

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. 5943)
IN THE MATTER OF)	UNDER SECTION 66452.26 OF THE)
<u>TENTATIVE TRACT MAP NO. 5943)</u>	<u>SUBDIVISION MAP ACT)</u>

WHEREAS, the Fresno County Board of Supervisors, on August 30, 2011, held a duly noticed public hearing and approved Amendment Application No. 3779, Tentative Tract Map (TTM) No. 5943, and the associated Conditional Use Permit (CUP) No. 3326 authorizing a planned unit development consisting of 58 single-family residential lots totaling approximately 10.88 acres in the R-2(c)(m) (Low Density Multiple-Family Residential, Conditional, Mountain Overlay, 6,600 square-foot minimum parcel size) Zone District; and

WHEREAS, the approval of TTM No. 5943 had a statutory life of two years; and

WHEREAS, TTM No. 5943 has previously been granted legislative extensions under Subdivision Map Act Sections 66452.23, 66452.24, and 66452.25 for a total of six years; and

WHEREAS, the developer of TTM No. 5943 has requested a discretionary 24-month extension to exercise TTM No. 5943, 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

WHEREAS, Tentative Tract Map No. 5943 meets the criteria for an extension under Section 66452.26; and

WHEREAS, the Board duly fixed October 22, 2019, for a public hearing on the extension of to exercise TTM No. 5943, under Section 66452.26 of the Subdivision Map Act in the manner prescribed by law; and

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

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

5 WHEREAS, subject property is located within the boundaries of the Sierra North Regional Plan,
6 the Shaver Community Plan, and the Bretz Mountain Specific Plan for which an Environmental Impact
7 Report (EIR) and Mitigation Measures and Monitoring Program Matrix was certified as having been
8 prepared and considered by the decision-making body in accordance with the California Environmental
9 Quality Act (CEQA) when the Specific Plan was adopted in 1982; and

10 WHEREAS, an Environmental Assessment (Initial Study No. 5981) was prepared for Tentative
11 Tract Map No. 5943 under the provisions of CEQA, resulting in the determination that the previously-
12 certified EIR and Initial Study remain adequate for the project; and

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

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

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

23 NOW, THEREFORE IT IS HEREBY RESOLVED that the Fresno County Board of Supervisors
24 hereby adopts Resolution approving a 24-month extension to exercise TTM No. 5943.

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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 22nd day of October 2019, to wit:

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

5 NOES: None

6 ABSENT: None

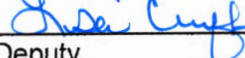
7 ABSTAINED: None

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

12 **ATTEST:**

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

15
16 By 
17 Deputy

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20 FILE# 19-1072

21 AGENDA # 49
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