



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 2 August 10, 2017

**SUBJECT:** Initial Study Application No. 7243 and Unclassified Conditional Use Permit Application No. 3559

Allow a new wireless telecommunications facility consisting of an 80-foot-tall “monopine” tower with nine (9) 6-foot-tall panel antennas and related equipment located on a 17-foot by 4-foot concrete pad within a 576 square-foot lease area on a 2.46-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The project site is located on the east side of De Wolf Avenue, approximately 650 feet northeast of the intersection of Shaw and De Wolf Avenues, and approximately 300 feet east of the nearest city limits of the City of Clovis (8016 East Shaw Avenue) (SUP. DIST. 5) (APN 554-053-35).

**OWNER:** George and Sterlene Beal  
**APPLICANT:** Verizon Wireless

**STAFF CONTACT:** Jeremy Shaw, Planner  
(559) 600-4207

Chris Motta, Principal Planner  
(559) 600-4227

### RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 7243; and
- Approve Unclassified Conditional Use Permit (CUP) No. 3559; 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 Plans, Elevations and Detail Drawings
6. Applicant’s Operational Statement and Project Support Statement
7. Summary of Initial Study Application No. 7243
8. Draft Mitigated Negative Declaration (MND)
9. Cell Tower Vicinity Map
10. City of Clovis Opposition Retraction Letter/Removal of Condition 4

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Agriculture in the Fresno County General Plan	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	2.46 acres	No change
Project Site	Vacant portion of parcel with an existing 3,586 square-foot single-family residence and detached garage located approximately 350 feet south of the proposed lease area	Addition of an 80-foot-tall monopole telecommunications tower and related ground equipment within a 24-foot by 24-foot fenced lease area
Structural Improvements	Same as above	80-foot-tall “monopine” monopole tower with related ground equipment on a 17-foot by 4-foot concrete pad, surrounded by an eight-foot-tall chain-link fence with barbed wire
Nearest Residence	Approximately 150 feet north of the proposed tower site	No change

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Surrounding Development	Agriculture and single-family residential	No change
Operational Features	N/A	Unmanned wireless communications facility
Employees	N/A	N/A
Customers	N/A	N/A
Traffic Trips	Residential traffic	At least one maintenance visit per month
Lighting	Residential lighting	Four proposed service lights located on the ground equipment
Hours of Operation	N/A	An unmanned telecommunications facility will be in operation 24 hours per day, seven days per week, year round

**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 7.

Notice of Intent of Mitigated Negative Declaration publication date: July 28, 2017.

**PUBLIC NOTICE:**

Notices were sent to 74 property owners within 600 feet of the subject parcel, 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 on an Unclassified CUP Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

**BACKGROUND INFORMATION:**

This proposal entails the establishment of a new wireless communications facility comprised of an 80-foot-tall monopole tower disguised as a pine tree (monopine) with nine (9) 6-foot-tall antennas and related equipment, and an 17-foot by 4-foot (68 square feet) concrete pad to accommodate ground equipment, within a fenced 24-foot by 24-foot (576 square-foot) lease area portion of a 2.46-acre parcel. According to the Applicant’s Operational Statement and response to the Fresno County Wireless Communication Guidelines, the proposed tower will provide increased coverage capacity for a growing residential area of Clovis within Fresno County. Additionally, this proposal will provide co-location opportunities for other carriers.

Due to the subject parcel being located adjacent to the city limits of the City of Clovis, and within the City of Clovis Sphere of Influence, application materials for this proposal were provided to the City of Clovis for review and comment. Subsequently, the City of Clovis indicated its opposition to the project. According to comments provided by the City of Clovis, the project site is designated High-Density Residential in the City of Clovis Adopted Loma Vista Specific Plan; accordingly the City initially objected to the location of this proposal due to concerns that the tower would be inconsistent with future development plans for the site, specifically a restriction on communication towers within 100 feet of any parcel zoned for residential development, which would be a concern given the density requirements of the Specific Plan.

Consequently, this item, which was to be heard at the regularly-scheduled Planning Commission hearing of April 27, 2017, was pulled from the regular agenda at the Applicant’s request in order to allow time for the Applicant to address the City’s concerns. The Applicant and the City were able to reach a tentative compromise regarding the design of the tower and related facilities and subsequently, the City conditionally retracted its opposition to the project, provided that its concerns are addressed and requirements accommodated. According to the City, the Clovis Municipal Code does allow for the Planning Commission or City Council to make a finding that the tower may be located closer than 100 feet to a residential parcel, provided that there is a community benefit.

The City of Clovis requested as part of its retraction of opposition, that the Applicant accept Condition 4 in their letter (attached as Exhibit 10) which indicates that the proposed utility easement may need to be relocated to accommodate future development of the site. The project was next scheduled for the June 29, 2017 Planning Commission hearing, but the Applicant requested the item be removed from that Agenda in order to revise the Site Plans, changing the location of the proposed utility easement to forego the necessity for relocating the easement when redevelopment of the site takes place at a future date.

*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.*

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	Front (south) 500+ feet Side (east) 20 feet Side (west) 29 feet Rear (north) 200+ feet	Yes
Parking	No requirement	No requirement	N/A

	<b>Current Standard:</b>	<b>Proposed Operation:</b>	<b>Is Standard Met (y/n)</b>
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	No change	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No change	N/A

**Reviewing Agency/Department Comments Regarding Site Adequacy:**

Zoning Section of the Fresno County Department of Public Works and Planning: No concerns with the subject proposal.

Development Engineering Section of the Fresno County Department of Public Works and Planning: According to FEMA FIRM Panel 1595H, the parcel is not subject to flooding from the one-percent-chance storm event. The U.S.G.S. Quad Map shows that Fresno Irrigation District’s (FID) Jefferson Canal easement traverses the subject parcel along its westerly boundary. Typically, any improvements constructed near the canal should be coordinated with the owners of the canal. If the subject property is within a city Sphere of Influence, in this case the City of Clovis, the city should be consulted for their requirements. Any additional runoff generated by the proposed development cannot be drained across property lines and must be retained or disposed of per County Standards. A grading permit or voucher may be required for this application.

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

**Analysis:**

Staff review of the Site Plan demonstrates that the proposed facility meets the minimum building setback requirements of the AE-20 Zone District. The proposed 576 square-foot lease area will be set back approximately 162 feet from the northern (rear) property line ( 20-foot minimum required), 30 feet from the western (side) property line (10-foot minimum required), 10 feet from the eastern (side) property line (10-foot minimum required) and approximately 500 feet from the southern (front) property line (35-foot minimum required) of the subject parcel. Access to the lease area will be via the existing driveway on East Shaw Avenue, and then along a proposed 12-foot-wide access easement running along the western side of the property. Staff believes that adequate area is available on the subject 2.46-acre site to accommodate the cell tower and fenced lease area.

Based on the above, staff finds that the project site is adequate in shape and size 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.*

		<b>Existing Conditions</b>	<b>Proposed Operation</b>
Private Road	Yes	20-foot-wide joint access utilities easement	No change
Public Road Frontage	Yes	East Shaw Avenue-Paved	No change
Direct Access to Public Road	Yes	East Shaw Avenue-Paved	No change
Road ADT		Unknown	No change
Road Classification		Arterial	No change
Road Width		Two-lane	No change
Road Surface		Paved asphalt	No change
Traffic Trips		Residential	One round trip; 2 additional one-way trips per month
Traffic Impact Study (TIS) Prepared	No	N/A	No significant increase in traffic expected
Road Improvements Required		N/A	None required

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

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: No comments.

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. If not already present, on-site turnarounds are required for vehicles leaving the site to enter the Arterial in a forward motion so that vehicles do not back out onto the road.

No new access points are allowed without prior approval.

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 up to two one-way trips (one round trip) per month on local roads. No additional right-of-way is required, as the project site will be accessed via an access easement entirely on the subject property, and outside the boundary of the existing Fresno Irrigation District easement. No concerns regarding impacts on County roadways resultant of the project were expressed by the Department of Public Works and Planning’s Design Division or Road Maintenance and Operations Division. Based on the above information, staff believes that the section of Shaw Avenue at the project site will remain adequate to accommodate the proposed use.

**Recommended Conditions of Approval:**

*None.*

**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.*

<b>Surrounding Parcels</b>				
	Size:	Use:	Zoning:	Nearest Residence:
North	1.49 acres	Single-Family Residential	AE-20	150 feet
	1.07 acres	Single-Family Residential	AE-20	200 feet
East	3.53 acres	Single-Family Residential	AE-20	250 feet
South	1.04 acres	Single-Family Residential	City of Clovis	800 feet

**Reviewing Agency/Department Comments:**

The City of Clovis, Planning and Development Department: The subject property is pre-zoned R-3, designated High-Density Residential, and included in inventory for the 2016 regional housing element and regional housing need allocation. Removal of lands for purposes other than housing will require replacement of High-Density-zoned land elsewhere within the City limits. Although communication towers can co-exist in multiple-family housing developments, the City of Clovis is concerned that the placement and easements will leave the property difficult to develop to its required density.

1. The City of Clovis Development Code does not permit communication towers within 100 feet of any parcel zoned residential; additionally, the development code does not permit barbed wire or razor wire fencing in a residential zone district.

2. If the Fresno County Planning Commission approves the project, the City of Clovis Development Department requests that the following conditions be placed on the Conditional Use permit:
  - o The Development shall comply with the standards of the Loma Vista Specific Plan, which requires that a trail be built along the Jefferson Canal alignment, and the canal converted to pipeline.
  - o The Applicant is requested to provide a master plan showing development consistent with the High-Density future designation of the site.
  - o The tower and ground facilities shall be designed to reflect the Loma Vista Architectural theme.

On June 6, 2017 staff received a letter from the City of Clovis retracting its opposition to the project, provided that its concerns are addressed as part of the approval (see Analysis under Finding 4 of this Staff Report). Staff acknowledges concerns related to the City's plan for future development of the site. County General Plan policies also acknowledge that the cities within Fresno County have primary responsibility for planning within their spheres of influence.

