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Planning Services Division

Agenda Item No. 3

MEMORANDUM:

TO: Solano County Zoning Administrator

FROM: Karen Avery, Senior Planner

SUBJECT: Vineyard RV Park
U-81-19-AM1

MEETING DATE: March 17, 2016

I. Recommendation:

APPROVE applicant's request for a one year extension to exercise Amendment #1 of Use Permit U-81-19, pursuant to Section 28.106(K) of the Solano County Zoning Ordinance.

II. Discussion:

On March 19, 2015 the Planning Commission approved an amendment to the use permit for Vineyard RV Park for the addition of a four acre parcel to the existing recreational vehicle park located at 4985 Midway Road. The addition included 50 RV parking sites, an office/laundry room and swimming pool.

According to the zoning code, if land use permits are not exercised within a year of approval, then the use permit shall expire and thereafter be null and void. However, a one year extension to exercise may be granted by the Zoning Administrator. Only one such extension may be granted.

The applicant is requesting a one year time extension to exercise the use permit amendment. The applicant has submitted a letter to the Planning Division stating that he is actively working on submittal plans to the California Department of Housing and Community Development; however, the plans will not be completed until after March 19, 2016. Planning staff recommends that the one year extension to exercise be granted to the project.

Attachments:

Attachment A – Extension request letter from George Bertram

Attachment B – U-81-19-AM1 Use Permit with Conditions of Approval

February 28, 2016

Karen Avery
Department of Resource Management
675 Texas Street, Suite 5500
Fairfield, Ca, 94533

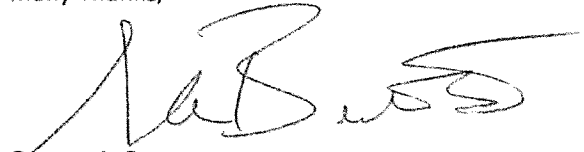
Dear Karen:

Please extend the "Land Use Permit NO. U-81-19 (Amendment No. 1) for one year, from March 20, 2016 to March 19, 2017.

My staff has made every effort to provide the necessary documentation to submit grading and building plans to the California Department of Housing and Community Development. However, the plans will not be ready to submit until after March 19, 2016. After receiving their approval, we will immediately begin construction.

If you have questions, please contact me at 415-860-3316.

Many Thanks,

A handwritten signature in black ink, appearing to read "G. Bertram", with a long horizontal flourish extending to the right.

George A. Bertram



Department Of Resource Management
675 Texas Street, Suite 5500
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*mailed 4/1/15

**LAND USE PERMIT NO. U-81-19
(Amendment No. 1)**

VINEYARD RV PARK

(permittee)

To amend the existing conditional use permit to add 50 RV sites, 625 sq. ft. restroom/shower facility, a 20' x 20' in-ground swimming pool and a 4' x 6' monument sign to an existing recreational vehicle park. The property is located at 4985 Midway Road, Vacaville, in a "CR" Commercial Recreation Zoning District, APN 0106-210-470, 260.

(Land use, location and zone district)

In addition to the zoning regulations, the building laws and other ordinances, the conditions of granting this permit are attached (Resolution No. 4616).

Granting or conditional granting of this permit does not release the permittee from complying with all other county, state or federal laws. Failure to comply with all the aforementioned provisions and conditions will be cause for the revocation of this Permit by the County Planning Commission.

Failure, neglect or refusal to exercise this Permit within a period of one (1) year from the date of granting thereof, shall automatically cause the same to become and remain null and void.

Date Granted March 19, 2015

SOLANO COUNTY PLANNING COMMISSION

Issued by: Bill Emlen
Bill Emlen, Director/Secretary

SOLANO COUNTY PLANNING COMMISSION RESOLUTION NO. 4616

WHEREAS, the Solano County Planning Commission has considered the application for Amendment No. 1 to Use Permit No. U-81-19 of Vineyard RV Park to amend the existing conditional use permit to add 50 RV sites, 625 sq. ft. restroom/shower facility, a 20' x 20' in-ground swimming pool and a 4' x 6' monument sign to an existing recreational vehicle park. The property is located at 4985 Midway Road, Vacaville, in a "CR" Commercial Recreation Zoning District, APN 0106-210-470, 260 and;

WHEREAS, the 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 March 19, 2015 and;

WHEREAS, the Commission finds on the basis of the whole record before it (including the Mitigated Negative Declaration and Addendum No. 1), that there is no substantial evidence that the project will have a significant effect on the environment; and

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

1. **The establishment, maintenance or operation of a use or building applied for are in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator or Planning Commission to be pertinent.**

The continued operation of the RV Park and the Amendment to expand to include an adjacent four acre parcel as discussed under General Plan and Zoning Consistency in the Discussion and Analysis section of the staff report, the establishment, maintenance and operation of the proposed project is consistent with all pertinent goals, policies and programs of the Solano County General Plan.

