



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 4 November 16, 2023

**SUBJECT:** General Plan Amendment No. 570 and Amendment Application No. 3860

Amend the Medium High Density Residential land use designation in the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans to allow a density of up to 20 dwelling units per acre as is implemented in the County General Plan's Medium High Density Residential land use designation outside said Community Plans by the approval of General Plan Amendment No. 563 on November 24, 2020; and

Amend the County-adopted Del Rey Community Plan to expand the Plan boundary to encompass an 18-acre parcel identified as APN 350-080-68T; and

Amend the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans to re-designate seven specified parcels as Medium High Density Residential; and

Rezone, of the seven specified parcels within the aforementioned Community Plans, four parcels from District Two and District Four to the R-2 (Low Density Multiple Family Residential) Zone District, two parcels from District One, District Four, and District Five to the R-3 (Medium Density Multiple Family Residential) Zone District, and separate portions of the remaining parcel from District Four to the R-3 and R-1 (Single Family Residential) Zone Districts.

These modifications are submitted to address the Sixth Cycle Housing Element Regional Housing Needs Allocation (RHNA) obligation for the unincorporated County.

**LOCATION:** Multiple locations throughout the unincorporated area of the County of Fresno.

**OWNER:** Various

**APPLICANT:** County of Fresno

**STAFF CONTACT:     Derek Chambers, Planner  
                              (559) 600-2753**

**Yvette Quiroga, Principal Planner  
(559) 600-0533**

**RECOMMENDATION:**

- Recommend that the Board of Supervisors approve General Plan Amendment (GPA) No. 570 amending the Medium High Density Residential land use designation in the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans to allow a density of up to 20 dwelling units per acre, amend the County-adopted Del Rey Community Plan to expand the Del Rey Community Plan boundary to encompass an 18-acre parcel identified as APN 350-080-68T, and amend the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans to re-designate seven specified parcels as Medium High Density Residential as the first General Plan Amendment cycle in 2023; and
- Recommend that the Board of Supervisors approve Amendment Application (Rezone) No. 3860 to rezone four of the subject parcels to the R-2 (Low Density Multiple Family Residential) Zone District, rezone two of the subject parcels to the R-3 (Medium Density Multiple Family Residential) Zone District, and rezone separate portions of the remaining subject parcel to the R-3 and R-1 (Single Family Residential) Zone Districts; and
- Recommend the Board accept the Addendum to the Environmental Impact Report that was certified with the adoption of the General Plan in October of 2000.
- Direct the Secretary to prepare a Resolution forwarding GPA No. 570 and Rezone No. 3860 to the Board of Supervisors with a recommendation for approval, stating that the proposed changes to the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans and the proposed rezone requests are consistent with the Fresno County General Plan

**EXHIBITS:**

1. Proposed Amendments to the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans
2. List of Subject Parcels
3. Location Maps
4. Uses Allowed Under Current Zoning by-right uses
5. Uses Allowed Under Proposed Zoning by-right uses
6. Condition of Approval and Project Notes
7. Addendum to the 2000 General Plan Environmental Impact Report (EIR)

**SITE DEVELOPMENT:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	<p>APN 442-341-07: Rural Residential (Fresno High-Roeding Community Plan)</p> <p>APN 415-120-35: Low Density Residential (Bullard Community Plan)</p> <p>APN 415-133-09: Low Density Residential (Bullard Community Plan)</p> <p>APN 350-080-68T (portion): Agriculture (County General Plan)</p> <p>APN 350-080-68T (portion): Agriculture (County General Plan)</p> <p>APN 053-260-24S: Medium Density Residential (Riverdale Community Plan)</p> <p>APN 043-201-27: Medium Density Residential (Caruthers Community Plan)</p> <p>APN 495-061-25: Community Commercial (Clovis Community Plan)</p>	<p>APN 442-341-07: Medium High Density Residential (Fresno High-Roeding Community Plan)</p> <p>APN 415-120-35: Medium High Density Residential (Bullard Community Plan)</p> <p>APN 415-133-09: Medium High Density Residential (Bullard Community Plan)</p> <p>APN 350-080-68T: Medium High Density Residential (Del Rey Community Plan)</p> <p>APN 350-080-68T: Medium High Density Residential (Del Rey Community Plan)</p> <p>APN 053-260-24S: Medium High Density Residential (Riverdale Community Plan)</p> <p>APN 043-201-27: Medium High Density Residential (Caruthers Community Plan)</p> <p>APN 495-061-25: Medium High Density Residential (Clovis Community Plan)</p>
Zoning	<p>APN 442-341-07: RR Zone District (Rural Residential, 2-acre minimum parcel size)</p> <p>APN 415-120-35: R1EH Zone District (Low Density Residential; 37,500 SQ. FT. minimum parcel size)</p> <p>APN 415-133-09: R1AH Zone District (Low Density Residential; 20,000 SQ. FT. minimum parcel size)</p>	<p>APN 442-341-07: Rezone 1.73-acre parcel to R3 Zone District (Medium High Density 7,500 SQ. FT. minimum parcel size)</p> <p>APN 415-120-35: Rezone 0.97-acre parcel to R2 (Medium High Density; 6,600 SQ. FT. minimum parcel size)</p> <p>APN 415-133-09: Rezone 0.56-acre parcel to R2 (Medium High Density; 6,600 SQ. FT. minimum parcel size)</p>

Criteria	Existing	Proposed
	<p>APN 350-080-68T: AE-20 Zone District (Agriculture; 20-acre minimum parcel size)</p> <p>APN 350-080-68T: AE-20 Zone District (Agriculture; 20-acre minimum parcel size)</p> <p>APN 053-260-24S: R1 Zone District (Medium Density; 6,000 SQ. FT. minimum parcel size)</p> <p>APN 043-201-27: R1 Zone District (Medium Density; 6,000 SQ. FT. minimum parcel size)</p> <p>APN 495-061-25: C2 Zone District (Community Commercial; No Minimum Lot Size)</p>	<p>APN 350-080-68T: Rezone 6.5-acre parcel (portion of APN 350-080-68T) to R3 (Medium High Density 7,500 SQ. FT. minimum parcel size)</p> <p>APN 350-080-68T: Rezone 11.5-acre parcel (portion of APN 350-080-68T) to R1 (Medium High Density; 6,000 SQ. FT. minimum parcel size)</p> <p>APN 053-260-24S: Rezone 6.48-acre parcel to R2 (Medium High Density; 6,600 SQ. FT. minimum parcel size)</p> <p>APN 043-201-27: Rezone 3.41-acre parcel to R2 (Medium High Density; 6,600 SQ. FT. minimum parcel size)</p> <p>APN 495-061-25: Rezone 2.84-acre parcel to R3 (Medium High Density 7,500 SQ. FT. minimum parcel size)</p>
Parcel Size	<p>APN 442-341-07: 1.73-acre parcel</p> <p>APN 415-120-35: 0.97-acre parcel</p> <p>APN 415-133-09: 0.56-acre parcel</p> <p>APN 350-080-68T (portion): 6.5-acre parcel</p> <p>APN 350-080-68T (portion): 11.5-acre parcel</p> <p>APN 053-260-24S: 6.48-acre parcel</p> <p>APN 043-201-27: 3.41-acre parcel</p> <p>APN 495-061-25: 2.84-acre parcel</p>	No Change

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
Structural Improvements	All parcels are currently vacant.	No structural improvements proposed at this time.
Nearest Residence (from existing property line)	<p>APN 442-341-07: Approximately 20 feet to the north and east</p> <p>APN 415-120-35: Adjacent single-family home to the west and south</p> <p>APN 415-133-09: Adjacent single-family home to the west and south</p> <p>APN 350-080-68T (6.5-acre portion): Approximately 20 feet to the southwest; adjacent to two single-family residences to the south; 400 feet to the west</p> <p>APN 350-080-68T (11.5-acre portion): Approximately 20 feet to the southwest; adjacent to two single-family residences to the south; 400 feet to the west</p> <p>APN 053-260-24S: Approximately 60 feet to the north and east; Approximately 70 feet to the west</p> <p>APN 043-201-27: Adjacent to three single-family residences to the east</p> <p>APN 495-061-25: Adjacent to single-family residences to the east and south</p>	No Change
Surrounding Development	<p>APN 442-341-07: Rural residential, rural commercial</p> <p>APN 415-120-35: Single-Family Residential</p> <p>APN 415-133-09: Single-</p>	No change

Criteria	Existing	Proposed
	<p>Family Residential</p> <p>APN 350-080-68T (6.5 portion): Agricultural and single-family residential</p> <p>APN 350-080-68T (11.5 portion): Agricultural and single-family residential</p> <p>APN 053-260-24S: Agricultural, single-family residential, and commercial</p> <p>APN 043-201-27: Agricultural and single-family residential</p> <p>APN 495-061-25: Single-family residential, and commercial</p>	

**SETBACKS, SEPARATION AND PARKING:**

	Current Zoning:	Proposed Zoning:	Is Standard Met (y/n)
Setbacks	<p>APN 442-341-07 <u>RR Zone District:</u> Front: 35 feet Side: 20 feet Rear: 20 feet</p> <p>APN 415-120-35 <u>R1EH Zone District:</u> Front: 50 feet Side: 15 feet Rear: 20 feet</p> <p>APN 415-133-09 <u>R1AH Zone District:</u> Front: 35 feet Side: 10 feet Rear: 20 feet</p> <p>APN 350-080-68T (6.5-acre portion) <u>AE-20 Zone District:</u> Front: 35 feet Side: 20 feet</p>	<p>APN 442-341-07 <u>R3 Zone District:</u> Front: 15 feet Side: 5 feet Rear: 15 feet</p> <p>APN 415-120-35 <u>R2 Zone District:</u> Front: 20 feet Side: 5 feet Rear: 20 feet</p> <p>APN 415-133-09 <u>R2 Zone District:</u> Front: 20 feet Side: 5 feet Rear: 20 feet</p> <p>APN 350-080-68T (6.5-acre portion) <u>R3 Zone District:</u> Front: 15 feet Side: 5 feet</p>	N/A (no existing structural improvements; no structural improvements proposed)

	<b>Current Zoning:</b>	<b>Proposed Zoning:</b>	<b>Is Standard Met (y/n)</b>
	<p>Rear: 20 feet</p> <p>APN 350-080-68T (11.5-acre portion) <u>AE-20 Zone District:</u> Front: 35 feet Side: 20 feet Rear: 20 feet</p> <p>APN 053-260-24S <u>R1 Zone District:</u> Front: 20 feet Side: 5 feet Rear: 20 feet</p> <p>APN 043-201-27 <u>R1 Zone District:</u> Front: 20 feet Side: 5 feet Rear: 20 feet</p> <p>APN 495-061-25 <u>C2 Zone District:</u> Front: 15 feet Side: 10 feet Rear: 10 feet</p>	<p>Rear: 15 feet</p> <p>APN 350-080-68T (11.5-acre portion) <u>R3 Zone District:</u> Front: 15 feet Side: 5 feet Rear: 15 feet</p> <p>APN 053-260-24S <u>R2 Zone District:</u> Front: 20 feet Side: 5 feet Rear: 20 feet</p> <p>APN 043-201-27 <u>R2 Zone District:</u> Front: 20 feet Side: 5 feet Rear: 20 feet</p> <p>APN 495-061-25 <u>R3 Zone District:</u> Front: 15 feet Side: 5 feet Rear: 15 feet</p>	
Parking	<p>APN 442-341-07 R-R Zone District: <u>Residential/By-Right Use:</u> One space per dwelling unit <u>Discretionary Use:</u> Dependent on use</p> <p>APN 415-120-35 R1EH Zone District: <u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use</p> <p>APN 415-133-09 R1AH Zone District:</p>	<p>APN 442-341-07 R3 Zone District: <u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use</p> <p>APN 415-120-35 R2 Zone District: <u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use</p> <p>APN 415-133-09 R2 Zone District:</p>	N/A (no existing structural improvements; no structural improvements proposed)

