

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

ACCEPT THE FINAL MAP FOR PARCEL MAP NO. 18370

**Applicant: Mary Jo Dalmont / Kidd & Associates
Location: 17087 Century Plant Road – 437-153-10**

Summary Statement:

The applicant has complied with all conditions placed on Tentative Parcel Map No. 18370 that are required prior to final map approval. The subject site is located on the east side of Century Plant Road, north of Waalew Road. This proposed subdivision will subdivide 2.3 acres into two (2) single family lots within the Estate Residential (R-E) zone. The Planning Commission reviewed and approved Tentative Parcel Map No. 18370 on March 7, 2007.

Staff recommends the Town Council accept the Final Map for Parcel Map No. 18370.

Recommended Action:

Move to accept the final map for Parcel Map No. 18370.

Proposed by: Engineering Division **Item Number** _____

T. M. Approval: _____ **Budgeted Item** Yes No N/A

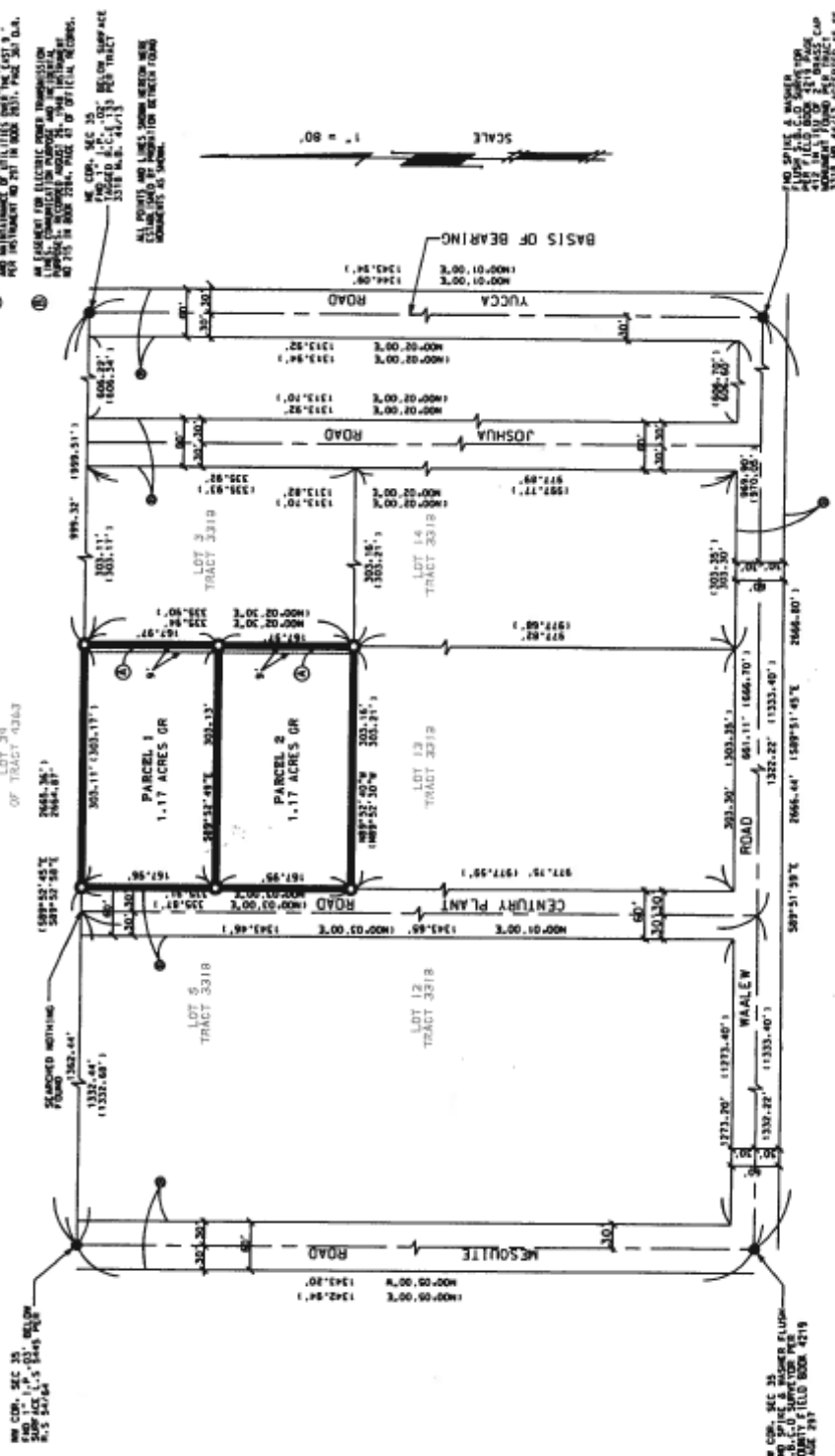
SKIT 2 OF 2

PARCEL MAP NO. 18370
 BEING A SUBDIVISION OF LOT 4 OF TRACT MAP 3318, MAP BOOK 44, PAGE 13,
 IN THE TOWN OF APPLE VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA

D G R K Inc. NOVEMBER, 2007

LOT 3B
 OF TRACT 4363

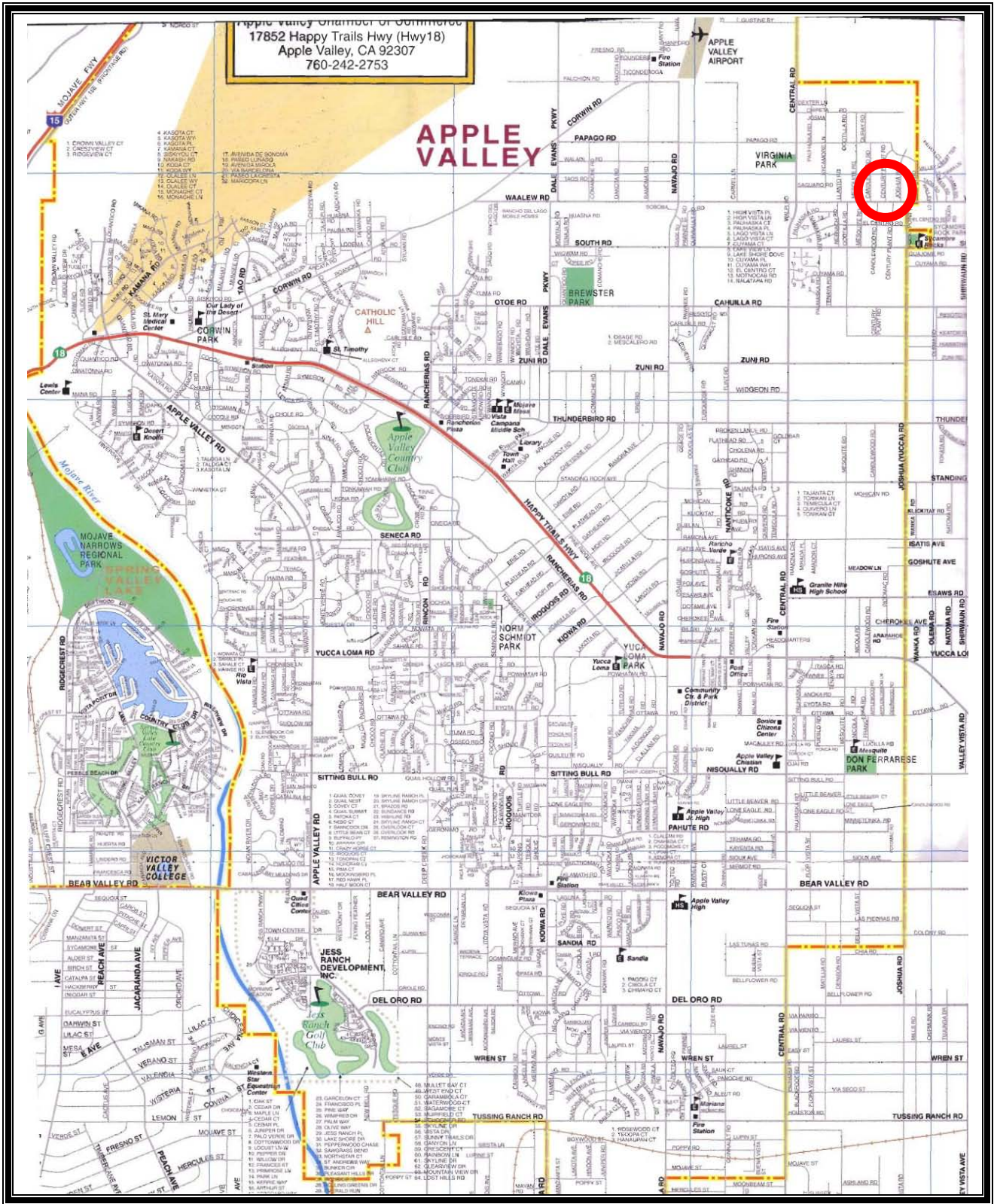
- NOTES:**
- 1. THE BASIS OF BEARING TAKEN FROM THE EAST LINE OF TRACT MAP 3318 N.E. 46/13 IS BEING 89°07'00"E.
 - 2. DECKETS SET 1" I.P.A. THROUS REC 29200
 - 3. EAVES, ROOF, BUTL AND TRACT MAP 3318, 3319, 3320 AND 3321, 3322 AND 3323, 3324 AND 3325, 3326 AND 3327, 3328 AND 3329 OR AS NOTED
 - 4. AS EVIDENCED BY THE NOTIFICATION AND AMENDMENT OF THE PUBLIC RECORDS FOR TRACT MAP 3318 N.E. 46/13
 - 5. ALL EAVES, ROOF LINES, SHOWN HEREON WITH IDENTIFICATION THEREON AND THE LOCATION OF THE COMMUNICATION TOWER AND THE LOCATION OF THE COMMUNICATION TOWER IS SHOWN HEREON AS SHOWN IN THE PUBLIC RECORDS.



