

**TOWN OF  
APPLE VALLEY, CALIFORNIA**

**AGENDA MATTER**

**Subject Item:**

**A REQUEST TO CONSIDER AN AMENDMENT TO THE LAND USE ELEMENT OF THE GENERAL PLAN AND DEVELOPMENT CODE BY ASSIGNING GENERAL PLAN LAND USE DESIGNATIONS AND ZONING DESIGNATIONS TO APPROXIMATELY 122,921 ACRES OF LAND LOCATED OUTSIDE THE TOWN BOUNDARY, TO THE NORTH, EAST AND SOUTH OF THE TOWN LIMITS. IN CONJUNCTION WITH THE LAND USE DESIGNATION AND ZONING ASSIGNMENTS, AMENDMENTS TO THE DEVELOPMENT CODE RELATING TO RESIDENTIAL ZONES, AND THEIR DEVELOPMENT STANDARDS, ARE ALSO PROPOSED.**

**Recommended Action:**

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

1. **Determine**, in conformance with the requirements of the State Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed General Plan Amendment and Zone Change will not have a significant effect on the environment.
2. **Adopt** the Negative Declaration and Initial Study prepared for General Plan Amendment No. 2007-007 and Development Code Amendment No. 2007-004.
3. **Find** that the proposed Ordinance and Resolution are consistent with the Goals and Objectives of the adopted Town of Apple Valley General Plan and, as such, shall promote the health, safety and general welfare of the citizens of Apple Valley, and that Ordinance No. 378, approving conforming zoning and amendments to the Development Code are consistent with the General Plan Amendment established by Resolution No. 2008-008.
4. **Find** the facts presented within the staff report support the required Findings for approval of an amendment to the General Plan, Zoning Map and Development Code and adopt the Findings.
5. **Move** to waive the reading of Ordinance No. 2008-008 in its entirety and read by title only.
6. **Introduce** Ordinance No. 378 amending that 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 approving the proposed zoning designations of the Sphere of Influence and territory north of the Town boundaries, amend Table A of Section 9.05.030-A "Zoning Districts", amend Section 9.05.110 "Rezoning", amend Section 9.28.010 "Purpose and General Plan Consistency", amend Section 9.28.020 "Residential Districts", amend Section 9.28.040 "Site Development Standards", amend Section 9.35.010 "Purpose and General Plan Consistency", amend Section 9.45.010 "Purpose and General Plan Consistency" and amend Section 9.55.010 "Purpose and General Plan Consistency".
7. **Adopt** Town Council Resolution No. 2008-008 amending the Land Use Element of the General Plan by modifying the specific changes proposed to the Land Use Map of the Land Use Element of the General Plan.
8. **Direct** staff to file a Notice of Determination. (continued)

**Proposed by:**                     Planning Division                                          **Item Number** \_\_\_\_\_

**Town Manager Approval:** \_\_\_\_\_                      **Budget Item**  Yes  No  N/A

## **Summary Statement:**

To assist in providing a better relationship between the Town and the County of San Bernardino on future development within the Sphere of Influence, the Town Council directed staff to adopt zoning designations for the areas within the Sphere of Influence at the February 2007 Council/Staff Workshop. The Town has also been requested by the Local Agency Formation Commission (LAFCO) to include with the General Plan, lands within its Sphere of Influence, in order to facilitate annexation of these lands in the future. Town staff also has concerns that lands outside its Sphere of Influence to the north of the Town limits, which may be of concern to the Town's long term growth potential, be planned and developed in a manner which is consistent with Town standards and policies. Additionally, the planning area includes areas to the east of the existing Sphere of Influence for inclusion of the entire Section within the General Plan and Zoning Maps. The lands in the Sphere are generally located to the east and south, with a small portion located to the west (the Golden Triangle). The lands outside the Sphere of influence are located to the north of the Town's current corporate limits and east of the existing Sphere. Please see Exhibit A for a pictorial depiction of the affected area. In general, most of the lands are currently designated for very low intensity residential land uses, and some small areas are designated for commercial and industrial land uses.

The land use designations defined in the Town's General Plan are consistent with those assigned under the County's General Plan. Land use decisions will continue to be made by the County until the lands are annexed. However, the Town and the County are currently working on a Memorandum of Understanding (MOU) which will allow the Town to comment on development proposals in the Sphere of Influence, and thereby ensure that development occurs in conformance with Town standards in the future. This is of particular importance when it relates to development standards for properties, and infrastructure requirements, which the Town will be responsible for when the lands are annexed.

As a result of Council's direction to staff, the Town's concerns regarding lands outside the Sphere of Influence and to the north of Town, and LAFCO's request, staff included these areas within the General Plan and concurrent zoning for these lands. As the Town Council is aware, any zoning designation must be consistent with the General Plan, so a General Plan Amendment which will add these lands to the General Plan land use map was initiated. The land use designations considered both for the General Plan and the Development Code are consistent with the designations currently placed on these lands by the County. In the case of the Town's Development Code, minimum acreage requirements for the large-lot designations (with minimums of 10, 20 or 40 acres) must be added to the Very Low Density Residential zone, as they currently do not exist in the Town's Code. The permitted and conditionally permitted uses, which are generally consistent with the County's Development Code, are not proposed to change. The development standards in the Very Low Density zone will not change, with the exception of the minimum lot size requirements of 10, 20 or 40 acres.

The Table below illustrates the General Plan land use designation assigned to the lands by the County of San Bernardino, the General Plan land use designation proposed under Apple Valley's General Plan, and the proposed Zoning designation for the lands included in the area shown in Exhibit A.

**Table 1  
Town of Apple Valley  
Proposed General Plan and Zoning Designations**

| <b>San Bernardino County Designation</b> | <b>Density (Units/Acre)</b> | <b>Apple Valley General Plan Designation</b> | <b>Apple Valley Pre-Zoning Designation</b> |
|--|-----------------------------|--|--|
| Rural Living (RL)                        | 1/2.5 AC                    | R-LD   | R-LD                                       |
| RL-5                                     | 1/5 AC                      | R-LD   | R-LD                                       |
| RL-10                                    | 1/10 AC                     | R-VLD  | New Town Zone: R-VLD/10                    |
| RL-20                                    | 1/20 AC                     | R-VLD  | New Town Zone: R-VLD/20                    |
| RL-40                                    | 1/40 AC                     | R-VLD  | New Town Zone: R-VLD/40                    |
| Single Family (RS-1)                     | 1/1 AC                      | R-E and R-SF                                 | R-E and R-SF                               |
| Agriculture (AG)                         | 1/10 AC                     | R-VLD  | New Town Zone: R-VLD/10                    |
| Resource Conservation                    | 1/40 AC                     | R-VLD  | New Town Zone: R-VLD/40                    |
| General Commercial                       |                             | C-G  | C-G  |
| Neighborhood Commercial                  |                             | C-G  | C-G  |
| Community Industrial                     |                             | I-P  | I-P  |
| Regional Industrial                      |                             | I-G  | I-G  |
| Floodway                                 |                             | OS-C   | OS-C                                       |

The acreage proposed for General Plan designation and Pre-Zoning totals 122,921.2 acres, as shown in Table 2. Tables 2, 3 and 4 illustrate the acreage under existing County General Plan designations; the acreage under proposed Town General Plan designations; and, the acreage under proposed Town Zoning designations, respectively. The County General Plan Map, Town proposed General Plan Map and, the Town proposed Zoning Map are attached to this staff report as Exhibits A, B and C, respectively.

| <b>Table 2<br/>Acreage Under San Bernardino County General Plan<br/>Designations</b> |                  |
|--|------------------|
| <b>County Designations</b>   | <b>Acres</b>     |
| Rural Living 1du/40ac  | 1,450.6          |
| Rural Living 1du/20ac  | 7,465.7          |
| Rural Living 1du/10ac  | 2,429.7          |
| Rural Living 1du/5ac   | 5,221.3          |
| Rural Living   | 21,940.4         |
| Single Family  | 24.3             |
| Single Family 1du/ac   | 3,851.3          |
| Single Family 14,000 sqft.   | 48.5             |
| General Commercial   | 96.3             |
| Neighborhood Commercial  | 43.4             |
| Regional Industrial  | 4,450.7          |
| Community Industrial   | 624.6            |
| Floodway   | 698.1            |
| Agriculture  | 1,991.6          |
| Resource Conservation  | 72,584.7         |
| <b>Total</b>   | <b>122,921.2</b> |

| <b>Table 3<br/>Acreage Under Proposed Town of Apple Valley General Plan<br/>Designations</b> |                  |
|--|------------------|
| <b>Apple Valley General Plan Designation</b>   | <b>Acres</b>     |
| Residential - Very Low Density   | 85,922.2         |
| Residential - Low Density  | 27,161.8         |
| Residential - Single Family  | 72.8             |
| Residential - Estate   | 3,851.3          |
| General Commercial   | 139.7            |
| General Industrial   | 4,450.7          |
| Planned Industrial   | 624.6            |
| Open Space - Conservation  | 698.1            |
| <b>Total</b>   | <b>122,921.2</b> |

| <b>Table 4<br/>Acreage Under Proposed Town of Apple Valley Zoning Designations</b> |                  |
|--|------------------|
| <b>Apple Valley Zone Designation</b>   | <b>Acres</b>     |
| Very Low Density 1du/40ac.   | 74,035.2         |
| Very Low Density 1du/20ac.   | 7,465.7          |
| Very Low Density 1du/10ac.   | 4,421.3          |
| Residential - Low Density  | 27,161.8         |
| Residential - Single Family  | 72.8             |
| Residential - Estate   | 3,851.3          |
| General Commercial   | 139.7            |
| General Industrial   | 4,450.7          |
| Planned Industrial   | 624.6            |
| Open Space - Conservation  | 698.1            |
| <b>Total</b>   | <b>122,921.2</b> |

The Development Code Amendment includes the creation of new Development Code (Zoning) standards to accommodate the County's current acreage minimums. The changes required to

the Development Code provide the addition of suffixes to correspond to the County's minimum acreage requirements. The amendments to the Development Code are detailed below. Additions are shown in bold text. Deletions are struck-through.

Amendments to the Chapter 9.05:

**TABLE 9.05.030-A ZONING DISTRICTS**

| District Title   | Map Designation |
|--|-----------------|
| <b>Residential Districts</b>   |                 |
| Very Low Density Residential (1du/5 or more gross acre) <sup>1</sup> | R-VLD           |
| Residential Agriculture (1du/2.5 gross ac)                           | R-A             |
| Low Density Residential (1 du/2.5 to 5 gross ac)                     | R-LD            |
| Estate Residential (1 du/1 to 2.5 gross ac)                          | R-E             |
| Equestrian Residential (1 du/0.4 to 0.9 net ac)                      | R-EQ            |
| Single Family Residential (1 du/0.4 to 0.9 net ac)                   | R-SF            |
| Multi-Family Residential (2 to 10 du/net ac)                         | R-M             |
| Planned Residential Development                                      | PRD             |
| <b>Commercial/Office Districts</b>                                   |                 |
| Office Professional  | O-P             |
| General Commercial   | C-G             |
| Service Commercial   | C-S             |
| Regional Commercial  | C-R             |
| Village Commercial   | C-V             |
| <b>Industrial Districts</b>  |                 |
| Light Industrial   | I-L             |
| General Industrial   | I-G             |
| Planned Industrial   | I-P             |
| Resource Extraction  | I-RE            |
| <b>Other Districts</b>   |                 |
| Open Space, Conservation   | OS-C            |
| Open Space, Recreation   | OS-R            |
| Specific Plan  | SP              |
| <b>Overlay Districts</b>   |                 |
| Airport Overlay  | A-1, A-2        |
| Entertainment Village  | EV              |
| Flood Hazard Area  | FH              |
| Seismic Hazard   | SH              |
| Ranchos Residential Overlay  | RRO             |

<sup>1</sup> Suffixes apply to zoned lands in the sphere of influence and to the north of the Town limits. These suffixes denote the minimum acreage per lot, as described in Chapter 9.28.

