



## Town Council Agenda Report

---

Date: January 14, 2020 Item No. 5

To: Honorable Mayor and Town Council

Subject: FINAL PARCEL MAP 19989

From: Douglas Robertson, Town Manager

Submitted by: Brad Miller, Town Engineer  
Engineering Department

Budgeted Item:  Yes  No  N/A

---

### **RECOMMENDED ACTION**

Move to accept final map for Parcel Map 19989

### **BACKGROUND**

The applicant has complied with all conditions of approval placed on Tentative Parcel Map No. 19989. This subdivision creates 2 residential lots. The site is located on Mesquite Road, approximately 1000' north of Waalew Road. The Planning Commission reviewed and approved the Tentative Tract Map on December 19, 2018 subject to the conditions of approval.

### **ANALYSIS**

Because the applicant has complied with all the conditions of approval for this 2 lot subdivision, staff recommends its approval.

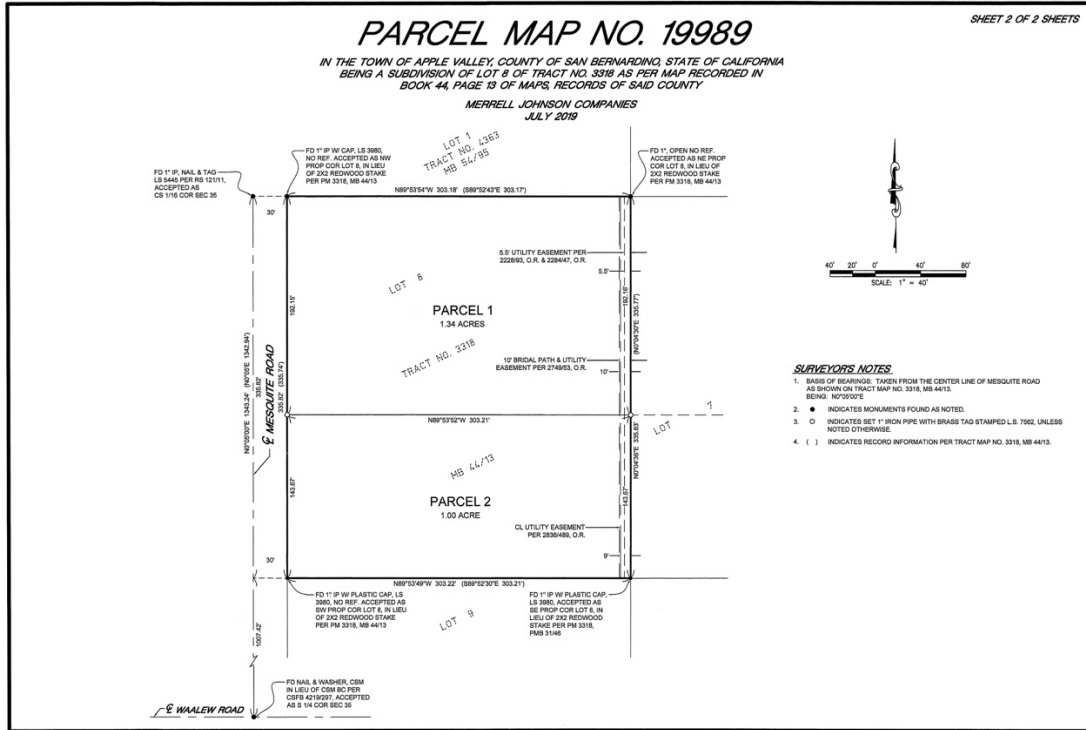
### **FISCAL IMPACT**

No foreseeable fiscal impact.

### **ATTACHMENTS**

- A. Parcel Map 19989
- B. Approval letter with conditions of approval
- C. Acceptance Letter of conditions of approval

# Parcel Map 19989



## Approval letter with conditions of approval

### Community Development

December 20, 2018

Ms. Cheri Bradley  
Merrell Johnson Companies  
22221 Highway 18  
Apple Valley, CA 92307

**Subject: Tentative Parcel Map No. 19989**

**Expiration Date: December 19, 2021**

Dear Ms. Bradley:

At the December 19, 2018 Planning Commission meeting, the Commission reviewed and approved the above referenced project, a request for approval of a two (2) lot subdivision. In accordance with the required Findings, Tentative Parcel Map No. 19989 has been approved subject to the attached Conditions of Approval.

This approval shall expire three (3) years from the date of action on **December 19, 2021**, unless the map is recorded or extended in accordance with the provision in the Development Code addressing time extensions. Any application for a time extension, and the appropriate fees, must be submitted to the Town of Apple Valley a minimum of thirty (30) days prior to the expiration date.

