

TOWN OF APPLE VALLEY TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council

Date: October 23, 2012

From: Lori Lamson
Community Development Director

Item No: 7

Subject: General Plan Amendment No. 2012-02: A request to consider a change zone from Public Facilities (P-F) to General Commercial (C-G) for APN 3112-731-22, from Public Facilities (P-F) to Medium Density Residential (R-M) for APN 3087-351-23, from General Commercial (C-G) to Public Facilities (P-F) for APN 3112-731-18, from Medium Density Residential (R-M) to Service Commercial (C-S) for APN(s) 3087-351-09,10,11,27 thru 29, and from Medium Density Residential (R-M) to Public Facilities (P-F) for APN 3087-351-08.

Zone Change No. 2012-01: A request to consider a change zone from Public Facilities (P-F) to General Commercial (C-G) for APNs 3112-731-22, from Public Facilities (P-F) to Multi-Family Residential (R-M) for APN 3087-351-23, from General Commercial (C-G) to Public Facilities (P-F) for APN 3112-731-18, from Multi-Family Residential (R-M) to Service Commercial (C-S) for APN(s) 3087-351-09,10,11,27 thru 29, and from Multi-Family Residential (R-M) to Public Facilities (P-F) for APN 3087-351-08.

Development Code Amendment No. 2012-03: A request to consider an amendment to Title 9 "Development Code" of the Town of Apple Valley Municipal Code amending Sections 9.35.030-A.D.6 & 7 and 9.57.030-A.F.6 relating to government facilities and allowing an office in conjunction with a public utility installation.

Applicant: Town of Apple Valley

Location: APNs 3112-731-22 located at 22400 Conference Avenue. APN 3112-731-18 located 13846 Conference Avenue. APN 3087-351-23: East side of Navajo Road between Powhatan and Ottawa Roads. APN 3087-351-08: 21760 Ottawa Road located on the north side of Ottawa Road, east of Navajo Road. APN(s) 3087-351-09,10,11,27 thru 29 located east side of Osage Road, north of Ottawa Road.

Town-wide for the Development Code Amendment

T.M. Approval: _____

Budgeted Item: Yes No N/A

RECOMMENDED ACTION:
Move to open the public hearing and take testimony.

Close the public hearing. Then:

1. **Determine** that, based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared in compliance with the California Environmental Quality Act (CEQA) and State Guidelines for the Implementation of CEQA for General Plan Amendment No. 2012-02 and Zone Change No. 2012-01, and
2. **Determine** that, pursuant to Section 15061(b)(3) of the State Guidelines to Implement the California Environmental Quality Act (CEQA), it can be determined that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is EXEMPT from further CEQA review for Development Code Amendment No. 2012-03.
3. **Find** the facts presented within the staff report, including the attached Planning Commission staff report for September 5, 2012, support the required Findings for approval of the proposed General Plan Amendment, Zone Change and Development Code Amendment and adopt the Findings.
4. **Adopt** Town Council Resolution No. 2012-51, approving General Plan Amendment No. 2012-02;
5. **Move** to waive the reading of Ordinance No. 439 and Ordinance No. 440 in their entirety and read by title only.
6. **Introduce** Ordinance No. 439, approving Zone Change No. 2012-01; and
7. **Introduce** Ordinance No. 440, approving Development Code Amendment No. 2012-03.
8. **Direct** staff to file a Notice of Determination and Exemption with the San Bernardino County Clerk of the Board of Supervisors.

ANALYSIS:

At the June 26, 2011 Town Council meeting, the Council initiated a General Plan Amendment and Zone Change for several parcels to reflect the existing land uses. On September 5, 2012, the Planning Commission conducted a public hearing on General Plan Amendment No. 2012-02 and Zone Change No. 2012-01. During the Commission's discussion regarding the Public Facilities land use designation, the Commission requested the Council consider amending the Development Code to allow an office in conjunction with a public utility installation and to allow government facilities as a matter of right in the General Commercial zoning district. Upon adopting Planning Commission Resolution No. 2012-05, the Commission included the recommendation that the Council approve the attached Resolution and Ordinances, including Development Code Amendment No. 2012-03.

The Town's current General Plan was adopted on August 11, 2009. With three (3) years since the adoption of the General Plan, staff had discovered a few mapping errors and also the need to appropriately designate existing public facilities with corresponding land use designation.

Amendment Area No. 1 – The site is currently zoned General Commercial (C-G) and developed with the new Mojave Water Agency facility. A Public Facility (P-F) designation is appropriate for a water agency site because it is "intended to provide public facilities, including public schools, cultural institutions, government facilities, libraries, community centers, public hospitals, and public utilities." Based on the use as a public facility, it is appropriate that the site be changed from General Commercial (C-G) to Public Facilities (P-F).

Amendment Area No. 2 – The site is the former Mojave Water Agency and is currently zoned Public Facility (P-F). The P-F designation was appropriate for water agency sites because it is

intended to provide public facilities. However, now that the MWA has vacated the Headquarters Road building, the P-F designation is no longer necessary and should be rezoned to C-G as is the surrounding area.

Amendment Area No. 3 – The site is currently developed with a four (4)-plex. In the 2009 General Plan Update, the property was incorrectly zoned P-F and therefore, it would be appropriate to rezone the property to R-M to reflect the actual land use activity.

Amendment Area No. 4 – The area consists of five (5) parcels, all of which are developed. With the exception of one single-family residence on the corner of Osage and Ottawa Roads, the remaining parcels contain commercial land use activities. Based on the existing land uses, it is appropriate that the area be changed from R-M to Service Commercial (C-S). The C-S is consistent with the predominant commercial zoning within The Village.

Amendment Area No. 5 – The property is currently zoned Multi-Family Residential (R-M) land use designation and occupied by the Apple Valley Ranchos Water Company facility. The (P-F) Public Facilities designation is appropriate for water agency sites because it is “intended to provide public facilities, including public schools, cultural institutions, government facilities, libraries, community centers, public hospitals, and public utilities.” Likewise, the Multi-Family Residential (R-M) land use designation for the Apple Valley Ranchos Water Company property is not appropriate and should be changed to the P-F land use designation, which would reflect the actual land use activity.

Development Code Amendment No. 2012-03 recommends that Sections 9.35.030-A.D.6 & 7 and 9.57.030-A.F.6 be amended as follows:

Section 9.35.030-A.D.6 & 7

D. PUBLIC AND SEMI-PUBLIC USES

6. Government Facilities	CUP	CUP P	CUP	CUP	CUP	CUP
7. Public utility installations, other than <u>including</u> offices	CUP	CUP	CUP	CUP	CUP	CUP

Section 9.57.030-A.F.6

F. PUBLIC AND SEMI-PUBLIC USES

6. Public utility installations, other than <u>including</u> offices	P
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REQUIRED FINDINGS

In considering any General Plan Amendment or Zone Change, the Council is required by the Municipal Code to make specific Findings. The following are the Findings for a General Plan Amendment required under Section 9.02.050 H 3 of the Development Code, with a comment to address each:

1. The proposed General Plan Amendment is consistent with the goals, policies and standards of all elements of the General Plan and will further those goals, policies and standards;

Comment: Staff finds that the proposed General Plan Amendment is consistent with the General Plan goals and policies because it would correct a mapping error and would allow properties to continue to be used for public facilities or commercial activities.

2. The General Plan, as amended, will comprise an integrated, internally consistent and compatible statement of policies for the Town;

Comment: The General Plan Amendment is to correct the land use map mapping error that occurred during the 2009 General Plan update and accurately reflect existing land use activities. Further, staff finds that the existing land uses in Area No. 4 are appropriate and that these uses should be reflected on the General Plan and Zoning maps as C-S given the surrounding land uses.

3. The General Plan Amendment furthers the public interest and promotes the general welfare of the Town by providing for a logical pattern of land uses and clarifying various land use policies for the Town.

Comment: Staff finds that the proposed General Plan Amendment is consistent with the General Plan goals and policies because it would correct a mapping error and would allow the sites to continue to be used for public facilities or commercial activities. Further, staff finds that the existing land uses in Area No. 4 are appropriate and that these commercial uses should be reflected on the General Plan and Zoning maps as C-S given the surrounding land uses.

The following are the Findings for an amendment to the Development Code, as is the Zone Change, as required under Section 9.06.060 and a comment to address each:

1. The proposed Amendment is consistent with the General Plan.

Comment: Staff finds that the proposed Zone Change is consistent with the General Plan goals and policies because it would correct a mapping error and would allow properties to continue to be used for public facilities or commercial activities.

The General Plan provides the basic framework for land development within the Town of Apple Valley, with the Development Code setting the specific standards and criteria to fulfill the General Plan's Goals and Policies. The proposed text amendments to the zoning regulations are consistent with all of the applicable objectives, policies, general land uses, programs, and actions of all applicable elements in the general plan.

2. The proposed Amendment will not be detrimental to the public health, safety or welfare of the Town or its residents.

Comment: Staff finds that correcting the land use map mapping errors that occurred during the 2009 General Plan update to reflect existing land use activities will not be detrimental to the public health, safety or welfare of the Town or its residents.

Development Code Amendment No. 2012-03 proposed text amendments to the Town's zoning regulations are not detrimental to the public convenience, health, safety, or general welfare of the City.

NOTICING

General Plan Amendment No. 2012-02 and Zone Change No. 2012-01 was advertised as a public hearing in the Apple Valley News newspaper on September 28, 2012 and Development Code Amendment No. 2012-03 was advertised as a public hearing in the Apple Valley News newspaper on October 5, 2012 as required under Development Code Section 9.13.030 "Notice of Public Hearings".

ENVIRONMENTAL REVIEW

Based upon an Initial Study, the proposed General Plan Amendment and Zone Change will not have a significant adverse effect on the environment and, therefore, under the State Guidelines to Implement the California Environmental Quality Act (CEQA) a Negative Declaration has been prepared.

Staff has determined that the Development Code Amendment is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the State Guidelines to Implement CEQA, which states that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. As with the proposed amendment that will only result in a minor change to the Code, where it can be seen with certainty that there is no possibility that the activity in question, the proposed Code Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.

RECOMMENDATION

At its meeting of September 5, 2012, the Planning Commission adopted Planning Commission Resolution No. 2015-53, forwarding a recommendation that the Town Council approve General Plan Amendment, Zone Change and Development Code Amendment. Further, the Planning Commission Resolution recommends that the Council adopt the Findings as listed below.

FISCAL IMPACT:

Not Applicable

Attachments:

1. Resolution No. 2012-51
2. Ordinance No. 439
3. Ordinance No. 440
4. Draft Minute excerpts from the September 5, 2012 Planning Commission meeting
5. Planning Commission Resolution No. 2012-05
6. Planning Commission staff report

RESOLUTION No. 2012-51

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 2012-02 A REQUEST TO CONSIDER A CHANGE FROM PUBLIC FACILITIES (P-F) TO GENERAL COMMERCIAL (C-G) FOR APN 3112-731-22, FROM PUBLIC FACILITIES (P-F) TO MEDIUM DENSITY RESIDENTIAL (R-M) FOR APN 3087-351-23, FROM GENERAL COMMERCIAL (C-G) TO PUBLIC FACILITIES (P-F) FOR APN 3112-731-18, FROM MEDIUM DENSITY RESIDENTIAL (R-M) TO SERVICE COMMERCIAL (C-S) FOR APN(S) 3087-351-09,10,11,27 THRU 29, AND FROM MEDIUM DENSITY RESIDENTIAL (R-M) TO PUBLIC FACILITIES (P-F) FOR APN 3087-351-08.

WHEREAS, the Town of Apple Valley is required to adopt and maintain a General Plan; and the General Plan, as amended, will comprise an integrated, internally consistent and compatible statement of policies for the Town; and

WHEREAS, the Town of Apple Valley has an adopted General Plan; and

WHEREAS, on September 28, 2012, General Plan Amendment No. 2012-02 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared in compliance with the California Environmental Quality Act (CEQA) and State Guidelines for the Implementation of CEQA; and

WHEREAS, the Town Council finds on the basis of the whole record before it, including the Initial Study with the Community Development Department and any comments received that there is not substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Town Council's independent judgment and analysis, and

WHEREAS, the Town Council hereby finds that the Negative Declaration reflects its independent judgment. A copy of the Initial Study and Negative Declaration may be obtained at: Town of Apple Valley, Planning Division, 14955 Dale Evans Pkwy., Apple Valley, CA 92307, and

WHEREAS, General Plan Amendment No. 2012-02 is consistent with the goals, policies and standards of all elements of the General Plan as amended and will further those goals, policies and standards; and

WHEREAS, the adoption of General Plan Amendment No. 2012-02 conforms with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and will promote the health, safety and general welfare of the citizens of the Town of Apple Valley, and the Findings and Comments for the General Plan Amendment set forth in the staff report are hereby adopted; and

WHEREAS, The Town Council conducted a duly noticed public hearing on October 23, 2012 and heard all testimony of any person wishing to speak on the issue and considered the written recommendation of the Planning Commission on the matter.