**9.05.110 Prezoning**

- A. For the purposes of establishing district regulations to become effective upon annexation, property outside the corporate boundaries of the Town, within the Sphere of Influence, may be classified within one or more districts in the same manner and subject to the same procedural requirements as prescribed for property within the Town.

- B.** Upon passage of an ordinance establishing the applicable rezoning designation for property outside the Town, the official Zoning Districts Map shall be revised to show the rezoning classification to become effective upon annexation.

AMENDMENTS TO CHAPTER 9.28 (RESIDENTIAL DISTRICTS):

**9.28.010 Purpose and General Plan Consistency**

- A. Purpose.** The residential districts as well as the regulation of uses and basic site and improvement standards contained in this Chapter implement the Town General Plan by achieving the following purposes:
1. To implement General Plan goals and policies to promote safe, attractive and well-served residential areas.
  2. To reserve areas for residential uses for family living at a broad range of dwelling unit densities consistent with the General Plan and appropriate standards of public health, safety and welfare;
  3. To define specific uses for residential districts which implement the range of uses identified in the General Plan;
  4. To establish basic site development and improvement standards consistent with applicable General Plan policies to insure compatibility among new and existing residential districts and to minimize the potential for incompatible uses to adversely affect one another;
  5. To develop drainage solution and to avoid exacerbation of any existing flooding problem;
  6. To minimize traffic congestion and to avoid the overloading of public services and utilities;
  7. To facilitate the efficient provision of public services and other public facilities consistent with the General Plan and with anticipated population, dwelling unit densities and service requirements;
  8. To establish open areas and to provide multi-use trail linkages to capitalize on existing facilities and avoid the loss of opportunities available during the planning and design of residential projects;
  9. To maintain a minimum lot size throughout the Town of 18,000 net square feet per new parcel unless a specific plan or planned unit development is submitted for consideration;
  10. To create a clear and consistent set of standards to assist the development community in comprehending applicable General Plan policies and the Town's intent with regard to regulating residential development; **and**
  11. **To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.**

**9.28.020 Residential Districts**

**A. Very Low Density Residential (R-VLD).** This district is intended for very low density, single family detached housing development with a minimum lot size of five (5) gross acres per unit. This area is suited for agriculture, animal keeping and equestrian uses, but because of environmental constraints or lack of services these uses must occur at low intensities. This zoning district implements the General Plan Very Low Density Residential (R-VLD) land use designation density of five (5) or more gross acres per dwelling unit. **For zoned lands outside the Town limits, suffixes have been applied which denote the minimum acreage required in the zone.**

**9.28.040 Site Development Standards** (*Amended Ord. 314, 341, 354*)

The Site Development Standards in Table 9.28.040-A are intended to provide standards for the development and use of land within the residential districts. These standards apply in

conjunction with the applicable specific use regulations in Chapter 9.29, and the design standards in Chapter 9.31. All submissions to the Town of Apple Valley for a development or other permit, whether for Planning Commission, Town Council, or Plan Check and Building Permit review, may be required to provide public right-of-way or other appropriate dedication(s) and off-site and/or street and other related public improvement(s) consistent with the Circulation Element of the adopted General Plan and/or applicable standards established by the Town Engineer, as determined by the Town of Apple Valley Town Engineer, to mitigate and/or contribute toward mitigation of impacts, to promote the public health, safety and welfare, and as not otherwise restricted by law.

The setbacks specified in Table 9.28.040-A shall be the setback standards unless a different setback is indicated by a Ranchos Residential Overlay District as designated in Chapter 9.63 of this Code or is required as delineated on all Final Maps, Parcel Maps and Records of Survey Maps recorded in San Bernardino County between March 1, 1948, and January 1, 1987, or on Composite Development Plans on file in Town offices, then, these setbacks shall be the street and yard setback distances required on the property within said Final Maps, Parcel Maps, Records of Survey or Composite Development Plan. Notwithstanding any other provision of this Code, any request to modify or deviate from a building setback line designated on a recorded map or final map shall be made in accordance with the provisions of Chapter 9.24 *Variances*, of this Code.

**TABLE 9.28.040-A SITE DEVELOPMENT STANDARDS**

| STANDARDS  | DISTRICT                |                       |                       |                     |                          |                          |                              |                    |
|--|-------------------------|-----------------------|-----------------------|---------------------|--------------------------|--------------------------|------------------------------|--------------------|
|  | R-VLD                   | R-A                   | R-LD                  | R-E                 | R-EQ                     | R-SF                     | R-M                          | PRD <sup>(1)</sup> |
| 1. Minimum lot area  | 5 ac <sup>(2)(15)</sup> | 2.5 ac <sup>(2)</sup> | 2.5 ac <sup>(2)</sup> | 1 ac <sup>(2)</sup> | 18,000 sf <sup>(3)</sup> | 18,000 sf <sup>(3)</sup> | 18,000 sf <sup>(3)</sup>     | PRD <sup>(4)</sup> |
| 2. Minimum corner lot area                                   | 5 ac <sup>(2)</sup>     | 2.5 ac <sup>(2)</sup> | 2.5 ac <sup>(2)</sup> | 1 ac <sup>(2)</sup> | 20,000 sf <sup>(3)</sup> | 20,000 sf <sup>(3)</sup> | 20,000 sf <sup>(3)</sup>     |                    |
| 3. Minimum lot width (ft)                                    | 200                     | 150                   | 150                   | 125                 | 100                      | 100                      | 100                          | PRD                |
| 4. Minimum corner lot width (ft)                             | 200                     | 150                   | 150                   | 125                 | 115                      | 115                      | 115                          | PRD                |
| 5. Minimum lot depth (ft)                                    | 300                     | 300                   | 300                   | 250                 | 150                      | 150                      | 150                          | PRD                |
| 6. Minimum corner lot depth (ft)                             | 300                     | 300                   | 300                   | 300                 | 150                      | 150                      | 150                          | PRD                |
| 7. Minimum site frontage (ft)                                | 90                      | 90                    | 90                    | 60                  | 60                       | 60                       | 60                           | PRD                |
| 8. a. Minimum front setback (ft)                             | 50                      | 50                    | 50                    | 45                  | 30                       | 30                       | 40                           | 10 <sup>(5)</sup>  |
| b. Average front setback (ft)                                | N/A                     | N/A                   | N/A                   | 50                  | 35                       | 35                       | 45                           | PRD                |
| 9. Minimum rear setback <sup>(6)</sup>                       | 40                      | 35                    | 35                    | 30                  | 25                       | 25                       | 25                           | 5                  |
| 10. a. Minimum side setback (ft) <sup>(7)</sup>              | 25                      | 25                    | 25                    | 20                  | 15/10 <sup>(8)</sup>     | 15/10 <sup>(8)</sup>     | 10 <sup>(8)</sup>            | 6                  |
| b. Minimum street side setback <sup>(9)</sup> (ft)           | 45                      | 45                    | 45                    | 40                  | 25                       | 25                       | 25                           | 10                 |
| 11. Animal keeping compatibility buffer <sup>(10)</sup> (ft) | 25                      | 25                    | 25                    | 25                  | 25                       | N/A                      | N/A                          | PRD                |
| 12. Height limitations <sup>(11)</sup> (ft)                  | 35                      | 35                    | 35                    | 35                  | 35                       | 35                       | 35 <sup>(13)</sup>           | 35                 |
| 13. a. Maximum lot coverage                                  | 25%                     | 25%                   | 25%                   | 25%                 | 30%                      | 40%                      | 60% <sup>(14)</sup>          | 50%                |
| b. Minimum dwelling unit size (sq. ft.)                      | 1,200                   | 1,200                 | 1,200                 | 1,200               | 1,200                    | 1,200                    | 600 to 1,200 <sup>(12)</sup> | PRD                |
| 14. Minimum landscape area                                   | N/A                     | N/A                   | N/A                   | N/A                 | N/A                      | N/A                      | 15%                          | 30%                |



| STANDARDS  | DISTRICT |     |      |     |      |      |     |                    |
|--|----------|-----|------|-----|------|------|-----|--------------------|
|  | R-VLD    | R-A | R-LD | R-E | R-EQ | R-SF | R-M | PRD <sup>(1)</sup> |
| 15. Minimum distance between primary structure and detached accessory structure (ft) | 6        | 6   | 6    | 6   | 6    | 6    | 10  | 6                  |

- (1) Development standards shall comply with the minimums established in this Chapter, and in Section 9.29.080, Planned Residential Developments, of this Code, and shall be consistent with an approved Planned Development Permit. Development standards not addressed in an approved PRD shall be the same as those standards contained in this Code for the most similar use or situation.
- (2) Lot area measured in gross acres.
- (3) Lot area measured in net square feet.
- (4) Density shall be consistent with the General Plan and applicable sections of the Development Code.
- (5) A minimum driveway of twenty (20) feet is required for the entrance to a garage or carport unless an automatic garage door opener is provided or unless garage access is provided from an alley.
- (6) Reduced rear setbacks are allowed for accessory structures pursuant to Section 9.29.030.B.
- (7) The Ranchos Residential Overlay District(s), Chapter 9.63 of this Code, may specify different side yard setbacks for interior lot lines.
- (8) Ten (10) feet is required on one side setback, fifteen (15) feet on the opposite side. See also Section 9.28.140, Solar Access, of this Code; subject to solar access requirements. A minimum fifteen (15) foot setback is required between residential districts and other districts. Non-habitable structures can encroach within the side and rear yard setbacks. See subsection 9.29.070.B.2 and 3.
- (9) Solid fences in excess of four (4) feet in height are not allowed closer than twelve (12) feet to the right-of-way, pursuant to the provisions of Section 9.28.120 Fences, Walls and Hedges, of this Chapter.
- (10) A twenty-five (25) foot setback from roofed animal enclosures to habitable structures on adjacent property is required by paragraph 9.29.030.F.2 Roofed Animal Enclosures, of this Code. A fifty (50) foot setback from other animal enclosures to habitable structures on adjacent property is required by subsection 9.29.030.F.3 Other Animal Enclosures, of this Code.
- (11) Certain mechanical and architectural features may exceed height limits by a maximum of fifteen (15) feet pursuant to subsection 9.28.040.E Projections above Height Limits, of this Chapter.
- (12) See Subsection 9.29.070.B.5 Minimum Dwelling Unit Size, of this Code.
- (13) See subsection 9.29.070.B.4 Height Limitations, of this Code. A maximum height of 50 feet is allowed with Planning Commission approval.
- (14) See subsection 9.29.070.B.10 Lot Coverage, of this Code. A maximum of 70% is allowed with Planning Commission approval.
- (15) **For lands located outside the Town limits, the following minimum lot sizes shall apply (see Zoning Map).**  
**R-VLD/10 10 acre minimum lot size**  
**R-VLD/20 20 acre minimum lot size**  
**R-VLD/40 40 acre minimum lot size**

Amendments to Chapter 9.35 (Commercial Districts):

