

**TOWN OF
APPLE VALLEY, CALIFORNIA
AGENDA MATTER**

Subject Item:

SPECIFIC PLAN NO. 2005-001, AMENDMENT NO.2: TO ADOPT AN AMENDMENT TO THE NORTH APPLE VALLEY INDUSTRIAL SPECIFIC PLAN THAT AMENDS SECTION III TABLE III-1 (ALLOWABLE USES) TO DELETE OUTDOOR MANUFACTURING AS A PERMITTED USE IN THE I-SP LAND USE DISTRICT, ADD AVIATION RELATED LAND USES TO THE INDUSTRIAL – AIRPORT (SP I-A) LAND USE DISTRICT AND TO ALLOW GOVERNMENT FACILITIES IN ALL LAND USE DISTRICTS. AMEND SECTION III TABLE III-2 (DEVELOPMENT STANDARDS) TO REDUCE THE SETBACK REQUIREMENTS FOR THAT SEGMENT OF PAPAGO ROAD BETWEEN DALE EVANS PARKWAY AND DAKOTA ROAD AND AMEND THE MAXIMUM BUILDING HEIGHT FOR AIRPORT INFLUENCE AREA OVERLAY A-2 CONSISTENT WITH THE DEVELOPMENT CODE BUILDING HEIGHT STANDARDS. AMEND SECTIONS IV A.3 AND A.4 REGARDING THE HIGH DESERT CORRIDOR AND EXHIBIT IV-2 TO REFLECT CURRENT GENERAL PLAN ROADWAY CROSS STREET STANDARDS.

Recommended Action:

**Move to open public hearing and take testimony.
Close the public hearing. Then:**

1. **Determine** that, the amendment currently proposed is consistent with the adopted Specific Plan and does not constitute a change in build-out potential and conditions within the Specific Plan area have not changed. As such, the certified EIR (SCH #2006031112) analyzed the impacts of the project, and the proposed amendment does not require additional environmental review and is exempt from environmental review.
2. **Find** the facts presented within the staff report support the required Findings for approval of the proposed Specific Plan amendment and adopt the Findings.
3. **Move** to waive the reading of Ordinance No. 381 in its entirety and read by title only.
4. **Introduce** Ordinance No. 381, approving Specific Plan No. 2005-001 Amendment No. 2, amending various sections of the North Apple Valley Industrial Specific Plan.
5. **Direct** staff to file a Notice of Exemption with the San Bernardino County Clerk of the Board of Supervisors.

Proposed by: Planning Division

Item Number _____

Town Manager Approval: _____

Budget Item Yes No

Summary Statement:

At the April 2, 2008 Planning Commission meeting, the Commission reviewed Specific Plan No. 2005-001 Amendment No. 2, and unanimously recommended approval by the Town Council.

To summarize, the North Apple Valley Industrial Specific Plan, Amendment No. 2 consists of the following:

1. An amendment to Specific Plan Table III-1 (Allowable Uses) to include airport/aviation related land uses for the Industrial – Airport (IA-SP) land use district and to allow governmental facilities in all specific plan land use districts.
2. An amendment to Specific Plan Table III-2 (Development Standards) to revise the setback standards for Papago Road between Dale Evans Parkway and Dakota Road, add a building setback requirement from rock outcroppings, and revise the maximum building height for projects within an Airport Influence Area Overlay A-2 consistent with the Development Code height requirements for Airport Influence Area Overlay A-2.
3. Correct the inconsistency between Table III-1 No. 13 and the language within Section III E.5 regarding outdoor manufacturing by amending Table III-1 to prohibit outdoor manufacturing in the I-SP land use district.
4. Amend Sections IV A.3 and A.4 to reflect the latest information regarding the High Desert Corridor and amend Exhibit IV-2 to reflect the current Town's street cross section standards.

No changes to land use designations, development standards or components which have not already been identified within this report are proposed to the Specific Plan document at this time.

Background and Introduction

In 2006, the Town of Apple Valley prepared and approved the North Apple Valley Industrial Specific Plan. At that time, an Environmental Impact Report (SCH #2006031112) was also certified. In 2007, the Town amended the Specific Plan to add an additional 163.5 acres of land in the southwestern corner of the Specific Plan area, including 9.6 acres of General Commercial, and 153.9 acres of Specific Plan Industrial lands.

The goal of the Specific Plan is to facilitate the development by land owners and developers of a broad range of industrial and commercial land uses. The ultimate goal of the Specific Plan is to establish a "jobs preserve" and build a broad, sustainable economic base to strengthen the Town's economic future. The Specific Plan provides land use designations, development standards and guidelines which will allow this development. The Specific Plan is intended to be a long-term document.

The proposed amended Specific Plan sections show all proposed changes within this material. Additions are noted in **bold** and deletions are noted in ~~strike-through~~ format, so the Town Council can easily identify what changes are proposed.

