

FRESNO COUNTY AIRPORT LAND USE COMMISSION Action Summary

Date: Monday, August 7, 2023
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 2:02 p.m.

A. **Pledge of Allegiance**

B. **Roll Call**

PRESENT: **Commissioners:** Ron Duarte, Ray Remy, John Bartel
Proxies: John Krikorian, Ari Martinez, Mark Davis, Dwight Kroll

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

OTHERS ATTENDING:

Brenda Thomas, Fresno COG
Lindsay Beavers, Legal Counsel
Stephanie Maxwell, Fresno COG
Drew Wilson, City of Fresno
Sophia Pagoulates, City of Fresno
Adrienne Asadoonian, City of Fresno
Dennis Sniffin

2. **Action/Discussion Items**

A. **June 5, 2022 ALUC Action Summary**

A motion was made by Commissioner Remy and Seconded Commissioner Davis to approve the June 5, 2022 Fresno County Airport Land Use Commission Action Summary. A vote was called for and the motion carried.

B. **City of Fresno Southeast Development Area Specific Plan (Brenda Thomas) [ACTION]**

Brenda Thomas reported on this item. The City of Fresno's Southeast Development Area (SEDA) Specific Plan covered approximately 9,000 acres southeast of Fresno's Sphere of Influence. It was bounded on the west by Minnewawa, Temperance and Locan Avenues, on the east by McCall, Highland and Temperance Avenues, on the north by the Gould Canal, and on the south by North and Jensen Avenues.

The Southeast Development Area Specific Plan would create housing supply at all income levels within complete, walkable communities in a fiscally sustainable, environmentally sound, climate-

friendly and equitable manner. The plan intends to accommodate between 40,000 and 45,000 dwelling units of varying types, sizes, densities and affordability levels in addition to 30,000 to 37,000 jobs.

The Specific Plan proposes the following densities based on the land use types included in the Plan:

- Regional Town Center: 30-100 units/acre
- Community Town Center: 25-80 units/acre
- Neighborhood Town Center: 15-40 units/acre
- Mixed Residential: 8-60 units/acre
- Neighborhood Residential: 6-30 units/acre
- Rural Residential: 0.1-0.5 units/acre
- Rural Cluster Residential: 0.1-0.5 units/acre

Concurrent with the adoption of the draft specific plan, certification of the associated Environmental Impact Report will also occur.

SEDA's plan boundaries sit within FAT's Safety Zone 6 – Traffic Pattern Zone and Zone 7 -- Precision Approach Zone. Zone 6 carries few requirements, with no limit on the number of dwelling units allowed per acre. The maximum non-residential intensity is 300 persons per acre, so no outdoor stadiums or similar uses with very high intensity uses would be permitted. Hazards to flight would also be prohibited in this zone which included physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Therefore, any proposed land use changes appear to be consistent with limits required within Safety Zone 6. Other development conditions for this zone state that no object shall have a height that would penetrate the airspace protection surface of the airport. All projects would need to follow the FAA 7460 review process to determine an obstruction.

Safety Zone 7 had one prohibition and that was hazards to flight. Identical to requirements of Zone 6, no object shall have a height that would penetrate the airspace protection surface of the airport. Any object that penetrates one of these surfaces is, by FAA definition, considered an obstruction. A proposed object having a height that exceeds the airport's airspace protection surface shall be allowed only if, upon conclusion of the FAA's 7460 review process, the FAA determines that the object would not be a hazard to air navigation.

The SEDA Specific Plan Area does not sit within the airport's noise contours or the Vulnerable Occupants Review Area (VORA) of FAT.

ALUCP Section 2.8.2 states that since the plan consists of only generalized land use designations without project details (e.g., site layout, density/intensity, building heights), land use projects within the Specific Plan area will need to seek a Finding of Consistency from the ALUC if they include one of the following:

- A land use plan amendment or rezoning application
- A determination from the FAA that it will constitute a hazard or obstruction to air navigation
- Characteristics that may result in the creation of a hazard to air navigation

A motion was made by Commissioner Bartel and seconded by Commissioner Kroll to approve a Finding of Consistency for City of Fresno's Southeast Development Area Specific Plan. A vote was called for and the motion carried.

