



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

Planning Commission Staff Report Agenda Item No. 2 May 17, 2018

SUBJECT: Initial Study Application No. 7429 and Unclassified Conditional Use Permit Application No. 3604

Allow an unmanned telecommunications facility consisting of an 80-foot-tall wireless communication tower (monopine design) with related facilities on a 2,500 square-foot portion of a 1.14-acre parcel in the RR (Rural Residential, two-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the south side of W. Clinton Avenue approximately 400 feet east of its intersection with N. Constance Avenue and 162 feet southeast of the nearest city limits of the City of Fresno (5197 W. Clinton Avenue, Fresno CA) (SUP. DIST. 1) (APN 312-270-16S).

OWNER: Steven and Carmen Kavookjian
APPLICANT: InSite Towers

STAFF CONTACT: Ejaz Ahmad, Planner
(559) 600-4204

Marianne Mollring, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7429; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3604 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Mitigation Monitoring, Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans/Floor Plans/Elevations
6. Applicant’s Submitted Operational Statement and Response to Fresno County Wireless Communication Guidelines/Supplemental Information
7. Coverage Maps (current and proposed) and Photographic Simulations
8. Summary of Initial Study Application No. 7429
9. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan	No change
Zoning	RR (Rural Residential, two-acre minimum parcel size)	No change
Parcel Size	1.14 acres	No change
Project Site	<ul style="list-style-type: none"> • Single-family residence with garage • 1,200 square-foot accessory building • 684 square-foot accessory structure • Swimming pool 	Allow an unmanned telecommunications facility consisting of an 80-foot-tall wireless communication tower with related facilities on a 2,500 square-foot portion of a 1.14-acre parcel
Structural Improvements	<ul style="list-style-type: none"> • Single-family residence with garage • 1,200 square-foot accessory building • 684 square-foot accessory structure 	<ul style="list-style-type: none"> • 80-foot-tall wireless communication tower (monopine design) • T-Mobile Ice Bridge • Equipment cabinet • Six-foot-tall chain-link fence
Nearest Residence	170 feet to the east	No change

Criteria	Existing	Proposed
Surrounding Development	Single-family residences	No change
Operational Features	N/A	Unmanned wireless communications facility
Employees	N/A	N/A
Customers	N/A	N/A
Traffic Trips	Residential traffic	One trip per month by maintenance crew
Lighting	Residential lighting	None
Hours of Operation	N/A	24 hours a day, seven days a week, year round

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

An Initial Study (IS) was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the IS, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is below and included as Exhibit 8.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: April 6, 2018

PUBLIC NOTICE:

Notices were sent to 41 property owners within 600 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit (CUP) may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on an unclassified CUP application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

This proposal entails the establishment of a new wireless communications facility consisting of an 80-foot-tall wireless communication tower (monopine design), T-Mobile ice bridge, and an equipment cabinet within a 2,500 square-foot lease area to be enclosed by a six-foot-tall chain-link fence. The project does not include an on-site emergency back-up generator and will utilize battery backup power in case of emergencies.

According to the Applicant, T-Mobile is an anchor tenant on the tower which provides co-location options for future tenants. As such, the lease area reserves a 200 square-foot and 150-foot space for an equipment shelter for future wireless carriers who may co-locate on the tower.

The proposed tower site is approximately 162 feet southeast of the nearest city limits of the City of Fresno and is located within the City’s Sphere of Influence. According to the Applicant’s Operational Statement, the project area lacks capacity and new coverage. The existing tower sites to the north, east and south are congested and overloaded due to many users in the area, resulting in dropped calls and internet connection failures. Due to many complaints for congestion in this area, the carrier (T-Mobile) has picked the subject site to fix the network issues and customer problem. The subject proposal will offload Site #SC08754A located at 3393 North Parkway Drive and Site # SC08738A located at 959 North Parkway Drive. While offloading the other sites, the project will also provide new indoor and outdoor coverage for residential developments near and to the west, northwest, and southwest of the tower site.

***Finding 1:** That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood*

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	Front (Clinton Avenue; north property line): 275 feet Side (east property line): 23 feet Side (west property line): 115 feet Rear (south property line):23 feet	Yes
Parking	N/A	N/A	Yes
Lot Coverage	No Requirement	N/A	N/A
Separation Between Buildings	Six-foot minimum	N/A	Yes
Wall Requirements	<ul style="list-style-type: none"> • Maximum six feet in height on side and rear property lines • Maximum three feet in height within required front-yard setback. 	Six-foot-tall chain-link fence on the rear and side property lines	Yes
Septic Replacement Area	100 percent	N/A	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	N/A	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Fresno County Department of Public Works and Planning: The subject proposal satisfies the building setback requirements of the RR Zone District.

No comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Analysis:

Staff review of the Site Plans demonstrates that the proposed facility meets the minimum building setback requirements of the RR Zone District. The proposed 2,500 square-foot lease area (comprised of a communications tower, T-Mobile ice bridge, and equipment cabinet) will be set back 275 feet from the north property line (35-foot minimum required) and 115 feet from the west property line (20-foot minimum required). The tower will be set back 23 feet from the east property line (20-foot minimum required) and 23 feet from the south property line (20-foot minimum required). Adequate area is available on the subject 2,500 square-foot project site to accommodate the proposed improvements (Exhibit 5).

Based on the above information, staff believes the project site is adequate in size and shape to accommodate the proposed use.

Recommended Conditions of Approval:

None

Conclusion:

Finding 1 can be made.

Finding 2: *That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use*

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Clinton Avenue; Excellent condition	No change
Direct Access to Public Road	Yes	Clinton Avenue; Excellent condition	No change

		Existing Conditions	Proposed Operation
Road ADT (Average Daily Traffic)		2,700	No change
Road Classification		Collector	No change
Road Width		25-foot right-of-way south of section line	No change
Road Surface		Asphalt concrete paved	No change
Traffic Trips		Residential traffic	One trip per month by maintenance crew
Traffic Impact Study (TIS) Prepared	No	N/A	Not required by the Design Division of the Fresno County Department of Public Works and Planning
Road Improvements Required		Clinton Avenue; excellent condition	Not required

Reviewing Agency/Department Comments:

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Design Division of the Fresno County Department of Public Works and Planning: No concerns with the proposal.

Traffic & Engineering Division of the City of Fresno Department of Public Works: No concerns with the proposal.

No other comments related to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

Analysis:

The project site gains access from Clinton Avenue. Clinton Avenue is a County-maintained road with pavement width of 17.8 feet and an Average Daily Traffic (ADT) of 2,700. The project proposes no changes to the current site access.

The Development Engineering Section, Road Maintenance and Operations (RMO) Division, and Design Division of the Fresno County Department of Public Works and Planning expressed no concerns related to adequacy of Clinton Avenue in width and pavement type to carry the minimal traffic generated by the proposal, which amounts to one trip per month by a maintenance crew.

Based on the above discussion, staff believes Clinton Avenue will remain adequate to accommodate the proposal.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 2 can be made.

Finding 3: *That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof*

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	2.37 acres	Single-Family Residence	RR	386 feet
	2.98 acres			
South/West	3.62 acres	Single-Family Residence	RR	220 feet
East	13.75 acres	Single-Family Residences	RR	170 feet

Reviewing Agency/Department Comments:

Site Plan Review Section of the Fresno County Department of Public Works and Planning: The first 100 feet of driveway shall be paved or of an approved surface as determined by Road Maintenance and Operations to prevent pebbles or debris on the County right-of-way. Any proposed landscaping area over 500 square feet shall require Landscape & Irrigation Plan review by the Site Plan Review (SPR) unit as mandated by the State of California to ensure the Model Water Efficient Landscape Ordinance is met. These requirements have been included as Conditions of Approval.

Development Engineering Section of the Fresno County Department of Public Works and Planning: A Grading Permit or Voucher shall be required for any grading proposed with this application. Any additional runoff generated by the proposed development shall be retained or disposed of per County standards. Any existing or proposed entrance gate shall be set back a minimum of 20 feet from the road right-of-way or the the length of the longest vehicle entering the site and shall not swing outward. A 20-foot by 20-foot corner cut-off shall be improved for sight distance purposes at the driveway approach off Clinton Avenue. An on-site turnaround area shall be provided so that the vehicles do not back out onto the roadway (Clinton Avenue).

The Fresno County Department of Public Health, Environmental Health Division: Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.

Fresno Metropolitan Flood Control District (FMFCD): A temporary on-site storm water storage facility shall be required. Said facility shall be located and constructed so that once permanent FMFCD facilities become available, drainage can be directed to the street.

San Joaquin Valley Air Pollution Control District (Air District): The Applicant shall contact the Air District's Small Business Assistance Office to identify District rules or regulations that may apply to the project, or to obtain information about District permit requirements.

Fresno Irrigation District (FID): FID's Tracy No. 44 runs southwesterly along the south side of Clinton Avenue approximately 2,300 feet east of the subject property. Plans for any street and/or utility improvements along Clinton Avenue shall be reviewed and approved by FID.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections shall be required for all proposed improvements on the property.

Zoning Section of the Fresno County Department of Public Works and Planning: Fences/gate entrances exceeding six feet in height shall require a building permit.

City of Fresno Fire Department: The Applicant shall provide three sets of project drawings for review and approval.

The aforementioned requirements have been included as Project Notes.

Dumna Wo Wah Tribal Government: The Tribe was offered an opportunity to consult under Public Resources Code (PRC) Section 21080.3(b) with a 30-day window to formally respond to the County letter. However, the Tribe did not respond to the offer of consultation (see the following Analysis).

Central Valley Regional Water Quality Control Board; Road Maintenance and Operations, Design, and Water and Natural Resources Divisions of the Fresno County Department of Public Works and Planning; California Department of Transportation; Fresno County Department of Agriculture; Table Mountain Rancheria, Tribal Government Office; Santa Rosa Rancheria Tachi Yokut Tribe; and Picayune Rancheria of the Chukchansi Indians: No concerns with the proposal.

Analysis:

This proposal entails the establishment of a new wireless communications facility consisting of an 80-foot-tall slim-line (monopine design) tower, T-Mobile ice bridge, and an equipment cabinet within a 2,500 square-foot chain-link-fenced lease area within the southeast corner of a 1.14-acre parcel. The subject property is currently developed with a single-family residence with garage, a swimming pool, and accessory buildings. The property gains access from Clinton Avenue.

Aesthetics is typically the concern associated with this type of use because of the substantial height of towers which are used to support communication antennas. The visibility of a tower is a function of its height, design, and its exposure to neighbors and the general public. In the case of this application, the proposed tower will be 80 feet in height and will be a slim-line monopole design.

The project site is located in an established residential neighborhood and abuts Clinton Avenue to the north, single-family residences to the east and west, and undeveloped land to the south.

The proposed tower site (lease area) is approximately 257 feet south of Clinton Avenue and 170 feet west of the nearest single-family residence. There is significantly tall, mature landscaping, along the east and south sides of the tower site which can provide a visual buffer between the neighboring residences and the visibility of the tower. The visual impacts will be further reduced as the monopine design of the telecommunications tower would allow it to blend in with the existing landscaping.

The Initial Study prepared for this project identified potential impacts related to aesthetics. Regarding aesthetics, six-foot-tall slatted fencing around the lease area will visually screen the facility from neighboring properties, and any proposed outdoor lighting will be hooded and directed downward so as not to shine upon adjacent roads and properties. These requirements have been included as Mitigation Measures.

Potential Impacts related to air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, and public services have been determined to be less than significant. The project will comply with the Air District permitting requirements, obtain grading permits or vouchers for any grading activity related to this proposal, handle all hazardous material on site according to the state and local requirements, and comply with the current Fire and Building Codes. These requirements have been included as Conditions of Approval/Project Notes.

The project site is approximately 8.3 miles west of the Fresno-Yosemite International Airport and four miles northwest of Chandler Executive Airport, and is outside the traffic pattern zone. Although no tower painting for daytime visibility nor lighting for nighttime visibility would be required for this proposal, a Project Note will advise the Applicant to file FAA (Federal Aviation Administration) Form 7460-1 with the Western Regional Office of the FAA.

The Federal Communications Commission (FCC), which regulates the wireless communications industry, has referenced prior studies concluding that radio frequency (RF) emission exposure levels associated with this type of facility have been determined to be safe. Therefore, staff does not anticipate concerns regarding radio frequency emissions as it relates to surrounding residential land uses.

The project is located near the City of Fresno within the City's Sphere of Influence. The City of Fresno Traffic & Engineering and Planning Divisions reviewed the proposal and expressed no concerns with the project.

The project site is not located within any area designated to be highly or moderately sensitive for archeological resources. No impact on historical, archeological, or paleontological resources would result from this proposal. Pursuant to Assembly Bill (AB) 52, a letter was sent to the Dumna Wo Wah Tribal Government offering the opportunity to consult under Public Resources Code (PRC) Section 21080.3(b), with a 30-day window to formally respond in writing to request a Cultural Resources Consultation. The Tribe did not respond to the offer of consultation, resulting in no further action on the part of the County.

Based on the above information and with the adherence to the Mitigation Measures, recommended Conditions of Approval, and Project Notes for mandatory requirements, staff believes the project will not have an adverse effect upon the surrounding neighborhood.

Recommended Conditions of Approval:

See Mitigation Measures and recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 3 can be made.

Finding 4: *That the proposed development is consistent with the General Plan*

Relevant Policies:	Consistency/Considerations:
General Plan Policy PF-J.4: County shall require compliance with the Wireless Communication Guidelines for siting of communication towers in unincorporated areas of the County.	The Communication Guidelines indicate that the need to accommodate new communication technology must be balanced with the need to minimize the number of new tower structures, thus reducing the impacts towers can have on the surrounding community. The Applicant has provided a written response to the County Wireless Communication Guidelines which describes the basis for the site selection and need for a new tower site. Considering the information provided, the proposal is consistent with this Policy.
General Plan Policy LU-G.1: County acknowledges that the cities have primary responsibility for planning within their Local Agency Formation Commission (LAFCo)-adopted Spheres of Influence and are responsible for urban development and the provision of urban services within their Spheres of Influence.	The proposed project is within the City of Fresno Sphere of Influence. The City of Fresno Traffic & Engineering and Planning Divisions reviewed the proposal and expressed no concerns with the project. The project requires no additional road right-of-way and any future changes when under City jurisdiction will be subject to existing policies and requirements of the City of Fresno. The proposal is consistent with this policy.
General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.	The proposed facility is unmanned and requires no water consumption. The Water and Natural Resources Division reviewed the proposal and expressed no concerns related to water. The proposal is consistent with this Policy.

