



County of Fresno

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

January 22, 2018

Maria Kim
Complete Wireless Consulting
2009 V Street
Sacramento CA 95818

Dear Applicant:

Subject: Resolution No. 12684 - Initial Study Application No. 7275 and Unclassified
Conditional Use Permit Application No. 3572

On December 14, 2017, the Fresno County Planning Commission denied your Unclassified Conditional Use Permit Application. A copy of the Planning Commission Resolution is enclosed.

Since the appeal which was filed with the Clerk to the Board of Supervisors on December 28, 2017 has been withdrawn, the Planning Commission's decision is final.

If you have any questions regarding the information in this letter please contact me at jshaw@co.fresno.ca.us or 559-600-4207.

Sincerely,

Jeremy Shaw, Planner
Development Services and Capital Projects Division

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Enclosure



Inter Office Memo

DATE: December 14, 2017

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12684 - INITIAL STUDY APPLICATION NO. 7275 and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3572

APPLICANT: Maria Kim/Complete Wireless Consulting

OWNER: Dawn Cagle & Gerald Kenneth Cagle, Jr.

REQUEST: Allow an unmanned telecommunications facility consisting of a 70-foot-tall monopole tower with 12 antennas and related ground equipment, including an emergency back-up generator, within a 2,500 square-foot lease area enclosed by a six-foot-tall chain-link fence topped with barbed wire on a 9.85-acre parcel in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone District..

LOCATION: The project site is located on the south side of Garlock Lane between Gooseberry Lane and Pennyroyal Lane, approximately three and one-third miles south of the unincorporated community of Prather (15899 Garlock Lane) (SUP. DIST. 5) (APN 138-371-45).

PLANNING COMMISSION ACTION:

At its hearing of December 14, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Delahay to deny Unclassified Conditional Use Permit Application No. 3572 based on the inability to make Finding 3 in regards to impacts to surrounding properties.

EXHIBIT A

Initial Study Application No. 7275
Unclassified Conditional Use Permit Application No. 3572

Staff: The Fresno County Planning Commission considered the Staff Report dated December 14, 2017, and heard a summary presentation by staff.

Applicant: A representative of the Applicant concurred with the Staff Report and the recommended Conditions and spoke in favor of the proposal. She described the project and offered the following information to clarify the intended use:

- As the road that accesses the site is not a County-maintained road, AT&T is willing to join any road maintenance agreement if one is in place.
- They will be required to obtain a grading permit if any grading activity is proposed.
- To address aesthetics we have three designs besides a monopole, including a windmill design, a broad-leaf tree design and water tank design.
- We've taken into account a lot of the comments we've received from the public and have done our best to provide alternative designs that would fit in with the landscape of the area.
- This particular area has more terrain than other locations that have been previously looked at and we made sure to use the natural elevation of the landscape in order to propose the smallest structure possible to cover the maximum number of living units in the area.

Others: One other individual, an AT&T representative, provided additional information in support of the application, stating:

- The purpose of the tower is to accommodate high-speed broadband internet in a rural underserved area as identified through the Federal Communications Commission (FCC) Connect America Fund.
- The Connect America Fund focuses on Census Blocks with no or slow broadband speeds; this facility would serve approximately 283 living units
- Unwired services for this area currently range between \$80 to \$200 per month.
- Providing service is about spectrum and such facilities need a direct line-of-sight to each living unit; moving a tower 100 feet can dramatically change the number of living units served.

RESOLUTION NO. 12684

- Six individuals representing neighboring property owners and property owners in the general vicinity of the proposal provided testimony in opposition to the proposal. Specific concerns the speakers raised included:
- The photo simulations provided by AT&T have not been taken from the perspective of the homeowners; the proposal will impact views.
- Those who received notification of this proposal have not had adequate time to prepare a response and the timing has been compounded by the fact this proposal is being considered around the holidays.
- Lighting could be required in the future which might be a flashing red light or even strobe lighting.
- This area has high speed internet service through Ponderosa telephone for \$49 per month and we do not believe this area is underserved for internet service.
- We are in a high fire risk area that is often subject to lightning strikes and have concerns about a 70-foot tower and lightning.
- All the different proposed aesthetic treatments of the tower are equally offensive.

Correspondence: Forty-six letters and three petitions with a total of 53 signatures were received in opposition to the application and were distributed at the December 14, 2017 hearing to the Commission. In addition, a presentation packet which included three alternate tower designs was submitted by the Applicant and was also distributed to the Commission the day of the hearing.

WMK:cwm:jem
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