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**PLANNING COMMISSION  
STAFF REPORT- MAJOR USE PERMIT RENEWAL**

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**UR\_2013-0002  
FEBRUARY 15, 2018**

**SUMMARY**

**OWNER:** WILDWOOD CAMPGROUND, LLC  
29700 HIGHWAY 20  
FORT BRAGG, CA 95437

**APPLICANT:** LEE EXUM  
29700 HIGHWAY 20  
FORT BRAGG, CA 95437

**REQUEST:** Renewal of Major Use Permit U 1972-30 for a Campground Transient Habitation land use, approved in 1973 and renewed in 1993, and allowing staggered implementation. Phase I includes 73 developed campsites, manager's quarters, office, and two restroom and shower facilities and, yet to be implemented, Phase II would include 101 primitive campsites.

**DATE DEEMED COMPLETE:** July 5, 2017

**LOCATION:** Located 3.5 miles east of the intersection of Hwy's 1 & 20, located at 29700 W. Hwy. 20, Fort Bragg (APN: 020-421-11).

**TOTAL ACREAGE:** 65 acres

**GENERAL PLAN:** Mendocino County General Plan, Fort Bragg Planning Area Remote Residential (RMR40)

**ZONING:** Division I of Title 20, Mendocino County Codes Upland Residential District (UR:40)

**SUPERVISORIAL DISTRICT:** 4

**ENVIRONMENTAL DETERMINATION:** Previously adopted Negative Declaration

**RECOMMENDATION:** Approve with Conditions

**STAFF PLANNER:** Juliana Cherry

**BACKGROUND**

**PROJECT DESCRIPTION:** Renewal of Use Permit U 1972-30 for a Campground Transient Habitation land use, which was approved June 1, 1973 and renewed in 1993, and allowing two phases of implementation. Completed Phase I includes 73 developed campsites, manager's quarters, office, one dump station, and two restroom and shower facilities. Yet to be implemented, Phase II is approved for 101 primitive campsites.

**APPLICANT'S STATEMENT:** Dated November 13, 2014, "This campground consists of 65 acres of along Highway 20, 3.6 miles east of Fort Bragg, CA. This is an application for renewal of an existing use permit originally issued in the early 1970's and renewed in 1993. We plan to maintain the natural environment providing a place where campers can enjoy our beautiful location. Phase 1 was first developed in the early 70's with plans for a second phase to be developed later. The Exums purchased the entire project in May 2006. At that time the first phase was operating and the second phase had been partially developed with new electric service and 2 wells.

Phase 1, a fully developed and operating campground of 73 sites. In addition to a managers home and registration office. There is also a full bath house with toilets, showers and laundry facilities. Septic and sewer systems have been added to and upgraded to handle all of these sites. Additionally the entire electrical was repaired and upgraded for these sites.

Phase 2, this was planned to be for tent sites for dry camping only. At the present we are not prepared to do anything different. Preliminary engineering has been done for placement of a new leach field. The wells for this were drilled in the 70's and produce adequate water. Any new interior roads will be laid out only after the timber harvest is complete, which will not be until next spring 2015. Also, any new entrance road, these will all be built to CalTrans specifications. These roads will require only a minimum of grading as they are on the flatter area not down in the canyon.

The existing neighbor's easement road is an all-weather construction. This is not planned to be changed. It is and will remain an access road to his property adjacent to us. There is an easement crossing the very north-west corner of the existing park. This is for a power line to our new electrical service."

Addendum dated February 10, 2015, "This letter is to further clarify our present request for renewal of Phase 1 and Phase 2 of our existing use permit. We have no plans at this time to do any further development on this property, such as new roads or trails that would require excavation, grading or cuts and fills of natural earth, rocks, etc. At such a time as we may continue development we will submit properly engineered drawings and plans."

**RELATED APPLICATIONS:** The initial use permit was approved by the Planning Commission on June 1, 1972. At that time, the Commission limited the Use Permit to a twenty year term and stated that "the second phase is to be started within five years of the date of issuance of this use permit," and subject to specific conditions of approval (Attached). In 1981, the property owner unsuccessfully sought a modification to their use permit. On March 18, 1993, the Planning Commission granted a renewal of the original use permit with a set expiration date of March 29, 2013 and stated that the applicant had sole responsibility to renew the permit before the expiration date (Attached).

**On-Site:**

- U 1972-30 Use Permit allowing travel trailer, recreational vehicle parks and campground Jun-1-1972
- UM 1972-30 conversion of 74 campground units to 35 mobile home park units denied Feb-23-1981
- Renew U 1972-30 Use Permit allowing a 174-unit travel trailer/RV Campground Mar-18-1993
- Rezone land to Forrest Conversion approved by Planning Commission Feb-1969 and Board of Supervisors Sept-1969
- Rezone Forrest Conversion to Suburban Agriculture approved by Planning Commission Jun-1969 and Board of Supervisors Jul-1969
- Business License BL 2008-473

**SITE CHARACTERISTICS:** This is a sixty five acre site with varied topography and dense tree canopy. Land elevations vary from 200 feet, with water feeding Hayshed Gulch, to 600 feet along a ridgeline near the southeasterly property boundary and Highway 20. The developed campground area lies between 360 and 400 foot land elevations. Campground facilities include a capacity of 73 campsites, one manager's residence, camp washrooms, camp showers, and laundry facilities. In recent years, the property owner has repaired or replaced electrical service, septic systems and responded to Department of Housing and Community Development safety requirements.

Table 1 describes the campground capacity. Use Permit U 1972-30 allows for a campsite capacity of 73 sites. Campsite types include 45 with septic, water and power hook-ups; 13 with water and power hook-ups; and 15 sites for tent camping without septic, water or power hook-ups. Similarly, the Department of Environmental Health and the State allows for one mobile home (e.g., manager's residence), 45 RV sites with drains (septic hook-ups) and 24 sites without drains.<sup>1</sup>

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<sup>1</sup> Email to Juliana Cherry and Ryan McEnery. "January 16, 2015 Meeting - Wildwood Campgrounds, 29700 Hwy 20 Fort Bragg 95437 (23-0207)." Frances Adams, District Representative II, State of California Department of Housing & Community Development. February 1, 2015.

Table 1: Capacity of Campground				
CAMPSITES	USE PERMIT U 1972-30	DEPARTMENT OF HEALTH	STATE LICENSE	OBSERVED ON SITE
Capacity	73 campsites	69 campsites	69 campsites	75 campsites
With Septic Hook Ups	45 sites	45 sites plumbed	45 sites with drains	51 campsites
Without Septic Hook Ups	28 sites comprising: 13 water & power only 15 no water & power	24 sites unplumbed	24 sites without drains	24 campsites
Manager's Residence	1 mobile home	1 mobile home	1 mobile home	1 mobile home

Site visits were conducted by Planning and Building Services (Planning and Code Enforcement), Department of Environmental Health, and State Department of Housing and Community Development during the winter of 2015. Most of the campsites were occupied with RVs. The tent sites were unoccupied. In April and May, 2015, and July 2017, PBS Staff walked the campground with the property owner and observed 51 septic hook-ups and observed 24 campsites without septic hook-ups.<sup>2</sup> Some campsites have been developed with fences, storage sheds, gardens, and telephone lines. Staff observed deflated or missing tires on RVs, standing liquid adjacent to campsite septic hook-ups, penned dogs, abandoned vehicles, and occupied RVs that have been modified, in need of repair, or not registered with the DMV.

In addition to the permitted manager's residence, campsites 69 and 70 are occupied on a long-term basis by the property owner and their family members. Based on observations and discussions with the manager, staff believes that most of the 51 sites with septic hookups and many of the 13 sites, with water and power hook-ups only, are regularly occupied on a long-term basis (meaning 30 days or longer). Individuals and families live at the campground year-round, which is exemplified on school days when a school bus stops at the campground entrance to pick up or drop off children.

Mendocino County Sheriff's Department provided PBS with incident search records between October 2011 and February 2015. Four hundred and sixty-four (464) incidents are listed as either 911 hang up, animal, assault, assist, bite, burglary, child custody, civil, coroner, disturbance, domestic, fight, investigation, juvenile, man down, mentally ill, robbery, shooting in the area, stop, suspicious, threats, traffic, trespassing, unknown problem, unwanted subject, vandalism, violation court order, wanted person, warrant service, found property, and others.

**SURROUNDING LAND USE AND ZONING:** The surrounding lands consist of large lots that are mapped as Timber Production Zones (See Table 2). Some of these lots are developed with single family homes and or non-residential structures.

Table 2. Surrounding Land Use Classification, Zoning District, and Existing Uses				
	GENERAL PLAN	ZONING	LOT SIZES	USES
NORTH	FL160	TP	16	Agriculture
EAST	FL160	TP	115	Agriculture, Residential
SOUTH	FL160, RR10	RR, TP	26.6	Residential
WEST	RR10 & FL160	RR & UR	80	Residential

<sup>2</sup> Staff has counted the number of campsites twice: 2015 and 2017. Memorandum to Frances Adams and Ryan McEnery. "Count of Campsites at Wildwood Campground." Juliana Cherry, Planner III, Planning and Building Services. May 7, 2015.

