

## TOWN OF APPLE VALLEY TOWN COUNCIL STAFF REPORT

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To: Honorable Mayor and Town Council

Date: August 25, 2015

From: Pam Cupp, Associate Planner  
Planning

Item No: 9

**Subject: GENERAL PLAN AMENDMENT NO. 2015-001, A REQUEST TO MODIFY THE GENERAL PLAN LAND USE DESIGNATION FOR A TWO (2) ACRE PORTION OF LENNY BREWSTER SPORTS COMPLEX (APN 0440-085-13) FROM VERY LOW DENSITY RESIDENTIAL (R-VLD) TO OPEN SPACE (OS); TO MODIFY THE GENERAL PLAN LAND USE DESIGNATION FOR A 19.5 ACRE PARCEL WITHIN THE TOWN OF APPLE VALLEY DRY LAKE (APN 0440-085-06) FROM VERY LOW DENSITY RESIDENTIAL (R-VLD) TO PUBLIC FACILITIES (P-F); AND A REQUEST TO CHANGE TO GENERAL PLAN ROAD DESIGNATION OF NAVAJO ROAD, BETWEEN GUSTINE ROAD AND FRESNO ROAD, FROM A SECONDARY TO A LOCAL INDUSTRIAL; CHANGING FRESNO ROAD, BETWEEN NAVAJO ROAD AND DAKOTA ROAD FROM A SECONDARY TO A LOCAL INDUSTRIAL; AND CHANGING GUSTINE ROAD, BETWEEN NAVAJO ROAD AND DAKOTA ROAD, FROM LOCAL INDUSTRIAL TO SECONDARY.**

**ZONE CHANGE NO. 2015-001 IS A REQUEST TO CHANGE THE ZONING DESIGNATION FOR A TWO (2) ACRE PORTION OF LENNY BREWSTER SPORTS COMPLEX (APN 0440-085-13) FROM VERY LOW DENSITY RESIDENTIAL (R-VLD) TO OPEN SPACE RECREATION (OS-R) AND TO CHANGE A 19.5 ACRE PARCEL WITHIN THE TOWN OF APPLE VALLEY DRY LAKE (APN 0440-085-06) FROM VERY LOW DENSITY RESIDENTIAL (R-VLD) TO PUBLIC FACILITIES (P-F).**

**LOCATION: APN 0440-085-13 IS LOCATED AT THE NORTHWESTERLY EDGE OF 21024 OTOE ROAD (BREWSTER PARK); APN 0440-085-06 LOCATED ON THE NORTH SIDE OF OTOE ROAD, APPROXIMATELY 1,300 FEET WEST OF NAVAJO ROAD; NAVAJO ROAD, BETWEEN GUSTINE ROAD AND FRESNO ROAD; FRESNO ROAD, BETWEEN NAVAJO ROAD AND DAKOTA ROAD; AND GUSTINE ROAD, BETWEEN NAVAJO ROAD AND DAKOTA ROAD.**

**T.M. Approval:** \_\_\_\_\_

**Budgeted Item:** ☐ Yes ☐ No ☒ N/A

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## **RECOMMENDED ACTION:**

**Move to open the public hearing and take testimony.**

**Close the public hearing. Then:**

1. **Determine** that, in conformance with the requirements of the State Guidelines to Implement the California Environmental Quality Act (CEQA), the proposed General Plan Amendment No. 2015-001 and Zone Change No. 2015-001 will not have a significant effect on the environment.
2. **Adopt** the Negative Declaration prepared for General Plan Amendment No. 2015-001 and Zone Change No. 2015-001.
3. **Find** the facts presented within the staff report, including the attached Planning Commission staff report for July 15, 2015 support the required Findings for approval of the proposed General Plan Amendment and Zone Change, and adopt the Findings.
4. **Adopt** Town Council Resolution No. 2015-32, approving General Plan Amendment No. 2015-001;
5. **Move** to waive the reading of Ordinance No. 474 in its entirety and read by title only.
6. **Introduce** Ordinance No. 474, approving Zone Change No. 2015-001; and
7. **Direct** staff to file a Notice of Determination with the San Bernardino County Clerk of the Board of Supervisors.

## **ANALYSIS:**

At the April 14, 2015 Town Council meeting, the Council initiated a General Plan Amendment and Zone Change for two (2) Town owned properties. Staff has also included a request to correct the Town's Street System map to reflect existing conditions. On July 15, 2015, the Planning Commission conducted a public hearing for General Plan Amendment No. 2015-001 and Zone Change No. 2015-001. Following staff's presentation, public comments and subsequent Commission discussion, Planning Commission Resolution 2015-008 was adopted recommending that the Council approve the attached Resolution and Ordinance.

Amendment Area No. 1 – The site has an existing Land Use and Zoning designation of Very Low Density Residential (R-VLD) and is part of the Lenny Brewster Sports Complex, which is a a forty (40) acre park with a Land Use designation of Open Space (OS) and a zoning designation of Open Space Recreation (OS-R). The park has split land use and zoning designations and this amendment will create a consistent land use for the park. Changing the land use and zoning will allow for future improvements on the site that, due to its existing land use designation, are not currently permitted.

Amendment Area No. 2 –The site was recently acquired by the Town through a tax lien sale by the County of San Bernardino. The property was purchased using Storm Water Drainage

Impact Fees and will be used for the retention of storm water. The site has a current land use and zoning designation of Very Low Density Residential (R-VLD). The Public Facilities (P-F) land use and zoning designations will ensure its availability for future public improvement projects.

Amendment Area No. 3 – This portion of the proposal consists of a modification to the Town of Apple Valley General Plan Circulation Element modifying Exhibit II-6 “General Plan Street System” for three (3) road segments. On the existing map, the intersection of Fresno and Navajo Roads is located within the Apple Valley Airport. The development of an intersection at this location is very unlikely; however, connectivity between a Secondary and a Major Road will still be required. Therefore, Gustine Road, between Navajo Road and Dakota Road, will change from Local Industrial to a Secondary providing that necessary connection. This will eliminate the need for Fresno, east of Dakota Road to continue as a Secondary. It also eliminates the need for Navajo Road, south of Gustine, to continue as a Secondary; therefore, it is recommended that both of these road segments be modified from Secondary to Local Industrial. The Engineering Division has determined the proposed modifications are necessary to ensure adequate circulation for future development within the North Apple Valley Industrial Specific Plan.

### **REQUIRED FINDINGS:**

In considering any General Plan Amendment or Zone Change, the Council and Commission are required by the Municipal Code to make specific Findings. The following are the Findings for a General Plan Amendment required under Section 9.02.050(H)(3) of the Development Code, with a comment to address each:

1. The proposed General Plan Amendment is consistent with the goals, policies and standards of all elements of the General Plan and will further those goals, policies and standards;

Comment: Staff finds that the proposed General Plan Amendment is consistent with the General Plan goals and policies based upon the following:

Amendment Area No. 1 – The site is a two (2)-acre portion of the Lenny Brewster Sports Complex, and has a Land Use and Zoning designation of Very Low Density Residential (R-VLD) needs to have a Land Use designation of Open Space (OS) and a zoning designation of Open Space Recreation (OS-R) to create consistent land use for the facility and allow for future improvements to better serve visitors of the park.

