



## 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-99-29-MR1-CR1 (Sprint)  
**Project Planner:** Eric Wilberg

Meeting of April 2, 2015  
Agenda Item No. 1

**Location:** 5221 Quinn Road  
**Assessor Parcel Number:** 0133-060-070

**General Plan:** Public/Quasi-Public  
**Zoning:** Exclusive Agriculture 'A-20'

#### **Proposal**

The applicant has requested compliance review No. 1 of use permit U-99-29-MR1, pursuant to condition of approval No. 11. 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 February 17, 2000 the Planning Commission granted Use Permit U-99-29, permitting a telecommunication facility on a 105 foot tall PG&E tower. On January 5, 2012 the Zoning Administrator approved minor revision No. 1 to permit modifications to the existing facility.

#### **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 compliance with use permit no. U-99-29-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:**

**Exhibit A** – Zoning Administrator Resolution No. 12-02

**SOLANO COUNTY ZONING ADMINISTRATOR  
RESOLUTION NO. 12-02**

**WHEREAS**, the Solano County Zoning Administrator has considered Minor Revision No. 1 to Use Permit No. U-99-29 of **Streamline Engineering & Design on behalf of Sprint** for modifications to an existing telecommunication facility located at 5221 Quinn Road north of the City of Vacaville in an "A-20" Exclusive Agricultural Zoning District, APN: 0133-060-070, and;

**WHEREAS**, said Zoning Administrator 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 January 5, 2012, and;

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

1. **That the establishment, maintenance or operation of the use or building applied for are 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 or planning commission to be pertinent.**

The operation and maintenance of a wireless communication facility is consistent with the goals, objectives, and policies of the Agricultural and Public Facilities & Services Chapters of the Solano County General Plan. The applicant proposes to blend the facility into the existing scenic view by painting the antennas to match the existing tower. The facility will be unmanned and is in an area not identified as having natural or man-made hazards.

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

Access to the parcel is from Quinn Road and the wireless telecommunication facility is served by private driveway. The site has existing electrical power and the building plans will be reviewed and approved by the Solano County Building and Safety Division before permit issuance.

3. **That the applicant exhibits proof that such 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.**

From an aesthetic perspective, the proposal consists of replacing three panel antennas and adding three panel antennas atop the existing PG&E lattice tower. There are numerous PG&E lattice towers located in the general vicinity, as the property is the site of the Vaca-Dixon electrical substation. The applicant proposes to blend the facility into

the existing view by painting the antennas to match the tower. As a result, the proposed wireless equipment will be compatible with the existing scenic views.

Emergency power batteries that contain sulfuric acid will be stored in the equipment structure. Depending on the amount of sulfuric acid, a Hazardous Materials Management Plan may be required to be filed with Division of Environmental Health. In addition, Sprint is required to submit a report to the FCC indicating compliance of the proposed facility with appropriate guidelines limiting human exposure to radio frequency electromagnetic fields.

The proposed facility complies with all applicable sub-sections of Wireless Communications Facilities, 28.50.01.

4. The facility blends in with the existing environment and will not have any significant visual impacts.

**BE IT THEREFORE RESOLVED**, that the Zoning Administrator has approved Minor Revision No. 1 to Use Permit No. U-99-29 subject to the following recommended conditions of approval:

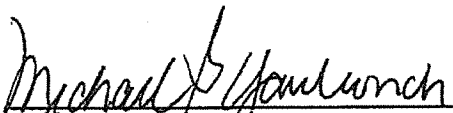
1. The proposed modifications to the wireless communication facility shall remain consistent with U-99-29, and all proposed modifications shall be established in accord with the information submitted with U-99-29-MR1 and with the plans entitled Sprint, Leisure Town SF72XC531 5221 Quinn Road, received September 26, 2011 and approved by the Solano County Zoning Administrator.
2. All requirements of the Federal Communications Commission shall be met prior to the issuance of a building permit and during operation of the subject facility. Ground level radiation shall not exceed standards adopted by the Federal Communications Commission and U.S. Environmental Protection Administration.
3. The permittee shall take such measures as may be necessary or as may be required by the County to prevent offensive noise, lighting, dust or other impacts, which constitute a hazard or nuisance to surrounding properties.
4. Upon termination or expiration of the subject use permit, the proposed wireless communication infrastructure shall be removed from the site. All equipment, including concrete pads, shall be removed within 90 days of discontinuation of the use and the site shall be restored to its original pre-construction condition. The applicant and property owner allows the County access across the subject property to effect such removal.
5. Any expansion or change in the use may require a new or modified use permit and further environmental review.
6. No additional uses (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved plot plan without prior approval of new permits or minor revisions to the permits.

7. 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.
8. The permittee shall paint the poles and antennas a slate gray color and the equipment structure a light brown color prior to operation.
9. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
10. Prior to the issuance of the use permit, the permittee shall submit to the Environmental Health Division, a maintenance agreement with a licensed sanitation company to provide and maintain a portable chemical toilet onsite for the duration of construction.
11. The subject use permit, is granted for an indefinite period and subject to periodic 5-year renewals pursuant to Section 28.53 (o) of the Solano County Zoning Code. The permittee shall submit a "Report of Compliance" to the Department of Resource Management, along with the applicable "Periodic Review and Written Report fees" to occur on or before February 17, 2015 for review by the staff.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on January 5, 2012.

BILL EMLEN, DIRECTOR  
RESOURCE MANAGEMENT



Michael Yankovich  
Planning Program Manager