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**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA**

WEDNESDAY, JUNE 01, 2016

Regular Meeting 6:00 p.m.

Town Council Chambers
14955 Dale Evans Parkway

PLANNING COMMISSION MEMBERS

Doug Qualls, Chairman
Mark Shoup, Vice-Chairman
Jason Lamoreaux, Commissioner
Bruce Kallen, Commissioner
B. R. "Bob" Tinsley, Commissioner

PLANNING DIVISION OFFICE: (760) 240-7000 Ext. 7200
www.AVPlanning.org

Monday - Thursday 7:30 a.m. to 5:30 p.m.
Alternating Fridays 7:30 a.m. to 4:30 p.m.



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**TOWN OF APPLE VALLEY
PLANNING COMMISSION AGENDA
REGULAR MEETING
WEDNESDAY June 01, 2016 – 6:00 P.M.**

PUBLIC PARTICIPATION IS INVITED. Planning Commission meetings are held in the Town Council Chambers located at 14955 Dale Evans Parkway, Apple Valley, California. If you wish to be heard on any item on the agenda during the Commission’s consideration of that item, or earlier if determined by the Commission, please so indicate by filling out a "REQUEST TO SPEAK" form at the Commission meeting. Place the request in the Speaker Request Box on the table near the Secretary, or hand it to the Secretary at the Commission meeting. (G.C. 54954.3 {a}).

Materials related to an item on this agenda, submitted to the Commission after distribution of the agenda packet, are available for public inspection in the Town Clerk’s Office at 14955 Dale Evans Parkway, Apple Valley, CA during normal business hours. Such documents are also available on the Town of Apple Valley website at www.applevalley.org subject to staff’s ability to post the documents before the meeting.

The Town of Apple Valley recognizes its obligation to provide equal access to those individuals with disabilities. Please contact the Town Clerk’s Office, at (760) 240-7000, two working days prior to the scheduled meeting for any requests for reasonable accommodations.

REGULAR MEETING

The Regular meeting is open to the public and will begin at 6:00 p.m.

CALL TO ORDER

ROLL CALL

Commissioners: Lamoreaux _____; Kallen _____; Tinsley _____
Vice-Chairman Shoup _____; and Chairman Qualls _____

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Minutes for the Regular Meeting of April 6, 2016.

PUBLIC HEARING ITEMS

2. **Tentative Tract Map No. 17724, Time Extension No 1.** The applicant proposes a request for a time extension for a previously approved proposal to subdivide 120 acres into 100 lots for the future development of single-family homes within the Residential Estate (R-E) Zoning District
Applicant: Mr. Hamid Roknian
Location: The site is located at the northwest corner of Ocotillo Way and Navajo Road; APN 438-042-07.
Project Planner: Pam Cupp, Associate Planner
Recommendation: Approval

3. **Tentative Tract Map No. 17872, Time Extension No 1.** The applicant proposes a request for a time extension for a previously approved proposal to subdivide twenty (20) acres into thirty-six (36) lots for the future development of single-family homes. The lots will range from 18,043 to 23,883 square feet in size. The project consists of two (2) parcels within the Residential Equestrian (R-EQ) zone.

Applicant: Mr. Dilip Sheth, representing Shree Properties, Inc
Location: The project site is generally located one-half (1/2) mile east of Dale Evans Parkway and one-half mile north of Otoe Road; APNs 0441-011-20 and -21.
Project Planner: Pam Cupp, Associate Planner
Recommendation: Approval

4. **Development Permit No. 2016-002** The applicant proposes a request to review and approve a Development Permit to allow construction of a twenty (20) foot eight (8) inch tall, 258 square-foot, addition to the existing detached garage.

Applicant: Ramon and Aida Romero
Location: The project site is located at the 20257 Sahale Road; APN 3112-241-52
Project Planner: Silvia Caraballo, Program Assistant
Recommendation: Approval

5. **VAR No. 2016-002** The applicant proposes a request to allow an addition to a single family residence that encroaches six (6) feet into the required twenty-five (25)-foot side yard setback.

Applicant: Mr. Roberto Contreras
Location: 21014 Taos Road; APN 0463-394-06.
Project Planner: Pam Cupp, Associate Planner
Recommendation: Approval

PUBLIC COMMENTS

Anyone wishing to address an item not on the agenda, or an item that is not scheduled for a public hearing at this meeting, may do so at this time. California State Law does not allow the Commission to act on items not on the agenda, except in very limited circumstances. Your concerns may be referred to staff or placed on a future agenda.

PLANNING COMMISSION COMMENTS

STAFF COMMENTS

OTHER BUSINESS

ADJOURNMENT

Because there are no items scheduled for the meeting of June 15, 2016, the Planning Commission will adjourn to its next regularly scheduled Planning Commission meeting on July 6, 2016.

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting Wednesday, April 6, 2016

CALL TO ORDER

At 6:00 p.m., the Regular Meeting of the Planning Commission of the Town of Apple Valley for April 6, 2016, was called to order by Chairman Qualls.

ROLL CALL

Planning Commission

Roll call was taken with the following members present: Commissioner Bruce Kallen, Commissioner Jason Lamoreaux, Commissioner B.R. "Bob" Tinsley, Vice-Chairman Mark Shoup and Chairman Doug Qualls. Absent: None.

STAFF PRESENT

Carol Miller, Principal Planner, Doug Fenn, Senior Planner, Richard Pedersen, Deputy Town Engineer, Haviva Shane, Town Attorney, and Yvonne Rivera, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Lamoreaux led the Pledge of Allegiance.

1. APPROVAL OF MINUTES

Minutes for the Regular Meeting of March 16, 2016.

Motion by Vice-Chairman Shoup, and seconded by Commissioner Tinsley, to approve the Minutes for the Regular Meeting of March 16, 2016.

Motion carried by the following vote: Ayes: Commissioner Kallen, Commissioner Tinsley, Vice-Chairman Shoup. Noes: None. Absent: None. Abstain: Commissioner Lamoreaux and Chairman Qualls.

PUBLIC HEARING ITEMS

- 2. Development Permit No. 2015-005, Special Use Permit No. 2015-015, Tentative Parcel Map No. 18095, and Variance 2016-001.** Proposal to construction an eighty-four (84) room, 43,000 square foot three (3) story hotel, 3,500 square foot restaurant, 10,261 square foot retail building, seven (7) separate buildings, totaling 23,719 square feet that also include drive-through restaurants and two (2) gasoline stations. The combined building square-footage is 80,480 square feet.

Applicant: Steeno Design Studio
Location: The project is located at the northeast corner of Interstate 15, Dale Evans Parkway and bisected by Willow Springs Road; APN 0472-232-20 and 21.

Chairman Qualls opened the public hearing at 6:35 p.m.

Doug Fenn, Senior Planner presented the staff report as filed with the Planning Division.

Mr. Fenn provided a power point presentation to the Planning Commission of the proposed project site. Mr. Fenn noted that according to Special Condition P15, the minimum amount of trees required for the main entrance points should be thirty-six (36)-inch box size trees.

Mr. Fenn responded to a series of questions by the Planning Commission regarding the proposed project, including future planning of cell towers and transportation within CR Zoning.

Ms. Carol Miller, Principal Planner, stated that although the General Plan classifies Dale Evans Parkway as a Class 1 bike route, currently the proposed project is not required to make any improvements because the project site does not have property frontage on Dale Evans Parkway. She also noted that as development occurs along Dale Evans Parkway, there will be a Class 1.

After lengthy discussion regarding cloth awnings, it was the consensus of the Planning Commission to add the following language to the Conditions of Approval:

P20. Notwithstanding the following, Planning staff shall have the authority to approve cloth or other material awning upon presentation by the Applicant of product information sufficient to ensure the town of the viability of the material to withstand the elements and maintain its appearance over time.

Mr. Tom Steeno, representative for Belko Development, provided a summary of their future project plans to the Planning Commission. He also responded to the comments by the Planning Commission regarding the Variance, cell towers and cloth canopies.

Mr. Farmer, property owner thanked staff for their continued support with the project.

Chairman Qualls asked if the Applicant agreed to the Conditions of Approval as amended. Mr. Steeno stated they agreed with the Conditions of Approval as modified.

PUBLIC COMMENTS:

None.

Chairman Qualls closed the Public Hearing at 6:58 p.m.

MOTION

Motion by Commissioner Kallen, seconded by Commissioner Tinsley that the Planning Commission move to:

1. Adopt the Mitigated Negative Declaration and mitigation monitoring program for Development Permit No. 2015-005, SUP No. 2015-015, TPM No. 18095 and Variance No. 2016-001 finding that, on the basis of the whole record before the Planning Commission, including the Initial Study and any comments received, there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the Town’s independent judgment and analysis. The Initial Study and Mitigated Negative Declaration are available at the Town’s Planning Division, which constitutes the record of proceedings upon which its decision is based.
2. Find the Facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve Development Permit No. 2015-005, SUP No. 2015-015, TPM No. 18095 and Variance No. 2016-001; subject to the attached Conditions of Approval as amended.
4. Direct staff to file a notice of Notice of Determination.

ROLL CALL VOTE

Ayes: Commissioner Kallen
Commissioner Lamoreaux
Commissioner Tinsley
Vice-Chairman Shoup
Chairman Qualls

Noes: None

Abstain: None

Absent: None

The motion carried by a 5-0-0-0 vote.

PUBLIC COMMENT

None.

PLANNING COMMISSION COMMENTS

None.

STAFF COMMENTS

None.

OTHER BUSINESS

3. Proposal to consider a General Plan Conformity Finding for the Town's Capital Improvement Program (CIP) for fiscal year 2016-2017.

Applicant: Town of Apple Valley

Location: Town wide

Ms. Carol Miller, Principal Planner, presented the staff report as filed with the Planning Division.

Vice-Chairman Shoup asked a series of questions regarding roundabouts. He requested to know if there are any plans for roundabouts within Town limits.

Mr. Richard Pedersen, Deputy Town Engineer, stated that according to state law, Caltrans is required to look at each signal to consider roundabouts. However, the Town does not have plans for roundabouts at this time.

MOTION

Motion by Commissioner Kallen, seconded by Commissioner Tinsley that the Planning Commission move to:

1. That the Planning Commission adopt Planning Commission Resolution No. 2016-004 which finds the proposed CIP for Fiscal Year 2016-2017 consistent with the goals and policies of the Town's General Plan.

ROLL CALL VOTE

Ayes: Commissioner Kallen
Commissioner Lamoreaux
Commissioner Tinsley
Vice-Chairman Shoup
Chairman Qualls

Noes: None

Abstain: None

Absent: None

The motion carried by a 5-0-0-0 vote.

ADJOURNMENT

Motion by Commissioner Tinsley, seconded by Commissioner Kallen, and unanimously carried to adjourn the meeting of the Planning Commission at 7:12 p.m. to the Regular Meeting on April 20, 2016.

Respectfully Submitted by:

Yvonne Rivera
Planning Commission Secretary

Approved by:

Chairman Doug Qualls



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TOWN OF APPLE VALLEY PLANNING COMMISSION

Staff Report

- AGENDA DATE:** June 1, 2016
- CASE NUMBER:** Tentative Tract Map No. 17724, Extension of Time No. 1 (*continued from May 4, 2016*)
- APPLICANT:** Mr. Hamid Roknian
- PROPOSAL:** This is a request for a time extension for a previously approved tentative tract map to subdivide 120 acres into 100 lots for the future development of single-family homes. The lots will range from one (1) to 2.12 gross acres in size. The project is located within the Estate Residential (R-E) zoning designation.
- LOCATION:** The site is located at the northwest corner of Ocotillo Way and Navajo Road; APN 438-042-07.
- ENVIRONMENTAL DETERMINATION:** There is no new information or any change in the project beyond those identified within the Mitigated Negative Declaration that was prepared for this project, and adopted by the Planning Commission on April 5, 2006. Therefore, pursuant to the California Environmental Quality Act (CEQA), Section No. 15162, the proposed request is Exempt from further environmental review.
- CASE PLANNER:** Ms. Pam Cupp, Associate Planner
- RECOMMENDATION:** Approval.

PROJECT SITE AND DESCRIPTION:

- A. Project Size
The proposed, 120 acre, 100 lot, subdivision is within the Estate Residential (R-E) zoning designation that allows for a minimum lot size of one (1) gross acre. The tentative tract map shows gross lot sizes between 43,560 square feet (1 acre) and 92,347 square feet (2.12 acres), meeting the minimum lot size requirement of the R-E zoning designation.

B. General Plan Designations

- Project Site - Estate Residential (R-E)
- North - Low Density Residential (R-LD)
- South - County Residential Single (AV/RS)
- East - County Rural Living (AV/RL)
- West - Low Density Residential (R-LD)

C. Surrounding Zoning and Land Use

- Project Site - Estate Residential (R-E), vacant
- North - Low Density Residential (R-LD), vacant
- South - County Residential Single (AV/RS), single family residences
- East - County Rural Living (AV/RL), single family residences
- West - Low Density Residential (R-LD), vacant

D. Site Characteristics

The subject site is currently vacant and is surrounded by both vacant lots and scattered single-family residential homes. The subject site is relatively flat with a dense population of native vegetation, including 377 Joshua Trees. Properties to the north and west of the project area are zoned Low Density Residential (R-LD) and are vacant. Properties to the south and east are developed with scattered single-family residences and are within the County jurisdiction. The site has been disturbed with some off-road activity.

ANALYSIS:

A. Background

The Planning Commission approved Tentative Tract Map No. 17724 on April 5, 2006 with an expiration date of April 5, 2009. In accordance with the Town of Apple Valley Development Code, tentative maps may be extended for one (1) year up to a maximum of three (3) years following the initial three (3) year approval in which to record the map. The map was eligible for four (4) legislative time extensions (SB 11854; AB 3333; AB 208 and AB 116), that collectively, extended this expiration date by an additional seven (7) years to April 5, 2016. In accordance with the Town of Apple Valley Development Code and in compliance Section 66452(e) of the Subdivision Map Act, the applicant is now requesting a three (3) year extension of time. Unless extended through additional legislative actions, this is the final map extension.

B. General

The Extension of Time process affords the Town an opportunity to review subdivisions for compliance with current site development standards as follows:

SITE DEVELOPMENT STANDARDS	R-E
Minimum gross lot area	One (1) Acre
Minimum gross corner lot area	One (1) Acre
Minimum lot width in feet, as measured from the minimum front setback of 45 ft.	125
Minimum corner lot width in feet as measured from the minimum front setback of 40 ft.	125
Minimum lot depth (ft)	250
Minimum corner lot depth (ft)	250

SITE DEVELOPMENT STANDARDS	R-E
Minimum site frontage (ft) The frontage of a nonrectangular lot or lot located on a cul-de-sac, curved street or dead-end street with a curved turn-around shall be measured as the chord drawn between the terminuses of the side property lines at their intersection with the street right-of-way.	60
Minimum front setback (ft)	45
Average front setback (ft)	50

The map is in compliance with the required minimum lot area and minimum lot depth; however, several lots do not appear to comply with the minimum lot width. The inconsistencies with development standards are minor and staff is confident these issues can be resolved during final map review as required by Conditions of Approval No. P11.

A discrepancy has been brought to the Town's attention regarding the applicable water purveyor. The applicant provided a will-serve letter from Golden State Water Company with the original application; however, staff was recently notified by Mariana's Ranchos County Water District that it should have been recognized as the water purveyor. The property has not been annexed into either purveyor's service area. Mariana's Ranchos intent to annex this property was conveyed through its general manager, James Hansen, and that comment letter is attached.

There have been no physical alterations or improvements made to the property that necessitates changes to the Conditions of Approval, however; changes to the Conditions of Approval are recommended to reflect changes in Development Code site development standards and for consistency with the Town's Standard Conditions of Approval.

1. Traffic and Circulation

The project's boundaries are Ocotillo Way to the south, Navajo Road to the east and Juniper Road to the west and Mojave Street to the north. Ocotillo Way and Navajo Road are both Secondary Roadways and require minimum half-width improvements, which are forty-four (44) feet along the project frontage. Juniper Road and Mojave Street are local roads requiring minimum half-width improvements, which are thirty (30) feet of improvements along the project frontage. The proposed subdivision will be accessed from all adjacent roadways.

The Code requires that street pattern and street design within a subdivision must conform to the standards adopted within the Circulation Element of the Town of Apple Valley General Plan, including curbs, gutters and sidewalks throughout the project area. In addition two (2) points of paved access are required for the project site. The Engineering Division has included these requirements as recommended Conditions of Approval.

