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DEPARTMENT OF RESOURCE MANAGEMENT



**SOLANO
COUNTY**

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Planning Services Division

**ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal**

Application: U-95-30-MR1-EX2
Applicant: T-Mobile-Timothy Miller

**Meeting of February 18, 2016
Agenda Item No. 4**

Project Planner: Travis Kroger

Location: 7699 Batavia Road

General Plan: Agriculture

Assessor Parcel Number: 0109-060-060

Zoning: A-40

Proposal

The applicant has requested extension No. 2 of use permit U-95-30-MR1, pursuant to condition of approval No. 10. 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-95-30 was granted by the Solano County Planning Commission for a cellular communications facility consisting of a 55 foot tower with 4 antennas and 2 equipment cabinets for a 5 year term. On March 1, 2001, Revision No. 1 was approved by the Solano County Zoning Administrator to add two antenna panels to the existing facility. On October 6, 2011, extension No.1 was granted by the Solano County Zoning Administrator for a 5 year term ending December 5, 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-95-30-MR1.

Permit Term

Per condition 10 of U-95-30-MR1, 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 7, 2020.

Attachment: Solano County Land Use Permit No. U-95-30-MR1 and conditions of approval



Department Of Environmental Management
601 Texas Street, Fairfield, CA • 94533
Planning Division
(707) 421-6765

ORIGINAL

LAND USE PERMIT NO. U-95-30 (Revision No. 1)

PACIFIC BELL WIRELESS

(permittee)

For the addition of two antenna panels to an existing facility located at 7699 Batavia Road in an "A-40" Exclusive Agricultural Zoning District, 1 mile west of the City of Dixon, APN: 109-060-060.

(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 Use 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.

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.

Date Granted March 1, 2001

SOLANO COUNTY ZONING ADMINISTRATOR

Issued by:

Birgitta E. Corsello
Birgitta Corsello

Date 3/23/01

**CONDITIONS OF APPROVAL FOR MINOR REVISION NO. 1 TO
LAND USE PERMIT NO. U-95-30
of
PACIFIC BELL WIRELESS**

1. The proposed wireless communication facility shall be established in accord with the plans and information approved with Use Permit Application No. U-95-30 and submitted with Use Permit Application No. U-95-30 Minor Revision No.1 as 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 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 that 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 equipment, including concrete pads, shall be removed within 90 days of discontinuation of the use and the site shall be restored to its original pre-construction condition. The applicant and property owner shall allow the County access across the subject property to effect such removal.
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. All requirements of the Environmental Health Services Division shall be met including:
 - a. 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.
 - b. Prior to the issuance of the building permit, if hazardous materials are stored on-site, the permittee shall submit a hazardous materials management plan to the Environmental Health Division for review and approval.

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 subject use permit shall be in effect for the remainder of the term of the existing use permit which is December 7, 2005. An extension may be granted if said request is received prior to the expiration date of December 7, 2005 and the use shall remain the same and in compliance with the conditions of approval.

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.

Donald J. M...
Permittee's Signature

3/19/01
Date

X 3851 NORTH FREEWAY BLVD., SACRAMENTO, CA. 95834
Address Zip