



TOWN OF APPLE VALLEY PLANNING COMMISSION

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Staff Report

AGENDA DATE:	August 21, 2013
CASE NUMBER:	General Plan Amendment No. 2013-001
APPLICANT:	Town of Apple Valley
PROPOSAL:	Update of the Housing Element and Compliance with SB 244
LOCATION:	Town-wide
EXISTING GENERAL PLAN DESIGNATIONS:	All Land Use Designations.
EXISTING ZONING:	All Zoning Designations.
ENVIRONMENTAL DETERMINATION:	In accordance with the California Environmental Quality Act (CEQA) an initial study has been prepared for this project and it has been determined that the proposed update to the Housing Element and the Land Use Element will have no impact on the environment. The Town proposes to adopt a Negative Declaration for this project.
PROJECT PLANNER:	Ms. Lori Lamson, Community Development Director
RECOMMENDATION:	Adopt Planning Commission Resolution No. 2013-008, recommending that the Town Council adopt General Plan Amendment No. 2013-001.

BACKGROUND

Housing Element

State law recognizes the vital role local governments play in the supply and affordability of housing. Each city in California is required to adopt a comprehensive, long term general plan for the physical development of the city. The Housing Element is one of the seven mandated elements of the local General Plan. Housing Element law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all

economic segments of the community. The law acknowledges that, in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development. As a result, housing policy in the state rests largely upon the effective implementation of local general plans and, in particular, local housing elements. Housing Element law has recently been modified. Where it used to require Housing Elements to be updated every five (5) years, the new requirements have increased this to eight (8) years. This is provided that the local cities meet their requirements and adopt the Housing Element prior to October 15, 2013. The current planning period is 2014 through 2021.

The Housing Element law requires the Department of Housing and Community Development (HCD) to review local housing elements for compliance with state law and to report its written findings to the local government. In addition to meeting the requirements of state law, a certified housing element enables the Town to obtain state and federal funding for various housing and transportation programs/projects, which are essential to the Town.

In 2009, the Town prepared a comprehensive General Plan update that included a certified Housing Element. The draft Housing Element Update only identifies the minor changes made to the 2009 version and includes the new numbers assigned to Apple Valley for this cycle of the Regional Housing Needs Assessment (RHNA). The Draft Housing Element Update does not significantly alter the Town's policy direction as it relates to the provision of housing. Rather, it modifies the existing Housing Element to reflect changes in the Town's housing needs, and to address the changes in State law that have been enacted since the last update in 2009. The Draft Housing Element has not substantially changed since the 2009 adoption.

Due to only having minor changes to the Element, the Town has used the newly designed Streamline review offered by HCD. Staff submitted the changes to the Housing Element on June 17, 2013 and opened the public comment period. On July 18, 2013, staff received HCD's verbal comments to the draft Housing Element Update, which were very minor and changes were made and resubmitted. On August 14, 2013 the Town received a commitment letter from HCD of conditional certification upon adoption (Attachment 5).

SB 244 and SB 1090

In 2011, the State passed into law Senate Bill 244 (SB 244). The law amended Government Code relating to the responsibility of Local Agency Formation Commissions (LAFCO), requiring that LAFCO identify disadvantaged unincorporated communities (DUCs) in each city or town's sphere of influence as part of its service review. SB 244 defines a DUC as a place that meets the following criteria:

- Contains 10 or more dwelling units in close proximity to one another;
- Is either within a city Sphere of Influence (SOI), is an island within a city boundary, or is geographically isolated and has existed for more than 50 years; and
- Has a median household income that is 80 percent or less than the statewide median household income.

SB 244, as amended by SB 1090, further requires that cities and towns include in their Land Use Element identification and analysis of DUCs within their Sphere of Influence. The analysis must identify water, wastewater, storm drainage and fire protection services, determine whether services are sufficient, and provide options for the financing of service improvements, should the DUC be annexed in the future.

Finally, the law required that the Land Use Element be amended at the same time as the Housing Element Update for 2014-2021. Because the Town is currently processing its Housing Element Update, the Land Use Element is also being amended to conform to SB 244.

REGIONAL HOUSING NEEDS ASSESSMENT (RHNA)

For the 2014-2021 RHNA cycle, The Southern California Association of Governments (SCAG) established RHNA housing production numbers for each of the five Southern California counties and services including all counties and cities within the five (5) counties. The RHNA process is a key tool for SCAG and its member governments to plan for growth. The RHNA numbers for the current Housing Element planning period quantify the need for housing within each jurisdiction between the years of 2014-2021. The RHNA does not necessarily encourage or promote growth, but rather allows the Town to anticipate growth, so that it can grow in ways that will enhance the quality of life, improve access to jobs, improve transportation and roads, and improve housing, while not adversely impacting the environment.

Due to the downturn in the housing market since 2009, the minimal amount of residential development in the Town, region and county and the dissolution of Redevelopment by the State, the RHNA allocation numbers have been slightly reduced since the last cycle of 2006-2014. The current cycle requirements are shown below in Table 1 and the previous cycle is shown to the right in Table 2.

Table 1		Table 2
Apple Valley RHNA		Apple Valley RHNA
2014-2021		2006-2014
Income Limit Category	Number of Units	Number of Units
Extremely Low (30% of AMI)	382	456
Very Low (50% of AMI)	382	456
Low (80% of AMI)	541	627
Moderate (120% of AMI)	622	736
Above Moderate	1,407	1,661
Total	3,334	3,887

The area median income (AMI) for San Bernardino County is \$62,600. Table 3 below shows the Income limits for 1-4 person households in San Bernardino County.

Income Limit Category	1 person	2 person	3 person	4 person
Extremely Low	\$13,400	\$15,300	\$17,200	\$19,100
Very Low	\$22,300	\$25,500	\$28,700	\$31,850
Low	\$35,700	\$40,800	\$45,900	\$50,950
AMI	\$44,600	\$51,000	\$57,400	\$63,700
Moderate	\$53,500	\$61,150	\$68,800	\$76,450

SUMMARY OF MODIFICATIONS

The streamline review process offered by HCD for this Housing Element Update cycle allows staff to illustrate only those areas changed from the last cycle adopted and certified in 2009. This is shown in a strikeout and underlined manner. The strikeout font shows the text removed from the previous Element and the underlined font shows the new text. This track form of the changes to the revised Draft Housing Element is provided to you as Attachment 2. The final version, without the strikeouts and underlines, will be included as an Exhibit to the Planning Commission Resolution No. 2013-008

The Town is required to include data on Town demographics; an evaluation of the policies and programs being implemented by the Town to determine their effectiveness; data on special needs households (such as large families, female-headed households, and homeless residents); data on existing affordable housing projects in the Town; and new or revised goals, policies and programs the Town will implement in the current (2014-2021) planning period. In addition, a land inventory of vacant sites is required in the Housing Element. This list has not changed since the 2006-2014 cycle. The land inventory is required by state law and must reflect properties already zoned for mixed use or medium density residential development. Because the Town has not seen much residential development recently, the vacant sites identified in the previous Housing Element update have not been built upon and therefore, have not changed in the update. All these components are included in the Draft Housing Element (Attachment 2).

Language has been included within the Housing Element Update that brings the Town into compliance with SB 2 regulations regarding Homeless, Transitional and Single Room Occupancy Housing. SB 812 requires that an analysis of special needs housing of individuals with developmental disabilities. This information has been included within the Housing Element Update as required under the state Welfare and Institutions Code. HCD pointed out that the description of permit processing under the General Plan and Zoning Ordinance Constraints section of the Housing Element was lacking in a description of the Conditional Use Process and required findings. Staff has added descriptions of the economic constraints of the last cycle due to the down-turn in the housing market and the dissolution of redevelopment. Both of these issues have significantly affected the Town's ongoing Housing Programs and efforts to bring affordable housing to the Town. In September 2012, the Town adopted a five-year Consolidated Plan and the consistency of the plan with the Housing Element is provided. The goals, policies and programs were modified by removing programs that had been completed in the last cycle and providing modifications removing any reference to a redevelopment agency or redevelopment set aside funds.

As stated above, compliance with SB 244 is required and identified in Attachment 3 as an amendment to the Land Use Element of the General Plan. Attachment 3 language will be added to Planning Commission Resolution 2013-008 as an additional Exhibit with the final version of the Draft Housing Element.

ENVIRONMENTAL REVIEW

The update of the Housing Element and the amendment to the Land Use Element is considered a "project" under the California Environmental Quality Act (CEQA). In order to assess the potential impacts associated with the Housing Element, Staff prepared an Initial Study. The Initial Study determined that the proposed update will not have a significant impact

on the environment. The Initial Study and the Negative Declaration has been prepared and included as an attachment (Attachment 4).

CONSISTENCY WITH SENATE BILL (SB) 18

This project was circulated in compliance with SB 18. No issues were identified that required consultation with recognized tribal entities.

PUBLIC PARTICIPATION

Two public workshops were held in May 2013, with the focus being housing issues and the preparation of the Town's Housing Element Update. Invitations to the workshops were sent to individuals and organizations that provide affordable housing, homeless or other supportive uses locally and within the region. In addition, the workshop announcements were published in the newspaper and on the Town's website. Issues that pertain to the need for adequate transportation services from residential areas to job centers and the importance of dispersing low-income housing throughout the community and specifically close to transit were discussed two of the issues discussed by the attendees.

FINDINGS

The Findings for this proposal are contained in the Planning Commission Resolution (Attachment 1).

SUMMARY

The Housing Element, as drafted, continues to assure that sufficient land is available to provide housing for Town residents of all income levels. It contains all of the components necessary for "certification" from the State upon submittal of the adopted Element. A certified Housing Element is required per California Government Code and enables the Town to qualify for a number of housing, parks and recreation, and transportation grants. It is important to again note that the Housing Element does not require the Town to be responsible for the construction of any units, but only that it must meet the requirements of the law in terms of enabling the construction of these units by others.

ATTACHMENTS

- Attachment 1 Planning Commission Resolution 2013-008
- Attachment 2 Draft Housing Element (Strike-through & Underline)
- Attachment 3 Draft Land Use Element Amendment
- Attachment 4 Initial Study
- Attachment 5 August 14, 2013 letter from HCD

Prepared By:

Lori Lamson
Community Development Director

Attachment 1

Planning Commission Resolution No. 2013-008

PLANNING COMMISSION RESOLUTION NO. 2013-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 2013-01 AMENDING THE HOUSING ELEMENT AND LAND USE ELEMENT OF THE GENERAL PLAN FOR THE 2014-2021 CYCLE OF THE HOUSING ELEMENT UPDATE AND COMPLIANCE WITH SB 244 “DISADVANTAGED UNINCORPORATED COMMUNITIES”.

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

WHEREAS, State law recognizes the vital role local governments play in the supply and affordability of housing. Therefore, every California city is required to amend its General Plan and adopt an updated Housing Element every eight (8) years; and

WHEREAS, Southern California Association of Governments (SCAG) established Regional Housing Needs Assessment (RHNA) housing production numbers for each of the counties and cities within its region. The fifth cycle update to the Housing Element must include plans for growth to accommodate these numbers for the years between 2014-2021; and

WHEREAS, the specific changes to the Housing Element of the General Plan include plans for the assigned RHNA allocations and allow the Town to anticipate growth that will enhance the quality of life, improve access to jobs, improve transportation and roads and improve housing, while not adversely impacting the environment; and

WHEREAS, In addition to including RHNA housing production numbers in the Housing Element update, the amendment must also identify compliance with state law.

WHEREAS, In 2011, the State passed into law Senate Bills 244 (SB 244) and 1090 (SB 1090), which requires California cities to include in the Land Use Element identification and analysis of “Disadvantaged Unincorporated Communities” within the Sphere of Influence”. The analysis must identify public services in these areas and provide options for the financing of service improvements should the area be annexed in the future. This new law requires compliance with the adoption of this Housing Element update; and

WHEREAS, on May 2, 2013, the Town held two (2) noticed public workshops and invited members of the affordable housing community, both locally and regionally, service providers for the lower income segment of the community and the general public. The workshop was advertised in the Daily Press, a newspaper of general circulation within the Town of Apple Valley and on the Town’s website; and

WHEREAS, on June 14, 2013 the draft Housing Element update was submitted to the State Department of Housing and Community Development for review. Comments were received and modifications were made and resubmitted. The Town received a commitment letter on August 14, 2013 for conditional approval upon adoption for the Housing Element Update; and

WHEREAS, on August 12, 2013, General Plan Amendment No. 2013-01 and was noticed in the Daily Press, a newspaper of general circulation within the Town of Apple Valley; and

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

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

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

WHEREAS, on August 21, 2013, the Planning Commission of the Town of Apple Valley opened a noticed and advertised public hearing on General Plan Amendment No. 2013-01; and

WHEREAS, the proposed General Plan Amendment is consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan and Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

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

Section 1. In consideration of the evidence received at the public hearing, and for the reasons discussed by the Commissioners at said hearing, that the Town Council of the Town of Apple Valley, California, finds that the changes proposed under General Plan Amendment No. 2013-01 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

Section 2. Based upon the facts presented within the staff analysis, public testimony and pursuant to Government Code Section 65863(b), the Planning Commission of the Town of Apple Valley, California, finds that the proposed amendments to the Housing Element and the Land Use Element are consistent with State Law and provides a variety of housing opportunities for every economic sector of the Town's current and future populations and provides compliance with State Law.

Section 3. Based upon the information contained within the Initial Study prepared in conformance with the State Guidelines to Implement the California Environmental Quality Act (CEQA), General Plan Amendment No. 2013-01 will not have a significant impact upon the environment, therefore, the Town Council of the Town of Apple Valley should adopt the Negative Declaration for General Plan Amendment No. 2013-01.

Section 4. Adopt a Town Council Resolution amending the adopted Town of Apple Valley General Plan by adopting the 2014-2021 Housing Element Update and Land Use Amendment complying with SB 244 “Disadvantaged Unincorporated Communities” and SB 1090.

Approved and Adopted by the Planning Commission of the Town of Apple Valley this 21st day of August 2013.

Chairman Jason Lamoreaux

ATTEST:

I, Debra Thomas, Secretary to the Planning Commission of the Town of Apple Valley, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 21st day of August 2013 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ms. Debra Thomas, Planning Commission Secretary

Attachment 2

Draft Housing Element Update (with Strike-Through and Underline)

HOUSING ELEMENT

PURPOSE

The Housing Element provides the Town direction in the distribution of housing throughout the community. Of particular concern to the Town is the provision of housing which is affordable to all its residents, both now and in the future. Apple Valley has traditionally been a residential community with a focus on rural character and quality of life. This Housing Element includes goals, policies and programs to assure that the Town's character and quality of life are available to all residents.

BACKGROUND

The Housing Element works hand in hand with the Land Use Element, by assuring that adequate lands are available to provide housing for the period from 2014 through 2021. Land use designations are designed to accommodate all types of housing, to allow for the development of single family and multi-family units to meet the needs of the Town's residents, now and in the future.

The Housing Element describes existing housing types, the condition of the existing housing stock, overcrowding, overpayment, special housing needs, and the demand for affordable housing in the Town. The Element also includes an analysis of the progress made since the drafting of the last Housing Element, and projections of needs for the current planning period.

California Law

California Government Code requires that every City and County prepare a Housing Element as part of its General Plan. In addition, State law contains specific requirements for the preparation and content of Housing Elements. According to Article 10.6, Section 65580, the Legislature has found that:

- (1) The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every California family is a priority of the highest order.
- (2) The early attainment of this goal requires the cooperative participation of government and the private sector in an effort to expand housing opportunities and accommodate the housing needs of Californians of all economic levels.
- (3) The provision of housing affordable to low and moderate income households requires the cooperation of all levels of government.
- (4) Local and state governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for the housing needs of all economic segments of the community.
- (5) The legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the General Plan and to cooperate with other local governments, and the state, in addressing regional housing needs.

Section 65581 of the Government Code states that the intent of the Legislature in enacting these requirements is:

- (1) To assure that local governments recognize their responsibilities in contributing to the attainment of the State housing goal.
- (2) To assure that cities and counties prepare and implement housing elements which, along with federal and State programs, will move toward attainment of the State housing goal.
- (3) To recognize that each locality is best capable of determining what efforts are required by it to contribute to the attainment of the State housing goal as well as regional housing needs.
- (4) To ensure that each local government cooperates with other local governments to address regional housing needs.

Government Code Section 65583 outlines the required content of all housing elements including identification and analysis of existing and projected housing needs, and a statement of goals, policies, quantified objectives, and scheduled programs for the preservation, improvement, and development of housing. Specific requirements include the following:

- (1) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The analysis should include population and employment trends; documentation of household characteristics; inventory of land suitable for residential development; governmental and other constraints to new housing development; analysis of any special housing needs and an assessment of existing affordable housing developments.
- (2) A program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the objectives of the housing element in order to meet the housing needs of all economic segments of the community.

Consistency with the General Plan

The Housing Element, as with all Elements of the General Plan, must be consistent with all other Elements. The Town's procedures for amendment of the General Plan are contained in Chapter I., Introduction and Administration. The Town will continue to evaluate any amendment to the General Plan, including updating of the Housing Element as required by State law, to assure that internal consistency is maintained.

Evaluation of Existing Housing Element Policies and Programs

The Town's Housing Element 2009 included a number of policies and "action" items to address housing needs for the 2006-2014 planning period. The effectiveness of these policies and their associated action items is reviewed below.

Policy 1.A

Ensure that new residential development conforms to the voter-approved Measure "N."

Evaluation: The Town's Measure N was re-affirmed by the voters in 2006 and will continue to be implemented for all single-family land use designations.

Policy 1.B

Maintain a wide range of residential land use designations, ranging from very low density (1.0 dwelling unit per 5 acres) to medium density (4 to 20 dwelling units per acre) and mixed use (4 to 30 units per acre), on the Land Use Map.

Action: Provide a range of residential development opportunities including locating higher density residential development near public transportation.

Anticipated Impact: Accommodate Town's estimated RHNA of over 3,000 dwelling units

Responsible Agency: Community Development Department

Financing: Department Budget

Schedule: Ongoing (2014-2021)

Evaluation: The Town's General Plan maintained the same range of land use designations throughout the previous planning period. The Mixed Use land use and zoning designations were also added to the General Plan and Development Code, broadening the opportunities for residential development at higher densities. This range allowed the construction of 465 single-family homes, 4 second units, 45 condominiums/attached single-family homes, 46 apartments, and 9 retirement/care living units. The Town's land use designations have been effective in allowing a range of housing types.

