



## Planning Director Staff Report – Hearing on January 5, 2021

County of Ventura • Resource Management Agency • Planning Division

800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • [vcrma.org/divisions/planning](http://vcrma.org/divisions/planning)

### MISSION ROCK KENNEL (CARL) PROJECT CONDITIONAL USE PERMIT (CUP) CASE NO. PL20-0089

#### A. PROJECT INFORMATION

1. **Request:** The applicant requests that a modified Conditional Use Permit (CUP) be granted to authorize the continued operation of, and minor additions to, an existing kennel/cattery used for the boarding, training, and animal rescue of cats and dogs for an additional 20-year period. (Case No. PL20-0089)
2. **Applicant/Property Owner:** Sharon Clark, Canine Adoption Rescue League, P.O. Box 5022, Ventura CA 93005
3. **Applicant's Representative:** Steven Perlman, 7811 Marin Lane, Ventura CA 93004
4. **Decision-Making Authority:** Pursuant to Section 8105-5 and Section 8111-6.1.3 of the Ventura County Non-Coastal Zoning Ordinance (NCZO), the Planning Director is the decision-maker for the requested modified CUP.
5. **Project Site Size, Location, and Parcel Number:** The project site encompasses 1.99 acres located at 991 Mission Rock Road in the unincorporated area west of the City of Santa Paula. The Assessor's Parcel Number for the property that constitutes the project site is APN: 090-0-190-335 (Exhibit 2).
6. **Project Site Land Use and Zoning Designations (Exhibit 2):**
  - a. Countywide General Plan Land Use Map Designation: Existing Community
  - b. Zoning Designation: "M3-10,000 sq. ft." (General Industrial 10,000 sf minimum lot area)

**7. Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
<b>North</b>	“M3-10,000” (General Industrial 10,000 sf minimum lot area)	Heavy equipment repair, Contractor’s Service and Storage Yard, and Agriculture
<b>South</b>		Salvage Yard, including Automobile wrecking with ancillary retail sales of salvaged materials
<b>East</b>		Concrete batch plant
<b>West</b>	“AE-40/MRP” (Agricultural Exclusive, 40-acre minimum lot size, Mineral Resource Protection Overlay)	Agriculture, irrigated crops

**8. History:**

Industrial uses have existed in the vicinity of the project site for over 60 years on land that was previously in agricultural use (primarily pasture). Oil development began in the mid-1950's with the first producing oil well drilled in 1955. During that time period, production of sand and gravel from the Santa Clara riverbed commenced. In 1959, an asphalt batch plant was approved in an area located to the south of the current Mission Rock Road Existing Community. Within the Existing Community itself, the County issued the first permit for a vehicle wrecking yard in 1962. In the 1960's and early 1970's, the County permitted more industrial uses. On September 19, 1967, the Board of Supervisors adopted Ordinance No. 1976 to change the site's zoning to M-3 (General Industrial).

On April 3, 1968, the Board of Zoning Adjustment granted CUP No. 3155-7 to W.E. Nickerson for the sale and repair of trucks on the subject site. CUP No. 3155-7 was subsequently voided. On July 8, 1970, the Board of Zoning Adjustment granted CUP No. 3232 (Resolution No. 70-84) to authorize the operation of a dog and cat boarding kennel until July 1980. In 1977, the new property owners, Madeline and Estaban Lassich, submitted a CUP modification application to expand the kennel to include one new kennel, a new office, and a caretaker's residence with an attached garage. A five-year extension of the effective term of CUP No. 3232 was granted in 1980 by the Planning Commission (Resolution No. 80-72). CUP No. 3232 expired in 1985.

On August 30, 1990, the Planning Commission granted CUP No. 4400 (Resolution No. 90-34) and approved Variance No. 4642 to authorize the continued use of the

site as a dog and cat boarding kennel until the Year 2000. Variance No. 4642 allowed the following on the subject property (APN 099-0- 190-335):

- (1) a reduction in required landscaping from 10% to less than 2% of the parking lot area;
- (2) elimination of the front setback landscaping requirement;
- (3) elimination of the required planting of street trees;
- (4) elimination of the front setback requirement for required parking; and,
- (5) elimination in the required landscaping of 5% of the total permit area.

At that time, the Planning Commission granted 14 land use entitlements to authorize various industrial uses in the Mission Rock Road community, all of which were subject to the following requirements:

1. Each Permittee was required to participate in a property owners association to fund the installation and maintenance of road improvements, drainage improvements, and a water supply system for fire protection purposes, within the Mission Rock Road community; and,
2. Each entitlement was subject to site- and project-specific conditions for the uses that were permitted as part of each entitlement.

The Permittees were initially required to satisfy these requirements by August 30, 1991; however, on August 29, 1991, the Planning Commission granted a one-year time extension to allow the Permittees additional time to satisfy the requirements. The Mission Rock Road Property Owner's Association was formed in May 1992, and commenced with the community-wide improvements.

On August 29, 1992, the Planning Director granted a Permit Adjustment to all of the permits to extend the expiration date of the permits by 90 days, to November 5, 1992 at the request of the Mission Rock Road Property Owner's Association. This action was taken to allow additional time to complete the road and drainage improvements, obtain off-site easements, survey the properties, and obtain another CUP to authorize the installation of an off-site water line connected to the City of Santa Paula. Subsequently, the Mission Rock Road Property Owner's Association requested and received seven more Permit Adjustments for short-term extensions of permit expiration dates due to various complications related to the above tasks. The permit extension expired on October 18, 1993. By that time, the three major improvements were completed to the satisfaction of County Agencies.

On April 19, 2001, the Planning Commission granted CUP No. 4400-1 to authorize the continued use of the subject property as a dog and cat boarding kennel consistent with Variance No. 4642. The Commission imposed a set of "umbrella" conditions applicable to the 14 land use entitlements in the Mission Rock Road Community. These conditions were meant to supplement project-specific conditions for each entitlement and were automatically continued for the life of the permitted land use.

In 2005, the project site was acquired by the Canine Adoption Rescue League (C.A.R.L.), a non-profit organization. On July 3, 2008, a Permit Adjustment (Case No. LU08-0065) of CUP No. 4400-1 was granted by the Planning Director to authorize the construction of a 67 sq. ft. laundry room. This permit was never use-inaugurated and the proposed room was not constructed.

On September 25, 2009, a Permit Adjustment (Case No. LU09-0086) of CUP Case No. 4400-1 was granted by the Planning Director for the following:

- (1) removal of six parking spaces, a perimeter fence and gate, and a trash enclosure within the Mission Rock Road Association Access Right of Way; and,
- (2) installation of an eight-foot concrete screening wall and new interior gate, 11 new parking spaces (i.e., six public parking spaces and five employee parking spaces) within an on-site parking lot, new walkways, new landscaping, and a new on-site drainage/treatment system.

On February 8, 2012, the Planning Director granted modified CUP LU10-0094 to authorize the continued operation of the existing kennel facility for an additional 10-year period ending on August 30, 2020. The design of the facility at that time (and currently) is in conformance with all applicable development standards set forth in the NCZO. Thus, as part of the 2012 action, Variance No. 4642 was determined to be null and void.

The applicant requests that a modified Conditional Use Permit (CUP) be granted to authorize the continued operation of, and minor additions to, an existing kennel/cattery used for the boarding, training, and animal rescue of cats and dogs for an additional 20-year period ending in 2040.

## **9. Project Description:**

The applicant requests that a modified Conditional Use Permit (CUP) be granted to authorize the continued operation, of and minor additions, to an existing kennel/cattery used for the boarding, training, and animal rescue of cats and dogs for an additional 20-year period ending on August 30, 2040.

The existing facility includes a caretaker dwelling unit and attached garage (2,552 sq. ft.), kennel office area (1,531 sq. ft.), covered kennels/dog runs (8,137 sq. ft.), covered cat enclosures (900 sq. ft.), individual covered dog houses (912 sq. ft.), two sea cargo containers (160 sq.ft.) and three storage sheds (324 sq. ft.). The project also includes the legalization of an additional 1,148 square feet of shade cloth structures erected over animal exercise yards.

The subject facility will continue to operate within the same limitations imposed by the previously-granted permits. No more than 40 cats and 150 dogs will be allowed to board at the site at one time. There will continue to be eight employees who work in two shifts from 6:00am to 8:00pm. The kennel will be open to the public from 7:00 a.m. to 7:00 p.m. for seven days per week. Two employees will reside in the onsite caretaker dwelling unit and provide 24-hour monitoring of the facility.

The existing 11 parking spaces (i.e., six public parking spaces and five employee parking spaces) included in the onsite parking lot will be maintained. The existing drainage and water treatment facilities are not proposed to be altered.

Animal waste will be collected and disposed regularly throughout facility operation. Waste on the dog runs and exercise yards will be collected at least twice a day and typically four times per day (i.e., before breakfast, before cleaning in the morning, before dinner, and after dinner). Waste is collected immediately when the dogs are moved back from the exercise yards. Cat litter pans are screened to remove fecal material at least twice per day. The collected animal waste is placed in plastic bags in buckets with lids located at various points around the facility. The bagged waste is removed from the buckets and transported to the trash enclosure a minimum of two times per day (i.e., generally at noon and 6:00 p.m.).

The City of Santa Paula will continue to supply water to the project site. Sewage disposal will continue to be accommodated through the use of an onsite septic system.

(Refer to the project plans in Exhibit 3.)

## **B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE**

Pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, Section 15000 et seq.), the proposed project is subject to environmental review.

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents.

The subject animal facility was originally authorized by the County with the granting of CUP No. 3232 on July 8, 1970. New permits were granted by the County in 1990, 2001 and 2012 to authorize continued operation of, and changes to, this animal services facility. No substantive changes of the facility or its operation from that authorized with the granting of CUP LU10-0094 in 2012 are included in the current proposal. The requested permit would authorize the continued operation of the existing facility for an additional 20-year period ending on August 30, 2040. No significant adverse environmental effects have been identified that would result from the continued operation of the subject kennel. Given these circumstances, the proposed project is exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines. The section exempts the continuation of existing uses or structures from further environmental review. Further, the Project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Therefore, no further environmental review is required.

Based on the above discussion, the proposed project is categorically exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines.

### **C. CONSISTENCY WITH THE GENERAL PLAN**

The Ventura County NCZO (Section 8111-1.2.1.1.a) states that in order to be approved, a project must be found consistent with all applicable policies of the Ventura County General Plan.

Evaluated below is the consistency of the proposed project with the applicable policies of the 2040 General Plan.

**LU-11.1 Location:** *The County shall encourage mixed-use, commercial, and industrial development be located within cities, existing unincorporated urban centers, or designated Existing Communities where necessary public facilities and services can be provided to serve such development. (RDR)*

Staff Analysis: The proposed project is comprised of the continuation of the operation of an existing kennel facility for an additional 20-year period. This commercial animal services facility was originally authorized by the County in 1970 and has been in operation since that time in the Mission Rock Road Existing Community. All necessary public and private services will continue to be available to serve this existing development.

Based on the above discussion, the proposed project is consistent with this policy.

**LU-16.1 Community Character and Quality of Life:** *The County shall encourage discretionary development to be designed to maintain the distinctive character of unincorporated communities, to ensure adequate provision of public facilities and services, and to be compatible with neighboring uses. (RDR)*

**LU-16.2 Urban Design Standards for Commercial and Industrial Development:** *The County shall require that discretionary commercial and industrial developments maintain high standards of urban design and environmental quality by incorporating compact form, maximizing pedestrian access and safety, and minimizing land use conflicts and traffic congestion. (RDR)*

Staff Analysis: The proposed project is comprised of a continuation of existing land uses. No substantial change in the existing facilities or operations on the project site are proposed. No new effect on neighboring uses will result from project implementation. The existing animal services facility will remain in character with the other industrial uses and facilities located in the Mission Rock Road area. No effects on area traffic are anticipated as the number of employees and daily customers are not anticipated to change. This conclusion is based on the continuation of the existing limit on the number of animals housed at the site. Water will continue to be supplied to the subject facility by the City of Santa Paula. Sewage disposal will continue to be accommodated by an existing onsite wastewater treatment system.

