

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

		RESOLUTION APPROVING A 24-MONTH)
		EXTENSION TO EXERCISE)
		TENTATIVE TRACT MAP NO. 5771)
IN THE MATTER OF)		UNDER SECTION 66452.26 OF THE)
<u>TENTATIVE TRACT MAP NO. 5771</u>)		<u>SUBDIVISION MAP ACT</u>)

WHEREAS, the Fresno County Planning Commission, on March 8, 2012, held a duly noticed public hearing and approved Tentative Tract Map (TTM) No. 5771 and the associated Conditional Use Permit (CUP) No. 3193 and Site Plan Review (SPR) No. 7787 authorizing a planned residential development consisting of 79 single-family residential lots and a 10.14-acre remainder lot totaling approximately 37.24 acres in the R-1(c) (Single-Family Residential, 6,000 square-foot minimum parcel size, Conditional) and R-2(c) (Low-Density Multiple-Family Residential, 6,600 square-foot minimum parcel size, Conditional) Zone Districts; and

WHEREAS, on March 23, 2012 the Planning Commission's approval was appealed to the Fresno County Board of Supervisors by a member of the public; and

WHEREAS, on May 22, 2012 the Board considered the appeal and a request by the Appellant to continue the matter to a future Board date to permit the Applicant and Appellant to put together a proposal for clarifying certain matters related to the March 8, 2012 staff report to the Planning Commission; and

WHEREAS, the continued appeal was scheduled to be heard before the Board on July 17, 2012; and

WHEREAS, on July 12, 2012, the Appellant submitted a letter withdrawing the appeal, allowing the Planning Commission's March 8, 2012 approval action to stand approving TTM No. 5771; and

WHEREAS, the approval of TTM No. 5771 had a statutory life of two years; and

WHEREAS, TTM No. 5771 has previously been granted legislative extensions under Subdivision Map Act Sections 66452.24 and 66452.25 for a total of four years; and

1 WHEREAS, the Planning Commission approved a one-year discretionary extension on March
2 15, 2018; and

3 WHEREAS, the developer of TTM No. 5771 has requested a discretionary 24-month extension
4 to exercise TTM No. 5771, under Subdivision Map Act Section 66452.26 as required by statute; and

5 WHEREAS, the Subdivision Map Act Section 66452.26 allows a discretionary extension of up to
6 24 months, if said Tentative Tract Map was approved on or after January 1, 2006, and not later than
7 July 11, 2013, relates to the construction of single or multifamily housing, and for which the expiration
8 date was extended pursuant to Section 66452.25; and

9 WHEREAS, Tentative Tract Map No. 5771 meets the criteria for an extension under Section
10 66452.26; and

11 WHEREAS, the Board duly fixed June 18, 2019, for a public hearing on the extension of to
12 exercise TTM No. 5771, under Section 66452.26 of the Subdivision Map Act in the manner prescribed
13 by law; and

14 WHEREAS, the Board considered the Agenda Item with attachments including the Planning
15 Commission and Subdivision Review Committee Staff Report, and the proposed extension; and

16 WHEREAS, the Board heard and considered verbal and/or written public testimony on the
17 proposed extension; and

18 WHEREAS, subject property is located within the boundaries of the Millerton Specific Plan for
19 which an Environmental Impact Report (EIR) and Mitigation Measures & Monitoring Program Matrix
20 was certified as having been prepared and considered by the decision-making body in accordance with
21 the California Environmental Quality Act (CEQA) when the Specific Plan was adopted in 1984; and

22 WHEREAS, an Environmental Assessment (Initial Study No. 5709) was prepared for Vesting
23 Tentative Tract Map No. 5771 under the provisions of CEQA, resulting in the determination that the
24 previously-certified EIR and Addendum for the Millerton Specific Plan remain adequate for the project;
25 and

26 WHEREAS, under CEQA Section 15162, when an EIR has been certified or a negative
27 declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead
28 agency determines, on the basis of substantial evidence that there are new environmental effects or
significant increases in the severity of previously identified environmental effects; and

1 WHEREAS, review of the project by the County of Fresno and responsible agencies,
2 determined that there would be no new or significant increases in the severity of previously identified
3 environmental effects resulting from the extension; and

4 WHEREAS, on the basis of the whole record before the Board of Supervisors, including any
5 comments received, there is no substantial evidence that this extension will have a significant effect on
6 the environment.

7 NOW, THEREFORE IT IS HEREBY RESOLVED that the Fresno County Board of Supervisors
8 hereby adopts Resolution approving a 24-month extension to exercise TTM No. 5771.

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1 THE FOREGOING was passed and adopted by the following vote of the Board of Supervisors
2 of the County of Fresno the 18th day of June 2019, to wit:

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4 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

5 NOES: None

6 ABSENT: None

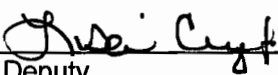
7 ABSTAINED: None

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10 Nathan Magsig, Chairman of the Board of
11 Supervisors of the County of Fresno

12 **ATTEST:**

13 Bernice E. Seidel
14 Clerk of the Board of Supervisors
15 County of Fresno, State of California

16 By 

17 Deputy

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20 FILE# 19-0565

21 AGENDA # 60
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