Proposed amendment to Section III Table III-1 (Allowable Uses):

**Table III-1
Allowable Uses**

TYPE OF USE ⁽¹⁾	COMMERCIAL ⁽²⁾	INDUSTRIAL ⁽²⁾		AIRPORT ⁽²⁾
	SP C-G	I-SP	I-G	IA-SP
<i>E. Manufacturing and Production Uses</i>				
13. Outdoor manufacturing	-	CUP -	CUP	-
<i>F. Aviation Uses, Activities and Facilities</i>				
1. Airfields & Heliports				P
2. Airport Operations				
a. Control Towers	-	-	-	P
b. Hangers	-	-	-	P
c. Terminals	-	-	-	P
d. Tiedown Areas	-	-	-	P
e. Fueling operations	-	-	-	P
3. Aircraft sales, rentals, service, repair, storage, charter services and flying schools.	-	-	-	P
<i>H I. Public and Semi-Public Uses</i>				
6. Government facilities/offices	P	P	P	P

The Specific Plan amendment proposes changes to portions of Table III-1 that deletes outdoor manufacturing as a permitted land use in the I-SP land use district for consistency with Section III E.5., which prohibits outdoor manufacturing in the I-SP land use district. Additionally, Table III-1 is proposed to be revised to add a range of aviation land use activities within the Industrial Airport – Specific Plan (IA-SP) land use district. The aviation activities proposed to be added are commonly associated with airport operations and are considered appropriate for the IA-SP land use district.

An additional amendment to Table III-1 is to allow governmental facilities in all land use districts within the Specific Plan. Currently, governmental facilities are only allowed in the IA-SP land use district. Since it is conceivable that, as the Specific Plan area and northern Apple Valley develop, additional governmental facilities, such as police, fire

and public works facilities will be necessary to serve the area and should not be limited to only the IA-SP land use district.

Proposed amendment to Section III Table III-2 (Development Standards):

D. Development Standards

**Table III-2
Development Standards**

	SP C -G	I-SP	I-G	I-A
Min. Lot Size (Ac)	1	2	5	n/a
Min. Lot Width (Feet)	200	100	200	200
Min. Lot Depth (Feet)	200	100	200	200
Min. Front Setback or Street Side Setback (Feet)				
▪ Landscaping				
○ On Dale Evans Pkwy	25	25	n/a	n/a
○ On Central Road	25	25	25	25
○ On Papago Rd. (east of Fernandez Rd.), Waalew Rd., or Fernandez St.	50	50	n/a	n/a 50
○ On any other road	15	15	15	15
▪ Building				
○ On Dale Evans Pkwy	50	50	n/a	n/a
○ On Central Road	50	50	50	50
○ On Papago Rd. (east of Fernandez Rd.), Waalew Rd., or Fernandez St.	75	75	n/a	n/a 75
○ On any other road	25	25	25	25
Min. Building Rear Setback (Feet)	0	15	15	15
Min. Building Interior Side Yard Setback (Feet)	0	0	0	0
Min. Building Setback (feet) from rock outcropping	50	50	50	50
Max. Bldg. Coverage (%)	65	45	45	60
Maximum Height (Feet)				
▪ Within Airport Influence Area (A-1)	35	35	35	35
▪ Within Airport Influence Area (A-2)	35	50	50	50
▪ Outside Airport Influence Area	35	50	100	50

Table III-2 above, summarizes the site development standards for each land use district within the Specific Plan area. The Specific Plan was adopted with greater setbacks in those areas where the planning area is adjacent to residential land use districts to provide a greater separation between the plan area and the adjacent residential land use districts. Following the adoption of the Specific Plan Amendment in 2007 that added an additional 168 acres in the southeast portion of the plan area, the segment of Papago Road between Dale Evans parkway and Dakota Road as a Specific Plan area boundary was eliminated and, as such, the setbacks for this portion of Papago Road can be reduced. Since the easterly segment of Papago Road will

continue to serve as a Specific Plan area boundary, the greater setbacks remain appropriate east of Fernandez Street.

Located within the Specific Plan area are two (2) prominent rock outcroppings located just north of the Apple Valley Airport. In accordance with General Plan policy, geological features are to be protected and preserved. Therefore, setback standards have been added to Table III-2 to ensure these rock outcroppings are not negatively impacted.

Section III E.1 of the NAVISP specifies that the standards and requirements of Chapter 9.65 of the Development Code shall apply to all proposed uses within the boundaries of the Airport Overlays. Based on this provision, it is the intent of the Specific Plan to correspond to the Development Code with respect to all Airport Overlay requirements. Therefore, it is necessary to amend the maximum building height requirements contained in Table III-2 to add a maximum building height for Airport Influence A-2 for consistency purposes with the Development Code. Currently, the Specific Plan makes no distinction between Airport Influence Overlays A-1 and A-2 for height requirements, which results in more restrictive building height requirements for projects within Airport Influence Overlay A-2.