NOW, THEREFORE, BE IT RESOLVED, that in consideration of the evidence received at the public hearing, and for the reasons discussed by the Town Council at said hearing, the Town Council of the Town of Apple Valley, California orders, determines and resolves as follows:

Section 1. Finds that the changes proposed under General Plan Amendment No. 2012-02 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan, as amended, and as amended will comprise an integrated, internally consistent and compatible statement of policies for the Town, and the Amendment will further the public interest and promote the general welfare of the Town by providing for a logical pattern of land uses.

Section 2. The Town Council hereby approves and adopts General Plan Amendment No. 2012-02, amending a portion of the Town of Apple Valley General Plan Land Use Map as shown on attached Exhibit "A",

Section 3. Effective Date. This Resolution shall become effective immediately upon adoption by the Town Council of the Town of Apple Valley.

ADOPTED and **APPROVED** by the Town Council and signed by the Mayor and attested to by the Town Clerk this 23rd day of October, 2012.

Barb Stanton, Mayor

ATTEST:

La Vonda M. Pearson, Town Clerk

EXHIBIT "A"

Proposed General Plan Land Use

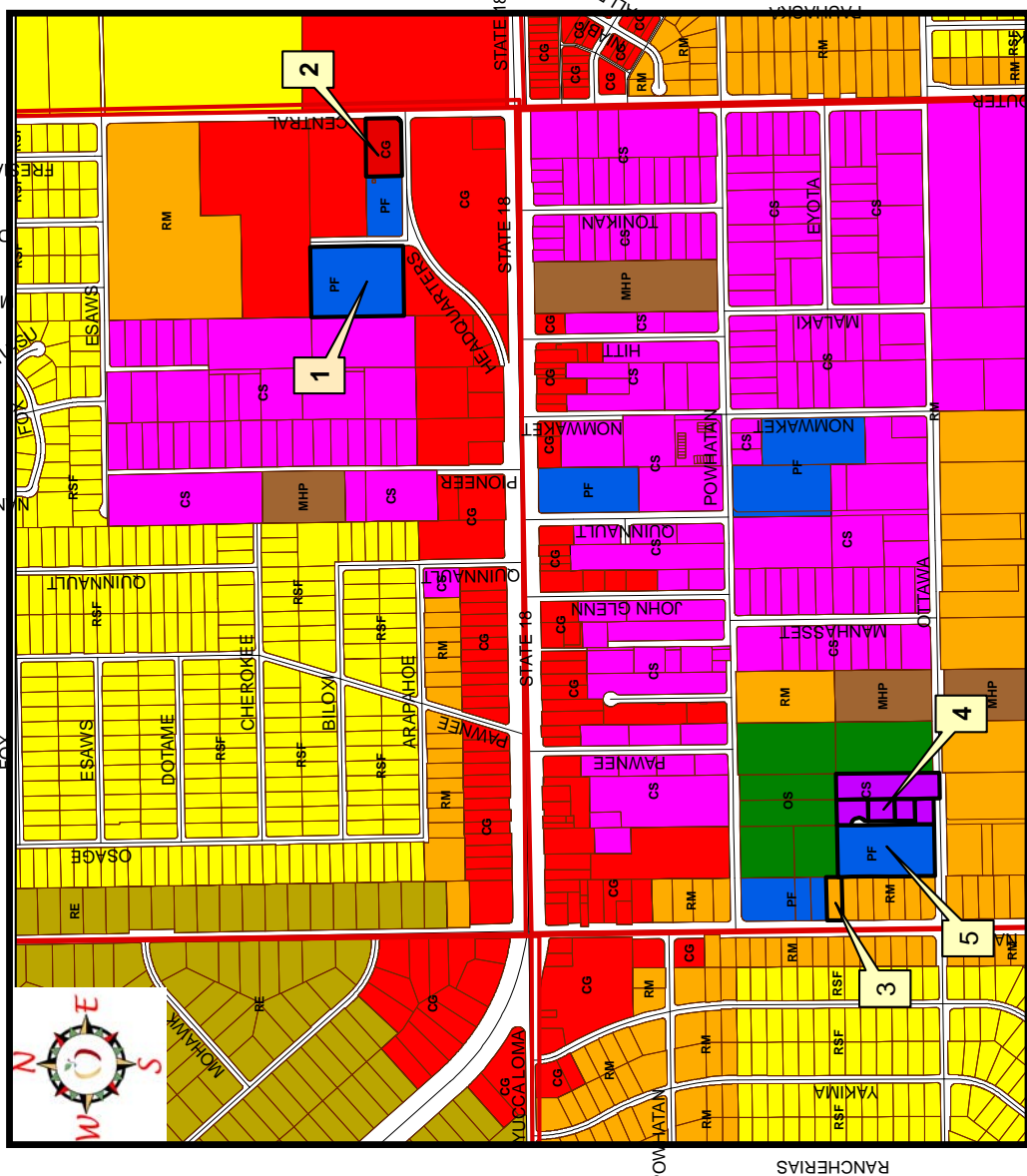
General Plan Amendment 2012-002 and Zone Change No. 2012-001

Proposed modifications:

1. 3112-731-18 General Commercial to Public Facilities
2. 3112-731-22 Public Facilities to General Commercial
3. 3087-351-23 Public Facilities to Multi-Family
4. 3087-351-08 Multi-Family to Public Facilities
5. 3087-357-09, -10, -27, -28 and -29 Multi-Family to Service Commercial

General Plan Designations

- Very Low Density Residential
- Low Density Residential
- Estate Residential
- Estate Residential 3/4
- Single Family Residential
- Medium Density Residential
- Mobile Home Park
- Mixed Use
- Office Professional
- General Commercial
- Service Commercial
- Regional Commercial
- Planned Industrial
- Public Facility
- Open Space
- Mineral Resources
- Specific Plan



1 inch = 1,000 feet

ORDINANCE NO. 439

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DESIGNATION FROM PUBLIC FACILITIES (P-F) TO GENERAL COMMERCIAL (C-G) FOR APNS 3112-731-22, FROM PUBLIC FACILITIES (P-F) TO MULTI-FAMILY RESIDENTIAL (R-M) FOR APN 3087-351-23, FROM GENERAL COMMERCIAL (C-G) TO PUBLIC FACILITIES (P-F) FOR APN 3112-731-18, FROM MULTI-FAMILY RESIDENTIAL (R-M) TO SERVICE COMMERCIAL (C-S) FOR APN(S) 3087-351-09,10,11,27 THRU 29, AND FROM MULTI-FAMILY RESIDENTIAL (R-M) TO PUBLIC FACILITIES (P-F) FOR APN 3087-351-08.

WHEREAS, Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley was adopted by the Town Council on April 27, 2010; and

WHEREAS, Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley has been previously modified by the Town Council on the recommendation of the Planning Commission; and

WHEREAS, specific changes are proposed to Chapter 9.05, Section 9.05.040 "Adoption of the Official Zoning Districts Map" of Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley by amending the zoning designation as shown on Exhibit "A", and incorporated herein by reference; and

WHEREAS, on September 28, 2012, Zone Change No. 2012-01 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared in compliance with the California Environmental Quality Act (CEQA) and State Guidelines for the Implementation of CEQA; and

WHEREAS, the Town Council finds on the basis of the whole record before it, including the Initial Study on file with the Community Development Department and any comments received that there is not substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Town Council's independent judgment and analysis, and

WHEREAS, the Town Council hereby finds that the Negative Declaration reflects its independent judgment. A copy of the Initial Study and Negative Declaration may be obtained at: Town of Apple Valley, Planning Division, 14955 Dale Evans Pkwy., Apple Valley, CA 92307, and

WHEREAS, on October 23, 2012, the Town Council of the Town of Apple Valley conducted a duly noticed and advertised public hearings on Zone Change No. 2012-01, receiving testimony from the public.

NOW, THEREFORE, the Town Council of the Town of Apple Valley, State of California, does ordain as follows:

Section 1. Zone Change No. 2012-01 is consistent with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley, as amended and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

Section 2. In consideration of the evidence received at the public hearing, and for the reasons discussed by the Council at said hearing, the Town Council of the Town of Apple Valley, California, adopts the Findings and Comments for the Zone Change set forth in the Staff Report, and finds that the change proposed by Zone Change No. 2012-01 is consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan as amended, and with General Plan Amendment No. 2012-02.

Section 3. The Town Council hereby amends that certain portion of Title 9 (Development Code) of the Town of Apple Valley Municipal Code, Section 9.05.040 "Adoption of the Official Zoning Map" subsection "B" by amending the boundaries identified on the Official Zoning Map of the Town of Apple Valley by changing the zoning designation as shown on attached Exhibit "A", and incorporated herein by reference.

Section 4. Notice of Adoption. The Town Clerk of the Town of Apple Valley shall certify to the adoption of this ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the Town in a manner permitted under Section 36933 of the Government Code of the State of California.

Section 5. Effective Date. This Ordinance shall become effective thirty (30) days after the date of its adoption.

Section 6. Severability. If any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications and, to this end, the provisions of this Ordinance are declared to be severable.

ADOPTED by the Town Council and signed by the Mayor and attested to by the Town Clerk this 13th day of November, 2012.

ATTEST:

Barb Stanton, Mayor

La Vonda M. Pearson, Town Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

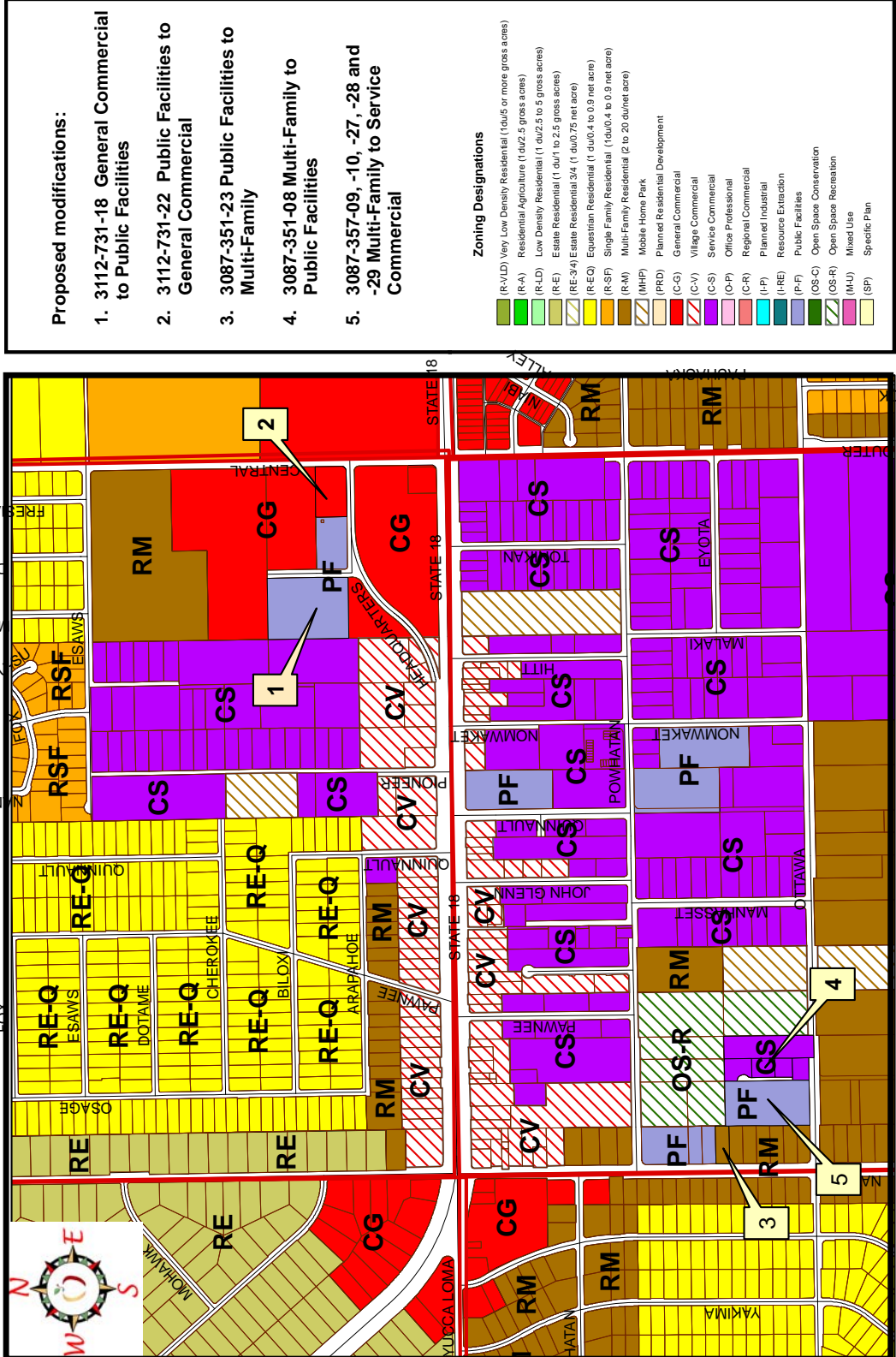
John Brown, Town Attorney

Frank Robinson, Town Manager

EXHIBIT "A"

