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**DEPARTMENT OF RESOURCE MANAGEMENT**



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Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT  
Use Permit Renewal**

<b>Application:</b>	U-93-24-MR1-CR1	<b>Meeting of:</b>	April 19, 2018
<b>Applicant:</b>	Midway RV Park	<b>Agenda Item No.</b>	2
<b>Project Planner:</b>	Karen Avery		
<b>Location:</b>	4933 Midway Road Vacaville, CA 95688	<b>General Plan:</b>	Commercial Recreation
<b>Assessor Parcel Number:</b>	0106-210-280	<b>Zoning:</b>	CR – Commercial Recreation

**Proposal**

The applicant has requested Compliance Review No. 1 of Minor Revision No. 1 of Use Permit U-93-24 pursuant to Condition of Approval No. 16. Per Zoning Regulations Section 28.106(N), the Zoning Administrator shall administratively approve a use permit renewal request so long as the following requirements are satisfied:

- 1) The permittee has requested renewal
- 2) The permittee has paid the applicable renewal fee
- 3) The use is being conducted in compliance with the conditions of the use permit

**Background**

An RV Park has been operating on the property since the 1970's under various use permits. Use Permit U-93-24, approved by the Planning Commission on December 2 1993 superseded these previous use permits. A minor revision to U-93-24 was requested in 2012 which confirmed the number of RV spaces (64), added storage units, a dog run and garden to the rear of the property. On October 4, 2012, the Planning Commission granted approval of Minor Revision No. 1 for a fixed term of 30 years to October 4, 2042. Condition of approval No. 16 stipulates that a compliance review be conducted every five years beginning in October 2017. The applicant is requesting this first compliance review.

**Review and Recommendation**

Upon review of the permit conditions of approval and a site inspection of the project, staff has determined that Midway RV Park is operating in compliance with the conditions of approval of Minor Revision No. 1 of Use Permit U-93-24 and recommends approval of the compliance review.

**Permit Term**

Per Condition No. 16, the next compliance review of the use permit is due by October 4, 2023. The use permit shall expire on October 4, 2042.

**Attachment:** Copy of Use Permit U-93-24-MR1 and conditions of approval.



\*mailed 11/8/12

Department Of Resource Management

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Planning Division

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LAND USE PERMIT NO. U-93-24  
Minor Revision No. 1

MIDWAY RV PARK, LLC

(permittee)

To add 12 RV spaces, cargo storage containers, dog park, garden and new septic at an existing recreational vehicle park located at 4933 Midway Road adjacent to the City of Vacaville in a "CR" Commercial Recreation Zoning District, APN: 0106-210-280.

(Land use, location and zone district)

In addition to the zoning regulations, the building laws and other ordinances, the conditions of granting this permit are attached (Resolution No. 4585).

Granting or conditional granting of this permit does not release the permittee from complying with all other county, state or federal laws. Failure to comply with all the aforementioned provisions and conditions will be cause for the revocation of this Permit by the County Planning Commission.

Failure, neglect or refusal to exercise this Permit within a period of one (1) year from the date of granting thereof, shall automatically cause the same to become and remain null and void.

This permit shall not take effect unless permittee signs in the space below within thirty (30) days after the date of granting hereof.

I agree to conform fully to this use permit and all of the foregoing conditions.

Permittee's Signature \_\_\_\_\_ Date 10/31/2012

Permittee's Name (Please Print) George BERTRAM

Address 6490 Front St. #101 City Forestville, CA Zip 95436

Date Granted October 4, 2012

SOLANO COUNTY PLANNING COMMISSION

Issued by: Bill Emlen  
Bill Emlen, Director/Secretary

Date 11/7/12

**SOLANO COUNTY PLANNING COMMISSION**  
**RESOLUTION NO. 4585**

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**WHEREAS**, the Solano County Planning Commission has considered Minor Revision No. 1 to Use Permit No. U-93-24 of George Bertram (Midway RV Park, LLC) to add 12 RV spaces, cargo storage containers, dog park, garden and new septic at an existing recreational vehicle park located at 4933 Midway Road adjacent to the City of Vacaville in a "CR" Commercial Recreation Zoning District, APN: 0106-210-280, and;

**WHEREAS**, said Commission has reviewed the report of the Department of Resource Management and heard testimony relative to the subject application at the duly noticed public hearing held on October 4, 2012, and;

**WHEREAS**, after due consideration, the said Planning Commission has made the following findings in regard to said proposal:

1. The establishment, maintenance, or operation of the proposed use is in conformity with the Solano County General Plan with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan.

