



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

**JUNE 21, 2018
UR_2013-0002**

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: Application UR_2013-02 is a request to renew Major Use Permit U_1972-30 for a *Campground Transient Habitation* land use. Major Use Permit U_1972-30 was approved June 1, 1973 and renewed in 1993. It allowed for 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. The project site is located at 29700 W Hwy. 20 and is known as "Wildwood Campground" (See attachment *Location Map*).

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 manager's 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 major use permit was approved by the Planning Commission on June 1, 1972. At that time, the Commission limited the Major 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. In 1981, the property owner unsuccessfully sought a modification to their major use permit and requested to add thirty five mobile home park units. 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.

On-Site:

- U_1972-30 Major Use Permit allowing travel trailer, recreational vehicle parks and campground Jun-1-1973
- UM_1972-30 conversion of 74 campground units to 35 mobile home park units denied Feb-23-1981
- Renew U_1972-30 Major 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

UPDATED 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 (See attachments *Topographic Map* and *Slope Map*).

The seventy five site campground lies along a terrace with elevations between 360 and 400 feet. Campers have access to one dump station (septic connection); washrooms with sinks, toilets, and showers (septic connection); one refuse dumpster located near the campground entrance; and opportunities for hiking and other outdoor activities near the shore. Fifty eight campsites are grouped along this terrace and fifteen tent only campsites are situated on adjacent slopes (See attachment *Site Plan*). An internal campground road continues east from the campsite area, follows the terrace, and leads to two additional campsites where the property owner and their family live.

The internal campground road continues east, parallels Highway 20 and the relatively flat terrace. Debris is stock piled on the terrace and adjacent slopes between the campground area and the two easterly campsites and on the terrace further east of all campsites. Storage of inoperable vehicles is visible. It appears that vehicles have been dismantled. Burn piles are evident. Abandoned propane tanks are piled

with valves open.

Campground Capacity: The Major Use Permit U_1972-30 allows a maximum of 73 campsites: 45 campsites with septic hook ups; 13 campsites with water and power only; and 15 tent only sites (See Table 1). During the February 15, 2018 Planning Commission meeting, the property owner stated that forty four of the plumbed campsites are rented on a month-to-month basis. (Staff notes that the webpage associated with Wildwood Campground, wildwoodside.com/rates.php, lists daily, weekly, and monthly rates.) Additionally, two campsites are occupied on a long term basis by the property owner and their family members. The Major Use Permit U_1972-0030 and its renewal allows for only one mobile home, an on-site manager's residence, to be occupied for 31 days or longer.

Table 1: Capacity of Campground				
CAMPSITES	USE PERMIT U 1972-30	DEPARTMENT OF HEALTH	STATE LICENSE	OBSERVED ON SITE
Total 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

Septic Capacity: The February 2018 Staff Report described the septic capacity as sufficient and recommended an approved 1,600 gallon per day leach field expansion be installed this year (See Permit ST26106B). In March 2018, Environmental Health Staff observed that the leach pits and a portion of the slope adjacent to the terrace had eroded. This diminished the existing septic system capacity. The septic capacity at the campground needs to be expanded by 2,150 gallons per day (Note this is based on a campground total capacity of 73 campsites). The property owner has assessed the problems and completed repairs. They have committed to installing additional capacity during the 2018 current calendar year.

Campground Management: Following the February 2018 Planning Commission meeting, additional site visits were conducted by Planning and Building Services (PBS), Department of Environmental Health (DEH), and State Department of Housing and Community Development (HCD). Existing campsite conditions illustrate the challenges to managing grounds where occupancies extend beyond thirty days. For example, in 2015 the property owner completed interior road repairs at the request of HCD and as required by MCC Section 20.176.015(11). The interior road is dust-free and graded. In contrast, individual campsites are not improved with gravel and typical campsite areas are a source of dust and mud. Staff has also observed some campsite hook-up lines and couplings leaking effluent. Adjacent to the trailers, campsite occupants stockpile debris. Refuse bins are located in many of the individual campsites; but it appears to be the responsibility of occupants to empty their bins into the dumpster. PBS Staff observed that the campsites, typically rented on a month-to-month basis, are enclosed with fencing, gated, and many have storage sheds (e.g., Rubbermaid sheds, a log constructed shed), an artist studio or chicken coop, gardens, and telephone service.

The following is a list of PBS Staff observations of individual campsite conditions:

- Rotted carpet on the ground
- Large bags of recyclables
- Propagation tools: empty pots, flats
- Abandoned flexible tubing (hook-up)
- Cardboard, newspaper, damaged tarps
- Chick-wire fencing
- Compost piles
- Rusted smokers and other metal material
- Broken glass
- Rusted, moldy, abandoned chairs
- Broken plastic containers
- Rusted refrigerators
- Coops with chickens
- Milk crates
- Wood, sheet goods, pallets
- Futons
- Unsupervised, penned dogs



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Often the trailers and vehicles are not registered with the DMV and are in need of repair or maintenance.

Incident Reports: In February, staff requested the Planning Commission hearing of UR_2013-02 be continued in part to allow staff time to disseminate data from Mendocino County Sheriff's Department. In February 2017 and 2018, Mendocino County Sheriff's Office provided incident reports for Wildwood Campground. 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		

As stated in the February Staff Report, there were 427 calls to the Sheriff reporting incidents at 29700 Hwy 20, Wildwood Campground. During 2012-2015, calls for Sheriff services averaged one call every 2.5 days. During 2015-2017, there were 172 calls to the Sheriff reporting incidents or an average of one call every 4.2 days. While more recent data demonstrates a reduction in the number of incidents reported, the type of incidents have not changed.

In February, the Planning Commission requested Staff to contact Mendocino County Health & Human Services Agency (HHSA) and in May, staff received a response. There was one Adult Protective Services case in 2015 and another in 2017. Since 2009, there have been seventeen reports of abuse at 29700 Hwy 20 (details were not provided). HHSA Adult & Aging Services stated that currently five persons are receiving In-Home Supportive Services (IHSS) in Wildwood Campground. IHSS is a program for services to low income elderly and disabled individuals and couples who need assistance in order to remain safely in their own homes. Disabled children with extraordinary need may also be eligible for IHSS. IHSS Social Workers make a home visit to determine eligibility, need for IHSS, and complete an assessment of the applicant's ability to complete activities of daily living.

See also the February 15, 2018 Staff Report for additional site characteristics.

SURROUNDING LAND USE AND ZONING: The project site general plan classification is Remote Residential (RMR) and zoning district is Upland Residential (UR:40). The surrounding lands consist of large lots that are mapped as Timber Production Zones (See Table 2 and attachments *General Plan* and *Zoning Map*). Some of these lots are developed with single-family homes and or non-residential structures. The surrounding land uses do not include *Transient Habitation--Campground* or *Mobile Home Park* use types.

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

Land Use Classification Amendment: In February, the Planning Commission requested Staff to examine opportunities to allow for lodging services on a monthly basis or longer. Unlike *Transient Habitation--Campground* use types, “the mobile home park use type refers to the residential occupancy of mobile homes by families on a monthly or longer basis (MCC Section 20.016.035).” Since *Mobile Home Park* land uses are not permitted in the Remote Residential (RMR) general plan classification, Staff examined whether a change to the current general plan classification to an adjoining general plan classification could allow for a *Mobile Home Park* use type. The adjacent Forest Lands general plan classification would not support a *Mobile Home Park* or *Camping* land use; whereas, the adjacent Rural Residential classification does allow for *Mobile Home Park* land uses with an approved major use permit. Notably, an encumbrance to changing the general plan classification to Rural Residential would be the mobile home park development standards, because the current site configuration would not satisfy *Mobile Home Park* requirements. For example, MCC Section 20.172.010(2) requires each mobile home space to be a minimum of 50 feet by 80 feet deep. This is twice the minimum area of a 20 foot by 40 foot campsite. There are eighteen development standards for *Mobile Home Parks* that the current campground would be required to satisfy as part of a request for a *Mobile Home Park* major use permit.

The property owner understands that renting campsites on a monthly basis conflicts with County Codes and the Major Use Permit U_1972-0030. They understand that an option available to them would be to file an application requesting to amend the general plan classification and zoning district designation to Rural Residential and to apply for a *Mobile Home Park* major use permit. In 1981, Planning Commission denied a request to modify Major Use Permit UM_1972-0030, because *Mobile Home Park* use types are not permitted in the UR District. At that time, the Planning Commission directed the applicant to consider a general plan amendment which could allow for a future *Mobile Home Park* use type (See section Related Applications).

PUBLIC SERVICES:

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

REVISED 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. Following the February 2018 Planning Commission meeting, revised comments were received from the Department of Environmental Health (DEH), Housing and Community Development (HCD), Department of Fish and Wildlife (DFW), and Mendocino County Air Quality Management District (MCAQMD). Table 3 lists whether an agency response was received in 2015 or 2018. Agency recommended conditions of approval are contained in Exhibit A of the attached resolution.

