

COUNTY OF LAKE
Major Use Permit UP 19-18
Categorical Exemption, CE 19-44
MUNDERLOH'S CALICO CAT RV RESORT

CONDITIONS OF APPROVAL

Expires if not used by: July 11, 2021

Pursuant to the approval of the Planning Commission on July 11, 2019, there is hereby granted to Munderloh's Calico Cat Resort, a Major Use Permit (UP 19-18) and Categorical Exemption to CEQA (CE 19-44) to reinstate the legal status of an existing RV Park with the following conditions on property located at 3297 East Highway 20, Nice, CA, and further described as APN # 032-123-02, subject to the following terms and conditions.

A. GENERAL CONDITIONS:

1. The use hereby permitted shall substantially conform to the *Project Description and Sites Plans* and any conditions of approval imposed by the General and Specific Plan of Development and Review Authority to allow *Munderloh's Calico Cat RV Resort*. The Community Development Director may approve, in writing, minor modifications that do not result in increased environmental impacts. Applicant shall be in substantial conformance with the following:

a. *Site Plan dated 5/19/2010*

b. *Application packet and support materials, submitted 5/30/2019*

2. This permit does not abridge or supersede the regulatory powers or permit requirements of any federal, state, local agency, special district or department which may retain a regulatory or advisory function as specified by statute or ordinance. The applicant shall obtain permits as may be required from each agency.
 3. The permit holder is responsible for insuring that all project workers are informed of understand, and agree to abide by the approved plans and project conditions.
 4. The permit holder shall comply with the regulations of the California Housing Authority who oversees all manufactured and RV parks in the State.
 5. The parking lot shall meet accessibility standards including one (1) ADA compliant parking space. Please contact the Community Development Department - Building Division for more information.
 6. The proper storage of equipment, removal of litter and waste, and cutting of weeds or grass shall not constitute an attractant, breeding place or harborage for pest. Any outdoor storage shall be maintained in an orderly manner and shall not create a fire, safety, health and/or sanitary hazard.
 7. This permit shall be null and void if the use is abandoned for a period of two (2) years.
 8. Any changes not authorized by this Use Permit shall require a modification to this use permit unless the Community Development Director determines that the change is not significant enough to warrant a modification.
 9. Durations of stay are limited to 30 days for each RV guest / RV.
- B. AESTHETICS:**
1. Trash storage: A centralized refuse and trash storage area(s) shall be provided and be readily accessible to all mobile home spaces. Trash storage areas shall be concealed from any public and private street and enclosed by a six (6) foot solid wall or fence.

2. Perimeter fencing: A six (6) foot high solid fence of (1) masonry, or (2) wood, or other fencing or screening as approved by the Planning Commission shall be provided around the perimeter of all developed areas of the mobile home park; except that the Planning Commission may waive fencing on waterfront sites.

C. AIR QUALITY:

1. All mobile diesel equipment used for construction and/or maintenance must be compliant with State registration requirements. Portable and stationary diesel powered equipment must meet the requirements of the State Air toxic Control Measures for CI engines.
2. All roads, trails and access routes shall be paved and/or adequately surfaced to prevent dust generation.
3. Vegetation, construction debris and/or demolition debris burning on the RV Park site is not permitted.

D. BIOLOGICAL RESOURCES:

1. **Prior to commencement of any future activities within waters of the US (Clear Lake),** the Army Corps of Engineers shall be notified and any necessary permits shall be obtained in conjunction with Section 404 of the Clean Water Act. Additionally, a Water Quality Certification shall be obtained from the Central Valley Regional Water Quality Control Board.
2. Any project improvements and/or development that results in the discharge of dredged and/or fill material into potential jurisdictional areas on the project sites shall require authorization from the following agencies, which included but is not limited to the U.S Army Corps of Engineers Nationwide Permit; Regional Water Quality Control Board pursuant to Sections 404 and 401 of the Clean Water Act respectively; California Department of Fish and Wildlife.

E. CULTURAL RESOURCES:

1. Should any archaeological, paleontological, or cultural materials be discovered during site development, all activity shall be halted in the vicinity of the find(s), the local overseeing Tribe shall be notified, and a qualified archaeologist retained to evaluate the find(s) and recommend mitigation procedures, if necessary, subject to the approval of the Community Development Director. Should any human remains be encountered, they shall be treated in accordance with Public Resources Code Section 5097.98 and with California Health and Safety Code section 7050.5.

F. GEOLOGY & SOILS:

1. **In the event that any future ground disturbance is needed,** the permitted may at the County's discretion be required to submit Erosion Control and Sediment Plans to the Water Resource Department and the Community Development Department for review and approval. This does not apply to 'exchanging' RVs on pre-existing RV spaces.
2. Excavation, filling, vegetation clearing or other disturbance of the soil shall not occur between October 15 and April 15 unless authorized by the Community Development Director. The actual dates of any new grading needed may be adjusted according to weather and soil conditions at the discretion of the Community Development Director.

G. HAZARDS & HAZARDOUS MATERIALS

1. The project shall comply with Section 41.7 of the Lake County Zoning Ordinance that specifies that all uses involving the use or storage of combustible, explosive, caustic or otherwise hazardous materials shall comply with all applicable local, state and federal safety standards and shall be provided with adequate safety devices against the hazard of fire and explosion, and adequate firefighting and fire suppression equipment.