2. Drainage

Prior to issuance of a grading permit, a final drainage plan shall be submitted for review and approval by the Town Engineer, showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan

shall retain on-site drainage flows from a 100-year design storm by way of retention basin, dry-wells or any combination thereof. The proposed tract map shows a 91,000 square foot retention basin on the north side of the subdivision. The retention basin is proposed to be landscaped. The maintenance of the basin shall be the responsibility of a Homeowner's Association, or the basin shall be included within a landscape maintenance assessment district.

If circumstances, conditions and requirements have changed sufficiently to warrant new conditions (such as updated park/recreation fees, general Town street standards or the need to conform to equestrian trail provision requirements), and the applicant will not agree to those new conditions, the Commission has the authority and responsibility to deny the Time Extension, citing the fact(s) that the Tentative Map would not be consistent with the requirements applicable today. For the Commission's convenience, staff has included the original Conditions of Approval with recommended modifications in ~~strikeout~~ (deletions) and underline (additions).

C. Environmental Assessment

Pursuant to the California Environmental Quality Act (CEQA), Section 15162, this proposal (Extension of Time) within the scope of the approved Mitigated Negative Declaration that was approved and adopted by the Planning Commission for Tentative Tract Map No. 17724 on April 5, 2006.

D. Noticing:

The request was legally noticed in the local newspaper and property owners within 700 feet were notified by mail on April 21, 2016. One comment letter concerning the applicable water purveyor was received and has been attached for the Commission's review.

E. Findings:

In considering any Tentative Tract Map, the Commission is required by the Development Code to make specific Findings. The following are the Findings for a Tentative Tract Map required under Section 9.71.040 (A5) of the Development Code and a comment to address each:

1. The proposed Subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and any applicable Specific Plan. The proposed subdivision or land use is compatible with the objectives, policies, general land uses and programs specified in the General Plan and any applicable Specific Plan (Subdivision Map Act 66473.5).

Comment: The subject property has a General Plan land use designation of Estate Residential (R-E), and by size, shape and configuration has the ability to be used in a manner consistent with the General Plan Land Use Element and Zoning designations. The project is a proposal to subdivide the property into 100 lots for future development of single-family homes and, with adherence to staff recommended conditions of approval, will meet the minimum requirements for lot size, width and depth as prescribed by the Code.

2. The Planning Commission has considered the effects of its action upon the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Subdivision Map Act Section 66412.3).

Comment: This is a request to subdivide 120 acres into 100 lots for the future development of single family homes, furthering the Town's goals to meet its regional housing needs. The project has received will-serve letters from all applicable utilities demonstrating the availability of resources to support this development. Each single family residence constructed will be required to pay its fair share contribution toward regional services including road improvements, park development and public services including police and fire protection. Therefore, the project will not have an adverse effect upon public services or available fiscal or environmental resources.

3. The design of the subdivision provides, to the extent feasible, for the future passive or natural heating or cooling opportunities in the subdivision.

Comment: The lots created under this subdivision are appropriate in size to provide natural heating and cooling opportunities for development of the site. However, as development occurs, the individual lots are subject to the implementation of natural heating and cooling requirements pursuant to Title 24 energy requirements.

4. The Planning Commission shall determine whether the discharge of waste from the proposed subdivision into the existing sewer system would result in a violation of the requirements as set forth in Section 13000 et seq., of the California Water Code. If the Planning Commission finds that the proposed waste discharge would result in or add to a violation of said requirements; the Planning Commission may disapprove the subdivision (Subdivision Map Act Section 66474.6).

Comment: The project is a residential land subdivision will be providing septic systems for each residence in accordance with the Town's Sewer Policy. The Town's Sewer Policy is in compliance with the California Water Code.

RECOMMENDATION

Based upon the information contained within this report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to:

1. Determine that, pursuant to the California Environmental Quality Act (CEQA), Section 15162, the proposed Time Extension is exempt and does not require further environmental review (although the map is still required to fulfill all environmental requirements stipulated within the map's initial approval).
2. Find that the facts presented in the staff report support the required Findings for approval and adopt the Findings.

3. Approve a three (3)-year extension of time for Tentative Tract Map No.17724, subject to the attached, Conditions of Approval, as amended.
4. Direct Staff to file the Notice of Exemption

Prepared By:

Reviewed By:

Pam Cupp
Associate Planner

Carol Miller
Principal Planner

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Tract Map
3. Zoning Map
4. Comment Letter

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Tentative Tract Map No. 17724, Extension of Time No. 1

Please note: *Many of the suggested Conditions of Approval presented herewith are provided for informational purposes and are otherwise required by the Municipal Code. Failure to provide a Condition of Approval herein that reflects a requirement of the Municipal Code does not relieve the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.*

- P1. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council. ~~A time extension may be approved in accordance with the State Map Act and Town Ordinance, if an extension application is filed and the appropriate fees are paid thirty (30) days prior to the expiration date.~~ Unless extended through California legislative action, this is the final map extension that may be approved. The Tentative Tract Map becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.

- P2. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:

Apple Valley Fire Protection District
Mariana Ranchos County Water District or Golden State Water Company, as applicable
Apple Valley Public Services Department
Apple Valley Engineering Division
Apple Valley Planning Division

- P3. The applicant shall ~~agree to~~ defend at his sole expense (with attorneys approved by the Town), and indemnify the Town against any action brought against the Town, its agents, officers or employees resulting from or relating to this approval. The applicant shall reimburse the Town, its agents, officers or employees for any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of these obligations under this condition.

- P4. Prior to recordation the applicant shall provide the Planning Division with a copy of the subdivision in an electronic format compatible with the Town's current technology.

- P5. Upon approval of the Tentative Tract Map No. 17724, the applicant shall be responsible for the payment of all CEQA-mandated environmental review and filing fees to the Department of Fish and Game and/or the San Bernardino County Clerk of the Board of Supervisors. The filing of a Notice of Exemption requires the County Clerk to collect a documentary handling fee of fifty dollars (\$50.00). The fee must be paid in a timely manner in accordance with Town procedures. No permits may be issued until such fee is paid.

- P6. Tentative Tract Map No. 17724 shall adhere to all requirements of the Development Code.
- P7. The approval of Tentative Tract Map No. 17724 by the Planning Commission is recognized as acknowledgment of Conditions of Approval by the applicant, unless an appeal is filed in accordance with the Town's Development Code.
- P8. Subdivision phasing shall be internally consistent and shall provide two points of paved "all weather" emergency access with each phase. Final phasing shall be approved with the Town's approval of the Final Tract Map.
- P9. A separate Development Permit, approved by the Planning Commission, is required prior to new single-family residential construction. The submittal shall include a Development Plan consisting of plot plans, a minimum of four (4) floor plans and twelve (12) building elevations, demonstrating a variety of heights, setbacks, roof shapes and trim to create visually pleasing aesthetics within a cohesive design.
- P10. Prior to recordation of Final Map, three (3) sets of detailed landscaping and irrigation plans for the parkway areas, ~~and subdivision entrances~~ and retention basin, prepared by a qualified licensed landscape professional, shall be submitted to the Planning Division for review and approval. The landscape and irrigation plans shall be prepared in compliance with the applicable landscape section of the Town Development Code.
- P11. All lots shall have a minimum area of 43,560 gross square feet. All lots shall have a minimum depth of 250 net feet and a minimum width of 125 net feet. In addition, each lot on a cul-de-sac or on a curved street, where the side lot lines thereof are diverging from the front to rear of the lot, shall have a minimum lot frontage of not less than sixty (60) feet and a lot width of not less than 125 feet at the minimum building setback line of forty-five (45) feet.
- P12. The project shall conform to the Estate Residential (R-E), development standards for front, side and rear yard-building setbacks ~~as follows~~.
- Front: _____ 45 feet minimum, 50 average
Street side: _____ 40 feet minimum
Interior side: _____ 20 feet minimum
Rear: _____ 30 feet minimum
- P13. A copy of the final grading plan shall be submitted to the Planning Division for review and approval.
- All on-site cut and fill slopes shall be limited to a maximum slope ratio of 2 to 1 and a maximum vertical height of thirty (30) feet. Setbacks from top and bottom of slopes shall be a minimum of one-half the slope height.
 - Slopes shall be contour graded to blend with existing natural contours.
 - Slopes shall be a part of the downhill lot when within or between individual lots.
- P14. All slopes over three (3) feet in height shall be landscaped and irrigated according to Town standards.

- P15. Any protected desert plants or Joshua Trees impacted by the development are subject to the regulations specified in Section 9.76.020 (Plant Protection and Management) of the Development Code. Prior to the issuance of a Grading Permit, a study by a qualified Native Plant Expert shall be prepared to determine if the identified trees will be saved, located or removed, in compliance with the Town's Native Plant Protection Ordinance.
- P16. The applicant/developer shall install the landscaping along Navajo Road, Ocotilla Way and within the retention basin. The applicant/developer shall form, or annex into, an assessment district for the ongoing maintenance of the parkway landscaping, lighting standards of the development, drainage easements and any retention basin created.
- P17. Landscaping shall be installed in accordance with Section 9.75 of the Development Code. Xeriscape landscaping techniques which consists of drought tolerant, native type plants, trees and groundcover are required. Final landscape and irrigation plans shall be submitted and installed for each individual unit, prior to issuance of occupancy permits.
- P18. All required and installed landscaping shall incorporate and maintain a functioning automatic sprinkler system, and said landscaping shall be maintained in a neat, orderly, disease and weed-free manner at all times.
- P19. The developer shall construct a six (6)-foot high decorative block wall along Navajo Road and Ocotilla Way, subject to the review and approval of the Planning Division.
- P20. Subdivision walls shall be constructed of slump stone, split face or masonry material, subject to approval by the Planning Division. Prior to recordation of the Final Map, the Developer/applicant shall submit detailed plans showing all proposed walls for this subdivision subject to approval by the Director of Economic and Community Development (or designee).
- P21. If the tract map is adjacent to existing development, a fence/wall plan shall be submitted with the grading, and landscape/irrigation plans to identify how new fencing or walls will relate to any existing fences or walls located around the perimeter of the tract/parcel map. Double fencing shall be avoided, and review and approval of the fencing/wall plan are required prior to issuance of grading permits.
- ~~Permanent maintenance for all landscaping within drainage easements, retention basins, open areas and parkways including along Ocotillo Way, Juniper Road, Mojave Road and Navajo Road, shall be maintained through an assessment district.~~
- P22. The project shall incorporate sidewalks, which shall be shown on Engineered improvement plans, subject to approval by the Director of Economic and Community Development (or designee).
- P23. Prior to grading of the site, a pre-construction survey is required to ensure that special status species have not moved onto the site since the date of the initial biological survey conducted on June 6, 2005.
- P24. The applicant/construction contractor shall comply with the following:
- Occupied burrows shall not be disturbed during the nesting season (February 1

- through August 31) unless a qualified biologist approved by the Planning Division verifies through non-invasive methods either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.
- To off-set the loss of foraging and burrow habitat on the project site, a minimum of 6.5 acres of burrowing owl habitat per pair or unpaired birds should be acquired and permanently protected.
 - Existing unsuitable burrows shall be enhanced or new burrows created at a ratio of 2:1 on the protected lands site.
 - The project proponent shall provide funding for long-term management and monitoring of the protected land. A monitoring plan for the protected land shall be required which includes success criteria, remedial measures, and annual reports to the Planning Division.
 - The applicant shall provide mitigation lands at a ratio of 1:1. These lands will be purchased in an area known to support populations of the species. The mitigation lands will be evaluated to ensure they provide habitat equal to or better than the habitat that will be lost as a result of development of the project site. In addition, CDFG approval of the mitigation lands will be obtained before acquisition is completed, and an Incidental Take Permit will be applied for as part of the overall mitigation process.
 - Appropriate enhancement, endowment, and research fees will be provided by the project proponent as per CDFG requirements. These fees will be paid on a 1:1 basis prior to commencement of ground disturbing activities.
- P25. During grading of the site, as much of the existing natural vegetation should be left around home sites to reduce soil blowing. Areas disturbed during construction should be revegetated as soon as feasible.
- P26. In lieu of sidewalks, all Local streets (60 feet R/W) shall be dedicated and developed with a nine (9)-foot wide trail and a three (3)-foot wide separation between the curb face and the trail, within the right-of-way, on the north and west sides.

Equestrian Advisory Committee Conditions of Approval

- EAC3. All trails shall be developed in conformance with the Town's Multi-Use and Equestrian Trails Standards and the Town's Figure C-6 (Figure C-6 identifies the location of Lifeline Trails) as adopted at time of map recordation.
- EAC2. A twelve (12) feet wide Lifeline Trail easement shall be dedicated and developed along the entire eastern perimeter of this project (west side of Navajo Road).

Parks and Recreation Department Condition of Approval

- PR1. Prior to issuance of building permits for new construction, the developer, or assignee, is subject to fees in compliance to the Park and Recreation Department Quimby Ordinance, subject to review by the Planning Division.

Environmental and Regulatory Department Condition of Approval

- ER1. During construction the builder/developer must take steps to see that at least 50% of the waste generated on site is recycled, in accordance with Municipal Code § 8.19. Available means to recycle debris are as follows:
- a. Contract for hauling services with Town's franchise hauler, with all Project debris delivered to Victorville self-haul diversion program, provided the diversion program is currently operating; and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets.
 - b. Self-haul all Project debris to Victorville Landfill self-haul diversion program, provided the diversion program is currently operating; and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets.
 - c. Self-haul all Project debris to a construction materials recycling facility, and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets.
 - d. Contract with a construction site cleanup company to recycle at least 50% of the Project construction debris, and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets.

Building and Safety Division Conditions of Approval

- BC1. An engineered grading report, including soils engineering and engineering geology, shall be filed with, and approved by, the Building Official prior to recordation of final map.
- BC2. Grading and drainage plans are to be submitted to, and approved by, the Building Official prior to permit issuance.
- BC3. Submit plans, engineering for approval and obtain all permits for all structures and retaining walls and signs.
- BC4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard, native plant protection and desert tortoise habitat.
- BC5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.
- ~~Erosion control plans are to be submitted to, and approved by, the Building Official prior to issuance of permits.~~
- BC6. All utilities are required to be placed underground in compliance with Town Ordinance No. 89.
- BC7. All cross lot drainage requires easements and may require improvements at the time of development.
- BC8. Comply with State of California Disability Access requirements.

BC9. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as a Biologist, Paleontologist.

~~Check with the State of California water Resources Board to determine if a general construction activity storm water permit is required prior to any work beginning.~~

BC10. Dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction).

BC11. Construction must comply with the current California Building Code.

BC12. Best Managements Practices (BMPs) are require for the site during construction.

BC13. Provide Water Quality Management Plan (WQMP) or Alternative compliance Plan.

Engineering Division Conditions of Approval

EC1. Prior to issuance of a grading permit, a final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall consider reducing the post-development site-developed flow to 90 percent of the pre-development flow for a 100 year design storm. (Town Resolution 2000-50; Development Code 9.28.050.C, 9.28.100)

EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.

~~All drainage easements, brow ditches, swales, etc. shall be submitted to the Town Engineer for review and approval. No structures, walls or fences shall be built within the easement.~~

EC3. All interior streets shall be improved to Town standards with eight (8)-inch curbs, gutter and street pavement. ~~as approved by the Town Engineer.~~ Minimum width of local residential streets shall be thirty-six (36) feet curb to curb.

~~Minimum right of way dedication for interior residential streets shall be sixty (60) feet full width. Minimum right of way dedication width for cul-de-sacs shall be fifty (50) feet full width.~~

EC4. All streets abutting the development shall be improved a minimum half-width of twenty-eight (28) feet with curb, gutter and sidewalk on the development side.

EC5. All street names shall be approved by the Town and such approval shall be coordinated through the Town Engineer.

EC6. Navajo Road adjacent to the property shall be improved to the Town's half-width Secondary Road standards.

- EC7. Ocotillo Way adjacent to the property shall be improved to the Town's half-width Secondary Road standards.
- EC8. Juniper Road adjacent to the property shall be improved to the Town's half-width Local Street standards.
- EC9. Mojave Street adjacent to the property shall be improved to the Town's half-width Local Street standards.
- EC10. A forty-four (44)-foot wide half-width road dedication along Navajo Road adjacent to the property shall be granted to the Town of Apple Valley.
- EC11. A forty-four (44)-foot wide half-width road dedication along Ocotillo Way adjacent to the property shall be granted to the Town of Apple Valley.
- EC12. A ~~thirty (30)~~ forty (40)-foot wide, (30-foot half-width plus 10 feet) half-width road dedication along Juniper Road adjacent to the property shall be granted to the Town of Apple Valley prior to final map approval.
- EC13. A ~~thirty (30)~~ forty (40)-foot wide, (30-foot half-width plus 10 feet) half-width road dedication along Mojave Street adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.
- ~~A Tract or Parcel Map shall provide at least two (2) different standard routes of ingress and egress. A standard route is a road dedicated to the Town and paved to Town standards. (Development Code Section 9.71.020.C.6) Minimum pavement width shall be twenty-eight (28) feet; minimum asphalt thickness shall be 0.33 feet.~~
- EC14. During the grading of the streets, soils testing of the road subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural street section. Minimum asphalt concrete thickness for all streets shall be 0.33 ft.
- EC15. All required improvements shall be ~~constructed and approved or~~ bonded in accordance with Town Development Code unless constructed and approved prior to approval of the Final Map.
- EC16. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC17. Final improvement plans and profiles shall indicate the location of any existing utility which would affect construction and shall provide for its relocation at no cost to the Town.
- EC18. A final grading plan shall be approved by the Town Engineer prior to issuance of a grading permit. A grading permit shall not be issued until street improvement plans have been submitted to the Town Engineer for review and substantial completion of the street plans has been attained as determined by the Town Engineer.

- EC19. The developer shall form or annex into an assessment district to provide for the ongoing maintenance of the retention basin and accessory structures. (Town Council Resolution 2000-50)
- EC20. Street lights shall be required in accordance with Town standards. The developer shall form or annex into an assessment district to provide for the ongoing operation and maintenance of the street lights.
- EC21. The developer shall present evidence to the Town Engineer that he has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
- EC22. Utility lines shall be placed underground in accordance with the requirements of the Town. (Municipal Code Section 14.28)
- EC23. The developer shall make a good faith effort to acquire the required off-site property interests. If the developer fails to acquire those interests the developer shall, at least 120 days prior to submittal of the final map for approval, enter into an agreement to complete the improvements pursuant to Government Code Section 66462 at such time as the Town acquires the property interests required for the improvements. Such agreement shall provide for payment by the developer of all costs incurred by Town to acquire the off-site property interests required in connection with the subdivision. Security for a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the developer, at the developer's cost. The appraiser shall have been approved by the Town prior to commencement of the appraisal. Additional security may be required as recommended by the Town Engineer and Town Attorney.
- EC24. Traffic impact fees adopted by the Town shall be paid by the developer.
- EC25. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.
- EC26. Any required street striping shall be thermoplastic as approved by the Town Engineer.
- EC27. Grading and drainage parameters shall be in compliance with the Building Code. The developer shall provide landscaping of the basin subject to the approval of the Town and shall form an assessment district to provide for the on-going maintenance of the basin. The developer shall pay for all costs relating to establishment of the district.
- EC28. Un-improved cross lot drainage shall not be allowed. Drainage shall be designed in a manner such that the tract retains its own storm water runoff, with any possible overflow directed to the street as approved by the Town Engineer.
- EC29. Retention/detention basins greater than 1 acre in size shall not be greater than 8 feet in depth (unless otherwise approved by the Planning Commission). The sides of any retention/detention basins shall be 4:1 or flatter slopes.
- EC30. The retention basins shall also include Town Standard two-stage dry wells to help facilitate the rapid removal of storm water.

- EC31. Developer shall provide two points of paved access from the nearest Town maintained street to project as approved by the Town Engineer.
- EC32. The developer shall obtain and submit to the Planning Division prior to occupancy, the following signed statement by the purchasers of the homes located within the Landscape and Lighting Assessment district (subject to final approval by the Town Attorney): "In purchasing the home, I am aware that the home is located in the boundaries of a Landscape and Lighting Assessment District for the maintenance of drainage, landscaping, fencing and other similar improvements and that an annual landscaping maintenance charge will be levied.
- EC33. In the event that an applicant/developer chooses to seek Council approval of the Final Map prior to completion of the required improvements, an "Agreement for Construction of Improvements" shall be required. In accordance with the California Labor Code, any such Agreement will contain a statement advising the developer that certain types of improvements will constitute a public project as defined in California Labor Code, Sections 1720, and following, and shall be performed as a public work, including, without limitation, compliance with all prevailing wage requirements.

Public Works Division Conditions of Approval

Prior to Map Recordation:

- PW1. Soil percolation testing for the subsurface disposal system shall meet the requirements of the Town. Submit test results and appropriate fee to the Town Engineer for review.
- PW2. ~~Upon an acceptable Percolation test, sewage disposal will be by private septic systems. A dry sewer system shall be installed with all mainlines, manholes and laterals built to Town of Apple Valley Standards and Specifications. Laterals shall be laid to within five (5) feet of the septic system and capped. Upon connection of the dry sewer to The Town of Apple Valley sewer, all septic systems shall be abandoned and permanent connection shall be made to the Town system and all associated fee be paid at that time.~~ Connection to the Town sewer system or installation of "dry sewer" is not required. The minimum lot size for this tract is 1 acre.

Water Purveyor Conditions of Approval

- W1. Prior to recordation, the project site shall be annexed into the Mariana Ranchos County Water District or Golden State Water Company service area, as determine by the Local Agency Formation Commission (LAFCO) and/or the California Public Utilities Commission (CPUC).

Apple Valley Fire Protection District Conditions of Approval

- FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements.
- FD2. All new construction shall comply with applicable sections of the ~~Uniform~~ California Fire Code, ~~Uniform~~ California Building Code, and other statutes, ordinances, rules, and

regulations regarding fires and fire prevention adopted by the State, County, or Apple Valley Fire Protection District.

FD3. All combustible vegetation, such as dead shrubbery and dry grasses, shall be removed from each building site a minimum distance of thirty (30) feet from any combustible building material, including the finished structure. This does not apply to single specimens of trees, ornamental shrubbery, or similar plants, which are used as ground cover if they do not form a means of transmitting fire.

California Public Resources Code, Sec. 4291

FD4. The development and each phase thereof, shall have two (2) points of paved access, ~~constructed to County and Town standards,~~ for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of these points of access shall provide an independent route into the area in which the development is located. This shall be completed prior to any combustible construction.

~~Apple Valley Fire Protection District~~

~~Ordinance 22, Section (I)~~

~~Install per A.V.F.P.D. Standard ARI #8~~

FD5. Fire lanes shall be provided with a minimum width of twenty ~~four~~ six (26) feet, maintained, and identified.

~~Apple Valley Fire Protection District Ordinance 41-52~~

~~Install per A.V.F.P.D. Standard Series #202~~

FD6. A turnaround shall be required at the end of each roadway one-hundred fifty (150) feet or more in length and shall be approved by the Fire District. Cul-de-sac length shall not exceed ~~six-hundred (600)~~ 1,000 feet.

Turning radius on all roads within the facility shall not be less than twenty-two (22) feet inside and minimum of forty (40) feet outside turning radius with no parking on street, or forty-seven (47) feet with parking. Road grades shall not exceed twelve percent (12%), unless approved by the Chief.

~~Uniform Fire Code, Section 902.2.2.3~~

~~Apple Valley Fire Protection District Ordinance 22, Section 1 (e) 52~~

~~Install per A.V.F.P.D. Standard Series #202~~

FD7. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

New dwelling addresses shall be posted with a minimum four (4)-inch numbers visible from the street, and during the hours of darkness the numbers shall be internally illuminated. Where building setbacks exceed seventy-five (75) feet from the roadway, additional contrasting four (4)-inch numbers shall be displayed at the property entrance.

FD8. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to and approved by the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems.

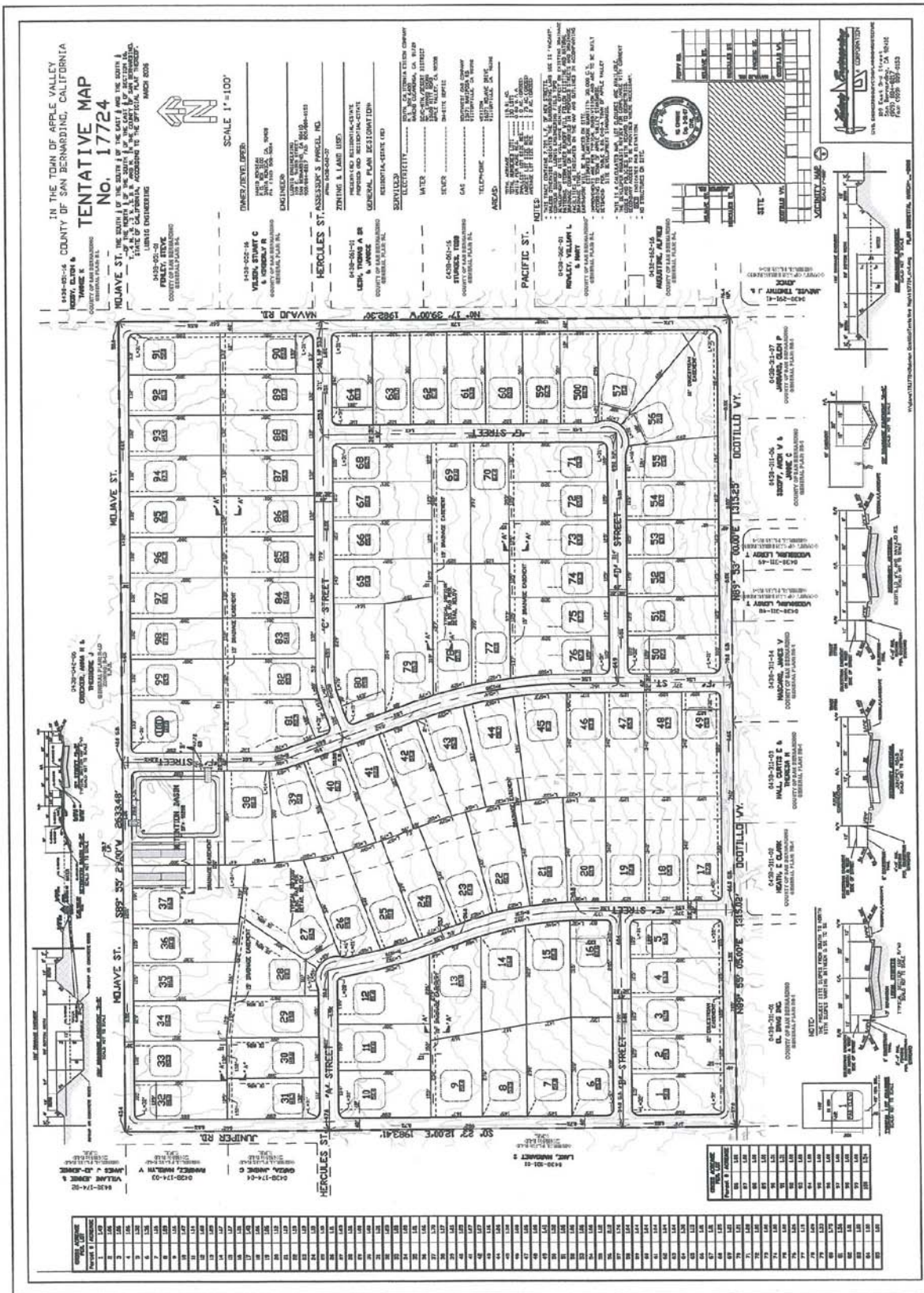
- A. Unless otherwise approved by the Fire Chief, on-site fire protection water systems shall be designed to be looped and fed from two (2) remote points.
- B. System Standards:
*Fire Flow 500 GPM @ 20 psi Residual Pressure
Duration 1 Hour(s)
Hydrant Spacing 660 Feet
- C. A total of 14-15 fire hydrant(s) will be required. It is the responsibility of the owner/developer to provide all new fire hydrants with reflective pavement markers set into pavement and curb identification per A.V.F.P.D. Standard.

NFPA 13D (RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM): REQUIRED

This residence shall be constructed with an automatic fire sprinkler system (NFPA 13D) throughout the structure, including garage. Plans shall be submitted by a licensed C-16 contractor to the Fire District for review and approval along with plan review fees. Fire Sprinkler work shall not commence until plan approval and a job card have been issued. An approved fire alarm system shall be installed that will provide a local alarm for water flow to be audible throughout the premises. **NOTE: The Fire District shall be notified a minimum of 24 hours prior to the desired final inspection date.**

- ~~FD8. An approved fire sprinkler system shall be installed throughout any building:~~
➤ ~~5,000 square feet or greater, including garage and enclosed areas under roof, or~~
➤ ~~Other per California Building Code requirements.~~
Apple Valley Fire Protection District, Ordinance 41
- FD9. A letter shall be furnished to the Fire District from the water purveyor stating that the required fire flow for the project can be met prior to the Formal Development Review Committee meeting.
- FD10. Apple Valley Fire Protection District Final Subdivision/Tract/Development fees shall be paid to the Fire District prior to final map acceptance according to the current Apple Valley Fire Protection District Fee Ordinance.
- FD11. The developer shall submit a map showing complete street names within the development, to be approved by the Fire District prior to final map.
- ~~FD12. Prior to subdivision final map approval, the developer/owner shall either form or annex to a Mello-Reos Community Facilities District for Apple Valley Fire Protection District in order to provide, operate, and maintain fire protection facilities and/or to provide fire protection services. All "up front" costs associated with the formation of such district, or annexation to such a district shall be borne by the developer/owner.~~
- FD10. A Knox Box Rapid Entry System shall be required at all gated ingress/egress points within this project.

End of Conditions



*Tentative Tract Map No. 17724 Extension of Time No. 1
June 1, 2016 Panning Commission Meeting*

RECEIVED

MAY - 4 2016

Community Development

5/3/2016

The Town of Apple Valley
Planning Commission
Attn: Pam Cupp
14955 Dale Evans Parkway
Apple Valley, Ca 92307

RE: Case Number: Tentative Tract Map No. 17724 Time Extension No.1

Dear Pam,

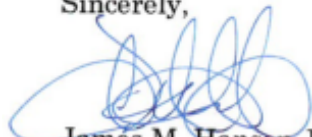
It was a pleasure speaking with you on the 27th of last month. This letter is being generated as per your request. Please bear in mind that this is the intention of the General Manager of this District. I do not speak for my Board of Directors. I will follow up with a written proclamation or resolution, after their next regular Board meeting on the 19th of May if they agree with my findings. I know we will not make your May 4th dead line, but request that we still be included in your findings.

As I indicated during our conversation, I can find no record in our files where this District was contacted back in 2006 concerning this project. If they had, I feel the answer would have been the same as it is today. We need to be the primary water agency on this project. Our main transmission and distribution lines are the southern and eastern borders of this parcel. I will be presenting an agenda item to annex this 120 acre parcel into our District for water service at the next regular board meeting to be held on May 19th, 2016.

Please add whatever conditions you need, to the application for extension so as to reflect my above comments. I will forward all Board actions, as well as the LAFCO paperwork application for annexation as soon as they are available.

Please contact my office if you have any further questions,

Sincerely,



James M. Hansen Jr.
General Manager

9600 Manzanita Street Apple Valley, Ca 92308 • 760-912-9400 Fax 760-247-1205 • gm@mrcwd.org

MARIANA RANCHOS COUNTY WATER DISTRICT



Get a Slice of the Apple.

TOWN OF APPLE VALLEY PLANNING COMMISSION

Staff Report

- AGENDA DATE:** June 1, 2016
- CASE NUMBER:** Tentative Tract Map No. 17872, Extension of Time No. 1 (*continued from May 4, 2016*)
- APPLICANT:** Mr. Dilip Sheth, representing Shree Properties, Inc.
- PROPOSAL:** This is a request for a time extension for a previously approved tentative tract map to subdivide twenty (20) acres into thirty-six (36) lots for the future development of single-family homes. The lots will range from 18,007 to 23,883 square feet in size. The project is located within the Residential Equestrian (R-EQ) zoning designation.
- LOCATION:** The project site is generally located one-half (1/2) mile east of Dale Evans Parkway and one-half mile north of Otoe Road; APNs 0441-011-20 and -21.
- ENVIRONMENTAL DETERMINATION:** There is no new information or any change in the project beyond those identified within the Negative Declaration that was prepared for this project, and adopted by the Planning Commission on April 5, 2006. Therefore, pursuant to the California Environmental Quality Act (CEQA), Section No. 15162, the proposed request is Exempt from further environmental review.
- CASE PLANNER:** Ms. Pam Cupp, Associate Planner
- RECOMMENDATION:** Approval.
- PROJECT SITE AND DESCRIPTION:**

- A. Project Size
The proposed, twenty (20) acre, thirty-five (35) lot, subdivision is within the Equestrian Residential (R-EQ) zoning designation that allows for a minimum lot size of 18,000 square feet. The tentative tract map shows lot sizes of between 18,007 and 23,883 square feet, meeting the minimum lot size requirement of the R-EQ zoning designation.

