

## Response to Comments Received on the Final Draft Fresno County Airport Land Use Compatibility Plan Update - 9/5/18

### City of Fresno – Development and Resource Development Department

1. Page 1-1 lists the Fresno County airport compatibility plans that would be replaced by the new Fresno County Airport Land Use Compatibility (ALUCP). My understanding is that these are county plans. The City of Fresno has its own adopted versions of the Fresno Chandler Downtown Airport Land Use Policy Plan, the Fresno Yosemite International Airport Compatibility Plan, and the Sierra Sky Park Land Use Policy Plan. Would these need to be repealed as well?

*Response: The City of Fresno's Airport Land Use Policy Plans should be considered internal documents for your own reference as they do not replace the Fresno County Airport Land Use Compatibility Plan (ALUCP) adopted by the Fresno County Airport Land Use Commission (ALUC). The City of Fresno's plans were not adopted by the ALUC and are not recognized as valid documents by the ALUC or Caltrans. The ALUCP encompasses all public use airports within the Fresno County region, including all those in the City of Fresno.*

2. In order to attain consistency with the new ALUCP, can the city simply update its requirements in the zoning code that where they exist, airport plans shall govern (the code says that they supersede the general plan and other specific plans)? Or will consistency need to be attained by a more explicit mechanism such as overlay districts?

*Response: The method for demonstrating consistency with the ALUCP is determined by the local agencies. However, in the 2011 California Airport Land Use Planning Handbook (Handbook), Section 5.2.3, Means of Achieving Consistency outlines several strategies for achieving consistency with the Fresno County Airport Land Use Compatibility Plan, states that local plans and/or policies must:*

- Delineate the compatibility criteria to be applied to individual development actions;
- Identify the mechanisms to be used to ensure that applicable compatibility criteria are incorporated into site-specific development projects; and
- Indicate the procedures to be followed in review and approval of development actions affecting lands within the airport influence area, recognizing that certain types of land uses are not subject to discretionary approvals (but can be subject to appropriate ministerial development standards).

*This section, attached for your reference, includes a discussion on the use of combining districts or overlay zoning, includes Table 5A: General Plan Consistency Checklist, and gives optional Land Use Compatibility Strategies. Additional information regarding this topic may be found on page 5-3 of the Handbook.*

3. Page 2-5, Section 2.5.1 and Page 2-12, Section 2.8.1 state, "Once a land use plan has been found consistent with this ALUCP, future land use projects within the plan area must be reviewed for consistency if, at the time of original review, the plan consisted of only generalized land use designations without project details (e.g., site layout, density/intensity, building heights). When the City of Fresno submits general plan amendments or new specific plans to the ALUC for review, zoning is also included, which contains height limits and density, but not site layout. So would new projects that are proposed within plans that have already been determined consistent with the ALUCP by the ALUC have to return to the ALUC for a consistency finding at the entitlement stage? We would hope there is a way to streamline the review process so that once a specific plan (and corresponding zoning) is approved by the ALUC, specific projects not require further review by the ALUC.

*Response: The level of detail associated with City of Fresno submittals for General Plan amendments and specific plans described above (height limits and density) should be sufficient, in most cases, to demonstrate consistency. Site layout may need to be evaluated if the subject project is on a parcel that lies within multiple safety zones. A scenario could occur in which development would need to be positioned on a parcel so that development is located outside of a safety zone with more stringent safety criteria. It may be mutually beneficial for the City of Fresno to provide an example of a proposed General Plan amendment to the Fresno County ALUC staff for review to ensure that the necessary information is included to demonstrate consistency.*

4. Page 2-6, Section 2.6.1 states that after ALUC adoption of the ALUCP, but prior to local agency consistency findings, local agencies must submit plans, regulations and projects for review by the ALUC. During this period, I would request that the ALUC meet monthly instead of bi-monthly to be able to accommodate project review timelines of local jurisdictions.

