



Get a Slice of the Apple.

TOWN OF APPLE VALLEY PLANNING COMMISSION

Staff Report

AGENDA DATE: October 2, 2013

CASE NUMBER: Tentative Tract Map No. 18917

APPLICANT: Mr. Steve Ford for Pulte Homes

PROPOSAL: A request to subdivide approximately eighty-five (85) gross acres into 406 single-family residential lots within four (4) phases. The property is located within the Jess Ranch Planned Unit Development.

LOCATION: The project is located within the Jess Ranch Planned Unit Development at the southwest corner of the termination of Town Center Drive and Jess Ranch Parkway. APN(s): 0399-261-03 and 0434-681-23.

ENVIRONMENTAL DETERMINATION: Based upon an Initial Study, pursuant to the State Guidelines to implement the California Environmental Quality Act (CEQA) a Mitigated Negative Declaration has been prepared.

CASE PLANNER: Ms. Carol Miller, Senior Planner

RECOMMENDATION: Approval.

PROJECT SITE AND DESCRIPTION:

- A. Project Size
Eighty-five (85) gross acres

- B. Surrounding Zoning and Land Use
 - Project Site - Medium Density Residential (MDR)
 - North - General Commercial (CG), Vacant
 - South - Medium Density Residential (MDR) and Open Space (O-S), Golf Course
 - East - Medium Density Residential (MDR), Detached Residential Units
 - West - Open Space Conservation (O-SC), Mojave River

- C. General Plan Designations
 - Project Site - Specific Plan (SP)
 - North - General Commercial (CG)
 - South - Specific Plan (SP)

East - Specific Plan (SP)
West- Specific Plan (SP)

D. Site Characteristics

Currently, the site is vacant and consists of minimal desert vegetation as this area was previously utilized as a turkey ranch. The property is adjacent to a residential subdivision to the east, an existing golf course on the south, Mojave River to the west and vacant commercial land to the north.

The subject site is located within the Jess Ranch PUD that consists of approximately 1,447 acres generally located on both sides of Apple Valley Road, south of Bear Valley Road and along the easterly bank of the Mojave River. Development within the PUD includes an 18-hole golf course and clubhouse, recreational facilities, and community center.

ANALYSIS:

A. Background

The Jess Ranch Planned Unit Development (PUD) was originally adopted by the County of San Bernardino in 1981, prior to the Town's incorporation. The PUD has been modified several times since adoption, but since the adoption of Measure N in November 1999, the densities of the PUD have remained the same. The PUD is identified on the Land Use Map of the General Plan in 1991, 1998 and the most recent comprehensive update in 2009. As such, due to the pre-existence of the PUD prior to the adoption of Measure N, the PUD can continue to be built out according to plan and is not subject to Measure N.

B. General

The applicant proposes to subdivide a total of eight-five (85) gross acres into 406 residential lots for future detached single-family, age-restricted residential homes. Typical lot sizes are described within the PUD as being between 2,000 and 4,000 square feet. The applicant is proposing lot sizes ranging from 4,751 to 10,017 square feet, with an average lot size of 5,978 square feet. All of the proposed lots exceed the minimum site development standards as identified in the PUD, which sets the minimum property size standards for the Medium Density Residential (MDR) land use designation.

The proposal for 406 single-family lots equates to approximately 4.79 dwelling units per acre and is below the allowable density for the MDR land use designation which allows a maximum of ten (10) units per acre. The overall map design conforms to the lot size and configuration of the surrounding area and will create lots generally similar in size with existing residential development within the PUD.

The project is proposed as a gated community with private streets, gates and landscaped areas; therefore, Covenants, Conditions and Restrictions (CC&Rs) are required. The establishment of CC&Rs will identify the duties and costs associated with short and long-term maintenance and operation of private streets, common areas and facilities within and adjacent to the subject development. Condition of Approval Nos. P9 and P15 are recommended to address this requirement.

The vacant parcel to the north is designated commercial under the PUD. In accordance with the Medium Density Residential designation development standards, a twenty (20)-foot wide landscape buffer is required between the MDR and the commercial designation to the north. Condition of Approval No. P21 is recommended to address this requirement.

Located along Jess Ranch Parkway within the northern portion of the subject site is the former entry gate and parking which is proposed to be removed and replaced. Prior to the demolition of this facility, the applicant shall submit for any required demolition permit and removal of debris shall comply with all applicable Environmental & Regulatory Compliance Conditions of Approval. Condition of Approval No. P24 is recommended to address this requirement. The new entry gate/guard station will be subject to a separate Development Permit.

1. Drainage

Prior to issuance of a grading permit, a final drainage plan is required to be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. The original Jess Ranch EIR also addressed potential impacts on site runoff, drainage and Flood Control issues and a Mitigation Monitoring Program was prepared that identified environmental impacts. The project's west boundary is adjacent to the Mojave River and will require conformance with several agencies that include the San Bernardino County Flood Control District, U.S. Fish and Wildlife, U.S. Army Corps of Engineers, California State Fish and Wildlife, and the Town of Apple Valley.

The Mojave River, at this project location, is a natural channel with minimal improvements consisting of a protected embankment that was approved by San Bernardino County Flood Control District. The Flood Insurance Rate Map (FIRM) map indicates the site is located within "Zone X" (100 year flood zone). Also, the western boundary abuts the Mojave River, a designated flood zone. Flood protection will conform to the County Flood Control District and Town standards of the Engineering Division. At the time of development, the applicant will conform to FEMA requirements and Town regulations. The applicant shall complete the Conditional Letter of Map Revision (CLMOR) and Letter of Map Revision (LOMR)

2. Traffic and Circulation

Pursuant to the requirements of the Development Code, subdivisions are required to provide a minimum of two (2) different standard routes of ingress and egress, which is not specifically addressed within the Jess Ranch PUD Conditions of Approval. Tentative Tract Map shows a total of three (3) access points; two (2) entrances are taken from Lakeshore Drive and one (1) access point from Jess Ranch Parkway.

The street pattern shown on the submitted map provides adequate access to and from the individual units for this proposal. Condition of Approval No. P16 is recommended to prohibit vehicular access to individual properties that have frontage (double frontage lots) on Jess Ranch Parkway and Lakeshore Drive. The proposed tentative tract map is required to conform to the circulation map and street cross sections contained within the Jess Ranch PUD and Conditions of Approval are recommended to address this issue.

3. Park and Trails

The project is designed to include a network of pedestrian trails and walkways throughout. Since the proposed trail along the Mojave River will be within the flood control easement, staff is requiring the pedestrian trail easement be shown on the final map and constructed along the eastern embankment of the Mojave River adjacent to the tract boundaries. Prior to final map, a cross section of the pedestrian trail shall be designed and shown on the final map. Condition of Approval No. P19 is recommended to address this requirement.

Lots "O", "M" and "N" are open space lots that also serve as the entry statement to the project. The applicant submitted two preliminary concepts to illustrate how these lots might be improved. Condition No. 22 requires that plans be submitted for Planning Division approval for the development of all the open space lots. Open space improvements are required to be installed with the start of each phase.

- C. Environmental Assessment
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, with mitigation measures. Therefore, a Mitigated Negative Declaration is recommended.

- D. Noticing
Tentative Tract Map No. 18917 was advertised as a public hearing in the Apple Valley News newspaper on September 6, 2013. Staff received a letter date 9/16/13 from Ms. Patricia Morrett who owns property within Jess Ranch indicating she was not in favor of the project due to concerns of flooding.

- E. Findings
In considering any Tentative Tract Map, the Commission is required by the Development Code to make specific Findings. The following are the Findings for a Tentative Tract Map required under Section 9.71.040 (A5) of the Development Code and a comment to address each:
 1. The proposed Subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and any applicable Specific Plan. The proposed subdivision or land use is compatible with the objectives, policies, general land uses and programs specified in the General Plan and any applicable Specific Plan (Subdivision Map Act 66473.5).

Comment: The subject property is consistent with the PUD land use designation of Medium Density Residential (MDR) and the development standards contained within the Jess Ranch Planned Unit Development (PUD). The PUD was adopted prior to the Town's incorporation and has consistently been identified on the Town's General Plan since incorporation. Therefore, the project is found to be consistent with the goals and policies of the General Plan.

 2. The Planning Commission has considered the effects of its action upon the housing needs of the region and has balanced these needs against the public service needs of

its residents and available fiscal and environmental resources (Subdivision Map Act Section 66412.3).

Comment: The proposal consists of a land subdivision located on vacant, residentially designated land for the purpose of future detached medium density residential development. The proposal is creating 406 residential lots for future development which will ultimately increase the Town's existing housing stock. The density of these units is identified in the approved PUD and the identified in the Town's General Plan. Development Impact Fees are required for these units to alleviate the cost for additional services.

3. The design of the subdivision provides, to the extent feasible, for the future passive or natural heating or cooling opportunities in the subdivision.

Comment: The lots created under this subdivision are appropriate in size to provide natural heating and cooling opportunities for development of the site. As development occurs, the individual lots are subject to the implementation of natural heating and cooling requirements pursuant to Title 24 energy requirements and the Town's Climate Action Plan.

4. The Planning Commission shall determine whether the discharge of waste from the proposed subdivision into the existing sewer system would result in a violation of the requirements as set forth in Section 13000 et seq., of the California Water Code. If the Planning Commission finds that the proposed waste discharge would result in, or add to, a violation of said requirements; the Planning Commission may disapprove the subdivision (Subdivision Map Act Section 66474.6).

Comment: The project is a residential land subdivision and is required to connect to the Town of Apple Valley sewer system and requires approval of the Town of Apple Valley Public Works Division in order to meet the requirements of the Town.

RECOMMENDATION:

Based upon the information contained within this report, and any input received from the public at the hearing, it is recommended that the Planning Commission move to recommend the following to the Town Council:

1. Determine that the proposed Tentative Tract Map will not have a significant effect on the environment with adherence to the Mitigation Measures recommended in this report.
2. Adopt the Mitigated Negative Declaration finding for Tentative Tract Map No. 18917, finding that on the basis of the whole record before the Planning Commission, including the Initial Study and any comments received, there is no substantial evidence that the project will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the Town's independent judgment and analysis.
3. Find that the facts presented in the staff report support the required Findings for approval and adopt those findings.
4. Approve Tentative Tract Map No. 18917, subject to the attached Conditions of Approval.
5. Direct staff to file a Notice of Determination.

Prepared By:

Reviewed By:

Carol Miller
Senior Planner

Lori Lamson
Community Development Director

ATTACHMENTS

- 1) Recommended Conditions of Approval
- 2) Tentative Tract Map
- 3) Zoning Map
- 4) Initial Study

TOWN OF APPLE VALLEY

RECOMMENDED CONDITIONS OF APPROVAL

Case No. Tentative Tract Map No. 18917

Please note: *Many of the suggested Conditions of Approval presented herewith are provided for informational purposes and are otherwise required by the Municipal Code. Failure to provide a Condition of Approval herein that reflects a requirement of the Municipal Code does not relieve the applicant and/or property owner from full conformance and adherence to all requirements of the Municipal Code.*

Planning Division Conditions of Approval

- P1. This tentative subdivision shall comply with the provisions of the State Subdivision Map Act and the Town Development Code. This tentative approval shall expire three (3) years from the date of approval by the Planning Commission/Town Council. A time extension may be approved in accordance with the State Map Act and Town Ordinance, if an extension application is filed and the appropriate fees are paid 30 days prior to the expiration date. The Tentative Tract Map becomes effective 10 days from the date of the decision unless an appeal is filed as stated in the Town's Development Code.
- P2. Prior to approval of the Final Map, the following agencies shall provide written verification to the Planning Division that all pertinent conditions of approval and applicable regulations have been met:
- Apple Valley Fire Protection District
 - Apple Valley Ranchos Water Company
 - Apple Valley Public Services Department
 - Apple Valley Engineering Division
 - Apple Valley Planning Division
 - SBDO County Flood Control District
 - California State Fish and Wildlife
 - U.S. Army Corps of Engineers
- P3. The applicant shall agree to defend at his sole expense (with attorneys approved by the Town), and indemnify the Town against any action brought against the Town, its agents, officers or employees resulting from or relating to this approval. The applicant shall reimburse the Town, its agents, officers or employees for any judgment, court costs and attorney's fees which the Town, its agents, officers or employees may be required to pay as a result of such action. The Town may, at its sole discretion, participate at its own expense in the defense of any such action, but such participation shall not relieve the applicant of these obligations under this condition.
- P4. The filing fee for a Notice of Determination (NOD) requires the County Clerk to collect a handling fee of \$50.00. Additionally, as of January 1, 2013, a fee of \$2,156.25 is required to be collected by the County for the processing of a NOD for the State Fish & Game fees. The fees must be paid within five (5) days of the approval of this application in order to reduce the Statute of Limitations to thirty (30) days. All fees must be submitted prior to the issuance of any permits. The check shall be made payable to the Clerk of the Board of Supervisors.

