



San Bernardino County

Legislation Text

File #: 1988, Agenda Item #: 28

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

April 7, 2020

FROM

TERRI RAHHAL, Director, Land Use Services Department

SUBJECT

Resolution to Toll the Expiration Dates in the San Bernardino County Code for Approved Tentative Subdivision Maps, Use Permits, Building Plans and Permits Due to the COVID-19 Emergency

RECOMMENDATION(S)

Due to the COVID-19 emergency, adopt a resolution that tolls until May 31, 2020, the expiration dates identified in the San Bernardino County Code for approved tentative subdivision maps, conditionally approved use and development permits, approved construction plans, and issued permits that are scheduled to expire during the period of April 7, 2020 through May 31, 2020.

(Presenter: Terri Rahhal, Director, 387-4431)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Create, Maintain and Grow Jobs and Economic Value in the County.

Ensure Development of a Well-Planned, Balanced, and Sustainable County.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary Funding (Net County Cost). Sufficient appropriation and revenue to complete this action have been included in the Land Use Services Department's 2019-20 budget.

BACKGROUND INFORMATION

On March 4, 2020, the State of California declared a state of emergency as a result of the COVID-19 outbreak due to the rising number of confirmed cases and anticipated complications for those infected, including potential deaths. On March 10, 2020, the County Public Health Officer declared a local health emergency to help ensure County government and the public were prepared for the eventual appearance of COVID-19 within the County. On March 10, 2020 (Item No. 75), the County Board of Supervisors (Board) proclaimed the existence of a local emergency within San Bernardino County resulting from COVID-19.

On March 24, 2020 (Item No. 67), the Board and the Boards of Directors for various Board-governed entities took various actions in response to the COVID-19 emergency. This item recommends an additional action be taken by the Board. In particular, there are approved subdivision projects where the tentative maps are set to expire in the coming weeks. The expiration date of tentative subdivision maps is identified in Title 8, Division 7, Chapter 87.02 of San Bernardino County Code, as well as in the Subdivision Map Act (commencing in

Government Code section 66452 et seq.). The COVID-19 emergency has created problems for subdividers and agencies who are working towards completing the requirements necessary for filing final maps before the deadlines. It is likely that the State Legislature may take some action to extend the life of these tentative maps, as it had taken in response to the Great Recession. However, such action has not occurred to date in response to COVID-19. Adoption of the resolution will toll until May 31, 2020, the expiration date in the San Bernardino County Code of any approved tentative subdivision maps scheduled to expire during the period of April 7, 2020 through May 31, 2020. Depending on the length of this emergency, and any subsequent action taken by the State, there is the potential for staff to return to the Board before May 31, 2020, to recommend an extension of the tolling period.

In addition to subdividers, developers and individuals working toward final approval of conditionally approved permits and completion of projects with approved plans and permits due to expire face similar constraints during the COVID-19 emergency. Therefore, the resolution will also toll until May 31, 2020, the expiration dates of these plans and permits due to expire between the dates of April 7, 2020 and May 31, 2020.

This tolling will not preclude staff from working with these applicants to continue to process these tentative maps and other approved plans and permits if such processing can be accomplished within the work parameters dictated by federal, state, and local officials. In addition, the tolling shall be implemented consistent with State law and and/or any directive issued by the Governor.

The proposed action is exempt from review pursuant to the California Environmental Quality Act ("CEQA") and in accordance with State CEQA Guidelines Section 15061(b)(3) (General Rule).

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Bart Brizzee, Principal Assistant County Counsel and Scott Runyan, Deputy County Counsel, 387-5455) on March 31, 2020; Department of Public Works (Brendon Biggs, Interim Director, 387-8040) March 31, 2020; Finance (Kathleen Gonzalez, Administrative Analyst III, 387-5412) on March 31, 2020; County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on March 31, 2020.