




# Community and Economic Development Planning Division

Jamie Bax  
Director 

- 200 W. 4<sup>th</sup> Street
- Suite 3100
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc\_planning@maderacounty.com

**PLANNING COMMISSION DATE:** March 12, 2024

**AGENDA ITEM:** #2

<b>CUP</b>	<b>#2024-001</b>	<b>Conditional Use Permit for Communication Tower</b>
<b>APN</b>	<b>#048-140-011</b>	<b>Applicant: Streamline Engineering &amp; Design Inc. Owner: Fowler Packing</b>
<b>CEQA</b>	<b>Exempt</b>	<b>Notice of Exemption 15303 Construction or Conversion of small new structures</b>

### REQUEST:

The applicant is requesting a Conditional Use Permit #2024-001 to allow the installation of an unmanned wireless facility consisting of a 120-foot monopole and a 25' x 25' fenced-in lease area.

**LOCATION:** On the east side of Road 28, approximately 0.3 mile south of its intersection with Avenue 8 (7567 Road 28), Madera.

### ENVIRONMENTAL ASSESSMENT:

This project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15303. Class 3 Categorical Exemptions.



**RECOMMENDATION:** Adoption of a resolution approving Conditional Use Permit #2024-001 subject to conditions, Findings of Fact, and a CEQA Exemption.

**GENERAL PLAN DESIGNATION (Exhibit A):**

**SITE:** AE (Agricultural Exclusive) Designation

**SURROUNDING:** AE (Agricultural Exclusive) Designation; OS (Open Space) Designation

**ZONING (Exhibit B):**

**SITE:** ARE-40 (Agriculture, Rural, Exclusive 40 Acre) District

**SURROUNDING:** ARE-40 (Agriculture, Rural, Exclusive 40 Acre) District; ARE-20 (Agriculture, Rural, Exclusive 20 Acre) District, OS (Open Space) District

**LAND USE:**

**SITE:** Agriculture

**SURROUNDING:** Agriculture

**SIZE OF PROPERTY:** 37.6 Acres

**ACCESS (Exhibit D):** The property is accessed by Road 28.

**BACKGROUND AND PRIOR ACTIONS:**

June 1, 2021: The Board of Supervisors adopted the allocation of the American Rescue Plan Act (ARPA) funding which included funds to support the economic stabilization of low-income households and businesses in the unincorporated areas.

January 25, 2022: The Board of Supervisors provided direction for staff to seek community input for the use of funds allocated for Project 20-009 (State and Local Fiscal Recovery Funds Project Inventory Report - Investment in Disadvantaged Communities) to determine the most critical infrastructure needs for those communities.

May-July 2022: Staff conducted community meetings for input on priority projects in the communities of LaVina, Fairmead, Chuk Chanse, Eastin Arcola, & Ripperdan. Broadband access was identified as a priority in those areas.

August 2022: Staff began discussions with Cal.Net to leverage County ARPA funds with Connect America Fund Phase II (CAF II) funds awarded to Cal.Net to

effectuate the deployment of broadband internet services to the five unserved communities in the western portion of the county: LaVina, Fairmead, Chuk Chanse, Eastin-Arcola, & Ripperdan.

**PROJECT DESCRIPTION:**

This is a request for a Conditional Use Permit to install an unmanned wireless facility that includes a 120-foot monopole, ground equipment, and a 6-foot chain-link fence with barbwire. The lease area for the facility measures 25 feet by 25 feet and will be located at the project site, which can be accessed via Road 28.

The parcel is presently being used for an agricultural-related service. The lease area of 25' x 25' where the project is planned to be developed is situated in the southeast quadrant of the parcel. The project location is surrounded by agricultural practices.

The installation of a new telecommunications facility is proposed, which will enhance wireless coverage in the area and boost network capacity. The network will provide a valuable service to the Ripperdan and Eastin-Arcola communities, making it easier for people to call for emergency services, communicate with colleagues or clients remotely, and stay in touch with family members. The proposed location has been selected by the project engineer as it's capable of providing the necessary coverage and capacity, with the ability to hand off the wireless signal to the next telecommunications site. This will result in reliable and continuous wireless coverage, benefitting both travelers and community members alike.

**ORDINANCES/POLICIES:**

Chapter 18.53 of the Madera County Zoning Ordinance outlines the permitted uses within the ARE-40 (Agricultural, Rural, Exclusive 40 Acre) District.

Chapter 18.92 of the Madera County Zoning Ordinance outlines the procedures for the processing and approval of conditional use permits.

Part 1 of the Madera County General Plan outlines the AE (Agricultural Exclusive) designation.

Telecommunications Act of 1996 authorizes local jurisdictions the discretionary authority over new cellular tower approvals.

**ANALYSIS:**

The Connect America Fund (CAF II) is a program under the Universal Service High-Cost program. Its main objective is to expand access to voice and

broadband services in areas where they are not available. CAF Phase II provides funding to service providers to subsidize the cost of building new network infrastructure or performing upgrades. This program is intended to provide voice and broadband service in areas where it is lacking. Cal.Net is one of the recipients of the award for Madera County.

On March 11, 2021, the American Rescue Plan Act (ARPA) of 2021 was signed into law. The ARPA created the State and Local Fiscal Recovery Funds (SLFRF), which provided emergency funding to eligible state, local, territorial, and Tribal governments to respond to the pandemic and mitigate or prevent job losses of critical essential services. Madera County received a direct federal allocation of \$30,558,925.

On January 25, 2022, the Board of Supervisors directed staff to allocate \$5 Million of the county's ARPA allocation for projects in the most severely disadvantaged communities. The staff were also directed to conduct community outreach activities in these communities to identify community priorities. This input was then used to create actionable and feasible projects for the Board's consideration. The five communities that meet the severely disadvantaged designation are La Vina, Chuk Chanse, Fairmead, Eastin-Arcola, and Ripperdan. Community meetings were held at different locations and dates for each community. Broadband access was identified as a priority in these areas.

This is a request for the construction of an unmanned telecommunications facility that will benefit the communities of Eastin-Arcola and Ripperdan. The facility will consist of a 120-foot monopole, ground equipment, and a 6-foot chain-link fence. The project site is currently being used for agricultural purposes and is surrounded by agricultural uses.

The design of the telecommunication tower adheres to the specifications outlined in the previously agreed contract between the County and Cal.Net. As per the terms of the contract, the tower is to be constructed as a monopole structure. This design choice aligned with the agreed-upon requirements and considerations, ensuring optimal functionality and compliance with regulatory standards. Due to the limited availability of ARPA funds, a stealth tower was not considered for the project. However, it is expected that the monopole tower located in the rural area of the project site will not have any negative visual impact.

