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**DEPARTMENT OF RESOURCE MANAGEMENT**



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Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT  
Use Permit Renewal**

**Application:** U-97-17-MR1-CR1  
**Applicant:** Snug Harbor Resorts, LLC

**Meeting of March 3, 2016**  
**Agenda Item No. 2**

**Project Planner:** Travis Kroger

**Location:** 3356 Snug Harbor Drive

**General Plan:** General Industrial

**Assessor Parcel Number:** 0177-060-060

**Zoning:** CR

**Proposal**

The applicant has requested Compliance Review No. 1 of use permit U-97-17-MR1, pursuant to condition of approval No. 17. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a use permit renewal request so long as the following requirements are satisfied:

- 1) The permittee has requested renewal
- 2) The permittee has paid the applicable renewal fee
- 3) The use is being conducted in compliance with the conditions of the use permit

**Background**

On October 21, 1959, the Solano County Planning Commission approved Land Use permit R-22 to establish an automobile and trailer park on Martins Island. On June 1, 1972, Land Use permit R-570 was approved by the Solano County Planning Commission to enlarge the existing trailer park. An additional expansion was permitted by Land Use permit U-76-44, approved by the Solano County Planning Commission on September 2, 1976. On March 5<sup>th</sup>, 1998, Land Use permit U-97-17 was granted to re-establish a water oriented resort with related services and facilities at 3356 Snug harbor Drive. On June 5<sup>th</sup>, 2008, Minor Revision 1 was approved by the Solano County Planning Commission to change the entrance road and gate layout from the plans approved with U-97-17, with compliance reviews due at 5 year intervals starting May 1<sup>st</sup>, 2013.

**Review and Recommendation**

Upon review of the permit conditions of approval and based on the absence of code compliance cases on file, staff has determined that the facility is being operated in compliance with Use Permit U-97-17-MR1.

**Permit Term**

Per condition 17 of U-97-17-MR1, staff recommends that this permit be extended for a 5 year term with the next compliance review due on or before May 1<sup>st</sup>, 2018.

**Attachment:** Solano County Planning Commission Resolution No. 4498

**SOLANO COUNTY PLANNING COMMISSION  
RESOLUTION NO. 4498**

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**WHEREAS**, the Solano County Planning Commission has considered Minor Revision No. 1 to Use Permit No. U-97-17 of **Snug Harbor** for a change to the entrance road and gate layout in conjunction with the extension of an existing use permit for a water-oriented marina and campground with related services and facilities located at 3356 Snug Harbor Drive, Ryer Island, in a "P" Park Zoning District, APN: 0177-060-060, and

**WHEREAS**, said Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on June 5, 2008, and

**WHEREAS**, after due consideration, the said Planning Commission has made the following findings in regard to said proposal:

1. As revised, the establishment, maintenance, or operation of the use as proposed would continue to conform to the General Plan with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Planning Commission to be pertinent.
2. As revised, adequate utilities, access roads, drainage, and other necessary facilities will continue to be provided.
3. As revised, the proposed use will not, under the circumstances of the particular use, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in or passing through the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
4. On the basis of the Initial Study of Environmental Impact prepared for the project, the Solano County Planning Commission adopted a Mitigated Negative Declaration of Environmental Impact in 1997. No revisions have been proposed that would result in a new significant environmental impact or a substantial increase in the severity of a previously identified environmental impact. No recirculation of the Negative Declaration is required.

**BE IT, THEREFORE, RESOLVED**, that the Planning Commission of the County of Solano does hereby approve the minor revision to Use Permit No. U-97-17 based on the findings and subject to the following Conditions of Approval:

1. The proposed use shall be conducted in accord with the revised project description and revised plans and information submitted with Use Permit Application No. U- 97-17, entitled "Snug Harbor Resorts, LLC - Use Permit Application, Narrative Description and Related Exhibits", received by the Planning Division October 3, 1997, except as said project description may be modified by the conditions of approval listed below.
  2. The proposed use shall be conducted in accord with the revised project description and revised plans and information submitted with Use Permit Application No. U- 97-17, Minor
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Revision No. 1, entitled "Snug Harbor Proposed Road Re-Alignment and Office/Store Replacement", received by the Planning Division March 31, 2008.

3. No use of any kind shall be permitted on the Golden Gate dredge occupying the site unless and until a Use Permit or amended Use Permit is approved by Solano County for the proposed use.
4. A 4'x8' off-site directional sign located at the entrance to Snug Harbor Drive shall be permitted subject to the permittee obtaining permission for such use from the owner of the property upon which the sign is to be placed. All other signs as shown on the sign location map contained in the letter from Nicky Suard, Snug Harbor Resorts, dated December 5, 1997, shall be permitted to remain in use, except that no additional signs of any kind shall be permitted to be placed or constructed on-site without the approval of the Department of Resource Management, unless otherwise expressly permitted by the Solano County Zoning Ordinance.
5. All requirements of the Solano County Environmental Health Services Division shall be met including:
  - a. The permittee shall construct a concrete slab around each of the site's well heads and well equipment to prevent intrusion of flood water and to provide adequate support and protection for the pump equipment.
  - b. The permittee shall annually test and report on nitrate levels in the on-site water supply wells to ensure that any potential impacts are held to a less than significant level. If any wells test positive for bacteria, or exceed the Maximum Contaminant Levels (MCLs) for any Safe Drinking Water constituent (most likely nitrates), the reporting, retesting, monitoring, notification, and/or other procedures required by the California Department of Health Services for a community domestic water supply system shall be followed.

