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 PLN26-0020 (CUP26-0020)** application to operate an adult day program serving individuals with intellectual and developmental disabilities within an existing business center structure as described below:

Date:	**October 1, 2026**
Applicant:	**Najah J. Rzok**
Project Number:	**PLN26-0020 (CUP26-0020)**
Project Location:	**861 Harold Place, Suites #103-105 (APN: 595-710-08-03, -04, & -05)**
Project Planner:	**Mathew Sterling, AICP**

The Applicant requests approval of a Conditional Use Permit (CUP) to operate an adult day program serving individuals with intellectual and developmental disabilities ("Project") within an existing business center on a 2.96-acre site. The combined three suites totaling 5,765 square feet will include four offices and two activity areas used to provide structured daytime programming and vocational training. At any given time, a maximum of 15 staff members will be on-site serving a maximum of 60 participants. Hours of operation will be Monday through Friday from 8:00 AM to 2:00 PM. Participants will be picked up and dropped off primarily through program-operated vehicles utilizing the adjacent, exclusive parking spaces. The drop-off and pickup-windows will occur from 8:00 AM to 9:00 AM (drop-off) and 1:00 PM to 2:00 PM (pick-up) and staggered to support efficient circulation.

The subject property is owned by The Garden, Where New Life Begins ("Property Owner") and is in the Business Center Manufacturing Park District (BC-1) zone of the Eastlake II Sectional Planning Area ("SPA") and is designated Limited Industrial (IL) in the Chula Vista General Plan. Pursuant to Section IV.1.H.1 of the Eastlake II Business Center Planned Community District Regulations, the proposed use may be permitted with the issuance of a Conditional Use Permit. The Zoning Administrator has determined the use to be similar and consistent with the purpose of the Business Center Districts and is most like a daycare.

Per CVMC Section 19.14.030(A)(1), the Zoning Administrator is authorized to issue conditional use permits where the use to be permitted does not involve the construction of a new building or other substantial structural improvements on the property in question. The use is located within an existing building and will only require tenant improvements; therefore, the Zoning Administrator may issue the conditional use permit.

ENVIRONMENTAL REVIEW

The proposed Project was reviewed for compliance with the California Environmental Quality Act (CEQA) and determined that the Project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 (Existing Facilities), which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use, and where the exceptions listed in State CEQA Guidelines Section 15300.2 would not apply in that no cumulative impacts were identified, no significant effects on the environment were identified, the project is not adjacent to a scenic highway, no historical resources would be affected by the action, and the project was not identified on a list of hazardous waste sites pursuant to Section 65962.5 of the Government Code. No further environmental review is required.

HOUSING IMPACT

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. There is no net loss of housing capacity as it pertains to the City's Regional Housing Needs Allocation (RHNA).

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

CONDITIONAL USE PERMIT FINDINGS

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

The Project is located in proximity to residential neighborhoods providing a day program and educational service for adult individuals with intellectual and developmental disabilities that currently does not exist within the center and will contribute to enhancing the general well-being of the community.

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.

Approval of this CUP will require the Applicant and/or Property Owner satisfy the conditions of approval and comply with all applicable regulations and standards specified in the Eastlake II Planned Community, Chula Vista Municipal Code, California Building Code, California Fire Code, and other applicable codes, for such use. Furthermore, the conditions of this CUP are in proportion to the nature and extent of the impact created by the Project in that the conditions imposed are directly related to, and of a nature and scope related to the size and impact of the Project.

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

The Project is within an existing building and open within time frames that are complementary to the existing business center. No changes are proposed to the structure. A parking study conducted by Mizuta Traffic Consulting dated August 31, 2026, was reviewed, and given the varying hours of operation and the observed parking availability during these times, the results of the parking study conclude that there is sufficient off-street parking available to accommodate the project. The proposed use is consistent with the uses that are allowed in the BC1 zone with a conditional use permit. With the conditions of approval and trip generation thresholds not being exceeded, the proposed use is not anticipated to interfere with any existing activities or conveniences of the public and meets all applicable standards of Title 19.

Granting this conditional use will not adversely affect the General Plan of the City or the adopted plan of any government agency.

