

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

ACCEPT THE FINAL MAP FOR PARCEL MAP NO. 18893

Applicant: Chris Conners

Location: Between Pah-Ute Rd. & Geronimo Rd., 900 ft west of Sedona Rd.

Summary Statement:

The applicant has complied with all conditions placed on Tentative Parcel Map No. 18893 that are required prior to final map approval. The subject site is located between Pah-Ute Road and Geronimo Road approximately 900 feet west of Sedona Road. This proposed subdivision will subdivide 4.2 acres into four (4) parcels within the Single-Family Residential (R-SF) zone. The Planning Commission reviewed and approved Tentative Parcel Map No. 18893 on December 19, 2007.

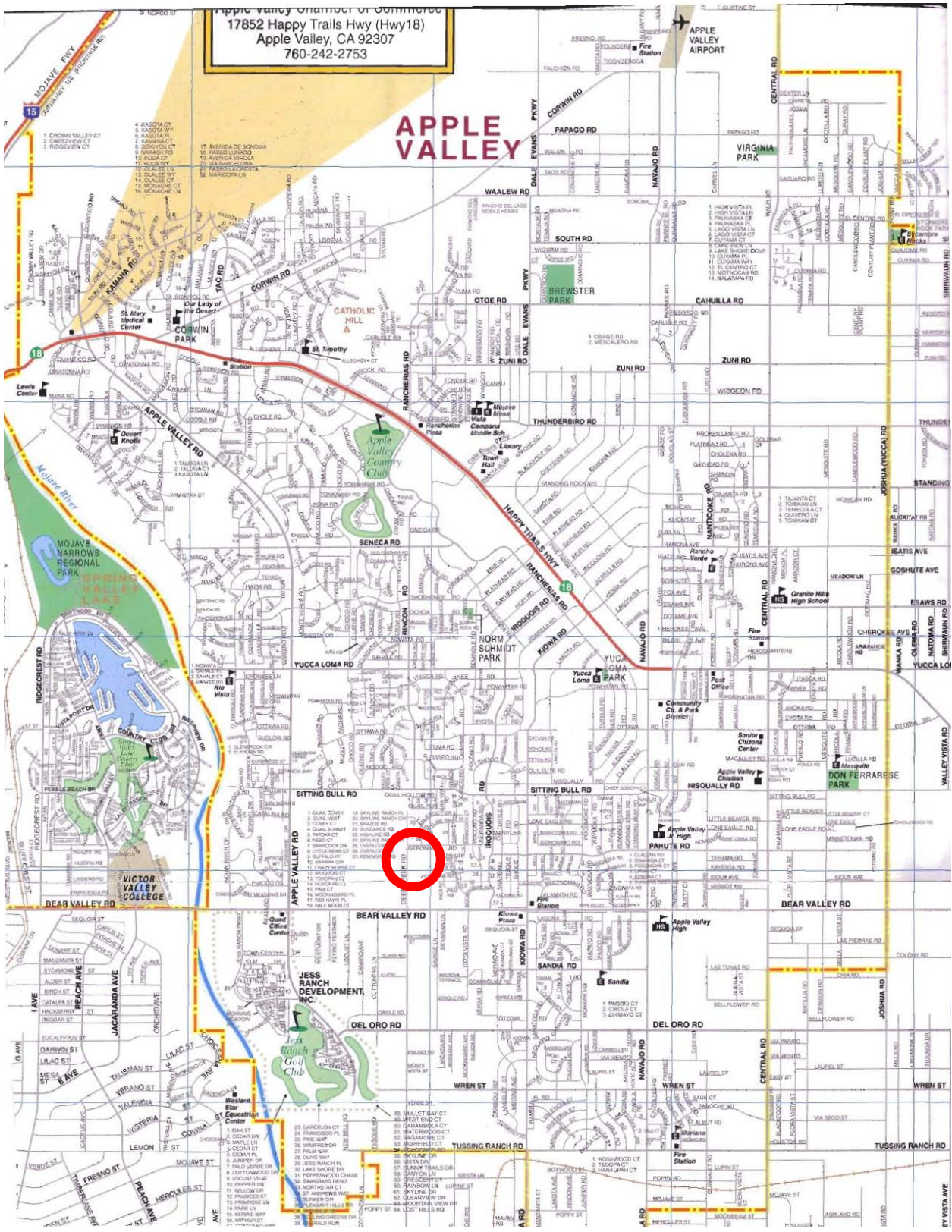
Staff recommends the Town Council accept the Final Map for Parcel Map No. 18893.

