

## FRESNO COUNTY AIRPORT LAND USE COMMISSION Action Summary

**Date:** Monday, April 07, 2014  
**Time:** 2:00 p.m.  
**Place:** COG Sequoia Conference Room  
2035 Tulare St., Suite 201, Fresno, CA

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### CALL TO ORDER

A meeting of the Fresno County Airport Land Use Commission (ALUC) was called to order by Chairman Magsig at 2:00 p.m. Commissioner ill Kidd was asked by Chairman Magsig to lead everyone in the flag salute.

### ROLL CALL

**PRESENT:** Commissioners: Magsig, Mason, Card, Feasel  
Proxies: Kidd, Rathburn, Remy, Estep

**ABSENT:** Commissioners: Borgeas, Perea, Rapada  
Proxies: Kroll, Richey

**OTHERS ATTENDING:** Michael Rowe, County Counsel  
Jane Smith, County Counsel  
Laural Fawcett, Fresno COG Staff  
Marla Day, Fresno COG Staff  
Brian Beagles, City of Fresno  
Gregory Barfield, City of Fresno  
Sophia Pagoulatos, City of Fresno

The Commissioners welcomed Jane Smith, new ALUC County Counsel.

### **1. Consent Items**

- A.** Approve Action Summary for Regular Meeting on February 03, 2014

A motion was made by Commissioner Mason and seconded by Commissioner Remy to approve the minutes of February 3, 2014. A vote was called for and the motion carried.

### **2. Action/Discussion Items**

- A.** City of Fresno Pay Day Lending Establishments Zoning Ordinance Amendment

This amendment to the Fresno Municipal Code restricts locations of, and requires State licensing compliance to operate as, a payday lending establishment.

Laural Fawcett (FCOG) referred to the Staff Report included in the meeting package. The report covered the proposed changes to Chapter 12, Sections 12-220.3, 12-222.3, 12-231.3, 12-105.P and 12-306.N.17 of the Municipal Code.

Staff recommended a finding of consistency based on the following:

In the case of this amendment to the zoning ordinance, both proposed establishments, and those operating under existing use do not increase concentrations of people, or compromise any other standard safety guidelines for the ALUCPPs in City of Fresno for this type of use. Gregory Barfield,

staff representative for Councilmember Oliver Baines, City of Fresno District 3 spoke in favor of the amendment to the code.

After an expressed opportunity for public comment, a motion was made by Commissioner Kidd and seconded by Commissioner Feasel to approve the amendment to the zoning ordinance. A vote was called for and the motion carried.

**B. City of Fresno Urban Growth Management Fire Station Operation Areas Zoning Ordinance Amendment**

This amendment to the Fresno Municipal Code makes changes to requirements in permitting for new residential and commercial developments that affect provision of adequate public safety services that would not be covered by the current Urban Growth Management (UGM) Fire Station Capital Fees.

Ms. Fawcett reported on this item, referring to the Staff Report included in the meeting package. This amendment is to an ordinance of the City of Fresno's municipal code, amending by adding to Chapter 12, Section 12-4.508-E, UGM Development Restrictions. Ms. Fawcett noted that Deputy Fire Chief Timothy V. Henry provided answers to several questions posed by ALUC staff and City of Fresno Supervising Planner, Sophia Pagoulatos.

Staff recommends a finding of consistency based on the following:

In the case of this amendment to the zoning ordinance, public safety considerations are increased, and therefore are consistent with standard safety guidelines for the ALUCPPs in City of Fresno for both existing and proposed development.

Commissioner Magsig pointed out that a representative from the Fire Department was in attendance and the Fire Department is in support of this amendment.

After an expressed opportunity for public comment, a motion was made by Commissioner Remy and seconded by Commissioner Kidd to approve this amendment. A vote was called for and the motion carried.

**C. Mendota (William R. Johnston) Airport Layout Plan**

This Airport Layout Plan was completed for the City of Mendota in 2012 by Provost & Pritchard. All airport layout plans require review by the ALUC.

Ms. Fawcett reported on this item. A map was included in the meeting package. Ms. Fawcett reported that this Airport Layout Plan has not been reviewed by the ALUC. Ms. Fawcett has been in contact with the City of Mendota regarding this Plan. Mendota was not aware of the procedures. Commissioner Feasel asked for staff to provide a copy of the Plan to the Commissioners. Ms. Fawcett will work with the City of Mendota and will bring this item back for approval at a later date. Ms. Fawcett will also do research on the original plan. Provost & Pritchard representatives were invited to attend the meeting to comment but did not attend.

The City of Mendota has had several staff changes recently, they have no airport specialist and there are several issues with the airport at this time.

