



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

Planning Commission Staff Report Agenda Item No. 4 January 10, 2019

SUBJECT: General Plan Conformity Application – Clovis Unified School District Proposed Elementary School

Acquire approximately 22 acres of property for a new elementary school site (with related facilities) in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The proposed site is located on the northeast corner of North Fowler Avenue and the East McKinley Avenue Alignment, approximately 1,600 feet east of the nearest city limits of the City of Fresno (SUP. DIST. 5) (APN: 310-041-15 and -17).

OWNERS: Fowler Partners LLC
Alfred and Maytha Sebasto

APPLICANT: Clovis Unified School District

STAFF CONTACT: Marianne Mollring, Senior Planner
(559) 600-4569

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Determine that the proposed site acquisition is in conformance with the County General Plan and its policies relating to city fringe areas; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. Aerial Photograph of Proposed School Site
5. Airport Influence Area and Safety Zones

ZONING AND LAND USE DESIGNATIONS:

Criteria	Designation
General Plan Designation	Agriculture in the Fresno County General Plan and the McLane Community Plan
City of Fresno General Plan Designation	Elementary School, Urban Neighborhood, and Medium-Density Residential
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)

SITE AND PROPERTY CHARACTERISTICS:

Criteria	Existing	Proposed
Parcel Size	0.93 acres (APN 310-041-15) 36.67 acres (APN 310-041-17)	An approximately 22-acre portion of the combined parcels will be developed as an elementary school site
Project Site	Rural Residential and Agricultural	Elementary School campus
Nearest Residence	410 feet west of the proposed site (three existing residences on the proposed site)	The City of Fresno General Plan proposes an elementary school and residential development in this quarter section
Surrounding Development	Field crops, vineyard, rural residential development, and a contractors storage and recycling yard	Elementary School campus

SURROUNDING PROPERTIES:

Surrounding Parcels			
	Size:	Use:	Zoning:
North:	7.82-acre and 13.72-acre parcels	Contractors storage and recycling yard	AE-20
South:	15.32-acre parcel	Ponding Basin	AE-20
East:	9.85-acre, 17.50-acre, and 10.92-acre parcels	Single-family rural residential home and field crops	AE-20
West:	Two 40-acre parcels	Vineyard and one single-family residence	AE-20

PROCEDURAL CONSIDERATIONS/BACKGROUND INFORMATION:

Public Resources Code Section 21151.2 requires a school district to notify the local Planning Agency having jurisdiction of its intention to acquire title to property for use as a school site. The Code requires the Planning Agency to investigate and evaluate the proposed acquisition and submit a written report of the investigation, together with recommendations to the Governing Board of the school district within thirty (30) days of the request. If the report does not favor the acquisition of the property for a school site, or for an addition to a present school site, the Governing Board of the school district shall not acquire title to the property until thirty (30) days after the Commission's report has been received.

Similarly, State Government Code Section 65402 requires a school district, prior to authorizing construction of a public building, disposing of any real property, or acquiring property, to submit the location, purpose, and extent of such acquisition, disposition, or public building to the Planning Agency having jurisdiction for its review as to conformity with the local General Plan. Section 65402 further states that the Planning Agency shall render its report as to conformity with said adopted General Plan or part thereof within forty (40) days after the matter was submitted to it, or such longer period of time as may be designated by the legislative body.

Staff notes that school sites are exempt from the County's Zoning Code per State Government Code.

On November 14, 2018, the Clovis Unified School District (District) submitted an application for determination of General Plan Conformity on an approximately 22-acre site for the purpose of establishing a new elementary school. The proposed site is located on the northeast corner of North Fowler Avenue and the McKinley Avenue Alignment in the City of Fresno Sphere of Influence. The proposed school site is in an area experiencing urbanization and planned future residential development. The timing for the construction of the school is estimated to be in approximately five years to coincide with planned residential development in the area and funding availability.

The District has stated that the new site is necessary to serve the planned student population growth generated by urban development. The school would be in regular session on weekdays from late August to early June with additional special events and classes during evenings, on weekends, and during the summer recess. The planned grade levels and enrollment would typically serve approximately 750 students in kindergarten through sixth grade. The school would have approximately 50 employees (including administrators, faculty, and support staff), and would have administrative offices, 28 classrooms, a multi-purpose building, and physical education facilities/outdoor play areas.

The school would be designed with vehicular, bicycle, and pedestrian access to the surrounding circulation systems. The City of Fresno's water and sewer systems are proposed to serve the school, and the location and design of the water and sewer facilities would be subject to review and approval by the City of Fresno.

The Fresno Irrigation District (FID) Mill No. 36 canal runs westerly through the southern portion of the proposed site, and development of the site will be subject to FID requirements. FID requirements could include piping, easements, bank improvements, drive approaches, and channel stabilization.