Based on the above discussion, the proposed project is consistent with these policies.

**PFS-1.7 Public Facilities, Services, and Infrastructure Availability:** *The County shall only approve discretionary development in locations where adequate public facilities, services, and infrastructure are available and functional, under physical construction, or will be available prior to occupancy. (RDR)*

Staff Analysis: Water, road access, sewage disposal and all other necessary services will continue to be available to serve this existing development.

Based on the above discussion, the proposed project is consistent with this policy.

**PFS-3.2 Fair Share of Improvement Costs:** *The County shall require development to pay its fair share of community improvement costs through impact fees, assessment districts, and other mechanisms. (RDR)*

Staff Analysis: The proposed project is comprised of the continuation of existing land uses. No change in the existing buildings or accessory facilities on the project site are proposed. Thus, no impact fees or other assessments are required. Any required impact fees would have been collected at the time the facility was constructed in 1970, or when re-authorized in 2012.

Based on the above discussion, the proposed project is consistent with this policy.

**PFS-4.1 Wastewater Connections Requirement:** *The County shall require development to connect to an existing wastewater collection and treatment facility if such facilities are available to serve the development. An onsite wastewater treatment system shall only be approved in areas where connection to a wastewater collection and treatment facility is deemed unavailable. (RDR)*

Staff Analysis: Sewer service is not available in the Mission Rock Road area. Sewage disposal will continue to be accommodated through the use of an existing onsite wastewater treatment system.

Based on the above discussion, the proposed project is consistent with this policy.

**PFS-4.2 Onsite Wastewater Treatment Systems:** *The County may allow the use of onsite wastewater treatment systems that meet the state Water Resources Control Board Onsite Wastewater Treatment System Policy, Ventura County Sewer Policy, Ventura County Building Code, and other applicable County standards and requirements.*

Staff Analysis: Sewage disposal will continue to be accommodated on the project site through the use of an existing onsite wastewater treatment system. This system is operated under permit issued by the Regional Water Quality Control Board (RWQCB) and satisfies all applicable regulatory requirements.

Based on the above discussion, the proposed project is consistent with this policy.

**PFS-6.1 Flood Control and Drainage Facilities Required for Discretionary Development:** *The County shall require discretionary development to provide flood control and drainage facilities, as deemed necessary by the County Public Works Agency and Watershed Protection District. The County shall also require discretionary development to fund improvements to existing flood control facilities necessitated by or required by the development.*

Staff Analysis: The proposed project does not involve a change in the area of impervious surfaces or any alteration to the existing drainage facilities on the project site. Project implementation will not require the development of new flood control facilities or improvements in existing facilities.

Based on the above discussion, the proposed project is consistent with this policy.

**PFS-11.4 Emergency Vehicles Access:** *The County shall require all discretionary development to provide, and existing development to maintain, adequate access for emergency vehicles, including two points of access for subdivisions and multifamily developments. (RDR)*

Staff Analysis: The proposed project does not involve a change in the access to the existing facility. The existing driveways and parking lots, as well as Mission Rock Road, will continue to provide adequate access for emergency vehicles.

Based on the above discussion, the proposed project is consistent with this policy.



**PFS-12.3 Adequate Water Supply, Access, and Response Times for Firefighting Purposes:** *The County shall prohibit discretionary development in areas that lack and cannot provide adequate water supplies, access, and response times for firefighting purposes. (RDR)*

Staff Analysis: The proposed project does not involve a change in the access to the existing facility. The existing driveways and parking lots located on the site, as well as Mission Rock Road, will continue to provide adequate access for emergency vehicles. Water will continue to be provided to the project site by the City of Santa Paula in a manner that meets the fire flow standards of the VCFPD. The project site is located less than 3 miles from the nearest fire station. Thus, the available response time will meet VCFPD requirements.

Based on the above discussion, the proposed project is consistent with this policy.

**WR-1.11 Adequate Water for Discretionary Development:** *The County shall require all discretionary development to demonstrate an adequate long-term supply of water. (RDR)*

Staff Analysis: Water will continue to be provided to the project site by the City of Santa Paula. The City produces groundwater from the Santa Paula Groundwater Basin in accordance with a 2010 Amended and Restated Judgement of the 1996 Stipulated Judgement that adjudicated the water rights of this basin. The City's allocation under the 2010 judgement is 5,560 Acre-Feet per year (AFY). The County of Ventura considers service by the City in conformance with established water rights and the City's adopted 2017 Urban Water Management Plan to constitute an adequate long-term supply of water.

Based on the above discussion, the proposed project is consistent with this policy.

## **D. ZONING ORDINANCE COMPLIANCE**

The proposed project is subject to the requirements of the Ventura County NCZO.

Pursuant to the Ventura County Non-Coastal Zoning Ordinance (§8105-5), the proposed use is allowed in the M3 zone district with the granting of a CUP. Upon the granting of the CUP, the Permittee will be in compliance with this requirement.

The proposed project is located in the M3 Zone and is subject to the industrial zone development standards set forth in the Ventura County Non-Coastal Zoning Ordinance (§8106-1.2, §8109-3 and 8109-6.4). Table 1 lists the applicable development standards and a description of whether the proposed project is designed in conformance with these standards.

**Table 1: Development Standards**

Requirement		In conformance?
Minimum Lot Area (Gross)	10,000 sq. ft.	Yes
Maximum Percentage of Building Coverage	40%	Yes
Front Setback	10 feet	Yes
Side Setback	Varies - see Site Plan dated November 22, 2011	Yes
Rear Setback	Varies - see Site Plan dated November 22, 2011	Yes
Maximum Building Height	12 feet as specified by Elevation Plans dated November 22, 2011	Yes
<b>Sec. 8109-3.1.1 - Undergrounding of Utilities</b> Utility lines, including electric, communications, street lighting and cable television, shall be placed underground by the applicant, who shall make the necessary arrangements with the utility companies for the installation of such facilities.		Yes
<b>Sec. 8109-3.1.3 et seq. - Industrial Performance Standards</b> (e.g., objectionable factors, hazardous materials, liquid and solid wastes)		Yes
<b>Sec. 8109-3.4.1</b> Metal buildings, including accessory buildings, either shall have exterior surfaces constructed or faced with a stainless steel, aluminum, painted, baked enamel, or similarly finished surface; or shall be reasonably screened from view from any street by other buildings or by appropriate walls, fencing, earth mounds or landscaping; or shall be located not less than 100 feet from the street centerline.		Yes
<b>Sec. 8109-3.4.2</b> Outside storage and operations yards shall be fenced for security and public safety at the property line.		Yes
<b>Sec. 8109-6.4a</b> Required yards adjacent to streets, not used for other purposes, shall be improved with appropriate permanent maintained evergreen plant material or ground cover. Such landscaping shall extend to the street curb line, where appropriate.		Yes. The site is landscaped along the frontage of Mission Rock Road.
<b>Sec. 8109-6.4b</b> Trees, approved as to type, number and location by the Planning Director, shall be planted along the street line of each site. Such street trees may also be located on private property and grouped or clustered as appropriate.		Yes. Trees have been planted and maintained as required by the Planning Director as part of the granting of CUP LU10-0094 in 2012.
<b>Sec. 8109-6.4d</b> At least five percent of any permit area in the M2 or M3 zone shall be landscaped.		Yes

In summary, the project has been designed and maintained in conformance with applicable NCZO standards.

## **E. CUP FINDINGS AND SUPPORTING EVIDENCE**

The Planning Director must make certain findings in order to grant a CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO. The ability to make the required findings is evaluated below.

- 1. The proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code [Section 8111-1.2.1.1.a].**

Based on the information and analysis presented in Sections C and D of this staff report, the finding that the proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code can be made.

- 2. The proposed development is compatible with the character of surrounding, legally established development [Section 8111-1.2.1.1.b].**

The proposed project is comprised of a continuation of an existing land use. No substantial change in the design or use of the existing buildings and ancillary facilities on the project site are proposed. No new effect on community character or on neighboring uses will result from project implementation. The existing kennel facility will remain compatible with the character of the surrounding industrial buildings and facilities located in the Mission Rock Road area.

Based on the above discussion, this finding can be made.

- 3. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses [Section 8111-1.2.1.1.c].**

The proposed project is comprised of a continuation of an existing land use. No substantial changes in the existing buildings or accessory facilities on the project site are proposed. No aspect of project implementation has been identified that would be obnoxious, harmful or impair the utility of neighboring property or uses.

Based on the discussion above, this finding can be made.

- 4. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [Section 8111-1.2.1.1.d].**

The proposed project is comprised of a continuation of an existing land use. No substantial change in the existing buildings or accessory facilities on the project site are proposed. No aspect of project implementation has been identified that would be detrimental to the public interest, health, safety, convenience, or

welfare. As this facility is utilized by the County Animal Services Department to house stray animals, it serves a public purpose.

Based on the discussion above, this finding can be made.

**5. The proposed development, if allowed by a Conditional Use Permit, is compatible with existing and potential land uses in the general area where the development is to be located [Section 8111-1.2.1.1.e].**

The proposed project is comprised of a continuation of an existing land use. No substantial change in the existing buildings or accessory facilities on the project site, or in the intensity of the operation, are proposed. No aspect of project implementation has been identified that would adversely affect or be incompatible with the existing land uses in the Mission Rock Road area. Given the industrial zoning and full utilization of this remote area for industrial uses that are generally incompatible with other urban uses, a future change in zoning, General Plan designation or land uses is not foreseeable at this time.

Based on the discussion above, this finding can be made.

**6. The proposed development will occur on a legal lot [Section 8111-1.2.1.1f].**

The subject property on which the use will occur is a legal lot, shown as Parcel B on the map that was recorded on September 1, 1970, in Book 8, Page 22 of Parcel Maps in the Office of the Ventura County Recorder. The map was filed in compliance with the Subdivision Map Act and Ventura County Subdivision Ordinance.

Based on the discussion above, this finding can be made.

**7. The proposed development is approved in accordance with the California Environmental Quality Act and all other applicable laws.**

As discussed in Section B of this staff report, the proposed project is exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines.

Based on the discussion above, this finding can be made.

**F. PLANNING DIRECTOR HEARING NOTICE, PUBLIC COMMENTS, AND JURISDICTIONAL COMMENTS**

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (Section 65091) and the Ventura County NCZO (Section 8111-3.1). On December 18, 2020 the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located.

On December 24, 2020 the Planning Division placed a legal ad in the *Ventura County Star*. As of the date of this document, there have been no public comments.

## G. RECOMMENDED ACTIONS

Based upon the analysis and information provided above, Planning Division Staff recommends that the Planning Director take the following actions:

1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **FIND** that this project is categorically exempt from CEQA pursuant to Section 15301 of the CEQA Guidelines.
3. **MAKE** the required findings to grant a modified CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** modified CUP PL20-0089, subject to the conditions of approval (Exhibit 5).
5. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

The decision of the Planning Director will be made within 40 days after the completion of the public hearing. This decision is final unless appealed to the Planning Commission within 10 calendar days after the permit has been granted, conditionally granted, or denied (or on the following workday if the 10<sup>th</sup> day falls on a weekend or holiday). Any aggrieved person may file an appeal of the decision with the Planning Division. The Planning Division shall then set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

If you have any questions concerning the information presented above, please contact Thomas Chaffee at (805) 654-2406 or [Thomas.Chaffee@ventura.org](mailto:Thomas.Chaffee@ventura.org).