Amendment Area No. 2 –The site currently has a land use and zoning designation of Low Density Residential. The Public Facilities (P-F) land use and zoning designations will ensure its availability for any future public improvement projects consistent with the General Plan's Environmental Hazards Element Policy 1A "Upgrade the Town's local

and regional drainage system through **proactive planning** and coordination with other responsible agencies." Amendment Area No. 2 also furthers Goal 8 of the Public Facilities Goal, Policy and Program which states, "Adequate public facilities to meet the needs of the Town's residents, businesses and visitors."

Amendment Area No. 3 – This amendment is necessary to correct a mapping inconsistency. The intersection of Fresno and Navajo Roads, as shown on the map, is located at the airport and will not ever be developed. This amendment will correct that inconsistency and provide an alternate road alignment that will better serve future development in the vicinity.

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

Comment: The General Plan Amendment will modify Exhibit II-2 "General Plan Land Use Map" and Exhibit II-6 "Street System" consistent with the Goals and Policies of the General Plan.

3. The General Plan Amendment furthers the public interest and promotes the general welfare of the Town by providing for a logical pattern of land uses and clarifying various land use policies for the Town.

Comment: The General Plan Amendment will modify Exhibit II-2 "General Plan Land Use Map" and Exhibit II-6 "Street System" consistent with the Goals and Policies of the General Plan. The Land Use modification will allow for future development to serve the public. The update to the circulation element will enhance traffic patterns for future development.

The following are the Findings for an amendment to the Development Code, as is a Zone Change, as required under Section 9.06.060 and a comment to address each:

1. The proposed Amendment is consistent with the General Plan.

Comment: Staff finds that the proposed Zone Change is consistent with the General Plan goals and policies because Area No. 1 would correct a zoning inconsistency at Lenny Brewster Sports Complex and allow for the logical future expansion of park improvements. Area No. 2 will create a Public Facility zoned parcel that will be available for future public improvement projects that may be necessary to accommodate future development within the Apple Valley Dry Lake.

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

Comment: Staff finds that modifying the zoning designation for Area Nos. 1 and 2 will advance public health, safety and welfare by promoting future park improvements and by designating an area for future storm water retention.

**NOTICING:**

General Plan Amendment No. 2015-001 and Zone Change No. 2015-001 was advertised as a public hearing in the Apple Valley News newspaper on July 31, 2015, as required under Development Code Section 9.13.030 "Notice of Public Hearings".

**ENVIRONMENTAL REVIEW:**

Based upon an Initial Study, the proposed General Plan Amendment and Zone Change will not have a significant adverse effect on the environment and, therefore, under the State Guidelines to Implement the California Environmental Quality Act (CEQA) a Negative Declaration has been prepared.

**FISCAL IMPACT:**

Not Applicable

**ATTACHMENTS:**

1. Resolution No. 2015-32
2. Exhibit A – Proposed General Land Use and Road Designations
3. Ordinance No. 474
4. Exhibit A – Proposed Zoning Designation
5. Draft Minute excerpt from the July 15, 2015 Planning Commission meeting
6. Planning Commission Resolution No. 2015-008
7. Planning Commission staff report from the July 15, 2015 Planning Commission meeting

## RESOLUTION NO. 2015-32

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 2015-001 CHANGING THE LAND USE DESIGNATIONS FROM VERY LOW DENSITY RESIDENTIAL (R-VLD) TO OPEN SPACE FOR APN 0440-085-13; CHANGING THE LAND USE DESIGNATION FROM VERY LOW DENSITY RESIDENTIAL (R-VLD) TO PUBLIC FACILITIES (P-F) FOR APN 0440-085-06; AND, CHANGING THE ROAD DESIGNATION OF NAVAJO ROAD, BETWEEN GUSTINE ROAD AND FRESNO ROAD, FROM A SECONDARY TO A LOCAL INDUSTRIAL; CHANGE FRESNO ROAD, BETWEEN NAVAJO ROAD AND DAKOTA ROAD, FROM A SECONDARY TO A LOCAL INDUSTRIAL; AND CHANGE GUSTINE ROAD, BETWEEN NAVAJO ROAD AND DAKOTA ROAD, FROM LOCAL INDUSTRIAL TO SECONDARY AS SHOWN IN EXHIBIT A**

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

**WHEREAS**, the Town of Apple Valley has an adopted General Plan; and

**WHEREAS**, on July 31, 2015, General Plan Amendment No. 2015-001 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

**WHEREAS**, based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared in compliance with the California Environmental Quality Act (CEQA) and State Guidelines for the Implementation of CEQA; and

**WHEREAS**, the Town Council finds on the basis of the whole record before it, including the Initial Study with the Community Development Department and any comments received that there is not substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Town Council's independent judgment and analysis, and

**WHEREAS**, the Town Council hereby finds that the Negative Declaration reflects its independent judgment. A copy of the Initial Study and Negative Declaration may be obtained at: Town of Apple Valley, Planning Division, 14955 Dale Evans Pkwy., Apple Valley, CA 92307, and

**WHEREAS**, General Plan Amendment No. 2015-001 is consistent with the goals, policies and standards of all elements of the General Plan as amended and will further those goals, policies and standards; and

**WHEREAS**, the adoption of General Plan Amendment No. 2015-001 conforms with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and will promote the health, safety and general welfare of the citizens of the Town of Apple Valley, and the Findings and Comments for the General Plan Amendment set forth in the staff report are hereby adopted; and

**WHEREAS**, The Town Council conducted a duly noticed public hearing on August 25, 2015 and heard all testimony of any person wishing to speak on the issue and considered the written recommendation of the Planning Commission on the matter.

**NOW, THEREFORE, BE IT RESOLVED**, that in consideration of the evidence received at the public hearing, and for the reasons discussed by the Town Council at said hearing, the Town Council of the Town of Apple Valley, California orders, determines and resolves as follows:

**Section 1.** Finds that the changes proposed under General Plan Amendment No. 2015-001 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan, as amended, and as amended will comprise an integrated, internally consistent and compatible statement of policies for the Town, and the Amendment will further the public interest and promote the general welfare of the Town by providing for a logical pattern of land uses.

**Section 2.** The Town Council hereby approves and adopts General Plan Amendment No. 2015-001, amending a portion of the Town of Apple Valley General Plan Exhibit II-2 Land Use Map and Exhibit II-6 Street System as shown on attached Exhibit "A",

**Section 3.** Effective Date. This Resolution shall become effective immediately upon adoption by the Town Council of the Town of Apple Valley.

**APPROVED** and **ADOPTED** by the Town Council of the Town of Apple Valley this 25th day of August, 2015.

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Larry Cusack, Mayor

**ATTEST:**

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La Vonda M. Pearson, Town Clerk

## **EXHIBIT “A”**



## **ORDINANCE NO. 474**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DESIGNATION FROM VERY LOW DENSITY RESIDENTIAL (R-VLD) TO OPEN SPACE RECREATION (OS-R) FOR APN 0440-085-13 AND CHANGING THE ZONING DESIGNATION FROM VERY LOW DENSITY RESIDENTIAL (R-VLD) TO PUBLIC FACILITIES (P-F) FOR APN 0440-085-06 AS SHOWN IN EXHIBIT "A"**

**WHEREAS**, Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley was adopted by the Town Council on April 27, 2010; and

**WHEREAS**, Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley has been previously modified by the Town Council on the recommendation of the Planning Commission; and

**WHEREAS**, specific changes are proposed to Chapter 9.05, Section 9.05.040 "Adoption of the Official Zoning Districts Map" of Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley by amending the zoning designation as shown on Exhibit "A", and incorporated herein by reference; and

**WHEREAS**, on July 31, 2015, Zone Change No. 2015-001 was duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

**WHEREAS**, based upon the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared in compliance with the California Environmental Quality Act (CEQA) and State Guidelines for the Implementation of CEQA; and

**WHEREAS**, the Town Council finds on the basis of the whole record before it, including the Initial Study on file with the Community Development Department and any comments received that there is not substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the Town Council's independent judgment and analysis, and

**WHEREAS**, the Town Council hereby finds that the Negative Declaration reflects its independent judgment. A copy of the Initial Study and Negative Declaration may be obtained at: Town of Apple Valley, Planning Division, 14955 Dale Evans Pkwy., Apple Valley, CA 92307, and

**WHEREAS**, on August 25, 2015, the Town Council of the Town of Apple Valley conducted a duly noticed and advertised public hearings on Zone Change No. 2015-001, receiving testimony from the public.