2. **Adequate utilities, access roads, drainage and other necessary facilities have been or are being provided. Adequate facilities will be provided.**

The site has existing electrical power, domestic and irrigation water and wastewater treatment on-site. External access to the site will continue to be via Midway Road.

3. **The applicant exhibits proof that such use will not, under the circumstances of the particular case, 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 as such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County; provided that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.**

The applicant has shown evidence to support making this mandatory finding. The Solano County Development Review Committee has reviewed the Amendment to the Use Permit and determined that the amendment will not present a detrimental or injurious impact on surrounding properties.

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby ADOPT the Addendum No. 1 to the Mitigated Negative Declaration and APPROVE Amendment No. 1 of Use Permit No. U-81-19; subject to the following conditions of approval:

1. The proposed use shall be established in accord with the application and development application plans for Use Permit U-81-19 MR3 approved in 2009 by the Planning Commission and in accordance by plans submitted on October 28, 2014, for Amendment No. 1, prepared by Peter Goodman, and as approved by the Solano County Planning Commission
2. The permittee shall take measures necessary to prevent offensive dust, noise, odor and trespassing to neighboring properties during construction and operation of the recreational vehicle park
3. The property shall be kept free of trash, scrap metal, discarded material, and other miscellaneous debris at all times.
4. Except for necessary ramps/decks needed for ADA compliance or improvements made by the park owner in compliance with the State of California Department of Housing and Community Development rules and standards, no permanent structures, including decks, patios, and awnings shall be attached to recreational vehicles or located within recreational vehicle space sites.
5. Occupancy of the RV spaces shall be limited to a temporary period, not exceeding twelve months, where permanent residency is prohibited, except for the designated quarters for park employees.
6. Should the use be found during any review to be operating as a public nuisance or to be failing in any of the conditions of the permit, the permit will be subject to revocation by Solano County Department of Resource Management.
7. The fence along the entire site perimeter, including the four acre expansion, as well as the interior fence between the park development and the K-1 Spill, shall be maintained and kept in good repair.
8. All landscaping along Midway Road shall conform to the City of Vacaville street landscaping standards and shall be maintained and kept in an orderly manner to prevent weeds.
9. The landscaping along Wadkins Road shall conform to plans (Sheet L-2 of the 2009 plans) Trees shall be properly watered and trimmed as necessary in order to provide adequate screening to nearby property owners.
10. The use permit shall be granted for a 30 year period (March 19, 2045) with the provision that extensions of 10 year increments may be applied for after the initial 30 year period. A compliance review shall be conducted, by the Department of Resource Management every five years beginning in 2020. The purpose of the compliance review is to ensure the use on the property remains as approved. The cost associated with those reviews shall be charged at that time.
11. Minor Revisions to the approved plans of March 2009 and October 2014 shall be approved by the Solano County Zoning Administrator. These minor revisions may include changes to proposed fencing, landscaping, parking, signage and driveways.

Public Works Engineering

12. The permittee shall provide detailed improvement plans for the onsite improvements and submit them to the County of Solano Public Works Division for review and approval. This review and approval shall be done through the grading permit process. Final approval of the plans and project construction shall be in strict compliance with California Department of Housing and Community Development permits but not in contradiction to Solano County Code.

Dixon Fire Protection District

13. The roads throughout the park shall need to be at least twenty feet (20') wide, with a forty foot (40') inside turning radius, and the posted NO PARKING - FIRE LANE. Should parking be desired, minimum road width shall be 32'. The road surface shall be approved materials and be all-weather capable of supporting a 75,000 lb. fire apparatus.
14. At the entrance to the park the island shall accommodate the turning radius of the fire department apparatus, maintain a vertical clearance of no less than 13'6" as required in the California Fire Code (CFC). The width of the access shall be approved by the fire department. The same requirements shall be applied to all islands located in the park.
15. Any new buildings in excess of 3,000 square feet need to have an approved fire sprinkler system installed, except buildings used for agricultural purposes.
16. A second access road, which is available for the fire department use, shall be installed at an approved location and meet the fire department needs and requirements.
17. A site map shall be posted at an approved location that shall show all the campsites and their approved numbering system. The site map shall be illuminated.
18. Signs with the campsite number ranges shall be required to clearly guide guests and emergency vehicles through the park.
19. Each campsite shall be addressed with a four-inch (4") high number and it shall be clearly visible from the access roadway. The address number shall be of contrasting construction material compared to what it is mounted on.
20. No open fires are permitted. This information is to be made clear to all guests and it is to be included in the rental contract.

