



**DATE:** January 18, 2019

File: UP 18-19

**TO:** ZONING ADMINISTRATOR

**FROM:** Shannon Costa, Assistant Planner, 530-879-6807, [shannon.costa@chicoca.gov](mailto:shannon.costa@chicoca.gov)

**RE:** Use Permit 18-19 (Garbis Dog Boarding and Training), 931 West 5<sup>th</sup> Street, APN 004-203-004

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## RECOMMENDATION

Planning staff recommends that the Zoning Administrator find the project categorically exempt from further environmental review and approve Use Permit 18-19 (Garbis Dog Boarding and Training), based on the findings and subject to the recommended conditions of approval.

## BACKGROUND AND ANALYSIS

This is a request to operate a boarding and training facility for dogs in a portion of an existing building located at 931 West 5<sup>th</sup> Street, at the southeast corner of the intersection of West 5<sup>th</sup> Street and Cedar Street (see **Attachment A**, Location). The site is designated Office Mixed Use on the General Plan Land Use diagram and is zoned IOMU (Industrial Office Mixed Use). Surrounding land uses include Depot Park to the north, Union Pacific Railroad to the east, multi-family housing the west and vacant land to the south.

The site is developed with a concrete structure divided into two suites. The front portion of the building has historically been used of a variety of commercial purposes, including a weight-training gym, cafe, art studio and most recently, a rock-climbing gym authorized under a use permit (UP 97-10) to allow a fitness club in the IOMU zoning district. The proposal includes utilizing the rear portion of the building (approximately 6,000 square feet) for dog training and boarding activities.

A site plan provided by the applicant indicates that the downstairs floor area would be utilized for open play/training area, split into sections to separate large and small dogs. An upstairs mezzanine area would be used to board up to 20 dogs in kennels 8-feet by 4-feet in size (see **Attachment B**, Plat to Accompany UP 18-19). Further background on the applicant can be found at her website [www.dinazaphiris.com](http://www.dinazaphiris.com) (see **Attachment C**, Project Description and Biography).

### Discussion

Pursuant to Chico Municipal Code (CMC) Section 19.46.020, Table 4-8 (*Allowed Uses and Permit Requirements for Manufacturing & Industrial Zoning Districts*), use permit authorization is required for "Kennels and animal boarding" in the IOMU (Industrial Office Mixed Use) zoning district. The operational characteristics of the proposed dog training facility are equivalent to those of a kennel and animal boarding facility.

Potential issues related to the operation of a dog boarding and training facility in an established neighborhood include noise, smell, and provisions for parking. Each of these issues is discussed briefly below.

Noise issues can arise from concentrations of dogs which can particularly effect residential neighbors. The existing building is constructed of 10-inch-thick concrete walls, which is expected to buffer any noise from within the facility. Daily operations at the site include one-on-one dog training, which requires complete concentration and attention from the dog, so barking would not be tolerated. Staff is trained to abate any barking outbursts very quickly. Dogs would be allowed free/recreation time in small groups of compatible size and breed, so fighting and barking is not anticipated. The facility supports overnight boarding of up to 20 dogs and includes overnight quarters for staff resulting in 24-hour site supervision, which would reduce and control any nighttime barking. To ensure noise associated with dog boarding does not affect the surrounding neighborhood, a condition of approval is recommended that would limit all dog-related activity to within the structure and that all doors and windows remain closed while dogs are on site.

Without proper sanitation and waste disposal, odors associated with animal boarding can be a nuisance to those nearby. The floor of each kennel is equipped with a waste pan that would catch urine and feces to be disposed of daily to manage the waste. Pet waste would be double-bagged and kept within the structure until discarded outside for weekly trash pickup. The facility is ideal for indoor dog keeping, as the linoleum and concrete flooring allows for daily hosing and bleach as needed. With regular cleaning and waste disposal, it is not anticipated that the facility would emit odors that would affect the surrounding neighborhood.

Seven vehicle parking spaces are provided at the rear of the site which would be designated for the dog boarding facility (see **Attachment D**, Parking Layout). The upstairs mezzanine area would be designated for dog boarding with up to 20 kennels, 32-square-feet in size. For dog kennels and boarding facilities, CMC 19.70 (Parking and Loading Standards) requires one space for every 625-square-feet of gross floor area, plus one space for each employee. With up to four employees, and 640 square feet dedicated to dog boarding, the parking requirement for the project is six vehicle parking spaces. To further reduce the potential for parking impacts, the applicant has implemented the following measures:

- Typical dog drop-off and pick-up times would be limited to a 30-minute window each morning and evening and are by appointment only.
- “Temporary Parking” spaces would be identified in the parking area to ensure quick turnaround of parking spaces.
- Dog pick-up and delivery is available if requested by the pet owner, limiting the number of customers visiting the site.
- The applicant provides in-home dog training services, reducing the number of customers visiting the site.