**PUBLIC SERVICES:**

ACCESS: HIGHWAY 20  
FIRE DISTRICT: FORT BRAGG RURAL  
WATER DISTRICT: NONE  
SEWER DISTRICT: NONE  
SCHOOL DISTRICT: FORT BRAGG UNIFIED

**AGENCY COMMENTS:** On March 18, 2015, project referrals were sent to the responsible or trustee agencies listed in Table 3 and having jurisdiction over the Project. Table 3 lists whether an agency response was received. Agency recommended conditions of approval are contained in Exhibit A of the attached resolution. A summary of the submitted agency comments are provided in the *Key Issue* Section that follows. Any comment that would trigger a project modification or denial are discussed in full as key issues in the following section.

Table 3: Response from Referral Agencies		
REFERRAL AGENCIES	COMMENT	DATE
PBS Planning Ukiah	Comment	3-20-2015
Environmental Health Fort Bragg	Comment	2-4-2015
	Comment	3-26-2015
	Comment	4-2-2015
	Comment	6-2-2015
PBS Building Inspection Fort Bragg	No Comment	3-20-2015
Emergency Services	No Comment	4-7-2015
Assessor	No Response	
Forestry Advisor	No Response	
Department of Transportation	Comment	4-6-2015
Calif. Dept. of Transportation	No Response	
Calif. Dept. of Fire and Forestry Protection	Comment	3-26-2015
Calif. Dept. of Fish and Wildlife	No Response	
US Fish and Wildlife Service	No Response	
MC Sherriff	Comment	2-2015
Calif. Dept. of Housing and Community Development	Comment	2-1-2015
	Comment	2-6-2015
	Comment	3-11-2015
PBS Code Enforcement	Comment	2-6-2015
		3-11-2015

**KEY ISSUES**

**GENERAL PLAN AND ZONING CONSISTENCY:** MCC Section 20.024.135 states “*Transient habitation means establishments primarily engaged in the provision of lodging services on a less than monthly basis with incidental food, drink and other sales and services intended for the convenience of guests.*” Campground services, a transient habitation use type, are areas for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks or campgrounds. Land Uses within this use type are subject to Chapter 20.176 *Recreational Vehicle Parks and Campgrounds*. A *Campground* use at this site is consistent with the goals and policies of the General Plan; for example, the 1973 approved use permit, U 1972-30, recognized the value of the development of recreational vehicle parks and the development of incidental camping areas, for the benefit of the general public.

Phased implementation. Staff finds that the site conditions and constraints are better understood today, than they were in 1972 when the Planning Commission approved staggered implementation of the campground land use.<sup>3</sup> The property owner has been granted forty years to implement Phase II and chooses to defer its implementation to a future date. Therefore, staff recommends that Phase II be excluded from the request to extend the term of U 1972-30. When the property owner wants to expand the developed campground area, they would apply for either a new use permit or to amend the existing

use permit. Continuing to grant the unimplemented Phase II, an additional 101 campsites, supports the property owner's expectations and would not ameliorate existing concerns associated with *Camping* at this location, including long term occupancies, maintenance of the campgrounds and septic system, and public safety.

**Renewal term.** Twice previously, U 1972-30 was granted a twenty-year term and the property owner applied to renew (or extend) the use permit at the conclusion of each term. By condition, U 1972-30 shall expire on March 29, 2013 unless a third renewal is granted. Staff recommends a more conservative term for the second extension of U 1972-30. A ten year use permit term extension, concluding on June 1, 2023, would allow the property owner the opportunity to comply with existing and amended conditions of project approval, General Plan goals and policies, County regulations, and State licensing requirements. The property owner could apply to renew (or extend) the use permit when the new term concludes.

**PUBLIC HEALTH:** The property owner is responsive when corrective action is required; they satisfactorily addressed all agency concerns during the review of their requested use permit renewal.

**State License.** During 2015, the property owner responded to the concerns raised by Department of Housing and Community Development.<sup>4</sup> For example, the shower/washroom area was upgraded with light fixtures rated for wet areas; campsite use of extension cords was curbed; compliance with roadway and walkway illumination was corrected; a minimum six-foot clearance between all RV's, trailers, and buildings is now established; trash, debris, combustibles, and rubbish was cleared; and campsite lots are identified by assigning a numerical identification to each lot, including those lots without drains. The property owner expressed that the three site visits was constructive and appreciated that public health and safety concerns were resolved. Staff recommends a condition of use permit renewal to include that the property owner invite their State licensing agency, the Department of Housing and Community Development, to annually inspect the campground. (Annual inspections is not a requirement for campgrounds, but the same licensing agency does inspect mobile home parks annually). Staff recommends a condition requiring annual Department of Housing and Community Development inspections, because inspections would provide assurance that the campground facilities are safe and operating within the licensing limits.

**Environmental Health.** During 2015, PBS staff observed seepage from the septic system. The Director of Environmental Health determined on June 2, 2017 that the on-site system capacity is sufficient, but that maintenance of the system had been neglected. Therefore, staff recommends a condition requiring that the property owner provide the Department of Environmental Health with monthly maintenance reports and invite the Department of Environmental Health to conduct monthly site evaluations to monitor the condition of the existing septic system. Staff further recommends conditions allowing site inspections to become less frequent after the property owner demonstrates that septic maintenance and capacity issues are appropriately managed on a regular basis.

The Use Permit U 1972-30 allows a maximum of 45 campsites with septic hook ups. Campers have access to one dump station (septic connection) and washrooms with sinks, toilets, and showers (septic connection).

**PUBLIC SAFETY AND WELFARE:** Staff believes 51 sites with septic hook ups are permanently occupied with trailers or recreational vehicles. The campsites with trailers and campsites without trailers are rented to occupants on a monthly basis, which makes these sites unavailable for incidental camping. Typical Wildwood Campground tenants are vulnerable and, at the same time, may cause for a Sheriff's response. Staff recommends conditions to encourage campground behaviors that are safe to the public, including children, and have the effect of reducing demands on County staff time, such as the Sheriff, Environmental Health, and Code Enforcement. Tenants that demonstrate unacceptable behaviors should

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<sup>4</sup> Activity Report Dated February 6, 2015. Department of Housing and Community Development, Division of Codes and Standards. Notice of Violation and Related Information for property 29700 Hwy 20, Fort Bragg.

Activity Report Dated February 6, 2015. Department of Housing and Community Development, Division of Codes and Standards. Inspection Record Only for property 29700 Hwy 20, Fort Bragg.

Activity Report Dated March 11, 2015. Department of Housing and Community Development, Division of Codes and Standards. Inspection Record Only for property 29700 Hwy 20, Fort Bragg.

be discouraged from month-to-month occupancy of campsites, including those sites intended for incidental camping.

The General Plan Housing Element describes the age and condition of housing throughout the County. Substandard housing is not concentrated in one specific area of the County, but is dispersed throughout. Typical Wildwood Campground tenants may find the campsites and rented trailers are their best housing option. Especially, if they have left other substandard or illegal housing. (A 2003 study found that two percent of the housing units are dilapidated in the County. About half of active code violation cases relate to housing issues, such as illegal travel trailer occupancy, substandard housing, junkyard conditions, fencing, RV parking, and others.<sup>5</sup>) The Housing Element states that “*According to Code Enforcement staff, there has been an increase in the number of cases involving illegal travel trailers, campers, and tents. The primary issues include illegal occupancy, a lack of or inadequate sewage disposal, and other health and safety violations. Many sites are located within or near established communities or urban areas. In many cases, the occupants hold low paying jobs. These occupants are likely to have been priced out of the housing market.*”<sup>6</sup> At Wildwood Campgrounds, Code Enforcement would be limited to enforcement of Mendocino County Codes, including land use regulations for *Camping* and Use Permit violations. The Department of Housing and Community Development, Division of Codes and Standards, issues campground licenses and as described earlier, can enforce State laws.

Long-term campsite habitation. As currently implemented, the practice of *Camping* at this site diverges from General Plan policies, MCC Section 20.176.005 *Declaration* intent, and the specific conditions of the use permit's approval. For example, the 1993 conditions to renew U 1972-30 included condition 9 which states, “*No permanent residential units are to be established or maintained with the exception of the existing park manager's facilities.*” There are two conflicts with these regulations: (1) Two designated campsites (69 and 70) are permanently occupied by the property owner and their family. These two sites do not have septic hook-ups, but do contribute to the capacity of the septic system as the effluent is disposed on-site. (2) Travel trailers, trailer coaches, and other recreational vehicles that are permanently parked in campsites are rented to occupants that stay longer than 30 days. The applicant requests consideration to allow the property owner and their family to habitat on an ongoing basis in campsites 69 and 70 and to establish septic hook ups at campsites 69 and 70. The applicant also requests consideration to allow campsite occupancies that exceed 30 days and are rented on a monthly basis. Staff recommends a condition revoking previously adopted Condition 9 and a new condition allowing for one park manager's facility. Staff recommends enforcement of existing Mendocino County Codes to regulate short and long term campsite habitation and to address abandoned vehicles (e.g. trailers not licensed with the State and or not having operable wheels) occupying campsites.<sup>7</sup>

In February 2017, Code Enforcement provided staff with Mendocino County Sheriff's Office incident report for Wildwood Campground between October 2011 and February 2015. Reported incident types include:

911 hang up	animal	assault
bite	burglary	child abuse
child custody	civil	coroner
disturbance	domestic	DUI
drunk	dump garbage	fight
investigation	juvenile	man down
mentally ill	missing person	robbery
security check	sexual assault	shooting in the area
stop	suspicious	threats
traffic	trespassing	unknown problem
unwanted subject	vandalism	vehicle theft
violation of court order	wanted person	warrant service
welfare check		

<sup>5</sup> Mendocino County General Plan, Housing Element, page 5-78. Adopted August 4, 2015.