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

Building and Safety Section of the Fresno County Department of Public Works and Planning: If approved, 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.

Fresno County Department of Public Health, Environmental Health Division: Facilities proposing to use and/or store hazardous waste 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. These comments are included as Project Notes.

Fresno Irrigation District: FID's active Jefferson Canal No. 112 runs southwesterly and traverses the eastern portion of the subject property, crosses the intersection of Shaw and De Wolf Avenues, and may be impacted by the proposed project. FID does own an easement, which is shown on FID's Standard Detail Page No. 10.

Fresno County Department of Agriculture: No comments.

Fresno County Fire Protection District: No concerns regarding the subject proposal.

Fresno County Sheriff's Department: No comments.

San Joaquin Valley Air Pollution Control District: No comments.

Regional Water Quality Control Board: No comments.

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



## **Analysis:**

The proposal entails the establishment of a new wireless communications facility consisting of an 80-foot-tall monopole tower (disguised as a pine tree) and associated equipment within a 24-foot by 24-foot lease area located in the northern portion of a 2.46-acre parcel occupied by an existing single-family residence. Aesthetic impacts are typically a concern associated with this type of use due to 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 surrounding properties.

As mentioned above, the project site is located in an area of primarily residential uses. Parcels on all sides of the subject property contain single-family residences. The nearest residence to the project site is located approximately 150 feet north of the project site, and there are at least five other residences within a 500-foot radius of the proposed lease area, including a large residential subdivision located approximately 400 feet west of the project site and another located approximately 800 feet southwest.

The proposed tower location is near a number of existing mature trees, which are similar in height to the proposed tower. Because the proposed tower is to be disguised as a pine tree, the existing trees on and near the subject property will serve to screen the visibility of the proposed tower from the roadway and surrounding properties. However, should the existing trees be removed as part of any future development, the aesthetic value of the “monopine” design may be somewhat diminished. Additionally, if the subject property is annexed and high-density residential development occurs, the existing trees will likely be removed. One of the City’s requested conditions is that the tower be designed such that it is disguised as a pine tree; staff notes that the submitted plans for the tower are consistent with this design standard.

To further the control of any potential adverse aesthetic impacts, a mitigation measure was placed on the project which staff believes will reduce aesthetic impacts to a less than significant level: that all lighting shall be hooded and directed downward; and a Condition of Approval has been included requiring that ground equipment be screened from view behind a solid fence or block wall that is architecturally consistent with the City of Clovis Adopted Loma Vista Specific Plan and that utilizes neutral or earth-tone colors, wood treatments or other features to improve screening and aesthetics. An additional Condition of Approval will require that no barbed or razor wire fencing shall be used in conjunction with this proposal.

With these measures in place, staff has determined that any potential impacts to aesthetics will be less than significant.

Based on the above information and with adherence to the Mitigation Measures, recommended Conditions of Approval and Project Notes 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 attached as Exhibit 1.*

## **Conclusion:**

Finding 3 can be made.

*Finding 4:* *That the proposed development is consistent with the General Plan.*

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<p>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.</p>	<p>The 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. The subject proposal is consistent with these policies, as wireless communication towers are a permissible use in agriculturally-zoned areas.</p>
<p>General Plan Policy LU-G.1: The County acknowledges that the cities have primary responsibility for planning within their Local Agency Formation Commission (LAFCo)-adopted Spheres of Influence and are responsible for urban development and the provision of urban services within their Spheres of Influence.</p>	<p>The subject parcel is located adjacent to the City limits of the City of Clovis and within the Sphere of Influence of the City of Clovis. Accordingly, the City of Clovis was notified of this proposal and provided a comment letter indicating its opposition to this project based on the proposal's incompatibility with future high-density residential development plans adopted by the City of Clovis.</p> <p>After further discussions with the Applicant, the City of Clovis elected to retract its opposition to the project with the understanding that its concerns be addressed in the Conditions of Approval and Project Notes included as Exhibit 1 of the Staff Report. Given the City's awareness of and involvement with the evaluation of this project, included Conditions of Approval and the addressing of the City's concerns and accommodation of their requested conditions, staff believes the proposed tower is consistent with this General Plan Policy.</p>

**Reviewing Agency Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: See policies identified above.

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 Communications Guidelines, which address several concerns related to the development of cell towers, including site placement, co-location opportunities, and alternative site locations. The wireless guidelines support the placement of the tower in the upper (northern) portion of the parcel, and the coverage maps provided by the Applicant show a need for coverage around this section of East Shaw Avenue. Addressing co-location opportunities, the Applicant responded that there were no communication towers in a one-mile vicinity of the project site. The lease between Verizon Wireless and the property owner includes a provision for co-location on their tower and the

placement of Verizon's equipment on the tower leaves space for co-location beneath their antennas. Review of the site plan shows adequate space for additional ground equipment. Additionally, the Applicant indicated that at least four other sites were considered in the search for a suitable area to locate the proposed tower, however the other sites considered were found to be unsuitable due to site and/or zoning issues.

The Wireless Communication Guidelines also encourage the utilization of city-adopted standards for new tower facilities if such a proposal is located within one half-mile of city boundaries. Additionally, General Plan Policy LU-G.1 states that the County acknowledges that the cities have primary responsibility for planning within their Local Agency Formation Commission (LAFCO)-adopted Spheres of Influence and are responsible for urban development and the provision of urban services within their Spheres of Influence.

Due to the subject parcel being located adjacent to the city limits of the City of Clovis, and within the City of Clovis Sphere of Influence, application materials for this proposal were provided to the City of Clovis for review and comment. Subsequently, the City of Clovis indicated its opposition to the project. *See discussion under Background Information on page four of this staff report.*

According to comments provided by the City of Clovis, the Loma Vista Specific Plan (Specific Plan) requires a Community Gateway at the intersection of Shaw Avenue and De Wolf Avenue, adjacent to the subject parcel. Per the Specific Plan, this project and any future easements shall not impact the location of the gateway nor conflict with the gateway area.

The approval of the proposed tower would be considered part of the first phase of the planned future development of the parcel, which could accommodate high-density, multiple-family development. The City acknowledges that the proposed tower would not prohibit future development on the parcel, provided that it is consistent with the Specific Plan. The tower shall utilize an artificial tree design; in this case, the proposed tower will be disguised as an artificial pine tree, or "monopine".

Per the City's comments, future development of the site may require the relocation of the tower utilities and easement in order to accommodate a project consistent with the minimum density requirements of the City of Clovis General Plan. As such, the City would request that a covenant be recorded as an agreement between the Applicant and the City, that the tower utilities and easement may need to be relocated to accommodate planned future development of the site and that the relocation of the utilities will not warrant a variance or a reduction in density requirements.

In this case, the Applicant elected to revise plans for the proposed utility easement in order to meet the City's condition prior to development of the site, to avoid the need to relocate the easement when the site is redeveloped for high-density residential uses. *See Analysis under Background Information on page 4 of this Staff Report.*

According to County records, there is one existing 70-foot-tall telecommunications tower located approximately one mile east of the proposed site. This location is consistent with the cell tower location map provided by the City of Clovis and included as Exhibit 9 of this staff report.

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. 3559, 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. 7243; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit No. 3559, subject to the Mitigation Measures, Conditions of Approval and Project Notes attached as 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. 3559; 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.

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**EXHIBIT 1**

**Mitigation Monitoring and Reporting Program  
Initial Study Application No. 7243/Unclassified Conditional Use Permit Application No. 3559  
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
*1.	Aesthetics	All outdoor lighting shall be hooded and directed downward so as not to shine upward or toward adjacent properties and public streets.	Applicant	Applicant/ Fresno County Public Works and Planning (PW&P)	Ongoing
*2.	Cultural Resources	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.	Applicant	Applicant/PW&P	Ongoing
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 Commission.				
2.	The ground equipment shall be screened behind a solid fence or a solid block wall that is architecturally consistent with the City of Clovis Adopted Loma Vista Specific Plan, and utilizes neutral or earth-tone colors, wood treatments or other features to improve screening and aesthetics. Elevations and screening plans shall be submitted to the City of Clovis for review and comment, and the Fresno County Department of Public Works and Planning for review and approval prior to issuance of Building Permits.				
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.	Barbed or razor wire fencing shall not be utilized on walls or screening areas within this lease area.				
5.	Prior to the issuance of permits, evidence shall be submitted showing that a provision is included in the signed lease agreement that reserves co-location opportunities.				
6.	The approval shall expire in the event the use of the antennas/microwave dishes ceases for a period in excess of two years. At such				

time, the antennas/microwave dishes and related facilities shall be removed and the lease area shall be restored as nearly as practical to its original condition.

