



Downtown Chula Vista Association – Land Use Committee Meeting
 Monday, March 13, 2023 at 11:30 a.m.
 DCVA Office (353 Third Avenue, Chula Vista 91910)

1) Introductions and Meeting Etiquette / Joe Raso, Chair

2) Public Comment (3-Minute Max Per Person)

Please keep comments directed to the item being discussed.

3) Committee Updates:

- a. Downtown Development Streamlining: Six Point Plan
- b. Downtown Parking Management Study: Update
- c. New Downtown Developments in Pipeline

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 P. 11 - 13
 P. 14

4) Old Business – Add or Remove Items

It is the practice of DCVA to formally request that an item under Old Business be pulled from the agenda and placed on a future Agenda for Discussion and/or Action.

- a. No items

5) Next Meeting: _____

6) Adjournment

BROWN ACT. Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72-hours prior to a regular meeting. The Corporation posts all Board and Committee agendas at 353 Third Avenue, Chula Vista, CA 91910 and on the DCVA website. Action may not be taken on items not identified as such and posted on the agenda. Meeting facilities may be accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify Michelle T de Mercado at 619-422-1982 or via email at info@downtownchulavista.com at least 48-hours prior to the meeting.

Six Point Plan to Improve Downtown Chula Vista Thru Revenue Neutral Building Code Modifications

We all agree the most efficient way get more “Feet On The Street“ and to generate revenue Downtown is to simply increase the amount pf people living Downtown. Here’s how we see the problem. The building permit process, as it pertains to small “Mom & Pop” development is exceedingly cumbersome, stifling residential development and robbing City coffers of much needed revenue. What is needed is a system which encourages “Mom & Pop” development while increasing revenue to the City. Points outlined below is a common sense solution to achieve the goals of increasing the supply of affordable housing while improving the City’s cash flow.

- 1) Small “Mom & Pop” development should be encouraged.***
- 2) Developer should be informed of all required fees.***
- 3) Aside from a “Plan Check” fee, all fees paid upon final inspection.***
- 4) Inspector does not have the authority to alter City approved plans.***
- 5) Initial Plan Check to be completed with one pass thru all departments.***
- 6) Elimination of unnecessary time delaying steps in the permit process.***

Back ground information supporting each point with proposed ordinance changes:

1) All properties of less than 8,000 Square feet developed for mixed use (Commercial/ Residential) to be “fast tracked” for approval and be exempt from Parking and Open Space Requirements.

Small “Mom & Pop” projects should be encouraged. This would preserve our community’s character. Projects on parcels of less than 8,000 square feet would not require much parking and projects of that size certainly do not provide adequate room for open space. The exemption of the current Parking and Open Space requirements would be revenue neutral if the rates for larger developments are adjusted accordingly.

2) At the start of the permitting process, City Staff will provide an accurate accounting of all fees, permit requirements, and complete list of required studies from all agencies, developer will encounter thru Final Inspection & Occupancy Permit. After a complete list of fees is provided, developer will pay a reasonable “Plan Check” fee to proceed.

To put it another way: *What are the costs of the permits?* The purpose of this request should be obvious. No “Mom & Pop” developer would attempt a project in Downtown CV if it could not determined the costs of the *“required studies from all agencies, developer would encounter thru Final Inspection*

& Occupancy Permit". Currently the city provides an on line service providing an estimate of fees. However this process has one fatal flaw. The accuracy to such estimate is contingent upon the expertise of the individual keying in the information. A more efficient means of determining the costs would be for city staff to hand the developer a personalized handout of the projected fee schedule. The knowledge of the fee structure should be the expertise of city staff. If there are individuals on city staff who believe it would be too difficult or impractical to provide such a service, just imagine the difficulty of the task for a "Mom & Pop" developer to decipher the fee schedule. A lengthy permit process, surprise agency expenses and unforeseen city requirements are a major stumbling block for small mixed use developments. Very few "Mom & Pop" developers would risk a lifesavings if not provided with an accurate projection of required fees, permits, and studies from all agencies that would be encountered thru Final Inspection and Occupancy Permit. It took Joseph A Raso six months to acquire a building permit for a simple 744 Sq Ft ADU (Granny Flat). He was not informed of the permit fee structure until permit was ready for issuance. There is something wrong with the system if it takes longer to get permission to build something then to ACTUALLY build something.

