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Planning Services Division

ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal

Application: U-03-02-MR1-CR1 (Verizon Wireless)
Applicant: Bonnie Belair (American Tower)

Meeting of April 6, 2017
Agenda Item No. 2

Project Planner: Travis Kroger

Location: 2851 Dobe Road
General Plan: Urban Commercial

Assessor Parcel Number: 0174-040-050

Zoning: A-20

Proposal

On November 1, 2016, the applicant requested compliance review No. 1 of Land Use permit U-03-02-MR1, pursuant to condition of approval No. 12, to extend the permit for an additional 5 year term. 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 April 15, 2004 the Solano County Planning Commission approved Land Use Permit No. U-03-02 to establish a wireless communications facility for a 5 year term, to be extended at the end of that time if requested by the applicant. Extension No. 1 was granted on April 28, 2009 to extend the permit though 2014. On November 3, 2011, Minor Revision No. 1 was approved by the Solano County Zoning Administrator to upgrade the existing equipment and increase the height of the tower and extend the permit though November 3, 2016.

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 facility is being operated in compliance with Use Permit U-03-02-MR1.

Permit Term

Per condition 12 of U-03-02-MR1, staff recommends that this permit be extended for an additional 5 year term through November 3, 2021.

Attachment: Solano County Zoning Administrator Resolution No. 11-29

**SOLANO COUNTY ZONING ADMINISTRATOR
RESOLUTION NO. 11-29**

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 1 to Use Permit No. U-03-02 of **On Air LLC for Verizon Wireless** to upgrade an existing wireless telecommunication facility. The upgrades include the replacement of one panel antenna in each sector (3 sector site) and the replacement of the raydom, increasing the overall height of the structure to 65'4". The project site is located at 2851 Dobe Lane east of the City of Fairfield in an "A-20" Exclusive Agricultural Zoning District, APN's: 0174-040-050, 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 November 3, 2011, 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 applied for is 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.**

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.

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

External access to the site will be via Dobe Lane, with internal access to the monopole via paved driveway.

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.**

With the incorporation of the recommended conditions of approval, the aesthetic impact will be less than significant. In addition, the project will provide an important communication service, which may be used by local government and public safety agencies.

4. The proposed facility complies with all applicable sub-sections of Wireless Communications Facilities, 28.50.01.
5. 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-03-02 subject to the following recommended conditions of approval:

1. Approval is hereby granted to incorporate upgrades to the existing wireless telecommunications facility. Upgrades include the replacement of three 6' panel antennas, resulting in (1) 6' and (1) 4' panel antenna per sector (three sector site). In addition, the cylindrical antenna cover (radome), will be replaced increasing the overall height of the structure to 65'4" and the diameter of the radome to 27". No changes to the existing 30' x 11'6" equipment shelter or expansion to the 16' x 40' lease are proposed.
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. 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 or revised use permit and subject to further environmental review.
6. The equipment shelter shall be painted a non-reflective neutral color such as tan or brown to blend in with the surrounding vegetation.
7. All requirements of the Environmental Health Division shall be met, including:
 - a. The permittee shall provide and maintain a portable chemical toilet or other approved toilet facilities on-site for the duration of construction.
 - b. If hazardous materials are stored on-site, then a Hazardous Materials Management Plan shall be required.
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 wireless communications facility shall be at least 500 ft. from any residential district.
11. All panel antennas shall be enclosed within the radome.
12. The 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", on or before November 3, 2016 for review by the staff.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on November 3, 2011.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT



Michael Yankovich
Planning Program Manager