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 conversion of existing residential units to a daycare center in an urbanized 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 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 kennels and animal boarding in the IOMU zoning district, subject to issuance of a use permit. The operational characteristics of the proposed dog training facility are equivalent to those of a kennel and animal boarding facility. 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.*

The project, as conditioned, includes provisions for limiting noise impacts to the neighboring businesses and properties, providing proper sanitation and waste disposal, and providing adequate parking to minimize impacts to those residing or working in the 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 involves utilizing an existing building for the use of dog training and boarding. No construction is proposed that would be detrimental and/or injurious to property and improvements in the neighborhood.

- 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 Industrial Office Mixed Use designation for the site, which envisions a variety of industrial and service uses, including kennels and boarding. The project is also consistent with General Plan Goal LU-2, providing a mix and distribution of uses that meet the identified needs of the community and Goal LU-4, promoting compatible infill development.

- 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 utilization of an existing building for the use of a dog training and boarding facility. The limited scale of the project, combined with the required conditions will ensure compatibility with existing and future land uses in the vicinity.

### **CONDITIONS OF PROJECT APPROVAL**

1. Use Permit 18-19 (Garbis Dog Boarding and Training) authorizes a dog boarding and training facility for up to 20 dogs in the IOMU zoning district, in substantial accord with the "Plat to Accompany Use Permit 18-19 (Garbis Dog Boarding and Training)" 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. All windows and doors shall remain closed while dogs are on site.

### **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.

### **DISTRIBUTION:**

#### Internal (3)

Brendan Vieg, Zoning Administrator  
Shannon Costa, Assistant Planner  
File: UP 18-19

#### External

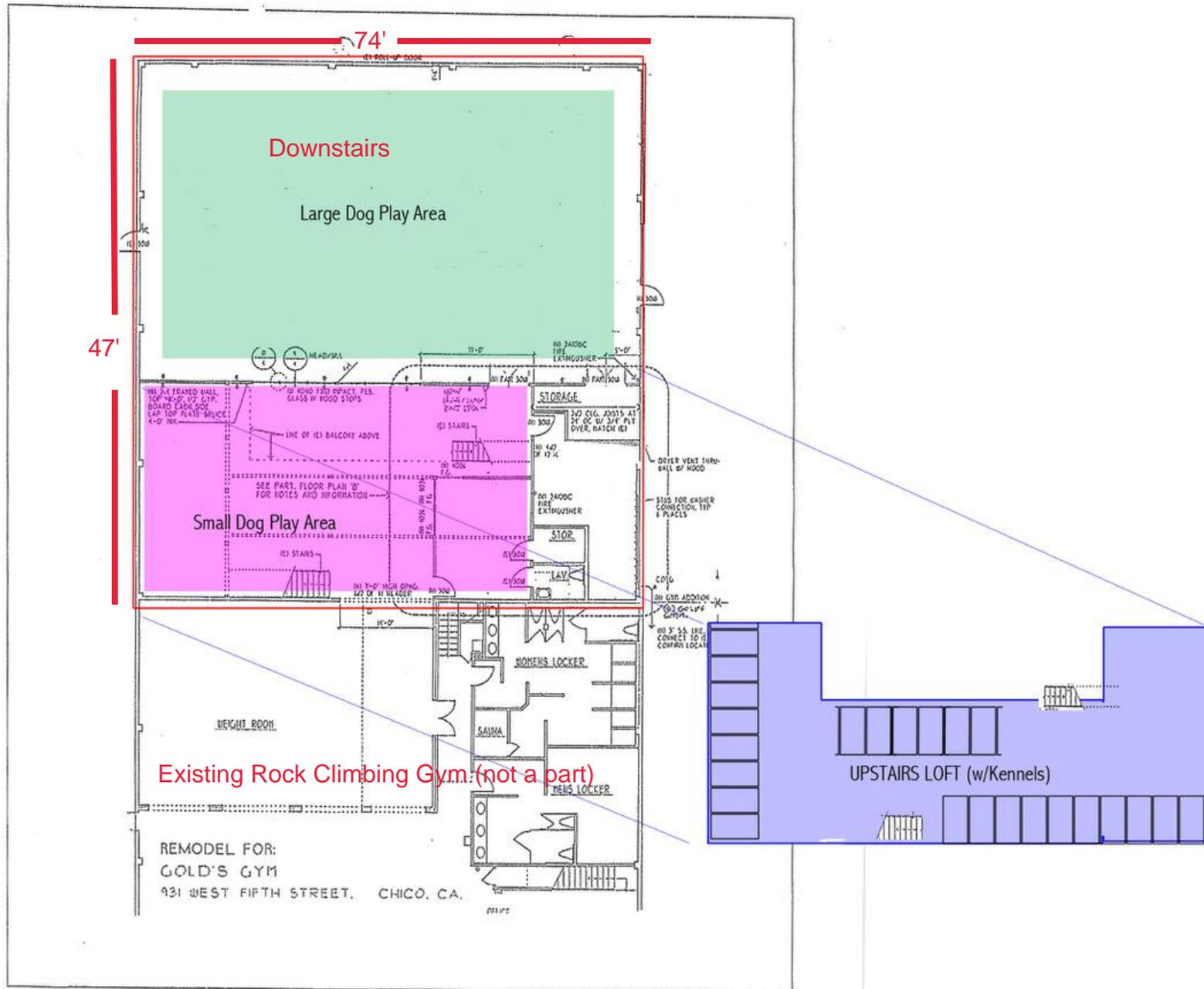
Dina Z. Garbis, 56 Horse Run Lane, Chico, CA 95928, email: [dinadog@mac.com](mailto:dinadog@mac.com)  
Ken Robison, 605 Main Street, Red Bluff, CA 96080