Proposed Zoning

General Plan Amendment 2012-002 and Zone Change No. 2012-001



Proposed modifications:

1. 3112-731-18 General Commercial to Public Facilities
2. 3112-731-22 Public Facilities to General Commercial
3. 3087-351-23 Public Facilities to Multi-Family
4. 3087-351-08 Multi-Family to Public Facilities
5. 3087-357-09, -10, -27, -28 and -29 Multi-Family to Service Commercial

Zoning Designations

(R-VLD)	Very Low Density Residential (1 du/0.5 or more gross acres)
(R-A)	Residential-Agriculture (1 du/2.5 gross acres)
(R-LD)	Low Density Residential (1 du/2.5 to 5 gross acres)
(R-E)	Estate Residential (1 du/1 to 2.5 gross acres)
(RE-3/4)	Estate Residential 3/4 (1 du/0.75 net acre)
(RE-Q)	Equestrian Residential (1 du/0.4 to 0.9 net acre)
(R-SF)	Single Family Residential (1 du/0.4 to 0.9 net acre)
(R-M)	Multi-Family Residential (2 to 20 du/net acre)
(MHP)	Mobile Home Park
(PRD)	Planned Residential Development
(C-G)	General Commercial
(C-V)	Village Commercial
(C-S)	Service Commercial
(C-P)	Office Professional
(C-R)	Regional Commercial
(I-P)	Planned Industrial
(I-RE)	Resource Extraction
(P-F)	Public Facilities
(OS-C)	Open Space Conservation
(OS-R)	Open Space Recreation
(MU)	Mixed Use
(SP)	Specific Plan

1 inch = 1,000 feet

ORDINANCE No. 440

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, DETERMINING THAT DEVELOPMENT CODE AMENDMENT No. 2012-02 IS EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW AND AMEND TITLE 9 "DEVELOPMENT CODE" OF THE TOWN OF APPLE VALLEY MUNICIPAL CODE, BY AMENDING SECTIONS 9.35.030-A.D.6 & 7 AND 9.57.030-A.F.6 AS IT RELATES TO GOVERNMENT FACILITIES AND OFFICES WITHIN PUBLIC UTILITY INSTALLATIONS

The Town Council of the Town of Apple Valley, State of California, does hereby ordain as follows:

Section 1. Recitals.

(i) Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley was adopted by the Town Council on April 27, 2010; and

(ii) Title 9 "Development Code" of the Municipal Code of the Town of Apple Valley has been previously modified by the Town Council on the recommendation of the Planning Commission; and

(iii) Specific changes are proposed to Title 9 "Development Code" of the Town of Apple Valley Municipal Code by amending Sections 9.35.030-A.D.6 & 7 and 9.57.030-A.F.6; and

(iv) On October 5, 2012, Development Code Amendment No. 2012-02 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

(v) Based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), it can be seen with certainty that Development Code Amendment will not have a direct, adverse impact upon the environment and, therefore, is EXEMPT from further environmental review; and

(vi) On September 5, 2012, the Planning Commission of the Town of Apple Valley conducted a duly noticed and advertised public hearing on Development Code Amendment No. 2011-05, receiving testimony from the public; and

(vii) Development Code Amendment No. 2012-02 is consistent with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

Section 2. Findings.

(i) Find that the changes proposed by Development Code Amendment No. 2011-05 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

(ii) Find that, based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), it can be seen with certainty that the proposed Development Code Amendment No. 2012-02 is not anticipated to have a direct, adverse impact upon the

environment and, therefore, is EXEMPT from further environmental review.

Section 3. Section 9.35.030-A.D.6 & 7 be amended to add the following:

Table 9.35.030-A Permitted Uses

TYPE OF USE ⁽¹⁾	DISTRICT ⁽¹⁾					
	O-P	C-G	C-S	C-R	C-V	M-U

D. PUBLIC AND SEMI-PUBLIC USES

6. Government Facilities	CUP	CUP P	CUP	CUP	CUP	CUP
7. Public utility installations, other than including offices	CUP	CUP	CUP	CUP	CUP	CUP

Section 4. Section 9.57.030-A.F.6 be amended to add the following:

TABLE 9.57.030 -A PERMITTED USES

F. PUBLIC AND SEMI-PUBLIC USES

6. Public utility installations, other than including offices	P
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Section 5. Invalidation. The amendment by this Ordinance of Title 9 “Development Code” of the Town of Apple Valley Municipal Code as previously in effect, or of any other prior enactment, shall not be construed to invalidate any entitlement exercised or proceeding taken pursuant to such Title or other enactment while the same was in effect.

Section 6. Notice of Adoption. The Town Clerk of the Town of Apple Valley shall certify to the adoption of this ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the Town in a manner permitted under Section 36933 of the Government Code of the State of California.

Section 7. Effective Date. This Ordinance shall become effective thirty (30) days after the date of its adoption.

Section 8. Severability. If any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications and, to this end, the provisions of this Ordinance are declared to be severable.

ADOPTED by the Town Council and signed by the Mayor and attested by the Town Clerk this 13th day of November, 2012.

Barb Stanton, Mayor

ATTEST:

La Vonda M-Pearson, Town Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

John Brown, Town Attorney

Frank Robinson, Town Manager

MINUTES

TOWN OF APPLE VALLEY PLANNING COMMISSION Regular Meeting September 5, 2012

CALL TO ORDER

At 6:04 p.m., the Regular Meeting of the Planning Commission of the Town of Apple Valley for September 5, 2012, was called to order by Vice-Chairman Lamoreaux.

ROLL CALL

Planning Commission

Roll call was taken with the following members present: Commissioner David Hernandez, Commissioner Mark Shoup, and Vice-Chairman Jason Lamoreaux. Absent Commissioner B.R. "Bob" Tinsley.

STAFF PRESENT

Lori Lamson, Director of Community Development; Carol Miller, Senior Planner, Haviva Shane, Town Attorney; and Debra Thomas, Planning Commission Secretary.

PLEDGE OF ALLEGIANCE

Commissioner Hernandez led the Pledge of Allegiance.

1. APPROVAL OF MINUTES

- A. Minutes for the Regular Meeting of June 6, 2012.

Motion by Commissioner Hernandez, seconded by Commissioner Shoup, to approve the Minutes for the Regular Meeting of June 6, 2012.

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

PUBLIC HEARING ITEM

2. **General Plan Amendment No. 2012-02 and Zone Change No. 2012-01.** A request to change the General Plan land use designations for the following properties:

- APN 3112-731-22 from Public Facilities to General Commercial;
- APN 3087-351-23 from Public Facilities to Medium Density Residential; and
- APN 3087-351-08 from Multi-Family Residential to Public Facilities
- APNs 3087-357-09, -10, -27, -28 and -29 from Medium Density Residential to Services Commercial

A request to change the zoning designations for the following properties:

- APN 3112-731-22 from Public Facilities to General Commercial;
- APN 3087-351-23 from Public Facilities to Multi-Family Residential; and
- APN 3087-351-08 from Multi-Family Residential to Public Facilities

- APNs 3087-357-09, -10, -27, -28 and -29 from Multi-Family Residential to Service Commercial

Applicant: Town of Apple Valley
Location: Town-wide

Vice-Chairman Lamoreaux opened the public hearing at 6:07 p.m.

Ms. Carol Miller, Senior Planner presented the staff report as filed by the Planning Division.

The Town of Apple Valley ("Town") was contacted by Apple Valley Ranchos Water District expressing its concern with permitted uses in the public facilities portion of the Development Code.

Staff would ask that the Planning Commission recommend to the Town of Apple Valley Town Council ("Town Council") to delete the words "other than" and insert the word "including" in Table 9.57.030-A Permitted Uses, Item No. F-6

Commissioner Shoup asked for clarification on whether or not the parcels encompassed in this Zone Change were fully developed and whether or not it would affect future development. In addition, he wanted to know if there were any single family homes within the requested amended areas.

Ms. Miller informed the Planning Commission that there was a parcel containing one single-family residence that faced Ottawa Street.

Discussion ensued on whether or not the single-family residence would conform to the proposed amendments.

Commissioner Hernandez asked if there were any objections received from the surrounding property owners.

Ms. Miller stated all surrounding property owners were notified and no objections were received.

Ms. Lori Lamson, Director of Community Development provided the Planning Commission with some background on the Town's current General Plan and the discovery of a few mapping errors along with the need to appropriately designate existing public facilities with corresponding land use designations.

Discussion took place with suggestions provided on easier ways to bypass the CUP and Zone Change process.

PUBLIC COMMENTS

None.

Vice-Chairman Lamoreaux closed the public hearing at 6:26 p.m.

MOTION:

Motion by Commissioner Shoup, seconded by Commissioner Hernandez, that the Planning Commission move to:

1. Determine that the proposed General Plan Amendment and Zone Change will not have a significant effect on the environment.
2. Adopt the Negative Declaration finding for GPA 2012-02 and ZC No. 2012-01 on the basis of the whole record before the Planning Commission, including the Initial Study and any comments received, and there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Town's independent judgment and analysis.
3. Adopt Planning Commission Resolution No. 2012-005 as amended.
4. Adopt the recommended Findings in the staff report and a resolution approving General Plan Amendment No. 2012-02, changing land use designations to those identified in the attached exhibit.
5. Find that the facts presented in the staff report support the required Findings for approval and adopt those findings.
6. Adopt Planning Commission Resolution No. 2012-05 recommending approval of General Plan Amendment No. 2012-02 and Zone Change No. 2012.01.
7. Recommend that the Town Council modify the General Commercial (C-G) land use district to allow public utilities and government facilities as an outright permitted use.

ROLL CALL VOTE:

Ayes: Commissioner Hernandez
 Commissioner Shoup
 Vice-Chairman Lamoreaux
Noes: None
Abstain: None
Absent: Commissioner Tinsley
The motion carried by a 3-0-0-1 vote

PUBLIC COMMENTS

None.

PLANNING COMMISSION COMMENTS

Commissioner Shoup commented on the fact that Chairman Cusack is no longer on the Planning Commission. He asked that an item be placed on the next agenda to reorganize the Planning Commission and designate a chair.

Ms. Lamson suggested that the Planning Commission could consider waiting until the November 6, 2012 election.

Commissioner Hernandez stated he was satisfied with Vice-Chairman Lamoreaux presiding over the Planning Commission until the November 6, 2012 election.

STAFF COMMENTS

None.

OTHER BUSINESS

An annual review of Development Permit projects that have been administratively approved. This report is available for public review at the Planning Division located at 14955 Dale Evans Parkway, Apple Valley, CA.

Ms. Lamson stated this item was for review only and no action was required by the Planning Commission.

ADJOURNMENT

Motion by Commissioner Hernandez, seconded by Commissioner Shoup, and unanimously carried to adjourn the meeting of the Planning Commission at 6:33 p.m. to the Regular Meeting on September 19, 2012.