C. **City of Fresno Amendment Plan Amendment/Rezone Application and Related Development Permit Application**

Brenda Thomas reported on this item. The City of Fresno requested a Finding of Consistency for Plan Amendment/Rezone Application No. P22-04389 and related Development Permit Application No. P22-02376, submitted by The Vincent Company Architects, Inc. Plan Amendment Application No. P22-04389 proposed to amend the Fresno General Plan and McLane Community Plan to change the planned land use designations for the subject property from Low Density Residential to Medium High Density Residential. The rezone application component proposed to amend the Official Zoning Map of the City of Fresno to rezone the subject property from the RS-1 (Residential Single-Family, Extremely Low Density) (±4.39 acres) to the RM-1 (Residential Multi-Family, Medium High Density) (±4.39 acres) zone district in accordance with the Plan Amendment Application.

Related Development Permit Application No. P22-02376 requests authorization to construct a 64-unit, two-story multi-family residential development including a community building. The project proposes on and off-site improvements including but not limited to: curbs, gutters, and sidewalks; landscaping; and guest, and employee parking.

An Initial Study/Mitigated Negative Declaration had been prepared for this project and was required adoption with project approval. The approval of this project was subject to compliance with Conditions of Approval. In addition, Approval of the subject Plan Amendment/Rezone Application No. P22-04389 shall comply with SB 330, commonly referred to as the Housing Crisis Act of 2019.

The subject property sits within FAT's Safety Zone 6 – Traffic Pattern Zone which required no limit on the number of dwelling units allowed per acre. The maximum non-residential intensity is 300 persons per acre, so no outdoor stadiums or similar uses with very high intensity uses would be permitted. Hazards to flight would also be prohibited in this zone which included physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations. Therefore, any proposed land use changes appear to be consistent with the limits required within Safety Zone 6. Other development conditions this zone state that no object shall have a height that would penetrate the airspace protection surface of the airport.

The subject property does not sit within the airport's noise contours or the Vulnerable Occupants Review Area (VORA) of FAT. However, the FAA 7460 Notice Criteria Tool review result is attached and requires that they file.

A motion was made by Commissioner Kroll and seconded by Commissioner Davies to approve a Finding of Consistency for City of Fresno's Plan Amendment/Rezone Application No. P22-04389 and related Development Permit Application No. P22-02376. A vote was called for and the motion carried.

D. **Amendment to the Fresno County ALUCP – (Brenda Thomas) [DISCUSSION]**

Brenda Thomas reported on this item. With the ALUC's permission, Fresno COG contracted with Coffman Associates to complete work on the Fresno County Airport Land Use Plan (ALUCP) Amendment #2. To date, Coffman had revised exhibits are working on the noise modeling.

As you recall, the Fresno-Chandler Executive Airport Master Plan was approved by the FAA in May 2023. Due to changes in the Fresno-Chandler Airport Layout Plan resulting from the updated master plan approval, certain exhibits in the Fresno County Airport Land Use Compatibility Plan require updating. This triggered a need to amend the Fresno County Airport Land Use Compatibility Plan (ALUCP).

Amendment #2 Scope of Service Deliverables:

1. 20-year forecast noise contours for Fresno-Chandler Executive Airport
2. Revised safety zones for Fresno-Chandler Executive Airport
3. Revised Appendix C Exhibits
4. ALUC and public outreach meeting materials
5. Updated pdf version of the amended ALUCP

The current plan is located on the Fresno Council of Governments webpage at the following link: [Airport Land Use Commission of Fresno County - Fresno Council of Governments \(fresnocog.org\)](https://www.fresnocog.org)

This was an information item.

3. **Other Business**

A. **Items From Members**

B. **Items From Staff**

Upcoming 2023 meeting dates (regular schedule)

- October 2
- December 4

4. **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.**

5. **Adjourn**

A Motion was made by Commissioner Remy and seconded by Commissioner Davis to adjourn the meeting at 2:36 pm. A vote was called for and the motion carried.