- P5. The approval of Tentative Tract Map No. 18917 by the Planning Commission is recognized as acknowledgment of Conditions of Approval by the applicant, unless an appeal is filed in accordance with the Town's Development Code.
- P6. Prior to recordation of Final Map, three sets of detailed landscaping and irrigation plans for the parkway area and subdivision entrances, prepared by a qualified licensed landscape professional, shall be submitted to the Planning Division for review and approval. The landscape and irrigation plans shall be prepared in compliance with the applicable landscape section of the Town Development Code.
- P7. All subdivision walls proposed for construction along the perimeter of the property lines shall be constructed of decorative slump stone, split face or other decorative masonry material. Prior to the issuance of a grading permit, Developer/applicant shall submit detailed plans showing all proposed walls for this subdivision subject to approval by the Director of Economic and Community Development (or designee).
- P8. If the tract map is adjacent to existing development, a fence/wall plan shall be submitted with the grading and landscape/irrigation plans to identify how new fencing or walls will relate to any existing fences or walls located around the perimeter of the tract/parcel map. The developer shall be required to connect to the existing fencing/walls or collaborate with the adjacent property owners to provide new fencing/walls and remove the existing fence/wall, both options at the developer's expense. Double fencing shall be avoided and review and approval of the fencing/wall plan is required prior to issuance of grading permits.
- P9. A Homeowner's Association shall be established for maintenance of open space/common areas and the common private driveway lots. The developer/applicant shall pay for all costs relating to establishment of the Homeowner's Association and a copy of the Homeowner's Association by-laws shall be received and approved by the Planning Division prior to approval of the final tract map.
- P10. Interior streets of the project will be privately owned. On-street parking is allowed however, in no instance shall delineated guest parking occur on both sides of the roadway. Private streets shall be posted to allow parking on only one side of the street and to maintain clear sight triangles and clearance around fire hydrants.
- P11. Reverse frontage wall and landscaping plans must be approved prior to issuance of building permits. Landscaping shall be provided on non-vehicular access portions of double frontage lots along public streets. Other barriers (fences, walls) walls may be utilized if approved by the Planning Division.
- P12. No roof-mounted equipment shall be placed on any building unless screened as specifically approved by the Planning Division (except for solar collection panels).
- P13. A copy of the final grading plan shall be submitted to the Planning Division for review and approval. All on-site cut and fill slopes shall:
- Be limited to a maximum slope ratio of 2 to 1 and a maximum vertical height of thirty (30) feet. Setbacks from and to bottom of slopes shall be a minimum of one-half the slope height.
 - Be contour-graded to blend with existing natural contours.
 - Be a part of the downhill lot when within or between individual lots.

- P14. All mitigation measures described in the Initial Study will be implemented as part of the project.
- P15. The Covenants, Conditions and Restrictions (CC&Rs) shall be reviewed and approved by the Planning Division prior to final approval of the Tract maps. The CC&Rs shall include liability insurance and methods of maintaining the open space, recreation areas, parking areas, private roads, private common driveway lots and exterior of all buildings for the life of the project. In addition, the CC&Rs shall include landscape maintenance along Lakeshore Drive, Jess Ranch Parkway and landscape buffer along the north. If the owner or successor fails to enforce these provisions contained in the conditions, they may be enforced by the Town at the expense of the owner or his successors. The CC&Rs may not be cancelled or revised with respect to these conditions without prior written consent of the Town.
- P16. The Final Map shall show and record a non-vehicular access agreement for all lots fronting Jess Ranch Parkway and Lakeshore Drive.
- P17. All applicable conditions and mitigation measures of the Jess Ranch PUD shall apply to this map.
- P18. The Master CC& R's provision recorded November 27, 1985 as number 85-302422, in Article VIII, Section No. 2, titled Occupancy Requirements-Age Limitation, which establishes 55 years or older age limitation and exceptions, shall remain in force for the perpetuity of the project.
- P19. A pedestrian trail easement shall be shown on the final map and shall be constructed along the eastern levee of the Mojave River adjacent to the tract boundaries. Prior to final map, a cross section of the pedestrian trail shall be designed and shown on the final map.
- P20. The applicant shall adhere to the conditions, permits and requirements necessary for clearances of the County Flood Control District, U.S. Fish and Wildlife, U.S. Army Corps of Engineers, California State Fish and Game and the Town of Apple Valley for all on-site and off-site work related to the Mojave River Flood Plain and riparian habitat.
- P21. A minimum twenty (20)-foot wide landscape buffer shall be provided for along the northerly project boundary.
- P22. Improvement plans be submitted for Planning Division review and approval for all the open space lots.
- P23. Prior to the demolition of this facility, the applicant shall submit for any required demolition permit and removal of debris shall comply with all applicable Environmental & Regulatory Compliance Conditions of Approval.
- P24. At the time of development, the applicant will conform to FEMA and Town regulations. The applicant shall complete the Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR).
- P25. Lot Line Adjustment No. 2013-001 shall be finalized prior to final map approval.

- P26. Improvements to the open space lots shall be installed at the commencement of each corresponding phase.

Engineering Division Conditions of Approval

- EC1. A final drainage plan with street layouts shall be submitted for review and approval by the Town Engineer showing provisions for receiving and conducting offsite and onsite tributary drainage flows around or through the site in a manner which will not adversely affect adjacent or downstream properties. This plan shall consider reducing the post-development site-developed flow to 90 percent of the pre-development flow for a 100 year design storm. (Town Resolution 2000-50; Development Code 9.28.050.C, 9.28.100)
- EC2. Street improvement plans shall be submitted to the Town Engineer for review and approval.
- EC3. All drainage easements, brow ditches, swales, etc. shall be submitted to the Town Engineer for review and approval.
- EC4. All interior streets shall be improved to Jess Ranch P.U.D. standards as approved by the Town Engineer.
- EC5. Minimum right of way dedication for interior residential streets shall be to Jess Ranch P.U.D. standards.
- EC6. All streets abutting the development shall be improved a minimum half-width of 28 feet with curb, gutter and sidewalk on the development side.
- EC7. Jess Ranch Parkway adjacent to the property shall be improved to the to Jess Ranch P.U.D. half-width standards.
- EC8. Lake Shore Drive adjacent to the property shall be improved to the Jess Ranch P.U.D. half-width standards.
- EC9. During the grading of the streets, soils testing of the street subgrades by a qualified soils engineering firm shall be performed to determine appropriate structural street section. Minimum asphalt concrete thickness for all streets shall be 0.33 ft.
- EC10. All required improvements shall be constructed and approved or bonded in accordance with Town Development Code.
- EC11. An encroachment permit shall be obtained from the Town prior to performing any work in any public right of way.
- EC12. Final improvement plans and profiles shall indicate the location of any existing utility which would affect construction and shall provide for its relocation at no cost to the Town.
- EC13. A final grading plan shall be approved by the Town Engineer prior to issuance of a grading permit. A grading permit shall not be issued until street improvement plans have

- been submitted to the Town Engineer for review and substantial completion of the street plans has been attained as determined by the Town Engineer.
- EC14. All street names shall be approved by the Town and such approval shall be coordinated through the Town Engineer.
- EC15. The developer shall present evidence to the Town Engineer that he has made a reasonable effort to obtain a non-interference letter from any utility company that may have rights of easement within the property boundaries.
- EC16. Utility lines shall be placed underground in accordance with the requirements of the Town. (Municipal Code Section 14.28)
- EC17. The developer shall make a good faith effort to acquire the required off-site property interests. If the developer fails to acquire those interests the developer shall, at least 120 days prior to submittal of the final map for approval, enter into an agreement to complete the improvements pursuant to Government Code Section 66462 at such time as the Town acquires the property interests required for the improvements. Such agreement shall provide for payment by the developer of all costs incurred by Town to acquire the off-site property interests required in connection with the subdivision. Security for a portion of these costs shall be in the form of a cash deposit in the amount given in an appraisal report obtained by the developer, at the developer's cost. The appraiser shall have been approved by the Town prior to commencement of the appraisal. Additional security may be required as recommended by the Town Engineer and Town Attorney.
- EC18. Traffic impact fees adopted by the Town shall be paid by the developer.
- EC19. Any developer fees adopted by the Town including but not limited to drainage fees shall be paid by the developer.
- EC20. Any required street striping shall be thermoplastic as approved by the Town Engineer.
- EC21. In the event that an applicant/developer chooses to seek Council approval of the Final Map prior to completion of the required improvements, an "Agreement for Construction of Improvements" shall be required. In accordance with the California Labor Code, any such Agreement will contain a statement advising the developer that certain types of improvements will constitute a public project as defined in California Labor Code, Sections 1720, and following, and shall be performed as a public work, including, without limitation, compliance with all prevailing wage requirements.
- EC22. The intersection of Jess Ranch Parkway and Town Center Drive shall be reconstructed. The reconstruction of the intersection shall include drainage improvements that will mitigate flooding at this location, as approved by the Town Engineer.
- EC23. Drainage improvements over Lot "BB" shall be constructed per Town Engineer's approval. A drainage acceptance easement shall also be dedicated over Lot "BB".
- EC24. This project shall comply with all Federal Emergency Management Agency Flood Zone regulations as outlined in the Town's Development Code.

Public Works Division Conditions of Approval

PW1. Sewage disposal shall be by connection to the Town of Apple Valley sewer system. Financial arrangements, plans and improvement agreements must be approved by the Town of Apple Valley Public Works Department.

Apple Valley Fire Protection District Conditions of Approval

FD.1 The above referenced project is protected by the Apple Valley Fire Protection District. Prior to construction occurring on any parcel, the owner shall contact the Fire District for verification of current fire protection development requirements.

FD2. All new construction shall comply with applicable sections of the California Fire Code, California Building Code, and other statutes, ordinances, rules, and regulations regarding fires and fire prevention adopted by the State, County, or Apple Valley Fire Protection District.

FD3. The development and each phase thereof shall have two points of paved access for fire and other emergency equipment, and for routes of escape which will safely handle evacuations. Each of these points of access shall provide an independent route into the area in which the development is located. This shall be completed prior to any combustible construction.

FD4. Fire lanes shall be provided with a minimum width of thirty (30) feet, maintained, and identified.

Apple Valley Fire Protection District

Ordinance 51

FD5. A turnaround shall be required at the end of each roadway one hundred fifty (150) feet or more in length and shall be approved by the Fire District. Cul-de-sac length shall not exceed one thousand (1,000) feet.

Turning radius on all roads within the facility shall not be less than twenty-two (22) feet inside and minimum of 40 feet outside turning radius with no parking on street, or forty-seven (47) feet with parking. Road grades shall not exceed twelve percent (12%) unless approved by the Chief.

Apple Valley Fire Protection District
Ordinance 51

FD6. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background.

New dwelling addresses shall be posted with a minimum of 4-inch numbers visible from the street, and during the hours of darkness the numbers shall be internally illuminated. Where building setbacks exceed 75 feet from the roadway, additional contrasting 4-inch numbers shall be displayed at the property entrance.

FD7. Plans for fire protection systems designed to meet the fire flow requirements specified in the Conditions of Approval for this project shall be submitted to and approved by the

Apple Valley Fire Protection District and water purveyor prior to the installation of said systems.

A. Unless otherwise approved by the Fire Chief, on-site fire protection water systems shall be designed to be looped and fed from two (2) remote points.

B. System Standards:

*Fire Flow 500 GPM @ 20 psi Residual Pressure on 8" minimum water main size..

Duration 1 Hour

Hydrant Spacing 660 Feet

C. The total 19-22 fire hydrants will be required. It is the responsibility of the owner/developer to provide all new fire hydrants with blue dot, reflective pavement markers set into street, and curb identification per Apple Valley Standards.

NFPA 13D (RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM): REQUIRED

The residences shall be constructed with an automatic fire sprinkler system (NFPA 13D) throughout the structure, including garage. Plans shall be submitted by a licensed C-16 contractor to the Fire District for review and approval along with plan review fees. Fire Sprinkler work shall not commence until plan approval and a job card have been issued. An approved fire alarm system shall be installed that will provide a local alarm for water flow to be audible throughout the premises. NOTE: The Fire District shall be notified a minimum of 24 hours prior to the desired final inspection date.