Policy 1.C

Encourage housing for special needs households, including the elderly, single parent households, large households, the disabled and the homeless.

Action: Promote development and financing of senior housing through density bonuses, reduced parking requirements, and other development incentives.

Anticipated Impact: Two senior projects (minimum of 125 units); 10 second senior units (granny housing)

Responsible Agency: Community Development Department

Financing: Department budget

Schedule: Ongoing 2014-2021

Action: Process and approve requests for the establishment of residential care facilities, in accordance with Section 1566.3 of the Health and Safety Code, as means of providing long-term transitional housing for additional very low income persons.

Anticipated Impact: Further establishment of residential care facilities to serve the population.

Responsible Agency: Community Development

Financing: Department Budget

Schedule: Ongoing

Evaluation: As stated above, there were 9 retirement/care units built for seniors in the Town during the previous planning period. In addition, 245 units were built within the Del Webb/Pulte project, which are all age restricted units. The project was reviewed expeditiously, and did not require incentives for completion.

Evaluation: The Town enforces the requirements of the Americans with Disabilities Act (ADA) for all construction projects. The Town will continue to implement these standards as new projects are brought forward. On April 27, 2010, the Development Code was amended in Ordinance No. 405 to state that handicapped ramps are permitted in the front, side or rear yard setback of any residential structure. A reasonable accommodation procedure has also been established to provide exceptions in zoning and land use for persons with disabilities. The reasonable accommodation Ordinance No. 436 was adopted on June 26, 2012.

Evaluation: Second units are encouraged and regulations within the Development Code are consistent with State law. The Town has updated its second unit requirements as State law has changed, and currently enforces the latest requirements. There were 4 second units, and 3 guest houses built during the previous planning period.

Action: Development of housing projects for the elderly, low and moderate income housing shall be expedited. All fees shall be waived for shelters and transitional housing projects.

Anticipated Impact: Renovations to an existing four-plex for transitional housing will receive funding through the NSP3 program and will have fees waived for development. Future housing projects of similar type will also have fees waived.

Responsible Agency: Community Development

Financing: Departmental budget

Schedule: Ongoing

Action: Support the efforts of non-profit organizations, private developers, and the County of San Bernardino Housing Authority to obtain State and/or Federal funds for the construction of affordable housing for extremely low, very low and low income households by writing letters of support, and expediting permit processing for projects requiring pre-approval of development projects.

Anticipated Impact: There are four projects that should be developed within the next planning cycle that will house seniors and/or lower and extremely lower income households. Three of these projects are joint participation of the Town and private non-profit organizations and one is under the control of the County of San Bernardino Housing Authority. These projects would equate to a minimum of 200 units.

Responsible Agency: Community Development Department, San Bernardino Housing Authority

Financing: Department Budget

Schedule: Ongoing

Evaluation: Due to the recent downturn in the economy and the dissolution of redevelopment, the Town has not had the opportunity to process, through completion, an affordable housing project. The Town partnered with the San Bernardino Housing Authority and began the process for the approval of an 80-unit senior development. Fees were waived for the processing of the project and the project received Planning Commission approval. The project was tabled due to the inability to qualify for tax credits, which was required to make the project feasible for the Housing Authority and the Town. The Town also entered into an agreement to construct an affordable 50-unit family project which would have used Redevelopment Tax Increment set aside funds. Due to the dissolution of redevelopment by the State legislature, the project has not progressed and is held up due to the Department of Finance review.

The Town was able to partner with a private developer to complete the construction and sale of 34 townhomes. These abandoned townhomes were 80% complete and bank owned, due to the down-turn of the housing market. The Town partnered with an approved CHDO developer and used federal funding to make available 8 of these units to low-income qualified buyers. These units qualified for federal low income regulations and covenants, but would not qualify for state regulations, thus not allowing them to qualify as part of the Town's RHNA obligation.

Action: Maintain the Down Payment Assistance Program as a tool to increase affordable homeownership opportunities for low and moderate income persons.
Anticipated Impact: In the previous cycle Down Payment Assistance was given to 106 qualified buyers for the purpose of home ownership.
Responsible Agency: Community Development
Financing: State and Federal Housing Grants and Department Budget
Schedule: Ongoing

Evaluation: The Town has assisted 106 qualified low income buyers to purchase residences within the Town during the last cycle. This project has been funded through CDBG, HOME, CalHOME and NSP funding. This program will continue through the next Housing Element cycle.

Policy 1.D

Continue to encourage mobile homes as an affordable housing option for all segments of the community.

Action: Facilitate placement of manufactured units on residential lots.
Anticipated Impact: Conservation of the Town's existing inventory of mobile home units.
Responsible Agency: Community Development Department
Financing: Department budget
Schedule: 2014-2021

Evaluation: The Town's Development Code continues to allow mobile homes and manufactured housing in single-family residential zones. In the last planning period, the Town

created a new General Plan land use designation for mobile home parks as a way to conserve the existing inventory. The Town has limited jurisdiction over mobile home parks, but enforces code compliance in the parks as it relates to life safety issues. There were 3 mobile homes installed as primary residences during the previous planning period. In 2010, the Department of Finance reports that there are a total of 1821 mobile homes in Apple Valley.

Policy 1.E

Affordable housing should be distributed throughout the community, and should blend with existing neighborhoods

Action: As projects are reviewed by staff, distribution of Low/Mod housing shall promoted to blend in with the existing residential neighborhoods and shall not be concentrated in any single area of the Town.

Anticipated Impact: Integration of all income levels of housing throughout Town.

Responsible Agency: Community Development Department

Financing: Department budget

Schedule: 2014-2021

Evaluation: Low/Mod housing is not concentrated in any single area of Town. The Town continues to place Medium Density land use designations in areas where commercial, transit and school facilities are located, in order to assure that such development have access to transportation, jobs and services. Projects as they are proposed will continue to be considered on this basis.

Policy 1.F

Permit childcare facilities in single-family and multi-family residential zones, as well as in commercial and industrial areas where employment is concentrated.

Action: Continue to promote the establishment of childcare facilities in the residential, commercial and industrial zones.

Anticipated Impact: Adequate facilities for childcare throughout Town.

Responsible Agency: Community Development Department

Financing: Department budget

Schedule: 2014-2021

Evaluation: The Development Code permits child care facilities in both large and small, in multiple zones. The Town has also included childcare facilities as either an SUP or a CUP in its North Apple Valley Industrial Specific Plan, adopted in 2006, to encourage these facilities at what will be the Town's largest employment center.

Policy 1.G

New residential development must assure the provision of infrastructure and public services.

Action: Staff shall continue to review projects and identify the existing infrastructure system and the necessity to extend or improve upon the infrastructure to meet the needs of new development.

Anticipated Impact: Increase in in-fill development and less “leap frog” development.

Responsible Agency: Community Development Department, Municipal Operations Department, Engineering Division

Financing: Department budgets

Schedule: 2014-2021

Evaluation: All projects are evaluated for their proximity to existing services. Development in the Town has occurred in a well planned manner, with little “leap frog” development, primarily due to the lack of infrastructure in outlying areas, and the cost of extending this infrastructure. The Town will continue to encourage development which connects to existing facilities and services.

Policy 1.H

Encourage energy-conservation and passive design concepts that make use of the natural climate to increase energy efficiency and reduce housing costs.

Action: Utilize the development review process to encourage energy conservation in excess of the CBC’s Title 24 requirements, which incorporate energy conservation techniques into the siting and design of proposed residences.

Anticipated Impact: Reduce development and energy costs for the maintenance of newly developed housing projects and comply with the Town’s Climate Action Plan.

Responsible Agencies: Community Development Department, Building and Safety Department

Financing: Department Budgets

Schedule: Ongoing

Action: Continue to allow energy conservation measures as improvements eligible for assistance under the Residential Rehabilitation Loan Program.

Anticipated Impact: Further improve the energy efficiency of the existing housing inventory.

Responsible Agency: Community Development Department

Financing: Department Budget

Schedule: Ongoing

Action: The Community Development Department shall maintain a brochure which describes the improvements eligible for the Residential Rehabilitation Loan Program, including energy conservation measures, and shall distribute the brochure at Town Hall, the Community Center, the Senior Center, the Library, churches and other sites where they can be available to the community at large.

Anticipated Impact: Further educate the community of the opportunities provided with the program.

Responsible Agency: Community Development Department

Financing: Department Budget

Schedule: Ongoing

Action: Assist in distributing information to the public regarding free home energy audits and other programs available through local utility providers.

Anticipated Impact: A reduction in energy consumption for existing residences.

Responsible Agency: Community Development and Building and Safety Departments.

Financing: Department Budgets

Schedule: Ongoing

Evaluation: On July 13, 2010 the Town adopted a Climate Action Plan that was amended to include implementation guidelines on December 14, 2010. In addition, the California Green Building Code was adopted by the Town in January 2011. As projects are submitted for review, they must comply with these regulations to promote energy conservation measures and a reduction in the Town's green house gas emissions. Assistance to comply with these regulations is a qualifying project for the Town's Residential Rehabilitation Program. Education materials for energy efficiency opportunities are available to at the public counters of Town Hall. Evaluation of the Climate Action Plan implementation is scheduled during this Housing Element cycle.

Policy 1.I

Provide housing opportunities for the homeless in the community.

Action: Continue to support and encourage local agencies and organizations in providing temporary shelter and permanent housing opportunities within the community.

Anticipated Impact: Reduction in the number of homeless

Responsible Agency: Community Development Department

Financing: Department budget

Schedule: 2014-2021

Evaluation: The Town continues, through the Apple Valley/Victorville Consortium, to work with local agencies and organizations in providing shelter and transitional housing for the homeless. The Consortium efforts will continue to look at the use of CDBG and HOME funds for local homeless facilities, as funding needs are analyzed. The Town modified the zoning designations as a program for the previous cycle to include Single-Room Occupancy, Homeless Shelters and Transitional/Supportive Housing in Ordinance No. 405 adopted on April 27, 2010. In addition to this modification, Town recently added the Village Commercial zone, in addition to the Service Commercial zone, as zones that would allow homeless shelters with approval of an SUP in Ordinance No. 425 adopted on November 8, 2011.

Policy 2.A

Maintain the code enforcement program as the primary tool for bringing substandard units into compliance with Town Codes, and for improving overall housing conditions in Apple Valley.

Action: Continue to support Code Enforcement activities to bring substandard units into compliance with Town Codes.

Anticipated Impact: Improve housing conditions within the Town.

Responsible Agency: Code Enforcement Division

Financing: Department budget

Schedule: 2014-2021

Evaluation: The Town continues to enforce property maintenance and life safety issues through its code compliance division. The program focuses on neighborhood preservation, and the maintenance of quality of life. The Town also actively markets the rehabilitation program available through CDBG or HOME funding, which provide financial and technical assistance to lower income property owners to make housing repairs, In the previous planning cycle the Town assisted 165 very low and low income households through these programs. In the previous planning cycle the Town purchased a dilapidated four-plex property for the purpose of rehabilitation and use of the property by a non-profit for transitional housing for domestic violence victims and families. This project was funded through Neighborhood Stabilization Program monies. It is anticipated that this facility will be operational in March of 2014.

Policy 2.B

Prohibit housing development in areas subject to significant geologic, flooding, noise and fire hazards, and in environmentally and archaeologically vulnerable areas.

Action: Staff shall continue to review projects and limit development or require reasonable mitigations to protect housing in areas identified as potentially having a hazardous risk.

Anticipated Impact: Reduce and eliminate the damage of residential units due to hazards pertaining to geological activity, flood, noise and fire.

Responsible Agency: Community Development Department, Engineering Division, Building and Safety Division

Financing: Department budget

Schedule: 2014-2021

Evaluation: The Town's General Plan, and its GIS system include resources which map environmental hazards. These resources are always consulted when projects are proposed, to assure that housing is not placed in such a hazard area.

Policy 2.C

Encourage neighborhood watch programs that promote safety and protection in residential neighborhoods.

Action: Encourage landlords and property managers to participate in the Crime Free Multi-Family Housing Program sponsored by the San Bernardino County Sheriff's office.

Anticipated Impact: Reduction of crime

Responsible Agency: Community Development Department

Financing: Department Budget

Schedule: Ongoing

Evaluation: The Town's Police Department has been actively establishing Neighborhood Watch programs, and has also been working the multi-family projects to establish crime free zones for these projects. These programs have been effective in improving neighborhood safety, and will be maintained.

Policy 3.A

Continue to promote the removal of architectural barriers in order to provide barrier-free housing for handicapped or disabled persons.

Action: Enforce the handicapped accessibility requirements of Federal fair housing law that apply to all new multi-family residential projects containing four (4) or more units.

Anticipated Impact: Continued removal of architectural barriers in residences occupied by handicapped or disabled persons.

Responsible Agency: Department of Building and Safety

Financing: Department Budget

Schedule: Ongoing

Evaluation: The Town continues to enforce the Americans with Disabilities Act. As part of Ordinance No. 405 adopted on April 27, 2010, the Development Code was modified to state that handicapped ramps are permitted in the front, side or rear yard setback of any residential structure. A reasonable accommodation procedure has also been established to provide exceptions in zoning and land use for persons with disabilities. The reasonable accommodation Ordinance No. 436 was adopted on June 26, 2012.

Policy 3.B

Prohibit practices that arbitrarily direct buyers and renters to certain neighborhoods or types of housing.

Action: Provide fair housing information at Town Hall, the Library, the Senior Center and local churches to inform both landlords and tenants of their rights and responsibilities. The information shall direct landlords and tenants to the San Bernardino Housing Authority, which has an established dispute resolution program.

Anticipated Impact: Assurance that all Apple Valley residents are afforded equal opportunity when attempting to secure housing.

Responsible Agency: Community Development Department, San Bernardino County Housing Authority

Financing: Department and Agency Budgets
Schedule: Ongoing

Evaluation: The Town has been proactive, through the Apple Valley Consortium and its own efforts in informing residents of fair housing practices, and their rights associated with housing. The Town refers residents to the appropriated agency through Town resources, included printed materials, web site information and personal contact. These programs will be maintained.

DEMOGRAPHIC INFORMATION

This section of the Housing Element provides demographic background on the Town. The primary source of information is the US Census, which was last updated in 2010. Information was also collected from Town data sources, the Community Housing Affordability Survey (CHAS), the Department of Finance, and other sources. Where more recent data is available, it is also included.

REGIONAL SETTING

The Town of Apple Valley is located in the Victor Valley, in San Bernardino County. The County of San Bernardino had a population of 895,016 in 1990. By the year 2000 ~~2010~~, the U.S. Census estimated that population in the County had grown to 1,709,434, an increase of 91% in ten years. As of 2010, the County's population was 2,035,210, an increase of 16.1% over the 2000 population. The Department of Finance (DOF) estimates that the County had a population of 2,055,766 in 2008, an increase of 20% over the 2000 population.

Historic and Current Town Population

Although the Town of Apple Valley has experienced consistent growth, it has not expanded as rapidly as the County in which it is located. The Town's population grew from 46,079 in 1990, to 54,239 in 2000, an increase of 17.7%. From 2000 to 2010 ~~2008~~, the Town's population increased to 69,135, which is an increase of 21.6% ~~29.2% to 70,092~~. When comparing Town and County growth rates, the Town's growth has in recent years exceeded the County's as a whole.

Population by Age Group and Ethnicity

Apple Valley's median age was ~~35.4~~ 37 years in ~~2000~~ 2010, which showed that the population had aged somewhat since 2000, when the median age was ~~30.8~~ 35.4 years. The Town has experienced the aging of the population seen across the country, and median age is expected to continue to increase over time. Table II-13 illustrates the Town's population by age group.

Table II-13
Age Distribution, ~~2010~~ 2000

Age	Number	% of Total
Under 19	<u>21,535</u>	
	18,606	31.1% <u>34.3%</u>
20-34	<u>11,648</u>	
	8,198	16.8% <u>15.1%</u>
35-44	<u>7,685</u>	
	8,196	11.1% <u>15.1%</u>
45-64	<u>17,602</u>	
	11,794	25.5% <u>21.8%</u>
65+	<u>10,666</u>	
	7,445	15.4% <u>13.7%</u>
Total	<u>69,136</u>	<u>100%</u>
A. Source: 2010 U.S. Census		

Table II-14 describes the Town's ethnic distribution according to the 2010 Census.

Table II-14
Ethnic Characteristics, ~~2010~~ 2000

	Number	% of Total
White	<u>47,762</u>	80.3% <u>69.1%</u>
Black	<u>6,321</u>	8.8% <u>9.1%</u>
Native American	<u>779</u>	1.1% <u>1.1%</u>
Asian & Pac. Islanders	<u>2,314</u>	3.4% <u>3.3%</u>
Other	<u>8,345</u>	12.1% <u>12.1%</u>
Hispanic	<u>20,156</u>	29.2% <u>29.2%</u>
Note: the ethnic population numbers may seem distorted because the U.S. Census does not consider Hispanic ancestry to be a race. For this reason, some Hispanics choose to list themselves under the classification for other races.		
Source: <u>2010</u> Census of Population and Housing		

Household Size and Income

There were 23,900 ~~18,592~~ households in Town in 2010 ~~2000~~, of which 14,358 ~~11,642~~ were family households, and 4,199 ~~5,258~~ were non-family households. This represents an average household size of 2.91 persons.

Median household income in 2010 ~~2000~~ was \$40,421 ~~\$46,250~~, only slightly lower than the County median income ~~for the same time period~~, which stood at \$42,845 ~~\$55,845~~ for the same time period. The Town further estimates that in 2011 ~~2008~~, median household income had risen to \$51,258 ~~\$54,323~~. Table II-15 lists the number of households in each income range in 2010 ~~2000~~.

