

RESOLUTION NO. 2023-08

RESOLUTION OF THE CITY OF CHULA VISTA PLANNING COMMISSION APPROVING AMENDMENTS TO CHULA VISTA MUNICIPAL CODE SECTIONS 19.58.022 (ACCESSORY DWELLING UNITS) AND 19.58.023 (JUNIOR ACCESSORY DWELLING UNITS).

WHEREAS, on January 1, 2023, State of California Senate Bill (SB) 897 and Assembly Bill (AB) 2221, establishing new standards for Accessory Dwelling Units (“ADUs”) and Junior Accessory Dwelling Units (“JADUs”);

WHEREAS, Chula Vista Municipal Code (“CVMC”) Sections 19.58.022 and 19.58.023 are currently not in compliance with the new state laws, and are required to be brought into compliance through the proposed amendments; and

WHEREAS, Staff has identified the need to clarify text from previously-adopted standards for ADUs and JADUs, necessary to help streamline their construction; and

WHEREAS, staff presented the draft CVMC amendments to the City’s Development Oversight Committee on January 11, 2023, which recommended adoption; 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 qualifies for the “common sense” exemption under State CEQA Guidelines Section 15061(b)(3). The action involves updates and modifications to the CVMC related to state law compliance and clarification of previously-adopted text, regarding ADUs and JADUs. The action of updating and modifying the CVMC with these changes will not result in a material intensification of uses or a change in development potential within the City above what already is permitted under the existing land use and zoning policies of the CVMC that are being updated. Based on an analysis of the nature and type of these changes to the CVMC, there is a certainty that there is no possibility that the amendments may have a significant effect on the environment; and

WHEREAS City staff recommends that the Planning Commission approve the proposed changes to CVMC Sections 19.58.022 and 19.58.023; and

WHEREAS, a hearing time and place was set by the Planning Commission to consider the CVMC 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;

WHEREAS, after review and consideration of the Staff Report and related materials for this matter, the Planning Commission held a duly noticed public hearing to consider said CVMC amendments at the time and place as advertised in the Council Chambers, 276 Fourth Avenue, before the Planning Commission and the hearing was thereafter closed.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission hereby recommends that the City Council of the City of Chula Vista adopt the proposed amendments to

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CVMC Sections 19.58.022 and 19.58.023, related to state law compliance and clarification of previously-adopted text, regarding ADUs and JADUs.

BE IT FURTHER RESOLVED THAT that the Planning Commission hereby recommends that the City Council of the City of Chula Vista find that the proposed amendments to the CVMC identified in this Resolution qualifies for the “common sense” exemption under State CEQA Guidelines Section 15061(b)(3). The action involves updates and modifications the CVMC relating state law compliance and clarification of previously-adopted text. The action of updating and modifying the CVMC with these changes will not result in a material intensification of uses or a change in development potential within the City above what already is permitted under the existing land use and zoning policies of the CVMC that are being updated. Based on an analysis of the nature and type of these changes to the CVMC, there is a certainty that there is no possibility that the amendments may have a significant effect on the environment.

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

Presented by:

DocuSigned by:
Laura C. Black
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Laura C. Black, AICP
Director of Development Services

Approved as to form by:

DocuSigned by:
Glen R. Googins
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Glen R. Googins
City Attorney

PASSED AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA, CALIFORNIA, this 22nd day of February 2023, by the following vote, to-wit:

AYES: Combs, Felber, Milburn, Torres, Zaker

NOES: 0

ABSENT: Burroughs, De La Rosa

ABSTAIN: 0

DocuSigned by:
Max Zaker
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Max Zaker, Chair

ATTEST:

DocuSigned by:
Patricia Salvacion
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Patricia Salvacion, Secretary