



# TOWN OF APPLE VALLEY

## TOWN COUNCIL STAFF REPORT

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**To:** Honorable Mayor and Town Council                      **Date:** October 27, 2015

**From:** Carol Miller, Principal Planner                      **Item No:** 17  
Planning Department

**Subject:** GENERAL PLAN AMENDMENT NO. 2015-002: A REQUEST TO CONSIDER A CHANGE TO THE GENERAL PLAN LAND USE DESIGNATION FROM (R-E) RESIDENTIAL ESTATE (1 DU PER 1 TO 2.5 GROSS ACRES) TO GENERAL COMMERCIAL (C-G).

ZONE CHANGE NO. 2015-002: THE PROPOSED ZONE CHANGE WOULD CHANGE THE PROJECT SITE FROM (R-E) RESIDENTIAL ESTATE (1 DU PER 1 TO 2.5 GROSS ACRES) TO GENERAL COMMERCIAL (C-G)

**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. 2015-002 and Zone Change No. 2015-002 will not have a significant effect on the environment.
2. **Adopt** the Negative Declaration prepared for General Plan Amendment No. 2015-002 and Zone Change No. 2015-002.
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. 2015-38, approving General Plan Amendment No. 2015-002.
5. **Move** to waive the reading of Ordinance No. 477 in its entirety and read by title only.
6. **Introduce** Ordinance No. 477, approving Zone Change No. 2015-002; and
7. **Direct** staff to file a Notice of Determination with the San Bernardino County Clerk of the Board of Supervisors.

## **ANALYSIS:**

The applicant is requesting consideration of a General Plan Amendment and Zone Change. The request is to amend the General Plan and Zoning designations of the property from its existing Residential Estate (R-E) to the General Commercial (C-G) Land Use designation. The existing use on the property is a pre-school facility, approved for up to 120 children, which is more a commercial use than residential. As such, a commercial designation would be more appropriate for the underlying use. Further, the property owner is requesting the change to improve the property's appraisal and resale value and for insurance purposes.

On July 15, 2015, the Planning Commission conducted a public hearing for General Plan Amendment No. 2015-002 and Zone Change No. 2015-002. Following staff's presentation, public comments and subsequent Commission discussion, Planning Commission Resolution 2015-009 was adopted recommending that the Council approve the attached Resolution and Ordinance.

## **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: The proposed amendment is consistent with the goals, policies and standards of all General Plan Elements and will further their implementation. A designation of General Commercial is a more appropriate designation than residential considering the existing use and will be a logical extension of General Commercial (C-G).

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

Comment: The proposed General Plan Amendment is consistent with the Goals and Policies of both the Land Use Element of the General Plan. Since only the land use designation is being amended, the proposed amendment will comprise an integrated, internally consistent and compatible statement of policies for the Town.

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 site is the proper location for the General Commercial, which with the existing pre-school, the request furthers the public interest and promotes the general welfare of the Town by providing for a logical pattern of land uses that serves the community.

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: The request is consistent with the goals, policies and standards of all of the General Plan Elements and will further their implementation. The proposed General Commercial zoning designation is consistent with the proposed General Commercial General Plan Designation.

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

Comment: The request will not adversely affect the health, peace or comfort of persons residing in the area and will not be detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site because the site is already used in a commercial manner as a pre-school.

#### **NOTICING:**

General Plan Amendment No. 2015-002 and Zone Change No. 2015-002 was advertised as a public hearing in the Apple Valley News newspaper on October 2, 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. 2015-38
2. Ordinance No. 477
3. Draft Minute excerpt from the July 15, 2015 Planning Commission meeting
4. Planning Commission staff report from the July 15, 2015 Planning Commission meeting, including Planning Commission Resolution No. 2015-009

**TOWN COUNCIL RESOLUTION NO. 2015-38**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, ADOPTING GENERAL PLAN AMENDMENT NO. 2015-002 CHANGING THE LAND USE DESIGNATIONS FROM ESTATE RESIDENTIAL (R-E) LAND USE AND ZONE DESIGNATION TO GENERAL COMMERCIAL (C-G) LAND USE AND ZONE DESIGNATION FOR APN 3112-482-13**

**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 October 2, 2015, General Plan Amendment No. 2015-002 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. 2015-002 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. 2015-002 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 October 27, 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 change proposed under General Plan Amendment No. 2015-002 is 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. 2015-002, amending a portion of the Town of Apple Valley General Plan Exhibit II-2 Land Use Map 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.

