Zoning Administrator Agenda Report Meeting Date 3/26/2024

DATE: March 13, 2024

File: UP 24-01

TO: ZONING ADMINISTRATOR

FROM: Tina Wilson, Associate Planner, 530-879-6807, tina.wilson@chicoca.gov

RE: Use Permit 24-01 (Ridgeside K9 NorCal), 2812 Hegan Lane, APN 039-060-154

RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from environmental review and approve Use Permit 24-01 (Ridgeside K9 NorCal), based on the findings and subject to the recommended conditions of approval.

BACKGROUND AND ANALYSIS

The project is located on an approximately 2-acre site on the north side of Hegan Lane and west of Huss Drive (see **Attachment A,** Location/Notification Map and **Attachment B,** Site Plan to Accompany Use Permit 24-01). The site is designated Manufacturing and Warehousing (M&W) on the City of Chico General Plan Land Use Diagram and zoned ML (Light Manufacturing/Industrial). The site is developed with an existing commercial building, landscaping, and parking lot. Surrounding land uses include industrial uses to the north and east, and agricultural uses to the south and west.

Proposed Project

The project involves establishing a dog training and boarding facility for up to 30 dogs within an existing 7,455 square foot suite of an existing commercial building, previously occupied by a work training center (see **Attachment C**, Project Description). Hours of operation would be from 7:30 a.m. to 6:00 p.m., seven days per week. The facility would have 10 to 18 employees with a maximum of 10 employees on site during operating hours. An existing driveway east of the building would provide vehicular access to the existing parking lot with 190 spaces.

Discussion

Pursuant to Chico Municipal Code (CMC) Section 19.46.020, Table 4-8, kennels and animal boarding facilities are allowed in the ML zoning district subject to use permit approval.

The proposed request does not include any new construction or structural modifications to the existing facilities, or site improvements such as new lighting, parking, or landscaping. Pursuant to CMC Section 19.70.040, kennels and animal boarding facilities require 1 parking space for each employee plus 1 space for each 625 square feet of gross floor area. Currently there are 190 parking spaces.

The proposed hours of operation are 7:30 a.m. to 6:00 p.m., Monday through Sunday, and are compatible with surrounding industrial and agricultural land uses. There will be no additional traffic or noise during evening hours. Staff does not anticipate additional noise disturbance to neighboring properties. Lighting of the site will be limited to the amount normally associated with safety and security, and no additional light fixtures are proposed that would result in potential light and glare spillage impacts.

With conditions addressing these issues and implementation of Code requirements, staff recommends approval of the use permit.

ENVIRONMENTAL REVIEW

This project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures). Consistent with this exemption, the project consists of the establishment of a dog training and boarding facility in an existing commercial building in an industrial area, not involving significant amounts of hazardous substances, where all public services are available, and the surrounding land is not environmentally sensitive.

FINDINGS

Following a public hearing, the Zoning Administrator may approve a use permit application, with or without conditions, only if all of the following findings can be made:

Use Permit Findings

A. *The proposed use is allowed within the subject zoning district and complies with all of the applicable provisions of Chapter 19.24 (Use Permits).*

   CMC Section 19.46.020 allows for kennels and animal boarding in the ML zoning district, subject to use permit approval. This use permit has been processed in accordance with the requirements of Chapter 19.24 (Use Permits).

B. *The proposed use would not be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of the proposed use.*

   No new construction, structural modifications, or site improvements are proposed. The site is subject to compliance with the City's noise and nuisance regulations. The project would not be detrimental to the health, safety, or general welfare of the surrounding neighborhood.

C. *The proposed use will not be detrimental and/or injurious to property and improvements in the neighborhood of the proposed use, as well as the general welfare of the City.*

   The project is the operation of a dog training and boarding facility within an existing commercial building. On-site improvements are not proposed as part of the project. If tenant improvements are proposed in the future, they may require building permits from the Building Division of the City of Chico. No impacts to neighboring properties have been identified.

D. *The proposed use will be consistent with the policies, standards, and land use designations established by the General Plan.*

   The project is consistent with the Manufacturing and Warehousing land use designation, which allows for a kennel and boarding facility. The project is consistent with General

Plan Goal LU-2, providing a mix and distribution of uses that meet the identified needs of the community, Policy LU-2.4, promoting land use compatibility through use restrictions, and Policy LU-4.2, supporting infill development projects that are compatible with surrounding properties and neighborhoods.

E. *The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity.*

The project involves the operation of a dog training and boarding facility within an existing commercial building. The smaller scale project with the specified conditions of operation will be compatible with the existing and future land uses in the vicinity.

