



**Department of Resource Management**  
**Solano County Zoning Administrator**  
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Bill Emlen, Director  
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**Use Permit Renewal - Staff Report**

**Application:** U-93-05-MR1-EX3 (Verizon)  
**Project Planner:** Eric Wilberg

Meeting of December 18, 2014  
Agenda Item No. 2

**Location:** 2439 Cordelia Road  
**Assessor Parcel Number:** 0044-240-060

**General Plan:** Agriculture  
**Zoning:** Suisun Valley Agriculture ASV-20

**Proposal**

The applicant has requested a renewal of use permit U-93-05-MR1, pursuant to condition of approval No. 13. 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**

On October 21, 1999 the Solano County Zoning Administrator found the project to be categorically exempt from CEQA pursuant to Section 15303 (new construction of small structures) and granted Use Permit U-93-05-MR1, permitting modifications to the existing wireless facility. Subsequent renewals have extended the permit through October 21, 2014.

**Review and Recommendation**

Upon review of the permit conditions of approval and based on the absence of code compliance cases on file, staff has determined that the wireless communication facility is being operated in full compliance with use permit no. U-93-05-MR1.

**Permit Term**

As of March 29, 2012 the Zoning Regulations pertaining to wireless communications facilities have been amended, affecting the life of approval for existing permitted facilities. Specifically, Sections 28.81(J and K), require issuance of the use permit for a fixed term. All permits issued prior to January 1, 2012 shall become fixed term permits and shall expire December 31, 2022. As a result, staff recommends that the permit be renewed for a final term, expiring December 31, 2022. Prior to permit expiration, the permittee is required to file for a new permit.

**Attachment**

A – Zoning Administrator Resolution No. 99-36

**SOLANO COUNTY ZONING ADMINISTRATOR  
RESOLUTION NO. 99-36**

**WHEREAS**, the Solano County Zoning Administrator has considered Minor Revision No. 1 to Use Permit No. U-93-05 of **GTE Wireless** to modify an existing wireless facility located on Nelson Hill in an "A-20" Exclusive Agricultural Zoning District, 0.1 mile east of the City of Fairfield, APN: 27-260-18, and

**WHEREAS**, said Zoning Administrator has reviewed the report of the Department of Environmental Management and heard testimony relative to the subject application at the duly noticed public hearing held on October 21, 1999, and

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

1. That the establishment, maintenance or operation of the use applied for is in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator.

The proposed use is consistent with the intent of the Solano County General Plan, including, but not limited to, the Park & Recreation designation and the Recreation Land Use Chapter of the Land Use and Circulation Element.

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

Adequate utilities, access roads, drainage and other necessary facilities have been provided.

3. That the applicant exhibits proof that such use will not, under the circumstances of the 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; provided, that if any proposed building or use is necessary for the public health, safety or general welfare, the finding shall be to that effect.

The applicant has demonstrated evidence to support making this mandatory finding. The project presents no significant environmental impacts and qualifies for a

Categorical Exemption under the requirement of the California Environmental Quality Act.

4. The facility complies with all applicable subsections of Section 28-50.01(e).

Staff has verified compliance with this section of the Solano County Zoning Regulations. This application may be heard by the Solano County Zoning Administrator because the proposed project is located on publicly-owned property.

5. The facility either 1) does not require an RF Environmental Evaluation Report as described in Sub-Section (h), or 2) the RF Environmental Evaluation Report for the facility shows that the cumulative radio-frequency energy emitted by the facility and any near-by facilities will be consistent with FCC regulations.

The proposed facility does not require an RF Environmental Evaluation Report.

6. The facility blends in with its existing environment and will not have significant visual impacts.
7. The use is compatible with surrounding land uses.
8. The use conforms to the requirements of the Solano County Zoning Ordinance based on the imposition of the recommended conditions of approval.
9. The project will not have a significant effect on the environment, and it is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15303(a) - Class 3, (New Construction or conversion of Small Structures).
10. The proposed project is consistent with Ordinance No. 1574, an Urgency Ordinance Prohibiting Certain Non-Agricultural Uses in the Exclusive Agriculture (A) District.

**WHEREAS**, the Zoning Administrator has determined that the following conditions of approval shall be incorporated into said Use Permit:

1. The proposed use shall be established in accord with the plans and information submitted with Use Permit Application No. U-93-05 (Minor Revision #1) and approved by the Solano County Zoning Administrator.
2. All requirements of the Federal Aviation Administration and the Federal Communications Commission shall be met prior to issuance of a building permit and during operation. Ground level radiation shall not exceed standards adopted by the U.S. Environmental Protection Administration.


3. The permittee shall take such measures as may be necessary or may be required by the County to prevent offensive noise, lighting, dust or other impacts which would constitute a hazard or nuisance to surrounding property.
4. The operation building, tower, and microwave dish colors shall not be changed without prior approval of the Solano County Zoning Administrator.
5. All requirements of the Solano County Building and Safety Division shall be met, including:
  - a. The permittee shall obtain approval from the Building and Safety Division prior to construction, erection, enlargement, altering, repairing, moving, improving, removing, converting, demolishing any building or structure, fence or retaining wall regulated by the Solano County Building Laws. Submit four (4) sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.
  - b. A building permit is required for the proposed structure, with four (4) sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.
  - c. Except as exempted in Chapter 31 of Solano County Code, no person shall commence or perform any grading, filling, excavation, or clearing of vegetation for any purpose without having first obtained a grading permit from the Building and Safety Division.
6. All requirements of the Solano County Environmental Health Services Division shall be met, including:
  - a. Prior to the issuance of the Building Permit, the permittee shall submit to the Environmental Health Services Division, a maintenance agreement with a licensed sanitation company to provide and maintain a portable chemical toilet on site for the duration of construction.
7. All requirements of the Solano County Transportation Department shall be met.
8. All equipment associated with the subject wireless communication facility shall be removed within 90 days of the discontinuation of the use or expiration of this use permit, and the site shall be restored to its original pre-construction condition. The operator shall agree to such removal and allow the County access across private property to effect such removal.

9. Evidence that the radio relay station creates significant radio or other electromagnetic interference to Travis Air Force Base or surrounding areas shall cause the permit to be reviewed by the Zoning Administrator and be considered for revocation.
10. Any expansion or change in the use may require a new or modified use permit and further environmental review.
11. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris or junk.
12. Failure to comply with any of the conditions or limitations set forth in the subject Conditions of Approval shall be cause for the revocation of this permit.
13. The permit shall be in effect for a five (5) year period with provision that an extension may be granted if said request is received prior to the expiration date of October 21, 2004, and as long as the use of the Wireless Communications Facility is in full compliance with the conditions of this permit. As a part of the renewal process, the Zoning Administrator may require submission of certification by a Radio-frequency Exposure Professional that the facility is being operated in accordance with all applicable FCC standards for RF emissions.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on October 21, 1999.

BIRGITTA CORSELLO, DIRECTOR

  
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Christopher L. Monske,  
Planning Program Manager