SOLANO COUNTY ZONING ADMINISTRATOR MINOR REVISION

Resource Management Staff Report

Application No. U-81-19-MR4 Vineyard RV Park Meeting of January 20, 2011

Project Planner: Karen Avery, Senior Planner Agenda Item No. 1

Applicant:

Name: George A. Bertram III Address: 1530 Armstrong Ave.

Novato, CA 94945

Property Owner:

Name: Vacaville RV Park LLC 1530 Armstrong Ave. Novato. CA 94945

Action Requested: Minor Revision to the conditions of approval of a use permit for Vineyard RV Park. The revision consists of the amending of Condition No. 4 of the Use Permit to read as follows:

Except for necessary ramps/decks needed for ADA compliance or improvements made by the park owner in compliance with California State Department of Housing and Community Development rules and standards, no permanent structures, including decks, patios and awnings, shall be installed within recreational vehicle spaces.

Site Information:

Size: 24.54 acres Location: 4985 Midway Road

APN: 0106-210-470

Zoning: (CR) Commercial Recreation Land Use Type: RV Park

General Plan: Commercial Recreation Ag. Contract: None

Utilities: All utilities at site Access: Midway Road/off I-505

Adjacent General Plan Designations, Zoning and Existing Land Uses

	General Plan	Zoning	Land Use
North	Rural Residential	RR-5	Rural Residential
South	City of Vacaville	City of Vacaville	North Village Development
East	Rural Residential	RR-2.5	Rural Residential
West	Commercial Recreation	Commercial & RR-2.5	RV Park and Rural Residential

Environmental Analysis: The proposed project is categorically exempt from the requirements of CEQA.

Motion to Approve: Zoning Administrator APPROVE Minor Revision No. 4 to Use Permit Application U-81-19 subject to the conditions of approval.

RECOMMENDATION

Staff recommends the Zoning Administrator approve Minor Revision No. 4 to use Permit Application U-81-19 subject to the revised condition of approval noted below.

BACKGROUND

The project site has been developed with a Recreational Vehicle Park since 1981. The Planning Commission recently approved Minor Revision No. 3 in May of 2009. Minor Revision No. 3 included the expansion of the RV Park to include 248 new RV sites, five new buildings totaling 8,776 sq ft, two landscape detention ponds, a swimming pool and other necessary infrastructure. The expansion project is being developed in three Phases and the applicant is currently completing Phase I.

ANALYSIS

The applicant is requesting a revision to Condition No. 4 of the Conditions of Approval for Minor Revision 3. Condition No. 4 currently reads as follows:

Except for necessary ramps/decks needed for ADA compliance, no permanent structure, including decks, patios, and awnings shall be attached to recreational vehicles or located within recreational vehicle space sites.

The applicant believes that this condition is in conflict with the California State Department of Housing and Community Development (HCD) and the California Health and Safety Code (H&SC) which has jurisdiction relating to "lot standards" with regards to recreational vehicle parks. The applicant cites an Information Bulletin published by HCD's Division of Codes and Standards dated April 21, 2008. The topic of the bulletin was the validity of local governments enacting or enforcing ordinances relative to the physical operation and condition of mobilehome parks and recreational vehicle parks that are in conflict with the Mobilehome Parks Act (MPA), found in Health & Safety Code sections 18200 et seq., and the Special Occupancy Parks Act (SPOA) found in the Health & Safety Code sections 18655 et seq.

The applicant requested the following revision:

Except for necessary ramps/decks needed for ADA compliance, no permanent structure, including decks, patio, and awnings shall be attached to recreational vehicles or located within recreation vehicle spaces sites <u>unless approved by the California State</u>

<u>Department of Housing and Community Development.</u>

During the Development Review Committee meeting, staff noted that the original language of Condition No. 4 was not written with the intent of limiting the park owner from making any permanent improvements to the RV spaces. As such, County Counsel requested that the following language be added to the applicant's requested revision:

Except for necessary ramps/decks needed for ADA compliance or improvements made by the park owner in compliance with California State Department of Housing and Community Development rules and standards, no permanent structures, including decks, patios and awnings, shall be installed within recreational vehicle spaces.