The Fresno Metropolitan Flood Control District (FMFCD) would be the storm water drainage service provider for the project, and the location and design of storm water drainage facilities would be subject to review and approval by FMFCD. FMFCD reviewed the project, which lies within the District's Drainage Area "BS." The District's Master Plan can accommodate the General Plan land use. A drainage fee is due at the time of development and is estimated to be \$341,340.

Adopted Public Land Use Policy: The City of Fresno General Plan designates the proposed school site and adjoining land as Elementary School, Urban Neighborhood, and Medium-Density Residential. Schools are a permitted use in all single-family residential areas per the Fresno General Plan. The siting of a school at this location is consistent with the City of Fresno General Plan, Goal 8 (Develop Complete Neighborhoods). The Clovis Unified School District expects the site to be annexed by the City of Fresno at the time of development.

Access: The Fresno General Plan designates Fowler Avenue as an Arterial, which is currently a two-lane County-maintained road, and designates the McKinley Avenue alignment as a future Collector. The Fresno County General Plan designates both Fowler Avenue and McKinley Avenue as Arterials. The school site will have street frontage on Fowler Avenue and roads will be constructed to City of Fresno standards at the time of development.

Airport Land Use Commission: The site is in the Zone 6 traffic pattern and Airport Influence Area (AIA) for the Fresno-Yosemite International Airport (Exhibit 5) according to the *Airport Land Use Compatibility Plan* adopted December 3, 2018. The Traffic Pattern Zone (TPZ) prohibits outdoor stadiums and similar uses with very high-intensity non-residential uses of 300 persons per acre or more. It requires that 10% of the land be kept open for emergency landings, and prohibits any hazards to flight. An Airport disclosure notice is required.

ANALYSIS/DISCUSSION/GENERAL PLAN CONSISTENCY:

Relevant Policies:	Consistency/Considerations:
Policy LU-G.1: Cities have primary responsibility for planning within their LAFCo-adopted Spheres of Influence; they are responsible for urban development and the provision of urban services within those Spheres.	The proposed school site is within the City of Fresno Sphere of Influence and is designated for an elementary school and residential development in the City of Fresno General Plan. The project should be referred to the City of Fresno for review and comment.
Policy LU-A.13: The County shall protect agricultural operations from conflicts with non-agricultural uses by requiring buffers between proposed non-agricultural uses and adjacent agricultural operations.	The proposed site is in an area designated for future urban development by the City of Fresno and is planned to be developed with an elementary school and residential uses. A tentative tract map has been approved for the adjacent property. Property to the south is developed as a ponding basin, and property to the west is planned for industrial use.
Policy PF-I.1: County shall encourage school districts to provide quality educational facilities to accommodate projected student growth in locations consistent with Land Use Policies in the General Plan.	The District is attempting to accommodate growth projections and neighborhood needs with acquisition of this school site.

Relevant Policies:	Consistency/Considerations:
<p>Policy PF-I.6: Discourages the siting of schools in agricultural areas due to the growth-inducing potential of these facilities and conflicts with farming practices.</p>	<p>It is the intent of Policy PF-I.6 to discourage establishment of school facilities in agricultural areas because school facilities attract urban growth such as new residential developments, which could result in premature annexation of land as well as adversely affecting the surrounding farming operations. It is acknowledged that the proposed site is in an area designated for future urban development by the City of Fresno and is planned to be developed with an elementary school and residential uses.</p>
<p>Policy PF-I.7: County shall include schools among those public facilities and services considered an essential part of development; County shall work with residential developers and school districts to ensure needed school facilities are available to serve development.</p>	<p>The District has submitted the General Plan Conformity Application as part of the early process of site acquisition for development of an elementary school; analysis of this request has taken into consideration not solely existing land use patterns in the site's vicinity, but anticipated land uses based on the City and County General Plan policies that address urban fringe areas.</p>
<p>Policy HS-E.1: The County shall review the Fresno County Airport Land Use Commission's Airport Land Use Policy Plans (CLUPPs) to determine the appropriate land uses around airports. The County shall limit land uses in airport safety zones to those uses listed in the applicable CLUPPs as compatible uses. Exceptions shall be made only as provided for in the CLUPPs. Such uses shall also be regulated to ensure compatibility in terms of location, height, and noise.</p>	<p>The <i>Airport Land Use Compatibility Plan</i> (adopted December 3, 2018) addresses land use policies for the nine public use airports in Fresno County, including Fresno-Yosemite International Airport. The Plan is intended to protect and promote the safety and welfare of residents, businesses, and airport users near the airports. Specifically, the Plan seeks to: ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents; protect the public from the adverse effects of airport noise; and ensure that no structures or activities encroach upon or adversely affect the use of navigable airspace.</p>
<p>Policy HS-E.2: The County shall ensure that new development, including public infrastructure projects, does not create safety hazards such as glare from direct or reflective sources, smoke, electrical interference, hazardous chemicals, or fuel storage in violation of adopted safety standards.</p>	<p>The proposed project is the purchase of approximately 22 acres of land for the development of an elementary school. An elementary school is not expected to create glare, smoke, electrical interference, or have hazardous chemicals or fuel storage on site.</p>

