9258



FROM: TLMA - Planning Department

SUBMITTAL DATE: May 26, 2010

REQUEST: SECOND EXTENSION OF TIME FOR PARCEL MAP NO. 32167 - Applicant: Stephen Bell - Fifth Supervisorial District - Cherry Valley Zoning District - The Pass Area Plan: Rural Community: Very Low Density Residential (RC:VLDR) (1 acre minimum) - Location: East of Mountain View Avenue and south of Bonita Drive - 7.79 Acres - Zoning: Residential Agricultural (R-A-1) (1 acre minimum) - Approved Project Description: Schedule H subdivision of 7.79 acres into 4 Single Family Residential Lots, with a 1-Acre Minimum lot size and a remainder parcel of 3.15 acres. - REQUEST: SECOND EXTENSION OF TIME TO JULY 25, 2013.

#### **RECOMMENDED MOTION:**

RECEIVE AND FILE the Notice of Decision by the Planning Director on May 3, 2010.

The Planning Department recommended Approval; and, THE PLANNING DIRECTOR:

APPROVED the SECOND EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP No. 32167, extending the expiration date to July 25, 2013, subject to all the previously approved and/or amended Conditions of Approval with the applicants consent.

#### **BACKGROUND:**

The County Planning Department, as part of the review of this extension of time request, and after transmittal to Land Development Committee Members, has determined it necessary to recommend the addition of four (4) new conditions of approval in order to be able to make a

> Ron Goldman Planning Director

Initials:

(continued on attached page)

#### MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Buster, seconded by Supervisor Tavaglione and duly carried, IT WAS ORDERED that the above matter of approval is received and filed as recommended.

Ayes:

Buster, Tavaglione, Stone and Ashley

Nays:

None

Absent:

**Benoit** June 8, 2010

Date: XC: ...

Planning, Applicant

Prev. Agn. Ref.

Agenda Number:

Deputy

Kecia Harper-Ihem

Clerk of the Board

ATTACHMENTS FILED Revised 3/04/10 by R. Juarez - Y:\Planning Case Files Riverside Office PM321672NA FOT Form 11P - 2010\_2ND EOT.do

District: Fifth

Dep't Recomm.:

Exec. Ofc.:

The Honorable Board of Supervisors
Re: **SECOND EXTENSION OF TIME FOR TENTATIVE PARCEL MAP NO. 32167**Page 2 of 2

determination that the project does not adversely affect the general health, safety and welfare of the public. The Planning (Landscaping Division) Department is recommending the addition of two (2) Conditions of Approval. The Planning (Cultural Resources Division) Department is recommending the addition of two (2) Conditions of Approval.

The Extension of Time applicant was informed of these recommended conditions of approval and has agreed to accept the conditions. Included in this staff report package are the recommended conditions of approval, and the correspondence from the Extension of Time applicant (dated March 29, 2010) indicating the acceptance of the four (4) conditions.

## **COUNTY OF RIVERSIDE**

## TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson · Agency Director

## **Planning Department**

Ron Goldman · Planning Director

9258

DATE: May 11, 2010					
TO: Clerk of the Board of Supervisors					
FROM: Planning Department - Riverside Office					
SUBJECT: SECOND EXTENSION OF TIME FOR PARCEL MAP NO. 32167 (Charge your time to these case numbers)					
The attached item(s) require the following action(s) by the Board of Supervisors:    Place on Administrative Action (Receive & File; EOT)					
Designate Newspaper used by Planning Department for Notice of Hearing: NONE					
Please schedule on the June 8, 2010 BOS Agenda					

Just 10

Area Plan: The Pass

Zoning District: Cherry Valley Supervisorial District: Fifth

Project Planner: Raymond Juarez

Tentative Parcel Map No. 32167 SECOND EXTENSION OF TIME (EOT) Director's Decision Date: May 3, 2010 **Applicant: Andrew and Leah Paez** 

### COUNTY OF RIVERSIDE PLANNING DEPARTMENT **EXTENSION OF TIME STAFF REPORT**

The applicant of the subject case has requested an extension of time to begin substantial construction. This request will not be discussed unless specifically requested by the EOT applicant at the time it is presented to the Planning Director for approval.

CEQA: The subject case has conformed to the requirements of the California Environmental Quality Act, and all impacts have been analyzed in order to protect the public health, safety and welfare.

GENERAL PLAN: Unless otherwise noted, the subject case had been determined to be consistent with the General Plan and all of its elements.

#### **REQUEST:**

SECOND EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP No. 32167.