	<b>Current Zoning:</b>	<b>Proposed Zoning:</b>	<b>Is Standard Met (y/n)</b>
	<p><u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use</p> <p>APN 350-080-68T (6.5-acre portion) AE-20 Zone District: <u>Residential/By-Right Use:</u> No requirements <u>Discretionary Use:</u> Dependent on use</p> <p>APN 350-080-68T (11.5-acre portion) AE-20 Zone District: <u>Residential/By-Right Use:</u> No requirements <u>Discretionary Use:</u> Dependent on use</p> <p>APN 053-260-24S R1 Zone District: <u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use</p> <p>APN 043-201-27 R1 Zone District: <u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use</p>	<p><u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use</p> <p>APN 350-080-68T (6.5-acre portion) R3 Zone District: <u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use</p> <p>APN 350-080-68T (11.5-acre portion) R3 Zone District: <u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use</p> <p>APN 053-260-24S R2 Zone District: <u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use</p> <p>APN 043-201-27 R2 Zone District: <u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use</p>	



	<b>Current Zoning:</b>	<b>Proposed Zoning:</b>	<b>Is Standard Met (y/n)</b>
	APN 495-061-25 C2 Zone District: <u>Residential /By-Right Use:</u> Off-Street: 3 SQ. FT. per 1000 SQ. FT. <u>Discretionary Use:</u> Dependent on use	APN 495-061-25 R3 Zone District: <u>Residential/By-Right Use:</u> One space per garage/port for every dwelling unit <u>Discretionary Use:</u> Dependent on use	
Lot Coverage	APN 442-341-07 <u>RR Zone District:</u> No requirements  APN 415-120-35 <u>R1EH Zone District:</u> Max 30% of total lot area  APN 415-133-09 <u>R1AH Zone District:</u> Max 30% of total lot area  APN 350-080-68T (6.5-acre portion) <u>AE-20 Zone District:</u> No requirements  APN 350-080-68T (11.5-acre portion) <u>AE-20 Zone District:</u> No requirements  APN 053-260-24S <u>R1 Zone District:</u> Max 40% of total lot area  APN 043-201-27 <u>R1 Zone District:</u> Max 40% of total lot area  APN 495-061-25 <u>C2 Zone District:</u> Max 33% of total area	APN 442-341-07 <u>R3 Zone District:</u> Max 50% of total lot area  APN 415-120-35 <u>R2 Zone District:</u> Max 50% of total lot area  APN 415-133-09 <u>R2 Zone District:</u> Max 50% of total lot area  APN 350-080-68T (6.5-acre portion) <u>R3 Zone District:</u> Max 50% of total lot area  APN 350-080-68T (11.5-acre portion) <u>R3 Zone District:</u> Max 50% of total lot area  APN 053-260-24S <u>R2 Zone District:</u> Max 50% of total lot area  APN 043-201-27 <u>R2 Zone District:</u> Max 50% of total lot area  APN 495-061-25 <u>R3 Zone District:</u> Max 50% of total lot area	N/A (no existing structural improvements; no structural improvements proposed)
Separation between Buildings	APN 442-341-07 <u>RR Zone District:</u> 6 feet minimum for accessory buildings; 25	APN 442-341-07 <u>R3 Zone District:</u> Minimum 10 feet	N/A (no existing structural improvements;

	<b>Current Zoning:</b>	<b>Proposed Zoning:</b>	<b>Is Standard Met (y/n)</b>
	<p>feet minimum for accessory buildings used as a garage; 40 feet minimum between human habitations and structures used to house animals</p> <p>APN 415-120-35 <u>R1EH Zone District:</u> 6 feet minimum for accessory buildings; 25 feet minimum for accessory buildings used as a garage; 40 feet minimum between human habitations and structures used to house animals</p> <p>APN 415-133-09 <u>R1AH Zone District:</u> 6 feet minimum for accessory buildings; 25 feet minimum for accessory buildings used as a garage; 40 feet minimum between human habitations and structures used to house animals</p> <p>APN 350-080-68T (6.5-acre portion) <u>AE-20 Zone District:</u> 40 feet minimum between human habitations and structures used to house animals</p> <p>APN 350-080-68T (11.5-acre portion) <u>AE-20 Zone District:</u> 40 feet minimum between human habitations and structures used to house animals</p>	<p>APN 415-120-35 <u>R2 Zone District:</u> Minimum 10 feet</p> <p>APN 415-133-09 <u>R2 Zone District:</u> Minimum 10 feet</p> <p>APN 350-080-68T (6.5-acre portion) <u>R3 Zone District:</u> Minimum 10 feet</p> <p>APN 350-080-68T (11.5-acre portion) <u>R3 Zone District:</u> Minimum 10 feet</p>	<p>no structural improvements proposed)</p>

	<b>Current Zoning:</b>	<b>Proposed Zoning:</b>	<b>Is Standard Met (y/n)</b>
	<p>APN 053-260-24S <u>R1 Zone District:</u> 6 feet minimum for accessory buildings; 25 feet minimum for accessory buildings used as a garage; 40 feet minimum between human habitations and structures used to house animals</p> <p>APN 043-201-27 <u>R1 Zone District:</u> 6 feet minimum for accessory buildings; 25 feet minimum for accessory buildings used as a garage; 40 feet minimum between human habitations and structures used to house animals</p> <p>APN 495-061-25 <u>C2 Zone District:</u> No requirements</p>	<p>APN 053-260-24S <u>R2 Zone District:</u> Minimum 10 feet</p> <p>APN 043-201-27 <u>R2 Zone District:</u> Minimum 10 feet</p> <p>APN 495-061-25 <u>R3 Zone District:</u> Minimum 10 feet</p>	
Wall Requirements	<p>APN 442-341-07 <u>RR Zone District:</u> No requirements</p> <p>APN 415-120-35 <u>R1EH Zone District:</u> 5 feet minimum, 6 feet maximum</p> <p>APN 415-133-09 <u>R1AH Zone District:</u> 5 feet minimum, 6 feet maximum</p> <p>APN 350-080-68T (6.5-acre portion) <u>AE-20 Zone District:</u> No requirements</p>	<p>APN 442-341-07 <u>R3 Zone District:</u> No requirements</p> <p>APN 415-120-35 <u>R2 Zone District:</u> 5 feet minimum, 6 feet maximum</p> <p>APN 415-133-09 <u>R2 Zone District:</u> 5 feet minimum, 6 feet maximum</p> <p>APN 350-080-68T (6.5-acre portion) <u>R3 Zone District:</u> No requirements</p>	N/A (no existing structural improvements; no structural improvements proposed)

	<b>Current Zoning:</b>	<b>Proposed Zoning:</b>	<b>Is Standard Met (y/n)</b>
	APN 350-080-68T (11.5-acre portion) <u>AE-20 Zone District:</u> No requirements  APN 053-260-24S <u>R1 Zone District:</u> No requirements  APN 043-201-27 <u>R1 Zone District:</u> No requirements  APN 495-061-25 <u>C2 Zone District:</u> No requirements	APN 350-080-68T (11.5-acre portion) <u>R3 Zone District:</u> No requirements  APN 053-260-24S <u>R2 Zone District:</u> No requirements  APN 043-201-27 <u>R2 Zone District:</u> No requirements  APN 495-061-25 <u>R3 Zone District:</u> No requirements	
Septic Replacement Area	100% (all Zone Districts)	Future development will utilize community sewer systems.	N/A (future development will utilize community sewer systems)
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet (all Zone Districts)	Future development will utilize community sewer systems.	N/A (future development will utilize community sewer systems)

**EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N**

**ENVIRONMENTAL ANALYSIS:**

California Environmental Quality Act (CEQA) requirements for GPA No. 570 and Rezone No. 3860 are addressed by an Addendum to the Environmental Impact Report (EIR) adopted by the Board of Supervisors in October 2000 for the County's 2000 General Plan. This Addendum is included in this staff report as Exhibit 7.

**PUBLIC NOTICE:**

Notices were mailed to 567 property owners within 600 feet of the subject parcels, exceeding the minimum notification requirements prescribed by California Government Code and County Zoning Ordinance.

**PROCEDURAL CONSIDERATIONS:**

General Plan Amendments (GPAs) and Amendment Applications (Rezoning) are legislative

acts requiring final action by the Board of Supervisors. Recommendations from the Planning Commission in support of GPAs and Rezoning are advisory actions requiring an affirmative vote from a majority of the Commission's total membership. A recommendation for approval is then forwarded to the Board of Supervisors for final action. In instances where the Planning Commission votes to deny a GPA and/or Rezoning, the Commission's decision is final unless appealed to the Board of Supervisors within 15 days of the Commission's decision.

### **BACKGROUND INFORMATION:**

Every eight years, the County of Fresno (County) is required to update the Housing Element (HE) of the General Plan per California Housing law. The updates are reviewed and approved by the California Department of Housing and Community Development (HCD) before the County can adopt the HE and incorporate it as part of our overall General Plan.

A critical component to the update of a HE is the projection of anticipated housing needs at various income levels for the next HE cycle. These Countywide projections, provided by HCD, identify the number of housing units that must be planned for by the local Council of Government (COG) to meet local housing needs. The COG in turn allocates this obligation to its partner cities and to the County for the unincorporated areas. This process of identifying and allocating is known as the Regional Housing Needs Allocation (RHNA). The RHNA does not guarantee development, but rather availability of land for future development.

The County's RHNA obligation for the unincorporated areas within the upcoming Sixth Cycle Housing Element is 2,350 units. In order to help accommodate this RHNA obligation, the County is requesting to rezone seven parcels within the unincorporated area of County. The proposed rezone includes four parcels to the R-2 (Low Density Multiple Family Residential) Zone District, two parcels to the R-3 (Medium Density Multiple Family Residential) Zone District, and separate portions of another parcel to the R-3 and R-1 (Single Family Residential) Zone Districts.

State law requires the zoning designation of a parcel to be compatible with the land use designation of the local agency's General Plan. The current land use designation for the parcels proposed for rezone are not currently compatible with this proposal. In order to meet the compatibility requirement, a change to the land use designations of the subject parcels to Medium High Density Residential and changes to the Medium High Density Residential land use designations in the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans to match the County General Plan's Medium High Density Residential land use designation as amended by GPA No. 563 approved on November 24, 2020 is being requested.

In addition, rezone of an 18-acre parcel (APN 350-080-68T) from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to the R-3 and R-1 Zone Districts and expansion of the boundary of the County-adopted Del Rey Community Plan to incorporate this parcel is being requested. In order to utilize the community water and sewer systems services provided by the Del Rey Community Services District, land must be located within the Del Rey Community Plan boundary. As such, this proposal includes a request to amend the County-adopted Del Rey Community Plan boundary to include the 18-acre parcel identified as APN 350-080-68T.

Information regarding the subject parcels is included in Exhibit 2 of this staff report.