### **ATTACHMENTS:**

- A. Location Map
- B. Plat to Accompany UP 18-16 (Garbis Dog Boarding and Training)
- C. Project Description and Biography
- D. Parking Layout



UP 18-19 (Garbis Dog Boarding/Training)  
 931 W 5th Street  
 APN 004-203-004-000



Garbis Dog Boarding and Training Facility (UP 18-19)  
 Floor Plan

## **Chico Dog Boarding and Training Center**

We propose a boarding and training center for the residents of Chico. We will provide a safe, clean, and comfortable environment for Chico dogs.

Dog boarding is prevalent in most American cities, as the relationships between man and dogs deepen. Chico is in need of this service, as there are more dogs than places to board them. I believe that Chico residents will appreciate and enjoy this modern and updated version of a boarding facility. We will combine education, along with dog services, including an agility course and cage-free play room. Finding a suitable place that is both in the correct zone and the correct size, is challenging, and this location is ideal.

As the proprietor and principal partner in this company, I bring 26 years of professional dog training experience, including running a successful dog boarding and training facility in Los Angeles, Ca. (see attached resume and bio-sketch)

I am currently partnering with Enloe Regional Cancer Center in a collaboration that involves training Enloe the cancer sniffing dog. I brought this program to Chico, and many of the thousands employees of Enloe Hospital will be our clientele. In addition, I grew up in Chico, went to Chico High School, and then UC Davis. After 25 years in Los Angeles, I moved back to Chico to partner with Enloe Cancer Center. We will have a training room for our cancer sniffing dogs at the new center. Currently, we have a training center donated by CEO of Enloe Medical Center, Mike Wiltermood.

As a community member, I teach free 4H dog obedience and showmanship classes every week, and I also teach a weekly, free, dog obedience class (at Community Park). I invite you to see my numerous television shows and appearances on my website:

[dinazaphiris.com](http://dinazaphiris.com)

and

[dogsdetectcancer.org](http://dogsdetectcancer.org)

I'm a published author (Behavior Savior, The Enlightened Path for the Perfect Pet) and have contributed protocols, study designs, and dog training for articles published in medical journals for cancer detection dogs. I was the first to train cancer sniffing dogs for published research. (Journal of Integrative Cancer Therapies) — see resume and bio-sketch, attached.

We look forward to bringing this center to Chico, and we hope you'll support our project.

# **Chico Dog Boarding and Training**

## **NUMBER OF DOGS**

We would like to request a permit for up to 20 dogs.

## **HOUSING OF DOGS**

Dogs will be allowed in large concrete, play areas during the day. Overnight boarders will be housed in 4 foot by 8 foot steel kennels on linoleum flooring. In addition, dog enclosures will be fitted with washable pans to catch all waste.

Dogs will be kept inside of the building at all times. There is no outdoor area for the dogs.

## **CLEANING**

Sealed concrete floors and linoleum flooring will serve as the main areas for the dogs. This will allow for easy and frequent cleaning, and will prevent urine from penetrating concrete and/or wood.

## **PET WASTE DISPOSAL**

Pet waste will be contained in a specialized location inside of the facility. Feces removal will be frequent and include double bagging the poop and placing in airtight containers for removal by Waste Management on a weekly basis.

## **NOISE**

The walls of this building are 10 inch thick concrete, and are virtually sound-proof.

