



County of Fresno

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

Planning Commission Staff Report Consent Agenda Item No. 1 July 21, 2016

SUBJECT: Initial Study No. 6762 and Unclassified Conditional Use Permit No. 3429 – First One-Year Time Extension

Grant a one-year time extension to exercise Unclassified Conditional Use Permit No. 3429 which authorizes the construction of a 100-foot-tall monopole (stealth mono-pine) telecommunications tower with 12 antennas, two future microwave dishes, two outdoor equipment shelters, and an emergency back-up generator with a 132-gallon diesel fuel storage tank on a 2,250 square-foot portion of a 218.8-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the northeast corner of Thompson Avenue and Tollhouse Road (Highway 168), approximately 1,200 feet northeast of the City of Clovis (9036 Tollhouse Road) (Sup. Dist. 1) (APN 150-061-16).

OWNER: Floyd L. Harlan Living Trust
APPLICANT: Vista Towers

STAFF CONTACT: Christina Monfette, Planner
(559) 600-4245

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Approve a one-year Time Extension for Unclassified Conditional Use Permit No. 3429; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Planning Commission Resolution and Staff Report dated April 24, 2014
5. Mitigation Measures, Conditions of Approval and Project Notes
6. Applicant's correspondence requesting a one-year Time Extension

ENVIRONMENTAL DETERMINATION:

A Mitigated Negative Declaration (MND) prepared for Initial Study No. 6762 was adopted by the Planning Commission in accordance with the California Environmental Quality Act (CEQA) with approval of Unclassified Conditional Use Permit No. 3429 on April 24, 2014.

According to Section 15162(a) of the CEQA Guidelines, when an MND is adopted for a project, no subsequent MND shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following: 1) substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously-identified significant effects; 2) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously-identified significant effects; and 3) new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted, shows either of the following: (A) the project will have one or more significant effects not discussed in the previous MND; or (B) mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.

This Time Extension request does not propose changes to the approved project, nor is there evidence of the circumstances noted in Conditions 1, 2 or 3 above. Therefore, a subsequent/supplemental environmental document is not required.

PUBLIC NOTICE:

Notices were sent to ten property owners within 1,320 feet of the subject parcel, exceeding the 300-foot minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

The Fresno County Zoning Ordinance requires that a Conditional Use Permit shall become void when substantial development has not occurred within two (2) years after approval of the Permit. The Zoning Ordinance authorizes the Planning Commission to grant a maximum of two

(2) one (1)-year Time Extensions when it can be demonstrated that circumstances beyond the control of the Applicant have caused delays which do not permit compliance with the original time limitation. The request for extension must be filed prior to the expiration of the permit.

The decision of the Planning Commission on an Unclassified Conditional Use Permit Time Extension Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

Unclassified Conditional Use Permit (CUP) No. 3429 was approved by the Planning Commission on April 24, 2014 and became effective 15 days later, as prescribed by law. The Applicant filed their first one-year Time Extension request on April 18, 2016, six days before the expiration of the permit. If this Time Extension request is granted, the Applicant will have until April 24, 2017 to achieve substantial development of the telecommunications tower or file for an additional extension of time.

Since the approval of the previous CUP, the APN of the subject parcel has changed from 150-060-72 to 150-061-16.

ANALYSIS/DISCUSSION:

Unclassified Conditional Use Permit (CUP) No. 3429 was originally approved on April 24, 2014, concurrently with Initial Study No. 6762, based on a determination that the required Findings could be made. Attached is a copy of the Planning Commission's Resolution (Exhibit 4) documenting the Conditions imposed on the project.

According to the Applicant's letter requesting a Time Extension (Exhibit 6), unforeseen circumstances with the intended carrier tenants have delayed construction of the tower. As such, the Applicant requires additional time to begin work.

Approval of a time extension request for an Unclassified Conditional Use Permit is appropriate if circumstances beyond the control of the Applicant have caused delays that do not permit compliance within the two-year time limit established by the Zoning Ordinance. It should be noted that the Planning Commission's jurisdiction in evaluating this request is limited to determining whether or not the Applicant should be granted an additional year to exercise the Unclassified Conditional Use Permit as originally approved.

The current Time Extension request was routed to the same agencies that reviewed this project in December of 2013. None of those agencies identified any change in circumstances, or the need for additional Conditions, or expressed any concerns with the proposed extension of time. The Department of Public Health submitted revised project notes relating to the treatment of hazardous materials; however, these notes represent an alignment with current regulatory requirements and will not place additional restrictions on the project.

PUBLIC COMMENT:

None.

CONCLUSION:

Staff believes the first one-year Time Extension for Unclassified Conditional Use Permit No. 3429 should be approved, based on factors cited in the analysis above. Approval of this Time Extension will extend the expiration date to April 24, 2017.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to approve the one-year Time Extension for Unclassified Conditional Use Permit No. 3429; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to deny the one-year Time Extension request for Unclassified Conditional Use Permit No. 3429 (state reasons for denial); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

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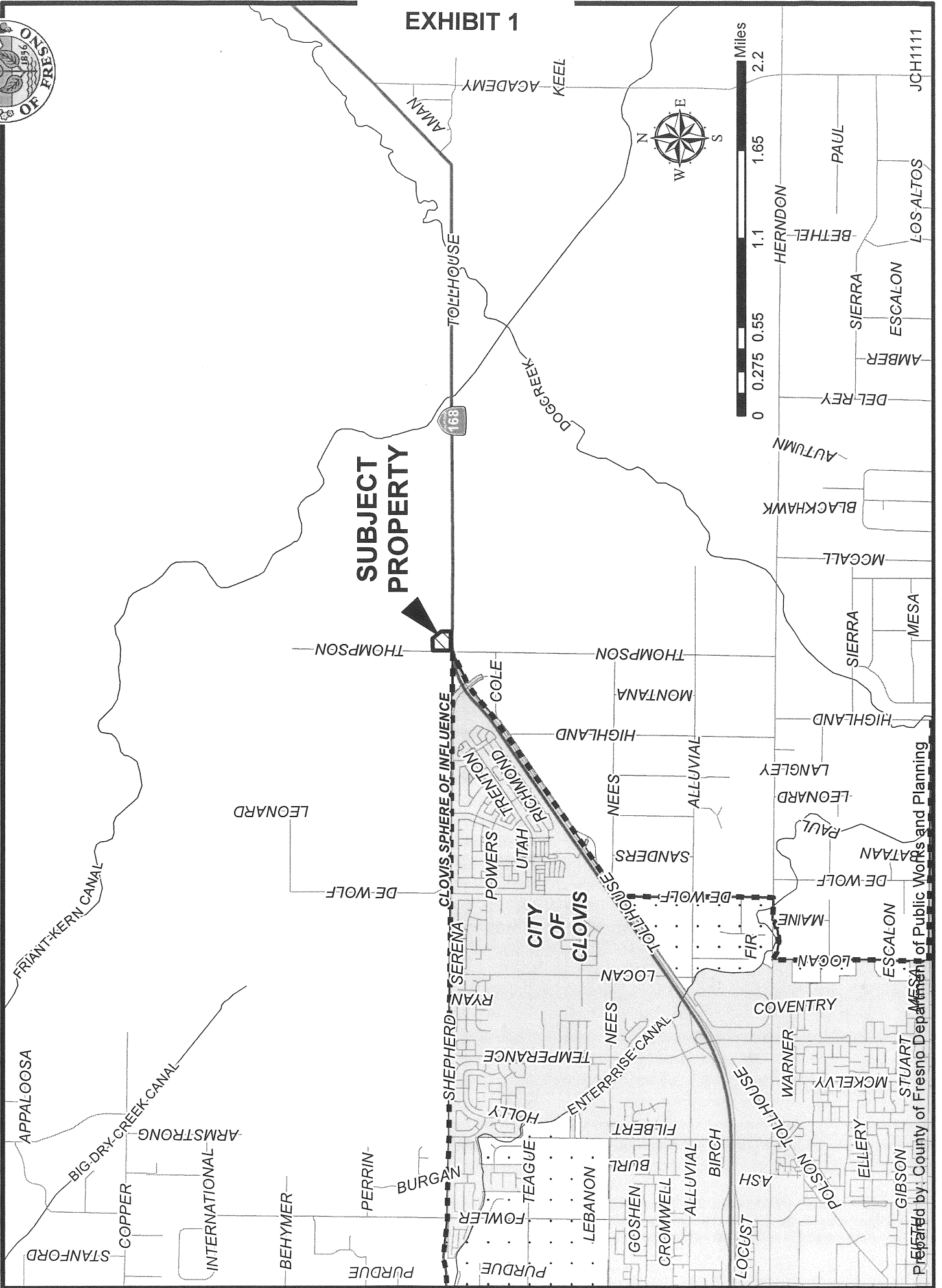
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LOCATION MAP

CUP 3429



EXHIBIT 1



EXISTING ZONING MAP



EXHIBIT 2

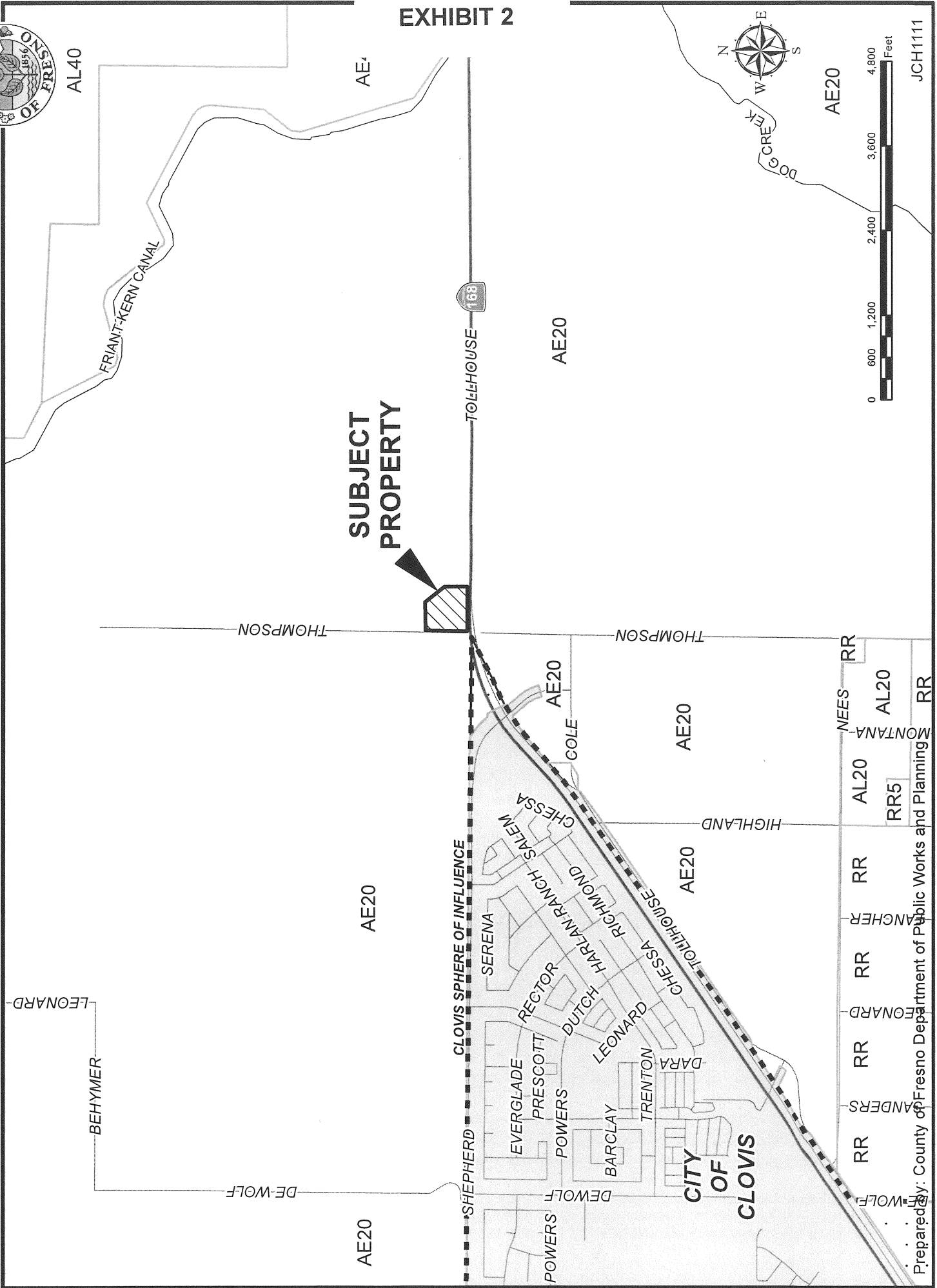
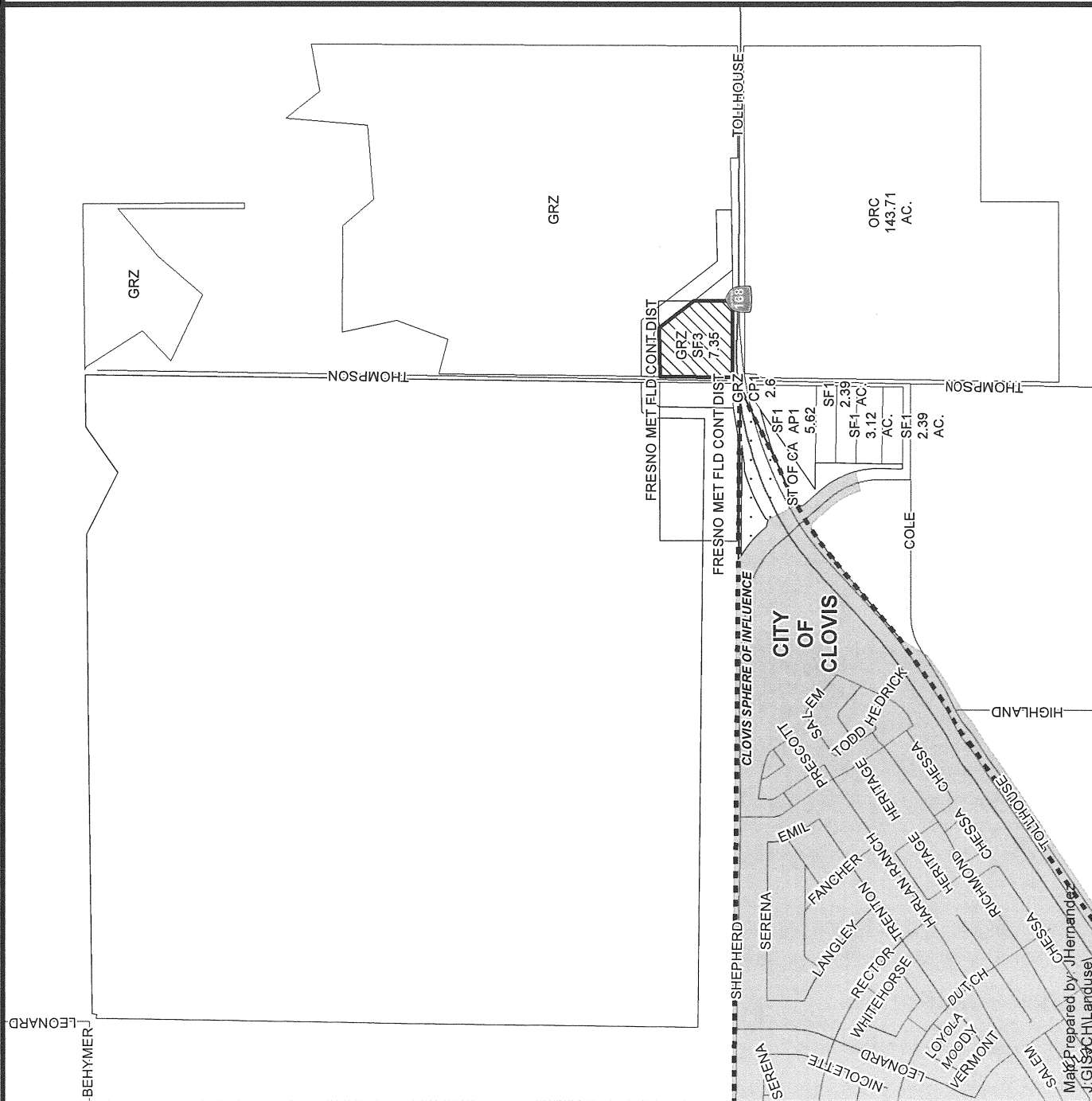




EXHIBIT 3

EXISTING LAND USE MAP

CUP 3429 Time Ext 1



LEGEND

- GRZ - GRAZING
- AP1 - APARTMENT
- CP# - OFFICE COMM./PROF
- SF# - SINGLE FAMILY RESIDENCE
- V - VACANT
- ORC - ORCHARD

LEGEND:

 Subject Property



Department of Public Works and Planning
Development Services Division

Map Prepared by: JHernandez
J.GIS@CHLAndusel



EXHIBIT 4

Inter Office Memo

DATE: April 24, 2014
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12436 - INITIAL STUDY APPLICATION NO. 6762
and UNCLASSIFIED CONDITIONAL USE PERMIT APPLICATION NO.
3429

APPLICANT/OWNER: Vista Towers

REQUEST: Allow a 100-foot-tall monopole (stealth monopole) telecommunications tower with 12 antennas, two future microwave dishes, two outdoor equipment shelters, and an emergency back-up generator with a 132-gallon diesel fuel storage tank on a 2,250 square-foot portion of a 218.8-acre parcel in the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the northeast corner of Thompson Avenue and Tollhouse Road (Highway 168), northeast of the City of Clovis (9036 Tollhouse Road) (Sup. Dist.: 1) (APN: 150-060-72).

