

SIERRA SKI PARK

LAND USE POLICY PLAN
ADOPTED AUGUST 1985

AMENDED
DECEMBER 12, 1988
SEPTEMBER 15, 1998

PRINTED NOVEMBER 15, 1998

CITY OF FRESNO
DEVELOPMENT DEPARTMENT
PLANNING DIVISION

**SIERRA SKY PARK
LAND USE POLICY PLAN**

CITY OF FRESNO

**ADOPTED AUGUST 1985
AMENDED DECEMBER 12, 1988
AND
SEPTEMBER 15, 1998**

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AIRPORT LAND USE POLICY PLAN

INTRODUCTION

This Policy Plan sets forth the criteria which the City of Fresno will use in evaluating development proposals proposed for adoption of plan amendments in the vicinity of Sierra Sky Park Airport.

Plan amendments and rezonings initiated by the City Council are then referred to the Airport Land Use Commission (ALUC) for consistency with the Commission's Sierra Sky Park Land Use Policy Plan. The statutory authority for establishment of the ALUC and its adoption of procedures and policies is provided by the California Public Utilities Code, Sections 21670-21678 (Chapter 4, Article 3.5).

The Commission functions primarily in a review capacity. Proposals for the adoption or amendment of general and specific plans, zoning ordinances, building regulations, and airport master plans are to be referred to the Commission prior to final action being taken by the appropriate governing body. There are some differences between the City's plan for Sierra Sky Park and the County's adopted plan. Where those differences cannot be resolved, the City either accepts the findings of the ALUC or must override the Commission's determination of inconsistency by a four-fifths vote.

The following section presents policies addressing land use compatibility with airports' noise, airspace protection, safety, and general nuisance impacts. The final section indicates the specific types of projects which are subject to Commission review and establishes the geographic limits of the area within which projects are to be referred to the Commission for review.

GOALS AND OBJECTIVES

This land use policy plan intends to safeguard the general welfare of its inhabitants within the vicinity of this airport and to ensure the continued operation of the airport for the planning future of Sierra Sky Park. Specifically, the plan seeks to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not located in areas incompatible with airport operations, and to ensure that no structures or activities adversely affect navigable airspace. The implementation of this policy plan will limit urban encroachment on Sierra Sky Park and allow for its continued operation.

This Plan addresses those areas and issues which are affected by, or affect, aircraft operations and the use of Sierra Sky Park. Threats to the continuation of flight operations, or to the property, health and welfare of persons on the ground shall be considered legitimate interests of this plan.

EXISTING CONDITIONS

Sierra Sky Park is a general aviation airport and is located approximately ten (10) miles northwest of the Fresno Downtown area. The facility is a privately owned, public use airport operated by a California General Partnership. It is one of six public-use general aviation airports in Fresno County.

Sierra Sky Park and the surrounding commercial and residential subdivision originated in 1946 and the current airport operations area incorporates thirty-three (33) acres. The original airport permit was issued by the California Department of Transportation, Division of Aeronautics on September 30, 1949 and on February 9, 1960, the Fresno County Board of Supervisors issued Special Use Permit #334 for the operation of the airstrip and commercial facilities. On December of 1978, the airport and adjacent commercial-zoned parcels were annexed to the City of Fresno. Sierra Sky Park has and continues to serve small general aviation aircraft.

Sierra Sky Park is a Basic Utility Stage I Airport as classified by the FAA and is capable of accommodating 75% of small (less than 12,500 pounds) general aviation aircraft. Due to increased commercial and corporate activities at FAT, Sierra Sky Park acts as a reliever airport for small general aviation aircraft. The runway 30-12 is 2926 feet by 50 feet. About 75 aircraft are presently based at the facility. An active fixed base operator provides general aviation services at the airport.

The airport operations area occupies thirty-three (33) acres of the 168 acre Sierra Sky park subdivision containing 105 residential lots. Of the 33 acres, 5.5 acres are commercially zoned. The 14,000 square foot hangar-office complex houses the airport offices, FBO offices, and aircraft hangar and maintenance facilities. Parking for 30 vehicles is adjacent to the hangar-office complex. The existing street system on the south coupled with the topographic "Bluffs" area on the north limit expansion opportunities for the site.

