



**CITY OF RIO VISTA  
PLANNING COMMISSION  
STAFF REPORT**

**AGENDA ITEM # 5.3**

**MEETING DATE:** December 14, 2016

**PREPARED BY:** David Melilli, Director of Public Works

**SUBJECT:** **Conditional Use Permit No. 2016-002: Request to Permit a new Dog Park and Skate Board Park at Val De Flores Park.**

**APPLICANT:** **City of Rio Vista, CA.**

**RECOMMENDATION**

Motion to Adopt Resolution entitled, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO VISTA APPROVING CONDITIONAL USE PERMIT No. 2016-002”

**DISCUSSION**

The applicant is requesting to construct a Dog Park and Skate Board Park on property it owns at the Val Del Flores Park site. The property is zoned P-L, Parkland, with a General Plan designation of P-L, Parkland. The existing property houses the Val De Flores Park, and existing parking lot, restrooms, and soccer fields. The property is surrounded by the existing D.H. White Elementary School, and houses in the area.

The proposed facilities are: a new Large Dog Park area of approximately 18,000 square feet at the front of the property, Small Dog Park area of approximately 7,000 square feet, and the Skate Board Park on an approximately 6,000 square-foot pad adjacent to the existing parking lot, and the restrooms at the northwest corner of Rolling Place Court and Scott Street, as shown on the site plan dated July 27, 2016 (Attachment 1), prepared by Siegfried Engineering. The project site consists of approximately 5.9 acres of land, identified as Assessor Parcel No. 0178-080-030.

Attachment 2 provides a design of the Skate Board Project and the equipment proposed at the site.

**General Plan Consistency:**

The proposed Dog Park and Skate Board Park Projects are within the Park Land (P-L) designation which allows for the proposed use.

**Zoning Consistency:**

The proposed project is within the P-L (Park Land) Zone which allows the proposed use.

**ENVIRONMENTAL REVIEW**

Pursuant to Section 15332 (Infill Development Project) of the California Environmental Quality Act Guidelines, the proposed project is exempt from the provisions of CEQA.

**ATTACHMENTS**

1. Site Plan, dated July 27, 2016, Dog Park and Skate Board Park Plans.
2. Project Design submitted by the Applicant for the Skate Board Park.

**PLANNING COMMISSION  
RESOLUTION NO. 2016-008**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIO VISTA  
APPROVING AN AMENDMENT TO CONDITIONAL USE PERMIT No. 2016-002**

**WHEREAS**, an Application has been filed by the City of Rio Vista, 100 Scott Street, Rio Vista, California, for a Conditional Use Permit to construct approximately 18,500 square feet Large Dog Park, 7,000 square feet Small Dog Park, and a 6,000 square feet Skate Board Park at the front of the existing Val De Flores Park property adjacent to the existing D. H. White Elementary School at the northwest corner of Rolling Place and Scott Street in the Park Land (P-L) Zone; and

**WHEREAS**, the Planning Commission conducted a public hearing on the matter at its Regular Meeting on December 14, 2016, notice of time, place, and address, was duly published;

**WHEREAS**, the P-L zoning district allows uses for Dog Parks and Skate Board Parks, and existing soccer fields, provided, that such uses are not or will not be offensive by reason of the creation or uses that allow for day time usage from dawn until dusk; and

**WHEREAS**, a conditional use permit was required to be filed due to the reason that the project may require adequate controls of usage, or noise performance standards such as an event permit for special events to insure and protect the public interest, health, comfort, convenience, safety and general welfare;

**WHEREAS**, the proposed Dog Park and Skate Board Projects would not have any significant adverse impacts on the surrounding uses; and

**WHEREAS**, the proposed use is consistent with the Park Land (P-L) Designation of the site as P-L Zoning (Park Land); and

**WHEREAS**, members of the public were given the opportunity to speak on the application, and a report by the City staff was presented and made part of the record;

**NOW, THEREFORE, BE IT RESOLVED** that after hearing testimony, considering the evidence presented, and deliberation of the matters presented, the Planning Commission finds that:

1. The above recitals are true and correct and are incorporated herein by reference as if set forth in full.
2. The Planning Commission received and considered all public comment and testimony regarding the proposed project.
3. The CUP is consistent with the requirements of the City of Rio Vista General Plan and the Zoning Ordinance.
4. The location of the project is not detrimental to the public health, safety, and welfare, or materially injurious to neighboring properties.
5. The site is reasonably safe from natural hazards.

