

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF FRESNO
STATE OF CALIFORNIA

IN THE MATTER OF:

(1) FRIANT RANCH ENVIRONMENTAL
IMPACT REPORT SCH 2007101016, AND
(2) GENERAL PLAN AMENDMENT
APPLICATION NO. 551

RESOLUTION RESCINDING
ADOPTION OF RESOLUTION NO. 11-031

WHEREAS, Fresno County prepared an Environmental Impact Report (“EIR”) for General Plan Amendment (“GPA”) No. 511, which proposed to update the Friant Community Plan and authorize the Friant Ranch Specific Plan, Amendment Application No. 3751 which rezoned the 7.19-acre “Depot Parcel” from Single-Family Residential Agricultural District (R-A) to General Commercial (C-6), rezoned two parcels totaling 6.6 acres from R-A and C-6 to Open Space (OS), and (3) rezoned a 106-acre parcel from AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to OS and Amendment to Text Application No. 363, which adopted the Friant Ranch Zoning Regulations, containing specific zoning districts for the Friant Ranch Specific Plan Area; and

WHEREAS, the Final EIR for this Plan Update consists of the Draft EIR (“DEIR”), the Technical Appendices thereto, the Comments to the DEIR and the written Responses to said Comments, and certain errata to the DEIR, of which all documents constitute and shall be collectively referred to herein as the “Final EIR”; and

WHEREAS, the amendment of the General Plan proposed by GPA No. 511 consisted of updating the Friant Community Plan, which is part of the Fresno County General Plan, and expanding the boundary by adding the 942.2-acre Friant Ranch Specific Plan Area and designating the Specific Plan Area for a variety of residential, commercial, and open space uses, and adopting the Friant Ranch Specific Plan containing goals, policies, implementation measures and development standards for the Specific Plan Area; and

WHEREAS, at its February 1, 2011, hearing the Fresno County Board of Supervisors considered the Agenda Item with attachments including the Planning Commission Staff Report, the Final EIR, proposed amendment, the Planning Commission’s resolution, verbal and/or written public testimony on the proposed amendment; and

1 WHEREAS, the Board of Supervisors adopted Resolution No. 11-031, which certified the Final
2 EIR and amended the Fresno County General Plan as proposed by GPA No. 551; and

3 WHEREAS, following the approval of Resolution No. 11-031 by the Board of Supervisors, the
4 Sierra Club, Revive the San Joaquin, and League of Women Voters of Fresno (collectively, the
5 “Petitioners”) challenged the Project Approvals. The Petitioners filed a petition for writ of mandate
6 against the County of Fresno in case no. 11CECG00706 on March 4, 2011; and

7 WHEREAS, the case was ultimately heard by the California Supreme Court, which determined
8 in 2018 that portions of the County of Fresno’s air quality analysis violated the California
9 Environmental Quality Act; and

10 WHEREAS, on remand, the Superior Court entered judgment in favor of the Petitioners and
11 issued an Amended Peremptory Writ of Mandate on February 16, 2021, requiring in pertinent part that
12 the County of Fresno vacate its decision to approve amendments to the General Plan as proposed by
13 GPA No. 551 and void its decision to certify the Final EIR;

14 NOW, THEREFORE, IT IS RESOLVED by the Fresno County Board of Supervisors that
15 Resolution No. 11-031, dated February 1, 2011, which (1) certified the Final EIR prepared for the
16 proposed amendments and rezonings and (2) amended the Agriculture and Land Use Element of the
17 Fresno County General Plan as proposed by GPA No. 551, is hereby rescinded.


18 IT IS FURTHER RESOLVED by Fresno County Board of Supervisors that the Board’s
19 February 1, 2011, certification of the Final EIR prepared for the proposed GPA No. 551, Amendment
20 Application No. 3751, and Amendment to Text Application No. 363, is hereby decertified.

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1 THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors
2 of the County of Fresno the 13th day of April, 2021, to wit:

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AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero
NOES: None
ABSENT: None
ABSTAINED: None

BY 
Steve Brandau, Chairman of the Board of Supervisors of the County of Fresno

ATTEST:
Bernice E. Seidel
Clerk of the Board of Supervisors
County of Fresno, State of California

By 
Deputy