<sup>6</sup> Mendocino County General Plan, Housing Element, page 5-78. Adopted August 4, 2015.

<sup>7</sup> MCC Chapter 15.28 *Abandoned Vehicles* and MCC Section 20.024.135 *Transient Habitation*

A total of 464 incidents were reported during twenty-eight months. Incidents at Wildwood Campground averaged one incident every two days.

**ENVIRONMENTAL DETERMINATION:** The Planning Commission adopted a Negative Declaration when approving the Use Permit U 1972-30. At that time, the Initial Study completed for the project did not identify a significant impact to the environment and a Negative Declaration was recommended by Staff. Staff finds that no development is proposed at this time.

**RECOMMENDATION**

By resolution, grant Use Permit UR 2013-0002 with a new term concluding on June 1, 2023, for the Project, based on the facts and findings and subject to the conditions of approval; or

2 February 2018  
DATE

Juliana Cherry  
JULIANA CHERRY

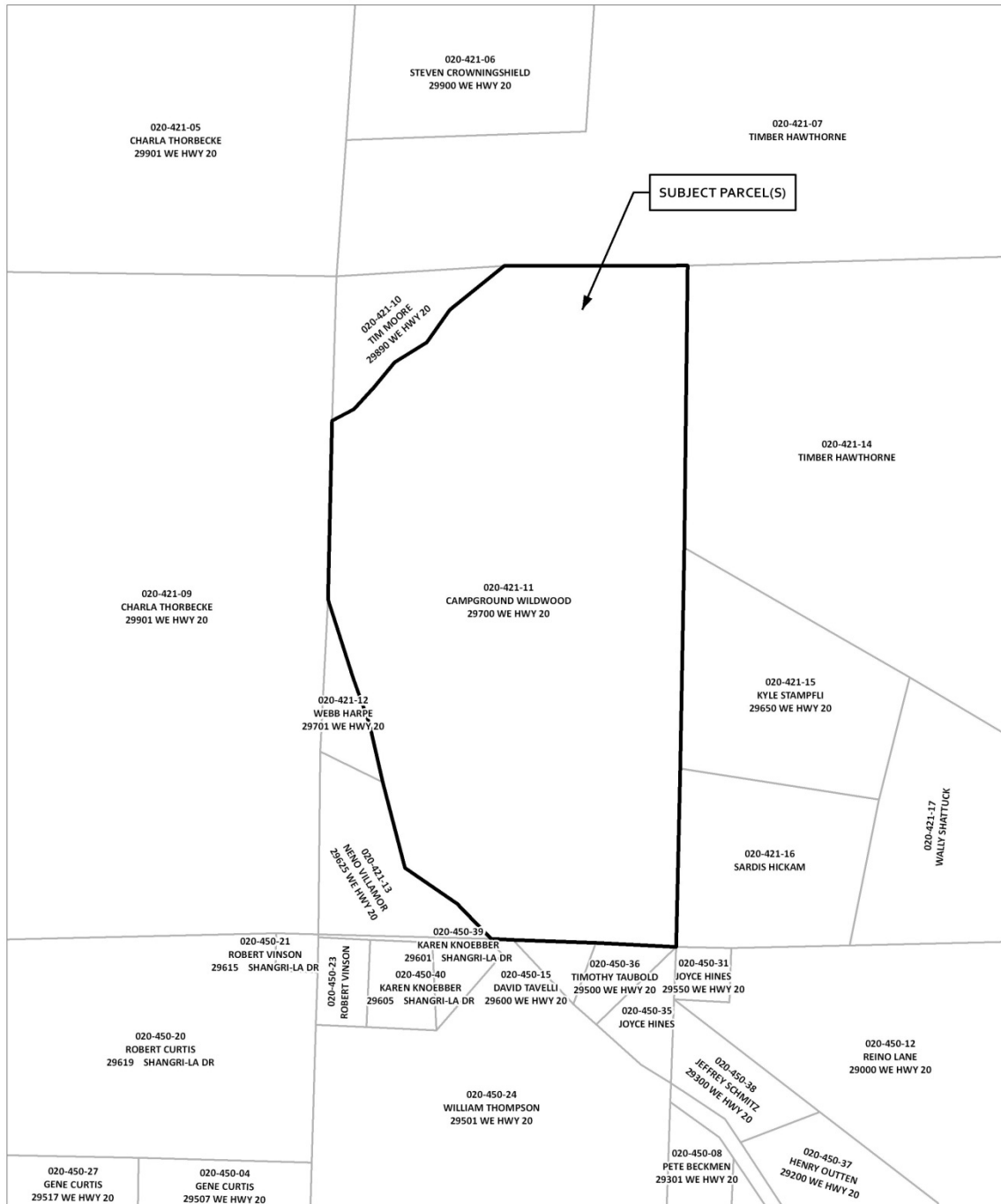
Appeal Period: 10 Days  
Appeal Fee: \$1,616.00

**ATTACHMENTS:**

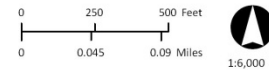
- A. Adjacent Parcels
- B. 2014 NAIP Aerial Orthophoto
- C. Coastal Ground Water Resource Areas
- D. Estimated Slope
- E. Fire Hazard Zones & Responsibility Areas
- F. General Plan Classifications
- G. Local Soils
- H. Location Map
- I. Site Plan
- J. Timber Production Zones
- K. Topographic Map
- L. Zoning Display Map

**RESOLUTION AND CONDITIONS OF APPROVAL (EXHIBIT A)**

# ATTACHMENT A



CASE: UR 2013-0002  
OWNER: Wildwood Campground LLC  
APN: 020-421-11  
APLCT: Lee Exum  
ADDRESS: 29700 W. Hwy. 20, FB



ADJACENT PARCELS

Map produced by the Mendocino County Planning & Building Services, March, 2015  
All spatial data is approximate. Map provided without warranty of any kind.



ATTACHMENT B



CASE: UR 2013-0002  
OWNER: Wildwood Campground LLC  
APN: 020-421-11  
APLCT: Lee Exum  
ADDRESS: 29700 W. Hwy. 20, FB

— Public Roads  
- - Private Roads

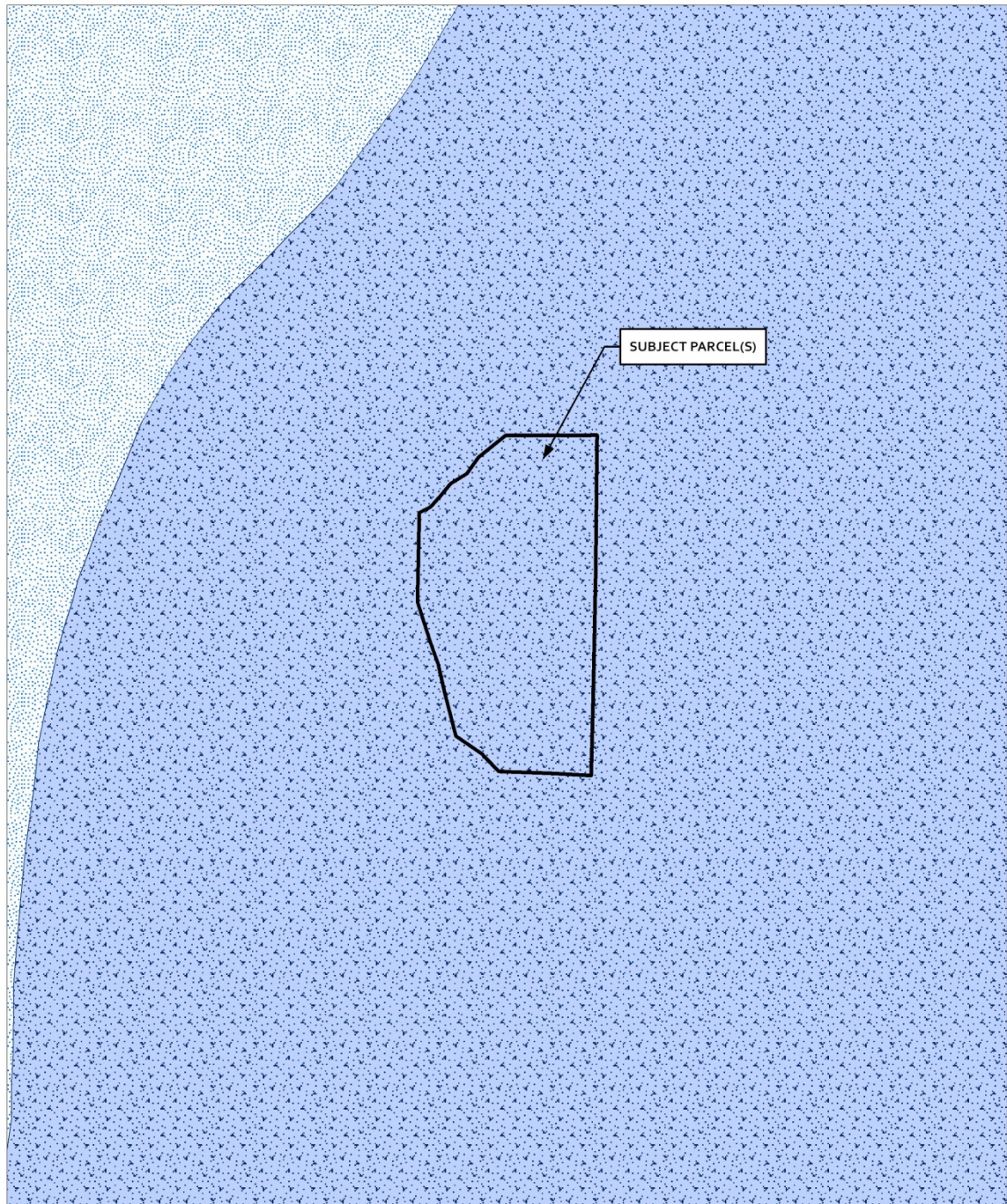
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2014 NAIP AERIAL ORTHOPHOTO



Map produced by the Mendocino County Planning & Building Services, March, 2015  
All spatial data is approximate. Map provided without warranty of any kind.