FD8. A letter shall be furnished to the Fire District from the water purveyor stating that the required fire flow for the project can be met.

FD9. Apple Valley Fire Protection District Final Subdivision/Tract/Development fees shall be paid to the Fire District prior to final map acceptance according to the current Apple Valley Fire Protection District Fee Ordinance.

FD10. The developer shall submit a map showing complete street names within the development, to be approved by the Fire District prior to final map.

FD11. A Knox Box Rapid Entry System shall be required at all gated ingress/egress points within this project.

Apple Valley Fire Protection District Ordinance 51

Environmental & Regulatory Compliance Conditions of Approval

- ER1. The project must provide adequate areas for collecting and loading recyclable materials in compliance with AB 341. The trash enclosure must comply with the newly adopted recycling standards. Public Resource Code Section 42910-42912
- ER2. The developer shall complete and submit a Waste Management Plan (“WMP”), on a WMP form approved by the Town for this purpose as part of the application packet for the building or demolition permit. The completed WMP shall indicate all of the following:
- (1) The estimated volume or weight of project construction & demolition debris to be generated;
 - (2) The estimated volume or weight of such materials that can feasibly be diverted via reuse or recycling;
 - (3) The vendor or facility that the Developer proposes to use to collect or receive that material; and
 - (4) The estimated volume or weight of construction & demolition materials that will be landfilled.

Town of Apple Valley Municipal Code Section 8.19.020(a)

- ER3. Compliance with Condition of Approval No. ER2 shall be met by any of the following:
- (1) Contract for hauling services with Town’s franchise hauler, with all Project debris delivered to San Bernardino County self-haul landfill diversion program, provided the diversion program is currently operating; and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP.
 - (2) Self-haul all Project debris to San Bernardino County self-haul landfill diversion program, provided the diversion program is currently operating; and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP.
 - (3) Self-haul all Project debris to a construction materials recycling facility, and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP.
 - (4) Contract with a construction site cleanup company to recycle at least 50% of the Project construction debris, and provide acceptable proof of recycling to the Town in the form of receipts and/or weigh tickets, in conformance with the WMP.

Town of Apple Valley Municipal Code Section 8.19.030

- ER4. Prior to issuance of Certificate of Occupancy, the developer shall submit to the WMP Compliance Official documentation proving that it has met the Diversion Requirement for the Project. The Diversion Requirement shall be that the developer has diverted at least fifty percent (50%) of the total C&D debris generated by the Project via reuse or recycling. This documentation shall include all of the following:
- (1) Receipts from the vendor or facility that collected or received each material showing the actual weight or volume of that material;
 - (2) A copy of the previously submitted WMP for the Project adding the actual volume or weight of each material diverted and landfilled;

(3) Any additional information the Developer believes is relevant to determining its efforts to comply in good faith with this Chapter 8.19.

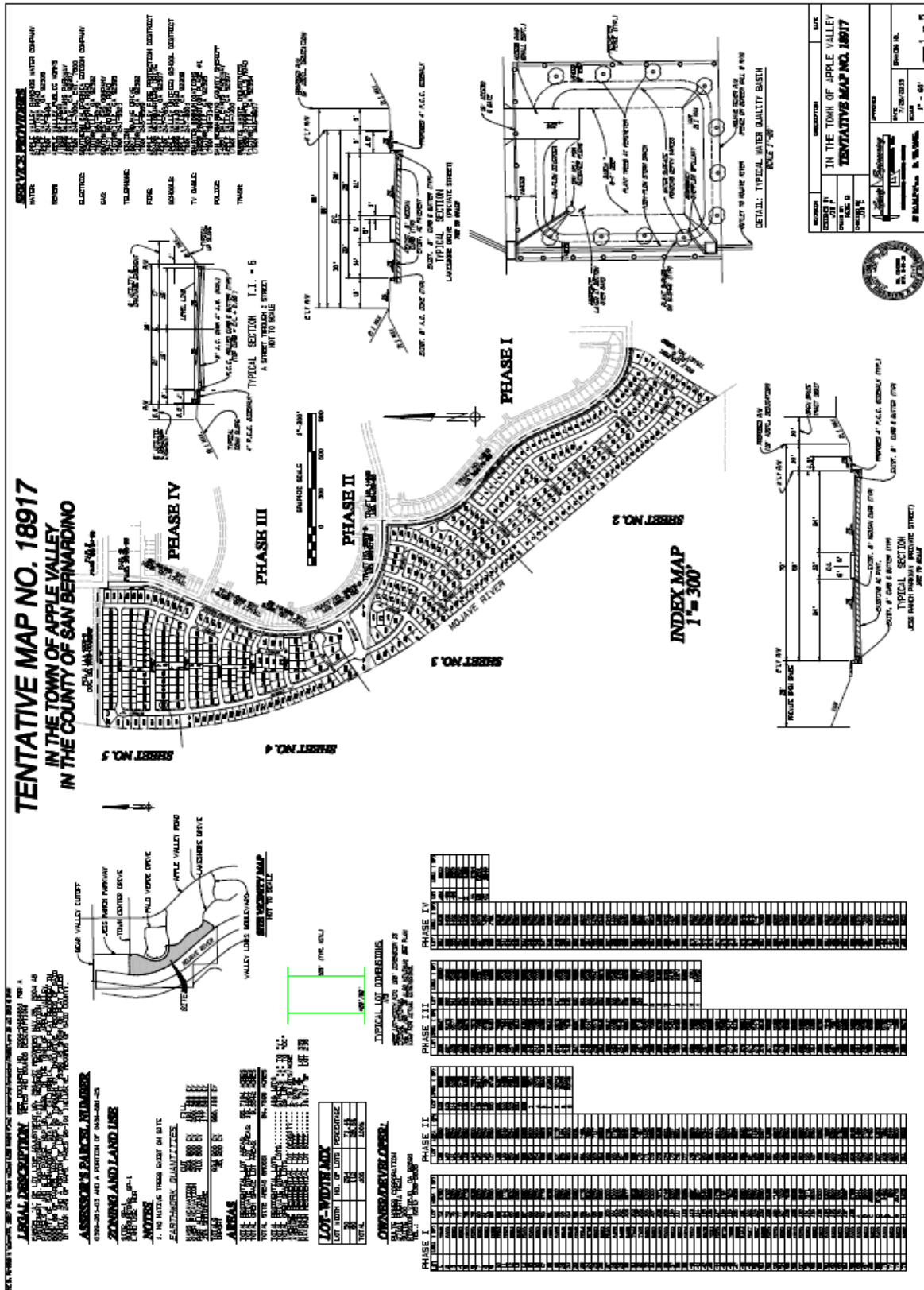
Town of Apple Valley Municipal Code Section 8.19.050

The developer shall make reasonable efforts to ensure that all construction & demolition debris diverted or landfilled are measured and recorded using the most accurate method of measurement available. To the extent practical, all C&D debris shall be weighed by measurement on scales. Such scales shall be in compliance with all regulatory requirements for accuracy and maintenance. For construction & demolition debris for which weighing is not practical due to small size or other considerations, a volumetric measurement shall be used. For conversion of volumetric measurements to weight, the developer shall use the Standardized Conversion Rates approved by the Town for this purpose.

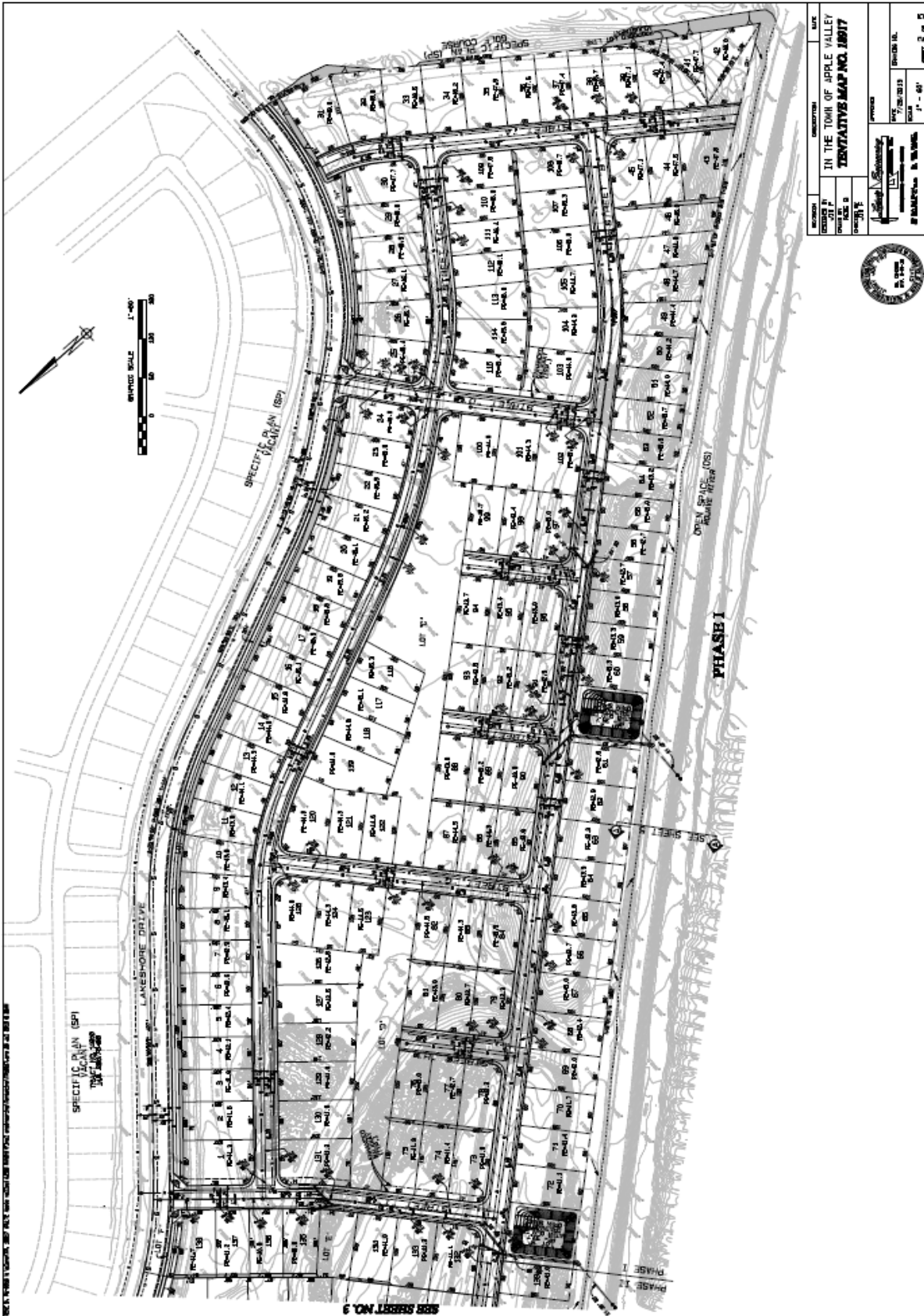
San Bernardino County Flood Control

FC1. Any encroachment on District right of way, a permit must be obtained from the District's Permits/Operations Support Division, Permit Section. Other on-site or off-site improvements may be required.

