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Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application: U-04-16-EX2
Applicant: Crown Castle (Jonathan Dohm)

Meeting of October 15, 2015
Agenda Item No. 2

Project Planner: Travis Kroger

Location: 4075 Green Valley Road
Assessor Parcel Number: 0148-030-030

General Plan: Specific Project Area
Zoning: MG-V-SP

Proposal

The applicant has requested extension No. 2 of use permit U-04-16, 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 January 6, 2005 the Solano County Planning Commission granted Use Permit U-04-16 to permit a wireless communication facility consisting of a 50 foot tall wood monopole and associated equipment. On November 4th, 2010, extension No. 2 was granted.

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 communication facility is being operated in compliance with Use Permit U-04-16.

Permit Term

Per condition 13 of U-04-16, 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 January 5th, 2025.

Attachment: Solano County Planning Commission Resolution No. 4405

**SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. 4405**

WHEREAS, the Solano County Planning Commission has considered Use Permit Application No. U-04-16 of **Cingular Wireless (c/o Alex Goetze)** for a 50 foot wood monopole wireless site located at 4075 Green Valley Road in an "A-40" Exclusive Agricultural Zoning District, less than 1 mile north of the City of Fairfield, APN: 0148-030-030, and

WHEREAS, said Commission 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 6, 2005, and

WHEREAS, after due consideration, the said Planning Commission 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 telecommunications facility is consistent with the goals, 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 concerning wireless facilities. It is also consistent with the Health and Safety 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.

Adequate access to the site is available from Mason Road. The building plans will be reviewed and approved by the Solano County Building and Safety Division before a permit is issued.

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.

The project consists of a 50 ft. high monopole with panel antennae and a 120 sq. ft. equipment shelter. With the incorporation of the recommended conditions of approval, the aesthetic impact will be less than significant.

ADDITIONAL FINDINGS

4. The facility complies with all applicable sub-sections of the Solano County ordinance.

5. The RF Environmental Evaluation Report for the facility shows that the cumulative radio-frequency energy emitted by the facility and any near-by facilities will be consistent with FCC regulations.
6. The facility blends in with its existing environment and will not have significant visual impacts.

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby adopt the Negative Declaration based on the mandatory and suggested findings and approve Use Permit Application No. U-04-16 subject to the following recommended conditions of approval:

1. The proposed wireless communication facility shall be established in accord with the plans and information submitted in accord with the plans entitled Cingular Wireless, Site Number:BP-583-04, Green Valley Farm #3, dated July 29, 2004, submitted with Use Permit Application No. U-04-16 and approved by the Solano County Planning Commission.
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 telecommunications facility 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 a new permit or minor revision to the use permit.
7. The equipment shelter shall be painted brown to blend in with the surrounding vegetation.
8. RF warning signs shall be posted at the base of the tower and employees shall be required to go through a RF safety training program at the expense of the permittee.

9. 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.
10. 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.
11. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
12. The antennas shall be painted light brown to match the color of the monopole.
13. 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 6, 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 Planning Commission on January 6, 2005 by the following vote:

AYES:	Commissioners	<u>Hawkes, Campbell, Plutchok, Barnes, &</u> <u>Chairman Moore</u>
NOES:	Commissioners	_____
ABSTAIN:	Commissioners	_____
ABSENT:	Commissioners	_____

By: 
Birgitta Corsello, Secretary