



Planning Director Staff Report – Hearing on October 28, 2021

County of Ventura • Resource Management Agency • Planning Division

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

CHERYL SHAWVER, ANIMAL ACTORS OF HOLLYWOOD

CONDITIONAL USE PERMIT (CUP), CASE NO. PL20-0091

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Minor Modification to Conditional Use Permit (CUP) 3790 for the continued use (10 years) of an existing animal compound referred to as Exotic Animals. (Case No. PL20-0091).
2. **Applicant:** John Newton, 159 Moonsong Court, Moorpark, CA 93021
3. **Property Owner:** Cheryl Shawver, 850 West Carlisle, Thousand Oaks, CA 91361
4. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-4 and Section 8111-6 et seq.), the Planning Director is the decision-maker for the requested CUP.
5. **Project Site Size, Location, and Parcel Number:** The 8.348-acre property site is located at 850 West Carlisle, approximately 2.5 miles south of the intersection of Westlake Boulevard and Carlisle Road, near the City of Thousand Oaks, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitutes the project site is 694-0-210-430 (Exhibit 2).
6. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Open Space
 - b. Lake Sherwood/Hidden Valley Area Plan Land Use Map Designation: Open Space 20-40 acres
 - c. Zoning Designation: OS-20 ac (Open Space, 20-acre minimum lot size)
7. **Adjacent Zoning and Land Uses/Development (Exhibit 2):**

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	OS-20 ac (Open Space, 20-acre minimum lot size)	Open Space with an Agricultural Barn
East	OS-20 ac (Open Space, 20-acre	Animal Compound (PL18-0155)

Location in Relation to the Project Site	Zoning	Land Uses/Development
	minimum lot size)	
South	OS-20 ac (Open Space, 20-acre minimum lot size)	Vacant Land
West	OS-20 ac (Open Space, 20-acre minimum lot size)	Residential

8. History: On March 9, 1978, the Planning Commission approved CUP 3790 for a wild animal compound for a period of five years with an expiration date of March 9, 1983.

On June 24, 1983, the Planning Director approved a Minor Modification for the continued use (5 years) of an existing animal compound with an expiration date of March 9, 1988.

On September 1, 1988, the Planning Commission approved a Major Modification for the continued use (5 years) with the addition of an elephant barn to the existing animal compound with an expiration date of September 1, 1993.

On June 29, 1994, the Planning Director approved a Minor Modification for the continued use (5 years) of an existing animal compound with an expiration date of June 29, 1999.

On June 8, 2000, the Planning Commission approved a Minor Modification for the continued use (10 years) of an existing animal compound with an expiration date of June 8, 2010.

On June 26, 2001 the Planning Director approved Parcel Map Waiver-Merger No. PMW-1085. This voluntary merger combined two illegal lots (APNS 649-0-210-050 and 649-0-210-060) creating one legal 8.37-acre lot.

On August 22, 2010, the Planning Director approved a Minor Modification (Case No. LU10-0059) for the continued use (10 years) of an existing animal compound with an expiration date of August 22, 2020.

9. Project Description: The Applicant requests a Minor Modification to CUP 3790 for the continued use (10 years) of an existing animal compound referred to as Exotic Animals. The CUP currently has an expiration date of August 22, 2020 and would be extended for an additional 10 years. The animal compound houses and trains exotic and domestic animals. Previously permitted and existing animals at the compound include the following:

Table 1 - Existing and Permitted Animals

Currently owned animals	Previously owned animals
Common Buzzard (2)	Elephant (African) (1)
Weeper Capuchin (1)	Elephant (Asiatic) (1)
Pied Crow (2)	Armadillo (1)
European Ferret (4)	Badger (1)
White-Throated Magpie Jay (3)	Cheetah (1)
Virginia Opossum (2)	Coatimundi (1)
Great Horned Owl (1)	Mule Deer (1)
North American Porcupine (1)	Grey Fox (1)
Raccoon (1)	Small-Spotted Genet (1)
Raven (3)	African Pygmy Hedgehog (1)
Hoffmann's Two-Toed Sloth (1)	Black-Throated Magpie Jay (1)
Eastern Fox Squirrel (8)	Kinkajou (1)
Superb Starling (2)	Ring-Tailed Lemur (1)
Sugar Glider (1)	Leopard (1) (not to be kept at the project site)
African White-Backed Vulture (1)	African Lion (1) (not to be kept at project site)
African Hedgehogs (4)	Black-Eared Marmoset (1)
Woodchuck (5)	Eurasian Eagle Owl (1)
Currently Owned Animals (not licensed by California Fish and Wildlife)	Spectacled Owl (1)
	Ringtail (1)
Trumpeter Hornbill (1)	Southern Tamandua (1)
Macaws (4)	Geoffroy's Tamarin (1)
Cockatoos (2)	Yellow-Head Vulture (1)
Rollers (2)	Wolf X Domestic Dog (1)
Kukubara (1)	Grey Wolf (1)
Small Parrots (2)	White Throat Capuchin (1)
Common Starling (6)	Red Fox (2)
Turacos (2)	Swan (1)
Peacocks (6)	Swan (1)
Doves and Pigeons (40)	
Chickens (6)	
Goats (2)	
Dogs (12)	
Cats (2)	

One full time employee works at the property and up to three part time employees are hired as needed for maintenance. Trainers visit the site to work with specific animals as contracted. The maximum allowance of employees at the facility is four. The Applicant/Owner lives on the neighboring property addressed as 864 West Carlisle Road (APN 694-0-210-765) and is available 24

hours/day as a caretaker to the facility. The property is not open to the public and no filming is allowed onsite. Some of the animals are transferred to an offsite location for educational purposes. Animal waste is cleared from caged areas daily, bagged in airtight containers, and disposed of by a licensed hauling company or taken to a permitted waste disposal facility.

Water to the site is provided by an existing water well (SWN 01S19W05D02S). No restrooms are located on the project site; as such there is no onsite wastewater treatment systems or sewer hookup. The neighboring property and animal compound (CUP 3397) on parcel 694-0-210-760 have a bathroom in the onsite office available for employee use. Access to the site is via a private driveway to Carlisle Road. The site is currently licensed by the United States Department of Agriculture (Certificate 93-C-0055), Federal Fish and Wildlife Migratory Bird Office (Permit No. MB679846), CA Department of Fish and Wildlife (Restricted Species Permit No. 2189), and the County of Ventura Animal Services (Wildlife License R20-271205).

The following table provides a list of the existing structures onsite.

Table 2 – Structures on Project Site

Existing Structures	Size (square feet)
Elephant Barn	1,690
Bird Aviary	448
Shipping Container	446
Metal Shed	228
Tool Shed	120
Feed Cage	74
Covered Feed	202
Garden sheds (3)	214
Tin Covered Wire Cages (62)	4,410
Shade Structures (5)	2,626
Vulture Structure	160
Total	10,618

There is no grading or vegetation removal proposed with this project.

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. This Project is categorically exempt pursuant Section 15301 (Existing Facilities). This project is for the continued use (10 years) of an existing animal compound; no construction of additional structures or grading is proposed. 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.

Therefore, this project is categorically exempt pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines.

C. CONSISTENCY WITH THE GENERAL PLAN

The 2040 Ventura County General Plan *Goals, Policies and Programs* (2020, page 1-1) states:

All area plans, specific plans subdivision, public works projects, and zoning decisions must be consistent with the direction provided in the County's General Plan.