**ANALYSIS, DISCUSSION AND GENERAL PLAN CONSISTENCY:**

<b>Relevant Policies:</b>	<b>Consistency / Considerations:</b>
<p><b>General Plan Policy LU-G.1:</b>  <i>The County acknowledges that the cities have primary responsibility for planning within their LAFCo-adopted spheres of influence and are responsible for urban development and the provision of urban services within their spheres of influence.</i></p>	<p>As detailed in Exhibit 2 of this staff report, three of the subject parcels are located within the City of Fresno sphere-of-influence and one of the subject parcels is located within the City of Clovis sphere-of-influence.</p> <p>On September 15, 2023, this proposal was provided to the City of Fresno and the City of Clovis for review and comment.</p> <p>The City of Clovis did not provide any comments regarding this proposal.</p> <p>On September 29, 2023, the City of Fresno provided a comment letter regarding this proposal expressing opposition to the rezoning of parcels located within the City’s proposed West Area Neighborhood Specific Plan (WANSP). In response, County staff removed from this proposal the parcels that are located within the City’s proposed WANSP.</p> <p>Considering that the County respected the City’s request to remove from this proposal all the parcels located within the City’s proposed WANSP that they objected to, staff believes the proposal is consistent with Policy LU-G.1.</p>
<p><b>General Plan Policy LU-G.14:</b>  <i>The County shall not approve any discretionary permit for new urban development within a city’s sphere of influence unless the development proposal has first been referred to the city for consideration of possible annexation pursuant to the policies of this section and provisions of any applicable city/county memorandum of understanding.</i></p>	<p>On August 31, 2023, the subject parcels located within the City of Fresno sphere-of-influence were referred to that City for consideration of annexation (Referral No. 1068). On that same day, the subject parcel located within the City of Clovis sphere-of-influence was referred to that City for consideration of annexation (Referral No. 1069). The City of Fresno and the City of Clovis both declined to initiate annexation of the subject parcels. Therefore, staff believes the proposal is consistent with Policy LU-G.14.</p>

**Reviewing Agency/Department Comments:**

Caruthers Community Services District: The Caruthers Community Services District (District) is presently under Compliance Order No. 03-12-023O-001 for Violation of the Arsenic maximum contaminant level (MCL). The District has received funding for necessary improvements to comply with the Arsenic MCL, and is anticipating completion of construction in 2023. The District

is also under Compliance Order No. 03-23-19R-001 for Violation of the 1,2,3-Trichloropropane (TCP) MCL. Final improvements and funding to address Compliance Order No. 03-23-19R-001 have not yet been determined. Any future development proposed within the District's service area is contingent upon the availability of community water and sewer service capacity to serve such development. The developer shall be responsible for constructing improvements to the District's community water and sewer systems as necessary to accommodate new development. This requirement has been included as a project note.

City of Fresno: For parcels APN 415-120-35, APN 415-133-09, and APN 442-341-07, the City stipulated that any future development on parcels involved in this rezone proposal that are located within the City's sphere-of-influence shall not oppose future annexation. This requirement has been included as a condition of approval.

Fresno County Department of Public Health: If any underground petroleum storage tank(s) are discovered during construction activities, the applicant/property owner shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information. This requirement has been included as a project note.

Fresno Irrigation District: Fresno Irrigation District (FID) does not allow FID-owned properties, pipelines, and/or easements to be located in rear yards, in common use with utility easements, or road right-of-way. Any future development proposed on the subject parcels in proximity to FID facilities shall be reviewed for approval by FID prior to issuance of building permits. This requirement has been included as a project note.

Fresno Metropolitan Flood Control District: Any future development proposed on the subject parcels that are located within the Fresno Metropolitan Flood Control District (FMFCD) jurisdiction shall be reviewed for approval by FMFCD prior to issuance of building permits. This requirement has been included as a project note.

### **Analysis:**

One fundamental issue regarding any rezone request is whether the proposed zone change is consistent with the General Plan. In this case, the proposed rezone includes amendments to the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans to change the land use designations of the subject parcels to Medium High Density Residential. According to the zoning compatibility matrixes in the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans, the Medium High Density Residential land use designation is compatible with the proposed R-2, R-3, and R-1 zoning.

This and future rezone efforts undertaken by the County are in response to the State's RHNA requirements. The State requires that the County demonstrate that it has sufficient parcels zoned appropriately to build the allotted affordable housing units for low and very-low-income County residents. The State has also outlined specific requirements that each parcel must meet including the minimum density and location of the parcels. The RHNA allocation requirements for low and very-low-income housing has resulted in the County to rezone these parcels and the County will need to rezone additional parcels in the next 12 months to meet the State requirement to facilitate the development of affordable housing.

## **PUBLIC COMMENT:**

No public comments have been received.

## **CONCLUSION:**

The proposed Community Plan amendments in conjunction with the proposed rezoning will help satisfy the County's RHNA obligation for the upcoming Sixth Cycle Housing Element. Further, approval of the proposed Community Plan amendments and associated rezoning will help facilitate development of new housing opportunities for lower income households and individuals within unincorporated areas of the County. In conclusion, staff believes the proposed amendments to the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans and the proposed rezoning of the subject parcels are consistent with the Fresno County General Plan and recommends approval of GPA No. 570 and AA No. 3860.

## **PLANNING COMMISSION MOTIONS:**

### **Recommended Motion** (Approval Action)

- Recommend that the Board of Supervisors approve General Plan Amendment No. 570 amending the Medium High Density Residential land use designation in the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans to allow a density of 20 dwelling units per acre, amend the County-adopted Del Rey Community Plan to expand the Del Rey Community Plan boundary to encompass an 18-acre parcel identified as APN 350-080-68T, and amend the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans to re-designate the seven parcels listed in Exhibit 2 of this staff report as Medium High Density Residential as the first General Plan Amendment cycle in 2023; and
- Recommend that the Board of Supervisors approve Amendment Application No. 3860 to rezone the seven parcels listed in Exhibit 2 of this staff report to the R-2 (Low Density Multiple Family Residential), R-3 (Medium Density Multiple Family Residential), and R-1 (Single Family Residential) Zone Districts as detailed in Exhibit 2 of this staff report; and
- Recommend the Board accept the Addendum to the Environmental Impact Report that was certified with the adoption of the General Plan in October of 2000.
- Direct the Secretary to prepare a Resolution forwarding General Plan Amendment No. 570 and Amendment Application No. 3860 to the Board of Supervisors with a recommendation for approval, stating that the proposed changes to the County-adopted Bullard, Caruthers, Clovis, Del Rey, Fresno High-Roeding, and Riverdale Community Plans and the proposed rezoning requests are consistent with the Fresno County General Plan

### **Alternative Motion** (Denial Action)

- Move to determine that General Plan Amendment No. 570 and Amendment Application No. 3860 are not appropriate (state reasons); and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

DC:JP

G:\7205ComDev\General Plan\Housing Element\RHNA\RHNA Rezone - Density Bonus\Planning Commission\GPA 570 AA 3860\GPA 570 AA 3860 PC SR Final.docx



EXHIBIT 1

GENERAL PLAN AMENDMENT NO. 570

**The County-adopted Bullard Community Plan will be amended as follows:**

SECTION 710-01:1.00(c)

Medium High Density Residential shall mean land designated for residential development at a density not to exceed ~~one~~ **20** dwelling units per ~~2,400 square feet~~ **acre**.

**The County-adopted Caruthers Community Plan will be amended as follows:**

SECTION 604-01:1.00(c)

Medium High Density Residential shall mean land designated for residential development at a density not to exceed ~~one~~ **20** dwelling units per ~~2,400 square feet~~ **acre**.

**The County-adopted Clovis Community Plan will be amended as follows:**

SECTION 720-01:1.00(c)

Medium High Density Residential shall mean land designated for residential development at a density not to exceed ~~one~~ **20** dwelling units per ~~2,400 square feet~~ **acre**.

**The County-adopted Del Rey Community Plan will be amended as follows:**

SECTION 605-01:1.00(c)

Medium High Density Residential shall mean land designated for residential development at a density not to exceed ~~one~~ **20** dwelling units per ~~2,400 square feet~~ **acre**.

LAND USE MAP

Expand the Community Plan boundary to encompass an 18-acre parcel identified as APN 350-080-68T.

**The County-adopted Fresno High-Roeding Community Plan will be amended as follows:**

SECTION 730-01:1.01(c)

Medium High Density Residential shall mean land designated for residential development at a density not to exceed ~~one~~ **20** dwelling units per ~~2,400 square feet~~ **acre**.

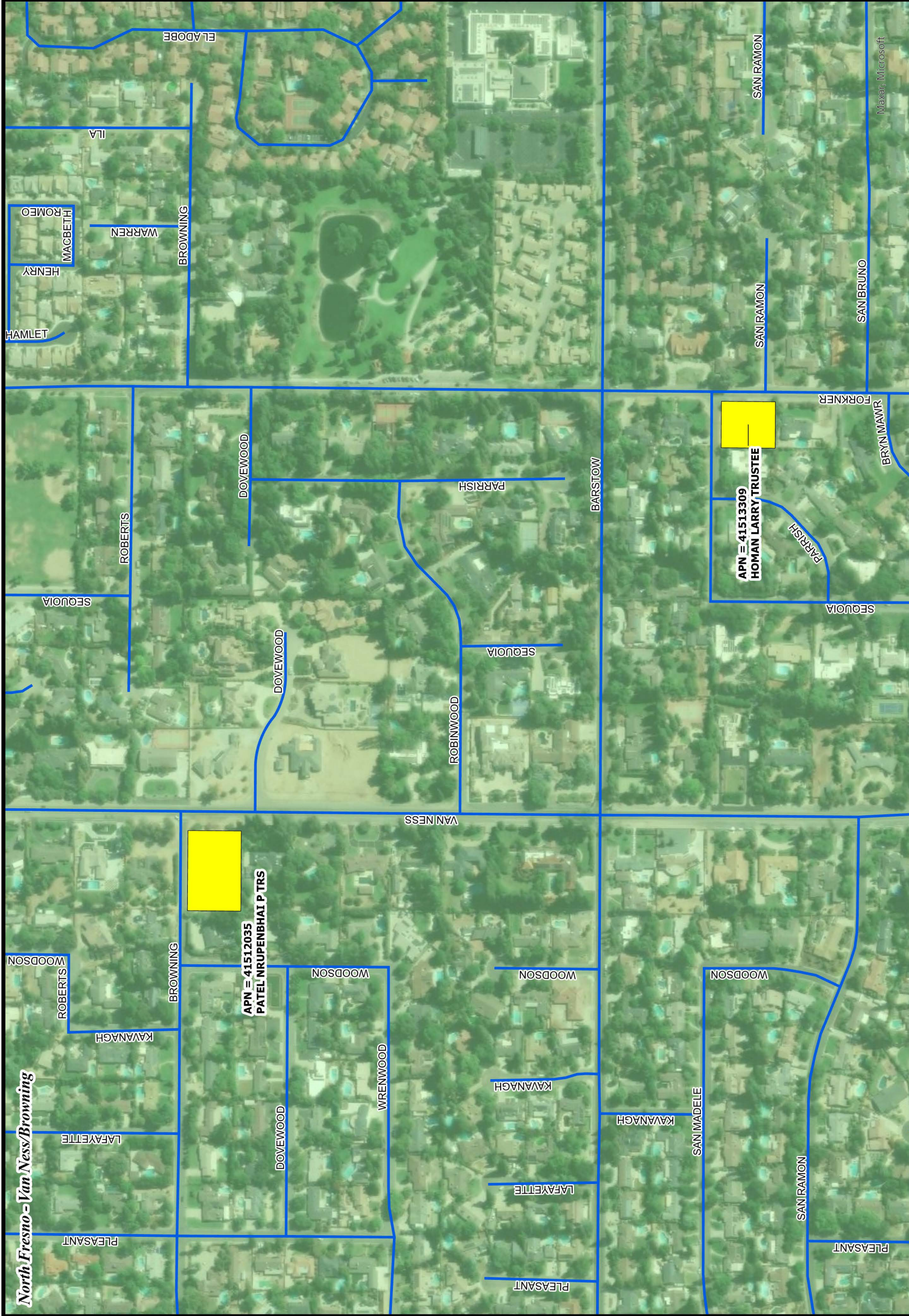
**The County-adopted Riverdale Community Plan will be amended as follows:**

SECTION 608-01:1.00(c)

Medium High Density Residential shall mean land designated for residential development at a density not to exceed ~~one~~ **20** dwelling units per ~~2,400 square feet~~ **acre**.

