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DEPARTMENT OF RESOURCE MANAGEMENT



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Planning Services Division

SOLANO COUNTY ZONING ADMINISTRATOR

**Staff Report
 U-96-36 and MD-96-05-MR3**

Application No. U-96-36 and MD-96-05-MR3 (Sprint) Project Planner: Travis Kroger, Planning Technician		Meeting of October 19, 2017 Agenda Item No. 2	
Applicant JRA Attn: Liz Johnson 44632 Highway 49 Ahwahnee, CA 93601		Property Owner YOUNG CAROLYN PARISH TR CO S EDWARD PARISH PO BOX 6 BENICIA CA 94510	
Action Requested Consideration of Minor Revision to Land Use Permit U-96-30 and Marsh Development Permit MD-96-03 to add two new antennas and 4 remote radio units (RRUs).			
Property Information			
Size: 70 ac. (total)		Location: East of Goodyear Road between Parish Road and Morrow Lane	
APN: 0090-270-460, 050			
Zoning: ASM-160 (Suisun Marsh Agriculture) and MP (Marsh Preservation)		Land Use: Neighborhood Commercial Use	
General Plan: Agriculture and Marsh		Ag. Contract: n/a	
Utilities: N/A		Access: Goodyear Road	
Adjacent General Plan Designation, Zoning District, and Existing Land Use			
	General Plan	Zoning	Land Use
North	Marsh	Marsh Preservation (MP)	Corporation Yard
South	Marsh	Marsh Preservation (MP)	Residential
East	Marsh	Marsh Preservation (MP)	Vacant marsh
West	Agriculture	Exclusive Agriculture (A-20)	Residential
Environmental Analysis The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.			
Motion to Approve The Zoning Administrator does hereby ADOPT the attached resolution and APPROVE Minor Revision No. 3 of U-96-36-and MD-95-05 based on the enumerated findings and subject to the recommended conditions of approval.			

BACKGROUND

The existing development on this parcel consists of communications sites previously permitted by the following permits:

U-95-33 and MD-95-03

U-96-33 and MD-96-04

U-96-36 and MD-96-05 (Subject site)

U-12-11, U-99-06 and MD-99-03

County records for this parcel do not show any other permitted development on site.

SETTING

The subject property consists of 70 acres of land, fronting on Goodyear Road in adjacent to Highway 680. The surrounding parcels include a corporation yard, residential development and vacant marsh land.

PROJECT DESCRIPTION

The original approval for this facility included 6 panel antennas on 3 steel posts at a height of 18 feet, 5 equipment cabinets and a 6 foot high perimeter fence enclosing a 583 square foot lease area. Minor Revision No. 1 was approved in 2003 to add 4 panel antennas on the existing poles and associated equipment. Minor Revision No. 2 was approved in 2011 to replace the existing 5 foot tall antennas with 6 foot tall antennas.

The applicant has applied for Minor Revision No. 3 to Land Use Permit U-96-36 and Marsh Development Permit MD-96-05 to add 2 additional antennas and 4 remote radio units (RRUs) to the existing wireless communications facility, with the maximum height consistent with the original approval at 18 feet.

No other changes to the site or land use are proposed.

LAND USE CONSISTENCY

The parcel is designated Agriculture by the Solano County General Plan Land Use Diagram. As indicated on the General Plan land use consistency table (General Plan Table LU-7) the Suisun Marsh Agriculture (ASM-160) Zoning District is consistent with this designation.

The subject site is zoned Suisun Marsh Agriculture (ASM-160). Within this district, Wireless Communication Facility uses are allowed subject to the requirements of section 28.81 of the Solano County Code. These general requirements address permit requirements, design standards and lighting, height, screening, radio frequency exposure, noise, access, provisions for co-locations, and site restoration upon discontinuation of the use of the facility..

ENVIRONMENTAL ANALYSIS

The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.

Building Permit records indicate the effective age of development on the subject parcel (APN 0090-270-050 and 460 and 120) to be built starting in 1995.

RECOMMENDATION

Staff recommends that the Zoning Administrator **ADOPT** the mandatory and suggested findings, and **APPROVE** Minor Revision No. 3 to Land Use Permit U-96-36 and Marsh Development Permit MD-96-05, subject to the recommended conditions of approval.