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

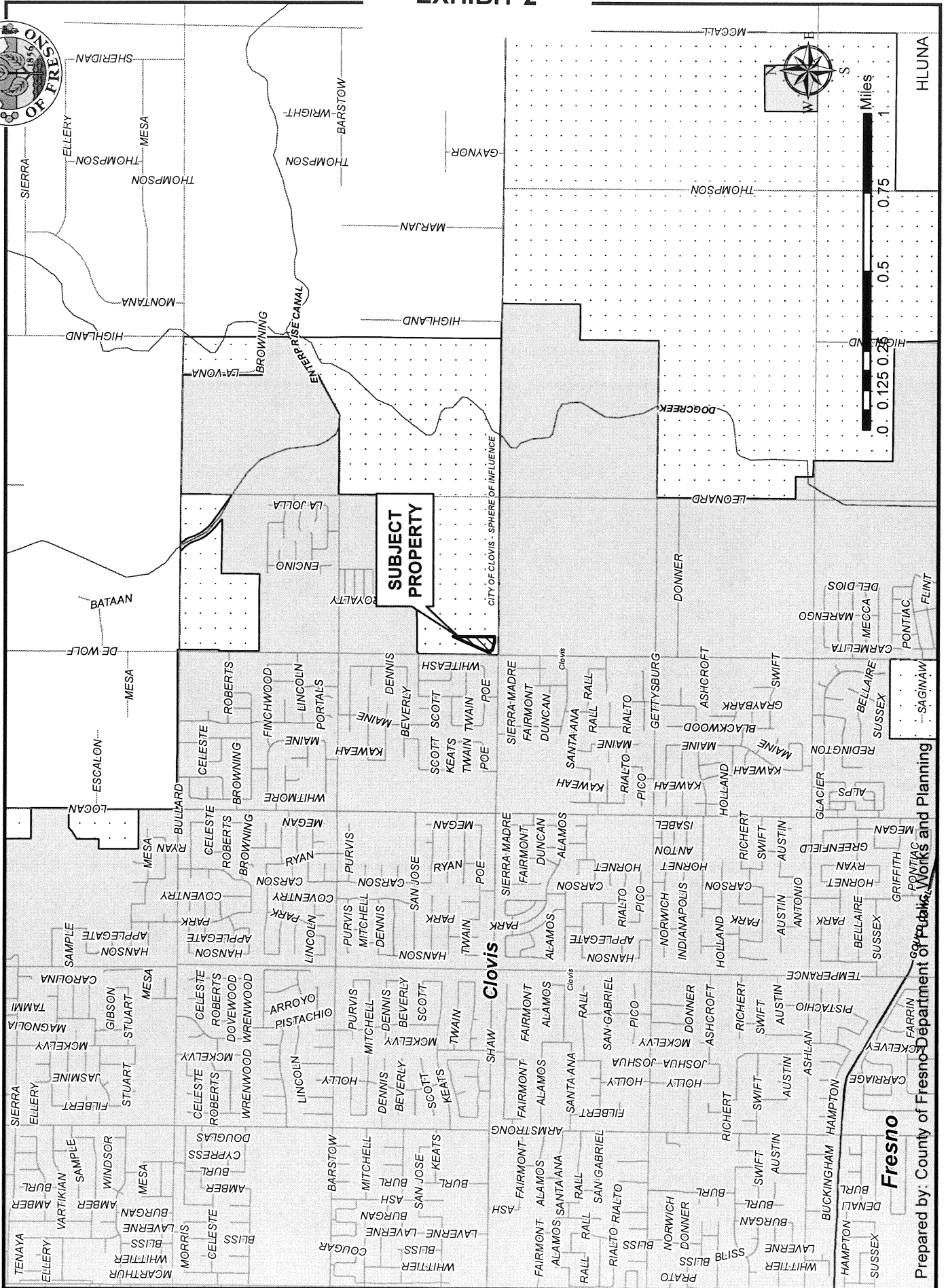
<b>Notes</b>	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	The project shall comply with California Code of Regulations Title 24 - Fire Code. Prior to receiving Fresno County Fire Protection District (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.
2.	If approved, 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.
3.	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.
4.	If not already present, on-site turnarounds are required for vehicles leaving the site to enter the Arterial in a forward motion so that vehicles do not back out onto the road. No new access points are allowed without prior approval.
5.	Any additional runoff generated by the proposed development cannot be drained across property lines and must be retained or disposed of per County Standards.
6.	A grading permit or voucher is required for any grading proposed with this application.
7.	All footings and foundations for the cell tower and related facilities will be required to meet the mandatory setback requirements as established in the California Building Code.
8.	Equipment shall be maintained according to manufacturers' specifications, and noise-generating equipment equipped with mufflers. Noise-generating activities, such as maintenance, shall be limited to daytime hours.
9.	The Applicant will be required to complete a Hazardous Materials Business Plan submittal prior to commencing operations. All hazardous waste shall be handled in accordance with 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.

# EXHIBIT 2



## LOCATION MAP

CUP 3559





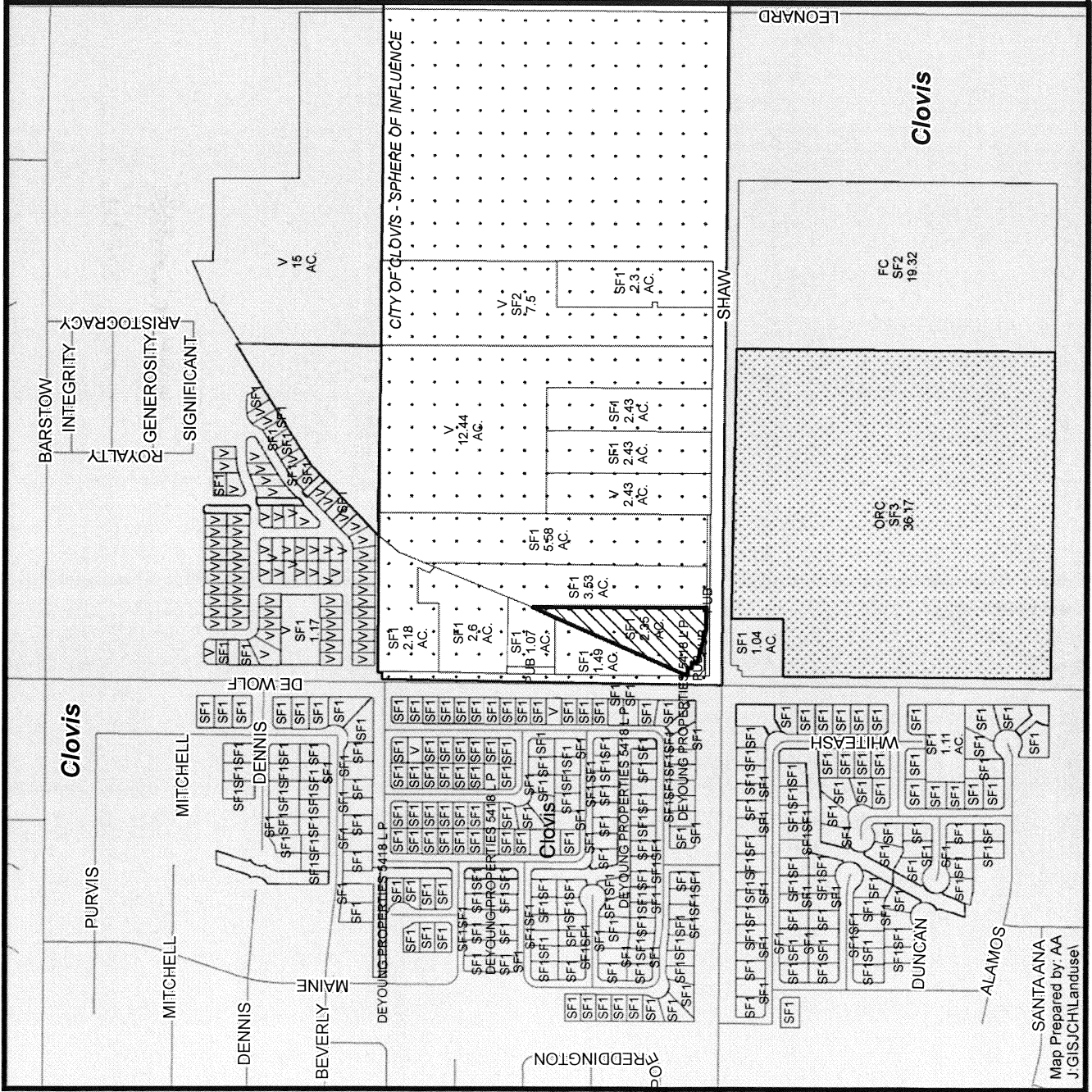




# EXHIBIT 4

## EXISTING LAND USE MAP

CUP 3559



LEGEND	
[Symbol]	FC - FIELD CROP
[Symbol]	ORC - ORCHARD
[Symbol]	PUB - PUBLICLY OWNED
[Symbol]	SF# - SINGLE FAMILY RESIDENCE
[Symbol]	V - VACANT

**LEGEND:**  
 [Symbol] Subject Property  
 [Symbol] Ag Contract Land



Department of Public Works and Planning  
 Development Services Division

SANTA ANA  
 Map Prepared by: AA  
 J.GIS\JCHL.anduse1



**DE WOLF & SHAW**  
**PSL # 269235**  
 8016 E. SHAW AVE.  
 FRESNO, CA 93619

**PROJECT SUMMARY**

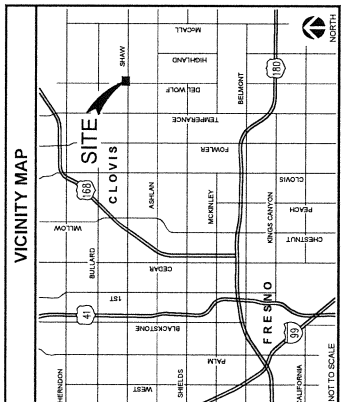
**APPLICANT/LESSEE:**  
 verizon  
 2785 MITCHELL DRIVE, BLDG 9  
 WILLOW GROVE, CA 95998  
 WWW.VERIZON.COM

**APPLICANT'S REPRESENTATIVE:**  
 SACS WIRELESS  
 8900 CAL CENTER DRIVE  
 SACRAMENTO, CA 95828  
 TEL: 916.444.8200  
 TELEPHONE: 916.444.8200  
 TIMOTHY.ADMAS@SACW.COM

**PROPERTY OWNER:**  
 GEORGE J & STERLENE BEAL  
 ADDRESS: 1125 SHAW AVE, #104  
 CONTACT: GEORGE J & STERLENE BEAL  
 TEL: 559.232.3400  
 EMAIL: Beal@sterebeal.com

**PROPERTY INFORMATION:**  
 TRACT: DE WOLF & SHAW  
 SITE NUMBER: 269235  
 SITE ADDRESS: 8016 E SHAW AVE  
 FRESNO, CA 93619  
 JURISDICTION: COUNTY OF FRESNO

**CONSTRUCTION INFORMATION:**  
 AREA OF CONSTRUCTION: 24'-0" x 24'-0" = 576 SQ FT  
 OCCUPANCY: U  
 TYPE OF CONSTRUCTION: U  
 ACCESSIBILITY REQUIREMENTS: A19  
 FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. ACCESSIBILITY NOT REQUIRED.