END OF CONDITIONS

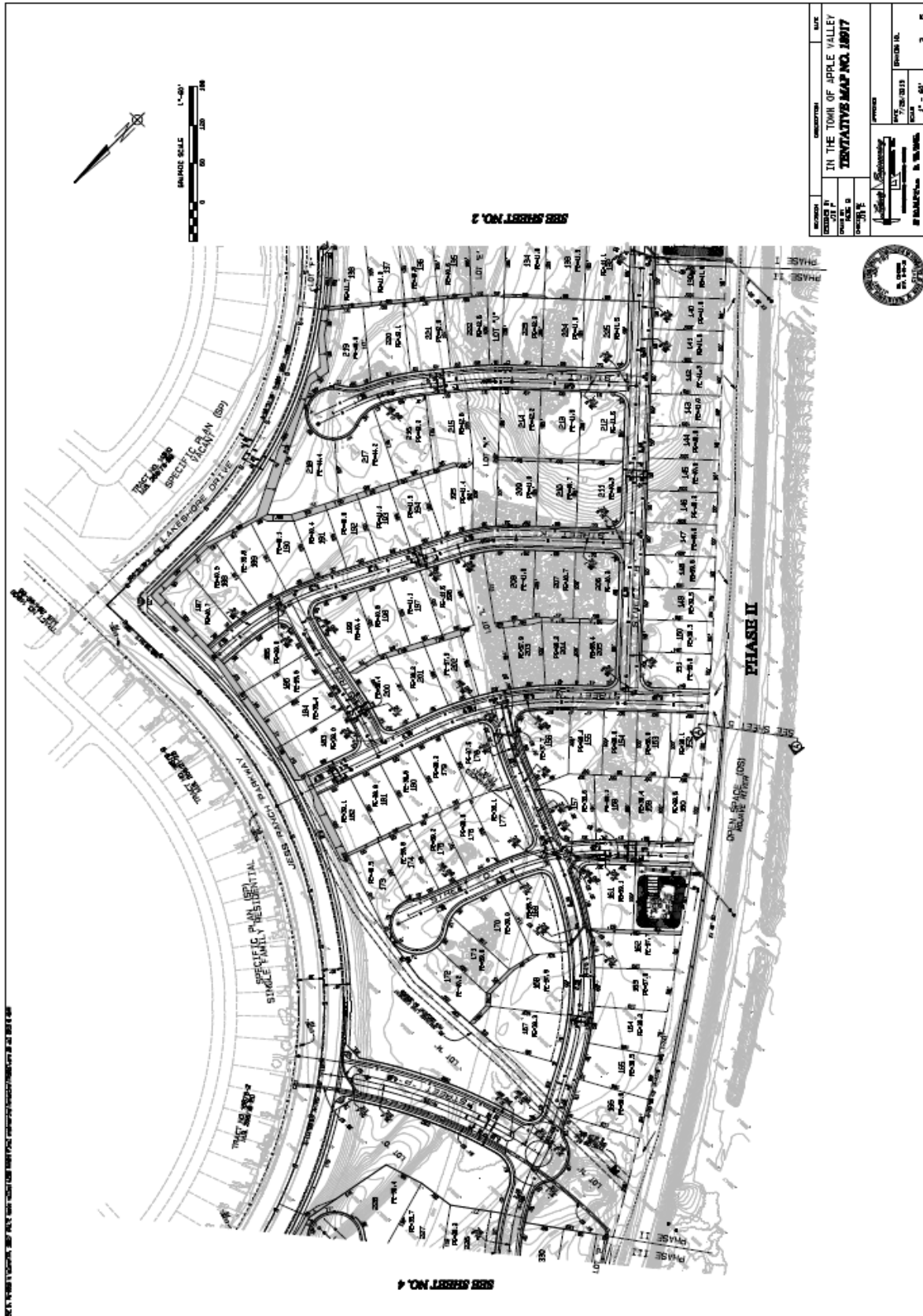


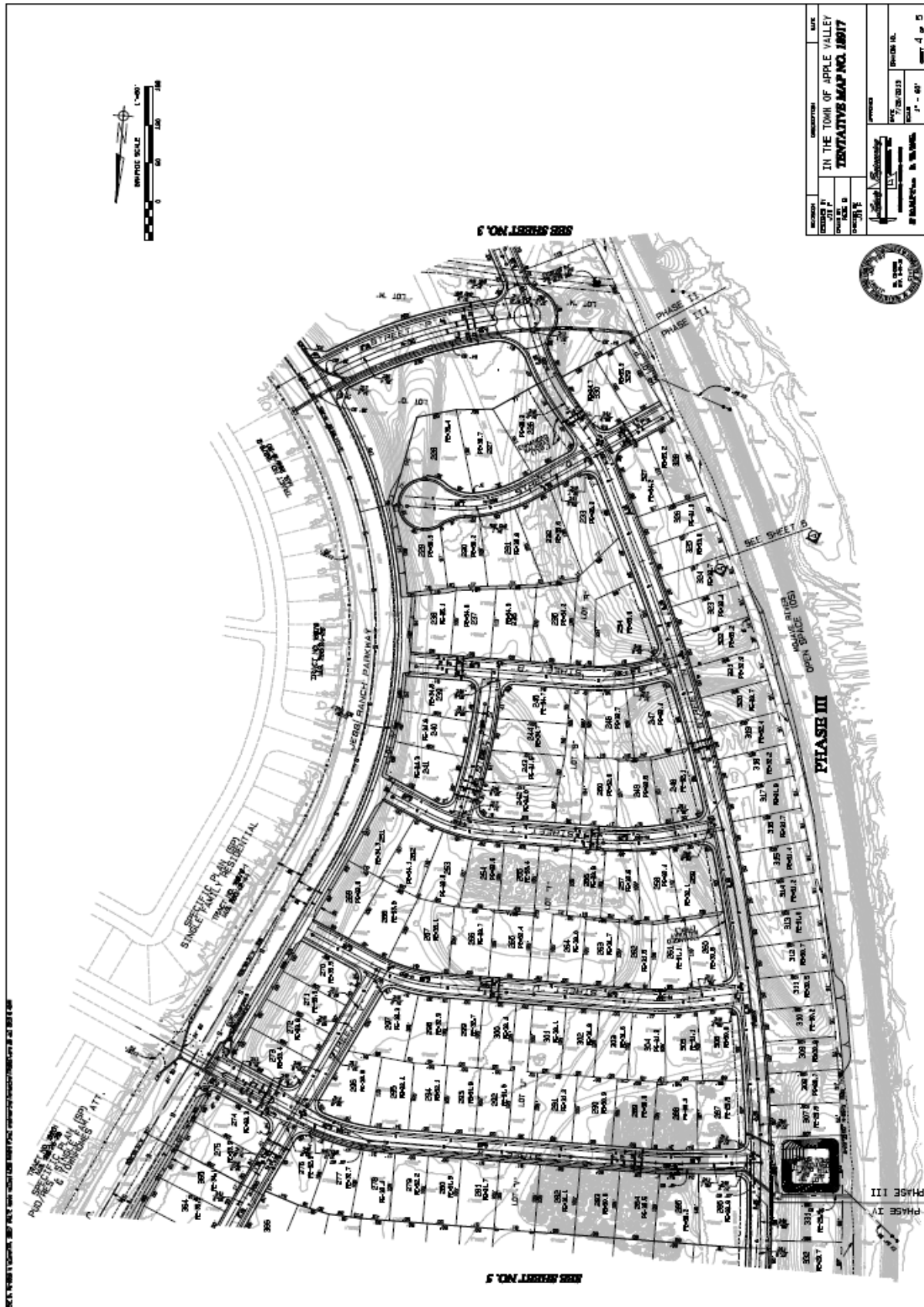
Tentative Tract Map No. 18917
 October 2, 2013 Panning Commission Meeting

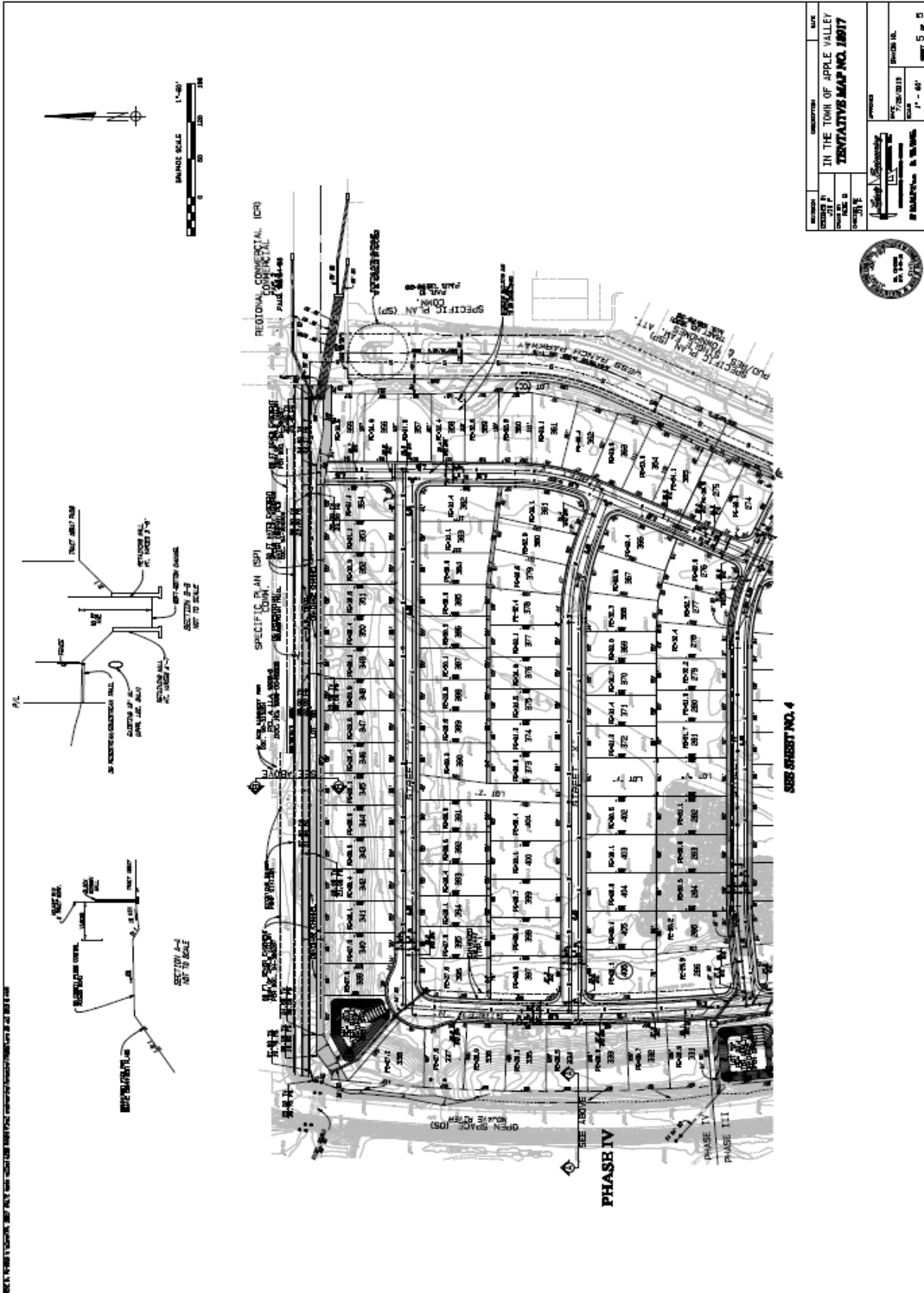


PROJECT NO.	18917	DATE	7/23/13
OWNER	IN THE TOWN OF APPLE VALLEY	PROJECT NO.	18917
DESIGNER	PHASBI	DATE	7/23/13
SCALE	1" = 40'	SHEET	2 OF 3







