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 **Density Bonus and Design Review application for a new 7-unit multifamily dwelling on a parcel with an existing 4-unit dwelling group as described below:**

Date:	**June 26, 2026**
Applicant:	**Alex Miller for Alex Miller Architects**
Project Number:	**PLN25-0015 (DR25-0015)**
Project Location:	**277 Cedar Ave (APN: 567-080-13)**
Project Planner:	**Mathew Sterling, AICP**

The Applicant requests approval of a Density Bonus and Design Review to demolish an existing garage and construct a 7-unit multifamily dwelling at 277 Cedar Avenue ("Project"). The subject property is in the R3 (Apartment Residential) zone of the Chula Vista Municipal Code ("CVMC") and is designated RM (Medium Residential) in the Chula Vista General Plan. CVMC 19.14.582(A) requires a Design Review for establishment of multifamily buildings in residential zones.

The Project proposes to construct a 7,500-square foot 7-unit multifamily dwelling consisting of 6 market-rate units and 1 very-low-income affordable unit, demolish an existing garage, and designate 2 existing 704-square foot single-family dwellings as Accessory Dwelling Units (ADU's) on a 0.54-acre parcel with an existing dwelling group consisting of 4 single-family dwellings. The property will result in a total of 11 dwelling units (includes two accessory dwelling units) for rent.

ENVIRONMENTAL REVIEW

The proposed activity has been reviewed for compliance with the California Environmental Quality Act (CEQA), and it has been determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15332 (In-Fill Development Projects), which is consistent with the general plan designation and policies as well as zoning designations and regulations, occurs within city limits on a project site no more than five acres substantially surrounded by urban uses, is located on a site that has no value as a habitat for endangered, rare or threatened species, approval would not result in any significant effects relating to traffic, noise, air quality, or water quality, the site can be adequately served by all required utilities and public services, and where the exceptions listed in State CEQA Guidelines Section 15300.2 would not apply in that no cumulative impacts were identified, no significant effects on the environment were identified, the project is not adjacent to a scenic highway, no historical resources would be affected by the action, and the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code. Thus, no further environmental review is required.

HOUSING IMPACT

The Project is located within the R3 (Apartment Residential) zone of the Chula Vista Municipal Code, which is intended for multifamily housing developments of varying degrees of density. One very-low-income affordable unit is proposed as part of the Project. 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. There is no net loss of housing capacity as it pertains to the City's Regional Housing Needs Allocation (RHNA).

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

DESIGN REVIEW FINDINGS

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

The RM (Medium Residential) General Plan designation is intended for single-family detached homes on smaller lots, zero-lot-line homes, patio homes, and attached units, such as duplexes and townhouses. The R3 (Apartment Residential) zone of the CVMC is intended for multifamily housing developments of varying degrees of density. Pursuant to CVMC Section 19.28.020(A), "dwellings, multiple" (defined as buildings designated for residential purposes by 3 or more units) are a permitted use.

The Project is consistent with the General Plan land use designation density through the provisions of the State density bonus law, California Government Code Section 65915(f)(2). The General Plan designation of Medium Residential allows between 6-11 dwelling units per acre resulting in a base density of 6 dwelling units for a 0.54-acre lot. An additional 3 units are permitted by providing 1 very-low-income unit, which grants a 46.25 percent density bonus for projects that provide at least 14 percent very-low-income units, resulting in a total new unit allowance of 9. The conversion of 2 of the 4 existing single-family dwellings into detached accessory dwelling units, accessory to the new multifamily dwelling, results in the final unit count of 11 on the site.

The Project meets all applicable developments standards in the CVMC and has requested two affordable housing density bonus incentives/concessions as part of providing 1 very-low-income affordable unit. Per California Government Code Section 65915(d)(2), two incentives or concessions shall be provided for projects that include at least 10 percent of the total units for very low-income households. The project provides 14.3 percent of proposed units as very low-income households. The first concession is a reduction in the parking spaces required by California Government Code Section 65915(p)(1) from 14 to 12. The second concession is to provide 2,127 square feet of open space (304 square feet per dwelling unit) instead of 4,000 square feet (400 square feet per dwelling unit and increased at the rate of 20 percent for each bedroom over two per unit) required by CVMC Section 19.28.090.

