



Planning Director Staff Report Hearing on March 9, 2023

County of Ventura • Resource Management Agency

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

SOMIS VETERINARY HOSPITAL CONDITIONAL USE PERMIT (CUP), CASE NO. PL22-0172

A. PROJECT INFORMATION

1. **Request:** The applicant requests approval of a Minor Modification of Conditional Use Permit (CUP) PL12-0072 for the continued operation of an existing veterinary hospital and clinic (Case No. PL22-0172) for 20 years.
2. **Applicant and Property Owner:** Amritpal Anand, Somis Veterinary Hospital, 5375 Bell Street, Somis, CA 93066
3. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (Section 8105-5), the Planning Director is the decision-maker for the requested minor modification to the CUP.
4. **Project Site Size, Location, and Parcel Number:** The approximately 9,750-square foot property is located at 5375 Bell Street in Somis, at the northwest corner of the intersection of Bell Street and Somis Road (State Route 34), near the city of Camarillo, in the unincorporated area of Ventura County. The Tax Assessor's parcel number for the parcel that constitute the project site is 161-0-102-130 (Exhibit 2).
5. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Commercial
 - b. Zoning Designation: C1 (Neighborhood Commercial)

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

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	C1 (Neighborhood Commercial)	Somis Café and Market
East	AE-40 ac (Agricultural Exclusive, 40-acre minimum lot size) & RE-1 ac (Rural Exclusive, 1-acre minimum lot size)	Agricultural field & Ventura County Fire Station No. 57
South	C1 (Neighborhood Commercial)	Somis Thursday Club, a charitable social club's, clubhouse
West	R2-7,000 sq ft (Two-Family Residential, 7,000 square foot minimum lot size)	Detached residential structures

- 7. History:** The project site is developed with an existing veterinary hospital and clinic. The following discretionary permits have been issued to the site:
- On October 18, 1972, CUP No. 3363 was approved by the Ventura County Planning Director for a veterinary hospital and clinic which expired on October 18, 1982.
 - June 16, 1983, CUP No. 4146 was approved by the Ventura County Planning Commission for the continued use of the project site as a veterinary hospital and clinic with an expiration date of June 16, 1993.
 - On April 1, 1993, a Permit Adjustment for CUP No. 4146 was approved by the Planning Director for a ten-year continuation of the CUP, which expired on April 15, 2003.
 - On October 11, 2012, the Planning Commission approved CUP No. PL12-0072 for continued operation of the veterinary hospital and clinic with a ten-year expiration date to expire on October 11, 2022.
- 8. Project Description:** The requested Minor Modification of CUP PL12-0072, under PL22-0172, is for the continued operation of an existing veterinary hospital and clinic for 20 years. The project site is located at 5375 Bell Street in Somis. The subject property is 9,750 square feet and is comprised of one legal lot. The veterinary hospital and clinic approved under PL12-0072 had an expiration date of October 11, 2022 and an application for a Minor Modification for continued operation under the CUP was received prior to the expiration date.

The single-story veterinary hospital and clinic is 1,844 square feet in size and includes:

- a waiting room;
- office and clerical spaces;
- exam and treatment rooms;
- a surgical room;
- a fireproof storage room;
- bathrooms;
- a washroom for the animals; and
- a kennel space

The veterinary hospital and clinic will continue to provide ten onsite parking spaces. Access to the site will be provided by an alley connected to Bell Street through a private driveway located along the western property line. Water will continue to be provided by the County of Ventura Water and Sanitation Department, in District #19. Waste water disposal is provided by on-site septic (Exhibit 3).

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

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

The State Legislature through the Secretary for Resources has found that certain classes of projects are exempt from CEQA environmental impact review because they do not have a significant effect on the environment. These projects are declared to be categorically exempt from the requirement for the preparation of environmental impact documents. Pursuant to Section 15301 (Existing Facilities) of the Guidelines for the Implementation of the CEQA, the Planning Director finds the request for a CUP Minor Modification for the continued operation of the existing veterinary hospital and clinic to be categorically exempt from environmental review. Further, the project will not trigger any of the exceptions to the exemptions listed under CEQA Guidelines Section 15300.2. Therefore, no further environmental review is required.

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

C. CONSISTENCY WITH THE GENERAL PLAN

The proposed project has been analyzed to and determined to be consistent with all applicable General Plan policies. A consistency analysis which evaluates the project's consistency with the policies of the General Plan is included as Exhibit 5 of this Staff Report.

D. ZONING ORDINANCE COMPLIANCE

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

Pursuant to the requirements of the Ventura County NCZO (Section 8105-5), the proposed use is allowed in the Neighborhood Commercial (C1) zone district with the granting of a CUP. A CUP has already been granted for the proposed project and the requested Minor Modification for continued use of the CUP will be subject to the conditions of approval (Exhibit 4) and the requirements of the Ventura County NCZO.