Respectfully Submitted by:

Debra Thomas
Planning Commission Secretary

Approved by:

Vice-Chairman Jason Lamoreaux

PLANNING COMMISSION RESOLUTION NO. 2012-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 2012-02 AND ZONE CHANGE NO. 2012-01, AMENDING THE LAND USE DESIGNATIONS FOR FIVE SPECIFIC AMENDMENT AREAS TO VARIOUS GENERAL PLAN AND ZONING DESIGNATIONS FOR APNS: 3112-731-18, 3112-731-22, 3087-351-23, 3087-351-08, 3087-357-09, -10, -27, - 28 AND -29 AND APPROVED DEVELOPMENT CODE AMENDMENT NO. 2012-01 AMENDING TABLE 9.35.030-A "PERMITTED USES" SUBSECTION D.6 AND 7 AND TABLE 9.57.030-A "PERMITTED USES" SUBSECTION F.5 AND 6 OF THE CODE TO ALLOW GOVERNMENTAL FACILITIES AND PUBLIC UTILITY INSTALLATIONS, INCLUDING OFFICES AS A MATTER OF RIGHT IN THE GENERAL COMMERCIAL (C-G) LAND USE DISTRICT AND PUBLIC UTILITY INSTALLATIONS, INCLUDING OFFICES IN THE PUBLIC FACILITIES (P-F) LAND USE DISTRICT.

WHEREAS, The General Plan of the Town of Apple Valley was adopted by the Town Council on August 11, 2009; and

WHEREAS, specific changes are proposed to the Land Use Element of the adopted General Plan of the Town of Apple Valley by amending the Land Use Designation of parcels generally located at 22400 Conference Avenue (APNs 3112-731-22), APN 3112-731-18 is located at 13846 Conference Avenue (APNs 3112-731-22), APN 3087-351-23 is generally located on the east side of Navajo Road between Powhatan and Ottawa Roads, 21760 Ottawa Road (APN 3087-351-08) located on the north side of Ottawa Road and east of Navajo Road, APN(s) 3087-351-09, 10,11,27 thru 29 are generally located on the east side of Osage Road, north of Ottawa Road; and

WHEREAS, specific changes are proposed to Chapter 9.05, Section 9.05.040 "Adoption of the Official Zoning Districts Map" of Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley by amending the zoning designation of parcels generally located at 22400 Conference Avenue (APNs 3112-731-22), APN 3112-731-18 is located at 13846 Conference Avenue (APNs 3112-731-22), APN 3087-351-23 is generally located on the east side of Navajo Road between Powhatan and Ottawa Roads, 21760 Ottawa Road (APN 3087-351-08) located on the north side of Ottawa Road and east of Navajo Road, APN(s) 3087-351-09, 10,11,27 thru 29 are generally located on the east side of Osage Road, north of Ottawa Road as depicted in Exhibit A attached hereto; and

WHEREAS, on August 17, 2012, General Plan Amendment No. 2012-02 and Zone Change No. 2012-01 were duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), an initial study in compliance with CEQA has been prepared that determined the proposal would not have any adverse impacts that would be potentially significant. Therefore, a Negative Declaration is recommended.

WHEREAS, the Planning Commission finds on the basis of the whole record, including the initial study and any comments received that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Planning Commission's independent judgment and analysis, and

WHEREAS, a copy of the Initial Study and Negative Declaration, may be obtained at: Town of Apple Valley, Planning Division, 14955 Dale Evans Pkwy., Apple Valley, CA 92307, and

WHEREAS, on September 5, 2012, the Planning Commission of the Town of Apple Valley opened a duly noticed and advertised public hearing on General Plan Amendment No. 2012-02 and Zone Change No. 2012-01; and

WHEREAS, the proposed General Plan Amendment and Zone Change No. 2010-02 and TTM No. 18763 are consistent with Town of Apple Valley General Plan and Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

NOW, THEREFORE, BE IT RESOLVED that in consideration of the evidence presented at the public hearing, and for the reasons discussed by the Commissioners at said hearing, the Planning Commission of the Town of Apple Valley, California, finds and determines as follows and recommends that the Town Council make the following findings and take the following actions:

Section 1. In consideration of the evidence received at the public hearing, and for the reasons discussed by the Commissioners at said hearing, that the Town Council of the Town of Apple Valley, California, finds that the changes proposed under General Plan Amendment No. 2012-02 and Zone Change No. 2012-01 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

Section 2. Based upon the facts presented within the staff analysis, public testimony and pursuant to Government Code Section 65863(b), the Planning Commission of the Town of Apple Valley, California, finds that the proposed land use designations are consistent with the General Plan goals for a broader economic base for the Town.

Section 3. Based upon the information contained within the Initial Study prepared in conformance with the State Guidelines to Implement the California Environmental Quality Act (CEQA), General Plan Amendment No. 2012-02 and Zone Change No. 2012-01 will not have a significant impact upon the environment, therefore, the Town Council of the Town of Apple Valley should adopt the Negative Declaration for General Plan Amendment No. 2012-02 and Zone Change No. 2012-01.

Section 4. Adopt a Town Council Resolution amending the adopted Town of Apple Valley General Plan Land Use Element by amending the Land Use Designations from Public Facilities (P-F) to General Commercial (C-G) for APN 3112-731-22, from Public Facilities (P-F) to Medium Density Residential (R-M) for APN 3087-351-23, from General Commercial (C-G) to Public Facilities (P-F) for APN 3112-731-18, from Medium Density Residential (R-M) to Service Commercial (C-S) for APN(s) 3087-351-09,10,11,27 thru 29, and from Medium Density Residential (R-M) to Public Facilities (P-F) for APN 3087-351-08.

Section 5. Adopt an ordinance amending certain portions of Title 9 (Development Code) of the Town of Apple Valley Municipal Code, Section 9.05.040 "Adoption of the Official Zoning Map" subsection "B" by amending the boundaries identified on the Official Zoning Map of the Town of Apple Valley by changing the zoning designation Zone Change No. 2012-01: A request to consider a change zone from Public Facilities (P-F) to General Commercial (C-G) for APNs 3112-731-22, from Public Facilities (P-F) to Multi-Family Residential (R-M) for APN 3087-351-23, from General Commercial (C-G) to Public Facilities (P-F) for APN 3112-731-18, from Multi-Family Residential (R-M) to Service Commercial (C-S) for APN(s) 3087-351-09,10,11,27 thru 29, and from Multi-Family Residential (R-M) to Public Facilities (P-F) for APN 3087-351-08.

Section 6. Adopt an ordinance amending Table 9.35.030-A "Permitted Uses" Subsection D.6 and 7 and Table 9.57.030-A "Permitted Uses" Subsection F.5 and 6 of the Code to allow Governmental Facilities and Public Utility Installations, including offices as a matter of right in the General Commercial (C-G) land use district and Governmental Facilities and Public Utility Installations, including offices in the Public Facilities (P-F) land use district.
Approved and Adopted by the Planning Commission of the Town of Apple Valley this 5th day of September 2012.

Vice- Chairman Jason Lamoreaux

ATTEST:

I, Debra Thomas, Secretary to the Planning Commission of the Town of Apple Valley, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 5th day of September 2012 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ms. Debra Thomas, Planning Commission Secretary

Exhibit "A"

Proposed Zoning

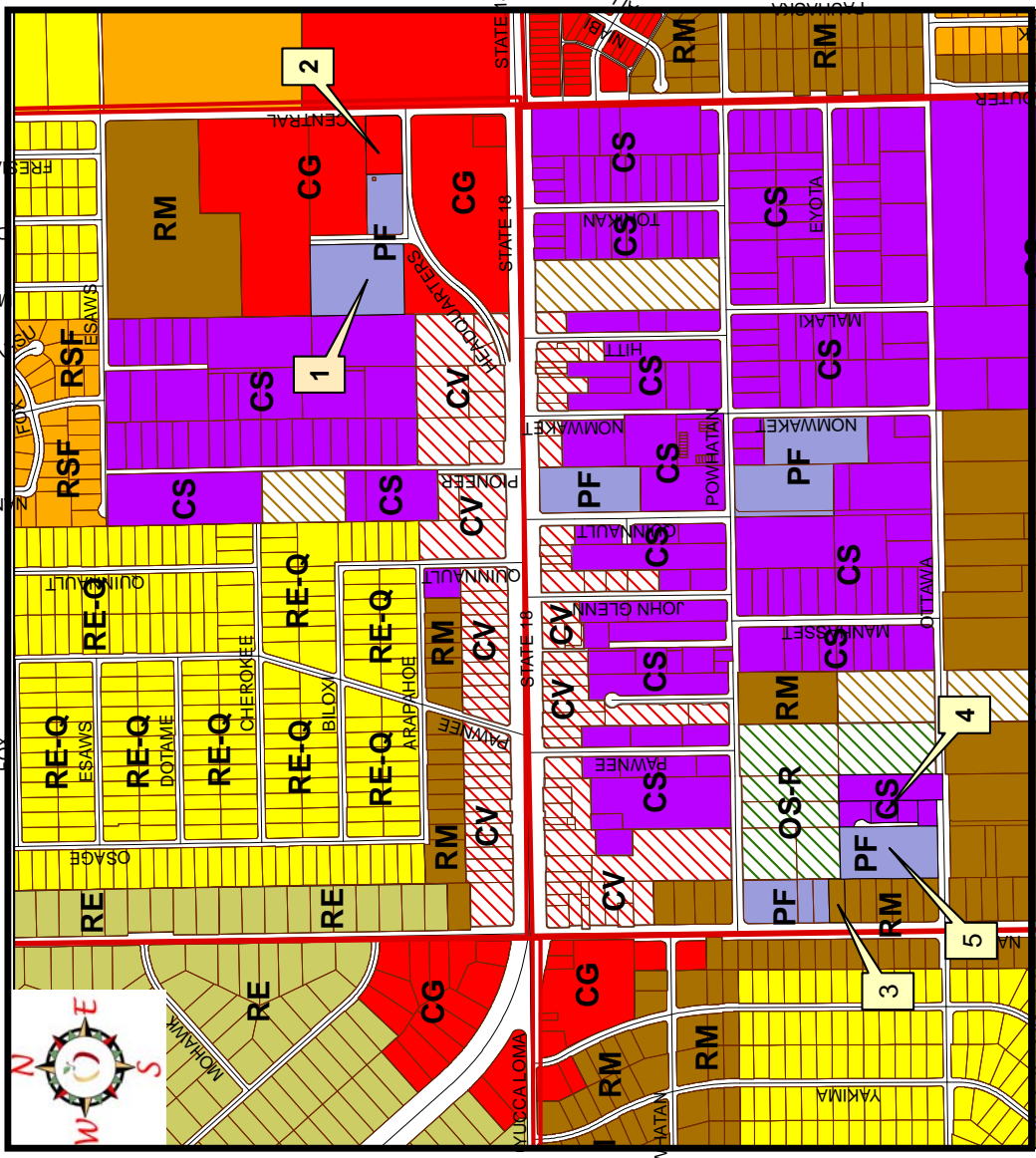
General Plan Amendment 2012-002 and Zone Change No. 2012-001

Proposed modifications:

- 3112-731-18 General Commercial to Public Facilities
- 3112-731-22 Public Facilities to General Commercial
- 3087-351-23 Public Facilities to Multi-Family
- 3087-351-08 Multi-Family to Public Facilities
- 3087-357-09, -10, -27, -28 and -29 Multi-Family to Service Commercial

Zoning Designations

- (R-VLD) Very Low Density Residential (1 du/5 or more gross acres)
- (R-A) Residential Agriculture (1 du/2.5 gross acres)
- (R-LD) Low Density Residential (1 du/2.5 to 5 gross acres)
- (R-E) Estate Residential (1 du/1 to 2.5 gross acres)
- (RE-3/4) Estate Residential 3/4 (1 du/0.75 net acre)
- (R-EQ) Equestrian Residential (1 du/0.4 to 0.9 net acre)
- (R-SF) Single Family Residential (1 du/0.4 to 0.9 net acre)
- (R-M) Multi-Family Residential (2 to 20 du/net acre)
- (MHP) Mobile Home Park
- (PRD) Planned Residential Development
- (C-G) General Commercial
- (C-V) Village Commercial
- (C-S) Service Commercial
- (O-P) Office Professional
- (C-R) Regional Commercial
- (I-P) Planned Industrial
- (R-RE) Resource Extraction
- (P-F) Public Facilities
- (OS-C) Open Space Conservation
- (OS-R) Open Space Recreation
- (M-U) Mixed Use
- (SP) Specific Plan