LAND USE COMPATIBILITY POLICIES

A. NOISE

1. The airport/aircraft noise exposure which shall be considered normally acceptable for residential areas is 65 dB CNEL as defined by Title 21, Subchapter 6 of the California Administrative Code (Noise Standards).
2. The relative acceptability or unacceptability of a particular land use with respect to the noise levels to which it would be exposed is indicated in the "Airport Noise Compatibility Criteria" matrix, Table 1. These criteria shall be the principal determinants of whether a proposed land use is compatible with a given airport/aircraft noise exposure. Special circumstances which could affect a specific proposal's noise sensitivity (e.g. the extent or lack of outdoor activity) shall also be taken into account.
3. The interior noise level attributable to airport-aircraft noise sources shall not exceed 45 dB CNEL with windows and doors closed in any habitable room or a residential dwelling.
4. An acoustical analysis shall be required for proposed projects involving land uses which are "conditionally acceptable" within a noise environment exceeding 65 dB CNEL, when such projects are proposed for areas within the 65 dB CNEL contour of the airport unless otherwise required by California Administrative Code (CAC) Title 24 (California Noise Insulation Standards). The acoustical analysis shall be completed in a manner which is consistent with the requirements of CAC Title 24. In quantifying airport/aircraft noise exposure on site, the acoustical analysis shall include consideration of engine run-up noise where applicable.
5. When applying the noise compatibility criteria listed in Table 1 to a given location, the basis for evaluation shall be the CNEL contours shown in the Policy Plan Map (Year 2000 forecast, projected future conditions - 76,320 annual operations). If the noise analysis, which may include noise monitoring, indicates that project noise exposure may be higher or lower than indicated by the Policy Map Plan due to site-specific conditions or changes in airport/aircraft operations, the noise exposure used for project evaluation may be adjusted based upon the best available information at the discretion of the Airport Land Use Commission.

TABLE 1

Sierra Sky Park Airport
Noise Compatibility Criteria

LAND USE CATEGORY	CNEL 60-65	65-70	70-75
<u>Residential</u>			
*Single-family and multi-family residential	0	--	--
*Mobile homes	0	--	--
*Transient lodging	-	--	--
<u>Public/Institutional</u>			
*Schools, libraries, hospitals, nursing homes, day nurseries	0	-	--
*Churches, auditoriums, concert halls	0	-	--
Transportation, parking, cemeteries	++	+	0
<u>Commercial and Industrial</u>			
Offices, retail trade	+	0	-
Service commercial, wholesale trade, warehousing, light industrial	+	0	0
General manufacturing, utilities, extractive industry	++	+	+
<u>Agricultural and Recreational</u>			
Cropland	++	++	+
Livestock breeding	0	0	-
Parks, playgrounds, zoos	+	0	-
Golf courses, riding stables	+	0	0
water recreation	+	0	0
Outdoor spectator sports	+	0	-
Amphitheaters	-	--	--

****See Next Page for Explanation of Symbols****

LAND USE ACCEPTABILITY

INTERPRETATION/CONDITIONS

- ++ Clearly Acceptable

The activities associated with the specified land use can be carried out with essentially no interference from the noise exposure.
- + Normally Acceptable

Noise is a factor to be considered in that slight interference with outdoor activities may occur. Conventional construction methods will eliminate most noise intrusions upon indoor activities.
- o Conditionally Acceptable

The indicated noise exposure will cause moderate interference with outdoor activities and with indoor activities when windows are open. The land use is acceptable on the conditions that outdoor activities are minimal and construction features which provide sufficient noise attenuation are used (e.g., installation of air conditioning so that windows can be kept closed). Under other circumstances, the land use should be discouraged.
- Normally Unacceptable

Noise will create substantial interference with both outdoor and indoor activities. Noise intrusion upon indoor activities can be mitigated by requiring special noise insulation construction. Land uses which have conventionally constructed structures and/or involve outdoor activities which would be disrupted by noise should generally be avoided.
- Clearly Unacceptable

Unacceptable noise intrusion upon land use activities will occur. Adequate structural noise insulation is not practical under most circumstances. The indicated land use should be avoided unless strong overriding factors prevail and it should be prohibited if outdoor activities are involved.
- * Acoustical Analysis Required

An acoustical analysis is required for these categories of land uses pursuant to noise policy A.4.