Following an expressed opportunity for public comment, a motion was made by Commissioner Feasel and seconded by Commissioner Card to continue this item to a date uncertain. Staff will bring this item back at a future date once more information is obtained. A vote was called for and the motion carried.

**3. Administrative Action/Discussion Items**

**A. Building Code/Zoning Ordinance Inquiry Update**

This item is a follow up of Commissioner Feasel's investigation into a business operating within the Fresno Yosemite International Airport influence area, that was a new development not reviewed by the ALUC.

Ms. Fawcett reported that she has been in contact with the Fresno County and they are looking into the matter. Fresno County said they were not aware of ALUC requirements. A follow up report should be available for the next meeting.

Commissioner Magsig pointed out that the ALUC does not have ability to enforce code. It can only make recommendations to elected officials and bring to the attention of Planning Department.

It was suggested that a formal communication be created to send to member agencies stating what the agencies are to report and what the ALUC is.

This was an information item. Staff will report back when more information is made available.

**B. CAL-ALUC 2014 Symposium Event March 19th-21st**

The 2014 California Airport Land Use Consortium (CAL-ALUC), was attended by Chair Nathan Magsig, Commissioners Ray Remy and Dan Card, newly appointed ALUC Counsel Jane Smith, and ALUC staff Loral Fawcett. Commissioner Magsig, Commissioner Remy and Commissioner Card all reported on the recent Symposium. Everyone felt it was a worthwhile event, and there a lot of dedicated ALUC Staff, but that effective tools for conducting reviews are lacking. Commissioner Card also discussed the issue of uses in existing development around the Fresno Yosemite International Airport in particular, uses that encourage large concentrations of people such as various learning institutions.

**C. 2014 RTP - Actions Chapter 5/Aviation Section 5.6 Pages 5-78 to 5-92**

On Friday March 21, 2014 the 2014 Draft Regional Transportation Plan / Sustainable Communities Strategy, Draft Program Environmental Impact Report, Federal Transportation Improvement Program, Air Quality Conformity Analysis was released for public review and comment.

A hard copy was provided. Ms. Fawcett pointed out a portion of Chapter 5, specifically Section 5.6 Aviation Pages 5-78 to 5-92, for review. The complete document is available on the [RTP webpage](#) on the Fresno COG website.

Ms. Fawcett noted that a goal is to produce an updated Airport Compatibility Plan for the County along the same timeline as the Regional Transportation Plan (every 4 years).

Commissioner Card pointed out an error in the map in Chapter 5. Ms. Fawcett will notify staff of the error.

This was an information item.

**D. FYI ALUCP - CEQA Clarification**


At the June 04, 2012 ALUC meeting FYI Airport presented an update to the ALUCP resulting in Runway Safety Area Improvements and the F-15 conversion at the CANG Station. The Initial Study and draft Mitigated Negative Declaration were prepared by the lead agency, City of Fresno Airports Department, and the FYI ALUCP update and IS/Mit-Neg-Dec was approved by resolution 2012-01 by the ALUC on June 04, 2012.

There was a discussion regarding future actions regarding updates that are to be incorporated into the ALUC Plan. It was suggested that approving the update and the EIR in two separate actions would be the best way to handle in the future. It was clarified by staff and County Counsel that the June 04, 2012 approval of the plan and environmental document were in compliance with statutes. Suggestions from Commissioners were discussed for future field trips to tour airports within the ALUC's jurisdiction.

This was an information item and required no action.

**E. School Site within two nautical miles of the Fresno Yosemite International Airport**

**Exhibits:**

-  DOT Notice of School Site within 2 nautical miles of FYI Airport

Caltrans Aeronautics notified ALUC by letter of a school site within two aeronautical miles of the FYI Airport in October of 2013. The site was not within the ALUC review area, or any of the overflight, noise or safety zones, and therefore staff did not recommend it for ALUC review.

**F. Fresno County ALUCP Update**

Caltrans Aeronautics has identified funding for the Countywide ALUCP update. Matching funds are programmed in the Fresno COG budget for this Caltrans ACIP funding source. Staff reiterated commitment to finding other funding sources to complete the intended planning work needed.

There was a discussion about the update and securing a consultant to draft policy and make sure everyone is in compliance.

**4. Presentations**

This portion of the meeting is reserved for persons wishing to address the Airport Land Use Commission on items within the Commission's jurisdiction but not on this agenda.

**There were no public presentations.**

**5. Other Business**

**A. Items from Staff**

1. Form 700s have been filed.
2. AB1234 Mandatory Ethics Training Requirements, have been provided via email.

**B. Items from Members**

**Nathan Magsig requested an update of the ALUC membership to make sure the appointments are current.**

**6. ADJOURN**