ATTACHMENT C



CASE: UR 2013-0002  
OWNER: Wildwood Campground LLC  
APN: 020-421-11  
APLCT: Lee Exum  
ADDRESS: 29700 W. Hwy. 20, FB

 Sufficient Water Resources  
 Critical Water Resources Bedrock

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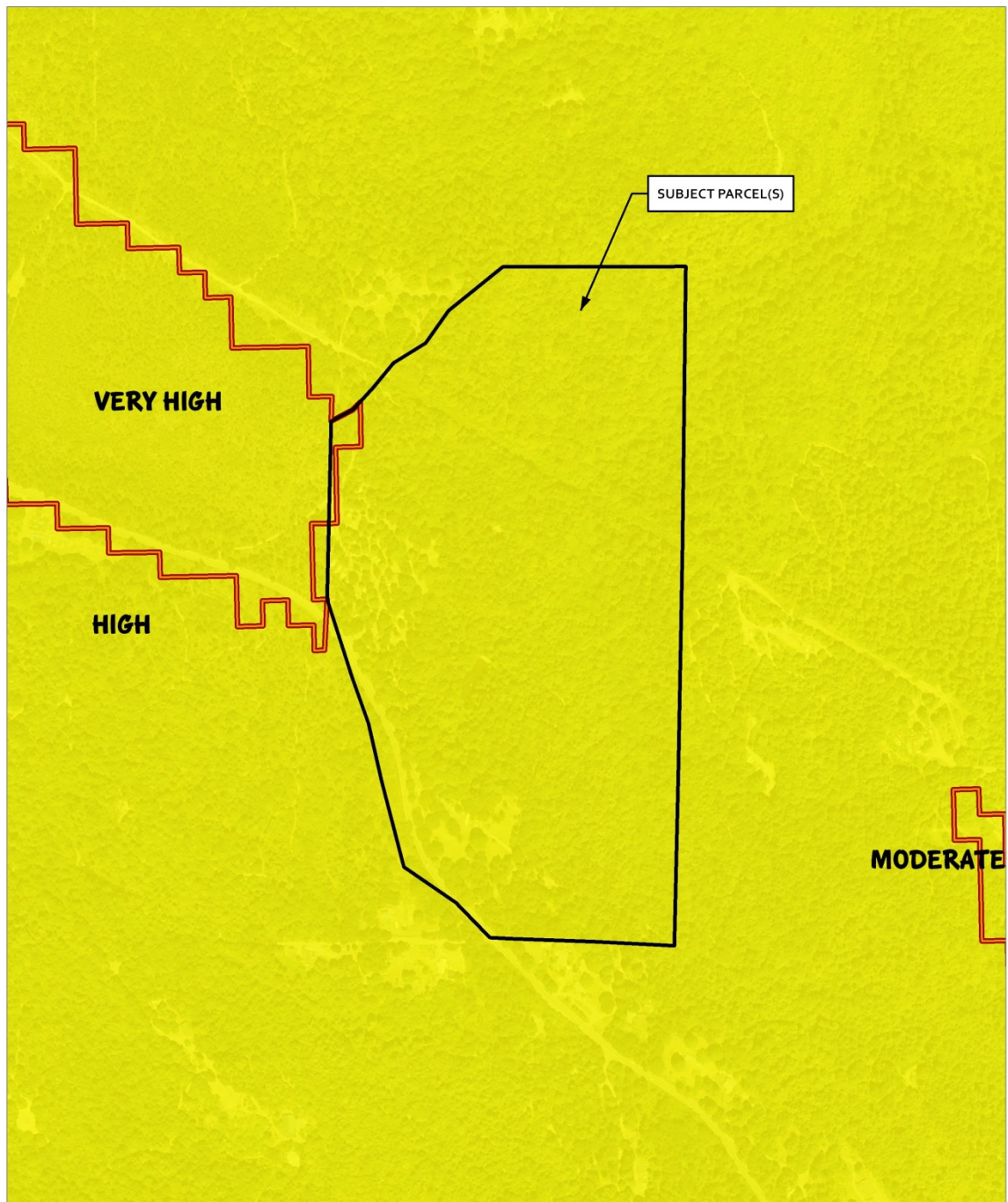


COASTAL GROUND WATER RESOURCE AREAS

Map produced by the Mendocino County Planning & Building Services, March, 2015  
All spatial data is approximate. Map provided without warranty of any kind.

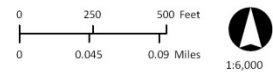


ATTACHMENT D



CASE: UR 2013-0002  
OWNER: Wildwood Campground LLC  
APN: 020-421-11  
APLCT: Lee Exum  
ADDRESS: 29700 W. Hwy. 20, FB

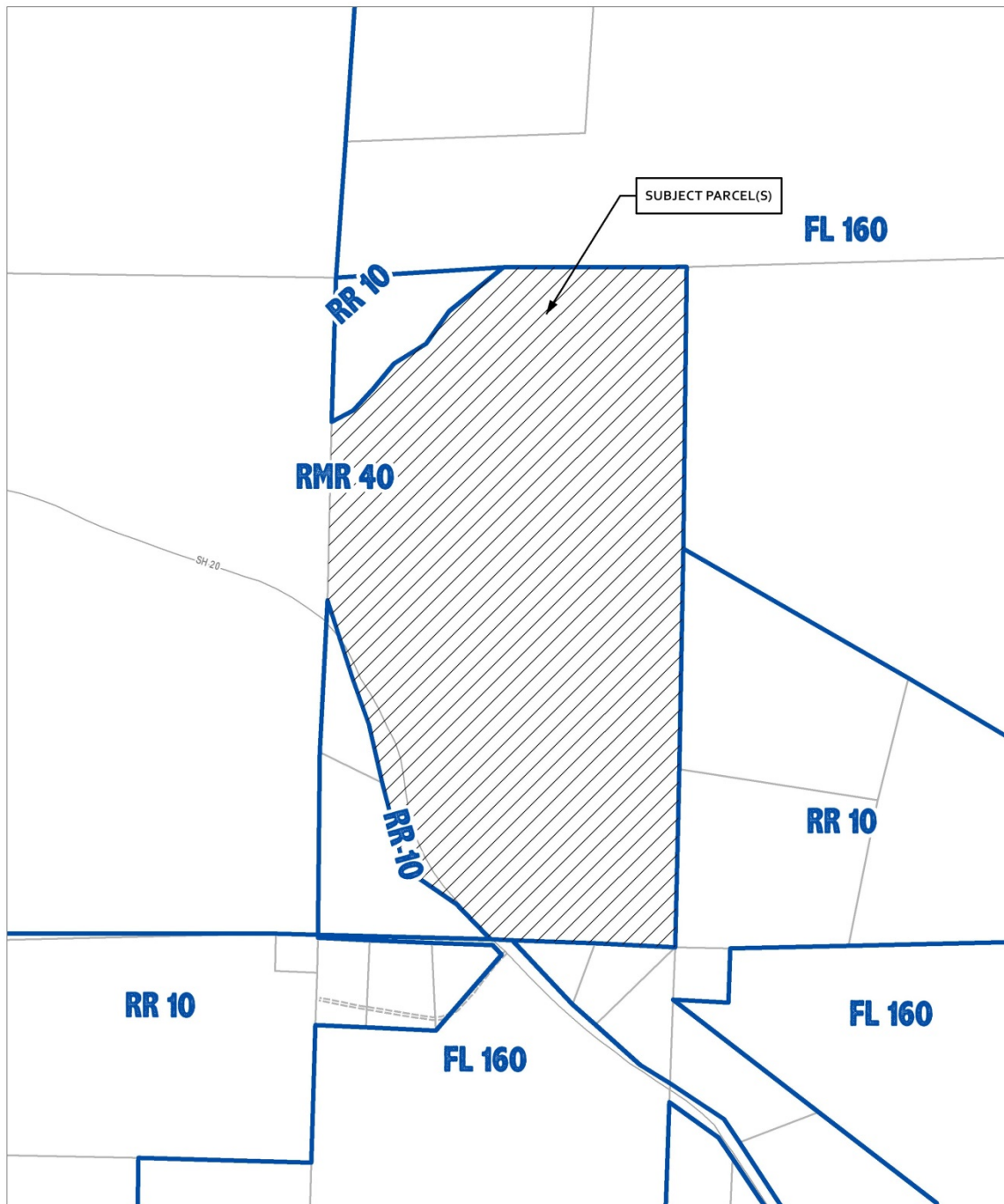
State Responsibility Areas




FIRE HAZARD ZONES & RESPONSIBILITY AREAS  
FORT BRAGG RURAL FPD

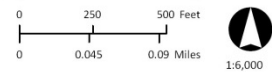
Map produced by the Mendocino County Planning & Building Services, March, 2015  
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ATTACHMENT E



