the following vote, to-wit:

AYES: 6 – Burroughs, De La Rosa, Milburn, Nava, Torres, Zaker

NOES: 0

ABSENT: Gutierrez

ABSTAIN: 0

DocuSigned by:

Gabriel Gutierrez

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Gabe Gutierrez, Chair

ATTEST:

DocuSigned by:

Patricia Salvacion

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Patricia Salvacion, Secretary