*Response: The Fresno County ALUC will be advised of your request.*

5. Page 2-19, Section 2.10.27 defines Land Use Intensity and this metric is used throughout the consistency section to measure non-residential land use intensity. It is very difficult to calculate persons per acre without a formula for doing so based on different types of land uses. For example, the persons per acre for a warehouse use will be very different from a restaurant. Is there a standard formula available to calculate this?

*Response: Please refer to ALUCP Appendix L, pages L-6 through L-8, for guidance on calculating land use intensity.*

6. Pages 3-4 – 3-6, Table 3A: Safety Criteria Matrix contains the criteria for land use compatibility for safety zones. In zones 2, 3, and 4 the residential density has been reduced from existing plans, and in zones 3,4, and 6 intensity limits have been added. In addition, there is a new requirement for open land. The prohibited uses have been expanded to include more uses, and height limits have been added in some cases. This, in combination with the expanded Airport Influence Areas for Chandler and FYI Airports, means that much more land will be

impacted by stringent requirements. Please confirm that these types of limits are called out by the California Handbook and are in use by other similar jurisdictions in California.

*Response: The residential densities and open land requirements outlined in Table 3A: Safety Criteria Matrix was developed using the guidance found on Figures 4B through 4G in the California Airport Land Use Planning Handbook (2011). Expanded language found in the Handbook on page 4-18 explains that the recommended intensities for each zone are minimum standards that are not intended to take precedence over specific criteria in currently adopted ALUCPs.*

*The open land requirements do not apply to parcels less than 10 acres. As noted in footnote 3 of Table 3A, the open land requirements are intended to be applied with respect to an entire zone rather than a parcel by parcel basis. This is typically accomplished as part of a community planning process in a general plan or a specific plan, but may also apply to large (10 acres or more) development projects.*

*As described in the Handbook, the generic safety zones are provided as a starting place for delineating safety zones for a given airport. It should be noted that the outermost zone in the generic safety zone examples is referred to as Zone 6 or the traffic pattern zone; however, the Handbook does not provide specific direction that this zone should also be used as the AIA. As outlined in the Handbook, the AIA is “the area in which current and projected future airport-related noise, safety, airspace protection, or overflight factors/layers may significantly affect land use or necessitate restrictions on uses by an airport land use commission.” (See page 3-10). For all airports in the Fresno County ALUCP, the largest geographic area associated with a compatibility factor (noise, safety, or airspace) is airspace. This area is defined by the Part 77 airspace surfaces.*

*In addition to limiting the number of people who would be exposed to the risk of an aircraft accident on the ground, the other major safety concern is related to land uses that can create hazards to flight. Airspace protection, in the form of FAA’s Part 77 requirements, primarily involves limitations on the height of objects on the ground near airports. As described on FAA’s Airport Airspace Analysis website, the Part 77 surfaces are used by FAA to administer the airspace in the public interest as necessary to ensure the safety of aircraft and its efficient use.*

*14 CFR Part 77 defines a series of airspace boundaries around an airport to determine if there are obstructions to air navigation. The Conical Surface is the outer boundary of the 14 CFR Part 77 airspace boundaries and generally represents the traffic pattern for an airport. For airports with an existing or planned Precision Instrument Approach, the Part 77 airspace surfaces are extended to include an Outer Approach Transitional Surface and Precision Approach Surface.*

*Given that the Part 77 surfaces are presently used for airspace review at all airports in the county, Fresno County ALUC chose to align the AIA with the outermost boundary of the Part 77 for considering the compatibility of projects near airports. Use of the Part 77 surface as the AIA does not give the ALUC authority over airspace cases; that responsibility rests with FAA. Additionally, airports will continue to provide input on airspace cases through the 7460 process.*

*The AIA, as currently proposed, will allow the ALUCP to supplement existing FAA airspace review processes to ensure that all projects within the Part 77 boundaries are reviewed. This is of particular importance when projects are proposed in areas that are located in areas outside of the airport sponsor's jurisdiction or sphere of influence.*