B. AIRSPACE PROTECTION

1. No structure, tree, or other object shall be permitted to exceed the height limits established in accordance with Part 77, Subpart C, of the Federal Aviation Regulations (FAR). This criterion applies unless, in the case of a proposed object or growing tree, one or more of the following apply:
 - a. The object would be substantially shielded by existing permanent structures or terrain in a manner such that it clearly would not affect the safety of air navigation;
 - b. The FAA has conducted an aeronautical study and either determined that the object would not result in a hazard to air navigation or made recommendations for the object's proper marking and lighting as an obstruction;
 - c. The object is otherwise exempted from the requirements of FAR Part 77;

Or, in the case of an existing object, it exceeds the prescribed height limits at the time the ordinance is adopted, in which case marking and lighting may still be required.

2. No object shall be permitted to be erected which because of height or other factors, would result in an increase in the minimum ceiling or visibility criteria for an existing or proposed instrument approach procedure.
3. The FAR Part 77 surfaces depicted on the Land Use Policy Plan Map shall be used in conjunction with the above airspace policies to determine whether the height of an object is acceptable.

C. SAFETY

1. Land uses or land use characteristics which may affect safe air navigation or which, because of their nature and proximity to an airport, may be incompatible with the airport shall be avoided in the vicinity of Sierra Sky Park.
2. The criteria which shall be used to evaluate whether a land use is acceptable with respect to its airport proximity are set forth in Table 2. The indicated compatibility criteria shall be used in conjunction with the Land Use Policy Plan Map.
3. Land uses which attract concentrations of birds are a special concern because of the agricultural uses near Sierra Sky Park. In applying the Compatibility Criteria to agricultural areas, attention should be given to whether a particular type of agricultural use commonly attracts birds.

4. Sanitary landfills can attract birds and generate airborne debris, posing a threat to aircraft operations which cannot be satisfactorily mitigated by conventional operating procedures. Landfills should therefore not be permitted in proximity to Sierra Sky Park.

D. GENERAL

1. Avigation Easement

- a. Except when overriding circumstances exist, a condition for approval of any residential subdivision or zoning change within the airport's Primary Review Area, as subsequently defined herein, shall be the dedication of an avigation easement to the City of Fresno. The avigation easement shall contain the following property rights:

- 1) Right-of-flight at any altitude above acquired easement surfaces.
- 2) Right to generate noise, vibrations, fumes, dust, and fuel particle emissions.
- 3) Right-of-entry to remove, mark, or light any structures or growths above easement surfaces.
- 4) Right to prohibit creation of electrical interference, unusual light sources, and other hazards to aircraft flight.
- 5) Right to prevent erection or growth of all objects above acquired easement surfaces.

The easement surfaces acquired shall be based on Part 77 of the Federal Aviation Regulations except that no easement surface less than 35 feet above ground shall be acquired.

- b. As a further condition for approval of a residential subdivision or zoning change within the airport's Planning Review Area, the local jurisdiction shall, except where overriding circumstances exist, require the property owners to agree to the following on Table II.

TABLE II
AIRPORT/LAND USE COMPATIBILITY CRITERIA

LAND USE CHARACTERISTIC	RUNWAY AND CLEAR ZONES /1/	INNER APPROACH ZONES /2/	OUTER APPROACH ZONES /3/
Residential Uses	-	[A,E,G]	[B,E,G]
Other Uses in Structures	-	[C,D,E]	[D,E]
Other Uses Not in Structures	[C]	[C]	+
Special Characteristics Distracting Lights or Glare	-	-	-
Sources of Smoke or Electronic Interference	-	-	-
Attractor of Birds	-	-	-

NOTES

/1/ See Policy Plan Map for location of zones.

/2/ The inner approach zone extends to the point below where the approach surface intersects the horizontal surface.

/3/ The outer approach zone extends to the point of the junction of the horizontal and conical zones.

INTERPRETATION

+ ACCEPTABLE: Use is acceptable.

[] CONDITIONALLY ACCEPTABLE: Use is acceptable under conditions cited below.

