

FRESNO COUNTY AIRPORT LAND USE COMMISSION Action Summary

Date: Monday, October 3, 2016, 2016,
Time: 2:00 p.m.
Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

1. CALL TO ORDER

A meeting of the Fresno County Airport Land Use Commission (ALUC) was called to order by Chairman Magsig at 2:10 p.m. Commissioner Darnell was asked by Chairman Magsig to lead everyone in the flag salute.

ROLL CALL

PRESENT: **Commissioners:** Nathan Magsig, Ron Duarte, Daniel Yrigollen, Woody Gregory
Proxies: Ray Remy, Bill Darnell, James Estep

ABSENT: **Commissioners:** Andreas Borgeas, Henry Perea, Steve Rapada,
Proxies: William Kidd, Dan Card, Dwight Kroll, Mark Davis

OTHERS ATTENDING:

Jane Smith, County Counsel
Brenda Veenendaal, Fresno COG Staff
Stephanie Maxwell, Fresno COG Staff
Dan Zack, Fresno City

2. Action/Discussion Items

A. Minutes of August 1, 2016 Meeting of the Fresno County Airport Land Use Commission

A motion was made by Commissioner Estep and seconded by Commissioner Duarte to approve the minutes from August 1, 2016 with edits. A vote was called for and the motion carried.

B. City of Fresno Municipal Code text amendment to Section 15-2739 Medical Marijuana Dispensaries.

Brenda Veenendaal gave a brief summary on this item. This item was brought before the Commission by the City of Fresno due to a requirement in their Development Standard that states all text amendments to their Municipal Code shall be reviewed by the Airport Land Use Commission. However, staff had found no reason, based upon language in the Airport Land Use Plans of Fresno-Chandler Executive Airport, Sierra Sky Park Airport and Fresno Yosemite International Airport, to keep from approving a Determination of Consistency on this item. City of Fresno staff remarked that they are looking at changing the sections of the code that require all text amendments come before the Airport Land Use Commission.

In essence, the ordinance amends section 15-2739 of the Fresno Municipal Code, relating to marijuana dispensaries.

A motion was made by Commissioner Gregory and seconded by Commissioner Darnell to approve a Determination of Consistency for City of Fresno Municipal Code text amendment to Section 15-2739 Medical Marijuana Dispensaries as long as the City of Fresno uses the ALUC guideline book. A vote was called for and the motion carried.

C. General Plan and Development Code Cleanup, City of Fresno [VEENENDAAL]

Brenda Veenendaal reported on this item. The following Plan Amendments, Rezone, Text Amendment, and related Environmental Impact Report related to the proposed adoption of the Downtown Neighborhood Community Plan and the Fulton Corridor Specific Plan. These applications were referred to the Airport Land Use Commission (ALUC) for mandatory review under the provisions of the State of California Public Utilities Code. Only the portions of the plans that are proposed within the boundaries of the Airport Influence Area of the Fresno Chandler Executive Airport Land Use Compatibility Plan were included for review:

1. PLAN AMENDMENT NO A-16-008 proposes to update the text and Land Use Map (Figure LU-1) of the Fresno General Plan to incorporate the Downtown Neighborhoods Community Plan and the Fulton Corridor Specific Plan described below, as well as to correspondingly amend the Edison and West Area Community Plans. Initial adoption date of the Fresno General Plan was December 18, 2014.
2. PLAN AMENDMENT APPLICATION NO. A-16-011 proposes to adopt a new plan, the Downtown Neighborhoods Community Plan, which is located within the southern portion of the City and covers approximately 7,290 acres, of which 1,278 acres lie within the boundaries of the Fresno Chandler Executive Airport Land Use Compatibility Plan (see attached Project Location Map).
3. PLAN AMENDMENT APPLICATION NO. A-16-012 proposes to adopt a new plan, the Fulton Corridor Specific Plan, which is located within the boundaries of the Downtown Neighborhoods Community Plan and covers approximately 655 acres, of which approximately 46 acres lie within the boundaries of the Fresno Chandler Airport Land Use Compatibility Plan (see attached Project Location Map).
4. REZONE APPLICATION NO. R-16-011 proposes to rezone all of the property within the Downtown Neighborhoods Community Plan and the Fulton Corridor Specific Plan areas to be consistent with the planned land use. The rezone covers approximately 7.290 acres, of which 1,278 acres lie within the boundaries of the Fresno Chandler Executive Airport Land Use Compatibility Plan. (See attached Existing Zoning Map and Proposed Zoning Map). The Fresno Zoning Map was most recently comprehensively updated on February 4, 2016.
5. TEXT AMENDMENT APPLICATION NO. TA-16-001 proposes text amendments to the Citywide Development Code, adopted on December 3, 2015, to incorporate the Downtown Development Code, which includes form-based zoning requirements for development within the plan areas described above. The new code provisions would apply to a total of 7,290 acres, of which 1,278 acres lie within the boundaries of the Fresno Chandler Executive Airport Land Use Compatibility Plan. (See attached Downtown Zoning Summary).
6. ENVIRONMENTAL IMPACT REPORT SCH No. 2012041009 has assessed the possible environmental effects of the proposed project and describes those in a Draft EIR released for public review on July 27, 2016.

The full text of the proposed Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan, Downtown Development Code, and Draft EIR can be found at www.fresno.gov/downtownplans

After much discussion on this matter on densities allowed within the land use plans, a motion was made by Commissioner Duarte and was seconded by commissioner Darnell to find the proposed plan amendment and rezone inconsistent with the Airport Land Use Compatibility plan. A vote was called for and the motion carried.

D. Caltrans Division of Aeronautics Grant Application

Brenda Veenendaal updated the Commissioners on all progress relating to the Fresno County ALUC Airport Land Use Plans.

This was an information item with no action taken at the discretion of the committee.

3. Public Presentations

This portion of the meeting is reserved for persons wishing to address the ALUC on items within its jurisdiction but not on this agenda. Note: Prior to action by the ALUC on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.

None

4. Other Business

A. Items from Staff

Upcoming Meetings (please mark your calendars):

- December 5, 2016
- February 6, 2016

B. Items from Members

Nathan Magsig asked to add a selection of Chairman and Vicechair to the December 5, 2016 agenda.

Jim Estep announced that the December 5, 2016 meeting would be his last meeting, he is moving out of the state.

- 5.** A motion was made by Commissioner Duarte and seconded by Commissioner Remy to adjourn the meeting at 3:13 p.m. A vote was called for and the motion carried.