OWNER/APPLICANT: EAST HILL VETERINARY CLINIC
CHANA EISENSTEIN AND HOLLY BENNETT
1200 EAST HILL ROAD
WILLITS, CA 95490

AGENTS: R. WAYNE BASHORE
22823 DAVIS ST.
WILLITS, CA 95490

REQUEST: Use Permit for the expansion of a legal non-conforming use for the grading of site, replacement and expansion of the existing boarding kennels to 540 square feet and small veterinary clinic to 4,800 square feet, and the placement of a new 1,200 square foot large animal veterinary clinic.

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

RECOMMENDATION: Approve with conditions

LOCATION: 2 ± southeast of Willits, extending 1,000± feet north from East Hill Road (CR# 301), 14 ± miles west of its intersection with Center Valley Road (CR#303), located at 1200 East Hill Road, Willits; APN 103-160-37.

TOTAL ACREAGE: 2.8± Acres

ZONING: AG 40

ADJACENT ZONING: AG 40, RR 5

GENERAL PLAN: AG 40, RR 5

EXISTING USES: Residential, Vacant

SURROUNDING LAND USES:

North: Residential
East: Commercial
West: Residential
South: Agricultural

SURROUNDING LOT SIZES: 7± acres - 23± acres

SUPERVISORIAL DISTRICT: 3

OTHER RELATED APPLICATIONS ON SITE:

- Use Permit #U 25-73 established the veterinary business on the subject property.
- Use Permit #U 78-82 was approved by the Planning Commission on September 2, 1982, in order to legalize and expand the existing veterinary clinic and mobile home for night duty quarters.
• Use Permit Modification #UM 78-82/87 was approved by the Zoning Administrator on November 12, 1987 as a modification to expand the existing small animal veterinary clinic by constructing a 3,264 square foot addition to an existing 1,250 structure (veterinary clinic).

• Use Permit Modification #UM 78-82/97 was approved by the Zoning Administrator on January 8, 1998 as a modification to expand the existing small animal veterinary clinic by constructing a 3,264 square foot kennel facility for up to 20 dogs.

SURROUNDING AREA:

No significant permits have been issued on adjoining properties. Surrounding area is mostly rural residential properties with agricultural uses and moderate to large acreages.

PROJECT DESCRIPTION:

The East Hill Veterinary Clinic is requesting to expand their legal non-conforming use as a veterinary clinic and boarding kennel. The project will consist of four phases, the first will have proposed grading for a new building pad, re-grading for the road and parking areas and the removal of the existing 640 square foot boarding kennels. Phase two will consist of the demolishment of the existing 2,400 square foot clinic and relocate and reconstruct a new 4,800 square foot clinic. Phase three will be the construction of a new 540 square foot boarding kennel. Phase four will be the construction of a new 1,200 square foot large animal clinic. In order for the project to be completed three trees will need to be removed and the existing sign will be modified but will not increase in size. Security and walking lights are proposed for the structure. There will be 26 onsite parking spaces provided.

ENVIRONMENTAL REVIEW:

A Draft Initial Study and Proposed Mitigated Negative Declaration has been prepared for the project with supporting materials provided by the applicant and consulting agents. The document was used to identify potentially significant impacts pursuant to California Environmental Quality Act (CEQA) guidelines Section 15063. The draft environmental document has been attached as part of the subject report. All application materials are available for review at the Ukiah office of the Department of Planning and Building Services.

KEY ISSUES:

• Issue #1-Intesity- The existing veterinary center includes 640 square feet of boarding kennels, a 2,400 square foot clinic, and a 1,271 square foot barn. The clinic services dogs, cats, and other small domestic animals. The increase in use will include a 1,200 square foot large animal clinic to service horses and other large animals. The existing structures will be remodeled and expanded for a combined 2,229 square foot increase in structure foot print on the property. However the size of the boarding kennels will decrease from 640 square feet to 540 square feet. Outdoor lighting will be installed for safety, in order to reduce aesthetic impacts of these lights they will be shielded so they do not shine or cause glare to neighboring properties as per Condition Number 10.

• Issue #2-Noise- The increase in use will not necessarily cause an increase the amount of noise generated from dogs as the boarding kennels will actually decrease from 640 square feet to 540 square feet. The new structures will be for large animal treatments and is not expected to create an excess amount of noise. Any potential impacts are addressed for mitigation to less than significant levels as per Condition Number 9, which will restrict the amounts of noise generated by operations at the veterinary clinic.

• Issue #3-Parking- The parking needs of the new structures will be met as per conditions of County Code, Sec 20.180.02(A), off street parking requirements for commercial structures states that 1 space per 300 square feet of floor area must be provided. There are 26 parking spaces available which meets county parking requirements of 26 spaces for 7,800 square feet of floor area. The new parking spaces provided will require a grading permit as per Condition Number 3.
GENERAL PLAN CONSISTENCY RECOMMENDATION:

Subject to the recommended conditions of approval, the proposed project is consistent with the applicable policies of the General Plan.