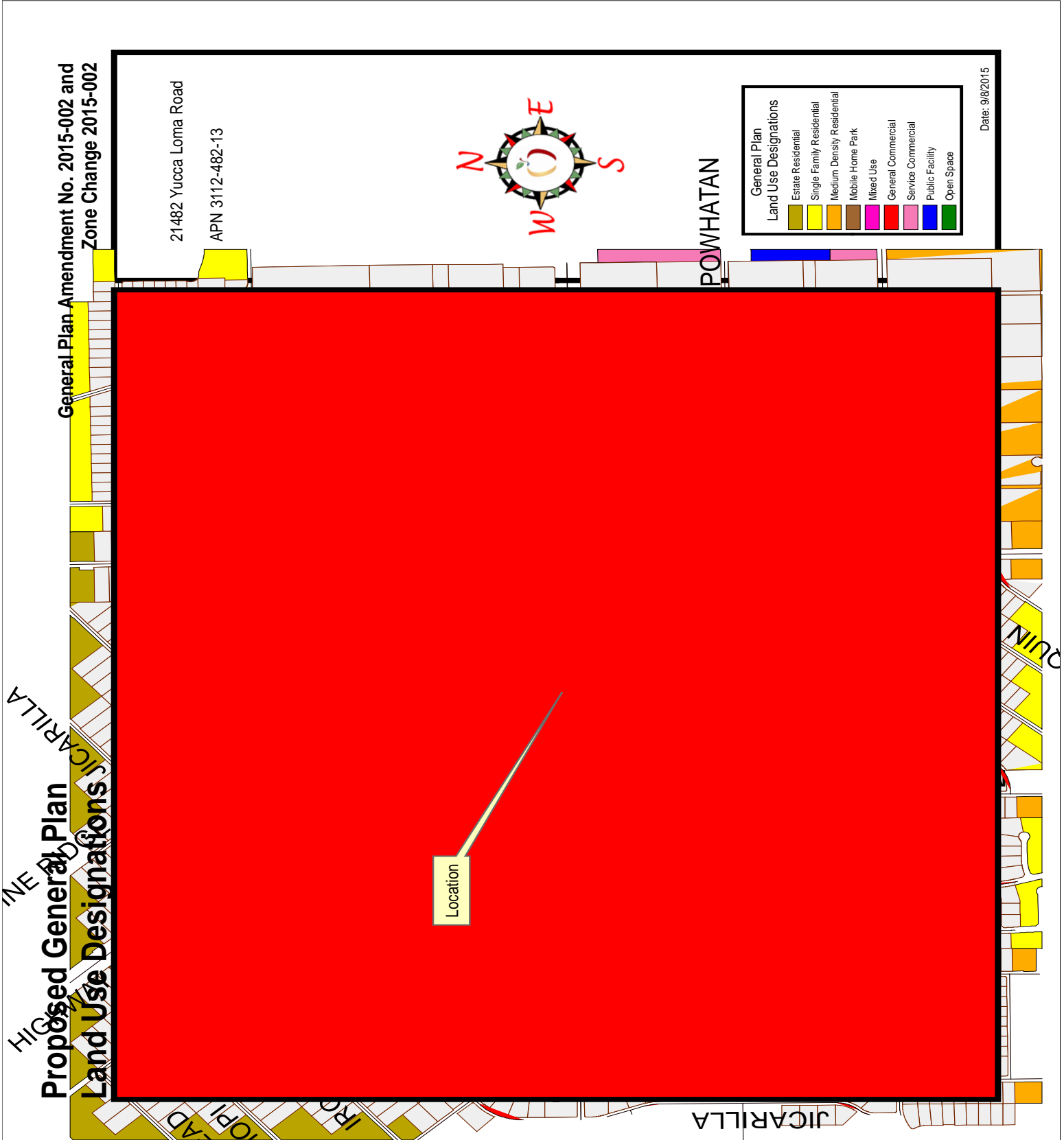
**APPROVED** and **ADOPTED** by the Town Council of the Town of Apple Valley this 27<sup>th</sup> day of October, 2015.

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

**ATTEST:**

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

# EXHIBIT "A"



**ORDINANCE NO. 477**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY, CALIFORNIA, AMENDING THE OFFICIAL ZONING MAP BY CHANGING THE ZONING DESIGNATION FROM ESTATE RESIDENTIAL (R-E) LAND USE AND ZONE DESIGNATION TO GENERAL COMMERCIAL (C-G) LAND USE AND ZONE DESIGNATION FOR APN 3112-482-13.**

**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 October 2, 2015, Zone Change No. 2015-002 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 October 27, 2015, the Town Council of the Town of Apple Valley conducted a duly noticed and advertised public hearing on Zone Change No. 2015-002, 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. 2015-002 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. 2015-002 is consistent with the Goals and Policies of the Town of Apple Valley adopted General Plan as amended, and with General Plan Amendment No. 2015-002.

**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 the 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.

**APPROVED** and **ADOPTED** by the Town Council and signed by the Mayor and attested to by the Town Clerk this 10<sup>TH</sup> day of November, 2015.

