



Department of Resource Management

Solano County Zoning Administrator

675 Texas Street, Suite 5500
Fairfield, CA 94533

Telephone No: (707) 784-6765
Fax: (707) 784-7805

Bill Emlen, Director
Terry Schmidtbauer, Asst Director

Use Permit Extension - Staff Report

Application: U-85-06-EX3 (Crown Castle) Rio Dixon
Project Planner: Karen Avery
Location: Argyll Park of Hwy 113/Cook Ln
General Plan: Agriculture

Meeting of April 2, 2015
Agenda Item No. 3
Assessor Parcel Number: 0042-060-040
Zoning: A-160 Exclusive Agricultural

Proposal

The applicant is requesting a third time extension to Use Permit U-85-06. 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-85-06, permitting the establishment of a radio relay station facility for was approved by the Solano County Planning Commission on May 16, 1985. The use permit was extended in 2006 to September 1, 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 facility is being operated in full compliance with U-85-06.

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

1. On February 13, 2015 the applicant filed an application for extension.
2. The applicant has paid the necessary fees in the amount of \$447.00 (Receipt No. 1019644)
3. Staff has determined that the project is operating in full compliance with the conditions of approval as set forth in U-85-06 and there are no complaints on file against the operation.

Updated Permit Term

As of March 29, 2012 the Zoning Regulations pertaining to 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. 3657

SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. 3657

WHEREAS: The Solano County Planning Commission has considered, in public hearing, Use Permit Application No. U-85-06 of BAY AREA TELEPORT to ESTABLISH A RADIO RELAY STATION with 225' tower and equipment building, in an "A-160" Exclusive Agricultural District, located off Cook Lane in Argyll Off-Road Vehicle Park, four miles east of Travis AFB and ten miles south of Dixon; and

WHEREAS: Said Commission has reviewed the report of planning staff and has heard testimony in support of said proposal; and

WHEREAS: A Negative Declaration of Environmental Impact has been prepared for the project and processed according to provisions of the California Environmental Quality Act of 1970 as amended and the County EIR Guidelines; and

WHEREAS: After due consideration, the said Planning Commission has made the following findings in regard to said proposal:

1. The proposed project requires a use permit pursuant to Section 28-24(a)(13) of the Solano County Zoning Regulations.
2. The proposal is consistent with the Solano County General Plan.
3. The proposal is compatible with the Policy and Uniform Regulations Governing Administration of Agricultural Preserves in Solano County.
4. The proposal is exempt from land division requirements subject to Section 26-102(c)(6) of the Solano County Subdivision Ordinance.
5. The use has been determined consistent with the height limitations pursuant to Section 28-33 of the Solano County Code.
6. The project complies with the California Environmental Quality Act of 1970, as amended. The project has been reviewed pursuant to CEQA and a Negative Declaration of Environmental Impact has been prepared with the public review period ending on May 1, 1985. No significant adverse environmental effects will occur which are not mitigated by the project or by conditions of project approval.

Be it, therefore,

RESOLVED: That the Solano County Planning Commission does hereby ADOPT the Negative Declaration of Environmental Impact prepared for Use Permit No. U-85-06 and does APPROVE said use permit application subject to the following conditions:

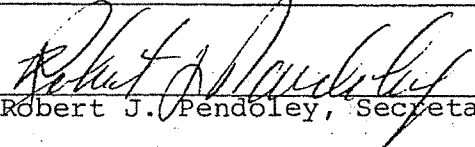
1. The use shall be established in accord with the plans and information submitted with Use Permit Application No. U-85-06 and approved by the Solano County Planning Commission.
2. All requirements of the Federal Aviation Administration and the Federal Communications Commission shall be met including obstruction marking and lighting.
3. Evidence that the radio relay station creates significant radio or other electromagnetic interference to Travis Air Force Base or surrounding area shall cause the permit to be reviewed by the Planning Commission and be considered for revocation.
4. Any expansion of the operations will require a new or modified use permit and be subject to further environmental review.
5. The radio tower shall be removed upon termination of the use or expiration of this permit.
6. The permit shall be granted for a ten(10) year period with the provision that an extension may be granted if the request is received prior to the expiration date of May 16, 1995, depending upon the circumstances at the time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on May 16, 1985 by the following vote:

AYES: Commissioners Anderson, Lanza, Daniel, Cassil
Smith, Johnson, Davidson, Woodson
and Kay

NOES: Commissioners None

ABSENT: Commissioners Moss


Robert J. Pendoley, Secretary

RJP/GC/jff