Relevant Policies:	Consistency/Considerations:
<p>Policy HS-E.3: The County shall ensure that development, including public infrastructure projects, within the airport approach and departure zones complies with Part 77 of the Federal Aviation Administration Regulations (Objects Affecting Navigable Airspace).</p>	<p>Airport land use compatibility involves two overarching concepts: a community’s need for safe and efficient air transportation and orderly compatible land use development within the airport environs. These two concepts need to be balanced to achieve a favorable result for the airport, the residents, and other uses in the airport’s vicinity. The proposed school site is within Safety Zone 6 (Traffic Pattern Zone) and approximately 800 feet east of Safety Zone 3 (Inner Turning Zone).</p>
<p>Policy HS-G.3: The County shall allow the development of new noise-sensitive land uses (which include, but are not limited to, residential neighborhoods, schools, and hospitals) only in areas where existing or projected noise levels are “acceptable” according to the Chart HS-1: “Land Use Compatibility for Community Noise Environments.” Noise mitigation measures may be required to reduce noise in outdoor activity areas and interior spaces to these levels.</p>	<p>According to County General Plan Chart HS-1, the Community Noise Exposure Levels (CNEL) for schools are normally acceptable between 50 and 60 dB and conditionally acceptable between 55 and 65 dB. CNEL over 65 dB are generally unacceptable. It is anticipated that traffic noise could exceed 65 dB within 182 feet of Fowler Avenue and 75 feet from McKinley Avenue. As such, the District plans to set back structures at least 182 feet from Fowler Avenue and 75 feet from McKinley Avenue.</p>
<p>Policy HS-G.8: The County shall evaluate the compatibility of proposed projects with existing and future noise levels through a comparison to Chart HS-1, “Land Use Compatibility for Community Noise Environments.”</p>	<p>The proposed school site is approximately 500 feet outside of the 60 dB noise prediction area for the Fresno-Yosemite International Airport.</p>

GENERAL PLAN POLICY CONSIDERATIONS:

The proposed school site and immediate surrounding area are within the City of Fresno’s Sphere of Influence and are designated for an elementary school and residential land use. The site is also within the Fresno County adopted McLane Community Plan. The land use element of this community plan is consistent with the land use element of the Fresno County General Plan and subject to County-wide goals, objectives, and standards. The McLane Community Plan recommends that the *Airport Land Use Compatibility Plan* (previously the “Fresno Air Terminal Environs Plan”) should be reviewed to determine the appropriate land use policy for areas impacted by that Plan.

A fundamental policy directive of the County’s General Plan is to direct urban growth to the cities and unincorporated communities. County General Plan Policy LU-G.1, related to city fringe areas, states that cities have primary responsibility for planning within their LAFCo-adopted Spheres of Influence and they are responsible for urban development and the provision of urban services within those Spheres.

The City of Fresno has not started annexation of this site and did not comment on the proposed school site.

As previously mentioned, the subject area is zoned for exclusive agricultural land uses (AE-20). Current zoning in this area is illustrated in Exhibit 2. General Policy PF-I.6 discourages the siting of schools in agricultural areas due to the growth-inducing potential of these facilities and conflicts with farming practices. In this case, however, the area is within the City of Fresno Sphere of Influence and planned for an elementary school, medium-density single-family residential neighborhoods, and urban neighborhood uses. The subject school is being located at this site to accommodate planned student growth in the area.

Fresno County General Plan Policy PF-I.1, related to the locating of school facilities, states that the County shall encourage school districts to provide quality educational facilities to accommodate projected student growth in locations consistent with Land Use Policies in the General Plan. Policy PF-I.7 states that the County shall include schools among those public facilities and services that are considered an essential part of the development service facilities that should be in place as development occurs, and shall work with residential developers and school districts to ensure that needed school facilities are available to serve new residential development. This proposal is consistent with this policy.

Other directives of the County General Plan relate to Airport Hazards and Noise. Policies HS-E.1, HS-E.2, and HS-E.3 (described in the previous chart) address issues related to Airport Hazards, while policies HS-G.3. and HS-G.8 address noise hazards. The General Plan policies related to airport hazards and noise have been reviewed in conjunction with the *Airport Land Use Compatibility Plan* and the HS-1 General Plan Land Use Compatibility for Community Noise Environments Chart.