- DRIVING DIRECTIONS**
- FROM 2785 MITCHELL DRIVE BLDG 9  
 1. WALKUT CREEK, CA 94388  
 2. TURN RIGHT ONTO OAK GROVE RD  
 3. TURN LEFT ONTO VAMICO VALLEY RD  
 4. TURN RIGHT ONTO VAMICO VALLEY RD  
 5. TAKE RIGHT TURN TO MERGE ONTO CALIMNE AVE  
 6. TAKE LEFT TURN ONTO FOWLER AVE  
 7. TAKE THE INTERSTATE 99 ON RAMP  
 8. TAKE THE INTERSTATE 99 ON RAMP  
 9. TURN LEFT ONTO LEONARD AVE  
 10. TURN LEFT ONTO LEONARD AVE  
 11. TURN LEFT ONTO PALM KESAR RD  
 12. TURN RIGHT ONTO N ST

- PROJECT DESCRIPTION**
- THE PROJECT IS A WIRELESS UNMANNED TELECOMMUNICATION WIRELESS FACILITY. IT WILL CONSIST OF THE FOLLOWING:
- NEW WIRELESS 80' TALL CHIMNEY FENCE W/ MANNED WIRE
  - NEW WIRELESS 80' TALL CHIMNEY FENCE W/ MANNED WIRE
  - NEW WIRELESS 80' TALL CHIMNEY FENCE W/ MANNED WIRE
  - NEW WIRELESS 80' TALL CHIMNEY FENCE W/ MANNED WIRE
  - NEW WIRELESS 80' TALL CHIMNEY FENCE W/ MANNED WIRE
  - NEW WIRELESS 80' TALL CHIMNEY FENCE W/ MANNED WIRE
  - NEW WIRELESS 80' TALL CHIMNEY FENCE W/ MANNED WIRE
  - NEW WIRELESS 80' TALL CHIMNEY FENCE W/ MANNED WIRE
  - NEW WIRELESS 80' TALL CHIMNEY FENCE W/ MANNED WIRE
  - NEW WIRELESS 80' TALL CHIMNEY FENCE W/ MANNED WIRE

**PROJECT TEAM**

**PLANNING:**  
 SACS WIRELESS, LLC  
 8900 CAL CENTER DRIVE  
 SACRAMENTO, CA 95828  
 TEL: 916.444.8200  
 TIMOTHY.ADMAS@SACW.COM

**SURVEYOR:**  
 SACS WIRELESS, LLC  
 8900 CAL CENTER DRIVE  
 SACRAMENTO, CA 95828  
 TEL: 916.444.8200  
 TIMOTHY.ADMAS@SACW.COM

**ENGINEER:**  
 SACS WIRELESS, LLC  
 8900 CAL CENTER DRIVE  
 SACRAMENTO, CA 95828  
 TEL: 916.444.8200  
 TIMOTHY.ADMAS@SACW.COM

**CITY COORDINATOR:**  
 SACS WIRELESS, LLC  
 8900 CAL CENTER DRIVE  
 SACRAMENTO, CA 95828  
 TEL: 916.444.8200  
 TIMOTHY.ADMAS@SACW.COM

**VERIZON WIRELESS SIGNATURE BLOCK**

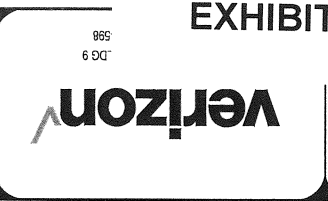
DISCIPLINE	SIGNATURE	DATE
SITE ACQUISITION		
CONSTRUCTION		
RADIO		
MICROWAVE		
TELCO		
EQUIPMENT		
PROJECT ADMINISTRATOR		
WG ADMINISTRATOR		

**ISSUE STATUS**

REV#	DATE	DESCRIPTION	BY
0	07/18/16	00% ZONING	FA
1	08/04/16	100% ZONING	FA
2	08/04/16	100% ZONING	FA
3	08/22/17	100% ZONING	FA
4	08/27/17	100% ZONING	FA
5	07/03/17	100% ZONING	FA



**PROPRIETARY INFORMATION**  
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**EXHIBIT 5**

**DE WOLF & SHAW**  
**PSL # 269235**  
 8016 E SHAW AVE  
 FRESNO, CA 93619

**SHEET TITLE:**  
**TITLE SHEET**

**T-1**

SHEET	DESCRIPTION	REV
T-1	TITLE SHEET	5
C-1	SITE SURVEY	5
C-2	SITE SURVEY	5
A-1	SITE PLAN & ENLARGED SITE PLAN	5
A-2	EQUIPMENT LAYOUT	5
A-3	ANTENNA LAYOUTS	5
A-4	NORTH & EAST ELEVATIONS	5
A-5	SOUTH & WEST ELEVATIONS	5
A-5	EQUIPMENT ELEVATIONS	5

**ZONING DRAWINGS**

DISCIPLINE	SIGNATURE	DATE
SITE ACQUISITION		
CONSTRUCTION		
LANDLORD		

**SACS WIRELESS SIGNATURE BLOCK**

**811**

Know what's below.  
 Call before you dig.

TO EMAIL LOCATION OF PARTICIPATING UNDERGROUND UTILITIES BEFORE ANY CONSTRUCTION ACTIVITY, CALL 811 AT LEAST 2 BUSINESS DAYS BEFORE ANY CONSTRUCTION ACTIVITY. CALL 811 AT LEAST 2 BUSINESS DAYS BEFORE ANY CONSTRUCTION ACTIVITY.

TOLL FREE: 1-800-427-2600 OR  
 WWW.CALL811.ORG





ISSUE	DATE	DESCRIPTION	BY
1	07/08/19	100% ZONING	FA
2	03/03/19	100% ZONING	FA
3	03/03/19	100% ZONING	FA
4	05/22/17	100% ZONING	FA
5	07/01/17	100% ZONING	FA

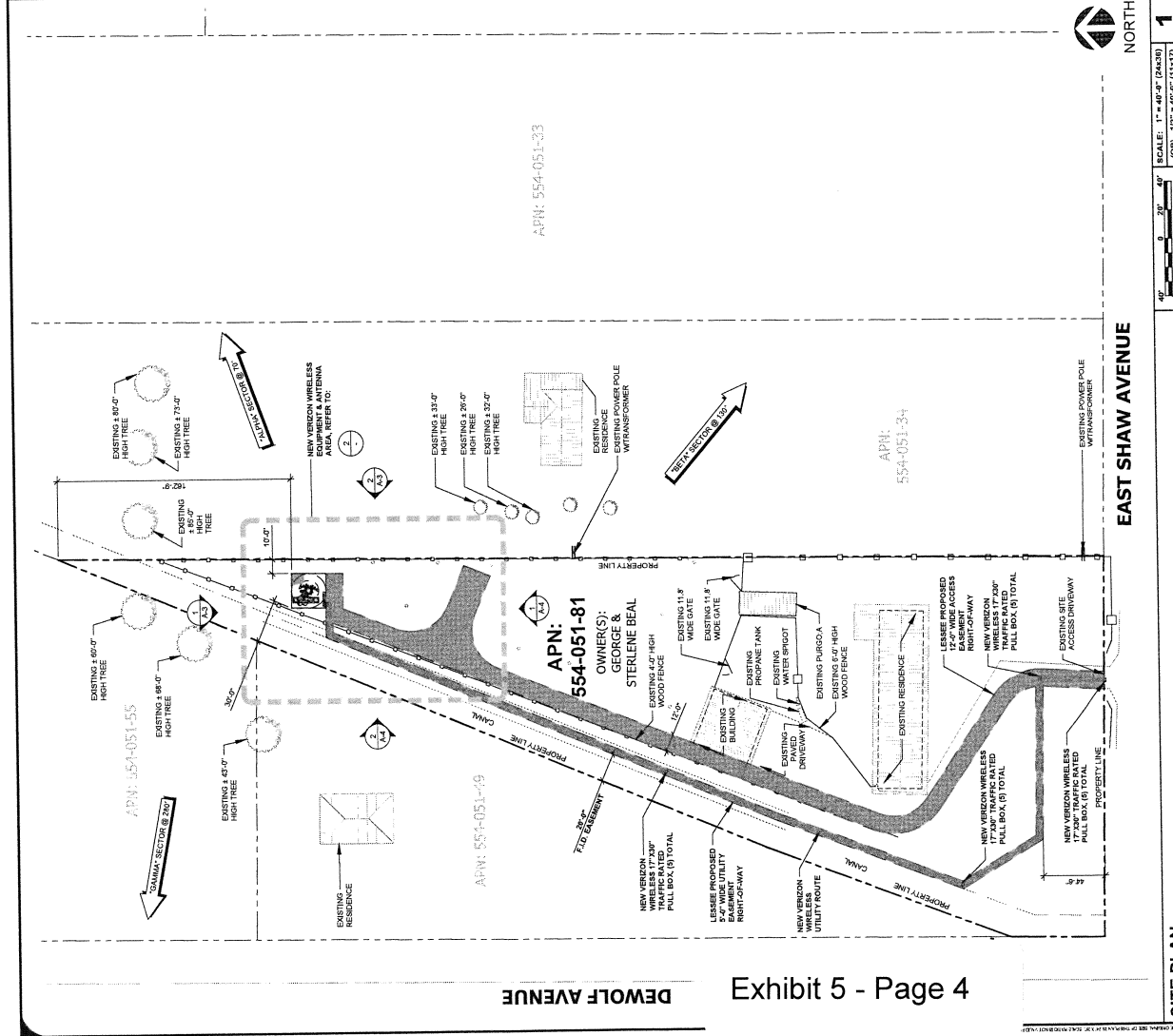
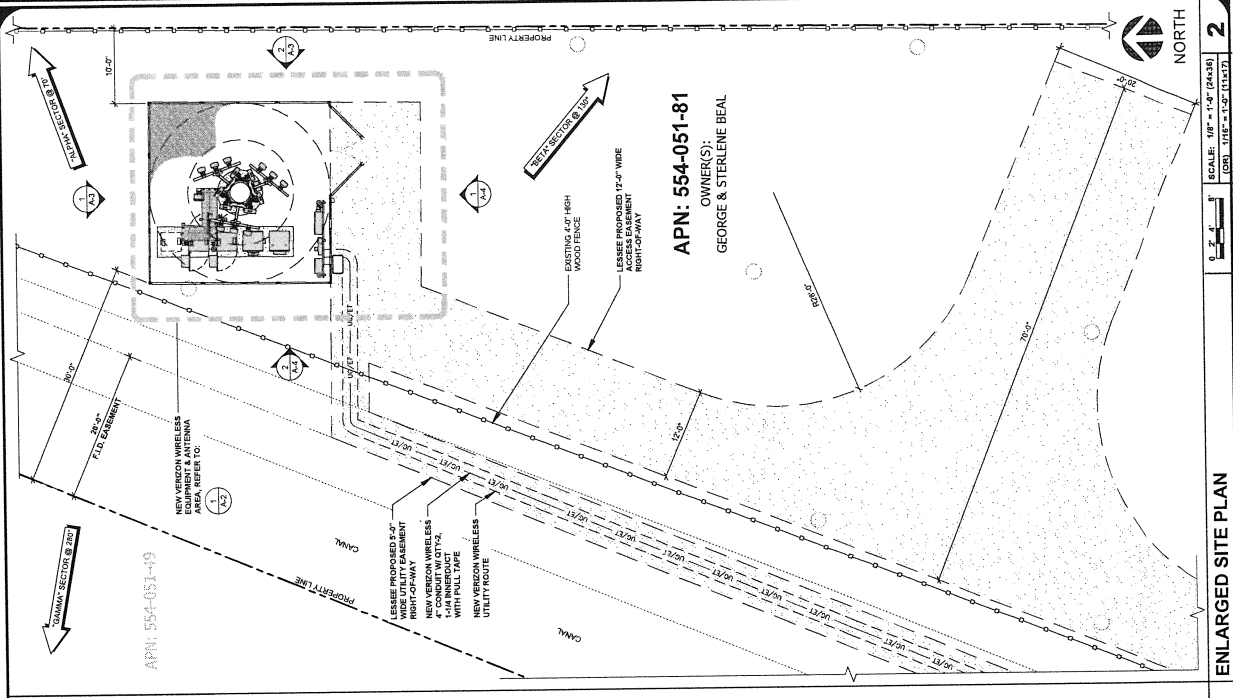


