

**COUNTY OF CALAVERAS, STATE OF CALIFORNIA
PLANNING COMMISSION**

RESOLUTION NO. 2025-006

>>A RESOLUTION DENYING APPEAL 2025-011 AND UPHOLDING PLANNING DIRECTOR'S APPROVAL OF AUP 2024-082 TO PERMIT THE USE OF THE EXISTING ON-SITE 20'X25' DOG KENNEL STRUCTURE FOR THE OPERATION OF A 5-RUN DOG BOARDING FACILITY AT 1298 APPLE BLOSSOM DRIVE, IN MURPHYS.

WHEREAS, on November 5, 2025, the Calaveras County Planning Department received an Administrative Use Permit (AUP) application from Noah and Amber Glanville (Applicant), to operate a 5-run dog boarding facility from the existing on-site 20'x25' dog kennel at 1298 Apple Blossom Drive, in Murphys; and

WHEREAS, the subject parcels total 40.83-acres in size, zoned General Agriculture with a 40-acre minimum (A1-40), on land designated by the General Plan as both Working Lands and Rural Transition A (RTA), and located in portions of Sections 31 and 32 of T04N, R14E and a portion of Section 5 of T03N, R14E of the MDM; and

WHEREAS, on February 10, 2025, the Planning Director approved the application pursuant to 17.30 of County Code; and

WHEREAS, on February 24, 2025, Appeal 2025-011 was filed by Ralph Niven challenging the Planning Director's approval of AUP 2024-082; and

WHEREAS, during a noticed public hearing on March 27th, 2025, the Planning Commission considered all of the information presented to it, including a staff report, information presented by the project proponent, and information presented at the meeting; therefore

BE IT RESOLVED, that the Planning Commission denies Appeal 2025-011, and upholds Planning Director's approval of AUP 2024-082, based on the following findings:

1. The proposed use is allowed within the applicable zone and complies with all other applicable provisions of this Title and all other titles of the Calaveras County Municipal Code.

Evidence: The project site is in the General Agriculture (A1) zone with a 40-acre minimum. Pursuant to §17.04.020 Land Use Regulations- Resource Zones. Animal Boarding Facilities require an Administrative Use Permit in the A1 zone and require the operator or caretaker to reside full-time on site. The proposed use is therefore compatible with this zone.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Evidence: The project site is on land designated by the General Plan as Rural Transition A (RTA) and Working Lands. Pursuant to Table LU-1 of the General Plan, Rural Transition A identifies areas of existing rural neighborhoods. The primary use is residential. Pursuant to Table LU-1 of the General Plan, the Working Lands designation includes lands with a combination of residential and home-based businesses. These lands allow home-based business operations that are compatible with rural residential development. Typical uses include small-scale commercial/industrial uses secondary to the primary residence. This use is therefore compatible with this land use designation.

3. The proposed use will not have the potential to adversely affect the public health, safety, or general welfare of the community, nor be unreasonably detrimental to surrounding properties or improvements.

Evidence: The project was circulated to County Departments, Local Public Agencies, and property owners within 300' of the project site. Comments were received from four of the neighboring parcels. Planning intends to adopt a Notice of Exemption per CEQA Guidelines, Article 19 Categorical Exemptions, §15303 New Construction or Conversion of Small Structures, (c) a store, motel, office, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. Conditions of approval have been included to ensure the protection of public, health, safety, and general welfare of the community.

4. The proposed use complies with any design or development standards applicable to the zone or the use in question, unless waived or modified pursuant to the provisions of this Title.

Evidence: There are no design standards applied to this parcel or land use.

5. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses and circulation in the vicinity.

Evidence: The project site is approximately 40.83-acres in size, with rocky hills and heavy vegetation surrounding the proposed development area. The proposed project will construct a 20'x25' dog kennel, with a maximum of 5 dogs at a time. Conditions of approval have been included to limit traffic as to not exceed the allowed average daily traffic (ADT) generated by a Single-Unit Dwelling, including both residential and nonresidential uses commutatively. The project has no associated employee trips. It is anticipated that a maximum of 5 dogs will be kenneled on site for multiple days at a time.

6. The site is physically suitable for the type of the use being proposed, including access, utilities, and the absence of physical constraints.

Evidence: The property is developed with a Single-Unit Dwelling with attached garage, an agricultural well, a pump house, a septic system, an asphalt driveway, and accessory structures. Access to the project parcel is primarily provided from Apple Blossom Drive, a portion of which is a private road. Road improvements include asphalt surface and gravel turnouts. Conditions of approval have been included to limit traffic as to not exceed the allowed average daily traffic (ADT) generated by a Single-Unit Dwelling, including both residential and nonresidential uses commutatively.

7. The granting of this AUP application is exempt from the California Environmental Quality Act (CEQA).

Evidence: This project is categorically exempt per CEQA Guidelines Section 15303(c) which allows for a store, motel, office, restaurant, or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. A Notice of Exemption shall be filed if the permit approval is upheld. Should the approval of this permit be overturned in whole or in part, the Planning Department will determine what, if any, environmental document must be prepared for the permit to comply with CEQA.

Approved by the Planning Commission of the County of Calaveras, at a regular meeting of the Planning Commission held on March 27th, 2025, on a motion by Commissioner _____ and seconded by Commissioner _____.

AYES:
NOES:
ABSTAIN:
ABSENT:

Chair, Planning Commission

ATTEST:

Bret Sampson,
Planning Director

The project files are available for public review in the Planning Department, County of Calaveras, Government Center, 891 Mountain Ranch Road, San Andreas, CA. 95249, between the hours of 8:00 a.m. and 4:00 p.m.