**ATTEST:**

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

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

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

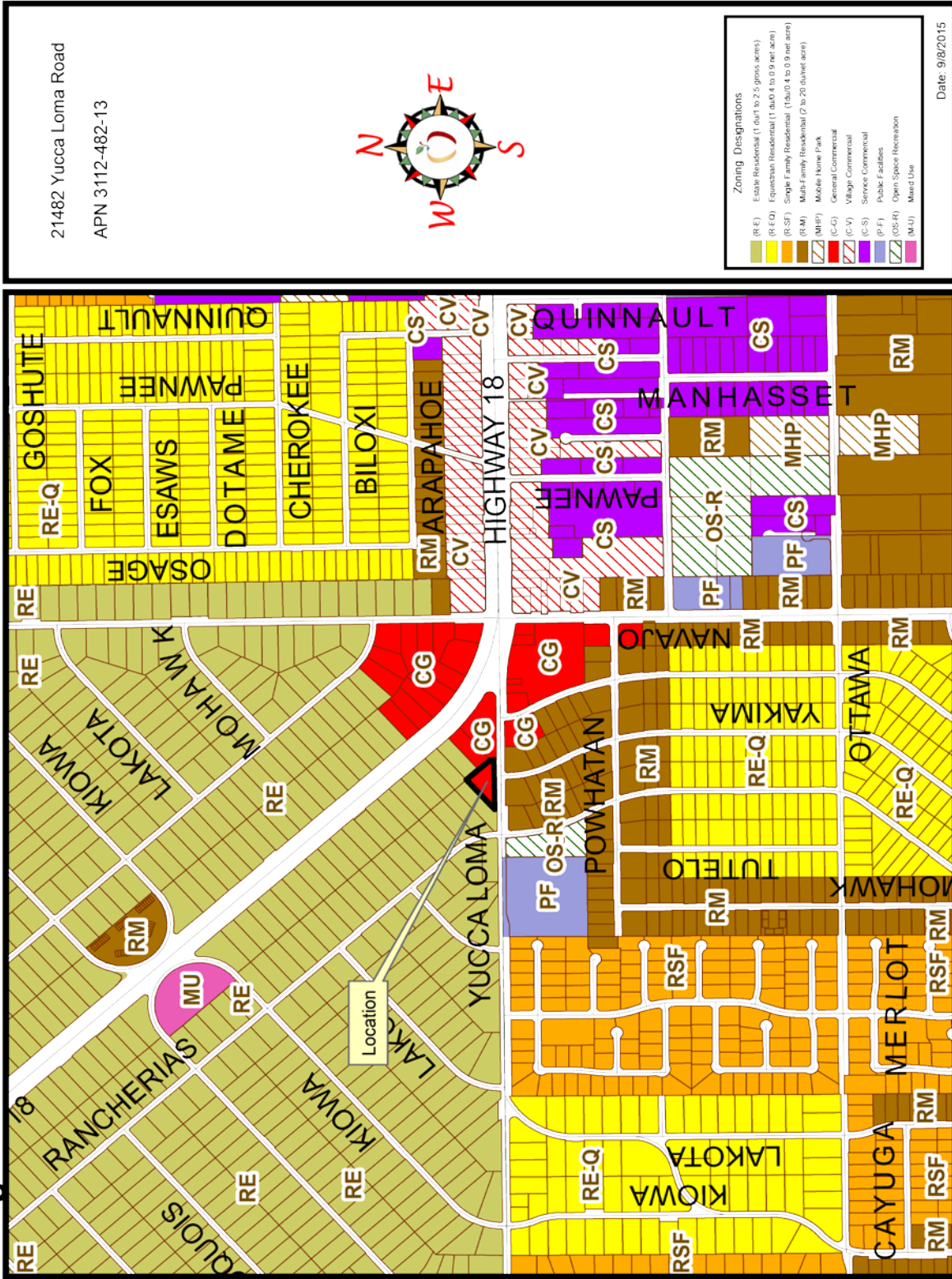
\_\_\_\_\_  
John Brown, Town Attorney

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

# EXHIBIT "A"

General Plan Amendment No. 2015-002 and  
Zone Change 2015-002

## Proposed Zoning Designations



## ***MINUTES***

### ***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.

#### **6. General Plan Amendment No. 2015-002 and Zone Change No. 2015-002.**

General Plan Amendment No. 2015-002. A request to change the General Plan land use designation from (R-E) Residential Estate (1 DU per 1 to 2.5 gross acres) to General Commercial (C-G).

Zone Change No. 2015-002. The proposed Zone Change would change the project site from (R-E) Residential Estate (1 DU per 1 to 2.5 gross acres) to General Commercial (C-G).

**Applicant:** Melissa and Chad Moon

**Location:** The project site is located at 21482 Yucca Loma Road; APN: 3112-482-13.

Chairman Kallen opened the public hearing at 7:58 p.m.

Ms. Carol Miller, Principal Planner, presented the staff report as filed by the Planning Division.

#### **PUBLIC COMMENT**

Mr. Victor Tronson, Apple Valley, stated there were three (3) other properties surrounding the project and wanted to know if those would be designated General Commercial. He stated he was against the project because he believed it would cause too much traffic.

Chairman Kallen closed the public hearing at 8:12 p.m.

## **MOTION**

Motion by Commissioner Lamoreaux, 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 2015-002 and ZC No. 2015-002 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. 2015-009 recommending the Town Council's approval of General Plan Amendment No. 2015-002 and Zone Change No. 2015-002.

## **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.



## 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. 2015-002  
Zone Change No. 2015-002
- APPLICANT:** Melissa and Chad Moon
- PROPOSAL:** General Plan Amendment No. 2015-002: A request to consider a change to the General Plan land use designation from (R-E) Residential Estate (1 DU per 1 to 2.5 gross acres) to General Commercial (C-G).  
  
Zone Change No. 2015-002: The proposed Zone Change would change the project site from (R-E) Residential Estate (1 DU per 1 to 2.5 gross acres) to General Commercial (C-G)
- LOCATION:** The site is located at 21482 Yucca Loma Road; APN: 3112-482-13
- 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. Carol Miller, Principal Planner
- RECOMMENDATION:** Adopt Planning Commission Resolution No. 2015-009
- PROJECT SITE AND DESCRIPTION:**
- A. Project Size  
The subject site consists of 1.07 acre
- B. General Plan Designations  
Project Site: Estate Residential (R-E)  
North: Estate Residential (R-E)  
East: General Commercial (C-G)  
South: Medium Density residential (R-M)

West: Estate Residential (R-E)

C. Surrounding Zoning

Project Site: Residential Estate (R-E), Pre-school facility  
North: Residential Estate (R-E), Single Family Residential and Vacant Land  
East: General Commercial (C-G), Vacant Land  
South: Residential Multi-Family (R-M), Apartment Units  
West: Residential Estate (R-E), Single Family Residential

D. Site Characteristics

The site is currently developed with a 4,680 square foot pre-school, paved parking, play area and play equipment. A 3,444 square-foot expansion was approved by the Planning Commission at its July 1, 2015 meeting.

The subject site is located on Yucca Loma Road, a major arterial which is designed to handle commercial traffic.

**ANALYSIS**

A. General

The applicant is requesting consideration of a General Plan Amendment and Zone Change. The request is to amend the General Plan and Zoning designations of the property from its existing Residential Estate (R-E) to the General Commercial (C-G) Land Use designation. The existing use on the property is a pre-school facility, approved for up to 120 children which is more a commercial use than residential. As such, a commercial designation would be more appropriate for the underlying use. Further, the property owner is requesting the change to improve the property's appraisal and resale value and for insurance purposes.