PLANNING COMMISSION ACTION:

At its hearing of April 24, 2014, the Commission considered the Staff Report and testimony (summarized in Exhibit "A").

A motion was made by Commissioner Yates and seconded by Commissioner Zadourian to adopt the Mitigated Negative Declaration prepared for the project, adopt the recommended Findings of Fact in the Staff Report, and approve Unclassified Conditional Use Permit Application No. 3429, subject to the Conditions listed in Exhibit "B".

This motion passed on the following vote:

VOTING: Yes: Commissioners Yates, Zadourian, Borba, Mendes and
 Rocca

No: Commissioners Batth and Woolf

Absent: Commissioners Ferguson and Lawson

Abstain: None

ALAN WEAVER, 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: 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"

Initial Study Application No. 6762
Unclassified Conditional Use Permit Application No. 3429

- Staff: The Fresno County Planning Commission considered the Staff Report dated April 24, 2014, 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:
- The Applicant performed due diligence in the site selection and project design, including the completion of two Pre-Application Reviews and a Property Line Adjustment (PLA).
 - The wireless communication carrier that was going to utilize the neighboring tower which was approved by the Planning Commission earlier this year has made a verbal commitment to utilize this tower instead.
 - The Harlan Ranch area is experiencing increased development which has strained the existing wireless communication network, creating a need for increased network capacity.
- Others: No other individuals presented information in support of or in opposition to the project.
- 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 (CUP) No. 3429
Conditions of Approval and Project Notes**

EXHIBIT "B"

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 as to not shine towards adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	On-going
*2.	Cultural Resources	In the event cultural resources are unearthed during grading activity, all work shall be halted in the area of the find, and an archaeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant	On-going
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 Commission.				
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.	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.	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.				
5.	If a carrier proposes to install a generator, the Fresno County Health Department will review the acoustical information provided by the Applicant.				

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

Notes	
<p>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</p>	
1.	Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 regarding permits for siting, construction and electrical work.
2.	Wind load calculations with footing designed by a registered Civil Engineer shall be submitted to the Building and Safety Section of the Fresno County Department of Public Works and Planning before permits are issued.
3.	Prior to occupancy, the Applicant shall complete and submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
4.	All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5.
5.	The Applicant shall adhere to the following rules and regulations set by the San Joaquin Air Pollution District: <ul style="list-style-type: none"> A. Regulation VIII – Fugitive PM10 Prohibitions B. Rule 4102 – Nuisance C. Rule 4601 – Architectural Coatings D. Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations
6.	Any additional storm water run-off generated by the project cannot be drained across property lines or into County Right-of-Way, and must be retained on site, per the County Standards.
7.	A Grading Permit or Voucher is required for any grading proposed with this application.
8.	The first 100 feet of the edge of the access road shall be graded and asphalt concrete-paved or treated with a dust palliative.



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

May 12, 2014

Vista Towers
10161 Broadview Place
Tustin CA 92705

Dear Applicant:

Subject: Resolution No. 12436 - Initial Study Application No. 6762 and Unclassified
Conditional Use Permit Application No. 3429

On April 24, 2014, the Fresno County Planning Commission approved your application with Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk of 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 cmotta@co.fresno.ca.us or 559-600-4227.

Sincerely,

Chris Motta, Principal Planner
Development Services Division

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Enclosure



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

Planning Commission Staff Report Agenda Item No. 6 April 24, 2014

SUBJECT: Initial Study Application No. 6762 and Unclassified Conditional Use Permit Application No. 3429

Allow a 100-foot-tall monopole (stealth mono-pine) telecommunications tower with 12 antennas, two future microwave dishes, two outdoor equipment shelters, and an emergency back-up generator with a 132-gallon diesel fuel storage tank on a 2,250 square-foot portion of a 218.8-acre parcel in the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the northeast corner of Thompson Avenue and Tollhouse Road (Highway 168), northeast of the City of Clovis (9036 Tollhouse Road) (Sup. Dist.: 1) (APN: 150-060-72).

Applicant: Vista Towers
Owner: Floyd L. Harlen
Representative: Peter Blied, Plancom, Inc.

STAFF CONTACT: Bill Carlson, Senior Planner
(559) 600-4569

RECOMMENDATION:

- Adopt the Mitigated Negative Declaration prepared for Initial Study (IS) Application No. 6762; and
- Approve Unclassified Conditional Use Permit (CUP) Application No. 3429; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

IMPACTS ON JOB CREATION:

The Commission's action will not have any substantial effect on job creation.

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
6. Applicant's Submitted Operational Statement and Response to Fresno County Wireless Communication Guidelines/Supplemental Information
7. Photographic Simulations
8. Summary of Initial Study Application No. 6762

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agricultural	No change
Zoning	AE-20 (Exclusive Agriculture, 20-acre minimum parcel size required)	No change
Parcel Size	218.8 acres/7.35 acres (after PLA is recorded)	No change
Project Site	218.8-acre parcel: three existing residences, one office building, five sheds and one barn, well and septic system	2,500 square-foot lease area with eight-foot-tall chain-link perimeter fencing; 100-foot-tall stealth monopine tower for five future companies; and two outdoor equipment shelter
Structural Improvements	218.8-acre parcel: three existing residences, one office building, five sheds and one barn, well and septic system	100-foot-tall stealth monopine tower; eight-foot-tall CMU block wall
Nearest Residence	Approximately 200 feet south of the proposed lease area (on the subject parcel) Approximately 850 south of the existing site to the nearest neighbor	No change

Criteria	Existing	Proposed
Surrounding Development	Farmland, Highway 168	No change
Operational Features	N/A	Unmanned wireless communications facility
Employees	N/A	N/A
Customers	N/A	N/A
Traffic Trips	Residential traffic	Up to two monthly maintenance visits
Lighting	Residential lighting	None proposed
Hours of Operation	N/A	24 hours a day, seven days a week, year-round

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: No

ENVIRONMENTAL DETERMINATION:

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 below and included as Exhibit 8.

Notice of Intent to Adopt a Mitigated Negative Declaration publication date: April 11, 2014

PUBLIC NOTICE:

Notices were sent to 13 property owners within one-quarter mile of the subject property, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

An Unclassified Conditional Use Permit (CUP) Application may be approved only if four Findings specified in 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 a 2,250 square-foot lease area with eight foot-tall CMU block wall perimeter fencing, a 100-foot-tall mono-pine tower for up to four (4) future tenants with two 192 square-foot outdoor equipment shelters. According to the Applicant's Operational Statement and response to the

Fresno County Wireless Communication Guidelines, the area around the proposed facility suffers from poor indoor coverage issues which cause ineffective service. This proposal will also provide co-location opportunities for other carriers.

The property has also filed a Property Line Adjustment (PLA) application to adjust several lots. Currently, this site is 217 acres, but once the PLA has been recorded, the site will match the APN and will be a 7.35-acre lot. This PLA was approved on December 6, 2013, but the new legal descriptions have not been recorded as of preparing this report. Finalize this PLA will not affect this application.

On March 13, 2014, the Planning Commission approved another wireless communication facility approximately 1,000 feet southwest of the project site [CUP 3445]. At the request of the Planning Commission, that applicant agrees to a condition of approval to construct the tower to be a mono-pine tower. Vista Towers has changed its design of its proposed tower to be a stealth mono-pine similar to the recently approved communication facility.

ANALYSIS/DISCUSSION:

Finding 1: 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.

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	Front (western property line): 60 feet Side (north property line): approximately 30.5 feet Side (southern property line): 550 feet Rear (west property line): 200+/- feet	Yes
Parking	N/A	N/A	N/A
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	Six-foot minimum	N/A	N/A
Wall Requirements	No requirement	N/A	N/A
Septic Replacement Area	100 percent	N/A	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	N/A	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

Zoning Section of the Development Services Division: Proposed improvements satisfy the setback requirements of the AE-20 Zone District.

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

Analysis:

Staff review of the Site Plans demonstrates that the proposed improvements meet minimum building setback requirements of the AE-20 Zone District. The proposed 2,250 square-foot lease area containing the wireless communication tower and two equipment shelters will be set back approximately 60 feet from the western property line (35-foot minimum required), 30.5 feet from the northern property line (20-foot minimum required), approximately 550 feet from the southern property line (20-foot minimum required), and 200 feet from the eastern property line (20-foot minimum required). The proposed lease area will be accessed from Shepard/Thompson Road via an existing 20-foot-wide access and utility easement.

Based on the above information, staff believes the site is adequate in size and shape to accommodate the proposed use, vehicle circulation, and ingress/egress.

Noteworthy Recommended Conditions of Approval:

None.

Conclusion:

Finding 1 can be made.

Finding 2: 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.

		Existing Conditions	Proposed Operation
Private Road	Yes	N/A	N/A
Public Road Frontage	Yes	Tollhouse Road (Highway 168)	No change
Direct Access to Public Road	No	N/A	No change
Road ADT		N/A	No change
Road Classification		Thompson Road: Private	No change
Traffic Trips		Residential traffic	Up to two monthly maintenance visits

		Existing Conditions	Proposed Operation
Traffic Impact Study (TIS) Prepared	No	N/A	Not required by County Design Division
Road Improvements Required		N/A	None required

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

Design Division: No concerns with the proposal.

Road Maintenance and Operations Division: Any work performed within the County right-of-way shall require an Encroachment Permit from the Road Maintenance and Operations Division.

No other comments related to the adequacy of street and highways were expressed by reviewing Agencies or Departments.

Analysis:

This portion of Thompson Road is a private road and is not county maintain. However, this proposal entails an unmanned wireless communication facility with infrequent maintenance visits that will be accessed. As such, no additional right-of-way dedication is required for Thompson Road.

Based on the above information, staff believes that Thompson Road will remain adequate to accommodate the proposed use.

Noteworthy Recommended Conditions of Approval:

None.

Conclusion:

Finding 2 can be made.

Finding 3: The proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof.

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	210 acres	Vacant range land	AE-20	none
West	7.70 1.46	Vacant (FMFCD) Vacant (Caltrans)	AE-20	Approximately 2,200 feet
South	5.62 acres	Single-Family Residence	AE-20	Approximately 850 feet

Surrounding Parcels				
	143.7 acres	Orchard State Route 168		
East		Vacant	AE-20	2,000 feet

Reviewing Agency/Department Comments:

Building and Safety Section of the Development Services Division: No concerns with the proposal.

Development Engineering Section of the Development Services Division: According to the latest Federal Emergency Management Agency (FEMA) FIRM Panel 1605H, the project site is not subject to the 100-year storm. Any additional run-off generated by development cannot be drained across property lines or into County right-of-way, and must be retained on site per County Standards. A Grading Permit or Voucher shall be required for any grading activity resultant of this proposal. These requirements have been included as Project Notes.

Fresno County Department of Agriculture: No concerns with proposal.

Fresno County Department of Public Health, Environmental Health Division: Prior to occupancy, the Applicant shall submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. All hazardous waste shall be handled in accordance with the requirements set forth in the California Health and Safety Code, Chapter 6.5. These requirements have been included as Project Notes. There is 132-gallon diesel generator as part of this application, which shall comply with the Fresno County Noise Ordinance.

Fresno Irrigation District (FID): FID does not own, operate, or maintain any facilities located on the subject parcel.

Fresno County Fire Protection District: All resultant development shall comply with the latest California Code of Regulations Title 24, and that subsequent to County approval, copies of the approved Site Plan shall be submitted to the District for review and approval. This requirement has been included as a Project Note.

San Joaquin Valley Air Pollution Control District (Air District): The project may be subject to District Regulation VIII (Fugitive Dust Rules), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations). These requirements have been included as Project Notes.

Water/Geology/Natural Resources Section of the Development Services Division: No water-related concerns with regard to the proposal, as water is not required for the use.

Analysis:

This proposal entails the establishment of a new wireless communications facility comprised of a 2,250 square-foot lease area with CMU block wall perimeter fencing, a 100-foot-tall monopine tower, for up to four (4) future tenants, and two (2) outdoor equipment shelters. The subject parcel has been previously improved with three (3) single-family residences, an office

building, three sheds and one barn.

The subject parcel is located on the northeastern boundary outside of the city limits, and in the Sphere of Influence of the City of Clovis, and is surrounded by agricultural land uses to the north, south, east and west with State Route 168 to the south. The closest dwelling in proximity to the proposed tower is located on the subject parcel, approximately 200 feet south of said tower, but the dwelling is located on the subject property. The next nearest off-site dwelling is approximately 850 feet south of the proposed tower.

Aesthetics are a typical concern associated with this type of use due to the heights of towers which are used to support wireless communication antennas. The visibility of a tower is a function of its height, design, and its exposure to neighbors and the general public. In this instance, the proposed 100-foot-tall stealth mono-pole tower may be visible from neighboring properties and public streets. However, due to the design of the proposed tower, staff believes the proposed tower will not have an adverse effect upon the aesthetics of the area. Further, the subject parcel is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the analysis.

In regard to the aesthetics of the related facilities, these proposed improvements will be visually screened from neighboring properties to the east and west by existing housing on neighboring properties. The project will be visible from neighboring properties to the south. The property is in close proximity to State Route 168, Clovis' storm drainage basin, and the Fresno Metropolitan Flood Control District (FMFCD) properties. The project will also be visible to the west, but is screened by the CMU block wall.

Noteworthy Recommended Conditions of Approval:

None.

Conclusion:

Finding 3 can be made.

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

Relevant Policies:	Consistency/Considerations:
General Plan Policy PF-J.4: County shall require compliance with the Wireless Communication Guidelines for siting of communication towers in unincorporated areas of the County.	The Applicant has provided a written response to the County Wireless Communication Guidelines which describes the basis for the site selection. The proposal is consistent with this Policy.
General Plan Policy PF-C.17: County shall undertake a water supply evaluation, including determinations of water supply adequacy, impact on other water users in the County, and water sustainability.	This proposal was reviewed by the Water/Geology/Natural Resources Section of the Development Services Division, which expressed no water-related concern in regard to the proposal, as water is not required for the use. Further, the subject parcel is not located within a water-short area. The proposal is consistent with this Policy.

Reviewing Agency Comments:

Policy Planning Section of the Development Services Division: The subject parcel is designated Agriculture in the County's General Plan. According to General Plan Policy PF-J.4, compliance with the Wireless Communication Guidelines is required for the siting of communication towers in unincorporated areas of the County. The subject parcel is not subject to a Williamson Act Land Conservation Contract.

Analysis:

General Plan Policy PF-J.4 requires compliance with the Wireless Communication Guidelines for siting communication towers in unincorporated areas of the County. The Wireless 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.

In this instance, there have been five (5) other wireless communication facility towers erected within five miles of the project site, including the one that was approved on March 13, 2014. The nearest of the towers that would allow the proposed use is located approximately 1,000 feet southwest of the project site. The applicant has changed the proposed tower to be a stealth mono-pine similar to the tower that was approved in March. [CUP 3445]

According to the Applicant's response to the County Wireless Communication Guidelines, the subject parcel was selected to increase service coverage for the surrounding area, and attempts to co-locate on existing structures were not successful. Although other towers are present within five miles of this proposal that would allow the proposed use, considering that the subject parcel would be most optimal to achieve the desired coverage area and that the Staff believes that one of primary intentions of the Wireless Communication Guidelines is to avoid a proliferation metal structures in excess of 100' throughout the county, and since both of these communication towers will be "stealth mono-pine" with the ability to accommodate multiple carriers adjacent to an urban area, staff does not have a concern with this current request.

The Wireless Communication Guidelines also state that applicants for new tower sites should include provisions in their land lease agreements that reserve co-location opportunities. In this instance, according to the Applicant's response to the Fresno County Wireless Communication Guidelines, the proposed tower will provide opportunity for other carriers to co-locate antennas and related equipment. Further, as a Condition of Approval, the Applicant shall provide a copy of the lease agreement demonstrating that the co-location requirement can be met. This requirement shall be satisfied prior to the issuance of Building Permits.