STAFF RECOMMENDATION:

No significant environmental impacts will result from the proposed project which cannot be adequately mitigated though the conditions of approval. Therefore staff recommends approval of #U 8-2014.

RECOMMENDED MOTION:

Environmental Findings: The Zoning Administrator has evaluated the Initial Study and other information pertinent to the project and finds that the identified environmental impacts can be mitigated to a level of insignificance through the conditions of approval or project design; therefore, a Mitigated Negative Declaration is adopted.

General Plan Consistency Finding: As discussed under pertinent sections of the staff report, the proposed project is consistent with applicable goals and policies of the General Plan as subject to the conditions of approval.

Project Findings: The Zoning Administrator adopts the Environmental and General Plan findings above, and approves #U 8-2014, subject to the following conditions of approval as recommended within the staff report:

RECOMMENDED CONDITIONS OF APPROVAL: Conditions which must be met prior to use and/or occupancy and for the duration of this permit:

1. That the application along with supplemental exhibits and related material are considered elements of this entitlement and that compliance there with be mandatory, unless a modification has been approved by the Zoning Administrator.

2. That this permit is subject to the securing of all necessary permits from County, State and Federal agencies having jurisdiction for the proposed development and eventual use. Any requirement imposed by an agency having jurisdiction shall be considered a condition of this permit. Evidence of compliance with all permits shall be submitted to the Mendocino County Department of Planning and Building Services.

3. All building and grading permits required by Mendocino County Department of Planning and Building Services for all construction including grading for driveways shall be obtained and complied with. All outstanding expired or noncompliant building permits shall be brought into compliance. In addition, “Best Management Practices” shall be employed to mitigate erosion, sedimentation and discharge to the lake or watercourses caused by grading and all other disturbances or stockpiling of materials (including for work commenced prior to the issuance of this permit) in connection with any proposed improvement, to greatest extent feasible.

4. This permit shall be subject to revocation or modification by the Zoning Administrator upon a finding of any one (1) or more of the following grounds:
   a. That such permit was obtained or extended by fraud.
   b. That one or more of the conditions upon which such permit was granted have been violated.
   c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.

Any such revocation shall proceed as specified in Title 20 of the Mendocino County Code.
5. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.

6. In the event that archaeological resources are encountered during construction on the property, work in the immediate vicinity of the find shall be halted until all requirements of Chapter 22.12 of the Mendocino County Code relating to archaeological discoveries have been satisfied.

7. The applicant/operator shall secure all required permits/clearances from the Mendocino County Animal Control Department for the operation of the facility. The applicant shall submit written verification to the Department of Planning and Building Services that this condition has been met to the satisfaction of the County Animal Control Department.

8. This entitlement does not become effective or operative and no work shall be commenced under this entitlement until the California Department of Fish and Wildlife filing fee required by section 711.4 of the Fish and Game Code are submitted to the Mendocino County Department of Planning and Building Services. Said fee of $2231.25 shall be made payable to the Mendocino County clerk and submitted to the Department of Planning and Building Services no later than 5:00 pm on September 18, 2014. If the project is appealed, the payment will be held by the Department of Planning and Building services until the appeal is decided. Depending the outcome of the appeal, the payment will either be filed with the county clerk (if the project is approved) or returned to the payer (if the project is denied). Failure to pay this fee by the specified deadline shall result in the entitlement becoming null and void.

9. Noise levels created by the operation as measured at the nearest residence other than that of the business operator shall not exceed 60 dBA/Ldn.

10. All exterior lighting shall be shielded so that it does not shine or glare beyond the limits of the property.

DATE

MATTHEW GILSTER
PLANNER I

MG/hm
July 28, 2014

Mitigated Negative Declaration
Appeal Fee - $910.00
Appeal Period - 10 days
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STAFF REPORT FOR USE PERMIT MODIFICATION

#U 8-2014

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CASE: U 8-2014
OWNER: EISENSTEIN, Chana & BENNETT, Holly
APN: 103-160-37
AGENT: R. Wayne Bashore
ADDRESS: 1200 East Hill Road, Willits

ADJACENT PARCELS

0 100 200 Feet
0 0.075 0.140 Miles

EXHIBIT NO: 5
STAFF REPORT FOR USE PERMIT MODIFICATION

CASE: U 8-2014
OWNER: EISENSTEIN, Chana & BENNETT, Holly
APN: 193-160-37
AGENT: R. Wayne Bashore
ADDRESS: 1230 East Hill Road, Willits

HIGH FIRE HAZARD

SUBJECT PARCEL(S)