

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
1.8
(ID # 5648)

MEETING DATE:

Tuesday, November 14, 2017

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S DECISION TO APPROVE THE FIRST EXTENSION OF TIME for TENTATIVE PARCEL MAP NO. 35212 – Applicant: KTM North America, Inc. c/o Cheryl Webb – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan: Commercial Retail (CR) (0.20-0.35 FAR), Commercial Office (CO) (0.35-1.0 FAR) – Location: North of Borel Road, south of Winchester Road, east of Winchester Road, west of French Valley Airport – 55.08 Acres – Zoning: Specific Plan No. 265, Borel Airpark Center (S-P) – APPROVED PROJECT DESCRIPTION: The tentative parcel map is a Schedule E subdivision of two (2) parcels totaling 55.08 acres into 20 parcels for commercial/retail purposes with a minimum parcel size of 0.5 acres. [Applicant Fees 100%]

RECOMMENDED MOTION: The Planning Department recommends that the Board of Supervisors:

RECEIVE AND FILE the Planning Commission's decision to approve the First Extension of Time for Tentative Parcel Map No. 35212. It will now expire on December 14, 2018.

ACTION: Consent

Charissa Leach, Assistant TLMA Director 10/30/2017

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: November 14, 2017
xc: Planning, Applicant

Kedia Harper-Ihem
Clerk of the Board
By:
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ NA	\$ NA	\$ NA	\$ NA
NET COUNTY COST	\$ NA	\$ NA	\$ NA	\$ NA
SOURCE OF FUNDS: Applicant Fees 100%			Budget Adjustment: NA	
			For Fiscal Year: NA	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Tentative Parcel Map No. 35212 was originally approved by the Planning Commission on September 15, 2010. It proceeded to the Board of Supervisors along with Change of Zone No. 7690 where both applications were approved on December 14, 2010.

The First Extension of Time was received on September 5, 2017, ahead of the expiration date of December 14, 2017. The Applicant and the County negotiated conditions of approval and reached consensus on September 18, 2017.

The County Planning Department, as part of the review of this Extension of Time request, recommends the addition of seven (7) 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 applicant was informed of these recommended conditions and has agreed to accept them.

The Tentative Parcel Map also benefited from Senate Bill No. 1185 (SB1185), Assembly Bill No. 333 (AB333), Assembly Bill No. 208 (AB208), and Assembly Bill No. 116 (AB116), which granted statutory extensions of time for tentative maps statewide.

The Planning Commission heard the First Extension of Time for Tentative Parcel Map No. 35212 on October 4, 2017. The Planning Commission approved the project by a 5-0 vote.

Board Action

The Planning Commission's decision is final and no action by the Board of Supervisors is required unless the applicant or an interested person files a complete appeal application within 10 days of this notice appearing on the Board's agenda.

Impact on Citizens and Businesses

The impacts of this project have been evaluated through the environmental review and public hearing process by the Planning Department and the Planning Commission.

SUPPLEMENTAL

Additional Fiscal Information

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

All fees are paid by the applicant. There is no General Fund obligation.

ATTACHMENTS:

- A. **PLANNING COMMISSION MINUTES**
- B. **PLANNING COMMISSION STAFF REPORT**



Melissa Noone, Associate Management Analyst 11/3/2017



**PLANNING COMMISSION
MINUTE ORDER
OCTOBER 4, 2017**

I. AGENDA ITEM 1.2

FIRST EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP NO. 35212 – Applicant: KTM North America, Inc. c/o Cheryl Webb – Third Supervisorial District – Rancho California Zoning Area – Southwest Area Plan: Commercial Retail (CR) (0.20-0.35 FAR) – Commercial Office (CO) (0.35-1.0 FAR) – Location: Northerly of Borel Road, southerly of Winchester Road, easterly of Winchester Road, and westerly of French Valley Airport – 55.08 Acres – Zoning: Specific Plan No. 265: Borel Airpark Center (S-P) – Approved Project Description: The tentative parcel map is a Schedule “E” Subdivision of two (2) parcels totaling 55.08 acres into 20 parcels for commercial/retail purposes with a minimum parcel size of 0.5 acres.

II. PROJECT DESCRIPTION:

First Extension of Time Request for Tentative Parcel Map No. 35212, extending the expiration date to December 14, 2018.


III. PLANNING COMMISSION ACTION:

Motion by Commissioner Taylor-Berger, 2nd by Commissioner Shaffer
A vote of 5-0

APPROVED - First Extension of Time Request for Tentative Parcel Map No. 35212, extending the expiration date to December 14, 2018.

Agenda Item No. 1.2
Area Plan: Southwest
Zoning Area: Rancho California
Supervisory District: Third
Project Planner: Ash Syed
Planning Commission Hearing: October 4, 2017

TENTATIVE PARCEL MAP NO. 35212
FIRST EXTENSION OF TIME
Applicant: KTM North America, Inc.
c/o Cheryl Webb



Charissa Leach, P.E.
Assistant TLMA Director

COUNTY OF RIVERSIDE PLANNING DEPARTMENT EXTENSION OF TIME STAFF REPORT

The applicant of the subject case has requested an extension of time to allow for the recordation of the final map. The tentative parcel map is a Schedule E subdivision of two (2) parcels totaling 55.08 acres into 20 parcels for commercial/retail purposes with a minimum parcel size of 0.5 acres.

Unless specifically requested by the applicant, this request will not be discussed at the time it is presented to the Planning Commission as a consent calendar item.

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. No new environmental documentation is required prior to the extension of time.

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

REQUEST:

FIRST EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP NO. 35212

BACKGROUND:

Tentative Parcel Map No. 35212 was originally approved at Planning Commission on September 15, 2010. It proceeded to the Board of Supervisors along with Change of Zone No. 7690 where both applications were approved on December 14, 2010.

The First Extension of Time was received September 5, 2017, ahead of the expiration date, December 14, 2017. The Applicant and the County negotiated conditions of approval and reached consensus on September 18, 2017.

The County Planning Department, as part of the review of this Extension of Time request, recommends the addition of seven (7) 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 applicant was informed of these recommended conditions and has agreed to accept them. Included in this staff report package are the recommended conditions of approval, and the correspondence from the Extension of Time applicant September 18, 2017, indicating the acceptance of the seven (7) recommended conditions.

FURTHER PLANNING CONSIDERATIONS:

EFFECT OF Senate Bill No. 1185 (SB1185): On July 15, 2008, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 12 month extension on previously approved subdivision maps set to expire between July 15, 2008 and January 1, 2011.

EFFECT OF Assembly Bill No. 333 (AB333): On July 15, 2009, AB333 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 15, 2009 and January 1, 2012.

EFFECT OF Assembly Bill No. 208 (AB208): On July 13, 2011, AB208 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between July 13, 2011 and January 1, 2014.

EFFECT OF Assembly Bill No. 116 (AB116): On July 11, 2013, AB116 was signed into law, which grants a one-time extension of existing subdivision maps so developers can build immediately when the demand for housing goes up. It gives developers an automatic 24 month extension on previously approved subdivision maps set to expire between January 1, 2000 and July 11, 2013.

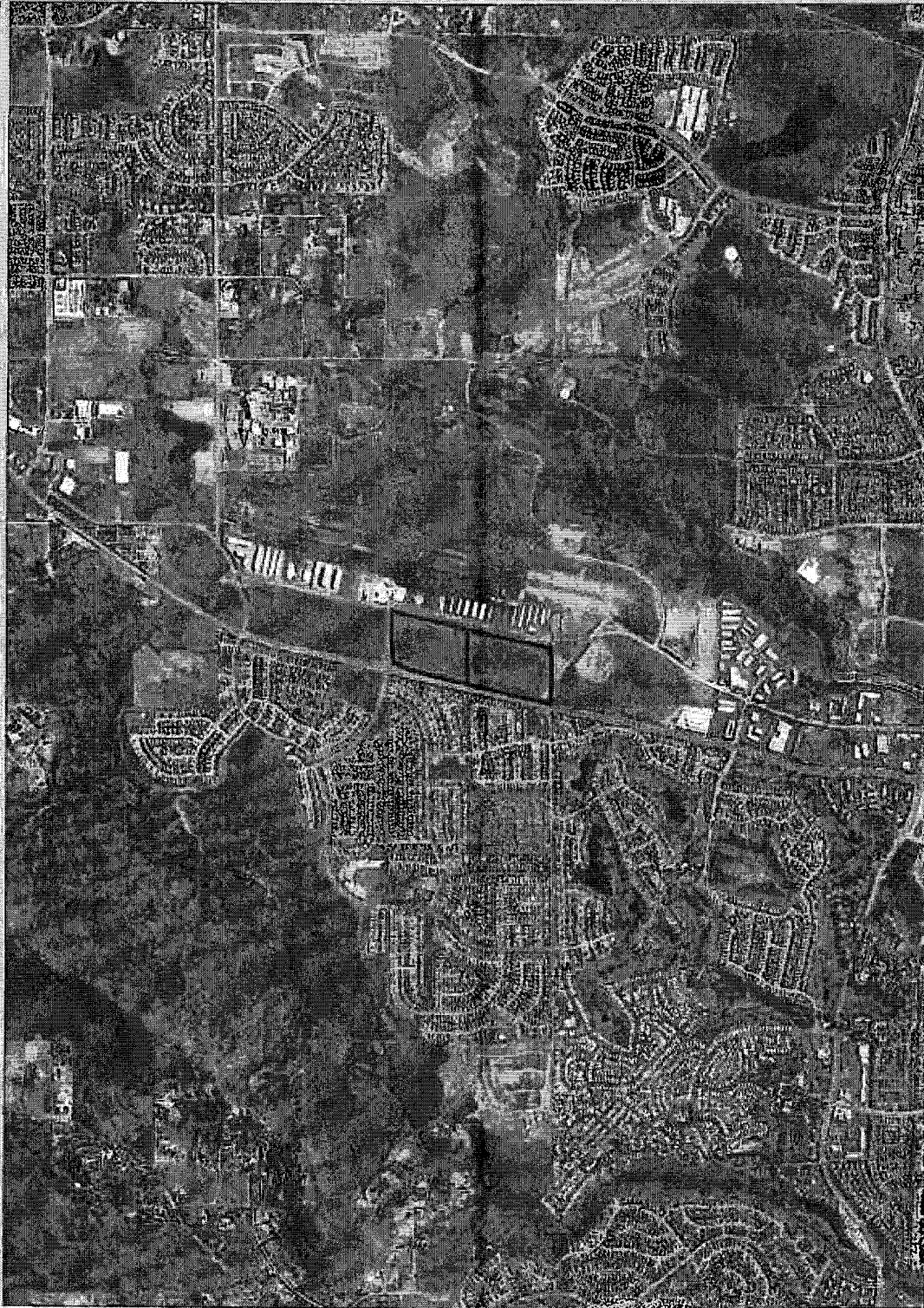
Therefore, upon an approval action by the Planning Commission, subsequent receive and file action by the Board of Supervisors, and the conclusion of the 10-day appeal period, the tentative map's expiration date will become December 14, 2018. If a final map has not been recorded prior this date, a second extension of time request must be filed 180 days prior to map expiration.

RECOMMENDATION:

APPROVAL of the **FIRST EXTENSION OF TIME REQUEST** for **TENTATIVE PARCEL MAP NO. 35212** extending the expiration date and to reflect SB1185, AB333, AB208, and AB116 benefits to December 14, 2018, subject to all the previously approved and amended Conditions of Approval with the applicant's consent.

1st EOT for PM35212

Vicinity Map



Legend

Notes

IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.



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Extension of Time Environmental Determination

Project Case Number: PM35212

Original E.A. Number: EA7690

Extension of Time No.: First

Original Approval Date: December 14, 2010

Project Location: North of Borel Road, South of Winchester Road, East of Winchester Road, West of French Valley Airport.

Project Description: The tentative parcel map is a Schedule E subdivision of two (2) parcels totaling 55.08 acres into 20 parcels for commercial/retail purposes with a minimum parcel size of 0.5 acres.

On December 14, 2010, this Tentative Parcel Map and its original environmental assessment/environmental impact report was reviewed to determine: 1) whether any significant or potentially significant changes in the original proposal have occurred; 2) whether its environmental conditions or circumstances affecting the proposed development have changed. As a result of this evaluation, the following determination has been made:

<input type="checkbox"/>	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.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, and there are one or more potentially significant environmental changes or other changes to the circumstances under which the project is undertaken, 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 revisions to the project's original conditions of approval which have been made and agreed to by the project proponent.
<input type="checkbox"/>	I find that there are one or more potentially significant environmental changes or other changes to the circumstances under which the project is undertaken, which the project's original conditions of approval may not address, and for which additional required mitigation measures and/or conditions of approval cannot be determined at this time. Therefore, AN ENVIRONMENTAL ASSESSMENT/INITIAL STUDY IS REQUIRED in order to determine what additional mitigation measures and/or conditions of approval, if any, may be needed, and whether or not at least one of the conditions described in California Code of Regulations, Section 15162 (necessitating a Supplemental or Subsequent E.I.R.) exist. Additionally, the environmental assessment/initial study shall be used to determine WHETHER OR NOT THE EXTENSION OF TIME SHOULD BE RECOMMENDED FOR APPROVAL .
<input type="checkbox"/>	I find that the original project was determined to be exempt from CEQA, and the proposed project will not have a significant effect on the environment, therefore NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED PRIOR TO APPROVAL OF THE EXTENSION OF TIME .

Signature: 
Ash Syed, Planner

Date: September 18, 2017
Charissa Leach, P.E. Assistant TLMA Director

Syed, Ashiq

From: Adam Rush <arush@cascinc.com>
Sent: Monday, September 18, 2017 1:56 PM
To: Syed, Ashiq; cwebb@ktmnorthamerica.com
Cc: Christina Wenborne
Subject: RE: Recommended Conditions of Approval for 1st EOT of PM35212

Thank you Ashiq. We accept the Conditions as stated.

Sincerely,

Adam Rush, AICP
Director of Planning
CASC ENGINEERING & CONSULTING, INC.
Corporate Office
1470 Cooley Drive
Colton, CA 92324
T: (855) 383-0101 x5370
F: (909) 783-0108
C: (951) 833-0678
arush@cascinc.com
www.cascinc.com



From: Syed, Ashiq [mailto:ASyed@rivco.org]
Sent: Monday, September 18, 2017 1:34 PM
To: cwebb@ktmnorthamerica.com
Cc: Adam Rush <arush@cascinc.com>; Christina Wenborne <CWenborne@cascinc.com>
Subject: Recommended Conditions of Approval for 1st EOT of PM35212

Kind Reminder...



Ash Syed
Environmental Planner
4080 Lemon Street, 12th Floor
Riverside, CA 92501
Email: asyed@rivco.org
Phone: 951-955-6035

From: Syed, Ashiq
Sent: Tuesday, September 12, 2017 11:31 AM
To: 'cwebb@ktmnorthamerica.com' <cwebb@ktmnorthamerica.com>
Cc: 'Adam Rush' <arush@cascinc.com>; Christina Wenborne <CWenborne@cascinc.com>
Subject: Recommended Conditions of Approval for 1st EOT of PM35212

Ms. Webb,

I am Ash Syed. I have been assigned to process your Extension of Time (EOT) request for PM35212. Attached are the recommended Conditions of Approval (COA).

Attn: Cheryl Webb
38429 Innovation Court
Murrieta, CA 92563

RE: FIRST EXTENSION OF TIME REQUEST for TENTATIVE PARCEL MAP No. 35212

The County Planning Department has determined it necessary to recommend the addition of seven (7) 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.