2. All equipment shall be maintained and operated in a manner that minimizes any spill or leak of hazardous materials. Hazardous materials and contaminated soil shall be stored, transported, and disposed of consistent with applicable local, state and federal regulations.
3. If the operation includes storage of hazardous materials equal to or greater than fifty-five (55) gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of compressed gas, then a Hazardous Materials Inventory Disclosure Statement/Business Plan shall be submitted and maintained in compliance with requirements of Lake County Environmental Health Division. Industrial waste shall not be disposed of on site without review or permit from Lake County Environmental Health Division or the California Regional Water Quality Control Board. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.
4. Any spills of oils, fluids, fuel, concrete, or other hazardous construction material shall be immediately cleaned up. All equipment and materials shall be stored in the staging areas away from the creek; vehicles and equipment shall receive proper and timely maintenance.
5. The applicant shall submit an Emergency Evacuation Plan to the Community Development Department, the Lake County Sheriff's Office and the Northshore Fire Protection District within sixty (60) days of project approval for review and approval. (*Mitigation Measure HAZ-8*)
6. Hazardous waste (including industrial waste) must be handled according to all Hazardous Waste Control and Generator regulations. Waste shall not be disposed of on-site without review or permits from EHD, the California Regional Water Control Board, and/or the Air Quality Board. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such material. The permit holder shall comply with petroleum fuel storage tank regulations if fuel is to be stored on site.
7. Industrial Wastewater or any other classification of waste shall not be disposed on-site without review or permits from the Environmental Health Division, the Regional Water Quality Control Board and/or the Air Quality Board.
8. Collected hazardous or toxic waste materials shall be recycled or disposed of through a registered waste hauler to an approved site legally authorized to accept such materials.
9. Any waste detrimental to a public sewer system and/or a sewage treatment plant, shall not be discharged into a public sewer system unless they have been pretreated to the degree required Lake County Special Districts. The permit holder may contact the Lake County Special District at (707) 263-0119 for specifics.

H. HYDROLOGY & WATER QUALITY

1. The applicant shall continue to maintain all required permits from the State Water Resource Control Board – Division of Drinking Water and sub it written verification to the Community Development Department. If permit(s) areas updated and/or modified, applicant shall provide a copy to the Community Development Department within sixty (60) days permits issuance.
2. Any new development shall maintain a minimum of a thirty (30) foot setback from top of bank from Clear Lake.
- I. NOISE:**
 1. All construction activities including engine warm-up shall be limited Monday through Friday, between the hours of 7:00am and 7:00pm to minimize noise impacts on

nearby residents. Back-up beepers shall be adjusted to the lowest allowable levels. This mitigation does not apply to night work. (Mitigation Measure NOI-1)

2. Maximum non-construction related sounds levels shall not exceed levels of 55 dBA between the hours of 7:00AM to 10:00PM and 10:00PM to 7:00AM within residential areas as specified within Zoning Ordinance Section 21-41.11.12 at the property lines. (Mitigation Measure NOI-2)

3. No use shall generate ground vibration which is perceptible without instruments beyond the lot line. Ground vibrations caused by motor vehicles, aircraft, temporary construction work, or agricultural equipment are exempt from these standards.

J. TRANSPORTATION AND TRAFFIC:

1. Any structures and/or private facilities are not authorized within public right-of-way.

2. The installation of any road signs shall be reviewed and approved by the Lake County Department of Public Works and / or CalTrans prior to installation.

3. Gates shall not be constructed across driveways and/or access roads that are used by neighboring properties or the general public. Gates constructed across public access easements are subject to removal per State Street and Highway Codes. A Knox box is required on all gated entrances for emergency vehicle access.

4. The permit holder shall meet and maintain all access requirements and/or regulations as defined in 14 California Code of Regulations (CCCR), Division 1.5, Chapter 7, Subchapter 2, Article 2, §1273.00 through §1273.11 of the California Department of Forestry and Fire Protection (Cal Fire) for Emergency Access and Egress Requirements.

K. UTILITIES and SERVICE SYSTEMS:

1. All connections of LACOSAN shall be made in accordance with the rules, regulations, policies, procedures and ordinances in effect at the time of the application. The permit holder shall contact Special District at (707) 263-0119 for further information.

L. MONITORING AND EXPIRATION:

1. The permit holder shall permit the County of Lake or representative(s) or designee(s) to make periodic and/or annual inspections at any reasonable time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

2. This permit may be revoked if the use for which the permit was granted is conducted as to be detrimental to the public health, safety, or welfare or as to be a nuisance. This permit shall be valid until it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

3. This permit shall be valid for an indefinite period of time unless it expires or is revoked pursuant to the terms of this permit and/or Chapter 21 of the Lake County Code.

4. A continuous maintenance program shall be provided by the mobile home park developer for the landscaped areas. The plan shall include repair or replacement as needed for the life of the park.

Michalyn DelValle
Community Development Director

Prepared by: EP

By: 
Danae Bowen, Office Assistant III

