



County of Orange

MEMO

FILE: PA06-0034

DATE: August 10, 2006
TO: File/Record/Applicant
FROM: Timothy S. Neely, Director, RDMD/Planning and Development Services
SUBJECT: Planning Application PA06-0034 for Administrative Amendment to Use Permit
APPLICANT: Second Chance Canine Rescue, property owner
LOCATION: 20301 Riverside Drive, Santa Ana Heights

I. NATURE OF PROJECT:

Owner requests an Amendment to Use Permit 3094 from 1970 to allow 30 dogs on-site in a kennel previously licensed for 42 dogs, operating with a total of 18 insulated kennel enclosures and continued use of the former detached garage as a grooming center (with 6 of the 18 total enclosures), to legitimize the existing sound attenuation walls to a maximum height of 10 feet tall, and to use the existing non-conforming carport to the side of the house as the attendant's covered parking, with its post supports on the property line of unknown origin.

The project was reviewed by the Santa Ana Heights Project Advisory Committee, which recommended approval of the project on June 6, 2006, with revisions to change the wood portion of the 10 foot tall fencing to block, which is not being done, to require that yard drains be connected to the public sewer system, which will be done, and to consider requiring an acoustical study, which is not being done in view of the reduction in permitted dogs from the previously licensed 42 to a proposed 30.

The property is zoned Santa Ana Heights Specific Plan "Residential-Kennel", and has a General Plan land use designation of "Suburban Residential".

II. REFERENCE: (Authority for Administrative action is given by what ordinance, regulation, etc.)

Orange County Zoning Code Sections 7-9-150 "Discretionary Permits and Procedures"; and Santa Ana Heights Specific Plan Section D.3.g.(1), which requires that: (a) the proposed change does not increase overall size of the facility by more than 10%; (b) the proposed change does not increase the number of dog runs; and that (c) the proposed change does not intensify any accessory uses (grooming, etc.) allowed by the current permit and does not provide for any additional accessory uses.

III. ENVIRONMENTAL DOCUMENTATION:

The project was found Categorical Exempt (Classes 3), as minor new construction, from documentation requirements of CEQA. Appendix A contains the required Finding.

IV. CERTIFICATION:

I hereby certify that the subject proposal has been Conditionally Approved as noted below.

Timothy S. Neely, Director
RDMD/Planning and Development Services

By: _____
Ron Tippets, Chief
Site Planning, Land Use Services

ATTACHMENTS:

Appendix A - Findings
Appendix B - Conditions of Approval

APPEAL PROCEDURE

Any interested person may appeal the decision of the Director on this permit to the Orange County Planning Commission within 15 calendar days of the decision upon submittal of required documents and a filing fee of \$760.00 filed at the Development Processing Center, 300 N. Flower St., Santa Ana.



Appendix A Findings PA060034

1	GENERAL PLAN	PA060034
That the use or project proposed is consistent with the objectives, policies, and general land uses and programs specified in the General Plan adopted pursuant to the State Planning and Zoning Law.		
2	ZONING	PA060034
That the use, activity or improvement(s) proposed, subject to the specified conditions, is consistent with the provisions of the Zoning Code, or specific plan regulations applicable to the property.		
3	COMPATIBILITY	PA060034
That the location, size, design and operating characteristics of the proposed use will not create unusual conditions or situations that may be incompatible with other permitted uses in the vicinity.		
4	GENERAL WELFARE	PA060034
That the application will not result in conditions or circumstances contrary to the public health and safety and the general welfare.		
5	PUBLIC FACILITIES	PA060034
That the approval of the permit application is in compliance with Codified Ordinance Section 7-9-711 regarding public facilities (fire station, library, sheriff, etc.).		
6	CATEGORICALLY EXEMPT	PA060034 (Custom)
That the proposed project is Categorically Exempt (Class 3) from the provisions of CEQA.		
7	FENCE AND WALL 1	PA060034
That the height and location of the fence or wall as proposed will not result in or create a traffic hazard.		
8	FENCE AND WALL 2	PA060034
That the location, size, design and other characteristics of the fence or wall will not create conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.		



Appendix B Conditions of Approval PA060034

1 CP CP NA BASIC/ZONING REG PA060034

This approval constitutes approval of the proposed project only to the extent that the project complies with the Orange County Zoning Code and any other applicable zoning regulations. Approval does not include any action or finding as to compliance of approval of the project regarding any other applicable ordinance, regulation or requirement.

2 CP CP NA BASIC/TIME LIMIT PA060034

This approval is valid for a period of 36 months from the date of final determination. If the use approved by this action is not established within such period of time, this approval shall be terminated and shall thereafter be null and void.

3 CP CP NA BASIC/PRECISE PLAN PA060034

Except as otherwise provided herein, this permit is approved as a precise plan. If the applicant proposes changes regarding the location or alteration of any use or structure, the applicant shall submit a changed plan to the Director, PDS, for approval. If the Director, PDS, determines that the proposed change complies with the provisions and the spirit and intent of the approval action, and that the action would have been the same for the changed plan as for the approved plot plan, he may approve the changed plan without requiring a new public hearing.

4 CP CP NA BASIC/COMPLIANCE PA060034

Failure to abide by and faithfully comply with any and all conditions attached to this approving action shall constitute grounds for the revocation of said action by the Orange County Planning Commission.

5 CP CP NA BASIC/OBLIGATIONS PA060034

Applicant shall defend at his/her sole expense any action brought against the County because of issuance of this permit. Applicant shall reimburse the County for any court costs and attorneys fees that the County may be required to pay as a result of such action. The County may, at its sole discretion, participate in the defense of any action, but such participation shall not relieve applicant of his/her obligations under this condition.

6 CP CP NA BASIC/APEAL EXACTIONS PA060034

Pursuant to Government Code Section 66020, the applicant is hereby informed that the 90-day approval period in which the applicant may protest the fees, dedications, reservations or other exactions imposed on this project through the conditions of approval has begun.

7 LP LP U YARD DRAINS PA060034 (Custom)

Prior to the issuance of any final certificates of use and occupancy, the applicant shall obtain a plumbing permit and approval of the local sewerage agency to connect "first-flush" and "hose-down" runoff from the rear yard area to the public sewer system.