Furthermore, 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 General Plan Goals, Policies and Programs and Lake Sherwood Area Plan.

- 1. New Incompatible Land Uses Policy LU17.4:** *The County shall not approve new discretionary projects within or in the immediate vicinity of existing residential areas, especially designated disadvantaged communities, introducing a new incompatible land use that could have substantial adverse health impacts on an area's residents.*

Neighboring properties include a similar animal compound located directly to the east and a vacant property directly to the west (owned by the owner of this project site). The NCZO allows "Agriculture and Agricultural Operations; Inherently Dangerous Animals" with a CUP Permit. The animal compound has been in existence since 1978 and the current request is for the continued use (10 years) of the existing animal compound. The project will not introduce a new incompatible use that could have adverse health impacts on area residents.

Base on this discussion above, the proposed project is consistent with General Plan Policy LU17.4.

- 2. Public Facilities, Services, and Infrastructure Availability Policy PFS-1.7:** *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.

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

The proposed project will not result in the expansion of public facilities. As discussed in Section A.9 (above), no new development, expansion, or change in use is proposed as part of this project.

Water for the project will be provided by an existing on-site water well, (SWN 01S19W05D02S). A water quality analysis was conducted on September 28, 2020 by the FGL Environmental Agricultural Analytical Chemists to test the quality of the water. Environmental Health (EHD) reviewed the water quality analysis and found that adequate water quantity and quality exists to serve the proposed project.

Based on the discussion above, the proposed project is consistent with General Plan Policies PFS-1.7 and WR-1.11.

- 3. Discretionary Development Utility Service Line Placement Policy PFS-7.4:** *The County shall require discretionary development to place new utility service lines underground if feasible. If undergrounding is determined by the County to be infeasible, then new utility service lines shall be placed in parallel to existing utility rights-of-way, if they exist, or sited to minimize their visual impact.*

Utility Undergrounding Policy LS-23.1: *The County shall require the undergrounding of all electric, cable, phone and gas lines for all discretionary development.*

The proposed project will not require the installation of new utility lines or the relocation of existing utility lines. Furthermore, the proposed project will not expand or otherwise change the existing use of the property, thereby creating a corresponding increase in traffic generation and need for new public roadway facilities.

Based on the discussion above, the proposed project is consistent with General Plan Policies PFS-7.4 and LS-23.1.

- 4. Emergency Response Policy PFS-11.1:** *The County shall maintain adequate staffing, equipment, and facilities to provide timely and effective responses to emergencies.*

Fire Protection District Conformance LS31.1: *The County shall require discretionary development to comply with the requirements of the Fire Protection*

District and Sheriff's Department by providing adequate access for fire, law enforcement and emergency equipment and personnel.

Emergency Access at Carlisle Road LS-31.3: *The County shall require tactical emergency access gates to be provided at Carlisle Road, subject to the approval of the Fire Protection District and Sheriff's Department.*

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

Development in High Fire Hazard Severity Zones and Hazardous Fire Areas Policy HAZ 1.4: *The County shall require the recordation of a Notice of Fire Hazard with the County Recorder for all new discretionary entitlements (including subdivisions and land use permits) within areas designated as Hazardous Fire Areas by the Ventura County Fire Department or High Fire Hazard Severity Zones by the California Department of Forestry and Fire Protection (CAL FIRE).*

The project site is located within a high fire hazard area. Fire Station 33 is located at 33 Lake Sherwood Drive, approximately 6.4 miles northeast of the project site. The project site contains an existing 3,000-gallon water tank that is dedicated for fire protection. The proposed project will comply with all applicable Federal and State regulations and the requirements of the Ventura County Building Code and Ventura County Fire Code, including but not limited to, access and brush removal. The proposed project will be subject to conditions of approval to ensure the project is in conformance with current California State Law and the Ventura County Fire Code (Exhibit 5 Conditions Nos. 17 through 23).

An emergency evacuation plan has been established for the animal compound (Exhibit 4). The evacuation plan was initiated during a fire in 1993 and proved to be adequate. The route of the evacuation is dependent on movement of a potential fire.

Based on the discussion above, the proposed project is consistent with General Plan Policy PFS-11.1, LS31.1, LS-31.3, PFS-12.3, and HAZ 1.4.

- 5. Limiting Unwanted Noise Policy HAZ-9.1:** *The County shall prohibit discretionary development which would be impacted by noise or generate project-related noise which cannot be reduced to meet the standards prescribed in Policy Haz-9.2. This policy does not apply to noise generated during the construction phase of a project.*

Noise Compatibility Standards Policy HAZ-9.2: *The County shall review discretionary development for noise compatibility with surrounding uses. The County shall determine noise based on the following standards:*

1. *New noise sensitive uses proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed CNEL 60 or Leq1H of 65 dB(A) during any hour.*
2. *New noise sensitive uses proposed to be located near railroads shall incorporate noise control measures so that indoor noise levels in habitable rooms do not exceed Community Noise Equivalent Level (CNEL) 45 and outdoor noise levels do not exceed L10 of 60 dB(A)*
3. *New noise sensitive uses proposed to be located near airports:*
 - a. *Shall be prohibited if they are in a Community Noise Equivalent Level (CNEL) 65 dB or greater, noise contour; or*
 - b. *Shall be permitted in the Community Noise Equivalent Level (CNEL) 60 dB to CNEL 65 dB noise contour area only if means will be taken to ensure interior noise levels of CNEL 45 dB or less.*
4. *New noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:*
 - a. *Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.;*
 - b. *Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.; and*
 - c. *Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.*
5. *Construction noise and vibration shall be evaluated and, if necessary, mitigated in accordance with the Construction Noise Threshold Criteria and Control Plan (Advanced Engineering Acoustics, November 2005).*

The proposed project is located approximately 18 miles north of State Route 1 (Pacific Coast Highway) and is outside the CNEL 60dB(A) noise contour (RMA GIS Viewer, Noise Contour Maps) for this road. The project site is not located within close proximity to highways, truck routes, heavy industrial activities, railroads, airports or other relatively continuous noise sources.

An existing animal caretaker dwelling is located on the neighboring property (APN 694-0-210-070) and is considered a noise sensitive use. Additionally, single-family residences are located approximately .21 miles to the north and approximately .28 miles to the south of the project site. The proposed project will not involve noise-generating activities that have the potential to adversely affect the adjacent

residential uses. No new development, construction, or grading is proposed as part of this project.

Based on the discussion above, the proposed project is consistent with General Plan Policy HAZ-9.1 and HAZ-9.2.

D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the Ventura County NCZO (Section 8105-4), the proposed use is allowed in the OS-20ac zone district with the granting of a CUP. Upon the granting of the CUP, the proposed project will comply with this requirement.

The proposed project includes the use of buildings that are subject to the development standards of the Ventura County NCZO (Section 8106-1.1). Table 3 lists the applicable development standards and a description of whether the proposed project complies with the development standards.

Table 3 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	20 acres	No, the parcel is approximately 8.4 acres in size and is non-conforming to the current zoning.
Maximum Percentage of Building Coverage	5 percent (18,181.94 sq. ft.)	Yes, the total building coverage for the project site is 2.9 percent (10,618 sq. ft.)
Front Setback	20 ft.	Yes, the closest structure to the front property line is 135 feet.
Side Setback	10 ft. (3 ft. accessory structures)	Yes, the closest accessory structure to the side property lines is three feet.
Rear Setback	15 ft. (3 ft. accessory structures)	Yes, the closest structure to the rear property line is 120 feet.
Maximum Building Height	25 ft.	Yes, all structures on the property are one story and less than 25 feet in height.
Accessory Structure Maximum Building Height	15 ft.	Yes, all accessory structures on the property are less than 15 feet in height.