PROPRIETARY INFORMATION  
 THE INFORMATION PROVIDED IN THIS DOCUMENT IS CONFIDENTIAL AND NOT BE LOANED, REPRODUCED, COPIED, OR OTHERWISE DISCLOSED TO ANY OTHER PARTY WITHOUT THE WRITTEN PERMISSION OF VERIZON WIRELESS

**Verizon**  
 2785 MITCHELL DRIVE, BLDG 9  
 WALNUT CREEK, CA 94598

**DE WOLF & SHAW**  
 PSL# 269235  
 8016 E. SHAW AVE.  
 FRESNO, CA 93619

SHEET TITLE:  
**SITE PLAN & ENLARGED SITE PLAN**  
**A-1**



SCALE: 1" = 10'-0" (A450)  
 (05) 1/2" = 1'-0" (1:12.5)

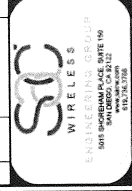
SCALE: 1" = 40'-0" (A450)  
 (05) 1/2" = 40'-0" (1:12.5)

SCALE: 1" = 40'-0" (A450)  
 (05) 1/2" = 40'-0" (1:12.5)

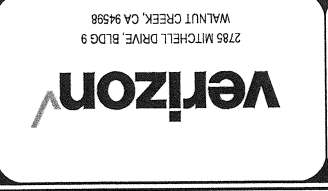


REV	DATE	DESCRIPTION	BY
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3	03/02/17	100% ZONING	FA
4	06/27/17	100% ZONING	FA
5	07/10/17	100% ZONING	FA

**ISSUE STATUS**



**PROPRIETARY INFORMATION**  
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**DE WOLF & SHAW**  
P.S.L.# 269235  
8016 E. SHAW AVE  
FRESNO, CA 93619

**SHEET TITLE:**  
NORTH & EAST ELEVATIONS

**A-3**

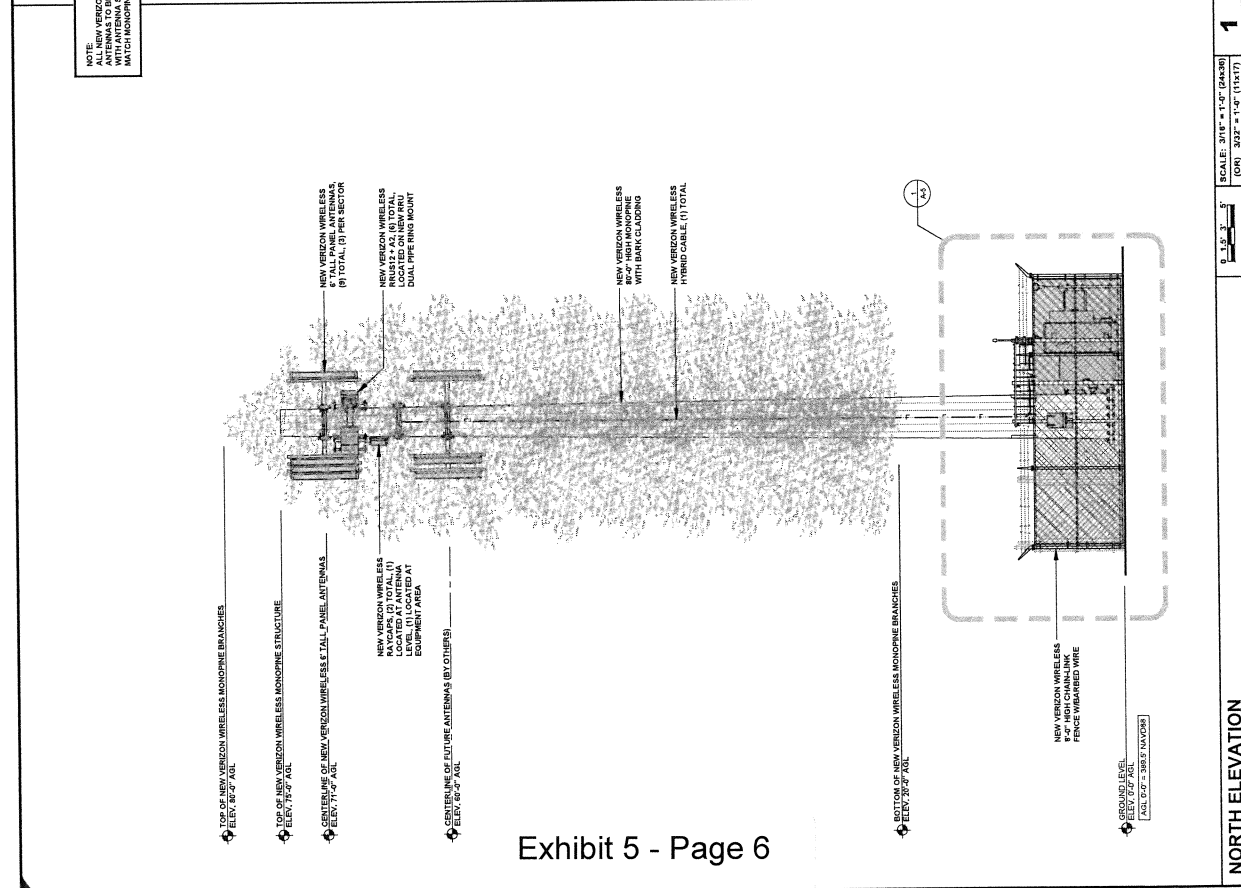
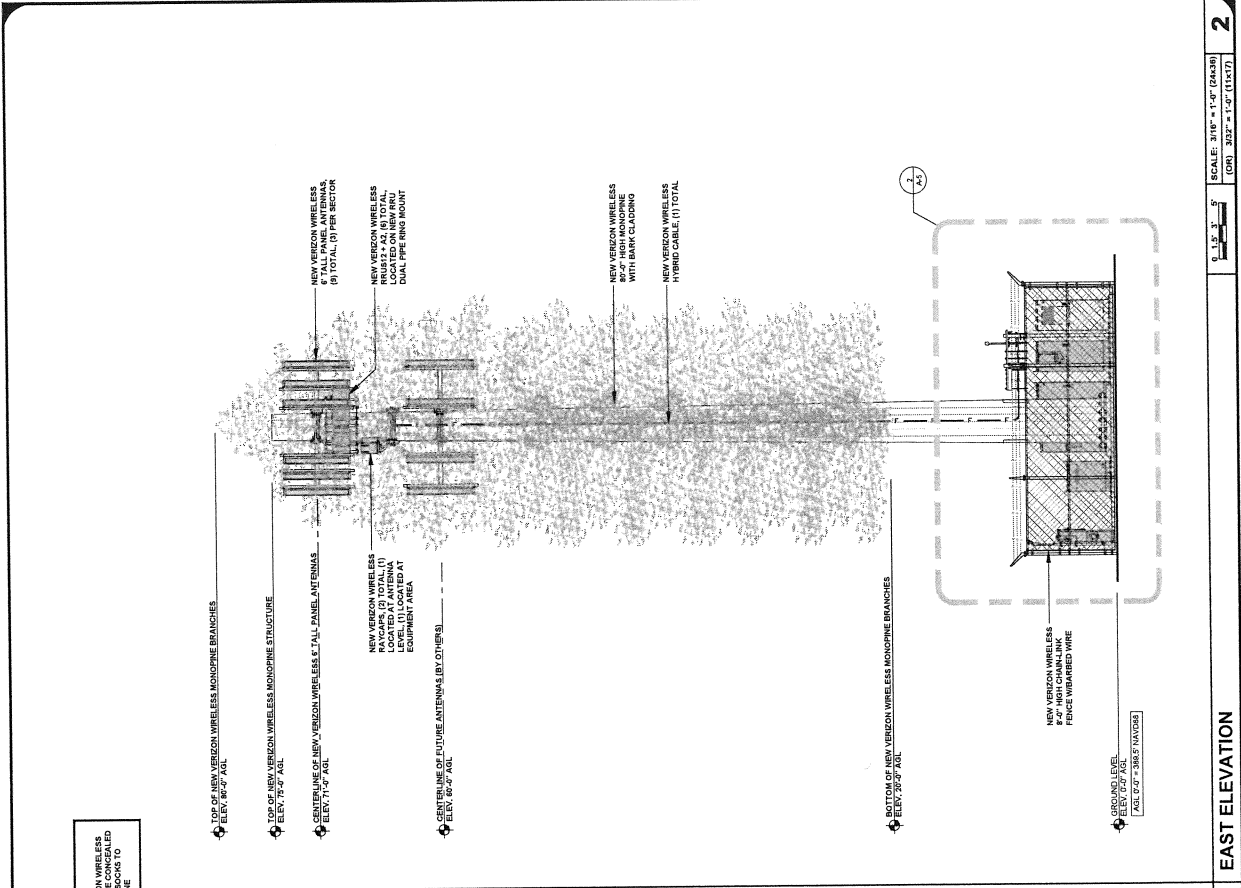