MINOR USE PERMIT MANDATORY FINDINGS

1. **That the establishment, maintenance or operation of the use or building is in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator to be pertinent.**

This project is located within an area designated Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Suisun Marsh Agriculture (ASM-160) Zoning District. The Zoning of the property along with the existing use and proposed modifications is consistent with the General Plan.

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

Access is provided via encroachment off Goodyear Road.

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.**

As conditioned, the proposed modifications to the existing Wireless Communications Facility use will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents.

ADDITIONAL FINDINGS

4. The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.

CONDITIONS OF APPROVAL

General

1. The above use shall be established in accord with the application materials and development plans as submitted with Minor Revision No. 3 to Land Use Permit U-96-36 and Marsh Development Permit MD-96-05 filed July 24th, 2017 and as approved by the Solano County Zoning Administrator.
2. New antennas and equipment will be painted a light flat slate grey or constructed of galvanized steel to match the existing pole and equipment.

3. The permittee shall take such measures necessary or as may be required by Solano 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 Land Use permit, all wireless communication infrastructure covered by the subject permit shall be removed from the site. All equipment, including concrete pads, shall be removed from the site within 90 days of discontinuation of the use and the area regraded to natural conditions.
5. All onsite transmission lines from Goodyear Road leading to the subject wireless communications site shall be located underground.

Building and Safety Division

6. Prior to any construction or improvements taking place, a Building Permit Application shall first be submitted as per 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."

Public Works Division

7. The Applicant shall apply for, secure and abide by the conditions of an encroachment permit for any planned or any existing driveway connections to 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

Permit Term

8. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit. The cost associated with the periodic reviews shall be charged at that time.

Attachments

A – Draft Resolution

B – Assessor's Parcel Map

SOLANO COUNTY ZONING ADMINISTRATOR RESOLUTION NO. XX

WHEREAS, the Solano County Zoning Administrator has considered Minor Revision No. 3 to Use Permit No. U-96-36 and Marsh Development Permit No. MD-96-05 of **Sprint** to add two new antennas and 4 RRUs to the existing facility. The project is located 0.9 miles north of the City of Benicia in a Marsh Preservation Zoning District, APN's: 0090-270-050 and 460, and;

WHEREAS, said Zoning Administrator 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 October 19, 2017, and;

WHEREAS, after due consideration, the Zoning Administrator has made the following findings in regard to said proposal:

- 1. That the establishment, maintenance or operation of the use or building is in conformity to the General Plan for the County with regard to traffic circulation, population densities and distribution, and other aspects of the General Plan considered by the Zoning Administrator to be pertinent.**

This project is located within an area designated Agriculture by the Solano County General Plan Land Use Diagram. The proposed use is a conditionally permitted use within the Suisun Marsh Agriculture (ASM-160) Zoning District. The Zoning of the property along with the existing use and proposed modifications is consistent with the General Plan.

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

Access is provided via encroachment off Goodyear Road.

- 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.**

As conditioned, the proposed modifications to the existing Wireless Communications Facility use will not constitute a nuisance to surrounding properties, nor will it be detrimental to the health, safety, or welfare of County residents.

- 4. The project qualifies for a Class I Categorical Exemption from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301, Existing Facilities.**

BE IT THEREFORE RESOLVED, that the Zoning Administrator has approved Minor Revision No. 3 to Use Permit No. U-96-36 and MD-96-05 subject to the following recommended conditions of approval:

General

1. The above use shall be established in accord with the application materials and development plans as submitted with Minor Revision No. 3 to Land Use Permit U-96-36 and Marsh Development Permit MD-96-05 filed July 24th, 2017 and as approved by the Solano County Zoning Administrator.
2. New antennas and equipment will be painted a light flat slate grey or constructed of galvanized steel to match the existing pole and equipment.
3. The permittee shall take such measures necessary or as may be required by Solano 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 Land Use permit, all wireless communication infrastructure covered by the subject permit shall be removed from the site. All equipment, including concrete pads, shall be removed from the site within 90 days of discontinuation of the use and the area regraded to natural conditions.
5. All onsite transmission lines from Goodyear Road leading to the subject wireless communications site shall be located underground.