CASE: UR 2013-0002  
OWNER: Wildwood Campground LLC  
APN: 020-421-11  
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ADDRESS: 29700 W. Hwy. 20, FB

 General Plan Master

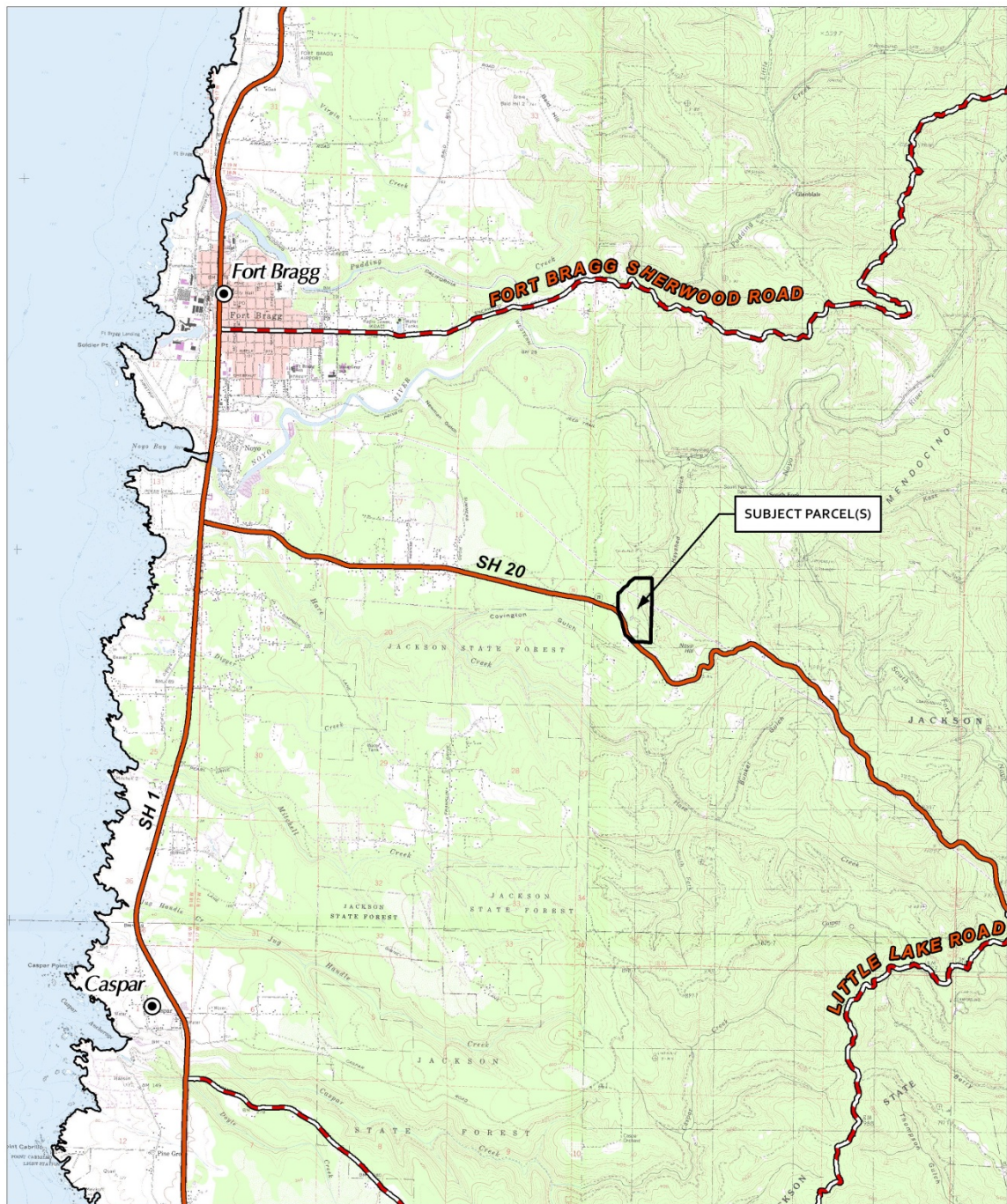


GENERAL PLAN CLASSIFICATIONS

Map produced by the Mendocino County Planning & Building Services, March, 2015  
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# ATTACHMENT F



CASE: UR 2013-0002  
 OWNER: Wildwood Campground LLC  
 APN: 020-421-11  
 APLCT: Lee Exum  
 ADDRESS: 29700 W. Hwy. 20, FB

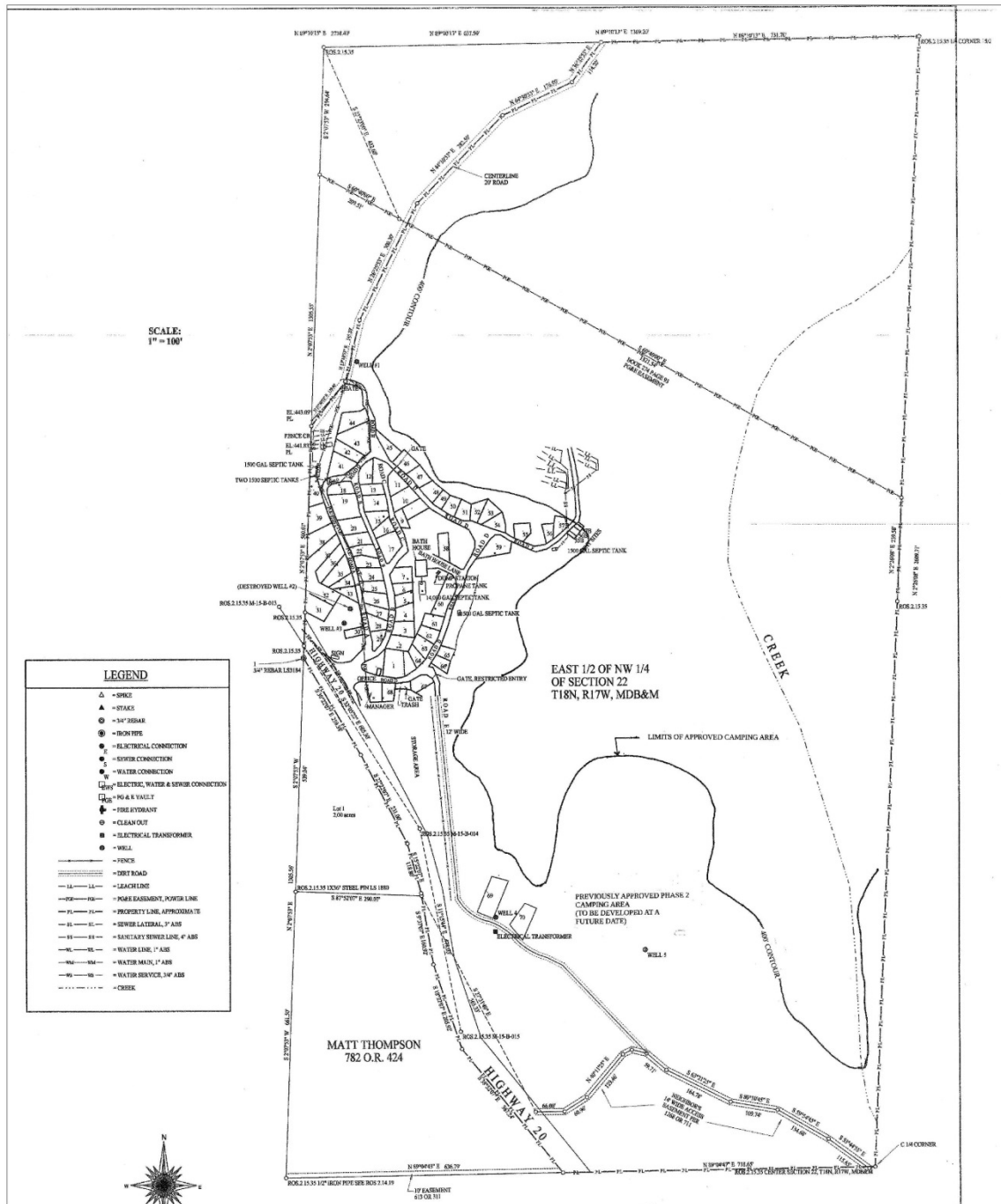
- Major Towns & Places
- Highways
- Major Roads



LOCATION MAP

Map produced by the Mendocino County Planning & Building Services, March, 2015  
 All spatial data is approximate. Map provided without warranty of any kind.