The review of the General Plan Amendment evaluates consistency with the Goals and Policies of the General Plan and, if it is appropriate, to change the land use designation.

The request is consistent with the goals and policies of the Town's General Plan Land Use Elements. Specifically those listed below.

General Land Use Element Goals, Policies and Programs

**Goal 2:**

*A well planned, orderly development pattern that enhances community values, and assures development of adequate infrastructure.*

**Policy 2.A**

*The Town shall maintain a land use map that assures a balance of residential, commercial, industrial, open space and public lands.*

**Program 2.A.2**

*The Zoning Map shall directly correspond to General Plan land use designations, and shall be kept consistent with the General Plan.*

**Goal 6**

*Commercial development shall strengthen the local economy and enhance the quality of life.*

**Program 6.A.1**

*Commercial development shall be focused on major roadways, SR 18 corridor, the high desert corridor, and I-15 as shown on the Land Use Map.*

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. 2015-002 and Zone Change No. 2015-002 were advertised as a public hearing in the Apple Valley News newspaper on June 26, 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:

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: The proposed amendment is consistent with the goals, policies and standards of all General Plan Elements and will further their implementation. A designation of General Commercial is a more appropriate designation than residential considering the existing use and will be a logical extension of General Commercial.

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

Comment: The proposed General Plan Amendment is consistent with the Goals and Policies of both the Land Use Element of the General Plan. Since only the land use designation is being amended, the proposed amendment will comprise an integrated, internally consistent and compatible statement of policies for the Town.

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 site is the proper location for the General Commercial, which with the existing pre-school, the request furthers the public interest and promotes the general welfare of the Town by providing for a logical pattern of land uses that serves the community.

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: The request is consistent with the goals, policies and standards of all of the General Plan Elements and will further their implementation. The proposed General Commercial zoning designation is consistent with the proposed General Commercial General Plan Designation.

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

Comment: The request will not adversely affect the health, peace or comfort of persons residing in the area and will not be detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.

**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 2015-002 and ZC No. 2015-002 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. 2015-009 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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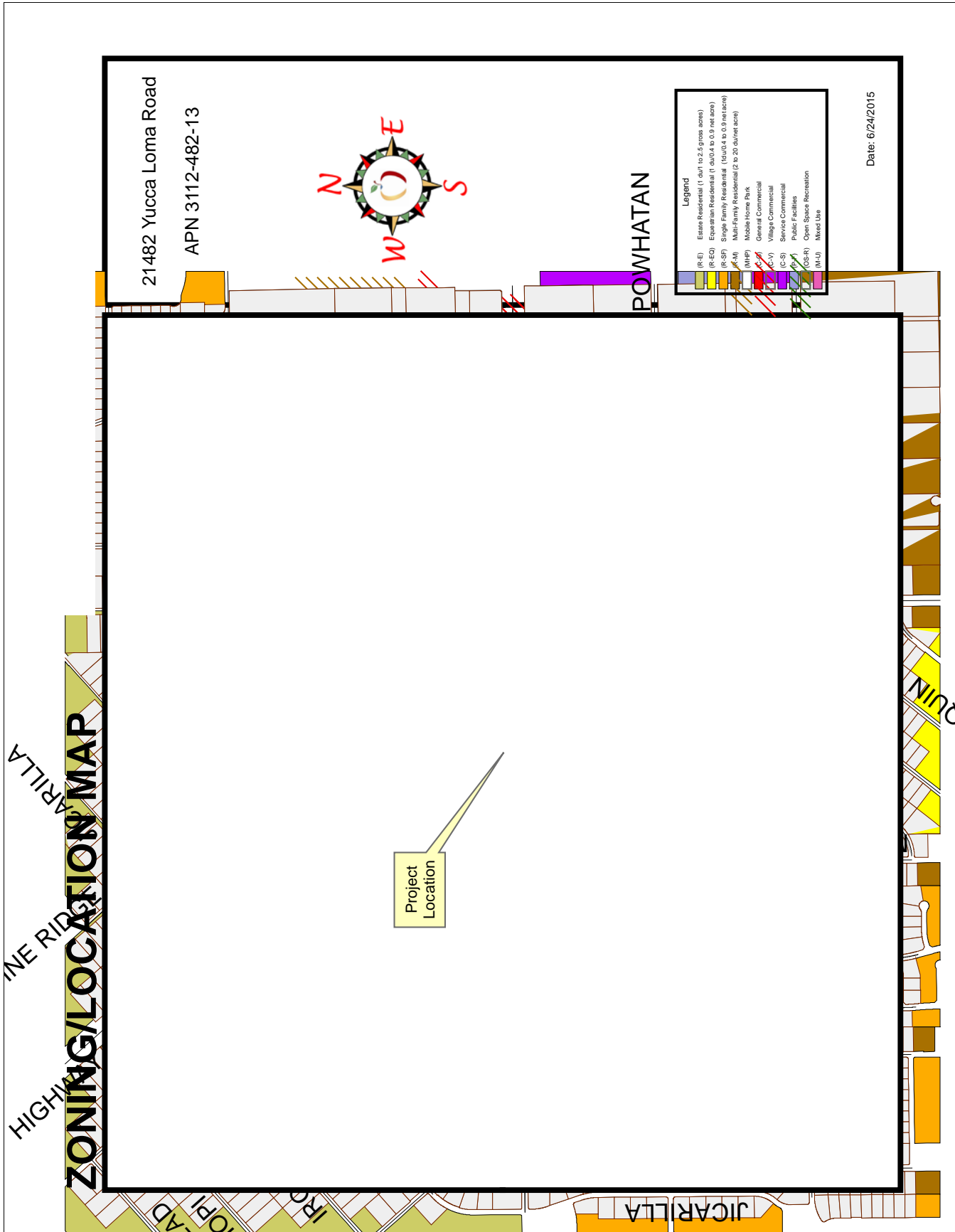
Carol Miller  
Principal Planner

