CITY OF CHULA VISTA Development Services Department

ZONING ADMINISTRATOR
NOTICE OF DECISION

NOTICE IS HEREBY GIVEN THAT THE ZONING ADMINISTRATOR FOR THE CITY OF CHULA VISTA considered a Design Review application for a two-story, four-unit apartment development as further described below:

Date:	**May 15, 2025**
Applicant:	**Laura and Adrian Muñoz**
Project Number:	**DR20-0023**
Project Location:	**532 Palomar Street (APN: 618-290-25)**
Project Planner:	**Arturo Ortuño**

The Applicant proposes to construct a two-story, four-unit apartment development on a 0.18-acre vacant lot (the "Project"). Each dwelling unit will include a two-car garage and a 160-square foot private outdoor patio. In addition, three of the four units will feature a 608-square foot private rooftop terrace equipped with a built-in barbecue area. Associated site improvements include 1,824 square feet of common open space featuring a playhouse and an outdoor concrete table; 1,180 square feet of new landscaped area; concrete pavers adjacent to garage entrances; and one accessible parking stall. The subject property is located in the Apartment Residential ("R-3") zone and is designated as High Residential ("RH") in the Chula Vista General Plan.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed Project for compliance with the California Environmental Quality Act ("CEQA") and determined that the Project qualifies for a Class 3 categorical exemption pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the CEQA Guidelines because it consists of the construction of a two-story 3,232-square foot multifamily residential structure totaling no more than four dwelling units in an urbanized area. No further environmental review is required.

HOUSING IMPACT

Neither the subject property nor any portion thereof was identified in the General Plan's Housing Element to accommodate a portion of the City's allocation toward addressing regional housing needs. However, the Project will add four apartment units to the City's existing housing stock. There is no net loss of housing capacity as it pertains to the City's allocation.

THE ZONING ADMINISTRATOR, under the provisions of Chula Vista Municipal Code ("CVMC") 19.14.582 (B), makes the following findings as required by CVMC 19.14.593:

The proposed Project is consistent with the City of Chula Vista's General Plan and CVMC Title 19.

The Project site is located in the R-3 zone, which allows multifamily development as a permitted use. The proposed development is also consistent with the underlying RH land use designation in the Chula Vista General Plan as it relates to residential density. Furthermore, the Project meets all applicable development standards stipulated in CVMC Title 19, including those pertaining to building height, setbacks, floor area ratio, usable open space, and off-street parking.

The proposed Project is consistent with the design requirements and recommendations contained in the City of Chula Vista's Design Manual.

The Chula Vista Design Manual does not recommend a particular architectural "style," but it encourages high-quality, innovative, and imaginative architecture. The Project's building massing and articulation help reduce the scale of the two-story structure, and the inclusion of features such as private patios, rooftop terraces, and enhanced landscape elements creates visual interest and functional outdoor space. The proposed building materials and finishes are consistent with the surrounding residential neighborhood, and the layout of units and parking promotes efficient site circulation and accessibility.

The Project would not adversely affect the health, safety, or general welfare of the community.

The proposed Project will not create any significant environmental impacts requiring CEQA review. Furthermore, the proposed Project, as conditioned, will comply with all applicable performance standards and noise control provisions to ensure it will not adversely affect the health, safety, or general welfare of the community.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves DR20-0023 as described above, subject to the following conditions. Technical reports and studies reviewed through the Design Review process are considered conceptual and may be used to apply for necessary permits; however, additional requirements may be imposed at the time of development, depending upon the permit drawings submitted for City review. Unless otherwise specified, the following shall be completed to the satisfaction of the Director of Development Services prior to the issuance of building permits for the Project and/or approval by the City for the use of the subject property in reliance upon this approval:

Planning

1. The Applicant shall develop the Project in accordance with the approved plans for DR20-0023, which include site plans, floor plans, and elevations on file in the Development Services Department. The colors and materials specified on the building permit drawings shall be consistent with the colors and materials shown on the plans approved with this permit.