Prepared by:

*Thomas Chaffee*

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**Thomas Chaffee**, Case Planner  
Commercial and Industrial Permits  
Ventura County Planning Division

Reviewed by:

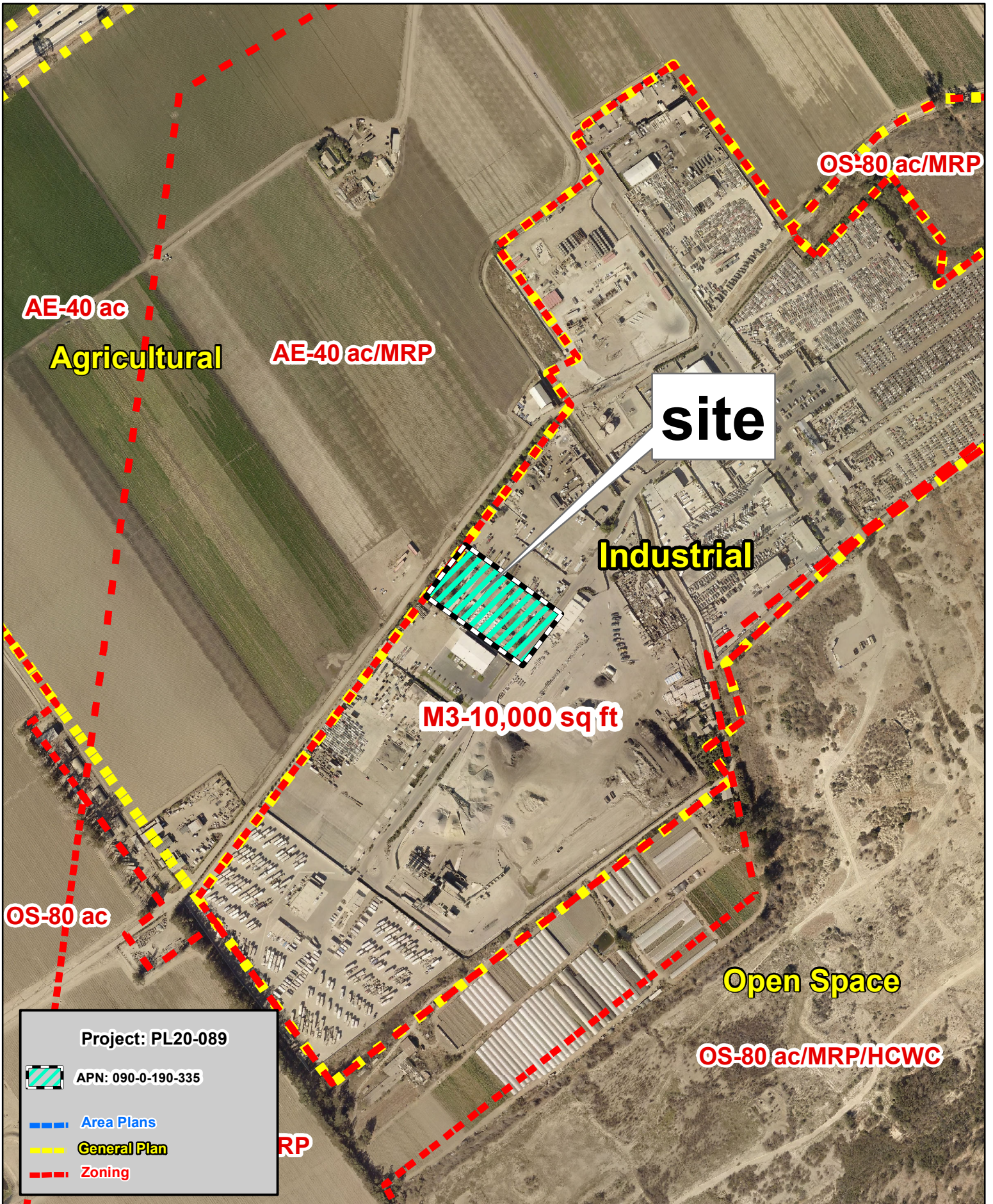
*Mindy Fogg*

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**Mindy Fogg**, Manager  
Commercial and Industrial Permits  
Ventura County Planning Division


**EXHIBITS**


- Exhibit 2 Maps
- Exhibit 3 Site Plans
- Exhibit 4 Notice of Exemption
- Exhibit 5 Conditions of Approval




**Project: PL20-089**

 **APN: 090-0-190-335**

 **Area Plans**

 **General Plan**

 **Zoning**



Ventura County  
Resource Management Agency  
Information Systems GIS Services  
Map created on 11-23-2020  
Source: Pictometry; 2018



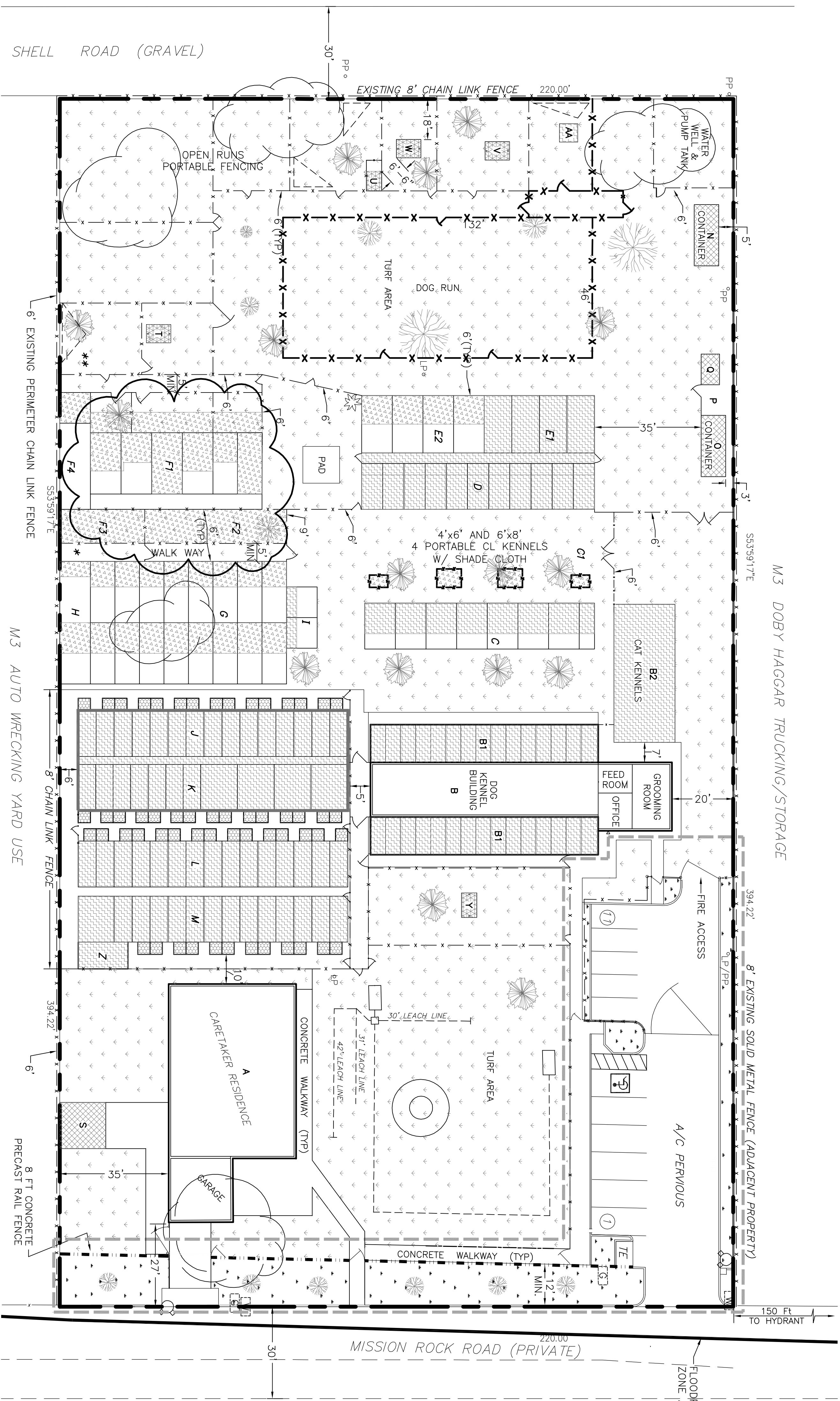
**County of Ventura  
Planning Director Hearing**

Case No. PL20-0089  
Exhibit 2 - Maps



Disclaimer: this map was created by the Ventura County Resource Management Agency Information Systems GIS, which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance therein