#### BACKGROUND:

The County Planning Department, as part of the review of this extension of time request, and after transmittal to Land Development Committee Members, has determined it necessary to recommend the addition of four (4) new conditions of approval in order to be able to make a determination that the project does not adversely affect the general health, safety and welfare of the public. The Planning (Landscaping Division) Department is recommending the addition of two (2) Conditions of Approval. The Planning (Cultural Resources Division) Department is recommending the addition of two (2) Conditions of Approval.

The Extension of Time applicant was informed of these recommended conditions of approval and has agreed to accept the conditions. Included in this staff report package are the recommended conditions of approval, and the correspondence from the Extension of Time applicant (dated March 29, 2010) indicating the acceptance of the four (4) conditions.

ORIGINAL Approval Date: July 25, 2005

#### **RECOMMENDATION:**

APPROVAL of the SECOND EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP No. 32167, extending the expiration date to July 25, 2013, subject to all the previously approved and/or amended Conditions of Approval with the applicants consent.

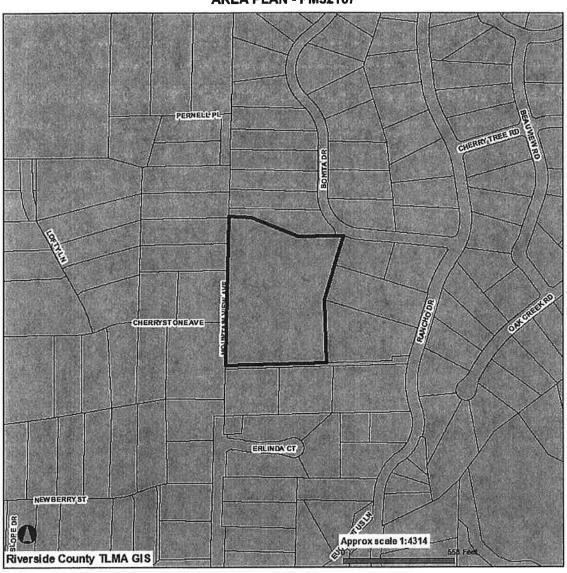
SECOND EXTENSION OF TIME FOR PARCEL MAP NO. 32167 - Applicant: Stephen Bell -Fifth Supervisorial District - Cherry Valley Zoning District - The Pass Area Plan: Rural Community: Very Low Density Residential (RC:VLDR) (1 acre minimum) - Location: East of



## PARCEL MAP NO. 32167, SECOND EXTENSION OF TIME REQUEST Page 2 of 2

Mountain View Avenue and south of Bonita Drive – 7.79 Acres - Zoning: Residential Agricultural (R-A-1) (1 acre minimum) – Approved Project Description: Schedule H subdivision of 7.79 acres into 4 Single Family Residential Lots, with a 1-Acre Minimum lot size and a remainder parcel of 3.15 acres. - **REQUEST: SECOND EXTENSION OF TIME TO JULY 25, 2013.** 

#### AREA PLAN - PM32167



## Selected parcel(s): 401-071-038

#### **AREA PLAN**

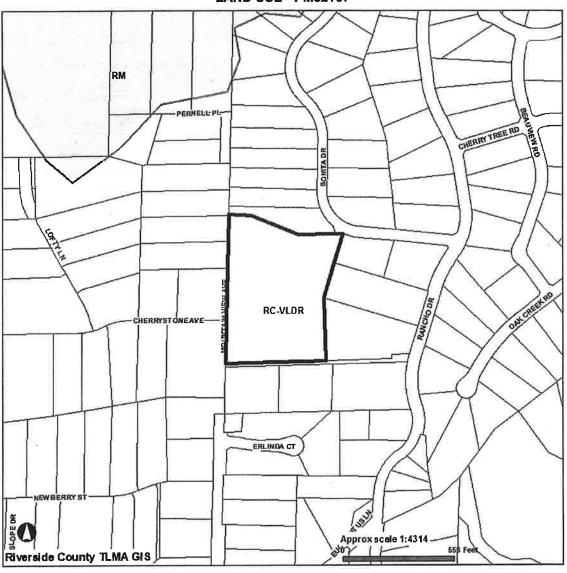
SELEC	TED PARCEL	PARCELS	THE PASS	CITY BOUNDARY
		1		4