Noteworthy Recommended Conditions of Approval:

See Mitigation Measures and 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 is able to make Finding 4. Therefore, staff recommends approval of Unclassified Conditional Use Permit Application No. 3429.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 6762; and
- Move to determine the required Findings can be made and move to approve Unclassified Conditional Use Permit Application No. 3429, subject to the 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 Application No. 3429; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

BC:ksn
G:\4360Devs&Pln\PROJSEC\PROJDOCS\CUP\3400-3499\3429\sr_CUP3429.doc

**Unclassified Conditional Use Permit (CUP) No. 3429
Conditions of Approval and Project Notes**

EXHIBIT 1

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 as to not shine towards adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	On-going
*2.	Cultural Resources	In the event cultural resources are unearthed during grading activity, all work shall be halted in the area of the find, and an archaeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant	On-going
Conditions of Approval					
	Development of the property shall be in accordance with the Site Plan, Floor Plans, Elevations, and Operational Statement approved by the Commission.				
	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.	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.	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.				
5.	If a carrier proposes to install a generator, the Fresno County Health Department will review the acoustical information provided by the Applicant.				

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

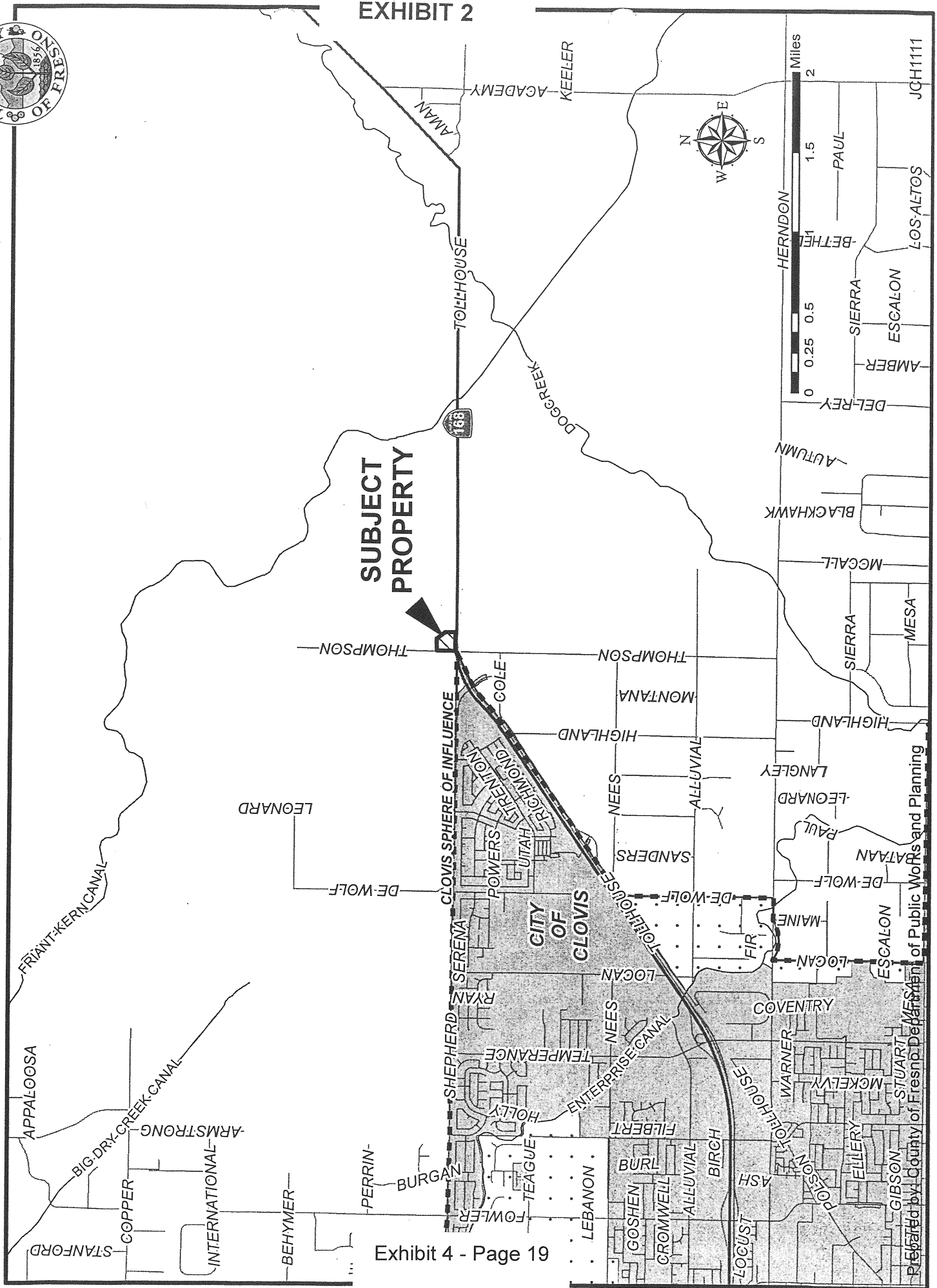
1.	Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 regarding permits for siting, construction and electrical work.
2.	Wind load calculations with footing designed by a registered Civil Engineer shall be submitted to the Building and Safety Section of the Fresno County Department of Public Works and Planning before permits are issued.
3.	Prior to occupancy, the Applicant shall complete and submit a Hazardous Materials Business Plan to the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
4.	All hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5.
5.	The Applicant shall adhere to the following rules and regulations set by the San Joaquin Air Pollution District: <ul style="list-style-type: none"> A. Regulation VIII – Fugitive PM10 Prohibitions B. Rule 4102 – Nuisance C. Rule 4601 – Architectural Coatings D. Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations
6.	Any additional storm water run-off generated by the project cannot be drained across property lines or into County Right-of-Way, and must be retained on site, per the County Standards.
7.	A Grading Permit or Voucher is required for any grading proposed with this application.
8.	The first 100 feet of the edge of the access road shall be graded and asphalt concrete-paved or treated with a dust palliative.

LOCATION MAP

CUP 3429



EXHIBIT 2



SUBJECT PROPERTY

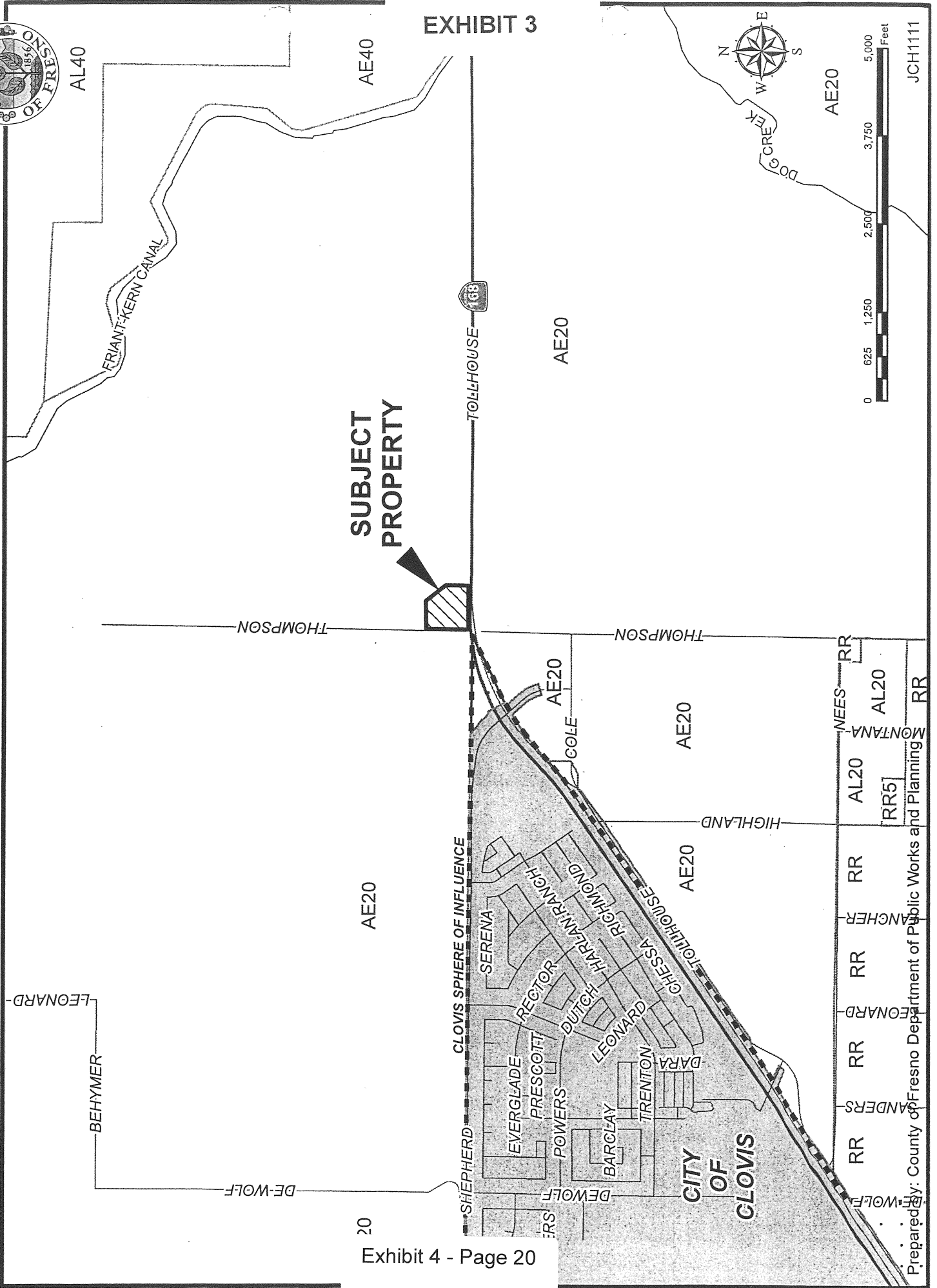
EXHIBIT 4 - Page 19

Prepared by County of Fresno Department of Public Works and Planning

EXISTING ZONING MAP



EXHIBIT 3



20
Exhibit 4 - Page 20

JCH1111

Prepared by: County of Fresno Department of Public Works and Planning



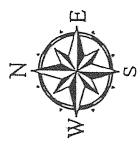
EXHIBIT 4

EXISTING LAND USE MAP

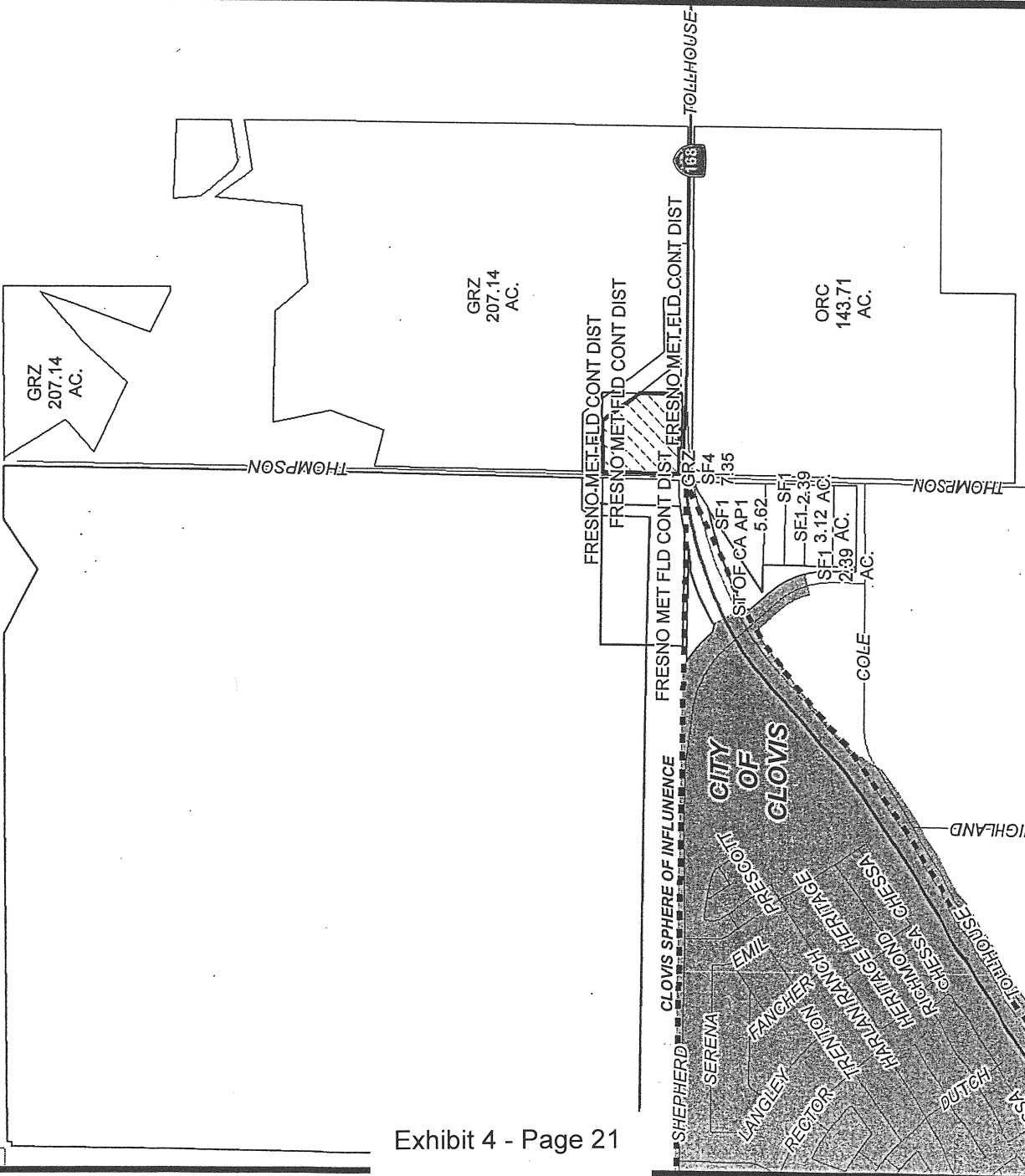
LEGEND	
AP1 - APARTMENT	
GRZ - GRAZING	
ORC - ORCHARD	
SF# - SINGLE FAMILY RESIDENCE	
CP# - OFFICE COMM./PROF	
V - VACANT	

LEGEND:

 Subject Property



Department of Public Works and Planning
Development Services Division



GENERAL NOTES

1. DRAWINGS ARE NOT TO BE SCALED. WRITTEN DIMENSIONS TAKE PRECEDENCE, AND THIS SET OF PLANS IS INTENDED TO BE USED FOR DIAGNOSTIC PURPOSES ONLY, UNLESS NOTED OTHERWISE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN, AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN.
2. PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN, AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN.
3. THE GENERAL CONTRACTOR SHALL RECEIVE WRITTEN AUTHORIZATION FROM THE CLIENT PRIOR TO STARTING WORK ON ANY PART OF THE PROJECT THAT IS NOT SHOWN ON THE CONSTRUCTION DRAWINGS/CONTRACT DOCUMENTS.
4. THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT AND BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN, AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN, AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN, AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN.
7. THE GENERAL CONTRACTOR SHALL PROVIDE AT THE PROJECT SITE A SUFFICIENT NUMBER OF PERSONNEL TO MAINTAIN THE PROJECT SITE AT ALL TIMES AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN, AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN.

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

1. 2013 CALIFORNIA ADMINISTRATIVE CODE (CAC) (INCL. TITLE 24 & 29)
2. 2013 CALIFORNIA BUILDING CODE (CBC)
3. 2013 CALIFORNIA RESIDENTIAL BUILDING CODE
4. 2013 CALIFORNIA ELECTRICAL CODE (CEC)
5. 2013 CALIFORNIA MECHANICAL CODE (CMC)
6. 2013 CALIFORNIA PLUMBING CODE (CPC)
7. 2013 CALIFORNIA ENERGY CODE (CEC)
8. 2013 CALIFORNIA HISTORICAL BUILDING CODE
9. 2013 CALIFORNIA HISTORICAL PLUMBING CODE
10. 2013 CALIFORNIA HISTORICAL MECHANICAL CODE
11. 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE (CALGreen CODE)
12. 2013 CALIFORNIA REFERENCE STANDARDS CODE
13. 2013 CALIFORNIA PRE-FABRICATED EQUIPMENT SHELTER IS STATE OF CALIFORNIA INSPECTED AND APPROVED, NOT FOR LOCAL INSPECTION.
14. ACCESSIBILITY REQUIREMENTS: THIS FACILITY IS UNMANNED AND NOT FOR PUBLIC USE. THEREFORE, THE FACILITY IS NOT SUBJECT TO ACCESSIBILITY WITH THE 2013 CBC 11B-203.5, AND 11B-202.4 EXEMPTION 7.

ARCHITECTS/ENGINEERS HAVE MADE EVERY EFFORT TO SET THE SCOPE OF WORK, CONTRACTORS BIDDING THE JOB ARE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN, AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN.

NO OR SPECIFICATIONS SHALL NOT EXCLUDE SAID WORK FROM THE INTENT OF THESE DOCUMENTS. THE BIDDER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN, AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, LABOR AND MATERIALS LISTED HEREIN.