The location of cell towers depends on several factors such as terrain, signal strength, population, number of calls and data usage, and obstructions such as buildings and mountains. The quality of cell phone connectivity depends on the terrain, transmitter power, network size, and the design capacity of the network. Cellular providers utilize their variables as well to locate facilities. These variables

include local zoning regulations, topography, existing structures, co-location opportunities, site access, available utilities, and a willing landlord. Coverage is also considered, specifically in areas where there is limited or no coverage available.

Access to the site will be via Road 28, approximately 0.4 mile south of its intersection with Avenue 8, via a dirt road. The project operations will not require the use of water, and no trash, water or wastewater will be generated. However, there will be a slight increase in traffic during the construction of the site. The cell tower facility will be unmanned, except for the occasional maintenance technician visit, which will happen once or twice a year.

Per the Airport Land Use Compatibility Plan, any cell tower structure within the airport compatibility zones that are 150 feet in height from ground level to peak of tower or higher would be under the Airport Land Use Commission (ALUC) purview for review of compatibility (ALUC Policy 3.5.1). This height measurement is independent of the elevation at ground level. As this monopole style tower is 120' (one hundred twenty feet) in height at peak, and is outside the compatibility zones for both airports, an ALUC review is not necessary.

The general plan designation of AE (Agricultural Exclusive) allows for public and quasi-public uses as a compatible use. Quasi-public uses are typically defined as essentially public (as in services rendered) under private ownership or control. Public uses include public utilities. The zoning designation of ARE-40 (Agriculture, Rural, Exclusive 40 Acre) District allows for a communications tower/wireless communication facility with a conditional use permit. A communication tower with a conditional use permit is consistent with the zoning ordinance.

Cellular radio services operate within the frequency range of 800 to 900 megahertz. To transmit these signals, antennas are used which are usually located on elevated structures such as towers or water tanks. The combination of these antennas and the associated electronic equipment is called a "base station." Free standing base station towers typically range in height from 50 to 200 feet. A cellular base station may use either "omni-directional" antennas, which are less common, or "sector" antennas. Sector antennas are rectangular panels arranged in three groups of three each. Each group contains one antenna used for transmitting signals to mobile units (cell phones) and two antennas used for receiving signals from mobile units.

Wireless services rely on radio waves, which are a type of radiofrequency (RF) energy, which in turn, is a type of electromagnetic energy. Electromagnetic radiation is best described as waves of electric and magnetic energy that move through space. These waves are produced by the movement of electrical charges,

such as in a conductive metal or antenna. Studies have concluded that the levels of RF energy encountered by the general public are typically below the levels that can produce significant effects. Several studies have also been conducted to investigate the effects of low-level RF radiation exposure. A report by the FCC (Federal Communication Commission) has stated that any evidence of harmful effects caused by such low-level exposure is ambiguous and unproven.

In 1996 the FCC adopted updated guidelines for evaluating human exposure to radiofrequency (RF) fields from transmitting antennas such as those used for cellular radio. The new guidelines for cellular base stations are identical to those recommended by the National Council on Radiation Protection and Measurements (NCRP). These guidelines are also essentially the same as the 1992 guidelines recommended by the American National Standards Institute and the Institute of Electrical and Electronics Engineers (ANSI/IEEE C95.1-1992).

In the case of cellular and PCS (Personal Communication Service) cell site transmitters, the FCC's RF exposure guidelines recommend a maximum permissible exposure level to the general public of approximately 580 microwatts per square centimeter. This limit is many times greater than RF levels typically found near the base of cellular or PCS cell site towers or in the vicinity of other, lower-powered cell site transmitters. Calculations corresponding to a "worst-case" situation (all transmitters operating simultaneously and continuously at the maximum licensed power) show that, in order to be exposed to RF levels near the FCC's guidelines, an individual would essentially have to remain in the main transmitting beam and within a few feet of the antenna for several minutes or longer. Thus, the possibility that a member of the general public could be exposed to RF levels in excess of the FCC guidelines is extremely remote.

Measurements made near typical cellular and PCS installations, especially those with tower-mounted antennas, have shown that ground-level power densities are thousands of times less than the FCC's limits for safe exposure. Therefore, in order to be exposed to levels at or near the FCC limits for cellular frequencies, an individual would essentially have to remain in the main transmitting beam (at the height of the antenna) and within a few feet from the antenna. This makes it extremely unlikely that a member of the general public could be exposed to RF levels in excess of those guidelines due to cellular base station transmitters.

The FCC authorizes and licenses devices, transmitters and facilities that generate RF and microwave radiation. It has jurisdiction over all transmitting services in the US. Under the National Environmental Policy Act of 1969 (NEPA), the FCC has certain responsibilities to consider whether its actions will significantly affect the quality of the human environment. Therefore, FCC approval and licensing must be evaluated for significant impact on the environment. Human exposure to RF

radiation emitted by FCC-regulated transmitters is one of several factors that must be considered in such environmental evaluations.

Major RF transmitting facilities under the jurisdiction of the FCC, such as cellular and PCS facilities, are required to undergo routine evaluation for RF compliance whenever an application is submitted to the FCC for construction or modification of a transmitting facility or renewal of license. Failure to comply with the FCC's RF exposure guidelines could lead to the preparation of a formal Environmental Assessment, possible Environmental Impact Statement and eventual rejection of an application.

The signals from a cellular base station antenna are essentially directed toward the horizon in a relatively narrow pattern in the vertical plane. The radiation pattern for an omni-directional antenna might be compared to a thin doughnut or pancake centered around the antenna, while the pattern for a sector antenna is fan-shaped, like a wedge cut from a pie. As with all forms of electromagnetic energy, the power density from a cellular or PCS transmitter decreases rapidly as one moves away from the antenna. Consequently, normal ground-level exposure is much less than exposures that might be encountered if one were very close to the antenna and in its main transmitted beam.

This project is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15303, which includes a list of project categories that have been deemed not to have a significant impact on the environment and are therefore not subject to CEQA provisions. Section 15303 lists Class 3 projects, such as the construction and location of limited numbers of new, small facilities or structures, and installation of small new equipment and facilities in small structures. A small structure is defined as a structure that does not use significant amounts of hazardous substances and does not exceed 2500 square feet in floor area. The project proposed here involves constructing a monopole communication tower with ground equipment and does not necessitate the removal of any structures, vegetation, or trees. Moreover, the project would not impact any known or unknown historical resources. The project site is not listed under Section 65962.5 of the Government Code, nor is it within the viewshed of a scenic highway. The proposed communication tower is a small structure that will not have a significant impact on the environment. Therefore, the project is not subject to CEQA.