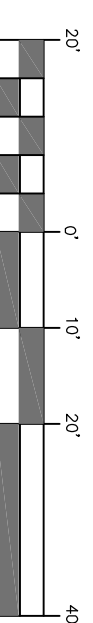


**BUILDING STRUCTURE USE TABLE**

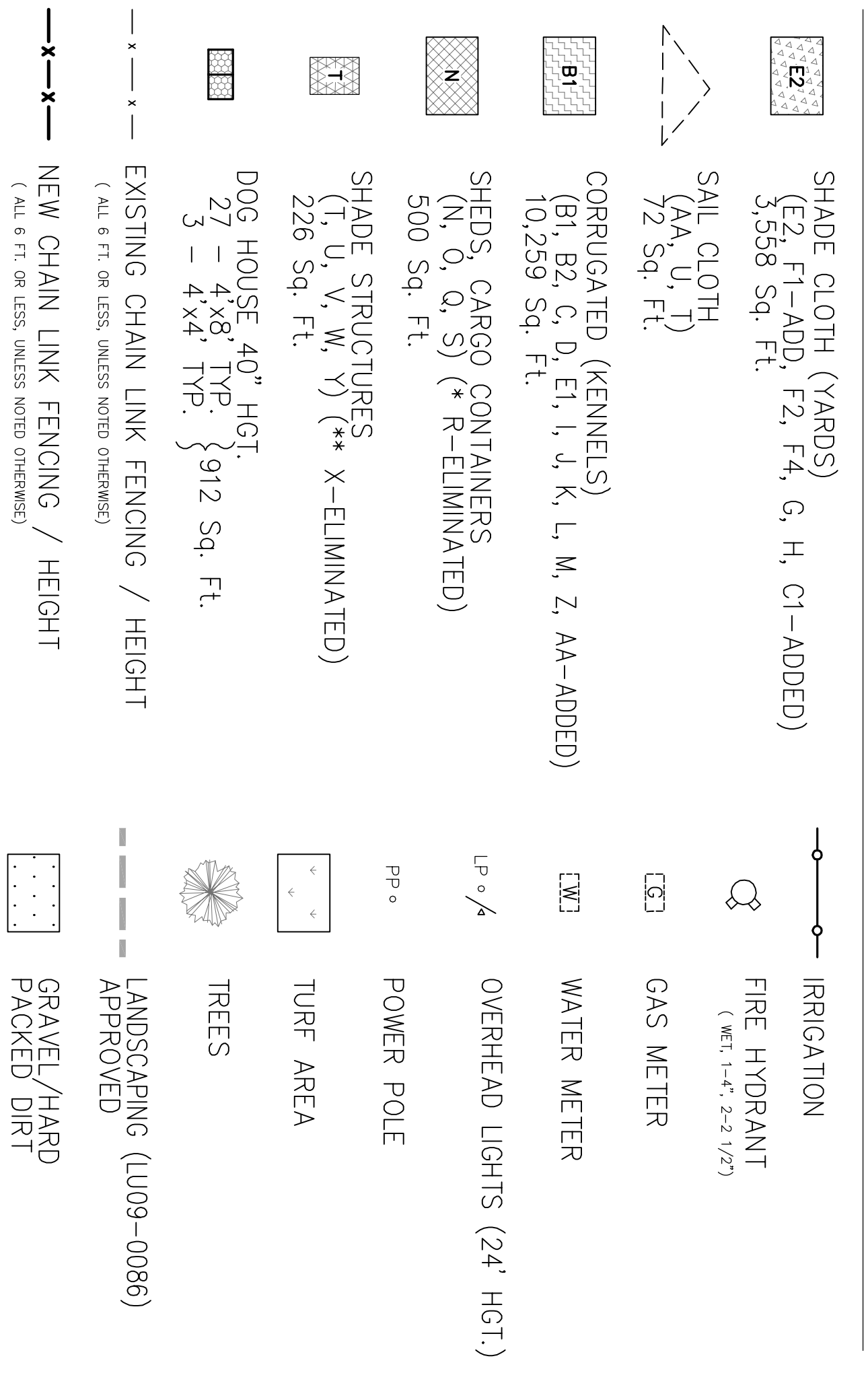
EXISTING STRUCTURES	PURPOSE	DESCRIPTION	GROSS AREA	TOTALS	COVERED AREA
A	CARETAKER RESIDENCE / GARAGE	CARETAKER RESIDENCE	2,592 Sq. Ft.	1	ROOF
B	KENNEL BUILDING	OFFICE / OTHER	1,531 Sq. Ft.	1	ROOF
B1	KENNELS	15 @ 2 = 30 - 5'x11'	1,650 Sq. Ft.	30	1,650 Sq. Ft. CORRUGATED METAL
B2	CAT KENNELS	14-4' x 6', 2-5' x 5', 1-8' x 6', 2-6' x 6'	900 Sq. Ft.	19	900 Sq. Ft. CORRUGATED METAL
C	KENNELS	1-5' x 15', 7-10' x 15'	1,125 Sq. Ft.	8	750 Sq. Ft. CORRUGATED METAL
D	KENNELS	8-5' x 15', 6-6' x 15'	1,275 Sq. Ft.	11	836 Sq. Ft. CORRUGATED METAL
E1	KENNELS	4-9' x 15'	647 Sq. Ft.	4	404 Sq. Ft. CORRUGATED METAL
E2	EXERCISE YARDS	4-10' x 15'	600 Sq. Ft.	4	540 Sq. Ft. SHADE CLOTH
F1	EXERCISE YARDS	VAR 6-10' x 20'	1,572 Sq. Ft.	9	1,178 Sq. Ft. SHADE CLOTH
F2	EXERCISE YARD	1-17' x 30'	860 Sq. Ft.	1	102 Sq. Ft. SHADE CLOTH
F3	EXERCISE YARD	1-10' x 40'	510 Sq. Ft.	1	100 Sq. Ft. SHADE CLOTH
F4	EXERCISE YARDS	16-10' x 20'	400 Sq. Ft.	16	961 Sq. Ft. SHADE CLOTH
G	EXERCISE YARD	1-10' x 40'	400 Sq. Ft.	1	150 Sq. Ft. SHADE CLOTH
H	KENNELS	2-10' x 10'	200 Sq. Ft.	2	80 Sq. Ft. CORRUGATED PLASTIC
I	KENNELS	15-6' x 15'	1,485 Sq. Ft.	15	1,350 Sq. Ft. CORRUGATED PLASTIC
J	KENNELS	7-6' x 15', 4-12' x 15'	1,694 Sq. Ft.	11	1,599 Sq. Ft. CORRUGATED PLASTIC
K	KENNELS	15-6' x 15'	1,350 Sq. Ft.	14	1,350 Sq. Ft. CORRUGATED PLASTIC
L	KENNELS	13-6' x 15', 1-12' x 15'	1,350 Sq. Ft.	14	1,350 Sq. Ft. CORRUGATED PLASTIC
M	STORAGE CONTAINER	8' x 20'	160 Sq. Ft.	1	160 Sq. Ft. ROOF
N	STORAGE CONTAINER	8' x 20'	160 Sq. Ft.	1	160 Sq. Ft. ROOF
O	WOOD FENCE	10'	OPEN	1	
P	STORAGE SHED	6' x 10'	60 Sq. Ft.	1	60 Sq. Ft. ROOF
Q	STORAGE SHED	12' x 12'	144 Sq. Ft.	1	144 Sq. Ft. ROOF
R	STORAGE SHED	10' x 12'	120 Sq. Ft.	1	120 Sq. Ft. ROOF
S	SHADE STRUCTURE	6' x 8'	48 Sq. Ft.	1	48 Sq. Ft. CORRUGATED PLASTIC
T	SHADE STRUCTURE	5' x 10'	50 Sq. Ft.	1	42 Sq. Ft. CORRUGATED METAL
U	SHADE STRUCTURE	6' x 8'	48 Sq. Ft.	1	48 Sq. Ft. CORRUGATED METAL
V	SHADE STRUCTURE	5' x 8'	40 Sq. Ft.	1	40 Sq. Ft. CORRUGATED PLASTIC
W	SHADE STRUCTURE	5' x 8'	40 Sq. Ft.	1	40 Sq. Ft. CORRUGATED PLASTIC
X	SHADE STRUCTURE	6' x 8'	48 Sq. Ft.	1	48 Sq. Ft. CORRUGATED METAL
Y	SHADE STRUCTURE	8' x 16'	128 Sq. Ft.	1	128 Sq. Ft. CORRUGATED METAL
Z	SHADE STRUCTURE	6' x 8'	48 Sq. Ft.	1	48 Sq. Ft. CORRUGATED PLASTIC
AA	SHADE STRUCTURE	4'x6', 6' x 8'	144 Sq. Ft.	4	144 Sq. Ft. SHADE CLOTH

**SITE PLAN**

SCALE: 1" = 20'-0"



**LEGEND**



**M3 GRANITE CONSTRUCTION COMPANY**

**SUMMARY ANALYSIS**

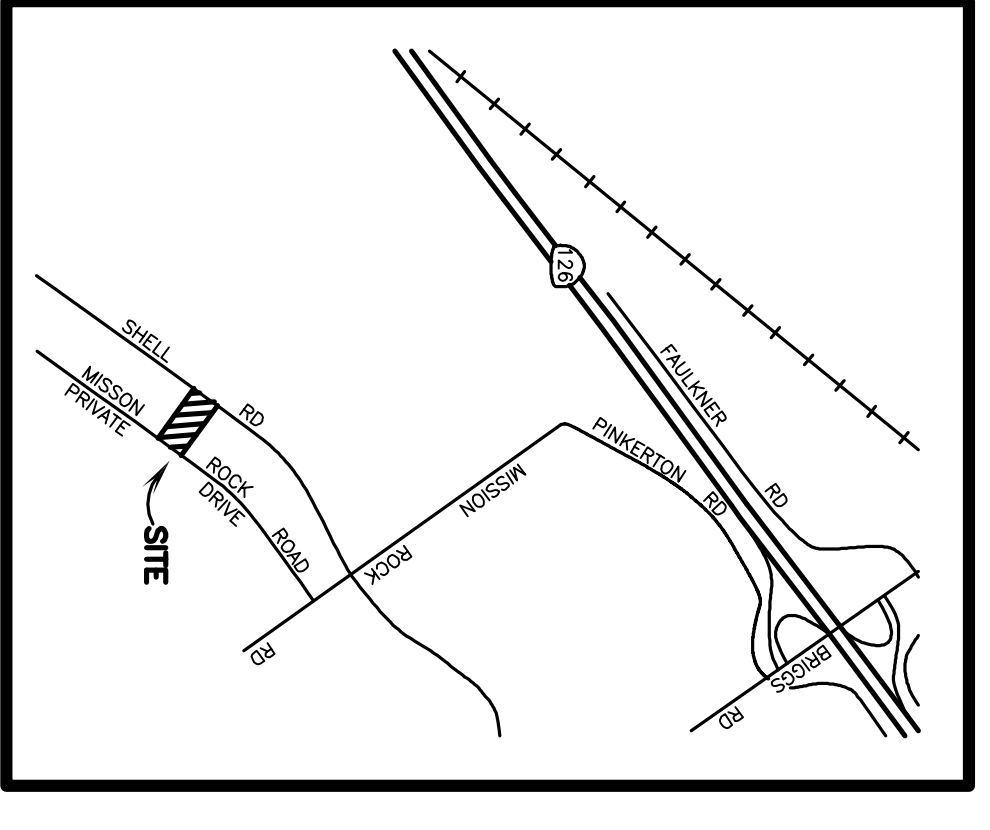
PROVIDED	REQUIRED
PARKING STANDARD 9' x 18'	4
HANDICAPPED	1
TOTAL	5
LIU10-0094 / ZC 14-0132	
	5
	5

**ZONE CLEARANCE:** ADD 1,038 SQ.FT. SHADE COVER 1.2% LOT COVER INCREASE

**GENERAL PLAN:** EXISTING COMMUNITY (MISSION ROCK ROAD)

**ZONING:** M-3, INDUSTRIAL LOT COVERAGE ALLOWED: 40%

**LAND USE MATRIX:** KENNEL - ANY LOT OR PREMISES, WITH OR WITHOUT STRUCTURES, WHERE PET ANIMALS SUCH AS DOGS OR CATS ARE KEPT FOR LIMITED PERIODS OF TIME, WHETHER FOR COMPENSATION OR NOT, FOR PURPOSES OF BOARDING, TRAINING, ANNUAL RESOLVE AND THE LIKE.



County of Ventura  
 Planning Director Hearing  
 Case No PL20-0001  
 Exhibit 3 - Site Plans

OWNER/APPLICANT:  
 SHARON L. CLARK  
 EXECUTIVE DIRECTOR  
 CARELIVE DIRECTOR  
 PO BOX 5022  
 VENTURA, CA 93005  
 (805) 797-6943

OWNER REP./CONTACT:  
 SHARON L. CLARK  
 EXECUTIVE DIRECTOR  
 CARELIVE DIRECTOR  
 PO BOX 5022  
 VENTURA, CA 93005  
 (805) 797-6943

SITE/PERMIT PLAN:  
 SHARON L. CLARK  
 EXECUTIVE DIRECTOR  
 CARELIVE DIRECTOR  
 PO BOX 5022  
 VENTURA, CA 93005  
 (805) 797-6943

APN: 090-0-190-330  
 LOT SIZE: 1.99 ACRES 86,728 Sq. Ft.  
 PERMIT AREA 1.99 ACRES 86,728 Sq. Ft.  
 PROPERTY LINE/CUP PERMIT AREA, 86,728 Sq. Ft.

No.	Description	Date

SHARON L. CLARK, EXECUTIVE DIRECTOR  
 C.A.R.L.  
 P.O. BOX 5022  
 VENTURA, CA 93005  
 (805) 797-6943

REQUEST: CUP  
 20 YEAR TIME EXTENSION TO CUP 4401-1  
 C.A.R.L.'S PET CARE CENTER  
 901 MISSION ROCK ROAD  
 SANTA PAULA, CA 93060  
 APN: 090-0-190-330

Job No. \_\_\_\_\_  
 Drawing No. \_\_\_\_\_  
 Drawn By \_\_\_\_\_ Date \_\_\_\_\_  
 PSM 04-02-2020  
 Scale: \_\_\_\_\_  
 Drawing No. \_\_\_\_\_  
 CARLS Pet Care Center  
 Scale: \_\_\_\_\_  
 Sheet 1 of 1  
 SITE PLAN  
 SP-1



## NOTICE OF EXEMPTION

### A. PROJECT DESCRIPTION:

Entitlement: Case No. PL20-0089: 20-year extension of the effective term of Conditional Use Permit LU10-0094

Applicant: Canine Adoption Rescue League

Location: 991 Mission Rock Road, Santa Paula

Assessor Parcel No(s): 090-0-190-335

Project Description: The applicant requests that a modified Conditional Use Permit (CUP) be granted to authorize the continued operation, of and minor additions, to an existing kennel/cattery used for the boarding, training, and animal rescue of cats and dogs for an additional 20-year period ending on August 30, 2040.

The existing facility includes a caretaker dwelling unit and attached garage (2,552 sq. ft.), kennel office area (1,531 sq. ft.), covered kennels/dog runs (8,137 sq. ft.), covered cat enclosures (900 sq. ft), individual covered dog houses (912 sq. ft), two sea cargo containers (160 sq.ft.) and three storage sheds (324 sq. ft.). The project also includes the legalization of an additional 1,148 square feet of shade cloth structures erected over animal exercise yards.

The subject facility will continue to operate within the same limitations imposed by the previously-granted permits. No more than 40 cats and 150 dogs will be allowed to board at the site at one time. There will continue to be eight employees who work in two shifts from 6:00am to 8:00pm. The kennel will be open to the public from 7:00 a.m. to 7:00 p.m. for seven days per week. Two employees will reside in the onsite caretaker dwelling unit and provide 24-hour monitoring of the facility.

The existing 11 parking spaces (i.e., six public parking spaces and five employee parking spaces) included in the onsite parking lot will be maintained. The existing drainage and water treatment facilities are not proposed to be altered.