Table 3: 2015 and 2018 Response from Referral Agencies			
REFERRAL AGENCIES	COMMENT	2015 DATE	2018 DATE
PBS Planning Ukiah	Comment	3-20-2015	
Department of Environmental Health	Comment	2-4-2015	3-12-2018
	Comment	3-26-2015	3-19-2018
	Comment	4-2-2015	5-9-2018
	Comment	6-2-2015	
PBS Building Inspection Fort Bragg	No Comment	3-20-2015	
Emergency Services	No Comment	4-7-2015	
County Assessor	No Response		
County 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	

Table 3: 2015 and 2018 Response from Referral Agencies			
REFERRAL AGENCIES	COMMENT	2015 DATE	2018 DATE
Calif. Dept. of Fish and Wildlife	No Response		2-12-2018 3-1-2018
US Fish and Wildlife Service	No Response		
Sherriff	Comment	2-2015	2-14-2018
Calif. Dept. of Housing and Community Development	Comment	2-1-2015	4-5-2018
	Comment	2-6-2015	4-12-2018
	Comment	3-11-2015	
PBS Code Enforcement	Comment	2-6-2015	3-1-2018
		3-11-2015	5-4-2018
Air Quality Management District	Comment		5-14-2018

Subsequent to the Planning Commission meeting and in March 2018, a Department of Fish and Wildlife Warden observed burying of vehicles at 29700 W. Hwy. 20. They requested a joint site visit with DEH-Solid Waste and Code Enforcement (See section Updated Public Health Safety & Welfare). Thereby, between March and May 2018, the following agencies conducted site visits and a complaint was filed with HCD:

- California Department of Fish and Wildlife Services
- California Department of Housing and Community Development
- Department of Environmental Health-Land Use
- Department of Environmental Health-Solid Waste
- Mendocino County Air Quality Management District (MCAQMD)
- Planning and Building Services-Code Enforcement
- Planning and Building Services-Planning

Since February 15, 2018, Staff has received recommendations to revise previously submitted conditions for the renewal of Major Use Permit U_1972-0030. The Department of Environmental Health, MCAQMD, and Planning have revised their recommendations. 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 revocation of the major use permit is discussed in full as key issues in the following section.

KEY ISSUES

GENERAL PLAN CONSISTENCY: The land use classification at Wildwood Campground is Remote Residential (RMR40) (See attachment *General Plan*). The existing land use type is *Transient habitation*. 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 Major 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 public.

Discontinue 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. The property owner was previously granted time to implement Phase II and choose to defer its implementation to a future date. The existing septic capacity is not sufficient to support the implementation of Phase II. Therefore, staff recommends that Phase II be excluded from the request to extend the term of U_1972-30. Continuing to grant the unimplemented Phase II, an additional 101 campsites, would not ameliorate existing concerns with the current land use, including long term occupancies, and maintenance of the campgrounds and septic system.

Renewal Term Revised Recommendation. Twice previously, U_1972-30 was granted a twenty year term and the property owner applied to renew (or extend) the major use permit at the conclusion of each term. By condition, U_1972-0030 shall expire on March 29, 2013 unless a third renewal is granted. Staff recommends a more conservative term for the second extension of U_1972-0030. Staff recommends a six year extension, concluding on June 1, 2019, to allow the property owner an 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 major use permit when the new term concludes.

Alternatively if the Planning Commission finds there is cause to discuss revoking U_1972-0030, staff recommends the Commission agree to continue the hearing for UR_2013-0002 to July 19, 2018 and direct staff to publish notice of the Commission's intent to consider grounds for revocation or modification of the major use permit pursuant with MCC Section 20.196.055.

ZONING CONSISTENCY: The zoning district at Wildwood Campground is Upland Residential (UR:40) (See attached *Zoning Map*). MCC Section 20.024.135 defines the *Transient Habitation - Campground* land use allowed by U_1972-0030 as follows:

"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. The following are transient habitation use types: (A) Transient Habitation—Campground. Campground services involving transient habitation areas for travelers in recreational vehicles or tents. Typical uses include recreational vehicle parks or campgrounds. Uses within this use type are subject to Chapter 20.176, Recreational Vehicle Parks and Campgrounds."

Campground land uses are allowed with an approved Major Use Permit in the UR District.

Campground Capacity Recommendations: The major use permit allows for 73 campsites with the following distribution: 45 plumbed campsites, 15 tent only campsites, and 13 campsites with water & power only and Staff recommends that the current campsite capacity continue (See Table 4).

Staff suggests campsites continue to be rented on a nightly basis or weekly basis. The property owner may seek alternative entitlements (e.g., general plan amendment) if they wish to rent campsites on a monthly basis.

The campground capacity and septic capacity are interlinked; therefore, Staff recommends that the quantity of plumbed campsites (with water, sewer and electricity) be established by the major use permit and the functional capacity of the well and septic system. For example, if the well capacity or septic system's capacity is diminished, the number of available campsites would be reduced until repairs are completed and DEH determines the capacity is restored.

Table 4: Capacity Allowed by Use Permit	
CAMPSITES	USE PERMIT U 1972-30
Total Capacity	73 campsites
With Septic Hook Ups	45 sites
Without Septic Hook Ups	28 sites comprising: 13 water & power only 15 no water & power
Manager's Residence	1 mobile home

Well and Septic Recommendations: The Director of Environmental Health determined on June 2, 2017 that the on-site system capacity would be sufficient after installation of an approved 1,600 gallon per day septic system expansion and replacement of the 625 gallon per day leach pit capacity. On May 10, 2018, DEH revised their request and requires the property owner to install an additional 2,225 gallons per day leach-field capacity prior to October 31, 2018 (Note capacity requirements are based on a 73 campsite capacity). DEH also requested that the property owner immediately and regularly schedule inspections

and repair of all septic hook-up lines and couplings to ensure there is no leakage of effluent.

PBS Staff recommend requiring the property owner provide the DEH with monthly maintenance reports and invite the DEH to conduct monthly site evaluations to monitor the condition of the existing septic system. Staff further recommends a condition that could allow the frequency of site inspections to be adjusted by the Director of Environmental Health after reliable septic operations are established.

Campground Management Recommendations: The intent of a campground is to provide space for over-night stays and camping activities. Fire rings, tents or recreational vehicles, bear-resistant pantry boxes are anticipated. The following campsite amenities shall be discouraged and avoided: sheds, vegetable and ornamental gardens, vehicles not registered with the DMV or abandoned. The following activities shall not be allowed: repairing vehicles and unsupervised dogs or other pets.

MCC Chapter 20.176 *Recreational Vehicle Parks and Campgrounds* specify development standards for RV Parks and Campgrounds (See Table 5). As conditioned, Wildwood Campground would satisfy these standards.

Table 5: Development Standards for Campgrounds	
MCC SECTION 20.176.015 DEVELOPMENT STANDARDS	WILDWOOD CAMPGROUND
A) No such park or camping area may be established or used unless first approved by the granting of a use permit requiring compliance with the following standards:	Planning Commission granted U_1972-0030 and a renewal in 1993
1) The area of land shall have a minimum area of 5 acres.	The area of land is 60 acres
2) The minimum lot or campsite shall be 20 ft. wide and 40 ft. long. The drive through spaces shall be 15 ft. wide and 60 ft. long.	Campsites are 20 ft. by 40 ft.
3) Each space in a recreational vehicle park shall be improved with gravel or better covering as approved by the Director of the Department of Planning and Building Services, in order to maintain a dust and mud free condition.	Campsites are maintained in a dust and mud free condition
4) Recreational vehicle lots installed with water, sewer and electricity shall be established at a ratio to the total number of lots on a park by park basis as a condition of the use permit.	U_1972-0030 allows for 73 campsites where 45 are plumbed, 28 have water/power hook ups, and 15 are tent only sites.
5) Restrooms and shower facilities shall be provided in the number and location required by the Director of the Department of Planning and Building Services, with adequate parking areas adjacent thereto.	Two bathroom and shower facilities are provided with adequate, adjacent parking areas
6) Usable open space for common areas shall be planned and provided for at convenient locations to provide at least 200 sq. ft. per lot. Such open space may include play yards, pools, and recreation buildings but shall not be deemed to include public facilities and open areas not accessible to the tenants.	The 60 acre site is available and accessible to campers
7) Refuse storage areas shall be provided in key areas throughout the park or campground with provisions for screening and collection.	One refuse storage area is provided near the entrance to the park. It is screened.
8) Each such recreational vehicle park shall be enclosed by a 6 ft. perimeter fence and by a landscaping strip of 5 ft. average width on the street side of the park. The Director of the Department of Planning and Building Services may require a higher fence when the park abuts a residential area.	The property has a perimeter fence and landscaping
9) There shall be a minimum of 10 ft. setback between the pads and the exterior perimeter boundaries.	A minimum 10 ft. setback between the pads and the exterior perimeter boundaries is provided

Table 5: Development Standards for Campgrounds	
MCC SECTION 20.176.015 DEVELOPMENT STANDARDS	WILDWOOD CAMPGROUND
10) Internal streets shall be 28 ft. wide edge to edge. This requirement may be reduced to 24 ft. in areas established for pull-through spaces.	Internal street widths are appropriate
11) The street system shall be maintained in a well graded, dust free condition at all times.	The street system was repaired in 2015
12) All utilities shall be placed underground.	Septic is placed underground
13) A secondary emergency exit shall be provided.	There are two alternative exits from the park

Staff recommends requiring a campground management plan be prepared to the satisfaction of the Director of Planning and Building Services. It would be in effect during the term of the major use permit. The management plan would provide guidelines for the implementation of MCC Section 20.176.015. For example, the management plan could specify the location of individual campsite fencing; the location and quantity of refuse bins and refuse storage areas; handling of debris, refuse, solid waste, and scrap metal; and other guidelines. The following are suggestions for a management plan:

- Locate fences between the 20 ft. by 40 ft. campsites
- Remove fences and gates that parallel internal roads and, or obstructing ingress to and egress from campsites
- Limit the maximum height of fences to 42 inches
- Maintain dust free and mud free campsite spaces
- Identify acceptable locations for storage areas, storage buildings, and sheds outside of designated campsite spaces
- Ensure pets are supervised by their owners
- List or reference local and State regulations for campgrounds

The campground management activities should include requiring on-site vehicles to maintain current vehicle registration as a requirement of admission and on-going camping; the daily emptying of campsite refuse bins; and requiring pet owners to dispose pet feces.