6. That the Amendment to Conditional Use Permit No. 2016-001 is Exempt pursuant to Section 15332 (Infill Development Project) of the California Environmental Quality Act Guidelines and does not have the potential for causing a significant effect on the environment.
7. The Planning Commission does hereby Approve the Amendment to Conditional Use Permit No. 2016-002, subject to the Conditions of Approval contained in Attachment - A:

**PASSED, ADOPTED AND APPROVED** this 14<sup>th</sup> day of December 2016 at a Regular Meeting of the Rio Vista Planning Commission by the following roll call vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

ATTEST:

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Issac A. George  
Secretary to the Planning Commission

**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT No. 2016-002**

1. The applicant shall construct the project substantially as shown on approved Site Plan, dated July 27, 2016, on file in the City of Rio Vista Planning Division, and subject to the conditions listed below, and as per the final construction plans approved by Planning and Building Divisions. Any minor changes to the plan shall be subject to review and approval by staff and any major changes shall be subject to review and approval by the Planning Commission.
2. No outdoor storage shall be located on or block access to any required parking spaces or be highly visible from the public right-of-way as possible during construction.
3. The existing parking area shall be adequately lighted with existing parking lights (or decorative parking lot lights) and submitted in a lighting plan to achieve 3-4 foot candles (with a uniformity ratio of 4:1) throughout the exiting parking areas, for review and approval of the Planning Division prior to issuance of a building permit.
4. Both entry and secondary access to the Dog Parks and Skate Board shall be labeled with the Large Dog Park, Small Dog Park, and Skate Board Park names.
5. The City shall pay all city required plan check, grading permit, building permit, sewer/water connection fees, municipal facility, road, parks, county facilities and any other required impact fees, prior to issuance of permits.
6. This project shall adhere to all applicable ordinances, plans, and specifications of the City of Rio Vista.
7. This project shall comply with all requirements of the Police, Fire, Community Development and City Engineer/Public Works Departments prior to issuance of final inspection.
8. The project shall receive a permit to construct and operate from the Building Department and proof of such shall be submitted to the Planning Division prior to issuance of a Notice to Proceed Permit.
9. This approval is for and shall expire two (2) years from the date of approval, unless made permanent by the issuance of building permits and issuance of current business license by the Contractor.
10. Within the ten (10) calendar day appeal period after approval by the Planning Commission, the applicant shall sign, date and return to the City of Rio Vista Planning Division the Affidavit of Acceptance of Conditions of Approval affirming that the applicant has read and understands the Conditions of Approval for CUP 2016-002, as Amended, and agreeing to comply with all the conditions of approval.
11. The applicant shall apply for a State storm water permit, if necessary, prior to the issuance of a Building Permit.

12. The project site shall provide and maintain fire access per approval of the City Fire Department. The final plans shall be submitted for review and approval by the Fire Department.