The site is located one mile east of the Fresno-Yosemite International Airport and Army National Guard Base and within the Zone 6 Traffic Pattern. Additionally, the site will be adjacent to Fowler Avenue, which is designated an Arterial roadway. The District plans to address noise by siting structures outside of the predicted 65 dB traffic noise generation zones and by utilizing architectural treatments to insulate structures from other noise generators, such as air traffic. However, noise levels from street and air traffic may have the potential to exceed recommended thresholds, at times, for outdoor activities.

OTHER CONSIDERATIONS

The proposed school site is not subject to an Agricultural Land Conservation Contract under the provisions of the Williamson Act. Thus, the proposed site is not in conflict with related provisions and land uses.

REVIEWING AGENCY/DEPARTMENT COMMENTS:

Staff received comments from the following agencies/departments: Policy Planning Unit, Zoning Section, and Building and Safety Section of the Development Services and Capital Projects Division, Road Maintenance and Operations Division, Water and Natural Resources Division, and Design Division of the Fresno County Department of Public Works and Planning; County of Fresno Department of Public Health, Environmental Health Division; Fresno Metropolitan Flood Control District; Fresno Irrigation District; State Water Resources Control Board; San Joaquin Valley Air Pollution Control District; and Fresno County Fire Protection District. The comments did not express any concerns regarding General Plan conformity.

The Fresno County Airport Land Use Commission (ALUC) staff expressed concern with the site being within the Zone 6 traffic pattern for the Fresno-Yosemite International Airport, but did not express concerns related to General Plan policy.

CONCLUSION:

County staff can find the proposed elementary school site consistent with General Plan policy, based on analysis provided in this report. Although there are no specific General Plan policy issues related to placing an elementary school at this site, based on comments from the ALUC, staff has concerns about the proximity of the site to the Fresno-Yosemite International Airport, considering the site is within the Zone 6 traffic pattern and just outside the projected 60 dB noise contour for air traffic. Staff recommends that the Clovis Unified School District apply for a no-fee Land Use Compatibility Determination by the Fresno County Airport Land Use Commission prior to acquiring the property.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Finding of Consistency)

- Find that the proposed site acquisition is in conformance with the County General Plan and its policies relating to city fringe areas and siting of schools, and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Finding of Non-Consistency)

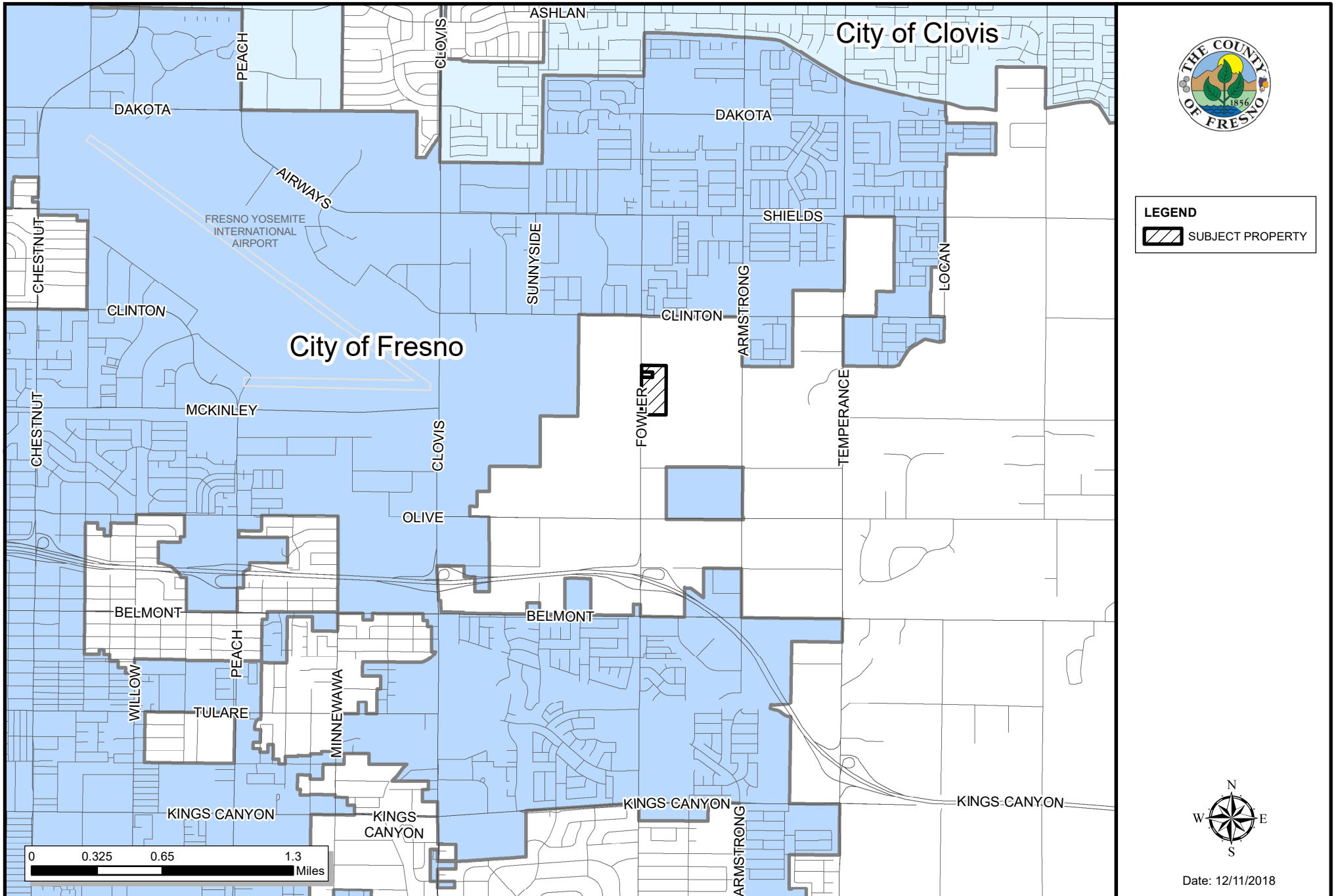
- Move to determine that the proposed site acquisition does not conform to the County General Plan (state the basis for not making the General Consistency Finding); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