1 inch = 1,000 feet



TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

Staff Report

- AGENDA DATE:** September 5, 2012
- CASE NUMBER:** General Plan Amendment No. 2012-02 and Zone Change No. 2012-01
- APPLICANT:** Town of Apple Valley
- PROPOSAL:** General Plan Amendment No. 2012-02: A request to consider a change in land use designations from Public Facilities (P-F) to General Commercial (C-G) for APN 3112-731-22, from Public Facilities (P-F) to Medium Density Residential (R-M) for APN 3087-351-23, from General Commercial (C-G) to Public Facilities (P-F) for APN 3112-731-18, from Medium Density Residential (R-M) to Service Commercial (C-S) for APN(s) 3087-351-09,10,11,27 thru 29, and from Medium Density Residential (R-M) to Public Facilities (P-F) for APN 3087-351-08.
- Zone Change No. 2012-01: A request to consider a change of zone from Public Facilities (P-F) to General Commercial (C-G) for APNs 3112-731-22, from Public Facilities (P-F) to Multi-Family Residential (R-M) for APN 3087-351-23, from General Commercial (C-G) to Public Facilities (P-F) for APN 3112-731-18, from Multi-Family Residential (R-M) to Service Commercial (C-S) for APN(s) 3087-351-09,10,11,27 thru 29, and from Multi-Family Residential (R-M) to Public Facilities (P-F) for APN 3087-351-08.
- LOCATION:** APN 3112-731-22 is located at 22400 Conference Avenue. APN 3112-731-18 is located at 13846 Conference Avenue. APN 3087-351-23: East side of Navajo Road between Powhatan and Ottawa Roads. APN 3087-351-08 is located 21760 Ottawa Road. APN(s) 3087-351-09, 10,11,27 thru 29 are located on the east side of Osage Road, north of Ottawa Road.
- ENVIRONMENTAL DETERMINATION:** Based upon an Initial Study, pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared for this proposal.
- CASE PLANNER:** Ms. Carol Miller, Senior Planner

RECOMMENDATION: Approval

PROJECT SITE AND DESCRIPTION:

A. Project Size

Amendment Area No. 1: The area consists of one (1) parcel approximately six (6) acres in size.

Amendment Area No. 2: The area consists of one (1) parcel approximately two (2) acres in size.

Amendment Area No. 3: The area consists of one (1) parcel approximately 27,777 square-feet in size.

Amendment Area No. 4: The area consists of five (5) parcels totaling approximately four (4) acres.

Amendment Area No. 5: The area consists of one (1) parcel approximately four and one-half (4 ½) acres in size.

B. General Plan Designations

Amendment Area No. 1:

Current – General Commercial (C-G) - Mojave Water Agency Facility

Proposed – Public Facilities (P-F)

North: General Commercial (C-G)

East: General Commercial (C-G) and Public Facilities (P-F)

South: General Commercial (C-G)

West: Service Commercial (C-S)

Amendment Area No. 2:

Current – Public Facility (P-F) – Former Mojave Water Agency Facility

Proposed – General Commercial (C-G)

North: General Commercial (C-G)

East: General Commercial (C-G)

South: General Commercial (C-G)

West: Public Facility (P-F)

Amendment Area No. 3:

Current – Public Facility (P-F) – Apartment Units

Proposed – Medium Density Residential (R-M)

North: Public Facility (P-F)

East: Open Space Recreation (OS-R)

South: Medium Density Residential (R-M)

West: Medium Density Residential (R-M)

Amendment Area No. 4:

Current – Medium Density Residential (R-M) – Single Family Residence, RV & Boat Storage facility, Equipment Storage Yard.

Proposed – Service Commercial (C-S)

North: Open Space Recreation (OS-R)

East: Open Space Recreation (OS-R)

South: Medium Density Residential (R-M)

West: Medium Density Residential (R-M) – Proposed Public Facility (P-F)

Amendment Area No. 5:

Current – Medium Density Residential (R-M) – Apple Valley Ranchos Water Company Facility
Proposed – Public Facility (P-F)
North: Open Space Recreation (OS-R)
East: Medium Density Residential (R-M) –Proposed Service Commercial (C-S)
South: Medium Density Residential (R-M)
West: Medium Density Residential (R-M)

C. Surrounding Zoning

Amendment Area No.1:

Current – General Commercial (C-G) - Mojave Water Agency Facility
Proposed - Public Facilities (P-F)
North: General Commercial (C-G)
East: General Commercial (C-G) and Public Facilities (P-F)
South: General Commercial (C-G)
West: Service Commercial (C-S)

Amendment Area No. 2:

Current – Public Facility (P-F) – Former Mojave Water Agency Facility
Proposed – General Commercial (C-G)
North: General Commercial (C-G)
East: General Commercial (C-G)
South: General Commercial (C-G)
West: Public Facility (P-F)

Amendment Area No. 3:

Current – Public Facility (P-F) – Apartment Units
Proposed – Multi-Family Residential (R-M)
North: Public Facility (P-F)
East: Open Space Recreation (OS-R)
South: Multi-Family Residential (R-M)
West: Multi-Family Residential (R-M)

Amendment Area No. 4:

Current – Multi-Family Residential (R-M) - Single Family Residence, RV & Boat Storage facility, Equipment Storage Yard
Proposed – Service Commercial (C-S)
North: Open Space Recreation (OS-R)
East: Open Space Recreation (OS-R)
South: Multi-Family Residential (R-M)
West: Multi-Family Residential (R-M) – Proposed Public Facility (P-F)

Amendment Area No. 5:

Current – Multi-Family Residential (R-M) - Former Mojave Water Agency Facility
Proposed – Public Facility (P-F)
North: Open Space Recreation (OS-R)
East: Multi-Family Residential (R-M) –Proposed Service Commercial (C-S)
South: Multi-Family Residential (R-M)
West: Multi-Family Residential (R-M)

D. Site Characteristics

The five (5) amendment areas contain existing development. This development includes water agency facilities, the former Mojave Water Agency facility, outdoor storage facility, four (4)-plex, and a single family residence.

BACKGROUND

The Town's current General Plan was adopted on August 11, 2009. With three (3) years since the adoption of the General Plan, staff has discovered a few mapping errors and also the need to appropriately designate existing public facilities with corresponding land use designation.

At its meeting of June 26, 2012, the Apple Valley Town Council initiated a General Plan Amendment and Zone Change.

ANALYSIS

Amendment Area No. 1 – The site is currently zoned General Commercial (C-G) and developed with the new Mojave Water Agency facility. A Public Facility (P-F) designation is appropriate for a water agency site because it is “intended to provide public facilities, including public schools, cultural institutions, government facilities, libraries, community centers, public hospitals, and public utilities.” Based on the use as a public facility, it is appropriate that the site be changed from General Commercial (C-G) to Public Facilities (P-F).

Amendment Area No. 2 – The site is the former Mojave Water Agency and is currently zoned Public Facility (P-F). The P-F designation was appropriate for water agency sites because it is intended to provide public facilities. However, now that the MWA has vacated the Headquarters Road building, the P-F designation is no longer necessary and should be rezoned to C-G as is the surrounding area.

Amendment Area No. 3 – The site is currently developed with a four (4)-plex. In the 2009 General Plan Update, the property was incorrectly zoned P-F and therefore, it would be appropriate to rezone the property to R-M to reflect the actual land use activity.

Amendment Area No. 4 – The area consists of five (5) parcels, all of which are developed. With the exception of one single-family residence on the corner of Osage and Ottawa Roads, the remaining parcels contain commercial land use activities. Based on the existing land uses, it is appropriate that the area be changed from R-M to Service Commercial (C-S). The C-S is consistent with the predominant commercial zoning within The Village.

Amendment Area No. 5 – The property is currently zoned Multi-Family Residential (R-M) land use designation and occupied by the Apple Valley Ranchos Water Company facility. The (P-F) Public Facilities designation is appropriate for water agency sites because it is “intended to provide public facilities, including public schools, cultural institutions, government facilities, libraries, community centers, public hospitals, and public utilities.” Likewise, the Multi-Family Residential (R-M) land use designation for the Apple Valley Ranchos Water Company property is not appropriate and should be changed to the P-F land use designation, which would reflect the actual land use activity.

Tribal Consultation- This General Plan Amendment is subject to the State of California Tribal Consultation Guidelines. No comments from tribal representatives have been received to date.

Environmental Assessment

Based upon an Initial Study, pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared for this proposal.

Noticing

General Plan Amendment No. 2012-02 and Zone Change No. 2012-01 were advertised as a public hearing in the Apple Valley News newspaper on August 17, 2012.

Findings

In considering any General Plan Amendment or Zone Change, the Council and Commission are required by the Municipal Code to make specific Findings. The following are the Findings for a General Plan Amendment required under Section 9.02.050 H 3 of the Development Code, with a comment to address each:

4. The proposed General Plan Amendment is consistent with the goals, policies and standards of all elements of the General Plan and will further those goals, policies and standards;

Comment: Staff finds that the proposed General Plan Amendment is consistent with the General Plan goals and policies because it would correct a mapping error and would allow properties to continue to be used for public facilities or commercial activities.

5. The General Plan, as amended, will comprise an integrated, internally consistent and compatible statement of policies for the Town;

Comment: The General Plan Amendment is to correct the land use map mapping error that occurred during the 2009 General Plan update and accurately reflect existing land use activities. Further, staff finds that the existing land uses in Area No. 4 are appropriate and that these uses should be reflected on the General Plan and Zoning maps as C-S given the surrounding land uses.

6. The General Plan Amendment furthers the public interest and promotes the general welfare of the Town by providing for a logical pattern of land uses and clarifying various land use policies for the Town.

Comment: Staff finds that the proposed General Plan Amendment is consistent with the General Plan goals and policies because it would correct a mapping error and would allow the sites to continue to be used for public facilities or commercial activities. Further, staff finds that the existing land uses in Area No. 4 are appropriate and that these commercial uses should be reflected on the General Plan and Zoning maps as C-S given the surrounding land uses.

The following are the Findings for an amendment to the Development Code, as is a Zone Change, as required under Section 9.06.060 and a comment to address each:

1. The proposed Amendment is consistent with the General Plan.

Comment: Staff finds that the proposed Zone Change is consistent with the General Plan goals and policies because it would correct a mapping error and would allow properties to continue to be used for public facilities or commercial activities.

2. The proposed Amendment will not be detrimental to the public health, safety or welfare of the Town or its residents.

Comment: Staff finds that correcting the land use map mapping errors that occurred during the 2009 General Plan update to reflect existing land use activities will not be detrimental to the public health, safety or welfare of the Town or its residents.

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 recommend to the Town Council:

1. Determine that the proposed General Plan Amendment and Zone Change will not have a significant effect on the environment.
2. Adopt the Negative Declaration finding for GPA 2012-02 and ZC No. 2012-01 on the basis of the whole record before the Planning Commission, including the Initial Study and any comments received, and there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Town's independent judgment and analysis.
3. Adopt Planning Commission Resolution No. 2012-005.
4. Adopt the recommended Findings in the staff report and a resolution approving General Plan Amendment No. 2012-02, changing land use designations to those identified in the attached exhibit.
5. Find that the facts presented in the staff report support the required Findings for approval and adopt those findings.
6. Adopt Planning Commission Resolution No. 2012-05 recommending approval of General Plan Amendment No. 2012-02 and Zone Change No. 2012-01.

