



# Inter Office Memo

---

**ATTENTION: FOR FINAL ACTION OR MODIFICATION TO OR ADDITION OF CONDITIONS, SEE FINAL BOARD OF SUPERVISORS' ACTION SUMMARY MINUTES**

DATE: June 27, 2024

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: Resolution No. 13043 – General Plan Amendment Application No. 574 and Amendment Application No. 3867

APPLICANT: County of Fresno, Department of Public Works and Planning

OWNER: Thomas X. Minor, Trustee

REQUEST: Amend County of Fresno General Plan to include an approximately 17.75-acre (gross 20 acres) parcel of land into General Plan Policy LU-E.24 and in Figure LU-4 of the approved General Plan policy document, change the land use designation of the parcel from Agriculture to Rural Residential, and rezone the parcel from AE-20 (Exclusive Agricultural; 20-acre minimum parcel) Zone District to AL-20 (Limited Agricultural; 20-acre minimum parcel) Zone District.

LOCATION: The subject parcel is located on the west side of Auberry Road approximately 1,205 feet north of its intersection with Reno Avenue and 1.1 miles northeast of the nearest city limits of the City of Fresno (APN: 300-320-19S) (Sup. Dist. 5).

**PLANNING COMMISSION ACTION:**

At its hearing of June 27, 2024, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Chatha and seconded by Commissioner Arabian to approve General Plan Amendment Application No. 574 and Amendment Application No. 3867 as per staff's recommendation.



EXHIBIT A

General Plan Amendment Application No. 574  
Amendment Application No. 3867

Staff: The Fresno County Planning Commission considered the Staff Report dated June 27, 2024, and heard a summary presentation by staff.

Applicant: The Owner's representatives concurred with the Staff Report. They described the project and offered the following information to clarify the intended use:

- The property owner, owns the subject parcel and the abutting parcel to the south.
- The owner's residence is closer to the boundary line of his southerly parcel and split zoning will affect how he uses that parcel.
- Split zoning will also affect the value and financing of the subject parcel.
- We presented our proposal to the County Board of Supervisors at its February 20, 2024, meeting and the BOS supported our proposal.

Others: No other individuals presented information in support of the application.

One individual presented information in opposition to the application by citing the project will set a precedent for parcelization of land that is 5-acres or less in the area and will also impact groundwater resources.

Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

CWM:ea:jp  
G:\4360Devs&Pln\PROJSEC\PROJDOCS\AA\3800-3899\3867 - See GPA 574\Resolution\AA3867 Resolution.doc



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 2 June 27, 2024

**SUBJECT:** General Plan Amendment Application No. 574; Amendment Application No. 3867

Amend County of Fresno General Plan to include an approximately 17.75-acre (gross 20 acres) parcel of land into General Plan Policy LU-E.24 and in Figure LU-4 of the approved General Plan policy document, change the land use designation of the parcel from Agriculture to Rural Residential, and rezone the parcel from AE-20 (Exclusive Agricultural; 20-acre minimum parcel) Zone District to AL-20 (Limited Agricultural; 20-acre minimum parcel) Zone District.

The subject parcel is located on the west side of Auberry Road approximately 1,205 feet north of its intersection with Reno Avenue, and 1.1 miles northeast of the nearest city limits of the City of Fresno (APN: 300-320-19S) (Sup. Dist. 5).

**APPLICANT:** County of Fresno, Department of Public Works and Planning

**STAFF CONTACT:** Ejaz Ahmad, Planner  
(559) 600-4204

David Randall, Senior Planner  
(559) 600-4052

### RECOMMENDATION:

- Recommend that the Board of Supervisors approve General Plan Amendment Application No. 574 to amend the County General Plan to include an approximately 17.75-acre (gross 20 acres) parcel of land into General Plan Policy LU-E.24 and Figure LU-4 of the approved General Plan policy document; and change the land use designation of the parcel from Agriculture to Rural Residential; and
- Recommend that the Board of Supervisors approve Amendment Application No. 3867 to rezone the subject parcel from AE-20 (Exclusive Agricultural; 20-acre minimum parcel) Zone District to AL-20 (Limited Agricultural; 20-acre minimum parcel) Zone District; and
- Direct the Secretary to prepare a Resolution forwarding the Commission's recommendation for approval to the Board of Supervisors.

