



APPLE VALLEY PLANNING COMMISSION AGENDA

Wednesday, September 21, 2022, 6:00 p.m.
Council Chamber

This meeting is broadcast live and viewable on frontier channel 29 or charter spectrum channel 186 and live streamed online at applevalley.org. For individuals not physically present and still wishing to make public comments, you may comment in one of two ways:

- 1) Comments and contact information can be emailed to publiccomment@applevalley.org to be included in the record;
- 2) A request to speak can be emailed to the same address as above and at the time of the requested agenda item, the town clerk will place a phone call to the commenter and allow them to speak to the council via speaker phone during the live meeting for up to three minutes.

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.

Pages

1. Call to Order

2. Opening Ceremonies

2.1. Pledge of Allegiance

3. 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.

4. Approval of Minutes

Recommended Motion:

To approve the minutes of the regular meeting of August 17, 2022.

4.1. **Planning Minutes for 8.17.2022**

3

PREPARED BY:Debbie S. Rivera, Planning Secretary

RECOMMENDATION:Approve

5. **Public Hearings**

5.1. **CASE NUMBER: Tentative Tract Map No. 20128 Extension of Time No. 1**

8

APPLICANT:Frontier Land Holdings, Inc.

PROPOSAL:This is a request for a three (3) year time extension to a previously approved tentative subdivision of 101 acres into 137 single family residential lots in a Single Family Residential (R-SF) District.

LOCATION:Located at the southwest corner of Geronimo and Deep Creek Road (APN: 3087-171-07)

ENVIRONMENTAL

DETERMINATION:There is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for Tentative Tract Map No. 20128, and adopted on March 7, 2018 by the Planning Commission. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.

CASE PLANNER: Yenifer Cid, Assistant Planner

RECOMMENDATION:Approval

6. **Other Business**

7. **Planning Commission Comments**

8. **Staff Comments**

9. **Adjournment**

Recommended Motion:

The Apple Valley Planning Commission will adjourn to its next regularly Scheduled Planning Commission meeting on October 5, 2022 at 6:00 p.m.



Planning Commission Agenda Report

DATE: September 21, 2022
TO: Planning Commission
CASE NUMBER: Approval of Minutes
PREPARED BY: Debbie S. Rivera, Planning Secretary
RECOMMENDATION: Approve

RECOMMENDATION

- A. Approve the Planning Commission minutes of August 17, 2022.

ATTACHMENTS

- A. Minutes for the meeting of August 17, 2022

**MINUTES
TOWN OF APPLE VALLEY
PLANNING COMMISSION
REGULAR MEETING**

August 17, 2022

CALL TO ORDER

Chairman Arias called to order the regular meeting of the Town of Apple Valley Planning Commission at 6:00 p.m.

Roll Call

Present: Commissioners North, Kallen, Tinsley, Vice-Chairman Lanyon, Chairman Arias
Absent: None.

Staff Present

Daniel Alcayaga, Planning Manager; Thomas Rice, Town Attorney; Amanda Malone, Assistant Planner; Hannah Raleigh, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner North.

PUBLIC COMMENTS

None.

APPROVAL OF MINUTES

1. Approval of Minutes

1a. Minutes for the Regular Meeting of August 17, 2022.

MOTION

Motion by Commissioner Tinsley, seconded by Commissioner North to approve the minutes of June 15, 2022.

Roll Call Vote

Yes: Commissioner North
Commissioner Tinsley

1A-1

Commissioner Kallen
Vice-Chairperson Lanyon
Chairman Arias

Noes: None
Abstain: None
Absent: None

Motion carried 5-0-0-0

PUBLIC HEARINGS

It was the consensus of the Planning Commission to hear Agenda Item #3 at this time.

3. Tentative Parcel Map No. 20571

Applicant: Doug Vance/Altec Engineering
Location: APN 3112-676-01

Chairman Arias opened the public hearing at 6:04 p.m.