TO THE SUBMISSION OF CONTRACTOR'S PROPOSAL, IN THE EVENT OF DISCREPANCIES THE CONTRACTOR SHALL PRICE THE MORE COSTLY OR EXTENSIVE WORK, UNLESS DIRECTED OTHERWISE.

DIRECTIONS

- DIRECTIONS FROM 99 NORTH:
1. MERGE ONTO CA-41 N VA EXIT 131 TOWARD AIRPORT/YOSEMITE CANYON.
 2. MERGE ONTO CA-190 E VA EXIT 128A TOWARD AIRPORT/KINGS CANYON.
 3. MERGE ONTO CA-188 E VA EXIT 60A TOWARD CLOVIS/HUNTINGTON LAKE.
 4. TURN LEFT ON E. SHEPHERD AVENUE.
 5. TURN RIGHT ON E. SHEPHERD AVENUE.
 6. 8038 TOLLHOUSE RD IS ON THE RIGHT (ACCESS FROM E. SHEPHERD AVENUE)

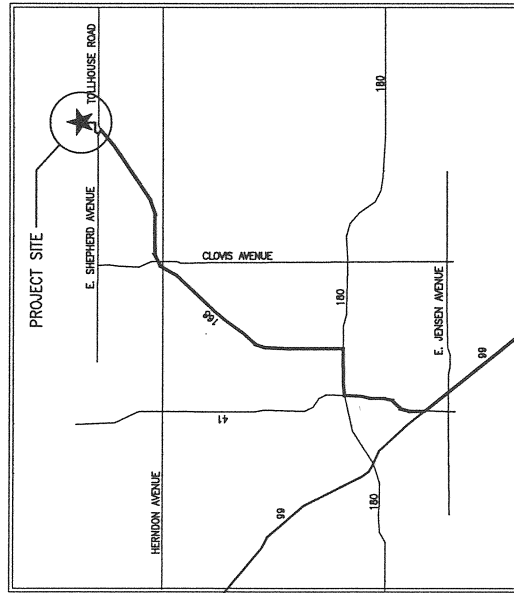
Vista Towers

Wireless Site Solutions

10161 BROADVIEW PLACE, N. TUSTIN, CA 92705

HARLAN RANCH

9036 EAST TOLLHOUSE ROAD
CLOVIS, CA 93619
APN: 150-060-72



LOCATION PLAN

CLOVIS, CA

PROJECT DIRECTORY

ARCHITECT:
VISTA TOWERS, LLC
10161 BROADVIEW PLACE
N. TUSTIN, CA 92705
CONTACT: ROBERT MACLOCHAN
714-417-8877
rmaclochan@vistatowers.com

CONSTRUCTION MANAGER:
10161 BROADVIEW PLACE
N. TUSTIN, CA 92705
CONTACT: MACLOCHAN
714-856-1000 PH

OWNER:
VISTA TOWERS, LLC
10161 BROADVIEW PLACE
N. TUSTIN, CA 92705
CONTACT: ROBERT MACLOCHAN
714-417-8877
rmaclochan@vistatowers.com

PROJECT SUMMARY

PROPERTY INFORMATION:
Lot: NAD 83
Lot Area: 11.94 AC
LONG: N 118° 37' 13.42"
ASSASSOR'S PARCEL NUMBER: 150-060-72
JURISDICTION: CLOVIS, CA
OCCUPANCY: S-2
TYPE OF CONSTRUCTION: V-N
ZONING: XX

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

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14. ACCESSIBILITY REQUIREMENTS: THIS FACILITY IS UNMANNED AND NOT FOR PUBLIC USE. THEREFORE, THE FACILITY IS NOT SUBJECT TO ACCESSIBILITY WITH THE 2013 CBC 11B-203.5, AND 11B-202.4 EXEMPTION 7.

PROJECT DESCRIPTION

INSTALLATION OF A MULTI-CARRIER VISTA TOWERS COMMUNICATIONS FACILITY, VISION APPROXIMATELY A 30'-0" X 70'-0" LEASE AREA ENCLOSED BY A 7'-0" TALL "R" TRUCK SPLIT FACE CMU SCREEN WALL INCLUDES:

- * (1) PROPOSED 12'-0"x18'-0" X 10'-0" TALL EQUIPMENT SHELTER
- * (1) PROPOSED 11'-5"x12'-0" X 10'-0" TALL EQUIPMENT SHELTER
- * (1) PROPOSED 102200 CERTIFIED 50HP STANBY GENERATOR W/1/2 142 PATED 132 GALLON DIESEL TANK MOUNTED ON AN 11'-5"x8'-0" POWER TO SITE FOR BOOM SERVICE W/ (2) PROPOSED & (2) FUTURE METER POSITIONS
- * (2) PROPOSED CARRIER ANTENNA CENTERS
- * (1) PROPOSED 4'-0" MICROWAVE DSH

PROJECT MILESTONES

12/16/10 / 80% ZONING DOCUMENTS
05/19/11 / 100% ZONING DOCUMENTS
09/25/13 / 100% ZONING DOCUMENTS REVISION 1
12/24/13 / 100% ZONING DOCUMENTS REVISION 2
04/15/14 / 100% ZONING DOCUMENTS REVISION 3

INDEX OF DRAWINGS

- | | | |
|----|------|--|
| 1. | T1-1 | TITLE SHEET, LOCATION PLAN, PROJECT DATA |
| 2. | L51 | CIVIL SURVEY SHEET |
| 3. | L52 | OVERALL SITE PLAN |
| 4. | A1-1 | EQUIPMENT LAYOUT PLAN |
| 5. | A2-1 | ANTENNA LAYOUT PLANS |
| 6. | A3-1 | PROJECT ELEVATIONS |

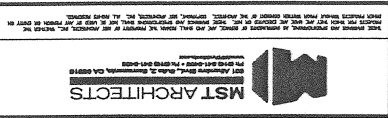


EXHIBIT 5

Vista Towers
Wireless Site Solutions
9036 E. TOLLHOUSE ROAD
HARLAN RANCH
CLOVIS, CA 93619

T1.1

JOB NO. 10433

DATE: 12/24/13

SHEET 7

Vista Towers
Wireless Site Solutions

PROJECT INFORMATION:
HARLAN RANCH
9036 E. TOLLHOUSE ROAD
CLAVIS, CA 93619

CURRENT ISSUE DATE:
12/15/10

ISSUED FOR:
ZONING

REV.	DATE	DESCRIPTION	BY
2	12/15/10	REV. #2	TCH
1	12/09/10	REV. #1	TCH
0	12/06/10	90% ISSUE	TCH

PLANS PREPARED BY:
Phil Auer Surveying
2818 Blake Circle
Livermore, CA 94551
Phone: (925) 471-8188
Fax: (925) 471-8189
E-mail: info@philauer.com

CONSULTANT:
DRAWN BY: CHK. BY: A.P.I.

TCH OPA OPA

LICENSEE:

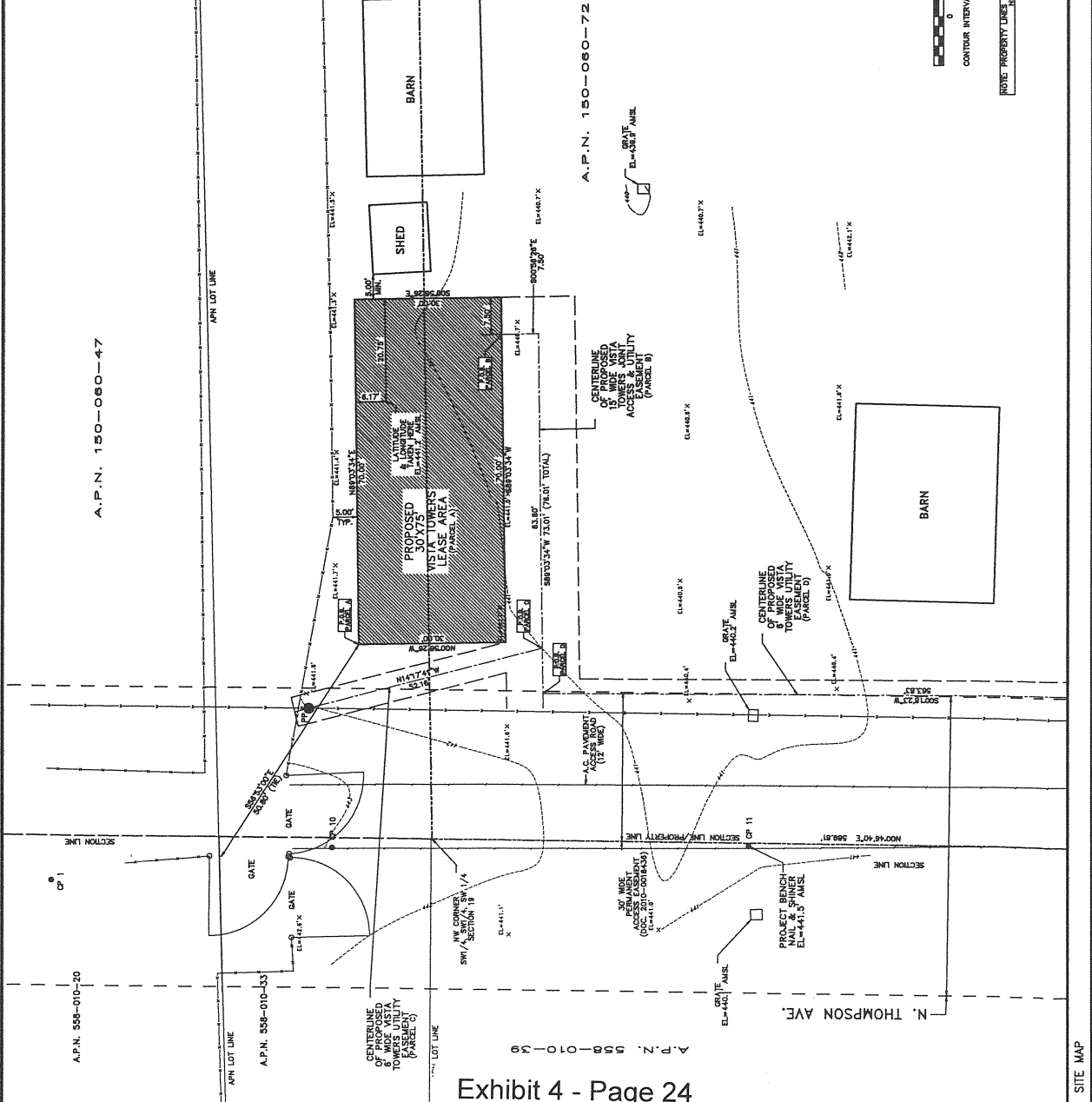
SHEET TITLE:
SURVEY

SHEET NUMBER:
LS2
SHEET 2 OF 2

LEGEND

	MANHOLE		FIRE HYDRANT
	LIGHT POLE		MONUMENT
	TREE		HANDICAPPED PARKING
	JUNCTION BOX		TELEPHONE POLE
	POWER POLE		SPOT ELEVATION

DOSE OF PAVEMENT: E
OVERHEAD ELECTRIC LINE: X
FENCE LINE: X
PROPERTY LINE: AIR.....ABOVE MEAN SEA LEVEL
AD.....ABOVE GROUND LEVEL
CP.....FIELD CONTROL POINT



THIS DRAWING IS THE PROPERTY OF MST ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. ANY REUSE OR MODIFICATION OF THIS DRAWING WITHOUT THE WRITTEN CONSENT OF MST ARCHITECTS IS STRICTLY PROHIBITED. THE USER ASSUMES ALL LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS DRAWING.

MST ARCHITECTS
 1000 Lakeside Drive, Suite 200, San Jose, CA 95128
 Phone: (408) 253-1100
 Fax: (408) 253-1101
 Website: www.mstarchitects.com

OVERALL SITE PLAN

SHEET TITLE: OVERALL SITE PLAN

Vista Towers
 Wireless Site Solutions
 HARLAN RANCH
 9036 E. TOLLHOUSE ROAD
 CLOVIS, CA 93619

DATE: 08/14/13

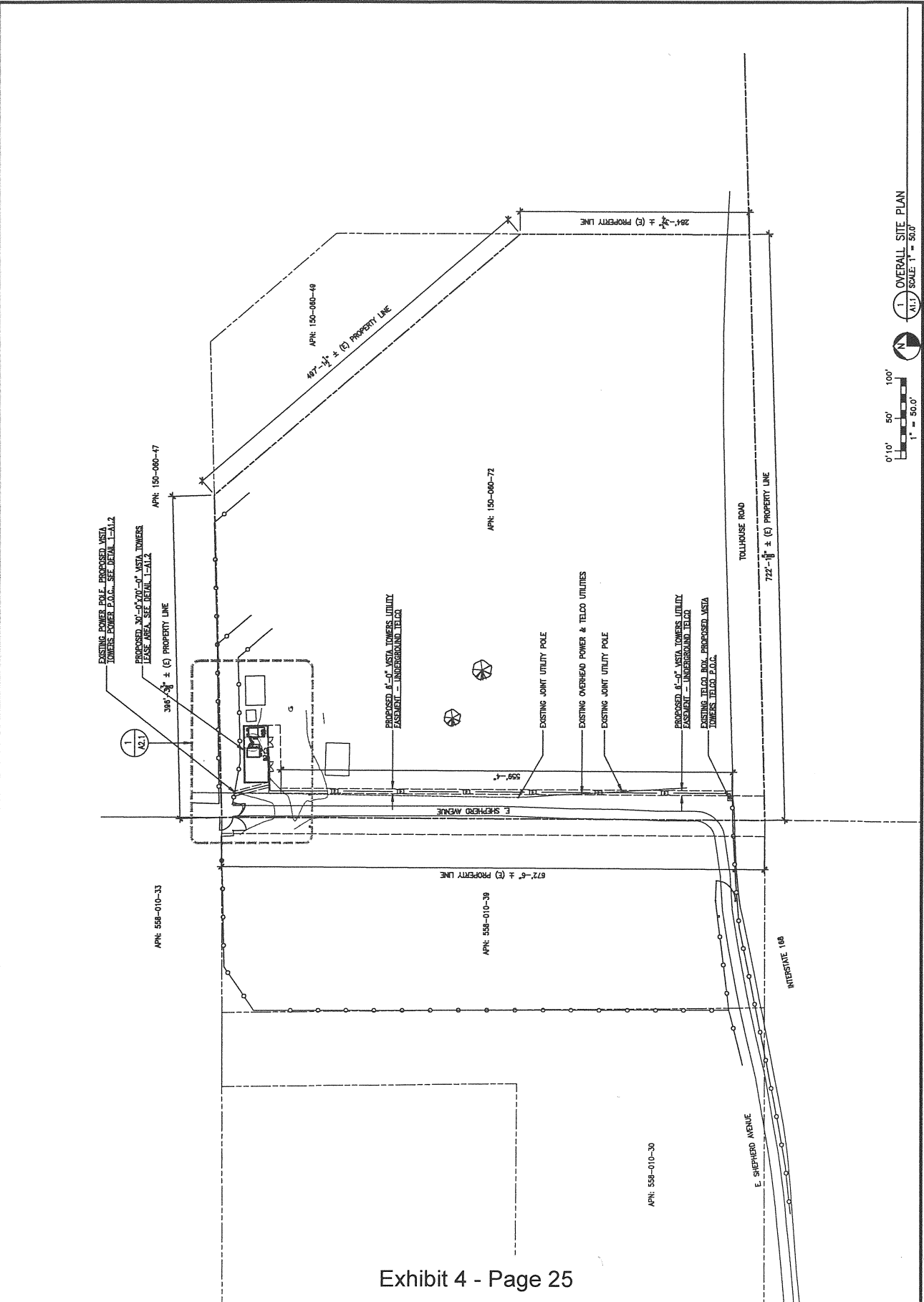
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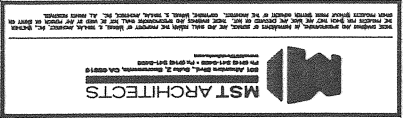
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 Drawn By: BT
 Checked By: WEF
 Scale: As Shown
 Date: 07/24/13