### 9.35.010 Purpose and General Plan Consistency

- A. The purpose of this Chapter is to guide the growth and development of the Town in an orderly manner consistent with the goals, policies and action plans of the General Plan and the Comprehensive Economic Development Plan; to protect and enhance the quality of the natural and improved environment; and to promote the public health, safety and welfare by achieving the following:
1. Providing appropriately located areas for office uses, retail stores and service establishments to meet the needs of the Town.
  2. Promoting office and commercial locations and site designs which are conveniently accessible by equestrian, bicycle and foot traffic, as well as autos.
  3. Supporting development that is compatible with surrounding uses and neighborhoods while suggesting uniqueness and character.
  4. Providing for open spaces and areas for landscaping through the use of Site Development Standards to protect the property values of existing business developments from inappropriately located uses and to enhance the investment of residents and business owners.
  5. Encouraging office and commercial uses to be grouped for the safety of the public and to avoid nuisance impacts from incompatible land uses.
  6. Clustering commercial activities in selected locations adjacent to major roads and in the vicinity of the Apple Valley Airport.
  7. Supporting sound destination attractions/commercial recreation projects that can uniquely occur in Apple Valley.
  8. **To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.**

#### Amendment to Chapter 9.45 (Industrial Districts):

### 9.45.010 Purpose and General Plan Consistency

- A. **Purpose.** The purpose of this Chapter is to guide the growth of industrial development within the Town in an orderly manner consistent with the goals and policies of the General Plan; to protect and enhance the quality of the natural and improved environment; and to promote the public health, safety and welfare by achieving the following:
1. Providing appropriately located areas for industrial uses to meet the needs of the Town;
  2. Providing standards for the development of clean, high quality development in the Town's industrial districts;
  3. Encouraging industrial uses to be grouped for the convenience of the public and to avoid nuisances among adjacent land uses;
  4. Establishing measures that buffer both new and established residences from industrial activities.
  5. Ensuring that adequate roadways, infrastructure, and public services are provided;
  6. Promoting open spaces and areas for landscaping through the use of Site Development Standards to create a visually pleasing environment and to protect and enhance property values.
  7. **To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.**

Additionally, the purpose of this Chapter is to implement the goals, objectives, strategies and action plans of the Town's Comprehensive Economic Development Plan through industrial development featuring design and planning excellence.

Amendments to Chapter 9.55 (Open Space Districts):

**9.55.010 Purpose and General Plan Consistency**

- A. Purpose.** The purpose of this Chapter is to implement the Open Space/Conservation Element of the General Plan, to protect areas designated for public and private uses related to open space and recreation, to preserve and protect these areas as a limited valuable natural resource, and to identify, classify and protect lands the unrestricted use of which, might constitute a hazard to the public health, safety and welfare and the aesthetic value of the community. Open space areas include Bell Mountain, Fairview Mountain, the Apple Valley Country Club, the Mojave River, the knolls, any significant rock outcroppings, and any slopes of fifteen (15) percent or greater. Also included are flood control channels, groundwater percolation basins, and recreational facilities such as parks and recreation trails.
- B. Objectives.** The following are objectives of the Open Space Districts:
1. The conservation and protection of natural resources within the Town;
  2. The preservation of significant mature native trees, native vegetation, significant natural landforms, and wildlife habitat within the Town;
  3. The preservation of the integrity, function, productivity and long term viability of environmentally sensitive habitats and significant geological features within the Town;
  4. The promotion and encouragement of energy efficiency and the use of renewable energy resources;
  5. The encouragement and support for the preservation of historic, cultural and archaeological resources within the Town;
  6. The emphasis of the importance of the maintenance of, and access to, open space and recreational resources within the Town;
  7. The provision of recreational facilities to meet the needs of all segments of the community for recreational activities, relaxation and social interaction;
  8. The provision of pedestrian, jogging, equestrian and bicycle trails as linkages between open space and recreational facilities within the Town;
  9. The minimization of the generation of air pollutants from projected growth and the support of regional efforts to control air pollution in order to minimize public health hazards;
  10. The promotion of land use decisions which ensure, to the greatest extent possible, compatibility between mineral resource extraction and adjacent land uses.
  11. **To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.**

**REQUIRED FINDINGS**

Prior to the approval of any Amendment to the General Plan or Development Code, the Council, based upon the advice of the Planning Commission, must make specific "Findings" as listed within the Code. Code Sections 9.02.050 and 9.06.060 "Required Findings" specify the Findings which must be made in a positive manner to approve General Plan and Development Code Amendments, respectively. These Findings, along with a comment to address each, are presented below.

9.02.050 Required Findings, General Plan

- A. 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: The General Plan supports the long term expansion of Town boundaries through annexation under Policy LU-2.3. The proposed Amendment will allow for coordinated planning with the County of San Bernardino so development which may eventually be annexed into the Town will be of the quality required by Policies LU-2.2 and LU-2.4.

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

Comment: The addition of land use designations to lands currently outside Town limits will encourage the development of high quality projects. The Amendment will not impact policies and programs, or General Plan consistency, insofar as policy LU-2.3 foresaw the future expansion of the Town, and the General Plan's goals, policies and programs are intended to apply to all lands in Town, whether currently or in the future.

- C. 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: The proposed Amendment will allow the Town to comment on development proposals in the County, and assure that development standards and infrastructure requirements are consistent with Town standards for high quality development. The Amendment will assure that land use patterns are consistent with the Town's vision.

9.06.060 Required Findings, Development Code

- A. The proposed Amendment is consistent with the General Plan;

Comment: The proposed Amendment will allow the Town to comment on development proposals in the County, which may be annexed to the Town in the future. The establishment of Zoning standards consistent with the rest of the Town for these lands will assure that development proposals are consistent with the General Plan's vision for high quality, well planned development.

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

Comment: The proposed Amendment will not directly impact the health, safety and welfare of the Town's residents. Until such time as the lands are annexed, the Town will not be impacted by the proposed Amendment. However, when these lands become part of the Town, the imposition of Town

standards for high quality development will assure that residents in the future will be protected.

### **ENVIRONMENTAL REVIEW**

Pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), the Town determined that the proposed General Plan and Development Code Amendments could not have a significant impact on the environment. A Negative Declaration is proposed.

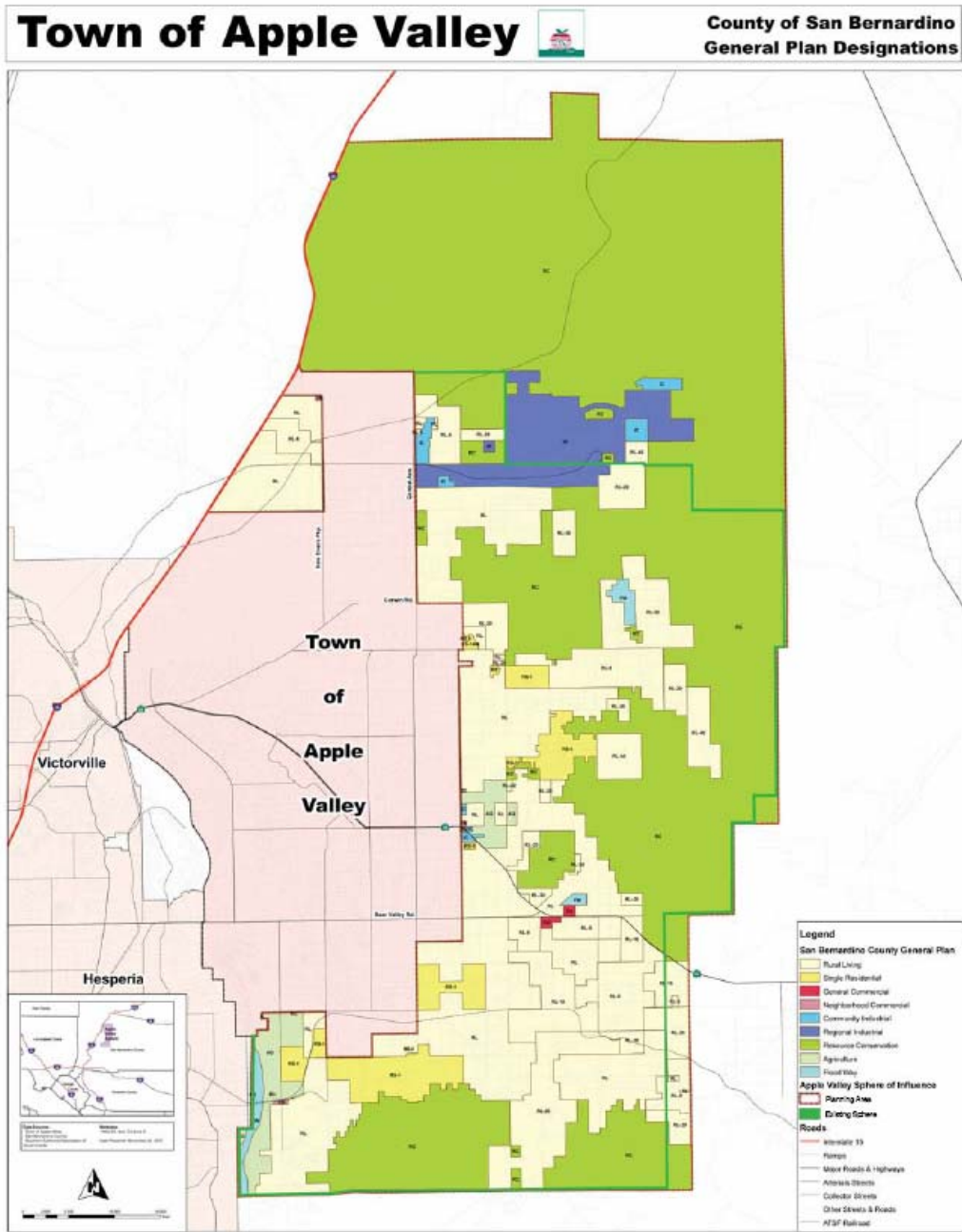
### **NOTICING**

The notice for General Plan Amendment No. 2007-007 and Development Code Amendment No. 2007-004 was advertised as a public hearing in the Apple Valley News newspaper and the Daily Press on February 29, 2008. The notice exceeds the requirements of Development Code Section 9.13.030 "Notice of Public Hearings".

