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 application for a conversion of a portion of an existing industrial building into a manufacturing use as further described below:

Date:	**May 15, 2025**
Applicant:	**Arnulfo Valdez**
Project Number:	**CUP23-0001**
Project Location:	**2381 Boswell Road (APN: 595-231-22)**
Project Planner:	**Arturo Ortuño**

The Applicant proposes to convert a portion of an existing 14,222-square foot industrial building into a 9,561-square foot manufacturing use on a 1.64-acre lot (the "Project"). The remaining 4,661 square feet will be occupied by an existing gym/fitness use. The Applicant is proposing to construct a new trash enclosure toward the rear of the property. The proposed use will utilize the existing site improvements and parking supply; therefore, no additional site improvements are proposed. Interior modifications will include demolition of approximately 100 linear feet of non-load bearing walls and installation of equipment to accommodate the manufacturing use. The subject property is located in the Business Center ("BC-2") zone of the Eastlake II Sectional Planning Area ("SPA") Plan and designated Limited Industrial (IL) 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 1 Categorical Exemption pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines because it consists of the conversion of an existing building to establish a manufacturing use with no proposed exterior site improvements. No further environmental review is required.

HOUSING IMPACT

The Project Site is located within the BC-2 zone of the Eastlake II SPA Plan, which is intended as an area for light industrial and limited-service commercial uses. No housing is proposed as part of this 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.

THE ZONING ADMINISTRATOR, 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 particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community.

The proposed conversion of the existing industrial building to a manufacturing use will enhance economic activity and job opportunities within the community. The continued operation of the existing gym/fitness use contributes to public health and wellness, while the new manufacturing use supports the area's intended industrial serving use. The Project utilizes an underutilized space

in a manner consistent with community development goals, making it both desirable and beneficial to the broader neighborhood and city.

Such use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

The proposed manufacturing use will be located entirely within an existing industrial building and will not involve hazardous processes or generate significant noise, traffic, or pollution. No exterior modifications are proposed, and the current circulation and parking will remain unchanged. The nature of the use is compatible with surrounding commercial and industrial activities, and no adverse effects on neighboring properties or the public are anticipated.

The proposed use will comply with the regulations and conditions specified in Title 19 of the CVMC for such use.

The proposed manufacturing use has been reviewed for compliance with all applicable provisions of Title 19 of the CVMC, including permitted uses within the BC-2 zone, parking requirements, and site development standards. Conditions of approval imposed on this Conditional Use Permit process will ensure ongoing compliance with applicable municipal code requirements.

The granting of this conditional use will not adversely affect the General Plan of the City or the adopted plan of any governmental agency.

The Project is consistent with the Limited Industrial land use designation in the Chula Vista General Plan and with the Eastlake II SPA Plan. The proposed use promotes economic development and efficient use of existing industrial buildings without requiring major redevelopment. Additionally, the Project has been reviewed in accordance with CEQA and found to be categorically exempt.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves CUP23-0001, as described above, subject to the following conditions. Technical reports and studies reviewed through the Conditional Use Permit 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 CUP23-0001, 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. 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 Eastlake II 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 ("BMPs") Design Manual, the Chula Vista Grading Ordinance (No. 1797), and the Subdivision Map Act.

7. Any construction in the right-of-way will require a construction permit.

8. It is the Applicant's responsibility 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 not to interfere with the function of adjacent properties, as approved by the City Engineer.

10. Any proposed trash enclosure shall be a covered trash enclosure and meet requirements of the City's most current BMPs, and BMP Design Manual Fact Sheet SC-Q.

11. 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.

Fire

12. 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

13. 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 (CUP23-0001), 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 Conditional Use 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.

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Arnulfo Valdez
(Applicant)

Date

_____ _____

Juan Vazquez
(Property Owner)

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