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Planning Services Division
ZONING ADMINISTRATOR STAFF REPORT
Use Permit Renewal

Application:	U-96-38-MR2/MD-96-02-MR4	Meeting of:	June 16, 2016
Applicant:	Mark McGarey (Crown Castle)	Agenda Item No.	2
Project Planner:	Travis Kroger		
Location:	2168 Smith Drive	General Plan:	Marsh
Assessor Parcel Number:	0046-050-270	Zoning:	MP/ASM-160

Proposal

The applicant has requested compliance review No. 1 for Land Use permit U-96-38/MD-96-02-MR4 pursuant to condition of approval No. 2. 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 March 20th, 1997, Land Use permit U-96-38 was granted by the Solano Planning Commission for a 10 year term to establish a new cellular communication facility with a 83 foot high monopole, 9 panel antennas, a 2 foot diameter microwave dish and 5 equipment cabinets. Revision No. 1 was approved by the Solano County Zoning Administrator on October 4th, 2001 for a 10 year term to co-locate 2 panel antennas on the existing facility. On April 20th, 2006, Revision No. 2 to add an additional antenna to the existing facility was granted for a 5 year term by the Solano County Zoning Administrator. Minor Revision No. 3 was granted by the Solano County Planning Commission on July 20th, 2006 for a 10 year term to allow a second co-location on the existing facility. Minor Revision No. 4 was granted by the Solano County Planning Commission on January 5th, 2012 for an indefinite period subject to 5 year review to allow the replacement of 6 panel antennas, addition of 9 RRUs, addition of a GPS antenna, removal of one equipment cabinet and replacement of two equipment cabinets at the existing facility.

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 existing communication facility is being operated in compliance with Use Permit : U-96-38-MR4.

Permit Term

Per condition 2 of : U-96-38-MR4, 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 February 20, 2022.

Attachment: Solano County Planning Commission Resolution No. 4565.

SOLANO COUNTY PLANNING COMMISSION
RESOLUTION NO. 4565

WHEREAS, the Solano County Planning Commission has considered Minor Revision No. 4 to U-96-38/MD-96-02 of **Cortell LLC on behalf of Sprint** to allow replacement of 6 panel antennas, addition of 9 remote radio units, addition of Sprint GPS antenna, removal of 1 equipment cabinet and replacement of 2 equipment cabinets to an existing wireless communication facility located at 2168 Smith Drive, east of the City of Fairfield in an "M-P" Marsh Preservation and "AL-160" Limited Agriculture Zoning District, APN: 0046-050-270, 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 5, 2012 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 modifications to the existing telecommunication facility are consistent with the goals, objectives and policies of the Solano County Zoning Ordinance and Solano County General Plan. The project as proposed by the applicant, along with the recommended conditions of approval will be consistent with the General Plan.

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

The site has existing electrical power and public access via Ramsey Road. No domestic water and septic system are required for the unmanned facility.

- 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 permit and determined that the project will not present a detrimental or injurious impact on surrounding properties.

4. 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.
5. The facility blends in with its existing environment and will not have significant visual impacts.
6. That the proposed development shall be consistent with the certified Suisun Marsh Local Protection Program.

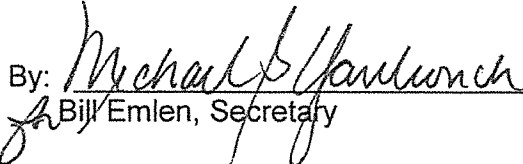
BE IT, THEREFORE, RESOLVED, that the Planning Commission of the County of Solano does determine that project qualifies for Categorical Exemption Section 15301 (e) per the California Environmental Quality and approved Minor Revision No. 4 to Use Permit Nos. U-96-38/MD-96-02, subject to the following conditions of approval:

1. Approval is hereby granted to allow replacement of six (6) panel antennas, addition of nine (9) remote radio units, addition of one Sprint GPS antenna, removal of one (1) equipment cabinet and replacement of two (2) equipment cabinets at 2158 Smith Road, in the MP/AL-160 zone. The proposed wireless communication facility shall be established in accord with the plans entitled "Cordelia FNO4XC101-C," revised on October 11, 2011, submitted with the application for Minor Revision No. 4 to Use Permit and Marsh Development Permit Application No. U-96-38/MD-96-02, and approved by the Solano County Planning Commission subject to the any revisions required by the conditions of approval below.
2. The subject use permit shall be in effect for an indefinite period and subject to periodic 5 year renewal pursuant to Section 28.53 (o) of the Solano County Zoning Code. The permittee shall submit a "Report of Compliance" to the Department of Resource Management, along with the applicable "Periodic Review and Written Report fees", on or before February 20, 2017 for review by the staff. The Report of Compliance shall address compliance of conditions No. 4 through 11.
3. 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.
4. 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.
5. 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.

6. If a building permit application is submitted prior to January 1, 2011, the project shall be designed under the 2007 California Building Codes. If the building permit application is submitted on or after January 1, 2011, the project shall be designed under the 2010 California Building Codes. These designs shall be specific on the plans.
7. Prior to any construction or improvements taking place, a Building Permit application shall first be submitted as per Section 105 of the 2007 California Building Code. **“Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or 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”.**
8. Comply with the requirements of the Cordelia Fire Department.
9. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.
10. 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.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Planning Commission on January 5, 2012 by the following vote:

AYES:	Commissioners	<u>Rhoads-Poston, Karah, Cayler and Chairman</u>
		<u>Mahoney</u>
NOES:	Commissioners	<u>None</u>
ABSTAIN:	Commissioners	<u>None</u>
ABSENT:	Commissioners	<u>Boschee</u>

By: 
Michael Emlen, Secretary