Animal waste will be collected and disposed regularly throughout facility operation. Waste on the dog runs and exercise yards will be collected at

least twice a day and typically four times per day (i.e., before breakfast, before cleaning in the morning, before dinner, and after dinner). Waste is collected immediately when the dogs are moved back from the exercise yards. Cat litter pans are screened to remove fecal material at least twice per day. The collected animal waste is placed in plastic bags in buckets with lids located at various points around the facility. At least twice per day, the bagged waste is removed from the buckets and transported to the trash enclosure a minimum of two times per day (i.e., generally at noon and 6:00 p.m.).

The City of Santa Paula will continue to supply water to the project site. Sewage disposal will continue to be accommodated through the use of an onsite septic system.

**B. CONTACTS:**

Public Agency Approving Project: RMA Planning Division, County of Ventura

Contact Person: Mindy Fogg

Telephone No.: (805) 654-5192

**C. EXEMPT STATUS: (Check One)**

- Ministerial (Sec. 15268)
- Emergency Project (Sec.)
- Categorical Exemption (Sec. 15301)  
Type: Class 1, Existing Facilities
- The proposed project is not located in a hazardous or critical environmental resource area (Classes 3, 4, 5, 6, and 11), there are no significantly adverse cumulative impacts, and there are no unusual circumstances which would cause significant effects.
- No impact: (Sec. 15061(b)(3))
- Other Statutory Exemption (Sec. )

**D. STATEMENT OF REASON TO SUPPORT EXEMPT FINDING:**

The subject animal facility was originally authorized by the County with the granting of CUP No. 3232 on July 8, 1970. New permits were granted by the County in 1990, 2001 and 2012 to authorize continued operation of, and changes to, this animal services facility.

No substantive changes of the facility or its operation from that authorized with the granting of CUP LU10-0094 in 2012 are included in the current proposal. The requested permit would authorize the continued operation of the existing facility for an additional 20-year period ending on August 30, 2040. No significant adverse environmental effects have been identified that would result from the continued operation of the subject kennel. Given these circumstances, the proposed project is exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines. The section exempts the continuation of existing uses or structures from further environmental review. Further, the Project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Therefore, no further environmental review is required.

Based on the above discussion, the proposed project is categorically exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines.

Date of project approval: December XX, 2020

Prepared by:

MINDY FOGG, Manager  
Commercial and Industrial Permits

## Exhibit 5

Mission Rock Kennel  
**CONDITIONS OF APPROVAL**  
Conditional Use Permit No. PL20-0089  
APN 090-0-190-335

*These conditions of approval supersede and replace all of the project-specific conditions imposed with the granting of CUP 3232, CUP 4400, CUP 4400-1, and CUP LU10-0094, and all associated permit adjustments. These conditions of approval also supersede and replace the "umbrella" conditions imposed on all projects within the Mission Rock Road Community.*

*This permit authorizes the operation of animal keeping facility on the subject property subject to the limitations imposed by the following conditions of approval. Any changes in the character, intensity, location or timing of the activities authorized herein must be first approved by the County of Ventura Planning Division. A Zoning Clearance, Permit Adjustment or a Permit Modification may be required to authorize any proposed changes. Additional environmental review pursuant to CEQA may also be required. Any project change made without County authorization may constitute a violation of this permit and applicable law.*

### 1. Project Description:

This permit authorizes the continued operation of, and minor additions to, an existing kennel/cattery used for the boarding, training, and animal rescue of cats and dogs for a 20-year period ending on **August 30, 2040**.

The authorized facility includes a caretaker dwelling unit and attached garage (2,552 sq. ft.), kennel office area (1,531 sq. ft.), covered kennels/dog runs (8,137 sq. ft.), covered cat enclosures (900 sq. ft.), individual covered dog houses (912 sq. ft.), two sea cargo containers (160 sq.ft.) and three storage sheds (324 sq. ft.). An additional 1,148 square feet of shade cloth structures erected over animal exercise yards are also authorized.

The subject facility will continue to operate within the same limitations imposed by the previously-granted permits. No more than 40 cats and 150 dogs will be allowed to board at the site at one time. There will continue to be eight employees who work in two shifts from 6:00am to 8:00pm. The kennel will be open to the public from 7:00 a.m. to 7:00 p.m. for seven days per week. Two employees will reside in the onsite caretaker dwelling unit and provide 24-hour monitoring of the facility.

County of Ventura  
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Exhibit 5 - Conditions of Approval

The existing 11 parking spaces (i.e., six public parking spaces and five employee parking spaces) included in the onsite parking lot shall be maintained. The existing drainage and water treatment facilities shall be maintained without alteration.

Animal waste is to be collected and disposed regularly throughout facility operation. Waste on the dog runs and exercise yards shall be collected at least twice a day and typically four times per day (i.e., before breakfast, before cleaning in the morning, before dinner, and after dinner). Waste shall be collected immediately when the dogs are moved from the exercise yards. Cat litter pans shall be screened to remove fecal material at least twice per day. The collected animal waste shall be placed in plastic bags in buckets with lids located at various points around the facility. The bagged waste shall be removed from the buckets and transported to the trash enclosure a minimum of two times per day (i.e., generally at noon and 6:00 p.m.).

The City of Santa Paula will continue to supply water to the project site. Sewage disposal will continue to be accommodated through the use of an onsite wastewater treatment system.

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and all approved County land use hearing exhibits in support of the project and conditions of approval below.

## **2. Days and Hours of Operation**

**Purpose:** In order to conduct business hours consistent with typical commercial and industrial uses that are compatible with surrounding uses it is necessary to limit the days and hours of operation of the approved use.

**Requirement:** The kennel operations shall be limited to the following days and hours of operation:

The days and hours the kennel may be open to the public shall be limited to Monday through Sunday, 7 a.m. to 7 p.m. The employees' work shifts shall be limited to Monday through Sunday, 6 a.m. to 8 p.m. The caretakers residing in the approved on-site caretaker dwelling shall monitor the kennel on a 24-hour basis, as needed. The Permittee shall post the hours of operation in an obvious location that can be seen by customers. The signage must be made of weatherproof and permanent material and be in conformance with the Ventura County Non-Coastal Zoning Ordinance (Article 10) and consistent with Condition No. 26 (below).

**Documentation:** The Permittee shall provide the Planning Division with photographic documentation that the hours of operation have been posted as required pursuant to this condition.

**Timing:** The Permittee shall post the hours of operation prior to the issuance of Zoning Clearance for use inauguration and the Permittee shall maintain the posted hours of operation for the life of the permit.

**Monitoring and Reporting:** The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance by the Permittee with this condition consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

***This condition of approval (Condition No. 2) has been completed, but ongoing maintenance of the sign is required.***

### **3. Improvements required by CUP**

**Purpose:** To ensure the project site conforms to the plans approved at the Planning Director hearing in support of the project.

**Requirement:** The Permittee shall ensure that all required off-site and on-site improvements for the project, including structures, paving, parking, and landscaping are completed in conformance with the approved plans stamped as hearing Exhibit 3 - Site Plan, Floor Plans, and Elevations. The Permittee shall submit all final building and site plans for the County's review and approval in accordance with the approved plans.

**Documentation:** The Permittee shall obtain the Planning Division's stamped approval on the project plans and submit them to the County for inclusion in the project file. The Permittee shall submit additional plans to the Planning Division for review and stamped approval (e.g., tree protection and landscape plans) for inclusion in the project file as necessary.

**Timing:** Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall submit all final development plans to the Planning Division for review and approval. Unless the Planning Director and Public Works Director allow the Permittee to provide financial security and a final executed agreement, approved as to form by County Counsel, that ensures completion of such improvements, the Permittee shall complete all required improvements prior to use inauguration. The Permittee shall maintain the required improvements for the life of the permit.

**Monitoring and Reporting:** The County Building Inspector, Public Works Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority

to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

#### **4. Site Maintenance**

**Purpose:** To ensure that the CUP area is maintained in a neat and orderly manner so as not to create any hazardous conditions or unsightly conditions which are visible from outside the CUP area.

**Requirement:** The Permittee shall maintain the project site in compliance with the described uses outlined in Condition No. 1 (Permitted Land Uses). Only equipment and/or materials which the Planning Director determines to substantially comply with Condition No. 1 (Permitted Land Uses), or which are authorized by any subsequent amendments to this CUP, shall be stored on the property during the life of this CUP. In addition, the project site shall comply with the following regulations:

- No materials within the permit area may be piled or stored to a height greater than the height of the existing fence, unless such materials are enclosed within a permitted building.
- Only materials and equipment ancillary to the permitted use may be stored within the area that is subject to this CUP.
- All outside storage shall be fenced for security and public safety at the property line pursuant to the *Ventura County Non-Coastal Zoning Ordinance* (§8109-3.4.2).
- Restrooms shall be open and available for those employed at the kennel.
- In accordance with the *Ventura County Non-Coastal Zoning Ordinance* (§8109-3.1.1) all new utility lines, including electric, communications, street lighting and cable television, shall be placed underground by the Permittee, who shall make the necessary arrangements with the utility companies for the installation of such facilities.

**Documentation:** The terms and requirements of this CUP, including all conditions of approval, and any amendments thereto approved by the County.

**Timing:** Prior to the issuance of a Zoning Clearance for use inauguration and for the life of the permit.

**Monitoring and Reporting:** The County Building Inspector, Public Works Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this

condition consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

## **5. CUP Modification**

Prior to undertaking any operational or construction-related activity which is not expressly described in these conditions or Project Description, the Permittee shall first contact the Planning Director to determine if the proposed activity requires a modification of this CUP. The Planning Director may, at the Planning Director's sole discretion, require the Permittee to file a written and/or mapped description of the proposed activity in order to determine if a CUP modification is required. If a CUP modification is required, the modification shall be subject to:

- The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and,
- Environmental review, as required pursuant to CEQA (California Public Resources Code, §21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §15000-15387), as amended from time to time.

## **6. Construction Activities**

Prior to any construction, the Permittee shall obtain a Zoning Clearance for construction from the Planning Division, and a Building Permit from the Building and Safety Division. Prior to any grading, the Permittee shall obtain a Grading Permit from the Public Works Agency.

## **7. Acceptance of Conditions and Schedule of Enforcement Responses**

The Permittee's acceptance of this CUP and/or commencement of construction and/or operations under this CUP shall constitute the Permittee's formal agreement to comply with all conditions of this CUP. Failure to abide by and comply with any condition for the granting of this CUP shall constitute grounds for enforcement action provided in the Ventura County Non-Coastal Zoning Ordinance (2010, Article 14), which shall include, but is not limited to, the following:

- Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- Suspension of the permitted land uses (Condition No. 1);
- Modification of the CUP conditions listed herein;
- Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- The imposition of civil administrative penalties; and/or



- Revocation of this CUP.

The Permittee is responsible for being aware of and complying with the CUP conditions and all applicable federal, state, and local laws and regulations.

## **8. Time Limits**

### Use Inauguration:

The approval decision for this CUP becomes effective upon the expiration of the 10-day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a Zoning Clearance for use inauguration in order to initiate the land uses provided in Condition No. 1 (Project Description).

This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year [Ventura County Non-Coastal Zoning Ordinance (2005, §8111-4.7)] from the granting of this CUP. The Planning Director may grant a one-year extension of the deadline to obtain the Zoning Clearance for use inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to inaugurate the permitted land use, and the Permittee has requested the extension in writing prior to the one-year expiration date.

Prior to the issuance of the Zoning Clearance for use inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.

### Permit Life or Operations Period:

The use granted by this CUP will expire on August 30, 2040.

The Permittee is primarily responsible for renewing the CUP or extending the Permit Life or Operations Period authorized by the subject CUP. Failure of the County to provide notification to the Permittee of the expiration date shall not constitute grounds for continuance of this CUP after the expiration date.

The Planning Director may extend the effective term of this CUP, provided that:

- The Permittee files an application for a modification of this CUP
- prior to the expiration date. This CUP will continue in force until action is taken on the CUP modification and on any appeals.