Amanda Malone, Assistant Planner, presented the staff report as filed with the Planning Division.

Randy Coleman, Altec Engineering, stated that the applicant was in concurrence with the conditions of approval as presented. He also recommended that Cholena Road should include a 30-foot dedication on the north side of the road.

Thomas Rice, Town Attorney, stated that based on the comments, staff recommends the motion include an additional condition, EC-10 – “A 30-foot ½ width Road Dedication along Cholena Road shall be granted to the Town of Apple Valley prior to final map approval.

Mr. Coleman again confirmed that the applicant was in agreement with the conditions of approval including the addition of EC-10.

There being no requests to speak, Chairman Arias closed the public hearing at 6:10 p.m.

MOTION

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

1. Find that pursuant to the California Environmental Quality Act (CEQA), Section No. 15315 (Minor Division), 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 Tentative Parcel Map No. 20571, subject to the attached Conditions as amended to add EC-10.

Yes: Commissioner North
Commissioner Tinsley
Commissioner Kallen
Vice-Chairperson Lanyon
Chairman Arias

Noes: None
Abstain: None
Absent: None

Motion carried 5-0-0-0

2. Variance No. 2022-001

Applicant: Sami Allakkis
Location: APN 043-243-02

Chairman Arias opened the public hearing at 6:11 p.m.

Amanda Malone, Assistant Planner, presented the staff report as filed with the Planning Division.

Sami Allakkis, Applicant, confirmed that he was in agreement with the conditions of approval as presented.

There being no requests to speak, Chairman Arias closed the public hearing at 6:14 p.m.

MOTION

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

- 1 Find that pursuant to the California Environmental Quality Act (CEQA), Section 15305, Class 5 (Minor Alteration in Land Use Limitations), 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 for Variance No. 2022-001.
3. Approve Variance No. 2022-001, subject to the attached Conditions of Approval.

Yes: Commissioner North
Commissioner Tinsley
Commissioner Kallen
Vice-Chairperson Lanyon
Chairman Arias
Noes: None
Abstain: None
Absent: None

Motion carried 5-0-0-0

OTHER BUSINESS

None.

PLANNING COMMISSION COMMENTS

None.

STAFF COMMENTS

None

ADJOURNMENT

Motion by Commissioner Kallen, seconded by Commissioner Tinsley, and unanimously carried, to adjourn the meeting of the Planning Commission at 6:17 p.m. to the meeting of September 21, 2022.

Respectfully Submitted by:

Hannah Raleigh
Planning Secretary

Approved by:

Chairman Arias



Planning Commission Agenda Report

- DATE:** September 21, 2022
- TO:** Planning Commission
- CASE NUMBER:** Tentative Tract Map No. 20128 Extension of Time No. 1
- APPLICANT:** Frontier Land Holdings, Inc.
- PROPOSAL:** This is a request for a three (3) year time extension to a previously approved tentative subdivision of 101 acres into 137 single family residential lots in a Single Family Residential (R-SF) District.
- LOCATION:** Located at the southwest corner of Geronimo and Deep Creek Road (APN: 3087-171-07)
- ENVIRONMENTAL DETERMINATION:** There is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for Tentative Tract Map No. 20128, and adopted on March 7, 2018 by the Planning Commission. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.
- CASE PLANNER:** Yenifer Cid, Assistant Planner
- RECOMMENDATION:** Approval
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PROJECT SITE AND DESCRIPTION

- A. Project Size:
The existing parcel is approximately 101 acres in size.
- B. General Plan Designations:
Project Site - Single-Family Residential (R-SF)
North - Single-Family Residential (R-SF)
South - Regional Commercial (C-R)
East - Single-Family Residential (R-SF)
West - Office Professional (O-P) and Regional Commercial (C-R)

C. Surrounding Zoning and Land Use:

- Project Site- Single-Family Residential (R-SF), Vacant
- North - Single-Family Residential (R-SF), Vacant
- South - Regional Commercial (C-R), Vacant and Single-family residence
- East - Single-Family Residential (R-SF), Single-family residence
- West - Office Profession (O-P) and Regional Commercial (C-R), Vacant

D. Site Characteristics:

The property is approximately 101 acres in size. The subject property is the site of a former horse track and stables. The property is vacant and shows signs of disturbance from this past activity.