**EXHIBIT 2**  
**GPA No. 570 and AA No. 3860**  
**Subject Parcels**

APN	Site Address	City Sphere of Influence (SOI)	Size (acres)	Current Land Use Designation	Current Zone District	Proposed Land Use Designation	Proposed Zone District
415-120-35	N/A	Fresno	0.97	Low Density Residential (Bullard Community Plan)	R1EH	Medium High Density Residential (Bullard Community Plan)	R2
415-133-09	N/A	Fresno	0.56	Low Density Residential (Bullard Community Plan)	R1AH	Medium High Density Residential (Bullard Community Plan)	R2
043-201-27	N/A	N/A	3.41	Medium Density Residential (Caruthers Community Plan)	R1	Medium High Density Residential (Caruthers Community Plan)	R2
495-061-25	N/A	Clovis	2.84	Community Commercial (Clovis Community Plan)	C2	Medium High Density Residential (Clovis Community Plan)	R3
350-080-68t (portion)	N/A	N/A	6.5 (portion)	Agriculture (County General Plan)	AE-20	Medium High Density Residential (Del Rey Community Plan)	R3
350-080-68t (portion)	N/A	N/A	11.5 (portion)	Agriculture (County General Plan)	AE-20	Medium High Density Residential (Del Rey Community Plan)	R1
442-341-07	3154 McKinley	Fresno	1.73	Rural Residential (Fresno High- Roeding Community Plan)	RR	Medium High Density Residential (Fresno High-Roeding Community Plan)	R3
053-260-24s	21145 Marks	N/A	6.48	Medium Density Residential (Riverdale Community Plan)	R1	Medium High Density Residential (Riverdale Community Plan)	R2

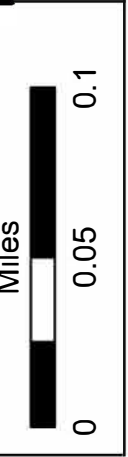


**PWP**  
PUBLIC WORKS AND PLANNING  
COUNTY OF FRESNO

**Fresno County**





**LEGEND**

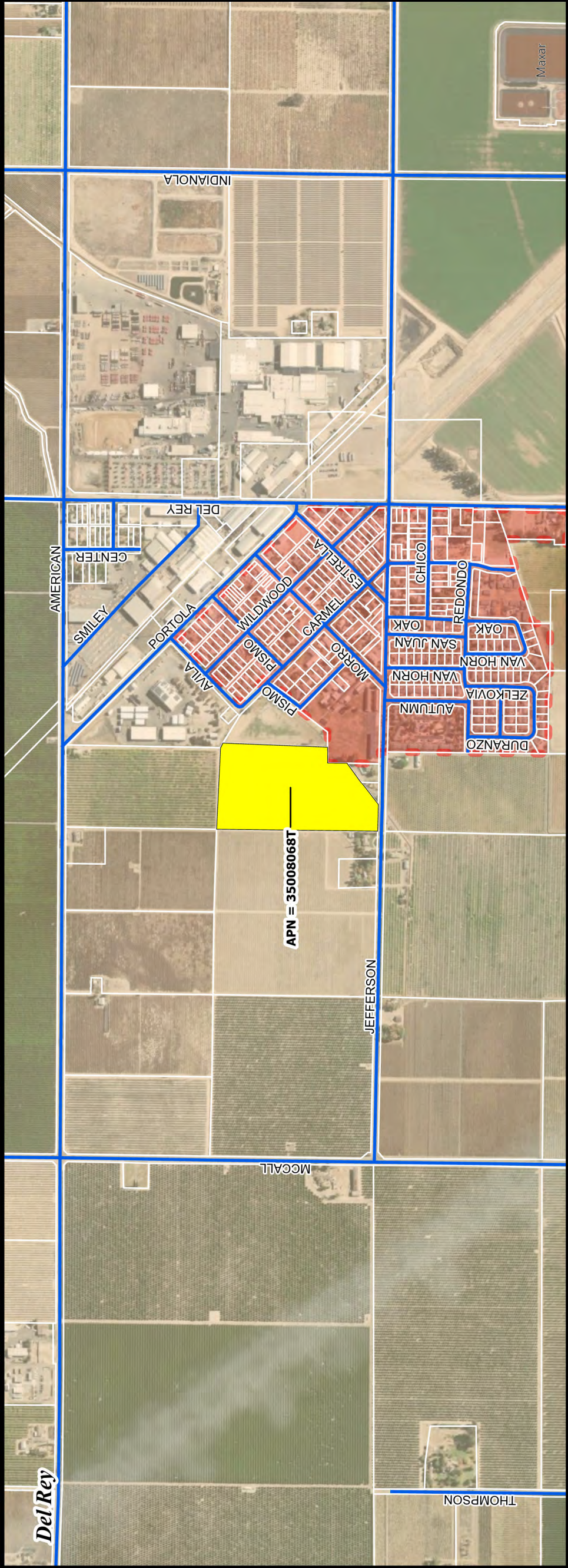
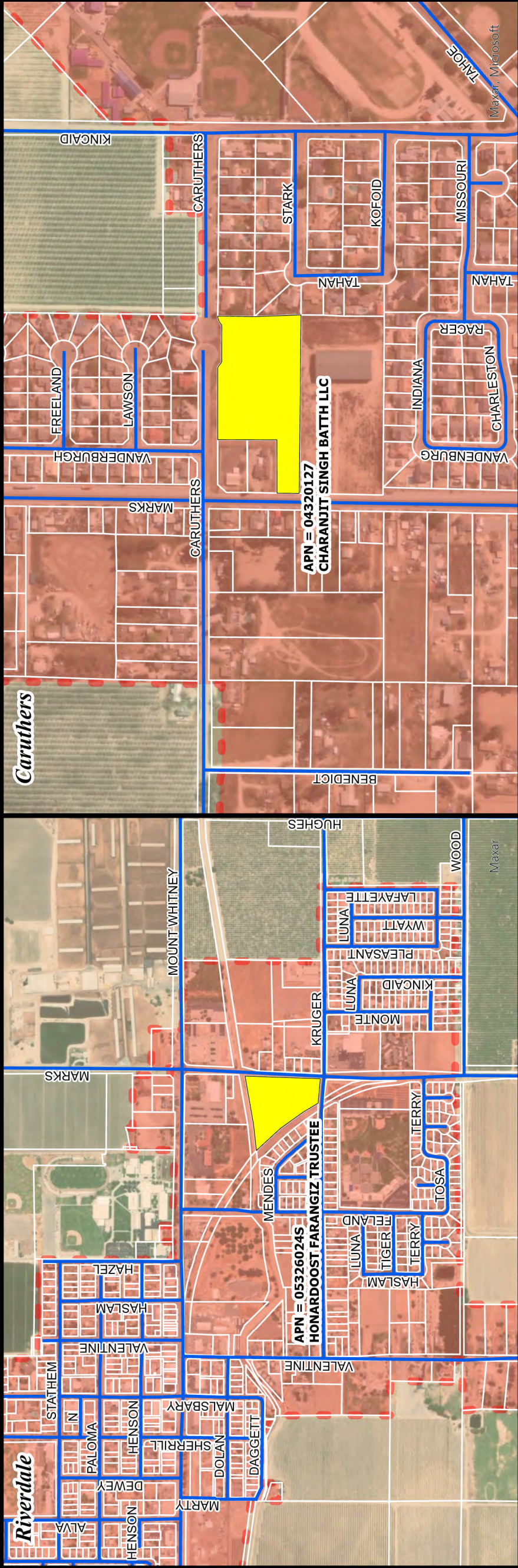
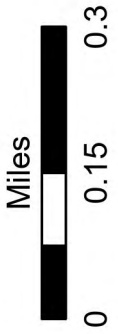
- Disadvantage Unincorporated Communities
- 2nd Supervisorial Dist
- Parcels in Review
- Low Income



**Supervisorial District 2 - 6th Cycle RHNA Inventory**



**LEGEND**

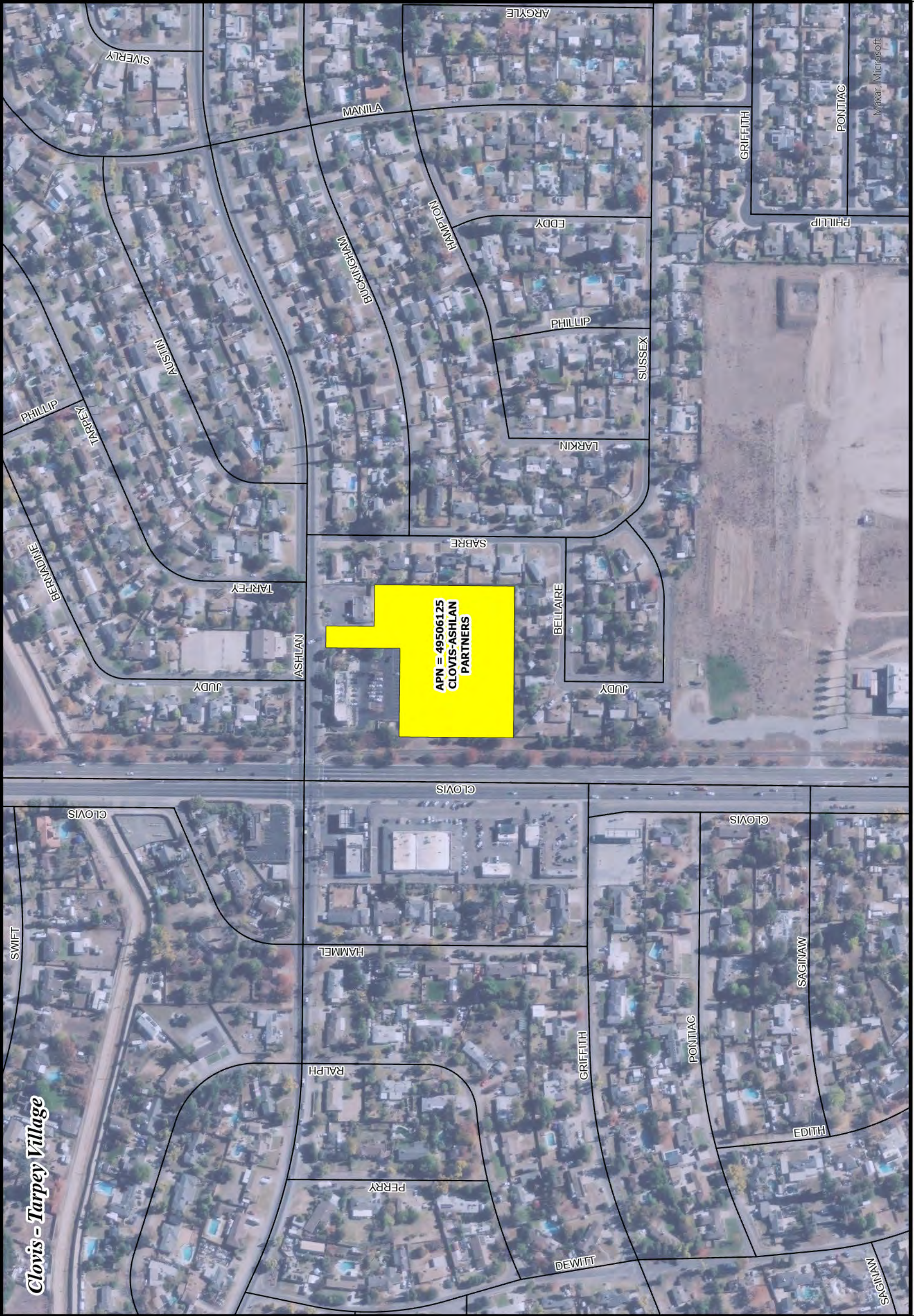
-  Disadvantaged Unincorporated Communities
-  4th Supervisorial Dist
-  Parcels in Review
-  Low Income



**Supervisorial District 4 - 6th Cycle RHNA Inventory**

**LEGEND**

-  5th Supervisorial Dist
-  Low Income



*Clovis - Tarpey Village*

**Supervisorial District 5 - 6th Cycle RHNA Inventory**

**LEGEND**

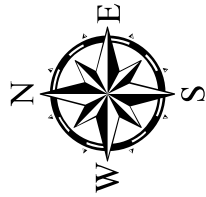
Parcels in Review



Low Income



City Sphere of Influence



Miles



Maxar, Microsoft

**Supervisory District 1 - 6th Cycle RHNA Inventory**

## EXHIBIT 4

### Amendment Application No. 3860

#### **By-Right uses Permitted Under the existing R-R (Rural Residential) Zone District**

The following uses shall be permitted in the "R-R" District (Sec. 820.1). All uses shall be subject to the property development standards in Section 820.5.