Per California Government Code Section 65915(d)(1), the City shall grant the concessions or incentives requested by the applicant if no findings for denial in subsections (A)-(C) are met. The concessions or incentives result in identifiable and actual cost reductions to provide affordable housing, would not have a specific, adverse impact upon public health and safety or on any real property that is listed in the California Register of Historical Resources, and is not contrary to state or federal law. Therefore, the concessions or incentives are granted.

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

The Project is consistent with the design requirements and recommendations contained in the City's Design Manual. The Project is sensitive to the scale of surrounding development, promotes an attractive and function arrangement of buildings and open space sensitive to the physical characteristics of the site, provides a high standard of visual quality and livability for the residents,

incorporates a sense of human scale while providing for visual interest and individual unit identity, and provides privacy and security for each resident and the project as a whole.

The Project site includes a passive common open space area centrally located for all residents and private open space in the form of patios and balconies for each dwelling unit which are integrated into the building's architecture. Parking is located in view of residences and incorporates landscaping and pedestrian walkways. The Project scale is compatible with the existing surrounding uses of single-family and multifamily dwelling units. The Project's architecture includes fenestration and distinction among dwelling units consisting of a style compatible with the surrounding area and utilizing durable materials.

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

The proposed residential use will not adversely affect the health, safety, or general welfare of the community as this is an allowed use within the zone and meets all development standards with the exception of the allowed concessions. The Project will not create any significant environmental impacts requiring mitigation in compliance with CEQA. An Acoustical Letter Report prepared for the project concluded that noise impacts generated at the project site are expected to be less than significant. An Air Quality and Greenhouse Gas Impact Study prepared for the project concludes that the air quality and greenhouse gas impacts are expected to be less than significant. Furthermore, the 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 PLN25-0015/Design Review (DR25-0015) as described above, subject to the following conditions. Unless otherwise specified, these conditions shall be satisfied prior to the issuance of any subsequent permit relying upon this approval. Approval of this permit shall not waive compliance with Title 19 of the CVMC and all other applicable standards at the time of permit issuance in reliance upon this approval. Additional requirements for subsequent approvals may be imposed, depending upon whether additional approvals are required:

CONDITIONS

Planning Division

1. The colors and materials specified in the Building Permit must be consistent with the colors and materials shown on the Project plans approved by the Zoning Administrator.

2. A graffiti-resistant treatment shall be specified for all exterior wall and building surfaces. Additionally, the Project shall conform to CVMC Chapter 9.20 regarding graffiti control.

3. 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 building design.

4. All ground mounted utility appurtenances such as transformers, air conditioning condensers, etc., shall be located out of public view and adequately screened through the use of a combination of concrete or masonry walls, berming, and/or landscaping.

5. All exterior lighting shall include shielding to remove any glare onto the adjacent property. Details for said lighting shall be reviewed and approved prior to the issuance of the first Building Permit.

Land Development Division

1. The Applicant shall comply with all requirements and guidelines of the City of Chula Vista Municipal Code; the Chula Vista Subdivision Manual; City of Chula Vista Design and Construction Standards; the Development Storm Water Manual for Development & Redevelopment Projects; the City of Chula Vista Grading Ordinance No. 1797; the State of California Subdivision Map Act.

2. The Applicant shall be required to pay Development Services Department Fees based on the final approved building plans for the project including but are not limited to the following:
    a. Transportation Development Impact Fees
    b. Public Facilities Development Impact Fees
    c. Traffic Signal Fees
    d. Parkland Acquisition and Development Fees
    e. Sewer Capacity Fees, and Sewer Administration Fees
    f. Other Engineering Fees as applicable per City of Chula Vista Master Fee Schedule.

3. Prior to Final Building inspection, the infrastructure serving the project site shall be constructed and fully operational to the satisfaction of the Director of the Development Services Department.

4. The Applicant shall deposit any applicable fees in accordance with the City Master Fee Schedule for any required submittals per the Subdivision Manual and Municipal Code.

5. All driveways shall conform to the City of Chula Vista's sight distance requirements in accordance with Section 12.12.120 of the Municipal Code and Chula Vista standard drawing RWY-05 (Sight Distance Requirements). Also, landscaping, street furniture, or signs shall not obstruct the visibility of driver at the street intersections or driveways.