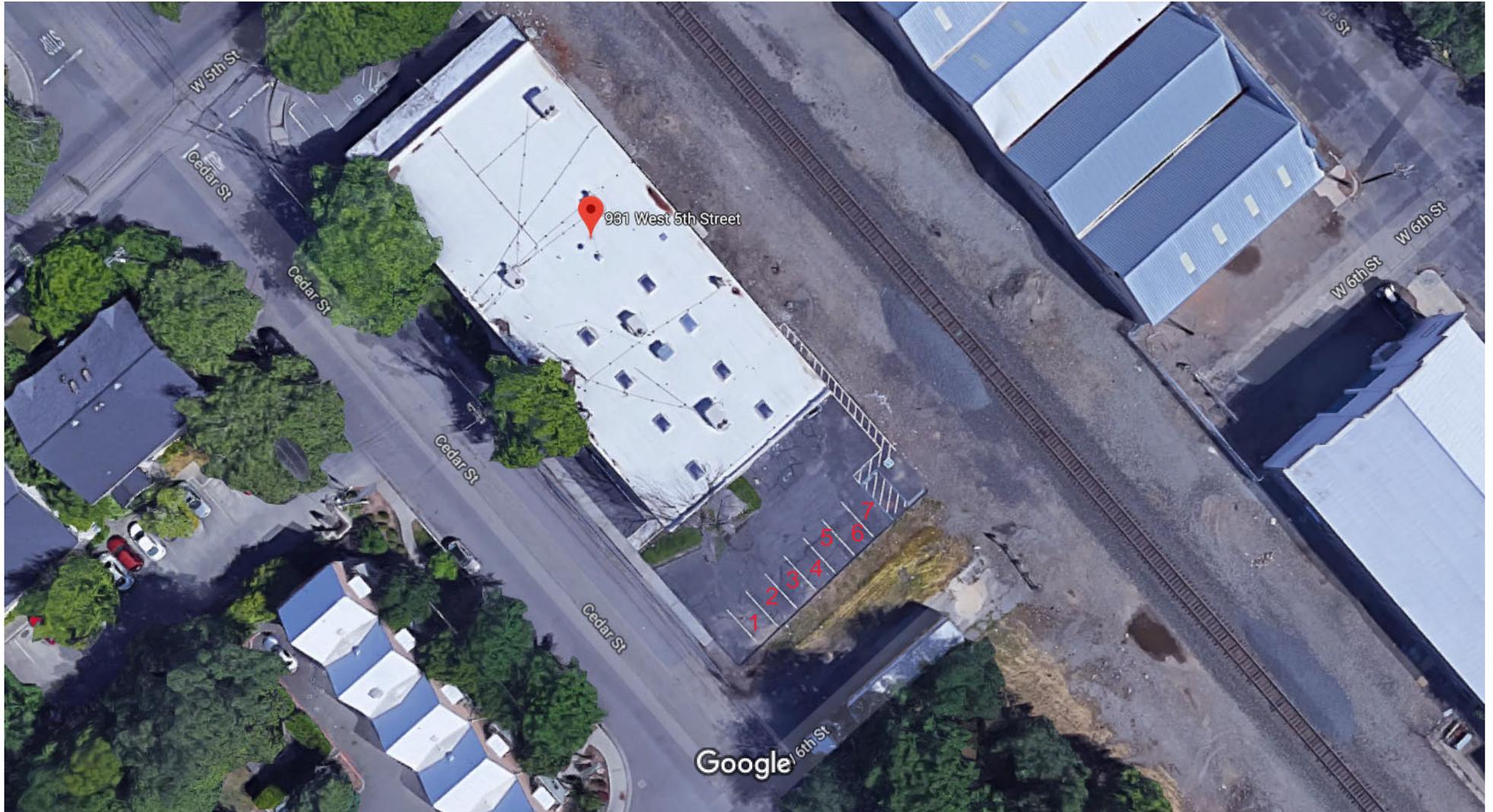
In the event that any sound is able to escape outside of the facility, it would be extremely minimal. But should this become a nuisance in any way, the steps needed to correct the problem will be easy and expedient.

Locating any additional areas around vents or doors that are allowing sound to escape will be soundproofed. In addition, the use of temporary walls "inside" of the facility to block off the kennel area may be utilized. This would create a "room inside of a room" effect and eliminate any noise from leaving the facility.

## **HEALTH AND VET CARE**

We will require all dog owners to provide proof of vaccination in order to be boarded, or attend doggie daycare. For medical issues, we will have an on call mobile veterinarian to handle and basic medical issues. For emergencies, we will utilize VCA Pet Hospital at 2480 Dr. Martin Luther King Jr. Pkwy, Chico.

Google Maps 931 W 5th St



Imagery ©2019 Google, Map data ©2019 Google 20 ft

Garbis Dog Boarding and Training UP 18-19  
Parking Layout

Attachment D