

**ORDINANCE NO. 2957**

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA MODIFYING SECTION 19.58.022 OF THE  
CHULA VISTA MUNICIPAL CODE**

WHEREAS, on January 28, 2003, the City Council of the City of Chula Vista adopted a local ordinance adding Section 19.58.022 to the Chula Vista Municipal Code for the regulation of accessory second units in conformance with California Government Code Section 65852.2; and

WHEREAS, on January 27, 2004, the City Council of the City of Chula Vista amended Section 19.58.022 increasing the maximum size limit for accessory second units to 850 square-feet, modifying the required on-site parking for units with three or more bedrooms, and clarifying that properties adding accessory units are required to bring nonconforming situations on-site up to current code standards; and

WHEREAS, at the time of the amendment, the City Council expressed a desire to add language to Section 19.58.022 that would grant the Director of Planning and Building the authority to waive some of the on-site parking for properties adding accessory units under certain circumstances and directed staff to return with the appropriate language as soon as possible.

**THE CITY COUNCIL OF THE CITY OF CHULA VISTA DOES HEREBY ORDAIN:**

**SECTION I.** That Section 19.58.022.A.3.f of the Chula Vista Municipal Code is amended as follows:

**Section 19.58.022 – Accessory Second Dwelling Units.**

- A.** Accessory second dwelling units are allowed in certain areas as a potential source of affordable housing and shall not be considered in any calculation of allowable density for the lot upon which it is located, and shall also be deemed consistent with the General Plan and zoning designation of the lot as provided. Except as provided in Section 3.f, accessory second dwelling units, whether attached or detached, shall be considered additions to the existing house for the purposes of evaluating existing nonconforming structures or uses for compliance with Chapter 19.64 of the Chula Vista Municipal Code. Required corrections of any nonconforming situations shall occur concurrently with the addition of the new unit. Accessory second dwelling units shall be subject to the following development standards:
1. Accessory second dwelling units shall be limited to a maximum gross floor area of up to 850 square-feet, or shall have a gross floor area less than the primary single-family dwelling whichever is less, and may be attached or detached above or behind a main or primary single-family dwelling or accessory structure on the same lot.
  2. The accessory second dwelling unit must accompany a main or primary dwelling unit on an A, R-E, R-1 or P-C zoned single-family lot. Accessory second dwelling units are precluded from R-2 and R-3 zoned lots.

3. The accessory second dwelling unit shall conform to the underlying zoning and land use development standards of the A, R-E, R-1 or P-C zoned lot, such as height, bulk, and area regulations, with the following modifications or exceptions:
  - a. A detached accessory second dwelling unit shall be located a minimum of six feet from a main or primary single-family dwelling unit.
  - b. An accessory second dwelling unit is subject to the same height limitation as the main or primary dwelling unit.
  - c. A single story accessory second dwelling unit may be located within a required rear or interior side yard area, but not closer than five feet to any property line. In addition, the unit and all other accessory structures shall not occupy more than thirty percent of the required rear yard. Second story accessory second units shall observe the setbacks of the primary structure unless the zoning administrator approves a reduction to not less than five feet through the approval of a conditional use permit as authorized by Section 19.14.030.
  - d. A lot shall be a minimum 5,000 square-feet in size to add an accessory second dwelling unit. Existing lots less than 5,000 square-feet may develop an accessory second dwelling unit only if it can be incorporated within the existing permitted building envelope.
  - e. The lot coverage including an accessory second dwelling unit shall not exceed 50 percent. Lots in planned communities that are already permitted to exceed 50 percent in lot coverage by their Sectional Planning Area General Development Plan may include an accessory second unit if the accessory second unit can be incorporated within the existing permitted lot coverage.
  - f. Accessory second dwelling units shall be provided with one standard sized parking space for studio, one-bedroom, or two-bedroom units; or two standard sized parking spaces for units with three or more bedrooms. Said parking is in addition to the parking requirements for the main dwelling as specified in Section 19.62.170. The Director of Planning and Building may waive the requirement to comply with Section 19.62.170 if doing so would be physically infeasible, or materially impair the neighborhood character or public interest. The off-street parking space(s) shall be on the same lot as the second unit, shall be screened from view from public streets, and shall not be located within a required front or exterior side yard setback. Tandem parking is not allowed to satisfy required parking for an accessory second dwelling unit. Lots having accessory second dwelling units must take access from a public street, alley or a recorded access easement.
  - g. The accessory second dwelling unit shall be served by the same water and sewer service lateral connections that serve the main or primary dwelling unit. A separate electric meter and address may be provided for the accessory second unit.


h. Accessory second dwellings shall be designed to be consistent in architectural style with the main house and compatible with surrounding residential properties. The Design Review Committee shall review disputes about design and/or compatibility issues.

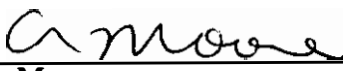
i. Any accessory second dwelling unit that is attached to an existing residential structure shall meet the standards of Section 19.58.022, and all applicable development standards of the existing zone.

**SECTION II.** This ordinance amendment shall take effect and be in full force on the thirtieth day from and after its adoption.

Presented by

Approved as to form by

  
\_\_\_\_\_  
James D. Sandoval  
Planning & Building Director


  
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Ann Moore  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 6th day of April, 2004, by the following vote:

AYES: Councilmembers: Davis, Salas and Padilla

NAYS: Councilmembers: McCann, Rindone

ABSENT: Councilmembers: None

  
Stephen C. Padilla, Mayor

ATTEST:

  
Susan Bigelow, CMC, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2957 had its first reading at a regular meeting held on the 23rd day of March, 2004 and its second reading and adoption at a regular meeting of said City Council held on the 6th day of April, 2004.

Executed this 6th day of April, 2004.

  
Susan Bigelow, CMC, City Clerk