A1.1

100 No. 11033

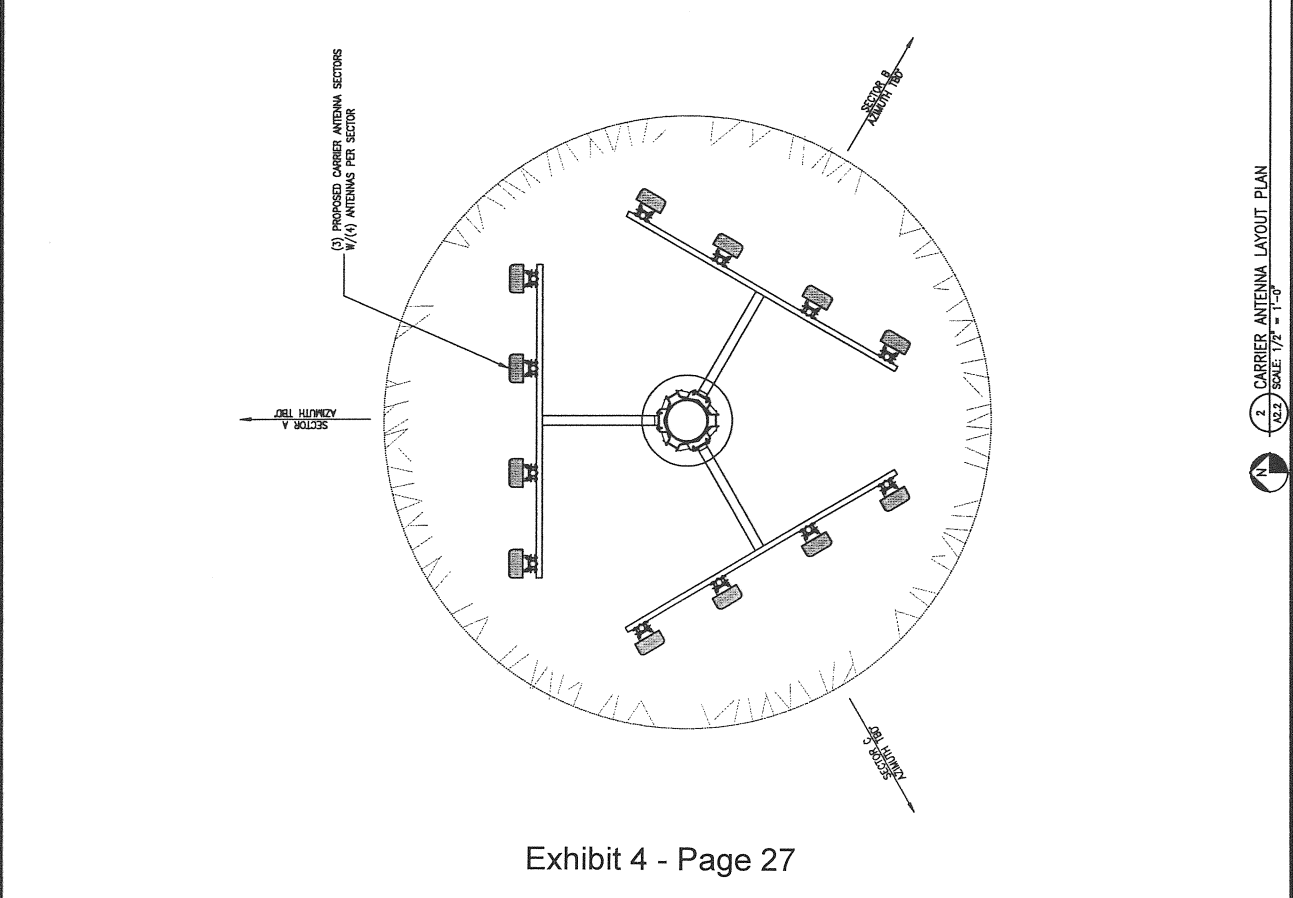
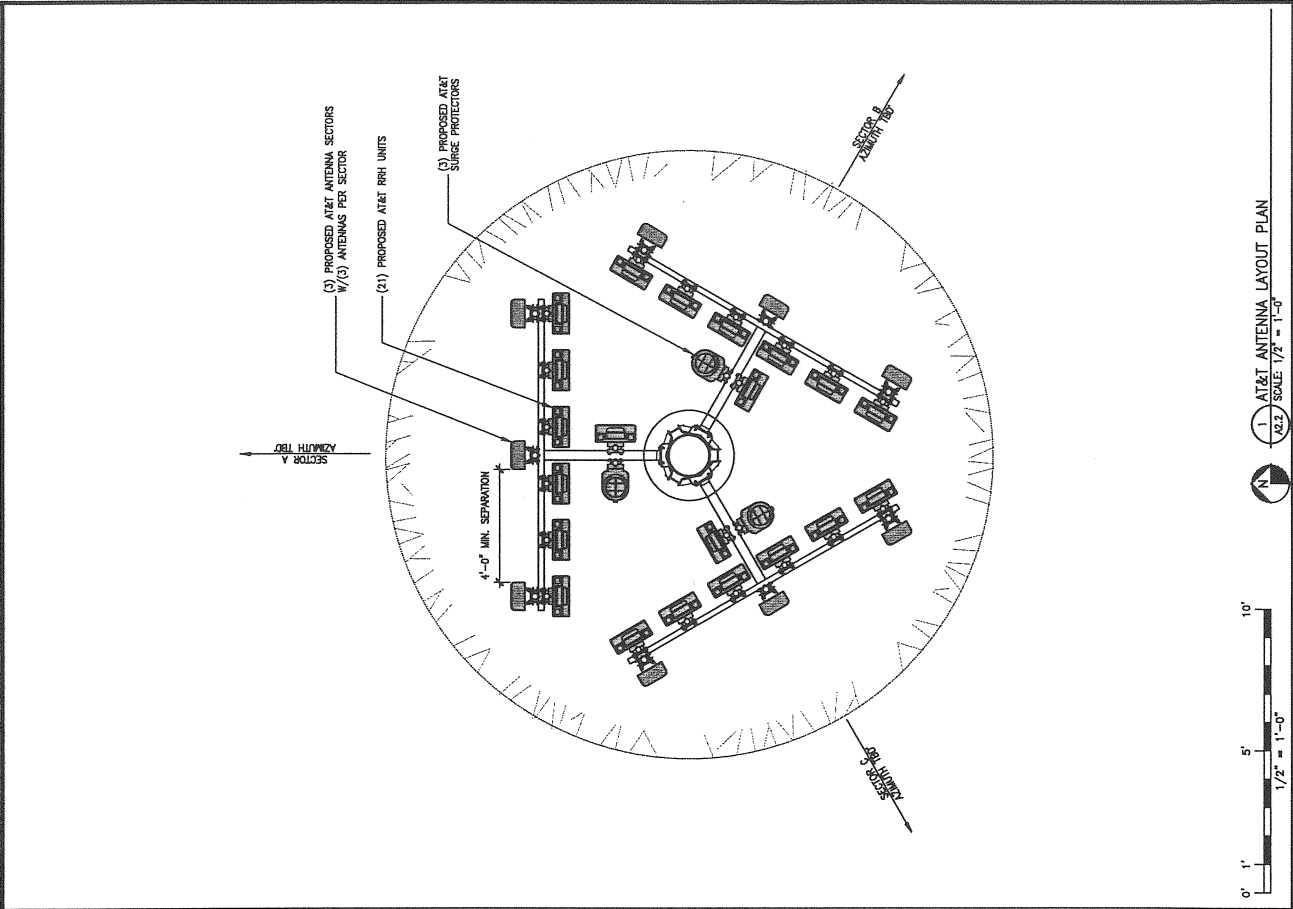




SHEET TITLE:
Vista Towers
 Wireless Site Solutions
 HARLAN RANCH
 9036 E. TOLHOUSE ROAD
 CLOVIS, CA 93619

DATE: 02/27/12	JOB NO: 10433
DESIGNED BY: [Blank]	PROJECT NO: [Blank]
DRAWN BY: [Blank]	DATE: 02/27/12
CHECKED BY: [Blank]	
APPROVED BY: [Blank]	
SCALE: 1/2" = 1'-0"	

A2.2



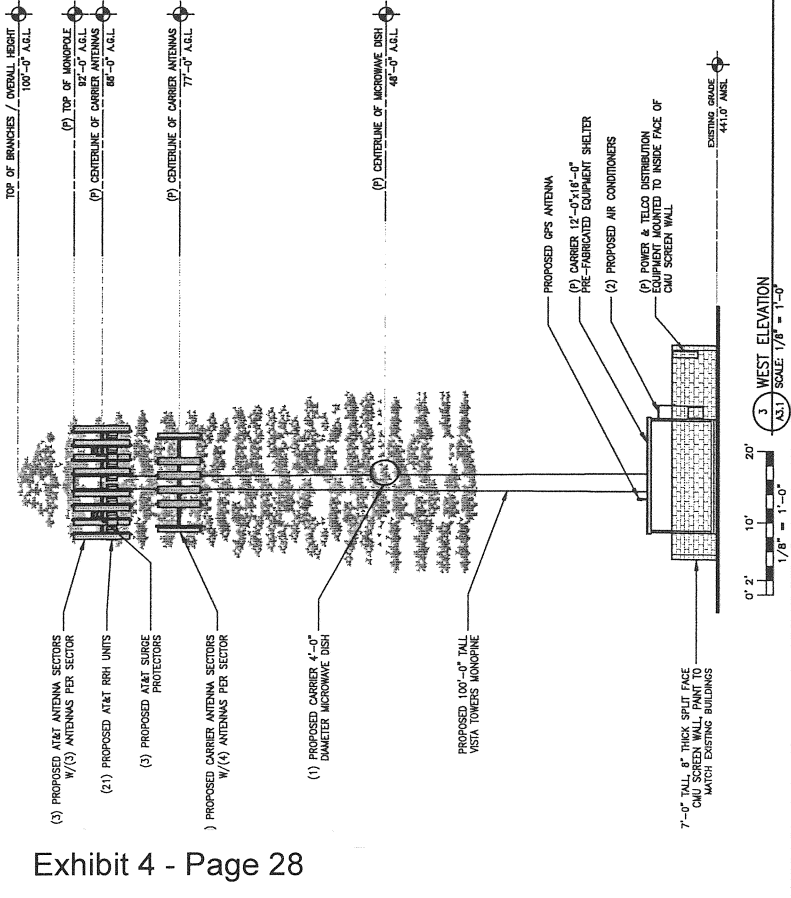
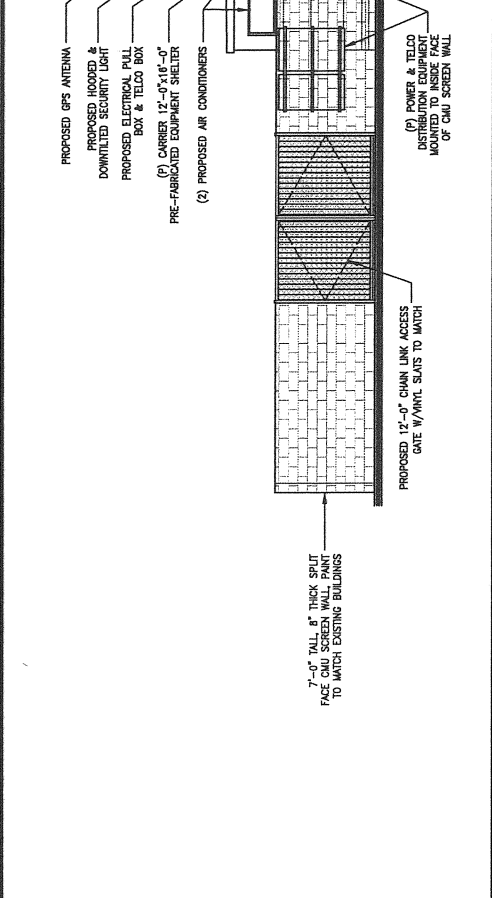
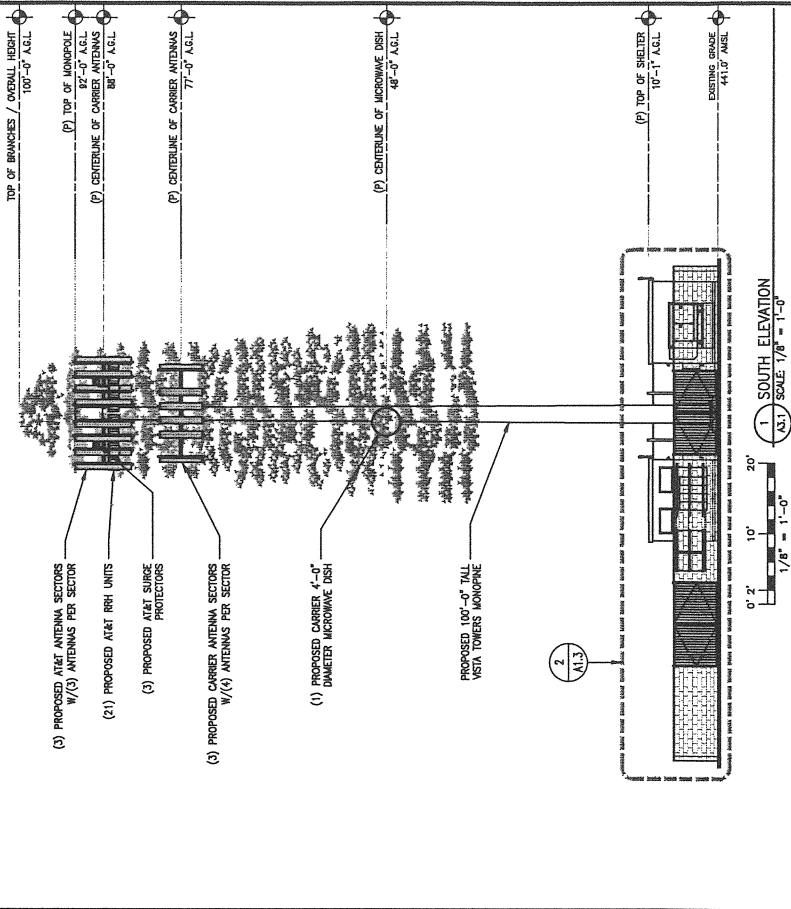
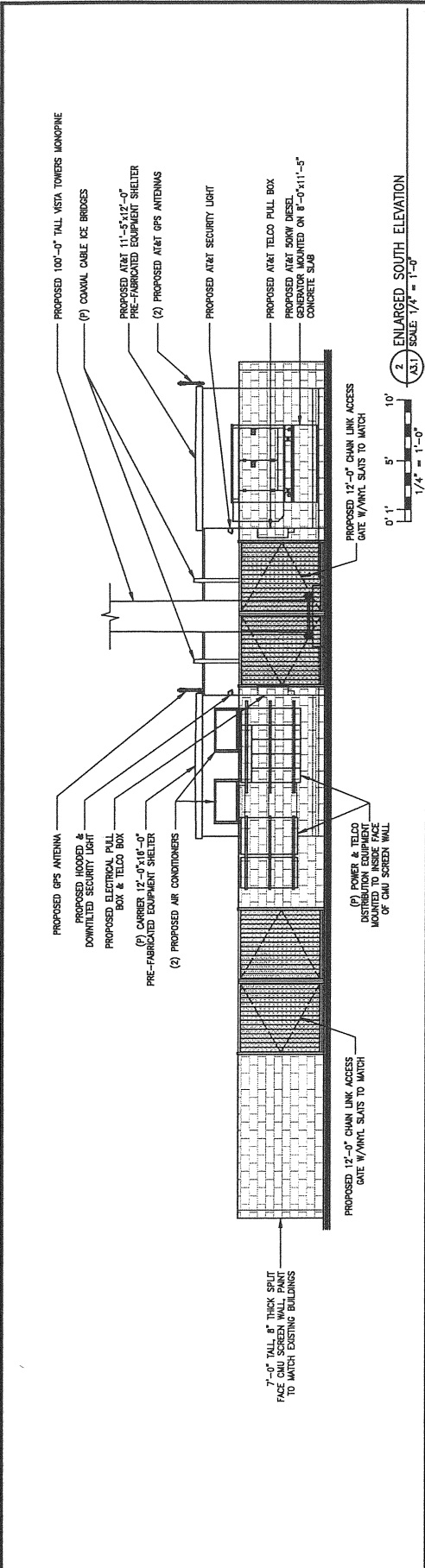


EXHIBIT 6

OPERATIONAL STATEMENT

VISTA TOWERS "HARLAN RANCH"

1. The proposed operation will involve the installation of a 90'-0" mono-pole with two initial carriers installed at separate elevations and room for two future carriers. The ground equipment will initially be comprised of a 30' x 70' CMU walled compound with two initial equipment shelters and room provided for two future carriers. The compound is located at the rear of the property and will be set back from Tollhouse Road and HWY 168. The site will operate 24 hours a day and 7 days a week with only an occasional monthly maintenance visit once the installation is completed.
2. Site will operate 24/7/365. Outdoor wireless facility.
3. No regular visitors. 1 technician is likely to visit once a month per carrier. Usually late nights between 10 PM and 2 AM for maintenance.
4. No on-site employees, current or future. No caretaker.
5. 1 service vehicle is likely once a month as noted above.
6. Access via Tollhouse Road and Thompson Avenue.
7. Project parking within compound or adjacent on crushed gravel base.
8. Nothing sold on site.
9. Equipment used on site. See drawings with submittal package.
10. Supplies/materials used – N/A
11. Project will not create unsightly appearance, noise, glare, or dust.
12. No solid or liquid waste will be produced, stored, hauled, or disposed.
13. No water used for the project. No source required.
14. No advertising will be installed.
15. Project involves all new construction. Steel monopole and CMU block walls surrounding lease area and prefabricated equipment shelters with ground covered by crushed gravel road base.
16. No existing buildings will be used for the project. New buildings (prefab shelters will be purpose-built, sized accordingly, and delivered on site.
17. There will be basic security and task lighting within the compound. No external lighting or sound amplifying equipment will be used.
18. New CMU wall. No landscaping is proposed as it requires irrigation and water supply.
19. The project scope is very clear in the project description on Page T1.1 of the drawings.
20. Vista Towers is the owner of the proposed wireless facility. Incorporation documents are attached.