- A. One family dwelling units, not more than one (1) dwelling per lot.
- B. Accessory buildings including servant's quarters, accessory living quarters, garages and farm buildings.
- C. Agricultural crops, greenhouses, fruit trees, nut trees and vines.
- D. Bovine animals, horses, sheep, and goats where the lot area is thirty-six thousand (36,000) square feet or more and provided that the number thereof shall not exceed a number per each thirty-six thousand (36,000) square feet equal to four (4) adult animals in any combination of the foregoing animals and their immature offspring with not more than three (3) adult animals of a bovine or equine kind or combination thereof and their immature offspring or not more than six (6) immature bovine or equine animals or combination thereof where no adult animals are kept per each thirty-six thousand (36,000) square feet. Where the lot is less than thirty-six (36,000) square feet in area, but twenty thousand (20,000) square feet or greater in area, horses may be maintained for personal use in a number not to exceed two (2) animals with their offspring less than one (1) year of age.
- E. Dogs and cats as domestic pets only (limited to three (3) or fewer animals four (4) months of age or older).
- F. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of Section 855-N.
- G. Mobilehome occupancy, not more than one (1) mobilehome per lot, subject to the provisions of Section 856.
- H. Signs subject to the provisions of Section 820.5-K.
- I. Storage of petroleum products for use by the occupants of the premises, but not for resale or distribution.
- J. Storage or parking of boats, trailers, recreational vehicles, or commercial vehicles, limited to the private non-commercial use by the occupants of the premises.
- K. The keeping of rabbits and other similar small furbearing animals for domestic use on a lot containing not less than thirty-six thousand (36,000) square feet.
- L. The maintaining, breeding, and raising of poultry for domestic use not to exceed five hundred (500) birds and the maintaining, breeding, and raising of poultry for FFA, 4-H and similar organizations. In no case shall the poultry facility be kept or maintained on a lot containing less than thirty-six thousand (36,000) square feet.
- M. The sale of agricultural products produced upon the subject property.
- N. Day nursery - small.
- O. Plant nurseries limited to the sale of agricultural products produced on the property.
- P. Wholesale Limited Winery subject to the provisions of Section 855-N. (Added by Ord. T-093377 adopted 6-12-18)

**By-Right uses Permitted Under the existing R1EH (Low Density Residential) and R1AH (Low Density Residential) Zone Districts**

The following uses shall be permitted in the "R-1-A," "R-1-AH," and "R1EH" Districts (Sec. 822.1 and 823.1). All uses shall be subject to the Property Development Standards in Section 822.5.

- A. One family dwelling unit, not more than one (1) dwelling per lot.
- B. Accessory buildings, including garage.
- C. Private greenhouses and horticultural collections, flower and vegetable gardens.
- D. Orchards, vineyards, pasture crops, hay crops and row crops.
- E. Poultry raising (limited to hens only) rabbits or similar small fur-bearing animals not to exceed twenty-four (24) of any kind or combination thereof for domestic purposes only.
- F. Horses may be maintained for personal use in the "R-1-AH" District upon an area not less than twenty thousand (20,000) square feet in area in a number not to exceed two (2) animals, with their off-spring less than one (1) year of age. An additional horse may be permitted for each additional twenty thousand (20,000) square feet of lot area, provided that the total number shall not in any case, exceed four (4) horses. (Amended by Ord. 490.46 adopted 8-31-68)
- G. Storage of petroleum products only for use of the occupants of the premises, but not for resale or distribution.
- H. Home Occupations, Class I, subject to the provisions of Section 855-N. (Amended by Ord. T-288 adopted 2-25-86)
- I. Signs, subject to the provisions of Section 822.5-K.
- J. House trailer parking, subject to the provisions of Section 855-I.1.
- K. Temporary tract offices and model homes, in the tract being developed. (Added by Ord. 490.39 adopted 12-5-67)
- L. Day nursery - small. (Amended by Ord. 490.188 adopted 10-29-79)

**By-Right uses Permitted Under the existing AE-20 (Agriculture) Zone District**

The following uses shall be permitted in the "AE" Districts (Se. 816.1). All uses shall be subject to the Property Development Standards in Section 816.5.

- A. The maintaining, breeding, and raising of livestock of all kinds, except as provided in Sections 816.2 and 816.3. (Amended by Ord. 490.117 adopted 10-5-76; Ord. T-038-306 adopted 5-22-90)
- B. The maintaining, breeding, and raising of poultry of all kinds, subject to the provisions of Section 868. (Added by Ord. T-038-306 adopted 5-22-90)
- C. The raising of tree, vine, field, forage, and other plant life crops of all kinds. (Amended by Ord. T-077-352, adopted 3-2-04)
- D. One family dwellings and accessory buildings and farm buildings of all kinds, when located upon farms and occupied or used by the owner, farm tenant or other persons employed thereon or the non-paying guests thereof; provided, however, that a residence once constructed and used for one of the foregoing uses, and no longer required for such use shall acquire a nonconforming status and may be rented for residential purposes without restriction.
- E. Home Occupations, Class I, subject to the provisions of Section 855-N. (Amended by Ord. T-288 adopted 2-25-86)



- F. The harvesting, curing, processing, packaging, packing, shipping, and selling of agricultural products produced upon the premises, subject to the provisions of 855-N.32. (Amended by Ord. T-077-352, adopted 3-2-04)
- G. When carried on as a clearly secondary occupation in conjunction with a bona fide agricultural operation, where no more than ten (10) percent of the total land is used and where no more than three (3) persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises, any of the following uses:
  - 1. The manufacturing, maintenance, repair, servicing, storage, sale or rental of agricultural machinery, implements and equipment of all kinds.
  - 2. The manufacture, storage or sale of farm supplies of all kinds, including but not limited to fertilizers, agricultural minerals and insecticides.
  - 3. The transportation of agricultural products, supplies or equipment together with the maintenance, storage, repair and servicing of the necessary trucks and equipment therefor.
  - 4. Horticultural and landscaping services, when operated in conjunction with horticultural nurseries. (Added by Ord. 490.65 adopted 8-4-70)
- H. Farmworker Housing Complexes subject to the provisions of 855-O. (Amended by Ord. T-803371 adopted 12-8-15)
- I. The use, storage, repair and maintenance of tractors, scrapers, and land leveling and development equipment when operated in conjunction with, or as part of, a bona fide agricultural operation. (Amended by Ord. 490.117 adopted 10-5-76)
- J. Apiaries and honey extraction plants subject to the provisions of Section 855-N.
- K. Signs, subject to the provisions of Section 816.5-K.
- L. Temporary or permanent telephone booths.
- M. Storage of petroleum products for use by the occupants of the premises but not for resale or distribution.
- N. Trailer house occupancy consisting of one or more trailers, subject to the provisions of Section 856 and 816.1-C. (Amended by Ord. 490.18 adopted 12-29-64; Ord. 490.81 adopted 10-24-72)
- O. Breeding and personal kennels. (Added by Ord. 490.36 adopted 7-25-67)
- P. Historic and monument sites. (Added by Ord. 490.117 adopted 10-5-76)
- Q. Water-well drilling or pump installation service. (Added by Ord. 490.117 adopted 10-5-76; amended by Ord. 490.157 adopted 9-19-78)
- R. Welding and blacksmith shops and farm equipment and machinery sales, rental storage, and maintenance facilities when in conjunction with welding and blacksmith shops. (Added by Ord. 490.117 adopted 10-5-76)
- S. Value-added agricultural uses and facilities subject to the provisions of Section 855-N.32 and Section 874. (Added by Ord. T-077-352, adopted 3-2-04)
- T. Agricultural tourism uses subject to the provisions of Section 855-N. (Added by Ord. T-078-353, adopted 12-7-04)
- U. Temporary Mill/Chipping Facilities subject to the provisions of Section 855-N.34.5. (Added by Ord. No. T-092-373 adopted 8-23-2016)
- V. Farmworker Dwelling Units subject to the provisions of 855-O. (Added by Ord. T-803-371 adopted 12-8-15)
- W. Temporary Farmworker Housing subject to the provisions of 855-O. (Added by Ord. T-803-371 adopted 12-8-15)
- X. Wholesale Limited Winery subject to the provisions of Section 855-N (Added by Ord. T-093-377 adopted 6-12-18)
- Y. Micro Winery subject to the provisions of Section 855-N (Added by Ord. T-093-377 adopted 6-12-18)

- Z. Minor Winery subject to the provisions of Section 855-N (Added by Ord. T-093-377 adopted 612-18)

**By-Right uses Permitted Under the existing R1 (Medium Density Residential) Zone District**

The following uses shall be permitted in the "R-1" District (Sec. 826.1). All uses shall be subject to the Property Development Standards in Section 826.5.

- A. One family dwelling units, not more than one (1) dwelling per lot.
- B. Accessory buildings, including garages.
- C. Private greenhouses and horticultural collections, flower and vegetable gardens.
- D. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of section 855-N. (Amended by Ord. T-288 adopted 2-25-86)
- E. Signs, subject to the provisions of Section 826.5-K.
- F. House trailer parking, subject to the provision of Section 855-I.1.f.
- G. Temporary tract offices and model homes, in the tract being developed. (Added by Ord. 490.39 adopted 12-5-67)
- H. Day nursery - small. (Added by Ord. 490.188 adopted 10-29-79)

**By-Right uses Permitted Under the existing C2 (Community Commercial) Zone District**

The following uses shall be permitted in the "C-2" District (Sec. 834.1). All uses shall be subject to the Property Development Standards in Section 834.5 and Site Plan Review, Section 874.

- 1. Those uses permitted in the "C-1" District, Section 833.1.
- 2. Appliance sales (household).
- 3. Automobile Parts Sales (New). (Added by Ord. T-260 adopted 3-8-82)
- 4. Automobile service stations.
- 5. Banks.
- 6. Bars and cocktail lounges.
- 7. Bicycle shops.
- 8. Bowling alleys.
- 9. Building and loan offices.
- 10. Dance studios or dancing academies. (Added by Ord. 490.111 adopted 1-6-76)
- 11. Day Nursery - commercial. (Added by Ord. 490.188 adopted 10-29-79)
- 12. Department stores.
- 13. Furniture stores.
- 14. Garden supplies.
- 15. Health foods.
- 16. Hobby shops.
- 17. Jewelry stores.
- 18. Millinery.
- 19. Notions.
- 20. Offices:
  - a. Administrative.
  - b. Business.
  - c. General.
  - d. Medical.
  - e. Professional.