Table II-15
Household Income Distribution, ~~2010~~ 2000

Income	No. of HH	% of Total
Less than \$10,000	1,612 <u>1,480</u>	8.7% <u>6.2%</u>
10,000-14,999	1,397 <u>767</u>	7.5% <u>3.2%</u>
15,000-24,999	2,666 <u>4,272</u>	14.3% <u>17.9%</u>
25,000-34,999	2,477 <u>2,237</u>	13.3% <u>9.4%</u>
35,000-49,999	3,064 <u>4,076</u>	16.5% <u>17.1%</u>
50,00-74,999	3,562 <u>3,948</u>	19.2% <u>16.5%</u>
75,000-99,999	2,011 <u>2,631</u>	10.8% <u>11.0%</u>
100,000-\$149,000	1,293 <u>2,418</u>	7.0% <u>10.1%</u>
\$150,000-\$199,999	293 <u>1,107</u>	1.6% <u>4.0%</u>
\$200,000 +	217 <u>964</u>	1.24% <u>4.0%</u>
Total	18592 <u>23,900</u>	100% <u>100%*</u>

Source: 2010 U.S. Census (Differences due to rounding.)

The Census identified ~~9,296~~ 2,638 persons in Town were living below the poverty level in ~~2000~~ 2010. This population was represented in ~~4,918~~ 1,939 families, ~~4,635~~ 312 of which had children under 18 years of age. Of the ~~4,918~~ 1,939 families, ~~4,031~~ 568 were female-headed households. This represents a significant reduction in the number of Town residents living in poverty, when compared to the 2000 Census.

Employment and Major Employers

The Town had a total of ~~21,748~~ 29,803 persons over 16 years of age in the labor force, of which ~~4,932~~ 3,693 (12.4%) (~~5.0%~~) were unemployed. The largest labor sector in which Town residents were employed was “education services, and health care and social ~~service~~ assistance,” which employed 31.9% ~~25.5%~~ of the labor force, as shown in Table II-16.

Table II-16
Employment by Industry, 2010

Industry	No. of Employees	% of Total
Agriculture/Forest/Fish/Mining	251 <u>502</u>	1.3% <u>1.9%</u>
Construction	1,414 <u>1,144</u>	7.24% <u>4.3%</u>
Manufacturing	1,445 <u>1,897</u>	7.3% <u>7.1%</u>
Wholesale Trade	569 <u>55</u>	2.9% <u>0.2%</u>
Retail Trade	2,568 <u>5,876</u>	13% <u>22.0%</u>
Transportation, warehousing & utilities	1,817 <u>1,884</u>	9.2% <u>7.1%</u>
Information	292 <u>785</u>	1.5% <u>2.9%</u>
Finance, insurance & real estate	1,182 <u>459</u>	6% <u>1.7%</u>
Professional, scientific, management & administration	1,327 <u>1,435</u>	6.7% <u>5.4%</u>
Educational, health & social services	5,036 <u>8,506</u>	25.5% <u>31.9%</u>
Arts, entertainment, recreation, accommodation & food service	1,492 <u>1,621</u>	7.6% <u>6.1%</u>
Other services (except public administration)	1,204 <u>920</u>	6.1% <u>3.4%</u>
Public Administration	1,161 <u>1,610</u>	5.9% <u>6.0%</u>
Source: 2000 <u>2010</u> Census		

The Town also tracks its largest employers, as depicted in Table II-17. It should be noted that there is no data on how many of these employees are Apple Valley residents.

Table II-17
Major Employers, 2012

Employer	No. of Emps.
Apple Valley Unified School District	<u>1,800</u> 1,770
Saint Mary's Medical Center	<u>1,700</u> 1,350
Wal-Mart Distribution Center	<u>1,200</u> 1,100
Target Stores	<u>461</u> 402
Stater Brothers	<u>251</u> 292
Lowe's Home Improvement	<u>124</u> 286
Wal-Mart	<u>218</u> 276
WinCo Foods	<u>147</u> 201
Apple Valley Christian Centers	<u>100</u> 140
Town of Apple Valley	<u>156</u> 117
Home Depot	<u>110</u> 115
McDonalds	<u>112</u>
K-Mart	<u>99</u>
Jack n the Box	<u>97</u>
Del Taco	<u>90</u>
Mervyns	<u>140</u>

Source: Town of Apple Valley

Housing Unit Types

The ~~2000-2010~~ Census showed a total of ~~20,161~~ 26,470 housing units in Town in ~~2000~~ 2010. By ~~2008-2011~~, as demonstrated in ~~Table II-18~~, the total number of housing units had risen to ~~24,925~~ 27,088. Single family detached units continue to be the predominant housing type in Town.

Table II-18
Housing Characteristics

Units in Structure	2000 2010
Single Family, detached	14,950 <u>19,899</u>
Single Family, attached	726 <u>860</u>
2-4 Units, Multi-family	2,076 <u>2,698</u>
5+ Units, Multi-family	1,377 <u>1,016</u>
Mobile homes	1,034 <u>1,821</u>
Total	20,161 <u>26,470</u>

Source: ~~2000 US Census~~ 2010 American Community Survey.

Age of Housing Stock

The Census identified ~~16,676~~ 8,709 housing units in Town which were built prior to 1980. From 1980 through the year ~~2000-2004~~, an additional ~~4,485~~ 14,106 units were built, ~~after 2005~~ through ~~2008~~, the Department of Finance estimates that an additional ~~4,764~~ 3,655 units were constructed. Therefore, ~~37%~~ 67.1% of the Town's housing stock is less than 30 years old, while ~~63%~~ 32.9% of the housing stock is over 30 years old.

Condition of Housing Stock

As stated above, the Town assisted ~~97~~ 165 households in the previous planning period with the rehabilitation of their homes. The Code Compliance Division has ordered or undertaken the demolition of one home in the last five years. The ~~2000 Census~~ 2010 American Community Survey identified ~~88~~ 68 housing units in Town without plumbing facilities. The condition of the housing stock in Town is generally good, and the Town maintains an aggressive program of compliance, and rehabilitation assistance.

Vacancy Status and Tenure

The Census also determined that there were ~~18,575~~ 23,900 occupied housing units in Town in ~~2000~~ 2010, representing a vacancy rate of ~~9.2%~~ 9.7%. The Census further determined that ~~136~~ 214 vacant units were for seasonal use, ~~one unit was for migrant workers~~, and the balance of the units were for rent or for sale. ~~In 2008, the Department of Finance estimated that the vacancy rate was 8.4%. Given the 23.6% increase in housing during the period from 2000 to 2008, it appears that the housing stock has been quickly absorbed in Town in the last eight years.~~

Table II-19
Vacancy Status – ~~2010~~ 2000

Unit Type	No. of Units Vacant	% of All Vacant Units
For Rent	473 <u>813</u>	29.5% <u>32.3%</u>
For Sale	462 <u>687</u>	28.8% <u>27.3%</u>
Rented or Sold, not occupied Seasonal, Recreational or Occasional Use	110 <u>191</u>	6.8% <u>7.6%</u>
Other Vacant	1 <u>N/A</u>	0% <u>N/A</u>
Total	1,606 <u>2,519</u>	100% <u>100%</u>

Source: 2010 Census

Of the occupied housing units, ~~12,996~~ 16,297 units (~~70%~~) (69.1%) were owner-occupied, while ~~5,561~~ 7,301 units (30.9%) were renter-occupied.

Population Housing and Employment Trends

The following Table shows the projected trend in Apple Valley for future years 2020 and 2035.

Table II-20
Population, Housing and Employment Projections

	<u>2020</u>	<u>2035</u>
<u>Population</u>	<u>82,900</u>	<u>109,000</u>
<u>Households</u>	<u>28,500</u>	<u>37,100</u>
<u>Employment</u>	<u>17,000</u>	<u>22,500</u>

Source: SCAG Local Housing Element Assistance,
1.15.13

Overcrowding

An overcrowded housing unit is defined as one in which 1.01 persons resides. Table II-21 illustrates the ~~2000~~ 2010 Census estimates for persons per room. A total of ~~1,266~~ 897 housing units in Town were overcrowded in ~~2000~~ 2010, representing ~~6.8%~~ 3.8% of the total occupied housing units in Town. Of the overcrowded units, ~~801~~ 334 were renter-occupied, and ~~465~~ 563 were owner-occupied.

**Table II-21
 Overcrowding, 2000**

Persons/Room	No. of HH
Owner-Occupied Units	
0.50 or less	8,949 <u>12,174</u>
0.51 to 1.00	3,664 <u>4,387</u>
1.01 to 1.50	284 <u>334</u>
1.51 to 2.00	122 <u>0</u>
2.01 or more	59 <u>0</u>
Renter-Occupied Units	
0.50 or less	2,223 <u>3,749</u>
0.51 to 1.00	2,473 <u>2,693</u>
1.01 to 1.50	538 <u>563</u>
1.51 to 2.00	141 <u>0</u>
2.01 or more	122 <u>0</u>

Source: 2010 Census

Overpayment

Overpayment is defined as more than 30% of all household income being dedicated to the cost of housing. The Comprehensive Housing Affordability Strategy (CHAS) estimates those households that are overpaying for housing. Table II-22, below, lists the ~~2000~~ 2005-2009 CHAS estimates.

**Table II-22
 Overpayment by Income Level 2000**

Household Type	Low Income	Very Low Income	Extremely Low Income
Total Renter Occupied	1,169 <u>710</u>	1,081 <u>1,160</u>	1,420 <u>1,800</u>
Elderly renters	65	164	130
Small family renters	240	380	574
Large family renters	30	180	299
Other	24	74	214
Total Owner Occupied	2,106 <u>1,460</u>	1,099 <u>1,010</u>	843 <u>1,310</u>
Elderly owners	390	330	320
Small family owners	439	184	190

Large family owners	163	95	40
Other	50	85	125
Source: CHAS Data Book 2000-2005-2009			

Housing Values

The 2010 Census estimated values for owner-occupied single family homes in Town. These are listed in Table II-23.

Table II-23
Values, Specified Owner-Occupied
Housing Units, 2010-2000

Value	Number
Less than \$50,000	153 <u>1,055</u>
\$50,000 to 99,999	4,714 <u>3,506</u>
\$100,000 to 149,999	3,727 <u>2,262</u>
\$150,000 to 199,999	2,068 <u>3,556</u>
\$200,000 to 299,999	1,016 <u>3,519</u>
\$300,000 to 499,999	171 <u>2,187</u>
\$500,000 to 999,999	27 <u>598</u>
\$1,000,000 or more	7 <u>212</u>
Source: 2010 2000 Census	

The median housing unit value in ~~2000~~ 2010 was ~~\$127,000~~ \$170,500. For renters, the median contract rent at that time was ~~\$573~~ \$1,012. Housing costs in Apple Valley in ~~2000~~ 2010 were therefore, affordable. ~~2008~~ 2010 housing values and rental rates are discussed below in the section titled “Economic Constraints”.

SPECIAL HOUSING NEEDS

This section of the Housing Element quantifies households with special needs such as farm workers, the homeless and the elderly living in Town. These households can have housing needs which may be more difficult to address, and which require special attention.

Farm Workers

The American Community Survey reports workers by place of residence that have an occupation in farming. The 2005-2009 Survey reports 59 farm workers within the Town of Apple Valley, 51 male and 8 female. No single source of data exists to identify farm workers in California. In 2000 2010, the Census identified that there were 251 215 persons employed in “farming, agriculture forestry, fishing, hunting forestry and mining” in Town. However, the location of one mine within Town limits, and another immediately northeast of Town limits, makes it likely that the majority of these workers are in mining. Animal keeping and equestrian facilities occur in the Deep Creek area, at the southern end of Town, but no significant crop farming occurs within Town limits or in the immediate area.

Homeless, Transitional and Single Room Occupancy Housing

The County of San Bernardino Homeless Partnerships Community Action Partnerships conducted a survey of homeless persons in 2003 2013. That survey counted homeless persons on the streets, in shelters, and at other locations, to estimate the number of homeless persons in the County by Supervisorial District. There were a reported 2,321 adults, and children who were homeless on a given day in San Bernardino County. In the Victor Valley there were 352 reported homeless, with 292 of those in the neighboring city of Victorville. There was only one homeless person reported in Apple Valley. Assuming that because the survey was conducted on a cold January day, there may have been a few more homeless that could not be located, due to seeking shelter in other locations. Apple Valley is located in District 1, which includes lands from Needles to Victorville, and from Yucca Valley to Barstow. The survey identified a total of 1,078 homeless persons in District 1 in 2003. It is not possible to determine what percentage of this total reside in Apple Valley.

The 2010 Census reports 461 people living in group quarters and 161 people in non-institutionalized group quarters.

Three shelters are available in the adjacent city of Victorville: two domestic violence shelters, High Desert Domestic Violence and Victor Valley Domestic Violence shelters, which offer safe housing (a total of 44 beds) and services to women and their children; and High Desert Homeless Services, which provides 55 beds, as well as support services. In addition, a number of organizations, including Catholic Charities, Church of the Valley, Feed My Sheep, High Desert Communities Food Bank and the Salvation Army provide support services to the homeless in Apple Valley and the region.

Since the last update of the Housing Element in 2009 the Development Code was amended to allow the development of shelters and transitional housing with approval of a Special Use Permit in commercial and industrial zones. On November 8, 2011, Ordinance No. 425 was adopted to allow emergency shelters and transitional housing to be located in a second

Commercial Zone (Commercial Village C-V) with an SUP. Emergency Shelters and transitional housing was already permitted with an SUP in the Service Commercial (C-S) zone. After the adoption of the 2009 Housing Element, the Development Code was also amended under Ordinance No. 405 on April 27, 2010, to include Single Room Occupancy facilities, Transitional Housing, and Supportive Housing requiring a conditional use permit in residential locations. The entitlement required is the same regulations that apply to other multi-family housing projects in the residential zones. This amendment also included the allowance of emergency shelters, transitional housing and supportive housing as an outright permitted use in the Industrial zone. These amendments are consistent with the provisions of Government Code 65583. However, the Town intends to make future changes to the Development Code as follows: The Transitional and Supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. These changes will be made to the Development Code within the first year of this housing cycle.

There are currently more than 3,000 acres of vacant commercial land and more than 600 acres of vacant industrial land in Town, indicating that there is more than enough land available for homeless and transitional housing in Apple Valley. There are currently over 19,000 acres of vacant residential land and with the vacant 600 acres of industrial land, mentioned above, there is adequate land available for Single Room Occupancy facilities.

The Elderly

The ~~2000~~ 2010 Census identified ~~7,445~~ 10,666 persons 65 years of age or older in Apple Valley. The Census further identified that there were ~~5,160~~ 7,636 households with one or more of the members of the household being 65 years of age or older. Of the Town's owner-occupied units, ~~3,905~~ 5,522 consisted of a householder of 65 years of age or older, while ~~647~~ 1,151 renter-occupied units were occupied by a householder of over 65.

The 2000 Community Housing Affordability Strategy (CHAS), determined that 31.5% of persons over 65 were paying more than 30% of their income for housing.

Disabled Persons

The ~~2000~~ 2010 Census identified ~~10,501~~ 8,410 persons in Town with disabilities, of which ~~3,167~~ 3,238 were persons over the age of 65.

The California Building Code requires that all new multi-family construction include a percentage of units accessible to persons with disabilities. The Town's Building Department requires compliance with these standards as part of the Building Permit review and inspection process, as does every other community in the country. The Town has no requirements which would constrain the development of housing for disabled persons – housing for disabled persons, whether in a group setting, apartment or condominium project, or a single family home, is not considered any differently than housing for any other member of the community. There are no requirements for concentration of residential care facilities; no site planning requirements that constrain housing for persons with disabilities; the Development Code defines family consistent with the federal definition, as one or more individuals in a household; and no parking requirements for any and all housing types that serve persons with disabilities.

In order to accommodate reasonable accommodation, a program has also been added to this Element which requires that the Development Code be clarified to state that access ramps may be constructed within the front, side or rear yard setback of any residential structure, as part of the building permit plan check. No variance or Conditional Use Permit is currently required, nor will it be.

Persons with Disabilities

Per Senate Bill No. 812, the Housing Element must include analysis of the special housing needs of individuals with developmental disabilities. A developmental disability is defined by Section 4512 of the Welfare and Institutions Code as “a disability that originates before an individual becomes 18 years old, continues or can be expected to continue indefinitely, and constitutes a substantial disability for that individual.” This includes mental retardation, cerebral palsy, epilepsy, and autism, as well as disabling conditions found to be closely related to mental retardation or to require treatment similar to that required for individuals with mental retardation, but does not include other handicapping conditions that are solely physical in nature.

The California Department of Developmental Services (DDS) implements a statewide system of community-based services for people with developmental disabilities and their families. DDS contracts with the Inland Regional Center in Riverside to provide and coordinate local services in San Bernardino County, including the Town of Apple Valley. The developmentally disabled population in the Apple Valley area that is being served by the Inland Regional Center includes 348 people within the 92307 zip code, and 227 people within the 92308 zip code. It should be noted that the 92307 and 92308 zip codes encompass the Town of Apple Valley and extend well beyond town limits into the County of San Bernardino. As such, the disabled population counts are regional in nature and not strictly limited to town limits.

<u>Table II-24</u>		
<u>Developmentally Disabled Population</u>		
<u>In Apple Valley Region</u>		
<u>Served by Inland Regional Center</u>		
<u>Age Group</u>	<u># of Individuals</u>	
	<u>by Zip Code</u>	
	<u>92307</u>	<u>92308</u>
<u>0-2</u>	<u>27</u>	<u>19</u>
<u>3-15</u>	<u>90</u>	<u>52</u>
<u>16-22</u>	<u>65</u>	<u>47</u>
<u>23-56</u>	<u>148</u>	<u>100</u>
<u>57+</u>	<u>18</u>	<u>9</u>
<u>Total:</u>	<u>348</u>	<u>227</u>
<u>Source: Inland Regional Center, January 16, 2012.</u>		

Persons with Developmental Disabilities

Housing needs for individuals with developmental disabilities can range from traditional independent living environments, to supervised group quarters, to institutions where medical care and other services are provided onsite. Important housing considerations for this group

include proximity to public transportation, accessibility of the home and surroundings, access to medical and other public services, and affordability.

