



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

**Application:** U-09-01-EX1 (Verizon)  
**Project Planner:** Eric Wilberg

Meeting of September 18, 2014  
Agenda Item No. 1

**Location:** 6410 Silveyville Road  
**Assessor Parcel Number:** 0108-110-010

**General Plan:** Agriculture  
**Zoning:** Exclusive Agriculture 'A-40'

**Proposal**

The applicant has requested a renewal of use permit U-09-01, per condition of approval number 16. 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 July 16, 2009 the Solano County Planning Commission adopted a Negative Declaration pursuant to CEQA and granted Use Permit U-09-01, permitting a 70 foot tall telecommunications monopole within a 1,089 square foot lease area.

**Review**

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 no. U-09-01.

**Permit Term & Recommendation**

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. Prior to permit expiration, the permittee is required to file for a new permit.

**Attachment A – U-09-01 PC Resolution No. 4523**

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Building & Safety David Cliche Building Official	Planning Services Mike Yankovich Program Manager	Environmental Health Terry Schmidtbauer Program Manager	Administrative Services Suganthi Krishnan Senior Staff Analyst	Public Works- Engineering Matt Tuggle Engineering Manager	Public Works- Operations Wayne Spencer Operations Manager
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**SOLANO COUNTY PLANNING COMMISSION  
RESOLUTION NO. 4523**

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**WHEREAS**, the Solano County Planning Commission has considered Use Permit Application No. U-09-01 of **Verizon Wireless** for a tree pole telecommunication site located at 6410 Silveyville Road in an "A-40" Exclusive Agricultural Zoning District, west of the City of Dixon, APN: 0108-110-010, 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 July 16, 2009, 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 communication facility is consistent with the goals, objectives, and policies of the General Plan, including, but not limited to, the Agriculture, Resources, and Public Facilities and Services chapters.

As required by the Resources chapter for projects located along designated scenic roadways, design review of the proposed wireless facility was performed in order to ensure that the visual character of Interstate Highway 80 would not be negatively impacted by the construction of this project.

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

Access to the site will be from an existing private driveway off of Silveyville Road. Electricity exists at the site, and 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 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 project consists of a wireless telecommunications tower disguised as a 70 foot high pine tree, along with a 1,189 square foot lease area for associated equipment. Due to the proposed location of the facility and the "tree pole" design, no significant impacts to aesthetics are expected. In addition, the project will provide an important communication service, which may be used by local government and public safety agencies in the future.

#### ADDITIONAL FINDINGS

4. Based on the information contained in the Alternatives Analysis submitted by the applicant, no alternative site or design is available that would allow for issuance of a Use Permit before the Zoning Administrator for the facility.
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 and the mandatory and additional findings and approve Use Permit Application No. U-09-01, subject to the following conditions of approval:

1. The proposed wireless communication facility shall be established in accord with the plans entitled "Verizon Wireless Dixon; PSL #157415; PSP #2004067420; 6410 Silveyville Road, Dixon, CA 95620," revised on March 3, 2009, submitted with Use Permit Application No. U-09-01, 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.
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 use permit or minor revision of this use permit.
6. All requirements of the Environmental Health Division shall be met, including, but not limited to:
  - a. The permittee shall provide and maintain a portable chemical toilet or other approved toilet facilities on site for the duration of construction.
  - b. The permittee shall submit a Hazardous Materials Business Plan, chemical inventory, and site map to the Hazardous Materials Section.
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 permittee shall apply for and comply with the requirements of a permit from the Yolo-Solano Air Quality Management District for the facility's diesel generator.

9. All requirements of the Dixon Fire Department shall be met, including, but not limited to:
  - a. The street address (i.e., 6410 Silveyville Road) shall be posted on the wall at the entrance to the lease area. The numbers are to be no less than six inches in height and shall be of contrasting material compared to the mounting background.
  - b. An approved sign shall be installed that will have an emergency contact number that is answered 24 hours a day, seven days a week.
  - c. The generator fuel tank shall have secondary containment per California Fire Code regulations.
10. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
11. The permittee shall install a higher level branch count (i.e., a greater density of branches) on the monopole so that it more closely resembles an actual pine tree.
12. The lowest "branches" on the tree pole shall be no higher than 20 feet above the ground. This figure may be increased to 25 feet based on technical evidence supplied by the permittee of the infeasibility of servicing the facility with the branches at a height of 20 feet.
13. All antennas and the microwave dish shall be painted green to match the color of the artificial tree limbs.
14. The monopole shall be painted a flat, dark brown color. The paint applied to the portion of the pole not covered by artificial limbs shall be textured to more closely resemble tree bark.
15. The equipment shelter and the wall surrounding the lease area shall be painted earth-tone colors to blend in with the landscape.
16. Compliance reviews of the wireless facility shall occur at five-year intervals. Such reviews shall be subject to the use permit compliance review or extension fee in effect at that time.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on July 16, 2009 by the following vote:

AYES:	Commissioners	<u>Mahoney, McAndrew, Barton, Boschee and</u> <u>Chairman Barnes</u>
NOES:	Commissioners	<u>None</u>
ABSTAIN:	Commissioners	<u>None</u>
ABSENT:	Commissioners	<u>None</u>

By:   
Birgitta E. Corsello, Secretary