**NOW, THEREFORE**, the Town Council of the Town of Apple Valley, State of California, does ordain as follows:

**Section 1.** Zone Change No. 2015-001 is consistent with Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley, as amended and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

**Section 2.** In consideration of the evidence received at the public hearing, and for the reasons discussed by the Council at said hearing, the Town Council of the Town of Apple Valley, California, adopts the Findings and Comments for the Zone Change set forth in the Staff Report, and finds that the change proposed by Zone Change No. 2015-001 is consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan as amended, and with General Plan Amendment No. 2015-001.

**Section 3.** The Town Council hereby amends that certain portion of Title 9 (Development Code) of the Town of Apple Valley Municipal Code, Section 9.05.040 "Adoption of the Official Zoning Map" subsection "B" by amending the boundaries identified on the Official Zoning Map of the Town of Apple Valley by changing the zoning designation as shown on attached Exhibit "A", and incorporated herein by reference.

**Section 4.** Notice of Adoption. The Town Clerk of the Town of Apple Valley shall certify to the adoption of this ordinance and cause publication to occur in a newspaper of general circulation and published and circulated in the Town in a manner permitted under Section 36933 of the Government Code of the State of California.

**Section 5.** Effective Date. This Ordinance shall become effective thirty (30) days after the date of its adoption.

**Section 6.** Severability. If any provision of this Ordinance, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications and, to this end, the provisions of this Ordinance are declared to be severable.

**ADOPTED** by the Town Council and signed by the Mayor and attested to by the Town Clerk this \_\_\_\_\_ day of September, 2015.

\_\_\_\_\_  
Larry Cusack, Mayor

**ATTEST**

\_\_\_\_\_  
La Vonda M. Pearson, Town Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
John Brown, Town Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Frank Robinson, Town Manager

## **EXHIBIT “A”**

**EXCERPT**

**TOWN OF APPLE VALLEY  
PLANNING COMMISSION  
Regular Meeting  
Wednesday, July 15, 2015**

**CALL TO ORDER**

At 6:05 p.m., the Regular Meeting of the Planning Commission of the Town of Apple Valley for July 15, 2015, was called to order by Chairman Kallen.

**ROLL CALL**

**Planning Commission**

Roll call was taken with the following members present: Commissioner Jason Lamoreaux, Commissioner Mark Shoup, Commissioner B.R. "Bob" Tinsley, Vice-Chairman Doug Qualls and Chairman Bruce Kallen.

**STAFF PRESENT**

Carol Miller, Principal Planner; Douglas Fenn, Senior Planner; Pam Cupp, Associate Planner; Richard Pederson, Deputy Town Engineer; Haviva Shane, Town Attorney; and Debra Thomas, Planning Commission Secretary.

**5. General Plan Amendment No. 2015-001 and Zone Change No. 2015-001.**

General Plan Amendment No. 2015-001 is a request to modify the General Plan Land Use designation for a two (2) acre portion of Lenny Brewster Sports Complex (APN 0440-085-13) from Very Low Density Residential (R-VLD) to Open Space (OS); to modify the General Plan Land Use designation for a 19.5 acre parcel within the Town of Apple Valley Dry Lake (APN 0440-085-06) from Very Low Density Residential (R-VLD) to Public Facilities (P-F); and a request to update the Town of Apple Valley General Plan Circulation Element by modifying Figure II-y "General Plan Street System".

Zone Change No. 2015-001 is a request to change in zoning designation for a two (2) acre portion of Lenny Brewster Sports Complex (APN 0440-085-13) from Very Low Density Residential (R-VLD) to Open Space Recreation (OS-R) and to change a 19.5 acre parcel within the Town of Apple Valley Dry Lake (APN 0440-085-06) from Very Low Density Residential (R-VLD) to Public Facilities (P-F).

**Applicant:** Town of Apple Valley

**Location:** APN 0440-085-13 is located at the northwesterly edge of 21024 Otoe Road (Brewster Park);

APN 0440-085-06 is located on the north side of Otoe Road, approximately 1,300 feet west of Navajo Road; and Navajo Road, between Gustine Road and Fresno Road; Fresno Road, between Navajo Road and Dakota Road; and Gustine Road, between Navajo Road and Dakota Road.

Chairman Kallen opened the public hearing at 7:44 p.m.

Ms. Pam Cupp, Associate Planner, presented the staff report as filed by the Planning Division.

### **PUBLIC COMMENT**

Mr. Carl Riley, Apple Valley, stated he believed this project would put a lot of stress on the current roadway. In addition, he believed the project would increase crime in the area.

Chairman Kallen closed the public hearing at 7:50 p.m.

### **MOTION**

Motion by Vice-Chairman Qualls, seconded by Commissioner Lamoreaux, that the Planning Commission move to:

1. Determine that the proposed General Plan Amendment and Zone Change will not have a significant effect on the environment.
2. Adopt the Negative Declaration finding for GPA 2015-001 and ZC No. 2015-001 on the basis of the whole record before the Planning Commission, including the Initial Study and any comments received, and there is no substantial evidence that the project will have a significant effect on the environment and that the 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 recommend adoption of those findings.
4. Adopt Planning Commission Resolution No. 2015-008 recommending the Town Council's approval of General Plan Amendment No. 2015-001 and Zone Change No. 2015-001.

### **ROLL CALL VOTE**

Ayes: Commissioner Lamoreaux  
Commissioner Shoup  
Commissioner Tinsley  
Vice-Chairman Qualls  
Chairman Kallen

Noes: None

Abstain: None

Absent: None

The motion carried by a 5-0-0-0 vote.