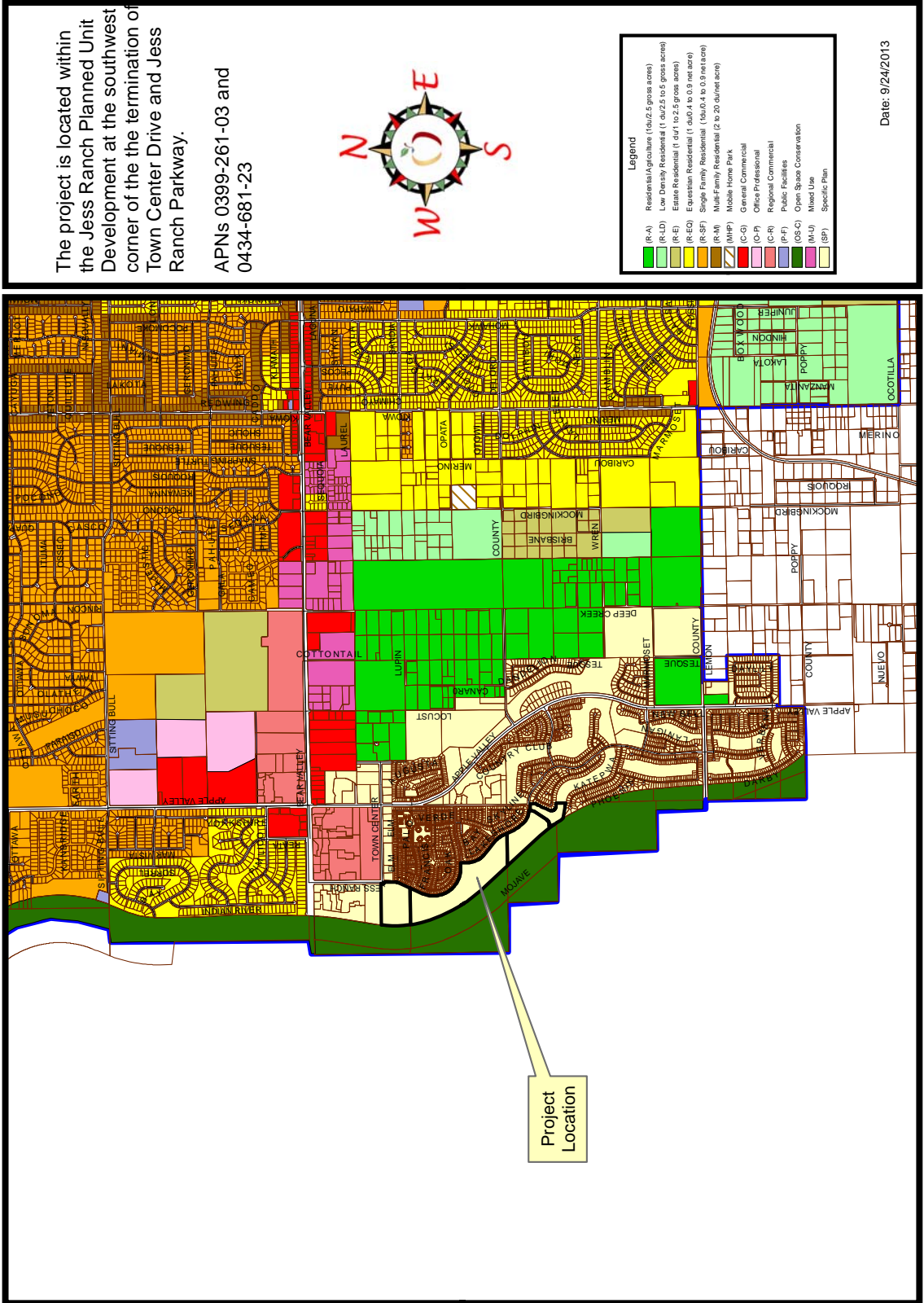


PROJECT NO.	18917	DATE	10/2/13
PROJECT NAME	IN THE TOWN OF APPLE VALLEY TENTATIVE MAP NO. 18917	PROJECT NO.	18917
DATE	10/2/13	SCALE	1" = 60'
PROJECT NO.	18917	DATE	10/2/13
PROJECT NAME	IN THE TOWN OF APPLE VALLEY TENTATIVE MAP NO. 18917	PROJECT NO.	18917
DATE	10/2/13	SCALE	1" = 60'



Tentative Tract Map No. 18917

ZONING/LOCATION MAP

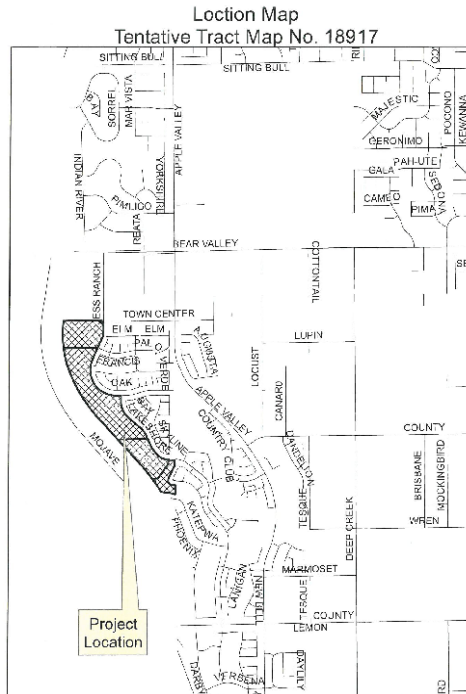


**TOWN OF APPLE VALLEY
INITIAL STUDY ENVIRONMENTAL CHECKLIST FORM**

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 Sate CEQA Guidelines.

PROJECT INFORMATION

1. **Project title:** Tentative Tract Map No. 18917
2. **Lead agency name and address:** Town of Apple Valley
Planning Division
14955 Dale Evans Parkway
Apple Valley, CA 92307
3. **Contact person/ phone number:** Carol Miller, Senior Planner 760-240-7000 Ext 7222
4. **Applicant's name and address:** Pulte Homes Corporation
27101 Puerta Real Ste 300
Mission Viejo, Ca. 92691
5. **Project location and Assessor's Parcel Number:** The project is located within the Jess Ranch Specific Plan at the southwest corner of the termination of Town Center Drive and Jess Ranch Parkway. APN(s): 0399-261-03 and 0434-681-23.
6. **Description of project:** A request to subdivide approximately eighty-five (85) gross acres into 406 single-family residential lots within four (4) phases. The property is located within the Jess Ranch Planned Unit Development.



Location Map

ENVIRONMENTAL/EXISTING SITE CONDITIONS

Project Setting

The project site is located within the Jess Ranch Planned Unit Development at the southwest corner of the termination of Town Center Drive and Jess Ranch Parkway and can be found on the Apple Valley North USGS 7.5 minute quadrangle map.

Currently, the site is vacant and consists of minimal desert vegetation as this area was previously utilized as a turkey ranch. The property is adjacent to a residential subdivision to the east, an existing golf course on the south and the Mojave River to the west.

	TOWN OF APPLE VALLEY GENERAL PLAN DESIGNATION	TOWN OF APPLE VALLEY ZONING DISTRICT	EXISTING LAND USE
Site	Medium Density Residential (MDR)	Specific Plan	Vacant
North	Medium Density Residential (MDR)	Specific Plan	Vacant commercial land
South	Medium Density Residential (MDR)	Specific Plan	Golf Course & Single Family Residential
East	Medium Density Residential (MDR)	Specific Plan	Single Family Residential
West	Mojave River	Mojave River	Mojave River

Project Characteristics

The proposed map is located within the Medium Density Residential (MDR) land use designation of the Jess Ranch PUD. Project site is approximately 85 acres in size. The map proposes 406 residential lots, 29 open space lots, internal private streets with a density of 4.7 dwelling units per acre. The project will be age restricted.

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.

Carol Miller
Senior Planner

September 12, 2013

Date

Lori Lamson
Community Development Director

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

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

- a. **No Impact.** The Town of Apple Valley’s General Plan recognizes the protection of local scenic resources as necessary for maintaining the overall livability and aesthetic qualities of the Town, and identifies the surrounding knolls, hills, and natural desert environment as important natural resources that should be preserved as Open Space. The proposed project is not located within a Scenic Corridor and will not have a substantial adverse effect on a scenic vista as there are none identified within the vicinity of the project site that would be affected by development of the site.
- b. **No Impact.** The proposed project will not substantially damage scenic resources, including, but not limited, trees, rock outcroppings, and historic buildings within a state scenic highway, because the site is not adjacent to a state scenic highway, and there are no rock outcroppings or historic buildings on the site.
- c. **No Impact.** The surrounding area consists of residential development similar to what is proposed, therefore, the project will not substantially degrade the existing visual character.
- d. **Less Than Significant Impact.** While implementation of the proposed project is expected to result in increased light and glare in comparison with the existing undeveloped nature of the project site, the introduction of light and glare associated with residential uses would be similar to that already occurring in the area. Additionally, the proposed project would be required to adhere to Town standards related to development, including lighting standards contained in the Town’s Development Code, Chapter 9.70 Performance Standards, Section H, Light and Glare and Town of Apple Valley Dark Sky Policy. Compliance with Town requirements including the Development Code and the Town’s design review would reduce the impact of the light sources to off-site locations to a less than significant level.

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 conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- a-c. **No Impact.** The subject property is not identified or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. There are no agricultural uses on the site.
- d. **No Impact.** The site does not contain forest land as defined in Public Resources Code section 12220(g) or timberland as defined in Gov't Code section 51104(g).
- e. **No Impact.** The subject property is not identified or designated as Prime Farmland, Unique Farmland, or Farmland of Statewide importance as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. There are no agricultural uses on the site.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

a. **Less Than Significant Impact.** Basin-wide air pollution levels are administered by the Mojave Desert Air Quality Management District (MDAQMD). The 2004 Ozone Attainment Plan provides a program for obtaining attainment status for ozone based on existing and future air pollution emissions resulting from employment and residential growth projections. The project site has been planned for residential use as indicated in the Jess Ranch Planned Unit development. The proposed on-site uses have been included in growth projections for the Town of Apple Valley, which were subsequently used as input in the formulation of the approved Ozone Attainment Plan. Therefore, the proposed project is consistent with the MDAQMP and would not hinder implementation of its programs.

b. **Less Than Significant Impact with Mitigation.** The project site is located within the Mojave Desert Air Basin (MDAB). Air quality regulations in the MDAB is administered by the MDAQMD. The MDAB is designated as a nonattainment area for both Federal and State ozone and PM10 standards. The MDAB is in attainment with all other criteria pollutants for both Federal and State standards.

Air pollutant emissions associated with the project would occur over the short term from construction activities. There would be long term regional emissions associated with project related vehicle trips. Although the proposed project area air pollutant sources are below the MDAQMD daily emissions thresholds, implementation of Mitigation Measures AIR-1 through AIR-5 would further reduce the area source air pollutant emissions generated by the proposed project. The project-related traffic would not result in any Federal or State CO standards being exceeded, such that no significant impact on local CO levels would occur. Emissions projections used to establish MDAQMD attainment objectives reflect adopted regional and local land use plans. Therefore, the emissions associated with the proposed project are expected to be within the amounts already accounted for in the Mojave Desert Air Quality Management Plan (AQMP).

In addition, the proposed project is required to comply with regional rules that assist in reducing short-term air pollutant emissions. MDAQMD Rule 403 requires that fugitive dust be controlled so that the presence of such dust does not remain visible in the atmosphere beyond the property line of the emission source. The project is also required to comply with MDAQMD Rule 1113, which limits the quantity of volatile organic compounds (VOC) in architectural coatings. With implementation of Mitigation Measures AIR-1 through AIR-5, the development of the proposed project would not violate any air quality standards or contribute substantially to an existing or project air quality violation, resulting in a less than significant impact. Applicable Rule 403 Measures:

1. A person shall not cause or allow the emissions of fugitive dust from any transport, handling, construction or storage activity so that the presence of such dust remains visible in the atmosphere beyond the property line of the emission source. (Does not apply to emissions emanating from unpaved roadways open to public travel or farm roads. This exclusion shall not apply to industrial or commercial facilities.)
2. A person shall take every reasonable precaution to minimize fugitive dust emissions from wrecking, excavation, grading, clearing of land, and solid waste disposal operations.
3. A person shall not cause or allow particulate matter to exceed 100 micrograms per cubic meter when determined as the difference between upwind and downwind samples collected on high volume samplers at the property line for a minimum of five hours.
4. A person shall take every reasonable precaution to prevent visible particulate matter from being deposited upon public roadways as a direct result of their operations. Reasonable precautions shall include, but are not limited to, the removal of any matter from equipment prior to movement on paved streets or the prompt removal of any material from paved streets onto which such material has been deposited.
5. Subsections a) and c) shall not be applicable when the wind speed instantaneously exceeds 40 kilometers (25 miles) per hour, or when the average wind speed is greater than 24 kilometers (15 miles) per hour. The average wind speed determination shall be on a 15-minute average at the nearest official air monitoring station or by wind instrument located at the site being checked.

Mitigation Measures

AIR-1 The construction contractor shall select the construction equipment used on site based on low emission factors and high energy efficiency. The construction contractor shall ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer's specifications.

AIR-2 The construction contractor shall utilize electric- or diesel-powered equipment in lieu of gasoline-powered engines where feasible.

AIR-3 The construction contractor shall ensure that construction grading plans include a statement that work crews will shut off equipment when not in use.

AIR-4 The construction contractor shall time the construction activities so as not to interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.

AIR-5 The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.

- c. **Less than Significant Impact.** Air pollution emissions would be produced during the construction phase of the project. The Mojave Desert Air Basin (MDAB) is in non-attainment for PM10, PM2.5, and ozone at the present time. The EPA has classified the portion of the MDAB in which the project is located as moderate non-attainment for the eight hour ozone standard, non-attainment for the Federal and State PM10 standards, and non-attainment for the State PM2.5 standards. The Mojave Desert Air Quality Management District (MDAQMD) maintains ambient air quality monitoring stations throughout its portion of the MDAB. The air quality monitoring stations within the MDAB closest to the site are the Victorville Station and the Hesperia Station. These stations over the past three years have detected ozone levels that often exceed the State (one-hour) and

Federal (eight hour standards). PM10 and PM2.5 levels never exceeded the Federal 24-hour and annual standards and rarely exceeded the State 24-hour annual standards during the past three years. CEQA defines a cumulative impact as two or more individual effects that together are considerable or that compound or increase other environmental impacts. Fugitive dust and pollutant emissions may be generated during the construction and operational phases of the proposed project. However, implementation of the recommended Mitigation Measures AIR-1 through AIR-5 would ensure that the proposed project would have a less than significant impact on air quality. Because impacts would be reduced to less than significant levels with mitigation, the proposed project would not incrementally contribute to potential cumulative impacts related to these issues. The emissions associated with the proposed project are expected to be within the amounts already accounted for in the MDAB AQAP, as addressed within IIIa.