E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a CUP Permit 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 project site is located within the northern portion of the Santa Monica Mountains, has a General Plan land use designation of Open Space, and is zoned Open Space. The surrounding properties have the same General Plan land use and zoning designations as the project site. Lots to the north and south are developed with single-family dwellings and the lot to the west is developed with a similar animal compound permitted under CUP 3397. The property to the east is vacant land owned by the Applicant.

As discussed in Section C of this staff report (above), the proposed project does not include a change of use that has the potential to create any land use conflicts with surrounding residential development, generate new traffic, or introduce physical development, that is incompatible with the surrounding development.

As stated in Section A.9 of this staff report (above), the proposed project involves the continued use of an animal compound. There will be no increase in the number of animals kept on the property. No development (grading or construction) is proposed. The proposed project will not generate noise that is incompatible with surrounding residential uses. Therefore, the proposed project will be consistent with the character of the surrounding development.

Based on the discussion above, 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].

As discussed in Section E.2 of this staff report (above), the proposed development will be compatible with surrounding residential uses and open space resources on the properties located within the vicinity of the project site. Water for the proposed project will be provided by an existing on-site water well (SWN 01S19W05D02S). The surrounding public road network is adequate to continue serving the project site. Additionally, as discussed in Section D of this staff report (above), the proposed project will comply with the maximum building height, minimum building setbacks, and maximum building coverage standards

of the Open Space zone. Furthermore, existing drainage features will not be altered and will not result in an increase in drainage flow rates or volumes to surrounding properties. Therefore, the proposed project will not be obnoxious or harmful, or impair the utility of neighboring properties or uses.

The proposed project will be subject to license requirements and conditions of approval (Exhibit 5, Condition Nos. 24 through 29) from Animal Control to ensure confinement and proper handling of wildlife at the Project site. Animal Control conducts annual site visits to the property to ensure that safety measures are being adhered to in order to protect both the animals, animal care takers, and neighboring properties.

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].

As discussed in Sections C of this staff report (above), water for the proposed project will be provided by an existing on-site water well (SWN 01S19W05D02S). The proposed project will be subject to conditions of approval to ensure that it complies with the VCFPD's and state requirements for development located within high fire hazard areas (Exhibit 5, Condition Nos. 17 through 22). Additionally, the proposed project will not generate traffic on the surrounding public road network that will degrade the level of service or create unusual traffic hazards along public roadways. Finally, the proposed project will not interfere with, or significantly affect, public use of recreational and open space resources within the Santa Monica Mountains National Recreation Area. Therefore, the proposed project will not be detrimental to the public interest, health, safety, convenience, or welfare.

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].

In accordance with Ventura County NCZO Section 8105-4 (Permitted Uses in Open Space, Agricultural, Residential, and Special Purpose Zone), the continued use falls under "Agriculture and Agricultural Operations; Inherently Dangerous Animals" and requires a CUP. As discussed in Section A.8 of this staff report (above), the wild animal compound was originally permitted under CUP Case No. 3790 on March 9, 1978 and has been granted time extensions from 1983 through 2010. No complaints or violations have been filed throughout the operation of the CUP. As discussed in Section E-2 of this staff report (above), lots to the west are developed with a similar animal compound permitted under CUP 3397.

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 8.348-acre property was legally created by a Parcel Map Waiver No. SD-1085 approved on June 26, 2001 and recorded on July 17, 2001.

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 recommended conditions of approval (Exhibit 5), and the entirety of the record for the subject application, the proposed project is approved in accordance with CEQA and other applicable laws. The project is categorically exempt from environmental review pursuant to Section 15301 (Existing Facilities) of the *Guidelines for the Implementation of CEQA*.

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), Ventura County NCZO (Section 8111-3.1). On October 11, 2021 the Planning Division mailed notice to owners of property within 300 of the property on which the project site is located. On October 18, 2021, the Planning Division placed a legal ad in the *Ventura County Star*. As of the date of this document, no comments have been received.

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 (Existing Facilities) of the CEQA Guidelines.
3. **MAKE** the required findings to grant a Minor Modification of CUP 3790 (Case No. PL20-0091) 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** Minor Modification of CUP 3790 (Case No. PL20-0091), 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 is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 10th 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 Angela Georgeff at (805) 654-5097 or Angela.Georgeff@ventura.org.

Prepared by:

Reviewed by:

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Ventura County Planning Division



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Residential Permit Section
Ventura County Planning Division

EXHIBITS

- Exhibit 2 Maps
- Exhibit 3 Plans
- Exhibit 4 Emergency Evacuation Plan
- Exhibit 5 Conditions of Approval



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 06-17-2021
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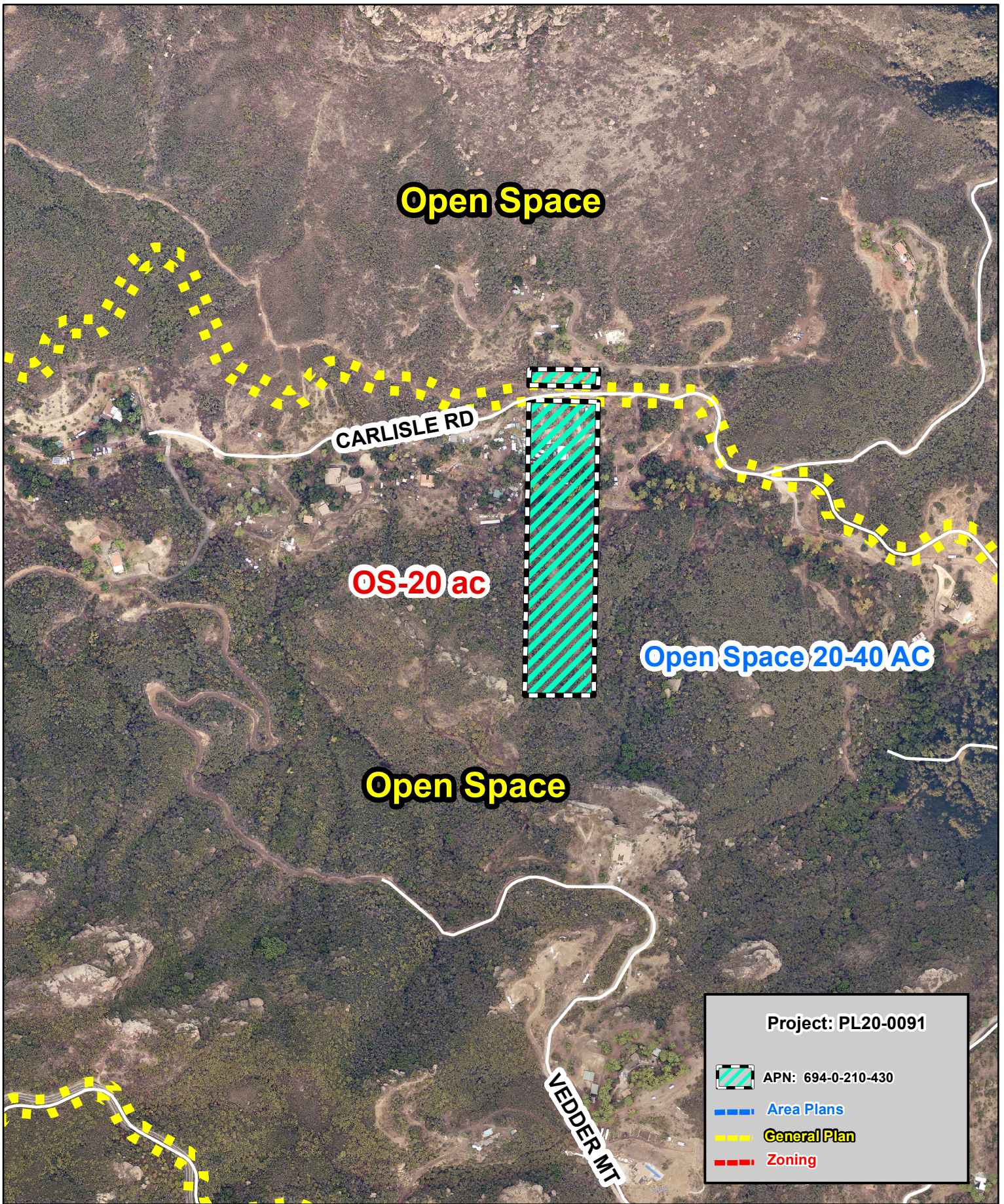