Prepared By:

Reviewed By:

Carol Miller
Senior Planner

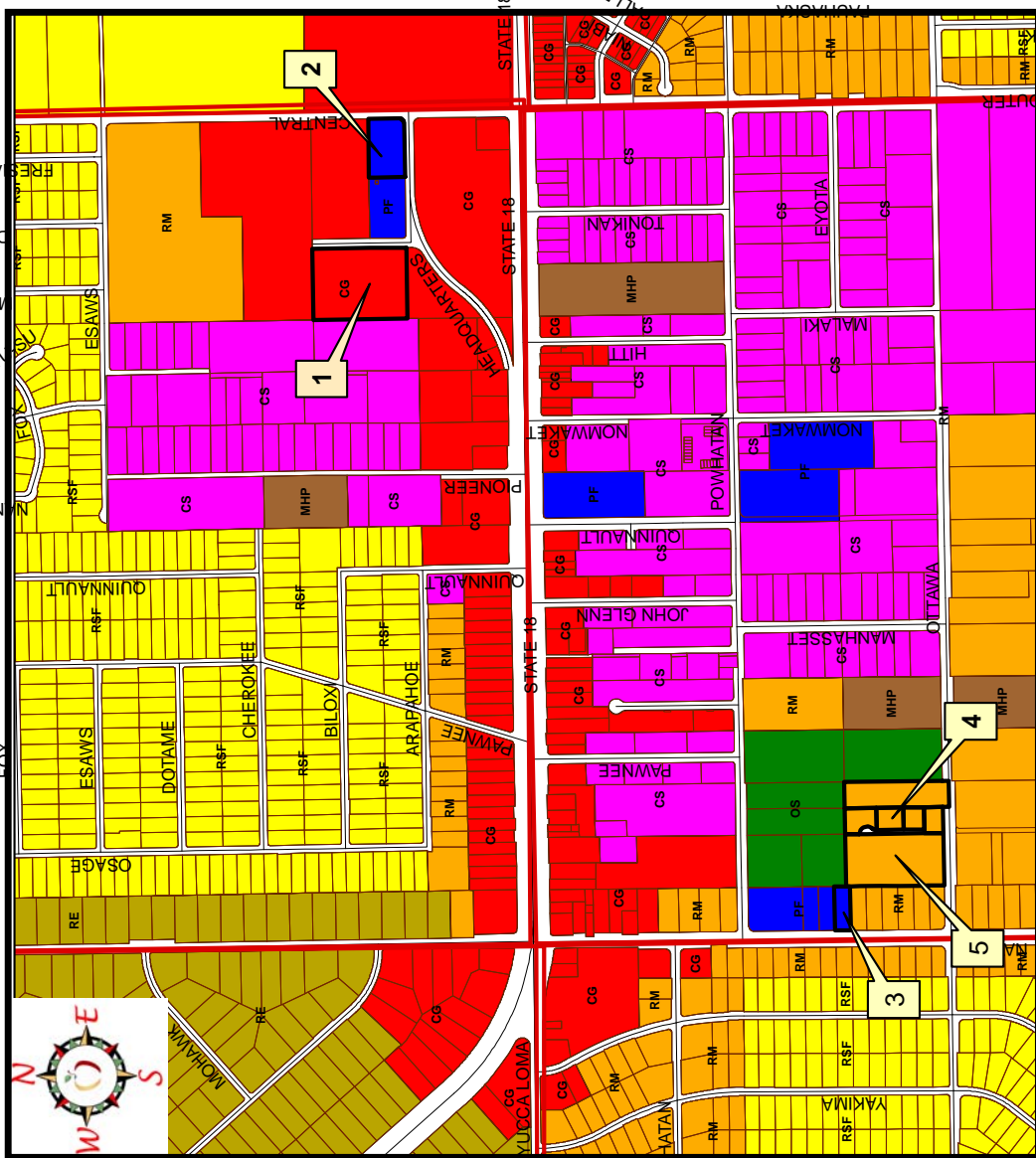
Lori Lamson
Acting Director of Community Development

ATTACHMENTS:

1. Zoning Map
2. Planning Commission Resolution No. 2012-05
3. Initial Study

Existing General Plan Land Use

General Plan Amendment 2012-002 and Zone Change No. 2012-001



Proposed modifications:

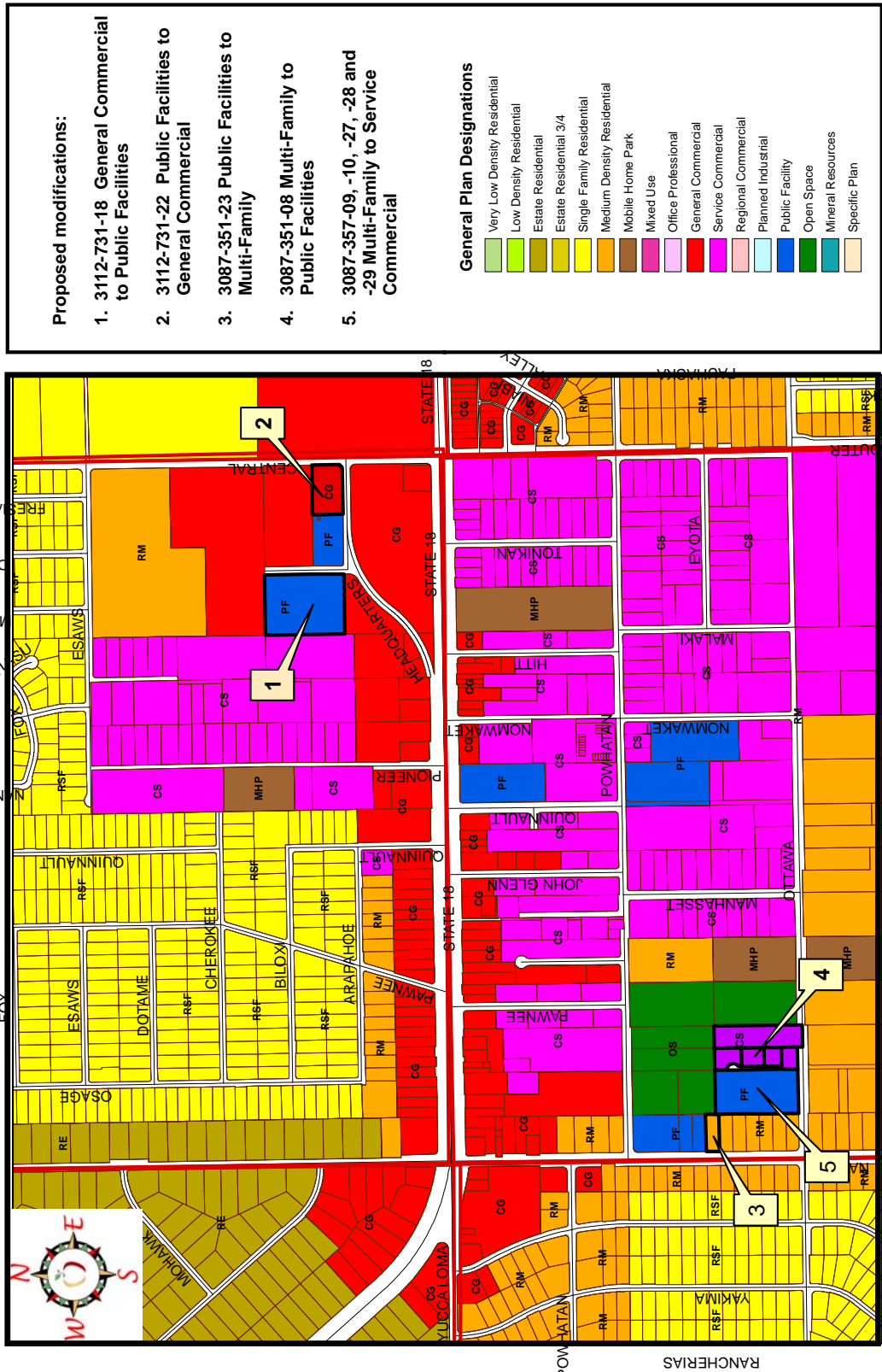
1. 3112-731-18 General Commercial to Public Facilities
2. 3112-731-22 Public Facilities to General Commercial
3. 3087-351-23 Public Facilities to Multi-Family
4. 3087-351-08 Multi-Family to Public Facilities
5. 3087-357-09, -10, -27, -28 and -29 Multi-Family to Service Commercial

Land Use Designations	
[Light Green Box]	Very Low Density Residential
[Light Yellow Box]	Low Density Residential
[Yellow Box]	Estate Residential
[Light Orange Box]	Estate Residential 3/4
[Orange Box]	Single Family Residential
[Dark Orange Box]	Medium Density Residential
[Brown Box]	Mobile Home Park
[Pink Box]	Mixed Use
[Light Purple Box]	Office Professional
[Red Box]	General Commercial
[Light Red Box]	Service Commercial
[Light Blue Box]	Regional Commercial
[Blue Box]	Planned Industrial
[Dark Blue Box]	Public Facility
[Green Box]	Open Space
[Teal Box]	Mineral Resources
[Light Blue Box]	Specific Plan

1 inch = 1,000 feet

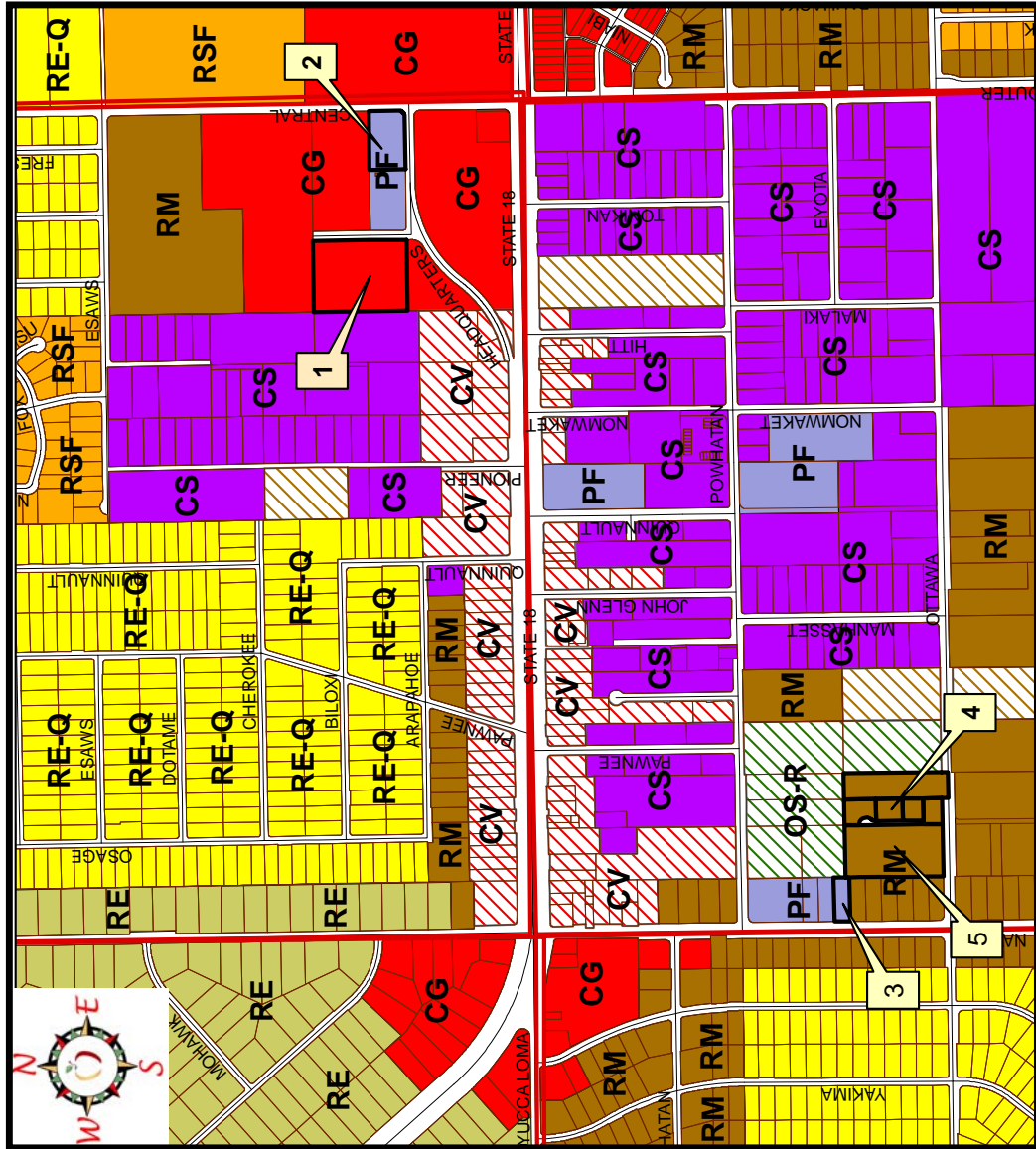
Proposed General Plan Land Use

General Plan Amendment 2012-002 and Zone Change No. 2012-001



Existing Zoning

General Plan Amendment 2012-002 and Zone Change No. 2012-001



Proposed modifications:

1. 3112-731-18 General Commercial to Public Facilities
2. 3112-731-22 Public Facilities to General Commercial
3. 3087-351-23 Public Facilities to Multi-Family
4. 3087-351-08 Multi-Family to Public Facilities
5. 3087-357-09, -10, -27, -28 and -29 Multi-Family to Service Commercial