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7. The Applicant shall apply for, secure and abide by the conditions of an encroachment permit for any planned or any existing driveway connections to 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

Permit Term

8. The Department of Resource Management shall verify ongoing compliance with the terms and conditions of this permit through a program of periodic compliance reviews occurring at five (5) year intervals from the date of granting this permit. The cost associated with the periodic reviews shall be charged at that time.

I hereby certify that the foregoing resolution was adopted at the regular meeting of the Solano County Zoning Administrator on October 19, 2017.

BILL EMLLEN, DIRECTOR
RESOURCE MANAGEMENT

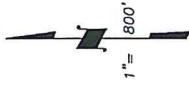
Michael Yankovich
Planning Program Manager

DRAFT

POR. SEC. 8,9,16 & 17, T.3N., R.2W., M.D.B. & M.

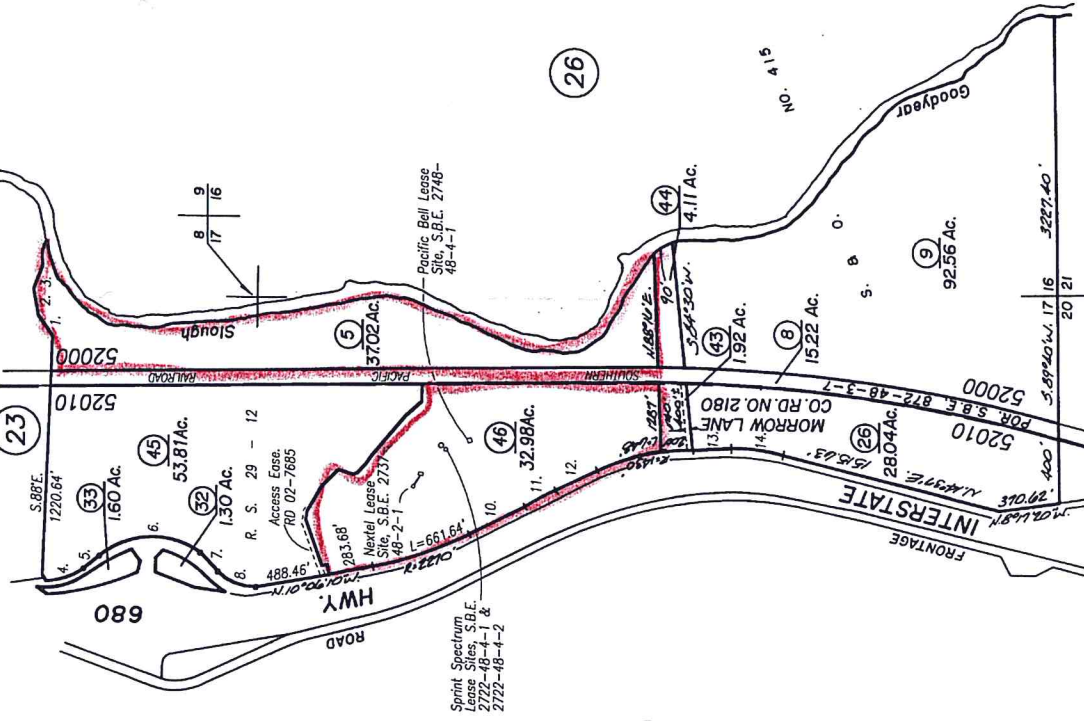
Tax Area Code
52000
52010

90-27



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1.	S.55°W.	165'
2.	S.60°30'W.	161'
3.	N.70°W.	165'
4.	R=460'	L=235.37'
5.	N.39°42'41"W.	L=134.58'
6.	R=550'	L=721.23'
7.	N.46°19'50"E.	L=172.78'
8.	R=320'	L=279.10'
9.	N.26°48'10"W.	L=386.80'
10.	R=6030'	L=228'
11.	N.24°38'10"W.	L=310.90'
12.	N.04°09'09"W.	L=254.68'
13.	R=1035'	L=301.07'
14.		
15.		



NOTE: This map is for assessment purposes only. It is not intended to define legal boundary rights or imply compliance with land division laws.

270-45	Chg. (89)	6-18-09	Cr
270-45&46	Dd	1-22-02	Fg
270-45&46	Lease Dd	1-18-02	Fg
SFE-P.U.(270-35)		6-28-00	Pd
REVISION	DATE	BY	

Assessor's Block Numbers Shown in Ellipses, Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 90 Pg. 27
County of Solano, Calif.

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