3) After Plan Check is completed a building permit will be issued. Payments of all building and permit fees to be delayed until after final inspection and the issuance of an Occupancy Permit. At such time developer will commence payment of fees at a schedule negotiated in advance.

This requirement is huge! This is the lynchpin which makes these proposed ordinance modifications “work”. All aware of many instances of individuals getting the “run around” in their attempts to construct a project to improve downtown ChulaVista. This is a sore subject among staff members. With City staff, quite often the left hand doesn’t know what the right hand is doing. Currently there is no incentive for City Staff to improve efficiency. This section of the ordinance modification will encourage city staff to “get their act together”. To ensure a small developer has every intention of completing a project it would be appropriate to charge a reasonable up front “Plan Check Fee”. Obviously no small developer would “Blow Off” a plan check fee if there was no intention of completing a project. Consequently, if the staff were aware that the bulk of fees could not be collected until after final inspection and the issuance of an occupancy permit, they would diligent in issuing permits and conducting inspections. Joseph A Raso personally experienced a situation where after hanging drywall he was informed they would have to wait six weeks for nailing inspection before they could proceed to the next phase of construction. What was a mere inconvenience for him could very well be a deal breaking cost prohibitive expense for a small developer. It is important to

note that this section of the proposed ordinance change actually increases funds to the City because more permits would be issued to be followed by an increase of final inspections performed.

4) Inspector has no authority to instruct developer to alter plans previously approved by city staff (except for reasons of health and safety). Inspectors who believe changes are required will inform developer of the nature of the requested changes. However, inspector must request changes directly to city plan check staff by the end of the business day. Mom & Pop developers will not be burdened with endless squabbling between members city staff.

Inspectors requesting a change in an approved set of plans appears to be a new phenomenon in Chula Vista. Inspector attempting to over ride the decisions of city plan check is a game changer. It is now possible for developers, in the middle of a project, to get trapped in and endless and costly squabble between different members of city staff. Once this process becomes widespread and well known, NO developer will attempt improve our community.

5) Initial Plan Check to be competed with one pass thru all departments.

Many city staff members are required to review plans before a building permit is issued. City staff seems to have fallen into a

system where plans are returned to developer after one staff member has reviewed plans. The developer is required to have the architect to make corrections. After corrections are made, developer resubmits plans where they are funneled to the next city staffer who may take weeks to review project. After this second city staffer makes his corrections, plans are returned to developer who AGAIN has to arrange for the architect to make additional corrections. After those additional corrections are made, plans are resubmitted where they are funneled to the next city staff member and the process repeats itself over and over and over again. Since June 2020 Joseph A Raso had a set plans for a simple 744 Sq ft one bedroom Granny Flat wandering thru the maze of Plan Check. A building permit was not issued until January 5, 2021.

6) Elimination of unnecessary time delaying steps in the permit process.

One example of unnecessary time delaying steps in the permit process is the “Entitlement Process”. There simply should not be an “Entitlement Process”. That is what zoning is all about. A simple "over the counter" staff review should reveal if a developer is “Entitled” to proceed with a project or not. We are not naive however. We realize the “Entitlement Process” provides political cover for the Planning Commission and ultimately the City Council. However, we think all can agree that a six to nine month “Process” not only adds unnecessary costs and discourages the improvement of downtown Chula

Vista but virtually eliminates all small “Mom & Pop” new construction.

In conclusion:

It is obvious that a streamlining of the permit process is long over due. We would appreciate any guidance as we attempt these minor modifications to the city’s cumbersome building codes.