The Final Environmental Impact Report (FEIR) prepared for the Town's General Plan identified that potential air quality impacts resulting from implementation of the General Plan would be significant and that there are no mitigation measure available to reduce this impact to less than significant levels. Although the project related emission associated with the project would cumulatively contribute to air quality emission, the impacts would not be more significant than that which were identified in the General Plan FEIR. No new significant air quality impact related to the project will result from the development of the proposed residential uses.

Source: Town of Apple Valley General Plan EIR.

- d. **Less Than Significant Impact.** Sensitive receptors located within the vicinity of the proposed project include single-family residences to the south and east. On-site grading and construction activities would likely generate temporarily increased levels of particulates and emissions from construction equipment. However, because those emissions created by the proposed project would not exceed State thresholds, the identified sensitive receptors would not be exposed to substantial pollutant concentrations.
- e. **Less Than Significant Impact.** During construction, the various diesel-powered vehicles and equipment in use on the site would create odors. Additionally, the application of architectural coatings and installation of asphalt may generate odors. These odors are temporary and not likely to be noticeable beyond the project boundaries. MDAQMD standards regarding the application of architectural coatings (Rule 1113) and the installation of asphalt surfaces are sufficient to reduce temporary odor impacts to a less than significant level.

Long-term objectionable odors are not expected to occur at the proposed project site. Activities conducted at the proposed project will include typical residential activities and will not generate substantial objectionable odors. Therefore, impacts related to creation of objectionable odors affecting substantial numbers of people are expected to be less than significant.

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

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

a. **Less than Significant Impact.** The property consists of a mix of non native grasses with sparse or no vegetation. The site has been highly impact by previous ranching activities and surrounding development. Due to the potential for Burrowing Owls, a Burrowing Owl Survey, dated September 10, 2013 was prepared by LSA and Associates. The survey found no active bird nests or features that potentially be occupied by Burrowing Owls. Nevertheless, a qualified biologist shall perform a 30-day pre-construction survey for burrowing owls prior to any land disturbance. The survey shall be consistent with the protocol established by the California Department of Fish and Wildlife at the time the survey is proposed. Should the species be identified, the biologist shall recommend avoidance or relocation measures to assure that there is no impact to the species and clearance from the California Department of Fish and Wildlife must be obtained for any permits necessary.

b-c. **Less than Significant Impact.** The site is located adjacent to the Mojave River, and as such the developer is required to adhere to the requirements of County Flood Control District, US Fish and Wildlife, US Army Corp of Engineers,

State Fish and Wildlife, and the Town of Apple Valley for all on and off site work related to the Mojave River Flood Plain and riparian habitat.

- d. **Less than Significant Impact.** The proposed project will not have any adverse effect on the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors as the area is not identified as a protected path for the native residents or migratory fish or wildlife species.
- e. **Less than Significant Impact.** This project will not conflict with any local policies or ordinances protecting biological resources, because there are no identified biological resources on site that are subject to such regulation. Therefore, the impacts are less than significant.
- f. **Less than Significant Impact.** Areas of valuable habitat that support special status species are illustrated in the Biological Resources Study in Appendix B of the General Plan EIR. The General Plan includes policies and programs intended to ensure that habitat connectivity is preserved in the Town. In addition, a number of special survey areas in the Town’s planning area are identified in the General Plan. Species for which surveys are required as part of development applications include Desert Tortoise, Mojave Ground Squirrel, Burrowing Owls, Joshua Trees, and/or Migratory/Nesting/Other Protected Birds. The proposed project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan because no such plan has been adopted in the area of the project site.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- a. **Less than Significant Impact.** Although the project will require the removal of the original main entrance gate and temporary parking area, the structure is not considered historic. There are no other structures on the property.
- b. **Less than Significant Impact with Mitigation.** The General Plan FEIR indicates that based on the findings of the Cultural Resources Survey , the areas within one (1) mile of the Mojave River appear to be highly sensitive for both prehistoric and historic period cultural resources, including potential for subsurface archaeological deposits. The project site is adjacent to the Mojave River and is located in an area identified as elevated sensitivity for cultural resources as shown in Exhibit III-4 of the General Plan FEIR. In accordance with the General Plan FEIR mitigation measure, a cultural resource study is required prior to development for all lands identified as having high potential for resources. The study shall be reviewed and approved by the Town

Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the study shall be made condition of approval of the ground disturbing permits.

CR-1 Cultural Resource study is required prior to development for all lands identified as having high potential for resources. The study shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the study shall be made condition of approval of the ground disturbing permits.

c. **Less than Significant Impact with Mitigation.** The project site is located in an area identified as high sensitivity for paleontological resources as shown in Exhibit III-5 of the General Plan FEIR. In accordance with the General Plan FEIR mitigation measure, a Paleontological resource study is required prior to development for all lands identified as having high potential for paleontological resources, as identified in Exhibit III-5. The studies shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the study shall be made condition of approval of the ground disturbing permits.

CR-2 Paleontological Resource study is required prior to development for all lands identified as having high potential for resources. The study shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the study shall be made condition of approval of the ground disturbing permits.

d. **No Impact.** The project site vacant and is not a known cemetery, and no human remains are anticipated to be disturbed during the construction phase. However, in accordance with applicable regulations, construction activities would halt in the event of discovery of human remains, and consultation and treatment would occur as prescribed by law. The project site is vacant and is not known to contain human remains.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/> | <input type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 (check if project is located in the Geologic Hazards Overlay District):

- a. **Less than Significant Impact.** The General Plan indicates that the project site is not located within a State of California Earthquake Fault Zone and, therefore, does not require a geologic study. The closest mapped fault is the Helendale Fault. The Mojave Desert is a seismically active region; however, safety provisions identified in the Uniform Building Code shall be required when development occurs which would reduce potential ground shaking hazards to a less than significant level. The project site is not within a known area which may be susceptible to the effects of liquefaction, and no hills or mountains surround the site that would subject future development to landslides or rock falls.
- b. **Less than Significant Impact.** The proposed project will require the excavation, stockpiling, and movement of on-site soils to create the residential pads and proposed new roadways. Currently, construction projects resulting in the disturbance of 1.0 acre or more are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit issued by the Regional Water Quality Control Board (RWQCB). The project's construction contractor will be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) that identifies Best Management Practices (BMPs) to limit the soil erosion during project constructions. Adherence during construction to provisions of the NPDES permit and applicable BMPs contained in the SWPPP will ensure that potential impacts related to this issue are less than significant.
- c. **Less than Significant Impact with Mitigation.** Existing dry ponds located on the western portion of the property will be graded for residential development. The dry ponds are approximately 10 to 15 feet below the existing adjacent grades. The implementation of Mitigation Measures GEO-1 and GEO-2, and adherence to the UBC, CBC, and Town design and engineering standards will ensure impacts associated with soil stabilization and compaction remain less than significant.

Mitigation Measures

GEO-1 The design and construction of the proposed on-site uses shall adhere to the recommendations identified in the geotechnical investigation prepared for the proposed project site dated July 31, 2013, or as determined appropriate by the Town, the standards and requirements established in the UBC.

GEO-2 The requirements and recommendations for earthwork and grading parameters included within the Hilltop Geotechnical Inc geotechnical Investigation dated July 31, 2013 shall be incorporated into the proposed project.

- d. **Less than Significant Impact.** Expansive (or shrink-swell) behavior is attributable to the water-holding capacity of clay minerals and can adversely affect the structural integrity of facilities including underground pipelines. The project site is located in an area identified as having Young Alluvial Fan Deposits – silt, sandy, locally with gravel as shown in Exhibit III-6 and III-7 of the General Plan FEIR. This type of soil exhibits a low potential for expansion, based on their general lack of significant clay content. Accordingly, no significant impacts related to expansive soils are anticipated from implementation of the proposed project.

- e. **No Impact.** The project does not propose to use septic tanks or alternative wastewater disposal systems; therefore, 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

a. **Less than Significant Impact.** According to the Town’s General Plan, air quality is a concern due to human health issues, and because air pollutants are thought to be contributing to global warming and climate change. Air pollution is defined as a chemical, physical or biological process that modifies the characteristics of the atmosphere. Implementation of mitigation measures, including but not limited to those set forth for this project, can be effective in reducing air quality impacts by providing alternative transportation options, increasing the use of green building design and technologies into planned future and remodeled facilities, and incorporating the use of alternative energy sources both locally and regionally through individual and region wide solar roof installation projects and region-wide wind farm development, among other possible programs. These measures will not only reduce emissions of criteria pollutants, but will also reduce emissions associated with the formation of greenhouse gases. The project applicant shall follow applicable greenhouse gas regulations and quantification protocols. A detailed description of each of the greenhouse gases and their global warming potential are provided in *Air Quality* of the General Plan FEIR.

b. **Less than Significant Impact with Mitigation.** The proposed project would not conflict with the provisions of any adopted, applicable plan, policy or regulation. On July 13, 2010, the Town adopted a Climate Action Plan (“CAP”) that enhances the General Plan’s goals, policies and programs relating to meeting the greenhouse gas emission targets established in the California Global Warming Solutions Act. The Plan includes reduction strategies to achieve 1990 levels by including an emissions inventory. The Plan achieves emission targets that apply at reasonable intervals throughout the life of the plan, enforceable GHG control measures, monitoring and reporting, and mechanisms to allow for the revision of the plan, if necessary. The goal of the CAP is to reduce greenhouse gas emissions within the Town’s control and to achieve the emission reduction goals required by AB 32. Therefore, the applicant will be required to implement the following mitigation measures:

GH-1: During project construction, on-site off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where use of biodiesel fuel would void the equipment warranty. The applicant shall provide documentation to the Town that verifies that certain pieces of equipment are exempt, a supply of biodiesel has been secured, and that the construction contractor is aware that the use of biodiesel is required. As a conservative measure, no reduction in GHG emissions was taken for the implementation of this measure as it is unknown if biodiesel can be readily applied to the various pieces of construction equipment that will be necessary for the project.

GH-2: Building and site plan designs shall ensure that the project energy efficiencies surpass applicable 2008 California title 24 Energy Efficiency Standards and comply with the Green Building Code. Verification

of increased energy efficiencies shall be documented in Title 24 compliance Reports provided by the applicant, and reviewed and approved by the Town prior to the issuance of the first building permit. Any combination of the following design features, or additional features may be used to fulfill this measure:

- Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling.
- Increase insulation such that that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- Promote building design that will incorporate solar control in an effort to minimize direct sunlight upon windows. A combination of design features including roof eaves, recessed windows, “eyebrow” shades, and shade trees shall be considered.
- Interior and exterior energy efficient lighting, which exceeds the California Title 24 Energy Efficiency performance standards, shall be installed, as deemed acceptable by Town. Automatic devices to turn off lights when they are not needed shall be implemented.
- To the extent that they are compatible with landscaping guidelines established by the town, shade-producing trees, particularly those that shade paved surfaces such as street and parking lots and buildings shall be planted at the Project site.
- Paint and surface color palette for the project shall emphasize light and off-white colors, which will reflect heat away from the building.
- Consideration shall be given to using LED lighting for all outdoor uses (i.e. buildings, pathways, landscaping and carports).

GH-3: To reduce energy demand with potable water conveyance:

- Landscaping palette emphasizing drought tolerant plants and exceeding Town standards for water conservation.
- Limit turf areas to no more than (20%) of all landscaped areas (Non Sport Turf Areas)
- Use of water-efficient irrigation techniques exceeding Town standards for water conservation.
- U.S. EPA Certified Water Sense labeled or equivalent faucets, high-efficiency toilets (HETs), and water conserving showerheads.

GH-4: Install Energy Star appliances and energy efficient fixtures.

GH-5: Install all CFL or LED light bulbs.

GH-6: Install solar panels sufficient to heat water within the project.

GH-7: Install solar or photovoltaic systems on new roofs.

GH-8: Use bio-gas in appropriate applications.

