



County of Fresno

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

November 30, 2017

AT&T Mobility
2009 V Street
Sacramento CA 95818

Dear Applicant:

Subject: Resolution No. 12673 – Unclassified Conditional Use Permit Application No. 3585,
and Variance Application No. 4037

On October 12, 2017, the Fresno County Planning Commission approved your above-referenced projects 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 these projects 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. Note that the life of the Variance will run concurrently with the Unclassified Conditional Use Permit. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Unclassified Conditional Use Permit and Variance.

If you have any questions regarding the information in this letter please contact me at eahmad@co.fresno.ca.us or 559-600-4204.

Sincerely,

Ejaz Ahmad, Planner
Development Services Division

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Enclosure



Inter Office Memo

DATE: October 12, 2017

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12673 - UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO. 3585 and VARIANCE APPLICATION NO. 4037

APPLICANT: AT&T Mobility

OWNER: Ralph Fries

REQUEST: Allow co-location of a wireless communication facility atop an existing PG&E tower (12-foot top-hat extension), consisting of 12 panel antennas, 12 remote radio head units, a microwave dish, and outdoor equipment cabinets and generator within a 288 square-foot lease area to be located 15 feet from the property line where 35 feet minimum is required on a 78.44-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject property is located on the south side of W. Springfield Avenue between S. Grantland Avenue and S. Bryan Avenue approximately 7.6 miles southwest of the nearest city limits of the City of Fresno (SUP. DIST. 4) (APN 035-360-29S).

PLANNING COMMISSION ACTION:

At its hearing of October 12, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Woolf and seconded by Commissioner Ede to adopt the recommended Findings for approval of a Conditional Use Permit and Variance as stated in the Staff Report, and approve Unclassified Conditional Use Permit Application No. 3585 and Variance Application No. 4037, subject to the Conditions listed in Exhibit B.

EXHIBIT A

Unclassified Conditional Use Permit Application No. 3585,
and Variance Application No. 4037

Staff: The Fresno County Planning Commission considered the Staff Report dated October 12, 2017, and heard a summary presentation by staff.

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

- The project entails co-location atop an existing Pacific Gas & Electric (PG&E) tower.
- The tower location is best suited to provide telecommunication services to the population near Raisin City.
- The project will bring broadband to the area currently unserved by broadband access and wireless coverage for wireless devices.
- The Variance is necessary because the PG&E tower is located closer to the property line than allowed by the Zoning Ordinance.
- The project site is easy to access with minimal impact on farming operations.
- Ground equipment will be located within the tower footprint, which is not farmed.
- The tower's location closer to the road will allow minimal access and no additional road pavement for vehicles to access the site.

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.

**Unclassified Conditional Use Permit Application No. 3585; Variance Application No. 4037
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations and Operational Statement approved by the Planning Commission for Unclassified CUP No. 3585 and VA No. 4037.
2.	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. This stipulation shall be recorded as a Covenant running with the land. Note: This Department will prepare the Covenant upon receipt of the standard processing fee, which is currently \$243.50.
3.	Maintenance of the emergency back-up power generator shall occur during the daytime hours of 7:00 a.m. to 5:00 p.m.

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, permits and inspections shall be required for all proposed improvements based upon the codes in effect at the time of plan check submittal. Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 regarding permits for construction.
2.	A grading permit or Voucher shall be required for any grading proposed with this application.
3.	Any runoff generated by the development of the site cannot be drained across property lines into the County right-of-way and shall be retained on site per County standards.
4.	Any work done within the right-of-way to construct a new driveway or improve an existing driveway shall require an Encroachment Permit from the Road Maintenance and Operations Division.
5.	An existing farm access road overlaps the new proposed gravel approach. Access for both driveways off Grantland Avenue shall be shared.
6.	Boring of utilities across Grantland Avenue shall be required.
7.	The existing or any proposed vehicle access gate shall be set back a minimum of 20 feet from the right-of-way on Grantland Avenue or such other extra depth so as to eliminate the largest vehicle from idling in the road right-of-way when stopped to open the gate.
8.	Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5.

Notes

9.	Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95.
10.	All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5. This Division discusses proper labeling, storage and handling of hazardous wastes.
11.	The proposal shall comply with California Code of Regulations Title 24 - Fire Code after County approval of the project and prior to issuance of any Building Permits. The Applicant shall submit three Site Plans stamped "reviewed" or "approved" from the Fresno County Department of Public Works and Planning to the Fresno County Fire Protection District for review and approval. The Applicant shall submit evidence of plan approval by the Fresno County Fire Protection District, and shall install all fire protection improvements prior to occupancy granted for the use. The project shall also annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District.
12.	The applicant should contact the San Joaquin Valley Unified Air Pollution Control District's Small Business assistance office to identify District rules or regulations that apply to the project or obtain information about District permit requirements.