B. General Plan Designations

Project Site - Single Family Residential (R-SF)
 North - Single Family Residential (R-SF)
 South - Single Family Residential (R-SF)
 East - Single Family Residential (R-SF)
 West - Single Family Residential (R-SF)

C. Surrounding Zoning and Land Use

Project Site - Equestrian Residential (R-EQ), Vacant
 North - Equestrian Residential (R-EQ), Vacant
 South - Equestrian Residential (R-EQ), Vacant
 East - Equestrian Residential (R-EQ), Vacant
 West - Equestrian Residential (R-EQ), Single Family Residences

D. Site Characteristics

The subject site is currently vacant and is surrounded by both vacant lots and scattered single-family residential homes. The property is characterized by flat terrain with a very gentle down-slope to the southeast. Based upon the submitted Biological Assessment, which was completed on November 8, 2005, no known endangered species are present. The property to the west consists of vacant property and single-family residential structures within the Equestrian Residential (R-EQ) zone. The properties to the north, south and east are currently vacant and also within Equestrian Residential (R-EQ) zone.

ANALYSIS:

A. Background

The Planning Commission approved Tentative Tract Map No. 17872 on April 5, 2006 with an expiration date of April 5, 2009. In accordance with the Town of Apple Valley Development Code, tentative maps may be extended for one (1) year up to a maximum of three (3) years following the initial three (3) year approval in which to record the map. The map was eligible for four (4) legislative time extensions (SB 11854; AB 3333; AB 208 and AB 116), that collectively, extended this expiration date by an additional seven (7) years to April 5, 2016. In accordance with the Town of Apple Valley Development Code and in compliance Section 66452(e) of the Subdivision Map Act, the applicant is now requesting a three (3) year extension of time. Unless extended through additional legislative actions, this is the final map extension.

B. General

The Extension of Time process affords the Town an opportunity to review subdivisions for compliance with current site development standards as follows:

SITE DEVELOPMENT STANDARDS	R-EQ
Minimum lot area	18,000 sf
Minimum corner lot area	20,000 sf
Minimum lot width in feet, as measured from the minimum front setback of 30 ft.	100
Minimum corner lot width in feet as measured from the minimum front setback of 30 ft.	115
Minimum lot depth (ft)	150

SITE DEVELOPMENT STANDARDS	R-EQ
Minimum corner lot depth (ft)	150
Minimum site frontage (ft) The frontage of a nonrectangular lot or lot located on a cul-de-sac, curved street or dead-end street with a curved turn-around shall be measured as the chord drawn between the terminuses of the side property lines at their intersection with the street right-of-way.	60
Minimum front setback (ft)	30
Average front setback (ft)	35

The map is in compliance with the required minimum lot area and minimum lot depth; however, several lots do not appear to comply with the minimum lot frontage or minimum lot width. It should be noted that, when this map was originally approved, the minimum front yard setback was forty (40) feet. The lots in question are located on cul de sacs and have pie shaped frontages. The inconsistencies with today's development standards are minor and staff is confident these issues can be resolved during final map review as required by Conditions of Approval No. P10.

There have been no physical alterations or improvements made to the property that necessitates changes to the Conditions of Approval, however; changes to the Conditions of Approval are recommended to reflect changes in Development Code site development standards and for consistency with the Town's Standard Conditions of Approval,

Traffic

Traffic generated from this subdivision will traverse through an internal local road system with collector streets providing access from Otoe Road and Dale Evans Parkway. The interior local roads will be constructed in accordance with the Town's local road standards that will include curb, gutter and sidewalks. The north and west sides of the roads will incorporate recreational trails in lieu of sidewalks. The Code requires that street patterns and street design within a subdivision must conform to the standards adopted within the Circulation Element of the Town of Apple Valley General Plan, including curbs, gutters and sidewalks throughout the project area. The Engineering Division has included these requirements as recommended Conditions of Approval.

Drainage

Prior to issuance of a grading permit, a final drainage plan shall be submitted for review and approval by the Town Engineer, showing provisions for receiving and conducting off-site and on-site tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. The project plan shall show on-site retention of drainage flows from a 100-year design storm by way of retention/detention basin, dry-wells or any combination thereof. The proposed tract map shows a 20,666 square foot retention basin located near the southeast corner of the tract. This retention basin must be landscaped and screened from view to the fullest extent possible. The maintenance of the basin and any screening wall shall be included within a landscape maintenance assessment district.

If circumstances, conditions and requirements have changed sufficiently to warrant new conditions (such as updated park/recreation fees, general Town street standards or the need to conform to equestrian trail provision requirements), and the applicant will not agree to those new conditions, the Commission has the authority and responsibility to deny the Time Extension, citing the fact(s) that the Tentative Map would not be consistent with the requirements applicable today. For the Commission's convenience, staff has included the original Conditions of Approval with recommended modifications in ~~strikeout~~ (deletions) and underline (additions).

C. Environmental Assessment

Pursuant to the California Environmental Quality Act (CEQA), Section 15162, this proposal (Extension of Time) within the scope of the approved Negative Declaration that was approved and adopted by the Planning Commission for Tentative Tract Map No. 17872 on April 5, 2006.

D. Noticing:

The request was legally noticed in the local newspaper and property owners within 500 feet were notified by mail on April 19, 2016. As of the writing of this report, there have been no written or oral comments in opposition or in favor of the proposal.

E. Findings:

In considering any Tentative Tract Map, the Commission is required by the Development Code to make specific Findings. The following are the Findings for a Tentative Tract Map required under Section 9.71.040 (A5) of the Development Code and a comment to address each:

1. The proposed Subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and any applicable Specific Plan. The proposed subdivision or land use is compatible with the objectives, policies, general land uses and programs specified in the General Plan and any applicable Specific Plan (Subdivision Map Act 66473.5).

Comment: The subject property has a General Plan land use designation of Residential Single-Family (R-SF), and by size, shape and configuration has the ability to be used in a manner consistent with the General Plan Land Use Element and Zoning designations. The project is a proposal to subdivide the property into thirty-five (35) lots for future development of single-family homes and, with adherence to staff recommended conditions of approval, will meet the minimum requirements for lot size, width and depth as prescribed by the Code.

2. The Planning Commission has considered the effects of its action upon the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Subdivision Map Act Section 66412.3).

Comment: This is a request to subdivide twenty (20) acres into thirty-five (35) lots for the future development of single family homes, furthering the Town's goals to meet its regional housing needs. The project

has received will-serve letters from all applicable utilities demonstrating the availability of resources to support this development. Each single family residence constructed will be required to pay its fair share contribution toward regional services including road improvements, park development and public services including police and fire protection. Therefore, the project will not have an adverse effect upon public services or available fiscal or environmental resources.

3. The design of the subdivision provides, to the extent feasible, for the future passive or natural heating or cooling opportunities in the subdivision.

Comment: The lots created under this subdivision are appropriate in size to provide natural heating and cooling opportunities for development of the site. However, as development occurs, the individual lots are subject to the implementation of natural heating and cooling requirements pursuant to Title 24 energy requirements.

4. The Planning Commission shall determine whether the discharge of waste from the proposed subdivision into the existing sewer system would result in a violation of the requirements as set forth in Section 13000 et seq., of the California Water Code. If the Planning Commission finds that the proposed waste discharge would result in or add to a violation of said requirements; the Planning Commission may disapprove the subdivision (Subdivision Map Act Section 66474.6).

Comment: The project is a residential land subdivision and is required to connect to the Town of Apple Valley sewer system and requires approval of the Town of Apple Valley Public Works Division in order to meet the requirements of the Town.

RECOMMENDATION

Based upon the information contained within this report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to:

1. Determine that, pursuant to the California Environmental Quality Act (CEQA), Section 15162, the proposed Time Extension is exempt and does not require further environmental review (although the map is still required to fulfill all environmental requirements stipulated within the map's initial approval).
2. Find that the facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve a three (3)-year extension of time for Tentative Tract Map No.17872, subject to the attached, Conditions of Approval, as amended.
4. Direct Staff to file the Notice of Exemption

Prepared By:

Reviewed By:

Pam Cupp
Associate Planner

Carol Miller
Principal Planner

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Tract Map
3. Zoning Map

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Tentative Tract Map No. 17872, Extension of Time No. 1

Please note: *Many of the suggested Conditions of Approval presented herewith are provided for informational purposes and are otherwise required by the Municipal Code. Failure to provide a Condition of Approval herein that reflects a requirement of the Municipal Code does not relieve the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.*

Planning Division Conditions of Approval

- P1. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council. ~~A time extension may be approved in accordance with the State Map Act and Town Ordinance, if an extension application is filed and the appropriate fees are paid thirty (30) days prior to the expiration date.~~ Unless extended through California legislative action, this is the final map extension that may be approved. The Tentative Tract Map becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.

- P2. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:

Apple Valley Fire Protection District
~~Apple Valley Ranchos Water Company~~ Liberty Utilities
Apple Valley Public Services Department
Apple Valley Engineering Division
Apple Valley Planning Division

- P3. Upon approval of the Tentative Tract Map No. 17872, the applicant shall be responsible for the payment of all CEQA-mandated environmental review and filing fees to the Department of Fish and Game and/or the San Bernardino County Clerk of the Board of Supervisors. The filing of a Notice of Exemption requires the County Clerk to collect a documentary handling fee of fifty dollars (\$50.00). The fee must be paid in a timely manner in accordance with Town procedures. No permits may be issued until such fee is paid.

- P4. Tentative Tract Map No. 17872 shall adhere to all requirements of the Development Code.

- P5. The applicant shall ~~agree to~~ defend at his sole expense (with attorneys approved by the Town), and indemnify the Town against any action brought against the Town, its agents, officers or employees resulting from or relating to this approval. The applicant shall reimburse the Town, its agents, officers or employees for any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to

- pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of these obligations under this condition.
- P6. Approval of the Tentative Tract Map No. 17872 by the Planning Commission is understood as acknowledgement of Conditions of Approval by the applicant, unless an appeal is filed in accordance with Section 9.12.250, Appeals, of the Town of Apple Valley Development Code.
- P7. Prior to recordation the applicant shall provide the Planning Division with a copy of the subdivision in an electronic format compatible with the Town's current technology.
- P8. All slopes over three (3) feet in height shall be landscaped and irrigated according to Town standards.
- P9. Any protected desert plants or Joshua Trees impacted by the development are subject to the regulations specified in Section 9.76.020 (Plant Protection and Management) of the Development Code. Prior to the issuance of a Grading Permit, a study by a qualified Native Plant Expert shall be prepared to determine if the identified trees will be saved, located or removed, in compliance with the Town's Native Plant Protection Ordinance.
- P10. All lots shall have a minimum area of 18,000 square feet, except corner lots, which shall have a minimum area of 20,000 square feet. All lots shall have a minimum depth of 150 feet and a minimum width of 100 feet, except corner lots which shall have a minimum depth of 150 feet and a minimum width of 115 feet. In addition, each lot on a cul-de-sac or on a curved street, where the side lot lines thereof are diverging from the front to rear of the lot, shall have a front lot ~~width~~ frontage of not less than sixty (60) feet and a lot width of not less than 100 feet at the minimum building setback line of ~~forty (40)~~ thirty (30) feet.
- P11. A separate Development Permit, approved by the Planning Commission, is required prior to new single-family residential construction. The submittal shall include a Development Plan consisting of plot plans, a minimum of three (3) floor plans and six building elevations, demonstrating a variety of heights, setbacks, roof shapes and trim to create visually pleasing aesthetics within a cohesive design.
- P12. Subdivision walls shall be decorative and constructed of slump stone, split face or masonry material, ~~along the perimeter of the property lines~~. Prior to recordation of the Final Map, the Developer/applicant shall submit detailed plans showing all proposed walls for this subdivision subject to approval by the Director of Economic and Community Development (or designee).
- P13. If the tract map is adjacent to existing development, a fence/wall plan shall be submitted with the grading, and landscape/irrigation plans to identify how new fencing or walls will relate to any existing fences or walls located around the perimeter of the tract/parcel map. Double fencing shall be avoided, and review and approval of the fencing/wall plan are required prior to issuance of grading permits.

- P14. The project shall incorporate sidewalks, which shall be shown on Engineering Improvement Plans, subject to approval by the Director of Economic and Community Development (or designee).
- P15. The project shall conform to the R-EQ, Equestrian Residential, development standards for front, side and rear yard-building setbacks. ~~as follows:~~
Front: _____ 40 feet minimum, 45 average
Street side: _____ 25 feet minimum
Interior side: _____ 15/10 feet minimum
Rear: _____ 25 feet minimum
- P16. Reverse frontage lots shall maintain a minimum rear yard setback of ~~forty (40)~~ thirty (30) feet for all structures exceeding six (6) feet in height.
- P17. Prior to grading of the site, a pre-construction survey is required to ensure that special status species have not moved onto the site since the date of the initial biological survey conducted on November 8, 2005.
- P18. The Final Map shall show and record a non-vehicular access agreement along South Road for all reverse frontage lots.
- P19. The developer shall dedicate to the Town of Apple Valley an eight (8)-foot wide landscape easement adjacent to South Road. ~~and annex into a landscape assessment district.~~
- P20. Prior to recordation of Final Map, three sets of detailed landscaping and irrigation plans for the landscape easement along South Road and the retention basin, prepared by a qualified licensed landscape professional, shall be submitted to the Planning Division for review and approval. The landscape and irrigation plans shall be prepared in compliance with the applicable landscape section of the Town Development Code.
- P21. The applicant/developer shall install the landscaping along South Road and within the retention basin. The applicant/developer shall form, or annex into, an assessment district for the ongoing maintenance of the landscape easement, lighting standards of the development, and any retention basin created.
- P22. Landscaping shall be installed in accordance with Section 9.75 of the Development Code. Xeriscape landscaping techniques which consists of drought tolerant, native type plants, trees and groundcover are required. Final landscape and irrigation plans shall be submitted and installed for each individual unit, prior to issuance of occupancy permits.
- P22. ~~The retention basin and landscape easements shall be landscaped with an appropriate combination of drought tolerant trees, shrubs, and ground cover, consistent with Chapter 9.75, Water Conservation Landscape Regulations of this Code.~~
- P23. All required and installed landscaping shall incorporate and maintain a functioning automatic sprinkler system, and said landscaping shall be maintained in a neat, orderly, disease and weed-free manner at all times.

- P24. The developer shall construct a six (6)-foot high decorative block wall along South Road, subject to the review and approval of the Planning Division. *(Added by the Planning Commission 4/5/2006.)*

Park and Recreation Department Conditions of Approval

- PR1. The Park and Recreation Department will require payment of Recreation Impact Fees pursuant to the current Quimby Fee formula on file with the Town of Apple Valley. The amount of said fee shall be as adopted by the Town Council and in effect at the time Building permits for the individual homes are obtained.

Equestrian Advisory Committee Conditions of Approval

- EAC1. All cul-de-sac streets shall be dedicated and developed with a seven (7)-foot wide trail, within the right-of-way, on the north and west sides.

- EAC2. All Local streets (60 feet R/W) shall be dedicated and developed with a nine (9)-foot wide trail and a three (3)-foot wide separation between the curb face and the trail, within the right-of-way, on the north and west sides.

- EAC3. All trails shall be developed in conformance with the Town's Multi-Use and Equestrian Trails Standards and the Town's Figure C-6 (Figure C-6 identifies the location of Lifeline Trails) as adopted at time of map recordation.

Environmental and Regulatory Conditions of Approval

- ER1. During construction the builder/developer must take steps to see that at least 50% of the waste generated on site is recycled, in accordance with Municipal Code § 8.19. Available means to recycle debris are as follows:

- a. Contract for hauling services with Town's franchise hauler, with all Project debris delivered to Victorville self-haul diversion program, provided the diversion program is currently operating; and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets.
- b. Self-haul all Project debris to Victorville Landfill self-haul diversion program, provided the diversion program is currently operating; and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets.
- c. Self-haul all Project debris to a construction materials recycling facility, and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets.
- d. Contract with a construction site cleanup company to recycle at least 50% of the Project construction debris, and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets.

Building and Safety Division Conditions of Approval

- BC1. An engineered grading report, including soils engineering and engineering geology, shall be filed with and approved by the Building Official prior to recordation of final map.

- BC2. Grading and drainage plans are to be submitted to, and approved by, the Building Official prior to permit issuance.
- BC3. Submit plans, engineering for approval and obtain all permits for all structures and retaining walls and signs.
- BC4. A pre-construction permit and inspection are required prior to any land disturbing activity to verify requirements for erosion control, flood hazard, native plant protection and desert tortoise habitat.
- BC5. A Notice of Intent (NOI) and a Storm Water Prevention Plan (SWPP) must be submitted to and approved by the Engineering and Building Departments prior to issuance of a grading permit and or any land disturbance.
- BC6. All utilities shall be placed underground in compliance with Town Ordinance No. 89.
- BC7. All cross-lot drainage requires easements and may require improvements at the time of development.
- BC8. Comply with State of California Disability Access requirements.
- BC9. A pre-grading meeting is required prior to beginning any land disturbance. This meeting will include the building Inspector, General Contractor, Grading Contractor, soils technician and any other parties required to be present during the grading process such as a Biologist, Paleontologist.
- BC10. Dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction).
- BC11. Construction must comply with the current California Building Code.
- BC12. Best Managements Practices (BMPs) are require for the site during construction.
- BC13. Provide Water Quality Management Plan (WQMP) or Alternative compliance Plan.

Public Works Division Conditions of Approval

Prior to Map Recordation:

- ~~PW1. The subject property is located within the boundaries of Assessment District No. 2B which currently has an active assessment bond issue. The applicant must substantiate bond reapportionment. The bond reapportionment will divide the bond assessment among the subdivided parcels.~~
- PW1. Sewage disposal shall be by connection to the Town of Apple Valley sewer system. Financial arrangements, plans and improvement agreements must be approved by the Town of Apple Valley Public Works Department. Please note: sewer plans have already been approved for this project and are on file with the Public Works Department.
- PW2. Construct the sewer collector lines and laterals to each lot to connect to the trunk sewer system or other system as approved in advance by the Town.

- PW3. Sewer connection fees required.
- PW4. Submit mylars and three sets of As-Built plans upon completion of sewer installation. In addition, the plans must be provided in an electronic format of the Town's choosing.

Apple Valley Ranchos Water Company Liberty Utilities Conditions of Approval

- LU1. Annexation into ~~Apple Valley Ranchos Water Company's~~ Liberty Utilities Service Area will be required. Upon the California Public Utilities Commission's approval of annexation, the remaining conditions will apply.
- LU2. Compliance with Rule #15 of the Public Utilities Commission, which requires applicant to enter into main extension contract.
- LU3. Water main must be extended to provide domestic and fire protection to this facility in accordance with Apple Valley Fire Protection District's conditions.
- LU4. Dedicate public utility easements to ~~Apple Valley Ranchos Water Company~~ Liberty Utilities to connect, install, maintain and access pipeline (unobstructed vehicular access).
- LU5. A facilities fee (which funds well development) will be collected per meter that is installed at a rate of \$669.00 per 5/8 inch meter equivalent.

Engineering Division Conditions of Approval

- EC1. A final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall consider reducing the post-development site-developed flow to 90 percent of the pre-development flow for a 100 year design storm. (Town Resolution 2000-50; Development Code 9.28.050.C, 9.28.100).
- EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.
- EC3. All interior streets shall be improved to Town standards as approved by the Town Engineer. Minimum width of local residential streets shall be thirty-six (36) feet curb to curb.
- EC4. Minimum right of way dedication for interior residential streets shall be sixty (60) feet full width. Minimum right of way dedication width for cul-de-sacs shall be fifty (50) feet full width.
- EC5. All streets abutting the development shall be improved a minimum half-width of twenty-eight (28) feet with curb, gutter and sidewalk on the development side.
- EC6. South Road adjacent to the property shall be improved to the Town's half-width Local road standards.

- EC7. "C" Street adjacent to the property shall be improved to the Town's half-width Local Street standards.
- EC8. A forty (40)-foot (thirty [30]-foot wide half-width plus ten [10] feet) road dedication along South Road adjacent to the property shall be granted to the Town of Apple Valley.
- EC9. A forty (40)-foot (thirty [30]-foot wide half-width plus ten [10] feet) road dedication along "C" Street adjacent to the property shall be granted to the Town of Apple Valley.
- EC10. During the grading of the streets, soils testing of the street subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural street section. Minimum asphalt concrete thickness for all streets shall be 0.33 ft.
- EC11. All required improvements shall be constructed and approved or bonded in accordance with Town Development Code.
- EC12. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC13. Final improvement plans and profiles shall indicate the location of any existing utility which would affect construction and shall provide for its relocation at no cost to the Town.
- EC14. A final grading plan shall be approved by the Town Engineer prior to issuance of a grading permit. A grading permit shall not be issued until street improvement plans have been submitted to the Town Engineer for review and substantial completion of the street plans has been attained as determined by the Town Engineer.
- EC15. The developer shall form or annex into an assessment district to provide for the ongoing maintenance of the retention basin and accessory structures. (Town Council Resolution 2000-50)
- EC16. All street names shall be approved by the Town and such approval shall be coordinated through the Town Engineer.
- EC17. The developer shall present evidence to the Town Engineer that he has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
- EC18. Utility lines shall be placed underground in accordance with the requirements of the Town. (Municipal Code Section 14.28)
- EC19. The developer shall make a good faith effort to acquire the required off-site property interests. If the developer fails to acquire those interests the developer shall, at least 120 days prior to submittal of the final map for approval, enter into an agreement to complete the improvements pursuant to Government Code Section 66462 at such time as the Town acquires the property interests required for the improvements. Such agreement shall provide for payment by the developer of all costs incurred by Town to acquire the off-site property interests required in connection with the subdivision. Security for a portion of these costs shall be in the form of a cash deposit in the amount

given in an appraisal report obtained by the developer, at the developer's cost. The appraiser shall have been approved by the Town prior to commencement of the appraisal. Additional security may be required as recommended by the Town Engineer and Town Attorney.

- EC20. Traffic impact fees adopted by the Town shall be paid by the developer.
- EC21. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.
- EC22. Any required street striping shall be thermoplastic as approved by the Town Engineer.
- EC23. The developer shall obtain and submit to the Planning Division prior to occupancy, the following signed statement by the purchasers of the homes located within the Landscape and Lighting Assessment district (subject to final approval by the Town Attorney): "In purchasing the home, I am aware that the home is located in the boundaries of a Landscape and Lighting Assessment District for the maintenance of drainage, landscaping, fencing and other similar improvements and that an annual landscaping maintenance charge will be levied.
- EC24. In the event that an applicant/developer chooses to seek Council approval of the Final Map prior to completion of the required improvements, an "Agreement for Construction of Improvements" shall be required. In accordance with the California Labor Code, any such Agreement will contain a statement advising the developer that certain types of improvements will constitute a public project as defined in California Labor Code, Sections 1720, and following, and shall be performed as a public work, including, without limitation, compliance with all prevailing wage requirements.

Fire Protection District Conditions of Approval

- FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any Tentative Parcel Map, the owner shall contact the Fire District for verification of current fire protection development requirements.
- FD2. All new construction shall comply with applicable sections of the Uniform Fire Code, Uniform Building Code, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, or Apple Valley Fire Protection District.
- FD3. The development, and each phase thereof, shall have two points of paved access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of these points of access shall provide an independent route into the area in which the development is located. This shall be completed prior to any combustible construction. Apple Valley Fire Protection District Ordinance 22, Section (I). Install per A.V.F.P.D. Standard ARI #8.
- FD4. Fire lanes shall be provided with a minimum width of ~~twenty-four (24)~~ twenty-six (26) feet, maintained, and identified. Apple Valley Fire Protection District Ordinance 44 52. ~~Install per A.V.F.P.D. Standard ARI #202.~~

- FD5. A turnaround shall be required at the end of each roadway 150 feet or more in length and shall be approved by the Fire District. Cul-de-sac length shall not exceed ~~600~~ 1,000 feet.

Turning radius on all roads within the facility shall not be less than twenty-two (22) feet inside and a minimum of forty (40) feet outside turning radius with no parking on street, or forty-seven (47) feet with parking. Road grades shall not exceed twelve percent (12%), unless approved by the Chief. Uniform Fire Code Section 902.2.2.3. Apple Valley Fire Protection District Ordinance 22, Section 1 (e) 52. Install per A.V.F.P.D. Standard ARI #202.

- FD6. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

New dwelling addresses shall be posted with a minimum four (4)-inch numbers visible from the street, and during the hours of darkness the numbers shall be internally illuminated. Where building setbacks exceed seventy-five (75) feet from the roadway, additional contrasting four (4)-inch numbers shall be displayed at the property entrance.

- FD7. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to, and approved by, the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems. ~~Apple Valley Fire Protection District Ordinance 42.~~

A. Unless otherwise approved by the Fire Chief, on-site fire protection water systems shall be designed to be looped and fed from two (2) remote points.

B. System Standards:

- Fire Flow 500 GPM @ 20 psi Residual Pressure on eight (8)-inch minimum water main size.
- Duration 1 Hour
- Hydrant Spacing: 660 Feet

~~*If blank, flow to be determined by calculation when additional construction information is received. Install per A.V.F.P.D. Standard Series #101.~~

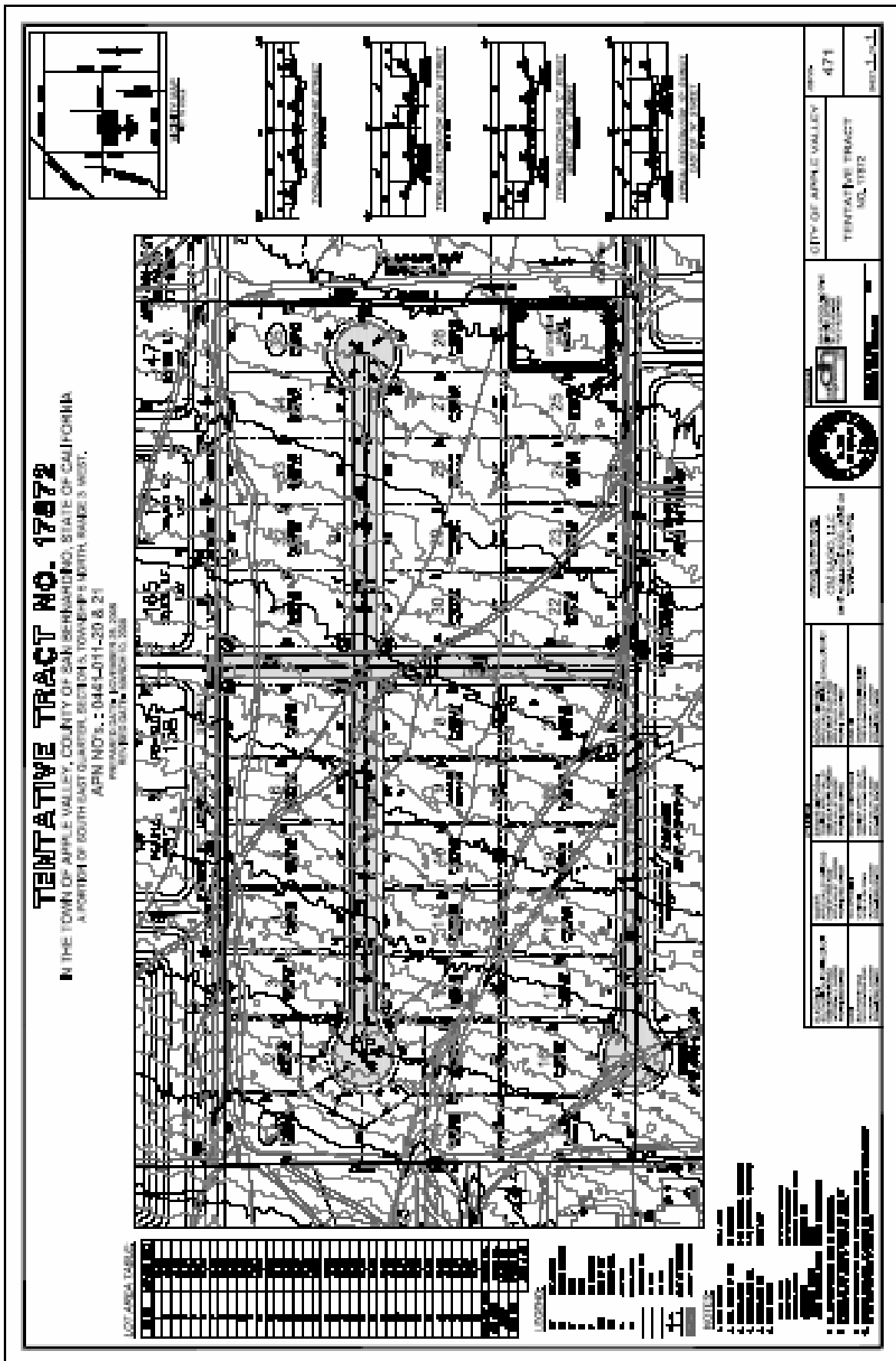
C. A total of 2-3 new fire hydrant(s) will be required. It is the responsibility of the owner/developer to provide all new fire hydrants with blue dot, reflective pavement markers set into pavement and curb identification per A.V.F.P.D. Standard ~~Install per A.V.F.P.D. Standard Series #101~~ Apple Valley Standards.

NFPA 13D (RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM): REQUIRED

This residence shall be constructed with an automatic fire sprinkler system (NFPA 13D) throughout the structure, including garage. Plans shall be submitted by a licensed C-16 contractor to the Fire District for review and approval along with plan review fees. Fire Sprinkler work shall not commence until plan approval and a job card have been issued. An approved fire alarm system shall be installed that will provide a local alarm for water flow to be audible throughout the premises. **NOTE: The Fire District shall be notified a minimum of 24 hours prior to the desired final inspection date.**

- FD7. ~~An approved fire sprinkler system shall be installed throughout any building: 5,000 square feet or greater, including garage and enclosed areas under roof, or other per California Building Code requirements. Apple Valley Fire Protection District Ordinance 41.~~
- FD7. A letter shall be furnished to the Fire District from the water purveyor stating that the required fire flow for the project can be met prior to the Formal Development Review Committee meeting.
- FD8. Apple Valley Fire Protection District Final Subdivision/Tract/Development fees shall be paid to the Fire District prior to final map acceptance according to the current Apple Valley Fire Protection District Fee Ordinance.
- FD9. The developer shall submit a map showing complete street names within the development, to be approved by the Fire District prior to final map.
- ~~FD10. Prior to subdivision final map approval, the developer/owner shall either form or annex to a Mello-Rees Community Facilities District for Apple Valley Fire Protection District in order to provide, operate, and maintain fire protection facilities and/or to provide fire protection services. All "up front" costs associated with the formation of such district, or annexation to such a district shall be borne by the developer/owner.~~
- FD10. A Knox Box Rapid Entry System shall be required at all gated ingress/egress points within this project.

End of Conditions



Tentative Tract Map No. 17872
 Extension of Time No. 1

The project site is generally located one-half (1/2) mile east of Dale Evans Parkway and one-half (1/2) mile north of Otoe Road.

APNs 04441-011-20 and -21.

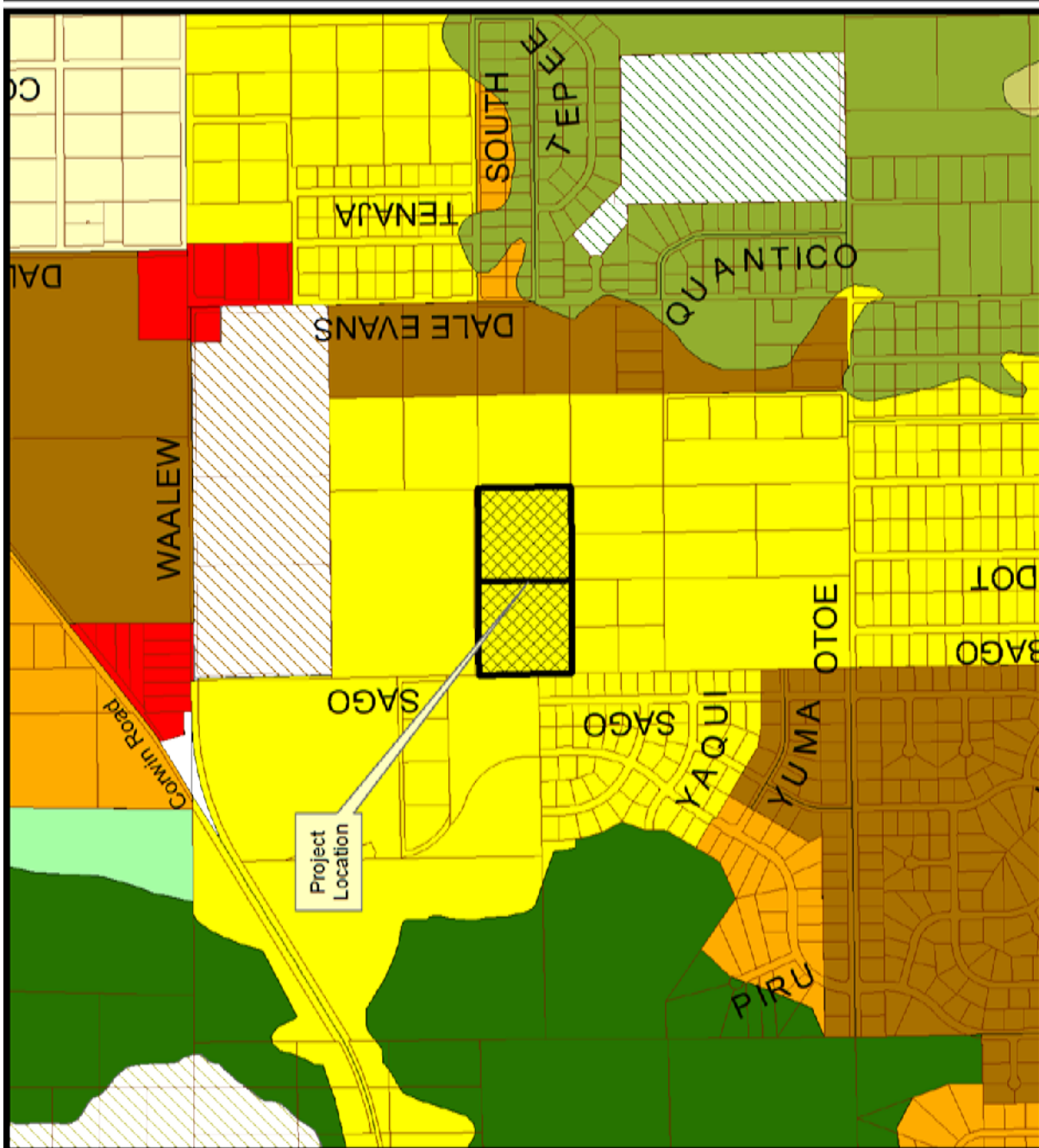


Legend

(H.A.)	Habitat Conservation Area
(R.1)	Residential Single-Family (1 to 2 acres)
(R.2)	Residential Single-Family (2 to 4 acres)
(R.3)	Residential Single-Family (4 to 10 acres)
(R.4)	Residential Single-Family (10+ acres)
(M.H.P.)	Medium-Density Residential (1 to 10 units)
(H.H.P.)	High-Density Residential (10+ units)
(C.1)	Community Center
(C.2)	Community Center (2 to 10 units)
(C.3)	Community Center (10+ units)
(O.P.)	Open Space (Preservation)
(S.P.)	Special Use (Preservation)
(P)	Public Use (Preservation)

Date: 5/21/2016

ZONING/LOCATION MAP





TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

- AGENDA DATE:** June 1, 2016
- CASE NUMBER:** Development Permit No. 2016-002
- APPLICANT:** Ramon and Aida Romero
- PROPOSAL:** A request to approve a Development Permit to allow the construction of a 258 square foot addition, to an existing 615 square foot, eighteen (18) foot tall detached garage. The addition will add two (2) feet, eight (8) inches, resulting in a total height of twenty (20) feet, eight (8) inches.
- LOCATION:** 20257 Sahale Road (APN 3112-24-152)
- ENVIRONMENTAL DETERMINATION:** Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), the project is Exempt from further environmental review.
- CASE PLANNER:** Silvia Caraballo, Community Development Program Assistant
- RECOMMENDATION:** Approval

PROJECT SITE AND DESCRIPTION

- A. Project Size
The project site is 0.53 acres in size.
- B. General Plan Designations
Project Site - Single Family Residential (R-SF)
North - Single Family Residential (R-SF)
East - Single Family Residential (R-SF))
South - Single Family Residential (R-SF)
West - Single Family Residential (R-SF)
- C. Surrounding Zoning and Land Use
Site - Single Family Residential (R-SF); Single Family Residence
North - Single Family Residential (R-SF); Single Family Residence

- East - Single Family Residential (R-SF); Single Family Residence
- South - Single Family Residential (R-SF); Single Family Residence
- West - Single Family Residential (R-SF); Single Family Residence

D. Building Height:

- Permitted Maximum: Sixteen (16) feet
- Proposed Maximum: Twenty (20) feet, eight (8) inches

E. Garage Setback Analysis:

	Required	Proposed
Front (Cree Rd.)	25 ft.	116' 4"
Street Side (Sahale Rd.)	50 ft.	67' 8"
Side	10 ft.	39' 10"
Rear	10 ft.	22' 6"

F. Lot Coverage:

- Permitted Maximum: 40%
- Proposed Maximum: 15%

BACKGROUND

Mr. and Mrs. Romero bought the residence in February, 2014. At the time of purchase, there was a permitted detached garage along with stairs that lead to deck with electrical installed. Mr. and Mrs. Romero decided to proceed in finishing the construction to the detached garage and build an additional storage room on the deck. On January 13, 2016 the Town Building and Safety inspector noticed the construction and informed the applicants that permits are required for the addition. It was discovered that the 560 square foot detached garage with a height of eighteen (18) feet was permitted through the county in 1988, prior to the Town's incorporation. Mr. and Mrs. Romero were unaware that the stairs and the deck were built without permits.

ANALYSIS

A. General:

The applicant is requesting approval of a Development Permit to construct a 258 square foot second story addition to an existing 615 square foot detached garage. This addition will add two (2) feet, eight (8) inches to the existing eighteen (18) foot tall detached garage. Pursuant to the Development Code, a Development Permit, reviewed and approved by the Planning Commission, is required prior to the construction of an accessory structure that exceeds the maximum height allowed within the Single-Family Residential (R-SF) zoning district.

B. Site Analysis:

The project site is developed with an existing 1,720 square-foot single-family residence with an attached garage, covered porch, and swimming pool. The terrain is relatively flat with no significant slopes. Within the immediate vicinity there are mature trees with heights exceeding that of the proposed addition. All surrounding properties are located within the Single Family Residential (R-SF) designation and developed within single-family residences.

C. Architecture Analysis:

The Development Code establishes standards for accessory structures in order to ensure the single-family residence remains the dominant land use and that a quality, aesthetic presentation of the property is maintained. Currently, the primary structure is twenty-nine (29) feet tall and has a detached garage with a height of eighteen (18) feet tall. The proposed addition will add height to the detached garage resulting in a total height of twenty (20) feet, eight (8) inches. The floor area of the addition measures twelve (12) feet, two (2) inches by twenty-one (21) feet, three (3) inches. As required by the Code, the proposed attached storage has been designed to be architecturally compatible with the primary structure through the use of matching colors and building materials. Staff is recommending that the applicant provide architectural enhancements matching those of the existing single-family home as indicated in condition P.9. With the implementation of the Conditions of Approval, the proposed addition will be compatible with the main residence and the surrounding structures. The proposed height and size of the garage will not cause a visual obstruction and is in scale with the surrounding residential neighborhood.

D. Noticing:

This item was advertised as a public hearing in the Apple Valley News newspaper on May 20, 2016. Property owners within 300 feet of the project site were notified of the June 1, 2016 Planning Commission meeting. Staff has reviewed the project with several surrounding property owners; however, no formal comments have been received by staff regarding this proposal at the time this staff report was written.

E. Development Permit Findings:

As required under Section 9.16.090 of the Development Code, prior to approval of a Development Permit, the Planning Commission must make positive findings to approve this proposal. These Findings, as well as a comment to address each, are presented below.

1. That the location, size, design, density and intensity of the proposed development is consistent with the General Plan, the purpose of this Code, the purpose of the zoning district in which the site is located, and the development policies and standards of the Town;

Comment: The proposed addition to the existing detached garage is in compliance with the General Plan Land Use and zoning designation. The subject property has a zoning designation of Single Family Residential (R-SF), which allows for detached garages to exceed the height limit of sixteen (16) feet, subject to approval of a Development Permit (Section 9.29.020D).

2. That the location, size and design of the proposed structures and improvements are compatible with the site's natural landforms, surrounding sites, structures and streetscapes;

Comment: The proposed addition to the existing detached garage will be compatible with existing structures within the vicinity. The proposed height is less than that of the existing residence and the building footprint is significantly less. In addition, there are mature trees adjacent to the proposed site that will minimize any potential impact caused by the additional building height.

3. That the proposed development produces compatible transitions in the scale, bulk, coverage, density and character of development between adjacent land uses;

Comment: The proposed addition to the existing detached garage is compatible with the site and surrounding area and has been designed with adequate setbacks and circulation. The use is not anticipated to generate excessive noise, vibration, traffic or other disturbances.

4. That the building, site and architectural design are accomplished in an energy efficient manner;

Comment: The proposed addition to the existing detached garage must be constructed in accordance with the Uniform Building Code and the proposed construction must comply with Building and Safety Division and UBC Title 24 requirements.

5. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures;

Comment: The design, materials and details of the addition will be compatible with properties or improvements in the vicinity. The property is within the R-SF zoning designation and accessory structures may exceed the height limit of sixteen (16) feet, with the approval of a Development Permit.

6. That the development proposal does not unnecessarily block public views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;

Comment: The proposed addition to the existing detached garage is located behind the existing primary residence and has the appropriate separation from the main structure and setbacks from property lines. The overall height of twenty (20) feet, eight (8) inches requested for the proposed addition will not block public views and is a compatible use because the structure is consistent in scale to other residential-related structures in the area.

7. That the amount, location, and design of open space and landscaping conforms to the requirements of this Code, enhances the visual appeal and is compatible with the design and function of the structure(s), site and surrounding area;

Comment: The proposed addition to the existing detached garage is located on property that contains an existing single-family home and is compatible with adjacent residential uses within the general area. The location and size of the proposed addition complies with the Code, subject to a Development Permit. With the acceptance of

the conditions of approval, the proposed addition will be compatible with the existing residence and the garage function is appropriate for the area, which is zoned Single Family Residential (R-SF).

8. That quality in architectural design is maintained in order to enhance the visual environment of the Town and to protect the economic value of existing structures;

Comment: The proposed addition to the existing detached garage is designed to be compatible with the existing residence and surrounding development, and is permitted subject to approval of a Development Permit.

9. That excessive and unsightly grading of hillsides does not occur, and the character of natural landforms and existing vegetation are preserved where feasible and as required by this Code;

Comment: The project site is relatively flat with no significant slopes or natural landforms.

10. That historically significant structures and sites are protected as much as possible in a manner consistent with their historic values;

Comment: The project is proposed on a lot with an existing single-family residential home and there are no known historical structures on the site.

11. That there are public facilities, services and utilities available at the appropriate levels, or that these shall be installed at the appropriate time, to serve the project as they are needed;

Comment: There are existing improvements available to serve the site. In addition, the proposal will be compatible with the surrounding neighborhood.

12. That access to the site and circulation on and off-site is safe and convenient for pedestrians, bicyclists, equestrians and motorists;

Comment: The proposed addition to the existing detached garage will be located on an existing residential site which has existing access points along Sahale Road. Therefore, the proposal will not adversely impact access, circulation and the physical character of surrounding streets.

13. That the proposed development's generation of traffic will not adversely impact the capacity and physical character of surrounding streets;

Comment: The proposed addition to the detached garage will be located on a residential site with existing access point along Sahale Road.

Therefore, the proposal will not adversely impact the capacity and physical character of surrounding streets.

14. That traffic improvements and or mitigation measures are provided in a manner adequate to maintain a Level of Service C or better on arterial roads and are consistent with the Circulation Element of the Town General Plan;

Comment: The proposal is not anticipated to result in any traffic increase. The proposed addition will be located on, and adjacent to, residentially designated properties. Access to the garage will be from Sahale Road, which can accommodate traffic generated from the project site.

15. That environmentally unique and fragile areas such as the knolls, areas of dense Joshua trees, and the Mojave River area shall remain adequately protected;

Comment: The proposal is within the R-SF zoning designation and not within any significant environmentally unique or fragile areas.

16. That there will not be significant harmful effects upon environmental quality and natural resources;

Comment: Under the State Guidelines to Implement the California Environmental Quality Act (CEQA), the project is not anticipated to have any direct or indirect impact upon the environment and is Categorically Exempt under Section 15303(e).

17. That there are no other relevant negative impacts of the proposed use that cannot be mitigated;

Comment: Under the State guidelines to implement the California Environmental Quality Act (CEQA), the project is not anticipated to have any direct or indirect impact upon the environment, as it has been determined that the proposed request is Exempt from further environmental review.

18. That the impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained, will not be detrimental to the public health, safety and welfare of the community or be materially injurious to properties or improvements in the vicinity, nor be contrary to the adopted General Plan; and

Comment: The proposed addition to the existing detached garage, by its design and characteristics, and with adherence to the conditions under which it will operated and maintained, will not be detrimental to the public health, safety or welfare, nor be materially injurious to properties or improvements in the vicinity.

19. That the proposed development will comply with each of the applicable provisions of this Code and applicable Town policies, except approved variances.

Comment: The proposed addition to the existing detached garage can be built in conformance to the Development Code, subject to approval of a Development Permit and adherence to the recommended Conditions of Approval.

RECOMMENDATION

Based upon the information contained within this report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to:

1. Determine that pursuant to Section 15332 of the State Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed request is Categorically Exempt from further environmental review.
2. Find the Facts presented in the staff report support the required Findings for approval and adopt the Findings for Development Permit No. 2016-002.
3. Approve Development Permit No. 2016-002, subject to the attached Conditions of Approval.
4. Direct Staff to file the Notice of Exemption.

Prepared By:

Reviewed By:

Silvia Caraballo
Program Assistant

Lori Lamson
Assistant Town Manager

ATTACHMENTS:

1. Recommended Conditions of Approval
2. Site Plan
3. Building Elevations
4. Zoning Map

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Development Permit No. 2016-002

Please note: Many of the suggested Conditions of Approval presented herewith are provided for informational purposes and are otherwise required by the Municipal Code. Failure to provide a Condition of Approval herein that reflects a requirement of the Municipal Code does not relieve the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.

Planning Division Conditions of Approval:

- P1. This project shall comply with the provisions of State law and the Town of Apple Valley Development Code and the General Plan. This conditional approval, if not exercised, shall expire two (2) years from the date of action of the reviewing authority, unless otherwise extended pursuant to the provisions of application of State law and local ordinance. The extension application must be filed, and the appropriate fees paid, at least sixty (60) days prior to the expiration date. The Development Permit becomes effective ten (10) days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- P2. The applicant shall defend, at its sole expense (with attorneys approved by the Town), hold harmless and indemnify the Town, its agents, officers and employees, against any action brought against the Town, its agents, officers or employees concerning the approval of this project or the implementation or performance thereof, and from any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the applicant of this obligation under this condition.
- P3. The approval of Development Permit No. 2016-002 by the Planning Commission is recognized as acknowledgment of Conditions of Approval by the applicant, unless an appeal is filed in accordance with Section 9.12.250, *Appeals*, of the Town of Apple Valley Development Code.
- P4. The Community Development Director or his/her designee shall have the authority for minor architectural changes focusing around items such as window treatments, color combinations, façade treatments and architectural relief. Questions on the interpretation of this provision or changes not clearly within the scope of this provision shall be submitted to the Planning Commission for consideration under a Revision to the Development Permit.
- P5. The filing of a Notice of Exemption requires the County Clerk to collect a documentary handling fee of fifty dollars (\$50.00). The fee must be paid in a timely manner in accordance with Town procedures. No permits may be issued until such fee is paid. The check shall be made payable to the Clerk of the Board of Supervisors.

- P6. It is the sole responsibility of the applicant on any Permit, or other appropriate discretionary review application for any structure, to submit plans, specifications and/or illustrations with the application that will fully and accurately represent and portray the structures, facilities and appurtenances thereto that are to be installed or erected if approved by the Commission. Any such plans, specifications and/or illustrations that are reviewed and approved by the Planning Commission at an advertised public hearing shall accurately reflect the structures, facilities and appurtenances expected and required to be installed at the approved location without substantive deviations, modifications, alterations, adjustments or revisions of any nature.
- P7. All outdoor mechanical and electrical equipment, whether rooftop, side of structure, or on the ground, shall be screen from view from the public street by architectural elements designed to be an integral part of the building.
- P8. Light standards shall blend architecturally with approved project design.
- P9. The proposed addition shall match existing detached garage in color and building materials.
- P10. Addition will solely be used for storage and will not be considered a habitable structure.