A . . Density no greater than 3 dwelling units per acre.

B . . Outer Approach Zone: Density no greater than 2-5 dwelling units per acre.

C . . No uses attracting more than 10 persons per acre.

D . . No schools, hospitals, nursing homes, churches, or similar uses or structures for large assemblages of persons.

- E . . . At least 20% of area to be in landscaped open space in a clustered configuration.
- F . . . Allowed only if cannot reasonably be avoided or located outside the indicated zone.
- G . . . Density Transfer Provision - a conditional use permit shall be required of any property owner who seeks the privilege of "transferring" the number of dwelling units which such property owner could have constructed in the Inner and Outer Approach Zone onto the remainder of the impacted parcel which lies outside said zone and which is under the same ownership, using the underlying land use designation of the 1984 Fresno General Plan.

- UNACCEPTABLE: Use is unacceptable.

D. GENERAL (cont.)

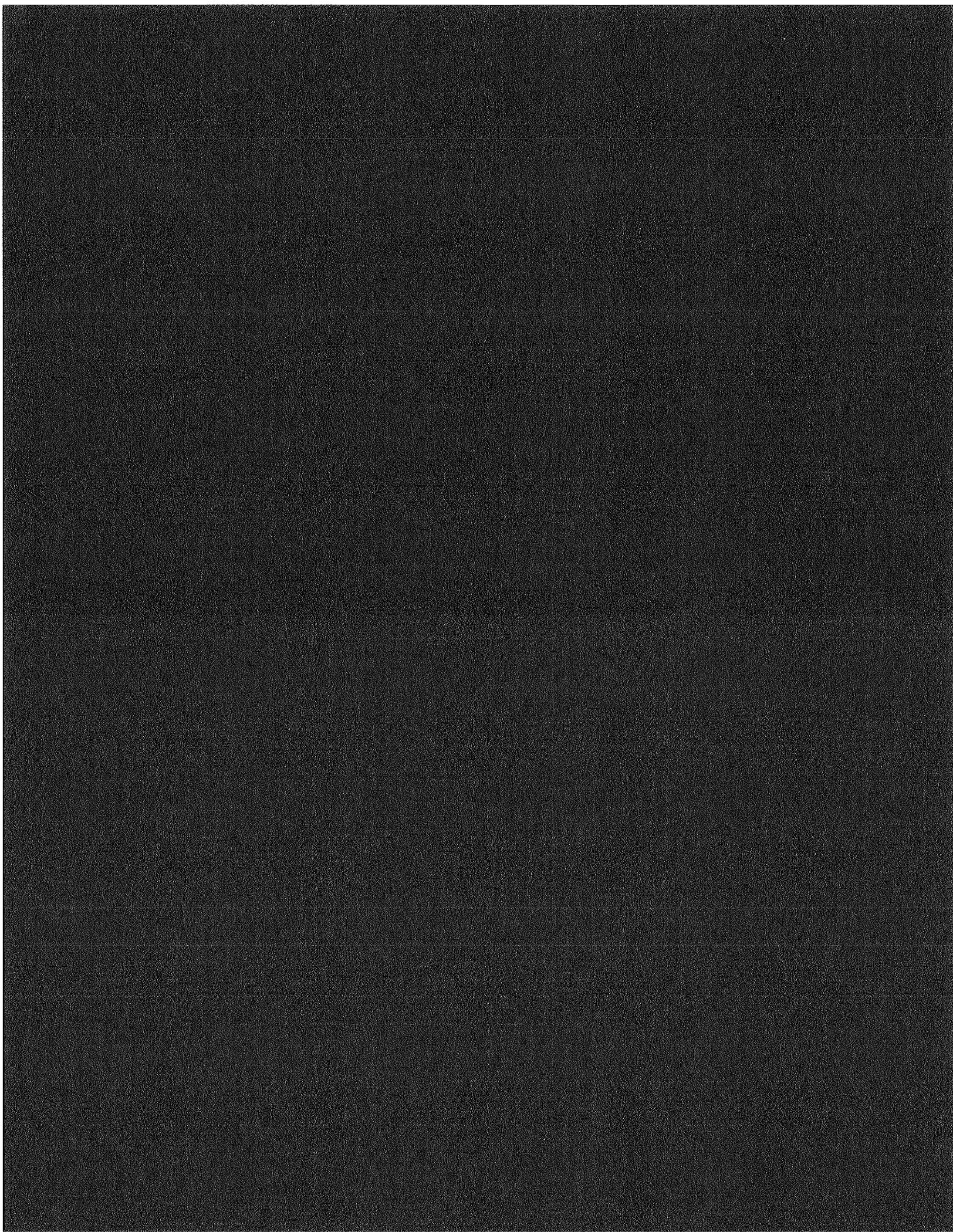
- 1) That it is understood by the owners and owners' successors in interest that the real property in question lies close to Sierra Sky Park and that the operation of the airport and the landing and take-off of aircraft may generate noise levels which will affect the habitability and quiet enjoyment of the property.
 - 2) That the owners covenant to accept and acknowledge the operation of Sierra Sky Park.
- c. The above easements and covenants, conditions and restrictions shall run with the land and shall be binding upon the owners and subsequent owners of the property.