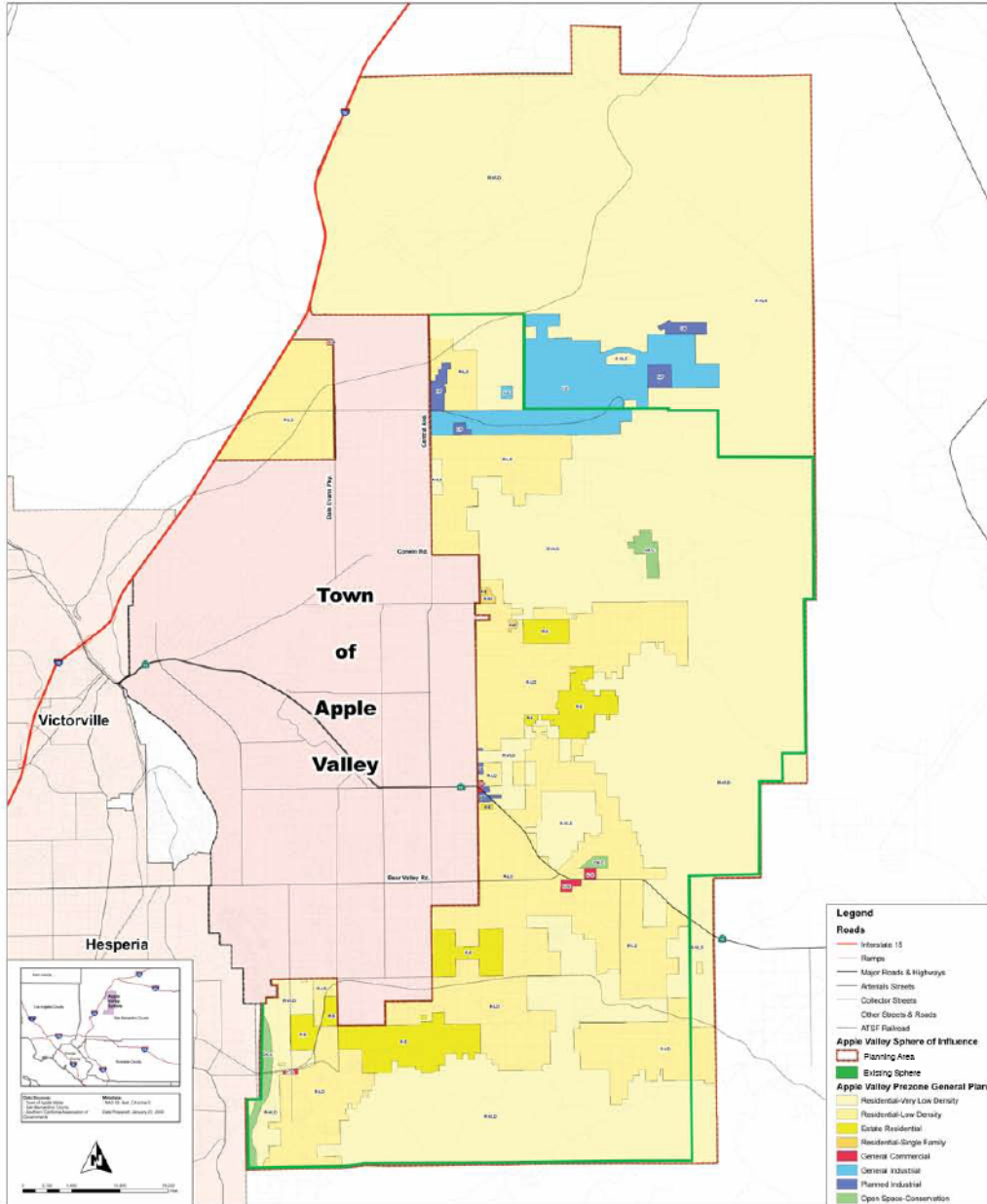
### **RECOMMENDATION**

Following receipt of public input and discussion by the Council, it is recommended that the Council adopt Resolution No. 2008-008 amending the Land Use Element of the General Plan and Introduce Ordinance No. 378 amending the Development Code.

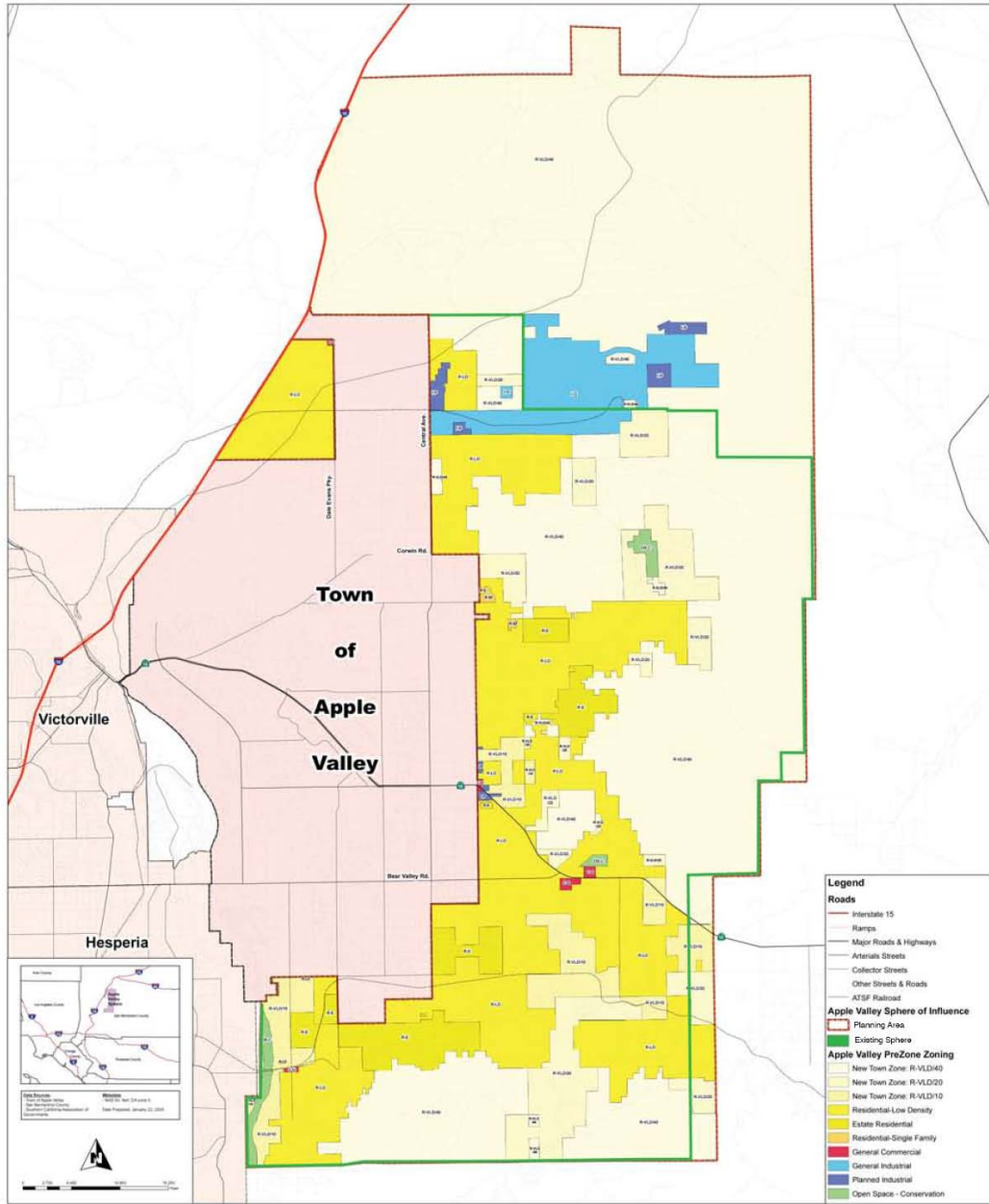
Attachments: Exhibit A – County of San Bernardino General Plan Designations  
Exhibit B –Town General Plan Designations  
Exhibit C – Town Zoning Designations  
Planning Commission Resolution No. 2008-001  
Resolution No. 2008-008  
Ordinance No. 378



**Town of Apple Valley**  **Town General Plan Designations**



# Town of Apple Valley Town Zoning Designations





**PLANNING COMMISSION RESOLUTION NO. 2008-001**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL AMEND THE GENERAL PLAN LAND USE MAP, AND AMEND TITLE 9 "DEVELOPMENT CODE" OF THE TOWN OF APPLE VALLEY MUNICIPAL CODE, PERTAINING TO ZONING OF LANDS OUTSIDE THE TOWN LIMITS, BOTH WITHIN AND OUTSIDE THE TOWN'S SPHERE OF INFLUENCE.**

**WHEREAS**, The Town Of Apple Valley General Plan was adopted by the Town Council on October 27, 1998; and

**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**, 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 the General Plan to assign land use designations to 122,921.2 acres located outside the Town's boundary, in and out of its sphere of influence; and,

**WHEREAS**, specific changes are proposed to Title 9 "Development Code" of the Town of Apple Valley Municipal Code assigning zoning designations and creating new development standards for lands located outside the Town's boundary, in and out of its sphere of influence; and,

**WHEREAS**, on December 21, 2007, General Plan Amendment 2007-007 and Development Code Amendment No. 2007-0004 were duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

**WHEREAS**, on January 28, 2008, General Plan Amendment 2007-007 and Development Code Amendment No. 2007-0004 were duly noticed in the Daily Press, a newspaper of general circulation; and

**WHEREAS**, staff has determined that under the State Guidelines to implement the California Environmental Quality Act (CEQA), the proposed General Plan Amendment and Development Code Amendment could not have a significant impact on the environment; and

**WHEREAS**, on January 16 and February 20, 2008 the Planning Commission of the Town of Apple Valley conducted duly noticed and advertised public hearings on General Plan Amendment 2007-007 and Development Code Amendment No. 2007-004, receiving testimony from the public; and

**WHEREAS**, General Plan Amendment 2007-007 and Development Code Amendment No. 2007-004 are consistent with the General Plan and 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, does hereby resolve, order and determine as follows and recommends that the Town Council make the following findings and take the following actions:

**Section 1.** Find that the changes proposed by General Plan Amendment 2007-007 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

**Section 2.** Find that the changes proposed by Development Code Amendment No. 2007-004, are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

**Section 3.** Under the State Guidelines to implement the California Environmental Quality Act (CEQA), the proposed General Plan Amendment and Development Code Amendment could not have a significant impact on the environment.

**Section 4.** Amend the Development Code to read as follows:

Amendments to the Chapter 9.05:

**TABLE 9.05.030-A ZONING DISTRICTS**

| District Title  | Map Designation   |
|---|---|
| <b>Residential Districts</b><br>Very Low Density Residential (1du/5 or more gross acre) <sup>1</sup><br>Residential Agriculture (1du/2.5 gross ac)<br>Low Density Residential (1 du/2.5 to 5 gross ac)<br>Estate Residential (1 du/1 to 2.5 gross ac)<br>Equestrian Residential (1 du/0.4 to 0.9 net ac)<br>Single Family Residential (1 du/0.4 to 0.9 net ac)<br>Multi-Family Residential (2 to 10 du/net ac)<br>Planned Residential Development | R-VLD<br><br>R-A<br>R-LD<br>R-E<br>R-EQ<br>R-SF<br>R-M<br>PRD |
| <b>Commercial/Office Districts</b><br>Office Professional<br>General Commercial<br>Service Commercial<br>Regional Commercial<br>Village Commercial  | O-P<br>C-G<br>C-S<br>C-R<br>C-V                               |
| <b>Industrial Districts</b><br>Light Industrial<br>General Industrial<br>Planned Industrial   | I-L<br>I-G<br>I-P   |
| Resource Extraction   | I-RE  |
| <b>Other Districts</b><br>Open Space, Conservation<br>Open Space, Recreation<br>Specific Plan   | OS-C<br>OS-R<br>SP  |
| <b>Overlay Districts</b><br>Airport Overlay   | A-1, A-2  |

| District Title              | Map Designation |
|-----------------------------|-----------------|
| Entertainment Village       | EV              |
| Flood Hazard Area           | FH              |
| Seismic Hazard              | SH              |
| Ranchos Residential Overlay | RRO             |

<sup>1</sup> **Suffixes apply to zoned lands in the sphere of influence and to the north of the Town limits. These suffixes denote the minimum acreage per lot, as described in Chapter 9.28.**

**9.05.110 Prezoning**

- A. For the purposes of establishing district regulations to become effective upon annexation, property outside the corporate boundaries of the Town, within the Sphere of Influence, may be classified within one or more districts in the same manner and subject to the same procedural requirements as prescribed for property within the Town.
- B. Upon passage of an ordinance establishing the applicable prezoning designation for property outside the Town, the official Zoning Districts Map shall be revised to show the prezoning classification to become effective upon annexation.