Staff recommends the following conditions be included in the approval of UR_2013-0002:

- Current registration shall be a requirement of all vehicles on site
- Storage of vehicles shall be prohibited
- Prior to October 31, 2018, the property owner shall improve trailer campsites with gravel
- Prior to October 31, 2018, the property owner shall clearly identify a secondary emergency exit
- Prior to October 31, 2018, abandoned vehicles shall be removed
- Prior to October 31, 2018, all permanent structures (e.g., sheds) located within campsite spaces shall be removed
- Beginning in January 2019, the property owner shall request PBS inspect the campgrounds

UPDATED PUBLIC HEALTH, SAFETY AND WELFARE:

State License: Staff recommends a condition of major 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 for compliance with State regulations. (Annual inspections are not a requirement for campground licensing, but the same licensing agency does inspect mobile home parks annually).

Recent Notification of Violations: On April 16, 2018, HCD notified the property owner that burial of trash, rubbish and metal campers, and solid waste throughout the park is a violation. The park area shall be kept clean and free from accumulation of refuse, garbage, rubbish, excessive dust, or debris.

The property owner has received notices of violations from Code Enforcement, DEH-Solid Waste, HCD,

and MCAQMD. Generally, site visits reveal that on-site debris is not properly managed. There is evidence of:

- Abandoned vehicles (automobiles, trailers)
- Abandoned and discharging propane tanks
- Refuse piles and debris stockpiling
- Multiple areas where debris are burned
- Areas where debris, including dismantled vehicles, are buried
- Occupied trailers not registered with the DMV
- Occupied trailers in poor condition
- Buried, dismantled vehicles

On May 14, 2018, MCAQMD notified the property owner that no person shall allow any open outdoor fire other than for the disposal of vegetative matter grown on the property and shall not allow any open outdoor fire that contains waste or manufactured material (petroleum products and wastes, construction and demolition debris, coated wire, putrescible wastes, tires, tarpaper, non-natural wood waste, processed or treated wood and products; motor vehicle bodies and parts; cardboard; boxes, crates; and others.

On May 4, 2018, Code Enforcement notified the property owner that storage of disposable refuse on private property violates MCC Section 9A.08.020. The property owner has until June 2, 2018 to remove all disposable refuse from the property and provide proof of removal of all solid waste.

On May 5, 2018, Department of Environmental Health Solid Waste notified the property owner that storage of disposable refuse on the property is a violation. The property owner has thirty days to provide proof of removal of all solid waste.

ENVIRONMENTAL DETERMINATION: The Planning Commission adopted a Negative Declaration when approving the Major Use Permit U_1972-0030. 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, the Planning Commission grant Major Use Permit Renewal UR_2013-0002 with a new term concluding on June 1, 2019, for the Project, based on the facts and findings and subject to the Conditions of Approval.

DATE

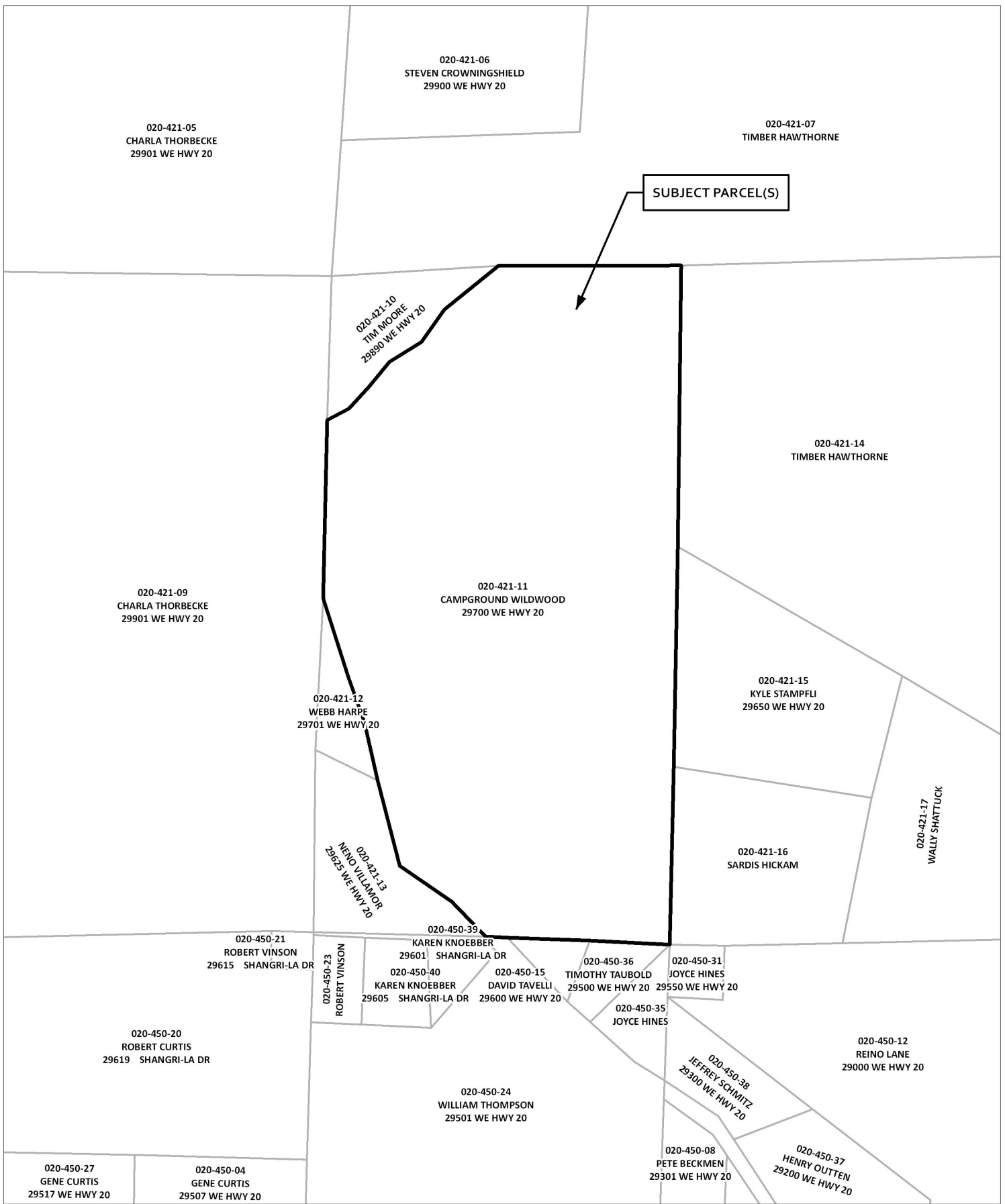
JULIANA CHERRY
PLANNER III

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

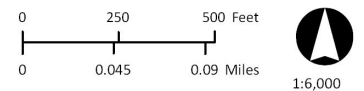
ATTACHMENTS:

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

RESOLUTION AND CONDITIONS OF APPROVAL (EXHIBIT A)



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

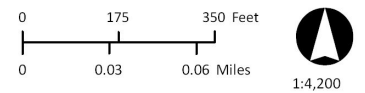


ADJACENT PARCELS

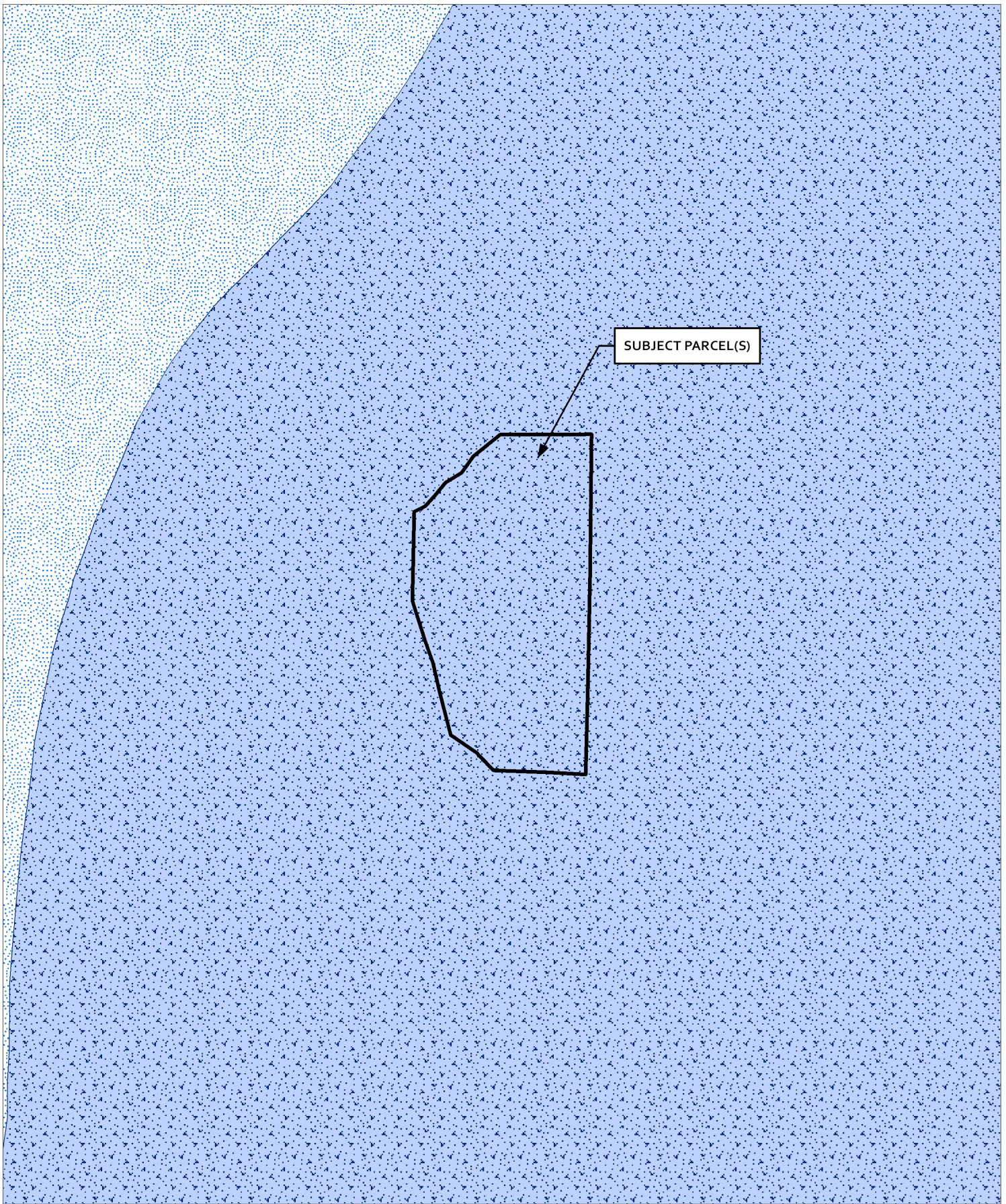


CASE: **UR 2013-0002**
OWNER: **Wildwood Campground LLC**
APN: **020-421-11**
APLCT: **Lee Exum**
ADDRESS: **29700 W. Hwy. 20, FB**