*The AIAs as presented in the Draft ALUCP are based on the outer boundary of the 14 CFR Part 77 Conical Surface for the following airports: Firebaugh Airport, Fresno-Chandler Executive Airport, Harris Ranch Airport, Reedley Municipal Airport, Selma Airport, Sierra Sky Park Airport, and William Robert Johnston Municipal Airport. This area is also referred to as Zone 6 in the plan. As outlined in Table 3A, ALUCP policies for Zone 6 include a maximum intensity of 300 people per acre. In Zone 6, there is no limit, for the purposes of the ALUCP, on the number of dwelling units per acre. Prohibited uses include hazards to flight and outdoor stadiums and other high intensity uses. Development conditions, as listed in Table 3A, include airport disclosure notices, FAA airspace review for objects greater than 100 feet tall, prohibition of new structures on existing terrain that penetrates the 14 CFR Part 77 surfaces, and airspace analysis for new structures within the 50-foot terrain penetration buffer (See Section 3.4.2 on page 3-16).*

*For Coalinga Municipal Airport and Fresno Yosemite International Airport, the AIA includes the Conical Surface (Zone 6), Outer Approach Transitional Surface, and the Precision Approach Surface (Zone 7). The outermost boundary for these airports is a combination of Zone 6 and Zone 7. Zone 7 has no restrictions on density (dwelling units per acre) or intensity. Additionally, there are no prohibited uses in this zone for the purposes of the ALUCP. Development conditions, as listed in Table 3A, include FAA airspace review for objects greater than 100 feet tall, prohibition of new structures on existing terrain that penetrates the 14 CFR Part 77 surfaces, and airspace analysis for new structures within the 50-foot terrain penetration buffer (See Section 3.4.2 on page 3-16).*

FAA – Airport Airspace Analysis: [https://www.faa.gov/airports/engineering/airspace\\_analysis/](https://www.faa.gov/airports/engineering/airspace_analysis/)

7. Page 3-8, Section 3.2.3 – Infill Development sets out criteria for excepting some infill parcels from ALUC review if done comprehensively as part of the consistency process. We will need more information about how to define an infill parcel per the parameters discussed in this section.

*Response: If a local agency decides to identify qualifying locations under Section 3.2.3, criteria (a)(1), (a)(2), and (a)(3) should be used to first screen potential parcels for infill development. Once it is determined which parcels are potentially eligible, the local agency should then provide a listing of the parcels identified for infill development to Fresno County ALUC.*

8. Page 3-10, Section 3.2.6, Mixed Use Projects, requires converting residential density that is part of a mixed-use project to intensity and limiting the total number of residential occupants. The zoning code does not control the number of occupants living in a dwelling unit so this will be difficult to enforce or calculate capacity.

*Response: When calculating capacity, Fresno County ALUC recommends using people per household figures for the community available from the U.S. Census Bureau . This guidance will also be added to Section 3.2.6.*

9. Table 3B, Noise Compatibility Criteria Matrix, limits residential noise compatibility to 64 CNEL, while the City's general plan and zoning code conditionally allows residential noise from 65-70 CNEL.

*Response: As outlined in Section 1.5.1, adoption of the ALUCP begins a statutory 180-day period within which affected local agencies must modify their general plans and applicable specific plans to demonstrate consistency. See response to Comment 2.*

10. Airport Maps in the Appendices:

a. AIA: We note that the AIA for Chandler and FYI airports has expanded substantially and this will require more plans and projects to be reviewed at the ALUC.

*Response: See response to Comment 6. It should be reiterated that the additional requirements to which the areas under the expanded AIA would be subject to are the 300 persons per acre limit and the 10 percent open space requirement within Zone 6. These areas do not have a limit on the number of dwelling units per acre and FAA airspace review is currently required in these areas. Additionally, please note that upon adoption of the ALUCP and where local agencies have amended their general and specific plans to be consistent with the ALUCP, only the following types of actions proposed within the airport influence area must be submitted to ALUC for determination of consistency prior to approval by the local jurisdiction:*

- *Adoption of a general plan, specific plan, or any amendments*
- *Airport and heliport plans, including master plans, expansion plans, and plans for the construction of a new facility*

b. Exhibit 5/Existing Land Use Parcels: In all 3 Fresno airports, the land use categorization doesn't seem to match our existing land use layer. For example, our existing land use layer categories the airport properties as public facilities, whereas the airport plans show these as industrial.

