



Legislation Text

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PUBLIC HEARING to consider Use Permit Application No. U-17-09 and Marsh Development Application No. MD-17-02 of Verizon Wireless for a new wireless telecommunications facility to be located near the intersection of Marshview Road, Goodyear Road and Interstate 680 on Assessor's Parcel Number 0046-110-280. (Project Planner: Karen Avery) Staff Recommendation: Approval

RECOMMENDATION:

The Department of Resource Management recommends that the Planning Commission:

1. Adopt the Negative Declaration and the mandatory and additional findings with respect to Use Permit U-17-09 and Marsh Development Permit MD-17-02 and;
2. Adopt the attached draft resolution and Approve Use Permit U-17-09 and Marsh Development Permit MD-17-02, subject to the findings and recommended conditions of approval.

EXECUTIVE SUMMARY:

Verizon Wireless is requesting permit approval to construct a wireless telecommunication facility consisting of a 50' slimline monopole painted dark green within a 1189 sq. ft. lease area. The lease area will contain the ground equipment necessary to operate the site and will be enclosed by an 9' chain link fence with green privacy slats.

ENVIRONMENTAL ANALYSIS:

Pursuant to the California Environmental Quality Act pursuant to CEQA Guidelines, a Negative Declaration was prepared and circulated for public review. The public comment period will expire on June 18, 2018.

PROPERTY INFORMATION:

- A. Applicant/Owner:**
Complete Wireless Consulting on behalf of
Verizon Wireless
2009 V Street
Sacramento, CA 95818
- B. General Plan Land Use Designation/Zoning:**
General Plan: Agricultural
Zoning: Exclusive Agricultural "A-20"
- C. Existing Use:** Vacant
- D. Adjacent Zoning and Uses:**
North: Marsh Preservation (MP) - marshland/vacant

South: Exclusive Agricultural (A-20) - vacant
East: Marsh Preservation (MP) - marshland/vacant
West: Exclusive Agricultural (A-20) - Interstate 680

ANALYSIS:

A. Environmental Setting

The project site is located near the intersection of Marshview Road and Goodyear Road to the east of Interstate 680 (I-680) in a rural area of Solano County. The property sites near the access ramp for northbound I-680. The 2.8-acre parcel is vacant of structures and is approximately 1.5 miles southeast of the boundary of the City of Fairfield.

The parcel is mostly flat with the elevation gradually increasing adjacent to the three roads, I-680 on-ramp, Goodyear and Marshview. Goodyear Road borders the property to the north and east followed by the Suisun Marsh. Marshview Road borders the property to the south and the northbound on-ramp to I-680 borders the project to the west. The parcel has several mature trees along the I-680 on-ramp and a couple of trees scattered along Goodyear Road. There is an existing barbed wire fence that runs partially along Marshview Road and then extends north along the on-ramp. The property is covered in grasses and some scattered shrubs. The closest residence is approximately 2600' on the west side of the southbound lanes of I-680.

B. Project Description

Verizon Wireless, the applicant, has discovered a coverage gap along I-680 between two of their existing wireless facilities. The applicant is requesting a conditional use permit and marsh development permit to construct a 50' wireless communication facility, a slimline monopole painted dark green, to provide better wireless coverage in the area. The applicant is also requesting that the Planning Commission grant an exception to the height limitation per Section 28.81(D)(5)(e). The allowed height for a wireless facility is 35' within the I-680 and the applicant is requesting 50'. The applicant had originally proposed a 65' standard monopole painted dark green; this design was rejected by staff due to concerns about the visual impact of the wireless site when driving along I-680. The applicant redesigned the site, proposing a slimline monopole versus the standard monopole, and proposing two antenna arrays versus one antenna array at the top of the 65' tower, also the applicant is proposing to mount the two antenna arrays closer to the pole than the standard antenna mounts. The current proposed project would consist of the following:

Monopole:

The proposed facility consists of a 50' slimline monopole painted dark green with the antennas divided into two sectors or split centerlines. There will be a total of four (4), eight foot (8') panel antennas with two antennas centered at 46' and two antennas centered at 37' on the pole. The antenna mounts will be 1' apart on the pole and mounted close to the pole. The remote radio units and surge protectors are to be placed behind the antennas and painted dark green to match the antennas and monopole. All cables and wiring will be located within the monopole.