GH-9: Provide educational information to residents addressing energy efficiency, solid waste reduction, and water conservation measures.

Source: Town of Apple Valley, Climate Action Plan

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
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- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

- a-b. **Less than Significant Impact.** The proposed project consists of the construction of residential properties. This land use will not involve the production, storage, or distribution of hazardous substances except normally occurring household hazardous wastes (such as cleaning products and paints). The range of land use activities proposed on the project site would not allow for the use, storage, disposal, or transport of large volumes of toxic, flammable, explosive, or otherwise hazardous materials that could cause serious environmental damage in the event of an accident. The potential impact associated with the routine transport, use, or disposal of hazardous materials in a residential setting is a less than significant impact.
- c. **No Impact.** There are no existing or proposed schools within one-quarter mile of the proposed project site. The proposed development includes only residential dwelling units and open space, which do not emit hazardous emissions or handle hazardous materials, the impacts associated with this issue are considered to be less than significant.

- d. **No Impact.** This project is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, this project would not create a significant hazard to the public or the environment. No impact is anticipated.
- e. **No Impact.** The proposed project is not located within the land use plan of Apple Valley Airport. Therefore, development of the proposed project will not result in an airport safety hazard to persons residing in the project area.
- f. **No Impact.** The project is not located within the vicinity of a private airstrip or heliport. There are no impacts associated with this issue.
- g. **Less than Significant Impact.** Implementation of the proposed project will increase the number of residential dwelling units within the Town. Development of the proposed project will generate an increase in the amount and volume of traffic on local and regional networks. The developers of the proposed project will be required to design and construct applicable roadways to comply with applicable local, regional, State and/or Federal requirements related to emergency access and evacuation plans. Construction activities, which may temporarily restrict vehicular traffic, will be required to implement measures to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these measures will reduce potential impacts related to this issue to a less than significant level.
- h. **Less than Significant Impact.** According to the Town's General Plan, the project site is not located within a Fire Hazard Area or within an area susceptible to wildfires. The vacant land adjacent to the project site has minimal vegetation. Development of the proposed residential project will not expose persons or property to increased wildland fire risks. As such, impacts associated with this issue are less than significant.

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

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|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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:

- a. **Less than Significant Impact.** The proposed project will not violate any water quality standards or waste discharge requirements because the Regional Water Quality Control Board (RWQCB), responsible for administering the Federal Clean Water Act on a regional level, has standards and waste discharge requirements for water quality that must be met during both construction of a project and ongoing during the life of a project.

On-site grading activities associated with the construction period will require the movement of on-site soils, which may result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event and could increase the potential for erosion and off-site sedimentation. The proposed residential uses may incrementally increase the potential for storm runoff. In addition, the proposed project will modify the quality, quantity, and absorption rate of the project site's runoff due to the development of buildings, parking lots, and driveways. These new impervious surfaces may contribute to the degradation of water quality in storm flows through carrying runoff from areas tainted by sediment, petroleum products, and/or other contaminants.

The project site is larger than one acre and, therefore, is required to comply with the National Pollutant Discharge Elimination System (NPDES) to minimize water pollution. The Town's NPDES permit establishes measures that sufficiently mitigate potential impacts associated with construction-related discharge. Development in the Town of Apple Valley is subject to the State of California's General Construction Permit under the NPDES. The Permit requires that any development proposal that would disturb more than one acre is required to file a Notice of Intent (NOI) and prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) prior to implementation of grading or other soil-disturbing activities. In addition to the preparation of an SWPPP, the developer will be required to submit a project specific

Water Quality Management Plan (WQMP). The WQMP will identify measures to treat and/or limit the post-construction entry of contaminants into storm flows. The WQMP is required to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. Adherence to standard requirements, including obtaining an NPDES permit and the preparation of the SWPPP and WQMP, and Town runoff conveyance standards, will reduce potential water quality impacts to a less than significant level. Permits are administered by the State Water Resources Contract Board (SWRCB) through the required Lahontan RWQCB.

- b. **Less than Significant Impact.** The proposed project would not entail the use of groundwater and, thereby would not deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a deficit in aquifer volume or a lowering of the local groundwater table level.
- c-e. **Less than Significant Impact.** The existing surface drainage on the site follows the surface contours that drain to the southwest via sheet flow. An existing natural drainage course traverses west towards the Mojave River along the northerly boundary of the project site. The Town of Apple Valley Master Plan of Drainage includes creating a storm channel along the northerly portion of the project site. The project will include a drainage plan that will accommodate the off-site flows from the existing development to the east. A storm drain system will be constructed as part of the proposed project to carry the flows to the proposed master plan facility. Retention basins are proposed along the westerly portion of the project to intercept storm runoff before entering the Mojave River. For these reasons, impacts associated with drainage patterns for the project site are considered less than significant.
- f. **Less than Significant Impact.** Grading activities associated with the construction could result in temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is more than one (1) acre; therefore, is required to comply National Pollution Discharge Elimination System (NPDES) to minimize water pollution. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a Storm Water Pollution Prevention Plan (SWPPP).

 Prior to issuance of grading permits, the applicant is required to submit a Notice of Intent (NOI) to the Town Engineer to comply with obtaining coverage under the NPDES General Construction Storm Water Permit from the SWRCB. Evidence that this has been obtained (i.e., a copy of the Waste Dischargers Identification Number) must be submitted to the Town Engineer for coverage under the NPDES General Construction Permit. Implementation of requirements set forth by the Town of Apple Valley would ensure impacts to water quality are reduced to a less than significant level.
- g. **No Impact.** The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan because the project has adequate access from two or more points of access.
- h-i. **Less than Significant Impact.** The project site is located within a designated area as having flooding potential per the Flood Insurance Rate Maps (FIRM). The map indicates the site is located within "Zone X". The western boundary abuts the Mojave River, a designated flood zone. Flood protection will conform to the County Flood Control District requirements, standards of the Engineering Division. At the time of development, the applicant will conform to FEMA requirements and Town regulations.

Source: FEMA Flood Insurance Rate Map and Flood Boundary Map (Zone X Panel #6505). 2008
- j. **No Impact.** The site is also not located in a coastal area and, therefore, would not be subject to seiche, tsunami or mudflow.

X. LAND USE AND PLANNING

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 checked="" type="checkbox"/> | <input type="checkbox"/> |

SUBSTANTIATION:

- a-b. **No Impact.** The project is located within the Jess Ranch PUD with a zoning of MDR. Therefore, single-family residential development was anticipated for the area. As designed, the project does not create any physical divide an established community and the project is consistent with the Jess Ranch PUD.
- c. **Less than Significant Impact.** Since the proposed project is not located within a habitat conservation plan or natural community conservation plan, therefore, no land use conflict would occur.

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

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

XII. NOISE

Would the project result in:

- | | Potentially Significant Impact | Less than Significant with Mitigation Incorp. | Less than Significant Impact | No Impact |
|---|--------------------------------|---|-------------------------------------|--------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

- a-d. **Less than Significant Impact.** The project will be exposed to noise from Jess Ranch Parkway and Lakeshore Drive. The Town's General Plan specifies an exterior noise standard of 65 CNEL and an interior noise standard of 45 dB CNEL for new development. An exterior and interior noise analysis was prepared by BridgeNet, dated August 28, 2013 which indicates even when assuming worse case noise level, the levels do not exceed the standards; therefore, no mitigation required.
- e: **No Impact.** The proposed project is not located within two miles of a public airport and, therefore, does not have the potential to expose people to excessive noise levels from airport operations.
- f: **No impact.** The proposed project site is not located within the vicinity of a private airstrip; therefore, no impact associated with this issue will occur.

XIII. POPULATION AND HOUSING - Would the project:

Would the project:

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

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

SUBSTANTIATION:

- a: **Less than Significant Impact.** The proposed project site consists of the construction of 406 dwelling units. These new dwelling units would induce population growth to the area. The proposed project site is currently designated as medium density residential (MDR) in the Jess Ranch PUD. The proposed residential uses meet the Town’s goal of providing housing opportunities for the increasing population within the Town of Apple Valley. As the proposed project is consistent with and has been anticipated by the Town’s General Plan and Jess Ranch PUD, a less than significant growth inducing impact would be associated with development of the project site.
Source: Apple Valley General Plan, Housing Element and Jess Ranch PUD.
- b: **No Impact.** The proposed project site is currently vacant and, therefore, no displacement of housing or residents will occur. Replacement housing will not be required and no impact associated with this issue will occur.
- c: **No Impact.** The proposed project site is currently vacant. As such, the development of the project will not displace substantial numbers of people or necessitate the need for construction of replacement housing elsewhere. No impact associated with this issue will occur.

XIV. PUBLIC SERVICES

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:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

Fire - Less than Significant Impact. Fire service would be provided to the project uses by the Apple Valley Fire Protection District. Station No. 337 located at 19305 Jess Ranch Parkway was constructed in 2007 as required by the Jess Ranch PUD. Potential impacts related to the provision of fire services would be reduced to a less than significant level.
Source: Town of Apple Valley, General Plan

Police – Less than Significant Impact. The Town of Apple Valley provides law enforcement services for residents and businesses within the Town limits via a contract with the San Bernardino County Sheriff’s Department. The

Sheriff station is located at 14931 Dale Evans Parkway. Implementation of the proposed project will lead to the construction of 408 senior residential dwelling units within the Jess Ranch PUD. Due to the anticipated residential growth within the PUD, the proposed project will not cause a substantial increase in demand on police resources.

Source: Town of Apple Valley, General Plan EIR

Schools – No Impact. Implementation of the proposed project will lead to the construction of 408 senior residential dwelling units within the Jess Ranch PUD. Nevertheless, Section 65995 of the California Government Code requires developers to pay a onetime fee for school capital acquisitions and improvements and prohibits state or local agencies from imposing school impact mitigation fees, dedications or other requirements in excess of those provided in the statute. As such, the applicant for the construction of the new dwelling units proposed in the project is required to pay applicable school fees prior to occupancy. The payment of fees satisfies the requirements for the development impacts on school facilities. With the payment of school impact mitigation fees, potential impacts related to the provision of schools would be reduced to a less than significant level.

Source: Town of Apple Valley, General Plan EIR

Parks – No Impact. Implementation of the proposed project will lead to the construction of 408 senior residential dwelling units within the Jess Ranch PUD. As such the Jess Ranch PUD has incorporated a recreational component consisting of community recreational buildings and facilities, golf course, pedestrian trails and open space areas. Within the subdivision, the applicant is proposing open space areas and pedestrian trails. Therefore, no impact is anticipated.

Other Public Facilities – No Impact. The development will not exceed demand that has been previously considered in The Town's General Plan EIR.

XV. RECREATION

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Would the project increase the use of existing and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

a,b. **No Impact.** Implementation of the proposed project will lead to the construction of 408 senior residential dwelling units within the Jess Ranch PUD. As such the Jess Ranch PUD has incorporated a recreational component consisting of community recreational buildings and facilities, golf course, pedestrian trails and open space areas. Within the subdivision, the applicant is proposing open space areas and pedestrian trails. Therefore, no impact is anticipated.

XVI. TRANSPORTATION/TRAFFIC

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

SUBSTANTIATION:

- a. **Less than Significant Impact.** Access to the site will be provided via Jess Ranch Parkway. The proposed project would increase the existing traffic load, as well as impact others within the vicinity of the project site. The Jess Ranch EIR assessed traffic impacts for the total build out of the PUD. The roadways adjacent to the development will be required to be improved to the Town’s road standards and is consistent with the PUD conceptual circulation plan. The project requires payment of traffic impact fees to reduce regional traffic impacts. Therefore, there will be a less than significant impact.
- b. **Less than Significant Impact.** The Jess Ranch EIR assessed traffic impacts for the total build out of the PUD. The roadways adjacent to the development will be required to be improved to the Town’s road standards and is consistent with the PUD conceptual circulation plan. The project requires payment of traffic impact fees to reduce regional traffic impacts. Therefore, there will be a less than significant impact.
- c. **No Impact.** The proposed project is not located within the vicinity of an airport nor will it increase the traffic levels near an airport. Therefore, it will not cause any changes to air traffic patterns. No impacts are anticipated.
- d. **No Impact.** The proposed project is located in an area that contains existing development. The project does not include the construction of any sharp curves. The new intersections to be created as part of the project align with existing roadways. As the project does not include the construction of any structure or feature that will create a substantial increase in hazards due to a design feature, no impacts are anticipated.
- e. **No Impact.** The project will be designed to provide access for all emergency vehicles and, therefore, will not create inadequate emergency access. Primary access would be provided via Jess Ranch Parkway and Lakeshore Drive. The nearest emergency evacuation/access is Bear Valley Road, located north of the site. The Apple Valley Fire Protection District has reviewed the project for adequate emergency access and development requirements as conditions of approval. No impacts are anticipated.
- f. **No Impact.** At the time of development of the lots, the project is required to comply with the Development Code standards to meet parking capacity that includes a minimum two (2)-car enclosed garage for each residential dwelling unit with driveway access. Therefore, the project will not result in inadequate parking capacity and no impact will occur.
Source: Town of Apple Valley Development Code, Off-Street Parking and Loading Regulations
- g. **No Impact.** The project design provides ample area for pedestrian access. The project does include the installation of pedestrian trails throughout which encourages and support alternative transportation and would not interfere with any existing or proposed bus stops.

