



# Inter Office Memo

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DATE: October 12, 2023

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 13008 — INITIAL STUDY NO. 8404 AND UNCLASSIFIED  
CONDITIONAL USE PERMIT NO. 3765

APPLICANT: Leesa Gendel, SAC Wireless

OWNERS: Frank and Pasqua Chimienti

REQUEST: Allow an unmanned freestanding 100-foot-tall monopole style  
co-locatable wireless telecommunications facility on a 76.68-  
acre parcel within the RR (Rural Residential, two-acre minimum  
parcel size) Zone District.

LOCATION: The subject parcel is located on the southeast corner of W.  
Shaw Ave. and Grantland Ave., westerly adjacent to the City of  
Fresno (APN: 512-031-01S) (Section 16, Township 13s, Range  
19e) (Sup. Dist. 1).

## PLANNING COMMISSION ACTION:

At its hearing of October 12, 2023, the Commission considered the Staff Report and testimony (summarized in Exhibit A). A motion was made by Commissioner Zante and seconded by Commissioner Chatha to adopt the Mitigated Negative Declaration prepared based on Initial Study No. 8404 and determine that the required Findings could be made in concurrence with Staff's recommendation and approve Unclassified Conditional Use Permit No. 3765, subject to the Conditions listed in Exhibit B.



EXHIBIT A

Initial Study No. 8404,  
Unclassified Conditional Use Permit No. 3765

Staff: The Fresno County Planning Commission considered the Staff Report dated October 12, 2023, and heard a summary presentation by staff.

Presenters: The applicant's representative agreed with the Staff's recommendation.

- The operation and communications tower will have enhanced emergency capabilities to improve the effectiveness and reliability of wireless services in case of emergency.
- The height of the tower is not high enough to necessitate Federal Aviation Agency regulations imposing lights placed at night.
- The cell tower will support co-location for future telecommunication companies.

Others: One individual questioned if there was sufficient cell service in the area. The applicant's representative stated the area has a need for coverage which will be addressed with this tower.

No other testimony in support of or in opposition to the project was presented.

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

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EXHIBIT B

**Mitigation Monitoring and Reporting Program  
Initial Study No. 8404 and Unclassified Conditional Use Permit Application No. 3765  
(Including Conditions of Approval and Project Notes)**

Mitigation Measures					
Mitigation Measure No.*	Impact	Mitigation Measure Language	Implementation Responsibility	Monitoring Responsibility	Time Span
1.	Aesthetics	Ground equipment for the telecommunication tower shall be screened from view behind slatted fencing utilizing a non-reflective or earth-tone color.	Applicant	Applicant/Fresno County Department of Public Works and Planning (PW&P)	As long as the project lasts
2.	Aesthetics	All outdoor lighting shall be hooded and directed so as not to shine toward adjacent properties and public streets.	Applicant	Applicant/PW&P	As long as the project lasts
3.	Cultural Resources	In the event that cultural resources are unearthed during ground-disturbing activities, all work shall be halted in the area of the find. An Archeologist shall be called to evaluate the findings and make any necessary mitigation recommendations. If human remains are unearthed during ground-disturbing activities, no further disturbance is to occur until the Fresno County Sheriff-Coroner has made the necessary findings as to origin and disposition. All normal evidence procedures should be followed by photos, reports, video, etc. If such remains are determined to be Native American, the Sheriff-Coroner must notify the Native American Commission within 24 hours.	Applicant	Applicant/PW&P	As long as the project lasts
Conditions of Approval					
1.	Development of the property shall be substantial conformity with the Site Plan, Elevation and Operational Statement approved by the Planning Commission.				
2.	The approval shall expire in the event the use of the tower ceases for a period in excess of two years. At such time, the tower and related facilities shall be removed, and the lease area shall be restored as nearly as practical to its original condition. This stipulation shall be recorded as a Covenant running with the land. Note: The County will prepare the Covenant upon receipt of the standard processing fee, which is currently \$243.50.				
3.	The first 100 feet of driveway shall be paved, or an approved surface as determined by Road Maintenance and Operations to prevent pebbles or debris onto the county right-of-way.				