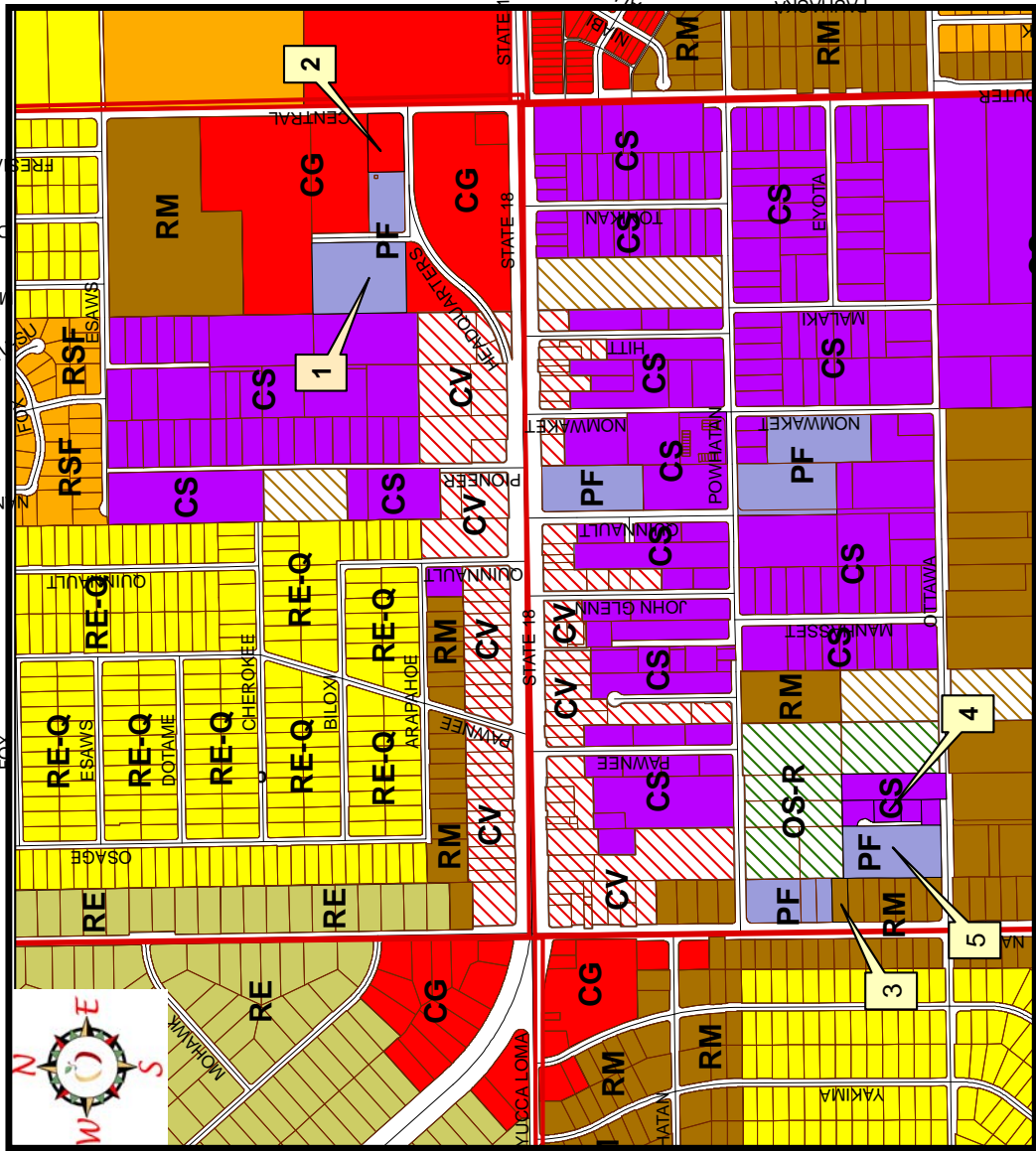
Zoning Designations

	(R-VLD) Very Low Density Residential (1 du/0.6 or more gross acres)
	(R-A) Residential Agriculture (1 du/2.5 gross acres)
	(R-LD) Low Density Residential (1 du/2.5 to 5 gross acres)
	(R-E) Estate Residential (1 du/1 to 2.5 gross acres)
	(RE-3/4) Estate Residential 3/4 (1 du/0.75 net acre)
	(R-EO) Equestrian Residential (1 du/0.4 to 0.9 net acre)
	(R-SF) Single Family Residential (1 du/0.4 to 0.9 net acre)
	(R-M) Multi-Family Residential (2 to 20 du/net acre)
	(MHP) Mobile Home Park
	(PRD) Planned Residential Development
	(C-G) General Commercial
	(C-V) Village Commercial
	(C-S) Service Commercial
	(C-P) Office Professional
	(C-R) Regional Commercial
	(I-P) Planned Industrial
	(I-RE) Resource Extraction
	(R-F) Public Facilities
	(OS-C) Open Space Conservation
	(OS-R) Open Space Recreation
	(M-U) Mixed Use
	(SP) Specific Plan

1 inch = 1,000 feet

Proposed Zoning

General Plan Amendment 2012-002 and Zone Change No. 2012-001



Proposed modifications:

1. 3112-731-18 General Commercial to Public Facilities
2. 3112-731-22 Public Facilities to General Commercial
3. 3087-351-23 Public Facilities to Multi-Family
4. 3087-351-08 Multi-Family to Public Facilities
5. 3087-357-09, -10, -27, -28 and -29 Multi-Family to Service Commercial

Zoning Designations

(R-VLD)	Very Low Density Residential (1 du/0.5 or more gross acres)
(R-A)	Residential Agriculture (1 du/2.5 gross acres)
(R-LD)	Low Density Residential (1 du/1 to 2.5 gross acres)
(R-E)	Estate Residential (1 du/1 to 2.5 gross acres)
(RE-3/4)	Estate Residential 3/4 (1 du/0.75 net acre)
(R-EC)	Equestrian Residential (1 du/0.4 to 0.9 net acre)
(R-SF)	Single Family Residential (1 du/0.4 to 0.9 net acre)
(R-M)	Multi-Family Residential (2 to 20 du/net acre)
(MHP)	Mobile Home Park
(PRD)	Planned Residential Development
(G-G)	General Commercial
(G-V)	Village Commercial
(G-S)	Service Commercial
(O-P)	Office Professional
(G-R)	Regional Commercial
(I-P)	Planned Industrial
(I-RE)	Resource Extraction
(P-F)	Public Facilities
(OS-C)	Open Space Conservation
(OS-R)	Open Space Recreation
(M-U)	Mixed Use
(SP)	Specific Plan

1 inch = 1,000 feet

**TOWN OF APPLE VALLEY
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM**

This form and the descriptive information in the application package constitute the contents of Initial Study pursuant to Town of Apple Valley Development Code and Section 15063 of the State CEQA Guidelines.

PROJECT INFORMATION

1. **Project title:** General Plan Amendment No. 2012-2
Zone Change No. 2012-01

2. **Lead agency name and address:** Town of Apple Valley
Planning Division
14955 Dale Evans Parkway
Apple Valley, CA 92307

3. **Contact person and phone number:** Carol Miller, Senior Planner
(760) 240-7000 Ext 7222

4. **Applicant's name and address:** Town of Apple Valley
Planning Division
14955 Dale Evans Parkway
Apple Valley, CA 92307

5. **Project location and Assessor's Parcel Number:** APNs 3112-731-22 located at 22400 Conference Avenue. APN 3112-731-18 located 13846 Conference Avenue. APN 3087-351-23: East side of Navajo Road between Powhatan and Ottawa Roads. APN 3087-351-08: 21760 Ottawa Road located on the north side of Ottawa Road, east of Navajo Road. APN(s) 3087-351-09,10, 11, 27 thru 29 located east side of Osage Road, north of Ottawa Road.

6. **Description of project** (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation):

General Plan Amendment No. 2012-02: A change of General Plan Land Use designation from Public Facilities (P-F) to General Commercial (C-G) for APN 3112-731-22, from Public Facilities (P-F) to Medium Density Residential (R-M) for APN 3087-351-23, from General Commercial (C-G) to Public Facilities (P-F) for APN 3112-731-18, from Medium Density Residential (R-M) to Service Commercial (C-S) for APN(s) 3087-351-09,10,11,27 thru 29, and from Medium Density Residential (R-M) to Public Facilities (P-F) for APN 3087-351-08.

Zone Change No. 2012-01: A change zone from Public Facilities (P-F) to General Commercial (C-G) for APNs 3112-731-22, from Public Facilities (P-F) to Multi-Family Residential (R-M) for APN 3087-351-23, from General Commercial (C-G) to Public Facilities (P-F) for APN 3112-731-18, from Multi-Family Residential (R-M) to Service Commercial (C-S) for APN(s) 3087-351-09,10,11,27 thru 29, and from Multi-Family Residential (R-M) to Public Facilities (P-F) for APN 3087-351-08.

ENVIRONMENTAL/EXISTING SITE CONDITIONS

The proposal encompasses five amendment areas. These areas are all developed with public facilities, small apartment complex, single-family residence, and storage facility.

General Plan Designation

Amendment Area No. 1:

Current – General Commercial (C-G) - Mojave Water Agency Facility
Proposed – Public Facilities (P-F)

North: General Commercial (C-G)
East: General Commercial (C-G) and Public Facilities (P-F)
South: General Commercial (C-G)
West: Service Commercial (C-S)

Amendment Area No. 2:

Current – Public Facility (P-F) – Former Mojave Water Agency Facility
Proposed – General Commercial (C-G)
North: General Commercial (C-G)
East: General Commercial (C-G)
South: General Commercial (C-G)
West: Public Facility (P-F)

Amendment Area No. 3:

Current – Public Facility (P-F) – Apartment Units
Proposed – Medium Density Residential (R-M)
North: Public Facility (P-F)
East: Open Space Recreation (OS-R)
South: Medium Density Residential (R-M)
West: Medium Density Residential (R-M)

Amendment Area No. 4:

Current – Medium Density Residential (R-M) – Single Family Residence, RV & Boat Storage facility,
Equipment Storage Yard.
Proposed – Service Commercial (C-S)
North: Open Space Recreation (OS-R)
East: Open Space Recreation (OS-R)
South: Medium Density Residential (R-M)
West: Medium Density Residential (R-M) – Proposed Public Facility (P-F)

Amendment Area No. 5:

Current – Medium Density Residential (R-M) – Apple Valley Ranchos Water Company Facility
Proposed – Public Facility (P-F)
North: Open Space Recreation (OS-R)
East: Medium Density Residential (R-M) – Proposed Service Commercial (C-S)
South: Medium Density Residential (R-M)
West: Medium Density Residential (R-M)

Surrounding Zoning

Amendment Area No.1:

Current – General Commercial (C-G)
Proposed - Public Facilities (P-F)
North: General Commercial (C-G)
East: General Commercial (C-G) and Public Facilities (P-F)
South: General Commercial (C-G)
West: Service Commercial (C-S)

Amendment Area No. 2:

Current – Public Facility (P-F) –
Proposed – General Commercial (C-G)
North: General Commercial (C-G)
East: General Commercial (C-G)
South: General Commercial (C-G)
West: Public Facility (P-F)

Amendment Area No. 3:

Current – Public Facility (P-F)
Proposed – Multi-Family Residential (R-M)

North: Public Facility (P-F)
East: Open Space Recreation (OS-R)
South: Multi-Family Residential (R-M)
West: Multi-Family Residential (R-M)

Amendment Area No. 4:

Current – Multi-Family Residential (R-M)
Proposed – Service Commercial (C-S)
North: Open Space Recreation (OS-R)
East: Open Space Recreation (OS-R)
South: Multi-Family Residential (R-M)
West: Multi-Family Residential (R-M) – Proposed Public Facility (P-F)

Amendment Area No. 5:

Current – Multi-Family Residential (R-M)
Proposed – Public Facility (P-F)
North: Open Space Recreation (OS-R)
East: Multi-Family Residential (R-M) – Proposed Service Commercial (C-S)
South: Multi-Family Residential (R-M)
West: Multi-Family Residential (R-M)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact: as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural/Paleontological | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions Quality | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the lead Agency):

On the basis of this initial evaluation, the following finding is made:

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and ENVIRONMENTAL IMPACT REPORT is required.

- The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Carol Miller, Senior Planner

Date

Lori Lamson
Acting Director of Community Development

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analyses Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

I. AESTHETICS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrades the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (check ___ if project is located within the view shed of any Scenic Route listed in the General Plan):

a-d. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites. The subject properties are currently developed. Nevertheless, the subject areas are not located along, nor within the viewshed of a Scenic Route listed in the County General Plan, Town General Plan or designated by the State of California.