The project was circulated to the County Departments for comments and conditions. Comments were received from the Environmental Health Division and have been added as conditions of approval for the project.

If this project is approved, the applicant will need to submit a check, made out to the County of Madera, in the amount of \$50.00 to cover the Notice of Exemption (CEQA) filing at the Madera County Clerks' office.

**FINDINGS OF FACT:**

The following findings of fact must be made by the Planning Commission to make a finding of approval of the project. Should the Planning Commission vote to approve the project, Staff recommends that the Planning Commission concur with the following:

1. *The proposed project does not violate the spirit or intent of the Zoning Ordinance.* The parcel is zoned ARE-40 (Agricultural, Rural, Exclusive, 40 Acre). The zoning designation allows for cellular towers with an approved conditional use permit. The conditional use permit process requires submittal of supporting documentation that allows the jurisdiction to analyze the project for health, safety, and welfare issues to make a recommendation. The approved conditional use permit provides the local jurisdiction the authority to ensure that the proposed project is maintained in a safe manner in accordance with the conditions included in the approval.
2. *The proposed project is not contrary to the public health, safety, or general welfare.* With the wider use of cell phones, and the decreasing use of land-line phones, the proposed use is intended to increase cell phone and wireless internet coverage in remote areas. This increase is beneficial to residents, visitors and emergency responders in that cell phone and wireless internet coverage is increased and will provide for quicker response times in the event of emergencies. This is beneficial to the health, safety, and welfare of all involved.
3. *The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors.* The project must adhere to the conditions of approval. By its' nature, the project will not generate hazardous, harmful, noxious, or offensive odors. While electromagnetic radio frequencies have been a concern of the public, due to the height of the antennas, and the power output of antennas, the health risk is minimal. The 1996 Federal Communications Commission guidelines recommend a maximum permissible exposure level to the public of approximately 580 microwatts per square centimeter. This limit is many times greater than RF levels typically found near the base of cellular towers or in the vicinity of other, lower-powered cell site transmitters. The possibility that a member of the public could be exposed to RF levels in excess of the FCC guidelines is extremely remote.



4. *The proposed project will not cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties. The project as designed will not have an adverse effect upon the property values and general desirability of the surrounding properties. There are power and telephone poles in the region already, so the proposed project will not be creating any new impacts.*

**WILLIAMSON ACT:**

The property is subject to a Williamson Act contract. Telecommunication facilities are deemed consistent with the County's Rules and Procedures for Agriculture Preserves. Due to the limited size (approximately 625 square feet of footprint) and scope of the project (communication facility), there will be no conflicts with the Williamson Act Contract because of this project.

**GENERAL PLAN CONSISTENCY:**

The proposed use is consistent with the General Plan and Zoning Ordinance. The General Plan designation for the property is AE (Agricultural Exclusive) which allows for public and quasi-public uses, which a cell tower would fall under. The property is zoned ARE-40 (Agricultural, Rural, Exclusive, 40 Acre) District which allows for a communication tower/wireless communications facility, with an approved conditional use permit. The Zoning and General Plan designations are consistent with the proposed use.

**RECOMMENDATION:**

The analysis provided in this report supports approval of Conditional Use Permit (CUP #2024-001) and a CEQA Exemption.

**CONDITIONS**

See attached.

**ATTACHMENTS:**

1. Exhibit A, General Plan Map
2. Exhibit B, Zoning Map
3. Exhibit C, Assessor's Map
4. Exhibit D-1, Topographic Survey Plan
5. Exhibit D-2, Overall Site Plan
6. Exhibit D-3, Enlarged Site Plan
7. Exhibit D-4, Equipment Plan
8. Exhibit D-5, Antenna Plan
9. Exhibit D-6, Elevation Plan
10. Exhibit E, Aerial Map
11. Exhibit F, Topographical Map
12. Exhibit G, Towers in Area Map

13. Exhibit H. Operational Statement
14. Exhibit I. Environmental Health Comments
15. Exhibit J. Notice of Exemption
16. Exhibit K. Resolution

## CONDITIONS OF APPROVAL

<b>PROJECT NAME:</b>	Conditional Use Permit #2024-001, Streamline Engineering & Design Inc
<b>PROJECT LOCATION:</b>	On the east side of Road 28, approximately .03 mile south of its intersection with Avenue 8 (7567 Road 28), Madera.
<b>PROJECT DESCRIPTION:</b>	Request for a Conditional Use Permit to install an unmanned wireless facility that includes a 120-foot monopole, ground equipment, and a 6-foot chain-link fence with barbwire. The lease area for the facility measures 25 feet by 25 feet.

<b>APPLICANT:</b>	Streamline Engineering & Design Inc Alyse Mathis (916) 996-4327
<b>CONTACT PERSON/TELEPHONE NUMBER:</b>	Annette Kephart - Madera County Planning (559) 675-7821

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
<b>Environmental Health Division</b>					
1	All parcels shall comply with Madera County Code Title 13 as it relates to water and onsite wastewater treatment systems setback requirements.				
2	The facility will be regulated under the Hazardous Material Business Plan and or Waste Generator depending on the type and/or amount of hazardous material on-site. (Article 1, Chapter 6.95, of the California Health & Safety Code).				
3	If facility is already regulated by this Division the applicant must update their Hazardous Material Business Plan if the hazardous material storage location or hazardous material quantity(s) has changed.				
4	As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: <a href="http://www.cers.calepa.ca.gov">www.cers.calepa.ca.gov</a> .				
5	During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division.				
6	The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s): Dust, Odor(s), Noise(s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.				
<b>Fire Marshall Division</b>					
<b>Planning Division</b>					