CUP 3429
RECEIVED
COUNTY OF FRESNO

OCT 11 2013

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION



Development

Services

Division

Operational Statement Checklist

Department of Public Works and Planning

It is important that the Operational Statement provides for a complete understanding of your proposal. The Operational Statement that you submit must address all of the following that apply to your proposal. Your Operational Statement must be typed or written in a legible manner on a separate sheet(s) of paper. Do not submit this checklist as your Operational Statement. It should serve only as a guide for preparing a complete Statement.

- ✓ 1. Nature of the operation--what do you propose to do? Describe in detail.
- ✓ 2. Operational time limits:
Months (if seasonal):
Hours (from 12AM to 12AM) 24 HRS Days per week: 7
Special activities: Frequency: Hours: Total hours per day: 24
Are these indoors or outdoors?
- ✓ 3. Number of customers or visitors:
Average number per day: 0 Maximum number per day: 1 Hours (when they will be there): 10PM-2AM
- ✓ 4. Number of employees:
Current: 0 Future: 0 Hours they work: 0 Do any live on-site as a caretaker? 0
TYPICAL SERVICE WINDOW
- ✓ 5. Service and delivery vehicles:
Number: 1 Type: PICKUP Frequency: 1 A MONTH (MAYBE)
- ✓ 6. Access to the site:
Public Road: Private Road: Surface: Unpaved (dirt/gravel) / Paved:
- ✓ 7. Number of parking spaces for employees, customers, and service/delivery vehicles.
Type of surfacing on parking area.
- ✓ 8. Are any goods to be sold on-site? If so, are these goods grown or produced on-site or at some other location? NONE Explain.
- ✓ 9. What equipment is used? If appropriate, provide pictures or brochure. N/A
- ✓ 10. What supplies or materials are used and how are they stored? N/A
- ✓ 11. Does the use cause an unsightly appearance? NO
Noise? Glare? Dust? Odor?
If so, explain how this will be reduced or eliminated.
- ✓ 12. List any solid or liquid wastes to be produced. NONE
Estimated volume of wastes: How and where is it stored?
How is it hauled, and where is it disposed? How often?
- ✓ 13. Estimated volume of water to be used (gallons per day). Source of water? ND/N/A
- ✓ 14. Describe any proposed advertising including size, appearance, and placement. NONE
- ✓ 15. Will existing buildings be used or will new buildings be constructed?
Describe type of construction materials, height, color, etc. Provide Floor Plan and elevations, if appropriate. ALL NEW CONSTRUCTION, STEEL TOWER & CMU BLOCK WALLS.
- ✓ 16. Explain which buildings or what portion of buildings will be used in the operation.
- ✓ 17. Will any outdoor lighting or an outdoor sound amplification system be used?
Describe and indicate when used. ONLY TASK LIGHTING WITHIN COMPOUND.
NO SOUND EQUIPMENT
- ✓ 18. Landscaping or fencing proposed? Describe type and location.
NEW CMU WALL
- ✓ 19. Any other information that will provide a clear understanding of the project or operation.
SEE PLANS
- ✓ 20. Identify all Owners, Officers and/or Board Members for each application submitted; this may be accomplished by submitting a cover letter in addition to the information provided on the signed application forms.
ATTACHED

INFORMATION ADDENDUM

VISTA TOWERS "HARLAN RANCH"

- The proposed wireless facility will support existing sites in the region by offloading and redistributing users between at least two sites instead of overloading just one. Current demands on the wireless networks are reaching failure levels due to overloading of the system by high volumes of users. Additionally, as data use climbs, coverage is now a secondary concern to system capacity. Specifically, the RF coverage in a given area may be excellent, but capacity may be limiting the customer experience. Indicators of this are slow download and upload speeds and poor refresh rates, similar to those experienced with computers with a dial-up modem versus a high-speed or fiber service. This area has been specifically selected as an area in need of capacity enhancement. There is a "boomer" site (owned by SBA, formerly Tower Co) nearby that provides adequate **coverage** to a very large area but it has **poor capacity** due to its coverage area that is too broad by modern wireless system standards. The proposed site will offload users and balance the load currently underserved in this targeted area. Our site is designed initially for 2 carriers, with future availability for two more.
- RF Maps are provided as requested.
- Existing sites vary by owner and carrier. The closest site, as noted on the RF maps, is owned by Tower Co, now a part of SBA. Vista Towers does not currently own any towers within the Fresno County jurisdiction.
- As there are no existing sites nearby that could support our target area, there was no effort to co-locate. However, the proposed site will be co-located from its installation with room for two additional carriers.
- As noted above, this was not an option. Adequate space is reserved for new carriers both on the pole and the ground within the compound.
- Lease with landowner is attached (redacted to preserve privacy of terms).
- The closest residence is that of the landowner, Floyd Harlan, at 9010 Tollhouse Road.
- NO airstrip or airport is within 5 miles of the proposed project site.
- The site was developed with the Design Guidelines in mind on a farm home site parcel and the site has been set back at the rear of a developed rural residential property (Zoned A-E 20) with proper enclosure walls to screen the equipment from all public viewpoints. While located on agricultural land it is also situated such that it is on the edge of these lands, not in the middle per the guidelines.
- Since we are near the City of Clovis boundary...I have spoken with Bryan Araki, City of Clovis Planner regarding our project. The City of Clovis has no objection to our proposed project location or design.
- As noted above, the siting criteria is being met in regards to agricultural lands.
- The applicant has no other towers in Fresno County and no colocations completed. The applicant does not have any current plans for additional sites in Fresno.

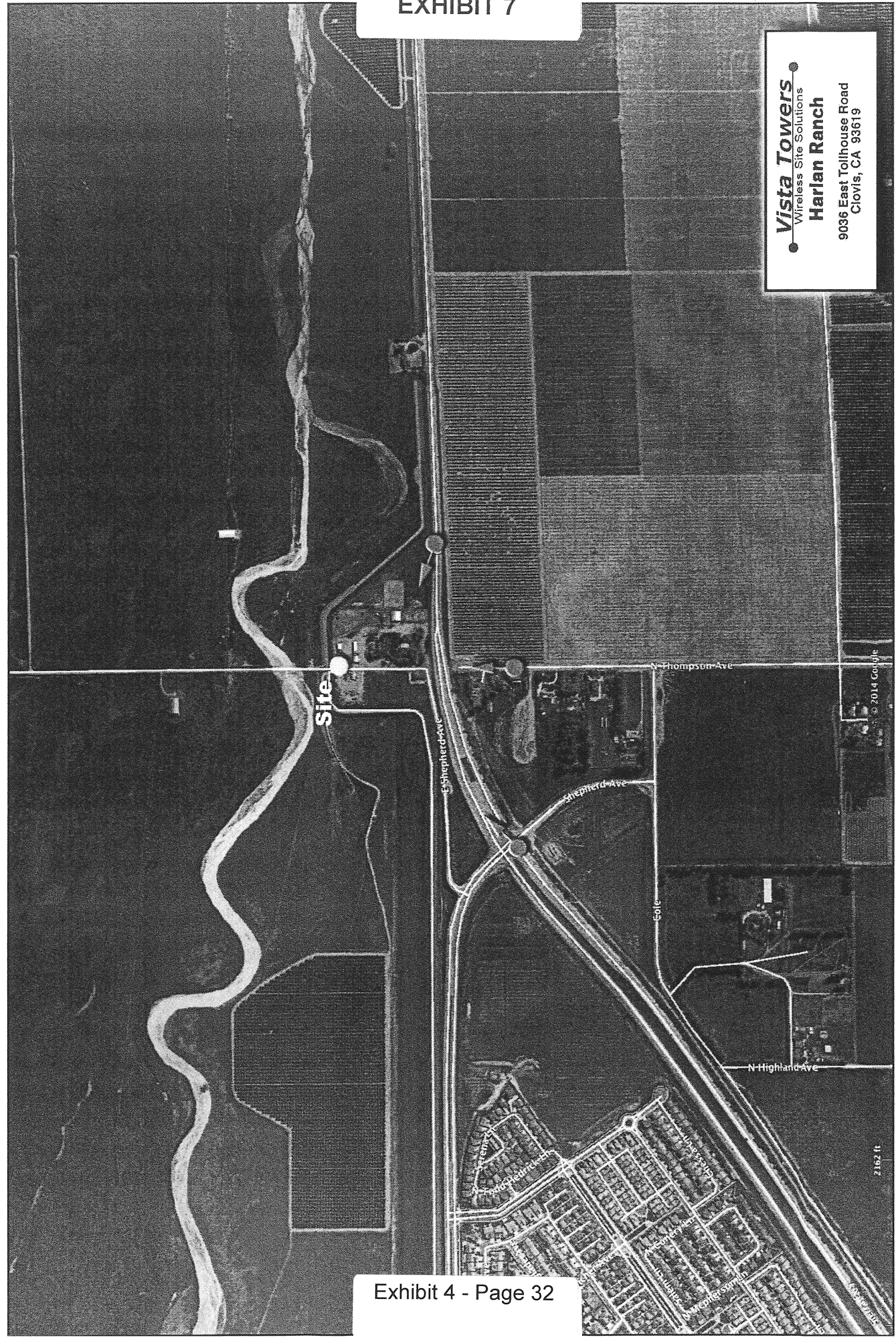
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COUNTY OF FRESNO

OCT 11 2013

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

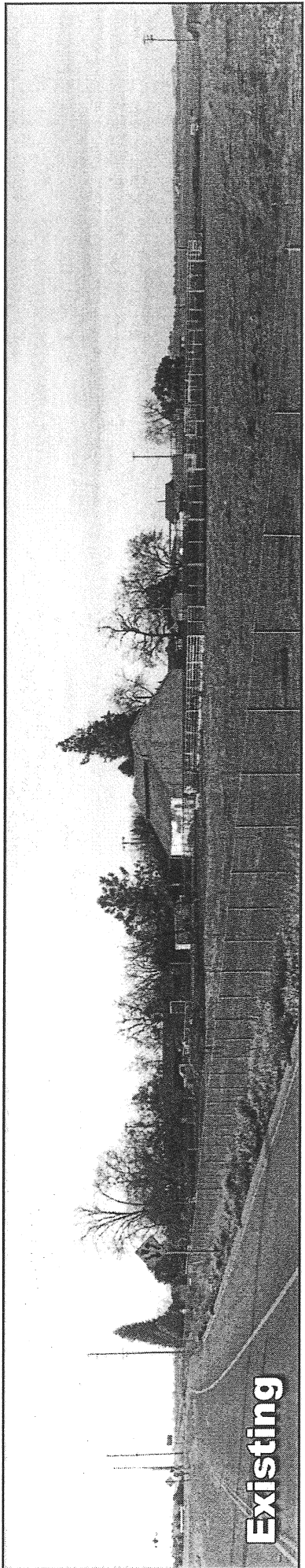
Aerial photograph showing viewpoints for the photosimulations.

EXHIBIT 7



Vista Towers
 Wireless Site Solutions
Harlan Ranch
 9036 East Tollhouse Road
 Clovis, CA 93619

Photosimulation of view looking west along Hwy 168 (East Tollhouse Road).



Existing

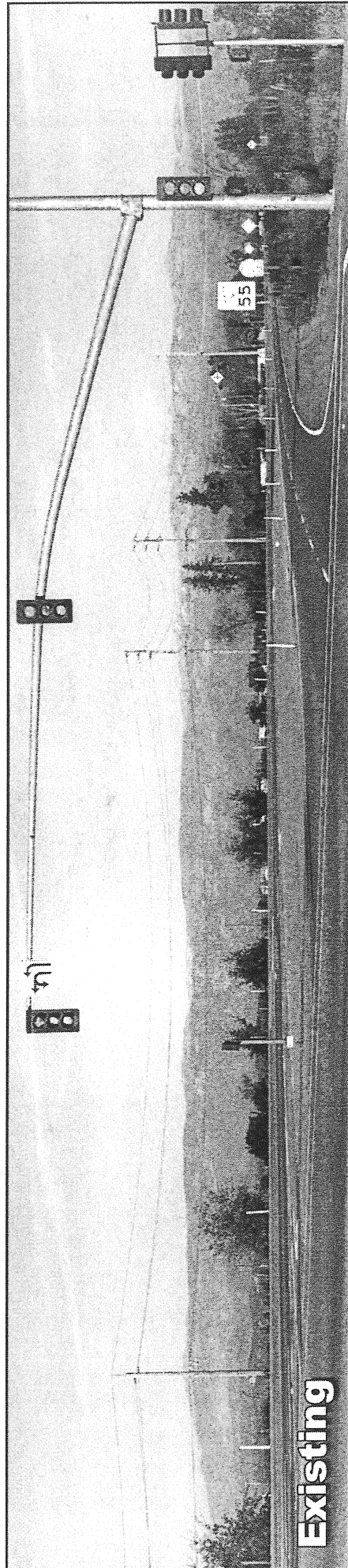


Proposed *monopole*

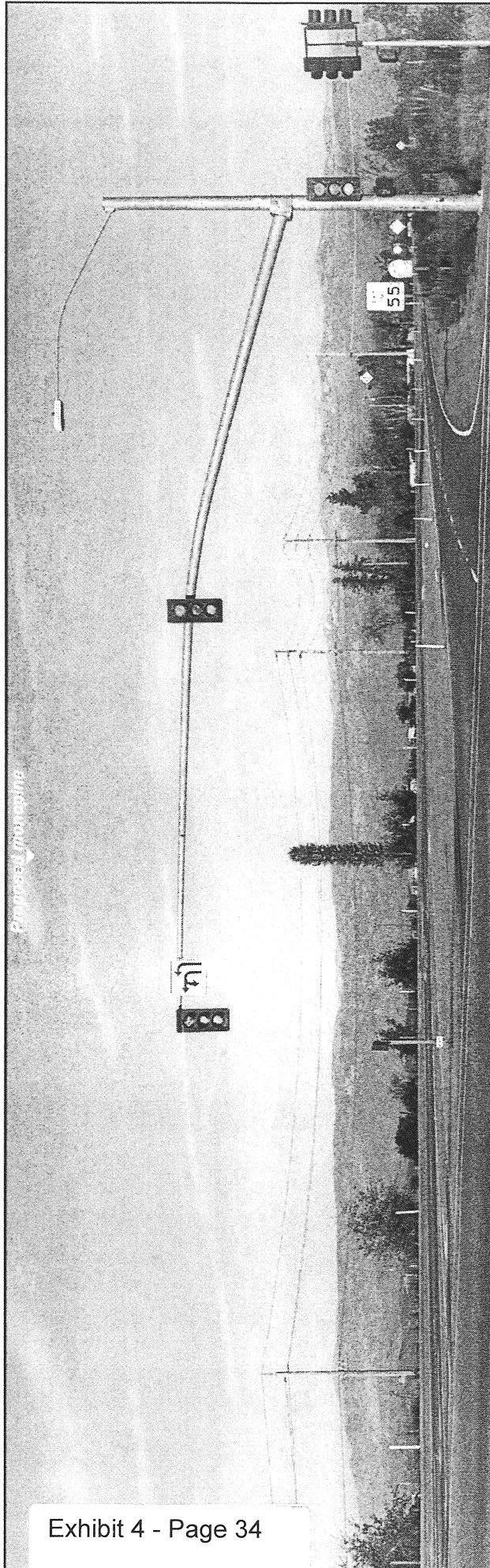
Proposed

Vista Towers
 Wireless Site Solutions
Harlan Ranch
 9036 East Tollhouse Road
 Clovis, CA 93619

Photosimulation of view looking northeast from Hwy 168 (Sierra Freeway) at the intersection with E. Shepherd Ave.



