

**Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
AGENDA**

**April 19, 2023**

Closed Session 5:30 p.m.  
Regular Session 6:00 p.m.

**CITY COUNCIL**

Eric A. Bruen, Mayor

Solomon P. Rajaratnam, Mayor Pro-Tem

Kyle Blades, Vice Mayor

L. Scott Hayman, Council Member

John 'Skip' Gorman, Council Member

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Ron Strand, City Manager

Keith Lemieux, City Attorney  
Martin Koczanowicz, City Attorney



**City Hall, Council Chambers  
100 West California Avenue  
Ridgecrest CA 93555**

Ricca Charlon, CMC  
City Clerk  
rcharlon@ridgecrest-ca.gov  
(760) 499-5002

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in the meeting, please contact Ricca Charlon at (760) 499-5002. Requests must be made as early as possible and at least one full business day before the start of the meeting.

Watch meetings on-line:

All of our meetings are streamed live at <https://ridgecrest-ca.gov/369/Watch> or on YouTube at <https://www.youtube.com/cityofridgecrest/live> and are also available for playback after the meeting.

Call in for public comments:

To participate with verbal comments, *please call (760) 499-5010*. This phone line will allow only one caller at a time, so if the line is busy, please continue to dial. We will be allowing a 20-30 second delay between callers to give time for media delays and callers to dial in. If you wish to comment on multiple items you will need to call in as each item is presented.

*Agendas are available on the City Website  
<https://www.ridgecrest-ca.gov/council-agendas>*

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NOTICE AND CALL OF A **SPECIAL CLOSED SESSION MEETING** OF THE  
RIDGECREST CITY COUNCIL / SUCCESSOR REDEVELOPMENT AGENCY /  
HOUSING AUTHORITY / FINANCING AUTHORITY

TO THE MEMBERS OF THE RIDGECREST CITY COUNCIL / SUCCESSOR  
REDEVELOPMENT AGENCY / HOUSING AUTHORITY / FINANCING AUTHORITY,  
PUBLIC AND CITY CLERK:

PUBLIC NOTICE that a **SPECIAL CLOSED SESSION MEETING** of the Ridgecrest City  
Council/Successor Redevelopment Agency/Housing Authority/Financing Authority is hereby  
called on:

Wednesday, April 19, 2023 @ 5:30 p.m.  
City Council Chambers  
100 W. California Avenue  
Ridgecrest, California

Said **SPECIAL CLOSED SESSION MEETING** shall be for the purpose of:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Pursuant  
to Government Code § 54956.9 Subparts (a), (d)(2) and (e)(3). One case

Dated: April 12, 2023

Eric A. Bruen, Mayor / Chair

ATTEST:

Ricca Charlon, City Clerk

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**RIDGECREST CITY COUNCIL  
SUCCESSOR REDEVELOPMENT AGENCY  
FINANCING AUTHORITY  
HOUSING AUTHORITY**

**AGENDA**

**Wednesday, April 19, 2023**

**Closed Session – 5:30 p.m.  
Regular Session – 6:00 p.m.**

**CALL TO ORDER**

- Roll call

**APPROVAL OF AGENDA**

**CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION - Pursuant to Government Code § 54956.9 Subparts (a), (d)(2) and (e)(3). One case

**REGULAR SESSION**

- Pledge Of Allegiance
- Invocation

**ATTORNEY REPORT OUT OF CLOSED SESSION**

**PRESENTATION**

1. Citizen Appreciation – Jim Suver, RRH

*McLaughlin*

**PUBLIC COMMENT OF ITEMS NOT ON THE AGENDA** - Persons wishing to address the Council on matters that are within the Council’s jurisdiction and DO NOT ALREADY APPEAR ON THE AGENDA, may do so at this time.

**COUNCIL ANNOUNCEMENTS/DIRECTION**

**CONSENT CALENDAR** – All Matters Listed Under The Consent Calendar Are To Be Considered Routine And Enacted By One Motion Unless Pulled By A Council Member Or A Member Of The Public.