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
1	Facility to operate in accordance with submitted Operational Statement and plans unless otherwise modified by conditions of approval.				
2	The applicant shall be required to maintain the facility at an acceptable level as determined by the Planning Department regarding visual/aesthetic components of the facility until such time as the tower is removed.				
3	Lighting associated with this project is to be hooded and directed downward and away from adjoining parcels.				
4	Use low-glare lighting to minimize nighttime glare effects on neighboring parcels.				
5	The tower antennas shall be treated or coated in such a manner as to make it non-reflective.				
6	All parking and circulation areas within the project area shall be paved or surfaced with an approved material to reduce dust generation.				
7	Applicant shall allow co-location opportunities on the tower.				
8	Construction and operation of the facility must meet FCC standards for radio frequency operations.				
9	The applicant shall be responsible for the removal of the cell tower when no longer needed.				
10	No component of the tower or associated equipment shall create, or cause to be created electrical interference with aircraft communications or navigation.				
11	If archeological evidence is noted on the site prior to the start of construction, no work shall start without first notifying the Planning Department and completion of a Phase 3 Archeological study.				
12	The applicant or applicant's successor in interest shall indemnify and defend and hold harmless the County of Madera, its agents, officers, and employees from any claims, actions, or proceedings against the County of Madera, its agents, officers, and employees to attack, set aside, void, or annul any approval by the County of Madera and its advisory agency, appeal board, or legislative body concerning, which action is brought within applicable statutes of limitations. The County of Madera shall promptly notify the applicant or applicant's successor in the interest of any claim or proceedings and shall cooperate fully in the defense. If the County fails to do so, the applicant or applicant's successor in interest shall not thereupon be responsible to defend, indemnify or hold the County harmless. This condition may be placed on any plans or other documents pertaining to the applicant's project.				

No.	Condition	Department/Agency	Verification of Compliance		
			Initials	Date	Remarks
Public Works DEPARTMENT					

AVENUE 8 1/2

A

A

AE

AVENUE 8

ROAD 28

OS

ROAD 28 1/2

AE

AVENUE 7

ROAD 27 1/2

A

N



ARE-20

AVENUE 8 1/2

RRS

ARE-40

AVENUE 8

ARE-20

ROAD 28

ARE-20

OS

ARE-20

ROAD 28 1/2

AVENUE 7

ROAD 27 1/2

ARE-20

ARE-40



## Section 29, Township 12 South, Range 18 East, M.D.B&M.

Note: This map is for assessment purposes only and is not for the intent of interpreting legal boundary rights, zoning regulations and/or legality of land division laws.

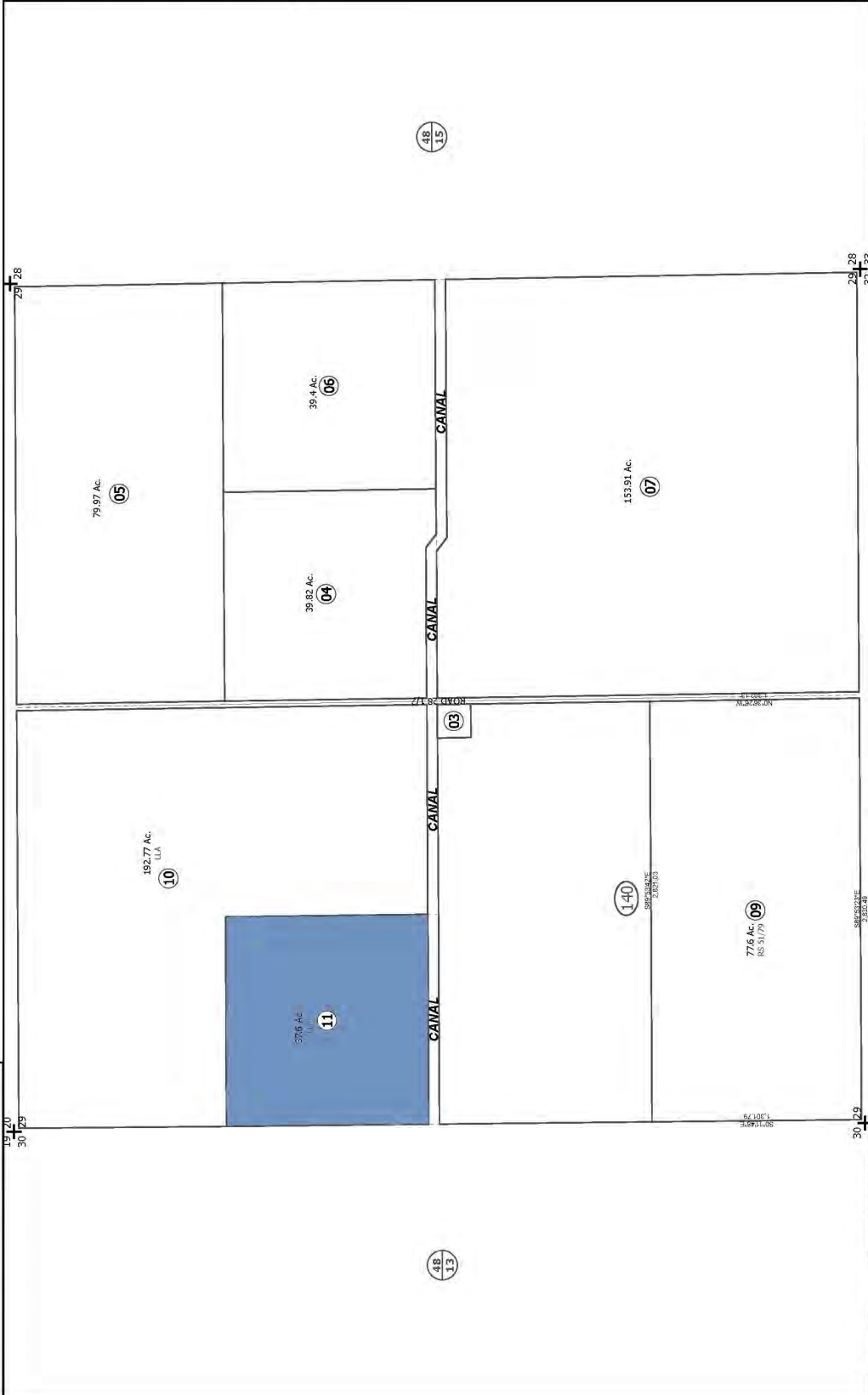
**48/14**  
Sheet 1 of 1



1" = 600'

**Tax Area Code**  
61-006

BLK # PD Acres Map Name  
48 003 1



Assessor's Cadastral Map  
Revised Date: 05/10/2023  
Revised By: Pro-West

Assessor's Block Shown in Ellipses  
Assessor's Parcel Number Shown in Circles  
Subdivision Blocks Labeled **BLK #**

Assessor's Map of Bk. 48, Pg. 14  
Madera Unified School District  
Eastin - Arcola  
County of Madera, California  
Sheet 1 of 1

Volume Page(s)  
8823224E 2,524.84  
30.129  
31.33







APN: 048-140-011

SEE SITE PLAN, SHEET A-1.1

- (N) CALNET 25'-200'-0" (22' 30" FT LEASE AREA W/ (N) 200'-0" TALL MONOPOLE (N) ANTENNAS & ANTENNA ELEMENT
- (E) BUILDING -ITE
- (N) CALNET SITE AVENUE
- (W) CALNET 12'-0" WIDE MONOPOLE ACCESS & TRAIL ELEMENT

**NOTICE**  
 ALL ITEMS TO BE ADDED BY THESE SPECIFICATIONS & DETAILS ARE NOT RESPONSIBLE FOR THE EVALUATION OF THE NEW ITEMS, MAKE SURE ALL WORK IS FOUNDATION OR ANTENNAS/POLE MOUNT FRAMING & CONNECTING FOR NEW LOGGING CONDITIONS.