E. CUP FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a Minor Modification for continued operation of an existing CUP pursuant to Section 8111-1.2.1.1a 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 8111-1.2.1.1a.a].**

Based on the information and analysis presented in Section D and Exhibit 5 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 8111-1.2.1.1a.b].**

A veterinary hospital and clinic has been operating at the subject location since 1972 and is a conditionally permitted use in the Neighborhood Commercial (C1) zone. The facility provides commercial services to the surrounding community and is consistent with other legally established development in the community. 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 8111-1.2.1.1a.c].**

The subject facility has an existing CUP and has been operating without violation on the property. The proposed conditions of approval for the Minor Modification also address hours of operation, site maintenance, and operations. 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 8111-1.2.1.1a.d].**

The continuation of an existing permitted veterinary hospital and clinic provides services to the surrounding community. The facility is already in operation without violation and the proposed conditions of approval would ensure it continues to operate in a manner compatible with the surrounding uses and community. 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 8111-1.2.1.1a.e].**

A veterinary hospital and clinic has been operating at the subject location since 1972 and is a conditionally permitted use in the C1 Zone. The facility is currently in operation without violation, provides commercial services to the surrounding community, and is consistent with other legally established, and potential new development within the Somis community. Based on the discussion above, this finding can be made.

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

The subject facility is situated on a legal lot with the APN No. 161-0-102-130 through a Parcel Map Waiver recorded in 2012. 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 [Section 8111-1.2.1.1a.g].

The subject facility occupies an existing building and has been in operation since 1972. The requested Minor Modification for continued operation of the veterinary hospital and clinic does not include any modifications to the site that would require environmental review and is therefore categorically exempt from CEQA under Section 15301 Existing Facilities. 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 February 24, 2023, the Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located. On February 27, 2023, the Planning Division placed a legal ad in the *Ventura County Star*.

G. RECOMMENDED ACTIONS

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

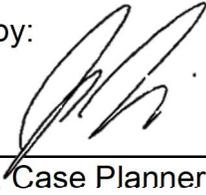
1. **CERTIFY** that the Planning Director has reviewed and considered this staff report and all exhibits thereto, and has considered all comments received during the public comment process;
2. **FIND** that this project is categorically exempt from CEQA pursuant to Section 15301 Existing Facilities.
3. **MAKE** the required findings to grant a Minor Modification of a CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
4. **GRANT** the Minor Modification of CUP PL12-0072, Case No. PL22-0172, subject to the conditions of approval (Exhibit 4).

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 minor modification to 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 John Novi at (805) 654-2462 or john.novi@ventura.org.

Prepared by:



John Novi, Case Planner
Commercial and Industrial Permits
Ventura County Planning Division

Reviewed by:



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

EXHIBITS

- Exhibit 2 Maps
- Exhibit 3 Plans
- Exhibit 4 Conditions of Approval
- Exhibit 5 General Plan Consistency Analysis



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



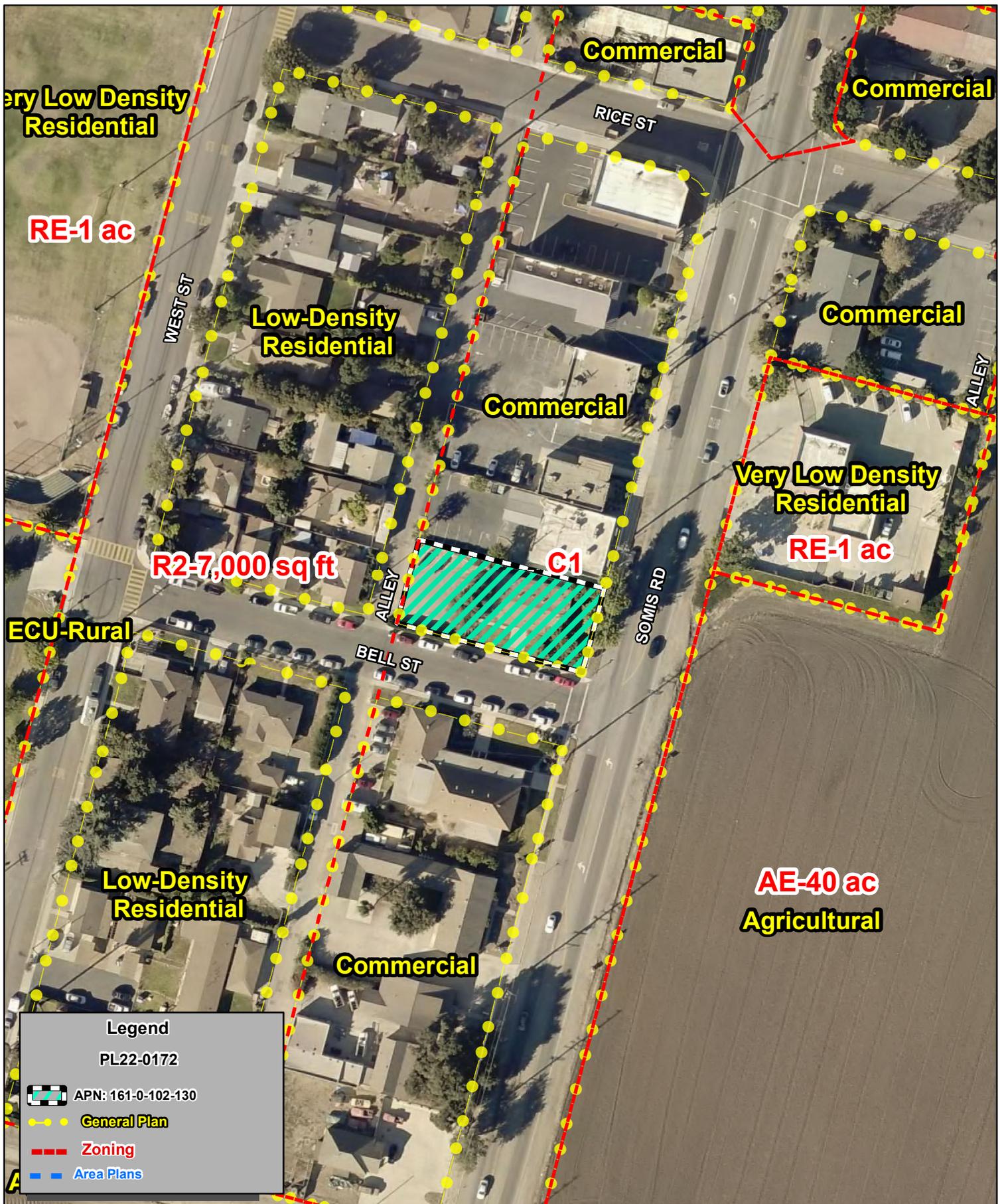
Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map created on 01-30-2023