Exhibit 5 - Page 6







EXHIBIT 6

PROJECT DESCRIPTION & OPERATIONAL STATEMENT

FOR PROPOSED NEW WIRELESS FACILITY: "De Wolf & Shaw"

8016 E. Shaw Ave, Fresno, CA 93619

RECEIVED COUNTY OF FRESNO

NOV 30 2016

DEPARTMENT OF PUBLIC WORKS AND PLANNING DEVELOPMENT SERVICES DIVISION UCOP 3559

Project Description:

PURPOSE: Verizon Wireless strives to provide continued superior service to its customers. The proposed tower will offload capacity off of a nearby existing Verizon Wireless site and provide increased capacity for a growing residential area of Clovis in Fresno County. A cover letter, an operational statement, site plans, and the pre-application check are the items included in this package.

Proposed Wireless Site: The proposed co-location will consist of a 24'x24' ground lease area located on the unused portion of a property in Fresno County. The proposal is to build an 80' tower, disguised as a monopine, 9 - 6' panel antennas, one GPS Antenna, one electrical meter with fused disconnect on a new H-frame, six RRUS12+A2 two raycaps, one hybrid cable, outdoor cabinets, All of the equipment will be surrounded by an 8' chain link fence with/barbed wire.

Total Number of existing towers in Fresno County: 87

Total number of existing tower sites on which co-location has occurred with other communication carriers: 32(please note: the colocation information is the best estimate as there not a system in place to pull just "colocation sites" however, if there are multiple carriers at one site there were deemed colocation sites.

Indicate total number of tower sites planned for location in Fresno County: 31(please note: The planned site number is based on current active search rings and is a fluid number based on many factors that arise when planning for a future wireless facility(planning, landlord, title issues, etc)

## Operational Statement:

1. Verizon Wireless proposes an unmanned telecommunication facility. The facility will consist of an new 80' tall monopine, 9 - 6' panel antennas, one GPS Antenna, one electrical meter with fused disconnect on a new H-frame, six RRUS12+A2 two ray caps, one hybrid cable, outdoor cabinets on a 17'x4' concrete pad, new generator receptacle on new intersect cabinet, All of the equipment will be surrounded by an 8' chain link fence with/barbed wire, within a 24' x24' lease area. The purpose of the site is to off load capacity for an existing Verizon wireless site, and to provide coverage for a growing residential area in Fresno County.
2. The proposed site will be unmanned and will be in operation 24 hours a day, seven days a week.
3. Maintenance will be limited to routine site checks by a cell technician to ensure proper service on a regular monthly basis.
4. The wireless facility is unmanned during normal operation.
5. Monthly visits by a cell technician will occur in standard maintenance vehicles.
6. Access is off of East Shaw Avenue. The proposed location is in the back of a large parcel. There is a residence in the front of the property.
7. There are no proposed parking spaces associated with the proposed wireless facility as there is room on the private property to park a maintenance vehicle.
8. There are no goods to be sold at the proposed wireless facility.
9. The wireless facility will consist of a 24'x24' lease area located in the rear of the property. The proposal will have a 80' foot monopine with 9-6' panel antennas, including cabling, and outdoor cabinets.
10. There will be nothing stored at this facility.
11. Construction is not expected to exceed more than 8 weeks during normal business hours. The proposed tower will be disguised as a pine tree, with faux branches and a steel tower. The facility will not emit any dust or odor. There will be no glare. The equipment does not exceed the standard noise levels permitted.

12. Once in operation there will not be solid or liquid wastes associated with the normal operation of the wireless facility.
13. There is no proposed water usage at this site.
14. The only proposed signage will be that required by the FCC and the County of Fresno.
15. The tower will be metal. The supporting ground equipment will be enclosed in outdoor locked cabinets.
16. This is a new tower, there are no existing buildings that will be used.
17. There are four proposed service lights located near the ground equipment. There are no outdoor sound amplifications proposed.
18. There is a proposed 8' chain link fence with barbed wire at the top of the fence outlining the lease area.
19. Please see associated site plans, coverage maps for further information pertaining to the proposed wireless site. The proposed site location will meet the LTE coverage and capacity demands for those in reside in this part of Fresno County. This is a growing residential area and with more homes and businesses abandoning traditional wired phone lines, wireless access and reliability is essential to the enjoyment and safety of those living and visiting Fresno County.

## **CONCLUSION**

The selected location would satisfy the needs of Verizon, while having minimal impact on the surrounding area. The location will provide much needed increased service to residential area that's growing. The existing use of the property will not be impacted. Out of the sites considered, this location satisfies all necessary criteria for building a Verizon Wireless facility.



## EXHIBIT 7

# County of Fresno

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

### EVALUATION OF ENVIRONMENTAL IMPACTS

- APPLICANT: SAC Wireless
- APPLICATION NOS.: Initial Study Application No. 7243 and Conditional Use Permit Application No. 3559
- DESCRIPTION: Allow a new wireless telecommunications facility consisting of an 80-foot tall "monopine" monopole tower with nine (9) 6-foot tall panel antennas, an 8-foot tall chain link fence with barbed wire and related equipment located on a 17-foot by 4-foot concrete pad within a 576 square –foot lease area on a 2.46-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.
- LOCATION: East side of DeWolf Avenue, approximately 650 feet northeast of the intersection of Shaw and Dewolf Avenues, and approximately 300 feet east of the nearest city limits of the City of Clovis (SUP. DIST. 5) (APN 554-053-35) (8016 East Shaw Avenue).

#### 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The subject property is a 2.46-acre parcel with an existing single-family residence located in an agricultural and residential area. Surrounding property to the east is characterized by some single-family residences on large agricultural parcels. Surrounding property to the west is within the City limits of the City of Clovis and is characterized by single-family residential subdivisions. No immediate scenic resources will be impacted by the proposal. The proposed 80-foot tall tower will be disguised as a pine tree with "bark" cladding, and located near an existing grove of mature trees.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

DEVELOPMENT SERVICES DIVISION  
2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 600-4200  
The County of Fresno is an Equal Employment Opportunity Employer

The proposed 80-foot tall “monopine” tower will be located approximately 200 feet east of DeWolf Avenue. There are four single-family residences located within approximately 400 feet of the proposed tower site, including one on the subject property located approximately 300 feet south. There is a residential subdivision located approximately 300 feet west of the proposed tower site and within the city limits of City of Clovis. The 576 square-foot lease area will be enclosed and screened from view by an 8-foot tall slatted chain-link fence and a conditional of approval will be included requiring slatted chain link fencing.

- 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 WITH MITIGATION INCORPORATED:

There are four proposed service lights on a six-hour timer, located within the fenced area. The lights have the potential to adversely affect nighttime views in the area. The lights will be partially screened by the proposed fencing and a mitigation measure will be included requiring the lights to be hooded and directed downward. No lighting is required and none will be placed on the proposed tower.

\* **Mitigation Measure(s)**

1. *All outdoor lighting shall be hooded and directed downward so as not to shine toward adjacent properties or public streets.*

## II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of state-wide importance to non-agricultural use; or
- B. Would the project conflict with existing agricultural zoning or Williamson Act Contracts; or
- 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 forest land to non-forest use?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Although the subject parcel is zoned agricultural, it is a relatively small parcel at 2.46-acres and improved with a single-family residence. It is surrounded by similarly sized

parcels, most of which are improved with single-family residences. The subject property is also adjacent to the city limits of and within the Sphere of Influence of the City of Clovis and will likely be annexed in the near future. The area adjacent to the subject parcel is within the City sphere is characterized by residential subdivision developments. The proposal will not result in the conversion of Farmland to non-agricultural uses as the immediate area is already partially urbanized and is part of a pre-planned residential development. The subject parcel is not restricted under Williamson Act contract, and is not zoned for Timberland Production. This proposal does not conflict with existing zoning or contain any forest land, or timberland.

### 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 Valley Air Pollution Control District has reviewed this application and expressed no concerns with the project.

### 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; or
- 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; or



- 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:

The subject parcel is located in an agriculturally zoned area that has been previously disturbed; however, the subject parcel and most of the surrounding parcels are too small for commercial farming operations and as such are currently being used for agriculture. A few of the larger parcels east of the subject parcel appear to be involved in some limited farming operations. The subject parcel is not located on or near any federally protected wetlands. The project will not conflict with any local policies or ordinances protecting biological resources or with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local regional, or state habitat conservation plan.