Existing



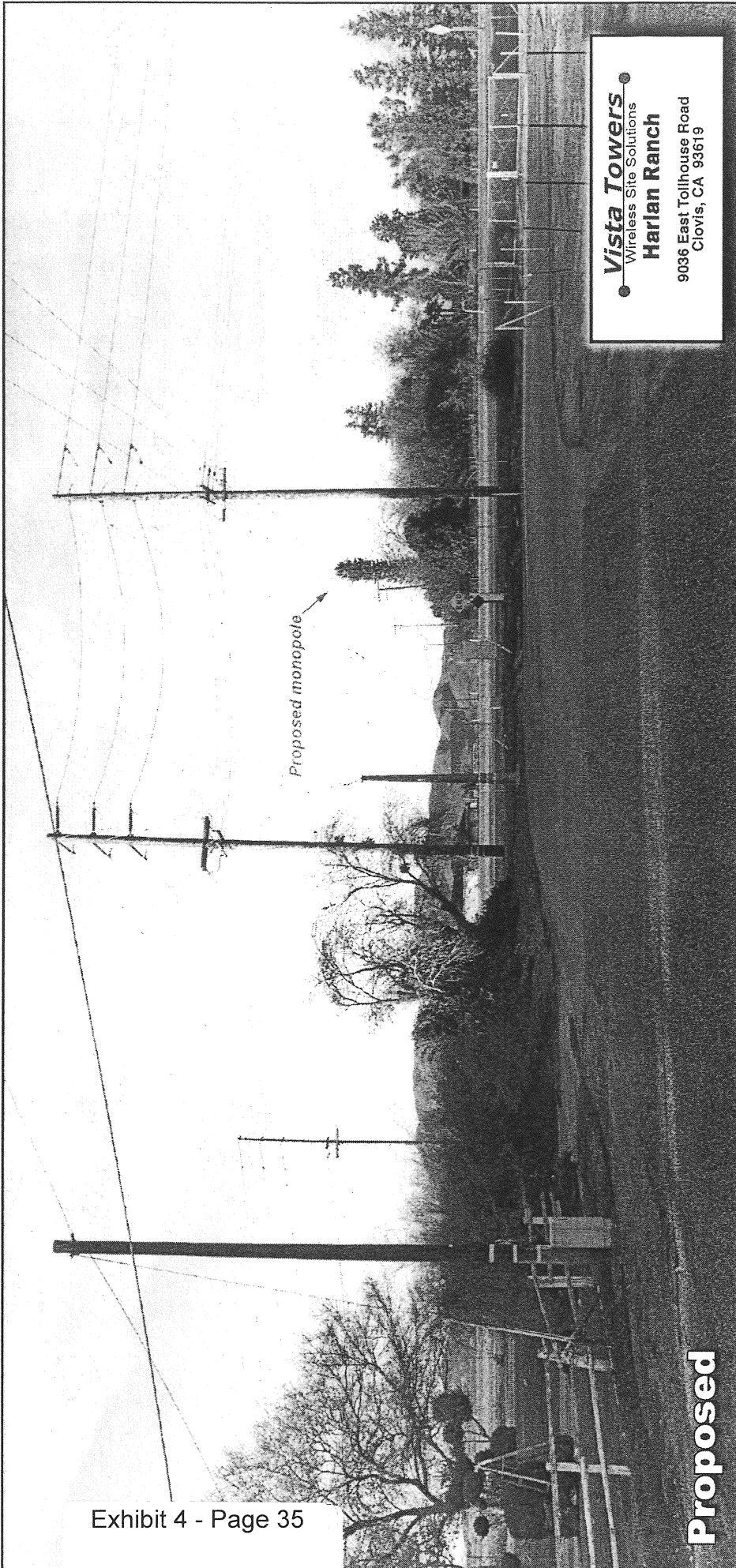
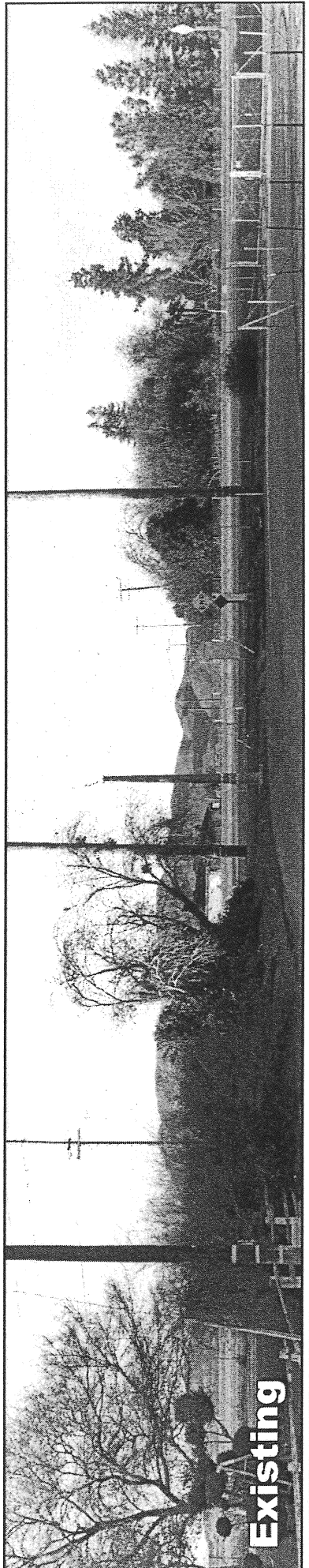
Proposed Photosim

Vista Towers
 Wireless Site Solutions
Harlan Ranch
 9036 East Tollhouse Road
 Clovis, CA 93619

Proposed

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 This photosimulation is based upon information provided by the project applicant. Questions or comments? call 1-877-799-3210 or visit www.previsualists.com

Photosimulation of view looking due north from Thompson Road, on the south side of Hwy 168.

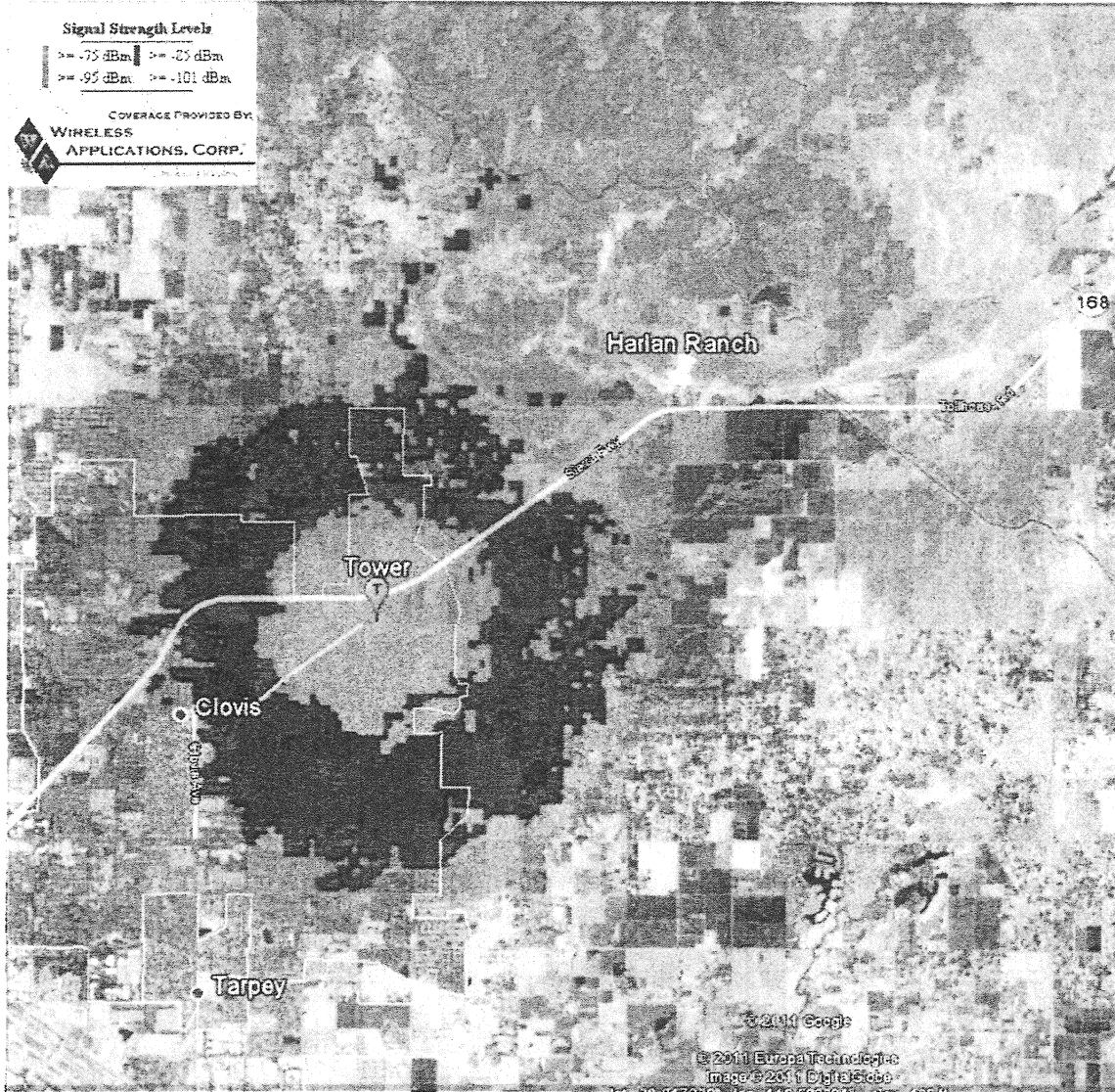


Vista Towers
 Wireless Site Solutions
Harlan Ranch
 9036 East Tollhouse Road
 Clovis, CA 93619

Site Name: Harlan Ranch

RF Coverage Maps

Existing Coverage available from existing Tower Co Tower

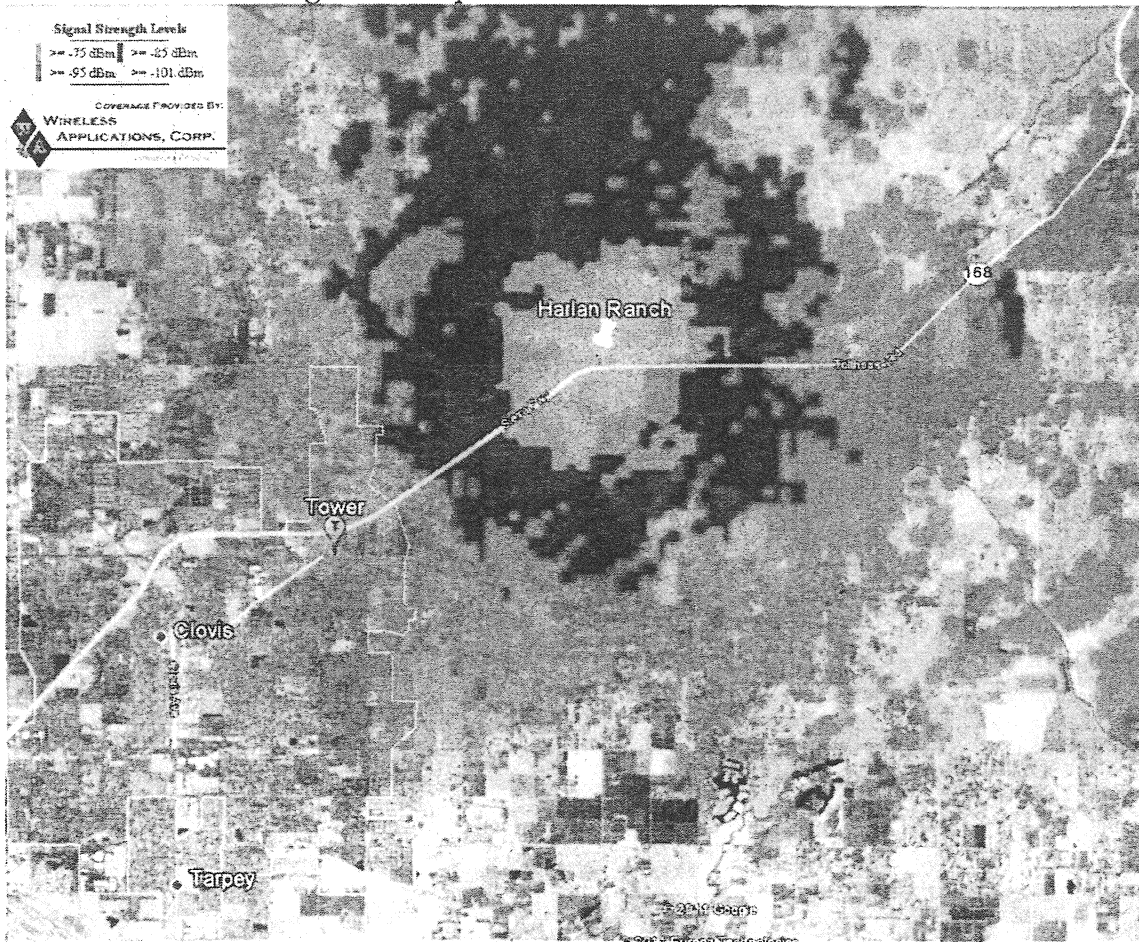


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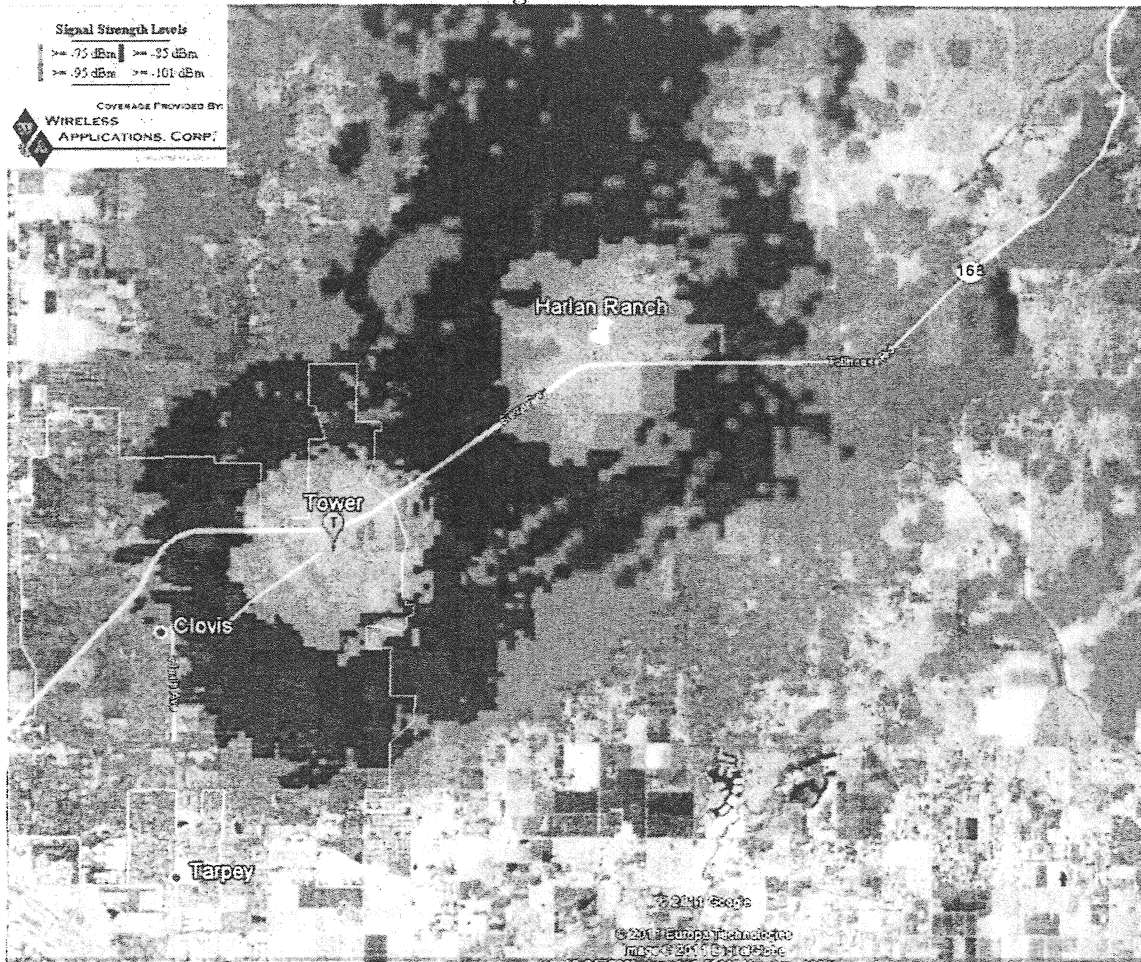
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DEVELOPMENT SERVICES DIVISION

Coverage from Proposed Vista Towers Harlan Ranch Site



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Coverage with Both Sites



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AND PLANNING
DEVELOPMENT SERVICES DIVISION



DEPARTMENT OF PUBLIC WORKS AND PLANNING
ALAN WEAVER
DIRECTOR

EVALUATION OF ENVIRONMENTAL IMPACTS

APPLICANT: Vista Towers

APPLICATION NOS.: Initial Study Application No. 6762 and Unclassified Conditional Use Permit Application No. 3429

DESCRIPTION: Allow a 90-foot-tall monopole with two outdoor equipment shelter (240 square foot each) for 2 antenna arrays with 12 antennas per sector and a microwave dish on a 21,000 square-foot portion of a 5.62-acre parcel in the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located northeast of the N. Thompson Avenue and Highway 168 intersection, east of city limits of the City of Clovis (9010 N Tollhouse Road) (SUP. DIST.: 5) (APN: 150-060-72).