Please review the proposed conditions of approval attached in this correspondence. If these conditions are acceptable, then submit a short written letter/memo/email that clearly references this case, the acceptance of each condition by name and number, and clearly state that you, the Extension of Time Applicant, accept these conditions. This documentation will then be included in the staff report package. The attached document is a copy of the recommended conditions which are identified as follows:

- 50. E HEALTH. 1
- 50. TRANS. 26
- 60. BS GRADE. 7
- 60. TRANS. 1
- 80. TRANS. 4
- 90. BS GRADE. 1
- 90. TRANS. 11

If the addition of the conditions is not acceptable, please notify me so we can discuss your concerns. If the issue cannot be resolved, then I will direct you to contact the individual Department representative to discuss this matter further.

Once the conditions have been accepted, I will begin preparing the staff report package for a Planning Commission hearing as a consent item. County Ordinance requires that conditions added thru the extension of time process are presented to and accepted by the applicant. If you, the EOT applicant, is unable to accept these conditions, the Planning Department will recommend denial of this extension of time request. An opportunity will, if requested, be provided for arguments to be made to the hearing body justifying why this request should be approved without the recommended conditions of approval.

I am eager to move this case forward and continue the extension of time process. If you have not contacted me within thirty (30) days, I will begin preparing this case with a recommendation of denial. I need one of two items to proceed:

- 1) Correspondence from you, the EOT applicant, accepting the recommended conditions per the directions provided above; or,

2) Correspondence from you, the EOT applicant, advising me of the concerns with the recommended conditions. If the concern still exists after our discussion, then direction on how to approach the issue will be given and additional time will be provided until the issue is resolved.

If you have any questions, comments, or concerns regarding this email, please feel free to contact me as indicated below.



Ash Syed
Environmental Planner
4080 Lemon Street, 12th Floor
Riverside, CA 92501
Email: asyed@rivco.org
Phone: 951-955-6035

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County of Riverside California

09/12/17
11:15

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 1

PARCEL MAP Parcel Map #: PM35212

Parcel: 963-030-003

50. PRIOR TO MAP RECORDATION

E HEALTH DEPARTMENT

~~50.E HEALTH. 1~~ EOT1 - REQ E HEALTH DOCUMENTS RECOMMND

Prior to map recordation, provide the following documents to the Riverside County Environmental Health Department:

1. Provide current documentation from the appropriate purveyor(s) for the establishment of water and/or sewer service for this project.
2. Provide documentation from an approved waste hauler in regards to solid waste service. Please call (951)955-8980 for additional details.
3. Provide written clearance from DEH Environmental Cleanup Programs. Please note that an Environmental Site Assessment, Phase 1 study may be required at their discretion. For further information, please contact (951) 955-8982.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

50.TRANS. 26 EOT1 - FINAL ACCESS AND MAINT RECOMMND

Prior to the map recordation, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

Watersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

Additionally, prior to the map recordation, the applicant shall ensure that BMP facilities are placed in dedicated easements and that sufficient legal access to the BMPs are

PARCEL MAP Parcel Map #: PM35212

Parcel: 963-030-003

50. PRIOR TO MAP RECORDATION

50.TRANS. 26 EOT1 - FINAL ACCESS AND MAINT (cont.) RECOMMND

provided. This requirement is for both onsite and offsite property.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

60. PRIOR TO GRADING PRMT ISSUANCE

BS GRADE DEPARTMENT

60.BS GRADE. 7 EOT1 - REQ BMP SWPPP WQMP RECOMMND

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

Grading and construction sites of "ONE" acre or larger required to develop a STORM WATER POLLUTION PREVENTION PLAN (SWPPP) - the owner/applicant shall submit the SWPPP to the Building and Safety Department Environmental Compliance Division for review and approval prior to issuance of a grading permit.