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Lori Lamson  
Assistant Town Manager

**ATTACHMENTS:**

1. Zoning Map
2. Planning Commission Resolution No. 2015-009
3. Initial Study



**PLANNING COMMISSION RESOLUTION NO. 2015-009**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF APPLE VALLEY, CALIFORNIA, RECOMMENDING THAT THE TOWN COUNCIL APPROVE GENERAL PLAN AMENDMENT NO. 2015-002 AND ZONE CHANGE NO. 2015-002, AMENDING THE LAND USE AND ZONING DESIGNATIONS FROM ESTATE RESIDENTIAL (R-E) LAND USE AND ZONE DESIGNATION TO GENERAL COMMERCIAL (C-G) LAND USE AND ZONE DESIGNATION FOR APN 3112-482-13.**

**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**, The General Plan and Title 9 (Development Code), including the Official Zoning Districts Map of the Municipal Code of the Town of Apple Valley have been previously amended 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 of one (1) parcel. The approximately 1-acre site is located at 21482 Yucca Loma Road; APN 3112-482-13.

**WHEREAS**, on June 26, 2015, General Plan Amendment No. 2015-002 and Zone Change No. 2015-002 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. 2015-002 and Zone Change No. 2015-002; and

**WHEREAS**, the proposed General Plan Amendment No. 2015-002 and Zone Change No. 2015-002 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. 2015-002 and Zone Change No. 2015-002 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. 2015-002 and Zone Change No. 2015-002 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. 2015-002 and Zone Change No. 2015-002.

**Section 4.** Adopt a Town Council Resolution approving a General Plan Amendment as requested. The approximately one (1)-acre site, consisting of one (1) parcel, located at 21482 Yucca Loma Road; APN 3112-482-13 and as shown on Exhibit "A" attached to this Resolution.

**Section 5.** Adopt an ordinance amending 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 approving the Zone Change from Estate Residential (R-E to General Commercial for Assessor Parcel Numbered 3112-482-13 as shown on Exhibit "B" attached to this Resolution.

**Section 6.** Direct staff to file a Notice of Determination.

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:

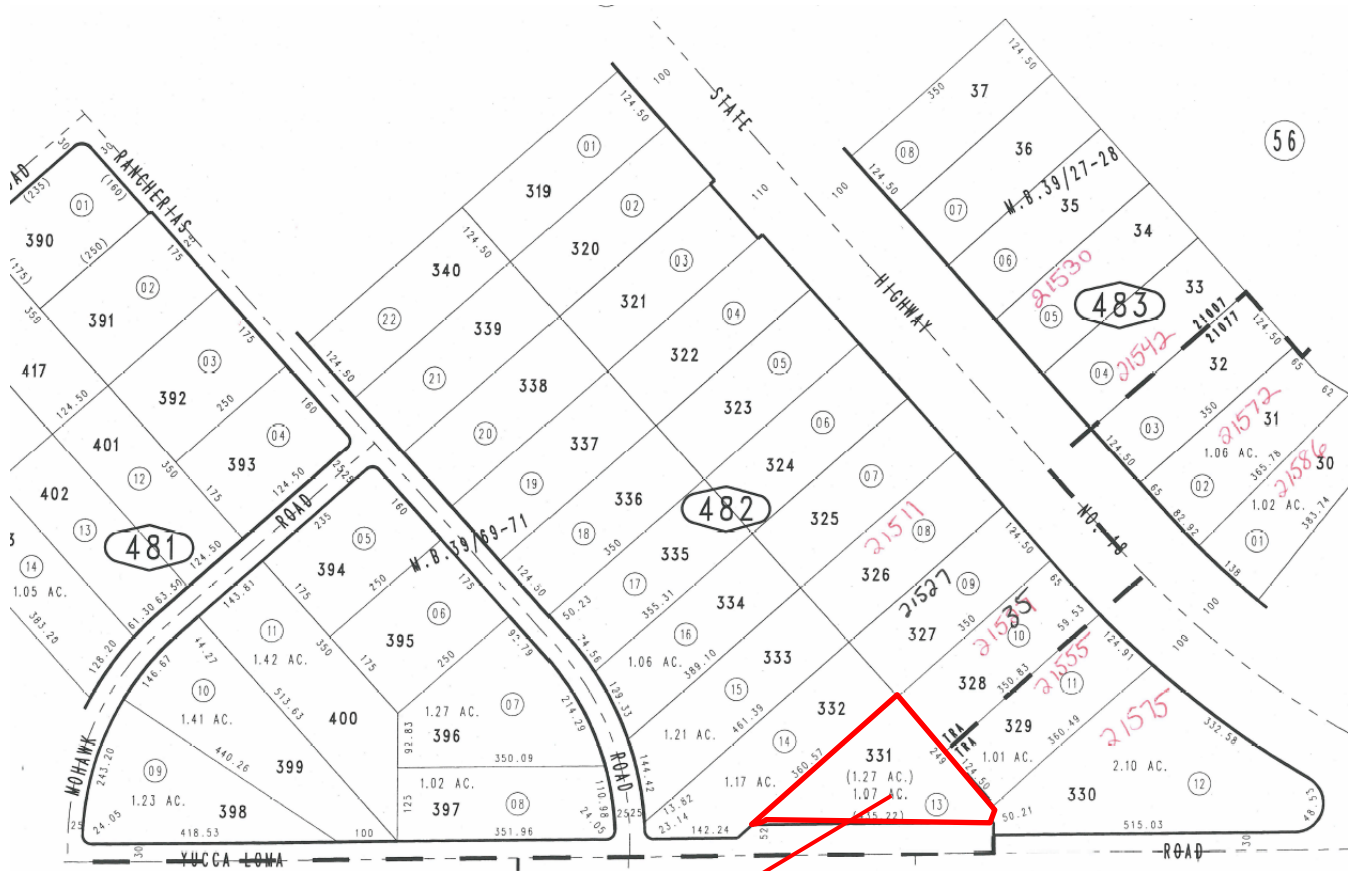
ABSENT:

ABSTAIN:

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Ms. Debra Thomas, Planning Commission Secretary

Exhibit "A" - General Plan Amendment No.2015-002  
Exhibit "B" - Zone Change No. 2015-002



GPA #2015-002: Change from Residential Estate (R-E) to General Commercial (CG).  
  