Recommended Action:

Move to accept the Final Map for Parcel Map No. 18893.

Proposed by: Engineering Division Item Number _____

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



Apple Valley Chamber of Commerce
 17852 Happy Trails Hwy (Hwy18)
 Apple Valley, CA 92307
 760-242-2753

APPLE VALLEY

LOCATION MAP



A Better Way of Life

Town of Apple Valley

14955 Dale Evans Parkway • Apple Valley, California 92307

December 20, 2007

Ms. Ginger Coleman
Altec Engineering
17995 Highway 18, Suite 4
Apple Valley, CA 92307

Subject: Tentative Parcel Map No. 18893

Dear Ms. Coleman:

At the December 19, 2007 regularly scheduled meeting, the Planning Commission reviewed and approved the above referenced project to subdivide a 4.2 acres into four (4) parcels within the Single-Family Residential (R-SF) zone. The site is located between Pah-Ute Road and Geronimo Roads, approximately 900 feet west of Sedona Road; APN 3087-201-19..

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 December 19, 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 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

FINAL CONDITIONS OF APPROVAL

Case No. Tentative Parcel Map No. 18893

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 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
 - Apple Valley Ranchos 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 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.
- 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. 18893 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. Residential structures developed on the newly created parcels shall have a distinct variation to one another consistent with the "Custom Home Policy" and reviewed and approved by the Planning Division.
- P8. 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.
- P9. The project shall conform to the Single-Family Residential (R-SF) development standards for front, side and rear yard-building setbacks.
- P10. All subdivision walls constructed along the perimeter of the property lines, shall be constructed of slump stone, split face or masonry material. 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).
- P11. 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.

Building and Safety Division Conditions of Approval

- B1. 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.
- B2. Submit plans, engineering and obtain permits for all structures, retaining walls, signs.
- B3. 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.
- B4. 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.
- B5. All utilities shall be placed underground in compliance with Town Ordinance No. 89.
- B6. All cross lot drainage requires easements and may require improvements at the time of development.

- B7. 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 Biologist, Paleontologist.
- B8. A dust palliative or hydro seed will be required on those portions of the site graded but not constructed (phased construction).
- B9. Page two (2) of the submitted building plans will be the Conditions of Approval.
- B10. Construction must comply with current California Building Codes.
- B11. Best Managements Practices (BMP's) are required for the site during construction.
- B12. Comply with State of California Disability Access requirements.

Community Services Division Conditions of Approval:

- CS1. This project is subject to applicable Quimby Fees and/or land dedication requirements 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.

Public Works Division Conditions of Approval:

PRIOR TO RECORDATION:

- PW1. A sewer feasibility study is required to determine 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) to determine procedure and costs associated with completing said study.
- 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. Buy-in fees will be required prior to Recordation. Contact the Public Works Department for costs associated with said fees.

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.
- EC3. Geronimo Road adjacent to the property shall be improved to the Town's half-width Local Road standards, with curb, gutter and sidewalk.

- EC4. Sidewalk shall be constructed to Town standards on Pah-Ute Road, adjacent to the property.
- EC5. A 30-foot wide half-width road dedication along Geronimo Road adjacent to the property shall be granted to the Town of Apple Valley.
- EC6. 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.
- EC7. All drainage easements, brow ditches, swales, etc. shall be submitted to the Town Engineer for review and approval. Backyard retention is not allowed. All cross-lot drainage shall be in improved concrete swales, which are to be approved by the Town Engineer and maintained by the assessment district.
- EC8. All required improvements shall be constructed and approved or bonded in accordance with Town Development Code.
- EC9. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC10. 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.
- EC11. 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.
- EC12. Utility lines shall be placed underground in accordance with the requirements of the Town.
- EC13. 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.
- EC14. Traffic impact fees adopted by the Town shall be paid by the developer.
- EC15. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.
- EC16. Any required street striping shall be thermoplastic as approved by the Town Engineer.

EC17. 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

1. 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.
2. 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.
3. 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