Environmental Health Division

21. The permittee shall obtain all required permits from the State of California Central Valley Regional Water Quality Control Board. The permittee shall forward all copies of Regional Water Quality Control Board correspondence and permits to Solano County Department of Resource Management, Environmental Health Services Division.
22. The permittee shall obtain all required permits from the State Water Resources Board. The permittee shall forward all copies of State Water Resources Board correspondence and permits including information relative for water distribution including pipeline easements, encroachments and storage facilities to Solano County Department of Resource Management, Environmental Health Services Division.

23. The permittee shall obtain all required permits for park development from the State of California Department of Housing and Community Development.
24. A Health and Safety plan check is required with plans and specifications submitted to this office prior to the construction of the hot tub (spa) and pool. The hot tub shall meet commercial standards for swimming pool and spas as defined in the California Health and Safety Code.

Solano Irrigation District

25. New Irrigation Service
 - a. The new irrigation service shall be installed at the Developer's expense and per the District's standard specifications and details, latest revision.
 - b. The District shall review and approve the plans for the installation of the new service.
 - c. The Developer shall sign and pay for a District work order to cover all costs associated with staff time to review plans, attend meetings, and inspection.
 - d. The Developer shall be required to enter into a standard Protection of Facilities agreement prior to approval of the plans.

City of Vacaville

26. City Requirements
 - a. The frontage of APN 0106-210-260 shall be landscaped to help screen the RVs from view. At a minimum, the new landscaping shall include large hedges similar to the existing landscape along the frontage of the Vineyard RV Park.
 - b. In regards to the proposed project, the storm water runoff from this site shall not exceed pre-development levels for either the 10 or 100 year events, which would be the City's standard if development was within the City.
 - c. The City/County limit line is located at the North right-of-way line of Midway Road. Any work within Midway Road right-of-way will require a City Encroachment Permit prior to any construction.
 - d. North Village is an approved planned residential community located directly across Midway Road from the proposed project. The North Village Specific Plan calls for the ultimate section of Midway Road to be 56' wide, with two, fourteen foot wide lanes in each direction. North Village is conditioned to provide widening to provide for the two eastbound lanes on the south side of Midway Road when North Village Parkway is connected to Midway Road and opened to traffic. A mechanism, (i.e. Deferred Improvement Agreement), needs to be established for the ultimate improvement of Midway Road along the Vineyard RV project frontage and the project design needs to account for this future widening, including but not limited to, including a sight distance clear zone on the plans based on future roadway alignment.
 - e. Based on the Vineyard RV project traffic study, a left turn pocket for eastbound traffic at the project's entrance is not warranted for existing conditions. However, a review

of cumulative traffic is expected to increase such that the warrant would be met. Therefore, the deferred improvement agreement (or other mechanism) for future frontage improvements, needs to include provisions for a left turn pocket at the time warrants establish a need for this improvement.

Mitigation Measures

Air Quality:

27. During construction, the Project Permittee shall require the construction contractor to implement the following YSAQMD's best management practices to reduce dust emissions and avoid localized health impacts; this mitigates the potential impact to less than significant.
 - a. Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
 - b. Plant vegetative ground cover in disturbed areas as soon as possible.
 - c. Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
 - d. Maintain at least two feet of freeboard on haul trucks.
 - e. Sweep streets if visible soil material is carried out from the construction site.
 - f. Treat accesses to a distance of 100 feet from the paved road with a 6-inch layer of gravel or a 6 to 12 inch layer of wood chips or mulch.