**PLANNING COMMISSION RESOLUTION NO. 2015-008**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 2015-001 AND ZONE CHANGE NO. 2015-001, AMENDING THE LAND USE AND ZONING DESIGNATIONS FOR APNs 0440-085-13 AND 0440-085-06 AND MODIFYING GENERAL PLAN EXHIBIT II-6 "STREET SYSTEM" FOR APPROXIMATELY 1.3 MILES OF ROADS THAT INCLUDE PORTIONS OF NAVAJO, FRESNO AND GUSTINE ROAD.**

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

**WHEREAS**, specific changes are proposed to Exhibit II-2, "Land Use Map" of the adopted General Plan of the Town of Apple Valley by amending the Land Use Designation of APN 0440-085-13 located at the northwesterly edge of 21024 Otoe Road (Brewster Park) and APN 0440-085-06 located on the north side of Otoe Road, approximately 1,300 feet west of Navajo Road; and

**WHEREAS**, specific changes are proposed to Exhibit II-6 "Street System" of the adopted General Plan of the Town of Apple Valley by amending the Road Designation of approximately 1.3 miles of roads that include Navajo Road, between Gustine Road and Fresno Road; Fresno Road, between Navajo Road and Dakota Road; and Gustine Road, between Navajo Road and Dakota Road.; and

**WHEREAS**, specific changes are proposed to Chapter 9.05, Section 9.05.040 "Adoption of the Official Zoning Districts Map" of Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley by amending the zoning designation of APN 0440-085-13 located at the northwesterly edge of 21024 Otoe Road (Brewster Park) and APN 0440-085-06 located on the north side of Otoe Road, approximately 1,300 feet west of Navajo Road; and

**WHEREAS**, on June 19, 2015, General Plan Amendment No. 2015-001 and Zone Change No. 2015-001 were duly noticed in the Apple Valley News, a newspaper of general circulation within the Town of Apple Valley; and

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

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

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

**WHEREAS**, on July 15, 2015, the Planning Commission of the Town of Apple Valley opened a duly noticed and advertised public hearing on General Plan Amendment No. 2015-001 and Zone Change No. 2015-001; and

**WHEREAS**, the proposed General Plan Amendment No. 2015-001 and Zone Change No. 2015-001 are consistent with Town of Apple Valley General Plan and Title 9 (Development Code) of the Municipal Code of the Town of Apple Valley and shall promote the health, safety and general welfare of the citizens of the Town of Apple Valley.

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

**Section 1.** In consideration of the evidence received at the public hearing, and for the reasons discussed by the Commissioners at said hearing, that the Town Council of the Town of Apple Valley, California, finds that the changes proposed under General Plan Amendment No. 2015-001 and Zone Change No. 2015-001 are consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan.

**Section 2.** Based upon the facts presented within the staff analysis, public testimony and pursuant to Government Code Section 65863(b), the Planning Commission of the Town of Apple Valley, California, finds that the proposed land use designations are consistent with the General Plan goals for a broader economic base for the Town.

**Section 3.** Based upon the information contained within the Initial Study prepared in conformance with the State Guidelines to Implement the California Environmental Quality Act (CEQA), General Plan Amendment No. 2015-001 and Zone Change No. 2015-001 will not have a significant impact upon the environment, therefore, the Town Council of the Town of Apple Valley should adopt the Negative Declaration for General Plan Amendment No. 2015-001 and Zone Change No. 2015-001.

**Section 4.** Adopt a Town Council Resolution amending the adopted Town of Apple Valley General Plan Exhibit II-2 "Land Use Map" by amending the Land Use Designations from Very Low Density Residential (R-VLD) to Open Space for APN 0440-085-13; amend the Land Use Designation from Very Low Density Residential (R-VLD) to Public Facilities (P-F) for APN 0440-085-06; and, Modify Exhibit II-6 "Street System" by changing the Road Designation of Navajo Road, between Gustine Road and Fresno Road, from a Secondary to a Local Industrial; change Fresno Road, between Navajo Road and Dakota Road, from a Secondary to a Local Industrial; and change Gustine Road, between Navajo Road and Dakota Road, from Local Industrial to Secondary as shown in Exhibit A.

**Section 5.** Adopt an Ordinance amending certain portions of Title 9 (Development Code) of the Town of Apple Valley Municipal Code, Section 9.05.040 "Adoption of the Official Zoning Map" subsection "B" by amending the boundaries identified on the Official Zoning Map of the Town of Apple Valley by changing the zoning designation from Very Low Density Residential (R-VLD) to Open Space for APN 0440-085-13 and changing the zoning designation from Very Low Density Residential (R-VLD) to Public Facilities (P-F) for APN 0440-085-06 as shown in Exhibit B.  
Approved and Adopted by the Planning Commission of the Town of Apple Valley this 15th day of July, 2015.

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Chairman Bruce Kallen

ATTEST:

I, Debra Thomas, Secretary to the Planning Commission of the Town of Apple Valley, California, do hereby certify that the foregoing resolution was duly and regularly adopted by the Planning Commission at a regular meeting thereof, held on the 15th day of July, 2015 by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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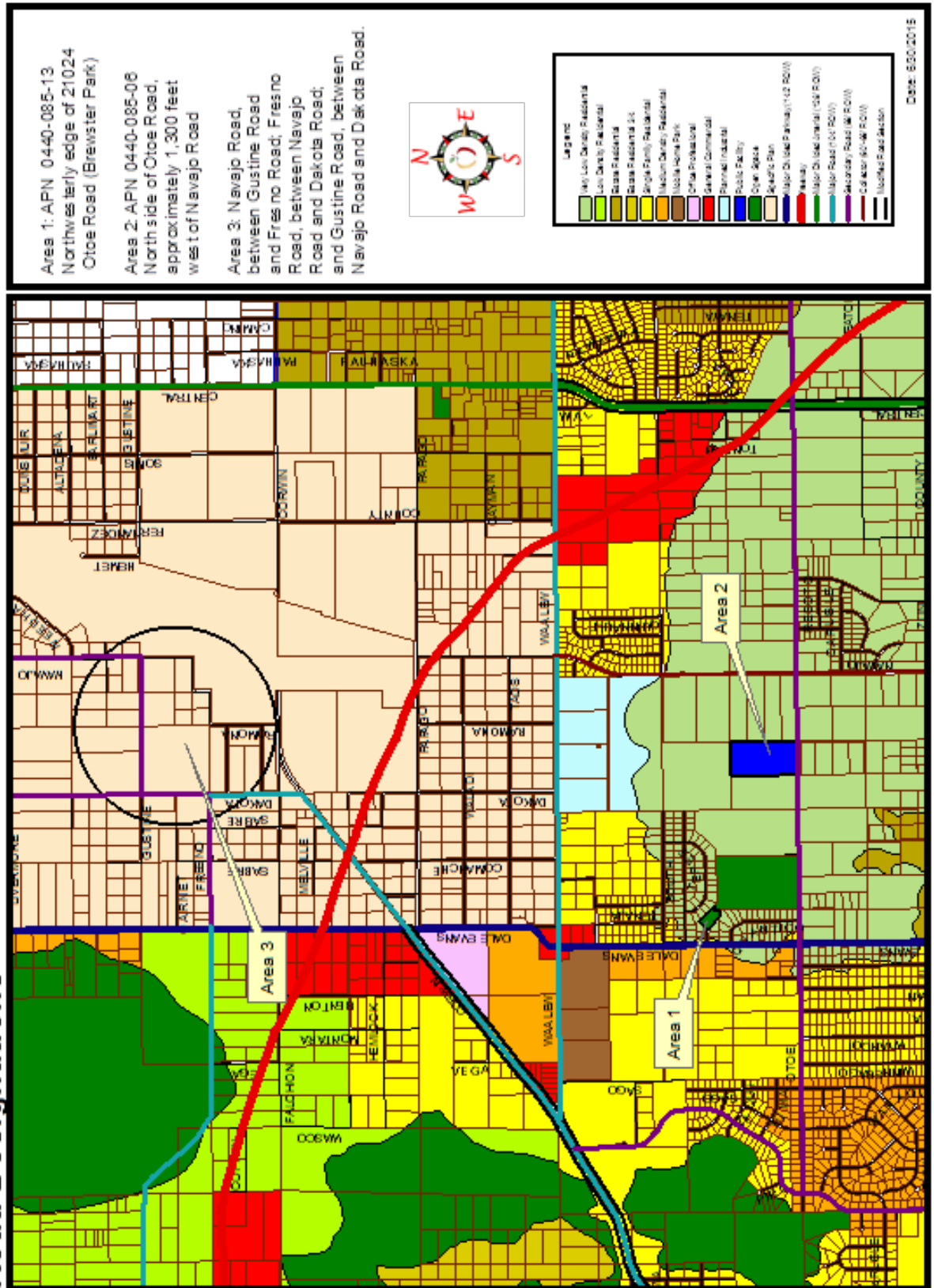
Ms. Debra Thomas  
Planning Commission Secretary



# EXHIBIT "A"

## Proposed General Plan Land Use and Road Designations

General Plan Amendment No. 2015-001 and  
Zone Change 2015-001



## **EXHIBIT “B”**



## TOWN OF APPLE VALLEY PLANNING COMMISSION

Get a Slice of the Apple.