6. The Applicant shall submit an Improvement Plan and obtain a Construction Permit to construct sidewalk, curb and gutter, street trees, private driveways, and associated signage and striping in the City's right-of-way, prior to issuance of any Building Permit including but not limited to:
    a. Any proposed driveway shall follow City standard GSI-01. The improvement plans shall show the location of the existing cross gutter on Cedar Way, adjacent to the property. The proposed driveway shall not be in conflict with the existing cross gutter.
    b. Installation of curb, gutter, and sidewalk per SDRSD G-2, and G-7 along the Project's frontage to the satisfaction of the City Engineer. Sidewalk shall be designed and constructed with proper transitions to existing conditions.
    c. Must submit signage and striping plans.
    d. Red curb shall be installed on both sides of driveway according to sight visibility requirements. The red curb shall extend to sight visibility triangle area.

7. Separate permits for other public utilities (gas, electric, water, cable, telephone) shall be required, as necessary. Utilities Trenching and Restoration shall be per Chula Vista Construction Standard GSI-03.

8. It is the responsibility of the applicant to identify, process, and obtain any required permit from any agency or/and jurisdiction for the project, prior to issuance of any City permit.

9. Any improvements in the right-of-way beyond the project limits shall be designed and constructed as to not interfere with adjacent businesses, if any, as approved by the City Engineer.

10. Prior to beginning any earthwork activities at the site and before issuance of Building Permit, the Applicant shall submit grading plans to the Land Development Division for processing, reviewing, and permitting in accordance with CVMC Chapter 15.04. Plans shall be in conformance with the City's Subdivision Manual and the City's most current Best Management Practices, BMP Design Manual.

11. The applicant shall provide technical reports during the grading plans review including but is not limited to geotechnical, drainage, sewer, and any other required reports. The reports shall be reviewed and approved prior to the issuance of the grading permit.

12. The Standard Storm Water Quality Management Plan ("Standard SWQMP") is considered complete and provides adequate information on the projects BMP's objectives to move forward into Construction Drawing documents. There may be additional requirements set at the time the development takes place and/or a Land Development Permit is applied for, depending upon final plans submitted for review and approval.

13. Construction Stormwater Pollution Control Plan (CSWPCP) must be submitted and approved prior to issuance of the grading permit.

14. Demolition Permit is required prior to beginning any construction activities.

15. Design Review Drainage Report is considered complete and provides adequate information on the projects Drainage objectives to move forward into Construction Drawing documents. There may be additional requirements set at the time the development takes place and/or a Land Development Permit is applied for, depending upon final plans submitted for review and approval.

16. The following applies to any retaining wall if required on the site:
    a. When Grading Plans are submitted for a Grading Permit, all retaining walls shall be noted on the Grading Plans and include a detailed wall profile.
    b. Structural wall calculations are required if walls are not built per San Diego Regional Standard Drawings, or City of Chula Vista Construction Standards GRD-05.
    c. Retaining walls that will be part of a building wall must be approved as part of the Building Permit for the project.
    d. Retaining walls around trash bins (if any) shall be noted on the Grading Plans and called out per standard.
    e. Retaining wall drains shall tie into the drainage system.

17. Prior to issuance of any Building Permit within the Project, the Applicant shall provide the City with proof of Pad Certification.

18. A "Will Serve" letter from Sweetwater Authority District shall be provided prior to the issuance of any City permit.

19. 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.

20. All proposed sidewalks, walkways, pedestrian ramps, and parking for people with disabilities, if any, shall be designed to meet the City of Chula Vista Design Standards, ADA Standards, and Title 24 standards, as applicable.

21. Any proposed private water, sewer, and fire lines structures are to be submitted on a separate Building Plan and permitted by the Building Division of the Development Services Department and Fire Department.

22. Any proposed trash enclosure shall be a covered trash enclosure and meet requirements of City's most current Best Management Practices, BMP Design Manual Fact Sheet SC-Q.

23. Applicant shall obtain an Encroachment Permit for any private facilities within public right-of-way and/or City easements prior to construction permit or building permit issuance.