— Public Roads
- - Private Roads

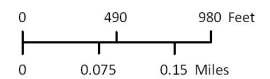


2014 NAIP AERIAL ORTHOPHOTO

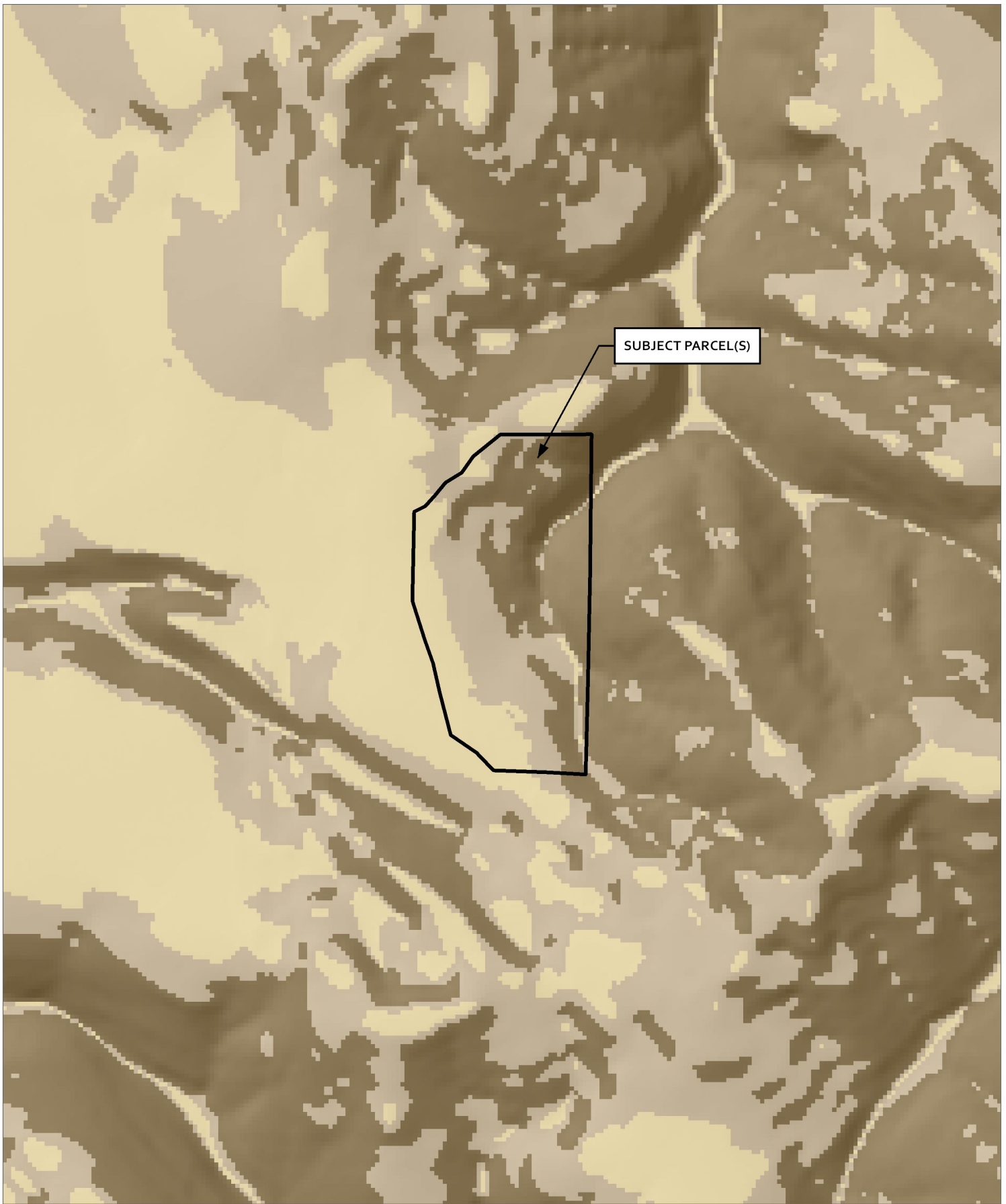


CASE: **UR 2013-0002**
OWNER: **Wildwood Campground LLC**
APN: **020-421-11**
APLCT: **Lee Exum**
ADDRESS: **29700 W. Hwy. 20, FB**

 Sufficient Water Resources
 Critical Water Resources Bedrock



COASTAL GROUND WATER RESOURCE AREAS



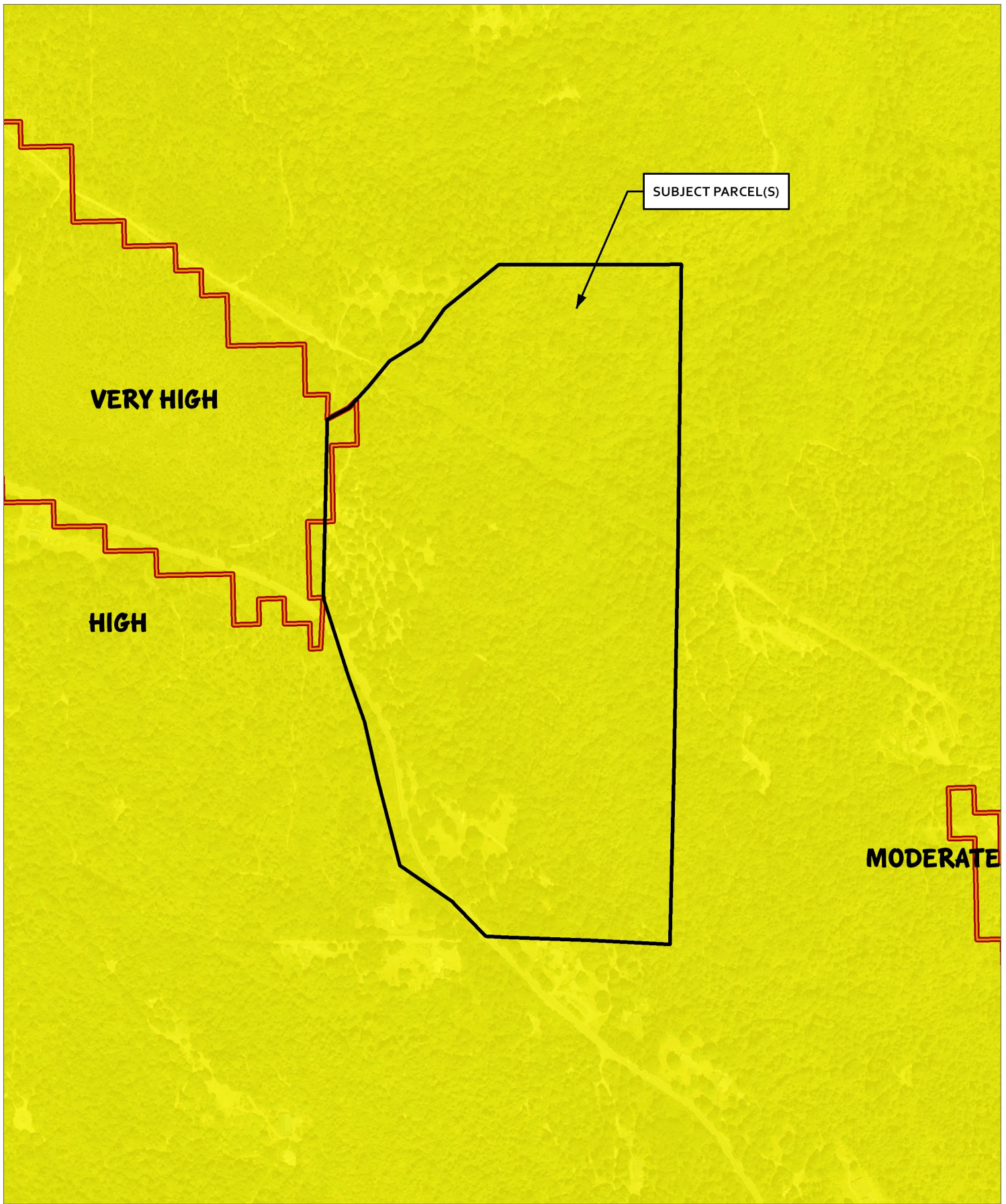
CASE: **UR 2013-0002**
OWNER: **Wildwood Campground LLC**
APN: **020-421-11**
APLCT: **Lee Exum**
ADDRESS: **29700 W. Hwy. 20, FB**