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcel is designated Rural Density Residential in the County-adopted Fresno High-Roeding Community Plan. According to General Plan Policy PF-J.4, compliance with the Wireless Communication Guidelines is required for the siting of communication towers in unincorporated areas of the County. General Plan Policy LU-G.1 states that cities are

responsible for planning and providing urban services within their Spheres of Influence. General Plan Policy PF-C.17 requires water sustainability for the project.

Analysis:

General Plan Policy PF-J.4 requires compliance with the Wireless Communication Guidelines which encourage the utilization of City-adopted standards for new tower facilities if such a proposal is within one half-mile of City boundaries. The Guidelines also indicate that the need to accommodate new communication technology must be balanced with the need to minimize the number of new tower structures, thus reducing the impacts towers can have on the surrounding community.

In this case, the Applicant proposes a new slim-line monopole telecommunications tower and related facilities on a 2,500 square-foot portion of a 1.14-acre parcel located in an established residential neighborhood. The project site is within the City of Fresno Sphere of Influence. The Applicant has provided a written response and related information to the County Wireless Communication Guidelines which describes the basis of site selection and Applicant's inability to co-locate the proposed wireless facilities.

According to the Applicant's response to the County Wireless Communication Guidelines, there were no other available towers, water tanks, light standards, other utility structures, or other antenna support structures within the necessary geographic area which could be utilized instead of the proposed site location. The nearest existing PG&E tower to co-locate on, located approximately two miles to the west of the property, was found to be unsuitable due to not meeting T-Mobile's coverage objectives. Likewise, co-location on existing towers located on City of Fresno property near the site were found to be unsuccessful due to the City's refusal to allow any additional co-location or ground equipment.

The Wireless Communication Guidelines also state that applicants for new tower sites should include provisions in their land lease agreements that reserve co-location opportunities. According to the Applicant's response to the Fresno County Wireless Communication Guidelines, the proposed tower is designed to accommodate additional carriers with the option to install ground equipment. A Condition of Approval would require that prior to the issuance of building permits, the Applicant shall provide a copy of the lease agreement demonstrating that the co-location requirement can be met. This requirement shall be satisfied prior to the issuance of Building Permits.

The proposed facility is unmanned and requires no water consumption. No water supply evaluation was necessary and as such, the proposal will have no impact on other water users in the area. Given the property is within the City of Fresno Sphere of Influence, the City of Fresno Traffic and Engineering and Planning Divisions reviewed the proposal and expressed no concerns with the project.

Based on the above considerations, staff believes the proposal is consistent with the Wireless Communication Guidelines and the County General Plan.

Recommended Conditions of Approval:

See Mitigation Measures and Recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None.

CONCLUSION:

Staff believes the required Findings for granting the Unclassified Conditional Use Permit can be made, based on the factors cited in the analysis and the recommended Conditions of Approval and Project Notes regarding mandatory requirements. Staff therefore recommends adoption of the Mitigated Negative Declaration prepared for the project and approval of Unclassified Conditional Use Permit No. 3604, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7429; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3604, subject to the Conditions of Approval and Project Notes attached as Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Unclassified Conditional Use Permit No. 3604; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

EA:

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**Mitigation Monitoring and Reporting Program
Initial Study Application No. 7429/Unclassified Conditional Use Permit Application No. 3604
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1*	Aesthetics	Ground equipment for the telecommunication tower shall be screened from view behind slatted fencing utilizing a non-reflective or earth-tone color.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
2*	Aesthetics	All outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets.	Applicant	Applicant/PW&P	As long as the project lasts

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Floor Plan and Operational Statement approved by the Planning Commission
2.	The approval shall expire in the event the use of the tower ceases for a period in excess of two years. At such time, the tower and related facilities shall be removed and the lease area shall be restored as nearly as practical to its original condition. This stipulation shall be recorded as a Covenant running with the land. Note: This Department will prepare the Covenant upon receipt of the standard processing fee, which is currently \$243.50.
3.	The maximum number of antennas allowed on the tower shall be determined based on wind load calculations as approved by the Fresno County Department of Public Works and Planning.
4.	The first 100 feet of driveway shall be paved or an approved surface as determined by Road Maintenance and Operations to prevent pebbles or debris onto the county right-of-way.
5.	Any proposed landscaping area over 500 square feet requires Landscape & Irrigation Plan review by the Site Plan Review (SPR) unit as mandated by the State, to ensure the Model Water Efficient Landscape Ordinance is met.

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document.
Conditions of Approval reference recommended Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.

EXHIBIT 1

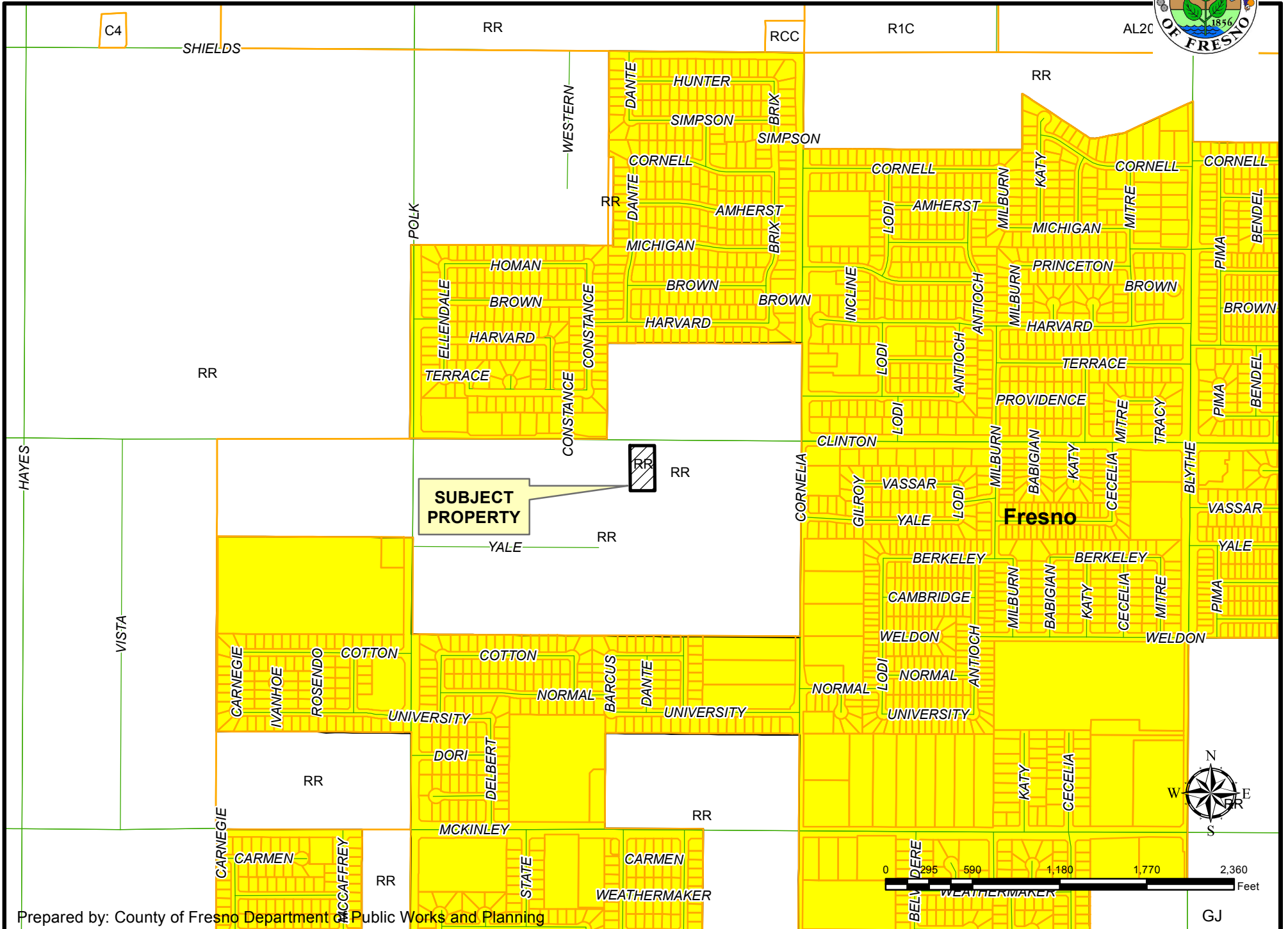
Notes	
2.	Plans, permits and inspections shall be required for all proposed improvements on the property, including fences/gate entrances exceeding six feet in height. Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 for information.
3.	Wind load calculations and footing designed by a registered civil engineer shall be submitted to the Building and Safety Section of the Fresno County Department of Public Works and Planning before permits are issued.
4.	Prior to any improvements constructed in the Clinton Avenue right-of-way, an encroachment permit shall be obtained from the Fresno County Road Maintenance and Operations Division.
5.	<p>To address health impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following:</p> <ul style="list-style-type: none"> • Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. • Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. • All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.
6.	<p>To address site development impacts, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> • A Grading Permit or Voucher shall be required for any grading proposed with this application. • Any additional runoff generated by the proposed development shall be retained or disposed of per County standards. • Any existing or proposed entrance gate shall be set back a minimum of 20 feet from the road right-of-way or the length of the longest vehicle entering the site and shall not swing outward. • A 20-foot by 20-foot corner cut-off shall be improved for sight distance purposes at the driveway approach off Clinton Avenue. • On-site turnaround area shall be provided so that the vehicles do not back out onto the roadway (Clinton Avenue).
7.	According to the Fresno Metropolitan Flood Control District (FMFCD), a temporary on-site storm water storage facility shall be required. Such facility shall be located and constructed so that once permanent FMFCD facilities become available, drainage can be directed to the street.
8.	The Applicant shall contact the San Joaquin Valley Air Pollution Control District's Small Business Assistance Office to identify District rules or regulations that may apply to this project or to obtain information about District permit requirements.
9.	Fresno Irrigation District's (FID) Tracy No. 44 runs southwesterly along the south side of Clinton Avenue approximately 2,300 feet east of the subject property. Plans for any street and/or utility improvements along Clinton Avenue shall be reviewed and approval by FID.

Notes	
10.	The Applicant shall submit three sets of project drawings to the Fresno Fire Department for review and approval.
11.	The Applicant shall file FAA Form 7460-1 with the Western Regional Office of the FAA in conjunction with the proposal.

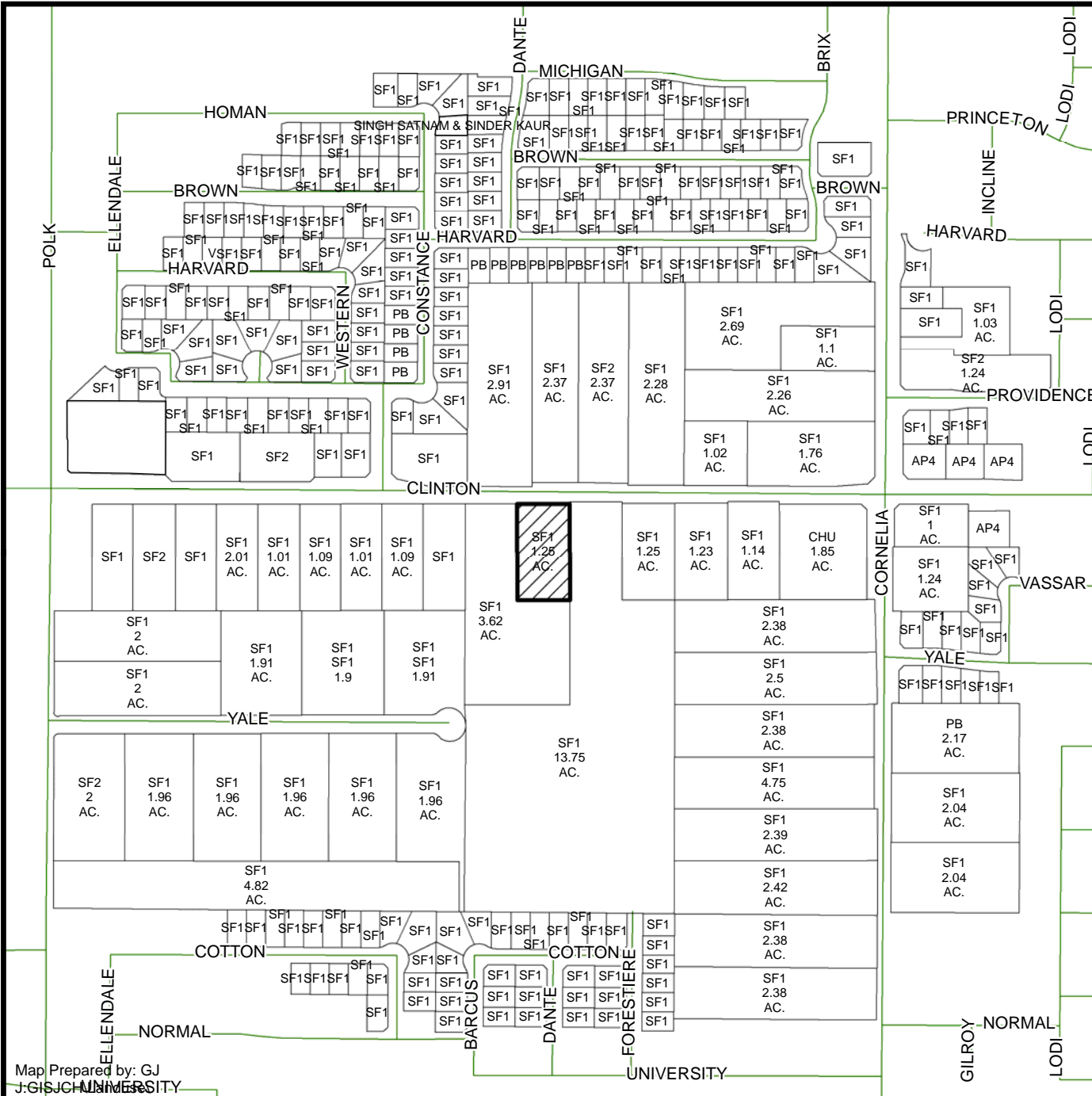
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EXISTING ZONING MAP