Feel free to call Joseph A Raso on his cell anytime at 619-454-1281 or E-mail Josephanthonyraso@gmail.com. As you can see, in the big picture, these modifications are not merely revenue neutral but actually increase City income. We believe there are many developers attempting to improve the downtown area but are discouraged from doing so by cumbersome building codes and resistance from city staff. With your assistance we can truly imagine our downtown area flourishing into a beautiful neighborhood.... another Little Italy. Thank You

Sincerely,

Joseph A Raso



**Economic Development Department
Development Services Department**

May 3, 2019

Delivered via email

RE: 413, 415 and 417 Third Avenue

Dear Joseph,

We received your January 26, 2019 letter regarding your Downtown Chula Vista Redevelopment Proposal and would like to thank you for your comments. Much of what you are requesting already is allowed.

Request #1: *All properties of less than 7,500 square feet that are developed for mixed use to be exempt from parking requirements.*

The regulations for your property are codified in the Urban Core Specific Plan and your property falls within the V-2 subdistrict. A copy of the Urban Core Specific Plan Development Regulations is attached for your reference (Exhibit "A"). In the V-2 District, the parking requirement for *non-residential development* is 2 spaces/1,000 square feet. For a 7,500 square foot commercial development on your 8,275 square foot lot, a total of 16 parking spaces would be required. As stated in your proposal the 7,500 square feet is proposed to be mixed use. For the residential component the parking required is 1.5 spaces per dwelling unit (plus one guest space for each 10 dwelling units). However, there is **no requirement** to have these parking spaces on-site because you are within the V-2 subdistrict. For your proposed project you have three options available to you:

1. Provide all or a portion of the required parking on site;
2. Have a shared parking agreement for the required spaces (City Ordinance 19.62.040; Exhibit "B"); or
3. Pay a one-time in-lieu fee (Master fee schedule 9-100; "Exhibit "C" because you are in the Downtown Parking District).

The options above were created because the City recognized the difficulty of properties within this subdistrict to make a project financially feasible if they were required to provide parking on site. While the above options do not exempt you from parking requirements it does provide opportunities to provide parking at minimal cost under items number 2 and 3. Furthermore, lending institutions and equity typically require at least one space per dwelling unit in order to obtain financing.

Request #2: *At the start of the permitting process, City staff to provide an accurate list of ALL fee & permit requirements and ALL mandated studies of ALL agency's developer will encounter thru Final Inspection and Occupancy Permit.*

To get an estimate on required permits, costs and fees, the City provides an online service center to streamline and calculate fees for the permits and licenses needed to open or expand a business. The online portal can be found at <https://chula-vista.opencounter.com/> and will ask you a series of questions so that you may have a

more accurate estimate for the project you have in mind. A project under 10,000 square feet is done administratively and will not require any public hearings (unless appealed by an interested party).

For new construction the Development Services Department also provides a Pre-Application process (Exhibit "D"), which for a fee (Exhibit "E"), will provide you information on all requirements of your proposed development that will need to be addressed including technical studies, fees, and regulatory challenges. This process gives great information before spending a considerable amount of money on architects and engineers but is dependent on a good project description and requires a two-dimensional draft site plan.

Request #3: *One year after Final Inspection and the issuance of an Occupancy Permit, developer will commence payment of building permits and fees as schedule negotiated in advance.*

The City of Chula Vista requires payment of processing fees at application and permit issuance. This is required to pay staff to review, process and inspect your project. This is important because the City cannot be assured of all applications being constructed and therefore we must collect fees to cover our costs to process projects. However, we collect fees in phases. We only collect for the cost to process the current application. There is an application for the discretionary or design review process, an application when you submit construction drawings and a fee when you pull permits to cover the cost of inspections.

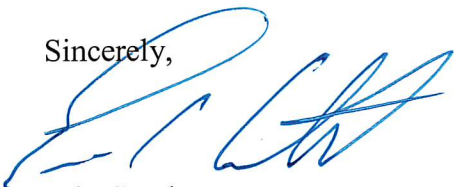
Historically, the City has required new development to pay Development Impact Fees (DIFs) at permit issuance. In order to incentivize development, all DIFs except the Traffic Signal fee may now be deferred to final inspection/Certificate of Occupancy. In addition to these standard deferrals, the City has established an expanded fee deferral program that will be open to new projects until May 2021. Through this expanded program, the City offers the ability to defer DIFs for 30 years for rental projects located in high-density residential zones, and for projects situated in industrial or commercial zones within specific areas of Western Chula Vista and the Chula Vista Auto Park. The deferred fees will incur a 2% annual interest rate, but no payments are required until year 11 and annual payments will continue until the fees are paid in full by year 30.