A variety of housing options in the Town of Apple Valley are provided by local and regional service agencies, including the following:

Intermediate Care Facility (DD/H)

This type of facility has a capacity between 4 and 15 beds that provide 24-hour personal care, habilitation, developmental, and supportive services to 15 or fewer developmentally disabled persons who have intermittent recurring needs for nursing services, but have been certified by a physician and surgeon as not requiring availability of continuous skilled nursing care, “pursuant to Section 12500(e) of the Health and Service Code. The following facilities are available in the Town of Apple Valley and provided supported living services to residents including prepared meals, laundry, housekeeping, and medication assistance:

- Bethesda Lutheran offers two 6 bed facilities.
- High Desert Haven has the capacity to serve 8 residents.
- High Desert Haven-Mariah has the capacity to serve 8 residents.

Residential Facilities Serving Adults

These facilities provide care for adults ages 18 to 59 who are unable to provide for their own daily needs. Residents placed by Inland Regional Center and must meet State-mandated qualifications. Unless otherwise stated, each facility houses 4-6 individuals and provides 24/7 staff supervision. Services include prepared meals, laundry, housekeeping, and medication assistance. The following are IRC service providers within the Town of Apple Valley:

- A.L Care Center is an assisted living residential facility that provides 6 apartment-style units to adults.
- Andrew Care Center is a residential care facility for elderly and has capacity for 6 clients.
- Bridget Barcus ARF is an assisted living residential facility that provides 4 apartment-style units to adults.
- Crow Valley Home is an adult residential facility that serves developmentally disabled adults. The facility has a 6 bed capacity.
- Faustina Care Center is an adult residential facility that can serve 6 clients.
- Fortune Care Center is an assisted living residential facility that provides 6 apartment-style units to seniors.
- GG’s Guest Home I, II and III are adult residential facilities that provide 4, 6, and 6 apartment-style units to adults and seniors who are physically handicapped, developmentally disabled, and/or mentally disabled.
- Hacienda Care Facility is an adult residential facility that can serve 6 clients.
- Fortune Care Center is an assisted living residential facility that provides 6 apartment-style units to seniors.

- Mojave Narrow Ranch Home is a fully furnished adult residential facility with a capacity for 6 residents.
- Kali's House is an assisted living facility with the capacity to serve 2 clients.
- Nobbs Group/Family Home ARF I, II, and III have capacity for 2, 6, and 6 residents, respectively.
- Pala Care Center is an assisted living residential facility that provides 6 apartment-style units to seniors.
- Pifer Family Home is an assisted living residential facility that provides 6 apartment-style units to seniors.
- R & B ARF (760- 2472813)

Residential Facilities Serving Children

These facilities provide 24-hour care in the licensee's family residence for six or fewer children who are mentally disordered, developmentally disabled or physically handicapped and who require special care and supervision as a result of such disabilities. The following are available in Apple Valley:

- Amy Narasky Small Family Home offers services for up to 2 residents.
- Bridget Barcus SBF offers services for up to 4 residents.

Specialized Residential Facilities

These facilities are known as special treatment programs and provide extended care periods for people of all ages with chronic mental health problems. The majority of clients are younger than 65 years of age. Specialized staff serve clients in a secure environment. The following facilities are available in Apple Valley:

- Casa Colinas Center for Rehabilitation provides supervised secure environmental for individuals between the ages of 18 and 59. The Center has a 42-bed capacity with both private and semi-private rooms. Services range from maximum assistance to light assistance. Case management services, meals, and medical assistance are provided. In addition, there are both onsite and offsite recreation opportunities available to residents.
- Kaiser Specialized offers 4 specialized facilities within Apple Valley. Each has a capacity to serve 4 residents. Services are provided to developmentally disabled adults.

Other local agencies provide additional support services to the developmentally disabled population, including the following:

Non-Housing Services for Developmentally Disabled Persons

- B.E.S.T Opportunities in Apple Valley is an adult development center offering employment services, contracting services, and vocational assessment to qualifying clients.
- High Desert Haven-Trail Blazers holds an adult day care provider license from the California Department of Social Services. They currently serve 30 developmentally disabled clients.

- Innovative Business Partnership offers adult day care facilities with a capacity of 60 clients. Day programs include social activities, meals, and supervision.
- D'Adams Family Care is a residential care facility for developmentally disable adults and has capacity for 6 clients.

Large Families Households

In ~~2000~~ 2010, there were ~~2,887~~ 4,020 households with 5 or more persons in Town, of which ~~1,799~~ 2,357 lived in owner-occupied units, and ~~1,088~~ 1,663 lived in renter-occupied housing units.

Single-Parent Families

There were ~~1,010~~ 2,059 male-headed single parent families and ~~2,627~~ 4,177 female-headed single parent families in Apple Valley in 2010. ~~632~~ 892 of the households with male-headed families had children under 18, while ~~1,724~~ 2,618 of the female-headed single parent households included children under 18.

Extremely Low Income Households

The ~~2000~~ 2010 Census estimated that ~~3,061~~ 2,247 households in Town had household incomes of less than \$15,000. The Census further estimated that of those households with incomes of less than \$19,999, 740 households were paying more than 30% of their household income for rent, and 1,129 households were paying more than 30% of their household income for owner occupied units. It is estimated that there will be a need for 456 very low income units during this planning period (See Table II-28). Extremely low income households are expected to require rental housing in the planning period. In the previous planning cycle, the Town has acquired Multi-Family zoned land that will allow for approximately 200 units of affordable housing to extremely low, very low and low income housing. It is expected that half of these units will be restricted to extremely low income households, providing up to 100 units for this income category. The Town expects to negotiate contracts for the construction and ownership of these projects within the next planning cycle. In addition to developing vacant land, the Town has purchased three (3) single-family units, for the purpose of rehabilitation and resale to very low income qualified buyers. This has been accomplished through the use of NSP funding. NSP funding has also allowed the Town to purchase a four-plex, rehabilitate the units and turn it over to a local domestic violence non-profit to be used as transitional housing. With the elimination of the Town's Redevelopment Agency, additional units will be constructed through private development efforts and the County of San Bernardino Housing Authority. The Town's Redevelopment Agency set aside funds have been allocated to include the construction of up to 300 units of housing affordable to extremely low, very low and low income housing (please see Redevelopment Agency Funding section, below). It is expected that half of these units will be restricted to extremely low income households, providing up to 150 units for this income category. Additional units will be constructed through private development efforts and County Housing Authority plans.

EXISTING AFFORDABLE HOUSING PROGRAMS

This section of the Housing Element addresses existing programs available in Apple Valley and the region relating to affordable housing. ~~It is important to note that the Town has a multi-agency approach to affordable housing programs. In addition to the Town's Redevelopment Agency, the~~ The Town participates in the Apple Valley/Victorville Consortium, which prepared the Consolidated Plan for Fiscal Years 2007-2011 2012-2016 for the two cities. The Consortium has been successful in establishing an agreement which resulted in a direct allocation of HOME funds. The Town has been successful in obtaining NSP1 and NSP3 funds which have contributed the Town's affordable housing efforts. Additionally, funding from CDBG and CalHome funds have provided funding for some of the programs listed below.

~~In addition the Town participates in the Victor Valley Economic Development Agency, a joint powers authority which is responsible for the redevelopment of the former George Air Force Base, and land immediately surrounding the base. Finally, since the elimination of redevelopment agencies by the State legislature, the~~ Town's Redevelopment Agency Community Development Department operates programs and strategies for affordable housing in the Town.

Existing Programs

Residential Rehabilitation Loan Program

The Town provides no interest deferred loans to improve unsafe living conditions or correct code violations in the owner-occupied homes of very low and low income households. The maximum amount available per household is \$20,000. This program will continue through the 2014-2021 cycle of the Housing Element. Monies for this program are funded through CDBG, HOME, CalHOME and NSP3 funding sources.

Down Payment Assistance Program

The Town will provide very low and low income households with up to ~~\$65,000~~ \$55,000 toward the purchase of a home within Town limits. The down payment assistance is provided as a deferred loan for up to 30 years, applied to homes with a purchase price of no more than ~~\$210,000~~ \$344,650. During the previous planning cycle, 106 units were purchased with the assistance of the Down Payment Assistance Program. This program will continue through the 2014-2021 cycle of the Housing Element. Monies for this program are funded through CDBG, HOME, CalHOME and NSP3 funding sources.

Tenant Based Rental Assistance

The Consortium may allocate HOME funds toward rental assistance programs for very low and low income renters within the Town.

Rehabilitation Grants for Mobile Homes

The Town will provide grants to improve unsafe living conditions or correct code violations of owner-occupied mobile homes of very low and low income households. The maximum amount available per household is \$10,000. This program is funded through CDBG funding.

County and Federal Programs

County, State and federal programs available to the Town are described below.

Section 8 Housing Assistance

San Bernardino County provides HUD Section 8 rental assistance to lower income renters within the Town. There are currently three units of public housing owned and operated by San Bernardino County Housing Authority ~~74 unit Section 8 apartment project~~ within Apple Valley. In addition, Section 8 certificates are provided to Apple Valley residents, and generally assist between 350 and 375 households at any given time.

Fair Housing Programs

The Town works with the County of San Bernardino to provide anti-discrimination, landlord-tenant mediation, fair housing training and technical assistance, enforcement of housing rights, administrative hearings, home buyer workshops, lead-based paint programs, and other housing related services for Town residents.

County Mortgage Revenue Bond Funds

San Bernardino County annually issues bonds to fund a mortgage assistance program for low and moderate income households. The program allows the County to provide low interest mortgages to eligible households.

CalHFA Housing Assistance Program

This program is available to low and moderate income first time homebuyers who secure a CalHFA 30 year fixed mortgage. The program allows a deferred loan of up to 3% of the purchase price or appraised value of the home, to be applied as a down payment.

California Homebuyer's Downpayment Assistance Program

Moderate income households may receive a deferred loan of up to 3% of the purchase price or appraised value of a home, to be applied to either the down payment or the closing costs for the residence.

Home Choice Program

This State program provides disabled moderate income households with a low-interest 30 year mortgage for a first time home.

Low Income Housing Tax Credit Program

This competitive program provides tax credits to those private sector developers who provide affordable rental units within their projects. The units can consist of all or part of a project, and must meet certain specified criteria. Units must be restricted for a period of at least 30 years.

CONSTRAINTS TO THE DEVELOPMENT OF HOUSING

Governmental Constraints

Application Fees

The Town of Apple Valley has a “fee for service” application fee schedule. A deposit is applied to most applications made to the Town. Staff time and expenses are billed against the deposit. In most cases, the deposit is not exceeded; and any unused deposit is returned to the applicant upon completion of the case. Table II-25, below, illustrates typical permit fees, and shows that the fees are not unusually high when compared to other communities in San Bernardino County. ~~Fees have not increased since 2008.~~ Since 2008, Apple Valley has not increased fees.

Table II-25
Planning Division Fees

Permit Type	Deposit (\$)
General Plan Amendment	11,708.00
Change of Zone	10,133.00
Special Use Permit	3,152 1,343
Conditional Use Permit	6,305 2,500 + 15/unit
Development Permit	1,687.00
Planned Development Permit	2,548.00
Pre-Application	1,208.00
Environmental Assessment (Initial Study)	579.00
Tentative Tract Map	7,317.00
Tentative Parcel Map	3,939.00

Source: Town of Apple Valley, Resolution 2008-30

General Plan and Zoning Ordinance Constraints

The Land Use Element includes a number of residential land use densities. As governed by Measure N, single family home lots are allowed at densities ranging from over 5 acres to 2 per acre. The Land Use Element also includes the Medium Density Residential land use designation, which allows 4 to 20 units per acre; and a new designation being created with the General Plan Update of 2009, Mixed Use, which allows densities of 4 to 30 units per acre. The Mixed Use designation also requires that both commercial and residential components be integrated into all proposed projects in the designation, thereby assuring that higher density residential development will occur within commercial projects. This land use designation has been applied primarily along major transportation and employment corridors, including Bear Valley Road, Highway 18, and Dale Evans Parkway.

The Development Code includes residential zones consistent with the General Plan, as required by law. Single family residential zones include sub-zones focused on equestrian communities and other specified needs of the community. The development standards allow lot sizes of 5 acres or more, ranging to up to 2 units per acre. The Multi-Family District, which corresponds to the Medium Density Residential land use designation, allows up to 20 units per acre. The

Mixed Use District, ~~still under development as part of the General Plan Update, will allow~~ allows up to 30 units per acre, when integrated with a commercial project. The Town's development standards are consistent with those of all surrounding jurisdictions, the County of San Bernardino, and all other communities in southern California. None of the Town's standards can be characterized as excessive, or as consisting of a constraint on the development of affordable housing.

The Development Code ~~has also been amended to~~ includes the State's density bonus provisions, and the second unit standards.

Table II-26 illustrates the development standards in the Low Density, Estate, Single Family Residential and Multi-Family Residential districts.

Table II-26
Minimum Development Standards for Residential Zones

Standard	R-LD	R-E	R-SF	R-M	M-U
Units per Acre	1 d.u./2.5 ac.	1	2	20	<u>30</u>
Lot Area	2.5 ac.	1 ac.	18,000 s.f.	18,000 s.f.	<u>1 ac.</u>
Lot Width	150 ft.	125 ft.	100 ft.	100 ft.	<u>100 ft.</u>
Lot Depth	300 ft.	250 ft.	150 ft.	150 ft.	<u>100 ft.</u>
Building Lot Coverage	25%	25%	40%	60%	<u>50%</u>
Landscaped Area	N/A	N/A	N/A	15%	<u>10%</u>
Building Height	35 ft.	35 ft.	35 ft.	50 ft.	<u>50</u>
Parking Required	2/unit	2/unit	2/unit	Studio: 1 covered & 1 open 1 & 2 Bdrm: 2/unit & 0.5 guest/unit 3+ Bdrm: 3/unit & 0.5 guest/unit	<u>Same as R-M</u> <u>+ 1/250 –</u> <u>retail</u> <u>1/300 –</u> <u>office</u>
Open Space				Private: 150 sf. Common: 15% of project area	<u>Same as R-M</u>

Source: Town of Apple Valley Development Code

The Multi-Family zone allows 20 units per acre with 60% building coverage in structures of 50 feet in height (4 stories). Assuming an average unit size of 1,200 square feet, and allowing for open space and surface parking requirements, a density of 20 units per acre can be achieved within 2 and 3 story buildings. Therefore, the Town's development standards do not constrain the development of affordable housing.

Permit Processing

Permit processing in Town is consistent for all land use districts. Permitted uses of any kind in any zone require approval of a site plan, which is generally processed in a period of 60 to 120 days, as are tentative tract maps for single family homes.

Single family homes on infill lots are not subject to any Planning Division review, and require only a building permit. The Development Plan review and approval process consists of a review of development standards for consistency at the staff level, and review and approval by the Planning Commission. The findings required to approve a project are consistent with all communities in California, and relate to General Plan and Zoning consistency, the physical ability of the site to accommodate the proposed project, and the California Environmental Quality Act, as follows:

- A. That the location, size, design, density and intensity of the proposed development is consistent with the General Plan, the purpose of this Code, the purpose of the zoning district in which the site is located, and the development policies and standards of the Town;
- B. That the location, size and design of the proposed structures and improvements are compatible with the site's natural landforms, surrounding sites, structures and streetscapes;
- C. That the proposed development produces compatible transitions in the scale, bulk, coverage, density and character of development between adjacent land uses;
- D. That the building, site and architectural design is accomplished in an energy efficient manner;
- E. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures;
- F. That the development proposal does not unnecessarily block public views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;
- G. That the amount, location, and design of open space and landscaping conforms to the requirements of this Code, enhances the visual appeal and is compatible with the design and function of the structure(s), site and surrounding area;
- H. That quality in architectural design is maintained in order to enhance the visual environment of the Town and to protect the economic value of existing structures;
- I. That excessive and unsightly grading of hillsides does not occur, and the character of natural landforms and existing vegetation are preserved where feasible and as required by this Code;
- J. That historically significant structures and sites are protected as much as possible in a manner consistent with their historic values;
- K. That there are public facilities, services and utilities available at the appropriate levels or that these shall be installed at the appropriate time to serve the project as they are needed;
- L. That access to the site and circulation on- and off-site is safe and convenient for pedestrians, bicyclists, equestrians and motorists;
- M. That the proposed development's generation of traffic will not adversely impact the capacity and physical character of surrounding streets;
- N. That traffic improvements and or mitigation measures are provided in a manner adequate to maintain a Level of Service C or better on arterial roads and are consistent with the Circulation Element of the Town General Plan;

- O. That environmentally unique and fragile areas such as the knolls, areas of dense Joshua trees, and the Mojave River area shall remain adequately protected;
- P. That there will not be significant harmful effects upon environmental quality and natural resources;
- Q. That there are no other relevant negative impacts of the proposed use that cannot be mitigated;
- R. That the impacts which could result from the proposed development, and the proposed location, size, design and operating characteristics of the proposed development, and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety and welfare of the community or be materially injurious to properties or improvements in the vicinity nor be contrary to the adopted General Plan; and
- S. That the proposed development will comply with each of the applicable provisions of this code, and applicable Town policies, except approved variances.

Single family homes do not require discretionary review, and are processed through the Building Department, unless part of a master planned community. Should a Conditional Use Permit be required for any reason, it is processed concurrently with the site plan review, and does not extend the permit processing timeline. The Town always provides expedited permit processing, and even when required to process a General Plan Amendment and Zone Change, can process applications in less than six months. The Town's permit processing, therefore, does not represent a constraint on development.

For Multi-Family development construction of units from 1-15 administrative review is completed through the plan check process and no additional entitlements are required. Units of 16-50, require Planning Commission review and approval of a Development Permit. The same findings listed above for single-family development, requiring a Development Permit, is required for the Planning Commission approval of a Development Permit. Projects that include more than 50 units requires a Conditional Use Permit reviewed and approved by the Planning Commission.

Transitional and supportive housing for six (6) or fewer residents is not regulated by the Town. Transitional and supportive housing of seven (7) or more is subject to only the requirements of residential uses of the same type, such as group homes, residential care facilities of seven (7) or more, and require the review and approval of a Conditional Use Permit, as described in the paragraph below. On June 26, 2012, the Town adopted the Reasonable Accommodations Ordinance No. 436, which waives permit fees and allows those with disabilities to request modifications to Development Code requirements.