**County of Ventura
Planning Director Hearing
PL22-0172
Location Map**



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does no warrant the accuracy of this map nor decision involving a risk of economic loss or physical injury should be made in reliance thereon.



Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map Created on 1-26-2023
 This aerial imagery is under the
 copyrights of Pictometry
 Source: Pictometry, 2019



County of Ventura
 Planning Director Hearing
 PL22-0172
 General Plan & Zoning Map

0 45 90 Feet

Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does no warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.

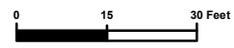




Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map Created on 01-30-2023
This aerial imagery is under the
copyrights of Vexcel 2022

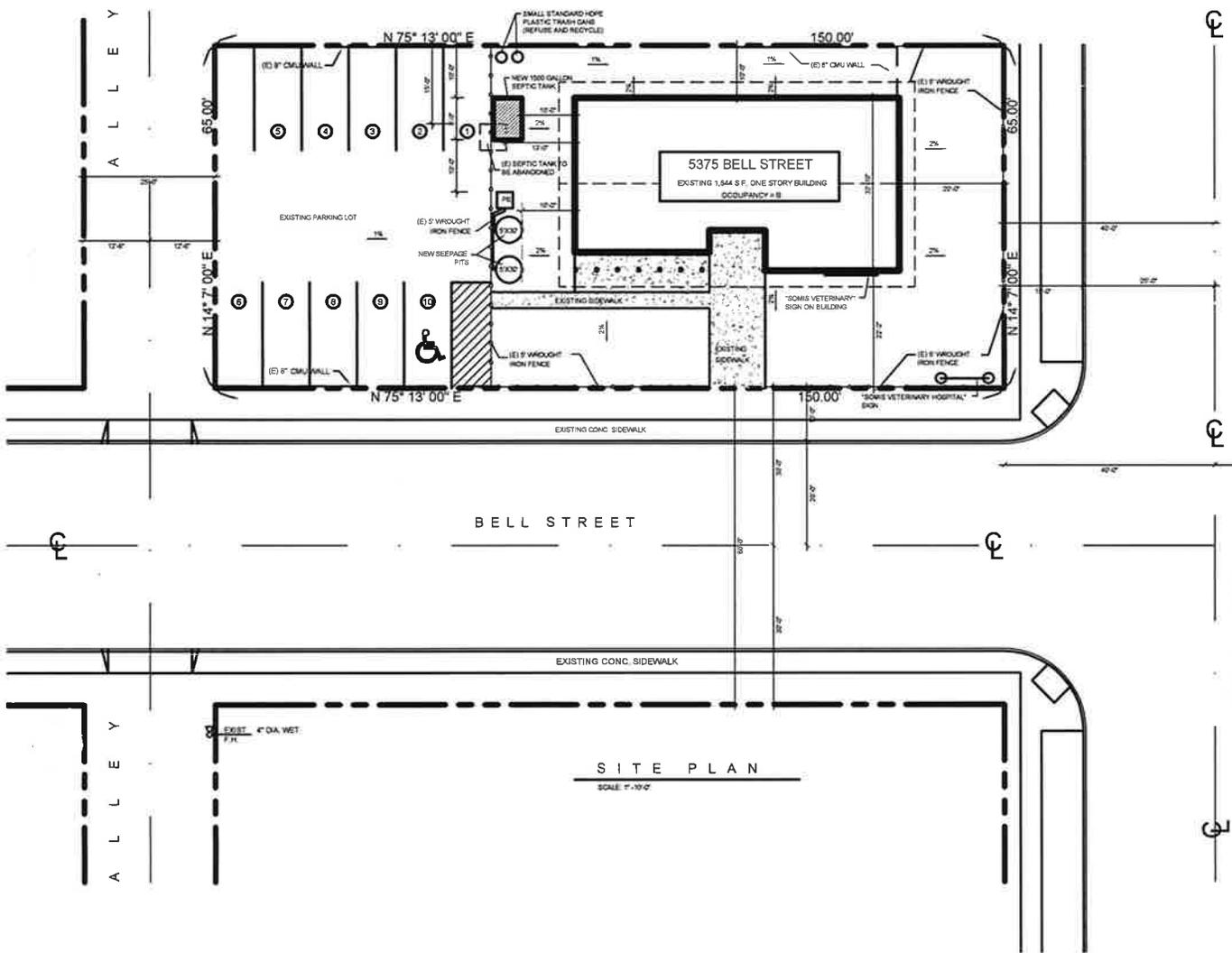


County of Ventura
Planning Director Hearing
PL22-0172
Aerial Photography



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does no warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.