Building and Safety Division Conditions of Approval:

- BC1. Submit plans and obtain permits for all structures and retaining walls, signs.
- BC2. All utilities shall be placed underground in compliance with Town Ordinance No. 89.
- BC3. Construction must comply with current California Building Codes and California Green Building Code.
- BC4. Best Management Practices (BMP's) are required for the site during construction.
- BC5. Page two (2) of the submitted building plans will be the Conditions of Approval.

Apple Valley Fire Protection District Conditions of Approval:

- FD1. The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements.
- FD2. All new construction shall comply with applicable sections of the California Fire Code, California Building Code, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, or Apple Valley Fire Protection District.
- FD3. Approved numbers or addresses shall be placed on all existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall be **internally illuminated by premises wiring**. **Where building setbacks exceed 75 feet from the roadway, additional contrasting 4-inch numbers shall be displayed at the property entrance.** Apple Valley Fire Protection District, Ordinance 52.

FD4. **NFPA 13D (Residential Automatic Fire Sprinkler System): Required**

This residence shall be constructed with an automatic fire sprinkler system (NFPA 13D) throughout the structure, including garage. Plans shall be submitted by a licensed C-16 contractor to the Fire District for review and approval along with plan review fees. Fire Sprinkler work shall not commence until plan approval and a job card have been issued. An approved fire alarm system shall be installed that will provide a local alarm for water flow to be audible throughout the premises. **NOTE: The Fire District shall be notified a minimum of 24 hours prior to the desired final inspection date.**

FD5. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to and approved by the Apple Valley Fire Protection District and water purveyor prior to the installation of said systems.

a. Unless otherwise approved by the Fire Chief, on-site fire protection water systems shall be designed to be looped and fed from two (2) remote points.

b. System Standards:

*Fire Flow 750 GPM @ 20 psi Residual Pressure

Duration 2 Hour(s)

Hydrant Spacing 660 Feet

*If blank, flow to be determined by calculation when additional construction information is received.

FD6. Prior to issuance of building permit, the developer shall pay all applicable fees as identified in the Apple Valley Fire Protection District Ordinance.

End of Conditions

PLAN INDEX	DESCRIPTION
SHEET NO.	DESCRIPTION
A1	SITE PLAN & SPECIFICATIONS
A2	STRUCTURAL DETAILS
A3	FLOOR PLAN
	DOOR, WINDOW, SCHEDULE
A4	CROSS SECTION, ROOF PLAN
A5	EXTERIOR ELEVATIONS
E1	ELECTRICAL POWER LAYOUT

CONSTRUCTION SPECIFICATIONS

1. ALL CONSTRUCTION SHALL BE ACCORDING TO THE SPECIFICATIONS OF SECTION 05 AND SHALL BE TO BE OF THE BEST MATERIALS AND WORKMANSHIP.
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EROSION CONTROL PLAN

1. CONSTRUCTION SHALL BE ACCORDING TO THE SPECIFICATIONS OF SECTION 05 AND SHALL BE TO BE OF THE BEST MATERIALS AND WORKMANSHIP.
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STRUCTURAL LOADS

DEAD LOAD: 12 PSF (1.2 KIP/SQ FT)

LIVE LOAD: 40 PSF (4.0 KIP/SQ FT)

WIND LOAD: 15 PSF (1.5 KIP/SQ FT)

SEISMIC LOAD: 0.15 KIP/SQ FT

NOTE: ALL LOADS SHALL BE ACCORDING TO THE SPECIFICATIONS OF SECTION 05 AND SHALL BE TO BE OF THE BEST MATERIALS AND WORKMANSHIP.

SAHALE ROAD

CREE ROAD

OWNER/APPLICANT/BUILDER:
MR. & MRS. RAMON ROMERO
12345 MAIN STREET, SUITE 100
APPLE VALLEY, CA 92526
PHONE: 951-234-5678

ARCHITECT / ENGINEER:
DANIEL SEAGONDOLLAR ARCHITECT
12345 MAIN STREET, SUITE 100
APPLE VALLEY, CA 92526
PHONE: 951-234-5678

GENERAL CONTRACTOR:
ABC CONSTRUCTION
12345 MAIN STREET, SUITE 100
APPLE VALLEY, CA 92526
PHONE: 951-234-5678

LEGAL DESCRIPTION:
2007 SAHALE ROAD
APPLE VALLEY, CA 92526
SECTION 10, T12N, R12E, S4E
ACRES 0.83

SITE INFORMATION:
SITE GROSS AREA: 0.83 ACRES
EXISTING RESURFACE: 1720 SQ. FT.
EXISTING GARAGE: 733 SQ. FT.
EXISTING PATIO: 400 SQ. FT.
EXISTING RV GARAGE: 818 SQ. FT.
EXISTING DRIVEWAY: 120 SQ. FT.
BY GARAGE/DRIVEWAY ADDITION: 238 SQ. FT.

LAND USE DISTRICT:
APPLE VALLEY LAND USE R1-3P

PROJECT LOCATION MAP

DATE: 1/15/16 JOB: SFR11601

ARCH. CP
S1161A01 20

SHOP ADDITION FOR:
MR. & MRS. RAMON ROMERO
APPLE VALLEY

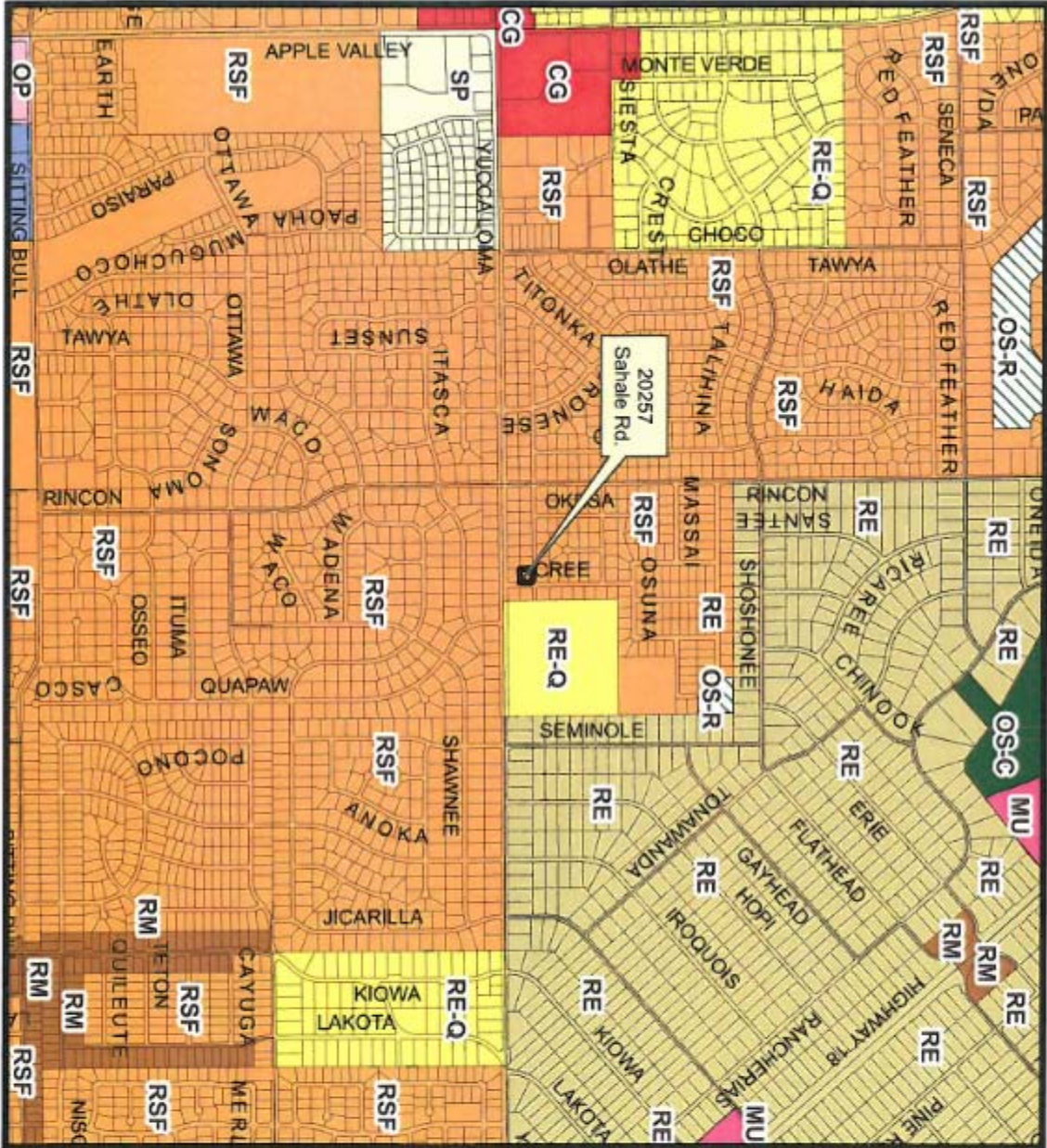
Daniel Seagondollar
ARCHITECT 22752 HWY 18 • Apple Valley CA • (951)417-9870

NOTE:
1. ALL CONSTRUCTION SHALL BE ACCORDING TO THE SPECIFICATIONS OF SECTION 05 AND SHALL BE TO BE OF THE BEST MATERIALS AND WORKMANSHIP.

EXTERIOR ELEVATION EAST R. V. GARAGE		EXTERIOR ELEVATION SOUTH	
EXTERIOR ELEVATION WEST		EXTERIOR ELEVATION NORTH	
A5 SHT	WORKSHOP ADDITION for MR. & MRS. RAMON ROMERO APPLE VALLEY CALIFORNIA		DATE: 1/15/16 JOB: SFR11601
Daniel Seagondollar ARCHITECT 2013 Highway 18 Apple Valley CA 92417-0679		ARCH. NO. 21151A05 46	

ZONING/LOCATION MAP

Development Permit No. 2016-002



20257 Sahale Road
 APN 3112-24-152



Legend

RE-Q	Residential Medium-Density (1,400 to 3,500 sq. ft.)
RE	Residential Single-Family (1,400 to 3,500 sq. ft.)
RM	Residential Medium-Density (1,400 to 3,500 sq. ft.)
MU	Municipal Utility
CG	Community Garden
SP	Special Purpose
OP	Office Professional
RSF	Residential Single-Family
RE-Q	Residential Medium-Density (1,400 to 3,500 sq. ft.)
RE	Residential Single-Family (1,400 to 3,500 sq. ft.)
RM	Residential Medium-Density (1,400 to 3,500 sq. ft.)
MU	Municipal Utility
CG	Community Garden
SP	Special Purpose
OP	Office Professional

Date: 5/11/2016



A Better Way of Life

TOWN OF APPLE VALLEY PLANNING DIVISION

Staff Report

AGENDA DATE: June 1, 2016

CASE NUMBER: Variance No. 2016-002

APPLICANT: Mr. Roberto Contreras

PROPOSAL: A request to allow an addition to a single family residence that encroaches six (6) feet into the required twenty-five (25)-foot side yard setback.

LOCATION: 21014 Taos Road; APN 0463-394-06.

ENVIRONMENTAL DETERMINATION: Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), the variance for side yard setback is exempt from further environmental review per Section 15305, Minor Alteration in Land Use Limitations.

CASE PLANNER: Ms. Pam Cupp, Associate Planner

RECOMMENDATION: Approval

PROJECT AND SITE DESCRIPTION

A. Project Size: The subject lot is three (3) acres in size.

B. General Plan Designations:

Project Site-	Specific Plan (SP)
North -	Specific Plan (SP)
East -	Specific Plan (SP)
South -	Specific Plan (SP)
West -	Specific Plan (SP)

- C. Surrounding Zoning and Land Use:
 - Project Site- Specific Plan (SP) NAVISP, Single-family residence
 - North - Specific Plan (SP) NAVISP, Vacant
 - East - Specific Plan (SP) NAVISP, Vacant
 - South - Specific Plan (SP) NAVISP, Single-family residence
 - West - Specific Plan (SP) NAVISP, Single-family residence

- D. Setbacks:
 - Side Yard Setback Required: 25 feet
 - Proposed Side Yard Setback: 19 feet

Analysis:

- A. General:

The Variance process allows an applicant the means by which they can request a deviation from a development standard provided the necessary findings can be made. In this instance, the applicant is requesting a Variance to the required side yard setback to allow a nineteen (19)-foot setback where a twenty-five (25)-foot setback is required.

- B. Site Characteristics

The subject site is relatively flat and contains a 1,568 square foot single-family residence and a 440 square foot, detached garage.

- C. Analysis:

The existing home was constructed in 1955 with a side yard setback of nineteen (19) feet. The purpose of the Variance, if granted, would enable the property owners to build a 1,059 square foot addition to the existing single-family residence. The addition will match the existing wall plane, thereby increasing the building volume within the required setback.

The property is within the North Apple Valley Industrial Specific Plan (NAVISP) and has a zoning designation within the specific plan of Industrial Specific Plan (I-SP). Adoption of the NAVISP included provisions to ensure the existing residents sustained minimal impacts to their existing properties. Residential units in the Specific Plan area existing as of the adoption of the Specific Plan may remain in perpetuity, and may be expanded, renovated or remodeled in conformance with the development standards for the Low Density Residential zone. In accordance with the Development Code, the side yard setback requirements for the Low Density Residential (R-LD) zoning district are twenty-five (25) feet.

The subject house was permitted and constructed in 1955. Six (6) of the ten (10) single family homes within the vicinity were also constructed prior to the Town’s incorporation and not subject to the R-LD development standards. The proposed encroachment is located along the eastern property line. The adjacent parcel to the east is currently vacant. Any new development on the adjacent parcel will be industrial and required to conform to the development standards of the NAVISP, which permit zero (0) lot line construction. Given the existing nonconforming nature of the single-family home within the NAVISP, and the existing encroachment of the single-family home, the request for an addition that will match the existing encroachment will not create an impact to the character of the neighborhood.

E. Noticing:

This item was advertised as a public hearing in the Apple Valley News newspaper on May 20, 2016 with notices sent to property owners within 300 feet of the subject property.

F. Variance Findings:

As required under Section 9.24.070 *Required Findings* of the Development Code, prior to approval of a Variance, the Planning Commission must make the following Findings:

1. That because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this Code deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

Comment: The special circumstances are that this residence is in an industrial zone, regulated by the R-LD standards, neither of which were in place when the house was constructed. The residence became legal non-conforming with the ability to expand with the adoption of NAVISP in 2006. This criteria has placed a hardship on expanding the house in a cohesive, compatible manner, while still maintaining the required setback.

2. That granting the Variance will be consistent with the general intent and purpose of the Development Code provisions for the district in which the property is located.

Comment: Staff finds that although the proposal is inconsistent with the R-LD development standards with regard to setbacks, the request is consistent with the general intent of the Development Code for high quality, architectural design. Granting the Variance will allow the house to be expanded in a cohesive, compatible manner.

3. That granting the Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zoning district and denied to the property for which the Variance is sought.

Comment: The project site is within the NAVISP which allows existing single-family homes to be expanded in conformance with the R-LD development standards. This residence is in an industrial zone, regulated by the R-LD standards, neither of which was in place when the house was constructed. Granting the Variance will ensure the property owner the same preservation and enjoyment of the property that was possessed prior to the approval of the NAVISP.

4. That granting the Variance will not be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements in such vicinity and land use district in which the property is located.

Comment: The project site is within the NAVISP which allows existing single-family homes to be expanded in conformance with the R-LD development standards. This residence is in an industrial zone, regulated by the R-

LD standards, neither of which were in place when the house was constructed. The proposed addition will not appear out of character or be materially detrimental to the public health, safety or welfare, or injurious to the property or improvements.

5. That granting the Variance does not constitute a special privilege inconsistent with the limitations upon other properties in the vicinity and in the zoning district and General Plan land use designation such property is located.

Comment: This residence is in an industrial zone, regulated by the R-LD standards, neither of which were in place when the house was constructed. The residence became legal non-conforming with the ability to expand with the adoption of NAVISP in 2006. This criteria has placed a hardship on expanding the house in a cohesive, compatible manner, while still maintaining the required setback. Granting the Variance does not constitute a special privilege; however, it does give the property owner the opportunity to enjoy the property in a manner afforded prior to the adoption of the NAVISP.