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# Staff Report

**AGENDA DATE:** July 15, 2015

**CASE NUMBER:** General Plan Amendment No. 2015-001 and Zone Change No. 2015-001

**APPLICANT:** Town of Apple Valley

**PROPOSAL:** General Plan Amendment No. 2015-001 is a request to modify the General Plan Land Use designation for a two (2) acre portion of Lenny Brewster Sports Complex (APN 0440-085-13) from Very Low Density Residential (R-VLD) to Open Space (OS); to modify the General Plan Land Use designation for a 19.5 acre parcel within the Town of Apple Valley Dry Lake (APN 0440-085-06) from Very Low Density Residential (R-VLD) to Public Facilities (P-F); and a request to update the Town of Apple Valley General Plan Circulation Element by modifying Figure II-6 "General Plan Street System" by changing Navajo Road, between Gustine Road and Fresno Road, from a Secondary to a Local Industrial; changing Fresno Road, between Navajo Road and Dakota Road from a Secondary to a Local Industrial; and changing Gustine Road, between Navajo Road and Dakota Road, from Local Industrial to Secondary.

Zone Change No. 2015-001 is a request to change in zoning designation for a two (2) acre portion of Lenny Brewster Sports Complex (APN 0440-085-13) from Very Low Density Residential (R-VLD) to Open Space Recreation (OS-R) and to change a 19.5 acre parcel within the Town of Apple Valley Dry Lake (APN 0440-085-06) from Very Low Density Residential (R-VLD) to Public Facilities (P-F).

**LOCATION:** APN 0440-085-13 located at the northwesterly edge of 21024 Otoe Road (Brewster Park); APN 0440-085-06 located on the north side of Otoe Road, approximately 1,300 feet west of Navajo Road; and, Navajo Road, between Gustine Road and Fresno Road; Fresno Road, between Navajo Road and Dakota Road; and Gustine Road, between Navajo Road and Dakota Road.

**ENVIRONMENTAL  
DETERMINATION:**

Based upon an Initial Study, pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared for this proposal.

**CASE PLANNER:** Ms. Pam Cupp, Associate Planner

**RECOMMENDATION:** Adopt Planning Commission Resolution No. 2015-008

**PROJECT SITE AND DESCRIPTION:**

A. Project Size

**Amendment Area No. 1:** The area consists of a two (2) acres located at northwesterly corner of Lenny Brewster Sports Complex.

**Amendment Area No. 2:** The area consists of approximately 19.5 acres located north of Otoe Road, 1,300 feet west of Navajo Road.

**Amendment Area No. 3:** The area consists of approximately 1.3 miles of roadway, that is described as Navajo Road, between Gustine Road and Fresno Road; Fresno Road, between Navajo Road and Dakota Road; and Gustine Road, between Navajo Road and Dakota Road.

B. General Plan Designations

**Amendment Area No. 1:**

Current –	Very Low Density Residential (R-VLD)
Proposed –	Open Space (OS)
North:	Very Low Density Residential (R-VLD)
East:	Very Low Density Residential (R-VLD) and Open Space (OS)
South:	Very Low Density Residential (R-VLD)
West:	Very Low Density Residential (R-VLD)

**Amendment Area No. 2:**

Current –	Very Low Density Residential (R-VLD)
Proposed –	Public Facility (P-F)
North:	Very Low Density Residential (R-VLD)
East:	Very Low Density Residential (R-VLD)
South:	Very Low Density Residential (R-VLD)
West:	Very Low Density Residential (R-VLD)

**Amendment Area No. 3:**

Current –	Specific Plan (North Apple Valley Industrial Specific Plan)
Proposed –	Specific Plan
North:	Specific Plan
East:	Specific Plan
South:	Specific Plan
West:	Specific Plan

C. Surrounding Zoning

**Amendment Area No.1:**

Current –	Very Low Density Residential (R-VLD)
Proposed –	Open Space Recreation (OS-R)
North:	Very Low Density Residential (R-VLD)
East:	Very Low Density Residential (R-VLD) and Open Space Recreation (OS-R)

South: Very Low Density Residential (R-VLD)  
West: Very Low Density Residential (R-VLD)

**Amendment Area No. 2:**

Current – Very Low Density Residential (R-VLD)  
Proposed – Public Facility (P-F)  
North: Very Low Density Residential (R-VLD)  
East: Very Low Density Residential (R-VLD)  
South: Very Low Density Residential (R-VLD)  
West: Very Low Density Residential (R-VLD)

**Amendment Area No. 3:**

North: Specific Plan - Industrial  
East: Specific Plan - General Commercial and Airport Industrial  
South: Specific Plan - Commercial and Industrial  
West: Specific Plan - Industrial

D. Site Characteristics

**Amendment Area No.1:** The project site is two (2) acres in size and located at northwesterly corner of Lenny Brewster Sports Complex and the eastern terminus of Aztec Court. The site consists of level ground that has been significantly disturbed and is void of vegetation. There are scattered single family homes on one-half (1/2) acres lots to the north, west and south of the subject site.

**Amendment Area No. 2:** The project site is approximately 19.5 acres in size and located 1,300 feet west of Navajo Road within the Apple Valley Dry Lake Flood Hazard Overlay District. The site is level and contains sparse vegetation. There is a commercial solar facility located to the east, and vacant parcels to the north, south and west of this site.

**Amendment Area No. 3:** The project site is located within the North Apple Valley Industrial Specific Plan. The surrounding land is mostly vacant, except for the Apple Valley Airport that is east of the area.

**ANALYSIS**

Amendment Area No. 1 – The site has an existing Land Use and Zoning designation of Very Low Density Residential (R-VLD) and is part of the Lenny Brewster Sports Complex, which is a forty (40) acre park with a Land Use designation of Open Space (OS) and a zoning designation of Open Space Recreation (OS-R). The park has split land use and zoning designations and this amendment will create a consistent land use for the park. Changing the land use and zoning will allow for future improvements on the site that, due to its existing land use designation, are not currently permitted.

Amendment Area No. 2 –The site was recently acquired by the Town through a tax lien sale by the County of San Bernardino. The property was purchased using Storm Water Drainage Impact Fees and will be used for the retention of storm water. The site has a current land use and zoning designation of Very Low Density Residential (R-VLD). The Public Facilities (P-F) land use and zoning designations will ensure its availability for future public improvement projects.

Amendment Area No. 3 – This portion of the proposal consists of a modification to the Town of Apple Valley General Plan Circulation Element modifying Exhibit II-6 “General Plan Street System” for three (3) road segments. On the existing map, the intersection of Fresno and Navajo Roads is located

within the Apple Valley Airport. The development of an intersection at this location is very unlikely; however, connectivity between a Secondary and a Major Roads will still be required. Therefore, Gustine Road, between Navajo Road and Dakota Road, will change from Local Industrial to a Secondary providing that necessary connection. This will eliminate the need for Fresno, east of Dakota Road to continue as a Secondary. It also illuminates the need for Navajo Road, south of Gustine, to continue as a Secondary; therefore, it is recommended that both of these road segments be modified from Secondary to Local Industrial. The Engineering Division has determined the proposed modifications are necessary to ensure adequate circulation for future development within the North Apple Valley Industrial Specific Plan.

Tribal Consultation- This General Plan Amendment is subject to the State of California Tribal Consultation Guidelines. No comments from tribal representatives have been received to date.

#### Environmental Assessment

Based upon an Initial Study, pursuant to the State Guidelines to Implement the California Environmental Quality Act (CEQA), a Negative Declaration has been prepared for this proposal.

#### Noticing

General Plan Amendment No. 2015-001 and Zone Change No. 2015-001 were advertised as a public hearing in the Apple Valley News newspaper on June 19, 2015.

#### Findings

In considering any General Plan Amendment or Zone Change, the Council and Commission are required by the Municipal Code to make specific Findings. The following are the Findings for a General Plan Amendment required under Section 9.02.050 H 3 of the Development Code, with a comment to address each:

4. The proposed General Plan Amendment is consistent with the goals, policies and standards of all elements of the General Plan and will further those goals, policies and standards;

Comment: Staff finds that the proposed General Plan Amendment is consistent with the General Plan goals and policies based upon the following:

Amendment Area No. 1 – The site is a two (2)-acre portion of the Lenny Brewster Sports Complex, and has a Land Use and Zoning designation of Very Low Density Residential (R-VLD) needs to have a Land Use designation of Open Space (OS) and a zoning designation of Open Space Recreation (OS-R) to create consistent land use for the facility and allow for future improvements to better serve visitors of the park.

Amendment Area No. 2 –The site currently has a land use and zoning designation of Low Density Residential. The Public Facilities (P-F) land use and zoning designations will ensure its availability for any future public improvement projects consistent with the General Plan's Environmental Hazards Element Policy 1A "Upgrade the Town's local and regional drainage system through **proactive planning** and coordination with other responsible agencies." Amendment Area No. 2 also furthers Goal 8 of the Public Facilities Goal, Policy and Program which states, "Adequate public facilities to meet the needs of the Town's residents, businesses and visitors."

Amendment Area No. 3 – This amendment is necessary to correct a mapping inconsistency. The intersection of Fresno and Navajo Roads, as shown on the map, is located at the airport and will not ever be developed. This amendment will correct that inconsistency and provide an alternate road alignment that will better serve future development in the vicinity.

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

Comment: The General Plan Amendment will modify Exhibit II-2 "General Plan Land Use Map" and Exhibit II-6 "Street System" consistent with the Goals and Policies of the General Plan.

6. The General Plan Amendment furthers the public interest and promotes the general welfare of the Town by providing for a logical pattern of land uses and clarifying various land use policies for the Town.

Comment: The General Plan Amendment will modify Exhibit II-2 "General Plan Land Use Map" and Exhibit II-6 "Street System" consistent with the Goals and Policies of the General Plan. The Land Use modification will allow for future development to serve the public. The update to the circulation element will enhance traffic patterns for future development.

The following are the Findings for an amendment to the Development Code, as is a Zone Change, as required under Section 9.06.060 and a comment to address each:

1. The proposed Amendment is consistent with the General Plan.

Comment: Staff finds that the proposed Zone Change is consistent with the General Plan goals and policies because Area No. 1 would correct a zoning inconsistency at Lenny Brewster Sports Complex and allow for the logical future expansion of park improvements. Area No. 2 will create a Public Facility zone that will for future storm water retention that may be necessary to accommodate future development within the Apple Valley Dry Lake.

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

Comment: Staff finds that modifying the zoning designation for Area Nos. 1 and 2 will advance public health, safety and welfare by promoting future park improvements and by designating an area for future storm water retention.

### **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 to the Town Council:

1. Determine that the proposed General Plan Amendment and Zone Change will not have a significant effect on the environment.

2. Adopt the Negative Declaration finding for GPA 2015-001 and ZC No. 2015-001 on the basis of the whole record before the Planning Commission, including the Initial Study and any comments received, and there is no substantial evidence that the project will have a significant effect on the environment and that the 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 recommend adoption of those findings.
4. Adopt Planning Commission Resolution No. 2015-008 recommending the Town Council's approval of General Plan Amendment No. 2015-001 and Zone Change No. 2015-001.

**Prepared By:**

**Reviewed By:**

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Pam Cupp  
Associate Planner

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Carol Miller  
Principal Planner

**ATTACHMENTS:**

1. Zoning Map
2. Planning Commission Resolution No. 2012-05
3. Initial Study











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

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

**PROJECT INFORMATION**

1. **Project title:** General Plan Amendment No. 2015-001  
Zone Change No. 2015-001
2. **Lead agency name and address:** Town of Apple Valley  
Planning Division  
14955 Dale Evans Parkway  
Apple Valley, CA 92307
3. **Contact person and phone number:** Pam Cupp,  
Associate Planner  
  
(760) 240-7000 Ext 7203
4. **Applicant's name and address:** Town of Apple Valley  
Planning Division  
14955 Dale Evans Parkway  
Apple Valley, CA 92307
5. **Project location and Assessor's Parcel Number:**  
  
*Amendment Area No. 1:* APN 0440-085-13 located at the northwesterly edge of 21024 Otoe Road (Brewster Park);  
*Amendment Area No. 2:* APN 0440-085-06 located on the north side of Otoe Road, approximately 1,300 feet west of Navajo Road.  
*Amendment Area No. 3:* Town of Apple Valley - Navajo Road, between Gustine Road and Fresno Road; Fresno Road, between Navajo Road and Dakota Road; and Gustine Road, between Navajo Road and Dakota Road.
6. **Description of project** (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation):

General Plan Amendment No. 2015-001:

*Amendment Area No. 1* consists of a change of General Plan Land Use designation from Very Low Density Residential (R-VLD) to Open Space (OS) for a two (2) acre portion of Lenny Brewster Sports Complex, which is a forty (40) acre park. The park has split land use designations and this amendment will create a consistent land use for the facility and allow for future improvements on the site that, due to its existing land use designation, are not currently permitted.

*Amendment Area No. 2* consists of a change to the General Plan Land Use designation from Very Low Density Residential (R-VLD) to Public Facilities (P-F) for a 19.5 acre parcel within the Town of Apple Valley Dry Lake. Future development may create a need for a storm water retention area on this site. The P-F land use designation will ensure its availability for any future, public improvement project.

***Amendment Area No. 3*** consists of a modification to the Town of Apple Valley General Plan Circulation Element modifying Figure II-6 “General Plan Street System” for three (3) road segments. Navajo Road, between Gustine Road and Fresno Road, will be changed from a Secondary to a Local Industrial; Fresno Road, between Navajo Road and Dakota Road, will change from a Secondary to a Local Industrial; and Gustine Road, between Navajo Road and Dakota Road, will change from Local Industrial to Secondary.