2. A Resolution Authorizing The Execution Of The Certifications And Assurances And Authorized Agent Forms For The Low Carbon Transit Operations Program (LCTOP) For The Following Project(s): Battery Electric Van Replacement Purchase, \$71,645 *Smith*

**DISCUSSION / ACTION ITEMS**

3. Discussion Regarding The Board Of The Indian Wells Valley Groundwater Authority (IWVGA) *Hayman*
4. A Resolution Of The City Council Of The City Of Ridgecrest Authorizing The City Manager To Sign And File A Financial Assistance Application And Subsequent Agreements With The California State Water Resources Control Board For The Planning, Design And Construction Of The City Of Ridgecrest New Wastewater Treatment Plant *Strand*

## ORDINANCE

5. Second Reading and Adoption, Ordinance 23-01, An Ordinance Of The Ridgecrest City Council Amending The Ridgecrest Municipal Code Concerning An Extension Of Tentative Parcel Maps & Tentative Tract Maps **Spurlock**

**COMMITTEE REPORTS** - *Committee Meeting dates are subject to change and will be announced on the City website*

### City Organization and Services Committee ('City Org')

Members: Mayor Eric A. Bruen and Skip Gorman

Meeting: 1<sup>st</sup> Thursday each month at 5:30 p.m.

Location: City Hall Council Chambers

➤ **Report from 04/06/23**

### Finance Committee

Members: Mayor Eric A. Bruen and Scott Hayman

Meeting: 2<sup>nd</sup> Tuesday each month at 5:30 p.m.

Location: City Hall Council Chambers

➤ **Report from 04/11/23**

### Ridgecrest Area Convention and Visitor Bureau (RACVB)

Members: Solomon Rajaratnam and Megan McKenzie (staff)

Meeting: 4<sup>th</sup> Wednesday each month at 9:00 a.m.

Location: California Welcome Center

➤ **Next meeting 04/26/23**

### Infrastructure Committee

Members: Solomon Rajaratnam and Kyle Blades

Meeting: 4<sup>th</sup> Thursday each month at 5:00 p.m.

Location: City Hall Council Chambers

➤ **Next meeting 4/27/23**

### Economic Development Committee

Members: Kyle Blades and Solomon Rajaratnam

Meeting: 1<sup>st</sup> Monday of the month @ 5:15 p.m.

Location: City Hall Council Chambers

➤ **Next meeting 5/1/23**

### Parks, Recreation, and Quality of Life Committee

Members: Mayor Eric A. Bruen and Skip Gorman

Meeting: 1<sup>st</sup> Tuesday each month at 5:30 p.m.

Location: Kerr McGee Center Meeting Rooms

➤ **Next meeting 5/2/23**

**OTHER COMMITTEES, BOARDS, OR COMMISSIONS**

**CITY MANAGER REPORT**

**FUTURE AGENDA ITEMS**

**MAYOR AND COUNCIL COMMENTS**

**ADJOURNMENT**

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**Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
STAFF REPORT**

**SUBJECT:** A Resolution Authorizing The Execution Of The Certifications And Assurances And Authorized Agent Forms For The Low Carbon Transit Operations Program (LCTOP) For The Following Project(s): Battery Electric Van Replacement Purchase, \$71,645

**PRESENTED BY:** Christopher Smith, Transit Services Coordinator

**SUMMARY:** The Low Carbon Transit Operations Program (LCTOP) is one of several programs that are part of the Transit, Affordable Housing and Sustainable Communities Program established by the California Legislature in 2014 by Senate Bill 862.