&  
  
ZC #2015-002: Change from Residential Estate (R-E) to General

**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. 2015-002  
Zone Change No. 2015-002
  
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:**  
Carol Miller,  
Principal Planner  
(760) 240-7000 Ext 7222
  
4. **Applicant's name and address:** Melissa and Chad Moon  
19505 Arcata Rd  
Apple Valley, Ca. 92307
  
5. **Project location and Assessor's Parcel Number:**  
Subject site is located 21482 Yucca Loma Rd. APN: 3112-482-13
  
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):  
  
This Initial Study is for General Plan Amendment No. 2015-02 and Zone Change No. 2015-01. The proposed amendments would change the project site from (R-E) Residential Estate to General Commercial (C-G).

**ENVIRONMENTAL/EXISTING SITE CONDITIONS**

The one acre site is currently developed with a pre-school facility, including paved parking and play area.

	<b>TOWN OF APPLE VALLEY GENERAL PLAN DESIGNATION</b>	<b>TOWN OF APPLE VALLEY ZONING DISTRICT</b>	<b>EXISTING LAND USE</b>
Site	R-E – Estate Residential (Proposed C-G - General Commercial )	R-E – Estate Residential (Proposed C-G –General Commercial)	Pre-school
North	R-E – Estate Residential	R-E – Estate Residential	SFR & Vacant
South	MDR – Medium Density Residential	R-MF - Residential Multiple Family	Vacant
East	C-G - General Commercial	R-SF - Residential Single Family	Vacant
West	R-E – Estate Residential	O-P – Office Professional	Vacant

**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<br>Hydrology/Water Quality | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/>               |
| <input type="checkbox"/> Land Use/Planning                                   | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise         |
| <input type="checkbox"/> Population/Housing                                  | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation    |
| <input type="checkbox"/> Transportation/Traffic                              | <input type="checkbox"/> Utilities/Service Systems          | <input type="checkbox"/> Mandatory     |
- Findings of Significance

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

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

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.



- The proposed project MAY have a significant effect on the environment, and ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Lori Lamson  
Assistant Town Manager

\_\_\_\_\_  
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:	<b>Potentially Significant Impact</b>	<b>Less than Significant with Mitigation Incorp.</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
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 on any of the parcels. The subject property is currently developed with a pre-school. Nevertheless, the subject property is 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:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Gov't Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

a&e. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development on any of the parcels. The subject property is currently developed with a pre-school. Nevertheless, the subject property contains two agricultural designations as determined by the California Department of Conservation, Farmland Mapping and Monitoring Program (FMMP).

b. **No Impact.** The proposed General Plan Amendment and Zone Change which, in and of itself does not directly involve the development on any of the parcels. The subject property is currently developed with a pre-school.

c&d **No Impact.** Forest land is defined as “land that can support 10% native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits” (Public Resources Code section 12220(g)). Timberland is define as “land, other than land owned by the federal government and land designated by the Board of Experimental forestland, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees” (Public Resources Code section 4526). A Timberland Production Zone is defined as “an area which has been zoned pursuant to

Section 51112 or 51113 and is devoted to and used for growing and harvesting timber and compatible uses, as defined in subdivision” (Gov’t Code section 51104(g)). The site does not contain forest land.

### 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, in and of itself will not violate any air quality standards. However, the project area is 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>). Any expansion is required to comply with any applicable air quality standards.

d. **No Impact.** The proposed General Plan Amendment and Zone Change, in and of itself will not violate any air quality standards. The request is only for a change in General Plan land use designation and zoning. Nevertheless, there are not sensitive receptors adjacent to the subject property.

### IV. BIOLOGICAL RESOURCES

Would the project:

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

SUBSTANTIATION (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 subject site is a developed one acre parcel located in a predominately developed area. The site itself is developed with a pre-school facility, including paved parking and outdoor play area and equipment. Due to the development the site will not impact biological resources. Therefore, no impact is anticipated.

**V. CULTURAL RESOURCES**

Would the project:

	<b>Potentially Significant Impact</b>	<b>Less than Significant with Mitigation Incorp.</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
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 subject site is a developed one acre parcel located in a predominately developed area. The site itself is developed with a pre-school facility, including paved parking and outdoor play area and equipment. Due to the development the site will not impact cultural resources. Therefore, no impact is anticipated.

**VI. GEOLOGY AND SOILS**

Would the project:

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

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| ii) Strong seismic ground shaking?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?   |                          |                          |                          |                                     |

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

a (i). **No Impact.** The site is 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). The nearest fault zone is the North Frontal Fault Zone located approximately five (5) miles to the southeast. Therefore, no impact associated with the rupture of a known earthquake fault would occur. Due to the development the site will not impact cultural resources. Therefore, no impact is anticipated.