*Response: The information used in these exhibits was downloaded from City of Fresno Department of Public Works Developer Doorway on April 3, 2018 based on comments received from the City of Fresno during the preparation of the Draft ALUCP. In some cases, land uses were generalized and, therefore, may not reflect maps produced by the City of Fresno.*

c. Exhibit D6 and D7 for FYI: These should match since the City's general plan and zoning have been made consistent.

*Response: See response to item 10b above.*

d. Some of the differences noted above may be due to county islands or land in the sphere of influence (SOI) and the use of county land use and zoning. We might want to discuss the best way to show these areas, because if land is to be annexed, it will need to be consistent with the city's general plan (and corresponding zoning). There could be some jurisdictional issues to clarify here.

*Response: See response to Comment 2 and item e below.*

e. Maps C-1 – C-8 show an incorrect municipal boundary to the south of the airport. This could also be true for other airports. The City's boundary is constantly changing, so the maps in the plan may need to be updated again.

*Response: As noted on the exhibits, the information was collected in 2016 at the onset of this study. The maps are provided for informational purposes and will likely only be updated during major revisions to the Fresno County Airport Land Use Compatibility Plan.*

11. **General request:** I understood from the public hearing on the ALUCP last Monday, August 6, that a special meeting in September to review comments was cancelled, and that the plan was to be adopted in October, at the next meeting of the ALUC. In addition, it was mentioned that the planning process is two months ahead of schedule. I also noted an absence of other affected jurisdictions at this public hearing. This plan is complex and has many ramifications for our planning process. I would request that plan adoption be delayed for 30-60 days and that one or a series of workshops be provided for local jurisdictions with staff and consultant so that all of our questions can be answered prior to adoption of the new ALUCP. In addition, it would be helpful to know the specifics of the process and type of analysis that will be required to present to the Airport Land Use Commission to obtain a consistency finding.

*Response: Thank you for your comment. Your comment will be shared with the ALUC for consideration. In review, the special meeting originally discussed and tentatively scheduled for September was for adoption of the ALUCP. However, to provide additional time to process and respond to comments, the adoption was moved to October 1, 2018 to coincide with a regularly scheduled ALUC meeting.*

*This is a brief timeline of scheduled ALUCP document review:*

- *Airport operators and staff have received ongoing communications from ALUC staff and/or the Consultant beginning with the scheduling of an August 24, 2016 Airport Land Use Plan Updates Meeting with Caltrans Aeronautics. They were invited to sit on the Project Development Team, receiving regular updates and notifications.*
- *Each airport also communicated with staff and the consultant, while providing information for document appendices.*
- *An Administrative Draft of the ALUCP was released to the PDT members for review and comment on December 5, 2017. A conference call to discuss the Administrative Draft of the PDT was hosted by staff and the consultant on December 13, 2017, with comments received through December 22, 2017.*

- *The Public Draft ALUCP was released for review to the airport operators, staff, and the public on January 10, 2018 and comments were received through February 10, 2018.*
- *A PDT meeting and a public workshop open house were held during the Public Draft review period on January 24, 2018 to discuss the ALUCP process, plan overview, and policies. Many airport operators reviewed the document and provided comments, including City of Fresno staff. Those comments were addressed and the document updated.*
- *The Public Review and comment period for the Final Draft ALUCP's Initial Study/Negative Declaration was held from July 13 - August 13, 2018, at which time a public notice was published and all of the airport operators were notified via multiple emails.*
- *A project website was established in mid-2017 and continues to hold the project documents available for review. The Public Draft document was loaded to the site on January 10, 2017 and all updates to that draft have been available on the site since that time.*
- *Notifications of the ALUCP were also placed on ALUC, Fresno COG Transportation Technical Committee, Policy Advisory Committee, and Policy Board agendas.*

*At this time, ALUCP adoption is scheduled for October 1, 2018. ALUC staff would welcome invitations to meet with City of Fresno staff or other local jurisdictions to discuss ALUCP plan requirements.*

#### **City of Fresno – Airports Department (Jared Garza)**

12. The 2011 Caltrans Airport Land Use Plan Handbook (Handbook) defines the Caltrans safety Zones as Zone 1 through Zone 6. What safety criteria is used for the creation of an undefined Zone 7?

