

**BILL EMLÉN**  
Director

**TERRY SCHMIDTBAUER**  
Assistant Director

**MIKE YANKOVICH**  
Planning Services Manager

## DEPARTMENT OF RESOURCE MANAGEMENT



# SOLANO COUNTY

675 Texas Street, Suite 5500  
Fairfield, CA 94533-6342  
(707) 784-6765  
Fax (707) 784-4805

[www.solanocounty.com](http://www.solanocounty.com)

Planning Services Division

### ZONING ADMINISTRATOR STAFF REPORT Use Permit Extension

**Application:** U-96-24-EX2 Crown Castle  
**Applicant:** Mark McGarey  
**Project Planner:** Karen Avery, Senior Planner  
**Location:** McCune/Halley Roads, Dixon  
**Assessor Parcel Number:** 0104-060-100

**Meeting of April 20, 2017**  
**Agenda Item No. 4**

**General Plan:** Agricultural  
**Zoning:** A-40

#### Proposal

The applicant has requested extension No. 2 of Use Permit U-96-24, 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

The use permit for a 100' monopole with antennas was approved in 1996. A subsequent revision to add two microwave dishes was approved in 1999. The use permit was extended in 2006 for ten years. In 2012, planning staff approved the addition of remote radio units to be added behind the existing antennas. The applicant is requesting a ten-year extension of the use permit.

#### 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 Crown Castle wireless telecommunications facility is being operated in compliance with Use Permit No. U-96-24.

#### Permit Term

Per condition No. 10, staff recommends that this permit be extended for a 10-year term with provision that an extension may be granted if requested by the applicant prior to the expiration date of October 3, 2026.

#### Attachment:

Solano County Zoning Administrator Permit and Resolution No. 99-5.



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

**LAND USE PERMIT NO. U-96-24 (REVISED) and  
ARCHITECTURAL REVIEW NO. AR-99-02**

CELLULARONE  
(permittee)

To mount two microwave dishes (4' and 6' in diameter) at an existing wireless telecommunication site that includes a 100' monopole at the southwest corner of Halley and McCune Roads. The project is located on an 846 square foot lease area of a 155 acre parcel in the "A-40" Exclusive Agricultural Zoning District, APN: 104-060-100.  
(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.

This permit shall not take effect unless permittee signs in the space below within thirty (30) days after the date of granting hereof and unless this permit is issued by signature of an authorized agent of the County.

I agree to conform fully to this Use Permit and all of the foregoing conditions.

Chris Ruwand FOR CELLULARONE  
651 GATEWAY BLVD. #1300  
30. SAN FRANCISCO, CA  
94080  
3/9/99  
Permittee's Signature Address Date

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 Use 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 February 18, 1999

SOLANO COUNTY ZONING ADMINISTRATOR

By: Birgitta Corsello  
Birgitta Corsello  
rmyu9624.per/kl (February 26, 1999)

**CONDITIONS OF APPROVAL FOR MINOR REVISION #1 TO  
LAND USE PERMIT NO. U-96-24 and  
ARCHITECTURAL REVIEW NO. AR-99-02  
of  
CELLULARONE**

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1. The proposed wireless communication facility shall be established in accord with the plans and information submitted with Minor Revision to Use Permit Application No. U-96-24 and Architectural Review Application No. AR-99-2 and 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 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 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 allows 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. 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 microwave dish antennae shall be painted light flat slate grey or constructed of galvanized steel.
9. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk.

Conditions of Approval  
minor revision #1 to U-96-24/AR-99-02

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10. The subject use permit shall be in effect for the remainder of the term of the existing use permit which is October 3, 2006. An extension may be granted if said request is received prior to the expiration date of October 3, 2006, depending upon the circumstances at that time. CellularOne and the property owner, if applicable, shall make the site available for co-location with other wireless communication providers.

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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.

X Chris Ruwand FOR CELLUCARZONE 3/9/99  
Permittee's Signature Date

X 651 GATEWAY BLVD. #1300 SO. SAN FRANCISCO,  
Address Zip 94080 CA

r:myu9624.con/kl (February 26, 1999)

**SOLANO COUNTY ZONING ADMINISTRATOR  
RESOLUTION NO. 99-5**

**WHEREAS**, the Solano County Zoning Administrator has considered minor revision #1 to Use Permit No. U-96-24 and Architectural Review Application No. AR-99-02 of **CellularOne** to mount two microwave dishes (4' and 6' in diameter) at an existing wireless telecommunication site that includes a 100' monopole at the southwest corner of Halley and McCune Roads. The project is located on an 846 square foot lease area of a 155 acre parcel in the "A-40" Exclusive Agricultural Zoning District, APN: 104-060-100, and

**WHEREAS**, said Zoning Administrator has reviewed the report of the Department of Environmental Management and heard testimony relative to the subject application at the duly noticed public hearing held on February 18, 1999, and

**WHEREAS**, after due consideration, the said Zoning Administrator 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 goal and the objectives and policies of Chapter VIII Public Facilities and Services of the Solano County Land Use and Circulation Element concerning utility facilities. The proposed facility is consistent with the Scenic Roadways Element since the two microwave dish antennae will be mounted close to the existing monopole to blend, as much as possible, with that structure. It is consistent with the Health and Safety Element since the facility will be unmanned and will not be in an area identified as having natural or man-made hazards.

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

External access to the site will be via McCune Road with internal access via a gravel driveway. The site has existing electrical power 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 this 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.



From an aesthetic viewpoint, the project consists of mounting two microwave dish antennae. It will be located on an existing monopole that has twelve panel antennae mounted at the top of the monopole. The proposed antennae will be compatible with the existing facility.

Studies support the assertion that low power, high frequency radio waves are not detrimental or injurious to people or property. The Federal Communications Commission (FCC) regulates radio frequency radiation emissions and CellularOne must conform to all FCC standards. In addition, the project will provide an important communication service which may be used by local government and public safety agencies in the future.

4. The facility complies with all applicable sub-sections of 28-50.01, Wireless Communication Facilities.
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.

**WHEREAS**, the Zoning Administrator has determined that the following conditions of approval shall be incorporated into said Use Permit:

1. The proposed wireless communication facility shall be established in accord with the plans and information submitted with Minor Revision to Use Permit Application No. U-96-24 and Architectural Review Application No. AR-99-2 and 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 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 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

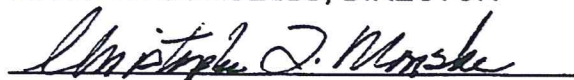
applicant and property owner allows the County access across the subject property to effect such removal.

5. Any expansion or change in the use may require a new or modified use permit and further environmental review.
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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.
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10. The subject use permit shall be in effect for the remainder of the term of the existing use permit which is October 3, 2006. An extension may be granted if said request is received prior to the expiration date of October 3, 2006, depending upon the circumstances at that time. CellularOne and the property owner, if applicable, shall make the site available for co-location with other wireless communication providers.

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I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on February 18, 1999.

BIRGITTA CORSELLO, DIRECTOR



Christopher L. Monske,  
Planning Program Manager