**EXHIBITS:**

1. Location Map
2. Existing Zoning Map
3. Existing Land Use Map
4. General Plan Policy LU-E.24
5. Figure LU-4 of General Plan Policy document
6. Minute Order

**ENVIRONMENTAL ANALYSIS:**

It has been determined, pursuant to section 15162 of the State of California Environmental Quality Act (CEQA) Guidelines and based on EIR No 6245 for the General Plan update, the proposed project will not have a significant effect on the environment and is not subject to CEQA.

**PUBLIC NOTICE:**

Notice of public hearing was published in the Fresno Business Journal on June 14, 2024.

**PROCEDURAL CONSIDERATIONS**

A General Plan Amendment and Rezoning Application (Amendment Application) are legislative acts requiring Board of Supervisors' action. A decision by the Planning Commission in support of a General Plan Amendment and Rezone request is only an advisory action and requires an affirmative vote of the majority of its total membership (Five Commissioners). A recommendation for approval is forwarded to the Board of Supervisors for final action.

**BACKGROUND INFORMATION:**

At its regular meeting on February 20, 2024, the Fresno County Board of Supervisor (BOS) acted on the Fresno County Planning Commission's recommendation for approval of the General Plan Update and approved General Plan Amendment Application No. 529 (Fresno County General Plan Review and Background Report), Amendment to Text Application No. 385 (Zoning Ordinance Update) Amendment Application (AA) No. 3862 (Rezone of a 481-acre area from AE (Exclusive Agricultural) to AL (Limited Agricultural) Zone District, and Final Program Environmental Impact Report No. 6245 (SCH No. 2018031066).

Amendment Application No. 3862 involved the rezone of a 481-acre area from the AE-20 Zone District to AL-20 Zone District, located approximately one-half mile north of the northern boundary of the City of Fresno, bounded by Friant Road/Willow Avenue to the west, Garonne Avenue to the south, those parcels immediately east and adjacent to Auberry Road to the east and generally the Birkhead Road alignment to the north and encompassing those parcels immediately to the west, northeast and east of the full length of Willow Bluff Avenue. This area is committed to rural-sized parcels.

In connection with Board's hearing for AA No. 3862, a landowner made a request to expand the 481-acre area boundary to include a 17.75-acre parcel he owns that is contiguous to the

boundary. The parcel is identified by Assessor's Parcel Number (APN 300-320-19S). The landowner cited concerns regarding hardship he would endure should the request not be granted approval. The hardship pertains to split zoning (a parcel owned by the landowner, identified by Assessor's Parcel Number 300-320-18S, was included in the 481-acre area while the subject contiguous parcel was left out) and split zoning financing (financing on the subject parcel with AE-20 zoning would result in lower land valuation compared to the financing on the subject parcel reserved for future RR-5 Zoning pursuant to General Plan Policy LU-24). In accepting the request, the BOS directed staff to return to the Planning Commission to take any necessary action to include the subject parcel in the 481-acre area also known as Reno, Garonne, Willow Bluff Rural Residential Area per General Plan Policy LU-E. 24 which facilitates future rezoning to RR5 district) as per BOS approval. The subject proposal (GPA 574 and AA 3867) enacts that direction from the Board.

### **ANALYSIS:**

The 17.75-acre subject parcel is currently designated Agriculture in the County General Plan and zoned AE-20 (Exclusive Agricultural) in the County Zoning Ordinance. Abutting parcels to the north, east and west are also designated Agriculture and zoned AE-20. The abutting 481-acre area to the south is designated as Five-Acre Rural Residential (RR) per General Plan Update 2024 (Fig. LU-4) and is zoned AL-20.

The subject General Plan Amendment (GPA) proposes to amend the General Plan to include the 17.75-acre parcel in General Plan Policy LU-E.24 which designated a 481-acre area as Rural Residential, include the parcel in Figure LU-4, and rezone the parcel from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District. The proposal involves no improvements on the property.

The underlying reasons for the subject request and the approval of the 481-acre area by Amendment Application No. 3862 are the same. The subject proposal will expand the boundary of a 481-acre area by including the subject 17.75-acre parcel and will match the rural residential designation and zoning with that of 481-acre area.