2. Buyer Notification

The Airport Land Use Commission encourages local governments to establish a "buyer notification statement" as a requirement for the transfer of title of any property located within the airport's planning Review Area. This statement should indicate that the buyer is aware of the proximity of Sierra Sky Park, the characteristics of the airport's current and projected activity, and the likelihood of aircraft overflights of the affected property.

SCOPE OF
REVIEW

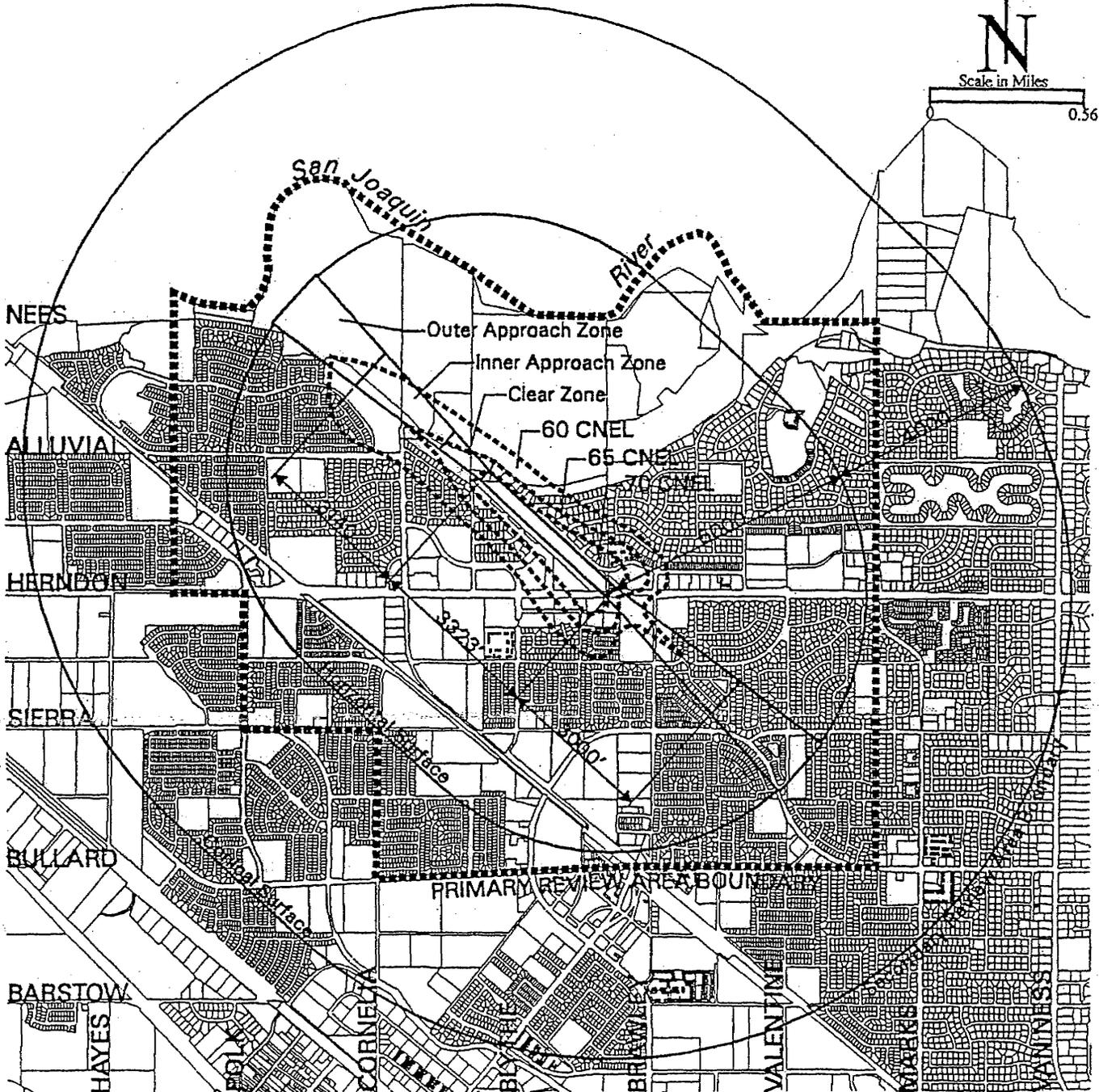
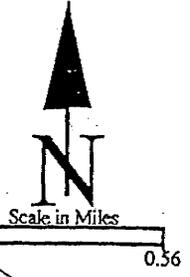
- A. For the purposes of referral to the Airport Land Use Commission, a "proposed project" is defined as the adoption of and the amendment to general and specific plans, zoning ordinances, building regulations, the airport master plans. Projects shall be referred to the Commission prior to an action taken by local advisory and governing bodies.
- B. Evaluation of projects shall be based primarily on the land use compatibility policies set forth above. Where an overlap occurs among the various compatibility policies, all policies applicable to the particular location shall be considered.
- C. All proposed projects involving land lying within the geographic boundaries of the Primary Review Area for the Sierra Sky Park shall be referred to the Fresno County Airport Land Use Commission for review and evaluation as to their consistency with this plan.
- D. Outside of the Primary Review Area, only those projects involving a structure or other object the height of which would exceed that permitted as defined in FAR Part 77, or those that create dust, smoke, steam, glare, etc., or attract birds need to be referred to the Commission for review.
- E. The Review Area boundaries for Sierra Sky Park are depicted in the Policy Plan Map.
- F. A copy of any Notice of Construction or Alteration submitted to the Federal Aviation Administration in accordance with FAR Part 77, Subpart B, shall concurrently be submitted to the Airport Land Use Commission for review regardless of where in the County the object involved is proposed to be located.