Biological Resources:

28. The application shall have a survey conducted by a qualified biologist (e.g., experienced with the nesting behavior of bird species of the region) within two weeks prior to the commencement of construction activities (grading) or tree removal that would occur during the nesting/breeding season of native bird species potentially nesting/roosting on the site (typically February through August in the project region). The intent of the survey shall be to determine if active nests of special-status bird species or other species protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 200 feet (500 feet for raptors) of the construction zone. The survey area shall include all onsite trees and shrubs within 500 feet of the construction zone, as well as the entire undeveloped/cleared area (as it provides potential burrowing owl and California horned lark nesting habitat). The survey shall be timed such that the last survey is concluded no more than two weeks prior to initiation of construction or tree removal work. If ground disturbance activities are delayed, then an additional pre-construction survey shall be conducted such that no more than two weeks will have elapsed between the last survey and the commencement of ground disturbance activities.
29. If active nests are found in areas that could be directly affected or subject to prolonged construction-related noise, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist determines that all young have fledged. The size of the buffer zones and types of construction activities restricted within them shall be determined through consultation with the CDFG, taking into account factors such as the following:

- a. Noise and human disturbance levels at the project site at the time of the survey and the noise and disturbance expected during construction activities;
- b. Distance and amount of vegetation or other screening between the disturbance zone and the nest; and
- c. Sensitivity of individual nesting species and behaviors of the nesting birds.

Limits of construction to avoid an active nest should be established in the field with flagging, fencing, or other appropriate barrier, and construction personnel should be instructed on the sensitivity of nest areas. The biologist should serve as a construction monitor during those periods when construction activities would occur near active nest areas to ensure that no inadvertent impacts on these nests occur.

30. Prior to construction activities occurring during the non-nesting season of burrowing owl (typically September through January), a qualified biologist shall conduct a clearance survey for wintering burrowing owls. The survey shall be conducted no more than 14 days prior to commencement of restoration activities. If non-breeding burrowing owls are observed within the disturbance footprint, they shall be excluded from all occupied burrows through the use of exclusion devices placed in occupied burrows in accordance with CDFG protocols (CDFG 1995). Specifically, exclusion devices, utilizing one-way doors, shall be installed in the entrance of all active burrows. The devices shall be left in the burrows for at least 48 hours to ensure that all owls have been excluded from the burrows. Each of the burrows shall then be excavated by hand and refilled to prevent reoccupation. Exclusion shall continue until the owls have been successfully excluded from the site, as determined by a qualified biologist.

Cultural Resources:

31. If historic or prehistoric artifacts or cultural soils are encountered during construction or earth moving operations, work shall cease in that area, a qualified archaeologist notified, and a significance evaluation carried out. If human remains are encountered, all work shall be stopped in the immediate vicinity of the find-spot, and the Solano County Coroner and a qualified archaeologist must be notified immediately. If the remains are deemed to be those of a prehistoric Native American, the coroner shall notify the Native American Heritage Commission, and the Commission will designate a "Most Likely Descendant".

Geology and Soils:

32. Prior to issuance of a grading permit, the project (including all portions of the site) shall follow the suggested measures contained in the Geotechnical Investigation Report. A qualified geotechnical engineer shall conduct a general review of final plans and specifications to evaluate that earthwork and foundation recommendations have been properly interpreted and implemented during design. All earthwork during construction will be appropriately monitored by a qualified geotechnical engineer, including site preparation, placement of all engineered fill and trench backfill, construction of slab and roadway subgrades, and all foundation excavations.

Hydrology and Water Quality:

33. The project shall develop and implement a Storm Water Pollution Prevention Plan, including an Erosion Control Plan component and a post-construction Storm Water Control Plan for the project site. The Plans shall include Best Management Practices (BMPs), and operations and maintenance specifications, including operation and maintenance funding.

- 34. For post-construction storm water discharges, the project permittee shall prepare a C.3 Storm Water Control Plan (SCP). The SCP shall utilize BMPs to control and reduce concentrations of petroleum-based constituents in surface water runoff. Such BMPs shall be maintained on a routine basis to assure optimum performance.
- 35. The historical flow of water across the property line on the west side shall be maintained and drainage shall be preserved in order to satisfy Chapter 31 of Solano county's Grading, Drainage, Erosion Control and Land Leveling Ordinance. All flows shall be allowed to leave the property to the west as has been done under existing conditions.
- 36. Additional checking or choking of storm water flow shall be incorporated into the existing retention/detention basin design to provide assurance that no potential negative impact will occur.

Noise:

- 37. Project construction and grading shall be limited to 7:30 a.m. to 5:00 p.m. (Monday thru Saturday) to avoid quiet hours in the existing Vineyard RV Park, and to avoid noise disturbance to adjacent properties to the north and east.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on March 19, 2015 by the following vote:

AYES:	Commissioners	<u>Boschee, Cayler, Walker, Hollingsworth and</u> <u>Chairperson Rhoads-Poston</u>
NOES:	Commissioners	<u>None</u>
EXCUSED:	Commissioners	<u>None</u>

By: 
Bill Emlen, Secretary