*Response: See response to Comment 6.*

13. The layout of the Caltrans Safety Zones is defined in the Handbook and lays out the dimensions for a traffic pattern zone, which is different in shape and size than the conical surface. What safety criteria is used to determine that the Conical Surface is the new definition of the Traffic Pattern Zone for this ALUCP?

*Response: See response to Comment 6.*

14. What safety criteria is taken into account to use the Conical Surface as well as the Outer Approach Transitional Surface, and the Precision Approach Surface as part of the AIA?

*Response: See response to Comment 6.*

15. The majority of flights from FAT are Large Air Carrier “Commercial” flights. What safety criteria is used to determine that for FAT the Caltrans safety zones were based on a Large General Aviation Runway as opposed to a Large Air Carrier Runway?

*Response: As noted on page D-2, the Large Carrier Runway classification was used as a starting point for the safety zones at FAT. On page D-1 and on Exhibit D1, the references to “Figure 3A” will be changed to “Figure 3B.”*

16. Pg C-1, paragraph 3, states that a “short general aviation runway” example was used to draw FCH’s safety Zones. When actually a “medium general aviation runway” example was used.

*Response: Text noted above will be changed to state that the Medium General Aviation Runway example was used.*

17. In table 3A; Zones 1, 2, &3 the prohibited column states “natural gas & petroleum pipe lines”. What safety criteria is used to determine this to be prohibited?

*Response: As stated in the introduction of the Handbook, the document provides guidance for meeting the baseline safety and compatibility requirements; however, ALUCs may choose to be more restrictive than the State’s guidance when their local conditions warrant doing so. During preparation of the Fresno County ALUCP, ALUCPs for other counties were reviewed and it was decided that a more comprehensive list of land uses, similar to what is used in other jurisdictions, should be used to provide more specific guidance to the Fresno ALUC. Additionally, the Fresno County ALUC has elected to include Section 2.6.6, Findings as to Similar Uses, which acknowledges that cases may arise where a proposed development project involves a land use that is not explicitly provided for by the land use criteria. This policy will allow the Fresno County ALUC to use conventional rules of reason to determine whether the subject land use is substantially similar to any land use specified in the plan criteria. For additional clarification, a footnote for natural gas and petroleum pipe lines will be added to indicate that these uses are prohibited from the surface to a depth of 36 inches.*

18. In Table 3A, Zones 2, 3, and 4, the prohibited column states “Hazardous uses (e.g., above ground bulk fuel storage or gas station)” the Caltrans handbook doesn’t state gas stations as being hazardous or prohibited, and only prohibits aboveground "bulk" fuel storage. “Aboveground fuel storage” is clarified on page 3-9 of the ALUCP to “include aboveground storage tanks with capacities greater than 10,000 gallons of any substance containing at least five percent petroleum per State of California,”. With gas stations not being the aforementioned, why would they be considered a hazard?

*Response: On page 4-30 of the Handbook, gas stations are identified as “Other High-Risk Uses.” The Handbook explains that the consequences of an aircraft accident at these locations may extend beyond the immediate location of the accident. The Handbook states that, “manufacturing, storage, or use of hazardous materials may warrant special consideration*



*depending upon the specific materials and quantities. The concern is whether an aircraft accident could cause an explosion...thus posing dangers to the nearby population. Uses that involve the storage of hazardous materials (e.g., gas stations) should be avoided in locations where aircraft may be operating at low altitudes, or where data has shown the risk of accidents to be greater. Specifically, locations where the manufacturing or bulk storage of hazardous materials should be avoided include safety zones one through five.” Also, see Response to Comment 17.*

19. In Table 3A, Zones 2 and 3, the prohibited column states, “adult schools, colleges, universities”; the Caltrans Handbook states specifically "Children’s schools, large daycare centers, hospitals, nursing homes" are prohibited. What safety factors contribute to this being added to the prohibited column?