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LOCATION MAP

General Plan Conformity - Clovis Unified School District



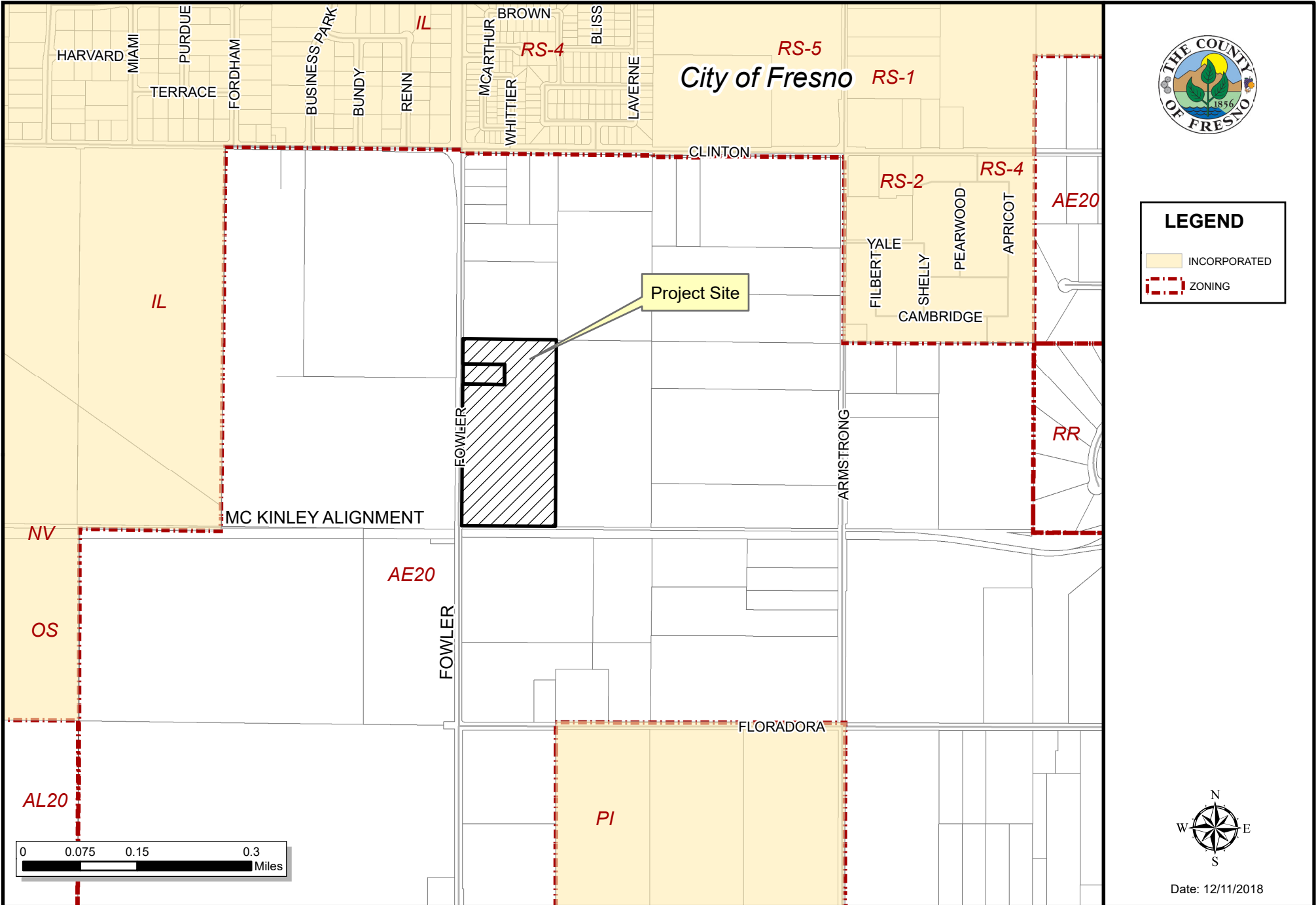
LEGEND
SUBJECT PROPERTY



Date: 12/11/2018