OVERALL SITE PLAN  
 1"=100'-0"

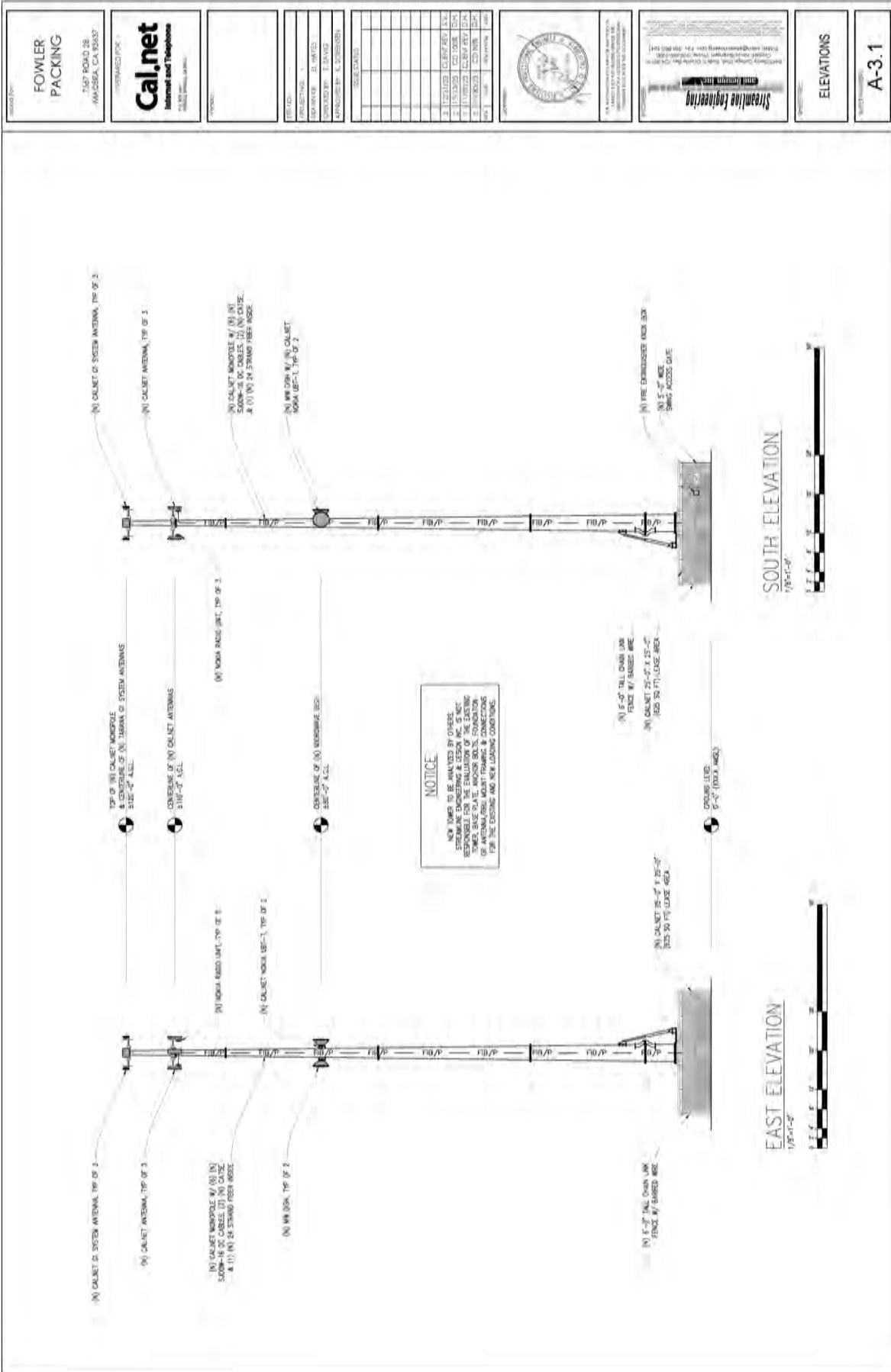


OVERALL SITE PLAN









ELEVATIONS

AVENUE 8 1/2

AVENUE 8

ROAD 28

ROAD 28 1/2

AVENUE 7

ROAD 27 1/2

Maxar



AVENUE\_8\_1/2

258 ft

AVENUE\_8

ROAD 28



ROAD 28 1/2

AVENUE\_7

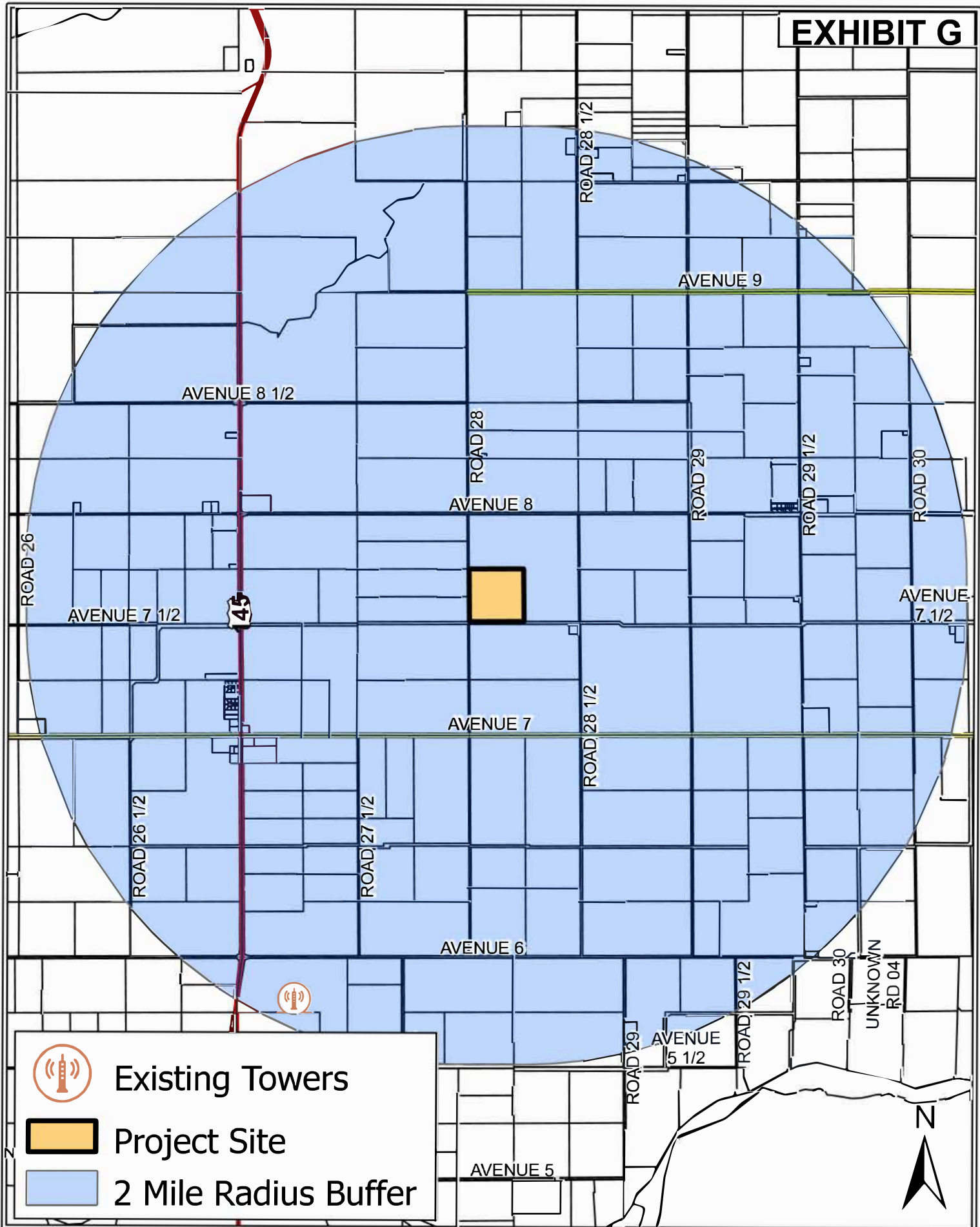
251 ft

ROAD 27 1/2

Fresno County Dept. PWP, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

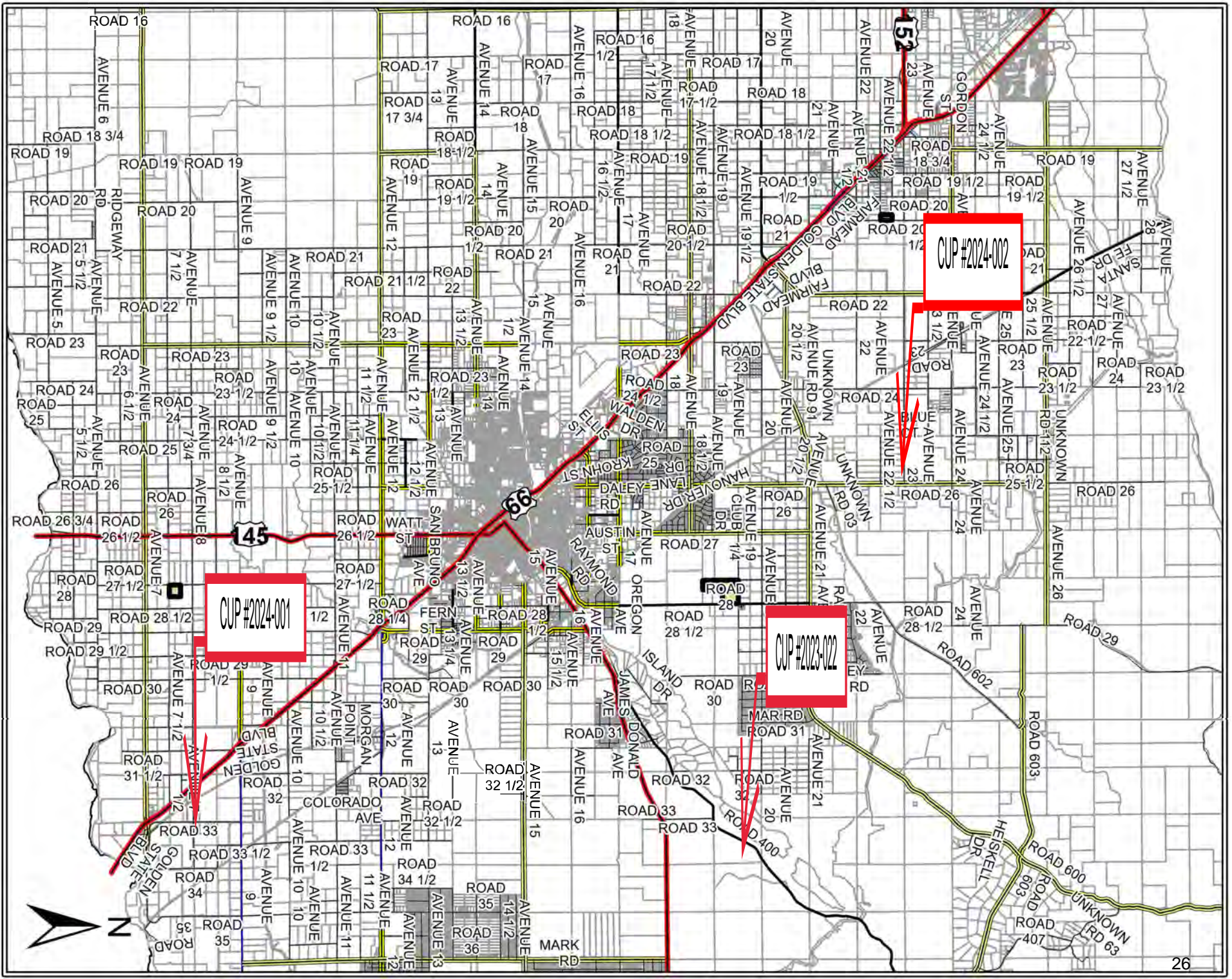
**TOPOGRAPHICAL MAP**





EXISTING CELL TOWERS MAP

# CELL TOWER PROJECT LOCATIONS





Community and Economic Development  
Planning Division

# EXHIBIT H

- 200 W 4<sup>th</sup> Street
- Suite 3100
- Madera, CA 93637
- (559) 675-7821
- FAX (559) 675-6573
- TDD (559) 675-8970
- mc\_planning@maderacounty.com

## OPERATIONAL/ENVIRONMENTAL STATEMENT CHECKLIST

It is important that the operational/environmental statement provides for a complete understanding of your project proposal. Please be as detailed as possible.