24. Prior to Grading Plan approval, the Applicant shall upload digital files in a format such as AutoCAD DWG or DXF (AutoCAD version 2000 or above), ESRI GIS shapefile, file, or personal geodatabase (ArcGIS version 9.0 or above). The files should be transmitted directly to the GIS section using the city's digital submittal file upload website at: http://www.chulavistaca.gov/goto/GIS. The data upload site only accepts zip formatted files.

Landscape Architecture Division

1. Landscape Improvement plans shall be approved prior to approval of the Building Permit set and shall conform to the following City documents including but not limited to:
    a. Landscape Water Conservation Ordinance (LWCO), Chapter 20.12 of the City of Chula Vista Municipal Code
    b. City of Chula Vista Landscape Manual
    c. City of Chula Vista Design Manual
    d. Shade Tree Policy (576-19)

2. New dwelling units generate Park Acquisition and Development (PAD) fees in accordance with Chapter 17.10 of the City of Chula Vista Municipal Code. Payment of the PAD fee 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.

3. Prior to approval of the Landscape Improvement plans, the Applicant shall obtain an approved encroachment permit for all privately maintained landscape improvements within the public right of way as required by the City's Director of Development Services or designee.

4. Prior to the issuance of the final Certificate of Occupancy for the Project, the Applicant shall have installed Landscape Improvements in accordance with City-approved plans and have had said improvements inspected by City's Landscape Inspector to the satisfaction of the Director of Development Services or designee.

5. The Applicant and Contractor shall protect in place all existing improvements to remain within and adjacent to the limit of work, including but not limited to trees, shrubs, irrigation, and infrastructure. If improvements are damaged by the construction, Applicant and Contractor shall restore and/or replace in kind prior to issuance of final Certificate of Occupancy to the satisfaction of the Director of Development Services or designee.

Housing and Homeless Services Department

1. A density bonus agreement deed restricting the affordable units for 55 years is required to be recorded prior to building permit issuance. Please contact the Housing Manager of the Housing and Homeless Services Department with any questions on the agreement.

The Applicant is advised that there may be additional requirements set at the time the development takes place, depending upon final plans submitted for Grading, Improvements and/or Building Permits. This response is based solely on the material that was submitted for review of PLN25-0015 (DR25-0015).

BE IT FURTHER RESOLVED by the Zoning Administrator that the following general conditions shall apply to the Project Site for as long as it relies upon this approval:

1. The Applicant shall develop and maintain the Project Site in accordance with the approved plans for PLN25-0015 (DR25-0015), which include a site plan and floor plans for a new 7-unit multi-family structure on a lot with 4 existing Single-Family Residences (SFR) and convert 2 of the SFRs into Accessory Dwelling Units that are on file with the Development Services Department. The Project shall also maintain compliance with the conditions contained herein and Title 19 of the CVMC.

2. Approval of this permit shall not waive compliance with any provisions of the CVMC nor any other applicable laws and regulations in effect at the time of permit issuance.

3. This Design Review Permit shall become void and ineffective if not utilized within three years from the effective date thereof, in accordance with Section 19.14.600 of the Municipal Code. Failure to comply with any conditions of approval shall cause this permit to be reviewed by the City for additional conditions or revocation.

4. The Applicant and Property Owner shall and do hereby agree to timely and fully indemnify, protect, reimburse, defend, and hold harmless the City, its City Council members, Planning Commission members, officers, employees, and representatives from and against any and all liabilities, losses, damages, demands, claims, and costs, including any costs, fees, and expenses to prepare the administrative record for any challenge to the Project approvals and/or compile a response to a Public Records Act request(s) to provide the record of proceedings materials for the Project, the City's cost to retain its own defense counsel to defend any challenge to any Project-related approvals, court costs and attorney 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 herein, and the Applicant shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The Applicant and Property Owner's compliance with this provision is an express condition of this permit and shall be binding on any and all of the Applicant/operator's successors and assigned.

_____ _____
Alex Miller for Alex Miller Architects Date
Applicant

_____ _____
Raul F. Hernandez Date
Property Owner

APPROVED BY THE ZONING ADMINISTRATOR FOR THE CITY OF CHULA VISTA, CALIFORNIA, this 26 day of June 2026.

Anna Colamussi
Anna Colamussi
Zoning Administrator