Conditional Use permits are typically processed in the same time frame of a maximum of 120 days and include a public hearing before the Planning Commission. The findings required to approve a project are consistent with all communities in California, and relate to General Plan and Zoning consistency, the physical ability of the site to accommodate the proposed project, and the California Environmental Quality Act, as follows:

- A. That the proposed location, size, design and operating characteristics of the proposed use is consistent with the General Plan, the purpose of this Code, the purpose of the zoning district in which the site is located, and the development policies and standards of the Town;
- B. That the location, size, design and operating characteristics of the proposed use will be compatible with and will not adversely affect nor be materially detrimental to adjacent uses, residents, buildings, structures or natural resources;
- C. That the proposed use is compatible in scale, bulk, lot coverage, and density with adjacent uses;
- D. That there are public facilities, services and utilities available at the appropriate levels or that these will be installed at the appropriate time to serve the project as they are needed;
- E. That there will not be a harmful effect upon desirable neighborhood characteristics;
- F. That the generation of traffic will not adversely impact the capacity and physical character of surrounding streets;
- G. The traffic improvements and/or mitigation measures are provided in a manner adequate to maintain the existing service level or a Level of Service (LOS) C or better on arterial roads and are consistent with the Circulation Element of the General Plan;
- H. That there will not be significant harmful effects upon environmental quality and natural resources;
- I. That there are no other relevant negative impacts of the proposed use that cannot be reasonably mitigated.
- J. That the impacts, as described in paragraphs 1 through 9 above, and the proposed location, size, design and operating characteristics of the proposed use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, nor be materially injurious to properties or improvements in the vicinity, nor be contrary to the adopted General Plan.
- K. That the proposed conditional use will comply with all of the applicable provisions of this title.
- L. That the materials, textures and details of the proposed construction, to the extent feasible, are compatible with the adjacent and neighboring structures;
- M. That the development proposal does not unnecessarily block public views from other buildings or from public ways, or visually dominate its surroundings with respect to mass and scale to an extent unnecessary and inappropriate to the use;
- N. That quality in architectural design is maintained in order to enhance the visual environment of the Town and to protect the economic value of existing structures; and
- O. That access to the site and circulation on- and off-site is safe and convenient for pedestrians, bicyclists, equestrians and motorists.

Infrastructure Requirements

As with most communities, adjacent roadways must be improved to their ultimate half width when development occurs. Generally, the Town requires half width improvements to include curb, gutter and sidewalk; in more rural areas, however, the Planning Commission has the ability to allow rolled curb and/or no sidewalk. Roadway standards for local or local streets

require a paved width of 40 feet within a 60-foot right of way. The Town will also allow deviations to these standards, including the narrowing of streets within planned communities.

Water and Sewer Services

Water and sanitary sewer services are provided by the Apple Valley Ranchos Water Company and other independent water companies, and the Victor Valley Waste Water Reclamation Authority, respectively. Lands designated for Multi-Family or Mixed Use development in Town are located on major roadways, which are serviced by water and sewer mains currently. The water purveyors, and the sanitary sewer system, have current capacity, or expansion plans sufficient to accommodate growth in Town, including the Town’s regional housing need allocation. The Town will, as required, provide the water purveyors and the Reclamation Authority with copies of the adopted Housing Element. These purveyors are also required by law to provide priority service for affordable housing projects.

Development Impact Fees

As new development occurs, it increases the need for Town services and facilities. In order to offset these increased needs, the Town has established Development Impact Fees, as shown in Table II-27. Since the previous planning period, only the Transportation Impact fee has changed.

**Table II-27
 Development Impact Fees**

Fee Type	Single Family/Condo Fee (per unit)	Multi-Family Fee (per unit)	Manufactured or Mobile Home Fee (per unit)*
Park	\$3,208	\$2,614	\$3,208
Transportation Impact	\$5,985 <u>\$6,745</u>	\$3,996 <u>\$3,912</u>	\$5,985 <u>\$6,745</u>
Law Enforcement Facilities	\$147.64	\$182.44	\$147.64
Animal Control Facilities	\$54.84	\$54.84	\$54.84
Storm Drainage Facilities	\$1,581.87	\$373.32	\$1,581.87
General Government Facilities	\$407.07	\$407.07	\$407.07
Aquatics Facilities	\$84.37	\$68.55	\$84.37
Public Meetings Facilities	\$261.54	\$213.03	\$261.54
Recycle Deposit	\$500.00	\$500 <u>\$0</u>	\$500.00
Sewer Impact	\$2,127.09	\$1,515.43	\$864.76
Fire Department Impact	\$740.00	\$924.00	\$1,431.00

*Only if located on single family residential lots, not in mobile home parks.

Source: Town of Apple Valley

Building Code Requirements

As with most communities in California, the Town has adopted the California Green Building Code (CBC), and updates the Code periodically as State-wide updates are developed. Currently (2013), the Town is enforcing the provisions of the 2010 CBC. The Town cannot adopt standards that are less stringent than the CBC. Since all communities in the State enforce similar provisions, the Town’s CBC requirements are not an undue constraint on the

development of affordable housing. In addition to the California Green Building Code, the Town adopted a Climate Action Plan (CAP) in 2010, which includes an implementation plan. The CAP requires energy efficiency measures in new development to reduce Greenhouse Gas emissions as required by AB 32 and SB 375.

Building Permit Fees

The Building Department charges on a per square foot basis for building permit plan checks and inspections. Fees are based on the CBC components, and include electrical, plumbing, structural and architectural fees.

In addition to the Town's fees, residential developers are responsible for the payment of the State mandated school fees, as well as connection and/or metering fees for public utilities. The current (2008) school fees in Apple Valley are \$4.02 per square foot.

Economic Constraints

During the past planning cycle (2006-2013) all of Southern California, but especially the High Desert of San Bernardino County, suffered through an economic downturn that resulted in very little residential development. In 2011, the dissolution of Redevelopment Agencies by the State of California, took away the primary funding source for affordable housing projects. With these two major events occurring, it is not anticipated that the market will turn around until possibly mid cycle of 2018. Economic constraints of financing these projects will depend on the banks willingness to loan money and how quickly the existing residential units are absorbed by market demand. Public funding of affordable housing projects in Apple Valley will be limited to grant funds and will rely on non-profit and private sectors to provide additional units. Apple Valley does control about 17 acres of medium residential zoned land that can be used in partnership with these two sectors to facilitate new construction, but because of the elimination of redevelopment, does not have funds to develop the land.

Land and Housing Costs –

The cost of land has the potential to impact the overall cost of housing. Land for single family homes in Apple Valley, ranging from half-acre to whole tracts, is available in the \$25,000 to \$175,000 per acre range.

The median sales price for a single family home in Apple Valley is currently (April 2013) (~~August 2008~~) approximately ~~\$220,000~~ \$138,000, a significant decrease from the same period in ~~2008–2007~~, when the median listing price stood at ~~\$338,000~~ \$220,000. The current economic downturn makes single family homes affordable to the moderate income household in Apple Valley.

Apartment projects in Apple Valley are generally smaller, and may be characterized as duplexes, or projects of 10 units or less, privately owned. Such projects for sale in ~~2008~~ 2013 range in price from ~~\$80,000 to \$125,000~~ \$40,000 to \$80,000 per unit. These prices represent a drop of 50% in value from 2008.

The rental rates for typical apartment units in Apple Valley range from \$700 per month for a two bedroom, one bath unit to ~~\$1,250~~ \$850 for a three bedroom, 2 bath unit.

Construction Costs

Construction costs have been similarly affected by current economic conditions. Single family construction costs range from \$95 to over \$200 per square foot (excluding site improvements), varying based on the size of the home and the materials selected. Multi-family construction costs generally range from \$90 to \$150 per square foot.

Financing Costs

The cost of financing can also impact the development community's ability to fund projects. The current mortgage crisis has made single family loans extremely difficult to secure. Although this condition is not expected to continue through the entire planning period, the duration of the current economic downturn could impact the ability of developers to fund and construct affordable housing in Town.

Physical Constraints

Age of Housing Stock

The ~~2000~~ 2010 Census determined that ~~63%~~ 32.9% of the Town's housing stock was built before 1980, meaning that ~~15,676~~ 8,709 units are ~~28~~ 32 years old or older. The cost of maintaining older residential units can escalate, however, the mild climate and moderate conditions in Apple Valley help to preserve housing in better condition. The Town also maintains a Residential Rehabilitation Loan Program to assist very low and low income households in making repairs to their properties.

Environmental Constraints

Apple Valley's primary environmental constraint is associated with storm water management. Although a Master Plan of Drainage was prepared for Apple Valley, its implementation has been limited, and sheet flow flooding during major storms remains an issue of concern. In addition, the Dry Lake area, located in the east-central area of Town, has limited development potential due to flooding. Sites identified for Multi-Family or Mixed Use on the Land Use Map are located outside flood channels, and will not be significantly impacted by flooding requirements, other than those imposed on all developments by the National Pollution Discharge Elimination System (NPDES) As with all of California, the Town's water suppliers face continued challenges in providing water in the long term. The Town, as required by law, will provide this Housing Element to all its water providers upon its adoption. As described below under Land Inventory, however, sufficient lands are available to meet the Town's RHNA allocation during the current planning period.

Energy Conservation

In addition to the requirements of Title 24 of the Building Code, the Town requires the installation of water conserving landscaping for all new projects. Although the cost of installation of energy efficient, "green" or similar products in a home or apartment may increase the initial cost, the affordable housing providers and residents who participated in the Town's workshops, clearly indicated that the cost differential was becoming smaller as

technologies improved; and that the long term benefit to the home owners or renters was worth the added initial expense. The Town will continue to work with the development community in implementing energy efficient and ‘green’ technologies in new projects in the future.

HOUSING NEEDS

Affordable Units at Risk

There are no units at risk of losing their affordability restrictions in Apple Valley in the next ten years.

San Bernardino County Income Limits

Income limits for affordability are established annually on a regional basis by the Department of Housing and Community Development. Table II-28 provides the current ~~(2008)~~ (2012) income limits applicable to the Town of Apple Valley. The median household income for a family of four in ~~2008~~ 2012 is ~~\$62,000~~ \$63,300.

Table II-28
Income Limits for San Bernardino County 2013-2008

# of Persons	Moderate	Low	Very Low	Extremely Low
1	\$54,600 <u>\$52,100</u>	\$37,550 <u>\$37,300</u>	\$23,450 <u>\$23,300</u>	\$14,100 <u>\$14,000</u>
2	\$62,400 <u>\$59,500</u>	\$42,900 <u>\$42,650</u>	\$26,800 <u>\$26,650</u>	\$16,100 <u>\$16,000</u>
3	\$70,200 <u>\$67,000</u>	\$48,250 <u>\$47,950</u>	\$30,150 <u>\$29,950</u>	\$18,100 <u>\$18,000</u>
4	\$78,000 <u>\$74,400</u>	\$53,600 <u>\$53,300</u>	\$33,500 <u>\$33,300</u>	\$20,100 <u>\$20,000</u>
5	\$84,250 <u>\$80,400</u>	\$57,900 <u>\$57,550</u>	\$36,200 <u>\$33,300</u>	\$21,750 <u>\$21,000</u>
6	\$90,500 <u>\$86,300</u>	\$62,200 <u>\$61,850</u>	\$38,900 <u>\$35,950</u>	\$23,350 <u>\$23,000</u>
7	\$96,700 <u>\$92,300</u>	\$66,500 <u>\$66,100</u>	\$41,550 <u>\$38,650</u>	\$24,950 <u>\$24,000</u>
8	\$102,950 <u>\$98,200</u>	\$70,800 <u>\$70,350</u>	\$44,250 <u>\$43,950</u>	\$26,550 <u>\$26,000</u>

Households Overpaying for Housing

When a household pays more than 30% of its income toward its housing expenses, it is considered to be over-paying. The ~~2000~~ 2010 Census identified ~~2,539~~ 4,571 renter households paying 30% or more for housing, and ~~3,537~~ 5,591 owner households overpaying for housing.

Affordability of Housing

In order to determine the level of affordability for market housing in Apple Valley, a comparison of for-sale and for-rent market housing was undertaken. Table II-29 illustrates that the low income household of 4 is able to find rental housing well within its ability to pay, but falls \$159 per month short in being able to afford to purchase a median priced home. The Table demonstrates that although rental units are still affordable to low income households, the low income household may not be able to purchase a home in Apple Valley.

Table II-29
Affordability of Housing 2010-2000

Type of Housing Cost	Ownership	Rental
Median Single Family Purchase Price	<u>\$170,500</u> \$220,000	N/A
Median Mortgage Costs (PITI)	<u>\$1,499</u> \$1,355	N/A
Rental Rate	N/A	<u>\$1,012</u> \$1,000
30% of Low Income Household Income	<u>\$1,340</u> \$1,332	<u>\$1,340</u> \$1,332
Affordability Gap	<u>-\$159</u> -\$23	<u>\$328</u> \$332

If the analysis in Table II-29 is completed for a moderate income 4-person household, that household can afford monthly housing costs of ~~\$1,860~~ \$1,899. The current market rate housing in Apple Valley would be affordable to that household, with an overage of ~~\$505~~ \$400 for an ownership unit, and ~~\$860~~ \$887 for a rental unit. This analysis concludes, therefore, that moderate income households can generally be housed in market housing in Apple Valley, and do not require subsidy.

Mobile Home Parks

There are 12 mobile home parks in Apple Valley, located throughout the community, providing more than 1,500 ~~1,025~~ mobile home spaces. These projects provide an affordable housing option, as mobile homes currently ~~(2008)~~ (2013) sell in the range from \$20,000 to \$120,000 ~~\$50,000 to \$150,000~~ per unit. In the 2009 General Plan update and the subsequent Development Code update, mobile home parks were given a separate land use and zoning designation identified as Mobile Home Park (MHP).

Second Units

The Town in 2004 adopted the State’s model ordinance for second unit development, in order to facilitate the development of such units on single family lots, and has updated the standards as State legislation required. The ordinance allows second units, consistent with state law, on single family lots, as long as the development standards in the zone are met. Second units can provide an affordable option for rental units within the community.

Regional Housing Needs Allocation

The State and Southern California Association of Governments develop housing allocations for each Housing Element planning period. For the ~~2006-2014~~ 2014-2021 planning period, Apple Valley’s share of the Regional Housing Needs Allocation (RHNA) is:

Table II-30
RHNA by Income Category, ~~2014-2021~~ 2006-2014

	Units
Extremely Low	<u>382</u> 456
Very Low Income	<u>382</u> 456
Low Income	<u>541</u> 627
Moderate Income	<u>622</u> 736
Above Moderate Income	<u>1,407</u> 1,661
Total Units Needed	<u>3,334</u> 3,887
Source: SCAG <u>2011</u>	

Quantified Objectives

Table II-31
Quantified Objectives Matrix, ~~2014-2021~~ 2006-2014

Income Category	Extremely Low	Very Low	Low	Moderate	High	Total
New Construction	<u>382</u>	<u>382</u> 764	<u>541</u> 627	<u>622</u> 736	<u>1,407</u> 1,661	<u>3,334</u> 3,887
Rehabilitation		<u>3080</u>	<u>2580</u>	0	0	<u>55160</u>
Conservation		20	20	20	0	60

LAND INVENTORY

The Town’s Regional Housing Needs Assessment for ~~2006-2014~~ 2014-2021 estimates that a total of 3,334 housing units will be built in Apple Valley. Of these, ~~1,611~~ 1,407 are expected to be constructed for those of above moderate income. These units are expected to be market-driven, and constructed as single family homes typical of those already occurring in Apple Valley. As shown in the analysis under ‘Affordability of Housing,’ above, the moderate income households in Apple Valley are also able to afford the currently marketed housing available in the community. Therefore, the Town will need to assure that sufficient land is available for all extremely low, very low and low income housing units needed during the planning period, or a total of ~~1,539~~ 1,305 units.

The ~~rising~~ cost of land and housing makes it likely that these units will be of higher density, although they may be either for-sale or for-rent units. Table II-32 and II-33 list the available vacant lands in the Town by Assessor’s Parcel Number, provides the size of each parcel, and the potential number of units that could be developed on that parcel. For the Multi-Family District, a density of 15 units per acre has been assumed, to allow for infrastructure and open space. The estimate is based on constructed and approved projects in this designation. There are currently 430 multi-family units, including 44 mobile home spaces, currently entitled. In the previous planning cycle, 80 units were constructed.

The dissolution of Redevelopment altered the future plans for a fifty (50)-unit senior affordable housing project to be built at the northwest corner of Thunderbird and Dale Evans Parkway.

The Redevelopment bond proceeds allocated for this project were taken by the State. The Town is left with a five (5) acre parcel that will be used for a future affordable housing project built by private or non-profit funding. The Town has a total of 17.5 acres of land in three separate areas that will be marketed to the affordable housing community of developers for the best projects to partner with the Town.

As previously stated, land cost in Apple Valley ranges from \$20,000 to \$75,000 ~~\$25,000 to \$175,000~~ per acre. At a density of 15 units per acre, this equates to ~~\$1,333 to \$5,000~~ \$1,666 to \$11,666 per unit. The affordable housing community in Apple Valley estimates that construction costs for affordable housing units are approximately \$125,000 to \$176,250. When added to land cost, this represents a total cost per unit of ~~\$126,333 to \$181,250~~ \$126,666 to \$187,916 per unit. Projects in this cost range can be funded, when including HOME funds, tax credit funds or other programs, and built in the range of 14 to 16 units per acre. Most importantly, the affordable housing community has indicated that projects above this range are not marketable, insofar as more dense projects cannot be built and include the amenities and common areas which make a project a liveable community for the families who are looking for rental units. Palm Desert Development Company, which attended the Town's affordable housing workshops for the General Plan, clearly stated that they will not plan projects at densities over 16 units per acre, since the higher densities do not allow them to create communities which they can lease, because they cannot provide the services and amenities which create a healthy living environment. These same developers have stated that a density of 15 units per acre is financially feasible in the Apple Valley market. The Development Code allows up to 20 units per acre.

The Mixed Use District assumes a density of 22 units per acre on 25% of the parcel, to account for infrastructure and open space, and also for the commercial component of the Mixed Use project. This District is new to the General Plan, and has not been implemented. However, the development standards and policies in the Land Use Element require that residential development be included in all Mixed Use projects, and the maximum density allowed is 30 units per acre. As a result, the density calculated below, at 22 units per acre, is conservative.

Table II-32 Vacant Land Inventory, Multi-Family District		
APN	Size (Acres)	Potential Units
43406302	32.0	481
43406406	1.5	22
43406407	1.2	18
43406408	1.9	28
43406409	4.3	64
43406476	19.9	298
43939205	10.0	150
43939225	10.0	150
43939233	5.0	75

Table II-32 Vacant Land Inventory, Multi-Family District		
APN	Size (Acres)	Potential Units
43939234	2.5	37
43939235	2.5	37
44101106	10.1	152
44101107	4.5	68
44101108	0.5	8
44101109	1.0	15
44101110	1.6	24
44101111	2.0	30
44101124	4.8	71
44101125	4.7	71
44101126	4.8	72
44101130	8.1	122
44101132	8.1	121
44101139	1.3	20
44101141	0.9	14
44101142	1.1	17
44101143	1.1	17
44113301	4.6	69
44114154	5.5	82
47229226	5.9	88
47229227	3.5	53
47229228	3.5	53
47229229	3.5	53
47229230	5.1	76
47229238	5.9	88
47229239	5.7	85
47229240	5.4	81
47229241	81.9	1228
47229242	8.6	129
47229243	8.5	128
47229244	2.8	42
47229245	2.8	42
47229246	6.5	97
47229247	9.2	139
47229248	4.8	72
47229249	7.6	114
47229250	2.6	40
47229251	2.2	33
47229252	14.3	214
47229254	7.1	107

Table II-32 Vacant Land Inventory, Multi-Family District		
APN	Size (Acres)	Potential Units
47229255	7.0	105
47229256	6.3	94
47229257	1.0	15
47229258	2.5	37
47229266	2.5	37
47229267	2.1	31
47230204	2.3	34
47230205	2.6	39
47230206	5.2	78
47230207	5.2	78
47230208	5.2	78
47230209	5.2	78
47230210	5.2	78
47230212	2.6	39
47230213	2.6	39
47230214	2.2	33
47230215	2.5	38
47230216	2.5	38
47230217	2.5	38
47230218	2.5	38
47230219	2.5	38
47230220	2.5	38
47230221	9.5	142
47230222	2.5	38
47230223	2.2	32
47230224	2.2	32
47230225	2.5	38
47230228	5.2	78
47230229	5.2	78
47230230	5.2	78
47230236	5.2	78
47230237	5.2	77
47230238	5.2	77
47230239	5.1	77
47230240	13.2	198
47230241	13.3	199
47230242	9.6	144
47230243	10.2	154
47230244	10.2	152
47230245	9.8	148

Table II-32 Vacant Land Inventory, Multi-Family District		
APN	Size (Acres)	Potential Units
47230246	10.2	153
47230247	3.3	50
47230248	6.9	103
47230249	10.2	153
47230250	10.2	153
47230251	2.2	33
47230254	2.6	38
47230255	2.6	38
47230256	2.6	39
47230257	2.6	39
47230258	13.2	198
47231204	4.8	71
47231206	5.5	83
47231207	1.9	29
47231211	13.3	200
47231212	3.4	52
47231213	2.5	38
47231217	2.3	35
47231218	2.9	44
47231251	3.7	56
47231253	5.6	84
47234211	37.0	555
47234214	34.9	523
308737205	4.7	70
308740102	1.0	15
308740103	1.0	15
308740104	1.1	17
308740105	9.7	145
308748105	10.1	151
308748106	4.1	61
308748107	4.0	59
308748108	8.8	132
308748109	3.1	47
308748110	2.5	37
308748111	6.4	97
308748112	32.0	481
Total Units		12,329

Table II-32 Vacant Land Inventory, Mixed Use District		
APN	Size (Acres)	Potential Units
43403201	0.6	3
43403202	1.3	7
43403203	1.0	5
43403204	1.0	6
43403205	1.0	6
43403206	1.8	10
43403207	1.8	10
43403208	4.8	26
43403209	2.2	12
43403210	3.1	17
43403211	18.9	104
43403212	17.0	94
43404201	1.3	7
43404202	1.0	6
43404203	1.0	5
43404204	1.0	6
43404205	11.8	65
43404206	1.7	9
43404207	0.5	3
43404208	0.4	2
43404209	3.6	20
43404216	1.1	6
43404217	1.1	6
43404218	1.2	7
43404219	1.2	7
43404220	4.9	27
43404221	5.0	27
43404222	5.0	27
43404223	1.4	7
43404224	1.0	5
43404225	2.5	14
43404226	1.3	7
43404227	1.3	7
43404228	1.0	5
43404229	1.5	8
43404230	7.5	41
43404231	2.5	14
43405189	3.0	17
43405191	30.7	169
43406414	18.7	103

Table II-32 Vacant Land Inventory, Mixed Use District		
APN	Size (Acres)	Potential Units
43406415	18.7	103
43494111	0.5	3
43494112	0.4	2
43494113	0.4	2
43494114	0.4	2
43494115	0.6	4
43494116	0.6	3
43494117	0.4	2
43494118	0.4	2
43494119	0.4	2
43494120	0.5	3
43494121	0.5	3
43494122	0.4	2
43494123	0.4	2
43494124	0.4	2
43494125	0.6	3
43494126	0.6	3
43494127	0.4	2
43494128	0.4	2
43494129	0.4	2
43494130	0.5	3
43495101	0.5	3
43495102	0.5	3
43495103	0.5	3
43495104	0.4	2
43495105	0.4	2
43495106	0.4	2
43495107	0.6	3
43495108	0.6	3
43495109	0.5	3
43495110	0.5	2
43495111	0.5	2
43495112	0.5	3
43495113	0.6	3
43495114	0.5	3
43495115	0.5	3
43495116	0.5	3
43495117	0.4	2
43495118	0.5	3
43495119	0.6	3

Table II-32 Vacant Land Inventory, Mixed Use District		
APN	Size (Acres)	Potential Units
43495120	0.5	3
43495121	0.5	3
43495122	0.5	3
43495123	0.5	3
43495124	2.5	14
43902205	15.7	87
43902219	10.0	55
43902221	3.5	19
43902224	5.0	27
43902225	5.0	27
43907301	38.1	209
43907302	8.0	44
47227339	3.7	21
47227340	1.1	6
47227341	57.2	314
47227342	13.1	72
47227355	19.8	109
308720113	3.8	21
308720114	4.8	26
308720115	4.8	26
308720116	4.8	26
311218103	99.5	547
311246201	5.0	28
Total Units		2,826

As shown in the two Tables, the Town has vacant lands available to accommodate over 15,155 units in its Multi-Family and Mixed Use Districts. The lands available are generally served by trunk lines, and occur on Town streets which are paved. There is therefore more than enough land available to meet the Town’s RHNA for the planning period. A map of vacant lands is also provided below, as Exhibit II-13.

As described in the Land Use Element, there are 229.7 acres of vacant land designated Mixed Use within the Town boundary. These lands have the potential to generate 6,891 units of housing. Although not all these units are expected to develop as affordable housing units, there is more than enough land available to provide the ~~1,539~~ 1,309 affordable housing units needed to meet the Town’s very low and low income housing need in the planning period. Development standards in the Mixed Use zone are ~~will be~~ consistent with the Multi-Family zone, and ~~will~~ allow construction of structures of 4 stories in height. With the requirement for limited common area open space, and the ability to provide parking either in surface parking

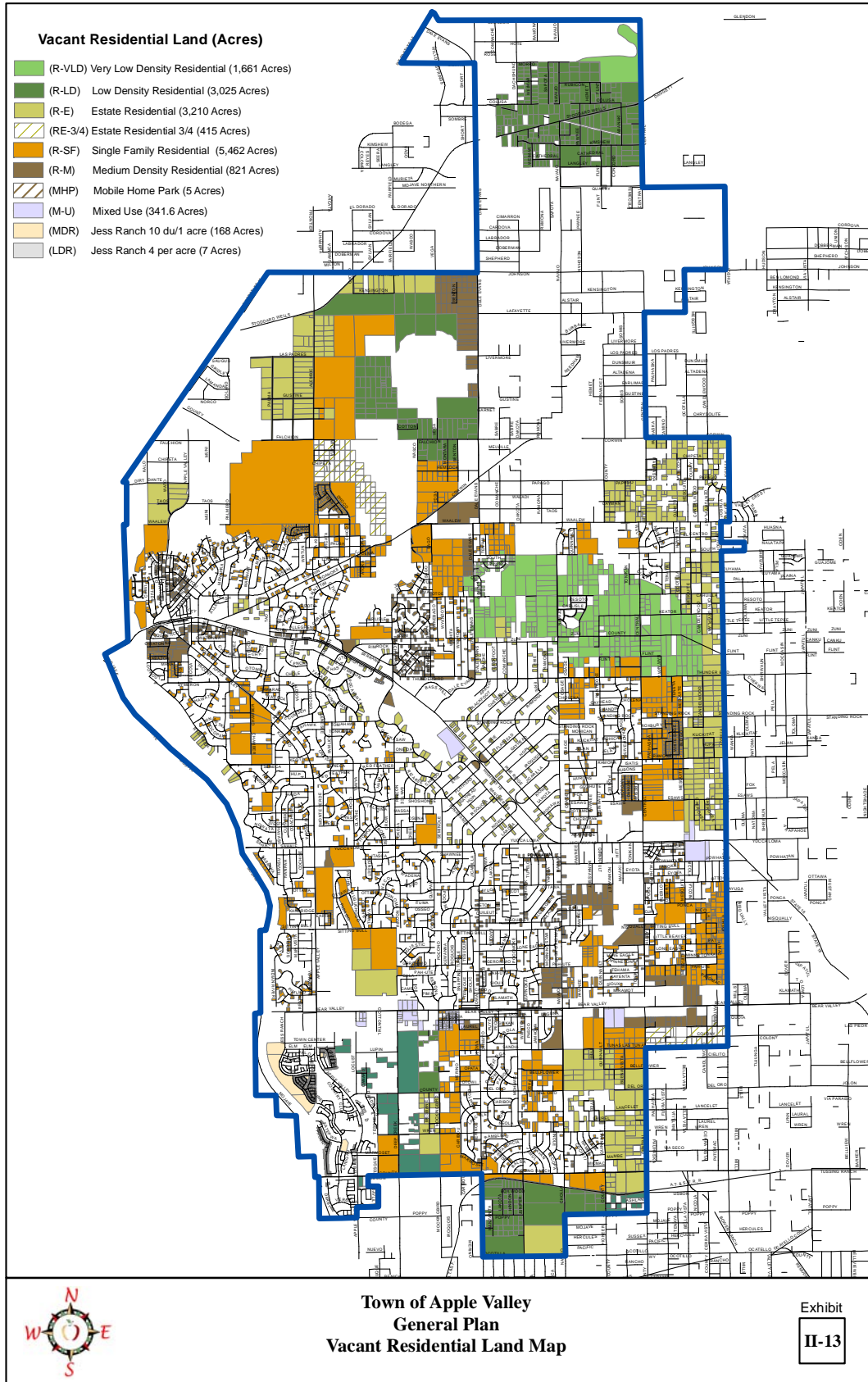
lots or in parking structures, the Development Code standards facilitate the construction of projects at a density of 30 units per acre.

DISOLUTION OF REDEVELOPMENT

In 2011 the State of California eliminated Redevelopment Agencies and tax increment financing, including the 20% set aside funds dedicated to development of low income housing projects. The Town of Apple Valley also had \$4.5 million dollars in Redevelopment Bond proceeds that were earmarked for the construction of affordable housing. All of the Redevelopment funds were taken by the State. The bond proceeds were included within the Town's Recognized Obligation Payments (ROPs) for the construction of a 50-unit senior affordable housing project. The State has not accepted this project as an obligated contract enacted prior to the dissolution of Redevelopment. As such, it is still undetermined if the Town will be able to utilize these funds for future projects.

The funding in the past that would allow the Town the ability to administer programs and construct affordable housing projects is gone and not anticipated to return in any other format during this planning cycle. The Town currently operates the Down Payment Assistance program and the Residential Rehabilitation program through CDBG and HOME funds. The Town was successful in obtaining Neighborhood Stabilization Program grant funds that have also contributed to this program, purchased existing units for rehabilitation and land for future affordable housing projects. Since many of these programs do not provide adequate funding to administer the projects, and some with no administrative funding at all, the Town's general fund provides some relief to cover these costs. The Town's Five Year Consolidated Plan identifies that from the years 2013-2018 the Town will allocate \$1,633,000 towards the Residential Rehabilitation Program and \$1,074,000 towards the Down Payment Assistance Program and receive approximately \$2,496,000 in CDBG funds, \$926,000 in HOME funds and \$1,074,000 in Cal HOME funds. With these funding sources the Town anticipates that it will be able to assist 52 homeowners in the Residential Rehabilitation Loan program and 20 buyers in the Down Payment Assistance Program during the period of 2014 -2021. In addition the Town anticipates contributing over 17 acres of land to accommodate the new construction of a minimum of 200 affordable units and rehabilitate three (3) existing single-family residential units for resale to qualified buyers.

~~The Town's Five Year Implementation Plan, for the period from 2006 through 2011, shows that the Town is expecting to receive approximately \$1,020,000 per year in housing set aside funds. For the planning period as a whole, therefore, the Town will receive approximately \$8,160,000 in housing set aside funds. The Implementation Plan has allocated \$4,500,000 from 2006 through 2011 for financing and development of a minimum of 200 very low and low income housing units. In addition, the Plan allocates \$1,000,000 toward the Residential and Rehabilitation Loan program, to assist 30 to 50 homeowners; and \$3,225,000 to the Down Payment Assistance Program, to assist 75 to 100 very low and low income households in purchasing housing during the period from 2006 to 2011. These allocations have the potential to generate new housing for 275 to 300 very low and low income households, and rehabilitate 30 to 50 existing homes.~~



PUBLIC PARTICIPATION

In May 2013, the Town held two public workshops held over 30 workshops and meetings during its General Plan update process. Three of these meetings that focused on housing issues, while another 5 to 10 were held for residents in particular neighborhoods, with a focus on land use designations to accommodate multi-family housing. The workshops were advertised in the local newspaper, on the Town's website, and flyers and invitations were distributed to a number of individuals and organizations. These organizations targeted were primarily those involving affordable housing, homeless and other supportive groups of regional and local housing issues. The public was also invited to these meetings. The email mailing distribution lists are appended to this Element as Appendix A. At these workshops, issues were discussed regarding providing adequate housing for seniors, low-income and the homeless. Specifically, adequate transportation to service areas and job centers was seen as an issue for the low-income and homeless in the community. The importance of dispersing low-income housing throughout the community and specifically close to transit was discussed. These issues have been discussed at previous workshops and are addressed in the Goals, Policies and Programs provided below. Finally, public hearings were held before the Planning Commission and City Council for the adoption of the Element, in March, April, May, June and August, 2009 August and October 2013.

SB 244

Compliance with SB244 requires the Town to include an analysis of the presence of disadvantaged unincorporated communities of the Town's Sphere of Influence, in the Land Use Element of the General Plan. This is required before or at the same time of the adoption of the 5th planning cycle of the Housing Element update. The Analysis has been prepared and will be adopted with the Housing Element Update. The Planning Commission is scheduled to review both revisions to the Land Use and Housing Elements in August 2013 and the Town Council will review and adopt in September 2013.

GOALS, POLICIES AND PROGRAMS

Due to the recent down-turn in the housing market, opportunity to implement the goals, policies and programs identified within the last housing element were not possible. Therefore, with the exception of modifying regulations to comply with the Government Code, the same goals, policies and programs from the last cycle have not changed. The Housing Element, General Plan, Development Code and town programs now comply with the Government Code and can be fully implemented in this cycle. With the dissolution of redevelopment by the State legislature, some of the programs funded with redevelopment tax increment monies have been eliminated. In addition the programs previously implemented by the Redevelopment Agency, have been taken over by the Community Development Department.

Goal 1

Housing of all types to meet the needs of current and future residents in all income levels.

Policy 1.A

Ensure that new residential development conforms to the voter-approved Measure “N.”

Policy 1.B

Maintain a wide range of residential land use designations, ranging from very low density (1.0 dwelling unit per 5 acres) to medium density (4 to 20 dwelling units per acre) and mixed use (4 to 30 units per acre), on the Land Use Map.

Program 1.B.1

Require that housing constructed expressly for low and moderate income households not be concentrated in any single area of Apple Valley.

Responsible Agency: Community Development Department

Schedule: ~~Ongoing~~ Staff review as development proposals are brought forward

Program 1.B.2

Locate higher density residential development in close proximity to public transportation, community services, and recreational resources.

Responsible Agency: Community Development Department

Schedule: ~~Ongoing~~ Staff review as development proposals are brought forward

Program 1.B.3

Periodically review the Development Code for possible amendments to reduce housing construction costs without sacrificing basic health and safety considerations.

Responsible Agency: Community Development Department

Schedule: 2014, Every 8 ~~2009~~-years thereafter

Policy 1.C

Encourage housing for special needs households, including the elderly, single parent households, large households, the disabled and the homeless.

Program 1.C.1

Offer incentives such as density bonus and reductions in parking requirements for senior housing.

Responsible Agency: Community Development Department

Schedule: ~~Ongoing~~ Staff review as development proposals are brought forward

Program 1.C.2

Process requests for the establishment of State licensed residential care facilities, in accordance with Section 1566.3 of the Health and Safety Code, as a means of providing long-term transitional housing for very low income persons.

Responsible Agency: Community Development Department

Schedule: ~~Ongoing~~ Staff review as development proposals are brought forward

Program 1.C.3

Pursuant to State law, require apartment complexes with 20 or more units to provide a minimum of one handicapped-accessible unit, with two units required of developments over 100 units.

Responsible Agency: Community Development Department

Schedule: Ongoing Staff review as development proposals are brought forward

Program 1.C.4

~~The Development Code shall be clarified to state that handicapped ramps are permitted in the front, side or rear yard setback of any residential structure. A reasonable accommodation procedure shall be established to provide exception in zoning and land use for persons with disabilities.~~

~~**Responsible Agency:** Community Development Department~~

~~**Schedule:** 2014-2015-2010-2011~~

Program 1.C.5

Pursuant to State law, require apartment complexes with 16 or more units to provide an on-site property manager.

