



Inter Office Memo

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

DATE: October 10, 2019

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12800 - INITIAL STUDY APPLICATION NO. 7611 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3648

APPLICANT: Jason Osborne

OWNER: Iva M. Arthur, Trustee

REQUEST: Allow construction of a new unmanned wireless telecommunications facility consisting of a 150-foot lattice tower with associated antennas and equipment on a 40-foot by 50-foot fenced area on a 1.45-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the west side of South Elm Avenue approximately 1,764 feet north of its nearest intersection with East Elkhorn Avenue, approximately 3.36 miles southeast of the unincorporated community of Caruthers (16629 S. Elm Avenue, Caruthers, CA) (SUP. DIST. 4) (APN 042-200-06S).

PLANNING COMMISSION ACTION:

At its hearing of October 10, 2019, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Chairman Abrahamian and seconded by Commissioner Vallis to determine the required Findings could not be made, stating Finding 3 could not be made because of the impact on the neighborhood and Finding 4 could not be made because of the necessity to remove the existing tower and the proposal was not compatible with the Wireless Guidelines; and deny Unclassified Conditional Use Permit No. 3648.

RESOLUTION # 12800

This motion passed on the following vote:


VOTING: Yes: Commissioners Abrahamian, Vallis, Burgess, Ede, Hill and Eubanks

 No: None

 Absent: Commissioners Chatha, Delahay and Lawson

 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:ksn
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Attachments

EXHIBIT A

Initial Study Application No. 7611
Unclassified Conditional Use Permit Application No. 3648

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 10, 2019, and heard a summary presentation by staff.
- Applicant: The Applicant concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- We will be relocating and decommissioning the existing tower; we are unable to renegotiate the land lease of the existing site.
 - The existing tower has been at this location for 25 years; if the application is denied, we will lose coverage in the area.
 - The proposed site is the only one in the vicinity that we were able to secure; other sites will not provide the existing coverage; we will construct the proposed tower prior removing the existing tower.
 - Crown Castle is in the business of owning towers and providing those towers for cell carriers that would like to provide coverage for the area.
- Others: A representative of the Applicant spoke in support of the application and provided additional information regarding the proposal.
- If the permit is approved, the current carrier service will be transferred to the proposed tower and the existing tower; Verizon is aware of the proposed new site and agrees with the location change.
 - The lease and agreement conflict are a private matter between the company and the property owner.
- One person presented a letter of opposition and provided testimony about the existing tower and the expired lease agreement with Crown Castle.
- I am concerned that this application is only a negotiation tactic to drive down the lease rates on the existing tower at the expense of the property owner.
 - I believe Crown Castle has used this approach with other lease agreements.
- Correspondence: One letter was presented to the Planning Commission in opposition to the application.