

BILL EMLÉN
Director

TERRY SCHMIDTBAUER
Assistant Director

MIKE YANKOVICH
Planning Services Manager

DEPARTMENT OF RESOURCE MANAGEMENT



**SOLANO
COUNTY**

675 Texas Street, Suite 5500
Fairfield, CA 94533-6342
(707) 784-6765
Fax (707) 784-4805

www.solanocounty.com

Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application: U-05-23-EX2
Applicant: Denise Scott (Sprint)

**Meeting of November 5, 2015
Agenda Item No. 2**

Project Planner: Travis Kroger

Location: Cantelow Road
Assessor Parcel Number: 0105-110-630

General Plan: Rural Residential
Zoning: RR-2.5

Proposal

The applicant has requested extension No. 2 of use permit U-05-23, 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 January 19th, 2006 the Zoning Administrator granted Use Permit U-05-23, permitting a co-location of a wireless facility on an existing PG&E tower. On September 15, 2011, extension No. 1 was granted by the Zoning Administrator. On September 28, 2015 the permit holder requested extension No. 2.

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 communications facility is being operated in compliance with use permit no. U-05-23.

Permit Term

Per condition 11 of U-05-23, staff recommends that this permit be extended for a 5 year term with provision that an extension may be granted if requested by the applicant prior to the expiration date of January 19th, 2021.

Attachments: Solano County Zoning Administrator Resolution 06-04

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 06-04**

WHEREAS, the Solano County Zoning Administrator has considered Use Permit Application No. U-05-23 of **Nextel Communications** for co-location of a wireless facility on an existing PG&E tower located north of the intersection of Cantelow and Gibson Canyon Roads in an "A-20" Exclusive Agricultural Zoning District, 1 mile north of the City of Vacaville, APN: 0105-110-630, 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 19, 2006, and

WHEREAS, after due consideration, the said Zoning Administrator 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 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 wireless communication facility is consistent with the goals and the objectives and policies of Chapters III, Agriculture and Open Space Land Use, and VIII, Public Facilities and Services, of the Solano County Land Use and Circulation 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.

Existing access to the site is from Cantelow Road, and the applicant will connect power to an existing power pole on the site. Building plans will be reviewed and approved by the Solano County Building and Safety Division before a permit is issued to install the new antenna panels and equipment.

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.

Because the proposed co-location will not require an expansion beyond the footprint of an existing communications tower, that only building is a 20' x 11'6" equipment

shelter, there will be no significant degradation of the neighborhood or the County's health, safety, peace, morals, comfort, or general welfare.

4. The facility complies with all applicable sub-sections of the Solano County Ordinance.
5. As a co-located site, the facility blends in with its existing environment and will not have significant visual impacts.
6. The addition of the wireless facility is subject to a Class 3 categorical exemption (Section 15303 New Construction).
7. The applicant has submitted an RF study which shows that the addition of the new facility, in combination with the existing facility, will meet the current FCC adopted exposure standards and will not pose a health hazard.

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Use Permit Application No. U-05-23 subject to the following recommended conditions of approval:

1. The proposed wireless communication facility shall be established in accord with the information submitted with U-05-23 and with the plans entitled Nextel of California, Inc., English Hills, Site Number CA-3112B, submitted on November 17, 2005 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 obsolete or unused facilities, including concrete pads, shall be removed within 12 months of cessation of operations at the site and the area regraded to natural conditions.
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 apply for, obtain and comply with the requirements of an encroachment permit from Public Works Engineering for the proposed work within the County right-of-way of Cantelow Road.
9. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
10. All requirements of the Environmental Health Services Division shall be met, including:
 - a. The maximum potential volume of hazardous materials stored at the facility shall be calculated, and if required, the facility shall submit a hazardous materials business plan to Solano County Hazardous Materials Section.
 - b. A portable chemical toilet shall be provided for the duration of the construction.
11. The subject use 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 January 19, 2011 and the use is found to be in full compliance with the terms and conditions of this permit at that time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on January 19, 2006.

BIRGITTA E. CORSELLO, DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager

R:\PLANNING(U-) Use Permits\2005\U-05-23 (Nextel Communications)\U-05-23 (Nextel) za resolution.doc; January 20, 2006