2. A graffiti-resistant treatment shall be specified on the building permit drawings for all wall and building surfaces up to 10 feet above finished grade. Additionally, the Project shall conform to CVMC 9.20.060 (Prevention Provisions) and 9.20.055 (Removal Provisions) regarding graffiti control unless otherwise approved by the Director of Development Services.

3. Ground-mounted utility appurtenances such as transformers and/or air conditioning condensers shall be located out of public view and/or adequately screened using a combination of concrete or masonry walls, berming, and/or landscaping. The sound from such appurtenances shall also be buffered from adjacent properties and streets using the same method(s). The method and type of screening shall be specified on the building permit drawings for the Project.

4. All roof appurtenances, including air conditioners and other roof-mounted equipment and/or projections, shall be shielded from view and the sound buffered from adjacent properties and streets. Such screening shall be architecturally integrated with the proposed building design. The method and type of screening shall be specified on the building permit drawings for the Project.

5. All exterior lighting shall be shielded to prevent any glare onto adjacent properties. Details for said lighting shall be included in the architectural plans and reviewed and approved prior to the issuance of any building permit for the Project.

Land Development

6. The Applicant shall comply with all applicable requirements and guidelines of the CVMC, the Otay Ranch Village 7 SPA Plan, the Chula Vista Subdivision Manual, the City's Design and Construction Standards, the Development Storm Water Manual for Development and Redevelopment Projects, the City's Best Management Practices ("BMP") Design Manual, the Chula Vista Grading Ordinance (No. 1797), and the Subdivision Map Act.

7. The Applicant shall obtain a grading permit if cut or fill on the Project site is proposed in excess of three feet and/or the total earthwork for the site involves quantities in excess of 250 cubic yards.

8. The Applicant shall document compliance with the City's requirements pertaining to BMPs on applicable plans. The Applicant shall develop and implement post-construction BMPs in accordance with the current regulations at the time of permit issuance.

9. All driveways shall conform to the City of Chula Vista's sight distance requirements in accordance with CVMC 12.12.130 and Chula Vista standard drawing RWY-05 (Sight Distance Requirements). Neither landscaping, street furniture, nor signs shall obstruct the visibility of drivers at street intersections or driveways.

10. The Applicant shall apply for review and approval of a minor construction permit to perform the following work in the City's right-of-way, which may include but is not limited to:

    a. Installation of a 16-foot driveway on Palomar Street per Chula Vista construction standard GSI-01; and
    b. Utilities trenching and restoration per Chula Vista construction standard GSI-03.

11. Separate permits for other public utilities (gas, electric, water, cable, telephone) shall be required as necessary.

12. All proposed sidewalks, walkways, pedestrian ramps, and accessible parking stalls as required by the Americans with Disabilities Act ("ADA") shall be designed to meet the City of Chula Vista Design Standards, ADA standards, and the California Building Standards Code ("Title 24") as applicable.

13. Any improvements in the right-of-way beyond the Project limits shall be designed and constructed as not to interfere with the function of adjacent properties, as approved by the City Engineer.

14. The onsite sewer and storm drain system shall be private. All sewer laterals and storm drains shall be privately maintained from each building unit to the City-maintained public facilities.

15. Prior to approval of the improvement plan(s) or issuance of a building permit for the Project, the Applicant shall enter into an encroachment agreement with the City for any private facilities proposed within public rights-of-way or City easements.

16. Prior to approval of the improvement plan(s) or issuance of a building permit for the Project, the Applicant shall provide a "Will Serve" letter from the Sweetwater Authority to the City.

17. Prior to the issuance of building permits for the Project, all existing and proposed utilities serving, within, or adjacent to the subject property shall be located underground in accordance with CVMC 15.32.

18. If the units are to be sold for individual ownership, the Applicant shall receive approval for a tentative parcel map and parcel map to create a one-lot four-unit condominium map prior to the issuance of any City permit for the Project.