EXHIBIT

SIERRA SKY PARK LAND USE POLICY PLAN MAP

Amended by Reso. No. 98-272 on 9-15-98



RESOLUTION NO. 98-272

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING THE BULLARD COMMUNITY PLAN AND THE SIERRA SKY PARK LAND USE POLICY PLAN (PLAN AMENDMENT NO. A-98-014)

WHEREAS, on December 12, 1988, by Resolution No. 88-426, the Council adopted the Bullard Community Plan and amended the Sierra Sky Park Land Use Policy Plan; and

WHEREAS, on December 20, 1988, by Resolution No. 88-451, the Council adopted final elements of the Bullard Community Plan and amended the Sierra Sky Park Land Use Policy Plan; and

WHEREAS, the Director of the Development Department initiated an application to amend the noise contours of the aforementioned plans to conform to the existing noise levels near the Sierra Sky Park Airport; and

WHEREAS, the environmental assessment conducted for the proposed plan amendment resulted in the filing of a Categorical Exemption; and

WHEREAS, on September 2, 1998, the Planning Commission held a public hearing to consider Plan Amendment No. A-98-014, and after consideration of environmental documents, testimony and information presented, determined that the adoption of the proposed amendment is in the best interest of the City of Fresno.

WHEREAS, on September 15, 1998, the Council held a public hearing to consider Plan Amendment No. A-98-014 and determined based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided that the adoption of the proposed amendment is in the best interest of the City of Fresno.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

Adopted 1. The Council finds that, in accordance with their own independent judgement, there is no
Approved 9/15/98

98-272

substantial evidence in the record that Plan Amendment No. A-98-014 may have a significant effect on the environment and hereby adopts the categorical exemption for this project.