Per General Plan Policy LU-E.24, the proposed AL (Limited Agricultural) zoning of the 481-acre area reflects potential water resource constraints in the general vicinity. Future rezoning of this area to the implementing Rural Residential zone district shall maintain a minimum five-acre parcel size and shall be subject to a determination of adequate water supply per Agriculture and Land Use Policy LU-E.8, and adequate road access and road maintenance as determined by the Director of the Department of Public Works and Planning. Considering these factors, the subject General Plan Amendment and rezone is consistent with General Plan Policy LU-E.24 and Zoning Ordinance adopted by the board.

As the subject proposal entails amendment to Policy LU-E. 24, land use redesignation, and land rezone from AE to AL Zone District with no development proposed, the California Department of Fish & Wildlife and other agencies comments specific to site development do not apply. Per staff understanding, prior to any development proposals on the 481-acre area or the subject parcel to occur, discretionary land use approvals would be required from the County Planning Commission and Board of Supervisors. All comments from agencies that area specific to the development proposals will be addressed at that time.

**PUBLIC COMMENTS:**

No public comments have been received in support of or in opposition to the proposed General Plan Amendment or Zone.

**CONCLUSION:**

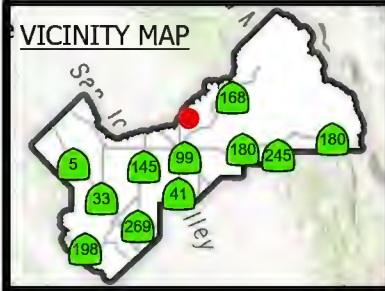
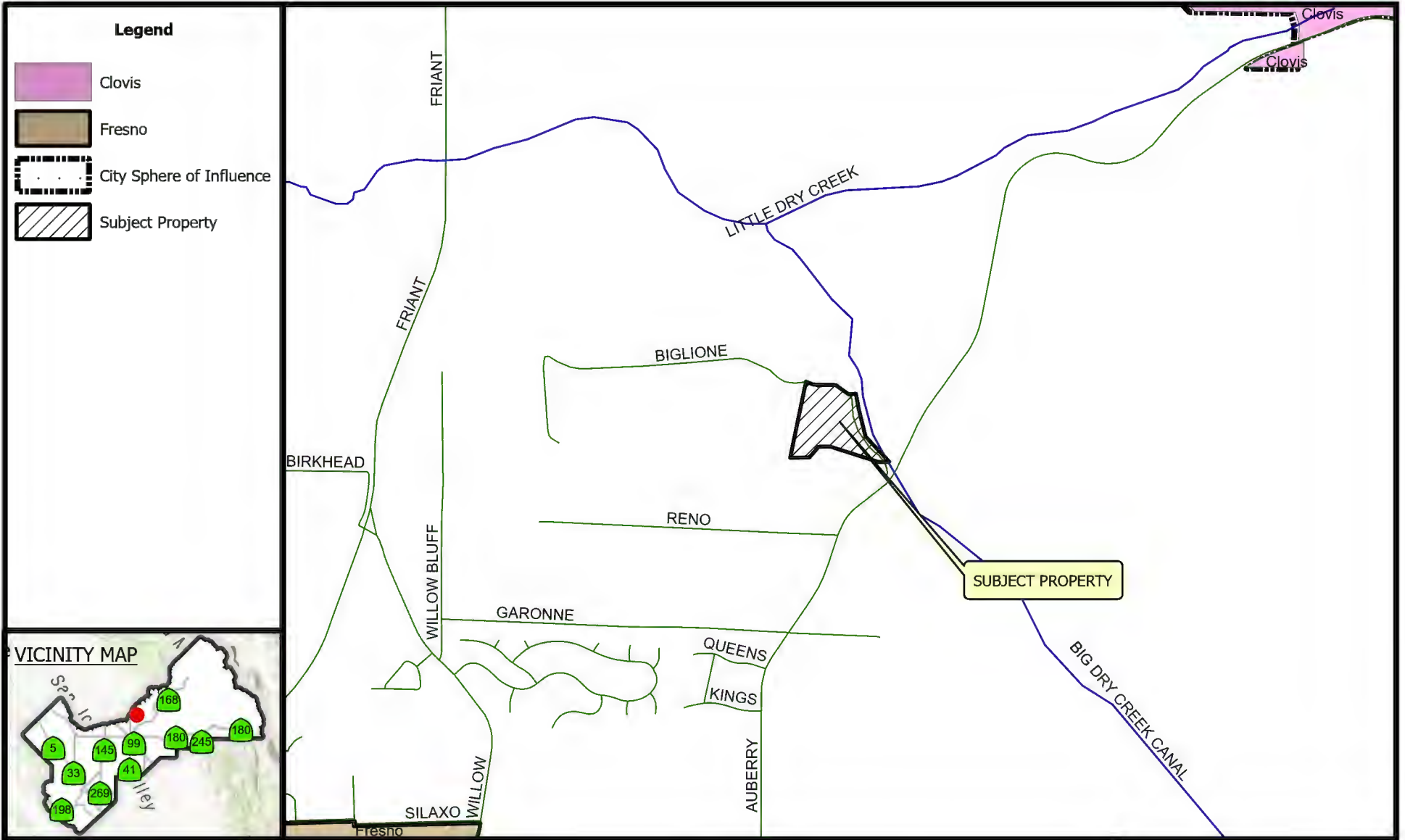
Staff recommends approval of General Plan Amendment Application No. 574 and Amendment Application (AA) No. 3867.