*Response: See response to Comment 17. As outlined in the Handbook, the California Department of Transportation must investigate and make recommendations regarding acquisition of property for school and community college sites near airports. Specifically, before a district can acquire property for a school or community college site that would be within two miles of an airport runway or potential runway included in an airport master plan, the Department must investigate and submit a report of its findings regarding that acquisition. The primary factors considered in the analysis of a site by the Department’s Division of Aeronautics are aircraft accident exposure and aircraft noise. Given the similarity of use intensities between community colleges and other adult schools, colleges, and universities, the Fresno County ALUC elected to include the latter grouping to better manage risk exposure.*

20. In Table 3A under the “other development conditions,” it’s stated that airspace review required as well as additional airspace analysis review required. Who will be doing the reviews?

*Response: FAA will conduct the airspace analysis through the Obstruction Evaluation/Airport Airspace Analysis process using Form 7460-1, Notice of Proposed Construction or Alteration. Please refer to footnote 9 of Table 3A.*

21. In Table 3B, the 65-69 Column has a Not Compatible "N" designation for; Group Quarters, Education Facilities, Religious Facilities, Hospitals, Government Services, as well as Hotels. The City of Fresno Airports Department designates these as Conditionally Compatible "C (1,2)".

*Response: See response to Comment 2.*

22. In Table 3B, the 65-69 Column has a Not Compatible "N" designation for Outdoor Sports as well as Nature Exhibits. The City of Fresno Airports Department designates these as Conditionally Compatible "C(1)".

*Response: See response to Comment 2.*

23. In Table 3B, the 70-74 Column has a Compatible "Y" designation for Cemeteries and a Not Compatible "N" designation for Outdoor sports events. The City of Fresno Airports Department designates these as Conditionally Compatible "C(1)".

*Response: See response to Comment 2.*

24. In Table 3B (Continued), the Industrial section has been deemed to be all Compatible "Y". The City of Fresno Airports Department designates the Industrial use as Compatible "Y" in the 60-64 and 65-69 columns, but the Conditionally Compatible "C(1)" designation for the 70-74 and 75+ column.

*Response: See response to Comment 2.*

25. In Section 3.4.2 ALUC Review of Height of Proposed Objects. What safety criteria is used to determine what the ALUC is able to review?

*Response: See response to Comment 6.*

#### **Tim Cone, Sierra Sky Park**

26. [Regarding Appendix H], The traffic patterns are reversed. We use Left Traffic for Runway 30 and Right Traffic for runway 12. This keeps air traffic on the South and West side of the airport.

*Response: Text under "Flight Tracks" on page H-3 has been revised to state that Runway 12 has a right-hand traffic pattern and Runway 30 has a left-hand traffic pattern, and the resulting traffic pattern activity occurs to the south and west of the airport.*

27. We do have displaced thresholds. The AFD lists them as 90 feet but that is incorrect...I'll see if I can get the updated information regarding displaced thresholds.

*Response: Displaced threshold information on Table H2 has been updated.*

#### **City of Fresno – Airports Department (Kevin Meikle)**

28. Both FAT and FCH have recently adopted ALUCPs, based on the most current version (October 2011) of the California Airport Land Use Planning Handbook (Handbook), which is the same version used for the Fresno County's ALUCP.

*Response: The Fresno ALUC has chosen to consolidate the ALUCPs for all public use airports in Fresno County into one document. In addition to convenience afforded by this approach, it also ensures that all the plans are developed based on the same Handbook and that airport land use*

*compatibility planning policies are applied uniformly throughout the county. Also see response to Comment 1.*

29. For additional context, Section i-2.1 Scope of the Handbook Update states “It is not the intent of the preparers of this edition to fully replicate the extensive research that was performed in support of the previous Handbook editions. The intent was to analyze and determine if the data and conclusions that were reached in the 2002 Handbook are still valid today. As discussed in Appendix E, recent accident data does not support changes to the safety zones (presented in Chapter 3). Similarly, while tools for estimating and monitoring aircraft noise continue to improve, the basic compatibility standards for aircraft noise have not changed at the federal or state level.”