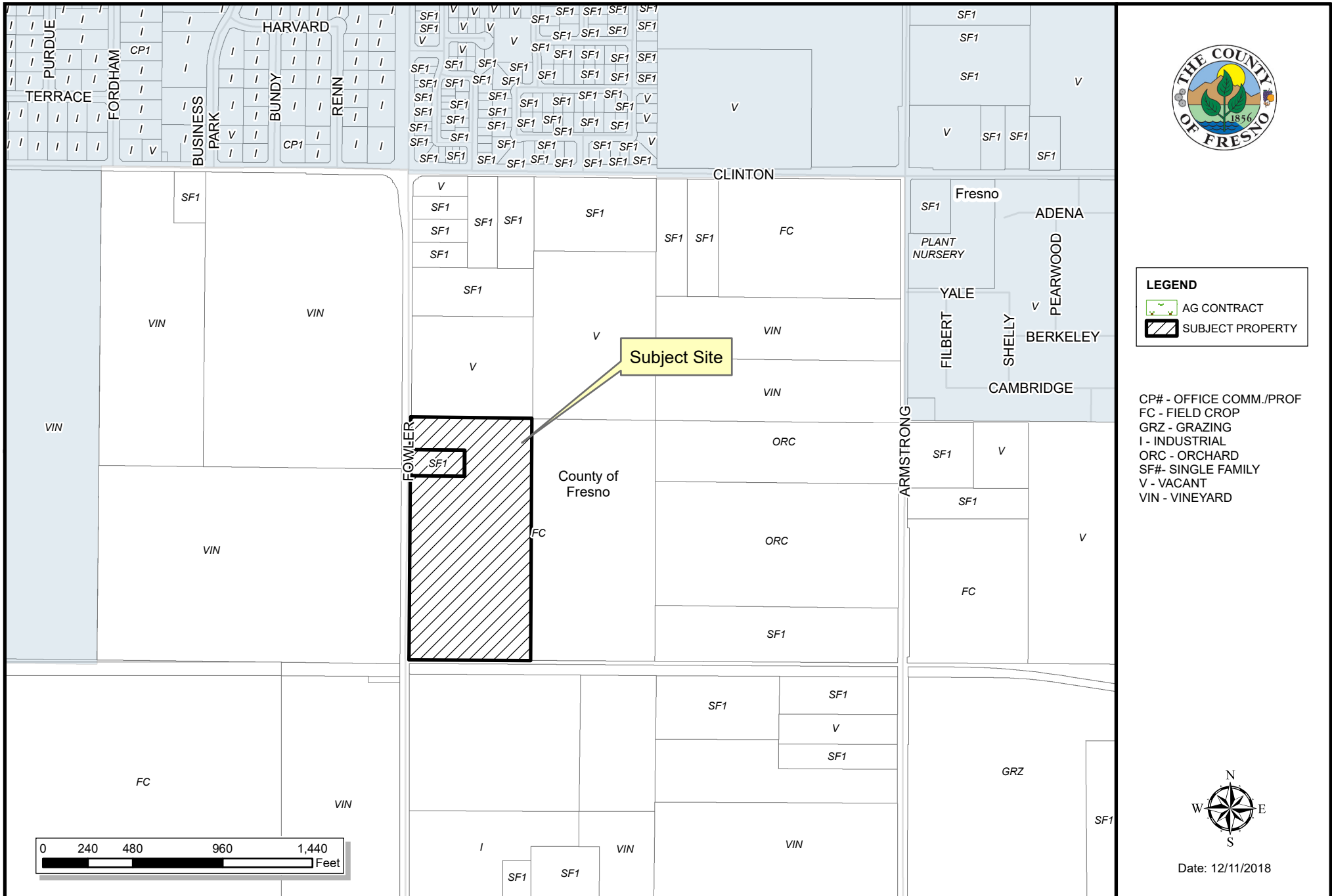
EXISTING ZONING

General Plan Conformity - Clovis Unified School District



EXISTING LAND USE MAP

General Plan Conformity - Clovis Unified School District



LEGEND