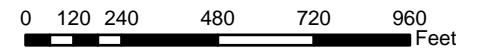
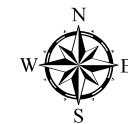
EXISTING LAND USE MAP



LEGEND	
[Symbol]	AP1 - APARTMENT
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[Symbol]	PONDING BASIN
[Symbol]	SF# - SINGLE FAMILY RESIDENCE
[Symbol]	V - VACANT

LEGEND:

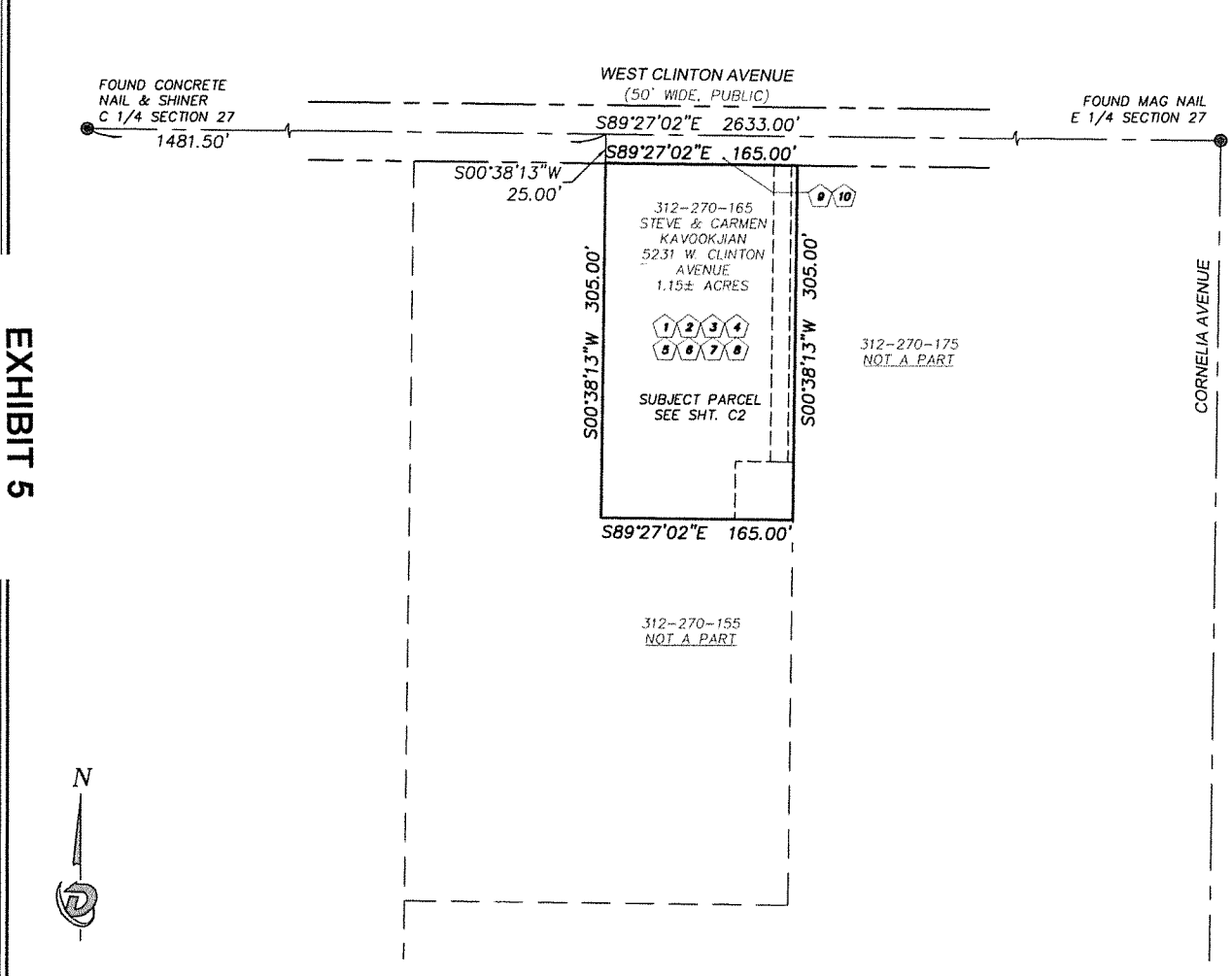
- Subject Property
- Ag Contract Land



Department of Public Works and Planning
Development Services Division

—●—	CENTERLINE
—	RIGHT-OF-WAY
—	SECTION LINE
—	PROPERTY LINE
—	ADJOINER LINE
—	TIELINE
⊙	FOUND MONUMENT AS NOTED
OR	OFFICIAL RECORD NUMBER

VICINITY MAP	
SHELDS AVE	PROJECT LOCATION
CLINTON AVE	
WORMLEY AVE	
PAUL AVE	
CORNELIA AVE	
BUTTE AVE	



SITE NAME/ NUMBER: CA055 WEST FRESNO TOWER
SITE ADDRESS: 3251 W. CLINTON AVENUE, FRESNO, CA 93722
OWNER'S NAME/ ADDRESS: STEVE & CARMEN KAVOOKJIAN, 3251 W. CLINTON AVENUE, FRESNO, CA 93722
PRESENT USE: RESIDENTIAL, ZONED: RR
ASSESSOR PARCEL NO (S): 312-270-165
NET AREA OF PARCEL(S): 1.15 ACRES
NOTE: A FIELD SURVEY WAS PERFORMED ON 8/21/17.
BASIS OF BEARINGS: CALIFORNIA STATE PLANE COORDINATES, ZONE 4 (NAD83 - GRID - U.S. SURVEY FEET)

BENCHMARK: NATIONAL GEODESIC SURVEY BENCHMARK
 DESIGNATION: V 677
 PID: GT1541
 BEING A BENCH MARK DISK SET IN TOP OF A CONCRETE MONUMENT STAMPED "V 677 1943"
 ELEVATION: 259.0 (US SURVEY FEET) 78.943 (METERS)
 BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)

FLOOD NOTE: AS SHOWN BY FLOOD INSURANCE RATE MAP NO. GDOI01654, DATED FEBRUARY 18, 2009, LOCATED IN UNSHADED ZONE X, AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

LEGAL DESCRIPTION:
 SITUATED IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA:
 THE EAST 165 FEET OF THE WEST 330 FEET OF THE NORTH 330 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 13 SOUTH, RANGE 19 EAST, MOUNT DIABLO BASE AND MERIDIAN, IN THE UNINCORPORATED AREA OF THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE UNITED STATES GOVERNMENT TOWNSHIP PLATS.
 TAX I.D. NUMBER: 312-270-165
 BEING THE SAME PROPERTY CONVEYED TO STEVEN E. KAVOOKJIAN AND CARMEN KAVOOKJIAN, HUSBAND AND WIFE, AS JOINT TENANTS, GRANTEE, FROM STEVEN A. KAVOOKJIAN, HUSBAND AND WIFE, GRANTOR, BY DEED RECORDED 02/05/2008, AS DOCUMENT NO. 2008-001662, OF THE FRESNO COUNTY RECORDS.

PARCEL INFORMATION
 I CERTIFY TO: INSITE TOWERS, LLC, AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, AND TO THEIR SUCCESSORS AND ASSIGNS, THAT:
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NPS LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM, AND NPS IN 2016 AND INCLUDES ITEMS 2, 3, 4, 5, 6, 7, 8, 10, 11A, AND 13 OF TABLE A THEREOF, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNLESS OTHERWISE SPECIFIED IN THIS CERTIFICATION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF CALIFORNIA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN. THIS SURVEY WAS COMPLETED ON 8/21/17.

SURVEYOR'S CERTIFICATE
 FRESNO COUNTY ZONING DATA NOT PROVIDED

INSITE TOWERS, LLC
 1199 N. FAIRFAX STREET #700
 ALEXANDRIA, VA 22314

PROJECT INFORMATION:

CA055
 WEST FRESNO TOWER
 APN: 312-270-165
 3251 W. CLINTON AVENUE
 FRESNO, CA 93722
 FRESNO COUNTY

CURRENT ISSUE DATE: 8/23/2017

ISSUED FOR: SURVEY

REV.	DATE	DESCRIPTION	BY

PLANS PREPARED BY:

Command Track
 Land Surveying
 8140 BRENT THURMAN WAY, SUITE 230
 LAS VEGAS, NEVADA 89148
 (702) 833-0015 (702) 833-9030
 ARIZONA-CALIFORNIA-NEVADA-UTAH-WASHINGTON

DRAWN BY: CHK: APV:
 RJA - -

LICENSURE:

SHEET TITLE: SURVEY ANALYSIS & PARCEL INFORMATION

SHEET NUMBER: C1 **REVISION:** 1

SURVEY ANALYSIS

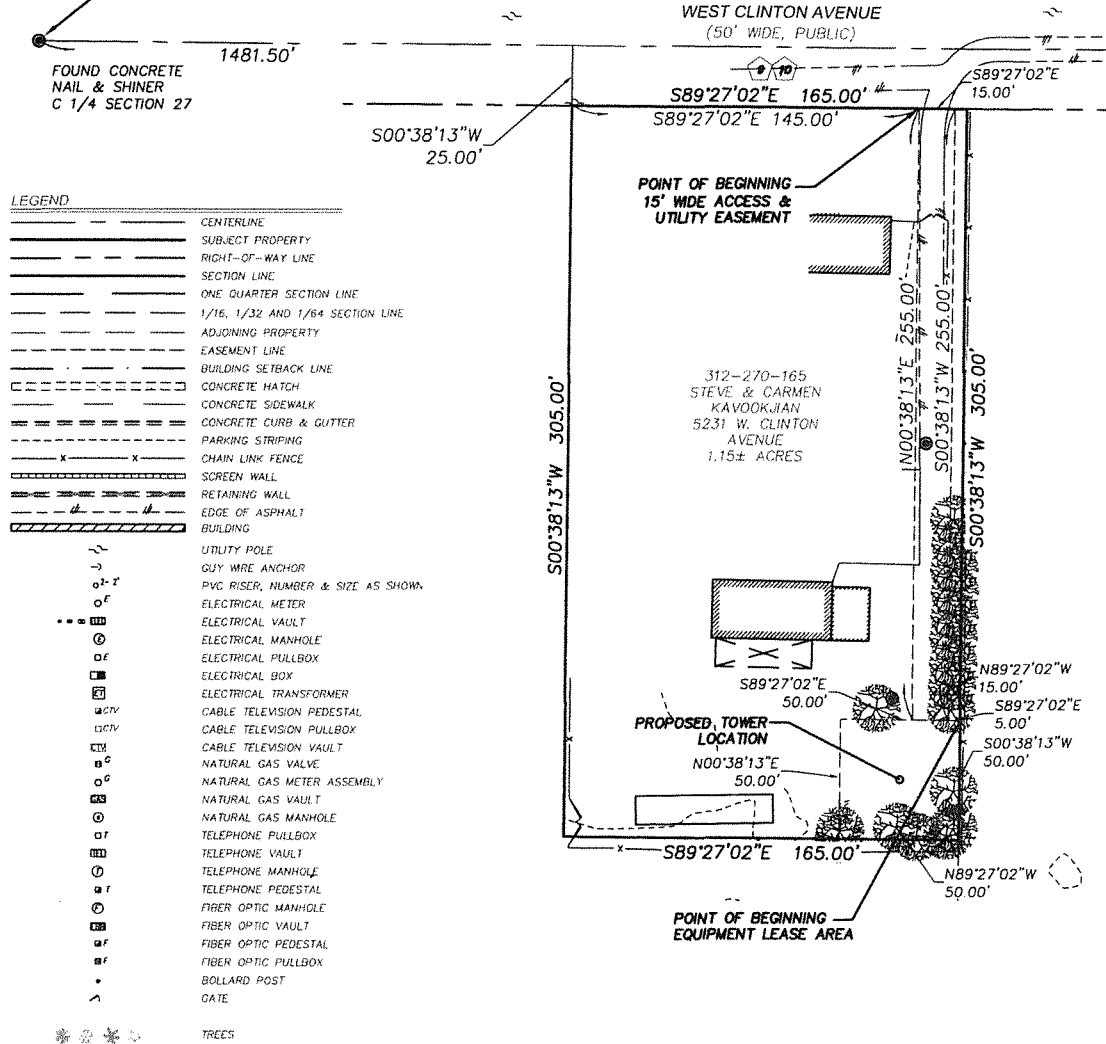
SCALE: 1"=200' 1 PLATTED SETBACK OR BUILDING RESTRICTIONS

EXHIBIT 5

ONLY THOSE EXCEPTION(S) LISTED IN TITLE REPORT FILE NO. 01-17043524-DIT, DATED 8/23/2017 AT 7:00 AM, PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, WHICH ARE NOT SOLELY FINANCIAL IN NATURE AND WHICH REFERENCE A DOCUMENT CONTAINING A SUFFICIENT LEGAL DESCRIPTION OF AREAS AFFECTED BY SAID DOCUMENT WERE CONSIDERED FOR THIS SURVEY AND RE-LISTED BELOW. ITEM NUMBERS CORRESPOND TO ITEMS NUMBERS IN SAID TITLE REPORT.

