



CITY OF ANGELS
COMMUNITY DEVELOPMENT

PO Box 667, 200 Monte Verda St. Suite B, Angels Camp, CA 95222 P: (209) 736-2181

DATE: August 13, 2026

TO: City of Angels Planning Commission

FROM: Amy Augustine, AICP – City Planner

RE: Public Hearing: Resolution of Intent 26-12 Recommending to the City Council a General Plan Amendment and Rezone on a 0.4± acre parcel, Assessor's Parcel Number 057-022-055, from the Right-of-Way (ROW) general plan land use designation and zoning district to the Single-Family Residential (SFR) general plan land use designation and Single-Family Residential (R-1) zoning district. The parcel encompasses Kirby Way.

RECOMMENDATION:

Staff recommends the Planning Commission adopt Resolution of Intent 26-12:

Recommending to the City Council a General Plan Amendment and Rezone on a 0.4± acre parcel, Assessor's Parcel Number 057-022-055, from the Right-of-Way (ROW) general plan land use designation and zoning district to the Single-Family Residential (SFR) general plan land use designation and Single-Family Residential (R-1) zoning district based on Findings A through D.

BACKGROUND/PROJECT DESCRIPTION:

LANDOWNER/

APPLICANT: FISH MICHAEL LEE FISH KIMBERLI ELIZABETH FISH M AND K 2026
REVOCABLE TRUST M AND K FISH 2026 REVOCABLE TRUST
(Transferred 6/24/26)

PROJECT

LOCATION: See **Figure 1.** Assessor's Parcel Number 057-022-055. A portion of
Section 28, T3N, R13E.

ASSESSOR'S

PARCEL

NUMBER: 057-022-055

GENERAL PLAN/

ZONING Right-of-Way (ROW)

PROPOSED
GENERAL PLAN/
ZONING

Low Density Residential (LDR) General Plan land use designation and
Single-Family Residential (R-1) Zoning district.

PROJECT:

General Plan Amendment and Rezone on a 0.4± acre parcel, Assessor's
Parcel Number 057-022-055, from the Right-of-Way (ROW) general plan
land use designation and zoning district to the Single-Family Residential
(SFR) general plan land use designation and Single-Family Residential
(R-1) zoning district.

Figure 1: Project Location

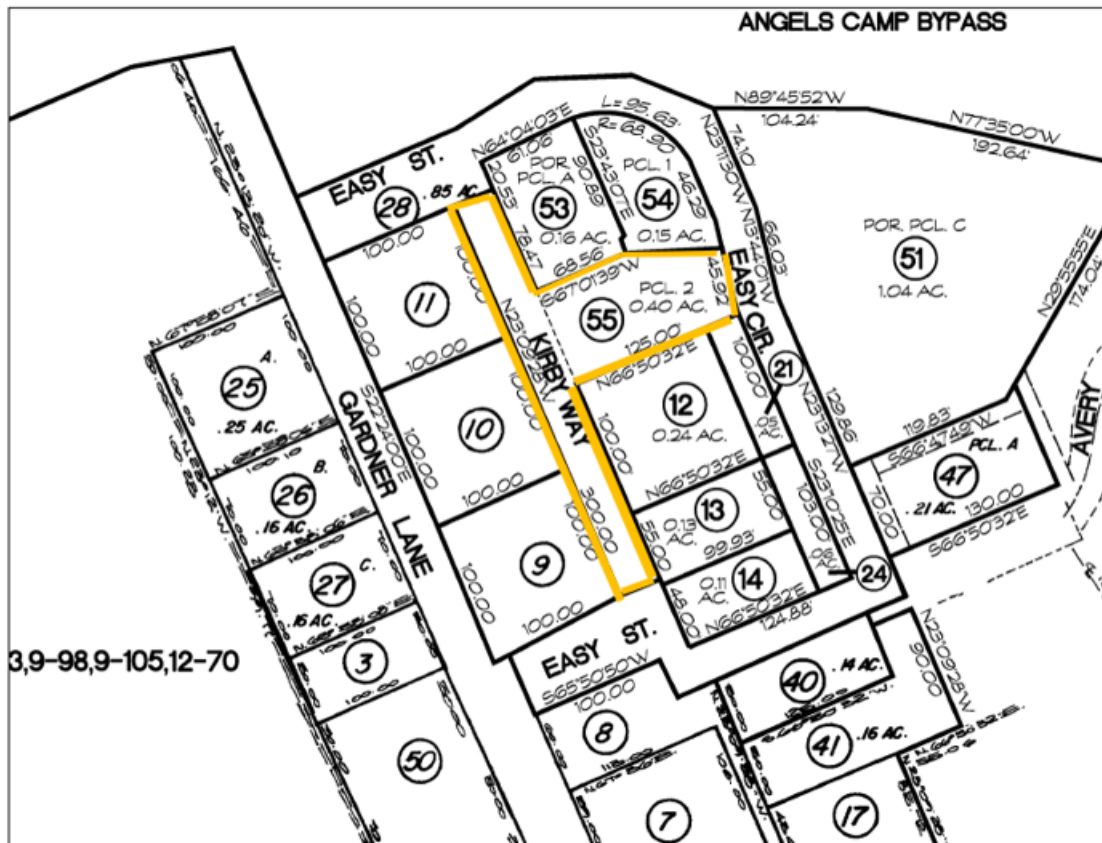


Figure 3: Enlargement, PM 2@70 – Showing “30’ Wide Private Access and Public Utility Easement (P.U.E.) on Kirby Street

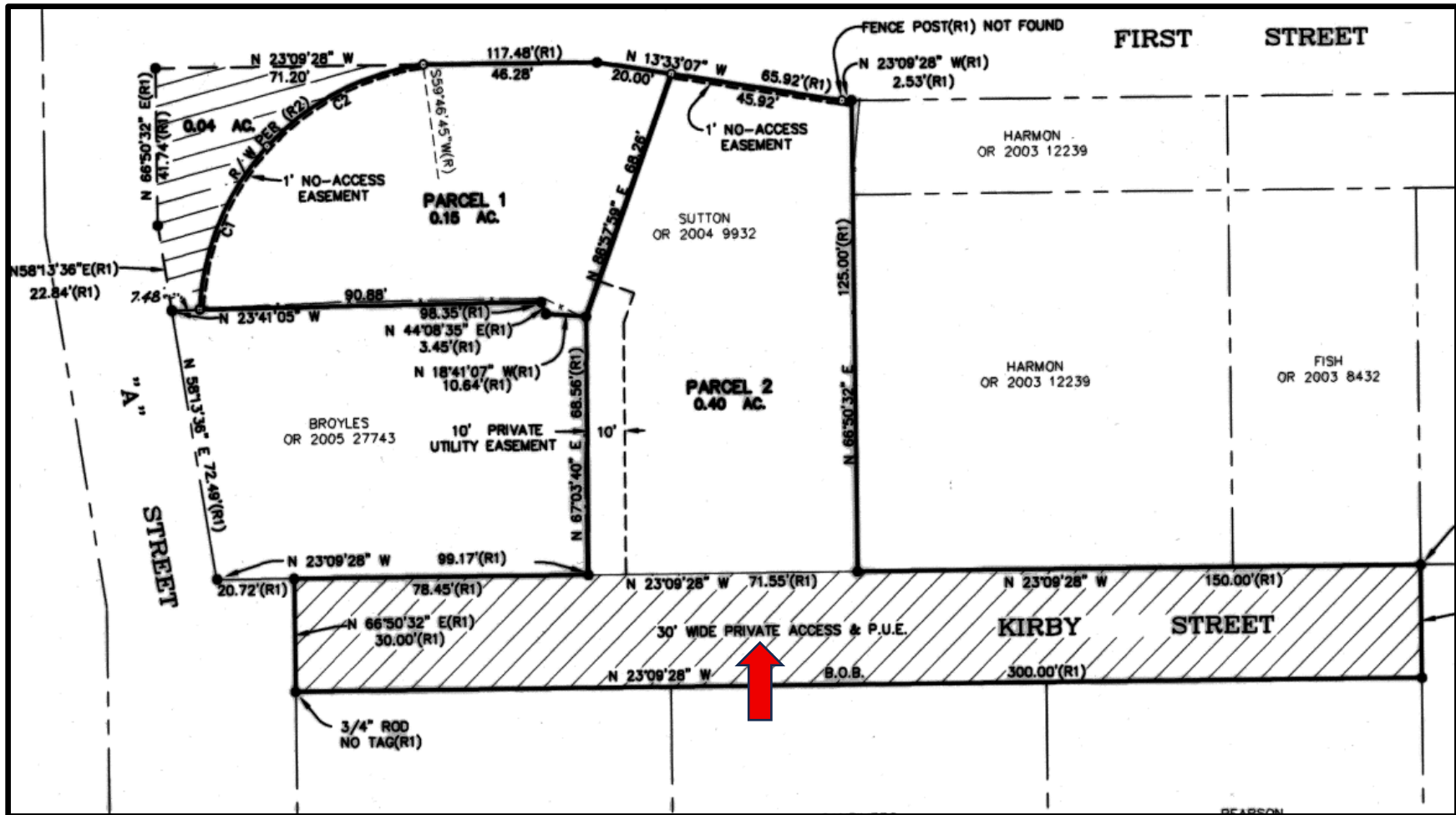


Figure 4: Public Utility Easement Accepted for public use per PM12@70 Notes

CITY CLERK'S STATEMENT

I, MARY KELLY, HEREBY CERTIFY THAT I AM THE CLERK OF THE CITY COUNCIL OF ANGELS, CALIFORNIA; THAT THE COUNCIL BEING THE PROPER APPROVING BODY, HAS APPROVED THE WITHIN PARCEL MAP BY AN ORDER DULY MADE ON Sept. 18, 2007, AND ACCEPT ON BEHALF OF THE PUBLIC ALL PUBLIC UTILITY EASEMENTS *as shown on this map.*

NOTE:

THE FOLLOWING SHALL BE COMPLETED AT THE TIME OF THE NEXT PERMIT OR OTHER GRANT OF APPROVAL FOR EACH PARCEL DEVELOPMENT.

1. SEPARATE WATER AND SEWER SERVICES SHALL BE PROVIDED FOR EACH PARCEL CREATED BY THE PARCEL MAP.
2. CONSTRUCT WATER DISTRIBUTION FACILITIES IN ACCORDANCE WITH THE 1998 CITY IMPROVEMENT STANDARDS AT THE PROJECT PROPONENT'S SOLE EXPENSE, SUBJECT TO THE RULES AND REGULATIONS OF THE CITY.
3. CONSTRUCT WASTEWATER COLLECTION FACILITIES IN ACCORDANCE WITH THE 1998 CITY IMPROVEMENT STANDARDS AT THE PROJECT PROPONENT'S SOLE EXPENSE, SUBJECT TO THE RULES AND REGULATIONS OF THE CITY.
4. UTILITIES UNDER CITY CONTROL SHALL NOT BE INCORPORATED IN A COMMON TRENCH WITH NON-CITY OWNED UTILITIES.
5. UPGRADE THE EXISTING WHARF VALVE FIRE HYDRANT ON EASY STREET AT THE NORTH END OF KIRBY STREET TO CURRENT RESIDENTIAL STANDARDS.

BACKGROUND

The proposed general plan amendment and rezoning are being undertaken to correct a clerical error occurring from the merger of two parcels pursuant to a Parcel Map (PM 12@ 70) recorded in 2007 (**Figure 2**). One parcel carried the Right-of-Way (ROW) general plan land use designation and ROW zoning district. The other carried the Low Density Residential (LDR) land use designation and Single-Family Residential (R-1) zoning district. When merged, the entire resulting parcel was erroneously assigned the ROW general plan land use designation and zoning district.

It is noted that designating the entire parcel SFR/R-1 does not alter the easements along Kirby Way identified on the recorded parcel map (**Figures 3 and 4**).

ANALYSIS:

Per Section 17.90.040 of the Angels Municipal Code (AMC), the Planning Commission shall consider proposed general plan amendments and rezonings based upon the following findings:

Finding A: The proposed change or amendment is consistent with the City of Angels Municipal Code.

Finding B: The change or amendment is consistent with the City of Angels General Plan

The existing site carries the Right-of-Way (ROW) general plan land use designation. That designation generally is reserved for *public* roads. As noted previously, the site contains a portion of Kirby Street that includes a public utility easement accepted by the City for public use and a 30-foot-wide *private* access easement to the property. Because the *access* easement is *private* rather than public, the ROW general plan land use designation and zoning are not appropriate for the site. Altering the general plan land use designation and zoning does not eliminate or alter the existence of the 30-foot-wide public utility easement.

The purposes of the Single-Family Residential (SFR) general plan land use designation are:

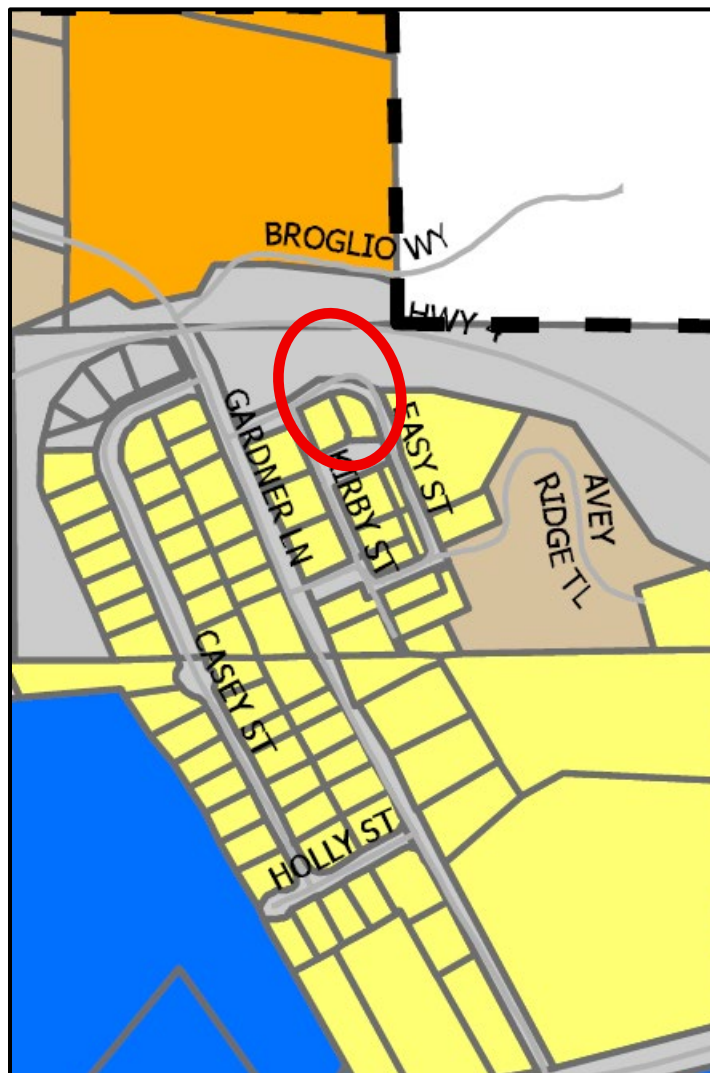
- *To preserve the integrity of existing single-family residential neighborhoods*
- *To reserve lands best-suited for future single-family development (i.e., land accessible by adequate roads, police, fire, water and sewer services on slopes generally averaging less than 15%)*

Location: *Variable, but restricted to those areas that can be served by adequate water, sewer, police, fire, roads and other public services on relatively gentle slopes in close proximity to city services.*

Per AMC 17.18.010, the Purposes and Intent of the Single-Family Residential (R-1) zoning district are:

- To implement the city general plan's single-family residential (SFR) land use designation. The purposes and intent of the district are:
- To preserve the integrity of existing single-family residential neighborhoods.
- To reserve lands best suited for future single-family development. Parcels generally will be restricted to those areas that can be served by adequate water, sewer, police, fire, roads and other public services on relatively gentle slopes (i.e., less than fifteen percent) in close proximity to city services.

Figure 5: Zoning Map



As shown in **Figure 5**, the subject parcel is entirely surrounded by parcels zoned single-family residential (R-1). All of the surrounding parcels also carry the Single-Family Residential (SFR) general plan land use designation. The neighborhood is developed with single-family residences.

Pursuant to General Plan Land Use Table 1-5, the Single-Family Residential zoning district (R-1) is compatible with the Single-Family Residential (SFR) general plan.

Therefore, both the SFR general plan land use designation and R-1 zoning are consistent with the AMC and General Plan subject to approval of a general plan amendment to SFR.

FINDING C: The proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the City.

As previously noted, the project is intended to correct a clerical error occurring in conjunction with filing PM 12@70. The site has readily available public water, public sewer, police and fire protection and access (roads). Therefore, a general plan amendment and rezoning to SFR/R-1 in a single-family residential neighborhood on a parcel originally intended to be SFR/R-1 per General Plan 2020 will not be substantially detrimental to health safety or general welfare of the city and this finding can be made.