County of Ventura
Planning Director Hearing
Case No. PL20-0091
Exhibit 2 - Maps



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**County of Ventura
 Planning Director Hearing
 General Plan & Zoning Map
 PL20-0091**



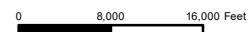
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County of Ventura
 Planning Director Hearing
 APN: 694-0-210-430
 Location Map
 PL19-0011



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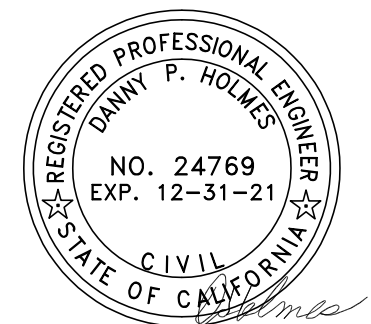
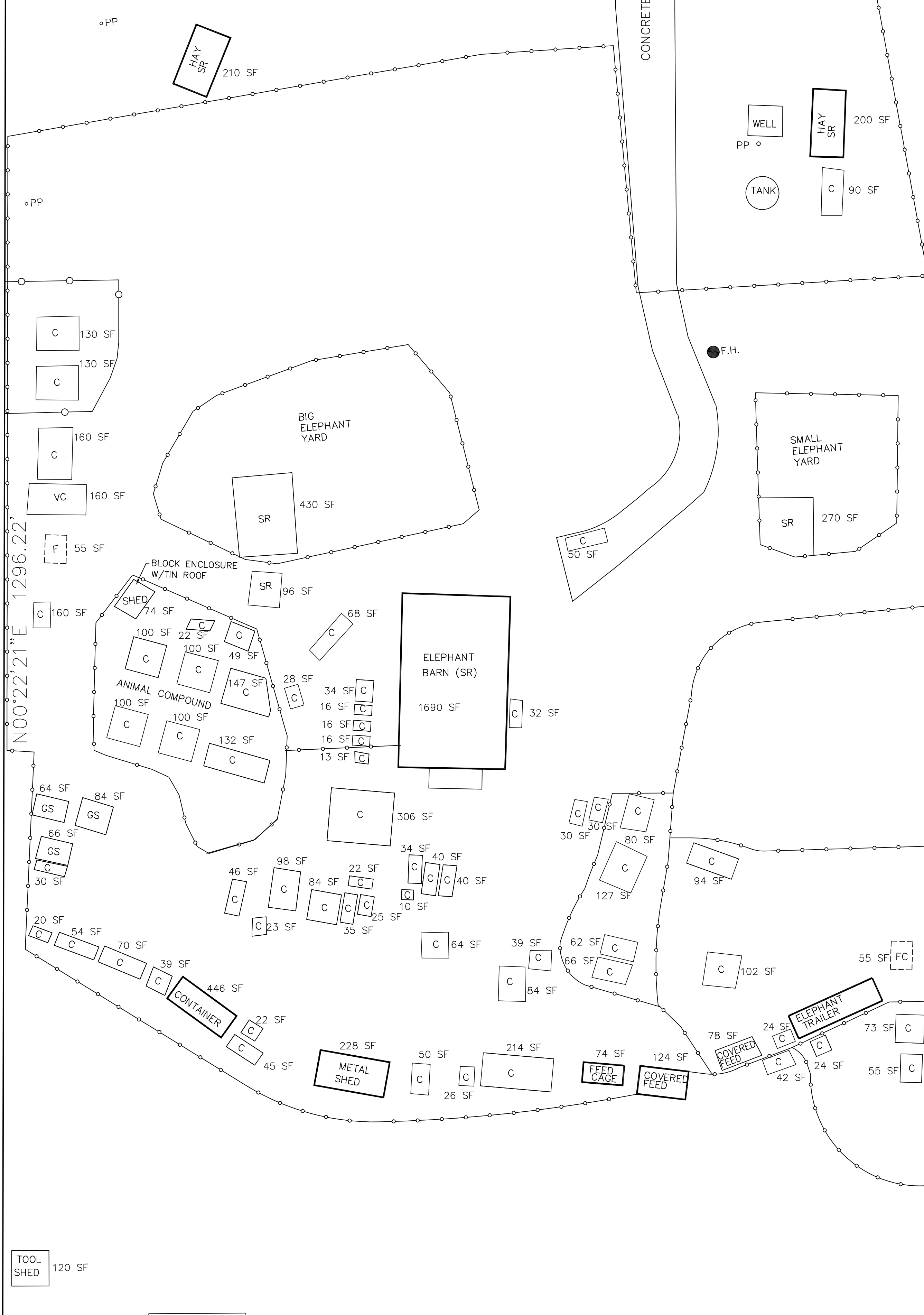
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 Resource Management Agency
 GIS Development & Mapping Services
 Map created on 06-17-2021



N89°36'47"E 280.50'

W. CARLISLE ROAD

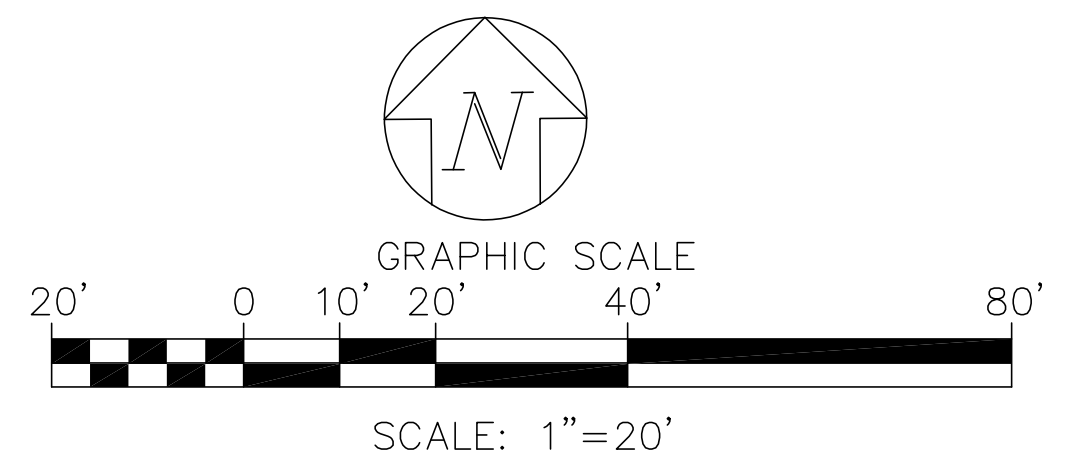
CONCRETE DRIVEWAY



LEGEND:

- CHAIN-LINK FENCE
- TIN COVERED WIRE CAGES (4,624 S.F. TOTAL)
- SMALL GARDEN SHED (214 S.F. TOTAL)
- INDICATES COVERED SHADE STRUCTURES WITH NO OR WIRE WALLS MAXIMUM 15 FEET IN HEIGHT; 3,106 S.F. TOTAL)
- VULTURE STRUCTURE AREA PER FISH AND GAME REGULATIONS (1 TOTAL)
- FUTURE CAGES (110 S.F.)