Unless and until any such contamination found in any individual well has been remedied to the satisfaction of the County and State, alternate sewage disposal facilities and/or alternate water supplies meeting State and County health requirements shall be installed or implemented, and/or the scope of the project shall be reduced to a level sufficient to reduce the nitrate levels and/or other contaminant levels to levels acceptable to the County and State.

**Verification:**

The permittee shall annually submit all results of the required nitrate tests to the Division of Environmental Health for verification.

- c. The permittee shall provide evidence to the County Division of Environmental Health of the issuance of a permit from the California Department of Health Services for a non-Transient non-community Water System.
- d. Septic tank access lids shall be extended to the ground surface.
- e. Prior to issuance of a building permit for any building with inside plumbing, the permittee shall submit percolation data for the area of the proposed leachfield.

- f. Prior to issuance of a building permit for any building with inside plumbing, the permittee shall submit plans for the sizing, layout, and location of the sewage disposal system.
  - g. The permittee shall 1) submit proof of filing of a Spill Prevention Control and Countermeasure Plan with the Regional Water quality Control Board, and 2) submit an updated Hazardous Materials Business Plan to the to the County Division of Environmental Health for approval.
6. All requirements of the Director of the Public Works Division for issuance of an Encroachment Permit shall be met, specifically:

The permittee shall construct a private road connection with Ryer Island Road that conforms to the minimum requirements as shown in the Solano County Road Standards approved August 5, 1997. The connection shall provide for a minimum road width of a 24 foot wide traveled way with transition tapers and shoulders in the fill area that are approved by the Public Works Division. The portion of the road from the edge of pavement of Ryer Island Road to the point at which the private road levels out shall be surfaced with asphalt concrete.

**Verification:**

Verification shall be by plan check of the improvement plans and issuance of an encroachment permit by the Public Works Division.

7. The permittee shall improve Snug Harbor Drive from the point at which the private road levels out, as noted above, to the entrance of Snug Harbor Resort, and shall similarly improve all roads within the project site, to the standards required by the provisions of the Uniform Fire Code Section 902 (Fire Department Access) or Public Resources Code Section 4290 (Fire Safe Regulations), as determined by and to the satisfaction of the Ryer Island Fire District.

**Verification:**

Verification shall be by plan check of the improvement plans by the Ryer Island Fire District prior to issuance of an encroachment permit by the Division of Public Works.

8. All existing or proposed hazardous materials storage tanks located in the floodplain shall be secured to the satisfaction of the California Department of Water Resources to ensure that they do not become unstable during potential flooding conditions.
9. A revegetation plan shall be provided to the California State Lands Commission. Vegetation indicating the location and species of vegetation to be removed and/or replaced, to the satisfaction of the State Lands Commission.
10. In addition to the "early warning system" proposed by the permittee, the permittee shall post Emergency Evacuation procedures in public view at the campground and marina providing emergency access routes for boats and vehicles.

11. Any expansion or change to the use as proposed, including dredging of the harbor and restoration of the Golden Gate dredge, may require a new or modified permit and environmental review if required. Dredging of the harbor and increase of height of the covered berths will also require Corps of Engineers Section 404 permits.
12. The use shall be operated in such a manner as to not constitute a nuisance or be detrimental to the health, safety, comfort, or general welfare of the people of the County, or be detrimental to adjacent properties or improvements or to the general welfare of the County.
13. Any outside storage of equipment, materials, and inoperable vehicles shall be screened from view by chain link fencing interspersed with redwood slats, or other appropriately opaque fencing or screening. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris or junk.
14. Failure to comply with any of the conditions or limitations set forth in the Conditions of Approval shall be cause for the revocation of this permit.
15. By acceptance of this permit, the permittee and its successors in interest agree that the County of Solano, its officers and employees shall not be responsible for injuries to property or person arising from exercise of this permit. The permittee shall defend, indemnify and hold harmless the County of Solano, its officers and employees from all claims, liabilities, losses, or legal actions arising from any such injuries. The permittee shall reimburse the County for all legal costs and attorney's fees related to litigation based on the issuance of an/or interpretation of this permit. This agreement is a covenant that runs with the land and shall be binding on all successors in interest of the permittee.
16. Failure to comply with any of the conditions or limitations set forth in the subject Conditions of Approval shall be cause for the revocation of this permit.
17. The Department of Resource Management may verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit revision (May 1, 2013).

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on June 5, 2008 by the following vote:

AYES:	Commissioners	<u>Moore, Barnes, Mahoney, McAndrew and Chairperson</u>
		<u>Barton</u>
NOES:	Commissioners	<u>None</u>
ABSTAIN:	Commissioners	<u>None</u>
ABSENT:	Commissioners	<u>None</u>

By:   
Birgitta E. Corsello, Secretary