ANALYSIS

A. Background

The Planning Commission approved Tentative Tract Map No. 20128 on March 7, 2018 with an expiration date of March 7, 2021. The tentative map was eligible for an automatic eighteen (18) month legislative time extension at the end of 2021 (AB 1561). In accordance with the Town of Apple Valley Development Code and in compliance Section 66452.6(e) of the Subdivision Map Act, the applicant is now requesting a three (3) year extension of time.

B. General:

The applicant is seeking approval of Tentative Tract Map No. 20128 that will subdivide approximately 101 acres into 137 lots. The Single-Family Residential (R-SF) zoning designation sets minimum property size standards for land uses, subject to conformance with the provisions of the Development Code. The R-SF zoning designation requires a minimum lot size of 18,000 square feet, minimum lot width of 100 feet, and a minimum lot depth of 150 feet. Corner lots are required a minimum lot size 20,000, minimum lot width of 115 feet and a minimum lot depth of 150 feet. The lots range in size from 18,000 to 42,701 square feet which meets the minimum lot size requirement.

The Extension of Time process affords the Town an opportunity to review subdivisions for compliance with current site development standards. There have been no significant modifications to the Development Code; therefore, the proposed subdivision, as previously approved, remains in compliance with the existing development standards. There have been no physical alterations or improvements made to the property that necessitates changes to the Conditions of Approval, however; additional changes to the Conditions of Approval are recommended for consistency with the Town's Standard Conditions of Approval.

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. For the Commission's convenience, staff has included the original Conditions of Approval with substantive recommended modifications in ~~strikeout~~ (deletions) and underline (additions).

C. Analysis:

In accordance with Code Section 9.28.050E2, a fourteen (14)-foot and sixteen (16)-foot wide

easement is required along the east side of Deep Creek to allow for landscaping, bike paths and multi-use trails. This provides greater flexibility in streetscape landscape design and avoids a tunnel effect created by unbroken sound walls placed too close to the street. The map indicates a twelve (12)-foot wide landscape easement along Deep Creek Road.

No new development or construction activities are proposed with this Planning Commission action; however, a Development Permit is required for homes built within a subdivision of five (5) or more lots. As part of the development process, a Development Permit review and approval by the Planning Commission is required for the architecture of the residential structures.

The proposed Project allows for the logical and orderly extension of residential development in an area that is already partially developed with residential development that have similar densities and lot sizes and a tentative tract map to the north.

The Tentative tract map does not indicate dedicated points of ingress and egress. However, the Engineering Division is requiring Deep Creek Road be improved to access road standards from the project boundary to Bear Valley Road to the south, and Geronimo Road from the project boundary to existing paved section of Geronimo Road to the east.

The residential lots range in size from 18,000 square feet to 42,701 square feet. The average lot size for the project is 20,607 square-feet. The lettered lots are proposed to be common areas to be used for landscape areas and used as water quality retention basins. The development will not be a gated community, and the interior streets are designed to meet the Town's standard as public streets. The Project will include a six (6)-foot high block wall surrounding the proposed residential community except where one already exists. The project has been conditioned that if fencing is required to secure the drainage channel that the fencing be decorative in nature, such as wrought iron.

1. Traffic and Circulation

The circulation plan for the tract is designed to provide safe and efficient access to the future and existing residential neighborhoods and park area. All street and roadway design plans will adhere to the required Town standards at all intersections and driveways.