*Response: Comment noted.*

30. The scope and breadth of the Draft ALUCP extends substantially beyond what is contemplated in the Handbook and that of FAT’s and FCH’s currently adopted plans, which are based on the same Handbook.

*Response: See response to Comment 6.*

31. Airports understand and support the fact that it is “the sole responsibility of ALUC to prevent incompatible land use development and thereby both protect the public from noise and risks and preserve the utility of airports. In carrying out this responsibility, ALUCs should be guided by objective analyses of airport land use compatibility concerns. This focus notwithstanding, ALUCs also need to be practical in their sections. Although ALUCs should not be driven by political, economic, or other non-compatibility-related factors, they should at least be cognizant of them. They should be aware of the effects that their plans and compatibility determinations will have on local land use jurisdictions and the possible reactions which these jurisdictions may have to these matters. The bottom line is that the most desirable outcome of the compatibility planning process is for local agencies and the public to support and take the necessary measures to implement the compatibility policies adopted by the ALUCs. If ALUCs can maintain the integrity of the compatibility planning objectives set forth in the State Aeronautics Act while still accommodating local needs, then they should give careful consideration to any such alternatives.” See Section 3.6.2 Practical Considerations.

*Response: Comment noted.*

32. Because elements of Draft ALUCP goes far beyond the recommended guidance in the Handbook and currently adopted FAT and FCH ALUCPs (which are based on the same Handbook), Airports do not believe that the Draft ALUCP is practical or represents an objective analysis of airport land use compatibility concerns (Section 3.6.2 Practical Considerations).

*Response: It is important to note that the Handbook also states that, “ALUCs may choose to be more restrictive than the State’s guidance when their local conditions warrant doing so. With*

*respect to how land is used and regulated by local governments, the Division does not have the authority to adopt land use development standards. Conversely, ALUCs are statutorily permitted (i.e., they have the option and authority) to include building standards, height restrictions and land uses in their Airport Land Use Compatibility Plans (PUC Section 21675[a]).”*

33. The guidance provided in the Handbook provides an appropriate balance between the need to protect the public from noise and risks and preserve the utility of airports without unreasonably imposing land use burdens to the community. The Draft ALUCP goes far beyond the Handbook guidance and does not provide that balance. Therefore, Airports is not in a position to support the Draft ALUCP at this point in time.

*Response: See response to Comments 6 and 32.*

34. Has a CEQA analysis been initiated and if so is it available for public review and comment? The environmental impacts of an ALUCP arise from its potential to result in displaced development as a result of the potential imposition of more limiting development criteria (Section 3.7.2 California Environmental Quality Act).

*Response: The Draft ALUCP and Initial Study/Negative Declaration were released for 30-day public review and comment on Friday, July 13, 2018. The Fresno County ALUC held a public hearing on the ALUCP update and the Initial Study/Negative Declaration during its regularly scheduled meeting at 2 p.m. on August 6, 2018.*

35. The following are examples found in the Draft ALUCP that are a departure from what the Handbook contemplates, either nonexistent, or overreaching. There may also be other instances.

*Response: See response to Comment 6.*

a. The Handbook defines the Caltrans Safety Zones as Zone 1 through Zone 6. However, the Draft ALUCP incorporates a Zone 7. What safety criteria are used for the creation of an undefined Zone 7?

*Response: See response to Comment 6.*

b. The layout of the Caltrans Safety Zones are defined in the Handbook. The Handbook lays out the dimensions for a traffic pattern zone, which is different in shape and size than the conical surface. What safety criteria are used to determine that the Conical Surface is the new definition of the Traffic Pattern Zone for this ALUCP?

*Response: See response to Comment 6.*

c. What safety criteria are taken into account to use the Conical Surface, the Outer Approach Transitional Surface, and the Precision Approach Surface as part of the AIA/

*Response: See response to Comment 6.*

d. For FAT, clarify use of Large General Aviation Runway as opposed to Large Air Carrier Runway. Refer to (Handbook Table 3A).