The General Plan designates the site as Limited Industrial (IL). The site has historically included varying types of uses. The BC-1 zone is consistent with the General Plan for quasi-public uses. The

adult day program is permitted within this zone with a CUP. Thus, the Project is consistent with the IL General Plan land use designation and will not adversely affect implementation of the General Plan.

BASED ON THE FINDINGS ABOVE, THE ZONING ADMINISTRATOR HEREBY APPROVES PLN26-0020 (CUP26-0020) as described above, subject to the following conditions. Unless stated otherwise, these conditions must be met prior to the issuance of a building permit for the Project. Approval of this permit shall not waive compliance with Title 19 of the CVMC and all other applicable standards at the time of permit issuance in reliance upon this approval. Additional requirements may be imposed at the time of development, depending upon the plans submitted for review:

Planning

1. The maximum number of participants at any given time shall be limited to 60 in addition to the maximum number of 15 staff members. Operations will commence at 8:00 AM and end at 2:00 PM, Monday through Friday. Participants will be dropped off between 8:00 AM and 9:00 AM and picked up between 1:00 PM and 2:00 PM.

2. Participants will be picked up and dropped off primarily through program-operated transportation vehicles. Each suite is assigned two adjacent parking spaces, which provides the minimum six parking spaces required of the proposed use. These assigned parking spaces are to be used on a short-term basis for participant loading and unloading during arrival and departure. Transportation vehicles shall be staggered during arrival and departure. No loading activities shall occur within the public right-of-way. Queueing shall not spill over into the street.

Building

1. The applicant shall apply for a building permit and receive approval for certificate of occupancy prior to operations.

Fire

2. The applicant shall apply for and receive approval for all required construction permits prior to any construction.

3. The project design shall be in accordance with CA Title 24 (Building Standards) and City of Chula Vista Fire Ordinances.

BE IT FURTHER RESOLVED by the Zoning Administrator that the following general conditions shall apply to the Project Site for as long as it relies upon this approval:

1. The Applicant shall maintain the Project Site in accordance with the approved plans for PLN26-0020 (CUP26-0020), which include a site plan, floor plan, elevations, and photographs that are on file with the Development Services Department. The Project shall also maintain compliance with the conditions contained herein and Title 19 of the CVMC.

2. Approval of this permit shall not waive compliance with any provisions of the CVMC nor any other applicable laws and regulations in effect at the time of 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 review and approval by the Zoning Administrator.

4. The Applicant and Property Owner shall and do hereby agree to timely and fully indemnify, protect, reimburse, defend, and hold harmless the City, its City Council members, Planning Commission members, officers, employees, and representatives from and against any and all liabilities, losses, damages, demands, claims, and costs, including any costs, fees, and expenses to prepare the administrative record for any challenge to the Project approvals and/or compile a response to a Public Records Act request(s) to provide the record of proceedings materials for the Project, the City's cost to retain its own defense counsel to defend any challenge to any Project-related approvals, court costs and attorney 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 shall acknowledge their agreement to this provision by executing a copy of this permit where indicated below. The Applicant 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/operator's successors and assigned.

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 Conditional Use Permit shall become void and ineffective if not utilized within three years from the effective date thereof, in accordance with Section 19.14.260 of the Municipal Code. Failure to comply with any conditions of approval shall cause this permit to be reviewed by the City for additional conditions or revocation.

7. The City reserves the right to review this permit and its approved use if, at any time, it has cause to believe that the use is out of compliance with this permit. Should the use be deemed noncompliant, the Zoning Administrator shall review this permit and determine, in consultation with the Property Owner, whether the permit must be modified from its original approval or revoked, or whether a new permit is required. If a new permit is required, the Zoning Administrator shall determine the timeline for review. Such review shall not result from changes to the applicable standards and regulations in effect at the time of this permit's issuance.

8. 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.

9. 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.

_____ _____
Najah J. Rzok Date
Applicant

_____ _____
Olando Harris Date
on behalf of The Garden, Where New Life Begins
Property Owner

APPROVED BY THE ZONING ADMINISTRATOR FOR THE CITY OF CHULA VISTA, CALIFORNIA, this 1st day of October 2026.

Anna Colamussi
Zoning Administrator