SITE PLAN
SCALE: 1"=10'-0"

THIS PROJECT SHALL COMPLY WITH THE FOLLOWING CODES

- CBC - 2010 CALIFORNIA BUILDING CODE
- CEC - 2010 CALIFORNIA ELECTRIC CODE
- CMC - 2010 CALIFORNIA MECHANICAL CODE
- CPC - 2010 CALIFORNIA PLUMBING CODE
- CEEC - 2010 CALIFORNIA ENERGY (EFFICIENCY) CODE

PROPERTY IDENTIFICATION
 ASSESSOR PARCEL NUMBER: 161-0-102-130
 PROPERTY ADDRESS: 5375 BELL STREET, SOMIS, CA 93068

OCUPANCY GROUP:	B	DESCRIPTION OF USE:	VETERINARY HOSPITAL
TYP. OF CONSTRUCTION:	V-B	SPRINKLERS:	NO
STORIES: EXISTING:	1	MAX HEIGHT:	16'

PROPERTY CHARACTERISTICS INFORMATION

LOT AREA	NET	ACREAGE	0.22
BUILDING AREA	EXISTING	PROPOSED	1,844
LOT COVERAGE	EXISTING	PROPOSED	1,844 (19%)
LANDSCAPE	EXISTING	PROPOSED	3,868 (40%)
SIDE WALK	EXISTING	PROPOSED	678 (6%)
PARKING AREA	EXISTING	PROPOSED	3,360 (35%)
BUILDING PARKING SPACE	EXISTING	PROPOSED	9
BUILDING DISABLED PARKING	EXISTING	PROPOSED	1

SCOPE OF WORK:

1. NO CHANGES ARE PROPOSED TO THE BUILDING WITH THIS PERMIT
2. EXISTING AND PROPOSED USE IS B OCCUPANCY IN THE C-1 ZONE AS A VETERINARY HOSPITAL

LOCATION MAP



County of Ventura
 Planning Director Hearing
 Case No. PL22-0172
 Exhibit 3 - Plans

REV.	REVISIONS	DATE

CIVIL ENGINEERING CONSULTANTS

P.O. BOX 1336, SOMIS, CALIFORNIA 93068
 409.938.3300 FAX
 david.enry@gmail.com

PLANS PREPARED BY:

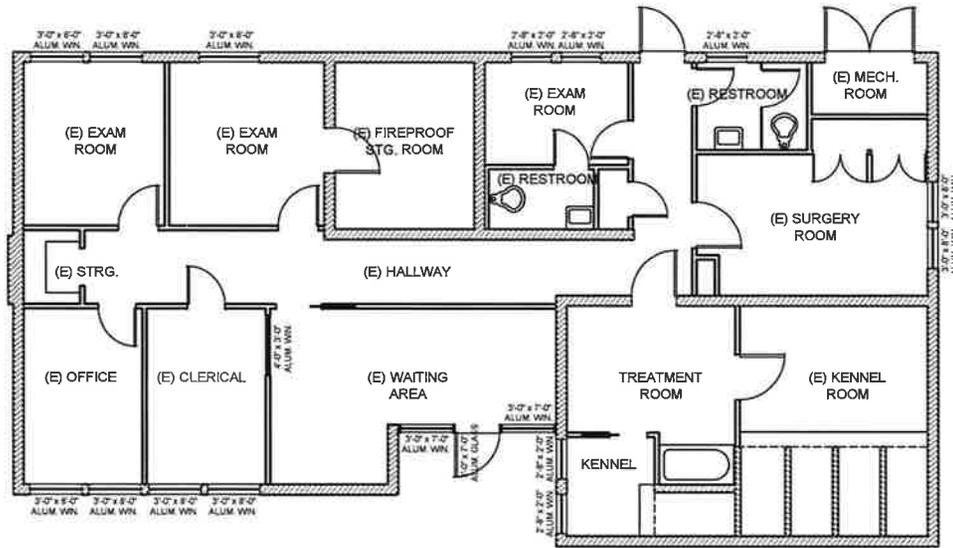
S I T E P L A N

AS BUILT FOR:
GERALD & DONNA J. CLARK
 5375 BELL STREET SOMIS, CA 93068
 CONTACT: RICHARD WATLIES (605) 524-3185

SHEET TITLE:
 DATE: MAY 29, 2012
 FILE: CLARK DONNA
 APN: 161-0-102-130
 SHEET NO.

1

WALL LEGEND	
	EXISTING 2 1/4" OF 62 STUD WALL
	EXISTING 1" CMU WALL



SOMIS VETERINARY HOSPITAL

EXISTING FLOOR PLAN (1,844 SQUARE FEET)

SCALE: 1/4" = 1'-0"

DATE	REVISIONS	BY

PLANS PREPARED BY:
CIVIL ENGINEERING CONSULTANTS
 P.O. BOX 1336, SOMIS, CALIFORNIA 92089
 (805) 391-6905
 david.avery@gmail.com

FLOOR PLAN
 AS BUILT FOR
SOMIS VETERINARY
 5375 BELL STREET
 SOMIS, CA 92089

DATE	MAY 29, 2012
SCALE	AS NOTED
APP.	101-01-02-135
SHEET NO.	