AMENDMENTS TO CHAPTER 9.28 (RESIDENTIAL DISTRICTS):

**9.28.010 Purpose and General Plan Consistency**

- A. **Purpose.** The residential districts as well as the regulation of uses and basic site and improvement standards contained in this Chapter implement the Town General Plan by achieving the following purposes:
  1. To implement General Plan goals and policies to promote safe, attractive and well-served residential areas.
  2. To reserve areas for residential uses for family living at a broad range of dwelling unit densities consistent with the General Plan and appropriate standards of public health, safety and welfare;
  3. To define specific uses for residential districts which implement the range of uses identified in the General Plan;
  4. To establish basic site development and improvement standards consistent with applicable General Plan policies to insure compatibility among new and existing residential districts and to minimize the potential for incompatible uses to adversely affect one another;
  5. To develop drainage solution and to avoid exacerbation of any existing flooding problem;
  6. To minimize traffic congestion and to avoid the overloading of public services and utilities;
  7. To facilitate the efficient provision of public services and other public facilities consistent with the General Plan and with anticipated population, dwelling unit densities and service requirements;
  8. To establish open areas and to provide multi-use trail linkages to capitalize on existing facilities and avoid the loss of opportunities available during the planning and design of residential projects;
  9. To maintain a minimum lot size throughout the Town of 18,000 net square feet per new parcel unless a specific plan or planned unit development is submitted for consideration;
  10. To create a clear and consistent set of standards to assist the development community in comprehending applicable General Plan policies and the Town's intent with regard to regulating residential development; **and**

11. To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.

**9.28.020 Residential Districts**

**A. Very Low Density Residential (R-VLD).** This district is intended for very low density, single family detached housing development with a minimum lot size of five (5) gross acres per unit. This area is suited for agriculture, animal keeping and equestrian uses, but because of environmental constraints or lack of services these uses must occur at low intensities. This zoning district implements the General Plan Very Low Density Residential (R-VLD) land use designation density of five (5) or more gross acres per dwelling unit. **For zoned lands outside the Town limits, suffixes have been applied which denote the minimum acreage required in the zone.**

**9.28.040 Site Development Standards (Amended Ord. 314, 341, 354)**

The Site Development Standards in Table 9.28.040-A are intended to provide standards for the development and use of land within the residential districts. These standards apply in conjunction with the applicable specific use regulations in Chapter 9.29, and the design standards in Chapter 9.31. All submissions to the Town of Apple Valley for a development or other permit, whether for Planning Commission, Town Council, or Plan Check and Building Permit review, may be required to provide public right-of-way or other appropriate dedication(s) and off-site and/or street and other related public improvement(s) consistent with the Circulation Element of the adopted General Plan and/or applicable standards established by the Town Engineer, as determined by the Town of Apple Valley Town Engineer, to mitigate and/or contribute toward mitigation of impacts, to promote the public health, safety and welfare, and as not otherwise restricted by law.

The setbacks specified in Table 9.28.040-A shall be the setback standards unless a different setback is indicated by a Ranchos Residential Overlay District as designated in Chapter 9.63 of this Code or is required as delineated on all Final Maps, Parcel Maps and Records of Survey Maps recorded in San Bernardino County between March 1, 1948, and January 1, 1987, or on Composite Development Plans on file in Town offices; then these setbacks shall be the street and yard setback distances required on the property within said Final Maps, Parcel Maps, Records of Survey or Composite Development Plan. Notwithstanding any other provision of this Code, any request to modify or deviate from a building setback line designated on a recorded map or final map shall be made in accordance with the provisions of Chapter 9.24 *Variances*, of this Code.

**TABLE 9.28.040-A SITE DEVELOPMENT STANDARDS**

| STANDARDS                        | DISTRICT            |                       |                       |                     |                          |                          |                          |                    |
|----------------------------------|---------------------|-----------------------|-----------------------|---------------------|--------------------------|--------------------------|--------------------------|--------------------|
|                                  | R-VLD               | R-A                   | R-LD                  | R-E                 | R-EQ                     | R-SF                     | R-M                      | PRD <sup>(1)</sup> |
| 1. Minimum lot area              | 5 ac <sup>(2)</sup> | 2.5 ac <sup>(2)</sup> | 2.5 ac <sup>(2)</sup> | 1 ac <sup>(2)</sup> | 18,000 sf <sup>(3)</sup> | 18,000 sf <sup>(3)</sup> | 18,000 sf <sup>(3)</sup> | PRD <sup>(4)</sup> |
| 2. Minimum corner lot area       | 5 ac <sup>(2)</sup> | 2.5 ac <sup>(2)</sup> | 2.5 ac <sup>(2)</sup> | 1 ac <sup>(2)</sup> | 20,000 sf <sup>(3)</sup> | 20,000 sf <sup>(3)</sup> | 20,000 sf <sup>(3)</sup> |                    |
| 3. Minimum lot width (ft)        | 200                 | 150                   | 150                   | 125                 | 100                      | 100                      | 100                      | PRD                |
| 4. Minimum corner lot width (ft) | 200                 | 150                   | 150                   | 125                 | 115                      | 115                      | 115                      | PRD                |

| STANDARDS  | DISTRICT |       |       |       |                      |                      |                              |                    |
|--|----------|-------|-------|-------|----------------------|----------------------|------------------------------|--------------------|
|  | R-VLD    | R-A   | R-LD  | R-E   | R-EQ                 | R-SF                 | R-M                          | PRD <sup>(1)</sup> |
| 5. Minimum lot depth (ft)  | 300      | 300   | 300   | 250   | 150                  | 150                  | 150                          | PRD                |
| 6. Minimum corner lot depth (ft)   | 300      | 300   | 300   | 300   | 150                  | 150                  | 150                          | PRD                |
| 7. Minimum site frontage (ft)  | 90       | 90    | 90    | 60    | 60                   | 60                   | 60                           | PRD                |
| 8. a. Minimum front setback (ft)   | 50       | 50    | 50    | 45    | 30                   | 30                   | 40                           | 10 <sup>(5)</sup>  |
| b. Average front setback (ft)  | N/A      | N/A   | N/A   | 50    | 35                   | 35                   | 45                           | PRD                |
| 9. Minimum rear setback <sup>(6)</sup>   | 40       | 35    | 35    | 30    | 25                   | 25                   | 25                           | 5                  |
| 10. a. Minimum side setback (ft) <sup>(7)</sup>                                      | 25       | 25    | 25    | 20    | 15/10 <sup>(8)</sup> | 15/10 <sup>(8)</sup> | 10 <sup>(8)</sup>            | 6                  |
| b. Minimum street side setback <sup>(9)</sup> (ft)                                   | 45       | 45    | 45    | 40    | 25                   | 25                   | 25                           | 10                 |
| 11. Animal keeping compatibility buffer <sup>(10)</sup> (ft)                         | 25       | 25    | 25    | 25    | 25                   | N/A                  | N/A                          | PRD                |
| 12. Height limitations <sup>(11)</sup> (ft)  | 35       | 35    | 35    | 35    | 35                   | 35                   | 35 <sup>(13)</sup>           | 35                 |
| 13. a. Maximum lot coverage  | 25%      | 25%   | 25%   | 25%   | 30%                  | 40%                  | 60% <sup>(14)</sup>          | 50%                |
| b. Minimum dwelling unit size (sq. ft.)  | 1,200    | 1,200 | 1,200 | 1,200 | 1,200                | 1,200                | 600 to 1,200 <sup>(12)</sup> | PRD                |
| 14. Minimum landscape area   | N/A      | N/A   | N/A   | N/A   | N/A                  | N/A                  | 15%                          | 30%                |
| 15. Minimum distance between primary structure and detached accessory structure (ft) | 6        | 6     | 6     | 6     | 6                    | 6                    | 10                           | 6                  |

- (1) Development standards shall comply with the minimums established in this Chapter, and in Section 9.29.080, Planned Residential Developments, of this Code, and shall be consistent with an approved Planned Development Permit. Development standards not addressed in an approved PRD shall be the same as those standards contained in this Code for the most similar use or situation.
- (2) Lot area measured in gross acres.
- (3) Lot area measured in net square feet.
- (4) Density shall be consistent with the General Plan and applicable sections of the Development Code.

- (5) A minimum driveway of twenty (20) feet is required for the entrance to a garage or carport unless an automatic garage door opener is provided or unless garage access is provided from an alley.
- (6) Reduced rear setbacks are allowed for accessory structures pursuant to Section 9.29.030.B.
- (7) The Ranchos Residential Overlay District(s), Chapter 9.63 of this Code, may specify different side yard setbacks for interior lot lines.
- (8) Ten (10) feet is required on one side setback, fifteen (15) feet on the opposite side. See also Section 9.28.140, Solar Access, of this Code; subject to solar access requirements. A minimum fifteen (15) foot setback is required between residential districts and other districts. Non-habitable structures can encroach within the side and rear yard setbacks. See subsection 9.29.070.B.2 and 3.
- (9) Solid fences in excess of four (4) feet in height are not allowed closer than twelve (12) feet to the right-of-way, pursuant to the provisions of Section 9.28.120 Fences, Walls and Hedges, of this Chapter.
- (10) A twenty-five (25) foot setback from roofed animal enclosures to habitable structures on adjacent property is required by paragraph 9.29.030.F.2 Roofed Animal Enclosures, of this Code. A fifty (50) foot setback from other animal enclosures to habitable structures on adjacent property is required by subsection 9.29.030.F.3 Other Animal Enclosures, of this Code.
- (11) Certain mechanical and architectural features may exceed height limits by a maximum of fifteen (15) feet pursuant to subsection 9.28.040.E Projections above Height Limits, of this Chapter.
- (12) See Subsection 9.29.070.B.5 Minimum Dwelling Unit Size, of this Code.
- (13) See subsection 9.29.070.B.4 Height Limitations, of this Code. A maximum height of 50 feet is allowed with Planning Commission approval.
- (14) See subsection 9.29.070.B.10 Lot Coverage, of this Code. A maximum of 70% is allowed with Planning Commission approval.
- (15) **For lands located outside the Town limits, the following minimum lot sizes shall apply (see Zoning Map).**
  - R-VLD/10      10 acre minimum lot size**
  - R-VLD/20      20 acre minimum lot size**
  - R-VLD/40      40 acre minimum lot size**

Amendments to Chapter 9.35 (Commercial Districts):

**9.35.010 Purpose and General Plan Consistency**

- A.** The purpose of this Chapter is to guide the growth and development of the Town in an orderly manner consistent with the goals, policies and action plans of the General Plan and the Comprehensive Economic Development Plan; to protect and enhance the quality of the natural and improved environment; and to promote the public health, safety and welfare by achieving the following:
  - 1.** Providing appropriately located areas for office uses, retail stores and service establishments to meet the needs of the Town.
  - 2.** Promoting office and commercial locations and site designs which are conveniently accessible by equestrian, bicycle and foot traffic, as well as autos.
  - 3.** Supporting development that is compatible with surrounding uses and neighborhoods while suggesting uniqueness and character.
  - 4.** Providing for open spaces and areas for landscaping through the use of Site Development Standards to protect the property values of existing business developments from inappropriately located uses and to enhance the investment of residents and business owners.

5. Encouraging office and commercial uses to be grouped for the safety of the public and to avoid nuisance impacts from incompatible land uses.
6. Clustering commercial activities in selected locations adjacent to major roads and in the vicinity of the Apple Valley Airport.
7. Supporting sound destination attractions/commercial recreation projects that can uniquely occur in Apple Valley.
8. **To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.**

Amendment to Chapter 9.45 (Industrial Districts):

**9.45.010 Purpose and General Plan Consistency**

**A. Purpose.** The purpose of this Chapter is to guide the growth of industrial development within the Town in an orderly manner consistent with the goals and policies of the General Plan; to protect and enhance the quality of the natural and improved environment; and to promote the public health, safety and welfare by achieving the following:

1. Providing appropriately located areas for industrial uses to meet the needs of the Town;
2. Providing standards for the development of clean, high quality development in the Town's industrial districts;
3. Encouraging industrial uses to be grouped for the convenience of the public and to avoid nuisances among adjacent land uses;
4. Establishing measures that buffer both new and established residences from industrial activities.
5. Ensuring that adequate roadways, infrastructure, and public services are provided;
6. Promoting open spaces and areas for landscaping through the use of Site Development Standards to create a visually pleasing environment and to protect and enhance property values.
7. **To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.**

Additionally, the purpose of this Chapter is to implement the goals, objectives, strategies and action plans of the Town's Comprehensive Economic Development Plan through industrial development featuring design and planning excellence.