Equipment Compound:

The proposed 33' x 33' (1189 sf) lease area will be located underneath the monopole. The equipment compound will be surrounded by a 9' tall chain link fence with green privacy slats. The fence will be topped with barbed wire and will have a locking gate. The lease area will contain the outdoor equipment cabinets necessary to operate the site. The applicant is proposing to install the equipment cabinets on a 21' x 21' concrete pad of cell blocks to raise the equipment 2' above ground level. No emergency generator is proposed at this site.

Access and Utilities:

The tower will be located within the parcel approximately 125' west off Goodyear Road. The applicant is proposing a new 15' wide gravel driveway off Goodyear Road to access the facility. Power and land-based telecommunications service will be provided from a nearby joint utility pole located near the proposed monopole. All power and telco lines to the monopole will be located underground. No water or septic is required as the site is unmanned. There will be a parking space and turnaround area for monthly service technician near the equipment compound.

C. General Plan and Zoning Consistency

The proposed project would occur on land designated Agriculture per the Solano County General Plan. The property is also within the Secondary Management Area of the Suisun Marsh which requires approval of a marsh development permit for development of a telecommunications facility within the Secondary Management Area.

The site is located on land zoned Agricultural (A-20). This designation allows new wireless telecommunications facilities subject to approval of a Conditional Use Permit by the Planning Commission. Per Section 28.81(D)(5) (b) of the Solano county Zoning Regulations, all wireless facilities constructed within $\frac{3}{4}$ mile of a designated scenic corridor shall conform with the height limit in the zoning district in which they are located. The proposed wireless facility is located within $\frac{3}{4}$ mile of Interstate 680, which is a designated scenic corridor in the Solano County General Plan. The height limit in the A-20 zoning district is 35'. The proposed monopole is 50'. The applicant is requesting that the Planning Commission grant an exception to this height limitation per Section 28.81(D)(5)(e).

D. Alternatives Analysis

Section 28.81(F) of the Wireless Ordinance requires an Alternatives Analysis to be prepared for Use Permits considered before the Planning Commission. The Alternatives Analysis shall include, at a minimum, these three considerations for siting a new wireless facility: 1) co-location at all existing wireless facilities; including facilities in an adjacent city or county; 2) lower, more closely spaced wireless communication facilities; and 3) mounting on an existing non-residential structure within 2-miles of the proposed facility.

The Alternatives Analysis submitted by the applicant stated that there were no existing wireless communications facilities within the desired coverage area in which to co-locate Verizon's antennas. The study also stated that there were no existing non-residential structures to co-locate as well. The applicant approached five additional property owners about the possibility of siting a wireless facility on their property. However, after multiple attempts to reach two of the property owners, those sites were abandoned. Three of the other sites were determined to be in the Marsh Preservation District which allows wireless facilities but in this area of the marsh, the water level is higher and there are concerns about the aesthetics of siting a facility within the marsh. The analysis concluded that the proposed location was the most appropriate.

E. Visual Analysis

Section 28.81(G) of the Wireless Ordinance requires a Visual Analysis for a facility considered before the Planning Commission and located within $\frac{3}{4}$ mile of a designated scenic roadway. Figure RS-5 of the General Plan identifies Interstate 680, as the nearest scenic roadway. A Visual Analysis was prepared and submitted by the applicant for the initial project application for a 65' monopole with one antenna array consisting of 6 antennas located at the top. As mentioned above, the applicant redesigned the wireless facility to a 50' slimline monopole with two antenna arrays with two antennas each centered at 46' and 37'. The applicant submitted a series of photo simulations (Attachment E) of the site showing the proposed slimline monopole as it would be

viewed from various locations within the vicinity of the project. The photo simulation of the site looking southeast from across I-680 is the most visible to southbound travelers specifically. However, while the site is still visible, the proposed slimline monopole at a reduced height and the 9' chain link fence with privacy slats surrounding the equipment compound, combined with the speed of travelers on I-680, staff concluded that the proposed design would have a less than significant visual impact to passers-by.