Slope
Degrees
0 - 14
15 - 32
33 - 72

0 490 980 Feet
0 0.075 0.15 Miles

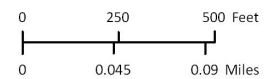


ESTIMATED SLOPE

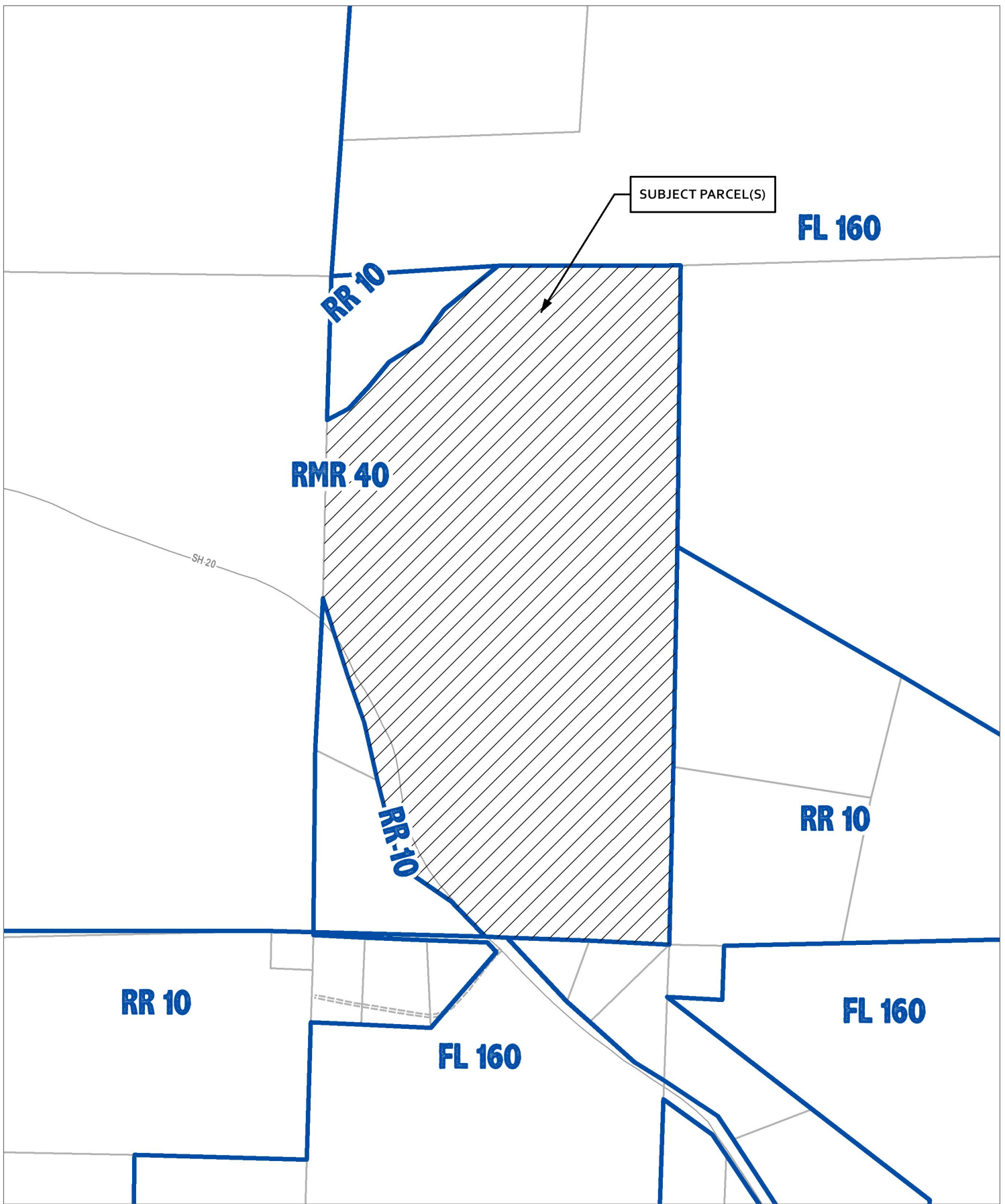


CASE: UR 2013-0002
OWNER: Wildwood Campground LLC
APN: 020-421-11
APLCT: Lee Exum
ADDRESS: 29700 W. Hwy. 20, FB


 State Responsibility Areas



FIRE HAZARD ZONES & RESPONSIBILITY AREAS
FORT BRAGG RURAL FPD



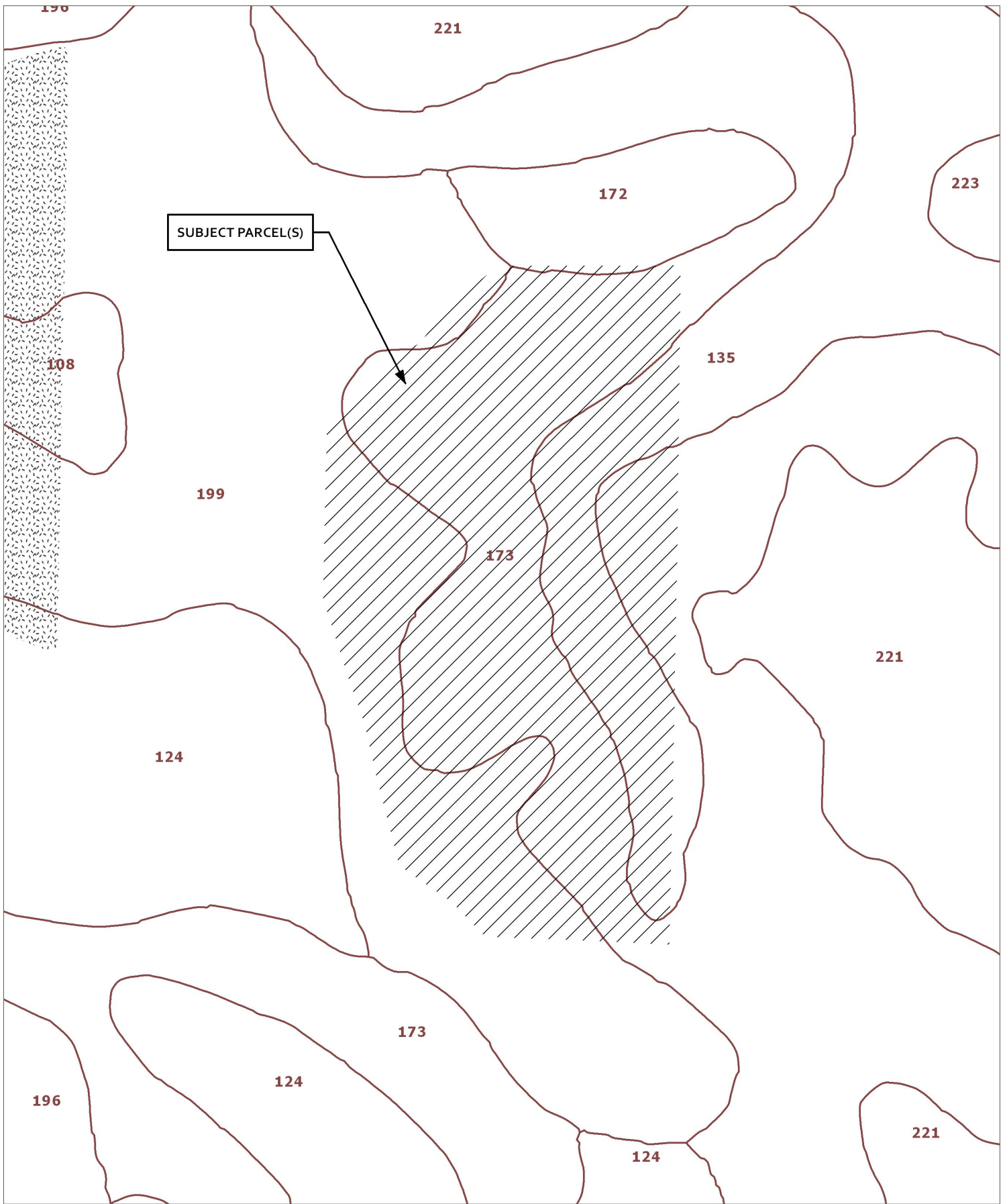
CASE: **UR 2013-0002**
OWNER: **Wildwood Campground LLC**
APN: **020-421-11**
APLCT: **Lee Exum**
ADDRESS: **29700 W. Hwy. 20, FB**