# ATTACHMENT G

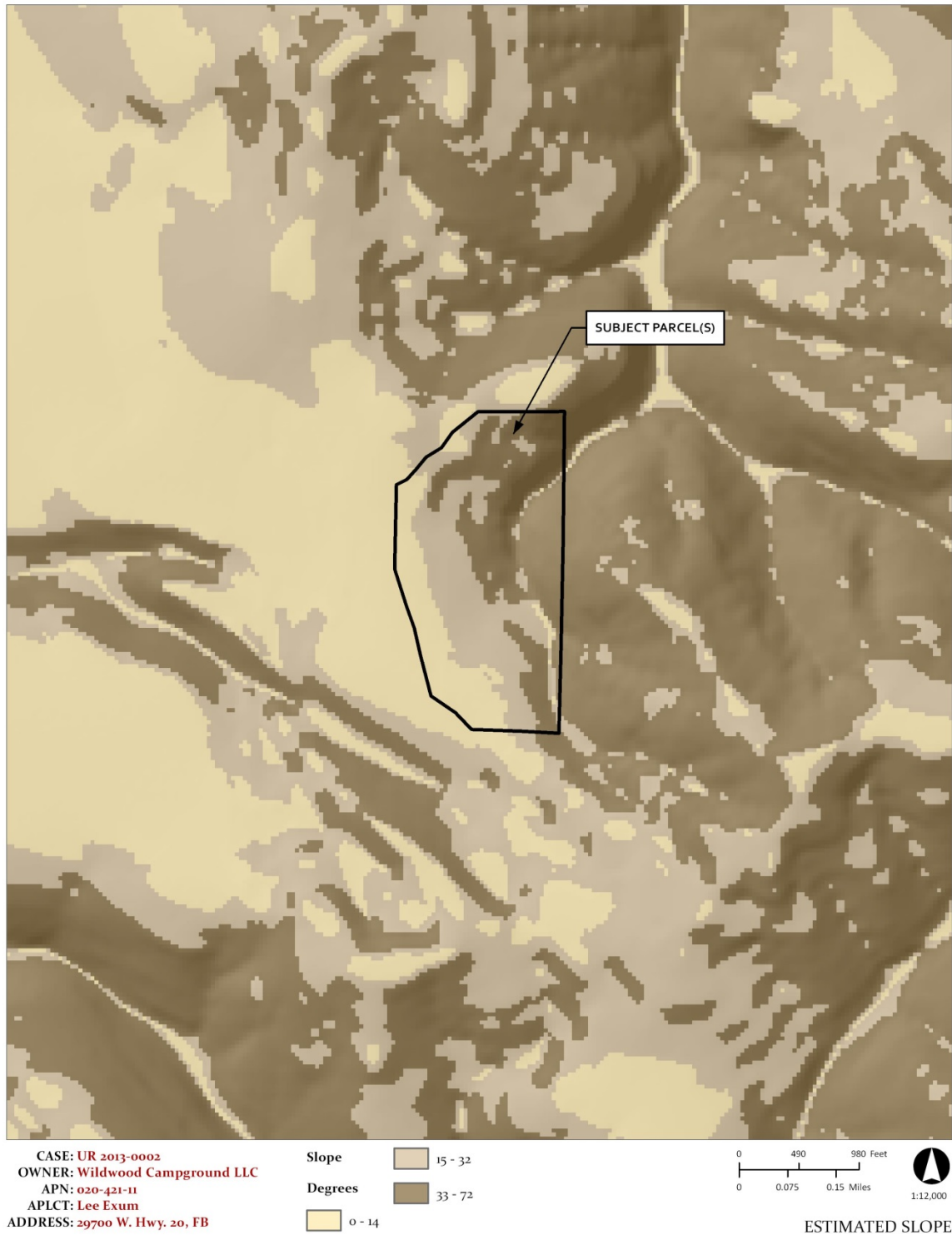


CASE: UR 2013-0002  
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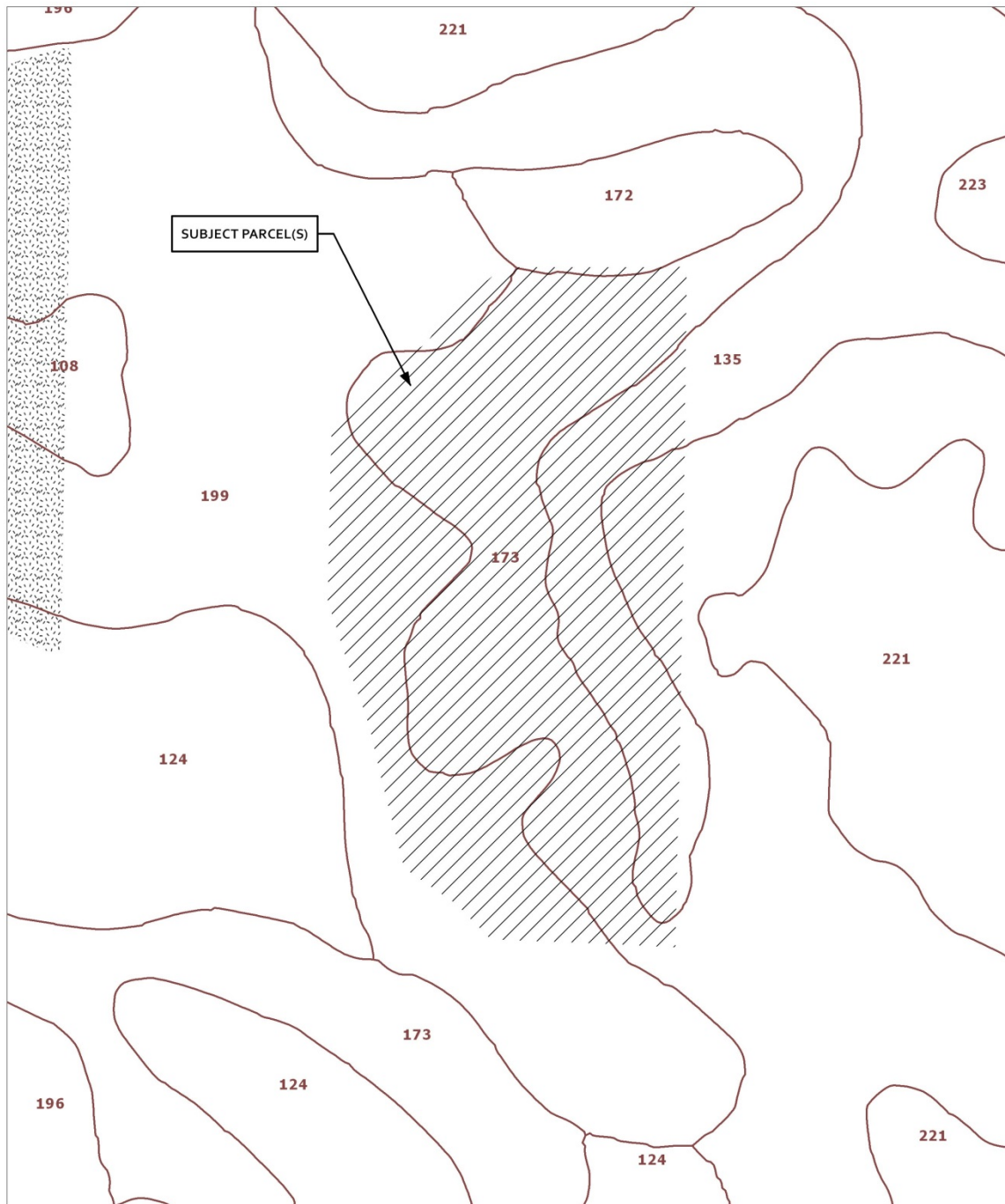


ATTACHMENT H



Map produced by the Mendocino County Planning & Building Services, March, 2015  
All spatial data is approximate. Map provided without warranty of any kind.

# ATTACHMENT I



CASE: UR 2013-0002  
OWNER: Wildwood Campground LLC  
APN: 020-421-11  
APLCT: Lee Exum  
ADDRESS: 29700 W. Hwy. 20, FB

 Blacklock & Aborigine  
 S-G Complex

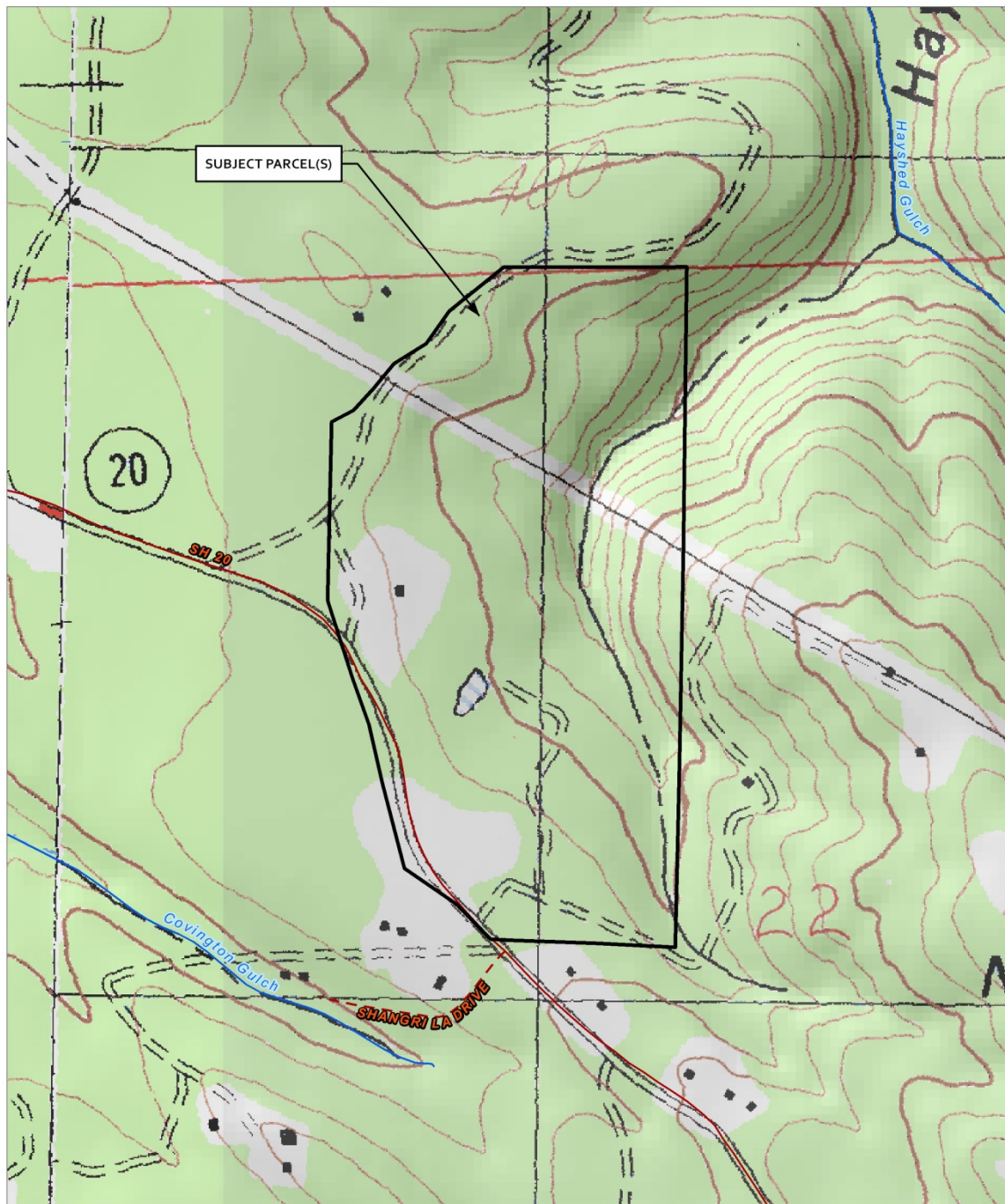
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LOCAL SOILS