Amendments to Chapter 9.55 (Open Space Districts):

**9.55.010 Purpose and General Plan Consistency**

**A. Purpose.** The purpose of this Chapter is to implement the Open Space/Conservation Element of the General Plan, to protect areas designated for public and private uses related to open space and recreation, to preserve and protect these areas as a limited valuable natural resource, and to identify, classify and protect lands the unrestricted use of which, might constitute a hazard to the public health, safety and welfare and the aesthetic value of the community. Open space areas include Bell Mountain, Fairview Mountain, the Apple Valley Country Club, the Mojave River, the knolls, any significant rock outcroppings, and any slopes of fifteen (15) percent or greater. Also included are flood control channels, groundwater percolation basins, and recreational facilities such as parks and recreation trails.

**B. Objectives.** The following are objectives of the Open Space Districts:

1. The conservation and protection of natural resources within the Town;

2. The preservation of significant mature native trees, native vegetation, significant natural landforms, and wildlife habitat within the Town;
3. The preservation of the integrity, function, productivity and long term viability of environmentally sensitive habitats and significant geological features within the Town;
4. The promotion and encouragement of energy efficiency and the use of renewable energy resources;
5. The encouragement and support for the preservation of historic, cultural and archaeological resources within the Town;
6. The emphasis of the importance of the maintenance of, and access to, open space and recreational resources within the Town;
7. The provision of recreational facilities to meet the needs of all segments of the community for recreational activities, relaxation and social interaction;
8. The provision of pedestrian, jogging, equestrian and bicycle trails as linkages between open space and recreational facilities within the Town;
9. The minimization of the generation of air pollutants from projected growth and the support of regional efforts to control air pollution in order to minimize public health hazards;
10. The promotion of land use decisions which ensure, to the greatest extent possible, compatibility between mineral resource extraction and adjacent land uses.
11. **To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.**

Approved and Adopted by the Planning Commission of the Town of Apple Valley this 20<sup>th</sup> day of February, 2008.

---

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 Planning Commission Resolution No. 2008-001 was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 20<sup>th</sup> day of February, 2008, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Patty Hevle, Planning Commission Secretary



**RESOLUTION NO. 2008-008**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AMENDING THE LAND USE ELEMENT OF THE GENERAL PLAN BY AMENDING THE MAP TO INCLUDE LAND USE DESIGNATIONS ON APPROXIMATELY 122,921 ACRES OF LAND LOCATED WITHIN THE TOWN'S SPHERE OF INFLUENCE AND AREAS OUTSIDE THE TOWN'S SPHERE TO THE NORTH OF THE TOWN BOUNDARIES AND EAST OF THE EXISTING SPHERE OF INFLUENCE BOUNDARIES.**

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

**WHEREAS**, the Town Council of the Town of Apple Valley adopted a General Plan, including the Safety Element of the General Plan, on October 27, 1998; and

**WHEREAS**, the General Plan of the Town of Apple Valley has been previously amended by the Town Council following recommendations by the Planning Commission; and

**WHEREAS**, specific changes are proposed to the Land Use Map of the Land Use Element of the General Plan; and

**WHEREAS**, The General Plan Amendment No. 2007-007 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 will promote the health, safety and general welfare of the citizens of the Town of Apple Valley; and

**WHEREAS**, the adoption of General Plan Amendment No. 2007-007 conforms with the procedures in the Municipal Code of the Town of Apple Valley, and the Findings and Comments for the General Plan Amendment set forth in the staff report which contains findings and positive comments for GPA 2007-007, are hereby adopted; and

**WHEREAS**, on January 16 and February 20, 2008, the Planning Commission conducted a duly noticed and advertised public hearings and after receiving public testimony, adopted Planning Commission Resolution No. 2008-001 recommending to the Town Council adoption of General Plan Amendment No. 2007-007; and

**WHEREAS**, The Town Council conducted a duly noticed public hearing on March 11, 2008 and received testimony and considered the written recommendation of the Planning Commission on the matter.

**NOW, THEREFORE, BE IT RESOLVED** that in consideration of the evidence presented at the public hearing, and for the reasons discussed by the Council Members at said hearing, the Town Council of the Town of Apple Valley, California, does hereby resolve, order, find and determine as follows:

**Section 1.** In regards to General Plan Amendment No. 2007-007 based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), Negative Declaration has been prepared in compliance with the California Environmental Quality Act (CEQA) and State Guidelines for the Implementation of CEQA.

**Section 2.** Based on the information contained within the Initial Study and the Negative Declaration prepared in conformance with the State Guidelines to Implement the California Environmental Quality Act (CEQA), General Plan Amendment No. 2007-007 will not have an impact upon the environment.

**Section 3.** The Town Council finds that the changes proposed under General Plan Amendment No. 2007-007 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.

**Section 4.** The Town Council hereby approves and adopts General Plan Amendment No. 2007-007 pertaining to amending the Land Use Map of the General Plan Land Use Element, on approximately 122,921 acres of land located outside the Town boundary, to the north, east and south of the Town limits as identified on Exhibit 1 of this Resolution.

**Section 5.** Effective Date. This Resolution shall become effective immediately upon adoption by the Town of Apple Valley.

Adopted by the Town Council and signed by the Mayor and attested to by the Town Clerk this 11<sup>th</sup> day of March, 2008.

\_\_\_\_\_  
Honorable Timothy Jasper, Mayor

ATTEST:

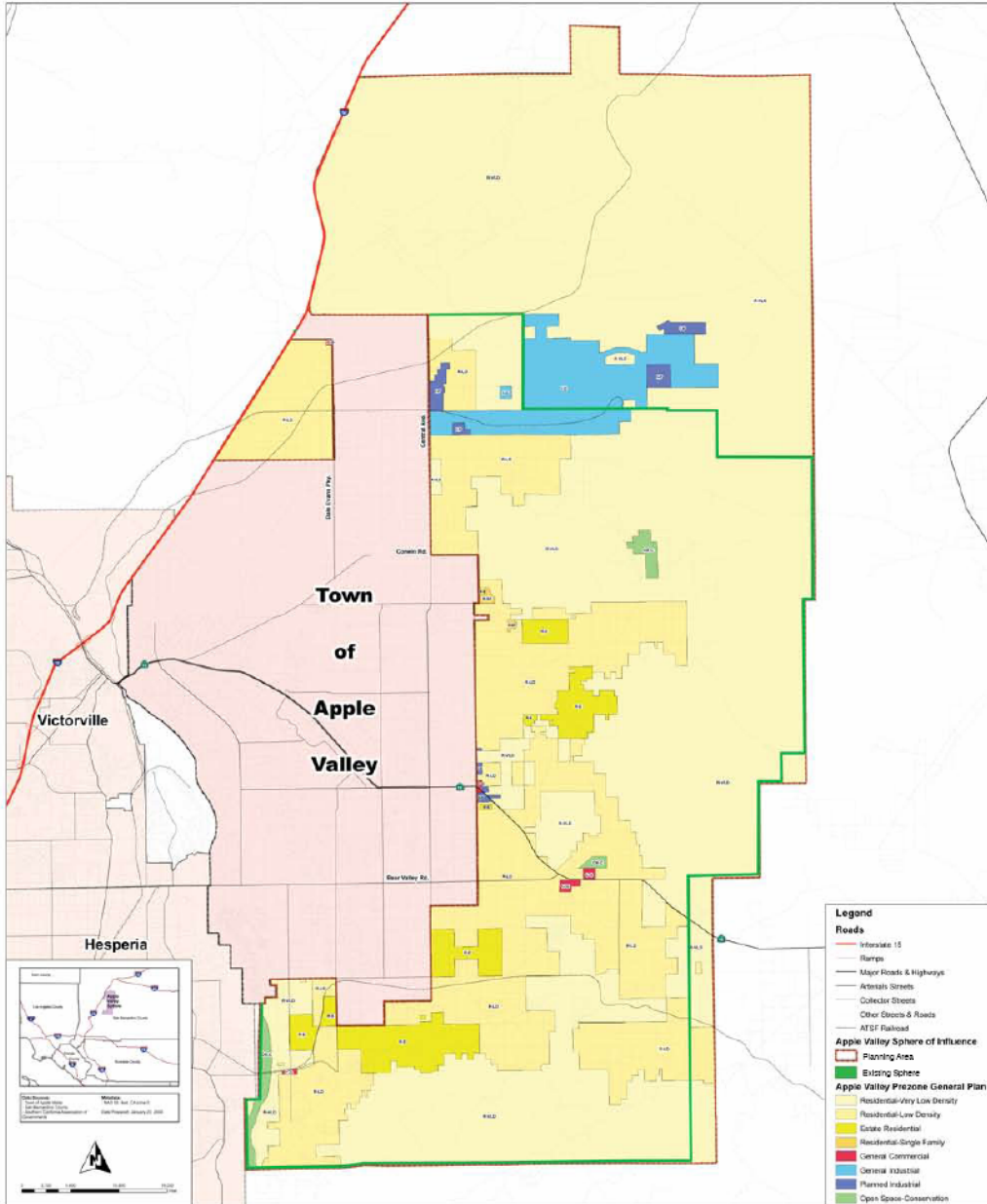
\_\_\_\_\_  
Ms. LaVonda M. Pearson, Town Clerk

Exhibit 1: Town General Plan Designations

# Town of Apple Valley



## Town General Plan Designations



**ORDINANCE NO. 378**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL APPROVE DEVELOPMENT CODE AMENDMENT NO. 2007-004 TO ZONE AREAS WITHIN THE TOWN'S SPHERE OF INFLUENCE AND AREAS OUTSIDE THE TOWN'S SPHERE OF INFLUENCE AND AMEND THE DEVELOPMENT CODE AS IT PERTAINS TO ZONING IN RESIDENTIAL, COMMERCIAL, INDUSTRIAL AND OPEN SPACE AREAS AND RESIDENTIAL DEVELOPMENT STANDARDS.**

**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**, 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 approving the proposed zoning designations of the Sphere of Influence and territory north of the Town boundaries, amend Table A of Section 9.05.030-A "Zoning Districts", amend Section 9.05.110 "Rezoning", amend Section 9.28.010 "Purpose and General Plan Consistency", amend Section 9.28.020 "Residential Districts", amend Section 9.28.040 "Site Development Standards", amend Section 9.35.010 "Purpose and General Plan Consistency", amend Section 9.45.010 "Purpose and General Plan Consistency" and amend Section 9.55.010 "Purpose and General Plan Consistency".

**WHEREAS**, on February 29, 2008 Development Code Amendment No. 2007-004 was duly noticed in the Apple Valley News and the Daily Press, both are newspapers 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 Economic and 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**, proposed Development Code Amendment No. 2007-004 is consistent with General Plan Amendment No. 2007-007 and is 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.