**PLANNING COMMISSION MOTIONS:****Recommended Action**

- Recommend that the Board of Supervisors approve General Plan Amendment Application No. 574 to amend County General Plan to include an approximately 17.75-acre (gross 20 acres) parcel of land into General Plan Policy LU-E.24 and Figure LU-4 of the approved General Plan policy document; and change the land use designation of the parcel from Agriculture to Rural Residential, and
- Recommend that the Board of Supervisors approve Amendment Application No. 3867 to rezone the subject parcel from AE-20 (Exclusive Agricultural; 20-acre minimum parcel) Zone District to AL-20 (Limited Agricultural; 20-acre minimum parcel) Zone District; and
- Direct the Secretary to prepare a Resolution forwarding the Commission's recommendation for approval to the Board of Supervisors.

EA:

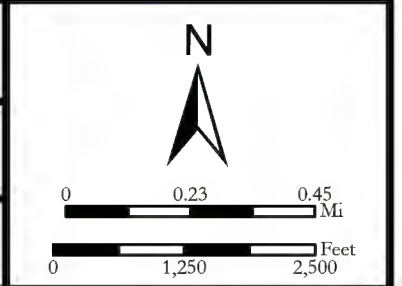
G:\4360Devs&PIn\PROJSEC\PROJDOCS\AA\3800-3899\AA3867-See GPA 574\Staff Report\GPA 574, AA 3867.doc