2

**CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP) 4146,
AS MODIFIED BY CASE NOS. PL12-0072 and PL22-0172**

RESOURCE MANAGEMENT AGENCY (RMA)

Planning Division Conditions

1. Project Description

This CUP is based on and limited to compliance with the project description stated in this condition, the staff report and attached exhibits 2 through 5 of the Planning Director hearing on March 9, 2023, 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 CUP is for the operation of an existing veterinary hospital and clinic, located at 5375 Bell Street in Somis. The subject property is 9,750 square feet and is comprised of one legal lot.

The single-story veterinary hospital and clinic is 1,844 square feet in size and includes:

- a waiting room;
- office and clerical spaces;
- exam and treatment rooms;
- a surgical room;
- a fireproof storage room;
- bathrooms;
- a washroom for the animals; and
- a kennel space

The veterinary hospital and clinic includes ten onsite parking spaces. Access to the site is provided by an alley connected to Bell Street through a private driveway located along the western property line. Water will continue to be provided by the County of Ventura Water and Sanitation Department, in District #19. Wastewater disposal is provided by on-site septic.

The use and maintenance of the property and location of structures, parking areas and landscape areas, shall conform to the project description above and all approved County land use hearing exhibits in support of the Project and conditions of approval below.

2. Days and Hours of Operation

Purpose: In order to be compatible with surrounding land uses, it is necessary to limit the days and hours of operation of the approved use.

Requirement: The operation of the approved use shall be limited to 8:00 a.m. to 4:00 p.m., seven days a week.

The permittee shall post the hours of operation in an obvious location that can be seen by customers, vendors, etc. The signage must be made of weatherproof and permanent material and comply with the Ventura County Non-Coastal Zoning Ordinance (NCZO) Article 10.

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

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

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

3. 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 the required on-site parking lot be repaired and re-stripped in conformance with the approved plans stamped as hearing Exhibit 3.

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.

Timing: 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 the

issuance of a Zoning Clearance for 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.

4. 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.

5. 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.

6. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and/or commencement of construction and/or operations under this CUP shall constitute the Permittee's formal agreement to comply with all conditions of this CUP. Failure to abide by and comply with any condition of this CUP 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 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.

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

7. Time Limits

- a. Use inauguration:

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

- (2) This CUP 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.
- b. Permit Life or Operations Period: This CUP will expire on March 19, 2043. 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 March 19, 2043; 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.

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

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.

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) 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.

9. Notice of CUP Requirements and Retention of CUP Conditions On-Site

Purpose: To ensure full and proper notice of these CUP 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.

Documentation: The Permittee shall maintain a current set of CUP 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.

10. Recorded Notice of Land Use Entitlement

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

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, with the deed of the property that is subject to this CUP.

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, 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 to Planning Division staff to be included in the Project file.

11. 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. 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 Case No. PL12-0072, the Resource Management Agency created Condition Compliance Case No. CC12-0051 to cover the costs associated with condition compliance review, monitoring, and enforcement activities, and any duly-imposed civil administrative penalties, regarding CUP Case No. PL12-0072. The Planning Division will continue to use Condition Compliance Case No. CC12-0051 to cover the costs associated with condition compliance review, monitoring, and enforcement activities described in subsection 11.a (above), and any duly-imposed civil administrative penalties regarding this CUP.

Within 10 calendar days of the effective date of the final decision approving this CUP, the Permittee shall submit a new, updated, and completed reimbursement agreement for Condition Compliance Case No. CC12-0051, 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. The Permittee shall have the right to challenge any charge or penalty prior to payment.

Note: Compliance account CC12-0051 has been established and no further deposit is necessary.

12. 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. 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, 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, 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 serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

13. Invalidation of Condition(s)

If any of the conditions or limitations of this CUP 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 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, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being

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

14. 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, 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. 11 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.

15. 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 condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

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

The Permittee shall obtain a business tax certificate and any applicable regulatory licenses for the operation of the veterinary hospital and clinic.

16. Contact Person

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

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP.

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.

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.

17. Change of Owner/Permittee

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

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.

18. Landscaping and Screening

Purpose: To comply with the County's landscaping requirements.

Requirement: The existing landscaping, which was approved in the landscape plan for Conditional Use Permit No. 4146 (approved June 16, 1983, Condition No. 9), shall be maintained throughout the life of the subject CUP permit.

Documentation: The Permittee shall submit to the County of Ventura Planning Division for review and approval color photo documentation of the existing landscaping. Any changes to approved landscape plans that affect the character or quantity of the plant material or irrigation system design must be approved by the Planning Director prior to installation.

Timing: The Permittee shall submit the color photo documentation to the Planning Division for review and approval prior to issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: The Planning Division maintains the landscape plans and color photo documentation in the project file and has the authority to periodically confirm that the landscaping is maintained by the Permittee in accordance with the approved plan consistent with the requirements of §8114-3 of the Non-Coastal Zoning Ordinance.

Note: Inspection of the site confirms landscape has been installed. Documentation of the current landscaping is not necessary; however, the continued maintenance is required.