- The Permittee can demonstrate to the County that the Permittee has continuously complied with all conditions of this CUP since it was granted.
- The Permittee can demonstrate to the County that the permitted land uses remain compatible with the land uses in the general area.
- The Permittee can demonstrate to the County that the Ordinance-required findings for approval (approval standards) for a CUP in effect at the time of application can be made for the proposed land use.
- The Planning Director reviews the CUP modification application and provides a written determination of the decision to grant or not grant the requested modification.

## **9. Consolidation of All Approved Exhibits and Permits**

**Purpose:** To ensure compliance with and notification of requirements of other federal, state, or local governmental regulatory agencies.

**Requirement:** The Permittee shall provide the Planning Division with documentation to verify that the Permittee has obtained or satisfied all applicable federal, state, and local entitlements and conditions.

**Documentation:** The Permittee shall provide this documentation to the County Planning Division in the form that is acceptable to the agency issuing the entitlement or clearance for the project file.

**Timing:** The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for use inauguration or as dictated by the respective agency.

**Monitoring and Reporting:** The Planning Division maintains the documentation provided by the Permittee in the respective project file. In the event that the permit is modified or changes are made by any other respective agency, the Permittee shall submit any revised documentation within 30 days of the modification.

## **10. Notice of CUP Requirements and Retention of CUP Conditions On-Site**

**Purpose:** To ensure full and proper notice of permit requirements and conditions affecting the use of the subject property.

**Requirement:** Unless otherwise required by the Planning Director, the Permittee shall notify, in writing, the Property Owner(s) of record, contractors, and all other parties and vendors regularly dealing with the daily operation of the proposed activities, of the pertinent conditions of this CUP.

**Documentation:** The Permittee shall maintain a current set of CUP conditions and exhibits retained at the site.

**Timing:** Prior to issuance of a Zoning Clearance for use inauguration and until expiration of the CUP.

**Monitoring and Reporting:** The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

## 11. Recorded Notice of Land Use Entitlement

**Purpose:** In order to comply with §8111-8.3 of the Ventura County Non-Coastal Zoning Ordinance, a notice shall be recorded on the deed of the subject property that describes the responsibilities of the Property Owner and Permittee for compliance with applicable permit conditions and regulations.

**Requirement:** The Permittee and Property Owner of record shall sign, have notarized, and record with the Office of the County Recorder, a Notice of Land Use Entitlement form furnished by the Planning Division, for the tax assessor's parcel that is subject to this CUP.

**Documentation:** The Permittee shall submit to the Planning Division a copy of the recorded Notice of Land Use Entitlement (NLUE) for review and approval.

**Timing:** The Permittee shall obtain the Planning Division approval of the NLUE prior to the issuance of a Zoning Clearance for use inauguration.

**Monitoring and Reporting:** The Planning Division staff shall place a copy of the recorded Notice of Land Use Entitlement in the project file.

## 12. Condition Compliance, Enforcement, and Other Responsibilities

Cost Responsibilities: The Permittee shall bear the full costs of all staff time, material costs, or consultant costs associated with the approval of studies, generation of studies programs as described below. The Permittee shall be financially responsible for the following:

- Condition compliance costs which include, but are not limited to, staff time, material costs, or consultant costs associated with the approval of studies, generation of studies or reports, ongoing permit condition compliance review, and CEQA Mitigation Monitoring/other monitoring programs; and,

- Monitoring and enforcement costs required by the Ventura County Non- Coastal Zoning Ordinance (§8114-3). The Permittee, or the Permittee's successors-in-interest, shall bear the full costs incurred by the County or its contractors for inspection and monitoring, and for enforcement activities related to the resolution of confirmed violations. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections, public reports, penalty hearings, forfeiture of securities, and suspension of this CUP. Costs will be billed at the contract rates in effect at the time enforcement actions are required. The Permittee shall be billed for said costs and penalties pursuant to the Ventura County Non-Coastal Zoning Ordinance (§8114- 3.4).

Maintenance of Revolving Compliance Account No. CC06-0063: Condition Compliance Account CC06-0063 was established pursuant to Umbrella Conditions (Part 1 of 2), Condition No. 9 of CUP 4400-1, and shall be maintained until expiration of this CUP (Condition 8, above). Condition Compliance Account CC06-0063 shall serve as a revolving condition compliance and enforcement account to be used by Ventura County agencies to cover costs incurred by Ventura County for Condition Compliance review, monitoring, and enforcement costs, and for enforcement costs and penalties assessed pursuant to the provisions of the Ventura County Ordinance Code, as it may be amended.

If any of the information provided in the existing reimbursement agreement for Condition Compliance Account CC06-0063 is outdated or otherwise incorrect, prior to issuance of a Zoning Clearance for Use Inauguration (Condition 8, above), the Permittee shall submit a new, signed reimbursement agreement with the updated and correct information. The reimbursement agreement obligates the Permittee to pay any Condition Compliance review, monitoring, and enforcement costs in accordance with this condition of approval. The reimbursement agreement also grants the Permittee the right to challenge any charges for Condition Compliance review, monitoring, and enforcement costs.

Monitoring and Enforcement Costs: The deposit and reimbursement agreement are required to ensure that funds are available for legitimate and anticipated costs incurred for Condition Compliance. All permits issued by the Planning Division may be reviewed and the sites inspected no less than once every three years, unless the terms of the permit require more frequent inspections. These funds shall cover costs for any regular compliance inspections or the resolution of confirmed violations of the conditions of this CUP and/or the Ventura County Non-Coastal Zoning Ordinance that may occur.

Billing Process: The Permittee shall pay any written invoices from the Planning Division within 30 days of receipt of the request. Failure to pay the invoice shall be grounds for suspension, modification, or revocation of this CUP. The Permittee shall have the right to challenge any charge prior to payment.

### **13. Defense and Indemnity**

As a condition of CUP issuance and use including adjustment, modification, or renewal thereof, the Permittee agrees to:

- Defend, at the Permittee's sole expense, any action brought against the County by a third party challenging either the County's decision to issue this CUP or the manner in which the County is interpreting or enforcing the conditions of this CUP; and
- Indemnify the County against any settlements, awards, or judgments, including attorney's fees, arising out of, or resulting from, any such legal action. Upon written demand from the County, the Permittee shall reimburse the County for any and all court costs and/or attorney's fees which the County may be required by a court to pay as a result of any such legal action the Permittee defended or controlled the defense thereof pursuant to Section 13.a above. The County may, at its sole discretion, participate in the defense of any such legal action, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.
- Neither the issuance of this CUP, nor compliance with the conditions thereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP serve to impose any liability upon the County of Ventura, its officers, or employees for injury or damage to persons or property.
- Except with respect to the County's sole negligence or intentional misconduct, the Permittee shall indemnify, defend, and hold harmless the County, its officers, agents, and employees from any and all claims, demands, costs, and expenses, including attorney's fees, judgments, or liabilities arising out of the construction, maintenance, or operations described in Condition No. 1 (Project Description), as it may be subsequently modified pursuant to the conditions of approval of this CUP.

### **14. Invalidation of Conditions**

If any of the conditions or limitations of this CUP are held to be invalid, that holding shall not invalidate any of the remaining CUP conditions or limitations. In the event the Planning Director determines that any condition contained herein is in conflict with any other condition contained herein, then where principles of law do not provide to the contrary, the conditions most protective of public health and safety and natural environmental resources shall prevail to the extent feasible.

In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee an action filed in a court of law, or threatened to be filed therein, which action is brought in the time period provided for by the *Code of Civil Procedures* (§1094.6), or other applicable law, this CUP shall be allowed to continue in force until the expiration of the limitation period applicable to such action, or until final resolution of such action, provided the Permittee has, in the interim, fully complied with the fee, exaction, dedication, or other mitigation measure being challenged.

If a court of law invalidates any condition, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, at the discretion of the Planning Director, the Planning Director may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Director shall make the determination of adequacy. If the Planning Director cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

#### **15. Consultant Review of Information and Consultant Work**

The County and all other County permitting agencies for this land use have the option of referring any and all special studies that these conditions require to an independent and qualified consultant for review and evaluation of issues beyond the expertise or manpower of County staff.

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this CUP, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the costs of such work. Whenever feasible, the County will use the lowest bidder. Any decisions made by County staff in reliance on consultant or contractor work may be appealed pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 12 above, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

## **16. Relationship of CUP Conditions, Laws and Other Permits**

The Permittee shall design, maintain, and operate the CUP area and any facilities thereon in compliance with all applicable requirements and enactments of Federal, State, and County authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any CUP condition contained herein is in conflict with any other CUP condition contained herein, when principles of law do not provide to the contrary, the CUP condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this CUP for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules or regulations, or orders of an authorized governmental agency. Neither the issuance of this CUP, nor compliance with the conditions of this CUP, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

A business tax certificate and regulatory licenses shall be obtained for operation of the dog and cat boarding kennel.

## **17. Contact Person**

**Purpose:** To designate a person responsible for responding to complaints.

**Requirement:** The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP. The designated contact person shall be available, via telecommunication, 24 hours a day.

**Documentation:** The Permittee shall provide the Planning Director with the contact information (e.g., name and/or position title, address, business and cell phone numbers, and email addresses) of the Permittee's field agent who receives all orders, notices, and communications regarding matters of condition and code compliance at the CUP site.

**Timing:** Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall provide the Planning Division the contact information of the Permittee's field agent(s) for the project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide the Planning Division with the new information in writing within three calendar days of the change in the Permittee's field agent.

**Monitoring and Reporting:** The Planning Division maintains the contact information provided by the Permittee in the respective project file. The Planning Division has the

authority to periodically confirm the contact information consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

## 18. Resolution of Complaints

The following process shall be used to resolve complaints related to the project:

- The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 17 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about the operation of the kennel may directly contact the Contact Person;
- If a written complaint about this project is received by the County, Planning staff will contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and,
- If, following a complaint investigation by County staff, a violation of Ventura County Code or a condition of this permit is confirmed, County enforcement actions pursuant to §8114-3 of the Ventura County Non-Coastal Zoning Ordinance may be initiated.

## 19. Change of Owner and/or Permittee

**Purpose:** To ensure that the Planning Division is properly and promptly notified of any change of ownership or change of Permittee affecting the CUP site.

**Requirement:** The Permittee shall file, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). The Permittee shall provide the Planning Director with a final notice once the transfer of ownership and/or operational control has occurred.

**Documentation:** The initial notice must be submitted with the new Property Owner's and/or Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP.

**Timing:** The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.



**Monitoring and Reporting:** The Planning Division maintains notices submitted by the Permittee in the project file and has the authority to periodically confirm the information consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

## **20. Implementation and Maintenance of Required Mission Rock Road Community Improvements**

The Mission Rock Road area property owners created a Property Owners Association (POA) and recorded Codes, Covenants, and Restrictions (CC&Rs) requiring the on- going implementation and maintenance of the following items:

- The elimination of traffic related problems, pursuant to the approved "As Built" Road Improvement Plan dated August 20, 1992 (Drawing No. 62462-67);
- An effective drainage system which will deter sheet flooding, pursuant to the approved "As Built" Drainage Improvement Plan dated September 29, 1993 (Drawing No. 62408-14, GP8613); and,
- Adequate fire protection through the approved Fire Protection System Plans dated May 23, 1986, which include the installation and maintenance of fire hydrants and sufficient fire flow.
- The Permittee shall continue to participate throughout the life of this CUP in the continued implementation and maintenance of the items noted above, as required by the POA and its CC&Rs, by providing, upon request, the Planning Director with a letter from the POA acknowledging payment of the required dues of the Permittee and showing the Permittee is in good standing with the POA and its CC&Rs.

This condition is required in order to implement mitigation measures that were identified in the Mitigated Negative Declaration (1990, Section III, Environmental Impacts and Mitigation Measures, B. Implementation and Enforcement), which was adopted for projects within the Mission Rock Road Community.

## **21. Building Color/Material Specifications**

Pursuant to the requirements of §8109-3.4.1 of the Ventura County Non-Coastal Zoning Ordinance, metal buildings, including accessory buildings, shall:

- (a) have exterior surfaces constructed or faced with a stainless steel, aluminum, painted, baked enamel, or similarly finished surface;

- (b) be reasonably screened from view from any street by other buildings or by appropriate walls, fencing, earth mounds or landscaping; or,
- (c) be located at least 100 feet from the street centerline.