Deep Creek Road, which is currently unimproved, will be re-aligned and is required to provide full-width street improvements within the project boundary. The alignment matches up with the Tentative Tract Map No. 18763 to the north.

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 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 proposal is required to retain onsite drainage flows from a 100-year design storm by way of a retention basin, dry-wells or any combination thereof.

3. Sewer Connection

The project is required to connect to the public sewer.

D. Environmental Assessment:

There is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project and adopted by the Planning Commission on March 7, 2018. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.

E. Noticing:

The proposed time extension to Tentative Tract Map No. 20218 was legally noticed to all property owners within 700 feet on September 8, 2022 and published in a local newspaper on August 30, 2022.

F. 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 (A)(5) of the Development Code and a comment to address each:

1. 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 and Zoning designation of Single-Family Residential (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 divide 101 acres into 137 lots ranging in size of 18,000 square-feet to 42,701 square-feet. The average lot size for the project is 20,607 square-feet. With adherence to the recommended conditions, the project 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: The proposal consists of a land subdivision located on residentially designated land for the purpose of future residential development at the density allowed by the underlying zoning. No houses are being removed and housing needs will not be negatively impacted.

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. 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 requirement, 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.

- 5. In order to avoid the creation of undevelopable parcels of land, any subdivision falling wholly or partially in areas of fifteen (15) percent or steeper slopes shall be subject to the findings contained in Section 9.71.060.D of this Chapter.

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, there is no new substantial change in the project or new information that would result in new, significant environmental impacts beyond those identified within the Mitigated Negative Declaration that was prepared for this project and adopted by the Planning Commission on March 7, 2018. Therefore, pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, the proposed request is not subject to further environmental review.
- 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. 20218, subject to the attached, Conditions of Approval, as amended.
- 4. Direct Staff to file the Notice of Exemption.

Prepared by:

Reviewed By:

Yenifer Cid
Assistant Planner

Daniel Alcayaga
Planning Manager

ATTACHMENTS

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

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Case No. Tentative Tract Map No. 20128, 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. 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 Public Works Division
Apple Valley Engineering Division
Apple Valley Planning Division
Liberty Utilities

- P3. The applicant agrees 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. The filing fee for a Notice of Exemption (NOE) requires the County Clerk to collect a handling fee of \$50.00. The fees must be paid within five (5) days of the approval of this application in order to reduce the Statute of Limitations to thirty (30) days. All fees must be submitted prior to the issuance of any permits. The check shall be made payable to the Clerk of the Board of Supervisors and submitted to the Planning Division for processing.

- P5. The approval of Tentative Tract Map No. 20128 Extension of Time 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.

- P6. 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.

The development of single-family residences will require the installation of landscaping within the required front and street-side yard setbacks. A minimum of four (4) landscape plans shall be submitted for review with the Development Permit.

- P7. Prior to recordation of Final Map, three sets of detailed landscaping and irrigation plans for the parkway area and subdivision entrances, 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.
- P8. Landscaping shall be installed in accordance with Chapter 9.75, Water Conservation Landscape Regulations of the Development Code. Xeriscape landscaping techniques are encouraged for use in parkway areas, which typically consists of drought tolerant, native type plants, trees and groundcover. Tract areas which back onto rights-of-way shall be landscaped as required by Subsection 9.75.040.E, "*Landscape Improvement Requirements*". Final landscape and irrigation plans shall be submitted and installed for each individual unit, prior to issuance of occupancy permits.
- P9. 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.
- P10. The applicant/developer shall install the landscaping along Deep Creek Road and within the retention/detention basin, and drainage channel. Any fencing that may be required along the 150' wide drainage channel/easement shall be decorative in design. Chain link is not considered decorative.
- P11. The applicant/developer shall form a Home Owners Association (HOA) or annex into an assessment district to maintain the landscaping and lighting standards of the development, and any retention basin created.
- P12. In accordance with Code Section 9.28.050E2, a fourteen (14)-foot and sixteen (16)-foot wide easement is required along Deep Creek to allow for landscaping, bike paths, and multi-use trails.
- P13. All trails shall be developed in conformance with the Multi-Use and Equestrian Trails standard within the (R-EQ) portion of the project. This requires the development and installation of trails on the north and west side of the right-of-way in lieu of sidewalks.
- P14. All subdivision walls proposed for construction along the perimeter of the property lines shall be constructed of decorative slump stone, split face, or other decorative masonry material. Prior to the issuance of a grading permit, Developer/applicant shall submit detailed plans showing all proposed walls for this subdivision subject to approval by the Assistant Town Manager of Community Development (or designee).
- P15. 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.
- P16. A minimum 3 to 6-foot-tall CMU wall (or equivalent, minimum 3.5 lbs/ sq ft of face area) shall be constructed for Lot No. 8-11, 110-119,120-126. Wall height will depend on the lot location (refer to Exhibit G of Noise Impact Study for location). The effective wall height must be positioned either on top of the slope or above the pad elevation (whichever is taller). Recommended barrier must be present solid face from top to bottom. Preventable openings or decorative cutouts shall be avoided. All gaps (except for weeping holes) shall be filled with grout or caulking to avoid noise flanking.
- P17. The project site will require a minimum 25 dB of noise reduction. To achieve 25 dB noise reduction, all first row, 1st floor residential facades (Lot Nos. 8-11, 110-119, 120-126) directly facing Deep Creek Road will require a minimum STC rating of 25. All first row, 2nd floor residential facades (Lot Nos. 8-11, 110-119, 120-126) directly facing Deep Road will require a minimum STC rating of 28. For proper acoustical performance, all exterior windows, doors, and sliding glass doors must have positive seals and weather stripping, and leaks/cracks must be kept to a minimum.
- P18. The project shall conform to the Single-Family Residential (R-SF) development standards.
- P19. No roof-mounted equipment shall be placed on any building unless screened as specifically approved by the Planning Division (except for solar collection panels).
- P20. 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 contour graded to blend with existing natural contours.
- P21. All mitigation measures described in the Initial Study will be implemented as part of the project.
- P22. Prior to recordation of the final map, any phasing of the map shall be approved by the Planning Division.
- P23. Prior to the issuance of a grading permit, the applicant shall demonstrate compliance with MDAQMD regulations for the control of fugitive dust emissions by preparing and submitting a Dust Control Plan for review and approval by MDAQMD. The Dust Control Plan shall describe all fugitive dust control measures to be implemented before, during, and after any dust generating activity. The measures described in the plan shall be made condition of approval of the ground disturbing permits.
- P24. The applicant's SWPP shall be submitted to the Lahontan Regional Water Quality Control Board. Proof of said approved plan and associated certification shall be provided to the Town prior to the issuance of grading permits.
- P25. Prior to grading of the site, a current biological survey (within 30 days) shall be completed and submitted to the Planning Division. 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 July 29, 2013. In the event evidence of special status

species are present, appropriate permits shall be obtained from the U.S. Fish and Wildlife Service and California Department of Fish and Game (CDFG).

- P26. In the event that Native American cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall be hired to assess the find. Work on the other portions of the project outside of the buffered area may continue during this assessment period. Additionally, San Manuel Band of Mission Indians will be contacted if any such find occurs and be provided information and permitted/invited to perform a site visit when the archaeologist makes his/her assessment, so as to provide Tribal input.
- P27. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 24 hours of notification by the NAHC. The MLD may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

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 reduce the post-development site-developed flow to 90 percent of the pre-development flow for a 100-year design storm.
- 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 with curb, gutter and street pavement. Minimum residential width of streets shall be thirty-six (36) feet curb to curb.
- EC4. All streets abutting the development shall be improved a minimum half-width of 28 feet improvements standards with curbs, gutters and sidewalks on the development side.
- EC5. A 40-ft wide (30 half-width plus 10') road dedication along Geronimo Road adjacent to the property shall be granted to the Town of Apple Valley prior to Final Map Approval.
- EC6. An 88-ft wide full-width road dedication along Deep Creek Road within the property shall be granted to the Town of Apple Valley prior to Final Map Approval.