CONDITIONS OF PROJECT APPROVAL

1. Use Permit 24-01 authorizes a dog training and boarding facility for up to 30 dogs in the ML zoning district, in substantial accord with the "Site Plan to Accompany Use Permit 24-01 (Ridgeside K9 NorCal)" and in compliance with all other conditions of approval.

2. The permittee shall comply with all other State and local Code provisions, including those of the Building Division, Public Works Department, Fire Department, and Butte County Environmental Health. The permittee is responsible for contacting these offices to verify the need for permits.

3. Regular hours of operation shall be limited to 7:30 a.m. to 6:00 p.m., Monday through Sunday.

4. The applicant shall defend, indemnify, and hold harmless the City of Chico, its boards and commissions, officers and employees against and from any and all liabilities, demands, claims, actions or proceedings and costs and expenses incidental thereto (including costs of defense, settlement and reasonable attorney's fees), which any or all of them may suffer, incur, be responsible for or pay out as a result of or in connection with any challenge to or claim regarding the legality, validity, processing or adequacy associated with: (i) this requested entitlement; (ii) the proceedings undertaken in connection with the adoption or approval of this entitlement; (iii) any subsequent approvals or permits relating to this entitlement; (iv) the processing of occupancy permits and (v) any amendments to the approvals for this entitlement. The City of Chico shall promptly notify the applicant of any claim, action or proceeding which may be filed and shall cooperate fully in the defense, as provided for in Government code section 66474.9.

PUBLIC CONTACT

A notice was published in the Chico Enterprise Record 10 days prior to the meeting date and notices were mailed out to all property owners and tenants within 500 feet of the project site. At the time of the staff report being published, no comments were received from the public.

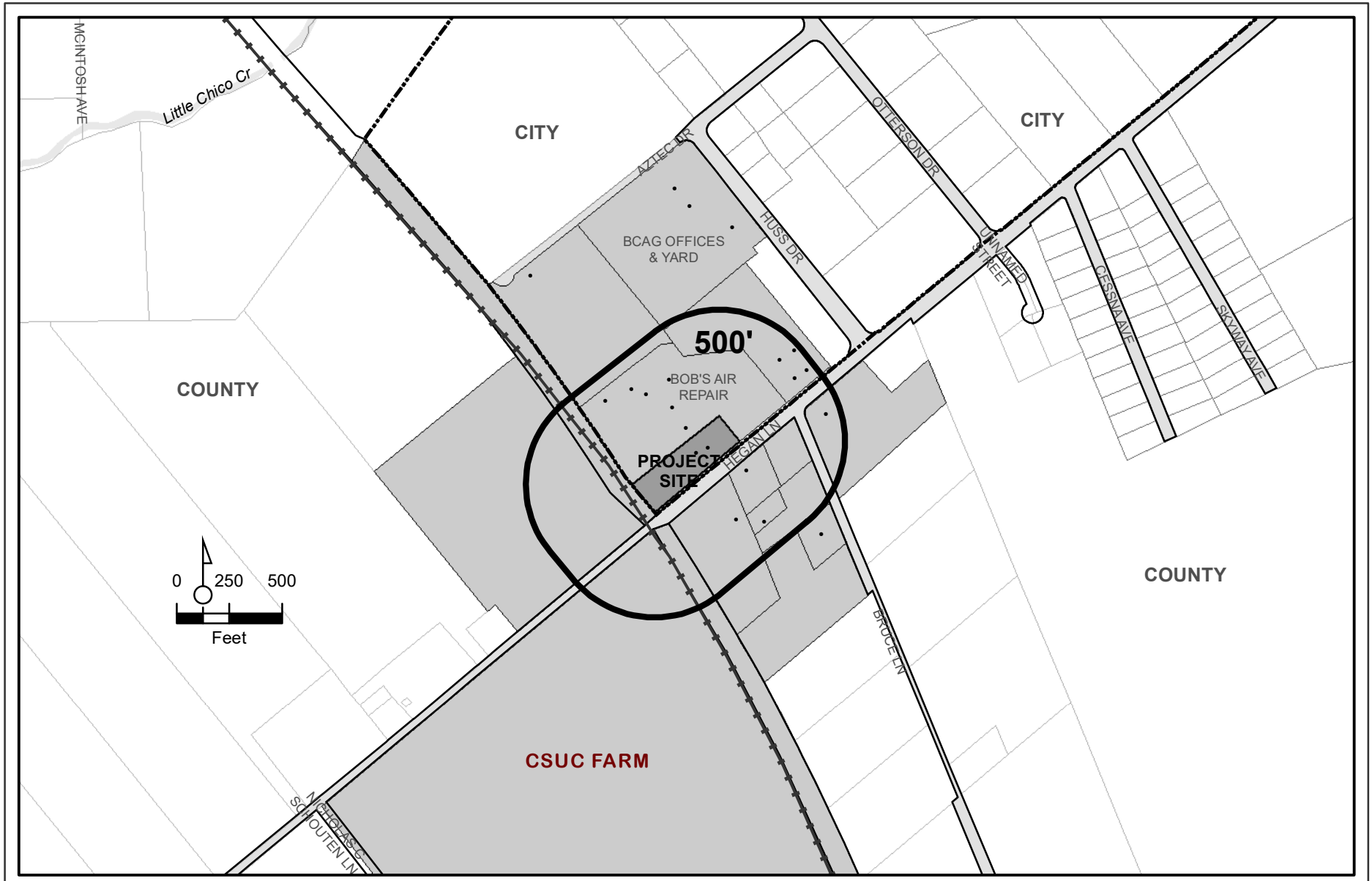
DISTRIBUTION:

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File: UP 24-01

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ATTACHMENTS:

A. Location/Notification Map
B. Site Plan to Accompany Use Permit 24-01 (Ridgeside K9 NorCal)
C. Project Description



UP 24-01 (Ridgeside K9 NorCal)
2812 Hegan Ln
APN 039-060-154-000

Noticed Parcels
Noticed Addresses

Attachment A

Google Maps 2812 Hegan Ln



Imagery ©2023 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, USDA/FPAC/GEO, Map data ©2023 50 ft

Attachment B



Attachment B

Ridgeside K9 NorCal
930 W 5th St. #180
Chico, CA 95928
(530)519-3155
RSK9Rich@gmail.com

December 18,2023

City of Chico,

We currently own and operate Ridgeside K9 NorCal, located at 931 W. 5th St. #180, Chico. We are a training facility focusing on the relationships between dogs and their owners. We provide private lessons, day training and board and train options for dog owners. We also provide overnight boarding for well behaved dogs that have trained with us.

Over the last 2.5 years, we have been in business less than 100 yards away from Depot Park. We have battled vandalism, assaults, vehicle burglaries, threats and multiple thefts from our business and employees. During this trying time, we managed to grow a successful business. We would like to change our operating location to 2812 Hegan Ln., within the industrial park at that location. Our hope is that we will be able to avoid the ongoing criminal activity that has plagued our current neighborhood and business while still operating an inviting and professional facility within the city of Chico.

As the owner and principal partner in this company, I bring over 20 years of dog training experience. I have been a K9 Handler for the City of Chico Police Dept., working with 3 different K9 partners. For over 10 years, I have trained police K9s for dozens of Northern California Law Enforcement Agencies. I continue to train Police K9s and K9 Handlers for 28 agencies from Placer County to the Bay Area. We also have partnered with the Butte Humane Society, providing free training for hard to adopt dogs that has resulted in a 100% adoption rate for those dogs.

We are committed to helping dog owners live a more harmonious life with their dogs. We have a 4.9 Google rating and are well respected by the dog owners we work with, The Butte Humane Society and The Police and Sheriffs Departments we provide K9s to.

NUMBER OF DOGS

We would like to request a permit for up to 30 dogs.

HOUSING OF DOGS

Dogs will be housed in steel kennels and heavy duty molded crates. Their movement throughout their stay with us will be on leash from their kennel to treadmills, potty yard or the training field inside the building. The only time dogs will be outside will be for potty breaks in a designated potty area where feces will be collected and disposed of.

CLEANING

Dog kennels will be placed on durable linoleum floors over sealed concrete. This provides for easy and frequent cleaning. Crates are self contained and can be easily cleaned and sanitized. In our current facility, we are frequently complimented on cleanliness and the lack of "animal odor".

PET WASTE DISPOSAL

Pet waste will be contained in a specialized location inside of the facility. Feces removal will be frequent and will be placed in an airtight container for removal by Waste Management on a weekly basis

NOISE

The walls of the building are concrete and brick. There are several rooms within the building allowing for areas to be further blocked off from outside access. The only times dogs will be outside will be for brief potty breaks in a designated potty yard on the north side of the building, which faces the interior of the industrial park. The area of 2812 Hegan Ln. is an industrial park area consisting of a UPS hub, metal fabrication, a Butte County bus yard and many other industrial type businesses. I do not anticipate that our business would be anymore invasive than the above listed businesses. We have not received noise complaints at our current location.

HEALTH AND VET CARE

We require all dog owners to provide proof of vaccinations in order for their dog to enter our business. For emergency vet care we will be in close proximity to VCA Pet Hospital at 2480 Dr. Martin Luther King Jr. Pkwy, Chico.

We value the service we are able to bring to dog owners within Chico and beyond. We take our responsibility to those dogs and the community very seriously. We are visited monthly by multiple Law Enforcement Agencies and dozens of pet owners. It is our continuing goal to provide the most inviting and professional facility possible.