#### 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 for agricultural purposes and have been previously disturbed. During ground disturbing activities, the following mitigation has been included to address the possibility of cultural resource finds:

\* **Mitigation Measure(s)**

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?
2. Strong seismic ground shaking?
3. Seismic-related ground failure, including liquefaction?
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 Hazards or Landslide Hazards per Figures 9-5 and 9-6 of the Fresno County General Plan Background Report.

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 may be required for any grading proposed with this application.

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 of the Fresno County General Plan Background Report, nor at risk of on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

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

FINDING: NO IMPACT:

The project site is not located in an area of expansive soils, per Figure 7-1 of the Fresno County General Plan Background Report.

- 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 telecommunications tower and no septic tanks or alternative disposal systems are proposed with 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 project proposal not expected to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. Portable generators are not proposed to be installed on-site at this time, but brought in and connected when power failures occur.

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

FINDING: NO IMPACT:

No hazardous materials are proposed to be used with this project, and as such will not create a public hazard involving the accidental release of hazardous materials into the environment. There are no schools located within one-quarter mile of the tower, the nearest school to the project site is Red Bank Elementary School located approximately one-half mile to the northeast.

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

FINDING: NO IMPACT:

The project site is not located within one mile of any active hazardous materials site as reported by the Cal/EPA Cortese list.

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 or within two miles of a public airport or public use airport or in the vicinity of a private airstrip, and would not result in a hazard for people residing or working in the project area.

G. Would the project impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: NO IMPACT:

The project will not impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan.

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 is not in a wildland area, nor in an area of high hazards for wildfires.

## 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:

There is no water use proposed with this project; however, Fresno Irrigation District (FID) reviewed the subject application and identified a canal under FID ownership adjacent to the subject property. FID does have a 20-foot wide easement along the canal adjacent to the project site; however, the project site is outside boundaries of the FID easement. As noted in Section VI.B Geology and Soils, any changes to the existing drainage pattern may require a grading permit or voucher from the Development Engineering Section of the Fresno County Department of Public Works and Planning. Due to the proximity of the site to existing FID facilities, the project will be conditioned to require coordination of plan review between grading engineering staff, FID and the Applicant.

- G. Would the project place housing within a 100-year floodplain; or
- H. Would the project place structures within a 100-year flood hazard area that would impede or redirect flood flows?

FINDING: NO IMPACT:

There is no housing proposed with the project and the project site is not in an area subject to flooding from the 1% chance storm (FEMA, FIRM panel 1595H).

- 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 Dam Failure Flood inundation Area, per the Fresno County General Plan Background Report, Figure 9-8, nor is the project site in an area prone to seiche, tsunami, or mudflow.

#### X. LAND USE AND PLANNING

- A. Will the project physically divide an established community?

FINDING: NO IMPACT:

The project site is located in an area of residential and limited agricultural uses. No established communities will be divided by the project.

- 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 subject parcel is designated Agriculture in the County General Plan. According to General Plan Policy PF-J.4, compliance with the Wireless Communications Guidelines is required for siting of communication towers. The property is just outside the boundaries of the County-adopted Clovis Community Plan and staff notes that the subject parcel is within the sphere of influence of the City of Clovis and is designated for High Density Residential uses in the City's Loma Vista Specific Plan. As such, the City was consulted on, reviewed this application, and determined that it conflicts with a zoning designation to be applied once the area, including the subject parcel is annexed by the City of Clovis. County staff believes that as an Unclassified Conditional Use Permit, the designation conflict does not rise to a level of significance that requires preparation of an Environmental Impact Report, although the City's comments will be carefully evaluated in staff's required Findings.

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

FINDING: NO IMPACT:

The project will not conflict with any 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 mineral resources area identified in Figure 7-7 of the Fresno County General Plan Background Report.

## 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; or
- 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: LESS THAN SIGNIFICANT IMPACT:

The project may result in short-term noise impacts due to initial construction however; the potential impacts will be temporary and localized. The project site is not located near an airport or private airstrip. The nearest airport to the project site is Fresno Yosemite International located approximately four miles southwest.

## 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 project application for an unmanned wireless telecommunications tower and proposes no onsite employees and no housing will be displaced because of this 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;
2. Police protection;
3. Schools;
4. Parks; or
5. Other public facilities?

FINDING: NO IMPACT:

The project will not result in the need for additional public services.

#### 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 existing recreational resources were identified in the project analysis.

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

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed tower does not exceed obstruction standards and would not be a hazard to air navigation provided that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned, or within 5 days after the construction reaches its greatest height. This will be referenced to the Applicant as a project note.



- 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:

Maintenance workers will periodically access the site via a propose access easement running through the subject parcel. 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.

#### 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: NO IMPACT:

No impacts on biological or cultural resources were identified in the project analysis.

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

FINDING: NO IMPACT:

The only cumulatively considerable impacts identified in the analysis were related to aesthetics, and transportation/traffic. These impact have been reduced to a less than significant level with the Mitigation Measures discussed in Sections I, C & D, and Section XVI.C.

- C. Does the project have environmental impacts which will cause substantial adverse effects on human beings, either directly or indirectly?

FINDING: LESS THAN SIGNIFICANT 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. 3559, staff has concluded that the project will not/will have a significant effect on the environment. It has been determined that there would be no impacts to Air Quality, Biological Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Mineral Resources, Public Services, Recreation, and Utilities and Service Systems.

Potential impacts related to Agricultural and Forestry Resources, Hydrology and Water Quality, Geology and Soils, Noise, Land Use Planning and Transportation/ Traffic have been determined to be less than significant.

Potential impacts relating to Aesthetics and Cultural Resources have determined to be less than significant with the Mitigation Measures listed.

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.

JS:cwm

G:\4360Devs&Pin\PROJSEC\PROJDOCS\CUP\3500-3599\3559\IS-CEQA\CUP3559 Initial Study.docx

## EXHIBIT 8

File original and one copy with: <b>Fresno County Clerk          2221 Kern Street          Fresno, California 93721</b>		Space Below For County Clerk Only.  <small>CLK-2046.00 E04-73 R00-00</small>		
Agency File No: <p style="text-align: center;"><b>IS 7243</b></p>	<b>LOCAL AGENCY          PROPOSED MITIGATED          NEGATIVE DECLARATION</b>	County Clerk File No: <p style="text-align: center;"><b>E-</b></p>		
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): Jeremy Shaw, Planner		Area Code: 559	Telephone Number: 600-4207	Extension: N/A
Applicant (Name): SAC Wireless		Project Title: Unclassified Conditional Use Permit Application No. 3559		
Project Description: Allow a new wireless telecommunications facility consisting of an 80-foot tall "monopine" tower with nine (9) 6-foot tall panel antennas, an 8-foot tall chain link fence with barbed wire and related equipment located on a 17-foot by 4-foot concrete pad within a 576 square-foot lease area on a 2.46-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. 3559, staff has concluded that the project will not/will have a significant effect on the environment. It has been determined that there would be no impacts to Air Quality, Biological Resources, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Mineral Resources, Public Services, Recreation, and Utilities and Service Systems.  Potential impacts related to Agricultural and Forestry Resources, Hydrology and Water Quality, Geology and Soils, Noise, and Land Use Planning have been determined to be less than significant.  Potential impacts relating to Aesthetics, Cultural Resources, and Transportation/Traffic have determined to be less than significant with the Mitigation Measures listed.				
FINDING: The proposed project will not have a significant impact on the environment.				
Newspaper and Date of Publication: Fresno Business Journal – March 24, 2017			Review Date Deadline: April 24, 2017	
Date: 3/24/2017	Type or Print Signature: Jeremy Shaw, Planner		Submitted by (Signature):	