 General Plan Master



0 250 500 Feet
0 0.045 0.09 Miles

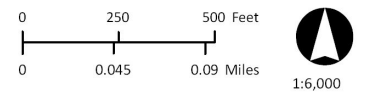


GENERAL PLAN CLASSIFICATIONS

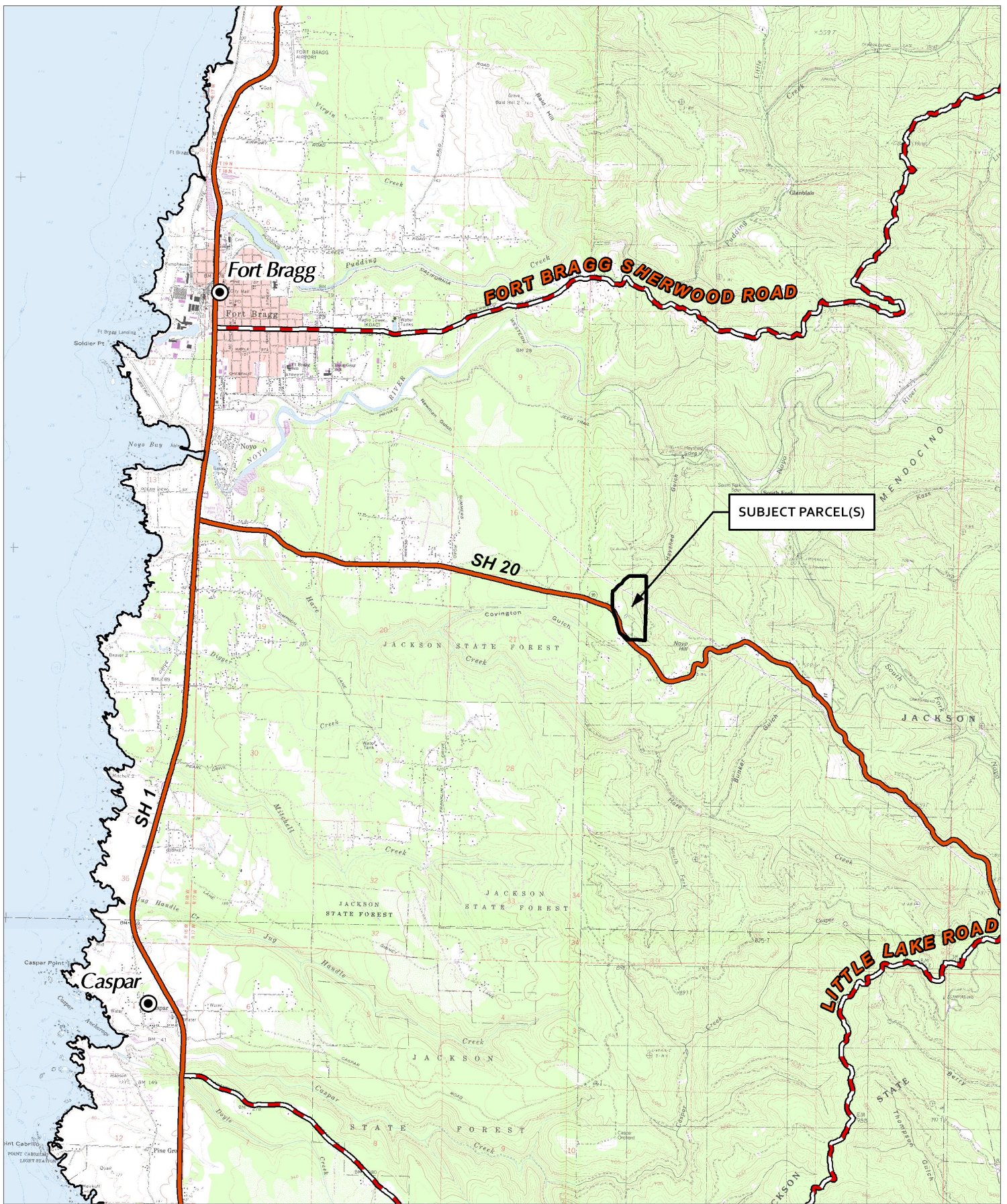


CASE: UR 2013-0002
OWNER: Wildwood Campground LLC
APN: 020-421-11
APLCT: Lee Exum
ADDRESS: 29700 W. Hwy. 20, FB

 Blacklock & Aborigine
 S-G Complex

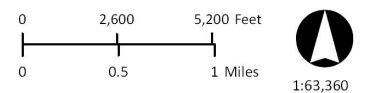


LOCAL SOILS

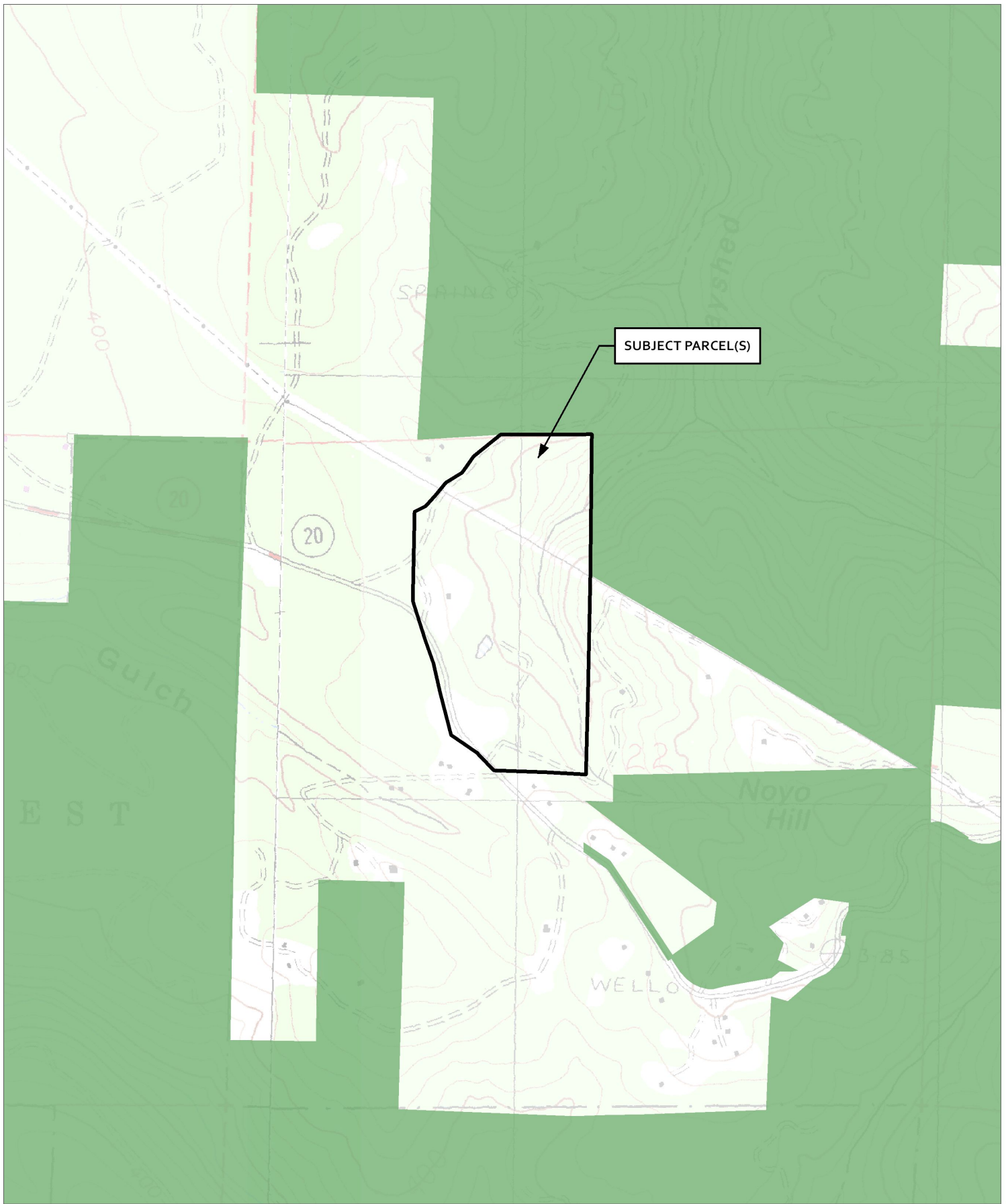


CASE: UR 2013-0002
OWNER: Wildwood Campground LLC
APN: 020-421-11
APLCT: Lee Exum
ADDRESS: 29700 W. Hwy. 20, FB