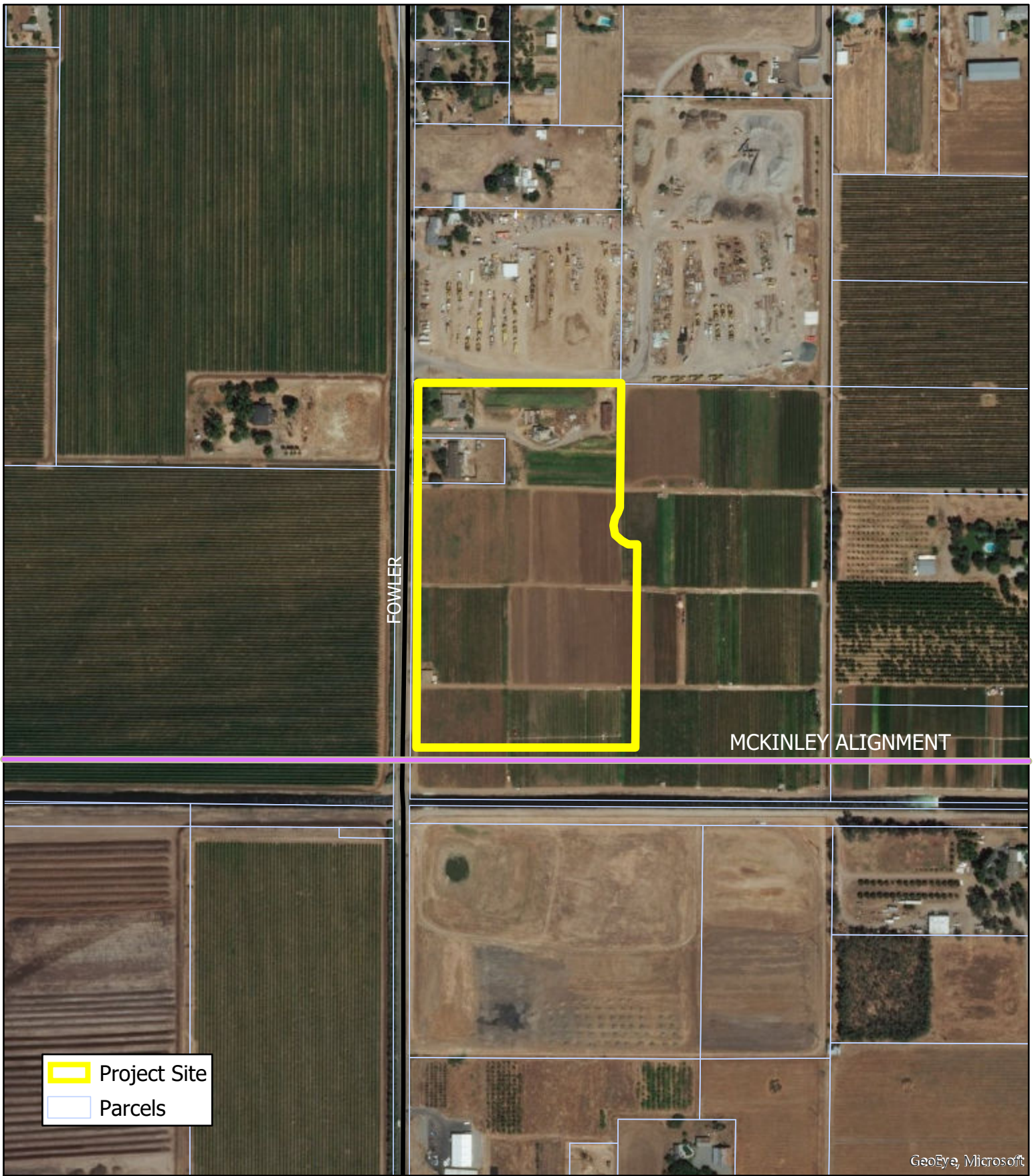
- AG CONTRACT
- SUBJECT PROPERTY

- CP# - OFFICE COMM./PROF
- FC - FIELD CROP
- GRZ - GRAZING
- I - INDUSTRIAL
- ORC - ORCHARD
- SF#- SINGLE FAMILY
- V - VACANT
- VIN - VINEYARD



