

RESOLUTION NO. 2025-XX

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

WHEREAS, on January 1, 2025, State of California Senate Bill (SB) 1211 established the latest round of new standards for Accessory Dwelling Units (“ADUs”) and Junior Accessory Dwelling Units (“JADUs”);

WHEREAS, Chula Vista Municipal Code (“CVMC”) Sections 19.58.022 (ADUs) and 19.58.023 (JADUs) are currently not in compliance with the newly-adopted SB 1211, and are required to be brought into compliance through the amendment process; and

WHEREAS, State ADU and JADU law has been changed many times by the California State Legislature on a biannual basis to help further streamline and increase unit development throughout the State; and

WHEREAS,. Chula Vista has to continually adopt new provisions or revise existing provisions to comply with ever-changing State Law and avoid potential adverse enforcement action by the State’s Housing and Community Development Department (“HCD”); and

WHEREAS, by modifying the CVMC to defer all ADU and JADU regulations to the State Government Code and any applicable State regulations, Chula Vista’s local regulations will remain in perpetual compliance with State Law helping the City to remain competitive in applying for planning and housing-related grants through HCD; 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 State Law and 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 removal of 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 of the City of Chula Vista 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 State Law and 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 that the City of Chula Vista Planning Commission hereby recommends that the City Council of the City of Chula Vista adopt the proposed ordinance repealing 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 a copy of this Resolution be transmitted to the City Council.

Presented by:

Approved as to form by:

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Robert A. Vacchi  
Interim Director of Development Services

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Marco A. Verdugo  
City Attorney

PASSED AND APPROVED BY THE PLANNING COMMISSION OF THE CITY OF CHULA VISTA, CALIFORNIA, this 26th day of February, 2025, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Michael De La Rosa, Chair

ATTEST:

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Mariluz Zepeda, Secretary