F. Radio-Frequency Exposure Review

Section 28.81(H) of the Wireless Ordinance requires the preparation of a radio-frequency (RF) exposure review for the project. Verizon Wireless has submitted the results of a radio frequency (RF) study prepared by Hammett & Edison, Inc. (Attachment F). The study evaluated the RF exposure level of the wireless facility with proposed Verizon antennas and equipment configuration. The study concluded that the site will comply with FCC guidelines limiting public exposure to RF energy.

G. Noise Assessment

The applicant submitted a noise study conducted by Bollard Acoustical Consultants, Inc. which concluded that the outdoor equipment cabinet noise levels would satisfy the noise standards in the Solano County General Plan and Zoning Regulations of 65 dB Ldn at the nearest property line. (Attachment G)

H. Development Review Committee

As part of the project review process, the application is reviewed by various divisions within the Department of Resource Management:

Environmental Health Division

The Environmental Health Division responded that the applicant will need to contact the Hazardous Materials Section of the Environmental Health Division to verify whether or not a hazardous materials business plan is needed for the site. This requirement is listed as a condition of approval below.

Public Works Engineering

The Public Works Engineering Division reviewed the project and will be requiring the applicant to construct the proposed access driveway from Goodyear Road to meet Solano County Road Improvement Standards. The project may require a grading permit; this will be determined during the building permit review process. These comments are included in the conditions of approval listed below.

Building Division

The Building Division reviewed the project and commented that the applicant will need to apply for a building permit prior to start of construction. Conditions of approval describing the necessary building application submittal materials are listed below.

I. Outside Agency Review

Cordelia Fire District

The project location is within the Cordelia Fire District. The District reviewed the project and has provided comments for addressing the property, address signage and the requirement for the installation of a Knox lock box for emergency access purposes. These requirements are included in the conditions of approval below.

California Department of Transportation - District 4

The project application and environmental document were submitted to Caltrans District 4 for their review and comment. Caltrans responded that should the applicant need access through a State right-of-way, the

applicant will need to obtain an encroachment permit and submit a traffic control plan to District 4 for review and approval. A condition of approval reflecting this requirement is included below.

J. Recommendation

Staff recommends approval of the Verizon wireless telecommunications facility at the intersection of I-680, Marshview and Goodyear Roads based on the Findings, Additional Findings, and with the Conditions of Approval discussed below.

FINDINGS:

1. The establishment, maintenance, or operation of the proposed use is in conformity with the County General Plan with regard to traffic circulations, 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 Solano County General Plan, including but not limited to the Land Use, Resources, and Public Facilities and Service Chapters.

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

Vehicular access to the site will be via Goodyear Road with internal access via a proposed driveway. Utilities will be provided by existing power poles within the area. All utilities serving the site will be underground. Building plans will be reviewed and approved by the Solano County Building and Safety Division before a permit is issued. The facility will be unmanned and does not require a source for domestic drinking water or private septic system.

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 application and determined that the project should not present a detrimental or injurious impact on surrounding properties.

ADDITIONAL FINDINGS:

4. The proposed facility complies with applicable sub-sections of Wireless Communications Facilities, Sec. 28.81 of the Zoning Regulations.

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. The Planning Commission grants a height exception for the slimline monopole to 50' based on the conclusions from the visual analysis.

7. The addition of the wireless communications facility will not have a significant incremental impact on

the environment. A Negative Declaration was prepared and circulated for the project which found no significant impacts.

CONDITIONS OF APPROVAL:

General

1. Approval is hereby granted to Verizon Wireless to establish a wireless communication facility in accord with the application materials and development plans submitted with Use Permit Application U-17-09 and Marsh Development Application MD-17-02 and as approved by the Solano County Planning Commission. The approval includes the construction of a 50' slimline monopole painted dark green, with four (4), eight foot (8') panel antennas with two antennas centered at 46' and two antennas centered at 37' feet on the pole. The remote radio units and surge protectors are to be placed behind the antennas and painted a dark green to match the antennas and monopole. All cables and wiring will be located within the monopole. The equipment 1189 sq. ft. equipment compound is to be surrounded by a 9' tall chain link fence with green privacy slats.
2. Pursuant to Section 28.81(J) of the Wireless Ordinance, the subject use permit shall be granted for a fixed term of ten (10) years and shall expire June 21, 2028. Consideration of a new land use permit is required should the need for the wireless communication facility remain upon permit expiration.
3. No additional uses (including outdoor storage), new or expanded buildings shall be established or constructed beyond those identified on the approved development plans without prior approval of a new, revised, or amended use permit.
4. All requirements of the Federal Communications Commission including RF signage shall be met prior to building permit issuance and operation of the subject facility.
5. 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.
6. The premises shall be maintained in a neat and orderly manner and kept free of accumulated debris and junk
7. 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 County shall have access across the subject property to effect such removal.
8. As proposed, all on-site utility lines leading to and connecting the leased areas and equipment shelters shall be located underground.
9. The applicant may be required to repaint or otherwise re-color the antennas, supporting structure and any portion of the wireless facility so as to match the original color if
10. All facility components including, but not limited to, monopole, antennas, microwave dishes, remote radio units, equipment cabinets, chain link fence/privacy slats, shall be maintained in good condition, including ensuring the facilities are reasonably free of:
 - a. Rust and corrosion;
 - b. Chipped, faded, peeling and cracked paint;

- c. Graffiti, bill, stickers, advertisements, litter and debris; and
- d. Broken or misshapen structural parts

The applicant shall repaint any damaged, faded, peeling paint to original quality and cover or remove graffiti as part of regular maintenance.

Building & Safety Division

11. The structure any site improvements shall be designed using the 2016 California Building Standards Codes including the mandatory measures found in the new 2016 California Green Building Code, Chapter(s) 1,2,3,5,6,7,8, and A5 for Voluntary Measures
12. Prior to any construction or improvements taking place, a Building Permit Application shall be submitted as per Section 105 of 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."
13. A geotechnical/soils report will be required for the construction of new buildings.
14. Plans and Specifications shall meet the requirements as per Section 107 of the 2016 California Building Code. "Construction documents, statement of special inspections and other data shall be submitted in one or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by registered design professional. Electronic media documents are permitted when approval of the building official. Construction documents shall be of sufficient clarity to indicate the location nature, and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant law, ordinances, rules and regulations, as determined by the building official."
15. Any equipment rooms located in a special Flood Hazard Area (SFHA) must be elevated at least 1 foot above the base flood elevation. If the base flood elevation is unknown, the equipment rooms shall be elevated 3 feet above the highest adjacent grade.
16. The building permit plans shall include a code analysis as listed below and the design shall be under the 2016 California Codes and all current rules, regulations, laws and ordinances of the local, state and federal requirements. Upon building permit submittal, the licensed architect shall provide a code analysis for each building or structure such as:
 - a. Type of Construction
 - b. Seismic Zone and Wind Design
 - c. Location on property
 - d. Height of all structures

Environmental Health Division

17. The maximum potential volume of hazardous materials stored at the facility shall be calculated, and if required, the facility shall submit a hazardous materials business plan to Solano county Hazardous Materials Section.

Public Works Engineering

18. The applicant shall apply for, secure and abide by the conditions of a grading permit prior to any onsite grading. The applicant shall submit improvement plans to Public Works Engineering for review and approval by the appropriate official. The review of plans and inspection of the construction is subject to fees to cover the cost to Public Works Engineering.
19. The Applicant shall apply for secure and abide by the conditions of an encroachment permit for any planned or any existing driveway connections to Marshview or 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.

Cordelia Fire District

20. The applicant shall purchase and install a Knox lock box to ensure access to the site for emergency personnel.
21. The site shall be assigned an address and the address signage shall be legible and visible.

Caltrans (District 4) - Office of Transit and Community Planning

22. Any work or traffic control that encroaches onto the State right-of-way requires an encroachment permit that is issued by the Department of Transportation, District 4. To apply, a completed encroachment permit application, environmental documentation and five set of plans indicating State right-of-way must be submitted to the Office of Permits in Oakland. All traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process.

ATTACHMENTS:

- A** - Draft Resolution
- B** - Assessor Map
- C** - Draft Initial Study and Negative Declaration
- D** - Development Plans
- E** - Site Photo Simulations
- F** - Radio-frequency Study - Hammett and Edison, Inc.
- G** - Noise Study - Bollard Acoustical Consultants, Inc.