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DEPARTMENT OF RESOURCE MANAGEMENT



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COUNTY**

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Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application: U-04-15-EX2
Applicant: Engell Brothers Company LLC (AT&T)

**Meeting of February 18, 2016
Agenda Item No. 3**

Project Planner: Travis Kroger

Location: Birds Landing Road, 6.25 miles west of Rio Vista

General Plan: Agriculture

Assessor Parcel Number: 0048-060-100

Zoning: A-160

Proposal

The applicant has requested extension No. 2 of use permit U-04-15, pursuant to condition of approval No. 12. 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 6, 2005, Land Use permit U-04-15 was granted by the Solano County Planning Commission for a cellular communications facility consisting of a tower with 4 antennas and 2 equipment cabinets for a 5 year term. On June 22, 2010, extension No. 1 was granted for a term ending January 6, 2015.

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 U-04-15.

Permit Term

Per condition 12 of U-04-15, 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 6, 2020.

Attachment: Solano County Land Use Permit No. U-04-15 and conditions of approval



Department Of Resource Management
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Planning Division
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ORIGINAL

LAND USE PERMIT NO. U-04-15

AT&T WIRELESS

(permittee)

To co-locate a wireless facility located on Birds Landing Road in an "A-160" Exclusive Agricultural Zoning District, 6 miles west of the City of Rio Vista, APN: 0048-060-130.

(Land use, location and zone district)

In addition to the zoning regulations, the building laws and other ordinances, the conditions of granting this permit, if any, are attached.

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.

Date Granted January 6, 2005

SOLANO COUNTY ZONING ADMINISTRATOR

Issued by: *Birgitta Corsello*
Birgitta Corsello

Date 3/21/05

CONDITIONS OF APPROVAL FOR LAND USE PERMIT NO. U-04-15
of
AT&T WIRELESS

ORIGINAL

1. The proposed wireless communication facility shall be established in accord with the information submitted with U-04-15 and with the plans entitled AT&T Wireless Services, LLC. Site Number SNFCCA2249, submitted on 7/26/04 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. Prior to the issuance of the building 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.
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. All onsite transmission lines leading to the wireless communication lease site shall be located underground.
10. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
11. 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.

