



# Inter Office Memo

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

DATE: November 16, 2023

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 13014 – INITIAL STUDY NO. 8429 AND UNCLASSIFIED CONDITIONAL USE PERMIT NO. 3769

APPLICANT: Leesa Gendel, SAC Wireless

OWNER: Laton Lions Club

REQUEST: Allow an unmanned freestanding 80 foot-tall monopole style co-locatable wireless telecommunication facility on an 8.58-acre parcel within the R-E (Recreational) Zone District.

LOCATION: The subject parcel is located on the southwest corner of E. Nares Ave. and S. Pico Ave., within the unincorporated Community of Laton (APN: 057-090-34) (6345 Nares Ave.) (Sup. Dist. 4).

**PLANNING COMMISSION ACTION:**

At its first hearing of October 12, 2023, the Commission considered the Staff Report and testimony (summarized in Exhibit A). A motion was made by Chairman Abrahamian and seconded by Commissioner Quist to continue the item to a date certain (November 16, 2023) to allow a community meeting be held to address concerns over noticing and health related issues the project may cause.

This motion was passed on the following vote:

VOTING:    Yes:            Commissioners Abrahamian, Quist, Arabian, Carver, Hill, Woolf, and Zante

              No:                None

              Absent:            Commissioners Chatha and Ewell

              Abstain:           None

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At its subsequent hearing of November 16, 2023, the Commission considered the Staff Report and testimony (summarized in Exhibit A). A motion was made by Commissioner Arabian and seconded by Vice Chair Hill to adopt the Mitigated Negative Declaration prepared based on Initial Study No. 8429 and determine that the required Findings could be made concurring with Staff's recommendation, and approve Unclassified Conditional Use Permit No. 3769, subject to the Conditions listed in Exhibit B.

This motion was passed on the following vote:

VOTING:      Yes:              Commissioners Arabian, Hill, Abrahamian, Quist and Woolf  
                  No:              Commissioners Carver and Zante  
                  Absent:        Commissioner Chatha  
                  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

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NOTES:            The approval of this project will expire two years from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Conditional Use Permit.

Attachments

EXHIBIT A

Initial Study No. 8429  
Unclassified Conditional Use Permit No. 3769

**Public Hearing dated October 12, 2023**

- 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, described their operation, and stated:
- That the communications tower will have enhanced 911 capabilities to improve the effectiveness and reliability of wireless services in case of emergency.
  - Any type of emissions generated from the cell towers are vetted by the Federal Communications Commission including transmitters and other technical devices.
  - The cellular tower will emit low levels of radiation deemed negligible by governing bodies, and not pose a threat to the surrounding property owners.
  - The tower placement as proposed was deemed to be the most ideal location in the community.
- Others: Two individuals provided testimony in opposition to the project stating the mailed notices did not allow for a proper letter of objection to be given to Fresno County staff and specific health concerns that the tower may generate to the citizens of Laton.
- Correspondence: One letter of opposition was presented to the Planning Commission concerning health concerns. No letters of support were presented.

**Public Hearing dated November 16, 2021**

- Staff: The Fresno County Planning Commission considered the Staff Report dated November 16, 2023 and heard a summary presentation by staff.
- Presenters: The applicant's representative agreed with the Staff's recommendation. They described their operation and stated:
- An informational meeting with the community in Laton was conducted on November 12, 2023. Notices were sent to all property owners.

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- All other feasible areas were considered and deemed not viable as either the owners of the potential properties were unwilling to allow placement of a cell tower, or the project site was outside the service area.
- The level of emissions generated from cell towers are vetted by the Federal Communications Commission including transmitters and other technical devices, and levels of radiation are deemed negligible by governing bodies and do not pose a threat to the surrounding property owners.

Others: Three individuals provided testimony in opposition to the project stating:

- The mailed notices did not allow sufficient time for us to review, prepare, and submit responses.
- The project will negatively affect the community's health and is aesthetically unappealing.

Correspondence: One letter of opposition was presented to the Planning Commission stating concerns about specific health impacts resulting from the tower. Six letters of support were also presented stating the new cell tower will improve connectivity within the community (Exhibit D).

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