Date: 12/11/2018

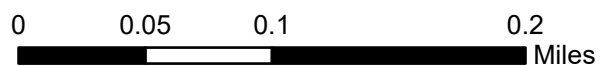




Project Site

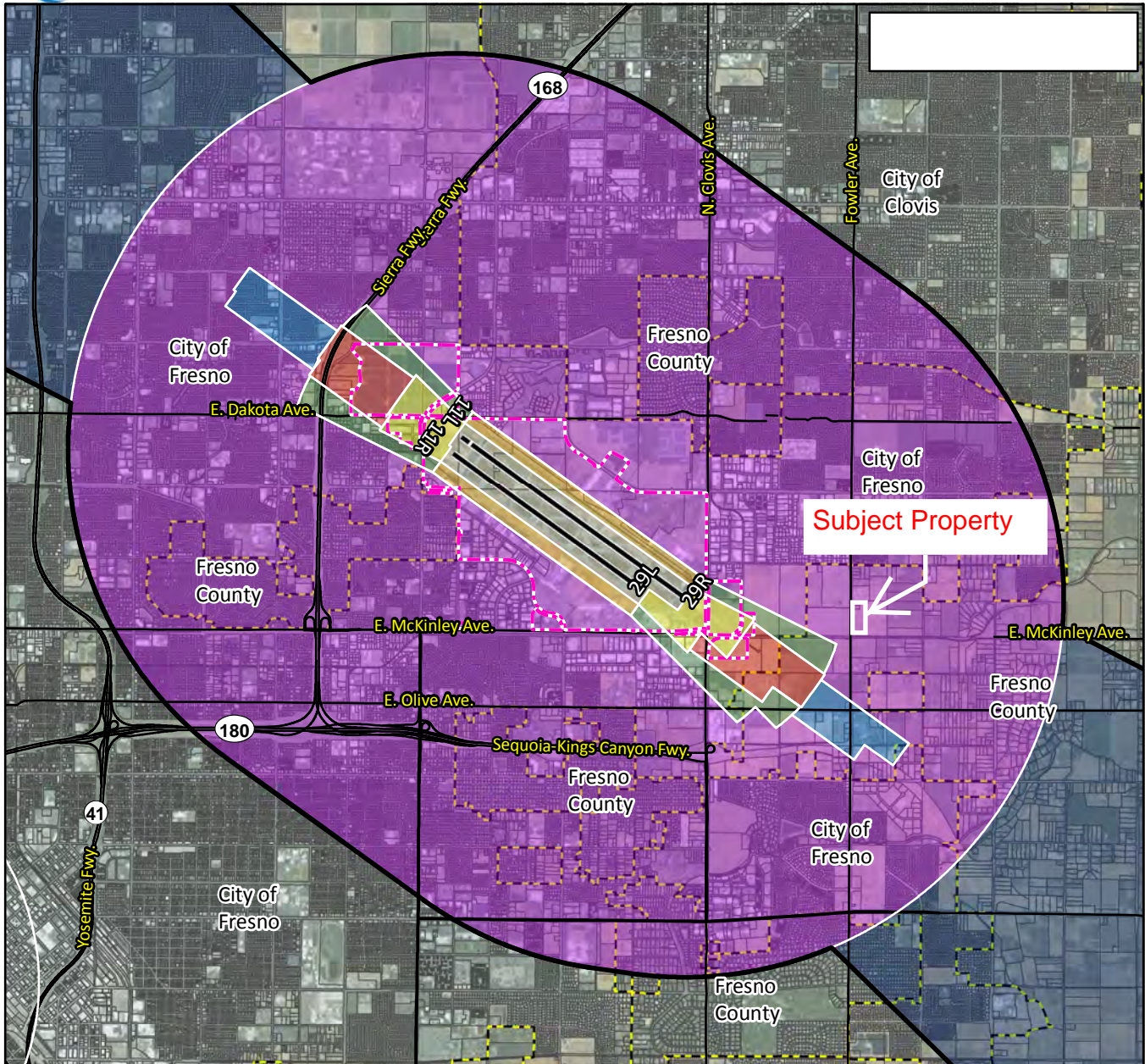
Fowler-McKinley Elementary School Project
Clovis Unified School District

EXHIBIT 4



N



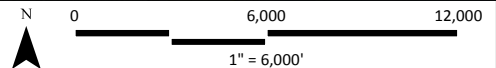


LEGEND

- Existing Runway¹
- Ultimate Runway¹
- Airport Property¹
- Parcel Boundary
- Municipal Boundary
- Streets
- Airport Influence Area (AIA)²

Safety Zones³

- 1. Runway Protection Zone
- 2. Inner Approach/Departure Zone
- 3. Inner Turning Zone
- 4. Outer Approach/Departure Zone
- 5. Sideline Zone
- 6. Traffic Pattern Zone
- 7. Precision Approach Zone



¹FresnoYosemite Intl. Airport Layout Plan (2013)
²AIA drawn from Part 77 Conical and Outer-Transitional surfaces. See 14 CFR, Subchapter E, Part 77, §77.25.
³Figure 3A, California Airport Land Use Planning Handbook (2011), and Coffman Associates Analysis. Sources: Fresno County Parcels, Fresno County Streets, ESRI Basemap Imagery (2016).