A.P.N. No. 694-0-210-430
PARCEL SIZE = 8.35 ACRES



NOTE: BOUNDARY WAS DETERMINED BY RECORD

County of Ventura
Planning Director Hearing
Case No. PL20-0091
Exhibit 3 - Plans

N89°44'22"E 280.50'

SITE PLAN CUP 3790, PL20-0091
ANIMAL ACTORS OF HOLLYWOOD
850 WEST CARLISLE ROAD
THOUSAND OAKS, CA

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EMERGENCY FIRE EVACUATION PLAN 2020

The best solutions on how to handle a fire will depend upon which direction the fire is coming from, and how much notice we have to respond to the situation. Obviously, the first priority is not to block the road for fire personnel and equipment. The following plans have been tested and discussed with the local fire department.

If the fire comes from the direction where the road dead ends, and there is time, the animals can be crated and driven out of the canyon. In this circumstance all of the smaller animals and birds would be placed in carriers for transport by van, truck or trailer. There is also portable caging, or trailers for larger animals.

If the fire is coming from Westlake Village towards our compound, we would not be able to leave. Then we would shelter in place. Some animals could be moved into the most protected areas of our compound. The animal compound is kept well cleared of ground cover and brush. Most cages are made of chain link with metal or aluminum roofing and cement or dirt flooring. Most caging is very resistant to fire. Plus the elephant barn was built of solid concrete and metal beams specifically with fire safety in mind.

During the fire that came through this canyon in 1993, our plans were tested and proved to be sound. The fire burned through the canyon but did not burn anything within the borders of our property. The animals that were moved away were temporarily parked on the parking lot of a local school, and then moved to the parking lot of the Conejo Valley Veterinary Clinic. As well as being taken to the homes of some of our trainers. They all could be held in transport caging until the emergency passed.

The animals that were not evacuated, were left in the fire resistant caging in very well cleared areas, or put in crates and moved to the safest areas. All animals and people that stayed in place were absolutely fine in spite of the fire. This fire clearance plan worked perfectly. These plans were acceptable to the County fire inspectors we have talked with.

The animals can also be taken to other animals compounds in Los Angeles, Kern, and Riverside Counties. Animal trainers from throughout Southern California have historically banded together to help one another during emergencies. During the 1993 fire all the other compounds offered their help, but it was not necessary.

County of Ventura
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Exhibit 4 - Emergency Evacuation Plan

Page Two Emergency Fire Plans

Fires again came to our borders in 2018, but did not burn all the way through the canyon. We were able to evacuate about half of our animals in the time we had before the road closed. The animals remaining to shelter in place were in a defensible caging area. And the others were moved to our concrete block building that was designed to be fire proof and safe. The firemen who were here approved of how the property was cleared. And we were comfortable that our plans were sound.

**DRAFT CONDITIONS OF APPROVAL FOR
CONDITIONAL USE PERMIT (CUP) CASE NO. LU10-0059
AS MODIFIED BY MINOR MODIFICATION
CASE NO. PL20-0091**

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. Project Description

This Conditional Use Permit (CUP) is based on and limited to compliance with the project description stated in this condition below, Exhibits 1-5 of the Planning Director hearing on October 28, 2021, and conditions of approval set forth below. Together, these conditions and documents describe the “Project.” Any deviations from the Project must first be reviewed and approved by the County in order to determine if the Project deviations conform to the Project as approved. Project deviations may require Planning Director approval for changes to the permit or further California Environmental Quality Act (CEQA) environmental review, or both. Any Project deviation that is implemented without requisite County review and approval(s) may constitute a violation of the conditions of this permit and applicable law.

The Project description is as follows:

The Project is a Minor Modification to CUP 3790 for the continued use (10 years) of an existing animal compound referred to as Exotic Animals. The CUP currently has an expiration date of August 22, 2020 and would be extended for an additional 10 years. The animal compound houses and trains exotic and domestic animals and requests to keep the allowance of previously owned animals for future needs. Previously permitted and existing animals at the compound include the following:

Table 1 - Existing and Permitted Animals

Currently owned animals	Previously owned animals
Common Buzzard (2)	Elephant (African) (1)
Weeper Capuchin (1)	Elephant (Asiatic) (1)
Pied Crow (2)	Armadillo (1)
European Ferret (4)	Badger (1)
White-Throated Magpie Jay (3)	Cheetah (1)
Virginia Opossum (2)	Coatimundi (1)
Great Horned Owl (1)	Mule Deer (1)
North American Porcupine (1)	Grey Fox (1)
Raccoon (1)	Small-Spotted Genet (1)
Raven (3)	African Pygmy Hedgehog (1)
Hoffmann’s Two-Toed Sloth (1)	Black-Throated Magpie Jay (1)
Eastern Fox Squirrel (8)	Kinkajou (1)
Superb Starling (2)	Ring-Tailed Lemur (1)
Sugar Glider (1)	Leopard (1) (not to be kept at the

	project site)
African White-Backed Vulture (1)	African Lion (1) (not to be kept at project site)
African Hedgehogs (4)	Black-Eared Marmoset (1)
Woodchuck (5)	Eurasian Eagle Owl (1)
Currently Owned Animals (not licensed by California Fish and Wildlife)	Spectacled Owl (1)
	Ringtail (1)
Trumpeter Hornbill (1)	Southern Tamandua (1)
Macaws (4)	Geoffroy's Tamarin (1)
Cockatoos (2)	Yellow-Head Vulture (1)
Rollers (2)	Wolf X Domestic Dog (1)
Kukubara (1)	Grey Wolf (1)
Small Parrots (2)	White Throat Capuchin (1)
Common Starling (6)	Red Fox (2)
Turacos (2)	Swan (1)
Peacocks (6)	Swan (1)
Doves and Pigeons (40)	
Chickens (6)	
Goats (2)	
Dogs (12)	
Cats (2)	

One full time employee works at the property and up to three part time employees are hired as needed for maintenance. Trainers visit the site to work with specific animals as contracted. The maximum allowance of employees at the facility is four. The Applicant/Owner lives on the neighboring property addressed as 864 West Carlisle Road (APN 694-0-210-765) and is available 24 hours/day as a caretaker to the facility. The property is not open to the public and no filming is allowed onsite. Some of the animals are transferred to an offsite location for educational purposes. Animal waste is cleared from caged areas daily, bagged in airtight containers, and disposed of by a licensed hauling company or taken to a permitted waste disposal facility.

