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Planning Services Division

Agenda Item No. 1

MEMORANDUM:

TO: Solano County Zoning Administrator
FROM: Karen Avery, Senior Planner
SUBJECT: Use Permit U-17-09 & Marsh Development Permit MD-17-02 (Verizon – Hwy 680 Cygnus) Extension to Exercise
MEETING DATE: February 21, 2019

I. Recommendation

APPROVE applicant's request for a one-year extension to exercise Use Permit U-17-09, pursuant to Section 28.106(K) of the Solano County Zoning Ordinance.

II. Discussion

On June 21, 2018, the Solano County Planning Commission conditionally granted Use Permit U-17-09 and Marsh Development Permit MD-17-02 to Verizon Wireless c/o Complete Wireless Consulting, Inc. to install a telecommunications facility consisting of a 50' slimline monopole and associated ground equipment to be located on a 2.8-acre parcel zoned Exclusive Agricultural "A-20" off Marshview and Goodyear Road as they intersect with Interstate 680, APN: 0046-110-280. The permit states that the failure, neglect or refusal to exercise the permit within a period of one (1) year from the date of granting thereof, shall automatically cause the same to become null and void.

The applicant has submitted a letter dated February 1, 2019 requesting a one-year extension to exercise. In the letter, the applicant states that the delay in exercising the use permit is due to internal construction scheduling conflicts within Verizon as well as a confirmation of final power design by PG&E.

Section 28.106(K):

In any case where a use permit has not been exercised within one year after the date of approval thereof, or any other period for exercise as stated in a condition of the permit, the use permit shall expire and thereafter be null and void without further action by the Zoning Administrator; except that, upon written request by the owner, the Zoning Administrator may authorize an extension of time to exercise the permit, not to exceed one year. Only one such extension may be granted.

Planning staff recommends that the one-year extension to exercise be granted for U-17-09 and MD-17-02 until June 21, 2020.

Attachments

- A – U-17-09/MD-17-02 Permit and Resolution No. 4656
- B – Extension Request (Complete Wireless Consulting, Inc. – February 1, 2019)

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DEPARTMENT OF RESOURCE MANAGEMENT



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**LAND USE PERMIT NO. U-17-09 and
MARSH DEVELOPMENT PERMIT NO. MD-17-02**

VERIZON WIRELESS

(permittee)

To install a 50' slimline monopole with associated ground equipment as part of a wireless telecommunications facility to be located on a 2.8-acre parcel zoned Exclusive Agricultural "A-20" off Marshview and Goodyear Road as they intersect with Interstate 680. The site is approximately 1.5 miles southeast of the City of Fairfield, APN: 0046-110-280.

(Land use, location and zone district)

In addition to the zoning regulations, the building laws and other ordinances, the conditions of granting this permit are attached (Resolution No. 4656).

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 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.

Date Granted: June 21, 2018

SOLANO COUNTY PLANNING COMMISSION

Issued by: _____

Handwritten signature of Bill Emlen in blue ink.

Bill Emlen, Director/Secretary
Department of Resource Management

SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. 4656

WHEREAS, the Solano County Planning Commission has considered Use Permit Application No. U-17-09 and Marsh Development Permit Application No. MD-17-02 of **Verizon Wireless** c/o Complete Wireless Consulting, Inc. (Hwy 680 Cygnus) to install a 50' slimline monopole with associated ground equipment as part of a wireless telecommunications facility to be located on a 2.8-acre parcel zoned Exclusive Agricultural "A-20" off Marshview and Goodyear Road as they intersect with Interstate 680. The site is approximately 1.5 miles southeast of the City of Fairfield, APN: 0046-110-280, and;

WHEREAS, the 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 April 5, 2018 which was continued to May 5, 2018 and then again to June 21, 2018 and;

WHEREAS, after due consideration, the 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 circulations, 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, objectives, and policies of the Solano County General Plan, including but not limited to the Land Use, Resources, and Public Facilities and Service Chapters.

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

Vehicular access to the site will be via Goodyear Road with internal access via a proposed driveway. Utilities will be provided by existing power poles within the area. All utilities serving the site will be underground. Building plans will be reviewed and approved by the Solano County Building and Safety Division before a permit is issued. The facility will be unmanned and does not require a source for domestic drinking water or private septic system.

- 3. The subject use will not, under the circumstances of the 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 Solano County Development Review Committee has reviewed the project application and determined that the project should not present a detrimental or injurious impact on surrounding properties.

- 4. The proposed facility complies with applicable sub-sections of Wireless Communications Facilities, Sec. 28.81 of the Zoning Regulations.**
- 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. The Planning Commission grants a height exception for the slimline monopole to 50' based on the conclusions from the visual analysis.
7. The addition of the wireless communications facility will not have a significant incremental impact on the environment. A Negative Declaration was prepared and circulated for the project which found no significant impacts.
8. Telecommunications facilities are allowed with approval of a conditional use permit in the Suisun Marsh. The proposed 50' slimline monopole painted dark green is found consistent with the Suisun Marsh Local Protection Program as the project is located within the Secondary Management Area of the Suisun Marsh.

BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does hereby approve Use Permit Application No. U-17-09 and Marsh Development Permit Application No. MD-17-02 subject to the following recommended conditions of approval:

General

1. Approval is hereby granted to Verizon Wireless to establish a wireless communication facility in accord with the application materials and development plans submitted with Use Permit Application U-17-09 and Marsh Development Application MD-17-02 and as approved by the Solano County Planning Commission. The approval includes the construction of a 50' slimline monopole painted dark green, with four (4), eight foot (8') panel antennas with two antennas centered at 46' and two antennas centered at 37' feet on the pole. The remote radio units and surge protectors are to be placed behind the antennas and painted a dark green to match the antennas and monopole. All cables and wiring will be located within the monopole. The equipment 1189 sq. ft. equipment compound is to be surrounded by a 9' tall chain link fence with green privacy slats.
2. Pursuant to Section 28.81(J) of the Wireless Ordinance, the subject use permit shall be granted for a fixed term of ten (10) years and shall expire June 21, 2028. Consideration of a new land use permit is required should the need for the wireless communication facility remain upon permit expiration.
3. No additional uses (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved development plans without prior approval of a new, revised, or amended use permit.
4. All requirements of the Federal Communications Commission including RF signage shall be met prior to building permit issuance and operation of the subject facility.
5. 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.
6. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk
7. 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 County shall have access across the subject property to effect such removal.

8. As proposed, all on-site utility lines leading to and connecting the leased areas and equipment shelters shall be located underground.
9. The Permittee may be required to repaint or otherwise re-color the antennas, supporting structure and any portion of the wireless facility so as to match the original color if
10. All facility components including, but not limited to, monopole, antennas, microwave dishes, remote radio units, equipment cabinets, chain link fence/privacy slats, shall be maintained in good condition, including ensuring the facilities are reasonably free of:
 - a. Rust and corrosion;
 - b. Chipped, faded, peeling and cracked paint;
 - c. Graffiti, bill, stickers, advertisements, litter and debris; and
 - d. Broken or misshapen structural parts

The Permittee shall repaint any damaged, faded, peeling paint to original quality and cover or remove graffiti as part of regular maintenance.

Building & Safety Division

11. The structure any site improvements shall be designed using the 2016 California Building Standards Codes including the mandatory measures found in the new 2016 California Green Building Code, Chapter(s) 1,2,3,5,6,7,8, and A5 for Voluntary Measures
12. Prior to any construction or improvements taking place, a Building Permit Application shall be submitted as per Section 105 of the 2016 California Building Code, or the latest edition enforced at the time of building permit application. "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit."
13. A geotechnical/soils report will be required for the construction of new buildings.
14. Plans and Specifications shall meet the requirements as per Section 107 of the 2016 California Building Code. "Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by registered design professional. Electronic media documents are permitted when approval of the building official. Construction documents shall be of sufficient clarity to indicate the location nature, and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant law, ordinances, rules and regulations, as determined by the building official."
15. Any equipment rooms located in a special Flood Hazard Area (SFHA) must be elevated at least 1 foot above the base flood elevation. If the base flood elevation is unknown, the equipment rooms shall be elevated 3 feet above the highest adjacent grade.

16. The building permit plans shall include a code analysis as listed below and the design shall be under the 2016 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:
- a. Type of Construction
 - b. Seismic Zone and Wind Design
 - c. Location on property
 - d. Height of all structures

Environmental Health Division

17. 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.

Public Works Engineering

18. The Permittee shall apply for, secure and abide by the conditions of a grading permit prior to any onsite grading. The Permittee shall submit improvement plans to Public Works Engineering for review and approval by the appropriate official. The review of plans and inspection of the construction is subject to fees to cover the cost to Public Works Engineering.
19. The Permittee shall apply for secure ad abide by the conditions of an encroachment permit for any planned or any existing driveway connections to Marshview or Goodyear Road that do not have an existing encroachment permit issued by Solano County. All driveway connections to public roads shall meet Solano County Road Improvement Standards and Land Development Requirements.

Cordelia Fire District

20. The Permittee shall purchase and install a Knox lock box to ensure access to the site for emergency personnel.
21. The site shall be assigned an address and the address signage shall be legible and visible.

Caltrans (District 4) – Office of Transit and Community Planning

22. Any work or traffic control that encroaches onto the State right-of-way requires an encroachment permit that is issued by the Department of Transportation, District 4. To apply, a completed encroachment permit application, environmental documentation and five set of plans indicating State right-of-way must be submitted to the Office of Permits in Oakland. All traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on June 21, 2018 by the following vote:

AYES:	Commissioners	<u>Rhoads-Poston, Walker, Hollingsworth, Bauer</u> <u>and Chairperson Cayler</u>
NOES:	Commissioners	<u>None</u>
EXCUSED:	Commissioners	<u>None</u>

By: 
Bill Emlen, Secretary



RECEIVED

FEB 04 2019

COUNTY OF SOLANO
RESOURCE MANAGEMENT

February 1, 2019

Via USPS First Class Mail

Solano County Department of Resource Management
Planning Services Division
675 Texas Street, Suite 5500
Fairfield, CA 94533
Attn: Karen Avery

Re: Request for Extension of Time to Exercise (U-17-09 & MD-17-02)
Site Name: Hwy 680 Cygnus

Dear Ms. Avery:

Verizon would like to request an extension of time to exercise the above Use Permit (U-17-09) and Marsh Development Permit (MD-17-02). The project was approved by the Solano County Planning Commission on June 21, 2019. A copy of that

Due to delays in internal construction scheduling conflicts as well as a confirmation of final power design by PG&E, Verizon does not anticipate filing a Building Permit application until July 2019. In order to prevent any lapse in entitlements, Verizon requests an Extension of Time to Exercise the above permits for one (1) year.

Thank you very much. Please let me know if anything else is required.

Sincerely,

Maria Kim
Senior Land Use Planning Manager
Complete Wireless Consulting
(916) 247-6087
MKim@completewireless.net

Enclosures

cc: Karen Avery, kmavery@SolanoCounty.com

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Attachment B