Proposed amendment to Sections IV A.3 and A.4:

3. East-West Circulation

Papago Road extends from Dale Evans Parkway eastward to Central Road and beyond. It forms the southern boundary of the Specific Plan area in the ~~far western and~~ far eastern portions of the specific Plan area. Papago Road is not paved and it is not a General Plan road.

4. High Desert Corridor

The High Desert Corridor will bisect the most southwestern portion of the North Apple Valley Industrial Specific Plan area. The corridor is planned as a relocation of the existing State Route 18, and will include a 300-foot right-of-way at all locations except ramps and intersections, where the right-of-way will be wider. On and off ramps for the High Desert Corridor are being planned for both Dale Evans Parkway and ~~Waalew~~ **Choco Road. Waalew Road will be an at-grade intersection.**

In 2006, the Town amended the Circulation Element (GPA 2005-005) of the General Plan. Included in the amendment was an approval to modify the street sections and supplemental lanes intersection layout. Following this action, the Town adopted an amendment to the NAVISP which incorporated these changes into the text portion of the Specific Plan document, but did not amend Exhibit IV-2 which illustrates the actual street cross sections. Therefore, the purpose of amending Exhibit IV-2 (attached) is to make the Specific Plan consistent with the Town's adopted street standard cross sections, which do not require sidewalks for local and secondary roads within the Specific Plan area.

Since the Specific Plan is being amended, staff is taking this opportunity to update the information relating to the High Desert Corridor based on more current information. The only change at this time is Choco Road, shown as an interchange location in lieu of Waalew Road.

Planning Commission Recommendation

At its meeting of April 2, 2008 the Planning Commission adopted Planning Commission Resolution No. 2008-002, forwarding a recommendation that the Town Council amend the North Apple Valley Industrial Specific Plan Section III Table III-1, Table III-2, amend Sections IV A.3 and A.4 and Exhibit IV-2.

Upon receiving staff's analysis, testimony from the public and subsequent Commission discussion, the Planning Commission recommended no changes to the document beyond those recommended by staff.

Environmental Review

In conjunction with preparation of the adopted Specific Plan, the Town prepared an Environmental Impact Report (EIR) (SCH #2006031112) for the project, as required by the California Environmental Quality Act (CEQA). The EIR was certified by the Town Council on October 10, 2006. The amendments currently proposed are consistent with the adopted Specific Plan and do not constitute a change in build-out potential. Conditions within the Specific Plan area have not changed. Therefore, the certified EIR (SCH #2006031112) analyzed the impacts of the project, and the proposed amendments do not require additional environmental review.

Required Findings

Development Code Section 9.03.050 requires that the following Findings be made in order to approve a Specific Plan Amendment:

- A. The proposed Specific Plan meets all of the following content criteria:
 - 1. Specifies through text and/or diagrams, the distribution, location and extent of the uses of land, including open space, within the area covered by the plan;

Comment: The approved Specific Plan already details land-use designations, permitted and conditionally permitted uses, and development standards to assure cohesive development within the Specific Plan area. The Amendment is considered minor and will be integrated into the document, and will not affect its format.
 - 2. Specifies through text and/or diagrams, the proposed distribution, location and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid-waste disposal, energy and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan;

Comment: Section IV of the approved Specific Plan details both existing and required future infrastructure improvements required to assure master planned, high quality development in the Specific Plan area. To ensure this, Section IV is being modified to reflect more current information on the High Desert Corridor, as well as amending Exhibit IV-2 to reflect the Town's street standard cross sections.

3. Specifies through text and/or diagrams, the standards and criteria by which development will proceed, and standards for the conservation, development and utilization of natural resources, where applicable;

Comment: The development standards already included in the approved Specific Plan include text, tables and graphic representations of the requirements for development. The amendments to Table III-2 (Development Standards) will revise the setback standards for the segment of Papago Road between Dale Evans Parkway and Dakota Road, establish setbacks from rock outcroppings, and revise the maximum building height requirements within the Airport Influence Area A-2 consistent with the Development Code.

4. Specifies a program of implementation measures, including regulations, programs, public works projects, and financing measures necessary to carry out Findings A.1, A.2 and A.3 above;

Comment: Section IV of the approved Specific Plan discusses improvements required and the potential phasing of these improvements. The Specific Plan describes existing infrastructure and sets forth the backbone infrastructure required for the build-out of the Specific Plan area. The proposed amendment does not affect existing or projected build-out.

5. Include a statement of the relationship of the Specific Plan to the General Plan, Development Code and other applicable plans or ordinances;

Comment: Section I and Appendix A of the Specific Plan discuss the relationship of the Specific Plan to the General Plan, as well as its consistency with it. The proposed amendment does not affect the Specific Plan's consistency with the General Plan.