#### \*IMPORTANT\*

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

REPORT PRINTED ON...Mon Jul 27 08:21:38 2009

#### **LAND USE - PM32167**



#### Selected parcel(s): 401-071-038

#### **LANDUSE**

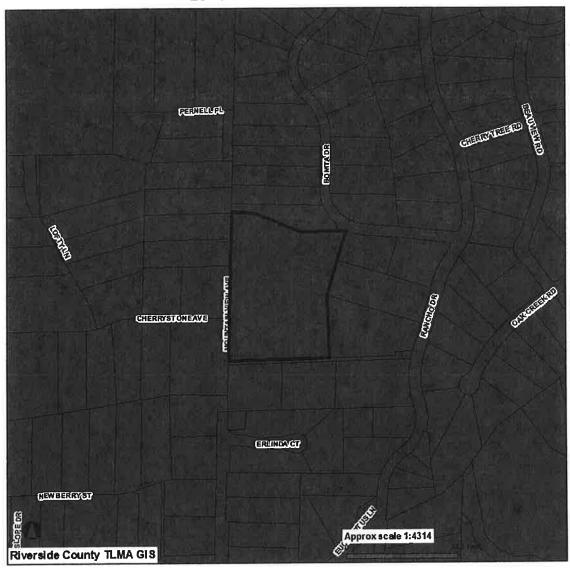
SELECTED PARCEL	PARCELS	RC-VLDR - RURAL COMMUNITY - VERY LOW DENSITY RESIDENTIAL	RM - RURAL MOUNTAINOUS
CITY BOUNDARY			

\*IMPORTANT\*

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REPORT PRINTED ON...Mon Jul 27 08:22:09 2009

#### **ZONING DISTRICTS - PM32167**



#### Selected parcel(s): 401-071-038

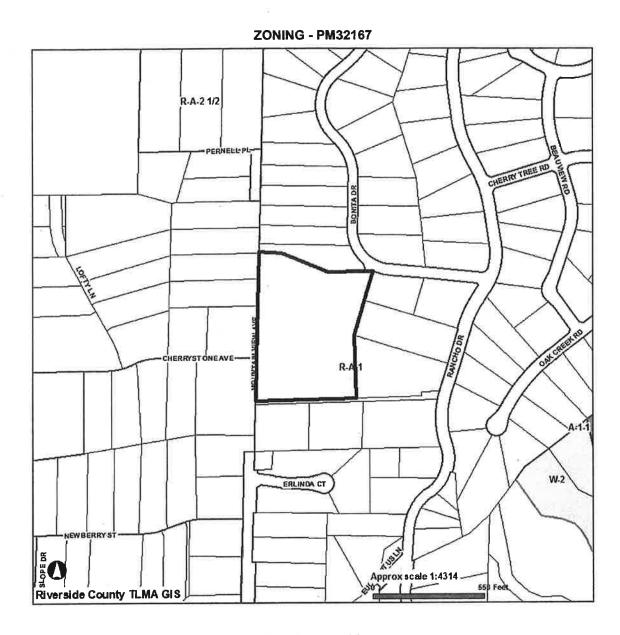
#### **ZONING DISTRICTS**

SELECTED PARCEL	PARCELS	CHERRY VALLEY DIST	CITY BOUNDARY
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\*IMPORTANT\*

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REPORT PRINTED ON...Mon Jul 27 08:22:37 2009



#### Selected parcel(s): 401-071-038

		ZONING	
SELECTED PARCEL	PARCELS	ZONING BOUNDARY	A-1-
R-A-1, R-A-2 1/2	W-2	CITY BOUNDARY	

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

REPORT PRINTED ON...Mon Jul 27 08:23:02 2009

# **Extension of Time Environmental Determination**

Project	Case Number:	TENTATIVE PARCEL MAP NO. 32167			
Original E.A. Number: 39884					
•	ion of Time No.:	SECOND			
	I Approval Date:	July 25, 2005			
Project	Location: <u>East of I</u>	Mountain View Avenue and south of Bonita Drive			
Project <u>Family</u>	Description: Appr Residential Lots, w	roved Project Description: Schedule H subdivision of 7.79 acres into 4 Single with a 1-Acre Minimum lot size and a remainder parcel of 3.15 acres.			
impact	report was reviewe ginal proposal have posed developmen	entative Parcel Map and its original environmental assessment/environmental ed to determine: 1) whether any significant or potentially significant changes in e occurred; 2) whether its environmental conditions or circumstances affecting at have changed. As a result of this evaluation, the following determination has			
	I find that although	the proposed project could have a significant effect on the environment, NO NEW			
	ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME, because all potentially significant effects (a) have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards and (b) have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration and the project's original conditions of approval.				
	I find that although t	he proposed project could have a significant effect on the environment, and there are			
	one or more potenti which the project is TO APPROVAL OF adequately analyzed (b) have been avoide	ially significant environmental changes or other changes to the circumstances under undertaken, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR THE EXTENSION OF TIME, because all potentially significant effects (a) have been in an earlier EIR or Negative Declaration pursuant to applicable legal standards and ed or mitigated pursuant to that earlier EIR or Negative Declaration and revisions to the iditions of approval which have been made and agreed to by the project proponent.			
	I find that there are	one or more potentially significant environmental changes or other changes to the			
	may not address, a cannot be determined REQUIRED in order may be needed, and Regulations, Section environmental assess OF TIME SHOULD I	or which the project is undertaken, which the project's original conditions of approval and for which additional required mitigation measures and/or conditions of approval and at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL STUDY IS to determine what additional mitigation measures and/or conditions of approval, if any, and whether or not at least one of the conditions described in California Code of 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additionally, the assment/initial study shall be used to determine WHETHER OR NOT THE EXTENSION BE RECOMMENDED FOR APPROVAL.			
	have a significant of	al project was determined to be exempt from CEQA, and the proposed project will not fee on the environment, therefore NO NEW ENVIRONMENTAL DOCUMENTATION IS TO APPROVAL OF THE EXTENSION OF TIME.			
	REQUIRED FRIEN	TOTAL OF THE EXTENSION OF THE			
/	1/-1/-1				
Signat	Signature: May 3, 2010				
9	Raymond Juarez, Urban Regional Planner For, Ron Goldman, Planning Director				
	$V \mid I$	Y			

#### Simmons, Kristina

From:

Andrew Paez [andrewpaez@yahoo.com]

Sent:

Monday, March 29, 2010 9:29 PM

To:

Simmons, Kristina

Subject:

Re: 1st and 2nd Extensions of Time for Parcel Map No. 32167

#### Ms. Simmons,

We accept the conditions in the attachment to this correspondence. In particular, we accept:

10 Planning. 18 Landscape Requirements

10 Planning. 19 Landscape Species

10 Planning. 20 If Human Species EOT2

10 Planning. 21 Inadvertant Archaeo EOT2

as conditions for Parcel Map 32167

Thank You,

Leah and Andrew Paez

From: "Simmons, Kristina" < KRSIMMON@rctlma.org > To: "andrewpaez@yahoo.com" < andrewpaez@yahoo.com >

Sent: Mon, March 15, 2010 3:42:02 PM

Subject: 1st and 2nd Extensions of Time for Parcel Map No. 32167

Mr. Paez,

In processing the Extension of Time request, the Planning Department transmitted to the other Land Development Committee (LDC) member to solicit their comments, recommendations, and if applicable, their proposed conditions of approval. The County Planning Department Landscaping division has determined it is necessary to recommend the addition of 2 new conditions, for the 1st Extension of Time, in order to be able to make a finding that the project, together with its Extension of Time, does not adversely affect the general health, safety, and welfare of the public. The County Planning Department, Cultural Resources division has determined it is necessary to recommend the addition of 2 new conditions, for the 2nd Extension of Time, in order to be able to make a finding that the project, together with its Extension of Time, does not adversely affect the general health, safety, and welfare of the public.

Please review the proposed conditions of approval (see attachment). If the addition of these conditions is acceptable, please submit a short written letter/memo/email that clearly references this case and these particular conditions. Please be sure to reference each condition by name and number. Also, indicate that the Extension of Time applicant accepts these conditions. This documentation will then be included in the staff report package.

If the addition of these conditions in not acceptable, I would suggest you contact the department representative, Kristi Lovelady (Landscaping), at (951) 955-0781 or Leslie Mouriquand (Cultural Resources), at (760) 393-3411 to discuss this matter further.

I am in the process of preparing a staff report package for the Planning Commission Hearing so the Planning Commission can act on the EOT requests. In order to be able to recommend approval of the Extension of Time, it is necessary to include these conditions, as part of the recommendation, together with a written confirmation of acceptance of the additional conditions from the EOT applicant.

If the EOT applicant is unable to resolve these conditions with the Planning Department and/or unwilling to accept these conditions, the Planning Department will be required to recommend denial of the requested Extension of Time request, and at that time, the EOT applicant will have the opportunity to inform the Planning Commission about his or her justification as to why the EOT should be approved without these recommended conditions of approval.