Water to the site is provided by an existing water well (SWN 01S19W05D02S). No restrooms are located on the project site; as such there is no onsite wastewater treatment systems or sewer hookup. The neighboring property and animal compound (CUP 3397) on parcel 694-0-210-760 have a bathroom in the onsite office available for employee use. Access to the site is via a private driveway to Carlisle Road. The site is currently licensed by the United States Department of Agriculture (Certificate 93-C-0055), Federal Fish and Wildlife Migratory Bird Office (Permit No. MB679846), CA Department of Fish and Wildlife (Restricted Species Permit No. 2189), and the County of Ventura Animal Services (Wildlife License R20-271205).

The following table provides a list of the existing structures onsite.

Table 2 – Structures on Project Site

Existing Structures	Size (square feet)
Elephant Barn	1,690
Bird Aviary	448
Shipping Container	446
Metal Shed	228
Tool Shed	120
Feed Cage	74
Covered Feed	124
Garden sheds (3)	214
Tin Covered Wire Cages (49)	4,624
Shade Structures (5)	3,106
Vulture Structure	160
Total	10,618

There is no grading or vegetation removal proposed with this project.

2. Required Improvements for 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, are completed in conformance with the approved plans stamped as Exhibit 3. The Permittee shall prepare and 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 Planning Division staff'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/or Public Works Agency Director allow the Permittee to provide financial security and a final executed agreement, approved as to form by the 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 Project.

Monitoring and Reporting: The County Building Inspector, Public Works Agency 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.

3. Site Maintenance

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

Requirement: The Permittee shall maintain the Project site in a neat and orderly manner, and in compliance with the Project description set forth in Condition No. 1. Only equipment and/or materials which the Planning Director determines to substantially comply with the Project description shall be stored within the Project site during the life of the Project.

Documentation: The Permittee shall maintain the Project site in compliance with Condition No. 1 and the approved plans for the Project.

Timing: The Permittee shall maintain the Project site in a neat and orderly manner and in compliance with Condition No. 1 throughout the life of the Project.

Monitoring and Reporting: The County Building Inspector, Public Works Agency 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. CUP Modification

Prior to undertaking any operational or construction-related activity which is not expressly described in these conditions, 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:

- a. 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
- b. Environmental review, as required pursuant to the California Environmental Quality Act (*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.

5. Acceptance of Conditions and Schedule of Enforcement Responses

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

- a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;

- b. Suspension of the permitted land uses (Condition No. 1);
- c. Modification of the CUP Permit conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Revocation of this CUP Permit.

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

6. Time Limits

a. Use inauguration:

- (1) The approval decision for this CUP Permit becomes effective upon the expiration of the 10-day appeal period following the approval date on which the Planning Director rendered the decision on the Project, 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 set forth in Condition No. 1.
 - (2) This CUP Permit shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year from the date the approval decision of this CUP becomes effective. The Planning Director may grant a one year extension of time to the Permittee in order 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 implement the Project, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.
 - (3) 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.
- b. Permit Life or Operations Period: This CUP will expire on **insert actual date**. Upon the filing of a Minor Modification application by the permittee prior to the 2031 expiration date, the Planning Director will be authorized to grant a 10-year extension of this permit to **Enter expiration date**. This extension may be granted if the Director determines that the facility is operating in full compliance with all conditions and will remain compatible with surrounding land uses for the duration of the additional 10-year period. If the permittee desires an extension of this permit beyond a 10-year period, the permittee must file an application for a Major Modification prior to the expiration date. The lack of additional notification of the expiration date provided by the County to the Permittee shall not constitute grounds to continue the uses that are authorized by this CUP after the CUP expiration date. The uses authorized by this CUP may continue after the CUP expiration date if:

- (1)The Permittee has filed a permit modification application pursuant to § 8111-6 of the Ventura County Non-Coastal Zoning Ordinance prior to the expiration date; and
- (2)The County decision-maker grants the requested modification.

The uses authorized by this CUP may continue during processing of a timely-filed modification application in accordance with § 8111-2.10 of the Ventura County Non-Coastal Zoning Ordinance.

7.Documentation Verifying Compliance with Other Agencies' Requirements Related to this CUP Permit

Purpose: To ensure compliance with, and notification of, federal, state, and/or local government regulatory agencies that have requirements that pertain to the Project (Condition No. 1, above) that is the subject of this CUP Permit.

Requirement: Upon the request of the Planning Director, the Permittee shall provide the Planning Division with documentation (e.g., copies of permits or agreements from other agencies, which are required pursuant to a condition of this CUP Permit) to verify that the Permittee has obtained or satisfied all applicable federal, state, and local entitlements and conditions that pertain to the Project.

Documentation: The Permittee shall provide this documentation to Planning Division staff in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division Project file.

Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for use inauguration.

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Permittee in the respective Project file. In the event that the federal, state, or local government regulatory agency prepares new documentation due to changes in the Project or the other agency's requirements, the Permittee shall submit the new documentation within 30 days of receipt of the documentation from the other agency.

8.Notice of CUP Permit Requirements and Retention of CUP Permit Conditions On-Site

Purpose: To ensure full and proper notice of these CUP Permit 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 who regularly conduct activities associated with the Project, of the pertinent conditions of this CUP Permit.

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

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

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*.

9. Recorded Notice of Land Use Entitlement

Purpose: *The Permittee shall record a “Notice of Land Use Entitlement” form and the conditions of this CUP Permit with the deed for the subject property that notifies the current and future Property Owner(s) of the conditions of this CUP Permit.*

Requirement: The Permittee 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 and the conditions of this CUP Permit, with the deed of the property that is subject to this CUP Permit.

Documentation: Recorded “Notice of Land Use Entitlement” form and conditions of this CUP.

Timing: The Permittee shall record the “Notice of Land use Entitlement” form and conditions of this CUP Permit, prior to issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: The Permittee shall return a copy of the recorded “Notice of Land Use Entitlement” form and conditions of this CUP Permit to Planning Division staff to be included in the Project file.

10. Financial Responsibility for Compliance Monitoring and Enforcement

a. **Cost Responsibilities:** The Permittee shall bear the full costs of all County staff time, materials, and County-retained consultants associated with condition compliance review and monitoring, CEQA mitigation monitoring, other permit monitoring programs, and enforcement activities, actions, and processes conducted pursuant to the Ventura County Non-Coastal Zoning Ordinance (§ 8114-3) related to this CUP Permit. Such condition compliance review, monitoring and enforcement activities may include (but are not limited to): periodic site inspections; preparation, review, and approval of studies and reports; review of permit conditions and related records; enforcement hearings and processes; drafting and implementing compliance agreements; and attending to the modification, suspension, or revocation of permits. Costs will be billed at the rates set forth in the Planning Division or other applicable County Fee Schedule, and at the contract rates of County-retained consultants, in effect at the time the costs are incurred.

b. **Establishment of Revolving Compliance Account:**

Pursuant to the requirements of CUP-3790, the Resource Management Agency created Condition Compliance Case No. CC06-0048 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding Case No. PL20-0091. The Planning Division will continue to use Condition Compliance Case No. CC06-0048 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 10 a (above), and any duly imposed civil administrative penalties regarding this CUP Permit.

Within 10 calendar days of the effective date of the final decision approving this CUP Permit, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC06-0048, in a form provided by the Planning Division, obligating the Permittee to pay all condition compliance review, monitoring, and enforcement costs, and any civil administrative penalties, subject to the Permittee's right to challenge all such charges and penalties prior to payment.

