

PLANNING COMMISSION STAFF REPORT



October 9, 2024

ITEM TITLE

Consideration of an application to approve a Tentative Map time extension located within Otay Ranch Village Four

Location: The project is located on the east side of Wolf Canyon, straddling the future extension of Main Street from La Media Road to the north and to Heritage Road to the Southwest “Otay Ranch Village Four Project”

Environmental Notice: The Tentative Map was adequately covered in previously certified Final Environmental Impact Report (EIR17-0001/Sch No. 2016041080) for the Otay Ranch Village Four SPA Plan.

Recommended Action

Adopt a Resolution approving the requested Tentative Map time extension for the Otay Ranch Village Four Project from November 25, 2024, to November 25, 2026.

SUMMARY

Otay Valley Quarry, LLC (the “Owner”), is requesting a time extension of approved Tentative Map CVT# 15-03 for an additional two years commencing from November 25, 2024, under Chula Vista Municipal Code (“CVMC”) Section 18.12.190.

HOUSING IMPACT STATEMENT

Three-hundred and fifty (350) housing units will be added within the City when the Final Map is recorded, and development occurs consistent with the approved entitlements for the Project, including the adopted Sectional Planning Area (“SPA”) document for Otay Ranch Village 4. The action of extending the Tentative Map itself will not construct housing units.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (“CEQA”) and has determined that the Tentative Map was adequately covered in previously certified Final Environmental Impact Report (EIR17-0001/Sch No. 2016041080) for the Otay Ranch Village Four SPA Plan. Thus, no further environmental review is required for the Tentative Map extension.

DISCUSSION

Otay Valley Quarry, LLC (“Owner”), the developer of a residential development project located within a portion of Otay Ranch Village 4 on approximately 166-acres (the “Project”) within the City of Chula Vista, received approval for Tentative Map [(CVT-15-03) (“Tentative Map”)], on May 25, 2018 for development of a total of three-hundred fifty (350) single-family and multi-family residential units.

The approved Tentative Map was originally due to expire on May 25, 2021. However, the expiration date was thereafter automatically extended for an additional 18 months pursuant to Assembly Bill 1561 (as codified in part in Government Code Section 65914.5). Assembly Bill 1561 extended the life of “housing entitlements” that were (a) issued and in effect prior to March 4, 2020, and (b) set to expire prior to December 31, 2021, as reflected in Government Code Section 65914.5(b). Under AB 1561, an automatic 18-month time extension was granted to housing entitlements that fall within these timeframes. Housing entitlements are defined as approvals, permits, or other entitlements, including vesting tentative maps issued by a local agency for a housing development project [Government Code Section 65914.5(d)].

The Tentative Map falls within the definition of a housing entitlement issued and in effect prior to March 4, 2020, and was set to expire prior to December 31, 2021. Therefore, the Tentative Map was automatically extended for an additional 18 months commencing from the original expiration date of May 25, 2021, to November 25, 2022. The Owner requested and was granted approval of a time extension for Tentative Map CVT# 15-03 for an additional two years commencing from November 25, 2022, to November 25, 2024; pursuant to Resolution No. 2022-008.

Since approval of the Tentative Map in May 2018, the Owner has devoted significant financial resources as well as expended time and effort to complete initial entitlements, and environmental approvals. The Owner has continued to invest and expend additional financial resources of \$2.5 million and has performed significant work to pursue approval of detailed plans, permits and agreements necessary to move forward with the development of the Project. However, additional time is needed to complete all Tentative Map requirements. Granting such a time extension would support the construction of a housing development project with 350 total residential dwelling units in the context of a state-wide undersupply of housing.

For the reasons described above, the Owner, on August 1, 2024, submitted a time extension request pursuant to CVMC Section 18.12.190 to extend the expiration of the Project Tentative Map for an additional two years commencing from November 25, 2024, to November 25, 2026. The Tentative Map remains consistent with the City’s General Plan, Zoning Ordinance, and the policies, and standards that were in place at the time of the Tentative Map’s original approval. Also, there have been no changes to the Tentative Map and there have been no changes in conditions in the area around the Project.

CONCLUSION

The Director of Development Services has determined that a noticed public hearing is not required under CVMC Section 18.12.190 because there have been no changes to the Tentative Map and there have been no changes in conditions in the area around the Project. Therefore, Staff recommends that the Planning Commission approve the requested Tentative Map time extension for the Project.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the Planning Commission members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(7) or (8), for purposes of the Political Reform Act (Cal. Gov't Code §87100, *et seq.*).

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

FISCAL IMPACT

There are no current year or ongoing fiscal impacts to the General Fund or Development Services Fund as a result of this action. All costs incurred processing this application are borne by the applicant.

ATTACHMENTS

1. Location Map
2. Planning Commission Resolution
3. Tentative Map CVT#15-03
4. Extension Request – Village 4 Tentative Map

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