EXHIBIT B

4.	Any proposed landscaping area over 500 square feet requires Landscape & Irrigation Plan review by the Site Plan Review (SPR) unit as mandated by the State, to ensure the Model Water Efficient Landscape Ordinance is met.
5.	The telecommunication tower in its entirety shall be constructed with muted earth tones to reduce any unsightly appearance.

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

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	This Use Permit will become void unless there has been substantial development within two years of the effective date of approval.
2.	Plans, permits and inspections shall be required for all proposed improvements on the property, including fences/gate entrances exceeding six feet in height. Contact the Building and Safety Section of the Development Services Division at (559) 600-4540 for information.
3.	Wind load calculations and 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.
4.	To address health impacts resulting from the project, the Fresno County Department of Public Health, Environmental Health Division requires the following: <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• All hazardous waste shall be handled in accordance with requirements set forth in the California Code of Regulations (CCR), Title 22, Division 4.5.</li> </ul>
5.	To address site development impacts, the Development Engineering Section of the Development Services and Capital Projects Division requires the following: <ul style="list-style-type: none"> <li>• Refer to Road Maintenance &amp; Operations Division, Road Operations for comments on Shaw Avenue, Grantland Avenue and Gettysburg Avenue.</li> <li>• According to the U.S.G.S. Quad Map, Sylvia Ditch traverses the subject property. Any improvements constructed within or near a ditch should be coordinated with the owners of the ditch/appropriate agency.</li> <li>• According to the Wetlands Mapper of U.S. Fish and Wildlife Service, a nearby wetland may be present. For any future development on wetlands, U.S. Fish and Wildlife Service and other appropriate agencies should be consulted regarding any requirements they may have.</li> <li>• The project site is located within the Fresno Metropolitan Flood Control District (FMFCD) Drainage Zone and Boundary. FMFCD should be consulted regarding any requirements they may have.</li> </ul>

Notes	
	<ul style="list-style-type: none"> <li>• Any existing or proposed access road turnaround should comply with 2019 California Fire Code Appendix D Fire Apparatus Access Roads.</li> <li>• The subject property is within the City of Fresno SOI (Sphere of Influence). The City of Fresno should be consulted regarding any requirements they may have.</li> <li>• The end of curbed/taper edge of any existing or proposed access driveway approach should be set back a minimum of 5 feet from the property line.</li> <li>• Any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.</li> <li>• If not already present, a 10-foot x 10-foot corner cut-off should be improved for sight distance purposes at any existing or proposed driveway accessing Shaw Avenue, Grantland Avenue or Gettysburg Avenue.</li> <li>• Any work done within the County Road right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.</li> <li>• A grading permit or voucher may be required for any grading proposed with this application.</li> </ul>
6.	The Applicant shall contact the San Joaquin Valley Air Pollution Control District's Small Business Assistance Office to identify District rules or regulations that may apply to this project or to obtain information about District permit requirements.
7.	The Applicant shall submit three sets of project drawings to the Fresno Fire Department for review and approval.
8.	The maximum number of antennas allowed on the tower shall be determined based on wind load calculations as approved by the Fresno County Department of Public Works and Planning.

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# County of Fresno

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

July 24, 2024

Leesa Gendell  
333 University Ave. Suite 200  
Sacramento, CA 95825

Dear Leesa:

Subject: Resolution No. 13008 – Initial Study No. 8404 and Unclassified Conditional Use  
Permit No. 3765

On October 12, 2023 the Fresno County Planning Commission approved your above-referenced project. A copy of the Planning Commission Resolution is enclosed.

If you have any questions regarding the information in this letter please contact David Randall at [drandall@fresnocountyca.gov](mailto:drandall@fresnocountyca.gov) or 559-600-4052.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Randall', is written over a blue horizontal line.

David Randall, Senior Planner  
Development Services and Capital Projects Division

DR:jp  
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Enclosure

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