Map produced by the Mendocino County Planning & Building Services, March, 2015  
All spatial data is approximate. Map provided without warranty of any kind.



ATTACHMENT J



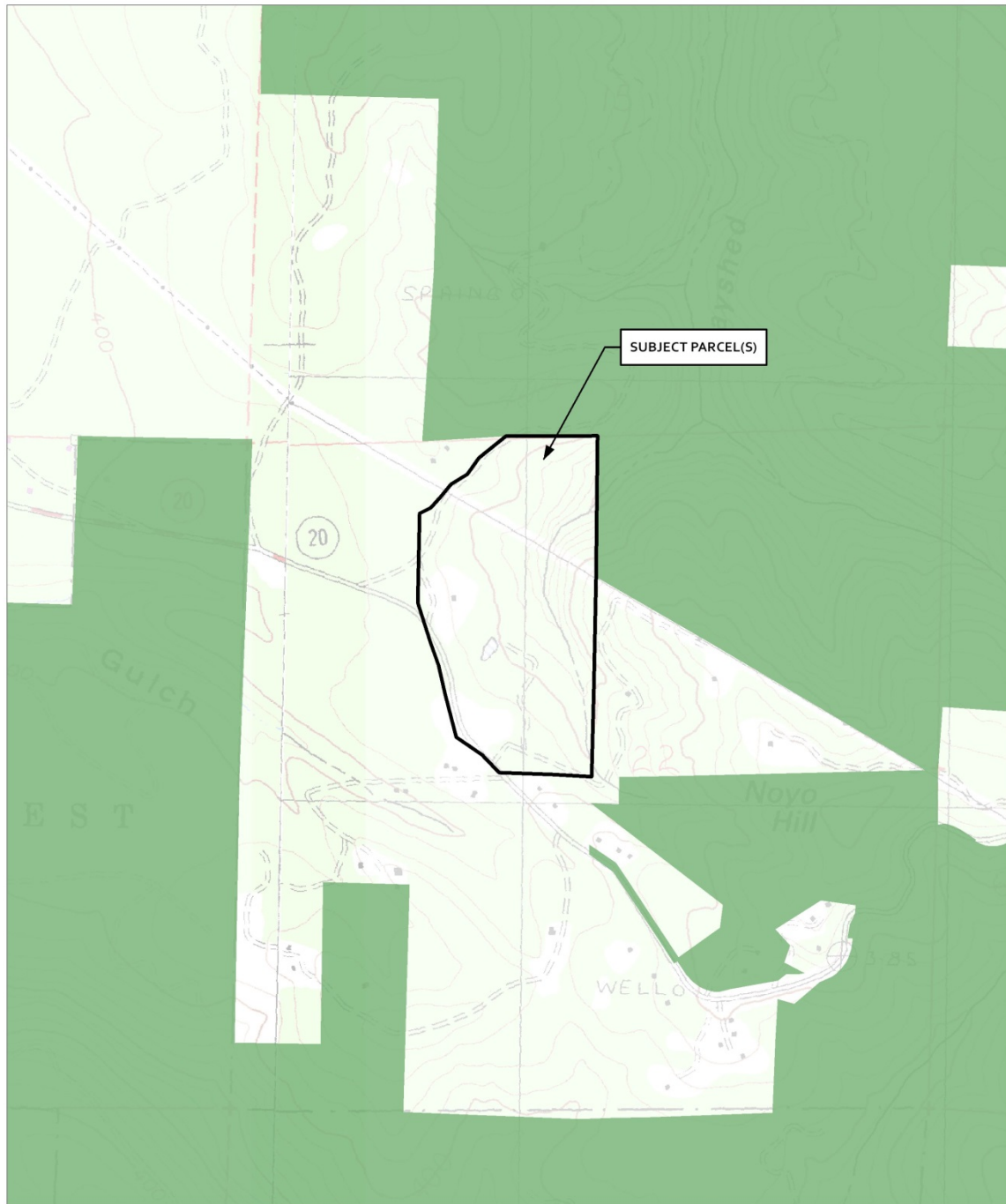
CASE: UR 2013-0002  
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 APLCT: Lee Exum  
 ADDRESS: 29700 W. Hwy. 20, FB

— Named Rivers  
 — Public Roads  
 - - Private Roads

0 250 500 Feet  
 0 0.045 0.09 Miles  
 1:6,000  
**TOPOGRAPHIC MAP**  
 CONTOUR INTERVAL IS 40 FEET

Map produced by the Mendocino County Planning & Building Services, March, 2015  
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ATTACHMENT K



CASE: UR 2013-0002  
OWNER: Wildwood Campground LLC  
APN: 020-421-11  
APLCT: Lee Exum  
ADDRESS: 29700 W. Hwy. 20, FB

TPZ 2014

0 490 980 Feet  
0 0.075 0.15 Miles

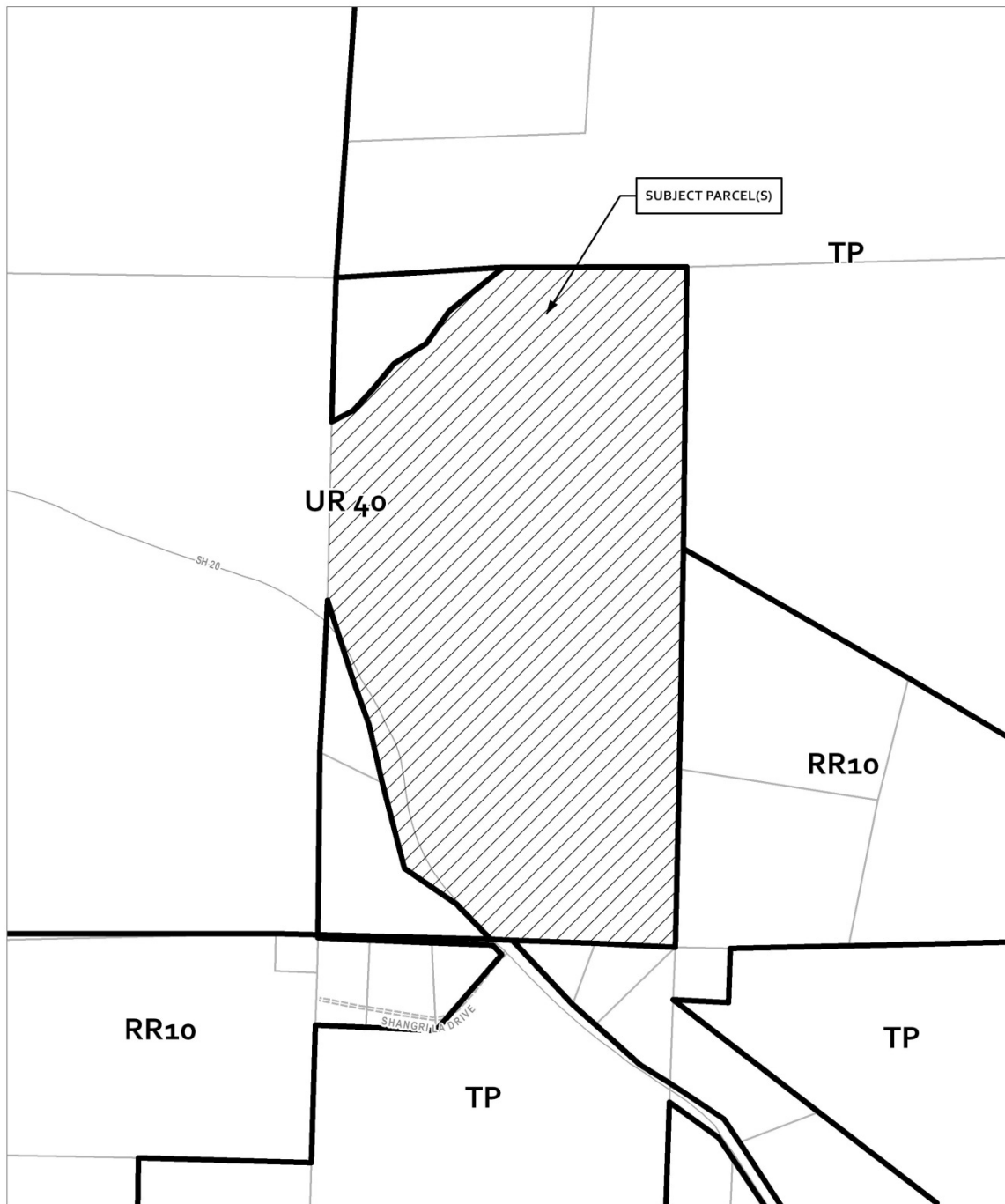


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TIMBER PRODUCTION ZONES

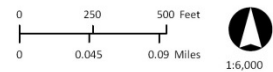
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ATTACHMENT L