- Major Towns & Places
- Highways
- Major Roads



LOCATION MAP



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

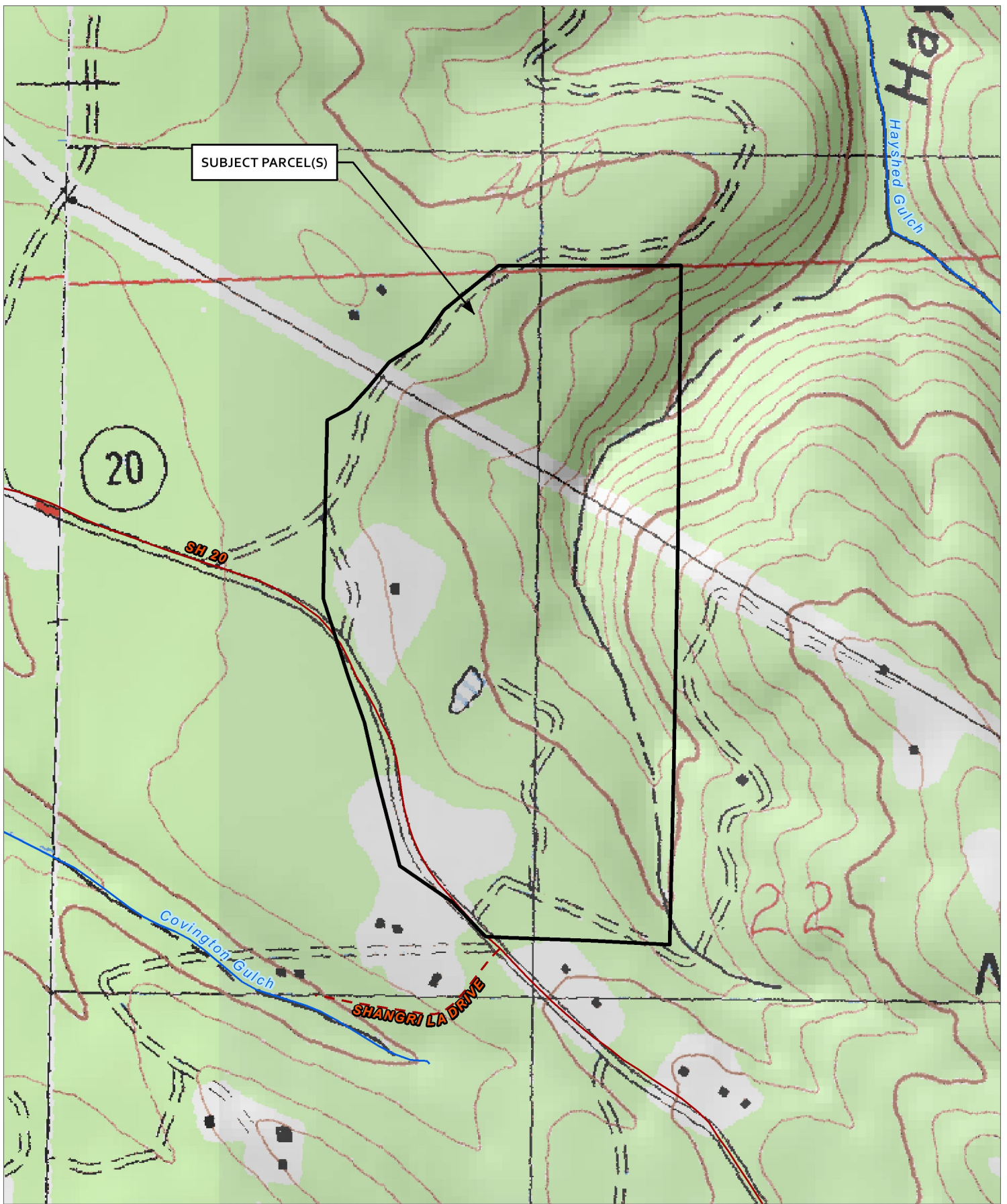
 TPZ 2014

0 490 980 Feet
0 0.075 0.15 Miles



1:12,000

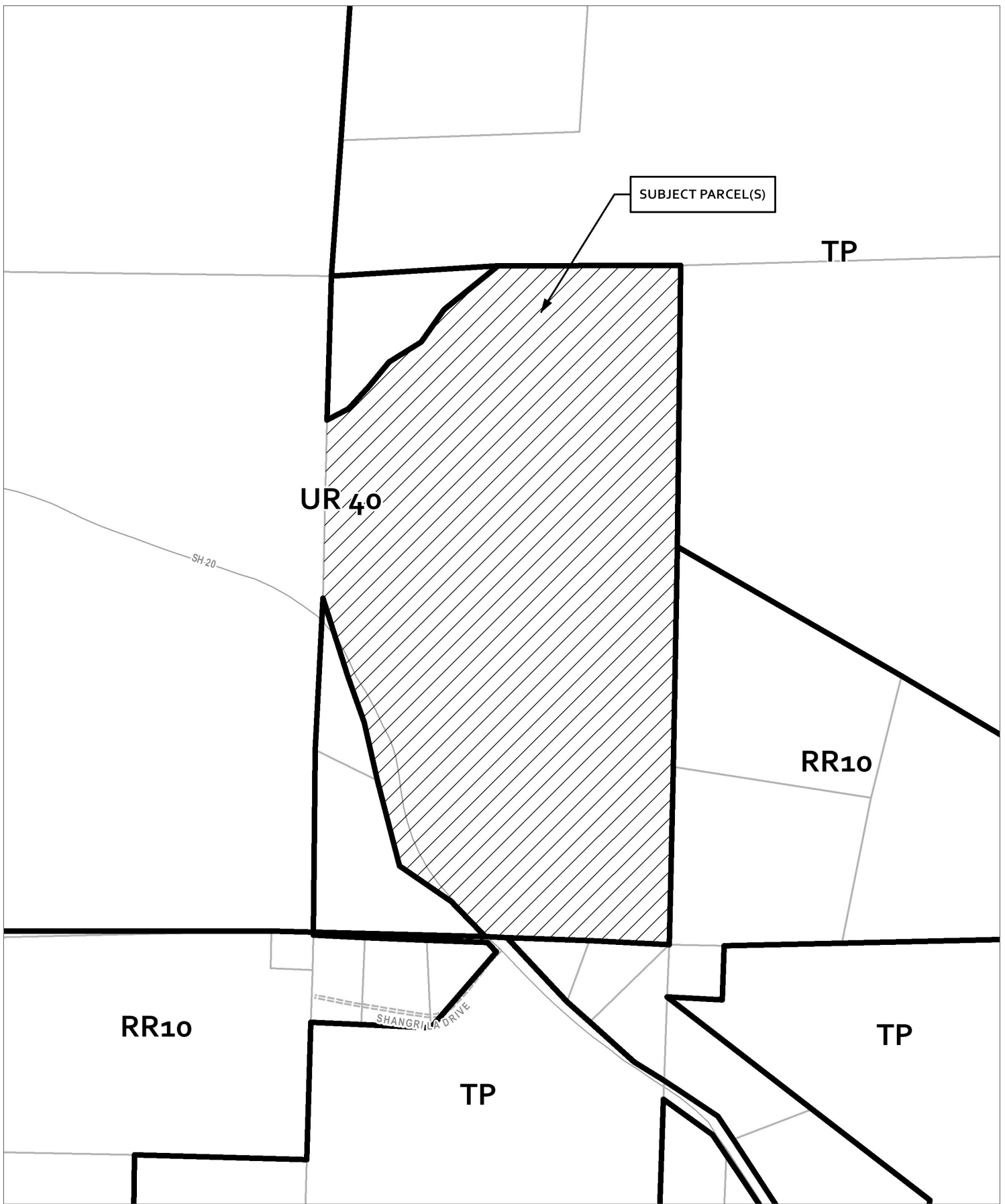
TIMBER PRODUCTION ZONES



CASE: UR 2013-0002
OWNER: Wildwood Campground LLC
APN: 020-421-11
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



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

 Zoning Master

0 250 500 Feet
0 0.045 0.09 Miles
1:6,000

ZONING DISPLAY MAP

Resolution Number _____

County of Mendocino
Ukiah, California
June 21, 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 RENEWAL with the Mendocino County Department of Planning and Building Services to continue Major Use Permit U_1972-0030 for an additional term and allow Transient Habitation Campground Land Use on property located 3.5 miles east of the intersection of Highways 1 and 20 (APN: 020-421-11) 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_1972-0030 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_1972-0030 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_1972-0030 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 on February 15, 2018 continued the item to May 3, 2018 to allow time to clarify information about Mendocino County Sheriff's incident reports between 2012-2017; the Department of Environmental Health's assessment of septic capacity; Housing and Community Development State License; and, California Health and Safety Code Section 18865; and

WHEREAS, the Planning Commission on May 3, 2018 continued the item to June 21, 2018 at the request of Planning and Building Services, because substantive code violations on the property caused the Department of Environmental Health, Air Quality Management District, and Planning and Building Services to revise their initial recommendations for the continuance of the land use; and

WHEREAS, the Planning Commission has had an opportunity to review this June 21, 2018 Resolution and finds that it accurately sets forth 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), as conditioned the project would have adequate access to 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 would cause no significant affect to the environment and a Negative Declaration has been adopted.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts a negative declaration from California Environmental Quality Act for the time extension of Major Use Permit U_1972-0030; and

BE IT FURTHER RESOLVED that the Planning Commission hereby grants an extended term for Major Use Permit U_1972-0030, subject to the Conditions of Approval in Exhibit "A", attached hereto; and

BE IT FUTHER RESOLVED that the new term for Major Use Permit U_1972-0030 shall conclude on June 1, 2019; 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 11th 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

EXHIBIT A

CONDITIONS OF APPROVAL JUNE 21, 2018 UR_2013-0002 – WILDWOOD

Renewal of Major Use Permit U_1972-0030 for a
Campground Transient Habitation land use

APPROVED PROJECT DESCRIPTION: Renewal of Major Use Permit U_1972-0030 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. Phase II is not a part of the Major Use Permit extension.

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), as conditioned the project would have adequate access to 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 would cause no significant affect to the environment and a Negative Declaration has been adopted.

CONDITIONS OF APPROVAL:

Standard Conditions:

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 (1) 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, 2019. 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 major use permit. Seventy three (73) campsites are permitted. A maximum of forty five (45) campsites with septic hook-ups are permitted. A maximum of twenty four (28) campsites without septic hook-ups are permitted and thirteen (13) of these sites may have water and power only.
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 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_1972-0030 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 Motor Vehicles
 - b. California Department of Housing and Community Development
 - c. California Department of Fish and Wildlife
 - d. California Department of Forestry and Fire Prevention
 - e. Mendocino County Air Quality Management District
 - f. Mendocino County Division of Environmental Health
 - g. Mendocino County Planning and Building Services

Department of Environmental Health:

- 8. Any on-site potable water source shall be developed and maintained in accordance with the requirements of the Division of Environmental Health.
- 9. Prior to October 31, 2018, the property owner shall complete the installation of 2,225 GPD additional leach field capacity.
- 10. Prior to October 31, 2018 or sooner, every campsite septic hook-up line and coupling shall be repaired and there shall be no evidence of effluent leakage.
- 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 (24) consecutive inspections demonstrate that the septic system and leach fields are maintained and sufficient. Inspections to be paid for by the property owner.
 - c. The property owner shall immediately and regularly schedule septic system inspections.

Campground occupancy and capacity

- 12. Campground occupancy is subject to Mendocino County Codes, including MCC Section 20.024.135(A) and MCC Chapter 20.176.
 - a. Major use permit UR 90-72/92 adopted Condition B(9) is revoked.

- b. One (1) existing park manager's facility is permitted.
 - c. The provision of lodging services shall be on a less than monthly basis.
 - d. A maximum of forty five (45) campsites with septic hook-ups are permitted.
 - e. A maximum of twenty eight (28) campsites without septic hook-ups are permitted and thirteen (13) of these sites may have water and power only.
13. When caused by site conditions or constraints, the campground capacity shall be adjusted by the Director of Planning and Building Services, Director of Environmental Health, or State License.
- 14.
- a. If site conditions change (for example, the well capacity or septic system's capacity is diminished) then the number of available campsites would be reduced until repairs are completed and DEH determines the capacity is restored.
 - b. To determine the potential number of campsites affected, DEH will allot fifty (50) gallons per day of septic capacity to campsites without septic hook-ups and one hundred (100) gallons per day capacity to campsites with septic hook-ups.
15. When applicable, the property owner shall comply with Chapter 520 (Uniform Transient Occupancy Tax) and Chapter 6.04 (Business License Chapter) of the Mendocino County Code.
16. The property owner shall comply with MCC Section 20.024.135, which 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 Environment and Management:

17. The property owner shall maintain posted signs along all access roads and or property lines at intervals not to exceed one hundred (100) feet advising campers not to trespass on adjoining private properties.
18. Any 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.
19. Storage of one (1) 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. Prior to October 31, 2018, abandoned vehicles shall be removed from the property.
 - 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.
20. Prior to October 31, 2018, the property owner shall improve fifty eight (58) non-tent campsites with gravel and establish that campsites are free of dust and mud.
21. Prior to October 31, 2018, the property owner shall clearly identify a secondary emergency exit.
22. Prior to October 31, 2018, all abandoned vehicles shall be removed.