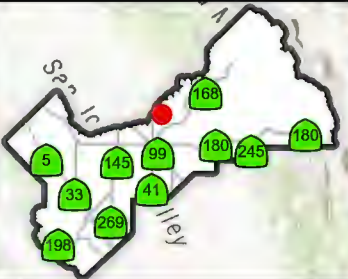
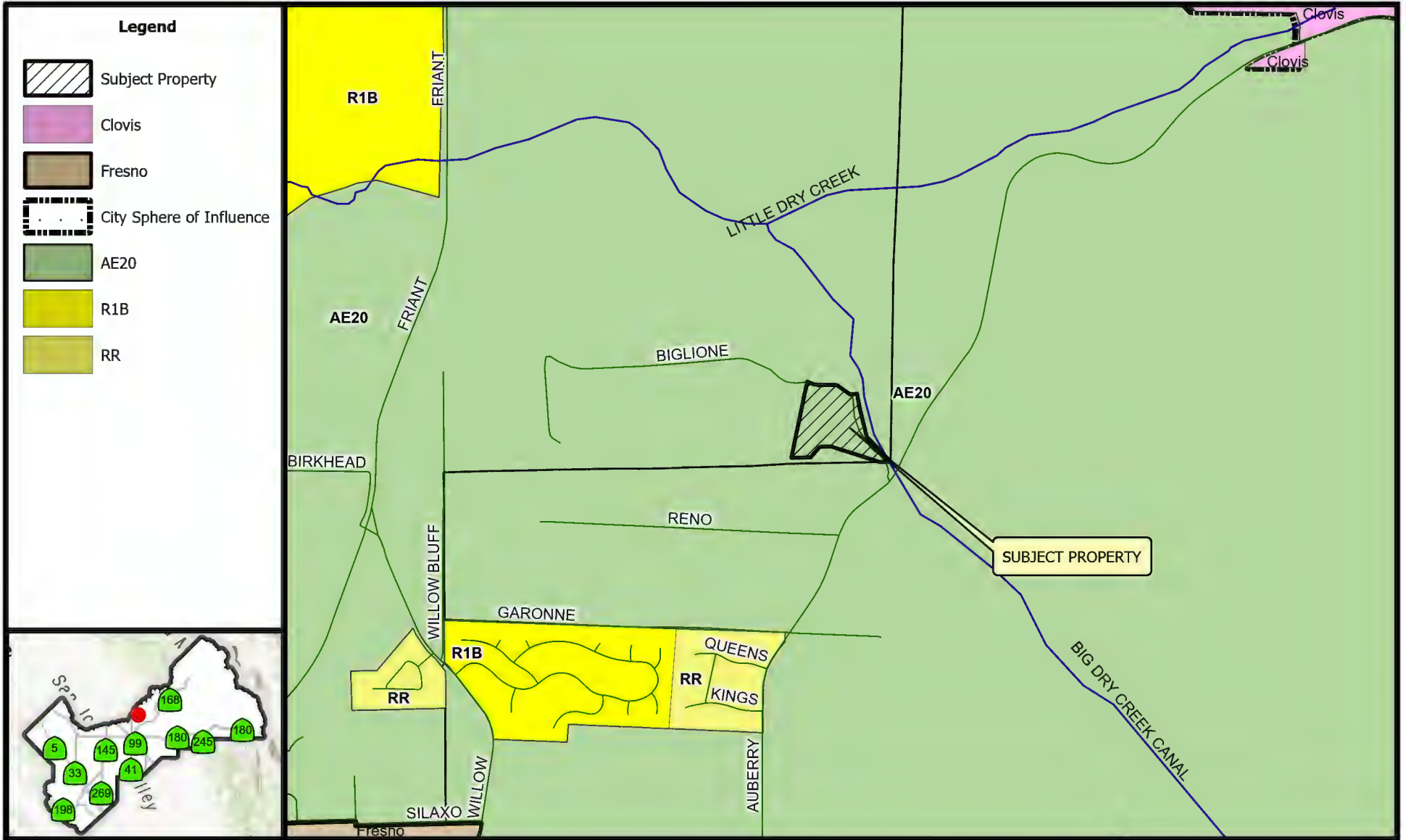


# LOCATION MAP

**GPA574&AA3867** | **2024**

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
 Person Prepared by : jocervantes  
 On Date : 4/2/2024