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

a(ii) **No Impact.** Like all of southern California, the Mojave Desert is a seismically active region. 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. The proposal is a General Plan Amendment and Zone Change only. Therefore, any future construction in the project area will conform to the requirements of the Uniform Building Code (UBC). The California Building Code (California Code of Regulations, Title 24) establishes engineering standards appropriate for the seismic zone in which development may occur. Adherence to the UBC and the California Building Code (CBC) standards will ensure potential ground shaking impacts are reduced to a less than significant level.

a(iii) **No Impact.** Liquefaction, the loss of soil strength or stiffness due to a buildup of excess pore-water pressure during strong ground shaking is considered unlikely on the project site. Considering the geologic setting of the project site, the composition of on-site soils, available water well data, and the lack of groundwater the potential for liquefaction to occur on the project site during a seismic event is low. Nevertheless, prior to future development, a soils report will be required.



- a(iv) **No Impact.** The proposed General Plan Amendment and Zone Change has no development proposed at this time. Therefore, the proposal will not subject anyone or structure to landslides.
- b-d **No Impact.** Soils on site consist of Bryman Loamy Fine Sand, Cajon Sand, Kimberlina Loamy Fine Sand, and Helendale Loamy Sand. Future development of the properties will require the excavation, stockpiling, and movement of on-site soils to create the residential pads and proposed new roadways. Currently, construction projects resulting in the disturbance of one (1) acre or more are required to obtain a National Pollutant Discharge Elimination System (NPDES) permit issued by the Regional Water Quality Control Board (RWQCB). Due to the development the site will not impact cultural resources. Therefore, no impact is anticipated.
- e. **No Impact.** Any future development will be required to connect to the existing sanitary sewer system. Because septic or alternative waste disposal systems will not be utilized, no impact related to this issue will occur.

**VII. GREENHOUSE GAS EMISSIONS**

Would the project:

	<b>Potentially Significant Impact</b>	<b>Less than Significant with Mitigation Incorp.</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
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. **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. A detailed description of each of the greenhouse gases and their global warming potential are provided in *Air Quality* of the Town’s General Plan EIR. Due to the development the site will not impact cultural resources. Therefore, no impact is anticipated.
- b. **No Impact** The proposed General Plan Amendment and Zone Change will not conflict with the provisions of any adopted, applicable plan, policy or regulation. On July 13, 2010, the Town adopted a Climate Action Plan and as updated in September of 2014 enhances the General Plan’s goals, policies and programs relating to meeting the greenhouse gas emission targets established in the California Global Warming Solutions Act. Due to the development the site will not impact cultural resources. Therefore, no impact is anticipated.

**VIII. HAZARDS AND HAZARDOUS MATERIALS**

Would the project:

<b>Potentially Significant Impact</b>	<b>Less than Significant with Mitigation Incorp.</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
---------------------------------------	--	-------------------------------------	------------------

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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-c **No Impact.** Although the subject property is within ¼ mile of Yucca Loma Elementary School, the change from a single family residential designation to commercial designation will not emit hazardous emissions or handle hazardous materials because the site is developed with a pre-school. No impact is anticipated.

- 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.** The proposed project is not located within the land use plan of Apple Valley Airport, which is approximately six (6) miles to the north. No impact is anticipated.
- g: **No Impact.** The proposed General Plan Amendment and Zone Change will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The site is developed with a pre-school facility and will remain as such. Therefore, there are no impacts associated with this issue.
- h: **No Impact.** According to the Town's General Plan, the project site is not located within a Fire Hazard Area or within an area susceptible to wildfires. The vacant land adjacent to the project site has minimal vegetation. The site is developed with a pre-school facility and that will remain. As such, there are no impacts associated with this issue.

**IX. HYDROLOGY AND WATER QUALITY**

Would the project:

	<b>Potentially Significant Impact</b>	<b>Less than Significant with Mitigation Incorp.</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
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"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
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-j: **No Impact.** The proposed General Plan Amendment and Zone Change will not violate any water quality standards or waste discharge requirements because the Regional Water Quality Control Board (RWQCB), responsible for administering the Federal Clean Water Act on a regional level, has standards and waste discharge requirements for water quality that must be met during both construction of a project and ongoing at such time expansion development is completed. The site is developed with a pre-school facility and will remain as such. Therefore, there are no impacts associated with this issue.

**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?

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

**SUBSTANTIATION:**

- a: **No Impact.** The proposed General Plan Amendment and Zone Change is for developed land. The change will represent a continuation of the commercial land use designation. Therefore, no impacts associated with physically dividing an established neighborhood are anticipated.
- b: **Less than Significant Impact.** The proposed project includes a General Plan Amendment and Zone Change from Residential Estate to General Commercial. An approval to amend the General Plan and Zoning will bring a more appropriate designation to the site rather than keeping it residential. For these reasons, the implementation of the proposal would not conflict with any applicable land use plan, policy, or regulation; a less than significant impact would occur.
- c: **No Impact** The amendment would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan because no such plan has been adopted in the area of the project site; however, the Town has a draft Multi-Species Habitat Conservation Plan.

**XI. MINERAL RESOURCES**

Would the project:

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

SUBSTANTIATION (check \_if project is located within the Mineral Resource Zone Overlay):

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

**XII. NOISE**

Would the project result in:

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 proposed project includes a General Plan Amendment and Zone Change from Residential Estate to General Commercial for an existing non-conforming pre-school facility. An approval to amend the General Plan and Zoning will bring the site into conformance. For these reasons, the implementation of this request would not result in additional noise impacts beyond those already generated by the use. No impact is anticipated
- e: **No Impact.** The proposed project is not located within two miles of a public airport and, therefore, does not have the potential to expose people to excessive noise levels from airport operations.

f: **No impact.** The proposed project site is not located within the vicinity of a private airstrip; therefore, no impact associated with this issue will occur.