**WHEREAS**, the Town Council conducted a duly noticed public hearing on March 11, 2008, 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**, the Town Council of the Town of Apple Valley, State of California, does ordain as follows:

**Section 1.** Based upon the information contained within the Initial Study prepared in conformance with the State Guidelines to Implement the California Environmental Quality Act (CEQA), Development Code Amendment No. 2007-004 is not anticipated to have a significant impact upon the environment with the mitigation measures and, therefore, the Town Council of the Town of Apple Valley adopts a Negative Declaration for Development Code Amendment No. 2007-004.

**Section 2.** Development Code Amendment No. 2007-004 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 3.** 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, finds that the change proposed by Development Code Amendment No. 2007-004 is consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

**Section 4.** The Town Council does hereby amend 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 zoning approximately 122,921 acres of land located outside the Town boundary, to the north, east and south of the Town limits and amending the Zoning Map to include this area as identified on Exhibit 1.

**Section 5.** Add footnote No. 1 of Table A "Zoning Districts" of Section 9.05.030 "Zoning Districts" of Chapter 9.05 "Zoning" of the Development Code to read as follows:

<sup>1</sup> Suffixes apply to zoned lands in the sphere of influence and to the north of the Town limits. These suffixes denote the minimum acreage per lot, as described in Chapter 9.28.

**Section 6.** Amend subsection B. of Section 9.05.110 "Prezoning" of Chapter 9.05 "Zoning" of the Development Code to read as follows:

**9.05.110 Prezoning**

**B.** Upon passage of an ordinance establishing the applicable prezoning designation for property outside the Town, the official Zoning Districts Map shall be revised to show the prezoning classification to become effective upon annexation.

**Section 7.** Amend paragraphs 9 and 10 and add paragraph 11 to subsection A "Purpose" of Section 9.28.010 "Purpose and General Plan Consistency" of Chapter 9.28 "Residential Districts" of the Development Code to read as follows:

9. To maintain a minimum lot size throughout the Town of 18,000 net square feet per new parcel unless a specific plan or planned unit development is submitted for consideration;
10. To create a clear and consistent set of standards to assist the development community in comprehending applicable General Plan policies and the Town's intent with regard to regulating residential development; **and**
11. **To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.**

**Section 8.** Amend subsection A "Very Low Density Residential (R-VLD)" of Section 9.28.020 "Residential Districts" of Chapter 9.28 "Residential Districts" of the Development Code to read as follows:

- A. Very Low Density Residential (R-VLD).** This district is intended for very low density, single family detached housing development with a minimum lot size of five (5) gross acres per unit. This area is suited for agriculture, animal keeping and equestrian uses, but because of environmental constraints or lack of services these uses must occur at low intensities. This zoning district implements the General Plan Very Low Density Residential (R-VLD) land use designation density of five (5) or more gross acres per dwelling unit. For zoned lands outside the Town limits, suffixes have been applied which denote the minimum acreage required in the zone.

**Section 9.** Add footnote No. 15 of Table A "Site Development Standards" of Section 9.28.040 "Site Development Standards" of Chapter 9.28 "Residential Districts" of the Development Code to read as follows:

- (15) For lands located outside the Town limits, the following minimum lot sizes shall apply (see Zoning Map).
- |          |                          |
|----------|--------------------------|
| R-VLD/10 | 10 acre minimum lot size |
| R-VLD/20 | 20 acre minimum lot size |
| R-VLD/40 | 40 acre minimum lot size |

**Section 10.** Add paragraph 8 of subsection A of Section 9.32.010 "Purpose and General Plan Consistency" of Chapter 9.35 "Commercial Districts" of the Development Code to read as follows:

8. To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.

**Section 11.** Add paragraph 7 of subsection A "Purpose" of Section 9.45.010 "Purpose and General Plan Consistency" of Chapter 9.45 "Industrial Districts" of the Development Code to read as follows:

7. To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.

**Section 12.** Add paragraph 11 of subsection A "Purpose" of Section 9.55.010 "Purpose and General Plan Consistency" of Chapter 9.55 "Open Space Districts" of the Development Code to read as follows:

11. To establish zoning for lands surrounding the Town, both within and outside its sphere of influence, which establishes Town zoning districts for these lands, if they are annexed to the Town in the future.

**Section 13.** 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 14.** Effective Date. This Ordinance shall become effective thirty (30) days after the date of its adoption.

**Section 15.** 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 25<sup>th</sup> day of March, 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

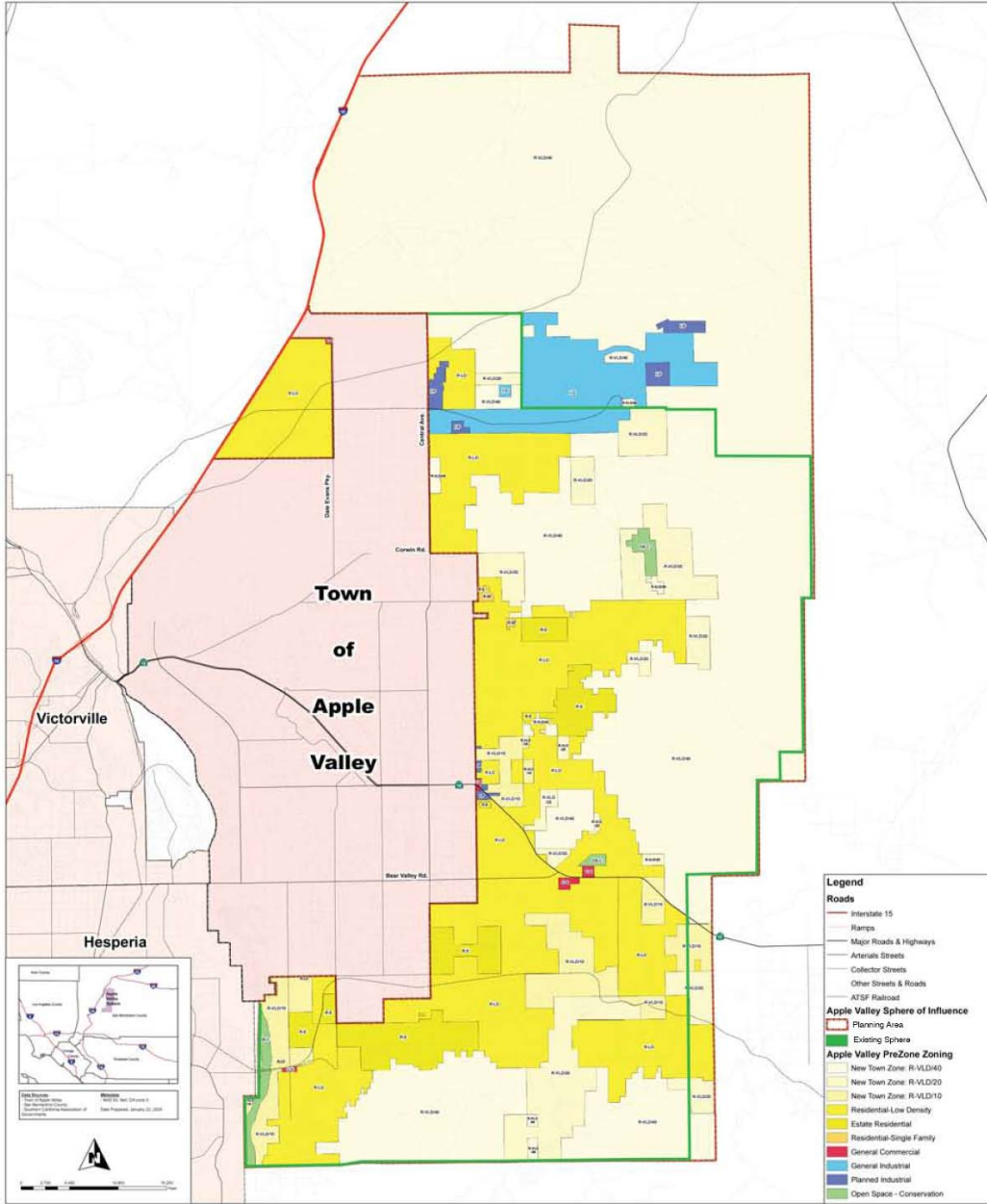
\_\_\_\_\_  
Mr. James Cox, Town Manager

Exhibit 1: Town Zoning Designations

# Town of Apple Valley



## Town Zoning Designations





**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

1. **Project Title:** General Plan Amendment No. GPA 2007-007, Zone Change No. ZC 2007-004, Sphere of Influence and Planning Area Pre-Zoning Project
  
2. **Lead Agency Name:** Town of Apple Valley  
**Address:** 14955 Dale Evans Parkway  
Apple Valley, CA 92307
  
3. **Contact Person:** Lori Lamson  
Assistant Director, Community and Economic Development  
**Phone Number:** 760-240-7000
  
4. **Project Location**  
**(Address/Nearest cross-streets):**  
  
All of Sections 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Township 7 North, Range 2 West; all of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Township 6 North, Range 2 West; all of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, Township 5 North, Range 2 West; all of Sections 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, Township 4 North, Range 2 West; all or portions of Sections 1, 2, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Township 4 North, Range 3 West; all or portions of Sections 1, 2, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, Township 6 North, Range 3 West; all or portions of Sections 1, 2, 5, 7, 8, 11, 12, 13, 14, 17, 18, 23, 24, 25, 26, 36, Township 6 North, Range 3 West; all or portions of Sections 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 34, 35, 36, Township 7 North, Range 3 West; and a portion of Section 13, Township 6 North, Range 4 West, SBBM, as shown on Exhibit A.
  
5. **Project Sponsor:** Town of Apple Valley  
**Address:** 14955 Dale Evans Parkway  
Apple Valley, CA 92307
  
6. **General Plan Designation:** Various, see below.
  
7. **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 feature necessary for its implementation. Attach additional sheets, if necessary):

The Town of Apple Valley is proposing the designation of land use categories and zoning designations on lands currently in its sphere of influence, as established by the Local Agency Formation Commission, and lands outside its corporate limits and its sphere of influence but of concern to the Town's long term growth potential. The lands in the sphere are generally located to the east and south, with a small portion located to the west. The lands outside the sphere of influence are located to the north of the Town's current corporate limits. Please see Exhibit A for a pictorial depiction of the affected area.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

All lands being considered for this action will be assigned General Plan designations and zoning designations equivalent to those currently occurring under the County's jurisdiction. No changes are currently proposed. The equivalency table below illustrates the changes.

**Table 1  
Town of Apple Valley  
Proposed General Plan and Zoning Designations**

| <b>San Bernardino County Designation</b> | <b>Density (Units/Acre)</b> | <b>Apple Valley General Plan Designation</b> | <b>Apple Valley Pre-Zoning Designation</b> |
|--|-----------------------------|--|--|
| Rural Living (RL)                        | 1/2.5 AC                    | R-LD   | R-LD                                       |
| RL-5                                     | 1/5 AC                      | R-LD   | R-LD                                       |
| RL-10                                    | 1/10 AC                     | R-VLD  | New Town Zone: R-VLD/10                    |
| RL-20                                    | 1/20 AC                     | R-VLD  | New Town Zone: R-VLD/20                    |
| RL-40                                    | 1/40 AC                     | R-VLD  | New Town Zone: R-VLD/40                    |
| Single Family (RS-1)                     | 1/1 AC                      | R-LD   | R-LD                                       |
| Agriculture (AG)                         | 1/10 AC                     | R-VLD  | New Town Zone: R-VLD/10                    |
| Resource Conservation                    | 1/40 AC                     | R-VLD  | New Town Zone: R-VLD/40                    |
| General Commercial                       |                             | C-G  | C-G  |
| Neighborhood Commercial                  |                             | C-G  | C-G  |
| Community Industrial                     |                             | I-P  | I-P  |
| Regional Industrial                      |                             | I-G  | I-G  |
| Floodway                                 |                             | OS-C   | OS-C                                       |

As shown in the Table, all of the General Plan designations will be transferred to existing Town General Plan designations. The proposed project also includes the creation of new Development Code (Zoning) standards to accommodate the County's current acreage minimums. A Development Code Amendment is proposed to allow suffixes on the R-VLD designation, designating the minimum lot size in each zone.

