

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. 5393)
IN THE MATTER OF)	UNDER SECTION 66452.26 OF THE)
<u>TENTATIVE TRACT MAP NO. 5393</u>)	<u>SUBDIVISION MAP ACT</u>)

WHEREAS, the Fresno County Planning Commission, on May 8, 2008, held a duly noticed public hearing and approved Tentative Tract Map (TTM) No. 5393, the associated Conditional Use Permit (CUP) No. 3113, and Site Plan Review (SPR) No. 7654 authorizing a planned residential development consisting of 275 single-family residential lots, two commercial lots, two lots for future use, and outlots on approximately 224 acres in the R-1-B(c) (Single-Family Residential, 12,500 square-foot minimum parcel size, Conditional), R-2(c) (Single-Family Residential, 6,000 square-foot minimum parcel size, Conditional), R-2(c) (Low Density Multiple Family Residential, 6,600 square-foot minimum parcel size, Conditional), C-M(c) (Commercial and Light Manufacturing, Conditional), C-1(c) (Neighborhood Shopping Center, Conditional), and R-E(c) (Recreational District, 2-acre minimum parcel size, Conditional) Zone Districts; and

WHEREAS, the approval of TTM No. 5393 had a statutory life of two years; and

WHEREAS, TTM No. 5393 has previously been granted legislative extensions under Subdivision Map Act Sections 66452.21, 66452.22, 66452.23, 66452.24 and 66452.25 for a total of nine years; and

WHEREAS, the developer of TTM No. 5393 has requested a discretionary 24-month extension to exercise TTM No. 5393, under Subdivision Map Act Section 66452.26 as required by statute; and

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

1 WHEREAS, Tentative Tract Map No. 5393 meets the criteria for an extension under Section
2 66452.26; and

3 WHEREAS, the Board duly fixed September 10, 2019, for a public hearing on the extension of
4 to exercise TTM No. 5393, under Section 66452.26 of the Subdivision Map Act in the manner
5 prescribed by law; and

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

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

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

14 WHEREAS, an Environmental Assessment (Initial Study No. 5310) was prepared for Vesting
15 Tentative Tract Map No. 5393 under the provisions of CEQA, resulting in the determination that the
16 previously-certified EIR and Addendum for the Millerton Specific Plan remain adequate for the project;
17 and

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

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

25 WHEREAS, on the basis of the whole record before the Board of Supervisors, including any
26 comments received, there is no substantial evidence that this extension will have a significant effect on
27 the environment.
28

1 NOW, THEREFORE IT IS HEREBY RESOLVED that the Fresno County Board of Supervisors
2 hereby adopts Resolution approving a 24-month extension to exercise TTM No. 5393.

3 THE FOREGOING, was passed and adopted by the following vote of the Board of Supervisors
4 of the County of Fresno the 10th day of September 2019, to wit:

5
6 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

7 NOES: None

8 ABSENT: None

9 ABSTAINED: None

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13 Nathan Magsig, Chairman of the Board of
Supervisors of the County of Fresno

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

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18 By 
19 Deputy

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22 FILE# 19-0846

23 AGENDA # 52
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