1. Please provide the following information:

Assessor's Parcel Number: 048-140-011

Applicant's Name: Alyse Mathis, Streamline Engineering & Design on Behalf of CalNet

Address: 8445 Sierra College Blvd. Ste. E Granite Bay, CA 95746

Phone Number: 916.996.4327

2. Describe the nature of your proposal/operation.

Installation of a (N) unmanned Calnet Telecommunication Facility.

3. What is the existing use of the property?

Agricultural

4. What products will be produced by the operation? Will they be produced onsite or at some other location? Are these products to be sold onsite?

None.

5. What are the proposed operational time limits?

Months (if seasonal): year around

Days per week: 7 days

Hours (from \_\_\_ to \_\_\_): Total Hours per day: 24 hours a day.

6. How many customers or visitors are expected?

Average number per day: N/A

Maximum number per day: N/A

What hours will customers/visitors be there? N/A

7. How many employees will there be?

Current: N/A

Future: N/A

Hours they work: N/A

Do any live onsite? If so, in what capacity (i.e. caretaker)? N/A

19. On a daily or weekly basis, how much wastewater will be generated by the proposed project and how will it be disposed of?

N/A

20. On a daily or weekly basis, how much solid waste (garbage) will be generated by the proposed project and how will it be disposed of?

N/A

21. Will there be any grading? Tree removal? (please state the purpose, i.e. for building pads, roads, drainage, etc.)

N/A

22. Are there any archeological or historically significant sites located on this property? If so, describe and show location on site plan.

N/A

23. Locate and show all bodies of water on application plot plan or attached map.

N/A

24. Show any ravines, gullies, and natural drainage courses on the property on the plot plan.

N/A

25. Will hazardous materials or waste be produced as part of this project? If so, how will they be shipped or disposed of?

N/A

26. Will your proposal require use of any public services or facilities? (i.e. schools, parks, fire and police protection or special districts?)

N/A

27. How do you see this development impacting the surrounding area?

N/A

28. How do you see this development impacting schools, parks, fire and police protection or special districts?

N/A

29. If your proposal is for commercial or industrial development, please complete the following; Proposed

Use(s): Telecommunication Facility

Square feet of building area(s): 625 Lease area

Total number of employees: N/A

Building Heights: Tower height is 120'

30. If your proposal is for a land division(s), show any slopes over 10% on the map or on an attached map.

N/A

---

---



Community and Economic Development  
Environmental Health Division

Dexter Marr  
Deputy Director

**EXHIBIT I**

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

---

**MEMORANDUM**

TO: Annette Kephart  
FROM: Dexter Marr, Environmental Health Division  
DATE: February 28, 2024  
RE: Streamline Engineering & Design Inc - Conditional Use Permit - (048-140-011-000)

---

**Comments**

TO: Planning Division  
FROM: Environmental Health Division  
DATE: January 19, 2024  
RE: Conditional Use Permit (CUP) #2024-01, Streamline Engineering, Madera APN 048-140-011

The Environmental Health Division Comments:

All parcels shall comply with Madera County Code Title 13 as it relates to water and onsite wastewater treatment systems setback requirements.

The facility will be regulated under the Hazardous Material Business Plan and or Waste Generator depending on the type and/or amount of hazardous material on-site. (Article I, Chapter 6.95, of the California Health & Safety Code)

If facility is already regulated by this Division the applicant must update their Hazardous Material Business Plan if the hazardous material storage location or hazardous material quantity(s) has changed.

As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: [www.cers.calepa.ca.gov](http://www.cers.calepa.ca.gov)

During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division.

The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise (s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.

If there are any questions or comments regarding these conditions, contact this Division at (559) 675-7823.



Community and Economic Development  
Environmental Health Division

Dexter Marr  
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

---

MEMORANDUM

TO: Annette Kephart  
FROM: Dexter Marr, Environmental Health Division  
DATE: February 28, 2024  
RE: Streamline Engineering & Design Inc - Conditional Use Permit - (048-140-011-000)

---

Comments

TO: Planning Division  
FROM: Environmental Health Division  
DATE: January 19, 2024  
RE: Conditional Use Permit (CUP) #2024-01, Streamline Engineering, Madera APN 048-140-011

The Environmental Health Division Comments:

All parcels shall comply with Madera County Code Title 13 as it relates to water and onsite wastewater treatment systems setback requirements.

The facility will be regulated under the Hazardous Material Business Plan and or Waste Generator depending on the type and/or amount of hazardous material on-site. (Article I, Chapter 6.95, of the California Health & Safety Code)

If facility is already regulated by this Division the applicant must update their Hazardous Material Business Plan if the hazardous material storage location or hazardous material quantity(s) has changed.

As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: [www.cers.calepa.ca.gov](http://www.cers.calepa.ca.gov)

During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division.

The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise (s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.

If there are any questions or comments regarding these conditions, contact this Division at (559) 675-7823.



Community and Economic Development  
Environmental Health Division

Dexter Marr  
Deputy Director

- 200 W. Fourth St.
- Suite 3100
- Madera, CA 93637
- TEL (559) 661-5191
- FAX (559) 675-6573
- TDD (559) 675-8970

---

MEMORANDUM

TO: Tiffany Williams  
FROM: Dexter Marr, Environmental Health Division  
DATE: February 28, 2024  
RE: Streamline Engineering & Design Inc - Conditional Use Permit - (048-140-011-000)

---

Comments

TO: Planning Division  
FROM: Environmental Health Division  
DATE: January 19, 2024  
RE: Conditional Use Permit (CUP) #2024-01, Streamline Engineering, Madera APN 048-140-011

The Environmental Health Division Comments:

All parcels shall comply with Madera County Code Title 13 as it relates to water and onsite wastewater treatment systems setback requirements.

The facility will be regulated under the Hazardous Material Business Plan and or Waste Generator depending on the type and/or amount of hazardous material on-site. (Article I, Chapter 6.95, of the California Health & Safety Code)

If facility is already regulated by this Division the applicant must update their Hazardous Material Business Plan if the hazardous material storage location or hazardous material quantity(s) has changed.