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the approved project - specific Water Quality Management Plan (WQMP) and ensure that all approved water quality treatment control BMPs have been included on the grading plan.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

09/12/17
11:15

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 3

PARCEL MAP Parcel Map #: PM35212

Parcel: 963-030-003

60. PRIOR TO GRADING PRMT ISSUANCE

TRANS DEPARTMENT

60.TRANS. 1 EOT1 - FINAL WQMP FOR GRADING

RECOMMND

This condition would apply when grading occurs before map recordation. Prior to the issuance of a grading permit, the applicant shall submit a Water Quality Management Plan (WQMP) subject to the State Regional Water Quality Board Order No. (See watershed below) to Transportation Department for review and approval. However, the applicant may be required to comply with the latest version of the WQMP manual if required by the State Regional Water Quality Board. All water quality features shall be included on the grading plan. WQMP applicability checklist, templates, LID design requirements, and guidance can be found on-line at: www.rcflood.org/npdes. For any questions, please contact (951) 712-5494.

atersheds: Santa Ana No. R8-2013-0024 / Santa Margarita No. R9-2010-0016 / Whitewater No. R7-2013-0011

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

80. PRIOR TO BLDG PRMT ISSUANCE

TRANS DEPARTMENT

80.TRANS. 4 EOT1 -WQMP AND MAINTENANCE

RECOMMND

The project shall begin constructing and installing the BMP facilities described in the approved Final WQMP. The project shall be responsible for performing all activities described in the WQMP and that copies of the approved Final WQMP are available for the future owners/occupants.

A maintenance plan and signed maintenance agreement shall be submitted to the Transportation Department for review and approval prior to issuance of occupancy permits. A maintenance organization will be established with a funding source for the permanent maintenance. The maintenance plan shall require that all BMP facilities are inspected, if required, cleaned no later than October 15 each year.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

09/12/17
11:15

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 4

PARCEL MAP Parcel Map #: PM35212

Parcel: 963-030-003

90. PRIOR TO BLDG FINAL INSPECTION

BS GRADE DEPARTMENT

90.BS GRADE. 1 EOT1 - WQMP REQUIRED

RECOMMND

Prior to final building inspection, the applicant shall comply with the following:

1. Obtain inspection of all treatment control BMPs and/or clearance from the Building and Safety Department. All structural BMPs described in the project - specific WQMP and indicated on the approved grading plan shall be constructed and installed in conformance with the approved plans and specifications.
2. The applicant/owner shall submit a "Wet Signed" copy of the Water Quality Management Plan (WQMP) Certification from a Registered Civil Engineer certifying that the project - specific WQMP treatment control BMPs have been installed in accordance with the approved WQMP.
3. The applicant/owner shall provide the Department of Building Safety with GPS coordinates for the location of the project - specific WQMP treatment control BMPs.
4. The applicant/owner shall register the project - specific WQMP treatment control BMPs with the Department of Building Safety Business Registration Division. Any person or entity that owns or operates a commercial and/or industrial facility shall register such facility for annual inspections.
5. The applicant shall make payment to the Building and Safety Department for the Water Quality Management Plan (WQMP) Annual Inspection.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)

TRANS DEPARTMENT

90.TRANS. 11 EOT1 - WQMP COMP AND BNS REG

RECOMMND

Prior to Building Final Inspection, the applicant will be required to hand out educational materials regarding water quality, provide a engineered WQMP certification, inspection of BMPs, GPS location of BMPs, and ensure that the requirements for inspection and cleaning the BMPs are

09/12/17
11:15

Riverside County LMS
CONDITIONS OF APPROVAL

Page: 5

PARCEL MAP Parcel Map #: PM35212

Parcel: 963-030-003

90. PRIOR TO BLDG FINAL INSPECTION

90.TRANS. 11

EOT1 - WQMP COMP AND BNS REG (cont.)

RECOMMND

established. Additionally, the applicant will be required to register BMPs with the Transportation Department's Business Registration Division.

(This Extension of Time condition may be considered "Met" if it duplicates another similar condition issued by this department)