



TOWN OF APPLE VALLEY TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council

Date: December 11, 2012

From: Lori Lamson
Community Development Director

Item No: 8

Subject: ADOPT ORDINANCE NO. 441 – AN ORDINANCE OF THE TOWN OF APPLE VALLEY AMENDING THE JESS RANCH PLANNED UNIT DEVELOPMENT RELATING TO THE JESS RANCH LAKES RV RESORT

T.M. Approval: _____

Budgeted Item: Yes No N/A

RECOMMENDED ACTION:

Adopt Ordinance No. 441.

SUMMARY:

At its November 13, 2012 meeting, the Town Council reviewed and introduced Ordinance Nos. 441 which amends a portion of section 3.4 of the Jess Ranch Planned Unit Development as it relates to the development standards for accessory structures within the Jess Ranch Lakes RV Resort.

FISCAL IMPACT:

Not Applicable

Attachments:

Ordinance No. 441

ORDINANCE No. 441

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, DETERMINING THAT SPECIFIC PLAN No. 2012-01 IS EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW AND AMEND PORTIONS OF SECTION 3.4 OF THE JESS RANCH PLANNED UNIT DEVELOPMENT AS IT RELATES TO DEVELOPMENT STANDARDS FOR ACCESSORY STRUCTURES WITHIN THE JESS RANCH LAKES RV RESORT.

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

Section 1. Recitals.

- (i) The Jess Ranch Planned Unit Development was approved by the County of San Bernardino in 1981 with subsequent amendments by the Town of Apple Valley in 1990 (Amendment No. 1), 1994 (Amendment No. 2), and 1998 (Amendment No. 3); and
- (iii) Specific changes are proposed to the Jess Ranch Planned Unit Development by amending Section 3.4 as it relates to development standards for accessory structures within the Jess Ranch Lakes RV Resort; and
- (iv) On November 2, 2012, Specific Plan No. 2012-01 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), the amendment currently proposed is consistent with the adopted Planned Unit Development and does not constitute a change in build out potential. Further, 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. Where it can be seen with certainty that there is no possibility that the activity in question, the proposed Amendment, may have a significant effect on the environment, the activity is not subject to CEQA; and
- (vi) On September 19, 2012, the Planning Commission of the Town of Apple Valley conducted a duly noticed and advertised public hearing on Specific Plan No. 2012-01, receiving testimony from the public; and
- (vii) Specific Plan No. 2012-01 is consistent with 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 Specific Plan No. 2012-01 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.
- (ii) Find that, the amendment currently proposed is consistent with the adopted Planned Unit Development and does not constitute a change in build out potential. Further, 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. Where it can be seen with certainty that there is no possibility

that the activity in question, the proposed Amendment, may have a significant effect on the environment, the activity is not subject to CEQA.

Section 3. Amend Section 3.4 (Medium Density Residential Areas) by adding Subsection “D” to read as follows:

- D. Jess Ranch Lakes Recreational Vehicle Resort – Tract Map No. 14484
1. Development Standards:
 - a. An accessory structure shall not exceed 600 square-feet in size and is permitted on each lot that is approved for an RV.
 - b. An accessory structure may be permitted with a floor plan that includes a kitchen, one (1) bathroom and a combination laundry/storage area only. Sleeping quarters/bedroom or bonus room shall not be permitted. All sleeping quarters for the owner and guests shall be within the RV. The structures shall not serve as a dwelling unit.
 - c. An unenclosed patio may be permitted if the maximum percentage of lot coverage is not exceeded and all setbacks have been met.
 - d. Metal exterior is prohibited on an accessory structure.
 - e. Maximum lot coverage is 50%, excluding paved area as part of a landscape amenity or recreation facility.
 - f. Building Setbacks:
Minimum Twenty (20) foot front setback from private street
Minimum Ten (10) feet from street side property line
Minimum Five (5) foot from any side or rear property line
No minimum from common open space
 - g. No accessory structure may be located on the lot so as to block or encroach into the RV parking area. This would include any decking or patio cover that gives the appearance the structure is affixed to the RV.
 - h. Park Models:
Maybe permitted in-lieu of a Recreational Vehicle
Maximum 399 square-feet
Must remain towable for roads and highways

Section 4. Invalidation. The amendment by this Ordinance of the Jess Ranch Planned Unit Development 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 5. 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 6. Effective Date. This Ordinance shall become effective thirty (30) days after the date of its adoption.

Section 7. 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 11th day of December 2012.

Mayor

ATTEST:

La Vonda M-Pearson, Town Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

John Brown, Town Attorney

Frank Robinson, Town Manager