21. Pet shops.
22. Pool and billiards. (Added by Ord. 490.14 adopted 6-9-64)
23. Post offices.
24. Radio and television sales and service.
25. Restaurants.
26. Signs subject to the provisions of Section 834.5.
27. Stationery stores.
28. Superdrug stores.
29. Supermarkets.
30. Toy stores.
31. Tropical fish raising.
32. Video stores. (Added by Ord. T-046-315 adopted 1-5-93)
33. Libraries (Added by Ord. T-058-328 adopted 10-8-96) (Section 834.1 amended by Ord. 490.166 adopted 2-20-79)

## EXHIBIT 5

Amendment Application No. 3860

### **Uses Allowed Under the R1 (Medium-High Density Residential) Zone District**

Uses permitted "by right" shall be limited to:

- A. One family dwelling units, not more than one (1) dwelling per lot.
- B. Accessory buildings, including garages.
- C. Private greenhouses and horticultural collections, flower and vegetable gardens.
- D. Home Occupations, Class I, in conjunction with a detached single family residential unit, subject to the provisions of section 855-N. (Amended by Ord. T-288 adopted 2-25-86)
- E. Signs, subject to the provisions of Section 826.5-K.
- F. House trailer parking, subject to the provision of Section 855-I.1.f.
- G. Temporary tract offices and model homes, in the tract being developed. (Added by Ord. 490.39 adopted 12-5-67)
- H. Day nursery - small. (Added by Ord. 490.188 adopted 10-29-79)

### **Uses Allowed Under the R2 (Medium-High Density Residential) Zone District**

Uses permitted "by right" shall be limited to:

- A. Those uses permitted in the "R-1" District, Section 826.1 shall apply.
- B. Accessory buildings and uses customarily incidental to any of the above uses, when located on the same lot and not involving the conduct of a business.
- C. Food, drink and cigarette vending machines, providing the machines are located within the main structure and their use is intended primarily for persons resident upon the premises. (Added by Ord. 490.29 adopted 9-27-66)
- D. One-family or multiple family dwellings. When more than one (1) single family residence is placed on a lot, the provisions of Section 827.6 shall apply. (Added by Ord. 490.39 adopted 12-5-67)

### **Uses Allowed Under the R3 (Medium-High Density Residential) Zone District**

Uses permitted "by right" shall be limited to:

- A. Those uses permitted in the "R-2" and "R-2-A" Districts, Section 827.1. shall apply. (Amended by Ord. 490.29 adopted 9-27-66)
- B. Multiple housing facilities including rooming and boarding houses, apartment houses and apartment court, but not to include housing facilities furnished to transient boarders or roomers.
- C. Fraternities and sororities.
- D. Churches and parochial schools.
- E. Public schools.
- F. Private schools.
- G. Public libraries.
- H. Public moderate intensity parks and playgrounds. (Amended by Ord. 490.175 re-adopted 5-29-79)
- I. Accessory buildings and uses customarily incidental to any of the above uses, when located on the same lot and not involving the conduct of a business.

**Amendment Application No. 3860  
Condition of Approval and Project Notes**

Condition of Approval	
1.	Future development on parcels involved in the subject rezone (AA No. 3860) that are located within the City of Fresno sphere-of-influence (SOI) shall not oppose future annexation.
Project Notes	
The following Project Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to future developers.	
1.	Any future development proposed within the Caruthers Community Services District (District) service area is contingent upon the availability of community water and sewer service capacity to serve such development. The developer shall be responsible for constructing improvements to the District's community water and sewer systems as necessary to accommodate the new development.
2.	If any underground petroleum storage tank(s) are discovered during construction activities, the applicant/property owner shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
3.	Fresno Irrigation District (FID) does not allow FID-owned properties, pipelines, and/or easements to be located in rear yards, in common use with utility easements, or road right-of-way. Any future development proposed on the subject parcels in proximity to FID facilities shall be reviewed for approval by FID prior to issuance of building permits.
4.	Any future development proposed on the subject parcels that are located within the Fresno Metropolitan Flood Control District (FMFCD) shall be reviewed for approval by FMFCD prior to issuance of building permits.

November 2023 | General Plan EIR Addendum

**ADDENDUM TO THE GENERAL PLAN EIR**  
SCH No. 1999051024  
FOR THE  
**GENERAL PLAN AND ZONING ORDINANCE**  
**AMENDMENTS**  
County of Fresno

*Prepared for:*

**County of Fresno**  
Public Works and Planning Department  
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Fresno, California 93721

*Prepared by:*

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916.276.0616  
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## 1. Addendum to the Adopted General Plan EIR

# 1. Addendum to the Adopted General Plan EIR

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## 1.1 BACKGROUND

The County of Fresno is proposing to amendments to the General Plan<sup>1</sup>, associated County-adopted Community Plans, and Zoning Ordinance (proposed project) to redesignate and rezone parcels to ensure that the County has the capacity to accommodate its lower income portion of the 2023-2031 Regional Housing Needs Allocation (RHNA) for the Sixth-Cycle Housing Element. The County is proposing amendments in advance of the starting date of the Sixth-Cycle Housing Element, which begins on December 31, 2023, and in advance of the Housing Element update/adoption to ensure the County maximizes the potential for these sites to be developed for affordable housing and to maintain its land use control and flexibility. The County is also proposing an affordable housing incentive to supplement the state's density bonus as a method to create more affordable housing and increase development capacity assumptions in the Sixth-Cycle Housing Element.

While the General Plan Environmental Impact Report (EIR) did not specifically address the proposed project, the policies in the General Plan address the physical impacts resulting from anticipated development in Fresno County. This document serves as the environmental documentation for the County's amendments to the General Plan and Zoning Ordinance. This addendum to the County of Fresno's General Plan EIR (certified in October 2000; State Clearinghouse Number 1999051024) demonstrates that the analysis in that EIR adequately addresses the potential physical impacts associated with implementation of this proposed project and the proposed project would not trigger any of the conditions described in CEQA Guidelines Section 15162 calling for further environmental review.

## 1.2 GENERAL PLAN EIR

Table 1-1 summarizes the topics discussed in the County of Fresno 2000 General Plan (General Plan) EIR and the determination of less than significant or significant and unavoidable. While the measures from the General Plan EIR, as well as compliance with applicable laws, regulations, and goals and policies of the General Plan reduce potentially significant impacts to a less than significant level for most topics, as shown in Table 1-1, the topics of agriculture, air quality, cultural resources, geology and soils, greenhouse gas emissions, transportation, tribal and cultural resources, utilities and service systems, and wildfire have significant and unavoidable impacts.

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<sup>1</sup> The General Plan is the foundation development policy document of the County of Fresno. It defines the framework by which the physical, economic, and human resources of the County are to be managed and used over time. The General Plan acts to clarify and articulate the intentions of the County with respect to the rights and expectations of the public, property owners, and prospective investors and business interests. The General Plan informs these citizens of the goals, objectives, policies, and standards for development of the County and the responsibilities of all sectors in meeting these.

# 1. Addendum to the Adopted General Plan EIR

**Table 1-1: 2000 General Plan EIR Impact Summary**

Topic	Level of Significance	
	Less Than <sup>1</sup>	Significant and Unavoidable
Agriculture		<p><b>Impact 4.3-1:</b> Development under the Draft General Plan would result in the permanent loss of important farmland.</p> <p><b>Impact 4.3-2:</b> Development under the Draft General Plan would result in a significant reduction in agricultural production.</p> <p><b>Impact 4.3-3:</b> Development under the Draft General Plan would result in increased non-renewal and cancellation of Williamson Act Contracts.</p> <p><b>Impact 4.3-4:</b> Development within Fresno County, in conjunction with other development within the San Joaquin Valley, could result in the permanent loss of important farmland, a significant reduction in agricultural production, and an increase in the non-renewal and cancellation of Williamson Act Contracts.</p>
Air Quality		<p><b>Impact 4.12-1:</b> Construction activities associated with development under the Draft General Plan would result in emissions of PM10, ozone precursors, and other pollutants.</p> <p><b>Impact 4.12-2:</b> Development under the Draft General Plan would result in emissions of ozone precursors and other pollutants caused by mobile source activity, area sources, and stationary sources.</p> <p><b>Impact 4.12-6:</b> Development under the Draft General Plan, in combination with other cumulative development, would result in emissions of pollutants caused by mobile source activity, area sources, and stationary sources.</p>
Biological Resources		<p><b>Impact 4.9-1:</b> Development under the Draft General Plan could result in the loss of wetland habitat (e.g., seasonal wetland, vernal pool, riverine, riparian, and wet sierra meadows).</p> <p><b>Impact 4.9-2:</b> Development under the Draft General Plan could result in the loss of chaparral, oak woodland, alkali sink, vernal pools, coniferous forest, or other various habitats that support special-status animals.</p> <p><b>Impact 4.9-3:</b> Development under the Draft General Plan could result in the loss of chaparral, oak woodland, alkali sink, vernal pools, coniferous forest, and other habitats that could support special-status plants.</p> <p><b>Impact 4.9-5:</b> Development under the Draft General Plan could result in riparian and associated aquatic habitat degradation.</p> <p><b>Impact 4.9-6:</b> Development under the Draft General Plan would result in the loss of grassland habitat.</p> <p><b>Impact 4.9-7:</b> Development under the Draft General Plan, in combination with other cumulative development, could result in the loss of heritage or landmark oak trees, riparian, aquatic, or other wetland habitat, chaparral, oak woodland, alkali sink, vernal pools, coniferous forest, grasslands, or other various habitats that support special status wildlife and plant species in Fresno and other areas within the Central Valley, Coast Range and Sierra Nevada mountains and foothills.</p>
Cultural Resources		<p><b>Impact 4.7-3:</b> Development within Fresno County, in conjunction with other development within the San Joaquin Valley, could result in the devaluation, disturbance, alteration or destruction of unidentified subsurface prehistoric resources and historic areas, sites and structures</p>
Energy	X	
Forestry Resources	X	
Greenhouse Gas Emissions	X	
Hazards and Hazardous Materials	X	<p><b>Impact 4.14-3:</b> Development under the Draft General Plan, in combination with cumulative development, would increase the use of hazardous materials and the generation of hazardous wastes.</p>
Hydrology And Water Quality	X	<p><b>Impact 4.8-1:</b> Development under the Draft General Plan could result in the demand for water exceeding available supply, resulting in overdraft conditions and potential adverse effects on groundwater recharge potential.</p> <p><b>Impact 4.8-2:</b> Development of future water supplies would require additional water treatment and delivery systems.</p> <p><b>Impact 4.8-3:</b> Development under the Draft General Plan could exacerbate groundwater overdraft conditions, resulting in secondary effects such as subsidence,</p>

## 1. Addendum to the Adopted General Plan EIR

**Table 1-1: 2000 General Plan EIR Impact Summary**

Topic	Level of Significance	
	Less Than <sup>1</sup>	Significant and Unavoidable
		lowering of water tables, or altering the rate or direction of contaminated groundwater. <b>Impact 4.8-9:</b> Increased development under the Draft General Plan, in combination with other cumulative development, would increase demand for water exceeding available supply and require additional facilities for water treatment and delivery systems. Secondary effects of long-term groundwater overdraft conditions would increase. Surface and groundwater quality could be affected by increased areas under concurrent construction and increased impervious areas, and from continued agricultural practices. The increase in wastewater treated from increased development intensity and development in new areas could affect the quality of waters receiving treated effluent.
Land Use And Planning	<b>X</b>	
Mineral Resources		<b>Impact 4.11-4:</b> Development under the Draft General Plan, in combination with other cumulative development, could result in the reduction of the amount of land available for mineral resource extraction, land use incompatibilities with adjacent mineral extraction operations, and incremental loss of aggregate resources.
Noise		<b>Impact 4.15-5:</b> The Draft General Plan, in combination with other cumulative development, would result in increases in mobile and fixed noise source levels, resulting in permanent increases in ambient noise levels that could affect sensitive receptors.
Population And Housing	<b>X</b>	
Public Services		<b>Impact 4.6-2:</b> Development under the Draft General Plan would increase the demand for police protection in incorporated jurisdictions of the County. <b>Impact 4.6-4:</b> Development under the Draft General Plan would increase the demand for fire protection services from the districts serving incorporated areas of the County. <b>Impact 4.6-7:</b> Development under the Draft General Plan would increase the demand for park and recreational facilities in incorporated jurisdictions of the County. <b>Impact 4.6-11:</b> Development under the Draft General Plan would increase demand for Coalinga Library District services. <b>Impact 4.6-12:</b> Development under the Draft General Plan, in combination with other development in the County, would increase the demand for public services.
Seismic and Geological Hazards	<b>X</b>	
Transportation		<b>Impact 4.4-1</b> Development under the Draft General Plan would increase traffic volumes on rural Fresno County roadways outside the spheres of influence of the cities, causing some of these roadway segments to operate at an unacceptable level of service. <b>Impact 4.4-2</b> Development under the Draft General Plan would increase traffic volumes on rural State highways outside the spheres of influence of the cities in Fresno County, causing some of these roadway segments to operate at an unacceptable level of service. <b>Impact 4.4-3:</b> Development under the Draft General Plan would increase traffic volumes on local urban roadways inside the spheres of influence of the cities in Fresno County, causing some of these roadway segments to operate at an unacceptable level of service. <b>Impact 4.4-4:</b> Development under the Draft General Plan would increase traffic volumes on State highways inside the spheres of influence of cities in Fresno County, and cause some of these roadway segments to operate at an unacceptable level of service. <b>Impact 4.4-5:</b> Development under the Draft General Plan would increase truck traffic on rural Fresno County roadways outside the spheres of influence of the cities, reducing the County’s ability to maintain pavement conditions on the rural roadway system. <b>Impact 4.4-6:</b> Development under the Draft General Plan would increase transit demand throughout Fresno County, especially inside the spheres of influence of cities.

