



**Department of Resource Management**  
**Solano County Zoning Administrator**  
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Bill Emlen, Director  
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**Use Permit Extension - Staff Report**

**Application:** U-95-26-MR4-EX2 (Crown Castle)  
**Project Planner:** Karen Avery  
**Location:** 6715 State Highway 12  
**General Plan:** Agriculture

**Meeting of April 2, 2015**  
**Agenda Item No. 5**  
**Assessor Parcel Number:** 0048-050-200  
**Zoning:** A-160 Exclusive Agriculture

**Proposal**

The applicant is requesting a second time extension to Use Permit U-95-26-MR4. Extensions of time are granted if the following conditions are satisfied:

- 1) The permittee has requested renewal
- 2) The permittee has paid the applicable renewal fee
- 3) The use is being conducted in full compliance with all conditions of the use permit

**History**

Use Permit U-95-26, permitting the establishment of a wireless telecommunications facility for GTE (now Verizon) was approved by the Solano County Planning Commission on January 4, 1996. There were subsequent minor revisions that included PacBell (now T-Mobile) in 1999, Sprint in 2000, Nextel in 2003 and Metro PCS in 2005 with Minor Revision No. 4. The use permit was extended by Crown Castle in 2010 to June 16, 2015.

**Review and Recommendation**

Upon review of the permit conditions of approval, the evidence submitted by the applicant and based upon the absence of code compliance cases on-file, staff has determined that the wireless communication facility is being operated in full compliance with U-95-26-MR4.

Staff has reviewed the application and recommends approval based on the following findings:

1. On February 2, 2015 the applicant filed an application for extension.
2. The applicant has paid the necessary fees in the amount of \$447.00 (Receipt No. 1019592)
3. Staff has determined that the project is operating in full compliance with the conditions of approval as set forth in U-95-26-MR4 and there are no complaints on file against the operation.

**Updated Permit Term**

As of March 29, 2012 the Zoning Regulations pertaining to wireless communications facilities have been amended, affecting the life of approval for existing permitted facilities. Specifically, Sections 28.81(J and K), require issuance of the use permit for a fixed term. All permits issued prior to January 1, 2012 shall become fixed term permits and shall expire December 31, 2022. As a result, staff recommends that the permit be renewed for a final term, expiring December 31, 2022. At which time, the permittee may file for a new use permit.

EXHIBIT A: Zoning Administrator Resolution No. 05-14

**SOLANO COUNTY ZONING ADMINISTRATOR  
RESOLUTION NO. 05-14**

**WHEREAS**, the Solano County Zoning Administrator has considered Minor Revision No. 4 to Use Permit No. U-95-26 of **Metro PCS (c/o Maryann Miller Novak)** to install three new antenna panels to an existing 151' tall lattice telecommunications tower within an existing communications compound. The facility is located at 6715 State Highway 12 in an "A-160" Exclusive Agricultural Zoning District, 7 miles west of the City of Rio Vista, APN: 0048-050-200, 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 June 16, 2005, 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 Hwy 12, and power currently serves 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 perimeter of an existing communications tower, there will be no significant degradation of the neighborhood or the County's health, safety, peace, morals, comfort, or general welfare.

#### **ADDITIONAL FINDINGS**

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).

**BE IT THEREFORE RESOLVED**, that the Zoning Administrator has approved Minor Revision No. 4 to Use Permit Application No. U-95-26 subject to the following recommended conditions of approval:

1. The proposed wireless communication facility shall be established in accord with the information submitted with Minor Revision No. 4 to U-95-26 and with the plans entitled MetroPCS Inc., Crown Castle Hwy 12/113 SF16380A, submitted on March 31, 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 premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
9. 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.
10. All previously approved towers, antennas, and ancillary facilities shall remain in compliance with the approved project descriptions, site plans, and conditions of approval of U-95-26 and each subsequent revision.
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 June 16, 2010 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 June 16, 2005.

BIRGITTA E. CORSELLO, DIRECTOR  
RESOURCE MANAGEMENT

  
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Michael Yankovich  
Planning Program Manager