The applicant reviewed the proposed language and has agreed to the addition by County Counsel.

USE PERMIT MANDATORY FINDINGS

1. That the establishment, maintenance or operation of the use applied for is 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.

The continued operation of the RV park and the minor revision to Condition No. 4 is consistent with the goals, objectives, and policies of the Solano County General Plan, including, but not limited to the 2008 Solano County General Plan Commercial Recreation Designation.

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

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

3. The subject use will not, under the circumstances of this 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 of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

The Solano County Development Review Committee has reviewed the minor revision to the Conditions of Approval of the use permit and determined that the revision will not present a detrimental or injurious impact on surrounding properties.

RECOMMENDATION

Staff recommends the Zoning Administrator approve Minor Revision No. 4 to Use Permit Application U-81-19 subject to the revised conditions of approval noted below.

CONDITIONS OF APPROVAL

Amended condition language is underlined.

- The proposed use shall be established in accord with the application and development application plans for Use Permit U-81-19 mr 3, August 2007 and amended March 2009, for Vineyard RV Resort, prepared by Donald C. Westphal Associates, 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.
- 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.
- The fence along the entire site perimeter 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 submitted plans with the project application. Trees shall be properly watered and trimmed as necessary in order to provide adequate screening to nearby property owners.
- 10. Prior to issuance of the conditional use permit, the permittee shall pay current Vacaville Unified School District school mitigation fees for each of the four permanent employee housing units. The permittee shall obtain a receipt from Vacaville Unified School District indicating the fees have been paid and shall submit the receipt to Solano County Department of Resource Management.
- 11. This conditional use permit is valid upon approval by the Board of Supervisors of the Commercial Recreation rezoning.
- 12. The use permit shall be granted for a 30 year period 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 in one year, 2010, by the

Department of Resource Management with subsequent compliance reviews being conducted every five years beginning in 2016. 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.

13. Minor Revisions to the approved conceptual plans of March 2009 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

14. 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

- 15. The roads throughout the park shall need to be at least twenty feet wide, accommodate the turning radius of the fire department apparatus, and the posted NO PARKING FIRE LANE. Should parking be desired then the road widths shall need to be increased accordingly. The road surface shall be approved materials and be all-weather.
- 16. 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.
- 17. 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.
- 18. 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.
- 19. 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.
- 20. Signs with the campsite number ranges shall be required to clearly guide guests and emergency vehicles through the park.
- 21. Each campsite shall be addressed with a four-inch 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.

22. 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

- 23. 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.
- 24. The permittee shall obtain all required permits from the State of California Division of Drinking Water. The permittee shall forward all copies of California Division of Drinking Water 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.
- The permittee shall obtain all required permits for park development from the State of California Department of Housing and Community Development.
- 26. 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.

City of Vacaville

27. Interim Road Improvements

a. The Permittee shall construct Interim Midway Road Improvements which shall include required grading, roadway, and drainage improvements on the north side of existing Midway Road to provide for a minimum 65' long left turn pocket with a 60' bay taper, for access to RV park in conformance with City standards.

28. Ultimate Road Improvements

- b. The Permittee shall construct Ultimate Midway Road improvements which shall include the grading, roadway, streetlight and drainage improvements to provide ultimate widening of the north side of Midway Road to a ultimate half width of twenty-eight (28') to face of curb with curb and gutter, widening up to 6' further to provide the required left turn pocket provided as interim improvement.
- c. The permittee shall enter a Deferred Improvement Agreement (DIA) with the City of Vacaville prior to issuance of a County Building Permit. The DIA will describe the timing and triggers for the Permittee to provide Interim and Ultimate Road Improvements of Midway Road.