6. Address any other subjects that are necessary for implementation of the General Plan;

Comment: The approved Specific Plan includes extensive design guidelines to assure that both the Specific Plan is developed with high-quality buildings and infrastructure. The development standards

also address landscape buffers and building setbacks where the Specific Plan is adjacent to residential zoning designations. The proposed amendment does not lessen the buffering requirements where the Specific Plan area is adjacent to residential property.

- B. The location and design of the proposed development will be consistent with the goals and policies of the General Plan and with any other applicable plan or policies adopted by the Town and with any other applicable provisions of the Development Code.

Comment: The Specific Plan was specifically envisioned in the General Plan, and the Amendment does not alter this.

- C. The proposed location will allow the development to be well integrated with, or adequately buffered from, its surroundings, as appropriate.

Comment: The approved Specific Plan includes specific provisions for landscaping buffers and landscape and building setbacks to assure that surrounding residential development is buffered from future commercial and industrial land uses. Although the amendment proposes changes to the development standards, the changes do not lessen the landscaping buffers and setbacks which are in place to ensure that surrounding residential development is buffered from future commercial and industrial land uses.

- D. All vehicular traffic generated by the development, either in phased increments or at build-out, will be accommodated safely and without causing significantly increased congestion upon adjoining streets.

Comment: The proposed amendment is consistent with the adopted Specific Plan and do not constitute a change in build-out potential. Therefore, no traffic impact analysis was prepared since the amendment will not alter levels of service throughout the project's development and at build out.

- E. The final Specific Plan will identify a methodology to allow land uses to be adequately serviced by existing or proposed public facilities and services. In appropriate circumstances, and as provided elsewhere by this Development Code, the Town may require that suitable areas be reserved for uses, such as schools, parks and pedestrian ways; public open spaces may be dedicated or reserved by private covenant for the common use of residents, establishments or operations in the development.

Comment: Section IV of the Specific Plan includes discussion of all public services required for the original Specific Plan. The location of

schools in the Specific Plan area would not be appropriate, given the industrial nature of the plan. The proposed amendment does not affect public services.

- F. In accordance with the requirements of the California Environmental Quality Act (CEQA), environmental impacts have been reduced to a level of insignificance, or in the case where such impacts remain, a statement of overriding considerations must be adopted to justify the merits of project implementation after certification of the Environmental Impact Report.

Comment: In conjunction with the preparation of the adopted Specific Plan, the Town prepared an Environmental Impact Report (EIR) (SCH #2006031112) for the project, as required by the California Environmental Quality Act (CEQA). The EIR was certified by the Town Council on October 10, 2006. The amendments currently proposed are consistent with the adopted Specific Plan and do not constitute a change in build-out potential. Conditions within the Specific Plan area have not changed. Therefore, the certified EIR (SCH #2006031112) analyzed the impacts of the project, and the proposed amendments do not require additional environmental review.

- G. The proposed Specific Plan should contribute to a balance of land uses so local residents may work and shop in the community in which they live.

Comment: The purpose of the Specific Plan is, in part, to provide jobs for residents of Apple Valley and limit commute times by providing a wide range of employment opportunities within Town limits. The Amendment does not lessen these opportunities.

- H. The proposed Specific Plan will not be detrimental to the public health, safety or welfare of the Town.

Comment: The amendments are designed to assure that development within the NAVISP is of high-quality and does not impact public health, safety or welfare.

RECOMMENDATION

Following receipt of public input and discussion by the Council, it is recommended that the Council move to introduce Ordinance No. _____, amending various sections of the North Apple Valley Industrial Specific Plan as they relate to allowable land uses, development standards and street improvements.

Attachments:

1. Draft Ordinance No. _____
2. Planning Commission Resolution No. 2008-002

ORDINANCE NO. 2008-

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADOPTING SPECIFIC PLAN NO. 2005-001 AMENDMENT NO. 2, THE NORTH APPLE VALLEY INDUSTRIAL SPECIFIC PLAN BY AMENDING PORTIONS OF SECTION III AND SECTION IV OF THE NORTH APPLE VALLEY INDUSTRIAL SPECIFIC PLAN AS THEY RELATE TO ALLOWABLE LAND USES, DEVELOPMENT STANDARDS AND STREET IMPROVEMENTS.

WHEREAS, Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley was adopted by the Town Council on October 24, 2000;

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 Plan No. 2005-001 Amendment No. 2 is consistent with the General Plan and Municipal Code of the Town of Apple Valley; and

WHEREAS, on May 2, 2008, Specific Plan No. 2005-001 Amendment No. 2 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, based upon the California Environmental Quality Act (CEQA) and the State Guidelines to Implement CEQA, Specific Plan No. 2005-001 Amendment No. 2, as currently proposed is consistent with the adopted Specific Plan and does not constitute a change in build out potential and conditions within the Specific Plan area have not changed. Therefore, the certified EIR (SCH #2006031112) analyzed the impacts of the project, and the proposed amendment does not require additional environmental review and is exempt from environmental review; and