The operation and maintenance of a recreational vehicle park is consistent with the goals, objectives, and policies of the General Plan, including, but not limited to the Land Use Chapter.

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

Access to the site is from Midway Road and no changes are proposed. The site has existing electrical power. Domestic water is approved by the State of California Department of Public Health Division of Drinking Water Permits. Septic is provided by an on-site septic system.

3. The subject use will not, under the circumstances of this particular case, constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

The applicant has demonstrated evidence to support making this mandatory finding. No violations to the existing use permit were found. The minor revision to add twelve additional RV spaces, storage containers, dog run, and community garden 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. The Solano County Development Review Committee has reviewed the project application and determined that the project should not present a detrimental or injurious impact on surrounding properties.

4. The project is exempt from the California Environmental Quality Act - 15301 Existing Facilities.

**BE IT, THEREFORE, RESOLVED**, that the Planning Commission of the County of Solano does hereby approve Minor Revision No. 1 to Use Permit No. U-93-24 subject to the following conditions of approval:

1. Approval is hereby granted to allow the operation of a 64 unit recreational vehicle park and related facilities located at 4933 Midway Road. The proposed use shall be established in accord with the application and site plan submitted on August 2, 2012 for Minor Revision No. 1 of Use Permit U-93-24, submitted by George Bertram IV, owner of Midway RV park and as approved by the Solano County Planning Commission.
2. Sewage disposal, water supply, utility hook-up and facilities installation, maintenance and operation shall meet all requirements and operator shall obtain all necessary permits of the Solano County Department of Resource Management and the State Department of Housing and Community Development and Department of Public Health Division of Drink Water.
3. The permittee shall meet all requirements of the Dixon Fire Protection District including maintaining the entire area of the park free of ground fuel, thinning and trimming trees to eliminate the danger of a ground fire being carried into the tree canopy, keeping the swimming pool filled and equipped with a standpipe fitted with standard fire hydrant connections and establishing a maintain a fire break adjacent to the north, east and west boundaries of the park.
4. All access to and within the park shall be maintained and remain free of obstructions so that emergency access is not impeded.
5. A security fence with self-closing gates and at a minimum height of six (6) feet shall be maintained as a safety measure around the swimming pool.
6. The permittee shall take measures necessary to prevent offensive dust, noise, odor and trespassing to neighboring properties during the operation of the recreational vehicle park including maintaining and chip sealing interior access roads as needed.
7. The property shall be kept free of trash, scrap metal, discarded material, and other miscellaneous debris at all times.
8. Except for necessary ramps/decks needed for ADA compliance or improvements made by the park owner in compliance with the State of California Department of Housing and Community Development rules and standards, no permanent structures, including decks, patios, and awnings shall be attached to recreational vehicles or located within recreational vehicle space sites.
9. Occupancy of the RV spaces shall be limited to a temporary period, not exceeding twelve months, where permanent residency is prohibited, except for designated quarters for park employees.
10. The fence along the entire site perimeter shall be maintained and kept in good repair.
11. The facility maintenance area shown on the submitted site plan shall be maintained in a neat and orderly manner and contained within a fenced area.
12. The permittee shall obtain all required permits from the State of California Division of Drinking Water and shall forward all copies of correspondence and permits relating to water distribution

to the Solano County Department of Resource Management Environmental Health Services Division.

13. The permittee shall obtain approval from the Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting, or demolishing any building or structure, fence or retaining wall regulated by the Solano County Building Laws.
14. Should the use be found to be operating as a public nuisance or to be failing in any of the conditions of the permit, the permit shall be subject to revocation by the Solano County Department of Resource Management.
15. Minor Revisions to the approved site plan of August 2012, shall be approved by the Solano County Zoning Administrator. These minor revisions may include changes to fencing, landscaping, parking, signage and driveways.
16. The use permit shall be granted for a fixed term of 30 years and shall expire and become void on October 4, 2042 without further action by the County. The use permit shall be subject to renewal every five years, commencing on October 4, 2017. The Zoning Administrator shall administratively approve a use permit renewal if:
  - a. The owner has requested renewal
  - b. The owner has paid a renewal fee as may be set by the Board of Supervisors pursuant to Section 11-111 of the County Code, and
  - c. The use is being conducted in full compliance with all conditions of the use permit. If the Zoning Administrator is unable to approve a renewal, the use permit shall be set for revocation.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on October 4, 2012, by the following vote:

AYES:	Commissioners	<u>Boschee, Rhoads-Poston, Karah, Cayler and</u> <u>Chairman Mahoney</u>
NOES:	Commissioners	<u>None</u>
EXCUSED:	Commissioners	<u>None</u>

By:   
Bill Emlen, Secretary