The LCTOP was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emission and improve mobility, with a priority on serving disadvantaged communities. Approved projects in the LCTOP will support new or expanded bus or rail services, expand intermodal transit facilities, and may include equipment acquisition, fueling, maintenance and other costs to operate those services or facilities with each project reducing greenhouse gas emissions. For agencies whose service area includes disadvantaged communities, at least 50 percent of the total moneys received shall be expended on projects that will benefit disadvantaged communities. Senate Bill 862 continuously appropriates five percent of the annual auction proceeds in the Greenhouse Gas Reduction Fund (Fund) for LCTOP, beginning in 2015-2016.

LCTOP is administered by the California Department of Transportation (Caltrans) in coordination with the Air Resources Board (ARB) and the State Controller's Office (SCO). It is the responsibility of Kern Council of Governments to apportion these funds to the transit agencies under its purview. For Fiscal Year 22-23, the City of Ridgecrest Transit division has been allocated \$71,645. These funds are eligible to be rolled over to be used in conjunction with future funds for a period of up to 4 years. There is no local match required for this program.

It is the recommendation of staff that these funds be used in conjunction with other grant funding to replace some of the current gasoline-powered cutaway bus fleet with battery electric transit vans. The smaller sized vehicle is more suited to meet current service demands and is in line with state requirements that transit services begin transitioning to zero emission vehicles beginning in 2026 and being fully transitioned by 2040. Vehicles purchased prior to the 2026 milestone will be counted towards required zero emission purchasing ratios. Additionally, staff seeks to use the battery electric vehicle transition in accordance with solar power at the City's corpyard to reduce costs of the Transit division and by extension lower funds needed to supplement required farebox ratios.

**FISCAL IMPACT:** Provides funding for capital projects within the Transit division.

**ACTION REQUESTED:** APPROVAL OF A RESOLUTION

**CITY MANAGER'S RECOMMENDATION:**

Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
STAFF REPORT

**SUBJECT:** Discussion Regarding The Board Of The Indian Wells Valley Groundwater Authority (IWVGA)

**PRESENTED BY:**

L. Scott Hayman, City Council / IWVGA Representative

**SUMMARY:**

Report and discussion regarding Board meetings of the IWVGA. Including, Board discussion and consideration of issues of importance requiring action by the IWVGA.

**FISCAL IMPACT:** None

**ACTION REQUESTED:** Discuss

**CITY MANAGER'S RECOMMENDATION:** Action as requested

Submitted by: Ricca Charlon

Action Date: April 19, 2023

RESOLUTION 23-Xx

AUTHORIZATION FOR THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) FOR THE FOLLOWING PROJECT(S): Battery Electric Van Replacement Purchase, \$71,645

**WHEREAS**, the City of Ridgecrest is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and,

**WHEREAS**, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and,

**WHEREAS**, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and,

**WHEREAS**, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and,

**WHEREAS**, the City of Ridgecrest wishes to delegate authorization to execute these documents and any amendments thereto to Ron Strand, City Manager; and,

**WHEREAS**, the City of Ridgecrest wishes to implement the following LCTOP project(s) listed above,

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Ridgecrest that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

**NOW THEREFORE, BE IT FURTHER RESOLVED** that Ron Strand, City Manager be authorized to execute all required documents of the LCTOP program and any Amendments thereto with the California Department of Transportation.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Ridgecrest that it hereby authorizes the submittal of the following project nomination(s) and allocation request(s) to the Department in FY2022-2023 LCTOP funds:

**ADOPTED, AND APPROVED**, this 19th day of April 2023, by the following vote:

AYES:

NOES:

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Eric Bruen, Mayor

ATTEST:

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Ricca Charlon, City Clerk

Program of Projects

County

Agency	Project Description	99313	99314	Total apportionment
Arvin	Microgrid (transit Infrastructure-renewable)	\$48,260	\$1,049	\$49,309
California City		\$36,743	\$435	\$37,178
Delano	Free Fares	\$125,960	\$4,719	\$130,679
GET		\$1,371,098	\$99,327	\$1,470,425
Kern Transit		\$384,502	\$20,174	\$404,676
McFarland		\$34,162	\$204	\$34,366
Ridgecrest	Battery Electric Van Purchase	\$68,956	\$2,689	\$71,645
Shafter		\$50,342	\$972	\$51,314
Taft		\$17,229	\$6,082	\$23,311
Tehachapi		\$30,410	\$477	\$30,887
Wasco		\$65,585	\$538	\$66,123
Regional Totals		\$2,233,247	\$136,666	\$2,369,913
Regional Surplus				Reg

FY 2022/2023

Project Amount
\$0





Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
STAFF REPORT

**SUBJECT:** Discussion Regarding The Board Of The Indian Wells Valley Groundwater Authority (IWVGA)

**PRESENTED BY:**

L. Scott Hayman, City Council / IWVGA Representative

**SUMMARY:**

Report and discussion regarding Board meetings of the IWVGA. Including, Board discussion and consideration of issues of importance requiring action by the IWVGA.

**FISCAL IMPACT:** None

**ACTION REQUESTED:** Discuss

**CITY MANAGER'S RECOMMENDATION:** Action as requested

Submitted by: Ricca Charlon

Action Date: April 19, 2023



**Ridgecrest City Council  
Successor Redevelopment Agency  
Financing Authority  
Housing Authority  
STAFF REPORT**

**SUBJECT:** A Resolution Of The City Council Of The City Of Ridgecrest Authorizing The City Manager To Sign And File A Financial Assistance Application And Subsequent Agreements With The California State Water Resources Control Board For The Planning, Design And Construction Of The City Of Ridgecrest New Wastewater Treatment Plant

**PRESENTED BY:** Ronald Strand, City Manager

**Summary**

The City of Ridgecrest is in the process of planning and designing a new wastewater treatment plant (WWTP) to replace the existing 77-year-old plant that is well beyond its service life. The new WWTP will provide wastewater treatment service to the City of Ridgecrest and the Naval Air Weapons Station - China Lake. The WWTP will be owned and operated by the City and is located on US Navy land through a 50-year easement agreement. The new WWTP will consist of a secondary treatment facility, office building and maintenance shops.

The WWTP is currently at 30% design and is expected to be at 100% design in the 2nd quarter of 2024 and under construction in the 4th quarter of that same year.

The estimated cost to construct the new WWTP is approximately \$79,000,000 and will have a useful life of 50 to 75 years.

**Financial Assistance**

Assembly Bill 178 – State Budget Act of 2022 approved \$2,500,000 in funding assistance to the City of Ridgecrest to build the new WWTP. This funding can be used for any expenses related to the project, including planning, design and construction.

The California State Water Resources Control Board Department will administer the funding application and award. It is anticipated the City will receive the agreement for signature in June 2023.

**FISCAL IMPACT:** \$2,500,000 in grant funding revenue.

**ACTION REQUESTED:** Adopt the Resolution.

**CITY MANAGER'S RECOMMENDATION:** Action as requested.

Submitted by: Ronald Strand

Action Date: April 19, 2023

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**RESOLUTION NO. 23-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST AUTHORIZING THE CITY MANAGER TO SIGN AND FILE A FINANCIAL ASSISTANCE APPLICATION AND SUBSEQUENT AGREEMENTS WITH THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD FOR THE PLANNING, DESIGN AND CONSTRUCTION OF THE CITY OF RIDGECREST NEW WASTEWATER TREATMENT PLANT**

**WHEREAS**, the City of Ridgecrest is in the process of planning and designing a new wastewater treatment plant (WWTP) to replace the existing 77-year-old plant that is well beyond its service life; and,

**WHEREAS**, the estimated cost to construct the new WWTP is approximately \$79,000,000; and,

**WHEREAS**, Assembly Bill 178 – State Budget Act of 2022 approved \$2,500,000 in funding assistance to the City of Ridgecrest to build the new WWTP; and,

**WHEREAS**, the California State Water Resources Control Board Department administer the funding application and award.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Ridgecrest hereby:

1. Authorize the City Manager to sign and file, for and on behalf of the City of Ridgecrest, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of City of Ridgecrest New Wastewater Treatment Plant Project.
2. Authorize the City Manager, or his/her designee, to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto.
3. Authorize the City Manager, or his/her designee, to represent the City of Ridgecrest in carrying out the City responsibilities under the financing agreement, including certifying disbursement requests on behalf of the City and compliance with applicable state and federal laws.

**ADOPTED AND APPROVED** this 19th day of April 2023, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Eric A. Bruen, Mayor

ATTEST:

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Ricca Charlon, City Clerk

**5**

## CITY COUNCIL AGENDA ITEM

SUBJECT: Second Reading and Adoption, Ordinance 23-01, an Ordinance of the Ridgecrest City Council Amending the Ridgecrest Municipal Code Concerning the Extension of Tentative Parcel Maps & Tentative Tract Maps

PRESENTED BY:

Heather Spurlock, City Planner

BACKGROUND:

The Ridgecrest Municipal Code currently allows for the approval of a tentative parcel map for 24 months and an extension for 12 months. If a final map is not submitted within that time frame, the map is considered abandoned.

The Ridgecrest Municipal Code currently permits the approval of tentative tract maps for 36 months. Extensions of tentative tract maps are allowable in 12 month increments not to exceed a total of 36 months.

The Subdivision Map Act (§66452.6 & 66463.5) authorizes the Planning Commission to approve, or conditionally approve, extensions of tentative parcel maps and tentative tract maps for a period not to exceed six years.

Staff is requesting that City Council amend the municipal code to reflect current regulations in the Subdivision Map Act. The tentative map process is time-consuming and costly for applicants. A subdivision could take from 12 to 18 months for design and approval. During the tentative map design and approval process the market can fluctuate and make projects unprofitable. The natural fluctuation of real estate markets makes tentative map extensions critical to the development of a healthy housing market.

Many of the tentative maps that have been approved for housing development will expire this year. If this amendment is not approved the city will currently have three tentative tract maps with a total 149 single family residential units that expire in September of 2024, and three additional tentative tract maps that expire in January of 2024.

The following is the Ridgecrest Municipal Code sections in part including the amendments and removal. The added language is underlined and the removed is ~~strikethrough~~.

### **Tentative Tract Maps**

***Sec. 105-60. - Planning commission action.***

*(a) The planning commission shall hold a public hearing to consider the tentative map within 50 working days following the date of its filing, and shall determine whether the tentative map is in conformity with the provisions of law and this chapter and upon that basis shall approve, conditionally approve, or disapprove the tentative map.*



*(b) Notice shall be published in a newspaper of general circulation in the community not less than nor more than 15 days before the date set for the commission hearing. The notice shall contain all data pertinent to the hearing.*

*(c) Written notices shall be mailed not less than ten days prior to the date of the hearing to owners of property within a radius of 300 feet of the external boundaries of the property described in the application, using for this purpose the last known name and address of such owners as are shown on the tax roll of the county. Such notice shall contain all pertinent data contained in the application.*

*(d) The time for acting and reporting on tentative maps may be extended by mutual consent of the subdivider and the planning commission.*

*(e) The commission shall deny approval of a tentative map if it makes any of the following findings:*

*(1) That the proposed map is not consistent with applicable general and specific plans.*

*(2) That the design or improvement of the proposed subdivision is not consistent with the applicable general and specific plans.*

*(3) That the site is not physically suitable for the type of development.*

*(4) That the site is not physically suitable for the proposed density of development.*

*(5) That the design of the subdivision or the proposed improvements are likely to injure fish or wildlife or their habitat.*

*(6) That the design of the subdivision or the type of improvements is likely to cause serious public health problems.*

*(7) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.*

*(f) Except as otherwise provided in Government Code § 66452.6, the approval or conditional approval of a tentative subdivision map shall be for 36 months. Upon written application, time extensions in ~~one year~~ 36 month increments but not to exceed a total of ~~three years~~ six years, may be granted by the commission for a subdivision. Conditions may be added by the commission when granting a time extension to bring the tentative map into compliance with the latest city requirements. If a final map is not submitted within the allowed time, the tentative map shall be considered abandoned.*

*(g) The planning commission or the city council may waive the provisions of this chapter and of Government Code § 66476 requiring disapproval of maps for failure to meet or perform state or local requirements of conditions when the failure of a map submitted for approval is the result of a technical and inadvertent error which in the determination of the planning commission or the city council does not materially affect the validity of the map.*

*(h) Any interested person may appeal any action of the planning commission with respect to the tentative map within ten days after such action to the city council in accordance with Government Code § 66562.*

(Code 1980, § 19-3.2; Ord. No. 87-01, § 16)

**NEW SECTION**

**Section 105-61- (Next reserved section number) Extension**

Upon application of a subdivider filed before the expiration of an approved or conditionally approved tentative map, the time at which the map expires pursuant to Section 105-60(f) may be extended by the Planning Commission for a period or periods not exceeding a total of six years. The period of extension specified in this Section shall be in addition to the period of time provided by Section 105-60(f). Before the expiration of an approved or conditionally approved tentative map, upon application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever comes first. If the Planning Commission denies a subdivider's application for an extension, the subdivider may appeal to the City Council within 15 days after the Planning Commission has denied the extension.

**Tentative Parcel Maps**

**Sec. 105-119. Planning commission action.**

- (a) *The planning commission shall hold a public hearing to consider the tentative parcel map within 50 working days following the date of its filing, and shall determine whether the tentative parcel map is in conformity with the provisions of law and this chapter and upon that basis shall approve, conditionally approve, or disapprove, the tentative parcel map and shall report its action directly to the party submitting the tentative parcel map.*
- (b) *Notice shall be published in a newspaper of general circulation in the community not less than ten days nor more than 15 days before the date set for the commission hearing. The notice shall contain all data pertinent to the hearing.*
- (c) *Written notices shall be mailed not less than ten days prior to the date of the hearing to owners of property within a radius of 300 feet of the external boundaries of the property described in the application, using for this purpose the last known name and address of such owners as are shown on the tax roll of the county. Such notice shall contain all pertinent data contained in the application.*
- (d) *Within ten days following the action of the planning commission, the director of community development shall transmit a letter containing the record pertaining to such action to the party submitting the tentative parcel map.*
- (e) *The approval or conditional approval of a tentative parcel map shall be for 24 months. Upon written application, a time extension not exceeding ~~12~~ 24 months may be granted by the planning commission. If the final parcel map is not submitted within the allotted time, **and no request for extension is received**, the tentative parcel map shall be considered abandoned.*
- (f) *If a person is dissatisfied with any action of the planning commission with respect to the tentative parcel map, he may, within 15 days after such action, appeal to the city council in accordance with Government Code § 66562.5.*

(Code 1980, § 19-5.4; Ord. No. 87-01, § 31)

**NEW SECTION**

**Section 105-126- (Next reserved section number) Extension**

Upon application of a subdivider filed before the expiration of an approved or conditionally approved tentative map, the time at which the map expires pursuant to Section 105-119(e) may be extended by the Planning Commission for a period or periods not exceeding a total of six years. The period of extension specified in this Section shall be in addition to the period of time provided by Section 105-119(e). Before the expiration of an approved or conditionally approved tentative map, upon application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever comes first. If the Planning Commission denies a subdivider's application for an extension, the subdivider may appeal to the City Council within 15 days after the Planning Commission has denied the extension.

**RECOMMENDED MOTIONS:**

Motion to waive reading in full, Ordinance 23-01, an Ordinance of the Ridgecrest City Council, amending the Ridgecrest Municipal Code concerning the extension of tentative parcel maps and tentative tract maps.

***Requires a second***

Motion to adopt, by title only, Ordinance 23-01, an Ordinance of the Ridgecrest City Council, amending the Ridgecrest Municipal Code concerning an extension of tentative parcel maps and tentative tract maps.

***Requires a second***

FISCAL IMPACT: None

ACTION REQUESTED: Approve recommended motions

CITY MANAGER RECOMMENDATION:

Action as requested

Submitted by: Heather Spurlock

Action Date: April 19, 2023

**ORDINANCE NO. 23-01**

**AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF RIDGECREST  
AMENDING AND ADDING TO THE RIDGECREST MUNICIPAL CODE CONCERNING A  
EXTENSIONS OF TENTATIVE PARCEL AND TRACT MAP**

WHEREAS, The Ridgecrest Municipal Code currently allows for the approval of a tentative parcel map for 24 months and an extension for 12 months. If a final map is not submitted within that time frame, the map is considered abandoned.

WHEREAS, The Ridgecrest Municipal Code currently permits the approval of tentative tract map for 36 months. Extensions of tentative tract map are allowable in 12 month increments not to exceed a total of 36 months.

WHEREAS, The Subdivision Map Act (§66452.6 & 66463.5) authorizes the Planning Commission to approve, or conditionally approve, extensions of tentative parcel map and tentative tract map for a period not to exceed six years.

WHEREAS, It is desirable to extend the periods by which a tentative map may be extended to address changing market conditions and ensure a healthy housing market.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIDGECREST as follows:**

**1. Purpose.**

This Ordinance amends and adds to the Ridgecrest Municipal Code provisions allowing for the extension of a Tentative Map.

**2. Amendment.**

The following Section 119 of Chapter 105 of Part II of the Ridgecrest Municipal Code is hereby amended in its entirety to read as follows:

"Sec. 105-119. Planning commission action.

(a) The planning commission shall hold a public hearing to consider the tentative parcel map within 50 working days following the date of its filing, and shall determine whether the tentative parcel map is in conformity with the provisions of law and this chapter and upon that basis shall approve, conditionally approve, or disapprove, the tentative parcel map and shall report its action directly to the party submitting the tentative parcel map.

(b) Notice shall be published in a newspaper of general circulation in the community not less than ten days nor more than 15 days before the date set for the commission hearing. The notice shall contain all data pertinent to the hearing.

(c) Written notices shall be mailed not less than ten days prior to the date of the hearing to owners of property within a radius of 300 feet of the external boundaries of the property described in the application, using for this purpose the last known name and address of such owners as are shown on the tax roll of the county. Such notice shall contain all pertinent data contained in the application.

(d) Within ten days following the action of the planning commission, the director of community development shall transmit a letter containing the record pertaining to such action to the party submitting the tentative parcel map.

(e) The approval or conditional approval of a tentative parcel map shall be for 24 months. Upon written application, a time extension not exceeding 24 months may be granted by the planning commission. If the final parcel map is not submitted within the allotted time, and no request for extension is received, the tentative parcel map shall be considered abandoned.

(f) If a person is dissatisfied with any action of the planning commission with respect to the tentative parcel map, he may, within 15 days after such action, appeal to the city council in accordance with Government Code § 66562.5."

### **3. Addition**

The following Section 126 of Chapter 105 of Part II of the Ridgecrest Municipal Code is hereby added to read as follows:

"Section 105-126. Extension.

Upon application of a subdivider filed before the expiration of an approved or conditionally approved tentative parcel map, the time at which the map expires pursuant to Section 105-119(e) may be extended by the Planning Commission for a period or periods not exceeding a total of six years. The period of extension specified in this Section shall be in addition to the period of time provided by Section 105-119(e). Before the expiration of an approved or conditionally approved tentative map, upon application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever comes first. If the Planning Commission denies a subdivider's application for an extension, the subdivider may appeal to the City Council within 15 days after the advisory Planning Commission has denied the extension."

### **4. Amendment**

The following Section 60 of Chapter 105 of Part II of the Ridgecrest Municipal Code is hereby amended in its entirety to read as follows:

"Sec. 105-60. - Planning commission action.

(a) The planning commission shall hold a public hearing to consider the tentative tract map within 50 working days following the date of its filing, and shall determine whether the tentative map is in conformity with the provisions of law and this chapter and upon that basis shall approve, conditionally approve, or disapprove the tentative map.

(b) Notice shall be published in a newspaper of general circulation in the community not less than nor more than 15 days before the date set for the commission hearing. The notice shall contain all data pertinent to the hearing.

(c) Written notices shall be mailed not less than ten days prior to the date of the hearing to owners of property within a radius of 300 feet of the external boundaries of the property described in the application, using for this purpose the last known name and address of such owners as are shown on the tax roll of the county. Such notice shall contain all pertinent data contained in the application.

(d) The time for acting and reporting on tentative tract map may be extended by mutual consent of the subdivider and the planning commission.

(e) The commission shall deny approval of a tentative map if it makes any of the following findings:

- (1) That the proposed map is not consistent with applicable general and specific plans.
  - (2) That the design or improvement of the proposed subdivision is not consistent with the applicable general and specific plans.
  - (3) That the site is not physically suitable for the type of development.
  - (4) That the site is not physically suitable for the proposed density of development.
  - (5) That the design of the subdivision or the proposed improvements are likely to injure fish or wildlife or their habitat.
  - (6) That the design of the subdivision or the type of improvements is likely to cause serious public health problems.
  - (7) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.
- (f) Except as otherwise provided in Government Code § 66452.6, the approval or conditional approval of a tentative subdivision map shall be for 36 months. Upon written application, time extensions may be granted in 36-month increments, but not to exceed a total of six years, may be granted by the commission for a subdivision. Conditions may be added by the commission when granting a time extension to bring the tentative tract map into compliance with the latest city requirements. If a final map is not submitted within the allowed time, the tentative map shall be considered abandoned.
- (g) The planning commission or the city council may waive the provisions of this chapter and of Government Code § 66476 requiring disapproval of map for failure to meet or perform state or local requirements of conditions when the failure of a map submitted for approval is the result of a technical and inadvertent error which in the determination of the planning commission or the city council does not materially affect the validity of the map.
- (h) Any interested person may appeal any action of the planning commission with respect to the tentative t map within ten days after such action to the city council in accordance with Government Code § 66562."

## **5. Addition**

The following Section 61 of Chapter 105 of Part II of the Ridgecrest Municipal Code is hereby added to read as follows:

### "Section 105-61. - Extension

Upon application of a subdivider filed before the expiration of an approved or conditionally approved tentative tract map, the time at which the map expires pursuant to Section 105-60(f) may be extended by the Planning Commission for a period or periods not exceeding a total of six years. The period of extension specified in this Section shall be in addition to the period of time provided by Section 105-60(f). Before the expiration of an approved or conditionally approved tentative map, upon application by the subdivider to extend that map, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever comes first. If the Planning Commission denies a subdivider's application for an extension, the subdivider may appeal to the City Council within 15 days after the Planning Commission has denied the extension.

**6. Effective Date.**

This Ordinance shall go into effect thirty (30) days after the date of its adoption.

**7. CEQA.**

The adoption of this ordinance is not a "project" subject to the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section §§ 21000 et seq.) as the minor amendments to the Code will not cause any potential changes to the environment.

**8. Severability.**

If any section, subsection, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Ridgecrest would have passed each subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more subsection, subdivision, paragraph, sentence, clause, or phrase be declared unconstitutional.

**PASSED, APPROVED, AND ADOPTED** by the Ridgecrest City Council on \_\_\_\_\_, 2023, by the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

\_\_\_\_\_  
Eric A. Bruen, Mayor

ATTEST:

\_\_\_\_\_  
Ricca Charlon, City Clerk

(Seal)