With this being said, please give me direction as to how you wish to proceed. I would like to complete this staff report no later than March 29, 2010. I need to know whether the recommended conditions are acceptable; and if not, I need to know whether you wish a continuance in order to discuss these conditions with Planning Department staff, or whether you simply want to move forward to the Planning Commission Hearing to make your arguments against the application of these conditions.

If you have any questions, comments, or concerns regarding this email, please feel free to contact our Planning Commission Secretary, Chantell Griffin, at (951) 955-3251, or myself.

Thank you, Kristina M. Simmons Planning Technician

Riverside County Planning Department County Administrative Center 4080 Lemon St., 9th floor P.O. Box 1409 Riverside, CA 92502 Ph: (951) 955-0879 Fax: (951) 955-3157 03/15/10:27

PARCEL MAP Parcel Map #: PM32167 Parcel: 401-071-038

#### 10. GENERAL CONDITIONS

#### PLANNING DEPARTMENT

10.PLANNING. 18 MAP - LC LANDSCAPE REQUIREMNTS

RECOMMND

Page: 1

Prior to the installation or rehabilitation of 5,000 square feet or more of landscaped area, the developer/ permit holder/landowner shall:

- 1) Submit landscape and irrigation plans to the County Planning Department for review and approval. Such plans shall be submitted as a Minor Plot Plan subject to the appropriate fees and inspections as determined by the County, comply with Ordinance No. 859 and be prepared in accordance with the County of Riverside Guide to California Friendly Landscaping. Emphasis shall be placed on using plant species that are drought tolerant and low water using.
- 2) Ensure all landscape and irrigation plans are in conformance with the APPROVED EXHIBITS;
- 3) Ensure all landscaping is provided with a weather based irrigation controller(s) as defined by County Ordinance No. 859; and,
- 4) Ensure that irrigation plans which may use reclaimed water conform with the requirements of the local water purveyor.

The developer/permit holder is responsible for the maintenance, viability and upkeep of all slopes, landscaped areas, and irrigation systems until the successful completion of the Installation Inspection or those operations become the responsibility of the individual property owner(s), a property owner's association, or any other successor-in-interest, whichever occurs later.

#### 10.PLANNING. 19 MAP - LC LANDSCAPE SPECIES

RECOMMND

The developer/ permit holder/landowner shall use the County of Riverside's California Friendly Plant List when making plant selections. The list can be found at the following web site

http://www.rctlma.org/planning/content/devproc/landscpe/lanscape.html. Use of plant material with a "low" or "very low" water use designation is strongly encouraged. EOT2

03/15/10:27

## Riverside County LMS CONDITIONS OF APPROVAL

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Parcel: 401-071-038

PARCEL MAP Parcel Map #: PM32167

10. GENERAL CONDITIONS

10.PLANNING. 20 GEN - IF HUMAN REMAINS EOT2

RECOMMND

Page: 2

The developer/permit holder or any successor in interest shall comply with the following codes for the life of this project:

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law. Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant." The Most Likely Descendant shall then make recommendations and engage in consultation with the County and the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Planning /Director.

10.PLANNING. 21 GEN - INADVERTANT ARCHAEO EOT2

RECOMMND

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to it sacred or cultural importance.

1.All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethic/cultural group representative),

03/15/10 ::27

## Riverside County LMS CONDITIONS OF APPROVAL

Page: 3

PARCEL MAP Parcel Map #: PM32167

Parcel: 401-071-038

#### 10. GENERAL CONDITIONS

10.PLANNING. 21 GEN - INADVERTANT ARCHAEO EOT2 (cont.)

RECOMMND

and the Planning Director to discuss the significance of the find.

- 2.At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, with the concurrence of the Planning Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.
- 3. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

## LAND DEVELOPMENT COMMITTEE

## INITIAL CASE TRANSMITTAL RIVERSIDE COUNTY PLANNING DEPARTMENT - RIVERSIDE

P.O. Box 1409 Riverside, CA 92502-1409

**DATE: July 27, 2009** 

TO:

Transportation Dept.
Environmental Health Dept.
Flood Control District
Fire Department
Dept. of Bldg. & Safety (Grading)

Regional Parks & Open Space District
Co. Geologist
Environmental Programs Dept.
P.D. Trails Coordinator – J. Jolliffe
P.D. Landscaping Section - Kristi Lovelady

SECOND EXTENSION OF TIME FOR PARCEL MAP NO. 32167 - Applicant: Stephen Bell - Fifth Supervisorial District - Cherry Valley Zoning District - The Pass Area Plan: Rural Community: Very Low Density Residential (RC:VLDR) (1 acre minimum) - Location: East of Mountain View Avenue and south of Bonita Drive - 7.79 Acres - Zoning: Residential Agricultural (R-A-1) (1 acre minimum) - Approved Project Description: Schedule H subdivision of 7.79 acres into 4 Single Family Residential Lots, with a 1-Acre Minimum lot size and a remainder parcel of 3.15 acres. - REQUEST: EXTENSION OF TIME TO JULY 25, 2010 (SB1185 brings the expiration date to 7/25/2011 and AB333 brings the expiration date to 7/25/2013) - SECOND EXTENSION.

Please review the attached information, together with your existing records for the above-described project. This extension request is being placed on the <u>September 3, 2009 LDC Comment Agenda</u> in order to establish a deadline for review and comment. All County Agencies and Departments are to have completed their review prior to the above referenced LDC Comment date. Failure to complete the review and/or provide comments within the indicated time frame will result in a presumption that the affected Agency/Department has no comment, and the extension request will be moved forward to the Planning Commission based on that presumption.

If, it is determined necessary, that in order to maintain conformance with the County General Plan, and/or ensure that the project does not adversely affect the general health, safety and welfare of the public, each LDC Agency or Department may prepare recommended conditions of approval and place them in the County's Land Management System for the affected project.

LDC MEMBERS ARE ENCOURAGED TO DIFFERENCIATE THOSE CONDITIONS ADDED AS PART OF THE EXTENSION BY ADDING A REFERENCE IN THE CONDITION TITLE AND/OR BODY OF THE CONDITION (ie. "EOT 1, EOT 2)

Each LDC Agency or Department who does so must then provide documentation to the Planning Department justifying the application of said conditions. Any such conditions, and their justification, will be presented to the Advisory Agency for their consideration as part of their action relative to the extension of time request.

If any LDC Agency or Department finds that the project, as approved, cannot be found to be in conformance with the General Plan and/or finds the project adversely affects the general health, safety and welfare of the public without the processing and approval of a Minor Change or Revised Map to the Approved Map, said Agency or Department must provide to the Planning such a recommendation and provide details as to what issues such an application must address.

Should you have any questions regarding this item, please do not hesitate to contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or email at cgriffin@RCTLMA.org/ MAILSTOP# 1070.

## **COUNTY OF RIVERSIDE**

TRANSPORTATION AND LAND MANAGEMENT AC

## **Planning Department**

Ron Goldman · Planning Director

## APPLICATION FOR EXTENSION OF TIME

THIS APPLICATION MUST BE ACCOMPANIED BY APPROPRIATE FILING FEES

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

APPLICATION INFORMATION		1 - 7 -		
CASE NUMBER: PM 32167	DATE SUBMITTE	D:		
Assessor's Parcel Number(s): 401-671-03	8			
EXTENSION REQUEST   First   Second	☐ Third [	☐ Fourth ☐ Fifth		
Phased Final Map Attach evidence of	public improvemen	t or financing expenditures.		
NOTE: Land divisions may obtain a maximum of five 1-year extensions of time. Conditional Use Permits and Public Use Permits may obtain extensions of time only to the extent that the period in which to begin substantial construction does not exceed a maximum of three years from the original decision date. Plot Plans may obtain extensions of time only to the extent that the period in which to begin substantial construction does not exceed a maximum of five years from the original decision date. Variances may obtain extensions of time only to the extent that the period in which the variance is to be used does not exceed a maximum of three years from the original decision date, except that a variance in connection with a land division may be used during the same period of time that the land division may be used.  Date of Original Approval:				
Applicant's Name: STEPHEN BELL	E-Mail: T5BE	ELLI @ VERIZON . NET		
Mailing Address: 737 ORANGE AVE Street City State	G> ZIP	223		
Daytime Phone No: (951) 236-9-08 Fa	x No: ( <u>957</u> )	845-6757		
Property Owner's Name: ANDREW LEAH PARE	E-Mail:			
Mailing Address: 749 ORANGE AVE  BEAUMONT City State	P2) ZIP	-2-3		
Daytime Phone No: (451) 363-3604 Fa	x No: ()			

If the property is owned by more than one person, attach a separate page that reference the application case number and lists the names, mailing addresses, and phone numbers of all persons having an interest in the real property or properties involved in this application.

Riverside Office · 4080 Lemon Street, 9th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-3157 Desert Office · 38686 El Cerrito Road Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7555