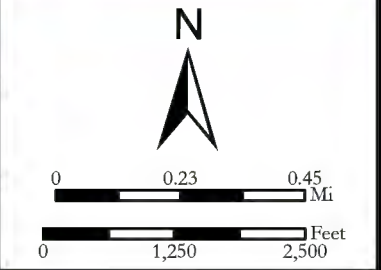


# Existing Zoning Map

GPA574&AA3867  
STR 31 - 11S / 21E

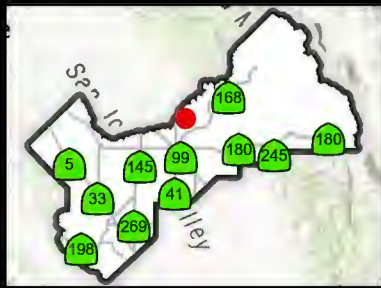
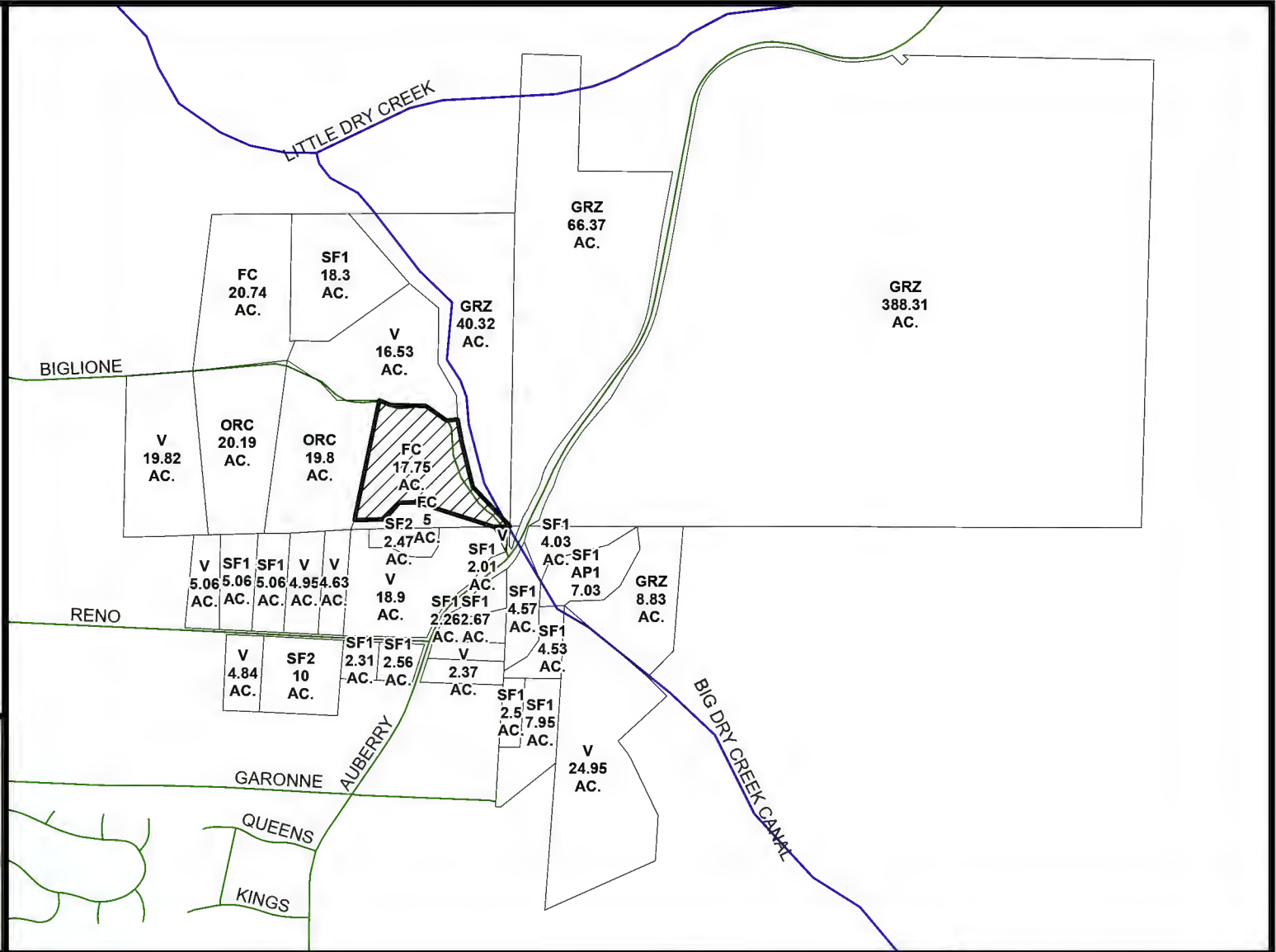
2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
Person Prepared by : jocervantes  
On Date : 4/2/2024



**LEGEND:**

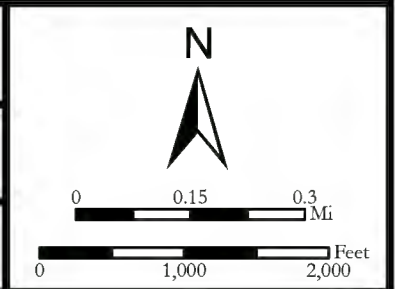
 Subject Property



# Existing Land Use Map

## GPA574&AA3867 | 2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
 Person Prepared by : jocervantes  
 On Date : 4/2/2024





# FRESNO COUNTY GENERAL PLAN

grant amendments to the Specific Plan provided the overall density of development is not increased and the plan continues to demonstrate the following:

- a. The development will have no significant adverse impacts on groundwater;
- b. Public improvements within a Planned Rural Community shall be designed and constructed in a manner that is not growth inducing but would not preclude future annexation to a city;
- c. Impacts on Fresno County for the provision of services including, but not limited to, police, fire protection, schools, and other essential public services are adequately mitigated;
- d. The development will not have a net adverse fiscal effect on Fresno County;
- e. Provide a service delivery plan and a maintenance and operation program which will assure appropriate delivery of services and funding measures for the development; and
- f. Provide for monitoring of mitigation measures established by the required Environmental Impact Report. (*RDR*)

## **LU-E.23 Planned Rural Community Designation Sunset**

The County shall not approve expansion of the existing Planned Rural Community designation or designate additional areas for such development. (*RDR*)

## **RENO, GARONNE, WILLOW BLUFF RURAL RESIDENTIAL AREA**

### **LU-E.24 Reno, Garonne, Willow Bluff Rural Residential Area**

The Rural Residential designation comprising an approximate ~~481~~ <sup>499</sup>-acre area generally bounded by Friant Road/Willow Avenue to the west, Garonne Avenue to the south, those parcels immediately east and adjacent to Auberry Road to the east and generally the Birkhead Road alignment to the north and encompassing those parcels immediately to the west, northeast, and east of the full length of Willow Bluff Avenue. This is an area committed to rural-sized parcels.

The Limited Agricultural zoning reflects potential water resource constraints in the general vicinity. Future rezoning of this area to the implementing Rural Residential zoning district shall maintain a minimum five-acre parcel size and shall be subject to a determination of adequate water supply per Agriculture and Land Use Policy LU-E.8, and adequate road access and road maintenance as determined by the Director of the Department of Public Works and Planning (See Figure LU-4).

