

FRESNO COUNTY AIRPORT LAND USE COMMISSION Action Summary

Date: Monday, December 4, 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 2:01 p.m.

A. Pledge of Allegiance

B. Roll Call

PRESENT: **Commissioners:** Ron Duarte, Jon Bartel
Proxies: John Krikorian, Mark Davis, Dwight Kroll, Nicole Zieba, Ari Martinez

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

OTHERS ATTENDING:

Brenda Thomas, Fresno COG
Jennifer Rodriguez, Fresno COG
Lindsay Beavers, Legal Counsel
Stephanie Maxwell, Fresno COG
Dirk Poeschel, Land Development Services

2. Action/Discussion Items

A. October 2, 2023 ALUC Action Summary

A motion was made by Commissioner Davis and seconded by Commissioner Kroll to approve the October 2, 2023, Fresno County Airport Land Use Commission Action Summary. A vote was called for and the motion carried.

C. City of Fresno Text Amendment No. P23-03410- Sections 15-2761 and 15-6802 to the Fresno Municipal Code (Jennifer Rodriguez) [ACTION]

Jennifer Rodriguez reported on this item. The City of Fresno had filed Text Amendment Application No. P23-03410 to modify use regulations for tobacco and vapor sales within the City of Fresno boundaries. The City of Fresno had requested authorization of an amendment to the Citywide Development Code and to modify Fresno Municipal Code (FMC) Sections 15-6802 (Definitions) and 15-2761 (Tobacco and Vapor Sales).

The amendment was proposed to add terms and definitions to FMC Section 15-6208 (Definitions) and amend FMC Section 15-2761 (Tobacco and Vapor Sales) of the Citywide Development Code to provide additional regulations for tobacco and vapor sales as a primary use.

The current code regulations for tobacco and vapor sales in FMC Section 15-2761 only provided restrictions for signage when establishments are near sensitive areas, i.e., any establishment located within 400 feet of a park, school (private or public), day care, or other youth-sensitive places may not advertise smoke sales or related paraphernalia in a manner visible from outside the establishment.

The amendment replaced the existing regulations entirely. Specifically, the proposed Text Amendment provided additional regulations relating to tobacco and vapor sales as a primary use, which were not incidental to a larger retail use such as supermarkets and convenience stores; otherwise known as “Smoke Shops.”

The amendment also added definitions to Tobacco Product; tobacco retailer; existing tobacco retailer; new tobacco retailer; and paraphernalia in FMC Section 15-6208.

The text amendment was required to be brought before the Airport Land Use Commission, but it was not anticipated to affect the airports or airport land uses.

A motion was made by Commissioner Kroll and seconded by Commissioner Zieba to approve a Finding of Consistency for the City of Fresno Text Amendment No. P23-03410- Sections 15-2761 and 15-6902 of the Fresno Municipal Code. A vote was called for and the motion carried.

D. Stamoules Produce Request for Finding of Consistency for New Special Use Airport (Brenda Thomas) [ACTION]

Brenda Thomas reported on this item. Stamoules Produce Company, Inc. operates a large crop producing facility in the unincorporated community of Mendota. They wish to construct and operate a special use airport for business and personal use, and seasonal crop-dusting. The plan consists of an approximately 4,847-foot-long by 75-foot-wide runway, along with an approximately 10,173 square-foot hangar building with offices and a 2,000 square-foot caretakers’ residence, on a 434.93-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

The project was submitted to Caltrans as a Private-Use airport, however Caltrans disagreed with the proponent’s designation of the airport as Private-Use and advised that it would be classified as Special-Use as defined by the California Code of Regulations. Caltrans’ letter to the City of Mendota is attached for your review.

The project site was located approximately one half-mile northeast of the intersection of W. California Avenue and S. Lyon Avenue, and approximately four miles southwest of the nearest city limits of the City of Mendota (904 S. Lyon Avenue).

The Fresno County Planning Commission approved the land use in June 2023, and the project received approval to move forward with a plan of construction in November 2023, from the Fresno County Board of Supervisors. Now, the airport plan was required to receive a Finding of Consistency with the Airport Land Use Commission’s Compatibility Plan.

The attached resolution document outlines the nature of the airports operations and addresses any known concerns. In summary, the airport would not store any hazardous materials or fuels onsite. Aircraft noises were emitted by the applicant’s aircraft, with flight times varying between 7 am to 10 pm three days per week, and crop dusting would be done seasonally. Estimated noise contours illustrating the location and length of the proposed airport were included which illustrates the approximate location of the 70 and 60

CNEL noise profile of the proposed airport using the Sierra Sky Park Airport Land Use Plan noise profiles as a guide. (Not available when agenda released, was added 11/29.)

Project location maps, a layout plan and Hangar Site Plans were attached for your review, as well as the Board of Supervisor's signed resolution approving the project.

A motion was made by Commissioner Martinez and seconded by Commissioner Davis to approve a Finding of Consistency for Stamoules Produce Company, Inc.'s new proposed special use airport. A vote was called for and the motion carried.

E. City of Fresno Tentative Tract Map 6441 P23-01144/Plan Amendment-Rezone P23-01117/ Planned Development P23-03735

Brenda Thomas reported on this item. Vesting Tentative Tract Map No. 6441 was filed with the City of Fresno by Precision Civil Engineering, on behalf of Yanhua Wu, pertaining to approximately 4.23 acres of property located on the south side of East Belmont Avenue east of North Armstrong Avenue. The applicant requests authorization to subdivide the subject property into a 30-lot single-family subdivision.

Plan Amendment-Rezone Application No. P23-01117 was filed by Precision Civil Engineering, on behalf of Yanhua Wu, pertaining to approximately 4.23 acres of property located on the south side of East Belmont Avenue east of North Armstrong Avenue. The applicant requests authorization to rezone the subject property to RS-5 (previously RS-3) and amend the General Plan to change the land use designation to Residential Single-Family, Medium Density (previously Residential Single-Family, Low Density).

Planned Development Permit Application No. P23-03735 proposed modifications to the zoning code to reduce the minimum lot size, street side setback, rear setback, and increase maximum lot coverage. The modifications allowed flexibility for floor plans to be built on all of the lots and create housing that is affordable by design since the overall housing costs would be less than traditional subdivisions because they were smaller and more efficiently designed.

The project was located within Safety Zone 6, the Traffic Pattern Zone (TPZ) of Fresno Yosemite International Airport. There were no limits on dwelling units per acre in this zone and no foreseeable hazards to flight depicted in the tract layouts provided. This project does not sit within the noise contours of any airport.

A motion was made by Commissioner Kroll and seconded by Commissioner Davis to approve a Finding of Consistency for the City of Fresno's Tentative Tract Map 6441 P23-01144, Plan Amendment-Rezone P23-01117 and Planned Development P23-03735. A vote was called for and the motion carried.

3. Other Business

A. Items From Members

None

B. **Items From Staff**

2024 meeting dates

- February 5
- April 1
- June 3

Commissioner Duarte will not be attending the February 5, 2024 ALUC meeting.

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.**

None

5. **Adjourn**

A Motion was made by Commissioner Krikorian and seconded by Commissioner Davis to adjourn the meeting at 2:24 p.m. A vote was called for and the motion carried.