As of January 2013 all CUPA regulated businesses must submit their Hazardous Material Business Plan electronically into the California Environmental Reporting System (CERS) at: [www.cers.calepa.ca.gov](http://www.cers.calepa.ca.gov)

During the application process for required County permits, a more detailed review of the proposed project's compliance with all current local, state & federal requirements will be reviewed by this Division.

The construction and then ongoing operation must be done in a manner that shall not allow any type of public nuisance(s) to occur including but not limited to the following nuisance(s); Dust, Odor(s), Noise (s), Lighting, Vector(s) or Litter. This must be accomplished under accepted and approved Best Management Practices (BMP) and as required by the County General Plan, County Ordinances and any other related State and/or Federal jurisdiction.



If there are any questions or comments regarding these conditions, contact this Division at (559) 675-7823.

# Notice of Exemption

# EXHIBIT J

## Appendix E

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**From:** (Public Agency): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Address)

Project Title: \_\_\_\_\_

Project Applicant: \_\_\_\_\_

Project Location - Specific:

Project Location - City: \_\_\_\_\_ Project Location - County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Lead Agency

Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?    Yes    No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency    Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_

**EXHIBIT K**

**BEFORE  
THE PLANNING COMMISSION  
OF THE COUNTY OF MADERA  
STATE OF CALIFORNIA**

In the Matter of	)	Resolution No.: <u>PCR 2024-</u>
	)	
STREAMLINE ENGINEERING & DESIGN	)	RESOLUTION APPROVING THE
INC	)	APPLICATION OF STREAMLINE
CONDITIONAL USE PERMIT #2024-001	)	ENGINEERING & DESIGN INC FOR A
	)	CONDITIONAL USE PERMIT AND
_____	)	APPROVING A RELATED NOTICE OF
	)	EXEMPTION

**WHEREAS**, the Planning Commission at a regular meeting in the Madera County Government Center, 200 West Fourth Street, Madera, California on Tuesday, March 12, 2024, held a duly noticed public hearing to consider the application of Streamline Engineering & Design Inc. for a Conditional Use Permit; and

**WHEREAS**, County staff has presented substantial factual information regarding the Conditional Use Permit; and

**WHEREAS**, the hearing was to consider the application of Streamline Engineering & Design Inc for a Conditional Use Permit (CUP #2024-001) to allow an unmanned wireless facility consisting of a 120-foot monopole and a 25' x 25' fenced-in lease area; and

**WHEREAS**, the property 048-140-001-000 (37.6 acres) is located on the east side of Road 28, approximately .03 acres south of its intersection with Avenue 8 (7567 Road 28), Madera; and

**WHEREAS**, the property is zoned ARE-40 (Agricultural, Rural, Exclusive, 40 Acre) District; and

**WHEREAS**, the project was categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3), Article 19 Section 15303, the proposed project is covered by the categorical exemption for new construction of small structures; and

**WHEREAS**, the Planning Commission has considered all public testimony and information presented during the public hearing regarding this item.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission finds that:

1. A Notice of Exemption is approved.
2. The proposed use is consistent with the General Plan and Zoning Ordinance. The General Plan designation for the property is AE (Agricultural Exclusive) which allows for public and quasi-public uses, which a cell tower would fall under. The property is zoned ARE-40 (Agricultural, Rural, Exclusive, 40 Acre) District which allows for a communication tower/wireless communications facility, with an approved conditional use permit. The Zoning and General Plan designations are consistent with the proposed use.
3. The Commission found that any potentially significant negative impacts to environmental quality and natural resources have been properly evaluated. Under the provisions of the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3), Article 19 Section 15303, the proposed project is exempt from CEQA by the categorical exemption for new construction of small structures.
4. The proposed project does not violate the spirit or intent of the zoning ordinance. The parcel is zoned ARE-40 (Agricultural, Rural, Exclusive, 40 Acre). The

zoning designation allows for cellular towers with an approved conditional use permit. The conditional use permit process requires submittal of supporting documentation that allows the jurisdiction to analyze the project for health, safety, and welfare issues to make a recommendation. The approved conditional use permit provides the local jurisdiction the authority to ensure that the proposed project is maintained in a safe manner in accordance with the conditions included in the approval.

5. The request will not be contrary to the public health, safety, or general welfare of the citizens of Madera County. With the wider use of cell phones, and the decreasing use of land-line phones, the proposed use is intended to increase cell phone and wireless internet coverage in remote areas. This increase is beneficial to residents, visitors and emergency responders in that cell phone and wireless internet coverage is increased and will provide for quicker response times in the event of emergencies. This is beneficial to the health, safety, and welfare of all involved.

6. The proposed project will not be hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar factors. The project must adhere to the conditions of approval. By its' nature, the project will not generate hazardous, harmful, noxious, or offensive odors. While electromagnetic radio frequencies have been a concern of the public, due to the height of the antennas, and the power output of antennas, the health risk is minimal. The 1996 Federal Communications Commission guidelines recommend a maximum permissible exposure level to the public of approximately 580 microwatts per square centimeter. This limit is many times greater than RF levels typically found near the base of cellular towers or in the vicinity of other,

lower-powered cell site transmitters. The possibility that a member of the public could be exposed to RF levels in excess of the FCC guidelines is extremely remote.

7. The proposed project will not, for any reason, cause a substantial, adverse effect upon the property values and general desirability of the neighborhood. The project as designed will not have an adverse effect upon the property values and general desirability of the surrounding properties. There are power and telephone poles in the region already, so the proposed project will not be creating any new impacts.

8. As a result of Findings 1 – 7, the Conditional Use Permit is approved, subject to the attached conditions.

//

//

//

//

//

//

//

//

//

//

//

//

\* \* \* \* \*

The foregoing resolution was adopted on a motion by Commissioner \_\_\_\_\_ and seconded by Commissioner \_\_\_\_\_, at a regular meeting held before the Madera County Planning Commission on this \_\_\_\_\_ day of \_\_\_\_\_ 2024 by the following vote:

COMMISSIONER MILES-MATTINGLY VOTED: \_\_\_\_\_

COMMISSIONER DAL CERRO VOTED: \_\_\_\_\_

COMMISSIONER BURDETTE VOTED: \_\_\_\_\_

COMMISSIONER PALMER VOTED: \_\_\_\_\_

COMMISSIONER ESTRADA VOTED: \_\_\_\_\_

\_\_\_\_\_  
Chairperson

ATTEST:

\_\_\_\_\_  
Secretary of the Planning Commission

Approved as to Legal Form:  
COUNTY COUNSEL

By: \_\_\_\_\_