- c. Billing Process: The Permittee shall pay all Planning Division invoices within 30 days of receipt thereof. Failure to timely pay an invoice shall subject the Permittee to late fees and charges set forth in the Planning Division Fee Schedule, and shall be grounds for suspension, modification, or revocation of this CUP Permit. The Permittee shall have the right to challenge any charge or penalty prior to payment.

11. Defense and Indemnification

- a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this CUP Permit. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.
- c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant

to this CUP Permit, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.

- d. Neither the issuance of this CUP Permit, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP Permit serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

12. Invalidation of Condition(s)

If any of the conditions or limitations of this CUP Permit are held to be invalid in whole or in part by a court of competent jurisdiction, that holding shall not invalidate any of the remaining CUP Permit conditions or limitations. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee in an action filed in a court of competent jurisdiction, or threatened to be filed therein, the Permittee shall be required to fully comply with this CUP Permit, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This CUP Permit shall continue in full force unless, until, and only to the extent invalidated by a final, binding judgment issued in such action.

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP Permit, 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 Permit may be revoked.

13. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for the Project 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 resources of County staff.

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this CUP Permit, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such work. Whenever feasible, the County will use the lowest responsible bidder or proposer. 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. 10 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.

14. Relationship of CUP Conditions, Laws, and Other Entitlements

The Permittee shall implement the Project in compliance with all applicable requirements and enactments of federal, state, and local 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 Permit condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this CUP Permit 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 approval of this CUP Permit, nor compliance with the conditions of this CUP Permit, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

15. Contact Person

Purpose: To designate a person responsible for responding to complaints and notification of escaped animals.

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 Permit. The permittee shall immediately notify by telephone the Sheriff's Department, Department of Animal Regulation, and those property owners within a one-mile radius, of any escape of an Inherently Dangerous Animal.

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 Project site. If an animal escapes, the permittee shall notify the Planning Director, in writing, within three calendar days, of any escape and measures taken to capture the animal(s).

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 Planning Division staff 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 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*.

16. Change of Permittee

Purpose: To ensure that the Planning Division is properly and promptly notified of any change of Permittee.

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 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 Permit.

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*.

OTHER VENTURA COUNTY AGENCIES CONDITIONS

Ventura County Fire Protection District

17. Address Numbers (Single-Family Homes)

Purpose: To ensure proper premise identification to expedite emergency response.

Requirement: The Permittee shall install a minimum of 6-inch (6") address numbers that are a contrasting color to the background and readily visible at night. Brass or gold-plated numbers shall not be used. Where structures are setback more than 150 feet (150') from the street, larger numbers will be required so that they are distinguishable from the street. In the event the structure(s) is not visible from the street, the address number(s) shall be posted adjacent to the driveway entrance on an elevated post.

Documentation: A stamped copy of an approved addressing plan. Plan is on-file with VCFPD.

Timing: The Permittee shall install approved address numbers prior to use inauguration or time extension.

Monitoring and Reporting: A copy of the approved addressing plan and/or signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction" shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that all structures are addressed according to the approved plans/form.

18. Access Road / Driveway Maintenance

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall maintain all on-site access road(s) and driveway(s) not included in a maintenance agreement. Repairs shall be made as needed or as required by the Fire District to maintain the original design and installation of the access road(s) and driveway(s).

Documentation: A copy of the Covenants, Conditions and Restrictions or such other documentation as may be deemed acceptable by the Fire Prevention Bureau.

Timing: The Permittee shall provide evidence of provisions for maintenance must be submitted to the Fire Prevention Bureau prior to prior to use inauguration or time extension.

Monitoring and Reporting: The Fire District has the authority to inspect all on-site access road(s) and driveway(s) as it deems necessary. The Permittee shall be responsible for ongoing maintenance of the access road and driveways and shall conduct repairs as required by the Fire District.

19. Vertical Clearance

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum vertical clearance of 13 feet 6 inches (13'-6") along all access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval. Plan is on-file with VCFPD.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the access for the life of the development.

20. Access Road Improvement

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum 20-foot wide paved (asphalt or concrete) access road along the property frontage of 694-0-210-430 [Identified as Carlisle Road (Private) on Plot Plan prepared by VCE, SERVICES]. All access road improvements shall be within the recorded access easements or upon this parcel or within newly created and recorded access easements. Parking is prohibited on the required access road.

Documentation: A stamped copy of the approved access plan. Plan is on-file with VCFPD.

Timing: The Permittee shall submit an access plan and proof of recorded access easements to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before use inauguration or time extension.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the access is installed according to the approved plans prior to start of combustible construction. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the access for the life of the development.

21. Access Road Certification

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall have all access road(s)/driveway(s) certified by a registered Civil Engineer as having an all-weather surface in conformance with Public Works and / or Fire District Standards.

Documentation: A copy of the approved road certification.

Timing: The Permittee shall submit the re-certification to the Fire Prevention Bureau for approval before any new application or future time extension for the project site is approved.

Monitoring and Reporting: A copy of the certification shall be kept on file with the Fire Prevention Bureau.

22. Hazard Abatement

Purpose: To ensure compliance with Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall have all grass or brush adjacent to structure's footprint cleared for a distance of 100 feet or to the property line if less than 100 feet. All grass and brush shall be removed a distance of 10 feet on each side of all access road(s)/driveway(s)

within the project. The Fire District may require the entire parcel to be cleared. Note: A Notice to Abate Fire Hazard may be recorded against the parcel.

Documentation: “Notice to Abate” issued under the Fire District’s Fire Hazard Reduction Program.

Timing: The Permittee shall remove all grass and brush as outlined by the Ventura County Fire Protection District’s Fire Hazard Reduction Program.

Monitoring and Reporting: The Fire Prevention Bureau shall conduct on-site inspections to ensure compliance with this condition.

23. Inspection Authority

Purpose: To ensure on-going compliance with all applicable codes, ordinances and project conditions.

Requirement: The Permittee, by accepting these project conditions of approval, shall acknowledge that the fire code official (Fire District) is authorized to enter at all reasonable times and examine any building, structure or premises subject to this project approval for the purpose of enforcing the Fire Code and these conditions of approval.

Documentation: A copy of the approved entitlement conditions.

Timing: The Permittee shall allow on-going inspections by the fire code official (Fire District) for the life of the project.

Monitoring and Reporting: A copy of the approved entitlement conditions shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall ensure ongoing compliance with this condition through on-site inspections.

Animal Services

24. Isolation Area

Purpose: To prevent the spread of contagious diseases and viruses.

Requirement: Designate an isolation area to hold dogs that are contagious. The isolation area must have separate air exhaust and intake so as not to infect the other animals.

Documentation: A copy of the site plan that specifies the isolation area.

Timing: The Permittee shall provide a site plan illustrating the location of the isolation area prior to the issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: A copy of the site plan with the Isolation Area included shall be provided to the Ventura County Animal Services Department and maintained as part of the file

by the Ventura County Planning Department. The Planning Department and Animal Services shall ensure ongoing compliance with this condition through on-site inspections.

25. Permits

Purpose: To ensure that all applicable Federal, State, and Local permits are maintained.

Requirement: All applicable licenses must be kept up to date. All exotic wildlife animals shall be kept and maintained as directed by the California Department of Fish and Wildlife.