- EC7. Deep Creek shall be improved to the Town's full-width Secondary street standards within the tract boundary.
- EC8. Deep Road shall also be constructed to the Town's Access Road Standard from the south tract boundary to Bear Valley Road and from the north tract boundary to Geronimo.
- EC9. Geronimo Road shall be improved to the Town's half-width Local street standards, within the tract boundaries. Geronimo Road shall also be constructed to the Town's Access Road Standard with A.C. curbs from the tract to the existing paved section of Geronimo Road east of the project.
- EC10. During the grading of the roads, soils testing of the road subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural road section. Minimum asphalt concrete thickness for all streets shall be 0.33 ft.
- EC11. All required improvements shall be bonded in accordance with Town Development Code unless constructed and approved prior to approval and recordation on the Final Map.
- 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 submitted to the Town Engineer prior to issuance of a grading permit for review and approval. 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 basins/drainage channel and parkway landscaping along Deep Creek Road, the trail along the old alignment of Deep Creek Road, and for accessory structures, street lights, shall be formed by the developer prior to final map approval.
- 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.
- 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. Unimproved Cross lot drainage shall not be allowed.
- EC24. 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 shall be levied.
- EC25. 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.
- EC26. Easements, as required for roadway slopes, drainage facilities, utilities, access to adjacent properties, etc., shall be submitted and recorded as directed by the Town Engineer. No structures shall be placed on any part of the easements except those directly related to the purposes of said easements.
- EC27. The detention basins and channel shall be designed to include the Town's Standard Two-Stage drywells.
- EC28. The sliver of land located on the southwest corner of Geronimo Road and Deep Creek Road shall be incorporated into the proposed drainage system of the tract. This parcel shall be included into the assessment district at the Town's election.
- EC29. The traffic signal and the intersection geometrics at Deep Creek Road and Bear Valley Road shall be modified from a 3-way intersection to a 4-way intersection to accommodate traffic accessing Bear Valley Road to and from the north leg of Deep Creek Road. Intersection modifications shall include a de-acceleration lane/right turn lane for traffic turning northbound from of Bear Valley Road and an acceleration lane turning onto westbound Bear Valley Road as approved by the Town Engineer. Cost relating to Intersection and signal modifications receive traffic impact fee credits per Town Ordinance.

Building and Safety Conditions of Approval

- BC1. 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.
- BC2. Grading and drainage plans must be submitted to and approved by the Building Official, Planning Department and Town Engineer prior to permit issuance.
- BC3. Submit plans and obtain permits for all structures and retaining walls, 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 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 the 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 and/or Paleontologist.
- BC10. A 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 applicable California Building Codes and green Building Code.
- BC12. Best Management Practices (BMP's) are required for the site during construction.
- BC13. Provide Water Quality Management Plan (WQMP) or Alternative Compliance Plan.

Public Works Division Conditions of Approval

- PW1. A sewer feasibility study is required to demonstrate how public sewer collection can be provided by the Town of Apple Valley. Contact the Apple Valley Public Works Department (760-240-7000 ext. 7500) for further details.
- PW2. 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.

- PW3. 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.
- PW4. All existing manholes within project boundaries shall be brought to current Town of Apple Valley Standards. Frame and cover shall be Long Beach Iron Works Inc. X-106E, Alhambra Foundry Inc. LTD. A-1254 or approved equal.
- PW5. Sewer connection fees required.
- PW6. Submit mylars along with three sets of approved plans upon completion of plan check. In addition, the plans must be provided in an electronic format of the Town's choosing. These requirements are the same for the approved plans and the As-Built plans.

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. 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.
- FD4. Fire lanes shall be provided with a minimum width of twenty-six (26) feet, maintained, and identified.

Apple Valley Fire Protection District Ordinance 57
- FD5. 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 one thousand (1,000) feet.
- FD6. 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.

Apple Valley Fire Protection District Ordinance 57
- 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.
- FD8. 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.

FD9. 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 1500 GPM @ 20 psi Residual Pressure on 8" minimum water main size.
Duration 1 Hour
Hydrant Spacing 660 Feet

C. The total number of fire hydrants will be to be determined. 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 Apple Valley Standards.

Install per A.V.F.P.D. Standard Series #101

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 twenty-four (24) hours prior to the desired final inspection date.**

FD10. 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.

FD11. 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.

FD12. The developer shall submit a map showing complete street names within the development, to be approved by the Fire District prior to final map.

FD13. A Knox Box Rapid Entry System shall be required at all gated ingress/egress points within this project.

Liberty Utilities Conditions of Approval

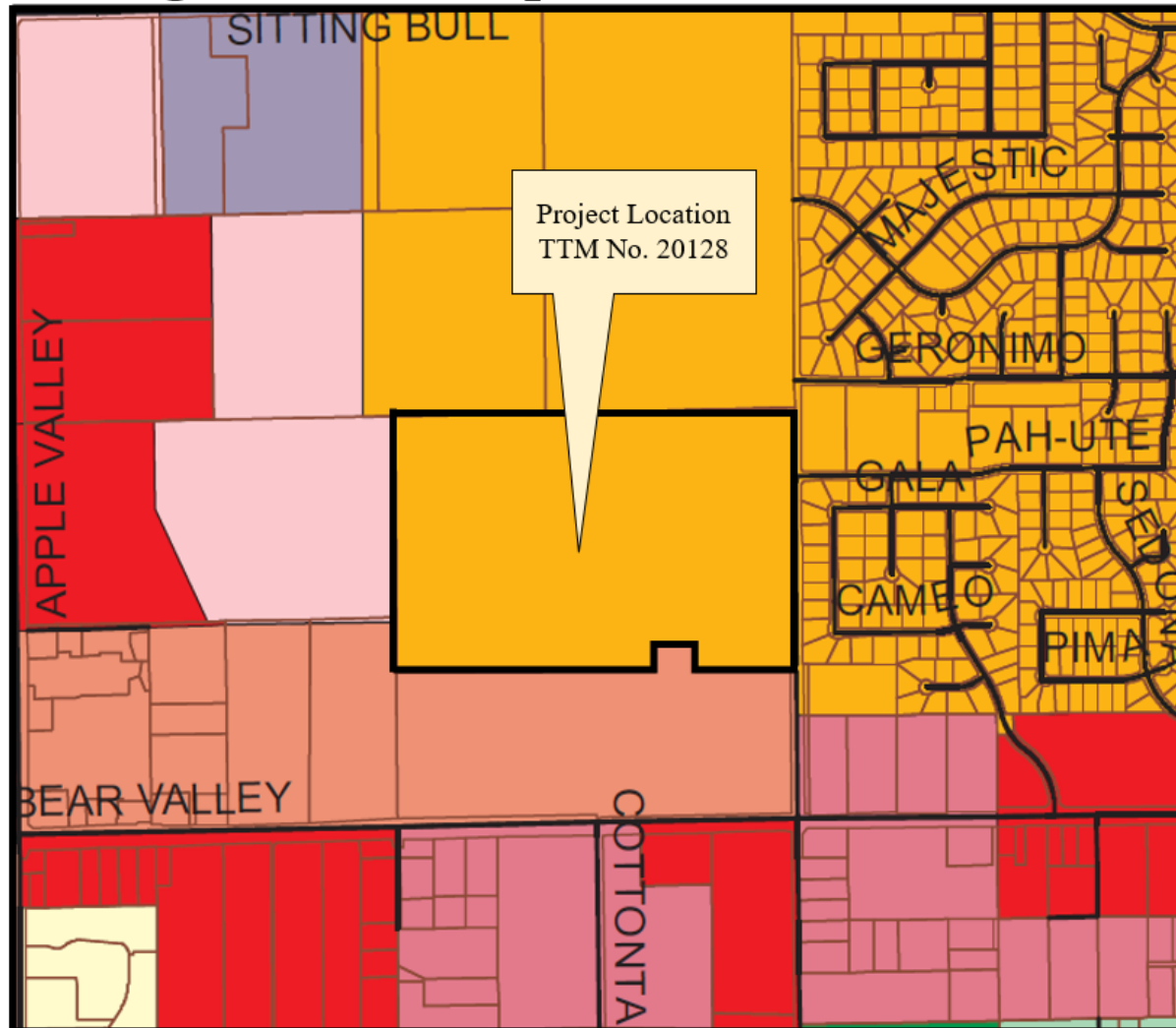
LU1. Water mains must be extended to provide domestic water service and fire protection for this development in accordance with Apple Valley Fire Protection District's conditions.