State 15083, 15085

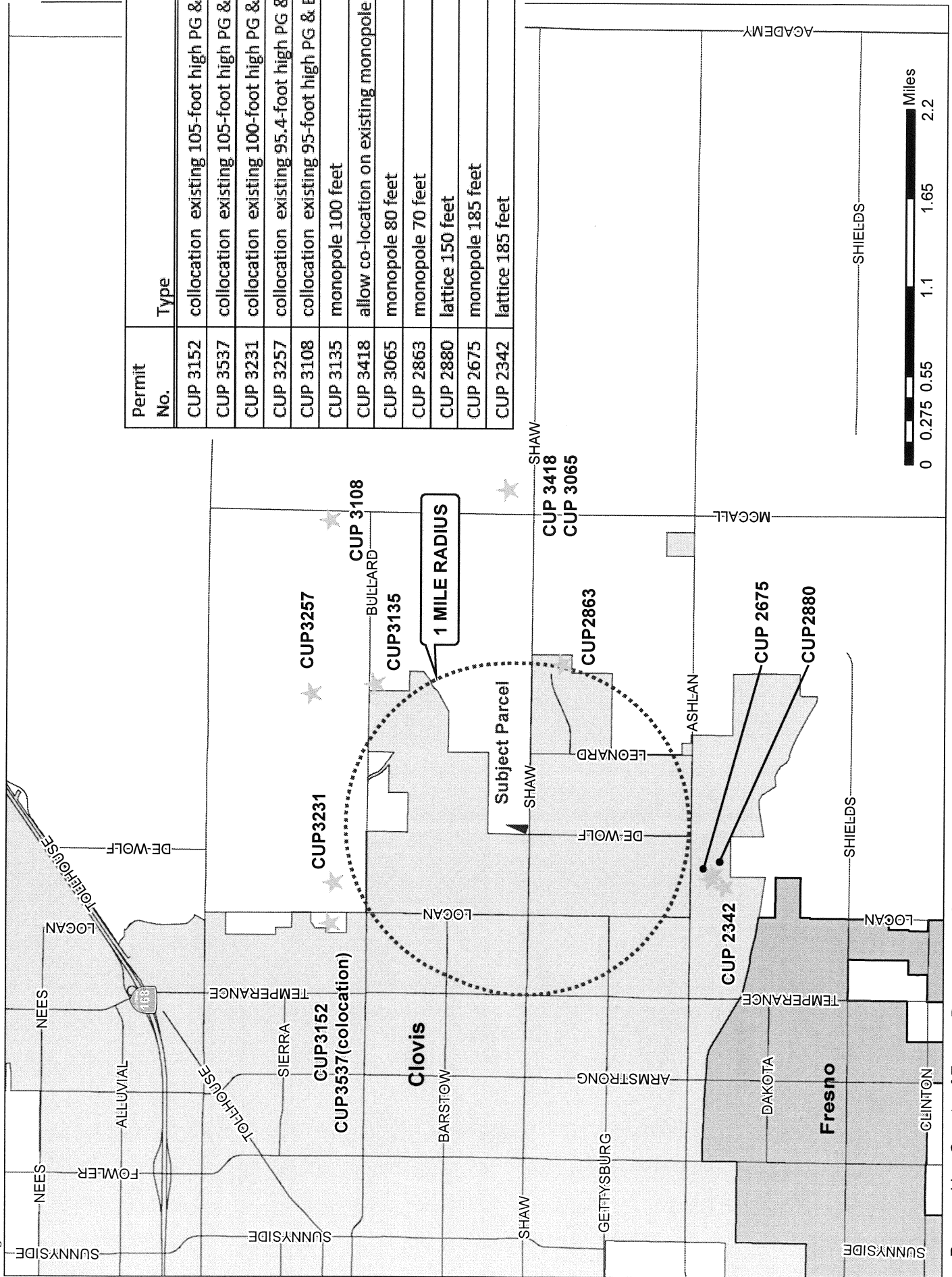
County Clerk File No.: \_\_\_\_\_

### LOCAL AGENCY MITIGATED NEGATIVE DECLARATION



# EXHIBIT 9

## Cell Tower Vicinity Map



Permit No.	Type
CUP 3152	collocation existing 105-foot high PG & E tower
CUP 3537	collocation existing 105-foot high PG & E tower
CUP 3231	collocation existing 100-foot high PG & E tower
CUP 3257	collocation existing 95.4-foot high PG & E tower
CUP 3108	collocation existing 95-foot high PG & E tower
CUP 3135	monopole 100 feet
CUP 3418	allow co-location on existing monopole 80 feet
CUP 3065	monopole 80 feet
CUP 2863	monopole 70 feet
CUP 2880	lattice 150 feet
CUP 2675	monopole 185 feet
CUP 2342	lattice 185 feet



## EXHIBIT 10

# CITY *of* CLOVIS

## PLANNING & DEVELOPMENT

1033 FIFTH STREET • CLOVIS, CA 93612

June 5, 2017

Mr. Jeremy Shaw  
County of Fresno  
Department of Public Works and Planning  
2220 Tulare Street, Sixth Floor  
Fresno, CA 93721

Subject: Comments for CUP3559, Communication Tower at NEC Shaw and DeWolf Avenues

Mr. Shaw:

On April 5, 2017, the City of Clovis Planning Division submitted comments related to CUP3559. It is the goal of the Planning Division to assure that any development within the Clovis Sphere of Influence is constructed per the City standards and that the City can serve the development into the future.

I have met with Mr. George Beal (property owner) on several occasions and we both agree that with conditions included in the CUP, the vision and goals of the Clovis General Plan can be accomplished. Please refer to the following statement related to our previous comments.

1. *The property is rezoned R-3 and designated High Density Residential. The parcel is included in our inventory for the 2016 Regional Housing Element and Regional Housing Needs Allocation. Removal of lands for purposes other than housing will require replacement of High Density zoned land elsewhere within the City Limits (or in accordance with State Law). Calculation of the developable area shall include the easements for underground utilities. Although towers can co-exist in multiple-family housing developments, we are concerned that the placement and easements will leave the property difficult to develop to its required density. **Mr. Beal has provided a concept plan which shows potential development of the site consistent with the General Plan. However, the proposed utility easement for the tower conflicts with building placement. The City recommends a condition which reads, "Development of this site for multiple-family may require relocation of the tower utilities and easement to accommodate a project consistent with the minimum density requirements of the Clovis General Plan. The property owner understands that the location of the tower utilities will not warrant a variance or reduction of density for future development."***

City Manager 559.324.2060 • Community Services 559.324.2095 • Engineering 559.324.2350  
Finance 559.324.2130 • Fire 559.324.2200 • General Services 559.324.2060 • Personnel/Risk Management 559.324.2725  
Planning & Development Services 559.324.2340 • Police 559.324.2400 • Public Utilities 559.324.2600 • TTY-711

[www.cityofclovis.com](http://www.cityofclovis.com)

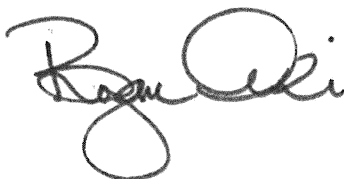
2. The Clovis Development Code does not permit communication towers within 100 feet of any parcel zoned residential. **The proposed tower is not proposed within 100 feet of existing residential homes. However is proposed within 100 feet of future residential zoned properties. The Clovis Municipal Code allows the Commission or Council to make a finding that the tower may be located closer than 100 feet provided there is a community benefit. Staff will rely on the applicant and the County to make this finding.**
3. The Clovis Development Code does not permit barbed wire or razor wire fencing in a residential zone district. **Mr. Beal stated that barbed and/or razor wire would not be permitted. We recommend that a condition of approval is placed to restrict such fence type.**
4. The City has received multiple requests from nearby property owners to annex this area into the City and we expect an application to be filed within the next couple of weeks. Staff feels that this application should be processed with the City after annexation. **The City is now in receipt of an annexation request for this area. It is likely that this property will be annexed within the next 12 months. With recommended conditions included in the CUP approval, staff would not oppose the project.**

If the Commission determines that the CUP is in compliance with the findings for approval and approves the project, staff requests the following conditions be placed on the use permit:

1. The Specific Plan requires a Community Gateway at the intersection. This development shall not impact the future location of the gateway. Easements shall not conflict with the gateway area.
2. The CUP is based on approval of a first phase of development which could accommodate a multiple-family development as conceptualized on Exhibit \_\_\_\_ (applicant's site plan).  
The tower and ground facilities shall be designed to reflect the Loma Vista architectural theme.
3. The tower shall utilize a landscaped tree design.
4. Development of this site may require relocation of the tower utilities and easement to accommodate a project consistent with the minimum density requirements of the Clovis General Plan. The property owner understands that the location of the proposed utilities will not warrant a variance or reduction of density for future development.
5. Barbed wire, razor wire or similar is not permitted.

The City would not oppose this project provided this list of conditions are added to the approval, or reflected on the approved exhibits. We appreciate your cooperation working with the City to provide additional services to the area while maintaining the goals and vision of the City of Clovis General Plan. If you have questions or need additional information, please feel free to contact me at (559) 324-2346.

Sincerely,

A handwritten signature in black ink, appearing to read "Bryan Araki". The signature is fluid and cursive, with a large loop at the end of the last name.

Bryan Araki  
City Planner

cc: Mr. George Beal,  
Mr. Matthew Norton

F:\County Project Comments\CUP3559 6-5-2017.docx

**From:** [Motta, Chris](#)  
**To:** [Shaw, Jeremy](#)  
**Subject:** RE: Retraction of Letter of Opposition for CUP3559  
**Date:** Wednesday, June 28, 2017 8:11:36 AM

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This e-mail shall be attached along with the June 5<sup>th</sup> letter from the City as an Exhibit to the staff report.

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**From:** Shaw, Jeremy  
**Sent:** Wednesday, June 28, 2017 8:09 AM  
**To:** Motta, Chris <[CMotta@co.fresno.ca.us](mailto:CMotta@co.fresno.ca.us)>  
**Cc:** Kelley, Janelle <[JKelley@co.fresno.ca.us](mailto:JKelley@co.fresno.ca.us)>  
**Subject:** FW: Retraction of Letter of Opposition for CUP3559

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**From:** Bryan Araki [<mailto:BryanA@ci.clovis.ca.us>]  
**Sent:** Tuesday, June 27, 2017 10:34 AM  
**To:** Shaw, Jeremy <[jshaw@co.fresno.ca.us](mailto:jshaw@co.fresno.ca.us)>  
**Cc:** [bealdevelopments@aol.com](mailto:bealdevelopments@aol.com); Matthew Norton ([Matthew.Norton@sacw.com](mailto:Matthew.Norton@sacw.com)) <[Matthew.Norton@sacw.com](mailto:Matthew.Norton@sacw.com)>  
**Subject:** RE: Retraction of Letter of Opposition for CUP3559

Jeremy:

The City received a revised easement location from the applicant. The City no longer requires condition 4, as stated in my letter June 5, 2017.

Sincerely,

*Bryan Araki*  
*City Planner*

*City of Clovis Planning Division*  
*1033 Fifth Street*  
*Clovis, California 93612*  
*Ph. (559) 324-2346*  
*[bryana@cityofclovis.com](mailto:bryana@cityofclovis.com)*





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**From:** Bryan Araki

**Sent:** Monday, June 05, 2017 5:11 PM

**To:** 'Shaw, Jeremy' <[jshaw@co.fresno.ca.us](mailto:jshaw@co.fresno.ca.us)>

**Cc:** 'bealdevelopments@aol.com' <[bealdevelopments@aol.com](mailto:bealdevelopments@aol.com)>; Matthew Norton  
([Matthew.Norton@sacw.com](mailto:Matthew.Norton@sacw.com)) <[Matthew.Norton@sacw.com](mailto:Matthew.Norton@sacw.com)>

**Subject:** Retraction of Letter of Opposition for CUP3559

Jeremy:

Please find attached a letter which withdraws the City's opposition to the CUP.

Sincerely,

*Bryan Araki*

*City Planner*

*City of Clovis Planning Division*

*1033 Fifth Street*

*Clovis, California 93612*

*Ph. (559) 324-2346*

*[bryana@cityofclovis.com](mailto:bryana@cityofclovis.com)*