Zone Change No. 2015-001:

***Amendment Area No. 1*** consists of a change in zoning designation from Very Low Density Residential (R-VLD) to Open Space Recreation (OS-R) for a two (2) acre portion of Lenny Brewster Sports Complex, which is a forty (40) acre park. The park has split land use designations and this amendment will create consistent zoning for the facility and allow for future improvements on the site that, due to its existing land use designation, are not currently permitted.

***Amendment Area No. 2*** consists of a change in zoning designation from Very Low Density Residential (R-VLD) to Public Facilities (P-F) for a 19.5 acre parcel within the Town of Apple Valley Dry Lake. Future development may create a need for a storm water retention area on this site. The P-F land use designation will ensure its availability for future, public improvement projects.

**ENVIRONMENTAL/EXISTING SITE CONDITIONS**

***Amendment Area No. 1:*** The project site is two (2) acres in size and located at northwesterly corner of Lenny Brewster Sports Complex and the eastern terminus of Aztec Court. The site consists of level ground that has been significantly disturbed and contains is void of vegetation. There are scattered single family homes on one-half (1/2) acres lots to the north, west and south of the subject site.

**General Plan Designation**

Current – Very Low Density Residential (R-VLD)

Proposed – Open Space (OS)

North: Very Low Density Residential (R-VLD)

East: Very Low Density Residential (R-VLD) and Open Space (OS)

South: Very Low Density Residential (R-VLD)

West: Very Low Density Residential (R-VLD)

**Surrounding Zoning**

Current – Very Low Density Residential (R-VLD)

Proposed – Open Space Recreation (OS-R)

North: Very Low Density Residential (R-VLD)

East: Very Low Density Residential (R-VLD) and Open Space Recreation (OS-R)

South: Very Low Density Residential (R-VLD)

West: Very Low Density Residential (R-VLD)

***Amendment Area No. 2:*** The project site is approximately 20 acres in size and located 1,300 feet west of Navajo Road. The site is level and contains sparse vegetation. The site is within the Apple Valley Dry Lake Flood Hazard Overlay District. There is a commercial solar facility located to the east, and vacant parcels to the north, south and west of this site.

**General Plan Designation**

Current – Very Low Density Residential (R-VLD)

Proposed – Public Facility (P-F)

North: Very Low Density Residential (R-VLD)

East: Very Low Density Residential (R-VLD)

South: Very Low Density Residential (R-VLD)  
West: Very Low Density Residential (R-VLD)

**Surrounding Zoning**

Current – Very Low Density Residential (R-VLD)

Proposed – Public Facility (P-F)

North: Very Low Density Residential (R-VLD)

East: Very Low Density Residential (R-VLD)

South: Very Low Density Residential (R-VLD)

West: Very Low Density Residential (R-VLD)

***Amendment Area No. 3:*** The project site is located within the North Apple Valley Industrial Specific Plan. The Road segments proposed for reclassification are Navajo Road, between Gustine Road and Fresno Road; Fresno Road, between Navajo Road and Dakota Road; and Gustine Road, between Navajo Road and Dakota Road. The surrounding land is mostly vacant, except for the Apple Valley Airport that is east of the area.

**General Plan Designation**

North: Specific Plan

East: Specific Plan

South: Specific Plan

West: Specific Plan

**Surrounding Zoning**

North: Specific Plan - Industrial

East: Specific Plan - General Commercial and Airport Industrial

South: Specific Plan - Commercial and Industrial

West: Specific Plan - Industrial

**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.

\_\_\_\_\_  
Pam Cupp, Associate Planner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Carol Miller  
Principal Planner

\_\_\_\_\_  
Date



## EVALUATION OF ENVIRONMENTAL IMPACTS:

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

- b) The mitigation measure identified, if any, to reduce the impact to less than significance.

## **I. AESTHETICS**

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- a-d. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites. The subject properties are currently vacant and are not located along, nor within the viewshed of a Scenic Route listed in the County General Plan, Town General Plan or designated by the State of California.

## **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:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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-e. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites. The sites are not located in an area that has been designated by the California Department of Conservation as an Important Farmland, and it is not being used for agricultural purposes. No Williamson Act Contracts exist for the subject. The proposal will not result in the conversion of farmland to a non-agricultural use. Therefore, no impact is anticipated.

### **III. AIR QUALITY**

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

Would the project:

- |  | Potentially Significant Impact | Less than Significant with Mitigation Incorp. | Less than Significant Impact | No Impact                           |
|--|--------------------------------|---|------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?                                    | <input type="checkbox"/>       | <input type="checkbox"/>                      | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/>       | <input type="checkbox"/>                      | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**SUBSTANTIATION:**

- a-c, e. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites and will not violate any air quality standards. The project areas are located within the Mojave Desert Air Quality Management District (MDAQMD) which lies in the San Bernardino County portion of the Mojave Desert Air Basin (MDAB). This portion of the basin has been designated as a 'non-attainment' area with respect to violating National Air Quality Standards for particulate matter classified as equal to, or smaller than, 10 microns in diameter (PM<sub>10</sub>).
- d. **Less than Significant:** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites; however, Amendment Area No. 1 is located adjacent to Lenny Brewster Sport Complex, which is considered a sensitive receptor. While the land use and zone change would allow for additional park land and storm water retention, which is not currently allowed under the existing Very Low Density Residential zone, any future development would be considered through a separate application process.

**IV. BIOLOGICAL RESOURCES**

Would the project:

- |  | Potentially<br>Significant<br>Impact | Less than Significant<br>with<br>Mitigation Incorp. | Less than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/>             | <input type="checkbox"/>                            | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?   | <input type="checkbox"/>             | <input type="checkbox"/>                            | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?   | <input type="checkbox"/>             | <input type="checkbox"/>                            | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

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

- a-f. **No impact:** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites. Any future development plans would require a current biological study upon submittal of any development proposals.

## V. CULTURAL RESOURCES

Would the project:

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

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

- a-d. **No Impact:** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites. According to the Town's General Plan Final EIR, the project areas are not located in areas of high potential. None of the areas are located within proximity of an existing cemetery. Therefore, no impact is anticipated.  
Source: Town of Apple Valley General Plan and EIR, certified August 11, 2009.

## VI. GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (check \_\_ if project is located in the Geologic Hazards Overlay District):

a (i). **No Impact.** The sites are not located within the boundaries of an earthquake fault zone for fault-rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act. No known active or potentially active faults traverse the site as shown on the California Geologic Survey Map (2002). Therefore, no impact associated with the rupture of a known earthquake fault would occur.

**Source:** Town of Apple Valley, General Plan EIR

a(ii) **Less than Significant Impact.** Like all of southern California, the Mojave Desert is a seismically active region. According to the geotechnical investigation prepared for the project, the faults most likely to affect the project site are the North Frontal, Helendale-Lockhart, Lenwood-Lockhart, San Andreas, Cucamonga, Cleghorn, and Landers fault zones. The proposed project site is located in a seismically

active area and, therefore, will continue to be subject to ground shaking resulting from activity on local and regional faults.

a(iii-iv) **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites.

b-d. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites.

e. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites. If future development is proposed under a land use application, the requirements for waste water disposal will be evaluated at that time.

#### **VII. GREENHOUSE GAS EMISSIONS**

Would the project:

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

#### **SUBSTANTIATION:**

a-b. **No 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. The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites.