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

a. **Less than Significant Impact with Mitigation.** Under Section 402 of the Federal Clean Water Act (CWA), the Regional Water Quality Control Board (RWQCB) issues NPDES permits to regulate waste discharges to “waters of the U.S.” Waters of the U.S. include rivers, lakes, and their tributary waters. Waste discharges include discharges of stormwater and construction project discharges. A construction project resulting in the disturbance of more than one acre requires an NPDES permit. Construction project proponents are also required to prepare a Storm Water Pollution Prevention Plan (SWPPP). Prior to the issuance of building permits, the project applicant will be required to satisfy Victor Valley Wastewater Reclamation Authority (VWVRA) requirements related to the payment of fees and/or the provision of adequate wastewater facilities, as addressed in Mitigation Measure UTIL-1. Because the project will comply with the waste discharge prohibitions and water quality objectives established by the RWQCB, VWVRA, and the Town of Apple Valley, impacts related to this issue would be reduced to a less than significant level with implementation of Mitigation Measure UTIL-1.

Mitigation Measure

UTIL-1 Prior to the issuance of building permits, the project applicant will be required to satisfy RWQCB and VVWRA requirements related to the payment of fees and/or the provision of adequate wastewater facilities.

- b. **Less than Significant Impact with Mitigation.** As previously discussed, wastewater treatment services to the project would be provided by the VVWRA. The VVWRA is a California Joint Powers Authority that owns and operates regional wastewater collection and treatment facilities which services the Victor Valley. The applicant for the construction of the new dwelling units proposed in the project is required to satisfy RWQCB and VVWRA payment of fees. The payment of fees satisfies the requirements for the development impact on wastewater treatment facilities. Implementation of Mitigation Measure UTIL-1 would ensure that impacts to wastewater facilities with the development of the proposed project would not result. For these reasons, impacts to wastewater treatment facilities would be less than significant. The proposed project water services are provided by Apple Valley Ranchos Water Company (AVRWC).

The proposed project would require installation of water mains and infrastructure to support the development of the proposed project. Implementation of Mitigation Measures UTIL-2 and UTIL-3 would ensure a less than significant impact would result to water services with development of the proposed project.

Mitigation Measure

UTIL-2 Prior to issuance of occupancy permits, the project applicant shall be required to install water-conserving fixtures within each dwelling unit.

UTIL-3 Prior to issuance of occupancy permits, the project applicant shall install water mains and required delivery infrastructure to supply the proposed project with water as approved by the Town.

- c: **Less than Significant Impact with Mitigation.** Development of the proposed project would result in an increase in the amount of impermeable surfaces and, therefore, an increase in surface runoff. The project would need to construct new stormwater drainage facilities to handle this runoff. Potential impacts would be mitigated through proper site grading and constructing storm drainage systems. All development is required to comply with NPDES standards and established engineering design related to site drainage as determined by the Town Engineering Division. Implementation of Mitigation Measure UTIL-4 would result in a less than significant impact associated with stormwater drainage issues.

Mitigation Measure

UTIL-4 Prior to issuance of building permits, the project applicant shall construct storm drain facilities as approved by the Town Engineer.

- d. **Less than Significant Impact.** The site is currently within a Apple Valley Ranchos Water Company service area. A letter from the water agency indicating their ability to supply water to the development was received.
- e. **Less than Significant Impact.** The Town of Apple Valley's contractor for trash and recycling pickup is Burrtec Waste Industries, Inc. Solid waste from the proposed project would be transported to the Victorville Regional Landfill. The estimated closure date for this facility is October 1, 2047. Development of the proposed project will not significantly impact current operations or the expected lifetime of the landfill. On-site uses will be required to comply with the Town and State waste reduction and recycling standards. For these reasons, plus adherence to existing local, State, and Federal solid waste requirements, potential impacts associated with landfill capacity would be reduced to a less than significant level.
- g **Less than Significant Impact.** The proposed project will be required to comply with applicable elements of AB 1327, Chapter 18 (California Solid Waste Reuse and Recycling Access Act of 1991) and other applicable local, State, and Federal solid waste disposal standards. For these reasons, impacts associated with solid waste regulatory compliance are considered to be less than significant.

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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Does the project have environmental effects which will cause Substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SUBSTANTIATION:

- a. **Less than Significant Impact.** The site is vacant and surrounded by residential properties to the east and south. The Mojave River located to the west. Based upon the submitted Biological Survey, there are no species of special concern; however, a pre-construction survey shall be conducted prior to land clearing to ensure the special status species have not moved on to the site since the September 2013 date of the Biological Survey. Any future development shall be required to meet and/or exceed the Town’s adopted development standards to minimize any potential impacts to biological resources. The project is not anticipated to have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- b. **Less than Significant Impact.** With implementation of mitigation contained in this Initial Study, environmental impacts associated with the project will be reduced to a less than significant level; therefore, the proposed project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- c. **Less than Significant Impact.** The proposed project site is located within the Jess Ranch PUD designated for residential uses. While development of the proposed project would generate fugitive dust and pollutant emissions during construction, it would not result in any significant operational air quality impacts. Thus, it is not anticipated that these additional emissions would result in significant cumulative air quality impacts. Impacts related to cultural resources, geology and soils, hazards, green house gas, noise, public services are similarly

reduced to a less than significant level through the implementation of mitigation measures and the adherence to established Town-mandated standards. There are no projects that, in combination with the proposed project would create a cumulatively considerable impact over and above those identified in this Initial Study. The potential cumulative impacts associated with development of the proposed project are, therefore, less than significant.

- d. **Less than Significant Impact.** As identified in this Initial Study, it was determined that the significance of environmental impacts associated with new development resulting from the proposed project were either no impact, less than significant impact, or less than significant impact with mitigation incorporated. For all topics, the project would not produce a significant effect on the environment. Correspondingly, the project would not produce an adverse impact on humans for those environmental topics that relate directly to humans such as aesthetics, air quality, cultural resources, geology and soils, hazards and hazardous material, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, and utilities and service systems.

XIX. MITIGATION MEASURES

Air Quality

- AIR-1** The construction contractor shall select the construction equipment used on site based on low emission factors and high energy efficiency. The construction contractor shall ensure that construction grading plans include a statement that all construction equipment will be tuned and maintained in accordance with the manufacturer's specifications.
- AIR-2** The construction contractor shall utilize electric- or diesel-powered equipment in lieu of gasoline-powered engines where feasible.
- AIR-3** The construction contractor shall ensure that construction grading plans include a statement that work crews will shut off equipment when not in use.
- AIR-4** The construction contractor shall time the construction activities so as not to interfere with peak-hour traffic and to minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.
- AIR-5** The construction contractor shall support and encourage ridesharing and transit incentives for the construction crew.

Cultural Resources

- CR-1** Cultural Resource study is required prior to development for all lands identified as having high potential for resources. The study shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the study shall be made condition of approval of the ground disturbing permits.
- CR-2** Paleontological Resource study is required prior to development for all lands identified as having high potential for resources. The study shall be reviewed and approved by the Town Planning Division prior to the issuance of any ground disturbing permit. The recommendations of the study shall be made condition of approval of the ground disturbing permits.

Geology and Soils

- GEO-1** The design and construction of the proposed on-site uses shall adhere to the recommendations identified in the geotechnical investigation prepared for the proposed project site dated July 31, 2013, or as determined appropriate by the Town, the standards and requirements established in the UBC.
- GEO-2** The requirements and recommendations for earthwork and grading parameters included within the Hilltop Geotechnical Inc geotechnical Investigation dated July 31, 2013 shall be incorporated into the proposed project.

Greenhouse Gas

- GH-1:** During project construction, on-site off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where use of biodiesel fuel would void the equipment warranty. The applicant shall

provide documentation to the Town that verifies that certain pieces of equipment are exempt, a supply of biodiesel has been secured, and that the construction contractor is aware that the use of biodiesel is required. As a conservative measure, no reduction in GHG emissions was taken for the implementation of this measure as it is unknown if biodiesel can be readily applied to the various pieces of construction equipment that will be necessary for the project.

GH-2: Building and site plan designs shall ensure that the project energy efficiencies surpass applicable 2008 California title 24 Energy Efficiency Standards and comply with the Green Building Code. Verification of increased energy efficiencies shall be documented in Title 24 compliance Reports provided by the applicant, and reviewed and approved by the Town prior to the issuance of the first building permit. Any combination of the following design features, or additional features may be used to fulfill this measure:

- Buildings shall exceed California Title 24 Energy Efficiency performance standards for water heating and space heating and cooling.
- Increase insulation such that that heat transfer and thermal bridging is minimized.
- Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption.
- Incorporate dual-paned or other energy efficient windows.
- Incorporate energy efficient space heating and cooling equipment.
- Promote building design that will incorporate solar control in an effort to minimize direct sunlight upon windows. A combination of design features including roof eaves, recessed windows, “eyebrow” shades, and shade trees shall be considered.
- Interior and exterior energy efficient lighting, which exceeds the California Title 24 Energy Efficiency performance standards, shall be installed, as deemed acceptable by Town. Automatic devices to turn off lights when they are not needed shall be implemented.
- To the extent that they are compatible with landscaping guidelines established by the town, shade-producing trees, particularly those that shade paved surfaces such as street and parking lots and buildings shall be planted at the Project site.
- Paint and surface color palette for the project shall emphasize light and off-white colors, which will reflect heat away from the building.
- Consideration shall be given to using LED lighting for all outdoor uses (i.e. buildings, pathways, landscaping and carports).

GH-3: To reduce energy demand with potable water conveyance:

- Landscaping palette emphasizing drought tolerant plants and exceeding Town standards for water conservation.
- Limit turf areas to no more than (20%) of all landscaped areas (Non Sport Turf Areas)
- Use of water-efficient irrigation techniques exceeding Town standards for water conservation.
- U.S. EPA Certified Water Sense labeled or equivalent faucets, high-efficiency toilets (HETs), and water conserving showerheads.

GH-4: Install Energy Star appliances and energy efficient fixtures.

GH-5: Install all CFL or LED light bulbs.

GH-6: Install solar panels sufficient to heat water within the project.

GH-7: Install solar or photovoltaic systems on new roofs.

GH-8: Use bio-gas in appropriate applications.

GH-9: Provide educational information to residents addressing energy efficiency, solid waste reduction, and water conservation measures.

Utilities

UTIL-1 Prior to the issuance of building permits, the project applicant will be required to satisfy RWQCB and VVWRA requirements related to the payment of fees and/or the provision of adequate wastewater facilities.

UTIL-2 Prior to issuance of occupancy permits, the project applicant shall be required to install water-conserving fixtures within each dwelling unit.

- UTIL-3** Prior to issuance of occupancy permits, the project applicant shall install water mains and required delivery infrastructure.
- UTIL-4** Prior to issuance of building permits, the project applicant shall construct storm drain facilities as approved by the Town Engineer.

REFERENCES

Biological Survey, prepared LSA & Associates, Sept 2013
Hilltop Geotechnical, Inc. July 31, 2013
California Department of Water Resources, Bulletin #118 (Critical Regional Aquifers), 1975
County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995
Town of Apple Valley General Plan, adopted 2009-09-02
Environmental Impact Report, Town of Apple Valley General Plan, 2009
County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998
FEMA Flood Insurance Rate Map and Flood Boundary Map (Zone X Panel #6485). 2008
Mojave Desert Air Quality Management District, Mojave Desert Planning Area – Federal Particulate Matter (PM10) Attainment Plan, July 1995
Mojave Desert Air Quality Management District, Rule 403.2: Fugitive Dust Control Planning Area, July 1996
South Coast Air Quality Management District, CEQA Air Quality Handbook, 1993

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