Conclusion

While we cannot implement your proposed suggestions exactly as you have requested we have attempted to provide alternatives to address your concerns. We provide alternatives to satisfy parking requirements; provide services that endeavor to provide applicants with a clear estimate of costs, required studies and timing; and have implemented a fee deferral program, first of its kind in the State, to help alleviate some of the costliest components of infill development projects.

Thank you again for your correspondence and let's us know if you would like to discuss these items further.

Sincerely,



Eric Crockett
Director of Economic Development

Sincerely,



Kelly Broughton
Director of Development Services

Cc: Councilmember Galvez

development and evolution of the Curb Café² program along Third Avenue to document its effect on parking supply. The Curb Café program has a sunset date of July 31, 2023, and the Downtown PMP provides a series of recommendations if the City considers extending the sunset date. This analysis is included in Chapter 5 of the Downtown PMP. The City also commissioned research and analysis on Electric Vehicle (EV) use in Chula Vista, the South Bay, and San Diego County to project EV parking demand and to develop criteria for the siting of EV charging stations in the Downtown area (see Chapter 6 of the Downtown PMP).

Community Engagement

Starting in January 2019, City staff engaged with various community stakeholders within the Parking District throughout the study process, including the business and landowners adjacent to the Park Plaza Parking Structure. Staff held in-person and virtual meetings with updates to the various stakeholders as the study was being prepared and finalized. Staff met with the Norman Park Senior Center in 2020 to provide the preliminary recommendations for the parking lot adjacent to the center.

Additionally, staff engaged with the Downtown Chula Vista Association, formerly known as the Third Avenue Village Association (“TAVA”), starting in 2019 and continuing through the most recent meetings, held on June 13, 2022 and July 6, 2022. Staff discussed the study approach early in the process with the Downtown Chula Vista Association Parking Subcommittee and at their Annual Meeting. Additionally, staff has presented the Downtown PMP to the Downtown Chula Vista Association’s Land Use Committee and Board of Directors.

CONCLUSION

Staff is requesting implementation of Recommendations Number 1, 9 and 11 with acceptance of the Downtown PMP. Recommendation Number 1 will allow all parking meters within the Parking District to be replaced with Smart Meters. This update of meters provides more convenience for users and easier enforcement. Additionally, to streamline the implementation of Recommendation Number 1, staff is also requesting that the City Manager, or designee, be authorized to enter into an agreement for the purchase or lease of Smart Meters. Recommendation Number 9 will allow the City to promptly remove the parking meters located at the Norman Park Senior Center Parking Lot. These meters will be replaced by signage allowing for time parking up to 4 hours in this lot. Increasing the time allotment is more compatible with the programs offered at this location serving Seniors. Recommendation Number 11 allows the City to expand the boundary of the Parking District to include the metered spaces north of E Street, on Garrett Avenue and Landis Avenue, thereby containing all metered parking spaces within the Parking District. The additional metered space locations are reflected in Attachment 2 of this Report.

The Downtown PMP contains the following recommendations:

Recommendations	Rationale	Benefits
1. Convert All Parking District Meters (Except Norman Park) to Smart Meters	Current parking meters do not accept more convenient forms of payment (credit card), thereby discouraging some users.	Increases the utility of parking meter infrastructure, is more convenient for users and provides easier enforcement.

² Outdoor dining areas within the public right-of-way for restaurants, bars, and breweries. The Curb Café structures temporarily replace existing metered spaces along Third Avenue in accordance with Ordinance No. 3508, which modified CVMC Section 12.28.30.