*Response: See response to Comment 15.*

e. Pg. C-1, paragraph 3, states that a “short general aviation runway” example was used to draw FCH’s Safety Zones, when actually a “medium general aviation runway” example was used.

*Response: See response to Comment 16.*

f. In Table 3A, Zones 1, 2, & 3, the Prohibited column states “natural gas & petroleum pipe lines.” What safety criteria are used to determine this to be prohibited or reviewable by the ALUC?

*Response: See response to Comment 17.*

g. In Table 3A, Zones 2, 3, & 4, the Prohibited column states “adult schools, colleges, universities.” The Handbook states specifically “Children’s schools, large daycare centers, hospitals, nursing homes” are prohibited. What safety factors contribute to this being added to the prohibited column?

*Response: See response to Comment 19.*

i. In Table 3A under the “Other Development Conditions” it’s stated that airspace review [is] required as well as additional airspace analysis review required. What is the purpose of “additional airspace analysis,” what is the basis for the additional level of evaluation and while will be doing the reviews?

*Response: See response to Comment 20.*

j. Noise: In Table 3B, the 65-69 column has a Not Compatible “N” designation for Group Quarters, Education Facilities, Religious Facilities, Hospitals, Government Services, and Hotels. The Handbook does not prohibit these uses. Rather, it references the ability to attenuate noise to an interior level of 45 dB for only “habitable spaces” as defined in the California Building Code (e.g., hotels, motels, dormitories, apartments). See Section 4.6.2.

*Response: See response to Comment 2.*

k. Noise: In Table 3B, the 65-69 column has Not Compatible “N” designation for Outdoor Sports as well as Nature Exhibits. What is the basis for this? Historically, ALUCPs have addressed these uses as Conditional with mitigation in the form of Aviation Easements.

*Response: See response to Comment 2.*

l. Noise: In Table 3B, the 70-74 column has a Compatible “Y” designation for Cemeteries and a Not Compatible “N” designation for Outdoor sports events. What is the basis for this? Historically, ALUCPs have addressed these uses as Conditional with mitigation in the form of Aviation Easements.

*Response: See response to Comment 2.*

m. Noise. In Table 3B (Continued), the industrial section has been deemed to be all Compatible “Y.” Previous ALUCPs have designated industrial uses as Conditionally Compatible in the 70-74 and 75+ columns.

*Response: See response to Comment 2.*

n. In Section 3.4.2 of the Draft ALUCP (Review of Height of Proposed Objects), what safety criteria are used to determine what the ALUC is able to review? The FAA Part 77 review process provides the appropriate level of safety with regard to the height of objects regardless of Safety Zones.

*Response: See response to Comment 6.*

### **Grace Gomes**

36. Thank you for the work you do to ensure the safety of residents and pilots as it pertains to airports in Fresno County.

In this regard, my public comment is to express extreme concern regarding recent new commercial development on the Southwest corner of Brawley and Herndon, adjacent to the Sierra Sky Park and directly in the path of approaching aircraft.

Having lived in this area for over 20 years, driven my car down Herndon Ave and frequently walking my dogs in the area, I have been witness to and in the path of more than one precarious approach to the runway from the south. To my amazement there is a commercial building going right up on the corner and directly in the path of approaching aircraft. Sometimes you wonder whose minding these developments. It has a high pointed roof and is clearly commercial, meaning there will also be parking and people milling about.

The ALUCP plan (Appendix H4) nicely shows the “protected” approach area, however personal experience has shown that aircraft approach quite low from the south and not always within that zone. The development is precarious close to this zone and the commercial building is inviting a collision, which I would dread to see. Especially when common sense didn’t prevail in granting this development.

To ensure the safety of residents and pilots, please have the city of Fresno revisit this development permit as it has high potential to interfere with runway approaches to Sierra Sky Park.

P.S. – There is commercial development directly to the east of the Sky Park of which I am not as concerned. Aircraft have usually been grounded shortly after they clear the fence on Herndon and they don't approach from the east.

*Response: Comment noted. The information provided above does not pertain to the proposed ALUCP or Initial Study.*