



County of Fresno

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

August 16, 2018

AT&T Mobility
2009 V Street
Sacramento CA 95818

Dear Applicant:

Subject: Resolution No. 12728 - Initial Study Application No. 7427 and Unclassified
Conditional Use Permit Application No. 3602

On July 26, 2018, the Fresno County Planning Commission approved your Unclassified Conditional Use Permit 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 jshaw@fresnocountyca.gov or 559-600-4207.

Sincerely,

Jeremy Shaw, Planner
Development Services and Capital Projects Division

JS:ksn

G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3600-3699\3602\RESOLUTION\CUP 3602 Reso.docx

Enclosure



Inter Office Memo

DATE: July 26, 2018

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12728 - INITIAL STUDY APPLICATION NO. 7427 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3602

APPLICANT: AT&T Mobility

OWNER: Darin Hamman

REQUEST: Allow the construction of a new unmanned wireless telecommunication facility consisting of a 110-foot-tall tower, employing a windmill design, and related ground equipment within a 2,250 square-foot fenced lease area, including new access and utility easements, on a 48.50-acre parcel in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located on Towerline Lane, approximately 1,500 feet east of its intersection with Pittman Hill Road, and approximately two miles south of the unincorporated community of Humphreys Station (26597 Towerline Lane, Clovis, 93619) (SUP. DIST. 5) (APN 138-500-19).

PLANNING COMMISSION ACTION:

At its hearing of July 26, 2018, 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 required Findings of Fact for approval of a Conditional Use Permit, and approve Unclassified Conditional Use Permit No. 3602, subject to the Conditions listed in Exhibit B.

EXHIBIT A

Initial Study Application No. 7427
Unclassified Conditional Use Permit Application No. 3602

- Staff: The Fresno County Planning Commission considered the Staff Report dated July 26, 2018, 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:
- The design of the tower was chosen to reflect the natural and built environment of the area.
 - The purpose of the facility is to provide high-speed broadband internet service to the area.
- Others: Two other individuals spoke in support of the application mentioning increased reliability for public safety communications and provision of improved cellular and internet service.
- One individual spoke in opposition to the application regarding aesthetic impacts and decline in property values.
- Correspondence: One letter was presented to the Planning Commission in support of the application citing the need for increased cellular and internet access in the area.

JS:ksn
G:\4360Devs&Pin\PROJSEC\PROJDOCS\CUP\3600-3699\3602\RESOLUTION\CUP 3602 Reso.docx

Mitigation Monitoring and Reporting Program
Initial Study Application No. 7427/Unclassified Conditional Use Permit Application No. 3602
(Including Conditions of Approval and Project Notes)

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	Landscaping shall be provided around the perimeter of the fenced lease area (excepting the 12-foot-wide gated access point) in order to restore the natural vegetation disturbed during construction. The landscaping shall include the replacement of the two existing oak trees removed during construction. Additionally, said landscaping shall not require the provision of irrigation or the use of any on-site water supply. A note shall be included on the submitted site plans acknowledging the above requirements and describing in detail the trees and vegetation to be replaced.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	Ongoing/ Duration of the project
2.	Aesthetics	The 45-foot by 50-foot lease area shall be screened behind slatted, chain-link fencing provided in an earth-tone (brown) color.	Applicant	Applicant/PW&P	Ongoing/ Duration of the project
3.	Aesthetics	The 110-foot-tall tower shall be painted in an earth-tone color (brown), unless painting/stripping of the tower is required by the Federal Aviation Administration (FAA) for daytime visibility.	Applicant	Applicant/PW&P	Ongoing/ Duration of the project
4.	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, and an Archeologist shall 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 proposed tower shall utilize a faux windmill design in order to blend with the site and surrounding development.
3.	All outdoor lighting shall be hooded and directed downward so as not to shine toward adjacent properties and public streets or roadways.
4.	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.
5.	The Applicant (AT&T) shall repair any damage to Towerline Lane or Sales Creek Road from their respective intersections with Pittman Hill Road to include all sections of either road which are utilized by the Applicant (AT&T) for any purpose associated with this project, and caused by construction and/or grading activities, routine maintenance trips and subsequent removal of the tower.
6.	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.

*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. 3602 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.

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

JS:ksn
G:\4360Devs&P\in\PROJECTS\CUP\3600-3699\3602\RESOLUTION\CUP 3602 MMRP (Ex B).docx