19. Availability of Parking Spaces

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

Requirement: The Permittee shall ensure that the required 10 motor vehicle parking spaces (including accessible spaces), remain continuously available for their intended parking use and are not used for merchandise displays, storage, vehicle repair, or any unauthorized use. The Permittee and Property Owner shall maintain the required parking area as illustrated on the approved site plan. This maintenance requirement includes but is not limited to; the number of parking spaces, curbs, directional markings, accessible parking symbols, screening, sight distance, surfaces, signs, striping, lighting fixtures, landscaping, and trash and recyclables enclosures.

Documentation: A stamped copy of the approved site plan.

Timing: The Permittee shall repair (as described in Condition No. 3) and install all components of the required parking area as indicated on the approved site plan prior to the issuance of a Zone Clearance for use inauguration and shall maintain the required parking area as illustrated on the approved site plan for the life of the permit.

Monitoring and Reporting: The Planning Division maintains a stamped copy of the approved site plan provided by the Permittee in the project file. The Building and Safety Inspector and Planning Division have the authority to inspect the site to ensure compliance with the approved site plan prior to occupancy. 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.

20. Graffiti

Purpose: In order to comply with §8107-31.15 of the Ventura County Non-Coastal Zoning Ordinance.

Requirement: The Permittee shall submit a graffiti control plan for approval by the Planning Director. The plan must address the prevention of graffiti by such means as landscaping materials, special surface finishes, misting/irrigation strategies, alarms, or other means deemed feasible by the Planning Director. The plan must also include strategies which detail how graffiti will be removed within 48 hours of its discovery.

Documentation: A graffiti control plan.

Timing: The Permittee shall submit the graffiti control plan to the Planning Division for review and approval prior to Zoning Clearance for use inauguration. The Permittee shall implement the graffiti control plan in accordance with the schedule approved by the Planning Division.

Monitoring and Reporting: The Planning Division maintains the approved graffiti control plan in the project file. The Planning Division has the authority to ensure ongoing compliance with this condition pursuant to the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

21. Trash and Recycling Storage Area

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

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

Timing: Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall illustrate the enclosures on all development plans for review and approval by the Planning Division. The Permittee shall install the trash enclosures prior to occupancy.

Documentation: A copy of the approved site plan.

Monitoring and Reporting: The Planning Division maintains a copy of the approved site plan in the project file. The Planning Division has the authority to inspect the site to ensure that the enclosures are constructed as illustrated on the approved plans prior to occupancy. The Planning Division has the authority to periodically inspecting the site to ensure that the trash enclosures are maintained consistent with the requirements of §8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

Note: No trash enclosure is necessary as trash collection is serviced through roller bins.

Environmental Health Division (EHD) Conditions

22. Existing OWTS General Notice

Purpose: To demonstrate compliance with State and local regulations related to the design and installation of an onsite wastewater treatment system (OWTS). Only domestic waste as defined in the Ventura County General Plan and the Ventura County Building Code Ordinance may be discharged into the on-site sewage disposal system.

Requirement: Permittee shall maintain all OWTS components in good working order to prevent system failure and creation of a public nuisance. Permittee is required to obtain the approval of the Ventura County Environmental Health Division (EHD) prior to changing and/or modifying the OWTS, repairing components of the OWTS, expanding the footprint of a structure, adding plumbing fixtures, or adding a new structure.

Ongoing Maintenance: Once the OWTS has been installed and finalized by EHD, it is the owner's responsibility to properly maintain the system to prevent OWTS failure or an unauthorized sewage release, and from creating a public nuisance, health concern, or impact the environment. The septic tank shall be serviced, as needed, by a septic pumper truck registered and permitted by Ventura County EHD, and all pumping activities shall be reported to EHD. All septage wastes must be disposed of in an approved manner. EHD staff will also receive and respond to any complaints related to OWTS and/or unauthorized sewage releases.

23. Existing OWTS - Repair

Purpose: To demonstrate compliance with State and local regulations related to the design and installation of an onsite wastewater treatment system (OWTS). Only domestic waste as defined in the Ventura County General Plan and the Ventura County Building Code Ordinance is allowed to be discharged into the on-site sewage disposal system.

Requirement: Permittee shall obtain the approval of the Ventura County Environmental Health Division (EHD) to repair/replace the damaged seepage pit for the existing OWTS. Permittee shall also obtain approval if any other changes, modifications, or repairs to the OWTS are needed, including but not limited to septic tank replacement, changes to disposal field, adding additional plumbing fixtures and/or adding additional bedroom equivalents.

Documentation: Submit all applicable documentation, including permit application, site plan, bedroom and fixture unit equivalent worksheet, etc., to EHD for review and approval.

Timing: Prior to issuance of the Use Inauguration Zoning Clearance, the Permittee shall obtain written confirmation from EHD that the condition has been satisfied.

Monitoring: To assure compliance with this condition, EHD staff shall review and approve the OWTS repair design and permit application, and conduct site inspections during construction.

Ongoing Maintenance: Once the OWTS has been repaired and finalized by EHD, it is the owner's responsibility to properly maintain the system to prevent OWTS failure or an unauthorized sewage release, and from creating a public nuisance, health concern, or impact the environment. The septic tank shall be serviced, as needed, by a septic pumper truck registered and permitted by Ventura County EHD, and all pumping activities shall be reported to EHD. All septage wastes must be disposed of in an approved manner. EHD staff will also receive and respond to any complaints related to OWTS and/or unauthorized sewage releases.

