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 an application to renew an expired Conditional Use Permit ("CUP") for an existing wireless telecommunications facility as described below:

Date:	**September 8, 2026**
Applicant:	**Network Connex on behalf of T-Mobile**
Project Number:	**PLN25-0013**
Project Location:	**880 Canarios Ct (APN: 640-293-26)**
Project Planner:	**Luis Garcia Perez**

The proposed Project is a renewal of an expired Conditional Use Permit (PCC-12-040) for a roof mounted wireless telecommunication facility within an existing commercial building consisting of ten (10) panel antenna array and associated equipment for T-Mobile. No changes will be made to the existing antennas and equipment enclosure.

The subject property is owned by Pacific Southwest Association of Realtors Inc ("Property Owner") and is zoned Employment Park Limited Industrial/Office District (EP1B) in the Rancho del Rey I SPA, with a General Plan Land Use Designation of Limited Industrial (IL) in the Chula Vista General Plan.

ENVIRONMENTAL REVIEW

The proposed Project was reviewed 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. 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.

FINDINGS

The Zoning Administrator, under the provisions of Section 19.14.030(A) of the Chula Vista Municipal Code ("CVMC"), makes the following findings pursuant to CVMC Section 19.14.080:

The proposed use at this location is necessary or desirable and will contribute to the general wellbeing of the neighborhood or the community.

The Rancho Del Rey I SPA is silent on Wireless Telecommunication Facilities as a permitted use; therefore, staff defers to the City's Wireless Telecommunications Facilities Ordinance (CVMC 19.89) to ensure that wireless telecommunication networks are developed with the fewest possible facilities, in the least visible manner and with minimal impact on neighborhoods and communities within the City of Chula Vista.

Additionally, the City follows the provisions under Section 704 of the Telecommunications Act of 1996, which regulate the construction, modification, and placement of wireless telecommunication facilities. These provisions state that the City "shall not unreasonably discriminate among providers of functionally equivalent services" and "shall not prohibit or have the effect of prohibiting the provision of personal wireless services." The Telecommunications Act also prohibits the City from regulating the "placement, construction, and modification of wireless telecommunication facilities on the basis of the environmental effects of radio frequency emissions, provided that such facilities comply with the Federal Communications Commission (FCC) regulations concerning those emissions."

The proposed use will continue to provide public convenience by providing essential communication and increased wireless service in the area. It will not interfere with any existing activities or conveniences of the public as it is located within an existing wireless facility and will contribute to the general wellbeing of the community by ensuring uninterrupted cellular service for the surrounding area.

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 proposed use will ensure continued compliance with FCC regulations and all safety standards under the State and Federal Law. The equipment is enclosed behind a 5-foot-tall fiber-reinforced polymer screening and has safety signs posted at the entrance of the enclosure as well as a fire extinguisher placed inside the enclosure in case of an emergency. The safety signs include the phone numbers to call in case of an emergency, as well as general information about the site.

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

Per CVMC Section 19.89.050, a Conditional Use Permit is required for all wireless telecommunications facilities. This permit requires the Applicant and Property Owner to fulfill conditions and comply with all applicable regulations and standards specified in the City's Wireless Telecommunications Facilities Ordinance (CVMC 19.89) for such use. The proposed use will continue to be in compliance with the City's development criteria for such use and with all other City zoning and building regulations. The conditions of this permit are in approximate proportion to the nature and extent of the impacts created by the use in that the conditions imposed are directly related to the size and impacts of the use.

Granting this Conditional Use Permit will not adversely affect the General Plan of the City or the adopted plan of any government agency.

The integration of cellular facilities with existing uses helps to achieve General Plan Objective PFS 24.2, which encourages siting and design techniques that minimize community impacts, such as using architectural features or details that blend with the surrounding area. The antennas and equipment are mounted on the roof behind two open-air enclosures constructed with fiber-reinforced polymer screening to conceal them from public view. The enclosures were designed with the same color and materials as the existing building façade.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR hereby approves Conditional Use Permit PLN25-0013 as described above, subject to the following conditions. These ongoing 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 PLN25-0013, which include a site plan and architectural elevations on file with the Development Services Department; the conditions contained herein; and Title 19 of the CVMC.

2. Approval of this permit shall not waive compliance with all applicable provisions of Title 19 of the CVMC and all other applicable City ordinances in effect at the time of building permit issuance.

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

4. The Applicant shall cooperate with telecommunications companies in co-locating additional antennas on the subject property, provided said co-locators have received a permit from the City for such use at the Project location. The Applicant shall exercise good faith in co-locating with other communications companies and sharing the permitted site, provided such shared use does not give rise to a substantial technical-level or quality-of-service impairment of the permitted use (as opposed to a competitive conflict or financial burden). In the event a dispute arises as to whether the Applicant has exercised good faith in accommodating other users, the City may require a third-party technical study at the expense of the Applicant.

5. Within 90 days of cessation of the business operations and use of the antennas, the Applicant shall submit a substitute user to the satisfaction of the Director of Development Services and/or remove the Project and all associated equipment from the Project site. If the facility is removed, the Applicant shall restore the Project site to its original condition. Any changes to this permit shall require a modification to be reviewed by the Zoning Administrator.

6. The Property Owner and Applicant shall and do 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 Property Owner and Applicant shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The Property Owner's and Applicant's compliance with this provision shall be binding on any and all of the Property Owner's and Applicant's successors and assigns.

7. 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.

8. This permit may be reviewed at any time, at which time the Zoning Administrator may review the use for compliance with the original conditions of approval and any applicable codes and regulations and will determine, in consultation with the Applicant, whether the Project must be modified from its original approval or revoked, or whether another review will be necessary. If such review is required, the Zoning Administrator will determine the timeline for review.

9. 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 vested rights by the City's approval of this permit.

10. 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 of the effective date herein shall indicate the Applicant/Representative and Property Owner's desire that the Project and corresponding application for building/grading permits and/or business license be held in abeyance without approval.

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Michael Crawford, Network Connex — Date
For T-Mobile West, LLC (Applicant)

_____ _____

Richard D'Ascoli, Agent — Date
For Pacific Southwest Association of Realtor
(Property Owner)

APPROVED BY THE ZONING ADMINISTRATOR FOR THE CITY OF CHULA VISTA, CALIFORNIA, this 8th day of September 2026.

Anna Colamussi
Zoning Administrator