WHEREAS, the Town Council finds on the basis of the whole record before it (including any comments received) that there is not substantial evidence that the project will have a significant effect on the environment and that the certified EIR (SCH #2006031112) analyzed the impacts of the project, and the proposed amendment does not require additional environmental review and is exempt from environmental review, reflects the Town Council's independent judgment and analysis; and

WHEREAS, on April 2, 2008, the Planning Commission of the Town of Apple Valley conducted a duly noticed public hearing on Specific Plan No. 2005-001 Amendment No. 2, receiving testimony from the public and adopting Planning Commission Resolution No. 2008-002 forwarding a recommendation to the Council; and

WHEREAS, on May 13, 2008 the Town Council of the Town of Apple Valley conducted a duly noticed and advertised public hearings on Specific Plan No. 2005-001 Amendment No. 2, 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. The Town Council finds that the adoption of Specific Plan No. 2005-001 Amendment No. 2 is consistent with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and will not be detrimental to the health, safety or general welfare of the citizens of the Town of Apple Valley, as described in the Findings contained in the staff report.

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 approval of the Specific Plan set forth in the Staff Report, and finds that Specific Plan No. 2005-001 Amendment No. 2 is consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan as amended.

Section 3. Amend E.13 and H.6, add F “Aviation Uses, Activities and Facilities” and re-letter F, G, and H in sequential order Table III-1 (Allowable Uses) within Section III to read as follows:

**Table III-1
Allowable Uses**

TYPE OF USE ⁽¹⁾	COMMERCIAL ⁽²⁾		INDUSTRIAL ⁽²⁾		AIRPORT ⁽²⁾
	SP	C-G	I-SP	I-G	IA-SP
<i>E. Manufacturing and Production Uses</i>					
13. Outdoor manufacturing	-	-	CUP -	CUP	-
<i>F. Aviation Uses, Activities and Facilities</i>					
1. Airfields & Heliports					P
2. Airport Operations					
a. Control Towers	-	-	-	-	P
b. Hangers	-	-	-	-	P
c. Terminals	-	-	-	-	P
d. Tiedown Areas	-	-	-	-	P
e. Fueling operations	-	-	-	-	P
3. Aircraft sales, rentals, service, repair, storage, charter services and flying schools.	-	-	-	-	P
<i>H.I. Public and Semi-Public Uses</i>					
6. Government facilities/offices	P		P	P	P

Section 4. Amend Table III-2 (Development Standards) within Section III to read as follows:

**Table III-2
Development Standards**

	SP C -G	I-SP	I-G	I-A
Min. Lot Size (Ac)	1	2	5	n/a
Min. Lot Width (Feet)	200	100	200	200
Min. Lot Depth (Feet)	200	100	200	200
Min. Front Setback or Street Side Setback (Feet)				
▪ Landscaping				
○ On Dale Evans Pkwy	25	25	n/a	n/a
○ On Central Road	25	25	25	25
○ On Papago Rd. (east of Fernandez Rd.), Waalew Rd., or Fernandez St.	50	50	n/a	n/a 50
○ On any other road	15	15	15	15
▪ Building				
○ On Dale Evans Pkwy	50	50	n/a	n/a
○ On Central Road	50	50	50	50
○ On Papago Rd. (east of Fernandez Rd.), Waalew Rd., or Fernandez St.	75	75	n/a	n/a 75
○ On any other road	25	25	25	25
Min. Building Rear Setback (Feet)	0	15	15	15
Min. Building Interior Side Yard Setback (Feet)	0	0	0	0
Min. Building Setback (feet) from rock outcropping	50	50	50	50
Max. Bldg. Coverage (%)	65	45	45	60
Maximum Height (Feet)				
▪ Within Airport Influence Area (A-1)	35	35	35	35
▪ Within Airport Influence Area (A-2)	35	50	50	50
▪ Outside Airport Influence Area	35	50	100	50

Section 5. Proposed amendment to Sections IV A.3 and 4:

3. East-West Circulation

Papago Road extends from Dale Evans Parkway eastward to Central Road and beyond. It forms the southern boundary of the Specific Plan area in the ~~far western and~~ far eastern portions of the Specific Plan area. Papago Road is not paved and it is not a General Plan road.

4. High Desert Corridor

The High Desert Corridor will bisect the southwestern portions of the North Apple Valley Industrial Specific Plan area. The corridor is planned as a relocation of the existing State Route 18, and will include a 300-foot right-of-way at all locations except ramps and intersections, where the right-of-way will be wider. On and off ramps for the High Desert Corridor are being

planned for both Dale Evans Parkway and ~~Waalew~~ **Choco Road. Waalew Road will be an at-grade intersection.**

Section 6. Proposed amendment to Exhibit IV-2 within Section IV (attached) to modify the street cross sections and supplemental lanes intersection layout.

Section 7. 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 8. Effective Date. This Ordinance shall become effective thirty (30) days after the date of its adoption.