23. Prior to October 31, 2018, permanent structures (e.g., sheds) located within campsite spaces shall be removed.
24. Beginning in January 2019 or sooner, the property owner shall request Planning and Building Services inspect the campgrounds.
25. Beginning in January 2019 or sooner, the property owner shall request California Department of Housing and Community Development (HCD) inspect the campgrounds.
26. The property owner shall ensure compliance with local and State licensing requirements, including General Park Requirements (State of California Code of Regulations, Title 25, Division 1 Housing and Community Development) and Mendocino County Code Chapter 20.176 Recreational Vehicle Parks and Campgrounds.
27. Prior to October 31, 2018 and to the satisfaction of the Director of Planning and Building Services, a Campground Management Plan, prepared by the property owner, shall be in place and filed with Planning and Building Services. The Management Plan shall be in effect for the term of the Major Use Permit.
28. The Management Plan shall comply with local and State statutes for Campgrounds and should include the following:
 - a. 25 California Code of Regulations (CCR) § 2114. Animals.
 - i. Dogs, and other domestic animals, and cats (domestic or feral) shall not be permitted to roam at large (free).
 - ii. Animal feces shall not be permitted to accumulate on any area in the campground to the extent that the animal feces create a nuisance.
 - iii. Pet owners should dispose of pet feces.
 - b. 25 CCC § 2118(C) A permanent building, garage, cabana, or storage building shall not be constructed or installed on any campsite within the campground.
 - i. Permanent buildings, garages, cabanas, or storage buildings shall be removed from all campsites within three months of the effective date of UR_2013-0002.
 - c. 25 CCR § 2120. Rubbish and Accumulation of Waste Material.
 - i. Occupants shall keep the campsite area and the area under, around, or on their unit and accessory buildings or structures free from an accumulation of refuse, rubbish, paper, leaves, brush or other combustible material. Campsite refuse bins should be emptied on a daily basis.
 - ii. Waste paper, hay, grass, straw, weeds, litter, or combustible flammable waste, refuse, or rubbish of any kind shall not be permitted, by the campground owner or operator, to remain upon any roof or on any vacant lot, open space, or common area.
 - iii. The campground area shall be kept clean and free from the accumulation of refuse, garbage, rubbish, excessive dust, or debris.
 - iv. The campground operator shall ensure that a collection system is provided and maintained, with covered containers, for the safe disposal of rubbish.
 - d. Fences and gates that parallel internal roads and, or obstructing ingress to and egress from campsites, should be removed.
 - e. The maximum height of fences should be limited to forty two (42) inches.
 - f. The property owner should maintain dust free and mud free campsite spaces.
 - g. Locations for storage areas, storage buildings, and sheds outside of designated campsite spaces shall be identified and accepted by the Director of Planning and Building Services.
 - h. Pets are supervised by their owners
 - i. On-site vehicles should maintain current vehicle registration. At admission and during over-night stays vehicle registration should be current and verified.

Resolve Violations:

29. Prior to October 31, 2018, the property owner shall establish to the satisfaction of the Director of Planning and Building Services that each violation identified by Mendocino County Air Quality Management District (MCAQMD) has been resolved. At such time and if not resolved, the Director may consider Condition 4 and publish notice of the Commission's intent to consider grounds for revocation or modification of the major use permit pursuant with MCC Section 20.196.055.
30. Prior to October 31, 2018, the property owner shall establish to the satisfaction of the Director of Planning and Building Services that each violation identified by Mendocino County Code Enforcement Division has been resolved. At such time and if not resolved, the Director may consider Condition 4 and publish notice of the Commission's intent to consider grounds for revocation or modification of the major use permit pursuant with MCC Section 20.196.055.
31. Prior to October 31, 2018, the property owner shall establish to the satisfaction of the Director of Planning and Building Services that each violation identified by Mendocino County Department of Environmental Health Solid Waste (DEH-Solid Waste) has been resolved. At such time and if not resolved, the Director may consider Condition 4 and publish notice of the Commission's intent to consider grounds for revocation or modification of the major use permit pursuant with MCC Section 20.196.055.
32. Prior to October 31, 2018, the property owner shall establish to the satisfaction of the Director of Planning and Building Services that each violation identified by California Department of Housing and Community Development (HCD) has been resolved. At such time and if not resolved, the Director may consider Condition 4 and publish notice of the Commission's intent to consider grounds for revocation or modification of the major use permit pursuant with MCC Section 20.196.055.
33. Prior to October 31, 2018, the following observed conditions shall be addressed to the satisfaction of the Director of Planning and Building Services:
 - a. Abandoned vehicles (automobiles, trailers)
 - b. Abandoned and discharging propane tanks
 - c. Refuse piles and debris stockpiling
 - d. Multiple areas where debris are burned
 - e. Areas were debris, including dismantled vehicles, are buried
 - f. Trailers not registered with the DMV
 - g. Trailers in poor condition
34. Mendocino County Department of Environmental Health Solid Waste has determined the property owner shall abate the illegal burying, burning and dumping of solid waste, scape metal, waste tires, vehicles and campers:
 - a. Illegal burying of solid waste, which may include additional wastes as well, has been identified by Mendocino County Environmental Health at the coordinates of 39.40786644820069,-123.7443270442297 and 39.40812075514291,-123.7445385196467. The operator is responsible for lawfully removing and disposing of the buried solid waste and any other types of buried waste on this property. Disposing of the buried solid waste shall be completed to the satisfaction of Mendocino County Department of Environmental Health-Solid Waste.
 - b. Illegal dumping of solid waste, scrap metal, waste tires and vehicles and campers has been identified by Mendocino County Environmental Health to be widespread throughout the Wildwood Campground.
 - i. Mendocino County Environmental Health believes that the burial of solid waste, including, but not limited to crushed campers, may extend beyond the recently excavated and filled waste burial sites described above. Mendocino County Environmental Health believes additional burial may be present under the adjacent illegal dump site. Therefore, it is

required that the owner hire a Registered Geologist or equivalent to perform nonintrusive investigation of this area using geophysical techniques such as Ground Penetrating Radar or an equivalent technology that is at a minimum equally capable of determining the waste extent and waste characteristics. Buried waste located anywhere on the property must be lawfully removed and disposed of.

- ii. Mendocino County Environmental health observed solid waste being stored inside campers and vehicles and around each camp site. It was determined that the facility has only one (1), four (4) yard dumpster, which is serviced by Fort Bragg Disposal once per week. The site also has three (3), ninety six (96) gallon recycling curbside collection carts and a single ninety six (96) gallon yard waste curbside collection cart serviced once per week. It is the responsibility of the facility to roll the recycling out to the designated pick-up location, which is only occurring on about one-third (1/3) of the service days. Based on the number of camp sites with one (1) or more year-round occupants, along with additional day campers the facility must increase the number of dumpsters and/or size of dumpster to a minimum of sixteen (16) cubic yards. The access to the dumpsters including the road and the enclosure must be accessible by Fort Bragg Disposal for year round servicing. In addition, the facility is responsible for removal of any accumulated solid waste at each camp site and around campground in general.
 - iii. The owner must submit a timeline with milestones for the abatement of all areas described above to Mendocino County Environmental Health for review and approval by April 30, 2018. Removal solid waste, scrap metal, waste tires, vehicles and campers must be done in accordance with local and State laws; not limited to the attainment of applicable permits and proof of lawful disposal. If the owner fails to correct the violations, a Notice and Order to Abate will be issued. The Notice and Order to Abate establishes civil penalties, per day until the violation is abated, in the amount allowable under Chapter 8.75 Uniform Nuisance Abatement Procedure.
- c. *Per County of Mendocino Code of Ordinances, Section 9A.08.020 – Refuse Deposition – Private Property: “No owner or occupant shall throw, drop, leave dump, bury, burn, place or otherwise dispose of any refuse upon his/her premises, or allow any other person to dispose of refuse upon his/her premises...” and Section 9A.08.040 – Refuse Removal Requirement: “The owner or tenant of any premises, business establishment, or industry shall be responsible for the satisfactory removal of all refuse accumulated by him/her on his/her property or premises in accordance with State requirements. The County may require removals as it deems necessary...”*

Per State of California Health and Safety Code, Section 17920.3 (a16): “Inadequate sanitation shall include, but not be limited to, the following...Lack of adequate garbage and rubbish storage and removal facilities, as determined by a health officer...”

Per California Penal Code, Section 373a: “Every person who maintains, permits, or allows a public nuisance to exist upon his or her property or premises, and every person occupying or leasing the property or premises of another who maintains, permits or allows a public nuisance to exist thereon, after reasonable notice in writing from a health officer or district attorney or city attorney or prosecuting attorney to remove, discontinue or abate the same has been served upon such person, is guilty of a misdemeanor, and shall be punished accordingly; and the existence of such nuisance for each and every day after the service of such notice shall be deemed a separate and distinct offense, and it is hereby made the duty of the district attorney, or the city attorney of any city the charter of which imposes the duty upon the city attorney to prosecute state misdemeanors, to prosecute all persons guilty of violating this section by continuous prosecutions until the nuisance is abated and removed.”