6. That granting the Variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel.

Comment: The proposed Variance will not alter the allowable uses or permitted activity of the property.

RECOMMENDATION

Based upon the information contained within this report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to:

1. Determine that the project is not anticipated to have any direct or indirect impact upon the environment, as it has been determined that the proposed request is Exempt from further environmental review.
2. Find the facts presented in the staff report support the required Findings for approval and adopt the Findings.
3. Approve Variance No. 2016-002 and direct staff to file a Notice of Exemption.

Prepared By:

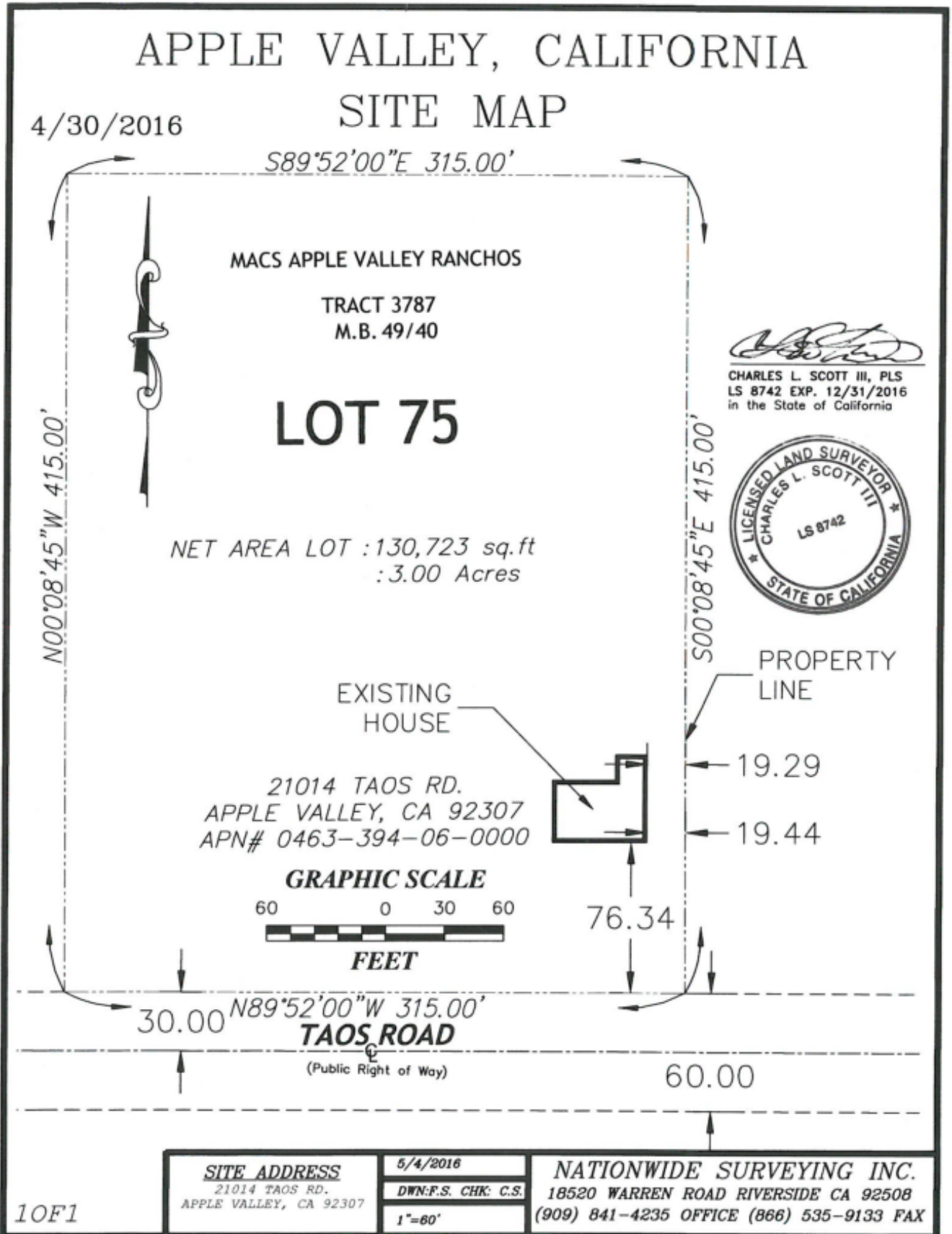
Reviewed By:

Pam Cupp
Associate Planner

Lori Lamson
Assistant Town Manager

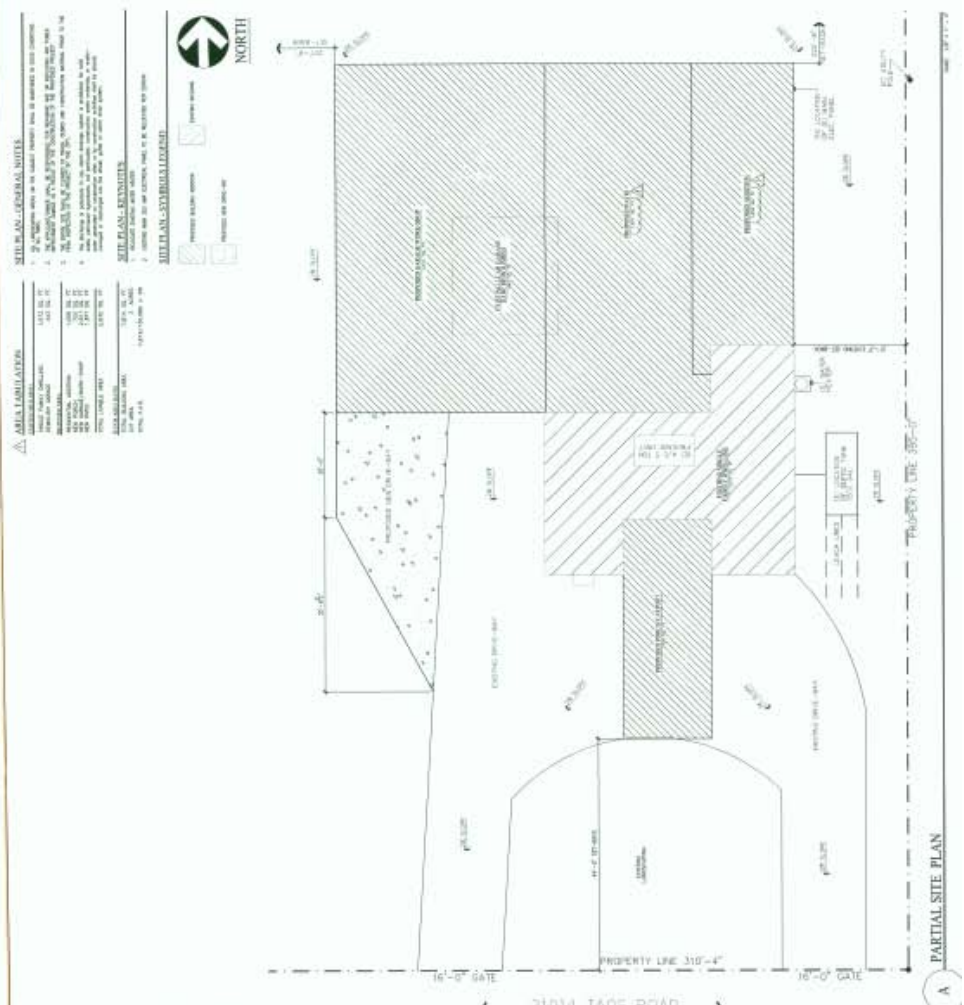
ATTACHMENTS:

1. Site Plan & Elevations
2. Zoning Map



10F1

Owner: Robert Contems & Work-Shop/Garage New Addition, Patio, Porch	Hossein Zand Associates Structural/Civil Engineering 6712 De La Brea Ave. Suite 110 Van Nuys, CA 91411 Tel: (818) 708-2000 Fax: (818) 708-2001 hzand@hza.com	RAW Design 4255 Van Nuys Blvd. Suite 208 Van Nuys, CA 91411 Tel: (818) 241-0245 Fax: (818) 241-0245 info@rawd.com	Scale: 1/8" = 1'-0" Date: 8/27/15 Revision: 2/16	Details: Sheet: Title:	A-1 Sheet
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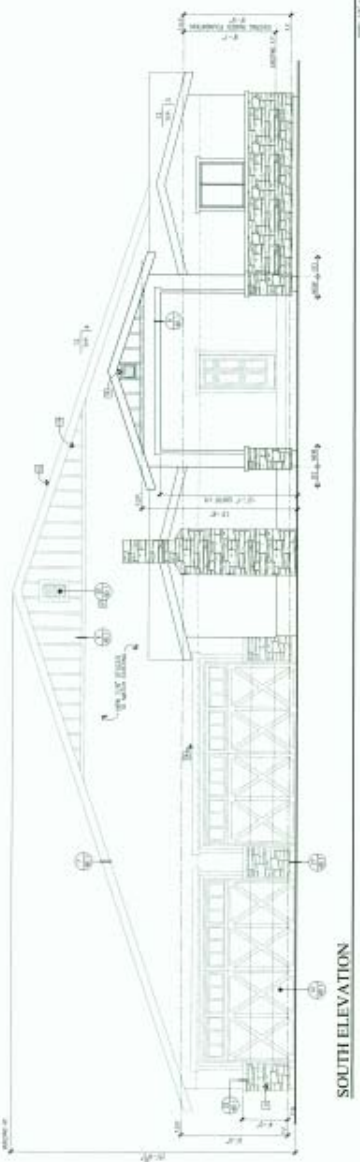
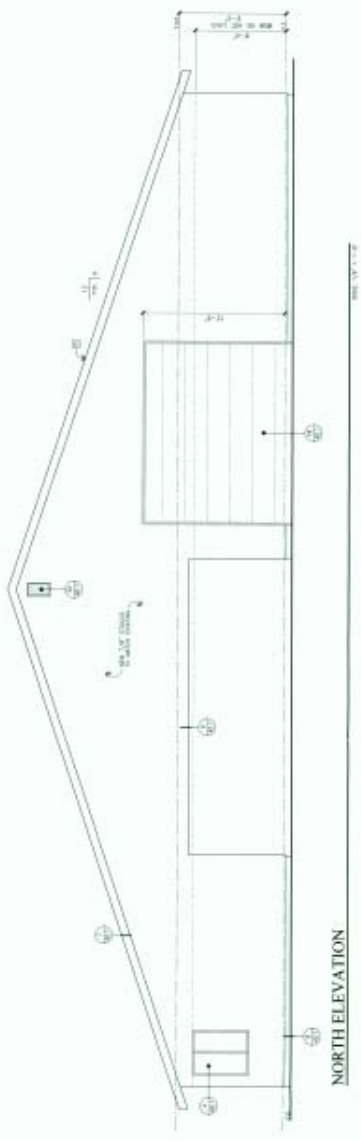
Owner: Robert Contreras
 & Work-ShonFarmer

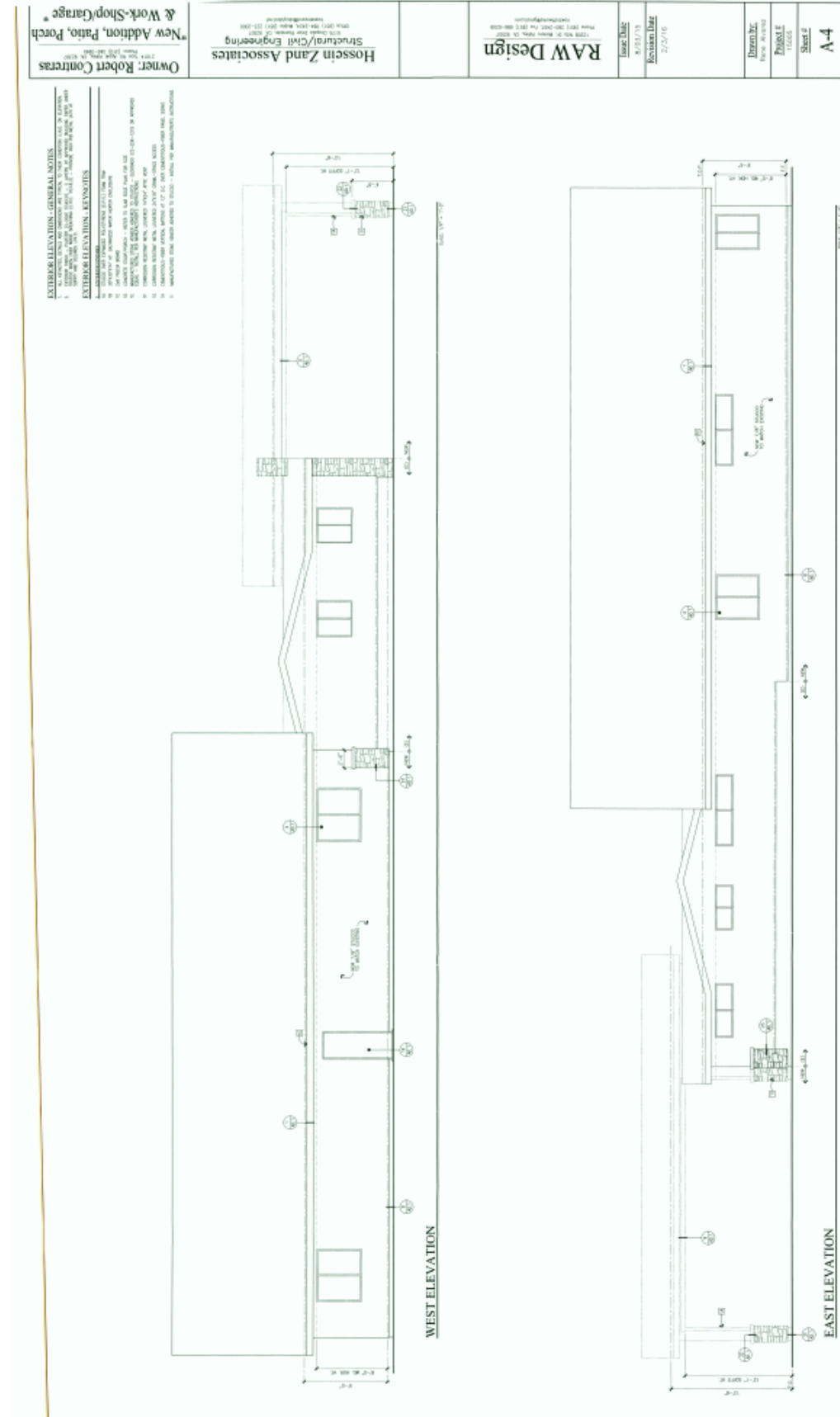
Hossein Zand Associates
 Structural/Civil Engineering

RAW Design
 Interior Design

Drawn By: [Name]
 Project #: [Number]
 Sheet #: A-3

- EXTERIOR ELEVATION - GENERAL NOTES**
1. ALL DIMENSIONS ARE UNLESS OTHERWISE NOTED.
 2. FINISH GRADE IS INDICATED BY A DOTTED LINE.
 3. ALL MATERIALS AND FINISHES TO BE AS SHOWN ON THE DRAWING.
 4. ALL MATERIALS AND FINISHES TO BE AS SHOWN ON THE DRAWING.
- EXTERIOR ELEVATION - KEYNOTES**
1. ALL DIMENSIONS ARE UNLESS OTHERWISE NOTED.
 2. FINISH GRADE IS INDICATED BY A DOTTED LINE.
 3. ALL MATERIALS AND FINISHES TO BE AS SHOWN ON THE DRAWING.
 4. ALL MATERIALS AND FINISHES TO BE AS SHOWN ON THE DRAWING.





ZONING/LOCATION MAP

Variance No. 2016-002

21014 Taos Road

APN 0463-394-06



Legend

[Symbol]	Variance No. 2016-002
[Green]	RVL1) Very Low Density Residential (10,000+ sq. ft. gross area)
[Light Green]	RL2) Low Density Residential (1,000 to 5,000 sq. ft. gross area)
[Yellow]	RE-Q) Equitation Residential (1,000 to 4,000 sq. ft. gross area)
[Orange]	RSF) Single Family Residential (10,000 to 20,000 sq. ft. gross area)
[Brown]	RM) Multi Family Residential (2 to 20 units per acre)
[Hatched]	MHP) Mobile Home Park
[Red]	CG) General Commercial
[Pink]	OP) Office Professional
[Light Blue]	IP) Planned Industrial
[Light Yellow]	SA) North Apple Valley Industrial Specific Plan

Date: 5/25/2016