II. AGRICULTURE AND FORESTRY RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Gov't Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conservation of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (check ___ if project is located in the Important Farmlands Overlay):

a-e. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites which are currently developed. The site is not located in an area that has been designated by the California Department of Conservation as an Important Farmland, and it is not being used for agricultural purposes. No Williamson Act Contracts exist for the subject. The project will not result in the conversion of farmland to a non-agricultural use. Therefore, no impact is anticipated.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e) Create objectionable odors affecting a substantial number of people?

SUBSTANTIATION:

a-c, e. **No Impact.** The proposed General Plan Amendment and Zone Change, in and of itself will not violate any air quality standards. The project does not propose new construction as the project is only for a change in General Plan land use designation and zoning. However, the project areas are located within the Mojave Desert Air Quality Management District (MDAQMD) which lies in the San Bernardino County portion of the Mojave Desert Air Basin (MDAB). This portion of the basin has been designated as a ‘non-attainment’ area with respect to violating National Air Quality Standards for particulate matter classified as equal to, or smaller than, 10 microns in diameter (PM₁₀).

d. **Less than Significant:** The project does not propose new construction as the project is only for a change in General Plan land use designation and zoning; however, James Woody Sport Complex is adjacent to the Amendment Areas No. 3, 4, and 5, which is considered a sensitive receptor. While the land use and zone change would allow for commercial uses not currently allowed under the existing Multi-Family Residential zone, any future development would be considered through a separate application process.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a-c, e. **No Impact.** The proposed General Plan Amendment and Zone Change, in and of itself will not violate any air quality standards. The project does not propose new construction as the project is only for a change in General Plan land use designation and zoning. However, the project areas are located within the Mojave Desert Air Quality Management District (MDAQMD) which lies in the San Bernardino County portion of the Mojave

Desert Air Basin (MDAB). This portion of the basin has been designated as a ‘non-attainment’ area with respect to violating National Air Quality Standards for particulate matter classified as equal to, or smaller than, 10 microns in diameter (PM₁₀).

- d. **Less than Significant:** The project does not propose new construction as the project is only for a change in General Plan land use designation and zoning; however, James Woody Sport Complex is adjacent to the Amendment Areas No. 3, 4, and 5, which is considered a sensitive receptor. While the land use and zone change would allow for commercial uses not currently allowed under the existing Multi-Family Residential zone, any future development would be considered through a separate application process.

IV. BIOLOGICAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (check ___ if project is located in the Biological Resources Overlay or contains habitat for any species listed in the California Natural Diversity Database):

- a-f. **No impact:** The project areas are developed. The only vegetation on any of the sites is ornamental landscaping. As a result of the existing development and on-site disturbances, the areas contain no wetlands, riparian habitat or

native plants or animal communities. Therefore, the lack of natural habitat results in the absences of any unique, rare or endangered species or habitat within the five project areas.

V. CULTURAL RESOURCES

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (check ___ if the project is located in the Cultural ___ or Paleontological ___ Resources overlays or cite results of cultural resource review):

a-d. **No Impact:** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites which are currently developed. According to the Town’s General Plan Final EIR, the project areas are not located in areas of high potential. None of the areas are located within proximity of an existing cemetery. Therefore, no impact is anticipated.

VI. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and				

potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

SUBSTANTIATION (check ___ if project is located in the Geologic Hazards Overlay District):

a (i). **No Impact.** The sites are not located within the boundaries of an earthquake fault zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. No known active or potentially active faults traverse the site as shown on the California Geologic Survey Map (2002). Therefore, no impact associated with the rupture of a known earthquake fault would occur.

Source: Town of Apple Valley, General Plan EIR

a(ii) **Less than Significant Impact.** Like all of southern California, the Mojave Desert is a seismically active region. According to the geotechnical investigation prepared for the project, the faults most likely to affect the project site are the North Frontal, Helendale-Lockhart, Lenwood-Lockhart, San Andreas, Cucamonga, Cleghorn, and Landers fault zones. The proposed project site is located in a seismically active area and, therefore, will continue to be subject to ground shaking resulting from activity on local and regional faults.

a(iii-iv) **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites which are currently developed.

b-d. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites which are currently developed.

e. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites which are currently developed. If future development is proposed under a land use application, the requirements for waste water disposal will be evaluated at that time.

VII. GREENHOUSE GAS EMISSIONS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a-b. **No Impact.** According to the Town’s General Plan, air quality is a concern due to human health issues, and because air pollutants are thought to be contributing to global warming and climate change. Air pollution is

defined as a chemical, physical or biological process that modifies the characteristics of the atmosphere. The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites. The properties in question are developed and the purpose of the change is to reflect existing land uses.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Potentially Significant Impact Less than Significant with Mitigation Incorp. Less than Significant Impact No Impact

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild

lands are adjacent to urbanized areas or where residences are intermixed with wild lands?

SUBSTANTIATION:

- a&b: **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites. The properties in question are developed and the purpose of the change is to reflect existing land uses.
- c. **No Impact.** Based on the Town’s General Plan, the project areas are not within one-quarter mile of an existing or proposed school. Therefore, no impact would result within the vicinity of an educational facility.
- d: **No Impact.** This project is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, this project would not create a significant hazard to the public or the environment. No impact is anticipated.
- e **No Impact.** The subject areas are not located in the vicinity of a designated airport land use, nor within a two-mile radius of a public airport; therefore, no hazards are known to impact public safety.
- f. **No Impact.** The subject areas are not located within the vicinity of a private airstrip.
- g: **No Impact.** The subject areas are developed and therefore, would not conflict or otherwise interfere with emergency response or evacuation plans. The existing development does not conflict with existing evacuation routes.
- h: **No Impact.** According to the Town’s General Plan, the project areas are not located within a Fire Hazard Area or within an area susceptible to wildfires. The lands are developed within developed neighborhoods; therefore no impact is anticipated.

IX. HYDROLOGY AND WATER QUALITY

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a				

stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

f) Otherwise substantially degrade water quality?

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

j) Inundation by seiche, tsunami, or mudflow?

SUBSTANTIATION:

a-g: **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities. Nevertheless, any future development must comply with the NPDES standards.

h: **No Impact.** The project areas are not located within a 100-year or 500-year flood hazard area, No impacts related to this issue are anticipated to occur.

i-j: **No Impact.** No levees, dams or large bodies of water are located near the locations which would subject people to flooding. The areas are also not located in a coastal area and, therefore, would not be subject to seiche, tsunami or mudflow.

X. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a-c: **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities. Nevertheless, any future development must comply with Town standards.

XI. MINERAL RESOURCES

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION (check ___ if project is located within the Mineral Resource Zone Overlay):

- a. **No Impact.** The sites are not designated as a State Aggregate Resource Area according to the General Plan FEIR; therefore, there is no impact.
- b. **No Impact.** The sites are not designated by the General Plan as a Mineral Resource Zone; therefore, there is no impact.

XII. NOISE

Would the project result in:

- | | Potentially Significant Impact | Less than Significant with Mitigation Incorp. | Less than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION (check ___ if the project is located in the Noise Hazard Overlay District ___ or is subject to severe noise levels according to the General Plan Noise Element ___):

- a: **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities. Therefore, the project would not result in the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- b: **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities. Therefore, the project would not result in the establishment of a land use that would have the potential to expose people to excessive ground borne vibration or noise levels.
- c: **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities. Therefore, the project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d: **No Impact.** The subject areas are currently developed with multi-family residential, water agencies, former water agency facility, and outdoor storage and new development is not proposed at this time. Any future development would be required to meet the Town's performance standards.
- e-f: **No Impact.** The subject areas are not located in the vicinity of a designated airport land use, private airstrip, or within two-mile radius of a public airport; therefore, no impact is anticipated.

XIII. POPULATION AND HOUSING

Would the project result in:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

- a-b: **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities. Therefore, the project would not result in substantial growth in the areas or displace existing housing or people.
- c: **Less Than Significant Impact.** Within Amendment Area No. 4, the parcel located on the corner of Osage and Ottawa Roads is developed with a single family residence. The proposal would change the land use designation to commercial. Although no development or change is proposed at this time, the proposed change in land use designation and zoning to Service Commercial would potentially result in the removal of the residence from this property. Because only one unit would be lost from the Town's overall housing inventory, the loss would be less than significant.

XIV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a. **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities. Therefore, the project would not result in any impacts to public services.

XV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Potentially Significant Impact Less than Significant with Mitigation Incorp. Less than Significant Impact No Impact

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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SUBSTANTIATION:

a-b: **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities. Therefore, the project would not result in any impacts to recreation.

XVI. TRANSPORTATION/TRAFFIC

Would the project result in:

a) Conflict with an applicable plan, ordinance or policy establishing measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system including but

Potentially Significant Impact Less than Significant with Mitigation Incorp. Less than Significant Impact No Impact

not limited to intersection, streets, highways and freeways, pedestrian and bicycle paths and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?

d)Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

e)Result in inadequate emergency access?

f)Result in inadequate parking capacity?

g)Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

SUBSTANTIATION:

- a-b. **No impact.** The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities. In the case of Amendment Areas No. 4 and 5, the change in land use designation from Medium Density Residential/Multi-Family Residential to Service Commercial would appear to create an increase in traffic. However, the commercial development is existing, and unless future development is proposed, no traffic impacts are anticipated. The potential traffic impacts associated with future development would be reviewed based on the applications received.
- c. **No Impact.** The proposal will not affect air traffic patterns.
- d. **No Impact.** The proposal will not alter the roadway pattern or add incompatible traffic uses.
- e. **No Impact.** The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities and will not alter emergency access points.
- f. **No Impact.** The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities and will not alter parking capacity. Any impact to parking associated with future development would be reviewed based on the applications received.
- g. **No Impact.** The proposal does not include new construction or alternations. Future development would be required to be consistent will all Town’s standards.

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
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- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

- a-c, e. **No Impact.** The demands of new development on utilities and service systems have been anticipated in the General Plan. When new construction or change in land use activities occurs, the projects would be conditioned to install the necessary utilities to serve the project.
- d: **Less than Significant Impact.** The areas are currently within Apple Valley Ranchos Water Company service area. The General Plan Amendment and Zone Change are to correct the land use maps to correct a mapping error and accurately reflect existing land use activities. With no change in land uses, the areas would continue to be served from the same water supplies.
- f -g. **Less than Significant Impact.** Future solid waste generated by future commercial development would be ultimately transported to the Victorville Regional Sanitary Landfill. Recently, the County of San Bernardino Solid Waste Management Division requested an approval of the expansion of the landfill. The County of San Bernardino Solid Waste Management Division prepared an Environmental Impact Report to review the environmental effects of expanding the landfill to accommodate future grow. The expansion project was approved, and extended the landfill projected closure date from 2005 to 2081. Based on approval of the expansion at the Victorville Regional Landfill, solid waste generated by future development at the project are would have a less than significant impact on the permitted capacity. As previously indicated, the properties are developed; therefore, there would not be a significant change beyond the current waste generation with future development.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Potentially Significant	Less than Significant with	Less than Significant	No
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	Impact	Mitigation Incorp.	Impact	Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Does the project have environmental effects which will cause Substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

- a. **No Impact.** Based on the information contained in this initial study, the proposal will not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- b. **Less than Significant Impact.** Based on the information contained in this initial study, the proposal does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- c. **Less than Significant Impact.** Based on the information contained in this initial study, the proposal will not have impacts that are individually limited, but cumulatively considerable.
- d. **No Impact.** Based on the information contained in this initial study, the proposal will not have substantial adverse effects on human beings, either directly or indirectly.

REFERENCES

California Department of Water Resources, Bulletin #118 (Critical Regional Aquifers), 1975
 County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995
 Town of Apple Valley General Plan, 2009
 Town of Apple Valley Climate Action Plan (CAP), 2010
 Environmental Impact Report (EIR), Town of Apple Valley General Plan, 2009
 County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998
 Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map

Mojave Desert Air Quality Management District, Mojave Desert Planning Area – Federal Particulate Matter (PM10) Attainment Plan, July 1995

Mojave Desert Air Quality Management District, Rule 403.2: Fugitive Dust Control Planning Area, July 1996

South Coast Air Quality Management District, CEQA Air Quality Handbook, 1993

Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4 Gov Code; Sections 21080 (c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal. App. 3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal App. 4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal. App. 4th at 1109; *San Franciscans Upholding the Downtown Plan v. County of San Francisco* (2002) 102 Cal. App. 4th 656.