- 1 FACTS WHICH WOULD BE DISCLOSED BY A COMPREHENSIVE SURVEY OF THE PREMISES HEREIN DESCRIBED.
(AFFECTS PARCEL - BLANKET IN NATURE)
- 2 RIGHTS OR CLAIMS OF PARTIES IN POSSESSION OR RIGHTS OF TENANTS IN POSSESSION AS TENANTS ONLY UNDER UNRECORDED LEASES.
(AFFECTS PARCEL - BLANKET IN NATURE)
- 3 MECHANICS', CONTRACTORS' OR MATERIAL MEN'S LIENS AND LIEN CLAIMS, IF ANY, WHERE NO NOTICE THEREOF APPEARS OF RECORD.
(AFFECTS PARCEL - BLANKET IN NATURE)
- 4 ANY CHANGES IN TITLE OCCURRING SUBSEQUENT TO THE EFFECTIVE DATE OF THIS COMMITMENT AND PRIOR TO THE DATE OF ISSUANCE OF THE TITLE POLICY.
(AFFECTS PARCEL - BLANKET IN NATURE)
- 5 TAXES AND SPECIAL ASSESSMENTS FOR CURRENT TAX YEAR DUE AND ALL SUBSEQUENT YEARS.
(AFFECTS PARCEL - BLANKET IN NATURE)
- 6 DELETING FROM ANY INSTRUMENT IN THE PUBLIC RECORDS REFLECTED HEREIN, ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH MATTERS VIOLATE 42 USC 3604(c).
(AFFECTS PARCEL - BLANKET IN NATURE)
- 7 SUBJECT TO THE RESERVATION OF 1/2 OF THE ALL THE MINERALS, GAS, OILS, PETROLEUM, NAPHTHA AND OTHER HYDROCARBONS SUBSTANCES, RESERVED IN THE DEED, RECORDED 03/02/1938, IN BOOK 1851, PAGE 156 OF THE FRESNO COUNTY RECORDS.
(AFFECTS PARCEL - BLANKET IN NATURE)
- 8 SUBJECT TO THE RESERVATION OF A 1/4 INTEREST IN AND TO ALL OIL, GAS, MINERALS AND OTHER HYDROCARBONS SUBSTANCES, RESERVED IN THE DEED, RECORDED 09/28/2006, AS DOCUMENT NO. 2006-0189539 OF THE FRESNO COUNTY RECORDS.
(AFFECTS PARCEL - BLANKET IN NATURE)
- 9 RIGHT OF ENTRY FOR STREET AND UNDERGROUND IMPROVEMENTS, RECORDED 09/08/2006, AS DOCUMENT NO. 2006-0189539 OF THE FRESNO COUNTY RECORDS.
(AFFECTS PARCEL - PLOTTED HEREON)
- 10 DEED OF EASEMENT IN FAVOR OF THE CITY OF FRESNO, RECORDED 01/16/2007, AS DOCUMENT NO. 2007- 0008508 OF THE FRESNO COUNTY RECORDS.
(AFFECTS PARCEL - PLOTTED HEREON)

POINT OF COMMENCEMENT
PROPOSED LEASE AREA &
PROPOSED 15' ACCESS &
UTILITY EASEMENT



LEGEND

---	CENTERLINE
---	SUBJECT PROPERTY
---	RIGHT-OF-WAY LINE
---	SECTION LINE
---	ONE QUARTER SECTION LINE
---	1/16, 1/32 AND 1/64 SECTION LINE
---	ADJOINING PROPERTY
---	EASEMENT LINE
---	BUILDING SETBACK LINE
---	CONCRETE HATCH
---	CONCRETE SIDEWALK
---	CONCRETE CURB & GUTTER
---	PARKING STRIPING
---	CHAIN LINK FENCE
---	SCREEN WALL
---	RETAINING WALL
---	EDGE OF ASPHALT
---	BUILDING
---	UTILITY POLE
---	GUY WIRE ANCHOR
---	PVC RISER, NUMBER & SIZE AS SHOWN
---	ELECTRICAL METER
---	ELECTRICAL VAULT
---	ELECTRICAL MANHOLE
---	ELECTRICAL PULLBOX
---	ELECTRICAL BOX
---	ELECTRICAL TRANSFORMER
---	CABLE TELEVISION PEDESTAL
---	CABLE TELEVISION PULLBOX
---	CABLE TELEVISION VAULT
---	NATURAL GAS VALVE
---	NATURAL GAS METER ASSEMBLY
---	NATURAL GAS VAULT
---	NATURAL GAS MANHOLE
---	TELEPHONE PULLBOX
---	TELEPHONE VAULT
---	TELEPHONE MANHOLE
---	TELEPHONE PEDESTAL
---	FIBER OPTIC MANHOLE
---	FIBER OPTIC VAULT
---	FIBER OPTIC PEDESTAL
---	FIBER OPTIC PULLBOX
---	BOLLARD POST
---	GATE
---	TREES

InS te
TOWERS, LLC

1199 N. FAIRFAX STREET #700
ALEXANDRIA, VA 22314

PROJECT INFORMATION:

CA055
WEST FRESNO TOWER
APN: 312-270-185
3251 W. CLINTON AVENUE
FRESNO, CA 93722
FRESNO COUNTY

CURRENT ISSUE DATE:

8/23/2017

ISSUED FOR:

SURVEY

REV.: DATE: DESCRIPTION: BY:

REV.	DATE	DESCRIPTION	BY

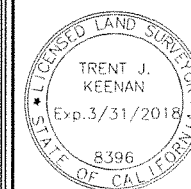
PLANS PREPARED BY:

Land Surveying
1140 BENTLEY BLVD., SUITE 230
LAS VEGAS, NEVADA 89140
(4) 702.833.0110 (F) 702.833.9010
ARIZONA - CALIFORNIA - NEVADA - UTAH - WASHINGTON

DRAWN BY: CHK.: APV.:

RJM - - -

LICENSURE:



SHEET TITLE:

TOPOGRAPHIC SURVEY,
LEGAL DESCRIPTIONS &
TITLE REPORT
INFORMATION

SHEET NUMBER: REVISION:

C2 1

CA055

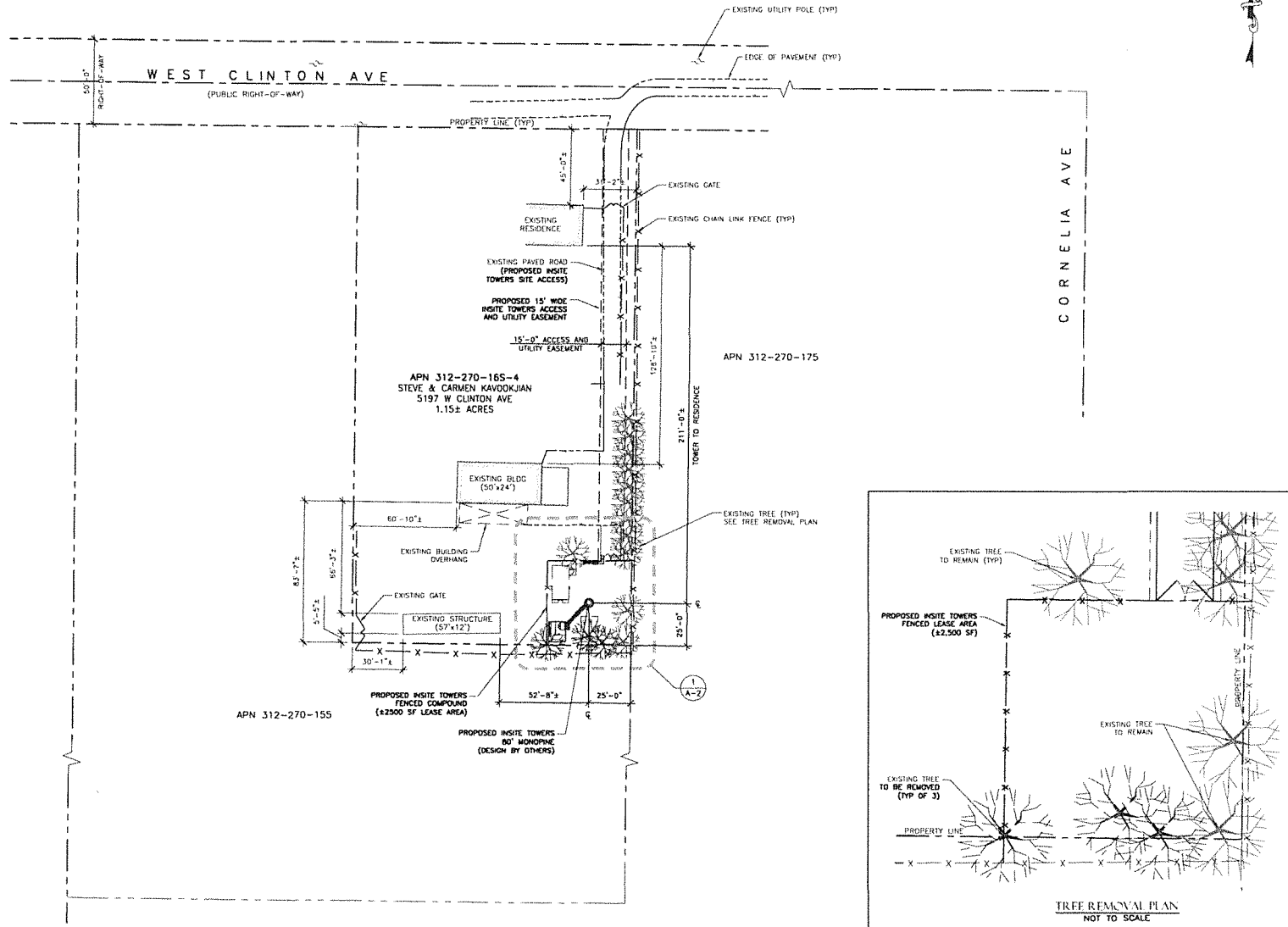
TITLE REPORT EXCEPTIONS

TOPOGRAPHIC SURVEY

SCALE: 1"=50'

NOTES.

1. VERIFY ALL PROPERTY LINE INFORMATION WITH EXISTING SURVEY DATA.



Know what's below.
Call before you dig.

22"x34" SCALE: 1" = 30'-0"
11"x17" SCALE: 1" = 60'-0"

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.

SITE PLAN |

DO NOT SCALE DRAWINGS. CONTRACTOR TO VERIFY ALL DIMENSIONS AND VERIFY CONDITIONS TO ANY DIMENSIONS. NO WARRANTY IS MADE BY THE ENGINEER OR ARCHITECT FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. THE ENGINEER OR ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF THE PROJECT.



CLIENT:
InSite Towers, LLC

IMPLEMENTATION TEAM:
IntelliSites, LLC

AAE TEAM:
MORRISON HERBFIELD
600 Stewart St., Suite 200
Southwest, WA 98501
Tel: (206) 264-3700
www.morrisonherbfield.com

PROFESSIONAL CERTIFICATION

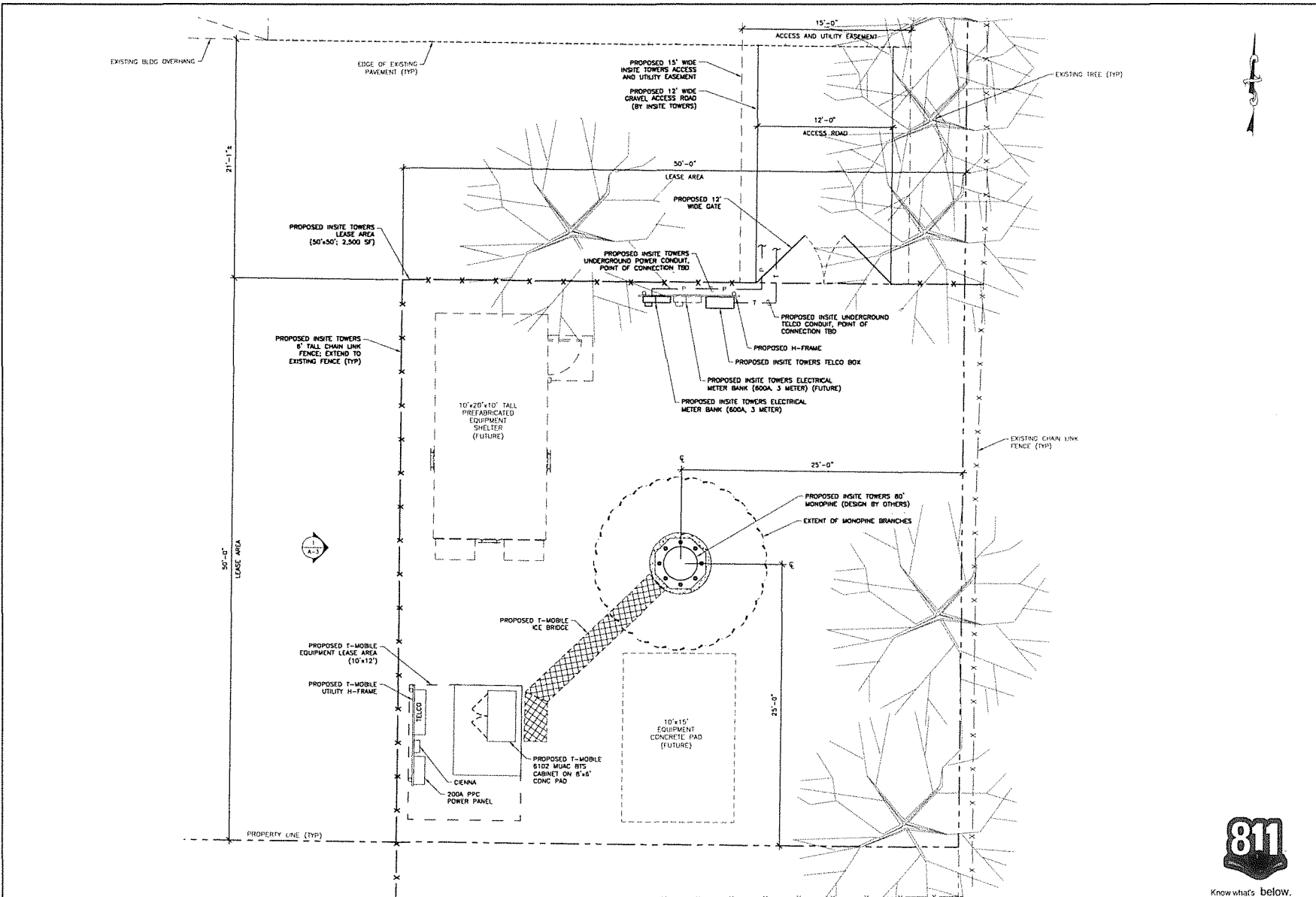
PROJECT:
WEST FRESNO CA055
FAWELL & BARKER, CLINTON AVE
5197 W CLINTON AVE
FRESNO, CA 93722

REVISIONS			
NO.	DATE	DESCRIPTION	INITIALS
A	05/12/18	ROW TO REVIEW	JA
B	05/25/18	ROW TO REVIEW	JA
C	07/25/18	ROW TO REVIEW	JA
D	07/25/18	ROW TO REVIEW	JA

AVE PROJECT NO: FRES012
DRAWN BY: JA
REVIEWED BY: GC

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
A-1



NOTE:
PROPOSED T-MOBILE ANTENNAS NOT SHOWN FOR CLARITY; SEE ELEVATIONS

22"x34" SCALE: 1/4" = 1'-0"
11"x17" SCALE: 1/8" = 1'-0"

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY IN NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.

CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND UTILITIES PRIOR TO COMMENCEMENT OF WORK. NO WORK SHALL BE PERMITTED TO PROCEED UNLESS ALL DIMENSIONS AND UTILITIES HAVE BEEN VERIFIED WITH THE ARCHITECT AND THE PROVIDING CONTRACTOR HAS BEEN ADVISED.



IMPLEMENTATION TEAM
IntelliSites, LLC
1625 ARDEN BOULEVARD, SUITE 1000
SAN ANTONIO, TEXAS 78202

A/E TEAM
M
MORRISON HERSHFIELD
610 STEWART ST., SUITE 200
DUNSMITH, WISCONSIN 53125
TEL: (262) 255-7370
WWW.MORRISONHERSHFIELD.COM

PROFESSIONAL CERTIFICATION

PROJECT:
**WEST FRESNO
CA055**
FACILITY FOR CLINTON AVE
5197 W CLINTON AVE
FRESNO, CA 93722

REVISIONS			
NO.	DATE	DESCRIPTION	INITIALS
A	01/12/2016	ADD 2D REVIEW	JA
B	01/23/2016	ADD 2D REVIEW	JA
C	01/23/2016	ADD 2D FINAL	JA

A/E PROJECT NO.	7170312
DRAWN BY	JA
REVIEWED BY	SC

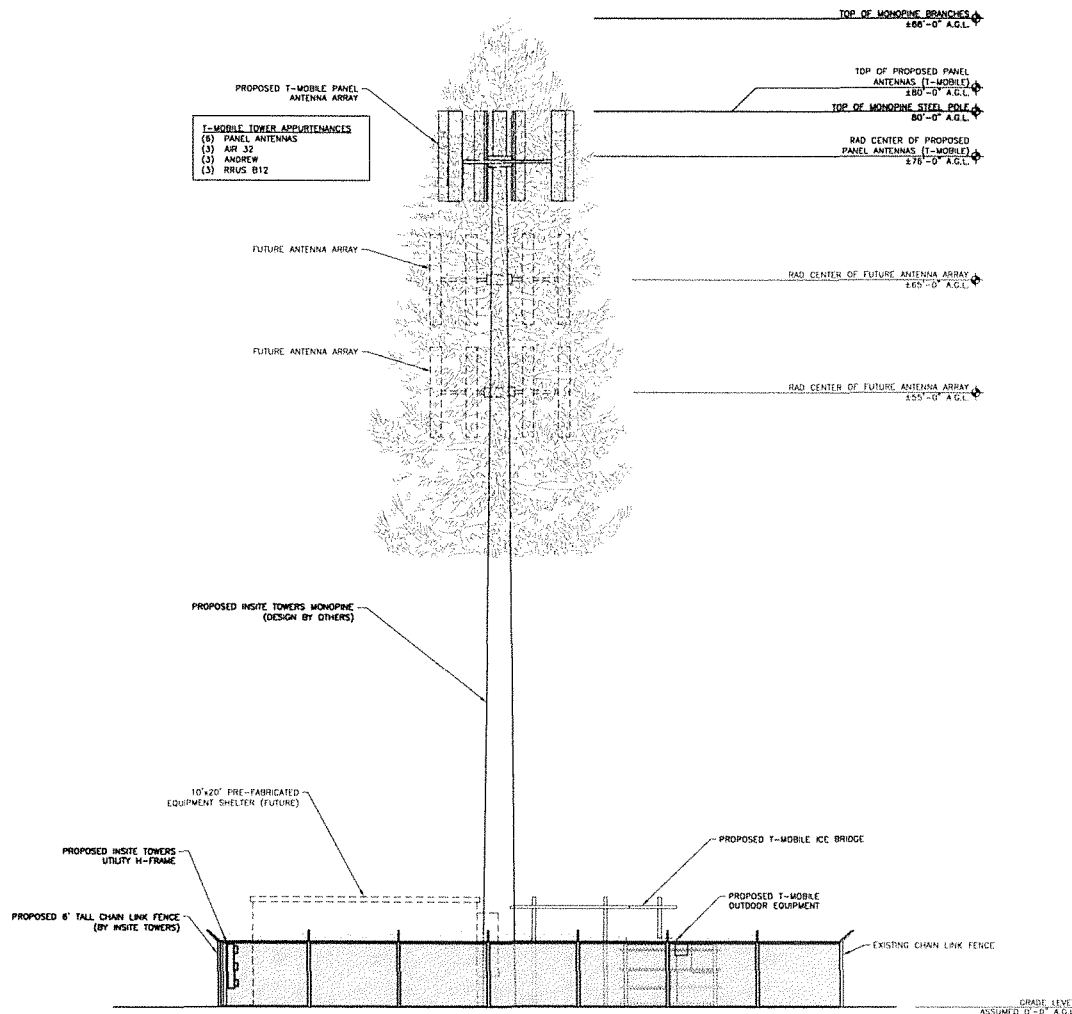


Know what's below.
Call before you dig.

SHEET TITLE
COMPOUND PLAN

SHEET NUMBER
A-2

COMPOUND PLAN |



- NOTES:**
- NO WORK SHALL COMMENCE WITHOUT THE APPROVED TOWER STRUCTURAL ANALYSIS REPORT SIGNED AND SEALED BY A LICENSED PROFESSIONAL ENGINEER UNDER SEPARATE COVER. ANTENNA MOUNT DESIGN BY MANUFACTURER.
 - REFER TO ENGINEERED DRAWINGS FOR DESIGN/ENGINEERING OF MONOPINE AND ITS FOUNDATION BY TOWER MANUFACTURER.
 - POLE DESIGN AND ENGINEERING BY POLE MANUFACTURER.
 - PAINT ANTENNAS AND MOUNTS DARK GREEN TO MATCH BRANCH COLOR PRIOR TO INSTALLATION.
 - TOWER PAINTING BY MANUFACTURER AND TOUCH UP POST INSTALLATION AS REQUIRED. PAINT LOWER PORTION OF POLE DARK BROWN, PAINT PORTION AT BRANCH LEVEL DARK GREEN TO MATCH BRANCHES.
 - MONOPINE TO HAVE A BRANCH DENSITY OF A MINIMUM OF THREE (3) BRANCHES PER LINEAL FOOT AND BRANCHES THAT PROTRUDE BEYOND THE ANTENNA ARRAY PANELS. PLACE "CAMOUFLAGE SOCKS" FOR THE PURPOSE OF OBSCURING VIEWS OF THE PROPOSED ANTENNA ARRAY.
 - MONOPINE TOWER SHALL BE DESIGNED TO BE CLIMBABLE.

T-MOBILE TOWER APPURTENANCES

- (6) PANEL ANTENNAS
- (3) AR 32
- (3) ANDREW
- (3) RRU5 B12

THIS IS A CONTRACT DOCUMENT. IT IS THE PROPERTY OF INTELLISITES, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. ANY REUSE OR MODIFICATION OF THIS DOCUMENT WITHOUT THE WRITTEN PERMISSION OF INTELLISITES, LLC IS STRICTLY PROHIBITED.

CLIENT

IMPLEMENTATION TEAM

IntelliSites, LLC
 1027 ARROYO BLVD STE 100, FRESNO, CA 93722
 PHONE: 559.239.9600

AGE TEAM

MORRISON HERBFELD
 600 SIVAN BLVD SUITE 200
 SUITE 200, VALENTIA, CA 94591
 TEL: (925) 295-7370
 www.morrisonherbfeld.com

PROFESSIONAL CERTIFICATION

PROJECT:

WEST FRESNO
CA055
 FARMER NORTH CLINK NAVE
 5197 W CLINTON AVE
 FRESNO, CA 93722

REVISIONS

NO.	DATE	DESCRIPTION	INITIAL
A	01/12/16	NOE 2D REVIEW	JA
B	01/25/16	NOE 2D REVIEW	JA
C	01/25/16	100% 2D FINAL	JA

AVE PROJECT NO.	7175212
DRAWN BY	JA
REVIEWED BY	RL

SHEET TITLE
 SITE ELEVATION

SHEET NUMBER
A-3

22"x34" SCALE: 3/16" = 1'-0"
 11"x17" SCALE: 3/32" = 1'-0"

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.

WEST ELEVATION | 1



February 1, 2018

County of Fresno
Attn: Development Services Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721

Re: Application for an Unclassified Conditional Use Permit for a Wireless Communication Tower Pre-Application Review No. 39220 - Parcel # 312-270-16S-4

To Whom It May Concern:

Please find enclosed an application package for an Unclassified Conditional Use Permit to allow an 80' communications tower (Monopine Design) in a Rural Residential (RR) zoning district to be located 5197 West Clinton Ave., Fresno, CA 93722 (Parcel # 312-270-16S-4). This letter will serve as the applicant's **Operational Statement** for the proposed project.

1. Nature of the Operation:

InSite Towers is proposing to construct a new co-locatable 80' Wireless Communication Tower (stealth designed as a pine tree; aka Monopine Design) within a 50' x 50' sq. ft. lease area to be located in the southeast portion of the subject parcel. The proposed Monopine design was chosen because it closely matches the existing eucalyptus trees located throughout the property and surrounding the lease compound, which provides additional screening of the facility from neighboring parcels. T-Mobile will be co-locating at the site upon construction completion. The 50' x 50' lease compound will encompass the Monopine tower and each tenant's associated equipment, which will be enclosed and secured by a 6' tall chain link fence on the north, south and west sides of the lease compound. The east side of the compound will remain undisturbed to retain the existing eucalyptus trees and wood fencing. The project site has a lot of mature landscaping on the property, which will blend the monopine tower in with the existing property foliage. The site will be completely screened from the public right of way (West Clinton Road) by the existing solid wood fence and mature landscaping located throughout the parcel. Please find enclosed a photo simulation depicting four (4) different views for further reference.

2. **Operational Time Limits:** The Communication Tower is an un-manned facility that houses antennas operated by various wireless service providers. The site is in operation 24 hours a day, 7 days a week but is only visited on average by each wireless tenant once per month for routine maintenance.
3. **Number of Customers or Visitors:** T-Mobile will be locating at the site upon construction completion and will be the only customer on site initially. However, the site will be marketed to attract other wireless customers, such as Verizon, AT&T and Sprint who serve the California market.
4. **Number of Employees:** The project is an un-manned wireless communication facility, which does not require any on-site employees.

5. **Service and delivery vehicles:** The project does not require the use of any service or delivery vehicles. Other than the service vehicles that may visit the site on average of once per month for routine maintenance of the facility.
6. **Access to the Site:** Access to the site will be from a public road (Clinton Ave.) and along a private paved driveway on the property.
7. **Number of parking spaces for employees, customers, and service delivery vehicles:** The project will have ample space for parking along the private paved driveway.
8. **Are there any goods to be sold on-site?** No.
9. **What equipment is used?** The only equipment that would be used on site would be during the actual construction of the facility.
10. **What supplies, or materials are used and how are they stored?** There are no supplies nor materials stored on site.
11. **Does the use cause an unsightly appearance?** The use will be stealthed to look like a pine tree and will be strategically camouflaged by existing eucalyptus trees surrounding the lease area, in addition to the mature landscaping on the property.
12. **List any solid or liquid wastes to be produced.** None.
13. **Estimated volume of water to be used (gallons per day)?** None.
14. **Describe any proposed advertising including size, appearance and placement?** There will be NO advertising on the proposed site; only a Site ID sign with contact information for tenants measuring 18" x 12", in addition to an 8" x 12" sign required by the FCC that addresses RF Emissions 47 CFR 1.1307(b) and an 8 ½" x 11 ½" sign that addresses Guidelines for working in RF Environments.
15. **Will existing buildings be used, or will new buildings be constructed?** No existing buildings will be used for this project and no new buildings will be constructed.
16. **Explain which buildings or what portion of buildings will be used in the operation.** None.
17. **Will any outdoor lighting or an outdoor sound amplification system be used?** None.
18. **Landscaping or fencing proposed?** The property is already heavily landscaped with a variety of mature trees, various shrubs and flowers. The existing mature tree growth around the perimeter of the lease area (consisting of eucalyptus trees) will be preserved and provides additional screening of the site and compound from neighboring properties and from street view.
19. **Any other information that will provide a clear understanding of the project or operation.**

The following will address the information requirements for communication tower applicants as outlined in the **Wireless Communication Guidelines**, as follows:

- a.) **Justification for the tower:** The major issue is the capacity in this area, but it is also lacking new coverage. There are so many users, and the existing tower sites to the north east and south are congested and overloaded. This is causing a lot of dropped calls, and the internet not to work in the

homes of T-Mobile's customers. This site will offload both the Site #SC08754A located at 3393 North Parkway Drive and site # SC08738A located at 959 N Parkway Drive. While offloading the other sites, it also provides new indoor and outdoor coverage for all the residential near the proposed site and to the west, northwest, and southwest. The population to the northwest, southwest, and west, is minimal compared to the population and homes to the east that needs the coverage the most due to the higher density of population using phones. If we move the site any further to the west, we miss out on the indoor coverage for the homes between this site and the two existing sites mentioned above, and that is the major purpose of this site. If the site is moved to the west, then the other two sites don't receive the help they need, so they will still be congested because they cover the Highway, the population to the west, and population east of the Highway. This would cause the need for an additional site to offload both sites again. T-Mobile has a lot of complaints due to congestion in this area, and we are pursuing this site to fix this network and customer problem.

b.) Service Coverage Maps (18 copies enclosed), which shows coverage without the proposed site and coverage with the proposed site. The maps also show what coverage would have been had they been successful in co-locating on the City of Fresno tower and the AT&T tower on the City of Fresno property, which are not options since the city will not lease to any more wireless tenants at this location.

c.) Location of existing / future tower sites within a 5-mile radius of the proposed site. The enclosed coverage maps show the existing tower sites, including the subject site of this application, which are:

- **SUBJECT SITE: 5197 W. Clinton Ave.** If approved, T-Mobile will co-locate at the 75' centerline on a proposed 80' Monopine owned by InSite Towers Development 2, LLC. Site #SC40143C.
- 3393 N. Parkway Drive. T-Mobile is currently co-located on a 280' lattice tower owned by Crown Castle. Site # SC08754A.
- 959 N. Parkway Drive. T-Mobile is currently co-located on a 60' monopole owned by Crown Castle. Site # SC08738A.
- 1415 W. Shields Ave. T-Mobile is currently co-located on a 78' monopole owned by Crown Castle. Site # SC08740A.
- 1443 W. Ashl (no situs – utility address). T-Mobile is currently co-located on a 70' monopole owned by Crown Castle. Site # SC08744A.