BASIS OF BEARING

NO. 35 SEC. 35
 SUB. ACC. 13-5-2014 95/29
 S. 10. P. OF SUBDIVISION P. 13
 COUNTY FIELD BOOK 4219
 PAGE 281

NO. 35 SEC. 35
 SUB. ACC. 13-5-2014 95/29
 S. 10. P. OF SUBDIVISION P. 13
 COUNTY FIELD BOOK 4219
 PAGE 281



LOCATION MAP



A Better Way of Life

Town of Apple Valley

14955 Dale Evans Parkway • Apple Valley, California 92307

March 8, 2007

Mr. Ron Kidd
D.G.R.K. Inc.
20162 Highway 18, Suite G #185
Apple Valley, CA 92307

Subject: Tentative Parcel Map No. 18370 at 17087 Century Plant Road

Dear Mr. Kidd:

At the March 7, 2007 regularly scheduled meeting, the Planning Commission reviewed and approved the above referenced project to subdivide a 2.3 acre parcel into two (2) parcels within the Estate Residential (R-E) zone. The site is located at 17087 Century Plant Road; APN 0437-153-10.

This action of the Town of Apple Valley shall not be final for a period of ten (10) days from the date of Planning Commission action to allow for the filing of any appeal pursuant to the Town's Development Code, Section 9.12.250, with the Town Clerk of the Town of Apple Valley.

This approval shall expire three (3) years from the date of the action (**on March 7, 2010**), 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 amended and approved by the Planning Commission and as accepted by the applicant at the public hearing. If you have any questions on this matter, please contact the Town's Planning Division at (760) 240-7000, ext. 7200. 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,

Lori Lamson
Assistant Director of Community Development

c: file

TOWN OF APPLE VALLEY

FINAL CONDITIONS OF APPROVAL

Case No. Tentative Parcel Map No. 18370

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. 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.
- 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
Golden State Water Company
Apple Valley Public Services Division
Apple Valley Engineering Division
Apple Valley Planning Division
- P3. The filing of a Notice of Exemption requires the County Clerk of the Board of Supervisors 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. 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.
- P5. Approval of the Tentative Parcel Map No. 18370 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.

- P6. 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.
- P7. 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.
- P8. All lots shall have a minimum gross lot area of 43,560 square feet. All lots shall have a minimum depth of 250 feet and a minimum width of one-hundred 125 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 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) feet.
- P9. The project shall conform to the recorded Tract No. 3318 development standards for front yard building setbacks of thirty (30) feet
- P10. The project shall conform to the side-yard building setback of twenty-five (25) feet as shown on the side-yard setback overlay map.
- P11. Except as noted in these Conditions, the project shall conform to all site development standards for the Estate Residential (R-E) zone.
- P12. 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.
- P13. Residential structures developed on the two (2) parcels shall have a distinct variation to the building elevations subject to the review and approval of the Planning Division.
- P14. The accessory structure located on Parcel No. 2 shall be removed prior to map recordation.

Building and Safety Division Conditions of Approval

- B1. Grading and drainage plans are to be submitted to, and approved by, the Building Official prior to permit issuance.
- B2. 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.
- B3. All utilities shall be paced underground in compliance with Town Ordinance No. 89.

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.

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 retaining onsite drainage flows from a 100 year design storm.
- EC2. ~~Street improvement plans shall be submitted to the Town Engineer for review and approval. (Removed by Planning Commission 3/7/2007)~~
- EC3. ~~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. (Removed by Planning Commission 3/7/2007)~~
- EC4. ~~Century Plant Road adjacent to the property shall be improved to the Town's half width Local Street standards. (Removed by Planning Commission 3/7/2007)~~
- EC5. 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.
- EC6. All required improvements shall be constructed and approved or bonded in accordance with Town Development Code.
- EC7. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC8. 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.
- EC9. 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.
- EC10. Utility lines shall be placed underground in accordance with the requirements of the Town. (Municipal Code Section 14.28)
- EC11. 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.

- EC12. Traffic impact fees adopted by the Town shall be paid by the developer.
- EC13. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.
- EC14. Any required street striping shall be thermoplastic as approved by the Town Engineer.
- EC15. 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.

Community Services Conditions of Approval

- CS. The Construction and Demolition Recycling Ordinance of the Town of Apple Valley requiring diversion of a minimum of 50% of the waste generated on the project site(s) shall be observed. The contractor or designee shall prepare a Waste Management Plan and provide the Town with copies of weigh tickets, receipts or other acceptable proof of diversion.

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.

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 combustible vegetation, such as dead shrubbery and dry grasses, shall be removed from existing buildings 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

END OF CONDITIONS