



Inter Office Memo

DATE: November 9, 2017

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12678 - UNCLASSIFIED CONDITIONAL USE PERMIT
APPLICATION NO. 3594

APPLICANT: T-Mobile West, LLC

OWNER: J.P. Farms

REQUEST: Allow co-location of wireless communication equipment on an existing 134-foot-tall PG&E electrical transmission tower (proposed 143-foot overall height) and installation of related equipment on a 150 square-foot portion of a 289.91-acre parcel in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the east side of Interstate Highway 5 (I-5), between the Jeffrey Avenue alignment and the Cadillac Avenue alignment, approximately 12 miles northeast of the nearest city limits of the City of Coalinga (SUP. DIST. 4) (APN 058-090-19s).

PLANNING COMMISSION ACTION:

At its hearing of November 9, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Woolf and seconded by Commissioner Eubanks to adopt the recommended Findings of Fact in the Staff Report and approve Unclassified Conditional Use Permit Application No. 3594, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12678

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Woolf, Eubanks, Abrahamian, Borba, Chatha, Delahay, Ede, Lawson and Vallis
	No:	None
	Absent:	None
	Abstain:	None

STEVEN E. WHITE, DIRECTOR
 Department of Public Works and Planning
 Secretary-Fresno County Planning Commission

By: 

 William M. Kettler, Manager
 Development Services Division

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- NOTE:
1. The Commission's action is final unless an appeal is filed with the Clerk to the Board of Supervisors within 15 days of the Planning Commission's action.
 2. 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.

Attachments

EXHIBIT A

Unclassified Conditional Use Permit Application No. 3594

Staff: The Fresno County Planning Commission considered the Staff Report dated November 9, 2017, and heard a summary presentation by staff.

Applicant: The Applicant concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information:

- The developer concurs with the Staff Report, and requests that the proposed project be approved.

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

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

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**Unclassified Conditional Use Permit Application No. 3594
Conditions of Approval and Project Notes**

EXHIBIT B

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.	Approval of Unclassified Conditional Use Permit No. 3594 shall expire in the event the use of the antennas/microwave dish ceases for a period in excess of two years. At such time, the antennas/microwave dish and related facilities shall be removed and the lease area shall be restored as nearly as practical to its original condition. This stipulation shall be recorded as a Covenant running with the land. Note: The Department of Public Works and Planning will prepare the Covenant upon receipt of the standard processing fee, which is currently \$243.50.
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.	Plans related to construction and development of the project prepared by a licensed design professional shall be submitted to the Development Services Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits, and necessary inspections.
2.	Any work performed within the County right-of-way shall require an Encroachment Permit from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning.
3.	Any additional run-off generated by development cannot be drained across property lines, and must be retained on site per County Standards.
4.	A Grading Permit or Grading Voucher shall be required for any grading activity associated with this proposal.
5.	Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall satisfy requirements set forth in California Health and Safety Code (HSC), Division 20, Chapter 6.95, and California Code of Regulations (CCR), Title 22, Division 4.5.
6.	The Applicant shall submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health for review and approval pursuant to California Health and Safety Code (HSC), Division 20, Chapter 6.95 when handling hazardous materials and/or hazardous wastes above the following reportable thresholds: 1) 55 gallons of liquid material; 2) 500 pounds of solid material; 3) 200 cubic feet of compressed gas; or 4) the threshold planning quantity for extremely hazardous substances.
7.	All hazardous waste shall be handled in accordance with requirements set forth in California Code of Regulations (CCR), Title 22, Division 4.5, which discusses proper labeling, storage and handling of hazardous wastes.

Notes

8.	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.
9.	Prior to Occupancy, the subject parcel shall annex into Community Facilities District (CFD) No. 2010-01 of the Fresno County Fire Protection District.

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County of Fresno

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

November 27, 2017

T-Mobile West, LLC
1755 Creekside Oaks Drive #190
Sacramento CA 95833

Dear Applicant:

Subject: Resolution No. 12678 – Unclassified Conditional Use Permit Application No. 3594

On November 9, 2017, 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 dchambers@co.fresno.ca.us or 559-600-4205.

Sincerely,

Derek Chambers, Planner
Development Services Division

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Enclosure