**XIII. POPULATION AND HOUSING**

Would the project result in:

	<b>Potentially Significant Impact</b>	<b>Less than Significant with Mitigation Incorp.</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
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: **No Impact.** The proposed project includes a General Plan Amendment and Zone Change from Residential Estate to General Commercial for an existing non-conforming pre-school facility. An approval to amend the General Plan and Zoning will bring the site into conformance. For these reasons, the implementation of this request would not result in the need for additional housing or result in a substantial population growth. No impact is anticipated
- b: **No Impact.** The proposed project site is developed and, therefore, no displacement of housing or residents will occur. Replacement housing will not be required and no impact associated with this issue will occur.
- c: **No Impact.** The proposed project site is currently developed. As such, the development of the project will not displace people or necessitate the need for construction of replacement housing elsewhere. No impact associated with this issue will occur.

**XIV. PUBLIC SERVICES**

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorp.	Less than Significant Impact	No Impact
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.** The proposed project includes a General Plan Amendment and Zone Change from Residential Estate to General Commercial for an existing non-conforming pre-school facility. An approval to amend the General Plan and Zoning will bring the site into conformance. For these reasons, the implementation of this request would not result in the need for additional housing or result in a substantial population growth. No impact is anticipated.

**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.** The proposed project includes a General Plan Amendment and Zone Change from Residential Estate to General Commercial for an existing non-conforming pre-school facility. An approval to amend the General Plan and Zoning will bring the site into conformance. For these reasons, the implementation of this request would not result in impacts to recreation. No impact is anticipated.

**XVI. TRANSPORTATION/TRAFFIC**

Would the project result in:

	<b>Potentially Significant Impact</b>	<b>Less than Significant with Mitigation Incorp.</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
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 type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SUBSTANTIATION:

- a&b. **No Impact.** The proposed project includes a General Plan Amendment and Zone Change from Residential Estate to General Commercial for an existing non-conforming pre-school facility. An approval to amend the General Plan and Zoning will bring the site into conformance. For these reasons, the implementation of this request would not result in traffic related impacts. No impact is anticipated
- c. **No Impact.** The proposed project is not located within the vicinity of an airport nor will it increase the traffic levels near an airport. Therefore, it will not cause any changes to air traffic patterns. No impacts are anticipated.
- d-g. **No Impact.** The proposed project includes a General Plan Amendment and Zone Change from Residential Estate to General Commercial for an existing non-conforming pre-school facility. An approval to amend the General Plan and Zoning will bring the site into conformance. For these reasons, the implementation of this request would not result in traffic related impacts. No impact is anticipated

**XVII. UTILITIES AND SERVICE SYSTEMS**

Would the project:	<b>Potentially Significant Impact</b>	<b>Less than Significant with Mitigation Incorp.</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
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 checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f) Be served by a landfill(s) with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

**SUBSTANTIATION:**

- a-g. **No Impact.** The proposed project includes a General Plan Amendment and Zone Change from Residential Estate to General Commercial for an existing non-conforming pre-school facility. An approval to amend the General Plan and Zoning will bring the site into conformance. For these reasons, the implementation of this request would not result in utility related impacts. No impact is anticipated

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

	<b>Potentially Significant Impact</b>	<b>Less than Significant with Mitigation Incorp.</b>	<b>Less than Significant Impact</b>	<b>No Impact</b>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) The project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) Does the project have environmental effects which will cause Substantial adverse effects on human beings, either directly or indirectly?

**SUBSTANTIATION:**

- a. **No Impact.** The site is not within designated or proposed critical habitat for threatened or endangered species. Additionally, according to the Biological Assessment the proposed project site does not contain any wetlands, or riparian habitat and does contain suitable habitat for nesting birds, raptors, and burrowing owls; however, at such time as development is proposed an updated assessment will be required.
  
- b. **No Impact.** The proposed project includes a General Plan Amendment and Zone Change from Residential Estate to General Commercial for an existing non-conforming pre-school facility. An approval to amend the General Plan and Zoning will bring the site into conformance. For these reasons, the implementation of this request would not achieve short-term environmental goals to the disadvantage of long-term environmental goals. No impact is anticipated
  
- c. **No Impact.** The proposed project includes a General Plan Amendment and Zone Change from Residential Estate to General Commercial for an existing non-conforming pre-school facility. An approval to amend the General Plan and Zoning will bring the site into conformance. For these reasons, the implementation of this request impacts would not individually limited nor cumulatively considerable. No impact is anticipated
  
- d. **Less than Significant Impact.** As identified in this Initial Study, it was determined that the significance of environmental impacts associated with the General Plan Amendment and Zone Change were either no impact or less than significant impact. For all topics, the General Plan Amendment and Zone Change would not produce a significant effect on the environment. Correspondingly, the General Plan Amendment and Zone Change would not produce an adverse impact on humans for those environmental topics that relate directly to humans such as aesthetics, air quality, cultural resources, geology and soils, hazards and hazardous material, hydrology and water quality, land use and planning, noise, population and housing, public services, recreation, and utilities and service systems.

## REFERENCES

California Department of Water Resources, Bulletin #118 (Critical Regional Aquifers), 1975  
County of San Bernardino, Countywide Integrated Waste Management Plan, March 1995  
Town of Apple Valley General Plan, 2009  
Town of Apple Valley Climate Action Plan (CAP), 2010  
Environmental Impact Report (EIR), Town of Apple Valley General Plan, 2009  
County of San Bernardino Identified Hazardous Materials Waste Sites List, April 1998  
Federal Emergency Management Agency Flood Insurance Rate Map and Flood Boundary Map  
Mojave Desert Air Quality Management District, Mojave Desert Planning Area – Federal Particulate Matter (PM10) Attainment Plan, July 1995  
Mojave Desert Air Quality Management District, Rule 403.2: Fugitive Dust Control Planning Area, July 1996  
South Coast Air Quality Management District, CEQA Air Quality Handbook, 1993

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