Recommendations	Rationale	Benefits
2. Shift Parking Enforcement Time from 9 AM – 6 PM to 10 AM - 8 PM	The current hours of parking enforcement do not coincide with the operating hours of most businesses along Third Avenue.	Facilitates parking turnover between 6 PM and 8 PM and encourages use by patrons/shoppers.
3. Increase Parking User Fees: Meters: \$0.75/hour Surface Lots: \$0.50/hour	Current parking user fees are insufficient to support credit card payments.	Provides sufficient revenue to support credit card payments and optimizes parking turnover.
4. Update Wayfinding and Information Signage within the Parking District	Parking information signage within Parking District is limited and inconsistent.	Improved information about parking locations and availability for visiting motorists.
5. Revise Downtown In-Lieu Parking Fee Program	Existing In-Lieu Parking Fee program does not meet the needs of expected costs of providing for future parking demand.	Aligns In-Lieu Parking Fee program with costs of providing for future parking demand.
6. Facilitate Non-Vehicular Transportation Modes to the Parking District	Limited end-of-trip facilities for bicycles and micro-mobility and limited pedestrian and transit stop amenities within Parking District.	Facilitates usage of other forms of transportation to access destinations within the Parking District, reducing parking demand.
7. Park Plaza Parking Structure Improvements and Maintenance Institute parking fees: \$0.50/hour	The City is now responsible for Park Plaza parking structure maintenance and repairs.	Provides funding for maintenance and operation and to make improvements to the largest parking facility within the Parking District. Facilitates parking turn-over.
8. Curbside Management	Lack of short-term parking and commercial loading locations along Third Avenue.	Accommodates a variety of users, each with varying peak demand times. Reduces double-parking along Third Avenue.
9. Modify Parking Restrictions at Norman Park Senior Center Parking Lot Remove meters, increase time limit to 4 hours.	Current time restrictions (two hours) are not compatible with Norman Park Senior Center activities.	Facilitate access to and use of the center.
10. Demand Management Plans for Large Events	Event attendees may not be aware of parking locations for large public events held in Downtown Chula Vista.	Increases utilization of available parking spaces. Improves event attendee perception of parking within the Parking District. Reduces congestion from motorists searching for parking spaces.

Recommendations	Rationale	Benefits
11. Expansion of Parking District Boundary to include all existing parking meters	Approximately 21 parking meters are located to the north of the Parking District boundaries, but which are managed in the same manner as meters inside the Parking District.	All meters are encompassed within the Parking District, facilitating management.
12. Establish funding mechanisms to accommodate future demand.	Approximately 200 additional spaces will be needed in the future if redevelopment occurs as projected.	Implementation of capital reserve fund and recommended changes to the in-lieu fee program will contribute to the construction of future parking facilities.
13. Monitor and make minor adjustments to the Curb Café program if it is extended beyond the July 31, 2023 sunset date.	Review of implementation and impacts identified several measures to improve administration of the program. Continued monitoring is suggested to address effects on parking availability and to ensure Curb Cafés remain attractive and structurally sound.	Monitoring will help avoid potential parking availability impacts and other recommendations will clarify operation of the program.
14. Provide additional Electric Vehicle Charging Stations (EVCS) in public parking lots and monitor EVCS use.	The City is committed to achieve its Greenhouse Gas (GHG) emission reduction goals and wants to support and encourage the use of electric vehicles. Additional charging stations are needed to accommodate expected increase in demand.	Establishes EVCS siting criteria, technical specifications, and monitoring procedures to support future EVCS installation and operation.