- LU2. A water main extension contract between the developer and Liberty Apple Valley is required and must comply with Rule 15 of the California Public Utilities Commission. Subject to the terms of the contract, the cost of facilities installed as advances will be reimbursed to the developer at 2.5 percent per year for 40 years, with no interest. 20” diameter main shall be extended on Deep Creek Road and a 12” main extended on Geronimo Road and connect to existing mains near the tract boundary. 8” diameter mains will be extended on all interior streets.
- LU3. High pressure transmission mains will be installed in Deep Creek and Geronimo Roads to supply water to this development. Lots west of Deep Creek Road will require the water mains to be served by pressure reducing stations.
- LU4. Water mains and appurtenances required throughout the tract will be installed in accordance with Liberty Apple Valley’s standards and specifications.
- LU5. Fire hydrants are required to be located in accordance with Apple Valley Fire Protection District’s requirements and installed per Liberty Apple Valley standard drawings.
- LU6. Water facilities will be installed in dedicated public Rights-of-Ways and/or public utility easements and must be identified and shown on the approved tract map and the water improvement plans. These dedications and/or easements are needed to install, maintain, repair, connect, operate, and inspect the proposed water facilities with unobstructed vehicular access.
- LU7. Domestic service lines will be installed to each lot from the proposed water main. Irrigation service lines will be located to serve those lots as required by Town of Apple Valley Landscape Maintenance District. Developer to provide locations on water improvement plans.
- LU8. A Supply Facility Fee is required, which will fund development of new wells. This fee will be collected on a per meter basis, which is presently at a rate of \$1,030 per 5/8” equivalent meter.
- LU9. A Supplemental Water Acquisition Fee is also required in order for Liberty to have the water rights to provide water to this project. This is a one-time charge that is subject to change, to be determined at the time of construction. Presently, this fee is \$5,665 per residential lot or equivalent average residential water use.
- LU10. To proceed further, we recommend the owner or developer set up a meeting with our Engineering Department so we can review and provide any additional design parameters and requirements for this project. Feel free to contact us if you have any questions or need any further information.

END OF CONDITIONS

Zoning/Location Map

Tentative Tract Map No. 20128 Extension of Time No. 1





Frontier Land Holdings, Inc.
 Residential Project

Located at SWC of
 Geronimo Road and Deep
 Creek Road.

APN 3087-171-07



Legend

-  Tentative Tract Map No. 20128
-  (R-SF) Single Family Residential (1du/0.4 to 0.9 acres)
-  (O-P) General Commercial
-  (C-R) Regional Commercial
-  (O-P) Office Professional
-  (P-F) Public Facilities
-  (M-U) Mixed-Use