Enclosed you will find the conditions as approved by the Planning Commission. There was no representation for this proposal at the public hearing; therefore, please sign the attached "Acknowledgement of Conditions" and return to the Planning Division for the permanent record. If you have any questions on this matter, please contact Ms. Pam Cupp at the Town's Planning Division at (760) 240-7000 Ext. 7203. Town offices are open Monday through Thursday between 7:30 a.m. and 5:30 p.m., and alternating Fridays between 7:30 a.m. and 4:30 p.m. (**closed the subsequent Fridays**).

Sincerely,

Carol Miller

Assistant Director of Community Development

# Town of Apple Valley

## FINAL CONDITIONS OF APPROVAL

### Tentative Parcel Map No. 19989

*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**

- A. 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. The Tentative Parcel 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.
- B. 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:
  - a. Apple Valley Fire Protection District
  - b. Golden State Water Company
  - c. Apple Valley Public Works Division
  - d. Apple Valley Engineering Division
  - e. Apple Valley Planning Division
- C. 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. All checks shall be made payable to the Clerk of the Board of Supervisors.

- D. Tentative Parcel Map No. 19989 shall adhere to all requirements of the Development Code.
- E. The applicant shall 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.
- F. Approval of the Tentative Parcel Map No. 19989 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.
- G. Any protected desert plants or Joshua trees impacted by 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.
- H. The project shall conform to the Estate Residential (R-E) development standards for front, side and rear yard-building setbacks.
- I. If the tract/parcel 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. The developer shall be required to connect to the existing fencing/walls or collaborate with the adjacent property owners to provide new fencing/walls and remove the existing fence/wall, both options at the developer's expense. Double fencing shall be avoided and review and approval of the fencing/wall plan is required prior to issuance of grading permits.

- J. All new development of residential structures shall be designed and constructed in compliance with the “Single Family Infill Plotting Criteria” subject to the review and approved by the Planning Division.
  
- K. Landscape and irrigation plans shall be submitted prior to the issuance of Building Permits in accordance with Chapter 9.31 “Residential Design Standards” and Chapter 9.75 “Water Conservation/Landscape Regulations” of the Development Code and installed prior to issuance of occupancy permits subject to approval by the Planning Division.
  
- L. Prior to final map review, all walls and/or fences shall be removed or relocated to the dividing lot line between Parcel 1 and Parcel 2.

**Park District Conditions of Approval**

- PR1. This project is subject to applicable Quimby Fees as determined by the Town. Quimby Fees shall be collected at time of issuance of building permit and shall be the fee adopted by the Town Council at the time of permit issuance.

**Building and Safety Division Conditions of Approval**

- A. An engineered grading report including soils report shall be submitted to and approved by the Building official prior to recordation of the final map or issuance of permits for grading in excess of 1,000 cubic yards.
  
- B. Grading and drainage plans must be submitted to and approved by the Building Official, Planning Department and Town Engineer prior to permit issuance.
  
- C. Submit plans and obtain permits for all structures and retaining walls, signs.

- D. 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.
  
- E. A Notice of Intent (NOI) and 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.
  
- F. All utilities shall be placed underground in compliance with Town Ordinance No. 89.
  
- G. All cross lot drainage requires easements and may require improvements at the time of development.
  
- H. Comply with the State of California Disability Access requirements.
  
- I. 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 and/or Paleontologist.
  
- J. A dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction)
  
- K. Construction must comply with the applicable California Building Codes and green Building Code.
  
- L. Best Management Practices (BMP's) are required for the site during construction.
  
- M. Provide Water Quality Management Plan (WQMP) or Alternative Compliance Plan.

**Engineering Division Conditions of Approval** - None

**Public Works Division Conditions of Approval** - None

**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, Development Code, Community Plans, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, Town of Apple Valley, or Apple Valley Fire Protection District.
- FD3. 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 of 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.

**END OF CONDITIONS**



Community Development

ACKNOWLEDGEMENT AND ACCEPTANCE  
OF CONDITIONS

Date: December 20, 2018

Case No.: Tentative Parcel Map No. 19989

Applicant: Ms. Cheri Bradley

Merrell Johnson Companies

22221 Highway 18

Apple Valley, CA 92307

Ms. Cheri Bradley, on behalf of Empire Construction does hereby acknowledge the receipt of the Conditions of Approval for Tentative Parcel Map No. 19989 approved by the Planning Commission on December 18, 2018. Further, Ms. Cheri Bradley, on behalf of Empire Construction, does hereby agree to, accept and abide by all Conditions as set forth by the Town of Apple Valley Planning Commission's approval of Tentative Parcel Map No. 19989 as identified in the attachments to the approval letter dated December 20, 2018.

It is also understood that any changes to the approved plans shall require prior written approval by the Town.

Applicant Signature

Date