## 1. Addendum to the Adopted General Plan EIR

**Table 1-1: 2000 General Plan EIR Impact Summary**

Topic	Level of Significance	
	Less Than <sup>1</sup>	Significant and Unavoidable
		<p><b>Impact 4.4-7:</b> Development under the Draft General Plan would increase the demand for bicycle facilities throughout Fresno County, especially inside the spheres of influence of cities.</p> <p><b>Impact 4.4-9:</b> Development under the Draft General Plan, in combination with cumulative development, would increase traffic volumes on State and local roadways within the spheres of influence, on rural Fresno County roadways outside the spheres of influence, including increased truck traffic, and on roadways that provide access to and from Fresno County, causing some of these roadway segments to operate at an unacceptable level of service.</p>
Tribal Cultural Resources	<b>X</b>	
Visual Quality		<p><b>Impact 4.16-3:</b> Development under the Draft General Plan, in combination with other development in the County, could create land use patterns that would substantially alter the existing visual character of the region and/or visual access to scenic resources and the introduction of new sources of light and glare into development areas and surrounding rural areas.</p>
Wastewater, Storm Drainage, and Flooding		<p><b>Impact 4.5-1:</b> Increased development intensity in urban areas and added industrial users under the Draft General Plan could increase sewage treatment demand beyond the capacities of existing wastewater treatment facilities. This could result in the construction of new or expanded wastewater collection and treatment facilities.</p> <p><b>Impact 4.5-3:</b> Development under the Draft General Plan would increase potential downstream flooding through the addition of impervious surfaces and resulting increases in stormwater runoff from development sites, which could require expansion or construction of storm drainage facilities.</p> <p><b>Impact 4.5-6:</b> Increased development density, industrial development, and incremental development overall under the Draft General Plan would increase demand for wastewater treatment and conveyance and would increase stormwater runoff from development sites, resulting in increased potential downstream flooding through the addition of impervious surfaces, and could expose new development in flood-prone areas.</p>
Wildfire	<b>X</b>	

<sup>1</sup> Less than Significant with application of mitigation measures, and/or compliance with applicable laws, regulations.

## 1. Addendum to the Adopted General Plan EIR

### 1.3 PROJECT DESCRIPTION

The County of Fresno is proposing to amendments to the General Plan, associated County-adopted Community Plans, and Zoning Ordinance to redesignate and rezone parcels to ensure that the County has the capacity to accommodate its lower income portion of the 2023-2031 Regional Housing Needs Allocation (RHNA) for the Sixth-Cycle Housing Element. The County is proposing amendments in advance of the starting date of the Sixth-Cycle Housing Element, which begins on December 31, 2023, and in advance of the Housing Element update/adoption to ensure the County maximizes the potential for these sites to be developed for affordable housing and to maintain its land use control and flexibility. For any sites redesignated/rezoned after December 31, 2023, state law will dictate that the minimum density for any development on the sites will be at least 20 units per acre.

The County is also proposing an affordable housing incentive to supplement the state's density bonus as a method to create more affordable housing and increase development capacity assumptions in the Sixth-Cycle Housing Element. As proposed, the County would increase maximum densities by 25 percent by right when housing projects reserve at least 50 percent of the proposed units for lower-income households. The County's local density bonus would create a new baseline maximum density for the application of state density bonus provisions already adopted in state law. While the local density bonus would apply to all parcels in the unincorporated county, if adopted, it reasonable to assume that the local density bonus would only be effective on parcels that are zoned for densities at the R-2 level and higher. Such properties require extensive levels of infrastructure and other resources to facilitate not only the development of market rate housing, but the development of housing that restricts at least 50 percent of its proposed units to price that are affordable for lower income households.

As illustrated in Table 1-2 below, the County has calculated potential development capacity scenarios using the current capacity as calculated from the existing general plan land use designation and the capacity after rezoning. The table also includes the additional capacity that could be applied through the proposed local density bonus and the potential application of state density bonus, as currently adopted in state law. Table 1-3 illustrates the potential capacity increases by location in unincorporated Fresno County. At the current capacity, which would exclude any local or state density bonus provisions, the sites (current and future rezones) have a collective potential capacity of 119 units. With the proposed land use amendments, as shown Tables 1-2 and 1-3, the sites' collective capacity would increase to 3,128 units. Based on the current estimate of 3.0 persons per household, the proposed project could potentially result in an increase of 3,011 units and 9,033 people compared to the current land use designation and zoning that was assumed in the EIR.

## 1. Addendum to the Adopted General Plan EIR

**Table 1-2: Current Versus Proposed Land Use Designation and Zoning Capacity**

APN	Location	Acres	Current				Proposed							Increased Capacity	
			GP	Zone	Maximum Units		GP	Zone	Maximum Units				Capacity	Units	Pop <sup>2</sup>
					Density	Capacity			Density <sup>1</sup>						
									Base	LDB	SDB	Final			
44234107	Fresno SOI	1.73	RR	RR	0.5	1	MHDR	R3	29	7.25	29	59.5	113	112	336
41512035	Fresno SOI	0.97	LDR	R1EH	1.1	1	MHDR	R2	20	5	20	45	44	43	129
41513309	Fresno SOI	0.56	LDR	R1AH	2.1	1	MHDR	R2	20	5	20	45	25	24	72
49506125	Clovis SOI	2.84	GC	C2	0	0	MHDR	R3	29	7.25	29	65.25	185	185	555
04320127	Caruthers	3.41	MDR	R1	7.2	25	MHDR	R2	20	5	20	45	153	129	387
35008068t	Del Rey	6.5	AG	AE-20	1	7	MHDR	R3	29	7.25	29	65.25	424	418	1,254
35008068t	Del Rey	11.5	AG	AE-20	1	12	MHDR	R1	7.2	1.75	7.2	16.15	186	174	522
05326024s	Riverdale	7.4	MDR	R1	7.2	53	MHDR	R2	20	5	20	45	333	280	840
<b>TOTAL</b>		<b>34.91</b>				<b>100</b>							<b>1,463</b>	<b>1,365</b>	<b>4,095</b>

1. Based on the assumption that sites could accommodate and reserve at least 50% of units for lower income households, the site would qualify for a 25% local density bonus (LDB), as proposed, which would then establish a new baseline density for the purposes of state density bonus (SDB). Based on provisions in state law and assumptions in the September Public Review Draft Housing Element for each site's capacity to accommodate 100% affordable housing, an 80% state density bonus is applied to arrive at a Final maximum density.

2. Population based on a household size of 3.0 persons as reported in the FCOG Data Packet, 2022.

Note: Figures subject to rounding.

If the parcels to be rezoned were built out at the maximum densities identified in this document, the County could theoretically accommodate its entire lower income RHNA without rezoning any additional parcels. However, state housing law and guidance from the California Department of Housing and Community Development (HCD) directs the County to assume more conservative assumptions in terms of each site's capacity for lower income housing. The County, therefore, anticipates that it will need to rezone additional sites in 2024 to ensure that it has adequate capacity to accommodate the remaining balance of its lower income RHNA. Using the same assumptions from the latest Draft Housing Element, the County's remaining balance of its lower income RHNA is 578 units, which would require approximately 37 additional acres to be rezoned in 2024. While it is currently too speculative to identify the exact location of these parcels, a preliminary evaluation of vacant parcels across the unincorporated areas that are close to existing infrastructure systems and public services indicates that the City of Fresno's sphere of influence (SOI) is the most likely place where additional parcels will be rezoned to R2 (with current parcels assumed to have current zoning allowing 0.5 units per acre). Accordingly, to be conservative, the County assumed that the local density bonus would be applied to an additional 37 acres of land somewhere in the Fresno SOI, creating the potential for an increased capacity of 1,646 units and 4,938 residents.

## 1. Addendum to the Adopted General Plan EIR

**Table 1-3: Summary of Potential Capacity Increases by Location in Unincorporated Fresno County**

Location	Current Max Housing Units	Proposed Max Housing Units	Increase in Housing Units	Increase in Population
Fresno SOI (proposed rezone)	3	182	179	537
Fresno SOI (future rezone)	19	1,665	1,646	4,938
Clovis SOI	0	185	185	555
Caruthers	25	153	129	387
Del Rey	18	610	592	1,776
Riverdale	53	333	280	840
<b>Total</b>	<b>119</b>	<b>3,128</b>	<b>3,011</b>	<b>9,033</b>

The County has calculated potential development capacity scenarios using the current capacity, the capacity after rezoning the sites, including additional capacity that could be applied through the proposed local density bonus and the potential application of state density bonus, as currently adopted in state law. At the current capacity, which would exclude any local or state density bonus provisions, the sites have a collective potential capacity of 119 units. With the proposed land use amendments, as shown in the table above, the sites' collective capacity would increase to 3,128 units. Based on current trends of 3.0 persons per household, the potential maximum population would increase up to a maximum total of 9,384.

The proposed zoning changes could potentially result in a maximum increase of 3,011 units and 9,033 people compared to the current zoning and what was assumed in the County's 2000 General Plan. Table 1-4 compares the projections and assumptions from Table A-1 in the 2000 General Plan (as analyzed in the 2000 General Plan EIR) and the actual population growth that occurred between 1996 and 2023. Population growth countywide was slower than projected, as there are 102,286 fewer people today (2023) compared to what was analyzed in the 2000 General Plan EIR. If the proposed rezoning were to take place, there would still be 90,430 fewer people compared to what was analyzed in the 2000 General Plan EIR. A similar scale of remaining population capacity is found when considering only the Eastside Valley part of the county.

Table A-1 in the 2000 General Plan lists the population assumptions for each city and the unincorporated areas, with city figures including the incorporated and unincorporated sphere of influence (SOI). The 2000 General Plan EIR states that "Most of the growth associated with the Economic Development Strategy is assumed to occur within the incorporated cities' spheres of influence. It is assumed that projects within the spheres would be annexed, and therefore subject to city discretionary action, rather than the County.<sup>2</sup> Under the [General Plan], 93 percent of new population and employment growth would occur within city SOIs and 7 percent in the unincorporated areas..."<sup>3</sup>

Excluding the City of Fresno area (incorporated and SOI areas), Table 1-4 also compares the project and actual growth in unincorporated Eastside Valley areas that were outside of any city's SOI in both 2000 and 2023. Here, population growth countywide was slower than projected, as 9,381 fewer people were added as of today (2023) compared to what was analyzed in the 2000 General Plan EIR. If the proposed rezoning were to take place, there would still be 5,823 fewer people compared to what was analyzed in the 2000 General Plan EIR.

<sup>2</sup> Pages 1-5 to 1-6, Fresno County General Plan Update Public Review Draft Environmental Impact Report, February 2000

<sup>3</sup> Page 2-13, Fresno County General Plan Update Public Review Draft Environmental Impact Report, February 2000.

## 1. Addendum to the Adopted General Plan EIR

The majority (61%) of potentially increased capacity (1,825 units and 5,475 people) is proposed to take place in the City of Fresno unincorporated SOI. As shown in Table 1-4, population growth was also slower than projected for the City of Fresno, as there are 79,593 fewer people today (2023) compared to what was analyzed in the current General Plan EIR. If the proposed rezoning (proposed and future) were to take place, there would still be 74,118 fewer people compared to what was analyzed in the 2000 General Plan EIR.