## **22. Specific Industrial Zone Standards**

Pursuant to Article 9 of the Ventura County Non-Coastal Zoning Ordinance, the Permittee shall maintain the kennel in compliance with the following requirements,

which also satisfy the mitigation measures identified in the original 1990 MND that are designed to reduce the impacts of concentrations of pollutants that are discharged into the Santa Clara outfall as a result of flood channelization:

Objectionable Factors - The following shall be maintained at levels which are appropriate for the zone and geographic area and are not objectionable at the point of measurement, as determined by the Planning Director, when the use is in normal operation:

- Smoke, odors, vapors, gases, acids, fumes, dust, dirt, fly ash, or other forms of air pollution;
- Noise, vibration, pulsations, or similar phenomena;
- Glare or heat; and,
- Radioactivity or electrical disturbance.

The point of measurement for these factors shall be at the lot or ownership line surrounding the use.

Hazardous Materials - Land or buildings shall not be used or occupied in any manner so as to create any fire, explosive, or other hazard. All activities involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local and national safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate fire-fighting and fire suppression equipment in compliance with the Ventura County Fire Protection District's regulations. The burning of waste materials in open fires without written approval of the Ventura County Fire Protection District is prohibited.

Liquid and Solid Wastes - Liquid or solid wastes discharged from the premises shall be properly treated prior to discharge so as not to contaminate or pollute any watercourse or groundwater supply or interfere with bacterial processes in sewage treatment. The disposal or dumping of solid wastes, such as slag, paper, and fiber

wastes, or other industrial wastes shall not be permitted on any premises.

Exceptions -..Exceptions to these regulations may be made during brief periods for reasonable cause, such as breakdown or overhaul of equipment, modification or cleaning of equipment, or other similar reason, when it is evident that such cause was not reasonably preventable, as determined by the Planning Director. These regulations shall not apply to the operation of motor vehicles or other transportation equipment unless otherwise specified.

### **23. Availability of Parking Spaces**

**Purpose:** To ensure compliance with all applicable provisions in §8108-3 of the Ventura County Non-Coastal Zoning Ordinance.

**Requirement:** The Permittee shall ensure that the 11 motor vehicle parking spaces (including accessible spaces) for the kennel operation and the required two-vehicle covered parking spaces for the existing caretaker residence, remain continuously available for their intended parking use and are not used for merchandise display, storage, vehicle repair, or any other unauthorized use. The Permittee and Property Owner shall maintain the required parking area as illustrated on the approved site plan. This maintenance requirement includes, but is not limited to, the number of parking spaces, curbs, directional markings, accessible parking symbols, screening, sight distance, surfaces, signs, striping, lighting fixtures, landscaping, and trash and recyclables enclosures.

**Documentation:** A stamped copy of the approved site plan.

**Timing:** The Permittee shall install all components of the required parking area as indicated on the approved site plan prior to the issuance of a Zoning Clearance for use inauguration, and shall maintain the required parking area as illustrated on the approved site plan for the life of the permit.

**Monitoring and Reporting:** The Planning Division maintains a stamped copy of the approved site plan provided by the Permittee in the project file. The Building and Safety Inspector and Planning Division have the authority to inspect the site to ensure compliance with the approved site plan prior to use inauguration. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

### **24. Trash and Recycling Storage Area**

**Purpose:** In order to comply with §8106-8.7 and §8108-5.13 of the Ventura County Non-Coastal Zoning Ordinance.

**Requirement:** The Permittee shall ensure that trash and waste diversion (e.g., recyclables and yard waste) enclosures are constructed and maintained on the project site in accordance with the County of Ventura's adopted "Space Allocation for Recycling and Refuse Collection Design Criteria and Specifications Guidelines."

**Timing:** The Permittee shall submit elevation and floor plans of the proposed trash enclosure for review and approval by the Planning Division. The trash enclosure shall be installed prior to the issuance of the Zoning Clearance for use inauguration.

**Documentation:** A copy of the approved elevation and floor plans.

**Monitoring and Reporting:** The Planning Division maintains a copy of the approved plans in the project file. The Planning Division has the authority to inspect the site to ensure that the enclosure is constructed as illustrated on the approved plans prior to issuance of the Zoning Clearance for use inauguration. The Planning Division has the authority to periodically inspect the site to ensure that the trash enclosure is maintained consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

***This condition of approval (Condition No. 24) has been completed, but any changes to the approved trash enclosure must be approved by the Planning Director.***

## 25. Landscaping

### Required M3 Zone Landscaping:

**Purpose:** The purpose of this condition is to ensure that the Permittee maintains the project site in compliance with the County's landscaping requirements for the M3 zone.

**Requirement:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (§8109-0.6.4) projects in the M3 zone: shall have at least five percent of the permit area landscaped; required yards adjacent to streets shall be improved with appropriate permanently maintained evergreen plant material or ground covers; and, trees shall be planted along the street line of each site.

### Landscape Screening:

**Purpose:** The purpose of this landscape screening condition is to ensure that the project remains in conformance with the County's General Plan Policies related to protecting eligible scenic resources and the 2001 Mitigated Negative Declaration Addendum, which identified potentially significant, but mitigable, impacts to visual resources.

**Requirement:** Landscape screening shall be provided to soften the appearance of the industrial site from motorists traveling on State Route 126, by complying with the following:

1. Provides visual relief. Landscaping shall be provided that softens and screens the project from State Highway 126 and blends in with the surrounding environment, which is agriculture crop production and industrial uses.
2. Ensures compatibility with community character. Landscaping shall be provided that visually integrates the development with the character of the surrounding community.

In addition, all required landscaping shall be designed to require minimal amounts of water and to use required water efficiently, in accordance with the water efficiency requirements of the Landscape Design Criteria, and shall achieve the following design objectives:

3. Use Available Non-potable Sources of Water. The landscape shall integrate the harvesting and/or use of alternative, non-potable sources of water, including stormwater, reclaimed water, and graywater, where feasible.
4. Protection of Solar Access. The landscape shall be designed to avoid the introduction of vegetation that would now or in the future cast substantial shadow on existing solar collectors or photovoltaic cells, or impair the function of a building using passive solar heat collection.
5. Create Viable Growing Environment. Landscape design shall address the needs of the plants to ensure their health, long-term viability and protection.
6. Crime Deterring. The landscape design shall deter crime by allowing unobstructed views of vulnerable doors and windows from the street and other properties, avoiding blind spots and hiding spaces, and creating pedestrian walkways that are safe.

**Documentation:** The Permittee shall submit to the County of Ventura Planning Division for review and approval three sets of a draft landscape plan prepared by a California registered landscape architect (or other qualified individual as approved by the Planning Director), demonstrating compliance with the requirements set forth in this condition (above). Additionally, the Permittee shall install and maintain the approved landscaping for the approved, un-built parking lot area (Permit Adjustment Case No. LU09-0086) pursuant to the approved landscaping plans, dated October 14, 2009, prepared by Jordan, Gilbert & Bain, Landscape Architects, Inc. Any changes to approved landscape plans that affect the character or quantity of the plant material or irrigation system design must be approved by the Planning Director prior to installation.

**Timing:** The Permittee shall submit the landscape plan to the Planning Division for review and approval prior to issuance of a Zoning Clearance for use inauguration. The Permittee shall install all required landscaping prior to issuance of a Zoning Clearance for use inauguration.

**Monitoring and Reporting:** The Planning Division maintains the landscape plans and statement by the landscape architect provided by the Permittee in the project file and has the authority to periodically confirm that the landscaping is maintained by the Permittee in accordance with the approved plan consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance. The Permittee is required to remedy any defects in landscape maintenance, as indicated by the County inspector, within two weeks of written notification of such defect. The Permittee shall bear the full cost of the County's landscape maintenance inspection and review. Any future landscaping of the industrial site shall be in conformance with any adopted Ventura County Landscape Design Guidelines and the standards set forth in the Ventura County Non-Coastal Zoning Ordinance (§8109-0.6.4).

***This condition of approval (Condition No. 25) has been completed, but any changes to the approved landscape plan must be approved by the Planning Director.***

## **26. Sign Plan**

**Purpose:** To ensure signage on the property is designed in conformance with Chapter 1, Article 10 of the Ventura County Non-Coastal Ordinance.

**Requirement:** The Permittee shall submit two copies of a sign plan to the Planning Division for review and approval prior to the issuance of a Zoning Clearance for use inauguration. The sign plan shall include the proposed size, colors, materials, and lighting details. The Permittee shall bear the total cost of such review and approval. In addition, the Permittee shall post a sign at the entrance to the project site that provides information on the permitted hours of operation, including telephone numbers for the Contact Person. (See Condition 17- Contact Person.)

**Documentation:** The Permittee shall submit the sign plan to the Planning Division for review and approval.

**Timing:** Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall obtain approval of the plan from the Planning Division. The signage must be maintained on-site for the life of the permit.

**Monitoring and Reporting:** The Planning Division maintains a stamped copy of the approved sign plan in the project file. The Permittee shall be responsible for obtaining a Zoning Clearance for any new or replacement sign to assure that the signage for

the project continues to comply with the approved sign plan and Chapter 1, Article 10 of the Ventura County Non-Coastal Ordinance. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

***This condition of approval (Condition No. 26) has been completed, but any changes to approved signs or the addition of new signage will require the Permittee to obtain a Zoning Clearance prior to installation.***

#### **27. Minimizing Nuisance Impacts and Setbacks from Agricultural Uses**

The Permittee shall take whatever reasonable steps are necessary, as determined by the Planning Director, to prevent significant nuisance impacts from occurring outside the CUP area. Significant nuisance impacts include, but are not limited to, noise, dust, odors, lighting, and glare. In order to determine the significance of the nuisance, the Planning Director may consider the number and types of neighbor complaints, and conduct inspections of the site and surrounding areas. Any questions about what constitutes significant off-site nuisance levels shall be resolved by the Planning Director or other public agency (e.g., the Air Pollution Control District) as the Planning Director may designate.

#### **28. Animal Solid Waste**

The storage, handling, and disposal of animal wastes shall be in a manner that will not create or promote potential vector breeding sources. This can be accomplished by storing the waste in water-tight containers with tight fitting lids and removed from the property at least once each week, or by other methods approved by EHD.

#### **29. Animal Wastewater**

Wastewater generated from confined animal enclosures must be handled in a manner consistent with the State Water Resources Control Board Guidelines for Animal Confinement Areas.

#### **30. Domestic Waste**

Only domestic waste as defined in the County Building Code Ordinance shall be discharged into the on-site sewage disposal system.

#### **PUBLIC WORKS AGENCY (PWA) Conditions**

The PWA - Watershed Protection District (WPD) conditions (below) will satisfy the mitigation measures identified in the original MND, which will reduce impacts from pollutants that are discharged into the Santa Clara River outfall as a result of flood

channelization. Monitoring of the mitigation measures shall consist of annual inspections, responding to complaints, and the issuance of, and compliance with, the required WPD permits. The Ventura County Planning Division will verify that the Permittee has obtained the required WPD permits and will ensure compliance with Condition Nos. 31 through 39, through inspection and monitoring activities conducted pursuant to Condition No. 12 and §8114-3.5 of the Ventura County Non-Coastal Zoning Ordinance.

*Conditions of Approval Nos. 31-39 are required in order to implement mitigation measures that were identified in the Mitigated Negative Declaration (1990, Section III, Environmental Impacts and Mitigation Measures, B. Implementation and Enforcement). The mitigation measures are required in order to mitigate potential flooding impacts.*

### **31. Grading Permit**

**Purpose:** In order to ensure the Permittee performs all grading in compliance with Appendix J of the Ventura County Building Code.

**Requirement:** The Permittee shall submit a grading plan showing existing and proposed elevations to the Public Works Agency's Development and Inspection Services Division for review and approval. A State licensed civil engineer must prepare and submit the grading plans to the Development and Inspection Services Division for review and approval. The Permittee must post sufficient surety in order to ensure proper completion of the proposed grading.

