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 Conditional Use Permit ("CUP") application for a 24-hour veterinary office/animal hospital within an existing commercial building as further described below:

Date:	**April 23, 2025**
Applicant:	**Veterinary Emergency Group, LLC**
Project Number:	**CUP24-0026**
Project Location:	**2130 Birch Road, Suite 104 (APN: 643-770-18)**
Project Planner:	**Caroline Young**

The proposed use will occupy 5,109 square feet of tenant space within the existing Marketplace commercial shopping center ("Project"), which is owned by San Diego Retail 1, LLC ("Property Owner") and is in the Mixed-Use (MU) zone of the Otay Ranch Village 11 Sectional Planning Area ("SPA"). The subject property has a General Plan land use designation of Residential Mixed-Use (MUR).

The proposed use will consist of exam, treatment, surgery, and x-ray rooms, as well as a lab/pharmacy. The Project will include four (4) kennels and will only serve domesticated pets. At any given time, there will be a maximum of eight (8) to 10 employees onsite. The use will operate for 24 hours, seven (7) days a week.

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 1 categorical exemption pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines because it involves only interior and/or exterior modifications to an existing building with no physical expansion thereof. 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.

THE ZONING ADMINSTRATOR, under the provisions of Chula Vista Municipal Code ("CVMC") 19.14.030(A), makes the following findings as required by CVMC 19.14.080:

The proposed use at this location is necessary or desirable to provide a service or facility that will contribute to the general wellbeing of the neighborhood or the community.

The proposed use is compatible with surrounding uses and will offer convenient pet services to the surrounding neighborhood. The proposed use is a 24-hour veterinary care clinic and will become the second 24-hour veterinary care clinic in the City of Chula Vista. The project fits within the surrounding compatible commercial uses within the shopping center, and its location near residential uses makes it well situated near families that will need a 24-hour veterinary care clinic.

Such use will not, under the circumstances of this particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, nor will it be injurious to property or improvements in the vicinity.

The characteristics of the proposed use and its operation do not have features that could have detrimental effects. The proposed use will be subject to all health and safety standards established by the City of Chula Vista and other applicable public agencies, and it will be completely enclosed and not adjacent to any residential properties. Noise from animals will be contained inside the building.

The proposed use will comply with the regulations and conditions specified in the CVMC.

In addition to meeting the standards outlined in the CVMC, this permit would require that the Applicant and Property Owner satisfy the conditions of approval and comply with all applicable regulations and standards specified in the CVMC and other regulatory codes.

Granting this permit will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.

The proposed use is allowed within this zone with a Conditional Use Permit and is consistent with the General Plan.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves CUP24-0026 as described above, subject to the following conditions. These conditions shall apply to the Project for as long as it relies upon this approval:

1. The Applicant shall maintain the Project in accordance with the approved plans for CUP24-0026, which include a site plan and floor plans on file in the Development Services Department. The Project shall also maintain compliance with the conditions contained herein.

2. The hours of operation shall be 24 hours a day, 7 days a week. The Zoning Administrator shall have the authority to approve modifications to the hours of operation in accordance with the CVMC.

3. Approval of this permit shall not waive the Applicant's responsibility to comply with all sections of Title 19 of the CVMC and all other applicable City ordinances in effect at the time of building permit issuance or the approval of this permit.

4. The Applicant shall execute this permit only as the authorized use. Any new use or modification/expansion of uses shall be subject to review and approval by the Zoning Administrator.

5. The Applicant/Representative and Property Owner shall and do hereby 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 herein, and the Applicant/Representative

shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The Applicant/Representative's 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/Representative's successors and assigns.

6. 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.

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 fails 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 any successor in interest gains any vested rights by the City's approval of this permit.

8. The Applicant/Representative and 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/Representative and 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/Representative's and Property Owner's desire that the Project and corresponding application(s) for building permits and/or business license(s) be held in abeyance without approval.

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Jennifer Hanlon, Sr. Director of Real Estate and Development — Date
for Veterinary Emergency Group, LLC
Applicant

_____ _____

Chris Read, Vice President — Date
for San Diego Retail 1, LLC
Property Owner

APPROVED BY THE ZONING ADMINISTRATOR FOR THE CITY OF CHULA VISTA, CALIFORNIA, this 23rd day of April 2025.

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D. Todd Philips, Ed.D.
Zoning Administrator