CASE: UR 2013-0002  
OWNER: Wildwood Campground LLC  
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 Zoning Master



ZONING DISPLAY MAP

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Resolution Number \_\_\_\_\_

County of Mendocino  
Ukiah, California  
FEBRUARY 15, 2018

UR\_2013-0002 WILDWOOD CAMPGROUND, LLC

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF  
MENDOCINO, STATE OF CALIFORNIA, ADOPTING A PREVIOUSLY  
ADOPTED NEGATIVE DECLARATION AND GRANTING A MAJOR  
USE PERMIT RENEWAL FOR A TRANSIENT HABITATION  
CAMPGROUND LAND USE

WHEREAS, the applicant, WILDWOOD CAMPGROUND, LLC AND LEE EXUM, filed an application for MAJOR USE PERMIT with the Mendocino County Department of Planning and Building Services to continue a Major Use Permit U 1972-30 for an additional term and allow to Transient Habitation Campground Land Use on property located 3.5 miles east of the intersection of Highways 1 and 20 (APN: 020-421-11). Located at 29700 West Highway 20, Fort Bragg; General Plan RMR40; Zoning UR:40/NONE; Supervisorial District 4; (the "Project"); and

WHEREAS, a NEGATIVE DECLARATION was prepared for U 1972-30 and noticed and made available for agency and public review on March 18, 1993 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, the Planning Commission on June 1, 1972 approved a Major Use Permit U 1972-30 allowing for phased implementation of Transient Habitation - Campground for a term of twenty years; and

WHEREAS, the Planning Commission on March 18, 1993 approved a limited term to extend the previously approved Major Use Permit U 1972-30 where the extended term would expire on March 18, 2013; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, February 15, 2018, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets for the intentions of the Planning Commission regarding the adopted Negative Declaration and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings:

1. Pursuant with MCC Section 20.196.020(A), the establishment, maintenance and operation of a *Camping* land use is consistent with applicable goals and policies of the General Plan.
2. Pursuant with MCC Section 20.196.020(B), the property owner has demonstrated that adequate utilities, access roads, drainage and other necessary facilities are being provided.
3. Pursuant with MCC Section 20.196.020(C), the proposed *Camping* land use will not 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 use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
4. Pursuant with MCC Section 20.196.020(D), the *Camping* land use preserves the integrity of the Upland Residential District and is a conditional use under MCC Chapter 20.176.

5. The renewal of U 30-1972 and the proposed conditions of project approval are negative declaration from CEQA.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts a negative declaration from California Environmental Quality Act for the time extension of use permit U 1972-30; and

BE IT FURTHER RESOLVED that the Planning Commission hereby grants an extended term for Major Use Permit U 1972-30, subject to the Conditions of Approval in Exhibit "A", attached hereto; and

BE IT FURTHER RESOLVED that the new term for Major Use Permit U 1972-30 shall conclude on June 1, 2023; and

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482; and

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is taken.

*I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.*

ATTEST: VICTORIA DAVIS  
Commission Services Supervisor

By: \_\_\_\_\_

BY: IGNACIO GONZALEZ  
Interim Director

MADELIN HOLTKAMP, Chair  
Mendocino County Planning Commission

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## **EXHIBIT A**

### **CONDITIONS OF APPROVAL UR\_2013-0002 – WILDWOOD FEBRUARY 15, 2018**

Renewal of Use Permit U 1972-30 for a Campground Transient Habitation land use.

**APPROVED PROJECT DESCRIPTION:** Renewal of Major Use Permit U 1972-30 for a Campground Transient Habitation land use, approved in 1973 and renewed in 1993, and allowing staggered implementation. Phase I includes 73 developed campsites, manager's quarters, office, and two restroom and shower facilities and, yet to be implemented, Phase II would include 101 primitive campsites.

#### **CONDITIONS OF APPROVAL:**

1. This permit shall become effective after all applicable appeal periods have been expired or appeal processes exhausted. Failure of the permittee to make use of this permit within one year, or failure to comply with payment of any fees within specified time periods, shall result in the automatic expiration of this permit. This permit shall expire on June 1, 2023. The applicant has sole responsibility for renewing this permit before the expiration date listed above. The County will not provide a notice prior to the expiration date.
2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Title 20 of the Mendocino County Code unless modified by conditions of the use permit. Sixty-nine (69) campsites are permitted. A maximum of forty-five (45) plumbed campsites are permitted. A maximum of twenty-four (24) unplumbed campsites are permitted and thirteen (13) of these sites may have water and power.
3. The application along with supplemental exhibits and related material shall be considered elements of this entitlement and that compliance therewith be mandatory, unless a modification has been approved by the Planning Commission.
4. This permit shall be subject to revocation or modification by the Planning Commission upon a finding of any one (1) or more of the following grounds:
  - a. That such permit was obtained or extended by fraud.
  - b. That one or more of the conditions upon which such permit was granted have been violated.
  - c. That the use for which the permit was granted is so conducted as to be detrimental to the public health, welfare or safety, or as to be a nuisance.

Any such revocation shall proceed as specified in Title 20 of the Mendocino County Code.

5. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
6. Approval of U 1972-30 Phase II and implementation of an additional 101 campsites is revoked. When the property owner wishes to expand the Camping use at this site, they may apply to the Department according to the policies and procedures in place at that time.
7. This permit is subject to the securing of all necessary permits for the proposed development and eventual use from County, State, and Federal agencies having jurisdiction. Any requirements



imposed by an agency having jurisdiction shall be considered a condition of this permit. For example, the property owner shall obtain all authorizations required by, comply with all conditions established by, and obtain or retain an active license from the following agencies having jurisdiction, including, but not limited to:

- a. California Department of Housing and Community Development
  - b. Mendocino County Division of Environmental Health
  - c. California Department of Motor Vehicles
8. Any on-site potable water source shall be developed and maintained in accordance with the requirements of the Division of Environmental Health.
  9. Campsite occupancy is subject to Mendocino County Codes, including MCC Section 20.024.135(A) and Chapter 20.176.
    - a. Use Permit UR 90-72/92 adopted condition B(9) is revoked.
    - b. One (1) existing park manager's facility is permitted.
    - c. Forty-five (45) plumbed campsites are permitted.
    - d. Twenty-four (24) unplumbed campsites are permitted and thirteen (13) of these sites may have water and power.
  10. The property owner shall maintain posted signs along all access roads and or property lines at intervals not to exceed 100 feet advising campers not to trespass on adjoining private properties.
  11. The property owner shall maintain an approved sewage disposal system and holding tank dumping station to the satisfaction of the Division of Environmental Health.
    - a. The property owner shall provide monthly maintenance records to the Division of Environmental Health.
    - b. The property owner shall schedule monthly site inspections with the Division of Environmental Health until such time as the Director of Environmental Health finds that public health is assured or twenty-four consecutive inspections demonstrate that the septic system and leach fields are maintained and sufficient.
    - c. Forty-five (45) plumbed campsites are permitted.
    - d. Twenty-four (24) unplumbed campsites are permitted and thirteen (13) of these sites may have water and power.
  12. Every vehicle on site shall be registered with the Department of Motor Vehicles. Vehicles shall be road safe, meaning having tires, wheels, lights, and other required equipment to maintain vehicle registration. Mendocino County Code Enforcement, Sheriff, California Highway Patrol, or Police may issue citations for any unregistered vehicle stored or parked on site.
  13. Storage of one Travel Trailer or Camper, as described in MCC Section 20.456.015(J), is permitted.
    - a. On site storage or parking of more than one non-operating vehicle is prohibited.
    - b. Abandoned vehicles shall be removed.
    - c. In compliance with MCC Section 15.28.020 Removal of Abandoned Vehicle, the presence of an abandoned, wrecked, dismantled, or inoperative vehicle or part thereof on private or public property is found to create a condition tending to reduce the value of private property, to

promote blight and deterioration, to invite plundering, to create fire hazards, to constitute an attractive nuisance creating a hazard to the health and safety of minors, to create a harborage for rodents and insects, and to be injurious to the public health, safety and general welfare. Therefore, the presence of such vehicles, or a part thereof, on private or public property as defined in this MCC Chapter 15.28 Abandoned Vehicles et seq, and except as expressly permitted in this Chapter, is declared to constitute a public nuisance which may be abated as such in accordance with the provisions of this Chapter and Sections 22660 and 22661 of the California Vehicle Code.