The acreage proposed for General Plan designation and Pre-Zoning totals 122,921.2 acres, as shown in Table 2. Tables 2, 3 and 4 illustrate the acreage under existing County General Plan designations; the acreage under proposed Town General Plan designations; and the acreage under proposed Town Zoning designations, respectively.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

| <b>Table 2<br/>Acreage Under San Bernardino County General Plan<br/>Designations</b> |                  |
|--|------------------|
| <b>County Designations</b>   | <b>Acres</b>     |
| Rural Living 1du/40ac  | 1,450.6          |
| Rural Living 1du/20ac  | 7,465.7          |
| Rural Living 1du/10ac  | 2,429.7          |
| Rural Living 1du/5ac   | 5,221.3          |
| Rural Living   | 21,940.4         |
| Single Family  | 24.3             |
| Single Family 1du/ac   | 3,851.3          |
| Single Family 14,000 sqft.   | 48.5             |
| General Commercial   | 96.3             |
| Neighborhood Commercial  | 43.4             |
| Regional Industrial  | 4,450.7          |
| Community Industrial   | 624.6            |
| Floodway   | 698.1            |
| Agriculture  | 1,991.6          |
| Resource Conservation  | 72,584.7         |
| <b>Total</b>   | <b>122,921.2</b> |

| <b>Table 3<br/>Acreage Under Proposed Town of Apple Valley General Plan<br/>Designations</b> |                  |
|--|------------------|
| <b>Apple Valley General Plan Designation</b>   | <b>Acres</b>     |
| Residential - Very Low Density   | 85,922.2         |
| Residential - Low Density  | 31,085.9         |
| General Commercial   | 139.7            |
| General Industrial   | 4,450.7          |
| Planned Industrial   | 624.6            |
| Open Space - Conservation  | 698.1            |
| <b>Total</b>   | <b>122,921.2</b> |

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

| <b>Apple Valley Zoning Designation</b> | <b>Acres</b>     |
|--|------------------|
| Very Low Density 1du/40ac.             | 74,035.2         |
| Very Low Density 1du/20ac.             | 7,465.7          |
| Very Low Density 1du/10ac.             | 4,421.3          |
| Residential - Low Density              | 31,085.9         |
| General Commercial                     | 139.7            |
| General Industrial                     | 4,450.7          |
| Planned Industrial                     | 624.6            |
| Open Space – Conservation              | 698.1            |
| <b>Total</b>                           | <b>122,921.2</b> |

The purpose of the project is to establish General Plan and Zoning designations required by the Local Agency Formation Commission, provide General Plan and Zoning designations for areas of interest outside of the Town limits and allow the Town to participate in the development review process for projects which remain in the County, but are located on the lands involved in the current action. No development is planned as part of the proposed project, and no immediate annexation action is foreseen.

**8. Surrounding Land Uses and Setting:**

Lands to the south and west of the proposed project area are in the Town of Apple Valley, and consist of a mix of low density residential, industrial park, commercial and institutional uses.

Lands to the north and east of the project area are primarily vacant, with extremely limited development occurring on scattered parcels. These lands are under the jurisdiction of the County of San Bernardino.

**9. Other agencies whose approval is required (e.g., permits, finance approval, or participation agreement):**

None.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

**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 Resources              | <input type="checkbox"/> Air Quality              |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology / Soils          |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality          | <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 |   |

On the basis of this Initial Study, the City of San Bernardino Environmental Review Committee finds:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that 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.

Formatted: Justified

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Formatted: Justified

I find that 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.

I find that 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 EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
For

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>I. AESTHETICS – Would the project:</b>   |                                      |  |                                    |                                     |
| a) Have a substantial adverse effect on a scenic vista as identified in the City’s General Plan?  | <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 degrade 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 view in the area?                                    | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town’s Development Code will have no impact on aesthetics. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for aesthetic impacts under CEQA as each project is brought forward.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>II. AGRICULTURE RESOURCES:</b>  |                                      |  |                                    |                                     |
| 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 a non-agricultural use? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on agricultural resources. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for agricultural impacts under CEQA as each project is brought forward.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>III. AIR QUALITY – Would the project:</b>  |                                      |  |                                    |                                     |
| a) Conflict with or obstruct implementation of the applicable air quality plan? (South Coast Air Basin)   | <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 based on the thresholds in the SCAQMD's "CEQA Air Quality Handbook?"  | <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 type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people based on the information contained in Project Description Form?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on air quality. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for air quality impacts under CEQA as each project is brought forward.



**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>IV. BIOLOGICAL RESOURCES – Would the project:</b>   |                                      |  |                                    |                                     |
| 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 US 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 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"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on biological resources. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for biological resource impacts under CEQA as each project is brought forward.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>V. CULTURAL RESOURCES</b> – 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 of CEQA? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| 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"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on cultural resources. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for cultural resource impacts under CEQA as each project is brought forward.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>VI. GEOLOGY AND SOILS – Would the project:</b>   |                                      |  |                                    |                                     |
| 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? | <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 type="checkbox"/>           | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" 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 expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) 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?                                    | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Discussion: The lands proposed for General Plan and Zoning designation do not occur in an Alquist Priolo Earthquake Fault Zone. The assignment of Town General Plan and Zoning designations, and the modification of the Town’s Development Code will have no impact on geology and soils. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for impacts to these resources under CEQA as each project is brought forward.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>VII. HAZARDS AND HAZARDOUS MATERIALS</b>  |                                      |  |                                    |                                     |
| – Would the project:   |                                      |  |                                    |                                     |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| 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?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| 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?                                   | <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 result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on hazards and hazardous materials. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for impacts associated with hazards and hazardous resources under CEQA as each project is brought forward.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>VIII. HYDROLOGY AND WATER QUALITY –</b>   |                                      |  |                                    |                                     |
| Would the project:   |                                      |  |                                    |                                     |
| 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?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| 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, such as from areas of material storage, vehicle or equipment maintenance (including washing or detailing), waste handling, hazardous materials handling or storage, delivery areas, loading docks, or other outdoor areas? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>VIII. HYDROLOGY AND WATER QUALITY –</b>   |                                      |  |                                    |                                     |
| Continued  |                                      |  |                                    |                                     |
| f) Otherwise substantially degrade water quality?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| 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?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on hydrology or water resources. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for impacts associated with hydrology and water resources under CEQA as each project is brought forward.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>IX. LAND USE AND PLANNING</b> – Would the project:   |                                      |  |                                    |                                     |
| 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"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on land use. The Town General Plan and Zoning designations being assigned to these lands are equivalent to the land use designations currently assigned to these lands under the County General Plan. No change in land use type or intensity will result from the proposed project. The land use designations are consistent with the Town's General Plan and Development Code, as amended. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for land use impacts under CEQA as each project is brought forward. However, if the development proposed is consistent with the land use designation currently assigned by either the County or the Town, such projects would be consistent with the applicable General Plan and Development Code.



**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>X. MINERAL RESOURCES – Would the project:</b>  |                                      |  |                                    |                                     |
| 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 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"/> |
| c) Be located in a Mineral Resource Zone as adopted by the State Mining and Geology Board and identified in the City's General Plan?                  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on mineral resources. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for mineral resource impacts under CEQA as each project is brought forward. A number of land uses occur in the area at this time, including a surface mining operation. The assignment of Town land use and Zoning designations will have no impact on the continued operation of this facility.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>XI. NOISE</b> – Would the project result in:  |                                      |  |                                    |                                     |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the City’s General Plan or Development Code, 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 groundborne vibration or groundborne 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 Airport Influence Area, 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"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town’s Development Code will have no impact on noise. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for noise impacts under CEQA as each project is brought forward.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>XII. POPULATION AND HOUSING</b> – Would the project:   |                                      |  |                                    |                                     |
| 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) Remove existing housing and displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on population and housing. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for such impacts under CEQA as each project is brought forward. However, the land use designations being assigned are consistent with those adopted by the County in its 2007 General Plan, and as such would be expected to generate population and associated housing and infrastructure demand consistent with those assignments. The EIR for the General Plan found that build out of the area would result in less than significant impacts, with the implementation of the mitigation measures included in that document. Therefore, the build out of the area, either under County or Town jurisdiction, would result in similar impacts, since the land use designations are consistent.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|                                      |  |                                    |              |
|--------------------------------------|--|------------------------------------|--------------|
| Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------|--|------------------------------------|--------------|

**XIII. 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, including medical aid? | <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 or other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other governmental services?            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on public services. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for public service impacts under CEQA as each project is brought forward. Development of the area, however, was found to have less than significant impacts on public services under the County's 2007 General Plan, insofar as development projects are expected to generate revenues which will offset the costs of additional public services. Since the land use assigned are consistent, similar, less than significant impacts are anticipated with build out of the area under either County or Town jurisdiction.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>XIV. RECREATION</b>   |                                      |  |                                    |                                     |
| 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? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?                         | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on recreation or recreational facilities. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for impacts to recreation under CEQA as each project is brought forward.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>XV. TRANSPORTATION/TRAFFIC</b> – Would the project:   |                                      |  |                                    |                                     |
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on traffic. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for aesthetic impacts under CEQA as each project is brought forward. The build out of this area of the County was found to result in less than significant impacts relating to traffic in the 2007 General Plan, with the inclusion of mitigation measures, primarily those requiring improvements to the roadway system. As projects are brought forward, they will be required to make these improvements, resulting in less than significant impacts at build out.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>XVI. UTILITIES AND SERVICE SYSTEMS –</b>  |                                      |  |                                    |                                     |
| Would the project:   |                                      |  |                                    |                                     |
| 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 type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider that 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 with sufficient permitted capacity to accommodate the project's solid waste disposal needs?   | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code will have no impact on utilities. The eventual development of residential, commercial and industrial projects under either County or Town jurisdiction will be reviewed for impacts to utilities under CEQA as each project is brought forward.

**TOWN OF APPLE VALLEY  
INITIAL STUDY**

|  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>XVII. MANDATORY FINDINGS OF SIGNIFICANCE</b>  |                                      |  |                                    |                                     |
| 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) Does the project have the potential to achieve short term, to the disadvantage of long-term environmental goals?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" 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 type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  |                                      |  |                                    | <input checked="" type="checkbox"/> |

Discussion: The assignment of Town General Plan and Zoning designations, and the modification of the Town's Development Code does not have the potential to impact biological resources, cultural resources, air quality, noise, traffic, or other issue areas reviewed under CEQA. The proposed project consists of consistent land use designation assignments, and consistent development standards, as those which currently occur in the County. The County has identified closer cooperation with local cities as a goal for the proper and orderly development of lands within the spheres of influence, and is working with the cities, including the Town of Apple Valley, to assure that land use proposals are consistent with the standards of the jurisdiction in which those projects will ultimately occur. The proposed project is therefore consistent with the goals and policies of both the County and the Town, the latter of which has goals and policies in the General Plan which foresee the eventual annexation of lands currently outside the City. The proposed assignments of land use designations, and associated modifications to the Development Code, will have to impact on the environment.



**TOWN OF APPLE VALLEY  
INITIAL STUDY**

---

REFERENCES:

2007 San Bernardino County General Plan  
2007 Environmental Impact Report for the San Bernardino County General Plan  
Town of Apple Valley General Plan, 1991  
Town of Apple Valley Development Code