Finding D: The proposed general plan amendment is consistent with General Plan 2020 Program 1.A.d Guidelines for General Plan Amendments

General Plan 2020 Program 1.A.d directs that guidelines be established for evaluating general plan land use amendments for overall consistency of the proposal with the goals, objectives and policies of General Plan 2020 including, but not limited to:

a. Physical, social, or economic factors that were not considered at the time of general plan adoption, and the evaluation of the proposal based on the new information

There are no identified physical, social or economic factors that were not considered at the time of general plan 2020 adoption in 2009 that alters the findings and recommendations of the general plan as it pertains to the proposed project as a result of new information. This finding can be made.

b. Existing reasonable alternative sites in the vicinity that are planned for the use and can accommodate the proposal

The proposed use of the site will retain the existing pattern of development in the neighborhood and, therefore, alternative sites are unnecessary.

c. The potential for the proposal to adversely affect community character

As noted above, the overriding purpose of the proposed rezone and general plan amendment is clerical and intended to retain the single-family residential pattern of development in this neighborhood. Therefore, this finding can be made.

FINANCIAL IMPACT:

No impacts to the City General Fund are anticipated.

ENVIRONMENTAL FINDING:

The project is exempt from the state and city guidelines for implementing the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), the Common Sense Exemption, which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed project is intended to correct a clerical error.

The Project does not involve any of the exceptions to this categorical exemption as established in Section 15300.2(b-f) of the guidelines. The proposed use is not located on a known hazardous waste site, will not alter views from a scenic highway, there are no projects of the same type in the same place occurring over time that could result in a cumulative impact, no cultural resources are identified on site. The proposed project will not alter or expand any existing buildings or structures. No increases in traffic, parking, or noise are anticipated from allowing a single-family residential parcel to develop as originally intended under the general plan. The site lacks unusual circumstances that could result in the proposed project having a significant effect on the environment.

ATTACHMENTS:

- A. Planning Commission Resolution of Intent 26-12

**CITY OF ANGELS
PLANNING COMMISSION
RESOLUTION OF INTENT NO. 26-12**

**A RESOLUTION OF THE CITY OF ANGELS PLANNING COMMISSION RECOMENDING
TO THE CITY OF ANGELS CITY COUNCIL**

**A GENERAL PLAN AMENDMENT AND REZONE ON A 0.4± ACRE PARCEL,
ASSESSOR'S PARCEL NUMBER 057-022-055, FROM THE RIGHT-OF-WAY (ROW)
GENERAL PLAN LAND USE DESIGNATION AND ZONING DISTRICT TO THE SINGLE
FAMILY RESIDENTIAL (SFR) GENERAL PLAN LAND USE DESIGNATION AND SINGLE-
FAMILY RESIDENTIAL (R-1) ZONING DISTRICT**

WHEREAS, the City of Angels Planning Commission is charged with making recommendations to the City Council regarding general plan amendments and rezonings pursuant to Angels Municipal Code Section 17.85.020,

WHEREAS, the Planning Commission considered the proposed general plan amendment and rezoning at its meeting of August 13, 2026; and

WHEREAS, the Planning Commission found that the proposed change or amendment is consistent with the City of Angels Municipal Code; and

WHEREAS, the change or amendment is consistent with the City of Angels General Plan; and

WHEREAS, the proposed change or amendment will not be substantially detrimental to the health, safety, or general welfare of the city; and

WHEREAS, the proposed general plan amendment is consistent with General Plan 2020 Program 1.A.d Guidelines for General Plan Amendments; and

WHEREAS, the project is exempt from the state and city guidelines for implementing the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), the Common Sense Exemption, which states that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

NOW THEREFORE BE IT RESOLVED, that the City of Angels Planning Commission recommends to the City Council a general plan amendment and rezone on a 0.4± acre parcel, assessor's parcel number 057-022-055, from the Right-of-Way (ROW) general plan land use designation and zoning district to the Single Family Residential (SFR) general plan land use designation and Single-Family Residential (R-1) zoning district

PASSED AND ADOPTED this 13th day of August 2026, on a motion by _____ seconded by _____ by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Jon Broeder, Chair

Caytlyn Schaner, Deputy City Clerk



HOME OF THE JUMPING FROG