

## FRESNO COUNTY AIRPORT LAND USE COMMISSION Action Summary

**Date:** Thursday, March 8, 2021  
**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 Duarte at 2:00 p.m. This meeting was held via ZOOM due to the Covid-19 Pandemic.

### ROLL CALL

**PRESENT:** **Commissioners:** Daniel Yrigollen, Bill Darnell, Ron Duarte, Dwight Kroll,  
Bob Beck, Ray Remy  
**Proxies:** Mark Davis

**ABSENT:** **Commissioners:** Sal Quintero, Nathan Magsig  
**Proxies:**

### **OTHERS ATTENDING:**

Brenda Veenendaal, Fresno COG  
Braden Duran, Fresno COG  
Stephanie Maxwell, Fresno COG

Jeff O'neal, PPeng  
Robert Phipps, Fresno COG  
Wyatt Czesinski

No public was present.

### 2. Action/Discussion Items

#### C. City of Mendota Cannabis Cultivation Project

Brenda Veenendaal gave a brief update on this item. At the February 1, 2021 meeting the Commissioners considered a request from the City of Mendota and Left Mendota II, LLC for a finding of consistency on City Application No. 21-01 which proposed a new commercial cannabis facility project within the safety zones of William Robert Johnson Airport in Mendota. The project would be located at 999 Marie Street (APN 013-280-29; currently vacant) as shown on the new, attached site plan and as described in the attached Operational Statement. The site plan indicated the approximate locations of the various Safety Zones on the parcel. The City had not prepared a CEQA document or any technical study or taken any action on the project. The ALUC had this item tabled, requesting the following clarifications and informational items be brought back with the item at their next meeting:

- Information about greenhouses and other future building locations
- Clarification about future development of the site
- Evidence of the existing fence
- Clarification about row crops vs. potted plants
- An explanation of removal of all activity from Zone 1 would affect the project

Each of these points were addressed in the attached document titled ALUC Review Request Letter. A photo showing the surrounding fencing was also attached.

The revised proposed project would now sit within two airport safety zones (2 and 6) of the William Robert Johnston Municipal Airport. Zone 1 will remain vacant. Zone 2 prohibits the following uses that may be relevant to the project:

- hazardous uses (e.g., aboveground bulk fuel storage or gas stations)
- Natural gas & petroleum pipe
- Office buildings greater than 3 stories
- Labor intensive industrial uses (greater than 60 persons per acre)
- Dumps or landfills, other than those consisting entirely of earth & rock
- Waterways that create a bird attractant
- Hazards to flight - include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Land use development, such as golf courses and certain types of crops, as outlined in FAA's Advisory Circular 150/5200-33B, Hazardous Wildlife Attractants on or Near Airports, that may cause the attraction of birds to increase is also prohibited.

Other Development Conditions in Zone 2 included:

- Airport disclosure notice required
- Locate structures maximum distance from extended runway centerline
- Airspace review required for objects > 35 feet tall

Zone 6's prohibited uses included the following relevant uses:

- Hazards to flight - include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations.
- Land use development, such as golf courses and certain types of crops, as outlined in FAA's Advisory Circular 150/5200-33B
- Hazardous Wildlife Attractants on or Near Airports, that may cause the attraction of birds to increase is also prohibited.

Zone 6's Other Development Conditions:

- Airport disclosure notice required
- Airspace review required for objects >100 feet tall
- New structures are prohibited on existing terrain that penetrates 14 CFR Part 77 surfaces
- New structures require additional airspace analysis required within the 50-foot terrain penetration buffer

The proposed project sits outside of the airport's noise contours; therefore, noise was not an issue. However, an FAA Finding of no Hazard may need to be filed for this project.

Commissioner Duarte asked how many people would be working at the sight. Chris Lefkowitz said that there would be under 60 people over a week or two to harvest.

Commissioner Duarte asked if the fence be moved. Jeff O'neal said that he did not know if the removal of the fence was under the FFA rules.

Commissioner Remy asked if all sections of the zones could be on one page to review.

A motion was made by Commissioner Kroll and seconded by Commissioner Remy to approve a Conditional approval of Finding of Consistency for the revised City of Mendota's Application No. 21-01, Left Mendota II, LLC Commercial Cannabis Facility if an FAA Finding of No Hazard is not required, with the Stipe when there is a change it will come back to the ALUC. A vote was called for and the motion carried.

**B. ALUCP Amendment Update (Brenda Veenendaal)**

Brenda Veenendaal provided a verbal update to the Commission on ALUCP amendment progress.

**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 Members**

None

**B. Items from Staff**

1. Upcoming meetings (regular schedule)

- April 5, 2021
- June 7, 2021

A Motion was made by Commissioner Remy and seconded by Commissioner Darnell to adjourn the meeting at 3:20 pm. A vote was called for and the motion carried.