# GOALS AND POLICIES **2**

## AGRICULTURE AND LAND USE

Figure LU-4 Reno Road / Willow Bluff Five-Acre Rural Residential Designation

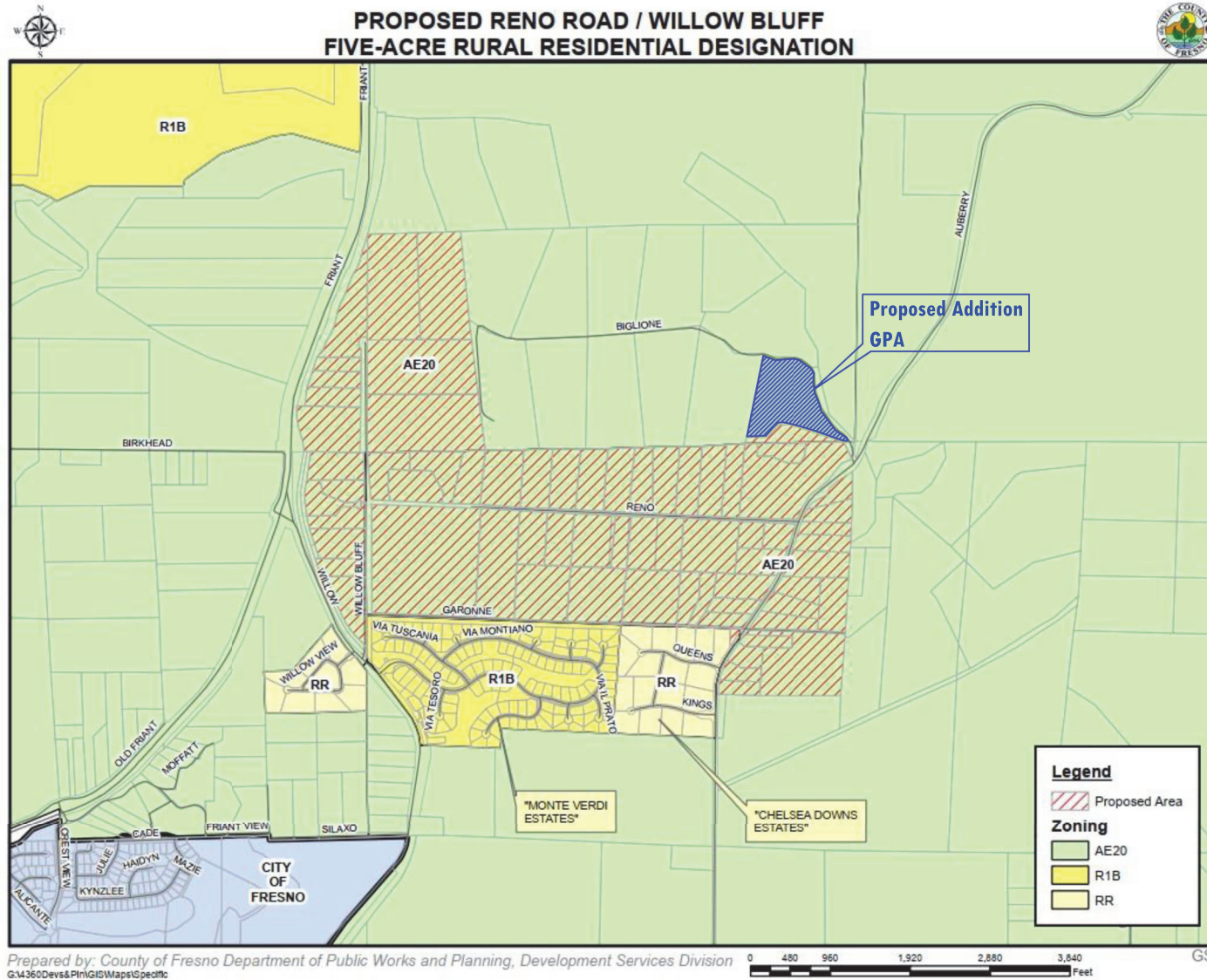


EXHIBIT 5

**Public Works and Planning**

6. Adopt the proposed Resolution: a. Certifying that the Program Environmental Impact Report (PEIR) prepared for the Fresno County General Plan Review and Comprehensive Zoning Ordinance Update is complete, adequate, and in conformance with the California Environmental Quality Act; b. Accepting the revised General Plan Background Report included as Attachment B; and c. Approving General Plan Amendment No. 529, adopting the proposed revised General Plan Policy Document included as Attachment C, which consists of comprehensive modifications to the existing policies and programs in the 2000 General Plan, and which was previously reviewed by the Fresno County Planning Commission as the first general plan amendment of 2024; Adopt the proposed Ordinance, approving Amendment Application No. 3862 rezoning a 481-acre area, approximately one-half mile north of the northern boundary of the City of Fresno, bounded by Friant Road/Willow Avenue to the west, Garonne Avenue to the south, those parcels immediately east and adjacent to Auberry Road to the east and generally the Birkhead Road alignment to the north and encompassing those parcels immediately to the west, northeast and east of the full length of Willow Bluff Avenue from the AE (Exclusive Agricultural) to the AL (Limited Agricultural) Zone District; Adopt the proposed Ordinance, approving Amendment to Text Application No. 385 and adopting the Comprehensive Update to the Fresno County Zoning Ordinance included as Attachment D; and Designate County Counsel to prepare a fair and adequate summary of the proposed ordinances described in Recommended Actions 2 and 3 above and direct the Clerk of the Board to post and publish the required summary in accordance with California Government Code, section 25124(b)(1)

**A MOTION WAS MADE BY SUPERVISOR BRANDAU, SECONDED BY VICE CHAIRMAN MENDES, THAT THIS MATTER BE APPROVED AS RECOMMENDED AND DIRECTED STAFF TO RETURN TO THE PLANNING COMMISSION TO TAKE ANY NECESSARY ACTIONS TO INCLUDE AN APPROXIMATELY 18 ACRES OF ADDITIONAL LAND, LOCATED WEST OF AUBERRY ROAD AND IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 300-320-19S, IN THE GARONNE/WILLOW BLUFF RURAL RESIDENTIAL AREA, AS DEFINED IN POLICY NO. LU-E.24 AND FIGURE LU-4 OF THE APPROVED GENERAL PLAN POLICY DOCUMENT. THE MOTION CARRIED BY THE FOLLOWING VOTE:**

**Ayes:** 5 - Brandau, Magsig, Mendes, Pacheco, and Quintero

Resolution No. 24-053, Ordinance No. R499-3862, Ordinance No. T099-385