- d. In accordance with the Deferred Improvement Agreement, the Permittee shall dedicate the necessary Ultimate Road Improvements right of way prior to issuance of a County Building Permit for Phase I Improvements.
- e. In accordance with the Deferred Improvement Agreement, the Permittee shall obtain an Encroachment Permit from the City of Vacaville and initiate construction of the Interim Road Improvements within two years of substantial completion of Phase I.
- f. In accordance with the Deferred Improvement Agreement, the Permittee shall obtain and Encroachment Permit from the City of Vacaville and initiate construction of Ultimate Rod Improvements within one year of notice from the City. The Ultimate Road Improvements may be required to begin simultaneously with the North Village Development's improvements on the south side of Midway Road, but will not be required before these improvements are initiated.
- g. The Permittee shall provide improvements plans that include layout of Interim and Ultimate Road Improvements that conform to the Interim and Ultimate Road Improvements as described above and meet City standards. Issuance of Encroachment permits to accomplish work within City right-of-way, including Interim and Ultimate Road Improvements, is subject to review and approval of final plans by the City of Vacaville.

Mitigation Measures

Air Quality:

- 29. 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.
 - 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:

- 30. 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.
- 31. 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:
 - Noise and human disturbance levels at the project site at the time of the survey and the noise and disturbance expected during construction activities;
 - 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.

32. 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:

33. 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:

34. 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:

- 35. 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.
- 36. 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.
- 37. 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.
- 38. 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:

39. 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.

Attachments:

Exhibit A:

Draft Resolution

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 4 to Use Permit No. U-81-19 of Vineyard RV Park, to amend Condition No. 4 of an existing conditional use permit allowing a recreational vehicle park and related facilities located at 4985 Midway Road, Vacaville in a "CR" Commercial Recreation Zoning District, APN 0106-210-470, and;

WHEREAS, said Zoning Administrator 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 January 20, 2011, and;

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

1. That the establishment, maintenance or operation of the use applied for is 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.

The continued operation of the RV park and the minor revision to Condition No. 4 is consistent with the goals, objectives, and policies of the Solano County General Plan, including, but not limited to the 2008 Solano County General Plan Commercial Recreation Designation.

2. Adequate utilities, access roads, drainage and other necessary facilities have been or are being 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 subject use will not, under the circumstances of this 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 of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

The Solano County Development Review Committee has reviewed the use permit and determined that all necessary services exist to support the expansion of the RV park at this location and will not present a detrimental or injurious impact on surrounding properties.

BE IT THEREFORE RESOLVED, that the Solano County Zoning Administrator has approved Minor Revision No. 4 to Use Permit No. U-81-19, subject to the following conditions of approval (new language is underlined):

 The proposed use shall be established in accord with the application and development application plans for Use Permit U-81-19 mr 3, August 2007 and amended March 2009, for

Exhibit A

Vineyard RV Resort, prepared by Donald C. Westphal Associates, and as approved by the Solano County Planning Commission

- 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.
- 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 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.
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- 11. This conditional use permit is valid upon approval by the Board of Supervisors of the Commercial Recreation rezoning.
- 12. The use permit shall be granted for a 30 year period 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 in one year, 2010, by the Department of Resource Management with subsequent compliance reviews being conducted every five years beginning in 2016. 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.

13. Minor Revisions to the approved conceptual plans of March 2009 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

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- e. In accordance with the Deferred Improvement Agreement, the Permittee shall obtain an Encroachment Permit from the City of Vacaville and initiate construction of the Interim Road Improvements within two years of substantial completion of Phase I.
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g. The Permittee shall provide improvements plans that include layout of Interim and Ultimate Road Improvements that conform to the Interim and Ultimate Road Improvements as described above and meet City standards. Issuance of Encroachment permits to accomplish work within City right-of-way, including Interim and Ultimate Road Improvements, is subject to review and approval of final plans by the City of Vacaville.

Mitigation Measures

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 - 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:

- 30. 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.
- 31. 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:

- 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.

32. 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:

33. 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:

34. 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:

- 35. 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.
- 36. 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.
- 37. 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.
- 38. 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:

39. 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 Zoning Administrator on January 20, 2011.

BILL EMLEN, DIRECTOR RESOURCE MANAGEMENT

Michael Yankovich
Planning Program Manager

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