**Documentation:** All materials, as detailed on Public Works Agency Form DS-37 and/or DS-44, must be submitted to the Development and Inspection Services Division for review and approval.

**Timing:** All applicable documentation, as specified above, must be approved prior to issuance of a zoning clearance for use inauguration.

**Monitoring and Reporting:** Public Works Agency engineers will review grading plans and reports for compliance with Ventura County codes, ordinances and standards, as well as state and federal laws. Public Works Agency inspectors will monitor the proposed grading to verify that the work is done in compliance with the approved plans and reports.

***This condition of approval (Condition No. 31) has been completed, but any new grading will require the Permittee to obtain a grading permit and/or a Zoning Clearance prior to ground disturbance.***



### **32. Drainage Plan**

**Purpose:** To ensure runoff is discharged in accordance with Ventura County Building Code, Ventura County Public Works Agency, Watershed Protection District, national and State standards.

**Requirement:** The Permittee shall submit drainage plans and hydrologic and hydraulic calculations, which are prepared by a registered civil engineer, to the Public Works Agency's Development and Inspection Services Division for review and approval. The Permittee shall post sufficient surety in order to ensure proper completion of the drainage plan.

**Documentation:** Drainage plans and hydrologic and hydraulic calculations shall address the following: quantities of water, water flow rates, major water courses, drainage areas and patterns, diversions, collection systems, flood hazard areas, sumps, debris basins, detention facilities, and drainage courses and mitigation measures devised to manage the drainage. The hydrologic and hydraulic calculations shall be in compliance with the Ventura County Watershed Protection District's hydrology and design manuals. The hydrologic and hydraulic calculations shall include evidence that all the buildable sites in the proposed project will be protected from flooding based on a 1% annual chance storm.

**Timing:** All documentation, as specified above, must be approved by the Public Works Agency prior to issuance of a Zoning Clearance for use inauguration.

**Monitoring and Reporting:** Public Works Agency engineers will review drainage plans and hydrologic and hydraulic calculations for compliance with state and federal laws, as well as Ventura County codes, ordinances and standards. Public Works Agency inspectors will monitor the construction to verify that the work is done in compliance with the approved plans and reports.

***This condition of approval (Condition No. 32) has been completed, but any new grading or paving will require the Permittee to obtain a grading permit and/or a Zoning Clearance prior to ground disturbance.***

### **33. Animal Waste Disposal**

All animal waste solids shall be placed in covered dumpster containers and removed to a legal off-site receiving facility such as a landfill or similar location approved for such disposal. Upon request the Permittee shall provide the Watershed Protection District copies of all manifested animal waste solids hauled to the legal off-site receiving facility.

#### **34. Hazardous Materials Storage**

All hazardous materials, chemicals, and fertilizers shall be placed in a building designated and equipped for the safe storage of the hazardous materials, chemicals and fertilizers.

#### **35. NPDES Permit Compliance**

Development shall be undertaken in accordance with all conditions and requirements of the Ventura Countywide Stormwater Quality Management Program, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS004002 (Stormwater Permit). The project shall employ NPDES best management practices in accordance with the Ventura Countywide Stormwater Program "Technical Guidance Manual for Stormwater Quality Control Measures" (Technical Guidance Manual), the California Stormwater Quality Association (**CASQA**) "BMP Handbooks" and/or other approved reference documents cited in the Stormwater Permit.

#### **36. Maintenance Plan**

Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall provide the Watershed Protection District with a written Maintenance Manual detailing how the proposed porous pavement and Best Management Practices (BMP) devices will be managed in accordance with Appendix D of the Technical Guidance Manual. The Permittee shall keep copies of all maintenance records and inspection logs for at least 3 years and provide them to the Watershed Protection District upon request.

***This condition of approval (Condition No. 36) has been completed.***

#### **37. Maintenance Agreement**

Prior to issuance of a Zoning Clearance for use inauguration, the Permittee shall provide the Watershed Protection District with a copy of a recorded County "Covenant for Maintenance of Stormwater Treatment Device" (available at <http://ventura.org/rma/planning/Permits/discretionary.html>), which requires all property owners and their successors in interest to assume all BMPs duties and responsibilities including, but not limited to, maintenance of all BMPs and all equipment which is required for implementation of BMPs. Contained within the Covenant and Deed Restriction must be a description of the BMPs that are being provided as part of the project, a description of the maintenance requirements and how the necessary maintenance shall be performed.

***This condition of approval (Condition No. 37) has been completed.***

### **38. Compliance with SQUIMP**

Prior to the issuance of a Zoning Clearance for use inauguration, the Water Quality Section shall inspect the installed porous pavement to ensure that property Low Impact Development and Stormwater Quality Urban Impact Mitigation Plan (SQUIMP) conditions have been met.

***This condition of approval (Condition No. 38) has been completed.***

### **39. Floodplain Clearance (Development proposed outside of the 1% annual chance floodplain)**

**Purpose:** To comply with the *Ventura County Flood Damage Mitigation Ordinance* and *Ventura County General Plan Goals, Policies and Procedures Policy 2.10.2* to technically verify that impacts to the proposed development are less than significant from flooding conditions during the 1% annual chance storm event.

**Requirement:** The Permittee shall obtain a Floodplain Clearance from the County Floodplain Manager. The Floodplain Clearance will be verified by the County Floodplain Manager that the proposed development is located outside the mapped boundaries of the 1% annual chance floodplain as determined from the latest available Digital Flood Insurance Rate Map (DFIRM) provided by the Federal Emergency Management Agency (FEMA).

**Documentation:** A Floodplain Clearance issued by the County Public Works Agency Floodplain Manager.

**Timing:** The Floodplain Clearance shall be obtained prior to the approval of a building permit, a grading permit, or an underground storage tank and septic tank permit.

**Monitoring and Reporting:** A copy of the approved Floodplain Clearance shall be provided to the RMA, Building and Safety Division as well as maintained in the case file by the Public Works Agency.

***This condition of approval (Condition No. 39) has been completed.***

### **Ventura County Fire Protection District (VCFPD) Conditions**

#### **40. Post Address Numbers**

Address numbers, a minimum of six inches high, shall be installed on the fence outside the facility facing the street. The numbers shall be of contrasting color to the background and shall be readily visible at night. Brass or gold-plated numbers shall not be used. Address numbers may be increased in size at the discretion of the Fire District.

**41. Access Road Gates**

Any gates to control vehicle access are to be located to allow a vehicle waiting for entrance to be completely off the intersecting roadway. A minimum clear open width of 20 feet shall be provided. If gates are to be locked, a Knox system shall be installed.

**42. Fire Extinguishers**

Fire extinguishers shall be installed in accordance with the International Fire Code. The placement of extinguishers shall be subject to review by the VCFPD.

**43. Fire Code Permits**

Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall obtain all applicable International Fire Code (IFC) permits. Storage and use of hazardous materials shall be in accordance with the IFC.

**44. Change of Ownership:**

At least 10 days prior to any change in ownership the Permittee shall submit written notification to the VCFPD.

**Ventura County Sheriff's Department Conditions**

**45. Security Lighting**

The Permittee shall provide adequate security lighting (e.g., parking lots to be well lighted with a minimum 1 foot candle of light at ground level, lighting devices to be protected from the elements and constructed of vandal resistant materials and located high enough to discourage anyone on the ground from tampering with them).

**46. Landscaping Limitations**

The Permittee shall avoid installing landscaping which interferes with police surveillance (e.g., landscaping must not cover any exterior door or window, landscaping at entrances and exits or at any parking lot intersection must not block or screen the view of a seated driver from another moving vehicle or pedestrian, and trees must not be placed underneath any overhead light fixture which would cause a loss of light at ground level).

**Animal Services Department (ASD) Conditions**

**47. Health and Safety of animals**

**Purpose:** To ensure that buildings and structures meet the health and safety needs of the animals.

**Requirement:** All kennels and the facility shall be kept clean, dry, and free from debris. Kennels must be protected against environmental extremes as well as have adequate ventilation and air flow. The following features must be incorporated into facility design:

- Dogs must have a resting surface 6 inches off the kennel floor.
- All walls separating kennels shall be 5 feet high.
- Kennel flooring shall be made of concrete inside and outside. The concrete flooring shall be graded and sealed which allows the water to run off and not create free standing water.
- Kennel walls must be made or constructed of non-porous material, to allow for easy and effective disinfection.
- Kennels are to be kept free of debris or material that interferes with proper sanitation.
- Kennels shall be kept free of any sharp objects or edges that would cause the animal injury.

**Timing:** Completed prior to the issuance of Kennel License.

**Monitoring and Reporting:** Ventura County Animal Services has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition.

**48. Circulation of animals**

**Purpose:** To ensure the animals have enough room to circulate.

**Requirement:** Indoor kennels for individual dogs must meet the following minimum sizes:

Animal	Kennel Dimensions (feet)		
	Width	Length	Height
Small to Medium dogs	3	3	6
Large dogs	4	4	6
Extra large dogs	5	5	6

For multiple animals, kennels must meet the following minimum sizes:

Animal(s)	Kennel Dimensions (feet)		
	Width	Length	Height
One large dog or two small dogs	5	10	6
Two large dogs or four small dogs	5	15	6

Exercise pens must be at least 10 feet by 10 feet in size. The exercise pens must have a shaded area for hot days. All dogs shall have a minimum of 30 minutes of exercise in a pen daily. Puppies shall be exercised twice a day.

**Timing:** Completed prior to the issuance of Kennel License.

**Monitoring and Reporting:** Ventura County Animal Services has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition.

**49. Prevention of Infections and Diseases**

**Purpose:** To prevent the outbreak of infections and disease.

**Requirement:** Pet waste shall be removed at least twice a day and put into an airtight trash type container or hosed down the drain. The Permittee shall arrange to have the solid waste picked up on a weekly basis by a licensed waste hauler.

Kitchens or any area surface where food is kept or prepared must be disinfected daily. Dog food must be kept in airtight containers that must be rodent and pest proof.

Bedding and blankets must be washed every other day. If the blanket or bedding is soiled it must be removed immediately and a new fresh blanket given to the dog. The Permittee shall add bleach or a bleach alternative to the laundry detergent used to wash blankets.

Kennels are to be disinfected and sanitized daily. Any disinfectant that is used must be non-harmful to animals and used within the manufacturer's guidelines. Dogs are to be removed from the kennels while it is being cleaned.

**Timing:** Completed prior to the issuance of Kennel License.

**Monitoring and Reporting:** Ventura County Animal Services has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition.

## **50. Feeding Procedures and Schedule**

**Purpose:** To ensure the animals are properly fed.

**Requirement:** At a minimum, dogs must be fed once per day and 2-3 times per day for puppies. Dogs must have fresh water available at all times.

Food bowls must be removed after the dog(s) is finished eating and any left over's need to be thrown away. If daily food bowls are not provided and removed, there must be only enough feed for 1 day and it must be placed in a bottom feeder.

For disinfection, food bowls must be soaked in bleach for a minimum of 10 minutes then washed and air dried. If the Permittee uses a dishwasher, the Permittee shall wash the dishes with dish soap and then put the dishes into the dishwasher.

**Timing:** Completed prior to the issuance of Kennel License.

**Monitoring and Reporting:** Ventura County Animal Services has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition.

## **51. Incoming Animals**

**Purpose:** To prevent the spread of infections from incoming animals.

**Requirement:** Every dog must be current on all its vaccinations including rabies.

Any and all veterinary records must be available for review at any time during normal business hours.

**Documentation:** Veterinary Records and Kennel Inventory.

**Timing:** Completed prior to the issuance of Kennel License.

**Monitoring and Reporting:** Ventura County Animal Services has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition.

## **52. Evacuation Procedures**

**Purpose:** To insure the swift evacuation of animals during an emergency.

**Requirement:** A written fire evacuation plan shall be approved by Ventura County Animal Services.

**Documentation:** Preparation of a plan.

**Timing:** Completed prior to the issuance of Kennel License.

**Monitoring and Reporting:** Ventura County Animal Services has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition.

\*\*\*\*\*END\*\*\*\*\*