Section 9. 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 May, 2008.

ATTEST:

Honorable Timothy Jasper, Mayor

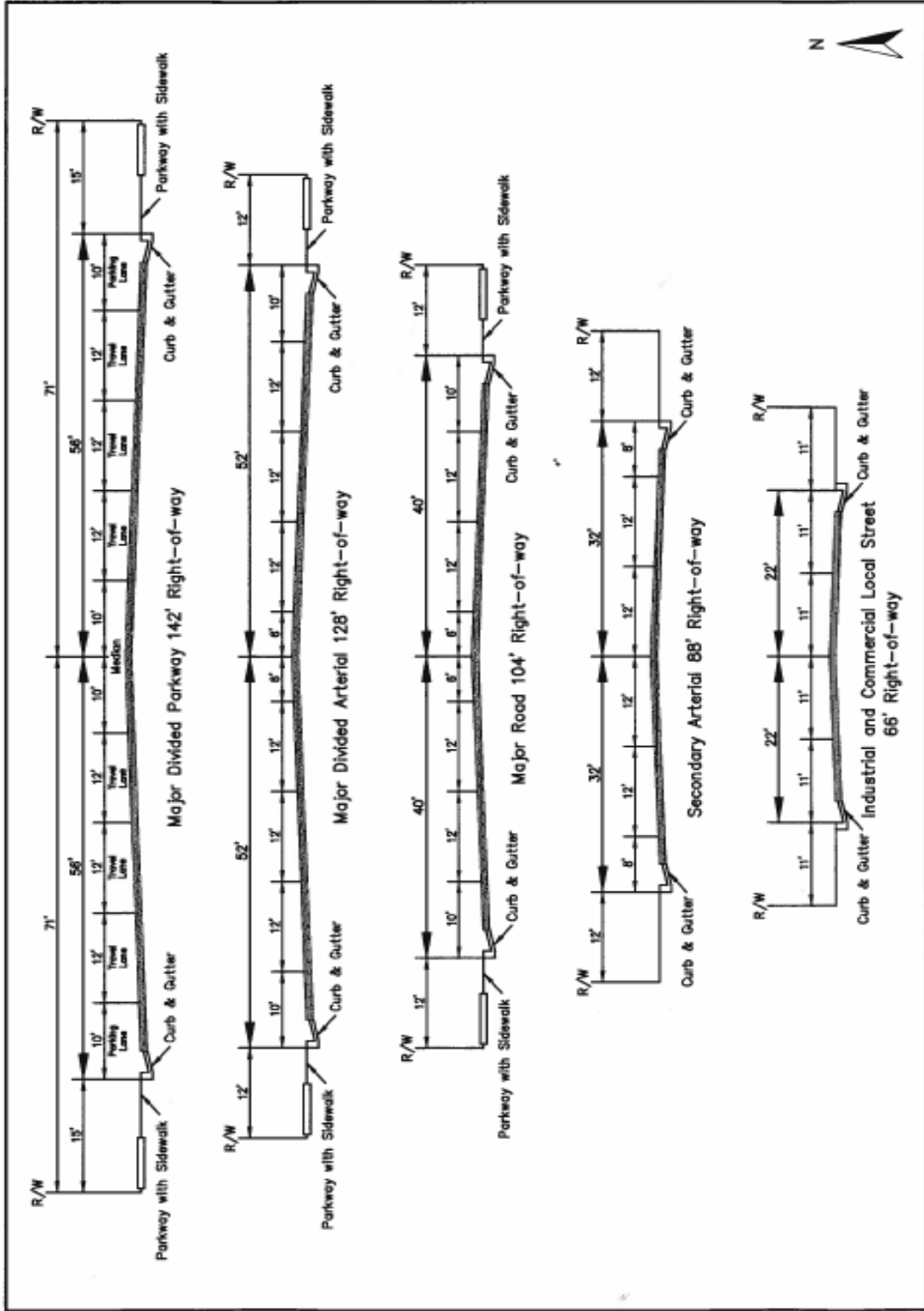
Ms. La Vonda M. Pearson, Town Clerk

Approved as to form:

Approved as to content:

Mr. Neal Singer, Town Attorney

Mr. James L. Cox, Town Manager



PLANNING COMMISSION RESOLUTION NO. 2008-002

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL ADOPT SPECIFIC PLAN NO. 2005-001, AMENDMENT NO. 2 BY AMENDING PORTIONS OF SECTION III AND SECTION IV OF THE NORTH APPLE VALLEY INDUSTRIAL SPECIFIC PLAN AS THEY RELATE TO ALLOWABLE LAND USES, DEVELOPMENT STANDARDS AND STREET IMPROVEMENTS.