The following are (2) other future sites that T-Mobile is pursuing within a 5-mile radius of the proposed site:

- 5173 E. Pitt Ave., Fresno, CA – T-Mobile is co-locating at the 50' centerline on an existing 74' Monopine owned by American Tower Corporation. Site # SC08772B
- 1172 Willow Ave., Fresno, CA – T-Mobile is co-locating at the 65' centerline on an existing 70' monopole owned by American Tower Corporation. Site # SC08780A

d.) Documentation on efforts to co-locate on existing towers / structures in the area. T-Mobile pursued co-location on the (2) existing towers located on the City of Fresno property near the water district facility at 2224 North Brawley Ave. However, the City of Fresno will not lease any more space to carriers on their tower (will not allow more than 2 carriers on-site) nor are they willing to give up any more ground space, so a carrier could co-locate on the other tower owned by AT&T. Enclosed

please find multiple emails detailing T-Mobile's attempts to co-locate on these towers and the City's response and reasoning for their refusal to lease.

- e.) Detailed information documenting consideration of any alternative sites (other than towers). InSite has diligently researched the area and determined there were no other available towers, water tanks, light standards, and other utility structures, or other antenna support structures within the necessary geographic area, which could be utilized instead of the proposed site location. NOTE: We also reviewed the PG&E tower located 2.0 miles to the west of the City of Fresno property, but it was way too far west/north for T-Mobile's coverage objectives.
- f.) Documentation that provisions are included in your lease agreement that reserves colocation opportunities for other carriers. The applicant's primary business is in the leasing, subleasing and licensing portions of its telecommunication facilities to its customers. I have enclosed redacted portions of the ground lease agreement (highlighting those sections pertaining to our right to sublease space). More information on the applicant can be found at www.insitewireless.com.
- g.) Depict on site plan the area available within the tower site to accommodate other future equipment buildings/towers. InSite Towers has designed the site to allow for future co-location of two (2) additional wireless communication providers at the tower site. Please refer to page A-2 (Compound Plan) of the site plan, which shows a future 10' x 15' equipment concrete pad site (for future tenant) and a 10' x 20' pre-fabricated equipment shelter (for future tenant). Additionally, on page A-3 (Elevations), the tower can accommodate (2) additional tenants at 55' and 65' centerline on the tower.
- h.) Identify the distance and location of the nearest residence(s) within one-quarter mile from the proposed tower site. The map below shows a 1/4 mile circle radius from the proposed site, which is located within a Rural Residential zone. The closest residence is on the subject site.



- i.) Identify the location of any airstrip or airport within a five-mile radius of the proposed tower site:
The applicant obtained a preliminary FAA Opinion Letter from Wireless Applications Corp. (copy enclosed), which indicated that the proposed site is 3.841 nautical miles (and/or 4.42 miles) from the nearest public landing facility – FCH Fresno Chandler Executive, which does not exceed FAR 77.9 (a) or FAR 77.9 (b) Notice Criteria for FCH Airport. NOTE: The proposed site is also 9.23 miles west of the Fresno Yosemite Int'l Airport.
- j.) Identify total number of existing towers in Fresno County: T-Mobile is currently co-located on 126 tower sites within the County of Fresno. Please find enclosed a detailed list of the 126 tower sites.
- k.) Identify total number of existing tower sites on which co-location has occurred with other communication carriers. T-Mobile does not own any of its tower sites and are co-located on all the above referenced list of towers located in Fresno County.
- l.) Indicate the total number of tower sites planned for location in Fresno County. The total number of tower sites planned for construction at this time are one; the subject site of this application. T-Mobile also is planning to co-locate on two (2) other sites: an existing 74' Monopine located at 5173 E. Pitt Ave., Fresno, CA and another colocation on an existing 70' monopole tower located at 1172 Willow Ave., Fresno, CA as mentioned previously.

20. Identify all Owners, Officers and/or Board Members for each application submitted:

Applicant:

InSite Towers Development 2, LLC
 No individuals own more than 5% of the company
 Mr. David Weisman, CEO
 1199 N. Fairfax St. – Suite #700
 Alexandria, VA 22314
 (703) 535-3009

Property Owners:

Steven & Carmen Kavookjian
 5197 W. Clinton Ave.
 Fresno, CA 93722
 (559) 375- 6671

Applicant / Property Owner Representatives:

IntelliSites, LLC
 Debbie DePompei & Todd Fuson, Owners
 Nefi Garcia, Independent Contractor to IntelliSites, LLC
 8822 Arroyo Azul Street
 Las Vegas, NV 89131
 (702) 430-8369

InSite Towers seeks to minimize the visual impact to the immediate area when searching for suitable candidates for our communication tower sites. This project was pursued because of a lack of existing tower structures to collocate on, landlord interest, and the ability to locate a new facility while minimizing the impact on the surrounding area.

Thank you for considering InSite Tower's application for a new Wireless Communication Tower. Please feel free to call me at (702) 430-8369 (Office) or at (702) 501-0882 (Mobile) should you have any questions regarding this application.

Sincerely,



Debbie DePompei - *Principal*
IntelliSites, LLC – representing InSite Towers, LLC

Enclosures: Pre-Application Review
Green Application Form
Grant Deed (Legal Description)
Initial Study Application
(4) Photo Simulations
Photographs of Site Location
Redacted Copy of Ground Lease Agreement (sections pertaining to subleasing/colocation)
Wireless Applications Corp (FAA Opinion Letter)
Documentation of efforts to co-locate on existing City of Fresno towers
(18) color copies of service coverage maps
List of T-Mobile (Co-location) Tower Sites in Fresno County
(4) Site Plans - folded (18" x 24")
(1) Site Plan – (11" x 17")
Check # 038297 \$15,019.00 (Filing Fee)



February 8, 2018

County of Fresno
Attn: Development Services Division – Attn: Ejaz Ahmad, Planner
2220 Tulare Street, 6th Floor
Fresno, CA 93721

**Re: Application for an Unclassified Conditional Use Permit for a Wireless Communication Tower
Pre-Application Review No. 39220 - Parcel # 312-270-16S-4**

Dear Ejaz:

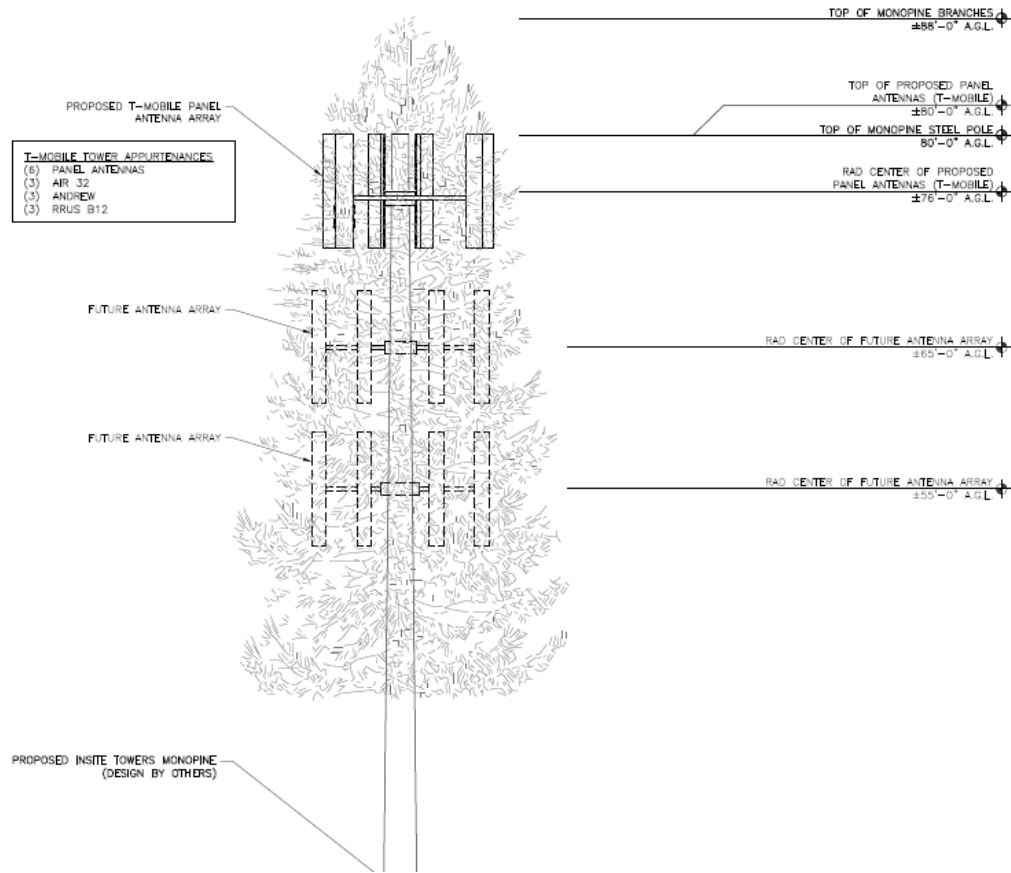
The purpose of my correspondence is to provide additional information relating to the City of Fresno Policy Guidelines for cell towers, which was not included in (CUP3604 Op. Stat. Guidelines). We understand that since our proposed tower is within one-half mile of the boundaries of the City of Fresno, we are required to give consideration to City-adopted Guidelines, which we felt we accomplished as follows:

The City of Fresno's Policy relating to the citing of wireless communication facilities specifically states that this policy was enacted "In order to preserve the integrity of local aesthetics, attractive external appearances and an appealing environment". With that in mind, InSite Towers felt that it met the intent of this policy by proposing a design that would fit in aesthetically with the characteristics of the property. The primary reason InSite elected to go with the Monopine design, as opposed to the steel slim line monopole design outlined in the City's Policy, was because it more closely mirrored the existing eucalyptus trees located in and around the project site enabling the applicant to blend the facility in with the natural landscaping of the surrounding environment. A tree design "fits" the local aesthetics and is much more attractive than a steel slim line monopole would be to the neighboring properties. The property owner has been very proactive in meeting with his surrounding neighbors to discuss the proposed project, in addition to showing them the photo simulations, which have been well received to date.

As stated in Section 2 of the City's Procedural Guidelines, item G states that "the City's Director of Planning may condition architectural features (Monopine, Monopalm, horizontal installation, application of color) to a mast or facility structure to ensure compatibility with the surrounding physical environment". We considered what the City's Director may impose given the surrounding physical environment by being proactive and proposing a stealth (Monopine) facility from the onset – without the Director's ruling.

In considering the policy guidelines under Section 1B established for "Co-location of Multiple Telecommunication Carriers on a Single Mast", it states that a facility designed for co-location of multiple carriers shall be 70' to **80'**. As you can see from the tower elevation inserted on the next page below, we have designed an 80' Monopine facility capable of accommodating multiple carriers with T-Mobile located at the top 76' centerline, which affords space for two (2) additional carriers at 65' and 55'. Please note that

the monopole structure itself is 80', however, in order to retain the stealth pine tree design, the pine branches do extend up to conceal the top array of antennas, which increases the overall height to approximately 88'.



In reviewing item #11 of Section 1B, it states that “a telecommunication mast may exceed 80 feet in height only when special conditions exist such as attachment of additional wireless antennas..... which will be considered on a case by case basis”. First, the actual tower structure itself is only 80’ in height and is designed for the attachment of additional wireless antennas (specifically 2 more carriers after T-Mobile is installed). We would contend that the special condition in this case is the fact that the pine tree branches extend approximately 8’ beyond the 80’ allowed for Multiple Carriers on a Single Mast, which only accounts for the pine tree branches to make the facility stealthed to look like a natural pine tree as opposed to having a flat top at 80 feet.

Additionally, the 80’ structure height is imperative, so the tower has enough vertical height to accommodate multiple carrier’s antennas, which range in size from 6’ to 10’ in length. And with an 80’ structure, this enables the applicant to accommodate a total of three carriers with the lowest available centerline being 55’. Typically, a carrier will not want to be any lower on a tower because of potential interference caused by obstructions such as houses, buildings, tall trees, etc. Additionally, the City’s Guidelines under section B, number 3, also state that “antennas may be vertically stacked not exceeding a total measurement of 40’ downward from the mast so this also limits the number of carriers that can be located on any one structure as well – given the fact that 70’ to 80’ is the max height considered by the City for multi-carrier sites.

We followed the City's Guidelines that applied to the Co-location of Multiple Telecommunication Carriers on a Single Mast since the proposed tower is being built to accommodate multiple carriers. The applicant's primary business is in the development of multi-carrier towers. InSite Towers (www.insitewireless.com) is the largest privately owned wireless communication tower company in the U.S. headquartered in Alexandria, VA, which currently owns and operates approximately 1,200+ multi-carrier wireless communication tower sites in the United States, Puerto Rico and U. S. Virgin Islands. InSite Towers is an experienced multi-tenant tower developer and will be marketing the tower site to attract co-locations from other carriers as well. For example, I am a Verizon Wireless user and their coverage in this area is also very poor (like T-Mobile's), so InSite will be meeting to discuss colocation with Verizon once the tower has been approved.

And lastly, to address Section D (Landscaping/Fencing), item #1 states that a landscape buffer should be included if it is visible from a public right of way. And item #3 requires that a 6' high solid wall or fence be installed around the equipment compound and/or a slatted chain-link fence would be considered if the equipment facility is substantially masked from public view. The photo simulations we submitted should provide enough visual verification that this facility will be heavily screened with existing landscaping on the property and cannot be seen from Clinton Ave because the facility is located in the rear yard of the property setback more than 300' to the south of Clinton Ave. With this in mind, the applicant has proposed a 6' chain-link fence but would have no issues installing slats as well if the City wanted to impose that condition.