Responsible Agency: Community Development Department

Schedule: Ongoing Staff review as development proposals are brought forward

Program 1.C.6

Encourage the development of second units, consistent with the requirements of State law and the Development Code, as a means of providing affordable housing opportunities in the single family residential districts.

Responsible Agency: Community Development Department

Schedule: Ongoing Staff review as development proposals are brought forward

Program 1.C.7

Expedite processing for elderly, low and moderate income housing applications; waive fees for shelters and transitional housing.

Responsible Agency: Community Development Department

Schedule: Ongoing Staff review as development proposals are brought forward

Program 1.C.8

Maintain the Down Payment Assistance Program as a tool to increase affordable homeownership opportunities for low and moderate income persons.

Responsible Agency: Redevelopment Agency Community Development Department

Schedule: Ongoing-Annually with CDBG and HOME fund allocation in budget

Program 1.C.9

Participate in regional, state and federal programs which assist very low, low and moderate income households in buying their own home, and provide information at Town Hall on these programs.

Responsible Agency: Redevelopment Agency Community Development Department

Schedule: Ongoing-Regular participation in Consortium activities

Policy 1.D

Continue to encourage mobile homes as an affordable housing option for all segments of the community.

Program 1.D.1

Allow the placement of mobile and manufactured homes in all single family districts.

Responsible Agency: Community Development Department

Schedule: ~~Ongoing~~ Staff review as development proposals are brought forward

Program 1.D.2

Ensure high quality development standards through the implementation of the new Mobile Home Park zone, consistent with the Development Code in mobile home developments.

Responsible Agency: Community Development Department

Schedule: ~~Ongoing~~ Staff review as development proposals are brought forward

Policy 1.E

Affordable housing should be distributed throughout the community, and should blend with existing neighborhoods

Program 1.E.1

Support and encourage local developers to participate in County-sponsored mortgage revenue bond and scattered site housing programs by including the programs in literature provided by the ~~Redevelopment Agency~~ Community Development Department on local and regional housing programs, with a particular focus encouraging the development of housing for extremely low and very low income households. The ~~Redevelopment Agency~~ Town will utilize all available funding sources to meet its extremely low income housing allocation. The ~~Redevelopment Agency~~ Town will consider reducing, waiving or subsidizing development and impact fees for developments targeted toward affordable housing; assisting developers in site identification; or using HOME funds to assist in development of housing for lower income housing, including extremely low income households.

Responsible Agency: ~~Redevelopment Agency~~ Community Development Department, San Bernardino Housing Authority

Schedule: Annually, ~~Ongoing~~ with CDBG and HOME funds allocation in budget

Program 1.E.2

Support the efforts of non-profit organizations, private developers, and the County of San Bernardino Housing Authority to obtain State and/or Federal funds for the construction of affordable housing for extremely low, very low and low income households by writing letters of support, and expediting permit processing for projects requiring pre-approval of development projects.

Responsible Agency: ~~Redevelopment Agency~~ Community Development Department, San Bernardino Housing Authority

Schedule: Annually, ~~Ongoing~~ with CDBG and HOME funds allocation in budget

Program 1.E.3

New multiple housing projects shall incorporate designs which are compatible with surrounding single family residential neighborhoods, and are consistent with the low-scale, rural character of Apple Valley.

Responsible Agency: Community Development Department

Schedule: ~~Ongoing~~ Staff review as development proposals are brought forward

Policy 1.F

Permit childcare facilities in single-family and multi-family residential zones, as well as in commercial and industrial areas where employment is concentrated.

Policy 1.G

New residential development must assure the provision of infrastructure and public services.

Policy 1.H

Encourage energy-conservation and passive design concepts that make use of the natural climate to increase energy efficiency and reduce housing costs.

Program 1.H.1

Utilize the development review process to encourage energy conservation in excess of the CBC's Title 24 requirements, which incorporate energy conservation techniques into the siting and design of proposed residences.

Responsible Agencies: Community Development Department, Building and Safety Department

Schedule: ~~Ongoing~~ Staff review as development proposals are brought forward

Program 1.H.2

Continue to allow energy conservation measures as improvements eligible for assistance under the Residential Rehabilitation Loan Program.

Responsible Agency: ~~Redevelopment Agency~~ Community Development Department

Schedule: ~~Ongoing~~ Staff review as development proposals are brought forward

Program 1.H.3

Provide brochures and contact information to local utilities for energy audits and energy efficient appliance programs, as they are available.

Responsible Agency: Building and Safety Department

Schedule: Regularly restock brochures at Town Hall public counters.

Program 1.H.4

The ~~Redevelopment Agency~~ Community Development Department shall maintain a brochure which describes the improvements eligible for the Residential Rehabilitation Loan Program, including energy conservation measures, and shall distribute the brochure at Town Hall, the Community Center, the Senior Center, the Library, churches and other sites where they can be available to the community at large.

Responsible Agency: ~~Redevelopment Agency~~ Community Development Department and Building and Safety Department

Schedule: ~~2009-2010~~ Ongoing

Policy 1.I

Provide housing opportunities for the homeless in the community.

Program 1.I.1

The Town shall encourage the development of Homeless Shelters, Transitional Housing and Single Room Occupancy by complying with Government Code Section 65583, which requires these uses to be identified in the Development Code. Application fee waivers shall also be given to these projects proposed in the Town. In addition, those that apply for reasonable accommodations shall also be given fee waivers.

Responsible Agency: Community Development Department

Schedule: Staff review as proposals are brought forward

Program 1.I.1

Consistent with the requirements of Government Code 65583, the Town Development Code will be amended as follows:

- a. ~~Single Room Occupancy shall be defined in Chapter 9.08~~
- b. ~~Single Room Occupancy shall be added as a Conditionally Permitted Use in the Planned Industrial zone.~~
- c. ~~Homeless shelters and transitional housing shall be added as a permitted use as required by Government Code 65583, in the Planned Industrial zone.~~
- d. ~~Transitional and supportive housing shall be subject to only those restrictions that apply to other residential uses of the same type in the same zone.~~

Responsible Agency: Community Development Department

Schedule: ~~2008-2009~~

Program 1.I.2

The Town shall modify the Development Code so the regulations for transitional and supportive housing are considered the same as a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone.

Responsible Agency: Community Development Department

Schedule: 2014-2015

Goal 2

Housing which is safe and properly maintained, to assure that the best quality of life is provided to all residents.

Policy 2.A

Maintain the code enforcement program as the primary tool for bringing substandard units into compliance with Town Codes, and for improving overall housing conditions in Apple Valley.

Program 2.A.1

Enforce Town codes on property maintenance, building and zoning code compliance.

Responsible Agencies: Community Development Department, Code Enforcement Division.

Schedule: ~~Ongoing~~ Staff review as development proposals are brought forward

Program 2.A.2

Actively market rehabilitation programs available through CDBG or HOME programs, which provide financial and technical assistance to lower income property owners to make housing repairs, by including them in the brochure described in Program I.H.4, to be distributed throughout the community. Endeavor to assist 130 ~~40~~ very low and low income households through these programs.

Responsible Agency: Community Development Department

Schedule: ~~Ongoing~~ Quarterly announcements in town-wide publication, quarterly announcements on Town's website

Program 2.A.2

~~Establish a local rental rehabilitation program using redevelopment set aside funds, state and federal monies to assist 40 very low and low income households during the planning period.~~

~~**Responsible Agency:** Redevelopment Agency~~

~~**Schedule:** 2010~~

Program 2.A.3

Continue to pursue HOME funds for rehabilitation of single-family and multi-family housing, and provide information on these programs in brochures distributed by the ~~Agency~~ Town to the community.

Responsible Agency: Community Development Department ~~Redevelopment Agency~~

Schedule: Annually with HOME fund allocation in budget

Program 2.A.4

~~Maintain the Residential Rehabilitation Loan Program currently funded through the Community Development Department and Redevelopment Agency. Endeavor to assist 80 very low, low and moderate income households through this program.~~

~~**Responsible Agency:** Redevelopment Agency~~

~~**Schedule:** Ongoing~~

Program 2.A.4

Distribute Neighborhood Stabilization Program (NSP) funds as established in the Five Year Consolidated Plan adopted in September 2012 ~~November 2008~~ for down payment assistance, single-family unit acquisition and rehabilitation for sale, and the acquisition, rehabilitation and/or construction of multiple family units.

Responsible Agency: Community Development Department ~~Redevelopment Agency~~

Schedule: Annually with NSP funding

Policy 2.B

Prohibit housing development in areas subject to significant geologic, flooding, noise and fire hazards, and in environmentally and archaeologically vulnerable areas.

Policy 2.C

Encourage neighborhood watch programs that promote safety and protection in residential neighborhoods.

Program 2.C.1

Encourage landlords and property managers to participate in the Crime Free Multi-Family Housing Program sponsored by the San Bernardino County Sheriff's office.

Responsible Agency: Community Development Department ~~Redevelopment Agency~~

Schedule: ~~Ongoing~~ Quarterly through Sheriff's Department outreach efforts

Goal 3

Unrestricted access to housing throughout the community.

Policy 3.A

Continue to promote the removal of architectural barriers in order to provide barrier-free housing for handicapped or disabled persons.

Program 3.A.1

Enforce the handicapped accessibility requirements of Federal fair housing law that apply to all new multi-family residential projects containing four (4) or more units.

Responsible Agency: Department of Building and Safety

Schedule: ~~Ongoing~~ Staff review as development proposals are brought forward

Policy 3.B

Prohibit practices that arbitrarily direct buyers and renters to certain neighborhoods or types of housing.

Program 3.B.1

Provide fair housing information at Town Hall, the Library, the Senior Center and local churches to inform both landlords and tenants of their rights and responsibilities. The information shall direct landlords and tenants to the San Bernardino Housing Authority, which has an established dispute resolution program.

Responsible Agency: Community Development Department, San Bernardino County Housing Authority

Schedule: ~~Ongoing~~ Regularly restock brochures at all locations.

Appendix A

Email List for Public Outreach

Housing Element Workshop 5-2-13

'	rarnett.vvfr@gmail.com
'Adam Sands	adam@housingcollaborative.org
'Alejandra Diaz	adiaz@ccsbriv.org
'Amber Sommerville	asommerville@ifhmb.com
'Andrew Clark	aclark@ifhmb.com
'Beverly Earl	bearl@ccsbriv.org
'Carol Howard	c6howard@yahoo.com
'Celina Lopez	Celina.lopez@nhsie.org
'Chris Estrada	cestrada@ifhmb.com
'Chuck Smith	chucksmith13th@gmail.com
'Cindi Smallwood	smallwoodtailor@yahoo.com
'Clemente A. Mojica	Clemente@nphs.info
'Community Action Partnership	dgalba@capsbc.sbcounty.gov
'Cristella Nunez	cnunez@ifhmb.com
'Darrell Stamps	ds@theramsaygroup.com
'Darryl Evey	darryl@familyassist.org
'Deborah Brand	dbrand@ifhmb.com
'Deborah Torres	ekspade@yahoo.com
'Delores Williams	millionairemindkids@verizon.net
'Dennis Morris	dennis@moseshouse.org
'Diana Sanchez	Diana.Sanchez@nhsie.org
'Don Gillespie	monumentdon@aim.com
Elizabeth Olin	eolin@applevalley.org
'Erin Fox	erin565@msn.com
'Felicia Macomber	fmacomber@lib.sbcounty.gov
Gary Brodeur	glbrodeur04@gmail.com
'Gregory Barnes	gbarnes@sjghcs.org
'Hill, Trish'	THill@sbcasd.org
'Jack Brown	mailbox@hdcfb.org
Janice Moore, AV Chamber	jmoore@avchamber.org
'Jeanne Crabb	cejgud@hdpm.info
'Jennifer Miller	jamiller@lib.sbcounty.gov
'John F. Lindsay	vvcdsp@msn.com
'Joshua R. Carrillo	Josh@nphs.info
'Judy Morris	judy@moseshouse.org
'Karina Martinez	karina@familyassist.org
'Kenneth Rose	krose@one2onementors.com
'Liliana Estrada	lestrada@ifhmb.com
'Linda Triska	lindatriska@verizon.net

General Plan Amendment No. 2013-001
Planning Commission Meeting of August 21, 2013

'Louie A. Lujan	Louie.Lujan@vpspecialists.com
'Lynne Anderson	landerson@ifhmb.com
'Margaret Diaz	vvdv@verizon.net
'Maria Hollenbeck	highdeserthomeless@yahoo.com
'Mark Sunseri	avpal.sunseri@yahoo.com
'Mary Coffelt	avcoffelt@verizon.net
'Midge Nicosia	vvsc@vvsc.com
'Patrice S. Cavitt	pcavitt@ifhmb.com
'Patricia Gonzales	cfwoffice@gmail.com
'Paul Gallant	pgallant@sbcisd.org
'Pete Serbantes	Pete@HomeStrongusa.org
'Sally Luna	aluna@ifhmb.com
'Santiago Lopez	slopez@sjghcs.org
'Shane Papp	hdysl.sp@gmail.com
'Sharon Morrison	smrochlin@gmail.com
'Sonia Kelsaw	skelsaw@ifhmb.com
Tina Jorge (highdeserthomeless@yahoo.com)	highdeserthomeless@yahoo.com
'Valerie Smith	valerie_smith@avusd.org
Vici Nagel (vici@highdesertcc.org)	vici@highdesertcc.org
'Vivian Rivera	vivian.rivera@nhsie.org
'Walt Henry	dellrayeh@yahoo.com

**Attachment 3
Amendment to the Land Use Element
(SB 244)**

Town of Apple Valley

General Plan Land Use Element Amendment

Disadvantaged Unincorporated Communities

Senate Bill 244 (SB 244) requires that cities and towns include in their Land Use Element identification and analysis of disadvantaged unincorporated communities (DUC) within the Town's Sphere of Influence. SB 244 defines a DUC as a place that meets the following criteria:

- Contains 10 or more dwelling units in close proximity to one another;
- Is either within a city Sphere of Influence (SOI), is an island within a city boundary, or is geographically isolated and has existed for more than 50 years; and
- Has a median household income that is 80 percent or less than the statewide median household income.

For each identified community, the general plan must address the water, wastewater, storm water drainage, and structural fire protection needs or deficiencies. An analysis of benefit assessment districts or other financing alternatives that could make the extension of such services to identified communities financially feasible must also be completed.

The Local Agency Formation Commission was responsible for identifying DUCs in Apple Valley's Sphere, but has not done so. As a result, Apple Valley identified one (1) DUC within the Town's Sphere using the U.S. Census Bureau's American Community Survey (ACS)¹. San Bernardino County Census Tract 121.04 is located east of the Town's boundary and covers approximately 71 square miles. There are several scattered housing clusters throughout the tract with a total population of approximately 4,600 and a median household income of \$37,887. According to the ACS, the state of California's median household income is \$57,287². 80% of the statewide median household income is therefore \$45,830, meaning Census Tract 121.04 falls below the 80% statewide income level by \$7,943 and is considered a DUC.

In conformance with SB 244, the following provides infrastructure analysis of the identified DUC including water, wastewater, storm water drainage, and structural fire protection.

Domestic Water

The Town of Apple Valley is located within the boundaries of the Mojave Water Agency (MWA), which encompasses 4,900 square miles. There are several domestic water purveyors that serve Apple Valley and areas within the Town's Sphere. There are four (4) water purveyors with service areas in proximity to the identified DUC. They include the Apple Valley Ranchos Water Company, Apply Valley View Mutual Water Company, Golden State Water System 5, and Thunderbird County Water District.

- The Apple Valley Ranchos Company is the largest of the purveyors serving approximately 19,000 customer connections, or approximately 80% of the residential, commercial, industrial and institutional development in the Town. The water distribution system consists of over 400 miles of pipelines generally ranging in size from 4 inches to 20 inches in diameter.

¹U.S. Census Bureau, 2007-2011 American Community Survey.

² U.S. Census Bureau, 2011 American Community Survey 1-year Estimates.

- Apple Valley View Mutual Water Company has a service area of approximately 1 square mile with ± 100 service connections. It is estimated that the service area has potential to build out with up to 301 connections, which would require a facilities upgrade.
- Golden State Water Company serves the northeastern and southern portions of the Town, encompassing ± 4 square miles. Golden State provides service to approximately $\pm 2,500$ active connections in the Town and its Sphere-of-Influence.
- Thunderbird County Water District services approximately 325 connections within its ± 2 square mile service area. It is located east of the Town limits and includes service area within the Town's Sphere. Thunderbird has three wells and three storage reservoirs with a capacity of approximately 410,000 gallons.

Existing 12-inch and 14-inch water mains are located along Central Road and various cross streets in proximity to the areas identified as a DUC. The DUC is located in proximity to several domestic water purveyors' service boundaries; however, extension of domestic water infrastructure may be required to provide adequate water services to residences located in the outskirts the DUC area. Therefore, there is a need and/or deficiency in domestic water services for the identified DUC.

Wastewater

Apple Valley owns, operates and maintains the local wastewater collection system, which includes approximately 140 miles of collector sewer, trunk lines and interceptors as well as nine sewer lift (pump) stations providing sewer service to a population of over 22,000 citizens. Apple Valley has force main lines and gravity sewer lines from 6 inches to 24 inches in diameter that connect to regional intercept lines that convey wastewater to a wastewater treatment plant operated by the Victor Valley Wastewater Treatment Authority (VWVRA). The VWVRA has a design capacity of 18 MGD; on a daily basis, the plant averages treatment of 13 million gallons.

Many residences within the Town, including the DUC, mainly rely on septic systems for wastewater management. In 2008, only 30% of development in the Town was connected to sewer facilities. It is expected that existing and planned communities in the Sphere will need to connect to the existing wastewater collection and treatment facilities as development occurs in the future. Therefore, there is a need and/or deficiency of wastewater services for the identified DUC.

Storm water Drainage

Apple Valley is responsible for local drainage management including the Sphere, and identified DUC. The Sphere is characterized by terrain as high as 4,800 feet and is surrounded by several mountain ranges making the area sensitive to water run-off and flooding. The Apple Valley Master Plan of Drainage (1991) and the Apple Valley West/Desert Knolls Master Plan of Drainage (1991) are comprehensive drainage and flood control plans providing guidance for effective development of flood control and storm water facilities.

The Apple Valley Master Plan of Drainage divides the Town into subareas based on localized hydrologic features. The subareas include the North Community, the South Community, and the East Community. As discussed in the Flooding and Hydrology Element, there are numerous drainage facilities in the area providing safe and effective storm water control measures. Based on the regional and local flood control management plans and facilities serving Apple Valley, the identified DUC is expected to be adequately served by existing storm water drainage plans as they develop in the future.

Fire Protection

The Apple Valley Fire Protection District (AVFPD) provides fire protection services to the Town of Apple Valley and unincorporated areas of San Bernardino County. AVFPD is an independent District with a service area of approximately 206 square miles that extends easterly from the Mojave River as

far as the dry lakes toward Lucerne Valley. The AVFPD maintains mutual aid agreements with Victorville, San Bernardino County Fire Department, and the Bureau of Land Management, allowing for active support from surrounding Districts regardless of jurisdictional boundaries.

The District currently has seven (7) District stations. Of the seven fire stations, the two nearest fire stations are located within 6-10 miles of the identified DUC. These stations include:

- Station No. 331 at 22400 Headquarters Drive has 12 staff, and is equipped with a Type-1 engine, a Type-2 water tender, and a medium level rescue vehicle.
- Station No. 332 at 18857 Highway 18 has 9 staff, and is equipped with a Type-1 and Type-3 engine.

Construction of an eighth fire station is being considered for the northeast corner of Johnson Road and Navajo Road, which is located in the northern region of Apple Valley along the Town's eastern boundary. Addition of this eighth station will provide extended services to the Towns Sphere, including the identified DUC.

Based on the current and proposed AVFPD services and facilities located in Apple Valley, the identified DUC has acceptable access to fire protection.

Financing Alternatives

As the identified DUC develops, the area may be annexed to the Town. Should this annexation occur in the future, the Town will be responsible for assuring that adequate levels of service are maintained for domestic water, wastewater collection and treatment, storm drainage and fire protection. In order to extend service to the identified DUC, a number of financial mechanisms are likely to be required and implemented.

The AVFPD is an independent District with its own funding sources through property tax billings. Expansion of fire service is tied to the taxes the District imposes on real property. The District periodically reviews and updates their levy, and will continue to do so as development occurs throughout the region. The funding of fire services, therefore, is not expected to require special financing mechanisms in the identified DUC.

Developer-Funded Extensions

It is likely that development pressure will be the most likely reason for annexation of the identified DUC in the future. This development pressure will bring with it a need to extend utilities and services, including water, wastewater and storm drainage. The Town requires that development pay its fair share for the extension of these services, and that they be installed as development occurs. These requirements will likely fund the majority of service extensions in the future.

Development Impact Fees

Regional improvements affecting the identified DUC may be added to the Town's Development Impact Fee schedule. The Town has successfully implemented these types of fees for new development proposals, and will continue to do so in the future. Particularly in areas where larger, more complex improvements are required, Development Impact Fees allow the Town to build up the funding for the improvements over time, and construct the facilities when they become necessary.

Community Facilities Districts and Assessment Districts

Existing development within the identified DUC will benefit indirectly from developer-funded extensions, but is unlikely to be able to extend service without additional funds. The most likely funding source for the extension of water, wastewater and storm drainage facilities for existing

development is the creation of either community facilities district(s) or assessment district(s) financing. Both these financing tools will require a vote of the affected property owners, and will therefore be up to the property owners.

Improvements Funded through the General Fund

The Town has the ability to fund capital improvements, including water, wastewater and storm drainage improvements through its General Fund. At this time, General Fund contributions to improvements in the identified DUC are unlikely, given economic conditions. However, in the future, if the identified DUC is annexed, it could be possible that the Town could contribute to improvements through its Capital Improvement Program.

Grants and Loans

A number of state and federal agencies periodically offer low interest loans and/or grants to fund public service improvements. The Town could, in cooperation with water providers, the VVWRA, apply for funding under these programs.

Attachment 4

Initial Study

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

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

PROJECT INFORMATION

1. **Project title:** General Plan Amendment No. 2013-001 – Housing Element Update for 5th Cycle (2014-2021) and amendment to the Land Use Element for compliance with SB 244

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

3. **Contact person and phone number:** Lori Lamson, Community Development Director 760-240-7000 x7200

4. **Applicant's name and address:** Town of Apple Valley

5. **Project location and Assessor's Parcel Number:** The Housing Element involves all areas within the Town's boundary and the Land Use Element Amendment includes areas within the Town's Sphere of Influence.

6. **Description of project:** The General Plan Amendment includes updating the Housing Element with the fifth cycle allocation of Regional Housing Needs Assessment (RHNA) for the time period of 2014-2021. The Housing Element is one of the mandated Elements of the General Plan. It considers the future needs for housing in the Town, with a particular focus on affordable housing, and housing for special needs households, including the elderly, disabled persons, large families, single parent households and the homeless. It also provides the Town's decision makers with Goals, Policies and Programs intended to facilitate the development of housing to meet these needs. In addition the project includes a General Plan Amendment to the Land Use Element for compliance with Senate Bill 244, which requires that cities include in their Land Use Element identification and analysis of disadvantaged unincorporated communities (DUC) within the Town's Sphere of Influence.

ENVIRONMENTAL/EXISTING SITE CONDITIONS

Not applicable – The Housing Element applies to all lands throughout the Town. The amendment to the Land Use Element pertains to all areas within the Town's Sphere of Influence.

Summary of CEQA Findings: The Housing Element will have no direct impact on the environment. Adoption of the Housing Element will not result in the development of housing. In the future, when housing projects are proposed, the Town will review each of these projects to address environmental issues associated with the particular project. Because housing could occur throughout the Town, the specific conditions at any one project site will differ significantly from another, and site specific analysis is appropriate. The adoption of the Housing Element will not result in the development of more units than planned for or analyzed in the General Plan. The Amendment to the Land Use Element to satisfy the requirements of SB 244 will not result in the additional development or added infrastructure or services. The amendment includes identification and analysis of

disadvantaged communities within the Town's Sphere of Influence and is not related to any additional development.

Purpose of this Initial Study: This Initial Study has been prepared in conformance with Section 15063 and other applicable sections of the CEQA Guidelines, to determine if the project, as proposed, may have a significant effect upon the environment. Based upon the findings contained within this report, the Initial Study will be used in support of the preparation of a Negative Declaration.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural/Paleontological | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <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 |

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

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

- The proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- The proposed project **MAY** have a significant effect on the environment, and **ENVIRONMENTAL IMPACT REPORT** is required.
- The proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or

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

Lori Lamson
Assistant Director of Community Development

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

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

I. AESTHETICS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially 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 views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: The Housing Element Update and compliance with SB 244 will have no impact on aesthetics, scenic vistas or light and glare. The eventual building of individual housing projects or projects located within the Sphere of Influence will be reviewed on a case-by-case basis. No impact is expected.

II. AGRICULTURE AND FORESTRY RESOURCES

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

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Gov't Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conservation of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION: The Housing Element Update and compliance with SB 244 will have no impact agricultural land within the Town limits. The eventual building of individual housing projects or projects located within the Sphere of Influence will be reviewed on a case-by-case basis. There will be no impact to agricultural resources.

III. AIR QUALITY

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

Would the project:

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

SUBSTANTIATION: The Housing Element and Land Use Element amendments will have no impact on the air quality or greenhouse gas emissions. The General Plan document is a policy document and will not generate any

construction or development. When individual properties are proposed for housing development, the Town will undertake CEQA review, and assess potential impacts for each project.

IV. BIOLOGICAL RESOURCES

Would the project:

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

SUBSTANTIATION: The adoption of a Housing Element update and amendment to the Land Use Element to comply with SB 244 will have no impact on biological resources. The Town will require, when appropriate, the preparation of biological resource studies for individual housing projects as they are proposed in the future, and will implement mitigation measures if necessary to protect any endangered, federally or state listed, or protected species.

V. CULTURAL RESOURCES

Would the project:

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

SUBSTANTIATION: The adoption of the Housing Element update and amendment to the Land Use Element for compliance with SB 244 will have no impact on cultural resources. As individual projects are proposed in the future, the Town will require the preparation of cultural resource studies for these parcels, to identify resources. There are no historic structures identified in the affordable housing inventory, nor as historic structures known to occur on other lands identified for housing in the future.

There are no known burial sites or cemeteries located on lands designated for housing. The Town will require future project to abide by California law, should human remains be identified on a site being prepared for housing development. Overall, no impact is expected.

VI. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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"/>

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18 1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION: The adoption of the Housing Element update or the amendment to the Land Use Element to comply with SB 244 will have no impact on geology. There are no Alquist Priolo hazard zones on the lands identified for housing. Housing is not proposed in areas subject to landslides and the Town will impose development standards for hillside development to mitigate future impacts. The Town will impose PM10 and NPDES standards on all development in the future, which will mitigate for potential soils erosion, whether from wind or flooding hazards. As individual projects are proposed, site specific soils studies will be required to identify all soil conditions on a particular site, and mitigation measures will be implemented should they be necessary. New single-family development in the Town is required to comply with the State Water Board requirements for septic systems. If these requirements for septic cannot be met, single-family development, like medium density, high density residential and all other non-residential development, would be required to connect to the existing sewer system. No impacts are anticipated.

VII. GREENHOUSE GAS EMISSIONS

Would the project:

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

SUBSTANTIATION: The Housing Element and Land Use Element amendments will have no impact on greenhouse gas emissions. The General Plan document is a policy document and will not generate any construction or development. When individual properties are proposed for housing development, the Town will undertake CEQA review, and assess potential impacts for each project.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
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) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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"/>
h) 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"/>

SUBSTANTIATION: The Housing Element and Land Use Element amendments will have no impact hazards or hazardous materials. The General Plan document is a policy document and will not generate any construction or development. When individual properties are proposed for housing development, the Town will undertake CEQA review, and assess potential impacts for each project.

IX. HYDROLOGY AND WATER QUALITY

Would the project:

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

SUBSTANTIATION: The Housing Element and Land Use Element amendments will have no impact on water resources. The General Plan document is a policy document and will not generate any construction or development. When individual properties are proposed for housing development, the Town will undertake CEQA review, and assess potential impacts for each project. Domestic water is supplied by a number of private water companies, the largest two service providers being Apple Valley Ranchos and Golden State Water Co.

The Town requires that new development retain storm water flows on site, or drain to an approved system. All future housing projects will be required to comply with the Town’s requirements including NPDES standards, which require the preparation of a water quality management plans, pollution prevention plans and hydrology studies. These requirements will include the implementation of best practices to ensure compliance with local and federal standards. Overall no impacts are expected.

X. LAND USE AND PLANNING

Would the project:

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

SUBSTANTIATION: The adoption of the Housing Element update will have no impact on land use. All the sites identified in the update for affordable housing are designated for such use, and these designations are consistent with the Land Use Element of the General Plan. The Town’s Zoning Ordinance includes provisions for all densities of housing, and these development standards will be imposed as projects are proposed. The lands identified in the update are vacant, and their development will therefore not impact an established community. Future mitigations will comply with any conservation plan in place and adopted at the time of the proposed construction or development. Overall, no impacts are expected.

The amendment to the Land Use Element identifies disadvantaged communities within the Town’s Sphere of Influence and analyzes services or lack thereof, including water, wastewater, storm drainage and fire protection services. The analysis identifies whether services are sufficient, and provide options for the financing of service improvements, should the DUC be annexed in the future. The amendment to the Land Use Services Element is a policy document and does not propose any development. All future development, including future annexations, the Town will undertake CEQA review, and assess potential impacts for each project.

XI. MINERAL RESOURCES

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION: The adoption and implementation of the amended Housing Element and Land Use Element will have no impact on mineral resources. None of the sites identified for housing in the update occur on lands designated for mineral resource extraction. The disadvantaged communities identified in the amendment to the Land Use Element are not lands designated for mineral resource extraction. No impact is expected.

XII. NOISE

Would the project result in:

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

SUBSTANTIATION: The adoption of the Housing Element and Land Use Element Amendments will have no impact on noise. When individual projects are proposed for development, the Town will undertake CEQA review, and assess potential impacts for each project.

XIII. POPULATION AND HOUSING

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)?
- b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?
- c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

SUBSTANTIATION: The adoption of the Housing Element and Land Use Element amendments will have no impact on population or housing. The Housing Element update focuses on the facilitation of housing development, but creates no immediate need for housing. The provisions of the be implemented as growth and demand for housing occur, but will not induce any such growth. When individual properties are proposed for housing development, the Town will undertake CEQA review, and assess potential impacts for each project. The amendment to the Land Use Element identifies established communities and services to these areas. It does not facilitate the increase in population or housing in these disadvantaged unincorporated communities.

XIV. PUBLIC SERVICES

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

Parks?

Other public facilities?

SUBSTANTIATION: The adoption of the Housing Element and Land Use Element amendments will have no impact on services. The General Plan document is a policy document and will not generate any construction or development. When individual properties are proposed for housing development, the Town will undertake CEQA review, and assess potential impacts for each project. Future development will be required to pay impact fees, which are designed to support the expansion of public services. The Land Use Element amendment identifies the existing infrastructure and services in the disadvantaged unincorporated communities. Lack of services in these areas would have to be provided upon any future annexation of the area. Overall no impact to public services is expected.

XV. RECREATION

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

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

SUBSTANTIATION: The adoption of the Housing Element update will have no impact on recreation. Housing projects in the future will be assessed Quimby fees and development impact fees, which are designed to cover the additional costs associated with providing recreational services. These issues will be reviewed under CEQA as individual projects are proposed. Any future annexations to areas within the Town’s Sphere of Influence would require an extension of recreational services that may not be provided today. The Land Use Element amendment identifies these areas and analyzes the current recreational services. There is no proposed annexation or development and therefore, no impact on recreational services.

XVI. TRANSPORTATION/TRAFFIC

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system including but not limited to intersection, streets, highways and freeways, pedestrian and bicycle paths and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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"/> |
| g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION: The adoption of the Housing Element and Land Use Element amendments will have no impact on transportation. The development of future housing projects in the Town will be reviewed under CEQA, and traffic impacts will be an integrate part of this review. Traffic studies and implementation of mitigations may be required and development would require the payment of traffic impact fees. Future road improvements would be required to comply with Town standards relating to roadway improvements, parking and emergency access, either through CEQA or through conditions of approval. The sites identified in the updated Housing Element occur on the Town’s established street system and will not interfere with that street system. Many of the identified sites occur on or near the transit routes, and will therefore not impact alternative transportation systems. The amendment to the Land Use Element identifies and analyzes established communities and does not include new development or the improvement, modification or extension of the existing transportation infrastructure.

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

- | | Potentially Significant Impact | Less than Significant with Mitigation Incorp. | Less than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| 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 which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input 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"/> |

SUBSTANTIATION: The adoption of the Housing Element and Land Use Element amendments will have no impact on utilities and services. The General Plan document is a policy document and will not generate any construction or development. When individual properties are proposed for housing development, the Town will undertake CEQA review, and assess potential impacts for each project. The amendment to the Land Use Element identifies disadvantaged communities within the Town's Sphere of Influence and analyzes services or lack thereof, including water, wastewater, storm drainage and fire protection services. The analysis identifies whether services are sufficient, and provide options for the financing of service improvements, should the DUC be annexed in the future. The amendment to the Land Use Services Element is a policy document and does not propose any development. All future development, including future annexations, the Town will undertake CEQA review, and assess potential impacts for each project.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

- | | Potentially Significant Impact | Less than Significant with Mitigation Incorp. | Less than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. | <input type="checkbox"/> | <input type="checkbox"/> | <input 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?

SUBSTANTIATION: The adoption of the Housing Element Update and the amendment of the Land Use Element to comply with SB 244 requirements, will not impact the environment. As identified in this document, there will be no biological or cultural resources impacts, nor will adoption impact human beings. The amendments to both elements are consistent with the balance of the General Plan, and the development of housing in the future will not impact long term environmental goals. Cumulative impacts, if any, have been addressed in the General Plan and its associated environmental documentation.

REFERENCES

Town of Apple Valley General Plan, adopted 2009-09-02

Environmental Impact Report, Town of Apple Valley General Plan, 2009

Attachment 5
Letter from HCD dated August 14, 2013

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

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Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
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August 14, 2013

Lori Lamson
Community Development Director
Town of Apple Valley
14975 Dale Evans Parkway
Apple Valley, CA 92307

Dear Ms. Lamson:

RE: Town of Apple Valley's 5th Cycle (2013-2021) Draft Housing Element Update

Thank you for submitting Apple Valley's draft housing element received for review on June 17, 2013, along with additional revisions received on July 30th, August 1st and 13th, 2013. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review.

The Department conducted a streamlined review of the draft housing element based on the town meeting all eligibility criteria detailed in the Department's Housing Element Update Guidance. A telephone conversation on July 18, 2013 and further communications with you facilitated the review.

The draft element meets the statutory requirements of State housing element law. The element will comply with State housing element law (Article 10.6 of the GC) when adopted and submitted to the Department, pursuant to GC Section 65585(g).

Please note, to remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008), the Town must adopt its housing element within 120 calendar days from the statutory due date of October 15, 2013 for SCAG localities. If adopted after this date, the Town will be required to revise the housing element every four years until adopting at least two consecutive revisions by the statutory deadline (GC Section 65588(e)(4)). For more information on housing element adoption requirements, please visit our website at: http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the Town should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

Ms. Lori Lamson
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The Department is pleased to inform the Town that prior 4th cycle housing element compliance makes the Town eligible to meet one of the threshold requirements of the Housing Related Parks Program (HRP) that rewards local governments for approving housing affordable to lower-income households. The HRP Program, funded by Proposition 1C, provides grant funds to eligible local governments for every qualifying unit permitted since 2010. Grant awards can be used to fund park-related capital asset projects. More specific information about the Program is available on the Department's website at <http://www.hcd.ca.gov/hpd/hrpp/>.

The Department appreciates your hard work and dedication in preparation of the housing element and looks forward to receiving Apple Valley's adopted housing element. If you have any questions or need additional technical assistance, please contact Fidel Herrera, of our staff, at (916) 263-7441.

Sincerely,



Jennifer Seeger
Housing Policy Manager