#### Dog Park Design and Safety Rules (City Risk Management)

1. There should be a separate partitioned area for small, timid, and elderly dogs (Small Dog Park) area. Signage will be provided to designate the two areas.
2. A potable water source will need to be provided at the Small and Large Dog Park areas.
3. Dogs must wear a collar with identification and current dog license and rabies tags.
4. Dogs must be legally licensed and vaccinated against distemper, rabies, and parvovirus and regularly examined for parasites and treated as necessary.
5. Aggressive dogs are not allowed at any time. An aggressive dog is identified as a dog posing a threat to humans or other dogs.
6. All dogs must be under the owner's/handler's control.
7. All dog owners/handlers must have a leash in hand at all times.
8. Dogs must be on a leash when entering and exiting the dog park.
9. Dog owners/handlers must keep their dogs in their view at all times.
10. Dogs must be not left unattended.
11. Only dogs four months and older are allowed.
12. No female dogs in heat are allowed.
13. Owners/handlers may only bring the number of dogs into the dog park that they can adequately control without endangering other dog park users; up to a maximum of two dogs per owner/handler are allowed per visit.
14. Children under the age of 16 must be accompanied by an adult when inside the dog park area.
15. No toddlers, small children, or children under the age of 12 are allowed in the dog park unless accompanied by an adult.
16. No dog food or food meant for human consumption is allowed in the dog park area.
17. Smoking is not allowed in the dog park area.
18. No dog toys or rawhide are allowed in the dog park area.
19. Dog owners/handlers must immediately fill in any holes that their dogs dig.
20. Chasing or running with the dogs is not allowed.
21. Petting other people's dogs without their owner's permission is not allowed.
22. Users are legally responsible for their dogs and any injuries and/or damages caused by their dogs.
23. Users are responsible for the health of their dogs and keeping their dogs properly hydrated.
24. If dog park users do not abide by these, please contact the local animal control (Insert Phone Number).
25. Violation of the City Codes and Rules will result in Administrative Fines and Violations, and no further use of the Dog Park.
26. Any bite of a person or other dog must be reported to local animal control, and the parties involved must wait for an animal control officer to respond except in the case where immediate medical care is necessary.
27. The hours of operation will be from dawn to dusk per City Parks Ordinance.
28. Dogs must not be allowed to bark excessively or to be annoyance of the neighborhood.
29. No excessive shouting by the dog owners/handlers.

30. Dog owners/handlers must pick up after their dogs and dispose of waste in provided waste receptacles.
31. Owners/handlers must have visible pet waste disposal materials at all times.
32. Owners/handlers will be encouraged to help educate users and provide self-policing and peer pressure when needed to help police the dog park.

Skate Board Park Design and Safety Rules (City Risk Management)

1. The design must avoid the use of landscaping materials that would shed onto the skating surface (bark, gravel, and sand).
2. The park must post and maintain signs pursuant to Health and Safety Code 115800 requiring the use of safety equipment by park users and pursuant to other guidelines as necessary.
3. The park must be inspected and maintained on a daily basis by City staff with a written record of maintenance, as part of doing other daily tasks within the City.
4. The park must have fixed hours of operations, from “dawn to dusk” per City Ordinance.
5. The use of “in-line” skates is allowable.
6. The City will verify that there will be on off-hours patrol by City police to ensure park is not trespassed or used before or after hours.
7. No food or drinks are allowed on the skating surface.
- 8. Post a “Safety Tips” sign at the park to be updated as necessary to meet with new rules:**
  1. Val De Flores Stake Board Park is unsupervised. Skateboarding, rollerblading, and free-style BMX riding can be a hazardous activity that may result in serious injury. Use of this skateboard park is at your own risk.
  2. Helmets, elbows, knee pads, and protective clothing are strongly recommended.
  3. Be respectful of nearby residents. Keep noise levels down so they can’t hear you from their home.
  4. Abusive, threatening, or obscene language is prohibited.
  5. Litter, graffiti, and tagging are prohibited. It costs money to address these issues; money that could help fund future skate board parks like this one.
  6. Alcohol, tobacco, and drugs are prohibited.
  7. Cans and plastic bottles only; no glass containers near the skate board park.
  8. Please respect the hard work that skateboarders, BMX riders are allowed and others have done to make this skate board park possible. Be respectful of others, maintain control, and use this skate board park in a safe manner.
  9. This is a shared public space. BMX free-style bike riders are allowed to use this skate board park. Pegs are highly discouraged with only plastic pegs allowed on the coping.
  10. Bikers should understand that everyone thinks your use of this park is a good idea. Help prove that bikes are not a detriment to skate boarders and skate board parks.
  11. If you see someone acting inappropriately, be a mentor and share tips on skate board park etiquette.
  12. Any person violating these rules, City Ordinances, or any law of the State of California may be temporarily or permanently excluded from this skate board park.
  13. In case of an emergency: Fire Medical/Police: Dial 911

**AFFIDAVIT OF THE ACCEPTANCE OF CONDITIONS OF APPROVAL**

I, \_\_\_\_\_, on behalf of the City of Rio Vista, the applicant, do hereby declare under penalty of perjury that I accept all conditions imposed by the Planning Commission in their approval of the Conditional Use Permit, as Amended. As the applicant, I agree to comply with these conditions and all other applicable laws and regulations at all times.

City of Rio Vista

By: \_\_\_\_\_  
Robert Hickey, City Manager

\_\_\_\_\_  
Date