WHEREAS, Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley was adopted by the Town Council on October 24, 2000; and

WHEREAS, a Specific Plan of Land Use was approved October 10, 2006 by the Town Council on the recommendation of the Planning Commission for lands generally located east of Dale Evans Parkway, south of Quarry Road, west of Central Road and north of Waalew Road; and

WHEREAS, specific changes are proposed to the North Apple Valley Industrial Specific Plan by amending portions of Section III and Section IV as they relate to permitted land uses, development standards, and street standards; and

WHEREAS, on March 14, 2008, Specific Plan No. 2005-001, Amendment No. 2 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

WHEREAS, in conjunction with preparation of the adopted Specific Plan, the Town prepared an Environmental Impact Report (EIR) (SCH #2006031112) for the project, as required by the California Environmental Quality Act (CEQA). The EIR was certified by the Town Council on October 10, 2006. The amendments currently proposed are consistent with the adopted Specific Plan and do not constitute a change in build out potential. Conditions within the Specific Plan area have not changed. Therefore, the certified EIR (SCH #2006031112) analyzed the impacts of the project, and the proposed amendments do not require additional environmental review, and

WHEREAS, on April 2, 2008, the Planning Commission of the Town of Apple Valley conducted a duly noticed and advertised public hearing on Specific Plan No. 2005-001, Amendment No. 2 receiving testimony from the public; and

WHEREAS, the proposed Specific Plan No. 2005-001, Amendment No. 2 are 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.

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 Specific Plan No. 2005-001, Amendment No. 2 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. In conjunction with preparation of the adopted Specific Plan, the Town prepared an Environmental Impact Report (EIR) (SCH #2006031112) for the project, as required by the California Environmental Quality Act (CEQA). The EIR was certified by the Town Council on October 10, 2006. The amendments currently proposed are consistent with the adopted Specific Plan and do not constitute a change in build out potential. Conditions within the Specific Plan area have not changed. Therefore, the certified EIR (SCH #2006031112) analyzed the impacts of the project, and the proposed amendments do not require additional environmental review.

Section 4. Amend E.13 and H.6, add F “Aviation Uses, Activities and Facilities” and re-letter F, G, and H in sequential order Table III-1 (Allowable Uses) within Section III to read as follows:

**Table III-1
Allowable Uses**

TYPE OF USE ⁽¹⁾	COMMERCIAL ⁽²⁾		INDUSTRIAL ⁽²⁾		AIRPORT ⁽²⁾
	SP	C-G	I-SP	I-G	IA-SP
<i>E. Manufacturing and Production Uses</i>					
13. Outdoor manufacturing	-	-	CUP -	CUP	-
<i>F. Aviation Uses, Activities and Facilities</i>					
1. Airfields & Heliports					P
2. Airport Operations					
a. Control Towers	-	-	-	-	P
b. Hangers	-	-	-	-	P
c. Terminals	-	-	-	-	P
d. Tiedown Areas	-	-	-	-	P
e. Fueling operations	-	-	-	-	P
3. Aircraft sales, rentals, service, repair, storage, charter services and flying schools.	-	-	-	-	P
<i>H.I. Public and Semi-Public Uses</i>					
6. Government facilities/offices	P		P	P	P

Section 5. Amend Table III-2 (Development Standards) within Section III to read as follows:

**Table III-2
Development Standards**

	SP C -G	I-SP	I-G	I-A
Min. Lot Size (Ac)	1	2	5	n/a
Min. Lot Width (Feet)	200	100	200	200
Min. Lot Depth (Feet)	200	100	200	200
Min. Front Setback or Street Side Setback (Feet)				
▪ Landscaping				
○ On Dale Evans Pkwy	25	25	n/a	n/a
○ On Central Road	25	25	25	25
○ On Papago Rd. (east of Fernandez Rd.), Waalew Rd., or Fernandez St.	50	50	n/a	n/a 50
○ On any other road	15	15	15	15
▪ Building				
○ On Dale Evans Pkwy	50	50	n/a	n/a
○ On Central Road	50	50	50	50
○ On Papago Rd. (east of Fernandez Rd.), Waalew Rd., or Fernandez St.	75	75	n/a	n/a 75
○ On any other road	25	25	25	25
Min. Building Rear Setback (Feet)	0	15	15	15
Min. Building Interior Side Yard Setback (Feet)	0	0	0	0
Min. Building Setback (feet) from rock outcropping	50	50	50	50
Max. Bldg. Coverage (%)	65	45	45	60
Maximum Height (Feet)				
▪ Within Airport Influence Area (A-1)	35	35	35	35
▪ Within Airport Influence Area (A-2)	35	50	50	50
▪ Outside Airport Influence Area	35	50	100	50

Section 6. Proposed amendment to Sections IV A.3 and 4:

3. East-West Circulation

Papago Road extends from Dale Evans Parkway eastward to Central Road and beyond. It forms the southern boundary of the Specific Plan area in the ~~far western and~~ far eastern portions of the Specific Plan area. Papago Road is not paved and it is not a General Plan road.