Next Steps

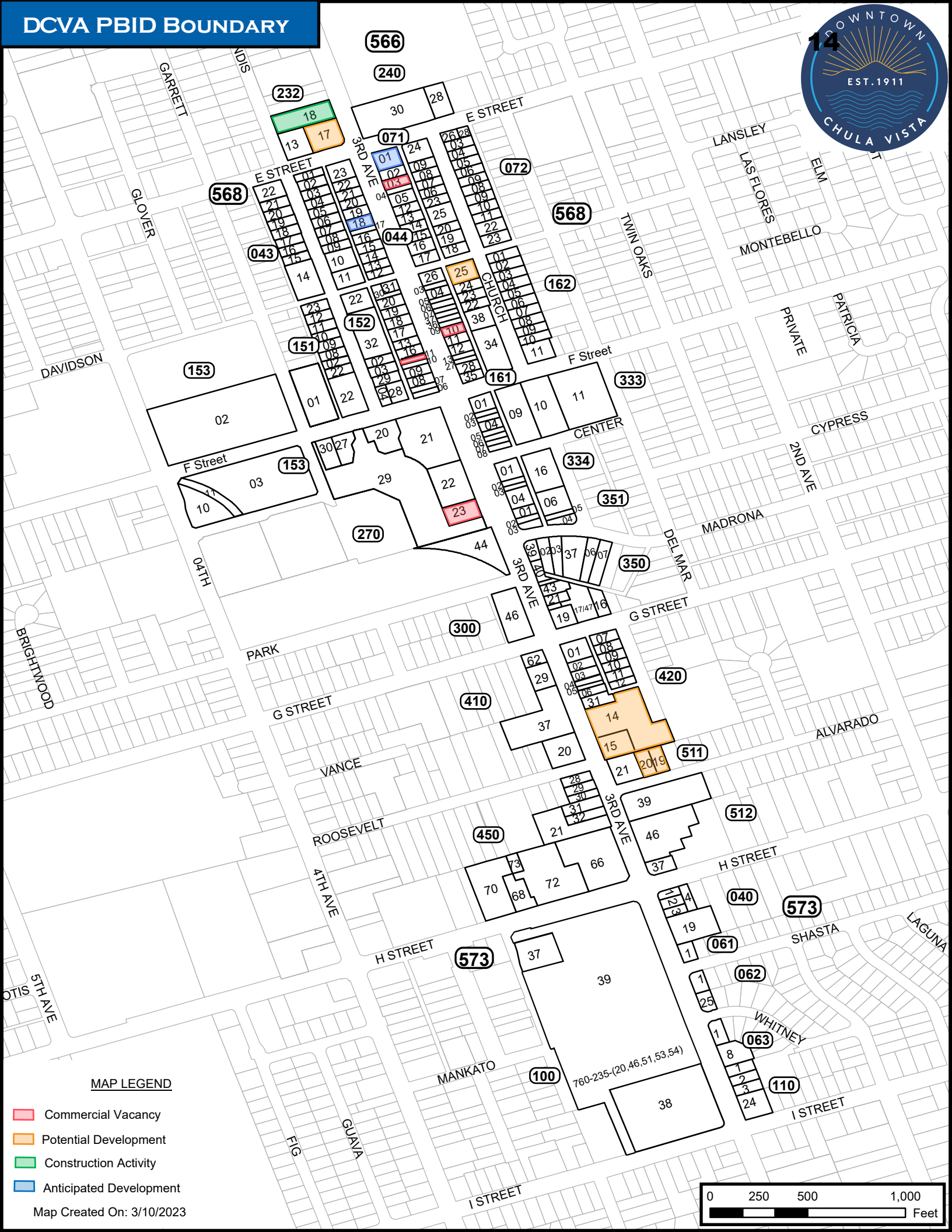
Staff will implement Recommendations Number 1, 9 and 11 with acceptance of the Downtown PMP and work on sequencing the remaining recommendations contained in the Downtown PMP. Staff will return to City Council for consideration of follow-up actions, as appropriate.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council and has found that Mayor Casillas Salas has real property holdings within 500 feet of the boundaries of the property which is the subject of this action. This includes the proposed expanded boundary of the Parking District as well. Consequently, pursuant to California Code of Regulations Title 2, sections 18700 and 18702.2(a)(7), this item presents a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, *et seq.*) for the above-identified member. Staff is not independently aware and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

There are no current year fiscal impacts to the General Fund or Development Services Fund as a result of this action. All revenues for the district are held in a Parking Meter Fund that is separate from the General Fund.



MAP LEGEND

- Commercial Vacancy
- Potential Development
- Construction Activity
- Anticipated Development

Map Created On: 3/10/2023