I feel it's important to mention again that efforts were made to locate on the two (2) existing towers that are on the City of Fresno's property near the water district facility at 2224 North Brawley Ave We provided documentation of multiple emails detailing T-Mobile's attempts to co-locate on these towers and the City's response and reasoning for their refusal to lease. The City of Fresno has taken the position that it will not lease any more space to carriers on their tower (will not allow more than 2 carriers on-site) nor are they willing to give up any more ground space, so a carrier could co-locate on the other tower owned by AT&T. This provides a significant barrier to other carrier's seeking improved coverage to this area unless a multi-carrier solution is approved.

We also reviewed a PG&E tower located 2.0 miles west of the City of Fresno property (solely within the County's jurisdiction), but it way too far west/north for T-Mobile's coverage objectives.

We hope you will concur that we have made significant efforts in both exhausting all our options before arriving at the subject property, in addition to considering the City-adopted Guidelines in our efforts to provide a multi-carrier solution to improving coverage to this area.

Please feel free to call or email me if you require any further information. I can be reached at (702) 429-0410 or nefigarcia@gmail.com.

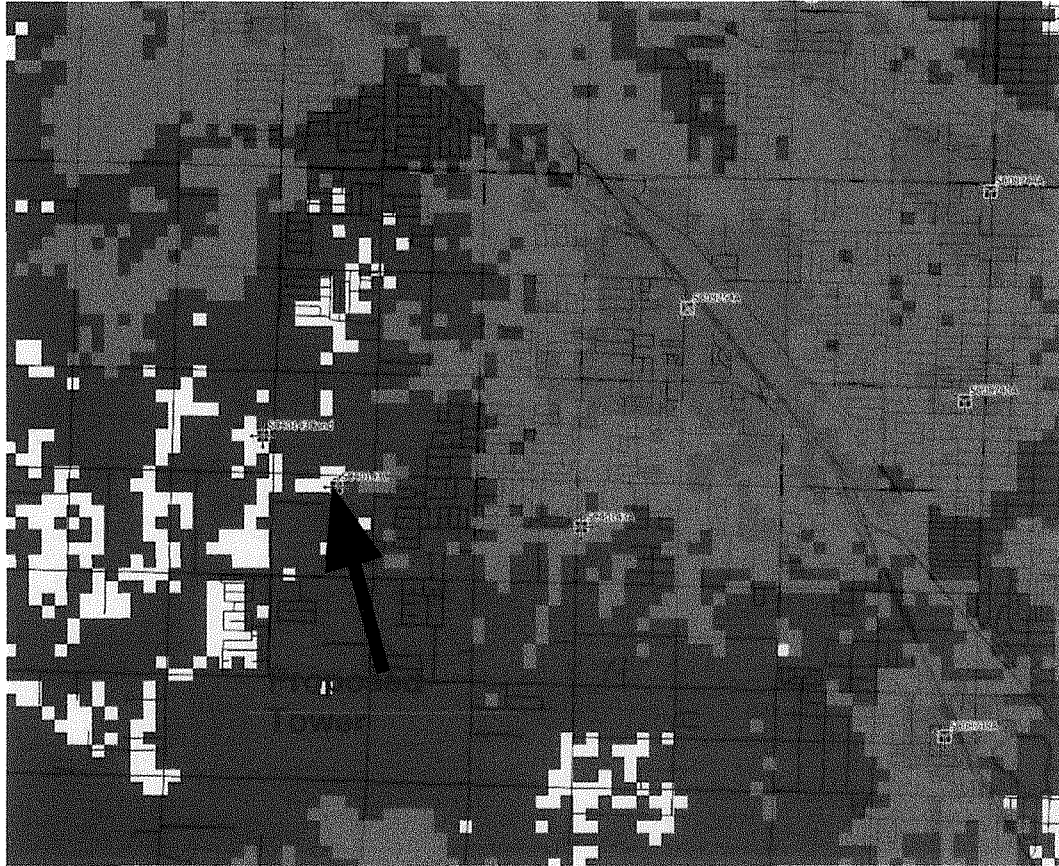
Sincerely,

Nefi Garcia

Nefi Garcia
Representing InSite Towers Development 2, LLC

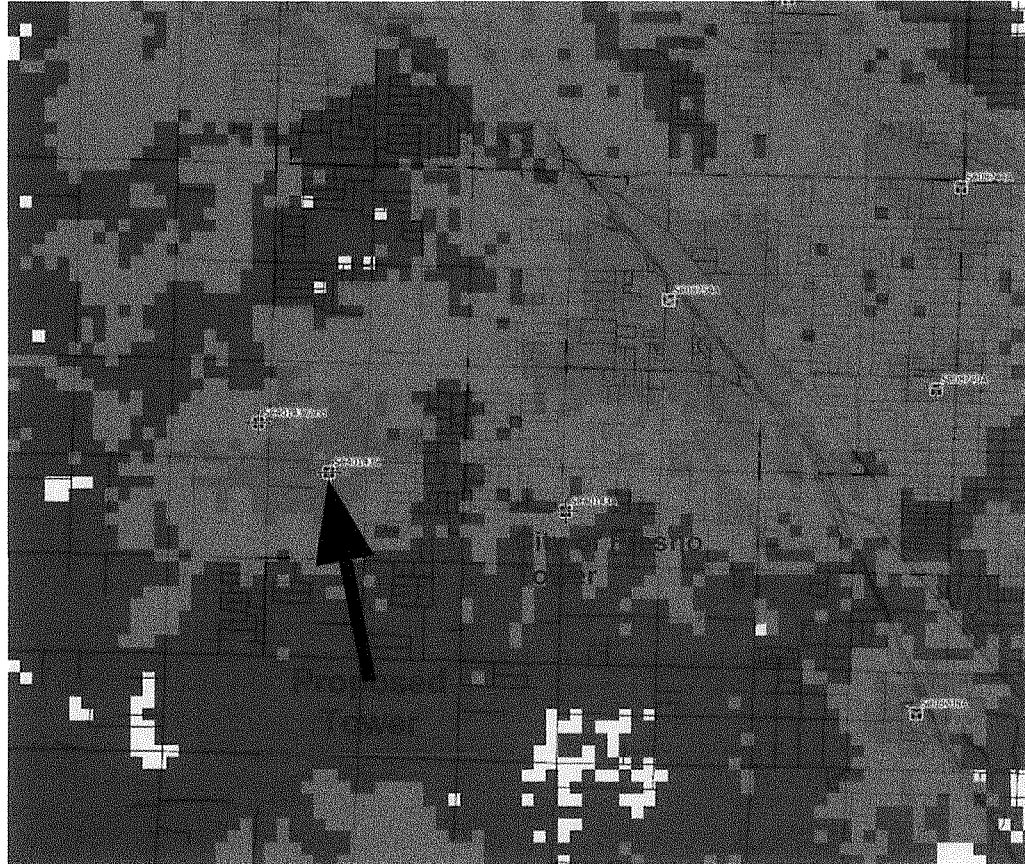
Current Coverage (WITHOUT Proposed Tower Site -SC40143C)

EXHIBIT 7



Minimum	Maximum	Label	Colour
-125	-115		
-115	-105		
-105	-95		
-95	-85		
-85	-75		
-75	-65		
-65	-55		

Future Coverage (WITH Proposed Tower Site @ 70' - SC40143C)







LOCATION

©2018 Google Maps



EXISTING

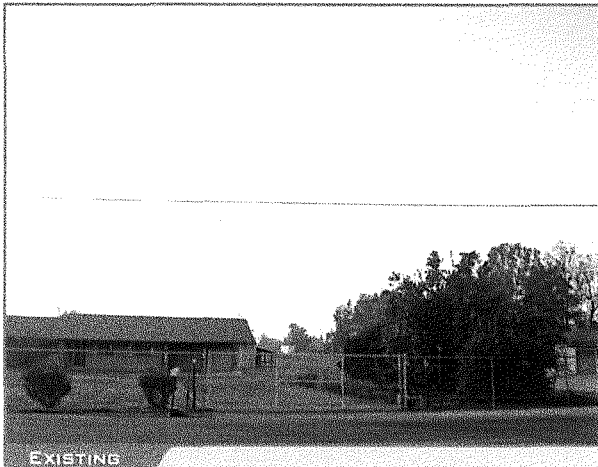


PROPOSED MONOPINE

PROPOSED

LOOKING NORTHEAST FROM YALE AVENUE







County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: InSite Towers, LLC
- APPLICATION NOS.: Initial Study Application No. 7429 and Unclassified
Conditional Use Permit Application No. 3604
- DESCRIPTION: Allow an unmanned telecommunications facility consisting of an 80-foot-tall wireless communication tower (monopine design) with related facilities on an approximately 2,500 square-foot portion of a 1.14-acre parcel in the RR (Rural Residential, two-acre minimum parcel size) Zone District.
- LOCATION: The project site is located on the south side of W. Clinton Avenue approximately 400 feet west of its intersection with N. Constance Avenue and 162 feet from the nearest city limits of the City of Fresno (5197 W. Clinton Ave., Fresno CA) (SUP. DIST.: 1) (APN: 312-270-16S).

I. AESTHETICS

- A. Would the project have a substantial adverse effect on a scenic vista; or
- B. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

FINDING: NO IMPACT:

The project site is located in an established residential neighborhood near the City of Fresno. The site is not located along a designated Scenic Highway. No scenic vistas or scenic resources, including trees, rock outcroppings, and historic buildings, were identified on or near the site that may be impacted by this proposal. The project will have no impact on scenic resources.

- C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

The subject property is located near the City of Fresno within the City's Sphere of Influence. The majority of the property is currently improved with a single-family residence with garage, a swimming pool, a 1,200 square-foot accessory building and paved driveway off Clinton Avenue. The southerly quarter of the property is undeveloped and contains a 684 square-foot accessory structure. The 2,500 square-foot lease area to accommodate the proposed tower and related facilities will be located at the southeast corner of the property.

Aesthetics is typically the concern associated with this type of use because of the substantial height of towers, which support communication antennas. The visibility of a tower is a function of its height, design, and its exposure to neighbors and the public. In the case of this application, the proposed tower will be a low-height 80-foot-tall slim line, monopine design (stealth designed as a pine tree).

The project site is located in an established residential neighborhood and abuts Clinton Avenue to the north, single-family residences to the east and west, and undeveloped land to the south. The proposed tower site (lease area) is approximately 257 feet south of Clinton Avenue and 170 feet west of the nearest single-family residence. Significantly tall, mature landscaping, exists along the east and south sides of the tower site. The landscaping will provide a visual buffer between the neighboring residences and the visibility of the tower. Furthermore, the monopine design of the telecommunications tower will blend in with the existing landscaping resulting in less than significant visual impacts on the surrounding area. The visual impacts of the tower and related improvements on the ground will be further reduced with a Mitigation Measure requiring six-foot-tall slatted fencing to visually screen the facility from neighboring properties.

* **Mitigation Measure**

1. *Ground equipment for the telecommunication tower shall be screened from view behind slatted fencing utilizing a non-reflective or earth-tone color.*

- D. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION
INCORPORATED:

According to the applicant's Operational Statement, the project will not utilize any outdoor lighting. However, in order to reduce any lighting and glare impact resulting from the installation of any outdoor lighting, a Mitigation Measure would require that all lighting shall be hooded and directed as to not shine toward adjacent properties and public streets.

* **Mitigation Measure**

1. *All outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets.*

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- C. Would the project conflict with existing zoning for or cause rezoning of forest land, timberland, or timberland zoned Timberland Production; or
- D. Would the project result in the loss of forest land or conversion of forest land to non-forest use; or
- E. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural uses or conversion of forest land to non-forest use?

FINDING: NO IMPACT:

The subject parcel is not farmland or forest land and is not subject to a Williamson Act Contract. It is zoned Rural Residential and developed with a single-family residence and related improvements. No impacts would occur to agricultural or forestry resources.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project violate any air quality standard or contribute to an existing or projected air quality violation; or
- C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under a Federal or State ambient air quality standard; or
- D. Would the project expose sensitive receptors to substantial pollutant concentrations?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) reviewed the proposal and expressed no concerns with the project. The applicant will be required to contact the Air District's Small Business Assistance Office to identify District rules or regulations that may apply to this project or obtain information about District permit requirements. This will be included as a Project Note.

- E. Would the project create objectionable odors affecting a substantial number of people?

FINDING: NO IMPACT:

The project will not create any objectionable odors. The San Joaquin Valley Air Pollution Control District expressed no concerns related to odor.

IV. BIOLOGICAL RESOURCES

- A. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any candidate, sensitive, or special-status species; or
- B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); or
- C. Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption or other means; or
- D. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

FINDING: NO IMPACT:

The subject parcel is located within an established residential neighborhood and has been developed with a single-family residence and related improvements. This proposal was referred to the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) for review and comments. No concerns were expressed by either agency. Therefore, no impacts were identified in regard to: 1.) any candidate, sensitive, or special-status species; 2.) any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS; 3.) federally-protected wetlands as defined by Section 404 of the Clean Water Act; or 4.) the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impediment of native wildlife nursery sites.

- E. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or
- F. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

FINDING: NO IMPACT:

The project will not conflict with any local policies or ordinances protecting biological resources or any provisions of an adopted Habitat Conservation Plan, Natural

Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

V. CULTURAL RESOURCES

- A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5; or
- B. Would the project cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5; or
- C. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; or
- D. Would the project disturb any human remains, including those interred outside of formal cemeteries?

FINDING: NO IMPACT:

The project site is not located within any area designated to be highly or moderately sensitive for archeological resources. No impact on historical, archeological, or paleontological resources would result from this proposal.

- E. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074?

FINDING: NO IMPACT:

The project will have no impact on tribal Cultural Resources and was routed to the Dumna Wo Wah Tribal Government, Santa Rosa Rancheria Tachi Yokut Tribe, Picayune Rancheria of the Chukchansi Indians, and Table Mountain Rancheria in accordance with Public Resources Code Section 21080.3.1 (b). No concerns were expressed by the tribes.

VI. GEOLOGY AND SOILS

- A. Would the project expose people or structures to potential substantial adverse effects, including risk of loss, injury or death involving:
 - 1. Rupture of a known earthquake; or
 - 2. Strong seismic ground shaking; or
 - 3. Seismic-related ground failure, including liquefaction; or
 - 4. Landslides?

FINDING: NO IMPACT:

The area is designated as Seismic Design Category C in the California Geological Survey. No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or landslides.

- B. Would the project result in substantial erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Changes in topography of the site could result from grading activities. According to the project review by the Development Engineering Section of the Development Services and Capital Projects Division, a Grading Permit or Voucher shall be required for any grading proposed with this application. This will be included as a Project Note.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or
- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

The subject parcel is not located within an area of known risk of landslides, lateral spreading, subsidence, liquefaction, collapse, or within an area of known expansive soils.

- E. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative disposal systems where sewers are not available for wastewater disposal?

FINDING: NO IMPACT:

This proposal entails an unmanned communications facility and requires no on-site restroom facility. The Fresno County Department of Public Health, Environmental Health Division, reviewed the proposal and expressed no concerns related to wastewater disposal.

VII. GREENHOUSE GAS EMISSIONS

- A. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- B. Would the project conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: NO IMPACT:

Comments received from the Air District expressed no specific project-related concerns, supporting the determination that the project will not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.

VIII. HAZARDS AND HAZARDOUS MATERIALS

- A. Would the project create a significant public hazard through routine transport, use or disposal of hazardous materials; or
- B. Would the project create a significant public hazard involving accidental release of hazardous materials into the environment; or
- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The Fresno County Department of Public Health, Environmental Health Division reviewed the proposal and requires that facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Additionally, any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95, and all hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. With adherence to these requirements, the proposed use will have a less than significant impact related to hazardous materials.

There are no schools within one quarter-mile of the subject parcel. The nearest school, Polk Elementary School, is approximately 1,568 feet west of the proposed tower site.

- D. Would the project be located on a hazardous materials site?

FINDING: NO IMPACT:

No hazardous materials sites were identified in the project analysis.

- E. Would a project located within an airport land use plan or, absent such a plan, within two miles of a public airport or public use airport, result in a safety hazard for people residing or working in the project area; or
- F. Would a project located within the vicinity of a private airstrip result in a safety hazard for people residing or working in the project area?

FINDING: NO IMPACT:

The project site is approximately 8.3 miles west of the Fresno-Yosemite International Airport and four miles northwest of Chandler Executive Airport. The project will not be impacted by air traffic.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: NO IMPACT:

The project will not impair implementation or physically interfere with an adopted Emergency Response Plan.

- H. Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

FINDING: NO IMPACT:

The project site is not located within a wildland area, and therefore is not subject to wildland fires.

IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality?

FINDING: NO IMPACT:

See discussion in VI. E. Geology and Soils above.

- B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge so that there would be a net deficit in aquifer volume or a lowering of the local groundwater table?

FINDING: NO IMPACT:

The project requires no use of water. As such, no impact on groundwater would occur.

The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns related to water.

- C. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off site; or

- D. Would the project substantially alter existing drainage patterns, including alteration of the course of a stream or river, in a manner which would result in flooding on or off site; or
- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

There are no existing natural drainage channels adjacent to or running through the property. As noted above, a grading permit or voucher will be required for any grading proposed with this application. This requirement will be included as a Project Note.

The project site is located within the boundaries of the Fresno Metropolitan Flood Control District. The District reviewed the proposal and required a temporary on-site storm water storage facility and payment of District Development Review fees for the project. These requirements will be included as Project Notes.

- F. Would the project otherwise substantially degrade water quality?

FINDING: NO IMPACT:

The project requires no use of water.

- G. Would the project place housing within a 100-year floodplain; or
- H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows?

FINDING: NO IMPACT:

According to the Federal Emergency Management Authority (FEMA) FIRM Panel 1545H, the project site is not subject to flooding from the 100-year storm.

- I. Would the project expose persons or structures to levee or dam failure; or
- J. Would the project cause inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

The proposal will not expose persons or structures to potential levee or dam failures, and is not prone to hazards such as seiche, tsunami or mudflow.

X. LAND USE AND PLANNING

- A. Will the project physically divide an established community?

FINDING: NO IMPACT:

This proposal will not physically divide a community. The project site is outside of and approximately 165 feet east of the nearest city limits of the City of Fresno.

- B. Will the project conflict with any Land Use Plan, policy or regulation of an agency with jurisdiction over the project?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property is designated Rural Density Residential in the Fresno-High Roeding Community Plan and is located within the City of Fresno's Sphere of Influence.

According to General Plan Policy LU-G.1, the County acknowledges that the cities have primary responsibility for planning within their LAFCo (Local Agency Formation Commission)-adopted Spheres of Influence and are responsible for urban development and the provision of urban services within their Spheres of Influence. The proposed tower site is located within the City of Fresno Sphere of Influence and approximately 165 feet east of the nearest city limits of the City of Fresno. The City of Fresno Planning and Development Department reviewed the proposal and expressed no concerns with the project.

According to General Plan Policy PF-J.4, compliance with the Wireless Communication Guidelines is required for the siting of communication towers in unincorporated areas of the County.

The Wireless Communication Guidelines indicate that the need to accommodate new communication technology must be balanced with the need to minimize the number of new tower structures, thus reducing the impacts towers can have on the surrounding community. According to the applicant's response to the County Wireless Communication Guidelines, there were no other available towers, water tanks, light standards, and other utility structures, or other antenna support structures within the necessary geographic area, which could be utilized instead of the proposed site location. The nearest existing PG&E tower to co-locate on is approximately two miles to the west of the property and was found to be unsuitable due to not meeting the T-Mobile's coverage objectives. Likewise, co-location on existing towers located on City of Fresno property near the site were found to be unsuccessful due to the City's refusal to allow any additional co-location or ground equipment.

The Wireless Communication Guidelines also state that applicants for new tower sites should include provisions in their land lease agreements that reserve co-location opportunities. According to the applicant's response to the Fresno County Wireless Communication Guidelines, the proposed tower is designed to accommodate additional carriers with the option to install ground equipment. A Condition of Approval would require that prior to the issuance of building permits, the applicant shall provide a copy of the lease agreement demonstrating that the co-location requirement can be met.

According to General Plan Policy PF-C.17, the County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability. The Water and Natural Resources Division of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no concerns with the project regarding water usage.

- C. Will the project conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?

FINDING: NO IMPACT:

The project will not conflict with any Habitat Conservation or Natural Community Conservation Plans.

XI. MINERAL RESOURCES

- A. Would the project result in the loss of availability of a known mineral resource; or
- B. Would the project result in the loss of availability of a locally important mineral resource recovery site designated on a General Plan?

FINDING: NO IMPACT:

No mineral resource impacts were identified in the project analysis.

XII. NOISE

- A. Would the project result in exposure of people to severe noise levels; or
- B. Would the project result in exposure of people to or generate excessive ground-borne vibration or ground-borne noise levels; or
- C. Would the project cause a substantial permanent increase in ambient noise levels in the project vicinity; or
- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels?

FINDING: NO IMPACT:

The project does not include an on-site emergency back-up generator and will utilize battery backup power in case of emergencies. The Fresno County Department of Public Health, Environmental Health Division (Health Department) reviewed the proposal and expressed no concerns related to noise.

- E. Would the project expose people to excessive noise levels associated with a location near an airport or a private airstrip; or

- F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

FINDING: NO IMPACT:

See discussion in Section VIII. E. F. above.

XIII. POPULATION AND HOUSING

- A. Would the project induce substantial population growth either directly or indirectly; or
- B. Would the project displace substantial numbers of existing housing; or
- C. Would the project displace substantial numbers of people, necessitating the construction of housing elsewhere?

FINDING: NO IMPACT:

No housing is proposed with this application.

XIV. PUBLIC SERVICES

- A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically-altered public facilities in the following areas:
 - 1. Fire protection?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located within the jurisdiction of the North Central Fire District (NCFD). According to NCFD's review of the proposal, the applicant shall submit plans to the District for review and approval. This requirement will be included as a Condition of Approval.

- 2. Police protection; or
- 3. Schools; or
- 4. Parks; or
- 5. Other public facilities?

FINDING: NO IMPACT:

The project will not result in the need for additional public services related to police, schools and parks.

XV. RECREATION

- A. Would the project increase the use of existing neighborhood and regional parks; or
- B. Would the project require the construction of or expansion of recreational facilities?

FINDING: NO IMPACT:

No impact on recreational resources were identified in the analysis.

XVI. TRANSPORTATION/TRAFFIC

- A. Would the project conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation; or
- B. Would the project conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demands measures?

FINDING: NO IMPACT:

According to the applicant's Operational Statement, construction of the proposed facility will take approximately 30 to 45 days while utilizing an average of three workers per day. Once operational, one service vehicle per month will visit the site to conduct routine maintenance.

The Design and Road Maintenance and Operations Divisions of the Department of Public Works and Planning expressed no concerns related to traffic and required no Traffic Impact Study.

The City of Fresno Public Works Development Engineering Division also reviewed the proposal and required street dedications, encroachment permits and street improvements for the project. Given the scope of the project, staff finds no nexus between the City requirements and the proposed unmanned telecommunications facility.

- C. Would the project result in a change in air traffic patterns?

FINDING: NO IMPACT:

The project will not result in a change in air traffic patterns.

- D. Would the project substantially increase traffic hazards due to design features; or
- E. Would the project result in inadequate emergency access?

FINDING: NO IMPACT:

The tower site will gain access from Clinton Avenue via an existing paved road on the subject property.

The proposed telecommunications facility (tower site) sits on the property approximately 257 feet from Clinton Avenue. The facility design and its location will not contribute to traffic hazards on Clinton Avenue or result in inadequate emergency access.

- F. Would the project conflict with adopted plans, policies or programs regarding public transit, bicycle or pedestrian facilities or otherwise decrease the performance or safety of such facilities?

FINDING: NO IMPACT:

The proposal will not impact any plans, policies or programs supporting alternative transportation.

XVII. UTILITIES AND SERVICE SYSTEMS

- A. Would the project exceed wastewater treatment requirements; or
- B. Would the project require construction of or the expansion of new water or wastewater treatment facilities?

FINDING: NO IMPACT:

The project is an unmanned facility and does not require use of water or produce wastewater.

- C. Would the project require or result in the construction or expansion of new storm water drainage facilities?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion above in Section IX. C. D. E. Hydrology and Water Quality.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed; or
- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?

FINDING: NO IMPACT:

The project is an unmanned facility and does not involve wastewater disposal.

- F. Would the project be served by a landfill with sufficient permitted capacity; or
- G. Would the project comply with federal, state and local statutes and regulations related to solid waste?

FINDING: NO IMPACT:

The project will produce no solid or liquid waste of any kind.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- A. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California prehistory or history?

FINDING: NO IMPACT:

No impacts on biological or cultural resources were identified in the analysis.

- B. Does the project have impacts that are individually limited, but cumulatively considerable?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project will adhere to the permitting requirements and rules and regulations set forth by the Fresno County Grading and Drainage Ordinance, San Joaquin Air Pollution Control District, and California Code of Regulations Fire Code. No cumulatively considerable impacts were identified in the project analysis other than aesthetics, which will be addressed with the Mitigation Measures discussed in Section I.C. D. above.

- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: NO IMPACT:

No substantial impacts on human beings, either directly or indirectly, were identified in the analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study (No. 7429) prepared for Unclassified Conditional Use Permit Application No. 3604, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to agricultural and forestry resources, biological resources, cultural resources, greenhouse gas emissions, mineral resources, noise, population and housing, recreation, or transportation/traffic.

Potential impacts related to air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, and utilities and service systems have been determined to be less than significant.

Potential impacts to aesthetics have been determined to be less than significant with the identified Mitigation Measures.

A Mitigated Negative Declaration is recommended and is subject to approval by the decision-making body. The Initial Study is available for review at 2220 Tulare Street, Suite A, street level, located on the southwest corner of Tulare and "M" Streets, Fresno, California.

EA:ksn
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File original and one copy with: Fresno County Clerk 2221 Kern Street Fresno, California 93721		Space Below For County Clerk Only. CLK-2046.00 E04-73 R00-00	
Agency File No: IS 7429	LOCAL AGENCY PROPOSED MITIGATED NEGATIVE DECLARATION		County Clerk File No: E-
Responsible Agency (Name): Fresno County	Address (Street and P.O. Box): 2220 Tulare St. Sixth Floor	City: Fresno	Zip Code: 93721
Agency Contact Person (Name and Title): Ejaz Ahmad, Planner	Area Code: 559	Telephone Number: 600-4204	Extension: N/A
Applicant (Name): InSite Towers, LLC	Project Title: Unclassified Conditional Use Permit Application No. 3604		
Project Description: Allow an unmanned telecommunications facility consisting of an 80-foot-tall wireless communication tower (monopine design) with related facilities on an approximately 2,500 square-foot portion of a 1.14-acre parcel in the RR (Rural Residential, two-acre minimum parcel size) Zone District. The project site is located on the south side of W. Clinton Avenue approximately 400 feet west of its intersection with N. Constance Avenue and 162 feet from the nearest city limits of the City of Fresno (5197 W. Clinton Ave., Fresno CA) (SUP. DIST.: 1) (APN: 312-270-16S).			
Justification for Mitigated Negative Declaration: Based upon the Initial Study (IS 7429) prepared for Unclassified Conditional Use Permit Application No. 3604, staff has concluded that the project will not have a significant effect on the environment. No impacts were identified related to agricultural and forestry resources, biological resources, cultural resources, greenhouse gas emissions, mineral resources, noise, population and housing, recreation, or transportation/traffic. Potential impacts related to air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, public services, and utilities and service systems have been determined to be less than significant. Potential impact related to aesthetics have been determined to be less than significant with the identified mitigation measure. The Initial Study and MND is available for review at 2220 Tulare Street, Suite A, Street Level, located on the southeast corner of Tulare and "M" Street, Fresno, California.			
FINDING: The proposed project will not have a significant impact on the environment.			
Newspaper and Date of Publication: Fresno Business Journal – April 6 , 2018		Review Date Deadline: May 7, 2018	
Date: April 4, 2018	Type or Print Name: Marianne Mollring, Senior Planner	Submitted by (Signature):	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**