

RESOLUTION NO. 2024-11

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA DENYING AN AMENDMENT TO CHULA VISTA MUNICIPAL CODE SECTION 19.58.022(C)(2)(c), PERTAINING TO THE ALLOWABLE NUMBER OF DETACHED ACCESSORY DWELLING UNITS FOR SINGLE-FAMILY DWELLINGS

WHEREAS, on June 11, 2024, the City Council voted to approve an update to the Chula Vista Municipal Code (“CVMC”); and

WHEREAS, the City Council also approved an amendment to increase the allowable number of detached accessory dwelling units (“ADUs”) from one to two, for single-family dwellings; and

WHEREAS, the amendment to increase the number of ADUs for single-family dwellings was not originally included in the updates presented to both the Planning Commission and City Council; and

WHEREAS, Government Code Section 65857 requires such amendments by a legislative body must first be considered by the Planning Commission before City Council takes final action. The City Council has the authority to make a referral to the Planning Commission to provide a report and recommendation on the amendment. Failure of the Planning Commission to report back to the City Council within forty days after such referral, the amendment shall be deemed “approved” by the Planning Commission; and

WHEREAS, on June 25, 2024, the City Council voted to refer the amendment back to the Planning Commission, consistent with Government Code Section 65857, for consideration and a recommendation. Staff requested ninety days to come back to City Council with Planning Commission’s review of the amendment; and

WHEREAS, additional time is needed to fully study the impacts (e.g., processing applications, infrastructure, etc.) of adding an additional accessory dwelling unit for single-family dwellings, more than currently allowed by 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 qualifies for the “common sense” exemption under State CEQA Guidelines Section 15061(b)(3); and

WHEREAS, a hearing time and place was set by the Planning Commission to consider the Chula Vista Municipal Code amendment 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 code amendment 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 that the Planning Commission of the City of Chula Vista hereby recommends that the City Council of the City of Chula Vista deny the proposed amendment to Chula Vista Municipal Code CVMC Section 19.58.022(C)(2)(c), allowing up to two detached ADUs for single-family dwellings, and direct staff to fully research and study the proposed infrastructure impacts of an additional accessory dwelling unit.

BE IT FURTHER RESOLVED that the Planning Commission hereby recommends that the City Council of the City of Chula Vista find that the proposed amendment to the Chula Vista Municipal Code identified in this resolution qualifies for the “common sense” exemption under State CEQA Guidelines Section 15061(b)(3).

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

[SIGNATURES ON THE FOLLOWING PAGE]

Presented by

Approved as to form by

Laura C. Black, AICP
Director of Development Services

Marco A. Verdugo
City Attorney

PASSED, APPROVED and ADOPTED by the Planning Commission of the City of Chula Vista, California, this 14th day of August 2024, by the following vote:

AYES: Commissioners: Combs, Felber, Leal, Torres, Zaker and De La Rosa

NOES: Commissioners: None

ABSENT: Commissioners: Burroughs

Michael De La Rosa, Chair

ATTEST:

Mariluz Zepeda, Secretary