



County of Fresno

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

October 27, 2021

Sean Moss
215 W. Fallbrook Ave, Ste. A
Fresno, CA 93711

Dear Mr. Moss:

Subject: Resolution No. 12904 – Unclassified Conditional Use Permit Application No. 3712

On September 9, 2021, the Fresno County Planning Commission approved your above-referenced project with Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

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

If you have any questions regarding the information in this letter, please contact me at eracusin@fresnocountyca.gov or 559-600-4245.

Sincerely,

Elliot Racusin, Planner
Development Services and Capital Projects Division

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Enclosure



Inter Office Memo

DATE: September 9, 2021

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12904 - UNCLASSIFIED CONDITIONAL USE PERMIT
APPLICATION NO. 3712

APPLICANT: Sean Moss

OWNER: unWired Broadband Inc.

REQUEST: Allow for an unmanned communications site with a corresponding solar array to provide wireless internet service in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone District. The parcel is 40.34 acres. The project area size consists of a 30'x 30' fenced area with 10' posts to support a total of nine horn antennas & one 2' dish antenna. Ground equipment will include one 2'x 3' equipment cabinet and one small solar system utilized for power.

LOCATION: The subject parcel is located on the northeastern corner of Shepard Avenue and N. Madsen Avenue. (APN: 150-070-90) (13638 E Shepard Avenue) (Sup. Dist. 5)

PLANNING COMMISSION ACTION:

At its hearing of September 9, 2021, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Chatha and seconded by Commissioner Hill to adopt the approval of a Conditional Use Permit and approve Unclassified Conditional Use Permit No. 3712, subject to the Conditions listed in Exhibit B.

RESOLUTION # 12904

This motion passed on the following vote:

VOTING: Yes: Commissioners Chatha, Hill, Abrahamian, Carver, Ede, and Ewell
 No: None
 Absent: Commissioners Eubanks and Woolf
 Abstain: None

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

By: 

William M. Kettler, Manager
Development Services and Capital Projects Division

WMK:er:im

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

Attachments

EXHIBIT A

Unclassified Conditional Use Permit Application No. 3712

- Staff: The Fresno County Planning Commission considered the Staff Report dated September 9, 2021 and heard a summary presentation by staff.
- Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: None

WMK:er:im:

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EXHIBIT B

Unclassified Conditional Use Permit Application No. 3712
(Including Conditions of Approval and Project Notes)

Conditions of Approval	
1.	Development of the property shall be in substantial accordance with the Site Plan, Elevations and Operational Statement approved by the Commission.

*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.	An encroachment permit is needed from the Road Maintenance and Operations Division for any work done within the road right-of-way in Fresno County
2.	The proposed project is in the State Responsibility Area (SRA) and is required to comply with the SRA ordinance and fire safety regulations.
3.	The project may be required to annex into the Community Facilities District No. 2010-01 of the Fresno County Fire Protection District
4.	Staff recommends a Traffic Management Plan (TMP) to address potential impacts during the construction phase of this project. In addition to managing traffic flow, the TMP shall also address dust mitigation.

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