Documentation: A copy of all required Federal, State, and Local permits shall be submitted to the Animal Services Department.

Timing: A copy of the licenses/permits are to be submitted annually during the kennel permitting process.

Monitoring and Reporting: The Animal Services Department shall verify that the permits have been submitted and maintained throughout the life of the Conditional Use Permit.

26. Emergency Evacuation Plan

Purpose: To ensure the safety of the animals should a natural disaster or other emergency require an evacuation of the facility.

Requirement: Preparation of an Emergency Evacuation and Emergency Transportation Plan.

Documentation: An emergency evacuation plan and emergency transportation adequately representative to the current animal count.

Timing: A copy of the Emergency Evacuation Plan and Emergency Transportation Plan must be submitted for review and approved prior to the issuance of a Zoning Clearance for Use Inauguration.

Monitoring and Reporting: A copy of the Emergency Evacuation Plan and the Emergency Transportation Plan will be kept on file with the Animal Services Department and in the Conditional Use Permit file by the Ventura County Planning Department.

27. Veterinarian Contact

Purpose: To ensure that a licensed Veterinarian is available for animal health needs.

Requirement: A California licensed Veterinarian dedicated to providing services.

Documentation: Contact information for a California licensed Veterinarian used by Laughing Dog.

Timing: Submit the licensed veterinarian contact information for review to the Ventura County Animal Services and receive approval before the issuance of a Zoning Clearance for

Construction.

Monitoring and Reporting: The Ventura County Animal Services department will maintain the veterinarian contact information and monitor that the veterinarian is available throughout the life of the permit.

28. Dog Kennel Standards and Guidelines

Purpose: To ensure that animal kennels adhere to size and maintenance requirements.

Requirement: The following Animal Service Dog Kennel Standards and Guidelines are adhered to:

- a. All kennels and its facility are to be kept clean, dry, and free from debris.
- b. Kennels must protect against environmental extremes as well as have adequate ventilation and air flow.
- c. Indoor kennels must meet the minimum sizes:
 - 3 feet wide by 3 feet long by 6 feet high = small to medium dogs
 - 4 feet wide by 4 feet long by 6 feet high = large dogs
 - 5 feet wide by 5 feet long by 6 feet high = extra-large dogs
- d. Walls separating kennels should be a minimum of 5 feet in height.
- e. Kennel flooring should be made of concrete inside and outside. The concrete flooring needs to be grated and sealed. This will allow the water to run off and not create free standing water.
- f. 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 need to be kept free of any sharp objects or edges that would cause the animal injury.
- g. Kennels must be well-kept at all times and repairs must be completed ASAP.
- h. Outdoor kennel runs that are attached to any indoor kennel must be at the minimum 4 feet wide by 8 feet long by 6 feet high. When having outdoor only kennels, the dog must have a doghouse or an internal housing box that will allow the dog to be protected from environmental extremes. The minimum requirement for an outside only kennel is 5 feet wide by 10 feet long by 6 feet high.
- i. Exercise pens must be at least 10 feet by 10 feet or larger. They must have a shaded area for hot weather. All dogs should have at least 1-2 hours of exercise per day and puppies should be exercised at least twice a day.
- j. If you are going to crate any dogs, they must have enough room to stand, sit, lie down and turn around. When crating puppies, the following guideline must apply for length of time allowed in a crate:
 - 9-10 weeks = 30-60 minutes
 - 11-14 weeks = 1-3 hours
 - 15-16 weeks = 3-4 hours
 - 17 + weeks = 4-6 hours
- k. Pet waste should be removed at least twice a day and put into an airtight trash type container.
- l. Kitchens or any area surface where food is kept or prepared must be disinfected daily.

- m. Dog food is to be kept in airtight containers that must be rodent and pest proof.
- n. Dogs need to be fed at the minimum once a day and 2-3 times for puppies. Dogs must have fresh water available at all times.
- o. Food bowls must be removed after the dog(s) are finished eating and any leftovers need to be thrown away. If daily food bowls are not provided and removed, there should be only enough feed for one day and should be placed in a bottom feeder.
- p. Food bowls must be properly sanitized. If you have a dishwasher, wash the dishes with dish soap and then put into the dishwasher.
- q. 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. It is of the utmost importance that you either add bleach or a bleach alternative to the laundry detergent.
- r. Enclosures are to be sanitized daily and disinfected once a week. Any disinfectant that is used must be non-harmful to animals and used within the manufacture's guidelines.
- s. Any new dogs as well as dogs that become sick or injured must be isolated from the general population. All sick or injured dogs must see a vet immediately for proper care.
- t. Any and all veterinary records must be available for review at any time during normal business hours.
- u. Every dog must be current on all its vaccination including rabies.

Documentation: Maintain a log of dogs held at the facility with the size of the dog, cage, and cleaning schedule. Ensure veterinarian records are up to date and readily available.

Timing: Submit log and vet records to the Ventura County Animal Services prior to issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: The Ventura County Animal Services will maintain a current copy of the log, vet records, and monitor the records availability of during periodic site visits.

29. Cat Kennel Standards and Guidelines

Purpose: To ensure that cat enclosures are adequate in size and provide a safe and comfortable environment.

Requirement: The following Animal Service Cat Kennel Standards and Guidelines are adhered to:

- a. All kennels and its facility are to be kept clean, dry, and free from debris. Kennels must protect against environmental extremes as well as have adequate ventilation and air flow.
- b. Cats must have a resting surface six inches off the kennel floor.
- c. Kennel flooring should be made of concrete or other sufficient material inside and outside. The flooring needs to be sealed to allow the water to run off and not create free standing water.
- d. Kennel walls must be made or constructed of non-porous material, to allow for easy effective disinfection. Kennels are to be kept free of debris or material that interferes with proper sanitation. Kennels need to be kept free of any sharp objects or edges that

would cause the animal injury.

- e. Kennels must be well-kept at all times and repairs must be completed ASAP.
- f. When having outdoor only kennel(s), the cat must have a cathouse or an internal housing box that will allow the cat protection from environmental extremes.
- g. The must have a shaded area for hot weather.
- h. It is recommended that pet waste be removed at least twice a day and put into an airtight trash type container.
- i. Cats need to be fed at the minimum once a day and 2-3 times for kittens. Cats must have fresh water available at all times.
- j. Food bows must be removed after the cat is finished eating and any leftovers need to be thrown away. If daily food bowls are not provided and removed, there should be only enough feed for 1 day and should be placed in a bottom feeder.
- k. Food bowls must be properly sanitized. If you have a dishwasher, wash the dishes with dish soap and then put into the dishwasher.
- l. 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 cat. It is of the utmost importance that you either add bleach or a bleach alternative to the laundry detergent.
- m. Enclosures are to be sanitized daily and disinfected once a week. Any disinfectant that is used must be non-harmful to animals and used within the manufacture's guidelines.
- n. Any new cats as well as cats that become sick or injured must be isolated from the general population. All sick or injured cats must see a vet immediately for proper care.
- o. Any and all veterinary records must be available for review at any time during normal business hours.
- p. Every cat must be current on all its vaccination s including rabies.

Documentation: Maintain a log of cats held at the facility with the size of the cat, cage, and cleaning schedule. Ensure veterinarian records are up to date and readily available.

Timing: Submit log and vet records to the Ventura County Animal Services prior to issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: The Ventura County Animal Services will maintain a current copy of the log, vet records, and monitor the records availability of during periodic site visits.