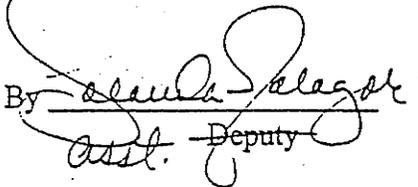
2. The Council of the City of Fresno hereby adopts Plan Amendment No. A-98-014 amending the Bullard Community Plan and the Sierra Sky Park Land Use Policy Plan as depicted on Exhibit A, attached hereto and incorporated herein by reference.

CLERK'S CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 15th day of September 1998.

REBECCA E. KLISCH
City Clerk

By 
Asst. Deputy

APPROVED AS TO FORM:

HILDA CANTÚ-MONTOY
City Attorney

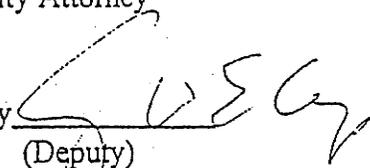
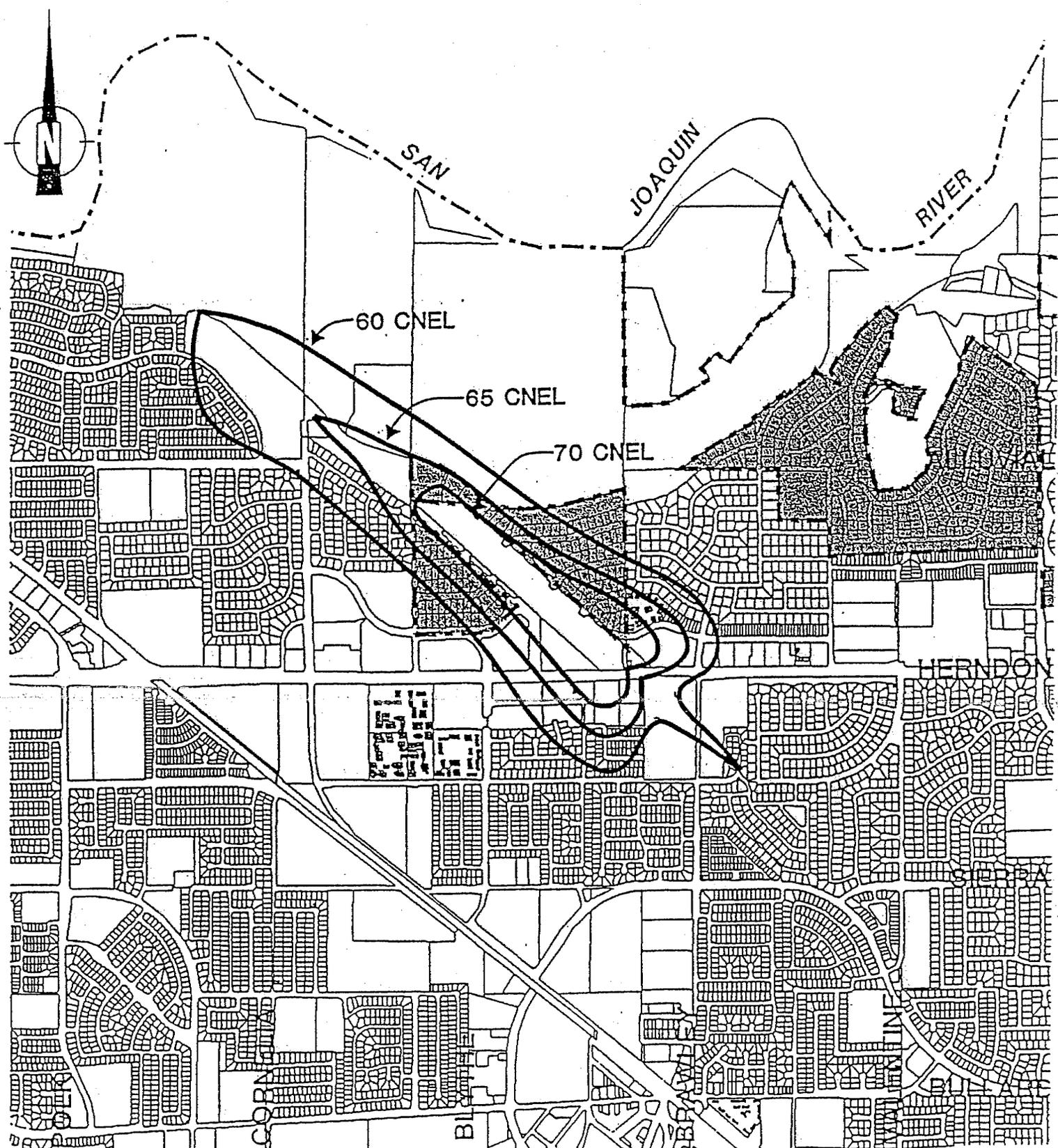
By 
(Deputy)

