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Planning Services Division

Use Permit Renewal – Staff Report

Application: U-97-15-MR4-CR1 (Crown Castle)
Project Planner: Eric Wilberg

Meeting of April 16, 2015
Agenda Item No. 2

Location: 1230 Columbus Parkway
Assessor Parcel Number: 0082-010-110

General Plan: Park and Recreation
Zoning: Exclusive Agriculture 'A-20'

Proposal

The applicant has requested compliance review No. 1 of Use Permit U-97-15-MR4, pursuant to condition of approval No. 10. 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 September 24, 2009 the Solano County Zoning Administrator granted minor revision No. 4 to permit an addition of six antennas to an existing wireless 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 U-97-15-MR4.

Permit Term

Condition of Approval No. 10 (no change to expiration date)

The subject use permit shall be in effect for a ten (10) year period. An extension may be granted if said request is received prior to the expiration date of October 7, 2019 and the use is found to be in full compliance with the terms and conditions of this permit at that time. The applicant shall submit a "Report of Compliance" to the Resource Management Department, along with applicable "Periodic Review and Written Report fees", on the fifth anniversary of the issuance of this permit for review by the staff.

Attachment

A – Zoning Administrator Resolution No. 99-22

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 09-22**

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 4 to Use Permit No. U-97-15-MR4 of **Crown Castle (c/o Jason Osborne)** to add 6 antenna to an existing wireless facility located at 1230 Columbus Parkway east of the City of Vallejo in an "A-160" Exclusive Agricultural Zoning District, APN: 0082-010-110, 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 September 24, 3009, and

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

Mandatory Findings

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

The operation and maintenance of a wireless communication facility is consistent with the goals, objectives, and policies of the Land Use and Public Facilities and Services chapters of the Solano County General Plan. The proposed antennas will be installed on an existing telecommunications monopole and will be consistent with its design. The existing facility is surrounded by a six-foot high chain link fencing with redwood slats for screening. The proposal is consistent with the Health and Safety Element since the facility will be unmanned and will not be in an area identified as having natural or man-made hazards.

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

Access to the site will be via private driveway off of Columbus Parkway. Building plans will be reviewed and approved by the Solano County Building and Safety Division before a building permit is issued. No facilities will be needed since the operation will be unmanned.

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 or 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 proposed unmanned facility will not be a nuisance or be detrimental to the public's health, safety, peace, morals, comfort or general welfare. The proposed facility will be co-located on an existing communication tower and the associated equipment will be located inside an equipment lease area. The proposed facility will blend in with the existing facilities at the property. As such, there will be no significant degradation of the neighborhood or the County's health, safety, peace, morals, comfort, or general welfare.

Suggested Findings

4. The facility complies with all applicable sub-sections of 28-50.01, Wireless Communication Facilities.
5. 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.
6. The facility blends in with its existing environment and will not have significant visual impacts.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved the minor revision to Use Permit No. U-97-15 subject to the following recommended conditions of approval:

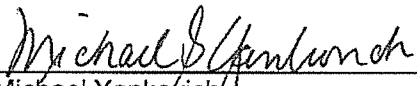
1. The proposed alterations to the existing telecommunication facility shall be established in accord with the plans titled "Hwy 780/Columbus" prepared for Crown Castle by Smithco surveying Engineering, received by this Department June 30th, 2009; and the information submitted with Minor Revision #4 of Use Permit Application No. U-97-15 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.
3. The bottom four-fifths of the monopole shall be painted green to blend with the background color of the trees and the top one-fifth of the monopole shall be painted a light blue to blend with the sky background.
4. 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.
5. 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 shall allow the County access across the subject property to effect such removal.
6. Any expansion or change in the use may require a new or modified use permit and further environmental review.
7. 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 a new permit or minor revision to the use permit.

8. 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.
9. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
10. The subject use permit shall be in effect for a ten (10) year period. An extension may be granted if said request is received prior to the expiration date of October 7, 2019 and the use is found to be in full compliance with the terms and conditions of this permit at that time. The applicant shall submit a "Report of Compliance" to the Resource Management Department, along with applicable "Periodic Review and Written Report fees", on the fifth anniversary of the issuance of this permit for review by the staff.

I hereby certify that the foregoing resolution was adopted at a special meeting of the Solano County Zoning Administrator on September 24, 2009.

BIRGITTA E. CORSELLO, DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager