



County of Fresno

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

ADDENDUM

Planning Commission Staff Report Agenda Item No. 6 May 17, 2018

SUBJECT: Initial Study Application No. 7370 and Unclassified Conditional Use Permit Application No. 3592

Allow an unmanned telecommunications facility consisting of a 100-foot-tall monopole tower with 12 panel antennas and related ground equipment, including a propane backup generator within a 2,500 square-foot (50 feet by 50 feet) lease area enclosed by a six-foot-tall chain-link fence with a 12-foot-wide gate, on a 20-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on East Lewiston Avenue, between South Cedar Avenue and South Maple Avenue, Fresno County (SUP. DIST. 4) (APN 055-110-55) (Section 36, Township 17S, Range 20E).

OWNER: Brad and Stevie Duinkerken
APPLICANT: AT&T Mobility

STAFF CONTACT: Marianne Mollring, Senior Planner
(559) 600-4569

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7370; and
- Approve Unclassified Conditional Use Permit No. 3592 with recommended Findings and Conditions; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Revised Application and Deed
2. Staff Report and Exhibits Dated March 29, 2018

ENVIRONMENTAL ANALYSIS:

An Initial Study was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included within Exhibit 2.

Notice of Intent of Mitigated Negative Declaration publication date: February 19, 2018.

PUBLIC NOTICE:

Notices were sent to nine property owners within 1,320 feet of the subject parcel, including one parcel in Kings County, 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 regarding an Unclassified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

Staff notes that that the Telecommunications Act of 1996 prohibits jurisdictions from "regulating the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions" [47 U.S.C. §332(c)(7)(B)(iv)]. As such, staff's analysis of the subject request, determination of project findings, conclusions, and recommended actions to the decision-making body correspond with Federal Law.

BACKGROUND INFORMATION:

This item was originally heard at the March 29, 2018 Planning Commission meeting, and was subsequently continued at the request of the Applicant's representative to allow time for the Applicant to conclude an agreement with the new property owner. The revised land use application, letter of authorization, and deed from the new property owner are included as Exhibit 1. The Staff Report and Exhibits, dated March 29, 2018, are included as Exhibit 2.

PUBLIC COMMENT:

None

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Unclassified Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3592, 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. 7370; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3592, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 2; 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. 3592; 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 2.

MM:ksn

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Fresno County Department of Public Works and Planning

MAILING ADDRESS:
Department of Public Works and Planning
Development Services Division
2220 Tulare Street, 6th Floor
Fresno, CA 93721

LOCATION:
Southwest corner of Tulare & "M" Streets, Suite A
Street Level
Fresno Phone: (559) 600-4497

APPLICATION FOR:

- Amendment Application
- Amendment to Text
- Conditional Use Permit App. No. 3592
- Director Review and Approval
- Site Plan Review/Occupancy Permit
- Variance/Minor Variance
- No Shoot/Dog Leash Law Boundary
- Other _____
- ALCC/RLCC
- Pre-Application (Check Type)
 - General Plan Amendment
 - Specific Plan Amendment
 - Specific Plan
- Determination of Merger
- Agreements

DESCRIPTION OF PROPOSED USE OR REQUEST:

Unmanned wireless telecommunications facility, includes related equipment and connections.

PLEASE TYPE OR PRINT IN BLACK INK. Answer all questions completely. Attach required site plans, forms, statements and deeds as specified on the Pre-Application Review.

LOCATION OF PROPERTY: _____ side of East Lewiston Avenue
between South Cedar Avenue and South Maple Avenue
Street address _____

APN 055-110-55 Parcel size 20-acres Sec-Twp / Rg. 17S - 20E / 36

LEGAL DESCRIPTION: (Attach Copy of Deed)

I, [Signature] (signature), declare that I am the owner, or authorized representative of the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge. The foregoing declaration is made under penalty of perjury.

Brad & Steve Dinkaker 2415 E Laguna Ave 12th, 93230 55
Owner (Print or Type) Address City Zip Phone 288-6266

AT&T Mobility c/o Complete Wireless Consulting, Inc. - 2009 V Street, Sacramento, California 95818

Applicant (Print or Type)	Address	City	Zip	Phone
<u>Gerie Johnson, Land Use Planning Specialist, -2009 V Street, Sacramento, CA 95818; (916) 709-2057/gjohnson@completewireless.net</u>				
Representative (Print or Type)	Address	City	Zip	Phone

OFFICE USE ONLY

Application Type / No.:	Fee:	PLU
Application Type / No.:	Fee:	PLU
Application Type / No.:	Fee:	PLU
Application Type / No.:	Fee:	PLU
Initial Study No.:	Fee:	PLU
Environmental Review:	Fee:	PLU
Health Department Review:	Fee:	PLU

Received by: _____
This permit is sought under Ordinance Section: _____

Related applications: _____

Drafting verification: Zone District: _____

APN#	-	-	-
APN#	-	-	-
APN#	-	-	-
Sec. Twp. Rg.	-	-	-
Parcel Size	-	-	-

**WHEN VALIDATED
THIS APPLICATION IS YOUR RECEIPT**

LETTER OF AUTHORIZATION

This authorization is not a commitment of any kind. All land-use approvals obtained will be subject to the successful completion of lease negotiations and the approval of site configuration by an authorized representative of Owner.

In order to determine the viability and permit the use of wireless antenna facility on the real property (“Property”) at the address stated below, the undersigned authority hereby grants, consents, and agrees with AT&T Mobility as follows:

1. Entry. Owner or authorized agent consents that approved AT&T Mobility representatives may enter upon the Property to conduct and perform the following permitted activities upon at least 24-hour notice to Owner: boundary and positioning surveys, radio propagation studies, soils boring/report, power, and telephone existing service capacity, subsurface boring test, an environmental site assessment, visual inspections of the property, and other activities as AT&T Mobility may deem necessary. AT&T Mobility agrees to be responsible for all costs related to these surveys and investigations.

2. Filings. Owner or authorized agents consents that AT&T Mobility may make and file applications for the proposed wireless antenna facility on the Property to such local, state, and federal governmental entities whose approval may be necessary for this type of use. Submittal and approvals include zoning applications, variances, land use descriptions, and other submittals necessary for this type of use. AT&T Mobility agrees to be responsible for all costs related to the governmental approvals for this project.

3. Telco. Owner or authorized agent consents that AT&T Mobility may order, coordinate, and install upgraded telephone connectivity to the site. AT&T Mobility agrees to be responsible for any and all costs related to this installation. Owner or authorized agent understands that the upgrade of telephone connectivity does not constitute construction start.

Property Owner: Broada Stevie Duinkerken

Print Name: 

Signature: Stevie Duinkerken

Title (if applicable): _____

Telephone Number: 559-288-6264

Address: 2415 E Laguna Ave Lancaster CA 93242

Assessor's Parcel Number: 055-110-55

Property Address: East on Lewiston Avenue, between South Cedar Avenue and South Maple Avenue, Fresno County

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**RECORDING REQUESTED BY
AND WHEN RECORDED
RETURN TO:**

**TY N. MIZOTE, Esq.
Griswold, LaSalle, Cobb,
Dowd & Gin, L. L.P.
111 N. Seventh Street
Hanford, CA 93230**

**FRESNO County Recorder
Paul Dictos, C.P.A.
DOC- 2018-0023596
Check Number 18412 34745
Tuesday, FEB 27, 2018 10:28:32
Ttl Pd \$677.00 Rcpt # 0004949386
ARG/R3/1-3**

COVER SHEET TO

QUITCLAIM DEED

Exempt from the fee per GC 27388.1(a)(2); recorded concurrently "in connection with" a transfer subject to the imposition of documentary transfer tax (DDT).

Recording requested by:
When recorded return to:

Ty Mizote
Griswold, LaSalle, Cobb, Dowd
& Gin, LLP
111 E. Seventh Street
Hanford, CA 93230

(SPACE ABOVE THIS LINE FOR RECORDER'S USE)

MAIL TAX STATEMENTS TO:

c/o Brad Duinkerken
2415 E. Laguna Ave.
Laton, CA 93242

DOCUMENTARY TRANSFER TAX \$660.00

- Computed on the consideration or value of property conveyed; OR
 Computed on the consideration or value less liens or encumbrances remaining at the time of sale.
 Parent-child transfer
 Transfer to Trust

APN: 055-110-55

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Roger Stockton and Ann Stockton, husband and wife ("Grantor"), does hereby REMISE, RELEASE AND FOREVER QUITCLAIM to Brad Duinkerken and Stevie Duinkerken, as tenants in common, any and all interest Grantor has or may have in the real property located in the County of Fresno, State of California, located near Laton, California, and legally described as:

Lot 22 in Section 36, Township 17 South, Range 20 East, M.D.B.&M., according to map of a portion of the Laguna De Tache Grant, in the County of Fresno, State of California, recorded March 3, 1900, in Book 1 at Page 80 of Record of Surveys, Fresno County Records.

GRANTOR:

Roger Stockton
Roger Stockton

Dated: 12-14, 2017

Ann Stockton
Ann Stockton

Dated: Dec 14, 2017

MAIL TAX STATEMENTS AS DIRECTED ABOVE

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

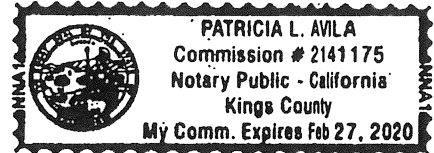
STATE OF CALIFORNIA)
) ss.
COUNTY OF Kings)

On December 14, 2017, before me, Patricia L. Avila, Notary Public, personally appeared **Roger Stockton**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Patricia L. Avila (Seal)



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
) ss.
COUNTY OF Kings)

On December 14, 2017, before me, Patricia L. Avila, Notary Public, personally appeared **Ann Stockton**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Patricia L. Avila (Seal)





County of Fresno

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

Planning Commission Staff Report Agenda Item No. 5 March 29, 2018

SUBJECT: Initial Study Application No. 7370 and Unclassified Conditional Use Permit Application No. 3592

Allow an unmanned telecommunications facility consisting of a 100-foot-tall monopole tower with 12 panel antennas and related ground equipment, including a propane backup generator within a 2,500 square-foot (50 feet by 50 feet) lease area enclosed by a six-foot-tall chain-link fence with a 12-foot-wide gate, on a 20-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7370, and take action on Unclassified Conditional Use Permit No. 3592 with Findings and Conditions.

LOCATION: The subject parcel is located on East Lewiston Avenue, between South Cedar Avenue and South Maple Avenue, Fresno County (SUP. DIST. 4) (APN 055-110-55) (Section 17S, Township 20E, Range 36).

OWNER: Ann Stockton
APPLICANT: AT&T Mobility

STAFF CONTACT: Marianne Mollring, Senior Planner
(559) 600-4569

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7370; and
- Approve Unclassified Conditional Use Permit No. 3592 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 Plan and Detail Drawing
6. Response to Wireless Guidelines and AT&T Wireless Coverage Maps
7. Operational Statement
8. Cellular Tower Vicinity Map
9. Summary of Initial Study Application No. 7370
10. Draft Mitigated Negative Declaration

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District	No change
Parcel Size	20 acres	No change
Project Site	Active agricultural uses (orchard)	Add a 100-foot monopole communications tower and associated equipment, 50-foot by 50-foot lease area
Structural Improvements	None	100-foot monopole tower, equipment shelter, six-foot chain-link fence, and a standby generator on a four-foot by nine-foot concrete pad
Nearest Residence	0.25 mile northeast	No change
Surrounding Development	Agricultural uses	No change

Criteria	Existing	Proposed
Operational Features	N/A	Unmanned wireless communications facility
Employees	N/A	N/A
Customers	N/A	N/A
Traffic Trips	Agricultural Traffic	Approximately one trip per month by maintenance crew
Lighting	None	No change
Hours of Operation	N/A	Continuous Operation

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

ENVIRONMENTAL ANALYSIS:

An Initial Study was prepared for the project by County staff in conformance with the provisions of the California Environmental Quality Act (CEQA). Based on the Initial Study, staff has determined that a Mitigated Negative Declaration is appropriate. A summary of the Initial Study is included as Exhibit 9.

Notice of Intent of Mitigated Negative Declaration publication date: February 19, 2018.

PUBLIC NOTICE:

Notices were sent to nine property owners within 1,320 feet of the subject parcel, including one parcel in Kings County, 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 regarding an Unclassified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

Staff notes that that the Telecommunications Act of 1996 prohibits jurisdictions from "regulating the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions" [47 U.S.C. §332(c)(7)(B)(iv)]. As such, staff's analysis of the subject request, determination of project findings, conclusions, and recommended actions to the decision-making body correspond with Federal Law.

BACKGROUND INFORMATION:

This proposal entails the establishment of a new wireless communications facility consisting of a 100-foot monopole tower with twelve eight-foot panel antennas, shelter for equipment, and a propane standby generator with 500-gallon propane tank. The lease area is located at the north boundary of a 20-acre parcel, on East Lewiston Avenue, between South Cedar Avenue and South Maple Avenue. The lease area is currently farmed as an almond orchard. Access to the site will be by a twenty-foot-wide access and utility easement from the north edge of the property. This easement connects to East Lewiston Avenue.

The proposed facility is approximately 3.6 miles southwest of the community of Laton. The facility is designed to add capacity to the existing AT&T Wireless network and provide high-speed broadband internet service to an underserved area of the County. There are no other towers in the service search ring. The facility will provide co-location opportunities for other carriers.

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 (north): 36 feet Side (east): 573 feet Rear (south): 1,250 feet Side (west): 521 feet	Yes
Parking	No requirement	No requirement	N/A
Lot Coverage	No requirement	No requirement	N/A
Space Between Buildings	No requirement	No requirement	N/A
Wall Requirements	No requirement	No requirement	N/A
Septic Replacement Area	100 percent	N/A	N/A
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: Permits must be obtained for all improvements proposed as a part of this application.

Building and Safety Section of the Fresno County Department of Public Works and Planning: Plans, permits and inspections are required, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA FIRM Panel 06019C200J, the subject parcel is not subject to flooding from the 1%-chance (100-year) storm.

A grading permit or voucher is required for any grading proposed with this application.

Water and Natural Resources Division of the Fresno County Department of Public Works and Planning: No comments.

Fresno County Fire Protection District: Fresno County Fire Protection District (FCFPD) has performed a preliminary review of the project, and has not identified any significant concerns with the overall proposal. The project shall comply with California Code of Regulations Title 24 - Fire Code. Prior to receiving FCFPD conditions of approval for the subject application, plans must be submitted to the Fresno County Department of Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD.

The proposed project may be subject to joining the Community Facilities District (CFD). Before plans are submitted to the Fresno County Fire Protection District, the Applicant must fill out the Fire Permit Application to submit with the plans. A determination will be made and information provided to the Applicant on how to join CFD based on the application.

Fresno County Department of Agriculture: No comments.

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

Analysis:

The subject parcel is located at the northern boundary of a 20-acre parcel. The front setbacks are measured from the existing right-of-way for East Lewiston Avenue south to the project site. Additional front setbacks would be measured from the east, west, and south property lines of the parcel. Staff review of the Site Plan demonstrates that the proposed facility exceeds the minimum building setback requirements of the AE-20 Zone District.

Adequate area is available on the subject 20-acre property to accommodate the proposed improvements and the proposed 20-foot access easement is adequate to provide access to the project site.

Staff finds that the site is adequate in size and shape to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

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	East Lewiston Avenue	No change
Direct Access to Public Road	Yes	East Lewiston Avenue	No change
Road ADT		200	No change
Road Classification		Local	No change
Road Width		11 feet	No change
Road Surface		Paved	No change
Traffic Trips		Ag related	One maintenance trip per month
Traffic Impact Study (TIS) Prepared	No	N/A	No significant increase to traffic expected
Road Improvements Required		N/A	None required

Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:

Development Engineering Section of the Fresno County Department of Public Works and Planning: Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.

Design Division of the Fresno County Department of Public Works and Planning: No comments.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: The proposed gate should be set back a minimum of 20' from the right-of-way on Lewiston Avenue.

The proposed gravel driveway approach along Lewiston Avenue shall not disrupt existing roadway drainage patterns.

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

Analysis:

Once construction of the tower is completed, the project will add a single round trip per month to local roads. No additional right-of-way is required and no concerns regarding impacts on County roadways resultant of the project were expressed by either the Design or Road Maintenance and Operations Divisions of the Fresno County Department of Public Works and Planning.

Based on the above information, staff believes that Lewiston Avenue will be adequate to accommodate the proposed use.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

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	77.5 acres	Agricultural	AE-20	0.25 mile
East	25.25 acres	Agricultural	AE-20	None
South	49.75 acres	Agricultural	AE-20	None
West	80 acres	Agricultural	AE-20	None

Reviewing Agency/Department Comments:

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 Health and Safety Code, Chapter 6.5.

Southern San Joaquin Valley Information Center: This area has never been surveyed for cultural resources. Therefore, it is not known if any exist there. The Center recommends that a survey be conducted on this project area by a qualified, professional archaeologist prior to ground-disturbance activities to determine if cultural resources are present.

San Joaquin Valley Air Pollution Control District: No comments.

Kings County Community Development Agency: No comments.

No other comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

Analysis:

This proposal entails the establishment of a new wireless communications facility consisting of a 100-foot monopole tower, with twelve eight-foot panel antennas, and related equipment on the northern edge of an existing almond orchard. Aesthetics is typically the concern associated with this type of use because of the 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.

The project site is located in an area of agricultural uses. Parcels on all sides of the subject property are in agricultural production and the nearest residence is 0.25 mile north of the proposed lease area.

Regarding concerns about Biological Resources, two mitigation measures were added to the project which require preconstruction surveys for Swainson's hawk and buffering of active nests.

An additional mitigation measure was added to the project which requires that all work be halted if cultural artifacts are uncovered during ground-disturbing activities. With this measure in place, staff has determined that impacts to cultural resources will be less than significant.

Based on the above information and with adherence to the recommended Conditions of Approval, Project Notes, and Mitigation Measures attached as Exhibit 1, staff believes the proposal will not have an adverse effect upon surrounding properties.

Recommended Conditions of Approval:

See recommended Conditions of Approval and Mitigation Measures 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:
Policy PF-J.4 The County shall require compliance with the Wireless Communications Guidelines for 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. 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. With the information provided and analyzed by staff, the proposal has been determined to be

Relevant Policies:	Consistency/Considerations:
	consistent with this policy (see Analysis).
<p>Policy LU-A.1 The County shall maintain agriculturally-designated areas for agriculture use and shall direct urban growth away from valuable agricultural lands to cities, unincorporated, and other areas planned for such development where public facilities and infrastructure are available.</p>	<p>The proposed cellular tower will bring improved wireless internet and cellular coverage to a rural underserved community in Fresno County. The project proposal is consistent with the Fresno County Wireless Communication Guidelines.</p>
<p>Policy LU-A. 2 The County shall allow by right in areas designated Agriculture activities related to the production of food and fiber and support uses incidental and secondary to the on-site agricultural operation.</p>	<p>The footprint of the facility is small (2,500 square feet) and is located at the edge of the parcel to avoid disruption to agricultural operations; and the Fresno County Department of Agriculture had no comment on the proposal.</p>

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The project site is under a Williamson Act, Agricultural Land Conservation Contract (ALCC). The use of parcels enrolled in the Williamson Act Program is limited to commercial agricultural and other compatible uses in exchange for the opportunity for reduced property tax valuation. The 20-acre parcel appears to be part of a commercial agricultural farming operation (almonds). Telecommunication towers are a compatible use to the extent that they do not significantly displace farmland on restricted land. Based on the proposed size of the lease area, this does not appear to be a concern.

Fresno County Department of Agriculture: No comments.

No other comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

Analysis:

General Plan Policy PF-J.4 requires compliance with the Wireless Communication Guidelines and Policies LU-A.1 and LU-A.2 protect agricultural resources.

The Wireless Communications Guidelines address several concerns with cellular towers including site placement, co-location opportunities, and alternative site locations. The Wireless Communication Guidelines support the placement of the tower near the edge of the parcel and the coverage maps provided by the Applicant show a need for coverage in this area. This tower will improve in-building, in-transit, and outdoor service, in a location where minimal to no service previously existed. The nearest existing tower to the Applicant’s search ring was in Laton, which is more than three miles outside the search ring. Therefore, co-location was not an option that would meet the Applicant’s need.

In regard to co-location, the Applicant responded that there were no other cell towers in the vicinity. The lease between AT&T and the property owner includes a provision for co-location on their tower. Review of the site plan shows adequate space for additional ground equipment.

Attempts by the Applicant to search for another site in the area were met with nonresponse or no interest by other nearby property owners.

The proposed location of the lease area is at the front (street side) of the subject parcel which places it near the edge of an orchard, to avoid disruption to agricultural production and operations. Due to the small footprint of the lease area (2,500 square feet), agricultural operations on this parcel and nearby parcels will not be impacted.

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

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

None

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Unclassified Conditional Use Permit can be made. Staff therefore recommends approval of Unclassified Conditional Use Permit No. 3592, 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. 7370; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3592, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in 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. 3592; 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.

MM

G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3500-3599\3592\SR\CUP3592 SR.docx

**Mitigation Monitoring and Reporting Program
Initial Study Application No. 7370/Unclassified Conditional Use Permit Application No. 3592
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Biological Resources	A qualified wildlife biologist shall conduct surveys for nesting raptors following the survey methodology developed by the Swainson's hawk Technical Advisory Committee prior to any project initiation. If project activities take place during the normal bird breeding season (February 1 through September 15), California Department of Fish and Wildlife (CDFW) recommends that additional pre-construction surveys for the active nests be conducted by a qualified biologist no more than 10 days prior to the start of construction.	Applicant	Applicant/PW&P	Before and during construction
*2.	Biological Resources	A qualified wildlife biologist shall conduct surveys for nesting raptors following the survey methodology developed by the Swainson's hawk Technical Advisory Committee prior to any project initiation. If project activities take place during the normal bird breeding season (February 1 through September 15), California Department of Fish and Wildlife (CDFW) recommends that additional pre-construction surveys for the active nests be conducted by a qualified biologist no more than 10 days prior to the start of construction.	Applicant	Applicant/PW&P	Before and during construction
*3.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activity, all work shall be halted in the area of the find. An Archeologist should be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activity, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	During ground-disturbing activities
Conditions of Approval					
1.	Development and operation shall be in substantial conformance with the approved Site Plans, Floor Plans, Elevation Drawings and Operational Statement, except as modified by the Conditions of Approval.				

2.	The maximum number of antennas allowed on the tower shall be determined according to wind load calculations as approved by the Fresno County Department of Public Works and Planning.
3.	Prior to the issuance of permits, evidence shall be submitted showing provisions have been made to accommodate co-location, such as provision for co-location in signed lease agreement, and additional area within lease area for co-location of equipment, or other information that demonstrates the facility shall make itself available for co-location.

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

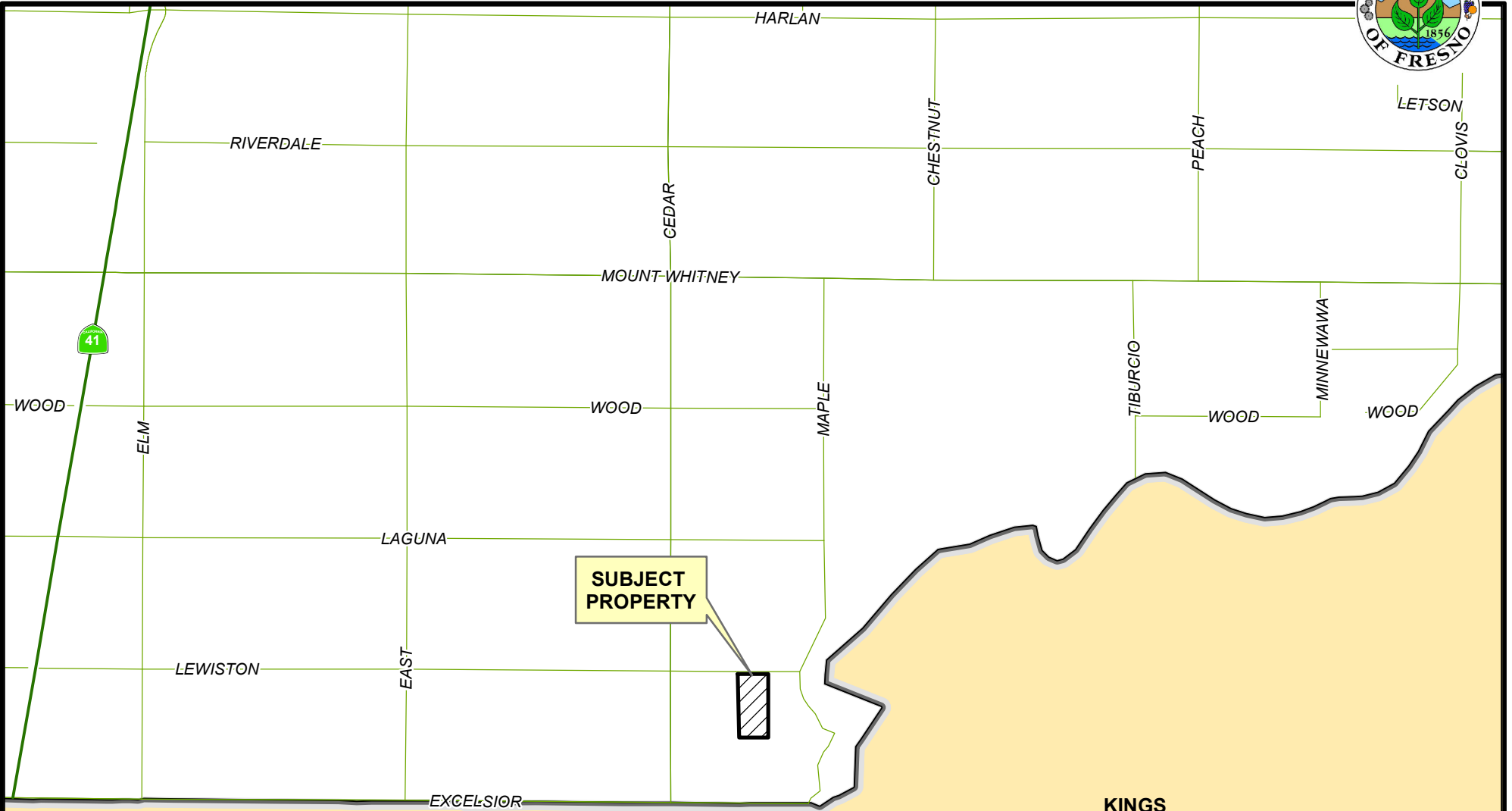
Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Unclassified Conditional Use Permit (CUP) No. 3592 shall become void unless there has been substantial development within two years of the effective date of approval.
2.	The project shall comply with the California Code of Regulations Title 24 – Fire Code, and three sets of County-approved construction plans for the project shall be approved by the Fire District prior to issuance of Building Permits by the County.
3.	The subject parcel shall annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.
4.	All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5.
5.	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 (http://cers.calepa.ca.gov/ or https://www.fresnocupa.com/). For more information please contact the local Certified Unified Program Agency (CUPA) at (559) 600-3271. The default State reporting thresholds that apply are: >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.
6.	Plans, permits and inspections are required, including, but not limited to, accessible elements and site development based upon the codes in effect at the time of plan check submittal.
7.	Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards.
8.	The Applicant shall file a Notice of Proposed Construction or Alteration [Federal Aviation Administration (FAA) Form 7460-1] with the Western Regional Office of the FAA in conjunction with this proposal. The requirements for filing with the FAA for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference Code of Federal Regulations (CFR) Title 14 Part 77.9.
9.	A grading permit or voucher is required for any grading proposed with this application.

Notes	
10.	Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit form the Road Maintenance and Operation Division.
11.	A ten-foot by ten-foot corner cutoff shall be maintained for sight distance purposes at any driveway accessing Lewiston Avenue.
12.	The proposed gravel driveway approach along Lewiston Avenue shall not disrupt existing roadway drainage patterns.

MM:ksn

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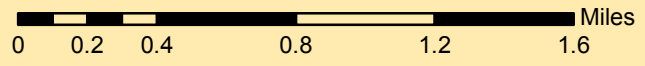
LOCATION MAP



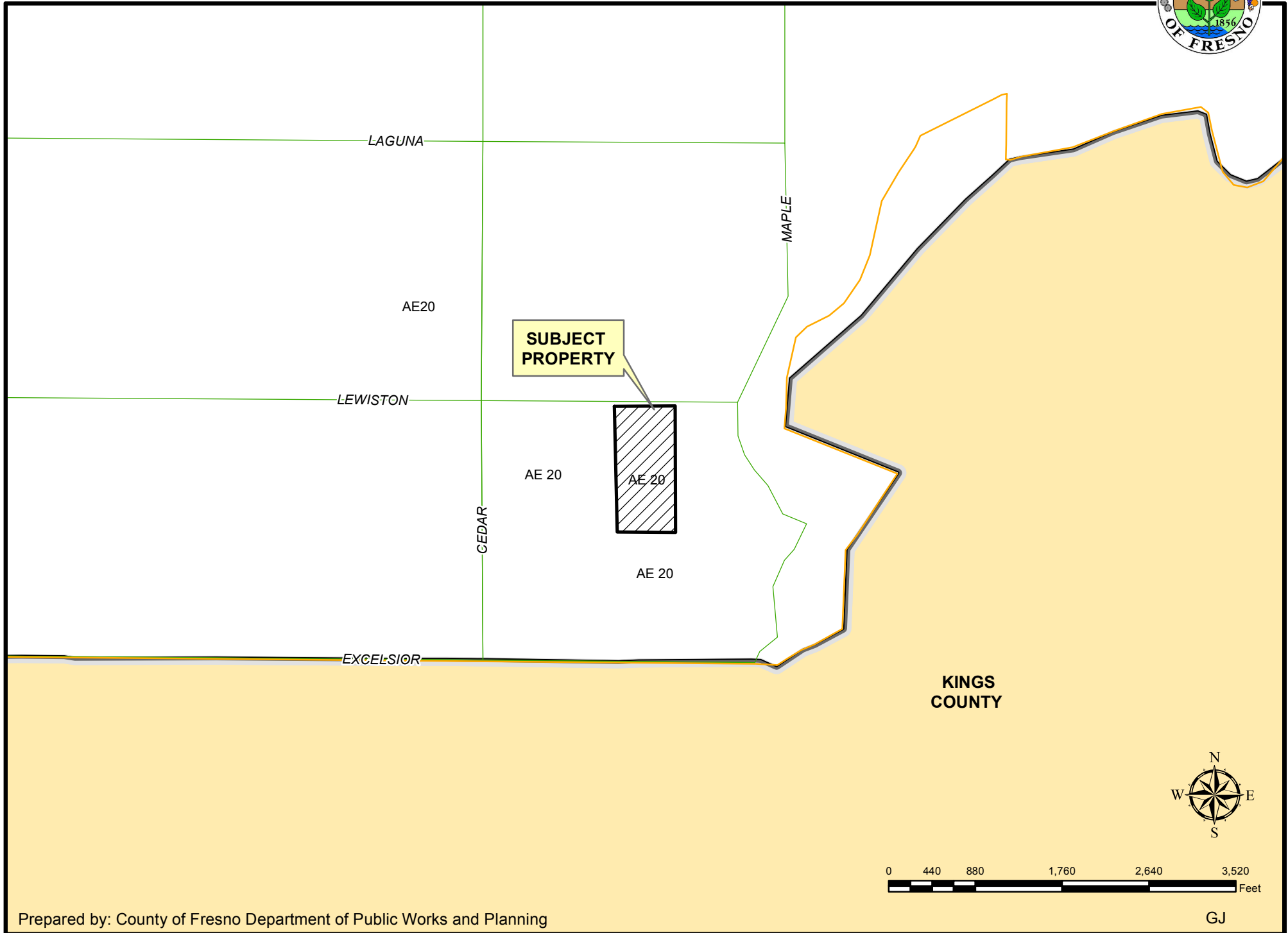
**SUBJECT
PROPERTY**

MAPLE

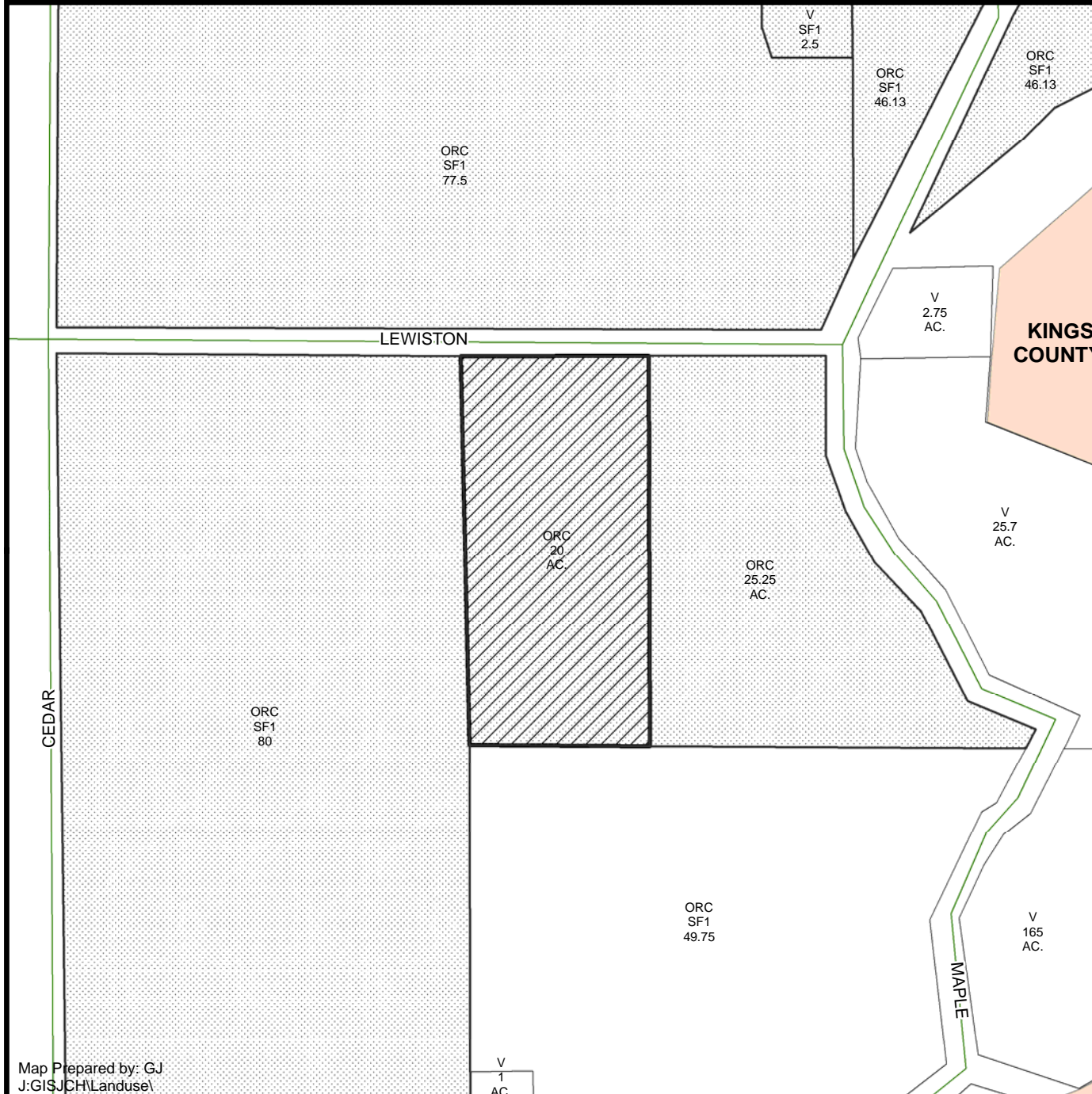
**KINGS
COUNTY**



EXISTING ZONING MAP



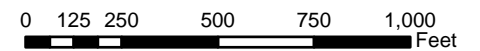
EXISTING LAND USE MAP



LEGEND	
SF#-	SINGLE FAMILY RESIDENCE
V -	VACANT
ORC -	ORCHARD

LEGEND:

-  Subject Property
-  Ag Contract Land



Department of Public Works and Planning
Development Services Division



at&t

FA CODE: 13787707
USID: 178496

SITE NUMBER: CVL02120

SITE NAME: CLINT

LEWISTON AVENUE
LATON, CA 93242
JURISDICTION: FRESNO COUNTY
APN: 055-110-55

SITE TYPE: MONOPOLE / SHELTER

Issued For:
CLINT
LEWISTON AVENUE
LATON, CA 93242

PREPARED FOR
 at&t
2400 Camino Ramon
San Ramon, California 94583

Vendor:
 COMPLETE
Wireless Consulting, Inc.

AT&T SITE NO: CVL02120
PROJECT NO: 162.1907
DRAWN BY: JCE
CHECKED BY: TST

03/13/17	100% ZD
02/15/17	90% ZD
REV	DATE
	DESCRIPTION

Licensor:

IF A REVOLUTION OF LAW FOR ANY REASON REQUIRES THEM TO ACT UPON THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER TO ALTER THIS DOCUMENT.

Architect:
 MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
TITLE SHEET

SHEET NUMBER:
T-1

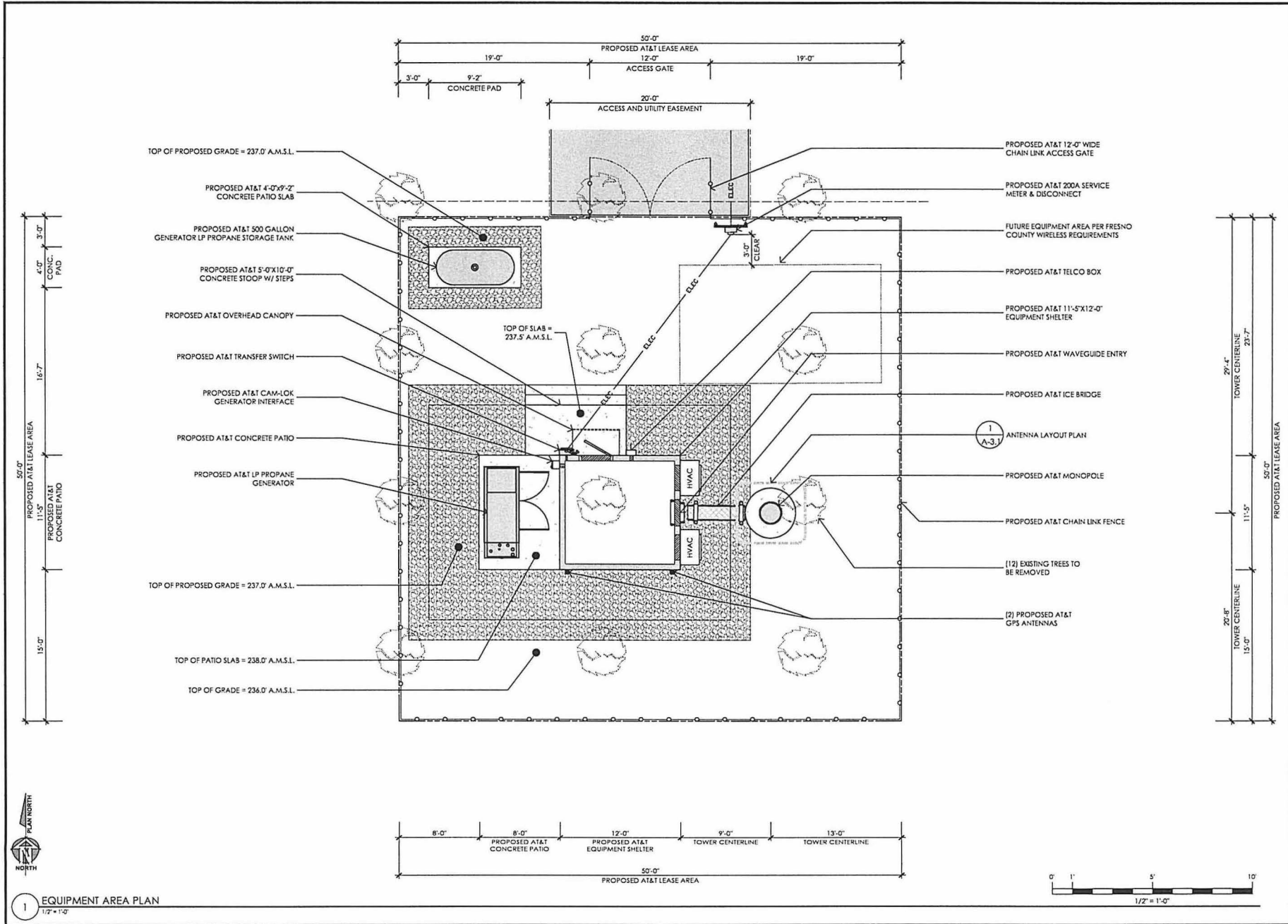
DIGIART

800-227-2600
Cid 2 Full Wiring Draw - Advanced

PROJECT DESCRIPTION	PROJECT INFORMATION	PROJECT TEAM	SHEET INDEX	REV
<p>NEW SITE BUILD UNMANNED TELECOMMUNICATIONS FACILITY.</p> <ol style="list-style-type: none"> BRING POWER / TELCO / FIBER TO SITE LOCATION INSTALL AT&T APPROVED PREMANUFACTURED EQUIPMENT SHELTER AND ASSOCIATED INTERIOR EQUIPMENT INSTALL AT&T MONOPOLE WITH ANTENNAS & ASSOCIATED TOWER-MOUNTED EQUIPMENT ADD GENERATOR W/ FUEL TANK 	<p>PROPERTY INFORMATION: SITE NAME: CLINT SITE NUMBER: CVL02120 SITE ADDRESS: LEWISTON AVENUE LATON, CA 93242 A.P.N. NUMBER: 055-110-55 CURRENT ZONING: AE-20 JURISDICTION: FRESNO COUNTY</p> <p>PROPERTY OWNER: ROGER & ANN STOCKTON 3100 E. HARLAN AVE. LATON, CA 93242</p>	<p>APPLICANT / LESSEE: AT&T 2400 CAMINO RAMON, 4W850 N SAN RAMON, CA 94583</p> <p>ARCHITECT / ENGINEER: MST ARCHITECTS INC. 1520 RIVER PARK DRIVE SACRAMENTO, CA 95815 CONTACT: MANUEL S. THOMAS EMAIL: mthomas@mstarchitects.com PH: (916) 567-9430</p> <p>RF ENGINEER: AT&T 2400 CAMINO RAMON, 4W850 N SAN RAMON, CA 94583 CONTACT: MUHAMMAD BRAHIM EMAIL: MB211@ATT.COM 570-971-3305</p> <p>ZONING MANAGER: COMPLETE WIRELESS CONSULTING, INC. 2009 V STREET SACRAMENTO, CA 95818 CONTACT: LORI JACKSON EMAIL: lori@completewireless.net PH: (916) 217-7513</p> <p>CONSTRUCTION MANGER: ERICSSON 4620 NORTHGATE BLVD., SUITE 120 SACRAMENTO, CA 95834 CONTACT: DON NOLL EMAIL: don.noll@ericsson.com PH: (925) 805-9153</p> <p>LEASING MANAGER: COMPLETE WIRELESS CONSULTING, INC. 2009 V STREET SACRAMENTO, CA 95818 CONTACT: CHARLES ELLIOTT EMAIL: celliott@completewireless.net PH: (916) 764-0727</p>	<p>T-1 TITLE SHEET GN-1 GENERAL NOTES, ABBREVIATIONS, & NOTES C-1 SURVEY A-1 OVERALL & ENLARGED SITE PLANS A-2 EQUIPMENT AREA PLAN A-3.1 ANTENNA PLAN & SCHEDULE A-3.2 ANTENNA DETAILS A-4.1 PROPOSED ELEVATIONS A-4.2 PROPOSED ELEVATIONS</p>	<p># # # # # # # #</p>

CODE COMPLIANCE	VICINITY MAP	DIRECTIONS FROM AT&T																
<p>ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.</p> <ol style="list-style-type: none"> 2014 CALIFORNIA ADMINISTRATIVE CODE, CHAPTER 15, PART 1, TITLE 24 CODE OF REGULATIONS 2014 CALIFORNIA BUILDING CODE (CBC) WITH CALIFORNIA AMENDMENTS, BASED ON THE 2012 IBC (PART 2, VOL. 1-2) 2014 CALIFORNIA RESIDENTIAL CODE (CRC) WITH APPENDIX H, PATO COVERS, BASED ON THE 2012 IRC (PART 2.8) 2014 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGREEN) (PART 11) (AFFECTED ENERGY PROVISIONS ONLY) 2014 CALIFORNIA FIRE CODE (CFC), BASED ON THE 2012 IFC, WITH CALIFORNIA AMENDMENTS (PART 9) 2014 CALIFORNIA MECHANICAL CODE (CMC), BASED ON THE 2012 UMC (PART 4) 2014 CALIFORNIA PLUMBING CODE (CPC), BASED ON THE 2012 UPC (PART 5) 2014 CALIFORNIA ELECTRICAL CODE (CEC) WITH CALIFORNIA AMENDMENTS, BASED ON THE 2011 NEC (PART 3) 2014 CALIFORNIA ENERGY CODE (CEC) ANSI / EIA-TIA-222-G 2015 NFPA 101, LIFE SAFETY CODE 2014 NFPA 72, NATIONAL FIRE ALARM CODE 2014 NFPA 13, FIRE SPRINKLER CODE 	<p>SPECIAL INSPECTIONS</p> <p><u>SPECIAL INSPECTIONS PER 2014 CBC SECTION 1704 ARE REQUIRED FOR THE FOLLOWING:</u></p> <ol style="list-style-type: none"> ANCHOR BOLTS WET-SET INTO CONCRETE EXPANSION BOLTS INTO EXISTING CONCRETE HIGH STRENGTH BOLTING WELDING STEEL REINFORCEMENT / REBAR PLACEMENT STEEL MATERIAL VERIFICATION <p><u>SOILS ENGINEER TO INSPECT DRILLED PIERS STRUCTURAL DESIGN CRITERIA:</u></p> <table border="0"> <tr> <td>1) SOIL SITE CLASSIFICATION:</td> <td>D</td> </tr> <tr> <td>2) SOIL BEARING CAPACITY:</td> <td>SLABS: 1500 PSF</td> </tr> <tr> <td>3) SEISMIC IMPORTANCE FACTOR:</td> <td>I</td> </tr> <tr> <td>4) SITE COORDINATES:</td> <td>NXXXXXXX'X' WXXXXXXX'X'</td> </tr> <tr> <td>5) SPECTRAL RESPONSE ACCELERATIONS:</td> <td>S₁ = X.XXXg S₂ = X.XXXg</td> </tr> <tr> <td>6) SPECTRAL RESPONSE COEFFICIENTS:</td> <td>S_{D5} = X.XXXg S_{D1} = X.XXXg</td> </tr> <tr> <td>7) SITE COEFFICIENTS:</td> <td>F_a = X.XXX F_v = X.XXX</td> </tr> <tr> <td>8) SEISMIC DESIGN CATEGORY:</td> <td>D</td> </tr> </table>	1) SOIL SITE CLASSIFICATION:	D	2) SOIL BEARING CAPACITY:	SLABS: 1500 PSF	3) SEISMIC IMPORTANCE FACTOR:	I	4) SITE COORDINATES:	NXXXXXXX'X' WXXXXXXX'X'	5) SPECTRAL RESPONSE ACCELERATIONS:	S ₁ = X.XXXg S ₂ = X.XXXg	6) SPECTRAL RESPONSE COEFFICIENTS:	S _{D5} = X.XXXg S _{D1} = X.XXXg	7) SITE COEFFICIENTS:	F _a = X.XXX F _v = X.XXX	8) SEISMIC DESIGN CATEGORY:	D	<p>DIRECTIONS FROM AT&T OFFICE AT 2600 CAMINO RAMON, SAN RAMON, CA</p> <p>HEAD SOUTHEAST ON CAMINO RAMON TOWARD BISHOP DR CONTINUE STRAIGHT TO STAY ON CAMINO RAMON TURN RIGHT ONTO BOLLINGER CANYON RD USE THE RIGHT LANE TO MERGE ONTO I-680'S VIA THE RAMP TO SAN JOSE MERGE ONTO I-680'S USE THE RIGHT 2 LANES TO TAKE EXIT 308 TO MERGE ONTO I-580 E TOWARD STOCKTON USE THE RIGHT 2 LANES TO TAKE THE INTERSTATE 580 EXIT TOWARD INTERSTATE 5 (FRESNO) / LOS ANGELES CONTINUE ONTO I-580 E CONTINUE ONTO I-5 S TAKE EXIT 349 FOR DERRICK AVE TURN LEFT ONTO CA-33 N/S DERRICK AVE TURN RIGHT ONTO W HARLAN AVE CONTINUE STRAIGHT MERGE ONTO S STANISLAUS AVE CONTINUE STRAIGHT ONTO W MT WHITNEY AVE TURN LEFT ONTO CA-145 N CONTINUE STRAIGHT ONTO W MT WHITNEY AVE TURN RIGHT ONTO EAST ST</p>
1) SOIL SITE CLASSIFICATION:	D																	
2) SOIL BEARING CAPACITY:	SLABS: 1500 PSF																	
3) SEISMIC IMPORTANCE FACTOR:	I																	
4) SITE COORDINATES:	NXXXXXXX'X' WXXXXXXX'X'																	
5) SPECTRAL RESPONSE ACCELERATIONS:	S ₁ = X.XXXg S ₂ = X.XXXg																	
6) SPECTRAL RESPONSE COEFFICIENTS:	S _{D5} = X.XXXg S _{D1} = X.XXXg																	
7) SITE COEFFICIENTS:	F _a = X.XXX F _v = X.XXX																	
8) SEISMIC DESIGN CATEGORY:	D																	

OCCUPANCY AND CONSTRUCTION TYPE	APPROVALS	GENERAL CONTRACTOR NOTES				
<p>OCCUPANCY: S-2 (UNMANNED TELECOMMUNICATIONS FACILITY), U (TOWER)</p> <p>CONSTRUCTION TYPE: V-8</p> <p>HANDICAP REQUIREMENTS</p> <p>FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. ACCESSIBILITY ACCESS AND REQUIREMENTS ARE NOT REQUIRED, IN ACCORDANCE WITH CALIFORNIA STATE ADMINISTRATIVE CODE, PART 2, TITLE 24, SECTION 11038.1, EXCEPTION 1 & SECTION 11948.2.1, EXCEPTION 4.</p>	<p>APPROVED BY:</p> <table border="1"> <tr> <th>INITIALS</th> <th>DATE</th> </tr> <tr> <td> </td> <td> </td> </tr> </table> <p>AT&T: _____ VENDOR: _____ RF: _____ TRACTOR / LANDLORD: _____ ZONING: _____ CONSTRUCTION: _____ POWER / TELCO: _____ PG&E: _____</p>	INITIALS	DATE			<p>GENERAL CONTRACTOR NOTES</p> <p>DO NOT SCALE DRAWINGS</p> <p>THESE DRAWINGS ARE FORMATTED TO BE FULL SIZE AT 24" x 36". CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT/ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR MATERIAL. ORDERS OR BE RESPONSIBLE FOR THE SAME.</p>
INITIALS	DATE					



Issued For:
CLINT
LEWISTON AVENUE
LATON, CA 93242

PREPARED FOR
at&t
2400 Camino Ramon
San Ramon, California 94583

Vendor:
COMPLETE
Wireless Consulting, Inc.

AT&T SITE NO: CVL02120
PROJECT NO: 162.1907
DRAWN BY: JCE
CHECKED BY: TST

REV	DATE	DESCRIPTION
03/13/17	100% ID	
02/15/17	90% ID	

Licensor:

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Architect:
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

SHEET TITLE:
EQUIPMENT AREA PLAN

SHEET NUMBER:
A-2

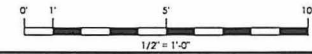
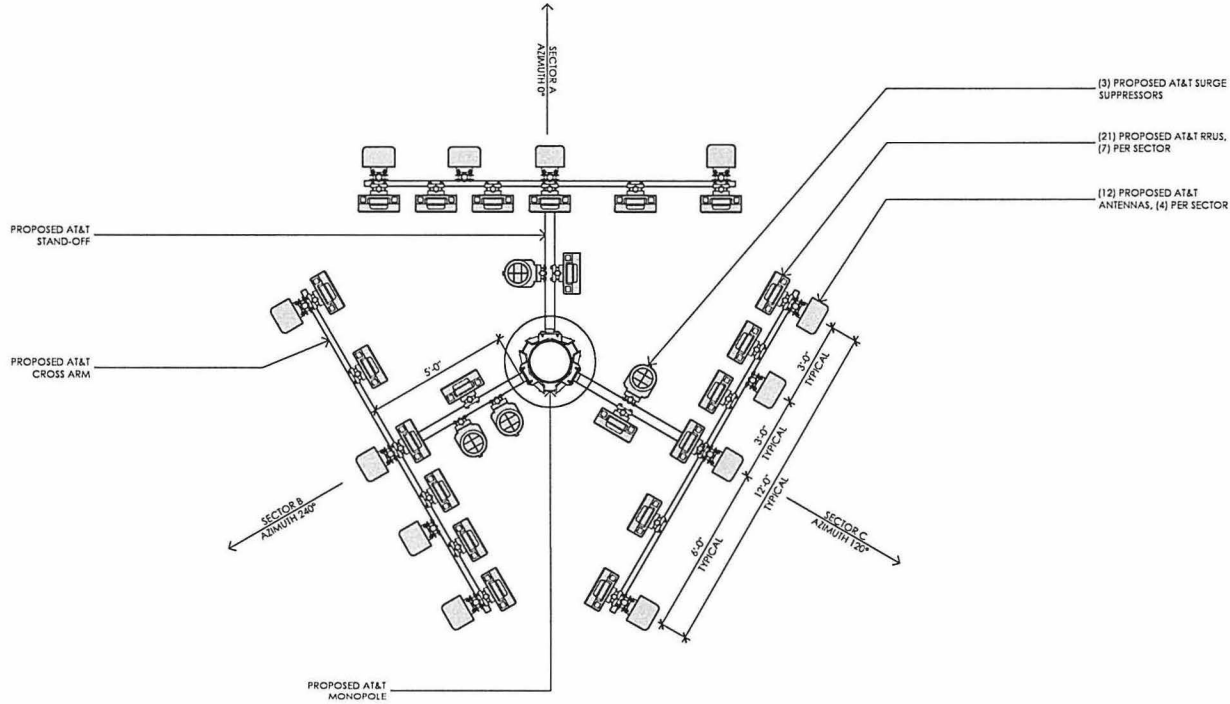


1 EQUIPMENT AREA PLAN
1/2" = 1'-0"

RF SCHEDULE									
SECTOR	ANTENNA MODEL NO.	AZIMUTH	CENTERLINE	RRU	TMA	FIBER LENGTH	COAX LENGTH	COAX DIA.	NO. OF RRUS
A L P H A	A1	0°	±97'-0"	(1) RRU-11 / (1) RRU-32-82	-	±140'-0"	-	-	2
	A2	0°	±97'-0"	(2) RRU-11 / (1) RRU-32-866	-	±140'-0"	-	-	3
	A3	0°	±97'-0"	(1) RRU-32-830	-	±140'-0"	-	-	1
	A4	0°	±97'-0"	(1) RRU-32-830	-	±140'-0"	-	-	1
B E T A	B1	240°	±97'-0"	(1) RRU-11 / (1) RRU-32-82	-	±140'-0"	-	-	2
	B2	240°	±97'-0"	(2) RRU-11 / (1) RRU-32-866	-	±140'-0"	-	-	3
	B3	240°	±97'-0"	(1) RRU-32-830	-	±140'-0"	-	-	1
	B4	240°	±97'-0"	(1) RRU-32-830	-	±140'-0"	-	-	1
G A M M A	C1	120°	±97'-0"	(1) RRU-11 / (1) RRU-32-82	-	±140'-0"	-	-	2
	C2	120°	±97'-0"	(2) RRU-11 / (1) RRU-32-866	-	±140'-0"	-	-	3
	C3	120°	±97'-0"	(1) RRU-32-830	-	±140'-0"	-	-	1
	C4	120°	±97'-0"	(1) RRU-32-830	-	±140'-0"	-	-	1

EQUIPMENT IS PRELIMINARY AND SUBJECT TO CHANGE.

2 RF SCHEDULE
NO SCALE



1 ANTENNA LAYOUT PLAN
1/8" = 1'-0"

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CLINT
LEWISTON AVENUE
LATON, CA 93242

PREPARED FOR
at&t
2600 Camino Ramon
San Ramon, California 94583

Vendor:
COMPLETE
Wireless Consulting, Inc.

AT&T SITE NO: CVL02120
PROJECT NO: 162.1907
DRAWN BY: JCE
CHECKED BY: TST

REV	DATE	DESCRIPTION
03/13/17	100% CD	
02/15/17	90% CD	

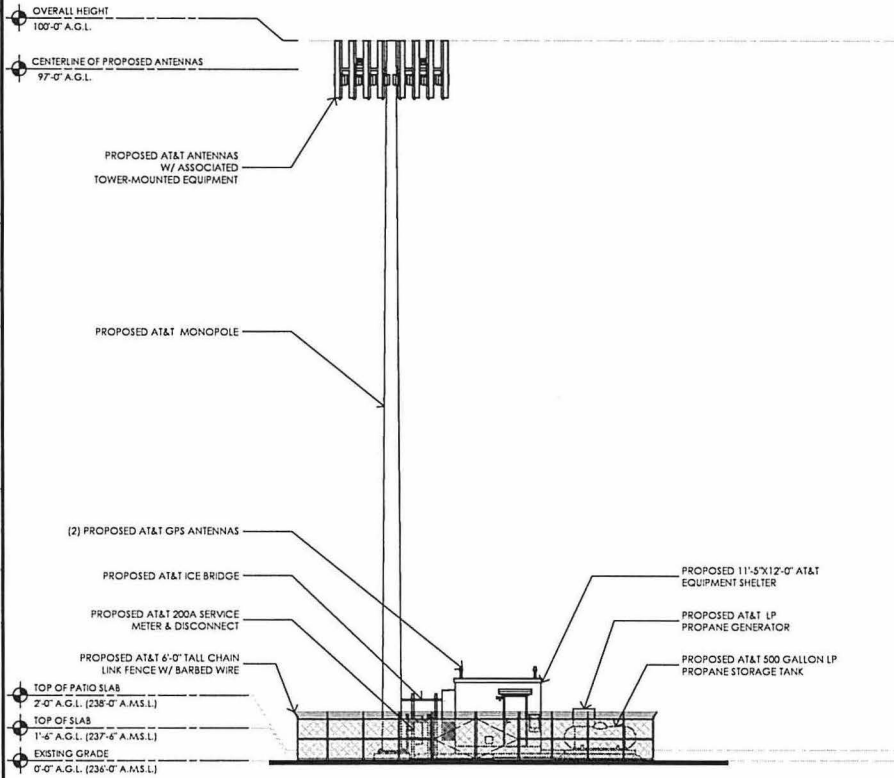
It is a violation of law for any person, unless they are acting under the care and control of a licensed professional engineer, to alter the document.

Architect:
MST ARCHITECTS
1520 River Park Drive
Sacramento, California 95815

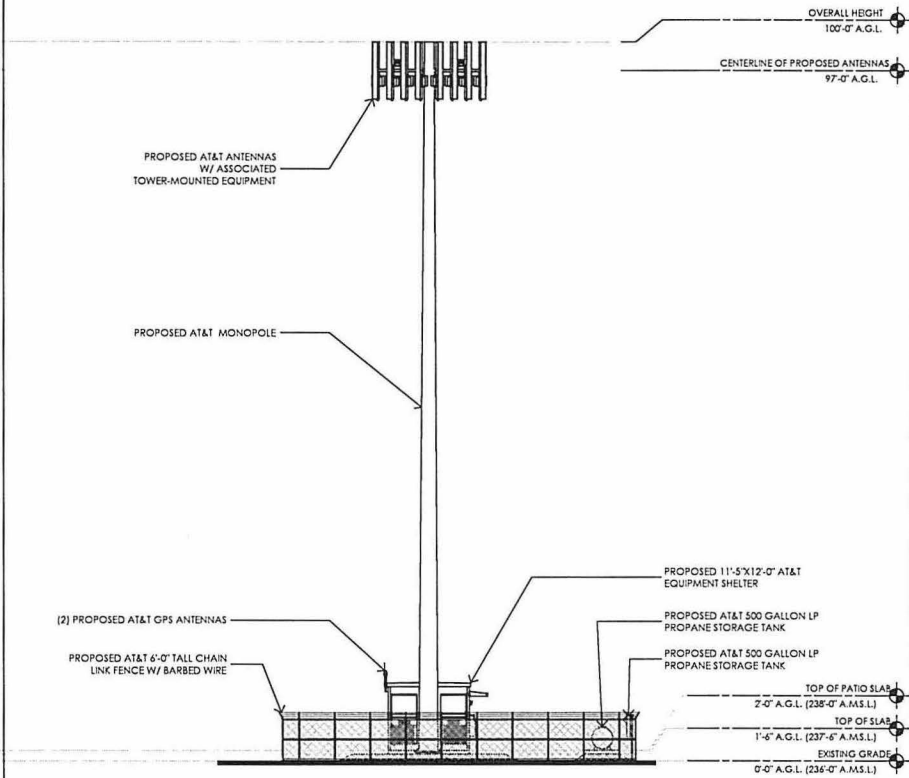
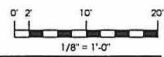
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ANTENNA PLAN

SHEET NUMBER:
A-3.1

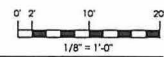
NOTE: TOWER TO BE ENGINEERED FOR AT LEAST 2 ADDITIONAL CARRIERS



2 NORTH ELEVATION
1/8" = 1'-0"



1 EAST ELEVATION
1/8" = 1'-0"



Issued For:
CLINT
LEWISTON AVENUE
LATON, CA 93242

PREPARED FOR
at&t
2400 Camino Ramon
San Ramon, California 94583

Vendor:
COMPLETE
Wireless Consulting, Inc.

AT&T SITE NO: CVLD212D
PROJECT NO: 162.1907
DRAWN BY: XXX
CHECKED BY: XXX

REV	DATE	DESCRIPTION
03/13/17	100% ZD	
02/15/17	90% ZD	

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Architect:
MST ARCHITECTS
1320 River Park Drive
Sacramento, California 95815

SHEET TITLE:
NORTH - EAST ELEVATION

SHEET NUMBER:
A-4.1

**PROJECT SUPPORT STATEMENT
DEVELOPMENT APPLICATION FOR AT&T MOBILITY
BROADBAND AND WIRELESS COMMUNICATIONS SITE
CVL02120 CLINT
LEWISTON AVENUE BETWEEN MAPLE AND CEDAR STREETS
LATON, CA 93242
APN: 055-110-55**

INTRODUCTION

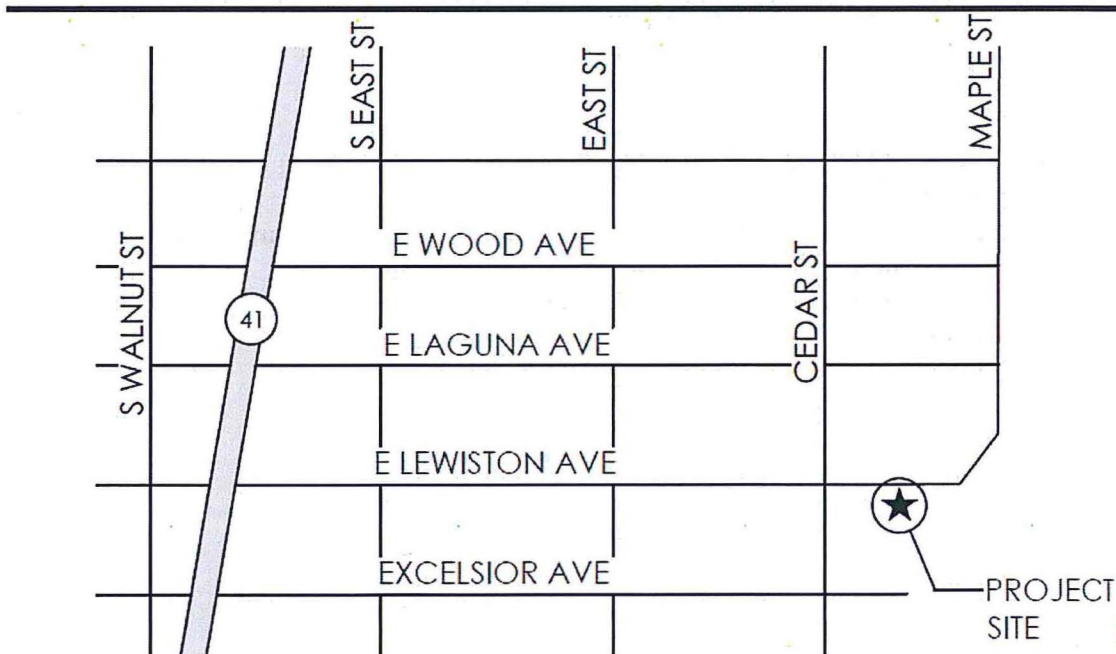
AT&T Mobility (AT&T) is seeking to improve communication services in Fresno County. More specifically, AT&T would like to bring improved fixed wireless internet and cellular coverage to the area near Laton. The service objective is to provide broadband internet to Americans that do not currently have access to high speed broadband and additionally, cellular coverage in this area. Presently, this area of Fresno County does not have access to high speed broadband and currently experiences poor cellular coverage. To remedy these problems, AT&T proposes to construct a new 100' monopole on the above referenced parcel.

The proposed unmanned telecommunications facility will include a 100' monopole, 12 panel antennas (3 antenna sectors with (4) antennas per sector), (21) remote radio head (RRH) units, equipment shelter, standby generator located within a 50' x 50' lease area surrounded by a 6' tall chain link fence with barbed wire and a 12' wide access gate.

PROJECT LOCATION

This project is located on a parcel zoned AE-20 (Exclusive Agriculture) and is surrounded by parcels with the same zoning designation. This facility is intended to provide high speed broadband and cellular coverage. The parcel is currently undeveloped.

VICINITY MAP



PROJECT SITE

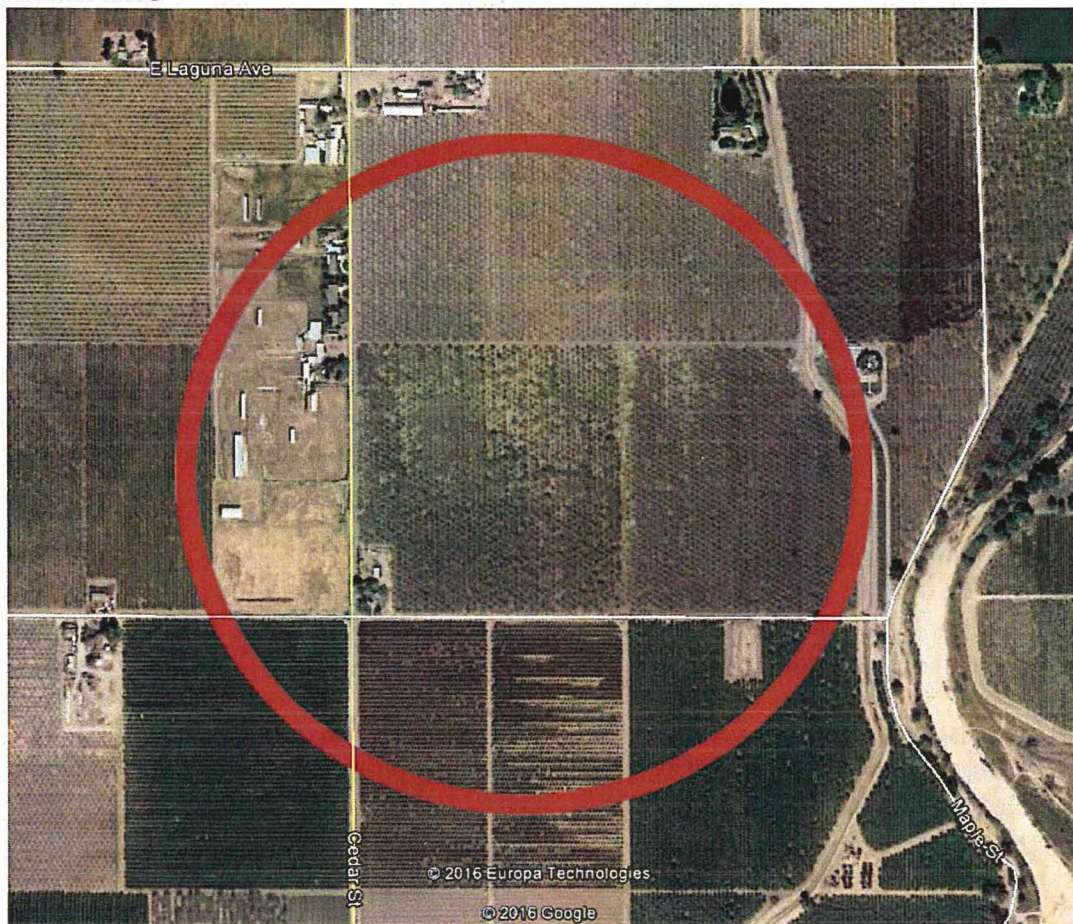
CUP3592
RECEIVED
COUNTY OF FRESNO

APR 22 2017

EXHIBIT 6

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

CLINT SEARCH RING

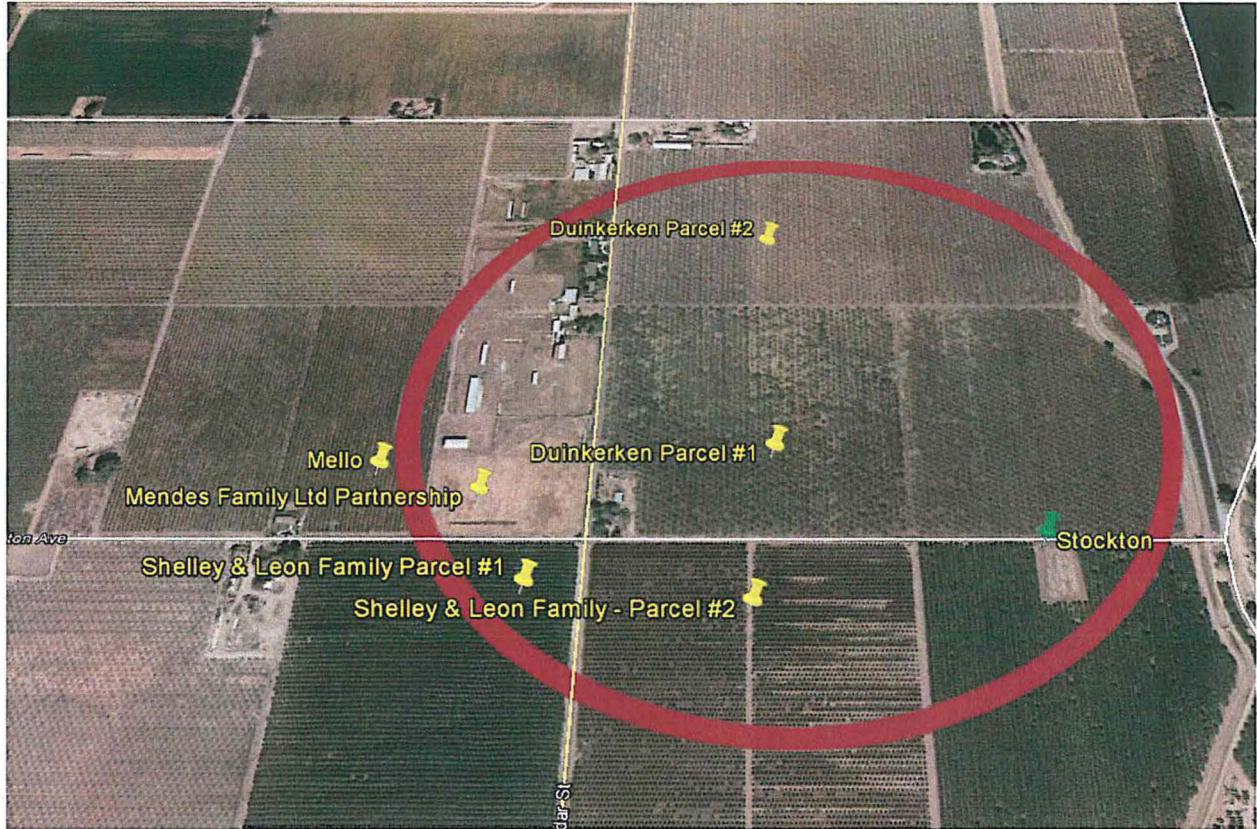


The Clint search ring is located within Fresno County with Cedar Street and Lewiston Avenue as the prominent roads in the area. The search ring is comprised of agriculturally zoned parcels. The facility will serve to support AT&T customers in the area.

ALTERNATIVE SITES

In identifying the location of a wireless telecommunication facility to fulfill the above referenced service objectives a variety of factors are evaluated. These factors include: zoning regulations, topography, existing structures, collocation opportunities, available utilities, site access, and a willing landlord. Each site is evaluated on its own merits. During the site alternatives analysis, AT&T first looks for collocation opportunities within the Search Ring and once collocation opportunities are exhausted, opportunities for new build facilities are considered.

PROJECT SUPPORT STATEMENT – CLINT



Alternate candidates considered:

Mendes Family Partnership – APN: 055-110-38S – The property owner and AT&T could not come to business terms.

Duinkerken – APN: 055-110-53 & 055-110-49S – The property owner was not interested in working with AT&T.

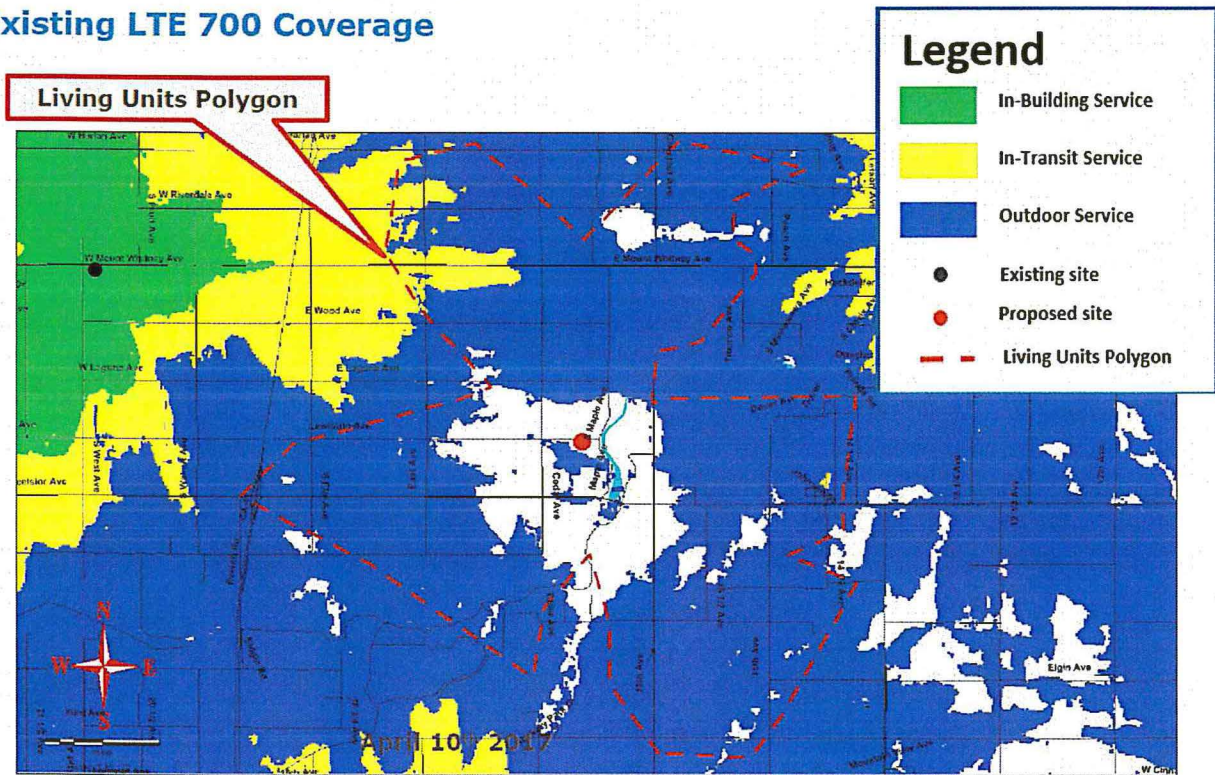
Mello – 055-110-08 – The property owner did not respond to attempts at communication.

Shelly & Leon Family Parcels 1 & 2 – APN: 055-110-58 & 055-110-36S – The property owner did not respond to attempts at communication.

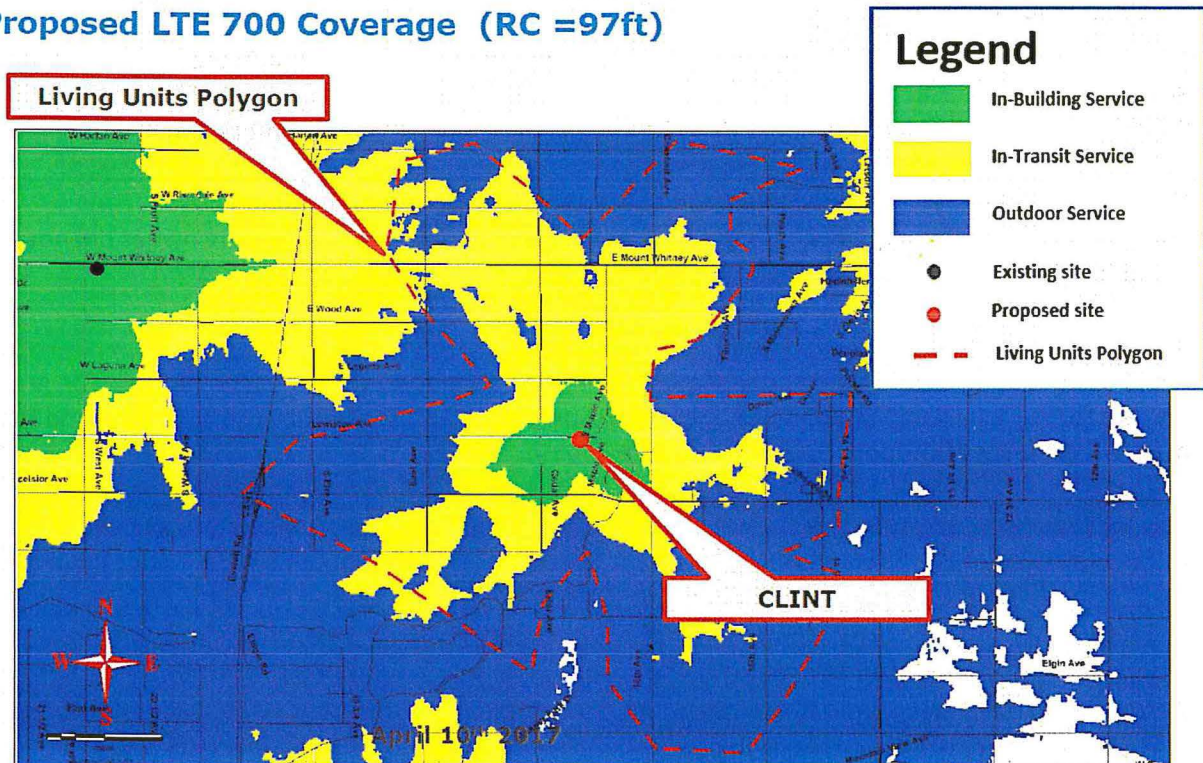
COVERAGE MAPS

Below is a visual depiction of the improved coverage to be provided by the proposed facility. The green areas represents “Excellent” in-building coverage, yellow areas represents in-transit coverage, and the dark blue represents “Outdoor” coverage.

PROJECT SUPPORT STATEMENT – CLINT
Existing LTE 700 Coverage



Proposed LTE 700 Coverage (RC = 97ft)



AREA PHOTOGRAPHS



Lease Area



Project Area Looking West on Lewiston



Project Area Looking East on Lewiston

REQUIRED FINDINGS NECESSARY FOR GRANTING A CONDITIONAL USE PERMIT APPLICATION AS SPECIFIED IN ZONING ORDINANCE SECTION 873

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 land and uses in the neighborhood.

The lease area is adequate in size to accommodate the proposed project.

2. The site for proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by proposed use.

The proposed project is an unmanned communications facility. The roadways are adequate to carry the service technician that will visit the proposed project an anticipated 12 times a year.

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

The proposed project will have no adverse effect on abutting property and surrounding neighborhood and will provide high speed broadband and cellular service that is currently not offered in the area.

4. That the proposed development is consistent with the General Plan.
The proposed project is an allowable use on AE-20 zoned parcels.

FRESNO COUNTY WIRELESS GUIDELINES

1. The need to accommodate new communication technology must be balanced with the need to minimize the number of new tower structures which can adversely impact other segments of the community.

There are no existing towers in or near the proposed project search ring.

PROJECT SUPPORT STATEMENT – CLINT

2. The land use permitting process should rely on general guidelines and policies rather than specific standards which are not flexible enough to accommodate the evolving technology.

Communication towers are an allowed use on parcels in the AE 20 zoning designation.

3. Applicants for new tower permits should be required to submit detailed information in their applications to justify the need for the tower site (e.g. network design, search ring, specific site selection criteria).

Please see the sections above covering these issues.

4. Applicants for new tower permits should be required to submit evidence regarding alternative sites considered, information regarding potential colocation opportunities, and evidence for colocation on other existing towers where such opportunities exist.

A. Alternatives sites considered:

Please Alternatives Sites Analysis Section Above

B. Information regarding potential colocation opportunities:

The closest tower is located approx. 4.4 miles from the proposed project area and this tower would not meet the coverage objective of this project.

C. Evidence for colocation on other existing towers where such opportunities exist.

The closest tower is located approx. 4.4 miles from the proposed project area and this tower would not meet the coverage objective of this project.

5. A map documenting the location of all existing towers in the County should be maintained by the County.

There are no existing towers in the search ring.

6. Applications for new tower sites with one-half mile of the boundary of the Cities of Fresno and Clovis should give consideration to City-adopted Guidelines (see attached Guidelines presently utilized by the City of Fresno).

The proposed facility is located in the unincorporated area of Fresno County near Firebaugh.

7. Siting of towers in rural areas should be subject to the following criteria and requirements:

- a. Tower sites should be selected to minimize disruption to agricultural aircraft operations, farm irrigation systems, and movement of farm equipment. Applicants should describe factors specific to the property that have been addressed in the site selection. If site selection negotiation is conducted with an absentee owner, a supporting statement from the farm manager should be provided.

The proposed project is located near the edge of the field.

PROJECT SUPPORT STATEMENT – CLINT

- b. Towers should be placed adjacent to the farm homesite or other existing farm buildings. If there are no improvements on the property, the preferred location is at the edge of the field or adjacent to existing farm access roads. Locations at the center of the fields or selections of land should be avoided.

The proposed project is located near the edge of the field.

- c. Generally, guyed towers should not be allowed, except for Broadcast T.V, Broadcast Radio, and Amateur Radio.

No guyed wires have been incorporated into the facility design.

- d. Towers should be sited to minimize aesthetic impacts to adjacent homesites on surrounding properties.

There are no adjacent homesites on the surrounding properties. The nearest residence is approximately .25 miles from the proposed project location.

- e. Towers should be sited to minimize impacts to adjacent farming operations on surrounding properties.

The proposed project is located near the edge of the field.

INFORMATION REQUIREMENTS FOR COMMUNICATION TOWER APPLICANTS

- Submit detailed information to justify the need for the tower site (e.g. network design, search ring, specific site selection criteria)

This information has been included above.

- Submit 1 color copy of service coverage maps and other necessary graphics that demonstrate the need for proposed tower site.

The requested copies are included in the submittal package. Electronic versions of this document is available upon request.

- Identify the location of any existing or approved future tower within a five-mile radius of the proposed site. Include information regarding the operator/owner of the tower, and the tower height.

The closest tower is located approx. 4.4 miles from the proposed project area.

- Provide documentation that provisions are included in your lease agreement that reserves “co-location” opportunities for other service providers.

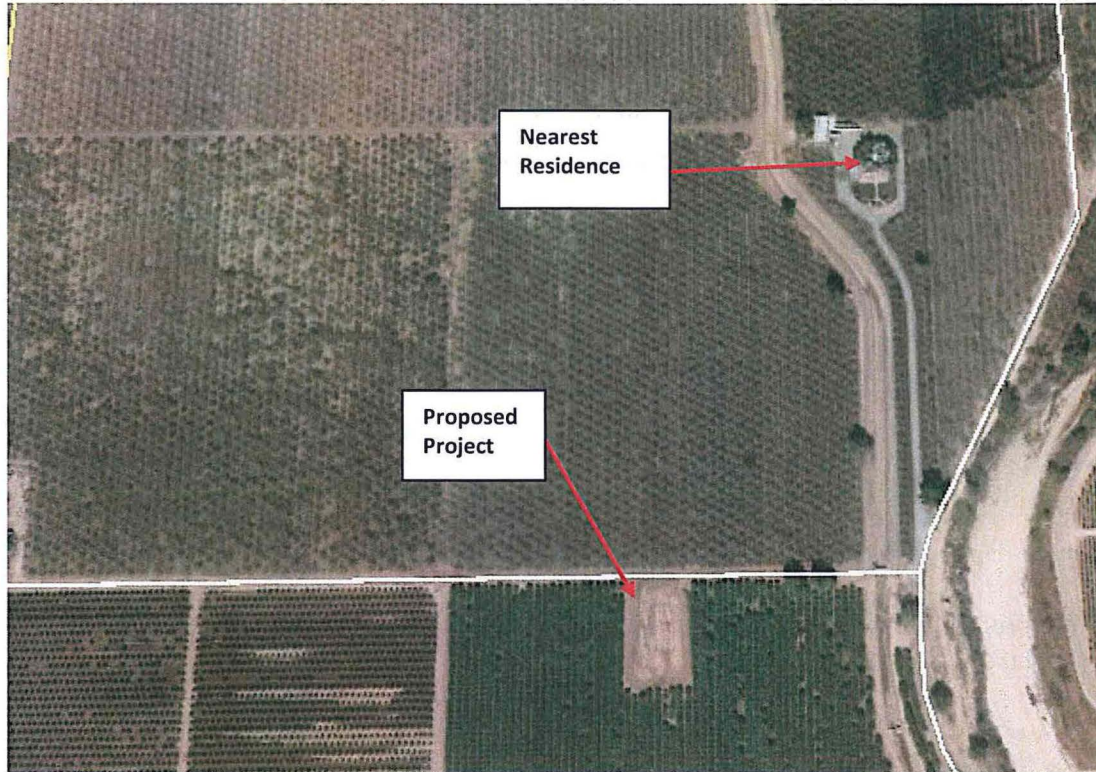
The proposed facility has been designed to accommodate future colocation by other carriers as preferred by the County when technically and economically feasible.

- Depict on the site plan the area available within the tower site to accommodate other future equipment buildings/towers.

There is adequate space for additional equipment areas in the proposed lease area. This has been depicted on the proposed project plans.

PROJECT SUPPORT STATEMENT – CLINT

- Identify the distance and location of the nearest residence(s) within one-quarter mile from the proposed tower site.



The nearest residence is approx. .25 miles from the proposed project.

- Identify the location of any airstrip or airport within a five-mile radius of the proposed tower site.

There are no airstrips or airports within a five-mile radius of the proposed tower site.

- Tower sites proposed in rural agricultural areas must include information relevant to the siting criteria and requirements found in item No. 7 of the "Guidelines" handout.

Siting of towers in rural agricultural areas should be subject to the following criteria and requirements:

- f. Tower sites should be selected to minimize disruption to agricultural aircraft operations, farm irrigation systems, and movement of farm equipment. Applicants should describe factors specific to the property that have been addressed in the site selection. If site selection negotiation is conducted with an absentee owner, a supporting statement from the farm manager should be provided.

The proposed project is located near the edge of the field.

- g. Towers should be placed adjacent to the farm homesite or other existing farm buildings. If there are no improvements on the property, the preferred location is at the edge of the field or adjacent to existing farm access roads. Locations at the center of the fields or selections of land should be avoided.

PROJECT SUPPORT STATEMENT – CLINT

The proposed project is located near the edge of the field.

- h. Generally, guyed towers should not be allowed, except for Broadcast T.V, Broadcast Radio, and Amateur Radio.

No guyed wires have been incorporated into the facility design.

- i. Towers should be sited to minimize aesthetic impacts to adjacent homesites on surrounding properties.

There are no adjacent homesites on the surrounding properties.

- j. Towers should be sited to minimize impacts to adjacent farming operations on surrounding properties.

The proposed project is located near the edge of the field.

- Tower sites proposed within one-half mile of the boundary of the Cities of Fresno and Clovis must give consideration to the City-adopted Guidelines.

The proposed project is not located within the incorporated areas of Fresno and Clovis within Fresno County.

- Tower sites proposed adjacent to roads classified as major roads on the Circulation Element of the General Plan and other Aesthetically sensitive areas (e.g/ river bottom, existing/planned residential areas) must include information regarding measures taken to minimize aesthetic impacts (e.g.substantial setback from major road, trees, stealth tower design, slim-line monopole).

The proposed facility is located within an agriculturally zoned area and not adjacent to an area described above.

SAFETY BENEFITS OF IMPROVED WIRELESS SERVICE

Mobile phone use has become an extremely important system for public safety. Motorists with disabled vehicles (or worse) can use their phone to call in and request appropriate assistance. With strong cellular coverage along important roadways, emergency response is just a phone call away. Furthermore, as a back-up system to traditional landline phone service, mobile phones have proven to be extremely important during natural disasters and other catastrophes.

LIGHTING

Unless tower lighting is required by the FAA the tower will not be lit.

NOISE

The standby generator will be operated for approximately 15 minutes per week for maintenance purposes, and during power outages and disasters. Testing and maintenance will take place weekdays between 8:00 a.m. and 7:00 p.m.

During construction of the facility, which typically lasts around two months, acceptable noise levels will not be exceeded.

**PROJECT SUPPORT STATEMENT – CLINT
SITE MAINTENANCE**

A technician will visit the site approximately once or twice a month to check the facility and perform any necessary maintenance.

COMPLIANCE WITH FCC STANDARDS

This project will not interfere with any TV, radio, telephone, satellite, or any other signals. Any interference would be against the Federal Law and would be a violation AT&T's FCC License.

CONSTRUCTION SCHEDULE

The construction of the facility will be in compliance with all local rules and regulations. The typical duration is two months. The crew size will range from two to ten individuals.

NOTICE OF ACTIONS AFFECTING THIS DEVELOPMENT PERMIT

In accordance with California Government Code Section 65945(a), AT&T Mobility requests notice of any proposal to adopt or amend the: general plan, specific plan, zoning ordinance, ordinance(s) affecting building or grading permits that would in any manner affect this development permit. Any such notice may be sent to 2009 V Street, Sacramento, CA 95818.

OPERATIONAL STATEMENT

AT&T MOBILITY SITE CVL02120 CLINT

LEWISTON AVENUE BETWEEN MAPLE AND CEDAR STREETS

LATON, CA 93242

APN: 055-110-55

Response to Operational Statement Checklist

Nature of the operation--what do you propose to do? Describe in detail.

AT&T is proposing communications facility for this location. This is an unmanned, remotely monitored facility that operates 24 hours per day, 7 days per week, 365 days per year, to provide high speed broadband and cellular coverage to this underserved area of Fresno County.

Included as part of this wireless facility will be the following:

50'x50' Fenced, secured lease area including:

100' monopole with (3) Antenna sectors with (4) antennas per sector

21 Remote Radio Heads

Equipment Shelter

Propane standby generator

6' chain link fence with 12' access gate.

Operational time limits:

This unmanned facility will provide service 24 hours a day, 7 days a week.

Number of customers or visitors:

The facility will not be open for visitors or customers.

Number of employees:

The site is an unmanned facility. A service technician will visit the site on an average of once per month for routine maintenance. The site will be entirely self-monitored and connected directly to a central office where sophisticated computers alert personnel to any equipment malfunction. Because the wireless facility will be unmanned, there will be no regular hours of operation and no impacts to existing local traffic patterns. No water or sanitation services will be required.

Service and delivery vehicles:

This site will have a technician visit an average of once a month for a short visit.

Access to the site:

The proposed facility will be accessed from Lewiston Avenue.

Number of parking spaces for employees, customers, and service/delivery vehicles.

The site is an unmanned facility. A service technician will visit the site on an average of once per month for routine maintenance. The site will be entirely self-monitored and connected directly to a central office where sophisticated computers alert personnel to any equipment malfunction. Because the wireless facility will be unmanned, there will be no regular hours of operation and no impacts to existing local traffic patterns. No water or sanitation services will be required.

Are any goods to be sold on-site?

If so, are these goods grown or produced on-site or at some other location?

No. Not applicable.

What equipment is used?



OPERATIONAL STATEMENT – AT&T MOBILITY SITE CVL02120 CLINT

Wireless telecommunications related equipment and a standby generator will be installed at the project.

What supplies or materials are used and how are they stored?

Not applicable.

Does the use cause an unsightly appearance? Noise? Glare? Dust? Odor?

Please review the site plans and photosims regarding project appearance.

The only two sources of sound associated with the proposed facility will be 1) air conditioners that cool the equipment shelter, and 2) the standby generator, which will be operated for an average of 15 minutes twice a month for maintenance purposes. The generator will be utilized during power outages. Neither of these sources of sound will exceed the acceptable noise levels for the zoning designation.

There are no sources of glare, dust, or odor associated with the operations of the project.

List any solid or liquid wastes to be produced.

Not applicable.

Estimated volume of water to be used (gallons per day).

Not applicable.

Describe any proposed advertising including size, appearance, and placement.

Not applicable.

Will existing buildings be used or will new buildings be constructed?

A new 100' monopole will be constructed at the location. As well as a prefabricated equipment shelter will be installed inside the lease area.

Explain which buildings or what portion of buildings will be used in the operation.

An equipment shelter will be used to house technology equipment at this location.

Will any outdoor lighting or an outdoor sound amplification system be used?

No outdoor lighting or sound amplification will be used.

Landscaping or fencing proposed?

A 6' security fence will surround the entire 50' X 50' proposed project lease area.

Any other information that will provide a clear understanding of the project or operation.

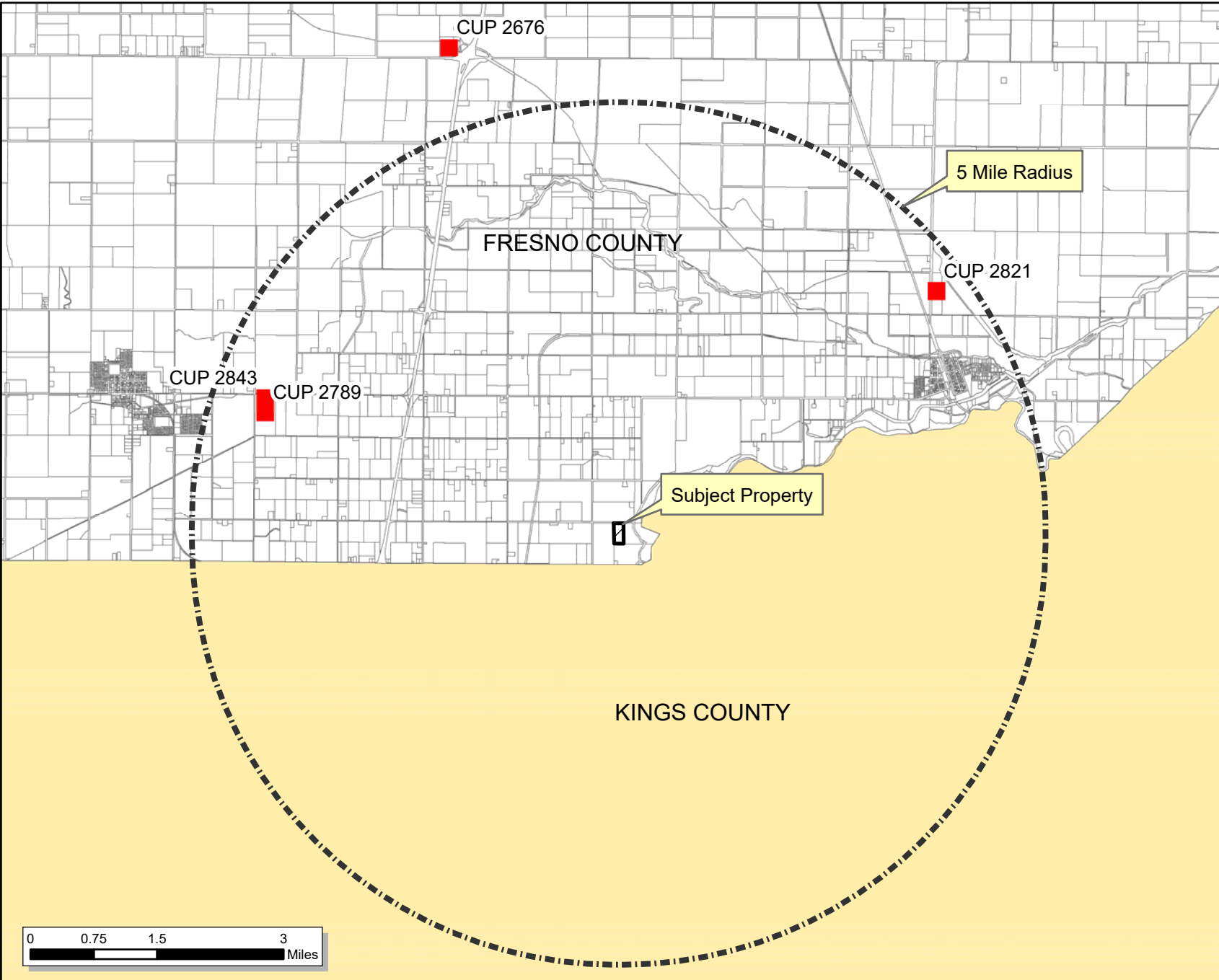
Please review project drawings, project support statement, photo-simulations, and coverage maps.

Identify all Owners, Officers and/or Board Members for each application submitted; this may be accomplished by submitting a cover letter in addition to the information provided on the signed application forms.

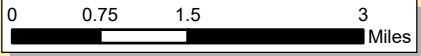
AT&T Mobility

CELLULAR TOWERS WITHIN FIVE MILES

CUP 3592



Date: 3/19/2018





County of Fresno

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

EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: AT&T Mobility c/o Complete Wireless Consulting
- APPLICATION NOS.: Initial Study Application No. 7370 and Unclassified Conditional Use Permit Application No. 3592
- DESCRIPTION: Allow an unmanned telecommunications facility consisting of a 100-foot-tall monopole tower with 12 panel antennas and related ground equipment, including a propane backup generator within a 2,500 square-foot (50 feet by 50 feet) lease area enclosed by a six-foot-tall chain-link fence with a 12-foot-wide gate, on a 20-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: The subject parcel is located on East Lewiston Avenue, between South Cedar Street and South Maple Street, Fresno County (SUP. DIST. 4) (APN: 055-110-55) (Section 36, Township 17S, Range 20E).

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is located on an agricultural parcel and bordered to the north, south, west, and east by other agricultural parcels. The surrounding area is characterized by large agricultural parcels with few residential dwellings. The applicant's Project Support Statement indicates that the 100-foot height of the proposed tower is required to meet the desired cellular coverage area objective and to provide access to high-speed broadband internet to underserved communities.

No scenic vistas, scenic resources, or historic buildings were identified in the analysis. The subject parcel is not near a designated scenic highway. The proposed tower will be a 100-foot tall monopole and will be set back approximately 36 feet from the roadway.

Additionally, a Condition of Approval shall be included requiring that ground equipment within the lease area shall be screened from view behind slatted chain link fencing or a solid wall.

- 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:

No outdoor lighting is proposed with the project and no lights will be placed on the proposed tower unless required by the Federal Aviation Administration (FAA). A Condition of Approval shall be included requiring that any lighting be hooded and downturned so as not to shine on adjacent properties, reducing any potential impacts to a less than significant level.

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide importance to non-agricultural use?

FINDING: LESS THAN SIGNIFICANT IMPACT

The subject parcel is located on lands classified by the 2012 Fresno County Important Farmland map as Farmland of Statewide Importance. The location of the proposed lease area is at the north edge of the subject parcel is minimal (50-foot by 50-foot) and located adjacent to the East Lewiston Avenue to minimize any potential disruption of agricultural production.

- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is restricted under Williamson Act Contract 2668. The use of parcels enrolled in the Williamson Act Program is limited to commercial agricultural and other compatible uses in exchange for the opportunity for reduced property tax valuation. The 20-acre parcel is part of a commercial agricultural farming operation.

Telecommunication towers are a compatible use to the extent that they do not significantly displace farmland on restricted land. As the proposed lease area is limited in size to 2,500 square feet and placed at the edge of the orchard, this does not appear to be a concern

The Fresno County Agricultural Commissioner's Office reviewed the proposal and expressed no concerns.

- 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 forestland to non-forest use?

FINDING: NO IMPACT:

The project site is not zoned for Timberland Production, or near any sites so zoned. The application does not propose any rezoning and proposes no changes to the environment that could result in the conversion of farmland or forestland to non-agricultural or non-forest use. The footprint of the project is a 50-foot by 50-foot lease area located on the edge of agricultural use on the property.

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

FINDING: NO IMPACT:

The San Joaquin Air Pollution Control District (Air District) reviewed this proposal and expressed no concerns with the project. The project will not create objectionable odors affecting people on or near the subject property. The area consists of large agricultural parcels with few residences. The nearest residence is located approximately one mile west of the proposed project site.

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?
- 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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject parcel is located in an agricultural area and has been previously disturbed, as said property has been historically utilized for agricultural cultivation. Neighboring properties around the project area have been historically utilized for agricultural cultivation and, therefore, have also been previously disturbed.

There are no riparian habitats or wetlands within the project site. This project proposal was routed to the U.S. Fish and Wildlife Service (USFWS), which did not identify any concerns. This proposal was also routed to the California Department of Fish and Wildlife (CDFW), which expressed concerns that construction activities could result in impacts to biological resources known to occur in the project area including, but not limited to, the State threatened Swainson's hawk (*Buteo swainsoni*), and recommended that the area be assessed by a qualified biologist.

Foothill Associates conducted the biological assessment for this site in December 2017. The entire project site was walked and all areas were inspected using binoculars for potential foraging habitat or evidence of stick nests, indicative of previous raptor activity. Additionally, trees that may be suitable for Swainson's hawk nesting within a half-mile buffer around the project site were surveyed, where accessible. It should be noted that no suitable nest trees were located on or overhanging the project site, but such trees do exist within the half-mile buffer. However, no inactive raptor nests were observed during the survey. Additionally, no suitable foraging or nesting habitat for Swainson's hawk was observed within the project site. Areas surrounding the project site, however, contain many large trees with the potential to support nesting Swainson's hawk, the majority of which are along the Kings River.

Foothill Associates concluded that due to the lack of suitable Swainson's hawk nesting or foraging habitat within the project site footprint, loss of foraging habitat and nesting habitat is not expected from project construction and operation. However, because the project is within a ½-mile of suitable nesting areas, this species could still potentially be impacted by project-related construction and operation, including increased human presence, noise, and lighting during project construction and operation. As such, mitigation measures recommended by CDFW should be employed during construction.

No other impacts were identified, relating to: any candidate, sensitive, or special status species; any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS, or Federally-protected wetlands as defined by Section 404 of the Clean Water Act; the movement of any native

resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or use of native wildlife nursery sites.

* **Mitigation Measures**

1. *A qualified wildlife biologist shall conduct surveys for nesting raptors following the survey methodology developed by the Swainson's hawk Technical Advisory Committee prior to any project initiation. If project activities take place during the normal bird breeding season (February 1 through September 15), California Department of Fish and Wildlife (CDFW) recommends that additional pre-construction surveys for the active nests be conducted by a qualified biologist no more than 10 days prior to the start of construction.*
2. *If construction must take place during the nesting season (February 1 through September 15) and an active Swainson's hawk nest is found during pre-construction surveys, a minimum 1/2 –mile no-disturbance buffer around the nest until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival shall be implemented per CDFW recommendations. If the 1/2-mile no-disturbance nest buffer is not feasible, consultation with CDFW is warranted and acquisition of an Incidental Take Permit (ITP) for SWHA may be necessary prior to project implementation, pursuant for Fish and Game Code Section 2081(b).*

- 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:

There are no local policies or ordinances protecting biological resources in the area and there are no local, regional, or state habitat conservation plans in the area.

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 of 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; or
- 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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The subject property and surrounding area have been historically used and are currently used for agricultural purposes, and have been previously disturbed. A Cultural Resources Assessment was prepared for the project by Cogstone, which included a California Historical Resources Information Search (CHRIS). The search indicated that there are no known cultural resources or historic properties located within 0.5 miles of the Area of Potential Impact (API). The Native American Heritage Commission (NAHC) was also contacted for a review of its Sacred Lands File. That search was negative for the API. The site visit by Cogstone found no evidence of cultural resources at the site and their report concluded no potential to impact cultural resources within the API.

However, since the area has a moderate sensitivity for the discovery of archeological resources, it is recommended that during ground disturbing activities, the following mitigation measure be followed to address the possibility of cultural resource finds:

* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist should be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.*

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 subject parcel is not located along a known fault line according to the most recent Alquist-Priolo Earthquake Fault Zoning Act maps. The project site is not located in an area at risk of Seismic Hazard or Landslide Hazards per Figures 9-5 and 9-6 of the Fresno County General Plan Background Report (FCGPBR).

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The project site is not located in an area at risk of erosion according to Figure 7.3 of the Fresno County General Plan Background Report. Grading activities could result in changes in topography and therefore potentially increase surface runoff at the project site; however, due to the limited size of the project area, the proposal is not expected to result in substantial erosion or loss of topsoil. The Development Engineering Section of the Fresno County Department of Public Works and Planning, indicated that a grading permit or voucher would be required for any grading proposed with this project.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

FINDING: NO IMPACT:

The project is not located in an area of steep slopes per Figure 7-2 (FCGPBR), nor at risk of seismic hazards, per discussion above. The project was reviewed by the Water and Resources Section, which did not express any concerns with the application.

- D. Would the project be located on expansive soils, creating substantial risks to life or property?

FINDING: NO IMPACT:

The project is not located in an area of expansive soils, per Figure 7-1 (FCGPBR).

- 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:

The proposal is for an unmanned cell-phone tower and no septic tanks or other sanitary facilities are proposed as part of this project.

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:

The San Joaquin Valley Air Pollution Control District expressed no concerns, supporting the determination that the project will not generate greenhouse gas emissions, 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed facility will utilize a propane standby generator with a 500-gallon fuel storage tank on site. 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.

- C. Would the project create hazardous emissions or utilize hazardous materials, substances or waste within one quarter-mile of a school?

FINDING: NO IMPACT:

There are no schools located within one quarter-mile of the subject property.

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

FINDING: NO IMPACT:

Per review of the project area using the United States Environmental Protection Agency's NEPAAssist, no hazardous materials sites are located within the boundaries of the subject parcel.

- 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 not located within an Airport Land Use Plan nor in the vicinity of a private airstrip.

- G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan; or
- 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 would not physically interfere with an adopted Emergency Response Plan; additionally the subject parcel is not near an urbanized area nor is it within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

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

FINDING: NO IMPACT:

The project does not include provisions for the use of water on site, and no such use is anticipated. The site will be generally unmanned, excepting a monthly visit by a technician, and no sanitary facilities are required. Project runoff will be retained on site or disposed of per County standards.

G. Would the project place housing within a 100-year floodplain?

FINDING: NO IMPACT:

No housing is proposed with this application.

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 FEMA FIRM Panel 06019C200J, the parcel is not subject to flooding from the 100-year storm. There are no existing natural drainage channels adjacent or running through the parcel.

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 project site is not located in an area at risk of dam failure flood inundation as defined by Figure 9-8 (FCGPBR), nor is the site prone to seiche, tsunami, or mudflow.

X. LAND USE AND PLANNING

A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The subject parcel is under agricultural cultivation; the project site will be contained entirely within the subject parcel and will not physically divide an established community.

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 applicant's Project Support Statement indicates that AT&T is proposing this project in order to provide high-speed broadband internet service to this underserved, unincorporated area of Fresno County.

The subject property is designated Agriculture in the Fresno County General Plan and is located in an area of agricultural production. The parcel is zoned AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) and is restricted under Williamson Act,

Agricultural Land Conservation Contract No. 2668. Telecommunication towers are a compatible use to the extent that they do not significantly displace farmland.

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

FINDING: NO IMPACT:

The project site is not located in an area subject to a Habitat Conservation Plan or Natural Community Conservation Plan.

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. The project site is not located in a mineral resources area identified in Figure 7-7 (FCGPBR).

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?

FINDING: NO IMPACT:

The project will not generate severe noise levels or excessive vibration. There will be no permanent increase in ambient noise levels in the project vicinity.

- D. Would the project result in a substantial temporary or periodic increase in ambient noise levels; or
- 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:

The subject parcel is not located in an airport review area, nor is it near an airport or private airstrip, and therefore the Airport Land Use Commission did not review it.

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. The project is an unmanned wireless telecommunications facility requiring no on-site employees. No housing or people will be displaced as a result of the project.

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; or
 - 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. There were no concerns from the Fresno County Fire Protection District or the Fresno County Sheriff's Department. There are no schools or parks within the project site vicinity.

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 impacts on the use of existing parks or recreational resources were identified in the project analysis. This project proposes an unmanned telecommunications facility.

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: LESS THAN SIGNIFICANT:

After construction, the tower will be unmanned. Maintenance workers will access the site from a proposed 20-foot-wide joint access and utility easement adjacent to East Lewiston Avenue. It will not conflict with any plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system or conflict with any congestion management program. The project will add one round trip per month, which is a less-than-significant increase to traffic on the roads.

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

FINDING: NO IMPACT:

The project site is not within the review zone of any airport nor near an airport or private airfield. The project was routed to Lemoore Naval Air Station (LNAS) and they had no concerns with the proposal.

- D. Would the project substantially increase traffic hazards due to design features; or
- E. Would the project result in inadequate emergency access; or
- 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 project will not interfere with emergency access or any adopted plans, policies or programs regarding public transit, bicycle, or pedestrian facilities.

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

Once construction has been completed, the project will use no water, produce no liquid or solid waste, and will have no impact on existing utilities.

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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Potential impacts to biological resources were identified in the analysis. With incorporation of the Mitigation Measures indicated in Section IV and V, any impacts on biological or cultural resources from the project will be less than significant.

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

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The only cumulatively considerable impacts identified in the analysis were related to Biological and Cultural Resources. These impacts have been reduced to less than significant with the Mitigation Measures discussed in Sections IV and V.

- 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 project analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3592, 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 Air Quality, Greenhouse Gas Emissions, Hydrology and Water Quality, Mineral Resources, Population and Housing, Public Services, Recreation, or Utilities and Service Systems.

Potential impacts related to Aesthetics, Agriculture, Geology and Soils, Hazards and Hazardous Materials, Land Use Planning, Noise, and Transportation/Traffic have been determined to be less than significant.

Potential impacts relating to Biological and Cultural Resources have been determined to be less than significant with the included 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 southeast corner of Tulare and "M" Street, Fresno, California.

MM

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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 7370	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): Marianne Mollring, Senior Planner	Area Code: 559	Telephone Number: 600-4569	Extension: N/A
Applicant (Name): AT&T Mobility	Project Title: Unclassified Conditional Use Permit Application No.3567		
Project Description: Allow a 100-foot-tall monopole cellular tower and related facilities on a 20-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.			
Justification for Negative Declaration: Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3592, 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 Air Quality, Greenhouse Gas Emissions, Hydrology and Water Quality, Mineral Resources, Population and Housing, Public Services, Recreation, or Utilities and Service Systems. Potential impacts related to Aesthetics, Agriculture, Geology and Soils, Hazards and Hazardous Materials, Land Use Planning, Noise, and Transportation/Traffic have been determined to be less than significant. Potential impacts relating to Biological and Cultural Resources have been determined to be less than significant with the included 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 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 – February 19, 2018		Review Date Deadline: Planning Commission – March 29, 2018	
Date:	Type or Print Signature: Chris Motta Principal Planner	Submitted by (Signature): Marianne Mollring Senior Planner	

State 15083, 15085

County Clerk File No.: _____

**LOCAL AGENCY
MITIGATED NEGATIVE DECLARATION**