



County of Fresno

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

August 12, 2019

AT&T Mobility
2009 V Street
Sacramento CA 95818

Dear Applicant:

Subject: Resolution No. 12784 - Initial Study Application No. 7604 and Unclassified
Conditional Use Permit Application No. 3641

On July 18, 2019, 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 Unclassified Conditional Use Permit.

If you have any questions regarding the information in this letter please contact me at eahmad@fresnocountyca.gov or 559-600-4204.

Sincerely,

Ejaz Ahmad, Planner
Development Services and Capital Projects Division

EA:ksn
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3600-3699\3641\RESOLUTION\CUP 3641 Reso.doc

Enclosure



Inter Office Memo

DATE: July 18, 2019

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12784 - INITIAL STUDY APPLICATION NO. 7604 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3641

APPLICANT: AT&T Mobility

OWNER: James Anderson

REQUEST: Allow the construction of a new unmanned wireless telecommunications facility consisting of a 224.8-foot-tall lattice tower with nine (9) antennas, one microwave dish, and related ground equipment, within a 2,500 square-foot fenced lease area, including new access and utility easements, on a 151.4-acre parcel in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the northwest corner of Trinity and Mitchell Avenues approximately 2.2 miles northwest of the City of Huron (Sup. Dist. 4) (APN 068-100-21S).

PLANNING COMMISSION ACTION:

At its hearing of July 18, 2019, the Commission considered the Staff Report and testimony (summarized in Exhibit A).


A motion was made by Commissioner Lawson and seconded by Commissioner Eubanks to adopt the Mitigated Negative Declaration prepared for the project, adopt the recommended Findings of Fact for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3641, subject to the Conditions listed in Exhibit B, including an additional Condition requiring FAA approval of the tower prior to the issuance of building permits by the County.

RESOLUTION NO. 12784

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Lawson, Eubanks, Abrahamian, Chatha, Delahay and Hill
	No:	None
	Absent:	Commissioners Burgess, Ede and Vallis
	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
G:\4360Devs&PIn\PROJSEC\PROJDOCS\CUP\3600-3699\3641\RESOLUTION\CUP 3641 Reso.doc

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 Classified Conditional Use Permit.

Attachments

EXHIBIT A

Initial Study Application No. 7604
Unclassified Conditional Use Permit Application No. 3641

Staff: The Fresno County Planning Commission considered the Staff Report dated July 18, 2019, and heard a summary presentation by staff.

Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. She described the project and offered the following information to clarify the intended use:

- We agree with and accept all Conditions of Approval for the project.
- The proposed tower height is typical for a tower that covers a large area; the tower height is determined by AT&T engineers.
- The Federal Aviation Administration (FAA) determines the type of lighting and the type of marking required for a tower; we filed the FAA application on June 6, 2019, and it takes the FAA 90 days to process the application.

Others: No other individuals presented information in support of or in opposition to the application.

Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

EJ:ksn
G:\4360Devs&Pin\PROJSEC\PROJDOCS\CUP\3600-3699\3641\RESOLUTION\CUP 3641 Reso.doc

Mitigation Monitoring and Reporting Program
Initial Study Application No. 7604/Unclassified Conditional Use Permit Application No. 3641
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	Ground equipment within the 50-foot by 50-foot lease area shall be screened behind slatted, chain-link fencing provided in an earth-tone (brown) color.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
2.	Aesthetics	All outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets.	Applicant	Applicant/PW&P	As long as the project lasts
Conditions of Approval					
1.	Development of the property shall be in accordance with the Site Plan, Floor Plan, Elevations and Operational Statement approved by the Planning Commission.				
2.	The approval shall expire in the event the use of the tower ceases for a period in excess of two years. At such time, the tower and related facilities shall be removed and the lease area shall be restored as nearly as practical to its original condition. This stipulation shall be recorded as a Covenant running with the land. Note: This Department will prepare the Covenant upon receipt of the standard processing fee, which is currently \$243.50.				
3.	The maximum number of antennas allowed on the tower shall be determined according to wind load calculations as approved by the Fresno County Department of Public Works and Planning.				
4.	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 a signed lease agreement and additional area within the lease area for co-location of equipment, or other information that demonstrates the facility shall make itself available for co-location.				
5.	Testing of the emergency back-up power generator for maintenance purposes shall occur during the daytime hours of 7:00 a.m. to 5:00 p.m.				
6.	Prior to the issuance of a building permit, the Applicant shall obtain Federal Aviation Administration (FAA) approval of the tower (an additional Condition added by the Planning Commission action July 18, 2019).				

*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.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.
2.	Plans, permits and inspections shall be required for all proposed improvements on the property, including fences/gate entrances exceeding six feet in height. Contact the Building and Safety Section of the Development Services and Capital Projects Division at (559) 600-4540 for permits and inspections.
3.	Wind load calculations and footing designed by a registered civil engineer shall be submitted to the Building and Safety Section of the Fresno County Department of Public Works and Planning before permits are issued.
4.	<p>To address potential health impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following:</p> <ul style="list-style-type: none"> • Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. • Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95. • All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.
5.	<p>To address site development impacts resulting from the project, the Development Engineering Section of the Development Services and Capital Projects Division requires the following:</p> <ul style="list-style-type: none"> • An Engineered Grading Plan • A Grading Permit or Voucher once the grading plan is approved • An Elevation Certificate pre and post construction
6.	<p>To address site development impacts resulting from the project, Westlands Water District requires the following:</p> <ul style="list-style-type: none"> • The District's underground facilities on or near the subject parcels shall not be disturbed, and prior to construction, Underground Service Alert shall be contacted. • A hazardous material spill prevention and response plan shall be provided for the 190-gallon diesel fuel stored on site for the stand-by generator.
7.	The Applicant shall contact the San Joaquin Valley Air Pollution Control District's Small Business Assistance Office to identify District rules or regulations that may apply to this project or to obtain information about District permit requirements.
8.	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.

Notes

9. The Applicant shall file FAA Form 7460-1 with the Western Regional Office of the FAA in conjunction with the proposal.

EA:ksn
G:\4360Devs&P\in\PROJSEC\PROJDOCS\CUP\3600-3699\3641\RESOLUTION\CUP 3641 MMRP (Ex B).docx