## 1. Addendum to the Adopted General Plan EIR

**Table 1-4: Comparison of Fresno County Projections, 2023 Figures, and Post-Rezoning Capacity for Population**

Location	POPULATION			REMAINING POPULATION CAPACITY	
	2020 Projected Total <sup>1</sup>	2023 Actual Total <sup>2</sup>	Increase from Rezoning	Before Rezoning	After Rezoning
Countywide	1,113,785	1,011,499	9,033	102,286	93,253
Total Eastside Valley	1,030,742	945,285	9,033	85,457	76,424
Fresno SOI	675,981	596,388	5,475	79,593	74,118
Unincorporated Eastside Valley	<b>1996-2020 Projected Growth<sup>1</sup></b>	<b>1996-2020 Actual Growth<sup>3</sup></b>	<b>Increase from Rezoning</b>	<b>Before Rezoning</b>	<b>After Rezoning</b>
Unincorporated in 2000 & 2023	13,837	4,456	3,558	9,381	5,823

1. 2000 General Plan, Table A-1, (Revised 5-26-00) Population and Employment, 1996, 1996-2020, 2020.

2. DOF, Table 2: E-5 Population and Housing Estimates for Cities, Counties, and the State, January 2021-2023, with 2020 Benchmark.

3. Due to lack of data available to track growth rates of areas in the unincorporated county that remained outside of any city's sphere of influence (SOI) and the growth rate of those areas that were annexed between 1996 and 2000, the 1996-2020 growth figure is based on the average annual growth rates (~1.6%) between 1996 and 2000 for Fresno County according to DOF, Table 2, E-4 Historical City, County, and State Population Estimates, 1991-2000, with 1990 and 2000 Census Counts. This growth rate is likely higher than what actually took place in unincorporated areas outside of SOIs, the figure is skewed higher by the more intense growth that took place in cities. Thus, the growth rate assumed is more conservative. The growth between 2000 and 2020 was derived by evaluating population data at the Census block level for 2000 and 2020 for areas that were unincorporated and outside of any city's SOI in both 2000 and 2023. Similar growth rates were used to estimate the growth in unincorporated areas that took place between 2020 to 2023 (~0.1%), based on a comparison of US Census data for 2020 and DOF data for 2023 (Table 2: E-4 Population Estimates for Cities, Counties, and State 2021-2023 with 2020 Benchmark).

## 1. Addendum to the Adopted General Plan EIR

### 1.4 PURPOSE OF AN EIR ADDENDUM

An addendum to a General Plan EIR is appropriate when the proposed changes are ‘minor’ in the context of the original General Plan Update. In this instance the General Plan projected, and the General Plan EIR evaluated, considerably more population than has occurred. Impacts to the environment are associated with population, however physical impacts on the environment are associated with construction. Here too, the General Plan projected, and the General Plan EIR evaluated, more physical development than has occurred.

When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

CEQA Guidelines Section 15164 (Addendum to an EIR):

- (a) The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.
- (b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.
- (c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.
- (d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.
- (e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency’s findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.

CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) reads:

When an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

## 1. Addendum to the Adopted General Plan EIR

- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or negative declaration was adopted, shows any of the following:
- (a) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (c) Mitigation Programs or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation Program or alternative; or
  - (d) Mitigation Programs or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation Program or alternative.

This document provides the substantial evidence required by CEQA Guidelines Section 15164(e) to support the finding that a subsequent EIR is not required and an addendum to the General Plan EIR is the appropriate environmental document to consider the proposed project.

A copy of this addendum, and all supporting documentation, may be reviewed or obtained at the County of Fresno Public Works and Planning Department, 2200 Tulare Street, Fresno, California 93721.

## 2. CEQA Analysis

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### 2.1 ENVIRONMENTAL ANALYSIS

The General Plan contains policies related to economic development, agriculture and land use, transportation and circulation, public facilities and services, open space and conservation, health and safety, and housing. The General Plan is largely designed to be self-mitigating by incorporating policies and implementation programs that address and mitigate environmental impacts related to implementing the General Plan, such as development codes and design standards.

The policies of the General Plan and the existing development standards apply to all development in the General Plan Planning Area and would continue to apply to the land that is the subject of the proposed project. Except for two sites, the proposed project would not result in a net increase of developable acres compared to that analyzed in the General Plan EIR, because the parcels in question were already designated and zoned for some density of urban development. The two sites shown in Table 1-2 are adjacent to the community of Del Rey, and while designated and zoned for agricultural use, the sites are owned by the Fresno County Housing Authority and are not actively farmed. Further, the lands are farmland of local importance, but not prime, unique, or farmland of statewide importance, as shown on the California Important Farmland Finder map maintained by the California Department of Conservation.<sup>4</sup>

Physical impacts from development are addressed through policies in the General Plan, the County's municipal code, and adopted engineering standards. Future development would be subject to federal, state, and local policies affecting land use such as the Migratory Bird Treaty Act, wetland conservation, and construction air quality permitting. Moreover, the County requires building permit and development review process which is independent of the CEQA process and would be unaffected by the change to density bonus by-right development. Additionally, prior to issuance of any building permit, a project applicant is required to pay development impact fees, which would address potential impacts to public services and regional transportation improvements. The policies and regulations identified in the General Plan EIR to reduce physical environmental effects would continue to apply to future development and would reduce impacts to the same significance level as identified in the General Plan EIR.

Therefore, these amendments to the General Plan and Zoning Ordinance would not result in new significant effects or a substantial increase in the severity of previously identified significant effects requiring major revisions to the General Plan EIR. Furthermore, the amendments to the General Plan and Zoning Ordinance do not approve any specific development and any future project(s) would have to undergo environmental review, consistent with CEQA.

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<sup>4</sup> <https://maps.conservation.ca.gov/DLRP/CIFF/>, accessed 10/2/2023.

## 2. CEQA Analysis

### 2.2 FINDINGS

The discussion in this addendum confirms that the proposed project has been evaluated for significant impacts pursuant to CEQA.

There are no substantial changes in the circumstances or new information that was not known and could not have been known at the time of the adoption of the General Plan EIR. As a result, and for the reasons explained in this addendum, the project would not cause any new significant environmental impacts or substantially increase the severity of significant environmental impacts disclosed in the General Plan EIR. Thus, the proposed project does not trigger any of the conditions in CEQA Guidelines Section 15162 requiring preparation of a subsequent EIR, and the appropriate environmental document as authorized by CEQA Guidelines Section 15164(b) is an addendum.

The following identifies the standards set forth in Section 15162 of the CEQA Guidelines as they relate to the proposed project.

- 1. No substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and 2. No substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.**

The proposed project will redesignate and rezone parcels to ensure that the County has the capacity to accommodate its lower income portion of the 2023-2031 RHNA for the Sixth-Cycle Housing Element and proposes an affordable housing incentive to supplement the state's density bonus as a method to create more affordable housing and increase development capacity assumptions in the Sixth-Cycle Housing Element. With the exception of two parcels totaling approximately 18.0 acres owned by the Fresno County Housing Authority, all of the sites shown in Table 1-1 of this Addendum were identified in the General Plan and EIR for some form of intensive development.

The conversion of agricultural land to nonagricultural land uses was evaluated in the General Plan EIR and determined to be a significant and unavoidable impact. Table 2-1 shows the amount of important farmland within the planning area. The proposed 18 acres of additional agricultural land conversion represents less than one percent of the total Farmland of Local Importance in the County. While all agricultural land conversion is considered an impact, the conversion of this amount of land does not represent a substantial increase in severity of the impact from what was analyzed in the General Plan EIR.

## 2. CEQA Analysis

**Table 2-1: Important Farmland in the Planning Area**

Farmland Designation	2018 Acres	% of 2018 Total Land	Proposed Project	% Total
Prime Farmland	672,208	29.1%	672,208	29.1%
Farmland of Statewide Importance	395,148	17.1%	395,148	17.1%
Farmland of Local Importance	192,434	8.3%	192,416	8.3%
Unique Farmland	95,352	4.1%	95,352	4.1%
Grazing Land	822,455	35.6%	822,455	35.6%
Urban and Built-Up Land	132,868	5.8%	132,868	5.8%

Source: California Department of Conservation 2018. Note: 2018 is the most recent published data at the time of preparation of this Addendum. [https://www.conservation.ca.gov/dlrp/fmmp/Pages/2016-2018\\_Farmland\\_Conversion\\_Report.aspx](https://www.conservation.ca.gov/dlrp/fmmp/Pages/2016-2018_Farmland_Conversion_Report.aspx)

Impacts to air quality, cultural resources, geology and soils, greenhouse gas emissions, tribal cultural resources, and wildfire, result from construction and impacts unique to each site. The General Plan EIR found these impacts to be significant and unavoidable for the growth projections assumed in the General Plan. As the growth did not materialize, the total amount of impact is less than evaluated in the General Plan EIR. Since the proposed project would also generate fewer units and population than was evaluated in the General Plan EIR, it is assumed that the impact resulting from future development does not represent a substantial increase in the severity of the impacts on these topics. Local, state, and federal regulations regarding natural and historic resources continue to apply regardless of whether CEQA is triggered by a subsequent project. Regarding transportation impacts, the increase in density and emphasis on placing housing near established communities has the potential to reduce VMT from what was reported in the General Plan EIR.

The proposed project would result in fewer housing units and population than was evaluated in the General Plan EIR. The location of housing is on land that was designated for development in the General Plan therefore the construction related impacts would be similar to those evaluated in the General Plan EIR. While the proposed project has approximately 18 acres of additional agricultural land conversion, the land is not prime, unique, or of statewide significance and represents less than one percent of locally important agricultural land. As an increase in density and placement of housing near services is a method of reducing VMT, the transportation impacts will at least be similar to the General Plan EIR and may represent a reduction of overall impact. Therefore, the proposed project would not change the conclusions of the EIR and would not require revisions to the General Plan EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

3. **No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the EIR was certified shows:**
  - a. **The project will have one or more significant effects not discussed in the previous EIR.**

The proposed project would construct dwelling units throughout the unincorporated areas of the County. Construction of dwelling units was projected in the General Plan and evaluated in the General Plan EIR. The policies and mitigation measures identified in the General Plan EIR, and all existing regulations, would continue to apply to all development and would have the same mitigating effect as disclosed in the General

## 2. CEQA Analysis

Plan EIR. As the type and style of development is similar to housing projected in the General Plan and EIR, there is no new information that was not known and could not have been known at the time the General Plan EIR was certified demonstrating that the project would have one or more significant effects not discussed in the previous EIR.

**b. Significant effects previously examined will be substantially more severe than shown in the previous EIR.**

The proposed project would not substantially change the significant impacts as those disclosed in the General Plan EIR. The General Plan policies and mitigation measures identified in the General Plan EIR to reduce physical environmental effects would apply to all new development, including sites rezoned as part of this project. These policies would have the same mitigating effect as disclosed in the General Plan EIR. There is no new information that would demonstrate that significant effects examined would be substantially more severe than shown in the General Plan EIR.

**c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.**

All policies and mitigation measures identified in the General Plan EIR would continue to apply to all development in the city and would have the same mitigating effect as disclosed in the General Plan EIR. The proposed project would not change the assumptions described in the General Plan EIR, and therefore would not substantially change the conclusions of the EIR or require new mitigation measures.

**d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.**

The proposed project would have the same significant impacts as the previously certified General Plan EIR, and all associated policies and mitigation measures identified in the General Plan EIR to reduce physical environmental effects would apply to all future development. The proposed project would not result in a significant increase in developable acres or overall development intensity and the resulting impacts would be the same as those disclosed in the certified General Plan EIR. Furthermore, the rezoning of sites would not result in population growth that exceeds the anticipated countywide population growth identified in the 2000 General Plan EIR. No new mitigation measures or alternatives to the proposed project would be required.