24. Medical Waste Management

Purpose: To protect public health and safety and the environment from potential exposure to disease causing agents, and to comply with the California Medical Waste Management Act and Ventura County Ordinance Code.

Requirement: All medical waste generators are required to register with Ventura County Environmental Health Division (EHD). Medical waste includes bio-hazardous waste, pathology waste, chemotherapy waste, sharps waste, or pharmaceutical waste.

Monitoring: Once registered, ongoing compliance with requirements shall be accomplished through generator reporting as well as field inspections by EHD Medical Waste Program staff.

OTHER VENTURA COUNTY AGENCIES

Ventura County Fire Protection District (VCFPD) Conditions

25. Access Road Widths, Commercial or Industrial

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 paved width of 25 feet for all on-site driveways. Parking is prohibited on the required width of any driveway less than 36 feet in width.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before the start of combustible construction.

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 the Permittee's successors in interest, shall maintain the access for the life of the development.

Note: The facility and roadways, alleys, and parking area is existing. Any future modification to the access to the site must comply with this condition.

26. Fire Lanes

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 post all fire lanes in accordance with California Vehicle Code, the International Fire Code and current Ventura County Fire Protection District Fire Lane Standards. All fire lane markings / signs shall be located within recorded access easements. The Permittee shall maintain all required fire lane markings / signs to be clearly visible.

Documentation: A stamped copy of the approved fire lane plan.

Timing: The Permittee shall submit two (2) copies of the site plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required fire lanes shall be installed before final occupancy.

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

Note: The facility and roadways, alleys, and parking area is existing. Any future modification to the access to the site must comply with this condition.

27. Fire Flow

Purpose: To ensure that adequate water supply is available to the project for firefighting purposes.

Requirement: The Permittee shall verify that the water purveyor can provide the required volume and duration at the project. The minimum required fire flow shall be determined as specified by the current adopted edition of the Ventura County Fire Code and the applicable Water Manual for the jurisdiction (whichever is more restrictive). Given the present plans and information, the required fire flow is approximately 1,500 gallons per minute at 20 psi for minimum two hour duration. A minimum flow of 1,500 gallons per minute shall be provided from any one hydrant. Note: For Commercial, Industrial, Multi-family buildings, a minimum fire flow of 1,000 GPM shall be provided from each hydrant when multiple hydrants are flowing at the same time.

Documentation: A signed copy of the water purveyor's fire flow certification.

Timing: Prior to map recordation, the Permittee shall provide to the Fire District, verification from the water purveyor that the purveyor can provide the required fire flow. If there is no map recordation, the Permittee shall submit a signed copy of the water purveyor's certification to the Fire Prevention Bureau for approval before the issuance of building permits.

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

Note: The facility is existing, and water is provided by the County of Ventura Water and Sanitation Department, in District #19. Confirmation of adequate Fire Flow must be provided to Fire and approved prior to the issuance of a Zone Clearance for use inauguration.

28. Address Number Plan

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

Requirement: The Permittee shall install and maintain a minimum 10 inch address numbers on the structure, visible from the street. No brass or gold numbers are permitted.

Documentation: A stamped copy of the approved address.

Timing: The Permittee shall install address numbers before final CUP approval.

Monitoring and Reporting: A copy of the approved address 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.

Note: Although the facility is existing, confirmation from Fire that adequate address numbering is provided must be provided prior to the issuance of a Zone Clearance for use inauguration.

29. Fire Department Clearance

Purpose: To inform the Permittee of all fire department requirements applicable to the proposed project.

Requirement: The Permittee shall complete a VCFPD Form #126 "Requirements for Construction" for any new structures or additions to existing structures before issuance of building permits.

Documentation: The Permittee shall submit to the VCFPD a signed copy of the Ventura County Fire Protection District's Form #126 "Requirements for Construction."

Timing: Prior to the issuance of building permits, the submitted VCFPD Form #126 Application must be approved by the Fire Prevention Bureau.

Monitoring and Reporting: A copy of the completed VCFPD Form #126 shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau will conduct a final on-site inspection of the project to ensure compliance with all conditions and applicable codes / ordinances.

Note: The facility is existing, and any future modification to the facility must comply with this condition.

30. Fire Code Permits

Purpose: In order to minimize fire hazards, the project shall be constructed in conformance with the requirements of the Ventura County Fire Code.

Requirement: The Permittee and/or tenant shall obtain all applicable Fire Code permits.

Documentation: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for review and approval.

Timing: Prior to final occupancy clearance, installation or use of any required item or system, the Permittee must obtain approval of all necessary Fire Code permits.

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

Note: The facility is existing, and any future modification to the facility must comply with this condition.

31. 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.



Exhibit 5 – General Plan Consistency Analysis

County of Ventura • Resource Management Agency • Planning Division

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

CONSISTENCY WITH THE GENERAL PLAN FOR SOMIS VETERINARY HOSPITAL AND CLINIC, CASE NO. PL22-0172

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 Non-Coastal Zoning Ordinance (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*.