4. High Desert Corridor

The High Desert Corridor will bisect the southwestern portions of the North Apple Valley Industrial Specific Plan area. The corridor is planned as a relocation of the existing State Route 18, and will include a 300-foot right-of-way at all locations except ramps and intersections, where the right-of-way will be wider. On and off ramps for the High Desert Corridor are being planned for both Dale Evans Parkway and ~~Waalew~~ Choco Road. **Waalew Road will be an at-grade intersection.**

Section 7. Proposed amendment to Exhibit IV-2 within Section IV (attached) to modify the street cross sections and supplemental lanes intersection layout.

Approved and Adopted by the Planning Commission of the Town of Apple Valley this 2nd day of April 2008.

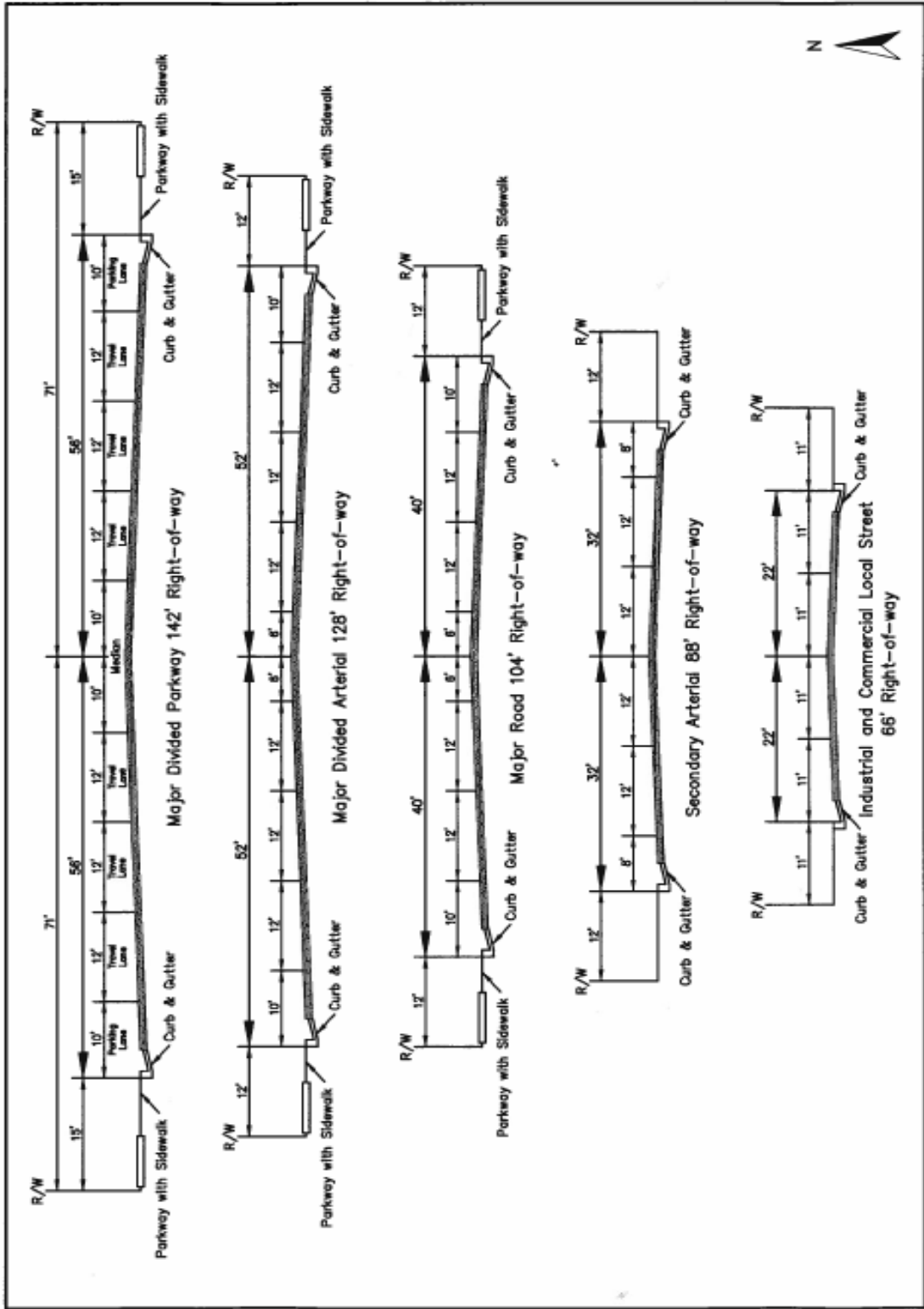
Mr. David Hernandez, Chairman

ATTEST:

I, Patty Hevle, 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 2nd day of April, 2008 by the following vote, to-wit:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

Ms Patty Hevle, Planning Commission Secretary



North Apple Valley Industrial Specific Plan, Amendment #2
 General Plan Roadway Cross Sections
 Apple Valley, California