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**SOLANO
COUNTY**

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Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application: U-95-28-EX2
Applicant: Michael J Merkley Family LP (T-Mobile)

**Meeting of February 18, 2016
Agenda Item No. 2**

Project Planner: Travis Kroger

Location: 8757 Pedrick Road

General Plan: Service Commercial

Assessor Parcel Number: 0110-140-030

Zoning: A-40

Proposal

The applicant has requested extension No. 2 of use permit U-95-28, 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 December 7, 1995, Land Use permit U-95-28 was granted by the Solano County Planning Commission for a cellular communications facility consisting of a tower with 4 antennas and 2 equipment cabinets. On July 10, 2006, extension No. 1 was granted for a 10 year term ending December 7, 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-95-28.

Permit Term

Per condition 13 of U-95-28, staff recommends that this permit be extended for a 10 year term with provision that an extension may be granted if requested by the applicant prior to the expiration date of December 7, 2025.

Attachment: Solano County Land Use Permit No. U-95-28 and conditions of approval



Solano County Department of Environmental Management

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LAND USE PERMIT NO. U-95-28

PACIFIC BELL MOBILE SERVICES

(permittee)

Cellular telephone transmission facility (PCS) consisting of a tower with 4 antennas and 2 base transceiver station equipment cabinets. The project is located at 8757 Pedrick Road, Dixon, in an "A-40" Exclusive Agriculture Zoning District, APN: 110-140-03.

(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 as follows:

(SEE ATTACHED SHEETS)

This permit shall not take effect unless permittee signs in the space below within thirty (30) days after the date of granting hereof and unless this permit is issued by signature of an authorized agent of the County.

I agree to conform fully to this Use Permit and all of the foregoing conditions.

X Janet Jefferson 660 Bercut Sacramento 95814 1/5/96
Permittee's Signature Address Date

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 Use Permit by the County Planning Commission.

Failure, neglect or refusal to exercise this Use 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.

Appeals from action to grant this permit may be filed by any person within ten (10) days of the date granted. Any such appeal shall stay all proceedings until determination of the appeal.

SOLANO COUNTY PLANNING COMMISSION

By: Bonita E. Conwell
Director/Secretary

Date Granted December 7, 1995

SOLANO COUNTY ZONING ADMINISTRATOR

By: _____
1/92

CONDITIONS OF APPROVAL FOR LAND USE PERMIT NO. U-95-28
of
PACIFIC BELL MOBILE SERVICES

1. The above use shall be established in accord with the plans and information submitted with Use Permit Application No. U-95-28 and approved by the Solano County Planning Commission.
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 as may be required by the County to prevent offensive noise, lighting, dust or other impacts which constitute a hazard or nuisance to surrounding property.
4. The BTS cabinets shall be painted light flat tan and the tower and microwave dishes shall be painted light flat slate grey or constructed of concrete.
5. Upon termination or expiration of the permit the facilities shall be removed from the site. All obsolete or unused facilities must be removed within 12 months of cessation of operations at the site and the area regraded to natural conditions.
6. Any expansion or change in the use may require a new or modified use permit and further environmental review.
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 three sets of plans to the Building and Safety Division for plan review and permits prior to beginning any improvements.
8. No additional uses (including outdoor storage uses) shall be established beyond those identified on the project plot plan without prior approval of a minor revision to the use permit. No new or expanded buildings shall be constructed without prior approval of a minor revisions to the use permit.
9. The premises shall be maintained in a neat and orderly manner and kept free of accumulation of debris or junk.
10. The proposed communication tower shall conform with FAR Part 77 height requirements as set forth by the Federal Aviation Administration (FAA).

Conditions of Approval
U-95-28, Pacific Bell Mobile Services

11. The permittee shall apply to the County Transportation Department for an encroachment permit for the driveway onto Pedrick Road.
12. The permittee shall deposit Five Thousand Dollars (\$5,000) towards a Countywide Telecommunications Study designed to address the cumulative environmental impacts of telecommunication facilities on Solano County. This deposit shall be refunded to the permittee if the Solano County Board of Supervisors does not adopt, prior to December 31, 1996, a fee to fund the Study on all telecommunication facility use permit applications. The amount deposited shall be the maximum amount required for this application regardless of the amount of fee adopted by the Board. If the amount of the fee adopted by the Board is less than \$5,000 per application, the difference shall be refunded to this permittee.
13. The permit shall be in effect for a ten (10) year period with provision that an extension may be granted if said request is received prior to the expiration date of December 7, 2005, depending upon the circumstances at that time.

This permit shall not take effect unless permittee signs in the space below within thirty (30) days after the date of granting hereof.

I agree to conform fully to this use permit and all of the foregoing conditions.

X Janet Jessen

Permittee's Signature

1/5/96

Date

X 660 Bercut, Sacramento CA

Address

95814

Zip