1. Economic Vitality Policy EV-1.4 Regulatory Environment - *The County shall promote business-friendliness in the regulatory and permitting environment throughout Ventura County through collaboration, exchange of ideas and best practices, improvement in clarity and efficiency in the permitting process, taking advantage of opportunities for streamlining in the development process, and promoting consistency in policy and practice among cities and the County.*

The requested minor modification for the continuation of the existing Conditional Use Permit (CUP) for a veterinary hospital and clinic is considered by the Planning Director at a public hearing. A Planning Director public hearing is less expensive and has a shorter processing time frame than a CUP considered by the Planning Commission and is therefore a business-friendly process to reduce time and cost to the applicant.

2. Economic Vitality Policy EV-1.9 Range of Commercial Services - *The County shall encourage the development of a range of commercial uses in urban areas and Existing Communities, where zoning allows, that fulfill the daily needs of residents and visitors.*

The existing veterinary hospital and clinic is within the Somis community and is consistent with the Neighborhood Commercial (CR1) zone. The veterinary hospital and clinic provides animal care services to the Somis community and surrounding areas.

County of Ventura
Planning Director Hearing
Case No. PL22-0172
Exhibit 5 - General Plan Consistency
Analysis

3. Hazards and Safety Policy HAZ-9.2 Noise Compatibility Standards - *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).*

Hazards and Safety Policy HAZ-9.5 Site and Building Design - *The County shall require discretionary development and County-initiated projects to comply with adopted noise standards through proper site and building design features, such as building location and orientation, setbacks, natural barriers and vegetation, and building construction. The County shall only consider sound walls if noise mitigation measures have been evaluated or integrated into the project and found infeasible.*

Hazards and Safety Policy HAZ-9.7 Noise Control Priorities - *The priorities for noise control for discretionary development shall be as follows:*

1. *Reduction of noise emissions at the source.*
2. *Attenuation of sound transmission along its path, using barriers, landform modification, dense plantings, building orientation and placement, and the like.*
3. *Rejection of noise at the reception point using noise control building construction, hearing protection or other means.*

The existing veterinary hospital and clinic conducts all operations within the facility and does not operate after 4:00 p.m. Additionally, no violations related to noise have been issued for the facility.

4. Land Use and Community Character Policy LU-3.1 Existing Community(ies) -

The Existing Community area designation, referred to in SOAR, identifies existing urban residential, commercial, or industrial enclaves outside of incorporated areas and unincorporated urban centers. The Existing Community area designation recognizes existing land uses in unincorporated areas which have been developed with urban building intensities and urban land uses, contains these enclaves within specific areas so as to prevent further expansion, and limits the building intensity and land use to previously established levels. Thomas Aquinas College is newly designated in this initiative as Existing Community, with the intention that it be confined to its current boundaries with the understanding that it may continue to intensify its building for its educationally related purposes.

Figure 2-1 indicates the boundary of the Existing Community area designation. All areas inside these boundaries are considered within the Existing Community area designation for purposes of this General Plan and implementation of the Guidelines for Orderly Development and Save Open Space & Agricultural Resources (SOAR) initiative. This term is considered synonymous with "Urban Enclave" as used in other planning documents.

This designation defines the boundary of the Existing Communities in the unincorporated areas of the county and the areas within these boundaries, as shown on Figure 2-1.

Land Use and Community Character Policy LU-3.3 Range of Uses in the Existing Community Designation - *The County shall recognize that the Existing Community area designation may cover the range of zones present in the area including, but not limited to, residential, commercial, and industrial, as well as the range of existing population densities and building intensities. The County shall allow the appropriate zoning, population densities, and building intensities based on the adopted Area Plan or, where no Area Plan exists, by the applicable Existing Community Map contained in Appendix A. Because of the degree of specificity on the Existing Community Maps, the County shall require a General Plan amendment for any zone change within an Existing Community.*

Land Use and Community Character Policy LU-4.2 Zoning Consistency - *The County shall ensure that zoning designations are consistent with the General Land Use Diagrams (Figures 2-4 and 2-5) and the Zoning Consistency Matrix (Table 2-1). The County shall apply the following factors to determine the appropriate zone classification (from among those consistent with the appropriate land use designation):*

- *Recognizing the desirability of retaining existing uses and densities on the subject land;*
- *Recognizing the desirability of accommodating anticipated uses on the subject land;*
- *Maintaining continuity with neighboring zoning, land uses and parcel sizes;*
- *Implementing the recommendations of specific zoning and land use studies of the area in question;*
- *Recognizing and addressing the presence and significance of resources and hazards; and*
- *Evaluating the ability to provide public services and facilities.*

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

Land Use and Community Character Policy LU-11.3 Design - *The County shall require new commercial and industrial developments to be designed to be generally compact, grouped and consolidated into functional units providing for sufficient off-street parking and loading facilities, maximize pedestrian and vehicle safety, reduce vehicle miles traveled (VMT), encourage electric vehicle charging, and minimize the land use conflicts and traffic congestion. The County shall require that commercial and industrial discretionary development is designed to provide adequate buffering (e.g., walls, landscaping, setbacks) and operational conditions (e.g., hours of operation, and scheduling of deliveries) to minimize adverse impacts (e.g., noise, glare, and odors) on adjoining and adjacent residential areas.*

The veterinary hospital and clinic is within the existing Somis community and is an existing use that is consistent with Neighborhood Commercial (CR1) Zoning and the General Plan Land Use designation for Commercial. The proposal does not include a request to expand or modify the facility and it would not expand beyond the boundaries of the existing community. Additionally, the site contains established mature landscaping, a surface parking lot, and has no active violations.