



Inter Office Memo

**ATTENTION: FOR FINAL ACTION OR
MODIFICATION TO OR ADDITION OF
CONDITIONS, SEE FINAL BOARD OF
SUPERVISORS' ACTION SUMMARY
MINUTES**

DATE: October 12, 2023

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 13010 – INITIAL STUDY NO. 8431 AND UNCLASSIFIED
CONDITIONAL USE PERMIT NO. 3770

APPLICANT: Leesa Gendel, SAC Wireless

OWNERS: James and Kathleen Ramirez

REQUEST: Allow an unmanned freestanding 100-foot tall monopole style
co-locatable wireless telecommunications facility on a 3.8-acre
parcel within the AE-5 (Exclusive Agricultural, five-acre
minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the northwest corner of Boren
Lane and Elwood Rd., 700-feet west of N. Brawley Ave.,
approximately 9.50-miles northeast from the Unincorporated
Community of Orange Cove (APN: 160-420-08s) (1830 Elwood
Rd.) (Sup. Dist. 5).

PLANNING COMMISSION ACTION:

At its hearing of October 12, 2023, the Commission considered the Staff Report and testimony (summarized in Exhibit A). A motion was made by Commissioner Zante and seconded by Vice Chair Hill to approve Unclassified Conditional Use Permit No. 3770 Subject to the conditions of Approval and adopt the Mitigated Negative Declaration prepared for the project based on Initial Study No. 8431 as recommended in the Staff Report.

The motion to approve failed on the following vote:

VOTING: Yes: Commissioners Zante, Hill, and Arabian
No: Commissioners Abrahamian, Carver, Quist, and Woolf
Absent: Commissioners Chatha and Ewell
Abstain: None

RESOLUTION NO. 13010

A subsequent motion to deny Unclassified Conditional Use Permit No. 3770 was made by Commissioner Woolf and seconded by Chairman Abrahamian stating that Finding No. 1 and 3 could not be made as the proposal is not appropriate for the neighborhood based on the testimony presented by individuals and summarized in Exhibit A.

The motion to deny the project passed on the following vote:

VOTING: Yes: Commissioners Woolf, Abrahamian, Carver and Quist
 No: Commissioners Arabian, Hill and Zante
 Absent: Commissioners Chatha and Ewell
 Abstain: None

STEVEN E. WHITE, DIRECTOR
Department of Public Works and Planning
Secretary-Fresno County Planning Commission

By: 
Chris W. Motta, Manager
Development Services and Capital Projects Division

NOTES:

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Attachments

EXHIBIT A

Initial Study No. 8431
Unclassified Conditional Use Permit No. 3770

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 12, 2023, and heard a summary presentation by staff.
- Presenters: The applicant's representative agreed with the Staff's recommendation and offered the following information:
- The communication tower will have enhanced emergency 911 capabilities to improve the effectiveness and reliability of wireless services in case of emergency, broadband, and high-speed internet services.
 - Any type of emissions generated from the cell towers are regulated by the Federal Communications Commission including transmitters and other technical devices.
 - The tower placement as proposed was deemed to be the most ideal location for the community.
 - Co-locating with the existing PG&E transmission tower is not feasible.
- Others: Three individuals provided testimony in opposition to the proposal stating the mailed notices did not allow for adequate time to review and submit responses, and the height and location of the tower is deemed too low and placed in a valley of which will fail to sufficiently serve the population. No other individuals spoke in support of or in opposition to the project.
- Correspondence: One letter in opposition was presented to the Planning Commission stating concerns similar to those as noted public testimony. No letters of support were received.

RESOLUTION NO. 13010

EXHIBIT "B"

ATTACHMENT
TO
AGENDA ITEM

FISCAL IMPACT STATEMENT

Initial Study Application No. 8431
Unclassified Conditional Use Permit No. 3770

Listed below are the fees collected for the land use applications involved in this Agenda Item:

Unclassified Conditional Use Permit	\$ 9,123.00 ¹
Environmental Assessment	\$ 5,151.00 ²
Public Health Department Review	\$ 992.00 ³
Agricultural Commissioner Fee	\$ 51.00 ⁴
Pre-Application Fee Credit	\$ (247.00) ⁵
Total Fees Collected	\$ <u>15,070.00</u>

1 Includes project routing, coordination with reviewing agencies, preparation and incorporation of analysis into Staff Report.
2 Review proposal to provide appropriate California Environmental Quality Act (CEQA) Analysis and include documentation to prepare a Mitigate Negative Declaration.
3 Review of proposal and associated environmental documents by the Department of Public Health, Environmental Health Division; comments.
4 Review of proposal and associated environmental documents by the Department Agriculture; comments.
5 Pre-Application Fee Credit (If filed within six-months of Pre-Application Review)