Landscape

19. The first submittal of the building permit plans set shall include a complete set of landscape improvement plans for review and approval by the Director of Development Services or their designee. For further information about submitting landscape improvement plans, and to download a landscape improvement review packet, see the following link:

    https://www.chulavistaca.gov/departments/development-services/resources/dsdformsspecifications

    Said plans shall conform to the following City documents, including but not limited to:

    a. Landscape Water Conservation Ordinance (LWCO), CVMC 20.12

    b. Chula Vista Landscape Manual

    c. Shade Tree Policy (No. 576-19)

20. Prior to the final building inspection, the Property Owner shall have installed landscape improvements and have had said improvements inspected by City staff, per the approved landscape improvement plans, to the satisfaction of the Director of Development Services or their designee.

21. Prior to a final inspection, payment of the Parkland Acquisition and Development ("PAD") fees per dwelling unit is required in accordance with CVMC 17.10.100. The PAD fee amount shall be based on the rates in effect at the time in which they are due. The PAD fee is adjusted on an annual basis on October 1st, and costs are subject to change at that time.

Fire

22. The Applicant shall apply for required building permits. Permits shall comply with applicable codes and requirements, including but not limited to the current California edition of the Building (CBC) and Fire (CFC) Codes as may be amended by the City of Chula Vista.

Environmental Services

23. Prior to the issuance of a building permit for the Project, the Applicant shall comply with the construction and demolition debris recycling requirements as set forth in CVMC 8.25.095, including submittal of a waste management report and possible payment of a performance deposit.

The following ongoing conditions shall apply to the subject property for as long as it relies upon this approval:

1. The Applicant shall maintain the Project in accordance with the approved plans for this permit (DR20-0023), which include a site plan, floor plan, and elevations on file with the Development Services Department. The Project shall also be maintained in accordance with the conditions contained herein and Title 19 of the CVMC.

2. The Project shall comply with all applicable performance standards and noise control provisions found in CVMC 19.66 and 19.68.

3. Approval of this Design Review Permit shall not waive compliance with any sections of Title 19 of the CVMC, nor any other applicable City Ordinances in effect at the time of Building Permit issuance.

4. The Applicant/Property Owner shall and does agree to fully and timely indemnify, protect, defend, and hold harmless the City, its City Council members, officers, employees, and representatives from and against any and all liabilities, losses, damages, demands, claims, and costs, including court costs and attorney's fees (collectively, liabilities) incurred by the City arising, directly or indirectly, from (a) the City's approval and issuance of this permit and (b) the City's approval or issuance of any other permit or action, whether discretionary or non-discretionary, in connection with the use contemplated on the Project site. The Applicant/Property Owner shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The Applicant/Property Owner's compliance with this provision shall be binding on any and all of the Applicant/Property Owner's successors and assigns.

5. Any violations of the terms and conditions of this permit may result in the imposition of civil or criminal penalties and/or the revocation or modification of this permit.

6. This permit shall become void and ineffective if not utilized within three (3) years from the effective date thereof, in accordance with CVMC 19.14.600.

7. If any of the foregoing conditions fails to be met, or if they are, by their terms, to be implemented and maintained over time, if any of such conditions fail to be so implemented and maintained according to their terms, the City shall have the right to revoke or modify all approvals herein granted; deny or further condition issuance of all future building permits; deny, revoke, or further condition all certificates of occupancy issued under the authority of approvals herein granted; institute and prosecute litigation to compel their compliance with said conditions; or seek damages for their violation. Neither the Applicant nor a successor in interest gains any vested rights by the City's approval of this permit.

8. The Applicant/Property Owner shall execute this document by making a true copy and signing this original Notice of Decision and the copy on the lines provided below, said execution indicating that the Applicant/Property Owner have each read, understood, and agreed to the conditions contained herein and will implement same. Upon execution, the true copy with original signatures shall be returned to the Development Services Department. Failure to return the signed true copy of this document within 30 days shall indicate the Applicant/Property Owner's desire that the Project, and the corresponding application for building permits and/or business license, be held in abeyance without approval.

_____ _____

Adrian Muñoz
Property Owner/Applicant

Date

_____ _____

Laura Muñoz
Property Owner/Applicant

Date

APPROVED BY THE ZONING ADMINISTRATOR FOR THE CITY OF CHULA VISTA, CALIFORNIA, this 15th day of May 2025.

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D. Todd Philips, Ed.D.
Zoning Administrator