#### **VIII. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**SUBSTANTIATION:**

- a&b: **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites.
- c. **No Impact.** Based on the Town's General Plan, the project areas are not within one-quarter mile of an existing or proposed school. Therefore, no impact would result within the vicinity of an educational facility.
- 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-f **No Impact.** Amendment Area No. 3 is located in the adjacent to Apple Valley Airport, which is a County public airport for light aircraft and helicopters. Modification to road designations will not create any hazard or impact public safety.
- g: **No Impact.** The subject areas are developed and therefore, would not conflict or otherwise interfere with emergency response or evacuation plans. The existing development does not conflict with existing evacuation routes.
- h: **No Impact.** According to the Town's General Plan, the project areas are not located within a Fire Hazard Area or within an area susceptible to wildfires. The lands are developed within developed neighborhoods; therefore no impact is anticipated.



## **IX. HYDROLOGY AND WATER QUALITY**

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### SUBSTANTIATION:

- a-h: **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change will not result in any development that would require the use of groundwater. Amendment Areas Nos. 1 and 2 are located within a flood hazard area; however, future development will not result in the construction of any housing units. Amendment Area 2 may be used for future storm water retention; however, at this time the proposal is only to modify the land use and zoning designation. Any future development will require a thorough environmental analysis based upon a specific development proposal.
- i-j: **No Impact.** No levees, dams or large bodies of water are located near the locations which would subject people to flooding. The areas are 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### SUBSTANTIATION:

- a-c: **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites or will the proposals allow for the potential for future division of any established communities. Amendment Area No. 3 involves existing unimproved roadways identified within the Town of Apple Valley General Plan and EIR, which was certified August 11, 2009.
- b-c: **No Impact.** The proposal complies with the General Plan and the Apple Valley Industrial Specific Plan. There are no habitat conservation plans or natural community conservation plans affected the subject areas.

#### 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 sites are not designated as a State Aggregate Resource Area according to the General Plan FEIR; therefore, there is no impact.
- b. **No Impact.** The sites are 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION (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: **No Impact.** The General Plan Amendment and Zone Change, in and of itself, will have no impact upon noise levels and there is no development within the Amendment Areas proposed at this time.
- e-f: **No Impact.** The General Plan Amendment and Zone Change, in and of itself, will have no impact upon noise levels and there is no development within the Amendment Areas proposed at this time. Amendment Area No. 3 is adjacent to a public airport (Apple Valley Airport); however a modification to the road classifications will not have any impact to noise levels identified within the Town of Apple Valley General Plan and EIR, which was certified August 11, 2009.

### **XIII. POPULATION AND HOUSING**

Would the project result in:

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

#### **SUBSTANTIATION:**

a-c: **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of these vacant sites. Therefore, the project would not result in substantial growth in the areas or displace existing housing or people.

### **XIV. PUBLIC SERVICES**

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<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:**

a. **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change, in and of itself, will have no impact upon public services.

## **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 neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities 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.** No development is proposed at this time. The General Plan Amendment and Zone Change, in and of itself, will have no impact upon recreational services or facilities.

## **XVI. TRANSPORTATION/TRAFFIC**

Would the project result in:

	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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result 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 checked="" type="checkbox"/>	<input 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 regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

☐☐☒☐

SUBSTANTIATION:

- a-b. **No impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites. The potential traffic impacts associated with future development would be reviewed based on the applications received. Amendment Area No. 3 involves a road rating reduction for two (2) road segments - Navajo Road, between Gustine Road and Fresno Road, will be changed from a Secondary to a Local Industrial; Fresno Road, between Navajo Road and Dakota Road, will change from a Secondary to a Local Industrial. Gustine Road, between Navajo Road and Dakota Road, which is approximately 1,200 feet north of, and parallel to, the segment of Fresno proposed for modification, will change from Local Industrial to Secondary. The modification to road designation will not impact traffic generated from future developments.
- c. **No Impact.** The proposal will not affect air traffic patterns.
- d. **Less than Significant Impact.** The proposal will modify future road designs relating to road width only. There is no change purposed to road patterns. Amendment Area No. 3 involves a road rating reduction for two (2) road segments - Navajo Road, between Gustine Road and Fresno Road, will be changed from a Secondary to a Local Industrial; Fresno Road, between Navajo Road and Dakota Road, will change from a Secondary to a Local Industrial. Gustine Road, between Navajo Road and Dakota Road, which is approximately 1,200 feet north of, and parallel to, the segment of Fresno proposed for modification, will change from Local Industrial to Secondary. Amendment Area No. 3 is within the Apple Valley Industrial Specific Plan. All surrounding land uses and traffic patterns will continue to be industrial in nature.
- e. **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change, in and of itself, will have no impact upon emergency access points.
- f. **No Impact.** No development is proposed at this time. The General Plan Amendment and Zone Change, in and of itself, will have no impact upon parking. Any impact to parking associated with future development would be reviewed based on the applications received.
- g. **Less than Significant Impact.** The proposal does not include new construction or alternations. Future development would be required to be consistent will all Town's standards. The proposal will modify future road designs relating to road width only. There is no change purposed to road patterns. Amendment Area No. 3 involves a road rating reduction for two (2) road segments - Navajo Road, between Gustine Road and Fresno Road, will be changed from a Secondary to a Local Industrial; Fresno Road, between Navajo Road and Dakota Road, will change from a Secondary to a Local Industrial. Gustine Road, between Navajo Road and Dakota Road, which is approximately 1,200 feet north of, and parallel to, the segment of Fresno proposed for modification, will change from Local Industrial to Secondary. Amendment Area No. 3 is within the Apple Valley Industrial Specific Plan. All surrounding land uses and traffic patterns will continue to be industrial in nature.

## **XVII. UTILITIES AND SERVICE SYSTEMS**

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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-c,e. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites. The demands of new development on utilities and service systems have been anticipated in the General Plan. When new construction or change in land use activities occurs, the projects would be conditioned to install the necessary utilities to serve the project.

d. **Less than Significant Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development of any of the sites. It is unlikely that future development would require a water supply; therefore, the proposal will have a less than significant impact.

f -g. **Less than Significant Impact.** Future solid waste generated by future development would be ultimately transported to the Victorville Regional Sanitary Landfill. Recently, the County of San Bernardino Solid Waste Management Division requested an approval of the expansion of the landfill. The County of San Bernardino Solid Waste Management Division prepared an Environmental Impact Report to review the environmental effects of expanding the landfill to accommodate future growth. The expansion project was

approved, and extended the landfill projected closure date from 2005 to 2081. Based on approval of the expansion at the Victorville Regional Landfill, solid waste generated by future development at the project are would have a less than significant impact on the permitted capacity. As previously indicated, the properties are developed; therefore, there would not be a significant change beyond the current waste generation with future development.

### **XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

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

#### **SUBSTANTIATION:**

- a. **No Impact.** Based on the information contained in this initial study, the proposal will not 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.



- b. ***Less than Significant Impact.*** Based on the information contained in this initial study, the proposal does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- c. ***Less than Significant Impact.*** Based on the information contained in this initial study, the proposal will not have impacts that are individually limited, but cumulatively considerable.
- d. ***No Impact.*** Based on the information contained in this initial study, the proposal will not have substantial adverse effects on human beings, either directly or indirectly.

### **REFERENCES**

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