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; or
- C. Would the project have a substantial adverse effect on a scenic vista; or

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal entails the establishment of a new wireless communications facility comprised of a 21,000 square-foot lease area with seven-foot-tall wall around the perimeter with two chain link gates to entry and exit, a 90-foot-tall monopole tower, two tenents, and two outdoor equipment shelter (240 square feet). *The proposed wireless communications facility will be accessed via a proposed 20-foot wide unpaved access and utilities easement that will connect to an existing driveway approach on Thompson Road. Existing on-site improvements include a residence with septic system, addition storage building/sheds and water well.*

The subject parcel is located east of the City of Clovis and is surrounded by agricultural land uses to the north, south, east and west. The closest dwelling in proximity to the proposed tower is located on the subject parcel, approximately 300 feet southwest of said tower.

DEVELOPMENT SERVICES DIVISION

The proposed 90-foot tall tower may be visible from neighboring properties and public streets; however, the proposed tower will be a monopole design. In regard to the aesthetics of the related facilities, these proposed improvements will be visually screened from neighboring properties to the south and west. State Route 168 is approximately 200 feet northwest of the proposed facility. However, the subject parcel is not located along a designated Scenic Highway, and no scenic vistas or scenic resources were identified in the analysis.

- 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:

This proposal will utilize a motion sensor light in the area of the proposed outdoor equipment shelter that has the potential of generating light and glare in the area. As such, all outdoor lighting shall be required to be hooded and directed as to not shine towards adjacent properties and public streets. This requirement will be included in the following Mitigation Measure:

* **Mitigation Measure**

1. *All outdoor lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.*

II. AGRICULTURAL AND FORESTRY RESOURCES

- A. Would the project convert prime or unique farmlands or farmland of statewide 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: NO IMPACT:

The subject parcel is not located on forest land, is classified as Prime Farmland on the Fresno County Important Farmland Map (2010), and is not under a Williamson Act contract. Considering that the proposed lease area will be a 10,000 square-foot portion of a 5.62-acre parcel, and the proposed use will be an unmanned facility with a monthly maintenance visit, staff believes that this proposal will not result in any environmental impact to agricultural

resources. Further, the Fresno County Agricultural Commissioner's Office reviewed this proposal and did not express any concerns with the project.

III. AIR QUALITY

- A. Would the project conflict with or obstruct implementation of the applicable Air Quality Plan; or
- B. Would the project isolate 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: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the San Joaquin Valley Air Pollution Control District (Air District) which did not express any concerns related to the project. Staff notes that the project may be subject to the following Air District Rules: Regulation VIII (Fugitive Dust Rules), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). Compliance with Air District Rules will reduce air quality impacts of the subject proposal to a less than significant level.

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 Game (CDFG) 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: LESS THAN SIGNIFICANT IMPACT:

The subject parcel is located in an agricultural area and has been previously disturbed as said property has been historically utilized for agricultural cultivation. Additionally, neighboring properties have also been historically utilized for agricultural cultivation and, therefore, have also been previously disturbed. This proposal was referred to the U.S. Fish and Wildlife Service (USFWS), which did not express any concerns related to the project. This proposal was also referred to the California Department of Fish and Wildlife (CDFW), which also did not express any concerns. Therefore, no impacts were identified in regard to: 1.) Any candidate, sensitive, or special-status species; 2.) Any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS; 3.) Federally protected wetlands as defined by Section 404 of the Clean Water Act; and 4.) 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. This proposal will not conflict with any local policies or ordinances protecting biological resources or any 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 a 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?

FINDING: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

The project site is not located within any area designated to be highly or moderately sensitive for archeological resources. However, in the event that cultural resources are unearthed during grading or construction, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition of the remains. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours. A Mitigation Measure reflecting this requirement has been incorporated into the project. The Mitigation

Measure will reduce potential impacts to cultural resources to a level of insignificance.

* **Mitigation Measure**

1. *In the event that cultural resources are unearthed during grading activity, all work shall be halted in the area of the find, and an Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the 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?
 - (a.) Strong seismic ground shaking?
 - (b.) Seismic-related ground failure, including liquefaction?
 - (c.) Landslides?

FINDING: NO IMPACT:

The area is designated as Seismic Design Category C in the California Geological Survey. No agency expressed concerns or complaints related to ground shaking, ground failure, liquefaction or landslides. Construction of the project will be subject to the Seismic Design Category C Standards.

- B. Would the project result in substantial erosion or loss of topsoil?

FINDING: LESS THAN SIGNIFICANT IMPACT:

Changes in topography and erosion could result from grading activities associated with this proposal. According to the Development Engineering Section of the Fresno County Department of Public Works and Planning, a Grading Permit or Grading Voucher shall be required for any grading activity resultant of this proposal. With adherence to this requirement which will be included as a Project Note, potential erosion impacts will be reduced to a level of insignificance.

- C. Would the project result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; or

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

FINDING: NO IMPACT:

The subject parcel is not located within an area of known risk of landslides, lateral spreading, subsidence, liquefaction, collapse, or within an area of known expansive soils.

- 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:

This proposal entails an unmanned communications facility with a monthly maintenance visit. As such, an on-site restroom facility is not required for the use. Additionally, there are no on-site sewage disposal systems proposed with this project. Further, this proposal was reviewed by the Fresno County Department of Public Health, Environmental Health Division, which expressed no concerns with the project in regard to soils or wastewater disposal.

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 an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The San Joaquin Valley Air Pollution Control District (Air District) has reviewed this proposal and expressed no concerns related to greenhouse gas emissions. Additionally, compliance with Air District Rules discussed in Section III of this analysis will reduce air quality impacts of the subject proposal to a less than significant level.

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 emit hazardous emissions or handle hazardous materials, substances or waste within one-quarter mile of a school?

FINDING: LESS THAN SIGNIFICANT IMPACT:

The proposed facility will emergency back-up generator with gallon fuel storage tank. Therefore, there is a potential for accidental release of fuel. However, the Applicant shall be required to submit a Hazardous Materials Business Plan to the Fresno County Department of

Public Health, Environmental Health Division, for review and approval prior to occupancy, and all hazardous waste shall be handled in accordance with requirements set forth in the California Health and Safety Code, Chapter 6.5, which discusses proper labeling, storage and handling of hazardous wastes. With adherence to this requirement which will be included as a Project Note, the proposed use will have a less than significant impact in regard to the handling and accidental release of hazardous materials.

Staff notes that there are no schools within one-quarter mile of the subject parcel.

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

FINDING: NO IMPACT:

No hazardous materials sites were identified in the project analysis.

- E. Would a project be 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; or

FINDING: NO IMPACT:

The project site is not located within an Airport Land Use Plan or in the vicinity of a public or private use airport.

- G. Impair implementation of or physically interfere with an adopted Emergency Response Plan or Emergency Evacuation Plan?

FINDING: NO IMPACT:

This proposal will not impair the implementation of, or physically interfere with an adopted Emergency Response Plan.

- H. 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 located within a wildland area.

IX. HYDROLOGY AND WATER QUALITY

- A. Would the project violate any water quality standards or waste discharge requirements or otherwise degrade water quality?

FINDING: NO IMPACT:

See discussion in Section VI.E Geology and Soils.

- 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?

FINDING: NO IMPACT:

This proposal entails an unmanned communications facility with a monthly maintenance visit. As such, on-site restroom and water facilities are not required for the use. Additionally, there are no on-site restroom or water facilities proposed with this project. Further, this proposal was reviewed by the Water/Geology/and Natural Resources Section of the Fresno County Department of Public Works and Planning, Development Services Division, which expressed no concerns with the project as it relates to water quantity as the proposed use does not require a water supply.

- 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

FINDING: NO IMPACT:

No streams or rivers are located near the project site.

- E. Would the project create or contribute run-off which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?

FINDING: LESS THAN SIGNIFICANT IMPACT:

See discussion in Section VI.B Geology and Soils.

- F. Would the project otherwise substantially degrade water quality?

FINDING: NO IMPACT:

See discussion in IX. A & B. above.

- G. Would the project place housing within a 100-year floodplain?

FINDING: NO IMPACT:

No additional housing is proposed with this project.

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

FINDING: NO IMPACT:

The project site is within the FEMA 100-year flood hazard area, however, the project will not expose persons to flood or inundation hazards.

- I. Would the project expose persons or structures to levee or dam failure; or
J. Would the project inundation by seiche, tsunami or mudflow?

FINDING: NO IMPACT:

The subject site is not prone to a seiche, tsunami or mudflow, nor is the project exposed to potential levee or dam failure.

X. LAND USE AND PLANNING

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

FINDING: NO IMPACT:

This proposal will not physically divide a community. The subject parcel is located approximately 4,000 feet northeast of the nearest city limits of the City of Clovis.

- 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 Fresno County General Plan. According to General Plan Policy PF-J.4, compliance with the Wireless Communication Guidelines is required for the siting of communication towers in unincorporated areas of the County.

The Wireless 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. In this instance, there are other wireless communication facilities authorized within five miles of the subject parcel, mostly in the city limits of Clovis. The nearest of the other facilities that would allow the proposed use is located approximately two miles southwest of the subject parcel. According to the Applicant's response to the County Wireless Communication Guidelines, the subject parcel was selected to increase service coverage for an eastern portion of the City of Clovis and unincorporated County lands east to the City of Clovis. Additionally, co-location on other structures within the area would not achieve the Applicant's service coverage objective.

The Wireless Communication Guidelines also state that applicants for new tower sites should include provisions in their land lease agreements that reserve co-location opportunities. In this instance, according to the Applicant's response to the Fresno County Wireless Communication Guidelines, the proposed tower will provide opportunity for other carriers to co-locate antennas and related equipment. Further, as a Condition of Approval, the Applicant shall provide a copy of the lease agreement demonstrating that the co-location requirement can be met. This requirement shall be satisfied prior to the issuance of Building Permits.

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

FINDING: NO IMPACT:

This proposal will not conflict with any Land Use Plan or Habitat or Natural Community Conservation Plan. No such Plans were identified in the project analysis.

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.

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 level; 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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

According to the Fresno County Department of Public Health, Environmental Health Division, in accordance with Section 8.40.060 G. of the Noise Ordinance, noise sources associated with work performed by private or public utilities in the maintenance or modification of their facilities are exempt from the Fresno County Noise Ordinance. However, it is recommended that

maintenance of the back-up generator be conducted during the daytime hours of 7:00 a.m. to 5:00 p.m. This recommendation will be made a requirement as a Condition of Approval.

- 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: NO IMPACT:

The project site is not located in the vicinity of an airport and is not impacted by airport noise.

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:

This proposal will not result in an increase of housing, nor will it otherwise induce population growth.

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?

FINDING: LESS THAN SIGNIFICANT IMPACT:

This proposal was reviewed by the North Central Fire Protection District, which did not express any concerns with the project. Additionally, any development shall comply with the California Code of Regulations Title 24 – Fire Code. This requirement will be included as a project Note.

- 2. Police protection?
- 3. Schools; or
- 4. Parks; or
- 5. Other public facilities?

FINDING: NO IMPACT:

No impacts on the provision of other services were identified in the project analysis.

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 such impacts 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?

FINDING: NO IMPACT:

The tower site will be accessed via a proposed 20-foot wide unpaved access and utilities easement that will connect to an existing driveway approach on Thompson Road. According to the Applicant's Operational Statement, the proposed facility will take approximately two months to construct. Additionally, once operational, a single technician will visit the site once per month in order to conduct routine maintenance.

The Design Division of the Fresno County Department of Public Works and Planning reviewed this proposal and expressed no concerns regarding the carrying capacities of the adjacent roadways and did not require a Traffic Impact Study. This proposal was also reviewed by the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, and the California Department of Transportation (CALTRANS), neither of which expressed any traffic related concerns.

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

FINDING: NO IMPACT:

This proposal will not result in a change in air traffic patterns.

- D. Would the project substantially increase traffic hazards due to design features?

FINDING: NO IMPACT:

The tower site will be accessed via a proposed 20-foot wide unpaved access and utilities easement that will connect to an existing driveway approach on Thompson Road. This proposal was reviewed by the Design Division of the Fresno County Department of Public Works and Planning, the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning, and the California Department of Transportation (CALTRANS), none of which expressed any concerns with the project.

- 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:

No such impacts were identified in the project analysis.

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 a new water or wastewater treatment facilities?

FINDING: NO IMPACT:

See discussion in Section VI.E Geology and Soils.

- C. Would the project require or result in the construction or expansion of new stormwater drainage facilities?

FINDING: NO IMPACT:

See discussion in Section VI.B Geology and Soils.

- D. Would the project have sufficient water supplies available from existing entitlements and resources, or are new or expanded entitlements needed?

FINDING: NO IMPACT:

See discussion in Section IX.B Hydrology and Water Quality.

- E. Would the project result in a determination of inadequate wastewater treatment capacity to serve project demand?

FINDING: NO IMPACT:

See discussion in Section VI.E Geology and Soils.

- 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:

No such impacts were identified in the project analysis.

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: LESS THAN SIGNIFICANT IMPACT WITH MITIGATION INCORPORATED:

Pursuant to discussion in Section IV Biological Resources, no such impacts on biological resources were identified in the project analysis. Construction of the project may impact cultural resources. The included Mitigation Measure in Section V. A. B. C. D. will minimize such impacts to less than significant.

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

FINDING: NO IMPACT:

No cumulatively considerable impacts were identified in the project analysis.

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

FINDING: NO IMPACT:

No substantial adverse impacts on human beings were identified in the project analysis.

CONCLUSION/SUMMARY

Based upon the Initial Study prepared for Unclassified Conditional Use Permit Application No. 3429, staff has concluded that the project will not have a significant effect on the environment. It has been determined that there would be no impacts to agricultural and forestry resources, mineral resources, population and housing, recreation, and utilities and service systems.

Potential impacts related to air quality, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, and transportation and traffic have been determined to be less than significant. Potential impacts relating to aesthetics and cultural resources have been determined to be less than significant with the identified Mitigation Measures.

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.

BC:
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Unclassified Conditional Use Permit (CUP) No. 3429
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 as to not shine towards adjacent properties and public streets.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	On-going
*2.	Cultural Resources	In the event cultural resources are unearthed during grading activity, all work shall be halted in the area of the find, and an archaeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during construction, no further disturbance is to occur until the Fresno County Coroner has made the necessary findings as to origin and disposition. If such remains are determined to be Native American, the Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant	On-going
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 Commission.				
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.	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.	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.				
5.	If a carrier proposes to install a generator, the Fresno County Health Department will review the acoustical information provided by the Applicant.				

*MITIGATION MEASURE – Measure specifically applied to the project to mitigate potential adverse environmental effects identified in the environmental document and Conditions of Approval reference recommended 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.	Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 regarding permits for siting, construction and electrical work.
2.	Wind load calculations with footing designed by a registered Civil Engineer shall be submitted to the Building and Safety Section of the Fresno County Department of Public Works and Planning before permits are issued.
3.	Facilities proposing to use and/or store hazardous materials and/or hazardous wastes shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the HSC, Division 20, Chapter 6.95 (http://cers.calepa.ca.gov/ or https://www.fresnocupa.com/). For more information, please contact the local Certified Unified Program Agency (CUPA) at (559) 600-3271. The default State reporting thresholds that apply are: >55 gallons (liquids), >500 pounds (solids), >200 cubic feet (gases), or at the threshold planning quantity for extremely hazardous substances.
4.	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.
5.	The Applicant shall adhere to the following rules and regulations set by the San Joaquin Air Pollution District: A. Regulation VIII – Fugitive PM10 Prohibitions B. Rule 4102 – Nuisance C. Rule 4601 – Architectural Coatings D. Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt Paving and Maintenance Operations
6.	Any additional storm water run-off generated by the project cannot be drained across property lines or into County Right-of-Way, and must be retained on site, per the County Standards.
7.	A Grading Permit or Voucher is required for any grading proposed with this application.
8.	The first 100 feet of the edge of the access road shall be graded and asphalt concrete-paved or treated with a dust palliative.

EXHIBIT 6

PLANCOM INC

Telecommunications Project Management

RECEIVED
COUNTY OF FRESNO

APR 18 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

April 15, 2016

Peter J. Blied
PlanCom, Inc.
250 El Camino Real, Ste 117
Tustin, CA 92870

Mr. Chris Motta
County of Fresno Dept. of PW & Planning

Sent Via: FedEx

RE: CUP 3429 - request for extension
Site Name: "Harlan Ranch" by Vista Towers

Dear Chris,

Per our recent conversations, please find enclosed with this letter the formal submittal request for the CUP extension and the appropriate fees to process this request. Due to unforeseen circumstances with the intended carrier tenants, we have had to delay our construction schedule and as such have not fully realized the Use Permit granted to us by the Planning Commission. Please extend our approval expiration date by the maximum time allowable, 1 year, per your code. I thank you in advance for your assistance in this matter.

If you should have any questions, please call me at (714) 262-0651 or e-mail at peter.blied@plancominc.com. As always, thank you for your time and consideration.

Warmest Regards,



Peter J. Blied
Sr. Project Manager
PlanCom, Inc.
For Vista Towers