EXHIBIT A

SILERA SKY PARK AIRPORT
NOISE IMPACT CONTOURS



SOURCE: FRESNO COUNTY AIRPORT LAND USE COMMISSION, OCTOBER 1995.

FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 11166

The Fresno City Planning Commission, at its regular meeting on September 2, 1998 adopted the following resolution recommending approval of Plan Amendment No. A-98-014.

WHEREAS, on December 12, 1988, by Resolution No. 88-426, the Council adopted the Bullard Community Plan and amended the Sierra Sky Park Land Use Policy Plan; and

WHEREAS, on December 20, 1988, by Resolution No. 88-451, the Council adopted final elements of the Bullard Community Plan and amended the Sierra Sky Park Land Use Policy Plan; and

WHEREAS, the Director of the Development Department initiated an application to amend the noise contours of the aforementioned plans to conform to the existing noise levels near the Sierra Sky Park Airport; and

WHEREAS, the environmental assessment conducted for the proposed plan amendment resulted in the filing of a Categorical Exemption; and

WHEREAS, on September 2, 1998, the Planning Commission held a public hearing to consider Plan Amendment No. A-98-014, and after consideration of environmental documents, testimony and information presented, determined that the adoption of the proposed amendment is in the best interest of the City of Fresno.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission finds and determines that, in accordance with their own independent judgement, there is no substantial evidence in the record that the plan amendment may have a significant effect on the environment and approves the Categorical Exemption for Plan Amendment No. A-98-014.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends to the Fresno City Council that Plan Amendment No. A-98-014, be approved in accordance with the attached Exhibit A, incorporated herein by reference.

The foregoing Resolution was adopted by the Planning Commission upon a motion by Commissioner Civiello, seconded by Commissioner Stone.

VOTING: Ayes - Civiello, Dibuduo, Eckenrod, Sterling, Stone
 Noes - NONE
 Not Voting - NONE
 Absent - Alvarez, Treadwell


NICK P. YOVINO, Secretary
Fresno City Planning Commission

DATED: September 2, 1998

CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. A-98-014

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS
PURSUANT TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

APPLICANT: City of Fresno
Development Department
2600 Fresno Street, Suite 3604
Fresno, California 93721-3604

PROJECT LOCATION: Vicinity of Sky Park Airport

PROJECT DESCRIPTION: Proposed update of the Noise Contour for the Sierra Sky Park Land Use Policy Plan as related to the airport noise. The amendment is recommended by the ALUC based upon Sierra Sky Park Airport Noise Impact Study 1994.

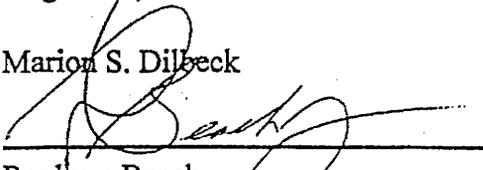
This project is exempt under Section 15308 of the State CEQA Guidelines.

EXPLANATION: The purpose of this modification is the general protection of that environment and area by bringing the existing plan into conformance with the existing noise level near the airport.

RECEIVED

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CITY CLERK, FRESNO CA

Date: August 17, 1998
Prepared By: Marion S. Dilbeck
Submitted by: 
Rayburn Beach
Supervising Planner
City of Fresno
Development Department
(209) 498-4441

